

SUMMERFIELD TOWNHOUSE #4 RESOLUTIONS

The statements below clarify the 2009 Bylaws and are in the form of Resolutions which should accompany the Amended and Restated Bylaws of Summerfield Townhouse Service Association #4 (Delta), per instructions from attorney Karna Gustafson of Landye Bennett Blumstein, LLP.

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I. Article 4 - BOARD OF DIRECTORS

Nominations. The Board of Directors shall determine the method of nominating directors, which includes the right of an Owner to nominate a director from the floor at any meeting at which an election of directors is held.

Vacancies. Vacancies on the Board caused by any reason other than the removal of a Director shall be filled by candidates submitted by a nominating committee of two (2) Board members and one (1) non-Board member for the balance of the term of the vacant directorship.

II. Article 5 - OFFICERS. The Directors may also be the principal officers of the Association and may include President, Vice-President/Architecture or Landscape Review Chairperson, Secretary, Treasurer, Landscape or Architecture Review Chairperson. The Directors may designate committees as in their judgment may be necessary and develop job descriptions as needed. The Vice President and fifth Board member shall oversee either the Architecture or Landscape responsibilities and handle them as per SCA regulations.

A. Description of Architecture and Landscape Review Chairperson Duties:

The Architectural Review Chairperson (aka Architectural Chair), with assistance from the Board as a whole, will oversee Townhouse maintenance projects, i.e. roofing, painting, siding, gutters, etc. and will evaluate and approve or disapprove individual homeowner's architectural change requests as per Summerfield Civic Association regulations. This position is described in Article 7.2 of the Bylaws.

The Landscape Review Chairperson (aka Landscape Chair) will communicate and monitor the landscape company contract and interact on a regular basis with the contractor. The Landscape Chair will also process requests for landscape changes by Townhouse #4 residents and will approve or disapprove these requests and then follow up to check the results, as per Summerfield Civic Association regulations.

III. Article 6 - ASSESSMENTS: To clarify, the term "Assessment" is used to describe both monthly and/or periodic assessments.

A. Interest; Fines; Late Fees; Penalties: The Board will assess no late charges if monthly assessments are paid within thirty (30) days.

III. Article 6 – ASSESSMENTS continued

B. Commonly Maintained Property:

1. RESPONSIBILITY OF ASSOCIATION/LANDSCAPING:

The Association is responsible for:

- (1) Maintenance of permanent landscaping and plantings located on Lots not within patio and courtyard areas, as defined in the landscape contract.
(This does not include street-side watering or replacement of plants.)
- (2) The repair, replacement and maintenance of landscaping on or adjacent to Civic Association Common Areas if required under governing documents of the Civic Association.

IV. Article 8 - INSURANCE:

The Board will clearly develop a procedure for regularly reminding owners of their required insurance coverage, which includes insuring their residential unit for any and all losses below the \$5,000 deductible amount under the Association's policy.

V. Article 11 - RECORDS AND AUDITS: Accounts should be reviewed at least annually by either a Board member or Board and Association member, other than the Treasurer.

Rod Sacconaghi, Board Chair/President
Summerfield Townhouse Association #4
June 23, 2009

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VI. Article 6 - OBLIGATIONS OF THE OWNERS

6.9.1.2 - Maintain the interconnecting sanitary sewer between structures to their point of discharge into the public sewer laterals:

To clarify, if something happens to a line from a homeowner's house to a shared lateral line, that homeowner is responsible for the repair. If something happens anywhere along a lateral or horizontal sewer line, all homeowners who share those lines will equally contribute to the line's maintenance or repair until the line reaches the City's main sewer line.

If an owner were to refuse to contribute to the repair or maintenance of his/her shared sewer line, it would be up to the owners using that line to sue the owner to compel contribution.

If/When it can be determined that a shared line is plugged or damaged by one or a set of owners, the responsible owner(s) should bear the cost of the repairs.

VI. Article 6 - OBLIGATIONS OF THE OWNERS continued

6.9.1.9 - The repair, replacement or design changes of landscaping located on his or her Lot.

Any additions to the berm between Townhouse #4 property and the golf course, as with any other landscaping around the townhouses, must be approved first by Townhouse Association #4 and then by the Summerfield Civic Association Landscape Committee.

- (1) Any additions to the berm on townhouse property cannot interfere with drainage.
- (2) No statues or animals may be added; birdbaths permitted.
- (3) Any planting (including trees) must not interfere with your neighbor's view of the golf course.
- (4) Any additions to the berm must be on the resident's side of the berm only.
The golf course side of the berm is not under Townhouse #4 jurisdiction.

Rod Sacconaghi, Board Chair/President
Summerfield Townhouse Association #4
November 11, 2010

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VI. Article 6 - OBLIGATIONS OF THE OWNERS

6.9 Maintenance and Repair.

To clarify 6.9.1, RESPONSIBILITY OF OWNERS:

“Except as otherwise specifically provided in these Bylaws, every Owner must perform promptly all maintenance and repair work to such Owner's Lot and Residential Unit and keep the same in good repair”

This includes keeping your own unit in a safe condition by periodic cleaning of chimney flues, dryer vents and maintaining working smoke detectors.

Leigh Wilcox, Board Chair/President
Summerfield Townhouse Association #4
June 24, 2015

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IV. Article 8 – INSURANCE

8.1.4 Types of Insurance Policies

The intent of this Resolution is to clarify, after legal counsel advice, that the Bylaws wording requiring a Fidelity Bond is being fulfilled by our Community Association Directors & Officers Liability – D&O/EPL form, which completes our \$1,000,000 obligation.

Leigh Wilcox, Board Chair/President
Summerfield Townhouse Association #4
June 17, 2020