

INSURANCE LOSS DEDUCTIBLE RESOLUTION

WHEREAS, Section 12 of the By-Laws of the Edgewater Condominium Association states that “the Board shall have all powers, and may exercise those powers, granted to it under the Condominium documents. The Board of Managers shall exercise its powers and duties in accordance with the provisions of the Declaration.”

WHEREAS, Section 12-g states that the Board can “make or amend the rules and regulations respecting the use and operation of the property, but not inconsistent with the Declaration.”

WHEREAS, Article XVI of the Declaration states that “each unit owner shall be governed by and shall comply with the terms of the Condominium documents, regulations, resolutions, and decisions adopted pursuant thereto as they may be amended from time to time. Failure to comply with any of the same shall be grounds for an action to recover sums due, for damages or injunctive relief or both maintainable by the Board of Managers on behalf of the unit owners, or in a proper case, by an aggrieved unit owner. In any case of flagrant or repeated violation by a unit owner, he may be required by the Board of Managers to give surety or sureties for this future compliance with the By-laws, rules, resolutions, and decisions.”

WHEREAS, the Edgewater Condominium Association By-Laws and Declaration are not specific as to who is responsible for the Association’s deductible as a result of property damage; and

WHEREAS, the Association deems it financially responsible for each individual homeowner to assume this responsibility;

NOW THEREFORE, BE IT RESOLVED that the following requirements are hereby adopted regarding the Edgewater Condominium Association’s insurance deductible:

1. On or before April 15, 2007, each and every homeowner should contact his or her insurance company and make them aware of this resolution.
2. Make necessary modifications to your insurance coverage so that in the event of a property damage claim in your unit, that your insurance company will cover the Associations’ deductible, currently \$2,500. Proof of this coverage must be given to Edgewater on or in advance of the coverage date.
3. Failure to comply with the terms of this Resolution shall result in a fine of One Hundred Dollars (\$100.) per month assessed against the homeowner for each month of noncompliance, from April 15, 2007.
4. Any homeowner who does not carry insurance will still be held responsible for the Edgewater Condominium Association’s deductible or the cost of damages up to \$2,500. A notarized letter assuming this risk will be required in lieu of proof of insurance.

Resolution Regarding: Association Insurance Deductible

This resolution duly adopted at a meeting of the Board of Managers of the Edgewater Condominium Association held on this _____ day of _____, 2007.