

EACH APARTMENT INCLUDES:

- (a) The space enclosed by the unfinished surfaces of perimeter and interior walls, ceilings and floors thereof, including vents, doors, windows and such other structural elements as are ordinarily regarded as enclosures of space;
- (b) All interior dividing walls and partitions (including the space occupied by such walls and partitions);
- (c) The decorated inner surfaces of all interior walls (including the decorated surfaces of all interior bearing walls) and floors, ceilings, consisting, as the case may be, of wallpaper, paints, plaster, carpeting, tiles, and all other furnishings, materials and fixtures affixed or installed and for the sole and exclusive use of any dwelling space, commencing at the point of disconnection from the structural body of the building and from utility lines, pipes or systems serving the dwelling space. No pipes, wires, conduits or other public utility lines or installation constituting a part of the overall system designed for the service of any particular dwelling space of a building nor any property of any kind, including fixtures and appliances within any unit, which are not removable without jeopardizing the soundness, safety or usefulness of the remainder of the building, shall be deemed to be part of any unit.

Type A (one bedroom studio apartment) contains approximately 260 square feet. Entrance is made into a hall. Adjacent to the hall is a closet and a bathroom. Access is made to the living/kitchen area from the hall. The kitchen/living area contains a couch, hideaway bed, sink area and stove/oven/refrigerator combination.

shutters, screens, enclosures and the like to be affixed or attached to any apartment, limited or general common

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element; nor shall he place any furniture or equipment outside an apartment except with the written consent of the Board of Directors of the Council of Co-Owners; and

further, where approved, subject to the Rules and Regulations of the Board of Directors. No clothesline or similar device shall be allowed on any portion of the Property nor shall clothes be hung anywhere except where designated by the Board of Directors. Co-Owners may not screen or

enclose any exterior patio which abuts an apartment where applicable nor may any Co-Owner screen or enclose any exterior deck and/or balcony which abuts his apartment, where applicable, with any type of material without the prior written consent of the Board of Directors.

No person shall use the common elements or any part(s) thereof or an apartment or any part of the Property in any manner contrary to, or not in accordance with, such Rules and Regulations pertaining thereto as may from time to time be promulgated by the Board of Directors of the

Council of Co-Owners. The Board of Directors may, if it determines appropriate, suspend use of the common elements for a period of up to thirty (30) day for any violation of the provisions hereof and/or said Rules and Regulations. Such remedy is not exclusive.

Notwithstanding the provisions hereof the Developer, its successors or assigns, shall be allowed at all times to be involved in sales of units in the Regime to maintain one (1) or more apartments as sales office(s), display and place signs upon the premises to aid in sales and engage in sales activities upon the Property.

ARTICLE XII

MAINTENANCE AND ALTERATIONS

475 A. The Board of Directors may enter into contracts

with any firm(s), person(s), or corporation(s) or may join with other horizontal property regimes and/or entities in

contracting for the maintenance and/or repair of the property and any properties belonging to the Regime and

may contract for or may join with other councils of co-owners in contracting for the maintenance and management

of the Sea Cabin Horizontal Property Regime and may delegate to such contractor or manager all power and duties

of the Council of Co-Owners and its Board of Directors except such as are specifically required by this Master Deed, by

its By-Laws or by the Act to have approval of the Board of Directors and/or of the Council of Co-Owners.

B. There shall be no alterations or additions to the common elements or any part(s) thereof except as authorized

by the Board of Directors and approved by not less than 75% of the total vote of the Co-Owners of the Regime provided the

abovesaid alterations or additions do not prejudice the rights of any Co-Owner and his Institutional Mortgagee of record

unless the consent of both have been obtained. The cost of the foregoing shall be assessed as common expenses, where

alterations or additions as abovesaid are exclusively or substantially exclusively for the benefit of the particular

Co-Owner(s) requesting the same, then the cost of such alterations or additions shall be assessed against and

collected solely from the Co-Owner(s) exclusively or substantially exclusively benefiting therefrom. The assessment shall

be levied in such proportion as may be determined as fair and equitable by the Board of Directors taking into account the

benefit to each and the relative value of each such apartment as opposed to the others so improved. Where such

alterations or additions exclusively or substantially exclusively benefit Co-Owner(s) requesting same, said alterations or

additions shall only be made when authorized by the Board of Directors and approved by not less than 75% of the total vote of the Co-Owners exclusively or substantially exclusively benefiting therefrom, and where said Co-Owners are 10 or less, the approval of all but 1 shall be required.

Where the approval of Co-Owners for alterations or additions to the common elements of this Regime is required, the approval of Institutional Mortgagees whose mortgages encumber units in this Regime representing not less than 90 % of the total unpaid dollar indebtedness as to principal on said units at said time shall also be required.

C. Each Co-Owner is hereby required:

1. To maintain in good condition and repair his apartment and all interior surfaces within his apartment and the entire interior of his apartment and to maintain and repair the fixtures and equipment therein, which includes, but is not limited to, the following, where applicable: Air conditioning and heating units, including condensers and all appurtenances thereto wherever situated, hot water heaters, refrigerators, ranges and ovens and all other appliances, drains, plumbing fixtures and connections, sinks, all plumbing and water lines within the apartment, electric panels, electrical and outlets and fixtures within the apartment; interior doors, windows, screens and glass; all exterior doors, (except the painting of the exterior of an exterior door shall be a common expense of the Regime) and pay for his telephone service; Water,

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THE ROLE OF TODAY'S HOA BOARD OF DIRECTORS

To be effective, a homeowners association needs a strong board of directors that understands its role and pursues it with passion and a concise mission in mind. The following outline provides an overview of board roles and responsibilities.

To form an effective board, directors must have a clear understanding of the strengths and weaknesses of the association, its history and what is to be accomplished. Every homeowner association should have responsibility for its assets as well as its operation in accordance with standards established by state and federal law, local ordinances, and the governing documents upon which the entity itself was created. To the extent that the association has such authority and control, it is the board of directors that makes certain these responsibilities are fulfilled.

Understanding the homeowners association concept

The homeowners association is the cornerstone of a planned residential community. It brings continuity and order to the community, it preserves the architectural integrity and it maintains the common elements. Properly run, the association promotes the concept of "community" and protects the neighborhood's property values. In many cases, it collectively makes available recreational and other facilities that might not otherwise be affordable or available to homeowners and residents on an individual basis.

Deed-initiated homeowners associations have become an essential part of the overall concept of residential property ownership in today's marketplace. Purchase of a home or lot often brings with it mandatory membership in an association which then provides the structure for operation and management of the residential development. With membership comes certain maintenance obligations, financial responsibilities, and a commitment to abide by use restrictions and other rules of the association. To a degree, it necessitates individual conformity for the good of the whole.

The association's responsibilities may be limited to basic maintenance functions or they may be expanded to include sophisticated and extensive upkeep of the property as well as delivery of special services to individual homes (e.g. back door trash pickup). To be successful, its officers and directors must uniformly and fairly govern the community, and it must have a reasonable level of participation by each of its members over time.

Board of Directors

The association has responsibility for its common elements as well as the management and operation of the association's business affairs -- all in accordance with standards established

by the governing documents created when the community was first developed. To the extent that an association (typically a non-profit corporation) has such authority and control, it is its board of directors that carries out these duties and responsibilities.

Members of the board of directors of an association serve without compensation unless the bylaws of the association provide to the contrary. The board's authority includes all of the powers and duties enumerated in general law, as long as these powers are not inconsistent with the provisions of the documents governing the association.

Officers of the Association

President

The president of an association is vested with all the powers generally given to the chief executive officer of a corporation. While specific by-law provisions may vary the president's duties, it is generally presumed that he or she will preside at all meetings of the board and the membership. The president will execute contracts, orders and other documents in the name of the association as its agent. When signing documents, the president should indicate the capacity in which he or she is signing in order to avoid any personal liability since the president's signature, under most circumstances, will bind the association under a doctrine of inherent powers.

The president also assumes general charge of the day-to-day administration of the association and has the authority to order specific actions in furtherance of the board's policies. The president serves as spokesman for the board of directors in most matters relating to general association business. Like all officers of the association, the president has an affirmative duty to carry out the responsibilities of the office in the best interests of the association. Unless otherwise specified in governing documents, the president serves at the will of the board of directors and can be removed with or without cause at any time by a majority of the full board.

Vice President

The vice-president is vested with all the powers which are required to perform the duties of the association president in the absence of the president. The vice president does not automatically possess inherent powers to act in the capacity of the chief executive officer, and may act for the president only when the president is actually absent or otherwise unable to act. The vice-president may assume such additional duties as are defined by the board of directors. Often, the vice-president will chair one or more substantive committees like that of architectural review.

Secretary

The secretary of the association is responsible for keeping and maintaining a record of all meetings of the board and the membership and is the custodian for most of the official records of the association. The position of secretary is not simply a clerical position. In many cases, the secretary will not actually keep the minutes of the meetings, but will be responsible for obtaining someone who will do so as a recorder or assistant secretary. As the custodian for the minutes and other official records of the association, the secretary is responsible for insuring access to those records by the members of the association and their authorized representatives.

Treasurer

The treasurer is the custodian of the funds, securities and financial records of the association. When the association has a manager or management company that actually handles the funds on a daily basis, the treasurer's duties will include overseeing the appropriate people to insure that the financial records and reports are properly kept and maintained. Unless the by-laws otherwise specify, the treasurer is responsible for coordinating the development of the proposed annual budget and for preparing and giving the annual financial report on the financial status of the association.

The treasurer does not have the authority to bind the association or the board of directors in dealings with third parties unless the board has provided express authority for the treasurer to do so. As with the association's secretary, the treasurer does not have to perform the day-to-day record keeping functions of the association when this responsibility is transferred to a management company, but the treasurer will ultimately be responsible for insuring that the financial records of the association have been maintained properly in accordance with sound accounting practices.

The association acts through its officers and agents. The board of directors makes the policies for the association, but the officers and agents carry out these policies and administrative functions for the community. Some of the officers are clerical while others carry out substantive functions based on policies established by the board of directors. All of the officers have an affirmative obligation to act with utmost good faith towards the association and cannot deal in the funds or the property of the association to their own self advantage. Each association typically has a president, secretary, and treasurer and may have one or more vice presidents. However, an association may officially conduct its business with fewer officers than these, depending upon the laws of a given state.