

CORPORATE RESOLUTION
for
MORNINGVIEW COTTAGES ASSOCIATION

WHEREAS, the following action was taken by the Board of Directors of Morningview Cottages Association, a Minnesota Non-Profit Corporation ("the Board") on the 13 day of February, 2021 after a meeting of the Board pursuant to the By-Laws of the organization on November 18, 2020.

WHEREAS, the Board discussed the issue of rotted wood located on the wood trim, wood fascia boards and wood underneath the siding that has occurred on several Living Units within the Association.

WHEREAS, the Board has been paying for maintenance, repair and replacement of wood rot for Unit Owners in the past based on its assumption that it was an Association responsibility under the Declaration of Covenants, Conditions and Restrictions for the Association (the "Declaration").

WHEREAS, the Board discussed the historical expense of the wood rot claims by Unit Owners and determined that approximately \$20,000.00 per year is spent on repairing and replacing wood rot; and in 2020 rotted wood repairs were capped at \$10,000.00 in order to stay within the annual budget for the Association.

WHEREAS, the continued maintenance, repair and replacement of rotted wood by the Association is not economically feasible without a significant increase in the annual assessments beyond the permissible 5% from the prior year under the Declaration, which requires a majority vote of the Unit Owners; or a special assessment, which requires a 2/3 vote of the Unit Owners; and that the Unit Owners are highly unlikely to approve either an increase of the annual assessments above 5% from the prior year or a special assessment.

WHEREAS, the Board decided to re-examine the Declaration to determine if wood rot was correctly attributed to the Association as its sole obligation to maintain, repair and replace.

WHEREAS, the Board has determined that pursuant to Article V of the Declaration, the Association is responsible for the maintenance and repair all exterior surfaces of the building, but that the wood underneath the exterior surface of the building is not listed as a responsibility of the Association; and thus the Board believes it is a Unit Owner's sole responsibility to maintain, repair and replace the wood trim, wood fascia boards and wood underneath the siding on the exterior of the buildings within the Association Property.

WHEREAS, the Board has also determined that Owners who elect to wrap the wood trim on the exterior of their Unit with vinyl or aluminum wrap shall notify the Association of such action before proceeding to get approval from the Board, and the Association (or its agent) shall have the right to inspect the work; and upon a determination by the Association that the vinyl or aluminum wood trim wrap is completed to industry standards, the Association shall then be responsible for future maintenance, repair and replacement of the installed wrap that the Owner elected to wrap in vinyl or aluminum as approved by the Board.

WHEREAS, the Board has also determined that if rotted wood is discovered by the Association or its agents, the Unit Owner will be notified and given a reasonable time to make repairs to the rotted wood, and if the rotted wood is not repaired by the Unit Owner within the required timeframe, the Association may repair the rotted wood and assess the Unit Owner for the cost thereof.

WHEREAS, the Board has also determined that it shall disclose any known issues related to rotting wood of a Unit to a prospective buyer of a Unit in the required Resale Disclosure Package so that the prospective buyer is aware and on notice of future issues/responsibility for maintaining, replacing and repairing the rotted wood on the Unit.

NOW THEREFORE, the following Resolutions are adopted:

RESOLVED, the maintenance, repair and replacement of the wood trim, wood fascia boards and wood underneath the siding on the exterior of the buildings within the Association Property is the sole obligation of Unit Owners and not the Association.

RESOLVED, the Association is solely responsible to maintain, repair and replace the vinyl siding and aluminum wrap for all buildings within the Association Property.

RESOLVED, if a Unit Owner elects to wrap the wood trim on the exterior of their Unit with vinyl or aluminum they shall notify the Association of such action within a reasonable time before completion of the work; and the Association (or its agent) shall have the right to inspect the work; and upon a determination by the Association that the vinyl or aluminum wood trim wrap is completed to industry standards, the Association shall then be responsible for future maintenance, repair and replacement of the wrap the Owner elected to install.


RESOLVED, if rotted wood is discovered by the Board or its agents, the Unit Owner will be notified and given a reasonable time to make repairs to the rotted wood. If the rotted wood is not repaired by the Unit Owner within the required timeframe, the Association may repair the rotted wood and assess the Unit Owner for the cost thereof.


RESOLVED, the Association shall disclose any known issues related to rotting wood in a Resale Disclosure Package for the sale of a Unit.


Judy Feltz President,
Morningview Cottages Association

Dated: 2-13-21

CERTIFICATION OF SECRETARY


Alex Pumper, Secretary of Morningview Cottages Association, a Minnesota Non-Profit Corporation, hereby certifies that the above action was duly taken after a meeting held by the Board pursuant to the By-Laws of the organization.


Alex Pumper Secretary,
Morningview Cottages Association

Dated: 2/13/21