IMPORTANT INFORMATION

Please keep this information with your governing documents

Kendal Creek Condominiums XIII Association, Inc.

RESOLUTION ADOPTING RULE REGARDING INSURANCE DEDUCTIBLES

WHEREAS the Board of Directors of Kendal Creek Condominiums XIII Association, Inc. (the "Association") "shall have the powers and duties necessary for the administration of the affairs of the Association," pursuant to Article III, Section 3.2 of the Bylaws;

WHEREAS the Board of Directors has the power to adopt "rules and regulations governing the operation, maintenance and use of the Units, Common Elements and Limited Common Elements the unit owners and occupants," pursuant to Article V, Section 5.2 and Article VI, Section 6.4 of the Bylaws;

WHEREAS the Board finds it prudent to have Rules and Regulations to protect the Association's interests.

THEREFORE, BE IT RESOLVED that the Association adopt the following Rules and Regulations:

Insurance Deductible. In the event of any insured loss, the Association's deductible shall be considered a maintenance expense to be paid by the person or entity (including the Association) who would be responsible for such maintenance under the Condominium Documents, in the absence of insurance. If the loss originates in more than one Unit or a Unit and the Common Elements, the deductible shall be equitably apportioned by the Board in its sole discretion among the parties suffering loss in proportion to the total cost of repair of insurable items. The amount due from any Unit owner for the deductible shall be an assessment and the Board's decision on the allocation of the deductible shall be conclusive as long as the Board provided each interested party an opportunity to state its position prior to any apportionment. In determining the allocation of the deductible, the Board may take into account whether or not the negligence of any person or entity contributed to the loss, even if the loss didn't originate from that unit (e.g. unit owner leaves window open in winter and common element pipe freezes) and may allocate the deductible based on any such negligence.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be sent to all homeowners at their last known addresses.

The Board of Directors adopted this resolution on 12/19, 2023, and a majority of the unit owners indicated their approval on 12/19, 2023, with the policy to take effect on 12/19, 2023.

Larry Linnik
President

Elaine M. Heidtke
Secretary