

CLAREMONT TOWNHOME ASSOCIATION
RESOLUTION REGARDING HOSE BIBS
(2018-1)

At a meeting of the Board of Directors ("Board") of the Claremont Townhome Association ("Association"), held on April 9, 2018, at the address of 15800 NW Country Club Dr. Portland, OR, at the time of 5:15 P.M., the Board resolved as follows:

WHEREAS, a meeting of the Board of Directors was convened at the time, date and location set out above; and

WHEREAS, the Association Secretary, by signing below, attests all Board members were provided notice of the meeting (or by their attendance waived notice) and a quorum of the Board of Directors was present in person or by telephone conference; and

WHEREAS, the Association is organized and empowered to exercise all of the powers and privileges conferred to it by the Second Amended and Restated Declaration of Covenants, Conditions and Restrictions for the Claremont Townhome Association ("Declaration"), the Association's Bylaws, its Articles of Incorporation, and the Oregon Planned Community Act (ORS 94.550 *et seq.*), to administer, manage and operate the Association for the benefit of its members; and

WHEREAS, the Board's and Association's powers to take the actions herein are set out in the Oregon Planned Community Act, the Oregon Nonprofit Corporations Act (ORS Chapter 65), the Articles of Incorporation, the Declaration, and the Bylaws; and

WHEREAS, the Board of Directors has all of the powers and duties necessary for the proper functioning of the Association pursuant to Declaration Article 3, Section 3.4, Bylaws Article VIII, Section 8.1, and ORS 94.630(1)(r); and

WHEREAS, in particular, and pursuant to the Declaration Article 3, Section 3.9, Bylaws Article VIII, Section 8.1.1, and ORS 94.630(1)(a), the Board of Directors is authorized to adopt reasonable rules and regulations regarding the conduct of persons and the operation and use of Lots, the Townhome Common Area, Landscaped Areas and any other aspect of Townhome Property necessary or appropriate to promote the peaceful and orderly use and enjoyment of the Townhome Property; and

WHEREAS, the Board has the duty for the operation, care, upkeep and maintenance, repair and replacement of the exteriors of the buildings pursuant to Section 3.10.1 of the Declaration; and

WHEREAS, pursuant to the Statement of Responsibilities Regarding Exterior Maintenance of Townhomes, it is the Owners responsibility to maintain, repair, replace plumbing fixtures, faucets, exterior hose bibs, and Dwelling Unit shut-off valves; and

WHEREAS, the type and style of hose bibs installed upon the Property directly impacts the risk of freezing and related water damage to Building Structures, Dwelling Units, Common Areas, and other property during cold weather; and

WHEREAS, as originally constructed, the builder installed frost-free hose bibs for faucets located off the rear Dwelling Unit patio or deck, and installed non-frost free hose bibs at front entry/garage area Dwelling Unit faucets, which were designed to be drained with a shut-off located in the associated Dwelling Unit garage; and

WHEREAS, over time some Owners have installed frost-free hose bibs on the faucets located at the Dwelling Unit's front entry/garage area, resulting in the inability to drain the faucet as designed through the shut-off located inside the Owners' garages; and

WHEREAS, over time some Owners have installed non-frost-free hose bibs on faucets located at the Dwelling Unit's rear patio/deck area, that originally had a frost-free hose bib; these faucets do not have a shut-off mechanism and cannot be drained; and

WHEREAS, upon consideration of the potential property damage and financial liability to Owners and the Association in the event of a water loss arising from a frozen hose bib, the Board deems it in the best interest of the membership to adopt a uniform policy addressing hose bib requirements within the Property; and

WHEREAS, in accordance with Bylaws Article VIII, Section 8.1.1, and Article VII, Section 7.4, this policy was mailed or otherwise delivered to all owners and posted at the Claremont Clubhouse concurrently with providing the notice for the Board meeting at which this Resolution was adopted.

NOW, THEREFORE BE IT RESOLVED, Owners must maintain the following style of hose bibs at the designated locations:

- A. Frost-free hose bibs shall be installed for the exterior faucets located at the rear patio/porch area of the Dwelling unit, and all other exterior faucet locations except those installed at the front entry/garage area.
- B. Non-frost-free hose bibs shall be installed for the exterior faucets located at the front porch/patio of the Dwelling Unit.

BE IT FURTHER RESOLVED, that Lot Owners who do not currently maintain hose bibs in compliance with the above stated standards are required to bring the hose bibs serving their Dwelling Unit into compliance no later than June 11, 2018.

BE IT FURTHER RESOLVED, that in order to preserve and protect the work performed as part of the exterior townhouse repair initiated in 2017 ("Project"), and nearing completion, any hose-bib replacement or modification must be performed by a licensed contractor and will be inspected by Lifetime Exteriors for a determination that the installation does not defeat or adversely impact Lifetime's warranty upon the Project.

BE IT FURTHER RESOLVED, that failure to comply with this Resolution may result in the issuance of fines, corrective action and assessment of related costs, actions to recover sums due

for damages or injunctive relief, or both, maintainable by the Board for the Association or by an aggrieved owner on their own against the party failing to comply, pursuant to the Association's Enforcement and Fine Policy.

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to all owners at their last known addresses, and shall become effective 30 days after, or at a regularly scheduled Board Meeting.

Dated this 9th day of April, 2018.

CLAREMONT TOWNHOME ASSOCIATION

By: James D. Wilson
Its President

ATTEST: The above resolution was properly adopted.

By: [Signature]
Its Secretary