

ENCORE CONDOMINIUM UNIT OWNERS ASSOCIATION

POLICY RESOLUTION NO. 1

BOOK OF RESOLUTIONS

WHEREAS, Article 3, Section 3.1 of these Bylaws assigns the [3.1] Board of Directors ("Board") all of the powers and duties necessary for the administration of the affairs of the Unit Owners Association and further states that the Board may do all such acts and things as are not by the Condominium Act, the Declaration or by the Bylaws required to be exercised and done by the Unit Owners Association;

WHEREAS, there is a need for the Board to keep a record of actions and decisions taken in the performance of its duties; and

WHEREAS, it is the intent of the Board to maintain a record of its decisions in addition to the customary Book of Minutes.

NOW, THEREFORE, BE IT RESOLVED THAT the Board shall create a Book of Resolutions which shall be an orderly and indexed record of the resolutions adopted by the Board, and the Covenants Committee and of the Rules and regulations promulgated by the Unit Owners Association ("Association").

I. CLASSIFICATION OF RESOLUTIONS

The resolutions of the Board shall be classified as follows:

A. "Policy Resolutions" are defined as resolutions adopted by the board which specifically relate to the long-term governance the Association, including without limitation

actions affecting the property rights, obligations and equity of both the Association and the individual Unit Owners.

B. "Administrative Resolutions" shall mean and refer to those resolutions adopted by the Board which deal with the internal operation and structure of the Association including, without limitation resolution adopted with respect to contracts, financial procedures and committee terms of reference.

C. "Special Resolutions" shall include: (1) resolutions adopted by the Board with respect to questions of compliance by an Owner or Resident with the provisions of the Condominium Act, the book of resolutions; and (2) resolutions adopted by the Board, pursuant to Article 3, Section 3.18 of the Bylaws.

D. "General Resolutions" shall mean and refer to those regulations adopted by the board with respect to specific expenditures, single task actions, and other matters which have no continuing or precedent-setting implications.

## II. FORMAT OF THE BOOK OF RESOLUTIONS

The book of Resolutions shall contain a separate section for each classification of resolution herein described. Policy and Special Resolutions shall be recorded in Sections I and II of the Book of Resolutions, respectively, and shall be attached to the minutes of the meeting at which they are adopted. An alphabetical index of resolutions and an index to such resolutions by topic shall appear at the conclusion of the Book of Resolutions.

### III. DEFINITIONS

The book of Resolutions shall incorporate by reference all definitions contained in the Virginia Condominium Act and the Condominium instruments. The terms defined below are also used in this Book of Resolutions:

A. "Board" refers to Board of Directors.

B. "Association" refers to the Encore Condominium Unit Owners Association.

C. "Condominium" shall mean and refer to Encore Condominium.

D. "Unit," or "Condominium Unit shall mean and to a Condominium in the Condominium.

E. "Owner" or "Unit Owner" shall refer to record owners of Condominium Units and members of their families.

F. "Resident" shall refer to persons actually residing in a condominium unit.

G. "Tenant" shall refer to Residents who are not Owners.

H. "Mortgagee" shall mean any institutional lender who holds a first mortgage or first deed of trust on a unit in the Encore Condominium which has notified the Association of its status and has requested all rights under the Condominium instruments.

I. "Condominium Act" shall mean and refer to Chapter 4 of Title 55 of the code of Virginia (1950), as amended.

IV. FORMAT OF RESOLUTIONS

The format of resolutions shall conform to the format set out as described in Section II, page 2.

V. RESPONSIBILITY

The General Manager shall be responsible for maintaining the Book of Resolutions and promptly providing the Owners and Tenants with appropriate notice of additions or changes thereto.

VI. INSPECTION

The Book of Resolutions shall be available for inspection upon request by any Owner, Tenant or Mortgagee at the General Manager's office during normal business hours.

VII. CONFLICTS

If there is a conflict between the provisions contained in the Book of Resolutions and those in the Condominium Act or the Condominium Instruments, then the provisions of the latter shall control in the following order: The Condominium Act, the Declaration and the Bylaws.

VII. SEVERABILITY

The invalidity of any portion of the Book of Resolutions shall not impair or affect in any manner the validity, enforcement or effect of the balance of the Book of Resolutions.

#### IX. APPLICABILITY

Any reference made herein with respect to actions taken by the Association shall include the Managing Agent where the Association has delegated its authority to take such action to the Managing Agent.

#### X. COMPLIANCE

All Owners, their tenants, employees, guests, licensees and invitees shall comply with the provision of the Book of Resolutions.

#### XI. ENFORCEMENT

The Association, any Owner or Tenant shall have the right to enforce, by any proceeding set forth herein or at law or in equity, all provisions of this Book of Resolutions and the Condominium Instruments. Failure by the Association, any Owner or Tenant to enforce any of the provisions of this Book of Resolutions shall in no event be deemed a waiver of the right to do so thereafter. A waiver of such rights shall be effective only pursuant to a written instrument signed by the party to be charged with such waiver. Such instrument shall operate as a waiver of only those provisions which are expressly waived therein.

XII. VIOLATION AND NUISANCE

Every act or omission, in whole or in part, violates any provision of this Book of Resolutions is hereby declared to be a nuisance and may be enjoined or abated by the Association or any Owner, whether or not relief sought is for negative or affirmative action.

XIII. VIOLATION OF ASSOCIATION RULES AND REGULATIONS

All Owners, their tenants, employees, guests, licensees, and invitees must observe and abide by all rules and regulations adopted by the Association. If an Owner or his tenants, employees, guests, licensees and invitees violates a rule or regulation then such Owner shall hold the Association harmless for any and all damages or losses that may ensue.

XIV. VIOLATION OF LAW

Any violation by an Owner or his tenants, employees, guests, licensees and invitees of any applicable governmental law, ordinance or regulation, pertaining to the ownership, occupation or use of any portion of the Condominium is hereby declared to be a violation of this Book of Resolutions and such Owner may be subject, at the discretion of the Board, to any or all of the enforcement procedures set forth herein.

XV. REMEDIES CUMULATIVE

Each remedy set forth in this Book of Resolutions shall be in addition to all other remedies available at law or in equity and all such remedies, whether or not set forth in this Book of Resolutions, shall be cumulative and not exclusive.

XVI. REFERENCE OF PRONOUNS

All pronouns and any variations thereof shall be deemed to refer to masculine, feminine, neuter, singular and plural as the identity of the person or persons or entities may require.

XVII. METHOD OF APPROACH

All resolutions shall contain the date of adoption and an indication of whether they were adopted at a regular or special meeting of the Board, or by written consent as provided in Article 3, Section 3.14 of the Bylaws.

XVIII. AMENDMENT

The Association reserves the right to alter, amend, modify, repeal or revoke any provisions set forth in this Book of Resolutions at any time by resolution of the Association or the Board of Directors.