

**RESOLUTION
OF THE
VILLA MARBELLA TOWNHOUSE ASSOCIATION**

SUBJECT: Clarification of the Association's property insurance obligations.

PURPOSE: To provide notice of the Villa Marbella Townhouse Association's ("Association") adoption of a Resolution that exercises the right of the Association to assume additional property insurance coverage over the Townhouse, as set forth in the Amended and Restated Declaration of Covenants, Conditions, Restrictions, Easements and Charges Affecting the Real Property Villa Marbella ("Declaration").

AUTHORITY: The Association's Declaration, Articles of Incorporation, Bylaws and Colorado law.

PROPERTIES AFFECTED: All real property subject to the Declaration.

EFFECTIVE DATE: July 1, _____, 2015

RESOLUTION: The Association, acting through its Board of Directors hereby adopts the following resolution.

WHEREAS, Article 9, Section 9.2 of the Declaration requires the Association to maintain property insurance coverage as identified in Exhibit B of the Declaration;

WHEREAS, Exhibit B of the Declaration requires the Owners, not the Association, to maintain property insurance coverage over the residence-structure;

WHEREAS, Article 9, Section 9.8 of the Declaration provides the Association, acting through the Board of Directors, with discretion to obtain additional insurance as the Board deems appropriate with respect to the Association's responsibilities and duties, notwithstanding what may be set forth on Exhibit B; and

WHEREAS, given the Association already has the obligation to maintain property insurance coverage over certain exterior portions of the residence, and in response to the overall concerns of the Members, the Board of Directors deems it to be in the best interest of the Association and its Members to assume property insurance coverage over the residence-structure.

NOW THEREFORE RESOLVED, the following resolution is hereby adopted:

- A. Property Insurance on Lots Provided by Association. The Association shall obtain and maintain a master policy of property insurance commonly known as “bare walls” insurance covering the residence-structure of the Townhouse. In general terms, such insurance will provide property insurance coverage for that portion of the Townhouse residence structures commencing at the exterior of the structure and continuing to the interior studs. Owners will still be responsible for obtaining and maintaining property insurance covering all interior portions of the structure starting at the drywall and including all portions of the structure and improvements commencing (and including) the drywall and continuing to the interior portion of the structure. This statement is intended as a statement of intent only. The Association will provide detailed information concerning insurance obtained by the Association with respect to the Lots and improvements thereon as set forth in Paragraph C below.
- B. Property Insurance Provided by Owners. Owners shall be responsible for obtaining and maintaining a policy of property insurance covering their personal property and all portions of their Lot and improvements thereon not insured by the Association.
- C. Notice to Owners. The Association shall send notice detailing the property insurance provided by the Association to all Owners not less than 30 days in advance of the change in insurance coverage. Such notice is intended to provide Owners with an opportunity to secure appropriate individual insurance coverage for their Lot, the improvements on their Lots, and their personal property. The Association hereby acknowledges and agrees that such statement shall be in form and substance substantially similar to the attached Exhibit.

**PRESIDENT'S
AND SECRETARY'S**

CERTIFICATION: The undersigned being the President and Secretary of the Association certify that the foregoing Resolution was adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors on June 9, 2015, and in witness thereof, the undersigned have subscribed their names.

**VILLA MARBELLA TOWNHOUSE
ASSOCIATION,**

a Colorado nonprofit corporation

By: 
President

ATTEST:

EXHIBIT B

MAINTENANCE AND INSURANCE OBLIGATIONS

“A” = Association obligation

“O” = Owner obligation

“NA” = not applicable

The term “maintenance” includes repair and replacement unless otherwise noted on the Chart.

	<u>MAINTENANCE</u>	<u>INSURANCE</u>
BUILDING EXTERIORS		
Residence-structure, including foundation	O	A
Columns, girders, beams and supports	A	A
Siding, sheathing, wrap, brick, trim, molding, and other exterior facade surfaces	A	A
Exterior stoops, steps, and concrete surfaces	A	A
Gutters and downspouts	A	A
Porches, patios, and balconies	A	A
Roof shingles and roof underlay	A	A
Shutters and awnings	O	A
Chimneys and chimney caps	A	A
Window screens	O	A
Interior glass surfaces--cleaning	O	N/A
Glass--repair and replacement	O	A
Window panes and frames--painting and staining	O	A
Window panes and frames--maintenance, repair, and replacement	O	A
Window trim and caulking	O	A
Skylights	A	A
Exterior unit doors and garage doors--painting and staining	A	A
Garage doors-- maintenance and repair	O	A
Garage door openers	O	O

	<u>MAINTENANCE</u>	<u>INSURANCE</u>
Exterior unit doors including peep holes, doorknobs and lock mechanisms--maintenance and repair	O	A
Storm doors	O	O
Balcony/patio sliding glass doors	O	A
Exterior light fixtures	A	A
UTILITIES		
Utilities outside units and garages servicing more than one unit:		
1. Electrical and other wires	A	A
2. Water and sewer pipes		
3. Circuit boxes		
4. Water meters		
5. Circuit breakers		
Utilities outside units and garages servicing only one unit:		
1. Electrical and other wires		
2. Water and sewer pipes		
3. Circuit boxes	A	A
4. Water meters		
5. Circuit boxes		
Utilities inside units or garages and servicing only that unit:		
1. Furnaces		
2. Heating equipment		
3. Thermostats		
4. Ducts		
5. Conduits		
6. Water pipes		
7. Electrical wiring		
8. Electrical outlets		
9. Telephone wiring		
10. Telephone outlets	O	O
11. Light switches		
12. Hot water equipment		
13. Cable wiring		
14. Compressors		
15. Sump pumps		
16. Circuit breakers		
Air conditioners, including condensers and lines running from/to such equipment	O	O
RESIDENCE INTERIORS		

Furnishings, including all personal property such as furniture, electronics, jewelry, and clothing	0	0
Window coverings	0	0
Permanent fixtures including but not limited to:		
1. Ceiling fans		
2. Hand rails		
3. Cabinets	0	0
4. Countertops		
5. Bathtubs and showers		
6. Sinks		
7. Toilets		
Appliances including:		
1. oven		
2. range		
3. refrigerator	0	0
4. dishwasher		
5. washer/dryer		
6. countertop microwave		
Fireplaces (including facade, screen, chimney back, flue, and damper)	0	0
Interior non-perimeter walls, floors, and ceilings--including finished and unfinished surfaces, doors, drywalls, studs, insulation, hardware, and other material lying within such walls, floors, and ceilings	0	0
Finished surfaces of perimeter walls and ceilings--including:		
1. Drywalls	0	0
2. Paint		
3. Wallpaper		
4. Paneling		
5. Texture		
Finished surfaces of perimeter floors--including:		
1. Tile		
2. Vinyl	0	0
3. Hardwood		
4. Carpeting		

Any components lying between the perimeter drywalls and residence exterior, including but not limited to:		
1. Insulation	O	A
2. Girders		
3. Beams		
4. Pipes		
5. Wiring		
6. Plumbing		
Subflooring	O	A
Party walls (walls dividing residences and shared by owners/residents on each side)	O	O
Attics	O	O
Garage interiors, including any drywall or improvements therein	O	O
GROUNDS		
Retaining walls	A	A
Landscaping	A	A
Irrigation system and time clocks	A	A
Private Drives (as shown on the Plat) private roads, and sidewalks	A	A
Driveways (as shown on the Plat)	A	A
Parking Pad deeded to Unit 15	O	O
Fences surrounding private patios	A	A
Guest parking areas	A	A
Pool	A	A
Monuments and signage	A	A
Perimeter fence	A	A
OTHER		
Snow removal from driveways and sidewalks	A	N/A
Snow removal from stairs and porches/patios	O	N/A
Common elements existing in community and not otherwise listed	A	A