

THE QUEEN'S LANDING COUNCIL OF UNIT OWNERS, INC.

**LIMITED COMMON EXPENSE DESIGNATION
REGARDING BALCONIES AND DECKS**

WHEREAS, pursuant to the plats and Section 3.1 of the Declaration, balconies and decks are limited common elements;

WHEREAS, Article 5, Section 5.1 of the Bylaws empowers the Board of Directors to designate expenses which are limited common expenses and to assess the same to the relevant unit owners;

WHEREAS, Article 5, Section 5.1(a)(2) of the Bylaws states, in relevant part:

[T]he term "limited common expenses" means expenses separately assessed against one or more but less than all of the Condominium units generally in accordance with the use of the services[;]

WHEREAS, Article 5, Section 5.5(c) of the Bylaws states:

The Council shall be responsible for the maintenance, repair and replacement (unless, if in the opinion of the majority of the Board of Directors such expense was necessitated by the negligence, misuse or neglect of a Unit Owner or his occupant, tenant, guest, contractor or invitee) of all of the Common Elements (including the Limited Common Elements) as defined herein or in the Declaration, whether located inside or outside of the units, the cost of which shall be charged to all Unit Owners as a Common Expense except for such costs as are specifically designated as Limited Common Expenses; provided, however, that each Unit Owner shall perform normal maintenance on the Limited Common Elements appurtenant to such Unit Owner's unit and any portion of the remaining Common Elements which the Board of Directors, pursuant to the Rules and Regulations, permits such Unit Owner to utilize.

WHEREAS, Note 5 to Exhibit "B" of the Bylaws states:

Responsibility for determining the [m]aintenance, repair and replacement requirements of the limited common elements shall be a shared responsibility between the Board of Directors and the unit owner of a unit to which a specific limited common element is exclusively appurtenant; provided, however, that the Board shall have the final responsibility for determining the need for accomplishing such maintenance, repair and replacement activities[;]


WHEREAS, for purposes of clarity and the avoidance of doubt by the council of unit owners and individual unit owners, the Board of Directors desires to adopt a policy regarding the specific designation of the costs to maintain, repair, and replace the balconies and decks and their

associated components, including, by way of example and not limitation, railings, as limited common expenses.

NOW, THEREFORE, BE IT RESOLVED, this 19th day of February, 2024, by the Board of Directors of the Queen's Landing Council of Unit Owners, Inc., the costs to maintain, repair, and replace the balconies and decks and their associated components, including, by way of example and not limitation, railings, are specifically designated as limited common expenses to be assessed against the units, and the owners thereof, to which exclusive use of the same belongs. The specific designation of such costs as limited common expenses herein does not moot, nullify, or void any prior designations of the same or other limited common expenses regardless of whether the same were done so on a case-by-case basis or a similar resolution.

WITNESS, THE AFOREMENTIONED LIMITED COMMON EXPENSES DESIGNATION REGARDING BALCONIES AND DECKS BEING THE ACT OF THE BOARD OF DIRECTORS OF THE QUEEN'S LANDING COUNCIL OF UNIT OWNERS, INC.

2/19/24
Date


Laurelle Sheedy McCready
President

CERTIFICATE OF SECRETARY

I, Peggy Young, and the Secretary of the Board of Directors of the Queen's Landing Council of Unit Owners, Inc., and I hereby certify that at a meeting of the Board of Directors at which there was an established quorum the Board of Directors did vote on the aforementioned Limited Common Expenses Designation Regarding Balconies and Decks and a majority of the Board of Directors voted to approve and adopt the same.

2/19/24
Date


Peggy Young
Secretary