

Middlesex South Registry of Deeds
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Middlesex South Registry of Deeds
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**CERTIFICATE OF VOTE AND RESOLUTION OF THE
BOARD OF GOVERNORS OF THE VILLAGES AT QUAIL RUN CONDOMINIUM
ASSOCIATION, INC.**

This Certificate of Vote and Resolution is made this 18 day of September, 2019, by the Board of Governors of the Villages at Quail Run Condominium Association, Inc.

WHEREAS, the Master Deed and By-Laws of the Villages at Quail Run Condominium are recorded with the Middlesex South District Registry of Deeds at Book 35747, Page 213, and Book 51379, Page 419, respectively, as amended; and

WHEREAS, Article VIII, §12 of the By-Laws authorizes the Board of Governors to adopt Rules and Regulations regarding the operation and use of the common areas and facilities and such restrictions on the requirements respecting the use, occupancy, and maintenance of the units and the use of the common areas and facilities as are consistent with the provisions of the Master Deed, and are designed to prevent unreasonable interference with the use by the Unit Owners of their units and of the common areas and facilities; and

WHEREAS, the Board of Governors desires to adopt certain Rules and Regulations regarding the care, maintenance, repair and replacement of certain systems and facilities at the Condominium;

NOW THEREFORE, the Board of Governors, acting pursuant to the authority contained in Article VIII of the By-Laws, and pursuant to a duly authorized meeting and quorum as set forth therein, does hereby promulgate the following new Rules and Regulations of the Villages at Quail Run Condominium:

“RESOLUTION REGARDING CONDOMINIUM SYSTEMS

Notwithstanding any provision in the Condominium documents and these Rules and Regulations, pursuant to the authority set forth in the Condominium documents and at Massachusetts General Laws Chapter 183A, §6(a)(ii), the Board has resolved that the respective obligations of the Association and the Unit Owners’ as to the care, maintenance, repair and replacement of the following systems shall be as follows:

1. The Board hereby resolves that the respective obligations of the Association and the Unit Owners, as to the following Condominium systems, shall be as follows:
 - a. Water Lines: The Association shall maintain, repair and replace the main copper water supply pipe extending the length of each building up to the first shut-off valve of any branch pipe feeding a particular Unit. The shut-off valve and remaining water supply lines in the Unit or exclusively serving a single Unit are the Unit owner’s responsibility. The Association shall also be responsible for any back-flow preventers, pressure regulation valves and outside hose spigots.
 - b. Fire Suppression Systems: The Association is responsible for the maintenance, repair and replacement of the Condominium fire suppression systems in each Unit;

provided, however, that each Unit owner is responsible for any water damage caused by leakage of the system.

- c. Waste Pipes: The Association is responsible for the maintenance, repair and replacement of the main sewage pipe, as well as the section of the pipe leading to the first branch in each Unit. Thereafter, each Unit owner is responsible for any maintenance, repairs or replacements of the pipe or elements exclusively serving the Unit.
- d. Electrical Conduits: The Association is responsible for the maintenance, repair and replacement of all electrical cables and lines leading to the circuit breaker in each Unit. The breaker box and all Unit lines (lines exclusively serving the Unit) are the responsibility of each Unit owner.

2. In the event that a Unit Owner desires to undertake modification to any of the above-described systems, or intends to perform any maintenance, repair and/or replacement of the systems or any component thereof, or is required by the Board to do so as a result of the condition of the same, the Unit Owner must comply with the following provisions:

- a. Secure the prior written approval of the Board for any addition, modification, repair or replacement; and
- b. Obtain all necessary permits and/or licenses required to undertake the work; and,
- c. Perform all work authorized hereunder in a good and workmanlike manner and in full compliance of all applicable federal, state and local laws, ordinances, codes, by-laws rules and regulations, including those related to zoning, building, health, safety and sanitation.

Any contractor who performs work must provide the Board with copies of any and all permits necessary to undertake any work contemplated hereunder. Said contractors must also provide evidence of insurance. Permits and insurance certificates must be provided to the Board prior to any work being commenced.

3. If a Unit Owner fails to comply with the provisions of this Resolution, the Unit Owner shall be subject to the enforcement provisions of the Condominium documents as well as the enforcement provisions set forth in this Resolution. All remedies, wherever they may appear including, but not limited to, the Condominium documents as they may be amended, Massachusetts General Laws as they may be amended, and this Resolution are cumulative. In addition, the Unit Owner shall be responsible for all costs incurred by the Board in enforcing this Resolution, including attorney's fees and fines and any damage caused to the common area or other Units as a result of the work contemplated hereunder. All said sums due hereunder as a result of the default of this Resolution shall be a personal liability of the Unit Owner and, in addition, constitute a lien on said Unit, pursuant to M.G.L. c. 183A. Said amount shall be collected as a lien pursuant to M.G.L.c.183A and M.G.L. c. 254, §5 and §5(a).

4. The Unit Owner agrees to indemnify and hold harmless the Board from any and all work

contemplated or authorized hereunder and any and all damages relative to the same. This indemnification shall similarly include any and all causes of action which the Unit Owner may have against the Board as a result of the issuance of permission to perform the work hereunder. The Unit Owner agrees to release the Board, its agents, servants and/or employees from any and all liability related not only to this Resolution but to the execution of the default provisions hereunder. This indemnification shall include reimbursing the Board for any costs to enforce this Resolution as well as any legal action brought against the Board and/or judgments received thereto as well as the cost of the defense, attorney's fees and any judgments received. Further, this indemnification shall include the payment of any judgments as a result of damage, whether personal and/or to property as a result of this Resolution, the breach of this Resolution, and any work contemplated hereunder.

5. The Board reserves the right to act pursuant to the Condominium documents in the event that a Unit Owner fails to undertake any maintenance, repairs, replacement or other related actions which are mandated by the Board and specifically reserves their right to enter the Unit and undertake such corrective actions as are necessary and bill the Unit Owner all costs associated with the same, including legal fees and fines."

Signatures Appear on the Following Page(s)

IN WITNESS WHEREOF the Board of Governors has executed this instrument under seal this 18 day of September, 2019.

Diane G Bemis
Print Name: Diane G. Bemis

Michael T. McCormack
Print Name: MICHAEL T. MCCORMACK

William J McPhail
Print Name: William J McPhail

Klaus Schneller
Print Name: KLAUS SCHNELLER

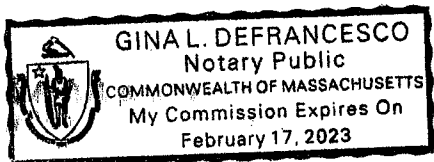
Patricia Ritter-Waltrup
Print Name: Patricia Ritter-Waltrup

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

September 18, 2019

On this 18 day of September 2019, before me, the undersigned notary public, personally appeared in person **, proved to me through satisfactory evidence of identification, which was license, to be a person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose as a duly authorized member of the Board of Governors of the Villages at Quail Run Condominium Association, Inc.



Gina L DeFrancesco
Official Signature and Seal of Notary
My Commission Expires:

**
Diane G. Bemis, William T. McPhail, Patricia Ritter-Waltrup,
Michael T. McCormack, Klaus Schneller

