

CONTEMPO HOMEOWNERS ASSOCIATION

4190 Gemini Drive, Union City, CA 94587 Phone: 510-489-4440

RESOLUTION OF THE BOARD OF DIRECTORS RESOLUTION – STRUCTURAL GARAGE DOOR REPLACEMENTS

WHEREAS, The Contempo Homeowners Association (Contempo) Covenants, Conditions, and Restrictions (**CC&Rs**) [Amended and Recorded (1970)] as they state, in pertinent part, in **ARTICLE V – MAINTENANCE AND OBLIGATIONS; SECTION 2(j)(k)(l) Common Area Maintenance**, the Contempo has a duty to maintain the common area, and, with respect to residential buildings, that duty to maintain is limited to only the ‘skin’ of all the improvements (i.e. the roofs’ shingles [but not the structure beneath the roof shingles], the trim around the windows [but not the windows or the window frames].), and

WHEREAS, **EXHIBIT A** to the Recorded 1970 CC&Rs specifically titled **MAINTENANCE MATRIX**, affixed and recorded as part of the Amended CC&Rs, illustrates the Association’s duty and authority to maintain the exterior surfaces, window frames, etc., and

WHEREAS, the CC&Rs direct that they are “for the purpose of protecting the value and desirability of the Contempo development,” and

WHEREAS, Per Articles IX XI, XII (Section 6, seq. of the (1970) CC&RS, and per Article VII of the 1970 By Laws), the CONTEMPO Board of Directors has the authority and the duty to promulgate such rules and regulations, policies and guidelines, deemed by the Board to be needed and appropriate for the harmonious function of the CONTEMPO community and in the best interest of the CONTEMPO Membership, and

WHEREAS, the CC&Rs state that “The ACC [Architectural Control Committee or Board of Directors] (which has the ultimate authority) may develop and adopt reasonable rules and regulations interpreting and implementing these provisions, and adopt conditions or standards to be used in considering (Architectural Change) applications, and

WHEREAS, it is the opinion of the Contempo Board of Directors, and the opinion of the recognized professionals and consultants on matters related to construction, structural damage and safety related to aging or otherwise improperly installed garage doors, garage door framing, water resistant membranes, and long term integrity of the Contempo framing, siding, and exterior surfaces, that the wrong models of, or the improper installation of garage doors are potential contributors to water intrusion, to attendant deterioration and destruction of common area property, as well as not blending into the harmonious architectural appearance of the building exteriors, and

WHEREAS, THE (1970) CC&Rs establish an *Architectural Control Committee* (ACC) [Article IX], that the Committee and the Prior Boards of Directors have specified the standard for replacement garage doors, and

WHEREAS, the CC&Rs state that “The ACC may review and recommend approval or disapproval [of] any plans submitted to it for any proposed improvement, alteration or addition on the basis of safety, maintenance, liability exposure or aesthetic considerations and the overall benefit or detriment which would result to the immediate vicinity,” and

AND, WHEREAS, this garage replacement standard is put forth herein to clarify existing CONTEMPO policy on garage door replacement. **THEREFORE, and HENCEFORTH**,

BE IT RESOLVED THAT all garage doors on all Contempo homes must meet the duly adopted ACC standard as duly enacted and additionally ratified on (date), and

This Resolution to Ratify Previously Adopted Standard, now, Duly Ratified as Adopted and Attested by the Contempo Homeowners Board of Directors on Thursday, October 19, 2017.

BE IT FURTHER RESOLVED THAT the ACC standard for garage doors at Contempo shall be folding doors with eight embossed panels, color per Association color scheme for that particular building.

Adopted October 19, 2017