

WOODBIDGE TOWNHOME ASSOCIATION, INC.,
RULE REGARDING WATER INTRUSION

WHEREAS, the Board of Directors (the "Board") of the Woodbridge Townhome Association, Inc., a Colorado nonprofit corporation (the "Association") is empowered to adopt rules and regulations as it deems advisable pursuant to the Colorado Common Interest Ownership Act (C.R.S. §38-33.3-302).

WHEREAS, the Association has historically maintained only those areas described in Section 5.1(a) of the recorded Declaration for this Association, and has no obligation to repair design defects or to correct construction errors made by any builder;

WHEREAS, the Association has consistently interpreted the term "exterior building surface" to refer to the visible portion of any townhome, and does not include the foundation or the underground drains around any townhome, which have historically been maintained by the individual owners in accordance with Section 5.4 of the Declaration;

WHEREAS, the Association has never maintained or budgeted funds for the maintenance of foundations or underground drains, or any other portion of any townhome not readily visible, and the individual owners have always all paid for the maintenance of same on their lots;

WHEREAS, the Board has determined that such maintenance of foundation walls and any water intrusion problems are the sole responsibility of the lot owner, rather than the Association, and such decision is based upon the Board's exercise of its reasonable business discretion, its historical practices and rulings, the absence of funds to maintain non-visible portions of townhomes, the naturally occurring conditions on the property, the original builders' construction of the townhomes, the past practice of the Association, and the interpretation of the Association's legal documents.

WHERE AS, the Rule set forth below is in the best interest of all of the members of the Association and is necessary for the health, welfare and safety of those members.

NOW, THEREFORE, the Board has hereby adopted the following rules and regulations:

NOTWITHSTANDING any contrary provision of any governing document, the term "exterior building surfaces" shall not include the foundation or structural walls of any Townhouse unit. All repair, maintenance, restoration and placement of foundations and underground drains shall be the sole responsibility of the Owners of the Townhouse unit to which those foundations and drains are attached, and the Association shall have absolutely no responsibility therefore, and the Board shall make all decisions regarding the definition of "exterior building surfaces" and the allocation of maintenance responsibility between the Association and the Owners. The Owner shall be solely responsible for any consequential damage to any part of the Townhome unit, any personal property therein, or any damage to the common area. The Association shall not be responsible for any claims arising from such actions or inactions.

ADOPTED by the Board of Directors of Woodbridge Townhome Association, Inc., effective on May 21, 2009.

WOODBIDGE TOWNHOME ASSOCIATION, INC.,
a Colorado nonprofit corporation

By: _____
Treasurer

Stephen Kouri
Stephen Kouri
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID: 20074012381
MY COMMISSION EXPIRES MARCH 26, 2019
COUNTY OF EL PASO

Barbara F. Nulty
Secretary

Witness my hand and official seal.
My commission expires: 26 MARCH 2019

The foregoing instrument was signed and acknowledged before me this 17 day of MARCH, 2016, by ROBERT JONES and BARBARA NULTY as Treasurer and Secretary, respectfully, of Woodbridge Townhome Association, Inc.