

Harbor East Tower Condominium

Board of Directors Resolution

WHEREAS, pursuant to Section 3.2 of the Bylaws governing the Harbor East Tower Condominium (“**Condominium**”) the Board of Directors has the power and duty to operate, care for and maintain the Common Elements of the Condominium; and

WHEREAS, also pursuant to Section 3.2 of the Bylaws governing the Condominium (“**Bylaws**”), the Board of Directors has the power and duty to enact, amend and enforce rules and regulations governing the use of the Common Elements of the Condominium; and

WHEREAS, pursuant to Section 6.3 and Section 7.1 of the Declaration governing the Condominium (“**Declaration**”), the Declarant has certain easements and other rights of use with respect to the Common Elements of the Condominium, including, without limitation, with respect to Expansion Property defined and described in the Declaration (“**Expansion Property**”); and

WHEREAS, the Board has adopted various rules and regulations governing the use of the Amenities Floor and the various Common Element amenities in the Condominium; and

WHEREAS, pursuant to the above-stated provisions of the Declaration and Bylaws and taking into account the Declarant’s easements and other rights as well as the Declarant’s payment of the operating deficit and other financial contribution to the Council of Unit Owners of the Condominium (“**Association**”), the Board recognizes the right of use of the Amenities Floor and other Common Element amenities of the Condominium by tenants and/or licensees of certain residential units that are part of the Expansion Property, subject to compliance with the Declaration, Bylaws and duly adopted rules and regulations of the Condominium; and

WHEREAS, as the Expansion Property is not yet part of the Condominium, the Board of Directors has authority, pursuant to the above-referenced provisions of the Bylaws, to suspend or otherwise limit the use of the Amenities Floor and the Common Element amenities of the Condominium by tenants and/or licensees of any portion of the Expansion Property, if such tenants and/or licensees fail or refuse to comply with the Declaration, Bylaws or duly adopted rules and regulations of the Condominium subject to any other easement rights reserved to the Declarant; and

WHEREAS, it has been brought to the Board’s attention that a resident of unit 2005 within the Expansion Property (Luke Cooper) has violated various provisions of the Bylaws and the rules and regulations governing the use of the Common Element amenities including, without limitation, the improper use of the pool and pool area, which use required that the Association incur additional sanitation costs, and the repetitive use of the Common Element conference room on the Amenities Floor for business purposes; and

WHEREAS, the Board of Directors has determined that it is necessary and appropriate to suspend use of the pool, related pool area, the Amenities Floor and all facilities by Mr. Cooper in light of the recent violating conduct until such time as the costs set forth in paragraph 5 below are paid in full; and

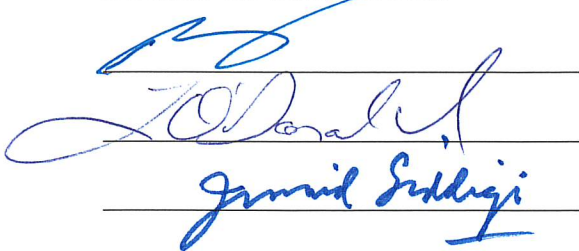
WHEREAS, the Board of Directors has further determined that the costs of the additional sanitation of the pool required as a result of Mr. Cooper's improper use of the pool shall be charged to Mr. Cooper and/or the Declarant, as the owner of the Expansion Property; and

WHEREAS, the Board of Directors has further determined that any further use of the Amenities Floor and Common Element amenities by Mr. Cooper following the suspension periods outlined above shall be subject to compliance in all respects with the Declaration, Bylaws and rules and regulations governing the Condominium.

NOW THEREFORE, the Board of Directors, at a meeting held on this 1st day of December 2020, hereby resolves as follows:

1. The above Recitals are hereby incorporated in and made a part of this Resolution.
2. The Board of Directors hereby acknowledges the right of use of the Amenities Floor and other Common Element amenities of the Condominium by tenants and/or licensees of any portion of the Expansion Property owned by the Declarant.
3. The Board of Directors further acknowledges its responsibilities to operate and maintain the Common Elements of the Condominium and enforce compliance with the Declaration, Bylaws and duly adopted rules and regulations.
4. The Board of Directors hereby resolves that Mr. Cooper's use of the pool, related pool area and the other Common Element amenities located on the Amenities Floor shall be suspended until such time as the costs set forth in paragraph 5 below are paid in full, and any further use of the Common Element amenities shall be subject in all respects to compliance with the Declaration, Bylaw and rules and regulations governing the Condominium.
5. The Board of Directors further resolves that Mr. Cooper and/or the Declarant shall be charged for the additional costs incurred by the Association to sanitize the pool as a result of Mr. Cooper's improper use.

BOARD OF DIRECTORS



The image shows two handwritten signatures in blue ink. The first signature is a stylized, cursive name. The second signature is also in cursive and appears to read "Jamal Siddiqi". Both signatures are written over horizontal lines.