

METROPOLITAN LOFTS CONDOMINIUM ASSOCIATION RULES REGARDING WINTERIZATION OF EXTERIOR WATER SPIGOTS

The Board of Directors of Metropolitan Lofts Condominium Association (the "Association") adopts these rules on the 1st day of September, 2020, effective immediately.

BACKGROUND

A. The Association is responsible for governance, maintenance and administration of Metropolitan Lofts Condominium (the "Condominium").

B. The Association exists pursuant to the Michigan Condominium Act and the Michigan Nonprofit Corporation Act, as well as the Articles of Incorporation for the Association, the Amended and Restated Consolidating Master Deed and the Condominium Bylaws.

C. The Michigan Condominium Act and Article VI, Section 11 of the Condominium Bylaws authorize the Association's Board of Directors to adopt and enforce reasonable rules and regulations in the interest of the Condominium.

D. The Board of Directors desires and intends to adopt reasonable rules governing winterization of exterior water spigots within the Condominium.

The Association's Board of Directors adopts the following rules and regulations for the Condominium (the "Rules"), which are binding upon all Co-owners and their tenants, occupants, successors and assigns, and which supersede any previously adopted rules on the same subject matter:

1. Timeframe to Winterize. All exterior water spigots serving a Unit must be winterized in the manner set forth in this Rule no later than October 15 of each calendar year.

2. Exterior Water Spigot Winterization. All exterior water spigots serving a Unit must be winterized in accordance with the following:

A. Shut Off. The shutoff valve located within the Unit and serving the exterior water spigot must be turned off. If there are multiple exterior water spigots for a Unit, all shutoff valves must be turned to the off position. Pictured below is an example of the shutoff valve for the exterior water spigot:



The valve is turned off when the handle is turned perpendicular to the pipe. The shutoff valve is typically located in a Unit's laundry room above the washer and dryer. If you cannot locate the

shutoff valve for the exterior water spigot you must contact the Association's management company and they will assist you in locating the valve.

B. Empty Water. After the water is turned off, any hoses attached to the exterior water spigot must be removed. Once removed, the knob on the exterior water spigot must be opened completely to allow the water to empty from the pipes located within the Unit and the Common Elements.

3. Inspections. The Association may conduct inspections of the Units to ensure that all exterior water spigots have been properly winterized.

4. Failure to Properly Winterize an Exterior Water Spigot. Upon notice or discovery of an exterior water spigot that has not been properly winterized, the Association will send written notification to the Co-owner of the respective Unit notifying them of the necessity to winterize the exterior water spigot in accordance with this Rule. If the Co-owner fails to properly winterize an exterior water spigot in accordance with this Rule, and provide written confirmation the work has been completed, within two (2) days of the date of the Association's notification, or if an emergency situation exists, the Association may force entry into the Unit in accordance with the following:

A. Purpose. The sole purpose of entry is to winterize the Unit's exterior water spigot(s) in accordance with Section 2 above;

B. Performance. Entry and preparation will be performed by the Association's authorized contractors or agents.

C. Presence. At least one member of the Board of Directors, or a designated agent, will be present during the forced entry and winterization of the exterior water spigot(s);

D. Damage. Efforts will be made to minimize damage to the Unit during the entry. However, the Association, the Association's management company and the Association's authorized contractors and agents will not be responsible for any damage incurred by the entry or winterization of the exterior water spigot(s);

E. Securing Unit. The Association will secure the Unit upon completion of the preparation.

F. Costs. The cost of entry, winterization of exterior water spigots and any other related work will be the sole responsibility of the Co-owner of the Unit. All costs and expenses incurred will be charged to the Unit and will constitute an assessment under the Condominium Documents secured by the statutory lien on the Unit, collectible according to the provisions of the Condominium Documents and the Condominium Act.

5. Co-owner Maintenance and Common Elements. Each Co-owner shall use due care to avoid damaging any of the Common Elements in the course of winterizing the Unit's exterior water spigot(s). Each Co-owner shall be responsible for damages or costs to the Association resulting from damage to or misuse of any of the Common Elements resulting from the improper maintenance of the exterior water spigot(s), including but not limited to, damages

resulting from a Co-owner failing to winterize the exterior water spigot(s). Any costs or damages to the Association, including actual attorneys' fees, may be assessed to and collected from the responsible Co-owner in the manner provided in Article II of the Amended and Restated Bylaws.

6. Applicability. This Rule shall be construed in conjunction with, and not in contravention of, the various provisions of the Condominium Documents.

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Respectfully submitted,
Board of Directors
Metropolitan Lofts Condominium Association