

11-28-06

Revised & Approved
to begin Jan 1, 2007

**RESOLUTION OF
BEECH MOUNTAIN LAKES ASSOCIATION
INSTITUTING A CAPITAL IMPROVEMENT FEE**

WHEREAS, the Pennsylvania Uniform Planned Community Act, 68 Pa.C.S. §5302, allows for a Capital Improvement Fee; and

WHEREAS, pursuant to the aforesaid Act and other promulgations, and enabling documents of the Association, the following action is undertaken;

NOW THEREFORE, be it resolved by the Board of Directors of the Beech Mountain Lakes Association that the Capital Improvement Fee is hereby levied and assessed;

I. A capital improvement fee of six hundred (\$600.00) dollars for any improved lot for each resale or transfer of a lot, immediately payable to the Association upon such occurrence, provided that:

- A.* In the case of resale or transfer of a lot consisting of unimproved real estate, the capital improvement fee shall be three hundred (\$300.00) dollars for each resale or transfer of a lot, immediately payable to the Association upon such occurrences; and
- B.* In the case of resale or transfer of a lot which was either created or added to the planned community in accordance with section 5311 (relating to conversion and expansion of flexible planned communities) of the Uniform Planned Community Act, at some time during the most recently completed fiscal year of the Association but was not in existence for the entire fiscal year, the capital improvement fee shall be an amount not to exceed one-half of the annual assessments for general common expenses charges to a lot comparable to such lot during most recently completed fiscal year of the Association.

II. Capital improvement fees allocated by the Association will be maintained in a separate capital account and will be expended only for new capital improvements or replacement or existing common elements, and will not be expended for operation, maintenance or other purposes.

III. No capital improvement fee shall be imposed on any gratuitous transfer of a lot between any of the following family members: spouses, parent and child, siblings, grandparent and grandchild. Appropriate sworn affidavits to the effect of same shall be provided to the Association at the time of sale or transfer or other indicia as may be acceptable by the Association or its management.

IV. No fees may be imposed upon any person who:

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XI. This Resolution is an amendment to the prior Resolution of Beech Mountain Lakes Association Instituting a Capital Improvement Fee introduced and passed by majority vote of the Beech Mountain Lakes Association, Inc. Board of Directors on June 26, 2001.

Motion introduced on the 28 day of NOVEMBER, 2006 by Mr. JANN CASTAGNA and seconded by Mr. DON LOZZI.

Motion passed by a vote of 5 () in favor and 0 () opposed and no abstentions.

Dated: 11/28/06

Beech Mountain Lakes Association

by: [Signature]
President

by: [Signature]
Secretary