

Resolution

WHEREAS, The Board of Directors of the Atrium Townhome Association finds that there is a need to establish a policy related to a proactive affirmation of covenant compliance in conjunction with a Unit being transferred to a new owner.

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WHEREAS, 765 ILCS 605/22.1 (a) provides that when a unit is sold by an owner other than the Declarant, the unit owner must furnish to the purchaser, upon demand, a 22.1 disclosure form. The 22.1 disclosure form must be issued by the Board of Managers of the Association and must contain: 1) a copy of the Declaration, by-laws, other condominium instruments, and any rules and regulations; 2) a statement of any liens, including a statement of the account setting forth the amounts of unpaid assessments and other charges due and owing; 3) a statement of any capital expenditures anticipated by the unit owner's association within the current or succeeding two fiscal years; 4) a statement of the status and amount of any reserve for replacement fund and any portion of such fund earmarked for any specified project; 5) A copy of the statement of the financial condition of the Association for the last fiscal year for which such a statement is available; 6) a statement of the status of any pending suits or judgments in which the association is a party; 7) a statement setting forth what insurance coverage is provided for all unit owners by the association; 8) the identity and mailing address of the principal officers of the Association or of other officer or agent as it specifically designated to receive notices;

WHEREAS, Section 22.1 also requires that the association provide a statement that any improvements or alterations made to the unit, or the limited common elements thereto, by the prior unit owner are in good faith believed to be in compliance with the condominium instrument;

WHEREAS, Section 22.1(c) provides that the Association or its Board of Managers may charge a reasonable fee covering the direct out-of-pocket cost of providing such required information;

NOW THEREFORE, BE IT RESOLVED THAT, the at the time of each transfer of Unit ownership for which a Section 22.1 disclosure is requested, the Association shall require a Covenant (Declaration) Compliance Inspection of the Unit in conjunction with the Association related disclosure process. Such inspections will be conducted at the direction of the Board of Managers, but shall be coordinated through, and conducted by the Association Management Company. All fees associated with resale, including said inspection shall be charged by the Association Management Company, on behalf of the Board of Directors, and shall be the responsibility of the real estate transaction parties, and not the Association. Should covenant violation(s) be noted during such inspection, the current owner (seller) is required to bring said covenant violation(s) into compliance in conjunction with the transfer of Unit ownership.

IT IS FURTHER RESOLVED that this COVENANTS COMPLIANCE INSPECTION requirement is effective upon adoption hereof, to remain in force and effect until revoked, modified or amended.

This is to certify that the foregoing Resolution was adopted by the Board of Directors at a meeting of same on _____, 2009, and has not been modified, rescinded, or revoked.

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Date

Secretary