

**WHISPERING PINES HOMEOWNERS ASSOCIATION OF JACKSONVILLE, INC.**

**BOARD MEETING: February 15<sup>th</sup>, 2024**

**BOARD OF DIRECTOR RESOLUTION ON THE PROCESS AND PROCEDURE FOR OWNERS REQUESTING EARLY ROOF REPLACEMENT ON THEIR UNITS**

WHEREAS, the Revived Amended and Restated Declaration of Covenants, Restrictions, Conditions and Easements for Whispering Pines ("Declaration") was recorded in the Duval County Official Records on September 20<sup>th</sup>, 2018 at Book 18535, Page 1395;

WHEREAS, Article VIII of the Declaration states that the Association shall provide exterior maintenance upon each Lot, which includes repair and replacement of the roofs;

WHEREAS, Owners, pursuant to Article XI of the Declaration, are required to obtain and carry insurance on their units, which also covers the roof in the event of damage from an insurable event, and if the roof of a unit is damaged due to an insurable event, the Owner is required to submit a claim to his / her insurance for coverage under his / her policy;

WHEREAS, the Association periodically obtains contractor inspections and schedules to estimate the remaining useful life of exterior structures, such as roofs, and to determine when roof replacement will likely be needed for each unit and building due to normal wear and tear;

WHEREAS, the Association periodically has its licensed contractors and vendors inspect the units and buildings to determine whether any exterior maintenance work is needed on structures, such as the roofs, due to normal wear and tear;

WHEREAS, Article IV, Section 4. (c) of the Declaration states that "Special assessments may also be levied against the Owner of one Lot or Building Plot with a completed Living Unit(s) thereon for repairs which benefit only such Lot or Building Plot. ... Such special assessments may be levied at any special or annual meeting of the Board of Directors of the Association."

WHEREAS, the Association has a process to replace roofs over the units and buildings as determined by its current inspection schedule or as determined by further inspection by a licensed contractor that a roof is beyond its useful life and needs replacement;

WHEREAS, some Owners have been notified by their insurance companies that their homeowners' insurance policies will not be renewed if the roofs over their units are not replaced, even though according to the Association's current inspection schedule and/or licensed contractor the roofs are not beyond their remaining useful lives;

WHEREAS, some Owners have been notified that they are unable to procure insurance at reasonable rates or, sometimes, unable to procure any insurance at all unless the roofs over their units are replaced, even though according to the Association's current inspection schedule and/or licensed contractor the roofs are not beyond their remaining useful lives;



WHEREAS, some Owners have listed their units for ~~sell~~<sup>sale</sup>, but have been told by the insurance industry and/or title companies that their units cannot be sold unless the roofs over their units are replaced, even though according to the Association's current inspection schedule and/or licensed contractor the roofs are not beyond their remaining useful lives;

WHEREAS, due to some Owners being unable to obtain / renew insurance at reasonable rates and/or unable to sell their units for the reasons previously mentioned, some Owners have requested the Association to replace the roofs over their units, even though according to the Association's current inspection schedule and/or licensed contractor the roofs are not beyond their remaining useful lives;

WHEREAS, the Association's Board of Directors desires to implement a policy through this Board Resolution where an Owner can have his/her roof replaced prior to the Association being required to replace the roof due to normal wear and tear and according to its current inspection schedule and/or licensed contractor, so long as the Owner contributes up to fifty percent (50%) of the roof replacement cost due to the early roof replacement requested by the Owner,

WHEREAS, the special assessment must be paid in full by the Owner prior to the Association engaging its contractor for the early roof replacement on the Owner's unit;

WHEREAS, the Association has sole authority and discretion on the contractor hired for the roof replacement on any unit or building;

NOW THEREFORE, BE IT RESOLVED, by the Board of Directors of Whispering Pines Homeowners Association of Jacksonville, Inc.,

THAT if an Owner, for any reason important to that Owner, requests the Association to perform an early replacement of the roof on his / her unit prior to the Association needing to do so based on normal wear and tear pursuant to the Association's current inspection schedule and/or licensed contractor's inspection, the Association shall levy a special assessment against the Owner and unit equal to fifty percent (50%) of the roof replacement cost in order to fund the early roof replacement for that unit prior to its needed replacement based on remaining useful life. The Owner must pay that special assessment in full to the Association prior to the Association engaging its licensed contractor of choice to perform the roof replacement on that Owner's unit. The Association shall have the sole and absolute discretion on the licensed contractor used for the roof replacement. This Board Resolution is not retroactive.

ADOPTED by the affirmative vote of <sup>(three)</sup> 3 Board of Directors, a majority of the five (5) voting interests present at the Board meeting held this 15<sup>th</sup> day of February, 2024.

WHISPERING PINES HOMEOWNERS ASSOCIATION OF JACKSONVILLE, INC.,

By: \_\_\_\_\_

Carl Cline, President

By: \_\_\_\_\_

Elizabeth Fuentes, Secretary

2/14/2024  
2/2