

**RESOLUTION
OF THE
STEAM PLANT LOFTS CONDOMINIUM ASSOCIATION
REGARDING THE ALLOCATION OF INSURANCE DEDUCTIBLES**

SUBJECT: Adoption of a policy regarding responsibility for the payment of insurance deductibles.

PURPOSE: To adopt a uniform procedure to be followed for the payment of any insurance deductible.

AUTHORITY: Association's Articles of Incorporation, Bylaws, Declaration of Covenants, Conditions, and Restrictions, and Colorado law.

EFFECTIVE DATE: November 9th, 2016

RESOLUTION: The Association has adopted this Resolution to clarify its insurance obligations under the Declaration and to govern the allocation of insurance deductibles with respect to property subject to the Declaration. The Resolution supersedes any previous Resolutions in relation to this subject. The Resolution is as follows:

I. RESPONSIBILITY FOR PAYMENT OF DEDUCTIBLE AMOUNT

Whether the Board of Directors in its discretion, chooses to submit a claim under the Association's insurance policy or not, payment of the deductible amount for claims that the Association is responsible for insuring, shall be as follows:

- a. Damage to Common Elements: The Association shall pay or absorb the deductible for any work, repairs or reconstruction for damage to any portion of the Common Elements, excluding Limited Common Elements. However, if such damage is caused by the negligent or willful act or omission of an Owner, his family, guests, agents, tenants, or invitees, then the Association shall seek reimbursement of the deductible amount from such Owner as an assessment under the Declaration.
- b. Damage to Units/Limited Common Elements: The Owner of the Unit shall pay or absorb the deductible for any work, repairs, reconstruction or replacement for damage to any portion of his/her Unit and the Limited Common Elements appurtenant thereto, unless the loss is caused by the negligent or willful act or omission of the Association or another Owner, in which case, the negligent or otherwise responsible party shall be responsible for payment of the deductible. In the event it is determined that another Owner is responsible for the payment of the deductible, the Association shall seek reimbursement of the deductible amount from such Owner as an assessment under the Declaration.
- c. Damage to Multiple Units or Common Elements and Unit(s): Where damage is suffered by multiple Units or a combination of Unit/Units and Common Elements, the deductible payment shall be apportioned by the Board of Directors between and among the parties suffering damages in proportion that each party's damages relate to the total damage amount. The Board shall use the invoices and estimates from the contractors

performing the repair work as guidance in allocating the deductible between and among the parties.

- d. Negligence: Whether a party is negligent or otherwise responsible for damages, for the purposes of this Policy, shall be determined by the Board of Directors in its sole discretion. Prior to making any determination as to negligence or responsibility for damages or deductibles, the Board of Directors shall provide the affected Owners with notice of the pending determination and opportunity for a hearing before the Board of Directors to allow the affected Owners an opportunity to speak on the matter.

II. DEFINITIONS. Unless otherwise defined in this Policy, initially capitalized or terms defined in the Declaration shall have the same meaning herein.

III. SUPPLEMENT TO LAW. The provisions of this Policy shall be in addition to and in supplement of the terms and provisions of the Declaration and the law of the State of Colorado governing the community.

IV. DEVIATIONS. The Board may deviate from the procedures set forth in this Policy if in its sole discretion such deviation is reasonable under the circumstances.

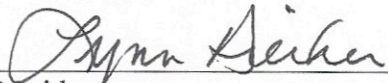
V. AMENDMENT. This Policy may be amended from time to time by the Board of Directors.

PRESIDENT'S

CERTIFICATION: The undersigned, being the President of the Association, certifies that the foregoing Resolution was approved and adopted by the Board of Directors, at a duly called and held meeting of the Board of Directors of the Association on October 25th, 2016, and in witness thereof, the undersigned has subscribed his/her name.

**STEAM PLANT LOFTS CONDOMINIUM
ASSOCIATION**

a Colorado nonprofit corporation

By: 
President