

The Fairmont Condominium Association

BYLAWS AMENDMENT – NONREFUNDABLE CAPITAL CONTRIBUTION

1. CURRENT DECLARATION.

Section 19:

19. Assessment Reserve—At the time of its delivery of a deed to an Owner, Declarant may require such Owner to deposit with the Association an amount not exceeding six (6) times the amount of the estimated monthly common assessment, which sum shall be held without interest by the Association or Managing Agent as a reserve to be used for paying such Owner's monthly common assessment and for working capital. Such an advance payment shall not relieve an owner from making the regular monthly payment of the monthly common assessment as the same comes due. Upon the transfer of his Condominium Unit, an Owner shall be entitled to a credit from his transferee for any unused portion thereof."

2. APPROVED DECLARATION.

Section 19:

19. Nonrefundable Assessment. At the time that legal title to a Unit is conveyed, an assessment based on a formula established by the Board of Directors shall be assessed against the Unit. The assessment shall be nonrefundable and the proceeds shall become part of the operating fund of the Association. The assessment is a means for the Association to capture consideration for the appreciation in value of the Common Elements, a portion of which is conveyed together with the Unit. The formula established by the Board of Directors shall make the assessment directly proportional to the percentage interest in the Common Elements being conveyed. The Nonrefundable Assessment shall be secured by the hereinafter described Vendor's Lien and the personal and individual debt of the seller and purchaser of the Unit. At the time that legal title to a Unit is conveyed, a transfer fee, to cover administrative costs will be collected. The transfer fee will be established and reviewed periodically by the Board of Directors and shall not exceed \$250.00."

FAIRMONT CONDOMINIUM ASSOCIATION UNIT-OWNERS RESOLUTIONS ACTION RECORD

This Amendment to the Bylaws was adopted at a regular meeting of the Board on June 17, 2008 and also approved at the regular Annual Meeting of the Association on June 17, 2008 with all members present voting in the affirmative, motion carried and bylaws amendment adopted.

EFFECTIVE DATE OF AMENDMENT RESOLUTION:

Fairmont Annual Meeting, June 17, 2008