



Request of: HUGH LEWIS

**AFTER RECORDING RETURN TO:
HUGH LEWIS, ATTORNEY AT LAW, P.C.
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TITLE OF DOCUMENT:	BOARD RESOLUTION ADDRESSING ROOFING MATERIAL REQUIREMENTS IN DECLARATION OF COVENANTS FOR SEA LINKS AT BIRCH BAY
AF# OF AFFECTED DOCUMENT:	1475322
GRANTOR:	SEA LINKS COMMUNITY ASSOCIATION
GRANTEE:	THE GENERAL PUBLIC

**BOARD RESOLUTION ADDRESSING ROOFING MATERIAL REQUIREMENTS
IN
SEA LINKS AT BIRCH BAY**

THIS RESOLUTION is made by Sea Links Community Association, a Washington Nonprofit Corporation, (the "Association").

WITNESSETH THAT:

WHEREAS, a certain Declaration of Covenants (the "Covenants") for Sea Links at Birch Bay (the "Subdivision") was recorded by its Declarant at Auditor's File No. 1475322 on March 23, 1984, records of Whatcom County, Washington;

WHEREAS, Article II, Section 24 of the Covenants ("Roofing Covenants") contain provisions which require the use of cedar shake roofing materials, and also which prohibit the use of "composition materials."

WHEREAS, the Board of Directors and the Design Control Committee have been approached by several Owners requesting variances from the Roofing Covenants, and have typically granted variances to the Roofing Covenants so as to permit Owners to install modern roofing materials of good quality.

WHEREAS, the Board questioned whether the Association, through its Board or Design Control Committee, should continue to grant such variances; the Board sought input from the Lot Owners through a balloting process designed to determine the wishes of the Community in this regard.

WHEREAS, the Association's members, by an affirmative vote of 94% of the membership, voted to support an end to strict enforcement of the Roofing Covenants, provided that any Owner who desires to use a type of material not authorized by the Roofing Covenants must first provide a sample of such roofing

material to the Design Control Committee, for examination and approval on a case-by-case basis, to assure that only quality roofing materials are installed on homes in the Community.

NOW, THEREFORE, BE IT RESOLVED:

1. Article II, Section 24 of the Covenants ("Roofing Covenants") henceforth shall not be strictly enforced, PROVIDED that any Owner who desires to use a type of material not authorized by the Roofing Covenants shall first provide a sample of such roofing material to the Design Control Committee, along with a request for a variance and information concerning the characteristics of the requested roofing material.

2. The Design Control Committee may grant a variance to the Roofing Covenants, on a case-by-case basis, in response to an Owner's request if the Committee finds, based on its examination of the roofing material and any other information that said Committee deems useful or necessary, that the requested material is of good quality and is not incompatible with the architectural themes present in the neighborhood in which the house is situated.

3. A copy of this Resolution shall be recorded in the land records of Whatcom County, Washington, to provide record notice to new purchasers and other interested parties.

IN WITNESS WHEREOF, the Association has caused this Resolution to be adopted as of the 19 day of December, 2009, as attested to by its Secretary:

SEA LINKS COMMUNITY ASSOCIATION
a Washington Nonprofit Corporation

By: Karin Coy
Board Director Its Secretary
Recording Secretary

STATE OF WASHINGTON)
) ss.
COUNTY OF WHATCOM)

I certify that I know or have satisfactory evidence that Karin Coy is the person who appeared before me and said person acknowledged that (s)he signed this instrument, on oath stated that (s)he was authorized to execute the instrument and acknowledged it as the Secretary of Sea Links Community Association, to be free and voluntary act of such party for the uses and purposes mentioned in this instrument.

DATED: 12/19/09, 2009.



D. L. Smith
Notary Public in and for the State
of Washington, residing at Blaine
My Commission expires: 10/15/2013