

**ASSOCIATION OF UNIT OWNERS OF
NORTH PARK CONDOMINIUM ASSOCIATION
RESOLUTION No. 2004- 03**

WHEREAS, "Declaration" is the Declaration Submitting North Park Lofts Condominium to Condominium Ownership, "Bylaws" are the Bylaws of the Association of Unit Owners of North Park Condominium and "Rules and Regulations" are the Rules and Regulations of the Association of Unit Owners of North Park Condominium (collectively referred to as "Governing Documents");

WHEREAS, Section 14.2 of the Declaration provides that the affairs of the Association shall be governed by a Board of Directors;

WHEREAS, Section 7.5(m) of the Bylaws provides that the Board of Directors shall have the authority from time to time to adopt, modify, or revoke rules and regulations governing the conduct of persons and the operation and use of the units and common elements as it may deem necessary or appropriate;

WHEREAS, the tenth floor of the North Park Lofts Condominium is multi-purpose and recreation/social common area and there is no Association staff present to observe and regulate the actions of Association members therein, nor does the Association have any reasonable means by which such use can be regulated or monitored and, consequently, the Association cannot control how and when the tenth floor is used;

WHEREAS, the Board of Directors deems it to be in the best interest of the Association to address the legal duties, rights, and responsibilities of the Association and individual unit owners with respect to the use of the tenth floor;

WHEREAS, the Board of Directors deems it to be in the best interest of the Association to give notice to all unit owners, both current and prospective, of the legal duties, rights, and responsibilities of the Association and individual unit owners with respect to the use of the tenth floor;

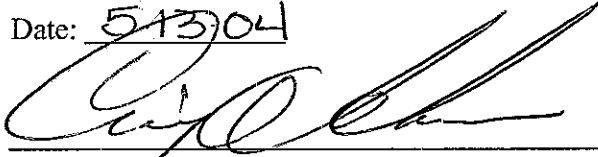
WHEREAS, the Board of Directors deems it to be in the best interest of the Association to condition the use of the tenth floor upon unit owners assuming the risks and liabilities associated with the unsupervised use of the tenth floor and to require all owners to comply with the terms of this resolution;

NOW, THEREFORE, BE IT RESOLVED THAT in consideration of the Association permitting use of the tenth floor to the unit owners, each and every unit owner, by their use of the tenth floor, in whatever manner, is hereby deemed to have agreed to the following:


1. To comply with all applicable state, federal or city laws and regulations, and with the policies and regulations of the Association pertaining to the use and occupancy of the Space.
2. To take good care of the tenth floor during any period of use and to maintain it in as good order and condition as it was prior to unit owner's use thereof.
3. Not to use or allow the tenth floor to be used for any unlawful purpose and to conduct activities therein in a safe and careful manner.
4. To not commit or allow to be committed any waste or nuisance in or about the tenth floor, or subject the tenth floor to any use that would damage it or raise or cause to be cancelled any insurance coverage maintained by the Association for the tenth floor.
5. To assume all risk of damage to and loss or theft of his or her property, damage to the tenth floor, and injury or death to persons related to the unit owner's use or occupancy of the tenth floor in, upon, or about the tenth floor from any cause, and every unit owner waives all claims against Association
6. To indemnify and hold harmless the Association, the Association's Board of Directors and Officers, employees and the Owners, against all claims, suits liabilities, costs, damages and expenses, including reasonable attorney's fees, arising out of or in connection with: (i) unit owner's use or occupancy of the tenth floor, or any activity or thing done, performed or suffered by the unit owner, his or her agents, employees, licensees, invitees or persons attending or participating in the unit owner's activities in or about the tenth floor; or (ii) any loss, injury, death or damage to persons or the tenth floor on or about the tenth floor by reason of any act, omission or negligence of the unit owner, or any of his or her agents, contractors, employees, licensees, or invitees.
7. Not to permit any hazardous or illegal substance to be used, stored, generated or disposed of on, in or about, or transported to or from, the tenth floor, by the unit owner, his or her agents, employees, contractors or invitees.
8. To abide by all other rules and regulations of the Association related to the use of the tenth floor.

ATTEST:

Date: 5/13/04



Chairman, Association of Unit Owners of North Park Condominium



Secretary, Association of Unit Owners of North Park Condominium