

RESOLUTION 2020-07

**TWIN RIVERS HOMEOWNERS ASSOCIATION
AS TRUSTEE FOR THE TWIN RIVERS COMMUNITY TRUST**

DAMAGE TO COMMON GROUNDS

WHEREAS, the Board of Trustees of the Twin Rivers Homeowners Association, as Trustee of the Twin Rivers Community Trust, is responsible for the enforcement of the Declaration of Restrictions and Reservation of Easements and the Trust Indenture, which were filed as restrictions against all residential properties within the Twin Rivers Planned Unit Development, said restrictions having been adopted by A-S Development, Inc. and filed with the Mercer County Clerk on or about January 8, 1969; and

WHEREAS, the Twin Rivers Indenture obligates the Twin Rivers Community Trust to own, manage, operate and maintain properties within the development; and

WHEREAS, in order to maintain the common areas within Twin Rivers, the Trustee performs various services in order to upkeep the safety of the Community and its common areas; and

WHEREAS, the Trustee has the right and sole discretion consonant with the best interests of the beneficiaries, to make reasonable rules and regulations as to the conduct of the beneficiaries, their agents and guests, upon the Trust lands, and to preserve, protect and enhance the same, to prevent waste, erosion, depletion, to protect plantings, bed areas, trees, shrubs, grass and bushes, so that the beneficiaries and guests can enjoy the lands within the Twin Rivers Community; and

WHEREAS, beneficiaries, their agents or employees, have in the past caused damage to the common properties of Twin Rivers, which resulted in Twin Rivers having to expend costly funds to repair, replace and/or replenish those common areas, as a result of damage caused by the said beneficiaries, their agents or employees.

NOW, THEREFORE, BE IT RESOLVED on this 14th day of October, 2020, that any beneficiary herein, or agents, or employees, who cause damage to the Twin Rivers common property, shall be responsible to pay for the repair, replacement or replenishment of the property which was damaged by them, which shall include the cost of the repair, replacement, and attorney fees.

BE IT FURTHER RESOLVED, that the printing of this Resolution in its entirety in the community newsletter publication, "Twin Rivers Spotlight", and on the Twin Rivers Community website constitutes proper notice.

Duly approved by the Board of Trustees
at their meeting of October 14, 2020

ATTEST:

Marc Platizky
Secretary

