

COUNCIL OF UNIT OWNERS OF KING FARM CONDOMINIUM, INC.

**ADMINISTRATIVE POLICY RESOLUTION NO. 23-03
Regarding Storage Space Units**

WHEREAS, Section 2.2.4 of the Bylaws of the Council of Unit Owners of King Farm Condominium, Inc., (hereinafter, “the Council”) states that the Board of Directors (“Board”) shall have all the powers and duties necessary to govern and administer the affairs of the Council;

WHEREAS, Section 2.4.10(b)(xiii) of the Bylaws further empowers the Board to make and amend rules and regulations as the Board deems appropriate;

WHEREAS, King Partners Limited Partnership, the Declarant, executed certain condominium instruments establishing King Farm Condominium in Montgomery County, Maryland, on the land depicted by the Plats originally recorded in Plat Book 75, plats 7512 through 7514, and as later expanded by Plats recorded in Plat Book 77, plats 7665 through 7667, and caused such documents to be recorded among the Land Records of Montgomery County, Maryland (“Land Records”) at Liber 16140 and Folio 280 (the Original Declaration) and as subsequently amended;

WHEREAS, per the Fourth Amendment to the Declaration, there are thirty-two (32) Storage Space Units within the King Farm Condominium (“Condominium”), specifically located at Buildings 100 and 101 Watkins Pond Boulevard, which Storage Space Units are privately owned by individual owners who also own residential units within the Condominium;

WHEREAS, per the Fourth Amendment to the Declaration and the Condominium Bylaws, the Storage Space Units do not carry any percentage interests in the common elements or voting interests;

WHEREAS, other than to list the Storage Space Units in the Fourth Amendment to the Declaration, the Declarant failed to properly record the Storage Space Unit transfers;

WHEREAS, there is evidence that at least some of the original deeds from the Declarant included a separate tax identification for the Storage Space Unit, however, most did not and none of these original tax identification numbers still exist;

WHEREAS, the Council does not have a formal record of the owners of the Storage Space Units;

WHEREAS, the Board has received satisfactory proof of ownership of the Storage Space Units;

WHEREAS, the Board has determined that it is necessary for the Council to create and publish a formal record of who owns, and is responsible for, the Storage Space Units; and

WHEREAS, the Board has further determined that it is in the best interests of the Council to establish rules regulating the use of the Storage Space Units.

NOW THEREFORE, the Board adopts the following master list of the Storage Space Units to be used for Council-related purposes and rules to regulate the use of the Storage Space Units.

I. STORAGE SPACE UNIT OWNERSHIP.

Together with all rights and obligations with respect to such Storage Space Units, the Council hereby acknowledges and adopts the Master List attached hereto as **Exhibit A**.

II. MAINTENANCE/REPAIR, RESTRICTIONS, DISCLAIMER.

- A. Unit owners are responsible for their Storage Space Units in all regards, including to perform all maintenance and repair obligations, but excluding any structural repairs for which the Council is responsible per the Declaration and Bylaws and any repairs covered by any insurance policy maintained by the Council, if any.
- B. Unit owners are responsible for maintaining their Storage Space Units in good condition and order and for using the Storage Space Units in compliance with all applicable law.
- C. Unit owners must routinely clean and inspect their Storage Space Units, including to perform any necessary pest control/termination.
- D. Unit owners may not make any structural modifications or alterations in their Storage Space Units, including to the sprinklers, fire/smoke alarms, electrical systems, and plumbing systems, without obtaining the Board's prior written consent after submitting plans and specifications describing the proposed modification.
- E. No noxious or offensive activity shall be carried on within the Storage Space Units, nor shall anything be done or maintained in the Storage Space Units that will cause an increase in the rate of insurance or threaten the safety of residents or other property.
- F. Storage Space Units may not be used for any purpose of carrying on any business, profession, or trade of any kind.
- G. Storage Space Units must not be used to house persons or pets.
- H. No flammable, explosive, hazardous, trash/waster, or illegal materials may be stored in the Storage Space Units.
- I. No perishable food products or unsealed liquids may be stored in the Storage Space Units.
- J. Unit owners must comply with the Declaration and Bylaws in their use of the Storage Space Units.

- K. The Council shall not be liable or responsible for any injury to person or damage to property arising from or caused by the ownership or use of the Storage Space Units, including for theft from the Storage Space Units.

III. MISCELLANEOUS.

- A. **Limitations.** The Master List of Storage Space Units is strictly for Council related purposes only; it is not intended to cure any title issues that may exist or transfer legal or record title to, or possession of, the Storage Space Units.
- B. **Transfers and Recordkeeping.** A copy of this Resolution shall be provided in all resale packages. Unit owners shall also provide a copy of this Resolution to his/her successor-in-interest in the Unit. This Resolution, and amendments thereto, shall apply to, be binding upon, and enforceable by the representatives, successors-in-interest, and assigns of the unit owner.
- C. **Enforcement.** The Board shall have the right, but not the obligation, to enforce the provisions of this Resolution by any legal remedy available to the Council as authorized by the Act, its Condominium Instruments, or other applicable law, including but not limited to imposing monetary sanctions subject to Section 11-113 of the Act and the Council's Enforcement Resolution, and assessing all costs or fees (including attorney's fees) incurred by the Council. Nothing in this Resolution is intended to limit the Council's enforcement remedies. Failure to enforce this Resolution shall not be deemed a waiver of the right to do so in the future.
- D. **Severability and Amendments.** If any term of this Resolution is to any extent deemed illegal, otherwise invalid, or incapable of being enforced, such term shall be excluded to the extent of such invalidity or unenforceability; all other terms hereof shall remain in full force and effect; and, to the extent permitted and possible, the invalid or unenforceable term shall be deemed replaced by a term that is valid and enforceable and that comes closest to expressing the intention of such invalid or unenforceable term. The Board reserves the right to amend this Resolution, as it deems appropriate.
- E. **Adopted and Effective Date.** This Resolution was adopted pursuant to the Bylaws and Section 11-111 of the Maryland Condominium Act. This Resolution was adopted this 25th day of September 2023 by the Board of Directors. The effective date of this resolution is September 25, 2023.

**Council of Unit Owners of
King Farm Condominium, Inc.**

By: 

Name: Susan Sellers

Title: President

COUNCIL OF UNIT OWNERS OF KING FARM CONDOMINIUM, INC.

**Policy Resolution No. 23-03
Regarding Storage Space Units**

EXHIBIT A – MASTER LIST

BUILDING 2 = 100 Watkins Pond Blvd. 4 = 101 Watkins Pond Blvd.	FLOOR	STORAGE UNIT	RESIDENTIAL UNIT (to which the storage unit belongs)
2	2	2-1	100 Watkins Pond Blvd., #201
2	2	2-2	100 Watkins Pond Blvd., #207
2	2	2-3	100 Watkins Pond Blvd., #305
2	2	2-4	100 Watkins Pond Blvd., #102
2	3	3-1	100 Watkins Pond Blvd., #306
2	3	3-2	110 Watkins Pond Blvd., #304
2	3	3-3	100 Watkins Pond Blvd., #301
2	3	3-4	100 Watkins Pond Blvd., #302
2	3	3-5	100 Watkins Pond Blvd., #303
2	4	4-1	King Farm Condominium
2	4	4-2	100 Watkins Pond Blvd., #401
2	4	4-3	King Farm Condominium
2	4	4-4	110 Watkins Pond Blvd., #301
2	4	4-5	100 Watkins Pond Blvd., #406
2	4	4-6	100 Watkins Pond Blvd., #202
2	4	4-7	100 Watkins Pond Blvd., #404
2	4	4-8	100 Watkins Pond Blvd., #402
4	2	2-1	101 Watkins Pond Blvd., #202
4	2	2-2	101 Watkins Pond Blvd., #202
4	2	2-3	111 Watkins Pond Blvd., #101
4	2	2-4	King Farm Condominium
4	3	3-1	101 Watkins Pond Blvd., #301
4	3	3-2	101 Watkins Pond Blvd., #307
4	3	3-3	101 Watkins Pond Blvd., #305
4	4	3-4	101 Watkins Pond Blvd., #306
4	4	3-5	111 Watkins Pond Blvd., #104
4	4	4-1	101 Watkins Pond Blvd., #104
4	4	4-2	101 Watkins Pond Blvd., #406
4	4	4-3	101 Watkins Pond Blvd., #403
4	4	4-4	101 Watkins Pond Blvd., #401
4	4	4-5	101 Watkins Pond Blvd., #405
4	4	4-6	101 Watkins Pond Blvd., #405

FOR COUNCIL RECORDS

I hereby certify that a copy of the foregoing Policy Resolution No. 23-03 was mailed or hand-delivered to the members of the Council of Unit Owners of King Farm Condominium, Inc., on September 26, 2023.

Alena Proctor

Alena Marie Proctor, CMCA, AMS
Community Manager

COUNCIL OF UNIT OWNERS OF KING FARM CONDOMINIUM, INC.

RESOLUTION ACTION RECORD

Resolution Type: Administrative Resolution

Pertaining to: Regarding Storage Space Units

Duly adopted at a meeting of the Board of Directors of the Council of Unit Owners of King Farm Condominium, Inc., held on September 25, 2023

Motion by: Susan Sellers


Seconded by: Rodger Pitcairn

OFFICER	TITLE	YES	NO	ABSTAIN	ABSENT
Susan Sellers	President	X			
Anjali Wahi	Vice President	X			
Jack Dorris	Treasurer				X
Rodger Pitcairn	Secretary	X			

ATTEST: Rodger Pitcairn

September 26, 2023

Date

, Secretary