

## RESOLUTION

### Re: Maintenance Assistance Given By Lake Employees To Lot Owners

WHEREAS in the past it has been the practice of the Board of Directors of Holiday Lake Maintenance Company to offer assistance to lot owners with minor maintenance tasks affecting terrain and flow of water on individually owned lots consistent with the availability of Lake staff time and equipment availability and

WHEREAS confusion has arisen with some lot owners as to the obligation of lake personnel to perform such maintenance tasks affecting terrain and flow of water under differing sets of circumstances with the consequent need to provide clarity to the situation, therefore

BE IT RESOLVED by the Board of Directors of Holiday Lake Maintenance Company that the following policy regarding the performance of maintenance tasks affecting terrain and flow of water on individually owned lots shall henceforth be governed by the following policy:

1. Subject to the availability of personnel and equipment Holiday Lake Maintenance Company will provide assistance to individual lot owners with minor work on their lot or lots as such maintenance tasks or may affect terrain and flow of water over the land.
2. The application of this policy shall be limited to the construction of small drainage ditches and the installation and maintenance of tile on the lot or lots owned by an applicant for assistance. It shall not extend to general landscaping tasks and the determination of the scope of this policy in any particular situation shall rest with the Board of Directors whose decision is, in all cases, final.
3. This policy does not affect in any way the "commons" of Holiday Lake or their construction, maintenance or lack of maintenance all of which are accomplished in the unfettered discretion of the Board of Directors.
4. An application for assistance under this policy shall be made in writing on a form supplied for that purpose by the Board of Directors. It shall be completed in an original and duplicate and filed at the Holiday Lake office. The form shall be signed by the lot owner requesting the assistance and receipt will be acknowledged in writing by the secretary employed by the Board of Directors as a day-to-day point of contact with the Lake. No alternative form of application is permitted. In particular, no application

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by telephone, facsimile transmission, text message, voice mail or written "drop-off" at the office will be acknowledged by the Lake and no response will be made to such unauthorized form of application. The application form shall incorporate the provisions of this resolution by reference and confirm the acceptance of an acquiescence in the terms of this resolution by the lot owner making application.

5. Acceptance of an application in proper form by the Board of Directors or its employee does not constitute an agreement between the Board and the lot owner who made the application that the Board will have the work done or will have the work done at any time in the future.

6. When an application is received the board will either direct acceptance by Lake Staff or will delay acceptance until it has had a chance to evaluate the proposed work before adding it to the list of applications. Applications acted upon favorably by the Board of Directors will be scheduled for work in the order in which they are accepted by the board.

7. Applications will be accepted only from lot owners and not from tenants or others in possession of the property.

8. Lot owners are always free to retain, at their expense, the services of private contractors to do work for which an application has been received and accepted.

9. When work is done by Lake employees under this policy the lot owner for whose benefit the work was done agrees to indemnify and hold Holiday Lake harmless from any liability it may incur as a result of the claims of any third-party. Similarly, the lot owner for whose benefit the work was done, in consideration of the value of the work done, releases any claim the lot owner may have arising from the work done by the Lake.

IT IS SO RESOLVED.