

**Resolution  
Of  
The Board of Directors  
Of  
Beech Mountain Lakes Association  
In  
Drums, Pennsylvania**

**Res 0014: Modifying the Minimum Elevation for Lakefront Lots**

Section 14.2.6 Elevation

Adopted March 25, 2009

The Association, pursuant to Laws of the Commonwealth of Pennsylvania, has adopted the following resolution at a regular meeting of the Board of Directors.

**RECITALS:**

- (A) The Beech Mountain Lakes Protective Covenants, Declarations, and Rules and Regulations ("Documents") describe how property may be used, developed, and maintained within the community; and
- (B) The Beech Mountain Lakes Association ("Association") is charged by the Recitals of the Documents "to promote the recreational interest, health, **safety** and social welfare of each "owner" in the Development"; and
- (C) The Association, under Section 6.10 (i) of the Documents, is granted the authority to do and perform any and all other acts which may be either necessary for, or proper or incidental to, the exercise of any of the powers therein; and
- (D) Having been required by the Pennsylvania Department of Environmental Protection (PADEP) to remediate the dam/spillway, which it categorized as presenting a "type 2 deficiency", that is, structurally sound but potentially dangerous; and
- (E) The Association engaged the engineering firm of Pennoni & Associates (Engineer) to assess the myriad ways to comply with the DEP requirements; and
- (F) The Engineer has determined that the most practical and cost-effective method of compliance is to modify the length and height of the spillways over which the stormwaters must flow; and
- (G) To comply with this design, the Engineer recommended and PADEP agreed that the capacity of the lake be increased by adjusting upward the normal elevation of the lake;

Now, **Therefore**, the following modification to the Documents must be made:

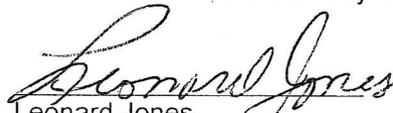
**14.2.6 Elevation. Each dwelling on a waterfront Lot must have a finished first floor elevation of at least one thousand sixty-eight (1,068) feet above sea level.**

4. Nothing in this policy shall be interpreted to negate any other portion of the Documents.

5. **Effective Date.** This policy shall be effective the first day after the execution of this resolution.

IN WITNESS WHEREOF, the undersigned have executed this Resolution the 30th day of June, 2009.

  
James P. McGuire  
President

  
Leonard Jones  
Secretary/Treasurer