

**Resolution
Of
The Board of Directors
Of
Beech Mountain Lakes Association
In
Drums Pennsylvania
Adopting The Policy for
ACCESS AND USE OF
BMLA INC. PROPERTY AND FACILITIES
Sections**

Adopted 28 October, 2003
Revised 25 March, 2008

Revised 29 April 2015
Revised 27 July 2011

The Association pursuant to Pennsylvania Law 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, from here in after referred to as the "Documents", describe the General Use Resonations applicable to property owners.
- (B) The Beech Mountain Lakes Association, from here in after referred to as the Association, Under Sections 4.0 Common Areas. 5.0 Community Common Areas and 6.0 Beech Mountain Lakes Association of the Documents shall have the right to take such steps as are reasonably necessary to manage and operate the common areas. To promulgate, amend and rescind general policies and guidelines governing the use of such common areas.
- (C) The Beech Mountain Lakes Association community is in need of a uniform policy for the access and use of Beech Mountain Lakes Association, Inc. property and facilities in Unit I.
- (D) The Property Owner, under Section 1.38, 1.39 and 1.45 of the Documents, is charged with certain responsibilities regarding the care, safety, and use of all property, and preservation of property within Beech Mountain Lakes Association in Drums, Pennsylvania.
- (E) This policy shall include:
- 1) Definitions
 - 2) Specific Requirements
 - 3) Responsibilities of Implementers
 - 4) Remedies
 - 5) Implementation
 - 6) Disclaimer
 - 7) Effective Date

The Board of Directors wish to adopt a uniform policy for the access and use of Beech Mountain Lakes Association, Inc. property and facilities in Unit 1.

NOW, THEREFORE, BE IT RESOLVED that the ASSOCIATION does hereby adopt the following policy.

1. Definitions

A. **Protective Covenants** - The following terms as used in this document, unless the context otherwise expressly provides or requires, are defined as follows:

1.6 "Association" means the Beech Mountain Lakes Development Unit 1.

1.9 "Board" or "Board of Directors" means the duly elected or appointed Board of Directors of the Association.

1.17 "Common Areas" means those portions of the Development, which are specifically designated as Common Areas, any real property which may be designated as a Common Area on any Plat, and any other land deeded to and accepted by the Association for use as Common Areas together with all improvements located above and below the ground and rights appurtenant thereto. The Common Areas shall generally include the roadways, bodies of water, open space, drives, parking areas, walkways and green areas.

1.36 "Membership Certificate" means the instrument under which a person is entitled to use the facilities of a camping club or timesharing arrangement for the use of any property within the Development, subject to the restrictions and limitations contained therein and in the Declaration.

1.38 "Owner" means any person or legal entity, including Declarant, who holds fee simple title to an interest in real property Development or who holds an interest in a Membership Certificate pertaining to a camping club or timesharing arrangement for the use of any property in the Development. The Association shall be deemed to be the Owner of any portion of the Development for which title has not been transferred to another party. All benefits, obligations, restrictions, or requirements imposed hereby upon an Owner shall also be imposed upon any person using the Development or occupying any Unit or Campsite in the Development pursuant to a contract, lease, or agreement of any form or other arrangement with any Owner or Resident, including Exchange Users and the guests, agents, licensees, or invitees of any person owning, using, or occupying any portion of the Development.

1.39 "Personal Charge" means a Charge as more fully described in Section 7.9, levied by the Association or a Community Association against a particular Owner for one of the reasons set forth herein.

1.40 "Rules and Regulations" means written conditions governing use of the Common Areas or Community Common Areas, established by the entity responsible for the management and operation of such areas, as each may be amended from time to time, which shall be binding on all Owners.

4.0 Common Areas.

4.1 Ownership of Common Areas – All Association Common Areas are private property owned by the Association and shall remain private property. The legal status of the relation between the Owners and the Association, or whatever entity owns the Common Areas, with regard to the Common Areas, shall be that the owner of a Common Area shall be deemed a licensor and the Owners shall be deemed licensees. The Common Areas shall be available to Owners, their families, guests, invitees and licensees, subject to payment of the Charges described herein, any individual use or user fees, the Rules and Regulations affecting each Common Area and any further restrictions or limitations contained therein or herein.

4.2 Operation and Management -- The entity which holds title to a Common Area shall have the sole and exclusive right and duty to manage and operate the Common Areas which it owns, involving, without limiting the generality of the foregoing, the right to promulgate, amend and rescind from time to time general policies and guidelines governing the use of such Common Areas.

6.3 Association Superior to Community Associations – In the event of any conflict between the provisions of a Community Declaration and the provisions in the Association Declaration, the provisions of the Association Declaration shall control.

6.10 Powers of the Association

(d) to enforce the provisions of this Declaration, the Articles of Incorporation and By-Laws of the Association, any general policies and guidelines from time to time promulgated by the Association, and any other decisions of the Association, and to pay all expenses incidental to such enforcement, including foregoing, the right to reimburse Association for all costs and expenses incurred or paid by it in connection with the enforcement of any of the conditions, covenants, restrictions, Charges or Assessments or terms contained herein.

7.0 Assessments and Other Charges.

7.1 Purpose. The Annual Assessment and any other applicable Assessments or Charges shall be used exclusively to promote the recreation, health, safety, and welfare of the Owners, for the reimbursement of expenses incurred by the Association or its assigns, and for other expenses incurred in the performance of the duties of the Association or its assigns as set forth in this Declaration.

7.2 Personal Charges. Each Owner shall be responsible for paying to the Association or his Community Association any and all expenses incurred as a result of the act or omission to act of the Owner or such Owner's family, guests, invitees or licensees, including, but not limited to, the costs of any exterior maintenance as provided in section 3.7; the costs of repair, maintenance or restoration as provided in Section 12.11; the cost to satisfy any expenses arising from an intentional or negligent act or omission of any Owner, a member of his family, his guests, invitees or licensees (to the extent not covered by insurance) or resulting from his breach of the provisions of the Association Instruments,; and any late fees, fines, attorneys' fees and other amounts which the Association Instruments expressly permit to be assessed upon a particular Lessee. Such Personal Charges shall be paid by each Owner within thirty (30) days after the date upon which a notice of such Personal Charges is mailed to the responsible Owner.

Any Personal Charge shall be a lien on the Unit which is the subject of the Personal Charge, shall be a personal obligation of the Owner and shall be due and payable, together with interest, charges, penalties and late fees as provided by the Board. Fees for costs of collection by any Personal Charges, including reasonable attorneys' fees, shall be subordinate to the interest of any Mortgagee of Record.

7.10 Liability for Assessments and Other Charges. No Owner may exempt himself, his successors or assigns, from his obligation to pay any Assessments or other Charges by his waiver of the use and enjoyment of any of the Common Areas or Community Common Areas or by the abandonment of his Interest.

7.14 Creation of Personal Liability and Priority of Lien. Each Owner, by acceptance of a deed or other conveyance or transfer of any Interest (whether it is so expressed in any such deed or other conveyance or transfer), covenants and agrees to pay to the Association, and/or the Community Association for the Community in which the Owner has an Interest, the Charges, together with any interest thereon, against his Interest during his ownership thereof as shall be fixed or assessed by the Association or such Community Association in accordance with the terms and provisions of this Declaration, any applicable Community Declaration, the Articles of Incorporation and the By-Laws of the Association, and/or the Community Association for the Community in which the Owner has an Interest. Each Charge and any late fees, interest and costs of collection, including reasonable attorneys' fees shall also be a personal obligation of the Owner against whom they are assessed.

7.18 Non-Payment of Assessments and Other Charges. In addition to all other remedies provided by law, the Association may enforce collection of all delinquent Assessments or other Charges, together with such other amounts as may be owing the Association, as provided in this Section 7.18. Any Assessment or other Charge, or portion thereof, not paid when due shall be deemed delinquent.

7.18.2 (b) The rights of the Owner to use the Common Areas and/or the Community Common Areas may be suspended.

B. Rules and Regulations / By-Laws

Definition "Member in good standing" is any owner who is current in payments and other charges and is not deemed "delinquent" per paragraph 7.18, 7.9 and 7.10. A member is deemed as the deeded person(s), or legal entity who holds fee simple title in real property Development or holds an interest in a Membership Certificate pertaining to a camping club or timesharing arrangement for the use of any property in the Development. Any owner who holds ownership to one (1) or more Interests, paragraph 1.32 and is deemed delinquent on any one (1) such property, shall be deemed delinquent on all properties and not be termed a "member in good standing." By-Laws 7.6 If an Owner shall be in default in the payment of any installment upon any Charge, Assessment, fee or other payment required to be made to the Association, as provided in the Declaration, such Owner shall not be entitled to vote at any meeting or on any matter requiring vote of the Members of the Association or any Community Association.

2. Specific Requirements

A. Property Owners – All property owners in good standing identified on the deed

shall be authorized to receive membership cards and vehicle stickers.

- 1) Membership cards will be issued to those named on the recorded deed. If the resident is on an approved payment plan, monthly cards will be issued as long as they keep current on payments. Family members and friends can use deed holder's card to use facilities.
- 2) Vehicle Stickers -Any member not permanently residing on the association property may apply for stickers for vehicles titled in the name of the property owner. All necessary data must be provided to Administration prior to the stickers being issued. Members permanently residing on association property may apply for stickers for all vehicles titled to the owner's permanent BMLA property address. Copy of each vehicle registration/title must be submitted prior to stickers being issued. Property owners cannot receive additional stickers for multiple lots. Vehicle stickers will be issued to either all vehicles owned by the deeded property owner/s and or all vehicles titled to the permanent residence of the property owner in question. A copy of vehicle registration/title and application form is required for new cards, for initial and changed vehicles.

B. Quail Hollow Village Community (QHVC)

- 1) Membership Cards --All Quail Hollow Village property owners in good standing shall be issued a QHV A membership card so as to assure prompt and courteous admittance to all amenities. It is the community association responsibility to assure that all members in good standing have been issued the current year's membership card. Any card not so identified shall not be accepted, and admittance to the Association common facilities is not authorized. NACO card members are not necessarily QHVC members and are to be admitted as guests/visitors not property owners and are to be issued temporary cards.
- 2) Vehicle Stickers --No vehicle stickers will be issued to QHVC property owners who have purchased single or multiple timeshare weeks. However, any QHVC person identified as living permanently in a timeshare unit may have a sticker issued per request of the community property manager. All QHVC members will be issued member passes for the period of time they are visiting the site. For those members who wish to visit the property on a one (1) day basis, they must present a current QHVC member card and a member's pass will be issued.

C. Time Share Exchange Guests (TSEG)

- 1) QHVC shall provide Association Administration and Security a current weekly reservations list of timeshare guests who will be visiting the association property. Each TSEG shall be issued temporary cards by the QHVC and access to all amenities will be provided for the period established by QHVC.
- 2) Vehicle Stickers- All TSEG visitors shall receive passes for their vehicles for the period established by QHVC. All passes must be visible in or on the dashboard vicinity at all times.

D. Guests/Visitors

- 1) Membership cards and vehicle stickers are not to be issued to guests and or visitors.
- 2) Each resident is responsible to notify the Security gate for each visitor who is planned to have access to the development. Owners must provide the Security gate the following information when calling in guests: Owner name, property address, property account number, name of guest, date of arrival and departure. Renters must provide the Security gate the following information when calling in guests: Renter name, property address, renter property account number, name of guest, date of arrival and departure.

- 3) Failure to notify the Security gate of a visitor who is planned to have access to the development will require that the visitor be turned away. The Security gate is not authorized and shall not call the owner to obtain authorization. Visitors/guests are required to contact the property owner prior to being authorized access to the development.
- 4) Each visitor/guest vehicle must be issued a pass, and the pass must be visible in the vehicle while in the development.
- 5) Family/Visitor special guest stickers are available for sale in the Administration Office for an annual established fee.
- 6) Owners can obtain Family/Visitor passes in the Recreation Department for access to the development facilities.
- 7) There will be no exceptions to this policy.

E. Contractors/Subcontractors

- 1) No membership cards will be issued to contractors/subcontractors.
- 2) All contractors and subcontractors are required to obtain a pass. Passes will only be issued to contractors and subcontractors who are placed on the list of contractors and subcontractors for a given property. The property owner must sign and authorize the issuance of passes for the contractor/subcontractor. Should the contractor also be a property owner, he must be in good standing, and is authorized to approve issue of passes to other contractors and subcontractors. Each pass will be issued for a single (1) month duration, at which time the contractor/subcontractor must receive a property owner approval to extend the pass. It is the property owners responsibility to notify the Reception Area/Security the extent of time for each pass. Contractors/subcontractors who are not property owners must leave the work area/property no later than 7:00 PM each evening and must obtain a different pass if intending to stay on the property for any reason.

Security will not issue permits for contractors/subcontractors which have not had the proper authorization on file prior to their (the contractors/subcontractors) arrival.

Contractors/subcontractors requiring admission to the property to work Beech Mountain Lakes Association common areas require their business name, area to be visited and duration of pass information be supplied to the General Manager prior to their anticipated arrival. It is the Beech Mountain Lakes Association General Manager's responsibility to coordinate access requirements with ongoing work schedules.

Contractors/subcontractors requiring admission to the property to work Quail Hollow Village Community common areas require their business name, area to be visited and duration of pass information be supplied to the Reception Area/Security prior to their anticipated arrival. It is the Quail Hollow Village Community Property Manager's responsibility to coordinate access requirements with ongoing work schedules.

Contractors/subcontractors requiring admission to the property to support TESI (Water and Sewer Company) work, requires TESI supply pertinent information to Security so that emergency work can be implemented without delay.

Contractors/subcontractors are authorized to work within the community, Monday through Saturday, between the hours of 7:00 AM and 7:00 PM. Contractors/subcontractors are not permitted within the community on Sunday.

Contractors/subcontractors may be admitted via pass on Sunday only if an emergency has been established. The property owner, General Manager, Property Manager or TESI must identify the specific emergency requiring help, and notify security prior to subcontractor's arrival. (i.e. water

leaks, electrical failure, etc.) not drywall installation, paint, or lay tile, etc.).

F. Renters

- 1) **Membership Cards** -To obtain a membership card the renter must a) provide proof of their rental agreement, whether for a week, month or yearly, b) the owner of the property they are renting from is current in dues, etc., (member in good standing), c) pay the current monthly recreational fee, presently \$25 per month.
- 2) **Vehicle Stickers** -Automobile stickers will be issued for renters whose rental period is six (6) months or longer per lease agreement. Short term rentals less than six (6) months will receive passes with a duration not to exceed one (1) month at a time.

In conditions 1) and 2) the renter must apply for the cards and stickers/passes at the Administration offices at which time the cards and stickers can be issued. Short term renters will receive vouchers from Administration to submit to the Reception /Security area in order to receive passes similar to visitor/contractor pass.

G. Employees BMLA/QHVC

- 1) Employees will not be issued membership cards.
- 2) All non-resident, non-member employees will receive monthly passes. BMLA Administration will coordinate and will issue a current list of non-resident, non-member employees for admittance to BMLA property. The QHVC Property Manager is responsible to identify non-resident employees and submit employee changes to BMLA Administration for integration with Security.

The BMLA General Manager and the QHVC Property Manager will be issued vehicle stickers.

H. Total Environmental Solutions Inc. (TESI)

- 1) No membership cards for employees.
- 2) TESI is to provide a list of TESI employees who require daily access to the property to BMLA Administration. The Reception/Security will issue passes of one (1) month duration. Security can renew the pass for additional one (1) month duration, until such time that BMLA Administration/GM rescinds the authorization. In other words authorization is not required monthly.

L Campers

- 1) Membership cards will not be issued to campers.
- 2) Campground user is required to place a reservation for use of a campground site with the BMLA Recreation Department. The BMLA Recreation Department will notify the Reception Area/Security the planned campground user's information, including name, vehicle type, and length of stay at the campground. Should the campground user be a member, the member's pass or sticker must be displayed on the primary vehicle. In addition, all campground users must obtain a campground pass for the vehicle and the camper/tent if the units are separable. The passes must be visible on both units anytime they are physically in the campground site.

J. Emergency Vehicles

All ambulances, police, fire company apparatus are to gain entrance to the property without hesitation. Emergency response vehicles, such as EPA, DEP, FEMA, etc., are not required to obtain a pass when responding to an emergency.

K. Realtors/Open House

All realtors and property owners having an "Open House" must notify BMLA Administration prior to the date of the open house. Minimum information required is "Realtor/Property Owner's Name, location of property and hours of the showing. Realtors and/ or property owners must have a representative meet prospective buyers at the Reception Area/Security area during the showing hours and authorize admittance to the property in question. Visitor passes will be issued to each potential buyer. If literature is to be distributed, the representative will physically hand out the data. The Reception Area personnel/security is not authorized to distribute literature. Property owners who are selling their homes themselves may call the Reception Area/Security with individual names authorizing admittance as they would a normal visitor/guest. A generalized authorization to let anyone onto the property is not acceptable.

A Realtor Agency may apply for a monthly pass. Only one (1) pass may be issued to any given Agency. General Manager approval of the request is required for initial pass issuance. This pass will be automatically renewed on a month- to- month basis, until such time that the BMLA Administration/GM rescinds the authorization.

Realtors who wish to show homes that are listed for sale, must provide ID/Realtor/Broker card to obtain pass for entry to property. A one (1) day visitor's pass will be issued. At no time is anyone allowed to enter the community just to "look around". The realtor/owner is responsible for the conduct of the clients while on community property.

L. Delivery Vehicles

Heating oil/gas delivery trucks, utility company, UPS, Federal Express, Cable TV, Telephone, PP&L, and deliveries of materials and supplies to the property must obtain a day pass. Access to the development is given on a daily basis by signing in at the reception center.

M. RESTAURANT/LOUNGE

Visitors to the restaurant/lounge do not require authorization for entry. A restaurant/lounge pass will be issued to all visitors during the days and hours of the facility operation. Access to the development is given by signing in at the reception center. Such access is only authorized for three (3) roads Edgerock Drive, Four Seasons Drive and Burke Drive.

3. Responsibilities of Implementers

A. Property Owners ---NOTE: Security is not authorized to call property owners to gain access for visitors to the property.

--The property owner is required to notify the reception/security of each visitor who is planned to have access to the community whether it be for one day or longer periods. See para. D.2. failure to identify visitors will most likely cause security to turn away your planned guests, and at the minimum have them experience delays in entering the property .

--Must authorize the issuance of permits for contractors and subcontractors (support from the prime contractor is acceptable for timing purposes) providing names, and performance periods to security .

--Notify security of emergency situations, and the name of the contractor who is expected to resolve the situation, which is especially important on Sunday and holidays.

--Property owners having an "open House" must provide for a responsible individual to be in the reception/security area during the open house time period so as to authorize access, otherwise any potential visitor will be turned away. Security is not authorized to admit multiple guests without prior approval (i.e. name, and duration of visit must be provided in advance or real time) prior to

arrival.

B. QHVC and TSEG --

--The QHVC and/or TSEG resident is required to notify the reception/security of each visitor who is planned to have access to the community whether it be for one day or longer periods. See para. D.2. failure to identify visitors to security will most likely cause security to turn away your planned guests, and at the minimum have them experience delays in entering the property.

C. BMLA ADMINISTRATION

- Issue membership cards to BMLA members in good standing.
- Issue vehicle stickers to BMLA property owners who meet criteria established in para. 2.A.2. --
- Maintain electronic data base identifying property owner, lot and block numbers, automobile type and year, license plate number, and vehicle owners name if different than property owner. Obtain a copy of vehicle registration card prior to issuance of sticker.
- Notify reception/security of visitors/contractors who are planned to visit common areas in the performance of work providing names and period of performance dates.
- Issue membership cards to renters who meet the criteria established in para.F1 and issue vehicle stickers per F2 and the requirements of 2.A.2 and maintain electronic data base.
- Issue voucher to renter/security for short term pass generation.
- Maintain and provide updated list of BMLA and QHVC employees to security for the issuance of monthly passes.
- Maintain and provide a list of TESI employees who require admittance to BMLA property to security.
- Maintain list of approved realtor agencies authorized to receive monthly passes.
- Notify reception/security of restaurant/lounge days and hours of operation.

D. BMLA RECREATION

--Identify those members/non-members who have reservations for campground use including their name, vehicle type (i.e. trailer, tent, pop-up etc.), and duration of stay. Provide the data in a timely manner to reception /security prior to the expected arrival of the camper.

E. QHVC PROPERTY MANAGER

- Maintain record of QHVC property owners in good standing.
- Issue annual membership cards to QHVC members in good standing.
- Issue temporary access cards to TSEG members as required.
- Provide information to reception/security for contractors/visitors who will be visiting QHVC property, including name, and dates of required admittance.
- Identify and submit to BMLA Administration the current list of non-resident employees which require monthly access passes.

F. RECEPTION/SECURITY

- Issue passes to owners with vehicles that do not have current stickers visible, guests/visitors, contractors/subcontractors, renters, Employees, TESI employees, campers, realtors, delivery vehicles, and visitors to the bar/restaurant.
- Issue passes for campground use based on data provided by BMLA Recreation. Passes are to be issued for primary vehicle plus secondary trailer/tent.
- Delivery vehicles do not require property owner or individual approval. Security is required to issue a pass and record: delivery vehicle business name or drivers name, license plate number, and time of arrival.
- Restaurant/lounge patrons do not require property owner or individual approval. Security is required to issue a pass and record: drivers name, license plate number, and time of arrival.

G. CONTRACTOR/SUBCONTRACTOR

--Obtain the necessary approvals from property owner, TESI, BMLA General Manager, QHVC Property Manager, prior to attempting to gain access to the property.

4. Remedies -Property Owners stickers, and visitors/guest/renters/etc. passes must be visible in or upon the motor vehicle at all times while the vehicle is on the Association property. Failure to so display stickers and passes subject the property owner to fines and the violator may also be subject to prosecution for criminal trespass.

5. Implementation -The BMLA General Manager and Administration will maintain a file and track the process to ensure that the policy is being implemented uniformly, accurately and in compliance with BMLA Covenants, By-laws, and this Resolution.

6. Disclaimer -Nothing in this policy shall be interpreted to negate any other portion of the Documents of the Association.


7. Effective Date -This policy shall be effective January 1,2004.

IN WITNESS WHEREOF, the undersigned have executed this Resolution the 28th day of October,2003.

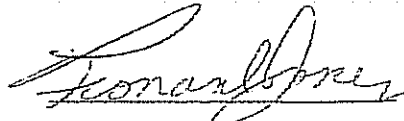
Joseph Petco President

Gregory Jones Secretary

Revised Sections (B.2.A.2)(F.2)(M) Effective. April 1, 2008




James McGuire President



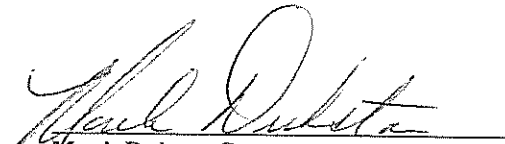
Leonard Jones Secretary

Revised Section (B.2.D.1&2) Guests/Visitors

Effective June 1, 2015



Kevin Walsh, President



Mark Duksta, Secretary

**Notification Of Change In Procedure For Calling In Guests Into
Beech Mountain Lakes Effective 6/1/15**

In order to ensure the safety & security of all of the residents of Beech Mountain Lakes, the General Manager has determined that a new procedure is required to call guests into the Beech Mountain Lakes community. Beginning 6/1/15, the following procedure must be followed in order to call guests into the community or your guests will be denied access into the community:

Owners:

Owners must provide the following information to the guard gate when calling in a guest: Name, Address & Beech Mountain Lakes Account Number. Your Beech Mountain Lakes Account Number can be found on your membership card or any dues or garbage bills mailed to you from Beech Mountain Lakes. If you are unsure of your account number, you must appear in person at the Administration Office to receive this information. You must provide identification to receive your account number. Account numbers will not be provided over the telephone.

Renters:

Registered renters will be assigned a Beech Mountain Lakes Rental Account Number. Renters must provide the following information to the guard gate when calling in a guest: Name, Address & Beech Mountain Lakes Rental Account Number. You must obtain your Beech Mountain Lakes Rental Account Number from the Administration office in person to obtain this information. You must provide identification to receive your account number. Account numbers will not be provided over the telephone. Un-registered renters will not be permitted to call guests into the community.

****DO NOT GIVE YOUR ACCOUNT NUMBER TO ANYONE- THIS IS YOUR
PERSONAL IDENTIFICATION # FOR BEECH MOUNTAIN LAKES**

BMLA Weekly E-Mail Signup Sheet- Return This Slip To BMLA

By filling out this information and returning it with your garbage payment or to the Administration office, you consent to receiving e-mails regarding BML emergencies and upcoming events. Please fill in all requested information. All information will be kept confidential.

Name: _____

Address: _____

Phone Number: _____

E-mail Address: _____