

**RESOLUTION OF THE BOARD OF DIRECTORS  
BEECH MOUNTAIN LAKES ASSOCIATION, INC.**

WHEREAS, the Beech Mountain Lakes Association, Inc. is the owner of certain common areas and facilities in the area of the private real estate subdivision know as Beech Mountain or Beech Mountain Lakes Development; and

WHEREAS, the Association is of the opinion that the common areas and facilities of the subdivision should be assessed by the Luzerne County Assessment Office based on their having no actual value or fair market value; and

WHEREAS, the Association has recently filed an appeal to the taxation of eleven (11) parcels before the Board of Assessment Appeals requesting tax exempt status, and this Resolution is being adopted and will be recorded in the Office of the Recorder of Deeds in and for Luzerne County in order to confirm the use of the properties; and

WHEREAS, as with other common areas and/or controlled facilities owned by the Beech Mountain Lakes Association, Inc., the parcels recently granted exempt status will be used as common or controlled facilities for the use and benefit of the members of the Association, those lots being parcel numbers: 06-Q8S10-001-006, 06-Q8S11-001-072, 06-Q8S11-001-073, 06-Q8S11-001-074, 06-Q8S11-001-071, 06-Q8S12-002-021, 06-Q8S12-002-015, 06-Q8S11-002-005, 06-Q8S11-002-004, 06-Q8S10-002-011, 06-Q8S10-003-012.

WHEREAS, the County and the Board of Assessment Appeals have agreed to assess the common area and facilities in a manner consistent with the opinion of the Association provided the common areas and facilities are reserved exclusively for the use of the Association's membership and are not open to public; and

WHEREAS, the Association already believes it is committed to operate the common areas and facilities for the exclusive use of its membership and, in practice, has consistently operated the common areas and facilities in that manner:

IT IS HEREBY FURTHER RESOLVED THAT:

1. The Board, intending to bind the Association now and forever unless all members agree in the future to alter this resolution, hereby agrees to operate the common areas and facilities for the exclusive use of its membership and their guests and not to open these areas to the public;
2. The Board hereby agrees that in the past the common areas and facilities have been operated exclusively for the use of its membership and their guests;
3. The Board hereby agrees that in the event any of the common areas and facilities are sold by the Association, the sale would allow the County to reassess the property subject to the sale; the parties reserve their respective rights to object to

CERTIFIED PROPERTY IDENTIFICATION NUMBER

MUNICIPALITY Butler Twp

PIN MAP Q 8510 BLOCK 3 LOT 11

TRANSFER Q 8510 DIVISION \_\_\_\_\_

DATE 4-1-11 MR

the manner and level of any assessment;

- 4. In the event the common areas and facilities are for any reason whatsoever not operated for the exclusive use of the Association's membership and their guests, the Association will give reasonable notice of that fact, in writing, to the Board of Assessment Appeals;
- 5. The Board agrees, to the extent the common areas and facilities have continued to be used exclusively for the benefit of its membership and their guests, to provide the Board of Assessment Appeals during January of each year, a certification that the common areas and facilities of the Association have been operated in the prior calendar year exclusively for the benefit of its membership and their guests and that the Association intends to continue that practice for the current year.

Adopted this 23<sup>rd</sup> day of March, 2011, by vote of the Beech Mountain Lakes Association, Inc. Board of Directors.

Attest:

[Signature]  
Jeffrey Poth, President

[Signature]  
John Keefer, Secretary/Treasurer

COMMONWEALTH OF PENNSYLVANIA :  
: SS.  
COUNTY OF LUZERNE :

AND NOW, this 23<sup>RD</sup> day of MARCH, 2011, before me, the

undersigned officer, personally appeared, **Jeffrey Poth and John Keefer**, known to me or Jeffrey Poth, President of BMLA and John Keefer, Secretary/Treasurer of BMLA satisfactorily proven to be the persons whose names are subscribed to the foregoing instrument,

and upon oath acknowledged that they executed the same for the purposes therein contained.

CERTIFIED PROPERTY IDENTIFICATION NUMBER have hereunto set my hand and seal.

MUNICIPALITY Butler Twp  
PIN MAP Q 8511 BLOCK 1 LOT 71  
Q 8511 BLOCK 1 LOT 72  
Q 8511 BLOCK 1 LOT 73  
TRANSFER Q 8511 DIVISION 74  
DATE 4-1-11 MR

CERTIFIED PROPERTY IDENTIFICATION NUMBER  
MUNICIPALITY Butler Twp  
PIN MAP Q 8511 BLOCK 2 LOT 4,5  
TRANSFER \_\_\_\_\_ DIVISION \_\_\_\_\_  
DATE 4-1-11 MR

CERTIFIED PROPERTY IDENTIFICATION NUMBER  
MUNICIPALITY Butler Twp  
PIN MAP Q 8512 BLOCK 2 LOT 15  
Q 8512 BLOCK 2 LOT 21  
TRANSFER \_\_\_\_\_ DIVISION \_\_\_\_\_  
DATE 4-1-11 MR

[Signature]  
Notary Public

MY COMMISSION EXPIRES:

**NOTARIAL SEAL**  
LINDA L WENNER, NOTARY PUBLIC  
BUTLER TOWNSHIP, LUZERNE CO.  
MY COMMISSION EXPIRES APRIL 22, 2014