

Attachment 3

Bylaw change pertaining to Leach Field Responsibility

FROM

6.6 (a) By the Condominium Association. Except as otherwise provided in Section 6.6 (b) below, the Condominium Association shall be responsible for the maintenance of the Common Area, and repair and replacement (unless necessitated by the negligence, misuse or neglect of a Unit Owner, or of a person gaining access with said Unit Owner's actual or implied consent, in which case such expense shall be charged to such Unit Owner) of all of the Common Area buildings, recreational amenities, and **leach fields**, whether presently existing or hereafter constructed, the cost of which shall be charged to all Unit Owners as a Common Expense. Additionally, the Condominium Association shall be responsible for the maintenance of the Limited Common Area, including landscaping (lawn mowing and shrub and tree trimming), seasonal opening and closing of sprinkler systems, and snow removal. However, the Association is not responsible for replacement of any tree or other thing in the Limited Common Area, and the Unit Owner of the Unit to which the Limited Common Area is appurtenant is responsible for all replacement costs for all trees and other things in that Limited Common Area.

TO

6.6 (a) By the Condominium Association. Except as otherwise provided in Section 6.6 (b) below, the Condominium Association shall be responsible for the maintenance of the Common Area, and repair and replacement (unless necessitated by the negligence, misuse or neglect of a Unit Owner, or of a person gaining access with said Unit Owner's actual or implied consent, in which case such expense shall be charged to such Unit Owner) of all of the Common Areas, buildings, **and** recreational amenities, whether presently existing or hereafter constructed, the cost of which shall be charged to all Unit Owners as a Common Expense. **The costs of leach field repair or replacement shall be charged to the Units that connect to the leach field being repaired or replaced, in accordance with R.S.A 356-B:45, II. Where more than one Unit is connected to the leach field being repaired or replaced, the costs shall be shared equally between each Unit connected to the leach field.** Additionally, the Condominium Association shall be responsible for the maintenance of the Limited Common Area, including landscaping (lawn mowing and shrub and tree trimming), seasonal opening and closing of sprinkler systems, and snow removal. However, the Association is not responsible for replacement of any tree or other thing in the Limited Common Area, and the Unit Owner of the Unit to which the Limited Common Area is appurtenant is responsible for all replacement costs for all trees and other things in that Limited Common Area.