

## **RESOLUTION 03-10-188**

**WHEREAS**, flooring is an integral sound attenuation element of the building where a floor is above another manor; and

**WHEREAS**, the installation of hard-surface flooring, which shall include, but not be limited to, wood, tile, slate, linoleum, bamboo, laminates, and stone, within a manor can result in unreasonable noise being transmitted into the manor immediately below, which noise can adversely affect said resident's quality of life; and

**WHEREAS**, the Mutual has received complaints that the installation and/or utilization of hard-surface flooring within certain manors has resulted in an obstruction or interference with the rights of persons in the manors located immediately below, has annoyed said persons by unreasonable noise, thereby creating or constituting a nuisance; and

**WHEREAS**, Article III, Section 6 of Third's Amended and Restated Declaration of Covenants, Conditions and Restrictions states that "no Owner or Resident shall permit or suffer anything to be done or kept within the Project which will obstruct or interfere with the rights of other persons in the Project or annoy them by unreasonable noises or otherwise, nor shall any Owner or Resident commit or permit any nuisance"; and

**WHEREAS**, Article IV, Section 1 of Third's Amended and Restated Declaration of Covenants, Conditions and Restrictions grants the Mutual the right and power to do all things which may be necessary, convenient or desirable for the management, operation and maintenance of the Project; and

**WHEREAS**, after conducting an investigation of certain of these complaints, which included consultation with an acoustical engineer and counsel, the Mutual has determined that Section 11A – Interior Hard-Surface Flooring should be added to the Third Laguna Hills Mutual Alteration Standards and should be adopted;

**NOW THEREFORE BE IT RESOLVED**, December 21, 2010, that Section 11A – Interior Hard-Surface Flooring is hereby revised and added to the Third Laguna Hills Mutual Alteration Standards, as attached hereto and to the official minutes of this meeting; and

**RESOLVED FURTHER**, that Resolution M3-96-28, adopted May 21, 1996 is hereby amended and Resolution 03-10-97 adopted July 20, 2010 is superseded and cancelled; and

**RESOLVED FURTHER**, that the officers and agents of this corporation are hereby authorized on behalf of the corporation to carry out this resolution as written.