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May 2, 2023

Council of Co-Owners  
Alexandria Knolls West Condominium Homes  
6101 Edsall Road  
Alexandria, VA 22304

Re: **2023 Condominium Instrument Amendment Project**

Dear Co-Owners:

We serve as legal counsel for the Alexandria Knolls West Condominium Homes Council of Co-Owners (Council of Co-Owners).

The financial and administrative provisions in the Master Deed and By-Laws were last amended in 2016. The Board of Directors (Board) and the Master Deed By-Laws Committee (MDBL Committee) believe it is in the best interest of the Council to make further amendments to the Master Deed and By-Laws.

Enclosed in this packet for your review and consideration are a message from the Board President Rick Treviño; Highlights of Proposed Amendments; and the proposed amendments to the Master Deed and By-Laws. The amendments are set forth in five (5) documents. The documents are titled:

- 2023 First Amendment to Master Deed and By-Laws The Council of Owners of Alexandria Knolls West Condominium Homes (First Amendment);
- 2023 Second Amendment to Master Deed and By-Laws The Council of Owners of Alexandria Knolls West Condominium Homes (Second Amendment);
- 2023 Third Amendment to Master Deed and By-Laws The Council of Owners of Alexandria Knolls West Condominium Homes (Third Amendment); and

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- 2023 Fourth Amendment to Master Deed and By-Laws The Council of Owners of Alexandria Knolls West Condominium Homes (Fourth Amendment).

As with those from 2016, the new proposed amendments are intended to provide greater flexibility so the Board and the Management team can readily administer the affairs of the Council of Co-Owners in a more cost-effective and efficient manner with a greater focus on best practices in the industry. The proposed amendments are also intended to address deficiencies in the documents by adding clarity and more closely comports with both the Virginia Condominium Act (VCA) and court decisions over the years relating to the interpretation of condominium documents.

Given the scope, breadth, and legal nature of many of these proposed amendments, the Board thought it would be helpful to provide this overview generally describing the proposed amendments as you review them. Please note that *Clarifying* changes wording in existing provisions. *Additions* would be entirely new to the original documents.

The **First Amendment** includes three (3) proposed amendments to certain definitions, appending the Storage Area Schedule, and adding the enforcement and remedies in the Master Deed and By-Laws.

- *Clarifying* – Apartment, Occupant, Plat, Project, Property; Obligations of Owners; Enforcement of Delinquencies; Legal Proceedings; Additional Insurance Liabilities

The **Second Amendment** includes five (5) proposed amendments to certain administrative (e.g., maintenance and repair) and financial provisions (e.g., reserves) in the Master Deed and By-Laws.

- *Clarifying* – Easements: right of access through each apartment; Costs of permitting construction or improvement to the property
- *Addition* – Common Expenses: Reserve Enhancement Contribution Assessment: Purchaser contribution at Closing to Budget Reserves (not including Co-Owner to Co-Owner transfer, the Estate of, a Grantor to Family Trust, or Institutional Lender as security of an obligation (mortgage))
- *Addition* – Limitations on Sale and Lease: none for Department of Veterans Affairs, Department of Veterans Affairs financing, or owned by the Secretary of Veterans Affairs
- *Clarifying* – Obligations of Owners for Maintenance and Repair; Administration of the Project; Common Expenses (including Balcony Views)

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The **Third Amendment** includes nine (9) proposed amendments to certain administrative (e.g., alteration of the project) provisions in the Master Deed and By-Laws.

- *Clarifying* – Alteration of Project (restoration of the building); Contracts and Competitive Bidding; Limitation of Liability; Removal of Directors; Execution of Instruments
- *Addition* – Ground Floor Plan; Covered and Uncovered Parking Plat; Use of Parking Spaces; Obligations of Co-Owners re Additions or Alterations; Obligations of Directors in Common Area Improvements

The **Fourth Amendment** includes one (1) proposed amendment to certain insurance provisions in the Master Deed and By-Laws.

- *Clarifying* – Insurance and Repair and Reconstruction in Case of Fire or Other Casualty (Master Insurance Policy); Fidelity Bond for Directors and Employees
- *Clarifying* – If the (building) Assessment of Insurance is Inadequate, assessment can be made of Co-Owners (why we have your HO-6 require \$50K deductible)

The Board will also ask you to vote in favor of the **Fifth Amendment** which is a compilation of all the amendments made to the Master Deed and By-Laws since the inception of Alexandria Knolls West Condominium Homes in 1974. In closing, this version shows what the document will look like if all the Amendments are approved by the Co-Owners.

I hope you find this letter to be helpful.

With kind regards, I am

Very truly yours,

/s/ Edward J. O'Connell, III

EO:trh

/Enclosures