

VIRGINIA CONDOMINIUM ACT DISCLOSURE *(Virginia Code Sections 55.1-1943 and 55.1-1955)*

The Declarant of your condominium has scheduled a special meeting to consider extending the period during which the Declarant:

1. May appoint and remove some or all of the officers and directors of the condominium unit owners' association; and
2. May exercise powers and responsibilities otherwise assigned to the unit owners' association by the condominium instruments and the Virginia Condominium Act.

An affirmative vote of two-thirds of all the unit owners (other than the Declarant) is required to extend the period of Declarant control. During such time, the Declarant or such officers and directors are subject to liability as fiduciaries of the unit owners for their acts or omissions.

UNIT OWNER INTERESTS AND RESPONSIBILITIES

As a unit owner, you are advised to exercise whatever due diligence you deem necessary to protect your interests. A Declarant's interests may or may not align with the interests of other unit owners. It is the responsibility of all unit owners to monitor governance of the association to ensure that business is conducted properly.

COMMON ELEMENT STRUCTURAL WARRANTY

Warranty Period. Extending the period of Declarant control means that the Declarant may control the condominium during the period when the unit owners' association may assert claims for structural defects in the common elements. If the period of Declarant control is extended at the special meeting, the association's right to pursue warranty claims will be preserved by election of a Warranty Review Committee.

Warranty Review Committee. The unit owners other than the Declarant will elect a Warranty Review Committee consisting of no fewer than three persons unaffiliated with the Declarant. The Warranty Review Committee will have at least one year to assert warranty claims and will have both necessary funding and authority to: (1) engage an independent architect, engineer, legal counsel and other experts; (2) investigate whether there are any breaches of the Declarant's warranty on the common elements; and, (3) assert or settle any such claims.

[This disclosure must accompany the notice of the special meeting at which extending the period of Declarant control is being considered by the unit owners.]