



BOARD

PRESIDENT & ACTING TREASURER	VICE-PRESIDENT	SECRETARY	DIRECTOR	DIRECTOR
ANTHONY INSALACO	EDWARD KATALINAS	KAREN CLYNES	JOSEPH MARONEY	LINDA BURKE

LETTER-3

APRIL 5, 2023

DEAR OWNER/RESIDENT:

I. GOVERNING DOCUMENTS DEFINITIONS

ARTICLE-0.3 SECTION-1	EXHIBIT 'C': AMENDED AND RESTATED COMMON ELEMENT COMMON & LIMITED COMMON ELEMENTS DEFINED	PAGE-1 OF 1
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REFERENCED BY: DECLARATION/ARTICLE-1/SECTION-1: CREATION OF THE CONDOMINIUM

ONE OF THE PRIMARY DUTIES OF THE BOARD OF DIRECTORS IS TO MAINTAIN THE 'COMMON ELEMENT'

LIMITED COMMON ELEMENT DEFINED

EACH UNIT HAS TWO (2) LIMITED COMMON ELEMENTS – DEFINED AS “EXTERIOR APPURTENANCES” TO ITS “INTERIOR” SPACE AND WHOSE GOOD ORDER AND CLEANLINESS IS THE RESPONSIBILITY OF THE UNIT OWNER:

1. DETACHED FROM UNIT.
ONE (1) BOARD-ASSIGNED COVERED PARKING SPACE.
2. ATTACHED TO UNIT.
 - A. FOR A GROUND FLOOR UNIT, THE AREA ENCOMPASSED BY THE STUCCO WALL ADJACENT TO THE FRONT DOOR AND CIRCUMSCRIBED BY THE PATIO WALLS.
 - B. FOR A 2ND FLOOR UNIT, THE AREA ENCOMPASSED BY THE BALCONY’S SURROUNDING-RAIL.

COMMON ELEMENT DEFINED

EXCEPT FOR THE LIMITED COMMON ELEMENT AS DEFINED ABOVE, ALL OTHER PROPERTY AREAS AND STRUCTURES ARE DEFINED AS BELONGING TO THE COMMON ELEMENT.

COMMON ELEMENT GENERAL RULE:

BECAUSE THE COMMON ELEMENT IS THE EXCLUSIVE PROVINCE OF THE BOARD OF DIRECTORS, THERE IS ONE GENERAL RULE THAT GOVERNS A RESIDENT’S INTERACTION(S) WITH THE COMMON ELEMENT, “A RESIDENT MAY OBVIOUSLY USE THE COMMON ELEMENT, BUT MUST NOT ALTER IT (INCLUDING, PLANTS, GARDEN ART, ETC.) *WITHOUT PRIOR WRITTEN PERMISSION FROM THE BOARD OF DIRECTORS.*”

END OF ARTICLE-0.3

IT APPEARS THAT THE CURRENT DISCUSSION BOILS DOWN TO THE FACT THAT SOME SEEK TO ENGAGE IN FIRE-BASED GRILLING IN THE COMMON AREA FOR 1 OF 2 REASONS:

1. A PERSONAL PREFERENCE OF FIRE-BASED GRILLING RESULTS OVER THAT OF ELECTRIC-GRILLING.
2. IN CASE OF A LOSS OF ELECTRIC POWER.

THE BOARD'S POSITION AS PREVIOUSLY DETAILED IN LETTERS 1 AND 2 TO THE COMMUNITY IS THAT ITS FIRST AND FOREMOST FIDUCIARY RESPONSIBILITY IS TO PROTECT THE PERSONS AND ASSETS OF ALL THE MEMBER IT REPRESENTS.

IN CASE OF A PERIL CAUSED BY FIRE-BASED GRILLING, SUCH RESPONSIBILITY MUST BY DEFINITION TAKE PRECEDENCE OVER A PERCEIVED LESSER-EXPERIENCE OF ELECTRIC GRILLING, AND ADDRESSING THE POWER LOSS, THE INABILITY TO ELECTRICALLY-GRILL IS ONLY A FRACTIONAL PORTION OF THE EFFECTS SUCH A POWER LOSS ITSELF ... THERE IS REFRIGERATION, LOSS OF HEATING/COOLING (WHICH COULD BE LIFE-THREATING IN CERTAIN ELDERLY CIRCUMSTANCES), PERHAPS THE LOSS OF SECURITY SYSTEM USAGE, ETC. SINCE THOSE REALITIES MUST BE ADDRESSED DURING SUCH POWER LOSS ANYWAY, SO COULD THE INCONVENIENCE OF LOSING THE ABILITY TO ELECTRICALLY-GRILL.

IN ADDITION, WHAT OF THE MONITORING OF THE AFTERMATH AND IMPLICATIONS OF THE EXCEPTIONS BEING SOUGHT. THE CLAIM THAT THAT 10-FEET FROM A BUILDING OFFERS ABSOLUTE PROTECTION DURING WIND-GUSTS/WINDSTORMS IS CERTAINLY NOT GUARANTEED. AND OF THE GRILLER WHO IS 9-FEET OR PERHAPS 8.5 FEET, WHO AMONG US WILL WALK AROUND WITH A TAPE MEASURE OR CONFRONT SUCH A GRILLER? OR WHAT ABOUT A GRILLER BLOCKING A SIDEWALK THAT CAUSES A PEDESTRIAN TO CLIMB OVER A RAILROAD TIE SEEKING TO WALK IN THE STREET AND TRIPS AND FALLS – WHO'S RESPONSIBLE. A GOOD GUESS IS THAT THE ASSOCIATION IS RESPONSIBLE BECAUSE THE ASSOCIATION INCLUDING ITS BOD WOULD BE VIEWED AS NEGLIGENT IN ALLOWING SUCH A CIRCUMSTANCE IN THE FIRST PLACE – WHICH COULD POTENTIALLY TRANSLATE INTO A LAWSUIT FOR ALL MEMBERS TO PICK UP THE TAB AND DAMAGE OUR ABILITY TO MAKE FUTURE CLAIMS IN THE CASE OF A MORE GENERAL PERIL ... THE DETRIMENTAL POSSIBILITIES GO ON AND ON.

REGARDING COMPLIANCE, LET'S TAKE A SIMPLISTIC CASE. THE TRUTH OF THE MATTER IS THAT AFTER MANY, MANY YEARS OF TRYING, GETTING COMPLIANCE TO DOG-PICKUP STILL ELUDES US. IT ISN'T TOO MUCH OF A STRETCH TO CONCLUDE THAT MONITORING/POLICING/KEEPING-TRACK-OF THE CIRCUMSTANCES THAT MIGHT PRESENT THEMSELVES (BOTH ANTICIPATED AND UNANTICIPATED) REGARDING GRILLING BEHAVIORS WOULD REQUIRE RESOURCES BEYOND OUR AFFORDABLE CAPABILITIES.

AGAIN, A WISE MAN ONCE SAID, "THE FIRST RULE OF RISK-MANAGEMENT IS TO ELIMINATE THE RISK!"

THIS WHOLE ISSUE BOILS DOWN TO ADDRESSING/SUSTAINING "THE GREATER GOOD" AND "PEOPLE'S EXPECTATION OF QUIET ENJOYMENT (WHICH THEY WERE PROMISED)" - THE VERY HALLMARKS OF CONDOMINIUM LIVING.

II. CONCLUSION

1.
 - A. THE BOARD OF DIRECTORS IS A COLLECTION OF OWNERS WHO HAVE BEEN LEGALLY ELECTED/APPOINTED TO REPRESENT THE INTERESTS OF ASSOCIATION'S MEMBERS IN ASSOCIATION MANAGEMENT UNDER FLORIDA CONDOMINIUM LAW AND
 - B. "THE COMMON ELEMENT IS THE EXCLUSIVE PROVINCE OF THE BOARD OF DIRECTORS", AS CITED ON PAGE-1 HEREIN "COMMON ELEMENT MODULE/ARTICLE-0.3/SECTION-1: AMENDED AND RESTATED COMMON ELEMENT: COMMON & LIMITED COMMON ELEMENTS DEFINED.
2.
 - A. THE COMMON AREA'S APPEARANCE AND/OR USE AS IT PERTAINS TO THE ENTIRE MEMBERSHIP MAY ONLY BE MODIFIED BY A COMMUNITY VOTE, WHERE SUCH A COMMUNITY VOTE MUST FIRST BE SOUGHT BY THE BOARD OF DIRECTORS ... OR SANCTIONED BY THE BOARD IN THE CASE OF AN INDIVIDUAL OWNER'S ALTERATION REQUEST.
 - B. THE BOARD OF DIRECTORS:
 1. IN CONCERT WITH THE ASSOCIATION'S LEGAL COUNSEL HAS PROVIDED EXTENSIVE DOCUMENTED EVIDENCE REGARDING THE FLORIDA FIRE CODE'S MANDATES IN LETTERS 1 AND 2 OF MARCH 21ST AND MARCH 27TH RESPECTIVELY,
 2. BELIEVES, AS DETAILED IN LETTERS 1 AND 2 TO THE COMMUNITY, THAT ITS POSITION IS FIDUCIARILY RESPONSIBLE, IS IN THE BEST INTEREST OF ALL OF ITS MEMBERS IN THE PROTECTION OF THEIR PERSONS, ASSETS AND EXPOSURE TO POTENTIAL LAWSUITS AND AS A JUDGMENT OUTWEIGHS THE INCONVENIENCE OF THE INABILITY TO ELECTRICALLY-GRILL.
 3. VIEWS THE MATTER AS SETTLED LAW.

THEREFORE, AFTER DEEP RESEARCH AND THOUGHT FOR ALL THE REASONS STATED IN COMMUNITY LETTERS 1, 2 AND NOW THIS LETTER-3, THE BOARD WILL (UNHAPPILY BUT RESPONSIBLY) NOT SEEK A VOTE FOR THE ALLOWANCE OF ANY TYPE OF GRILLING IN THE COMMON ELEMENT AND ENFORCE THE LIMITATION OF ELECTRIC-BASED GRILLES NOT EXCEEDING 200 SQUARE-INCHES TO PATIOS AND BALCONIES ONLY.

AS PER "GAS GENERATORS", ON APRIL 4TH, 2023, OUR ATTORNEY WROTE, "GAS GENERATORS AND BATTERIES ARE NOT REGULATED BY THE STATE LIKE GRILLS ARE, SO IT WOULD BE UP TO THE BOARD AND COMMUNITY TO ADDRESS THROUGH A RESTRICTION IF NECESSARY. I HAVE SEEN SOME COMMUNITIES REGULATE GENERATORS, BUT NEVER BATTERIES. GENERATORS DO NOT CURRENTLY APPEAR TO BE ADDRESSED IN THE DECLARATION." NOTE. IF THERE IS TO BE A FUTURE VOTE ON GENERATORS AND BATTERIES, THE BOARD DOES NOT TAKE A POSITION AT THIS TIME UNTIL EXTENSIVE RESEARCH IS CONDUCTED AND DOES NOT CONTEMPLATE THE SANCTIONING OF CERTAIN LITHIUM-BASED BATTERIES DUE TO AVAILABLE DOCUMENTATION SHOWING THEY HAVE EXPLODED.

BULLETIN. IN DEFERENCE TO COMMUNITY INPUT, THE BOARD WILL NOW BEGIN TO FULLY-RESEARCH THE POSSIBILITY OF A POLICY MODIFICATION THAT (BY BOARD & COMMUNITY VOTE) WOULD ALLOW FOR AN INSURANCE CARRIER-APPROVED & SEPARATELY-INSURED SINGLE DELIMITED PROPERTY AREA THAT WOULD PROVIDE FIRE-SOURCED GRILLING - BOTH FOR REASONS OF POWER-LOSS AND COOKING-PREFERENCE. PERHAPS AT THE CABANA ... WITH ASSOCIATION-PROVIDED & SERVICED FIRE-SOURCED GRILLS INSIDE A PROTECTED-AREA.

BECAUSE WE'VE NOW COMMITTED TO HAVE OUR MANDATORY PROPERTY-REVALUATION TO BE FOLLOWED LATER BY OUR CHOSEN-CARRIER'S INSPECTION, WE WILL ANNOUNCE OUR FL STATE FIRE CODE COMPLIANCE TO EACH.

JUST THINK ... WE MAY BE RAISING OUR PROPERTY VALUES AND LOWERING OUR INSURANCE PREMIUM FROM WHAT IT WOULD HAVE BEEN AND — ALL BECAUSE IT WILL BE UNIVERSALLY KNOWN THAT LOS PRADOS FOLLOWS THE LAW!

THAT SAID, EVERYONE MUST STILL COMPLY WITH THEIR GRILL-REMOVALS BY APRIL 9TH 2023/12AM.

A REVIEW OF THE TOP ELECTRIC GRILL AS TESTED BY “FOODANDWINE.COM”.
(NOT A RECOMMENDATION BUT JUST SHARING).

Best Overall
Weber Q 1400 Electric Grill
4.5/5.0 rating



Pros: This heavy-duty grill combines the convenience of electric gadgets with the functionality of an outdoor grill to yield consistent results with minimal cleanup.

Cons: The lid on this grill is a little heavy. Make sure to keep it closed when not in use to prevent it from tipping over.

This conveniently portable grill is perfect for someone with a small space like a terrace or balcony. **The porcelain-enameled cast iron cooking grates can reach temperatures over 600 degrees so that it can achieve the same results as a gas or charcoal grill with the convenience of electricity.** In our tests, we found that it created a deep sear and resulted in caramelized and browned foods.

This grill gave excellent results in our tests, producing consistently cooked foods with a nice sizzle and minimal smoke. The 6-foot cord makes it easy to use outside, so it would be a great option for anyone living in an apartment or with a small yard that can't accommodate a larger grill. We love the removable drip tray that makes the grill easy to clean, and our testers were pleased with how quickly it heated up. Overall, this grill makes it easy to have a flavorful barbecue every day of the week.

Price at time of publish: \$359

- **Material:** Porcelain-enameled cast iron
- **Cooking Surface:** 189 square inches
- **Weight:** 29.3 pounds

Sincerely yours,

Los Prados Board of Directors