

## NOTICE

### Possible Asbestos Insulation in Residential Units, Limited Common Element Attics and Crawl Spaces

Parkfairfax was built in the early 1940s and through the late 1970s Parkfairfax was a rental property. At the time of original construction the American construction industry was not aware of the potential health hazard of asbestos and the pipes of Parkfairfax's original hot water heating system were wrapped in asbestos insulation. The asbestos insulation in turn was wrapped in a cloth fabric to act as a protective covering for the insulation. The hot water heating system was abandoned in place upon Parkfairfax's conversion to a condominium in the late 1970s.

In general, elements of the abandoned hot water heating system included (a) boilers in 43 buildings, (b) pipes issuing from the boilers running underground to the buildings fed by a particular boiler, (c) aboveground pipes in all the residential building crawl spaces and (d) vertical pipes issuing upwards in each residential building mostly in pipe chases between the plaster walls to radiators in the individual residential units. In some cases a vertical heating pipe instead might be found in the corner of a bath room or a closet and in such cases the heating pipe again as originally installed would be insulated in asbestos insulation with a wrapping of a protective fabric covering.

In the process of converting Parkfairfax to a condominium in the late 1970s, the condominium developer removed the asbestos insulation from all common area heated spaces – namely, the laundry rooms and common element storage areas – but (1) abandoned in place any old heating pipes and any associated asbestos insulation in individual residential units where they existed and any associated insulation, (2) abandoned in place any old heating pipes and any associated asbestos insulation in common element attic spaces and (3) abandoned in place any old heating pipes and any associated asbestos insulation in the crawl spaces under the residential buildings.

**Individual Residential Units.** The individual residential condominium units were originally conveyed in an "as-is" condition, and have subsequently conveyed as such in chains of title ever since. Respective unit owners are therefore responsible to maintain any old heating pipes and any associated asbestos insulation and remove old heating pipes and any associated asbestos insulation in accordance with all applicable local, state and federal laws.

**Limited Common Element Attic Spaces.** Based on the Association's governing documents, Article II, Section 2, Article II, Section 2 and Exhibit B to the original condominium declaration the attic areas, in their "as-is" condition, were designated as Limited Common Elements appurtenant to respective residential units where access to an attic space was provided. The Association's responsibility, both in the past and at present, is to maintain these attic spaces in an "as-is" condition. Unit owners are welcome to under take the removal of any old heating pipes and any associated asbestos insulation above their units, but only with the Association's written prior approval.

**Building Crawl Spaces.** The crawl space hatchways are posted with signs indicating that only personnel authorized by the Association are permitted to enter the crawl spaces.

This **NOTICE** lets it be known to all interested parties – including residential owners, their families and invitees; residents, their families and invitees; sellers of residential units and prospective buyers of residential units; and all other parties – that (1) the physical conditions described above prevail throughout Parkfairfax as generally and specifically set forth above, that (2) all parties must act prudently under the conditions described above and that (3) the obligations and responsibilities of the Association and its owners with respect to possible asbestos insulation in residential units, attics and crawl spaces are delineated in the documents of the Association as referenced above.

Matthew Natale, President  
Parkfairfax Condominium Unit Owners Association  
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