Exhibit D

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9/4/25

Archview Condominium Association
Board of Directors
1900 Ramada Blvd.
Collinsville, IL 62234

Dear Board Members,

I am writing to formally demand that the Association fulfill its obligations under the governing documents and the Illinois Condominium Property Act concerning the pipe leakage and mold in the basement/garage area of my building.

The Carroll Wood Hill Declaration of Condominium, Article 3, Section 2 clearly provides:
"All electrical wiring throughout the property, except that within units, all pipes, wires, cables, and conduits throughout the property, except that within units, shall be considered part of the common elements."

The Declaration, Article 1, Section 1.4 further define a "unit" as the portion of property measured:
"to the inside of the framing members of the exterior walls and the interior walls dividing units, the top of the sub-floors and the bottom of the ceiling joists of floors and ceilings dividing units, and shall include all windows, exterior doors, balconies and patios, if any attached thereto."

By these definitions, any pipes located beneath the subfloor in the basement/garage are indisputably outside the unit boundaries and therefore constitute common elements. As such, they fall under the responsibility of the Association for maintenance, repair, and replacement.

While the Board may adopt reasonable rules under Section 18.4(h) of the Illinois Condominium Property Act (765 ILCS 605/18.4), those rules may not contradict or redefine the recorded Declaration and Bylaws. Any rule or policy that attempts to shift responsibility for common element pipes to individual unit owners is invalid and unenforceable. See *Board of Directors v. Hinojosa*, 679 N.E.2d 407 (Ill. App. Ct. 1997) (rules adopted by the board must not conflict with the declaration or bylaws) and *Apple II Condominium Ass'n v. Worth Bank & Trust Co.*, 659 N.E.2d 93 (Ill. App. Ct. 1995) (restrictions in rules subject to greater scrutiny than bylaws and unenforceable if unreasonable or inconsistent with governing documents).

Accordingly, I demand that the Association:

1. Promptly investigate the source of the basement pipe leakage;
2. Undertake necessary repairs to the affected pipes and remediate the mold; and
3. Confirm in writing that the Association acknowledges its responsibility for this matter under the governing documents.

If the Association refuses to comply, please consider this letter notice that I will be forced to pursue legal remedies, including a declaratory judgment action under 735 ILCS 5/2-701, seeking a judicial

determination that the pipes at issue are common elements and that the Association is responsible for their repair. I will also seek recovery of court costs and other remedies available by law.

I hope to resolve this issue amicably and without litigation. Please provide the Association's written response within 14 days of this letter (September 19th, 2025 at 5:00 PM).

Sincerely,

James Carroll