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Bryan A. Long
Licking County Recorder

AMENDMENTS TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
STONINGTON WOODS CONDOMINIUM

PLEASE CROSS MARGINAL REFERENCE WITH THE DECLARATION OF
CONDOMINIUM OWNERSHIP FOR STONINGTON WOODS CONDOMINIUM
RECORDED AT VOLUME 911, PAGE 297 ET SEQ. OF THE LICKING
COUNTY RECORDS.

AMENDMENTS TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP FOR
STONINGTON WOODS CONDOMINIUM

WHEREAS, the Declaration of Condominium Ownership for Stonington Woods Condominium (the "Declaration") and the Bylaws of Stonington Woods Condominium Association (the "Bylaws"), attached to and made a part of the Declaration, were recorded at Licking County Records Volume 911, Page 297 et seq., and

WHEREAS, Section 5311.05(E)(1) of the Ohio Revised Code authorizes the Board of Directors, without a vote of the Owners, to amend the Declaration "to bring the Declaration in compliance with this Chapter," and

WHEREAS, the Board of Directors approved the following matters to be modified (the "Amendments") in order to bring the Declaration into compliance with Ohio Revised Code Chapter 5311, and

WHEREAS, the proceedings necessary to amend the Declaration and Bylaws as permitted by Chapter 5311 of the Ohio Revised Code and the Declaration of Condominium Ownership for Stonington Woods Condominium have in all respects been complied with.

NOW THEREFORE, the Declaration of Condominium Ownership for Stonington Woods Condominium is hereby amended by the Board of Directors as follows:

- (1) All references in the Declaration and Bylaws to the term "Common Areas" or "Common Areas and Facilities" shall be replaced with the term "Common Elements."
- (2) All references in the Declaration and Bylaws to the term "Limited Common Areas" or "Limited Common Areas and Facilities" shall be replaced with the term "Limited Common Elements."
- (3) All references in the Declaration and Bylaws to the term "Board of Managers" and/or "Board of Trustees" shall be replaced with the term "Board of Directors."

(4) DELETE DECLARATION ARTICLE VIII, entitled "AGENT FOR SERVICE," in its entirety. Said deletion is to be made on Page 10 of the Declaration, as recorded at Licking County Records, Volume 911, Page 297 et seq.

INSERT a new DECLARATION ARTICLE VIII, entitled "AGENT FOR SERVICE." Said addition, to be made on Page 10 of the Declaration, as recorded at Licking County Records, Volume 911, Page 297 et seq., is as follows:

ARTICLE VIII

AGENT FOR SERVICE

The Person to receive service of process for the Association shall be as designated by the Board. This designation will be accomplished by filing with the Ohio Secretary of State the required statutory agent designation form.

(5) INSERT a new 2nd PARAGRAPH to DECLARATION ARTICLE XX, SECTION 2, entitled "Actions." Said new addition, to be added on Page 28 of the Declaration, as recorded at Licking County Records, Volume 911, Page 297 et seq., is as follows:

In accordance with Ohio Revised Code Section 5311.081(B)(12), the Board shall have the authority to impose interest and administrative late fees for the late payment of Assessments; impose returned check charges; and, in accordance with the procedure outlined in Ohio Revised Code Section 5311.081(C)(1), impose reasonable enforcement Assessments for violations of the Declaration, the Bylaws, and the rules of the Association, and reasonable charges for damage to the Common Elements.

(6) INSERT a new 2nd PARAGRAPH to the end of DECLARATION ARTICLE XV, SECTION 5(d). Said new addition, to be added on Page 21 of the Declaration, as recorded at Licking County Records, Volume 911, Page 297 et seq., is as follows:

In accordance with Ohio Revised Code Section 5311.18(A)(1)(b), the Association has a lien upon each Unit's ownership interest for any

unpaid interest, administrative late fees, enforcement Assessments, and collection costs, attorney's fees, and paralegal fees.

(7) INSERT a new 2nd PARAGRAPH to the end of DECLARATION ARTICLE III, SECTION 2(g), entitled "Renting and Leasing." Said new addition, to be added on Page 5 of the Declaration, as recorded at Licking County Records, Volume 911, Page 297 et seq., is as follows:

In accordance with Ohio law, the Association may initiate eviction proceedings to evict any tenant, for any violation of the Declaration, Bylaws, rules and regulations, or applicable laws, by the tenant, any Occupant of the Unit, or the owner of the Unit. The action shall be brought by the Association, as the Unit owner(s)'s agent, in the name of the Unit owner(s). In addition to any procedures required by State law, the Association shall give the Unit owner(s) at least ten (10) days written notice of the intended eviction action. The costs of any eviction action, including reasonable attorneys' fees, shall be charged to the Unit owner(s) and shall be the subject of a special Assessment against the offending Unit Owner and made a lien against that Unit.

(8) INSERT a new 2nd PARAGRAPH to the end of DECLARATION ARTICLE XV, SECTION 5(a). Said new addition, to be added on Page 20 of the Declaration, as recorded at Licking County Records, Volume 911, Page 297 et seq., is as follows:

In accordance with Ohio Revised Code Section 5311.18(A)(2), the Association shall credit payments made by a Unit Owner in the following order of priority:

- (1) First, to interest owed to the Association;
- (2) Second, to administrative late fees owed to the Association;
- (3) Third, to collection costs, attorney's fees, and paralegal fees incurred by the Association; and
- (4) Fourth, to the principal amounts the Unit Owner owes to the Association for the common expenses or enforcement Assessments chargeable against the Unit.

(9) INSERT a new DECLARATION ARTICLE XV, SECTION 5(k), entitled "Suspended Rights." Said new addition, to be added on Page 22 of the Declaration, as recorded at Licking County Records, Volume 911, Page 297 et seq., is as follows:

(k) In accordance with Ohio Revised Code Section 5311.081(B)(18), when a Unit Owner is delinquent in the payment of Assessments for more than thirty (30) days, the Board may, by a majority vote, suspend the privileges of the owner and/or right of the Occupants to use the recreational facilities.

(10) INSERT a new 2nd PARAGRAPH to the end of DECLARATION ARTICLE XV, SECTION 3(c), entitled "Special Individual Unit Assessments." Said new addition, to be added on Page 20 of the Declaration, as recorded at Licking County Records, Volume 911, Page 297 et seq., is as follows:

In accordance with Ohio Revised Code Section 5311.081(B)(15), the Board may impose reasonable charges to the Unit Owner for providing copies of the Declaration, Bylaws or amendments thereto as well as reasonable charges for the handling of re-financing and/or resale documentation, and/or statements of unpaid Assessments.

(11) INSERT a new DECLARATION ARTICLE III, SECTION 2(r), entitled "Owner/Resident Information." Said new addition, to be added on Page 6 of the Declaration, as recorded at Licking County Records, Volume 911, Page 297 et seq., is as follows:

(r) Owner/Resident Information. In accordance with Ohio Revised Code Section 5311.09(A)(2) and (3), each Unit Owner shall, within thirty (30) days of the recording of this Amendment or within thirty (30) days of title transferring to the Unit Owner, provide to the Association the Unit Owner's and/or all Occupants' names, home and business mailing addresses, home and business telephone numbers, and the name, business address and business telephone number of any Person who manages the Unit as an agent of that Owner. Any change in the information shall be provided to the Board, in writing, within thirty (30) days of said change.

(12) INSERT a new PARAGRAPH (m) to BYLAWS ARTICLE IV, SECTION 12, entitled "Powers." Said new addition to be added on Page 5 of the Bylaws, Exhibit bylaws exhibit letter of the Declaration, as recorded at Licking County Records, Volume 911, Page 297 et seq., is as follows:

(m) In accordance with Ohio Revised Code Section 5311.081(B), in addition to all other powers enumerated herein, the Board may exercise all powers of the Association, including the power to do the following:

(1) Hire and fire attorneys, accountants, and other independent contractors and employees that the Board determines are necessary or desirable in the management and/or operation of the Condominium Property and the Association;

(2) Commence, defend, intervene in, settle, or compromise any civil, criminal, or administrative action or proceeding that is in the name of, or threatened against, the Association, the Board, or the Condominium Property, or that involves two or more Unit Owners and relates to matters affecting the Condominium Property;

(3) Enter into contracts and incur liabilities relating to the operation of the Condominium Property;

(4) Grant easements, leases, licenses, and concessions through or over the Common Elements;

(5) Impose and collect fees or other charges for the use, rental, or operation of the Common Elements or for services provided to Unit Owners;

(6) Enter a Unit for bona fide purposes when conditions exist that involve an imminent risk of damage or harm to Common Elements, another Unit, or to the health or safety of the Occupants of that Unit or another Unit;

(13) Any conflict between the above provisions and any other provisions of the Declaration and Bylaws shall be interpreted in favor of the above amendments. The invalidity of any part of the above provision shall not impair or affect in any manner the validity or enforceability of the remainder of the provision. Upon the recording of these amendments, only Unit owners of record at the time of such filing shall have standing to contest the validity of these amendments, whether on procedural, substantive or any other grounds, provided further that any such challenge shall be brought in the court of common pleas within one year of the recording of the amendments.

IN WITNESS WHEREOF, the said Stonington Woods Condominium Association has caused the execution of this instrument this 24 day of January, 2012.

STONINGTON WOODS CONDOMINIUM ASSOCIATION

By: Joanne Brown
JOANNE BROWN, its President

[THIS SPACE LEFT BLANK INTENTIONALLY.]

STATE OF OHIO)
)
COUNTY OF LICKING) SS

BEFORE ME, a Notary Public, in and for said County, personally appeared the above named Stonington Woods Condominium Association, by Joanne Brown, its President, who acknowledged that she did sign the foregoing instrument, on Page 7 of 8, and that the same is the free act and deed of said corporation and the free act and deed of her personally and as such officer.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal in Ft. Myers, ~~Ohio~~ FL., this 24th day of January, 2012.

Patsy Mc Clain
NOTARY PUBLIC

Place notary stamp/seal here:



This instrument prepared by:
KAMAN & CUSIMANO, LLC., Attorneys at Law
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(614) 882-3100