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CONDO 72.00

John A Donofrio, Summit Fiscal Officer

AMENDMENTS TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
EDGEBROOK CONDOMINIUM

PLEASE CROSS MARGINAL REFERENCE WITH THE DECLARATION OF CONDOMINIUM OWNERSHIP FOR EDGEBROOK CONDOMINIUM RECORDED AT INSTRUMENT NO. 54271416, OF THE SUMMIT COUNTY RECORDS.

THIS WILL CERTIFY THAT A COPY OF THESE AMENDMENTS TO THE DECLARATION OF CONDOMINIUM OWNERSHIP FOR EDGEBROOK CONDOMINIUM WAS FILED IN THE OFFICE OF THE FISCAL OFFICER OF SUMMIT COUNTY, OHIO.

DATED: Sept 24, 2007

BY: JOHN A. DONOFRIO

FISCAL OFFICER

By D. Taylor, Deputy Auditor

AMENDMENTS TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP FOR
EDGEBROOK CONDOMINIUM

WHEREAS, the Declaration of Condominium Ownership for Edgebrook Condominium (the "Declaration") and the By-Laws of Edgebrook Condominium Unit Owners Association (the "Bylaws"), Exhibit C to the Declaration, were recorded at Summit County Records Instrument No. 54271416, and

WHEREAS, the Edgebrook Condominium Unit Owners Association (the "Association") is a corporation consisting of all Unit Owners in Edgebrook and as such is the representative of all Unit Owners, and

WHEREAS, Article XVI, Section 16.01 of said Declaration authorizes amendments to the Declaration and Bylaws, and

WHEREAS, Unit Owners representing not less than 75% of the Association's voting power have executed instruments in writing setting forth specifically the matters to be modified (the "Amendments"), and

WHEREAS, the Association has in its records the signed, written consents to Amendment A signed by Unit Owners representing 87.0626% of the Association's voting power as of August 29, 2007, and

WHEREAS, the Association has in its records the power of attorney signed by Unit Owners representing 87.0626% of the Association's voting power authorizing the Association's officers to execute Amendment A on their behalf, and

WHEREAS, the Association has in its records the signed, written consents to Amendment B signed by Unit Owners representing 77.9123% of the Association's voting power as of August 29, 2007, and

WHEREAS, the Association has in its records the power of attorney signed by Unit Owners representing 77.9123% of the Association's voting power authorizing the Association's officers to execute Amendment B on their behalf, and

WHEREAS, attached hereto as Exhibit A is an Affidavit of the Association's Secretary that copies of the Amendments will be mailed by certified mail or hand delivered or sent by telegram to all first mortgagees that have notified the Association of having bona fide liens against any unit ownership once the Amendments are recorded with the Summit County Fiscal Office, and



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WHEREAS, the proceedings necessary to amend the Declaration as required by Chapter 5311 of the Ohio Revised Code and the Declaration have in all respects been complied with.

NOW THEREFORE, the Declaration of Condominium Ownership for Edgebrook Condominium is hereby amended by the following:

AMENDMENT A

INSERT a new DECLARATION ARTICLE VII, Section 7.15 entitled, "Occupancy Restriction." Said new addition, to be added on Page 11 of the Declaration, as recorded at Summit County Records, Instrument No. 54271416, is as follows:

7.15 Occupancy Restriction. No person who is adjudicated to be a sexual predator [Tier III] or a habitual sex offender [Tier II] and required to register with a designated registering agency, thereby requiring notice to be given pursuant to the Ohio Sex Offenders Act or similar statute from another jurisdiction, as the same may from time to time be amended, may reside in or occupy a Unit and/or enter onto or remain in or on the Condominium Property for any length of time. Any violation of this restriction shall subject the Unit Owner and/or any Occupant of the Unit to any and all remedies provided for by law as well as this Declaration. The Association shall not, however, be liable to any Unit Owner or Occupant, or anyone visiting any Unit Owner or the Association, as a result of the Association's alleged failure, whether negligent, intentional or otherwise, to enforce the provisions of this restriction.

Any conflict between this provision and any other provisions of the Declaration and Bylaws shall be interpreted in favor of this restriction on the occupancy of Units. Upon the recording of this amendment, only Unit Owners of record at the time of such filing shall have standing to contest the validity of the amendment, 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 amendment.

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AMENDMENT B

MODIFY BYLAWS ARTICLE III, SECTION 2 entitled, "Number and Qualification." Said modification, to be made on Page 6 of the Bylaws, Exhibit C of the Declaration, as recorded at Summit County Records, Instrument No. 54271416, and as amended at Instrument No. 55324953, is as follows (deleted language is crossed-out; new language is underlined):

Section 2. Number and Qualification. The Board shall consist of five ~~(5) seven-(7)~~ persons, each of whom (a "Director") must be an Owner of a Unit or the spouse of an Owner, except that in the case of a Unit held by a corporation, partnership, fiduciary or nominee, the designated representative thereof shall be eligible to serve as a member of the Board. That notwithstanding, no one (1) Unit may be represented by more than one (1) person on the Board at any one (1) time.

Any conflict between this provision and any other provisions of the Declaration and Bylaws shall be interpreted in favor of this amendment regarding the number and qualifications of Board members. Upon the recording of this amendment, only Unit Owners of record at the time of such filing shall have standing to contest the validity of the amendment, 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 amendment.

DELETE BYLAWS ARTICLE III, SECTION 4 entitled, "Term of Office; Resignations." in its entirety. Said deletion to be taken from Page 6 of the Bylaws, Exhibit C of the Declaration, as recorded at Summit County Records, Instrument No. 54271416.

INSERT a new BYLAWS ARTICLE III, SECTION 4 entitled, "Term of Office; Resignations." Said new addition, to be added on Page 6 of the Bylaws, Exhibit C of the Declaration, as recorded at Summit County Records, Instrument No. 54271416, is as follows:

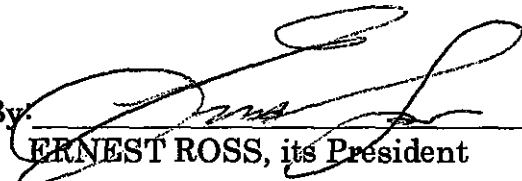
Section 4. Term of Office; Resignations. At the first annual meeting following the passage of this amendment, the Members shall elect five (5) Directors, with the two (2) candidates receiving the greatest percentage of votes elected for a three-year (3) term; the next two (2) candidates receiving the next greatest percentage of votes elected for a two-year (2) term, and the next one (1) candidate receiving the next greatest percentage of votes elected for a one (1) year term. This is to establish staggered elections with a 2-2-1 rotation. Upon the expiration of the terms of each such Director as stated above, a successor shall be elected to serve a term of three (3) years, or until his/her earlier resignation, removal from office or death, and all future

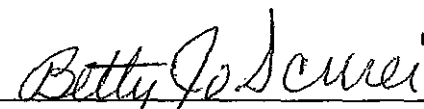
Directors shall be elected to serve three (3) year terms. Tie votes shall be decided by drawing lots. Any Director may resign at any time by oral statement to that effect made at a meeting of the Board or by a writing to that effect delivered to the Secretary of the Association; such resignation shall take effect immediately or at such other time as the Director may specify.

Any conflict between these provisions and any other provisions of the Declaration and Bylaws shall be interpreted in favor of this amendment providing for five (5) Board members with three (3) year terms with staggered elections 2-2-1. Upon the recording of this amendment, only Unit Owners of record at the time of such filing shall have standing to contest the validity of the amendment, whether on procedural, substantive or any other grounds, provided further that any such challenge shall be brought within one year of the recording of the amendment.

IN WITNESS WHEREOF, the said Edgebrook Condominium Unit Owners Association has caused the execution of this instrument this 20th day of September, 2007.

EDGEBROOK CONDOMINIUM UNIT OWNERS ASSOCIATION

By: 
ERNEST ROSS, its President

By: 
BETTY JO SCUREI, its Secretary



John A Donofrio, Summit Fiscal Officer

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STATE OF OHIO)

COUNTY OF Summit)

SS

BEFORE ME, a Notary Public, in and for said County, personally appeared the above named Edgebrook Condominium Unit Owners Association, by its President and its Secretary, who acknowledged that they did sign the foregoing instrument, on Page 5 of 7, and that the same is the free act and deed of said corporation and the free act and deed of each of them personally and as such officers.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal in Cuyahoga Falls, Ohio, this 20th day of September, 2007.

Carol R. Morgan
NOTARY PUBLIC

Carol R. Morgan
Resident Summit County
Notary Public, State of Ohio
My Commission Expires: 06/28/10

Handwritten:
ENV

This instrument prepared by:
KAMAN & CUSIMANO, Attorneys at Law
2000 Terminal Tower
50 Public Square
Cleveland, Ohio 44113
(216) 696-0650



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EXHIBIT A

AFFIDAVIT

STATE OF OHIO)

COUNTY OF Summit)

SS

BETTY JO SCUREI, being first duly sworn, states as follows:

1. She is the duly elected and acting Secretary of the Edgebrook Condominium Unit Owners Association.
2. She caused copies of the Amendments to the Declaration to be mailed by certified mail or hand delivered or sent by telegram to all first mortgagees that have notified the Association of having bona fide liens against any unit ownership.
3. Further affiant sayeth naught.

Betty Jo Scurei
 BETTY JO SCUREI, Secretary

BEFORE ME, a Notary Public, in and for said County, personally appeared the above named BETTY JO SCUREI who acknowledges that she did sign the foregoing instrument and that the same is her free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal in Cuyahoga Falls, Ohio, this 20th day of September, 2007.

Carol R. Morgan
 NOTARY PUBLIC

Carol R. Morgan
Resident Summit County
Notary Public, State of Ohio
My Commission Expires: 06/28/10