

CUYAHOGA COUNTY RECORDER
PATRICK J. OMALLEY
DECL 05/12/2005 01:05:16 PM
200505120849

AMENDMENTS TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
BEDFORD DALES CONDOMINIUM

PLEASE CROSS MARGINAL REFERENCE WITH THE DECLARATION OF
CONDOMINIUM OWNERSHIP FOR BEDFORD DALES CONDOMINIUM
RECORDED AT VOLUME 13169, PAGE 315 ET SEQ. OF THE CUYAHOGA COUNTY
RECORDS.

CUYAHOGA COUNTY RECORDER
200505120849 PAGE 1 of 8

AMENDMENTS TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP FOR
BEDFORD DALES CONDOMINIUM

WHEREAS, the Declaration of Condominium Ownership for Bedford Dales Condominium (the "Declaration") and the Bylaws of Bedford Dales Condominium Owners' Association (the "Bylaws"), Exhibit C to the Declaration, were recorded at Cuyahoga County Records Volume 13169, Page 315 et seq., and

WHEREAS, Section 5311.05(E)(1) of the Ohio Revised Code, as amended on July 20, 2004, 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 Bedford Dales Condominium have in all respects been complied with.

NOW THEREFORE, the Declaration of Condominium Ownership for Bedford Dales 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" shall be replaced with the term "Board of Directors."
- (4) **DELETE DECLARATION ARTICLE 7, SECTION D, entitled "Service of Process,"** in its entirety. Said deletion is to be made on Page 7 of the Declaration, as recorded Cuyahoga County Records Volume 13169, Page 315 et seq.

INSERT a new DECLARATION ARTICLE 7, SECTION D, entitled "Service of Process." Said addition, to be made on Page 7 of the Declaration, as recorded at Cuyahoga County Records Volume 13169, Page 315 et seq., is as follows:

D. Service of Process. 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 SECTION C, entitled "Enforcement Assessments," to the end of DECLARATION ARTICLE 16. Said new addition, to be added on Page 16 of the Declaration, as recorded at Cuyahoga County Records Volume 13169, Page 315 et seq., is as follows:

C. Enforcement Assessments. 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 9, SECTION B, entitled "Lien of Association." Said new addition, to be added on Page 8 of the Declaration, as recorded at Cuyahoga County Records Volume 13169, Page 315 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 PARAGRAPH to the end of DECLARATION ARTICLE 11, SECTION I, entitled "Rental of Units." Said new addition, to be added on Page 11 of the Declaration, as recorded at Cuyahoga County Records Volume 13169, Page 315 et seq., is as follows:

In accordance with Ohio Revised Code Section 5311.19(B), the Association may initiate eviction proceedings, pursuant to Chapters 5321 and 1923 of the Revised Code, to evict a tenant. The action shall be brought by the Association, as the Unit Owner's Agent, in the name of the Unit Owner. In addition to any procedures required by Chapters 5321 and 1923 of the Revised Code, the Association shall give the Unit Owner at least ten days written notice of the intended eviction action. The costs of any eviction action, including reasonable attorney's fees, shall be charged to the Unit

Owner and shall be the subject of a special Assessment against the offending Unit and made a lien against that Unit.

(8) INSERT a new 2nd PARAGRAPH to the end of DECLARATION ARTICLE 9, SECTION A, entitled "Division of Common Profits and Common Expenses." Said new addition, to be added on Page 8 of the Declaration, as recorded at Cuyahoga County Records Volume 13169, Page 315 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 SECTION K, entitled "Suspended Rights," to DECLARATION ARTICLE 11. Said new addition, to be added on Page 11 of the Declaration, as recorded at Cuyahoga County Records Volume 13169, Page 315 et seq., is as follows:

K. Suspended Rights. 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 voting 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 BYLAWS ARTICLE IV, SECTION 5, entitled "Special Services." Said new addition, to be added on Page 6 of the Bylaws, Exhibit C of the Declaration, as recorded at Cuyahoga County Records Volume 13169, Page 315 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 SECTION J entitled "Owner/Resident Information," to DECLARATION ARTICLE 11. Said new addition, to be added on Page 11 of the Declaration, as recorded at Cuyahoga County Records Volume 13169, Page 315 et seq., is as follows:

J. 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) MODIFY the 2nd SENTENCE of BYLAWS ARTICLE II, SECTION 1, entitled "Number and Qualification," and INSERT a new SENTENCE thereafter. Said modification, to be made on Page 2 of the Bylaws, Exhibit C of the Declaration, as recorded at Cuyahoga County Records Volume 13169, Page 315 et seq., is as follows: (deleted language is crossed out; new language is underlined)

All persons nominated or elected to the Board shall be a Unit Owner, or the spouse of a Unit Owner, and Occupant. That notwithstanding, no one (1) Unit may be represented by more than one (1) person on the Board at any one (1) time.

(13) INSERT a new 2nd SENTENCE to the end of BYLAWS ARTICLE II, SECTION 5, entitled "Regular Meetings." Said new addition, to be added on Page 3 of the Bylaws, Exhibit C of the Declaration, as recorded at Cuyahoga County Records Volume 13169, Page 315 et seq., is as follows:

In accordance with Ohio Revised Code Section 5311.08(A)(4)(a), any Board meeting may be held in person or by any method of communication, including electronic or telephonic communication, provided that each Board member can hear, participate and respond to every other Board member.

(14) INSERT a new SENTENCE to the end of BYLAWS ARTICLE V, SECTION 1, entitled "Preparation of Estimated Budget." Said new addition, to be added on Page 7 of the Bylaws, Exhibit C of the Declaration, as recorded at Cuyahoga County Records Volume 13169, Page 315 et seq., is as follows:

In accordance with Ohio Revised Code Section 5311.21, in the alternative, if the Association has collected a Common Surplus at the end of any fiscal year, the Board may determine that such amount will be applied toward reserves.

(15) INSERT a new PARAGRAPH F to BYLAWS ARTICLE II, SECTION 8, entitled "Powers and Duties," and INSERT new SUBPARAGRAPHS (1), (2), (3), (4), (5) and (6), thereafter. Said new additions to be added on Page 3 of the Bylaws, Exhibit C of the Declaration, as recorded at Cuyahoga County Records Volume 13169, Page 315 et seq., is as follows:

F. 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) Invest excess funds in investments that meet standards for fiduciary investments under Ohio law.

(17) MODIFY the 1st SENTENCE of DECLARATION ARTICLE 7, SECTION A, entitled "Membership." Said modification, to be made on Page 6 of the Declaration, as recorded at Cuyahoga County Records Volume 13169, Page 315 et seq., is as follows: (deleted language is crossed out; new language is underlined)

~~Grantor shall cause to be formed an unincorporated~~ The Association shall be an incorporated association and is to be called "Bedford Dales Condominium Association," which shall administer the Condominium Property.

MODIFY BYLAWS ARTICLE I, SECTION 1, entitled "Name and Nature of Association." Said modification, to be made on Page 1 of the Bylaws, Exhibit C of the Declaration, as recorded at Cuyahoga County Records Volume 13169, Page 315 et seq., is as follows: (deleted language is crossed out)

Section 1. Name and Nature of Association. The Association shall be an ~~unincorporated~~ association and shall be called "Bedford Dales Condominium Association."

Any conflict between the above provisions and any other provisions of the Declaration and Bylaws shall be interpreted in favor of the above amendments. 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 Bedford Dales Condominium Association has caused the execution of this instrument this 10th day of May, 2005.

BEDFORD DALES CONDOMINIUM ASSOCIATION

By: Dianne Wilmore President
DIANNE WILMORE, its President

CUYAHOGA COUNTY RECORDER
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STATE OF OHIO)
) SS
COUNTY OF CUYAHOGA)

BEFORE ME, a Notary Public, in and for said County, personally appeared the above named Bedford Dales Condominium Association, by Dianne Wilmore, its President, who acknowledged that she did sign the foregoing instrument, on Page 8 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 Bedford, Ohio, this 10th day of May, 2005.



NOTARY PUBLIC

my Commission Expires - March 1, 2010

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

PPN: DECL - 202310160148 PGS: 11
10/16/2023 09:49 AM
AMT: \$0.00 RCPT#: 20231016000067
CONV: \$0.00 PAID BY: KAMAN & CUSIMANO
Marko Chumbea
CUYAHOGA COUNTY FISCAL OFFICE

AMENDMENTS TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
BEDFORD DALES CONDOMINIUM

PLEASE CROSS MARGINAL REFERENCE WITH THE DECLARATION OF
CONDOMINIUM OWNERSHIP FOR BEDFORD DALES CONDOMINIUM RECORDED
AT VOLUME 13169, PAGE 315 ET SEQ. OF THE CUYAHOGA COUNTY.

AMENDMENTS TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP FOR
BEDFORD DALES CONDOMINIUM

RECITALS

- A.** The Declaration of Condominium Ownership for Bedford Dales Condominium (the "Declaration") and the Bylaws of Bedford Dales Condominium Association, Exhibit C of the Declaration (the "Bylaws"), were recorded at Cuyahoga County Records Volume 13169, Page 315 et seq.
- B.** Ohio Revised Code Section 5311.05(E)(1)(c) authorizes the Board of Directors (the "Board"), without a vote of the Unit Owners, to amend the Declaration "to bring the Declaration into compliance with this Chapter."
- C.** The Board approved the following matters to be modified (the "Amendments") to bring the Declaration into compliance with Ohio Revised Code Chapter 5311 ("Chapter 5311").
- D.** Each of the changes set forth in these Amendments are based on or in accordance with Chapter 5311.
- E.** The proceedings necessary to amend the Declaration and Bylaws as permitted by Chapter 5311 and the Declaration have in all respects been complied with.

AMENDMENTS

The Declaration of Condominium Ownership for Bedford Dales Condominium is amended by the Board of Directors as follows:

- (1) INSERT a NEW PARAGRAPH to the end of DECLARATION ARTICLE 16, SECTION C.** Said new addition to the Declaration, as recorded at the Cuyahoga County Records, Volume 13169, Page 315 et seq., and as amended at Instrument No. 200505120849, is:

The Board will impose the following enforcement procedure for levying enforcement assessments:

- (1) Prior to imposing a charge for damages or an enforcement assessment, the Board will give the Unit Owner a written notice, which may be in the form of electronic mail to an electronic mail address previously provided by the Unit Owner in writing, that includes:**

- violation;
- (a) A description of the property damage or assessment;
- (b) The amount of the proposed charge or assessment;
- (c) A statement that the Unit Owner has a right to a hearing before the Board to contest the proposed charge or assessment;
- (d) A statement setting forth the procedures to request a hearing;
- (e) A reasonable date by which the Unit Owner must cure the violation to avoid the proposed charge or assessment.

(2) Hearing Requirements:

(a) To request a hearing, the Unit Owner must deliver a written notice to the Board not later than the tenth day after receiving the notice required above. If the Unit Owner fails to make a timely request for a hearing, the right to that hearing is waived, and the Board may immediately impose a charge for damages or an enforcement assessment.

(b) If a Unit Owner timely requests a hearing, at least seven days prior to the hearing the Board will provide the Unit Owner with a written notice that includes the date, time, and location of the hearing.

(c) The Board will not levy a charge or assessment before holding a properly requested hearing.

(3) The Board may allow a reasonable time to cure a violation described above before imposing a charge or assessment.

(4) Within 30 days following a hearing at which the Board imposes a charge or assessment, the Association will deliver a written notice of the charge or assessment to the Unit Owner.

(5) The Association will deliver any written notice required above to the Unit Owner or any occupant of the Unit by personal delivery, by electronic mail, by certified mail, return receipt requested, or by regular mail.

(2) **MODIFY** the 1st SENTENCE of the 1st PARAGRAPH of DECLARATION ARTICLE 9, SECTION B. Said modification to the Declaration, as recorded at Cuyahoga County Records, Volume 13169, Page 315 et seq., and as amended at Instrument No. 200505120849, is: (new language is underlined)

The Association shall have a continuing lien upon each Unit Owner's Ownership Interest for the payment of the portion of the assessments, including, without limitation, special assessments, chargeable against such Unit which remain unpaid for ten (10) days after the same have become due and payable, from the time certificate therefor is filed with the Recorder of Cuyahoga County, Ohio, pursuant to authorization given by the Board.

(3) **MODIFY THE** 2nd SENTENCE of the 1st PARAGRAPH of DECLARATION ARTICLE 9, SECTION B. Said modification to the Declaration, as recorded at Cuyahoga County Records, Volume 13169, Page 315 et seq., and as amended at Instrument No. 200505120849, is: (new language is underlined)

Such certificate shall contain a description of this Unit, the name or names of the Unit Owner or Owners thereof and the amount of such unpaid portions of the assessments and shall be subscribed by the President or other designated representative of the Association.

(4) **INSERT a NEW PARAGRAPH** to the end of BYLAWS ARTICLE V, SECTION 5. Said new addition to the Bylaws, Exhibit C of the Declaration, as recorded at Cuyahoga County Records, Volume 13169, Page 315 et seq., is:

The Association, as determined by the Board, is not required to permit the examination and copying of any of the following from books, records, or minutes that contain any of the following:

A. Information that pertains to Condominium Property-related personnel matters;

B. Communications with legal counsel or attorney work product pertaining to pending litigation or other Condominium Property-related matters;

C. Information that pertains to contracts or transactions currently under negotiation, or information that is contained in a contract or other agreement containing confidentiality requirements and that is subject to those requirements;

D. Information that relates to the enforcement of the Declaration, Bylaws, or Association rules against a Unit Owner;

E. Information the disclosure of which is prohibited by state or federal law; or

F. Records that date back more than five years prior to the date of the request.

(5) **MODIFY BYLAWS ARTICLE II, SECTION 1.** Said modification to the Bylaws, Exhibit C of the Declaration, as recorded at Cuyahoga County Records, Volume 13169, Page 315 et seq., and as amended at Instrument No. 200505120849, is: (deleted language is crossed out; new language is underlined)

Section 1. Number and Qualification. The Board shall consist of not less than five persons. All persons nominated or elected to the Board shall be a Unit Owner, or the spouse of a Unit Owner, and Occupant. ~~That notwithstanding, no one (1) Unit may be represented by more than one (1) person on the Board at any one (1) time.~~ If a Unit Owner is not an individual, that Unit Owner may nominate for the Board of Directors any principal, member of a limited liability company, partner, director, officer, or employee of that Unit Owner. The majority of the Board will not consist of Unit Owners or representatives from the same Unit unless authorized by a resolution adopted by the Board of Directors prior to the Board majority being comprised of Unit Owners or representatives from the same Unit.

(6) **INSERT a NEW PARAGRAPH to the end of BYLAWS ARTICLE II, SECTION 5.** Said new addition to the Bylaws, Exhibit C of the Declaration, as recorded at Cuyahoga County Records, Volume 13169, Page 315 et seq., and as amended at Instrument No. 200505120849, is:

In lieu of conducting a meeting, the Board may take action with the unanimous written consent of the Directors. Those written consents will be filed with the Board meeting minutes.

(7) **INSERT a NEW PARAGRAPH to the end of DECLARATION ARTICLE 15.** Said new addition to the Declaration, as recorded at Cuyahoga County Records, Volume 13169, Page 315 et seq., is:

In addition, without a Unit Owner vote, the Board may amend the Declaration in any manner necessary for any of the following purposes:

A. To meet the requirements of institutional mortgagees, guarantors and insurers of first mortgage loans, the federal national mortgage association, the federal home loan mortgage corporation, the federal housing administration, the veterans administration, and similar institutions;

B. To meet the requirements of insurance underwriters;

C. To bring the Declaration into compliance with the Ohio Condominium Act (Revised Code Chapter 5311);

D. To correct clerical or typographical errors or obvious factual errors in the Declaration or an exhibit to the Declaration;

E. To designate a successor to the person named to receive service of process for the Association. If the Association is incorporated in Ohio, this may be accomplished by filing with the Secretary of State an appropriate change of statutory agent designation;

F. To delete as void, any provision within the Declaration or Bylaws, or in any applicable restriction or covenant, that prohibits, limits the conveyance, encumbrance, rental, occupancy, or use of property subject to Revised Code Chapter 5311 on the basis of race, color, national origin, sex, religion, or familial status; or

G. To permit notices to Unit Owners, as required by the Declaration or Bylaws, to be sent by electronic mail and, if returned undeliverable, by regular mail, provided the Association has received the prior, written authorization from the Unit Owner.

Any Unit Owner who is aggrieved by an amendment to the Declaration that the Board of Directors makes in accordance with the above may commence a declaratory judgment action to have the amendment declared invalid as violative of the above. Any action filed to contest the validity of the amendment must be filed in the appropriate court of common pleas within one year from the date of the recordation of the amendment.

(8) **MODIFY BYLAWS ARTICLE II, SECTION 8(F)(2).** Said modification to the Bylaws, Exhibit C of the Declaration, as recorded at Cuyahoga County Records, Volume 13169, Page 315 et seq., and as amended at Instrument No. 200505120849, is: (deleted language is crossed out; new language is underlined)

(2) Commence, defend, intervene in, settle, or compromise any civil, criminal, land use planning 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, impacts zoning, or otherwise and relates to matters affecting the Condominium Property;

(9) INSERT a NEW DECLARATION ARTICLE 18, SECTION M entitled "Notices to Unit Owners." Said new addition to the Declaration, as recorded at Cuyahoga County Records, Volume 13169, Page 315 et seq., is:

M. Notices to Unit Owners. All notices required or permitted by the Declaration or Bylaws to any Unit Owner will be in writing and is deemed effectively given if it has been sent by regular U.S. mail, first-class postage prepaid, to their Unit address or to another address the Unit Owner designates in writing to the Board, or delivered using electronic mail subject to the following:

(1) The Association may use electronic mail or other transmission technology to send any required notice only to Unit Owners, individually or collectively, who have given the Association written consent to the use of electronic mail or other transmission technology. Any Unit Owner who has not given the Association written consent to use of electronic mail or other transmission technology will receive notices by either regular mail or hand delivered.

(2) An electronic mail or transmission technology to a Unit Owner is not considered delivered and effective if the Association's transmission to the Unit Owner fails, e.g. the Association receives an "undeliverable" or similar message, or the inability to deliver the transmission to the Unit Owner becomes known to the person responsible for sending the transmission. If the electronic mail or transmission is not delivered or effective, the Association will deliver the notice or other communication to the Unit Owner by either regular mail or hand delivered.

(10) MODIFY the 1st SENTENCE of BYLAWS ARTICLE V, SECTION 2. Said modification to the Bylaws, Exhibit C of the Declaration, as recorded at Cuyahoga County Records, Volume 13169, Page 315 et seq., is: (new language is underlined)

The Association shall build up and maintain a reasonable reserve for contingencies and replacements in an amount adequate to repair and replace major capital items in the normal course of operations without the necessity of special assessments, unless the Unit Owners, exercising not

less than a majority of the voting power of the Association, waive the reserve requirement in writing annually.

(11) **DELETE BYLAWS ARTICLE II, SECTION 10** entitled "**Fidelity Bonds**" in its entirety. Said deletion to the Bylaws, Exhibit C of the Declaration, as recorded at Cuyahoga County Records, Volume 13169, Page 315 et seq.

INSERT a NEW BYLAWS ARTICLE II, SECTION 10 entitled "**Fidelity Coverage.**" Said new addition to the Bylaws, Exhibit C of the Declaration, as recorded at Cuyahoga County Records, Volume 13169, Page 315 et seq., is:

Section 10. Fidelity Coverage. The Board may maintain blanket fidelity, crime, or dishonesty insurance coverage for any person who controls or disburses Association funds. As used in this section, "person who controls or disburses Association funds" means any individual with authority or access to sign checks, conduct electronic transfers, or otherwise withdraw funds from any Association account or deposit, including the following:

- A. A management company's principals and employees;
- B. A bookkeeper;
- C. The president, secretary, treasurer, any other board member, or employee of the Association.

All of the following apply to the insurance coverage required under this section:

(1) Coverage shall be for the maximum amount of funds that will be in the custody of the Association or its designated agent at any one time plus three months of operating expenses.

(2) The insurance shall be the property of and for the sole benefit of the Association and shall protect against theft, embezzlement, misappropriation, or any other unauthorized taking or loss of Association funds.

(3) The policy shall include in its definition of "employee" the manager and the managing agent of the Association's funds or provide for this inclusion by an endorsement to the policy.

(4) The policy shall name the Association as the insured party and shall include a provision requiring the issuer of the policy to provide a ten-day written notice to the Association's president or manager

in the event of cancellation or substantial modification of the policy. The manager or managing agent, if any, of the Association shall be the designated agent on the policy.

(5) If there is a change in the manager or the managing agent of the Association, then within ten days of the effective start date, the new manager or managing agent shall notify the insurer of such change.

Any conflict between the above provisions and any other provisions of the Declaration and Bylaws will be interpreted in favor of the above amendments. The invalidity of any part of the above provision will 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 the filing have standing to contest the validity of this amendment, whether on procedural, substantive, or any other grounds. Any challenge to the validity of this amendment must be brought in the court of common pleas within one year of the recording of this amendment.

The Bedford Dales Condominium Association has caused the execution of this instrument this 20th day of September, 2023.

BEDFORD DALES CONDOMINIUM ASSOCIATION

By: 
DANTEA RATTLIFF, President

By: 
JANET AGUIER, Secretary

STATE OF OHIO

COUNTY OF Cuyahoga)

SS

BEFORE ME, a Notary Public, in and for the County, personally appeared the above-named Bedford Dales Condominium Association, by its President and its Secretary, who acknowledged that they did sign the foregoing instrument, on page 9 of 10, and that the same is the free act and deed of the corporation and the free act and deed of them personally and as such officers.

I have set my hand and official seal this 20th day of September, 2023.

M. Oates
NOTARY PUBLIC

Place notary stamp/seal here:



MICHELLE OATES
Notary Public, State of Ohio
My Comm. Expires 10/27/2025

This instrument prepared by:
KAMAN & CUSIMANO, LLC
Attorneys at Law
50 Public Square, Suite 2000
Cleveland, Ohio 44113
(216) 696-0650
ohiocondolaw.com