

Instr: 200911050045413 11/05/2009
P: 1 of 4 F: \$48.00 3:11PM COND
Rick Campbell Stark County Recorder T20090035761

AMENDMENT TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
BOB-O-LINK CONDOMINIUM NORTH

PLEASE CROSS MARGINAL REFERENCE WITH THE DECLARATION OF CONDOMINIUM OWNERSHIP FOR BOB-O-LINK RECORDED AT VOLUME 3, PAGE 490 ET SEQ. OF THE STARK COUNTY RECORDS.

THIS WILL CERTIFY THAT COPIES OF THIS AMENDMENT TO THE DECLARATION OF CONDOMINIUM OWNERSHIP FOR BOB-O-LINK CONDOMINIUM NORTH HAVE BEEN FILED IN THE OFFICE OF THE COUNTY AUDITOR, STARK COUNTY, OHIO

DATE: NOVEMBER 5TH, 2009

STARK COUNTY AUDITOR

BY: 
DEPUTY AUDITOR JASON FROST

AMENDMENT TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP FOR
BOB-O-LINK CONDOMINIUM NORTH

WHEREAS, the Declaration of Condominium Ownership for Bob-O-Link Condominium North (the "Declaration") and the Bylaws of Bob-O-Link Condominium North Owners' Association (the "Bylaws"), Exhibit A to the Declaration, were recorded at Stark County Records Volume 3, Page 490 et seq., and

WHEREAS, Section 5311.05(E)(1)(a) of the Ohio Revised Code, as amended on July 20, 2004, authorizes the Board of Directors, without a vote of the Unit Owners, to amend the Declaration "to meet the requirements of institutional mortgages, 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," and

WHEREAS, the Board of Directors approved the following matter to be modified (the "Amendment") in order to bring the Declaration into compliance with Ohio Revised Code Chapter 5311 and the requirements of mortgages, the federal housing administration, and/or federal law, and

WHEREAS, the proceedings necessary to amend the Declaration as permitted by Chapter 5311 of the Ohio Revised Code and the Declaration of Condominium Ownership for Bob-O-Link Condominium North have in all respects been complied with.

NOW THEREFORE, the Declaration of Condominium Ownership for Bob-O-Link Condominium North is hereby amended by the Board of Directors as follows:

DELETE DECLARATION ARTICLE IV, SECTION 4.40, entitled "CHILDREN." Said deletion, to be taken from Page 12 of the Declaration, as recorded at Stark County Records, Volume 3, Page 490 et seq., is as follows: (deleted language is crossed-out)

~~4.40 CHILDREN. Unless the Board of Directors, in its absolute discretion, grants exemption in writing, no person under the age of 16 years shall be or become a resident of any Unit. In any case where such a minor child would otherwise be or become a resident of a~~



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~~Unit after the other resident(s) of the Unit has lived there for at least two months, such other resident(s) shall have a reasonable period of time, as determined by the Board in the exercise of its sole discretion under all of the facts and circumstances of the case but in no event ever to exceed 90 days' in which to secure a new residence and vacate the Unit.~~

Any conflict between this provision and any other provisions of the Declaration and Bylaws shall be interpreted in favor of this amendment to remove the restriction against children. 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 Bob-O-Link Condominium North Owners' Association has caused the execution of this instrument this 2 day of November, 2009.

BOB-O-LINK CONDOMINIUM NORTH OWNERS' ASSOCIATION

By: Paul Boyer
PAUL BOYER, its President



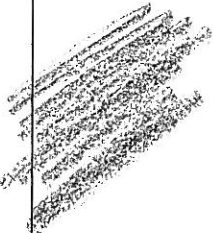
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STATE OF OHIO)
) SS
COUNTY OF STARK)

BEFORE ME, a Notary Public, in and for said County, personally appeared the above named Bob-O-Link Condominium North Owners' Association, by Paul Boyer, its President, who acknowledged that he did sign the foregoing instrument, on Page 3 of 4, and that the same is the free act and deed of said corporation and the free act and deed of him personally and as such officer.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal in Stark Co., Ohio, this 2 day of November, 2009.

Michelle Y. Stall
NOTARY PUBLIC lyp 1-29-11

Place notary stamp/seal here:


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

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100

Instr: 200806250028909 06/25/2008
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Rick Campbell 2:43PM COND
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AMENDMENTS TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
BOB-O-LINK CONDOMINIUM NORTH

PLEASE CROSS MARGINAL REFERENCE WITH THE DECLARATION OF
CONDOMINIUM OWNERSHIP FOR BOB-O-LINK CONDOMINIUM NORTH
RECORDED AT VOLUME 3, PAGE 490 ET SEQ. OF THE STARK COUNTY
RECORDS.

AMENDMENTS TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP FOR
BOB-O-LINK CONDOMINIUM NORTH

WHEREAS, the Declaration of Condominium Ownership for Bob-O-Link Condominium North (the "Declaration") and the Bylaws of Bob-O-Link Condominium North Owners' Association (the "Bylaws"), Exhibit A to the Declaration, were recorded at Stark County Records Volume 3, Page 490 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 Bob-O-Link Condominium North have in all respects been complied with.

NOW THEREFORE, the Declaration of Condominium Ownership for Bob-O-Link Condominium North 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 III, SECTION 3.30, entitled "SERVICE OF PROCESS," in its entirety. Said deletion is to be made on Page 10 of the Declaration, as recorded at Stark County Records, Volume 3, Page 490 et seq.

INSERT a new DECLARATION ARTICLE III, SECTION 3.30, entitled "SERVICE OF PROCESS." Said addition, to be made on Page 10 of the Declaration, as recorded at Stark County Records, Volume 3, Page 490 et seq., is as follows:



3.30 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 2nd PARAGRAPH to DECLARATION ARTICLE XVII, SECTION 17.10, entitled "RIGHTS OF ENFORCEMENT." Said new addition, to be added on Page 36 of the Declaration, as recorded at Stark County Records, Volume 3, Page 490 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 5th PARAGRAPH to the end of DECLARATION ARTICLE VI, SECTION 6.40, entitled "LIEN OF ASSOCIATION." Said new addition, to be added on Page 16 of the Declaration, as recorded at Stark County Records, Volume 3, Page 490 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 IV, SECTION 4.90, entitled "RENTAL OF UNITS." Said new addition, to be added on Page 13 of the Declaration, as recorded at Stark County Records, Volume 3, Page 490 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 VI, SECTION 6.00, entitled "GENERAL." Said new addition, to be added on Page 16 of the Declaration, as recorded at Stark County Records, Volume 3, Page 490 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 2nd PARAGRAPH to the end of BYLAWS ARTICLE II, SECTION 2.9(q). Said new addition, to be added on Page A-9 of the Bylaws, Exhibit A of the Declaration, as recorded at Stark County Records, Volume 3, Page 490 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 the handling of re-financing and/or resale documentation.

(10) INSERT a new DECLARATION ARTICLE IV, SECTION 4.100, entitled "OWNER/RESIDENT INFORMATION." Said new addition, to be added on Page 13 of the Declaration, as recorded at Stark County Records, Volume 3, Page 490 et seq., is as follows:

4.100 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.

(11) MODIFY the 4th PARAGRAPH of BYLAWS ARTICLE II, SECTION 2.1, entitled "Selection and Qualification," and INSERT a new SENTENCE thereafter. Said modification, to be made on Page A-5 of the Bylaws, Exhibit A of the Declaration, as recorded at Stark County Records, Volume 3, Page 490 et seq., is as follows: (deleted language is crossed out; new language is underlined)

All elected members of the Board shall be Unit owners or the spouse of a Unit owner. That notwithstanding, no one (1) Unit may be represented by more than one (1) Person on the Board at any one (1) time.

(12) INSERT a new 3rd SENTENCE to the end of BYLAWS ARTICLE II, SECTION 2.5(b), entitled "Regular Meetings." Said new addition, to be added on Page A-6 of the Bylaws, Exhibit A of the Declaration, as recorded at Stark County Records, Volume 3, Page 490 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.

(13) INSERT a new SENTENCE to the end of BYLAWS ARTICLE V, SECTION 5.2, entitled "Preparation of Estimated Budget." Said new addition, to be added on Page A-18 of the Bylaws, Exhibit A of the Declaration, as recorded at Stark County Records, Volume 3, Page 490 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.

(14) INSERT a new PARAGRAPH (x) to BYLAWS ARTICLE II, SECTION 2.9, entitled "Powers and Duties." Said new addition to be added on Page A-10 of the Bylaws, Exhibit A of the Declaration, as recorded at Stark County Records, Volume 3, Page 490 et seq., is as follows:

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

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

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

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

(15) 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 Bob-O-Link Condominium North Owners' Association has caused the execution of this instrument this 13TH day of JUNE, 2008.

BOB-O-LINK CONDOMINIUM NORTH OWNERS' ASSOCIATION


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Rick Campbell 2:43PM COND
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By: *Paul Daniel Boyer*
PAUL BOYER, its President
DANIEL

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STATE OF OHIO)
) SS
COUNTY OF STARK)

BEFORE ME, a Notary Public, in and for said County, personally appeared the above named Bob-O-Link Condominium North Owners' Association, by Paul Boyer, its President, who acknowledged that he did sign the foregoing instrument, on Page 6 of 7, and that the same is the free act and deed of said corporation and the free act and deed of him personally and as such officer.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal in CANTON, Ohio, this 13TH day of JUNE, 2008.

 Daniel C. Quinlan
Notary Public, State of Ohio
My Commission Expires
February 20, 2012
Recorded in Stark County


NOTARY PUBLIC

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