

OHIO SECRETARY OF STATE  
PROCESSING STATEMENT  
09/11/92

CHARTER NUMBER: 827285  
ROLL AND FRAME: H435-1171

**H0435-1171**

CORPORATION:

DOCUMENT NUMBER	CODE	FEE
92091010601	ARN	25.00
92091010601	MIS	10.00

GREENS OF PRESTWICK CONDOMINIUM ASSOCIATION,  
INC.

024780

RETURN TO: LAW OFFICES  
ATTN R H BATISTA  
4803 MUNSON ST NW  
CANTON OH 44718

0533

H0435-1172



# The State of Ohio

**Bob Taft**  
Secretary of State

927285

## Certificate

It is hereby certified that the Secretary of State of Ohio has custody of the Records of Incorporation and Miscellaneous

Filings; that said records show the filing and recording of: ARN MIS

of:

GREENS OF PRESTWICK CONDOMINIUM ASSOCIATION, INC.

Recorded on Roll H435 at Frame 1173 of  
the Records of Incorporation and Miscellaneous Filings.

United States of America  
State of Ohio  
Office of the Secretary of State

Witness my hand and the seal of the Secretary of State at  
Columbus, Ohio, this 30<sup>TH</sup> day of SEP,  
A.D. 19 76.

*Bob Taft*  
**Bob Taft**  
Secretary of State



H435-1173

ARTICLES OF INCORPORATION  
OF  
GREENS OF PRESTWICK  
CONDOMINIUM ASSOCIATION, INC.

9-10-92  
\$ 25  
0920910106001

The undersigned, desiring to form a corporation, not for profit, under Section 1702.01, et seq., of the Ohio Revised Code, does hereby certify:

- FIRST: The name of the corporation shall be GREENS OF PRESTWICK CONDOMINIUM ASSOCIATION, INC.
- SECOND: The place in Ohio where the principal office of the corporation is to be located is in the City of Green, Summit County, Ohio.
- THIRD: The purpose or purposes for which the corporation is formed is to establish and to function as the association and organization (known as the "Unit Owners Association") of all the owners of units in the condominium property, known as Greens of Prestwick Condominium located in the County of Summit and State of Ohio, in accordance with the Declaration of Condominium Ownership and By-laws for Villas at Greens of Prestwick Condominium recorded in the Records of the Summit County Recorder's Office, and in conformity therewith.
- FOURTH: The terms used in these Articles shall have the same definitions and meanings as those set forth in the Declaration of Greens of Prestwick Condominiums, which is filed in the Summit County Records, said definitions being incorporated herein by reference.
- FIFTH: The Association shall have all of the common law and statutory powers of a not for profit corporation under the laws of the State of Ohio, which are not in conflict with the provisions of these Articles, the Declaration, the By-laws or the Condominium Act, as such powers are necessary to operate the Condominium and perform its functions in accordance with the Declaration and By-laws.
- SIXTH: The Association shall have perpetual existence; provided, however, that the Association shall terminate automatically upon an election by the members of the Unit Owners Association to remove

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the Condominium Property from condominium status, in accordance with Section 5311.17 of the Ohio Revised Code. In the event that such an election is made, the Members, the Board of Trustees and/or the Officers of the Association shall take the necessary acts to effect the termination of the Association.

SEVENTH: Membership: The members of the Association shall consist of all of the record title owners of Residential Units in the Condominium from time to time.

Assignment: The share of a member in the funds and assets of the Association cannot be assigned, hypothecated or transferred in any manner except as an appurtenance to the unit for which that share is held.

Voting: On all matters upon which the membership shall be entitled to vote, each Unit Owner shall be entitled to cast a vote for each Unit owned, and such vote shall be weighted so that its percentage of the total vote shall be equal to the same proportion of the total vote that the Unit's interest in the Condominium Common Area bears to the total Condominium Common Area as set forth in the Declaration of Condominium Ownership for Greens of Prestwick Condominium, recorded in the Summit County Official Records, at Volume 1047, Page 218, which vote shall be exercised or cast in the manner provided by the Declaration and By-laws. Any person or entity owning more than one unit shall be entitled to one vote for each unit owned.

Meetings: The By-laws shall provide for an annual meeting of members, and may make provision for regular and special meetings of members other than the annual meeting.

EIGHTH: The persons having the authority to manage and conduct the affairs of the Association shall be known as the Board of Trustees as provided for in the By-laws. The following persons having their addresses set forth opposite their respective names shall be the initial trustees of the corporation, to serve until the first annual meeting or other meeting called to elect trustees:

<u>Name</u>	<u>Address</u>
William J. Lemmon	1201 South Main Street North Canton, Ohio 44720



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Robert J. DeHoff                      821 South Main Street  
North Canton, Ohio 44720

Roy H. Batista                        4808 Munson Street, N.W.  
Canton, Ohio 44718

NINTH:        These Articles may be amended by the affirmative vote of members holding no less than seventy-five percent (75%) of the members entitled to vote on the date said vote is taken and at least fifty-one percent (51%) of the first mortgages of the units (based on one vote for each mortgage), except that Article Seven may be amended only by the unanimous vote of members and mortgagees; provided, however, that said amendment is not in conflict with any provisions of the Declaration.

TENTH:        The members of the Board of Trustees shall not be liable to the Owners or to the Association or its Members for any mistake of judgment or for any acts or omissions made in good faith as such Trustees. The Owners and the Association and its Members shall indemnify and hold harmless each member of the Board of Trustees against all contractual liability to others arising out of contracts made by the Board of Trustees on behalf of the Association unless any such contract shall have been made in bad faith or contrary to the provisions of the Declaration applicable to the Units or the Condominium Property or contrary to the By-laws of this Association. The liability of any Owner or Member arising out of the aforesaid indemnity shall be limited to such proportion of the total liability as the Owner's percentage of interest in the Common Areas and Facilities relates to the total percentage of interest of all Owners in the Common Areas and Facilities.

ELEVENTH:    If there is any conflict between these Articles of Incorporation and the Declaration, then the Declaration shall prevail.

IN WITNESS WHEREOF, I have hereunto subscribed my name this  
2 day of July, 1992.

  
\_\_\_\_\_  
Roy H. Batista

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## ORIGINAL APPOINTMENT OF AGENT

The undersigned, being the sole incorporator of GREENS OF PRESTWICK CONDOMINIUM ASSOCIATION, INC., does hereby appoint Roger Sours, a natural person, resident in the State of Ohio, upon whom any process, notice or demand required or permitted by statute to be served upon the corporation may be served. His complete address is 3813 Bay Path, Akron, Ohio 44319 (Summit County).

July 22, 1992GREENS OF PRESTWICK  
CONDOMINIUM ASSOCIATION, INC.By: 

Roy H. Batista

Greens of Prestwick  
Condominium Association, Inc.

Gentlemen:

I hereby accept appointment as agent of your corporation, upon whom process, tax notices or demands may be served.

July 22, 1992  
\_\_\_\_\_  
Roger Sours

## LAW OFFICES

4808 Munson Street, N.W.  
Canton, Ohio 44718

James R. Gregg  
Roy H. Batista  
Timothy G. Andrews

(216) 499-0900  
Fax (216) 499-0950

September 8, 1992

Secretary of State  
State Office Tower  
30 East Broad Street  
Columbus, Ohio 43266-0418

H0435-1177

Attention: Corporate Division

Gentlemen:


Re: Greens of Prestwick Condominium Association, Inc.

Enclosed herewith please find the original Articles of Incorporation of the Greens of Prestwick Condominium Association, Inc. as well as the Original Appointment of Statutory Agent.

Also enclosed please find my check in the amount of \$35.00 representing a \$25.00 filing fee for a non-profit corporation as well as the \$10.00 expediting fee.

If you have any questions, please feel free to contact me.

Very truly yours,

  
Roy H. Batista  
Attorney at Law

RHB:amk

Enclosure

CORRESPONDENCE