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AMENDMENTS TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
CROSSINGS AT NORTHWEST CONDOMINIUM

PLEASE CROSS MARGINAL REFERENCE WITH THE DECLARATION OF CONDOMINIUM OWNERSHIP FOR CROSSINGS AT NORTHWEST CONDOMINIUM RECORDED AT INSTRUMENT NO. 54772422 OF THE SUMMIT COUNTY RECORDS.

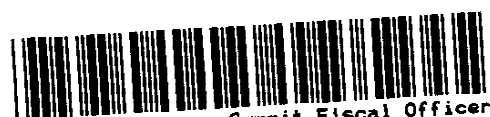
THIS WILL CERTIFY THAT A COPY OF THESE AMENDMENTS TO THE DECLARATION OF CONDOMINIUM OWNERSHIP FOR CROSSINGS AT NORTHWEST CONDOMINIUM WERE FILED IN THE OFFICE OF THE FISCAL OFFICER OF SUMMIT COUNTY, OHIO.

DATED: December 14, 2006

BY: JOHN A. DONOFRIO
FISCAL OFFICER

By O. Taylor, Deputy Auditor

55397481
Pg: 1 of 18
12/14/2006 11:12A
CONDO 160.00



John A Donofrio, Summit Fiscal Officer

**AMENDMENTS TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP FOR
CROSSINGS AT NORTHWEST CONDOMINIUM**

WHEREAS, the Declaration of Condominium Ownership for Crossings at Northwest Condominium (the "Declaration") were recorded at Summit County Records Instrument No. 54772422, 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 Crossings at Northwest Condominium have in all respects been complied with, and

WHEREAS, Section 5311.06 and Section 5311.08 of the Ohio Revised Code requires a declaration of condominium property and a true copy of the bylaws to be filed and recorded with the County Recorder, and

WHEREAS, to bring the Declaration in compliance with Chapter 5311, a true copy of the Bylaws of Crossings at Northwest Unit Owners Association, Inc. (the "Bylaws") is attached hereto.

NOW THEREFORE, the Declaration of Condominium Ownership for Crossings at Northwest 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) INSERT a new DECLARATION ARTICLE XV, SECTION 5(l). Said new addition, to be added on Page 27 of the Declaration, as recorded at Summit County Records, Instrument No. 54772422, is as follows:



55397481
Pg: 2 of 18
12/14/2005 11:12A
CONDO 160.00

(l) 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.

(5) INSERT a new 2nd PARAGRAPH to the end of DECLARATION ARTICLE XV, SECTION 5(m). Said new addition, to be added on Page 27 of the Declaration, as recorded at Summit County Records, Instrument No. 54772422, is as follows:

(m) 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.

(6) 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 Summit County Records, Instrument No. 54772422, 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.

(7) INSERT a new 2nd PARAGRAPH to the end of DECLARATION ARTICLE XV, SECTION 5(a). Said new addition, to be added on Page 26 of the Declaration, as recorded at Summit County Records, Instrument No. 54772422, 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.

(8) INSERT a new DECLARATION ARTICLE XV, SECTION 5(n). Said new addition, to be added on Page 27 of the Declaration, as recorded at Summit County Records, Instrument No. 54772422, is as follows:

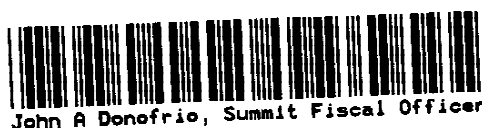
(n) In accordance with Ohio Revised Code Section 5311.081(B)(18), when a Unit owner is delinquent in the payment of Assessments for more than thirty (30) days, the Board may, by a majority vote, suspend the right of the Unit owners' and/or occupants' use of the recreational facilities.

(9) INSERT a new 2nd PARAGRAPH to the end of DECLARATION ARTICLE XV, SECTION 5(c). Said new addition, to be added on Page 26 of the Declaration, as recorded at Summit County Records, Instrument No. 54772422, 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.

(10) INSERT a new DECLARATION ARTICLE III, SECTION 2(q), entitled "Owner/Resident Information." Said new addition, to be added on Page 8 of the Declaration, as recorded at Summit County Records, Instrument No. 54772422, is as follows:

(q) 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.



55397481
Pg: 4 of 18
12/14/2006 11:12A
CONDO 160.00

(11) DELETE DECLARATION ARTICLE VII, SECTION 4, entitled "Board of Trustees." Said deletion, to be taken from Pages 11-12 of the Declaration, as recorded at Summit County Records, Instrument No. 54772422.

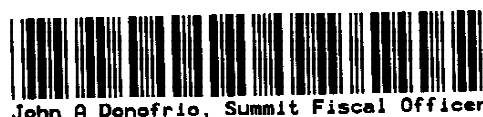
INSERT a new DECLARATION ARTICLE VII, Section 4, entitled "Board of Directors." Said addition, to be made on Pages 11-12 of the Declaration, as recorded at Summit county Records, Instrument No. 54772422, is as follows:

Section 4. Board of Directors. The Board of Directors shall consist of six (6) members, each of whom must be a Unit owner 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. The terms of the six (6) Directors shall be staggered so that the terms of one-third (two) of the Directors will expire and successors will be elected at each annual meeting of the Association. Thereafter, at such annual meetings, successors to the two (2) Directors whose terms then expire shall be elected to serve three-year terms. Notwithstanding the foregoing, the Unit owners, by the vote of Unit owners exercising not less than a majority of the voting power of Unit owners, may, from time to time, change the number and terms of Directors, provided, that in any such event the terms of not less than one-third of the Directors expire annually.

DELETE BYLAWS ARTICLE IV, SECTION 2, entitled "Successor Trustees." Said deletion, to be taken from Page 3 of the Bylaws, attached to and made a part of the Declaration.

INSERT a new BYLAWS ARTICLE IV, Section 2, entitled "Directors." Said addition, to be made on Page 3 of the Bylaws, attached to and a made a part of the Declaration is as follows:

Section 2. Directors. The Board of Directors shall consist of six (6) members, each of whom must be a Unit owner 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. The terms of the six (6) Directors shall be staggered so that the terms of one-third (two) of the Directors will expire and successors will be elected at each annual meeting of the Association. Thereafter, at such annual meetings, successors to the two (2) Directors whose terms then expire shall be elected to serve three-year terms. Notwithstanding the foregoing, the Unit owners, by the vote of Unit owners exercising not less than a majority of the voting power of Unit owners, may, from time to time, change the number and terms of Directors, provided, that in any such event the terms of not less than one-third of the Directors expire annually.



55397481
Pg: 5 of 18
12/14/2006 11:12A
CONDO 160.00

(12) INSERT a new 2nd SENTENCE to the end of BYLAWS ARTICLE IV, SECTION 7, entitled "Regular Meetings." Said new addition, to be added on Page 4 of the Bylaws, attached to and made a part of the Declaration, 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 PARAGRAPH (n) to BYLAWS ARTICLE IV, SECTION 12, entitled "Powers," and INSERT new SUBPARAGRAPHS (1), (2), (3), (4) and (5), thereafter. Said new additions to be added on Page 5 of the Bylaws, attached to and made a part of the Declaration, is as follows:

(n) 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;

(14) 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



55397481
Pg: 6 of 18
12/14/2006 11:12A
CONDO 160.00

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