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 Instr: 201001210002286 01/21/2010
 P: 1 of 9 F: \$88.00
 Rick Campbell 9:19AM COND
 Stark County Recorder T20100001908

AMENDMENT TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
CAMBRIDGE ON THE CREEK CONDOMINIUMS

PLEASE CROSS MARGINAL REFERENCE WITH THE DECLARATION OF CONDOMINIUM OWNERSHIP FOR CAMBRIDGE ON THE CREEK CONDOMINIUMS RECORDED AT INSTRUMENT NO. 97069132, OF THE STARK COUNTY RECORDS.

THIS WILL CERTIFY THAT COPIES OF THIS AMENDMENT TO THE DECLARATION OF CONDOMINIUM OWNERSHIP FOR CAMBRIDGE ON THE CREEK CONDOMINIUMS HAVE BEEN FILED IN THE OFFICE OF THE COUNTY AUDITOR, STARK COUNTY, OHIO

DATE: January 21, 2010

STARK COUNTY AUDITOR

BY: 
 DEPUTY AUDITOR Jason J. Frost



Instr: 201001210002286 01/21/2010
P: 2 of 9 F: \$88.00
Rick Campbell 9:19AM COND
Stark County Recorder T20100001908

AMENDMENT TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP FOR
CAMBRIDGE ON THE CREEK CONDOMINIUMS

WHEREAS, the Declaration of Condominium Ownership for Cambridge on the Creek Condominiums (the "Declaration") and the Bylaws of Cambridge on the Creek Condominium Association (the "Bylaws"), Exhibit A to the Declaration, were recorded at Stark County Records Instrument No. 97069132, and

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

WHEREAS, Article XVI of said Declaration authorizes amendments to the Declaration and Bylaws Article VII, Section 3 authorizes amendments to the Bylaws, and

WHEREAS, a meeting of the Association's Unit Owners was held on or about October 26, 2009, and, at such meeting and any adjournment thereof, Unit Owners representing at least 75% of the voting power of the Association executed, in person or by proxy, an instrument 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 Amendments A and C signed by Unit Owners representing 78.57% of the Association's voting power, together with the minutes from said meeting and any adjournment thereof, and

WHEREAS, the Association has in its records the power of attorney signed by Unit Owners representing 78.57% of the Association's voting power authorizing the Association's officers to execute Amendments A and C on their behalf, and

WHEREAS, the Association has in its records the signed, written consents to Amendment B signed by Unit Owners representing 76.19% of the Association's voting power, together with the minutes from said meeting and any adjournment thereof, and

WHEREAS, the Association has in its records the power of attorney signed by Unit Owners representing 76.19% of the Association's voting power authorizing the Association's officers to execute Amendment B on their behalf, and



Instr: 201001210002285 01/21/2010
P: 3 of 9 F: \$88.00
Rick Campbell 9:19AM COND
Stark County Recorder T20100001908

WHEREAS, attached hereto as Exhibit A is an Affidavit of the Association's President and Secretary that copies of the Amendments will be mailed by certified mail to all mortgagees and all Unit Owners on the records of the Association once the Amendment is recorded with the Stark County Recorder's Office and that Unit Owners representing at least 75% of the Association's voting power affirmatively approved the Amendments, in writing, and

WHEREAS, attached hereto as Exhibit B is a certification from the Association's Secretary as to the consenting mortgagees, on the records of the Association, to the Amendments, and

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 Cambridge on the Creek Condominium is hereby amended by the following:

AMENDMENT A

INSERT a new DECLARATION ARTICLE X, SECTION 9 entitled, "Cost of Collection." Said new addition, to be added on Page 19 of the Declaration, as recorded at Stark County Records, Instrument No. 97069132, is as follows:

9. Cost of Collection:

A Unit Owner, who fails to pay any assessments within ten (10) days after same have become due and payable, shall be liable for any late charges as established by the Board and any and all costs and expenses incurred by the Association in connection with the collection of said Unit Owner's account, including reasonable attorneys' fees, recording costs, title reports, and/or court costs.

INSERT a new DECLARATION ARTICLE XIX, SECTION 5 entitled, "Cost of Enforcement." Said new addition, to be added on Page 33 of the Declaration, as recorded at Stark County Records, Instrument No. 97069132, is as follows:

5. Cost of Enforcement:

If any Unit Owner (either by his or her conduct or by the conduct of any occupant or guest of his or her Unit) shall violate any provision of the

Declaration, Bylaws, or Rules adopted by the Board, said Unit Owner shall pay to the Association, in addition to any other sums due, any enforcement assessments for violation of said provision or rule levied by the Board, and all costs and expenses incurred by the Association in connection with the enforcement of said provision or rule, including reasonable attorneys' fees and/or court costs. Said enforcement assessments, costs, and expenses shall be charged as a special assessment against said Unit Owner. The Association, in addition to all other remedies available, shall have the right to place a lien upon the estate or interest of said Unit Owner as further explained and set forth in Declaration Article X, Section 4, as amended.

Any conflict between these provisions and any other provisions of the Declaration and Bylaws shall be interpreted in favor of this amendment regarding the cost of collection and cost of enforcement. 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.

AMENDMENT B

INSERT a new DECLARATION ARTICLE XI, Section 14 entitled, "Occupancy Restriction." Said new addition, to be added on Page 22 of the Declaration, as recorded at Stark County Records, Instrument No. 97069132, is as follows:

14. **Occupancy Restriction:**

A person who is classified a Tier III or Tier II sexual offender/child-victim offender, or any future equivalent classification, and for whom the County Sheriff or other government entity must provide community notification of the sex offender's residence is prohibited from residing in or occupying a Unit or remaining in or on the Condominium Property for any length of time. The classification of a sexual offender/child-victim offender and determination of whether notice is required is made by a court of law pursuant to the Ohio Sex Offenders Act, as may be amended and/or renamed from time to time, or similar statute from another jurisdiction. The Association shall not, however, be liable to any Unit Owner or Occupant, or anyone visiting any Unit Owner or the Association, as a



Instr: 201001210002286 01/21/2010
P: 5 of 9 F: \$88.00
Rick Campbell 9:19AM COND
Stark County Recorder T20100001908

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.

AMENDMENT C

DELETE BYLAWS ARTICLE I, SECTION 5, PARAGRAPH A entitled, "Annual Meeting," in its entirety. Said deletion to be taken from Pages 1-2 of the Bylaws, Exhibit A of the Declaration, as recorded at Stark County Records, Instrument No. 97069132

INSERT a new BYLAWS ARTICLE I, SECTION 5, PARAGRAPH A entitled, "Annual Meeting." Said new addition, to be added on Page 1 of the Bylaws, Exhibit A of the Declaration, as recorded at Stark County Records, Instrument No. 97069132, is as follows:

A. Annual Meeting:

The annual meeting of the Association for the election of Board members, the consideration of reports to be laid before such meeting, and the transaction of such other business as may properly be brought before such meeting shall be held at such time and at such place as may be designated by the Board and specified in the notice of such meeting. The annual election meeting shall be held in the fourth quarter of each calendar year.

Any conflict between this provision and any other provision of the Declaration and Bylaws shall be interpreted in favor of this amendment changing the time for holding the annual meeting. 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



Instr: 201001210002286
P: 6 of 9 F: \$88.00 01/21/2010
Rick Campbell 9:19AM COND
Stark County Recorder T20100001908

any such challenge shall be brought in the court of common pleas within one year of the recording of the amendment.

IN WITNESS WHEREOF, the said Cambridge on the Creek Condominium Association has caused the execution of this instrument this 11th day of January, 2010.

CAMBRIDGE ON THE CREEK CONDOMINIUM ASSOCIATION

By: Tom Vignos, its President
TOM VIGNOS, its President

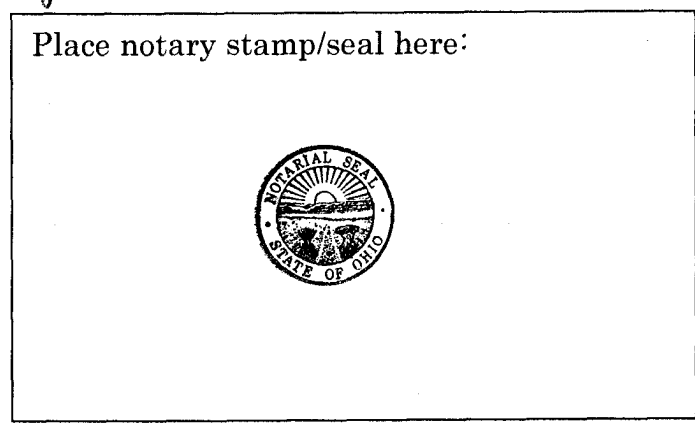
By: Stuart Ferbrache, its Secretary
STUART FERBRACHE, its Secretary

STATE OF OHIO)
)
COUNTY OF Stark) SS

BEFORE ME, a Notary Public, in and for said County, personally appeared the above named Cambridge on the Creek Condominium Association, by its President and its Secretary, who acknowledged that they did sign the foregoing instrument, on Page 6 of 9, 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 N. Canton, Ohio, this 11th day of January, 2010.

Kimberly S. Gregory Kimberly S. Gregory
NOTARY PUBLIC
Exp. Feb. 28, 2011



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

Instr: 201001210002286
P: 8 of 9 F: \$88.00 01/21/2010
Rick Campbell 9:19AM COND
Stark County Recorder T20100001908

EXHIBIT A - AFFIDAVIT

STATE OF OHIO)
)
COUNTY OF Stark) SS

TOM VIGNOS and STUART FERBRACHE, being first duly sworn, state as follows:

1. They are the duly elected and acting President and Secretary of the Cambridge on the Creek Condominium Association.
2. They caused copies of the Amendments to the Declaration to be mailed by certified mail to all mortgagees and all Unit Owners having bona fide liens of record against any Unit Ownerships of whose mortgage interests notice had been given to the Association.
3. The Association received the signed, written consents of Unit Owners representing 78.57% and 76.19% of the Association's voting power in favor of the Amendments to the Declaration in accordance with the provisions of Declaration Article XVI and caused such signed, written consents to be filed with the corporate records for Cambridge on the Creek Condominium Association.
4. Further affiants sayeth naught.

Tom Vignos, President
TOM VIGNOS, President


Stuart Ferbrache, Secretary
STUART FERBRACHE, Secretary

BEFORE ME, a Notary Public, in and for said County, personally appeared the above named TOM VIGNOS and STUART FERBRACHE who acknowledges that they did sign the foregoing instrument and that the same is their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal in N Canton, Ohio, this 11th day of January, 2010.

Kimberly S. Gregory Kimberly S. Gregory
NOTARY PUBLIC
Exp. 28, 2011

Place notary stamp/seal here:





Instr: 201001210002285
P: 9 of 9 F: \$88.00 01/21/2010
Rick Campbell 9:19AM COND
Stark County Recorder T20100001908

EXHIBIT B

CERTIFICATION OF SECRETARY

The undersigned, being the duly elected and qualified Secretary of the Cambridge on the Creek Condominium Association, hereby certifies that there is on file in the Association's records, the names of the following mortgagees, if any, who have consented to the proposed Amendments to the Declaration.

NONE

Stuart Ferbrache Secretary
STUART FERBRACHE, Secretary

STATE OF OHIO)
))
COUNTY OF Stark) SS

BEFORE ME, a Notary Public in and for said County, personally appeared the above named **STUART FERBRACHE** who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal in N. Canton, Ohio, this 11th day of January, 2010.

Kimberly S. Gregory Kimberly S. Gregory
NOTARY PUBLIC
Exp. Feb 28, 2011

Place notary stamp/seal here:

TENTH AMENDMENT TO
DECLARATION CREATING AND ESTABLISHING
A PLAN FOR CONDOMINIUM OWNERSHIP
UNDER CHAPTER 5311 OF THE REVISED CODE OF OHIO

FOR

**CAMBRIDGE ON THE CREEK
CONDOMINIUMS**

CERTIFICATE OF AUDITOR

Date: August 24th, 2005

Receipt is hereby acknowledged of a copy of the Tenth Amendment to the Declaration,
By-Laws and drawings of the Cambridge on the Creek Condominiums.

STARK COUNTY AUDITOR

By: 
, deputy

This instrument was prepared by:
Loren E. Souers, Jr.
Attorney at Law
220 Market Avenue, South, Suite 600
Canton, Ohio 44702
(330) 455-0345
Fax: (330) 454-7300

TENTH AMENDMENT TO THE
ORIGINAL DECLARATION OF CONDOMINIUM OWNERSHIP,
BY-LAWS, AND DRAWINGS
FOR
CAMBRIDGE ON THE CREEK CONDOMINIUMS

THIS TENTH AMENDMENT to the Original Declaration of Condominium Ownership, By-Laws, and Drawings for Cambridge on the Creek Condominiums is made this 17th day of August, 2005, by the Cambridge on the Creek Condominium Association, (hereafter referred to as "the Association"), pursuant to the provisions of Chapter 5311 of the Ohio Revised Code and pursuant to the terms of the Condominium Instrument.

WITNESSETH that:

WHEREAS, on December 11, 1997, R R Stark Co., an Ohio corporation (hereafter referred to as "Declarant"), submitted certain premises in the City of North Canton, Stark County, Ohio, to the provisions of Chapter 5311 of the Ohio Revised Code for condominium ownership by filing with the Stark County Recorder and Auditor the following documents: "Declaration of Condominium Ownership for Cambridge on the Creek Condominiums (hereinafter called "Declaration"); Exhibit A to the Declaration (being an instrument entitled "Bylaws"); and Drawings of the Buildings located on the premises which were certified by Douglas Weatherby, Registered Architect and Louis Charles Duplain, Registered Surveyor, and attached to the Declaration as Exhibits B1, et sec.) hereinafter called "Drawings") and

WHEREAS, the Declaration, Bylaws and Drawings were filed for record on December 11, 1997, with the County Recorder of Stark County as Imaging No. 97069132, of the Stark County Records: and

WHEREAS, the Declaration has been amended in accordance with Article XV of the Declaration which Amendments have been filed with the Stark County Recorder as follows:

| Amendment | Date | Imaging No. | Plat Book Vol. | Plat Page |
|-----------|--------------|-------------|----------------|--------------|
| First | May 18, 1998 | 98032135 | 4 | 126, et seq. |
| Second | Aug 13, 1998 | 98056342 | 4 | 145, et seq. |
| Third | Feb 10, 1999 | 99009553 | 5 | 10, et seq. |
| Fourth | Apr 20, 1999 | 99029782 | 5 | 19, et seq. |
| Fifth | Aug 3, 1999 | 99059702 | 5 | 56, et seq. |
| Sixth | Dec 6, 1999 | 1999089291 | 5 | 107, et seq. |
| Seventh | Apr 4, 2000 | 2000018841 | 5 | 124, et seq. |
| Eighth | Sept 6, 2000 | 2000052993 | 6 | 30, et seq. |
| Ninth | Jan 18, 2001 | 2001003294 | | |

WHEREAS, pursuant to Article XVI of the Declaration, the Declaration may be amended by the consent of Unit Owners exercising not less than seventy-five percent (%75) of the voting power of Unit Owners; and

And WHEREAS, pursuant to Article XVI of the Declaration, more than seventy-five percent (75%) of the Unit Owners having voting power have authorized the within amendment to the Declaration; and pursuant to said Article the Association is authorized to execute and record this amendment; and

And WHEREAS, pursuant to Article XVI, the undersigned officers have given written notice to all Unit Owners and all first mortgagees having bona fide liens of record against any Unit.

NOW THEREFORE, the Association, being duly authorized under Chapter 5311 of the Revised Code of the State of Ohio, and under the terms of the Condominium Instruments, hereby amends the Declaration of Condominium Ownership for Cambridge on the Creek Condominiums in the following respects:

- (1) Article X, paragraph 1 is hereby deleted and the following provision is hereby adopted and substituted therefore:

ARTICLE X: COMMON EXPENSES AND ASSESSMENTS

“1. Common Profits and Common Expenses:

The Common Profits of the Condominium Property shall be distributed among and the Common Expenses shall be assessed against the Unit Owners by the Association equally by dividing the total profits or total expenses by the number of units. Each Unit Owner shall pay his proportionate share of assessments for Common Expenses and any special assessments levied against him, and no Unit Owner shall exempt himself from liability for such assessments by waiver of the use or enjoyment of any of the Common Areas and Facilities or by the abandonment of his Unit. In addition, a Working Capital Fund shall be established consisting of a one-time charge of twice the amount of the monthly Unit assessment paid by each initial owner of a Unit at the time such owner takes title to the Unit.”

- (2) Article XI, paragraph 12 is hereby deleted and the following provision is hereby adopted and substituted therefore:

ARTICLE XI: RESTRICTIONS AS TO USE AND OCCUPANCY OF CONDOMINIUM PROPERTY

“12. Rental of Units:

Units shall not be rented or leased by the Owner(s) thereof to other persons, nor shall the

Units be occupied by persons other than the Owner(s), except that the Owner(s) may permit their adult parents, grandparents, children or grandchildren, to occupy the Owner(s)' Unit, together with the members of such person's immediate family. In the event the Owner(s) permit a family member or members to occupy a Unit pursuant to the above language, the Unit Owner(s) shall submit, in writing, at least twenty-one (21) days prior to the commencement of the proposed occupancy, a statement containing the name(s) and current address of the proposed family occupants, the terms of the occupancy, and any other information reasonably requested by the Board. The Board shall have ten (10) days following the receipt of such statement to notify the proposing Unit Owner in writing, of its approval or disapproval of such occupancy. Failure of the Board to act upon a proposed family occupancy within the above mentioned ten (10) day period by posting a written response to the proposing Unit Owner shall constitute approval of the Board. Once issued, Board approval shall be irrevocable, unless said proposed occupancy constitutes a violation of the terms and conditions set forth in the Condominium Instruments. Board approval of such a family occupancy shall not be unreasonably withheld."

Except as set forth herein, the original Declaration, the By-Laws attached thereto, the original Drawings and other Exhibits to the Declaration, and all amendments thereto and the Exhibits attached thereto, as each of the foregoing have been and are hereby amended and supplemented shall remain in full force and effect and all reference thereto in the Declaration shall include amendments thereto.

The undersigned officers of the Cambridge on the Creek Condominium Association certify that the within Amendment was duly adopted in accordance with Article XVI of the declaration of Cambridge on the Creek Condominiums, that the Association maintains records of the adoption of the Amendment by the requisite number of Unit Owners, and that the Amendment is effective upon filing in the Office of the Recorder of Stark County, Ohio.

IN WITNESS WHEREOF, the undersigned have executed this instrument this 17th day of August, 2005.

Signed and acknowledged
in the presence of:

**CAMBRIDGE ON THE CREEK
CONDOMINIUM ASSOCIATION**

By: Thomas G. Vignes - President
Thomas G. Vignes, President

By: Michael A. Cole, Secretary
Michael A. Cole, Secretary

STATE OF OHIO)
)SS:
STARK COUNTY)

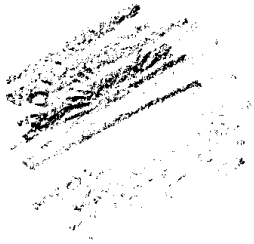
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P: 5 of 5 F: \$52.00 10:14AM COND
Rick Campbell Stark County Recorder T20050039965

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named Cambridge on the Creek Condominium Association, by Thomas G. Vignos, its President and Michael A. Cole, its Secretary, who acknowledged that they did sign the forgoing instrument and that the same is the free act and deed of said corporation, and their free act and deed, personally and as such officer.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Canton, Ohio, this 17th day of August, 2005.

Fatima Sue Seivert
Notary Public

FATIMA SUE SEIVERT
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES 1-24-2008



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Instr: 200912010048763
P: 1 of 9 F: \$88.00 12/01/2009
Rick Campbell 9:21AM COND
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AMENDMENTS TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
CAMBRIDGE ON THE CREEK CONDOMINIUM

PLEASE CROSS MARGINAL REFERENCE WITH THE DECLARATION OF CONDOMINIUM OWNERSHIP FOR CAMBRIDGE ON THE CREEK CONDOMINIUM RECORDED AT INSTRUMENT NO. 97069132 OF THE STARK COUNTY RECORDS.

THIS WILL CERTIFY THAT COPIES OF THESE AMENDMENTS TO THE DECLARATION OF CONDOMINIUM OWNERSHIP FOR CAMBRIDGE ON THE CREEK CONDOMINIUM HAVE BEEN FILED IN THE OFFICE OF THE COUNTY AUDITOR, STARK COUNTY, OHIO

DATE: NOVEMBER 30, 2009

STARK COUNTY AUDITOR

BY: 
DEPUTY AUDITOR James Frost

**AMENDMENTS TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP FOR
CAMBRIDGE ON THE CREEK CONDOMINIUM**

WHEREAS, the Declaration of Condominium Ownership for Cambridge on the Creek Condominium (the "Declaration") and the Bylaws of Cambridge on the Creek Condominium Association (the "Bylaws"), Exhibit A to the Declaration, were recorded at Stark County Records Instrument No. 97069132, 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 Cambridge on the Creek Condominium have in all respects been complied with.

NOW THEREFORE, the Declaration of Condominium Ownership for Cambridge on the Creek 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 VIII, entitled "AGENT FOR SERVICE OF PROCESS," in its entirety. Said deletion is to be made on Pages 8-9 of the Declaration, as recorded at Stark County Records, Instrument No. 97069132.



Instr: 200912010048763
P: 3 of 9 F: \$88.00 12/01/2009
Rick Campbell 9:21AM COND
Stark County Recorder T20090038406

INSERT a new DECLARATION ARTICLE VIII, entitled "AGENT FOR SERVICE OF PROCESS." Said addition, to be made on Pages 8-9 of the Declaration, as recorded at Stark County Records, Instrument No. 97069132, is as follows:

ARTICLE VIII: AGENT FOR 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 DECLARATION ARTICLE XIX, SECTION 3, entitled "Enforcement Assessments." Said new addition, to be added on Page 33 of the Declaration, as recorded at Stark County Records, Instrument No. 97069132, is as follows:

3. 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 X, SECTION 4, entitled "Lien for Assessment." Said new addition, to be added on Page 18 of the Declaration, as recorded at Stark County Records, Instrument No. 97069132, 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.



Instr: 200912010048763 12/01/2009
P: 4 of 9 F: \$88.00
Rick Campbell 9:21AM COND
Stark County Recorder T20090038406

(7) INSERT a new 2nd PARAGRAPH to the end of DECLARATION ARTICLE XI, SECTION 12, entitled "Rental of Units." Said new addition, to be added on Page 22 of the Declaration, as recorded at Stark County Records, Instrument No. 97069132, and as amended at Stark County Records, Instrument No. 200508240056463, 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 X, SECTION 3, entitled "Payments." Said new addition, to be added on Page 17 of the Declaration, as recorded at Stark County Records, Instrument No. 97069132, 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 DECLARATION ARTICLE XIX, SECTION 4, entitled "Suspended Rights." Said new addition, to be added on Page 33 of the Declaration, as recorded at Stark County Records, Instrument No. 97069132, is as follows:

4. 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.

(10) INSERT a new 2nd PARAGRAPH to the end of DECLARATION ARTICLE X, SECTION 7, entitled "Liability for Assessments upon Voluntary Conveyance." Said new addition, to be added on Page 18 of the Declaration, as recorded at Stark County Records, Instrument No. 97069132, 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 DECLARATION ARTICLE XI, SECTION 13, entitled "Owner/Resident Information." Said new addition, to be added on Page 22 of the Declaration, as recorded at Stark County Records, Instrument No. 97069132, is as follows:

13. 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 BYLAWS ARTICLE II, SECTION 1, entitled "Number and Qualification." Said modification, to be made on Page 3 of the Bylaws, Exhibit A of the Declaration, as recorded at Stark County Records, Instrument No. 97069132, is as follows: (deleted language is crossed out; new language is underlined)

1. Number and Qualification:

The affairs of this Association shall be managed by a Board of not less than three (3) directors ~~managers~~, each of which ~~at least two (2)~~ must be members of the Association a Unit Owner or the spouse of a Unit Owner.

(13) INSERT a new 2nd SENTENCE to the end of BYLAWS ARTICLE II, SECTION 6, entitled "Regular Meeting." Said new addition, to be added on Page 4 of the Bylaws, Exhibit A of the Declaration, as recorded at Stark County Records, Instrument No. 97069132, 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 VI, SECTION 1, entitled "Preparation of Estimated Budget." Said new addition, to be added on Page 12 of the Bylaws, Exhibit A of the Declaration, as recorded at Stark County Records, Instrument No. 97069132, 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 (vi) to BYLAWS ARTICLE II, SECTION 9, PARAGRAPH A, entitled "Powers." Said new addition to be added on Page 5 of the Bylaws, Exhibit A of the Declaration, as recorded at Stark County Records, Instrument No. 97069132, is as follows:

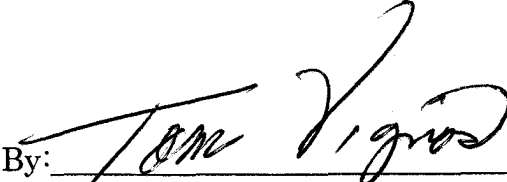
- (vi) In accordance with Ohio Revised Code Section 5311.081(B), in addition to all other powers enumerated herein, the Board may exercise all powers of the Association, including the power to do the following:
 - (a) Hire and fire attorneys, accountants, and other independent contractors and employees that the Board determines are necessary or desirable in the management and/or operation of the Condominium Property and the Association;
 - (b) 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;
 - (c) Enter into contracts and incur liabilities relating to the operation of the Condominium Property;
 - (d) Grant easements, leases, licenses, and concessions through or over the Common Elements;
 - (e) Impose and collect fees or other charges for the use, rental, or operation of the Common Elements or for services provided to Unit Owners;
 - (f) Invest excess funds in investments that meet standards for fiduciary investments under Ohio law.

Instr: 200912010048763 12/01/2009
P: 8 of 9 F: \$88.00
Rick Campbell 9:21AM COND
Stark County Recorder T20090038406

(16) 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 Cambridge on the Creek Condominium Association has caused the execution of this instrument this 5TH day of NOVEMBER, 2009.

CAMBRIDGE ON THE CREEK CONDOMINIUM ASSOCIATION

By: 
TOM VIGNOS, its President



Instr: 200912010048763
P: 9 of 9 F: \$88.00 12/01/2009
Rick Campbell 9:21AM COND
Stark County Recorder T20090038406


STATE OF OHIO)
)
COUNTY OF STARK) SS

BEFORE ME, a Notary Public, in and for said County, personally appeared the above named Cambridge on the Creek Condominium Association, by Tom Vignos, its President, who acknowledged that he did sign the foregoing instrument, on Page 8 of 9, 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 N. Canton, Ohio, this 5th day of November, 2009.

Kimberly S. Gregory Exp. Feb 28, 2011
NOTARY PUBLIC Kimberly S. Gregory

Place notary stamp/seal here:



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