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**AMENDMENT TO THE DECLARATION AND BYLAWS
OF THE BARRINGTONS AT WEDGEWOOD VILLA CONDOMINIUM COMMUNITY**

Auditor's Certificate

This is to certify that a copy of this Amendment to the Declaration of The Barringtons at Wedgewood Villa Condominium Community has been filed with the Auditor of Delaware County, Ohio, this 10 day of September, 2013.

AUDITOR OF DELAWARE COUNTY, OHIO

George Kaitsa by TCH
By:

This Instrument prepared by Robin L. Strohm, Esq., Williams & Strohm, LLC, Attorneys at Law, 2 Miranova Place, Suite 380, Columbus, Ohio 43215-7047.

**AMENDMENT TO THE DECLARATION AND BYLAWS
OF THE BARRINGTONS AT WEDGEWOOD VILLA CONDOMINIUM COMMUNITY**

This Amendment to the Declaration of The Barringtons at Wedgewood Villa Condominium Community is made this 28th day of August, 2013.

RECITALS

A. The Barringtons at Wedgewood Villa Condominium Community is a condominium created under Ohio's condominium law pursuant to the filing of a declaration of condominium recorded on November 24, 1997, in O.R. 0633, Page 259, of Delaware County, Ohio; and as further amended in O.R. 0653, Page 236, O.R. 0668, Page 630, O.R. 0007, Page 2199, O.R. 0007, Page 2210, O.R. 0203, Page 1616, O.R. 0280, Page 213, O.R. 0453, Page 0844, Instrument Number 200400039637, Instrument Number 200400044405, Instrument Number 200500009220, Instrument Number 200500025485, Instrument Number 200700004602, Instrument Number 200900018770, Delaware County Records.

B. Pursuant to the provisions of Ohio Revised Code Chapter 5311.05 (E)(1)(c), the undersigned officers of the condominium hereby certify that the following amendment has been promulgated according to the terms of Ohio Revised Code Chapter 5311.05 (E)(1)(c), that a duly called and noticed meeting of the Board of Directors of the Association was held where a quorum of Directors was present, and that at least of majority of the Directors present voted in favor of the following amendment.

C. The purpose of the following amendment is to bring the Declaration of Condominium of November 24, 1997, and all amendments thereto into compliance with the legislation amending Ohio's condominium law, Ohio Revised Code Chapter 5311, which became effective on July 20, 2004.

NOW THEREFORE, the Declaration and Bylaws of The Barringtons at Wedgewood Villa Condominium Community of November 24, 1997, and all amendments thereto, is amended to read as follows:

D. Definitions, paragraph 19., of the Declaration, shall be amended in its entirety to read as follows:

“ “Director” and “Directors” mean that person or those persons serving, at the time pertinent, as a Director or Directors of the Association, and mean that same person or those persons serving in a capacity of a member of the board of managers of the Association as defined in the Condominium Act.”

E. The terms “Director” and “Directors” shall replace the terms “Trustee” and “Trustees” throughout the entirety of all provisions within the Declaration and Bylaws of The Barringtons at Wedgewood Villa Condominium Community, and all amendments thereto, wherever appearing.

- F. New paragraphs shall be added to Article IV, Section 13. (f) of the Bylaws, as follows:

“Prior to imposing a charge for damages or an enforcement assessment as allowed by Ohio law [ORC 5311.081(B)(12)], the Board shall provide the unit owner a written notice that includes all of the following: 1. A description of the property damage or violation, 2. The amount of the proposed charge or assessment, 3. A statement that the owner has a right to a hearing before the board of directors to contest the proposed charge or assessment, 4. A statement setting forth the procedures to request a hearing, and 5. A reasonable date by which the unit owner must cure the violation to avoid the proposed charge or assessment.

“To request a hearing, the unit owner must deliver a written notice to the Board not later than the 10th day after receiving the notice required by the above provision. If the 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 pursuant to the above provisions.

“The Board shall not levy a charge or assessment before holding any hearing requested pursuant to this rule. The Board may, as part of its decision, allow a reasonable time to cure the violation, before imposing the charge or assessment.

“After a hearing under this rule, the Board shall deliver to the unit owner a written notice of the charge or assessment within 30 days of the date of the hearing.

“Any written notice under this rule may be delivered to the unit owner or any occupant of the unit by personal delivery, by certified mail, return receipt requested, or by regular mail.”

- G. There shall be added to Article XV, Section 5 (d). of the Declaration, the following new paragraph:

“The lien amount may include all assessments chargeable against the unit, interest, administrative late fees, enforcement assessments, collection costs, attorney fees, and paralegal fees.”

- H. A new paragraph shall be added to Article III, Section 2. (g) of the Declaration to read:

“Any tenant violating any provision of the Declaration, Bylaws, or Rules and Regulations of the condominium shall be subject to eviction pursuant to Ohio law. The eviction shall be brought by the Association, in the name of the owner as agent for the unit owner. Before initiating an eviction, the Board shall give the unit owner at least ten (10) days written notice of the intended eviction action. The costs of the eviction shall be a charge to the unit owner and shall be subject to a special assessment against the offending unit and made a lien against that unit.”

- I. A new paragraph shall be added to Article XV, Section 5 (a) of the Declaration, to read:

“The Association shall credit all payments received by a unit owner in the following priority:

1. To interest, 2. To administrative late fees, 3. To collection costs, attorney fees, and paralegal fees, 4. To the principal amounts owed to the Association for common assessments, enforcement assessments, penalty assessments or any other charges owed to the Association.”

J. Subsection (g) of Article IV, Section 13., of the Bylaws shall be deleted and replaced in its entirety, to read:

“The Board may suspend the voting privileges and use of recreational facilities of a unit owner who is delinquent in the payment of assessments for more than thirty (30) days. Such rights may also be suspended after notice and an opportunity for a hearing, for a period not to exceed sixty (60) days for any infraction of the rules and regulations or provisions of the condominium organizational documents.”

K. New subsection (m) shall be added to Article IV, Section 13 of the Bylaws to read:

“The Board may impose reasonable charges for preparing, recording or copying amendments to the declaration, resale certificates, or statements of unpaid assessments.”

L. A new paragraph shall be added to Article VII, Section 2., of the Declaration to read:

“Within 30 days after a unit owner obtains a unit, the owner shall provide the Board with the following information: 1. The home address, home and business mailing addresses, and home and business telephone numbers of the unit owner and all occupants of the unit; 2. The name, business address, and business telephone number of any person who manages the owner’s unit as an agent of that owner. In addition, within 30 days after a change in any of the above information, a unit owner shall notify the association, through the Board, in writing of the change. When the Board requests, a unit owner shall verify or update the information.”

M. Article IV, Section 4., Qualifications, of the Bylaws, shall be amended to read:

“The qualify for nomination, election, or appointment as a Director, the prospect must be a unit owner or spouse of a unit owner. If the unit owner is not an individual, that unit owner may nominate for the Board any principal, member of a limited liability company, partner, director, officer, or employee of that unit owner. Any nominee delinquent in the payment of any obligation to the association, or then an adverse party to the association, or the Board or any Board member (in that member’s capacity as a Board member) in any litigation involving one or more of those parties, shall not be eligible to be nominated as a candidate for election or appointment to the Board of Directors.”

N. A new paragraph shall be added to Article IV, Section 8., Regular Meetings, of the Bylaws to read:

“Board meetings may be conducted by any method of communication, including electronic, telephonic, by computer, or otherwise, as long as each member of the Board can hear, participate, and respond.”

O. Add new phrase to the end of the last sentence, after the semicolon, of Article XV, Section 3.(a)(1) e. of the Declaration, to read:

“; provided that the amount set aside annually for reserves shall not be less than ten percent of the budget for that year unless the reserve requirement is waived annually by the unit owners exercising not less than a majority of the voting power of the unit owners association;”

P. All other provisions of the Declaration of December 29, 1997, and all amendments thereto not modified herein, shall remain in full force and effect. To the extent that this Amendment conflicts with any prior amendment, this Amendment shall control.

Q. The effective date of this Amendment shall be the date of recording with the Delaware County Recorder.

IN WITNESS WHEREOF, the President and Secretary of The Barringtons at Wedgewood Villa Condominium Community Association have hereunto set their hands this 28th day of August, 2013.

Nancy Verber
President

Nancy Verber
Printed

Sandra C. Kessler
Secretary

SANDRA C. Kessler
Printed

ACKNOWLEDGMENT

STATE OF OHIO
COUNTY OF DELAWARE ss:

Before me, a Notary Public, personally appeared the above-named Nancy Verber and Sandra C. Kessler, President and Secretary respectively and swore the signing hereof to be of their own free and voluntary act and that the same is true this 28th day of August, 2013.

[Signature]
NOTARY PUBLIC

My commission expires 11/2/13