

RECORDED THIS DATE
JANE VIGNOS
STARK COUNTY RECORDER

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SHERBROOK CONDOMINIUM, INC
AMENDMENT TO THE DECLARATION

**THIS WILL CERTIFY THAT A COPY OF THIS AMENDMENT TO THE
DECLARATION OF THE SHERBROOK CONDOMINIUM, INC WAS
FILED IN THE OFFICE OF THE COUNTY AUDITOR OF STARK
COUNTY, OHIO.**

Dated: 9-JUNE-2000

By: Douglas P. Thron, DEPUTY
COUNTY AUDITOR

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|-------------|---|
| INDEX | 7 |
| DESCRIPTION | 7 |
| CROSS REF | |

SHERBROOK CONDOMINIUM, INC
AMENDMENT TO THE DECLARATION

WHEREAS, the Declaration and By-Laws of the Sherbrook Condominium were recorded in Volume 823, Page 453 et seq of Stark County Records 6-22-89 and

WHEREAS, Article XIX, Section 1 of said Declaration authorizes amendments to the Declaration and By-Laws, and

WHEREAS, Unit Owners in excess of 75 % of the voting power of the Owners Association have executed an instrument in writing setting forth specifically the new matters to be added, and

WHEREAS, attached here to as Exhibit A is an affidavit of the President of the Owners Association that a copy of the amendments were mailed by certified mail to all mortgagees on the records of the Owners Association having bonafide liens of record against any unit ownership, and

WHEREAS, attached here to as Exhibit B is a certification of the Secretary of the Owners Association as to names of the consenting and non-consenting mortgagees of the various units, and

WHEREAS, the Owners Association has in its records the signed consents to this amendment signed by 77.777 % of the unit owners and further has in its records the consents, if any, of the mortgagees as certified by the Secretary in the attached Exhibit B, and

WHEREAS, the proceedings necessary to amend the By-Laws as required by Chapter 5311 of the Ohio Revised Code and the Declaration of Condominium Ownership for the Sherbrook Condominium, is hereby amended by the following and have in all respects been complied with,

Now therefore, the By-Laws of the Sherbrook Condominium, Inc. Is hereby amended by the following:

**AMENDMENT TO DECLARATION OF OWNERSHIP UNDER CHAPTER 5311 OF
THE REVISED CODE OF OHIO FOR SHERBROOK CONDOMINIUM**

FIFTH AMENDMENT

DELETE - ARTICLE - VI, SECTION 2 - PARAGRAPH (g)

Entitled Renting and Leasing in its entirety as contained on page (11) of the Declaration as recorded in volume 832 Page 453 Et seq of Stark County Records.

INSERT A NEW ARTICLE (VI) SECTION (2) PARAGRAPH (g) INTITLED LEASING OF UNITS

Said new addition to be added on page 11 (eleven) of the Declaration as recorded in Volume 832 Page 453 Et seq of Stark County Records is as follows:

(g) LEASING OF UNITS

No Unit shall be leased by an owner to others for business, speculative, investment or any other purposes. This restriction does not apply to units which are occupied by the parent (s) or child (ren) of the unit owner.

To meet special situations and to avoid undue hardship or practical difficulties, the Board of Managers shall grant permission to an owner to lease his unit to a specified renter for a period not less than six (6) consecutive months nor more than Twelve (12) consecutive months. Thereafter, the unit shall be owner occupied. The hardship exception may in no event be estended beyond the one Twelve (12) month period.

Any unit owner leasing his unit at the time of filing of this amendment with the County Recorder, and who has registered his unit as a rental unit with the associatin, shall continue to enjoy the privilege of leasing that unit until the title to said unit is transferred to subsequent owner.

In no event shall the unit be leased by the owner thereof for transient or Hotel purposes which is defined to mean: (1) rental for any period less than six (6) full calendar months, or (ii) any rental if the occupants of the unit are provided in connection with such rentals, customary hotel services such as room service for food and beverage, maid service, furnishing of laundry and linen or bell-boy service.

Each lease shall be in writing, shall require the lessee to abide by the terms of the Declaration and by-laws, as well as any rules and regulations adopted by the board, and shall give the Board of Managers the right to dispossess or otherwise act for the unit owner in case of default under the lease or for violation of the declaration, by-laws or the rules and regulations. The unit owner shall continue to be liable for all obligations of ownership of his unit and shall be responsible to the board of Managers for the conduct of his lessee. Copies of all such leases shall be delivered to the Board prior to the beginning of the lease term.

Any conflict between this provision and other provisions of the Declaration and by-laws shall be interpreted in favor of this restriction on the leasing of units.

IN WITNESS WHEREOF, THE SAID SHERBROOK CONDOMINIUM ASSOC. INC. HAS CAUSED THE EXECUTION OF THIS INSTRUMENT THIS 9th DAY OF June 2000.

SIGNED IN THE

SHERBROOK CONDOMINIUM, INC

PRESENCE OF:

Fred Krivoski

FRED KRIVOSKI
Witness:

By: Walter P. Honeck

Walter P. Honeck, its President

Louise Krivoski
Witness: LOUISE KRIVOSKI


By: Carole Frazier
Carole Frazier, its Secretary

STATE OF OHIO)
) ss
COUNTY OF STARK)

BEFORE ME, a Notary Public in and for said County, personally appeared the above named Sherbrook Condominium, Inc., by its President and its Secretary, who acknowledge that they did sign the foregoing instrument 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 at
Canton, Ohio, this 9th Day of June
2000

Kathleen B. Albright
NOTARY PUBLIC



KATHLEEN B. ALBRIGHT
Notary Public, State of Ohio
My Commission Expires February 21, 2001

EXHIBIT A

AFFIDAVIT

STATE OF OHIO)
) ss
COUNTY OF STARK)

WALTER P. HONECK, being first duly sworn, states as follows:

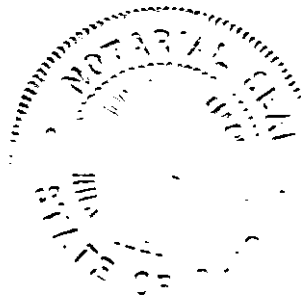
1. He is the duly elected and acting President of the Sherbrook Condominium, Inc.
2. As such President, he caused copies of the amendments to the Declaration of the Sherbrook Condominium to be mailed by certified mail to all mortgagees on the record of the association having bonafide liens of record against any unit owner-ship,
3. Further affiant sayeth naught.

Walter P. Honeck

WALTER P. HONECK, President

BEFORE ME, a Notary Public in and for said County, personally appeared the above named WALTER P. HONECK who acknowledges 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 at
Canton, Ohio, this 9th Day of June
2000



Kathleen B. Albright

NOTARY PUBLIC

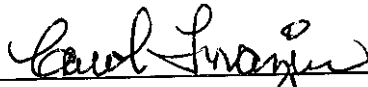
KATHLEEN B. ALBRIGHT
Notary Public, State of Ohio
My Commission Expires February 21, 2001

EXHIBIT B

CERTIFICATION OF SECRETARY

The undersigned being the duly elected and qualified Secretary of the SHERBROOK CONDOMINIUM, INC., hereby certifies that there is on file in the records of the association, the names of the following mortgagees, if any, who have consented to the proposed amendment to the Declaration of the SHERBROOK CONDOMINIUM, INC.

NONE

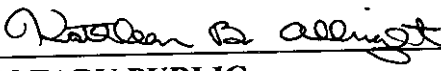


CAROL FRAZIER, Secretary

STATE OF OHIO)
) ss
COUNTY OF STARK)

BEFORE ME, a Notary Public in and for said County, personally appeared the above named CAROLE FRAZIER who acknowledged that she did sign the foregoing instrument and that the same is her free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at
Canton, Ohio, this 9th day of June
2000



NOTARY PUBLIC

MATTHEW B. ALBERT
Notary Public, State of Ohio
My Commission Expires February 21, 2001

