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Instrument Number: 202211300162300
Recorded Date: 11/30/2022 9:24:30 AM



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First Grantor:
EXCLEXTION LOFTS CONDOMINIUMS ASSN

First Grantee:
EXCLEXTION LOFTS CONDOMINIUMS

Fees:	
Document Recording Fee:	$34.00
Additional Pages Fee:	$8.00
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Total Fees:	$46.00
Amount Paid:	$46.00
Amount Due:	$0.00

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MICHAEL STINZIANO
AUDITOR
FRANKLIN COUNTY, OHIO

CONVEYANCE TAX
EXEMPT

M MD

MICHAEL STINZIANO
FRANKLIN COUNTY AUDITOR

AMENDMENT TO THE DECLARATION AND BYLAWS OF ECLEXTION LOFTS CONDOMINIUMS

Auditor's Certificate

This is to certify that a copy of this Amendment to the Declaration and Bylaws of Eclextion Lofts Condominiums has been filed with the Auditor of Franklin County, Ohio, this 30 day of Nov., 2022.

AUDITOR OF FRANKLIN COUNTY, OHIO

By: Deputy Auditor

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

AMENDMENT TO THE DECLARATION AND BYLAWS OF ECLEXTION LOFTS CONDOMINIUMS

This Amendment to the Declaration of Eclextion Lofts Condominiums is made this 4th day of November, 2022.

RECITALS

A. Eclextion Lofts Condominiums is a condominium created under Ohio Revised Code Chapter 5311 and pursuant to a declaration of condominium recorded on December 5, 2005, in Instrument Number 200512050255588, *et seq.*, Franklin County Records.

B. Pursuant to Article XVII, Amendments and Actions Requiring Owner and Lender Approval., Section 4, of the Declaration and Bylaws of December 5, 2005, and the provisions of Ohio Revised Code Section 5311, the undersigned officers of the condominium association hereby certify that the following amendment has been promulgated according to the terms of Article XVII, Section 4 of the Declaration and Bylaws and that Unit Owners exercising not less than 75% of the voting power of Unit Owners have consented to the following amendment. There are no Eligible Holders of First Mortgages.

C. Wherefore, the purpose of this amendment is to preserve the health, safety and welfare of Unit Owners and Occupants residing in the Condominium Property.

NOW THEREFORE, the Declaration of Condominium of December 5, 2005, and all amendments thereto, shall be amended by adding the following provisions to the Declaration:

D. Definitions, shall be amended to add a new defined term as follows:

23. "Smoking" means carrying, burning, inhaling, exhaling, or otherwise handling or controlling any lit or smoldering product including, but not limited to, tobacco, cloves, cigarettes, pipes, cigars, marijuana, or other smoke producing products or paraphernalia.

E. Article III, Purposes; Restrictions, Section 2. Restrictions shall be amended to add a new provision as follows:

(s) **Smoking**. Smoking shall generally be prohibited on Condominium Property, which includes the areas defined as part of a Unit in Article V, Section 2 of the Declaration, the areas defined as Common Elements in Article VI, Section 1 of the Declaration, and the areas defined as Limited Common Elements in Article VI, Section 2 of the Declaration. The only exceptions to this general smoking prohibition are for the exterior terraces defined as part of a Unit in Article V, Section 2 of this Declaration (the "Terraces") and the unimproved walk-out garden areas defined as Limited Common Elements adjacent to the first floor Units in Article VI, Section 2 of the Declaration (the "Garden Areas"). Accordingly, no Unit Owner shall smoke or permit smoking by any occupant, agent, invitee, guest, or family member upon the Condominium Property at any time, with the only exceptions being that smoking is permitted in the Terraces or Garden Areas included in or adjacent to a Unit. This provision shall become effective thirty (30) days from the date this amendment prohibiting smoking is filed with the Franklin County, Ohio Recorder.

The Association shall have the power to promulgate Rules and Regulations to interpret and administer the terms of this provision, including the power and authority to levy enforcement assessments for a violation of this provision and other remedies pursuant to the Declaration and Bylaws, and amendments thereof, and Ohio law.

F. All other provisions of the Declaration and Bylaws of December 5, 2005, 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.

G. The effective date of this Amendment shall be the date of recording with the Franklin County Recorder.

IN WITNESS WHEREOF, the President and Secretary of Eclextion Lofts Condominiums Association, DBA Arena District Lofts have hereunto set their hands this 4th day of November, 2022.

Robert T Reynolds

President, Eclextion Lofts Condominiums Association, DBA Arena District Lofts

Robert T Reynolds
Printed

Mark T Herbert

Secretary, Eclextion Lofts Condominiums Association, DBA Arena District Lofts

Mark T. Herbert

Printed

ACKNOWLEDGMENT

STATE OF OHIO
COUNTY OF FRANKLIN ss:

Before me, a Notary Public, personally appeared the above-named Robert Reynolds and Mark Herbert, 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 4th day of November, 2022.

THOMAS MASON SHEPHERD
Attorney At Law
Notary Public, State of Ohio
My commission has no expiration date
Sec. 147.03 R.C.

NOTARY PUBLIC