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**Instrument Number: 201803280039982**
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**Transaction Number:** T20180018692
**Document Type:** DECLARATION
**Document Page Count:** 5

**Submitted By (Walk-In):**
WILLIAMS & STROHM LLC
TWO MIRANOVA PLACE STE 380

COLUMBUS, OH 43215-7047

Walk-In

**First Grantor:**
SPRING RUN CONDOMINIUM ASSN

**First Grantee:**
SPRING RUN CONDOMINIUM

| *Fees:* | |
|---|---|
| Document Recording Fee: | $28.00 |
| Additional Pages Fee: | $24.00 |
| Marginal Reference Fee: | $4.00 |
| **Total Fees:** | $56.00 |
| **Amount Paid:** | $56.00 |
| **Amount Due:** | $0.00 |

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**OFFICIAL RECORDING COVER PAGE**

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MAR 28 2018

CLARENCE E. MINGO II
AUDITOR
FRANKLIN COUNTY, OHIO

CONVEYANCE TAX
EXEMPT

CLARENCE E. MINGO II
FRANKLIN COUNTY AUDITOR

**AMENDMENT TO THE DECLARATION AND BYLAWS OF SPRING RUN CONDOMINIUM**

**Auditor's Certificate**

This is to certify that a copy of this Amendment to the Declaration and Bylaws of Spring Run Condominium has been filed with the Auditor of Franklin County, Ohio, this 28 day of March, 2018.

AUDITOR OF FRANKLIN COUNTY, OHIO

By: P Smith, Deputy Auditor

This Instrument prepared by: Charles T. Williams, Esq., Williams & Strohm, LLC, 2 Miranova Place, Suite 380, Columbus, Ohio 43215-7047.

# AMENDMENT TO THE DECLARATION AND BYLAWS OF SPRING RUN CONDOMINIUM

This Amendment to the Declaration and Bylaws of Spring Run Condominium is made this 21st day of February, 2018.

## RECITALS

A. Spring Run Condominium is a condominium created under Ohio's condominium law pursuant to the filing of a declaration of condominium and bylaws recorded on August 18, 1989, in Official Record 13888, Page E-15, Franklin 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 and Bylaws of August 18, 1989, 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 of Condominium and Bylaws of August 18, 1989, are amended to read as follows:

D. New paragraph shall be added to Article IV, Section 12. (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."

E. 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."

F. 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."

G. 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."

H. Subsection (g) of Article IV, Section 12., 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."

I. New subsection (m) shall be added to Article IV, Section 12 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."

J. 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."

K. A new paragraph shall be added to Article IV, Section 5., of the Bylaws, to read:

"Board members shall be elected from among the unit owners or spouses of unit owners. 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."

L. A new paragraph shall be added to Article IV, Section 7., 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."

M. 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;"

N. All other provisions of the Declaration of August 18, 1989, 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.

O. 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 Spring Run Condominium Association have hereunto set their hands this 21st day of Feb., 2018.

Dinene Clark
President

DINENE CLARK
Printed

Jill A. Fetters
Secretary

Jill A. Fetters
Printed

**ACKNOWLEDGMENT**

**STATE OF OHIO**
**COUNTY OF FRANKLIN SS:**

Before me, a Notary Public, personally appeared the above-named Dinene Clark and Jill Fetters, 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 21 day of Feb, 2018.

MICHAEL C SONK - NOTARY PUBLIC
COMM EXP: AUG 14, 2022
STATE OF OHIO

Michael C Sonk
NOTARY PUBLIC