

**Reddington Village Condominium Association  
Newark, Ohio 43055**

**April, 2016**

**Re: Amendments to the Declaration of Condominium Ownership for  
Reddington Village Condominiums.**

Enclosed is a copy of the executed and recorded Amendments to the Declaration of Condominium Ownership for the Reddington Village Condominiums, Newark Ohio.

The Amendments were filed with the Licking County Recorder's Office on March 11, 2016 at 201603110004788 and became binding and effective on the date they were filed.

The enclosed copies should be filed with your respective copy of the Declaration and Bylaws and that all of these documents must be passed onto the future buyer of your unit.

Please be advised that with the filing of this Amendment:

- 1. Any owner who provides the Board with the appropriate written notice may now receive any required notice, may accomplish any signature, vote, consent or approval, and may make a payment thru electronic mail, electronic transmission, or any other technology so available in the future.*
- 2. Board members will now serve for a 3-year term, effective April 2016*

Respectfully,

Reddington Village Association Board

Virgil Landis  
Lee Miller  
Laura Main  
Diane Paetz  
Sally Mouawad



201603110004788

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03/11/2016 2:15PM MEPKAMAN & CU  
Bryan A. Long  
Licking County Recorder

AMENDMENTS TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
FOR  
REDDINGTON VILLAGE CONDOMINIUM

PLEASE CROSS MARGINAL REFERENCE WITH THE DECLARATION OF  
CONDOMINIUM OWNERSHIP FOR REDDINGTON VILLAGE  
CONDOMINIUM RECORDED AT INSTRUMENT NO. 200410110036734 OF  
THE LICKING COUNTY RECORDS.

AMENDMENTS TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP FOR  
REDDINGTON VILLAGE CONDOMINIUM

WHEREAS, the Declaration of Condominium Ownership for Reddington Village Condominium (the "Declaration") and the Bylaws of Reddington Village Condominium Owners' Association, Inc. (the "Bylaws"), Exhibit C the Declaration, were recorded at Licking County Records, Instrument No. 200410110036734, and

WHEREAS, the Reddington Village Condominium Owners' Association, Inc. (the "Association") is a corporation consisting of all Unit Owners in Reddington Village Condominium and as such is the representative of all Unit Owners, and

WHEREAS, Declaration Article XI(A) authorizes amendments to the Declaration and Bylaws Article VII, Section 10 authorizes amendments to the Bylaws, and

WHEREAS, Unit Owners representing at least 75% of the Association's current voting power have executed instruments 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 Amendment A signed by Unit Owners representing 76.74% of the Association's voting power as of February 15, 2016, and

WHEREAS, the Association has in its records the power of attorney signed by Unit Owners representing 76.74% of the Association's voting power authorizing the Association's officers to execute Amendment A on their behalf, and

WHEREAS, the Association has in its records the signed, written consents to Amendment B signed by Unit Owners representing 79.06% of the Association's voting power as of February 15, 2016, and

WHEREAS, the Association has in its records the power of attorney signed by Unit Owners representing 79.06% of the Association's voting power authorizing the Association's officers to execute Amendment B on their behalf, and

WHEREAS, attached as Exhibit A is an Affidavit of the Association's President stating that copies of the Amendments will be mailed or hand delivered to all



mortgagees on the records of the Association and all Unit Owners once the Amendments are recorded with the Licking County Recorder's Office, and

WHEREAS, attached 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 and Bylaws as required by Chapter 5311 of the Ohio Revised Code and the Declaration and Bylaws have in all respects been complied with.

NOW THEREFORE, the Declaration of Condominium Ownership for Reddington Village Condominium is amended by the following:

#### AMENDMENT A

DELETE DECLARATION ARTICLE XVII, SECTION I entitled, "Notices" in its entirety. Said deletion, is to be made on Page 36 of the Declaration, as recorded at Licking County Records, Instrument No. 200410110036734, and as amended at Licking County Records, Instrument No. 200811030023981.

INSERT a new DECLARATION ARTICLE XVII, SECTION I entitled, "Notices and Use of New Technology." Said new addition, to be added on Page 36 of the Declaration, as recorded at Licking County Records, Instrument No. 200410110036734, is as follows:

(I) Notices and Use of New Technology. All notices required or permitted by the Declaration and under the Bylaws, to the Association or the Board of Directors, must be in writing and sent by regular U.S. mail, first-class postage prepaid, to the Board or the Association at the Property's address or to such other address as the Board may designate from time to time by notice in writing to all Unit Owners. All notices to any Unit Owner must be sent by one of the following methods: 1) hand-delivered, or 2) sent by regular U.S. mail, first-class postage prepaid to such Unit Owner's Unit address, or 3) to such other address as may be designated by the Unit Owner, in writing, to the Board of Directors, or 4) by electronic mail or other use of technology pursuant to the provisions below. Any notice

required or permitted to be given to any Unit Occupant other than the Unit Owner will effectively be given if hand-delivered or sent by regular U.S. mail, first-class postage prepaid, to the Unit address.

Due to the ongoing development of new technologies and corresponding changes in business practices, to the extent permitted by Ohio and Federal law, as well as by the Board, now or in the future: (1) any notice required to be sent or received by the Declaration or Bylaws; (2) any signature, vote, consent, or approval required to be obtained; or (3) any payment required to be made, under the Declaration or Bylaws, may be accomplished or required using the most advanced technology available at that time provided such use is a generally accepted business practice. This includes, without limitation, the use of electronic mail or other electronic transmission in lieu of any Association required written notice to Unit Owners, individually or collectively, to or from any Unit Owner who has given the Association written consent to such use of electronic email or other electronic transmission, and/or for the Association to properly and effectively receive any Unit Owner's signature, vote, consent, or approval the Association needs or requires, subject to the following:

(a) An electronic email or other electronic transmission to a Unit Owner is not considered delivered and effective if the Association's transmission to the Unit Owner fails two consecutive times, e.g. the Association receives an "undeliverable" or similar message, or the inability to deliver the transmission to the Unit Owner becomes known to the person responsible for sending the transmission. If the electronic email or other electronic transmission is not delivered or effective, the Association will deliver such notice or other communication to the Unit Owner in writing by regular U.S. mail, by hand delivery, or by leaving the notice under or attached to the front door of the Unit Owner's Unit.

(b) Any Unit Owner who has not given the Association written consent to such use of electronic email or other electronic transmission will receive notices, including any notice of delinquency of any payment due, either by



personal delivery or regular mail to such Unit Owner's Unit or the last known address of the Unit Owner.

Any conflict between this provision and any other provisions of the Declaration and Bylaws will be interpreted in favor of this amendment permitting the Association to use electronic communications to the extent permitted by Ohio and Federal law. The invalidity of any part of the above provision does not impair or affect in any manner the validity or enforceability of the remainder of the provision. Upon the recording of this amendment, only Unit Owners of record at the time of such filing have standing to contest the validity of the amendment, whether on procedural, substantive, or any other grounds, provided further that any such challenge must be brought in the court of common pleas within one year of the recording of the amendment.

#### AMENDMENT B

DELETE BYLAWS ARTICLE II, SECTION 6 entitled, "Election of Board Members from and after the First Annual Meeting," in its entirety. Said deletion to be taken from Pages 5-6 of the Bylaws, Exhibit C of the Declaration, as recorded at Licking County Records, Instrument No. 200410110036734

INSERT a new BYLAWS ARTICLE II, SECTION 6 entitled, "Election and Term of Directors." Said new addition, to be added on Page 5 of the Bylaws, Exhibit C of the Declaration, as recorded at Licking County Records, Instrument No. 200410110036734, is as follows:

Section 6. Election and Term of Directors. Members of the Board of Directors will be elected at the annual meeting of Unit Owners of the Association, but when the annual meeting is not held or Directors are not elected thereat, they may be elected at a special meeting called and held for that purpose. Such election will be by written secret ballot whenever requested by any Unit Owner; but, unless such request is made, the election may be conducted in any manner approved at such meeting. Each Unit may cast as many of their votes as there are Directors to be elected. The candidates receiving the greatest number of votes will be elected and those receiving the highest percentages of the total vote cast will serve for the longest terms. Tie votes will be decided by drawing of lots or by a

flip of a coin. Each Director will hold office until the next annual meeting and until their successor is elected, or until their earlier resignation, removal from office or death. Any Director may resign at anytime by oral statement to that effect made at a meeting of the Board of Directors, or in writing to that effect immediately or at such other time as the resigning Director may specify. Except as otherwise provided in these Bylaws, the Board may remove any Director and create a vacancy in the Board, which may be filled by the remaining Board of Directors, if by order of court the Director is found to be of unsound mind, or if the Director files for bankruptcy or has been adjudicated bankrupt, or if the Director is physically incapacitated, or if the Director is involved in any legal action against the Association, or if the Director fails to attend three consecutive meetings of the Board. Directors serve without compensation.

Except for a Director appointed or elected to fill a vacancy, Directors will be elected for a three-year term, however, the terms will be staggered so that at least one-fifth of the Board will expire annually and a 2-2-1 rotation is maintained at all times.

Any conflict between these provisions and any other provisions of the Declaration and Bylaws will be interpreted in favor of this amendment providing for Board member terms of three years each with staggered 2-2-1 elections. The invalidity of any part of the above provision will not impair or affect in any manner the validity or enforceability of the remainder of the provision. Upon the recording of this amendment, only Unit Owners of record at the time of such filing will have standing to contest the validity of the amendment, whether on procedural, substantive, or any other grounds, provided further that any such challenge will be brought within one year of the recording of the amendment.

The Reddington Village Condominium Owners' Association, Inc. has caused the execution of this instrument this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

REDDINGTON VILLAGE CONDOMINIUM OWNERS' ASSOCIATION, INC.

By: [Signature] PRESIDENT  
VIRGIL LANDIS, its President

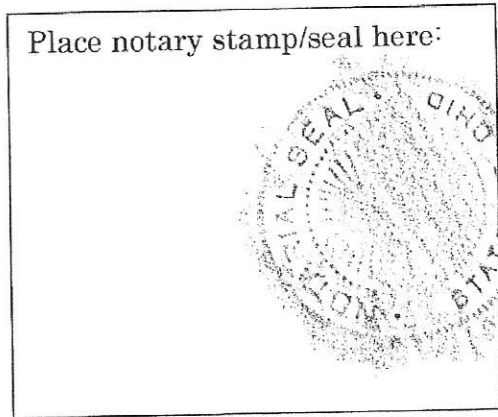
By: [Signature] SECRETARY  
LAURA MAIN, its Secretary

STATE OF OHIO )  
 ) SS  
COUNTY OF Franklin )

BEFORE ME, a Notary Public, in and for said County, personally appeared the above named Reddington Village Condominium Owners' Association, Inc., by its President and its Secretary, who acknowledged 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.

I have set my hand and official seal in COLUMBUS, Ohio, this 11 day of MARCH, 2016.

[Signature]  
NOTARY PUBLIC APR 16, 2019



This instrument prepared by:  
KAMAN & CUSIMANO, LLC, Attorneys at Law  
OfficePointe at Polaris  
470 Olde Worthington Road, Suite 460  
Columbus, Ohio 43082  
(614) 882-3100  
ohiocondolaw.com



EXHIBIT A

AFFIDAVIT

STATE OF OHIO )  
 )  
COUNTY OF Wick ) SS

VIRGIL LANDIS, being first duly sworn, states as follows:

1. He is the duly elected and acting President of the Reddington Village Condominium Owners' Association, Inc.

2. He caused copies of the Amendments to the Declaration to be mailed or hand delivered to all Unit Owners and mortgagees having bona fide liens of record against any Unit Ownerships of whose mortgage interests notice had been given to the Association and all Unit Owners.

3. The Association received the signed, written consents of Unit Owners representing at least 75% of the Association's voting power in favor of the Amendments to the Declaration in accordance with the provisions of Declaration Article XI(A) and caused such signed, written consents to be filed with the Reddington Village Condominium Owners' Association, Inc. corporate records.

Virgil Landis, President  
VIRGIL LANDIS, President

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

IN TESTIMONY WHEREOF, I have set my hand and official seal in Wick, Ohio, this 1 day of March, 2016.

[Signature]  
NOTARY PUBLIC March 11, 2016

Place notary stamp/seal here:

EXHIBIT B

CERTIFICATION OF SECRETARY

STATE OF OHIO )  
 )  
COUNTY OF Lucas ) SS

LAURA MAIN, the duly elected and acting Secretary of the Reddington Village Condominium Owners' Association, Inc., certifies that there is on file in the Association's records, the names of the following mortgagees who have provided the Association with notice that they wish to vote on proposed amendments and have consented to the proposed Amendment to the Declaration: None.

*Laura Main Secretary*  
LAURA MAIN, Secretary

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

IN TESTIMONY WHEREOF, I have set my hand and official seal in Wesport, Ohio, this 1 day of March, 2016.

*[Signature]*  
NOTARY PUBLIC *June 16, 2014*

Place notary stamp/seal here:

