



2015R024284

LAKE COUNTY OHIO
RECORDED ON
09/10/2015 12:16:14PM

ANN M. RADCLIFFE
LAKE COUNTY RECORDER
REC FEE: \$132.00
PAGES: 15

SIXTH AMENDMENT TO THE DECLARATION
OF CONDOMINIUM OWNERSHIP FOR TANNERS
FARM CONDOMINIUM
AND
THE RECORDING OF THE BYLAWS
(ALSO KNOWN AS THE CODE OF REGULATIONS) OF
TANNERS FARM CONDOMINIUM UNIT OWNERS ASSOCIATION, INC.
AND FIRST AMENDMENT TO THE BYLAWS OF
TANNERS FARM CONDOMINIUM UNIT OWNERS ASSOCIATION, INC.

Please cross marginal reference with the Declaration of Condominium Ownership for Tanners Farm Condominium recorded as Instrument Number 2006R018867 Lake County Records.

WHEREAS, the Tanners Farm Condominium Unit Owners Association, Inc. (“Association”) was created on or about November 8, 2004 in conjunction with the filing of its Articles of Incorporation with the Ohio Secretary of State’s Office; and

WHEREAS, the Association’s principal purpose is to maintain and operate the Tanners Farm Condominium Unit Owners Association, Inc. development located in Painesville, Ohio, pursuant to the terms and provisions of the Declaration of Covenants and Restrictions for Tanners Farm Condominium that were filed for record as Instrument Number 2006R018867 of the Lake County Records; and

WHEREAS, on May 12, 2006, an Amendment to Declaration of Condominium Ownership for Tanners Farm Condominium, was re-filed for the purpose of including Phase 2, therein, being Document No. 2006R018868 of the Lake County Records of Deeds; and the drawings have been recorded in Volume 50, Page 32, of the Lake County Records of Maps; and

WHEREAS, on May 1, 2006, a Second Amendment to Declaration of Condominium Ownership for Tanners Farm Condominium, was filed for the purpose of including Phase 3, therein, being Document No. 2006R016991 of the Lake County Records of Deeds; and the drawings have been recorded in Volume 52, Page 10, of the Lake County Records of Maps; and

WHEREAS, on July 20, 2006, a Third Amendment to Declaration of Condominium Ownership for Tanners Farm Condominium, was filed for the purpose of including Phase 4, therein, being

Document No. 2006R029329 of the Lake County Records of Deeds; and the drawings have been recorded in Volume 52, Page 31, of the Lake County Records of Maps; and

WHEREAS, on November June 27, 2007, a Fourth to Declaration of Condominium Ownership for Tanners Farm Condominium, was filed for the purpose of including Phase 5, therein, being Document No. 2007R022436 of the Lake County Records of Deeds; and the drawings have been recorded in Volume 55, Page 13, of the Lake County Records of Maps; and

WHEREAS, on December 5, 2007, a Fifth Amendment to Declaration of Condominium Ownership for Tanners Farm Condominium, was filed for the purpose of including Phase 6, therein, being Document No. 2007R041256 of the Lake County Records of Deeds; and the drawings have been recorded in Volume 56, Page 11, of the Lake County Records of Maps; and

WHEREAS, Tanners Farm Condominium Unit Owners Association, Inc. ("Association") is a corporation consisting of all Owners in Tanners Farm Condominium and as such is the representative of all Owners; and

WHEREAS, upon the filing of the Articles of Incorporation, the By-Laws (also known as the Code of Regulations) of Tanners Farm Condominium Unit Owners Association, Inc. ("By-Laws") for conducting the affairs were not filed with the Lake County Records; and

WHEREAS, Ohio Revised Code Section 5312.02 of the Ohio Planned Community Act requires a copy of the Bylaws to be filed and recorded with the County Fiscal Office; and

WHEREAS, to bring the Association's governing documents in compliance with Section 5312.02, the Association hereby adopts the Bylaws, a copy of which is attached hereto, for filing with the Lake County Fiscal Office; and

WHEREAS, Section GG of said Declaration authorizes amendments to the Declaration and Article VII of said Bylaws authorizes amendments to the Bylaws and **WHEREAS**, a meeting of the Association's Owners was held on or about 7-31, 2015, and, at such meeting and any adjournment thereof, Owners representing a majority of the voting power of the Association voted, in person or by proxy, in favor of the Sixth Amendment to the Declaration and First Amendment to the Bylaws (the "Amendments"); and

WHEREAS, the Association has in its records written consents signed by the Owners representing a majority of the Association's voting power, together with the minutes from said meeting and any continuation therefor; and

WHEREAS, the proceedings necessary to amend the Declaration as required by the Declaration have in all respects been complied with; and

WHEREAS, a copy of the First Amendment to the Bylaws is attached hereto for filing with the Lake County Fiscal Office.

NOW THEREFORE, the Declarations of Tanners Farm Condominium Unit Owners Association, Inc., as adopted by the Association, are hereby amended as follows:

SIXTH AMENDMENT TO THE DECLARATION
OF CONDOMINIUM OWNERSHIP FOR TANNERS
FARM CONDOMINIUM

1. Paragraph (1) under Section L. Renting, Leasing, and Eviction Proceedings appearing on page five (5) of the Declaration of Condominium Ownership for Tanners Farm Condominium, is hereby deleted in its entirety and the new Paragraph (1) under Section L. Renting, Leasing, and Eviction Proceedings is substituted in place thereof:

L. RENTING, LEASING AND EVICTION PROCEEDINGS

(1) No unit, or part thereof, shall be rented by any Unit Owner without first obtaining prior written consent from the Unit Owners Association board of directors. Unit Owner shall submit to the Unit Owners Association board of directors a copy of the proposed Lease Agreement for their unit. Within ten (10) days of submittal, the Unit Owners Association Board of Directors shall approve or deny the request for the rental of the Unit. The maximum number of Units that can be rented shall be Twenty Seven Percent (27%) of the total number of completed Units in the Condominium Property, rounded down to the nearest whole number. If a Unit Owner currently has approval for a rental and the Unit becomes vacant (the tenant is no longer residing there), Unit Owner must promptly notify the Unit Owners Association board of directors in writing and shall have three (3) months to re-rent the unit from the date of termination of the Lease Agreement. If the Unit is not re-rented in the three (3) month period, said Unit Owner shall have to resubmit any future Lease Agreement to the Unit Owners Association Board for approval as stated above.

2. The following paragraph (6) shall be added to the end of the existing Section X. Assessments and Assessment Liens located on pages eleven (11) and twelve (12) of the Declaration of Condominium Ownership for Tanners Farm Condominium:

(6) In the event the Association initiates a foreclosure action against a unit owner for failure to pay an assessment or becomes a party to a foreclosure action involving a unit owner, any and all costs relating the Association's involvement in the foreclosure action, including but not limited to, court costs, attorney fees and costs, shall be chargeable to the unit owner.

3. Except as provided above, the remaining provisions of the Declarations shall remain in full force and effect, and are hereby ratified, confirmed and approved.

IN WITNESS WHEREOF, the said Tanners Farm Condominium Unit Owners Association, Inc. has caused execution of this instrument this 26 day of AUG, 2015.

TANNERS FARM CONDOMINIUM UNIT OWNERS ASSOICATION, INC.

[Signature]
By: Timothy Loucks
Its: President

[Signature]
By: Brian Rice
Its: Treasurer

STATE OF OHIO)
) ss:
COUNTY OF LAKE)

Be it remembered, that on the 26th day of August, 2015, before me, the subscriber, a Notary Public in and for said County and State, personally came Timothy Loucks, President, of Tanners Farm Condominium Unit Owners Association, Inc., and acknowledged the signing thereof to be their voluntary act and deed and the voluntary act and deed of the corporation.

In testimony whereof, I have hereunto subscribed my name and affixed by official seal on the day and year listed above written.

[Signature]
Notary Public
 KELLIE A. HONKALA, NOTARY
STATE OF OHIO
MY COMMISSION EXPIRES: 12/14/17

STATE OF OHIO)
) ss:
COUNTY OF LAKE)

Be it remembered, that on the 26th day of August, 2015, before me, the subscriber, a Notary Public in and for said County and State, personally came Brian Rice, Treasurer of Tanners Farm Condominium Unit Owners Association, Inc., and acknowledged the signing thereof to be their voluntary act and deed and the voluntary act and deed of the corporation.

In testimony whereof, I have hereunto subscribed my name and affixed by official seal on the day and year listed above written.

[Signature]
Notary Public

This Instrument Prepare By:
Francis P. Manning
Manning & Manning Co., L.P.A.
6982 Spinach Drive
Mentor, Ohio 44060
440-266-0700
G:\CLIENTS\2200-2399 clients\2246\2015-04 Amendment to Declarations.docx

 KELLIE A. HONKALA, NOTARY
STATE OF OHIO
MY COMMISSION EXPIRES: 12/14/17



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2015R029242

LAKE COUNTY OHIO
RECORDED ON
11/02/2015 01:29:10PM

ANN M. RADCLIFFE
LAKE COUNTY RECORDER
REC FEE: \$44.00
PAGES: 4

SEVENTH AMENDMENT TO THE DECLARATION
OF CONDOMINIUM OWNERSHIP FOR TANNERS
FARM CONDOMINIUM

Please cross marginal reference with the Declaration of Condominium Ownership for Tanners Farm Condominium recorded as Instrument Number 2006R018867 Lake County Records.

WHEREAS, the Tanners Farm Condominium Unit Owners Association, Inc. ("Association") was created on or about November 8, 2004 in conjunction with the filing of its Articles of Incorporation with the Ohio Secretary of State's Office; and

WHEREAS, the Association's principal purpose is to maintain and operate the Tanners Farm Condominium Unit Owners Association, Inc. development located in Painesville, Ohio, pursuant to the terms and provisions of the Declaration of Covenants and Restrictions for Tanners Farm Condominium that were filed for record as Instrument Number 2006R018867 of the Lake County Records; and

WHEREAS, on May 12, 2006, an Amendment to Declaration of Condominium Ownership for Tanners Farm Condominium, was re-filed for the purpose of including Phase 2, therein, being Document No. 2006R018868 of the Lake County Records of Deeds; and the drawings have been recorded in Volume 50, Page 32, of the Lake County Records of Maps; and

WHEREAS, on May 1, 2006, a Second Amendment to Declaration of Condominium Ownership for Tanners Farm Condominium, was filed for the purpose of including Phase 3, therein, being Document No. 2006R016991 of the Lake County Records of Deeds; and the drawings have been recorded in Volume 52, Page 10, of the Lake County Records of Maps; and

WHEREAS, on July 20, 2006, a Third Amendment to Declaration of Condominium Ownership for Tanners Farm Condominium, was filed for the purpose of including Phase 4, therein, being

Document No. 2006R029329 of the Lake County Records of Deeds; and the drawings have been recorded in Volume 52, Page 31, of the Lake County Records of Maps; and

WHEREAS, on November June 27, 2007, a Fourth to Declaration of Condominium Ownership for Tanners Farm Condominium, was filed for the purpose of including Phase 5, therein, being Document No. 2007R022436 of the Lake County Records of Deeds; and the drawings have been recorded in Volume 55, Page 13, of the Lake County Records of Maps; and

WHEREAS, on December 5, 2007, a Fifth Amendment to Declaration of Condominium Ownership for Tanners Farm Condominium, was filed for the purpose of including Phase 6, therein, being Document No. 2007R041256 of the Lake County Records of Deeds; and the drawings have been recorded in Volume 56, Page 11, of the Lake County Records of Maps; and

WHEREAS, on September 10, 2015, a Sixth Amendment to Declaration of Condominium Ownership for Tanners Farm Condominium was filed, being Document No. 2015R024284; and

WHEREAS, Tanners Farm Condominium Unit Owners Association, Inc. ("Association") is a corporation consisting of all Owners in Tanners Farm Condominium and as such is the representative of all Owners; and

WHEREAS, Section GG of said Declaration authorizes that the Board of Directors, without a vote of the unit owners, may amend the Declaration in any manner necessary to meet the requirements of institutional mortgagees, guarantors, and insurers of first mortgage loans, the Federal National Mortgage Association, the Federal Housing Administration, the Veterans Administration, and similar institutions; and

WHEREAS, a meeting of the Board of Directors was held on or about Sept 21, 2015, and, at such meeting and any adjournment thereof, the Board of Directors voted, in person or by proxy, in favor of the Seventh Amendment to the Declaration (the "Amendment"); and

WHEREAS, the proceedings necessary to amend the Declaration as required by the Declaration have in all respects been complied with; and

NOW THEREFORE, the Declarations of Tanners Farm Condominium Unit Owners Association, Inc., as adopted by the Association, are hereby amended as follows:

SIXTH AMENDMENT TO THE DECLARATION
OF CONDOMINIUM OWNERSHIP FOR TANNERS
FARM CONDOMINIUM

1. The following paragraph three (3) shall be added to the end of Section DD. Restoration of Substantial Damage or Destruction appearing on page sixteen (16) of the Declaration of Condominium Ownership for Tanners Farm Condominium:

- (3) Any action to terminate the legal status of the project after substantial damage or destruction or condemnation occurs or for other reasons must be agreed to by mortgagees that represent at least Fifty One Percent (51%) of the votes of unit estate that are subject to mortgages.

2. The following paragraph five (5) shall be added to the end of Section GG. Amendment of Declaration appearing on pages eighteen (18) and nineteen (19) of the Declaration of Condominium Ownership for Tanners Farm Condominium:

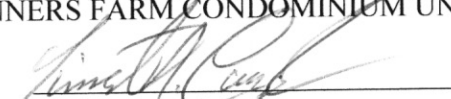
- (5) If an amendment is proposed that is of a material adverse nature to mortgagees, it must be agreed to by mortgagees that represent at least Fifty One Percent (51%) of the votes of unit estate that are subject to mortgages.

3. The following paragraph (4) shall be added to the end of Section HH. General Provisions appearing on page nineteen (19) of the Declaration of Condominium Ownership for Tanners Farm Condominium:

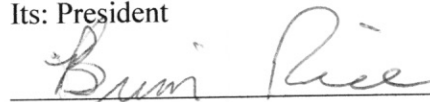
- (4) Any mortgagee representing at least Fifty One Percent (51%) of the votes of unit estate that are subject to mortgages shall be timely notified by written notice if any of the below occur:
- a. Condemnation or casualty losses;
 - b. Any sixty (60) day delinquency in payment of assessments or charges;
 - c. Lapse, cancellation or modification of any insurance policy obtained by the Association;
 - d. Any proposed action that requires consent of a specified percentage of mortgagees.

4. Except as provided above, the remaining provisions of the Declarations shall remain in full force and effect, and are hereby ratified, confirmed and approved.

IN WITNESS WHEREOF, the said Tanners Farm Condominium Unit Owners Association, Inc. has caused execution of this instrument this 24 day of OCTOBER, 2015.
TANNERS FARM CONDOMINIUM UNIT OWNERS ASSOICATION, INC.


By: Timothy Loucks

Its: President

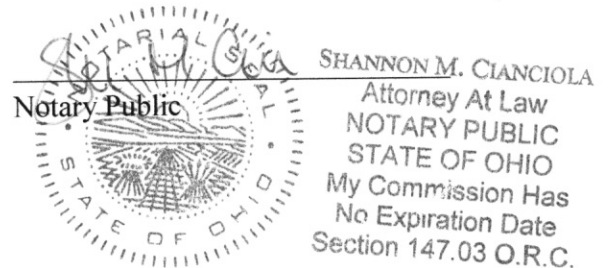

By: Brian Rice

Its: Treasurer

STATE OF OHIO)
) ss:
COUNTY OF LAKE)

Be it remembered, that on the 26 day of October, 2015, before me, the subscriber, a Notary Public in and for said County and State, personally came Timothy Loucks, President, of Tanners Farm Condominium Unit Owners Association, Inc., and acknowledged the signing thereof to be their voluntary act and deed and the voluntary act and deed of the corporation.

In testimony whereof, I have hereunto subscribed my name and affixed by official seal on the day and year listed above written.

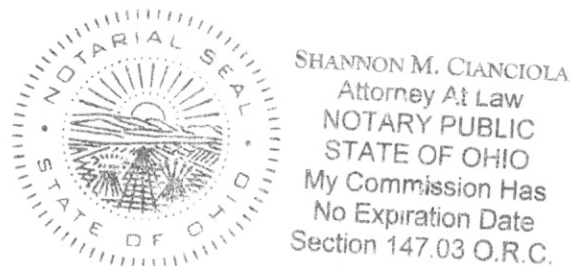


STATE OF OHIO)
) ss:
COUNTY OF LAKE)

Be it remembered, that on the 26 day of October, 2015, before me, the subscriber, a Notary Public in and for said County and State, personally came Brian Rice, Treasurer of Tanners Farm Condominium Unit Owners Association, Inc., and acknowledged the signing thereof to be their voluntary act and deed and the voluntary act and deed of the corporation.

In testimony whereof, I have hereunto subscribed my name and affixed by official seal on the day and year listed above written.

Shannon M. Cianciola
Notary Public



This Instrument Prepare By:
Francis P. Manning
Manning & Manning Co., L.P.A.
6982 Spinach Drive
Mentor, Ohio 44060
440-266-0700

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