



BK: 1982 PG: 2636

**TRANSFER
NOT NECESSARY**

JAN 15 2013

JOHN S. FEDERER
AUDITOR

201300000934
Filed for Record in
CLARK COUNTY, OH
NANCY PENCE, RECORDER
01-15-2013 At 03:49 pm.
DECL BY LAW 36.00
OR Volume 1982 Page 2636 - 2638

**SECOND AMENDMENT TO THE DECLARATION AND BY-LAWS OF FOX
RIDGE CONDOMINIUM**

At a special meeting held August 22, 2011, by the Fox Ridge Condominium Unit Owners' Association and in accordance with the Declaration and By-Laws of Fox Ridge Condominium recorded in Volume 22, Page 279, and as amended by First Amendment recorded in Volume 1213, Page 281, Official Records, Clark County, Ohio, the Declaration and By-Laws were amended as follows:

I. At all places in the Declaration and By-Laws where the term, "Common Areas" appears, said term shall be deleted and replaced with the term, "Common Elements".

II. At all places in the Declaration and By-Laws where the term, "Limited Common Areas" appears, said term shall be deleted and replaced by the term, "Limited Common Elements".

III. The following Section 2 (Restrictions), subsection (r) shall be added to Article III (Restrictions) of the Declaration:

(r) Notice to Board of Trustees. Unit Owners must give the following notices.

(1) Within thirty (30) calendar day of obtaining title to a unit, a new unit owner must give written notice to the Board of Trustees of:

(i) The home address, home and business mailing addresses, and the home and business telephone numbers of the unit owner and all occupants of the unit;

(ii) The name, business address, and business telephone number of any person who manages the owner's unit as an agent of that owner.

(2) Within thirty (30) calendar days after a change in any of the information set forth in Article III, Section 2(r) above, or upon the request of the Board, a unit owner must give written notice to the Board of the pertinent changes.

IV. The following Section 6 shall be added to Article VII (Unit Owner's Association) of the Declaration:

Section 6 Association Right to Buy and Sell Real Property. The Association shall have the authority to purchase, hold title to and sell real estate that is not declared to be a part of the Condominium Property with the approval of the Board of Trustees and approval by Seventy Five per cent (75%) of the voting power of the Unit owners.

V. Article VIII (Agent for Service) of the Declaration shall be deleted and replaced with the following:

**ARTICLE VIII
(Agent for Service)**

The Association shall designate a person to receive service of process for the Association pursuant to the laws and regulations of the State of Ohio.

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HOLD

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VI. The following shall be added to the existing Article XV (Assessments and Liens), Section 5 (Effect of Nonpayment, Remedies of the Association), subsection (g) of the Declaration:

In a foreclosure action the Association commences or a foreclosure action the holder of a first mortgage or other lien on a unit commences, the unit owner, as the defendant in the action, shall be required to pay a reasonable rental for the unit during the pendency of the action. The Association or the holder of the lien is entitled to the appointment of a receiver to collect the rent. Each rental payment so collected during the pendency of the foreclosure action shall be applied first to the payment of the portion of the common expenses chargeable to the unit during the foreclosure action.

VII. The following sentence shall be added at the end of existing Article IV, Section 11 of the By-Laws:

The written consents to such actions of the Trustees shall be kept with the minutes of the Board meetings.

VIII. The following new Subsection (j) shall be added to Article IV, Section 13 (Duties) of the By-Laws:

(j) adopt and amend as may be appropriate, by a majority vote of the Trustees, administrative rules governing the operations of the Board of Trustees consistent with the Declaration, these By-Laws and applicable laws and regulations of the State of Ohio.

IX. The following new Section 14 shall be added to Article IV of the By-Laws:

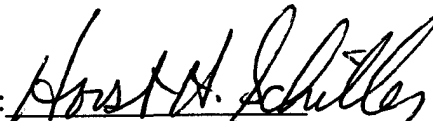
Section 14 (Meetings by Any Communication Method). Board meetings may be held by any communication method including electronic or telephonic communication provided that each member of the Board can hear, participate and respond to every other member of the Board.

X. The following shall be added to the end of existing Article VII (Books and Records) of the By-Laws:

Notwithstanding the above, the Association is not required to permit inspection and /or copying of the following:

- (1) Information that pertains to condominium property related personnel matters;
- (2) Communications with legal counsel or attorney work product pertaining to pending litigation or other condominium property related matters;
- (3) Information that pertains to contracts or transactions currently under negotiation, or information that is contained in a contract or other agreement containing confidentiality requirements and that is subject to those requirements;
- (4) Information that relates to the enforcement of the declaration , bylaws or rules of the unit owners association against unit owners;
- (5) Information the disclosure of which is prohibited by state or federal law.

Fox Ridge Condominium Unit
Owners' Association

By: 
Horst Schiller, President

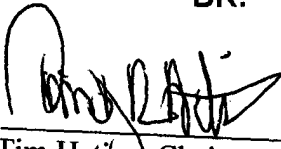
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By: 
Tim Hetico Chairman

STATE OF OHIO)
COUNTY OF CLARK) SS:

Before me a Notary Public in and for said County and State, personally appeared Horst Schiller, President, and Tim Hetico, Chairman, of Fox Ridge Condominium Unit Owners Association, who acknowledged that they did sign the foregoing instrument and that the same is true and correct, this 15th day of January, 2013.



MARK F. ROBERTS, Attorney At Law
NOTARY PUBLIC, STATE OF OHIO
My commission has no expiration date.
Section 147.03 R.C.


NOTARY PUBLIC

This Instrument Was Prepared By:
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