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ANDREW D BRENNER, RECORDER
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DECLAR AMEN 40.00
OR Book 940 Page 352 - 354

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**ELEVENTH AMENDMENT
TO
DECLARATION AND BYLAWS OF CONDOMINIUM
SELDOM SEEN ACRES CONDOMINIUM**

This Eleventh Amendment to the Declaration and Bylaws of Condominium of Seldom Seen Acres Condominium is made on or as of the 23rd day of Nov., 2009.

RECITALS

A. Seldom Seen Acres Condominium (the "Condominium") is a condominium created pursuant to the provisions of Chapter 5311 of the Revised Code of Ohio, as amended (the "Condominium Act") by the filing of the Declaration of Condominium of Seldom Seen Acres Condominium (the "Declaration"), the Bylaws ("Bylaws") and the Drawings ("Drawings") thereof, recorded, respectively, as Official Record Volume 651, pages 976-1045, and Plat Cabinet 3, Slide 631. et seq., both of the records of the Recorder of Delaware County, Ohio, and all amendments thereto. All words and terms used herein with initial capitalization that are not otherwise defined herein shall have the meanings assigned to such words and terms in the Declaration.

B. At the request of Romanelli and Hughes Building Company, the "Declarant", whose approval and consent to this amendment is set forth at the end of this Eleventh Amendment, Unit Owners exercising not less than seventy-five percent (75%) of the voting power of Unit Owners in the Condominium have approved and consented to this Eleventh Amendment permitting the construction and addition of additional Unit types to the Condominium.

C. Pursuant to the provisions of Article XIX, Section 1 of the Declaration, Section XII of the Bylaws and Chapter 5311 of the Revised Code of Ohio, as amended, the Declaration and Bylaws may be amended in the respects modified and amended hereby with the consent of Unit Owners exercising not less than seventy-five percent (75%) of the voting power of Unit Owners and the consent of Eligible Mortgagees representing a majority of Units subject to mortgages held by Eligible Mortgagees.

D. Unit Owners exercising seventy-five percent (75%) or more of the voting power of Unit Owners ~~duly approved and consented to the adoption of this Eleventh Amendment. There are no Eligible Mortgagees and thus no such consents are necessary.~~

E. These amendments to the Declaration and Bylaws, do not, in any way, enlarge, diminish, or change the size, location, composition, scope or extent of any existing Unit, nor the Unit designation of any existing Unit.

AMENDMENT

~~NOW THEREFORE, the undersigned officers of Seldom Seen Acres Condominium Association hereby certify that Unit Owners exercising not less than seventy-five percent (75%) of the voting power of Unit Owners have duly adopted the following amendments to the Declaration and Bylaws, and further certify that there are no Eligible Mortgagees:~~

(Continued next page)

CERTIFICATE OF AUDITOR

I certify that a copy of this Eleventh Amendment to the Declaration and Bylaws for Seldom Seen Acres Condominium was filed with this office on _____, 20____.

Delaware County Auditor

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1. Article V, Section 1 of the Declaration is hereby amended to add the following sentence to the end thereof:

~~"Notwithstanding the foregoing, the Unit Types added by this Eleventh Amendment shall not be required to have basements and in lieu of or in addition to a screened porch, may have a private courtyard."~~

2. Article VII, Section 2 of the Declaration is hereby deleted in its entirety and replaced with the following:

~~"2. Limited Common Elements Description. Limited Common Elements include those portions of the Common Elements that are labeled or designated "limited common elements", "limited common areas", or "limited common areas and facilities" on the Drawings or in this Declaration, generally including but not limited to: front porches or stoops, private courtyards, yard areas (and the improvements within that area exclusive of utility lines that serve another Unit), driveway areas in front of each Unit's garage, an approximately ten foot (10') strip of land surrounding the rear of each Unit, an approximately four foot (4') strip along the sides of each end Unit and, with respect to only those Unit Types added by this Eleventh Amendment, a private courtyard; provided, however, that such ten foot (10') strips and four foot (4') strips shall not apply or be considered Limited Common Elements for any of the Unit Types added by this Eleventh Amendment."~~

3. The final sentence of Article XVII, Section 10 of the Declaration is hereby deleted in its entirety and replaced with the following:

~~"Design shall not be deemed to be incompatible or not comparable because of the construction of any Unit Type not currently constructed on the Condominium Property, changes in the number of dwelling units in a building, types or mixes of types of dwelling units in a building, changes in number of garage parking spaces, variances in setbacks or locations of structures in relation to other improvements, changes in design or finish detail, the construction of freestanding detached units, or minor changes in size."~~

4. Exhibit E of the Declaration, is hereby amended by adding the following additional types of Units that may be constructed and added to the Condominium:

Type	Description
AE	(Aboreta) Contains a kitchen, living room, dining room, two baths, two bedrooms, and a garage, all at ground level, and containing approximately 1,636 gross interior square feet.
BE	(Bramante) Contains a kitchen, living room, dining room, two baths, two bedrooms, and a garage, all at ground level, and containing approximately 2,006 gross interior square feet.
CE	(Colonnade) Contains a kitchen, living room, dining room, two baths, two bedrooms, a den, and a garage, all at ground level, and containing approximately 2,146 gross interior square feet.
DL	(Ducal) Contains a kitchen, living room, dining room, a hearth room, two baths, two bedrooms, a den, and a garage, all at ground level, and containing approximately 2,312 gross interior square feet.
PZ	(Palazzo) Freestanding detached Unit containing a kitchen, living room, dining room, two baths, two bedrooms, and a garage, all at ground level, and containing approximately 1,994 gross interior square feet.
PO	(Portico) Freestanding detached Unit containing a kitchen, living room, dining room, two baths, two bedrooms, a den, and a garage, all at ground level, and containing approximately 2,231 gross interior square feet.
PE	(Promenade) Freestanding detached Unit containing a kitchen, living room, dining room, two baths, two bedrooms, a den, and a garage, all at ground level, and containing approximately 2,478 gross interior square feet.

5. Units of every type shall continue to have an equal, undivided interest in the Common Elements.

6. From and after such time as Liberty Township has approved an amendment to the current zoning for the Condominium Property and the Additional Property that is no longer subject to

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appeal or referendum, permitting the development and construction of the additional Unit types described in Section 4 of this Eleventh Amendment (such approval being referred to herein as the "Zoning Approval Modifications"), Article XVII, Section 8 of the Declaration is hereby amended to reduce the maximum number of Units in the Condominium at full build-out to not more than 132. At present, there are 44 Units in the Condominium. From and after the effectiveness of the Zoning Approval Modifications, the maximum total number of Units that may be constructed on the Additional Property is 88.

7. From and after the effectiveness of the Zoning Approval Modifications, Section IV, Item 2 of the Bylaws is amended to reduce the referenced number thirty-seven (37) to thirty-three (33).

8. From and after the effectiveness of the Zoning Approval Modifications, Section IV, Item 3 of the Bylaws is amended to reduce the referenced number one hundred nine (109) to ninety-nine (99).

9. At such time as the Zoning Approval Modifications are effective, the President and Secretary of the Association are empowered and instructed to file and record in the Delaware County, Ohio Records an Affidavit of Facts stating that the Zoning Approval Modifications have become effective.

10. Except as otherwise specifically provided herein, the Declaration, Bylaws and Drawings, and all amendments thereto, remain unaffected hereby and shall continue in full force and effect.

IN TESTIMONY WHEREOF, the undersigned President and Secretary of Seldom Seen Acres Condominium Association, pursuant to the provisions of Article XIX, Section 3 of the Declaration, have executed this Eleventh Amendment and affirm its adoption as aforesaid, on or as of this 23rd day of Nov., 2009.

SELDOM SEEN ACRES CONDOMINIUM ASSOCIATION, an Ohio non-profit corporation

Vincent Romanelli
President
Darrel R. Miller
Secretary

STATE OF OHIO

COUNTY OF Delaware, SS:

The foregoing instrument was executed before me this 23rd day of Nov., 2009, by Vincent Romanelli, the President, and by Darrel R. Miller, the Secretary, of Seldom Seen Acres Condominium Association, an Ohio not-for-profit corporation, as such officers on behalf of said corporation, who certified the adoption of the foregoing amendments as stated therein.



JEFFREY A. AUER, ATTORNEY AT LAW
NOTARY PUBLIC, STATE OF OHIO
My commission has an expiration date.
Section 147.63 R.C.

Jeffrey A. Auner
Notary Public

CONSENT AND AGREEMENT

The undersigned, the Declarant, approves and consents to the adoption of the foregoing.

ROMANELLI AND HUGHES BUILDING COMPANY, an Ohio corporation

By: Darrel R. Miller
Name: Darrel R. Miller
Title: Secretary

This instrument prepared by:
David W. Fisher, Esq.
Kephart Fisher LLC
207 North Fourth Street
Columbus, Ohio 43215