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 Workflow# 0000021908-0001
 Delaware County, OH
 Melissa Jordan County Recorder
 File# 2012-00013083

BK 1115 PG 1425-1428

Delaware County
 The Grantor Has Complied With
 Section 319.202 Of The R.C.
 DATE 4/20/12 Transfer Tax Paid
 TRANSFERRED OR TRANSFER NOT NECESSARY
 Delaware County Auditor By Stines

**AMENDMENT TO THE DECLARATION
 OF SELDOM SEEN ACRES CONDOMINIUM**

Auditor's Certificate

This is to certify that a copy of this Amendment to the Declaration of Seldom Seen Acres Condominium has been filed with the Auditor of Delaware County, Ohio, this 20 day of April, 2012.

AUDITOR OF DELAWARE COUNTY, OHIO

Grantsa
 By: Stines

This Instrument prepared by Charles T. Williams, Esq., Williams & Strohm, LLC, 2 Miranova Place, Suite 380, Columbus, Ohio 43215-5668.

CHARLES WILLIAMS LAW OFFICE
 2 MIRANOVA PL
 STE 380
 COLUMBUS, OH 43215

**AMENDMENT TO THE DECLARATION
OF SELDOM SEEN ACRES CONDOMINIUM**

This Amendment to the Declaration of Seldom Seen Acres Condominium is made this 16th day of April, 2012.

RECITALS

A. The Seldom Seen Acres Condominium is a condominium created under Ohio's condominium law pursuant to the filing of a declaration of condominium recorded on September 23, 2005, in O.R. Book 651, Pages 976, et seq., in Delaware County Records.

B. Pursuant to Article XIX of the Declaration of Seldom Seen Acres Condominium of September 23, 2005, and the provisions of Ohio Revised Code Section 5311, the undersigned officers of the condominium hereby certify that the following amendment has been promulgated according to the terms of Article XIX of the Declaration and that 75% of all unit owners have consented to the following amendment. There are no eligible mortgagees.

NOW THEREFORE, the Declaration of Condominium of September 23, 2005, and all amendments thereto, is amended to read as follows:

C. New Article IV, Section 17., is hereby added to read:

Article IV Section 17 was deleted in its entirety by an Amendment to the Declaration filed 4/28/2022.

~~Sexual Offenders. No person who is adjudicated to be a Tier II sex offender/child-victim offender or Tier III sex offender/child-victim offender and required to register with a designated registering agency, thereby requiring notice to be given pursuant to Ohio Sex Offender Registration laws, or similar statute from another jurisdiction, as the same may from time to time be amended, may reside in or occupy a unit for any length of time.~~

~~The Association may enforce this provision by commencing an action and seeking an Order in any Court of competent jurisdiction to enjoin such person(s) from occupying or residing in a unit and from coming onto the condominium property, or in the name of the unit owner as the owner's agent for this sole purpose, to evict such person residing in, or occupying a unit, and shall charge all costs of such injunction, eviction and enforcement, including reasonable attorney fees, to the unit owner violating this provision. Any such costs so incurred shall be the subject of a special assessment against the offending unit and made a lien against the offending unit,~~

~~which lien may be foreclosed in the same manner as provided by Ohio law and as herein set forth.~~

~~The Association shall not be liable to any Unit owner or occupant, or to anyone visiting any Unit owner or occupant or coming onto the condominium property, as a result of the Association's alleged failure, whether negligent, intentional or otherwise, to report the presence of such a person or to enforce the provisions of this subsection.~~

D. New Article XXI is hereby added to the Declaration to read as follows:

ARTICLE XXI: INDEMNIFICATION

The association shall indemnify every person who is or has been a director, officer, agent, committee member or employee of the Association and those persons' respective heirs, legal representatives, successors and assigns, against expenses, including attorneys' fees, and judgments, decrees, fines, penalties and amounts paid in settlement actually and reasonably incurred in connection with any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative, or investigative, and whether in an action or proceeding by or in the right of the Association, or otherwise, in which such person was or is a party or is threatened to be made a party by reason of the fact that person was a Director, officer, employee, committee member or agent of the Association, or is or was serving in such capacity at the request of the Association, provided that a person (a) acted in good faith and in a manner that person believed to be in or not opposed to the best interests of the Association, and (b) in any matter the subject of a criminal action or proceeding, had no reasonable cause to believe the questioned conduct was unlawful, but provided that in the case of any threatened, pending, or completed action or suit by or in the right of the Association to procure a judgment against any such person by reason of that person serving in such capacity, no indemnification shall be made in respect to any claim, issue, or matter as to which such person shall have been adjudged to be liable for negligence or misconduct in the performance of a duty to the Association, unless and only to the extent that, the court in which such action was brought shall determine upon application that in view of all the circumstances of the case that person is fairly and reasonably entitled to indemnity for such expenses as the court shall deem proper.

Unless ordered by a court, the determination of indemnification, pursuant to the foregoing criteria, shall be made (a) by a majority vote of a quorum of Directors of the Association who were not and are not parties to or threatened with any such action, suit, or proceeding, or (b) if such a quorum is not obtainable, or if a majority of a quorum of disinterested Directors so direct, in a written opinion by independent legal counsel other than an attorney, or a firm having associated with it an attorney, who has been retained by or who has performed services for the Association or any person to be indemnified within the past five years, or (c) by the Unit owners, or (d) by the court in which such action, suit or proceeding was brought.

Any such indemnification shall not be deemed exclusive of any other rights to which such person may be entitled under law, any agreement, or any insurance purchased by the Association, or by vote of Unit owners, or otherwise.

E. All other provisions of the Declaration of September 23, 2005, 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.

F. The effective date of this Amendment shall be the date of recording with the Delaware County Recorder.

IN WITNESS WHEREOF, the President and Secretary of Seldom Seen Acres Condominium Association have hereunto set his hand this 16 day of April, 2012.



President/Secretary

MARK GICALE

Printed



Vice President

ANTHONY MARUCCO

Printed

ACKNOWLEDGMENT

STATE OF OHIO
COUNTY OF DELAWARE, ss:

Before me, a Notary Public, personally appeared the above-named Mark Gicale
and Anthony Marucco, 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 16 day
of April, 2012.



NOTARY PUBLIC



Notary Public
In and for the State of Ohio
Jaime Willet
My Commission Expires
June 25, 2012