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AMENDMENTS TO THE

SECOND AMENDED AND RESTATED

DECLARATION OF CONDOMINIUM OWNERSHIP

FOR

CAMELOT CONDOMINIUM OWNERS' ASSOCIATION, INC.

PLEASE CROSS MARGINAL REFERENCE WITH THE SECOND AMENDED AND RESTATED DECLARATION OF CONDOMINIUM OWNERSHIP FOR CAMELOT CONDOMINIUM RECORDED AT INSTRUMENT NO. 55924203 FOR THE SUMMIT COUNTY RECORDS

THIS WILL CERTIFY THAT A COPY OF THE AMENDMENTS TO THE SECOND AMENDED AND RESTATED DECLARATION OF CONDOMINIUM OWNERSHIP FOR CAMELOT CONDOMINIUM WAS FILED IN THE OFFICE OF THE FISCAL OFFICER OF SUMMIT COUNTY, OHIO.

KRISTEN M. SCALISE CPA, CFE

DATED: 1/21/2021

BY: _____
FISCAL OFFICER
By: Beverly Coble
Beverly Coble

DOC # 56607384

1/21/2021 11:50 AM Recording Fee: $ 86.00
Kristen M. Scalise, CPA, CFE, Summit County Fiscal Officer

AMENDMENTS TO THE SECOND AMENDED AND RESTATED DECLARATION OF CONDOMINIUM OWNERSHIP FOR CAMELOT CONDOMINIUM OWNERS' ASSOCIATION, INC.

RECITALS

A. The Second Amended and Restated Declaration of Condominium Ownership for Camelot Condominium (the "Declaration") and the Bylaws of Camelot Condominium Owners Association, Inc. (the "Bylaws"), Exhibit B to the Declaration, were recorded at Summit County Records, Instrument No. 55924203.

B. The Camelot Condominium Owners Association, Inc. (the "Association") is a corporation consisting of all Unit Owners in Camelot Condominium and as such is the representative of all Unit Owners.

C. Declaration Article XV, Section (A) authorizes amendments to the Declaration and Bylaws Article X, Sec. 5 authorizes amendments to the Bylaws.

D. Unit Owners representing at least 75 percent of the Association's current voting power, based on ownership interests, have executed instruments in writing setting forth specifically the matter to be modified (the "Amendments").

E. As of November 11, 2020, Unit Owners representing passing 87.01 of the Association's voting power have signed and delivered to the Association written consents, along with powers of attorney, in favor of Amendment A and authorizing the Association's officers to execute Amendment A on their behalf.

F. As of November 11, 2020, Unit Owners representing passing 75.51 of the Association's voting power have signed and delivered to the Association written consents, along with powers of attorney, in favor of Amendment B and authorizing the Association's officers to execute Amendment B on their behalf.

G. The Association has complied with the proceedings necessary to amend the Declaration and Bylaws, as required by Chapter 5311 of the Ohio Revised Code and the Declaration and Bylaws, in all material respects.

AMENDMENTS

The Second Amended and Restated Declaration of Condominium Ownership for Camelot Condominium and the Amended and Restated Bylaws is amended by the following:

AMENDMENT A

MODIFY BYLAWS ARTICLE III, SECTION 3 entitled, "Nomination." Said modification to be made on Page 6 of the Bylaws, Exhibit B to the Declaration, as recorded at Summit County Records, Instrument No. 55924203, is as follows (deleted language is struck through; new language is underlined):

> Section 3. Nomination. Candidates can submit a written request to be placed on the ballot as a candidate for the election to the Board of Directors, provided the candidate files a letter of intent with the Secretary at least 30 days in advance of the Annual or special meeting. ~~Nominations for the election of Directors may also be made from the floor at the Annual or special meeting.~~ Nominations may also be made by a nominating committee appointed by the Board, or if the Board fails to appoint a nominating committee, by the Board itself. The nomination committee, or Board, will make as many nominations for election to the Board as it will, in its sole discretion, determine, but no fewer than the number of vacancies that are to be filled and will verify that the nominees satisfy all qualification requirements of these Bylaws. If a candidate is not in good standing, he/she immediately fails to qualify for the Board and he/she will not be eligible for election. A candidate need not be present at the meeting but must submit a letter prior to the meeting volunteering to be placed on the ballot.

INSERT a new SENTENCE to the end of BYLAWS ARTICLE III, SECTION 4. Said new addition, to be added to Page 6 of the Bylaws, Exhibit B to the Declaration, as recorded at Summit County Records, Instrument No. 55924203, is as follows:

> The Association is not required to provide ballots to the Unit Owners if there are an equal number of nominations as there are candidates, and the terms for all open positions are equal; in which case the nominated candidates will automatically be elected to the Board of Directors at the Annual or special election meeting.

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Any conflict between these provisions and any other provisions of the Declaration and Bylaws will be interpreted in favor of this amendment establishing a nominating committee to nominate candidates to the Board of Directors and removing the Association's obligation to provide ballots if the number of candidates is equivalent to number of vacancies. 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 the filing have standing to contest the validity of this amendment, whether on procedural, substantive, or any other grounds. Any challenge to the validity of this amendment must be brought in the court of common pleas within one year of the recording of this amendment.

AMENDMENT B

INSERT a new DECLARATION ARTICLE I, SECTION B (23) entitled, "Smoking." Said new addition, to be added to Page 6 of the Declaration, as recorded at Summit County Records, Instrument No. 54502081, and as amended at Instrument No. 559242038, is as follows:

> (23) "Smoking" means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, tobacco product in any manner or in any form, cannabis (also known as marijuana), or other legal or illegal substance, or any other substance or chemical that emits smoke, vapors, odors, or chemicals from devices that include cigars, pipes, cigarettes, e-cigarettes or other such smoking device or vapor emitting device that produces chemicals or vapors that may pose a nuisance or a health hazard.

INSERT a new DECLARATION ARTICLE III, SECTION B (19) entitled, "Smoking." Said new addition, to be added to Page 13 of the Declaration, as recorded at Summit County Records, Instrument No. 54502081, and as amended at Instrument No. 559242038, is as follows:

> (19) Smoking Restriction. Due to the increased risk of fire, the known adverse health effects of secondhand smoke (also referred to as "environmental tobacco smoke"), the odor produced by the burning of cannabis (also known as marijuana), the ease with which home growth or cultivation of illegal substances such as cannabis may be undertaken,

to prevent environmental smoke from entering the Buildings through any entrance, window, ventilation system or by any other means, and other considerations and concerns, the following actions are prohibited:

(a) The smoking of cigarettes, cigars, or any other tobacco product, cannabis, (also known as marijuana), or other legal or illegal substances, is prohibited anywhere within or on the Condominium Property, including, without limitation, within or on the Building, within individual Units, balconies and patios, and roof areas, and in any areas outside the Building's perimeter including driveways, yards, common halls, stairs, corridors, lawns, underground parking garage, walks, elevators, swimming pool area, and any other areas that the Board may from time to time designate.

(b) "Smoking" includes the inhaling, exhaling, burning, or carrying of any lighted cigarette, cigar, or any other tobacco product in any manner or in any form, or cannabis (also known as marijuana) or other legal or illegal substance, or any other substance or chemical that emits smoke, vapors, odors, or chemicals from devices that include cigars, pipes, cigarettes, e-cigarettes or other such smoking device or vapor emitting device that produces chemicals or vapors that may pose a nuisance or a health hazard.

(c) Growing, cultivation, production or sale of cannabis or any illegal substance, vegetable, or plant is prohibited anywhere within or on the Condominium Property, including within individual Units.

These prohibitions apply to all persons in the within or on the Condominium Property at any and all times, including, without limitation, Unit Owners, family members, tenants, Occupants, guests, employees, business invitees, and visitors.

The Board is empowered and authorized to enact any rule or regulation that it deems necessary to enforce this restriction, including, but not limited to, the postage of pertinent signage, and the adoption of procedures and remedies for the violation of this prohibition.

The above prohibitions on growing, cultivating, producing, or smoking of tobacco products, cannabis, or illegal substances remain in full force and effect even if such actions are permitted under State and federal law. Nothing in this restriction will be deemed to permit, implicitly or explicitly, the use or consumption of cannabis or any illegal substance in violation of any applicable State or federal law. The Association is not, however, liable to any Unit Owner or Occupant, or anyone visiting any Unit Owner or the Association, as a result of the Association's alleged failure, whether negligent, intentional, or otherwise, to enforce the provisions of this restriction. Further, the Association is not required to take enforcement action against any person who uses cannabis for medical purposes in strict accordance with the laws of the State of Ohio, even if such use constitutes a crime under the laws of the United States of America.

The above prohibition against smoking, growing, cultivating, producing, or the selling of tobacco products, cannabis, or illegal substances will become effective and enforceable against all Unit Owners and other persons on the Condominium Property 90 days after the recording of this restriction with the Summit County Fiscal Office.

Any conflict between this provision and any other provisions of the Declaration and Bylaws will be interpreted in favor of this smoking and growing prohibition. 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 the filing have standing to contest the validity of this amendment, whether on procedural, substantive, or any other grounds. Any challenge to the validity of this amendment must be brought in the court of common pleas within one year of the recording of this amendment.

The Camelot Condominium Owners Association, Inc. has caused the execution of this instrument this 17 day of December, 2020.

CAMELOT CONDOMINIUM OWNERS ASSOCIATION, INC.

By: Tom Gerst
TOM GERST, its President

STATE OF OHIO)
) SS
COUNTY OF Summit)

BEFORE ME, a Notary Public, in and for said County, personally appeared the above-named Camelot Condominium Owners Association, Inc., by its President, who acknowledged that he 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 him personally and as such officer.

I have set my hand and official seal this 17 day of December, 2020.

Karen M Pace
NOTARY PUBLIC

Place notary stamp/seal here:

NOTARIAL SEAL
STATE OF OHIO

KAREN M. PACE
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
03-15-2022

KAREN M. PACE
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
08-15-2022

NOTARIAL SEAL
STATE OF OHIO

The Camelot Condominium Owners Association, Inc. has caused the execution of this instrument this 18th day of December, 2020.

CAMELOT CONDOMINIUM OWNERS ASSOCIATION, INC.

By: Harry Skeen
HARRY SKEEN, its Secretary

STATE OF OHIO)
) SS
COUNTY OF SUMMIT)

BEFORE ME, a Notary Public, in and for said County, personally appeared the above-named Camelot Condominium Owners Association, Inc., by its Secretary, who acknowledged that he 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 him personally and as such officer.

I have set my hand and official seal this 18th day of December, 2020.

Mary Myers Tschantz
NOTARY PUBLIC
MARY MYERS TSCHANTZ, Attorney-At-Law
Notary Public – State of Ohio
My commission has no expiration date
Sec. 147.03 R.C.

Place notary stamp/seal here:

This instrument prepared by:
KAMAN & CUSIMANO, LLC,
Attorneys at Law
50 Public Square, Suite 2000
Cleveland, Ohio 44113
(216) 696-0650
ohiocondolaw.com