

13<sup>th</sup> Amendment to the Declaration of Condominium Ownership for Arrowhead Bay

Condominiums

**WHEREAS**, the Declaration of Condominium for Arrowhead Bay Condominiums (the "Declaration") and the Bylaws of Homeowners Association of Arrowhead Bay ("Bylaws") attached as "Exhibit A" to the Declaration, was recorded at Mahoning County Records Volume 1898 Page 149 et seq., and

**WHEREAS**, the Homeowners Association of Arrowhead Bay ( the "Association") is a corporation consisting of all unit owners in Arrowhead Bay Homeowners Association and as such is the representative of all unit owners, and

**WHEREAS**, Article XVI of said Declaration authorizes amendments to the Declaration and Article VII, Section 3 of said bylaw authorizes amendments to the Bylaws, and

**WHEREAS**, unit owners represent an excess of 75.00% of the Association's voting power have voted in favor of specific matters to be modified (the "Amendments"), and

**WHEREAS**, attached hereto as "Exhibit A" is an affidavit of the Association's president that a copy of the Amendments were mailed by certified mail to all unit owners and all first mortgagees on the records of the Association, and

**WHEREAS**, attached hereto as "Exhibit B" is a certification from the Association's secretary as to the consenting mortgagees, on the records of the Association, to the Amendments, and

**WHEREAS**, the Association has in its records the signed, written consent to Amendments A signed by unit owners representing at least 87% of the Association's voting power and

**WHEREAS**, the Association has in its records the Power of Attorney signed by unit owners representing at least 87% of the Association's voting power authorizing the Association's officers to execute Amendment A on their behalf and

**WHEREAS**, the Association has in its records the signed, written consent to Amendment B signed by unit owners representing at least 75 % of the Association's voting power and

**WHEREAS**, the Association has in its records a Power of Attorney signed by unit owners representing at least 75% of the Association's voting power authorizing the Association's officers to execute Amendment B on their behalf and

**WHEREAS**, the Association has in its records the signed, written consent to Amendment C signed by unit owners representing at least 75 % of the Association's voting power and

'C''

WHEREAS, the Association has in its records a Power of Attorney signed by unit owners representing at least 75% of the Association's voting power authorizing the Association's officers to execute Amendment C on their behalf and

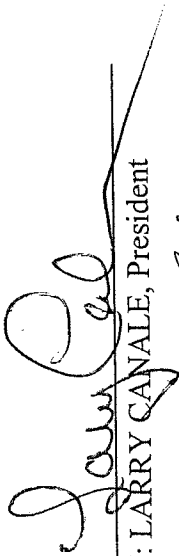
WHEREAS, the proceedings necessary to amend the Declaration as required by Chapter 5311 of the Ohio Revised Code and the Declaration of Condominium Ownership for Arrowhead Bay Condominiums have, in all respects, been complied with.

NOW THEREFORE, the Declaration of Condominium Ownership for Arrowhead Bay Condominiums is hereby amended by the following:

AMENDMENT A MODIFIED BYLAWS ARTICLE XI, PAGE 25, parking area behind clubhouse/pool on the back street owned by association to be used exclusively for parking for residents/guests of residents using clubhouse/pool only. Emergency vehicles and workers hired by the association doing repairs, or authorized work in clubhouse/pool or association property will also be permitted.

IN WITNESS WHEREOF, The Homeowners Association of Arrowhead Bay has caused the execution of this instrument this 11<sup>th</sup> day of August, 2011.

HOMEOWNERS ASSOCIATION OF ARROWHEAD BAY

  
BY: LARRY CANALE, President

  
BY: Susan Rock, Secretary

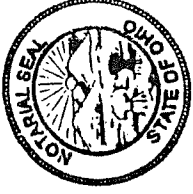
STATE OF OHIO )  
 ) ss:  
COUNTY OF MAHONING )

SWORN to before me and SUBSCRIBED in my presence, a Notary Public, in foresaid county personally appeared the above-named Homeowners Association of Arrowhead Bay by its President and Secretary who acknowledged that they did sign the forgoing instrument and that the same is the free act and deed of said corporation, the free act of each of them personally as such officers.

015918 M.2075

In witness whereof, I have hereunto set my hand and official seal at Youngstown, Ohio this  
11<sup>th</sup> day of August, 2011.

  
NOTARY PUBLIC



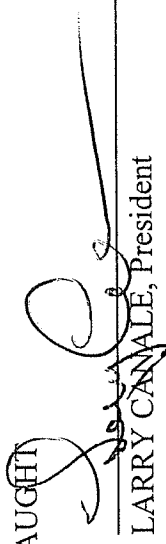
Alyson M. Byerly, Notary Public  
STATE OF OHIO  
My Commission Expires 3-24-2016

STATE OF OHIO )  
 ) ss: AFFIDAVIT  
COUNTY OF MAHONING )

Larry Canale, being first duly sworn states as follows:

- 1). He is the duly elected and acting president of the Homeowners Association of Arrowhead Bay.
- 2). As such president, he certifies the copies of the Amendments to the Declaration of Condominium Ownership for Arrowhead Bay Condominiums were mailed by certified mail to all unit owners and all first mortgagees having bonafide liens of record against the unit of ownership through mortgages and interest, notice has been given to the Association.

FURTHER, AFFIANT SAYETH NAUGHT

  
 \_\_\_\_\_  
 LARRY CANALE, President

STATE OF OHIO )  
 ) ss:  
COUNTY OF MAHONING )

SWORN to before me and SUBSCRIBED in my presence, a Notary Public, in foresaid county personally appeared the above-named Homeowners Association of Arrowhead Bay by its President and Secretary who acknowledge that they did sign the forgoing instrument and that the same is the free act and deed of said corporation, the free act of each of them personally as such officers.

In witness whereof, I have hereunto set my hand and official seal at Youngstown, Ohio this  
11th day of August, 2011.



  
 \_\_\_\_\_  
 Alyson M. Beverly, Notary Public  
 STATE OF OHIO NOTARY PUBLIC  
 My Commission Expires: 3-24-2016

EXHIBIT B

CERTIFICATION OF THE SECRETARY

The undersigned, being the duly elected and qualified secretary of the Homeowners Association of Arrowhead Bay, hereby certifies that there is on file in the Association's Records the names of the following mortgagees, if any, who have consented to the proposed Amendments to the Declaration of Condominium Ownership for Arrowhead Bay Condominiums.

None.

  
\_\_\_\_\_  
Susan Hoch, Secretary

STATE OF OHIO )  
 ) ss:  
COUNTY OF MAHONING )

SWORN to before me and SUBSCRIBED in my presence, a Notary Public, in foresaid county personally appeared the above-named Homeowners Association of Arrowhead Bay by its President and Secretary who acknowledge that they did sign the forgoing instrument and that the same is the free act and deed of said corporation, the free act of each of them personally as such officers.

In witness whereof, I have hereunto set my hand and official seal at Youngstown, Ohio this 11th day of August, 2011.

Prepared By  
Federal Title

  
\_\_\_\_\_  
NOTARY PUBLIC

