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Lorain County, Ohio  
Mike Doran County Recorder

File **2021-0799233**

AMENDMENTS TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
FOR  
LEGACY POINTE NO. 6 CONDOMINIUM

PLEASE CROSS MARGINAL REFERENCE WITH THE DECLARATION OF CONDOMINIUM OWNERSHIP FOR LEGACY POINTE NO. 6 CONDOMINIUM RECORDED AT INSTRUMENT NO. 2008-0253446 OF THE LORAIN COUNTY RECORDS ON MAY 14, 2008.

**AMENDMENTS TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP FOR  
LEGACY POINTE NO. 6 CONDOMINIUM**

**RECITALS**

- A. The Declaration of Condominium Ownership for Legacy Pointe No. 6 Condominium (the "Declaration") and the Bylaws of Legacy Pointe Condominium Association No. 6, Inc., Exhibit C of the Declaration (the "Bylaws"), were recorded at Lorain County Records Instrument No. 2008-0253446.
- B. Ohio Revised Code Section 5311.05(E)(1) authorizes the Board of Directors (the "Board"), without a vote of the Owners, to amend the Declaration "to bring the Declaration into compliance with this Chapter."
- C. The Board approved the following matters to be modified (the "Amendments") to bring the Declaration into compliance with Ohio Revised Code Chapter 5311 ("Chapter 5311").
- D. Each of the changes set forth in these Amendments are based on or in accordance with Chapter 5311.
- E. The proceedings necessary to amend the Declaration and Bylaws as permitted by Chapter 5311 and the Declaration have in all respects been complied with.

**AMENDMENTS**

The Declaration of Condominium Ownership for Legacy Pointe No. 6 Condominium is amended by the Board of Directors as follows:

- (1) All references in the Declaration and Bylaws to the term "Fines" are replaced with the term "Enforcement Assessments."
- (2) DELETE DECLARATION ARTICLE IX, entitled "Service of Process," in its entirety. Said deletion is to be made on Page 15 of the Declaration, as recorded at Lorain County Records, Instrument No. 2008-0253446.

INSERT a NEW DECLARATION ARTICLE IX entitled "Service of Process." Said new addition to be added on Page 15 of the Declaration, as recorded at Lorain County Records, Instrument No. 2008-0253446, is as follows:

**ARTICLE IX**  
**SERVICE OF PROCESS**

The Board will designate the person to receive service of process for the Association. This designation will be accomplished by filing with the Ohio Secretary of State the required statutory agent designation form.

(3) INSERT a NEW SENTENCE to the end of DECLARATION ARTICLE XII, SECTION 12.01. Said new addition, to be added on Page 17 of the Declaration, as recorded at Lorain County Records, Instrument No. 2008-0253446, is as follows:

The Board has the authority to impose interest and administrative late fees for the late payment of Assessments, impose returned check charges, and, in accordance with Chapter 5311, impose reasonable enforcement Assessments for violations of the Declaration, the Bylaws, and the Rules of the Association, and reasonable charges for damage to the Common Elements.

(4) INSERT a NEW PARAGRAPH to the end of BYLAWS ARTICLE V, SECTION 5.01. Said new addition, to be added on Page 15 of the Bylaws, Exhibit C of the Declaration, as recorded at Lorain County Records, Instrument No. 2008-0253446, is as follows:

The Association will credit payments made by an Owner in the following order of priority:

- A. First, to interest owed to the Association;
- B. Second, to administrative late fees owed to the Association;
- C. Third, to collection costs, attorney's fees, and paralegal fees incurred by the Association; and

- D. Fourth, to the principal amounts the Owner owes to the Association for the Common Expenses or enforcement Assessments chargeable against the Unit.

Any conflict between the above provisions and any other provisions of the Declaration and Bylaws will be interpreted in favor of the above amendments. The invalidity of any part of the above provision will not impair or affect in any manner the validity or enforceability of the remainder of the provision. Upon the recording of these amendments, only Owners of record at the time of such filing have standing to contest the validity of these amendments, whether on procedural, substantive or any other grounds, provided further that any such challenge must be brought in the court of common pleas within one year of the recording of the amendments.

The Legacy Pointe Condominium Association No. 6, Inc. has caused the execution of this instrument this 5<sup>th</sup> day of JANUARY, 2021.

LEGACY POINTE CONDOMINIUM ASSOCIATION NO. 6, INC.

By: Michael J. Mesaros  
MICHAEL J. MESAROS, President

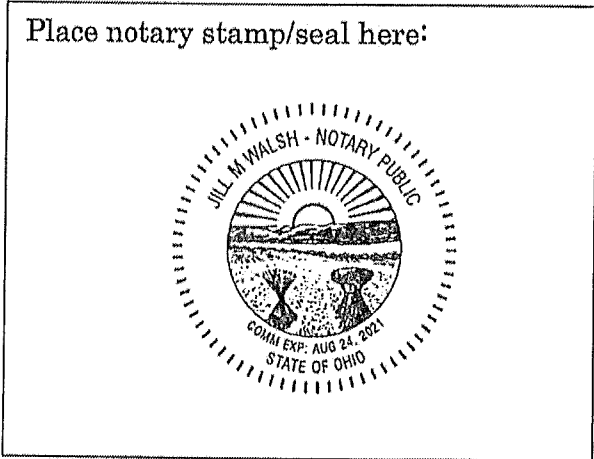
By: Donald M. Johnson  
DONALD M. JOHNSON, Secretary

STATE OF OHIO                    )  
  )  
COUNTY OF LORAIN            )       SS

BEFORE ME, a Notary Public, in and for said County, personally appeared the above named Legacy Pointe Condominium Association No. 6, Inc., by its President and its Secretary, who acknowledged that they did sign the foregoing instrument, on Page 4 of 5, and that the same is the free act and deed of said corporation and the free act and deed of them personally and as such officers.

I have set my hand and official seal this 5<sup>th</sup> day of January, 2021.

Jill M. Walsh  
NOTARY PUBLIC



This instrument prepared by:  
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