



PROPERTY MANAGEMENT COMPANY

420 AVON BELDEN ROAD, SUITE 1
AVON LAKE, OHIO 44012-2206

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LORAIN: (440) 933-7151
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July 9, 2024

To: All Legacy Pointe No. 6 Condominium Owners

Subject: No Solar Energy Collection Device Amendment Recording

Enclosed please find a copy of the fully executed and recorded amendment to the Declaration.

This Amendment was filed with the Lorain County Recorder's Office on July 8, 2024, Instrument No. 2024-0018825 and became binding and effective on the date the amendment was filed.

Please keep this set of official documents with your copy of the Legacy Pointe No. 6 Condominium Declaration and By-Laws for reference. All future buyers must be given all important information if and when you sell your unit.

Sincerely,

Legacy Pointe No. 6 Condominium Unit Owners' Association, Inc.
Board of Directors

2024-0018825

DECLARATION Fee:\$62.00 Page 1 of 5

Recorded: 7/8/2024 at 03:09 PM

Receipt: T20240013520

Lorain County Recorder Mike Doran



AMENDMENT TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP
OF
LEGACY POINTE NO. 6 CONDOMINIUM

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

AMENDMENT TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP OF
LEGACY POINTE NO. 6 CONDOMINIUM

RECITALS

A. The Declaration of Condominium Ownership of Legacy Pointe No. 6 Condominium (the "Declaration") was recorded at Lorain County Records, Instrument No. 2008-0253446.

B. The Legacy Pointe Condominium Association No. 6, Inc. (the "Association") is a corporation consisting of all Unit Owners in Legacy Pointe Condominium No. 6 and as such is the representative of all Unit Owners.

C. Declaration Article XX, Section 20.02 authorizes amendments to the Declaration.

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 "Amendment").

E. As of June 25, 2024, Unit Owners representing 78.18 percent of the Association's voting power have signed and delivered to the Association written consents, along with powers of attorney, in favor of the Amendment and authorizing the Association's officers to execute the Amendment on their behalf.

F. Attached as Exhibit A is an Affidavit of the Association's President stating that copies of the Amendment will be mailed by certified mail or hand delivered or sent by telegram to all first mortgagees having bona fide liens of record against any Unit, on the records of the Association, once the Amendment is recorded with the Lorain County Recorder's Office.

G. Attached as Exhibit B is a certification of the Association's Secretary as to the consenting mortgagees, on the records of the Association, to the Amendment.

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

AMENDMENT

The Declaration of Condominium Ownership of Legacy Pointe No. 6 Condominium is amended by the following:


INSERT a new DECLARATION ARTICLE IV, SECTION 4.02(aa). Said new addition to the Declaration is:

- (aa) The installation of any solar energy collecting device of any kind, attached to or located outside the Unit, including the Common Element ground and all other parts of the Common Elements located outside the Unit, for the purpose of providing power to the Unit, in whole or in part, is prohibited. A "solar energy collection device" means any device manufactured and sold for the purpose of facilitating the collection and beneficial use of solar energy, including passive heating panels or building components and solar photovoltaic apparatus. This prohibition includes, but is not limited to, solar panel systems and solar shingle roofing systems.

Any conflict between this provision and any other provisions of the Declaration and Bylaws will be interpreted in favor of this restriction prohibiting solar energy collection devices attached to or located outside the Unit. 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 Legacy Pointe Condominium Association No. 6, Inc. has caused the execution of this instrument this 2 day of July, 2024.

LEGACY POINTE CONDOMINIUM ASSOCIATION NO. 6, INC.

By: 
DONALD A. NIGRO, President

STATE OF OHIO)
COUNTY OF Cuyahoga) SS

BEFORE ME, a Notary Public, in and for the County, personally appeared the above-named Legacy Pointe Condominium Association No. 6, Inc., by its President, who acknowledged that he did sign the foregoing instrument and that the same is the free act and deed of the corporation and the free act and deed of him personally and as such officer.

I have set my hand and official seal this 2 day of July, 2024.


NOTARY PUBLIC

Place notary stamp/seal here:



The Legacy Pointe Condominium Association No. 6, Inc. has caused the execution of this instrument this 2 day of July, 2024.

LEGACY POINTE CONDOMINIUM ASSOCIATION NO. 6, INC.

By: John W. Kolwicz, Secretary
JOHN W. KOLWICZ, Secretary

STATE OF OHIO)
COUNTY OF Cuyahoga) SS

BEFORE ME, a Notary Public, in and for the County, personally appeared the above-named Legacy Pointe Condominium Association No. 6, Inc., by its Secretary, who acknowledged that he did sign the foregoing instrument and that the same is the free act and deed of the corporation and the free act and deed of him personally and as such officer.

I have set my hand and official seal this 2 day of July, 2024.

Alexandra Pesto
NOTARY PUBLIC

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

Place notary stamp/seal here:

