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AMENDMENT TO THE
DECLARATION AND BYLAWS
CREATING AND ESTABLISHING A PLAN FOR
CONDOMINIUM OWNERSHIP
UNDER CHAPTER 5311 OF THE REVISED CODE OF OHIO
FOR
BLUE WATER CONDOMINIUM

PLEASE CROSS MARGINAL REFERENCE WITH THE DECLARATION AND BY-LAWS CREATING AND ESTABLISHING A PLAN FOR CONDOMINIUM OWNERSHIP UNDER CHAPTER 5311 OF THE REVISED CODE OF OHIO FOR BLUE WATER CONDOMINIUM RECORDED AT VOLUME 313, PAGE 0364 ET SEQ. OF THE OTTAWA COUNTY RECORDS.

AMENDMENT TO THE
DECLARATION AND BY-LAWS
CREATING AND ESTABLISHING A PLAN FOR CONDOMINIUM OWNERSHIP
UNDER CHAPTER 5311 OF THE REVISED CODE OF OHIO
FOR BLUE WATER CONDOMINIUM

WHEREAS, the Declaration of Condominium Ownership for Blue Water Condominium (the "Declaration") and the By-Laws of Blue Water Condominium Association (the "Bylaws"), attached to and made a part of the Declaration, were recorded at Ottawa County Records Volume 313, Page 0364 et seq., and

WHEREAS, the Blue Water Condominium Association (the "Association") is a corporation consisting of all Unit Owners in Blue Water and as such is the representative of all Unit Owners, and

WHEREAS, Article XIX of said Declaration authorizes amendments to the Declaration, and

WHEREAS, Unit Owners representing not less than 75% of the Association's voting power have executed instruments in writing setting forth specifically the matter to be modified (the "Amendment"), and

WHEREAS, the Association has in its records the signed, written consents to the Amendment signed by Unit Owners representing 84.90% of the Association's voting power as of December 8, 2008, and

WHEREAS, the Association has in its records the power of attorney signed by Unit Owners representing 84.90% of the Association's voting power authorizing the Association's officers to execute Amendment B on their behalf, and

WHEREAS, attached hereto as Exhibit A is a certification of the Association's President and Secretary that Amendment B was duly adopted in accordance with the Declaration provisions, and

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

NOW THEREFORE, the Declaration of Condominium Ownership for Blue Water Condominium is hereby amended by the following:

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AMENDMENT A*[Intentionally Left Blank - Amendment Proposal Did Not Pass]*AMENDMENT B

MODIFY DECLARATION ARTICLE VII, SECTION 2 entitled, "Common Expenses." Said modification, to be made on Pages 10-11 of the Declaration, as recorded at Ottawa County Records, Volume 313, Page 364 et seq. (new language is underlined):

Section 2. Common Expenses. The cost and expense of maintenance, repairs, replacement, restoration and reconstruction of the Boat Slips and Marina Facilities shall be borne exclusively by the Boat Slip Users, including the Declarant to the extent Boat Slip Interests have not been assigned to Unit Owners. Such cost and expense shall be assessed to the Unit Owners as a Special Charge, in accordance with Article VII hereof. Each Unit Owner shall be assessed that percentage of the total cost and expense of maintaining, repairing, replacing, restoring and reconstructing the Boat Slips and Marina Facilities, less insurance proceeds, if any, equal to a fraction, the numerator of which shall be the number of Boat slips assigned to such Unit Owner on the books and records of the Association, and the denominator of which shall be the total number of Boat Slips in the Marina. (Such percentage hereinafter referred to as the "Marina Percentage"). Based on the relative size of the Boat Slips, the "Marina Percentage" for the thirty-five (35) feet Boat Slips shall be adjusted by a factor of 117%, as a basis for assessment. The decision to expend money shall be determined by a majority vote of all owners of Boat Slips.

Any conflict between this provision and any other provisions of the Declaration and Bylaws shall be interpreted in favor of this amendment regarding the process for determining Assessments for the 35 foot Boat Slips. Upon the recording of this amendment, only Unit Owners of record at the time of such filing shall have standing to contest the validity of the amendment, whether on procedural, substantive or any other grounds, provided further that any such challenge shall be brought in the court of common pleas within one year of the recording of the amendment.

