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AMENDMENT TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
FOR THE NOB HILL CONDOMINIUM

This Instrument Prepared by:

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AMENDMENT TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
FOR THE NOB HILL CONDOMINIUM

WHEREAS, the Declaration of Condominium Ownership for the Nob Hill Condominium was recorded in Volume 12967, Page 813 et seq., of Cuyahoga County records, and

WHEREAS, the Nob Hill Condominium Owners Association, Inc., is a corporation consisting of all Family Unit Owners in the Nob Hill Condominium and as such is the representative of said owners, and

WHEREAS, Article 9 of said Declaration authorizes amendments to the Declaration and

WHEREAS, Family Unit owners in excess of 75% of the voting power of the Association have executed an instrument in writing setting forth specifically the new matter to be added, and

WHEREAS, attached hereto as Exhibit A is an affidavit of the President of the Association that a copy of the amendment was mailed by certified mail to all mortgagees on the records of the Association having bona fide liens of record against any Family Unit ownership, and

WHEREAS, attached hereto as Exhibit B is a certification of the Secretary of the Association as to the names of the consenting and non-consenting mortgagees of the various Family Units, and

WHEREAS, the Association has in its records the signed consents to the amendment signed by 76.21% of the Family Unit owners and further has in its records the consents, if any, of the mortgagees as certified to by the Secretary in the Attached Exhibit B, and

WHEREAS, the Association has in its records the signed power of attorney signed by 76.21% of the Family Unit owners authorizing the officers of the Nob Hill Condominium to execute this recorded document 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 the Nob Hill Condominium have in all respects been complied with,

NOW THEREFORE, the Declaration of Condominium Ownership of the Nob Hill Condominium is hereby amended as follows:



AFFIDAVIT

STATE OF OHIO )  
 ) SS  
COUNTY OF CUYAHOGA )

Cary Root, being first duly sworn, states as follows:

- 1) He is the duly elected and acting president of the Nob Hill Condominium.
- 2) As such president he caused a copy of the proposed amendment to the Declaration of the Nob Hill Condominium concerning the deletion and addition of a new sentence to be mailed by certified mail to all mortgagees on the records of the Association having bona fide liens of record against any Family Unit ownership.
- 3) Further affiant sayeth naught.

Cary Root  
CARY ROOT, President

Before Me, a Notary Public in and for said County, personally appeared the above named Cary Root who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed.

In Testimony Whereof, I have hereunto set my hand and official seal at Cleveland, Ohio this 12<sup>th</sup> day of June, 1990.

David W. Kaman  
Notary Public

DAVID W. KAMAN, Notary Public For The State of Ohio  
My Commission has no Expiration Date  
Section 147.03 R.C.

CERTIFICATION OF SECRETARY

The undersigned being the duly elected and qualified secretary of the Nob Hill Condominium Owners Association, Inc., hereby certifies that there is on file in the records of the Association the names of the following mortgagees who have consented to the proposed Amendment to the Declaration of the Nob Hill Condominium.

N O N E

Joyce A. Moore  
JOYCE MOORE, Secretary

STATE OF OHIO            )  
                                  ) SS  
COUNTY OF CUYAHOGA    )

Before me, a Notary Public in and for said County, personally appeared the above named Joyce Moore who acknowledged that she did sign the foregoing instrument and that the same is her free act and deed.

In Testimony Whereof, I have hereunto set my hand and official seat at Cleveland, Ohio this 10<sup>th</sup> day of June, 1990.

David W. Kaman  
Notary Public

DAVID W. KAMAN, Attorney at Law  
Notary Public For The State of Ohio  
My Commission has no Expiration Date  
Section 147.03 B.C.

