

Delaware County
The Grantor Has Complied With
Section 319.202 Of The R.C.
DATE 6-23-25 Transfer Tax Paid 0
~~TRANSFERRED OR TRANSFER NOT NECESSARY~~
Delaware County Auditor By JB



Doc ID: 015438420008 Type: OFF
Kind: DECLAR AMEN
Recorded: 07/10/2025 at 10:22:23 AM
Fee Amt: \$95.00 Page 1 of 8
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Delaware County, OH
Melissa Jordan County Recorder
File# 2025-00015488

BK **2166** PG **39-46**

AMENDMENT TO THE
DECLARATION AND BYLAWS
CREATING AND ESTABLISHING A PLAN FOR
CONDOMINIUM OWNERSHIP
UNDER CHAPTER 5311 OF THE REVISED CODE OF OHIO
FOR
THE VILLAGE AT NORTH FALLS CONDOMINIUM

PLEASE CROSS MARGINAL REFERENCE WITH THE DECLARATION AND
BYLAWS CREATING AND ESTABLISHING A PLAN FOR CONDOMINIUM
OWNERSHIP UNDER CHAPTER 5311 OF THE REVISED CODE OF OHIO FOR
THE VILLAGE AT NORTH FALLS CONDOMINIUM RECORDED AT OR BOOK
566, PAGE 966 ET SEQ. OF THE DELAWARE COUNTY RECORDS.

**AMENDMENT TO THE
DECLARATION AND BYLAWS CREATING AND ESTABLISHING A PLAN FOR
CONDOMINIUM OWNERSHIP UNDER CHAPTER 5311 OF THE REVISED
CODE OF OHIO FOR THE VILLAGE AT NORTH FALLS CONDOMINIUM**

RECITALS

- A. The Declaration and Bylaws Creating and Establishing a Plan for Condominium Ownership Under Chapter 5311 of the Revised Code of Ohio for The Village at North Falls Condominium (the “Declaration”) was recorded at Delaware County Records, OR Book 566, Page 966 et seq.
- B. The Village at North Falls Condominium Association (the “Association”) is a corporation consisting of all Unit Owners in Village at North Falls Condominium and as such is the representative of all Unit Owners.
- C. Declaration Article XVIII, Section 1 authorizes amendments to the Declaration.
- D. Unit Owners representing at least 75 percent of the Association’s current voting power have executed instruments in writing setting forth specifically the matter to be modified (the “Amendment”).
- E. As of April 28, 2025, Unit Owners representing 75 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 a certification of the Association’s President and Secretary stating that the Amendment was duly adopted in accordance with the Declaration provisions in all material respects.
- G. 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 and Bylaws Creating and Establishing a Plan for Condominium Ownership Under Chapter 5311 of the Revised Code of Ohio for The Village at North Falls Condominium is amended by the following:


MODIFY DECLARATION ARTICLE XI, SECTION 1(g). Said modification to the Declaration, and as amended at Book 1606, Page 536 et seq., is (deleted language is crossed-out; new language is underlined):

(g) have a reasonable deductible in an amount as determined by the Board no greater than the lesser of thirty thousand dollars or one percent of the policy face value amount. The Unit Owner is responsible for any repairs or expenses up to the amount of any applicable deductible for loss or damage to their Unit and the Association is responsible for all costs and other expenses pertaining to the Common Elements and Limited Common Elements. If a single loss affects multiple portions of the Condominium Property, for example, one or more Units and the Common Elements, the repair costs and expenses not paid for by the insurance proceeds are to be proportionately allocated in relation to the amount each party's claim bears to the total amount of the claim, with the party incurring the larger share of the loss responsible for the larger share of the deductible. The Association may assess the amount of any deductible expense attributable to any Unit(s) to the Unit Owner(s) of the affected Unit(s) as a Special Individual Unit Assessment in accordance with Declaration Article XV, Section 3(c);

Any conflict between the above provision and any other provisions of the Declaration and Bylaws will be interpreted in favor of this provision modifying the deductible requirements for the Association's insurance coverage. 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, provided further that any challenge must be brought in the court of common pleas within one year of the recording of this amendment.

The Village at North Falls Condominium Association has caused the execution of this instrument this 5th day of June, 2025.


THE VILLAGE AT NORTH FALLS CONDOMINIUM ASSOCIATION

By: 
SUE E. WARD, President

STATE OF OHIO)
) SS
COUNTY OF DELAWARE)

BEFORE ME, a Notary Public, in and for the County, personally appeared the above-named The Village at North Falls Condominium Association, by its President, who acknowledged that she 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 her personally and as such officer.

I have set my hand and official seal this 5th day of June, 2025.


NOTARY PUBLIC

Place notary stamp/seal here:



ELISABETH MICHELLE
SWARTZ ROBLES
Notary Public
State of Ohio
My Comm. Expires
March 31, 2030

The Village at North Falls Condominium Association has caused the execution of this instrument this 5th day of June, 20 25.

THE VILLAGE AT NORTH FALLS CONDOMINIUM ASSOCIATION

By: Cara M Wierman
CARA M. WIERMAN, Secretary

STATE OF OHIO)
) SS
COUNTY OF DELAWARE)

BEFORE ME, a Notary Public, in and for the County, personally appeared the above-named The Village at North Falls Condominium Association, by its Secretary, who acknowledged that she 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 her personally and as such officer.

I have set my hand and official seal this 5th day of June, 20 25.

[Signature]
NOTARY PUBLIC

This instrument prepared by:
KAMAN & CUSIMANO, LLC
Attorneys at Law
8101 North High Street, Suite 370
Columbus, Ohio 43235
(614) 882-3100
ohiocondolaw.com

Place notary stamp/seal here:



ELISABETH MICHELLE
SWARTZ ROBLES
Notary Public
State of Ohio
My Comm. Expires
March 31, 2030

EXHIBIT A-1

CERTIFICATION OF OFFICERS

SUE E. WARD, being the duly elected and acting President of The Village at North Falls Condominium Association, certifies that the Amendment to the Declaration and Bylaws Creating and Establishing a Plan for Condominium Ownership Under Chapter 5311 of the Revised Code of Ohio for The Village at North Falls Condominium was duly adopted in accordance with the provisions set forth in the Declaration for amendments in all material respects.

SUE E. WARD, President

STATE OF OHIO)
) SS
COUNTY OF DELAWARE)

BEFORE ME, a Notary Public in and for the County, personally appeared the above-named SUE E. WARD who acknowledged that she did sign the foregoing instrument and that the same is her free act and deed.

I have set my hand and official seal this 5th day of June, 2025.

NOTARY PUBLIC

Place notary stamp/seal here:



ELISABETH MICHELLE
SWARTZ ROBLES
Notary Public
State of Ohio
My Comm. Expires
March 31, 2030

EXHIBIT A-2

CERTIFICATION OF OFFICERS

CARA M. WIERMAN, being the duly elected and acting Secretary of The Village at North Falls Condominium Association, certifies that the Amendment to the Declaration and Bylaws Creating and Establishing a Plan for Condominium Ownership Under Chapter 5311 of the Revised Code of Ohio for The Village at North Falls Condominium was duly adopted in accordance with the provisions set forth in the Declaration for amendments in all material respects.


CARA M. WIERMAN, Secretary

STATE OF OHIO)
) SS
COUNTY OF DELAWARE)

BEFORE ME, a Notary Public in and for the County, personally appeared the above-named CARA M. WIERMAN who acknowledged that she did sign the foregoing instrument and that the same is her free act and deed.

I have set my hand and official seal this 15th day of June, 2025.


NOTARY PUBLIC

Place notary stamp/seal here:



ELISABETH MICHELLE P
SWARTZ ROBLES
Notary Public
State of Ohio
My Comm. Expires
March 31, 2030

LEGAL DESCRIPTION

Situated in the State of Ohio, County of Delaware, Orange Township and is described as follows:

Being Units 147, 143, 7480, 7484 in Building 1; Units 6968, 6972, 146, 150 in Building 2; Units 6992, 6996, 6976, 6980 in Building 3; Units 7015, 7011, 6977, 6973 in Building 5; Units 258, 240, 244, 254 in Building 14; Units 236, 7443, 7439, 232 in Building 15; Units 7456, 7460, 7438, 7442 in Building 16; Units 7430, 7434, 7412, 7416 in Building 17; Units 286, 268, 272, 282 in Building 13; Units 302, 290, 294, 298 in Building 12; Units 320, 306, 310, 316 in Building 11; Units 7404, 7408, 7394, 7398 in Building 18; Units 237, 7403, 7399, 241 in Building 31; Units 7339, 7367, 7363, 7343 in Building 30; Units 7358, 7366, 7370, 7354 in Building 20; Units 7386, 7390, 7374, 7378 in Building 19; Units 7275, 7271, 7311, 7307 in Building 29; Units 7249, 7245, 7267, 7263 in Building 28; Units 7336, 7346, 7350, 7332 in Building 21; Units 7312, 7324, 7328, 7308 in Building 22; Units 7292, 7300, 7304, 7288 in Building 23; Units 7276, 7280, 7284, 7272 in Building 24; Units 7250, 7254, 7264, 7268 in Building 25; Units 7224, 7228, 7242, 7246 in Building 26; Units 7111, 7107, 7133, 7129 in Building 9; Units 7201, 324, 328, 7205 in Building 10; Units 7188, 7210, 7206, 7192 in Building 27; Units 7089, 7093, 7097, 7101 in Building 8; Units 7055, 7051, 7085, 7081 in Building 7; Units 7018, 7000, 7004, 7014 in Building 4; and Units 7019, 7023, 7043, 7047 in Building 6; in The Village at North Falls Condominium, as the same is designated, delineated, and described in the Declaration, Bylaws, and Drawings thereof, of record, respectively, in OR Book 556, Page 966 and Plat Cabinet 3, Slide 477; as amended in the First Amendment of record in OR Book 586, Page 2561 and Plat Cabinet 3, Slide 521; as amended in the Second Amendment of record in OR Book 607, Page 42 and Plat Cabinet 3, Slide 564; and as amended in the Third Amendment of record OR Book 630, Page 653 and Plat Cabinet 3, Slide 593; as amended in the Fourth Amendment of record in OR Book 671, Page 742 and Plat Cabinet 3, Slide 675; as amended in the Fifth Amendment of record in OR Book 689, Page 942 and Plat Cabinet 3, Slide 698; as amended in the Sixth Amendment of record in OR Book 715, Page 569 and Plat Cabinet 3, Slide 739; as amended in the Seventh Amendment of record in OR Book 749, Page 2188 and Plat Cabinet 3, Slide 775-775C; as amended in the Eighth Amendment of record in OR Book 778, Page 2137 and Plat Cabinet 3, Slide 799; as amended in the Ninth Amendment of record in OR Book 799, Page 2518 and Plat Cabinet 4, Slide 1-1E; as amended in the Tenth Amendment of record in OR Book 815, Page 2271 and Plat Cabinet 4, Slide 3-3C; as amended in the Eleventh Amendment of record in OR Book 881, Page 2469, as amended at OR Book 937, Page 1956 and Plat Cabinet 4, Slide 11; as amended in the Twelfth Amendment of record in OR Book 931, Page 440 and Plat Cabinet 4, Slide 13-13B, as amended in the Thirteenth Amendment of record in OR Book 961, Page 2273 and Plat Cabinet 4, Slide 15-15B; as amended in the Fourteenth Amendment of record in OR Book 970, Page 990 and Plat Cabinet 4, Slide 16-16B; as amended in the Fifteenth Amendment of record in OR Book 990, Page 2234 and Plat Cabinet 4, Slide 16, Recorder's Office, Delaware County, Ohio.