



VOL 2872 PAGE 87

AMENDED BY-LAWS OF
BROAD-BRUNSON PLACE CONDOMINIUM
UNIT OWNERS ASSOCIATION

ARTICLE I - NAME AND PURPOSE

1717

The name of this Association shall be Broad-Brunson Place Condominium Unit Owners Association, and its sole purpose shall be to manage, govern, and control Broad-Brunson Place Condominium in accordance with and to carry out the purpose and intent of Chapter 5311 of the Ohio Revised Code.

ARTICLE II - MEMBERSHIP

Section 1. Each Unit Owner shall be a member of Broad-Brunson Place Condominium Unit Owners Association.

ARTICLE III - VOTERS

Section 1. Each UNIT OWNER shall have voting power in proportion to such Unit Owner's percentage of interest in the common areas and facilities.

Section 2. This voting power can be exercised by the owner, or owners, of a unit, his or her heirs, assigns or personal representatives.

ARTICLE IV - MEETINGS

Section 1. There shall be an annual meeting of the unit owners held in Franklin County, Ohio, within the first twenty-one days of January of each year at a place and time determined by the Board of Managers then in office.

Section 2. At the annual meeting the Unit Owners shall elect the necessary member or members to the Board of Managers for the year ensuing.

Section 3. At the annual meeting any matters concerning the welfare of Broad-Brunson Place Condominium may be decided and referred to the Board of Managers for proper action.

JAN 31 1968

4:00 P
FEB. 2 - 1968
12:50

Amended By-Laws of
Broad-Brunson Place Condominium
Unit Owners Association

Page 2

* Section 4. At the annual meeting the President, Vice-President and Secretary-Treasurer shall submit reports in writing for the year just ending, which reports shall be read to the Unit Owners. Such reports shall be approved or disapproved and shall be duly noted by the Secretary-Treasurer in the minutes. The Secretary-Treasurer shall also submit a budget of anticipated revenue and expenses for the coming year, which the Unit Owners shall approve, disapprove or amend.

Section 5. Special meetings may be called by the President, Vice-President, or Secretary-Treasurer or by Unit Owners constituting at least twenty-five per cent (25%) of the voting power by written notice mailed to each Unit Owner at least five days before the time and place for such meeting as shown in such notice. Notice of such meeting may be waived in writing.

Section 6. Annual and Special Meetings shall be presided over and conducted by the President, or in his absence, the Vice-President or Secretary-Treasurer in that order.

* Section 7. To constitute a quorum at the annual or any Special Meeting at least fifty per cent (50%) of the voting power must be present at such meeting.

ARTICLE V - BOARD OF MANAGERS

* Section 1. The Unit Owners Association shall be governed by a Board of Managers consisting of five members, each of which shall be the owners of an interest in a unit of the condominium property.

* Section 2. The first Board shall consist of three members for respective terms of three years, two years, and one year and as the term of each such member expires his successor shall be elected for a term of three years so that the term of one member expires annually. Each Board member shall hold office until the expiration

Amended By-Laws of
Broad-Brunson Place Condominium
Unit Owners Association

Page 3

of the term for which he shall have been elected and shall continue in office until his successor shall have been duly elected and qualified. At the annual meeting to be held in January, 1968, two additional members shall be elected for respective terms of two years and one year. The successors of the two additional members shall be elected in the same manner as provided in this Section for the election of successors of the original Board members.

Section 3. The member or members of the Board of Managers shall be elected at the annual meeting of the Unit Owners and shall be elected by a plurality of voting power present at the annual meeting.

Section 4. In case of any vacancy in the Board of Managers through death, resignation or disqualification, the remaining Managers, though less than a majority of the whole Board, by affirmative vote of a majority shall elect a successor to hold office for the unexpired portion of the term of the Manager whose place shall be vacant and until the election and qualification of a successor.

Section 5. A majority of the Managers in office at the time shall constitute a quorum at all meetings thereof.

Section 6. The Board of Managers may hold its meeting at such place or places within the County of Franklin in the State of Ohio, but not elsewhere, as the Board may from time to time determine.

* Section 7. Managers, as such, shall not receive any stated salary for their services but, on vote of not less than seventy-five per cent (75%) of the voting power of the Unit Owners Association, may receive a fixed sum for expenses of attendance, if any, at each meeting, regular or special, provided that nothing herein contained shall be construed to preclude any Manager from serving the Association in any other capacity and receiving compensation therefor.

Amended By-Laws of
Broad-Brunson Place Condominium
Unit Owners Association

Page 4

Section 8. Meetings of the Board of Managers shall be held on such dates as the Board may designate and shall be called by the Secretary-Treasurer and held at the request of the President or any two of the members of the Board of Managers.

ARTICLE VI - OFFICERS

Section 1. At the first meeting of the Board of Managers in each year (at which a quorum shall be present) held next after the annual meeting of the Unit Owners Association, the Board of Managers shall elect officers of the Association, and designate and appoint such subordinate officers and employees as it shall determine. They may also employ a managing agent or custodian and define his salary and duties.

Section 2. The officers of this Association shall be a President, Vice-President, and a Secretary-Treasurer, all of whom shall be members of the Board of Managers. They shall be elected for a term of one year by the Board of Managers and serve until their successors are elected and qualified.

Section 3. Any officer or employee elected or appointed by the Board of Managers, other than that of a Board member, may be removed at any time upon a vote of a majority of the whole Board of Managers.

Section 4. The President shall conduct all meetings of the Association and the Board of Managers; the Vice-President shall act in the absence of the President, and the Secretary-Treasurer shall keep the minutes of the Association and Board of Manager meetings, shall handle the financial affairs of the Association including deposits of funds, and shall write and sign checks for the legitimate expenses of the Association as authorized by the Board of Managers, and prepare and maintain the records required by Revised Code Section 5311.09.

Amended By-Laws of
Broad-Brunson Place Condominium
Unit Owners Association

Page 5

ARTICLE VII - COMMON EXPENSES, PROFITS, AND LOSSES

- * Section 1. Common expenses shall include fire and extended coverage insurance; water and electricity in common areas but not in units; liability insurance for unit owners and their tenants, costs of administration, maintenance, repair, rehabilitation and replacement of common areas and facilities, and such other items as may from time to time be determined by a majority vote of the Board of Managers, and approved by the Unit Owners Association.
- * Section 2. The Board of Managers shall from time to time determine the financial requirements to defray the common expenses set forth in Article VII, Section 1, and make an assessment to be paid by the owner or owners of each unit each month to the Secretary-Treasurer of the Association for meeting such common expenses in accordance with each Unit Owner's percentage of interest in common areas and facilities. The Board of Managers may incur expenses and enter contracts binding upon the Unit Owners Association so long as such debts and obligations were approved at the Annual Meeting in accordance with Article IV, Section 4; at a Special Meeting convened in accordance with Article IV, Section 5; or so long as each such expense or obligation does not foreseeably exceed a total expenditure of Five Hundred Dollars (\$500.00) for the remainder of the fiscal year. The Board of Managers may expend Association funds up to and including Five Hundred Dollars (\$500.00) without previous approval of the Unit Owners Association. Any expenses, contracts or obligations incurred by the Board of Managers in excess of Five Hundred Dollars (\$500.00) without previous approval of the Unit Owners Association shall be at the Board's peril.
- Section 3. The Board of Managers may retain and pay a qualified accountant to handle the collection of assessments, keeping of all records and payment of obligations of the association. If such

Amended By-Laws of
Broad-Brunson Place Condominium
Unit Owners Association

Page 6

accountant is so retained as herein provided, his work shall be under the supervision of the Secretary-Treasurer and he shall be accountable to the Board of Managers.

Section 4. Common profits and common losses defined by Ohio Revised Code Section 5311.01 shall be distributed to and borne by the respective Unit Owners in proportion to his percentage of interest in common areas and facilities. Such common profits and losses, if any, shall be determined by the Board of Managers at the end of each year and such common profits may be distributed or retained as a reserve by a majority decision of the Board of Managers. Common losses shall be recovered by assessment in accordance with Section 2, Article VII.

ARTICLE VIII - ADMINISTRATIVE RULES AND REGULATIONS

* Section 1. The Board of Managers may adopt administrative rules and regulations governing the operation and use of the condominium property not in conflict with the Declaration or these By-Laws and amendments thereto by a vote of a majority of the members of the Board. Such Administrative Rules and Regulations shall be recorded with the Secretary-Treasurer and shall be sent to each Unit Owner by registered mail prior to their effective date of application.

Section 2. Such rules and regulations may be amended from time to time by a majority vote of the members of the Board of Managers or by a vote of at least seventy-five per cent (75%) of the voting power of the Unit Owners Association at the annual meeting or at a Special Meeting of the same.

ARTICLE IX - USE OF UNIT AND COMPLIANCE WITH BY-LAWS

Section 1. Each unit shall be used and occupied only as a private dwelling by Owner or his tenant. Each unit or any part thereof

Amended By-Laws of
Broad-Brunson Place Condominium
Unit Owners Association

Page 7

shall not be used for any other purpose. Each owner or any other occupant of the unit, shall respect the comfort and peace of mind of his neighbors, as well as other occupants of the Condominium. Each owner shall not do, or permit to be done, or keep in the unit, anything which will increase the rate of fire insurance for the Condominium, or do or suffer to be done any act or thing which shall be a nuisance, annoyance, inconvenience, or damage to the unit or any occupants of the Condominium.

Section 2. Each Unit Owner shall abide by the provisions of the By-Laws and Amendments thereto of the Unit Owners Association, the Administrative Rules and Regulations as promulgated under Article VIII above, the Declaration of Condominium, as well as the provisions of Chapter 5311 of the Ohio Revised Code and any amendments thereto, and each owner shall use his unit and sell and convey the same, exercise the privilege of being an owner only in a way which will not violate any of the provisions of the By-Laws, Administrative Rules and Regulations, as amended from time to time, or any provisions of the Declaration of Condominium.

ARTICLE X - UNIT OWNERSHIP

Section 1. Ownerships of a unit include the right to exclusive possession, use and enjoyment of the surfaces of all its perimeter walls, floors and ceilings and of all supporting walls, fixtures, and other parts of the building within its boundaries, as well as the garage space assigned to the unit, including the right to paint, tile, wax, paper, or otherwise finish, refinish, or decorate the same.

Section 2. Each unit shall be subject to the right of access for the purpose of maintenance, repair, or service of any common area and facility located within its boundaries or of any portion of the unit itself by persons so authorized by the Board of Managers of the Unit Owners Association. No maintenance, repair, or service of any portion of a unit shall be authorized, however, unless the

Amended By-Laws of
Broad-Brunson Place Condominium
Unit Owners Association

Page 8

same is necessary in the opinion of said Board of Managers for public safety or in order to prevent damage to or destruction of any other part of the Condominium property.

ARTICLE XI - CONVEYANCE OF UNIT

Section 1. If an owner wishes to dispose of and convey his unit, the Board of Managers shall have the option, but not the obligation, to purchase the unit for an amount equal to the then reasonable market value of such unit less the unpaid balance of any mortgage indebtedness or other lien or encumbrance (including current real estate taxes).

Section 2. Reasonable market value of the unit within the meaning of this Article XI, Section 1, shall not be less than the amount of a bona-fide offer made to such Unit Owner by a financially responsible person of good character and acceptable to the Board of Managers who had entered into a contract with the Unit Owner to purchase the unit for such amount, subject to the sole condition that the Board of Managers does not exercise the option provided herein.

Section 3. If the Board of Managers makes the purchase from the Unit Owner, any outstanding indebtedness of the Unit Owner creating a lien or encumbrance on such unit shall be deducted from the purchase price and the deed shall be to the President of the Board of Managers as Trustee for all other Unit Owners.

Section 4. The option of the Board of Managers provided herein shall be exercisable by the Board of Managers within fifteen (15) days following receipt of written notice from the Unit Owner that he has a written contract of sale to a bona fide purchaser subject to the sole condition that the Board of Managers does not exercise the option provided herein.

Amended By-Laws of.
Broad-Brunson Place Condominium
Unit Owners Association

Page 9

Section 5. If the Board of Managers fails to exercise its option to purchase the unit within 15 days following receipt of such written notice from the Unit Owner that he has such contract, or if the Board of Managers, by notice in writing to the Unit Owner waives the option provided for herein, the Unit Owner may sell and convey his unit to any person who has been previously designated as acceptable as a purchaser (such designation to be in writing by the Board of Managers) and who assumes all the obligations of his predecessor Unit Owner, including membership in the Unit Owners Association.

* Section 6. All conveyances of units in the Condominium shall contain by reference or by specific language the same restrictions as were contained in the conveyance to such grantor, and any amendments thereto recorded subsequent to the previous conveyance.

Section 7. Notwithstanding the foregoing provisions of this Article XI, the Unit Owner may convey his unit by gift, bequest, sale or otherwise, to a member of his family without granting a first option to the Board of Managers and without securing the approval of the Board of Managers of the conveyance to such person in the Unit Owner's Family. The term "Member of Unit Owner's Family" shall mean the wife or husband of the Unit Owner and any children, brothers, sisters, or parents of the Unit Owner, along with such other categories of relationship to the Unit Owner as the Board of Managers may hereafter establish by regulation.

ARTICLE XII - RENTING OR LEASING

Section 1. No Unit Owner shall rent or lease his unit without the written consent of the Board of Managers and the written approval of the tenant by the Board of Managers. Such lease or tenancy shall be in form acceptable to the Board of Managers and shall require the lessee or tenant to abide by the terms of these By-Laws

Amended By-Laws of
Broad-Brunson Place Condominium
Unit Owners Association

Page 10

as well as the administrative rules and regulations and shall give the Board of Managers the right to dispossess or otherwise act for the Unit Owner in case of default under the lease, tenancy or for violation of these By-Laws or the Administrative Rules and Regulations. The Unit Owner shall continue to be liable for all obligations of ownership of his unit and shall be responsible to the Board of Managers for the conduct of his lessee or tenant.

ARTICLE XIII - FIRE LOSS, DESTRUCTION, OBSOLESCENCE AND REHABILITATION

Section 1. Loss by fire, destruction or change occasioned by obsolescence or requiring rehabilitation or abandonment of a unit or the entire Condominium shall be effected as provided by Chapter 5311 of the Ohio Revised Code as amended from time to time.

ARTICLE XIV - NOTICES AND DEMANDS

Section 1. Any notice by the Board of Managers to a Unit Owner shall be deemed to be duly given, and any demand upon him shall be deemed by him to have been duly made, if delivered in writing to him personally, or if mailed by registered letter in any post office, addressed to him at the unit owned by such Unit Owner, and any notice by a Unit Owner to the Board of Managers shall be deemed to be duly given any demand upon the Board of Managers shall be deemed to have been duly made, if in writing and delivered to an officer of the Unit Owners Association.

* Section 2. In the event that legal expenses are incurred by the Board of Managers in the collection of delinquent payment of common expenses or special assessments, such legal expenses shall be assessed against such delinquent Unit Owner.

* Section 3. In the event a Unit Owner is delinquent in the payment of his common expenses or special assessments for a period of sixty (60) days or more, such Unit Owner shall lose his voting privileges at both regular and special meetings until such time as his account becomes current to the satisfaction of the Board of Managers.

Amended By-Laws of
Broad-Brunson Place Condominium
Unit Owners Association

Page 11

ARTICLE XV - REMEDIES FOR VIOLATION OF BY- LAWS, ETC.

Section 1. Any purported conveyance of a unit or rental or lease of a unit which does not conform to the provisions of Article XI and Article XII of these By-Laws shall be void and without force or effect.

Section 2. All Unit Owners, their tenants, and all persons lawfully in possession and control of any part of the Condominium property shall comply with all covenants, conditions, and restrictions set forth in the deed to which they are subject and in the Declaration, these By-Laws, the Administrative Rules and Regulations, and all amendments thereto. Violations thereof shall be grounds for action for damages or injunctive relief, or both, and may be brought by the Unit Owners Association, by a Unit Owner or Owners, or both.

ARTICLE XVI - DEFINITION

Section 1. Whenever "Unit" is used in these By-Laws it includes the unit and one garage space and its percentage of interest in common areas and facilities as set forth in the Declaration.

Section 2. The provisions of Chapter 5311 of the Ohio Revised Code are, where pertinent and necessary to cover matters not herein covered, made a part of these By-Laws by reference.

ARTICLE XVII - AMENDMENT

These By-Laws may be amended from time to time at an annual or special meeting of the Unit Owners Association by an affirmative vote of not less than seventy-five per cent (75%) of the Unit Owners in terms of such Unit Owner's percentage of interest in the common areas and facilities.

IN WITNESS WHEREOF the said H. Coleman Grimes,
 Secretary-Treasurer of the Broad-Brunson Place Condominium
 Unit Owners Association, does hereby certify that the preceding
 seventeen (17) articles of by-laws of the Broad-Brunson Place
 Condominium Unit Owners Association, wherein all amendments
 are indicated by an asterisk preceding the article so amended,
 have been adopted by seventy-five per cent (75%) or more of
 the unit owners in a specially called meeting for that purpose
 and by resolution dated the 16th day of January, 1968, hereby
 adopt the aforementioned articles as rewritten.

BROAD-BRUNSON PLACE CONDOMINIUM
 UNIT OWNERS ASSOCIATION

By: H. Coleman Grimes
 H. Coleman Grimes,
 Secretary-Treasurer

STATE OF OHIO,
 FRANKLIN COUNTY, SS:

Before me, a Notary Public in and for said county,
 personally appeared the above named H. Coleman Grimes, Secretary-
 Treasurer of the Broad-Brunson Place Condominium Unit Owners
 Association, who acknowledged that he did sign the foregoing
 instrument as an adoption of by-laws as per authorized resolution
 set forth in the minutes of the special meeting called for
 said purpose on the 16th day of January, 1968.

IN TESTIMONY WHEREOF, I have hereunto set my hand
 this 31st day of January, 1968.

Nancy Nettles NANCY NETTLES NOTARY PUBLIC
 Notary Public FRANKLIN COUNTY
 My Commission Expires 1-5-69

THIS INSTRUMENT PREPARED BY: Richard E. Wright, Attorney
 44 East Broad Street
 Columbus, Ohio 43215
 228-2681

