

AMENDMENT TO THE
DECLARATION OF RESTRICTIONS FOR
Longbrooke Homeowners' Association, Inc.

WHEREAS, the Declaration of Restrictions for Longbrooke Homeowners' Association, Inc. (the "Declaration") was recorded at Cuyahoga County Records Volume 10976, Page 697, *et seq.*;

WHEREAS, the Longbrooke Homeowners (the "Association") is a corporation consisting of all Lot Owners in Longbrooke and as such is the representative of all Lot Owners;

WHEREAS, Article T of said Declaration authorizes amendments to the Declaration;

WHEREAS, Lot Owners representing not less than a majority of the Association's voting power have voted to amend the Declaration (the "Amendment");

WHEREAS, the Association has in its records the signed, written consents to the Amendment signed by Lot Owners representing 52.30% of the Association's voting power as of February 6, 2024;

WHEREAS, the Association has in its records the authority signed by Lot Owners representing 52.30% of the Association's voting power authorizing the Association's officers to execute the Amendment on their behalf;

WHEREAS, attached hereto as Exhibit A is an Affidavit of the President of the Association that proper notice of the Amendment was sent by regular mail, or hand delivered to all Members of the Association; and

WHEREAS, the Association has in its records the consents to the Amendment signed by Members representing at least a majority of the voting power, as certified by the Secretary in the attached Exhibit B; and

WHEREAS, the proceedings necessary to amend the Declaration as required by Chapter 5312 of the Ohio Revised Code and the Declaration have in all respects been complied with.

NOW THEREFORE, the Declaration of Restrictions for Longbrooke Homeowners' Association, Inc., are hereby amended as follows:

REPLACE Article C of the Declaration, as follows:

C. No building or structure shall be erected or placed on any subplot having a width of less than 60 feet at the building setback line, as shown on the recorded plat of the subdivision or as determined by the public zoning authority, unless such Sublot exists on the Smith School Site (permanent parcel number 364-35-009, and further described in Vol. 11679, Pg. 693, *et seq.*, of Cuyahoga County Records), in which case such Sublot shall not have a width of less than 50 feet at the building setback line, as shown on the recorded plat of the subdivision or as determined by the public zoning authority. No building or structure be erected or placed on any subplot having an area of less than 650 square feet.

Any conflict between this provision and any other provisions of the Declaration and Bylaws will be interpreted in favor of provisions provided herein. The invalidity of any part of the above provisions does not impair or affect in any manner the validity or enforceability of the remainder of the provisions. Upon the recording of this amendment, only Lot Owners of record at the time of such filing have standing to contest the validity of this amendment, whether on procedural, substantive, or any other grounds. Any contest or other legal 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.

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IN WITNESS WHEREOF, the officers of Longbrooke Homeowners' Association, Inc. have caused the execution of this instrument this 12th day of February, 2024.

Longbrooke Homeowners' Association, Inc.

Signed and acknowledged in the presence of all:


By: Tracey Maxwell
Tracey Maxwell, President

By: Patricia Allison-Roy Secretary

STATE OF OHIO)
) SS.
COUNTY OF CUYAHOGA)

The foregoing instrument was acknowledged before me this 12th day of February, 2024, by Tracey Maxwell and Mirica Alisa-Ray, personally known to me, in their capacity as President and Secretary of Longbrooke Homeowners' Association, Inc., an Ohio non-profit corporation, on behalf of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal at Brea, Ohio, this 12th day of February, 2024.



Notary Public

LINDSEY A. WRUBEL, ATTY.
NOTARY PUBLIC • STATE OF OHIO
 My commission has no expiration date
 Section 147.03 O.R.C.

EXHIBIT A

AFFIDAVIT

STATE OF OHIO)
) ss.
COUNTY OF CUYAHOGA)

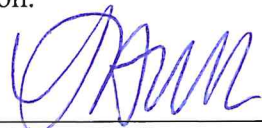
Tracey Maxwell, being first duly sworn, states as follows:

1. She is the duly elected and acting President of Longbrooke Homeowners' Association, Inc.
2. As such President, she caused copies of the Ballot for the Amendment to the Declaration of Restrictions to be mailed at all Lot Owners of record.
3. Further affiant sayeth naught.



Tracey Maxwell, President

BEFORE ME, a Notary Public in and for said County, the foregoing instrument was acknowledged before me this 12th day of February, 2024, by Tracey Maxwell, personally known to me, in her capacity as President of Longbrooke Homeowners Association, Inc., an Ohio non-profit corporation, on behalf of said corporation.



Notary Public

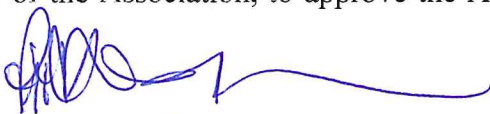
LINDSEY A. WRUBEL, ATTY.
NOTARY PUBLIC • STATE OF OHIO
My commission has no expiration date
Section 147.03 O.R.C.

EXHIBIT B

STATE OF OHIO)
) SS.
COUNTY OF CUYAHOGA)

CERTIFICATION OF SECRETARY

The undersigned, being the duly elected and qualified Secretary of Longbrooke Homeowners' Association, Inc. hereby certifies that the Association has in its records the consents at least a majority of the voting power of the Association, to approve the Amendment filed herein.



Patricia Allison-Ray Secretary

BEFORE ME, a Notary Public in and for said County, the foregoing instrument was acknowledged before me this 12th day of February, 2024, by Patricia Allison-Ray, personally known to me, in her capacity as Secretary of Longbrooke Homeowners' Association, Inc., an Ohio non-profit corporation, on behalf of said corporation.



Notary Public

This instrument prepared by:
Lindsey A. Wrubel, Esq.
Eques Law Group
9821 Olde Eight Rd., #1
Northfield, OH 44067
Telephone: (216) 339-8939
law@eques.law

LINDSEY A. WRUBEL, ATTY.
NOTARY PUBLIC • STATE OF OHIO
My commission has no expiration date
Section 147.03 O.R.C.