

## AMENDMENT TO BY-LAWS

OF

CLUB OCEAN VILLAS CONDOMINIUM

THIS AMENDMENT TO CONDOMINIUM BY-LAWS, made this 9<sup>th</sup> day of March, ~~2009~~ <sup>2010</sup>, by the Council of Unit Owners of Club Ocean Villas Condominium, WITNESSTH:

WHEREAS, Club Ocean Villas Condominium (sometimes referred to as "Club Ocean Villas" or "Condominium") was established by the Declaration of Club Ocean Villas Condominium, Horizontal Property Regime (An Expanding Condominium)," made by Heritage Development Corporation, dated November 4, 1983, and recorded among the Land Records of Worcester County, Maryland, in Liber W.C.L. 922, folio 460, *et seq.* (the "Declaration"), and pursuant to the By-Laws of Club Ocean Villa Condominium, incorporated into the Declaration as Exhibit B thereto, and recorded among the aforesaid Land Records, in Liber W.C.L. 922, folio 477, *et seq.*;

WHEREAS, the Condominium's By-Laws were amended by virtue of the "By-Laws, Club Ocean Villas I Condominium Association," recorded among the aforesaid Land Records, in Liber R.H.O. 1566, folio 469, *et seq.*;

WHEREAS, the Condominium's By-Laws were amended by virtue of an amendment dated June 1, 1990, and recorded among the aforesaid Land Records, in Liber R.H.O. 1649, folio 272;

WHEREAS, the Condominium's By-Laws were amended by virtue of the "By-Laws, Club Ocean Villas I Condominium Council of Unit Owners, Amended and Re-Enacted October 28, 1995," recorded among the aforesaid Land Records, in Liber R.H.O. 2331, folio 0378, *et seq.*;

WHEREAS, the Condominium's Council of Unit Owners approved further amendments to its By-Laws at its meeting on April 25, 2009;

NOW WHEREFORE, the Council of Unit Owners of Club Ocean Villas Condominium hereby amends the Condominium's By-Laws as follows:

1) Article I, Section 1 is hereby amended to provide as follows:

Article I, Section 1. Name and Location. The name of this unincorporated Council of Unit Owners is Club Ocean Villas Condominium (hereinafter, the Association) is located at 108 120<sup>th</sup> Street, Ocean City, Maryland 21842.

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2) Article II, Section 1 is hereby amended so as to provide as follows:

Article II, Section 1. Declaration. "Declaration" as used herein means that certain Declaration made the 4<sup>th</sup> day of November, 1983, by Heritage Development Corporation, pursuant to Title II of the Real Property Article of the Annotated Code of Maryland, known as the Maryland Condominium Act by which certain described premises (including land) were submitted to a condominium regime and which Declaration was recorded with the Bylaws for Club Ocean Villas Condominium among the Land Records of Worcester County, Maryland on November 7, 1983, at Liber No. 922, Folio 460 *et seq.*; on July 3, 1989, at Liber 1566, Folio 469, *et seq.*; and on November 13, 1996, at Liber R.H.O. 2331, Folio 378, *et seq.*

3) Article V, Section 6 is hereby amended so as to provide as follows:

Article V, Section 6. Removal of Directors. Subject to Section 5 above, at a regular or special meeting duly called, any Director may be removed with or without cause by the affirmative vote of the majority of the entire regular membership of record and a successor may then and there be elected to fill the vacancy thus created. Any director whose removal has been proposed by the members shall be given an opportunity to be heard at the meeting provided in Section 5 of this Article.

4) Article VI, Section 4 is hereby amended so as to provide as follows:

Article VI, Section 4. President. The President shall be the chief executive officer of the Association. The President shall have all of the general powers and duties which are usually vested in the office of president of a corporation, including, but not limited to, the power to appoint committees from among the membership from time to time as he may, in his discretion, decide it appropriate to assist in the conduct of the affairs of the Association. The President shall preside at all meetings of the Association.

5) Article X, Section 1(h) is hereby amended so as to provide as follows:

Article X, Section 1 (Restrictions and Rules) h. All units shall be maintained with a minimum interior temperature sufficient to avoid freezing pipes in the winter months.

6) Article X, Section 2(f) is hereby amended so as to provide as follows:

Article X, Section 2 (f). If any unit owners fails to comply with this title, the Declaration, or Bylaws, or a decision rendered pursuant to this section, the unit owner may be sued for damages caused by the failure or for injunctive relief, or both, by the Council of Unit Owners or by any other unit owner. The prevailing party in any such proceeding is entitled to an award for counsel fees as determined by the court.

7) Article XI, Section 1 is hereby amended so as to provide as follows:

Article XI, Section I. Architectural Control Committee. Except for the original construction of the condominium units situate within the project by the Declarant and any improvements to any condominium unit or to the common elements accomplished concurrently with said original construction, and except for purposes of proper maintenance and repair or as otherwise in these By-Laws provided, it shall be prohibited to install, erect, attach, apply, paste, hinge, screw, nail, build, alter, remove or contract any lighting, shades, screens, awnings, patio covers, decorations, fences, aerials, antennas, radio or television broadcasting or receiving devices, slabs, sidewalks, curbs, gutters, patios, porches, driveways, walls, or to make any change or otherwise alter (including any alteration in color) in any manner whatsoever to the exterior of any condominium unit or upon any of the common elements within the project until the complete plans and specifications showing the location, nature, shape, height, materials, color, type of construction and/or any other proposed form of change (including, without limitation, any other information specified by the Board of Directors or its designated committee) harmony of external design, color and location in relation to surrounding structures and topography by the Board of Directors of the Association, or by an architectural control committee designated by it. Topography shall have been submitted to and approved in writing by the Board of Directors of the Association, or by an architectural control committee designated by the Board.

8) Article XII is hereby amended so as to add include an additional Section 4 which provides as follows:

Article XII, Section 4. Unit Owner Liability. To the extent permitted by Title 11 of the Real Property Article of the Annotated Code of Maryland, if the cause of any damage to or destruction of any portion of the Condominium originates from a unit, the owner of the unit where the cause of damage or destruction originated shall be held responsible for the Council of Unit Owners' property insurance deductible.

9) Article XIV, Section 3 is hereby amended to provide as follows:

Article XIV, Section 3. Auditing. The Association shall furnish its members with an annual financial statement including the income and disbursements of the Association. On request of the unit owners of at least five percent (5%) of the units, the Board shall cause an audit of the books and records to be made by an independent Certified Public Accountant (CPA), provided an audit shall be made not more than once in any consecutive twelve (12) month period. The cost of the audit shall be a common expense.

WITNESS THEREOF, the Council of Unit Owners of Club Ocean Villas  
Condominium has executed this Amendment to By-Laws by \_\_\_\_\_,  
its President, as of the day and year first herein written.

WITNESS:

Club Ocean Villas Condominium  
Council of Unit Owners

Lisa S. Heimer


Tom E. Bran  
By:  
President, Council of Unit Owners

IMP FD SURE \$ 20.00  
RECORDING FEE 20.00  
TOTAL 40.00  
Rest 1001 Rcpt # 2385  
SVH 8192 Blk # 461  
Jun 04, 2018 04:00 PM

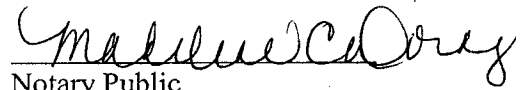
CERTIFICATION OF SECRETARY

JAMES T. RUSSEN, being the Secretary of the Council of Unit Owners of Club Ocean Villas Condominium, who personally appeared before the undersigned, a Notary Public in and for State and County set forth below, and who did make oath in due form of law as follows:

1. A meeting of the Council of Unit Owners of Club Ocean Villas Condominium was duly held on April 25, 2009, and proper notice of said meeting was given to the owners of all units in Club Ocean Villas Condominium;
2. At said meeting, the foregoing Amendment to By-Laws of Club Ocean Villas Condominium was voted upon by the membership; and
3. By the affirmative vote of unit owners representing at least sixty-six and two-thirds percent (66 2/3 %) of the voting interests of the Club Ocean Villas Condominium Council of Unit Owners, the Amendment to By-Laws of Club Ocean Villas Condominium was duly passed.

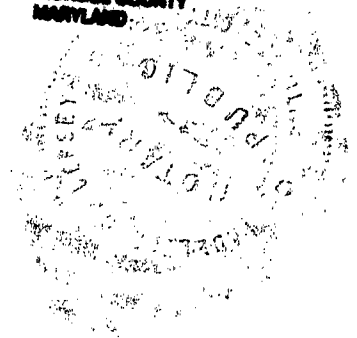
  
Secretary

SWORN TO AND SUBSCRIBED before me, a Notary Public in and for Anne Arundel County, State of MD on this 8 day of MARCH, 2009/10

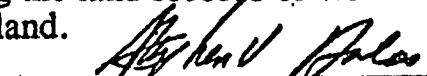
  
Notary Public

My Commission Expires: 7-19-12

MADELINE C. DORSEY  
NOTARY PUBLIC  
ANNE ARUNDEL COUNTY  
MARYLAND



JUN - 4 2010 The foregoing instrument filed for record and is accordingly recorded among the land records of Worcester County, Maryland.

  
Clerk