

**TWENTY SEVENTH AMENDMENT TO THE DECLARATION OF CONDOMINIUM
OWNERSHIP FOR PINEHURST CONDOMINIUM**

WHEREAS, the Declaration of Condominium Ownership for Pinehurst Condominium (the "Declaration") was recorded on July 1, 1980 at D80-272A01 of the Montgomery County, Ohio Recorder's Office;

WHEREAS, the First Amendment to the Declaration was recorded on September 30, 1980 at D80-426A07 of the Montgomery County, Ohio Recorder's Office;

WHEREAS, the Second Amendment to the Declaration was recorded on October 22, 1980 at D80-473A08 of the Montgomery County, Ohio Recorder's Office;

WHEREAS, the Third Amendment to the Declaration was recorded on February 4, 1981, 1980 at D81-046A11 of the Montgomery County, Ohio Recorder's Office;

WHEREAS, the Fourth Amendment to the Declaration was recorded on February 4, 1981 at D81-047A01 of the Montgomery County, Ohio Recorder's Office;

WHEREAS, the Fifth Amendment to the Declaration was recorded on February 25, 1981 at D81-74B03 of the Montgomery County, Ohio Recorder's Office;

WHEREAS, the Sixth Amendment to the Declaration was recorded on May 14, 1981 at D81-197A01 of the Montgomery County, Ohio Recorder's Office;

WHEREAS, the Seventh Amendment to the Declaration was recorded on September 11, 1981 at D81-404B02 of the Montgomery County, Ohio Recorder's Office;

WHEREAS, the Eighth Amendment to the Declaration was recorded on October 16, 1981 at D81-465A01 of the Montgomery County, Ohio Recorder's Office;

WHEREAS, the Ninth Amendment to the Declaration was recorded on December 10, 1981 at D80-540B05 of the Montgomery County, Ohio Recorder's Office;

WHEREAS, the Tenth Amendment to the Declaration was recorded on August 31, 1982 at D82-350A01 of the Montgomery County, Ohio Recorder's Office;

WHEREAS, the Eleventh Amendment to the Declaration was recorded on December 16, 1982 at D82-518B09 of the Montgomery County, Ohio Recorder's Office;

WHEREAS, the Twelfth Amendment to the Declaration was recorded on July 29, 1983 at D83-351A01 of the Montgomery County, Ohio Recorder's Office and re-recorded on August 19, 1983 at D-83-389A01 of the Montgomery County, Ohio Recorder's Office;

WHEREAS, the Thirteenth Amendment to the Declaration was recorded on August 26, 1983 at D83-399A01 of the Montgomery County, Ohio Recorder's Office;

WHEREAS, the Fourteenth Amendment to the Declaration was recorded on September 29, 1983 at D83-464A01 of the Montgomery County, Ohio Recorder's Office;

WHEREAS, the Fifteenth Amendment to the Declaration was recorded on October 7, 1983 at D83-482A12 of the Montgomery County, Ohio Recorder's Office;

WHEREAS, the Sixteenth Amendment to the Declaration was recorded on October 24, 1983 at D83-506C05 of the Montgomery County, Ohio Recorder's Office;

WHEREAS, the Seventeenth Amendment to the Declaration was recorded on November 15, 1983 at D83-546C10 of the Montgomery County, Ohio Recorder's Office;

WHEREAS, the Eighteenth Amendment to the Declaration was recorded on January 17, 1984 at D84-23A01 of the Montgomery County, Ohio Recorder's Office;

WHEREAS, the Nineteenth Amendment to the Declaration was recorded on April 13, 1984 at D84-162A08 of the Montgomery County, Ohio Recorder's Office;

WHEREAS, the Twentieth Amendment to the Declaration was recorded on May 8, 1984 at D84-0208A08 of the Montgomery County, Ohio Recorder's Office;

WHEREAS, the Twenty First Amendment to the Declaration was recorded on June 19, 1984 at D84-267C08 of the Montgomery County, Ohio Recorder's Office;

WHEREAS, the Twenty Second Amendment to the Declaration was recorded on July 20, 1984 at D84-335C09 of the Montgomery County, Ohio Recorder's Office;

WHEREAS, the Twenty Third Amendment to the Declaration was recorded on August 13, 1984 at D84-376A01 of the Montgomery County, Ohio Recorder's Office;

WHEREAS, the Twenty Fourth Amendment to the Declaration was recorded on October 17, 1984 at D84-486C12 of the Montgomery County, Ohio Recorder's Office;

WHEREAS, the Twenty Fifth Amendment to the Declaration was recorded on December 27, 1984 at D84-0611C03 of the Montgomery County, Ohio Recorder's Office;

WHEREAS, the Twenty Sixth Amendment to the Declaration was recorded on April 11 1985 at D85-1057D06 of the Montgomery County, Ohio Recorder's Office;

WHEREAS, the Declaration and its amendments are binding upon the real estate described in Exhibit A;

WHEREAS, Article XX, Section B of the Declaration requires that Unit Owners exercising not less than seventy-five percent (75%) of the voting power must vote in favor of amendments to the Declaration;

WHEREAS, at least seventy-five percent (75%) of the voting power have voted in favor of this Twenty Seventh Amendment;

WHEREAS, the Pinehurst Condominium Association (“Association”) seeks to amend the Declaration to further clarify maintenance responsibilities for the Association and Unit Owners respectively.

NOW THEREFORE, the Declaration is hereby amended as follows:

I. Article VI, Sections D(1)(a-d) are hereby deleted in their entirety and replaced with the following:

D. Maintenance and Repairs.

1. Individual Responsibility. Each Unit Owner shall maintain, repair and replace at his or her sole expense, all portions of his or her Unit, including:

- a. All of the space included in the boundary of the Unit including the decorated surfaces, paint, lacquer, varnish, wall paper, tile, and any other finishing materials applied to the interior surface of any perimeter walls, floors and ceilings, specifically including any drywall damaged as a result of a roofing leak or due to the negligence of Unit Owner.
- b. All windows, screens and doors, including frames, sashes, and jambs and the space occupied thereby as well as the entrance ways and patios for the exclusive use of the Unit.
- c. All internal installations such as appliances, heating, plumbing, electrical and air conditioning fixtures or installations, and any portion of any other utility service facilities located within the Unit.
- d. The air conditioning pad, compressor and lines, conduit and accessories to said air conditioner.

II. Article VII, Sections D(1) is hereby deleted in its entirety and replaced with the following:

1. Association Responsibilities. The Association shall maintain, repair and replace, to the extent deemed appropriate by the Board, the following:

(a) Common Element. All Common Areas owned by the Association including amenities such as entrance features or signage and any buildings and equipment owned by the Association.

(b) Living Units. The lawns, trees, gardens, shrubbery, pavement, fences, concrete walkways, walk lights and driveways, along with the exterior paint, roof, gutters, downspouts/siding and any fencing within the Association.

(c) Utility Service Lines. All utility service lines servicing more than one Unit or servicing a Common Area, including but not limited to water, sanitary and storm sewer, electric, fiber optic, cable and phone, from the point such utility service line leaves its respective public main and up to and including the point that such utility service line connects to a point from which it proceeds to serve one Unit exclusively, whether within or outside the Living Unit, to the extent that such maintenance, repair or replacement would otherwise be the responsibility of the Unit Owner and not any specific utility provider.

IN WITNESS WHEREOF, _____ the President of Pinehurst Condominium Association, Inc., an Ohio non-profit corporation, has executed this Twenty Seventh Amendment this _____ day of January, 2012.

**PINEHURST CONDOMINIUM
ASSOCIATION, INC.
An Ohio Non-Profit Corporation**

By: _____
Printed: _____
Its: President

STATE OF OHIO :
: **SS:**
COUNTY OF MONTGOMERY :

Sworn to and subscribed before me by _____, President of Pinehurst Condominium Association, Inc., an Ohio non-profit corporation, by and on behalf of the corporation, on this _____ day of January, 2012.

Notary Public

This instrument prepared by:
R. Tony Martina, Esq.
Cuni, Ferguson & LeVay Co., LPA
10655 Springfield Pike
Cincinnati, Ohio 45215
(513) 771-6768

Exhibit A
Legal Description

Legal description to be provided upon passage of the amendment.