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AMENDMENTS TO THE
DECLARATION OF EASEMENTS, COVENANTS,
CONDITIONS AND RESTRICTIONS
FOR
STRATFORD GREEN AT MAYFAIR

PLEASE CROSS MARGINAL REFERENCE WITH THE DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS FOR STRATFORD GREEN AT MAYFAIR RECORDED AT INSTRUMENT NO. 54758487 OF THE SUMMIT COUNTY RECORDS.

THIS WILL CERTIFY THAT A COPY OF THIS AMENDMENT TO THE DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS FOR STRATFORD GREEN AT MAYFAIR WAS FILED IN THE OFFICE OF THE FISCAL OFFICER OF SUMMIT COUNTY, OHIO.

DATED: 9-7-2023

BY: **KRISTEN M. SCALISE CPA, CFE**
 FISCAL OFFICER

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Beverly Coble

DOC # 56834409



**AMENDMENTS TO THE
DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS AND
RESTRICTIONS FOR STRATFORD GREEN AT MAYFAIR**

RECITALS

- A.** The Declaration of Easements, Covenants, Conditions and Restrictions for Stratford Green at Mayfair (the “Declaration”) and the Bylaws of Stratford Green Homeowners’ Association, Inc. (the “Bylaws”), Exhibit B the Declaration, were recorded at Summit County Records, Instrument No. 54758487.
- B.** The Stratford Green Homeowners’ Association, Inc. (the “Association”) is a corporation consisting of all Owners in Stratford Green and as such is the representative of all Owners.
- C.** Declaration Article XV, Section 15.11(d) authorizes amendments to the Declaration and Bylaws Article XII authorizes amendments to the Bylaws.
- D.** Owners representing at least 50 percent of the Association’s current voting power have executed instruments in writing setting forth specifically the matters to be modified (the “Amendments”).
- E.** As of August 21, 2023, Owners representing 77.45 percent of the Association’s voting power have signed and delivered to the Association written consents, along with powers of attorney, in favor of Amendment A and authorizing the Association’s officers to execute Amendment A on their behalf.
- F.** As of August 21, 2023, Owners representing 80.99 percent of the Association’s voting power have signed and delivered to the Association written consents, along with powers of attorney, in favor of Amendment B and authorizing the Association’s officers to execute Amendment B on their behalf.
- G.** As of August 21, 2023, Owners representing 79.41 percent of the Association’s voting power have signed and delivered to the Association written consents, along with powers of attorney, in favor of Amendment C and authorizing the Association’s officers to execute Amendment C on their behalf.
- H.** The Association has complied with the proceedings necessary to amend the Declaration and Bylaws, as required by Chapter 5312 of the Ohio Revised Code and the Declaration and Bylaws, in all material respects.



AMENDMENTS

The Declaration of Easements, Covenants, Conditions and Restrictions for Stratford Green at Mayfair is amended by the following:

AMENDMENT A

INSERT a new PARAGRAPH to the end of DECLARATION ARTICLE VII, SECTION 7.14. Said new addition to the Declaration, as recorded at Summit County Records, Instrument No. 54758487, is:

Solar energy collection devices of any kind, on either the exterior of the Living Unit or on any part of the Lot, are prohibited. A "solar energy collection device" means any device manufactured and sold for the purpose of facilitating the collection and beneficial use of solar energy, including passive heating panels or building components, solar photovoltaic apparatus, solar panel systems, and solar shingle roofing systems.

Any conflict between this provision and any other provisions of the Declaration and Bylaws will be interpreted in favor of this restriction prohibiting solar energy collection devices on the exterior of the Living Unit and the Lot. 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 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. Any 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.

AMENDMENT B

INSERT a new DECLARATION ARTICLE VII, SECTION 7.28 entitled, "Fireworks." Said new addition to the Declaration, as recorded at Summit County Records, Instrument No. 54758487, is:

Section 7.28 - Fireworks

Fireworks, and explosives of any kind may not be discharged within the Property, unless the prior written approval of the Board is obtained. This restriction includes and applies to, without limitation,



fireworks, firecrackers, or other similar devices that produce a visible or audible effect by combustion, deflagration, or detonation, (except ordinary matches), regardless of size.

Any conflict between this provision and any other provisions of the Declaration and Bylaws will be interpreted in favor of this restriction on the discharge of fireworks. 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 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. Any 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.

AMENDMENT C

INSERT a new PARAGRAPH to the end of BYLAWS ARTICLE VII, SECTION 1. Said new addition to the Bylaws, Exhibit B of the Declaration, as recorded at Summit County Records, Instrument No. 54758487, is:

In addition to the purposes and authority outlined above, the Board may budget, levy, and expend Assessments in the amount of not more than one percent of the Association's annual operating budget on social events, gatherings, outings, or activities that are all primarily intended for the benefit and welfare of the Owners (collectively hereinafter referred to as "Social Activities"), subject to the following provisions:

- A. The Board, in its sole discretion and authority, may define the types of Social Activities that Assessments may be permitted, budgeted, and expended on, provided that any Social Activities comply with all the provisions of this Section. Social Activities that the Board may permit, budget, and expend Assessments on includes, but are not limited to, holiday parties and community picnics;**
- B. The Board may not permit, budget, levy, or expend more than one percent of the annual operating budget on Social Activities without the prior consent of Members exercising**



not less than a majority of the Association's voting power;

- C. All Social Activities must be open to or apply to all Members, owners, occupants, or residents;
- D. The Board is not permitted to levy or expend Assessments on alcohol, including but not limited to beer, wine, or spirits; and,
- E. Any Members, owners, occupants, and residents, and all of their respective successors and assigns, release, indemnify, and agree to defend the Association, and its Directors, owners, agents, or employees, from and against any and all liabilities or claims for any damages, losses, or injuries (including death) of any nature or kind, that may result from, arise, or relate to Social Activities permitted, budgeted, or expended by the Board pursuant to this Section.

Any conflict between the above provision and any other provisions of the Declaration and Bylaws shall be interpreted in favor of this amendment permitting up to one percent of the annual operating budget on Assessments for social activities. 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 Members 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. Any 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.



