

Lakewood at Darby Homeowner's Association

c/o The Case Bowen Company * 6255 Corporate Center Dr.

Dublin, OH 43016

Phone: 614-799-9800 * Fax: 614-799-8338

January 9, 2017

Dear Lakewood at Darby Homeowner's,

Enclosed is the proposed Amendment to the Declaration of Covenants, Easements, Conditions, and Restrictions for the Lakewood Subdivision regarding metal fences. There are four pages enclosed, please read carefully and cast your vote.

The next 3 pages require NO ACTION. (This will eventually be filed with the county if the Amendment passes)

The last page is your Voting Ballot that needs returned, a return envelope is enclosed.

There can be only one vote per household. For this Amendment to pass, it requires 75% of the owner's approval according to O.R.C. 5312.05. Therefore, please return your ballot promptly to The Case Bowen Company. The voting window will close on 12/31/2017.

Mail Completed Ballot To:

The Lakewood at Darby HOA
c/o The Case Bowen Company
6255 Corporate Center Drive
Dublin, OH 43026

Questions?? Please Call or Email:

Aimee Steere, Community Manager – The Case Bowen Company

P: 614/799-9800 x21

E: asteere@casebowen.com

Best regards,

The Board of Directors Lakewood at Darby HOA

David Brill, Jason Cross, and Dale Allen

**AMENDMENT TO THE DECLARATION OF COVENANTS, EASEMENTS,
CONDITIONS AND RESTRICTIONS FOR LAKEWOOD SUBDIVISION**

Auditor's Certificate

This is to certify that a copy of this Amendment to the Declaration of Covenants, Conditions Easements, and Restrictions For Lakewood Subdivision has been filed with the Auditor of Franklin County, Ohio, this _____ day of _____, 2017.

AUDITOR OF FRANKLIN COUNTY, OHIO

By:

This Instrument prepared by Robin L. Strohm, Williams & Strohm, LLC, Attorneys at Law, 2
Miranova Place, Suite 380, Columbus, Ohio 43215-7047.

**AMENDMENT TO THE DECLARATION OF COVENANTS, EASEMENTS,
CONDITIONS AND RESTRICTIONS FOR LAKEWOOD SUBDIVISION**

This Amendment to the Declaration of Covenants, Conditions, Easements, and Restrictions For Lakewood Subdivision is made this _____ day of _____, 2017.

RECITALS

A. Lakewood Subdivision is a residential community created under the filing of a Declaration of Covenants, Conditions, Easements, and Restrictions on July 3, 2001, in Instrument Number 200107030150835, and further amended in Instrument Number 200108020177013 and Instrument Number 200204040086206 of Franklin County, Ohio Records.

B. Pursuant to Ohio Revised Code §5312.05, 75% of the members of the Association, have consented to the following amendment in either a writing or a meeting called for that purpose. The undersigned certify that this Amendment was properly approved and passed by 75% of the members of the Lakewood at Darby Homeowners' Association and pursuant to Ohio law.

NOW THEREFORE, the Declaration of Covenants, Easements, Conditions, and Restrictions For Lakewood Subdivision, dated July 3, 2001, and all supplemental amendments thereto, is hereby amended to read as follows:

C. Article IV., Use Restrictions., Section R., Fencing., shall be amended in part and shall read as follows (all other portions of Article IV, Section R., Fencing shall remain the same as in the original Declaration dated July 3, 2001):

“1. Fences or walls shall be constructed of *metal*, wood, approved plastic, vinyl, stone or brick only, and in no event shall chain link or wire fencing be permitted. The DRB shall be provided a complete application for approval from the member requesting approval for the fence, including the style, type of fence materials, color, and any other information requested by the DRB regarding the application for approval of the fence.”

D. All other provisions of the Declaration, and all prior amendments not modified herein, shall remain in full force and effect. To the extent that this Amendment conflicts with any prior amendment, this Amendment shall control.

E. The effective date of this Amendment shall be the date of recording with the Franklin County Recorder.

IN WITNESS WHEREOF, the President and Secretary of Lakewood at Darby Homeowners' Association, Inc., have hereunto set their hands this __ day of _____, 2017.

President

Printed

Secretary

Printed

ACKNOWLEDGMENT

STATE OF OHIO
COUNTY OF FRANKLIN ss:

Before me, a Notary Public, personally appeared the above-named _____
_____ and _____, President and Secretary respectively and swore the signing
hereof to be of their own free and voluntary act and that the same is true this _____ day
of _____, 2017.

NOTARY PUBLIC

“FENCE AMENDMENT”

LAKWOOD AT DARBY HOMEOWNERS’ ASSOCIATION, INC.

(Amendment to allow metal fences (not chain link or wire) into deed restrictions)

OWNER APPROVAL OR DISAPPROVAL

I have read the amendment, and YES, _____ I am for the amendment, or NO _____, I am against the amendment. (Mark with an “X” after Yes or No to indicate your choice) Signed this _____ day of _____, 2017.

Address: _____

Owner - Print Name

Signature of Owner Date: _____

Owner- Print Name

Signature of Owner Date: _____