

30<sup>th</sup> AMENDMENT TO THE DECLARATION  
OF  
CENTRAL SQUARE VILLAS CONDOMINIUM

WHEREAS, a certain Declaration of Condominium for Central Square Villas (“the Declaration”) was dated October 7, 2009 and recorded on the 7<sup>th</sup> day of October, 2009 in the Erie County Clerk’s Office in Liber 11170 of Deeds at page 8656, and said Declaration was re-recorded on May 21, 2010 in Liber 11182 of Deeds at page 2524, and further amended in Liber 11206 of Deeds at page 7933, and further amended in Liber 11218 of Deeds at page 9808, and further amended in Liber 11227 of Deeds at page 3664, and further amended in Liber 11232 of Deeds at page 67, and further amended in Liber 11243 of Deeds at page 4192, and further amended in Liber 11250 of Deeds at page 3538, and further amended in Liber 11252 of Deeds at page 6372, and further amended in Liber 11254 of Deeds at page 945, and further amended in Liber 11265 of Deeds at page 3436, and further amended in Liber 11272 of Deeds at page 7840, and further amended in Liber 11275 of Deeds at page 63, and further amended in Liber 11276 of Deeds at page 7518, and further amended in Liber 11283 of Deeds at page 8723, and further amended in Liber 11285 of Deeds at page 1833, and further amended in Liber 11288 of Deeds at page 2366, and further amended in Liber 11290 of Deeds at page 2013, and further amended in Liber 11294 of Deeds at page 6509, and further amended in Liber 11296 of Deeds at page 6214, and further amended in Liber 11297 of Deeds at page 3132, and further amended in Liber 11301 of Deeds at page 5254, and further amended in Liber 11302 of Deeds at page 6359, and further amended in Liber 11304 of Deeds at page 8740, and Re-recorded in Liber 11310 of Deeds at page 5773 to correct error in Unit Numbers, and further amended in Liber 11310 of Deeds at page 1276, and further amended in Liber 11312 of Deeds at page 1609, and further amended in Liber 11313 of Deeds at page 5834, and further amended in Liber 11315 of Deeds at page 5268, and further amended in Liber 11319 of Deeds at page 7832, and further amended in Liber 11321 of Deeds at page 9522, and

WHEREAS, the SPONSOR is in the process of installing certain recreational facilities as called for in the DECLARATION, and

WHEREAS, a number of MEMBERS have made the request that a tot lot play area be eliminated from the recreational facilities, and

WHEREAS, the SPONSOR is agreeable to eliminating said tot lot play area if the condominium association members vote for said change and has agreed to pay to the Association the sum of \$22,000.00, if said tot lot play area is not required to be installed, and

WHEREAS, a copy of this amendment was sent to all Unit Owners at least thirty (30) days and not more than fifty (50) days prior to the date set for voting, or Unit Owner has waived such notice in writing, and;

WHEREAS, pursuant to Article XII, Section 12.01 of the Declaration, it is agreed upon the consent in writing of not less than fifty one percent (51%) of all Unit Owners to amend said Declaration as hereinafter provided; and

WHEREAS, this proposed Amendment will not substantially affect the interests of any lending institution holder of a mortgage on an Lot, and therefore, no notice of this proposed Amendment was given to any such mortgage holder; and

NOW, THEREFORE, BE IT RESOLVED that said Declaration be and the same hereby is amended to remove references to “tot lot play area” as follows:

## **Article V - Common Elements**

### **Section 5.01 Definition of Common Elements**

In the first paragraph, subsection (vi) is amended to read as follows:

“(vi) the recreational facilities associated with the Condominium, including the walking trail, clubhouse and swimming pool; and”

In the second paragraph, subsection (iv) is amended to read as follows:

“(iv) maintenance, repair and replacement of the walking trail, clubhouse and swimming pool;”

## **Article X Board of Managers**

### **Section 10.01 Board of Managers**

“The affairs of the Condominium shall be governed and controlled pursuant to the Condominium By-Laws (attached hereto as Schedule D and made a part hereof) by a Board of Managers who shall have the duties and powers as provided in the By-Laws. The Board of Managers shall have the responsibility for maintenance, repair and replacement of the common elements within Central Square Villas including, but not limited to, the exterior of the Units and the attached garages (roofs, front porches, siding, trim, masonry, painting, gutters and downspouts); driveways, front walkways and steps; private roadways; the water system and lateral sewer lines within the Condominium Property; the recreational facilities (walking trail, clubhouse and swimming pool); snow removal from the roadways and all driveways and front service walkways within Central Square Villas; maintenance, lawn cutting and care of all grass and green areas within Central Square Villas; and maintenance of the landscaping and shrub beds installed by Sponsor, and shall have the right to delegate its duties to a manager or agent.”

NOW THEREFORE, BE IT FURTHER RESOLVED that the By-Laws of Central Square Villas be hereby amended to remove references to “tot lot play area” as follows:

## **Article VII Maintenance of the Condominium Property**

### **Section 7.01 Repairs and Maintenance Which are the Responsibility of the Board of Managers**

In the first paragraph, subsection (vii) is amended to read as follows:

“(vi) the recreational facilities associated with the Condominium, including the walking trail, clubhouse and swimming pool; and”

In the second paragraph, subsection (iv) is amended to read as follows:

“(iv) maintenance, repair and replacement of the walking trail, clubhouse and swimming pool;”