

**FIFTH AMENDMENT TO BY-LAWS
OF THE
WOOD HILL CONDOMINIUM**

This is the Fifth Amendment to the By-Laws of the Woodhill Condominium, Town of Greece, New York which were recorded in the Monroe County Clerk's Office along with the Declaration of the Woodhill Condominium on January 28, 1986 in Book 6851 at page 1. The By-Laws were previously amended four times, to wit: Amendment recorded on November 2, 1989 in Book 7769 at page 262; Amendment recorded on November 2, 1989 in Book 7769 at page 265; Amendment recorded on December 4, 1991 in Book 8152 at page 608; and Amendment recorded on April 8, 1992 in Book 8192 at page 507. Together, the By-Laws and the four amendments are referred to herein as the "Amended By-Laws").

The Amended By-Laws are hereby amended as follows:

1. **Article VII, Section 1 is hereby amended to read as follows:**

Section 1. Leasing of Units

The following provisions shall apply to all current Owners as of the date of the recording of this instrument ("Current Owners"). Owners who take title to Units after the recording of this amendment ("Future Owners") shall be prohibited from leasing their units. Occupancy by immediate relatives of the unit Owner (parents, grandparents, siblings or children) shall be considered occupancy by Owner.

No Current Owners may lease their Units except in accordance with the following provisions:

- (a) No Unit owner shall lease his Unit for a period of less than one (1) year without prior written consent of the Board of Managers, which consent shall not be unreasonably withheld.
- (b) Any lease shall be on the required form issued by the Board of Managers and shall state that it is subject to the Declaration, By-Laws, and Rules and Regulations of the Condominium, as the same may be amended from time to time, and must provide that the tenant shall comply therewith. The lease must further provide that if the tenant fails to comply with the above documents, the Board of Managers shall have the power to terminate the lease and/or bring a summary proceeding to evict the tenant in the name of the landlord. A copy of the executed lease shall be delivered to the Board of Managers, to be kept in the permanent records of the Condominium.
- (c) The lease must further provide that it may not be modified, amended, extended or assigned, without prior written consent of the Board of Managers and that the tenant shall not sublet the Unit or any part of it without prior written consent of the Board of Managers.

- (d) The lease must further provide that if the landlord fails to pay common charges or special assessments assessed against the Unit Owner, the Board of Managers may give the tenant notice that the rent shall be payable to the Board of Managers pursuant to Real Property Law Section 339-kk until such time as the Unit owner is current on all charges payable to the Condominium.
- (e) Leases made in violation of these provisions shall be voidable in the discretion of the Board of Managers. If the Board of Managers so elects, the landlord shall be deemed to have authorized the Board of Managers to institute legal proceedings to evict the tenant in the name of the Owner as landlord, and the landlord shall reimburse the Board of Managers for all costs incurred in that connection, including reasonable attorney's fees.

In all other respects, the By-Laws of the Woodhill Condominium are hereby re-affirmed and in full force and effect.

IN WITNESS WHEREOF, this By-Law amendment is executed by the President of the Woodhill Condominium.

Board of Managers of the Woodhill Condominium

By: *Louise King*

Name: Louise King
Title: President

STATE OF NEW YORK)
COUNTY OF WAYNE) ss:

On this 6th day of September, 2016, before me the undersigned, a notary public in and for said state, personally appeared, Louise King, personally known to me or approved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity and that by her signature on the instrument, the individual or the person on behalf of which the individual acted, executed the instrument.

Barbara L. Perdue
Notary Public

Barbara L. Perdue
Notary Public in the State of New York
Wayne County
Commission Expires 7/11/2018

Louise King, as Secretary of the Woodhill Condominium hereby certifies that the above amendment was approved by the requisite 66 2/3% of the Unit owners, in number and common interest, at a special meeting held on AUGUST, 2010.

Louise King

Louise King, Secretary