MONROE COUNTY – STATE OF NEW YORK

JAMIE ROMEO, COUNTY CLERK
39 W. MAIN ST, ROOM 101
ROCHESTER, NEW YORK 14614

COUNTY CLERK'S RECORDING PAGE

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BOOK/PAGE: 13247 / 870
INSTRUMENT #: 202603482815

Receipt#: 4609241
Clerk: CT
Rec Date: 11/05/2026 09:25:01 AM
Doc Grp: D
Descrip: AMENDMENT TO DECLARATION
Num Pgs: 7
Rec'd Frm: PHILLIPS LYTLE

Party1: SOUTHWICK COURT CONDOMINIUM
Party2: SOUTHWICK COURT CONDOMINIUM
Town: HENRIETTA - 263200

Related: Bk: 12057 Pg: 649

Recording:

Cover Page	5.00
Recording Fee	50.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
Sub Total:	80.00
Transfer Tax	
Transfer Tax - State	0.00
Sub Total:	0.00
Total:	80.00

**** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****
Transfer Tax #: 5417
Transfer Tax
Consideration: 1.00

Total: 0.00

State of New York

MONROE COUNTY CLERK'S OFFICE
WARNING – THIS SHEET CONSTITUTES THE CLERKS ENDORSEMENT, REQUIRED BY SECTION 317-a(5) & SECTION 319 OF THE REAL PROPERTY LAW OF THE STATE OF NEW YORK. DO NOT DETACH OR REMOVE

Record and Return To:

RONALS SHUBERT ESQ
125 MAIN ST ONE CANALSIDE
PHILLIS LYTLE
BUFFALO NY 14203

JAMIE ROMEO

MONROE COUNTY CLERK

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AMENDMENT TO THE AMENDED AND
RESTATED DECLARATION OF
SOUTHWICK COURT CONDOMINIUM

There is a certain Amended and Restated Declaration of Southwick Court Condominium (the Declaration) which was recorded on July 24, 2018, in the Monroe County Clerk's Office in Liber 12057 of Deeds at Page 649; and

WHEREAS, the By-Laws of the Condominium were filed with the Declaration; and

WHEREAS, the undersigned Unit Owners wish to amend the Declaration and By-Laws of the Condominium; and

WHEREAS, pursuant to Article II of the Declaration, and Section 3, B of the By-Laws, 66 2/3% or more in number and common interest of all Unit Owners approve the change as hereinafter set forth, at a meeting called for such purpose; and

MONROE COUNTY CLERK'S OFFICE
RECORDED
NOV - 5 2026
Time: 9:35

NOW, THEREFORE, the Unit Owners hereby declare that:

Declaration Article VII is amended as follows:

ARTICLE VII
USE OF UNITS

Article VII. Use of Units. The Units will be used for one family residential purposes only. ~~However, no short-term leases of fewer than twelve (12) months in duration shall be made in Units. No leases for a part of a Unit shall be permitted. No more than three (3) Units may be leased at any one time.~~

FURTHER, the undersigned Unit Owners hereby declare that the By-Laws of the Southwick Court Condominium are amended as follows by deleting in its entirety the former Article XI Section 1, and replacing it with the following new language:

TOWN = HENRIETTA
Property = Southwick Drive
TAX ID = 160.03-2-10

ARTICLE XI
SALES, LEASES AND MORTGAGES OF UNITS

Section 1 Sales, Leases and Mortgages.

Unit Owners who hold title to a Unit and are currently leasing their Unit to a third party as of the date of the recording of this Amendment, shall have the right to continue leasing such Unit, until the original lease term expires, at which time the Unit shall no longer be allowed to be leased. For purposes of this Section "leasing" shall also include short-term arrangements such as "Airbnb," "VRBO," "HomeAway's" and similar short term rentals for vacations or special events or similar purposes. A Unit which is not being leased by the Owner as of the date that this Amendment is recorded shall not be permitted to be leased and must be Owner-occupied. An Owner who

has deeded their Unit to another party for estate planning purposes and continues to reside in the Unit will still be considered an Owner for the purposes of the Unit being considered "Owner occupied". No sublease or assignment of any lease shall be permitted.

No Unit may be used at any time as an Airbnb, VRBO, HomeAway's, short-term rental or any similar arrangement. In other words, without limiting the foregoing, no daily, weekly or monthly leases shall be permitted.

Note:
Additions are in **bold**.
Deletions are ~~struck-out~~.

CERTIFICATION OF RECEIPT OF CONSENT
OF OWNERS

The undersigned being _____ all, ✓ a majority of the Members of the Board of Managers of SOUTHWICK COURT CONDOMINIUM, (the "Condominium") do hereby certify that:

1. Consents to the above amendment have been received from Owners of the Units and have been filed with the Board of Managers; and

2. The number of Unit Owners consenting thereto exceeds the minimum number required to amend the Southwick Court Condominium By-Laws; and

Karenne Cohen

Attorney

Stephen P. Naum

Nicole Cohen

STATE OF NEW YORK)
)SS.:
COUNTY OF MONROE)

On the 16 day of July in the year 2026, before me, the undersigned, personally appeared Lorrene Roberts, personally known to me or proved 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 he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public
MICHELLE E. SCHELL
Notary Public - State of New York
No. 01SC6377632
Qualified in Monroe County
Commission Expires 07/09/2030

STATE OF NEW YORK)
)SS.:
COUNTY OF MONROE)

On the 16 day of July in the year 2026, before me, the undersigned, personally appeared Albert J. Conner, personally known to me or proved 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 he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public
MICHELLE E. SCHELL
Notary Public - State of New York
No. 01SC6377632
Qualified in Monroe County
Commission Expires 07/09/2030

STATE OF NEW YORK)
)SS.:
COUNTY OF MONROE)

On the 20th day of July in the year 2026, before me, the undersigned, personally appeared Stephen P. Naum, personally known to me or proved 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 he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public
MICHELLE E. SCHELL
Notary Public - State of New York
No. 01SC6377632
Qualified in Monroe County
Commission Expires 07/09/2030

STATE OF NEW YORK)
)SS.:
COUNTY OF MONROE)

On the 22nd day of July in the year 2026, before me, the undersigned, personally appeared Nicole Cohen, personally known to me or proved 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 he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Jane L Bacon
Notary Public

JANE L. BACON
NOTARY PUBLIC, State of New York
Registration No. 02BA4794857
Qualified in Monroe County
Commission Expires March 30, 2027

STATE OF NEW YORK)
)SS.:
COUNTY OF MONROE)

On the _____ day of _____ in the year 2026, before me, the undersigned, personally appeared _____, personally known to me or proved 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 he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

_____
Notary Public

AMENDMENT TO THE
AMENDED AND RESTATED DECLARATION AND BY-LAWS

SOUTHWICK COURT CONDOMINIUM

DATED: July 16, 2026

Record and return to:
Ronald S. Shubert, Esq.
Phillips Lytle LLP
100 S. Clinton Avenue #2900
Rochester, NY 14604
(7l6)847-5491

Doc #13461587.1