



Tom Leatherwood
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LAKECIA	1289545 - 15005154
VALUE	0.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	25.00
DP FEE	2.00
REGISTER'S FEE	0.00
WALK THRU FEE	0.00
TOTAL AMOUNT	27.00

TOM LEATHERWOOD

REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

SIXTH AMENDMENT TO THE MASTER DEED
AND
AMENDMENT TO THE BY-LAWS
FOR
THE LYNTON SQUARE CONDOMINIUM ASSOCIATION, INC.

- I) The members of The Lynton Square Condominium Association, a condominium owner's association, hereby record the following amendment to the Master Deed and to the By-Laws of the Association, both of record at K6-5650, as previously amended at Instrument Numbers L4-8438, L8-1726, 03057818, 11067849, and 14023624. This Sixth Amendment to the Master Deed and Amendment of the By-Laws, having been validly approved by the members by the procedures in effect for amending the Master Deed and By-Laws, shall take effect at the time of recordation with the Shelby County Register of Deeds.
- II) The Amendment of the Master Deed and the Amendment of the By-Laws were each validly proposed and adopted at a duly called and noticed meeting of the members, on Tues day, December 16, 2014, and approved by a certified quorum of at least two-thirds (2/3, or 66.67%) of the votes certified as cast at such meeting, including any votes cast by subsequent ratification. The number of votes approving each amendment equalled or exceeded twenty percent (20%) of the total number of units in The Lynton Square Condominium Association. A majority of the Board of Directors voted in favor of each Amendment. The undersigned officers certify that each Amendment was adopted in accordance with the respective amending provisions of the Master Deed and By-Laws.
- III) The Master Deed and By-Laws are amended to modify the eligibility of unit owners to vote and the proxy rules.
- IV) Article XIV, of the Master Deed is hereby amended to add the following Section 3.
 - Section 3. Eligibility to Vote
 - a) Every owner or owner of a unit who has obtained legal title to an interest in a unit must be in current compliance with all terms, conditions, and requirements of the Master Deed and By-Laws to be eligible to attend and vote at any meeting of the Association.
 - b) If the maintenance fees, dues, assessments, late fees, attorney's fees, costs of collection and account for all related charges of any unit owner is more than sixty (60) days delinquent at the time of any meeting of the Association, each and every owner of that unit shall be ineligible to attend and vote at the meeting.
 - c) Any person, including an artificial entity defined in Article I, Section 4 of this Master Deed, who owns more than one unit must have brought each and every account for all such units less than sixty days delinquent to be eligible to vote under the Master Deed.
 - d) The Property Manager retained by the Association through the Action of the

Board, shall be responsible for certifying the status of the account of each owner in accordance with the procedure set forth in Article II, Section 4 of the By-Laws.

- V) Article II, Section 4 of the By-Laws is hereby deleted in its entirety and replaced with the following language:

Section 4. Eligibility to Vote

- a) Every owner or owner of a unit who has obtained legal title to an interest in a unit must be in current compliance with all terms, conditions, and requirements of the Master Deed, including these By-Laws, to be eligible to attend and vote at any meeting of the Association.
- b) If the maintenance fees, dues, assessments, late fees, attorney's fees, costs of collection and account for all related charges of any unit owner is more than sixty (60) days delinquent at the time of any meeting of the Association, each and every owner of that unit shall be ineligible to attend and vote at the meeting.
- c) Any person, including an artificial entity defined in Article I, Section 4 of the Master Deed, who owns more than one unit must have brought each and every account for all such units less than sixty days delinquent to be eligible to vote under the Master Deed and these By-Laws.
- d) The Property Manager retained by the Association through the Action of the Board, shall be responsible for certifying the status of the account of each owner. The Property Manager shall publish a list of those owners eligible to vote, post it in at least two (2) visible places within the complex, and distribute the list to all the owners at least 15 days before the date scheduled for the meeting.
- e) The Property Manager shall accept payments from any non-eligible owner until noon of the second day prior to the scheduled meeting and provide such owner who has paid each account in full with written certification of eligibility to vote. Such payment must be in cash, cashier's check, or money order to qualify for restoration of eligibility to vote.
- f) Notwithstanding the ineligibility created by this Section, the majority of the Board of Directors shall be eligible to vote the interest of each such ineligible unit by exercising the proxy created by amended Article II Section 4.
- g) Notwithstanding the ineligibility created by this Section, each proxy created by amended Article II Section 4 and thereby vested in the board shall count towards the existence of a quorum.
- h) The proxy created by amended Article II Section 4 shall NOT be exercised by the board to vote in an election of the members of the board.

- VI) Article II, Section 5 of the By-Laws is hereby deleted in its entirety and replaced with the following language:

Section 5. Proxies

- a) (i) Votes may be cast in person or by proxy. Each proxy, to be valid, shall be in writing for the particular meeting designated therein and any adjournments thereof and shall be filed with the secretary of the meeting before a vote is taken.
- (ii) A proxy may only be exercised by an owner of a unit.
- b) Notwithstanding any other provisions of Article II, including any amendments thereto, any unit owner who fails to pay in full all maintenance fees, assessments, dues and other charges of his account thereby consents, by reason of such failure, to the appointment of the President of the Board of Directors as holder of the proxy for the vote of each and every unit owned by such owner.
- c) The Property Manager shall publish a clear notice on the list of eligible voters, published and posted under amended Article II Section 4(d) as follows:

NOTICE IS HEREBY PROVIDED, Pursuant to Article II Section 4(d) of the By-Laws for the Administration of the Lynton Square Condominiums Association, that each unit owner who has not paid all maintenance and assessment accounts in full as certified by the Property Manager shall be ineligible to personally exercise the vote of each of his/her units at any meeting and APPOINTS the majority of the Board of Directors as holder of the proxy for exercising each of his/her unit's vote.

VII) Article III, Section 1 of the By-Laws is hereby amended by designating the existing paragraph as paragraph (a) and adding the following paragraph (b):

- (b) Any unit owner who is not eligible to vote under Article XIV Section 3 of the Master Deed and Article II, Section 4 of the By-Laws shall not be eligible to vote in the election for Directors, nor to serve as a Director. Notwithstanding this ineligibility, the majority of the Board of Directors serving immediately prior to the start of the meeting shall hold and exercise the proxy of each such owner as provided by amended Article II Section 4(f). If a new Board is elected during the meeting, the right of exercising each such proxy shall immediately pass to and vest in the members of the newly elected Board.

VIII) Article III, Section 6 of the By-Laws is hereby amended by adding the following paragraph (o):

- (o) A Member of the Board of Directors may vote in person, or may consent in writing to any action of the Board. No Member of the Board may vote or act by proxy exercised by another member of the Association or by another member of the Board.

IX) Article IV, Section 1 of the By-Laws is hereby amended by adding the following sentence at the end of the section:

Any unit owner who is not eligible to vote under Article II, Section 1 of the By-Laws shall not be eligible and shall not be appointed to serve as an Officer.

X) Each of these Amendments to the Master Deed and By-Laws is hereby certified as having been proposed by the members of the Board of the Association, by a vote of 5 board members for and 0 board members against, said vote being conducted on Tuesday, the 18th day of November, 2014.

XI) Each of these Amendments to the Master Deed and By-Laws is hereby certified as having been ratified and adopted at a duly called meeting of the members of the Association, conducted on Tuesday, the 16th day of December, 2014.

A quorum being established, the vote at the above meeting on the Amendments was certified as being 18 in favor and 1 in opposition.

Edward T Ordman

Chairman of the Board of Directors

Rita Richardson

Secretary of the Board of Directors

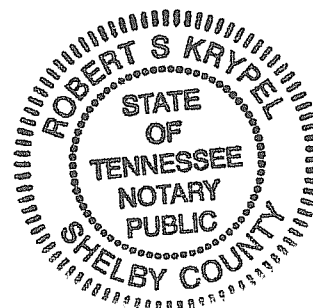
STATE OF TENNESSEE)
COUNTY OF SHELBY)

Personally appeared before me, the undersigned State of Tennessee Notary Public, Edward T Ordman, Chairman and Rita Richardson Secretary, the within named persons, with each of whom I am personally acquainted, (or who each proved to me on satisfactory evidence) and who each acknowledged that each of them, on behalf of the corporation and being duly authorized so to do, executed the within instrument as the free act and deed of the Corporation for the purposes therein contained.

WITNESS my hand and seal, this 8th day of January, 2015.

Robert S Krypel

State of Tennessee Notary Public Commission Expires
My Commission Expires: November 13, 2016

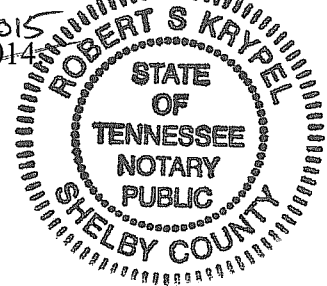


STATE OF TENNESSEE)
COUNTY OF SHELBY)

Personally appeared before me, the undersigned State of Tennessee Notary Public, Edna T. Anderson, Chairman and John Richardson Secretary, the within named persons, with each of whom I am personally acquainted, (or who each proved to me on satisfactory evidence) and who each acknowledged that each of them executed this record of the actions of the members of The Lynton Square Condominium Association, Inc for the purposes of amending the Master Deed of the Association, and that the records of such action are true and correct and have been set down in the records of the corporation.

WITNESS my hand and seal, this 8th day of January, 2015.

[Signature]
State of Tennessee Notary Public
My Commission Expires: November 13, 2016



ELECTRONIC FILING CERTIFICATION

I, Gregory C. Krog, Jr., do hereby make oath that I am a licensed attorney and/or the custodian of the paper version of the electronic record, the Sixth Amendment of the Master Deed for The Lynton Square Condominium Association, Inc., tendered for registration herewith and that this is a true and correct copy of the electronic record executed pursuant to Tenn. Code Ann. §§ 47-10-112 and other provisions of the Uniform Electronic Transactions Act, Tenn. Code Ann. §§ 47-10-101 to 47-10-123 or the Electronic Signatures in Global and National Commerce Act, 15 U.S.C.A. §§ 7001-7006 or other provisions of law.

[Signature]
Gregory C. Krog, Jr., Attorney-at-law
State of Tennessee
County of Shelby)

Personally appeared before me, the undersigned State of Tennessee Notary Public, Gregory C. Krog, Jr., the within named affiant with whom I am personally acquainted and who acknowledged that he executed the within electronic record certification and that such certification is true and correct.

WITNESS my hand and seal, this 16th day of Jan, 2015.

[Signature]
State of Tennessee Notary Public
My Commission Expires: 10-17-18

Prepared by and Return To:

Gregory C. Krog, Jr., Attorney
840 Valleybrook Drive
Memphis, Tennessee 38120-2766
File # KB11T0003

