

LIBER 2273 FOLIO 146

THIRD AMENDMENT TO CONDOMINIUM DECLARATION

FOR

HAWAIIAN VILLAGE CONDOMINIUM

CHANGING STATUS OF COUNCIL OF UNIT OWNERS

THIS THIRD AMENDMENT TO CONDOMINIUM DECLARATION, herein called "Third Amendment", made this 13th day of May, 1995, by the COUNCIL OF UNIT OWNERS-HAWAIIAN VILLAGE CONDOMINIUMS, INC., and Condominium, herein called "Council".

IMP TO STATE 2.00
RECORDING FEE 26.00
TOTAL Maryland 22.00
Reg # 14002 Rcpt # 20758
RHO 9501 Bk # 1169
May 16, 1996 10:49 am

*Karen H. Evelyns, Esq.
Suite 500 The Kentmore
28 West Allynbrook Ave
Lanham, Md 2104*

WHEREAS, there has been previously executed and recorded a Condominium Declaration, and First, Second and Second Confirmatory Amendments to Condominium Declaration for Hawaiian Village Condominium, dated July 27, 1987, December 12, 1987, July 15, 1988 and April 27, 1990, respectively, and recorded among the Land records of Worcester County, Maryland, in Liber W.C.L. Nos. 1383, folio 291, et seq., 1397, folio 530, et seq., 1637, folio 260, et seq., and 1641, folio 56, et seq., respectively, herein called "Original Declaration" and "Amendments", pursuant to §§11-101, et seq. of the Real Property Article of the Annotated Code of Maryland, as amended from time to time;

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WHEREAS, the Council now wishes to Amend the Original Declaration pursuant to §11-103.(c) of the aforesaid Real Property Article and Section 10 of the Original Declaration.

WHEREAS, it is hereby certified that this Third Amendment has been proposed and approved by a majority of the entire Board of Directors of Hawaiian Village Condominium and properly approved by affirmative vote of at least eighty (80) percent of the Condominium Unit Owners listed on the current roster at a meeting duly called

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for said purpose or by written consent.

NOW, THEREFORE, THIS THIRD AMENDMENT TO CONDOMINIUM DECLARATION, WITNESSETH: Council, for itself, its successors and/or assigns, does hereby expressly establish and declare the following:

1. COUNCIL TO BE INCORPORATED.

In regards to Paragraph 8 of the Original Declaration titled Council of Unit Owners, subparagraph (a) titled In General - Delete language in third sentence of subparagraph (a) stating that Council shall be unincorporated, and replace with the following: "The Council shall be incorporated and, in accordance with §11-109 (d) of the Condominium Act, shall be operated subject to the provisions of Title 5, Subtitle 2 of the Corporations and Associations Article of the Annotated Code of Maryland that are not inconsistent with the Act".

2. ORIGINAL DECLARATION CONTROLLING.

Except as modified or amended by express provision herein, or by necessary implication, the terms and provisions of the Original Declaration and By-Laws of the condominium shall apply to the entire condominium regime, and shall be controlling as to all matters and issues in the condominium regime.

THE UNDERSIGNED, President of the Council herein, a Maryland Corporation, who executed on behalf of said corporation the foregoing Third Amendment To Condominium Declaration of which this certificate is made apart, hereby acknowledges, in the name and on behalf of said corporation, the foregoing Amendment to be the corporate act of said corporation and further certifies that, to the best of his knowledge, information and belief, the matters

and facts set forth therein with respect to the approval thereof are true in all material respects, under the penalties of perjury.

AS WITNESS the hand and seal of the President of the Council herein, as of the day and year first above written.

WITNESS:

COUNCIL OF UNIT OWNERS-HAWAIIAN VILLAGE CONDOMINIUMS, INC., A MARYLAND CONDOMINIUM

By: Ronald C. Roloff
Ronald C. Roloff, President (SEAL)

*Karen G. Evelius Esq.
Suite 500 The Archway
28 West Allgheny Ave.
Pittsburgh, PA 15204*

THE UNDERSIGNED, Secretary of the Council herein, a Maryland Corporation, who executed on behalf of said corporation the foregoing Third Amendment To Condominium Declaration of which this certificate is made apart, hereby acknowledges, in the name and on behalf of said corporation, the foregoing Amendment to be the corporate act of said corporation and further certifies that, to the best of his knowledge, information and belief, the matters and facts set forth therein with respect to the approval thereof are true in all material respects, under the penalties of perjury.

AS WITNESS the hand and seal of the Secretary of the Council herein, as of the day and year first above written.

WITNESS:

COUNCIL OF UNIT OWNERS-HAWAIIAN VILLAGE CONDOMINIUMS, INC., A MARYLAND CONDOMINIUM

By: George H. Messenger
George H. Messenger, Secretary (SEAL)

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The foregoing instrument filed for record and is accordingly recorded among the land records of Worcester County, Maryland.

Richard H. Patten Clerk