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Michael E. Kozikowski
New Castle Recorder MISC

Tax Parcel Nos: 06-1026.00-015-C0101 et seq.
through 06-1026.00-015-C0712
(being all 82 Units of The Towers of Valley Run)

Prepared by and Returnable to:
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Wilmington, DE 19806

CERTIFICATE OF AMENDMENT

TO

CODE OF REGULATIONS OF THE TOWERS OF VALLEY RUN CONDOMINIUMS

THIS IS TO CERTIFY ON 2/17, 2015, that, pursuant to 25 Del. C. §2207 and §2211 (3), and consistent with the requirements of Section 9 (i) of the Enabling Declaration Establishing a Plan for Condominium Ownership for The Towers of Valley Run dated April 22, 1980, and recorded at the Office of the Recorder of Deeds in and for New Castle County, Delaware, in Deed Record C, Volume 110, Page 117, and Article IX, Sections 1 through 3 of the Towers of Valley Run Code of Regulations, at a duly noticed meeting of the Council of The Towers of Valley Run held on December 9, 2014, at which meeting a quorum was present,

I. THE TOWERS OF VALLEY RUN CODE OF REGULATIONS dated April 22, 1980, and recorded in the Office of the Recorder of Deeds, aforesaid, in Deed Record C, Volume 110, Page 133, as previously amended, was further amended by the adoption of the provisions set forth in Exhibit "A" attached hereto; and

II. The RULES OF CONDUCT OF THE TOWERS OF VALLEY RUN originally of record at the Office of the Recorder of Deeds, aforesaid, in Deed Record C, Volume 110, Page 154, as previously amended, was further amended by the by the adoption of the provisions set forth in Exhibit "B" attached hereto.

As no special meeting of the Unit Owners was requested in the fifteen days following the notification to Unit Owners required under Article IX, Section 3, of the Code of Regulations, the amendment are deemed approved by the Unit Owners.

IN WITNESS WHEREOF, the Council of The Towers of Valley Run has

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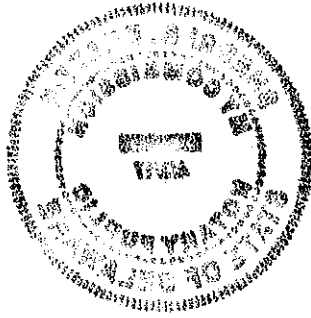


EXHIBIT A

Article VIII Section 7 - Settlement; Expenses of Collection

Replace the entire section 7 with the following:

In any proceeding arising out of any alleged default by a Unit Owner, the prevailing party shall be entitled to recover the costs of the proceeding, and such reasonable attorney fees as may be determined by the court. The Council shall have the right to settle any claim against a Unit

Article IX Section 2

Replace the entire section 2 with the following:

2. Amendments to Code of Regulations. The Council may from time to time amend the Code of Regulations.

Article IX Add a new Section 5

5. Notice of Violation and Hearing. No violation assessment shall be imposed by the Council and no action commenced by the Council to specifically enforce these Rules unless the Council first shall have sent written notice of the alleged violation to the unit owner and, if applicable, the unit occupant who is responsible for the violation, at the last known address for the unit owner or occupant on file with the Towers of Valley Run office. The notice shall cite the Rule which the Council believes to have been violated, shall describe with reasonable particularity how and when the alleged violation occurred, and state the action, if any, required to cure the violation. The notice shall state the amount of the violation assessment which is prescribed by the specific Rule violated or which may be imposed by the Council should the Rule violation continue or reoccur. The notice shall advise the unit owner and/or occupant of his/her right to a hearing before the Council and the manner in which such hearing may be requested.

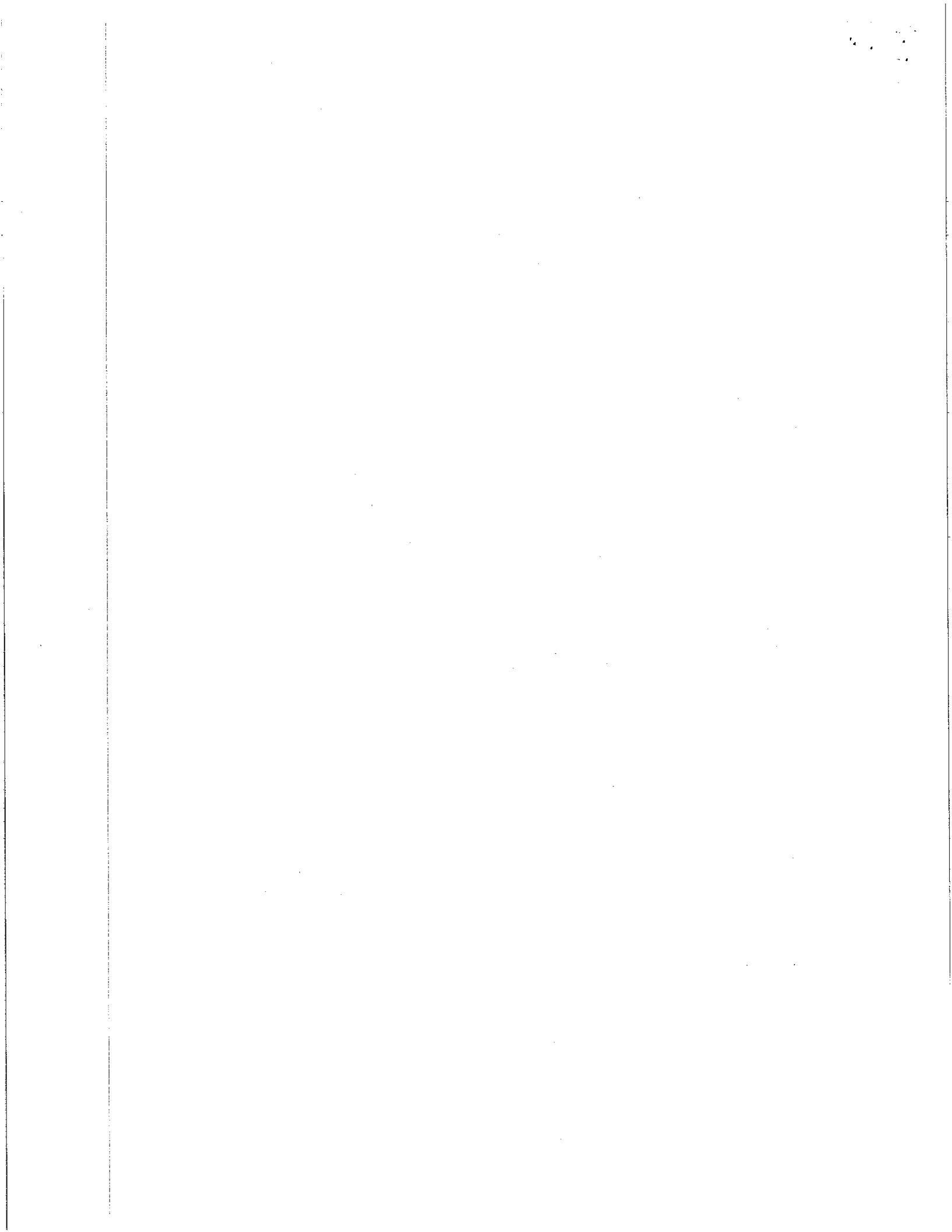


EXHIBIT B

Amendments to the Rules of Conduct

Append a new section 15 as follows

15. Nuisance Uses, Practices, Conditions and Behaviors:

(a) No use, practice, condition or behavior which, in the reasonable judgment of the Council, constitutes a nuisance or unreasonably interferes with the peaceful use and enjoyment of the Condominium by Unit Owners or their invitees shall be introduced or maintained (or permitted to be introduced or maintained) by any Unit Owner or tenant, or by any guest or invitee of any Unit Owner or tenant, within any Unit or on any other portion of the Condominium. By way of illustration, and not by way of limitation: (i) a nuisance use shall include any use that is unlawful, and any use that results in unreasonable or untimely noise or vibration, objectionable odor, pest infestation, a threat to the health or safety of persons, or an unreasonable risk of damage to property; (ii) a nuisance practice shall include any behavior, activity or omission that presents an unreasonable risk of the defined results hereinabove ascribed to a nuisance use, or results in a nuisance condition; (iii) a nuisance condition includes any condition that presents an unreasonable risk of the defined results hereinabove ascribed to a nuisance use, and, by way of further illustration, would include a defective condition (such as a leaking pipe or water appliance) within one's unit, a significant or unreasonable accumulation of garbage or refuse, flammable materials (including paper), human or animal waste or bodily fluids, caustic or explosive substances, poisons, fungus or mold; and (iv) a nuisance behavior includes dangerous, threatening, violent, obscene, lewd or obstreperous actions which a reasonable person would deem upsetting or alarming. In the event that any Unit Owner and/or tenant does not promptly cease or abate a violation of this Rule, the Council shall be entitled (but not required) to take any reasonable action to abate the hazard or nuisance.

(b) Nuisance Conditions: Council's Right to Abate: In the event that the Council shall reasonably believe that there exists a nuisance condition as hereinabove defined, and that the condition poses such an immediate threat to human health and safety or poses such an imminent threat to property that the time required for usual Rule enforcement process of notification, hearing and appeal will expose persons and/or property to an unacceptable risk, the Council may (at its sole and absolute discretion, and without any obligation to do so or liability for not doing so) immediately take such reasonable measures as the Council deems prudent, in the Council's reasonable discretion, to abate the perceived nuisance condition, and shall bear no liability to the Unit Owner(s) or resident(s) whose unit(s) are entered or in which the measures are taken, for any direct or indirect consequences of such measures, including any alleged damage to the Unit(s) or personal property therein. The Council may, in its sole discretion, assess the cost of abatement measures against the owner(s) of the Unit(s) in which the hazard or nuisance originated or was maintained.

(c) Repeated Violations: In the event that a Unit Owner or resident repeatedly violates the Rules in this Section, and such violations appear to the Council to be willful, malicious, or beyond the demonstrated ability of the Unit Owner or resident to control (due to impairment by substance abuse, by way of illustration), and such violations materially degrade the livability of the Condominium or expose residents (including the Unit Owner or resident) and invitees to unreasonable risk of personal injury, death or significant damage to property, such that the Council believes that the non-compliant Unit Owner or resident should not continue to live at the Towers of Valley Run, the Council may petition the Court of Chancery for a declaratory judgment that the Unit Owner or resident is unwilling or unable to occupy his/her unit in conformity with the Rules, and a mandatory injunction barring the Unit Owner or resident from the Condominium.

