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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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**CERTIFICATE OF AMENDMENT  
TO  
CODE OF REGULATIONS OF  
THE TOWERS OF VALLEY RUN,  
A CONDOMINIUM UNDER 25 De. C. Chapter 22**

**THIS IS TO CERTIFY ON** July 28, 2016, 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 June 14, 2016, at which meeting a quorum was present,

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

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 caused this Certificate of Amendment to be executed by Gregory Jarrell its President, duly attested by the Secretary of the Council, the day and year first above written.

THE COUNCIL OF THE TOWERS OF VALLEY RUN

By: Gregory Mr. Jarrell  
President

Attest: Christa B.  
Secretary

CERTIFICATION



The Code of Regulations of The Towers of Valley Run, of record at the Office of the Recorder of Deeds in and for New Castle County, Delaware, in Deed Record C, Volume 110, Page 133, as amended to date (the "Code of Regulations"), is further amended as follows:

**FIRST:** Article III, Section 2, entitled, "Vote Necessary for Resolution," is hereby amended by making the existing paragraph a new Subsection (a) to Section 2 entitled "Vote Necessary for Resolution;" and

**SECOND:** a new Subsection (b), entitled, "Voting by Mail," is added to said Article III, Section 2:

**"(b) Voting by Mail.** Whenever the Unit Owners' passage of a resolution requires the action by a majority or super-majority (including a unanimous vote) of the Unit Owners, Council may, in its sole and absolute discretion, following discussion of the resolution at a duly called meeting of the Unit Owners at which a quorum was achieved, direct that the Unit Owners' vote proceed by written ballot sent to each Unit Owner at said Unit Owner's address on record with the Council. The ballot shall be accompanied by the full text of the resolution, and instructions for voting, including a deadline for the Council's receipt of returned ballots. The ballot and resolution may be accompanied by one or more of the following documents: an additional explanation of the resolution, a projection of its predicted financial impact on the condominium, a Council recommendation for or against adoption of the resolution, and a return envelope. A ballot not returned by the deadline will be treated as a vote *against* the adoption of the resolution unless the ballot has enclosed with it a Council recommendation for or against the resolution, in which case the unreturned or untimely returned ballot will be treated as a vote *in accordance with the Council recommendation*. A ballot with a conditional vote "for" or "against" the resolution shall be counted as ballot not returned. The returned ballots shall be retained by the Council for a period of no less than three (3) years from the date of the Unit Owners' meeting at which the resolution was discussed. The tabulator(s) of the ballots and any subsequent committee auditing the ballot count shall announce the balloting result, but shall not reveal how any Unit Owner voted, except individually to each of any Unit Owners seeking confirmation of how his/her ballot was tabulated. Following the initial announcement of the outcome of the balloting, the ballots and any unit-by-unit summary of the balloting results will not be subject to inspection except (i) if requested, by one inspection conducted by an audit committee composed of the manager, the Council President, and a Unit Owner who certifies that he/she voted in opposition to the announced result, and (ii) as directed by court order."

**THIRD:** As thus amended, the Code of Regulations remains in full force and effect.