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Michael E. Kozikowski
New Castle Recorder

T20210031911
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)

27000 VALLEY RUN DR.
WILMINGTON, DE 19810

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

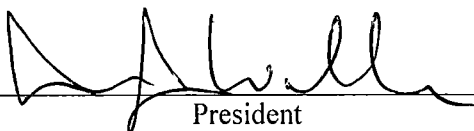
THIS IS TO CERTIFY ON May 4, 2021, that, pursuant to 25 Del. C. §2207 and §2211 (3), and consistent with the requirements of Section 9 (i) of the Enabling Declaration Establishing a Plan for Condominium Ownership for The Towers of Valley Run dated April 22, 1980, and recorded at the Office of the Recorder 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 April 12, 2021, 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 and Exhibit B 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 amendments 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 John J. Walls 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: 
President

Attest: 
Secretary

CERTIFICATION

CERTIFICATION

I, Gary Hynson, member of the Council of The Towers of Valley Run, do hereby certify that the foregoing Amendments were duly enacted in accordance with the provisions of the Declaration and the Code of Regulations of The Towers of Valley Run.

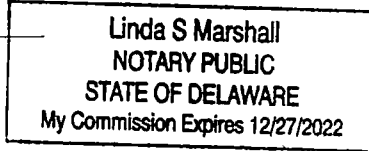
Gary Hynson

STATE OF DELAWARE)
) ss:
NEW CASTLE COUNTY)

Before Me, the Subscriber, a Notary Public of the State and County, aforesaid, appeared *John J Walls*, known personally to me, who, as President of The Council and Association of Unit Owners of The Towers of Valley Run, did acknowledge h/s execution of the foregoing Certificate of Amendment as h/s act and deed and the act and deed of said Condominium Council, duly attested by the Secretary to the Council and the Association of Unit Owners, this 10th day of *MAY*, 2021.

Linda Marshall
Notary Public

My Commission Expires: _____



STATE OF DELAWARE)
) ss:
NEW CASTLE COUNTY)

Before Me, the Subscriber, a Notary Public of the State and County, aforesaid, appeared *GARY HYNSON*, known personally to me, who, as a member of the Council of The Towers of Valley Run, did acknowledge h/s execution of the Certification the foregoing Certificate of Amendment to the Code of Regulations and Rules of Conduct of The Towers of Valley Run as h/s act and deed, this 10th day of *MAY*, 2021.

Linda Marshall
Notary Public

My Commission Expires: _____

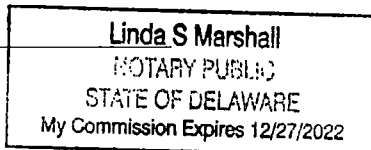


EXHIBIT A

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(b), entitled, "Voting by Mail", is hereby amended by replacing the entire paragraph.

SECOND: Article III, Section 2(b), entitled, "Voting by Mail", is replaced with:

"(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 a discussion of the resolution at a duly called meeting of the Council 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, an explanation 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: 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 adoption of 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 a 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 Council's 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 certified 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.

EXHIBIT B

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: The Code of Regulations is hereby amended by the addition of new Article XII entitled "Notice by Electronic Means"

SECOND: Article XII, entitled, "Notice by Electronic Means" is added as follows:

ARTICLE XII

NOTICE BY ELECTRONIC MEANS

1. Notice by Electronic Means.
 - (a) When written notice is required by the declaration or bylaws, the following method of giving notice by electronic means in the manner described in subsection (b) of this section suffices in lieu of hand delivery or being sent by United States mail.
 - (b) Council provides effective notice by electronic means if the unit owner gives the Council prior written authorization to provide that notice, together with an electronic address.
 - (c) The ineffectiveness of a good faith effort to deliver notice by any authorized means does not invalidate action taken at a meeting or in lieu of a meeting.

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