

Amendment to
By-Laws

This Amendment is made to the By-Laws of Kimberly Condominium Estates which By-Laws are attached to the Declaration of Kimberly Condominium Estates which was recorded on September 16, 1983 in the Monroe County Clerk's Office at Liber 6388 of deeds, page 199.

The Amendment to the By-Laws which are set out below were approved at the annual meeting of unit owners of Kimberly Condominium Estates which meeting was held on October 11, 1989, at 8:00 p.m. on the grounds of Kimberly Condominium Estates.

Proof of notice of the meeting was presented at the meeting and a quorum was present and acting throughout.

A motion was made, seconded, and unanimously carried to amend Section 3.10 and Section 5.16 of the By-Laws by deleting the former text of those sections and inserting in their place the following:

Section 3.10. Quorum

Except as otherwise provided in these By-Laws, the presence in person or by proxy of unit owners having one-quarter of the total authorized votes of all unit owners shall constitute a quorum at all meetings of unit owners.

Section 5.16. Rules of Conduct

Rules and regulations concerning the use of the units and the common elements and conduct of owners, residents, guests, or invitees, may be promulgated and amended by the Board of Managers. However, copies of such rules and regulations shall be furnished by the Board of Managers to each unit owner at least ten (10) days prior to the time the same shall become effective. Such copies shall be furnished by personal delivery or by posting by first class mail.

This instrument is prepared and recorded to make the above amendments to the By-Laws effective as provided in Section 11.01 of the By-Laws.

IN WITNESS WHEREOF this Amendment to the By-Laws has been executed the 20TH day of FEBRUARY, 1990.

KIMBERLY CONDOMINIUM ESTATES
BOARD OF MANAGERS

BY: Patrick H. Smith, President
Patrick H. Smith, President

STATE OF NEW YORK)

ss.:

COUNTY OF MONROE)

On this 20th day of February, 1990, before me the subscriber, personally appeared Patrick H. Smith to me known, and being by me duly sworn, did depose and say that he resides at 1111 New York, that he is the President of The Board of Managers of Kimberly Condominium Estates, the condominium described in and which executed the foregoing instrument; and that he signed his name thereto by order of the Board.

Karen Ann Frecette
Notary Public

KAREN ANN FRECHETTE
Notary Public, State of New York
Certified in Number 10000
1990

AMENDMENT TO BY-LAWS OF
KIMBERLY CONDOMINIUM ESTATES

This Amendment is made to the By-Laws of Kimberly Condominium Estates which By-Laws are attached to the Declaration of Kimberly Condominium Estates which was recorded on September 16, 1983 in the Monroe County Clerk's Office at Liber 6388 of deeds, page 199, and amended by Amendment recorded on March 12, 1990, in Liber 7862 of Deeds, page 1.

The Amendment to the By-Laws which are set out below were approved at the annual meeting of unit owners of Kimberly Condominium Estates which meeting was held on October 10, 1990, at 8:00 p.m. on the grounds of Kimberly Condominium Estates.

Proof of notice of the meeting was presented at the meeting and a quorum was present and acting throughout.

A motion was made, seconded, and unanimously carried to amend Section 5.02, last sentence, and Section 10.06 of the By-Laws by deleting the former text of those sections and inserting in their place the following:

Section 5.02. Insurance-Last Sentence

All such policies shall provide that adjustment of loss shall be made by The Board of Managers, and that the net proceeds of all policies of physical damage insurance, if \$50,000.00 or less, shall be payable to The Board of Managers, and if more than \$50,000.00 shall be payable to the Insurance Trustee provided for in Section 10.06 of these By-Laws.

Section 10.06. Insurance Trustee

An Insurance Trustee shall be selected by the Board of Managers from time to time, as necessary to administer proceeds of policies of physical damage insurance when such proceeds are to be paid to an Insurance Trustee as set out in Section 5.02 of these By-Laws. The Insurance Trustee shall be a bank or a trust company located in New York State and having a capital, surplus and undivided profits of \$2,000,000.00 or more. The Board of Managers shall pay the fees and disbursements of any Insurance Trustee and such fees and disbursements shall constitute a common expense of the condominium.

This instrument is prepared and recorded to make the above amendments to the By-Laws effective as provided in Section 11.01 of the By-Laws.

IN WITNESS WHEREOF this Amendment to the By-Laws has been executed the 10th day of October, 1990.

KIMBERLY CONDOMINIUM ESTATES
BOARD OF MANAGERS

BY: Patent H. Smith, President

STATE OF NEW YORK)

SS.:

COUNTY OF MONROE)

On this 10th day of Oct, 1990, before me the subscriber, personally appeared Patent H. Smith, Pres to me known, and being by me duly sworn, did depose and say that he resides at Chen, that he is the President of The Board of Managers of Kimberly Condominium Estates, the condominium described in and which executed the foregoing instrument; and that he signed his name thereto by order of the Board.

Carol O'Connor
Notary Public



AMENDMENT TO THE BY-LAWS OF
KIMBERLY CONDOMINIUM ESTATES

This Amendment is made to the By-Laws of Kimberly Condominium Estates, which By-Laws are attached to the Declaration of Covenants, Conditions and Restrictions recorded on September 16, 1983 in the Monroe County Clerk's Office at Liber 6388 of Deeds, page 199.

The Amendment to the By-Laws as set out below was approved at an annual meeting of the members of Kimberly Condominium Estates, which meeting was held on October 9, 1991, at 8:00 p.m. at the club house of Kimberly Condominium Estates.

Proof of notice was presented at the meeting and a quorum was present and acting throughout.

A majority of the members present voted to amend the By-Laws section 10.01 the text of which is as follows:

NOTICES - SECTION 10.01. All notices hereunder shall be sent by First Class Mail or Certified Mail to the Board of Managers c/o of the managing agent, or if there be no managing agent, to the office of the Board of Managers or to such other address as the Board of Managers may hereafter designate from time to time by notice in writing to all unit owners and to all mortgagees of units. All notices by the Board of Managers to any unit owner shall be sent by First Class Mail or Certified Mail to the address of the unit or to such other address as may have been designated in writing by the unit owner. All notices to mortgagees shall be sent by First Class or Certified Mail to their respective addresses, as designated by them, in writing, to the Board of Managers. All notices shall be deemed to have been given when mailed,

except notices of change of address which shall be deemed to have been given when received.

This instrument is prepared and recorded to make the above Amendment to the By-Laws effective as provided in Article XI of the By-Laws.

IN WITNESS WHEREOF, this Amendment has been executed the 11th day of DECEMBER, 1991.

KIMBERLY CONDOMINIUM ESTATES

By: Patrick H. Smith, Pres
Patrick H. Smith, President

STATE OF NEW YORK)

SS.:

COUNTY OF MONROE)

NANCY E. BERL
Notary Public, State of New York
Qualified in Monroe County
My Commission Expires _____

On this 11th day of December, 1991, before me the subscriber, PATRICK H. SMITH, personally appeared to me known, and being by me duly sworn, did depose and say that he resides at 111 Autumn Chapel Way; that he is the President of the Board of Managers of Kimberly Condominium Estates, the condominium described in and which executed the foregoing instrument; and that he signed his name thereto by order of the Board of Managers of said condominium.

Nancy E. Berl
Notary Public

NANCY E. BERL
Notary Public, State of New York
Qualified in Monroe County
My Commission Expires 12/26/92

AMENDMENT TO BY-LAWS OF
KIMBERLY CONDOMINIUM ESTATES

This Amendment is made to the By-Laws of Kimberly Condominium Estates which By-Laws are attached to the Declaration of Covenants, Conditions and Restrictions of Kimberly Condominium Estates which was recorded on September 16, 1983 in the Monroe County Clerk's Office at Liber 6388 of Deeds, page 199 and amended by Amendments dated March 12, 1990 and October 22, 1990 and recorded in Liber 7862 of Deeds, page 1 and Liber 8016 of Deeds, page 545, respectively.

The Amendment to the By-Laws which is set out below was approved at an annual meeting of the members of Kimberly Condominium Estates, which meeting was held on 11/14/92, at CLUB HOUSE on the grounds of Kimberly Condominium Estates.

Proof of notice of the meeting was presented at the meeting and a quorum was present and acting throughout.

A majority of the Members present voted to amend the By-Laws, by the addition of the paragraph set forth below at the end of Article VII, Section 7.02:

Upon the transfer of any unit, the new unit owner will be assessed an assessment of One Hundred and 00/100 Dollars (\$100.00) which will be applied to the Reserve Fund. The assessment will be a personal lien upon the unit as set forth in Section 5.04 of Article V of these By-Laws. In the event of default as described in Section 5.05 of the above-mentioned Article V, the Board of Managers shall have the rights and remedies set forth in Sections 5.06 and 5.07 of the above-mentioned Article V.

This instrument is prepared and recorded to make the above amendment to the By-Laws effective as provided in Article XI of the By-Laws.

IN WITNESS WHEREOF, this Amendment to the By-Laws has been executed the 10TH day of NOVEMBER, 1992.

Kimberly Condominium Estates

BY: Patrick H. Smith
Patrick H. Smith

STATE OF NEW YORK)
COUNTY OF MONROE) ss.:

On this 10th day of November, 1992, before me the subscriber, personally appeared Patrick H. Smith, to me known, and being by me duly sworn, did depose and say that he resides at Patrick H. Smith, that he is the President of The Board of Managers of Kimberly Condominium Estates, the association described in and which executed the foregoing instrument; and that he signed his name thereto by order of the Board of Managers of said association.

Vangie Morrow

NOTARY PUBLIC

VANGIE MORROW

NOTARY PUBLIC, State of N.Y., Monroe County

My Commission Expires 10/30/93.