

NEW SECTION 5 TO ARTICLE I OF THE BY-LAWS

SECTION 5

- A. As used herein, the terms "sexually oriented offense," "tier I sex offender/child-victim offender," "tier II sex offender/child-victim offender," and "tier III sex offender/child-victim offender" shall have the same meanings as in Section 2950.01 of the Ohio Revised Code, as amended from time to time. As used herein, the term "Registrant" shall mean any person who is required to register with the sheriff, the sheriff's designee, the Ohio Attorney General, or any other designated registering agency within the State of Ohio pursuant to Chapter 2950 of the Ohio Revised Code, as amended from time to time, by reason of having been convicted of or pleading guilty to a sexually oriented offense regardless of when or where the sexually oriented offense was committed.
- B. No Registrant who is a tier III sex offender/child-victim offender shall be eligible or permitted to be an Active Member of the Association. Any Registrant owning a lot within the Roaming Rock Shores Subdivision shall be deemed to an Inactive Member. In addition, no Registrant who is a tier III sex offender/child-victim offender shall permanently or temporarily reside in any home or on any lot in the Roaming Rock Shores Subdivision for any length or period of time.
- C. If, after the adoption of the amendment to the By-Laws adding this Section 5 to Article I, a Registrant who is a tier III sex offender/child-victim offender resides in or occupies any home or lot in the Roaming Rock Shores Subdivision as an owner, tenant, resident, guest, or any other possessor of interest, the lot owner must immediately cause such Registrant to vacate the lot, even if the Registrant is the lot owner. This restriction shall apply equally to all future lot owners, tenants, residents and occupants in the Roaming Rock Shores Subdivision. However, this provision shall not be applied retroactively to any Registrant that was a lot owner and resident of the Roaming Shores Subdivision prior to this amendment being adopted, provided, however, that this provision shall apply to any such Registrant who ceases to be a lot owner for any period of time after the effective date of this Section 5 of Article I.

The Association shall provide any lot owner in violation of any provision in this Section 5 of Article I with a written notice sent by first class, postage pre-paid, U.S. Mail to the Lot owner's last known address, informing the lot owner that he or she must correct the violation within sixty (60) days of the date of the notice. If the Registrant does not vacate the home and/or lot within sixty (60) days of the date the lot owner was mailed notification by the Association of the presence of a Registrant, then the Association may institute such legal proceedings as may be appropriate (including, but being not limited to an action seeking an injunction) to have the Registrant expelled or removed from the home and/or lot within the Roaming Rock Shores Subdivision.

- D. If it is necessary for the Association to pursue any form of legal action, regardless of whether such action is in the form of an injunction, eviction, or other form of relief to gain

compliance with this Section 5 of Article I, the Association shall be entitled to reimbursement for all of its expenses, including, but not limited to, its reasonable attorney fees and court costs, from the lot owner, and such amount may be secured by a Certificate of Lien in accordance with Article III of these By-Laws.

- E. The Board of Directors may, in its sole discretion, notify the members that a Registrant is residing within the Roaming Rock Shores Subdivision, including Registrants who are either a tier I sex offender/child-victim offender or a tier II sex offender/child-victim offender. Notice may be given in such manner as the Board of Directors deems appropriate, including, without limitation, posting it on the Association's website.
- F. The Association shall not be liable to any lot owner, Member, or anyone residing in, occupying or visiting any lot in the Roaming Rock Shores Subdivision arising out of, resulting from in part or whole, or pertaining to the Association's failure or alleged failure, whether negligent, intentional or otherwise, to notify any lot owner, Member, resident, occupant, guest or visitor within the Roaming Rock Shores Subdivision of the presence, residency, or occupancy of a Registrant in the Roaming Rock Shores Subdivision, or to pursue the removal of any Registrant, including a Registrant who is a tier III sex offender/child-victim offender, from the Roaming Rock Shores Subdivision, or to otherwise enforce this Section 5 of Article I.