

**THIRD AMENDMENT TO THE BYLAWS  
OF CONDOMINIUM RESIDENCES I OF FALLSGROVE**

THIS AMENDMENT TO THE BYLAWS OF THE CONDOMINIUM RESIDENCES I OF FALLSGROVE is made this 3<sup>rd</sup> day of June, 2008, by the Council of Unit Owners of the Condominium Residences I of Fallsgrrove.

**WITNESSETH.**

**WHEREAS**, pursuant to Section 11-102 of the Maryland Condominium Act, certain condominium instruments ("Condominium Instruments") were recorded creating Condominium Residences I of Fallsgrrove, consisting of the Declaration and Bylaws, recorded on June 22, 2004 in Liber 27608 at Folio 232 and re-recorded on July 16, 2004 in Liber 27841 at Folio 381 *et seq.*, and the Bylaws, recorded on July 16, 2004 among the Land Records in the Office of the Clerk of the Circuit Court for Montgomery County, Maryland at Liber 27841 Folio 429 *et seq.* and the Condominium Plats, recorded on June 22, 2004, among the Land Records of the Circuit Court of Montgomery County, Maryland, as Condominium Plats 8560 through 8507.

**WHEREAS**, Article IX, Section 9.5 of the Bylaws of Condominium Residences I of Fallsgrrove, provides that the Bylaws may be amended by an affirmative vote of Unit Owners representing sixty-six and two-thirds percent (66-2/3%) of the votes of the Condominium at any meeting of the Council duly called for such purposes in accordance with Maryland law.

**WHEREAS**, pursuant to the requirements of Article II, Section 2.34 of the Bylaws of the Condominium Residences I of Fallsgrrove at a Special Meeting of the Unit Owners on May 22, 2008, with proper notice given, at which a quorum was present in person or by proxy, as required by Article II, Section 2.3.5 of the of the Bylaws of the Condominium Residences I of Fallsgrrove , the Unit Owners of Condominium Residences I of Fallsgrrove, by an affirmative vote of Unit Owners representing at least 66-2/3 of the total number of votes of the Condominium, voting in person or by proxy, approved the following amendments to the Bylaws of Condominium Residences I of Fallsgrrove.

NOW THEREFORE, pursuant to the required vote of the Unit Owners as aforesaid, the Council of Unit Owners hereby amends the following provisions of the Bylaws of the Condominium Residences I of Fallsgrrove to read as follows:

1. Article, II, Section 2.4.1 shall be amended to substitute the following paragraph for the existing paragraph:

2.4.1. Composition; Qualifications of Directors.

(a) The Board of Directors shall consist of an odd number of directors between three (3) and nine (9) to be increased or decreased at an Annual Meeting or a Special Meeting duly called for said purpose.

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2. Article, II, Section 2.4.1 shall be amended to add the following section after section 2.4.1:

(i.) If the number of board members is to be increased then:

(A.) A Special Meeting for the purpose of increasing the number of Board Members shall be called by the Board of Directors with no less than thirty (30) days notice given in writing to each Unit Owner of the number of increase of the Board and notifying them of the date of the Special Meeting; and must be called on the demand of two or more Directors.

(B.) At least thirty (30) days before the Special Meeting called for the above purpose the President shall appoint a nominating committee of three (3) Unit Owners, at least one of whom shall be a Director. Such nominating committee, after considering the qualifications of prospective nominees, shall select one or more nominees for each new additional directorship to be filled at such Special Meeting and shall present its nominations to the Secretary by not later than ten (10) days before such Special Meeting.

(C.) Any Unit Owner may nominate a candidate for each new additional directorship to be filled at this Special Meeting by presenting such nomination to the Secretary in a writing signed by such Unit Owner by not later than ten (10) days before the written list of such nominees is furnished to the Unit Owners pursuant to Section 2.4.2(a)(D).

(D.) By not later than ten (10) days before the date of such Special Meeting, each Unit Owner shall be furnished a written list of all nominees for directorships submitted pursuant to subparagraphs (B.) or (C.) above and shall be furnished with a ballot for the new additional directorial election, on which the names of each candidate shall be either typed or printed and on which no preference shall be indicated for any candidate. If there is more than one (1) candidate, their names shall be arranged in alphabetical order. Nominations may be made from the floor at the meeting at which the election of the new additional Directors to the Board of Directors is held.

(E.) At the Special Meeting the person who receives the greatest number of Votes cast in such election, shall be declared elected to the new directorship. Where more than one (1) new directorship is being filled, a separate election shall be held for each new directorship, the person with the most votes shall be elected to serve for a term of three (3) years, the person with the second most votes shall be elected to serve for two (2) years and the others so elected shall serve a term of one (1) year.

(ii.) If the number of board members is decreased then at the Special Meeting called for that purpose, written documentation must be provided to the Board that the decrease in the number of the Board of Directors director(s) is caused by a resignation, retirement, removal from office or other disqualification or inability to serve; and not less than ten (10) days notice shall be given in writing to each Unit Owner of the number of the proposed decrease Board members; notifying

them of the date of the Special Meeting; and must be called on the demand of two or more Directors.

3. Article, II, Section 2.4.6 shall be amended to substitute the following paragraph for the existing paragraph:


2.4.6. Removal of Directors. Any Director may be removed from his position as such, with or without cause, by the affirmative vote of Unit Owners having a majority of the outstanding Votes, at any Annual Membership Meeting, or at any Special Membership Meeting duly called for such purpose. Any Director who misses four (4) consecutive meetings of the Board of Directors shall be automatically removed from their position as a Director.

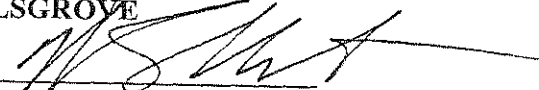
4. Except as herein amended, the remaining terms and provisions of the Bylaws shall remain in full force and affect.

IN WITNESS WHEREOF, the Board of Directors on behalf of the Council of Unit Owners of Condominium Residences I of Falls Grove, has caused these presents to be duly executed and sealed with the intention of making this Amendment a sealed instrument, as of the date and year first above written.

ATTEST:

**CONDOMINIUM RESIDENCES I OF  
FALLSGROVE**

  
\_\_\_\_\_  
Barry Gordon, Secretary

By:   
\_\_\_\_\_  
Nolan Sklute, President

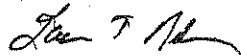
STATE OF MARYLAND

To Wit:

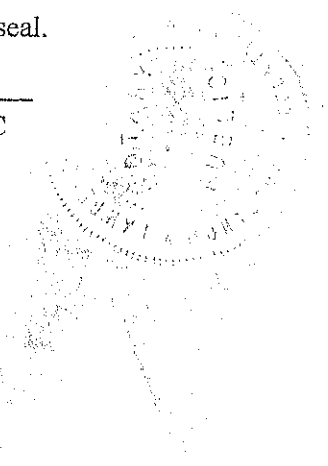
MONTGOMERY COUNTY

I hereby certify that on this 3<sup>rd</sup> day of June, 2008, before the subscriber, a Notary Public of Montgomery County, Maryland, personally appeared Nolan Sklute, President of the Condominium Residences I of Falls Grove, known to me (or satisfactorily proven) to be the person in the foregoing instrument, who acknowledged that he, having been properly authorized, executed the same in the capacity therein stated and for the purposes herein contained.

IN TESTIMONY WHEREOF, I have affixed my hand and official seal.

  
\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: August 1, 2010.



CERTIFICATION OF THE SECRETARY OF THE CONDOMINIUM RESIDENCES I  
OF FALLSGROVE COUNCIL OF UNIT OWNERS

In accordance with Section 11-504 to Section 11-102 of the Maryland Condominium Act, Real Property Article, Annotated Code of Maryland, and in accordance with Article IX, Section 9.5 of the Bylaws of the Council of Unit Owners of Condominium Residences I of Fallsgrove, the Secretary herein certifies that the Amendments to the Bylaws of the Council of Unit Owners of Condominium Residences I of Fallsgrove to which this Certificate is attached was approved at a meeting of the Unit Owners, for which proper notice of meeting was given, that there was a quorum at the meetings and Unit Owners representing at least sixty-six and two-thirds percent (66 2/3%) of the votes in the Council of Unit Owners, either in person or by proxy, voted in favor of adopting these Amendments to the Bylaws at the meetings for which proper notice was given.

By:   
Barry Gordon, Secretary

STATE OF MARYLAND

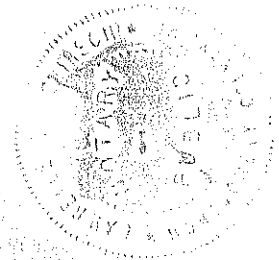
To Wit:

MONTGOMERY COUNTY

I hereby certify that on this 3<sup>rd</sup> day of June, 2008, before the subscriber, a Notary Public of Montgomery County, Maryland, personally appeared Barry Gordon, Secretary of the Condominium Residences I of Fallsgrove, known to me (or satisfactorily proven) to be the person in the foregoing instrument, who acknowledged that he, having been properly authorized, executed the same in the capacity therein stated and for the purposes herein contained.

IN TESTIMONY WHEREOF, I have affixed my hand and official seal.

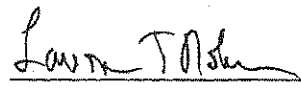
  
NOTARY PUBLIC



My Commission Expires: August 1, 2010.

**ATTORNEY'S CERTIFICATION**

I HEREBY CERTIFY that the foregoing document was prepared by or under the supervision of the undersigned, an attorney duly licensed to practice before the Court of Appeals of Maryland.

  
Lawrence T. Robinson