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Michael E. Kozikowski
New Castle Recorder

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MISC

Tax Parcel Numbers:26-012.20-048 and all
C_____ suffix numbers thereafter, being all
the Units of The Devon

Prepared By and Returnable To:
Richard R. Franta, Esquire
1301 N. Harrison Street – Suite 102
Wilmington, DE 19806

**CERTIFICATE OF AMENDMENT
TO
CODE OF REGULATIONS
OF
THE DEVON**

Made this 2nd day of August, 2021, by the Council of The
Devon.

KNOW ALL BY THESE PRESENTS, that, pursuant to a vote of the members
of the Council at a duly noticed meeting of the Council on May 17, 2021, and in accor-
dance with Sections 2207 and 2211 (3) of the Delaware Unit Property Act (25 *Del. C.*
Chapter 22), The Code of Regulations of The Devon (the “Code of Regulations”), dated
February 14, 1980, and of record at the Office of the Recorder of Deeds in and for New
Castle County, Delaware, in Deed Record F, Volume 109, Page 106, was amended in the
following respects:

First: Article 2, Section I, entitled, “Quorum,” is stricken in its entirety, and the
following replacement Section I is adopted:

“Quorum. Except as otherwise provided in this Code of Regulations, the
presence in person, by proxy or by absentee ballot of 20% of the Owners shall
constitute a quorum at all meetings and write-in votes of the Association of Owners.
For the purposes of determining if a quorum is present, absentee and proxy votes
will count toward the quorum.”

Second: Article 2, Section E, entitled, “Notice of Meetings,” is stricken in its
entirety, and the following replacement Section E is adopted:

“Notice of Meetings. It shall be the duty of the Secretary to post and mail
the annual calendar of scheduled Council meetings. The Secretary will post and
electronically mail the each meeting agenda and location at least 3 business days
before the scheduled meeting to each Owner of record, at such address as each
Owner shall have designated by notice in email or writing to the Secretary.

The mailing of a notice of meeting in the manner provided in this Section shall be considered service of notice.”

Third: Article 3, Section A, entitled, “Number and Qualification,” is amended by striking Subsections (2), (3), and (4) in their entirety, and adopting in lieu thereof the following new Subsection (2):

“The Council shall be composed of five (5) persons, all of whom shall be Unit Owners who are usually on site throughout the year and available to perform the work of the Council.”

Fourth: Article 3, Section G, entitled, “Vacancies,” is hereby stricken in its entirety, and the following replacement Section G is hereby adopted:

“Vacancies. Vacancies in the Council caused by any reason other than the removal of a member by vote of the Association of Owners shall be filled by vote of a majority of the remaining members of the Council at a special meeting of the Council held for that purpose promptly after the occurrence of any such vacancy, even though the members present at such meeting may constitute less than a quorum, and each person so elected shall be a member of the Council until a successor shall be elected at the next meeting of the Association of Owners.”

Fifth: Article 3, Section I, entitled, “Regular Meetings,” is stricken in its entirety, and the following replacement Section I is adopted:

“Regular Meetings. Regular meetings of the Council may be held at such time and place as shall be determined from time to time by a majority of the members, but at least two such meetings shall be held during each fiscal year. Notice of regular meetings of the Council shall be given to each member, by mail or electronic means, at least three (3) business days prior to the day named for such meeting.”

Sixth: Article 3, Section J, entitled, “Special Meetings,” is hereby stricken in its entirety and the following replacement Section J is adopted:

“Special Meetings. Special meetings of the Council may be called by the President on three (3) business days' notice to each member, given by mail or

electronic communication, which notice shall state the time, place and purpose of the meeting. Special meetings of the Council shall be called by the President or Secretary in like manner and on like notice on the written request of at least two (2) members.”

Seventh: Article 4, Section A, entitled, “Designation,” is stricken in its entirety, and the following replacement Section A is adopted:

“Designation. The principal officers of the Condominium shall be the President, the Vice President, the Secretary, and the Treasurer, all of whom shall be elected by the Council. The Council *may* appoint an assistant Treasurer, an assistant Secretary, and such other officers as in its judgment may be necessary. The President and Vice President shall be members of the Council. Any other officers may be, but shall not be required to be, members of the Council.”

In all other respects the Code of Regulations as previously amended remains in full force and effect.

IN WITNESS WHEREOF, the Council of The Devon has caused this Certificate of Amendment to its Code of Regulations to be executed by Hank Maier, the President of the Council, duly attested by Sandra Einstein, the Secretary of the Council, the day and year first above written.

THE COUNCIL OF THE DEVON

By: _____

Hank Maier
President

President

Attest: _____

Sandra Einstein
Secretary

Secretary



