

**SECOND SUPPLEMENTAL DECLARATION OF COVENANTS, EASEMENTS,  
CONDITIONS AND RESTRICTIONS FOR EDGEWATER SUBDIVISION**

THIS SECOND SUPPLEMENTAL DECLARATION OF COVENANTS, EASEMENTS, CONDITIONS AND RESTRICTIONS FOR EDGEWATER SUBDIVISION (the "Second Supplemental Declaration") is made as of the 12<sup>th</sup> day of April, 2002, by M/I Schottenstein Homes, Inc., an Ohio corporation (hereinafter referred to as "Developer").

WHEREAS, on March 30, 2001 Developer filed that certain Declaration of Covenants, Easements, Conditions and Restrictions for Edgewater Subdivision recorded at Instrument No. 200103300065064 in the office of the Recorder, Franklin County, Ohio (the "Declaration"); and

WHEREAS, on December 10, 2001, Developer filed that certain First Supplemental Declaration of Covenants, Easements, Conditions and Restrictions for Edgewater Subdivision (the "First Supplemental Declaration") recorded at Instrument Number 200112100286518 in the office of the Recorder, Franklin County, Ohio;

WHEREAS, pursuant to the terms of Paragraph I A of the Declaration, Developer reserved the right to annex additional property and to submit any such property to the covenants, easements, conditions and restrictions, and provisions of the Declaration;

WHEREAS, the Developer is the owner of all the real property located in Franklin County, Ohio, more particularly described in Exhibit A attached hereto and incorporated herein by reference and desires to submit such property to the covenants, easements, conditions and restrictions, provisions of the Declaration; and

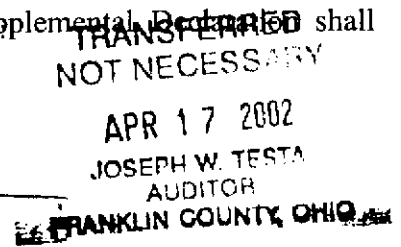
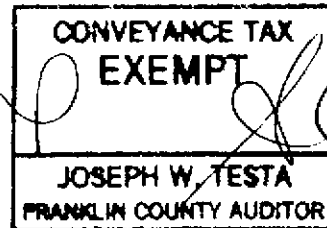
WHEREAS, the real property described in Exhibit A is part of the additional property;

NOW THEREFORE, pursuant to the powers reserved in Paragraph I A of the Declaration, Developer hereby declares that:

1. Defined Words and Phrases. Unless otherwise defined herein, capitalized words and phrases herein shall have the meaning assigned to such words and phrases in the Declaration.

2. Additional Property. All the real property described in Exhibit A shall be held, sold, conveyed, encumbered, leased, occupied and improved, subject to the covenants, easements, conditions and restrictions, and provisions of the Declaration as the same is supplemented and amended from time to time, which shall run with the real property described in Exhibit A and shall be binding upon, and inure to the benefit of, all parties now or hereafter having any right, title or interest in such property or any part thereof, and their heirs, personal and legal representatives, successors and assigns.

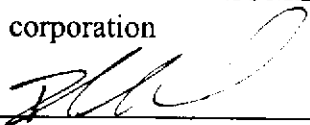
3. Effect of Amendment. In the case of conflict between the Declaration, and this Second Supplemental Declaration, the terms of this Second Supplemental Declaration shall



control. Any term or provision of the Declaration not amended by this Second Supplemental Declaration shall remain the same and in full force and effect.

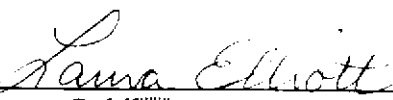
IN WITNESS WHEREOF, the Developer has executed this Second Supplemental Declaration as of the date first above written.

M/I SCHOTTENSTEIN HOMES, INC.  
an Ohio corporation

By:   
Paul S. Coppel  
President Land Operations/General Counsel

STATE OF OHIO  
COUNTY OF FRANKLIN, ss:

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of April, 2002, by Paul S. Coppel, President Land Operations/General Counsel of M/I Schottenstein Homes, Inc., an Ohio corporation, on behalf of the Developer.

  
Notary Public



LAURA ELLIOTT  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES SEPT. 15, 2004

This instrument prepared by: Developer

**EXHIBIT A**

Situated in the State of Ohio, County of Franklin, City of Columbus and being further described as follows:

Being Lots numbered One Hundred Twenty-two (122) through One Hundred Eighty-eight (188), both inclusive, of EDGEWATER, SECTION 3, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 98, pages 72 and 73, Recorder's Office, Franklin County, Ohio.