

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

THIS THIRD SUPPLEMENTAL DECLARATION OF COVENANTS, EASEMENTS, CONDITIONS AND RESTRICTIONS FOR EDGEWATER SUBDIVISION (the "Third Supplemental Declaration") is made as of the 18<sup>th</sup> day of December, 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 Number 200103300065064 in the office of the Recorder, Franklin County, Ohio as supplemented by that certain First Supplemental Declaration of Covenants, Easements, Conditions and Restrictions for Edgewater Subdivision recorded at Instrument Number 200112100286518 in the office of the Recorder, Franklin County, Ohio as supplemented by that certain Second Supplemental Declaration of Covenants, Easements, Conditions and Restrictions for Edgewater Subdivision recorded at Instrument Number 200204170096892 in the office of the Recorder, Franklin County, Ohio (collectively the "Declaration");

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;

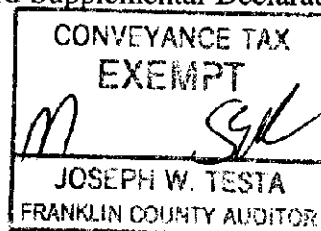
WHEREAS, the Developer is the owner of all the real property located in Franklin County, Ohio, more particularly described in Exhibit A attached hereto and incorporated herein by reference and desires to submit such property to the covenants, easements, conditions and restrictions, provisions of the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

H:\My Documents\Word\RESTRIC\edgewater-suppl.doc



**TRANSFERRED  
NOT NECESSARY**  
DEC 23 2002  
JOSEPH W. TESTA  
AUDITOR  
FRANKLIN COUNTY, OHIO

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

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

M/I SCHOTTENSTEIN HOMES, INC.  
an Ohio corporation

By: J. Thomas Mason  
J. Thomas Mason  
Senior Vice President/General Counsel

STATE OF OHIO  
COUNTY OF FRANKLIN, ss:

The foregoing instrument was acknowledged before me this 18<sup>th</sup> day of December, 2002, by J. Thomas Mason, Senior Vice President/General Counsel of M/I Schottenstein Homes, Inc., an Ohio corporation, on behalf of the Developer.

Kimberly L. McCoy  
Notary Public



KIMBERLY L. McCOY  
Notary Public, State of Ohio  
My commission expires 9-16-2003

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 Eighty-nine (189) through Three Hundred Twenty-three (323), both inclusive, of EDGEWATER, SECTION 4, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 99, pages 83 and 84, Recorder's Office, Franklin County, Ohio.