

201100011669
Filed for Record in
DELAWARE COUNTY, OHIO
MELISSA JORDAN, RECORDER
04-26-2011 At 10:49 am.
DECLAR AMEN 88.00
OR Book 1041 Page 385 - 392

**EIGHTH AMENDMENT
(ADDING NINTH PHASE) TO
DECLARATION OF CONDOMINIUM
FOR**

201100011669
CCBI

Peak InterBox

RE: OR VOL 1041 Pg 393

**The Village at
Murphy's Crossing
Condominium**

EXPANDING THE CONDOMINIUM

Delaware County Auditor

by: *Tracy Hedges*

This instrument prepared by

**Kenton L. Kuehnle
Allen Kuehnle Stovall & Neuman, LLP
17 South High Street
Columbus, Ohio 43215**

This Amendment to the Declaration of Condominium for The Village at Murphy's Crossing Condominium, ("the Condominium"), expanding and submitting additional property to the condominium is made as of this ____ day March, 2011.

Background

CCBI Murphy's X, LLC, an Ohio limited liability company, ("Declarant"), is the owner in fee simple of all the real property hereinafter described and the improvements thereon and appurtenances thereto.

The Declarant has submitted certain property to the provisions of Section 5311 of the Ohio Revised Code by the filing of a Declaration of Condominium (the "Declaration") of The Village at Murphy's Crossing. The Declaration is recorded in Official Record Volume 601 Page 1529, and the drawings are recorded in Cabinet 3, Slide 551, all of the Delaware County, Ohio Records.

The Declarant, pursuant to Article XVIII of the Declaration, reserved the right to expand the Condominium property by amending the Declaration to add the property (described in Exhibit C of the Declaration as the "Additional Property"), and improvements thereon and appurtenances thereto, to the original condominium. By this instrument, the Declarant is adding the property described in Exhibit A to this Amendment to the Condominium.

Declaration

Declarant, the sole owner of the Additional Property, hereby submits the portion of the Additional Property described on Exhibit A to this Amendment, to the provisions of Chapter 5311 of the Ohio Revised Code, and hereby amends the Declaration of Condominium as follows:

1. Definitions. All terms used herein shall have the same meanings as those terms are defined in the Declaration.
2. Additional Property Added. A legal description of the property being added to the Condominium is attached hereto as "Exhibit A" and incorporated herein by this reference.
3. Name. The Condominium, as expended hereby, shall continue to be named "The Village at Murphy's Crossing Condominium".
4. Purposes. The purposes of the Condominium shall continue to be as set forth in the Declaration (encompassing the additional property added hereby).
5. Improvements Description. The property being added by this amendment consists of one tract of land, on which is situated one residential

building containing 4 Units. Improvements on such property are compatible in terms of quality of construction, principal materials used, and architectural style and design to the improvements now a part of the Condominium Property.

6. Units.

a. Unit Designation. The Units added to the Condominium are designated on the drawings filed simultaneously herewith, by a unit number which is referenced on the drawings filed herewith. The Units added in this phase are designated as "Unit J-11", "Unit J-19", "Unit J-27" and "Unit J-35". A listing of the proper Unit designations for all Units in the Condominium is attached as Exhibit B.

b. Composition of Units. Each Unit added hereby consists of the space in the building designated on the drawings filed simultaneously herewith, including and excluding, as appropriate, those same items as are described and defined in the description of Units in the Declaration.

c. Unit Locations. The location of each Unit added hereby is shown on the Drawings filed simultaneously herewith.

7. Common and Limited Common Elements.

a. Common Elements. All of the property described in Exhibit A, including all of the land and all improvements thereon and appurtenances thereto, except those portions labeled or described herein or in the amendment to the Drawings filed herewith as a part of a Unit, are Common Elements.

b. Limited Common Elements. Those portions of the Common Elements that are added hereby that are labeled or designated "LCE" or "limited common elements" on the Drawings filed herewith, are Limited Common Elements. These Limited Common Elements are reserved for the exclusive use of the Units which those improvements are designed to serve, in accordance with the provisions of the Declaration and as designated on the Drawings.

c. Undivided Ownership of Common Elements. The undivided interest in the Common Elements appurtenant to all Units in the Condominium as expanded hereby, and as thereby allocated and reallocated, are shown in the attached Exhibit B, and are all equal to one/forty-sixth (1/46th). The Common Elements shall be owned by the Unit owners as tenants in common, and ownership thereof shall remain undivided. No Unit owner may waive or release any rights in the Common Elements. Further, the undivided interest in the Common Elements of a Unit shall not be separated from the Unit to which it appertains.

8. **Effects of Expansion.** Upon the filing for record of this Amendment to the Declaration adding the property described in Exhibit A to the Condominium Property:

a. the property shall hereafter be subject to all of the terms and provisions of the Declaration, to the same extent and with the same effect as if that property had been initially part of the Condominium Property, that is, the rights, easements, covenants, restrictions and assessment plan shall run with and will and bind such property in the same manner, to the same extent, and with the same force and effect as the terms of the Declaration apply to the original Condominium Property;

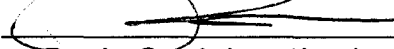
b. the owner or owners of Units within such property shall thereupon become members of the Condominium Association, to the same extent, with the same effect, subject to the same obligations, and imbued with the same rights, as all other members; and

c. in all other respects, all of the provisions of the Declaration shall include and apply to such property, and to the owners, mortgagees and lessees of Units thereon, with equal meaning and of like force and effect.

Drawings, as required by the Ohio Revised Code, are filed herewith showing the information required with respect to the property added by this amendment.

IN WITNESS WHEREOF, this amendment has been executed on behalf of the Declarant on this ___ day of _____, 2011.

CCBI Murphy's X, LLC

By 
Paolo Cugini, authorized member

STATE OF OHIO
COUNTY OF FRANKLIN, SS:

Before me, a notary public, personally appeared Paolo Cugini, authorized member of CCBI Murphy's X, LLC, an Ohio limited liability company, the Declarant in the foregoing instrument, who acknowledged the execution of this instrument to be the signatory's free act and deed, on behalf of the Declarant, for the uses and purposes set forth herein.

In Witness whereof, I have hereunto set my name this __ day of March, 2011.



ABIGAIL M. WEAVER
Notary Public, State of Ohio
My Commission Expires 02-10-2013

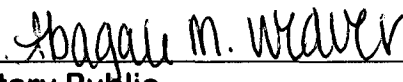

Notary Public

		Exhibit B		Square Footage	
<u>Unit</u>	<u>Address</u>	<u>Bed-rooms(1)</u>	<u>Baths</u>	<u>Living Area</u>	<u>Basement or crawl space</u>
A-127	127 Murphy's Crossing Drive	4	3	2,387	952
A-133	133 Murphy's Crossing Drive	2	22	2,322	1,236
A-139	139 Murphy's Crossing Drive	3	3	2,247	952
B-104	104 Murphy's Crossing Drive	4	3	2,387	952
B-110	110 Murphy's Crossing Drive	2	22	2,322	1,236
B-116	116 Murphy's Crossing Drive	3	3	2,247	952
B-122	122 Murphy's Crossing Drive	2	22	2,096	988
C-119	119 Murphy's Crossing Drive	4	3	2,387	952
C-125	125 Murphy's Crossing Drive	2	22	2,322	1,236
D-97	97 Murphy's Crossing Drive	4	3	2,387	952
D-103	103 Murphy's Crossing Drive	2	22	2,096	988
D-109	109 Murphy's Crossing Drive	2	22	2,092	1,034
E-92	92 Murphy's Crossing Drive	3	22	2,413	1,491
E-245	245 Murphy's Green	3	22	2,319	1,422
E-253	253 Murphy's Green	4	22	2,411	1,545
E-261	261 Murphy's Green	4	22	2,411	1,236
F-236	236 Murphy's Green	2	2	1,597	1,597
F-240	240 Murphy's Green	3	22	2,431	1,396
G-242	242 Murphy's Green	3	22	2,099	1,487
G-250	250 Murphy's Green	3	22	2,399	1,413
G-258	258 Murphy's Green	3	22	2,399	1,413
H-31	31 Murphy's View Place	4	3	2,387	952
H-37	37 Murphy's View Place	3	22	2,431	1,396
H-42	42 Murphy's View Place	3	22	2,487	1,549
H-48	48 Murphy's View Place	3	22	2,431	1,396

(1) Some Units Contain a loft and bonus room (some bonus rooms are unfinished)

		Exhibit B		Square Footage		
<u>Unit</u>	<u>Address</u>	<u>Bed-rooms(1)</u>	<u>Baths</u>	<u>Living Area</u>	<u>Basement or crawl space</u>	
I-12	12 Murphy's View Place	3	22	2,540	1,556	
I-18	18 Murphy's View Place	3	22	2,540	1,556	
I-24	24 Murphy's View Place	3	22	2,540	1,556	
*	J-11	11 Murphy's View Place	3	22	2,540	1,418
*	J-19	19 Murphy's View Place	3	22	2,533	1,479
*	J-27	27 Murphy's View Place	3	22	2,533	1,479
*	J-35	35 Murphy's View Place	3	22	2,540	1,418
K-43	43 Murphy's View Place	3	22	2,540	1,556	
K-51	51 Murphy's View Place	4	3	2,539	1,571	
K-59	59 Murphy's View Place	3	22	2,487	1,549	
K-270	270 Murphy's Green	4	3	2,539	1,571	
L-58	58 Murphy's Oval	3	22	2,773	1,673	
L-64	64 Murphy's Oval	3	22	2,670	1,590	
L-70	70 Murphy's Oval	3	22	2,670	1,590	
L-284	284 Murphy's Green	3	22	2,572	1,572	
M-269	269 Murphy's Green	3	22	2,540	1,556	
M-277	277 Murphy's Green	3	22	2,522	1,534	
M-285	285 Murphy's Green	3	22	2,522	1,534	
M-293	293 Murphy's Green	3	22	2,540	1,556	
N-87	87 Murphy's Oval	3	22	2,697	1,464	
N-91	91 Murphy's Oval	2	22	2,644	1,464	

(1) Some Units Contain a loft and bonus room (some bonus rooms are unfinished)

* Unit added by this amendment

05088512

March 29, 2011

DECLARATION OF CONDOMINIUM
THE VILLAGE AT MURPHY'S CROSSING CONDOMINIUM

Legal Description - Property Added
Eighth Amendment, 0.514 Acres

Situated in the State of Ohio, County of Delaware, City of Powell, being in Farm Lot 30, Quarter Township 4, Township 3, Range 19, United States Military Lands, containing 0.514 acre of land, more or less, said 0.514 acre being part of that 13.742 acre tract of land described in the deed to CCBI Murphy's X, LLC, of record in Official Record Volume 560, Page 783, Recorder's Office, Delaware County, Ohio, said 0.514 acre being more particularly described as follows.

Beginning, for reference, at the centerline intersection of West Olentangy Street,, Murphy's Parkway and Village Point Drive, said intersection also being in the northerly line of said Farm Lot 30 and in the southerly line of Farm Lot 31; thence S82°21'56"E, with the centerline of West Olentangy Street, with the northerly line of Murphy's Park Section 1, as the same is numbered and delineated upon the recorded plat, of record in Plat Cabinet 2, Slides 647A, 647C, Recorder's Office, Delaware County, Ohio, with the northerly line of said Farm Lot 30, and with the southerly line of said Farm Lot 31, a distance of 540.00 feet to a point; thence S07°38'04"W, a distance of 39.99 feet to a 3/4-inch (I.D.) iron pipe found at the true point of beginning in the southerly right-of-way line of said West Olentangy Street, said true point of beginning also being the northeasterly corner of The Village at Murphy's Crossing Condominium Fifth Amendment (1.491 acres) as the same is designated and delineated upon the recorded plat of record in Official Record 780, Page 1316, Recorder's Office, Delaware County, Ohio;

Thence, from said true point of beginning, S07°38'04"W, with the westerly line of said Fifth Amendment (1.491 acres) a distance of 248.68 feet to the northeasterly corner of The Village at Murphy's Crossing Condominium Second Amendment (0.528 acre) as the same is designated and delineated upon the recorded plat of record in Official Record 732, Page 365, Recorder's Office, Delaware County, Ohio;

Thence N82°21'56"W, with the northerly line of said Second Amendment (0.528 acre) a distance of 90.01 feet to a 3/4-inch (I.D.) iron pipe found in the northwesterly corner of said Second Amendment (0.528 acre), the same being in the easterly line of that 1.409 acre tract of land described in the deed to Tran, LLC, of record in Official Record Volume 569, Page 777, Recorder's Office, Delaware County, Ohio;

Thence N07°38'04"E, with the easterly line of said 1.409 acre tract, a distance of 248.68 feet to a 3/4-inch (I.D.) iron pipe found in the northeasterly corner of said 1.409 acre tract, in the southerly right-of-way line of said West Olentangy Street and in the northerly line of said 13.742 acre tract;

Thence S82°21'56"E, with the southerly right-of-way line of said West Olentangy Street and with the northerly line of said 13.742 acre tract, a distance of 90.01 feet to the true point of beginning and containing a 0.514 acre tract of land, more or less.

Subject to all rights-of-way, easements and restrictions, if any, of previous record.

We hereby state that the foregoing description was prepared from information obtained from an actual field survey conducted by Bauer, Davidson & Merchant, Inc., in March of 2011.

05088512

March 29, 2011

DECLARATION OF CONDOMINIUM
THE VILLAGE AT MURPHY'S CROSSING CONDOMINIUM

Legal Description - Property Added
Eighth Amendment, 0.514 Acres
(continued)

All iron pipes set were 3/4-inch (I.D.) iron pipes, with a plastic cap in the top marked B.D.M.#5.

The bearings given in the foregoing description are based on the bearing of S82°21'56"E for the centerline of West Olentangy Street as it is shown and delineated upon the recorded plat of Murphy Park, Section 1, Cabinet 2, Slides 647A, 647B, and 647C, Recorder's Office, Delaware County, Ohio.

BAUER, DAVIDSON & MERCHANT, INC.
Consulting Engineers

By *Robert B. Stover* 3-29-11

Robert B. Stover
Professional Surveyor No. 7244

