

AMENDMENTS TO THE
DECLARATION OF COVENANTS, EASEMENTS, RESTRICTIONS
AND ASSESSMENT LIEN
SHERMAN LAKES SECTION ONE AND TWO

PLEASE CROSS MARGINAL REFERENCE WITH THE DECLARATION OF COVENANTS, EASEMENTS, RESTRICTIONS AND ASSESSMENT LIEN SHERMAN LAKES SECTION ONE AND TWO RECORDED AT VOLUME 439, PAGE 1499 ET SEQ. OF THE DELAWARE COUNTY RECORDS.

AMENDMENTS TO THE
DECLARATION OF COVENANTS, EASEMENTS, RESTRICTIONS AND
ASSESSMENT LIEN
SHERMAN LAKES SECTION ONE AND TWO

WHEREAS, the Declaration of Covenants, Easements, Restrictions and Assessment Lien Sherman Lakes Section One and Two (the "Declaration") was recorded at Delaware County Records Volume 439, Page 1499 et seq., and

WHEREAS, the Sherman Lakes Homeowner's Association (the "Association") is a corporation consisting of all Owners in Sherman Lakes and as such is the representative of all Owners, and

WHEREAS, Declaration Section CC authorizes amendments to the Declaration, and

WHEREAS, Owners representing at least 75% of the Association's current voting power have executed instruments in writing setting forth specifically the matters to be modified (the "Amendments"), and

WHEREAS, the Association has in its records the signed, written consents to Amendment A signed by Owners representing 82% of the Association's voting power as of February 12, 2013, and

WHEREAS, the Association has in its records the power of attorney signed by Owners representing 82% of the Association's voting power authorizing the Association's officers to execute Amendment A on their behalf, and

WHEREAS, the Association has in its records the signed, written consents to Amendment B signed by Owners representing 80% of the Association's voting power as of March 13, 2013, and

WHEREAS, the Association has in its records the power of attorney signed by Owners representing 80% of the Association's voting power authorizing the Association's officers to execute Amendment B on their behalf, and

WHEREAS, the proceedings necessary to amend the Declaration as required by the Declaration have in all respects been complied with.

NOW THEREFORE, the Declaration of Covenants, Easements, Restrictions and Assessment Lien Sherman Lakes Section One and Two is hereby amended by the following:

AMENDMENT A

INSERT a new DECLARATION SECTION DD entitled, "OCCUPANCY RESTRICTION." Said new addition, to be added on Page 12 of the Declaration, as recorded at Delaware County Records, Volume 439, Page 1499 et seq., is as follows:

DD. OCCUPANCY RESTRICTION.

A person who is classified a Tier III or Tier II sexual offender/child-victim offender, or any future equivalent classification, and for whom the County Sheriff or other government entity must provide community notification of the sex offender's residence is prohibited from residing in or occupying a Parcel or remaining in or on the property for any length of time. The classification of a sexual offender/child-victim offender and determination of whether notice is required is made by a court of law pursuant to the Ohio Sex Offenders Act, as may be amended and/or renamed from time to time, or similar statute from another jurisdiction. The Association is not, however, liable to any Owner or occupant, or anyone visiting any Owner or the Association, as a result of the Association's alleged failure, whether negligent, intentional, or otherwise, to enforce the provisions of this restriction.

Any conflict between this provision and any other provisions of the Declaration and Bylaws shall be interpreted in favor of this restriction on the occupancy of Parcels. The invalidity of any part of the above provision will not impair or affect in any manner the validity or enforceability of the remainder of the provision. Upon the recording of this amendment, only Owners of record at the time of such filing have standing to contest the validity of the amendment, whether on procedural, substantive or any other grounds, provided further that any such challenge must be brought in the court of common pleas within one year of the recording of the amendment.

AMENDMENT B

DELETE EXHIBIT "A" TO THE DECLARATION in its entirety. Said deletion to be taken from the Declaration, as recorded at Delaware County Records, Volume 439, Page 1499 et seq.

INSERT a new EXHIBIT "A" TO THE DECLARATION. Said new addition, to be attached to and incorporated into to the Declaration as Exhibit "A," as recorded at Delaware County Records, Volume 439, Page 1499 et seq., is as follows:

Exhibit "A"

STREET TREES FOR SECTION TWO:

<u>Lot</u>	<u>Types of Trees and Locations</u>
1578	(2) Japanese Tree Lilac
1579	(1) Japanese Tree Lilac on McClellon Drive (2) Celebration Maple on Aster Way
1580	(2) Celebration Maple
1581	(1) Celebration Maple on Aster Way (2) Japanese Tree Lilac on Forsyth Lane
1582	(2) Japanese Tree Lilac
1583	(2) Japanese Tree Lilac
1584	(2) Japanese Tree Lilac
1585	(2) Japanese Tree Lilac
1586	(2) Japanese Tree Lilac
1587	(2) Japanese Tree Lilac
1588	(2) Japanese Tree Lilac
1589	(2) Japanese Tree Lilac
1590	(2) Japanese Tree Lilac
1591	(2) Japanese Tree Lilac
1592	(2) Japanese Tree Lilac
1593	(2) Japanese Tree Lilac
1594	(2) Japanese Tree Lilac
1595	(2) Japanese Tree Lilac
1596	(2) Japanese Tree Lilac

1597	(2)Japanese Tree Lilac
1598	(2)Japanese Tree Lilac
1599	(2)Japanese Tree Lilac
1600	(2)Japanese Tree Lilac
1601	(2)Japanese Tree Lilac
1602	(2)Japanese Tree Lilac
1603	(2)Japanese Tree Lilac
1604	(2)Japanese Tree Lilac
1605	(2)Japanese Tree Lilac
1606	(2)Japanese Tree Lilac
1607	(2) Japanese Tree Lilac on Forsyth Lane
	(1) Celebration Maple on Aster Way
1608	(2) Celebration Maple
1609	(2) Celebration Maple
1610	(2) Celebration Maple
1611	(2) Celebration Maple
1612	(2) Celebration Maple
1613	(2) Celebration Maple
1614	(2) Celebration Maple
1615	(2) Celebration Maple
1616	(2) Celebration Maple
1617	(2) Celebration Maple
1618	(2) Celebration Maple
1619	(2) Celebration Maple
1620	(2) Celebration Maple on Aster Way (2)
	Skyline Honeylocust on Ammen Avenue
1621	(1) Celebration Maple on Aster Way (2)
	Skyline Honeylocust on Ammen Avenue
1622	(2) Celebration Maple
1623	(2) Celebration Maple
1624	(2) Celebration Maple
1625	(2) Celebration Maple
1626	(2) Celebration Maple
1627	(2) Celebration Maple
1628	(2) Celebration Maple
1629	(2) Celebration Maple
1630	(2) Celebration Maple
1631	(2) Celebration Maple
1632	(2) Celebration Maple

1633	(2) Celebration Maple
1634	(2) Celebration Maple on Aster Way (3) Japanese Tree Lilac on McClellon Drive
1635	(2) Celebration Maple
1636	(2) Celebration Maple
1637	(2) Celebration Maple
1638	(2) Celebration Maple
1639	(2) Celebration Maple
1640	(2) Celebration Maple
1641	(2) Celebration Maple
1642	(2) Celebration Maple
1643	(2) Celebration Maple on Aster Way (2) Japanese Tree Lilac on Forsyth Lane
1644	(2) Japanese Tree Lilac
1645	(2) Japanese Tree Lilac
1646	(2) Japanese Tree Lilac
1647	(2) Japanese Tree Lilac
1648	(2) Japanese Tree Lilac
1649	(2) Japanese Tree Lilac
1650	(2) Japanese Tree Lilac
1651	(2) Japanese Tree Lilac
1652	(2) Japanese Tree Lilac
1653	(2) Japanese Tree Lilac
1654	(2) Japanese Tree Lilac
1655	(2) Japanese Tree Lilac
1656	(2) Japanese Tree Lilac
1657	(2) Japanese Tree Lilac on Forsyth Lane (2) Celebration Maple on Aster Way
1658	(2) Celebration Maple
1659	(2) Celebration Maple

STREET TREES FOR SECTION ONE:

<u>Lot</u>	<u>Types of Trees and Locations</u>
1573	(2) Celebration Maple
1572	(2) Celebration Maple

1571	(2) Celebration Maple
1570	(2) Celebration Maple
1569	(2) Celebration Maple
1568	(2) Celebration Maple
1567	(2) Celebration Maple
1566	(2) Celebration Maple
1565	(2) Celebration Maple
1564	(2) Celebration Maple
1563	(2) Celebration Maple
1562	(2) Celebration Maple
1561	(2) Celebration Maple
1560	(2) Celebration Maple
1559	(2) Celebration Maple on Sherman Lakes Way (2) Japanese Tree Lilac on Lockwood Court
1558	(2) Japanese Tree Lilac
1557	(2) Japanese Tree Lilac
1556	(2) Japanese Tree Lilac
1555	(2) Japanese Tree Lilac
1554	(2) Japanese Tree Lilac
1553	(1) Japanese Tree Lilac
1552	(2) Japanese Tree Lilac
1551	(2) Japanese Tree Lilac
1550	(2) Japanese Tree Lilac
1549	(2) Japanese Tree Lilac
1548	(2) Japanese Tree Lilac
1547	(2) Japanese Tree Lilac
1546	(2) Japanese Tree Lilac on Lockwood Court (2) Celebration Maple on Sherman Lakes Way
1545	(2) Celebration Maple on Sherman Lakes Way (2) Skyline Honeylocust on Forsyth Court
1544	(2) Skyline Honeylocust
1543	(2) Skyline Honeylocust
1542	(1) Skyline Honeylocust
1541	(2) Skyline Honeylocust
1540	(2) Skyline Honeylocust
1539	(2) Skyline Honeylocust on Forsyth

Court (1) Celebration Maple on
Sherman Lakes Way

Any conflict between this provision and any other provisions of the Declaration and Bylaws will be interpreted in favor of this amendment regarding required trees. The invalidity of any part of the above provision will not impair or affect in any manner the validity or enforceability of the remainder of the provision. Upon the recording of this amendment, only Owners of record at the time of such filing have standing to contest the validity of the amendment, whether on procedural, substantive or any other grounds, provided further that any such challenge must be brought in the court of common pleas within one year of the recording of the amendment.

IN WITNESS WHEREOF, the said Sherman Lakes Homeowner's Association has caused the execution of this instrument this 8 day of April, 2013.

SHERMAN LAKES HOMEOWNER'S ASSOCIATION

By: Cindy Kamalsky
CINDY KAMALSKY, its Vice President

By: Shannon Francois
SHANNON FRANCOIS, its Secretary

