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PEPPERRIDGE OF WILDWOOD CONDOMINIUM

FOURTH AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP

I hereby certify that copies of the within Amendment to Declaration of Condominium Ownership for PepperRidge of Wildwood Condominium, together with the drawings attached as Exhibits thereto, have been filed in the Office of the County Auditor, Butler County, Ohio.

Date: May 25, 1984

Butler County Auditor

By \_\_\_\_\_ Deputy

This Instrument Prepared By:

Caroline Brower  
Smith & Schnacke  
A Legal Professional Association  
2000 Courthouse Plaza, N.E.  
P.O. Box 1817  
Dayton, Ohio 45401

FOURTH AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP  
FOR PEPPERRIDGE OF WILDWOOD CONDOMINIUM

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PHASE III, A ADDITION

KNOW ALL MEN BY THESE PRESENTS: That

A. PepperRidge of Wildwood Associates, an Ohio Partnership, is the Declarant in the Declaration of Condominium Ownership for PepperRidge of Wildwood Condominium recorded at Book 1475, Page 70 of the Deed Records of Butler County, Ohio, as amended by First Amendment to Declaration of Condominium Ownership dated November 14, 1983 and recorded at Book 1482, Page 245 of the Deed Records of Butler County, Ohio and as amended by Second Amendment to Declaration of Condominium Ownership dated December 30, 1983 and recorded at Book 1486, Page 46 of the Deed Records of Butler County, Ohio and as amended by Third Amendment to Declaration of Condominium Ownership dated March 12, 1984 and recorded at Book 1491, Page 552 of the Deed Records of Butler County, Ohio (the "Declaration").

B. In Article X of the Declaration, Declarant reserved the right to amend the Declaration and the drawings and all other exhibits attached thereto and made a part thereof in all ways necessary to submit all or any part or parts of the property described as Additional Property in the Declaration to the provisions of the Declaration and of Chapter 5311 of the Ohio Revised Code; and

C. Declarant desires to submit that part of the Additional Property described in Exhibit A-6 attached hereto and made a part hereof, together with all improvements thereon, to the provisions of the Declaration and of Chapter 5311 of the Ohio Revised Code, and to make the property described in Exhibit A-6 hereto, together with all improvements thereon, a part of the Condominium Property.

NOW, THEREFORE, Declarant hereby declares as follows:

1. Each word or phrase used in this Amendment which is defined in the Declaration shall have the same meaning given to such word or phrase in the Declaration except as otherwise herein stated.

2. Declarant owns the property described in Exhibit A-6 hereto, together with all buildings, structures, improvements, and other permanent fixtures of whatsoever kind situated thereon and all easements, rights and appurtenances belonging or pertaining thereto, and together with all articles of personal property located thereon. Said property, together with all buildings, structures, improvements and other permanent fixtures of whatsoever kind situated thereon, with all easements, rights and appurtenances belonging thereto and with all articles of personal property located thereon, is hereby submitted to the provisions of Chapter 5311 of the Ohio Revised Code and to the provisions



of the Declaration as amended hereby and is hereby included and made a part of the Condominium Property, subject to easements, restrictions, covenants and conditions of record and to the easements shown on the drawings attached hereto as Exhibit B, Pages 20 through 25.

3. Declarant further hereby amends the Declaration by deleting the second through sixth sentences of the first paragraph of Section 1.1 thereof and by inserting in place thereof, the following language:

The Condominium Property presently has nineteen (19) buildings situated thereon, enumerated as Buildings A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R and S on the drawings attached to the Declaration as Exhibit B, Pages 1 through 25, containing a total of ninety-four (94) residential units. The buildings are constructed principally of poured concrete foundations, wood, glass, brick, cedar siding, drywall, lumber, plywood and asphalt shingles. The ninety-four (94) residential units are hereby divided into ninety-four (94) separately designated and legally described freehold estates, hereinafter called "Units." Buildings A, B, C, G, H, J, L, O, P, and R each contain four (4) Units; Buildings D, E, F, I, K, M, N, Q, and S each contain six (6) Units. Units A-1, A-4, B-1, B-4, C-1, C-4, D-1, D-6, E-1, E-6, F-1, F-6, G-1, G-4, H-1, H-4, I-1, I-6, J-1, J-4, K-1, K-6, L-1, L-4, M-1, M-6, N-1, N-6, O-1, O-4, P-1, P-4, Q-1, Q-6, R-1, R-4, S-1 and S-6 are "Normandy" models (2-level villas, including basements, with 2 bedrooms and 1 bath); Units A-2, A-3, B-2, B-3, C-2, C-3, D-2, D-3, E-2, E-3, F-2, F-3, G-2, G-3, H-2, H-3, I-2, I-3, J-2, J-3, K-2, K-3, L-2, L-3, M-2, M-3, N-2, N-3, O-2, O-3, P-2, P-3, Q-2, Q-3, S-2 and S-3 are "Bradford" models (3-level townhouses, including basement, with 2 bedrooms and 1-1/2 baths), and Units D-4, D-5, E-4, E-5, F-4, F-5, I-4, I-5, K-4, K-5, M-4, M-5, N-4, N-5, Q-4, Q-5, R-2, R-3, S-4 and S-5 are "Whitfield" models (3-level townhouses, including basement, with 3 bedrooms and 1-1/2 baths).

4. Declarant further hereby amends the Declaration by adding thereto the drawings attached hereto and marked as Exhibit B, pages 20 through 25, to show the locations, together with the particulars of the buildings situated on the property described in Exhibit A-6 hereto, the number of Units in each building, the layout, location, designation, dimensions, area and number of rooms of the Units and the Common Areas and Facilities and the Limited Common Areas and Facilities located thereon. The drawings were prepared by and bear the certified statement of Carl Hartman, registered engineer, and Melvin N. Hartman, registered surveyor, as required by Section 5311.07, Ohio Revised Code.

5. Declarant hereby further amends the Declaration by deleting each reference to "Exhibit B, Pages 1 through 19," and by substituting in its place "Exhibit B, Pages 1 through 25."

6. Declarant further hereby amends the Declaration by deleting the sixth sentence of Section 1.3.3 thereof and by substituting in its place the following:

Until amended in one of the ways provided in the immediately preceding sentence, the percentage of ownership of the Common Areas and Facilities attributable to the ownership interest in each Unit, and for the division of common surplus and expenses as hereinafter described in Section 5.2 of this Declaration, shall be as follows:

<u>Unit No.</u>	<u>Percentage of Interest in Common Areas and Facilities and Percentage Interest in Common Surplus and Expenses</u>	<u>Square Footage</u>
A-1	1.14222%	1649
A-2	.92818%	1340
A-3	.93373%	1348
A-4	1.14222%	1649
B-1	1.14222%	1649
B-2	.92818%	1340
B-3	.93373%	1348
B-4	1.14222%	1649
C-1	1.14222%	1649
C-2	.92818%	1340
C-3	.93373%	1348
C-4	1.14222%	1649
D-1	1.14222%	1649
D-2	.93373%	1348
D-3	.92818%	1340
D-4	1.11244%	1606
D-5	1.12837%	1629
D-6	1.14222%	1649
E-1	1.15192%	1663
E-2	.93373%	1348
E-3	.92818%	1340
E-4	1.12837%	1629
E-5	1.11244%	1606
E-6	1.15192%	1663
F-1	1.14222%	1649
F-2	.93373%	1348
F-3	.92818%	1340
F-4	1.11244%	1606
F-5	1.12837%	1629
F-6	1.14222%	1649



<u>Unit No.</u>	<u>Percentage of Interest in Common Areas and Facilities and Percentage Interest in Common Surplus and Expenses</u>	<u>Square Footage</u>
G-1	1.14222%	1649
G-2	.92818%	1340
G-3	.93373%	1348
G-4	1.14222%	1649
H-1	1.14222%	1649
H-2	.92818%	1340
H-3	.93373%	1348
H-4	1.14222%	1649
I-1	1.15192%	1663
I-2	.93373%	1348
I-3	.92818%	1340
I-4	1.11244%	1606
I-5	1.12837%	1629
I-6	1.14222%	1649
J-1	1.14222%	1649
J-2	.92818%	1340
J-3	.93373%	1348
J-4	1.14222%	1649
K-1	1.15192%	1663
K-2	.93373%	1348
K-3	.92818%	1340
K-4	1.12837%	1629
K-5	1.11669%	1612
K-6	1.15192%	1663
L-1	1.14222%	1649
L-2	.92818%	1340
L-3	.93373%	1348
L-4	1.15192%	1663
M-1	1.14222%	1649
M-2	.93373%	1348
M-3	.92818%	1340
M-4	1.11244%	1606
M-5	1.13253%	1635
M-6	1.14222%	1649
N-1	1.09512%	1581
N-2	.95589%	1380
N-3	.94827%	1369
N-4	1.13668%	1641
N-5	1.15331%	1665
N-6	1.09512%	1581
O-1	1.09512%	1581
O-2	.94827%	1369
O-3	.95589%	1380
O-4	1.09512%	1581
P-1	1.09512%	1581
P-2	1.00854%	1456
P-3	1.01616%	1467
P-4	1.09512%	1581

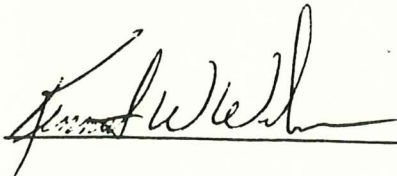
<u>Unit No.</u>	<u>Percentage of Interest in Common Areas and Facilities and Percentage Interest in Common Surplus and Expenses</u>	<u>Square Footage</u>
Q-1	1.09512%	1581
Q-2	1.01616%	1467
Q-3	1.00854%	1456
Q-4	1.19764%	1729
Q-5	1.21357%	1752
Q-6	1.09512%	1581
R-1	1.09512%	1581
R-2	1.19764%	1729
R-3	1.20773%	1743
R-4	1.09512%	1581
S-1	1.11729%	1613
S-2	1.01616%	1467
S-3	1.00854%	1456
S-4	1.21357%	1752
S-5	1.19764%	1729
S-6	1.11729%	1613
<u>94</u>	<u>100.00000%</u>	<u>144,367</u>

7. Declarant hereby reserves, with respect to all or any part of the remainder of the Additional Property not yet submitted to the Declaration and the provisions of Chapter 5311, Ohio Revised Code, all rights originally held by it pursuant to the Declaration (including, but not limited to, Article X of the Declaration).

8. All provisions of the Declaration and of all Exhibits thereto not affected by this Amendment shall remain in full force and effect.

IN WITNESS WHEREOF, the Declarant has executed this instrument this 24th day of May, 1984.


Signed and Acknowledged  
in the Presence of:

  
\_\_\_\_\_

Patricia L. Franzen

PEPPERRIDGE OF WILDWOOD  
ASSOCIATES, an Ohio partnership

By: Towne Building Group, Inc.  
an Ohio corporation,  
General Partner

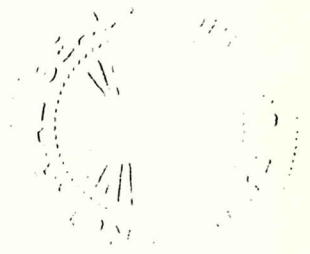
By   
Marvin Rosenberg  
President

STATE OF OHIO                    )  
                                      ) SS:  
COUNTY OF MONTGOMERY)

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of May, 1984, by Marvin Rosenberg, President of Towne Building Group, Inc., an Ohio corporation, on behalf of the corporation, General Partner of PepperRidge of Wildwood Associates, an Ohio partnership, on behalf of the partnership.

Patricia L. Franzer  
Notary Public

PATRICIA L. FRANZER, Notary Public  
In and for the State of Ohio  
My Commission Expires July 10, 1988







# HARTMAN-WALTERS, INC

Engineer Consultants

1073 Ohio Pike  
Cincinnati, Ohio 45245  
(513) 752-8811

Exhibit A-6

May 15, 1984

## DESCRIPTION OF PROPERTY

PepperRidge of Wildwood Condominiums

Buildings P Q R & S

Situated in Section 21, Town 2, Range 2 M.R.S., being part of Lot #9545 of the City of Fairfield, Fairfield Township, Butler County, State of Ohio and being more particularly described as follows:

Beginning at the northwest corner of Lot #8982, Fairways of Wildwood, Section A, as recorded in Envelope 825, Pages A, B, and C of the Butler County Recorder's Office; Thence along the east line of Gilmore Road, an eighty foot easement to the City of Fairfield, N  $5^{\circ}$ -17' E., a distance of 573.79 feet to a point; Thence, S  $74^{\circ}$ -25'-47" E., a distance of 121.96 feet to a point; Thence S  $45^{\circ}$ -54'-51" E., a distance of 62.99 feet to a point and the real place of beginning for this description of property. Thence N  $17^{\circ}$ -07'-33" E., a distance of 169.40 feet to a point, Thence N  $5^{\circ}$ -13'-38" E., a distance of 162.13 feet to a point in the south right-of-way of 50' wide easement for access and utilities. Thence along south line of easement the following three courses and distances: Thence S  $47^{\circ}$ -43' E., a distance of 80.36 feet to a point; Thence along a curve deflecting to the left an arc distance of 129.85 feet with a radius of 240.00 feet and said curve being subtended by a chord bearing S  $63^{\circ}$ -13' E., a distance of 128.27 feet to a point. Thence S  $78^{\circ}$ -43' E., a distance of 44.83 feet to a point. Thence S  $5^{\circ}$ -13'-40" W., a distance of 117.54 feet to a point Thence S  $9^{\circ}$ -24'-40" E., a distance of 208.54 feet to a point in the north line of 50' wide easement for access and utilities.



Thence along the north line of easement the following four courses and distances: S  $56^{\circ}$ -17' W., a distance of 8.00 feet to a point. Thence along a curve deflecting to the right an arc distance of 153.04 feet with a radius of 141.43 feet, said curve being subtended by a chord bearing of S  $87^{\circ}$ -17' W. a distance of 145.68 feet to a point. Thence N  $61^{\circ}$ -43' W., a distance of 50.00 feet to a point. Thence along a curve deflecting to the left an arc distance of 66.46 feet with a radius of 125.00 feet, said curve being subtended by a chord bearing N  $76^{\circ}$ -56'-53" W., a distance of 65.68 feet to a point. Thence N  $5^{\circ}$ -17' E., a distance of 44.74 feet to a point, thence N  $45^{\circ}$ -54'-51" W., a distance of 69.47 feet to the real place of beginning.

Contains: 2.131 Acres or 92.817 Square Feet

Subject to rights of a ten foot easement to Cincinnati Gas & Electric Company and Cincinnati Bell, Inc. Subject to a twenty foot easement for sanitary sewer. Subject to a fifteen foot easement for water line. Subject to any other easement and restrictions of record. Together with rights of ingress, egress and public utilities over an existing fifty foot wide easement and also subject to any other easements or restrictions of record.