

6166

## PEPPERRIDGE OF WILDWOOD CONDOMINIUM

THIRD 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: March 12, 1984

Butler County Auditor

By *William Dole*  
Deputy

TRANSFERRED

APR - 3 1984

J. A. TILTON, AUDITOR

This Instrument Prepared By:

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

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

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PHASE III, B 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 (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-5 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-5 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-5 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 16 through 19.

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 fifteen (15) buildings situated thereon, enumerated as Buildings A, B, C, D, E, F, G, H, I, J, K, L, M, N and O on the drawings attached to the Declaration as Exhibit B, Pages 1 through 19, containing a total of seventy-four (74) residential units. The buildings are constructed principally of poured concrete foundations, wood, glass, brick, cedar siding, drywall, lumber, plywood and asphalt shingles. The seventy-four (74) residential units are hereby divided into seventy-four (74) separately designated and legally described freehold estates, hereinafter called "Units." Buildings A, B, C, G, H, J, L and O each contain four (4) Units; Buildings D, E, F, I, K, M and N 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 and O-4 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 and O-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 and N-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 16 through 19, to show the locations, together with the particulars of the buildings situated on the property described in Exhibit A-5 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 15," and by substituting in its place "Exhibit B, Pages 1 through 19."

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	1.4660%	1649
A-2	1.1912%	1340
A-3	1.1983%	1348
A-4	1.4660%	1649
B-1	1.4660%	1649
B-2	1.1912%	1340
B-3	1.1983%	1348
B-4	1.4660%	1649
C-1	1.4660%	1649
C-2	1.1912%	1340
C-3	1.1983%	1348
C-4	1.4660%	1649
D-1	1.4660%	1649
D-2	1.1983%	1348
D-3	1.1912%	1340
D-4	1.4282%	1606
D-5	1.4486%	1629
D-6	1.4660%	1649
E-1	1.4788%	1663
E-2	1.1983%	1348
E-3	1.1912%	1340
E-4	1.4486%	1629
E-5	1.4282%	1606
E-6	1.4788%	1663
F-1	1.4660%	1649
F-2	1.1983%	1348
F-3	1.1912%	1340
F-4	1.4282%	1606
F-5	1.4486%	1629
F-6	1.4660%	1649





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. Declarant further hereby amends the Declaration pursuant to the right reserved to Declarant in Section 11.1 of the Declaration to amend for the purpose of making nominal changes and clarifying Declarant's original intent, by adding to Section 6 of Exhibit C to the Declaration, entitled Bylaws of PepperRidge of Wildwood Condominium Owners' Association, the following paragraph:

6.2.7 The Board shall assess Unit owners the cost of supplying water and sewer services to the extent that more than one Unit is served by such facilities according to any one of the following procedures: the Board may (a) submeter such services to each Unit, (b) charge equal shares of the costs for each separate system to the various Units served in that system, or (c) otherwise establish procedures for equitably allocating common utility costs among the various Units. The amount of such assessments determined by the Board shall be Individual Unit Assessments.

9. 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 12<sup>th</sup> day of March, 1984.

Signed and Acknowledged  
in the Presence of:

PEPPERRIDGE OF WILDWOOD  
ASSOCIATES, an Ohio partnership

By: Benchmark Communities, Inc.,  
an Ohio corporation,  
General Partner

Barbara DeLaker

By 

Daniel P. Riedel  
President

Patricia L. Franzer

STATE OF OHIO            )  
                                  ) SS:  
COUNTY OF MONTGOMERY)

BOOK **1491** PAGE **558**

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of March, 1984, by Daniel P. Riedel, President of Benchmark Communities, 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

BOOK 1491 PAGE 559

EXHIBIT A-5

February 29, 1984

DESCRIPTION OF PROPERTY

PepperRidge of Wildwood Condominiums  
Buildings N & O

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° 17' E a distance of 573.78 feet to a point and the real place of beginning for this description of property; Thence continuing along said east line N 5° 17' E a distance of 370.02 feet to a point; Thence leaving said east line on a curve deflecting to the right, having a radius of 15.00 feet, an arc distance of 23.56 feet to a point, said curve is subtended by a chord bearing N 50° 17' E a distance of 21.21 feet; Thence S 84° 43' E a distance of 6.54 feet to a point; Thence on a curve deflecting to the right, having a radius of 75.00 feet, an arc distance of 48.43 feet to a point, said curve is subtended



Page 2  
February 29, 1984

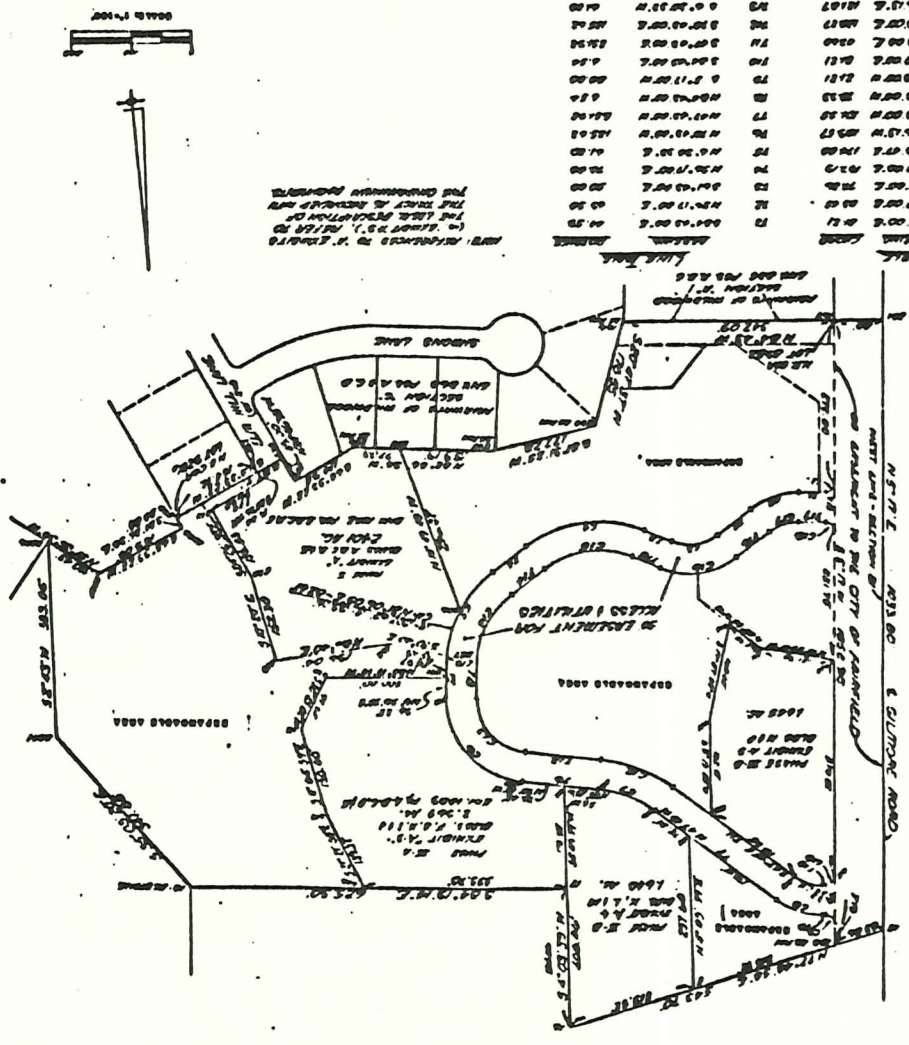
DESCRIPTION OF PROPERTY  
PepperRidge of Wildwood Condominiums  
Buildings N & O

by a chord bearing S 66° 13' E a distance of 47.60 feet; Thence S 47° 43' E a distance of 171.56 feet to a point; Thence S 5° 13' 38" W a distance of 162.13 feet to a point; Thence S 17° 07' 33" W a distance of 169.40 feet to a point; Thence N 45° 54' 51" W a distance of 62.99 feet to a point; Thence N 74° 25' 47" W a distance of 121.96 feet to the place of beginning.

Contains: 1.645 acres or 71,641 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 easements 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.

LINE	FROM	TO	BEARING	DISTANCE
1	1000	1001	S 89° 15' 30" E	10.00
2	1001	1002	S 89° 15' 30" E	10.00
3	1002	1003	S 89° 15' 30" E	10.00
4	1003	1004	S 89° 15' 30" E	10.00
5	1004	1005	S 89° 15' 30" E	10.00
6	1005	1006	S 89° 15' 30" E	10.00
7	1006	1007	S 89° 15' 30" E	10.00
8	1007	1008	S 89° 15' 30" E	10.00
9	1008	1009	S 89° 15' 30" E	10.00
10	1009	1010	S 89° 15' 30" E	10.00
11	1010	1011	S 89° 15' 30" E	10.00
12	1011	1012	S 89° 15' 30" E	10.00
13	1012	1013	S 89° 15' 30" E	10.00
14	1013	1014	S 89° 15' 30" E	10.00
15	1014	1015	S 89° 15' 30" E	10.00
16	1015	1016	S 89° 15' 30" E	10.00
17	1016	1017	S 89° 15' 30" E	10.00
18	1017	1018	S 89° 15' 30" E	10.00
19	1018	1019	S 89° 15' 30" E	10.00
20	1019	1020	S 89° 15' 30" E	10.00
21	1020	1021	S 89° 15' 30" E	10.00
22	1021	1022	S 89° 15' 30" E	10.00
23	1022	1023	S 89° 15' 30" E	10.00
24	1023	1024	S 89° 15' 30" E	10.00
25	1024	1025	S 89° 15' 30" E	10.00
26	1025	1026	S 89° 15' 30" E	10.00
27	1026	1027	S 89° 15' 30" E	10.00
28	1027	1028	S 89° 15' 30" E	10.00
29	1028	1029	S 89° 15' 30" E	10.00
30	1029	1030	S 89° 15' 30" E	10.00
31	1030	1031	S 89° 15' 30" E	10.00
32	1031	1032	S 89° 15' 30" E	10.00
33	1032	1033	S 89° 15' 30" E	10.00
34	1033	1034	S 89° 15' 30" E	10.00
35	1034	1035	S 89° 15' 30" E	10.00
36	1035	1036	S 89° 15' 30" E	10.00
37	1036	1037	S 89° 15' 30" E	10.00
38	1037	1038	S 89° 15' 30" E	10.00
39	1038	1039	S 89° 15' 30" E	10.00
40	1039	1040	S 89° 15' 30" E	10.00
41	1040	1041	S 89° 15' 30" E	10.00
42	1041	1042	S 89° 15' 30" E	10.00
43	1042	1043	S 89° 15' 30" E	10.00
44	1043	1044	S 89° 15' 30" E	10.00
45	1044	1045	S 89° 15' 30" E	10.00
46	1045	1046	S 89° 15' 30" E	10.00
47	1046	1047	S 89° 15' 30" E	10.00
48	1047	1048	S 89° 15' 30" E	10.00
49	1048	1049	S 89° 15' 30" E	10.00
50	1049	1050	S 89° 15' 30" E	10.00



THESE ARE THE ONLY RECORDS OF THE LAND DESCRIBED IN THE TITLE REFERENCE TO THE TRACT OF LAND AND THE INTEREST THEREIN.

**PEPPERIDGE OF WILDWOOD CONDOMINIUM**  
 BUILDINGS 1 & 2  
 SECTION 11, TOWN 2, RANGE 2, S.W. 1/4  
 PART OF LOT 204, CITY OF PEPPERIDGE  
 PEPPERIDGE TOWNSHIP  
 DEWITT COUNTY, MO.  
 1994, 1995

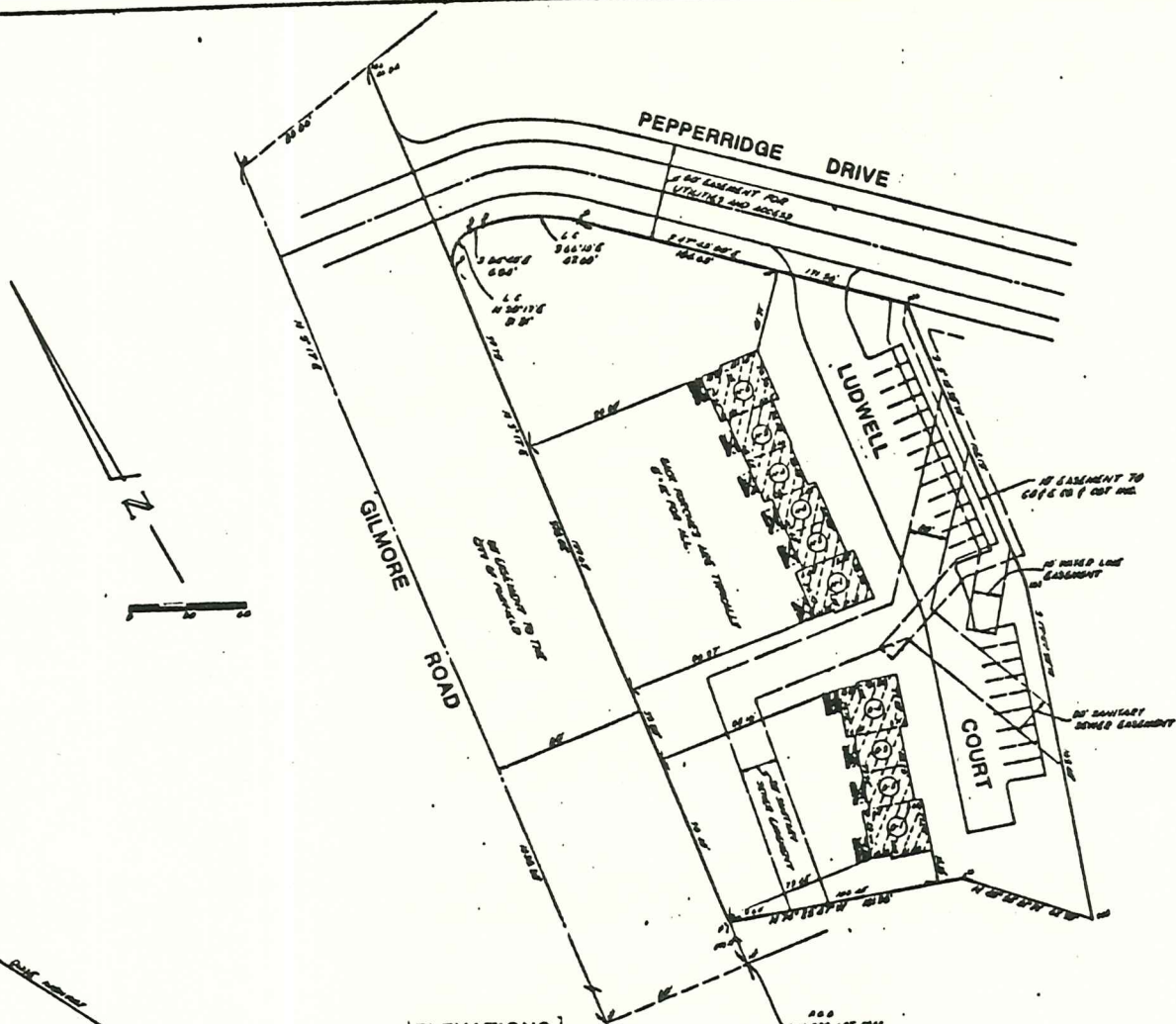
EXHIBIT B PAGE 10

1. THESE ARE THE ONLY RECORDS OF THE LAND DESCRIBED IN THE TITLE REFERENCE TO THE TRACT OF LAND AND THE INTEREST THEREIN.




SECTION 10  
 SECTION 11  
 SECTION 12



BOOK 1491 PAGE 562



LEGEND

-  UNIT ABOVE BUILDING ELEVATION
-  COMMON AREA
-  LIMITED COMMON AREA  
(NOTE: FRONT PORCH STUMPS NOT SHOWN ON THIS PLAN ARE L.C.A.)

NOTE: THE GRADING AND POINT NUMBERS COMPARED WITH THE SURVEYOR'S BOUNDARY SURVEY.

EXHIBIT B PAGE 17  
TO THE DECLARATION OF CONDOMINIUM  
PEPPERRIDGE OF WILDWOOD CONDOMINIUM  
PHASE III - B  
BUILDINGS N & O

660 S. TOWN S. RANGE 2, W. 20.  
PT. OF LOT 6000 OF THE CITY OF FAIRFIELD  
FAIRFIELD TOWNSHIP  
SHELBY COUNTY, OHIO  
SCALE: 1" = 60' FEBRUARY, 2000

PREPARED BY  
BARTMAN-WATSON, INC.  
ENGINEERS & SURVEYORS  
1075 OHIO PIKE  
CINCINNATI, OHIO 45202

I HEREBY CERTIFY THAT THESE DRAWINGS DO ACCURATELY SHOW THE BUILDINGS AS CONSTRUCTED

*Carl S. Bartman*  
CARL S. BARTMAN  
OHIO REGISTERED ENGINEER #10160

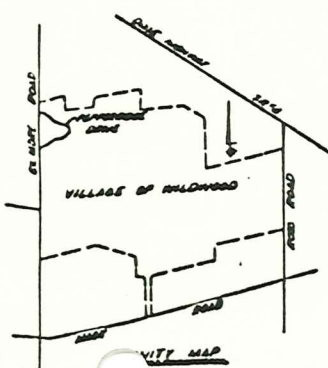


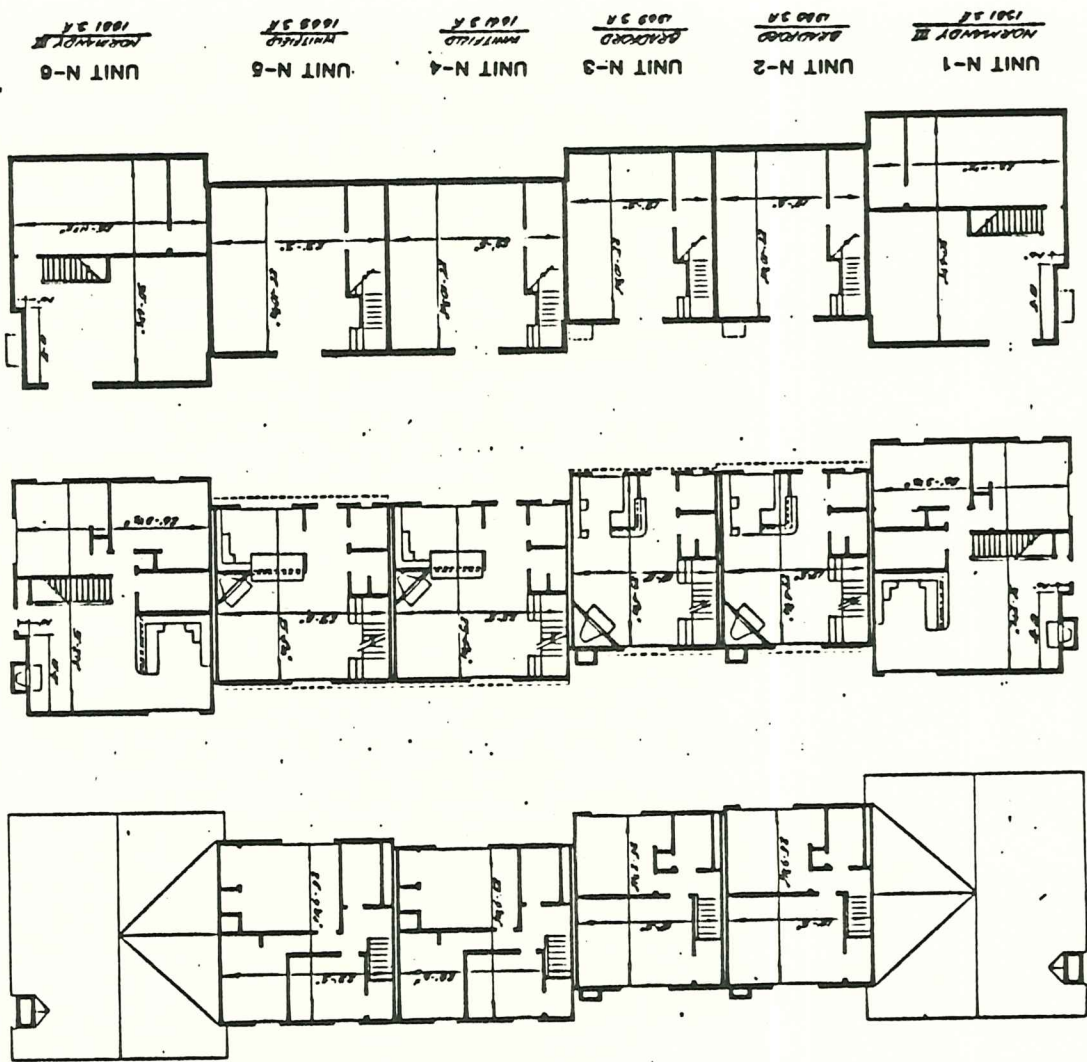
*B. Watson*  
BOLTON B. WATSON  
OHIO REGISTERED SURVEYOR #2800



ELEVATIONS

UNIT	SETBACK	FINISH CEILING	1ST FL.	2ND FL.	3RD FL.
N-1	792.22	802.21	802.00	804.66	---
N-2	792.24	802.23	802.02	804.68	811.32
N-3	792.26	802.25	802.04	804.70	811.34
N-4	792.28	802.27	802.06	804.72	811.36
N-5	792.30	802.29	802.08	804.74	811.38
N-6	792.32	802.31	802.10	804.76	811.40
N-7	792.34	802.33	802.12	804.78	811.42
N-8	792.36	802.35	802.14	804.80	811.44
N-9	792.38	802.37	802.16	804.82	811.46
O-1	792.40	802.39	802.18	804.84	811.48
O-2	792.42	802.41	802.20	804.86	811.50
O-3	792.44	802.43	802.22	804.88	811.52





**PEPPERIDGE OF WILLOWOOD CONDOMINIUM**  
**BUILDING N**  
 1000 S. FRONT ST. ROOMS 2, 1000  
 PART OF LOT 200 OF THE CITY OF PEPPERIDGE  
 PEPPERIDGE TOWNSHIP, WISCONSIN  
 1000 S. FRONT ST.  
 1000 S. FRONT ST.  
 1000 S. FRONT ST.  
 1000 S. FRONT ST.  
 1000 S. FRONT ST.  
 1000 S. FRONT ST.

**PHASE III - B**



I hereby certify that these plans were prepared by me or under my direct supervision and that I am a duly licensed professional engineer or surveyor in the State of Wisconsin.  
 Paul D. Sullivan  
 P.E. 4563



RECEIVED FOR RECORD  
JOYCE B. TERRY, RECORDER  
BUTLER COUNTY, OHIO

'84 APR 3 PM 1:05

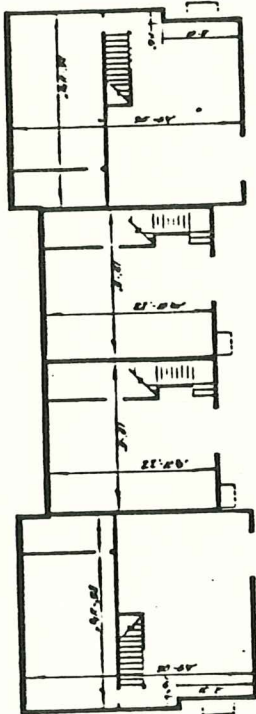
NO. 6166 TRANSFD 4-3-84  
RECORD deed  
FEE 32-

UNIT  
0-1  
APPROXIMATELY  
1881 S.F.

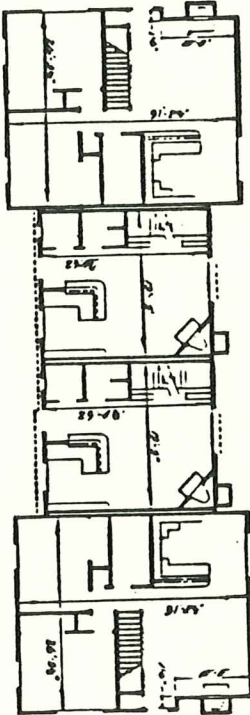
UNIT  
0-2  
APPROXIMATELY  
1100 S.F.

UNIT  
0-3  
APPROXIMATELY  
1100 S.F.

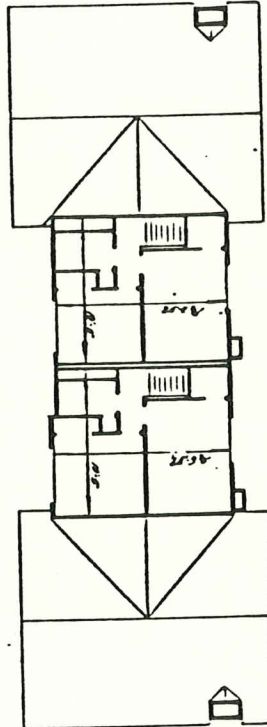
UNIT  
0-4  
APPROXIMATELY  
1881 S.F.



BASEMENT



FIRST FLOOR



SECOND FLOOR

1881 S.F.  
I HEREBY CERTIFY THAT THESE DRAWINGS DO  
ACCORDANT WITH THE PLATS AS REGISTERED  
Paul J. K...  
1881 S.F.  
1881 S.F.  
1881 S.F.

PHASE III - B  
CONTRACT NO. 10  
TO THE SUBDIVISION OF LANDS  
REPERMITTED OF WILLOW CONDOMINIUM  
BUILDING 0  
LOT 11, TRACT 5, QUARTER 2, NE 1/4  
RPT FOR 50% OF CITY OF COLUMBUS  
BUTLER COUNTY, OHIO 4300

000.1000



3-12-01

6166

Pepper Ridge  
Wild. Condo

3121  
Pepper Ridge Wildwood Assoc

3rd Annual Declaration of Intent

Ownership

1491-552

2

RECEIVED FOR RECORD  
JOYCE B. THOMAS, RECORDER  
BUTLER COUNTY, OHIO

'84 APR 3 PM 1 05

NO. \_\_\_\_\_ TRANSFER \_\_\_\_\_  
RECORD \_\_\_\_\_  
FEE \_\_\_\_\_

Pepper Ridge

33-