

16799

BOOK 1502 PAGE 216

PEPPERRIDGE OF WILDWOOD CONDOMINIUM

FIFTH 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: July 30, 1984

Butler County Auditor

By *Dawn Dole*  
Deputy

TRANSFERRED

AUG - 1 1984

J. A. TILTON, AUDITOR

This Instrument Prepared By:  
Robert M. Curry  
Smith & Schnacke  
A Legal Professional Association  
2000 Courthouse Plaza, NE  
P. O. Box 1817  
Dayton, Ohio 45401

*Recorded  
copy*

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

Certificate of Partnership  
 filed in accordance with  
 Sec. 1777.02 ORC.

PHASE IV-B ADDITION

Joyce B. Thall  
 Recorder  
 Butler County, O.

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, and as amended by Fourth Amendment to Declaration of Condominium Ownership dated May 25, 1984 and recorded at Book 1496, Page 399 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 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-7 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-7 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-7 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



4. Declarant further hereby amends the Declaration by adding thereto the drawings attached hereto and marked as Exhibit B, pages 26 through 29, to show the locations, together with the particulars of the buildings situated on the property described in Exhibit A-7 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 25," and by substituting in its place "Exhibit B, Pages 1 through 29."

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	1.0297%	1649
A-2	.8368%	1340
A-3	.8417%	1348
A-4	1.0297%	1649
B-1	1.0297%	1649
B-2	.8368%	1340
B-3	.8417%	1348
B-4	1.0297%	1649
C-1	1.0297%	1649
C-2	.8368%	1340
C-3	.8417%	1348
C-4	1.0297%	1649
D-1	1.0297%	1649
D-2	.8417%	1348
D-3	.8368%	1340
D-4	1.0028%	1606
D-5	1.0172%	1629
D-6	1.0297%	1649

Unit No.	Percentage of Interest in Common Areas and Facilities and Percentage Interest in Common Surplus and Expenses	Square Footage
E-1	1.0384%	1663
E-2	.8417%	1348
E-3	.8368%	1340
E-4	1.0172%	1629
E-5	1.0028%	1606
E-6	1.0384%	1663
F-1	1.0297%	1649
F-2	.8417%	1348
F-3	.8368%	1340
F-4	1.0028%	1606
F-5	1.0172%	1629
F-6	1.0297%	1649
G-1	1.0297%	1649
G-2	.8368%	1340
G-3	.8417%	1348
G-4	1.0297%	1649
H-1	1.0297%	1649
H-2	.8368%	1340
H-3	.8417%	1348
H-4	1.0297%	1649
I-1	1.0384%	1663
I-2	.8417%	1348
I-3	.8368%	1340
I-4	1.0028%	1606
I-5	1.0172%	1629
I-6	1.0297%	1649
J-1	1.0297%	1649
J-2	.8368%	1340
J-3	.8417%	1348
J-4	1.0297%	1649
K-1	1.0384%	1663
K-2	.8417%	1348
K-3	.8368%	1340
K-4	1.0172%	1629
K-5	1.0067%	1612
K-6	1.0384%	1663
L-1	1.0297%	1649
L-2	.8368%	1340
L-3	.8417%	1348
L-4	1.0384%	1663
M-1	1.0297%	1649
M-2	.8417%	1348
M-3	.8368%	1340
M-4	1.0028%	1606
M-5	1.0210%	1635
M-6	1.0297%	1649
N-1	.9872%	1581
N-2	.8617%	1380
N-3	.8548%	1369
N-4	1.0247%	1641
N-5	1.0397%	1665
N-6	.9872%	1581



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 26 through 29.

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 twenty-one (21) buildings situated thereon, enumerated as Buildings A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, Y and Z on the drawings attached to the Declaration as Exhibit B, Pages 1 through 29, containing a total of one hundred four (104) residential units. The buildings are constructed principally of poured concrete foundations, wood, glass, brick, cedar siding, drywall, lumber, plywood and asphalt shingles. The one hundred four (104) residential units are hereby divided into one hundred four (104) separately designated and legally described freehold estates, hereinafter called "Units." Buildings A, B, C, G, H, J, L, O, P, R and Z each contain four (4) Units; Buildings D, E, F, I, K, M, N, Q, S and Y 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, S-6, Y-1, Y-6, Z-1 and Z-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, O-3, P-2, P-3, Q-2, Q-3, S-2, S-3, Y-2, Y-3, Z-2 and Z-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, S-5, Y-4 and Y-5 are "Whitfield" models (3-level townhouses, including basement, with 3 bedrooms and 1-1/2 baths).

<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>
O-1	.9872%	1581
O-2	.8548%	1369
O-3	.8617%	1380
O-4	.9872%	1581
P-1	.9872%	1581
P-2	.9092%	1456
P-3	.9160%	1467
P-4	.9872%	1581
Q-1	.9872%	1581
Q-2	.9160%	1467
Q-3	.9092%	1456
Q-4	1.0796%	1729
Q-5	1.0940%	1752
Q-6	.9872%	1581
R-1	.9872%	1581
R-2	1.0796%	1729
R-3	1.0884%	1743
R-4	.9872%	1581
S-1	1.0072%	1613
S-2	.9160%	1467
S-3	.9092%	1456
S-4	1.0940%	1752
S-5	1.0796%	1729
S-6	1.0072%	1613
N Y-1	1.0072%	1613
B Y-2	.9160%	1467
B Y-3	.9092%	1456
W Y-4	1.0940%	1752
W Y-5	1.0796%	1729
N Y-6	1.0072%	1613
N Z-1	1.0072%	1613
B Z-2	.9092%	1456
B Z-3	.9160%	1467
N Z-4	1.0072%	1613
	<u>100.0000%</u>	<u>160,146</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 \_\_\_\_ day of July, 1984.

Signed and Acknowledged  
in the Presence of:

PEPPERRIDGE OF WILDWOOD  
ASSOCIATES, an Ohio partnership

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

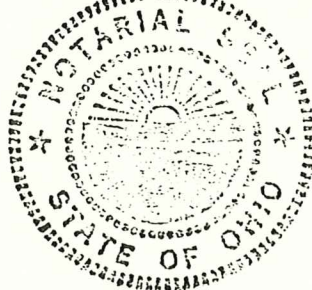
Beverly J. Davis

Elaine Meale

By Marvin Rosenberg  
President

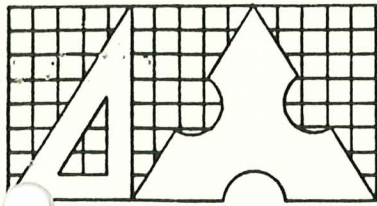
STATE OF OHIO )  
COUNTY OF Hamilton ) SS:

The foregoing instrument was acknowledged before me this 31st day of July, 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.



Elaine Meale  
Notary Public

ELAINE MEALE  
Notary Public, State of Ohio  
My Commission Expires Nov. 7, 1987



**HARTMAN-WALTERS, INC**

Engineer Consultants

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

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EXHIBIT A-7

July 23, 1984

DESCRIPTION OF PROPERTY

PepperRidge of Wildwood Condominiums

Buildings Y and Z

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 of Fairways of Wildwood Subdivision Section A, as recorded in Envelope 825 Pages A, B, and C as recorded in the Butler County Recorders Office. Thence S  $84^{\circ}-43'-00''$  E. a distance of 347.09 feet to an iron pin; thence N  $20^{\circ}-47'-37''$  E. a distance of 178.55 feet to an iron pin; thence N  $81^{\circ}-31'-25''$  E. a distance of 20.00 feet to the real place of beginning. Thence N  $5^{\circ}-17'-00''$  E. a distance of 159.38 feet to a point in the south right of way of a 50 foot wide easement for ingress, egress, and utilities. Thence along the south right of way of the 50 foot easement the following three courses. Along a curve deflecting to the left an arc distance of 105.57 feet, said curve having a radius of 191.43 feet and being subtended by a chord bearing N  $72^{\circ}-04'-55''$  E. a distance of 104.24 feet to a point; thence N  $56^{\circ}-17'-00''$  E. a distance of 70.00 feet to a point. Thence along a curve deflecting to the left an arc distance of 85.94 feet, said curve having a radius of 207.69 feet and being subtended by a chord bearing N  $44^{\circ}-25'-43''$  E. a distance of 85.33 feet to a point.



Description of Property  
PepperRidge of Wildwood Condominiums  
Buildings Y & Z  
Page Two

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Thence S 14°-49'49" E. a distance of 296.07 feet to a point; thence  
N 82°-56'-38" W. a distance of 153.19 feet to a point; thence  
S 81°-31'-25" W. a distance of 157.28 feet to the place of beginning.

Contains: 1.212 Acres

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 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.

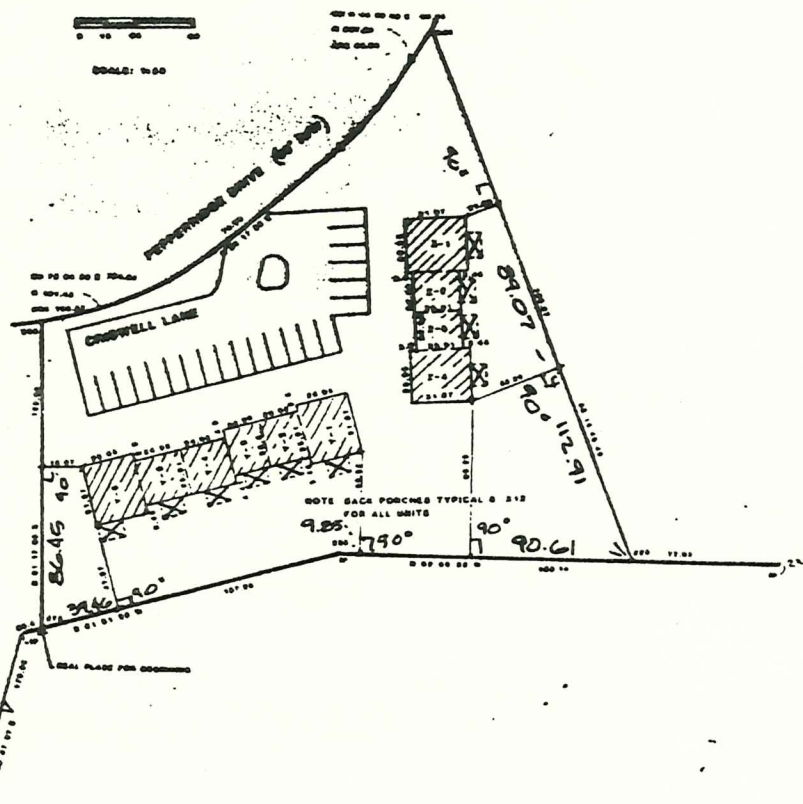




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# ELEVATIONS

UNIT	BASEMENT	WOODWORK	FIRST FLOOR	FIRST FLOOR	SECOND FLOOR	SECOND FLOOR
	CEILING	FLOOR	CEILING	FLOOR	CEILING	FLOOR
Y-1	84.70	81.70	81.70	81.70	81.70	81.70
Y-2	84.70	81.70	81.70	81.70	81.70	81.70
Y-3	84.70	81.70	81.70	81.70	81.70	81.70
Y-4	84.70	81.70	81.70	81.70	81.70	81.70
Y-5	84.70	81.70	81.70	81.70	81.70	81.70
Y-6	84.70	81.70	81.70	81.70	81.70	81.70
Y-7	84.70	81.70	81.70	81.70	81.70	81.70
Y-8	84.70	81.70	81.70	81.70	81.70	81.70
Y-9	84.70	81.70	81.70	81.70	81.70	81.70
Y-10	84.70	81.70	81.70	81.70	81.70	81.70
Y-11	84.70	81.70	81.70	81.70	81.70	81.70
Y-12	84.70	81.70	81.70	81.70	81.70	81.70
Y-13	84.70	81.70	81.70	81.70	81.70	81.70
Y-14	84.70	81.70	81.70	81.70	81.70	81.70
Y-15	84.70	81.70	81.70	81.70	81.70	81.70
Y-16	84.70	81.70	81.70	81.70	81.70	81.70
Y-17	84.70	81.70	81.70	81.70	81.70	81.70
Y-18	84.70	81.70	81.70	81.70	81.70	81.70
Y-19	84.70	81.70	81.70	81.70	81.70	81.70
Y-20	84.70	81.70	81.70	81.70	81.70	81.70



UNIT ABOVE BUILDING ELEVATION

COMMON AREA

LIMITED COMMON AREA (NOTE: FRONT PORCH STOOPS NOT SHOWN ON THIS PLAT ARE TO BE LIMITED COMMON AREA)

NOTE: (THE BEARING AND POINT NUMBERS CONFORM WITH THE WILDWOOD BOUNDARY SURVEY)

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

MELVIN S. HARTMAN  
D.S. #4552

CARL S. HARTMAN  
D.S. #51220

EXHIBIT B PAGE 27

TO THE DECLARATION OF CONDOMINIUM

PEPPERRIDGE OF WILDWOOD CONDOMINIUM  
PHASE IV-B

BUILDINGS  
Y and Z

SEC 21, TOWN 2, RANGE 2, N 2 E  
FAIRFIELD TOWNSHIP  
CT OF LOT 5000 OF THE CITY OF FAIRFIELD  
OUTLER COUNTY, OHIO

PREPARED BY  
HARTMAN WALTERS INC.  
ENGINEERS SURVEYORS  
1075 OHIO PKWY  
CINCINNATI, OHIO 45240  
(513) 762-5011

JULY 1994