

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
Pearl 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.

Exhibit B				Square Footage	
Unit	Address	Bed-rooms(1)	Baths	Living Area	Basement
					or crawl space
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	
Unit	Address	Bed-rooms(1)	Baths	Living Area	Basement or crawl space
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

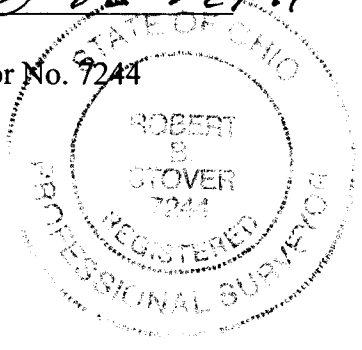
Legal Description - Property Added
Eighth Amendment, 0.514 Acres
(continued)

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

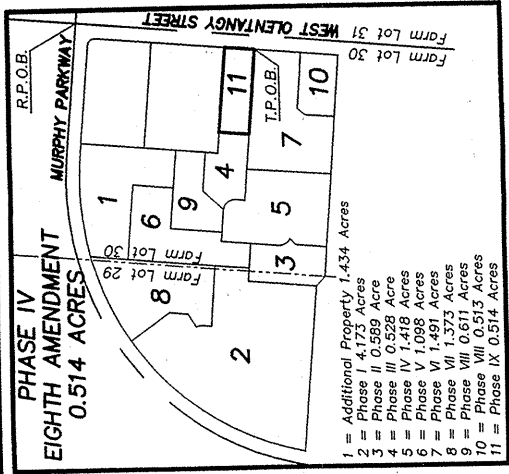
By *Robert B. Stover* 3-29-11
Robert B. Stover
Professional Surveyor No. 7244



Reference Point of Beginning
for 0.514 Ac.
VILLAGE POINT DRIVE
Val 1041 Page 393



Easement Reference
1) O.R.V. 469, P. 1029
Columbus Southern Power
Company 10' wide easement
centered on electric cable as
installed
2) O.R.V. 480, P. 486
Columbia Gas of Ohio 10'
wide easement centered on
pipeline as installed



SITE MAP
(NOT TO SCALE)

All areas not designated by Unit Designation are Common Elements.

*Sited 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.

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

Transferred this 26 day of April, 2011.
George Kaitisa by T.H.
Auditor, Delaware County, Ohio
Filed for record this 26 day of April, 2011
at 10:49 (AM) (PM).

Melissa Jordan
Recorder, Delaware County, Ohio
Fee 44.00 File No. 201100011670
Official Record 1041 Page 393
Calvin

- LEGEND**
- = 3/4-Inch (I.D.) Iron Pipe Set (with plastic cap in top marked B.D.M. 5)
 - = 3/4-Inch (I.D.) Iron Pipe Found
 - 11 = Unit Designation (Typical)
 - ① = Building Designation (Typical)
 - ▨ = Limited Common Elements

ROBERT LOUIS FLORITA
I certify that these drawings, consisting of sheets 2 through 5, accurately show each building of The Village at Murphy's Crossing Condominium Phase IX Eighth Amendment, as constructed.

Robert Louis Florita
BY *Robert Louis Florita*
Registered Architect No. 9138

BAUER, DAVIDSON & MERCHANT, INC.
I certify that this drawing, consisting of 1 sheet, accurately reflects the location of improvements and recorded easements of The Village at Murphy's Crossing Condominium Phase IX Eighth Amendment.

Robert B. Stover
BY *Robert B. Stover*
Professional Surveyor No. 7244
REGISTERED SURVEYOR

**DRAWINGS FOR
THE VILLAGE AT MURPHY'S CROSSING
CONDOMINIUM
PHASE IX
EIGHTH AMENDMENT**

CITY OF POWELL,
DELAWARE COUNTY, OHIO



**BAUER,
DAVIDSON &
MERCHANT, INC.**
Consulting Engineers

255 Green Meadows Drive S.
Westerville, Ohio 43081
(614) 846-3393