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THE RAVINES AT TIMBER'S EDGE CONDOMINIUM  
(Phase II)

FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP

I hereby certify that copies of the within First Amendment to Declaration of Condominium Ownership for The Ravines at Timber's Edge Condominium have been filed in the Office of the County Auditor, Warren County, Ohio.

WARREN COUNTY, OHIO AUDITOR

By Mark Nelson  
Deputy AS

Date: July 24, 1998

This Instrument Prepared By:

Jody T. Klekamp, Esq.  
Keating, Muething & Klekamp, P.L.L.  
1800 Provident Tower  
One East Fourth Street  
Cincinnati, Ohio 45202  
(513) 579-6400

Old #	16-22-262-011	7.387
New #	16-22-262-012	Unit 3301
	16-22-262-013	3303
	16-22-262-014	32.57
	16-22-262-015	32.55
	16-22-262-016	3305
	16-22-262-017	3307
	16-22-262-018	3241
	16-22-262-019	3239
	16-22-262-020	1.228 AC Campus Area
	16-22-262-021	6.159 AC Rem

(HCP)

FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP

FOR

THE RAVINES AT TIMBER'S EDGE CONDOMINIUM

KNOW ALL MEN BY THESE PRESENTS:

A. That Ravines at Timber's Edge, Ltd., an Ohio limited liability company is the Declarant in the Declaration of Condominium Ownership for The Ravines at Timber's Edge Condominium (Phase I) recorded in Official Record Volume 1561, Page 904 of the Warren County, Ohio records (the "Declaration"); the Drawings for which are recorded in Plat Book 41, Pages 14-21 (Phase I), of the Warren County, Ohio records (the "Drawings"); and

B. That Declarant, in Article 11 of the Declaration, has reserved the right to amend the Declaration and the Drawings attached as Exhibit C-1 through C-8 and all other exhibits attached thereto and made a part thereof in all ways necessary to submit additional property pursuant to Chapter 5311 of the Ohio Revised Code; and

C. That Declarant desires to submit part of the property presently described as Parcel 2 in Exhibit B to the Declaration into a new tract which will be known as "Phase II"; and

D. That Declarant desires to submit Phase II described in Exhibit A attached hereto and made a part hereof, together with all improvements constructed thereon, to the provisions of the Declaration and of Chapter 5311 of the Ohio Revised Code, and to make Phase II, together with all improvements constructed thereon, a part of the Condominium Property; and

E. That Declarant desires to attach, in addition to a legal description for Phase II in Exhibit A hereto, a legal description for Parcel 3, which is described in Exhibit B attached hereto and made a part hereof, for which Parcel 3 Declarant reserves all of the rights described in Article 11 of the Declaration.

NOW, THEREFORE, Declarant hereby declares as follows:

1. All terms used in this Amendment which are defined in the Declaration shall have the same meanings as given to them in the Declaration, except as otherwise hereinafter stated.

2. Declarant owns the property described as Phase II in Exhibit A 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. This 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 included in and made part of the Condominium Property, subject to the easements described in Exhibit C-9 attached hereto and made a part hereof and all other easements, restrictions, covenants and conditions of record.

3. Declarant further hereby amends the Declaration by deleting the second sentence of the first paragraph of Section 1.1 thereof and by inserting in place thereof the following:

"The Condominium Property has sixteen (16) residential units in four (4) separate buildings (collectively, hereinafter sometimes described and referred to as "Units"), and the Recreational Facilities.

4. Declarant further hereby amends the Declaration by adding thereto the drawings attached hereto and marked as Exhibits C-9 through C-12 to show the location, together with the particulars, of the buildings situated on Phase II as described in Exhibit A hereto; the layout, locations, designations, dimensions, area and number of each such Unit; and the Common Areas and Facilities and Limited Common Areas and Facilities located on Phase II. These drawings were prepared by and bear the certified statement of Paul W. Feie, registered surveyor and Eric W. Batt, registered engineer, as required by Section 5311.07 of the Ohio Revised Code.

5. Declarant further hereby amends the Declaration by adding to the legal description captioned "Exhibit A, Parcel 1" attached to the Declaration, the legal description of Phase II described in Exhibit A attached hereto. Phase II shall be deemed and shall be a part of "Parcel 1" of the Condominium Property as such phrase is used in the Declaration.

6. Declarant further hereby amends the Declaration by revising the legal description set forth in Exhibit B attached to the Declaration to the description attached as Exhibit B hereto and described as Parcel 3.

7. Declarant further hereby amends the Declaration by deleting therefrom Exhibit E attached to the Declaration and substituting in its place a new Exhibit E which is attached hereto.

8. Declarant hereby reserves all rights held by it pursuant to Article 11 of the Declaration with respect to what is described in Exhibit B to the original Declaration for all or any part of what is now described as Parcel 3 in Exhibit B attached hereto.

9. All provisions of the Declaration and of all exhibits thereto not affected by the foregoing Amendment shall remain in full force and effect.

IN WITNESS WHEREOF, Ravines at Timber's Edge, Ltd., an Ohio limited liability company, by its duly authorized member has consented to all of the foregoing and have caused this instrument to be executed this 24<sup>th</sup> day of July, 1998.

Signed and Acknowledged  
In The Presence Of:

RAVINES AT TIMBER'S EDGE, LTD.,  
an Ohio limited liability company

Print: Robert C. Lowe

By: Robert C. Lowe  
Name: Robert C. Lowe  
Its: Managing Member

Print: Douglas A. Stenger

STATE OF OHIO

COUNTY OF Deane

The foregoing instrument was acknowledged before me this 24 day of July, 1998, by Robert C. Lowe Managing Member of Ravines at Timber's Edge, Ltd., an Ohio limited liability company, on behalf of the limited liability company.

Charles A. Sherr  
Notary Public

This Instrument Prepared By:

Jody T. Klekamp, Esq.  
Keating, Muething & Klekamp, P.L.L.  
1800 Provident Tower  
One East Fourth Street  
Cincinnati, Ohio 45202  
(513) 579-6400



CHARLES A. SHERR, Notary Public  
in and For The State of Ohio  
My Commission Expires August 10, 1998

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**EXHIBIT "A"**

**DESCRIPTION OF PROPERTY  
PHASE TWO  
THE RAVINE AT TIMBER'S EDGE  
CATALINA ISLE & COLUMBIA ROAD  
July 15, 1998**

Situated in Section 22, Town 4, Range 2, City of Mason, Deerfield Township, Warren County, Ohio and being more particularly described as follows:

Commencing at the northeast corner of said Section 22;

thence South  $89^{\circ}02'50''$  West, along the south line of said Section 22 for a distance of 617.42 feet;

thence South  $0^{\circ}25'20''$  West, leaving the south line of said Section 22 for a distance of 872.87 feet;

thence South  $63^{\circ}34'25''$  West for a distance of 799.47 feet to the northwest corner of Lot 1 of the Island Club Subdivision as the same is recorded in Plat Book 23, Page 99 of the Warren county Recorder's Office;

thence along the west line of said Lot 1 of the Island Club Subdivision the following three (3) courses:

- 1) South  $15^{\circ}12'00''$  East for a distance of 248.81 feet;
- 2) South  $5^{\circ}26'20''$  East for a distance of 259.54 feet;
- 3) South  $1^{\circ}20'30''$  West for a distance of 72.69 feet to the **TRUE PLACE OF BEGINNING** for the land herein described;

thence continuing along the west line of Lot 1 of said Island Club Subdivision the following two (2) courses:

- 1) South  $1^{\circ}20'30''$  West for a distance of 130.33 feet;
- 2) South  $7^{\circ}27'55''$  West for a distance of 183.29 feet to the existing north right-of-way of Catalina Isle;

Description of Property  
Phase Two  
The Ravine at Timber's Edge  
Catalina Isle & Columbia Road  
July 15, 1998  
Page 2

thence South  $89^{\circ}33'20''$  West, along the existing north right-of-way of Catalina Isle for a distance of 152.76 feet;

thence North  $0^{\circ}26'40''$  West, leaving the existing north right-of-way of Catalina Isle along a new division line for a distance of 311.82 feet to the south line of the Ravines at Timber's Edge Condominium as the same is recorded in Plat Book 41 Page 21 of the Warren County Recorder's Office;

thence North  $89^{\circ}33'20''$  East, along the south line of said Ravines at Timber's Edge Condominium for a distance of 182.05 feet to the place of beginning and containing 1.228 acres.

Being part of that property conveyed to The Ravine at Timbers Edge, Ltd. by deed recorded in Official Record Volume 1436, Page 718 of the Warren County Recorder's Office.

The above described property is based upon a survey prepared by Henderson and Bodwell dated December 17, 1996 with the basis of north being plat recorded in Plat Book 23, Pages 13 & 14 of the Warren County Recorder's Office.

Prepared by

**WOOLPERT LLP**

Paul W. Feic

Ohio Registered Surveyor No. 6723

50-22666-02  
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EXHIBIT "B"

DESCRIPTION OF PROPERTY  
REMAINING AREA  
THE RAVINE AT TIMBER'S EDGE  
CATALINA ISLE & COLUMBIA ROAD  
July 15, 1998

Situated in Section 22, Town 4, Range 2, City of Mason, Deerfield Township, Warren County, Ohio and being more particularly described as follows:

Commencing at the northeast corner of said Section 22;

thence South  $89^{\circ}02'50''$  West, along the south line of said Section 22 for a distance of 617.42 feet;

thence South  $3^{\circ}25'20''$  West, leaving the south line of said Section 22 for a distance of 872.87 feet;

thence South  $63^{\circ}34'25''$  West for a distance of 799.47 feet;

thence South  $15^{\circ}12'00''$  East for a distance of 159.77 feet;

thence South  $67^{\circ}22'30''$  West for a distance of 140.86 feet to the TRUE PLACE OF BEGINNING for the land herein described;

thence South  $13^{\circ}42'16''$  East for a distance of 145.02 feet;

thence along the arc of a curve to the right having a radius of 20.00 feet for an arc distance of 28.30 feet, the chord of said arc being subtended by a central angle of  $81^{\circ}04'46''$  and a long chord bearing South  $26^{\circ}50'07''$  West for a distance of 26.00 feet;

thence South  $67^{\circ}22'30''$  West for a distance of 72.48 feet;

thence along the arc of a curve to the right having a radius of 20.00 feet for an arc distance of 31.42 feet, the chord of said arc being subtended by a central angle of  $90^{\circ}00'00''$  and a long chord bearing North  $67^{\circ}37'30''$  West for a distance of 28.28 feet;

Description of Property  
Remaining Area  
The Ravine at Timber's Edge  
Catalina Isle & Columbia Road  
July 15, 1998  
Page 2

thence South 67°22'30" West for a distance of 20.00 feet;

thence South 22°37'30" East for a distance of 10.02 feet;

thence along the arc of a curve to the right having a radius of 20.00 feet for an arc distance of 22.61 feet, the chord of said arc being subtended by a central angle of 64°46'06" and a long chord bearing South 9°45'33" West for a distance of 21.42 feet;

thence along the arc of a curve to the left having a radius of 85.00 feet for an arc distance of 63.18 feet, the chord of said arc being subtended by a central angle of 42°35'16" and a long chord bearing South 20°50'58" West for a distance of 61.74 feet;

thence South 0°26'40" East for a distance of 43.04 feet;

thence along the arc of a curve to the right having a radius of 20.00 feet for an arc distance of 31.42 feet, the chord of said arc being subtended by a central angle of 90°00'00" and a long chord bearing South 44°33'20" West for a distance of 28.28 feet;

thence South 89°33'20" West for a distance of 16.14 feet;

thence South 0°26'40" East for a distance of 25.00 feet;

thence North 89°33'20" East for a distance of 140.33 feet;

South 0°26'40" East for a distance of 311.82 feet to the north right-of-way of Catalina Isle;

thence along the north right-of-way of Catalina Isle the following four (4) courses:

- 1) South 89°33'20" West for a distance of 408.05 feet;
- 2) along the arc of a curve to the right having a radius of 363.72 feet for an arc distance of 82.40 feet, the chord of said arc being subtended by a central angle of 8°22'29" and a long chord bearing North 86°15'26" West for a distance of 82.32 feet;
- 3) North 82°04'11" West for a distance of 131.23 feet;
- 4) along the arc of a curve to the left having a radius of 597.96 feet for an arc distance of 44.71 feet, the chord of said arc being subtended by a central angle of 4°17'01" and a long chord bearing North 84°12'42" West for a distance of 44.70 feet;



Description of Property  
Remaining Area  
The Ravine at Timber's Edge  
Catalina Isle & Columbia Road  
July 15, 1998  
Page 3

thence North 29°15'00" East, leaving the north line of Catalina Isle for a distance of 164.51 feet;

thence North 42°15'00" East for a distance of 176.00 feet;

thence North 28°00'00" East for a distance of 101.00 feet;

thence North 42°39'00" East for a distance of 230.00 feet;

thence North 76°15'00" East for a distance of 100.00 feet;

thence North 54°45'00" East for a distance of 105.00 feet;

thence North 67°22'30" East for a distance of 90.07 feet to the place of beginning and containing 6.159 acres.

Being part of that property conveyed to The Ravine at Timbers Edge, Ltd. by deed recorded in Official Record Volume 1436, Page 718 of the Warren County Recorder's Office.

The above described property is based upon a survey prepared by Henderson and Bodwell dated December 17, 1996 with the basis of north being plat recorded in Plat Book 23, Pages 13 & 14 of the Warren County Recorder's Office.

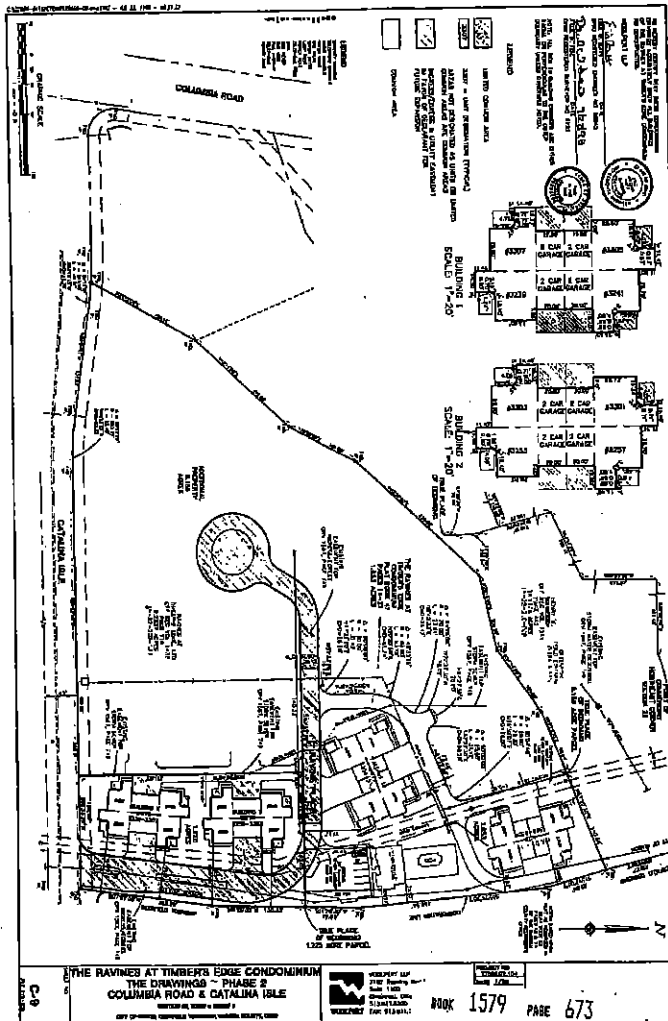
Prepared by

WOOLPERT LLP

Paul W. Feie  
Ohio Registered Surveyor No. 6723

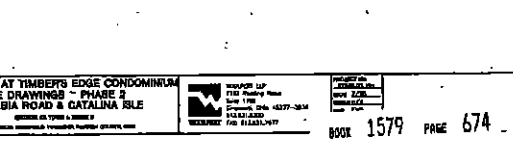
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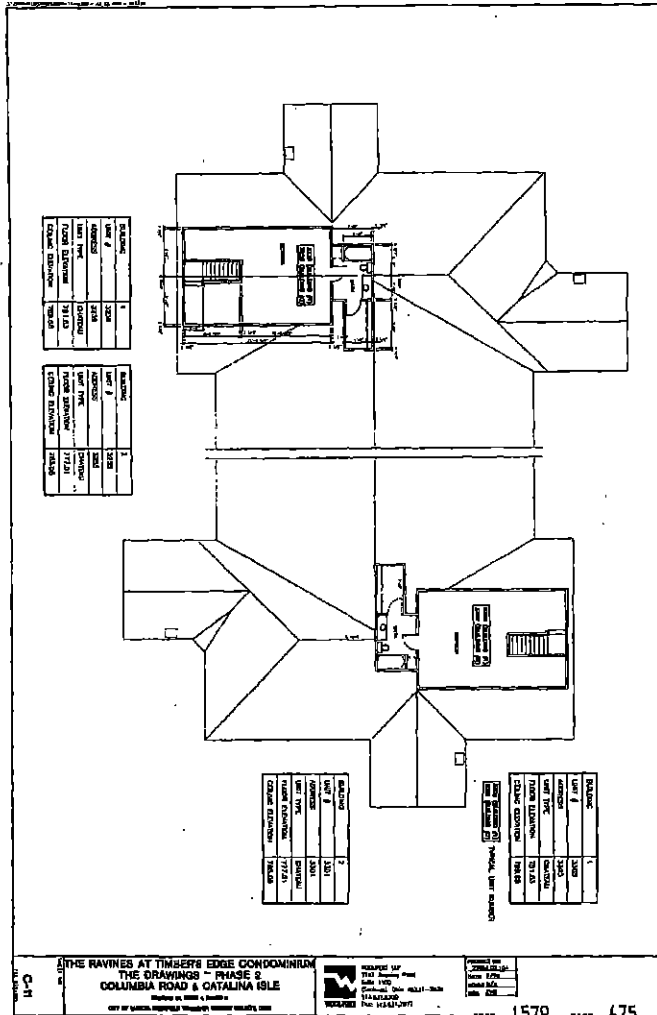
BOOK 1579 PAGE 672



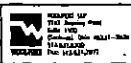
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THE RAVINES AT TIMBERS EDGE CONDOMINIUM  
 THE DRAWINGS - PHASE 2  
 COLUMBIA ROAD & CATALINA ISLE  
 BOSTON, MA 02118



RECEIVED BY  
 THE PROPERTY OWNER  
 DATE 1/1/00  
 PROJECT NO. 1579-001  
 1579-001



EXHIBIT "E"

PERCENTAGE OWNERSHIP INTEREST  
IN COMMON AREAS AND FACILITIES

THE RAVINES AT TIMBER'S EDGE CONDOMINIUM

To calculate the percentage of interest, divide the respective Unit's Par Value by the aggregate amount of Par Value for all Units.

<u>Building</u>	<u>Unit</u>	<u>Model Type</u>	<u>Par Value of Unit</u>	<u>Percentage Interest in Common Areas*</u>
14	3324 Ravine Place	Villa	100	5.9524%
14	3322 Ravine Place	Chateau	100	5.9524%
14	3326 Ravine Place	Chateau	100	5.9524%
14	3328 Ravine Place	Villa	100	5.9524%
15	3306 Ravine Place	Canterbury	120	7.1429%
15	3308 Ravine Place	Abbey	120	7.1429%
15	3296 Ravine Place	Canterbury	120	7.1429%
15	3294 Ravine Place	Canterbury	120	7.1429%
1	3307 Ravine Place	Villa	100	5.9524%
1	3305 Ravine Place	Chateau	100	5.9524%
1	3239 Ravine Place	Chateau	100	5.9524%
1	3241 Ravine Place	Villa	100	5.9524%
2	3303 Ravine Place	Villa	100	5.9524%
2	3301 Ravine Place	Chateau	100	5.9524%
2	3255 Ravine Place	Chateau	100	5.9522%
2	3257 Ravine Place	Villa	<u>100</u>	<u>5.9522%</u>
	Total:		1680	100%

\*As additional Units are added to the Condominium, the various Unit's percentage of interest in Common Areas above will decrease accordingly.

CONSENT OF MORTGAGEE

The Provident Bank, an Ohio banking corporation and the holder of a certain Open-End Mortgage, Security Agreement and Assignment of Rents, Income and Proceeds to the premises dated October 28, 1997 and recorded October 31, 1997 in Official Record Book 1436, Page 721 of the Warren County, Ohio Recorder's, hereby consents to the execution and delivery of the foregoing First Amendment to Declaration of Condominium Ownership, with exhibits thereto (the "Declaration"), and to the filing thereof, in the office of the County Recorder of Warren County, Ohio, and further subjects the above-described mortgage to the provisions of the foregoing Declaration with attached exhibits.

IN WITNESS WHEREOF, The Provident Bank, by its authorized officer, has caused the execution of this Consent this 23<sup>rd</sup> day of July, 1998.

Signed and acknowledged  
in the presence of:

THE PROVIDENT BANK

Robert L. Fay  
Print: Robert L. Fay  
Cynthia A. Strathmann  
Print: CYNTHIA A. STRATHMANN

By: [Signature]  
Name: George H. Fultford  
Its: Vice President

SEIN RECORDS - WARREN COUNTY RESIDENCE  
Doc #: 99757 Type: DEED  
Filed: 7/24/1998 12:06:31 66.00  
OFF Records: 1579 644 Pages: 15  
Book: 16191 Return Page: N  
COUNTY RESIDENTIAL

STATE OF OHIO )  
COUNTY OF HAMILTON ) ss:

The foregoing instrument was acknowledged before me this 23<sup>rd</sup> day of July, 1998, by George H. Fultford, Vice President of The Provident Bank, an Ohio banking corporation, on behalf of the corporation.

Donna C. Anderson  
Notary Public

This instrument prepared by:

Jody T. Klekamp, Esq.  
KEATING, MUETHING & KLEKAMP, P.L.L.  
1800 Provident Tower  
One East Fourth Street  
Cincinnati, Ohio 45202  
(513) 579-6400  
564222.1 - July 15, 1998 - 4:13 pm



DONNA C. ANDERSON  
Notary Public, State of Ohio  
My Commission Expires November 23, 2000