# THE RAVINES AT TIMBER'S EDGE CONDOMINIUM (Phase V)

# FOURTH AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP

I hereby certify that copies of the within Fourth 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

Denuty

Date: 3-24-, 2000

This Instrument Prepared By:

Jody T. Klekamp, Esq. Keating, Muething & Klekamp, P.L.L. 1400 Provident Tower One East Fourth Street Cincinnati, Ohio 45202 (513) 579-6400

# FOURTH 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 as amended by the First Amendment to Declaration of Condominium Ownership for The Ravines at Timber's Edge Condominium (Phase II) recorded in Official Record Book 1579, Page 664, of the Warren County, Ohio records, as amended by the Second Amendment to Declaration of Condominium Ownership for the Ravines at Timber's Edge Condominium (Phase III) recorded in Official Record Book 1759, Page 922 of the Warren County, Ohio records, and as amended by the Third Amendment to Declaration of Condominium Ownership for the Ravines at Timber's Edge Condominium (Phase IV) recorded in Official Record Book 1908, Page 21 of the Warren County, Ohio records (collectively, the "Declaration"), the Drawings for which are recorded in Plat Book 41, Pages 14-21 (Phase II), in Plat Book 44, Pages 84-99 (Phase III) and in Plat Book 48, Pages 4-7, all of the Warren County, Ohio records (collectively, 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-21 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 Percel 5 in Exhibit B to the Declaration into a new treet which will be known as "Phase V"; and
- D. That Declarant desires to submit Phase V 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 V, 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 V in Exhibit A hereto, a legal description for Parcel 6, which is described in Exhibit B attached hereto and made a part hereof, for which Parcel 6 Declarant reserves all of the rights described in Article 11 of the Declaration.

#### NOW, THEREFORE, Declarant hereby declares as follows:

- 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 V 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 gmended hereby, and is included in and made part of the Condominium Property, subject to the easements described in Exhibit C-22 attached hereto and made a part hereof and all other cesements, restrictions, covenants and conditions of record.
- 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 thirty-two (32) residential units in eight (8) 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-22 through C-25 to show the location, together with the particulars, of the buildings situated on Phase V as described in Exhibit A hereto; the layout, locations, designations, dimensions, area and number of each such Unit; and the Common Areas and Facilities located on Phase V. 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 I" attached to the Declaration, the legal description of Phase V described in Exhibit A attached hereto. Phase V shall be deemed and shall be a part of "Parcel I" 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 6.

- 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.
- Declarant hereby reserves all rights held by it pursuant to Article 11 of the 8. 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 6 in Exhibit B attached hereto.
- 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 Landay of MAPCH, 2000.

distantent to be excepted dissective	on THEFOT
Signed and Acknowledged In The Presence Of:	RAVINES AT TIMBER'S EDGE, LTD., an Ohio limited tightitis company)
Leide Peter	By: I sheet from
Print: HEINI PEYTON	Name: Poker Lows
Mutopla B. Hull	
Print: CHRISTOPHER B. F	TICKMAN
STATE OF OHIO	) ) ss:
COUNTY OF WARREN	)
The foregoing instrument wa	as acknowledged before me this 2200 day of MARCH
	as Managent Members of Ravines at Timber's Ed
	any, on behalf of the limited liability company.

Notary Public

This Instrument Prepared By:

Jody T. Klekamp, Esq.
Keating, Muething & Klekamp, P.L.L. 1400 Provident Tower One East Fourth Street Cincinnati, Ohio 45202 (513) 579-6954

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う NOTARY PUBLIC STATE OF OHIO MY COMMISSION EXPIRES 1/27/05

#### EXHIBIT "A"

# DESCRIPTION OF PROPERTY PHASE FIVE THE RAVINE AT TIMBER'S EDGE

#### THE RAVINE AT TIMBER'S EDGE CATALINA ISLE & COLUMBIA ROAD

March 1, 2000

PL 16-22-262-036

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°02'50" West, along the south line of said Section 22 for a distance of 617.42 feet;

thence South 0°25'20" West, leaving the south line of said Section 22 for a distance of 872.87 feet;

thence South 63°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 South 15°12'00" East, along the west line of said Lot 1 of the Island Club Subdivision for a distance of 159.77 feet to the northeast corner of The Ravines at Timber's Edge Condominium as recorded in Plat Book 41, Pages 14-21 of the Warren County Recorder's Office;

thence continuing along the east line of said The Ravines at Timber's Edge Condominium the following four (4) courses:

- 1) South 15°12'00" East for a distance of 89.04 feet;
- 2) South 5°26'20" East for a distance of 259.54 feet;
- 3) South 1°20'30" West for a distance of 203.02 feet;
- 4) South 7°27'55" West for a distance of 183.29 feet to the existing north right-of-way of Catalina Isle;

thence South 89°33'20" West, along the existing north right-of-way of Catalina Isle for a distance of 273.88 feet to the southwest corner of The Ravines at Timber's Edge Condominium, Phase 4 as the same is recorded in Plat Book 48, Pages 28-31 of the Warren County Recorder's Office;

thence North 0°26'40" West, along the west line of said Ravines at Timber's Edge Condominium, Phase 4 for a distance of 159.92 feet to the northwest corner of said Ravines at Timber's Edge Condominium, Phase 4 being the TRUE PLACE OF BEGINNING for the land herein described;

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Fax: 513.272.8301



Description of Property Phase Five The Ravine at Timber's Edge Catalina Isle & Columbia Road March 1, 2000 Page 2

thence North 0°26'40" West for a distance of 151.90 feet;

thence North 89°33'20" East for a distance of 121.12 feet to the northwest corner of The Ravines at Timber's Edge Condominium, Phase 2 as the same is recorded in Plat Book 41, Pages 58-61 of the Warren County Recorder's Office;

thence South 0°26'40" East, along the west line of said Ravines at Timber's Edge Condominium, Phase 2 for a distance of 151.90 feet to the northwest corner of said Ravines at Timber's Edge Condominium, Phase 4;

thence South 89°33'20" West, along the north line of said Ravines at Timber's Edge Condominium, Phase 4 for a distance of 121.12 feet to the place of beginning and containing 0.422 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

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Paul W. Feie Ohio Registered Surveyor No. 6723

50-22666-02 C:\WP51\LEGALS\22666M.LDS	oloL	16-22-262-036	4.523 Aeres
APPROVED WARREN OO MAP DEPE	New New New	16-22-262-038 16-22-262-039 16-82-262-040	Unit 3313 Unit 3315 Unit 3321 Unit 3323
BY (A)	New New Dew	16-22-262-041 16-22-262-042 16-22-262-043	C/A 4101R

#### KERIBIT "B"

# DESCRIPTION OF PROPERTY REMAINING AREA PHASE 5 THE RAVINE AT TIMBER'S EDGE CATALINA ISLE & COLUMBIA ROAD March 1, 2000

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°02'50° West, along the south line of said Section 22 for a distance of 617.42 feet;

thence South 0°25'20" West, leaving the south line of said Section 22 for a distance of 872.87 feet;

thence South 63°34'25" West for a distance of 799.47 feet;

WOOLPERT LLP 4141 Rosslyn Drive Greinnati, OH 45209-1183 513.272.8300 Fax; 513.272.8301 thence South 15°12'00" East for a distance of 159.77 feet;

thence South 67°22'30" West for a distance of 230.93 feet;

thence South 54°45'00" West for a distance of 105.00 feet;

thence South 76°15'00" West for a distance of 100.00 feet;

thence South 42°39'00" West for a distance of 7.77 feet to the TRUE PLACE OF BEGINNING for the land herein described;

thence South 22"37'30" East for a distance of 233.81 feet;

thence North 89°33'20" East for a distance of 35.04 feet;

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

thence North 89°33'20" East for a distance of 19.21 feet;

thence 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 286.93 feet;

Description of Property Remaining Area Phase 3 The Ravine at Timber's Edge Catalina Isle & Columbia Road March 10, 1999 Page 2

> 2) along the arc of a curve to the right having a radius of 563.72 feet for an are distance of 82.40 feet, the chord of said are 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 1cft 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 4917'01" and a long chord bearing North 84°12'42" West for a distance of 44.70 feet;

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 222,23 feet to the place of beginning and containing 4.101 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 & I4 of the Warren County Recorder's Office. Prepared by

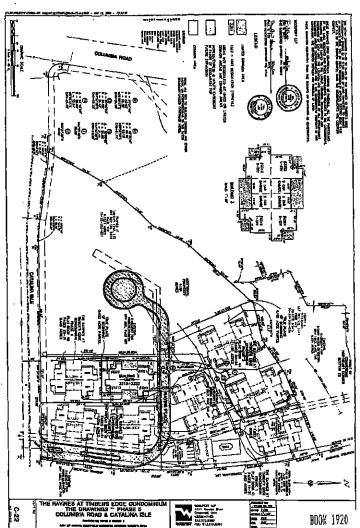
#### WOOLPERT LLP

Paul W. Feie Ohio Registered Surveyor No. 6723

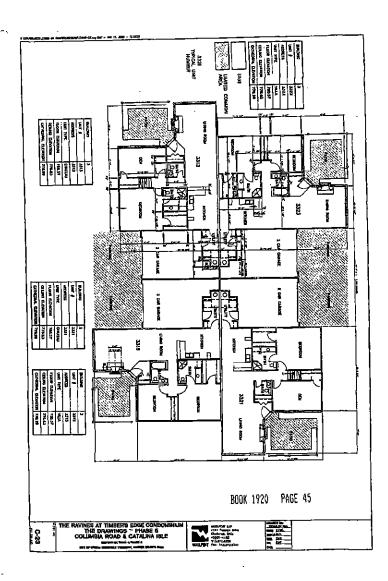
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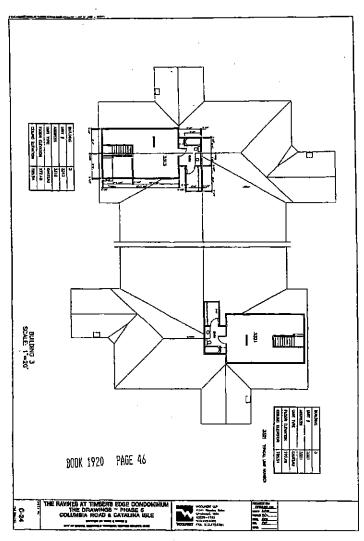
16-22-262-043

4.101 ACR\_\_

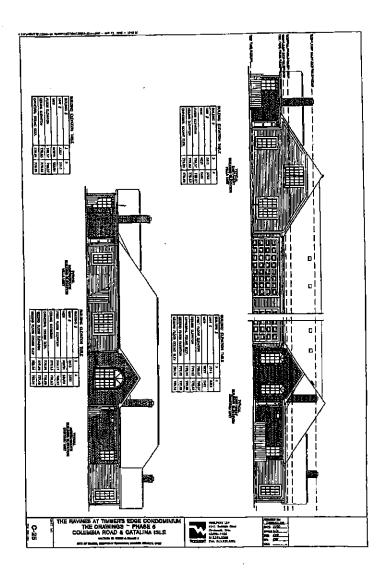


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### EXHIBIT "E"

# 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.

aggregate an	loan of the value for a			Percentage
		Model	Par Value	Interest in
<u>Building</u>	<u>Unit</u>	Type	<u>of Unit</u>	Common Areas*
14	3324 Ravine Place	Villa	100	2.9070%
14	3322 Ravine Place	Chatean	100	2.9070%
14	3326 Ravine Place	Chateau	100	2.9070%
14	3328 Ravine Place	Villa	100	2.9070%
15	3306 Ravine Place	Canterbury	120	3.4884%
15	3308 Ravine Place	Abbey	120	3.4884%
15	3296 Ravine Place	Canterbury	120	3.4884%
15	3294 Ravine Place	Canterbury	120	3.4884%
1	3307 Ravine Place	Villa	100	2.9070%
1	3305 Ravine Place	Chateau	100	2.9070%
1	3239 Ravine Place	Chateau	100	2.9070%
1	3241 Ravine Place	Villa	100	2.9070%
2	3303 Ravine Place	Villa	100	2,9070%
2	3301 Ravine Place	Chateau	100	2.9070%
2	3255 Ravine Place	Chateau	100	2.9070%
2	3257 Ravine Place	Villa	100	2.9070%

	<i>6</i>	Model	Par Value of Unit	Percentage Interest in Common Areas*
Building	<u>Unit</u>	<u>Type</u>		
12A	3330 Ravine Place	Centerbury	120	3.4884%
12B	3332 Ravine Place	Abbey	120	3.4884%
12C	3310 Ravine Place	Abbey	120	3,4884%
12 <b>D</b>	3312 Ravine Place	Canterbury	120	3.4884%
13A	3316 Ravine Place	Canterbury	120	3.4884%
13B	3314 Ravine Place	Abbey	120	3.4884%
13C	3318 Ravine Place	Abbey	120	3.4884%
13D	3320 Ravine Place	Canterbury	120	3.4884%
4A	3327 Ravine Place	Villa	100	2,9070%
4B	3325 Ravine Place	Cheteau	100	2.9070%
4C	3309 Ravine Place	Chateau	100	2,9070%
4D	3311 Ravine Place	Villa	100	2.9070%
3	3323 Ravine Place	Villa	100	2.9070%
3	3321 Ravine Place	Chateau	100	2.9070%
3	3313 Ravine Place	Chateau	100	2,9074%
3	3315 Ravine Place	Villa	100	2.9074%
		Total:	3,440	100%

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

## CONSENT OF MORTGAGEE

The Provident Bank, en 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 Fourth 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. Declaration with attached exhibits.

	Signed and acknowledged	THE PROVIDENT BANK
	in the presence of:	11100.
	Bulana K. Walkenhout Print: BACAREA K. WALTENHORST	By: A faith full Ful Ford
	Cyxtria a. Strattmann	Its: // ice Gresiden Harren County Recircler Doc 9: 185624 Turk: BREW NOTE
	Print Cynthia A. Strathmann	Flied: 3/24/2000 15:43:30 1 66, Off Record: 1920 36 Pages: 1
	STATE OF OHIO )	Rech: 5911 Retern Flag: M EMUTY
	COUNTY OF HAMILTON )	
ED	The foregoing instrument was acknowledge 2000 by Gerse H. Fulford	d before me this 2 day of March, as Vice President of
R.S	The Addent Bank, an Ohio banking corporation,	on behalf of the corporation.
NSFER.	24 208 Conference Conf	Canthia a. Statemann
S	MAR 318.903 APPREN	Notary Public
RA	This this trument prepared by:	CIPITIES A. STEATHMANN
<b>)</b> —	Jody T. Klekamp, Esq. KEATING, MUETHING & KLEKAMP, P.L.L.	lictory Public, State of Ohio My Commission Expires May 31, 2005
86	1400 Provident Tower One East Fourth Street	**
	Cincinnati, Ohio 45202	
	(513) 579-64954	747342.1 - March 14, 2000 - 10:26 AM

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