

14/62⁰⁰

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

SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP

I hereby certify that copies of the within Second 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 Rich Nelson
Deputy 12

Date: 5.19, 1999

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

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SECOND 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 and 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 (collectively, the "Declaration"), the Drawings for which are recorded in Plat Book 41, Pages 14-21 (Phase I), and in Plat Book 41, Pages 58-61 (Phase II) 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-12 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 3 in Exhibit B to the Declaration into a new tract which will be known as "Phase III"; and

D. That Declarant desires to submit Phase III 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 III, 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 III in Exhibit A hereto, a legal description for Parcel 4, which is described in Exhibit B attached hereto and made a part hereof, for which Parcel 4 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 III 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- 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 twenty-four (24) residential units in six (6) 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-13 through C-17 to show the location, together with the particulars, of the buildings situated on Phase III 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 III. 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 III described in Exhibit A attached hereto. Phase III 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 4.

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 II 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 4 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 18 day of May, 1999.

Signed and Acknowledged
In The Presence Of:

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

Connie A. Sherer
Print: Connie A. Sherer

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

Elizabeth Hupel
Print: Elizabeth Hupel

STATE OF OHIO)
) ss:
COUNTY OF Warren)

The foregoing instrument was acknowledged before me this 18 day of May, 1999, by Robert C. Love as Managing Member of Ravines at Timber's Edge, Ltd., an Ohio limited liability company, on behalf of the limited liability company.

Connie A. Sherer
Notary Public

This Instrument Prepared By:

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



CONNIE A. SHERER, Notary Public
In and For The State of Ohio
My Commission Expires August 18, 2003



Exhibit A

Pt. 16-22-262-021

1124

DESCRIPTION OF PROPERTY
PHASE THREE
THE RAVINE AT TIMBER'S EDGE
CATALINA ISLE & COLUMBIA ROAD

March 9, 1999
Revised April 8, 1999

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 South 67°22'30" West, along the north line of said Timber's Edge Condominium for a distance of 140.86 feet to the northwest corner of said Timber's Edge Condominium also being the **TRUE PLACE OF BEGINNING** for the land herein described;

thence along the west line of said Timber's Edge Condominium the following eleven (11) courses:

- 1) South 13°42'16" East for a distance of 145.02 feet;

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WOOLPERT LLP
4141 Roslyn Drive • Cincinnati, Ohio 45209-1183
513.272.6300 • Fax: 513.272.6301 • www.woolpert.com

Description of Property
Phase Three
The Ravine at Timber's Edge
Catalina Isle & Columbia Road
March 9, 1999
Revised April 8, 1999
Page 2

- 2) 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;
- 3) South $67^{\circ}22'30''$ West for a distance of 72.48 feet;
- 4) 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;
- 5) South $67^{\circ}22'30''$ West for a distance of 20.00 feet;
- 6) South $22^{\circ}37'30''$ East for a distance of 10.02 feet;
- 7) 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 $64^{\circ}46'06''$ and a long chord bearing South $9^{\circ}45'33''$ West for a distance of 21.42 feet to a point of reverse curvature;
- 8) 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 $42^{\circ}35'16''$ and a long chord bearing South $20^{\circ}50'58''$ West for a distance of 61.74 feet;
- 9) South $0^{\circ}26'40''$ East for a distance of 43.04 feet;
- 10) 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 South $44^{\circ}33'20''$ West for a distance of 28.28 feet;
- 11) South $89^{\circ}33'20''$ West for a distance of 51.18 feet;

thence North $22^{\circ}37'30''$ West, along a new division line for a distance of 233.81 feet;

thence North $42^{\circ}39'00''$ East for a distance of 7.77 feet;

thence North $76^{\circ}15'00''$ East for a distance of 100.00 feet;

thence North $54^{\circ}45'00''$ East for a distance of 105.00 feet;

thence North $67^{\circ}22'30''$ East for a distance of 90.07 feet to the place of beginning and containing 1.191 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.

Description of Property
Phase Three
The Ravine at Timber's Edge
Catalina Isle & Columbia Road
March 9, 1999
Revised April 8, 1999
Page 3

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

WOOLFERT LLP

Paul W. Feie
Ohio Registered Surveyor No. 6723

50-22666-02
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Old#	16-22-262-021	6.159	
New#	16-22-262-022	Unit	3310
	16-22-262-023		3312
	16-22-262-024		3330
	16-22-262-025		3332
	16-22-262-026		3314
	16-22-262-027		3316
	16-22-262-028		3318
	16-22-262-029		3320
Common	16-22-262-030		1.191
Rem	16-22-262-031		4.968
	5-19-99		
	ACH		

BLDG 12

BLDG 13

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Exhibit B

16-22-262-031

HCH

DESCRIPTION OF PROPERTY
REMAINING AREA
PHASE 3
THE RAVINE AT TIMBER'S EDGE
CATALINA ISLE & COLUMBIA ROAD
March 10, 1999

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;

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;

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

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 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 563.72 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;

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 4.968 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.

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

Prepared by
WOOLFERT LLP

Paul W. Feie
Ohio Registered Surveyor No. 6723

10-22666-02
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EXHIBIT C
DRAWINGS

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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.

<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	3.7879%
14	3322 Ravine Place	Chateau	100	3.7879%
14	3326 Ravine Place	Chateau	100	3.7879%
14	3328 Ravine Place	Villa	100	3.7879%
15	3306 Ravine Place	Canterbury	120	4.5455%
15	3308 Ravine Place	Abbey	120	4.5455%
15	3296 Ravine Place	Canterbury	120	4.5455%
15	3294 Ravine Place	Canterbury	120	4.5455%
1	3307 Ravine Place	Villa	100	3.7879%
1	3305 Ravine Place	Chateau	100	3.7879%
1	3239 Ravine Place	Chateau	100	3.7879%
1	3241 Ravine Place	Villa	100	3.7879%
2	3303 Ravine Place	Villa	100	3.7879%
2	3301 Ravine Place	Chateau	100	3.7879%
2	3255 Ravine Place	Chateau	100	3.7879%
2	3257 Ravine Place	Villa	100	3.7879%

<u>Building</u>	<u>Unit</u>	<u>Model Type</u>	<u>Par Value of Unit</u>	<u>Percentage Interest in Common Areas*</u>
12A	3330 Ravine Place	Canterbury	120	4.5455%
12B	3332 Ravine Place	Abbey	120	4.5455%
12C	3310 Ravine Place	Abbey	120	4.5455%
12D	3312 Ravine Place	Canterbury	120	4.5455%
13A	3316 Ravine Place	Canterbury	120	4.5455%
13B	3314 Ravine Place	Abbey	120	4.5455%
13C	3318 Ravine Place	Abbey	120	4.5451%
13D	3320 Ravine Place	Canterbury	<u>120</u>	<u>4.5451%</u>
Total:			2,640	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 Second 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 17th day of May, 1999.

Signed and acknowledged
in the presence of:

THE PROVIDENT BANK

Barbara K. Walkenhorst
Print: Barbara K. Walkenhorst
Christi Y. Davis
Print: _____

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

STATE OF OHIO)
 : ss:
COUNTY OF HAMILTON)

The foregoing instrument was acknowledged before me this 17th day of May, 1999, by George H. Fulford, Vice President of The Provident Bank, an Ohio banking corporation, on behalf of the corporation.

Christi Y. Davis
Notary Public

This instrument prepared by:

Jody T. Klekamp, Esq.
KEATING, MUETHING & KLEKAMP
1400 Provident Tower
One East Fourth Street
Cincinnati, Ohio 45202
(513) 579-6400

653556.1

NOT RECORDED
MAY 9 1999
SEC. 316.302 COMPLIED WITH
NICK NELSON, Auditor
WARREN COUNTY, OHIO



CHRISTI Y. DAVIS
Notary Public, State of Ohio
My Commission Expires Feb. 18, 2003
JETH BELMONT - WARREN COUNTY RECORDER
Doc # 143271 Type: 2ND DECL
Filed: 5/19/1999 10:12:41 \$ 62.00
Off Record: 1759 922 Pages: 14
Recd: 12562 Return Flag: A
EMITY RESIDENTIAL