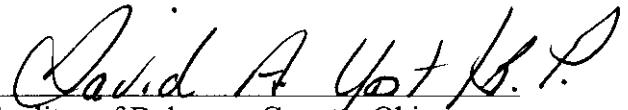


**FIRST AMENDMENT TO THE DECLARATION  
AND DRAWINGS OF  
THE VILLAGE AT WALKER WOODS CONDOMINIUMS  
PHASE II  
CABINET 2 SLIDE 309**

The undersigned hereby certifies that copies of the First Amendment to the Declaration and Drawings of The Village at Walker Woods Condominiums, Phase II have been filed with the Auditor of Delaware County, Ohio, this 25<sup>th</sup> day of Jan., 2000.

200000002399  
SCOTT MILLER BOX

  
Auditor of Delaware County, Ohio

For reference please see  
O.R. Volume 18, page 1289  
and Plat Cabinet 2, Slide 308.

200000002399  
Filed for Record in  
DELAWARE COUNTY, OHIO  
KAY E. CONKLIN  
On 01-25-2000 At 02:09 pm.  
DECLAR AMEN 44.00  
OR book 18 Page 1377 - 1384  
J. H. HARRISON

THIS INSTRUMENT PREPARED BY:  
Ronald E. Davis, Esq.  
FOLKERTH, HADDOW & DAVIS  
580 S. High Street, Suite 210  
Columbus, Ohio 43215  
g:\condo\c2130.doc

AMENDMENT TO THE DECLARATION AND DRAWINGS  
OF THE VILLAGE AT WALKER WOODS CONDOMINIUMS

Pursuant to the right and option reserved by it in Article XVII of the Declaration of The Village at Walker Woods Condominiums, of record in O.R. Volume 10 page 1289, in the Recorder's Office of Delaware County, Ohio, Village Communities Corporation, an Ohio corporation, the "Developer" of The Village at Walker Woods Condominiums as that term is defined in the Declaration, hereby amends the Declaration in the following respects to expand said Condominium by adding to it and submitting to the provisions of Chapter 5311 of the Revised Code of Ohio all of the real estate described hereinafter, all buildings, structures and other improvements located thereon and all easements, rights and appurtenances belonging thereto (hereinafter collectively referred to as the "subject property"), all of which are presently owned solely by said Village Communities Corporation.

1. Definitions. All of the terms used herein shall have the same meanings by which they were defined and used in the Declaration.

2. Property Description. The real estate which is identified as Phase II on the survey drawing prepared by Bauer, Davidson and Merchant, Inc., attached hereto as Exhibit "D" (the "Survey") and which is hereby added to the condominium property (being part of the same real estate which is identified and described in Section 4, Article XVII of the Declaration and being part of the "Additional Property") and is described as follows:

See Exhibit "A" attached hereto being a 1.642 acre tract of land

The foregoing submission being subject, however, to all legal highways and rights-of-way, easements, covenants, conditions and restrictions of record, if any.

The above referenced description was prepared by Bauer, Davidson and Merchant, Inc.

3. Name. The condominium property, as expanded, shall continue to be known as The Village at Walker Woods Condominiums.

4. Uses and Use Restrictions. The condominium property, as expanded, shall continue to be used, subject to the terms, conditions, covenants, restrictions, reservations, agreements, obligations and charges described in the Declaration.

5. Description of Buildings Comprising Part of the Subject Property. There are two (2) buildings constructed on the 1.642 acre parcel of real estate described in Section 2 hereinabove and thus become part of the condominium property by virtue of this amendment. The buildings each contain four (4) residential condominium units with attached garages being included in the definition of a unit herein. The principal materials of which said buildings are constructed are concrete, concrete block, brick, wood, asphalt shingles, glass and drywall.

6. Description of Units Comprising Part of the Subject Property. All particulars of the above described buildings and the eight (8) residential units located therein are shown graphically on the Survey attached to this amendment as Exhibit "D" and as set forth on Exhibit "D" attached to the original Declaration and made a part hereof by this reference (hereinafter the Survey and said construction drawings are collectively referred to as the "Supplementary Drawings"). The precise location of the buildings and the units is shown on the Survey. Each unit is delineated and described in the same manner as units are described in the Declaration.

A table follows which sets forth the numerical designation for each unit in Phase II, and the approximate square footage area of each unit:

<u>Unit Designation</u>	<u>Unit Type</u>		<u>Approximate Interior Square Footage including garage area</u>
	<u>1(Two Bedroom -2 car garage)</u>	<u>2(Three Bedroom-2 car garage)</u>	
2990		2	1980
2992	1		1630
3008	1		1630
3010		2	1980
3014	1		1630
3016		2	1980
3026		2	1980
3028	1		1630

7. Description of the Common Areas and Facilities and Limited Common Areas and Facilities Comprising Part of the Subject Property. The common areas which are part of the subject property and which thus become part of the condominium property by virtue of this amendment have the same description as set forth in Sections 1 and 2, Article VI of the Declaration.

8. Allocation and Reallocation of Percentages of Interest in the Common Areas. As is required by Section 5311.051 of the Ohio Revised Code, the percentages of interest in the common areas of the condominium property, as expanded, which are appurtenant to each unit of The Village at Walker Woods Condominiums are hereby allocated and reallocated in the proportion that the fair market value of each unit at the present time bears to the aggregate fair market value of all units. The table which follows sets forth the unit designation approximate

interior square footage, and the percentages of interest for all twenty (20) units as they have been allocated and reallocated pursuant to this formula.

<u>Unit Designation</u>	<u>Unit Type</u> 1(Two Bedroom -2 car garage) 2(Three Bedroom-2 car garage)	<u>Approximate Interior Square Footage including garage area</u>	<u>Undivided Interest in the Common Area</u>
2977	2	1980	*
2979	2	1980	*
2991	2	1980	*
2993	2	1980	*
2997	2	1980	*
2999	1	1630	*
3015	1	1630	*
3017	2	1980	*
3021	1	1630	*
3023	1	1630	*
3027	1	1630	*
3029	1	1630	*
2990	2	1980	*
2992	1	1630	*
3008	1	1630	*
3010	2	1980	*

Unit Designation	Unit Type 1(Two Bedroom -2 car garage) 2(Three Bedroom-2 car garage)	Approximate Interior Square Footage including garage area	Undivided Interest in the Common Area
3014	1	1630	*
3016	2	1980	*
3026	2	1980	*
3028	1	1630	*

\*Note: The Sixth Amendment filed simultaneous herewith sets forth the undivided interests for all phases, through Phase VII.

9. Membership in the Association. Each owner of a unit of The Village at Walker Woods Condominiums as expanded, shall be a member of The Village at Walker Woods Condominium Association, the organization which has been established to administer the condominium property. A true copy of the Bylaws of the Association are attached to the original Declaration.

10. Amendment of the Declaration. The Declaration, as amended by this instrument, is subject to further amendment pursuant to the procedures set forth in Article XVII of the Declaration.

11. Drawings. The Supplementary Drawings which are attached hereto as Exhibit "D" is hereby added to and made a part of the Drawings of The Village at Walker Woods Condominiums which were filed in conjunction with the Declaration and Amendments thereto and are recorded in Plat Cabinet 2, Slide 308, Recorder's Office, Delaware County, Ohio. Except to the extent that they are modified or superseded by the Supplementary Drawings, those prior Drawings shall continue in full force and effect.

12. Miscellaneous Provisions. Except to the extent that they are modified or amended by this instrument, either specifically or implicitly, all provisions of the Declaration shall continue in full force and effect and shall apply to the additional property and the owners of units therein in the same manner and to the same extent as they apply to the condominium property as it was initially described in the Declaration and the owners of all units which are a part thereof.

The invalidity or unenforceability of any term, provision, covenant or condition set forth in this amendment, or any part thereof, shall not affect or impair the validity, enforceability or effect of the remainder of this amendment.

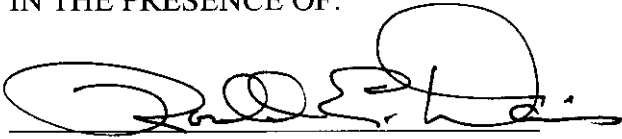
The captions of the various sections of this amendment are merely labels to assist in locating the various provisions hereof and shall not be considered when interpreting or construing this instrument.

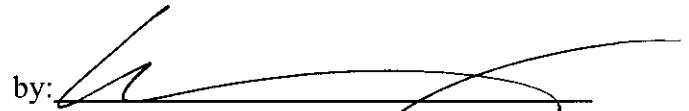
Each pronoun used herein shall be singular or plural and male, female or neuter, as the context or the number and gender of its antecedent may require. All incidental grammatical changes which might be necessary to make the provisions of the amendment apply to one or several persons shall be assumed in all cases as though fully and properly expressed.

IN WITNESS WHEREOF, Village Communities Corporation, has caused this Amendment of the Declaration of The Village at Walker Woods Condominiums to be executed and acknowledged this 20<sup>th</sup> day of JANUARY, 2000.

SIGNED AND ACKNOWLEDGED  
IN THE PRESENCE OF:

Village Communities Corporation,  
an Ohio corporation

  
Witness

by:   
Donald R. Kenney, President

Donald E. Davis  
(Print Name)

  
Witness

DJ BETTS  
(Print Name)

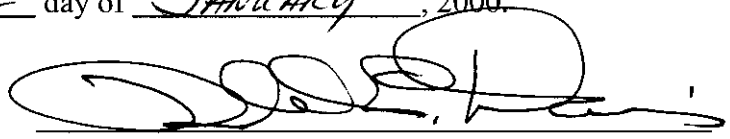
STATE OF OHIO,  
COUNTY OF FRANKLIN, ss:

BE IT REMEMBERED, that on this 20<sup>th</sup> day of JANUARY, 2000, before me, the subscriber, a Notary Public in and for said County, personally appeared the above named Village Communities Corporation, an Ohio corporation, by Donald R. Kenney, its President, who acknowledged that he did sign the foregoing instrument and that the same is the free act and deed of said Corporation, and the free act and deed of Donald R. Kenney personally and as such officer.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal at Columbus, Ohio this 20<sup>th</sup> day of JANUARY, 2000.



RONALD E. DAVIS, Attorney-At-Law  
NOTARY PUBLIC, STATE OF OHIO  
My commission has no expiration date  
Section 147.03 R.C.

  
Notary Public

DECLARATION OF CONDOMINIUM  
THE VILLAGE AT WALKER WOODS CONDOMINIUMS  
PHASE II

LEGAL DESCRIPTION, PROPERTY ADDED

(First Amendment, 1.642 Ac.)

Situated in the State of Ohio, County of Delaware, Township of Orange, being in Farm Lot 23, Quarter Township 4, Township 3, Range 18, United States Military Lands, containing 1.642 acres of land, more or less, said 1.642 acres being part of that 19.259 acre tract of land described in the deed to Village Communities Corporation, of record in Deed Book 665, Page 267, Recorder's Office, Delaware County Ohio, said 1.642 acre tract of land being more particularly described as follows:

Beginning, for reference, at an iron pin found at the southeasterly corner of that 73.809 acre tract of land described in the deed to The McLimited Partnership II, of record in Deed Book 615, Page 613, Recorder's Office, Delaware County, Ohio, in the northerly line of Farm Lot 23, same being the southeasterly corner of Farm Lot 4 and the southwesterly corner of Farm Lot 5, said reference point being the southwesterly corner of that tract of land referred to as FIRST TRACT, and described in the deed to Paul W. & Eula H. McCammon of record in Deed Book 516, Page 763, Recorder's Office, Delaware County, Ohio;

Thence N 86°45'27"W, with the northerly line of that original 127.536 acre tract of land described in the deed to Planned Communities, Inc. of record in Deed Book 627, Page 749, Recorder's Office, Delaware County, Ohio, with the northerly line of said Farm Lot 23, with the southerly line of said Farm Lot 4, and with the southerly line of said 73.809 acre tract, a distance of 205.94 feet to an iron pin found at the northeasterly corner of said 19.259 acre tract; thence southerly and southeastwardly with the easterly line of said 19.259 acre, the following two (2) courses and distances:

- 1) S3°20'40"W, a distance of 435.64 feet to an iron pipe found;
- 2) S65°54'13"E, a distance of 388.80 feet to an iron pin found at a northeasterly corner of said 19.259 acres in the arc of a curve in the westerly right-of-way line of Walker Wood Boulevard;

Thence southwestwardly, westwardly with the southeasterly line of said 19.259 acre tract and with the westerly right-of-way line of said Walker Wood Boulevard, the following three (3) courses and distances:

- 1) with the arc of a curve to the right having a radius of 666.00 feet, a central angle of 22°07'21" and a chord that bears S33°41'04"W, a chord distance of 255.55 feet to an iron pin found;
- 2) with the arc of a curve to the right, having a radius of 20.00 feet, a central angle of 94°26'21" and a chord that bears N88°02'07"W, a chord distance of 29.36 feet to an iron pipe found;
- 3) S49°11'03"W, a distance of 28.73 feet to an iron pin found at the true point of beginning;

Thence, from said true point of beginning, southwestwardly, westwardly with the southeasterly line of said 19.259 acre tract and with the westerly right-of-way line of said Walker Wood Boulevard, the following three (3) courses and distances:

- 1) S49°11'03"W, a distance of 31.27 feet to an iron pin found at a point on a curve;
- 2) with the arc of a curve to the right having a radius of 20.00 feet, a central angle of 94°26'21" and a chord that bears S6°24'14"W, a chord distance of 29.36 feet to an iron pipe found at a point of compound curvature;

DECLARATION OF CONDOMINIUM THE VILLAGE AT WALKER WOODS  
CONDOMINIUMS

## PHASE II

LEGAL DESCRIPTION, PROPERTY ADDED

(First Amendment, 1.642 Ac.) -(CONT'D)-

3. with the arc of a curve to the right having a radius of 666.00 feet, a central angle of 15°02'43" and a chord that bears S61°08'44"W, a chord distance of 174.38 feet to an iron pin found at a southeasterly corner of said 19.259 acre tract;

Thence northwestwardly and westwardly, with the southerly line of said 19.259 acre tract, the following two (2) courses and distances:

- 1) N41°35'06"W, a distance of 213.63 feet to an iron pipe found;  
2) N54°23'14"W, a distance of 91.79 feet to an 3/4-inch (I.D.) iron pipe set;

Thence N50°56'13"E, crossing said 19.259 acres, a distance of 88.83 feet to a point;

Thence N36°09'22"E, a distance of 49.63 feet to a point;

Thence N50°56'13"E, a distance of 66.27 feet to a point;

Thence S58°16'23"E, a distance of 137.97 feet to a point of curvature;

Thence southeastwardly with the arc of a curve to the right having a radius of 100.00 feet, a central angle of 17°28'09" and a chord that bears S49°33'01"E, a chord distance of 30.37 feet to a point of tangency;

Thence S40°48'57"E, a distance of 163.46 feet to the true point of beginning and containing 1.642 acres of land, more or less.

Subject to all rights-of-way, easements and restrictions, if any, of previous record.

The bearings referred to in the foregoing description correspond to the bearing of S3°21'51"W, as given for the centerline of Walker Wood Boulevard and shown on the recorded plat of Walker Wood Section 1 of Cabinet 2, Pages 160-160A-160B-160C, Recorder's Office, Delaware County, Ohio.

BAUER, DAVIDSON & MERCHANT, INC.  
Consulting Engineers

By Gatis Erenpreiss  
Gatis Erenpreiss  
Professional Surveyor No. 5572

