

**SECOND AMENDMENT TO THE DECLARATION
AND DRAWINGS OF
THE VILLAGE AT WALKER WOODS CONDOMINIUMS
PHASE III**

CABINET 2 SLIDE 310

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

200000002402
SCOTT MILLER BOX

David A. Yost B.P.
Auditor of Delaware County, Ohio

For reference please see

O.R. Volume 18, page 1289
and Plat Cabinet 2, Slide 308

For reference please see

O.R. Volume 18, page 1377
and Plat Cabinet 2, Slide 309.

200000002402
Filed for Record in
DELAWARE COUNTY, OHIO
KAY E. CONKLIN
On 01-25-2000 At 02:17 pm.
DECLAR AMEN 48.00
OR book 18 Page 1386 - 1394
3 Notations

THIS INSTRUMENT PREPARED BY:

Ronald E. Davis, Esq.
FOLKERTH, HADDOW & DAVIS
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Columbus, Ohio 43215
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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 18 page 1289, and O.R. Volume 18 page 1371, 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 III 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 1.292 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 1.292 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 III, and the approximate square footage area of each unit:

<u>Unit Designation</u>	<u>Unit Type 1(Two Bedroom -2 car garage) 2(Three Bedroom-2 car garage)</u>	<u>Approximate Interior Square Footage including garage area</u>
2936	2	1980
2938	1	1630
2958	1	1630
2960	2	1980
2964	2	1980
2966	1	1630
2984	1	1630
2986	2	1980

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-eight (28) 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	*

<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>
3014	1	1630	*
3016	2	1980	*
3026	2	1980	*
3028	1	1630	*
2936	2	1980	*
2938	1	1630	*
2958	1	1630	*
2960	2	1980	*
2964	2	1980	*
2966	1	1630	*
2984	1	1630	*
2986	2	1980	*

*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 and Plat Cabinet 2, Slide 309, 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 20th day of JANUARY, 2000.

SIGNED AND ACKNOWLEDGED
IN THE PRESENCE OF:



Witness

Ronald E. Davis
(Print Name)



Witness

DJ BETTS
(Print Name)

Village Communities Corporation,
an Ohio corporation

by: 

Donald R. Kenney, President

STATE OF OHIO,
COUNTY OF FRANKLIN, ss:

BE IT REMEMBERED, that on this 20th 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 20th day of JANUARY, 2000.



Notary Public



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

DECLARATION OF CONDOMINIUM
THE VILLAGE AT WALKER WOODS CONDOMINIUMS
PHASE III

LEGAL DESCRIPTION, CONDOMINIUM PROPERTY
(Second Amendment, 1.292 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 1.292 acres of land, more or less, said 1.292 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 1.292 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, the same being the southeasterly corner of Farm Lot 4 and the southwesterly corner of Farm Lot 5, said reference point being the southeasterly 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 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 of land; thence S 3°20'40"W, with the easterly line of said 19.259 acre tract, a distance of 171.68 feet to a point; thence N86°39'07"W, a distance of 182.59 feet to a point; thence S30°20'53"W, a distance of 26.91 feet to a point; thence N87°09'57"W, a distance of 190.79 feet to a point; thence S3°21'55"W, a distance of 127.15 feet to a point; thence S86°37'58"E, a distance of 44.34 feet to a point; thence S3°22'02"W, a distance of 145.49 feet to the true point of beginning at a point in a curve;

Thence, from said true point of beginning, southeastwardly with the arc of a curve to the right, having a radius of 150.00 feet, a central angle of 34°03'37" and a chord that bears S69°36'09"E, a chord distance of 87.86 feet to a point of tangency;

Thence S52°34'21"E, a distance of 202.71 feet to a point;

Thence S58°55'12"E, a distance of 2.60 feet to a point;

Thence S50°56'13"W, a distance of 66.27 feet to a point;

Thence S36°09'22"W, a distance of 49.63 feet to a point;

Thence S50°56'13"W, a distance of 88.83 feet to a 3/4-inch (I.D.) iron pipe set in a southerly line of said 19.259 acres;

Thence N55°23'14"W, with a southerly line of said 19.29 acres, a distance of 192.76 feet to an iron pipe found at a corner of said 19.259 acres;

Thence N86°30'33"W, with a southerly line of said 19.259 acres, a distance of 16.49 feet to a 3/4-inch (I.D.) iron pipe set;

Thence N3°22'02"E, a distance of 73.13 feet to a point;

Thence N34°11'11"E, a distance of 24.71 feet to a point;

DECLARATION OF CONDOMINIUM THE VILLAGE AT WALKER WOODS
CONDOMINIUMS

PHASE III

LEGAL DESCRIPTION, CONDOMINIUM PROPERTY

(Second Amendment, 1.292 Ac.) -(CONT'D)-

Thence N3°22'02"E, a distance of 92.54 feet to a point;

Thence S86°33'10"E, a distance of 55.74 feet to the true point of beginning and containing 1.292 acres of land, more or less.

Subject to all rights-of-way, easements and restriction, 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 record in 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

