

TRANSFER NOT NECESSARY
ROGER REYNOLDS, CPA
BY CO 10-1-20 DEPT.
AUDITOR, BUTLER CO., OHIO


Recorded: 10/01/2020 02:58 PM Page: 1 of 7
File # 2020-00045491 Fee Amt. \$74.00
BUTLER County, Ohio DANNY N. CRANK, Recorder
EK 9517 PG 1865

ASSIGNMENT OF DECLARANT'S RIGHTS

This Assignment of Declarant's Rights (the "Assignment") is made this 25 day of September, 2020 by and between Welsh Development Company, Inc., an Ohio corporation (the "Assignor") and K & M Communities, LLC, an Ohio limited liability company (the "Assignee") under the following circumstances:

WHEREAS, Assignor has agreed to assign and transfer to Assignee and Assignee has agreed to accept and assume the rights of Assignor as the Declarant for the Property as provided in the Declaration for the benefit of Emerald Lake Subdivision as recorded in Official Record Volume 7977, Page 1134 of the Butler County, Ohio Recorder, as amended, and in relation to Emerald Lake Homeowners Association, Inc. (the "Association") and the property currently owned by Assignee is described on Exhibit "A" attached hereto and incorporated herein.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties hereby agree as follows:

1. Assignor hereby assigns to Assignee and Assignee hereby accepts and assumes (i) the rights of Assignor as Declarant under the Declaration for the Property, (ii) the rights of Assignor as a member of the Association, and (iii) all other rights of Assignor as developer or Declarant of the Subdivision or as a member, manager, officer or director of the Association for the Property, provided, however, that to the extent Assignor has retained ownership of any individual Lot (as defined in the Declaration) in the Subdivision, Assignor shall retain the same rights as other owners of Lots. Assignor shall further retain all rights under its property retained.

2. Assignor retains responsibility for and agrees to indemnify Assignee against any and all claims damages, losses and expenses arising out of or in respect of the documents and obligations described in Paragraph 1 arising or accruing prior to the date of this Assignment, including but not limited to matters relating to previous phases of the Subdivision. Assignee agrees to indemnify and hold Assignor harmless from and against any and all claims, damages, losses and expenses that may arise out of or in respect of the documents and obligations described in Paragraph 1 arising or accruing from and after the date of this Assignment, including but not limited to matters relating to later developed phases of the Subdivision.



Executed this 25th day of September, 2020.

ASSIGNOR:

Welsh Development Company, Inc.

By: David L. Welsh
David L. Welsh, President

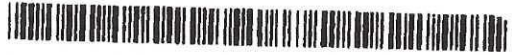
STATE OF OHIO :
 : SS
COUNTY OF Butler :

The foregoing instrument was acknowledged before me this 25th day of September, 2020, by David L. Welsh, President of Welsh Development Company, Inc., an Ohio corporation, on behalf of the corporation.



Paula Kay Sams
Notary Public

PAULA KAY SAMS
Notary Public, State of Ohio
My Commission Expires Aug. 15, 2024



ASSIGNEE:

K & M Communities, LLC

By: *Kevin Keyes*
Kevin Keyes, Managing Member

STATE OF OHIO :
 : SS
COUNTY OF Butler :

The foregoing instrument was acknowledged before me this 25th day of September, 2020, by Kevin Keyes, Managing Member of K & M Communities, LLC, an Ohio limited liability company, on behalf of the company.



Paula Kay Sams
Notary Public

PAULA KAY SAMS
Notary Public, State of Ohio
My Commission Expires Aug. 19, 2024

Prepared by Tina M. Donnelly, Esq, Aronoff, Rosen & Hunt, 2200 U.S. Bank Tower, 425 Walnut Street, Cincinnati, Ohio 45202, 513/241-0400.



EXHIBIT A PAGE 1

Date: June 15, 2015
Description: Part of Lot #525
12.638 Acre Tract
Location: City of Fairfield
Butler County, Ohio



Situated in the State of Ohio, Between the Miamis, Butler County, Section 2 and Section 3, Town 3, Range 2, Part of Lot #525, City of Fairfield, and being part of the lands of Welsh Development Company, Inc., as recorded in Official Record 7365, Page 15811 of the Butler County, Ohio, Recorder's Office and being further described as follows: * AND PART LOT # 335

Beginning at a 1" iron pin at the northwest corner of Lot #13547 of Emerald Lake, Section One, as recorded in Plat Envelope 3778, Pages A-C of the Butler County, Ohio, Recorder's Office and being the True Point of Beginning;

thence, with the westerly boundary of said Emerald Lake, Section One for the following three courses:

- 1) South 02° 04' 01" West, 161.67 feet to a set 5/8" iron pin;
- 2) South 04° 52' 07" West, 372.56 feet to a found 1" iron pin;
- 3) South 08° 14' 38" East, 218.50 feet to a found 1" iron pin on the northwest corner of Lot #13844 of Emerald Lake, Section Three as recorded in official Record 7977, Page 1132-1133 of the Butler County, Ohio, Recorder's Office;

thence, leaving said westerly boundary of said Emerald Lake, Section One and with the westerly boundary of said Emerald Lake, Section Three for the following five courses:

- 1) South 36° 18' 32" West, 105.54 feet to a set 5/8" iron pin;
- 2) South 04° 49' 14" West, 111.30 feet to a set 5/8" iron pin;
- 3) North 85° 10' 46" West, 32.49 feet to a set 5/8" iron pin;
- 4) South 04° 49' 14" West, 202.87 feet to a set 5/8" iron pin;
- 5) South 85° 10' 46" East, 90.00 feet to a found 1" iron pin on the northwest corner of Lot #13778 of Emerald Lake, Section Two as recorded in Plat Envelope 3846, Page A-C of the Butler County, Ohio, Recorder's Office;

thence, leaving said westerly boundary of said Emerald Lake, Section Three and with the westerly boundary of said Emerald Lake, Section Two, South 30° 10' 35" West, 105.13 feet to a found 1" iron pin;

thence, South 02° 39' 11" East, 299.52 feet to a found 1" iron pin on the northerly boundary of Parliament Hills; Section Four as recorded in Plat Envelope 729, Page D of the Butler County, Ohio, Recorder's Office;

thence, leaving said westerly boundary of Emerald Lake, Section Two and with said northerly boundary of Parliament Hills, Section Two, North 89° 14' 55" West, 396.72 feet to a found concrete monument

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6900 Tylersville Road, Suite A
Mason, Ohio 45040
513-336-6600

209 Grandview Drive
Fort Mitchell, Kentucky 41017
859-261-1113

318 South College Avenue
Oxford, Ohio 45056
513-523-4270

1404 Race Road
Cincinnati, Ohio 45202
859-261-1113

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EXHIBIT A PAGE 2

on the northwest corner of Lot #7261 of Parliament Hills, Section Three as recorded in Plat Envelope 708, Page "A" and being on the easterly boundary of Hunter's Crest, Section Three as recorded in Plat Envelope 722, Page D of the Butler County, Ohio, Recorder's Office;

thence, leaving said northwest corner of Parliament Hills, Section Three and with said easterly boundary of Hunter's Crest, Section Three, North 04° 49' 14" East, 1211.61 feet to a found stone on the southeast corner of Lot #5368 of Pleasant Ridge Park, Section Seven as recorded in Plat Envelope 619, Page C and being on the northeast corner of Hunter's Crest as recorded in Plat Envelope 634, Page "D" of the Butler County, Ohio, Recorder's Office;

thence, leaving said northeast corner of Hunter's Crest with the easterly boundary of said Pleasant Ridge Park, Section Seven, North 05° 58' 17" East, 343.49 feet to a found concrete monument on the southerly boundary of said Pleasant Ridge Park, Section Seven;

thence, with said southerly boundary of Pleasant Ridge Park, Section Seven, South 87° 55' 59" East, 336.03 feet to the **True Point of Beginning** containing 550,506 square feet or 12.638 acres of land, more or less, of which 9.952 acres are located in said Section 2 and 2.686 acres in Section 3 and being subject to all legal highways, easements, restrictions and agreements of record.

The above description was prepared from a field survey prepared by Bayer Becker, David Douglas Smith, Professional Land Surveyor #7121 in the State of Ohio, August 12, 2015. The plat of which is recorded in Volume 57, Page 122 of the Butler County Engineers Record of Land Surveys

Prior References: Official Record 7365, Page 1581.

Basis of Bearings: Official Record 7977, Pages 1132-1133.

All iron pins set are 5/8" diameter rebar 30" long with a plastic cap stamped "Bayer Becker".

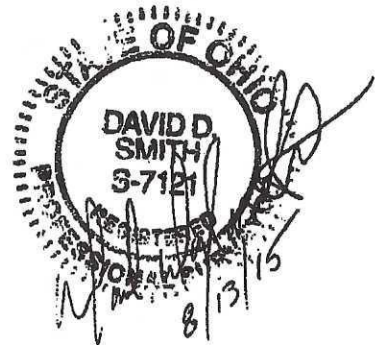




Exhibit "A" Page 4

Entire lot **13538** in Emerald Lake, Section One a subdivision located in and said lot being known and designated on the list of lots of the City of Fairfield, Butler County, Ohio. The Plat of said subdivision is located in Envelope 3778, pages A through C of the Engineer's Records of Butler County, Ohio.

Lot 13538 A0700-095-000-106 5864 Emerald Lake Dr.

Entire lots **13781, 13782, 13784, 13785, 13786, 13787 and 13788** in Emerald Lake, Section Two a subdivision located in and said lot being known and designated on the list of lots of the City of Fairfield, Butler County, Ohio.

The Plat of said subdivision is located in Envelope 3846, pages A through C of the Engineer's Records of Butler County, Ohio.

Lot 13781	A0700-253-000-047	6270 Casey Ct.
Lot 13782	A0700-253-000-048	6262 Casey Ct.
Lot 13784	A0700-253-000-050	6246 Casey Ct.
Lot 13785	A0700-253-000-051	6238 Casey Ct.
Lot 13786	A0700-253-000-052	6230 Casey Ct.
Lot 13787	A0700-253-000-053	6222 Casey Ct.
Lot 13788	A0700-253-000-054	6214 Casey Ct.

Entire lot **13856** in Emerald Lake, Section Three a subdivision located in and said lot being known and designated on the list of lots of the City of Fairfield, Butler County, Ohio.

The Plat of said subdivision is located in Envelope 7977, page 1132 of the Engineer's Records of Butler County, Ohio.

Lot 13856 A0700-253-000-084 40 Coltan Ct