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Lynda L. Kovach, Esq.
50 Public Square, Suite 2000
Cleveland, Ohio 44113

August 14, 2016

Tinkers Green HOA
c/o Thomas Claflin, President
1275 Creekledge Court
Streetsboro, Ohio 44241

Re: Pool Amendment

Dear Mr. Claflin:

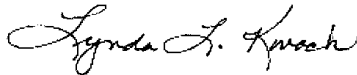
Enclosed, please find the original, fully executed and recorded Amendment to the Amendment to Declaration and Covenants, Conditions, Restrictions and Reservation of Easements for Tinker's Green Subdivision. The Amendment was filed with the Portage County Recorder's Office on August 1, 2016, at Instrument No. 201611873. The Amendment became binding and effective on the date it was filed. Please keep the original Amendment in the Association's permanent file.

Upon receipt of the Amendment, arrangements need to be made to have the entire document copied and delivered to every owner, including the Board members. In doing so, owners should be advised to file the Amendment with their respective copy of the Declaration and Bylaws and that all of the documents must be passed onto the future buyer of their home.

With the receipt of the recorded Amendment, our work on this matter is complete and I have closed our file accordingly.

Should you or any of the Board members have any questions, please do not hesitate to telephone me.

Sincerely yours,



LYNDA L. KOVACH

LLK: rsg
Enclosure
xc: All Board Members (without enclosures)

CLEVELAND
Terminal Tower
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WMP
BURDETTE M. HOWE
PORTAGE CO. RECORDER

201611873 AD-15

RECEIVED BY RECORD
AT 11:44:42
FEB 5 2017

INDEXED

AMENDMENT TO THE
AMENDMENT TO DECLARATION AND COVENANTS, CONDITIONS,
RESTRICTIONS AND RESERVATION OF EASEMENTS
FOR ✓
TINKER'S GREEN SUBDIVISION

PLEASE CROSS MARGINAL REFERENCE WITH THE AMENDMENT TO
DECLARATION AND COVENANTS, CONDITIONS, RESTRICTIONS AND
RESERVATION OF EASEMENTS FOR TINKER'S GREEN SUBDIVISION
RECORDED AT INSTRUMENT NO. 200905472 OF THE PORTAGE COUNTY
RECORDS 5

NOW THEREFORE, the Amendment to Declaration and Covenants, Conditions, Restrictions and Reservation of Easements for Tinker's Green Subdivision is amended by the following:

MODIFY DECLARATION ARTICLE IX, SECTION 9.2.16, entitled "Pools and Spas." Said modification, to be made on Page 22 of the Declaration, as recorded at Portage County Records, Instrument No. 200905472, is as follows (deleted language is crossed-out; new language is underlined):

In-ground and above-ground swimming pools, hot tubs and spas ~~shall be~~ are permitted in the Rear Yard only. ~~No above ground swimming pools shall be permitted.~~ All hot tubs and spas must be either incorporated into a deck with enclosed sides, resting on a deck or patio with the manufacturers provided side enclosures, or in-ground integrated with-in a patio. All hot tubs and spas must be screened with a privacy fence in accordance with the Design Guidelines.

Any conflict between these provisions and any other provisions of the Declaration and Bylaws will be interpreted in favor of this amendment for permitting above-ground swimming pools. The invalidity of any part of the above provision does not impair or affect in any manner the validity or enforceability of the remainder of the provision. Upon the recording of this amendment, only Owners of record at the time of such filing have standing to contest the validity of the amendment, whether on procedural, substantive, or any other grounds, provided further that any such challenge must be brought in the court of common pleas within one year of the recording of the amendment.

The Tinker's Green Homeowner's Association has caused the execution of this instrument this 17 day of July, 2016.

TINKER'S GREEN HOMEOWNER'S ASSOCIATION

By: Thomas R. Claflin
THOMAS CLAFLIN, its President

By: Liz Billingsley
LIZ BILLINGSLEY, its Secretary

STATE OF OHIO

COUNTY OF Portage) SS

BEFORE ME, a Notary Public, in and for said County, personally appeared the above named Tinker's Green Homeowner's Association, by its President and its Secretary, who acknowledged that they 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 each of them personally and as such officers.

17 I have set my hand and official seal in Streetsboro, Ohio, this day of July, 2016.

Stacy Matusik
NOTARY PUBLIC

X
This instrument prepared by:
KAMAN & CUSIMANO, LLC,
Attorneys at Law
2000 Terminal Tower
50 Public Square
Cleveland, Ohio 44113
(216) 696-0650
ohiohoalaw.com

Place notary stamp/seal here:



STACY MATUSIK, NOTARY
STATE OF OHIO
MY COMMISSION EXPIRES: 10/23/16

EXHIBIT A

CERTIFICATION OF PRESIDENT

STATE OF OHIO)
COUNTY OF Portage) SS

THOMAS CLAFLIN, being the duly elected and acting President of the Tinker's Green Homeowner's Association, certify that the proper notices were sent and that the requisite vote was obtained in accordance with the provisions set forth in the Declaration for amendments.


THOMAS CLAFLIN, President

BEFORE ME, a Notary Public in and for said County, personally appeared the above named THOMAS CLAFLIN, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed.

IN TESTIMONY WHEREOF, I have set my hand and official seal in Streetsboro, Ohio, this 17 day of July, 2016.


NOTARY PUBLIC

