

SPECIAL AMENDMENT NO. 3 TO AMENDED DECLARATION OF
CONDOMINIUM OWNERSHIP FOR WINSLOW ESTATES CONDOMINIUM

AURORA, OHIO

CORRECTING CERTAIN LEGAL DESCRIPTIONS SET FORTH IN THE SECOND
AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR WINSLOW
ESTATES CONDOMINIUMS AND THE PHASE II ALLOTTED DRAWINGS

This will certify that copies of this Special
Amendment No. 3 to Amended Declaration of
Condominium Ownership for Winslow Estates
Condominium and the Drawings referred to therein,
have been filed in the office of the County Auditor,
Portage County, Ohio.

Date: JAN 11 2002
11, 2001

Janet Esposito
Portage County Auditor

By: P. Edgar
Deputy Auditor

THIS INSTRUMENT PREPARED BY:

RICHARD A. ROSNER, ATTORNEY AT LAW
KAHN, KLEINMAN, YANOWITZ & ARNSON CO., L.P.A.
THE TOWER AT ERIEVIEW, SUITE 2600
1301 EAST NINTH STREET
CLEVELAND, OHIO 44114-1824
TEL: (216) 696-3311

med
LINDA FANKHAUSER
PORTAGE CO. RECORDER

Plat 2002-3

200201096 4118

RECEIVED FOR RECORD
AT 9:44:58
FEE 78.00

INDEXED

SPECIAL AMENDMENT NO. 3 TO

THE AMENDED DECLARATION OF CONDOMINIUM OWNERSHIP

FOR WINSLOW ESTATES CONDOMINIUM ✓

AURORA, OHIO

CORRECTING CERTAIN LEGAL DESCRIPTIONS SET FORTH IN THE SECOND
AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR WINSLOW
ESTATES CONDOMINIUMS AND THE PHASE II ALLOTTED DRAWINGS

WHEREAS, Ohio Land Development (Aurora), Inc., an Ohio corporation, hereinafter referred to as "Declarant", filed for record the Declaration of Condominium Ownership ("Declaration") with the Bylaws attached thereto, and Drawings incorporated by reference therein, on April 28, 1997 with the Portage County Recorder, the Declaration being recorded as Recorder's Instrument Number 9708618, O.R. Volume 192, Page 979, et seq. of Portage County Records and the Drawings being recorded in Plat Volume 97-29 of Portage County Condominium Map Records and thereby submitted Phase No. I of Winslow Estates Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the Condominium Property Act); and

WHEREAS, Declarant, by Amended Declaration of Condominium Ownership ("Amended Declaration") recorded on February 20, 1998 with the Portage County Recorder in O.R. Volume 272, Page 108, et seq. of Portage County Records and the Drawings as Plat Volume 98-10 of Portage County Condominium Map Records and thereby correcting the Declaration and resubmitting Phase No. I and the Additional Property of Winslow Estates Condominium to the provisions of Chapter 5311 of the Ohio Revised Code. The Amended Declaration superseded the Declaration; and

WHEREAS, Declarant, by Second Amendment to Amended Declaration ("Second Amendment") recorded on December 21, 2000 with the Portage County Recorder in Book 593, Page 132, et seq. of Portage County Records and the Drawings as Plat Volume 2000-93 of Portage County Condominium Map Records submitted Phase No. II of Winslow Estates Condominium ("Phase II Drawings") to the provisions of Chapter 5311 of the Ohio Revised Code; and

WHEREAS, Declarant, by Special Amendment to Amended Declaration ("Special Amendment") recorded on July 31, 2001 with the Portage County Recorder at Instrument No. 200120507 of Portage County Records thereby corrected and added certain provisions to the Declaration in order to bring the Amended Declaration into compliance with Chapter 5311 of the Ohio Revised Code (the Ohio Condominium Act); and

WHEREAS, Declarant, by Third Amendment to Amended Declaration ("Third Amendment") recorded on July 31, 2001 with the Portage County Recorder at Instrument No. 200120508 of Portage County Records and the Drawings in Plat Volume 2001-71 of Portage County Records thereby submitted Phase III of Winslow Estates Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the "Ohio Condominium Act") and amended the Amended Declaration of Condominium Ownership to add Article XIII (provisions as to Easements, Units and Common Areas and Facilities) to the Amended Declaration; and

WHEREAS, Declarant, by Special Amendment No. 2 to the Amended Declaration ("Special Amendment No. 2") recorded on September 13, 2001 with the Portage County Recorder at Instrument No. 200125286 of Portage County Records pursuant to Article XI(I) of the Amended Declaration added certain provisions with respect to the rights of first mortgagees of Units to the Amended Declaration of Condominium Ownership; and

WHEREAS, under Article XI(I) of the Amended Declaration, the right was reserved by the Declarant to file an Amendment to the Amended Declaration, the By-Laws and Exhibits to correct any scrivener's error or other inadvertent error, and to bring the Amended Declaration into compliance with the Ohio Condominium Act, so long as such correction does not adversely effect any Unit Owner; and

WHEREAS, pursuant to the right reserved under Article XI(I) of the Amended Declaration, the Declarant desires to correct the following errors and inconsistencies and violations of the Ohio Condominium Act contained in the Second Amendment that submitted Phase II to the Condominium Development: (i) the Phase II Allotted Drawings inadvertently included as part of Phase II a portion of the Additional Property; (ii) Exhibit "B" to the Second Amendment inadvertently included said portion in the legal description of Phase II; (iii) the Phase II Allotted Drawings inadvertently omitted the location of the Limited Common Areas as required by Section 5311.07 of the Ohio Condominium Act; and (iv) the Architectural Drawings for Unit Nos. 4 and 63 were inadvertently omitted from the Phase II Allotted Drawings as required by Section 5311.07 of the Ohio Condominium Act; and

WHEREAS, pursuant to Article XI(I) of the Amended Declaration, the Declarant has determined that such amendment to the Condominium Property and the Additional Property will not adversely effect the interest of any Unit Owner or mortgagee; and

WHEREAS, pursuant to Article VI C(1) of the Amended Declaration, Declarant desires to designate the area for the Limited Common Areas and Facilities for the exclusive use and benefit of the Unit Owners of Unit Nos. 4 and 63; and

WHEREAS, in furtherance of the rights reserved unto the Declarant to amend the Amended Declaration by a special amendment, Article X (C) and Article XII of the Amended Declaration grants to the Declarant a power coupled with an interest to vote in favor of, make or consent to a special amendment on behalf of each Owner as such Owner's proxy and attorney-in-fact and provides that each deed, mortgage or other instrument affecting a Unit, and the acceptance thereof, shall be deemed to be a grant and acknowledgement of, and a consent to, the

reservation of the power of the Declarant to make and record a special amendment for the purposes set forth herein.

NOW, THEREFORE, Declarant, pursuant to the authority of Article X and XI(I) of the Amended Declaration, hereby declares that the Second Amendment and the Phase II Allotted Drawings be and the same hereby are amended by this Special Amendment No. 3 as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Amended Declaration).

1. Section 1 of the Second Amendment is hereby deleted and the following language is substituted in lieu thereof:

"Section 1 – That the Winslow Estates Condominium Property shall be and hereby is expanded by the addition of 3.9340 acres of land abutting and contiguous to the presently existing Condominium Property; said additional land area designated "Phase II" being shown on the Drawing incorporated herein as Exhibit "A", and further identified and described in the legal description attached hereto and incorporated herein as Exhibit "1"."

2. The legal description of the Phase No. II Property set forth as Exhibit "B" of the Second Amendment is hereby deleted and the legal description attached hereto as Exhibit "1" is substituted in lieu thereof.

3. The legal description of the Entire Property (the Entire Property is also referred to as "Additional Property") set forth in Article III B of the Amended Declaration, and as subsequently amended by the Third Amendment, is amended to include the 0.5419 acre of real property described in Exhibit "2" and Exhibit "2-A" attached hereto and made a part hereof. The 0.5419 acre of real property set forth in Exhibit "2" was inadvertently included in the Phase II Property.

4. The particulars of the land, Buildings and other improvements for Amended Phase No. II, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, the locations and dimensions of the Common Areas and Facilities, the location and dimensions of the Limited Common Areas for the exclusive use and benefit of Unit Nos. 4 and 63, and the location and the dimensions of all appurtenant easements or encroachments are shown graphically on the Amended Phase No. II Allotted Drawings incorporated in this Special Amendment No. 3 to Amended Declaration for the Winslow Estates Condominiums and the Phase II Allotted Drawings filed in Plat Volume 2000-93 of the Portage County Condominium Map Records are hereby amended by replacing a portion of the Allotted Drawings with a new drawing graphically representing the deletion of a portion of the property from Phase No. II and the submission of said deleted property to the Additional Property shown as "Phase 2 – Residual" (the "Replacement Drawings"). The Replacement Drawings are being filed with the Portage County Condominium Map Records, concurrently with the filing of this Special Amendment No. 3 and are entitled "Winslow Estates Condominium Amended Phase 2 – Parcel A" dated August, 2001, as prepared by Adache Ciuni Lynn Associates, Inc., Registered Engineers and Surveyors,

5595 Transportation Boulevard, Suite 100, Cleveland, Ohio 44125, as required by the Ohio Condominium Act. The Replacement Drawings are incorporated in this Special Amendment No. 3 by reference as Exhibit "A" and bear the certified statement of Adache, Ciuni Lynn Associates, Registered Engineers and Surveyors, as required by the Ohio Condominium Act.

5. A narrative description of the Units for Phase No. II is set forth in Exhibit "3" attached hereto and made a part hereof.

6. The allocation of the Limited Common Areas to Units 4 and 63 respectively shall be effective immediately upon the recording of both this Special Amendment No. 3 and the Replacement Drawings in the office of the County Recorder, Portage County, Ohio.


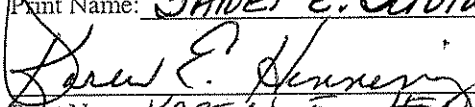
7. Except as amended herein, and as previously amended, the Amended Declaration (as previously amended) thereto shall remain in full force and effect.

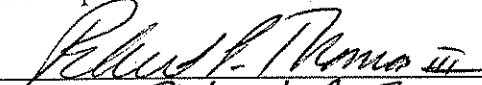
8. Consent to this Special Amendment No. 3 is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Articles X and XI of the Amended Declaration.

IN WITNESS WHEREOF, the said Ohio Land Development (Aurora), Inc., as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 29th day of NOVEMBER, 2001.

Signed in the Presence of:

OHIO LAND DEVELOPMENT (AURORA), INC.,
an Ohio corporation


Print Name: JANET E. SLIVIAK

Print Name: KAREN E. HEDWING

By: 
Name: ROBERT P. THOMAS III
Title: VICE PRESIDENT

STATE OF OHIO)
COUNTY OF Cuyahoga) SS.

Before me, a Notary Public in and for said County and State, personally appeared the above named OHIO LAND DEVELOPMENT (AURORA), INC., an Ohio corporation, by Robert P. Thomas II, its VICE PRESIDENT, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed individually and as such officer and the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 29th day of NOVEMBER, 2001.

Karen E. Henning
NOTARY PUBLIC
My Commission Expires: JUNE 19, 2004

KAREN E. HENNING
Notary Public - State of Ohio, Cuya. Cty.
My Commission Expires June 19, 2004

THIS INSTRUMENT PREPARED BY:
RICHARD A. ROSNER, ATTORNEY AT LAW
KAHN, KLEINMAN, YANOWITZ & ARNSON CO., L.P.A.
THE TOWER AT ERIEVIEW, SUITE 2600
1301 EAST NINTH STREET
CLEVELAND, OHIO 44114-1824
TEL.: (216) 696-3311

EXHIBIT "A"

TO SPECIAL AMENDMENT NO. 3 TO AMENDED DECLARATION OF
CONDOMINIUM OWNERSHIP FOR WINSLOW ESTATES CONDOMINIUM

REFERENCE TO ALLOTTED DRAWINGS

The particulars of the land, Buildings and other improvements for Amended Phase No. II, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, the locations and dimensions of the Common Areas and Facilities, the location and dimensions of the Limited Common Areas for the exclusive use and benefit of Unit Nos. 4 and 63, and the location and the dimensions of all appurtenant easements or encroachments are shown graphically on the set of Amended Phase No. II incorporated in this Special Amendment No. 3 to Declaration of Condominium Ownership for the Winslow Estates Condominiums and the Phase II Allotted Drawings filed in Plat Volume 2000-93 of the Portage County Condominium Map Records are hereby amended by replacing the Phase II Allotted Drawings with corrected drawings (the "Replacement Drawings") graphically representing the deletion of a portion of the property from Phase No. II and the submission of said property to the Additional Property shown as "Phase 2 – Residual". The Replacement Drawings are being filed with the Portage County Condominium Map Records, concurrently with the filing of this Special Amendment No. 3 and are entitled "Winslow Estates Condominium Amended Phase 2 – Parcel A" dated August, 2001, as prepared by Adache Ciuni Lynn Associates, Inc., Registered Engineers and Surveyors, 5595 Transportation Boulevard, Suite 100, Cleveland, Ohio 44125, as required by Section 5311.07 of the Ohio Condominium Act. The Replacement Drawings will be filed in the Condominium Map Records of the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of this Special Amendment No. 3.

**LEGAL DESCRIPTION
OF 3.9340 ACRES
WINSLOW ESTATES CONDOMINIUM AMENDED PHASE 2**

Situated in the City of Aurora, County of Portage, and State of Ohio and known as being part of Lot 27 in Aurora Township and further known as being a part of the Winslow Estates Condominium and being bounded and described as follows:

Beginning at an iron pin monument found at the intersection of Winslow Drive with the centerline of Mennonite Road seventy feet (70') wide;

Thence South $89^{\circ} 55' 04''$ West along said centerline of Mennonite Road a distance of 123.84 feet to a point therein;

Thence North $00^{\circ} 04' 56''$ West, a distance of 40.00 feet to an iron pin found on the northerly line of Mennonite Road, the southwesterly corner of Winslow Estates Condominium Phase 1, as recorded by Plat No. 98-10 of the Portage County Plat Records, and the Principal Place of Beginning;

Thence South $89^{\circ} 55' 04''$ West along the northerly line of Mennonite Road, a distance of 379.01 feet to an iron pin found;

Thence North $00^{\circ} 07' 51''$ East, a distance of 130.71 feet to an iron pin found;

Thence South $89^{\circ} 28' 00''$ East, a distance of 50.58 feet to an iron pin found;

Thence South $62^{\circ} 44' 30''$ East, a distance of 55.59 feet to an iron pin found;

Thence South $81^{\circ} 24' 59''$ East, a distance of 71.41 feet to an iron pin found;

Thence North $53^{\circ} 28' 18''$ East, a distance of 188.16 feet to an iron pin found;

Thence North $19^{\circ} 49' 33''$ East, a distance of 141.12 feet to an iron pin found;

Thence North $39^{\circ} 29' 08''$ East, a distance of 79.23 feet to an iron pin found;

Thence North $21^{\circ} 42' 32''$ East, a distance of 16.00 feet to an iron pin found at a point of curvature;

Thence along the arc of a curve deflecting to the left, and having a radius of 271.42 feet, a central angle of $20^{\circ} 23' 31''$, a tangent of 48.82 feet, a chord which bears South $78^{\circ} 29' 14''$ East, 96.09 feet, a distance of 96.60 feet to an iron pin found;

Thence North $03^{\circ} 50' 13''$ East, a distance of 47.14 feet to an iron pin found;

EXHIBIT "1"

Thence North 86° 44' 30" East, a distance of 84.81 feet to an iron pin found;

Thence South 10° 21' 13" East, a distance of 55.00 feet to an iron pin found;

Thence South 86° 34' 43" East, a distance of 119.21 feet to an iron pin found;

Thence South 21° 34' 06" East, a distance of 261.16 feet to an iron pin found;

Thence South 66° 00' 12" East, a distance of 76.62 feet to an iron pin found;

Thence South 76° 31' 19" East, a distance of 66.98 feet to an iron pin found;

Thence North 62° 23' 07" East, a distance of 194.26 feet to an iron pin found;

Thence North 00° 07' 51" East, a distance of 485.93 feet to an iron pin found;

Thence North 81° 41' 25" East, a distance of 25.27 feet to an iron pin found on the westerly line of land conveyed to Mary A. Welch, as recorded in Volume 1035, Page 811 of Portage County Deed Records;

Thence South 00° 07' 51" West along the westerly line of land so conveyed, a distance of 681.47 feet to an iron pin found on the northerly line of Mennonite Road, as aforementioned;

Thence North 89° 28' 00" West along the northerly line of Mennonite Road, a distance of 416.08 feet to an iron pin found at the southeasterly corner of aforementioned Winslow Estates Condominium Phase 1;

Thence North 00° 32' 00" East along the easterly line of Winslow Estates Condominium Phase 1, a distance of 266.20 feet to an iron pin found at an angle point;

Thence North 13° 51' 53" West continuing along said easterly line, a distance of 62.51 feet to an iron pin found, and the northeasterly corner thereof;

Thence South 76° 08' 07" West along the northerly line of Winslow Estates Condominium Phase 1, a distance of 141.56 feet to an iron pin found at an angle point;

Thence North 85° 26' 38" West continuing along said northerly line, a distance of 55.25 feet to an iron pin found, and the most northwesterly corner thereof;

Thence South 19° 40' 30" West along the westerly line of Winslow Estates Condominium Phase 1, a distance of 18.27 feet to a 5/8" iron pin set with cap, #7394 (Ciuni & Lynn);

Thence North 70° 19' 30" West, a distance of 168.19 feet to a 5/8" iron pin set with cap, #7394 (Ciuni & Lynn);

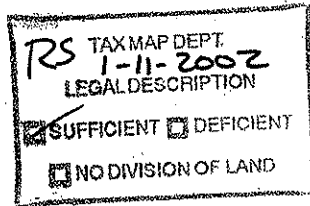
Thence South 19° 49' 33" West, a distance of 138.49 feet to a 5/8" iron pin set with cap, #7394 (Ciuni & Lynn);

Thence South 69° 09' 29" East, a distance of 73.51 feet to an iron pin found on the westerly line of aforementioned Winslow Estates Condominium Phase 1;

Thence South 20° 50' 31" West along the westerly line of Winslow Estates Condominium Phase 1, a distance of 62.60 feet to an iron pin found at an angle point;

Thence South 00° 04' 56" East continuing along said westerly line, a distance of 120.03 feet to the Principal Place of Beginning and containing 3.9340 acres of land being the same more or less but subject to all legal highways and easements of record.

Prepared By:
Adache-Ciuni-Lynn Associates, Inc.
Project No. 95060CD2
October 16, 2000
Revised August 18, 2001
LEGAL95060CD/kw



OUT OF 4.476 AC
(WINSLOW ESTATES CONDOMINIUMS
PHASE II)
SPLIT
3.934 AC
RESIDUAL 0.542 AC

**LEGAL DESCRIPTION
OF 0.5419 ACRE
WINSLOW ESTATES CONDOMINIUM AMENDED
PHASE 2 - RESIDUAL**

Situated in the City of Aurora, County of Portage, and State of Ohio and known as being a part of Lot No. 27 in Aurora Township and further known as being a part of the Winslow Estates Condominiums and being bounded and described as follows:

Beginning at an iron pin monument found at the intersection of Winslow Drive with the centerline of Mennonite Road, seventy feet (70') wide;

Thence South $89^{\circ} 55' 04''$ West along the centerline of Mennonite Road, a distance of 123.84 feet to a point therein;

Thence North $00^{\circ} 04' 56''$ West, a distance of 40.00 feet to an iron pin found on the northerly line of Mennonite Road, and the southwesterly corner of Winslow Estates Condominiums Phase I, as recorded in Plat No. 98-10 of the Portage County Plat Records;

Thence continuing North $00^{\circ} 04' 56''$ West along the westerly line of land so conveyed, a distance of 120.03 feet to an iron pin found at an angle point;

Thence North $20^{\circ} 50' 31''$ East continuing along said westerly line, a distance of 62.60 feet to an iron pin found at an angle point, and the Principal Place of Beginning;

Thence North $69^{\circ} 09' 29''$ West, a distance of 73.51 feet to a $5/8''$ iron pin set with cap, #7394 (Ciuni & Lynn);

Thence North $19^{\circ} 49' 33''$ East, a distance of 138.49 feet to a $5/8''$ iron pin set with cap, #7394 (Ciuni & Lynn);

Thence South $70^{\circ} 19' 30''$ East, a distance of 168.19 feet to a $5/8''$ iron pin set with cap, #7394 (Ciuni & Lynn) on the westerly line of land so conveyed to aforementioned Winslow Estates Condominiums Phase I;

Thence South $19^{\circ} 40' 30''$ West along said westerly line, a distance of 141.92 feet to an iron pin found at an angle point;

Thence North $69^{\circ} 09' 29''$ West, a distance of 95.08 feet to the Principal Place of Beginning, and containing 0.5419 acres of land, be the same more or less, but subject to all legal highways and easements of record.

Prepared By:
Adache-Ciuni-Lynn Associates, Inc.
Project No.: 95060CD2
August 17, 2001

EXHIBIT "2"

**LEGAL DESCRIPTION
OF 21.0034 ACRE
RESIDUAL WINSLOW ESTATES
AMENDED PHASE 2**

Situated in the City of Aurora, County of Portage, and State of Ohio, and known as being part of Lot 27 in Aurora Township;

Beginning at an iron pin found at the most northeasterly corner of land conveyed to Winslow Estates Condominiums Phase 2, as recorded in Volume 2000, Page 95 of Portage County Plat Records, at its intersection with the westerly line of land conveyed to Mary A. Welch, as recorded in Volume 1035, Page 811 of Portage County Deed Records;

Thence South $81^{\circ} 41' 25''$ West along the northerly line of land so conveyed to Winslow Estates Condominiums Phase 2, a distance of 25.27 feet to an iron pin found;

Thence South $00^{\circ} 07' 51''$ West along the westerly line of land so conveyed to Winslow Estates Condominiums Phase 2, a distance of 137.74 feet to a $5/8''$ iron pin to be set with cap, (#7394 Ciuni & Lynn);

Thence North $84^{\circ} 26' 39''$ West, a distance of 87.47 feet to a $5/8''$ iron pin set with cap, (#7394 Ciuni & Lynn);

Thence South $59^{\circ} 35' 44''$ West, a distance of 41.34 feet to a $5/8''$ iron pin to be set with cap, (#7394 Ciuni & Lynn);

Thence North $83^{\circ} 19' 05''$ West, a distance of 46.56 feet to a $5/8''$ iron pin to be set with cap, (#7394 Ciuni & Lynn), at a point of curvature;

Thence along the arc of a curve deflecting to the left, and having a radius of 90.00 feet, a central angle of $33^{\circ} 38' 26''$, a tangent of 27.21 feet, a chord which bears South $80^{\circ} 18' 15''$ West, 52.09 feet, a distance of 52.84 feet a $5/8''$ iron pin to be set with cap, (#7394 Ciuni & Lynn);

Thence North $26^{\circ} 30' 58''$ West, a distance of 45.75 feet to a $5/8''$ iron pin to be set with cap, (#7394 Ciuni & Lynn);

Thence North $20^{\circ} 04' 41''$ East, a distance of 29.72 feet to a $5/8''$ iron pin to be set with cap, (#7394 Ciuni & Lynn);

Thence North $69^{\circ} 55' 19''$ West, a distance of 53.00 feet to a $5/8''$ iron pin to be set with cap, (#7394 Ciuni & Lynn);

Thence South $20^{\circ} 04' 41''$ West, a distance of 12.81 feet to a $5/8''$ iron pin to be set with cap, (#7394 Ciuni & Lynn);

Legal Description

21.0034 Acre

Page 2

Thence South $77^{\circ} 48' 37''$ West, a distance of 51.11 feet to a $5/8''$ iron pin to be set with cap, (#7394 Ciuni & Lynn), at a point of curvature;

Thence along the arc of curve deflecting to the right and having a radius of 103.10 feet, a central angle of $20^{\circ} 04' 08''$, a tangent of 18.24 feet, a chord which bears South $02^{\circ} 09' 19''$ East, 35.93 feet, a distance of 36.11 feet to a $5/8''$ iron pin to be set with cap, (#7394 Ciuni & Lynn), at a point of reverse curvature;

Thence along the arc of a curve deflecting to the left, and having a radius of 25.00 feet, a central angle of $63^{\circ} 50' 45''$, a tangent 15.57 feet, a chord which bears South $24^{\circ} 02' 37''$ East, 26.44 feet, a distance of 27.86 feet to a $5/8''$ iron pin to be set with cap, (#7394 Ciuni & Lynn), at a point of tangency;

Thence South $55^{\circ} 58' 00''$ East, a distance of 104.67 feet to a $5/8''$ iron pin to be set with cap, (#7394 Ciuni & Lynn);

Thence North $37^{\circ} 47' 29''$ East, a distance of 13.48 feet to a $5/8''$ iron pin to be set with cap, (#7394 Ciuni & Lynn), at a point of curvature;

Thence along the arc of a curve deflecting to the right, and having a radius of 60.00 feet, a central angle of $59^{\circ} 25' 57''$, a tangent of 34.25 feet, a chord which bears North $67^{\circ} 30' 27''$ East, 59.48 feet, a distance of 62.24 feet to a $5/8''$ iron pin to be set with cap, (#7394 Ciuni & Lynn) at a point of tangency;

Thence South $83^{\circ} 19' 05''$ East, a distance of 51.40 feet to a $5/8''$ iron pin to be set with cap, (#7394 Ciuni & Lynn);

Thence South $77^{\circ} 40' 59''$ East, a distance of 16.79 feet to a $5/8''$ iron pin to be set with cap, (#7394 Ciuni & Lynn);

Thence South $84^{\circ} 26' 39''$ East, a distance of 105.48 feet to a $5/8''$ iron pin to be set with cap, (#7394 Ciuni & Lynn), on the westerly line of aforementioned Winslow Estates Condominiums, Phase 2;

Thence South $00^{\circ} 07' 51''$ West along said westerly line, a distance of 291.60 feet to an iron pin found at an angle point;

Thence South $62^{\circ} 23' 07''$ West along the northerly line of Winslow Estates Condominiums, Phase 2, a distance of 194.26 feet to an iron pin found at an angle point;

Thence North $76^{\circ} 31' 19''$ West continuing along said northerly line, a distance of 66.98 feet to an iron pin found at an angle point;

Thence North $66^{\circ} 00' 12''$ West continuing along said northerly line, a distance of 76.62 feet to an iron pin found at an angle point;

Thence North $21^{\circ} 34' 06''$ West continuing along said northerly line, a distance of 261.16 feet to an iron pin found at an angle point;

Thence North $86^{\circ} 34' 43''$ West continuing along said northerly line, a distance of 119.21 feet to an iron pin found at an angle point;

Thence North $10^{\circ} 21' 13''$ West continuing along said northerly line, a distance of 55.00 feet to an iron pin found at an angle point;

Thence South $86^{\circ} 44' 30''$ West continuing along said northerly line, a distance of 84.81 feet to an iron pin found at an angle point;

Thence South $03^{\circ} 50' 13''$ West continuing along said northerly line, a distance of 47.14 feet to an iron pin found at a point of curvature;

Thence continuing along said northerly line, and along the arc of a curve deflecting to the right, and having a radius of 271.42 feet, a central angle of $20^{\circ} 23' 31''$, a tangent of 48.82 feet, a chord which bears North $78^{\circ} 29' 14''$ West, 96.09 feet, a distance of 96.60 feet to an iron pin found;

Thence South $21^{\circ} 42' 32''$ West continuing along said northerly line, a distance of 16.00 feet to an iron pin found at an angle point;

Thence South $39^{\circ} 29' 08''$ West continuing along said northerly line, a distance of 79.23 feet to an iron pin found at an angle point;

Thence South $19^{\circ} 49' 33''$ West continuing along said northerly line, a distance of 141.12 feet to an iron pin found at an angle point;

Thence South $53^{\circ} 28' 18''$ West continuing along said northerly line, a distance of 188.16 feet to an iron pin found at an angle point;

Thence North $81^{\circ} 24' 59''$ West continuing along said northerly line, a distance of 71.41 feet to an iron pin found at an angle point;

Thence North $62^{\circ} 44' 30''$ West continuing along said northerly line, a distance of 55.59 feet to an iron pin found at an angle point;

Legal Description
21.0034 Acre
Page 4

Thence North 89° 28' 00" West continuing along said northerly line, a distance of 50.58 feet to an iron pin found on the easterly line of Parcel No. 1 of a Lot Split, as recorded in Volume 1079, Page 327 of the Portage County Deed Records;

Thence North 00° 07' 51" East along the easterly line of land so conveyed, a distance of 924.05 feet to an iron pin found, 0.04 feet (West), and 0.02 feet (South) on the southerly line of land conveyed to Chatham Estates Subdivision, as recorded in Volume 19, Pages 33 & 34 of Portage County Map Records;

Thence South 89° 19' 11" East along the southerly line of land so conveyed, a distance of 1165.04 feet to an iron pin found, 0.16 feet (West) on the northwesterly corner of land conveyed to the aforementioned Mary A. Welch;

Thence South 00° 07' 51" West along the westerly line of land so conveyed, a distance of 364.60 feet to the Principal Place of Beginning, and containing 21.0034 acres of land, be the same more or less, but subject to all legal highways and easements of record.

Prepared By:

Adache-Ciuni-Lynn Associates, Inc.
Project No.: 95060CD2
May 23, 2001
Revised June 26, 2001
Revised November 19, 2001

EXHIBIT "3"

TO SPECIAL AMENDMENT NO. 3 TO AMENDED DECLARATION OF CONDOMINIUM
OWNERSHIP FOR WINSLOW ESTATES CONDOMINIUM

A NARRATIVE DESCRIPTION OF BUILDINGS AND UNITS

The Condominium Development (including the Additional Property) is situated on a parcel of real estate containing approximately 29.1210 acres located on the north side of Menmonite Road, a duly dedicated public street, in the City of Aurora, Portage County, Ohio. Phase II of the Condominium Development consisted of two (2) "free-standing," single-family Condominium Units known as Unit Nos. 4 and 63. The Units are situated on Winslow Drive, a private drive.

The Units are principally of conventional wood frame construction with drywall finish on the interior walls, vinyl siding on the exterior walls and cultured stone fronts. The roofs are fiberglass shingle. Both Units are constructed with basements.

Unit No. 4 contains approximately 1,758 square feet of living area, exclusive of the garage and basement. The first floor contains a great room, dinette area, kitchen, master bedroom, one and one-half (1-1/2) baths, laundry room, and an attached two (2) car garage. The second floor contains one (1) bedroom, one (1) full bath and a loft.

Unit No. 63 contains approximately 1,847 square feet of living area, exclusive of the garage and basement. The first floor contains a foyer, dining room, living room, kitchen, dinette area, master bedroom, one and one-half (1-1/2) baths, laundry room, and an attached two (2) car garage. The second floor contains two (2) bedrooms, one (1) full bath and a bonus room.

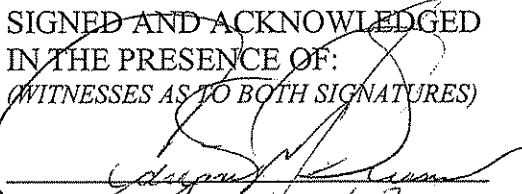
Any inconsistencies between the narrative descriptions of the Units and/or Common Areas on the one hand and the "as built" Drawings on the other hand shall be resolved in favor of the "as built" Drawings.

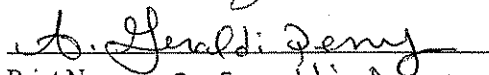
CONSENT OF MORTGAGEE TO SPECIAL AMENDMENT NO. 3 TO AMENDED DECLARATION OF CONDOMINIUM OWNERSHIP FOR WINSLOW ESTATE CONDOMINIUM

The undersigned, The Huntington National Bank, is mortgagee of premises described in the within Special Amendment No. 3 to Amended Declaration of Condominium Ownership for Winslow Estates Condominium, Aurora, Ohio, by virtue of the mortgage recorded on December 14, 1999 in Volume 490, Page 843 of the Portage County Records. (the "Mortgage").


The undersigned hereby consents to the execution and delivery of the foregoing Special Amendment No. 3 to Amended Declaration of Condominium Ownership, with the Drawings and other exhibits thereto ("Condominium Documents"), and to the filing thereof in the Office of the County Recorder of Portage County, Ohio, and further subjects and subordinates the Mortgage to the Condominium Documents, and to the provisions of Chapter 5311 of the Ohio Revised Code.

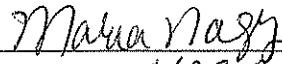
SIGNED AND ACKNOWLEDGED
IN THE PRESENCE OF:
(WITNESSES AS TO BOTH SIGNATURES)


Print Name: ADRIANE M. BESSER


Print Name: A. Gerald Perry

THE HUNTINGTON NATIONAL BANK

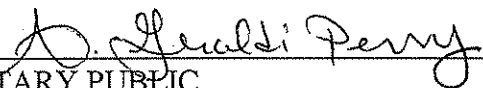
By: 
Print Name: G. Buck
Title: SVP

By: 
Print Name: MARIA NAGY
Title: A/P

STATE OF OHIO)
) SS.
COUNTY OF CUYAHOGA)

BEFORE ME, a Notary Public, in and for said County and State, personally appeared the above-named THE HUNTINGTON NATIONAL BANK, by Gerald Buck, its Senior Vice President and by Maria Nagy, its Assistant Vice President who, having been first duly sworn acknowledged that they did execute the foregoing instrument and that the same was their free act and deed individually and as such officers and the free act and deed of the said Company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Mayfield Heights, Ohio, this 10th day of December, 2001.


NOTARY PUBLIC
My Commission Expires: _____

THIS INSTRUMENT PREPARED BY:
RICHARD A. ROSNER, ATTORNEY AT LAW
KAHN, KLEINMAN, YANOWITZ & ARNSON CO., L.P.A.
THE TOWER AT ERIEVIEW, SUITE 2600
1301 EAST NINTH STREET
LEVELAND, OHIO 44114-1824
TEL: (216) 696-3311

ANTOINETTE GERALDI PERRY
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES 06-19-02
RECORDED IN CUYAHOGA COUNTY