

TWELFTH AMENDMENT TO AMENDED DECLARATION
OF CONDOMINIUM OWNERSHIP
FOR WINSLOW ESTATES CONDOMINIUMS,
AURORA, OHIO

PHASE NO. XII

ADDING UNIT NOS. 26 AND 31

This will certify this Twelfth Amendment to the Amended Declaration of Condominium Ownership for Winslow Estates Condominiums, Aurora, Ohio, and the Drawings referred to therein, have been filed in the office of the County Auditor, Portage County, Ohio.

Env. Aurora
BONNIE M. HOWE *Title*
PORTAGE CO. RECORDER

JAN 25 2007
Date: _____, 2007

200701802 \$255
RECEIVED FOR RECORD
AT 15:27:34
FEE 188.00

County Auditor
By: *Janet Esposito*
Deputy Auditor *JF*

THIS INSTRUMENT PREPARED BY:
RICHARD A. ROSNER, ATTORNEY AT LAW
KAHN KLEINMAN, LPA
2600 ERIEVIEW TOWER
1301 EAST NINTH STREET
CLEVELAND, OHIO 44114-1824
(216) 696-3311

INDEXED

In Re - Plat 2007-5

TWELFTH AMENDMENT TO AMENDED DECLARATION
OF CONDOMINIUM OWNERSHIP
FOR WINSLOW ESTATES CONDOMINIUMS,
AURORA, OHIO

PHASE NO. XII

ADDING UNIT NOS. 26 AND 31

WHEREAS, Ohio Land Development (Aurora), Inc. ("**Original Declarant**"), an Ohio corporation, filed for record the *Declaration of Condominium Ownership* ("**Declaration**") with the By-Laws 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 submitted Phase No. I of Winslow Estates Condominiums to the provisions of Chapter 5311 of the Ohio Revised Code (the "**Act**"). (The Condominium Property is referred to in the condominium documents as both Winslow Estates Condominiums and Winslow Estates Condominium. This Twelfth Amendment refers to the Condominium Property as Winslow Estates Condominiums which is how it is referred to in the Declaration.); and

WHEREAS, Original Declarant, by *Amended Declaration of Condominium Ownership for Winslow Estate Condominiums, Aurora, Ohio* ("**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 amended Drawings in Plat Volume 98-10 of Portage County Condominium Map Records, corrected the Declaration, and resubmitted Phase No. I and the Additional Property of Winslow Estates Condominiums to the provisions of the Act. The Amended Declaration superseded the Declaration; and

WHEREAS, Original Declarant, by *Second Amendment to Amended Declaration* recorded on December 21, 2000 with the Portage County Recorder in O.R. Book 593, Page 132, *et seq.*, of Portage County Records and the Drawings in Plat Volume 2000-93 of Portage County Condominium Map Records, submitted Phase No. II of Winslow Estates Condominiums to the provisions of the Act; and

WHEREAS, Original Declarant, by *Special Amendment to Declaration of Condominium Ownership, Winslow Estates Condominiums*, recorded on July 31, 2001 with the Portage County Recorder as Instrument No. 200120507 of Portage County Records, corrected and added certain provisions to the Amended Declaration in order to bring the Amended Declaration into compliance with the Act; and

WHEREAS, Original Declarant, by *Third Amendment to Amended Declaration of Condominium Ownership, Winslow Estates Condominium, Aurora, Ohio* 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 Condominium Map Records, submitted Phase No. III of Winslow Estates Condominiums to the provisions of the Act and

amended the Amended Declaration to add Article XIII (Provisions as to Easements, Units and Common Areas and Facilities); and

WHEREAS, Original Declarant, by *Special Amendment No. 2 to Amended Declaration of Condominium Ownership, Winslow Estates Condominium, Aurora, Ohio* recorded on September 13, 2001 with the Portage County Recorder at Instrument No. 200125286 of Portage County Records pursuant to Section I. of Article XI of the Amended Declaration, added certain provisions with respect to the rights of first mortgages of Units; and

WHEREAS, Original Declarant, by *Special Amendment No. 3 to Amended Declaration of Condominium Ownership, Winslow Estates Condominium, Aurora, Ohio* recorded on January 11, 2002 with the Portage County Recorder at Instrument No. 200201096 of Portage County Records and the Drawings in Plat Volume 2002-3 of Portage County Condominium Map Records, corrected the Second Amendment and resubmitted Phase No. 2 and the Additional Property of Winslow Estates Condominiums to the provisions of the Act; and

WHEREAS, Original Declarant, by *Fourth Amendment to Amended Declaration of Condominium Ownership, Winslow Estates Condominium, Aurora, Ohio* recorded on March 14, 2002 with the Portage County Recorder at Instrument No. 2002 08134 of Portage County Records and the Drawings in Plat Volume 2002-20 of Portage County Condominium Map Records, submitted Phase No. IV of Winslow Estates Condominiums of the provisions of the Act; and

WHEREAS, Original Declarant, by *Fifth Amendment to Amended Declaration of Condominium Ownership, Winslow Estates Condominium, Aurora, Ohio* recorded on November 27, 2002 with the Portage County Recorder as Instrument No. 200237209 of Portage County Records and the Drawings in Plat Volume 2002-94 of Portage County Condominium Map Records, submitted Phase No. V of Winslow Estates Condominiums to the provisions of the Act; and

WHEREAS, Original Declarant, by *Sixth Amendment to Amended Declaration of Condominium Ownership for Winslow Estates Condominiums, Aurora, Ohio*, recorded on July 31, 2003 with the Portage County Recorder as Instrument No. 200329188 of Portage County Records and the Drawings in Plat Volume 2003-53 of Portage County Condominium Map Records, submitted Phase No. VI of Winslow Estates Condominiums to the provisions of the Act; and

WHEREAS, Original Declarant, by *Seventh Amendment to Amended Declaration of Condominium Ownership for Winslow Estates Condominiums, Aurora, Ohio*, recorded on December 8, 2003 with the Portage County Recorder as Instrument No. 200346170 of Portage County Records and the Drawings in Plat Volume 2003-107 of Portage County Condominium Map Records, submitted Phase No. VII of Winslow Estates Condominiums to the provisions of the Act; and

WHEREAS, Hersh Construction, Inc. ("**Successor Declarant**"), an Ohio corporation, has succeeded the Original Declarant's right, title and interest to the Condominium Property pursuant

to *Deed* recorded on December 23, 2003, with the Portage County Recorder as Instrument No. 200347920, and by *Eighth Amendment to Amended Declaration of Condominium Ownership for Winslow Estates Condominiums, Aurora, Ohio*, recorded on July 21, 2004 with the Portage County Recorder as Instrument No. 200420530 of Portage County Records and the Drawings in Plat Volume 2004-62 of Portage County Condominium Map Records, submitted Phase No. VIII of Winslow Estates Condominiums to the provisions of the Act; and

WHEREAS, pursuant to Section X of the Amended Declaration and Section 5311.05(C)(3)(b) of the Act, by document entitled *Consent of Unit Owners of Winslow Estates Condominiums* recorded on April 26, 2004 as Instrument Nos. 200411475 through 200411483 of Portage County Records and on April 28, 2004 recorded as Instrument Nos. 200411755 through 200411757 of Portage County Records, Successor Declarant, with consent of a majority of the Unit Owners other than the Successor Declarant, extended the seven (7) year "add-on" period of Section X of the Amended Declaration by which the Successor Declarant has the right to add all or any part of Additional Parcel property to the Condominium Property for an additional seven-year period to February 20, 2012, unless by lawful authority it is subsequently determined that said "add-on" period expires April 28, 2011.

WHEREAS, Successor Declarant, by *Ninth Amendment to Amended Declaration of Condominium Ownership for Winslow Estates Condominiums, Aurora, Ohio*, recorded on January 27, 2006 with the Portage County Recorder as Instrument No. 200601935 of Portage County Records (the "**Ninth Amendment**") and the Drawings in Plat Volume 2006-9 of Portage County Condominium Map Records, submitted Phase No. IX of Winslow Estates Condominiums to the provisions of the Act. The Ninth Amendment also contained a Special Amendment authorizing the Successor Declarant to use deposits and down payments for construction purposes pursuant to the provisions of paragraph 1 of the Ninth Amendment and pursuant to Ohio Revised Code Section 5311.25(A) that became effective on July 20, 2004, and;

WHEREAS, Successor Declarant, by *Tenth Amendment to Amended Declaration of Condominium Ownership for Winslow Estates Condominiums, Aurora, Ohio*, recorded on June 2, 2006 with the Portage County Recorder as Instrument No. 200613628 of Portage County Records and the Drawings in Plat Volume 2006-49 of Portage County Condominium Map Records, submitted Phase No. X of Winslow Estates Condominiums to the provisions of the Act, and;

WHEREAS, Successor Declarant, by *Eleventh Amendment to Amended Declaration of Condominium Ownership for Winslow Estates Condominiums, Aurora, Ohio*, recorded on September 20, 2006 with the Portage County Recorder as Instrument No. 200624504 of Portage County Records and the Drawings in Plat Volume 2006-81 of Portage County Condominium Map Records, submitted Phase No. XI of Winslow Estates Condominiums to the provisions of the Act, and;

WHEREAS, the right was reserved by Original Declarant and its successors and assigns (which would include Successor Declarant) to add to the Condominium Property phases and improvements thereon, and all easements, rights, and appurtenances thereto, and all articles of personal property located thereon existing for the common use of the Unit Owners; and

WHEREAS, Successor Declarant is the legal title holder of, and desires to add to the Condominium Property and to submit to the Condominium Act, as Additional Property pursuant to Articles X and XI(I.) of the Amended Declaration, the real property designated herein as Phase No. XII of Winslow Estates Condominiums which is improved with two (2) free-standing Buildings, each containing one (1) Unit for a total of two (2) Units.

NOW, THEREFORE, Successor Declarant, pursuant to the authority of Articles X and Section XI of the Amended Declaration, hereby declares that the Amended Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Amended Declaration):

1. The Phase No. XII property and the improvements thereon, and all easements, rights and appurtenances thereto, and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium Property as defined in Article X of the Amended Declaration, and are also hereby submitted to the Act, as a part of the Condominium Property in accordance with and governed by in all respects the terms and provisions of the Amended Declaration as previously amended, and as hereby and hereinafter amended.

2. The legal description of Phase 1 Parcel set forth in Article III A. of the Amended Declaration is amended to include the real property for Phase No. XII of Winslow Estates Condominiums, the legal description for Phase No. XII being described in "Exhibit 1" attached hereto and made a part hereof.

3. The legal description of the Entire Property set forth in Article III B. of the Amended Declaration is amended by the deletion therefrom of the real property described in "Exhibit 1" hereof, the residue of the Entire Property (the residue being referred as the "**Additional Property**") being described in "Exhibit 2" attached hereto and made a part hereof.

4. The number of Units referred to in the first paragraph of Article VI of the Amended Declaration is increased from thirty-six (36) Units to thirty-eight (38) Units. A narrative description of the Units for Phase No. XII is set forth in "Exhibit 3" attached hereto and made a part hereof.

5. The percentage or fractional interest of each Unit in the Common Areas and Facilities as set forth in "Exhibit C" of the Amended Declaration, as amended, is hereby further amended to be as set forth in "Exhibit 4" attached hereto and made a part hereof.

6. The particulars of the land, Units and other improvements for Phase No. XII, including, but not limited to, the boundaries, location, designation, length, width and height of each Unit, the boundaries, location, designation and dimensions of the Common Areas and Facilities and the Limited Common Areas and Facilities and Exclusive Use Areas, and the location and dimensions of all appurtenant easements or encroachments, are shown graphically on the set of Phase No. XII Drawings incorporated in this Twelfth Amendment to Amended Declaration ("**Twelfth Amendment**"), by reference as "Exhibit A", prepared and bearing the

certified statements of Hejduk-Cox and Associates, Inc., Registered Surveyors and Licensed Professional Engineers, 32145 Old South Miles Road, Solon, Ohio 44139, as required by the Condominium Act of the State of Ohio. The Phase No. XII Drawings will be filed in the Condominium Map Records of the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this Twelfth Amendment.

7. Pursuant to the provisions of Chapter 5311.25(E) of the Ohio Revised Code, the two (2) year warranty period for Phase No. XII shall commence on the date the deed or other evidence of ownership is filed for record following the first sale of a Condominium Ownership Interest in Phase No. XII to a Purchaser in good faith for value.

8. No owner of a Unit which was not included in Phase Nos. I, II, III, IV, V, VI, VII, VIII, IX, X and XI shall: (a) have or obtain any interest in funds collected by the Association from the owners of Units included in Phase Nos. I, II, III, IV, V, VI, VII, VIII, IX, X and XI prior to the filing of this Twelfth Amendment (except replacement reserve funds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium Property prior to the filing of this Twelfth Amendment.

9. Successor Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Condominium Ownership Interests that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Amended Declaration creating such interests is filed for record.

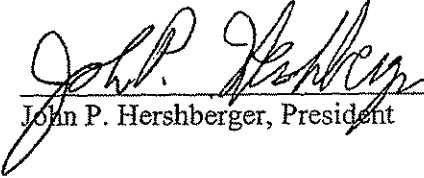
10. Except as amended herein, the Amended Declaration thereto shall remain in full force and effect.

11. Consent to this Twelfth Amendment is hereby exercised by Successor Declarant on behalf of the Unit Owners and their mortgagees pursuant to Articles X and XII of the Amended Declaration.

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IN WITNESS WHEREOF, the said Successor Declarant has caused its name to be signed to these presents as of this 2nd day of January, 2007.

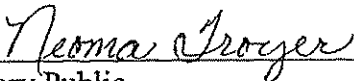
HERSH CONSTRUCTION, INC.,
an Ohio corporation ✓

By:  (signature)
John P. Hershberger, President

STATE OF OHIO)
) SS.
COUNTY OF STARK)

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named JOHN P. HERSHSBERGER, its President, who acknowledged that he executed the within instrument and that such execution was the free act and deed of said corporation and was his free act and deed both individually and in his capacity as officer of said corporation.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 2ND day of January, 2007.



Notary Public
My Commission Expires: July 21, 2007
NEOMA TROYER
Notary Public, State of Ohio
My Commission Expires July 21, 2007

THIS INSTRUMENT PREPARED BY:
RICHARD A. ROSNER, ATTORNEY AT LAW
KAHN KLEINMAN, LLP
2600 ERIEVIEW TOWER
1301 EAST NINTH STREET
CLEVELAND, OHIO 44114-1824
(216) 696-3311

EXHIBIT A

**TO TWELFTH AMENDMENT TO DECLARATION OF CONDOMINIUM
OWNERSHIP FOR WINSLOW ESTATES CONDOMINIUMS**

REFERENCE TO DRAWINGS

The particulars of the land, Buildings and other improvements, including, but not limited to, the boundaries, location, designation, length, width and height of each Unit, the boundaries, location, designation and dimensions of the Common Areas and Facilities and the Limited Common Areas and Facilities and Exclusive Use Areas and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Drawings incorporated in the Twelfth Amendment to Amended Declaration of Condominium Ownership for Winslow Estates Condominiums by reference as "**Exhibit A**", prepared and bearing the certified statements of Hejduk-Cox and Associates, Inc., Registered Surveyors and Licensed Professional Engineers, 32145 Old South Miles Road, Solon, Ohio 44139, as required by the Condominium Property Act of the State of Ohio. Such set of 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 Twelfth Amendment.

EXHIBIT 1

TO TWELFTH AMENDMENT TO AMENDED DECLARATION OF CONDOMINIUM
OWNERSHIP FOR WINSLOW ESTATES CONDOMINIUMS

LEGAL DESCRIPTION OF PHASE XII

**PHASE 12 PARCEL 1 OF WINSLOW ESTATES CONDOMINIUMS
0.3053 ACRE PARCEL**

Situated in the City of Aurora, County of Portage, and State of Ohio, and known as being part of Original Aurora Township Lot 27 and being further described as follows:

Beginning at a point at the most northwesterly corner of Winslow Estates Condominiums Phase 3 as recorded in Plat 2001, Page 71 of Portage County Records, said point also being a southeasterly corner of Winslow Estates Condominiums Phase 11 as recorded in Plat 2006, Page 81 of Portage County Records and a northeasterly corner of Winslow Estates Condominiums Phase 4 as recorded in Plat 2002, Page 20 of Portage County Records

Thence South $77^{\circ} 48' 37''$ West, along a northerly line of Winslow Estates Condominiums Phase 3 and a southerly line of Winslow Estates Condominiums Phase 11, a distance of 44.50 feet to an angle point;

Thence North $47^{\circ} 37' 43''$ W, along a southwesterly line of said Winslow Estates Condominiums Phase 11, a distance of 102.71 feet to an angle point,

Thence North $35^{\circ} 21' 32''$ East, along a northwesterly line of said Winslow Estates Condominiums Phase 11, a distance of 127.50 feet to an angle point;

Thence North $54^{\circ} 38' 28''$ West, along a southwesterly line of said Winslow Estates Condominiums Phase 11, a distance of 143.68 feet to an angle point;

Thence North $40^{\circ} 30' 56''$ East, along a northwesterly line of said Winslow Estates Condominiums Phase 11, a distance of 90.50 feet to the **Principal Place of Beginning** of the lands herein described;

1. Thence North $49^{\circ} 29' 04''$ West a distance of 52.99 feet to an angle point;
2. Thence North $40^{\circ} 30' 56''$ East a distance of 102.55 feet to an angle point;
3. Thence North $86^{\circ} 53' 57''$ East a distance of 38.68 feet to an angle point;
4. Thence South $03^{\circ} 06' 03''$ East a distance of 116.54 feet to an angle point;

EXHIBIT 1 Continued

5. Thence South $35^{\circ} 49' 21''$ East a distance of 95.86 feet to an angle point;
6. Thence South $55^{\circ} 54' 59''$ West a distance of 23.04 feet to an angle point;
7. Thence North $49^{\circ} 29' 04''$ West a distance of 142.43 feet to the **Place of Beginning**, and containing 0.3053 acres of land, be the same more or less, but subject to all legal highways and easements of record.

Legal description prepared by Kenneth J. Hejduk, Professional Surveyor 6439 of Hejduk-Cox and Associates, Inc., on December 27, 2006.

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**LEGAL DESCRIPTION
PHASE 12 PARCEL 2 OF WINSLOW ESTATES CONDOMINIUMS
0.1975 ACRE PARCEL**

Situated in the City of Aurora, County of Portage, and State of Ohio, and known as being part of Original Aurora Township Lot 27 and being further described as follows:

Beginning at a point at the most northwesterly corner of Winslow Estates Condominiums Phase 3 as recorded in Plat 2001, Page 71 of Portage County Records, said point also being a southeasterly corner of Winslow Estates Condominiums Phase 11 as recorded in Plat 2006, Page 81 of Portage County Records and a northeasterly corner of Winslow Estates Condominiums Phase 4 as recorded in Plat 2002, Page 20 of Portage County Records

Thence North $19^{\circ} 57' 47''$ West, along an easterly line of said Winslow Estates Condominiums Phase 11, a distance of 106.98 feet to an angle point;

Thence North $35^{\circ} 21' 32''$ East, a distance of 51.33 feet to a point of curvature;

Thence along the arc of a curve, deflecting to the right, an arc distance of 124.50 feet to a non tangent point of curvature, said curve having a radius 188.00 feet a central angle of $37^{\circ} 56' 40''$ a tangent distance of 64.63 feet and a chord distance of 122.24 feet which bears North $54^{\circ} 19' 52''$ East;

EXHIBIT 1 Continued

Thence along the arc of a curve, deflecting to the left, an arc distance of 159.88 feet to the **Principal Place of Beginning** of the lands herein described, said curve having a radius 52.00 feet a central angle of $176^{\circ} 10' 10''$ a tangent distance of 1555.01 feet and a chord distance of 103.94 feet which bears North $57^{\circ} 11' 15''$ East;

1. Thence continuing along said curve, an arc distance of 27.04 feet to an angle point, said curve having a radius 52.00 feet a central angle of $29^{\circ} 47' 37''$ a tangent distance of 13.83 feet and a chord distance of 26.74 feet which bears North $45^{\circ} 47' 38''$ West;
2. Thence North $45^{\circ} 48' 58''$ East a distance of 84.95 feet to an angle point,
3. Thence North $04^{\circ} 05' 28''$ West a distance of 17.95 feet to an angle point;
4. Thence North $48^{\circ} 21' 37''$ East a distance of 92.22 feet to an angle point;
5. Thence South $41^{\circ} 38' 23''$ East a distance of 56.67 feet to an angle point;
6. Thence South $48^{\circ} 21' 37''$ West a distance of 98.00 feet to an angle point;
7. Thence South $56^{\circ} 07' 04''$ West a distance of 88.90 feet to the Place of Beginning, and containing 0.1975 acres of land, be the same more or less, but subject to all legal highways and easements of record.

Legal description prepared by Kenneth J. Hejduk, Professional Surveyor 6439 of Hejduk-Cox and Associates, Inc., on December 28, 2006.

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EXHIBIT 2

TO TWELFTH AMENDMENT TO AMENDED DECLARATION OF CONDOMINIUM
OWNERSHIP FOR WINSLOW ESTATES CONDOMINIUMS

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY

**LEGAL DESCRIPTION
RESIDUAL NO. 1 - WINSLOW ESTATES CONDOMINIUMS PHASE 12
10.6372 ACRE PARCEL**

Situated in the City of Aurora, County of Portage, and State of Ohio, and known as being part of Original Aurora Township Lot 27 and being further described as follows:

Beginning at a point at the most northeasterly corner of Winslow Estates Condominiums Amended Phase 2, as recorded in Plat 2002, Page 3 of Portage County records, and the westerly line of the land conveyed to Mary A. Welch, as recorded in Volume 1035, Page 811 of Portage County Deed Records, said point being the **Principal Place of Beginning** of the lands herein described;

1. Thence South 81° 41' 25" West, along the northerly line of said Winslow Estates Condominiums Amended Phase 2, a distance of 25.27 feet to a point at the most northwesterly corner thereof;
2. Thence South 00° 07' 51" West, along the westerly line of said Amended Phase 2, a distance of 137.74 feet to a point at the northeasterly corner of Winslow Estates Condominiums Phase 3, as recorded in Plat 2001, Page 71 of Portage County Records;
3. Thence North 84° 26' 39" West, along a northerly line of said Phase 3, a distance of 87.47 feet to a point at an angle point on an easterly line of Winslow Estates Condominiums Phase 7 Parcel 1 as recorded in Plat 2003 Page 107 of Portage County Records;
4. Thence North 02° 42' 15" East, along an easterly line of said Phase 7 Parcel 1, a distance of 49.17 feet to an angle point;
5. Thence North 63° 52' 56" West, along a northerly line of said Phase 7 Parcel 1, a distance of 41.67 feet to an angle point;
6. Thence North 88° 05' 05" West, along a northerly line of said Phase 7 Parcel 1, a distance of 50.02 feet to an angle point;
7. Thence North 89° 04' 49" West, along a northerly line of said Phase 7 Parcel 1, a distance of 55.19 feet to an angle point;

EXHIBIT 2 CONTINUED

8. Thence South $82^{\circ} 11' 53''$ West, along a northerly line of said Phase 7 Parcel 1, a distance of 53.46 feet to an angle point on the northerly line of aforementioned Phase 3;
9. Thence South $20^{\circ} 04' 41''$ West, along a westerly line of said Phase 3, a distance of 12.81 feet to an angle point;
10. Thence South $77^{\circ} 48' 37''$ West, along a northerly line of said Phase 3, a distance of 51.11 feet to an angle point, said point being a southwesterly corner of Winslow Estates Condominiums Phase 11 as recorded in Plat 2006 Page 81 of Portage County Records;
11. Thence North $19^{\circ} 57' 47''$ West, along an easterly line of Winslow Estates Condominiums Phase 11, a distance of 106.98 feet to an angle point;
12. Thence North $35^{\circ} 21' 32''$ East, along an easterly line of said Phase 11, a distance of 51.33 feet to a point of curvature;
13. Thence along an easterly line of said Phase 11, along the arc of a curve, deflecting to the right, an arc distance of 124.50 feet to a non tangent point of curvature, said curve having a radius 188.00 feet a central angle of $37^{\circ} 56' 40''$ a tangent distance of 64.63 feet and a chord distance of 122.24 feet which bears North $54^{\circ} 19' 52''$ East;
14. Thence along the arc of a curve, deflecting to the left, an arc distance of 159.88 feet to an angle point, said curve having a radius 52.00 feet a central angle of $176^{\circ} 10' 10''$ a tangent distance of 1555.01 feet and a chord distance of 103.94 feet which bears North $57^{\circ} 11' 15''$ East, said point being a southeasterly corner of proposed Winslow Estates Condominiums Phase 12 Parcel 2;
15. Thence North $56^{\circ} 07' 04''$ East, along a southeasterly line of said proposed Phase 12 Parcel 2, a distance of 88.90 feet to an angle point;
16. Thence North $48^{\circ} 21' 37''$ East, along a southeasterly line of said proposed Phase 12 Parcel 2, a distance of 98.00 feet to an angle point;
17. Thence North $41^{\circ} 38' 23''$ West, along a northeasterly line of said proposed Phase 12 Parcel 2, a distance of 56.67 feet to an angle point;
18. Thence South $48^{\circ} 21' 37''$ West, along a northwesterly line of said proposed Phase 12 Parcel 2, a distance of 92.22 feet to an angle point;
19. Thence South $04^{\circ} 05' 28''$ East, along a westerly line of said proposed Phase 12 Parcel 2, a distance of 17.95 feet to an angle point;

EXHIBIT 2 CONTINUED

20. Thence South 45° 48' 58" West, along a northwesterly line of said proposed Phase 12 Parcel 2, a distance of 84.95 feet to a non-tangent point of curvature on a northerly line of aforesaid Winslow Estates Condominiums Phase 11;
21. Thence along the arc of a curve, deflecting to the left, an arc distance of 81.19 feet to an angle point, said curve having a radius 52.00 feet a central angle of 89° 27' 19" a tangent distance of 51.51 feet and a chord distance of 73.19 feet which bears South 74° 34' 54" West;
22. Thence North 02° 33' 16" West, along an easterly line of said Phase 11, a distance of 167.78 feet to an angle point;
23. Thence South 86° 53' 57" West, along a northerly line of said Phase 11, a distance of 121.85 feet to a point, said point being a northeasterly corner of aforesaid proposed Winslow Estates Condominiums Phase 12 Parcel 1;
24. Thence continuing South 86° 53' 57" West, along a northerly line of said proposed Phase 12 Parcel 1, a distance of 38.68 feet to an angle point;
25. Thence South 40° 30' 56" West, along a northwesterly line of said proposed Phase 12 Parcel 1, a distance of 102.55 feet to an angle point;
26. Thence South 49° 29' 04" East, along a southwesterly line said proposed Phase 12 Parcel 1, a distance of 52.99 feet to an angle point;
27. Thence South 40° 30' 56" West, along a northwesterly line of aforesaid Phase 11, a distance of 90.50 feet to an angle point;
28. Thence South 54° 38' 28" East, along a southwesterly line of said Phase 11, a distance of 143.68 feet to an angle point;
29. Thence South 35° 21' 32" West, along a northwesterly line of said Phase 11, a distance of 127.50 feet to an angle point;
30. Thence South 47° 37' 43" East, along a southwesterly line of said Phase 11, a distance of 102.71 feet to an angle point, said point being a northwesterly corner of the aforesaid Phase 4;
31. Thence South 08° 48' 10" West, along a westerly line of said Phase 4, a distance of 41.99 feet to an angle point;
32. Thence South 42° 00' 38" West, along a westerly line of said Phase 4, a distance of 59.30 feet to an angle point;

EXHIBIT 2 CONTINUED

33. Thence South 62° 47' 29" West, along a northerly line of said Phase 4, a distance of 67.29 feet to an angle point;
34. Thence South 78° 22' 01" West, along a northerly line of said Phase 4, a distance of 49.87 feet to a point at a northeasterly corner of aforementioned Amended Phase 2, and the northwesterly corner of said Phase 4;
35. Thence South 86° 44' 30" West, along the northerly line of said Amended Phase 2, a distance 84.81 feet to an angle point;
36. Thence North 19° 42' 52" West a distance of 205.78 feet to an angle point;
37. Thence North 89° 52' 09" West, a distance of 452.70 feet to a point on the easterly line of lands now or formerly owned by First Baptist Church of Aurora (permanent parcel 03-027-00-00-002.003 of Portage County Records);
38. Thence North 00° 07' 51" East, along the easterly line of said First Baptist Church of Aurora land, a distance of 417.26 feet to a point on the southerly line of Chatham Estates Subdivision, as recorded in Volume 19, Pages 33 & 34 of Portage County Records;
39. Thence South 89° 19' 11" East, along the southerly line of said Chatham Estates Subdivision, a distance of 1165.04 feet to the northwesterly corner of land conveyed to aforementioned Mary A. Welch;
41. Thence South 00° 07' 51" West, along the westerly line of said Mary A. Welch land, a distance of 364.60 feet to the **Place of Beginning**, and containing 10.6372 acres of land, be the same more or less, but subject to all legal highways and easements of record.

Legal description prepared by Kenneth J. Hejduk, Professional Surveyor 6439 of Hejduk-Cox and Associates, Inc., on Dec. 28, 2006.

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EXHIBIT 2 CONTINUED

**LEGAL DESCRIPTION
RESIDUAL NO. 2 - WINSLOW ESTATES CONDOMINIUMS PHASE 12
0.8257 ACRE PARCEL**

Situated in the City of Aurora, County of Portage, and State of Ohio, and known as being part of Original Aurora Township Lot 27 and being further described as follows:

Beginning at a point at the most southeasterly corner of Winslow Estates Condominiums Phase 3, as recorded in Plat 2001, Page 71 of Portage County Records, and the westerly line of Winslow Estates Condominium Amended Phase 2, as recorded in Plat 2002, Page 3 of Portage County Records, said point being the **Principal Place of Beginning** of the lands herein described;

1. Thence South $00^{\circ} 07' 51''$ West, along a westerly line of said Amended Phase 2, a distance of 291.60 feet to an angle point;
2. Thence South $62^{\circ} 23' 07''$ West, along a northerly line of said Amended Phase 2, a distance of 194.26 feet to an angle point;
3. Thence North $76^{\circ} 31' 19''$ West, along a northerly line of said Amended Phase 2, a distance of 49.83 feet to an angle point;
4. Thence North $30^{\circ} 46' 33''$ East, along an easterly line of Winslow Estates Condominiums Phase 4, as recorded in Plat 2002, Page 20 of Portage County Records, a distance of 66.87 feet to an angle point;
5. Thence North $13^{\circ} 08' 11''$ East, along an easterly line of said Phase 4, a distance of 2.52 feet to a point at the southwest corner of Winslow Estates Condominiums Phase 7 – Parcel 3 as recorded in Plat 2003, Page 107 of Portage County Records;
6. Thence South $83^{\circ} 51' 47''$ East, along a southerly line of said Phase 7 – Parcel 3, a distance of 75.60 feet to an angle point;
7. Thence North $06^{\circ} 08' 13''$ East, along an easterly line of said Phase 7 – Parcel 3, a distance of 45.00 feet to an angle point;
8. Thence North $30^{\circ} 44' 37''$ West, along an easterly line of said Phase 7 – Parcel 3, a distance of 54.37 feet to a point on a non-tangent curve on a southerly line of aforementioned Phase 4;
9. Thence along the arc of a curve on an easterly line of said Phase 4, deflecting to the left, an arc distance of 43.38 feet to an angle point, said curve having a radius of 50.00 feet, a delta of $49^{\circ} 42' 22''$ and a chord distance of 42.03 feet which bears North $34^{\circ} 24' 12''$ East;

EXHIBIT 2 CONTINUED

10. Thence North 80° 54' 21" East, along a southerly line of said Phase 4, a distance of 109.95 feet to an angle point;
11. Thence North 08° 44' 16" West along an easterly line of said Phase 4, a distance of 57.70 feet to an angle point;
12. Thence South 80° 54' 21" West, along a northerly line of said Phase 4, a distance of 130.12 feet to a point on a non-tangent curve;
13. Thence along the arc of a curve on a northerly line of said Phase 4, deflecting to the left, an arc distance of 8.90 feet to a point on a non-tangent curve, said curve having a radius of 50.00 feet, a delta of 10° 11' 38" and a chord distance of 8.88 feet which bears North 70° 44' 05" West;
14. Thence along the arc of a curve on an easterly line of said Phase 4, deflecting to the left, an arc distance of 71.44 feet to an angle point, said curve having a radius of 380.00 feet a delta of 10° 46' 17" and a chord distance of 71.33 feet which bears North 31° 09' 59" West;
15. Thence North 54° 26' 00" East, along a southerly line of said Phase 4, a distance of 34.27 feet to an angle point;
16. Thence South 88° 34' 06" East, along a southerly line of said Phase 4, a distance of 66.55 feet to an angle point;
17. Thence North 58° 09' 23" East, along a southerly line of said Phase 4, a distance of 106.08 feet to the Place of Beginning, and containing 0.8257 acres of land, be the same more or less, but subject to all legal highways and easements of record.

Legal description prepared by Kenneth J. Hejduk, Professional Surveyor 6439 of Hejduk-Cox and Associates, Inc., on Dec. 27, 2006.

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**NO TRANSFER
REQUIRED**

**IANET ESPOSITO
AUDITOR**

JAN 25 2007

PART OF

03-027-00-00-002.077

0.305 A.

0.198 A.

OUT OF
11.140 A.

BAL OF
10.637 A.

1/25/07 TAX MAP DEPT. 480
LEGAL DESCRIPTION
 SUFFICIENT DEFICIENT
 NO DIVISION OF LAND

03-027-00-00-002.083

0.826 A.

EXHIBIT 3

**TO TWELFTH AMENDMENT TO AMENDED DECLARATION OF CONDOMINIUM
OWNERSHIP FOR WINSLOW ESTATES CONDOMINIUMS**

**A NARRATIVE DESCRIPTION OF BUILDINGS AND UNITS
AND UNIT TYPES FOR PHASE XII**

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 Mennonite Road, a duly dedicated public street, in the City of Aurora, Portage County, Ohio. Phase XII of the Condominium Development consists of two (2) "free-standing", single-family Condominium Units. Each Unit consists of the entire structure of the free-standing Building. The Units are designated as Unit Nos. 26 and 31, and they are both situated on Dover Drive, a private drive.

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

Two (2) Unit types are being submitted by this Twelfth Amendment. The Unit types are known as the "Chaucer A3" type Unit and the "Chaucer A3S" type Unit. Unit Nos. 31 is a "Chaucer A3" type Unit, and Unit No. 26 is a "Chaucer A3S" type Unit.

A patio, porch or deck (if any) adjacent to a Unit is limited common area attributable to such Unit.

The "Chaucer A3" type Unit is a one-story ranch Unit containing approximately 1,912 square feet of living area (exclusive of garage and basement areas). The first floor consists of a foyer, family room, kitchen/dinette, three (3) bedrooms, a sun room, two (2) full baths, laundry room and an attached two (2) car garage.

The "Chaucer A3S" type Unit is a one-story ranch Unit containing approximately 2,082 square feet of living area (exclusive of garage and basement areas). The Unit consists of a foyer, family room, kitchen/dinette, three (3) bedrooms, a sun room, two (2) full baths, a laundry room and an attached two (2) car garage.

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

EXHIBIT 4

**TO TWELFTH AMENDMENT TO AMENDED DECLARATION OF CONDOMINIUM
OWNERSHIP FOR WINSLOW ESTATES CONDOMINIUMS**

UNIT NO.	PHASE NO.	UNIT ADDRESS	PERCENTAGE OR FRACTIONAL INTEREST IN COMMON AREAS AND FACILITIES AND PERCENTAGE OR FRACTIONAL INTEREST IN COMMON EXPENSES, COMMON ASSESSMENTS, COMMON SURPLUS, COMMON PROFITS AND COMMON LOSSES
1	I	660 Winslow Drive	1/38
2	I	656 Winslow Drive	1/38
3	I	652 Winslow Drive	1/38
66	I	657 Winslow Drive	1/38
4	II	648 Winslow Drive	1/38
63	II	649 Winslow Drive	1/38
16	III	625 Eaton Drive	1/38
19	III	613 Eaton Drive	1/38
5	IV	618 Eaton Drive	1/38
9	IV	644 Eaton Drive	1/38
13	IV	637 Eaton Drive	1/38
15	IV	629 Eaton Drive	1/38
64	V	653 Winslow Drive	1/38
65	VI	655 Winslow Drive	1/38
8	VII	621 Eaton Drive	1/38
10	VII	617 Eaton Drive	1/38
17	VII	640 Winslow Drive	1/38
18	VII	648 Winslow Drive	1/38
50	VIII	608 Avon Drive	1/38
51	VIII	612 Avon Drive	1/38
52	VIII	616 Avon Drive	1/38
53	VIII	620 Avon Drive	1/38
54	VIII	624 Avon Drive	1/38
62	VIII	621 Avon Drive	1/38
6	IX	628 Eaton Drive	1/38

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UNIT NO.	PHASE NO.	UNIT ADDRESS	PERCENTAGE OR FRACTIONAL INTEREST IN COMMON AREAS AND FACILITIES AND PERCENTAGE OR FRACTIONAL INTEREST IN COMMON EXPENSES, COMMON ASSESSMENTS, COMMON SURPLUS, COMMON PROFITS AND COMMON LOSSES
7	IX	636 Eaton Drive	1/38
55	IX	628 Avon Drive	1/38
56	IX	632 Avon Drive	1/38
57	X	641 Avon Drive	1/38
58	X	637 Avon Drive	1/38
59	X	633 Avon Drive	1/38
60	X	629 Avon Drive	1/38
61	X	625 Avon Drive	1/38
29	XI	581 Dover Drive	1/38
30	XI	585 Dover Drive	1/38
32	XI	593 Dover Drive	1/38
26	XII	571 Dover Drive	1/38
31	XII	589 Dover Drive	1/38
			TOTAL: 1

CONSENT OF MORTGAGEE TO TWELFTH AMENDMENT TO AMENDED DECLARATION
OF CONDOMINIUM OWNERSHIP FOR WINSLOW ESTATES CONDOMINIUMS

The undersigned, THE HUNTINGTON NATIONAL BANK, is mortgagee of premises described in the within Twelfth Amendment to Amended Declaration of Condominium Ownership for Winslow Estates Condominiums, Aurora, Ohio, by virtue of mortgage recorded on December 23, 2003 as Instrument No. 200347921 in the Portage County Records (the "Mortgage").

The undersigned hereby consents to the execution and delivery of the foregoing Twelfth Amendment to Amended Declaration of Condominium Ownership, with the Bylaws, 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.

THE HUNTINGTON NATIONAL BANK

By Maria Nagy
Print Name: MARIA NAGY
Title: VICE PRESIDENT

By Jennifer Hearn
Print Name: Jennifer Hearn
Title: Vice President

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 Maria Nagy, its Vice President, and by Jennifer Hearn, its 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 of the corporation and the free act and deed of the said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Cleveland, Ohio, this 2nd day of January, 2007.

[Signature]

Notary Public
My Commission Expires: _____

THIS INSTRUMENT PREPARED BY:
RICHARD A. ROSNER, ATTORNEY AT LAW
KAHN KLEINMAN, LPA
2600 ERIEVIEW TOWER
1301 EAST NINTH STREET
CLEVELAND, OHIO 44114-1824
(216) 696-3311

