## THE HAMLETS OF GLENMOOR CONDOMINIUM NO. II JACKSON TOWNSHIP, OHIO

### PHASE NO. III

## ADDING UNIT NOS. III-9, III-10, IV-15, IV-16, IV-23 AND IV-24 SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP

This will certify that copies of this Second Amendment to Declaration of Condominium Ownership for The Hamlets of Glenmoor Condominium No. II and the Drawings referred to therein, have been filed in the office of the County Auditor, Stark County, Ohio.

Date: <u>May 574</u>

Jant Hoir Craighton Stark County Auditor

THIS INSTRUMENT PREPARED BY:

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

INDEX DESCRIPTION CROSS REF

#### SECOND AMENDMENT TO

### **DECLARATION OF CONDOMINIUM OWNERSHIP**

### FOR THE HAMLETS OF GLENMOOR CONDOMINIUM NO. II

### JACKSON TOWNSHIP, OHIO

### (PHASE NO. III)

WHEREAS, GLENMOOR HAMLETS, LTD., an Ohio limited liability company, 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 August 5, 1999, with the Stark County Recorder, the Declaration being recorded as Imaging No. 1999060555 of Stark County Deed Records and the Drawings being recorded in Volume 5, Pages 57 through 75 of Stark County Condominium Map Records and thereby submitted Phase No. I of The Hamlets of Glenmoor Condominium No. II to the provisions of Chapter 5311 of the Ohio Revised Code (the Condominium Property Act); and

WHEREAS, Declarant by First Amendment to the Declaration of Condominium Ownership and the Drawings incorporated by reference therein, recorded on October 20, 1999 with the Stark County Recorder, the First Amendment being recorded as Imaging No. 1999078524 of Stark County Deed Records and the Drawings being recorded in Volume 5, Pages 90 through 96 of Stark County Condominium Map Records, thereby submitted Phase No. II of The Hamlets of Glenmoor Condominium No. II to the provisions of Chapter 5311 of the Ohio Revised Code; and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases 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; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium Property and to submit to said Chapter 5311 of the Ohio Revised Code, as Additional Property pursuant to Articles XI and XII of the Declaration, the real property designated herein as Phase No. III of The Hamlets of Glenmoor Condominium No. II which is improved with one (1) Building containing two (2) Units for a total of two (2) Units..

NOW, THEREFORE, Declarant, pursuant to the authority of Articles XI and XII of the Declaration hereby declares that the 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 Declaration).

JES\K0315673.1

- 1. The Phase No. III 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 I of the Declaration, and are also hereby submitted to Chapter 5311 of the Ohio Revised Code as a part of the Condominium Property in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.
- 2. The legal description of Parcel No. 1 set forth in Exhibit "1" of the Declaration is amended to include the real property for Phase No. III of The Hamlets of Glenmoor Condominium No. II, the legal description for Phase No. III being described in Exhibit "1" attached hereto and made a part hereof.
- 3. The legal description of the Additional Property set forth in Exhibit "2" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.
- 4. In the first paragraph of Article II of the Declaration and in Article II(A) of the Declaration the number of Units referred to therein is increased from ten (10) Units to sixteen (16) Units. A narrative description of the Building and Units for Phase No. III is set forth in Exhibit "3" attached hereto and made a part hereof.
- 5. The percentage interest of each Unit in the Common Areas and Facilities as set forth in Exhibit "E" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.
- 6. The particulars of the land, buildings and other improvements for Phase No. III, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Areas and Facilities and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Phase No. III Allotted Drawings incorporated in this Second Amendment to Declaration of Condominium Ownership for The Hamlets of Glenmoor Condominium No. II, by reference as Exhibit "A", prepared and bearing the certified statements of Shisler, Metzger & Associates, Registered Surveyors, 2011 Fulton Road, N.W., Canton, Ohio 44709, and Theodore Macosko, T.S. Macosko Architect, Inc., Registered Architects, 50 Front Street, Berea, Ohio 44017, as required by the Condominium Act of the State of Ohio. The Phase No. III Allotted Drawings will be filed in the Condominium Map Records of the Office of the Recorder of Stark County, Ohio, simultaneously with the filing of this Second Amendment to the Declaration.
- 7. Article XX of the Declaration is amended to provide that the two (2) year warranty period for Phase No. III 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. III to a Purchaser in good faith for value.

- 8. No owner of a Unit which was not included in Phase Nos. I and II shall: (a) have or obtain any interest in funds collected by the Association from the owners of Units included in Phase Nos. I and II prior to the filing of this Second 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 Second Amendment.
- 9. 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 Declaration creating such interests is filed for record.
  - 10. Except as amended herein, the Declaration thereto shall remain in full force and effect.
- 11. This Second Amendment to Declaration may be executed in several counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.
- 12. Consent to this Second Amendment to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Articles XI and XII of the Declaration.

IN WITNESS WHEREOF, the said Glenmoor Hamlets, Ltd., as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 18 day of 1000.

Signed in the Presence of:

GLENMOOR HAMLETS, LTD., an Ohio limited liability company

By:

Bert L. Wolstein, Manager

Michelle for public K

Print Name: Michelle for public K

Print Name: Isa Willer

Print Name: Isa Willer

STATE OF OHIO	)
<b>.</b> .	) SS
COUNTY OF Chyaho ac	)

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named GLENMOOR HAMLETS, LTD., an Ohio limited liability company, by Bert L. Wolstein, a Manager, 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 both individually and as Manager of the limited liability company and the free act and deed of the said limited liability company.

IN TESTIMONY WHEREOF, I have herein of April , 2000.	n set my hand and notarial seal this/8 4 day
GLENDA PECK, Notary Public State of Ohio, Cuyahoga County My Commission Expires March 9, 2004	Slend Ceck Notary Public My Commission Expires: 3/9/04
STATE OF OHIO )	
COUNTY OF Luniut ) ss.	

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named GLENMOOR HAMLETS, LTD., an Ohio limited liability company, by William D. Bishop, a Manager, 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 both individually and as Manager of the limited liability company and the free act and deed of the said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 20 day of 10 dul, 2000.

Michelle Popowiak
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
CLEVELAND, OHIO 44114-1824
(216) 696-3311

Michelle Popowniak, Notary Public State of Ohio, Cuyahoga County My Commission Expires Oct. 22, 2000



JES\K0315673.1

#### EXHIBIT "A"

## TO SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR THE HAMLETS OF GLENMOOR CONDOMINIUM NO. II

#### REFERENCE TO ALLOTTED DRAWINGS

The particulars of the land, buildings and other improvements, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Areas and Facilities and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the Second Amendment to Declaration of Condominium Ownership for The Hamlets of Glenmoor Condominium No. II, by reference as Exhibit "A", prepared and bearing the certified statements of Shisler, Metzger & Associates, Registered Surveyors, 2011 Fulton Road, N.W., Canton, Ohio 44709 and Theodore Macosko, T.S. Macosko Architect, Inc., Registered Architects, 50 Front Street, Berea, Ohio 44017, as required by the Condominium Act of the State of Ohio. Such set of Allotted Drawings will be filed in the Condominium Map Records of the Office of the Recorder of Stark County, Ohio, simultaneously with the recording of the Second Amendment.

### LAND SURVEYING SERVICES

2011 FULTON RD. N.W. CANTON, OHIO 44709

PHONE: (330) 455 - 4942 FAX: (330) 455 - 1570

## HAMLETS OF GLENMOOR CONDOMINIUM NUMBER 2 PHASE III - PARCEL "A" DESCRIPTION OF 0.428 ACRES

Known as and being located in the Southeast Quarter of Section 22, (T-11, R-9), Jackson Township, Stark County, State of Ohio, and being a portion of the 8.092 acre tract of the Hamlets of Glenmoor Condominium Number 2, described in Recorder's Instrument No. 1999078524 of Stark County Official Records, and recorded in Condominium Plat Volume 5, pages 90 through 96, and being further bounded and described as follows;

Beginning at a Stark County monument found at the northwest corner of Lot 269 of The Estates of Glenmoor Subdivision No. 5, recorded in Plat Book 57, pages 119 & 120, of the Stark County Plat Records, and being the southwest corner of the Hamlets of Glenmoor Condominium Number 2;

Thence N 5° 51' 49° E, with the westerly bounds of The Hamlets of Glenmoor Condominium Number 2, a distance of 217.83 feet to a point, and the true place of beginning for the tract of land herein to be described;

Thence continuing N 5° 51' 49" E, with the westerly bounds of The Hamlets of Glenmoor Condominium Number 2, a distance of 119.29 feet to a 1" iron bar found:

Thence S 84° 30' 05" E, with the northerly bounds of said Hamlets of Glenmoor Number 2, and passing over a 1/2" iron bar with "H & A Ltd." Cap found at 124.93 feet, a distance of 157.73 feet to a point in Doral Drive N.W. (a private roadway easement);

Thence S 7" 51' 03" W, with said Doral Drive, a distance of 120.45 feet to a point,

Thence N 84° 06' 17" W, a distance of 153.55 feet to a point, and the true place of beginning, containing within said bounds 0.428 acres of land, as surveyed by Edward C. Metzger, P.S. No.7090, of Shisler, Metzger and Associates in March of the year 2000.

Basis of bearings: N 84° 06' 17" W, used for the north line of Lots 267 through 269 of The Estates of Glenmoor Subdivision No. 5, as per Plat Book 57, pages 119 & 120, of the Stark County Plat Records

HAMLETS PHASE III -A



Surveyed by,

Shisler, Metzger & Associates

Edward C. Metzgel

### LAND SURVEYING SERVICES

2011 FULTON RD. N.W. CANTON, OHIO 44709

PHONE: (330) 455 - 4942 FAX: (330) 455 - 1570

## HAMLETS OF GLENMOOR CONDOMINIUM NUMBER 2 PHASE III-PARCEL\*B\* DESCRIPTION OF 0.306 ACRES

Known as and being located in the Southeast Quarter of Section 22, (T-11, R-9) Jackson Township, Stark County, State of Ohio, and being a portion of the 8.092 acre tract of The Hamlets of Glenmoor Condominium Number 2, described in Recorder's Instrument No.1999078524 of Stark County Official Records, and recorded in Condominium Plat Volume 5, pages 90 through 96, and being further bounded and described as follows;

Beginning at a Stark County monument found at the northwest corner of Lot 269 of The Estates of Glenmoor Subdivision No. 5, recorded in Plat Book 57, pages 119 & 120, of the Stark County Plat Records, and being the southwest corner of The Hamlets of Glenmoor Condominium Number 2;

Thence S 84° 06' 17" E, with the north line of said Estates of Glenmoor Subdivision No. 5, and the south line of The Hamlets of Glenmoor Condominium Number 2, a distance of 249.42 feet to a point, and the true place of beginning for the tract of land herein to be described;

Thence N 5° 50' 13" E, a distance of 125.83 feet to a point in St. Augustine Drive N.W. (a private roadway easement);

Thence S 84° 06' 12" E, with said St. Augustine Drive N.W., a distance of 105.51 feet to a point;

Thence with the arc of a curve to the right, said curve having a radius of 238.00 feet, a central angle of 0° 07' 08", a tangent of 0.25 feet, and a cord of 0.49 feet, that bears S 84° 06' 12" E, a distance along said arc of 0.49 feet to a point;

Thence S 5° 50' 13" W, a distance of 125.83 feet to a point on the southerty bounds of said Hamlets of Glenmoor Condominium Number 2, and the north line of said Estates of Glenmoor Subdivision No. 5:

Thence N 84° 06' 17" W, with the south line of said Hamlets of Glenmoor Condominium Number 2, and the north line of said Estates of Glenmoor Subdivision No. 5, a distance of 106.00 feet to a point, and the true place of beginning, containing within said bounds 0.306 acres of land, more or less, subject to any and all easements, reservations, or restrictions that may be of record pertaining to the above described tract of land, as surveyed by Edward C. Metzger, P.S. No. 7090, of Shisler, Metzger and Associates in March of the year 2000.

Basis of bearings: N 84° 06' 17" W, used for the north line of Lots 267 through 269 of The Estates of Glenmoor Subdivision No. 5, as per Plat Book 57, pages 119 & 120 of the Stark County Plat Records

EDWARD

CHARLES METZGER

ONAL

Surveyed by,

Shisler, Metzger & Associates

Edward C. Metzger

HAMLETS PHASE IN B

#### LAND SURVEYING SERVICES

2011 FULTON RD. N.W. CANTON, OHIO 44709

PHONE: (330) 455 - 4942 FAX: (330) 455 - 1570

## HAMLETS OF GLENMOOR CONDOMINIUM NUMBER 2 PHASE III-PARCEL "C" DESCRIPTION OF 0.420 ACRES

Known as and being located in the Southeast Quarter of Section 22, (T-11, R-9), Jackson Township, Stark County, State of Ohio, and being a portion of the 8.092 acre tract of The Hamlets of Glenmoor Condominium Number 2, described in Recorder's Instrument No. 1999078524 of Stark County Official records, and recorded in Condominium Plat Book Volume 5, pages 90 through 96, and being further bounded and described as follows;

Beginning at a Stark County monument found at the northeast corner of Lot 266 of the Estates of Glenmoor Subdivision No. 5, recorded in Plat Book 57, pages 119 & 120, of the Stark County Plat Records, and being the southeasterly corner of The Hamlets of Glenmoor Condominium Number2;

Thence N 28° 21' 32" E, with the westerly right-of-way of Armandale Ave. N.W., and the easterly bounds of said Hamlets of Glenmoor Condominium Number 2, a distance of 263.25 feet to a point, and the true place of beginning for the tract of land herein to be described;

Thence N 61° 31' 25" W, a distance of 161.85 feet to a point in Pebble Beach Drive N.W. (a private roadway easement);

Thence N 28° 19' 26° E, with said Pebble Beach Drive N.W., a distance of 109.06 feet to a point

Thence S 61° 39' 22" E, a distance of 178.24 feet to a point on the westerly right-of-way of said Armandale Ave. N.W.;

CHARLES

METZGER 7090

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Thence with the westerly right-of-way of Armandale Ave. N.W., and the arc of a curve to the left, said curve having a radius of 375.00 feet, a central angle of 16° 58' 05", a tangent of 55.94 feet, and a chord of 110.65 feet, that bears S 36° 50' 34" W, a distance along said arc of 111.06 feet to a point, and the true place of beginning, containing with said bounds 0.420 acres of land, more or less, subject to any and all easements, reservations, or restrictions that may be of record pertaining to the above described tract of land, as surveyed by Edward C. Metzger, P.S. No. 7090, of Shisler, Metzger and Associates in March of the year 2000

Basis of bearings: N 84° 06' 17" W, used for the north line of Lots 267 through 269 of The Estates of Glenmoor Subdivision No. 5, as per Plat Book 57, pages 119 & 120, of the Stark County Plat Records

Surveyed by,

Shisler, Metzger & Associates

(Wass) C Mutta

Edward C. Metzger

HAMLETS PHASE III - C

## LAND SURVEYING SERVICES

2011 FULTON RD. N.W. CANTON, OHIO 44709

PHONE: (330) 455 - 4942 FAX: (330) 455 - 1570

## HAMLETS OF GLENMOOR CONDOMINIUM NUMBER 2 PHASE III - REMAINDER "C-1" DESCRIPTION OF 7.228 ACRES

Known as and being located in the Southeast Quarter of Section 22, (T-11, R-9), Jackson Township, Stark County, State of Ohio, and being a portion of the 8.092 acre tract of the Hamlets of Glenmoor Condominium Number 2, described in Recorder's Instrument No. 1999078524 of Stark County Official Records, and recorded in Condominium Plat Volume 5, pages 90 through 96, and being further bounded and described as follows:

Beginning at a Stark County monument found at the northwest corner of Lot 269 of The Estates of Glenmoor Subdivision No.5, recorded in Plat Book 57, pages 119 & 120, of the Stark County Plat Records, and being the southwest corner of the Hamlets of Glenmoor Condominium Number 2:

Thence N 5° 51' 49" E, with the westerly bounds of The Hamlets of Glenmoor Number 2, a distance of 337.12 feet to a 1" iron bar found;

Thence S 84° 30' 05" E, with the northwesterly bounds of said Hamlets of Glenmoor Condominium Number 2, a distance of 124.93 feet to a 1/2" iron bar with "H & A Ltd." Cap found, and the true place of beginning for the tract of land herein to be described:

Thence N 5° 55′ 53″ E, continuing with the westerly bounds of said Hamlets of Glenmoor Condominiums Number 2, a distance of 400.13 feet to a 3/4° iron bar found at the northwesterly corner of said Hamlets of Glenmoor Condominium Number 2:

Thence S 84° 37' 11" E, with the northerly bounds of said Hamlets of Glenmoor Condominium Number 2, a distance 453.04' to a 1/2" iron bar with "H & A Ltd." cap found;

Thence N 5° 19' 01" E with the westerly bounds of said Hamlets of Glenmoor Condominium Number 2, and passing over a 1/2" iron bar with "H & A Ltd." cap at 279.68 feet, a distance of 283.18 feet to a point in Yost St. N.W. (T – 430);

Thence S 84° 49' 47" E, with the northerly bounds of said Hamlets of Glenmoor Condominiums Number 2, a distance of 121.58 feet to a point, and the northeasterly corner of said Hamlets of Glenmoor Condominium Number 2:

Thence S 5° 15' 48" W, with the easterly bounds of said Hamlets of Glenmoor Condominium Number 2, and passing over a 1/2" iron bar with "H & A Ltd." cap found at 3.50 feet, a distance of 265.89 feet to a 1/2" iron bar with "H & A Ltd." cap found;

Thence N 84° 42' 13" W, continuing with the easterly bounds of said Hamlets of Glenmoor Condominium Number 2, a distance of 75.53 feet to a point in Augusta Ave. N.W. (a private roadway easement);

Thence S 7" 33' 23" W, continuing with the easterly bounds of said Hamlets of Glenmoor Condominium Number 2, a distance of 200.00 feet to a point;

Thence S 82° 29' 21" E, continuing with the easterly bounds of said Hamlets of Glenmoor Condominium Number 2, a distance of 92.00 feet to a point;

Thence S 7° 30' 39" W, continuing with the easterly bounds of said Hamlets of Glenmoor Condominium Number 2, a distance of 99.97 feet to a point:

Continued on page 2

#### Hamlets of Glenmoor Condominium Number 2, Phase III, Remainder "C-1", continued

Thence continuing with the easterly bounds of said Hamlets of Glenmoor Condominium Number 2, along an arc of a curve to the right, having a radius of 100.00 feet, a central angle of 19° 09′ 14°, a tangent of 16.87 feet, a cord of 33.27 feet that bears S 62° 04′ 28° E, a distance along said arc of 33.43 feet to a point:

Thence S 52° 29' 51" E, continuing with the easterly bounds of said Hamlets of Glenmoor Condominium Number 2, a distance of 69.28 feet to a point;

Thence continuing with the easterly bounds of said Hamlets of Glenmoor Condominium Number 2, along an arc of a curve to the right, having a radius of 60.00 feet, a central angle of 66° 25' 44", a tangent of 39.28 feet, a cord of 65.73 feet that bears \$ 19° 17' 00" E, a distance along said arc of 69.56 feet to a point on the northwesterly right-of-way of Armandale Ave. N.W.:

Thence continuing with the easterly bounds of said Hamlets of Glenmoor Condominium Number 2, along an arc of a curve to the left, having a radius of 375.00 feet, a central angle of 21° 24' 17", a tangent of 70.87 feet, a cord of 139.28 feet that bears \$ 56° 01' 45" W, a distance along said arc of 140.09 feet to a point;

Thence N 61° 39' 22" W, a distance of 178.24 feet to a point in Pebble Beach Drive N.W. (a private roadway easement);

Thence S 28° 19' 26" W with said Pebble Beach Drive N.W., a distance of 109.06 feet to a point.

Thence N 61° 31' 25" W, a distance of 115.82 feet to a point;

Thence N 84° 03' 06" W, a distance of 128.62 feet to a point:

Thence S 5° 53' 43" W, a distance of 122.25 feet to a point in St. Augustine Drive N.W. (a private roadway easement):

Thence N 84° 06' 12" W, with said St. Augustine Dr. N.W., a distance of 55.06 feet to a point.

Thence with said St. Augustine Drive N.W., and Doral Drive N.W. (a private roadway easement), and along an arc of a curve to the right, having a radius of 68.00 feet, a central angle of 89° 59′ 56″, a tangent of 68.00 feet, a cord of 96.17 feet that bears N 39° 06′ 15″ W, a distance along said arc of 106.81 feet to a point;

Thence N 7° 51' 03" E, with said Doral Drive N.W., a distance of 120.45 feet to a point:

Thence N 84° 30' 05" W, a distance of 32.80 feet to a 1/2" iron bar with "H & A Ltd." cap found and the true place of beginning, containing within said bounds 7.229 acres of land, more or less, subject to any and all easements, reservations or restrictions that may be of record pertaining to the above described tract of land, as surveyed by Edward C. Metzger, P.S. No. 7090, of Shister, Metzger and Associates in March of the year 2000.

Basis of bearings: N 84° 06' 17" W, used for the north line of Lots 267 through 269 of the Estates of Glenmoor Subdivision No.5, as per Plat Book 57, pages 119 & 120 of the Stark County Plat Records.

HAMLETS PHASE III REM C-1



Surveyed by,

Shisler, Metzger & Associates

Edward C. Metzger

#### LAND SURVEYING SERVICES

2011 FULTON RD. N.W. CANTON, OHIO 44709

PHONE: (330) 455 - 4942 FAX: (330) 455 - 1570

### HAMLETS OF GLENMOOR CONDOMINIUM NUMBER 2 PHASE III - REMAINDER "C - 2" **DESCRIPTION OF 0.335 ACRES**

Known as and being located in the Southeast Quarter of Section 22, (T-11, R-9) Jackson Township, Stark County, State of Ohio, and being a portion of the 8.092 acre tract of the Hamlets of Glenmoor Condominium Number 2, described in Recorder's Instrument No. 1999078524 of Stark County Official Records, and recorded in Condominium Plat Volume 5, pages 90 through 96, and being further bounded and described as follows:

Beginning at a Stark County monument found at the northeast corner of Lot 266 of the Estates of Glenmoor Subdivision No. 5. recorded in Plat Book 57, pages 119 & 120, of the Stark County Plat Records, and being the southeasterly corner of The Hamlets of Glenmoor Condominium Number 2:

Thence N 61° 31' 25" W, with the northerly bounds of said Estates of Glenmoor Subdivision No. 5, and the southerly line of said Hamlets of Glenmoor Condominium Number 2, a distance of 130,00 feet to a point, and the true place of beginning for the tract of land herein to be described:

Thence continuing N 61° 31' 25" W, with the northerly bounds of said Estates of Glenmoor Subdivision No. 5, and the southerly bounds of said Hamlets of Glenmoor Condominium Number 2, a distance of 72.96 feet to a point:

Thence N 84° 06' 17" W, continuing with the northerly bounds of said Estates of Glenmoor Subdivision No. 5, and the southerly bounds of said Hamlets of Glenmoor Condominium Number 2, a distance of 18,08 feet to a point:

Thence N 5° 50' 13" E, a distance of 125.83 feet to a point in St. Augustine Drive N.W. (a private roadway easement);

Thence with said St. Augustine Drive N.W., and an arc of a curve to the right, said curve having a radius of 238.00 feet, a central angle of 22° 20' 39", a tangent of 47.00 feet, and a cord of 92.23 feet, that bears \$ 72° 48' 44" E, a distance along said arc of 92.82 feet to a point:

Thence S 61° 38' 25" E, with said St. Augustine Drive. N.W., a distance of 47.38 feet to a point.

OF

CHARLES

METZGER 7090

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Thence S 28° 21' 32" W, a distance of 127.34 feet to a point, and the true place of beginning, containing within said bounds 0.335 acres of land, more or less, subject to any and all easements, reservations, or restrictions that may be of record pertaining to the above described tract of land, as surveyed by Edward C. Metzger, P.S. No.7090, of Shisler, Metzger and Associates in March of the year 2000.

Basis of bearings: N 84\* 06' 17" W. used for the north line of Lots 267 through 269 of The Estates of Glenmoor Subdivision No. 5, as per Plat Book 57, pages 119 & 120 of the Stark County Plat Records The state of the s

Surveyed by,

Shisler, Metzger & Associates

Edward C. Metzger

HAMLETS PHASE 3 - REM C-2

### LAND SURVEYING SERVICES

2011 FULTON RD. N.W. CANTON, OHIO 44709

PHONE: (330) 455 - 4942 FAX: (330) 455 - 1570

## HAMLETS OF GLENMOOR CONDOMINIUM NUMBER 2 PHASE III - REMAINDER "C-3" DESCRIPTION OF 0.741 ACRES

Known as and being located in the Southeast Quarter of Section 22, (T-11, R-9) Jackson Township, Stark County, State of Ohio and being a portion of the 8.092 acre tract of the Hamlets of Glenmoor Condominium Number 2, described in Recorder's Instrument No. 1999078524 of Stark County Official Records, and recorded in Condominium Plat Volume 5, pages 90 through 96, and being further bounded and described as follows;

Beginning at, and being the true place of beginning for the tract of land herein to be described, a Stark County monument found at the northwest corner of Lot 269 of The Estates of Glenmoor Subdivision No. 5, recorded in Plat Book 57, pages 119 & 120, of the Stark County Plat Records, and the southwest corner of The Hamlets of Glenmoor Condominium Number 2;

Thence N 5° 51' 49" E, with the west line of The Hamlets of Glenmoor Condominium Number 2, a distance of 122,59 feet to a point:

Thence S 84° 06' 17" E a distance of 103.33 feet to a point,

Thence N 64° 05' 07" E, a distance of 60.53 feet to a point in St. Augustine Drive N.W. (a private roadway easement);

Thence with said St. Augustine Drive N.W., and an arc of a curve to the left, having a radius of 92.00 feet, a central angle of 46° 29' 38", a tangent of 39.52 feet, and a chord of 72.62 feet that bears S 60° 51' 24" E, a distance along said arc of 72.62 feet to a point:

Thence S 84° 06' 12" E, with said St. Augustine Drive N.W., a distance of 27.86 feet to a point,

Thence S 5° 50' 13" W, a distance of 125.83 feet to a point on the southerly bounds of said Hamlets of Glenmoor Condominium Number 2, and the northerly bounds of said Estates of Glenmoor Subdivision No. 5;

Thence N 84" 06' 17" W, with the southerly bounds of said Hamlets of Glenmoor Condominium Number 2, and the northerly bounds of said Estates of Glenmoor Subdivision No. 5, a distance of 249.42 feet to a Stark County monument found, and the true place of beginning, containing within said bounds 0.741 acres of land, more or less, subject to any and all easements, reservations, or restrictions that may be of record pertaining to the above described tract of land, as surveyed by Edward C. Metzger, P.S. No. 7090, of Shisler, Metzger and Associates in March of the year 2000.

Basis of bearings; N 84\* 06' 17" W, used for the north line of Lots 267 through 269 of The Estates of Glenmoor Subdivision No. 5, as per Plat Book 57, pages 119 & 120 of the Stark County Plat Records

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CHARLES METZGER 7090 Edward C. Metzge

Shisler, Metzger & Associates

(May Carlo)

Surveyed by,

HAMLETS PHASE 3 REMIC-3

#### EXHIBIT "3"

## TO SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR THE HAMLETS OF GLENMOOR CONDOMINIUM NO. II

#### A NARRATIVE DESCRIPTION OF BUILDINGS AND UNITS

The Condominium Development (including the Additional Property) is situated on an 11.453 acre parcel of real estate located off of Armandale Avenue NW, a duly dedicated private street, and is part of The Estates of Glenmoor, a Planned Unit Development, consisting of approximately 405 acres, located at the intersection of Brunnerdale Avenue N.W. and Hills and Dales Road N.W., Jackson Township, Stark County, Ohio. Phase III consists of three (3) duplex Buildings, each containing two (2) Units, for a total of six (6) Units. The Units are designated as Unit Nos. III-9, III-10, IV-15, IV-16, IV-23 and IV-24. UnitsNos. III-9 and III-10 are situated on Pebble Beach Drive, N.W., a private drive. Unit Nos. IV-15, IV-16, IV-23 and IV-24 are situated on St. Augustine Drive, NW.

The Buildings containing the six (6) Units are principally of conventional wood frame construction with dry wall finish on the interior walls and brick and/or stone, stucco and cedar siding on the exterior walls. The roofs are fiberglass shingle. The Units are constructed on basements.

Two (2) Unit types are being submitted by this Declaration. The Unit types are known as the "Oakmont" and the "Augusta". Unit No. III-9 is an "Augusta" type Unit. Unit Nos. III-10, IV-15, IV-16, IV-23 and IV-24 are an "Oakmont" type Units.

The "Oakmont" is a single-story Unit of ranch design containing approximately 1,990 square feet of living area, exclusive of the garage and basement areas. The single floor contains a foyer, living room, dining room, kitchen with a breakfast nook, den, two (2) bedrooms, two (2) full baths, utility room, deck or patio and an attached two-car garage.

The "Augusta" is a two-story Unit of townhouse design containing approximately 2,132 square feet of living area, exclusive of the garage and basement areas. The first floor contains a foyer, living room, dining room, kitchen with a breakfast nook, master bedroom, one and one-half  $(1\frac{1}{2})$  baths, utility room, deck or patio and an attached two-car garage. The second floor contains one (1) bedroom, a loft and one (1) full bath.

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.

## EXHIBIT "4"

## TO SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR THE HAMLETS OF GLENMOOR CONDOMINIUM NO. II

UNIT NO.	PHASE NO.	UNIT ADDRESS	UNIT TYPE	PAR VALUE INTEREST IN COMMON AREAS AND FACILITIES AND PAR VALUE INTEREST IN COMMON EXPENSES, COMMON ASSESSMENTS, COMMON SURPLUS, COMMON PROFITS AND COMMON LOSSES
III-1	I	6390 St. Augustine Drive NW	Oakmont	6-1/4%
III-2	I	6392 St. Augustine Drive NW	Augusta	6-1/4%
III-5	I	6413 St. Augustine Drive NW	Augusta	6-1/4%
III-6	I	6415 St. Augustine Drive NW	Oakmont	6-1/4%
III-7	I	6337 St. Augustine Drive NW	Augusta	6-1/4%
111-8	I	6339 St. Augustine Drive NW	Oakmont	6-1/4%
IV-21	I	6470 St. Augustine Drive NW	Oakmont	6-1/4%
IV-22	I	6472 St. Augustine Drive NW	Augusta	6-1/4%
IV-11	П	6429 St. Augustine Drive NW	Augusta	6-1/4%
IV-12	II	6431 St. Augustine Drive NW	Oakmont	6-1/4%
III-9	III	6355 Pebble Beach Drive NW	Augusta	6-1/4%
III-10	Ш	6357 Pebble Beach Drive NW	Oakmont	6-1/4%
IV-15	Ш	6434 St. Augustine Drive NW	Oakmont	6-1/4%
IV-16	111	6436 St. Augustine Drive NW	Oakmont	6-1/4%
IV-23	III	6488 St. Augustine Drive NW	Oakmont	6-1/4%
IV-24	Ш	6490 St. Augustine Drive NW	Oakmont	6-1/4%
				TOTAL: 100%

# CONSENT OF MORTGAGEE TO SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR THE HAMLETS OF GLENMOOR CONDOMINIUM NO. II

The undersigned, THE PROVIDENT BANK, a banking corporation, mortgagee of premises described in the within Second Amendment to Declaration of Condominium Ownership for The Hamlets of Glenmoor Condominium No. II, Jackson Township, Ohio, by virtue of mortgage recorded on July 29, 1998 at Imaging Number 98052219 of Stark County Records ("Mortgage").

The undersigned hereby consents to the execution and delivery of the foregoing Second Amendment to 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 Stark 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	THE PROVIDENT BANK
IN THE PRESENCE OF:	
(Witnesses as to both signatures)	
G001 0 11 1=	By Chornes A. BUL
Usely by Markit	By:
Print Name: Ashlew B. Martin	THOMAS A. BERKHEIMER, UP
Willen I Anthony	By: Z
Print Name () Mignel Homan	Lannie L. Sh. fly VP
STATE OF OHIO )	
) SS.	
COUNTY OF CUYAHOGA )	
	for said County and State, personally appeared the
above-named THE PROVIDENT BANK by	
	Lannie L. Sh. fect, its
VICE President who, having	been first duly sworn acknowledged that they did
execute the foregoing instrument and that the s	ame was their free act and deed individually and as
such officers and the free act and deed of said c	
IN TESTIMONY WHEREOF, I have h	nereunto set my hand and affixed my official seal at
Cleveland, Ohio, this 20#	a day of April , 2000.
	Varyon pece
	Notary Public
THIS INSTRUMENT PREPARED BY:	My Commission Expires: VANESSA RICE NOTARY PUBLIC, STATE OF OHIO
DICHARD A DOSNED ATTORNEY AT LAW	Recorded in Cuyahoga County
RICHARD A. ROSNER, ATTORNEY AT LAW KAHN, KLEINMAN, YANOWITZ & ARNSON CO., Ē.P.A.	My Comm. Expires Jan. 19, 2004
THE TOWER AT ERIEVIEW, SUITE 2600	<b>⊘</b> ∮
1301 EAST NINTH STREET CLEVELAND, OHIO 44114-1824	Children Children
(216) 696-3311	Section Contracts

## CONSENT OF MORTGAGEE TO SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR THE HAMLETS OF GLENMOOR CONDOMINIUM NO. II

The undersigned, GLENMOOR PROPERTIES LIMITED PARTNERSHIP, an Ohio limited partnership, is mortgagee of premises described in the within Second Amendment to Declaration of Condominium Ownership for The Hamlets of Glenmoor Condominium No. II, Jackson Township, Ohio, by virtue of mortgage recorded on July 29, 1998, at Imaging No. 98052225 of Stark County Records ("Mortgage").

The undersigned hereby consents to the execution and delivery of the foregoing Second Amendment to 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 Stark 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:	GLENMOOR PROPERTIES LIMITED		
MA BOWELV.	PARTNERSH	IP, an Ohio limited partnership	
Print Name: Brunsy N. Sanstes.		MOOR PROPERTIES, INC., as or poration, its General Partner	
dring of Palisin	Ву:	YUUT	
Print Name: Kring K. Palisin	•	Bert L. Wolstein, Vice President/Treasurer	
STATE OF OHIO )			
COUNTY OF CUYAHOGA )			
BEFORE ME, a Notary Public, in and for above-named BERT L. WOLSTEIN, Vice-Presider corporation, the general partner of Glenmoor P partnership, who, having been first duly sworn a instrument and that the same was his free act and act and deed of said partnership and corporation.	t/Treasurer of Glo operties Limited knowledged that	enmoor Properties, Inc., an Ohio Partnership, an Ohio limited the did execute the foregoing	
IN TESTIMONY WHEREOF, I have here Moreland Hills, Ohio, this 18th day of 100	unto set my hand , 2000.	l and affixed my official seal a	
	Sled	Peck	
THIS INSTRUMENT PREPARED BY:	Notary Public My Commission Ex	pires: 39/04	
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	State of Ohio	CK, Notary Public , Cuyahoga County Expires March 9, 2004	
(216) 696-3311	Saile.		