

SECOND AMENDMENT TO
DECLARATION OF
CONDOMINIUM OWNERSHIP

VOL 933 PAGE 883

UNDER CHAPTER 5311 OF THE REVISED CODE OF OHIO
FOR
EASTWOOD CONDOMINIUM

016583

239

5/14, 1990

This is to certify that copies of the Second Amendment to the Declaration, By-Laws and Drawings for Eastwood Condominium have been filed this date with the Auditor of Stark County, Ohio.

William B. Beerman
Auditor of Stark County, Ohio
by Patricia A. Jallat, deputy
adlith

RECORDED THIS DATE
JANET WEIR CREIGHTON
STARK COUNTY RECORDER

90 MAY 15 AM 9:20
FEE 64.00

This instrument prepared by:
Randolph L. Snow, Esq.
Black, McCuskey, Souers & Arbaugh
1000 United Bank Plaza
Canton, Ohio 44702
Telephone: (216) 456-8341

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SECOND AMENDMENT TO DECLARATION
OF EASTWOOD CONDOMINIUM

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This Second Amendment to the Declaration of Eastwood Condominium made this 4th day of May, 1990, by Lemmon-Leach, Inc., (hereinafter referred to as "Declarant") pursuant to the provisions of Chapter 5311 of the Revised Code of Ohio.

WITNESSETH:

WHEREAS, Declarant has heretofore executed a Declaration of Condominium Ownership dated December 11, 1989, known as Eastwood Condominium, which was filed for record with the Stark County, Ohio, Recorder on December 12, 1989, and is recorded in Volume 885, Page 510 of the Stark County Records, and included in said Declaration is a description of the Condominium Property along with a Plot Plan of said property; and

WHEREAS, pursuant to Article XVII of the Declaration,, Declarant has reserved the right to amend the original Declaration for the purpose of expanding and adding additional lands to the Condominium Property; said additional lands being described in "Exhibit G" to the Declaration; and

WHEREAS, Declarant has heretofore executed a First Amendment to Declaration of Condominium Ownership, dated March 5, 1990, and recorded in Volume 913, Page 207 of the Stark County Records; and

WHEREAS, Declarant has now determined to add another portion of the additional property to the original development so that said property shall become Condominium Property in all respects and be subject to the same requirements and conditions as the present Condominium Property in Eastwood Condominium; and

WHEREAS, Declarant has determined that additional Amendments may be made to add portions of said land to the Condominium Property.

NOW, THEREFORE, Declarant does hereby submit the following amendments to the Declaration of Condominium Ownership of Eastwood Condominium for the purpose of submitting to Condominium Ownership, pursuant to Chapter 5311 of the Revised Code of Ohio, part of the Additional Property described in "Exhibit G" of the Declaration:

1. Article I, "The Land", is hereby deleted and the following is hereby substituted in lieu thereof:

The Land. A legal description of the land located in Plain Township, Stark County, Ohio, which is hereby submitted to the provisions of the Condominium Law, constituting the Condominium Property is attached hereto as "Exhibit A" and

also includes the parcels described in Exhibit A of the First Amendment to the Declaration and in Exhibit A to the Second Amendment to the Declaration.

2. Article IV, "Building Descriptions", is hereby deleted and the following is hereby substituted in lieu thereof:

Building Description. There are seven residential buildings on the Condominium Property and each building contains two single family dwelling units. The description and composition of the buildings are set forth in Exhibit C of the Declaration, Exhibit C of the First Amendment to the Declaration, and Exhibit C of the Second Amendment to the Declaration.

3. Article V "Units" is hereby amended as follows:

Section 1. Unit Designations. Each of the Units is designated by a number on the Drawings where that Unit is located. The Units are designated as "Units 6380, 6382, 6386, 6388, 6392, 6394, 6434, 6436, 6460, 6462, 6470, 6472, 6482, and 6484". Unit locations and designations are shown on the Drawings attached hereto as Exhibit B, on the drawings attached to the First Amendment as Exhibit B, and on the drawings attached to the Second Amendment as Exhibit B.

Section 2. Description of Units.

(a) Units. For a description of each Unit, see Exhibit D attached hereto and the Drawings attached hereto, see Exhibit D to the First Amendment and the Drawings attached thereto, and see Exhibit D to the Second Amendment and the drawings attached thereto.

4. Article VI. Common and Limited Common Areas is hereby amended by replacing the first sentence in Section 3 thereof with the following:

Section 3. Percentage of Ownership. The percentage of interest in the Common Areas of each Unit is shown on Exhibit E to the Second Amendment.

The remainder of Section 3 remains the same.

5. Exhibit C to the Declaration shall mean Exhibit C as amended from time to time. Exhibit C to the Declaration and Exhibit C to the First Amendment are hereby amended to include the description contained in Exhibit C to this Second Amendment.

6. Exhibit D to the Declaration shall mean Exhibit D as amended from time to time. Exhibit D to the Declaration and Exhibit D to the First Amendment are hereby amended to include the description contained in Exhibit D to this Second Amendment.

7. Exhibit E to the Declaration shall mean Exhibit E as amended and/or replaced from time to time. Exhibit E to the Declaration and Exhibit E to the First Amendment are hereby deleted and replaced with Exhibit E to this Second Amendment.

8. Exhibit F to the Declaration shall mean Exhibit F as amended from time to time.

9. Exhibit G of the Declaration and Exhibit G to the First Amendment are hereby deleted and replaced with Exhibit G to this Second Amendment.

10. The original Declaration, the By-Laws attached thereto, the original drawings and other Exhibits to the Declaration as each of the forgoing have been amended and are hereby amended and supplemented shall remain in full force and effect and all reference thereto in the Declaration shall include amendments thereto.

IN WITNESS WHEREOF, the undersigned has executed this instrument this 4th day of Nov, 1990.

Signed and acknowledged
in the presence of:
Lisa E. Leech
Kileen Rinkes

LEMMON-LEACH, INC.
By: [Signature]
Robert P. Leach
President
DECLARANT

STATE OF OHIO:
SS:
STARK COUNTY:

This instrument was acknowledged before me by Lemmon-Leach, Inc., by and through its President, Robert P. Leach, having been duly authorized to act in such capacity on behalf of the Corporation, this 4th day of Nov, 1990.

[Signature]
Lisa E. Leech
Notary Public, State of Ohio
My commission expires Feb. 28, 1995

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EXHIBIT A

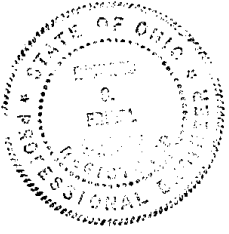
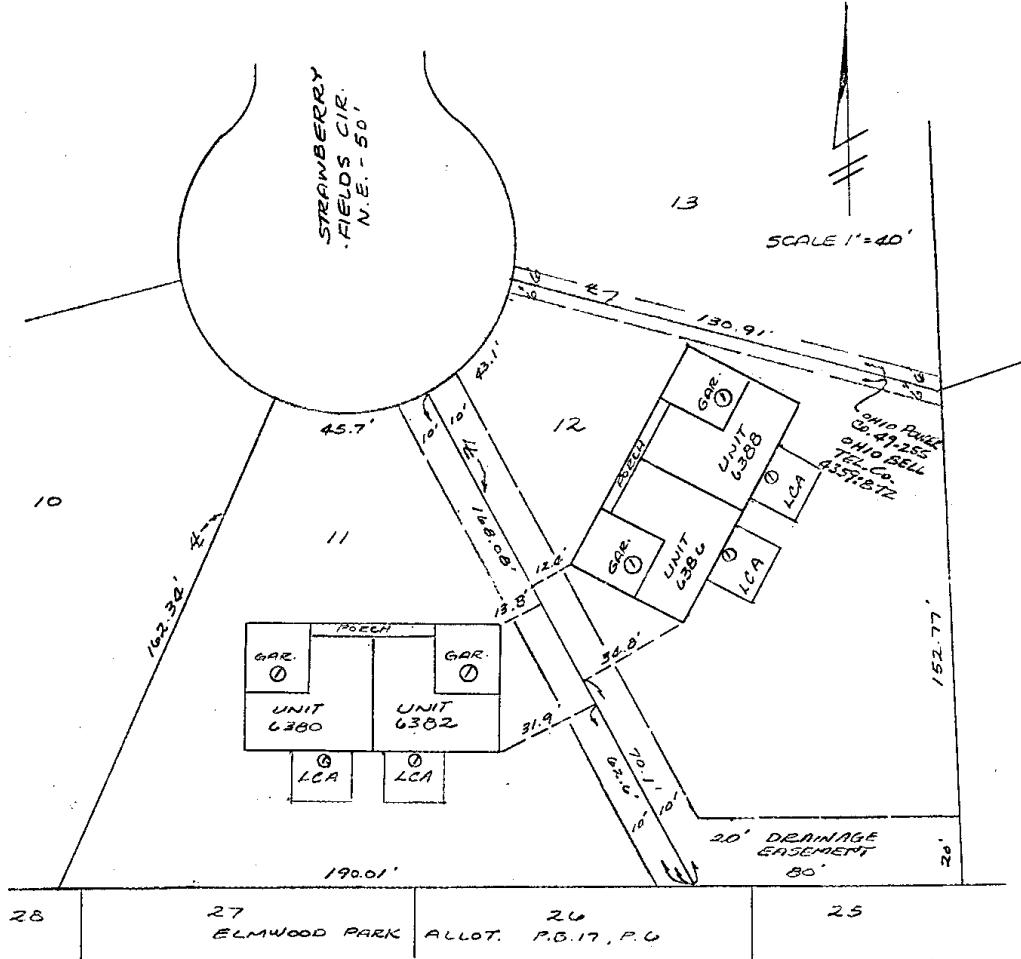
Description of Land For
Eastwood Condominium

Known as and being Lot nos. 11, 12, and 19 in Strawberry Fields, a subdivision in the Northeast Quarter of Section 14 (T-11, R-18), Plain Township, Stark County, Ohio, as the same is recorded in Plat Book 50, Page 118, of the Stark County Plat Records.

EASTWOOD CONDOMINIUM
 LOTS 11 & 12 STRAWBERRY FIELDS
 A SUBDIVISION IN THE N.E. QTR. SEC. 14
 PLAIN TOWNSHIP (T-11, R-8) STARK COUNTY, OHIO
 PLAT RECORDED IN R.B. 50, P. 118

Exhibit B

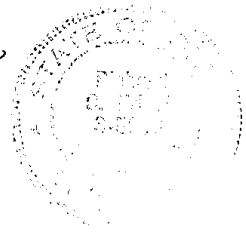
VOL 933 PAGE 888



① L.C.A. - SEE DECLARATION FOR ALLOCATION

I HEREBY CERTIFY THAT THIS DRAWING
 ACCURATELY SHOWS THE BUILDINGS
 AS CONSTRUCTED.

Richard C. Friedl 4-20-90
 RICHARD C. FRIEDL, P.E. 32002 DATE

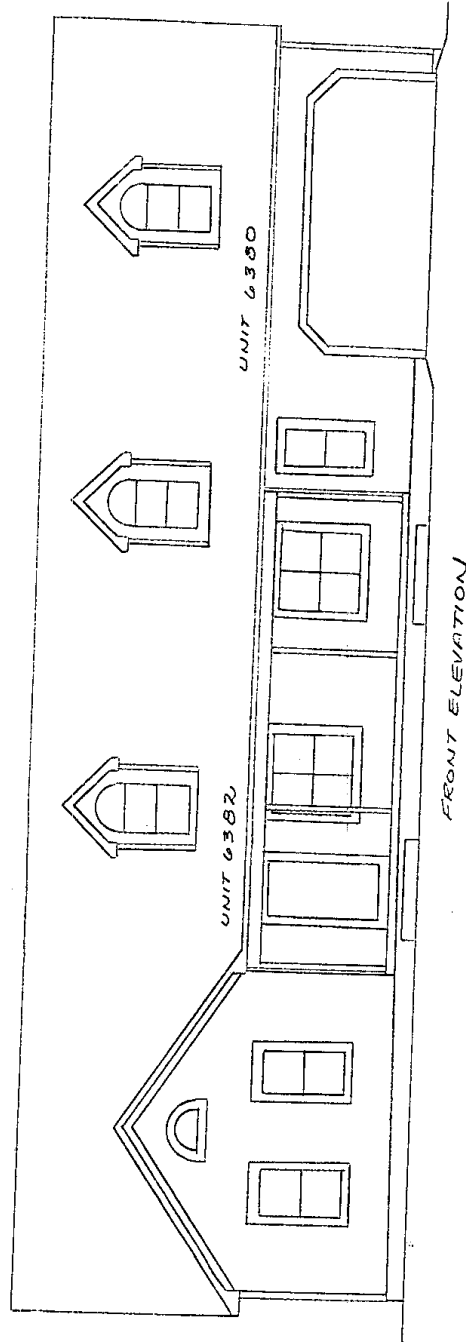
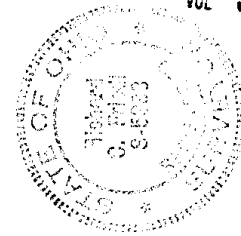


POGGEMEYER DESIGN GROUP, INC.
 ENGINEERS ARCHITECTS PLANNERS
 5791 WALES AVENUE N.W. SUITE A MASSILLON, OHIO PHONE 261/632-9715

Exhibit B-1

EASTWOOD CONDOMINIUM
FRONT ELEVATION
UNITS 6380 & 6382
SCALE 1/8" = 1'-0"

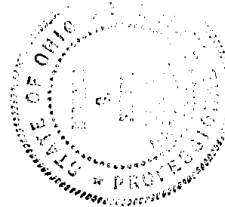
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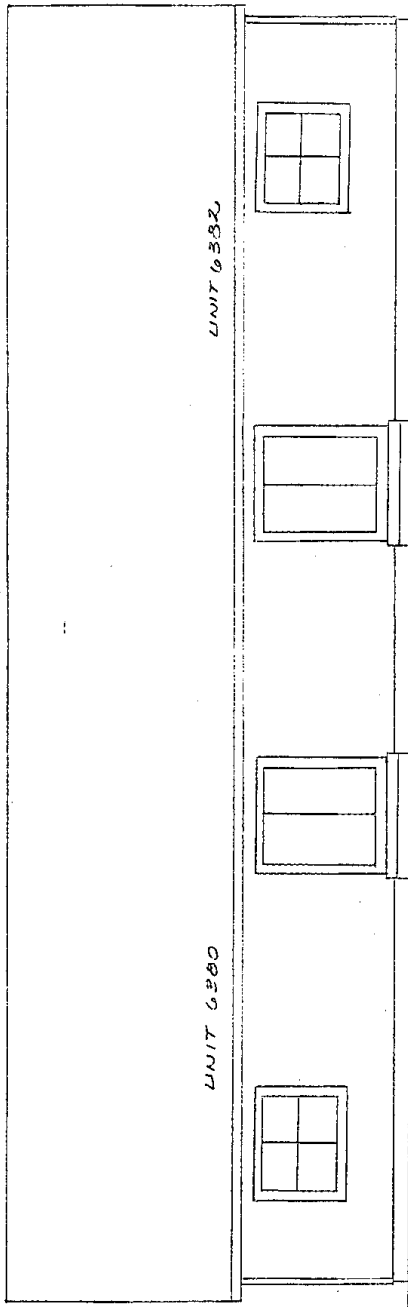
FRONT ELEVATION

I HEREBY CERTIFY THAT THIS DRAWING
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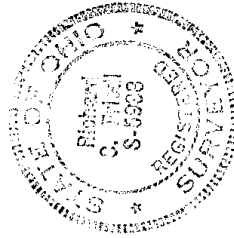
Richard C. Friedl 4-20-90 DATE
RICHARD C. FRIEDL, P.E. 54002



POGEMEYER DESIGN GROUP, INC.
ENGINEERS ARCHITECTS PLANNERS
3794 WALKER AVENUE N.W. SUITE A MASSILLON, OHIO PHONE 284-0270

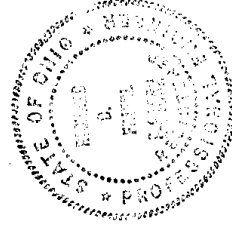


REAR ELEVATION



I HEREBY CERTIFY THAT THIS DRAWING
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AS CONSTRUCTED.

Richard C. Friedl 4-20-90
RICHARD C. FRIEDL, P.E. 34002 DATE

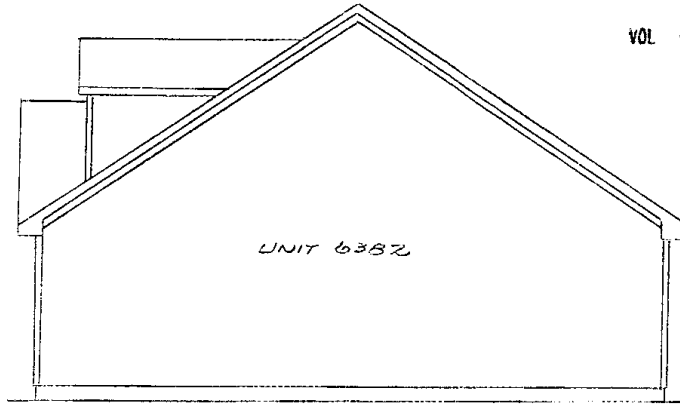


POGGE MEYER DESIGN GROUP, INC.
ARCHITECTS PLANNERS
3791 WALES AVENUE, N.W., SUITE A
MASSILLON, OHIO PHONE 281/832-9710

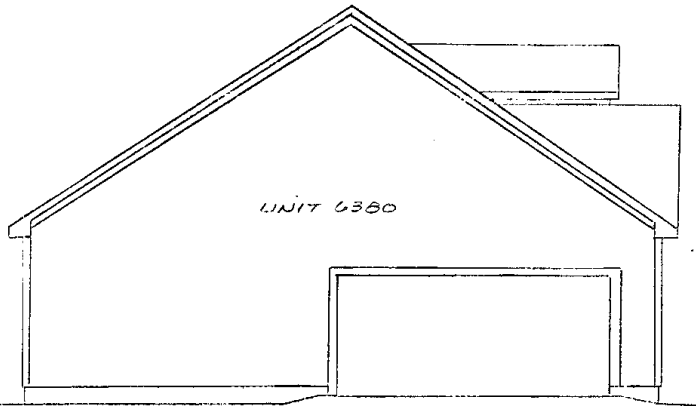
EASTWOOD CONDOMINIUM
RIGHT & LEFT SIDE ELEVATIONS
UNITS 6380 & 6382
SCALE 1/8" = 1'-0"

Exhibit B-3

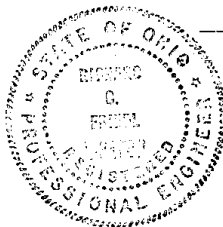
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RIGHT SIDE ELEVATION

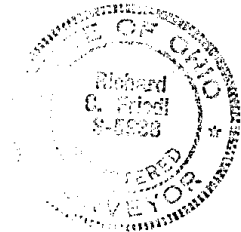


LEFT SIDE ELEVATION



I HEREBY CERTIFY THAT THIS DRAWING
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AS CONSTRUCTED.

Richard C. Friedl 2-28-90
RICHARD C. FRIEDL, P.E. 34002 DATE



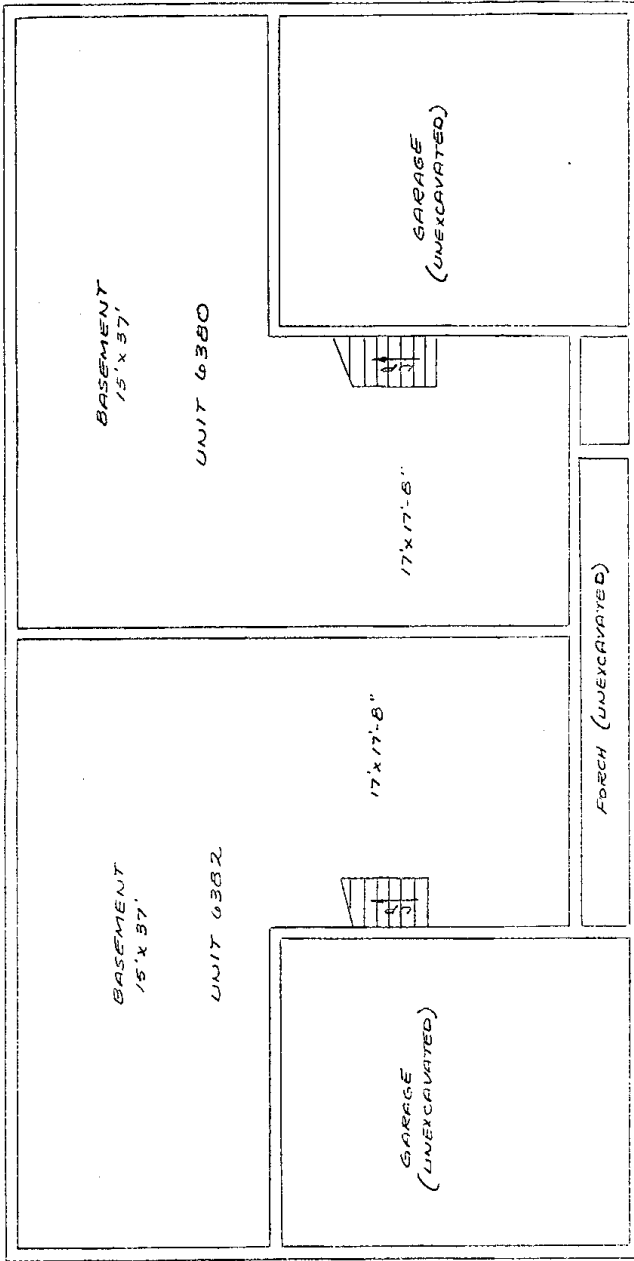
POGGEMEYER DESIGN GROUP, INC.

ARCHITECTS PLANNERS
3754 WALES AVENUE N.W. SUITE A MASSILLON, OHIO PHONE 336/832-9710



EASTWOOD CONDOMINIUM
 FOUNDATION PLAN
 UNITS 6380 & 6382
 SCALE 1/8" = 1'-0"

Exhibit B-4



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I HEREBY CERTIFY THAT THIS DRAWING
 ACCURATELY SHOWS THE BUILDINGS
 AS CONSTRUCTED.

Richard C. Friedl
 RICHARD C. FRIEDL, P.E. 34002 DATE 4-20-90



POGMEYER DESIGN GROUP, INC.
 ENGINEERS ARCHITECTS PLANNERS
 3751 WALES AVENUE N.W. SUITE A MASSILLON, OHIO PHONE 281/635-9715

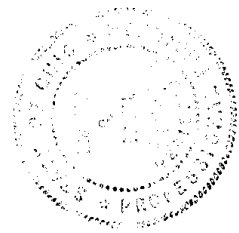
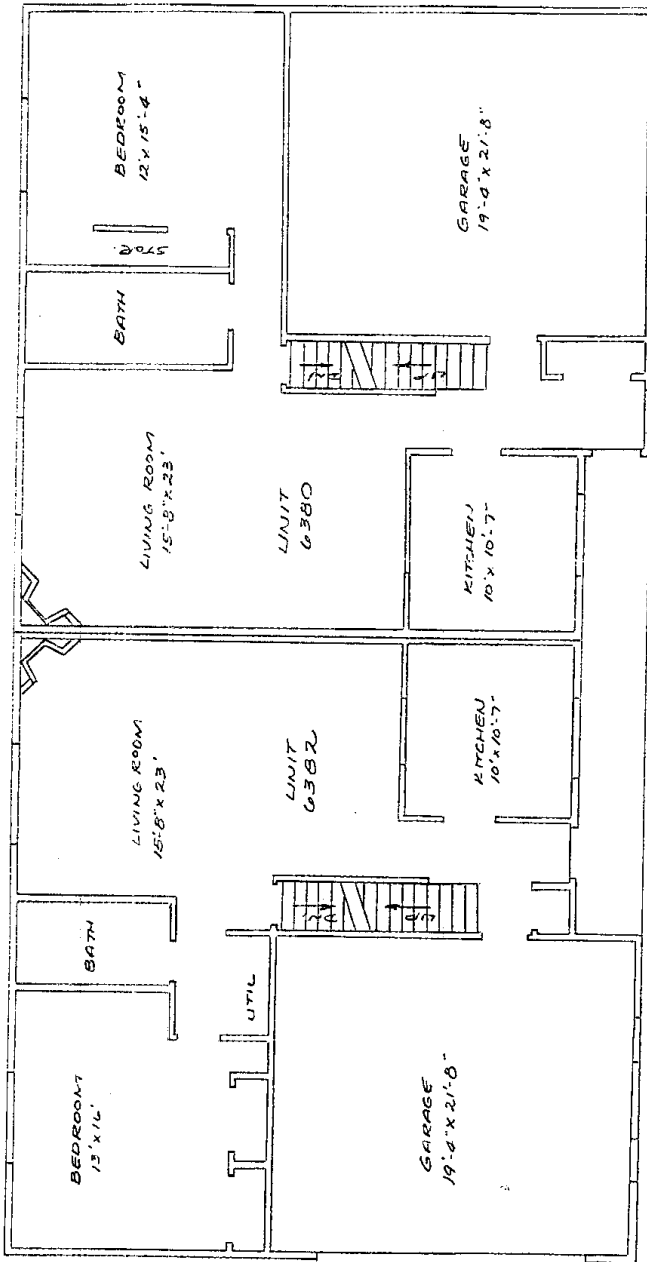
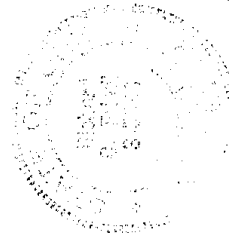


Exhibit B-5

EASTWOOD CONDOMINIUM
FIRST FLOOR PLAN
UNITS 6380 & 6382
SCALE 1/8" = 1'-0"

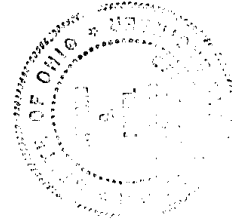
VOL 933 PAGE 893



FIRST FLOOR PLAN

I HEREBY CERTIFY THAT THIS DRAWING
ACCURATELY SHOWS THE BUILDINGS
AS CONSTRUCTED.

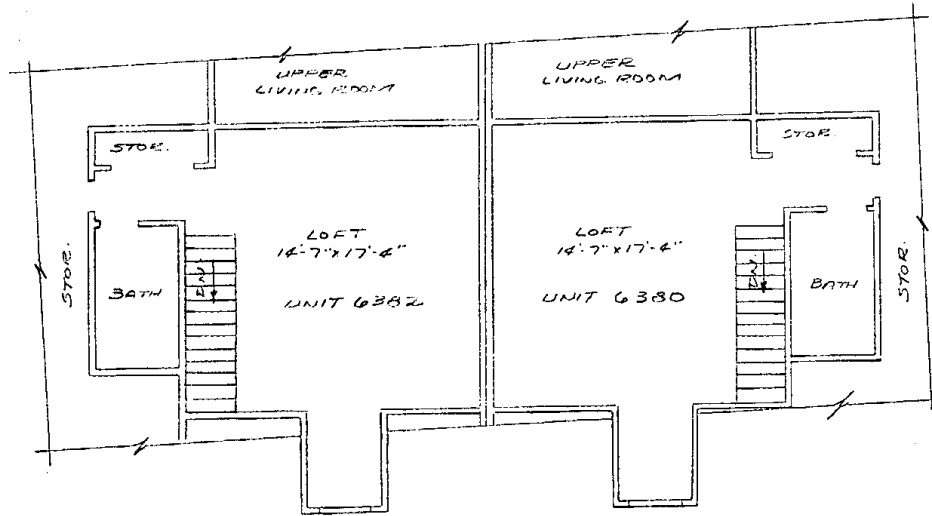
Richard C. Friedl
RICHARD C. FRIEDL, PE 34002 DATE 4-20-90



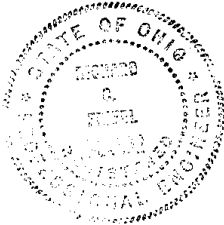
POGEMEYER DESIGN GROUP, INC.
PLANNERS
ARCHITECTS
378 WALKER AVENUE, N.W. SUITE A MASSILLON, OHIO PHONE 268-3297

EASTWOOD CONDOMINIUM
SECOND FLOOR PLAN
UNITS 6380 & 6382
SCALE 1/8" = 1'-0"

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SECOND FLOOR PLAN



I HEREBY CERTIFY THAT THIS DRAWING
ACCURATELY SHOWS THE BUILDINGS
AS CONSTRUCTED.

Richard C. Friedl 4-20-90
RICHARD C. FRIEDL, PE 34002 DATE

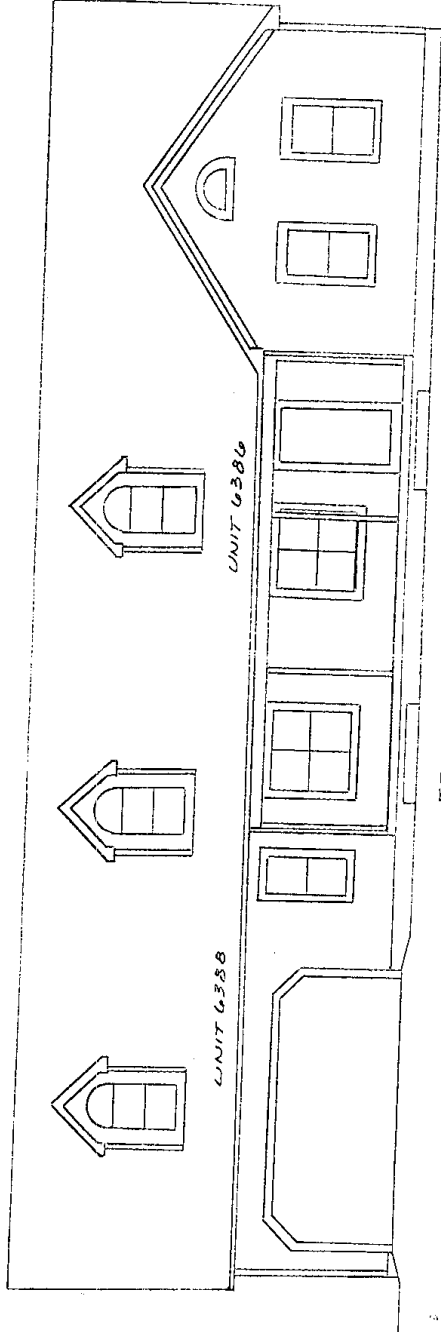


POGEMEYER DESIGN GROUP, INC.
ENGINEERS ARCHITECTS PLANNERS
3791 WALES AVENUE, N.W. SUITE A MASSILLON, OHIO PHONE 261/632-9715

Exhibit B-7

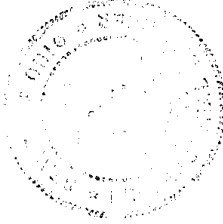
EASTWOOD CONDOMINIUM
FRONT ELEVATION
UNITS 6386 & 6388
SCALE 1/8" = 1'-0"

VOL 933 PAGE 895

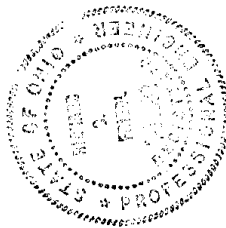
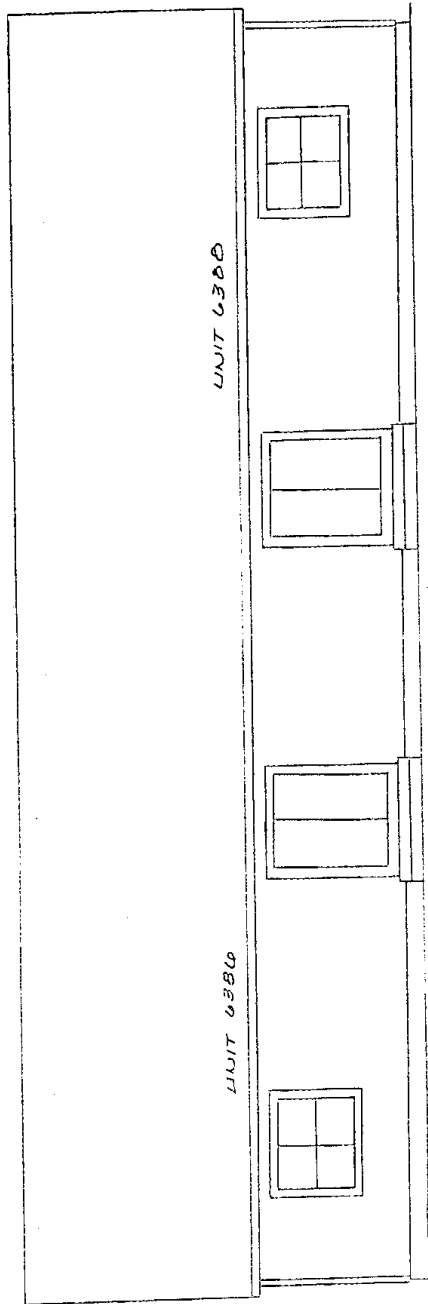


I HEREBY CERTIFY THAT THIS DRAWING
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AS CONSTRUCTED.

Richard C. Friedl
RICHARD C. FRIEDL, PE #1002 DATE 4-20-90

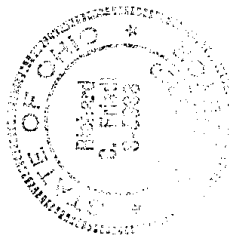


POGEMEYER DESIGN GROUP, INC.
ENGINEERS ARCHITECTS PLANNERS
378 WALES AVENUE NW, SUITE A MARIETTA, OHIO PHONE 2683-9710



I HEREBY CERTIFY THAT THIS DRAWING
ACCURATELY SHOWS THE BUILDING
AS CONSTRUCTED.

Richard C. Friedl 4-20-90
RICHARD C. FRIEDL, RE. 34002 DATE

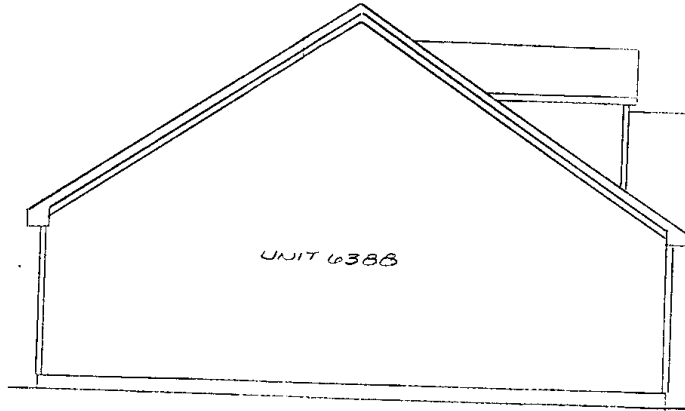


POGGE MEYER DESIGN GROUP, INC.
ARCHITECTS PLANNERS
ENGINEERS
3791 WALKER AVENUE N.W. SUITE A MASSILLON, OHIO PHONE 361/330-9715

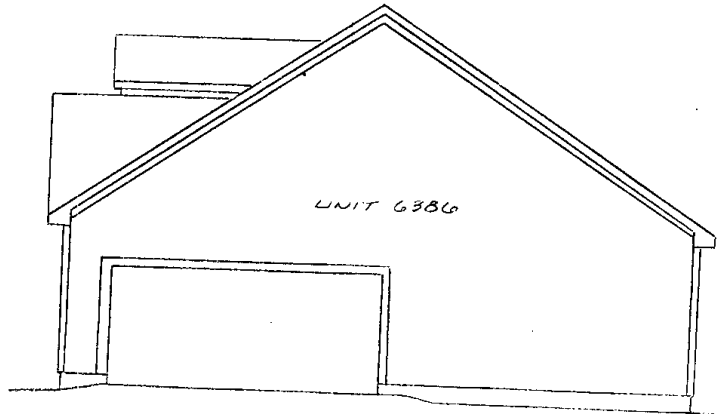
EASTWOOD CONDOMINIUM
LEFT & RIGHT SIDE ELEVATIONS
UNITS 6386 & 6388
SCALE 1/8"=1'-0"

Exhibit B-9

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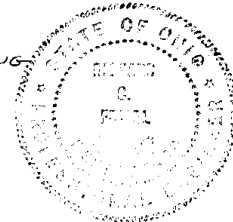
LEFT SIDE ELEVATION



RIGHT SIDE ELEVATION

I HEREBY CERTIFY THAT THIS DRAWING
ACCURATELY SHOWS THE BUILDINGS
AS CONSTRUCTED.

Richard C. Friedl 4-28-90
RICHARD C. FRIEDL, P.E. 34002 DATE

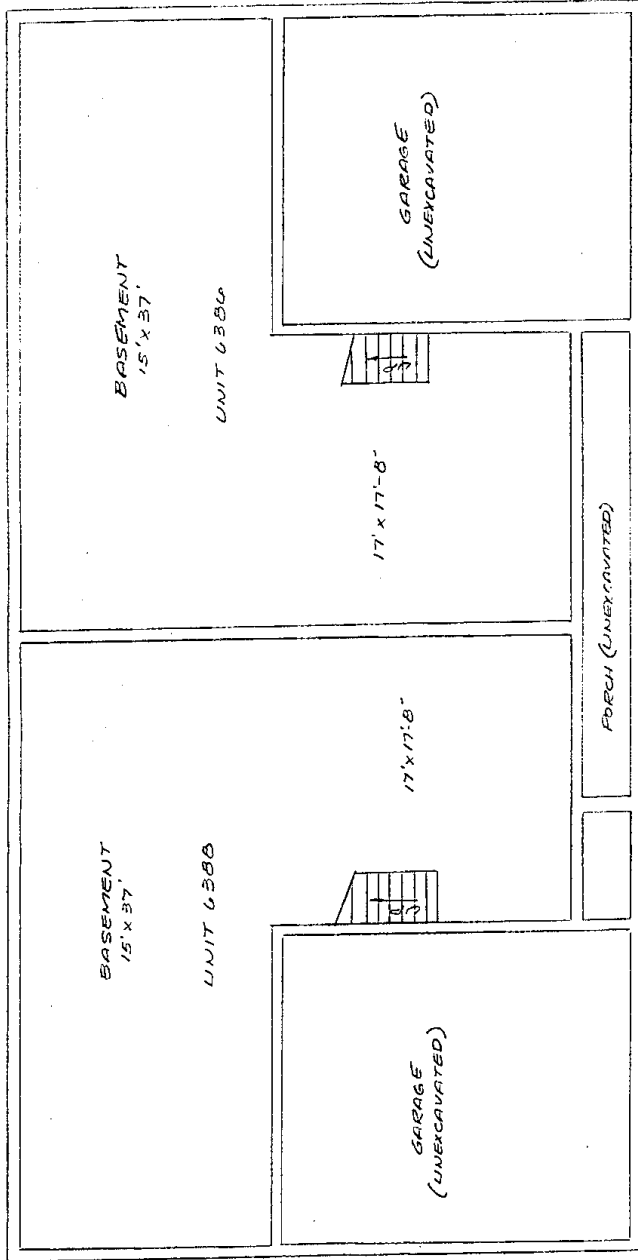


POGGEMEYER DESIGN GROUP, INC.
ENGINEERS ARCHITECTS PLANNERS
3751 WALES AVENUE N.W. SUITE A MASSILLON, OHIO PHONE 26/632-9715



EASTWOOD CONDOMINIUM
FOUNDATION PLAN
UNITS 6386 & 6388
SCALE 1/8" = 1'-0"

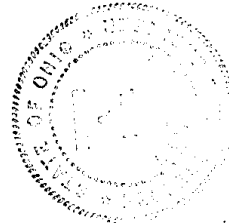
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FOUNDATION PLAN

I HEREBY CERTIFY THAT THIS DRAWING
ACCURATELY SHOWS THE BUILDINGS
AS CONSTRUCTED.

Richard C. Friedl 4-20-90
RICHARD C. FRIEDL, PE 34002 DATE

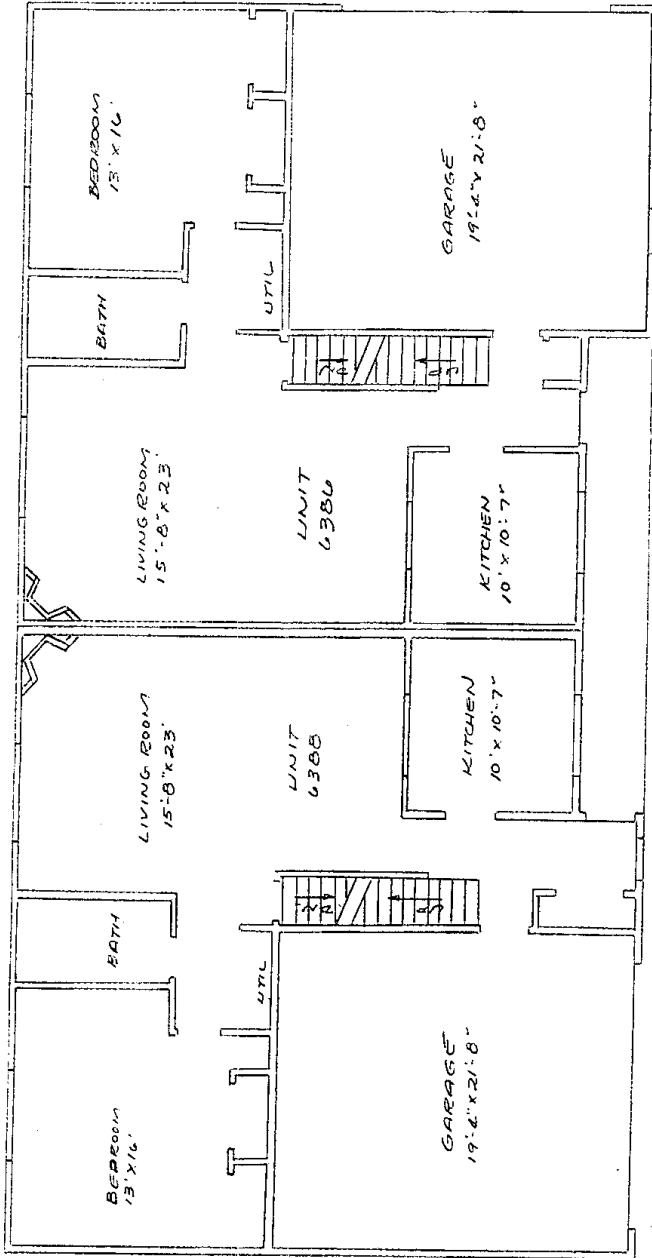


POGEMEYER DESIGN GROUP, INC.
ENGINEERS ARCHITECTS PLANNERS
378 WEALES AVENUE N.W. SUITE A
MANSFIELD, OHIO PHONE 26/833-970

Exhibit B-11

EASTWOOD CONDOMINIUM
FIRST FLOOR PLAN
UNITS 6386 & 6385
SCALE 1/8" = 1'-0"

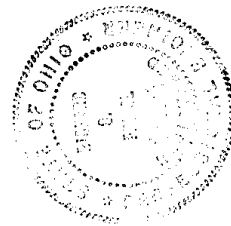
VOL 933 PAGE 899



FIRST FLOOR PLAN

I HEREBY CERTIFY THAT THIS DRAWING
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AS CONSTRUCTED.

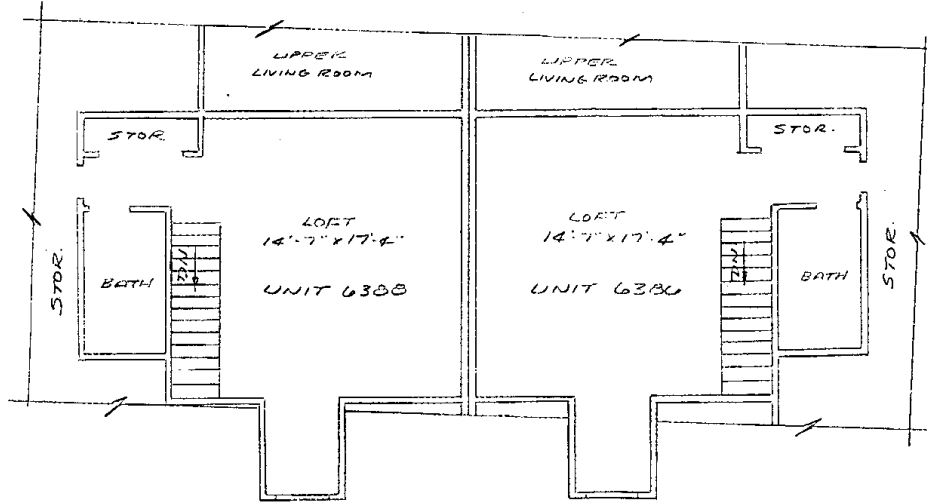
Richard C. Friedl
RICHARD C. FRIEDL, P.E. 36002 DATE 4-20-90



POGEMEYER DESIGN GROUP, INC.
PLANNERS
3781 WALKER AVENUE N.W. SUITE A MASSILLON, OHIO PHONE 361/332-5715

EASTWOOD CONDOMINIUM
SECOND FLOOR PLAN
UNITS 638A & 638B
SCALE 1/8"=1'-0"

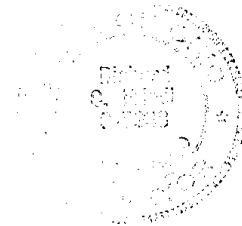
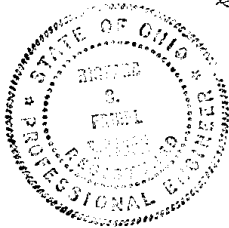
VOL 933 PAGE 900



SECOND FLOOR PLAN

I HEREBY CERTIFY THAT THIS DRAWING
ACCURATELY SHOWS THE BUILDINGS
AS CONSTRUCTED.

Richard C. Friol 4-20-90
RICHARD C. FRIOL, P.E. 34002 DATE



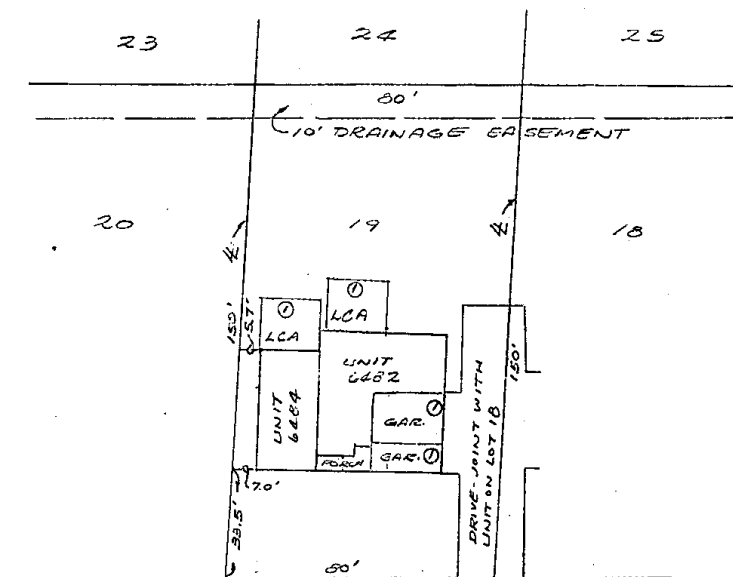
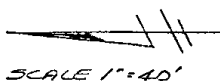
POGGEMEYER DESIGN GROUP, INC.
ENGINEERS ARCHITECTS PLANNERS
3791 WALLE AVENUE N.W. SUITE A MASSILLON, OHIO PHONE 26/632-9715



EASTWOOD CONDOMINIUM
 LOT 19 - STRAWBERRY FIELDS
 A SUBDIVISION IN THE N.E. QTR. SEC. 14
 PLAIN TOWNSHIP (T-11, R-8) STARK COUNTY, OHIO
 PLAT RECORDED IN P.B. 50, P. 118

Exhibit E-13

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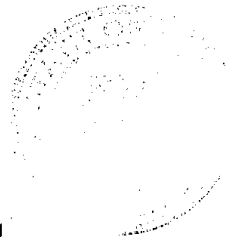
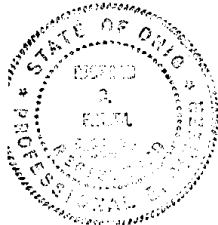


STRAWBERRY FIELDS CIR. N.E. - 50'

⊙ L.C.A. - SEE DECLARATION FOR ALLOCATION

I HEREBY CERTIFY THAT THIS DRAWING
 ACCURATELY SHOWS THE BUILDINGS
 AS CONSTRUCTED.

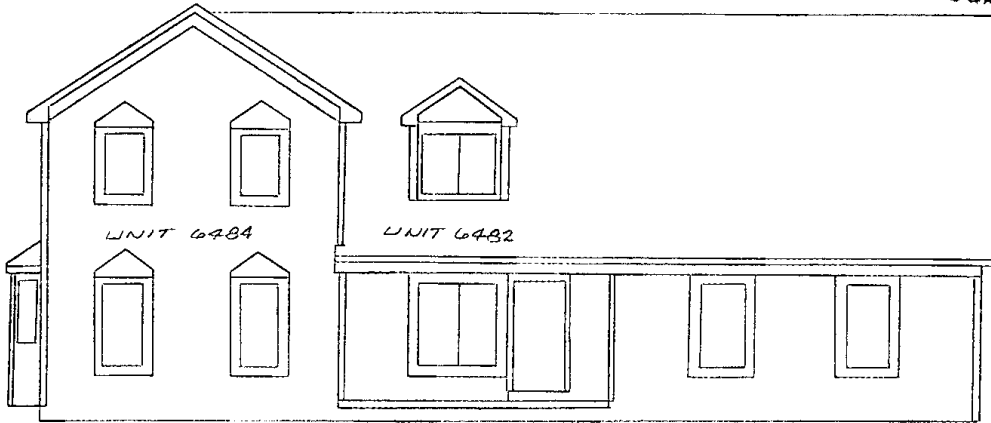
Richard C. Friedl 4-20-90
 RICHARD C. FRIEDL, P.E. 32002 DATE



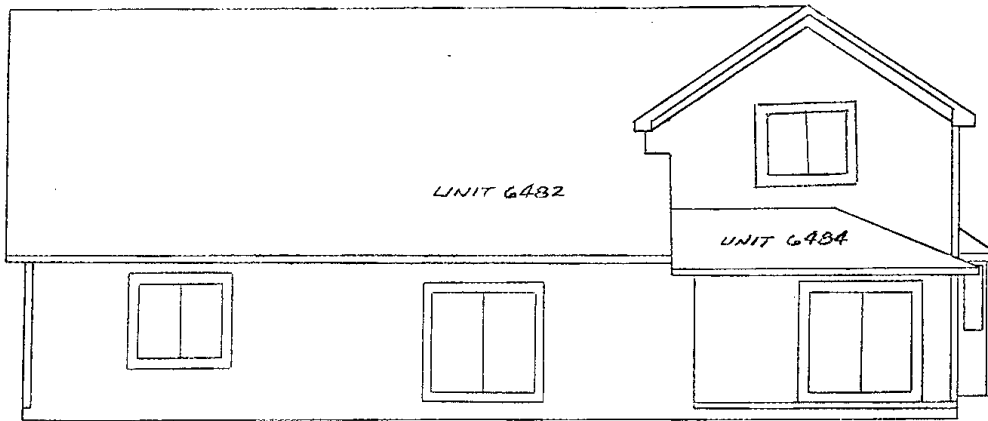
POGGEMEYER DESIGN GROUP, INC.
 ENGINEERS ARCHITECTS PLANNERS
 3751 WALES AVENUE N.W., SUITE A MASSILLON, OHIO PHONE 261/32-9715

EASTWOOD CONDOMINIUM
FRONT & REAR ELEVATIONS
UNITS 6484 & 6482
SCALE 1/8" = 1'-0"

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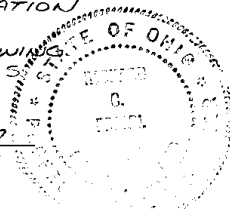
FRONT ELEVATION



REAR ELEVATION

I HEREBY CERTIFY THAT THIS DRAWING
ACCURATELY SHOWS THE BUILDINGS
AS CONSTRUCTED.

Richard C. Friedl 4-20-90
RICHARD C. FRIEDL, P.E. 34002 DATE



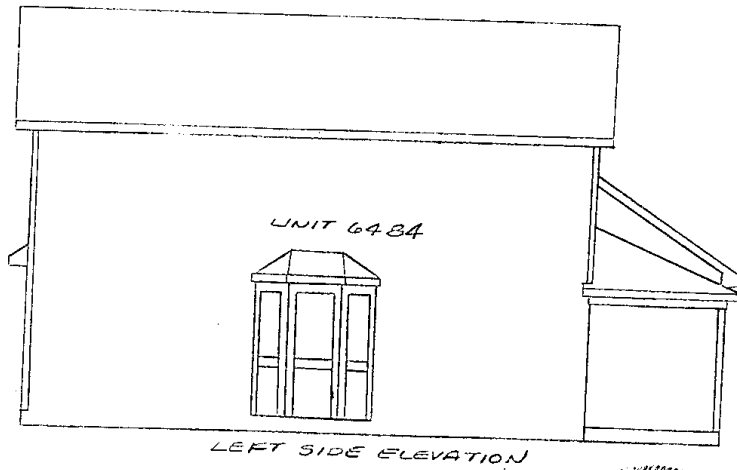
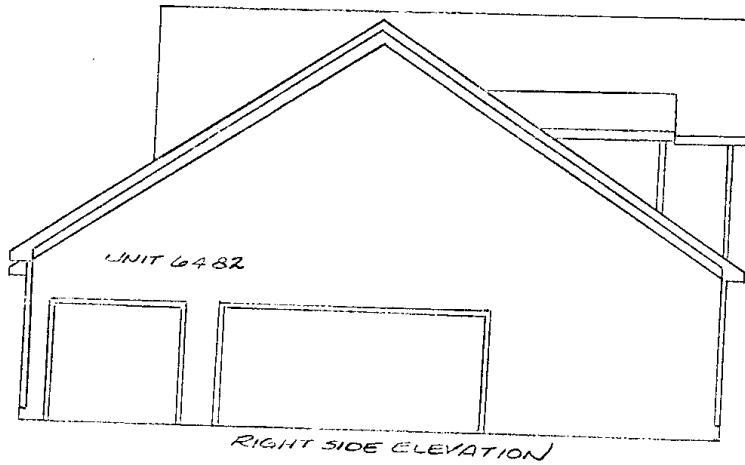
POGGEMEYER DESIGN GROUP, INC.		
<small>ENGINEERS</small>	<small>ARCHITECTS</small>	<small>PLANNERS</small>
<small>3791 WALES AVENUE N.W. SUITE A</small>	<small>MASSILLON, OHIO</small>	<small>PHONE 226/832-9715</small>



EASTWOOD CONDOMINIUM
SIDE ELEVATIONS
UNITS 6482 & 6484
SCALE 1/8" = 1'-0"

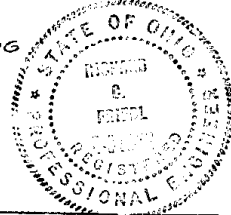
Exhibit B-15

VOL 933 PAGE 903



I HEREBY CERTIFY THAT THIS DRAWING
ACCURATELY SHOWS THE BUILDINGS
AS CONSTRUCTED.

Richard C. Friedl 4-28-90
RICHARD C. FRIEDL, P.E. 34002 DATE

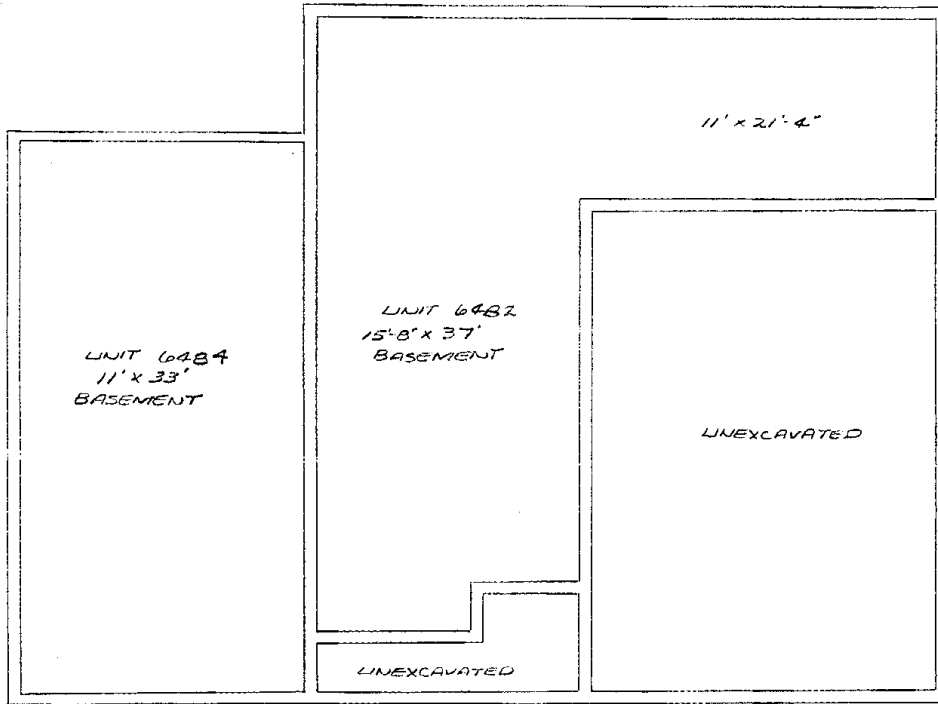


POGGEMEYER DESIGN GROUP, INC.
ENGINEERS ARCHITECTS PLANNERS
3791 WALES AVENUE N.W. SUITE A MASSILLON, OHIO PHONE 261/332-9715



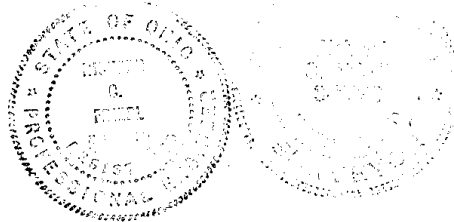
EASTWOOD CONDOMINIUM
FOUNDATION PLAN
UNITS 6484 & 6482
SCALE 1/8" = 1'-0"

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I HEREBY CERTIFY THAT THIS DRAWING
ACCURATELY SHOWS THE BUILDINGS
AS CONSTRUCTED.

Richard C. Friedl 4-20-90
RICHARD C. FRIEDL, P.E. 34002 DATE

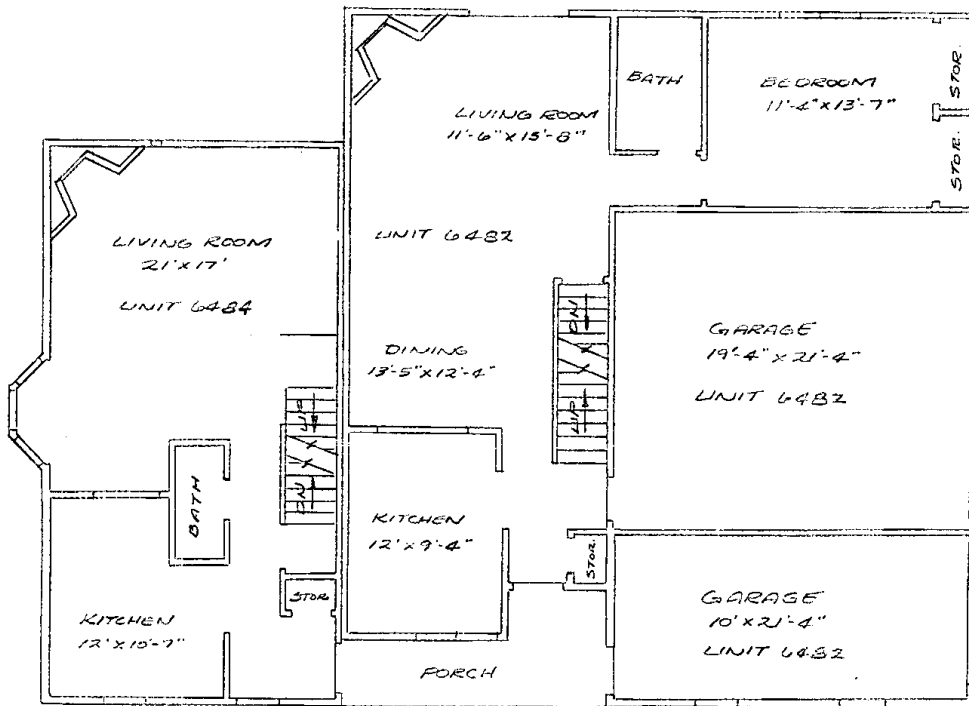


POGMEYER DESIGN GROUP, INC.
ENGINEERS ARCHITECTS PLANNERS
 3791 WALES AVENUE N.W. SUITE A MASSILLON, OHIO PHONE 261/832-9715



EASTWOOD CONDOMINIUM
FIRST FLOOR PLAN
UNITS 6484 & 6482
SCALE 1/8" = 1'-0"

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I HEREBY CERTIFY THAT THIS DRAWING
ACCURATELY SHOWS THE BUILDINGS
AS CONSTRUCTED.

Richard C. Friedl 4-20-90
RICHARD C. FRIEDL, P.E. 34002 DATE

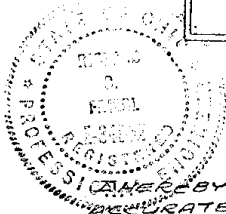
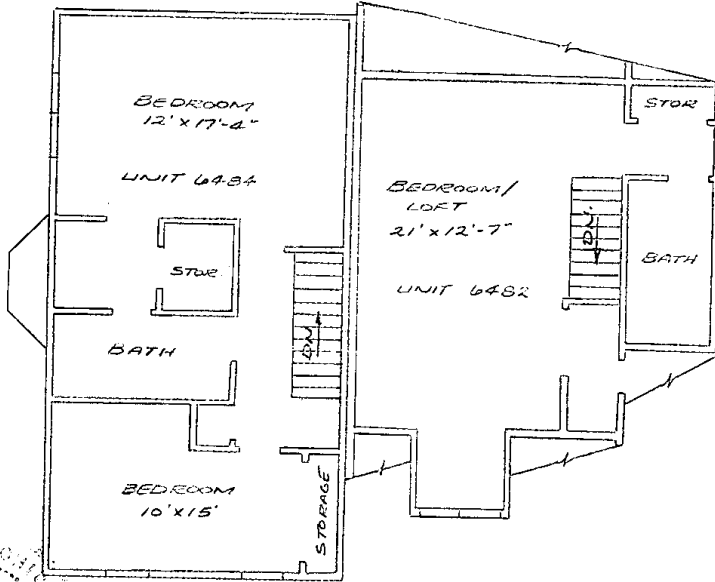


POGEMEYER DESIGN GROUP, INC.
ENGINEERS ARCHITECTS PLANNERS
3791 WALES AVENUE N.W. SUITE A MASSILLON, OHIO PHONE 268/832-9716



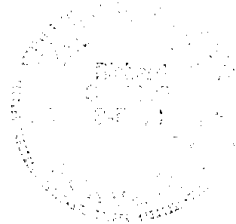
EASTWOOD CONDOMINIUM.
SECOND FLOOR PLAN
UNITS 648A & 648B
SCALE 1/8" = 1'-0"

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I HEREBY CERTIFY THAT THIS DRAWING
ACCURATELY SHOWS THE BUILDINGS
AS CONSTRUCTED.

Richard C. Friedl 4-20-90
RICHARD C. FRIEDL, P.E. 34002 DATE



POGEMEYER DESIGN GROUP, INC.		
ENGINEERS	ARCHITECTS	PLANNERS
3791 WALES AVENUE N.W. SUITE A	MASSILLON, OHIO	PHONE 26/032-9700



EXHIBIT C

Description of Residential Buildings

There are three buildings, each containing two residential units.

The building at 6382-84 Strawberry Fields has one two story unit adjacent to a story and a half designed unit. There is a three car attached garage and a covered porch area, serving both units.

The building at 6386-88 and the one at 6380-82 were built to the same plans. They have two, story and a half designed units with two separate, attached, two car garages. There is a covered front porch area which serves both units.

All buildings were built to the same specifications. They each contain a full basement which is divided into the units contained in each building. The basements are constructed of 8" block.

The buildings are constructed of wood frame with vinyl or aluminum exterior siding. The roof is asphalt or fiberglass shingles.

EXHIBIT D

Unit Number 6484 is a two story unit containing 1296 square feet of living area. This unit includes a kitchen, dining area, living room, and a half bath on the first floor, and two bedrooms and a full bath on the second floor. This unit has a full basement and a one car garage as shown on the drawings.

Unit number 6482 is a story and a half unit, containing 1305 square feet of finished living area. This unit is identical in design to unit nos. 6436, 6460, and 6472. It contains a kitchen, dining area, living room, bedroom, and a full bath on the first floor and a full bath and bedroom on the second floor. This unit has a full basement and a two car garage as shown on the drawings.

Unit number 6382, 6386, 6388, and 6380 are of similar design, unit nos. 6382 and 6386 have 1320 square feet and unit nos. 6388 and 6380 have 1350 square feet of living area. These units are a story and a half design, with a kitchen, living/dining area, one bedroom, and a full bath on the first floor and a loft/bedroom and a full bath on the second floor. There is a storage area on the second floor providing an approximately additional 140 square feet of potential living area. The first floor also contains a large closet with hookups for washer and dryer. All units have a full basement and a two car garage with direct access to the unit.

The kitchen in all units has a range, hood, dishwasher, and garbage disposal. All units have a gas fireplace in the living room. ADjacent to the back of each unit is an area designated as limited common area and is to be used exclusively by occupants of said unit. This area is 18 feet by 15 feet. There may be a wooden deck in this area.

Unit nos. 6484 and 6482 have a common driveway with unit nos. 6470 and 6472. Unit nos. 6386 and 6382 have a common driveway, and unit nos. 6388 and 6380 each have private driveways.

EXHIBIT E

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PERCENTAGE OF OWNERSHIP OF COMMON AREA

The percentage of interest in the Common Area of each unit owner is as follows:

<u>Unit</u>	<u>Square Footage</u>	<u>Percentage Interest in Common Area</u>
6434	1224	7.14%
6436	1305	7.14%
6460	1305	7.14%
6462	1224	7.14%
6470	1224	7.14%
6472	1305	7.14%
6394	1388	7.15%
6392	1299	7.14%
6380	1350	7.15%
6382	1320	7.145%
6386	1320	7.145%
6388	1350	7.15%
6484	1296	7.14%
6482	1305	7.14%
		<hr/>
		100%

EASEMENTS, RIGHTS OF WAY, LEASES AND MORTGAGES OF RECORD

Oil and Gas Lease to H. P. Nuhlbach, received for record September 30, 1929, recorded in Volume 41, Page 243 of the Stark County, Ohio, Records.

Easement to The Ohio Bell Telephone Company received for record October 5, 1981, recorded in Volume 4359, Page 872, of the Stark County, Ohio, Records.

Easement to Ohio Power Company received for record September 8, 1982, recorded in Volume OR 49, Page 255, of the Stark County, Ohio, Records.

Supplemental Gas Storage Agreement to East Ohio Gas Company, received for record May 7, 1943, and recorded in Volume 1408, Page 100, of the Stark County, Ohio, Records.

All matters set forth on Plat of Strawberry Fields Allotment No. 1, located in Stark County, Ohio, received for record and recorded in Plat Book Volume 50, Page 188 of the Stark County, Ohio Plat Records.

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EXHIBIT G

Description of Additional Property For
Eastwood Condominium

Known as and being Lot Nos. 1 through 10, and Lot Nos. 14, 15, 20 and 21 in Strawberry Fields, a subdivision in the Northeast Quarter of Section 14 (T-11, R-18), Plain Township, Stark County, Ohio, as the same is recorded in Plat Book 50, Page 118, of the Stark County Plat Records.