

239
12 13

19.

2000045289

THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP

THE HAMLETS OF GLENMOOR CONDOMINIUM NO. II

JACKSON TOWNSHIP, OHIO

PHASE NO. IV

ADDING UNIT NOS. V-33, V-34, V-37, V-38, V-40, V-41 AND V-42

This will certify that copies of this Third 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: August 1st, 2000

Janet Weir Creighton
Stark County Auditor

By: Robert P. Moyle
Deputy 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 | |

RECORDED THIS DATE
STARK COUNTY RECORDER
2000 AUG - 1 AM 10: 26
FILE 82-1
g

THIRD AMENDMENT TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR THE HAMLETS OF GLENMOOR CONDOMINIUM NO. II
JACKSON TOWNSHIP, OHIO
(PHASE NO. IV)

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, Declarant by Second Amendment to the Declaration of Condominium Ownership and the Drawings incorporated by reference therein, recorded on May 5, 2000 with the Stark County Recorder, the Second Amendment being recorded as Imaging No. 2000026042 of Stark County Deed Records and the Drawings being recorded in Volume 5, Pages 127 through 141 of Stark County Condominium Map Records, thereby submitted Phase No. III 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. IV of The Hamlets of Glenmoor Condominium No. II which is improved with three (3) duplex Buildings, each containing two (2) Units, and one (1) "free-standing" Building containing one (1) Unit, for a total of seven (7) 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).

1. The Phase No. IV 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. IV of The Hamlets of Glenmoor Condominium No. II, the legal description for Phase No. IV being set forth 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 sixteen (16) Units to twenty-three (23) Units. A narrative description of the Building and Units for Phase No. IV 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. IV, 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. IV Allotted Drawings incorporated in this Third 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. IV 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 Third Amendment to the Declaration.

7. Article XX of the Declaration is amended to provide that the two (2) year warranty period for Phase No. IV 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. IV to a Purchaser in good faith for value.

8. No owner of a Unit which was not included in Phase Nos. I, II and III shall: (a) have or obtain any interest in funds collected by the Association from the owners of Units included in Phase Nos. I, II and III prior to the filing of this Third 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 Third 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 Third 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 Third 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 20th day of July, 2000.

Signed in the Presence of:

GLENMOOR HAMLETS, LTD., an Ohio limited liability company

Angela Pank
Print Name: ANGELA PANK

By: [Signature]
Bert L. Wolstein, Manager

Krina K. Palisin
Print Name: Krina K. Palisin

By: [Signature]
William D. Bishop, Manager

Michelle Popowniak
Print Name: Michelle Popowniak

Lisa Miller
Print Name: Lisa Miller

STATE OF OHIO)
) SS.
COUNTY OF Cuyahoga)

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 set my hand and notarial seal this 10th day of July, 2000.

Glenda Peck
NOTARY PUBLIC
My Commission Expires: 3/9/04

GLEND PECK, Notary Public
State of Ohio, Cuyahoga County
My Commission Expires March 9, 2004



STATE OF OHIO)
) SS.
COUNTY OF Summit)

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 July, 2000.

Michelle Popowniak
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



EXHIBIT "A"

**TO THIRD 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 Third 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 Third Amendment.

E.C. METZGER & ASSOCIATES, INC.**LAND SURVEYING SERVICES**2011 FULTON RD. N.W.
CANTON, OHIO 44709PHONE: (330) 455 - 4942
FAX: (330) 455 - 1570**HAMLETS OF GLENMOOR CONDOMINIUM NUMBER II
PHASE IV - PARCEL "A"
DESCRIPTION OF 0.659 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 98, 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 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;

Thence N 5° 55' 53" E, continuing with the westerly bounds of said Hamlets of Glenmoor Condominium Number 2, a distance of 80.50 feet to a point, 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 Condominium Number 2, a distance of 174.50 feet to a point;

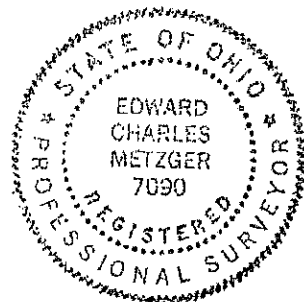
Thence S 84° 34' 55" E, a distance of 167.16 feet to a point in Doral Drive N.W., (a private roadway easement);

Thence S 7° 39' 25" W, a distance of 174.41 feet to a point in Pebble Beach Drive N.W., (a private roadway easement);

Thence, N 84° 39' 30" W, with said Pebble Beach Drive N.W., a distance of 161.91 feet to a point, and the true place of beginning, containing within said bounds 0.659 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 E.C. Metzger and Associates, Inc. in July 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 IV PARCEL A



Surveyed by,
E.C. Metzger & Associates, Inc.

Edward C Metzger
Edward C. Metzger

E.C. METZGER & ASSOCIATES, INC.**LAND SURVEYING SERVICES**2011 FULTON RD. N.W.
CANTON, OHIO 44709PHONE: (330) 455 - 4942
FAX: (330) 455 - 1570**HAMLETS OF GLENMOOR CONDOMINIUM NUMBER II
PHASE IV-PARCEL "B"
DESCRIPTION OF 1.950 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 Number 2;

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, being the southeasterly corner of Phase III, Parcel "C" of the 2ND Amendment to the Hamlets of Glenmoor Condominium Number 2, as recorded in Condominium Plat Book 5, page 127 through 141, of the Stark County Records;

Thence continuing with the northwesterly right-of-way of Armandale Ave. N.W., and the arc of a curve to the right, 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 N 36° 50' 34" E, a distance along said arc of 111.06 feet to a point, and the true place of beginning for the tract of land herein to be described;

Thence N 61° 39' 22" W, with the northerly line of said Phase III, Parcel "C", a distance of 178.24 feet to a point in Pebble Beach Drive N.W. (a private roadway easement);

Thence with the arc of a curve to the left, having a radius of 67.83 feet, a central angle of 112° 58' 56", a tangent of 102.45 feet, and a chord of 113.12 feet, that bears N 28° 10' 02" W, a distance along said arc of 133.76 feet to a point in Pebble Beach Drive N.W., (a private roadway easement);

Thence N 84° 39' 30" W, with said Pebble Beach Drive N.W., a distance of 95.53 feet to a point;

Thence N 7° 39' 25" E, a distance of 174.27 feet to a point in Doral Drive N.W. (a private roadway easement);

Thence S 84° 34' 55" E, with said Doral Drive N.W., a distance of 219.27 feet to a point;

Thence S 7° 33' 23" W, continuing with the easterly bounds of said Hamlets of Glenmoor Condominium Number 2, a distance of 36.80 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;

Thence continuing with the easterly bounds of said Hamlets of Glenmoor Condominium Number 2, and the 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 chord of 33.27 feet, that bears S 62° 04' 28" E, a distance along said arc of 33.43 feet to a point;

Continued on page 2

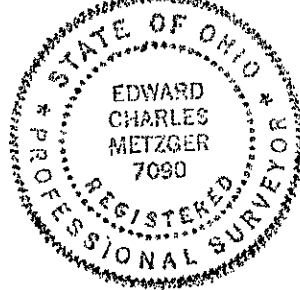
Description of 1.950 acre Phase IV, Parcel "B" continued

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, and the 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 chord of 65.73 feet, that bears S 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., 50';

Thence continuing with the northwesterly right-of-way of Armandale Ave. N.W., and 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 chord of 139.28 feet, that bears S 56° 01' 45" W, a distance along said arc of 140.09 feet to a point, and the true place of beginning, containing within said bounds 1.950 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 E.C. Metzger and Associates, Inc. in July 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,
E.C. Metzger & Associates, Inc.

Edward C Metzger
Edward C. Metzger

E.C. METZGER & ASSOCIATES, INC.**LAND SURVEYING SERVICES**

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

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

HAMLETS OF GLENMOOR CONDOMINIUM NUMBER II
PHASE IV - REMAINDER "C-1"
DESCRIPTION OF 4.621 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 289 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 80.50 feet to a point;

Thence S 84° 39' 30" E, a distance of 161.91 feet to a point in Pebble Beach Drive N.W. (a private roadway easement);

Thence N 7° 39' 25" E, a distance of 174.41 feet to a point in Doral Drive N.W. (a private roadway easement);

Thence N 84° 34' 55" W, a distance of 167.16 feet to a point on the westerly bounds of said Hamlets of Glenmoor Condominium Number 2;

Thence N 5° 55' 53" E, continuing with the westerly bounds of said Hamlets of Glenmoor Condominiums Number 2, a distance of 145.13 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);

Continued on page 2

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

Thence S 7° 33' 23" W, continuing with the easterly bounds of said Hamlets of Glenmoor Condominium Number 2, a distance of 163.20 feet to a point;

Thence N 84° 34' 55" W, a distance of 219.27 feet to a point in said Doral Drive N.W.;

Thence S 7° 39' 25" W, a distance of 174.27 feet to a point in said Pebble Beach Drive N.W.;

Thence S 84° 39' 30" E, with said Pebble Beach Drive N.W., a distance of 95.53 feet to a point;

Thence continuing with said Pebble Beach Drive N.W., and along an arc of a curve to the right, having a radius of 67.83 feet, a central angle of 112° 58' 56", a tangent of 102.45 feet, a chord of 113.12 feet, that bears S 28° 10' 02" E, a distance along said arc of 133.76 feet to the northwest corner of Parcel "C" of Phase III, of the 2nd Amendment to said Hamlets of Glenmoor Condominium No. 2;

Thence S 28° 19' 26" W, with the westerly bounds of said Parcel "C", Phase III, a distance of 109.06 feet to a point on the northerly bounds of Phase I of said Hamlets of Glenmoor Condominium Number 2;

Thence N 61° 31' 25" W, with the northerly bounds of said Phase I, a distance of 115.82 feet to a point, being the northwesterly corner of said Phase I, and the northeasterly corner of Hamlets of Glenmoor Condominium Number 2, Phase II;

Thence N 84° 03' 06" W, with the northerly bounds of said Phase II, a distance of 128.62 feet to the northwesterly corner of said Phase II;

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;

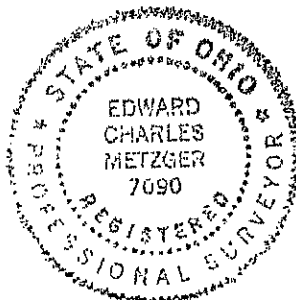
Thence with said St. Augustine Drive N.W., and Doral Drive N.W. (a private roadway easement), and along an arc of a curve to the right, having a radius of 68.00 feet, a central angle of 89° 59' 56", a tangent of 68.00 feet, a cord of 96.17 feet that bears N 39° 06' 15" W, a distance along said arc of 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 4.621 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 E.C. Metzger and Associates, Inc., in July 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 IV REM C-1



Surveyed by,
E.C. Metzger & Associates, Inc.

Edward C. Metzger
Edward C. Metzger

SHISLER, METZGER & ASSOCIATES**LAND SURVEYING SERVICES**2011 FULTON RD. N.W.
CANTON, OHIO 44709PHONE: (330) 455 - 4942
FAX: (330) 455 - 1570**HAMLETS OF GLENMOOR CONDOMINIUM NUMBER II
PHASE IV - REMAINDER "C-2"
DESCRIPTION OF 0.335 ACRES**

Known as and being located in the Southwest 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 S 72° 48' 44" E, a distance along said arc of 92.82 feet to a point;

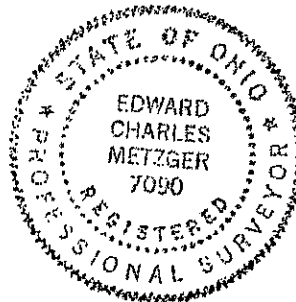
Thence S 61° 38' 25" E, with said St. Augustine Drive. N.W., a distance of 47.38 feet to a point;

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

Surveyed by,
Shisler, Metzger & Associates

Edward C. Metzger
Edward C. Metzger



SHISLER, METZGER & ASSOCIATES

LAND SURVEYING SERVICES

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

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

HAMLETS OF GLENMOOR CONDOMINIUM NUMBER II PHASE IV - REMAINDER "C-3" DESCRIPTION OF 0.741 ACRES

Known as and being located in the Southwest 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° 28' 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;

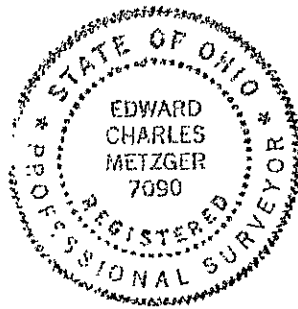
Thence S 5° 50' 13" W, a distance of 125.83 feet to a point on the southerly bounds of said Hamlets of Glenmoor Condominium Number 2, and the northerly bounds of said Estates of Glenmoor Subdivision No. 5;

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

Surveyed by,
Shisler, Metzger & Associates

Edward C. Metzger
Edward C. Metzger



HAMLETS PHASE 3 REM-C-3

EXHIBIT "3"

**TO THIRD 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 IV consists of three (3) duplex Buildings, each containing two (2) Units and one (1) "free-standing" Building, containing one (1) Unit, for a total of seven (7) Units. The Units are designated as Unit Nos. V-33, V-34, V-37, V-38, V-40, V-41 and V-42. All of the aforesaid Units are situated on Doral Drive, NW.

The Buildings containing the seven (7) 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 roof is 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. V-40 is an "Augusta" type Unit. Unit Nos. V-33, V-34, V-37, V-38, V-41 and V-42 are "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 (1½) 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 THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM
OWNERSHIP FOR THE HAMLETS OF GLENMOOR CONDOMINIUM NO. II**

| UNIT NO. | PHASE NO. | UNIT ADDRESS | UNIT TYPE | 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 |
|----------|-----------|-----------------------------|-----------|---|
| III-1 | I | 6390 St. Augustine Drive NW | Oakmont | 1/23rd |
| III-2 | I | 6392 St. Augustine Drive NW | Augusta | 1/23rd |
| III-5 | I | 6413 St. Augustine Drive NW | Augusta | 1/23rd |
| III-6 | I | 6415 St. Augustine Drive NW | Oakmont | 1/23rd |
| III-7 | I | 6337 St. Augustine Drive NW | Augusta | 1/23rd |
| III-8 | I | 6339 St. Augustine Drive NW | Oakmont | 1/23rd |
| IV-21 | I | 6470 St. Augustine Drive NW | Oakmont | 1/23rd |
| IV-22 | I | 6472 St. Augustine Drive NW | Augusta | 1/23rd |
| | | | | |
| IV-11 | II | 6429 St. Augustine Drive NW | Augusta | 1/23rd |
| IV-12 | II | 6431 St. Augustine Drive NW | Oakmont | 1/23rd |
| | | | | |
| III-9 | III | 6355 Pebble Beach Drive NW | Augusta | 1/23rd |
| III-10 | III | 6357 Pebble Beach Drive NW | Oakmont | 1/23rd |
| IV-15 | III | 6434 St. Augustine Drive NW | Oakmont | 1/23rd |
| IV-16 | III | 6436 St. Augustine Drive NW | Oakmont | 1/23rd |
| IV-23 | III | 6488 St. Augustine Drive NW | Oakmont | 1/23rd |
| IV-24 | III | 6490 St. Augustine Drive NW | Oakmont | 1/23rd |
| | | | | |
| V-33 | IV | 6452 Doral Drive NW | Oakmont | 1/23rd |
| V-34 | IV | 6450 Doral Drive NW | Oakmont | 1/23rd |
| V-37 | IV | 6406 Doral Drive NW | Oakmont | 1/23rd |

| <u>UNIT NO.</u> | <u>PHASE NO.</u> | <u>UNIT ADDRESS</u> | <u>UNIT TYPE</u> | <u>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</u> |
|-----------------|------------------|---------------------|------------------|--|
| V-38 | IV | 6404 Doral Drive NW | Oakmont | 1/23rd |
| V-40 | IV | 6386 Doral Drive NW | Augusta | 1/23rd |
| V-41 | IV | 6384 Doral Drive NW | Oakmont | 1/23rd |
| V-42 | IV | 6364 Doral Drive NW | Oakmont | 1/23rd |
| | | | | |
| | | | | TOTAL: 100% |

CONSENT OF MORTGAGEE TO THIRD 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 Third 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 Third 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:
(Witnesses as to both signatures)

Kimberly A. Fegan
Print Name: Kimberly A. Fegan

Vanessa Rice
Print Name: VANESSA RICE

THE PROVIDENT BANK

By: Thomas A. Berkheimer
Print Name: THOMAS A. BERKHEIMER
Title: VICE PRESIDENT

By: Ashley B. Martin
Print Name: Ashley B. Martin
Title: ASST. VP

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 PROVIDENT BANK by Thomas A. Berkheimer, its VICE PRESIDENT and by Ashley B. Martin, its ASST. VICE PRESIDENT who, having been first duly sworn acknowledged that they did execute the foregoing instrument and that the same was their free act and deed individually and as such officers and the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Cleveland, Ohio, this 7th day of July, 2000.

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

{JESK0331490.1}

Vanessa Rice
NOTARY PUBLIC
My Commission Expires: _____

VANESSA RICE
NOTARY PUBLIC, STATE OF OHIO
Recorded in Cuyahoga County
My Comm. Expires Jan. 19, 2004

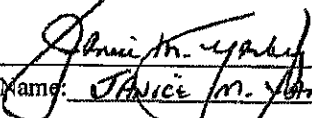
CONSENT OF MORTGAGEE TO THIRD AMENDMENT TO DECLARATION OF
CONDOMINIUM OWNERSHIP FOR THE HAMLETS OF GLENMOOR CONDOMINIUM NO. II

The undersigned, GLENMOOR PROPERTIES LIMITED PARTNERSHIP, an Ohio limited partnership, is mortgagee of premises described in the within Third 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").

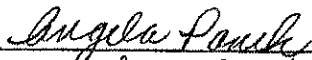
The undersigned hereby consents to the execution and delivery of the foregoing Third Amendment to Declaration of Condominium Ownership, with the Drawings and other exhibits thereto ("Condominium Documents"), and to the filing thereof in the Office of the County Recorder of Stark County, Ohio, and further subjects and subordinates the Mortgage to the Condominium Documents, and to the provisions of Chapter 5311 of the Ohio Revised Code.

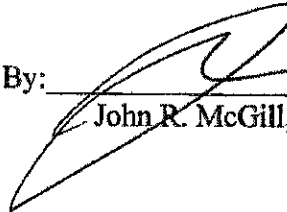
SIGNED AND ACKNOWLEDGED
IN THE PRESENCE OF:

GLENMOOR PROPERTIES LIMITED
PARTNERSHIP, an Ohio limited partnership


Print Name: Janice M. Yonky

By: GLENMOOR PROPERTIES, INC., an
Ohio corporation, its General Partner


Print Name: ANGELA PANEK

By: 
John R. McGill, 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 JOHN R. MCGILL, President of Glenmoor Properties, Inc., an Ohio corporation, the general partner of Glenmoor Properties Limited Partnership, an Ohio limited partnership, who, having been first duly sworn acknowledged that he did execute the foregoing instrument and that the same was his free act and deed individually and as such officer and the free act and deed of said partnership and corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Moreland Hills, Ohio, this 11th day of July, 2000.

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
(216) 696-3311


NOTARY PUBLIC
My Commission Expires: 3/9/04

GLEND PECK, Notary Public
State of Ohio, Cuyahoga County
My Commission Expires March 9, 2004