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Rick Campbell 8:55 AM MISC
Stark County Recorder T20180013218

**FIRST AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS, RESTRICTIONS AND RESERVATION OF
EASEMENTS FOR SHADOW RIDGE HOMEOWNERS
ASSOCIATION, INC.**

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATION OF EASEMENTS FOR SHADOW RIDGE HOMEOWNERS ASSOCIATION, INC. (“Amendment”) is made and entered into by Shadow Ridge, LLC, effective this 13th day of April, 2018 (hereinafter “Effective Date”).

WHEREAS, Shadow Ridge, LLC, as Declarant/Developer (hereinafter “Declarant”) of the Shadow Ridge subdivision, a plat of which is recorded as Instrument No. 201709010036867 of the Stark County Official Records, adopted that certain Declaration of Covenants, Conditions, Restrictions and Reservation of Easements for Shadow Ridge Homeowners Association, Inc. (hereinafter “Declaration”); and

WHEREAS, Declarant caused said Declaration to be recorded September 6, 2017 as Instrument No. 201709060037425 of the Stark County Official Records; and

WHEREAS, Declarant desires to amend the Declaration to clarify its original intent.

NOW, THEREFORE, As of the Effective Date as set forth above, the Declaration is hereby amended in the following respects:

1. A new Section 5.7 is added to the Declaration as follows:

5.7 Storm Water Directed to Neighbor's Property. No Owner shall alter their Lot so as to direct storm water onto a neighbor's Lot.

2. Sentences 2 and 3 of Section 9.2.1 are deleted in their entirety and replaced as follows:

Prior to any construction, the Owner or Builder shall first submit to the Declarant (which for the terms of this section shall include its designee) a complete set (one (1) each) of building plans for the proposed construction. The plans shall be submitted on 11 x 17 inch paper and the plans shall include those items as contained on Exhibit "C" attached hereto and made a part hereof, which said Exhibit "C" may be amended from time to time.

3. Exhibit "C" attached to this Amendment is hereby added to the Declaration.

4. Section 9.2.6 is hereby deleted in its entirety and replaced with the following:

9.2.6 Front Yards and Driveways. Lots shall be landscaped and yard areas seeded or sodded within one hundred eighty (180) days of the Dwelling Unit completion date. Driveways shall be paved with concrete, asphalt, paving brick or stone within one hundred eighty (180) days of the Dwelling Unit completion date. All of the above are subject to weather delays. Dwelling completion is defined by the issuance of an occupancy permit or completion of final inspection approvals by the Stark County Building Department.

5. Section 9.2.7 is hereby deleted in its entirety and replaced with the following:

9.2.7. Construction Materials. No Dwelling Units shall have exposed poured concrete or block walls. Notwithstanding the foregoing, poured concrete walls shall be acceptable providing the exposed wall exhibits a brick or stone pattern. The exterior of the Dwelling Unit shall be covered with brick, stone, siding or combinations of the same. No underground Dwelling Units shall be permitted.

6. Section 9.2.8 is hereby deleted in its entirety and replaced with the following:

9.2.8. Exterior Siding. Any wooden siding materials must have prior approval.

7. Section 9.2.11 is hereby deleted in its entirety and replaced with the following:

9.2.11 Air Conditioning and Heat Pump Equipment. Air-conditioning and heating equipment shall be located along the side or rear of the Dwelling Unit, and screened in such a manner so as to provide minimum visual impact from other Lots.

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REVISIONS TO EXHIBIT "B" OF DECLARATION
DESIGN GUIDELINES

1. The first paragraph of the provision entitled "House Placement and Yard Grading" contained within Exhibit "B" shall be deleted in its entirety and replaced with the following:

House Placement and Yard Grading. Dwelling Units shall conform to existing grade and drainage patterns. Builders shall be responsible to regrade the Lot to conform the drainage plan approved for the subdivision. Storm water shall not be directed on to adjacent Lots.

2. The provision entitled "Roof" contained within Exhibit "B" shall be deleted in its entirety and replaced with the following:

Roof. The roof and gables of each Dwelling Unit shall be no less than 6 -12 pitch. Porch, rear extension and patio roofs shall be no less than 3.5 – 12 pitch. All shingles shall be of a uniform color. The pitch of the roof may be permitted to be less than the requirement if it is part of a recognized architecture style and approved by the Architectural Review Committee.

3. The last sentence of the provision entitled "Yards, Driveways and Walks" contained within Exhibit "B" shall be deleted in its entirety and replaced with the following:

Gravel, limestone, chip and seal or dirt driveways are prohibited.

4. The provision entitled "Foundation" contained within Exhibit "B" shall be deleted in its entirety and replaced with the following:

Foundations. It is prohibited along the front facing elevation of the home (that elevation fronting the street) and the side facing elevation of the home (if a corner lot home placement) to reveal more than four (4) inches of the foundation wall above the finished ground elevation of the building. It is prohibited along rear and side facing elevations of the home to reveal more than sixteen (16) inches of the foundation wall above the finished ground elevation of the building. No exposed concrete block wall shall be

permitted on any side of the home or garage. Poured concrete walls shall be acceptable providing the exposed wall exhibits a brick or stone pattern. Absent this pattern display, all exposed concrete block and concrete poured walls must be covered with siding, brick or stone. Brick and stone may be natural, man-made or artificial materials. Concrete block exhibiting a split face or similar design are acceptable for use above the finished ground elevation.

5. The provision entitled “Facades” contained within Exhibit “B” shall be deleted in its entirety and replaced with the following:

Facades. The front façade of the Dwelling Unit should be finished with approximately fifty percent (50%) coverage using hard surface material, i.e. natural/cultured brick or stone. Hard surface material shall form a water table or shall be designed on appropriate elements of the house. It is recommended that the use of vinyl or cement board siding consist of both traditional and shake style installations. Use of other man-made materials is permitted provided they are painted to blend with the other front façade materials.

6. The provision entitled “Solar Panels” contained within Exhibit “B” shall be deleted in its entirety and replaced with the following:

Solar Panels. Except as set forth below, no solar panels shall be permitted on the front side of the house. The Committee will consider panels that are hidden from the street and those that do not substantially affect neighbors. Solar panels that are built into roof shingles or coverings will be considered on a case by case basis and may be permitted on the front elevation of the house if approved by the Committee.

7. The last sentence of the provision entitled “Chimneys” contained within Exhibit “B” shall be deleted in its entirety and replaced with the following:

Laundry and bath vents may not be vented to the front of the Dwelling Unit.

8. The following sentence is added to the end of the provision entitled “Swimming Pools, Spas and Hot Tubs” as contained within Exhibit “B”:

Chain link fences are not permitted as privacy fencing.

9. The following sentence is added to the end of the provision entitled "Landscaping" as contained within Exhibit "B":

Each Owner shall be required to plant a minimum of three (3) 1 and ½ inch caliper deciduous trees on their Lot within 180 days of the completion of the dwelling.

10. The provision entitled "House Numbers" contained within Exhibit "B" shall be deleted in its entirety and replaced with the following:

House Numbers. As permitted by the United States Post Office Regulations, house numbers shall be installed in a location on the house that is clearly visible from the street. "Stick on" numbers are not permitted.

** See item 11 on next page which is incorporated by reference herein.*

All other provisions of the Declaration not amended herein remain in full force and effect.

IN WITNESS WHEREOF, SHADOW RIDGE, LLC has caused this Amendment to be signed by Scott J. Fitzpatrick, its Member, this 13th day of April, 2018.

SHADOW RIDGE, LLC, an Ohio limited liability company

By: 
Scott J. Fitzpatrick

Its: Member

11. The provision entitled "Street Trees" contained within Exhibit "B" shall be deleted in its entirety and replaced with the following:

Street Trees. Street trees will be provided and installed by the Developer along specific lot side and/or front yard areas along the street right of way at certain locations as Developer determines in its sole and absolute discretion. A copy of the planned tree locations can be requested from the Developer. The street trees shall not be moved except by the Developer. The Lot Owner is expressly prohibited from moving street trees from the tree lawn area to other areas on the Lot or removing them. The Developer shall guarantee the street trees for a period of One (1) year commencing on the date of installation. After one (1) year, a damage or dead street tree shall be replaced by and at the Lot Owner(s) expense. Lot Owners are required to water and maintain the tree.

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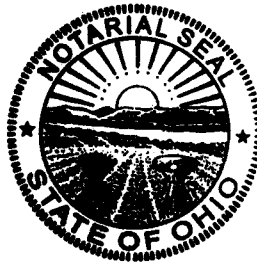
STATE OF OHIO)
) SS:
COUNTY OF STARK)

The foregoing instrument was acknowledged before me, this 13th day of April, 2018, by Scott J. Fitzpatrick, member of **SHADOW RIDGE, LLC**, an Ohio liability company, on behalf of the company.



Notary Public, State of Ohio

This instrument prepared by:
Scott G. Hastings, Attorney at Law
KRUGLIAK, WILKINS, GRIFFITHS
& DOUGHERTY CO., L.P.A.
4775 Munson Street, N.W.
P. O. Box 36963
Canton, Ohio 44735-6963
Phone: (330) 497-0700
Fax: (330) 497-4020



Bobbie J. Roth
Notary Public, State of Ohio
My Commission Expires 06-16-2019

EXHIBIT "C"

Plans shall include the following submittals in compliance with Section 9.2.1 entitled "Plan Approval":

1. Foundation plan;
2. Floor plans;
3. Exterior elevations;
4. Wall or building sections;
5. Exterior lighting (site and building);
6. Site plan showing house, garage, driveways, walks, ground slopes/drainage, property lines, setback lines, and easements).