DESCP COMP'D

FIRST AMENDMENT TO

DECLARATION OF CONDOMINIUM OWNERSHIP

FOR

BOB-O-LINK CONDOMINIUM NORTH

INCLUDING BYLAWS, DRAWINGS, AND OTHER EXHIBITS

A true and accurate copy of the within First Amendment to Declaration of Condominium Ownership, including Bylaws, Drawings, and other Exhibits, received by the Auditor of Stark County, Ohio, this 28 day of FEBRUARY, 1983.

Auditor of Stark County, Ohio

By Willi Q. Quen

This instrument prepared by:

DAY, KETTERER, RALEY,
WRIGHT & RYBOLT
Attorney at Law
800 Cleve-Tusc. Building
Canton, Ohio 44702-1988

RECEIVED FOR RECORD
FEB 2 8 1983

at 3.09 o'clock. I... M

RECORDED FEB 2 8 1883

In Stark County Offical

Records

Vol. 25. Page 201

EUGENE M. FELLMETH

RECORDER FEE

3/17/83 See Condo. Plat Book 2 Ag 105

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FIRST AMENDMENT TO

DECLARATION OF CONDOMINIUM OWNERSHIP

FOR

BOB-O-LINK CONDOMINIUM NORTH

INCLUDING BYLAWS, DRAWINGS, AND OTHER EXHIBITS

In accordance with the provisions of the Ohio Condominium Act and of Articles XIV and XV of the Declaration of Condominium Ownership for Bob-O-Link Condominium North, dated August 18, 1981 (the "Declaration"), as the Declaration is recorded in Volume 3, Page 490, of the Stark County, Ohio, Condominium Records, with drawings having been recorded in Volume 3, Page 570, Stark County, Ohio, Condominium Records, and in Volume 1, Page 123, Stark County, Ohio, Condominium Plat Records, said Declaration, including Bylaws, drawings, and other exhibits, is hereby amended by the undersigned in the following respects:

- 1. All references in the Declaration to "Parcel 1," and to "Parcels 2, 3, and 4," respectively, including but not limited to such references in Sections 1.00, 1.10(a), and 1.10(m), shall become and be deemed to read "Parcels 1 and 2," and "Parcels 3 and 4," respectively, except for such references in Section 13.32 (pertaining to Declarant's warranties) which shall remain unchanged.
- 2. The first paragraph of the unnumbered introductory portion of Article II, on page 4 of the Declaration (Volume 3 at page 498) shall be changed by deleting all provisions after the second sentence therein and substituting the following provisions:

"There are two buildings on the Condominium Property with garages attached to each. The buildings consist of two stories plus a basement and are constructed principally of brick, wood, glass, concrete, dry wall, plywood, aluminum siding, asphalt shingles, and cement block. Both buildings are exclusively residential, and each of the two buildings contains 8 separate residential Units for a total of 16 Units, which are hereby divided into 16 separately designated and legally described freehold estates, hereinafter described and referred to as 'Units.'"

of Section 2.12, on page 5 of the Declaration (Volume 3 at page 499), which deals with Limited Common Areas and Facilities and which reads: "... adjacent and appurtenant are all chimneys and all porches, stoops, ... " shall become and be deemed to read: "... adjacent and appurtenant are all chimneys and related flues and ducts and all porches, stoops, ... "

4. That portion of the first sentence of the second paragraph of Section 2.13, on page 6 of the Declaration (Volume 3 at page 500) which reads:

ESSEN TO RELEASE TO THE PARTY OF THE PARTY O

". . . is hereby deemed to be, and expressed by, the fractional amount of One-Eighth (1/8), which is based on the proportion that the floor area of the Unit (as initially determined by Declarant, measured in square feet, and reduced to the nearest multiple of the number '50') bears to the total of the floor areas of all Units (as initially determined by Declarant, measured in square feet, and reduced to the nearest multiple of the number '50')."

shall become and be deemed to read as follows:

- ". . . is hereby deemed to be, and expressed by, the fractional amount of One-Sixteenth (1/16), which is based on the proportion that the floor area of the Unit (as initially determined by Declarant, measured in square feet, and rounded to the nearest number which has '75' as its last two digits) bears to the total of the floor areas of all of the Units so determined, measured, and rounded."
- 5. The first sentence of the last paragraph of Section 5.10, on page 15 of the Declaration (Volume 3 at page 509), dealing with the Board's right of entry into a Unit, shall be deleted in its entirety and shall be replaced with the following sentence:
 - "The Board of Managers and its authorized employees and agents shall have the right to enter any Unit or portion thereof in accordance with the circumstances and conditions specified in Sections 4.1(g) and 4.2 of the Bylaws."
- 6. There shall be added to the end of the first sentence in Section 5.20, on page 15 of the Declaration (Volume 3 at page 509), dealing with repairs necessitated by a Unit owner, the following language:
 - ". . . notwithstanding any other provision in this Declaration or the Bylaws."
- 7. The second sentence in Section 6.10 on page 16 of the Declaration (Volume 3 at page 510), dealing with division of common surplus and common expenses, shall be modified to read as follows: "Such fractional share of surplus and expenses for each Unit shall be the same fraction set forth in Article II, Section 2.13, above."
- 8. The first portion of the sub-entry designated as "(2)" in Section 4.2 on page A-12 of the Bylaws (Volume 3 at page 551), which

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reads "(2) when said Section 4.1(g) is not applicable, the Association . . . " shall become and be deemed to read "(2) when work is not to be performed on a Unit but the work requires entry into or through a Unit, the Association . . "

- 9. Exhibit B of the Declaration (Volume 3 at page 566), giving a legal description of Parcel 1, shall be deleted in its entirety and replaced with Exhibit B attached hereto.
- 10. Exhibit C of the Declaration (Volume 3 at pages 567 and 568), giving a legal description of Parcels 2 and 3 and of Parcel 4, shall be deleted in its entirety and replaced with Exhibit C attached hereto.
- 11. Exhibit D of the Declaration (Volume 3 at page 569), giving information concerning the Units, shall be deleted in its entirety and replaced with Exhibit D attached hereto.
- 12. The following drawings shall be added to Exhibit E of the Declaration (Volume 3 at pages 570-580) immediately after the drawing labeled as "Exhibit E-11":

The drawing attached hereto as Exhibit E-12;
The drawing attached hereto as Exhibit E-13;
The drawing attached hereto as Exhibit E-14;
The drawing attached hereto as Exhibit E-15;
The drawing attached hereto as Exhibit E-16;
The drawing attached hereto as Exhibit E-17;
The drawing attached hereto as Exhibit E-18;
The drawing attached hereto as Exhibit E-19;
The drawing attached hereto as Exhibit E-20;
The drawing attached hereto as Exhibit E-21; and
The drawing attached hereto as Exhibit E-21; and

13. The drawing labeled as Exhibit F to the Declaration (Volume 3 at page 581) shall be deleted in its entirety and replaced with the drawing attached hereto as Exhibit F.

IN WITNESS WHEREOF, Declarant has caused this instrument to be executed on the date(s) set forth below.

Signed and Acknowledged	BOB-O-LINK NORTH, INC.
in the Presence of:	
Lange St. Hastone	By and a. Woln
The state of the s	Its President
Mineth W Swenthet	Paul A. Weber
7	DATE: <u>3/7/83</u>
January Hartona	By Carol a. Watter
7 11 1111 11 11 11 11	Its Secretary
Municipal Swenter	Carol A. Watts DATE: 2/7/83
•	

DECLARANT

James V. Harton	Henry R. Green	he
Carol Watter	annetty 13	1.8
Carol a. Watts	DATE: 2/8 UNIT OWNER(S)	8:

Consent granted pursuant to Article XIV of the Declaration.

	THE CITIZENS SAVINGS ASSOCIATION
01 0 40	
Charlacte see summe	Vice President (Title)
Karen L Somo	DATE: 2/22/83
	(By Carola, Desta
	Assistant Vice Presidentle)
·	DATE: 2/22/83

MORTGAGEE

STATE OF OHIO, STARK COUNTY, SS:

Before me, a Notary Public, in and for said county and state, personally appeared the above-named Bob-O-Link North, Inc., an Ohio corporation, by Paul A. Weber, its President

Secretary _____, who acknowledged that they did sign the foregoing instrument and that the same is the free act and deed of said corporation and the free act and deed of them personally and as such officers.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at North Conton, Ohio, this 774 day of February 1983.

Notary Public

STATE OF OHIO, STARK COUNTY, SS:

Before me, a Notary Public, in and for said county and state, personally appeared the above-named Henry R. Green and Annette R.

Green, who acknowledged that they did sign the foregoing instrument and that the same is their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at North Carten., Ohio, this 1874 day of Tebruary.

1983.

Notary Public

STATE OF OHIO, STARK COUNTY, SS:

a(n) Assistant Vice President , of said corporation, who acknowledged that they did sign the foregoing instrument for and on behalf of said corporation and that the same is the free act and deed of said corporation and the free act and deed of them personally and as such officers.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Canton, Ohio, this 22nd day of February, 1983.

otary Public

Notary Pel

EXHIBIT B to Declaration - Bob-O-Link Condominium North

LEGAL DESCRIPTION OF PARCEL 1

Being a 1.387 acre part of Lot 160 in Bob-O-Link Estates
No: 6, a subdivision located in the northeast quarter of Section
5 of Plain Township, Township 11, Range 8, Stark County, Ohio,
the plat of which subdivision is recorded in Plat Book 50, Page
95 of the Stark County Plat Records, said part being more particularly described as follows:

Beginning at a 3/4 inch steel bar set at the southeast corner of said Lot 160; (1) thence along the most southerly line of said Lot 160, N 84°31'00" W, a distance of 294.10 feet to a 3/4 inch steel pipe found at the corner common to said Lot 160, as well as, Lots 35 and 38 in Bob-O-Link Estates No. 1, a subdivision, the plat of which is recorded in Plat Book 47, Page 4 of the Stark County Plat Records, this course also being monumented by a 3/4 inch steel pipe found at 102.25 feet, marking the north corner common to Lots 39 and 42 in said Bob-O-Link Estates No. 1 and by a 3/4" steel pipe at 202.33 feet marking the north corner common to Lots 38 and 39 in said Bob-O-Link Estates No. 1, the bearing of this course being taken from the record plat of Bob-O-Link Estates No. 6 and used as the basis of bearings in this description; (2) thence N 05°29'00" E, a distance of 205.50 feet to a 3/4 inch steel bar set; (3) thence S 84°31'00" E, a distance of 294.10 feet to a 3/4 inch steel bar set on the east line of said Lot 160; (4) thence along the east line of said Lot 160 and the west line of Peachmont Avenue N.W. a 60 foot wide right-ofway dedicatd as a public steet as a part of said Bob-O-Link Estates No. 6, S 05°29'00" W, a distance of 205.50 feet to the place of beginning and containing 1.387 acres as surveyed by Richard C. Friedl registered surveyor #S-5938 of Friedl and harris, Inc., in July, 1981.

LEGAL DESCRIPTION OF PARCEL 2

Known as and being a part of Lot No. 160 in Bob-O-Link Estates No. 6, as located in part of the Northeast Quarter of Section 5, Township-11 (Plain Township), Range-8, in Stark County, Ohio and being further bounded and described as follows;

Beginning at a point marked by an iron pin set at the southeast corner of Lot No. 160 in said Bob-O-Link Estates No. 6, as recorded in Plat Book 50, page 95 of the Stark County Plat Records; thence N 05°-29'-00" E on a portion of the west right-of-way line of

Peachmont Avenue N.W. (60 feet wide), a distance of 205.50 feet to a point marked by a P.K. nail set at the northeast corner of Bob-O-Link Condominium North, Parcel No. 1, as recorded in Condominium Plat Book 1, Page 123 of the Stark County Condominium Plat Books and being the true place of beginning for the tract of land herein to be described; thence N 84°-31'-00" W on the north line of said Parcel No. 1, a distance of 294.62 feet to a point marked by an iron pin set; thence N 05°-29'-00" E on the northerly extension of the west line of said parcel No. 1, a distance of 184.50 feet to a point marked by an iron pin set on the north line of said Lot No. 160 in Bob-O-Link Estates No. 6; thence S 84°-31'-00" E on a portion of the north line of said Lot No. 160, a distance of 256.13 feet to a point of curvature marked by an iron pin set on the west rightof-way line of said Peachmont Avenue N.W.; thence on an arc of a curve to the right, concaved to the southwest, with said curve having a central angle of 30°-44'-53", a radius of 273.83 feet, an arc length of 146.95 feet, a distance of 146.95 feet to the termination point of said curve, marked by a P.K. nail set, (last stated curved course has a chord bearing and distance of S 09°-53'-27" E - 145.20 feet); thence S 05°-29'-00" W continuing on the said west line of Peachmont Avenue N.W., a distance of 44.50 feet to a point marked by an iron pin set at the northeast corner of said Parcel No. 1 of Bob-O-Link Condominium North and being the true place of beginning and containing 1.208 acre 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.

NOTE: Reference direction for bearing system used in the above description derived from the record plat of Bob-O-Link Estates No. 6, as recorded in Plat Book 50, page 95 of the Stark County Plat Records, using N 05°-29'-00" E for a portion of the centerline of Peachmont Avenue N.W. (60 feet wide).

As surveyed by William J. Meola, Registered Surveyor No. 5102, of Cooper & Associates on January 31, 1983.

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EXHIBIT C

Declaration -- Bob-O-Link Condominium North

LEGAL DESCRIPTION OF PARCEL 3

- Known as and being a part of Lot No. 160 in Bob-O-Link Estates No. 6, as located in part of the Northeast Quarter of Section 5, Township-11 (Plain Township), Range-8, in Stark County, Ohio and being further bounded and described as follows;

Beginning at a point, marked by an iron pin set at the southeast corner of Lot No. 160 in said Bob-O-Link Estates No. 6, as recorded in Plat Book 50, page 95 of the Stark County Plat Records; thence N 84°-31'-00" W on a portion of the north line of Bob-O-Link Estates No. 1, as recorded in Plat Book 47, Page 4 of the Stark County Plat Records, a distance of 294.62 feet to a point marked by an iron pin found at the northeast corner of Lot No. 35 in said Bob-O-Link Estates No. 1 and being the true place of beginning for the tract of land herein to be described; thence N 66°-47'-26" W on the north line of Lots 35 and 34 in said Bob-O-Link Estates No. 1, a distance of 106.09 feet to a point marked by an iron pin found at the northwest corner of said Lot No. 34; thence N 37°-48'-00" W on a portion of the north line of said Bob-O-Link Estates No. 1, a distance of 491.36 feet to a point marked by an iron pin found at the northwest corner of said Lot No. 160 in Bob-O-Link Estates No. 6; thence S 84°-31'-00" E on a portion of the north line of said Lot No. 160, a distance of 437.94 feet to a point marked by an iron pin set; thence S 05°-29'-00" W on a portion of the west line of Bob-O-Link Condominium North Parcel No. 1, as recorded in Condominium Plat Book 1, page 123 and its northerly extension, a distance of 390.00 feet to a point marked by an iron pin found at the northeast corner of said Lot No. 35 in said Bob-O-Link Estates No. 1 and being the true place of beginning and containing 2.250 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.

NOTE: Reference direction for bearing system used in the above description derived from the record plat of Bob-O-Link Estates No. 6, as recorded in Plat Book 50, page 95 of the Stark County Plat Records, using N 05°-29'-00" E for a portion of the centerline of Peachmont Avenue N.W. (60 feet wide).

As surveyed by William J. Meola, Registered Surveyor No. 5102, of Cooper & Associates, on January 31, 1983.

LEGAL DESCRIPTION OF PARCEL 4

Situated in the Township of Plain, County of Stark, and State of Ohio:

TRACT 1:

Known as and being Lot No. 159 in the Township of Plain, Stark County, Ohio, as the same is shown and delineated on the Plat of Bob-O-Link Estates No. 6 in Plat Book 50, Page 95, Stark County, Ohio, Record of Plats, but subject to all legal highways.

TRACT 2:

Situated in the State of Ohio, County of Stark, Township of Plain, T-11, R-8, Northeast Quarter of Section 5 and being part of an 80.425 acres remaining from an original 161.43 acres, now or formerly owned by B. E. Nightwine et al. the deed of which is recorded in Volume 3876, Page 533 of the Stark County Deed Records, said part being more particularly described as follows: Beginning at the northeast corner of Lot 159 in Bob-O-Link Estates No. 6, a subdivision, the plat of which is recorded in Plat Book 50, Page 95 of the Stark County Plat Records; thence N 84°31'00" W, a distance of 160.15 feet to the east line of Peachmont Avenue N.W., a 60 foot wide right of way dedicated as a public street as a part of said Bob-O-Link Estates No. 6; thence along the said east line of Peachmont Avenue N.W., which is the arc of a curve to the left having a radius of 333.83 feet, a central angle of 33°00'00", a tangent of 98.88 feet and a chord of 189.63 feet which bears N 11°01'00" W, for an arc distance of 192.27 feet; thence along the northerly end of Peachmont Avenue, S 62°29'00" W, a distance of 60.00 feet; thence along the westerly line of Peachmont Avenue N.W., which is the arc of a curve to the right having a radius of 273.83 feet, a central angle of 02°15'06", a tangent of 5.38 feet and a chord of 10.76 feet which bears S 26°23'27" E, for an arc distance of 10.76 feet; thence along the northerly line of Lot 160 in said Bob-O-Link Estates No. 6, N 84°31'00" \overline{W} , a distance of 693.54 feet to a point on the northeasterly line of Lot 22 in Bob-O-Link Estates No. 1, a subdivision, the plat of which is recorded in Plat Book 47, Page 4 of the Stark County Plat Records, said point being 32.05 feet from the most easterly corner of Lot 22; thence along the northeasterly lines of Lots 22, 19, 18, 15, 14, and 11 in said Bob-O-Link Estates No. 1, N 37°48'00" W, a distance of 463.78 feet to an angle point in the northeasterly line of said Lot 11 which point is 16.35 feet from the most easterly corner of Lot 11; thence along the northeasterly lines of Lot 11, Lot 10, Cottington Street N.W., and Lot 9 all in said Bob-O-Link Estates No. 1, N 22°11'00" W, a distance of 319.91 feet to the most northerly corner of Lot 9; thence along the northeasterly lines of Lots 172, 173, 174, 175, 176, and 177 in proposed Bob-O-Link Estates

No. 7, N 22°11'00" W, a distance of 509.46 feet to a point 9.46 feet from the most easterly corner of Lot 177; thence parallel with and 370.00 feet south of the north line of said Section 5, S 84°38'40" E, a distance of 1,501.74 feet to a point 150.00 feet west of the west line of a 12.0 acre parcel now or formerly owned by D. and N. Figurella as described in Volume 3225, Page 500 of the Stark County Deed Records; thence parallel with said 12.0 acre parcel N 05°27'00" E, a distance of 40.00 feet; thence parallel to the north line of said Section 5, S 84°38'40" E, a distance of 150.00 feet to the west line of said 12.0 acre parcel; thence along the west line of said 12.0 acre parcel, S 05°27'00" W, a distance of 605.88 feet to the southwest corner of said 12.0 acre parcel; thence S 05°12'40" W, a distance of 639.90 feet to the place of beginning and containing 33.887 acres more or less.

EXHIBIT D

to

Declaration - Bob-O-Link Condominium North

INFORMATION CONCERNING THE UNITS

Each of the sixteen Units is a two-story townhouse with a full basement, one-half of which is finished as a recreation room and contains a fireplace; the remaining one-half of the basement is unfinished but contains laundry hookups and a single laundry tub. A kitchen, dining area, living room, and lavatory are located on the first floor of each Unit. The second floor consists of two full bathrooms and the Unit's bedrooms. The Units are further described, grouped according to the building in which each is located, as follows:

BUILDING 1

Building 1 contains eight of the Units. Units 7701, 7707, and 7715, which are two-bedroom Units, and Units 7703, 7705, and 7713, which are three-bedroom Units, each contain approximately 2,164 square feet of total floor area divided among the three floors. Unit 7709, with three bedrooms, and Unit 7711, with two bedrooms, each consists of approximately 2,190 square feet of total floor area divided among the three floors. Units are positioned within the building in ascending consecutive numerical order (odd numbers only) from east to west.

BUILDING 2

Building 2, which faces Building 1 from across the private drive in the Condominium Property, also contains eight Units. Units 7761, 7765, 7769, and 7775 are two-bedroom Units which, respectively, contain approximately 2147, 2203, 2166, and 2171 square feet of total floor area divided among the three floors. Units 7763, 7767, 7771, and 7773 are three-bedroom Units which, respectively, contain approximately 2164, 2203, 2166, and 2171 square feet of total floor area divided among the three stories. Units are positioned within the building in descending numerical order (odd numbers only) from east to west.

Each of the sixteen Units has both a main entryway with a conventional door in the front of the building, which opens directly to the outdoors onto a stoop or porch that serves as a Limited Common

Area and Facility for the benefit of the Units to which it is adjacent and appurtenant, and also a patio door in the rear of the Unit which opens onto a concrete patio and grass or planting area that runs the width of the Unit and extends outward approximately twelve feet from the rear wall of the building. These patio facilities (both the concrete and the grass or planting portion) are not part of the Unit, but are designated as Limited Common Areas and Facilities for the exclusive use of the Units to which they are adjacent and appurtenant. Likewise, the sixteen two-stall garage spaces (one of which has been reserved for the exclusive use of the residents of the respective Units) are a portion of the Limited Common Areas and Facilities rather than a part of the respective Units that they serve.

EXHIBIT D-2

EXHIBIT E-12
to

Declaration -- Bob-O-Link Condominium North

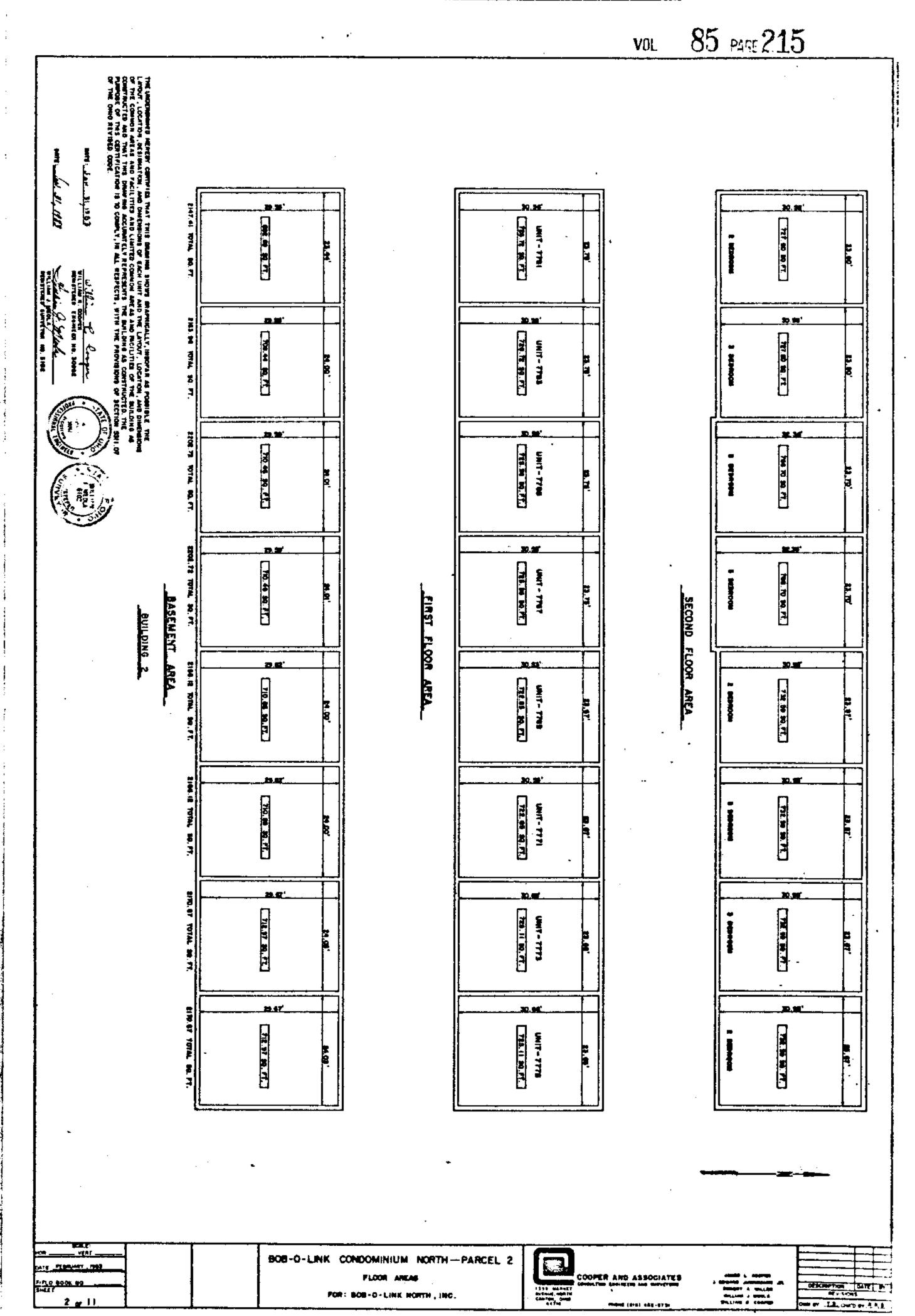
85 page 214 MACEL S PEACHMONT AVENUE N.W. 60'

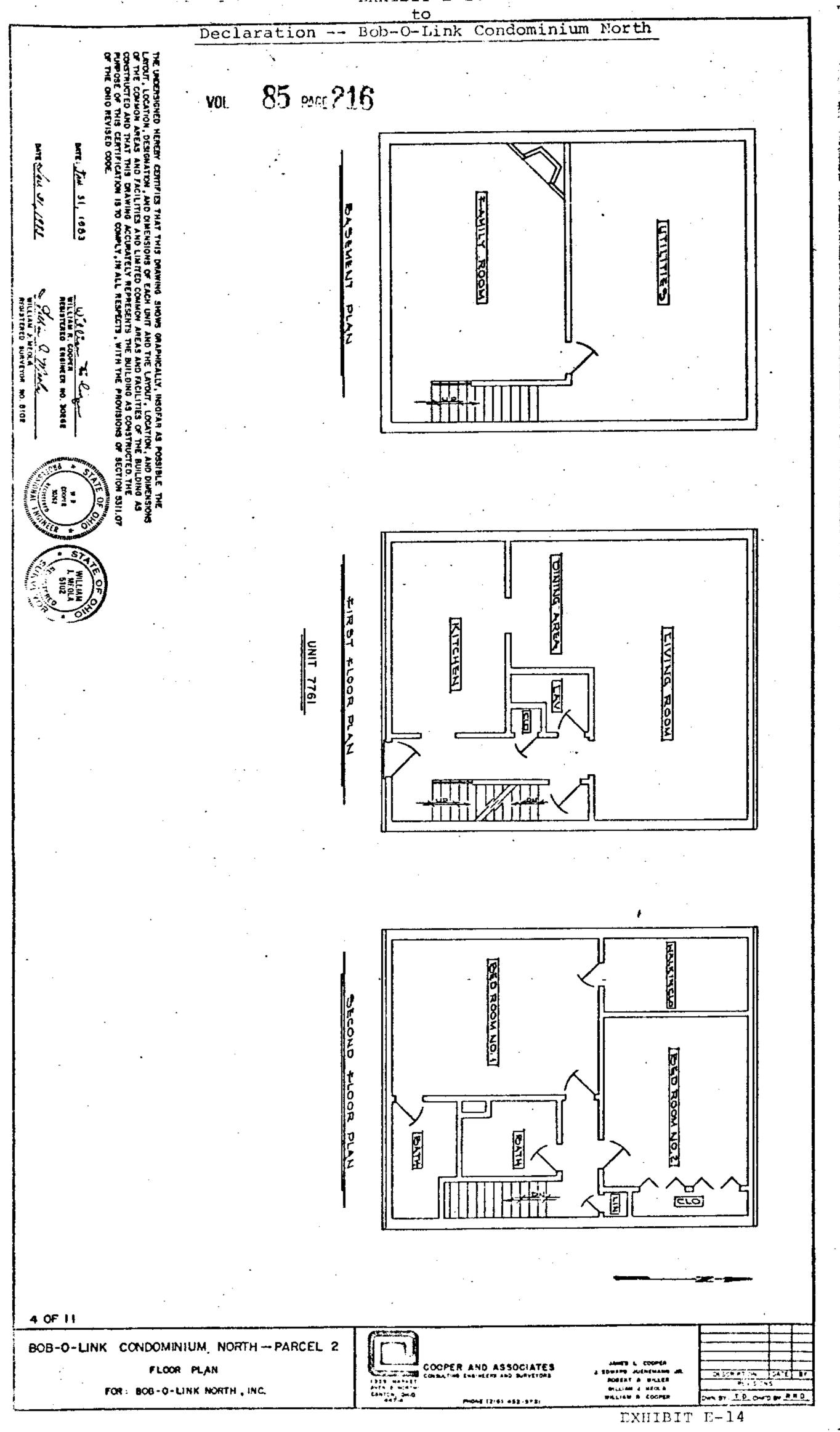
BOB-O-LINK CONDOMINIUM NORTH -- PARCEL 2
LACATED IN PART OF THE R.E. GIR. BRC. 8,
TOWNHAP-ILE PLANT 1 RANGE-6
STARE COUNTY, CHOO

FOR: BOB-D-LINK NORTH , INC.

COOPER AND ASSOCIATES

EXHIBIT E-13
to
Declaration -- Bob-O-Link Condominium North





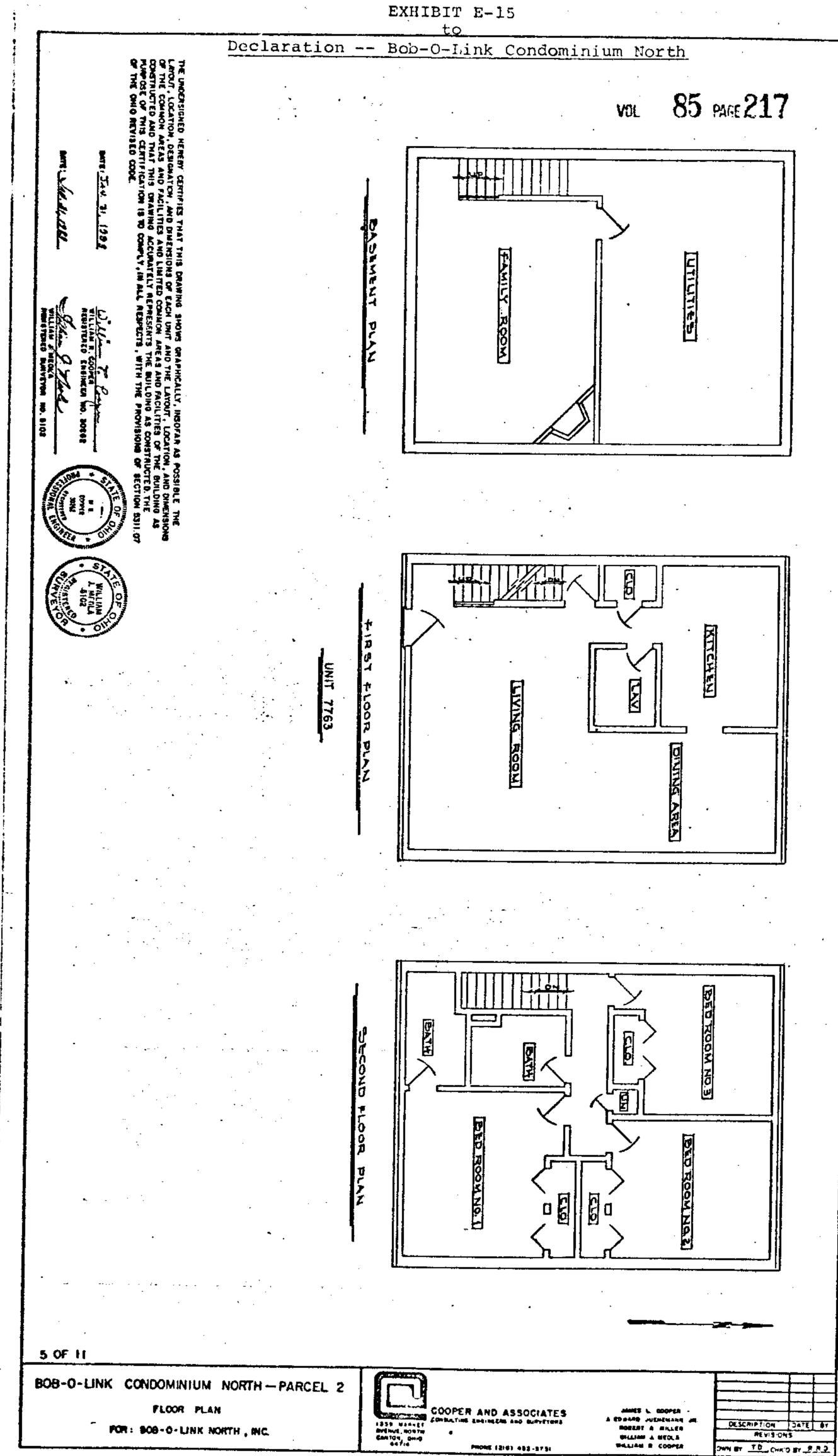
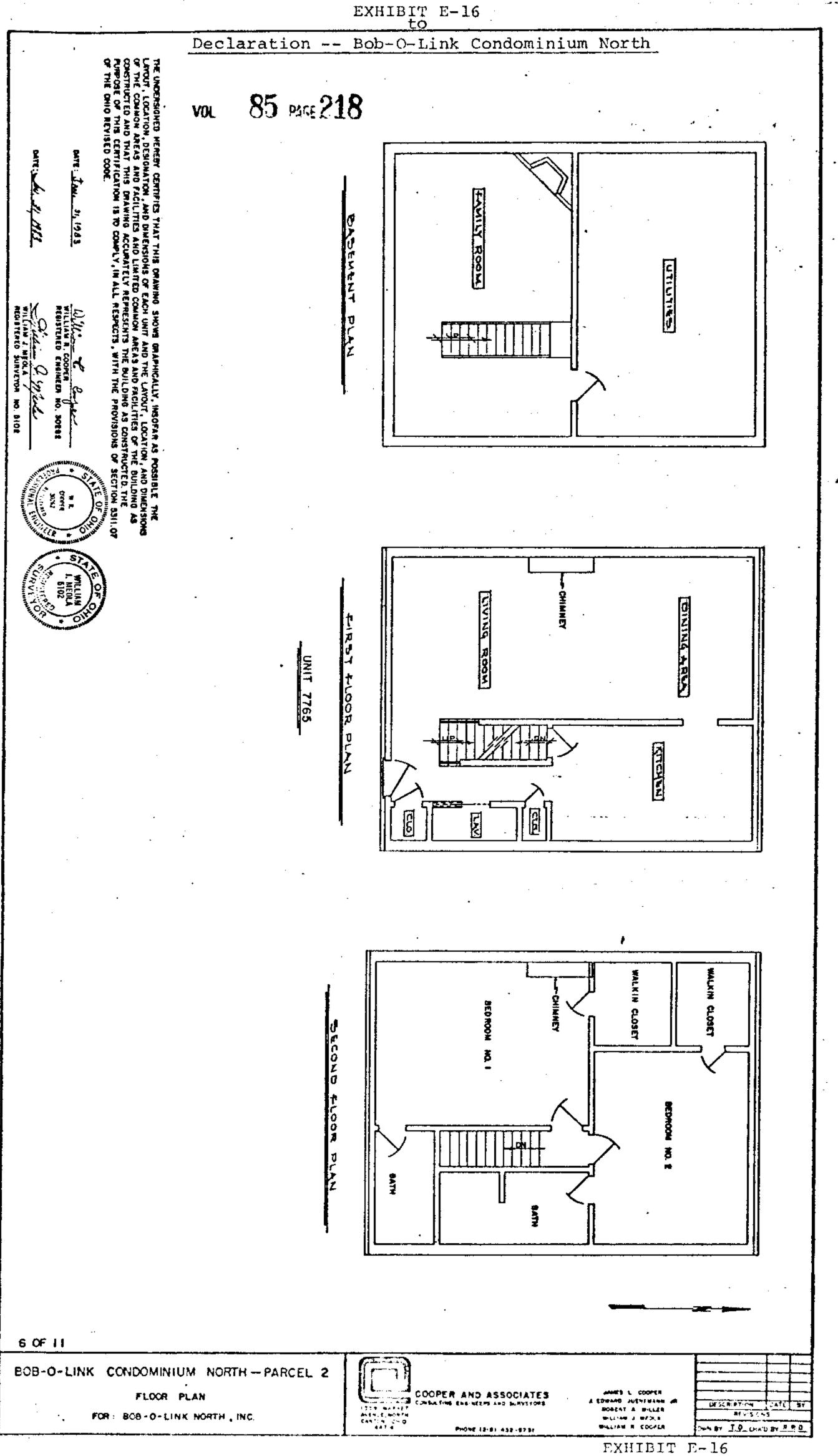
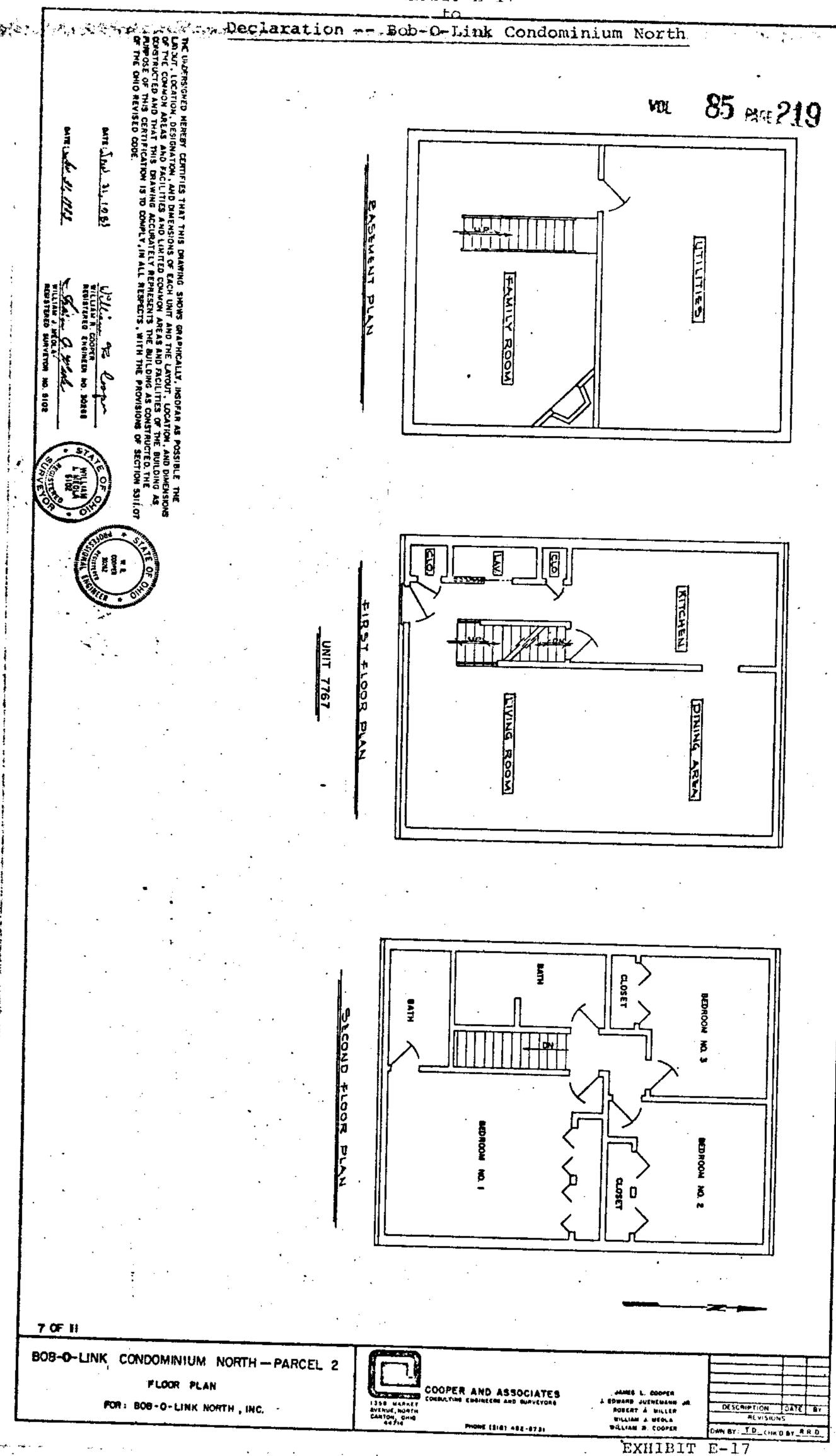


EXHIBIT E-15





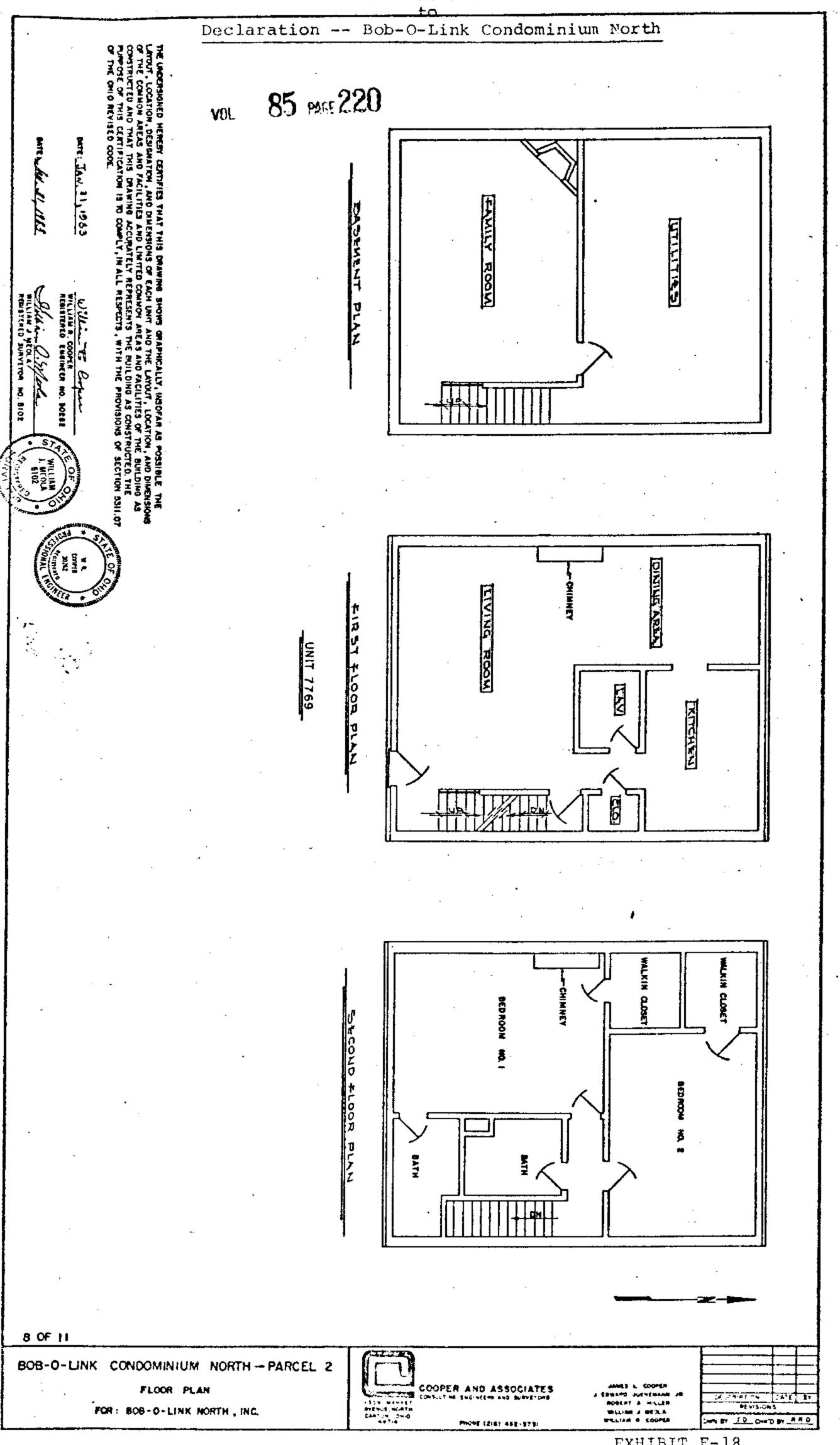
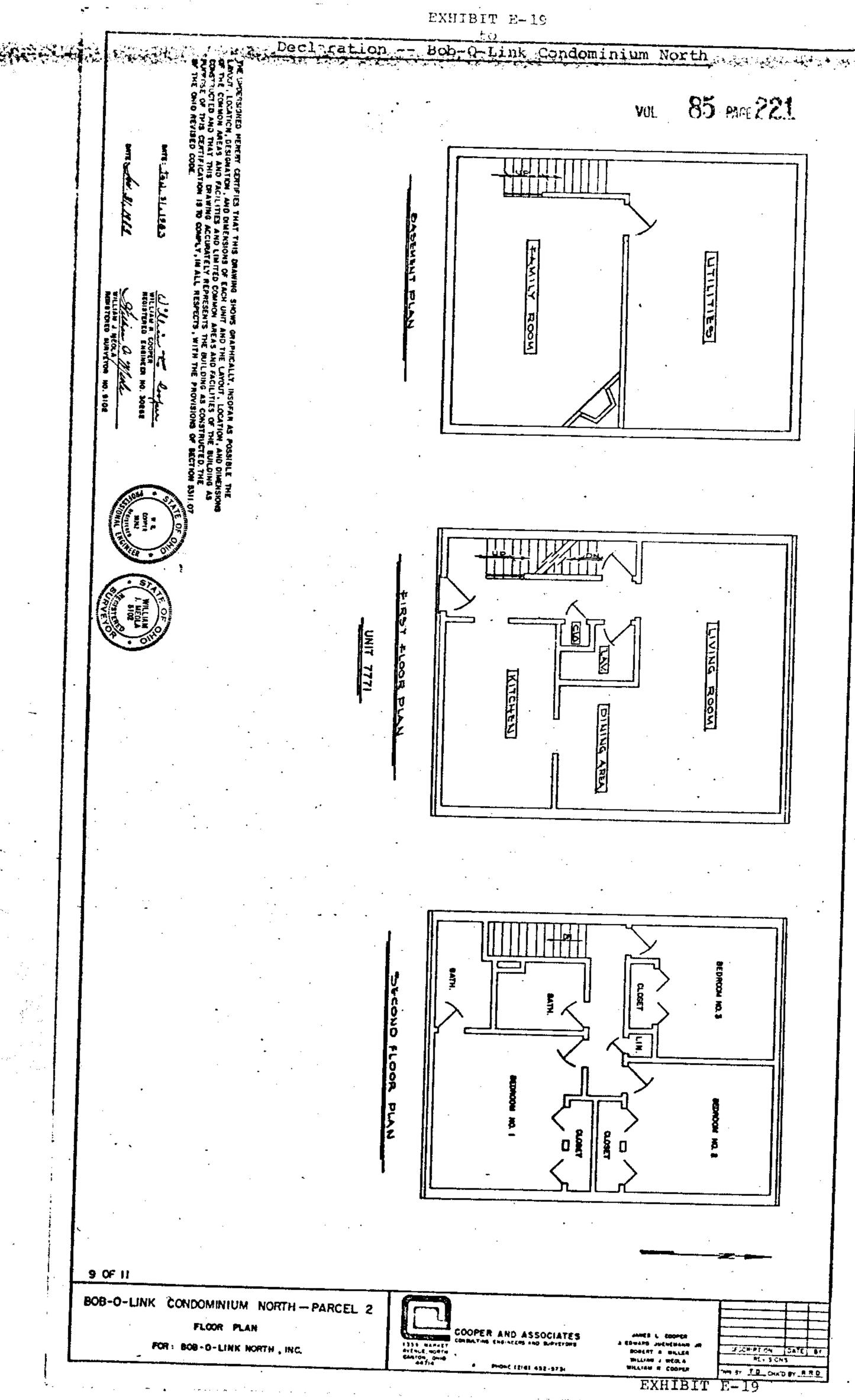


EXHIBIT E-18



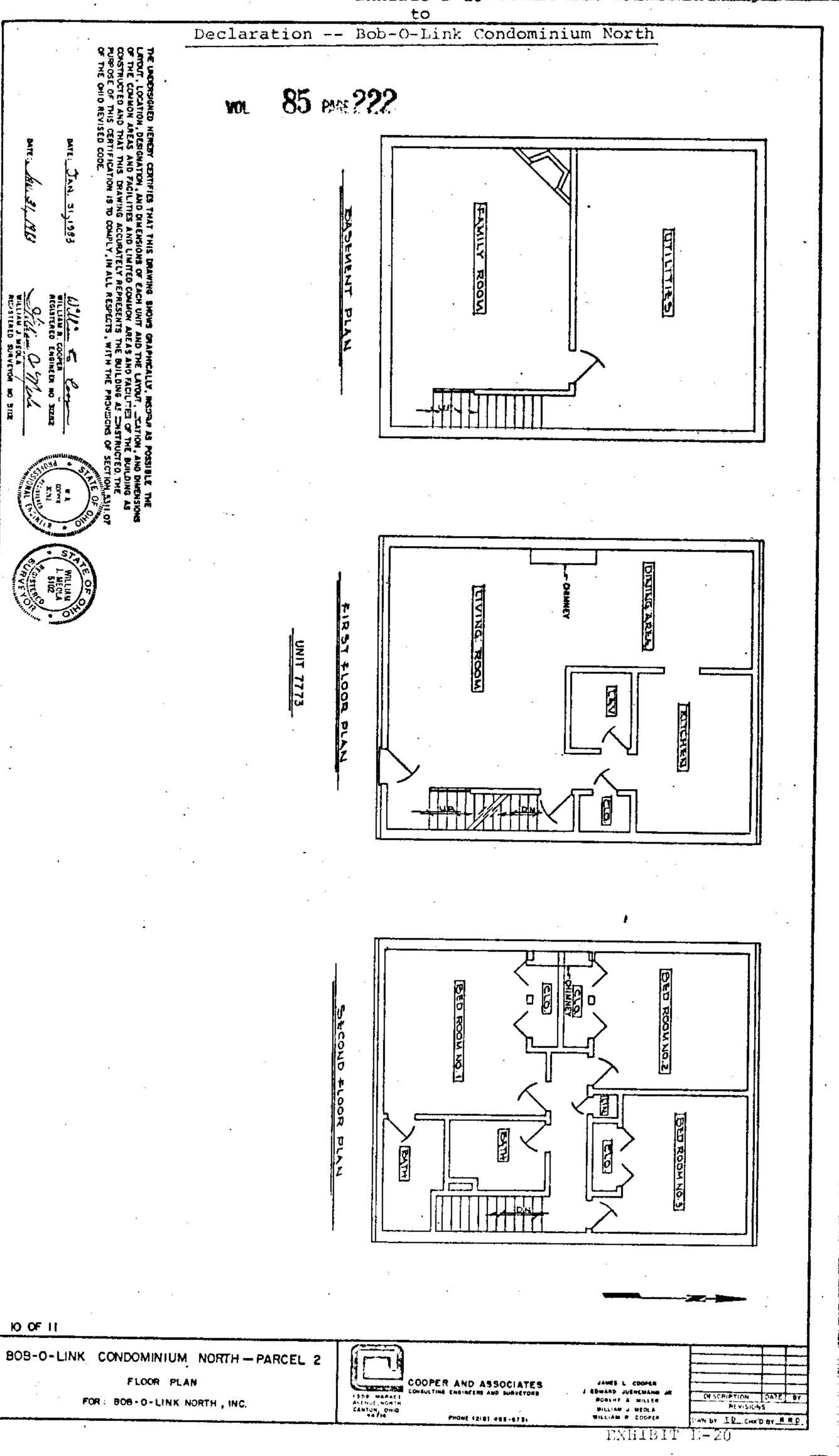


EXHIBIT E-21

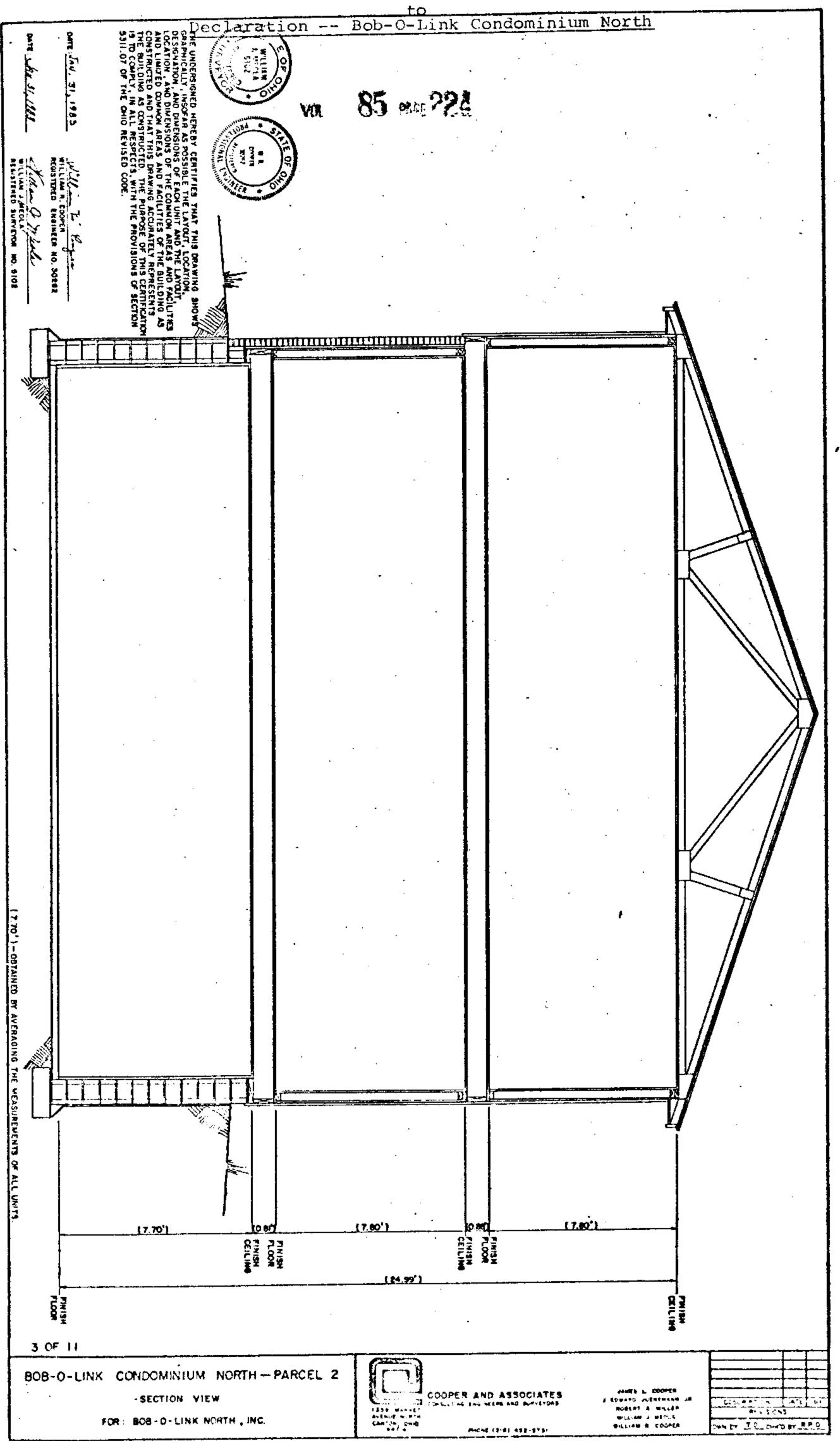


EXHIBIT E-22

ADDITIONAL PROPERTY (SHADED AREAS) FOR BOB-O-LINK CONDOMINIUM NORTH 85 PAGE 225 VOL SITUATED IN THE NIE OTR. OF SEC. 5, PLAIN TWP. IT-11. R-83 STARE COUNTY OHIO SEC. 32 LAKE TWA SECTION LINE - MT. PLEASANT STREET N.W.-60-SEC. 5 **PLAIN** B.E. NIGHTWINE ET AL. 1 WP. KOHREK NW-50" 594° 38' 40"E 150.00' N 05° Z7'00"E 40.00 5 84° 38' 40" E 1.501.74 D& N FIGURELLA (322*5*:576) 12.0 AC. COTTINGTON N.W. 60 5. E. NIGHTWINE ET. AL 5 81° 31' 00"E 693.54 BEGINNING CURVE DATA **(b)** R = 333.83" R= 273.83' 164°31'06" W A = 33°00'00" A = 02 15'06" 170.00. T = 98.88' T = 5.38' CH.=189.63' CH. = 10.76 C.B : N 11 01'00"W C.B = S 26 23 27"E A = 192.27 A : 10.76 LOTS 1599 160 AND PEACHMONT AVE. ARE PART OF BOB-O-LINK ESTATES NO.4 . P.B. 50 , PG. 75 R = 273.83' K= 333.83 A = 30'44'53" A = 01.43.42" T: 75.29 T = 5.041 CH.: 145.20' CH.: 10.07 C.B. . NO9 . 53 ' 27"W C.B. : NO4 . 37'09"E A = 146,95' A: 10.07' SCALE 1" = 300' LEGEND 0 50 100 200 300 600 PARCEL #1 PARCEL #3 PARCEL # 4

to
Bob-O-Link Condominium North