

REDDINGTON VILLAGE CONDOMINIUM

FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP

(PHASE II)

This will certify that copies of this First Amendment to Declaration of Condominium Ownership for Reddington Village Condominium, together with the Drawings attached thereto, have been filed with the office of the County Auditor, Licking County, Ohio.

Dated: 1-13-05

LICKING COUNTY AUDITOR

By: Jerry Evans RM

Print Name: Jerry Evans

Title: Auditor

**FIRST AMENDMENT TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
REDDINGTON VILLAGE CONDOMINIUM**

**ADDING THREE (3) BUILDINGS CONTAINING TEN (10) UNITS AS PHASE II
AND CORRECTION OF CLERICAL ERRORS**

THIS FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR REDDINGTON VILLAGE CONDOMINIUM ("First Amendment"), is executed this ____ day of January, 2005, by Reddington Village, LLC, an Ohio limited liability company ("Declarant").

Recitals

WHEREAS, Declarant is the Declarant in the Declaration of Condominium Ownership for Reddington Village Condominium recorded as Instrument No. 200410110036734 of the Licking County, Ohio records (the "Declaration") with the Drawings for the Declaration being recorded as Instrument No. 200410110036735 of the Licking County, Ohio records; and

WHEREAS, in Article X of the Declaration, Declarant reserved the right to expand the Condominium Property to include the Additional Property, or any portion of the Additional Property, and to submit the included Additional Property to the provisions of the Declaration and the Act; and

WHEREAS, Declarant desires to expand the Condominium Property to include that portion of the Additional Property described on **Exhibit A** (the "Phase II Property"), attached hereto, and to submit the Phase II Property, and the improvements constructed on the Phase II Property, to the provisions of the Declaration and the Act; and

WHEREAS, Declarant desires to make certain other amendments to the Declaration and Drawings in connection with the expansion of the Condominium Property to include the Phase II Property and the correction of clerical errors; and

WHEREAS, terms capitalized but not defined in this First Amendment shall have the meanings ascribed to them in the Declaration;

NOW, THEREFORE, the Declaration and Drawings are hereby amended as follows:

1. The Phase II Property, and the improvements constructed on the Phase II Property, are hereby added to the Condominium Property and are hereby submitted to the Act and the provisions of the Declaration, as amended by this First Amendment and as may be further amended in the future.
2. The legal description of Parcel 1, attached to the Declaration as Exhibit 1, is hereby amended to include the Phase II Property.

3. The legal description of the Additional Property, attached to the Declaration as Exhibit 2, is hereby amended by the deletion of the Phase II Property.

4. The last sentence in the last paragraph on page 6 of the Declaration is hereby deleted in its entirety and replaced with the following:

“The Condominium Property, including the separate, detached structures thereon, containing twenty-two (22) Units, is hereby divided into twenty-two (22) separately designated and legally described freehold estates, and one (1) freehold estate constituting the Common Elements.”

5. The Drawings, attached to the Declaration as Exhibit A, are hereby amended to include the drawings attached to this First Amendment as **Exhibit B** (the “Phase II Drawings”). The Phase II Drawings show the particulars of the land, buildings, and other improvements located on the Phase II Property, including, but not limited to, the boundaries, location, designation, length, width, and height of each Unit on the Phase II Property, and the boundaries, location, designation, and dimensions of the Common Elements and Limited Common Elements on the Phase II Property. The Phase II Drawings were prepared by, and bear the certified statement of, Paul R. Jackson, Registered Surveyor, and Michael J. Fitzpatrick, Registered Architect, as required by Section 5311.07 of the Act.

6. Exhibit D to the Declaration is hereby deleted in its entirety and replaced with **Exhibit D** to this First Amendment.

7. Section (G) of Article X is hereby deleted in its entirety and replaced with the following:

“The maximum number of Units that Declarant may construct on the Additional Property is sixty-four (64) and it is the present intention of Declarant to construct sixty-four (64) Units on the Additional Property in one or more phases. If sixty-four (64) units are constructed on the Additional Property, the total number of Units on the Condominium Property will be eighty-six (86), at the maximum per acre density rate permitted by applicable law.”

8. To correct clerical errors in Exhibit C to the Declaration, which is the By-Laws of the Association, the By-Laws are amended as follows:

(a) in the third full paragraph of Article V, Section 1 all references to “Clermont County, Ohio” are hereby amended to read “Licking County, Ohio”.

(b) in Article II, Section 11 (A) and (C) the term “Limited Common Areas” is hereby deleted and replaced with the term “Limited Common Elements.”

(c) in Article IV, Section 1 (F) the parenthetical “(but not including the exterior surfaces (including the roof, walls and foundations) and the interior surfaces of the Units, which the owner shall paint, clean, decorate, maintain and repair in accordance with the Declaration)” is hereby deleted in its entirety and replaced with the following

parenthetical "(but not including the interior surfaces of the Units, which the owner shall paint, clean, decorate, maintain and repair in accordance with the Declaration)".

9. To correct clerical errors in the Declaration, the Declaration is amended as follows:

(a) in Article II, Section (A)(1)(c), which is on page 7 of the Declaration, the term "television antennas" is deleted.

(f) in Article II, Section (B)(2)(b), which is on page 9 of the Declaration, the term "television antennas" is deleted.

(g) in Article II, Section (C)(2)(a), which is on page 11 of the Declaration: (i) the first 3 lines are hereby deleted in their entirety and replaced with "To maintain, repair and replace at his expense all portions of his Unit, including, but not limited to, all internal and external installations of such Unit such as;" and (ii) the last sentence is hereby deleted in its entirety.

10. Except as amended by this First Amendment, the Declaration remains in full force and effect.

The undersigned has executed this First Amendment as of the 12th day of January, 2005.

DECLARANT:

Reddington Village, LLC

By: 

Elicch J. Horvath

Its: Authorized Member



585 Sunbury Road Delaware, OH
43015-9795
740.363.6792
Fax 740.363.6536

e-mail: fbadelaware@fbainc.com
www.floydbrowne.com

Description of a 0.513 Acre Tract of Land
First Amendment to "Reddington Village Condominium"
Property Added, Parcel 1

Situated in the State of Ohio, County of Licking, City of Newark, being part of Quarter Section 3, Township 2 North, Range 12 West, United States Military Lands, being 0.513 acres out of a 17.254 acre tract of land (Parcel Two) described in deed to Reddington Village, LLC recorded in Instrument Number 200310220051314, and being more particularly described as follows:

COMMENCE at an iron pin found at the centerline intersection of Reddington Road (Township Road 131) with Thornwood Drive (Township Road 134);

Thence, North 89°40'09" East, with the centerline of said Reddington Road, a distance of 491.44 feet to a railroad spike found on the westerly line of premises described in deed to The Thomas J. Evans Foundation (bike path), recorded in Official Record Volume 809, Page 1018;

Thence, South 47°22'33" East, along said westerly line, a distance of 360.86 feet to an iron pin found at the **TRUE PLACE OF BEGINNING**, herein;

Thence, continuing South 47°22'33" East, along said westerly line, a distance of 128.00 feet to an iron pin set;

Thence, through said 17.254 acre tract, the following five (5) courses and distances:

- Course 1) South 42°37'27" West, a distance of 164.67 feet to a point of curvature;
- Course 2) Along the arc of a curve to the left, having a radius of 10.00 feet, a delta angle of 90°00'00", an arc length of 15.71 feet, a chord length of 14.14 feet, and a chord bearing of South 02°22'33" East to a point;
- Course 3) North 47°22'33" West, a distance of 128.00 feet to a point of curvature;
- Course 4) Along the arc of a curve to the right, having a radius of 10.00 feet, a delta angle of 90°00'00", an arc length of 15.71 feet, a chord length of 14.14 feet, and a chord bearing of North 02°22'33" West to a point of tangency;
- Course 5) North 42°37'27" East, a distance of 164.67 feet to the **TRUE PLACE OF BEGINNING**.

Containing 0.513 acres of land, more or less.

Subject, however, to all easements, restrictions and rights-of-way of record, if any.

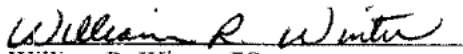
Description of a 0.513 Acre Tract of Land
First Amendment to "Reddington Village Condominium"
Property Added, Parcel 1

Basis of bearings is North 89°40'09" East on the centerline of Reddington Road, State Plane Coordinate System, Ohio South Zone, based on GPS observations using Licking County Geodetic Survey Monuments Newark Twp. 4 and Newark Twp. 5.

The above legal description is based on a field survey completed by Floyd Browne Associates, Inc., September 22, 2004.

All iron pins set are 5/8" solid iron pins with a plastic cap stamped "F.B.A., Inc."

All references are to the records of the Recorder's Office, Licking County, Ohio.


William R. Winter, PS
Professional Surveyor No. 6767





585 Sunbury Road Delaware, OH
43015-9795
740.363.6792
Fax 740.363.6536

e-mail: fbadelaware@fbainc.com
www.floydbrowne.com

Description of a 0.665 Acre Tract of Land
First Amendment to "Reddington Village Condominium"
Property Added, Parcel 2

Situated in the State of Ohio, County of Licking, City of Newark, being part of Quarter Section 3, Township 2 North, Range 12 West, United States Military Lands, being 0.665 acres out of a 17.254 acre tract of land (Parcel Two) described in deed to Reddington Village, LLC recorded in Instrument Number 200310220051314, and being more particularly described as follows:

COMMENCE at an iron pin found at the centerline intersection of Reddington Road (Township Road 131) with Thornwood Drive (Township Road 134);

Thence, North 89°40'09" East, with the centerline of said Reddington Road, a distance of 294.76 feet to a point;

Thence, South 00°19'51" East, a distance of 35.00 feet to an iron pin found on the southerly right-of-way line of said Reddington Road;

Thence, North 89°40'09" East, along said right-of-way line, a distance of 202.92 feet to an iron pin found, being the **TRUE PLACE OF BEGINNING**, herein;

Thence, South 49°52'47" East, continuing along said right-of-way line, a distance of 73.77 feet to an iron pin found;

Thence, North 42°31'13" East, continuing along said right-of-way line, a distance of 18.14 feet to an iron pin found on the westerly line of premises described in deed to The Thomas J. Evans Foundation (bike path), recorded in Official Record Volume 809, Page 1018;

Thence, South 47°22'33" East, along said westerly line, a distance of 112.78 feet to an iron pin found;

Thence, through said 17.254 acre tract, the following seven (7) courses and distances:

- Course 1) South 42°37'27" West, a distance of 169.36 feet to a point of curvature;
- Course 2) Along the arc of a curve to the right, having a radius of 10.00 feet, a delta angle of 77°53'57", an arc length of 13.60 feet, a chord length of 12.57 feet, and a chord bearing of South 81°34'25" West to a point of reverse curvature;
- Course 3) Along the arc of a curve to the left, having a radius of 201.00 feet, a delta angle of 26°42'51", an arc length of 93.72 feet, a chord length of 92.87 feet, and a chord bearing of North 72°50'02" West to a point of tangency;

Description of a 0.665 Acre Tract of Land
First Amendment to "Reddington Village Condominium"
Property Added, Parcel 2

- Course 4) North $86^{\circ}11'26''$ West, a distance of 10.23 feet to a point;
- Course 5) Along the arc of a non-tangent curve to the left, having a radius of 10.00 feet, a delta angle of $90^{\circ}00'00''$, an arc length of 15.71 feet, a chord length of 14.14 feet, and a chord bearing of North $48^{\circ}48'33''$ East to a point of tangency;
- Course 6) North $03^{\circ}48'33''$ East, a distance of 38.64 feet to a point;
- Course 7) North $20^{\circ}48'30''$ East, a distance of 172.27 feet to the **TRUE PLACE OF BEGINNING**.


Containing 0.665 acres of land, more or less.

Subject, however, to all easements, restrictions and rights-of-way of record, if any.

Basis of bearings is North $89^{\circ}40'09''$ East on the centerline of Reddington Road, State Plane Coordinate System, Ohio South Zone, based on GPS observations using Licking County Geodetic Survey Monuments Newark Twp. 4 and Newark Twp. 5.

The above legal description is based on a field survey completed by Floyd Browne Associates, Inc., September 22, 2004.

All references are to the records of the Recorder's Office, Licking County, Ohio.


William R. Winter, PS
Professional Surveyor No. 6767





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e-mail: fbadelaware@fbainc.com
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Description of a 0.504 Acre Tract of Land
First Amendment to "Reddington Village Condominium"
Property Added, Parcel 3

Situated in the State of Ohio, County of Licking, City of Newark, being part of Quarter Section 3, Township 2 North, Range 12 West, United States Military Lands, being 0.504 acres out of a 17.254 acre tract of land (Parcel Two) described in deed to Reddington Village, LLC recorded in Instrument Number 200310220051314, and being more particularly described as follows:

COMMENCE at an iron pin found at the centerline intersection of Reddington Road (Township Road 131) with Thornwood Drive (Township Road 134);

Thence, North 89°40'09" East, with the centerline of said Reddington Road, a distance of 294.76 feet to a point;

Thence, South 00°19'51" East, through the right-of-way of Reddington Road and through said 17.254 acre tract, a distance of 150.10 feet to a point;

Thence, South 13°33'03" West, continuing through said 17.254 acre tract, a distance of 103.97 feet to a point;

Thence, South 03°48'33" West, continuing through said 17.254 acre tract, a distance of 28.47 feet to a point at the **TRUE PLACE OF BEGINNING**, herein;

Thence, continuing through said 17.254 acre tract the following seven (7) courses and distances:

- Course 1) South 86°11'27" East, a distance of 22.00 feet to a point;
- Course 2) Along the arc of a non-tangent curve to the right, having a radius of 25.00 feet, a delta angle of 90°00'00", an arc length of 39.27 feet, a chord length of 35.36 feet, and a chord bearing of North 48°48'33" East to a point of tangency;
- Course 3) South 86°11'27" East, a distance of 83.00 feet to a point of curvature;
- Course 4) Along the arc of a curve to the right, having a radius of 10.00 feet, a delta angle of 90°00'00", an arc length of 15.71 feet, a chord length of 14.14 feet, and a chord bearing of South 41°11'27" East to a point of tangency;
- Course 5) South 03°48'33" West, a distance of 152.00 feet to a point;
- Course 6) North 86°11'27" West, a distance of 140.00 feet to a point;

Description on a 0.504 Acre Tract of Land
First Amendment to "Reddington Village Condominium"
Property Added, Parcel 3.

Course 7) North 03°48'33" East, a distance of 137.00 feet to the **TRUE PLACE OF BEGINNING.**

Containing 0.504 acres of land, more or less.

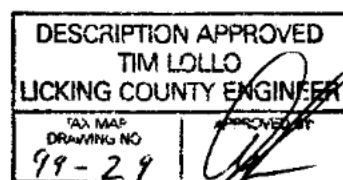
Subject, however, to all easements, restrictions and rights-of-way of record, if any.

Basis of bearings is North 89°40'09" East on the centerline of Reddington Road, State Plane Coordinate System, Ohio South Zone, based on GPS observations using Licking County Geodetic Survey Monuments Newark Twp. 4 and Newark Twp. 5.

The above legal description is based on a field survey completed by Floyd Browne Associates, Inc., September 22, 2004.

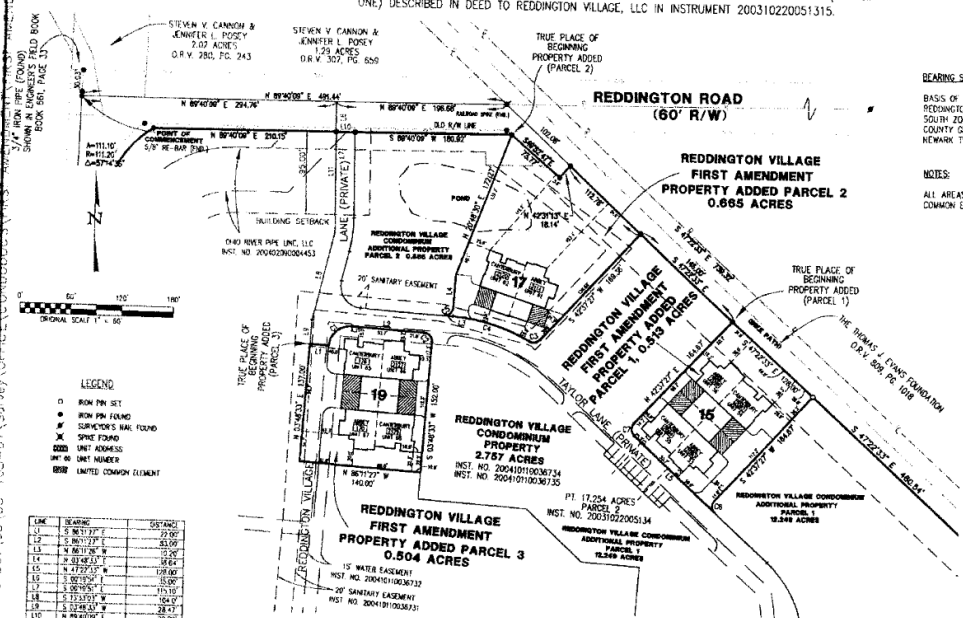
All references are to the records of the Recorder's Office, Licking County, Ohio.

William R. Winter
William R. Winter, PS
Professional Surveyor No. 6767



REDDINGTON VILLAGE CONDOMINIUM -FIRST AMENDMENT TO CONDOMINIUM-THE DRAWINGS-

CITY OF NEWARK, LICKING COUNTY, OHIO, QUARTER SECTION 3, TOWNSHIP 2 NORTH,
RANGE 12 WEST, UNITED STATES MILITARY LANDS.
BEING A TOTAL OF 17.374 ACRES, BEING 16.180 ACRES OUT OF A 17.254 ACRE TRACT (PARCEL TWO),
0.989 ACRES OUT OF A 5.445 ACRE TRACT (PARCEL THREE), AND ALL OF A 0.205 ACRE TRACT (PARCEL
ONE) DESCRIBED IN DEED TO REDDINGTON VILLAGE, LLC IN INSTRUMENT 200310220051315.



BEARING SYSTEM:
BASIS OF BEARING IS N 89°40'59" E ON THE CENTERLINE OF REDDINGTON ROAD, STATE PLANE COORDINATE SYSTEM, OHIO SOUTH ZONE, BASED ON GPS OBSERVATIONS USING LICKING COUNTY GEODETIC SURVEY MONUMENTS REMARK TWP. 4 AND REMARK TWP. 5.

NOTES:
ALL AREAS NOT DESIGNATED AS A UNIT HOME OR AS LIMITED COMMON ELEMENTS ARE COMMON ELEMENTS.

- LEGEND**
- IRON PIN SET
 - IRON PIN FOUND
 - SURVEYOR'S MARK FOUND
 - DRIVE ROAD
 - UNIT ADDRESS
 - UNIT NUMBER
 - LIMITED COMMON ELEMENT

LINE	BEARING	DISTANCE
1-2	S 89°17'17" E	22.00'
2-3	S 89°17'17" E	83.00'
3-4	N 89°17'17" E	12.25'
4-5	N 89°17'17" E	89.64'
5-6	N 89°17'17" E	128.00'
6-7	S 89°17'17" E	15.00'
7-8	S 89°17'17" E	175.10'
8-9	S 89°17'17" E	128.17'
9-10	N 89°17'17" E	22.00'
10-11	S 89°17'17" E	128.00'

CURVE	RADIUS	BEYOND ANGLE	CHORD BEARING	CHORD LENGTH	ARC LENGTH
1	85.00'	30.37'	N 48°43'15" E	90.0000'	90.0000'
2	13.00'	13.00'	S 41°17'27" E	18.7050'	18.7050'
3	13.00'	13.00'	S 41°17'27" E	18.7050'	18.7050'
4	20.00'	83.12'	S 71°36'00" E	77.0000'	77.0000'
5	10.00'	15.71'	N 48°43'15" E	20.4251'	20.4251'
6	10.00'	15.71'	S 41°17'27" E	18.7050'	18.7050'
7	10.00'	15.71'	N 48°43'15" E	20.4251'	20.4251'

FLOYD BROWNE ASSOCIATES, INC.
Surveyors
Contact Office
Dayton, Ohio
937.431.1004
Dayton, Ohio
937.431.1004
Marion, Ohio
740.385.2197
DATE: JANUARY 3, 2005
JOB NO. 03-105-01
CHD FILE FIRST AMEND. 1.000
APPROVES

**REDDINGTON VILLAGE CONDOMINIUM
FIRST AMENDMENT TO CONDOMINIUM
-THE DRAWINGS-**
CITY OF NEWARK, LICKING COUNTY, OHIO

Exhibit B

EXHIBIT D
Unit Percentage Interest in Common Elements

Unit #	Unit Type	Par Value	Percentage Interest
79	Chateau	1.0	4.545%
80	Villa	1.0	4.545%
81	Villa	1.0	4.545%
82	Chateau	1.0	4.545%
57	Abbey	1.0	4.545%
58	Canterbury	1.0	4.545%
59	Canterbury	1.0	4.545%
60	Canterbury	1.0	4.545%
83	Abbey	1.0	4.545%
84	Canterbury	1.0	4.545%
85	Canterbury	1.0	4.545%
86	Canterbury	1.0	4.545%
53	Abbey	1.0	4.545%
54	Canterbury	1.0	4.545%
55	Canterbury	1.0	4.545%
56	Abbey	1.0	4.545%
61	Abbey	1.0	4.550%
62	Canterbury	1.0	4.550%
65	Canterbury	1.0	4.545%
66	Abbey	1.0	4.545%
67	Abbey	1.0	4.545%
68	Canterbury	1.0	4.545%

Units 61 and 62 interests are rounded up to 4.550% because the Ohio Condominium Act requires that the total percentage interests equal exactly 100%. Further de minimus rounding may be required in the future to comply with the Act.