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FIFTH AMENDMENT
TO
DECLARATION OF CONDOMINIUM
THE BARRINGTONS AT WEDGEWOOD
VILLA CONDOMINIUM COMMUNITY

Call 3 33 76

200200060521
LOVELAND & BROSIUS
50 W BROAD ST
SUITE 3300
COL, OH 43215

This fifth amendment to the Declaration of THE BARRINGTONS AT WEDGEWOOD VILLA CONDOMINIUM COMMUNITY is made on or as of the 11th day of December, 2002.

Recitals

A. The Barringtons at Wedgewood Villa Condominium Community is a condominium created pursuant to the provisions of Chapter 5311 of the Revised Code of Ohio ("the Condominium Act") by the filing of the Declaration of The Barringtons at Wedgewood Villa Condominium Community and the Drawings thereof, recorded, respectively, in Deed Record Volume 633, page 259 et seq., and Condominium Plat Cabinet 2, at slide 29 et seq., both of the records of the Recorder of Delaware County, Ohio and all amendments thereto.

B. Pursuant to the provisions of Article XVII of the Declaration, and the provisions of the Condominium Act, Gothic Builders, Ltd., an Ohio limited liability company, Successor Declarant, desires by this amendment to add a portion of the Additional Property to the Community, which Additional Property, hereinafter described, meets all of the criteria and qualifications for addition to the Community described in that Article.

Declaration

NOW THEREFORE, Successor Declarant, the assignee of Fairway Drive Partners Limited, the sole creator of the Condominium Community, of the right to expand the Condominium Community pursuant to the provisions of item 10 of the Definitions portion of the Declaration, and the sole owner of the property hereinafter described to be added to the Condominium Community, hereby declares the Community Property of the Community to be expanded by addition of the property hereinafter described, as follows:

1. Definitions. All terms used herein shall have the same meanings as those terms have as used and defined in the Declaration.
2. Additional Property Added. A legal description of the portion of the property added hereby to the Community Property consists of the 0.767 acres of land, more or less, described in the attachment hereto, marked "Exhibit A", and hereby made a part hereof. A sketch site plan showing the composition of the property added hereby is attached hereto, marked "Exhibit B", and hereby made a part hereof. A plot plan showing the relationship of the property added hereby to the property already a part of the Community is attached hereto, marked "Exhibit C", and hereby made a part hereof.
3. Name. The Condominium, as expanded hereby, shall continue to be named "The Barringtons at Wedgewood Villa Condominium Community".
4. Purposes. The purposes of the Community shall continue to be as set forth in the Declaration (encompassing the additional property added hereby).
5. Improvement Description. The Additional Property added to the Community Property hereby contains three (3) free-standing single family traditional style residential buildings, each ranch style with basements, and expanding the Community to contain a total of thirty-one (31) dwelling units, each of which is called a "Villa Home Unit". The buildings are of wood frame construction, concrete block

(continued next page)

CERTIFICATE OF AUDITOR

A copy of this Fifth Amendment to the Declaration for The Barringtons at Wedgewood Villa Condominium Community, together with the Fifth Amendment to the Drawings attached thereto, were filed with this office on December 11, 2002.

Delaware County Auditor

By Heasley
Deputy Auditor

foundations, with brick and stucco siding, and fiberglass shingle roofs. The principal materials of which these buildings are constructed are wood, glass, concrete, concrete block, brick, stucco, fiberglass shingles, and drywall. Each residential building has two private exterior entrances and an attached two car garage. In addition, each Villa Home Unit added has a partial basement and an attached patio/deck area or areas. Also a part of the Community are green and landscaped areas, private drives and parking areas and private streets leading directly to Fairway Drive. All improvements on the property added hereby are compatible in terms of quality of construction, principal materials used, and architectural style and design to the improvements now a part of the Community Property.

6. Villa Home Units.

a. Villa Home Unit Designation. Each of the single family dwellings, added to the Condominium hereby is designated on the amendment to the Drawings filed simultaneously herewith, and attached hereto (although the same may be detached herefrom upon filing by the Delaware County Recorder and filed in separate records), labeled "Fifth Amendment Condominium Drawings The Barringtons at Wedgewood Villa Condominium Community", by a Villa Home Unit designation, which is a number corresponding with the present numerical portion of the street address of that Villa Home Unit. A listing of the type and composition of all Villa Home Units that may be in the Community is set forth on the exhibit attached hereto, marked "Exhibit D", and hereby made a part hereof. The Villa Home Unit designation of each Villa Home Unit added hereby and of each Villa Home Unit heretofore part of the Community is set forth on "Exhibit E" attached hereto and hereby made a part hereof.

b. Composition of Villa Home Units. Each Villa Home Unit added hereby consists of an entire free standing single family residence and includes all the space in the building designated on the amendment to the Drawings filed simultaneously herewith with that Villa Home Unit's Villa Home Unit designation, including and excluding, as appropriate, those same items as are described and defined in the description of Villa Home Unit types on Exhibit D. The type of each Villa Home Unit is shown on the attached Exhibit E. Floor plan layouts and elevation drawings for the Villa Home Units added hereby are shown on the amendment to the Drawings filed simultaneously herewith.

c. Villa Home Unit Locations. The location of each Villa Home Unit added hereby is shown on the amendment to the Drawings filed simultaneously herewith, and is also shown on Exhibit B. Each Villa Home Unit has direct access to Common Areas, or direct access over an easement located on Additional Property, leading directly to Fairway Drive, a public street.

7. Common and Limited Common Areas.

a. Common Areas. All of the additional property hereby added hereto, including all of the land and all improvements thereon and appurtenances thereto, except those portions labeled or described herein or in the amendment to the Drawings filed herewith as a part of a Villa Home Unit, are Common Areas.

b. Limited Common Areas. Those portions of the Common Areas that are added hereby that are labeled or designated "limited common areas" on the amendment to the Drawings filed herewith are Limited Common Areas. These Limited Common Areas with respect to each Villa Home Unit, consist of individual fenced patio areas, and the fencing material and finish and all improvements therein, exterior walkways and driveways serving only that Villa Home Unit, exterior residence entry areas, and a parking space or spaces in front of that Villa Home Unit's garage. In each case, a Limited Common Area is reserved for the exclusive use of the Villa Home Unit which those improvements are designed or designated to serve.

c. Undivided Interests. The undivided interest in the Common Areas of each Villa Home Unit in the Community, as expanded hereby, and as thereby allocated and reallocated, are as designated on the attached Exhibit E, and, in each case, is based on each Villa Home Unit having an equal par value of one (1.00), and, thus, resulting in each Villa Home Unit having an equal undivided interest. All Villa Home Units added also have equal par values of one (1.00), and, thus, also have equal undivided interests. This exhibit supersedes, in its entirety, Exhibit C of the Declaration, and all amendments thereto. The Common Areas shall be owned by the Villa Home Unit owners as tenants in common, and ownership thereof shall remain undivided. No Villa Home Unit owner may waive or release any rights in the Common Areas. Further, the undivided interest of a Villa Home Unit in the Common Areas shall not be separated from the Villa Home Unit to which it appertains.

8. Effects of Expansion. Upon the filing for record of this amendment to the Declaration adding additional property to the Community Property:

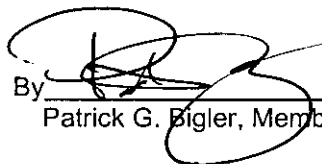
a. the added portion shall thereafter be subject to and benefited by all of the terms and provisions of the Declaration, to the same extent and with the same effect as if that added portion had been provided herein as constituting part of the Community Property, that is, the rights, easements, covenants, restrictions and assessment plan set forth therein shall run with, bind and benefit the added portion in the same manner, to the same extent, and with the same force and effect as the terms of the Declaration apply to the Community Property;

b. the owner or owners of the added portion shall thereupon become members, to the same extent, with the same effect, subject to the same obligations, and imbued with the same rights, as all other members; and

c. in all other respects, all of the provisions of the Declaration shall include and apply to such additional portion, and to the owners, mortgagees and lessees thereof, with equal meaning and of like force and effect.

IN WITNESS WHEREOF, the undersigned has executed this instrument this 11th day of December, 2002.

GOTHIC BUILDERS, LTD.
an Ohio limited liability company

By 
Patrick G. Bigler, Member

STATE OF OHIO
COUNTY OF FRANKLIN, SS:

This instrument was acknowledged before me by Patrick G. Bigler, a member of Gothic Builders, Ltd., an Ohio limited liability company, on its behalf, this 11th day of December 2002.


Notary Public



RICHARD L. LOVELAND, ATTORNEY-AT-LAW
NOTARY PUBLIC, STATE OF OHIO
LIFETIME COMMISSION

This instrument prepared by Richard L. Loveland, attorney at law, Loveland & Brosius, 50 West Broad Street, Columbus, Ohio 43215-5917.

EXHIBIT A

**FIFTH AMENDMENT
DECLARATION OF CONDOMINIUM
THE BARRINGTONS AT WEDGEWOOD
VILLA CONDOMINIUM COMMUNITY**

Legal Description, Property Added

Situated in the State of Ohio, County of Delaware, Township of Liberty, in Lot Number Eighteen (18) in Quarter Township 3, Township 3 North, Range 19 West, United States Military Lands, and being 0.767 acre out of an original 2.156 acre tract of land conveyed to Gothic Builders, Ltd. by deed of record in Official Record 75, Page 2354, Recorder's Office, Delaware County, Ohio, and bounded and described as follows:

Beginning, for reference, at a ¾-inch I.D. iron pipe set in the east line of Fairway Drive (65 feet wide), in a west line of a 1.814 acre tract of land known as Reserve "O" in Wedgewood Section 2, as shown of record in Plat Book 24, Pages 32 through 41, inclusive, and at the southwest corner of a 0.454 acre tract of land platted as Tract III of "The Barringtons at Wedgewood Villa Condominium Community Third Amendment", of record in Plat Cabinet 2, Slides 269 and 269 A-L, and in Official Record 7, Page 2210, all references to Recorder's Office, Delaware County, Ohio;

Thence S 87° 33' 30" E along the south line of said Tract III of "The Barringtons at Wedgewood Villa Condominium Community Third Amendment" a distance of 197.50 feet to a P.K. nail set at the southeast corner of said Tract III of the "The Barringtons at Wedgewood Villa Condominium Community Third Amendment" and at a southwest corner of said original 2.156 acre tract;

Thence N 2° 26' 30" W along the east line of Tract III of "The Barringtons at Wedgewood Villa Condominium Community Third Amendment", along a west line of said original 2.156 acre tract, crossing a portion of said original 2.156 acre tract and along a portion of the east line of a 0.458 acre tract of land platted as "The Barringtons at Wedgewood Villa Condominium Community Fourth Amendment", of record in Plat Cabinet 2, Slides 739 and 739 A-D, and in Official Record 203, Page 1616 a distance of 172.70 feet to a ¾-inch I.D. iron pipe set at the true place of beginning of the tract herein intended to be described (passing a ¾-inch I.D. iron pipe set at the northeast corner of said Tract III of "The Barringtons at Wedgewood Villa Condominium Community Third Amendment", at the southeast corner of said "The Barringtons at Wedgewood Villa Condominium Community Fourth Amendment" and at a corner of said original 2.156 acre tract at 100.06 feet);

Thence continuing N 2° 26' 30" E along a portion of the east line of said "The Barringtons at Wedgewood Villa Condominium Community Fourth Amendment" crossing a portion of said original 2.156 acre tract, along a west line of said original 2.156 acre tract and along a portion of the east line of a 0.757 acre tract of land platted as Tract I of "The Barringtons at Wedgewood Villa Condominium Community Second Amendment" as shown of record in Plat Cabinet 2, Slides 234 and 234 A-I, and in Official Record 7, Page 2199 a distance of 142.58 feet to a ¾-inch I.D. iron pipe set at a northwest corner of said original 2.156 acre tract and at a corner of a 2.844 acre tract of land platted as "The Barringtons at Wedgewood Villa Condominium Community", as shown of record in Plat Cabinet 2, Slides 29 and 29 A-D, and in Deed Book 633, Page 259 (passing a ¾-inch I.D. iron pipe set at the northeast corner of said "The Barringtons at Wedgewood Villa Condominium Community Fourth Amendment", at the southeast corner of said Tract I of "The Barringtons at Wedgewood Villa Condominium Community Second Amendment" and at a corner of said original 2.156 acre tract at 28.48 feet);

EXHIBIT A (Continued)

FIFTH AMENDMENT
 DECLARATION OF CONDOMINIUM
 THE BARRINGTONS AT WEDGEWOOD
 VILLA CONDOMINIUM COMMUNITY

Legal Description, Property Added

Thence S 87° 33' 30" E along a portion of a south line of said "The Barringtons at Wedgewood Villa Condominium Community" and along a north line of said original 2.156 acre tract a distance of 234.50 feet to a ¾-inch I.D. iron pipe set at the northeast corner of said original 2.156 acre tract and at the northwest corner of a 0.920 acre tract of land platted as Tract II of said "The Barringtons at Wedgewood Villa Condominium Community Third Amendment";

Thence S 2° 26' 30" W along a portion of the east line of said original 2.156 acre tract and along a portion of the west line of said Tract II of "The Barringtons at Wedgewood Villa Condominium Community Third Amendment" a distance of 142.58 feet to a ¾-inch I.D. iron pipe set;

Thence N 87° 33' 30" W crossing said original 2.156 acre tract a distance of 234.50 feet to the true place of beginning;

Containing 0.767 acre of land more or less and being subject to all easements and restrictions of record.

The above description was prepared by Ted L. Robinson, Ohio Surveyor No. 5361, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from an actual field survey performed under his supervision in November, 2002. Basis of bearings is the centerline of Sawmill Road, being S 2° 38' 36" W, as shown upon the plat of Wedgewood Commerce Center Section 1, of record in Plat Cabinet 1, Slides 338, 338A, 338B, 338C, 338D, 338E, 338F and 338G, Recorder's Office, Delaware County, Ohio.

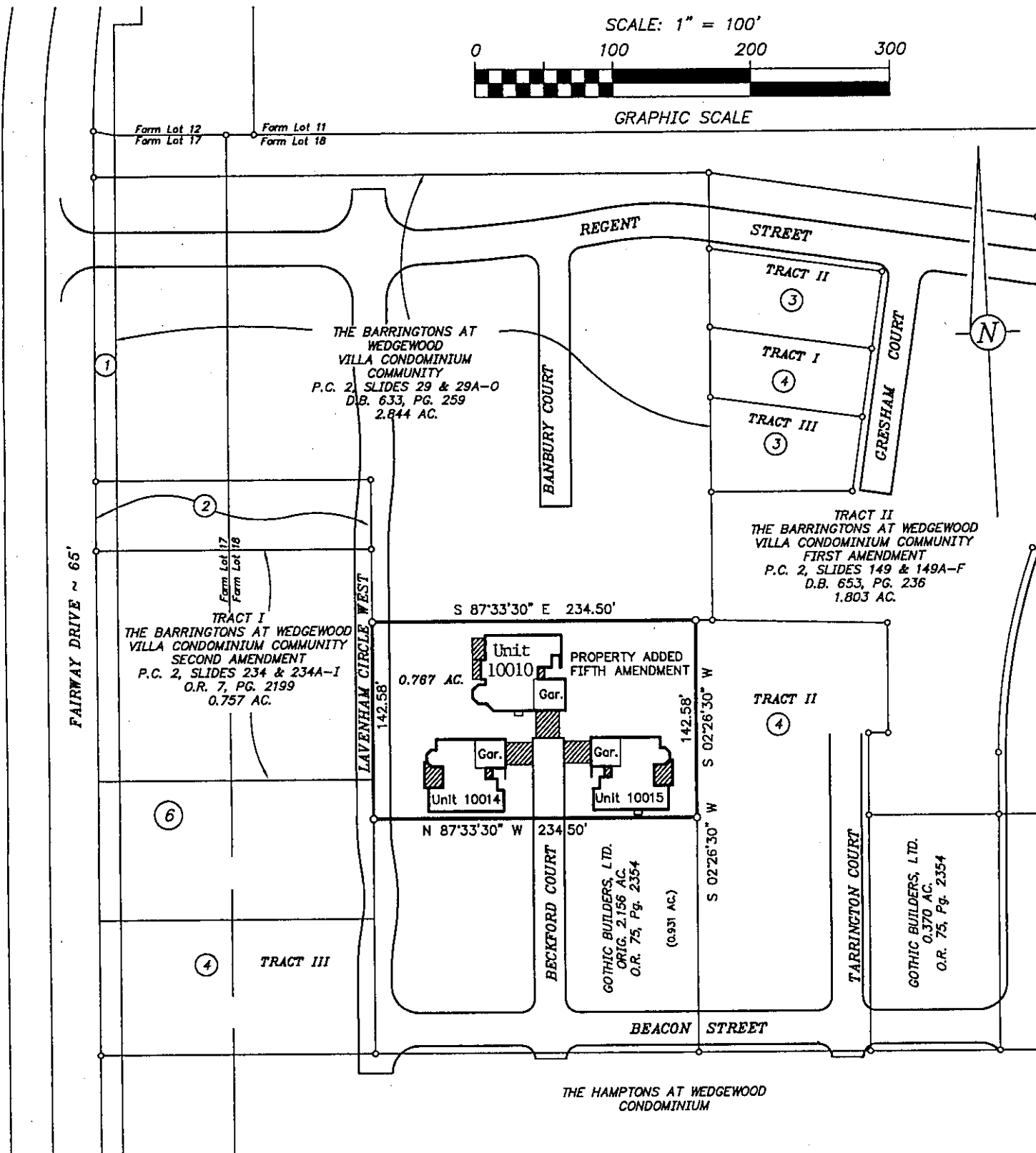




Ted L. Robinson
 Ohio Surveyor #5361

EXHIBIT B

FIFTH AMENDMENT
DECLARATION OF CONDOMINIUM
THE BARRINGTONS AT WEDGEWOOD VILLA CONDOMINIUM COMMUNITY

SKETCH PLOT PLAN, PROPERTY ADDED



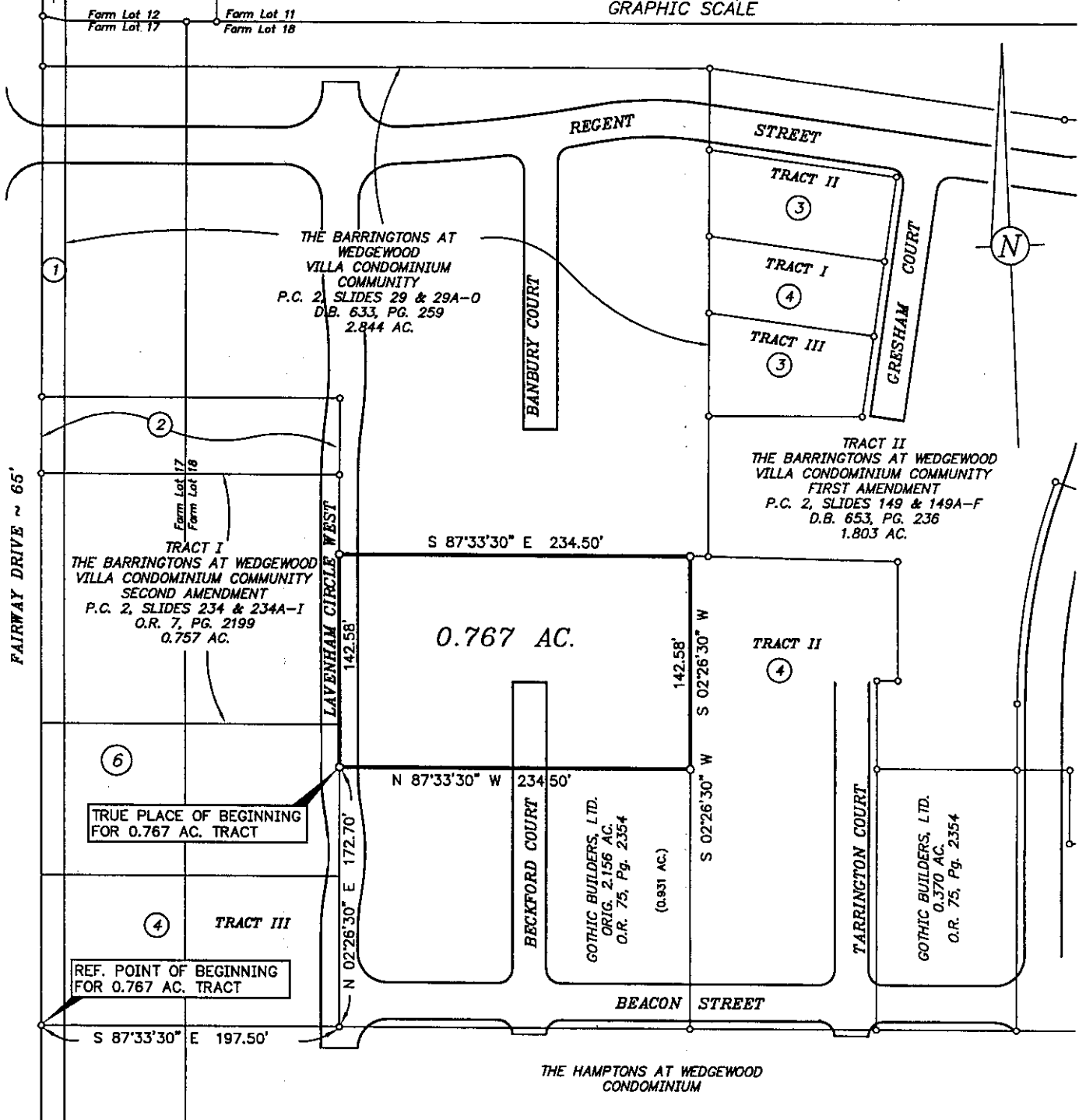
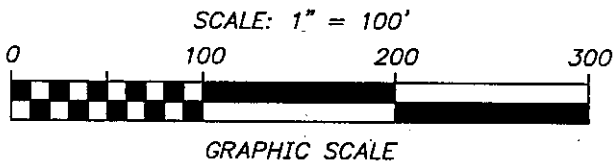
-  Limited Common Element
-  All areas & improvements not labeled with a Unit Designation or as Limited Common Element are Common Elements.

10014 Indicates Unit Designation (also Unit address)



C.F. Bird & R.J. Bull, Inc.
2875 W. Dublin-Granville Rd.
Columbus, Ohio 43235

EXHIBIT C
FIFTH AMENDMENT
DECLARATION OF CONDOMINIUM



- ① WEDGEWOOD SECTION 2
P.B. 24, PGS. 32-41
RESERVE "0"
- ② TRACT I
THE BARRINGTONS AT WEDGEWOOD VILLA CONDOMINIUM COMMUNITY FIRST AMENDMENT
P.C. 2, SLIDES 149 & 149A-F
D.B. 653, PG. 236
0.231 AC.
- ③ THE BARRINGTONS AT WEDGEWOOD VILLA CONDOMINIUM COMMUNITY SECOND AMENDMENT
P.C. 2, SLIDES 234 & 234A-I
O.R. 7, PG. 2199
(0.159 AC. TRACT II, 0.151 AC. TRACT III & 0.457 AC. TRACT IV)
- ④ THE BARRINGTONS AT WEDGEWOOD VILLA CONDOMINIUM COMMUNITY THIRD AMENDMENT
P.C. 2, SLIDES 269 & 269 A-L
O.R. 7, PG. 2210
(0.132 AC. TRACT I, 0.920 AC. TRACT II & 0.454 AC. TRACT III)
- ⑤ WEDGEWOOD SECTION 1
P.B. 24, PGS. 46-48
RESERVE "A"
- ⑥ THE BARRINGTONS AT WEDGEWOOD VILLA CONDOMINIUM COMMUNITY FOURTH AMENDMENT
P.C. 2, SLIDES 739 & 739 A-D
O.R. 203, PG. 1616
0.458 AC.

FIFTH AMENDMENT
DECLARATION OF CONDOMINIUM
THE BARRINGTONS AT WEDGEWOOD VILLA CONDOMINIUM COMMUNITY
IN LOT 18, QTR. TWP., 3, T. 3 N., R. 19 W., U.S.M.L.
LIBERTY TWP., DELAWARE COUNTY, OHIO

NOVEMBER 25, 2002

C.F. Bird & R.J. Bull, Inc.
2875 W. Dublin-Granville Rd.
Columbus, Ohio 43235

By Ted L. Robinson
Ted L. Robinson ~ Ohio Surveyor No. 5361

EXHIBIT D

FIFTH AMENDMENT
 DECLARATION OF CONDOMINIUM
 THE BARRINGTONS AT WEDGEWOOD
 VILLA CONDOMINIUM COMMUNITY

Type Information⁽¹⁾

Type

- | | |
|--------------------|---|
| A (Abington) | Ranch style with a loft, containing a one room partial basement, a living/dining room, vaulted kitchen, vaulted family/sitting room, vaulted master bedroom, bath and one-half, a utility room, a two car garage and a patio under roof on the ground floor level, and a second level bedroom, bath and loft, and contains approximately 3,373 gross interior square feet. ⁽²⁾ |
| B (Berkshire) | Ranch style, containing a partial basement, a vaulted great room, a library/sitting room, a vaulted master bedroom and an additional bedroom, a kitchen, two and a half baths, a utility room, a two car garage, and a wrap-around covered patio under roof on the ground floor level, and contains approximately 4,280 gross interior square feet. |
| C (Coventry) | Ranch style, with a loft, containing a one room basement, a vaulted great room with a dining area, a kitchen, a dining room, a vaulted master bedroom, an additional bedroom, a den/study, two and one-half baths, a two car garage, and a covered patio on the ground floor level, and an upstairs loft with a half bath, and contains approximately 3,605 gross interior square feet. |
| C-1 (Coventry One) | Same as type C except it has a utility room in place of a half-bath, and contains approximately 3,815 gross interior square feet. |
| D (Dorchester) | Ranch style, with a loft, containing a vaulted great room, vaulted master bedroom, an additional bedroom, kitchen with dining nook, two car garage, utility room, two full baths and covered patio at ground level, with a bedroom with loft and full bath at the second level, and contains approximately 3,893 gross interior square feet. |

⁽¹⁾Actual rooms and size of each Unit of a particular type may vary, from Unit to Unit, but are shown on the Drawings or amendment to Drawings adding that Unit to the Condominium Community.

⁽²⁾Gross interior square feet excludes space in yards and exterior areas, but includes all areas under roof, including covered decks and porches, even though covered decks, porches and patios may be limited common areas as designated on the drawings.

EXHIBIT E

FIFTH AMENDMENT
DECLARATION OF CONDOMINIUM
THE BARRINGTONS AT WEDGEWOOD
VILLA CONDOMINIUM COMMUNITY

Villa Home Unit Information

I. EXISTING VILLA HOME UNITS:

<u>Villa Home Unit Designation</u>	<u>Type</u>	<u>Undivided Interest</u>
9958	C-1	1/31st
9961	A	1/31st
9969	D	1/31st
9970	D	1/31st
9974	C-1	1/31st
9978	D	1/31st
9981	B	1/31st
9982	B	1/31st
9990	C	1/31st
9985	C-1	1/31st
9986	D	1/31st
9953	C-1	1/31st
9963	D	1/31st
9971	C-1	1/31st
10007	C-1	1/31st
10006	C-1	1/31st
10008	C-1	1/31st
9976	B	1/31st
9956	D	1/31st
10033	B	1/31st
9964	A	1/31st
10004	C-1	1/31st
10012	C-1	1/31st
10020	A	1/31st
10038	B	1/31st
10048	B	1/31st
10024	B	1/31st
10036	B	1/31st

II. VILLA HOME UNITS ADDED HEREBY:

<u>Villa Home Unit Designation</u>	<u>Type</u>	<u>Undivided Interest</u>
10010	C	1/31 st
10014	C	1/31 st
10015	C	1/31 st
TOTAL		<u>31/31sts or 100%</u>