

Recorder

FIRST AMENDMENT
TO
DECLARATION OF CONDOMINIUM
THE BARRINGTONS AT WEDGEWOOD
VILLA CONDOMINIUM COMMUNITY
CABINET 2 PAGE 149

This first amendment to the Declaration of THE BARRINGTONS AT WEDGEWOOD VILLA CONDOMINIUM COMMUNITY is made on or as of the 20th day of November, 1998.

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, Declarant, Fairway Drive Partners Limited, 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, Declarant, the sole creator of the Condominium Community 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. Legal descriptions of the portions of the property added hereby to the Community Property, consisting of two parts, Tract I containing 0.231 acre, more or less and Tract II containing 1.803 acres, more or less, are 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 six free-standing single family traditional style residential buildings, each ranch style with basements, and expanding the Community to contain a total of fifteen (15) dwelling units, each of which is called a "Villa Home Unit". The buildings are of wood frame construction, concrete block foundations, with

(continued next page)

CERTIFICATE OF AUDITOR

A copy of this First Amendment to the Declaration for The Barringtons at Wedgewood Villa Condominium Community, together with the First Amendment to the Drawings attached thereto, were filed with this office on Nov. 20, 1998.

Jon M. Peterson
Delaware County Auditor

By Jon M. Peterson/KS
Deputy Auditor

9800035840
Filed for Record in
DELAWARE COUNTY, OHIO
KAY E. CONKLIN
On 11-20-1998 At 03:32 pm.
DECLAR AMEN 56.00
Vol. 653 Pg. 236 - 246

3 NOTATIONS

9800035840
LIVELAND & BRIGGS
50 W BROAD ST
COLUMBIANA, OH 43215

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 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 "First Amendment Condominium Drawings The Barringtons at Wedgewood Villa Condominium Community", by a Villa Home Unit designation, which is a number corresponding with the 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). 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 20th day of November, 1998.

Signed and acknowledged in the presence of:

Richard L. Lovkin

(Print Name) Richard L. Lovkin

Calvin T. Johnson Jr.

(Print Name) Calvin T. Johnson Jr.

FAIRWAY DRIVE PARTNERS LIMITED,
an Ohio limited liability company

By G-O PARTNERS, an Ohio general partnership

By *Jay E. Gable*
Jay E. Gable, Partner

STATE OF OHIO
COUNTY OF FRANKLIN, SS:

This instrument was acknowledged before me by Jay E. Gable, a general partner of G-O Partners, an Ohio general partnership, and the managing partner of Fairway Drive Partners Limited, an Ohio limited liability company, on behalf of that partnership and as the act and deed of this limited liability company, Fairway Drive Partners Limited, this 20th day of November, 1998.

Calvin T. Johnson Jr.
Notary Public



CALVIN T. JOHNSON, JR., ATTORNEY-AT-LAW
NOTARY PUBLIC, STATE OF OHIO
LIFETIME COMMISSION

This instrument prepared by Calvin T. Johnson, Jr., attorney at law, Loveland & Brosius, 50 West Broad Street, Columbus, Ohio 43215-3352.

EXHIBIT A

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

Legal Descriptions, Property Added

November 17, 1998

Tract I (0.231 acre)

Situated in the State of Ohio, County of Delaware, Township of Liberty, in Lots Numbers Seventeen (17) and Eighteen (18) in Quarter Township 3, Township 3 North, Range 19 West, United States Military Lands, and being 0.231 acre out of an original 12.247 acre tract of land conveyed to Fairway Drive Partners Limited by deed of record in Deed Book 617, Page 283, Recorder's Office, Delaware County, Ohio, and bounded and described as follows:

Beginning at a 3/4-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, Recorder's Office, Delaware County, Ohio, and in the west line of said original 12.247 acre tract, said iron pipe being at a southwest corner of a 2.844 acre tract of land platted out of said original 12.247 acre tract as "The Barringtons at Wedgewood Villa Condominium Community", of record in Plat Cabinet 2, Slide 29, Recorder's Office, Delaware County, Ohio;

thence S 87° 33' 30" E along a south line of said "The Barringtons at Wedgewood Villa Condominium Community" a distance of 197.50 feet to a 3/4-inch I.D. iron pipe set at a corner of said "The Barringtons at Wedgewood Villa Condominium Community";

thence S 2° 26' 30" W along a portion of a west line of said "The Barringtons at Wedgewood Villa Condominium Community" a distance of 51.00 feet to a 3/4-inch I.D. iron pipe set;

thence N 87° 33' 30" W perpendicular to the east line of Fairway Drive, perpendicular to the west line of said original 12.247 acre tract and perpendicular to a west line of said Reserve "O" a distance of 197.50 feet to a 3/4-inch I.D. iron pipe set in the east line of Fairway Drive, in the west line of said original 12.247 acre tract and in a west line of said Reserve "O";

thence N 2° 26' 30" E along the east line of Fairway Drive, along a portion of the west line of said original 12.247 acre tract and along a portion of a west line of said Reserve "O" a distance of 51.00 feet to the place of beginning;

containing 0.231 acre of land more or less and being subject to all easements and restrictions of record.

Provisions contained in any deed or other instrument for the conveyance of a dwelling which restrict the sale, rental or use of the property because of race or color are invalid under federal law and are unenforceable.

Tract II (1.803 acres)

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 1.803 acres out of an original 12.247 acre tract of land conveyed to Fairway Drive Partners Limited by deed of record in Deed Book 617, Page 283, Recorder's Office, Delaware County, Ohio, and bounded and described as follows:

Beginning at a 3/4-inch I.D. iron pipe set at the northeast corner of a 2.844 acre tract of land platted out of said original 12.247 acre tract as "The Barringtons at Wedgewood Villa Condo-

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EXHIBIT A (Continued)

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

Legal Descriptions, Property Added

Tract II (1.803 acre) (continued)

minium Community", of record in Plat Cabinet 2, Slide 29, Recorder's Office, Delaware County, Ohio;

thence S 79° 33' 30" E a distance of 238.45 feet to a 3/4-inch I.D. iron pipe set;

thence S 87° 33' 30" E a distance of 58.71 feet to a 3/4-inch I.D. iron pipe set;

thence S 2° 26' 30" W a distance of 71.73 feet to a 3/4-inch I.D. iron pipe set at a point of curvature;

thence southerly with a curve to the right, data of which is: radius = 542.50 feet and delta = 19° 35' 30", a chord distance of 184.60 feet bearing S 12° 14' 15" W to a 3/4-inch I.D. iron pipe set;

thence N 67° 58' 00" W radial to said curve a distance of 35.00 feet to a 3/4-inch I.D. iron pipe set;

thence southerly with a curve to the left, data of which is: radius = 442.50 feet and delta = 19° 35' 30", a chord distance of 150.57 feet bearing S 12° 14' 15" W to the point of tangency;

thence S 2° 26' 30" W a distance of 44.25 feet to a 3/4-inch I.D. iron pipe set;

thence N 87° 33' 30" W a distance of 93.00 feet to a 3/4-inch I.D. iron pipe set;

thence N 2° 26' 30" E a distance of 59.09 feet to a 3/4-inch I.D. iron pipe set;

thence S 87° 33' 30" E a distance of 14.00 feet to a 3/4-inch I.D. iron pipe set;

thence N 2° 26' 30" E a distance of 79.90 feet to a 3/4-inch I.D. iron pipe set;

thence N 86° 16' 30" W a distance of 125.87 feet to a 3/4-inch I.D. iron pipe set at the southeast corner of said "The Barringtons at Wedgewood Villa Condominium Community";

thence N 2° 26' 30" E along the east line of said "The Barringtons at Wedgewood Villa Condominium Community" a distance of 352.89 feet to the place of beginning;

containing 2.245 acres of land more or less and being subject to all easements and restrictions of record.

EXCEPTING THEREFROM:

Beginning at a 3/4-inch I.D. iron pipe set in the east line of said "The Barringtons at Wedgewood Villa Condominium Community" and in a west line of the above described 2.245 acre tract, said iron pipe being S 2° 26' 30" W a distance of 54.44 feet from a 3/4-inch I.D. iron pipe set at the northeast corner of said "The Barringtons at Wedgewood Villa Condominium Community" and at the northwest corner of the above described 2.245 acre tract;

thence S 79° 33' 30" E a distance of 125.66 feet to a 3/4-inch I.D. iron pipe set;

thence S 10° 26' 30" W a distance of 162.11 feet to a 3/4-inch I.D. iron pipe set;

EXHIBIT A (Continued)

FIRSTAMENDMENT
DECLARATION OF CONDOMINIUM
THE BARRINGTONS AT WEDGEWOOD VILLA CONDOMINIUM COMMUNITY

Legal Descriptions, Property Added

Tract II (1.803 acres)

thence N 87° 33' 30" W a distance of 101.88 feet to a 3/4-inch I.D. iron pipe set in the east line of said "The Barringtons at Wedgewood Villa Condominium Community" and in a west line of the above described 2.245 acre tract;

thence N 2° 26' 30" E along a portion of the east line of said "The Barringtons at Wedgewood Villa Condominium Community" and along a portion of a west line of the above described 2.245 acre tract a distance of 178.02 feet to the place of beginning;

containing 0.442 acre of land more or less and being subject to all easements and restrictions of record.

LEAVING in Tract II 1.803 acres 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 actual field surveys performed under his supervision in October, 1998. 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.

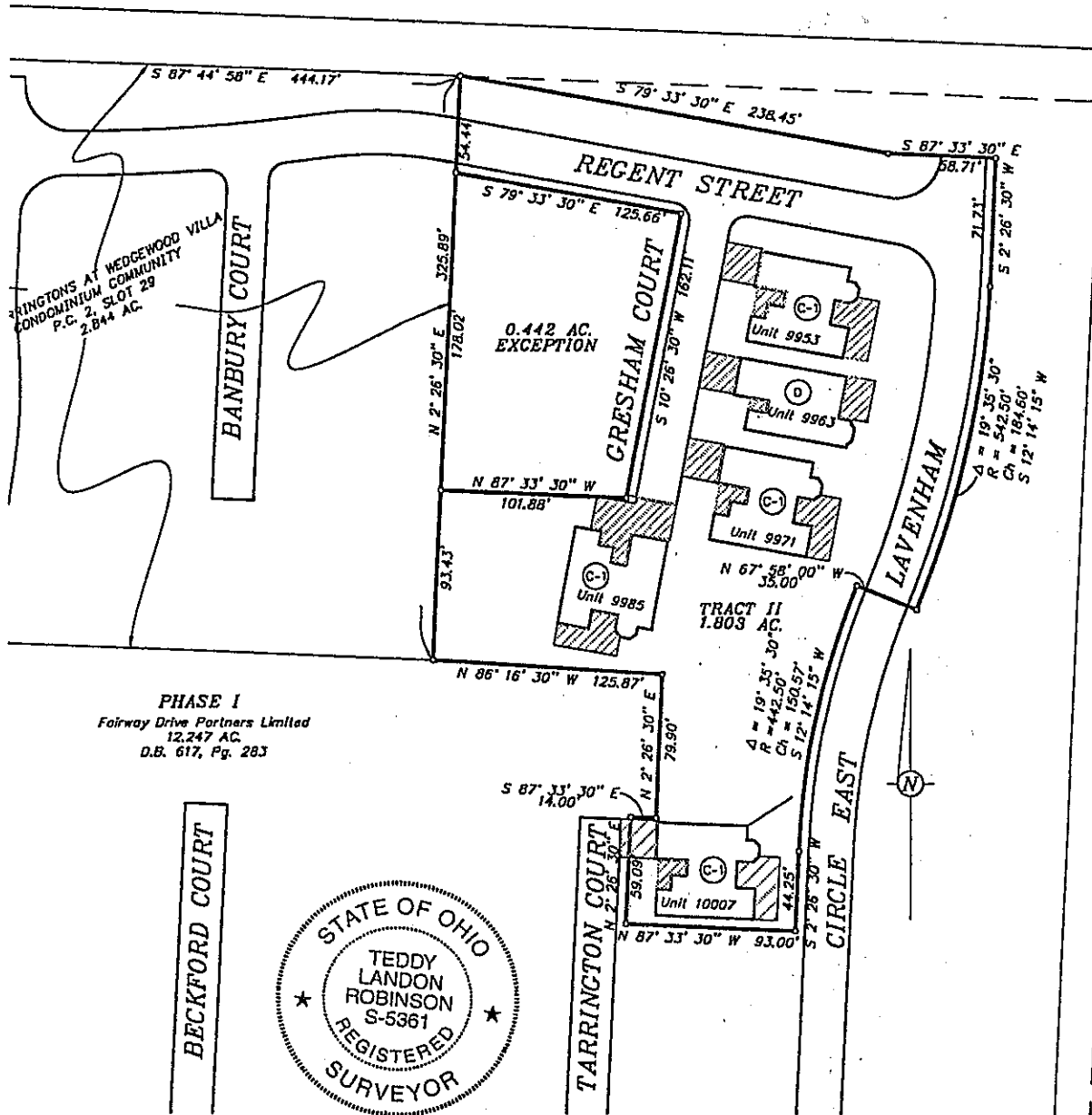
Ted L. Robinson

Ted L. Robinson
Ohio Surveyor #5361



Declarant's Mailing Address: Fairway Drive Partners Limited
1335 Dublin Road, Suite 100-D
Columbus, Ohio 43215

Prop. Phase III



PHASE I
Fairway Drive Partners Limited
12.247 AC.
D.B. 617, Pg. 283

BECKFORD COURT



TARRINGTON COURT

THE BARRINGTONS AT WEDGEWOOD VILLA
CONDOMINIUM COMMUNITY FIRST AMENDMENT
2.034 ACRES IN LOTS NO. 17 & 18 OF
QTR. TWP. 3, TWP.3 N., R. 19 W., U.S.M.L.
LIBERTY TWP., DELAWARE COUNTY, OHIO


- KEY:
-  Limited Common Area
 - 9953 Indicates Unit Designation (also Unit address)
 - (C-1) Indicates Unit Type

EXHIBIT B
DECLARATION OF CONDOMINIUM
THE BARRINGTONS AT WEDGEWOOD
VILLA CONDOMINIUM COMMUNITY-
FIRST AMENDMENT Sketch Plot Plan,
Condominium Property

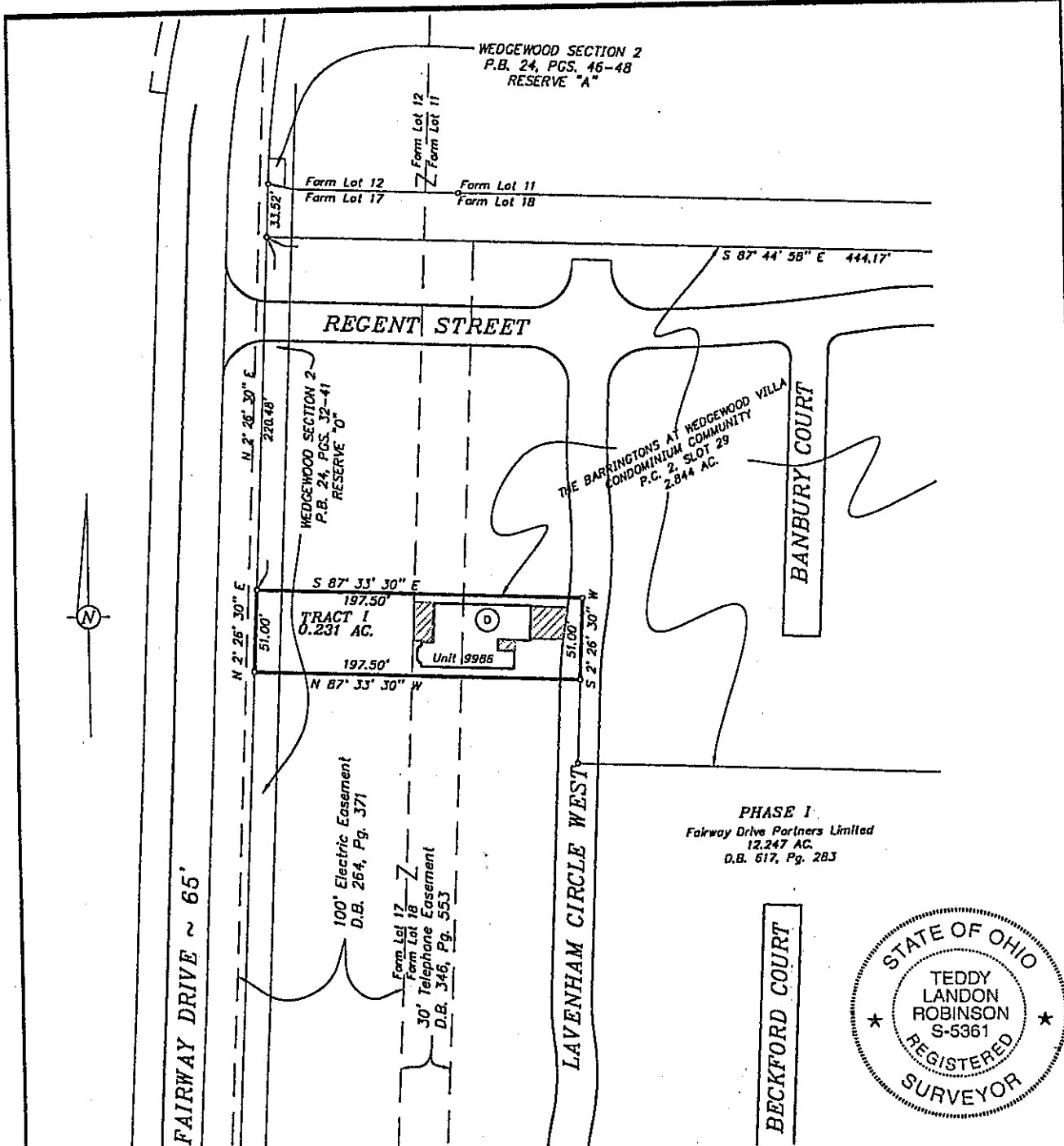
SCALE: 1" = 80'

NOVEMBER 17, 1998

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

Ted L. Robinson

TED L. ROBINSON ~ OHIO SURVEYOR NO. 5361



THE BARRINGTONS AT WEDGEWOOD VILLA
CONDOMINIUM COMMUNITY FIRST AMENDMENT
2.034 ACRES IN LOTS NO. 17 & 18 OF
QTR. TWP. 3, TWP.3 N., R. 19 W., U.S.M.L.
LIBERTY TWP., DELAWARE COUNTY, OHIO




- KEY:
-  Limited Common Area
 - 9953  Indicates Unit Designation (also Unit address)
 -  Indicates Unit Type

EXHIBIT B
DECLARATION OF CONDOMINIUM
THE BARRINGTONS AT WEDGEWOOD
VILLA CONDOMINIUM COMMUNITY-
FIRST AMENDMENT Sketch Plot Plan,
Condominium Property

SCALE: 1" = 80'

NOVEMBER 17, 1998

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

Ted L. Robinson
TED L. ROBINSON ~ OHIO SURVEYOR NO. 5361

S 87° 17' 51" E
15.72'
Δ = 03° 35' 03"
R = 370.00'
Ch = 23.14'
N 0° 30' 44" E

Δ = 10° 30' 01"
R = 530.00'
Ch = 96.99'
N 7° 41' 16" E

Δ = 10° 35' 11"
R = 665.00'
Ch = 122.70'
N 7° 38' 41" E

Δ = 13° 44' 44"
R = 795.40'
Ch = 190.36'
N 4° 25' 52" W

11.389 AC. TOTAL

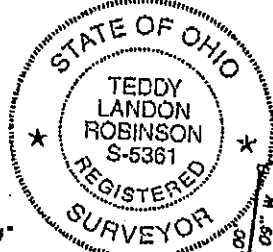
ADDITIONAL PROPERTY

ADDITIONAL PROPERTY
0.442 AC.

ADDITIONAL PROPERTY
5.927 AC.

14.391 AC. TOTAL

ADDITIONAL PROPERTY



TED L. ROBINSON ~ OHIO SURVEYOR NO. 5361

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

DAVIDSON PHILLIPS, INC.
11.434 AC.
D.B. 584, PG. 6

BIL-KEN REALTY, INC.
ORIG. 34.5162 AC.
D.B. 541, PG. 327

DAVIDSON PHILLIPS, INC.
ORIG. 121.989 AC.
D.B. 542, PG. 462

EXHIBIT C
FIRST AMENDMENT
DECLARATION OF CONDOMINIUM
THE BARRINGTONS AT WEDGEWOOD
CONDOMINIUM COMMUNITY
IN LOTS 11, 12, 17, & 18,
QTR. TWP. 3, T. 3 N., R. 19 W., U.S.M.L.
LIBERTY TWP., DELAWARE COUNTY, OHIO

NOVEMBER 17, 1998 SCALE: 1" = 200'

Ted Robinson

FAIRWAY DRIVE
RESERVE 'A'

FAIRWAY DRIVE
RESERVE 'O'

FAIRWAY DRIVE
RESERVE 'O'

FAIRWAY DRIVE
RESERVE 'O'

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96-045

EXHIBIT D

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

Type Information

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.⁽¹⁾
- 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) Gross interior square feet excludes space in yards and exterior areas, but includes all areas under roof, including covered decks and porches.

EXHIBIT E

FIRST 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	1/15th
9961	A	1/15th
9969	D	1/15th
9970	D	1/15th
9974	C-1	1/15th
9978	D	1/15th
9981	B	1/15th
9982	B	1/15th
9990	C	1/15th

II. VILLA HOME UNITS ADDED HEREBY:

<u>Villa Home Unit Designation</u>	<u>Type</u>	<u>Undivided Interest</u>
9985	C-1	1/15th
9986	D	1/15th
9953	C-1	1/15th
9963	D	1/15th
9971	C-1	1/15th
10007	C-1	1/15th

TOTAL 15/15ths
or 100%