

199900036368  
Filed for Record in  
DELAWARE COUNTY, OHIO  
KAY E. CONKLIN  
On 11-01-1999 At 03:31 pm.  
DECLARATION 58.00  
OR book 7 Page 2199 - 2208

*Recorded*

**SECOND AMENDMENT  
TO  
DECLARATION OF CONDOMINIUM  
THE BARRINGTONS AT WEDGEWOOD  
VILLA CONDOMINIUM COMMUNITY  
PLAT CABINET 2 SLIDE 234**

*Re-recorded to  
include Exhibits B and  
C missing from original  
filing.*

This second amendment to the Declaration of THE BARRINGTONS AT WEDGEWOOD VILLA CONDOMINIUM COMMUNITY is made on or as of the 27<sup>th</sup> day of July, 1999.

**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 four parts, Tract I containing 0.757 acre, more or less, Tract II containing 0.159 acre, more or less, Tract III containing 0.151 acre, more or less, and Tract IV containing 0.457 acre, 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 five free-standing single family traditional style residential buildings, each ranch style with basements, and expanding the Community to contain a total of twenty (20) 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)

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**CERTIFICATE OF AUDITOR**

A copy of this Second Amendment to the Declaration for The Barringtons at Wedgewood Villa Condominium Community, together with the Second Amendment to the Drawings attached thereto, were filed with this office on July 27, 1999.

Delaware County Auditor

By David A. Yosefs  
Deputy Auditor

9900025035  
LIVELAND & BROSIUS  
50 W BROAD ST  
COL, OH 43215

9900025035  
Filed for Record in  
DELAWARE COUNTY, OHIO  
KAY E. CONKLIN  
On 07-27-1999 At 03:09 pm.  
DECLAR AMEN 48.00  
Vol. 668 Pg. 630 - 638  
3 NOTATIONS

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 "Second 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. The attached Exhibit B and the Second Amendment to the Drawings filed simultaneously herewith, amend and correct Exhibit B of the First Amendment to the Declaration and sheet 1 of the First Amendment to the Drawings by properly showing the Limited Common Area appurtenant to Unit 9976 added hereby.

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, 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 27<sup>th</sup> day of July, 1999.

Signed and acknowledged in the presence of:

[Signature]

(Print Name) Frank Harrison

[Signature]

(Print Name) Calvin T. Johnson, Jr.

FAIRWAY DRIVE PARTNERS LIMITED,  
an Ohio limited liability company

By G-O PARTNERS, an Ohio general partnership

By [Signature]  
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 27<sup>th</sup> day of July, 1999.

[Signature]  
Notary Public



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

## EXHIBIT A

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

Legal Descriptions, Property Added

June 28, 1999

DESCRIPTION OF "SECOND AMENDMENT" ON  
FAIRWAY DRIVE, LIBERTY TOWNSHIP, DELAWARE COUNTY, OHIO  
FOR THE BARRINGTONS AT WEDGEWOOD VILLA CONDOMINIUM COMMUNITY

**TRACT I:**

Situated in the State of Ohio, County of Delaware, Township of Liberty, in Lot Numbers Seventeen (17) and Eighteen (18) in Quarter Township 3, Township 3 North, Range 19 West, United States Military Lands, and being 0.757 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 the southwest corner of a 0.231 acre tract of land platted out of said original 12.247 acre tract as Tract I of "The Barringtons at Wedgewood Villa Condominium Community First Amendment", of record in Plat Cabinet 2, Slides 149A-F, and in Deed Book 653, Page 236, Recorder's Office, Delaware County, Ohio;

thence S 87° 33' 30" E along the south line of said Tract I of "The Barringtons at Wedgewood Villa Condominium Community First Amendment" a distance of 197.50 feet to a 3/4-inch I.D. iron pipe set at the southeast corner of said Tract I of "The Barringtons at Wedgewood Villa Condominium Community First Amendment" and in a west line 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, Slides 29A-0, and in Deed Book 633, Page 259, Recorder's Office, Delaware County, Ohio;

thence S 2° 26' 30" W along a portion of a west line of said "The Barringtons at Wedgewood Villa Condominium Community" and along said west line extended southerly a distance of 167.02 feet to a 3/4-inch I.D. iron pipe set (passing a 3/4-inch I.D. iron pipe set at a southwest corner of said "The Barringtons at Wedgewood Villa Condominium Community" at 52.92 feet);

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 167.02 feet to the place of beginning;

containing 0.757 acre of land more or less and being subject to all easements and restrictions of record.

**TRACT II:**

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,

VOL 0668 PAGE 633

## EXHIBIT A (Continued)

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

Legal Descriptions, Property Added

and being 0.159 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 at a corner of a 1.803 acre tract of land platted out of said original 12.247 acre tract as Tract II of "The Barringtons at Wedgewood Villa Condominium Community First Amendment", of record in Plat Cabinet 2, Slides 149A-F, and in Deed Book 653, Page 236, Recorder's Office, Delaware County, Ohio, and in the east line 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, Slides 29A-0, and in Deed Book 633, Page 259, Recorder's Office, Delaware County, Ohio, 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 northwest corner of said Tract II of "The Barringtons at Wedgewood Villa Condominium Community First Amendment" and at the northeast corner of said "The Barringtons at Wedgewood Villa Condominium Community";

thence S 79° 33' 30" E along a line of said Tract II of "The Barringtons at Wedgewood Villa Condominium Community First Amendment" a distance of 125.66 feet to a 3/4-inch I.D. iron pipe set at a corner of said Tract II of "The Barringtons at Wedgewood Villa Condominium Community First Amendment";

thence S 10° 26' 30" W along a portion of a west line of said Tract II of "The Barringtons at Wedgewood Villa Condominium Community First Amendment" a distance of 56.81 feet to a 3/4-inch I.D. iron pipe set;

thence N 79° 33' 30" W parallel with and 56.81 feet southerly by perpendicular measurement from a line of said Tract II of "The Barringtons at Wedgewood Villa Condominium Community First Amendment" a distance of 117.68 feet to a 3/4-inch I.D. iron pipe set in the east line of said "The Barringtons at Wedgewood Villa Condominium Community";

thence N 2° 26' 30" E along a portion of the east line of said "The Barringtons at Wedgewood Villa Condominium Community" a distance of 57.37 feet to the place of beginning;

containing 0.159 acre of land more or less and being subject to all easements and restrictions of record.

**TRACT III:**

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 0.151 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 a 2.844 acre tract of land platted out of said 12.247 acre tract as "The Barringtons at Wedgewood Villa Condominium Community", of record in Plat Cabinet 2, Slides 29A-0, and in Deed Book 633, Page 259, Recorder's Office, Delaware County, Ohio, said iron pipe being S 2° 26' 30" W a distance of 163.05 feet from a 3/4-inch I.D. iron pipe set at the northwest corner of a 1.803 acre tract of land platted out of said original 12.247 acre tract as Tract II of "The Barringtons at Wedgewood Villa Condominium Community First Amendment", of record in Plat Cabinet 2, Slides 149A-F, and in Deed Book

## EXHIBIT A (Continued)

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

Legal Descriptions, Property Added

653, Page 236, Recorder's Office, Delaware County, Ohio, and at the northeast corner of said "The Barringtons at Wedgewood Villa Condominium Community";

thence S 79° 40' 53" E a distance of 110.55 feet to a 3/4-inch I.D. iron pipe set in a west line of said Tract II of "The Barringtons at Wedgewood Villa Condominium Community First Amendment";

thence S 10° 26' 30" W along a portion of a west line of said Tract II of "The Barringtons at Wedgewood Villa Condominium Community First Amendment" a distance of 54.79 feet to a 3/4-inch I.D. iron pipe set at a corner of said Tract II of "The Barringtons at Wedgewood Villa Condominium Community First Amendment";

thence N 87° 33' 30" W along a line of said Tract II of "The Barringtons at Wedgewood Villa Condominium Community First Amendment" a distance of 101.88 feet to a 3/4-inch I.D. iron pipe set at a corner of said Tract II of "The Barringtons at Wedgewood Villa Condominium Community First Amendment" and in the east line of said "The Barringtons at Wedgewood Villa Condominium Community";

thence N 2° 26' 30" E along a portion of the east line of said "The Barringtons at Wedgewood Villa Condominium Community" a distance of 69.41 feet to the place of beginning;

containing 0.151 acre of land more or less and being subject to all easements and restrictions of record.

**TRACT IV:**

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 0.457 acre out of an original 12.247 acre 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 southeast corner of a 1.803 acre tract of land platted out of said original 12.247 acre tract as Tract II of "The Barringtons at Wedgewood Village Condominium Community First Amendment", of record in Plat Cabinet 2, Slides 149A-F, and in Deed Book 653, Page 236, Recorder's Office, Delaware County, Ohio;

thence S 87° 33' 30" E along the south line extended easterly of said Tract II of "The Barringtons at Wedgewood Villa Condominium Community First Amendment" a distance of 35.00 feet to a 3/4-inch I.D. iron pipe set;

thence S 2° 26' 30" W parallel with and 111.00 feet westerly by perpendicular measurement from the east line of said original 12.247 acre tract a distance of 48.96 feet to a 3/4-inch I.D. iron pipe set;

thence S 87° 33' 30" E perpendicular to the east line of said original 12.247 acre tract a distance of 111.00 feet to a 3/4-inch I.D. iron pipe set in the east line of said original 12.247 acre tract;

EXHIBIT A (Continued)

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

Legal Descriptions, Property Added

thence S 2° 26' 30" W along a portion of the east line of said original 12.247 acre tract a distance of 124.49 feet to a 3/4-inch I.D. iron pipe set at the southeast corner of said original 12.247 acre tract;

thence N 87° 33' 30" W along a portion of the south line of said original 12.247 acre tract a distance of 146.00 feet to a 3/4-inch I.D. iron pipe set;

thence N 2° 26' 30" E perpendicular to the south line of said original 12.247 acre tract a distance of 173.45 feet to the place of beginning;

containing 0.457 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 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  
Ohio Surveyor #5361



EXHIBIT B

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

Sketch Plot Plan, Property Added

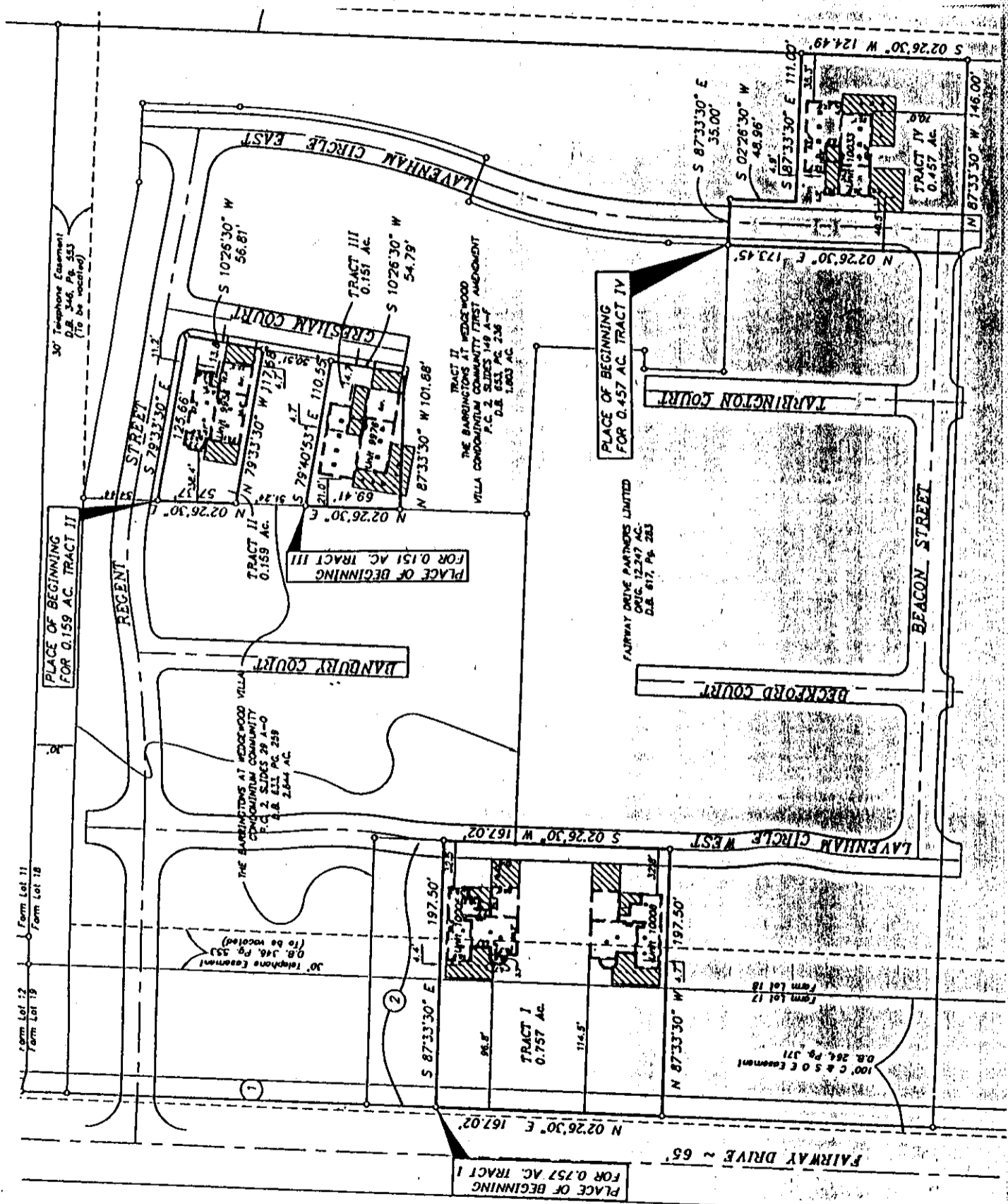
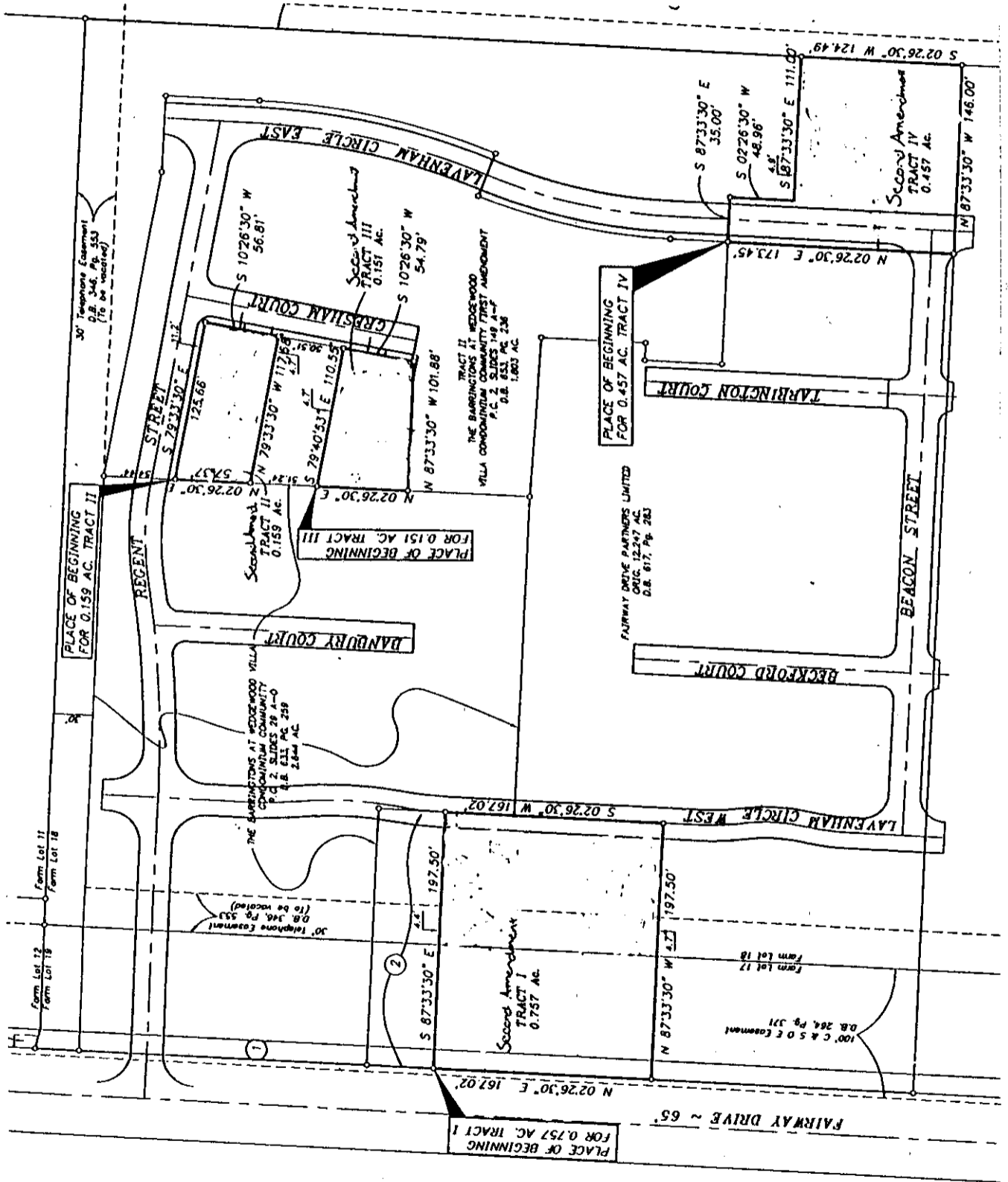




EXHIBIT C

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

Sketch Plot Plan, Entire Tract



**EXHIBIT D**

**SECOND 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.<sup>(1)</sup>
- 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.

