

Recorder

THIRD AMENDMENT
TO
DECLARATION OF CONDOMINIUM
THE BARRINGTONS AT WEDGEWOOD
VILLA CONDOMINIUM COMMUNITY
CABINET 2 SLIDE 269

This third amendment to the Declaration of THE BARRINGTONS AT WEDGEWOOD VILLA CONDOMINIUM COMMUNITY is made on or as of the 25th day of October, 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 three parts, Tract I containing 0.132 acre, more or less, Tract II containing 0.920 acre, more or less, and Tract III containing 0.454 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 six (6) free-standing single family traditional style residential buildings, each ranch style with basements, and expanding the Community to contain a total of twenty-six (26) 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

199900036369
LOVELAND & BROSIUS
50 W BROAD ST
COLUM, OH 43215

A copy of this Third Amendment to the Declaration for The Barringtons at Wedgewood Villa Condominium Community, together with the Third Amendment to the Drawings attached thereto, were with this office on Nov. 1, 1999.

Delaware County Auditor

199900036369
Filed for Record in
DELAWARE COUNTY, OHIO
KAY E. CONKLIN
On 11-01-1999 At 03:31 pm.
DECLARATION 52.00
OR book 7 Page 2210 - 2219

By David A. Yost/KS
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 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 "Third 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 28th day of October, 1999.

Signed and acknowledged in the presence of:

FAIRWAY DRIVE PARTNERS LIMITED, an Ohio limited liability company

By G-O PARTNERS, an Ohio general partnership

Adele L. Jackson

(Print Name) Adele L. Jackson

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

Calvin T. Johnson Jr

(Print Name) Calvin T. Johnson Jr

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 28th day of October, 1999.

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

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

Legal Descriptions, Property Added

September 28, 1999

**DESCRIPTION OF "THIRD 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 Number Eighteen (18) in Quarter Township 3, Township 3 North, Range 19 West, United States Military Lands, and being 0.132 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 the southwest corner of a 0.159 acre tract of land platted out of said original 12.247 acre tract as Tract II of "The Barringtons at Wedgewood Villa Condominium Community Second Amendment", of record in Plat Cabinet 2, Slides 234 A-I, and in Deed Book 668, Page 630, 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 29 A-O, and in Deed Book 633, Page 259, Recorder's Office, Delaware County, Ohio;

thence S 79° 33' 30" E along the south line of said Tract II of "The Barringtons at Wedgewood Villa Condominium Community Second Amendment" a distance of 117.68 feet to a 3/4-inch I.D. iron pipe set at the southeast corner of said Tract II of "The Barringtons at Wedgewood Villa Condominium Community Second Amendment" and in a west line 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 149 A-F, and in Deed Book 653, Page 236, Recorder's Office, Delaware County, Ohio;

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 50.51 feet to a 3/4-inch I.D. iron pipe set at the northeast corner of a 0.151 acre tract of land platted out of said original 12.247 acre tract as Tract III of "The Barringtons at Wedgewood Villa Condominium Community Second Amendment", of record in Plat Cabinet 2, Slides 234 A-I, and in Deed Book 668, Page 630, Recorder's Office, Delaware County, Ohio;

thence N 79° 40' 53" W along the north line of said Tract III of "The Barringtons at Wedgewood Villa Condominium Community Second Amendment" a distance of 110.55 feet to a 3/4-inch I.D. iron pipe set at the northwest corner of said Tract III of "The Barringtons at Wedgewood Villa Condominium Community Second 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 51.25 feet to the place of beginning;

containing 0.132 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, and being 0.920 acre out of an original 12.247 acre tract of land conveyed to Fairway Drive

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EXHIBIT A (Continued)

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

Legal Description, Property Added

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 south line of said original 12.247 acre tract, said iron pipe being N 87° 33' 30" W a distance of 239.00 feet from a 3/4-inch I.D. iron pipe set at the southeast corner of said original 12.247 acre tract and at the southeast corner of a 0.457 acre tract of land platted out of said original 12.247 acre tract as Tract IV of "The Barringtons at Wedgewood Villa Condominium Community Second Amendment", of record in Plat Cabinet 2, Slides 234 A-I, and in Deed Book 668, Page 630, Recorder's Office, Delaware County, Ohio;

thence N 87° 33' 30" W along a portion of the south line of said original 12.247 acre tract a distance of 124.00 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 315.28 feet to a 3/4-inch I.D. iron pipe set in a south 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 29 A-O, and in Deed Book 633, Page 259, Recorder's Office, Delaware County, Ohio;

thence S 87° 33' 30" E along a portion of a south line of said "The Barringtons at Wedgewood Villa Condominium Community" a distance of 12.17 feet to a 3/4-inch I.D. iron pipe set at the southeast corner of said "The Barringtons at Wedgewood Villa Condominium Community" and 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 149 A-F, and in Deed Book 653, Page 236, Recorder's Office, Delaware County, Ohio;

thence S 86° 16' 30" E along a south line of said Tract II of "The Barringtons at Wedgewood Villa Condominium Community First Amendment" a distance of 125.87 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 2° 26' 30" W along a west line of said Tract II of "The Barringtons at Wedgewood Villa Condominium Community First Amendment" a distance of 79.90 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 14.00 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 2° 26' 30" W along a west line of said Tract II of "The Barringtons at Wedgewood Villa Condominium Community First Amendment" and along said west line extended southerly a distance of 232.54 feet to the place of beginning;

containing 0.920 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 Lots Numbers Seven-teen (17) and Eighteen (18) in Quarter Township 3, Township 3 North, Range 19 West, United

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EXHIBIT A (Continued)

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

Legal Description, Property Added

States Military Lands, and being 0.454 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 at the southwest corner of said original 12.247 acre tract, said iron pipe being S 2° 26' 30" W a distance of 673.20 feet from a 3/4-inch I.D. iron pipe set in the east line of Fairway Drive, at the northwest corner of said original 12.247 acre tract, at the northwest corner of said Reserve "O" and at the southwest corner of a 0.239 acre tract of land known as Reserve "A" in Wedgewood Section 1, as shown of record in Plat Book 24, Pages 46, 47 and 48, Recorder's Office, Delaware County, Ohio;

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 100.06 feet to a 3/4-inch I.D. iron pipe set;

thence S 87° 33' 30" E 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;

thence S 2° 26' 30" W perpendicular to the south line of said original 12.247 acre tract a distance of 100.06 feet to a 3/4-inch I.D. iron pipe set in the south line 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 197.50 feet to the place of beginning;

containing 0.454 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 September, 1999. 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, P.S.
 Ohio Surveyor \$5361

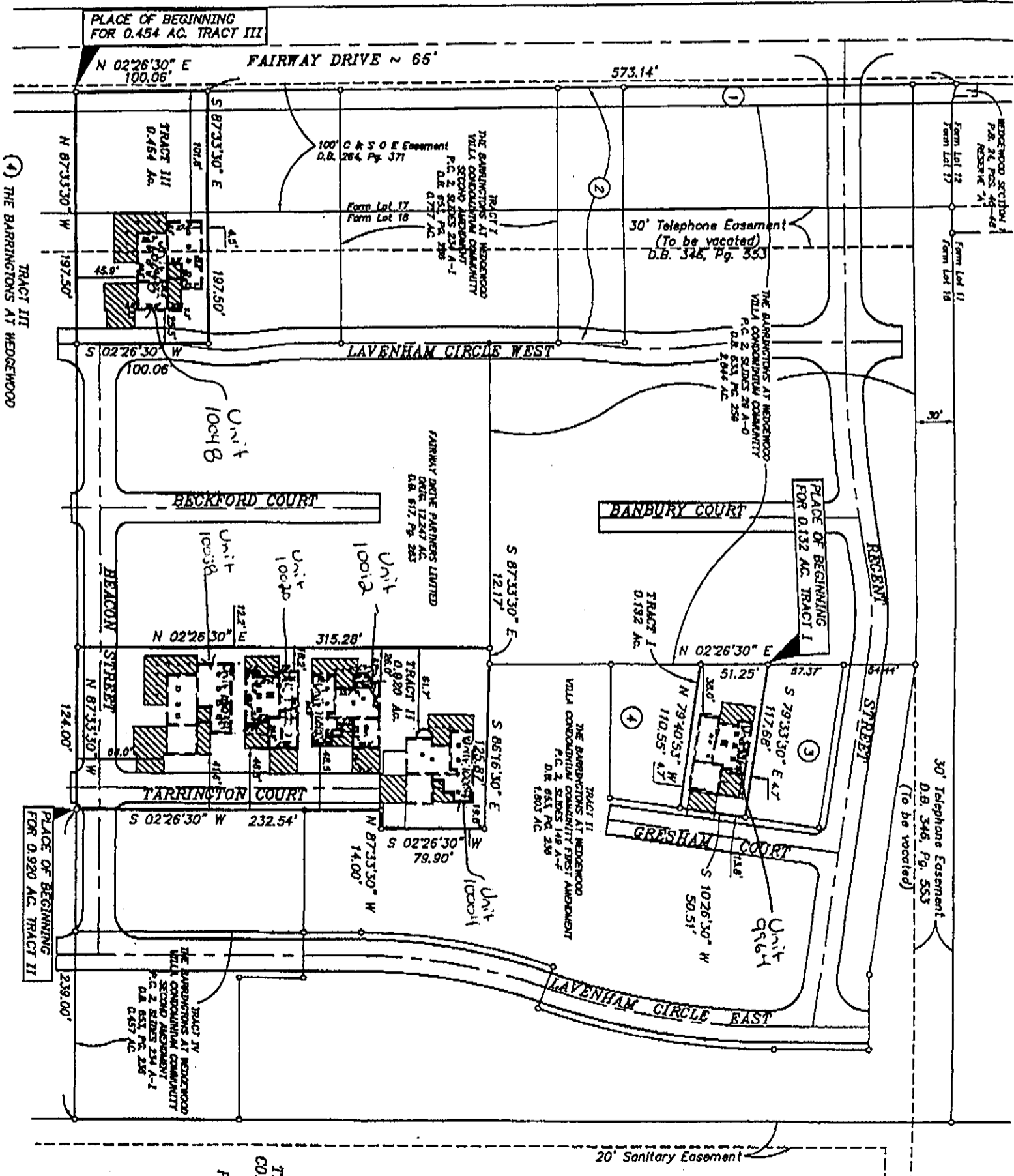


EXHIBIT B

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

Sketch Plot Plan, Property Added

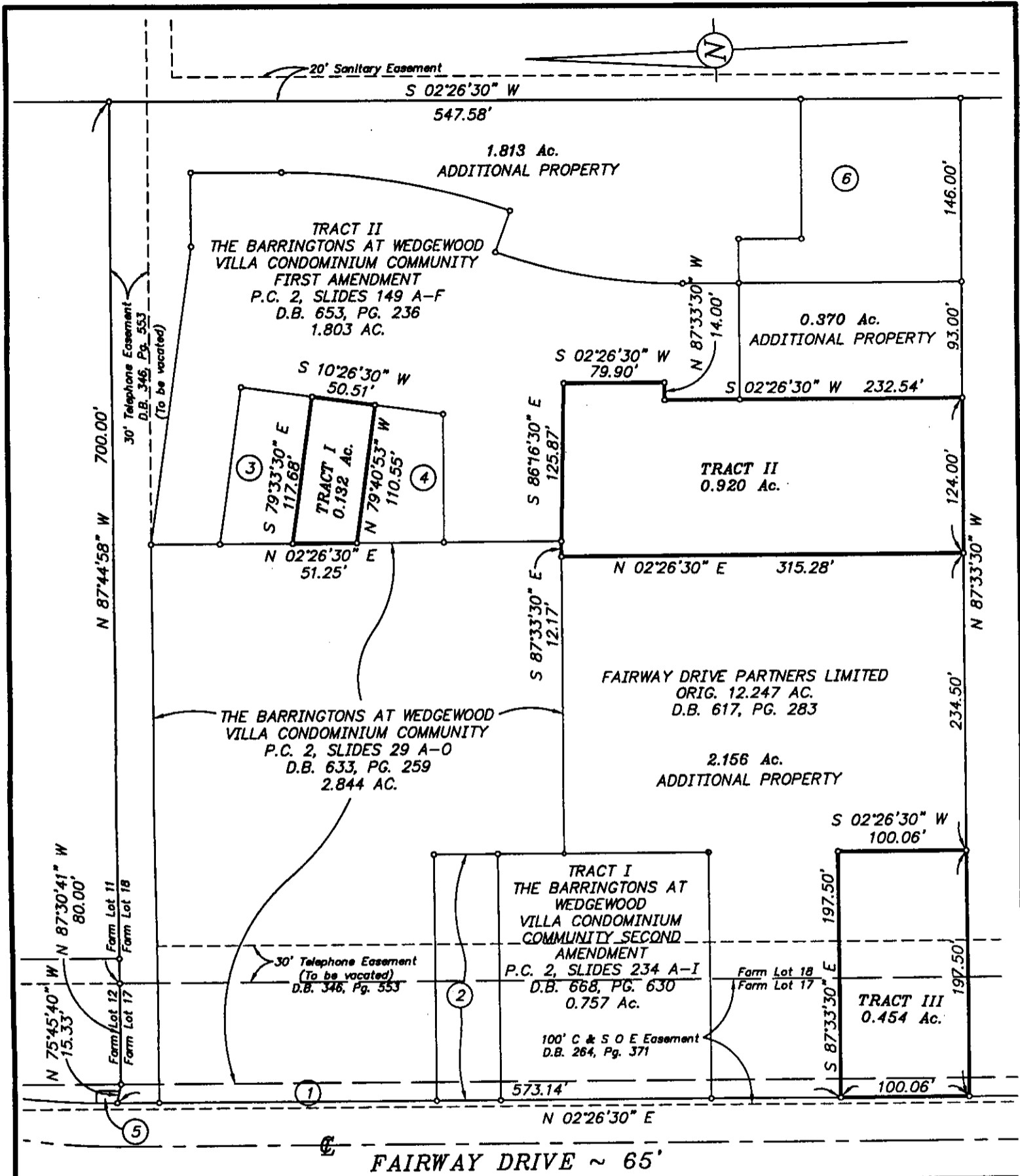
- Limited Common Area
All areas not designated as Units or
Limited Common Areas Are Common Areas



7/5
CON
PL

EXHIBIT C
 THIRD AMENDMENT
 DECLARATION OF CONDOMINIUM

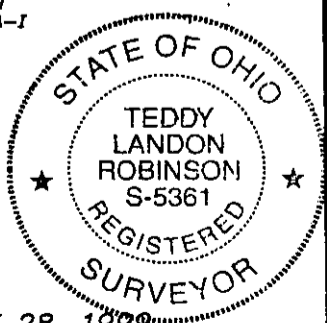
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- ① WEDGEWOOD SECTION 2 P.B. 24, PGS. 32-41 RESERVE "D"
- ② TRACT I THE BARRINGTONS AT WEDGEWOOD VILLA CONDOMINIUM COMMUNITY FIRST AMENDMENT P.C. 2, SLIDES 149 A-F D.B. 653, PG. 236 0.231 AC.
- ③ TRACT II THE BARRINGTONS AT WEDGEWOOD VILLA CONDOMINIUM COMMUNITY SECOND AMENDMENT P.C. 2, SLIDES 234 A-I D.B. 668, PG. 630 0.159 AC.
- ④ TRACT III THE BARRINGTONS AT WEDGEWOOD VILLA CONDOMINIUM COMMUNITY SECOND AMENDMENT P.C. 2, SLIDES 234 A-I D.B. 668, PG. 630 0.151 AC.
- ⑤ WEDGEWOOD SECTION 1 P.B. 24, PGS. 46-48 RESERVE "A"

⑥ TRACT IV THE BARRINGTONS AT WEDGEWOOD VILLA CONDOMINIUM COMMUNITY SECOND AMENDMENT P.C. 2, SLIDES 234 A-I D.B. 668, PG. 630 0.457 AC.

THIRD AMENDMENT
 DECLARATION OF CONDOMINIUM
 THE BARRINGTONS AT WEDGEWOOD VILLA
 CONDOMINIUM COMMUNITY
 IN LOTS 17 & 18,
 QTR. TWP., 3, T. 3 N., R. 19 W., U.S.M.L.
 LIBERY TWP., DELAWARE COUNTY, OHIO



SEPT 28, 1999

SCALE: 1" = 100'

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

**THIRD 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, even though covered decks, porches and patios may be limited common areas as designated on the drawings.

EXHIBIT E

**THIRD 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	1/26th
9961	A	1/26th
9969	D	1/26th
9970	D	1/26th
9974	C-1	1/26th
9978	D	1/26th
9981	B	1/26th
9982	B	1/26th
9990	C	1/26th
9985	C-1	1/26th
9986	D	1/26th
9953	C-1	1/26th
9963	D	1/26th
9971	C-1	1/26th
10007	C-1	1/26th
10006	C-1	1/26th
10008	C-1	1/26th
9976	B	1/26th
9956	D	1/26th
10033	B	1/26th

II. VILLA HOME UNITS ADDED HEREBY:

<u>Villa Home Unit Designation</u>	<u>Type</u>	<u>Undivided Interest</u>
9964	A	1/26th
10004	C-1	1/26th
10012	C-1	1/26th
10020	A	1/26th
10038	B	1/26th
10048	B	1/26th
TOTAL		<u>26/26ths or 100%</u>