

THIRD AMENDMENT TO DECLARATION
OF CONDOMINIUM OWNERSHIP
FOR THE LANDINGS OF WALDEN CONDOMINIUM ✓

This will certify that a copy of this
Third Amendment has been filed in the
office of the County Auditor, Portage
County, Ohio.

Portage County Auditor

By Victor Biasecca *Victor Biasecca*
by: L. McCarty

Date DEC - 3 1982

This Instrument Prepared By:
Charles E. Zumkehr and
David A. Eli
Williams, Zumkehr and Welser
Eleven South River Street
Kent, Ohio 44240
(216) 673-3444

68772 *gw*

NO TRANSFER
REQUIRED

12/2/82
VICTOR BIASECCA
AUDITOR *Amc.*

RECEIVED FOR RECORD
Dec 3 1982 ✓
At *1:30* O'clock *PM*
Recorded *Dec 3 1982*
In Portage County Records
Of *Need*
Vol. *1000* Page *544-565*
HELEN M. FREDERICK
PORTAGE COUNTY RECORDER
Fee *2.850*

133
IN Re: V. 30 Pg.

INDEXED

16445

THIRD AMENDMENT TO DECLARATION

OF

CONDOMINIUM OWNERSHIP

FOR

THE LANDINGS OF WALDEN CONDOMINIUM

WHEREAS, on the 9th day of May, 1978, The Walden Company, Ltd., the "Declarant", submitted certain properties in the City of Aurora, Portage County, Ohio, to the provisions of Chapter 5311 of the Ohio Revised Code for Condominium Ownership by filing with the Auditor for Portage County an instrument entitled "Declaration of Condominium Ownership for The Landings of Walden Condominium" (hereinafter referred to as "Declaration"), which was filed with the Portage County Auditor and recorded in Volume 953, Pages 154 et seq. of the Portage County Record of Deeds, and further in Plat Book 24, Pages 74 et seq. of the Portage County Record of Plats; and,

WHEREAS, on the 1st day of November, 1979, Declarant submitted additional properties in the City of Aurora, Portage County, Ohio, to the provisions of Chapter 5311 of the Ohio Revised Code for Condominium Ownership by filing with the Auditor for Portage County an instrument entitled "First Amendment to Declaration of Condominium Ownership for The Landings of Walden Condominium" (hereinafter referred to as "First Amendment"), which was filed with the Portage County Auditor and recorded in Volume 973, Pages 88 et seq. of the Portage County Record of Deeds, and further in Plat Book 27, Pages 40 et seq. of the Portage County Record of Plats; and,

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2. Declarant is the owner of Phase IV as described in Exhibit "B" Amended, which, together with buildings and all improvements thereon, all easements, rights, appurtenances belonging thereto, and all articles of personal property existing thereon for the common use of the unit owners, is hereby submitted to the provisions of Chapter 5311 and the provisions of the Declaration, as amended hereby, and is hereby included in and made a part of the condominium property.

3. The Declaration is hereby amended in accordance with the provisions of Articles XV and XIII of the Declaration and Section 5311.051 of the Ohio Revised Code in the following respects:

A. Article IV; Section A (1) is hereby deleted in its entirety and the following substituted therefor:

Article IV. General Description of Buildings and Improvements.

A. Buildings.

1) There are twenty-eight (28) buildings, both single and multi-level constructed of wood, brick, block and glass construction containing in the aggregate fifty-four (54) separate condominium units. The location, layout, designation and boundaries of said units and the location, layout, designation and boundaries of the common areas, insofar as is graphically practical are shown on the set of drawings set forth in Exhibits "A" and "A-1" for Phase I and amendments to Exhibits "A" and "A-1" for subsequent phases as added by amendment to this Declaration upon addition of any portion of the real property described in Exhibit "F", pursuant to the provisions of Article XV hereof, all as attached hereto and incorporated by reference herein.

B. There are attached and incorporated by reference herein the following exhibits:

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- i. Exhibit "A" - Amended - Drawings, showing general plan and location of condominium buildings, including six (6) additional condominium units.
- ii. Exhibit "A-1" - Amended - Detailed Building Sheets.
- iii. Exhibit "B" - Amended - Legal description of Condominium Property including Phase IV hereby submitted.
- iv. Exhibit "C" - Amended - Illustrated architectural drawings.
- v. Exhibit "E" - Amended - Schedule of Percentages of Interest.

It is the intent of Declarant by adopting this Third Amendment to Declaration of Condominium Ownership for The Landings of Walden Condominium that said foregoing amended exhibits be made a part of the condominium documents as though submitted with the original Declaration.

C. Declarant further expressly states that any reference to the percentage of interest contained in the original Declaration and By-Laws of the Association or in any other place should be determined by using the percentages of interest of each unit as set forth in Exhibit "E" - Amended as has been attached hereto and incorporated herein by reference in this amendment to the Declaration.

D. Declarant further expressly states that by adopting and making the foregoing Declaration, it is its intent to create an additional six (6) condominium units, 26-R, 26-AS, 27-J, 28-J, 28-TC and 28-TS, for a total of fifty-four (54) units in The Landings of Walden Condominium.

E. For the purpose of providing certain information previously contained in the original Declaration and required to be con-

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tained in this Amendment pursuant to Section 5311.051 of the Ohio Revised Code, Declarant further expressly states that the original Declaration, except as revised by this Amendment, is hereby incorporated by reference into this Amendment.

IN WITNESS WHEREOF, The Walden Co., Ltd. pursuant to Articles XIII and XV of the original Declaration and Section 5311.051 of the Ohio Revised Code, and as owner of the land contained in the additions to The Landings of Walden Condominium hereby causes this instrument, consisting of this and four (4) preceding pages, to be executed this 29th day of November, 1982.

Witnessed By:

THE WALDEN COMPANY, LTD.,
an Ohio Limited Partnership

Vicki Smith
David A. Eli

By Manuel Barenholtz
Manuel Barenholtz
General Partner

STATE OF OHIO)
) SS
COUNTY OF PORTAGE)

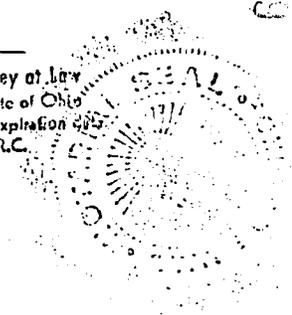
Before me, a Notary Public in and for said County and State, personally appeared the above named THE WALDEN COMPANY, LTD., by Manuel Barenholtz, its General Partner, being duly authorized to act for said partnership and acknowledged that he did sign the foregoing instrument and that the same is his free and voluntary act and deed and the free act and deed of said Partnership.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Kent, Ohio this 29th day of November, 1982.

David A. Eli
Notary Public

This instrument was prepared by:
Charles E. Zumkehr, Esquire, and
David A. Eli, Esquire
Eleven South River Street
Kent, Ohio 44240
(216) 673-3444

DAVID A. ELI, Attorney at Law
Notary Public for State of Ohio
My commission has no expiration date
Sec. 147.03 R.C.

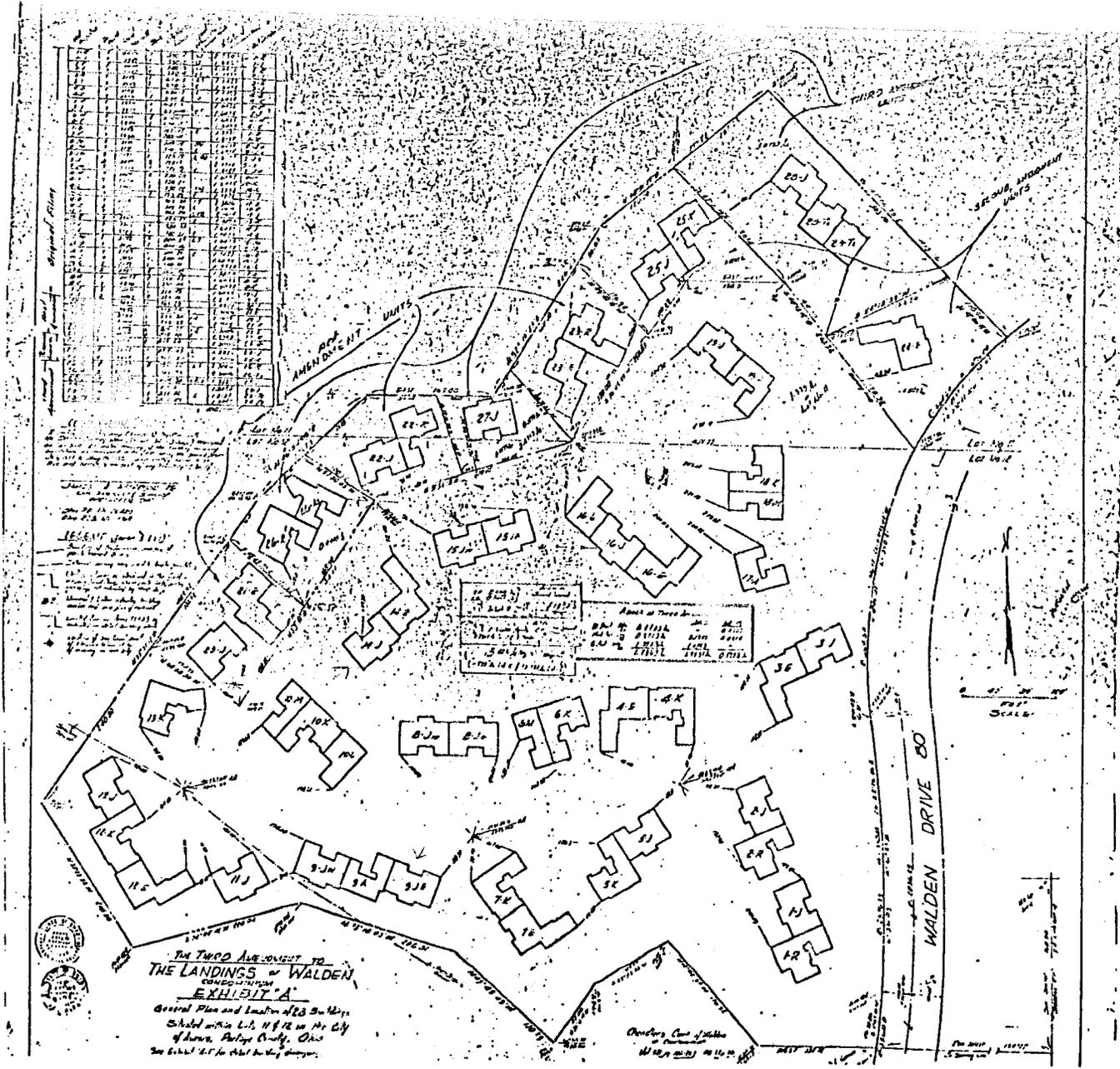


1982 NOV 29 PM 5:49

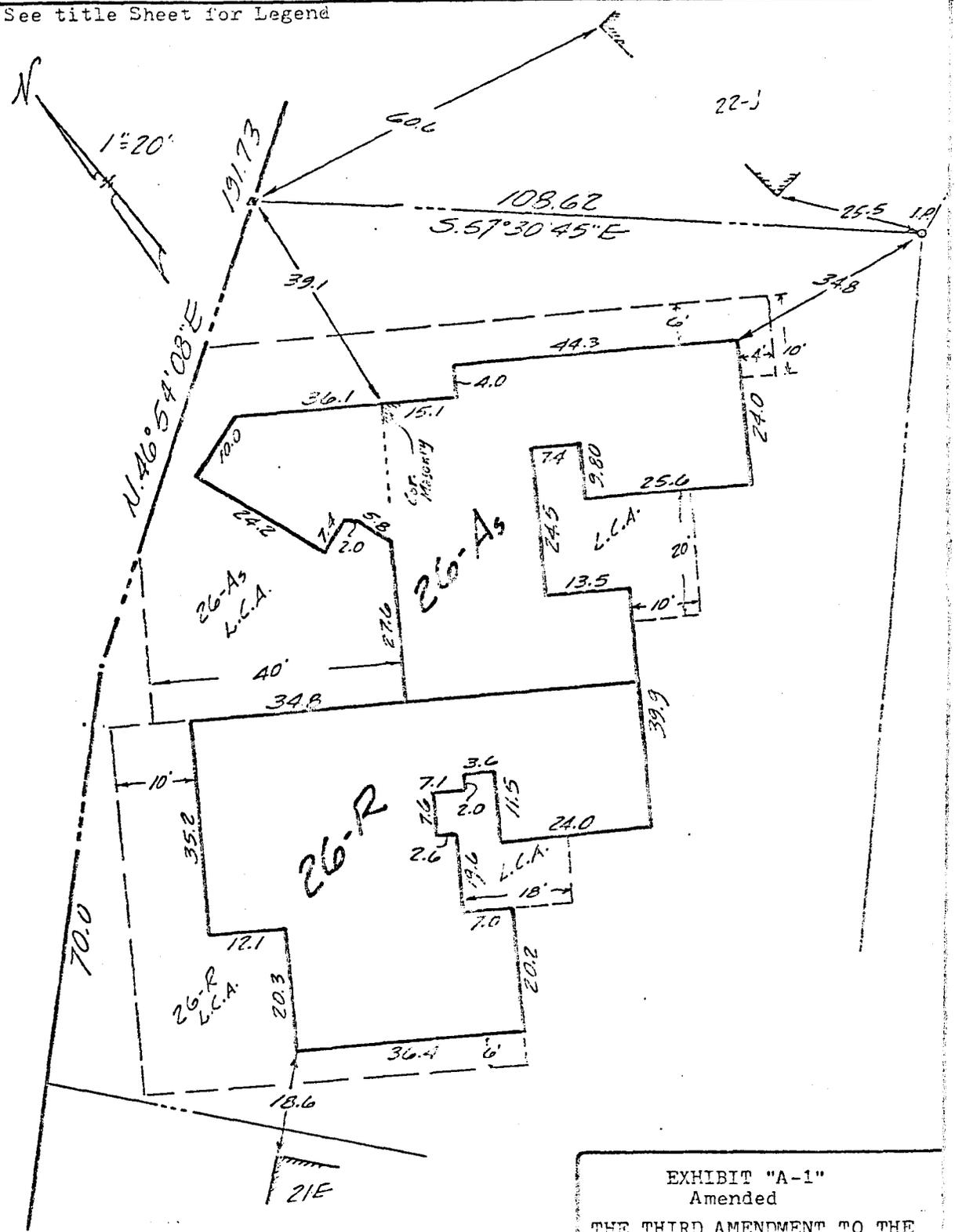
LIST OF DOCUMENTS AND EXHIBITS

1. Third Amendment to Declaration of Condominium Ownership for The Landings of Walden Condominium.
2. Exhibit "A" - Amended - Drawings, showing general plan and location of condominium buildings, including six (6) additional condominium units.
3. Exhibit "A-1" - Amended - Detailed Building Sheets.
4. Exhibit "B" - Amended - Legal description of Condominium Property including Phase IV hereby submitted.
5. Exhibit "C" - Amended - Illustrated architectural drawings.
6. Exhibit "E" - Amended - Schedule of Percentages of Interest.

VOL 1000 P.0350



See title Sheet for Legend



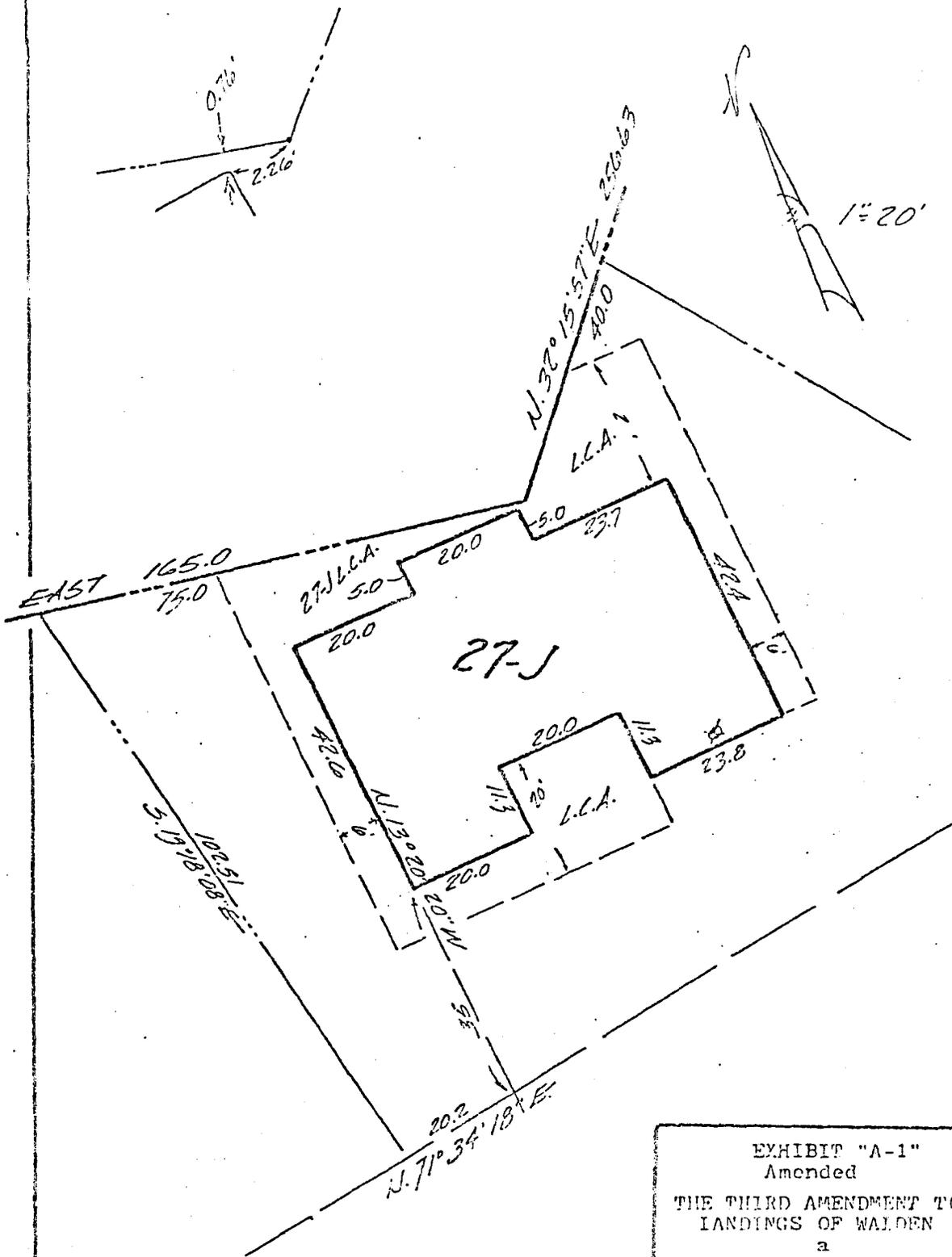
Datum Elevation 1048.1
 Upper Limit Plane 1072.0
 Lower Limit Plane 1035.0

EXHIBIT "A-1"
 Amended
 THE THIRD AMENDMENT TO THE
 LANDINGS OF WALDEN
 a
 CONDOMINIUM
 DETAIL BUILDING PLAN
 and
 Foundation "As Built"
 dimensions

Sheet 1 of 3

Vol 1000 No 0552

See Title Sheet for Legend



Datum Elevation 1058.2
Upper Limit Plane 1076.2
Lower Limit Plane 1044.2

EXHIBIT "A-1"
Amended
THE THIRD AMENDMENT TO THE
LANDINGS OF WALDEN
a
CONDOMINIUM
DETAIL BUILDING PLAN
and
Foundation "as built"
dimensions
Sheet 2 of 3

Vol 1000 pg 0553

EXHIBIT "B" - AMENDED
LEGAL DESCRIPTION

PHASE I

Situated in the City of Aurora, County of Portage, and State of Ohio, and known as being a part of Lot Nos. 11 and 12 in the said City and being bounded and described as follows:

Commencing at the northeast corner of Lot No. 12; thence, due South in the east line of Lot 12 and the centerline of Bissell Road a distance of 768.94 feet to a point; thence, due West a distance of 1547.27 feet to an iron pin, the same being the northeast corner of Chandler's Cove of Walden, a condominium as recorded in Volume 22, Page 46 of the Portage County Plat Records, the same being the true place of beginning of the parcel bounded hereby;

thence, due West a distance of 152.72 feet to an iron pin;

thence, North 42° 42' 34" West a distance of 176.92 feet to an iron pin;

thence, South 59° 55' 53" West a distance of 109.77 feet to a point;

thence, South 36° 15' 14" West a distance of 93.00 feet to an iron pin, the same marking the northwest corner of said Chandler's Cove;

thence, North 49° 45' 49" West a distance of 170.29 feet to a point;

thence, North 73° 18' 03" West a distance of 208.81 feet to an iron pin;

thence, South 74° 44' 42" West a distance of 228.04 feet to a point;

thence, North 33° 23' 55" West a distance of 218.00 feet to a point;

thence, North 35° 37' 12" East a distance of 240.00 feet to a point;

thence, South 60° 58' 30" East a distance of 134.73 feet to an iron pin;

thence, North 33° 51' 10" East a distance of 315.00 feet to an iron pin;

thence, North 71° 34' 18" East a distance of 270.85 feet to a point in the south line of Lot No. 11;

thence, North 36° 43' 39" East a distance of 250.85 feet to a point;

thence, due East a distance of 130.00 feet to a point;

thence, South 40° 13' 12" East a distance of 263.32 feet to a point in the west line of Walden Drive;

thence, southerly along the west line of Walden Drive along a circular arc curving to the left and having a Chord length of 346.17 feet, a radius of 664.64 feet, and Chord bearing of South 9° 23' 42" West, an arc distance of 350.21 feet to an iron pin;

thence, South 5° 41' 43" East a distance of 6.31 feet to a point;

thence, southerly along the west line of Walden Drive along a circular arc curving to the right and having a Chord length of 350.88 feet, a radius of 3084.70 feet, and Chord bearing of South 2° 26' 06" East, an arc distance of 351.09 feet to an iron pin;

thence, South 5° 07' 01" West a distance of 70.86 feet to the true place of beginning and containing within said bounds 15.076 acres, there being 1.339 acres in Lot No. 11, and 13.737 acres in Lot No. 12.

Surveyed and described in April of 1973 by James A. Morrison, Registered Surveyor No. 4760.

RECEIVED FOR RECORD
TAX MAP DEPT.
DATE 12-2-82

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TAX MAP DEPT.
DATE 12-2-82~~

PHASE II

Situated in the City of Aurora, County of Portage, and State of Ohio, and known as being a part of Lot Nos. 11 and 12 in said City and being bounded and described as follows:

Commencing at the northeast corner of Lot No. 12; thence, due South in the east line of Lot 12 and the centerline of Bissell Road a distance of 768.94 feet to a point; thence, due West a distance of 1547.27 feet to an iron pin, the same being the northeast corner of Chandler's Cove of Walden, a condominium as recorded in Volume 22, Page 46 of the Portage County Plat Records,

thence, due West a distance of 152.72 feet to an iron pin;

thence, North 42° 42' 34" West a distance of 176.92 feet to an iron pin;

thence, South 59° 55' 53" West a distance of 109.77 feet to a point;

thence, South 36° 15' 14" West a distance of 93.00 feet to an iron pin, the same marking the northwest corner of said Chandler's Cove;

thence, North 49° 45' 49" West a distance of 170.29 feet to a point;

thence, North 73° 18' 03" West a distance of 208.81 feet to an iron pin;

thence, South 74° 44' 42" West a distance of 228.04 feet to a point;

thence, North 33° 23' 55" West a distance of 218.00 feet to a point;

thence, North 35° 37' 12" East a distance of 240.00 feet to a point, the same being the true place of beginning of the parcel bounded hereby;

thence, North 35° 37' 12" East a distance of 175.92 feet to a point;

thence, South 49° 43' 39" East a distance of 129.65 feet to a point;

thence, North 33° 51' 10" East a distance of 165.00 feet to an iron pin;

thence, North 57° 30' 45" West a distance of 108.62 feet to a point;

thence, North 46° 54' 08" East a distance of 111.73 feet to a point;

thence, due East a distance of 90.00 feet to a point;

thence, South 19° 18' 08" East a distance of 102.51 feet to a point;

thence, North 71° 34' 18" East a distance of 150.85 feet to an iron pin set in the north line of Lot No. 12;

thence, North 44° 13' 07" West a distance of 115.64 feet to a point;

thence, North 32° 15' 57" East a distance of 160.00 feet to a point;

thence, South 49° 47' 15" East a distance of 126.88 feet to a point;

thence, South 36° 43' 39" West a distance of 170.00 feet to said iron pin, in the north line of Lot No. 12;

thence, South 71° 34' 18" West a distance of 270.85 feet to an iron pin;

thence, South 33° 51' 10" West a distance of 315.00 feet to a point;

thence, North 60° 58' 30" West a distance of 134.73 feet to the true place of beginning of the lands bounded hereby, being three non-adjacent parcels having a total acreage of 1.3610 acres, there being 0.5942 acres in Lot No. 11 and 0.7668 acres in Lot No. 12.

Described in October of 1979 by James Morrison, Registered Surveyor No. 4760.

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RECEIVED FOR RECORD
TAX MAP DEPT.

PHASE III

Situated in the City of Aurora, County of Portage, and State of Ohio, and known as being a part of Lot No. 11 in said City and being bounded and described as follows:

Commencing at the northeast corner of Lot No. 12; thence, due South in the east line of Lot 12 and the centerline of Bissell Road a distance of 768.94 feet to a point; thence due West a distance of 1547.27 feet to an iron pin, the same being the northeast corner of Chandler's Cove of Walden, a condominium as recorded in Volume 22, Page 46 of the Portage County Plat Records;

thence, due West a distance of 152.72 feet to an iron pin;

thence, North 42° 42' 34" West a distance of 176.92 feet to an iron pin;

thence, South 59° 55' 53" West a distance of 109.77 feet to a point;

thence, South 36° 15' 14" West a distance of 93.00 feet to an iron pin, the same marking the northwest corner of said Chandler's Cove;

thence North 49° 45' 49" West a distance of 170.29 feet to a point;

thence, North 73° 18' 03" West a distance of 208.81 feet to an iron pin;

thence, South 74° 44' 42" West a distance of 228.04 feet to a point;

thence, North 33° 23' 55" West a distance of 218.00 feet to a point;

thence, North 35° 37' 12" East a distance of 240.00 feet to a point;

thence, South 60° 58' 30" East a distance of 134.73 feet to an iron pin;

thence, North 33° 51' 10" East a distance of 315.00 feet to an iron pin;

thence, North 71° 34' 18" East a distance of 270.85 feet to a point in the south line of Lot No. 11;

thence, North 36° 43' 39" East a distance of 250.85 feet to a point;

thence, due East a distance of 130.00 feet to a point;

thence, South 40° 13' 12" East a distance of 263.32 feet to a point in the west line of Walden Drive, the same being the true place of beginning of the parcel added to the Landings of Walden Condominium;

thence, northeasterly along the west line of Walden Drive, along a curve to the right having a radius of 664.64 feet, an arc length of 190.63 feet, and a chord of North 32° 42' 40" East, 189.99 feet to a point;

thence, North 47° 06' 25" West a distance of 110.00 feet to a point;

thence, South 54° 18' 39" West a distance of 168.96 feet to a point;

thence, North 40° 13' 12" West a distance of 85.00 feet to an iron pin;

thence, due West a distance of 130.00 feet to an iron pin;

thence, South 36° 43' 39" West a distance of 80.85 feet to a point;

thence, North 49° 47' 15" West a distance of 126.88 feet to a point;

thence, North 32° 15' 57" East a distance of 56.63 feet to an iron;

thence, North 50° 51' 22" East a distance of 120.00 feet to a point;

thence, South 47° 11' 15" East a distance of 207.11 feet to an iron pin;

thence, South 40° 13' 12" East a distance of 263.32 feet to the place of beginning and containing within said bounds two non-adjacent parcels having a total of 1.1433 acres of land as surveyed in April of 1980 by James A. Morrison, Registered Surveyor No. 4760.

RECEIVED FOR RECORD
TAX MAP DEPT.

APPROVED
PORTAGE COUNTY ENGINEER
NO PLAT REQUIRED
139.13
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DESCRIPTION OF AREA TO BE INCLUDED IN THE THIRD AMENDMENT TO THE
LANDINGS OF WALDEN CONDOMINIUM

Situated in the City of Aurora, County of Portage and State of Ohio, and known as being situated in Lots 11 and 12 in said City and being within lands indicated in the original filing of the general plan for the Landings of Walden Condominium and being three non adjacent parcels bounded and described as follows:

Commencing at the northeast corner of Lot 12; thence, Due South in the east line of Lot 12 and the centerline of Bissell Road a distance of 768.94 feet to a point; thence, Due West a distance of 1547.27 feet to an iron pin, the same being the southeast corner of the original filing of the Landings of Walden Condominium;

thence following the bounds of said original filing by the following courses:

- Due West, 152.72 feet;
- North 42° 42' 34" West, 176.92 feet;
- South 59° 55' 53" West, 109.77 feet;
- South 36° 15' 14" West, 93.00 feet;
- North 49° 45' 49" West, 170.29 feet;
- North 73° 18' 03" West, 208.81 feet;
- South 74° 44' 42" West, 228.04 feet;
- North 33° 23' 55" West, 218.00 feet;
- North 35° 37' 12" East, 485.92 feet to a point "A";
- North 46° 54' 08" East, 192.73 feet;
- Due East, 165.00 feet to a point "B";
- North 32° 15' 57" East, 256.63 feet;
- North 50° 51' 22" East, 120.00 feet to a point being the

most northerly corner of the Second Amendment to the Landings of Walden Condominium recorded in Vol. 979 page 130 and the same being the True place of Beginning of the parcel bounded hereby;

- thence, North 50° 51' 22" East, 157.22 feet to a point;
- thence, South 47° 06' 25" East, 303.16 feet to a point;
- thence, South 54° 18' 39" West, 168.96 feet to a point;
- thence, North 40° 13' 12" West, 85.00 feet to an iron pin;
- thence, North 47° 11' 15" West, 207.11 feet to the True Place of Beginning and bounding the east non adjacent parcel;

- thence, returning to point "B", and thence, North 32° 15' 57" East, 40.00 feet to a point;
- thence, South 44° 13' 07" East, 115.64 feet to an iron pin;
- thence, South 71° 34' 18" West, 150.85 feet;
- thence, North 19° 18' 08" West, 102.51 feet;
- thence, Due East, 75.00 feet to point "B" and bounding the center of three non adjacent parcels;

- thence, returning to point "A", and thence North 46° 54' 08" East, 80.00 feet to a point;
- thence, South 57° 30' 45" East, 108.62 feet to an iron pin;
- thence, South 33° 51' 10" West, 165.00 feet;
- thence, North 49° 43' 39" East, 129.65 feet;
- thence, North 35° 37' 12" East, 70.00 feet to point "A" and bounding the west non adjacent parcel;

Containing within described parcels 1.7869 Acres, there being 1.2591 Ac. in Lot 11 and 0.5278 Acres in Lot 12.

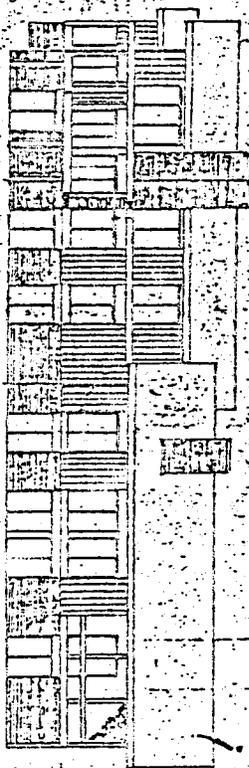
James S. Mowbray
11-27-82

12-2-82

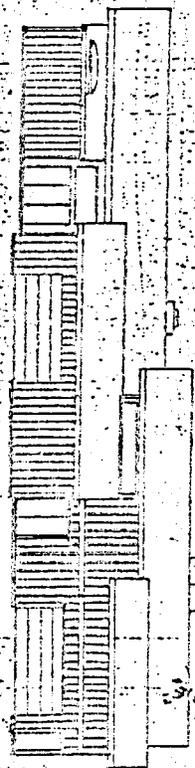
APPROVED
PORTAGE COUNTY ENGINEER
NO PLAT REQUIRED
By *[Signature]*
Map Draftsman

AURORA 11 812 RAT

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OUT OF	OUT OF
132.99	162.62
Bar	Bar
131.73	162.00



222 EASTERN

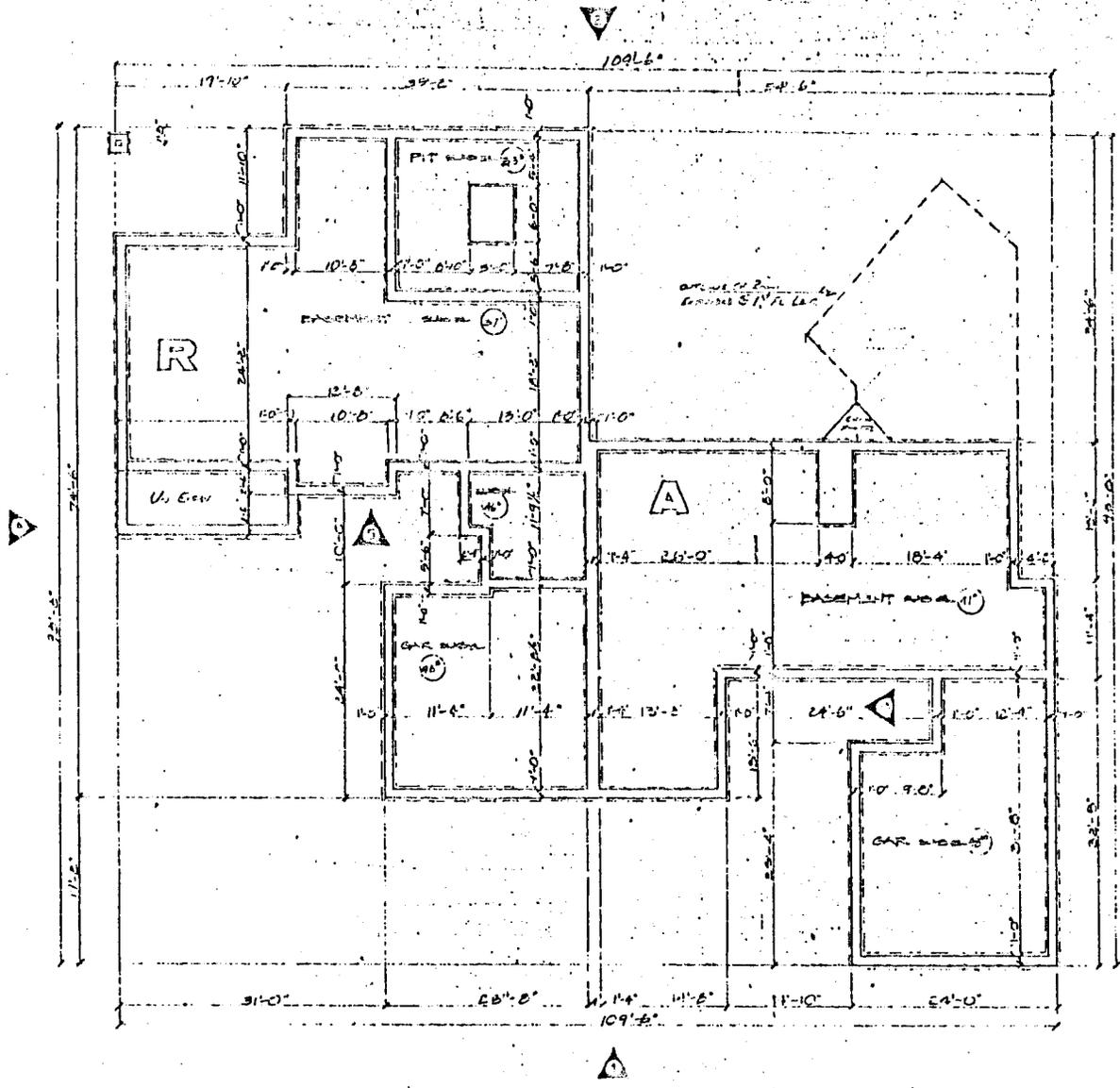


222 EASTERN

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LANDINGS OF WALDEN
 BUILDING NO.
 26

1000 10550



LANDINGS OF WALDEN
BUILDING NO. 26

Landings of Wablow, Inc

RECEIVED FOR RECORD
TAX MAP DEPT.

BY *[Signature]* DATE 12-2-82

EXHIBIT "E" - AMENDED

SCHEDULE OF PERCENTAGES OF INTEREST

<u>UNIT DESIGNATION</u>	<u>CITY HSE.NO. ADDRESS</u>	<u>% INTEREST IN THE COMMON AREAS</u>	<u>STREET DESIGNATION</u>
1-R	390-1	2.2309	Windward Lane
1-J	390-2	1.9521	" "
2-R	380-3	2.0915	" "
2-J	380-4	1.9521	" "
3-E	670-5	1.7429	Windward Drive
3-J	670-6	1.6035	" "
4-E	680-7	1.7429	" "
4-K	680-8	1.6035	" "
5-K	685-9	1.6035	" "
5-J	685-10	1.6035	" "
6-M	690-11	1.6035	" "
6-K	690-12	1.6035	" "
7-E	705-13	1.9521	" "
7-K	705-14	1.8127	" "
8-JE	710-15	1.6035	" "
8-JW	710-16	1.6035	" "
9-JE	725-17	1.8127	" "
9-A	725-18	2.0915	" "
9-JW	725-19	1.8127	" "
10-M	730-20	1.6035	" "
10-K	730-21	1.6035	" "
10-L	730-22	1.5338	" "

<u>UNIT DESIGNATION</u>	<u>CITY HSE. NO. ADDRESS</u>	<u>% INTEREST IN THE COMMON AREAS</u>	<u>STREET DESIGNATION</u>
11-J	735-23	1.8824	Windward Drive
12-E	745-24	2.3006	" "
12-K	745-25	2.1614	" "
12-J	745-26	2.1614	" "
13-K	755-27	1.8824	" "
14-J	780-30	1.6035	" "
14-E	780-31	1.7429	" "
15-JW	800-37	1.6035	" "
15-JE	800-36	1.6035	" "
16-E	340-39	1.7429	Windward Circle
16-J	340-40	1.6035	" "
16-L	340-41	1.5338	" "
17-A	336-42	1.8824	" "
18-M	330-43	1.6035	" "
18-K	330-44	1.6035	" "
19-J	320-45	1.6035	" "
19-A	320-46	1.8127	" "
20-J	765-28	1.8824	Windward Drive
21-E	775-29	2.3006	" "
22-J	795-34	2.1615	" "
22-R	795-35	2.0915	" "
23-E	815-47	2.3006	" "
23-R	815-48	2.2309	" "
24-E	839-54	2.3006	" "
25-J	825-49	1.8824	" "
25-K	825-50	2.3006	Windward Drive
26-R	785-32	2.3006	" "
26-AS	785-33	2.3006	" "
27-J	805-38	1.9521	" "
28-J	835-51	1.8824	" "
28-TC	835-52	1.5187	" "
28-TS	835-53	1.5042	" "

100.0000