

AMENDMENTS TO THE
DECLARATION OF RESTRICTIVE COVENANTS
FOR
RIDGEWOOD FALLS SUBDIVISION
AND
BYLAWS
OF
RIDGEWOOD FALLS GARDEN CLUB, INC.

PLEASE CROSS MARGINAL REFERENCE WITH THE DECLARATION OF RESTRICTIVE COVENANTS FOR RIDGEWOOD FALLS SUBDIVISION RECORDED AT INSTRUMENT NO. 1999OR037069 AND BYLAWS OF RIDGEWOOD FALLS GARDEN CLUB, INC. RECORDED AT INSTRUMENT NO. 2005OR012620 OF THE MEDINA COUNTY RECORDS.

5509-1

AMENDMENTS TO THE
DECLARATION OF RESTRICTIVE COVENANTS FOR
RIDGEWOOD FALLS SUBDIVISION AND BYLAWS OF RIDGEWOOD FALLS
GARDEN CLUB, INC.

WHEREAS, the Declaration of Restrictive Covenants for Ridgewood Falls Subdivision (the "Declaration") was recorded at Medina County Records Instrument No. 1999OR037069 and the Bylaws of Ridgewood Falls Garden Club, Inc. (the "Bylaws") was recorded at Medina County Records Instrument No. 2005OR012620, and

WHEREAS, the Ridgewood Falls Garden Club, Inc. (the "Association") is a corporation consisting of all Owners in Ridgewood Falls Garden Club and as such is the representative of all Owners, and

WHEREAS, Article V, Section 3 of said Declaration authorizes amendments to the Declaration and Bylaws Article VII, Section 6 authorizes amendments to the Bylaws, and

WHEREAS, Owners representing a majority of the Association's current voting power have executed instruments in writing setting forth specifically the matters to be modified (the "Amendments"), and

WHEREAS, the Association has in its records the signed, written consents to Amendment A signed by Owners representing 64.67% of the Association's voting power as of January 18, 2011, and

WHEREAS, the Association has in its records the power of attorney signed by Owners representing 64.67% of the Association's voting power authorizing the Association's officers to execute Amendment A on their behalf, and

WHEREAS, the Association has in its records the signed, written consents to Amendment B signed by Owners representing 59.23% of the Association's voting power as of January 18, 2011, and

WHEREAS, the Association has in its records the power of attorney signed by Owners representing 59.23% of the Association's voting power authorizing the Association's officers to execute Amendment B on their behalf, and

WHEREAS, the Association has in its records the signed, written consents to Amendment C signed by Owners representing 63.04% of the Association's voting power as of January 18, 2011, and

WHEREAS, the Association has in its records the power of attorney signed by Owners representing 63.04% of the Association's voting power authorizing the Association's officers to execute Amendment C on their behalf, and

WHEREAS, the Association has in its records the signed, written consents to Amendment D signed by Owners representing 75.54% of the Association's voting power as of January 18, 2011, and

WHEREAS, the Association has in its records the power of attorney signed by Owners representing 75.54% of the Association's voting power authorizing the Association's officers to execute Amendment D on their behalf, and

WHEREAS, the proceedings necessary to amend the Declaration as required by the Declaration have in all respects been complied with.

NOW THEREFORE, the Declaration of Restrictive Covenants for Ridgewood Falls Subdivision and Bylaws of Ridgewood Falls Garden Club, Inc. is hereby amended by the following:

AMENDMENT A

INSERT a new DECLARATION ARTICLE I, SECTION 13. Said new addition, to be added on Page 3 of the Declaration, as recorded at Medina County Records, Instrument No. 1999OR037069, is as follows:

13. A person who is classified a Tier III or Tier II sexual offender/child-victim offender, or any future equivalent classification, and for whom the County Sheriff or other government entity must provide community notification of the sex offender's residence is prohibited from residing in or occupying a Lot or remaining in or on the property for any length of time. The classification of a sexual offender/child-victim offender and determination of whether notice is required is made by a court of law pursuant to the Ohio Sex Offenders Act, as may be amended and/or renamed from time to time, or similar

statute from another jurisdiction. The Association shall not, however, be liable to any Owner or occupant, or anyone visiting any Owner or the Association, as a result of the Association's alleged failure, whether negligent, intentional, or otherwise, to enforce the provisions of this restriction.

Any conflict between this provision and any other provisions of the Declaration and Bylaws shall be interpreted in favor of this restriction on the occupancy of Lots. Upon the recording of this amendment, only Owners of record at the time of such filing shall have standing to contest the validity of the amendment, whether on procedural, substantive or any other grounds, provided further that any such challenge shall be brought in the court of common pleas within one year of the recording of the amendment.

AMENDMENT B

MODIFY DECLARATION ARTICLE I, SECTION 3. Said modification, to be made on Page 2 of the Declaration, as recorded at Medina County Records, Instrument No. 1999OR037069, and as amended at Instrument No. 2002OR043451, is as follows (deleted language is crossed-out; new language is underlined):

3. No building of any kind shall ever be moved on said lot. However, a structure built in compliance with the Zoning Code of Montville Township ~~not greater than eight (8) feet in width, ten (10) feet in length, and eight (8) feet in height~~ is permitted when used exclusively for storage of gardening, lawn care, or household maintenance tools and equipment, or personal household goods provided such a structure is constructed of natural wood products and is of earthtone colors, and is located in the rear yard of the lot, ~~and is not located closer than three (3) feet to any property boundary line.~~

Any conflict between this provision and any other provisions of the Declaration and Bylaws shall be interpreted in favor of this restriction on structures built on Lots. Upon the recording of this amendment, only Owners of record at the time of such filing shall have standing to contest the validity of the amendment, whether on

procedural, substantive or any other grounds, provided further that any such challenge shall be brought in the court of common pleas within one year of the recording of the amendment.

AMENDMENT C

MODIFY DECLARATION ARTICLE I, SECTION 5. Said modification, to be made on Page 2 of the Declaration, as recorded at Medina County Records, Instrument No. 1999OR037069, and as amended at Instrument No. 2002OR043451, is as follows (deleted language is crossed-out; new language is underlined):

5. No fence or railing, including hedge or shrubbery fence, shall be built or permitted on said property in the front or side yards of any dwelling the height of which exceeds ~~forty-two (42)~~ forty-two (42) inches; no such fence shall be built or permitted in the rear yard of any dwelling the height of which exceeds six (6) feet. No fence shall be of wire or chain link construction.

Any conflict between this provision and any other provisions of the Declaration and Bylaws shall be interpreted in favor of this restriction on fences erected on Lots. Upon the recording of this amendment, only Owners of record at the time of such filing shall have standing to contest the validity of the amendment, whether on procedural, substantive or any other grounds, provided further that any such challenge shall be brought in the court of common pleas within one year of the recording of the amendment.

AMENDMENT D

INSERT a new BYLAWS ARTICLE V, SECTION 10 entitled, "Cost of Collection." Said new addition, to be added on Page 11 of the Bylaws as recorded at Medina County Records, Instrument No. 2005OR012620, is as follows:

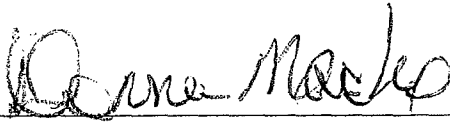
Section 10. Cost of Collection. An Owner, who fails to pay any assessments within ten (10) days after same have become due and payable, shall be liable for any late charges as established by the Board and any and all costs and expenses incurred by the Association in connection with the collection of said Owner's account, including

reasonable attorneys' fees, recording costs, title reports and/or court costs.

Any conflict between these provisions and any other provisions of the Declaration and Bylaws shall be interpreted in favor of this amendment regarding the cost of collection. Upon the recording of this amendment, only Owners of record at the time of such filing shall have standing to contest the validity of the amendment, whether on procedural, substantive or any other grounds, provided further that any such challenge shall be brought in the court of common pleas within one year of the recording of the amendment.

IN WITNESS WHEREOF, the said Ridgewood Falls Garden Club, Inc. has caused the execution of this instrument this 23rd day of FEBRUARY, 2011.

RIDGEWOOD FALLS GARDEN CLUB, INC.

By: 
DONNA MACKO, its President

By: 
JOSEPH STICHA, its Secretary

STATE OF OHIO)
)
COUNTY OF MEDINA) SS

BEFORE ME, a Notary Public, in and for said County, personally appeared the above named Ridgewood Falls Garden Club, Inc., by its President and its Secretary, who acknowledged that they did sign the foregoing instrument, on Page 6 of 12, and that the same is the free act and deed of said corporation and the free act and deed of each of them personally and as such officers.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal in MEDINA, Ohio, this 23rd day of FEBRUARY, 2011.

Elaine C. Stiche
NOTARY PUBLIC

Place notary stamp/seal here:

This instrument prepared by:
KAMAN & CUSIMANO, LLC, Attorneys at Law
2000 Terminal Tower
50 Public Square
Cleveland, Ohio 44113
(216) 696-0650

RIDGEWOOD FALLS SUBDIVISION

Ridgewood Falls Subdivision, situated in the Township of Montville, County of Medina and State of Ohio, and known as being the whole of Sublots 1 through 133 inclusive of Blocks "A" through "K":

<u>SUBDIVISION</u>			<u>SUBDIVISION</u>		
<u>SUBLOT</u>	<u>PPN</u>	<u>PHASE</u>	<u>SUBLOT</u>	<u>PPN</u>	<u>PHASE</u>
1	031-11B-21-129	1	27	031-11B-21-153	1
2	031-11B-21-130	1	28	031-11B-21-154	1
3	031-11B-21-131	1	BLOCK B	031-11B-21-155	1
4	031-11B-21-132	1	BLOCK D	031-11B-21-156	1
5	031-11B-21-133	1	BLOCK A	031-11B-21-157	1
6	031-11B-21-134	1	BLOCK C	031-11B-21-158	1
7	031-11B-21-135	1	29	031-11B-21-176	2
8	031-11B-21-136	1	30	031-11B-21-177	2
9	031-11B-21-137	1	31	031-11B-15-053	2
10	031-11B-21-138	1	32	031-11B-15-054	2
11	031-11B-21-139	1	33	031-11B-15-055	2
12	031-11B-21-140	1	34	031-11B-15-056	2
13	031-11B-21-141	1	35	031-11B-15-057	2
14	031-11B-21-142	1	36	031-11B-15-058	2
15	031-11B-15-051	1	37	031-11B-16-010	2
16	031-11B-15-052	1	38	031-11B-16-011	2
17	031-11B-21-143	1	39	031-11B-16-012	2
18	031-11B-21-144	1	40	031-11B-16-013	2
19	031-11B-21-145	1	41	031-11B-16-014	2
20	031-11B-21-146	1	42	031-11B-16-015	2
21	031-11B-21-147	1	43	031-11B-16-016	2
22	031-11B-21-148	1	44	031-11B-16-017	2
23	031-11B-21-149	1	45	031-11B-16-018	2
24	031-11B-21-150	1	46	031-11B-16-019	2
25	031-11B-21-151	1	47	031-11B-16-020	2
26	031-11B-21-152	1	48	031-11B-16-021	2

<u>SUBDIVISION</u>			<u>SUBDIVISION</u>		
<u>SUBLOT</u>	<u>PPN</u>	<u>PHASE</u>	<u>SUBLOT</u>	<u>PPN</u>	<u>PHASE</u>
BLOCK E	031-11B-15-059	2	80	031-11B-16-111	5
BLOCK G	031-11B-16-023	2	81	031-11B-16-112	5
49	031-11B-16-028	3	82	031-11B-16-113	5
50	031-11B-15-029	3	83	031-11B-16-114	5
51	031-11B-15-060	3	84	031-11B-16-115	5
52	031-11B-15-061	3	85	031-11B-16-116	5
53	031-11B-15-062	3	86	031-11B-16-117	5
54	031-11B-15-063	3	87	031-11B-16-118	5
55	031-11B-15-064	3	88	031-11B-16-119	5
56	031-11B-15-065	3	89	031-11B-16-120	5
57	031-11B-15-066	3	90	031-11B-16-121	5
58	031-11B-15-067	3	91	031-11B-16-122	5
59	031-11B-15-068	3	92	031-11B-15-088	5
60	031-11B-15-069	3	93	031-11B-15-089	5
61	031-11B-15-070	3	94	031-11B-21-217	5
62	031-11B-15-071	3	95	031-11B-22-029	5
63	031-11B-15-072	3	96	031-11B-22-030	5
64	031-11B-15-073	3	97	031-11B-22-031	5
65	031-11B-15-074	3	98	031-11B-22-032	5
66	031-11B-15-075	3	99	031-11B-22-033	5
67	031-11B-15-076	3	100	031-11B-22-034	5
68	031-11B-15-077	3	101	031-11B-22-035	5
BLOCK F	031-11B-16-022	2	102	031-11B-22-036	5
69	031-11B-16-030	3	103	031-11B-22-037	5
70	031-11B-16-031	3	104	031-11B-22-038	5
BLOCK H	031-11B-15-078	3	105	031-11B-22-039	5
71	031-11B-15-079	4	106	031-11B-22-040	5
72	031-11B-15-080	4	107	031-11B-22-041	5
73	031-11B-15-081	4	108	031-11B-22-042	5
74	031-11B-15-082	4	109	031-11B-22-043	5
75	031-11B-15-083	4	110	031-11B-22-044	5
76	031-11B-15-084	4	111	031-11B-22-045	5
BLOCK I	031-11B-16-106	4	112	031-11B-22-046	5
77	031-11B-16-108	5	113	031-11B-16-123	5
78	031-11B-16-109	5	114	031-11B-16-124	5
79	031-11B-16-110	5	115	031-11B-16-125	5

SUBDIVISION

<u>SUBLOT</u>	<u>PPN</u>	<u>PHASE</u>
116	031-11B-16-126	5
117	031-11B-16-127	5
118	031-11B-16-128	5
119	031-11B-16-129	5
120	031-11B-16-130	5
121	031-11B-16-131	5
122	031-11B-16-132	5
123	031-11B-16-133	5
124	031-11B-22-047	5
125	031-11B-22-048	5
126	031-11B-22-049	5
127	031-11B-22-050	5
128	031-11B-22-051	5
129	031-11B-22-052	5
130	031-11B-22-053	5
131	031-11B-22-054	5
132	031-11B-22-055	5
133	031-11B-22-056	5
BLOCK J	031-11B-16-134	5
BLOCK K	031-11B-15-190	5

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RIDGEWOOD FALLS CONDOMINIUM

Ridgewood Falls Condominium situated in the Township of Montville, County of Medina, State of Ohio and known as being part of Montville Township Lots 85 and 88.

<u>CONDO</u> <u>UNIT NO.</u>	<u>PPN</u>	<u>PHASE</u>	<u>CONDO</u> <u>UNIT NO.</u>	<u>PPN</u>	<u>PHASE</u>
1	031-11B-21-196	8	43	031-11B-21-198	9
2	031-11B-21-197	8	44	031-11B-21-199	9
3	031-11B-21-165	2	45	031-11B-21-200	9
4	031-11B-21-166	2	46	031-11B-21-201	9
5	031-11B-21-167	2	53A	031-11B-21-188	6A
6	031-11B-21-168	2	54A	031-11B-21-189	6A
7	031-11B-21-160	1	55A	031-11B-21-190	6A
8	031-11B-21-161	1	56A	031-11B-21-191	6A
9	031-11B-21-162	1	25	031-11B-21-214	11
10	031-11B-21-163	1	26	031-11B-21-215	11
11	031-11B-21-170	3	37	031-11B-21-219	12
12	031-11B-21-171	3	38	031-11B-21-220	12
13	031-11B-21-172	3	47	031-11B-21-222	13
14	031-11B-21-173	3	48	031-11B-21-223	13
19	031-11B-21-174	3	27	031-11B-21-230	14
20	031-11B-21-175	3	28	031-11B-21-231	14
15	031-11B-21-181	5	31	031-11B-21-233	15
16	031-11B-21-182	5	32	031-11B-21-234	15
21	031-11B-21-183	5	29	031-11B-21-240	16
22	031-11B-21-184	5	30	031-11B-21-241	16
17	031-11B-21-178	4			
18	031-11B-21-179	4			
23	031-11B-21-211	10			
24	031-11B-21-212	10			
41	031-11B-21-192	7			
42	031-11B-21-193	7			
51	031-11B-21-194	7			
52	031-11B-21-195	7			

RIDGEWOOD FALLS DETACHED CONDOMINIUMS

Ridgewood Falls Condominium situated in the Township of Montville, County of Medina, State of Ohio and know as being part of Montville Township Lot 88.

DETACHED CONDOMINIUMS

<u>UNIT</u>	<u>PPN</u>
Phase 1	
4	031-11B-15-085
Phase 2	
2	031-11B-15-094
3	031-11B-15-095
5	031-11B-15-092
BLOCK A1	031-11B-15-091
BLOCK B1	031-11B-15-093