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AMENDMENTS TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
INDIAN HILLS CONDOMINIUM

PLEASE CROSS MARGINAL REFERENCE WITH THE DECLARATION OF CONDOMINIUM OWNERSHIP FOR INDIAN HILLS CONDOMINIUM RECORDED AT VOLUME 6987, PAGE 359 ET SEQ. OF THE SUMMIT COUNTY RECORDS.

THIS WILL CERTIFY THAT A COPY OF THESE AMENDMENTS TO THE DECLARATION OF CONDOMINIUM OWNERSHIP FOR INDIAN HILLS CONDOMINIUM WERE FILED IN THE OFFICE OF THE FISCAL OFFICER OF SUMMIT COUNTY, OHIO

DATED: 11-28-2022

BY: KRISTEN M. SCALISE CPA, CFE
FISCAL OFFICER

By: Beverly Coble
Beverly Coble



**AMENDMENTS TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP FOR
INDIAN HILLS CONDOMINIUM**

RECITALS

- A.** The Declaration of Condominium Ownership for Indian Hills Condominium (the "Declaration") and the Bylaws of The Indian Hills Condominium Association, Exhibit C of the Declaration (the "Bylaws"), were recorded at Summit County Records Volume 6987, Page 359 et seq.
- B.** Ohio Revised Code Section 5311.05(E)(1)(c) authorizes the Board of Directors (the "Board"), without a vote of the Unit Owners, to amend the Declaration "to bring the Declaration into compliance with this Chapter."
- C.** The Board approved the following matters to be modified (the "Amendments") to bring the Declaration into compliance with Ohio Revised Code Chapter 5311 ("Chapter 5311").
- D.** Each of the changes set forth in these Amendments are based on or in accordance with Chapter 5311.
- E.** The proceedings necessary to amend the Declaration and Bylaws as permitted by Chapter 5311 and the Declaration have in all respects been complied with.

AMENDMENTS

The Declaration of Condominium Ownership for Indian Hills Condominium and the Bylaws of The Indian Hills Condominium Association are amended by the Board of Directors as follows:

- (1) INSERT a NEW PARAGRAPH to the end of DECLARATION ARTICLE XV, SECTION C.** Said new addition, to be added to the Declaration, as recorded at the Summit County Records, Volume 6987, Page 359 et seq., and as amended at Instrument No. 55149784, is as follows:

The Board will impose the following enforcement procedure:

- A.** Prior to imposing a charge for damages or an enforcement assessment, the Board will give the Unit Owner a written notice, which may be in the form of electronic mail to an electronic mail address previously provided by the owner in writing, that includes:

i) A description of the property damage or violation;

ii) The amount of the proposed charge or assessment;

iii) A statement that the Unit Owner has a right to a hearing before the Board to contest the proposed charge or assessment;

iv) A statement setting forth the procedures to request a hearing;

v) A reasonable date by which the Unit Owner must cure the violation to avoid the proposed charge or assessment.

B. Hearing Requirements:

i) To request a hearing, the Unit Owner must deliver a written notice to the Board not later than the tenth day after receiving the notice required above. If the Unit Owner fails to make a timely request for a hearing, the right to that hearing is waived, and the Board may immediately impose a charge for damages or an enforcement assessment.

ii) If a Unit Owner timely requests a hearing, at least seven days prior to the hearing the Board will provide the Unit Owner with a written notice that includes the date, time, and location of the hearing.

iii) The Board will not levy a charge or assessment before holding a properly requested hearing.

C. The Board may allow a reasonable time to cure a violation described above before imposing a charge or assessment.

D. Within 30 days following a hearing at which the Board imposes a charge or assessment, the Association will deliver a written notice of the charge or assessment to the Unit Owner.

E. The Association will deliver any written notice required above to the Unit Owner or any Unit occupant of the Unit by personal delivery, by electronic mail, by certified mail, return receipt requested, or by regular mail.

(2) **MODIFY DECLARATION ARTICLE VIII, SECTION E.** Said modification, to be made to the Declaration, as recorded at Summit County Records, Volume 6987, Page 359 et seq., is as follows: (new language is underlined)

E. **Priority of Association's Lien.**

The continuing lien provided for in Section D of this Article VIII is prior to any lien or encumbrance subsequently arising or created, except liens for real estate taxes and assessments and liens of bona fide first mortgages that have been filed for record before the lien of the Association came into existence, and may be foreclosed in the same manner as a mortgage on real property in an action brought by the Association after authorization from the Board of Directors.

(3) **MODIFY THE 2nd SENTENCE of DECLARATION ARTICLE VIII, SECTION D.** Said modification, to be made to the Declaration, as recorded at Summit County Records, Volume 6987, Page 359 et seq., is as follows: (new language is underlined)

The continuing lien is effective on the date a certificate of lien, subscribed by the President, designated representative, or other chief officer of the Association, is filed for record in the office of the Recorder of the County of Summit, Ohio, pursuant to authorization given by the Board of Managers of the Association.

(4) **INSERT PARAGRAPH to the end of BYLAWS ARTICLE VI, SECTION 6.** Said addition, to be added to the Bylaws, Exhibit C of the Declaration, as recorded at Summit County Records, Volume 6987, Page 359 et seq., is as follows:

The Association, as determined by the Board, is not required to permit the examination and copying of any of the following from books, records, or minutes that contain any of the following:

(a) Information that pertains to Condominium Property-related personnel matters;

(b) Communications with legal counsel or attorney work product pertaining to pending litigation or other Condominium Property-related matters;

(c) Information that pertains to contracts or transactions currently under negotiation, or information that is contained in a contract or other agreement containing confidentiality requirements and that is subject to those requirements;

(d) Information that relates to the enforcement of the Declaration, Bylaws, or Association rules and regulations against a Unit Owner;

(e) Information the disclosure of which is prohibited by state or federal law; or

(f) Records that date back more than five years prior to the date of the request.

(5) **MODIFY** the 1st PARAGRAPH of **BYLAWS ARTICLE II, SECTION 1**. Said modification, to be made to the Bylaws, Exhibit C of the Declaration, as recorded at Summit County Records, Volume 6987, Page 359 et seq., and as amended at Instrument No. 55869691 is as follows: (deleted language is crossed out; new language is underlined)

Section 1. Number and Qualification. The Board of Directors shall consist of five (5) persons, all of whom, except as otherwise provided, must be Unit Owners and occupants of a Unit or the spouse (who must be an occupant) of a Unit Owner and a member in good standing at the time of the Annual or Special Meeting held for the election of Board members. **If a Unit Owner is not an individual, that Unit Owner may nominate for the Board of Directors any principal, member of a limited liability company, partner, director, officer, or employee of that Unit Owner. The majority of the Board will not consist of Unit Owners or representatives from the same Unit unless authorized by a resolution adopted by the Board of Directors prior to the Board majority being comprised of Unit Owners or representatives from the same Unit. Notwithstanding anything herein, no Unit may be represented by more than one person on the Board at any one time.**—If at any time one bank, savings and loan association, insurance company or other lending Institution shall hold mortgages upon more than fifty percent (50%) of the Units, such lending institution may designate its representative, who shall be a sixth (6th) member of the Board. Such representative need not be an Owner or occupant of a Unit.

(6) **INSERT PARAGRAPH** to the end of **DECLARATION ARTICLE XIV**. Said new addition, to be added to the Declaration, as recorded at Summit County Records, Volume 6987, Page 359 et seq., is as follows:



Notwithstanding the above, without a Unit Owner vote, the Board may amend the Declaration in any manner necessary for any of the following purposes:

- A. To meet the requirements of institutional mortgagees, guarantors and insurers of first mortgage loans, the federal national mortgage association, the federal home loan mortgage corporation, the federal housing administration, the veterans administration, and similar institutions;
- B. To meet the requirements of insurance underwriters;
- C. To bring the Declaration into compliance with the Ohio Condominium Act (Revised Code Chapter 5311);
- D. To correct clerical or typographical errors or obvious factual errors in the Declaration or an exhibit to the Declaration;
- E. To designate a successor to the person named to receive service of process for the Association. If the Association is incorporated in Ohio, this may be accomplished by filing with the Secretary of State an appropriate change of statutory agent designation;
- F. To delete as void, any provision within the Declaration or Bylaws, or in any applicable restriction or covenant, that prohibits, limits the conveyance, encumbrance, rental, occupancy, or use of property subject to Revised Code Chapter 5311 on the basis of race, color, national origin, sex, religion, or familial status; or
- G. To permit notices to Unit Owners, as required by the Declaration or Bylaws, to be sent by electronic mail and, if returned undeliverable, by regular mail, provided the association has received the prior, written authorization from the Unit Owner.

Any Unit Owner who is aggrieved by an amendment to the Declaration that the Board of Directors makes in accordance with the above may commence a declaratory judgment action to have the amendment declared invalid as violative of the above. Any action filed to contest the validity of the amendment must be filed in the



appropriate court of common pleas within one year from the date of the recordation of the amendment.

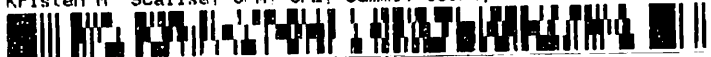
(7) **MODIFY BYLAWS ARTICLE II, SECTION 10(J)(1).** Said modification, to be made to the Bylaws, Exhibit C of the Declaration, as recorded at Summit County Records, Volume 6987, Page 359 et seq., and as amended at Instrument No. 55149784, is as follows: (deleted language is crossed out; new language is underlined)

(1) **Commence, defend, intervene in, settle, or compromise any civil, criminal, land use planning or administrative action or proceeding that is in the name of, or threatened against, the Association, the Board, or the Condominium Property, or that involves two or more Unit Owners, impacts zoning, or otherwise—and relates to matters affecting the Condominium Property;**

(8) **INSERT A NEW PARAGRAPH to the end of BYLAWS ARTICLE X.** Said new addition, to be added to the Declaration, as recorded at Summit County Records, Volume 6987, Page 359 et seq., and as amended at Instrument No. 54816673, is as follows:

Notwithstanding the above, notices may be delivered using electronic mail subject to the following:

- A. **The Association may use electronic mail or other transmission technology to send any required notice only to Unit Owners, individually or collectively, who have given the Association written consent to the use of electronic mail or other transmission technology. Any Unit Owner who has not given the Association written consent to use of electronic mail or other transmission technology will receive notices by either regular mail or hand delivered.**
- B. **An electronic mail or transmission technology to a Unit Owner is not considered delivered and effective if the Association's transmission to the Unit Owner fails, e.g. the Association receives an "undeliverable" or similar message, or the inability to deliver the transmission to the Unit Owner becomes known to the person responsible for sending the transmission. If the electronic mail or transmission is not delivered or effective, the Association will deliver the notice or other communication to the Unit Owner by either regular mail or hand delivered.**



(9) **MODIFY** the 1st SENTENCE of **BYLAWS ARTICLE VI, SECTION 3**. Said modification, to be made to the Bylaws, Exhibit C to the Declaration, as recorded at Summit County Records, Volume 6987, Page 359 et seq., is as follows: (new language is underlined)

The Association shall build up and maintain a reasonable reserve for contingencies and replacements in an amount deemed adequate by the Board to maintain a reserve for the cost of unexpected repairs and replacements of capital improvements and for the repair and replacement of major improvements in an amount adequate to repair and replace major capital items in the normal course of operations without the necessity of special assessments, unless the Unit Owners, exercising not less than a majority of the voting power of the Association, waive the reserve requirement in writing annually.

(10) **INSERT A NEW PARAGRAPH** to the end of **BYLAWS ARTICLE II, SECTION 12**. Said modification, to be made to the Bylaws, Exhibit C to the Declaration, as recorded at Summit County Records, Volume 6987, Page 359 et seq., is as follows:

The Board may maintain blanket fidelity, crime, or dishonesty insurance coverage for any person who controls or disburses association funds. As used in this section, "person who controls or disburses association funds" means any individual with authority or access to sign checks, conduct electronic transfers, or otherwise withdraw funds from any association account or deposit, including the following:

- A. **A management company's principals and employees;**
- B. **A bookkeeper;**
- C. **The president, secretary, treasurer, any other board member, or employee of the unit owners association.**

All of the following apply to the insurance coverage required under this section:

- (1) **Coverage shall be for the maximum amount of funds that will be in the custody of the association or its designated agent at any one time plus three months of operating expenses.**



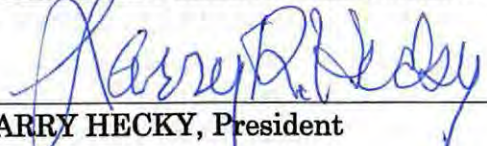
- (2) **The insurance shall be the property of and for the sole benefit of the association and shall protect against theft, embezzlement, misappropriation, or any other unauthorized taking or loss of association funds.**
- (3) **The policy shall include in its definition of "employee" the manager and the managing agent of the association's funds or provide for this inclusion by an endorsement to the policy.**
- (4) **The policy shall name the association as the insured party and shall include a provision requiring the issuer of the policy to provide a ten-day written notice to the association's president or manager in the event of cancellation or substantial modification of the policy. The manager or managing agent, if any, of the association shall be the designated agent on the policy.**
- (5) **If there is a change in the manager or the managing agent of the association, then within ten days of the effective start date, the new manager or managing agent shall notify the insurer of such change.**

Any conflict between the above provisions and any other provisions of the Declaration and Bylaws will be interpreted in favor of the above amendments. The invalidity of any part of the above provision will not impair or affect in any manner the validity or enforceability of the remainder of the provision. Upon the recording of these amendments, only Unit Owners of record at the time of such filing have standing to contest the validity of these amendments, whether on procedural, substantive or any other grounds, provided further that any such challenge must be brought in the court of common pleas within one year of the recording of the amendments.



The Indian Hills Condominium Association has caused the execution of this instrument this 11 day of November, 2022.

THE INDIAN HILLS CONDOMINIUM ASSOCIATION

By: 
LARRY HECKY, President

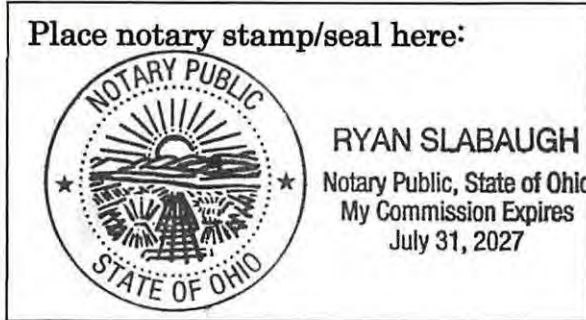
By: 
MARY SHEPHERD, Secretary

STATE OF OHIO)
) SS
COUNTY OF Summit)

BEFORE ME, a Notary Public, in and for said County, personally appeared the above named The Indian Hills Condominium Association, by its President and its Secretary, who acknowledged that they did sign the foregoing instrument, and that the same is the free act and deed of said corporation and the free act and deed of them personally and as such officers.

I have set my hand and official seal this 11th day of November, 2022.


NOTARY PUBLIC



e
This instrument prepared by:
KAMAN & CUSIMANO, LLC
Attorneys at Law
50 Public Square, Suite 2000
Cleveland, Ohio 44113
(216) 696-0650
ohiocondolaw.com

AMENDMENT TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
INDIAN HILLS CONDOMINIUM

PLEASE CROSS MARGINAL REFERENCE WITH THE DECLARATION OF CONDOMINIUM OWNERSHIP FOR INDIAN HILLS CONDOMINIUM RECORDED AT VOLUME 6987, PAGE 359 ET SEQ. OF THE SUMMIT COUNTY RECORDS.

THIS WILL CERTIFY THAT A COPY OF THIS AMENDMENT TO THE DECLARATION OF CONDOMINIUM OWNERSHIP FOR INDIAN HILLS CONDOMINIUM WAS FILED IN THE OFFICE OF THE FISCAL OFFICER OF SUMMIT COUNTY, OHIO.

DATED: _____

BY: _____
FISCAL OFFICER

mortgagees consented to the amendment. Unless the Association has a formal record of who is holding mortgages on units at Indian Hills, however, you can simply send a copy of the recorded amendment to all unit owners as the recorded amendment is sufficient for reliance by the general public. If you have a formal record of the mortgage holders, you should also send a copy of the amendment to each mortgage holder on the Association's records for their vote.

If everything is acceptable, I would appreciate it very much if you would have the Board President and Secretary sign the document, in blue or black ink, as indicated to verify that the tennis court removal amendment passed with 75.47% approval of the Association's current owners. The Board President's and Secretary's signatures must also be notarized.

Ohio law provides that nothing is to be put in the margins of the document. All signatures and even notary stamps must be within the margins of the document. If the document is not in compliance with these requirements, an additional \$20.00 County filing fee will be incurred.

Please return the fully executed, document to me in the self-addressed, stamped envelope I enclosed for your convenience. I will record it and, upon receipt of the recorded document from the Summit County Fiscal Office, I will forward the original to you, which must be copied and sent to all unit owners.

Should you or any of the Board members have any questions or wish to further discuss this matter, please do not hesitate to telephone me.

Sincerely yours,



LYNDA L. KOVACH

LLK: sh

Enclosures

xc: All Board Members (without enclosures)

AMENDMENT TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP FOR
INDIAN HILLS CONDOMINIUM

WHEREAS, the Declaration of Condominium Ownership for Indian Hills Condominium (the "Declaration") was recorded at Summit County Records Volume 6987, Page 359 et seq., and

WHEREAS, The Indian Hills Condominium Association (the "Association") is a corporation consisting of all Unit Owners in Indian Hills and as such is the representative of all Unit Owners, and

WHEREAS, Declaration Article XIV authorizes amendments to the Declaration and, and

WHEREAS, Unit Owners representing at least 75% of the Association's current voting power, have executed instruments in writing setting forth specifically the matter to be modified (the "Amendment"), and

WHEREAS, the Association has in its records the signed, written consents to the Amendment signed by Unit Owners representing 75.47% of the Association's voting power as of October 18, 2013, and

WHEREAS, the Association has in its records the power of attorney signed by Unit Owners representing 75.47% of the Association's voting power authorizing the Association's officers to execute the Amendment on their behalf, and

WHEREAS, attached hereto as Exhibit A is an Affidavit of the Association's President and Secretary stating that 75% of the Association's voting power affirmatively approved the Amendment and that copies of the Amendment will be mailed by certified mail to all mortgagees on the records of the Association once the Amendment is recorded with the Summit County Fiscal Office, and

WHEREAS, attached hereto as Exhibit B is a certification from the Association's Secretary as to the consenting mortgagees, on the records of the Association, to the Amendment, and

WHEREAS, the proceedings necessary to amend the Declaration as required by Chapter 5311 of the Ohio Revised Code and the Declaration have in all respects been complied with,

NOW THEREFORE, the Declaration of Condominium Ownership for Indian Hills Condominium is hereby amended by the following:

INSERT a new 2nd PARAGRAPH to DECLARATION ARTICLE V, SECTION B, PARAGRAPH 1 entitled, "Description of Common Elements." Said new addition, to be added on Page 8 of the Declaration, as recorded at Summit County Records, Volume 6987, Page 359 et seq., is as follows:

At anytime following the recording of this Amendment, the Board may, at its sole discretion and without further vote of the Unit Owners, cause the Common Element tennis court to be removed as a Common Element amenity and landscaped in a manner consistent with the existing Condominium Property. Any further improvement or modification of the tennis court area is subject to the capital improvement requirements set forth in Bylaws Article IV, SECTION 1, Paragraph M, as amended.

Any conflict between this provision and any other provision of the Declaration, Bylaws, and/or Drawings will be interpreted in favor of this provision permitting the Board to remove the tennis court. The invalidity of any part of the above provision does not impair or affect in any manner the validity or enforceability of the remainder of the provision. Upon the recording of this amendment, only Unit Owners of record at the time of such filing have standing to contest the validity of the amendment, whether on procedural, substantive or any other grounds, provided further that any such challenge must be brought in the court of common pleas within one year of the recording of the amendment.

IN WITNESS WHEREOF, the said The Indian Hills Condominium Association has caused the execution of this instrument this 16th day of December, 2013.

THE INDIAN HILLS CONDOMINIUM ASSOCIATION

By: Stephanie A Hunter
STEPHANIE HUNTER, its President

By: Eve Brown
EVE BROWN, its Secretary

STATE OF OHIO)
) SS
COUNTY OF Summit)

BEFORE ME, a Notary Public, in and for said County, personally appeared the above named The Indian Hills Condominium Association, by its President and its Secretary, who acknowledged that they did sign the foregoing instrument 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 Stow, Ohio, this 16th day of December, 2013.

Ronald Lindem
NOTARY PUBLIC

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

Place notary stamp/seal here:
Ronald Lindem
Resident Summit County
Notary Public, State of Ohio
My Commission Expires: 03/24/2015




EXHIBIT A

AFFIDAVIT

STATE OF OHIO)
)
COUNTY OF Summit) SS

STEPHANIE HUNTER and EVE BROWN, being first duly sworn, state as follows:

1. They are the duly elected and acting President and Secretary, respectively, of The Indian Hills Condominium Association.
2. They caused copies of the Amendments to the Declaration to be mailed by certified mail to all mortgagees having bona fide liens of record against any Unit Ownerships of whose mortgage interests notice had been given to the Association.
3. The Amendments received the written approval of Unit Owners entitled to exercise at least 75% of the Association's voting power in accordance with the provisions of Declaration Article XIV.
4. Furthers affiant sayeth naught.

Stephanie A Hunter
STEPHANIE HUNTER, President

Eve Brown
EVE BROWN, Secretary

BEFORE ME, a Notary Public, in and for said County, personally appeared the above named STEPHANIE HUNTER and EVE BROWN who acknowledges that they did sign the foregoing instrument and that the same is their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal in Stow, Ohio, this 16th day of December, 2013.

Ronald Lindeen
NOTARY PUBLIC

Place notary stamp/seal here:

Ronald Lindeen
Resident Summit County
Notary Public, State of Ohio
My Commission Expires: 03/24/2015


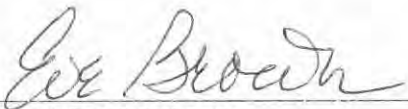


EXHIBIT B

CERTIFICATION OF SECRETARY

STATE OF OHIO)
)
COUNTY OF Summit) SS

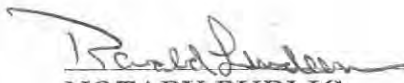
EVE BROWN, the duly elected and acting Secretary of The Indian Hills Condominium Association, hereby certifies that there is on file in the Association's records, the names of the following mortgagees who have consented to the proposed Amendment to the Declaration: None.



EVE BROWN, Secretary

BEFORE ME, a Notary Public in and for said County, personally appeared the above named EVE BROWN who acknowledged that she did sign the foregoing instrument and that the same is her free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal in Stow, Ohio, this 16th day of December, 2013.



NOTARY PUBLIC

Place notary stamp/seal here:

Ronald Lindeen
Resident Summit County
Notary Public, State of Ohio
My Commission Expires: 03/24/2015



AMENDMENTS TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
INDIAN HILLS CONDOMINIUM

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THIS WILL CERTIFY THAT A COPY OF THESE AMENDMENTS TO THE DECLARATION OF CONDOMINIUM OWNERSHIP FOR INDIAN HILLS CONDOMINIUM WAS FILED IN THE OFFICE OF THE FISCAL OFFICER OF SUMMIT COUNTY, OHIO.

DATED: 6/21/12

KRISTEN M. SCALISE CPA, CFE
BY: SUMMIT COUNTY FISCAL OFFICER
FISCAL OFFICER

BY: Kelly Phelps
KELLY Phelps



Kristen Scalise, Summit Co Fiscal Office

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AMENDMENTS TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP FOR
INDIAN HILLS CONDOMINIUM

WHEREAS, the Declaration of Condominium Ownership for Indian Hills Condominium (the "Declaration") and The Indian Hills Condominium Association Bylaws (the "Bylaws"), Exhibit C to the Declaration, were recorded at Summit County Records Volume 6987, Page 359 et seq., and

WHEREAS, Section 5311.05(E)(1)(d) of the Ohio Revised Code authorizes the Board of Directors, without a vote of the Unit Owners, to amend the Declaration "to correct clerical or typographical errors or obvious factual errors in the declaration or an exhibit to the declaration,"and

WHEREAS, the original drawings for the Condominium Property did not show the dimensions of the Limited Common Elements.

WHEREAS, the Board of Directors (the "Board") approved the following attached "Correction Drawings" to correct the obvious factual and/or typographical or clerical errors in the Drawings recorded at Summit County Records Plat Cabinet A, Slides 525 et seq. by inserting the dimensions of the Limited Common Elements, and

WHEREAS, The Indian Hills Condominium Association (the "Association") is a corporation consisting of all Unit Owners in Indian Hills and as such is the representative of all Unit Owners, and

WHEREAS, Declaration Article XIV authorizes amendments to the Declaration and Bylaws Article XII authorizes amendments to the Bylaws, and

WHEREAS, Unit Owners representing at least 75% 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 Unit Owners representing 87% of the Association's voting power as of May 15, 2012, and



WHEREAS, the Association has in its records the power of attorney signed by Unit Owners representing 87% 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 Amendments B and F signed by Unit Owners representing 86% of the Association's voting power as of May 15, 2012, and

WHEREAS, the Association has in its records the power of attorney signed by Unit Owners representing 86% of the Association's voting power authorizing the Association's officers to execute Amendments B and F on their behalf, and

WHEREAS, the Association has in its records the signed, written consents to Amendment C signed by Unit Owners representing 81% of the Association's voting power as of May 15, 2012, and

WHEREAS, the Association has in its records the power of attorney signed by Unit Owners representing 81% 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 Unit Owners representing 88% of the Association's voting power as of May 15, 2012, and

WHEREAS, the Association has in its records the power of attorney signed by Unit Owners representing 88% of the Association's voting power authorizing the Association's officers to execute Amendment D on their behalf, and

WHEREAS, the Association has in its records the signed, written consents to Amendment E signed by Unit Owners representing 76% of the Association's voting power as of May 15, 2012, and

WHEREAS, the Association has in its records the power of attorney signed by Unit Owners representing 76% of the Association's voting power authorizing the Association's officers to execute Amendment E on their behalf, and

WHEREAS, the Association has in its records the signed, written consents to Amendment G signed by Unit Owners representing 78% of the Association's voting power as of May 15, 2012, and



WHEREAS, the Association has in its records the power of attorney signed by Unit Owners representing 78% of the Association's voting power authorizing the Association's officers to execute Amendment G on their behalf, and

WHEREAS, the Association has in its records the signed, written consents to Amendment H signed by Unit Owners representing 85% of the Association's voting power as of May 15, 2012, and

WHEREAS, the Association has in its records the power of attorney signed by Unit Owners representing 85% of the Association's voting power authorizing the Association's officers to execute Amendment H on their behalf, and

WHEREAS, attached hereto as Exhibit A is an Affidavit of the Association's President and Secretary stating that copies of the Amendments will be mailed by certified mail to all mortgagees on the records of the Association once the Amendment is recorded with the Summit County Fiscal Office and the Amendments received the written approval of Unit Owners entitled to exercise at least 75% of the voting power, and

WHEREAS, attached hereto as Exhibit B is a certification from the Association's Secretary as to the consenting mortgagees, on the records of the Association, to the Amendments, and

WHEREAS, the proceedings necessary to amend the Declaration as required by Chapter 5311 of the Ohio Revised Code and the Declaration have in all respects been complied with.

NOW THEREFORE, based on the statements, recitals, and representations set forth above, the Drawings and the Declaration of Condominium Ownership for Indian Hills Condominium is hereby amended and corrected by the following and attached:

AMENDMENT A

MODIFY DECLARATION ARTICLE VI, SECTION A, PARAGRAPH 1 entitled, "**By the Association.**" Said modification, to be made on Page 10 of the Declaration, as recorded at Summit County Records, Volume 6987, Page 359 et seq., is as follows (new language is underlined):

1. By the Association - The Association, at its expense, shall be responsible for the maintenance, repair and replacement of those portions of each Unit which contribute to the support of the building, as well as the Unit's driveway and front sidewalk, excluding, however, the surfaces or interior walls, the surfaces or ceilings and floors, and any chimney flues.

MODIFY DECLARATION ARTICLE VI, SECTION A, PARAGRAPH 2, entitled "By the Unit Owner," SUBPARAGRAPH i). Said modification, to be made on Page 10 of the Declaration, as recorded at Summit County Records, Volume 6987, Page 359 et seq., is as follows (new language is underlined):

- i) To maintain, repair and replace at his expense all portions of his Unit and any L.C.E. appertaining thereto, excluding, however, the Unit's driveway and front sidewalk, which shall be the responsibility of the Association, all installations in said Unit and any L.C.E. appertaining thereto of such appliances, heating, plumbing, electrical and air conditioning fixtures or installations, and any other utility service facilities located within the Unit boundaries and any L.C.E. appertaining thereto. Said Unit Owner shall also maintain, repair and replace at his expense any air conditioning and/or heating apparatus located outside his Unit which apparatus serves his Unit and any L.C.E. appertaining thereto;

Any conflict between this provision and any other provisions of the Declaration and Bylaws shall be interpreted in favor of this amendment making the Association responsible for the maintenance, repair, and replacement of the Unit's driveway and front sidewalk. Upon the recording of this amendment, only Unit 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

DELETE DECLARATION ARTICLE VII, SECTION F entitled, "Service of Process," in its entirety. Said deletion to be taken from Page 17 of the Declaration, as recorded at Summit County Records, Volume 6987, Page 359 et seq.

INSERT a new DECLARATION ARTICLE VII, SECTION F entitled, "Service of Process." Said new addition, to be added on Page 17 of the Declaration, as recorded at Summit County Records, Volume 6987, Page 359 et seq., is as follows:

F. Service of Process.

The person to receive service of process for the Association shall be as designated by the Board. This designation will be accomplished by filing with the Ohio Secretary of State the required statutory agent designation form.

Any conflict between the above provision and any other provisions of the Declaration and Bylaws shall be interpreted in favor of the above amendment. Upon the recording of this amendment, only Unit Owners of record at the time of such filing shall have standing to contest the validity of these amendments, 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 amendments.

AMENDMENT C

DELETE BYLAWS ARTICLE I, SECTION 4(a) entitled, "Annual Meeting," in its entirety. Said deletion to be taken from Pages 1-2 of the Bylaws, Exhibit C of the Declaration, as recorded at Summit County Records, Volume 6987, Page 359 et seq.

INSERT a new BYLAWS ARTICLE I, SECTION 4(a) entitled, "Annual Meeting." Said new addition, to be added on Page 1 of the Bylaws, Exhibit C of the Declaration, as recorded at Summit County Records, Volume 6987, Page 359 et seq., is as follows:



(a) Annual Meeting. The Association's Annual Meeting shall be held at such time, at such place, and on such date during the second calendar quarter of each year as the Board determines and is stated in the Meeting notice, for the purpose of the election of directors, the consideration of reports to be laid before the Meeting, and the transaction of such other business as is set forth in the Meeting notice.

Any conflict between this provision and any other provision of the Declaration and Bylaws shall be interpreted in favor of this amendment changing the time for holding the annual meeting. Upon the recording of this amendment, only Unit 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

MODIFY BYLAWS ARTICLE II, SECTION 1 entitled, "Number and Qualification." Said modification, to be made on Pages 2-3 of the Bylaws, Exhibit C of the Declaration, as recorded at Summit County Records, Volume 6987, Page 359 et seq., is as follows (deleted language is crossed-out; new language is underlined):

Section 1. Number and Qualification. The Board of Directors shall consist of five (5) persons, all of whom, except as otherwise provided, must be Unit Owners and occupants of a Unit or the spouse (who must be an occupant) of a Unit Owner and a member in good standing at the time of the Annual or Special Meeting held for the election of Board members. ~~Notwithstanding anything herein, no Unit may be represented by more than one person on the Board at any one time. The Developer shall have the rights outlined in Section 1 of Article VII of these Bylaws and Section D of Article VII of the Declaration to appoint and remove members of the Board. No candidate appointed or nominated and elected by Developer need be a Unit Owner or occupant of a Unit.~~ If at any time one bank, savings



and loan association, insurance company or other lending Institution shall hold mortgages upon more than fifty percent (50%) of the Units, such lending institution may designate its representative, who shall be a sixth (6th) member of the Board. Such representative need not be an Owner or occupant of a Unit.

Good standing requires that the member not be more than thirty (30) days delinquent in the payment of any fees and/or Assessments owed to the Association. If a Board member ceases to meet such good standing qualifications during his term, he may be removed by a majority vote of the remaining Board Members.

Any conflict between this provision and any other provisions of the Declaration and Bylaws shall be interpreted in favor of this amendment regarding the qualifications of Board members. Upon the recording of this amendment, only Unit 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 E

MODIFY BYLAWS ARTICLE II, SECTION 2 entitled, "Election of Board Members; Vacancies." Said modification, to be made on Page 3 of the Bylaws, Exhibit C of the Declaration, as recorded at Summit County Records, Volume 6987, Page 359 et seq., is as follows (deleted language is crossed-out; new language is underlined):

Section 3. Election of Board Members; Vacancies. Board members shall be elected at each annual meeting of the Association or at a special meeting called for such purpose. At a meeting of members of the Association at which Board members are to be elected, only persons nominated as candidates shall be eligible for election as Board members and the candidates receiving the greatest number of votes shall be elected. Each member may vote for as many candidates as there are vacancies in the Board, however caused. In

the event of the occurrence of any vacancy or vacancies in the Board, the remaining Board members, though less than a majority, shall, by a vote of a majority of their number, fill any such vacancy(ies) until the next Association meeting held for the purpose of electing Board members ~~the vacancy created thereby shall be filled by a special election held of the total membership to elect a member to fill the unexpired term of any vacaney;~~ provided, however, that a vacancy in the position of a representative of a lending institution as provided in Section 1 of this Article II, if any, shall be filed by such lending institution, ~~and a vacancy in the position filled by designation of Developer shall be filled by Developer.~~

Any conflict between this provision and any other provisions of the Declaration and Bylaws shall be interpreted in favor of this amendment modifying the method for filling vacancies on the Board of Directors. Upon the recording of this amendment, only Unit 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 F

DELETE BYLAWS ARTICLE II, SECTION 14 entitled, "Sharing Facilities," in its entirety. Said deletion to be taken from Page 6 of the Bylaws, Exhibit C of the Declaration, as recorded at Summit County Records, Volume 6987, Page 359 et seq., is as follows (deleted language is crossed out):

~~Section 14. Sharing Facilities. The Association shall have the authority to enter into an agreement with adjacent or nearby property owners to lease or otherwise share the use and expense of certain facilities owned by or under the control of such property owners or owned by or under the control of this Association, including, but not limited to, maintenance facilities and any recreation areas.~~

DELETE BYLAWS ARTICLE IV, SECTION 1, PARAGRAPH J entitled, "Use of Joint Facilities," in its entirety. Said deletion to be taken from Page 8 of the Bylaws, Exhibit C of the Declaration, as recorded at Summit County Records, Volume 6987, Page 359 et seq., is as follows (deleted language is crossed-out):

~~J. Use of Joint Facilities. The rent or payment for the use of joint facilities contemplated by Article II, Section 14;~~

Any conflict between these provisions and any other provisions of the Declaration and Bylaws shall be interpreted in favor of this amendment deleting the use and sharing of joint facilities. Upon the recording of this amendment, only Unit 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 G

DELETE BYLAWS ARTICLE IV, SECTION 1, PARAGRAPH M entitled, "Capital Additions and Improvements," in its entirety. Said deletion to be taken from Page 9 of the Bylaws, Exhibit C of the Declaration, as recorded at Summit County Records, Volume 6987, Page 359 et seq.

INSERT a new BYLAWS ARTICLE IV, SECTION 1, PARAGRAPH M entitled, "Capital Additions, Alterations and Improvements." Said new addition, to be added on Page 9 of the Bylaws, Exhibit C of the Declaration, as recorded at Summit County Records, Volume 6987, Page 359 et seq., is as follows:

M. Capital Additions, Alterations and Improvements. Notwithstanding anything in these Bylaws or in the Declaration which authorizes expenditures no single expenditure exceeding five percent (5%) of that year's estimated budget, as determined in accordance with Bylaws Article VI, Section 2, shall be made by the Association for any additions, alterations, or improvements (as distinguished from maintenance, repair, or replacement) of the Common Elements, without, in each case,

the prior approval of the members of the Association entitled to exercise a majority of the voting power of all members of the Association present in person or by proxy at any annual or special meeting duly held for such purposes. If such approval should be obtained, the Board shall proceed with such additions, alterations or improvements and shall assess all Unit Owners for the cost as a common expense. The limitations on expenditures by the Association contained in this Paragraph shall not apply to repair of the Condominium Property due to casualty loss, emergency repairs immediately necessary for the preservation and safety of the Condominium Property, for the safety of persons, to maintain compliance with any applicable local, state or federal codes, ordinances, laws, rules or regulations, or to avoid suspension of any necessary services. The foregoing provisions of this Paragraph shall not apply to the rehabilitation and renewal of obsolete property, which shall be governed by the Declaration.

Any conflict between this provision and any other provisions of the Declaration and Bylaws shall be interpreted in favor of this amendment establishing the capital additions limit as a percentage of the estimated budget and clarifying the applicability of the limit. Upon the recording of this amendment, only Unit 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 H

DELETE BYLAWS ARTICLE VII, SECTION 4 entitled, "Notices of Mortgages," in its entirety. Said deletion to be taken from Page 14 of the Bylaws, Exhibit C of the Declaration, as recorded at Summit County Records, Volume 6987, Page 359 et seq. , is as follows (deleted language is crossed-out):

~~Section 4. Notices of Mortgages. Any Unit Owner who mortgages his Unit shall notify the Association, in such manner as~~



~~the Association may direct, of the name and address of his mortgagee and of the amount being secured thereby, and thereafter shall notify the Association of the full payment, cancellation or other alteration of the status of such mortgage. The Association shall maintain such information in a book entitled "Mortgages of Units."~~

Any conflict between these provisions and any other provisions of the Declaration and Bylaws shall be interpreted in favor of this amendment deleting the requirement of Unit Owners to provide mortgage information and the Association's requirement to maintain a "Mortgages of Units" book. Upon the recording of this amendment, only Unit 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 The Indian Hills Condominium Association has caused the execution of this instrument this 11th day of JUNE, 2012.

THE INDIAN HILLS CONDOMINIUM ASSOCIATION

By: Stephanie Hunter
STEPHANIE HUNTER, its President

By: Eve Brown
EVE BROWN, its Secretary

[THIS SPACE LEFT BLANK INTENTIONALLY]

STATE OF OHIO)
)
COUNTY OF Summit) SS

BEFORE ME, a Notary Public, in and for said County, personally appeared the above named The Indian Hills Condominium Association, by its President and its Secretary, on Page 12 of 15, who acknowledged that they did sign the foregoing instrument 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 AKRON, Ohio, this 11th day of JUNE, 2012.



NOTARY PUBLIC
Jenny R. Archer

Place notary stamp/seal here:

JENNY R. ARCHER
Notary Public, State of
My Commission Expires 3-25-16
Recorded in Summit C

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

EXHIBIT A

AFFIDAVIT

STATE OF OHIO)
)
COUNTY OF Summit) SS

STEPHANIE HUNTER and EVE BROWN, being first duly sworn, state as follows:

1. They are the duly elected and acting President and Secretary, respectively, of The Indian Hills Condominium Association.
2. They caused copies of the Amendments to the Declaration to be mailed by certified mail to all mortgagees having bona fide liens of record against any Unit Ownerships of whose mortgage interests notice had been given to the Association.
3. The Amendments received the written approval of Unit Owners entitled to exercise at least 75% of the Association's voting power in accordance with the provisions of Declaration Article XIV.

Stephanie Hunter
STEPHANIE HUNTER, President

Eve Brown
EVE BROWN, Secretary

BEFORE ME, a Notary Public, in and for said County, personally appeared the above named STEPHANIE HUNTER and EVE BROWN who acknowledges that they did sign the foregoing instrument and that the same is their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal in AKRON, Ohio, this 14th day of June, 2012.

Jenny R. Archer
NOTARY PUBLIC

Place notary stamp/seal here:

JENNY R. ARCHER
Notary Public, State of Ohio
My Commission Expires 3-25-16
Recorded in Summit County

EXHIBIT B

CERTIFICATION OF SECRETARY

The undersigned, being the duly elected and qualified Secretary of The Indian Hills Condominium Association, hereby certifies that there is on file in the Association's records, the names of the following mortgagees, if any, who have consented to the proposed Amendments to the Declaration.

NONE

Eve Brown

EVE BROWN, Secretary

STATE OF OHIO)
)
COUNTY OF Summit) SS

BEFORE ME, a Notary Public in and for said County, personally appeared the above named EVE BROWN who acknowledged that she did sign the foregoing instrument and that the same is her free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal in Akron, Ohio, this 11th day of June, 2012.

Jenny R Archer

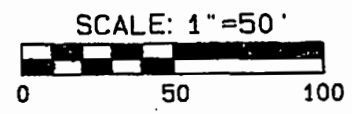
NOTARY PUBLIC

Place notary stamp/seal here:

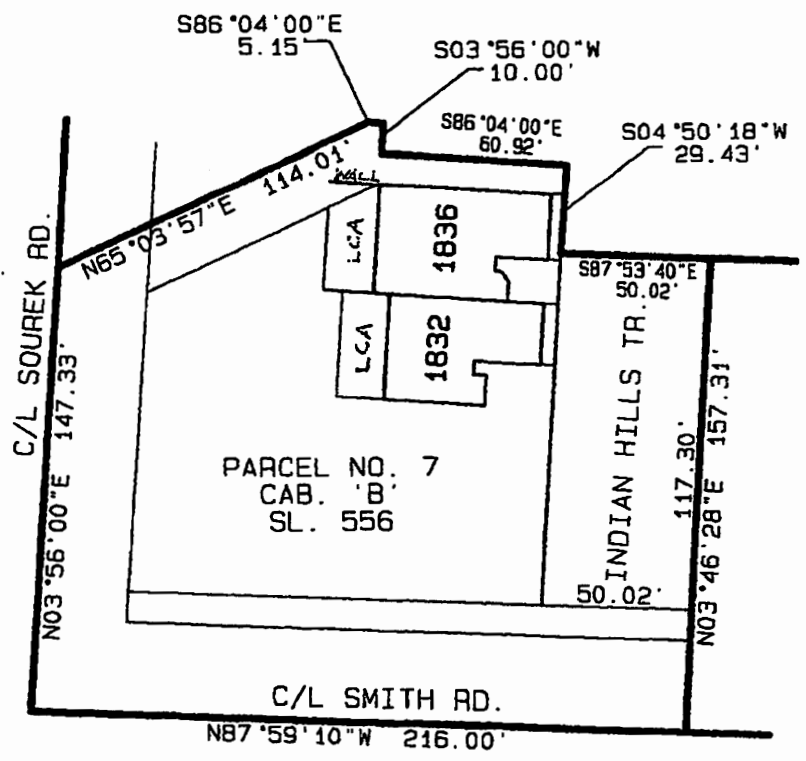
JENNY R ARCHER
JENNY R. ARCHER
Notary Public, State of Ohio
My Commission Expires 3-25-16
Recorded in Summit Co.



EXHIBIT SURVEY FOR
 PARCEL NO. 7
 UNITS 1832-1836



NOTE:
 LIMITED COMMON AREA VARIES ACROSS FRONT
 OF UNIT GARAGES AND IS APPROXIMATELY 16'
 FROM REAR OF UNIT.

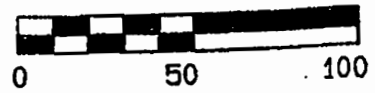


PAUL R. COUCH, P.S. NO. 7824



EXHIBIT SURVEY FOR
 PARCEL NO 6
 UNITS 1842 & 1858 INDIAN HILLS

SCALE: 1"=50'



SOUREK ROAD 60' WIDE

N03°55'00"E 253.50'

NOTE: UNIT 1858 LIMITED COMMON AREA IS 6' WIDE ACROSS FRONT OF GARAGES AND APPROXIMATELY 17' FROM REAR UNIT WALL.

PARCEL NO. 6
 CAB. 'B'
 SL. 504-508

NOTE: LIMITED COMMON AREA IS 6' WIDE ACROSS FRONT OF GARAGES AND APPROXIMATELY 15' FROM REAR UNIT WALL.

EXIST. FENCE 15' ENCR.

EXIST. STONE WALL ENCR.

EXIST. 4' FENCE ENCR.

N84°04'00"E 223.13'

LCA

1862

LCA

1858

LCA

LCA

1854

LCA

LCA

1850

LCA

LCA

1846

LCA

LCA

1842

LCA

LCA

LCA

LCA

LCA

LCA

LCA

LCA

LCA

LCA

LCA

LCA

LCA

LCA

LCA

INDIAN HILLS TRAIL 50' WIDE

S04°50'18"W 224.50'

S51°08'12"W 114.01'

N03°55'00"E 10.00'

N89°59'46"W 60.92'

N86°04'00"W 5.15'

S04°50'18"E 29.43'

S87°53'40"W 50.02'

S04°53'55"W 50.05'

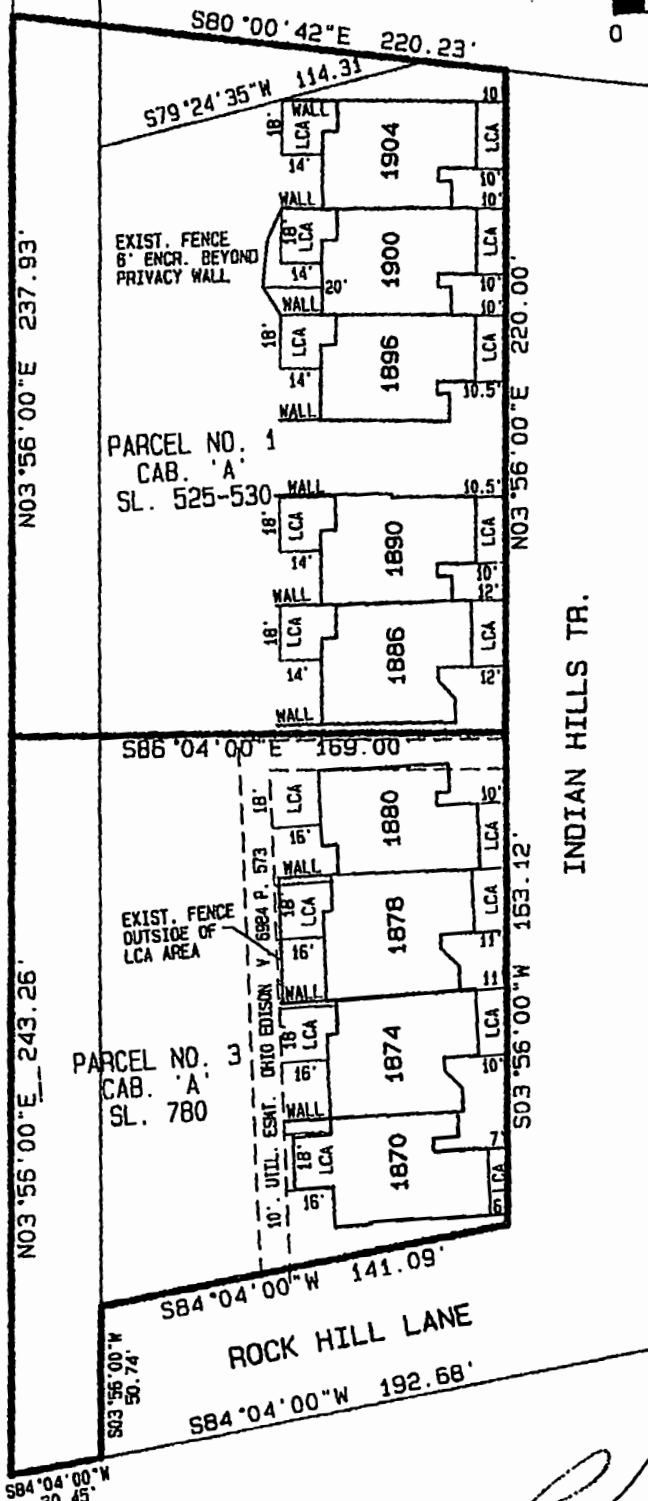
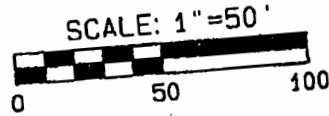


Paul R. Couch 10-28-10
 PAUL R. COUCH, P.S. NO. 7824

Kristen Scallise, Summit Co Fiscal Office
 55869691
 Pg: 17 of 28
 06/22/2012 08:08A
 CONDO 260.00

EXHIBIT SURVEY FOR
 PARCELS NO. 1 & 3
 UNITS 1870-1880 & UNITS 1886-1904

NOTE:
 LIMITED COMMON AREA VARIES
 ACROSS FRONT OF UNIT GARAGES
 AND IS APPROXIMATELY 15'x18'
 AT REAR OF UNIT.



INDIAN HILLS TR.

NOTE:
 LIMITED COMMON AREA VARIES
 ACROSS FRONT OF UNIT GARAGES
 AND IS APPROXIMATELY 15'x18'
 AT REAR OF UNIT. LCA EXTEND
 TO THE UTIL. EASEMENT FOR
 PARCEL NO. 3.

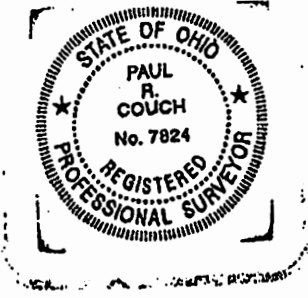
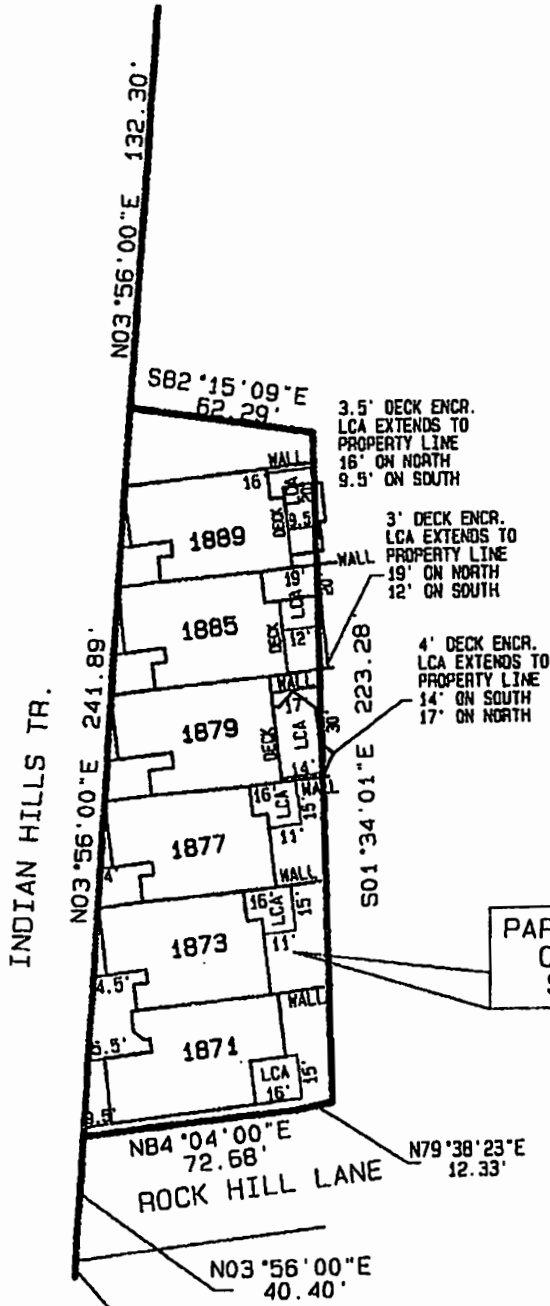
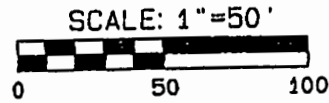
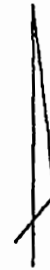


Paul R. Couch
 PAUL R. COUCH, P.S. NO. 7824



Kristen Scalise, Summit Co Fiscal Office
 55869691
 Pg. 18 of 28
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 CONDO 260.00

EXHIBIT SURVEY FOR
 PARCEL NO. 4
 UNITS 1871-1889

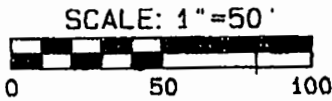


Paul R. Couch
 PAUL R. COUCH, P.S. NO. 7824



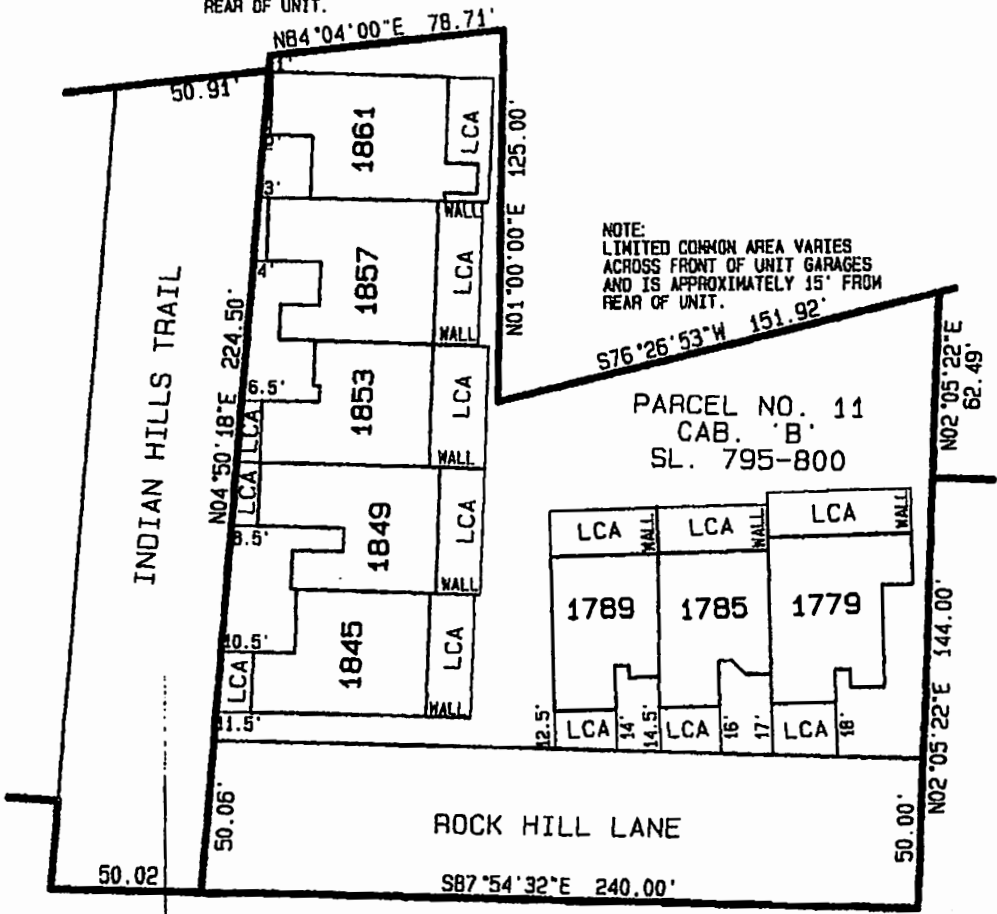
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 Pg. 19 of 28
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 CONDO 260.00

EXHIBIT SURVEY FOR
 PARCEL NO. 11
 UNITS 1779-1789 & UNITS 1845-1861

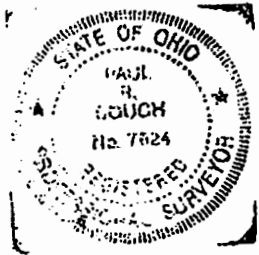


NOTE:
 LIMITED COMMON AREA VARIES
 ACROSS FRONT OF UNIT GARAGES
 AND IS APPROXIMATELY 15' FROM
 REAR OF UNIT.

NOTE:
 LIMITED COMMON AREA VARIES
 ACROSS FRONT OF UNIT GARAGES
 AND IS APPROXIMATELY 15' FROM
 REAR OF UNIT.



[Signature]
 PAUL R. COUCH, P.S. NO. 7824



Kristen Scallise, Summit Co Fiscal Office

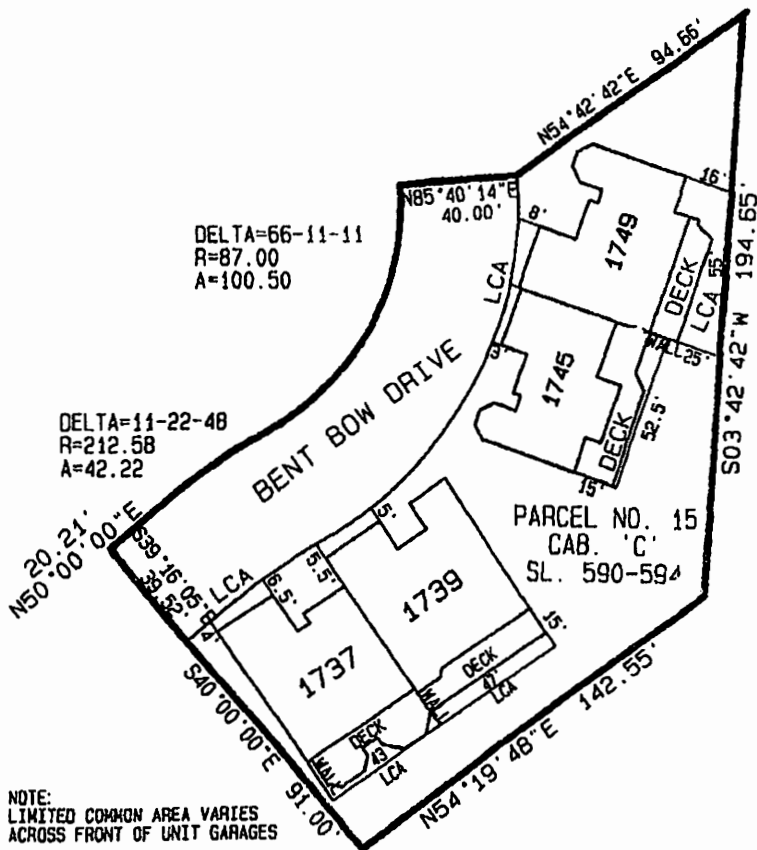
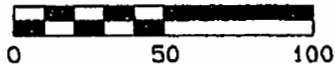
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Pg: 20 of 28
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 CONDO 260.00

EXHIBIT SURVEY FOR
 PARCEL NO. 15
 UNITS 1737-1749



SCALE: 1"=50'



NOTE:
 LIMITED COMMON AREA FOR
 UNIT 1749 EXTENDS TO THE
 PROPERTY LINE. ALL OTHER
 UNITS HAVE APPROXIMATELY
 15' FROM THE REAR OF UNIT.

NOTE:
 LIMITED COMMON AREA VARIES
 ACROSS FRONT OF UNIT GARAGES

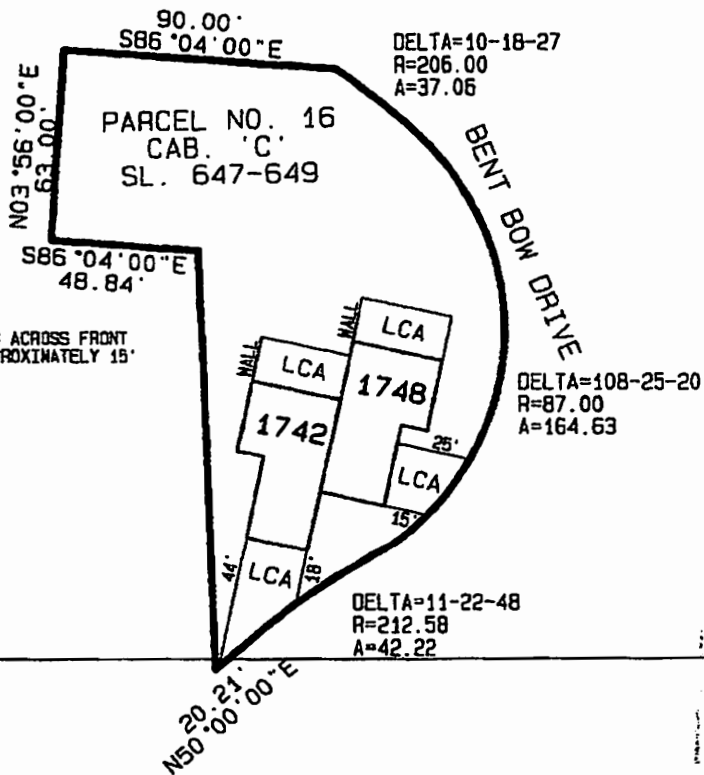
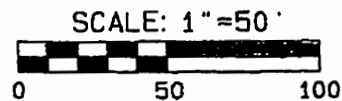


Paul R. Couch
 PAUL R. COUCH, P.S. NO. 7824

Kristen Scalise, Summit Co Fiscal Office

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 Pg: 21 of 28
 06/22/2012 08:08A
 CONDO 260.00

EXHIBIT SURVEY FOR
 PARCEL NO. 16
 UNITS 1742-1748



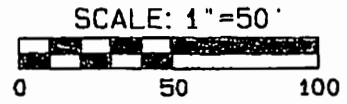
NOTE:
 LIMITED COMMON AREA VARIES ACROSS FRONT
 OF UNIT GARAGES AND IS APPROXIMATELY 15'
 FROM REAR OF UNIT.



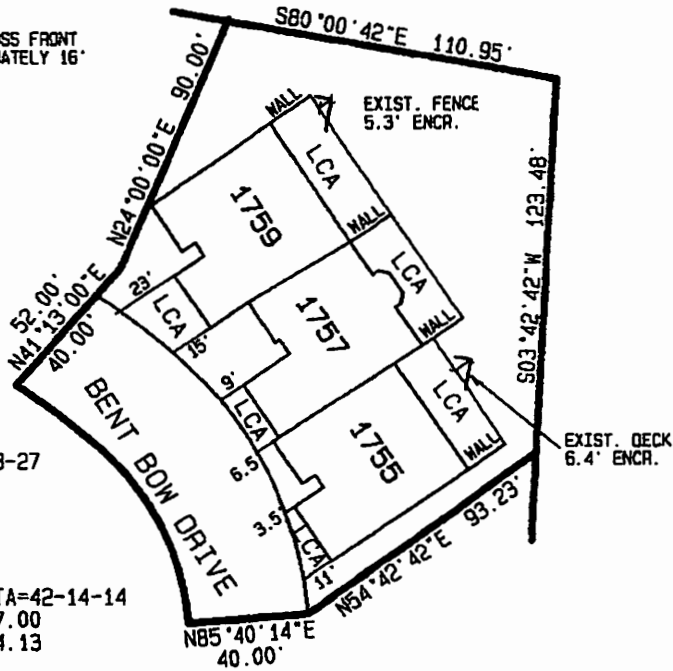
Paul R. Couch
 PAUL R. COUCH, P.S. NO. 7824



EXHIBIT SURVEY FOR
 PARCEL NO. 9
 UNITS 1755-1759



NOTE:
 LIMITED COMMON AREA VARIES ACROSS FRONT
 OF UNIT GARAGES AND IS APPROXIMATELY 16'
 FROM REAR OF UNIT.



PARCEL NO. 9
 CAB. 'B'
 SL. 678-680



Paul R. Couch
 PAUL R. COUCH, P.S. NO. 7824



55869691

Pg: 24 of 28
06/22/2012 08:08A
CONDO 260.00

Kristen Scalise, Summit Co Fiscal Office

EXHIBIT SURVEY FOR PARCEL NO. 5
UNITS 1763-1779, UNITS 1783-1795, & UNITS 1776-1786

DECK OUTSIDE
OF LCA 15'x16'

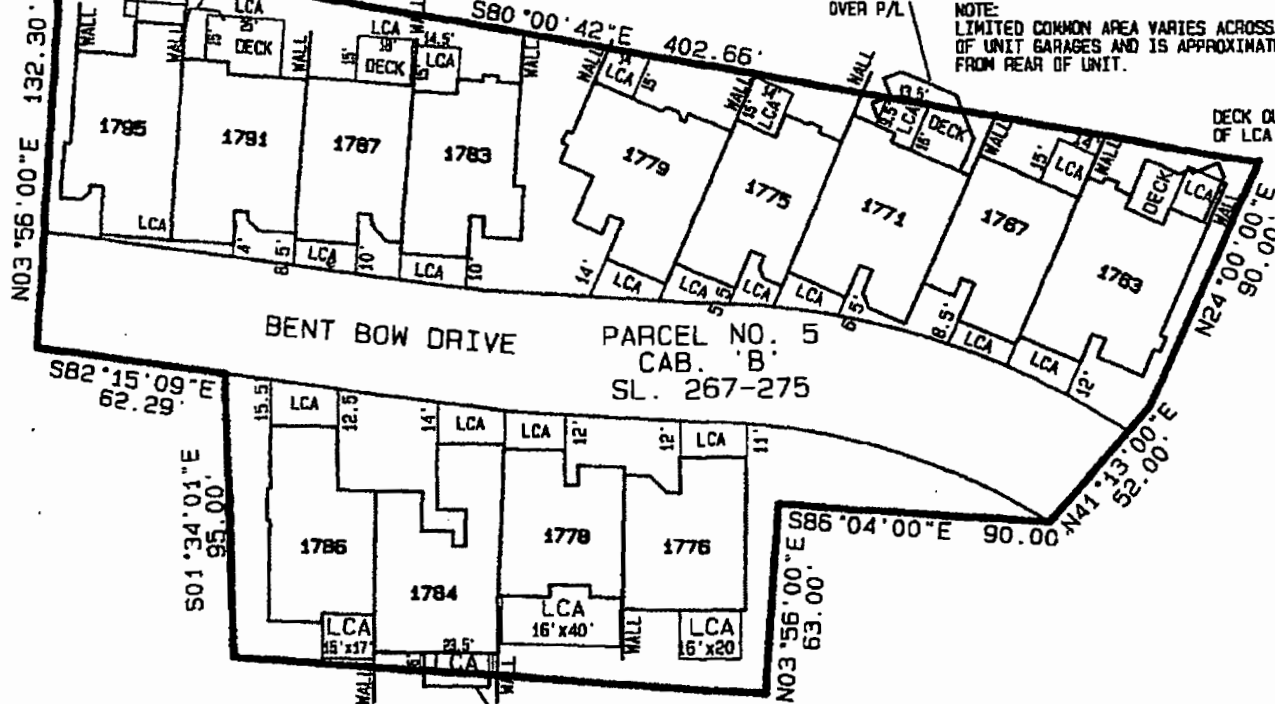
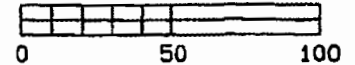
DECK OUTSIDE
OF LCA

9' DECK ENCR.
OVER P/L

NOTE:
LIMITED COMMON AREA VARIES ACROSS FRONT
OF UNIT GARAGES AND IS APPROXIMATELY 15'
FROM REAR OF UNIT.

DECK OUTSIDE
OF LCA 15x14

SCALE: 1"=50'



BENT BOW DRIVE

PARCEL NO. 5
CAB. 'B'
SL. 267-275

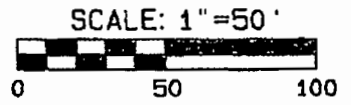
S86°04'00"E 177.00'

LCA EXTENDS TO PROPERTY LINE.
APPROXIMATE 9' CONC. PAD ENCR.
OVER PROPERTY LINE



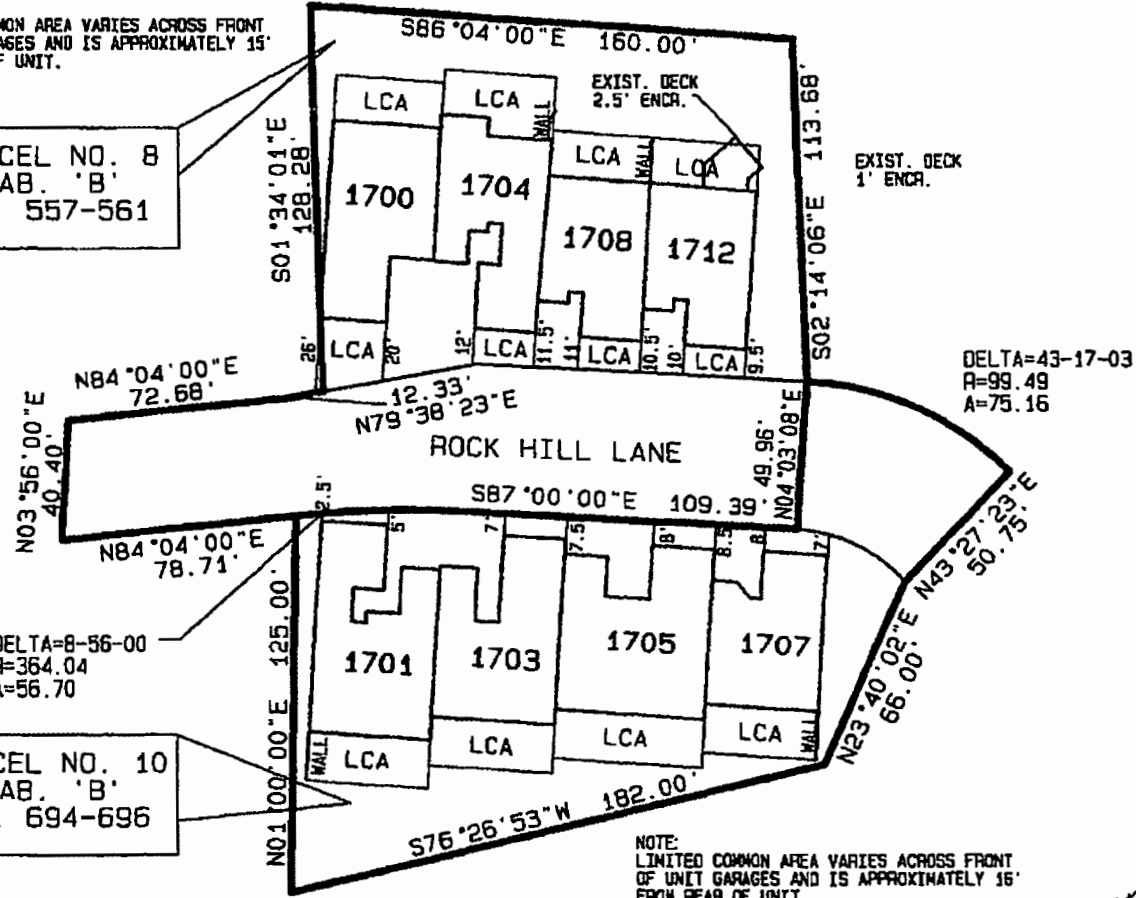
PAUL R. COUCH, P.S. NO. 7824

EXHIBIT SURVEY FOR
 PARCELS NO. 8 & 10
 UNITS 1700-1712 & UNITS 1701-1707

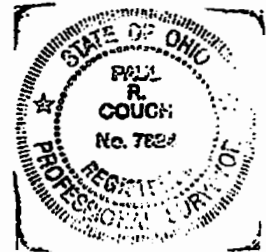


NOTE:
 LIMITED COMMON AREA VARIES ACROSS FRONT
 OF UNIT GARAGES AND IS APPROXIMATELY 15'
 FROM REAR OF UNIT.

PARCEL NO. 8
 CAB. 'B'
 SL. 557-561



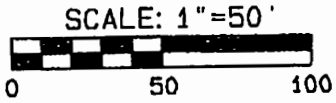
NOTE:
 LIMITED COMMON AREA VARIES ACROSS FRONT
 OF UNIT GARAGES AND IS APPROXIMATELY 15'
 FROM REAR OF UNIT.



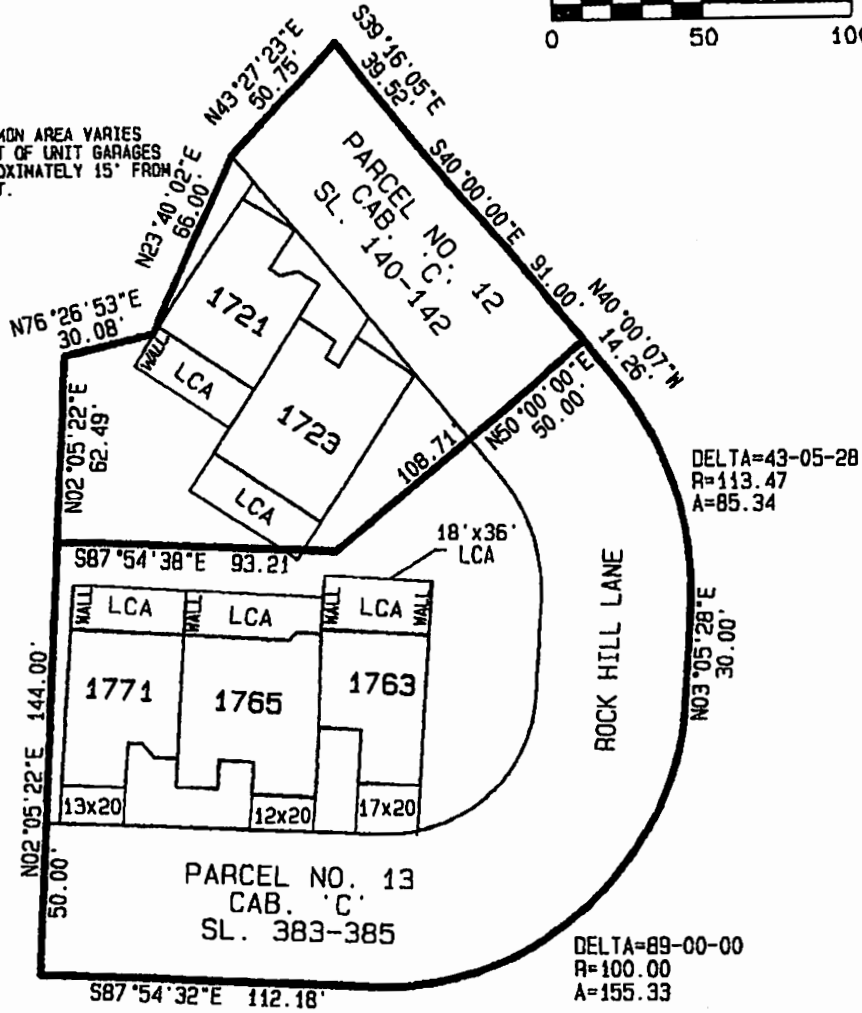
Paul R. Couch
 PAUL R. COUCH, P.S. NO. 7824



EXHIBIT SURVEY FOR
 PARCELS NO. 12 & 13
 UNITS 1721-1723 & UNITS 1763-1771



NOTE:
 LIMITED COMMON AREA VARIES
 ACROSS FRONT OF UNIT GARAGES
 AND IS APPROXIMATELY 15' FROM
 REAR OF UNIT.



NOTE:
 LIMITED COMMON AREA VARIES
 ACROSS FRONT OF UNIT GARAGES
 AND IS APPROXIMATELY 15' FROM
 REAR OF UNIT..



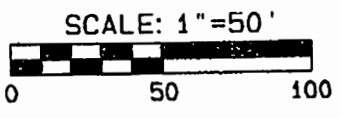
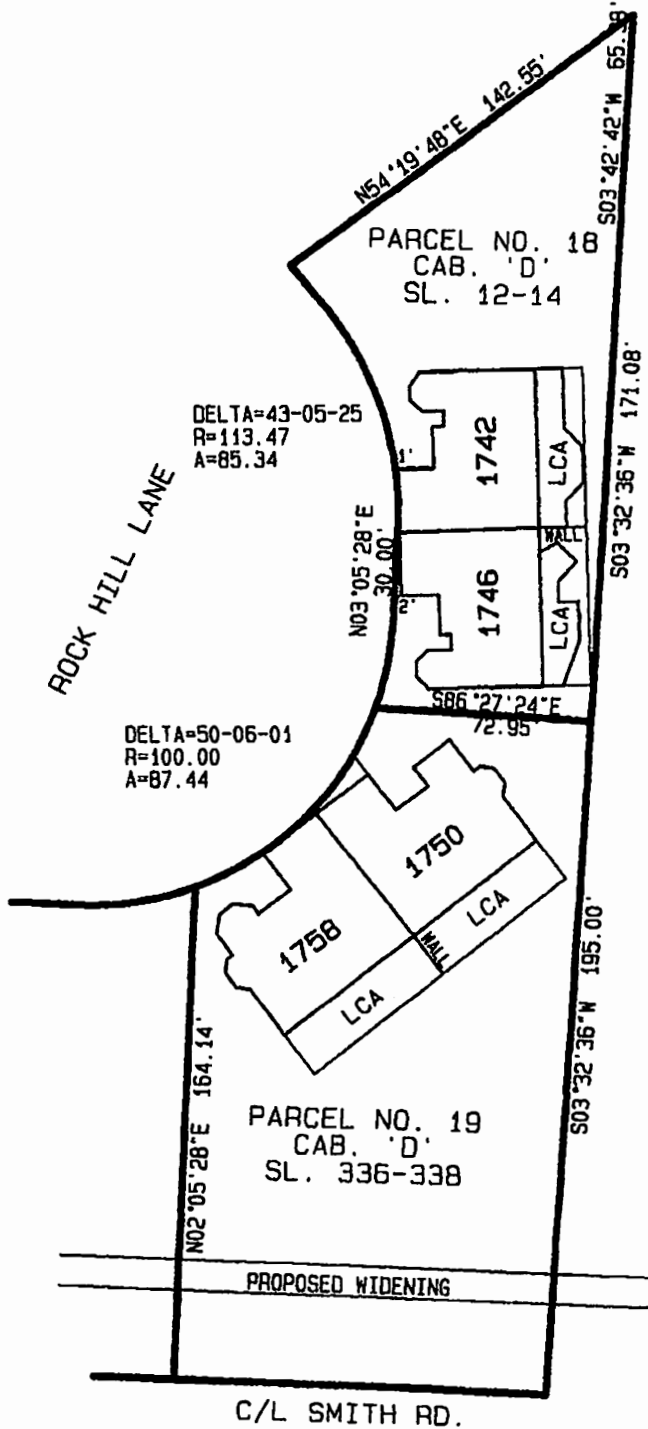
Paul R. Couch

 PAUL R. COUCH, P.S. NO. 7824

Kristen Scalise, Summit Co Fiscal Office

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 Pg: 26 of 28
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 CONDO 260.00

EXHIBIT SURVEY FOR
 PARCELS NO. 18 & 19
 UNITS 1750-1758 & UNITS 1742-1746



NOTE:
 LIMITED COMMON AREA VARIES
 ACROSS FRONT OF UNIT GARAGES
 AND IS APPROXIMATELY 15' FROM
 REAR OF UNIT.

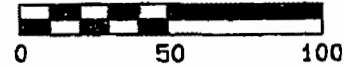
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(Signature)
 PAUL R. COUCH, P.S. NO. 7824



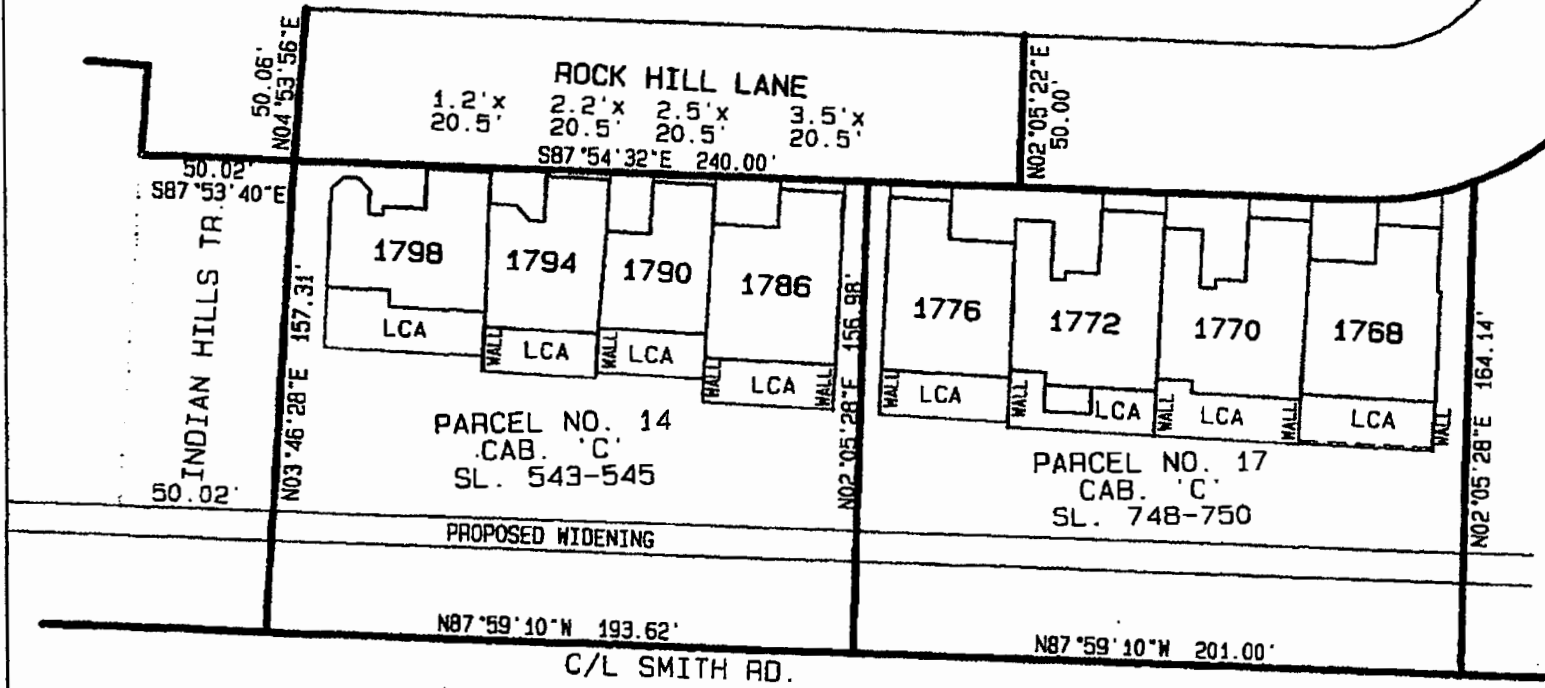
EXHIBIT SURVEY FOR
 PARCELS NO. 14 & 17
 UNITS 1768-1776 & UNITS 1786-1798

SCALE: 1"=50'



NOTE:
 LIMITED COMMON AREA VARIES ACROSS FRONT
 OF UNIT GARAGES AND IS APPROXIMATELY 15'
 FROM REAR OF UNIT.

NOTE:
 LIMITED COMMON AREA VARIES ACROSS FRONT
 OF UNIT GARAGES AND IS APPROXIMATELY 16'
 FROM REAR OF UNIT.



Paul R. Couch
 PAUL R. COUCH, P.S. NO. 7824

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352

AMENDMENT TO THE DECLARATION AND BYLAWS OF
CONDOMINIUM OWNERSHIP FOR THE
INDIAN HILLS CONDOMINIUM

779130
O.R. 1119 PG 813-820

COUNTY OF SUMMIT
RECEIVED & RECORDED
OCT 27 1992
RALPH JAMES - RECORDER
FEE \$ 23.00

DAVID W. KAMAN
600 TERMINAL TR
CLWE 014 4413
EW

THIS WILL CERTIFIED THAT A COPY OF THIS AMENDMENT TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP FOR THE INDIAN HILLS CONDOMINIUM
WAS FILED IN THE OFFICE OF THE COUNTY AUDITOR OF SUMMIT COUNTY, OHIO.

DATED: October 26 1992 BY: James B. McCarthy
COUNTY AUDITOR

TRANSFER NOT NECESSARY
OCT 26 1992
James B. McCarthy County Auditor

10/22
William E. Schmitt

**AMENDMENT TO THE
DECLARATION AND BYLAWS OF CONDOMINIUM OWNERSHIP
FOR THE INDIAN HILLS CONDOMINIUM**

WHEREAS, the Declaration of Condominium Ownership for the Indian Hills Condominium was recorded in Volume 6987, Page 359 et seq., inclusive, of Summit County Records, and

WHEREAS, The Indian Hills Condominium Association, Inc., is a corporation consisting of all Family Unit Owners in the Indian Hills Condominium and as such is the representative of said owners, and

WHEREAS, Article XIV of said Declaration authorizes amendments to the Declaration, and

WHEREAS, Family Unit Owners in excess of 75% of the voting power of the Association have executed an instrument in writing setting forth specifically the new matter to be added, and

WHEREAS, attached hereto as Exhibit A is an Affidavit of the President of the Association that a copy of the amendment was mailed by certified mail to all mortgagees on the records of the Association having bona fide liens of record against any Family Unit ownership, and

WHEREAS, attached hereto as Exhibit B is a certification of the Secretary of the Association as to the names of the consenting and non-consenting mortgagees of the various Family Units, and

WHEREAS, the Association has in its records the signed consents to the amendment signed by 91.14% of the Family Unit Owners and further has in its records the consents, if any, of the mortgagees as certified by the Secretary in the attached Exhibit B, and

WHEREAS, the Association has in its records the signed power of attorney signed by 91.14% of the Family Unit Owners authorizing the officers of the Indian Hills Condominium to execute this recorded document on their behalf, and

WHEREAS, the proceedings necessary to amend the Declaration as required by Chapter 5311 of the Ohio Revised Code and the Declaration of Condominium Ownership for the Indian Hills Condominium have in all respects been complied with,

NOW, THEREFORE, the Declaration of Condominium Ownership of the Indian Hills Condominium is hereby amended by the following:

AMENDMENT 1.

DELETE Declaration Article 1, Section B, Paragraph 6 which defines Common Expenses as contained on Page 2 and Recorded in Volume 6987, Pages 359 et. seq., of Summit County Records and substitute therefore the following:

6. Common Expenses - means:

- a) The costs of insurance obtained by the Association.
- b) The costs of repair, painting, staining, maintenance, treatment, or replacement of the following:
 - i) roofs
 - ii) gutters and/or downspouts
 - iii) siding
 - iv) component parts of the building exterior, and
 - v) allocation toward the reserve funds for items i) through iv) above.

All other expenses shall be considered Fixed Expenses.

AMENDMENT 2.

DELETE Declaration Article VIII, Section B entitled Division of Common Profits and Common Expenses as contained on Pages 17 and 18 and Recorded in Volume 6987, Pages 380 and 381 of the Summit County Records and substitute therefore the following:

B. Division of Common Profits and Common Expenses. The Common Profits of the Condominium Property shall be distributed among, and the Common Expenses of the Condominium Property shall be assessed against, the Units in accordance with each Unit's percentage of ownership of the Common Areas as recorded in the Summit County Records. Common Expenses are defined as and limited to a) the costs of insurance obtained by the Association, and b) the costs of repair, painting, staining, maintenance, treatment, or replacement of the following:

- i) roofs
- ii) gutters and/or downspouts
- iii) siding
- iv) component parts of the building exterior, and
- v) allocation toward the reserve funds for items i) through iv).

All other expenses shall be assessed against the seventy-eight (78) Units equally. In all matters requiring a vote of the Association, there shall be one vote per Unit.

AMENDMENT 3.

DELETE Declaration Article VIII, Section D entitled Lien of Association as contained on Page 18 and Recorded in Volume 6987, Page

381 of the Summit County Records and substitute therefore the following:

D. Lien of Association. The Association shall have a lien upon the estate or interest of any Unit Owner in his Unit and the appurtenant percentage of interest in the Common Areas and Facilities for the payment of the portion of the Common Expenses and Fixed Expenses chargeable against the Unit that remains unpaid for ten (10) days after the portion has become due and payable. The lien is effective on the date a certificate of lien, subscribed by the President or other chief officer of the Association, is filed for record in the office of the Recorder of the County of Summit, Ohio, pursuant to authorization given by the Board of Managers of the Association. The certificate shall contain a description of the Unit, the name or names of the record Unit Owner or Unit Owners thereof, and the amount of the unpaid portion of the Common Expenses and Fixed Expenses. The lien is valid for a period of five (5) years from the date of filing, unless sooner released or satisfied in the same manner provided by law for the release and satisfaction of mortgages on real property or discharged by the final judgment or order of a Court having jurisdiction in an action brought to discharge the lien as hereinafter provided. In addition, the Unit Owner and any occupant thereof shall be personally liable for such Common Expenses and Fixed Expenses chargeable for the period of his ownership or occupancy.

AMENDMENT 4.

DELETE Article I, Section 3 of the Bylaws entitled Voting Rights as contained on Page 1 and Recorded in Volume 6987, Page 407 of the Summit County Records and substitute therefore the following:

Section 3. Voting Rights. Each Unit shall have one vote in all matters requiring a vote of the Association.

AMENDMENT 5.

DELETE Bylaws Article IV, Section 1 entitled Common Expenses as contained on Page 7 and Recorded in Volume 6987, Page 413 of the Summit County Records and substitute therefore the following:

Section 1. Common and Fixed Expenses. The Association, for the benefit of all the Unit Owners, shall pay all Common Expenses and Fixed Expenses arising with respect to, or in connection with, the Condominium Property, which Common Expenses and Fixed Expenses shall include, without limitation, the following:

AMENDMENT 6.

DELETE the first two sentences of Article VI, Section 2 of the Bylaws entitled Preparation of Estimated Budget as contained on Page 11 and Recorded in Volume 6987, Page 417 of the Summit County Records and substitute therefore the following:

Section 2. Preparation of Estimated Budget. Each year on or before December 1, the Board shall estimate the total amount necessary to pay

all the Common and Fixed Expenses for the next calendar year, together with a reasonable amount considered by the Board to be necessary for a reserve for contingencies and replacements, and shall on or before December 15 notify each Unit Owner in writing as to the amount of such estimate, with reasonable itemization thereof. Said Common Expenses and any reserves therefore shall be assessed against the Unit in accordance with each Unit's percentage of ownership of the Common Areas as recorded in the Summit County Records, and Fixed Expenses and reserves therefore shall be assessed against the seventy-eight (78) Units equally.

AMENDMENT 7.

DELETE Bylaws Article VI, Section 1 entitled Obligation of Unit Owners to Pay Assessments as contained on Page 11 and Recorded in Volume 6987, Page 417 of the Summit County Records and substitute therefore the following:

Section 1. Obligation of Unit Owners to Pay Assessments. It shall be the duty of every Unit Owner to pay his proportionate share of the expenses of administration, maintenance and repair of the Common Areas and Facilities and of the other expenses provided for herein. Such proportionate share shall be in the same ratio as the percentage of ownership in the Common Areas and Facilities as set forth in the Declaration for Common Expenses and each Unit shall pay one/seventy-eighth (1/78) of Fixed Expenses. Payment thereof shall be in such amounts and at such times as may be determined by the Board of the Association, as hereinafter provided.

AMENDMENT 8.

Any conflict between these amendments and other provisions of the Declaration and Bylaws shall be interpreted in favor of these amendments.

IN WITNESS WHEREOF, the said Indian Hills Condominium Association, Inc., has caused the execution of this instrument this 9th day of October, 1992.

Signed in the Presence of:

Talia T. Hill
Shirley J. Hill

THE INDIAN HILLS CONDOMINIUM ASSOCIATION, INC.

By: T. Fitzpatrick
TIM FITZPATRICK, President

By: William E. Aurelius
BILL AURELIUS, Secretary

STATE OF OHIO)
) SS
COUNTY OF SUMMIT)

BEFORE ME, a Notary Public in and for said County, personally appeared the above named Indian Hills Condominium Association, Inc., by its President and its Secretary, who acknowledge that they did sign the foregoing instrument and that the same is the free act and deed of said corporation and the free act and deed of each of them as such officers.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Wexon, Ohio, this 8th day of October, 1992.

Norma J. Hinzman
Notary Public

NORMA J. HINZMAN, Notary Public
Residence - Summit County
State Wide Jurisdiction, Ohio
My Commission Expires Oct. 24, 1995

AFFIDAVIT

STATE OF OHIO)
) SS
COUNTY OF SUMMIT)

Tim Fitzpatrick, being first duly sworn, states as follows:

- 1) He is the duly elected and acting president of the Indian Hills Condominium Association, Inc.
- 2) As such president he caused copies of the amendments of the Declaration and Bylaws of the Indian Hills Condominium to be mailed by certified mail to all mortgagees on the records of the Association having bona fide liens of record against any Family Unit ownership.
- 3) Further affiant sayeth naught.

Tim Fitzpatrick
TIM FITZPATRICK, President

Before me, a Notary Public in and for said County, personally appeared the above named Tim Fitzpatrick who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed.

In Testimony Whereof, I have hereunto set my hand and official seal at Akron, Ohio this 8th day of October, 1992.

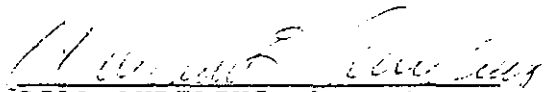
Norma J. Hinzman
Notary Public

NORMA J. HINZMAN, Notary Public
 Residence - Summit County
 State Wide Jurisdiction, Ohio
 My Commission Expires Oct. 24, 1995

CERTIFICATION OF SECRETARY

The undersigned being the duly elected and qualified secretary of the Indian Hills Condominium Association, Inc., hereby certifies that there is on file in the records of the Association the names of the following mortgagees, if any, who have consented to the proposed Amendments to the Declaration and Bylaws of the Indian Hills Condominium.

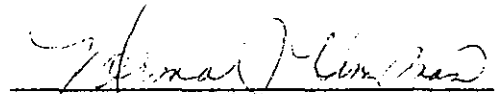
N O N E


BILL AURELIUS, Secretary

STATE OF OHIO)
) SS
COUNTY OF SUMMIT)

Before me, a Notary Public in and for said County, personally appeared the above named Bill Aurelius who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed.

In Testimony Whereof, I have hereunto set my hand and official seal at Cleveland, Ohio this 8th day of October, 1992.


Notary Public

NORMA J. HINZMAN, Notary Public
Residence - Summit County
State Wide Jurisdiction, Ohio
My Commission Expires Oct. 24, 1995

This instrument prepared by:
DAVID W. KAMAN
Fedor, Kaman, & Ott, Attorneys
600 Terminal Tower
Cleveland, Ohio 44113
696-0650

COUNTY OF SUMMIT
RECEIVED & RECORDED

91 JUL -5 PM 1:18

RALPH JAMES - RECORDER

FEE \$ 1900

SEND TO:

T.A. FITZPATRICK
1853 INDIAN HILLS TRAIL
AKRON, OH 44313

656455
O.R. 718 PG. 133-138

AMENDMENT TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR THE INDIAN HILLS CONDOMINIUM

CERTIFICATION OF FILING OF AMENDMENT TO
DECLARATION OF CONDOMINIUM OWNERSHIP FOR
INDIAN HILLS CONDOMINIUM
SUMMIT COUNTY, OHIO

This will certify that a copy of the within Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium has been filed in the Office of the County Auditor, Summit County, Ohio.

DATED: James B. McCauley
By Jackie Powers 7-5-91
Deputy Auditor

TRANSFER NOT NECESSARY
JUL 5 - 1991
James B. McCauley County Auditor

7/5/91

APPROVED AS TO FORM
William E. Schultz
Assistant Prosecuting Attorney Summit County, Ohio

OR 718 - 133

AMENDMENT TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR THE INDIAN HILLS CONDOMINIUM

WHEREAS, the Declaration of Condominium Ownership for the Indian Hills Condominium was recorded on October 4, 1984 in Volume 6987, Page 359 et. seq., of Summit County records, and

WHEREAS, the Indian Hills Condominium Association, Inc., is a corporation consisting of all Unit Owners in the Indian Hills Condominium and as such is the representative of said owners, and

WHEREAS, Article 14 of said Declaration authorizes amendments to the Declaration, and

WHEREAS, Unit Owners in excess of 75% of the voting power of the Association have executed an instrument in writing setting forth specifically the new matter to be added, and

WHEREAS, attached hereto as Exhibit A is an Affidavit of the President of the Association that a copy of the amendment was mailed by certified mail to all mortgagees on the records of the Association having bona fide liens of record against any Unit ownership, and

WHEREAS, attached hereto as Exhibit B is a certification of the Secretary of the Association as to the names of the consenting and non-consenting mortgagees of the various Units, and

WHEREAS, the Association has in its records the signed consents to the Amendment signed by 77.71% of the Unit owners and further has in its records the consents, if any, of the mortgagees as certified by the Secretary in the Attached Exhibit B, and

WHEREAS, the Association has in its records the signed power of attorney signed by 77.71% of the Unit owners authorizing the officers of the Indian Hills Condominium Association, Inc. to execute this recorded document on their behalf, and

WHEREAS, the proceedings necessary to amend the Declaration as required by Chapter 5311 of the Ohio Revised Code and the Declaration of Condominiums Ownership for the Indian Hills Condominium have in all respects been complied with,

NOW THEREFORE, the Declaration of Condominiums Ownership of the Indian Hills Condominium is hereby amended by the following:

DELETE DECLARATION ARTICLE III, SECTION B, PARAGRAPH (12). Rental of Units. in its entirety. Said deletion is on Page 8 of the Declaration as recorded in Summit County Records, Volume 6987, Pages 359 et. seq., and substitute the following:

INSERT a new DECLARATION ARTICLE III, SECTION B, PARAGRAPH (12). Said new addition to be added on Page 8 of the Declaration as recorded in Volume 6987, Pages 359 et. seq., in Summit County Records, is as follows:

(12) No unit shall be leased by a unit owner to others for business, speculative, investment or any other purposes with the exception for units which are leased to the parent(s) or child(ren) of a unit owner. To meet special situations and to avoid undue hardship or practical difficulties, the Board of Managers may grant permission to an owner to lease his unit to a specified renter for a period not less than six (6) consecutive months nor more than twenty-four (24) consecutive months. Any unit owner leasing his unit at the time of filing of this Amendment with the County Recorder, and who has registered his unit as a rental unit with the Association, shall continue to enjoy the privilege of renting that unit until the title to said unit is transferred to a subsequent owner.

Any conflict between this provision and other provisions of this Declaration or the By-Laws shall be interpreted in favor of this restriction on leasing. In no event shall the Unit be rented by the Owner thereof for transient or hotel purposes, which is defined to mean: (i) rental for any period less than six (6) full calendar months, or (ii) any rental if the occupants of the Unit are provided in connection with such rentals customary hotel services such as room service for food and beverage, maid service, furnishing of laundry and linen or bell-boy service. Each lease must be in writing, shall require the lessee to abide by the terms of the Declaration and the Bylaws, as well as any rules, and shall give the Board the right to dispossess or otherwise act for the Unit Owner in case of default under the lease or for violation of the Declaration, Bylaws or the rules. The Unit Owner shall continue liable for all obligations of ownership of his Unit and shall be responsible to the Board for the conduct of his lessee. Copies of all such leases shall be delivered to the Board prior to the beginning of the lease term.

Any conflict between this provision and other provisions of this Declaration and Bylaws shall be interpreted in favor of this restriction on leasing.

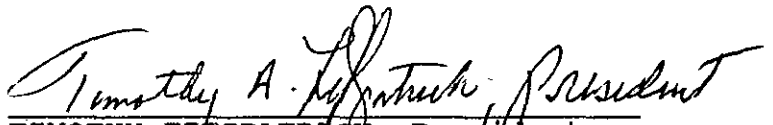
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AFFIDAVIT

STATE OF OHIO)
) SS
COUNTY OF SUMMIT)

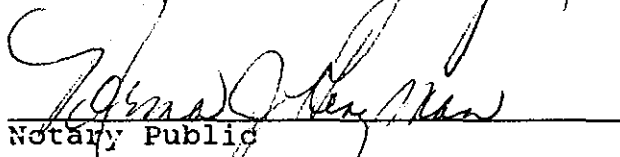
Timothy Fitzpatrick, being first duly sworn, states as follows:

- 1) He is the duly elected and acting President of the Indian Hills Condominium Association, Inc.
- 2) As such President he caused copies of the amendment to the Declaration of the Indian Hills Condominium to be mailed by certified mail to all mortgagees on the records of the Association having bona fide liens of record against any Unit Ownership.
- 3) Further affiant sayeth naught.


TIMOTHY FITZPATRICK, President

BEFORE ME, a Notary Public in and for said County, personally appeared the above named Timothy Fitzpatrick who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Celina, Ohio this 5th day of July, 1991.


Notary Public
NORMA J. HINZMAN, Notary Public
Residence - Summit County
State Wide Jurisdiction, Ohio
My Commission Expires Oct. 24, 1995

OR 718 - 137

CERTIFICATION OF SECRETARY

The undersigned being the duly elected and qualified Secretary of the Indian Hills Condominium Association, Inc., hereby certifies that there is on file in the records of the Association the names of the following mortgagees, if any, who have consented to the proposed Amendments to the Declaration of the Indian Hills Condominium.

N O N E

William Aurelius
WILLIAM AURELIUS, Secretary

STATE OF OHIO)
) SS
COUNTY OF SUMMIT)

Before me, a Notary Public in and for said County, personally appeared the above named William Aurelius who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed.

In Testimony Whereof, I have hereunto set my hand and official seat at Akron, Ohio this 5th day of July, 1991.

Norma J. Hinzman
Notary Public

NORMA J. HINZMAN, Notary Public
Residence - Summit County
State Wide Jurisdiction, Ohio
My Commission Expires Oct. 24, 1995

IN WITNESS, WHEREOF, the said Indian Hills Condominium Association, Inc., has caused the execution of this instrument this 1st day of July, 1991.

Signed in the presence of:

THE INDIAN-HILLS CONDOMINIUM ASSOCIATION, INC.

Norma J. Hinzman

By Timothy Fitzpatrick President
TIMOTHY FITZPATRICK, President

William Aurelius

By William Aurelius
WILLIAM AURELIUS, Secretary

STATE OF OHIO
COUNTY OF SUMMIT

SS

BEFORE ME, a Notary Public in and for said County, personally appeared the above named Indian Hills Condominium Association, Inc., by its President and its Secretary, who acknowledge that they did sign the foregoing instrument 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 at Akron, Ohio, this 1st day of July, 1991.

Norma J. Hinzman
Notary Public

NORMA J. HINZMAN, Notary Public
Residence - Summit County
State Wide Jurisdiction, Ohio
My Commission Expires Oct. 24, 1995

This Instrument Prepared By:
DAVID W. KAMAN
Attorney at Law
600 Terminal Tower
Cleveland, Ohio 44113
(216) 696-0650

AMENDMENTS TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
INDIAN HILLS CONDOMINIUM

TRANSFER NO. 1, NECESSARY
 John A. Donofrio, Fiscal Officer
 1-30-03 *CD*

APPROVED AS TO FORM
[Signature]
 Agent Prosecuting Attorney
 Summit County, Ohio

THIS WILL CERTIFY THAT A COPY OF THESE AMENDMENTS TO THE DECLARATION OF CONDOMINIUM OWNERSHIP FOR INDIAN HILLS CONDOMINIUM WAS FILED IN THE OFFICE OF THE FISCAL OFFICER OF SUMMIT COUNTY, OHIO.

DATED: *January 30, 2003*

BY: **JOHN A. DONOFRIO**
 FISCAL OFFICER
Quintt
Deputy Fiscal Officer



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 CONDO 36.00

AMENDMENTS TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP FOR
INDIAN HILLS CONDOMINIUM

WHEREAS, the Declaration of Condominium Ownership for Indian Hills Condominium (the "Declaration") and the Bylaws for The Indian Hills Condominium Association (the "Bylaws"), Exhibit C to the Declaration, were recorded at Summit County Records Volume 6987, Page 359 et seq., and

WHEREAS, The Indian Hills Condominium Association (the "Association") is a corporation consisting of all Unit Owners in Indian Hills and as such is the representative of all Unit Owners, and

WHEREAS, Article XIV of said Declaration authorizes amendments to the Declaration and Bylaws XII authorizes amendments to the Bylaws, and

WHEREAS, Unit Owners representing at least 75% of the Association's voting power have executed instruments in writing setting forth specifically the matters to be modified (the "Amendments"), and

WHEREAS, attached hereto as Exhibit A is an Affidavit of the Association's President and Secretary that Unit Owners entitled to exercise at least seventy-five percent (75%) of the voting power of the Association approved the amendments and that a copy of the Amendments was mailed by certified mail to all mortgagees on the records of the Association, and

WHEREAS, attached hereto as Exhibit B is a certification from the Association's Secretary as to the consenting mortgagees, on the records of the Association, to the Amendments, and

WHEREAS, the Association has in its records the signed, written consents to Amendment A signed by Unit Owners representing 79.80% of the Association's voting power, and

WHEREAS, the Association has in its records the power of attorney signed by Unit Owners representing 79.80% 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 Unit Owners representing 76.53% of the Association's voting power, and

WHEREAS, the Association has in its records the power of attorney signed by Unit Owners representing 76.53% of the Association's voting power authorizing the Association's officers to execute Amendment B on their behalf, and



WHEREAS, the proceedings necessary to amend the Declaration as required by Chapter 5311 of the Ohio Revised Code and the Declaration of Condominium Ownership for Indian Hills Condominium have in all respects been complied with.

NOW THEREFORE, the Declaration of Condominium Ownership for Indian Hills Condominium is hereby amended by the following:

INSERT a new DECLARATION ARTICLE III, Section B, Paragraph 13 entitled "Occupancy Restriction." Said new addition, to be added on Page 6 of the Declaration as recorded in the Summit County Records, Volume 6987, Page 359 et seq., is as follows:

AMENDMENT A

13. Occupancy Restriction. No person who is determined to be a sexual predator pursuant to the Ohio Sex Offenders Act and required to register with a designated registering agency pursuant to said Act, as the same may from time to time be amended, may reside in or occupy a Unit for any length of time. Any violation of this restriction shall subject the Unit Owner and/or any occupant of the Unit Owner's Unit to any and all remedies provided for by law as well as this Declaration. The Association shall not, however, be liable to any Unit Owner or occupant, or anyone visiting any Unit 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/or Bylaws shall be interpreted in favor of this restriction on the occupancy of Units. 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.



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Pg: 3 of 7
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John A Donofrio, Summit Fiscal Officer

AMENDMENT B

MODIFY BYLAWS ARTICLE X, entitled "NOTICES AND DEMANDS." Said modification, to be made on Page 16 of the Bylaws, Exhibit C of the Declaration as recorded in the Summit County Records, Volume 6987, Page 359 et seq., is as follows (deleted language stricken; new language underlined):

Any notice by the Board to a Unit Owner shall be deemed to be given, and any demand upon him shall be deemed by him to have been duly made, if delivered in writing to him personally, or if mailed by ~~certified or registered letter in any post office~~ regular U.S. mail, addressed to him at the Unit owned by such Unit Owner or at such other address provided by such Unit Owner in writing to the Association, and any notice by a Unit Owner to the Board shall be deemed to be duly given and any demand upon the Board shall be deemed to have been duly made, if in writing, and delivered to any two (2) members of the Board or to the President of the Association, either personally or by ~~certified or registered~~ regular U.S. mail, addressed to such Board members or officer at his Unit, or to such other address of the Association as provided to the Unit Owners.

Any conflict between this provision and other provisions of the Declaration and Bylaws shall be interpreted in favor of this clarification to notices to Unit Owners and the Association. Upon the recording of this amendment, only Unit 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.



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Pg: 4 of 7
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CONDO 36.00

John A Donofrio, Summit Fiscal Officer

IN WITNESS WHEREOF, the said The Indian Hills Condominium Association has caused the execution of this instrument this 15th day of January, 2003.

THE INDIAN HILLS CONDOMINIUM ASSOCIATION

By: *Lynn Slaby*
LYNN SLABY, its President

By: *Joe Cali*
JOE CALI, its Secretary

STATE OF OHIO)
)
COUNTY OF Summit)
) SS

BEFORE ME, a Notary Public, in and for said County, personally appeared the above named The Indian Hills Condominium Association, by its President and its Secretary, who acknowledged that they did sign the foregoing instrument 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 Akron, Ohio, this 15th day of January, 2003.

Jenny R. Archer
NOTARY PUBLIC
JENNY R. ARCHER
Notary Public, State of Ohio
My Commission Expires 2-25-06
Recorded in Summit County

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



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Pg: 5 of 7
01/30/2003 11:34A
CONDO 36.00
John A Donofrio, Summit Fiscal Officer

EXHIBIT A

AFFIDAVIT

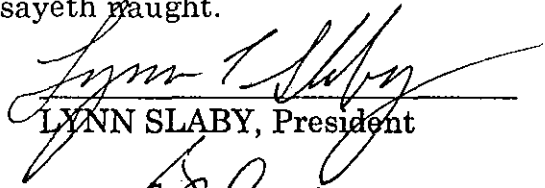
STATE OF OHIO)

COUNTY OF Summit)

SS

LYNN SLABY and JOE CALI, being first duly sworn, states as follows:

1. They are the duly elected and acting President and Secretary, respectively, of The Indian Hills Condominium Association.
2. As such President and Secretary, they certify that the Association received the signed, written consents of the unit owners representing 79.80% and 76.53%, respectively, of the Association's voting power in favor of the Amendments to the Declaration in accordance with provisions of Article XIV of the Declaration and caused such signed, written consents to be filed with The Indian Hills Condominium Association corporate records.
3. Accordingly, the Amendments were duly adopted in accordance with the provisions of the Declaration.
4. Copies of the Amendments to the Declaration were mailed by certified mail to all mortgagees having bona fide liens of record against any Unit Ownerships of whose mortgage interests notice had been given to the Association.
3. Further affiants sayeth naught.



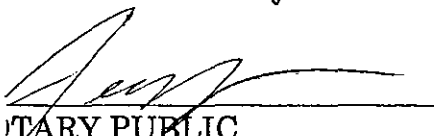
 LYNN SLABY, President



 JOE CALI, Secretary

BEFORE ME, a Notary Public, in and for said County, personally appeared the above named LYNN SLABY and JOE CALI who acknowledges that they did sign the foregoing instrument and that the same is their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal in allan, Ohio, this 15th day of January, 2003.



 JENNY R. ARCHER
 Notary Public, State of Ohio


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 Pg: 6 of 7
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 CONDO 36.00
 John A Donofrio, Summit Fiscal Officer

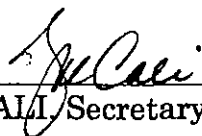
JENNY R. ARCHER
 Notary Public, State of Ohio
 My Commission Expires 3-25-06
 Recorder of Deeds, Summit County

EXHIBIT B

CERTIFICATION OF SECRETARY

The undersigned, being the duly elected and qualified Secretary of The Indian Hills Condominium Association, hereby certifies that there is on file in the Association's records, the names of the following mortgagees, if any, who have consented to the proposed Amendments to the Declaration of Condominium Ownership for Indian Hills Condominium.

NONE




JOE CALI, Secretary

STATE OF OHIO)
)
COUNTY OF Summit) SS

BEFORE ME, a Notary Public in and for said County, personally appeared the above named JOE CALI who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal in Allen, Ohio, this 15th day of January, 2003.



NOTARY PUBLIC
JENNY R. ARCHER
Notary Public, State of Ohio
My Commission Expires 2-25-06
Recorded in Summit County

Jc A Donofrio, Summit Fiscal Officer

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Pg: 7 of 7
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3-25-06

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AMENDMENT TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
INDIAN HILLS CONDOMINIUM

 **54968576**
Pg: 1 of 10
10/31/2003 01:21P
MISC 96.00
John A Donofrio, Summit Fiscal Officer

THIS WILL CERTIFY THAT A COPY OF THIS AMENDMENT TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP FOR INDIAN HILLS
CONDOMINIUM WAS FILED IN THE OFFICE OF THE FISCAL OFFICER OF
SUMMIT COUNTY, OHIO.

DATED: _____

BY: _____
FISCAL OFFICER

AMENDMENT TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP FOR
INDIAN HILLS CONDOMINIUM

WHEREAS, the Declaration of Condominium Ownership for Indian Hills Condominium (the "Declaration") was recorded at Summit County Records Volume 6987, Page 359 et seq., and

WHEREAS, The Indian Hills Condominium Association (the "Association") is a corporation consisting of all Unit Owners in Indian Hills and as such is the representative of all Unit Owners, and

WHEREAS, Article XIV of said Declaration authorizes Amendment to the Declaration, and

WHEREAS, Unit Owners representing at least 75% of the Association's voting power have executed instruments in writing setting forth specifically the matter to be modified (the "Amendment"), and

WHEREAS, attached hereto as Exhibit A is an Affidavit of the Association's President and Secretary that Unit Owners entitled to exercise at least seventy-five percent (75%) of the voting power of the Association approved the Amendment and that a copy of the Amendment was mailed by certified mail to all mortgagees on the records of the Association, and

WHEREAS, attached hereto as Exhibit B is a certification from the Association's Secretary as to the consenting mortgagees, on the records of the Association, to the Amendment, and

WHEREAS, the Association has in its records the signed, written consents to the Amendment signed by Unit Owners representing 77.98% of the Association's voting power, and

WHEREAS, the Association has in its records the power of attorney signed by Unit Owners representing 77.98% of the Association's voting power authorizing the Association's officers to execute the Amendment on their behalf, and

WHEREAS, the proceedings necessary to amend the Declaration as required by Chapter 5311 of the Ohio Revised Code and the Declaration of Condominium Ownership for Indian Hills Condominium have in all respects been complied with.

NOW THEREFORE, the Declaration of Condominium Ownership for Indian Hills Condominium is hereby amended by the following:



John A Donofrio, Summit Fiscal Officer

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Pg: 2 of 10
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DELETE DECLARATION ARTICLE IX, Section A, entitled "Fire and Extended Coverage Insurance," in its entirety. Said deletion is to be made from Page 20 of the Declaration as recorded in the Summit County Records, Volume 6987, Page 359 et seq.

INSERT A NEW DECLARATION ARTICLE IX, Section A, entitled "Casualty Insurance." Said new addition, to be added on Page 20 of the Declaration as recorded in the Summit County Records, Vol. 6987, Page 359 et seq., is as follows:

A. Casualty Insurance

1. Coverage

(a) Mandatory Coverage. The Association shall carry Casualty Insurance (also sometimes known as "property insurance" or "fire and extended insurance"), subject to a deductible as provided for in subparagraph 4 below, on all of the insurable improvements comprising the Common Areas and Facilities, including the Limited Common Areas and Facilities, and all personal property as may be owned by the Association and for which the Association is responsible.

(b) Optional Coverage. The Association may, as the Board so determines, also carry Casualty Insurance on some or all of the fixtures, structures, betterments and other insurable improvements constituting a part of the Units. In deciding whether to increase, or later decrease the scope of Casualty Insurance coverage permitted by this subparagraph, the Board may, among other factors, consider the Association's insurance claim history, the financial costs to the Association and the individual Unit Owners, mortgage market requirements, and the overall state of the condominium insurance market. The Board's decision as to the scope of Casualty Insurance coverage shall be determined as first and foremost reflected from time to time in the Board's meeting minutes, not the terms of the insurance policy itself. The Unit Owners shall have the burden to determine whether any portion of the Units are insured under the Association's Casualty Insurance policy; provided, however, that, the Association shall provide the Unit Owners with at least thirty (30) days prior written notice of any increase or decrease in the scope of Casualty Insurance coverage, particularly as it pertains to the Units.

2. Risks To Be Insured and Amount Thereof. The Association's Casualty Insurance shall protect against loss or damage by fire and hazards now or hereafter embraced by "extended coverage, vandalism and malicious mischief," and all other perils which are customarily covered, including perils normally covered by the standard "all-risk" endorsement; in an amount sufficient to cover the full replacement value, less deductible, of the cost of repair or reconstruction needed to restore the property to the condition it was in immediately prior to the damage or destruction from any such casualty (excluding excavation and foundation costs and other items normally excluded from such coverage).

3. Beneficiary Interests. Subject to the provisions of subparagraph 6 below, the Association's Casualty Insurance shall be for the benefit of the Association, each of the Unit Owners, and the holders of mortgages upon the



Ownership Interests, as their interest may appear, and shall provide for the issuance of certificates of insurance with mortgagees' endorsements to the holders of mortgages on the Units, if any.

4. Deductibles. The Association's Casualty Insurance may include a reasonable deductible as determined by the Board. In the absence of any negligence, the deductible shall be paid by the party who would be responsible for the loss or repair in the absence of insurance. In the event of multiple parties or combined claims covered by the Association's Casualty Insurance policy, shall be allocated in relation to the amount each party's claim bears to the total amount of the claim, with the party incurring the larger share of the loss responsible for the larger share of the deductible.

5. Negligence. Nothing in the Declaration shall be deemed to impose any contractual obligation on the Association for the maintenance, repair or replacement of any portion of the Condominium Property, but the Association's liability shall be limited to damages resulting from negligence. If any loss or repair is due to the negligence or intentional act of the Association or a Unit Owner (or anyone for which either is respectively responsible as provided for in this Declaration), then, in such case, the negligent, responsible party, being either the Association or the Unit Owner, shall be responsible for the full amount of the deductible. Each Unit Owner shall further be liable for the expenses of any maintenance, repair or replacement rendered necessary by his/her negligence or by that of any member of his/her family or his/her or their guests, employees, agents or lessees, to the extent that such expense is not paid for by the Association's insurance carrier, whether as a result of the deductible or otherwise. A Unit Owner shall also pay the amount of any increase in insurance premiums occasioned by his/her use, misuse, occupancy or abandonment of his/her Unit or its appurtenances or of the Common Areas and Facilities, including the Limited Common Areas and Facilities.

6. Claim Filing. The Board shall have the sole right and authority to file, or authorize the filing of, any and all claims for damage or destruction that are or may be covered by the Association's Casualty Insurance policy regardless of the person(s), including mortgagees, who may be named as an additional insured or beneficiary of such policy, as the Board determines is consistent with the intent of this Declaration and in the Association's best interests; provided, however, that a mortgagee having an interest in such losses may participate in the settlement negotiations, if any, related thereto. The failure or refusal of the Association to process or file any claim for damage or destruction to any part of the Condominium Property under the Association's Casualty Insurance shall not give rise to any claim against the Association or the Board.

7. Insurance Company Rating. All policies shall be written with a company licensed to do business in the State of Ohio and, unless not reasonably available to the Association, holding a rating of "A" or better by Best's Insurance Reports, or its present day equivalent.

8. Mortgagee and Other Additional Insurance Requirements. Notwithstanding anything to the contrary anywhere in this Paragraph A, the Board shall have the full right and authority, but not the obligation, to purchase Casualty Insurance, and/or any other insurance policy or endorsement, that includes any and



all such terms, conditions or requirements, as the Board determines is in the Association's best interest and is necessary to comply with any requirements of Federal National Mortgage Association ("FNMA"), Federal Home Loan Mortgage Corporation ("FHLMC"), the designee of FNMA or FHLMC, or any other financial institution or government agency. If the Association provides, as the Board so decides, any additional insurance coverage beyond the minimum requirements contained in this Section A, for less than all the Unit Owners, the Association may levy a special assessment against only those Unit Owners so requiring such additional insurance in an amount to be determined by the Board. The Board shall further have the right and power to execute and record special Amendment to this Section A, as the Board determines to be in the Association's interest, to comply with the requirements of FNMA and/or FHLMC. In furtherance of the right and power to record such special amendment, a power coupled with an interest is hereby reserved and granted to the Board to vote in favor of, make or consent to such special amendment on behalf of each Unit Owner as proxy or attorney-in-fact as the case may be.

9. Unit Owner Insurance. Each Unit Owner shall separately insure those portions of his/her Unit, which includes, without limitation, all fixtures, installations, plaster or plasterboard, concrete and wooden floors and improvements within or a part of said Unit and all utilities serving only the said Unit, not insured by the Association, and insurance on the Limited Common Areas and Facilities and Unit up to the amount of the Association's Casualty Insurance deductible when either such areas are insured by the Association, against loss by fire and other hazards and perils now or hereafter embraced by "extended coverage, vandalism and malicious mischief" and "all-risk" insurance. Each Unit Owner shall file a copy of the policy(ies), or such other evidence of insurance as the Board may require, with the Association within thirty (30) days of receipt of a request from the Association. Each Unit Owner shall further separately insure the personal contents of his/her Unit, as well as any other personal property, which he/she stores elsewhere on the Condominium Property.

10. Waiver of Subrogation. Each Unit Owner and Occupant, as a condition of accepting title and possession, or either one of such, of a Unit, and the Association agree that, in the event any part(s) of the Condominium Property or the fixtures or personal property of anyone located therein or thereon are damaged or destroyed by fire or other casualty that is covered by insurance of any Unit Owner, Occupant or the Association, and the lessees of any one of them, as provided for in this Section A, the rights of recovery and subrogation, if any, of any party against the other, or against the employees, agents, licensees or invitees of any party, with respect to such damage or destruction and with respect to any loss resulting therefrom are hereby waived to the extent of the insurance proceeds actually recovered.

DELETE DECLARATION ARTICLE X, entitled "DAMAGE OR DESTRUCTION AND RESTORATION OF BUILDINGS," in its entirety. Said deletion is to be made from Pages 21-23 of the Declaration as recorded in the Summit County Records, Volume 6987, Page 359 et seq.



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John A Donofrio, Summit Fiscal Officer

INSERT A NEW DECLARATION ARTICLE X entitled "DAMAGE OR DESTRUCTION AND RESTORATION OF BUILDINGS." Said new addition, to be added on Page 21 of the Declaration as recorded in the Summit County Records, Volume 6987, Page 359 et seq., is as follows:

ARTICLE X
DAMAGE OR DESTRUCTION AND RESTORATION OF BUILDINGS

A. Damage and Destruction.

1. Immediately after the damage or destruction by fire or other casualty to all or any part of the Condominium Property covered by the Association's Casualty Insurance, as determined by the Board, the Board or its duly authorized agent may proceed with the filing and adjustment of all claims arising under such insurance and obtain reliable and detailed estimates of the cost of repair or reconstruction of the damaged or destroyed property. Such costs may include professional fees and premiums for such bonds as the Board deems necessary. Each Unit Owner shall be deemed to have delegated, and does delegate upon acquisition of any title interest in a Unit, to the Board or its agent, his/her right to adjust with insurance companies all losses under the Casualty Insurance policies referred to in Section A of Article IX. In furtherance of this delegation, the Board, and its authorized agents, is and are hereby appointed the attorney-in-fact for all Unit Owners to make proof of loss, to negotiate loss adjustment, and to acknowledge receipt for any sums received on or under any and all of said policies.

2. In the event any damage to or destruction of the Common Areas renders seventy percent (70%) or more of the Units then comprised within the Condominium Property untenable, the Unit Owners may, by the vote of those entitled to exercise not less than seventy-five percent (75%) of the voting power, elect not to repair or restore such damaged part at a meeting which shall be called within ninety (90) days after the occurrence of the casualty. Upon such election, all of the Condominium Property shall be subject to an action for sale as upon partition at the suit of any Unit Owner. In the event of any such sale or a sale of the Condominium Property after such election, by agreement of all Unit Owners, the net proceeds of the sale together with the net proceeds of insurance, if any, and any other indemnity arising because of such damage or destruction, shall be considered as one fund and shall be distributed to all Unit Owners in proportion to their respective percentages of interest in the Common Areas and Facilities. No Unit Owner, however, shall receive any portion of his/her share of such proceeds until all liens and encumbrances on his/her Unit have been paid, released or discharged.

B. Restoration of Buildings.

1. Unless Unit Owners elect not to restore the damaged property as provided for in Section A(2) above, following the occurrence of a casualty for which insurance proceeds are recovered, the Association shall repair and reconstruct all damage to or destruction of the Common Areas and Facilities and Limited Common Areas and Facilities substantially as such Areas existed immediately before the damage or destruction, provided that the Board may provide for the use of such new or alternative materials as the Board reasonably determines are in the Association's



best interest. Distribution and/or payment of Association insurance proceeds for the repair and reconstruction of any Unit, if any, shall be determined by the Board.

2. If the cost of the repair for the damages or destruction to the Common Areas and Facilities exceeds the amount of the insurance proceeds received, such excess may be provided for either by means of a special assessment levied by the Board against all Unit Owners in proportion to each Unit Owner's share in the Common Areas or by means of an appropriation from the reserve maintenance fund or such other fund as may be established for the purpose of providing for the maintenance, repair and replacement of the Common Areas and Facilities, as the Board, in its sole discretion, may determine. Additional assessments may be made in a like manner at any time during or following the completion of any repair or reconstruction.

3. If the cost of repairs to the Common Areas and Facilities and the Limited Common Areas and Facilities, is less than the amount of such insurance proceeds, the excess shall be retained by the Association and placed in the reserve maintenance fund or such other fund as may be established for the purpose of providing for the maintenance, repair and replacement of the Common Areas and Facilities.

4. If the cost of the repair for the damages or destruction to the Limited Common Areas and Facilities exceeds the amount of the insurance proceeds received, such excess may be provided for by means of a special assessment levied by the Board against the Unit Owner(s) having the exclusive use of such Limited Common Area and Facilities.

5. After any damage to or destruction of his/her Unit, each Unit Owner shall restore his/her Unit, including utilities serving the Unit, at the Unit Owner's sole expense, to such minimum standards as the Board may at any time and/or from time to time, in its sole discretion, establish and shall complete such restoration within eight (8) months after the damage or destruction. Minimum standards may include requiring installation of drywall finished with at least one coat of primer, basic floor coverings, and utility lines, ducts, vents and related fixtures and equipment.

Any conflict between the above provisions and any other provisions of the Declaration and Bylaws shall be interpreted in favor of this revision of the Association's and Unit Owners' casualty insurance obligations as well as property restoration responsibilities. Upon the recording of this amendment, only Unit 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 within the court of common pleas within one year of the recording of the amendment.



John A Donofrio, Summit Fiscal Officer

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Pg: 7 of 10
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IN WITNESS WHEREOF, the said The Indian Hills Condominium Association has caused the execution of this instrument this 21st day of OCTOBER, 2003.

THE INDIAN HILLS CONDOMINIUM ASSOCIATION

By: *Lynn C Slaby*
LYNN SLABY, its President

By: *Joe Cali*
JOE CALI, its Secretary

STATE OF OHIO)
)
COUNTY OF SUMMIT) SS

BEFORE ME, a Notary Public, in and for said County, personally appeared the above named The Indian Hills Condominium Association, by its President and its Secretary, who acknowledged that they did sign the foregoing instrument 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 AKRON, Ohio, this 21st day of OCTOBER, 2003.

Jenny R Archer
NOTARY PUBLIC

JENNY R. ARCHER
Notary Public, State of Ohio
My Commission Expires 3-25-06
Recorded in Summit County

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

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John A Donofrio, Summit Fiscal Officer

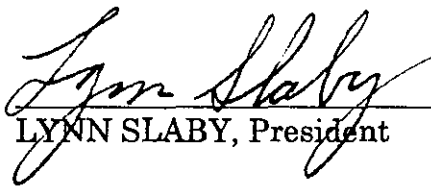
EXHIBIT A


AFFIDAVIT

STATE OF OHIO)
)
COUNTY OF SUMMIT) SS

LYNN SLABY and JOE CALI, being first duly sworn, states as follows:

1. They are the duly elected and acting President and Secretary, respectively, of The Indian Hills Condominium Association.
2. As such President and Secretary, they certify that the Association received the signed, written consents of the unit owners representing 77.98% of the Association's voting power in favor of the Amendment to the Declaration in accordance with provisions of Article XIV of the Declaration and caused such signed, written consents to be filed with The Indian Hills Condominium Association corporate records.
3. Accordingly, the Amendment was duly adopted in accordance with the provisions of the Declaration.
4. Copies of the Amendment to the Declaration were mailed by certified mail to all mortgagees having bona fide liens of record against any Unit Ownerships of whose mortgage interests notice had been given to the Association.
3. Further affiants sayeth naught.


LYNN SLABY, President


JOE CALI, Secretary

BEFORE ME, a Notary Public, in and for said County, personally appeared the above named LYNN SLABY and JOE CALI who acknowledges that they did sign the foregoing instrument and that the same is their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal in ALYON, Ohio, this 21st day of OCTOBER, 2003.

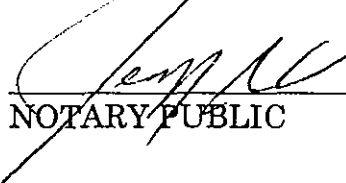
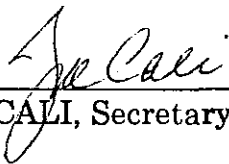

NOTARY PUBLIC
JENNY R. ARCHER
Notary Public, State of Ohio
My Commission Expires 7-25-06
Recorded in Summit County

EXHIBIT B

CERTIFICATION OF SECRETARY

The undersigned, being the duly elected and qualified Secretary of The Indian Hills Condominium Association, hereby certifies that there is on file in the Association's records, the names of the following mortgagees, if any, who have consented to the proposed Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium.

NONE



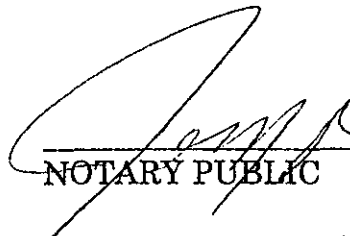
JOE CALI, Secretary

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MISC 96.00
John A Donofrio, Summit Fiscal Officer

STATE OF OHIO)
) SS
COUNTY OF SUMMIT)

BEFORE ME, a Notary Public in and for said County, personally appeared the above named JOE CALI who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal in AKRON, Ohio, this 21st day of OCTOBER, 2003.



NOTARY PUBLIC
JENNY R. ARCHER
Notary Public, State of Ohio
My Commission Expires 7-25-06
Recorded In Summit County

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AMENDMENTS TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
INDIAN HILLS CONDOMINIUM



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CONDO 72.00

John A Donofrio, Summit Fiscal Officer

THIS WILL CERTIFY THAT A COPY OF THESE AMENDMENTS TO THE DECLARATION OF CONDOMINIUM OWNERSHIP FOR INDIAN HILLS CONDOMINIUM WERE FILED IN THE OFFICE OF THE FISCAL OFFICER OF SUMMIT COUNTY, OHIO.

DATED: Feb 4, 2005

BY: JOHN A. DONOFRIO
FISCAL OFFICER

By. A. Taylor, Deputy Auditor

AMENDMENTS TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP FOR
INDIAN HILLS CONDOMINIUM

WHEREAS, the Declaration of Condominium Ownership for Indian Hills Condominium (the "Declaration") and Bylaws of The Indian Hills Condominium Association (the "Bylaws"), Exhibit C to the Declaration, were recorded at Summit County Records Volume 6987, Page 359 et seq., and

WHEREAS, Section 5311.05(E)(1) of the Ohio Revised Code, as amended on July 20, 2004, authorizes the Board of Directors, without a vote of the Owners, to amend the Declaration "to bring the Declaration in compliance with this Chapter," and

WHEREAS, the Board of Directors approved the following matters to be modified (the "Amendments") in order to bring the Declaration into compliance with Ohio Revised Code Chapter 5311, and

WHEREAS, the proceedings necessary to amend the Declaration as permitted by Chapter 5311 of the Ohio Revised Code and the Declaration of Condominium Ownership for Indian Hills Condominium have in all respects been complied with.

NOW THEREFORE, the Declaration of Condominium Ownership for Indian Hills Condominium is hereby amended by the Board of Directors as follows:

- (1) All references in the Declaration and Bylaws to the term "Common Areas" or "Common Areas and Facilities" shall be replaced with the term "Common Elements."
- (2) All references in the Declaration and Bylaws to the term "Limited Common Areas" or "Limited Common Areas and Facilities" shall be replaced with the term "Limited Common Elements."
- (3) All references in the Declaration and Bylaws to the term "Board of Managers" shall be replaced with the term "Board of Directors."
- (4) INSERT a new SECTION C, entitled "Enforcement Assessments," to the end of DECLARATION ARTICLE XV. Said new addition, to be added on Page 28 of the Declaration, as recorded at Summit County Records, Volume 6987, Page 359 et seq., is as follows:

C. Enforcement Assessments. In accordance with Ohio Revised Code Section 5311.081(B)(12), the Board shall have the authority to impose interest and administrative late fees for the late payment of Assessments; impose returned check charges; and, in accordance with the procedure

outlined in Ohio Revised Code Section 5311.081(C)(1), impose reasonable enforcement Assessments for violations of the Declaration, the Bylaws, and the rules of the Association, and reasonable charges for damage to the Common Elements.

(5) INSERT a new 2nd PARAGRAPH to the end of DECLARATION ARTICLE VIII, SECTION D, entitled "Lien of Association." Said new addition, to be added on Page 18 of the Declaration, as recorded at Summit County Records, Volume 6987, Page 359 et seq., and as amended at Summit County Records, OR 1119 Page 813 et seq, is as follows:

In accordance with Ohio Revised Code Section 5311.18(A)(1)(b), the Association has a lien upon each Unit's ownership interest for any unpaid interest, administrative late fees, enforcement Assessments, and collection costs, attorney's fees, and paralegal fees.

(6) INSERT a new PARAGRAPH to the end of DECLARATION ARTICLE III, SECTION B(12), entitled "Rental of Units." Said new addition, to be added on Page 6 of the Declaration, as recorded at Summit County Records, Volume 6987, Page 359 et seq., and as amended at Summit County Records, OR 718, Page 133 et seq., is as follows:

In accordance with Ohio Revised Code Section 5311.19(B), the Association may initiate eviction proceedings, pursuant to Chapters 5321 and 1923 of the Revised Code, to evict a tenant. The action shall be brought by the Association, as the Unit Owner's Agent, in the name of the Unit Owner. In addition to any procedures required by Chapters 5321 and 1923 of the Revised Code, the Association shall give the Unit Owner at least ten days written notice of the intended eviction action. The costs of any eviction action, including reasonable attorney's fees, shall be charged to the Unit Owner and shall be the subject of a special Assessment against the offending Unit and made a lien against that Unit.

(7) INSERT a new 2nd PARAGRAPH to the end of BYLAWS ARTICLE VI, SECTION 1, entitled "Obligation of Unit Owners to Pay Assessments." Said new addition, to be added on Page 11 of the Bylaws, Exhibit C of the Declaration, as recorded at Summit County Records, Volume 6987, Page 359 et seq., and as amended at Summit County Records, OR 1119, Page 813 et seq., is as follows:

In accordance with Ohio Revised Code Section 5311.18(A)(2), the Association shall credit payments made by a Unit Owner in the following order of priority:

- (1) First, to interest owed to the Association;



- (2) Second, to administrative late fees owed to the Association;
- (3) Third, to collection costs, attorney's fees, and paralegal fees incurred by the Association; and
- (4) Fourth, to the principal amounts the Unit Owner owes to the Association for the common expenses or enforcement Assessments chargeable against the Unit.

(8) INSERT a new 2nd PARAGRAPH to BYLAWS ARTICLE VI, SECTION 9, entitled "Remedies for Failure to Pay Assessments." Said new addition, to be added on Page 13 of the Bylaws, Exhibit C of the Declaration, as recorded at Summit County Records, Volume 6987, Page 359 et seq., is as follows:

Suspended Rights. In accordance with Ohio Revised Code Section 5311.081(B)(18), when a Unit Owner is delinquent in the payment of Assessments for more than thirty (30) days, the Board may, by a majority vote, suspend the voting privileges of the owner and/or right of the occupants to use the recreational facilities.

(9) INSERT a new 2nd PARAGRAPH to the end of BYLAWS ARTICLE V, SECTION 3, entitled "Special Services." Said new addition, to be added on Page 10 of the Bylaws, Exhibit C of the Declaration, as recorded at Summit County Records, Volume 6987, Page 359 et seq., is as follows:

In accordance with Ohio Revised Code Section 5311.081(B)(15), the Board may impose reasonable charges to the Unit Owner for providing copies of the Declaration, Bylaws or amendments thereto as well as reasonable charges for the handling of re-financing and/or resale documentation, and/or statements of unpaid Assessments.

(10) INSERT a new PARAGRAPH 14, entitled "Owner/Resident Information," to DECLARATION ARTICLE III, SECTION B. Said new addition, to be added on Page 6 of the Declaration, as recorded at Summit County Records, Volume 6987, Page 359 et seq., is as follows:

14. Owner/Resident Information. In accordance with Ohio Revised Code Section 5311.09(A)(2) and (3), each Unit Owner shall, within thirty (30) days of the recording of this Amendment or within thirty (30) days of title transferring to the Unit Owner, provide to the Association the Unit Owner's and/or all occupants' names, home and business mailing addresses, home and business telephone numbers, and the name, business address and business telephone number of any person who manages the Unit as an agent of that



Owner. Any change in the information shall be provided to the Board, in writing, within thirty (30) days of said change.

(11) INSERT a new 2nd SENTENCE to the end of BYLAWS ARTICLE II, SECTION 6, entitled "Regular Meetings." Said new addition, to be added on Page 3 of the Bylaws, Exhibit C of the Declaration, as recorded at Summit County Records, Volume 6987, Page 359 et seq., is as follows:

In accordance with Ohio Revised Code Section 5311.08(A)(4)(a), any Board meeting may be held in person or by any method of communication, including electronic or telephonic communication, provided that each Board member can hear, participate and respond to every other Board member.

(12) INSERT a new SENTENCE to the end of BYLAWS ARTICLE VI, SECTION 2, entitled "Preparation of Estimated Budget." Said new addition, to be added on Page 11 of the Bylaws, Exhibit C of the Declaration, as recorded at Summit County Records, Volume 6987, Page 359 et seq., is as follows:

In accordance with Ohio Revised Code Section 5311.21, in the alternative, if the Association has collected a Common Surplus at the end of any fiscal year, the Board may determine that such amount will be applied toward reserves.

(13) INSERT a new PARAGRAPH J to BYLAWS ARTICLE II, SECTION 10, entitled "Powers and Duties," and INSERT new SUBPARAGRAPHS (a), (b), (c), and (d), thereafter. Said new additions to be added on Page 5 of the Bylaws, Exhibit C of the Declaration, as recorded at Summit County Records, Volume 6987, Page 359 et seq., is as follows:

J. In accordance with Ohio Revised Code Section 5311.081(B), in addition to all other powers enumerated herein, the Board may exercise all powers of the Association, including the power to do the following:

- (1) Commence, defend, intervene in, settle, or compromise any civil, criminal, or administrative action or proceeding that is in the name of, or threatened against, the Association, the Board, or the Condominium Property, or that involves two or more Unit Owners and relates to matters affecting the Condominium Property;
- (2) Grant easements, leases, licenses, and concessions through or over the Common Elements;

- (3) Impose and collect fees or other charges for the use, rental, or operation of the Common Elements or for services provided to Unit Owners;
- (4) Invest excess funds in investments that meet standards for fiduciary investments under Ohio law.

Any conflict between the above provisions and any other provisions of the Declaration and Bylaws shall be interpreted in favor of the above amendments. Upon the recording of these amendments, only Unit Owners of record at the time of such filing shall have standing to contest the validity of these amendments, 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 amendments.

IN WITNESS WHEREOF, the said The Indian Hills Condominium Association has caused the execution of this instrument this 19th day of January, 2005.

THE INDIAN HILLS CONDOMINIUM ASSOCIATION

By: 
MATTHEW HEIDORF, its President



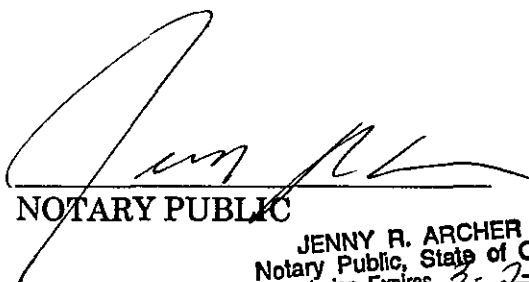
55149784
Pg: 6 of 7
02/07/2005 09:31A
CONDO 72.00

John A Donofrio, Summit Fiscal Officer

STATE OF OHIO)
) SS
COUNTY OF SUMMIT)

BEFORE ME, a Notary Public, in and for said County, personally appeared the above named The Indian Hills Condominium Association, by Matthew Heidorf, its President, who acknowledged that he did sign the foregoing instrument, on Page 6 of 7, and that the same is the free act and deed of said corporation and the free act and deed of him personally and as such officer.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal in AKRON, Ohio, this 19th day of January, 2005.


NOTARY PUBLIC

JENNY R. ARCHER
Notary Public, State of Ohio
My Commission Expires 2-25-06
Recorded in Summit County


55149784
Pg: 7 of 7
02/07/2005 09:31A
CONDO 72.00
John A Donofrio, Summit Fiscal Officer

enu

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

Indian Hills Devl Co.
To

INDEXED

209784

**FIRST AMENDMENT
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
INDIAN HILLS CONDOMINIUM**

This will certify that copies of this First Amendment to Declaration of Condominium Ownership For Indian Hills Condominium with the following exhibits attached thereto have been filed in the Office of the County Auditor, County of Summit, Ohio:

1. Exhibit A - Legal Description of Parcel No. 1;
2. Exhibit B - Legal Description of Parcel No. 2;
3. Exhibit D - Drawings; and
4. Exhibit E - Schedule of Par Values (Percentages of Interest)

Approved as to Form:

Auditor of County of Summit

William E. Schutt
Assistant Prosecuting Attorney

Jim Davis
Tim Davis *Mad. Clerkman*

Dated: April 22, 1985

Dated: 4-23-85

6987 / 359

RECEIVED FOR RECORD
APR 24 1985
12:35 o'clock A.M.
RECORDED MAY 14 1985
VOL 7042 p. 387-396

This Instrument Prepared By:
Jay P. Porter
BROUSE & McDOWELL
500 First National Tower
Akron, Ohio 44308

Ralph James
SUMMIT COUNTY RECORDER

\$179.20

Prescription approved
Tax Map Dept
R.D.D.
422-85
T.N.H.

For Plot see Cabinet A
from 788-794
slide

VOL 7042 PAGE 387

FIRST AMENDMENT
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
INDIAN HILLS CONDOMINIUM

THIS FIRST AMENDMENT TO THE DECLARATION OF CONDOMINIUM OWNERSHIP is made this _____ day of April, 1985, by INDIAN HILLS DEVELOPMENT COMPANY, an Ohio corporation ("Developer") of Akron, Ohio.

WHEREAS, INDIAN HILLS CONDOMINIUM ("Condominium") is governed by and subject to the terms and provisions of a certain Declaration of Condominium Ownership, dated October 4, 1984, (the "Declaration") duly recorded in Volume 6987 at Page 359 et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet A Slides 525-530, inclusive, of the County of Summit Records, all being duly filed for record on or about the 11th day of October, 1984 and recorded on the 26th day of October, 1984; and

WHEREAS, pursuant to Article XVII of the Declaration, the Developer reserved the right to add to the original Condominium Property, certain property adjacent thereto by amending the Declaration of record, submitting such additional property to the provisions of the Declaration and Chapter 5311 of the Ohio Revised Code; and

WHEREAS, pursuant to Article XVIII (K) of the Declaration, the Developer reserved the right to amend the Declaration for the purpose of making technical corrections to the Declaration; and

WHEREAS, the Developer desires to add certain land containing ten (10) Units to the Condominium, to uniformly allocate and reallocate par values (percentages of interests) for the Units, and to make certain technical corrections to the Declaration.

NOW, THEREFORE, the Developer, for itself and as attorney in fact for the Unit Owners and their mortgagees, and for the purposes set forth hereinabove, hereby declares as follows:

1. **RECITALS INCORPORATED.** That the Recitals hereinabove set forth are incorporated herein by reference and made a part hereof.
2. **DEFINITIONS.** That the definitions contained in Article I(B) of the Declaration are applicable to the words and phrases used in this First Amendment to Declaration unless the context otherwise requires.

3. AMENDMENT TO DECLARATION. That the Declaration is hereby amended and supplemented in the following respects:

(a) Legal Descriptions. Exhibit A to the original Declaration (the legal description of Parcel No. 1) is replaced by Exhibit A attached to this First Amendment to Declaration. Exhibit B to the original Declaration (the legal description of Parcel No. 2) is replaced by Exhibit B attached to this First Amendment to Declaration.

(b) Drawings. Exhibit D to the original Declaration (the "Drawings") is amended and supplemented to include the Drawings attached to this First Amendment to Declaration as Exhibit D.

(c) General Description of Buildings. Article IV of the original Declaration entitled "General Description of Buildings" is amended to read as follows:

"There are four residential buildings which are a part of the Condominium Property, one of which contains two Units (1886 and 1890 Indian Hills Trail), one of which contains three Units (1896, 1900 and 1904 Indian Hills Trail), one of which contains four Units (1870, 1874, 1878 and 1880 Indian Hills Trail), and the other of which contains six Units (1871, 1873, 1877, 1879, 1885 and 1889 Indian Hills Trail). The buildings are located as shown on the Drawings.

The buildings are all two-story buildings. The principal materials of which the buildings are constructed are wood, glass, concrete, concrete block, brick and drywall.

(d) Information About Condominium Property. The first sentence of Article V of the original Declaration entitled "Information About Condominium Property" is amended to read as follows:

"The Condominium Property, until additions are made to the Condominium Property pursuant to the provisions of Article XVI hereof, is hereby divided into fifteen (15) separately designated and legally described freehold

estates, hereindescribed and referred to as "Units", and one (1) freehold estate, herein described and referred to as the "Common Areas and Facilities".

The second and third paragraphs of Article V (4) of the original Declaration entitled "Percentages of Interest of Units Constructed on Parcel No. 2 are amended to read as follows:

"Units constructed on the Condominium Property will be single-story units (having "Unit A" type floor plans) or two-story units (having "Unit B," "Unit C," "Unit D," or "Unit E" type floor plans). "Unit As" will have two bedrooms and two and one-half (2-1/2) bathrooms, "Unit Bs" will have two bedrooms and two and one-half (2-1/2) bathrooms, "Unit Cs" will have three bedrooms and two and one-half (2-1/2) bathrooms, "Unit Ds" will have three bedrooms and two and one-half (2-1/2) bathrooms, and "Unit Es" will have three bedrooms and two and one-half (2-1/2) bathrooms.

The types of Units (according to type of floor plan) that may be created on Parcel No. 2 or any portion thereof and the par values that will be assigned to every type of Unit created on Parcel No. 2 or any portion thereof are as follows:

<u>Floor Plan Type</u>	<u>Par Value or Percentage of Interest</u>
Unit A	.74
Unit B	.93
Unit C	1.02
Unit D	1.15
Unit E	1.39"

(e) Par Values (Percentages of Interest) in Common Areas and Facilities. Exhibit E to the original Declaration ("Par Values [Percentages of Interest] of Units") is replaced by Exhibit E attached to this First Amendment to Declaration of Condominium.

(f) Technical Corrections. Article XVIII (K) entitled "Technical Corrections" is amended to read as follows:

"Developer reserves the right to amend this Declaration for the purpose of making technical corrections without the consent of the Unit Owners as required by Article XIV of the Declaration."

4. OTHER PROVISIONS REMAIN IN FULL FORCE AND EFFECT. Except as hereinabove amended and supplemented, all of the provisions of the Declaration shall be and remain in full force and effect.

IN WITNESS WHEREOF, the undersigned has executed this instrument this 17th day of April, 1985, for itself and on behalf of the Unit Owners of Indian Hills Condominium and their respective mortgagees.

Signed and Acknowledged
In the Presence of:

Developer - INDIAN HILLS
DEVELOPMENT COMPANY

Jay P. Porter

By: Ljubomir Zarkovacki
Ljubomir Zarkovacki -
President

Sentance M. Spring

and

Jay P. Porter

By: John Zarkovacki
John Zarkovacki - Secretary

Sentance M. Spring

STATE OF OHIO)
) SS
SUMMIT COUNTY)

BEFORE ME, a Notary Public in and for said county and state, personally appeared the above named INDIAN HILLS DEVELOPMENT COMPANY by Ljubomir Zarkovacki, President, and John Zarkovacki, Secretary, who acknowledged that they did sign the foregoing instrument and that the same is the free act and deed of the corporation and the free act and deed of each of them personally and as such officers.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Akron, Ohio, this 17th day of April, 1985.

Jay P. Porter
Notary Public JAY PAUL PORTER, Attorney
Notary Public - State of Ohio
My commission has no expiration date
Sec. 187.03 R.C.

VOL 7042 PAGE 391

CONSENT OF MORTGAGEE

The undersigned, PEOPLES FEDERAL SAVINGS AND LOAN ASSOCIATION, is mortgagee of the premises described in the within First Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium by virtue of two Mortgage Deeds executed by Indian Hills Development Company, and recorded in the Mortgage Records of the Recorder of Summit County, Ohio, in Volume 6885, Page 438, et seq., and Volume 6885, Page 453, et seq.

The undersigned hereby consents to the execution and delivery of the foregoing First Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium, with the Exhibits and Drawings attached as Exhibits thereto, and to the filing thereof in the Office of the County Recorder of Summit County, Ohio, and further, subjects and subordinates the aforescribed Mortgage Deeds to the foregoing First Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium, with the Exhibits and Drawings attached as Exhibits thereto, and to the provisions of Chapter 5311 of the Ohio Revised Code.

Signed in the Presence of:

PEOPLES FEDERAL SAVINGS AND
LOAN ASSOCIATION

William D. Hofacre
Miriam B. Bower

By: William D. Hofacre, Jr. V.P.

William D. Hofacre
Miriam B. Bower

By: Roy D. Bower, Jr. V.P. Treas.

STATE OF OHIO)
) SS
WAYNE COUNTY)

BEFORE ME, a Notary Public, in and for said County and State, personally appeared William D. Hofacre, the Senior Vice-President and Roy D. Bower, the Senior Vice-President-Treasurer of PEOPLES FEDERAL SAVINGS AND LOAN ASSOCIATION, who having been first duly sworn acknowledged that they did execute the foregoing instrument and that the same was their free act and deed individually and as such Officers and the free act and deed of said Association.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
my official seal at Wooster, Ohio, this 15th day of April,
1985.


Notary Public

MORRIS STUTZMAN
Notary Public, State of Ohio
My commission has no expiration date, O.R.C. 147.03

VOL 7042 PAGE 393

EXHIBIT A

PARCEL NO. 1

Indian Hills Condominium

Situated in the City of Akron, County of Summit, and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows:

PARCEL NO. 1

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N03°56'00"E for a distance of 644.09 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline of Sourek Road, N03°56'00"E for a distance of 237.93 feet to a one inch in outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet; thence S03°56'00"W for a distance of 419.87 feet; thence S84°04'00"W for a distance of 191.84 feet; thence N03°56'00"E for a distance of 50.75 feet; thence N84°04'00"E for a distance of 141.09 feet; thence N03°56'00"E for a distance of 163.12 feet; thence N86°04'00"W for a distance of 169.00 feet to the true point of beginning and containing 1.540 acres.

Parcel No. 3

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline, N3°56'00"E for a distance of 243.26 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence N84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"W for a distance of 30.45 feet to the true point of beginning and containing 0.725 of an acre.

Parcel No. 4

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 45.68 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 241.89 feet; thence S82°15'09"E for a distance of 62.29 feet; thence S1°34'00"E for a distance of 223.27 feet; thence S79°38'23"W for a distance of 12.33 feet; thence S84°04'00"W for a distance of 72.68 feet to the true point of beginning and containing 0.390 of an acre.

EXHIBIT B
PARCEL NO. 2

Situated in the City of Akron, County of Summit and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows: Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N03°56'00"E for a distance of 644.09 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S03°56'00"W for a distance of 163.12 feet; thence S84°04'00"W for a distance of 141.09 feet; thence S03°56'00"W for a distance of 50.75 feet; thence N84°04'00"E for a distance of 191.84 feet; thence N03°56'00"E for a distance of 419.87 feet; thence along the south line of 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records, S80°00'42"E for a distance of 514.60 feet to a 5/8 inch rebar found; thence S03°42'42"W for a distance of 384.42 feet to a 5/8 inch rebar found; thence S03°32'36"W for a distance of 396.08 feet to the centerline of Smith Road and passing over a 3/4 inch pinched top steel pipe found 30.00 feet from said centerline; thence along the centerline of Smith Road, N87°21'27"W for a distance of 54.80 feet to an angle point; thence continuing along said centerline and the centerline tangent, N87°59'10"W for a distance of 680.51 feet to the point of beginning and containing 12.433 acres.

Excepting therefrom the following described Parcels No. 3 & 4
Situated in the City of Akron, County of Summit, and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows:

Parcel No. 3
Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline, N3°56'00"E for a distance of 241.26 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence N84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"W for a distance of 30.45 feet to the true point of beginning and containing 0.725 of an acre.

Parcel No. 4
Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 43.68 feet to the true point of beginning of the parcel herein being described; thence continuing N1°56'00"E for a distance of 241.89 feet; thence S82°15'09"E for a distance of 62.29 feet; thence S1°34'00"E for a distance of 223.27 feet; thence S79°38'23"W for a distance of 12.33 feet; thence S84°04'00"W for a distance of 72.68 feet to the true point of beginning and containing 0.390 of an acre.

Leaving 11.318 acres remaining in Parcel No. 2.

EXHIBIT 'E'

PAR VALUE (PERCENTAGES OF INTEREST) OF UNITS

<u>Unit Address</u>	<u>Floor Plan Type</u>	<u>Par Values</u>
1886 Indian Hills Trail	E	1.39
1890 Indian Hills Trail	B	.93
1896 Indian Hills Trail	B	.93
1900 Indian Hills Trail	B	.93
1904 Indian Hills Trail	B	.93
1870 Indian Hills Trail	C	1.02
1871 Indian Hills Trail	D	1.15
1873 Indian Hills Trail	B	.93
1874 Indian Hills Trail	E	1.39
1877 Indian Hills Trail	B	.93
1878 Indian Hills Trail	E	1.39
1879 Indian Hills Trail	C	1.02
1880 Indian Hills Trail	B	.93
1885 Indian Hills Trail	B	.93
1889 Indian Hills Trail	B	.93

Transferred

APR 23, 1985

Received

APR 24, 1985 AT 8:35AM

Recorded

MAY 14, 1985

Recorder's fee \$

179.20

RALPH JAMES

Recorder

Indian Hills Development Co.
To

INDEXED

239976

SECOND AMENDMENT
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
INDIAN HILLS CONDOMINIUM

This will certify that copies of this Second Amendment to Declaration of Condominium Ownership For Indian Hills Condominium with the following exhibits attached thereto have been filed in the Office of the County Auditor, County of Summit, Ohio:

1. Exhibit A - Legal Description of Parcel No. 1;
2. Exhibit B - Legal Description of Parcel No. 2;
3. Exhibit D - Drawings; and
4. Exhibit E - Schedule of Par Values (Percentages of Interest)

Approved as to Form:

Auditor of County of Summit

Assistant Prosecuting Attorney

Tim Davis

Tim Davis

By: *Mark B. Williams, Deputy Auditor*

Dated:

RECEIVED FOR RECORD
NOV 12 1985

Dated:

Nov. 12, 1985

*Cabinet B
Slide 267 -
275*

AL *1:35* o'clock P.M. *6987*
Recorded *Nov. 21, 1985* *359*
Vol. *7137* Page *815-827A*
525 X

NOV 12 1985

[Signature]
Recorder
Co. of Summit, Ohio

TRANSFER NOT NECESSARY
NOV 12 1985
Tim Davis, County Auditor

This Instrument Prepared By:

Jay P. Porter
BROUSE & McDOWELL
500 First National Tower
Akron, Ohio 44308-1471

30.00
194.40
4224.40

APPROVED AS TO FORM

[Signature]
Assistant Prosecuting Attorney Summit County, Ohio

Description approved
by Tax Map Dept.

R. D. J.
11-12-85

VOL 7137 PAGE 815

SECOND AMENDMENT
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
INDIAN HILLS CONDOMINIUM

THIS SECOND AMENDMENT TO THE DECLARATION OF CONDOMINIUM OWNERSHIP is made this 4th day of November, 1985, by INDIAN HILLS DEVELOPMENT COMPANY, an Ohio corporation ("Developer") of Akron, Ohio.

WHEREAS, INDIAN HILLS CONDOMINIUM ("Condominium") is governed by and subject to the terms and provisions of a certain Declaration of Condominium Ownership, dated October 4, 1984, (the "Declaration") duly recorded in Volume 6987 at Page 359 et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet A Slides 525-530, inclusive, of the County of Summit Records, all being duly filed for record on or about the 11th day of October, 1984 and recorded on the 26th day of October, 1984; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain First Amendment to Declaration of Condominium Ownership for Indian Hills Condominium (the "First Amendment") dated the 17th day of April, 1985, duly recorded in Volume 7042, Pages 387 et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet A, Slides 788-794, inclusive, of the County of Summit Records, all being duly filed for record on or about April 24, 1985, and recorded on May 14, 1985; and

WHEREAS, pursuant to Article XVI of the Declaration, the Developer reserved the right to add to the original Condominium Property, certain property adjacent thereto by amending the Declaration of record, and by submitting such additional property to the provisions of the Declaration and Chapter 5311 of the Ohio Revised Code; and

WHEREAS, the Developer desires to add certain land containing thirteen (13) Units to the Condominium, and to uniformly allocate and reallocate par values (percentages of interests) for the Units.

NOW, THEREFORE, the Developer, for itself and as attorney in fact for the Unit Owners and their mortgagees, and for the purposes set forth hereinabove, hereby declares as follows:

1. RECITALS INCORPORATED. That the Recitals hereinabove set forth are incorporated herein by reference and made a part hereof.

2. DEFINITIONS. That the definitions contained in Article I(B) of the Declaration are applicable to the words and phrases

used in this Second Amendment to Declaration unless the context otherwise requires.

3. AMENDMENT TO DECLARATION. That the Declaration is hereby amended and supplemented in the following respects:

- (a) Legal Descriptions. Exhibit A to the First Amendment (which replaced Exhibit A to the original Declaration) is replaced by Exhibit A attached to this Second Amendment to Declaration. Exhibit B to the First Amendment (which replaced Exhibit B to the original Declaration) is replaced by Exhibit B attached to this Second Amendment to Declaration.
- (b) Drawings. Exhibit D to the original Declaration and Exhibit D to the First Amendment (the "Drawings") are amended and supplemented to include the Drawings attached to this Second Amendment to Declaration as Exhibit D.
- (c) General Description of Buildings. Article IV of the original Declaration entitled "General Description of Buildings" which was amended by the First Amendment is amended to read as follows:

"There are seven residential buildings which are a part of the Condominium Property, one of which contains two Units (1886 and 1890 Indian Hills Trail), one of which contains three Units (1896, 1900 and 1904 Indian Hills Trail), one of which contains four Units (1870, 1874, 1878 and 1880 Indian Hills Trail), one of which contains six Units (1871, 1873, 1877, 1879, 1885 and 1889 Indian Hills Trail), one of which contains four units (1783, 1787, 1791 and 1795 Bent Bow Drive), one of which contains five Units (1763, 1767, 1771, 1775 and 1779 Bent Bow Drive), and one of which contains four Units (1776, 1778, 1784 and 1786 Bent Bow Drive). The buildings are located as shown on the Drawings.

The buildings are all two-story buildings. The principal materials of which the buildings are constructed are wood, glass, concrete, concrete block, brick and drywall."

- (d) Information About Condominium Property. The first sentence of Article V of the original

Declaration entitled "Information About Condominium Property", which was amended by the First Amendment, is amended to read as follows:

"The Condominium Property, until additions are made to the Condominium Property pursuant to the provisions of Article XVI hereof, is hereby divided into twenty-eight (28) separately designated and legally described freehold estates, hereindescribed and referred to as "Units", and one (1) freehold estate, herein described and referred to as the "Common Areas and Facilities".

The third paragraph of Article V(A)4 of the original Declaration entitled "Percentages of Interest of Units Constructed on Parcel No. 2", which was amended by the First Amendment, is amended to read as follows:

"The types of Units (according to type of floor plan) that may be created on Parcel No. 2 or any portion thereof and the par values that will be assigned to every type of Unit created on Parcel No. 2 or any portion thereof are as follows:

<u>Floor Plan Type</u>	<u>Par Value or Percentage of Interest</u>
Unit A	.76
Unit B	.90
Unit C	.98
Unit D	1.18
Unit E	1.43

(e) Par Values (Percentages of Interest) in Common Areas and Facilities. Exhibit E to the First Amendment (which replaced Exhibit E to the original Declaration) is replaced by Exhibit E attached to this Second Amendment to Declaration of Condominium.

4. OTHER PROVISIONS REMAIN IN FULL FORCE AND EFFECT. Except as hereinabove amended and supplemented, all of the provisions of the Declaration and First Amendment shall be and remain in full force and effect.

IN WITNESS WHEREOF, the undersigned has executed this instrument this 4th day of November, 1985, for itself and on behalf of the Unit Owners of Indian Hills Condominium and their respective mortgagees.

Signed and Acknowledged
In the Presence of:

Jay P. Porter
Bere J. Jackson
Jay P. Porter
Bere J. Jackson

Developer - INDIAN HILLS
DEVELOPMENT COMPANY

By: Ljubomir Zarkovacki
Ljubomir Zarkovacki -
President

and

By: John Zarkovacki
John Zarkovacki -
Secretary

STATE OF OHIO)
) SS
SUMMIT COUNTY)

BEFORE ME, a Notary Public in and for said county and state,
personally appeared the above named INDIAN HILLS DEVELOPMENT
COMPANY by Ljubomir Zarkovacki, President, and John Zarkovacki,
Secretary, who acknowledged that they did sign the foregoing
instrument and that the same is the free act and deed of the
corporation and the free act and deed of each of them personally
and as such officers.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
my official seal at Akron, Ohio, this 4th day of November,
1985.

Jay P. Porter
Notary Public

JAY PAUL PORTER, Attorney
Notary Public - State of Ohio
My commission has no expiration date
Sec. 147.03 R.C.

CONSENT OF MORTGAGEE

The undersigned, PEOPLES FEDERAL SAVINGS AND LOAN ASSOCIATION, is mortgagee of the premises described in the within Second Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium by virtue of two Mortgage Deeds executed by Indian Hills Development Company, and recorded in the Mortgage Records of the Recorder of Summit County, Ohio, in Volume 6885, Page 438, et seq., and Volume 6885, Page 453, et seq.

The undersigned hereby consents to the execution and delivery of the foregoing Second Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium, with the Exhibits and Drawings attached as Exhibits thereto, and to the filing thereof in the Office of the County Recorder of Summit County, Ohio, and further, subjects and subordinates the aforescribed Mortgage Deeds to the foregoing Second Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium, with the Exhibits and Drawings attached as Exhibits thereto, and to the provisions of Chapter 5311 of the Ohio Revised Code.

Peoples Federal Savings Bank FNA

Signed in the Presence of:

PEOPLES FEDERAL SAVINGS AND LOAN ASSOCIATION

Sharon L. Boodle
As to Both Signatures

BY William D. Hofacre
William D. Hofacre
Senior Vice President

Ann M. Johnson
As to Both Signatures

BY Roy D. Bower
Roy D. Bower
Senior Vice President-Treasurer

STATE OF OHIO)
) SS
WAYNE COUNTY)

BEFORE ME, a Notary Public, in and for said County and State, personally appeared William D. Hofacre, the Senior Vice President and Roy D. Bower, the Senior Vice President-Treasurer of PEOPLES FEDERAL SAVINGS AND LOAN ASSOCIATION, who having been first duly sworn acknowledged that they did execute the foregoing instrument and that the same was their free act and deed individually and as such Officers and the free act and deed of said Association.

* Peoples Federal Savings Bank fka

IN TESTIMONY WHEREOF, I have hereunto set my hand and
affixed my official seal at Wooster, Ohio, this 1st day of
November, 1985.

Sharon L. Bodle

NOTARY PUBLIC

Sharon L. Bodle, Notary Public
My Commission Expires May 29, 1990

PARCEL NO. 1

Indian Hills Condominium

Situated in the City of Akron, County of Summit, and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows:

PARCEL NO. 1

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N03°56'00"E for a distance of 644.09 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline of Sourek Road, N03°56'00"E for a distance of 237.93 feet to a one inch in outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet; thence S03°56'00"W for a distance of 419.87 feet; thence S84°04'00"W for a distance of 191.84 feet; thence N03°56'00"E for a distance of 50.75 feet; thence N84°04'00"E for a distance of 141.09 feet; thence N03°56'00"E for a distance of 163.12 feet; thence N86°04'00"W for a distance of 169.00 feet to the true point of beginning and containing 1.540 acres.

Parcel No. 3

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline, N3°56'00"E for a distance of 243.26 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence N84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"W for a distance of 30.45 feet to the true point of beginning and containing 0.725 of an acre.

Parcel No. 4

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 45.68 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 241.89 feet; thence S82°15'09"E for a distance of 62.29 feet; thence S1°34'00"E for a distance of 223.27 feet; thence S79°38'23"W for a distance of 12.33 feet; thence S84°04'00"W for a distance of 72.68 feet to the true point of beginning and containing 0.390 of an acre.

Parcel No. 5

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N03°56'00"E for a distance of 918.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in volume 3167, page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 402.60 feet; thence S24°00'00"W for a distance of 90.00 feet; thence S41°13'00"W for a distance of 51.53 feet; thence N86°04'00"W for a distance of 90.00 feet; thence S03°56'00"W for a distance of 63.00 feet; thence N86°04'00"W for a distance of 177.00 feet; thence N01°34'00"W for a distance of 95.00 feet; thence N82°15'09"W for a distance of 62.29 feet; thence N03°56'00"E for a distance of 132.30 feet to the true point of beginning containing 1.487 acres.

EXHIBIT B

PARCEL NO. 2

Situated in the City of Akron, County of Summit and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows: Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N03°56'00"E for a distance of 644.09 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S03°56'00"W for a distance of 163.12 feet; thence S84°04'00"W for a distance of 141.09 feet; thence S03°56'00"W for a distance of 50.75 feet; thence N84°04'00"E for a distance of 191.84 feet; thence N03°56'00"E for a distance of 419.87 feet; thence along the south line of 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records, S80°00'42"E for a distance of 514.60 feet to a 5/8 inch rebar found; thence S03°42'42"W for a distance of 384.42 feet to a 5/8 inch rebar found; thence S03°32'36"W for a distance of 396.08 feet to the centerline of Smith Road and passing over a 3/4 inch pinched top steel pipe found 30.00 feet from said centerline; thence along the centerline of Smith Road, N87°21'27"W for a distance of 54.80 feet to an angle point; thence continuing along said centerline and the centerline tangent, N87°59'10"W for a distance of 680.51 feet to the point of beginning and containing 12.433 acres.

Excepting therefrom the following described Parcels No. 3, 4 & 6

Situated in the City of Akron, County of Summit, and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows:

Parcel No. 3

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 30.33 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline, N1°56'00"E for a distance of 743.26 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence N84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"W for a distance of 30.45 feet to the true point of beginning and containing 0.725 of an acre.

Parcel No. 4

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 45.68 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 741.89 feet; thence S82°15'09"E for a distance of 62.29 feet; thence S1°34'00"E for a distance of 223.27 feet; thence S79°38'23"W for a distance of 12.33 feet; thence S84°04'00"W for a distance of 72.68 feet to the true point of beginning and containing 0.390 of an acre.

Parcel No. 5

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N03°56'00"E for a distance of 918.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in volume 3167, page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 402.60 feet; thence S24°00'00"W for a distance of 90.00 feet; thence S41°13'00"W for a distance of 51.53 feet; thence N86°04'00"W for a distance of 90.00 feet; thence S03°56'00"W for a distance of 63.00 feet; thence N86°04'00"W for a distance of 177.00 feet; thence N01°34'00"W for a distance of 95.00 feet; thence N82°15'09"W for a distance of 62.29 feet; thence N03°56'00"E for a distance of 132.30 feet to the true point of beginning containing 1.487 acres.

Leaving 9.831 acres remaining in Parcel No. 7

EXHIBIT E

PAR VALUE (PERCENTAGES OF INTEREST) OF UNITS

<u>Unit Address</u>	<u>Floor Plan Type</u>	<u>Par Values</u>
1886 Indian Hills Trail	E	1.43
1890 Indian Hills Trail	B	.90
1896 Indian Hills Trail	B	.90
1900 Indian Hills Trail	B	.90
1904 Indian Hills Trail	B	.90
1870 Indian Hills Trail	C	.98
1871 Indian Hills Trail	D	1.18
1873 Indian Hills Trail	B	.90
1874 Indian Hills Trail	E	1.43
1877 Indian Hills Trail	B	.90
1878 Indian Hills Trail	E	1.43
1879 Indian Hills Trail	C	.98
1880 Indian Hills Trail	B	.90
1885 Indian Hills Trail	B	.90
1889 Indian Hills Trail	B	.90
1763 Bent Bow Drive	E	1.43
1767 Bent Bow Drive	B	.90
1771 Bent Bow Drive	E	1.43
1775 Bent Bow Drive	D	1.18
1776 Bent Bow Drive	E	1.43
1778 Bent Bow Drive	C	.98
1779 Bent Bow Drive	B	.90
1783 Bent Bow Drive	D	1.18

<u>Unit Address</u>	<u>Floor Plan</u>	<u>Par Values</u>
1784 Bent Bow Drive	A	.76
1786 Bent Bow Drive	A	.76
1787 Bent Bow Drive	C	.98
1791 Bent Bow Drive	E	1.43
1795 Bent Bow Drive	D	1.18

Transferred, Not Necessary
Received Nov. 12, 1985 at 1:35 PM.
Recorded Nov. 21, 1985
Recorder's fee \$ 224.40 RALPH JAMES
Recorder

VOL 7137 PAGE 827

Indian Hills Development Co.

To

INDEXED

THIRD AMENDMENT
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
INDIAN HILLS CONDOMINIUM

259795

This will certify that copies of this Third Amendment to Declaration of Condominium Ownership For Indian Hills Condominium with the following exhibits attached hereto have been filed in the Office of the County Auditor, County of Summit, Ohio:

1. Exhibit A - Legal Description of Parcel No. 1;
2. Exhibit B - Legal Description of Parcel No. 2;
3. Exhibit D - Drawings; and
4. Exhibit E - Schedule of Par Values (Percentages of Interest)

Approved as to Form: Auditor of County of Summit 1986

Assistant Prosecuting Attorney

Tip Davis
Mark Blairson Deputy Auditor
Dated: 4-3-86

Dated:

RECEIVED FOR RECORD
APR 4 1986
ALB 10
RECORDED - APR 21 1986
VOL 7236-635
Clayton Davis
SUMMIT COUNTY RECORDER
\$ 140.00

For Plat see Cabinet B Pgs 504-508 Incl.

APPROVED AS TO FORM
William E. Schell
Assistant Prosecuting Attorney, Summit County, Ohio

This Instrument Prepared By:
Jay P. Porter
BROUSE & MCDOWELL
500 First National Tower
Akron, Ohio 44308-1471

TRANSFER NOT NECESSARY
APR 4 1986
Tim Davis, County Auditor

THIRD AMENDMENT
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
INDIAN HILLS CONDOMINIUM

THIS THIRD AMENDMENT TO THE DECLARATION OF CONDOMINIUM OWNERSHIP is made this 26th day of March, 1986, by INDIAN HILLS DEVELOPMENT COMPANY, an Ohio corporation ("Developer") of Akron, Ohio.

WHEREAS, INDIAN HILLS CONDOMINIUM ("Condominium") is governed by and subject to the terms and provisions of a certain Declaration of Condominium Ownership, dated October 4, 1984, (the "Declaration") duly recorded in Volume 6987 at Page 359 et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet A Slides 525-530, inclusive, of the County of Summit Records, all being duly filed for record on or about the 11th day of October, 1984 and recorded on the 26th day of October, 1984; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain First Amendment to Declaration of Condominium Ownership (the "First Amendment") dated the 17th day of April, 1985, duly recorded in Volume 7042, Pages 387 et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet A, Slides 788-794, inclusive, of the County of Summit Records, all being duly filed for record on or about April 24, 1985, and recorded on May 14, 1985; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Second Amendment to Declaration of Condominium Ownership (the "Second Amendment") dated the 4th day of November 1985, duly recorded in Volume 7137, Pages 815 et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 267-275, inclusive, of the County of Summit Records, all being duly filed for record on or about November 12, 1985, and recorded on November 21, 1985; and

WHEREAS, pursuant to Article XVI of the Declaration, the Developer reserved the right to add to the original Condominium Property, certain property adjacent thereto by amending the Declaration of record, and by submitting such additional property to the provisions of the Declaration and Chapter 5311 of the Ohio Revised Code; and

WHEREAS, the Developer desires to add certain land containing six (6) Units to the Condominium, and to uniformly allocate and reallocate par values (percentages of interests) for the Units.

NOW, THEREFORE, the Developer, for itself and as attorney in fact for the Unit Owners and their mortgagees, and for the purposes set forth hereinabove, hereby declares as follows:

1. RECITALS INCORPORATED. That the Recitals hereinabove set forth are incorporated herein by reference and made a part hereof.
2. DEFINITIONS. That the definitions contained in Article I(D) of the Declaration are applicable to the words and phrases used in this Third Amendment to Declaration unless the context otherwise requires.
3. AMENDMENT TO DECLARATION. That the Declaration is hereby amended and supplemented in the following respects:

- (a) Legal Descriptions. Exhibit A to the Second Amendment (which replaced Exhibit A to the original Declaration) is replaced by Exhibit A attached to this Third Amendment to Declaration. Exhibit B to the Second Amendment (which replaced Exhibit B to the original Declaration) is replaced by Exhibit B attached to this Third Amendment to Declaration.
- (b) Drawings. Exhibit D to the original Declaration, Exhibit D to the First Amendment, and Exhibit D to the Second Amendment (the "Drawings") are amended and supplemented to include the Drawings attached to this Third Amendment to Declaration as Exhibit D.
- (c) General Description of Buildings. Article IV of the original Declaration entitled "General Description of Buildings" which was previously amended by the First Amendment and Second Amendment is amended to read as follows:

"There are eight (8) residential buildings which are a part of the Condominium Property, one of which contains two Units (1886 and 1890 Indian Hills Trail), one of which contains three Units (1896, 1900 and 1904 Indian Hills Trail), one of which contains four Units (1870, 1874, 1878 and 1880 Indian Hills Trail), one of which contains six Units (1871, 1873, 1877, 1879, 1885 and 1889 Indian Hills Trail), one of which contains four units (1783, 1787, 1791 and 1795 Bent Bow Drive), one of which contains five Units (1763, 1767, 1771, 1775 and 1779 Bent Bow

Drive), one of which contains four Units (1776, 1778, 1784 and 1786 Bent Bow Drive), and one of which contains six Units (1842, 1846, 1850, 1854, 1858, and 1862 Indian Hills Trail). The buildings are located as shown on the Drawings.

The buildings are all two-story buildings. The principal materials of which the buildings are constructed are wood, glass, concrete, concrete block, brick and drywall."

- (d) Information About Condominium Property. The first sentence of Article V of the original Declaration entitled "Information About Condominium Property", which was previously amended by the First Amendment and the Second Amendment, is amended to read as follows:

"The Condominium Property, until additions are made to the Condominium Property pursuant to the provisions of Article XVI hereof, is hereby divided into thirty-four (34) separately designated and legally described freehold estates, hereindescribed and referred to as 'Units', and one (1) freehold estate, herein described and referred to as the 'Common Areas and Facilities.'"

The third paragraph of Article V(A)4 of the original Declaration entitled "Percentages of Interest of Units Constructed on Parcel No. 2", which was previously amended by the First Amendment, and the Second Amendment, is amended to read as follows:

"The types of Units (according to type of floor plan) that may be created on Parcel No. 2 or any portion thereof and the par values that will be assigned to every type of Unit created on Parcel No. 2 or any portion thereof are as follows:

<u>Floor Plan Type</u>	<u>Par Value or Percentage of Interest</u>
Unit A	.74
Unit B	1.01
Unit C	.97
Unit D	1.09
Unit E	1.46

(e) Par Values (Percentages of Interest) in Common Areas and Facilities. Exhibit E to the Second Amendment (which replaced Exhibit E to the original Declaration) is replaced by Exhibit E attached to this Third Amendment to Declaration of Condominium.

4. OTHER PROVISIONS REMAIN IN FULL FORCE AND EFFECT. Except as hereinabove amended and supplemented, all of the provisions of the Declaration and First Amendment and Second Amendment shall be and remain in full force and effect.

IN WITNESS WHEREOF, the undersigned has executed this instrument this 26th day of March, 1986, for itself and on behalf of the Unit Owners of Indian Hills Condominium and their respective mortgagees.

Signed and Acknowledged
In the Presence of:

Developer - INDIAN HILLS
DEVELOPMENT COMPANY

[Signature]

By: [Signature]
Dan Zarkovacki
Vice President

Jay P. Porter

and

[Signature]

By: [Signature]
John Zarkovacki -
Secretary

Jay P. Porter

STATE OF OHIO)
) SS
SUMMIT COUNTY)

BEFORE ME, a Notary Public in and for said county and state, personally appeared the above named INDIAN HILLS DEVELOPMENT COMPANY by Dan Zarkovacki, Vice President, and John Zarkovacki, Secretary, who acknowledged that they did sign the foregoing instrument and that the same is the free act and deed of the corporation and the free act and deed of each of them personally and as such officers.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Akron, Ohio, this 26th day of March, 1986.

Jay P. Porter
Notary Public
My commission has no expiration date
Sec. 147.03 R.C.

VOL 7236 PAGE 639

CONSENT OF MORTGAGEE

The undersigned, PEOPLES FEDERAL SAVINGS BANK f.k.a. PEOPLES FEDERAL SAVINGS AND LOAN ASSOCIATION, is mortgagee of the premises described in the within Third Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium by virtue of two Mortgage Deeds executed by Indian Hills Development Company, and recorded in the Mortgage Records of the Recorder of Summit County, Ohio, in Volume 6885, Page 438, et seq., and Volume 6885, Page 453, et seq.

The undersigned hereby consents to the execution and delivery of the foregoing Third Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium, with the Exhibits and Drawings attached as Exhibits thereto, and to the filing thereof in the Office of the County Recorder of Summit County, Ohio, and further, subjects and subordinates the aforescribed Mortgage Deeds to the foregoing Third Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium, with the Exhibits and Drawings attached as Exhibits thereto, and to the provisions of Chapter 5311 of the Ohio Revised Code.

Signed in the Presence of:

PEOPLES FEDERAL SAVINGS BANK
f.k.a. PEOPLES FEDERAL SAVINGS
AND LOAN ASSOCIATION

Brenda J. Courson
As to Both Signatures

By: William J. Courson
William J. Courson, Chairman &
President

Sharon A. Boodle

Brenda J. Courson
As to Both Signatures

By: Roy D. Bower
Roy D. Bower, Senior
Vice President-Treasurer

Sharon A. Boodle

STATE OF OHIO)
) SS
WAYNE COUNTY)

BEFORE ME, a Notary Public, in and for said County and State, personally appeared William J. Courson the Chairman & President and Roy D. Bower, the Senior Vice President-Treasurer of PEOPLES FEDERAL SAVINGS BANK f.k.a. PEOPLES FEDERAL SAVINGS AND LOAN ASSOCIATION, who having been first duly sworn acknowledged that they did execute the foregoing instrument and that the same was

their free act and deed individually and as such Officers and the
free act and deed of said Association.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
my official seal at Wooster, Ohio, this 25th day of
March, 1986.

Brenda K. Courson

NOTARY PUBLIC

BRENDA K. COURSON, Notary Public
Wayne County, State of Ohio
My Commission Expires May 11, 1990

PARCEL NO. 1

Indian Hills Condominium

Situated in the City of Akron, County of Summit, and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows:

PARCEL NO. 1

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N03°56'00"E for a distance of 644.09 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline of Sourek Road, N03°56'00"E for a distance of 237.93 feet to a one inch in outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet; thence S03°56'00"W for a distance of 419.87 feet; thence S84°04'00"W for a distance of 191.84 feet; thence N03°56'00"E for a distance of 50.75 feet; thence N84°04'00"E for a distance of 141.09 feet; thence N03°56'00"E for a distance of 163.12 feet; thence N86°04'00"W for a distance of 169.00 feet to the true point of beginning and containing 1.540 acres.

Parcel No. 3

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline, N3°56'00"E for a distance of 243.26 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence N84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"W for a distance of 30.45 feet to the true point of beginning and containing 0.725 of an acre.

Parcel No. 4

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 45.68 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 241.89 feet; thence S82°15'09"E for a distance of 62.29 feet; thence S1°34'00"E for a distance of 223.27 feet; thence S79°38'23"W for a distance of 12.33 feet; thence S84°04'00"W for a distance of 72.68 feet to the true point of beginning and containing 0.390 of an acre.



Parcel No. 5

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N03°56'00"E for a distance of 918.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in volume 3167, page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 402.60 feet; thence S24°00'00"W for a distance of 90.00 feet; thence S41°13'00"W for a distance of 51.53 feet; thence N86°04'00"W for a distance of 90.00 feet; thence S03°56'00"W for a distance of 63.00 feet; thence N86°04'00"W for a distance of 177.00 feet; thence N01°34'00"W for a distance of 95.00 feet; thence N82°15'09"W for a distance of 62.29 feet; thence N03°56'00"E for a distance of 132.30 feet to the true point of beginning containing 1.487 acres.

Parcel No. 6

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 253.50 feet; thence N84°04'00"E for a distance of 223.13 feet; thence S4°50'18"E for a distance of 224.50 feet; thence S4°53'56"W for a distance of 50.06 feet; thence N87°53'40"W for a distance of 50.02 feet, thence N4°50'18"E for a distance of 29.43 feet, thence N86°04'00"W for a distance of 60.92 feet; thence N3°56'00"E for a distance of 10.00 feet; thence N86°04'00"W for a distance of 5.15 feet; thence S65°03'57"W for a distance of 114.01 feet to the true point of beginning containing 1.209 acres.

EXHIBIT B

PARCEL NO. 2 VOL 7236 PAGE 644

Situated in the City of Akron, County of Summit and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows: Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 644.09 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence S84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"E for a distance of 191.84 feet; thence N3°56'00"E for a distance of 419.87 feet; thence along the south line of 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 1167, Page 7 of the Summit County Deed Records, S80°00'42"E for a distance of 514.60 feet to a 5/8 inch rebar found; thence S3°42'42"W for a distance of 384.42 feet to a 5/8 inch rebar found; thence S3°32'36"W for a distance of 396.08 feet to the centerline of Smith Road and passing over a 3/4 inch pinched top steel pipe found 30.00 feet from said centerline; thence along the centerline of Smith Road, N87°21'27"W for a distance of 54.80 feet to an angle point; thence continuing along said centerline and the centerline tangent, N87°59'10"W for a distance of 680.51 feet to the point of beginning and containing 12.433 acres.

Excepting therefrom the following described Parcels No. 3, 4, 5 and 6

Situated in the City of Akron, County of Summit, and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows:

Parcel No. 3

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline, N3°56'00"E for a distance of 243.26 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence N84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"W for a distance of 30.45 feet to the true point of beginning and containing 0.725 of an acre.

Parcel No. 4

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 45.68 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 241.89 feet; thence S82°15'09"E for a distance of 62.29 feet; thence S1°34'00"E for a distance of 223.27 feet; thence S79°38'23"W for a distance of 12.33 feet; thence S84°04'00"W for a distance of 72.68 feet to the true point of beginning and containing 0.390 of an acre.

EXHIBIT B
Continued

Parcel No. 5

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 882.02 feet (Previously shown incorrectly as 918.02 feet) to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 402.60 feet; thence S24°00'00"W for a distance of 90.00 feet; thence S41°13'00"W for a distance of 51.53 feet; thence N86°04'00"W for a distance of 90.00 feet; thence S3°56'00"W for a distance of 63.00 feet; thence N86°04'00"W for a distance of 177.00 feet; thence N1°34'00"W for a distance of 95.00 feet; thence N82°15'09"W for a distance of 62.29 feet; thence N3°56'00"E for a distance of 132.30 feet to the true point of beginning containing 1.487 acres.

Parcel No. 6

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 253.50 feet; thence N84°04'00"E for a distance of 223.13 feet; thence S4°50'18"E for a distance of 224.50 feet; thence S4°53'56"W for a distance of 50.06 feet; thence N87°53'40"W for a distance of 50.02 feet; thence N4°50'18"E for a distance of 29.43 feet; thence N86°04'00"W for a distance of 60.92 feet; thence N3°56'00"E for a distance of 10.00 feet; thence N86°04'00"W for a distance of 5.15 feet; thence S65°03'57"W for a distance of 114.01 feet to the true point of beginning containing 1.209 acres.

Leaving 8.622 acres remaining in Parcel No. 2.

EXHIBIT E

PAR VALUE (PERCENTAGES OF INTEREST) OF UNITS

<u>Unit Address</u>	<u>Floor Plan Type</u>	<u>Par Values</u>
1886 Indian Hills Trail	E	1.46
1890 Indian Hills Trail	B	1.01
1896 Indian Hills Trail	B	1.01
1900 Indian Hills Trail	B	1.01
1904 Indian Hills Trail	B	1.01
1870 Indian Hills Trail	C	.97
1871 Indian Hills Trail	D	1.09
1873 Indian Hills Trail	B	1.01
1874 Indian Hills Trail	E	1.46
1877 Indian Hills Trail	B	1.01
1878 Indian Hills Trail	E	1.46
1879 Indian Hills Trail	C	.97
1880 Indian Hills Trail	B	1.01
1885 Indian Hills Trail	B	1.01
1889 Indian Hills Trail	B	1.01
1763 Bent Bow Drive	E	1.46
1767 Bent Bow Drive	B	1.01
1771 Bent Bow Drive	E	1.46
1775 Bent Bow Drive	D	1.09
1776 Bent Bow Drive	E	1.46
1778 Bent Bow Drive	C	.97
1779 Bent Bow Drive	B	1.01

272553

FOURTH AMENDMENT
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
INDIAN HILLS CONDOMINIUM

THIS FOURTH AMENDMENT TO THE DECLARATION OF CONDOMINIUM OWNERSHIP is made this 9th day of June, 1986, by INDIAN HILLS DEVELOPMENT COMPANY, an Ohio corporation ("Developer") of Akron, Ohio.

WHEREAS, INDIAN HILLS CONDOMINIUM ("Condominium") is governed by and subject to the terms and provisions of a certain Declaration of Condominium Ownership, dated October 4, 1984, (the "Declaration") duly recorded in Volume 6987 at Page 359 et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet A, Slides 525-530, inclusive, of the County of Summit Records, all being duly filed for record on or about the 11th day of October, 1984 and recorded on the 26th day of October, 1984; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain First Amendment to Declaration of Condominium Ownership (the "First Amendment") dated the 17th day of April, 1985, duly recorded in Volume 7042, Pages 387 et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet A, Slides 788-794, inclusive, of the County of Summit Records, all being duly filed for record on or about April 24, 1985, and recorded on May 14, 1985; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Second Amendment to Declaration of Condominium Ownership (the "Second Amendment") dated the 4th day of November 1985, duly recorded in Volume 7137, Pages 815 et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 267-275, inclusive, of the County of Summit Records, all being duly filed for record on or about November 12, 1985, and recorded on November 21, 1985; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Third Amendment to Declaration of Condominium Ownership (the "Third Amendment") dated the 26th day of March, 1986, duly recorded in Volume 7236, Pages 635, et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 504-508, inclusive, of the County of Summit Records, all being duly filed for record on or about April 4, 1986, and recorded on April 21, 1986; and

WHEREAS, pursuant to Article XVI of the Declaration, the Developer reserved the right to add to the original Condominium Property, certain property adjacent thereto by amending the Declaration of record, and by submitting such additional property to the provisions of the Declaration and Chapter 5311 of the Ohio Revised Code; and

WHEREAS, the Developer desires to add certain land containing six (6) Units to the Condominium, and to uniformly allocate and reallocate par values (percentages of interests) for the Units.

NOW, THEREFORE, the Developer, for itself and as attorney in fact for the Unit Owners and their mortgagees, and for the purposes set forth hereinabove, hereby declares as follows:

1. RECITALS INCORPORATED. That the Recitals hereinabove set forth are incorporated herein by reference and made a part hereof.

2. DEFINITIONS. That the definitions contained in Article I(B) of the Declaration are applicable to the words and phrases used in this Fourth Amendment to Declaration unless the context otherwise requires.

3. AMENDMENT TO DECLARATION. That the Declaration is hereby amended and supplemented in the following respects:

(a) Legal Descriptions. Exhibit A to the Third Amendment (which replaced Exhibit A to the original Declaration) is replaced by Exhibit A attached to this Fourth Amendment to Declaration. Exhibit B to the Third Amendment (which replaced Exhibit B to the original Declaration) is replaced by Exhibit B attached to this Fourth Amendment to Declaration.

(b) Drawings. Exhibit D to the original Declaration, Exhibit D to the First Amendment, Exhibit D to the Second Amendment, and Exhibit D to the Third Amendment (the "Drawings") are amended and supplemented to include the Drawings attached to this Fourth Amendment to Declaration as Exhibit D.

(c) General Description of Buildings. Article IV of the original Declaration entitled "General Description of Buildings" which was previously amended by the First Amendment, Second Amendment, and Third Amendment, is amended to read as follows:

"There are ten (10) residential buildings which are a part of the Condominium Property, one of which contains two Units (1886 and 1890 Indian Hills Trail), one of which contains three Units (1896, 1900 and 1904 Indian Hills Trail), one of which contains four Units (1870, 1874, 1878 and 1880 Indian Hills Trail), one of which contains six Units (1871, 1873, 1877, 1879, 1885 and 1889 Indian Hills Trail), one of which contains four Units (1783, 1787, 1791 and 1795 Bent Bow Drive), one of which contains five Units (1763, 1767, 1771, 1775 and 1779 Bent Bow Drive), one of which contains four Units (1776, 1778, 1784 and 1786 Bent Bow Drive), one of which contains six Units (1842, 1846, 1850, 1854, 1858, and 1862 Indian Hills Trail), one of which contains two Units (1832 and 1836 Indian Hills Trail), and one of which contains four Units (1700, 1704, 1708, and 1712 Rock Hill Lane). The buildings are located as shown on the Drawings.

The buildings are all two-story buildings. The principal materials of which the buildings are constructed are wood, glass, concrete, concrete block, brick and drywall."

- (d) Information About Condominium Property. The first sentence of Article V of the original Declaration entitled "Information About Condominium Property", which was previously amended by the First Amendment, the Second Amendment, and the Third Amendment, is amended to read as follows:

"The Condominium Property, until additions are made to the Condominium Property pursuant to the provisions of Article XVI hereof, is hereby divided into forty (40) separately designated and legally described freehold estates, hereindescribed and referred to as 'Units', and one (1) freehold estate, herein described and referred to as the 'Common Areas and Facilities.'"

The third paragraph of Article V(A)4 of the original Declaration entitled "Percentages of Interest of Units Constructed on Parcel No. 2", which was previously amended by the First Amendment, the Second Amendment, and the Third Amendment, is amended to read as follows:

VOL 7279 PAGE 313

"The types of Units (according to type of floor plan) that may be created on Parcel No. 2 or any portion thereof and the par values that will be assigned to every type of Unit created on Parcel No. 2 or any portion thereof are as follows:

<u>Floor Plan Type</u>	<u>Par Value or Percentage of Interest</u>
Unit A	.74
Unit B	1.01
Unit C	.97
Unit D	1.09
Unit E	1.46

(e) Par Values (Percentages of Interest) in Common Areas and Facilities. Exhibit E to the Third Amendment (which replaced Exhibit E to the original Declaration) is replaced by Exhibit E attached to this Fourth Amendment to Declaration of Condominium.

4. OTHER PROVISIONS REMAIN IN FULL FORCE AND EFFECT. Except as hereinabove amended and supplemented, all of the provisions of the Declaration and First Amendment, Second Amendment, and the Third Amendment, shall be and remain in full force and effect.

IN WITNESS WHEREOF, the undersigned has executed this instrument this 13th day of June, 1986, for itself and on behalf of the Unit Owners of Indian Hills Condominium and their respective mortgagees.

Signed and Acknowledged
In the Presence of:

Developer - INDIAN HILLS
DEVELOPMENT COMPANY

Jay P. Porter
Scottie M. King

By: [Signature]
Dubomir Zarkovacki -
President

Jay P. Porter
Scottie M. King

and
By: [Signature]
John Zarkovacki -
Secretary

STATE OF OHIO)
) SS
SUMMIT COUNTY)

BEFORE ME, a Notary Public in and for said county and state, personally appeared the above named INDIAN HILLS DEVELOPMENT COMPANY by Ljubomir Zarkovacki, President, and John Zarkovacki, Secretary, who acknowledged that they did sign the foregoing instrument and that the same is the free act and deed of the corporation and the free act and deed of each of them personally and as such officers.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Akron, Ohio, this 13th day of June, 1986.

Jay P. Porter
Notary Public

JAY PAUL PORTER, Attorney
Notary Public - State of Ohio
My commission has no expiration date
Sec. 147.63 R.C.

CONSENT OF MORTGAGEE

The undersigned, PEOPLES FEDERAL SAVINGS BANK f.k.a. PEOPLES FEDERAL SAVINGS AND LOAN ASSOCIATION, is mortgagee of the premises described in the within Fourth Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium by virtue of two Mortgage Deeds executed by Indian Hills Development Company, and recorded in the Mortgage Records of the Recorder of Summit County, Ohio, in Volume 6885, Page 438, et seq., and Volume 6885, Page 453, et seq.

The undersigned hereby consents to the execution and delivery of the foregoing Fourth Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium, with the Exhibits and Drawings attached as Exhibits thereto, and to the filing thereof in the Office of the County Recorder of Summit County, Ohio, and further, subjects and subordinates the aforescribed Mortgage Deeds to the foregoing Fourth Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium, with the Exhibits and Drawings attached as Exhibits thereto, and to the provisions of Chapter 5311 of the Ohio Revised Code.

Signed in the Presence of:

PEOPLES FEDERAL SAVINGS BANK
f.k.a. PEOPLES FEDERAL SAVINGS
AND LOAN ASSOCIATION

William J. Courson
As to Both Signatures

By: *William J. Courson*
William J. Courson,
Chairman and President

Brenda L. Courson
As to Both Signatures

By: *Roy D. Bower*
Roy D. Bower, Senior
Vice President-Treasurer

STATE OF OHIO)
) SS
WAYNE COUNTY)

BEFORE ME, a Notary Public, in and for said County and State, personally appeared William J. Courson, the Chairman and President and Roy D. Bower, the Senior Vice President-Treasurer of PEOPLES FEDERAL SAVINGS BANK f.k.a. PEOPLES FEDERAL SAVINGS AND LOAN ASSOCIATION, who having been first duly sworn acknowledged that they did execute the foregoing instrument and that the same was

their free act and deed individually and as such Officers and the
free act and deed of said Association.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
my official seal at Wooster, Ohio, this 9th day of
June, 1986.

Brenda L. Courson

NOTARY PUBLIC
BRENDA L. COURSON, Notary Public
Wayne County, State of Ohio
My Comm. expires May 11, 1990

EXHIBIT A

PARCEL NO. 1

Indian Hills Condominium

Situated in the City of Akron, County of Summit, and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows:

PARCEL NO. 1

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N03°56'00"E for a distance of 644.09 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline of Sourek Road, N03°56'00"E for a distance of 237.93 feet to a one inch in outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet; thence S03°56'00"W for a distance of 419.87 feet; thence S84°04'00"W for a distance of 191.84 feet; thence N03°56'00"E for a distance of 50.75 feet; thence N84°04'00"E for a distance of 141.09 feet; thence N03°56'00"E for a distance of 163.12 feet; thence N86°04'00"W for a distance of 169.00 feet to the true point of beginning and containing 1.540 acres.

Parcel No. 3

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline, N3°56'00"E for a distance of 243.26 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence N84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"W for a distance of 30.45 feet to the true point of beginning and containing 0.725 of an acre.

Parcel No. 4

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 45.68 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 241.89 feet; thence S82°15'09"E for a distance of 62.29 feet; thence S1°34'00"E for a distance of 223.27 feet; thence S79°38'21"W for a distance of 12.33 feet; thence S84°04'00"W for a distance of 72.68 feet to the true point of beginning and containing 0.390 of an acre.

Parcel No. 5

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N03°56'00"E for a distance of 918.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in volume 3167, page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 402.60 feet; thence S24°00'00"W for a distance of 90.00 feet; thence S41°13'00"W for a distance of 51.53 feet; thence N86°04'00"W for a distance of 90.00 feet; thence S03°56'00"W for a distance of 63.00 feet; thence N86°04'00"W for a distance of 177.00 feet; thence N01°34'00"W for a distance of 95.00 feet; thence N82°15'09"W for a distance of 62.29 feet; thence N03°56'00"E for a distance of 132.30 feet to the true point of beginning containing 1.487 acres.

Parcel No. 6

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 253.50 feet; thence N84°04'00"E for a distance of 223.13 feet; thence S4°50'16"E for a distance of 224.50 feet; thence S4°53'56"W for a distance of 50.06 feet; thence N87°53'40"W for a distance of 50.02 feet; thence N4°50'18"E for a distance of 29.43 feet; thence N86°04'00"W for a distance of 60.92 feet; thence N3°56'00"E for a distance of 10.00 feet; thence N86°04'00"W for a distance of 5.15 feet; thence S65°03'57"W for a distance of 114.01 feet to the true point of beginning containing 1.209 acres.

Parcel No. 7

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road, said boat spike being the true point of beginning of the parcel herein being described; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet; thence N65°03'57"E for a distance of 114.01 feet; thence S86°04'00"E for a distance of 5.15 feet; thence S3°56'00"W for a distance of 10.00 feet; thence S86°04'00"E for a distance of 60.92 feet; thence S4°50'18"W for a distance of 29.43 feet; thence S87°53'40"E for a distance of 50.02 feet; thence S3°46'28"W for a distance of 157.13 feet to the centerline of Smith Road; thence N87°59'10"W along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning containing 0.863 acres.

VOL 7279 PAGE 320

Parcel No. 8

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 5.28 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 40.40 feet; thence N84°04'00"E for a distance of 72.68 feet; thence N79°38'23"E for a distance of 12.33 feet; thence N1°34'00"W for a distance of 128.27 feet; thence S86°04'00"E for a distance of 160.00 feet; thence S2°14'06"E for a distance of 113.68 feet; thence S4°03'11"W for a distance of 49.95 feet; thence N87°00'00"W for a distance of 109.39 feet; thence along the arc of a curve to the left having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet which bears S88°32'00"W for an arc distance of 56.76 feet; thence S84°04'00"W for a distance of 78.71 feet to the true point of beginning and containing 0.685 acres.

EXHIBIT B

PARCEL NO. 2

Situated in the City of Akron, County of Summit and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows: Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 644.09 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence S84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"E for a distance of 191.84 feet; thence N3°56'00"E for a distance of 419.87 feet; thence along the south line of 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records, S80°00'42"E for a distance of 514.60 feet to a 5/8 inch rebar found; thence S3°42'42"W for a distance of 384.42 feet to a 5/8 inch rebar found; thence S3°32'36"W for a distance of 396.08 feet to the centerline of Smith Road and passing over a 3/4 inch pinched top steel pipe found 30.00 feet from said centerline; thence along the centerline of Smith Road, N87°21'27"W for a distance of 54.80 feet to an angle point; thence continuing along said centerline and the centerline tangent, N87°59'10"W for a distance of 686.51 feet to the point of beginning and containing 12.433 acres.

Excepting therefrom the following described Parcels No. 3, 4, 5, 6, 7 and 8.

Situated in the City of Akron, County of Summit, and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows:

Parcel No. 3

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline, N3°56'00"E for a distance of 243.26 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence N84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"W for a distance of 30.45 feet to the true point of beginning and containing 0.725 of an acre.

Parcel No. 4

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 45.68 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 241.89 feet; thence S82°15'09"E for a distance of 62.29 feet; thence S1°34'00"E for a distance of 223.27 feet; thence S79°38'23"W for a distance of 12.33 feet; thence S84°04'00"W for a distance of 72.68 feet to the true point of beginning and containing 0.390 of an acre.

Parcel No. 5

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 882.02 feet (Previously shown incorrectly as 918.02 feet) to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 402.60 feet; thence S24°00'00"W for a distance of 90.00 feet; thence S41°13'00"W for a distance of 51.53 feet; thence N86°04'00"W for a distance of 90.00 feet; thence S3°56'00"W for a distance of 63.00 feet; thence N86°04'00"W for a distance of 177.00 feet; thence N1°34'00"W for a distance of 95.00 feet; thence N82°15'09"W for a distance of 62.29 feet; thence N3°56'00"E for a distance of 132.30 feet to the true point of beginning containing 1.487 acres.

Parcel No. 6

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 253.58 feet; thence N84°04'00"E for a distance of 223.13 feet; thence S4°50'18"E for a distance of 224.50 feet; thence S4°53'56"W for a distance of 50.06 feet; thence N87°53'40"W for a distance of 50.02 feet, thence N4°50'18"E for a distance of 29.43 feet, thence N86°04'00"W for a distance of 60.92 feet; thence N3°56'00"E for a distance of 10.00 feet; thence N86°04'00"W for a distance of 5.15 feet; thence S65°03'57"W for a distance of 114.01 feet to the true point of beginning containing 1.209 acres.

Parcel No. 7

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road, said boat spike being the true point of beginning of the parcel herein being described; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet; thence N65°03'57"E for a distance of 114.01 feet; thence S86°04'00"E for a distance of 5.15 feet; thence S3°56'00"W for a distance of 10.00 feet; thence S86°04'00"E for a distance of 60.92 feet; thence S4°50'18"W for a distance of 29.43 feet; thence S87°53'40"E for a distance of 50.02 feet; thence S3°46'28"W for a distance of 157.13 feet to the centerline of Smith Road; thence N87°59'10"W along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning containing 0.863 acres.

Parcel No. 8

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 5.28 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 40.40 feet; thence N84°04'00"E for a distance of 72.68 feet; thence N79°38'23"E for a distance of 12.33 feet; thence N1°34'00"W for a distance of 128.27 feet; thence S86°04'00"E for a distance of 160.00 feet; thence S2°14'06"E for a distance of 113.68 feet; thence S4°03'11"W for a distance of 49.95 feet; thence N87°00'00"W for a distance of 109.39 feet; thence along the arc of a curve to the left having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet which bears S88°32'00"W for an arc distance of 56.76 feet; thence S84°04'00"W for a distance of 78.71 feet to the true point of beginning and containing 0.685 acres.

Leaving 7.074 acres remaining in Parcel No. 2.

EXHIBIT E

PAR VALUE (PERCENTAGES OF INTEREST) OF UNITS

<u>Unit Address</u>	<u>Floor Plan Type</u>	<u>Par Values</u>
1886 Indian Hills Trail	E	1.46
1890 Indian Hills Trail	B	1.01
1896 Indian Hills Trail	B	1.01
1900 Indian Hills Trail	B	1.01
1904 Indian Hills Trail	B	1.01
1870 Indian Hills Trail	C	.97
1871 Indian Hills Trail	D	1.09
1873 Indian Hills Trail	B	1.01
1874 Indian Hills Trail	E	1.46
1877 Indian Hills Trail	B	1.01
1878 Indian Hills Trail	E	1.46
1879 Indian Hills Trail	C	.97
1880 Indian Hills Trail	B	1.01
1885 Indian Hills Trail	B	1.01
1889 Indian Hills Trail	B	1.01
1763 Bent Bow Drive	E	1.46
1767 Bent Bow Drive	B	1.01
1771 Bent Bow Drive	E	1.46
1775 Bent Bow Drive	D	1.09
1776 Bent Bow Drive	E	1.46
1778 Bent Bow Drive	C	.97
1779 Bent Bow Drive	B	1.01
1783 Bent Bow Drive	D	1.09
1784 Bent Bow Drive	A	.74

<u>Unit Address</u>	<u>Floor Plan Type</u>	<u>Par Values</u>
1786 Bent Bow Drive	A	.74
1787 Bent Bow Drive	C	1.01
1791 Bent Bow Drive	E	1.46
1795 Bent Bow Drive	D	1.09
1842 Indian Hills Trail	E	1.46
1846 Indian Hills Trail	D	1.09
1850 Indian Hills Trail	E	1.46
1854 Indian Hills Trail	B	1.01
1858 Indian Hills Trail	B	1.01
1862 Indian Hills Trail	B	1.01
1832 Indian Hills Trail	B	1.01
1836 Indian Hills Trail	D	1.09
1700 Rock Hill Lane	A	.74
1704 Rock Hill Lane	A	.74
1708 Rock Hill Lane	B	1.01
1712 Rock Hill Lane	B	1.01

Indian Hills Develop Co.

2.

FOURTH AMENDMENT
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
INDIAN HILLS CONDOMINIUM

272553

INDEXED

This will certify that copies of this Fourth Amendment to Declaration of Condominium Ownership For Indian Hills Condominium with the following exhibits attached hereto have been filed in the Office of the County Auditor, County of Summit, Ohio:

1. Exhibit A - Legal Description of Parcel No. 1;
2. Exhibit B - Legal Description of Parcel No. 2;
3. Exhibit D - Drawings; and
4. Exhibit E - Schedule of Par Values (Percentages of Interest)

Approved as to Form:

Auditor of County of Summit

William E. Schultz
Assistant Prosecuting Attorney

Tim Davis
Tim Davis

6987

A. Meyer - Deputy Auditor

Dated: 6-18-86

Dated: 6-18-86

RECEIVED FOR RECORD
 JUN 20 1986
 AL 7:30
 RECORDED
 VOL 7279, p 311-326
Reg. Danner
 SUMMIT COUNTY RECORDER

TRANSFER NOT NECESSARY
 Tim Davis, County Auditor

\$169.60

This Instrument Prepared By:
 Jay P. Porter
 BROUSE & McDOWELL
 500 First National Tower
 Akron, Ohio 44308-1471

For Plat see Cabinet B
 Pages 556-561

<u>Unit Address</u>	<u>Floor Plan Type</u>	<u>Per Values</u>
1783 Bent Bow Drive	D	1.09
1784 Bent Bow Drive	A	.74
1786 Bent Bow Drive	A	.74
1787 Bent Bow Drive	C	1.01
1791 Bent Bow Drive	E	1.46
1795 Bent Bow Drive	D	1.09
1842 Indian Hills Trail	E	1.46
1846 Indian Hills Trail	D	1.09
1850 Indian Hills Trail	E	1.46
1854 Indian Hills Trail	B	1.01
1858 Indian Hills Trail	B	1.01
1862 Indian Hills Trail	B	1.01

Transferred, ~~BY~~ Not Necessary
Received APR. 4, 1986 F 8:10AM-2-
Recorded APR. 21, 1986
Recorder's fee \$ 140.00

VOL 7236 PAGE 647

RALPH JAMES
Recorder

Indian Hills Develop. Co.

INDEXED

FIFTH AMENDMENT
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
INDIAN HILLS CONDOMINIUM

(PT) 288817

This will certify that copies of this Fifth Amendment to Declaration of Condominium Ownership For Indian Hills Condominium with the following exhibits attached hereto have been filed in the Office of the County Auditor, County of Summit, Ohio:

1. Exhibit A - Legal Description of Parcel No. 1;
2. Exhibit B - Legal Description of Parcel No. 2;
3. Exhibit D - Drawings; and
4. Exhibit E - Schedule of Par Values (Percentages of Interest)

Approved as to Form:

Auditor of County of Summit

William F. Scholtz
Assistant Prosecuting Attorney

Tim Davis
Tim Davis
by: A. Moyer - deputy auditor

Dated: 9-9-86 *16987*

Dated: 9-11-86

RECEIVED FOR RECORD
SEP 12 1986
AL 1:25
RECORDED SEP 24 1986
7290-49-65

TRANSFER NOT NECESSARY
SEP 11 1986
Tim Davis, County Auditor

Ralph James
RALPH JAMES

This Instrument Prepared By:
Jay P. Porter
BROUSE & McDOWELL
500 First National Tower
Akron, Ohio 44308-1471

*For Plat see Cabinet B
slide 678-680
Incl.*

\$ 126⁸⁰

(PT) 288817*

FIFTH AMENDMENT
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
INDIAN HILLS CONDOMINIUM

THIS FIFTH AMENDMENT TO THE DECLARATION OF CONDOMINIUM OWNERSHIP is made this 2ND day of SEPTEMBER, 1986, by INDIAN HILLS DEVELOPMENT COMPANY, an Ohio corporation ("Developer") of Akron, Ohio.

WHEREAS, INDIAN HILLS CONDOMINIUM ("Condominium") is governed by and subject to the terms and provisions of a certain Declaration of Condominium Ownership, dated October 4, 1984, (the "Declaration") duly recorded in Volume 6987 at Page 359 et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet A, Slides 525-530, inclusive, of the County of Summit Records, all being duly filed for record on or about the 11th day of October, 1984 and recorded on the 26th day of October, 1984; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain First Amendment to Declaration of Condominium Ownership (the "First Amendment") dated the 17th day of April, 1985, duly recorded in Volume 7042, Pages 387 et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet A, Slides 788-794, inclusive, of the County of Summit Records, all being duly filed for record on or about April 24, 1985, and recorded on May 14, 1985; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Second Amendment to Declaration of Condominium Ownership (the "Second Amendment") dated the 4th day of November 1985, duly recorded in Volume 7137, Pages 815 et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 267-275, inclusive, of the County of Summit Records, all being duly filed for record on or about November 12, 1985, and recorded on November 21, 1985; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Third Amendment to Declaration of Condominium Ownership (the "Third Amendment") dated the 26th day of March, 1986, duly recorded in Volume 7236, Pages 635, et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 504-508, inclusive, of the County of Summit Records, all being duly filed for record on or about April 4, 1986, and recorded on April 21, 1986; and

* see Plat Cab B Slide # 678-880

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Fourth Amendment to Declaration of Condominium Ownership (the "Fourth Amendment") dated the 9th day of June, 1986, duly recorded in Volume 7279, Pages 311, et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 556-561, inclusive of the County of Summit Records, all being duly filed for record on or about June 20, 1986, and recorded on July 3, 1986; and

WHEREAS, pursuant to Article XVI of the Declaration, the Developer reserved the right to add to the original Condominium Property, certain property adjacent thereto by amending the Declaration of record, and by submitting such additional property to the provisions of the Declaration and Chapter 5311 of the Ohio Revised Code; and

WHEREAS, the Developer desires to add certain land containing three (3) Units to the Condominium, and to uniformly allocate and reallocate par values (percentages of interests) for the Units.

NOW, THEREFORE, the Developer, for itself and as attorney in fact for the Unit Owners and their mortgagees, and for the purposes set forth hereinabove, hereby declares as follows:

1. RECITALS INCORPORATED. That the Recitals hereinabove set forth are incorporated herein by reference and made a part hereof.

2. DEFINITIONS. That the definitions contained in Article I(B) of the Declaration are applicable to the words and phrases used in this Fourth Amendment to Declaration unless the context otherwise requires.

3. AMENDMENT TO DECLARATION. That the Declaration is hereby amended and supplemented in the following respects:

- (a) Legal Descriptions. Exhibit A to the Fourth Amendment (which replaced Exhibit A to the original Declaration) is replaced by Exhibit A attached to this Fifth Amendment to Declaration. Exhibit B to the Fourth Amendment (which replaced Exhibit B to the original Declaration) is replaced by Exhibit B attached to this Fifth Amendment to Declaration.
- (b) Drawings. Exhibit D to the original Declaration, Exhibit D to the First Amendment, Exhibit D to the Second Amendment,

Exhibit D to the Third Amendment and Exhibit D to the Fourth Amendment (the "Drawings") are amended and supplemented to include the Drawings attached to this Fifth Amendment to Declaration as Exhibit D.

- (c) General Description of Buildings. Article IV of the original Declaration entitled "General Description of Buildings" which was previously amended by the First Amendment, Second Amendment, Third Amendment and Fourth Amendment, is amended to read as follows:

"There are eleven (11) residential buildings which are a part of the Condominium Property, one of which contains two Units (1886 and 1890 Indian Hills Trail), one of which contains three Units (1896, 1900 and 1904 Indian Hills Trail), one of which contains four Units (1870, 1874, 1878 and 1880 Indian Hills Trail), one of which contains six Units (1871, 1873, 1877, 1879, 1885 and 1889 Indian Hills Trail), one of which contains four Units (1783, 1787, 1791 and 1795 Bent Bow Drive), one of which contains five Units (1763, 1767, 1771, 1775 and 1779 Bent Bow Drive), one of which contains four Units (1776, 1778, 1784 and 1786 Bent Bow Drive), one of which contains six Units (1842, 1846, 1850, 1854, 1858, and 1862 Indian Hills Trail), one of which contains two Units (1832 and 1836 Indian Hills Trail), one of which contains four Units (1700, 1704, 1708, and 1712 Rock Hill Lane), and one of which contains three Units (1755, 1757 and 1759 Bent Bow Drive). The buildings are located as shown on the Drawings.

The buildings are all two-story buildings. The principal materials of which the buildings are constructed are wood, glass, concrete, concrete block, brick and drywall."

- (d) Information About Condominium Property. The first sentence of Article V of the original Declaration entitled "Information About Condominium Property", which was previously amended by the First Amendment, the Second Amendment, the Third Amendment, and the Fourth Amendment, is amended to read as follows:

"The Condominium Property, until additions are made to the Condominium Property pursuant to the provisions of Article XVI hereof, is hereby divided into forty-three (43) separately designated and legally described freehold estates, hereindescribed and referred to as 'Units', and one (1) freehold estate, herein described and referred to as the 'Common Areas and Facilities.'"

The third paragraph of Article V(A)4 of the original Declaration entitled "Percentages of Interest of Units Constructed on Parcel No. 2", which was previously amended by the First Amendment, the Second Amendment, the Third Amendment, and the Fourth Amendment, is amended to read as follows:

"The types of Units (according to type of floor plan) that may be created on Parcel No. 2 or any portion thereof and the par values that will be assigned to every type of Unit created on Parcel No. 2 or any portion thereof are as follows:

<u>Floor Plan Type</u>	<u>Par Value or Percentage of Interest</u>
Unit A	.79
Unit B	1.08
Unit C	1.04
Unit D	1.17
Unit E	1.57

(e) Par Values (Percentages of Interest) in Common Areas and Facilities. Exhibit E to the Fourth Amendment (which replaced Exhibit E to the original Declaration) is replaced by Exhibit E attached to this Fifth Amendment to Declaration of Condominium.

4. OTHER PROVISIONS REMAIN IN FULL FORCE AND EFFECT. Except as hereinabove amended and supplemented, all of the provisions of the Declaration and First Amendment, Second Amendment, Third Amendment, and Fourth Amendment, shall be and remain in full force and effect.

IN WITNESS WHEREOF, the undersigned has executed this instrument this 2ND day of September, 1986, for itself and on behalf of the Unit Owners of Indian Hills Condominium and their respective mortgagees.

Signed and Acknowledged
In the Presence of:

Jay P. Porter
Carol Whitton

Jay P. Porter
Carol Whitton

Developer - INDIAN HILLS
DEVELOPMENT COMPANY

By: Ljubomir Zarkovacki
President

and

By: John Zarkovacki
Secretary

STATE OF OHIO)
) SS
SUMMIT COUNTY)

BEFORE ME, a Notary Public in and for said county and state, personally appeared the above named INDIAN HILLS DEVELOPMENT COMPANY by Ljubomir Zarkovacki, President, and John Zarkovacki, Secretary, who acknowledged that they did sign the foregoing instrument and that the same is the free act and deed of the corporation and the free act and deed of each of them personally and as such officers.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Akron, Ohio, this 2ND day of SEPTEMBER, 1986.

Jay P. Porter
Notary Public

CONSENT OF MORTGAGEE

The undersigned, PEOPLES FEDERAL SAVINGS BANK f.k.a. PEOPLES FEDERAL SAVINGS AND LOAN ASSOCIATION, is mortgagee of the premises described in the within Fifth Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium by virtue of two Mortgage Deeds executed by Indian Hills Development Company, and recorded in the Mortgage Records of the Recorder of Summit County, Ohio, in Volume 6885, Page 438, et seq., and Volume 6885, Page 453, et seq.

The undersigned hereby consents to the execution and delivery of the foregoing Fifth Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium, with the Exhibits and Drawings attached as Exhibits thereto, and to the filing thereof in the Office of the County Recorder of Summit County, Ohio, and further, subjects and subordinates the aforescribed Mortgage Deeds to the foregoing Fifth Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium, with the Exhibits and Drawings attached as Exhibits thereto, and to the provisions of Chapter 5311 of the Ohio Revised Code.

Signed in the Presence of:

PEOPLES FEDERAL SAVINGS BANK
f.k.a. PEOPLES FEDERAL SAVINGS
AND LOAN ASSOCIATION

Brenda K. Courson
As to Both Signatures

By: William J. Courson
William J. Courson,
Chairman and President

Ellis W. Stammers

Brenda K. Courson
As to Both Signatures

By: Roy D. Bower
Roy D. Bower, Senior
Vice President-Treasurer

Ellis W. Stammers

STATE OF OHIO)
) SS
WAYNE COUNTY)

BEFORE ME, a Notary Public, in and for said County and State, personally appeared William J. Courson, the Chairman and President and Roy D. Bower, the Senior Vice President-Treasurer of PEOPLES FEDERAL SAVINGS BANK f.k.a. PEOPLES FEDERAL SAVINGS AND LOAN ASSOCIATION, who having been first duly sworn acknowledged that

they did execute the foregoing instrument and that the same was their free act and deed individually and as such Officers and the free act and deed of said Association.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Wooster, Ohio, this 22nd day of August, 1986.

Brenda K. Courson

NOTARY PUBLIC

BRENDA K. COURSON, Notary Public
Wooster County, State of Ohio
My Commission Expires May 11, 1990

EXHIBIT A

PARCEL NO. 1

Indian Hills Condominium

Situated in the City of Akron, County of Summit, and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows:

PARCEL NO. 1

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N03°56'00"E for a distance of 644.09 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline of Sourek Road, N03°56'00"E for a distance of 237.93 feet to a one inch in outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet; thence S03°56'00"W for a distance of 419.87 feet; thence S84°04'00"W for a distance of 191.84 feet; thence N03°56'00"E for a distance of 50.75 feet; thence N84°04'00"E for a distance of 141.09 feet; thence N03°56'00"E for a distance of 163.12 feet; thence N86°04'00"W for a distance of 169.00 feet to the true point of beginning and containing 1.540 acres.

Parcel No. 3

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline, N3°56'00"E for a distance of 243.26 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence N84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"W for a distance of 30.45 feet to the true point of beginning and containing 0.725 of an acre.

Parcel No. 4

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 45.68 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 241.89 feet; thence S82°15'09"E for a distance of 62.29 feet; thence S1°34'00"E for a distance of 223.27 feet; thence S79°38'23"W for a distance of 12.33 feet; thence S84°04'00"W for a distance of 72.68 feet to the true point of beginning and containing 0.390 of an acre.

Parcel No. 5

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N03°56'00"E for a distance of 918.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in volume J167, page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 402.60 feet; thence S24°00'00"W for a distance of 90.00 feet; thence S41°13'00"W for a distance of 51.53 feet; thence N86°04'00"W for a distance of 90.00 feet; thence S03°56'00"W for a distance of 63.00 feet; thence N86°04'00"W for a distance of 177.00 feet; thence N01°34'00"W for a distance of 95.00 feet; thence N02°15'09"W for a distance of 62.29 feet; thence N03°56'00"E for a distance of 132.30 feet to the true point of beginning containing 1.487 acres.

Parcel No. 6

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 253.50 feet; thence N84°04'00"E for a distance of 223.13 feet; thence S4°50'16"E for a distance of 224.50 feet; thence S4°53'56"W for a distance of 50.06 feet; thence N87°53'40"W for a distance of 50.02 feet; thence N4°50'18"E for a distance of 29.43 feet; thence N86°04'00"W for a distance of 60.92 feet; thence N3°56'00"E for a distance of 10.00 feet; thence N86°04'00"W for a distance of 5.15 feet; thence S65°03'57"W for a distance of 114.01 feet to the true point of beginning containing 1.209 acres.

Parcel No. 7

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road, said boat spike being the true point of beginning of the parcel herein being described; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet; thence N65°03'57"E for a distance of 114.01 feet; thence S86°04'00"E for a distance of 5.15 feet; thence S3°56'00"W for a distance of 10.00 feet; thence S86°04'00"E for a distance of 60.92 feet; thence S4°50'18"W for a distance of 29.43 feet; thence S87°53'40"E for a distance of 50.02 feet; thence S3°46'28"W for a distance of 157.13 feet to the centerline of Smith Road; thence N87°59'10"W along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning containing 0.863 acres.

Parcel No. 8

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 5.28 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 40.40 feet; thence N84°04'00"E for a distance of 72.68 feet; thence N79°38'23"E for a distance of 12.33 feet; thence N1°34'00"W for a distance of 128.27 feet; thence S86°04'00"E for a distance of 160.00 feet; thence S2°14'06"E for a distance of 113.68 feet; thence S4°03'11"W for a distance of 49.95 feet; thence N87°00'00"W for a distance of 109.39 feet; thence along the arc of a curve to the left having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet which bears S88°32'00"W for an arc distance of 56.76 feet; thence S84°04'00"W for a distance of 78.71 feet to the true point of beginning and containing 0.685 acres.

Parcel No. 9

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 622.83 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 112.00 feet to a 5/8 inch steel rebar found; thence S3°42'42"W for a distance of 124.00 feet; thence S54°42'42"W for a distance of 94.66 feet; thence S35°40'14"W for a distance of 40.00 feet; thence along the arc of a curve to the left having a radius of 87.00 feet, a central angle of 42°14'14", a tangent of 33.60 feet and a chord of 62.69 feet which bears N25°26'53"W, for an arc distance of 64.13 feet; thence along the arc of a curve to the left having a radius of 206.00 feet, a central angle of 10°18'27", a tangent of 18.58 feet and a chord of 37.01 feet which bears N51°43'14"W, for an arc distance of 37.06 feet; thence N41°13'00"E for a distance of 52.00 feet; thence N24°00'00"E for a distance of 90.00 feet to the true point of beginning and containing 0.550 acres.

EXHIBIT B

PARCEL NO. 2

Situated in the City of Akron, County of Summit and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows: Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 644.09 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence S84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"E for a distance of 191.84 feet; thence N3°56'00"E for a distance of 419.87 feet; thence along the south line of 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records, S80°00'42"E for a distance of 514.60 feet to a 5/8 inch rebar found; thence S3°42'42"W for a distance of 384.42 feet to a 5/8 inch rebar found; thence S3°32'36"W for a distance of 396.08 feet to the centerline of Smith Road and passing over a 3/4 inch pinched top steel pipe found 30.00 feet from said centerline; thence along the centerline of Smith Road, N87°21'27"W for a distance of 54.80 feet to an angle point; thence continuing along said centerline and the centerline tangent, N87°59'10"W for a distance of 680.51 feet to the point of beginning and containing 12.433 acres.

Excepting therefrom the following described Parcels No. 3, 4, 5, 6, 7, 8 and 9.

Situated in the City of Akron, County of Summit, and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows:

Parcel No. 3

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline, N3°56'00"E for a distance of 243.26 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence N84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"W for a distance of 30.45 feet to the true point of beginning and containing 0.725 of an acre.

Parcel No. 4

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 45.68 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 241.89 feet; thence S62°15'09"E for a distance of 62.29 feet; thence S1°34'00"E for a distance of 223.27 feet; thence S79°38'23"W for a distance of 12.33 feet; thence S84°04'00"W for a distance of 72.68 feet to the true point of beginning and containing 0.390 of an acre.

Parcel No. 5

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 882.02 feet (Previously shown incorrectly as 918.07 feet) to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 402.60 feet; thence S24°00'00"W for a distance of 90.00 feet; thence S41°13'00"W for a distance of 51.53 feet; thence N86°04'00"W for a distance of 90.00 feet; thence S3°56'00"W for a distance of 63.00 feet; thence N86°04'00"W for a distance of 177.00 feet; thence N1°34'00"W for a distance of 95.00 feet; thence N82°15'09"W for a distance of 62.29 feet; thence N3°56'00"E for a distance of 132.30 feet to the true point of beginning containing 1.487 acres.

Parcel No. 6

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 253.50 feet; thence N84°04'00"E for a distance of 223.13 feet; thence S4°50'18"E for a distance of 224.50 feet; thence S4°53'56"W for a distance of 50.06 feet; thence N87°53'40"W for a distance of 50.02 feet; thence N4°50'18"E for a distance of 29.43 feet; thence N86°04'00"W for a distance of 60.92 feet; thence N3°56'00"E for a distance of 10.00 feet; thence N86°04'00"W for a distance of 5.15 feet; thence S65°03'57"W for a distance of 114.01 feet to the true point of beginning containing 1.209 acres.

Parcel No. 7

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road, said boat spike being the true point of beginning of the parcel herein being described; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet; thence N65°03'57"E for a distance of 114.01 feet; thence S86°04'00"E for a distance of 5.15 feet; thence S3°56'00"W for a distance of 10.00 feet; thence S86°04'00"E for a distance of 60.92 feet; thence S4°50'18"W for a distance of 29.43 feet; thence S87°53'40"E for a distance of 50.02 feet; thence S3°46'28"W for a distance of 157.13 feet to the centerline of Smith Road; thence N87°59'10"W along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning containing 0.863 acres.

Parcel No. 8

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 5.28 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 40.40 feet; thence N84°04'00"E for a distance of 72.68 feet; thence N79°38'23"E for a distance of 12.33 feet; thence N1°34'00"W for a distance of 128.27 feet; thence S86°04'00"E for a distance of 160.00 feet; thence S2°14'06"E for a distance of 113.68 feet; thence S4°03'11"W for a distance of 49.95 feet; thence N87°00'00"W for a distance of 109.39 feet; thence along the arc of a curve to the left having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet which bears S88°32'00"W for an arc distance of 56.76 feet; thence S84°04'00"W for a distance of 78.71 feet to the true point of beginning and containing 0.685 acres.

Parcel No. 9

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 622.83 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 112.00 feet to a 5/8 inch steel rebar found; thence S3°42'42"W for a distance of 124.00 feet; thence S54°42'42"W for a distance of 94.66 feet; thence S85°40'14"W for a distance of 40.00 feet; thence along the arc of a curve to the left having a radius of 87.00 feet, a central angle of 42°14'14", a tangent of 33.60 feet and a chord of 62.69 feet which bears N25°26'53"W, for an arc distance of 64.13 feet; thence along the arc of a curve to the left having

VOL 7290 PAGE 62

a radius of 206.00 feet, a central angle of $10^{\circ}18'27''$, a tangent of 18.58 feet and a chord of 37.01 feet which bears $N51^{\circ}43'14''W$, for an arc distance of 37.06 feet; thence $N41^{\circ}13'00''E$ for a distance of 52.00 feet; thence $N24^{\circ}00'00''E$ for a distance of 90.00 feet to the true point of beginning and containing 0.550 acres.

Leaving 6.524 acres remaining in Parcel No. 2.

EXHIBIT E

PAR VALUE (PERCENTAGES OF INTEREST) OF UNITS

<u>Unit Address</u>	<u>Floor Plan Type</u>	<u>Par Values</u>
1886 Indian Hills Trail	E	1.57
1890 Indian Hills Trail	B	1.08
1896 Indian Hills Trail	B	1.08
1900 Indian Hills Trail	B	1.08
1904 Indian Hills Trail	B	1.08
1870 Indian Hills Trail	C	1.04
1871 Indian Hills Trail	D	1.17
1873 Indian Hills Trail	B	1.08
1874 Indian Hills Trail	E	1.57
1877 Indian Hills Trail	B	1.08
1878 Indian Hills Trail	E	1.57
1879 Indian Hills Trail	C	1.04
1880 Indian Hills Trail	B	1.08
1885 Indian Hills Trail	B	1.08
1889 Indian Hills Trail	B	1.08
1763 Bent Bow Drive	E	1.57
1767 Bent Bow Drive	B	1.08
1771 Bent Bow Drive	E	1.57
1775 Bent Bow Drive	D	1.17
1776 Bent Bow Drive	E	1.57
1778 Bent Bow Drive	C	1.04
1779 Bent Bow Drive	B	1.08

<u>Unit Address</u>	<u>Floor Plan Type</u>	<u>Par Value</u>
1783 Bent Bow Drive	D	1.17
1784 Bent Bow Drive	A	.79
1786 Bent Bow Drive	A	.79
1787 Bent Bow Drive	C	1.04
1791 Bent Bow Drive	E	1.57
1795 Bent Bow Drive	D	1.17
1842 Indian Hills Trail	E	1.57
1846 Indian Hills Trail	D	1.17
1850 Indian Hills Trail	E	1.57
1854 Indian Hills Trail	B	1.08
1858 indian Hills Trail	B	1.08
1862 Indian Hills Trail	B	1.08
1832 Indian Hills Trail	B	1.08
1836 Indian Hills Trail	D	1.17
1700 Rock Hill Lane	A	.79
1704 Rock Hill Lane	A	.79
1708 Rock Hill Lane	B	1.08
1712 Rock Hill Lane	B	1.08
1755 Bent Bow Drive	E	1.57
1757 Bent Bow Drive	E	1.57
1759 Bent Bow Drive	E	1.57

RECORDED

Indian Hill Dev. Co.

SIXTH AMENDMENT
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
INDIAN HILLS CONDOMINIUM

290537

This will certify that copies of this Sixth Amendment to Declaration of Condominium Ownership For Indian Hills Condominium with the following exhibits attached hereto have been filed in the Office of the County Auditor, County of Summit, Ohio:

1. Exhibit A - Legal Description of Parcel No. 1;
2. Exhibit B - Legal Description of Parcel No. 2;
3. Exhibit D - Drawings; and
4. Exhibit E - Schedule of Par Values (Percentages of Interest)

Approved as to Form:

Auditor of County of Summit

Nicholas P. Schuch
Assistant Prosecuting Attorney

Tim Davis
Tim Davis
Supervisor

Dated: 9-18-86

Dated: 9-8-86

RECEIVED FOR RECORD
SEP 22 1986
Ad. 05 o'clock A.M.
RECORDED OCT 30 1986
VOL 7319 Pg. 673-690
Ralph Danner
SUMMIT COUNTY RECORDER \$10880

A
337 / 525
697
359

TRANSFER NOT NECESSARY
SEP 19 1986
Tim Davis, County Auditor

This Instrument Prepared By:
Jay P. Porter
BROUSE & McDOWELL
500 First National Tower
Akron, Ohio 44308-1471

Description submitted
by *Tim Mag Dug*
R.J.D.
9-17-86

For Plat see Calc B Pgs 694-696

VOL 7319 PAGE 673

SIXTH AMENDMENT
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
INDIAN HILLS CONDOMINIUM

THIS SIXTH AMENDMENT TO THE DECLARATION OF CONDOMINIUM OWNERSHIP is made this 16th day of September, 1986, by INDIAN HILLS DEVELOPMENT COMPANY, an Ohio corporation ("Developer") of Akron, Ohio.

WHEREAS, INDIAN HILLS CONDOMINIUM ("Condominium") is governed by and subject to the terms and provisions of a certain Declaration of Condominium Ownership, dated October 4, 1984, (the "Declaration") duly recorded in Volume 6987 at Page 359 et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet A, Slides 525-530, inclusive, of the County of Summit Records, all being duly filed for record on or about the 11th day of October, 1984 and recorded on the 26th day of October, 1984; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain First Amendment to Declaration of Condominium Ownership (the "First Amendment") dated the 17th day of April, 1985, duly recorded in Volume 7042, Pages 387 et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet A, Slides 788-794, inclusive, of the County of Summit Records, all being duly filed for record on or about April 24, 1985, and recorded on May 14, 1985; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Second Amendment to Declaration of Condominium Ownership (the "Second Amendment") dated the 4th day of November 1985, duly recorded in Volume 7137, Pages 815 et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 267-275, inclusive, of the County of Summit Records, all being duly filed for record on or about November 12, 1985, and recorded on November 21, 1985; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Third Amendment to Declaration of Condominium Ownership (the "Third Amendment") dated the 26th day of March, 1986, duly recorded in Volume 7236, Pages 635, et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 504-508, inclusive, of the County of Summit Records, all being duly filed for record on or about April 4, 1986, and recorded on April 21, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Fourth Amendment to Declaration of Condominium Ownership (the "Fourth Amendment") dated the 9th day of June, 1986, duly recorded in Volume 7279, Pages 311, et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 556-561, inclusive of the County of Summit Records, all being duly filed for record on or about June 20, 1986, and recorded on July 3, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Fifth Amendment to Declaration of Condominium Ownership (the "Fifth Amendment"), dated the 2nd day of September, 1986, and filed for record with the County of Summit Recorder on September 12, 1986, as Instrument No. 288817, and in Plat Cabinet B, Slides 678-680, inclusive, of the County of Summit Records; and

WHEREAS, pursuant to Article XVI of the Declaration, the Developer reserved the right to add to the original Condominium Property, certain property adjacent thereto by amending the Declaration of record, and by submitting such additional property to the provisions of the Declaration and Chapter 5311 of the Ohio Revised Code; and

WHEREAS, the Developer desires to add certain land containing four (4) Units to the Condominium, and to uniformly allocate and reallocate par values (percentages of interests) for the Units.

NOW, THEREFORE, the Developer, for itself and as attorney in fact for the Unit Owners and their mortgagees, and for the purposes set forth hereinabove, hereby declares as follows:

1. RECITALS INCORPORATED. That the Recitals hereinabove set forth are incorporated herein by reference and made a part hereof.

2. DEFINITIONS. That the definitions contained in Article I(B) of the Declaration are applicable to the words and phrases used in this Sixth Amendment to Declaration unless the context otherwise requires.

3. AMENDMENT TO DECLARATION. That the Declaration is hereby amended and supplemented in the following respects:

- (a) Legal Descriptions. Exhibit A to the Fifth Amendment (which replaced Exhibit A to the original Declaration) is replaced by Exhibit A attached to this Sixth Amendment to Declaration. Exhibit B to the Fifth Amendment (which replaced Exhibit B to the original Declaration) is replaced by Exhibit B attached to this Sixth Amendment to Declaration.

VCL 7319 PAGE 675

(b) Drawings. Exhibit D to the original Declaration, Exhibit D to the First Amendment, Exhibit D to the Second Amendment, Exhibit D to the Third Amendment, Exhibit D to the Fourth Amendment, and Exhibit D to the Fifth Amendment (the "Drawings") are amended and supplemented to include the Drawings attached to this Sixth Amendment to Declaration as Exhibit D.

(c) General Description of Buildings. Article IV of the original Declaration entitled "General Description of Buildings" which was previously amended by the First Amendment, Second Amendment, Third Amendment, Fourth Amendment and Fifth Amendment, is amended to read as follows:

"There are twelve (12) residential buildings which are a part of the Condominium Property, one of which contains two Units (1886 and 1890 Indian Hills Trail), one of which contains three Units (1896, 1900 and 1904 Indian Hills Trail), one of which contains four Units (1870, 1874, 1878 and 1880 Indian Hills Trail), one of which contains six Units (1871, 1873, 1877, 1879, 1885 and 1889 Indian Hills Trail), one of which contains four Units (1783, 1787, 1791 and 1795 Bent Bow Drive), one of which contains five Units (1763, 1767, 1771, 1775 and 1779 Bent Bow Drive), one of which contains four Units (1776, 1778, 1784 and 1786 Bent Bow Drive), one of which contains six Units (1842, 1846, 1850, 1854, 1858, and 1862 Indian Hills Trail), one of which contains two Units (1832 and 1836 Indian Hills Trail), one of which contains four Units (1700, 1704, 1708, and 1712 Rock Hill Lane), one of which contains four Units (1701, 1703, 1705, and 1707 Rock Hill Lane), and one of which contains three Units (1755, 1757 and 1759 Bent Bow Drive). The buildings are located as shown on the Drawings.

The buildings are all two-story buildings. The principal materials of which the buildings are constructed are wood, glass, concrete, concrete block, brick and drywall."

(d) Information About Condominium Property. The first sentence of Article V of the original Declaration entitled "Information About

Condominium Property", which was previously amended by the First Amendment, the Second Amendment, the Third Amendment, the Fourth Amendment, and the Fifth Amendment, is amended to read as follows:

"The Condominium Property, until additions are made to the Condominium Property pursuant to the provisions of Article XVI hereof, is hereby divided into forty-seven (47) separately designated and legally described freehold estates, herein described and referred to as 'Units', and one (1) freehold estate, herein described and referred to as the 'Common Areas and Facilities.'"

The third paragraph of Article V(A)4 of the original Declaration entitled "Percentages of Interest of Units Constructed on Parcel No. 2", which was previously amended by the First Amendment, the Second Amendment, the Third Amendment, the Fourth Amendment, and the Fifth Amendment, is amended to read as follows:

"The types of Units (according to type of floor plan) that may be created on Parcel No. 2 or any portion thereof and the par values that will be assigned to every type of Unit created on Parcel No. 2 or any portion thereof are as follows:

<u>Floor Plan Type</u>	<u>Par Value or Percentage of Interest</u>
Unit A	.79
Unit B	1.08
Unit C	1.04
Unit D	1.17
Unit E	1.57

- (e) Par Values (Percentages of Interest) in Common Areas and Facilities. Exhibit E to the Fifth Amendment (which replaced Exhibit E to the original Declaration) is replaced by Exhibit E attached to this Sixth Amendment to Declaration of Condominium.

4. OTHER PROVISIONS REMAIN IN FULL FORCE AND EFFECT. Except as hereinabove amended and supplemented, all of the provisions of the Declaration and First Amendment, Second

VOL 7319 PAGE 677

Amendment, Third Amendment, Fourth Amendment, and Fifth Amendment, shall be and remain in full force and effect.

IN WITNESS WHEREOF, the undersigned has executed this instrument this 16th day of September, 1986, for itself and on behalf of the Unit Owners of Indian Hills Condominium and their respective mortgagees.

Signed and Acknowledged
In the Presence of:

Developer - INDIAN HILLS
DEVELOPMENT COMPANY

Jay P. Porter
Lisa A. Brown

By: [Signature]
Ljubomir Zarkovacki -
President

and

Jay P. Porter
Lisa A. Brown

By: [Signature]
John Zarkovacki -
Secretary

STATE OF OHIO)
) SS
SUMMIT COUNTY)

BEFORE ME, a Notary Public in and for said county and state, personally appeared the above named INDIAN HILLS DEVELOPMENT COMPANY by Ljubomir Zarkovacki, President, and John Zarkovacki, Secretary, who acknowledged that they did sign the foregoing instrument and that the same is the free act and deed of the corporation and the free act and deed of each of them personally and as such officers.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Akron, Ohio, this 16th day of September, 1986.

Jay P. Porter
Notary Public

JAY PAUL PORTER, Attorney
Notary Public - State of Ohio
My commission has no expiration date
Sec. 147.03 R.C.

CONSENT OF MORTGAGEE

The undersigned, PEOPLES FEDERAL SAVINGS BANK f.k.a. PEOPLES FEDERAL SAVINGS AND LOAN ASSOCIATION, is mortgagee of the premises described in the within Sixth Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium by virtue of two Mortgage Deeds executed by Indian Hills Development Company, and recorded in the Mortgage Records of the Recorder of Summit County, Ohio, in Volume 6885, Page 438, et seq., and Volume 6885, Page 453, et seq.

The undersigned hereby consents to the execution and delivery of the foregoing Sixth Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium, with the Exhibits and Drawings attached as Exhibits thereto, and to the filing thereof in the Office of the County Recorder of Summit County, Ohio, and further, subjects and subordinates the aforescribed Mortgage Deeds to the foregoing Sixth Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium, with the Exhibits and Drawings attached as Exhibits thereto, and to the provisions of Chapter 5311 of the Ohio Revised Code.

Signed in the Presence of:

PEOPLES FEDERAL SAVINGS BANK
f.k.a. PEOPLES FEDERAL SAVINGS
AND LOAN ASSOCIATION

Brenda F. Courson
As to Both Signatures

By: William J. Courson
William J. Courson,
Chairman and President

Roy D. Bower
As to Both Signatures

By: Roy D. Bower
Roy D. Bower, Senior
Vice President-Treasurer

STATE OF OHIO)
) SS
WAYNE COUNTY)

BEFORE ME, a Notary Public, in and for said County and State, personally appeared William J. Courson, the Chairman and President and Roy D. Bower, the Senior Vice President-Treasurer of PEOPLES FEDERAL SAVINGS BANK f.k.a. PEOPLES FEDERAL SAVINGS AND LOAN

VOL 7319 PAGE 680

ASSOCIATION, who having been first duly sworn acknowledged that they did execute the foregoing instrument and that the same was their free act and deed individually and as such Officers and the free act and deed of said Association.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Wooster, Ohio, this 15th day of September, 1986.

Brenda K. Courson

NOTARY PUBLIC

BRENDA K. COURSON, Notary Public

Wayne County, State of Ohio

My Commission Expires May 11, 1990

EXHIBIT A

PARCEL NO. 1

Indian Hills Condominium

Situated in the City of Akron, County of Summit, and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows:

PARCEL NO. 1

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N03°56'00"E for a distance of 644.09 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline of Sourek Road, N03°56'00"E for a distance of 237.93 feet to a one inch in outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet; thence S03°56'00"W for a distance of 419.87 feet; thence S84°04'00"W for a distance of 191.84 feet; thence N03°56'00"E for a distance of 50.75 feet; thence N84°04'00"E for a distance of 141.09 feet; thence N03°56'00"E for a distance of 163.12 feet; thence N86°04'00"W for a distance of 169.00 feet to the true point of beginning and containing 1.540 acres.

Parcel No. 3

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline, N3°56'00"E for a distance of 243.26 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence N84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"W for a distance of 30.45 feet to the true point of beginning and containing 0.725 of an acre.

Parcel No. 4

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 45.68 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 241.89 feet; thence S82°15'09"E for a distance of 62.29 feet; thence S1°34'00"E for a distance of 223.27 feet; thence S79°38'23"W for a distance of 12.33 feet; thence S84°04'00"W for a distance of 72.68 feet to the true point of beginning and containing 0.390 of an acre.

Parcel No. 5

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N03°56'00"E for a distance of 918.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in volume 3167, page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 402.60 feet; thence S24°00'00"W for a distance of 90.00 feet; thence S41°13'00"W for a distance of 51.53 feet; thence N86°04'00"W for a distance of 90.00 feet; thence S03°56'00"W for a distance of 63.00 feet; thence N86°04'00"W for a distance of 177.00 feet; thence N01°34'00"W for a distance of 95.00 feet; thence N82°15'09"W for a distance of 62.29 feet; thence N03°56'00"E for a distance of 132.30 feet to the true point of beginning containing 1.487 acres.

Parcel No. 6

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 253.50 feet; thence N84°04'00"E for a distance of 223.13 feet; thence S4°50'16"E for a distance of 224.50 feet; thence S4°53'56"W for a distance of 50.06 feet; thence N87°53'40"W for a distance of 50.02 feet, thence N4°50'18"E for a distance of 29.43 feet, thence N86°04'00"W for a distance of 60.92 feet; thence N3°56'00"E for a distance of 10.00 feet; thence N86°04'00"W for a distance of 5.15 feet; thence S65°03'57"W for a distance of 114.01 feet to the true point of beginning containing 1.209 acres.

Parcel No. 7

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road, said boat spike being the true point of beginning of the parcel herein being described; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet; thence N65°03'57"E for a distance of 114.01 feet; thence S86°04'00"E for a distance of 5.15 feet; thence S3°56'00"W for a distance of 10.00 feet; thence S86°04'00"E for a distance of 60.92 feet; thence S4°50'18"W for a distance of 29.43 feet; thence S87°53'40"E for a distance of 50.02 feet; thence S3°46'28"W for a distance of 157.13 feet to the centerline of Smith Road; thence N87°59'10"W along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning containing 0.863 acres.

Parcel No. 8

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 5.28 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 40.40 feet; thence N84°04'00"E for a distance of 72.68 feet; thence N79°38'23"E for a distance of 12.33 feet; thence N1°34'00"W for a distance of 128.27 feet; thence S86°04'00"E for a distance of 160.00 feet; thence S2°14'06"E for a distance of 113.68 feet; thence S4°03'11"W for a distance of 49.95 feet; thence N87°00'00"W for a distance of 109.39 feet; thence along the arc of a curve to the left having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet which bears S88°32'00"W for an arc distance of 56.76 feet; thence S84°04'00"W for a distance of 78.71 feet to the true point of beginning and containing 0.685 acres.

Parcel No. 9

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 622.83 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 112.00 feet to a 5/8 inch steel rebar found; thence S3°42'42"W for a distance of 124.00 feet; thence S54°42'42"W for a distance of 94.66 feet; thence S85°40'14"W for a distance of 40.00 feet; thence along the arc of a curve to the left having a radius of 87.00 feet, a central angle of 42°14'14", a tangent of 33.60 feet and a chord of 62.69 feet which bears N25°26'53"W, for an arc distance of 64.13 feet; thence along the arc of a curve to the left having a radius of 206.00 feet, a central angle of 10°18'27", a tangent of 18.58 feet and a chord of 37.01 feet which bears N51°43'14"W, for an arc distance of 37.06 feet; thence N41°13'00"E for a distance of 52.00 feet; thence N24°00'00"E for a distance of 90.00 feet to the true point of beginning and containing 0.550 acres.

PARCEL No. 10

VOL 7319 PAGE 684

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 5.28 feet; thence N84°04'00"E for a distance of 78.71 feet to the true point of beginning of the parcel herein being described; thence along the arc of a curve to the right having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet, which bears N88°32'00"E, for an arc distance of 56.76 feet; thence S87°00'00"E for a distance of 109.39 feet; thence N4°03'11"E for a distance of 49.95 feet; thence along the arc of a curve to the right having a radius of 99.49 feet, a central angle of 43°16'53", a tangent of 39.47 feet and a chord of 73.38 feet, which bears S65°21'33"E, for an arc distance of 75.16 feet; thence S43°27'23"W for a distance of 50.75 feet; thence S23°40'02"W for a distance of 66.00 feet; thence S76°26'53"W for a distance of 182.00 feet; thence N1°00'00"E for a distance of 125.00 feet to the true point of beginning and containing 0.507 acres.

EXHIBIT B

PARCEL NO. 2

Situated in the City of Akron, County of Summit and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows: Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 644.09 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence S84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"E for a distance of 191.84 feet; thence N3°56'00"E for a distance of 419.87 feet; thence along the south line of 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records, S80°00'42"E for a distance of 514.60 feet to a 5/8 inch rebar found; thence S3°42'42"W for a distance of 384.42 feet to a 5/8 inch rebar found; thence S3°32'36"W for a distance of 396.08 feet to the centerline of Smith Road and passing over a 3/4 inch pinched top steel pipe found 30.00 feet from said centerline; thence along the centerline of Smith Road, N87°21'27"W for a distance of 54.80 feet to an angle point; thence continuing along said centerline and the centerline tangent, N87°59'10"W for a distance of 680.51 feet to the point of beginning and containing 12.433 acres.

Excepting therefrom the following described Parcels No. 3, 4, 5, 6, 7, 8, 9 and 10.

Situated in the City of Akron, County of Summit, and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows:

Parcel No. 3

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline, N3°56'00"E for a distance of 243.26 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence N84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"W for a distance of 30.45 feet to the true point of beginning and containing 0.725 of an acre.

Parcel No. 4

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 45.68 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 241.89 feet; thence S82°15'09"E for a distance of 62.29 feet; thence S1°34'00"E for a distance of 223.27 feet; thence S79°38'23"W for a distance of 12.33 feet; thence S84°04'00"W for a distance of 72.68 feet to the true point of beginning and containing 0.390 of an acre.

Parcel No. 5

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 882.02 feet (Previously shown incorrectly as 918.02 feet) to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 402.60 feet; thence S24°00'00"W for a distance of 90.00 feet; thence S41°13'00"W for a distance of 51.53 feet; thence N86°04'00"W for a distance of 90.00 feet; thence S3°56'00"W for a distance of 63.00 feet; thence N86°04'00"W for a distance of 177.00 feet; thence N1°34'00"W for a distance of 95.00 feet; thence N82°15'09"W for a distance of 62.29 feet; thence N3°56'00"E for a distance of 132.30 feet to the true point of beginning containing 1.487 acres.

Parcel No. 6

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 253.50 feet; thence N84°04'00"E for a distance of 223.13 feet; thence S4°50'18"E for a distance of 224.50 feet; thence S4°53'56"W for a distance of 50.06 feet; thence N87°53'40"W for a distance of 50.02 feet; thence N4°50'18"E for a distance of 29.43 feet; thence N86°04'00"W for a distance of 60.92 feet; thence N3°56'00"E for a distance of 10.00 feet; thence N86°04'00"W for a distance of 5.15 feet; thence S65°03'57"W for a distance of 114.01 feet to the true point of beginning containing 1.209 acres.

Parcel No. 7

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road, said boat spike being the true point of beginning of the parcel herein being described; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet; thence N65°03'57"E for a distance of 114.01 feet; thence S86°04'00"E for a distance of 5.15 feet; thence S3°56'00"W for a distance of 10.00 feet; thence S86°04'00"E for a distance of 60.92 feet; thence S4°50'18"W for a distance of 29.43 feet; thence S87°53'40"E for a distance of 50.02 feet; thence S3°46'28"W for a distance of 157.13 feet to the centerline of Smith Road; thence N87°59'10"W along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning containing 0.863 acres.

Parcel No. 8

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 5.28 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 40.40 feet; thence N84°04'00"E for a distance of 72.68 feet; thence N79°38'23"E for a distance of 12.33 feet; thence N1°34'00"W for a distance of 128.27 feet; thence S86°04'00"E for a distance of 160.00 feet; thence S2°14'06"E for a distance of 113.68 feet; thence S4°03'11"W for a distance of 49.95 feet; thence N87°00'00"W for a distance of 109.39 feet; thence along the arc of a curve to the left having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet which bears S88°32'00"W for an arc distance of 56.76 feet; thence S84°04'00"W for a distance of 78.71 feet to the true point of beginning and containing 0.685 acres.

Parcel No. 9

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 622.83 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 112.00 feet to a 5/8 inch steel rebar found; thence S3°42'42"W for a distance of 124.00 feet; thence S54°42'42"W for a distance of 94.66 feet; thence S85°40'14"W for a distance of 40.00 feet; thence along the arc of a curve to the left having a radius of 87.00 feet, a central angle of 42°14'14", a tangent of 33.60 feet and a chord of 62.69 feet which bears N25°26'53"W, for an arc distance of 64.13 feet; thence along the arc of a curve to the left having

a radius of 206.00 feet, a central angle of $10^{\circ}18'27''$, a tangent of 18.58 feet and a chord of 37.01 feet which bears $N51^{\circ}43'14''W$, for an arc distance of 37.06 feet; thence $N41^{\circ}13'00''E$ for a distance of 52.00 feet; thence $N24^{\circ}00'00''E$ for a distance of 90.00 feet to the true point of beginning and containing 0.550 acres.

PARCEL No. 10

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence $N3^{\circ}56'00''E$ along the centerline of Sourek Road, for a distance of 400.83 feet; thence $N84^{\circ}04'00''E$ for a distance of 222.29 feet; thence $N3^{\circ}56'00''E$ for a distance of 5.28 feet; thence $N84^{\circ}04'00''E$ for a distance of 78.71 feet to the true point of beginning of the parcel herein being described; thence along the arc of a curve to the right having a radius of 364.04 feet, a central angle of $8^{\circ}56'00''$, a tangent of 28.44 feet, a chord of 56.70 feet, which bears $N88^{\circ}32'00''E$, for an arc distance of 56.76 feet; thence $S87^{\circ}00'00''E$ for a distance of 109.39 feet; thence $N4^{\circ}03'11''E$ for a distance of 49.95 feet; thence along the arc of a curve to the right having a radius of 99.49 feet, a central angle of $43^{\circ}16'53''$, a tangent of 39.47 feet and a chord of 73.38 feet, which bears $S65^{\circ}21'33''E$, for an arc distance of 75.16 feet; thence $S43^{\circ}27'23''W$ for a distance of 50.75 feet; thence $S23^{\circ}40'02''W$ for a distance of 66.00 feet; thence $S76^{\circ}26'53''W$ for a distance of 182.00 feet; thence $N1^{\circ}00'00''E$ for a distance of 125.00 feet to the true point of beginning and containing 0.507 acres.

Leaving 6.017 acres remaining in Parcel No. 2.

EXHIBIT E

PAR VALUE (PERCENTAGES OF INTEREST) OF UNITS

<u>Unit Address</u>	<u>Floor Plan Type</u>	<u>Par Values</u>
1886 Indian Hills Trail	E	1.57
1890 Indian Hills Trail	B	1.08
1896 Indian Hills Trail	B	1.08
1900 Indian Hills Trail	B	1.08
1904 Indian Hills Trail	B	1.08
1870 Indian Hills Trail	C	1.04
1871 Indian Hills Trail	D	1.17
1873 Indian Hills Trail	B	1.08
1874 Indian Hills Trail	E	1.57
1877 Indian Hills Trail	B	1.08
1878 Indian Hills Trail	E	1.57
1879 Indian Hills Trail	C	1.04
1880 Indian Hills Trail	B	1.08
1885 Indian Hills Trail	B	1.08
1889 Indian Hills Trail	B	1.08
1763 Bent Bow Drive	E	1.57
1767 Bent Bow Drive	B	1.08
1771 Bent Bow Drive	E	1.57
1775 Bent Bow Drive	D	1.17
1776 Bent Bow Drive	E	1.57
1778 Bent Bow Drive	C	1.04
1779 Bent Bow Drive	B	1.08
1783 Bent Bow Drive	D	1.17

VOL 7319 PAGE 689

<u>Unit Address</u>	<u>Floor Plan Type</u>	<u>Par Values</u>
1784 Bent Bow Drive	A	.79
1786 Bent Bow Drive	A	.79
1787 Bent Bow Drive	C	1.04
1791 Bent Bow Drive	E	1.57
1795 Bent Bow Drive	D	1.17
1842 Indian Hills Trail	E	1.57
1846 Indian Hills Trail	D	1.17
1850 Indian Hills Trail	E	1.57
1854 Indian Hills Trail	B	1.08
1858 Indian Hills Trail	B	1.08
1862 Indian Hills Trail	B	1.08
1832 Indian Hills Trail	B	1.08
1836 Indian Hills Trail	D	1.17
1700 Rock Hill Lane	A	.79
1704 Rock Hill Lane	A	.79
1708 Rock Hill Lane	B	1.08
1712 Rock Hill Lane	B	1.08
1755 Bent Bow Drive	E	1.57
1757 Bent Bow Drive	E	1.57
1759 Bent Bow Drive	E	1.57
1701 Rock Hill Lane	A	.79
1703 Rock Hill Lane	A	.79
1705 Rock Hill Lane	A	.79
1707 Rock Hill Lane	B	1.08

Transferred, NOT NECESSARYReceived SEP 22, 1986 AT 8:05 AMRecorded OCT 30, 1986

-17-

Recorder's fee \$ 108.00 RALPH JAMES
Recorder

INDEXED

Indian Hills Dev. Co.

304027 (PT)

SEVENTH AMENDMENT
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
INDIAN HILLS CONDOMINIUM

This will certify that copies of this Seventh Amendment to Declaration of Condominium Ownership For Indian Hills Condominium with the following exhibits attached hereto have been filed in the Office of the County Auditor, County of Summit, Ohio:

1. Exhibit A - Legal Description of Parcel No. 1;
2. Exhibit B - Legal Description of Parcel No. 2;
3. Exhibit D - Drawings; and
4. Exhibit E - Schedule of Par Values (Percentages of Interest)

Approved as to Form:

Auditor of County of Summit

William E. Schick
Assistant Prosecuting Attorney

Tim Davis
Tim Davis

Dated: NOV 14 1986

Dated: 11-14-86

NOV 17 1986
TRANSFER NOT NECESSARY
NOV 17 1986
Tim Davis, County Auditor

RECEIVED FOR RECORD
NOV 17 1986

At 8:25 o'clock AM
Recorded NOV 18, 1986
Vol 7321 Page 891-910

Joseph James
Recorder
Co. of Summit, Ohio

This Instrument Prepared By:
Jay P. Porter
BROUSE & McDOWELL
500 First National Tower
Akron, Ohio 44308-1471

DESCRIPTION OF INSTRUMENT
811 252 ndw 1786
11-14-86

* A/525
16987
359
for Plat
see P.C. "B"
slide No. 125-800

Recd. - 46.00
crossed 2 -
Plata 129.00

TOTAL 177.60

VOL 7321 PAGE 891

0000000000

SEVENTH AMENDMENT
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
INDIAN HILLS CONDOMINIUM

THIS SEVENTH AMENDMENT TO THE DECLARATION OF CONDOMINIUM OWNERSHIP is made this 29th day of October, 1986, by INDIAN HILLS DEVELOPMENT COMPANY, an Ohio corporation ("Developer") of Akron, Ohio.

WHEREAS, INDIAN HILLS CONDOMINIUM ("Condominium") is governed by and subject to the terms and provisions of a certain Declaration of Condominium Ownership, dated October 4, 1984, (the "Declaration") duly recorded in Volume 6987 at Page 359 et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet A, Slides 525-530, inclusive, of the County of Summit Records, all being duly filed for record on or about the 11th day of October, 1984 and recorded on the 26th day of October, 1984; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain First Amendment to Declaration of Condominium Ownership (the "First Amendment") dated the 17th day of April, 1985, duly recorded in Volume 7042, Pages 387 et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet A, Slides 788-794, inclusive, of the County of Summit Records, all being duly filed for record on or about April 24, 1985, and recorded on May 14, 1985; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Second Amendment to Declaration of Condominium Ownership (the "Second Amendment") dated the 4th day of November 1985, duly recorded in Volume 7137, Pages 815 et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 267-275, inclusive, of the County of Summit Records, all being duly filed for record on or about November 12, 1985, and recorded on November 21, 1985; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Third Amendment to Declaration of Condominium Ownership (the "Third Amendment") dated the 26th day of March, 1986, duly recorded in Volume 7236, Pages 635, et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 504-508, inclusive, of the County of Summit Records, all being duly filed for record on or about April 4, 1986, and recorded on April 21, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Fourth Amendment to Declaration of Condominium Ownership (the "Fourth Amendment") dated the 9th day of June, 1986, duly recorded in Volume 7279, Pages 311, et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 556-561, inclusive of the County of Summit Records, all being duly filed for record on or about June 20, 1986, and recorded on July 3, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Fifth Amendment to Declaration of Condominium Ownership (the "Fifth Amendment"), dated the 2nd day of September, 1986, and filed for record with the County of Summit Recorder on September 12, 1986, as Instrument No. 288817, and in Plat Cabinet B, Slides 678-680, inclusive, of the County of Summit Records; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Sixth Amendment to Declaration of Condominium Ownership (the "Sixth Amendment"), dated the 16th day of September, 1986, and filed for record with the County of Summit Recorder on September 22, 1986, as Instrument No. 290537, and in Plat Cabinet B, Slides 694-696, inclusive, of the County of Summit Records; and

WHEREAS, pursuant to Article XVI of the Declaration, the Developer reserved the right to add to the original Condominium Property, certain property adjacent thereto by amending the Declaration of record, and by submitting such additional property to the provisions of the Declaration and Chapter 5311 of the Ohio Revised Code; and

WHEREAS, the Developer desires to add certain land containing eight (8) Units to the Condominium, and to uniformly allocate and reallocate par values (percentages of interests) for the Units.

NOW, THEREFORE, the Developer, for itself and as attorney in fact for the Unit Owners and their mortgagees, and for the purposes set forth hereinabove, hereby declares as follows:

1. RECITALS INCORPORATED. That the Recitals hereinabove set forth are incorporated herein by reference and made a part hereof.

2. DEFINITIONS. That the definitions contained in Article I(B) of the Declaration are applicable to the words and phrases used in this Seventh Amendment to Declaration unless the context otherwise requires.

3. AMENDMENT TO DECLARATION. That the Declaration is hereby amended and supplemented in the following respects:

- (a) Legal Descriptions. Exhibit A to the Sixth Amendment (which replaced Exhibit A to the original Declaration) is replaced by Exhibit A attached to this Seventh Amendment to Declaration. Exhibit B to the Sixth Amendment (which replaced Exhibit B to the original Declaration) is replaced by Exhibit B attached to this Seventh Amendment to Declaration.
- (b) Drawings. Exhibit D to the original Declaration, Exhibit D to the First Amendment, Exhibit D to the Second Amendment, Exhibit D to the Third Amendment, Exhibit D to the Fourth Amendment, Exhibit D to the Fifth Amendment, and Exhibit D to the Sixth Amendment (the "Drawings") are amended and supplemented to include the Drawings attached to this Seventh Amendment to Declaration as Exhibit D.
- (c) General Description of Buildings. Article IV of the original Declaration entitled "General Description of Buildings" which was previously amended by the First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment and Sixth Amendment, is amended to read as follows:
- "There are fourteen (14) residential buildings which are a part of the Condominium Property, one of which contains two Units (1886 and 1890 Indian Hills Trail), one of which contains three Units (1896, 1900 and 1904 Indian Hills Trail), one of which contains four Units (1870, 1874, 1878 and 1880 Indian Hills Trail), one of which contains six Units (1871, 1873, 1877, 1879, 1885 and 1889 Indian Hills Trail), one of which contains four Units (1783, 1787, 1791 and 1795 Bent Bow Drive), one of which contains five Units (1763, 1767, 1771, 1775 and 1779 Bent Bow Drive), one of which contains four Units (1776, 1778, 1784 and 1786 Bent Bow Drive), one of which contains six Units (1842, 1846, 1850, 1854, 1858, and 1862 Indian Hills Trail), one of which contains two Units (1832 and 1836 Indian Hills Trail), one of which contains four Units (1700, 1704, 1708, and 1712 Rock Hill Lane), one of which contains four Units (1701, 1703, 1705,, and 1707 Rock Hill Lane),

one of which contains three Units (1755, 1757 and 1759 Bent Bow Drive), one of which contains five Units (1845, 1849, 1853, 1857 and 1861 Indian Hills Trail), and one of which contains three Units (1779, 1785, and 1789 Rock Hill Lane). The buildings are located as shown on the Drawings.

The buildings are all two-story buildings. The principal materials of which the buildings are constructed are wood, glass, concrete, concrete block, brick and drywall."

- (d) Information About Condominium Property. The first sentence of Article V of the original Declaration entitled "Information About Condominium Property", which was previously amended by the First Amendment, the Second Amendment, the Third Amendment, the Fourth Amendment, the Fifth Amendment, and the Sixth Amendment, is amended to read as follows:

"The Condominium Property, until additions are made to the Condominium Property pursuant to the provisions of Article XVI hereof, is hereby divided into fifty-five (55) separately designated and legally described freehold estates, hereinafter described and referred to as 'Units', and one (1) freehold estate, herein described and referred to as the 'Common Areas and Facilities.'"

The third paragraph of Article V(A)4 of the original Declaration entitled "Percentages of Interest of Units Constructed on Parcel No. 2", which was previously amended by the First Amendment, the Second Amendment, the Third Amendment, the Fourth Amendment, the Fifth Amendment, and the Sixth Amendment, is amended to read as follows:

"The types of Units (according to type of floor plan) that may be created on Parcel No. 2 or any portion thereof and the par values that will be assigned to every type of Unit created on Parcel No. 2 or any portion thereof are as follows:

<u>Floor Plan Type</u>	<u>Par Value or Percentage of Interest</u>
Unit A	.79
Unit B	1.08
Unit C	1.04
Unit D	1.17
Unit E	1.57

(e) Par Values (Percentages of Interest) in Common Areas and Facilities. Exhibit E to the Sixth Amendment (which replaced Exhibit E to the original Declaration) is replaced by Exhibit E attached to this Seventh Amendment to Declaration of Condominium.

4. OTHER PROVISIONS REMAIN IN FULL FORCE AND EFFECT. Except as hereinabove amended and supplemented, all of the provisions of the Declaration and First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment, and Sixth Amendment, shall be and remain in full force and effect.

IN WITNESS WHEREOF, the undersigned has executed this instrument this 11th day of November, 1986, for itself and on behalf of the Unit Owners of Indian Hills Condominium and their respective mortgagees.

Signed and Acknowledged
In the Presence of:

John P. Pardon
(Witness Signature)

John P. Pardon
(Witness Signature)

Developer - INDIAN HILLS
DEVELOPMENT COMPANY

By: Ljubomir Zarkovacki
Ljubomir Zarkovacki -
President

and

By: John Zarkovacki
John Zarkovacki -
Secretary

STATE OF OHIO)
) SS
SUMMIT COUNTY)

BEFORE ME, a Notary Public in and for said county and state, personally appeared the above named INDIAN HILLS DEVELOPMENT COMPANY by Ljubomir Zarkovacki, President, and John Zarkovacki, Secretary, who acknowledged that they did sign the foregoing

instrument and that the same is the free act and deed of the corporation and the free act and deed of each of them personally and as such officers.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Akron, Ohio, this 4th day of November, 1986.

Jay P. Porter
Notary Public

JAY PAUL PORTER, Attorney
Notary Public - State of Ohio
My commission has no expiration date
Sec. 147.03 R.C.

CONSENT OF MORTGAGEE

The undersigned, PEOPLES FEDERAL SAVINGS BANK f.k.a. PEOPLES FEDERAL SAVINGS AND LOAN ASSOCIATION, is mortgagee of the premises described in the within Seventh Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium by virtue of two Mortgage Deeds executed by Indian Hills Development Company, and recorded in the Mortgage Records of the Recorder of Summit County, Ohio, in Volume 6885, Page 438, et seq., and Volume 6885, Page 453, et seq.

The undersigned hereby consents to the execution and delivery of the foregoing Seventh Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium, with the Exhibits and Drawings attached as Exhibits thereto, and to the filing thereof in the Office of the County Recorder of Summit County, Ohio, and further, subjects and subordinates the aforescribed Mortgage Deeds to the foregoing Seventh Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium, with the Exhibits and Drawings attached as Exhibits thereto, and to the provisions of Chapter 5311 of the Ohio Revised Code.

Signed in the Presence of:

PEOPLES FEDERAL SAVINGS BANK
f.k.a. PEOPLES FEDERAL SAVINGS
AND LOAN ASSOCIATION

P. Keith Stafford
As to Both Signatures

By: William J. Courson
William J. Courson,
Chairman and President

Brenda L. Courson
As to Both Signatures

By: Roy D. Bower
Roy D. Bower, Senior
Vice President-Treasurer

STATE OF OHIO)
) SS
WAYNE COUNTY)

BEFORE ME, a Notary Public, in and for said County and State, personally appeared William J. Courson, the Chairman and President and Roy D. Bower, the Senior Vice President-Treasurer of PEOPLES FEDERAL SAVINGS BANK f.k.a. PEOPLES FEDERAL SAVINGS AND LOAN

ASSOCIATION, who having been first duly sworn acknowledged that they did execute the foregoing instrument and that the same was their free act and deed individually and as such Officers and the free act and deed of said Association.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Wooster, Ohio, this 29th day of October, 1986.

Brenda K. Courson

NOTARY PUBLIC

BRENDA K. COURSON, Notary Public
Wayne County, State of Ohio
By Commission Expires May 11, 1990

EXHIBIT A

PARCEL NO. 1

Indian Hills Condominium

Situated in the City of Akron, County of Summit, and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows:

PARCEL NO. 1

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N03°56'00"E for a distance of 644.09 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline of Sourek Road, N03°56'00"E for a distance of 237.93 feet to a one inch in outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet; thence S03°56'00"W for a distance of 419.87 feet; thence S84°04'00"W for a distance of 191.84 feet; thence N03°56'00"E for a distance of 50.75 feet; thence N84°04'00"E for a distance of 141.09 feet; thence N03°56'00"E for a distance of 163.12 feet; thence N86°04'00"W for a distance of 169.00 feet to the true point of beginning and containing 1.540 acres.

Parcel No. 3

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline, N3°56'00"E for a distance of 243.26 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence N84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"W for a distance of 30.45 feet to the true point of beginning and containing 0.725 of an acre.

Parcel No. 4

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 45.68 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 241.89 feet; thence S82°15'09"E for a distance of 62.29 feet; thence S1°34'00"E for a distance of 223.27 feet; thence S79°38'23"W for a distance of 12.33 feet; thence S84°04'00"W for a distance of 72.68 feet to the true point of beginning and containing 0.390 of an acre.

Parcel No. 5

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N03°56'00"E for a distance of 918.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in volume 3167, page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 402.60 feet; thence S24°00'00"W for a distance of 90.00 feet; thence S41°13'00"W for a distance of 51.53 feet; thence N86°04'00"W for a distance of 90.00 feet; thence S03°56'00"W for a distance of 63.00 feet; thence N86°04'00"W for a distance of 177.00 feet; thence N01°34'00"W for a distance of 95.00 feet; thence N82°15'09"W for a distance of 62.29 feet; thence N03°56'00"E for a distance of 132.30 feet to the true point of beginning containing 1.487 acres.

Parcel No. 6

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 253.50 feet; thence N84°04'00"E for a distance of 223.13 feet; thence S4°50'16"E for a distance of 224.50 feet; thence S4°53'56"W for a distance of 50.06 feet; thence N87°53'40"W for a distance of 50.02 feet; thence N4°50'18"E for a distance of 29.43 feet; thence N86°04'00"W for a distance of 60.92 feet; thence N3°56'00"E for a distance of 10.00 feet; thence N86°04'00"W for a distance of 5.15 feet; thence S65°03'57"W for a distance of 114.01 feet to the true point of beginning containing 1.209 acres.

Parcel No. 7

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road, said boat spike being the true point of beginning of the parcel herein being described; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet; thence N65°03'57"E for a distance of 114.01 feet; thence S86°04'00"E for a distance of 5.15 feet; thence S3°56'00"W for a distance of 10.00 feet; thence S86°04'00"E for a distance of 60.92 feet; thence S4°50'18"W for a distance of 29.43 feet; thence S87°53'40"E for a distance of 50.02 feet; thence S3°46'28"W for a distance of 157.13 feet to the centerline of Smith Road; thence N87°59'10"W along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning containing 0.863 acres.

Parcel No. 8

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 5.28 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 40.40 feet; thence N84°04'00"E for a distance of 72.68 feet; thence N79°38'23"E for a distance of 12.33 feet; thence N1°34'00"W for a distance of 128.27 feet; thence S86°04'00"E for a distance of 160.00 feet; thence S2°14'06"E for a distance of 113.68 feet; thence S4°03'11"W for a distance of 49.95 feet; thence N87°00'00"W for a distance of 109.39 feet; thence along the arc of a curve to the left having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet which bears S88°32'00"W for an arc distance of 56.76 feet; thence S84°04'00"W for a distance of 78.71 feet to the true point of beginning and containing 0.685 acres.

Parcel No. 9

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 622.83 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 112.00 feet to a 5/8 inch steel rebar found; thence S3°42'42"W for a distance of 124.00 feet; thence S54°42'42"W for a distance of 94.66 feet; thence S85°40'14"W for a distance of 40.00 feet; thence along the arc of a curve to the left having a radius of 87.00 feet, a central angle of 42°14'14", a tangent of 33.60 feet and a chord of 62.69 feet which bears N25°26'53"W, for an arc distance of 64.13 feet; thence along the arc of a curve to the left having a radius of 206.00 feet, a central angle of 10°18'27", a tangent of 18.58 feet and a chord of 37.01 feet which bears N51°43'14"W, for an arc distance of 37.06 feet; thence N41°13'00"E for a distance of 52.00 feet; thence N24°00'00"E for a distance of 90.00 feet to the true point of beginning and containing 0.550 acres.

PARCEL No. 10

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 5.28 feet; thence N84°04'00"E for a distance of 78.71 feet to the true point of beginning of the parcel herein being described; thence along the arc of a curve to the right having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet, which bears N88°32'00"E, for an arc distance of 56.76 feet; thence S87°00'00"E for a distance of 109.39 feet; thence N4°03'11"E for a distance of 49.95 feet; thence along the arc of a curve to the right having a radius of 99.49 feet, a central angle of 43°16'53", a tangent of 39.47 feet and a chord of 73.38 feet, which bears S65°21'33"E, for an arc distance of 75.16 feet; thence S43°27'23"W for a distance of 50.75 feet; thence S23°40'02"W for a distance of 66.00 feet; thence S76°26'53"W for a distance of 182.00 feet; thence N1°00'00"E for a distance of 125.00 feet to the true point of beginning and containing 0.507 acres.

Parcel No. 11

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road, for a distance of 216.00 feet; thence N3°46'20"E for a distance of 157.31 feet to the true point of beginning of the parcel herein being described; thence N4°53'56"E for a distance of 50.06 feet; thence N4°50'18"E for a distance of 244.50 feet; thence N84°04'00"E for a distance of 0.16 feet; thence N3°56'00"E for a distance of 5.28 feet; thence N84°04'00"E for a distance of 78.71 feet; thence S1°00'00"W for a distance of 125.00 feet; thence N76°26'53"E for a distance of 151.92 feet; thence S2°05'22"W for a distance of 206.49 feet; thence N87°54'32"W for a distance of 240.00 feet to the true point of beginning and containing 1.190 acres.

PARCEL NO. 2

Situated in the City of Akron, County of Summit and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows: Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 644.09 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence S04°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"E for a distance of 191.84 feet; thence N3°56'00"E for a distance of 419.87 feet; thence along the south line of 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records, S80°00'42"E for a distance of 514.60 feet to a 5/8 inch rebar found; thence S3°42'42"W for a distance of 384.42 feet to a 5/8 inch rebar found; thence S3°32'36"W for a distance of 396.08 feet to the centerline of Smith Road and passing over a 3/4 inch pinched top steel pipe found 30.00 feet from said centerline; thence along the centerline of Smith Road, N87°21'27"W for a distance of 54.80 feet to an angle point; thence continuing along said centerline and the centerline tangent, N87°59'10"W for a distance of 680.51 feet to the point of beginning and containing 12.433 acres.

Excepting therefrom the following described Parcels No. 3, 4, 5, 6, 7, 8, 9, 10 and 11.

Situated in the City of Akron, County of Summit, and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows:

Parcel No. 3

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline, N3°56'00"E for a distance of 243.26 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence N84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"W for a distance of 30.45 feet to the true point of beginning and containing 0.725 of an acre.

Parcel No. 4

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 45.68 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 241.89 feet; thence S82°15'09"E for a distance of 62.29 feet; thence S1°34'00"E for a distance of 223.27 feet; thence S79°38'23"W for a distance of 12.33 feet; thence S84°04'00"W for a distance of 72.68 feet to the true point of beginning and containing 0.390 of an acre.

Parcel No. 5

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 882.02 feet (Previously shown incorrectly as 918.02 feet) to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 402.60 feet; thence S24°00'00"W for a distance of 90.00 feet; thence S41°13'00"W for a distance of 51.53 feet; thence N86°04'00"W for a distance of 90.00 feet; thence S3°56'00"W for a distance of 63.00 feet; thence N86°04'00"W for a distance of 177.00 feet; thence N1°34'00"W for a distance of 95.00 feet; thence N82°15'09"W for a distance of 62.29 feet; thence N3°56'00"E for a distance of 132.30 feet to the true point of beginning containing 1.487 acres.

Parcel No. 6

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 253.50 feet; thence N84°04'00"E for a distance of 223.13 feet; thence S4°50'18"E for a distance of 224.50 feet; thence S4°53'56"W for a distance of 50.06 feet; thence N87°53'40"W for a distance of 50.02 feet, thence N4°50'18"E for a distance of 29.43 feet, thence N86°04'00"W for a distance of 60.92 feet; thence N3°56'00"E for a distance of 10.00 feet; thence N86°04'00"W for a distance of 5.15 feet; thence S65°03'57"W for a distance of 114.01 feet to the true point of beginning containing 1.209 acres.

Parcel No. 7

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road, said boat spike being the true point of beginning of the parcel herein being described; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet; thence N65°03'57"E for a distance of 114.01 feet; thence S86°04'00"E for a distance of 5.15 feet; thence S3°56'00"W for a distance of 10.00 feet; thence S86°04'00"E for a distance of 60.92 feet; thence S4°50'18"W for a distance of 29.43 feet; thence S87°53'40"E for a distance of 50.02 feet; thence S3°46'28"W for a distance of 157.13 feet to the centerline of Smith Road; thence N87°59'10"W along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning containing 0.863 acres.

Parcel No. 8

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 5.28 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 40.40 feet; thence N84°04'00"E for a distance of 72.68 feet; thence N79°38'23"E for a distance of 12.33 feet; thence N1°34'00"W for a distance of 128.27 feet; thence S86°04'00"E for a distance of 160.00 feet; thence S2°14'06"E for a distance of 113.68 feet; thence S4°03'11"W for a distance of 49.95 feet; thence N87°00'00"W for a distance of 109.39 feet; thence along the arc of a curve to the left having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet which bears S88°32'00"W for an arc distance of 56.76 feet; thence S84°04'00"W for a distance of 78.71 feet to the true point of beginning and containing 0.685 acres.

Parcel No. 9

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 622.83 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 112.00 feet to a 5/8 inch steel rebar found; thence S3°42'42"W for a distance of 124.00 feet; thence S54°42'42"W for a distance of 94.66 feet; thence S85°40'14"W for a distance of 40.00 feet; thence along the arc of a curve to the left having a radius of 87.00 feet, a central angle of 42°14'14", a tangent of 33.60 feet and a chord of 62.69 feet which bears N25°26'53"W, for an arc distance of 64.13 feet; thence along the arc of a curve to the left having

a radius of 206.00 feet, a central angle of 10°18'27", a tangent of 18.58 feet and a chord of 37.01 feet which bears N51°43'14"W, for an arc distance of 37.06 feet; thence N41°13'00"E for a distance of 52.00 feet; thence N24°00'00"E for a distance of 90.00 feet to the true point of beginning and containing 0.550 acres.

PARCEL No. 10

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 5.28 feet; thence N84°04'00"E for a distance of 78.71 feet to the true point of beginning of the parcel herein being described; thence along the arc of a curve to the right having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet, which bears N88°32'00"E, for an arc distance of 56.76 feet; thence S87°00'00"E for a distance of 109.39 feet; thence N4°03'11"E for a distance of 49.95 feet; thence along the arc of a curve to the right having a radius of 99.49 feet, a central angle of 43°16'53", a tangent of 39.47 feet and a chord of 73.38 feet, which bears S65°21'33"E, for an arc distance of 75.16 feet; thence S43°27'23"W for a distance of 50.75 feet; thence S23°40'02"W for a distance of 66.00 feet; thence S76°26'53"W for a distance of 182.00 feet; thence N1°00'00"E for a distance of 125.00 feet to the true point of beginning and containing 0.507 acres.

Parcel No. 11

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road, for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet to the true point of beginning of the parcel herein being described; thence N4°53'56"E for a distance of 50.06 feet; thence N4°50'18"E for a distance of 244.50 feet; thence N84°04'00"E for a distance of 0.16 feet; thence N3°56'00"E for a distance of 5.28 feet; thence N84°04'00"E for a distance of 78.71 feet; thence S1°00'00"W for a distance of 125.00 feet; thence N76°26'53"E for a distance of 151.92 feet; thence S2°05'22"W for a distance of 206.49 feet; thence N87°54'32"W for a distance of 240.00 feet to the true point of beginning and containing 1.190 acres.

Leaving 4.827 acres remaining in Parcel No. 2.

EXHIBIT E

PAR VALUE (PERCENTAGES OF INTEREST) OF UNITS

<u>Unit Address</u>	<u>Floor Plan Type</u>	<u>Par Values</u>
1886 Indian Hills Trail	E	1.57
1890 Indian Hills Trail	B	1.08
1896 Indian Hills Trail	B	1.08
1900 Indian Hills Trail	B	1.08
1904 Indian Hills Trail	B	1.08
1870 Indian Hills Trail	C	1.04
1871 Indian Hills Trail	D	1.17
1873 Indian Hills Trail	B	1.08
1874 Indian Hills Trail	E	1.57
1877 Indian Hills Trail	B	1.08
1878 Indian Hills Trail	E	1.57
1879 Indian Hills Trail	C	1.04
1880 Indian Hills Trail	B	1.08
1885 Indian Hills Trail	B	1.08
1889 Indian Hills Trail	B	1.08
1763 Bent Bow Drive	E	1.57
1767 Bent Bow Drive	B	1.08
1771 Bent Bow Drive	E	1.57
1775 Bent Bow Drive	D	1.17
1776 Bent Bow Drive	E	1.57
1778 Bent Bow Drive	C	1.04
1779 Bent Bow Drive	B	1.08
1783 Bent Bow Drive	D	1.17

<u>Unit Address</u>	<u>Floor Plan Type</u>	<u>Par Values</u>
1784 Bent Bow Drive	A	.79
1786 Bent Bow Drive	A	.79
1787 Bent Bow Drive	C	1.04
1791 Bent Bow Drive	E	1.57
1795 Bent Bow Drive	D	1.17
1842 Indian Hills Trail	E	1.57
1846 Indian Hills Trail	D	1.17
1850 Indian Hills Trail	E	1.57
1854 Indian Hills Trail	B	1.08
1858 indian Hills Trail	B	1.08
1862 Indian Hills Trail	B	1.08
1832 Indian Hills Trail	B	1.08
1836 Indian Hills Trail	D	1.17
1700 Rock Hill Lane	A	.79
1704 Rock Hill Lane	A	.79
1708 Rock Hill Lane	B	1.08
1712 Rock Hill Lane	B	1.08
1755 Bent Bow Drive	E	1.57
1757 Bent Bow Drive	E	1.57
1759 Bent Bow Drive	E	1.57
1701 Rock Hill Lane	A	.79
1703 Rock Hill Lane	A	.79
1705 Rock Hill Lane	A	.79
1707 Rock Hill Lane	B	1.08
1845 Indian Hills Trail	A	.79

<u>Unit Address</u>	<u>Floor Plan Type</u>	<u>Par Values</u>
1849 Indian Hills Trail	A	.79
1853 Indian Hills Trail	B	1.08
1857 Indian Hills Trail	A	.79
1861 Indian Hills Trail	A	.79
1779 Rock Hill Lane	C	1.04
1785 Rock Hill Lane	B	1.08
1789 Rock Hill Lane	C	1.04

Transferred, NOT NECESSARY
Received NOV 17, 1986 AT 8:25 AM
Recorded NOV 18, 1986
Recorder's fee \$ 177⁰⁰

RALPH JAMES
Recorder

Indian Hills Condominium Company

INDEXED

323365 /

EIGHTH AMENDMENT
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
INDIAN HILLS CONDOMINIUM

This will certify that copies of this Eighth Amendment to Declaration of Condominium Ownership For Indian Hills Condominium with the following exhibits attached hereto have been filed in the Office of the County Auditor, County of Summit, Ohio:

1. Exhibit A - Legal Description of Parcel No. 1;
2. Exhibit B - Legal Description of Parcel No. 2;
3. Exhibit D - Drawings; and
4. Exhibit E - Schedule of Par Values
(Percentages of Interest)

Approved as to Form:

Auditor of County of Summit

Tim Davis

Assistant Prosecuting Attorney

Tim Davis

By Coyatt

** A / 525*

Dated:

Dated: *2-4-87*

✓ 1687 / 359

TRANSFER NOT NECESSARY
FEB 4 - 1987
Tim Davis, County Auditor

J. G. ...

This Instrument Prepared By:
Jay P. Porter
BROUSE & MCDOWELL
500 First National Tower
Akron, Ohio 44308-1471

RECEIVED FOR RECORD
FEB 5 1987
7:40
RECORDED FEB 5 - 1987
VOL 7364 p. 942

LENDER'S RECORDS

Ray D. ...
SUMMIT COUNTY

*For flat all Cabinet "C" slide #113
140-142
incl.*

EIGHTH AMENDMENT
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
INDIAN HILLS CONDOMINIUM

THIS EIGHTH AMENDMENT TO THE DECLARATION OF CONDOMINIUM OWNERSHIP is made this 28th day of January, 1987, by INDIAN HILLS DEVELOPMENT COMPANY, an Ohio corporation ("Developer") of Akron, Ohio.

WHEREAS, INDIAN HILLS CONDOMINIUM ("Condominium") is governed by and subject to the terms and provisions of a certain Declaration of Condominium Ownership, dated October 4, 1984, (the "Declaration") duly recorded in Volume 6987 at Page 359 et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet A, Slides 525-530, inclusive, of the County of Summit Records, all being duly filed for record on or about the 11th day of October, 1984 and recorded on the 26th day of October, 1984; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain First Amendment to Declaration of Condominium Ownership (the "First Amendment") dated the 17th day of April, 1985, duly recorded in Volume 7042, Pages 387 et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet A, Slides 788-794, inclusive, of the County of Summit Records, all being duly filed for record on or about April 24, 1985, and recorded on May 14, 1985; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Second Amendment to Declaration of Condominium Ownership (the "Second Amendment") dated the 4th day of November 1985, duly recorded in Volume 7137, Pages 815 et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 267-275, inclusive, of the County of Summit Records, all being duly filed for record on or about November 12, 1985, and recorded on November 21, 1985; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Third Amendment to Declaration of Condominium Ownership (the "Third Amendment") dated the 26th day of March, 1986, duly recorded in Volume 7236, Pages 635, et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 504-508, inclusive, of the County of Summit Records, all being duly filed for record on or about April 4, 1986, and recorded on April 21, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Fourth Amendment to Declaration of Condominium Ownership (the "Fourth Amendment") dated the 9th day of June, 1986, duly recorded in Volume 7279, Pages 311, et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 556-561, inclusive of the County of Summit Records, all being duly filed for record on or about June 20, 1986, and recorded on July 3, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Fifth Amendment to Declaration of Condominium Ownership (the "Fifth Amendment"), dated the 2nd day of September, 1986, and duly recorded in Volume 7290, Pages 49, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 678-680, inclusive, of the County of Summit Records, all being duly filed for record on or about September 12, 1986, and recorded on September 24, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Sixth Amendment to Declaration of Condominium Ownership (the "Sixth Amendment"), dated the 16th day of September, 1986, and duly recorded in Volume 7319, Pages 673, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 694-696, inclusive, of the County of Summit Records, all being duly filed for record on or about September 22, 1986, and recorded on October 30, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Seventh Amendment to Declaration of Condominium Ownership (the "Seventh Amendment") dated the 29th day of October, 1986, and duly recorded in Volume 7321, Pages 891, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 795-800, inclusive, of the County of Summit Records, all being duly filed for record on or about November 17, 1986, and recorded on November 18, 1986; and

WHEREAS, pursuant to Article XVI of the Declaration, the Developer reserved the right to add to the original Condominium Property, certain property adjacent thereto by amending the Declaration of record, and by submitting such additional property to the provisions of the Declaration and Chapter 5311 of the Ohio Revised Code; and

WHEREAS, pursuant to Article XVIII(K) of the Declaration, as amended, the Developer reserved the right to amend the Declaration for the purpose of making technical corrections to the Declaration; and

WHEREAS, the Developer desires to add certain land containing Units to the Condominium, to uniformly allocate and reallocate par values (percentages of interests) for the Units, and to make certain technical corrections to the Declaration.

NOW, THEREFORE, the Developer, for itself and as attorney in fact for the Unit Owners and their mortgagees, and for the purposes set forth hereinabove, hereby declares as follows:

1. RECITALS INCORPORATED. That the Recitals hereinabove set forth are incorporated herein by reference and made a part hereof.

2. DEFINITIONS. That the definitions contained in Article I(B) of the Declaration are applicable to the words and phrases used in this Eighth Amendment to Declaration unless the context otherwise requires.

3. AMENDMENT TO DECLARATION. That the Declaration is hereby amended and supplemented in the following respects:

(a) Legal Descriptions. Exhibit A to the Seventh Amendment (which replaced Exhibit A to the original Declaration) is replaced by Exhibit A attached to this Eighth Amendment to Declaration. Exhibit B to the Seventh Amendment (which replaced Exhibit B to the original Declaration) is replaced by Exhibit B attached to this Eighth Amendment to Declaration.

(b) Drawings. Exhibit D to the original Declaration, Exhibit D to the First Amendment, Exhibit D to the Second Amendment, Exhibit D to the Third Amendment, Exhibit D to the Fourth Amendment, Exhibit D to the Fifth Amendment, Exhibit D to the Sixth Amendment, and Exhibit D to the Seventh Amendment (the "Drawings") are amended and supplemented to include the Drawings attached to this Eighth Amendment to Declaration as Exhibit D.

(c) General Description of Buildings. Article IV of the original Declaration entitled "General Description of Buildings" which was previously amended by the First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment, Sixth Amendment, and Seventh Amendment is amended to read as follows:

"There are fifteen (15) residential buildings which are a part of the Condominium Property,

one of which contains two Units (1886 and 1890 Indian Hills Trail), one of which contains three Units (1896, 1900 and 1904 Indian Hills Trail), one of which contains four Units (1870, 1874, 1878 and 1880 Indian Hills Trail), one of which contains six Units (1871, 1873, 1877, 1879, 1885 and 1889 Indian Hills Trail), one of which contains four Units (1783, 1787, 1791 and 1795 Bent Bow Drive), one of which contains five Units (1763, 1767, 1771, 1775 and 1779 Bent Bow Drive), one of which contains four Units (1776, 1778, 1784 and 1786 Bent Bow Drive), one of which contains six Units (1842, 1846, 1850, 1854, 1858, and 1862 Indian Hills Trail), one of which contains two Units (1832 and 1836 Indian Hills Trail), one of which contains four Units (1700, 1704, 1708, and 1712 Rock Hill Lane), one of which contains four Units (1701, 1703, 1705,, and 1707 Rock Hill Lane), one of which contains three Units (1755, 1757 and 1759 Bent Bow Drive), one of which contains five Units (1845, 1849, 1853, 1857 and 1861 Indian Hills Trail), one of which contains three Units (1779, 1785, and 1789 Rock Hill Lane), and one of which contains two Units (1721 and 1723 Rock Hill Lane). The buildings are located as shown on the Drawings.

The principal materials of which the buildings are constructed are wood, glass, concrete, concrete block, brick and drywall."

- (d) Information About Condominium Property. The first sentence of Article V of the original Declaration entitled "Information About Condominium Property", which was previously amended by the First Amendment, the Second Amendment, the Third Amendment, the Fourth Amendment, the Fifth Amendment, the Sixth Amendment, and the Seventh Amendment, is amended to read as follows:

"The Condominium Property, until additions are made to the Condominium Property pursuant to the provisions of Article XVI hereof, is hereby divided into fifty-seven (57) separately designated and legally described freehold estates, hereinafter described and referred to as 'Units', and one (1) freehold estate, herein described and referred to as the 'Common Areas and Facilities.'"

The second paragraph of Article V(B)4 of the original Declaration, is amended to read as follows:

"Units constructed on the Condominium Property will be single-story units (having "Unit A" or "Unit B" type floor plans) or two-story units (having "Unit B," "Unit C," "Unit D," or "Unit E" type floor plans). "Unit A's" will have between 1430 and 1804 square feet and two or three bedrooms and two (2) bathrooms, "Unit B's" will have between 1805 and 1970 square feet and two or three bedrooms and two (2) or two and one-half (2-1/2) bathrooms, "Unit C's" will have between 1971 and 2221 square feet and two or three bedrooms and two (2) or two and one-half (2-1/2) bathrooms, "Unit D's" will have between 2222 and 2694 square feet and three bedrooms and two and one-half (2-1/2) bathrooms, and "Unit E's" will have more than 2695 square feet and three bedrooms and two and one-half (2-1/2) bathrooms."

The third paragraph of Article V(B)4 of the original Declaration entitled "Percentages of Interest of Units Constructed on Parcel No. 2", which was previously amended by the First Amendment, the Second Amendment, the Third Amendment, the Fourth Amendment, the Fifth Amendment, the Sixth Amendment, and the Seventh Amendment (although in each of the aforementioned amendments, the Article being amended was mistakenly referred to as "Article V(A)4"), is amended to read as follows:

"The types of Units (according to type of floor plan) that may be created on Parcel No. 2 or any portion thereof and the par values that will be assigned to every type of Unit created on Parcel No. 2 or any portion thereof are as follows:

<u>Floor Plan Type</u>	<u>Par Value or Percentage of Interest</u>
Unit A	.86
Unit B	1.08
Unit C	1.18
Unit D	1.33
Unit E	1.61

(e) Par Values (Percentages of Interest) in Common Areas and Facilities. Exhibit E to the Seventh Amendment (which replaced Exhibit E to the original Declaration) is replaced by Exhibit E attached to this Eighth Amendment to Declaration of Condominium.

4. OTHER PROVISIONS REMAIN IN FULL FORCE AND EFFECT. Except as hereinabove amended and supplemented, all of the provisions of the Declaration and First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment, Sixth Amendment, and Seventh Amendment, shall be and remain in full force and effect.

IN WITNESS WHEREOF, the undersigned has executed this instrument this 27th day of January, 1987, for itself and on behalf of the Unit Owners of Indian Hills Condominium and their respective mortgagees.

Signed and Acknowledged
In the Presence of:

Developer - INDIAN HILLS
DEVELOPMENT COMPANY

Jay P. Porter
Paul Kelly

By: [Signature]
Dan Zarkovacki -
Vice President

Jay P. Porter
Paul Kelly

and
By: [Signature]
John Zarkovacki -
Secretary

STATE OF OHIO)
) SS
SUMMIT COUNTY)

BEFORE ME, a Notary Public in and for said county and state, personally appeared the above named INDIAN HILLS DEVELOPMENT COMPANY by Dan Zarkovacki, Vice President, and John Zarkovacki, Secretary, who acknowledged that they did sign the foregoing instrument and that the same is the free act and deed of the corporation and the free act and deed of each of them personally and as such officers.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Akron, Ohio, this 28th day of January, 1987.

Jay P. Porter
Notary Public

JAY PORTER FORBEE, Attorney,
Notary Public - State of Ohio
My commission has no expiration date
Sec. 147.03 R.C.

CONSENT OF MORTGAGEE

The undersigned, PEOPLES FEDERAL SAVINGS BANK f.k.a. PEOPLES FEDERAL SAVINGS AND LOAN ASSOCIATION, is mortgagee of the premises described in the within Eighth Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium by virtue of two Mortgage Deeds executed by Indian Hills Development Company, and recorded in the Mortgage Records of the Recorder of Summit County, Ohio, in Volume 6885, Page 438, et seq., and Volume 6885, Page 453, et seq.

The undersigned hereby consents to the execution and delivery of the foregoing Eighth Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium, with the Exhibits and Drawings attached as Exhibits thereto, and to the filing thereof in the Office of the County Recorder of Summit County, Ohio, and further, subjects and subordinates the aforescribed Mortgage Deeds to the foregoing Eighth Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium, with the Exhibits and Drawings attached as Exhibits thereto, and to the provisions of Chapter 5311 of the Ohio Revised Code.

Signed in the Presence of:

PEOPLES FEDERAL SAVINGS BANK
f.k.a. PEOPLES FEDERAL SAVINGS
AND LOAN ASSOCIATION

Brenda K. Courson
As to Both Signatures

By: William J. Courson
William J. Courson,
Chairman and President

Roy D. Bower, Senior
As to Both Signatures

By: Roy D. Bower, Senior
Roy D. Bower, Senior
Vice President-Treasurer

STATE OF OHIO)
) SS
WAYNE COUNTY)

BEFORE ME, a Notary Public, in and for said County and State, personally appeared William J. Courson, the Chairman and President and Roy D. Bower, the Senior Vice President-Treasurer of PEOPLES FEDERAL SAVINGS BANK f.k.a. PEOPLES FEDERAL SAVINGS AND LOAN ASSOCIATION, who having been first duly sworn acknowledged that they did execute the foregoing instrument and that the same was their free act and deed individually and as such Officers and the free act and deed of said Association.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Wooster, Ohio, this 30th day of January, 1987.



NOTARY PUBLIC
BRENDA K. COURSON, Notary Public
Wayne County, State of Ohio
My Commission Expires May 11, 1990

EXHIBIT A

PARCEL NO. 1

Indian Hills Condominium

Situated in the City of Akron, County of Summit, and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows:

PARCEL NO. 1

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N03°56'00"E for a distance of 644.09 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline of Sourek Road, N03°56'00"E for a distance of 237.93 feet to a one inch in outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet; thence S03°56'00"W for a distance of 419.87 feet; thence S84°04'00"W for a distance of 191.84 feet; thence N03°56'00"E for a distance of 50.75 feet; thence N84°04'00"E for a distance of 141.09 feet; thence N03°56'00"E for a distance of 163.12 feet; thence N86°04'00"W for a distance of 169.00 feet to the true point of beginning and containing 1.540 acres.

Parcel No. 1

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline, N3°56'00"E for a distance of 243.26 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence N84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"W for a distance of 30.45 feet to the true point of beginning and containing 0.725 of an acre.

Parcel No. 4

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 45.68 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 241.89 feet; thence S82°15'09"E for a distance of 62.29 feet; thence S1°34'00"E for a distance of 223.27 feet; thence S79°38'23"W for a distance of 12.33 feet; thence S84°04'00"W for a distance of 72.68 feet to the true point of beginning and containing 0.390 of an acre.

Parcel No. 5

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N03°56'00"E for a distance of 918.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in volume J167, page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 402.60 feet; thence S24°00'00"W for a distance of 90.00 feet; thence S41°13'00"W for a distance of 51.53 feet; thence N86°04'00"W for a distance of 90.00 feet; thence S03°56'00"W for a distance of 63.00 feet; thence N86°04'00"W for a distance of 177.00 feet; thence N01°34'00"W for a distance of 95.00 feet; thence N82°15'09"W for a distance of 62.29 feet; thence N03°56'00"E for a distance of 132.30 feet to the true point of beginning containing 1.487 acres.

Parcel No. 6

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 253.50 feet; thence N84°04'00"E for a distance of 223.13 feet; thence S4°50'16"E for a distance of 224.50 feet; thence S4°53'56"W for a distance of 50.06 feet; thence N87°53'40"W for a distance of 50.02 feet, thence N4°50'18"E for a distance of 29.43 feet, thence N86°04'00"W for a distance of 60.92 feet; thence N3°56'00"E for a distance of 10.00 feet; thence N86°04'00"W for a distance of 5.15 feet; thence S65°03'57"W for a distance of 114.01 feet to the true point of beginning containing 1.209 acres.

Parcel No. 7

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road, said boat spike being the true point of beginning of the parcel herein being described; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet; thence N65°03'57"E for a distance of 114.01 feet; thence S86°04'00"E for a distance of 5.15 feet; thence S3°56'00"W for a distance of 10.00 feet; thence S86°04'00"E for a distance of 60.92 feet; thence S4°50'18"W for a distance of 29.43 feet; thence S87°53'40"E for a distance of 50.02 feet; thence S3°46'28"W for a distance of 157.13 feet to the centerline of Smith Road; thence N87°59'10"W along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning containing 0.863 acres.

Parcel No. 8

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 5.28 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 40.40 feet; thence N84°04'00"E for a distance of 72.68 feet; thence N79°38'23"E for a distance of 12.33 feet; thence N1°34'00"W for a distance of 128.27 feet; thence S86°04'00"E for a distance of 160.00 feet; thence S2°14'06"E for a distance of 113.68 feet; thence S4°03'11"W for a distance of 49.95 feet; thence N87°00'00"W for a distance of 109.39 feet; thence along the arc of a curve to the left having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet which bears S88°32'00"W for an arc distance of 56.76 feet; thence S84°04'00"W for a distance of 78.71 feet to the true point of beginning and containing 0.685 acres.

Parcel No. 9

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 622.83 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 112.00 feet to a 5/8 inch steel rebar found; thence S3°42'42"W for a distance of 124.00 feet; thence S54°42'42"W for a distance of 94.66 feet; thence S85°40'14"W for a distance of 40.00 feet; thence along the arc of a curve to the left having a radius of 87.00 feet, a central angle of 42°14'14", a tangent of 33.60 feet and a chord of 62.69 feet which bears N25°26'53"W, for an arc distance of 64.13 feet; thence along the arc of a curve to the left having a radius of 206.00 feet, a central angle of 10°18'27", a tangent of 18.58 feet and a chord of 37.01 feet which bears N51°43'14"W, for an arc distance of 37.06 feet; thence N41°13'00"E for a distance of 52.00 feet; thence N24°00'00"E for a distance of 90.00 feet to the true point of beginning and containing 0.550 acres.

PARCEL NO. 10

VOL 7364 PAGE 954

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 5.28 feet; thence N84°04'00"E for a distance of 78.71 feet to the true point of beginning of the parcel herein being described; thence along the arc of a curve to the right having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet, which bears N88°32'00"E, for an arc distance of 56.76 feet; thence S87°00'00"E for a distance of 109.39 feet; thence N4°03'11"E for a distance of 49.95 feet; thence along the arc of a curve to the right having a radius of 99.49 feet, a central angle of 43°16'53", a tangent of 39.47 feet and a chord of 73.38 feet, which bears S65°21'33"E, for an arc distance of 75.16 feet; thence S43°27'23"W for a distance of 50.75 feet; thence S23°40'02"W for a distance of 66.00 feet; thence S76°26'53"W for a distance of 182.00 feet; thence N1°00'00"E for a distance of 125.00 feet to the true point of beginning and containing 0.507 acres.

Parcel No. 11

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road, for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet to the true point of beginning of the parcel herein being described; thence N4°53'56"E for a distance of 50.06 feet; thence N4°50'18"E for a distance of 244.50 feet; thence N84°04'00"E for a distance of 0.16 feet; thence N3°56'00"E for a distance of 5.28 feet; thence N84°04'00"E for a distance of 70.71 feet; thence S1°00'00"W for a distance of 125.00 feet; thence N76°26'53"E for a distance of 151.92 feet; thence S2°05'22"W for a distance of 206.49 feet; thence N87°54'32"W for a distance of 240.00 feet to the true point of beginning and containing 1.190 acres.

Parcel No. 12

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet; thence S87°54'32"E for a distance of 240.00 feet; thence N2°05'22"E for a distance of 144.00 feet to the true point of beginning of the parcel herein being described; thence continuing N2°05'22"E for a distance of 62.49 feet; thence N76°26'53"E for a distance of 30.08 feet; thence N23°40'02"E for a distance of 66.00 feet; thence N43°27'23"E for a distance of 50.75 feet; thence S39°16'05"E for a distance of 39.52 feet; thence S40°00'00"E for a distance of 91.00 feet; thence S50°00'00"W for a distance of 108.71 feet; thence N87°54'38"W for a distance of 93.21 feet to the true point of beginning and containing 0.392 acres.

EXHIBIT B

PARCEL NO. 2

Situated in the City of Akron, County of Summit and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows: Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 644.09 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence S84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"E for a distance of 191.84 feet; thence N3°56'00"E for a distance of 419.87 feet; thence along the south line of 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records, S80°00'42"E for a distance of 514.60 feet to a 5/8 inch rebar found; thence S3°42'42"W for a distance of 384.42 feet to a 5/8 inch rebar found; thence S3°32'36"W for a distance of 396.08 feet to the centerline of Smith Road and passing over a 3/4 inch pinched top steel pipe found 30.00 feet from said centerline; thence along the centerline of Smith Road, N87°21'27"W for a distance of 54.80 feet to an angle point; thence continuing along said centerline and the centerline tangent, N87°59'10"W for a distance of 680.51 feet to the point of beginning and containing 12.433 acres.

Excepting therefrom the following described Parcels No. 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12.

Situated in the City of Akron, County of Summit, and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows:

Parcel No. 3

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline, N3°56'00"E for a distance of 243.26 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence N84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"W for a distance of 30.45 feet to the true point of beginning and containing 0.725 of an acre.

Parcel No. 4

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 45.68 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 241.89 feet; thence S82°15'09"E for a distance of 62.29 feet; thence S1°34'00"E for a distance of 223.27 feet; thence S79°38'23"W for a distance of 12.33 feet; thence S84°04'00"W for a distance of 72.68 feet to the true point of beginning and containing 0.390 of an acre.

Parcel No. 5

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 882.02 feet (Previously shown incorrectly as 918.02 feet) to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 402.60 feet; thence S24°00'00"W for a distance of 90.00 feet; thence S41°13'00"W for a distance of 51.53 feet; thence N86°04'00"W for a distance of 90.00 feet; thence S3°56'00"W for a distance of 63.00 feet; thence N86°04'00"W for a distance of 177.00 feet; thence N1°34'00"W for a distance of 95.00 feet; thence N82°15'09"W for a distance of 62.29 feet; thence N3°56'00"E for a distance of 132.30 feet to the true point of beginning containing 1.487 acres.

Parcel No. 6

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 253.50 feet; thence N84°04'00"E for a distance of 223.13 feet; thence S4°50'18"E for a distance of 224.50 feet; thence S4°53'56"W for a distance of 50.06 feet; thence N87°53'40"W for a distance of 50.02 feet, thence N4°50'18"E for a distance of 29.43 feet, thence N86°04'00"W for a distance of 60.92 feet; thence N3°56'00"E for a distance of 10.00 feet; thence N86°04'00"W for a distance of 5.15 feet; thence S65°03'57"W for a distance of 114.01 feet to the true point of beginning containing 1.209 acres.

Parcel No. 7

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road, said boat spike being the true point of beginning of the parcel herein being described; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet; thence N65°03'57"E for a distance of 114.01 feet; thence S86°04'00"E for a distance of 5.15 feet; thence S3°56'00"W for a distance of 10.00 feet; thence S86°04'00"E for a distance of 60.92 feet; thence S4°50'18"W for a distance of 29.43 feet; thence S87°53'40"E for a distance of 50.02 feet; thence S3°46'28"W for a distance of 157.13 feet to the centerline of Smith Road; thence N87°59'10"W along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning containing 0.863 acres.

Parcel No. 8

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 5.28 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 40.40 feet; thence N84°04'00"E for a distance of 72.68 feet; thence N79°38'23"E for a distance of 12.33 feet; thence N1°34'00"W for a distance of 128.27 feet; thence S86°04'00"E for a distance of 160.00 feet; thence S2°14'06"E for a distance of 113.68 feet; thence S4°03'11"W for a distance of 49.95 feet; thence N87°00'00"W for a distance of 109.39 feet; thence along the arc of a curve to the left having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet which bears S08°32'00"W for an arc distance of 56.76 feet; thence S84°04'00"W for a distance of 78.71 feet to the true point of beginning and containing 0.685 acres.

Parcel No. 9

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 622.83 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 112.00 feet to a 5/8 inch steel rebar found; thence S3°42'42"W for a distance of 124.00 feet; thence S54°42'42"W for a distance of 94.66 feet; thence S85°40'14"W for a distance of 40.00 feet; thence along the arc of a curve to the left having a radius of 87.00 feet, a central angle of 42°14'14", a tangent of 33.60 feet and a chord of 62.69 feet which bears N25°26'53"W, for an arc distance of 64.13 feet; thence along the arc of a curve to the left having

a radius of 206.00 feet, a central angle of $10^{\circ}18'27''$, a tangent of 18.58 feet and a chord of 37.01 feet which bears $N51^{\circ}43'14''W$, for an arc distance of 37.06 feet; thence $N41^{\circ}13'00''E$ for a distance of 52.00 feet; thence $N24^{\circ}00'00''E$ for a distance of 90.00 feet to the true point of beginning and containing 0.550 acres.

PARCEL No. 10

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence $N3^{\circ}56'00''E$ along the centerline of Sourek Road, for a distance of 400.83 feet; thence $N84^{\circ}04'00''E$ for a distance of 222.29 feet; thence $N3^{\circ}56'00''E$ for a distance of 5.28 feet; thence $N84^{\circ}04'00''E$ for a distance of 78.71 feet to the true point of beginning of the parcel herein being described; thence along the arc of a curve to the right having a radius of 364.04 feet, a central angle of $8^{\circ}56'00''$, a tangent of 28.44 feet, a chord of 56.70 feet, which bears $N88^{\circ}32'00''E$, for an arc distance of 56.76 feet; thence $S87^{\circ}00'00''E$ for a distance of 109.39 feet; thence $N4^{\circ}03'11''E$ for a distance of 49.95 feet; thence along the arc of a curve to the right having a radius of 99.49 feet, a central angle of $43^{\circ}16'53''$, a tangent of 39.47 feet and a chord of 73.38 feet, which bears $S65^{\circ}21'33''E$, for an arc distance of 75.16 feet; thence $S43^{\circ}27'23''W$ for a distance of 50.75 feet; thence $S23^{\circ}40'02''W$ for a distance of 66.00 feet; thence $S76^{\circ}26'53''W$ for a distance of 182.00 feet; thence $N1^{\circ}00'00''E$ for a distance of 125.00 feet to the true point of beginning and containing 0.507 acres.

Parcel No. 11

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence $S87^{\circ}59'10''E$ along the centerline of Smith Road, for a distance of 216.00 feet; thence $N3^{\circ}46'28''E$ for a distance of 157.31 feet to the true point of beginning of the parcel herein being described; thence $N4^{\circ}53'56''E$ for a distance of 50.06 feet; thence $N4^{\circ}50'18''E$ for a distance of 244.50 feet; thence $N84^{\circ}04'00''E$ for a distance of 0.16 feet; thence $N3^{\circ}56'00''E$ for a distance of 5.28 feet; thence $N84^{\circ}04'00''E$ for a distance of 78.71 feet; thence $S1^{\circ}00'00''W$ for a distance of 125.00 feet; thence $N76^{\circ}26'53''E$ for a distance of 151.92 feet; thence $S2^{\circ}05'22''W$ for a distance of 206.49 feet; thence $N87^{\circ}54'32''W$ for a distance of 240.00 feet to the true point of beginning and containing 1.190 acres.

Parcel No. 12

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence $S87^{\circ}59'10''E$ along the centerline of Smith Road for a distance of 216.00 feet; thence $N3^{\circ}46'28''E$ for a distance of 157.31 feet; thence $S87^{\circ}54'32''E$ for a distance of 240.00 feet; thence

$N2^{\circ}05'22''E$ for a distance of 144.00 feet to the true point of beginning of the parcel herein being described; thence continuing $N2^{\circ}05'22''E$ for a distance of 62.49 feet; thence $N76^{\circ}26'53''E$ for a distance of 30.08 feet; thence $N23^{\circ}40'02''E$ for a distance of 66.00 feet; thence $N43^{\circ}27'23''E$ for a distance of 50.75 feet; thence $S39^{\circ}16'05''E$ for a distance of 39.52 feet; thence $S40^{\circ}00'00''E$ for a distance of 91.00 feet; thence $S50^{\circ}00'00''W$ for a distance of 108.71 feet; thence $N87^{\circ}54'38''W$ for a distance of 93.21 feet to the true point of beginning and containing 0.392 acres.

Leaving 4.435 acres remaining in Parcel No. 2.

EXHIBIT E

PAR VALUE (PERCENTAGES OF INTEREST) OF UNITS

<u>Unit Address</u>	<u>Floor Plan Type</u>	<u>Par Values</u>
1886 Indian Hills Trail	E	1.61
1890 Indian Hills Trail	B	1.08
1896 Indian Hills Trail	B	1.08
1900 Indian Hills Trail	B	1.08
1904 Indian Hills Trail	B	1.08
1870 Indian Hills Trail	C	1.18
1871 Indian Hills Trail	D	1.33
1873 Indian Hills Trail	B	1.08
1874 Indian Hills Trail	E	1.61
1877 Indian Hills Trail	B	1.08
1878 Indian Hills Trail	E	1.61
1879 Indian Hills Trail	C	1.18
1880 Indian Hills Trail	B	1.08
1885 Indian Hills Trail	B	1.08
1889 Indian Hills Trail	B	1.08
1763 Bent Bow Drive	E	1.61
1767 Bent Bow Drive	B	1.08
1771 Bent Bow Drive	E	1.61
1775 Bent Bow Drive	D	1.33
1776 Bent Bow Drive	E	1.61
1778 Bent Bow Drive	D	1.33
1779 Bent Bow Drive	C	1.18
1783 Bent Bow Drive	D	1.33
1784 Bent Bow Drive	B	1.08
1786 Bent Bow Drive	A	.86
1787 Bent Bow Drive	C	1.18
1791 Bent Bow Drive	E	1.61
1795 Bent Bow Drive	D	1.33
1842 Indian Hills Trail	E	1.61
1846 Indian Hills Trail	C	1.18
1850 Indian Hills Trail	E	1.61
1854 Indian Hills Trail	D	1.33
1858 Indian Hills Trail	B	1.08
1862 Indian Hills Trail	C	1.18
1832 Indian Hills Trail	A	.86
1836 Indian Hills Trail	C	1.18
1700 Rock Hill Lane	A	.86
1704 Rock Hill Lane	B	1.08
1708 Rock Hill Lane	C	1.18
1712 Rock Hill Lane	C	1.18
1755 Bent Bow Drive	E	1.61
1757 Bent Bow Drive	E	1.61
1759 Bent Bow Drive	E	1.61
1701 Rock Hill Lane	B	1.08
1703 Rock Hill Lane	A	.86

<u>Unit Address</u>	<u>Floor Plan Type</u>	<u>Par Values</u>
1705 Rock Hill Lane	B	1.08
1707 Rock Hill Lane	D	1.33
1845 Indian Hills Trail	A	.86
1849 Indian Hills Trail	A	.86
1853 Indian Hills Trail	E	1.61
1857 Indian Hills Trail	B	1.08
1861 Indian Hills Trail	A	.86
1779 Rock Hill Lane	D	1.33
1785 Rock Hill Lane	D	1.33
1789 Rock Hill Lane	D	1.33
1721 Rock Hill Lane	D	1.33
1723 Rock Hill Lane	D	1.33

Transferred, NOT NECESSARY
 Received FEB 5, 1987 AT 7:40 AM
 Recorded FEB 5, 1987
 Recorder's fee \$ 112.00 RALPH JAMES
 Recorder

INDEXED

Indian Hills Develop. Co.

362040

NINTH AMENDMENT
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
INDIAN HILLS CONDOMINIUM

16987
259
X 525
COUNTY OF SUMMIT - 222
VOL 7456 PG 303
RECEIVED FOR RECORD
87 JUL 13 AM 8:55
RECORDED JULY 14 1987
RALPH JAMES - RECORDER
CO. OF SUMMIT OHIO
\$112.80

This will certify that copies of this Ninth Amendment to Declaration of Condominium Ownership For Indian Hills Condominium with the following exhibits attached hereto have been filed in the Office of the County Auditor, County of Summit, Ohio:

- 1. Exhibit A - Legal Description of Parcel No. 1;
- 2. Exhibit B - Legal Description of Parcel No. 2;
- 3. Exhibit D - Drawings; and
- 4. Exhibit E - Schedule of Par Values (Percentages of Interest)

Approved as to Form:

Auditor of County of Summit

William E. Schultz
Assistant Prosecuting Attorney

Tim Davis
Tim Davis

Dated: 7-10-87

Dated: 7-10-87

JUL 10 1987
RALPH JAMES
COUNTY AUDITOR

For Plat see Cabinet C; Pgs 382-385 Incl.

TRANSFERRED IN COMPLIANCE WITH
EXEMPT FROM REV. CODE
\$ 111 FEE
TIM DAVIS
BY *D. Woods*

This Instrument Prepared By:
Jay P. Porter
BROUSE & McDOWELL
500 First National Tower
Akron, Ohio 44308-1471

011493
VOL 7456 PAGE 303

AK222828

NINTH AMENDMENT
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
INDIAN HILLS CONDOMINIUM

THIS NINTH AMENDMENT TO THE DECLARATION OF CONDOMINIUM OWNERSHIP is made this 8th day of July, 1987, by INDIAN HILLS DEVELOPMENT COMPANY, an Ohio corporation ("Developer") of Akron, Ohio.

WHEREAS, INDIAN HILLS CONDOMINIUM ("Condominium") is governed by and subject to the terms and provisions of a certain Declaration of Condominium Ownership, dated October 4, 1984, (the "Declaration") duly recorded in Volume 6987 at Page 359 et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet A, Slides 525-530, inclusive, of the County of Summit Records, all being duly filed for record on or about the 11th day of October, 1984 and recorded on the 26th day of October, 1984; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain First Amendment to Declaration of Condominium Ownership (the "First Amendment") dated the 17th day of April, 1985, duly recorded in Volume 7042, Pages 387 et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet A, Slides 788-794, inclusive, of the County of Summit Records, all being duly filed for record on or about April 24, 1985, and recorded on May 14, 1985; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Second Amendment to Declaration of Condominium Ownership (the "Second Amendment") dated the 4th day of November 1985, duly recorded in Volume 7137, Pages 815 et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 267-275, inclusive, of the County of Summit Records, all being duly filed for record on or about November 12, 1985, and recorded on November 21, 1985; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Third Amendment to Declaration of Condominium Ownership (the "Third Amendment") dated the 26th day of March, 1986, duly recorded in Volume 7236, Pages 635, et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 504-508, inclusive, of the County of Summit Records, all being duly filed for record on or about April 4, 1986, and recorded on April 21, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Fourth Amendment to Declaration of Condominium Ownership (the "Fourth Amendment") dated the 9th day of June, 1986, duly recorded in Volume 7279, Pages 311, et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 556-561, inclusive of the County of Summit Records, all being duly filed for record on or about June 20, 1986, and recorded on July 3, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Fifth Amendment to Declaration of Condominium Ownership (the "Fifth Amendment"), dated the 2nd day of September, 1986, and duly recorded in Volume 7290, Pages 49, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 678-680, inclusive, of the County of Summit Records, all being duly filed for record on or about September 12, 1986, and recorded on September 24, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Sixth Amendment to Declaration of Condominium Ownership (the "Sixth Amendment"), dated the 16th day of September, 1986, and duly recorded in Volume 7319, Pages 673, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 694-696, inclusive, of the County of Summit Records, all being duly filed for record on or about September 22, 1986, and recorded on October 30, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Seventh Amendment to Declaration of Condominium Ownership (the "Seventh Amendment") dated the 29th day of October, 1986, and duly recorded in Volume 7321, Pages 891, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 795-800, inclusive, of the County of Summit Records, all being duly filed for record on or about November 17, 1986, and recorded on November 18, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Eighth Amendment to Declaration of Condominium Ownership (the "Eighth Amendment") dated the 28th day of January, 1987, and duly recorded in Volume 7364, Pages 942, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet C, Slides 140-142, inclusive, of the County of Summit Records, all being duly filed for record and recorded on or about February 5, 1987; and

WHEREAS, pursuant to Article XVI of the Declaration, the Developer reserved the right to add to the original Condominium

Property, certain property adjacent thereto by amending the Declaration of record, and by submitting such additional property to the provisions of the Declaration and Chapter 5311 of the Ohio Revised Code; and

WHEREAS, the Developer desires to add certain land containing Units to the Condominium, and to uniformly allocate and reallocate par values (percentages of interests) for the Units.

NOW, THEREFORE, the Developer, for itself and as attorney in fact for the Unit Owners and their mortgagees, and for the purposes set forth hereinabove, hereby declares as follows:

1. RECITALS INCORPORATED. That the Recitals hereinabove set forth are incorporated herein by reference and made a part hereof.

2. DEFINITIONS. That the definitions contained in Article I(B) of the Declaration are applicable to the words and phrases used in this Ninth Amendment to Declaration unless the context otherwise requires.

3. AMENDMENT TO DECLARATION. That the Declaration is hereby amended and supplemented in the following respects:

(a) Legal Descriptions. Exhibit A to the Eighth Amendment (which replaced Exhibit A to the original Declaration) is replaced by Exhibit A attached to this Ninth Amendment to Declaration. Exhibit B to the Eighth Amendment (which replaced Exhibit B to the original Declaration) is replaced by Exhibit B attached to this Ninth Amendment to Declaration.

(b) Drawings. Exhibit D to the original Declaration, Exhibit D to the First Amendment, Exhibit D to the Second Amendment, Exhibit D to the Third Amendment, Exhibit D to the Fourth Amendment, Exhibit D to the Fifth Amendment, Exhibit D to the Sixth Amendment, Exhibit D to the Seventh Amendment, and Exhibit D to the Eighth Amendment (the "Drawings") are amended and supplemented to include the Drawings attached to this Ninth Amendment to Declaration as Exhibit D.

(c) General Description of Buildings. Article IV of the original Declaration entitled "General Description of Buildings" which was previously amended by the First Amendment, Second Amendment, Third Amendment, Fourth

Amendment, Fifth Amendment, Sixth Amendment, Seventh Amendment, and Eighth Amendment is amended to read as follows:

"There are sixteen (16) residential buildings which are a part of the Condominium Property, one of which contains two Units (1886 and 1890 Indian Hills Trail), one of which contains three Units (1896, 1900 and 1904 Indian Hills Trail), one of which contains four Units (1870, 1874, 1878 and 1880 Indian Hills Trail), one of which contains six Units (1871, 1873, 1877, 1879, 1885 and 1889 Indian Hills Trail), one of which contains four Units (1783, 1787, 1791 and 1795 Bent Bow Drive), one of which contains five Units (1763, 1767, 1771, 1775 and 1779 Bent Bow Drive), one of which contains four Units (1776, 1778, 1784 and 1786 Bent Bow Drive), one of which contains six Units (1842, 1846, 1850, 1854, 1858, and 1862 Indian Hills Trail), one of which contains two Units (1832 and 1836 Indian Hills Trail), one of which contains four Units (1700, 1704, 1708, and 1712 Rock Hill Lane), one of which contains four Units (1701, 1703, 1705,, and 1707 Rock Hill Lane), one of which contains three Units (1755, 1757 and 1759 Bent Bow Drive), one of which contains five Units (1845, 1849, 1853, 1857 and 1861 Indian Hills Trail), one of which contains three Units (1779, 1785, and 1789 Rock Hill Lane), one of which contains two Units (1721 and 1723 Rock Hill Lane), and one of which contains three Units (1763, 1765 and 1771 Rock Hill Lane). The buildings are located as shown on the Drawings.

The principal materials of which the buildings are constructed are wood, glass, concrete, concrete block, brick and drywall."

- (d) Information About Condominium Property. The first sentence of Article V of the original Declaration entitled "Information About Condominium Property", which was previously amended by the First Amendment, the Second Amendment, the Third Amendment, the Fourth Amendment, the Fifth Amendment, the Sixth Amendment, the Seventh Amendment, and the Eighth Amendment, is amended to read as follows:

"The Condominium Property, until additions are made to the Condominium Property pursuant to the provisions of Article XVI hereof, is hereby divided into sixty (60) separately designated and legally described freehold estates, hereindescribed and referred to as 'Units', and one (1) freehold estate, herein described and referred to as the 'Common Areas and Facilities.'"

(e) Par Values (Percentages of Interest) in Common Areas and Facilities. Exhibit E to the Eighth Amendment (which replaced Exhibit E to the original Declaration) is replaced by Exhibit E attached to this Ninth Amendment to Declaration of Condominium.

4. OTHER PROVISIONS REMAIN IN FULL FORCE AND EFFECT. Except as hereinabove amended and supplemented, all of the provisions of the Declaration and First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment, Sixth Amendment, Seventh Amendment, and Eighth Amendment, shall be and remain in full force and effect.

IN WITNESS WHEREOF, the undersigned has executed this instrument this 8th day of July, 1987, for itself and on behalf of the Unit Owners of Indian Hills Condominium and their respective mortgagees.

Signed and Acknowledged
In the Presence of:

Developer - INDIAN HILLS
DEVELOPMENT COMPANY

Jay P. Porter
Ernie J. Kelly

By: [Signature]
Dan Zarkovacki -
Vice President

Jay P. Porter
Ernie J. Kelly

and
By: [Signature]
John Zarkovacki -
Secretary

STATE OF OHIO)
) SS
SUMMIT COUNTY)

BEFORE ME, a Notary Public in and for said county and state, personally appeared the above named INDIAN HILLS DEVELOPMENT

COMPANY by Dan Zarkovacki, Vice President, and John Zarkovacki, Secretary, who acknowledged that they did sign the foregoing instrument and that the same is the free act and deed of the corporation and the free act and deed of each of them personally and as such officers.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Akron, Ohio, this 8th day of July, 1987.

Jay P. Porter
Notary Public
JAY PAUL PORTER, Attorney
Notary Public - State of Ohio
My commission has no expiration date
Sec. 147.03 R.C.

CONSENT OF MORTGAGEE

The undersigned, PEOPLES FEDERAL SAVINGS BANK f.k.a. PEOPLES FEDERAL SAVINGS AND LOAN ASSOCIATION, is mortgagee of the premises described in the within Ninth Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium by virtue of two Mortgage Deeds executed by Indian Hills Development Company, and recorded in the Mortgage Records of the Recorder of Summit County, Ohio, in Volume 6885, Page 438, et seq., and Volume 6885, Page 453, et seq.

The undersigned hereby consents to the execution and delivery of the foregoing Ninth Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium, with the Exhibits and Drawings attached as Exhibits thereto, and to the filing thereof in the Office of the County Recorder of Summit County, Ohio, and further, subjects and subordinates the aforescribed Mortgage Deeds to the foregoing Ninth Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium, with the Exhibits and Drawings attached as Exhibits thereto, and to the provisions of Chapter 5311 of the Ohio Revised Code.

Signed in the Presence of:

PEOPLES FEDERAL SAVINGS BANK
f.k.a. PEOPLES FEDERAL SAVINGS
AND LOAN ASSOCIATION

Brandon J. Courson
As to Both Signatures

By: William J. Courson
William J. Courson,
Chairman and President

Roy D. Bower
As to Both Signatures

By: Roy D. Bower
Roy D. Bower, Senior
Vice President-Treasurer

VOL 7456 PAGE 309

STATE OF OHIO)
) SS
WAYNE COUNTY)

BEFORE ME, a Notary Public, in and for said County and State, personally appeared William J. Courson, the Chairman and President and Roy D. Bower, the Senior Vice President-Treasurer of PEOPLES FEDERAL SAVINGS BANK f.k.a. PEOPLES FEDERAL SAVINGS AND LOAN ASSOCIATION, who having been first duly sworn acknowledged that they did execute the foregoing instrument and that the same was their free act and deed individually and as such Officers and the free act and deed of said Association.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Wooster, Ohio, this 30th day of June, 1987.


NOTARY PUBLIC

BRENDA K. COURSON, Notary Public
Wayne County, State of Ohio
My Commission Expires May 11, 1990

EXHIBIT A

PARCEL NO. 1

Indian Hills Condominium

Situated in the City of Akron, County of Summit, and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows:

PARCEL NO. 1

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N03°56'00"E for a distance of 644.09 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline of Sourek Road, N03°56'00"E for a distance of 237.93 feet to a one inch in outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet; thence S03°56'00"W for a distance of 419.87 feet; thence S84°04'00"W for a distance of 191.84 feet; thence N03°56'00"E for a distance of 50.75 feet; thence N84°04'00"E for a distance of 141.09 feet; thence N03°56'00"E for a distance of 163.12 feet; thence N86°04'00"W for a distance of 169.00 feet to the true point of beginning and containing 1.540 acres.

Parcel No. 3

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline, N3°56'00"E for a distance of 243.26 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence N84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"W for a distance of 30.45 feet to the true point of beginning and containing 0.725 of an acre.

Parcel No. 4

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 45.68 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 241.89 feet; thence S82°15'09"E for a distance of 62.29 feet; thence S1°34'00"E for a distance of 223.27 feet; thence S79°38'23"W for a distance of 12.33 feet; thence S84°04'00"W for a distance of 72.68 feet to the true point of beginning and containing 0.390 of an acre.

Parcel No. 5

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N03°56'00"E for a distance of 918.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in volume 3167, page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 402.60 feet; thence S24°00'00"W for a distance of 90.00 feet; thence S41°13'00"W for a distance of 51.53 feet; thence N86°04'00"W for a distance of 90.00 feet; thence S03°56'00"W for a distance of 63.00 feet; thence N86°04'00"W for a distance of 177.00 feet; thence N01°34'00"W for a distance of 95.00 feet; thence N82°15'09"W for a distance of 62.29 feet; thence N01°56'00"E for a distance of 132.30 feet to the true point of beginning containing 1.487 acres.

Parcel No. 6

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 253.50 feet; thence N84°04'00"E for a distance of 223.13 feet; thence S4°50'16"E for a distance of 224.50 feet; thence S4°53'56"W for a distance of 50.06 feet; thence N87°53'40"W for a distance of 50.02 feet, thence N4°50'18"E for a distance of 29.43 feet, thence N86°04'00"W for a distance of 60.92 feet; thence N3°56'00"E for a distance of 10.00 feet; thence N86°04'00"W for a distance of 5.15 feet; thence S65°03'57"W for a distance of 114.01 feet to the true point of beginning containing 1.209 acres.

Parcel No. 7

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road, said boat spike being the true point of beginning of the parcel herein being described; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet; thence N65°03'57"E for a distance of 114.01 feet; thence S86°04'00"E for a distance of 5.15 feet; thence S3°56'00"W for a distance of 10.00 feet; thence S86°04'00"E for a distance of 60.92 feet; thence S4°50'18"W for a distance of 29.43 feet; thence S87°53'40"E for a distance of 50.02 feet; thence S3°46'28"W for a distance of 157.13 feet to the centerline of Smith Road; thence N87°59'10"W along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning containing 0.863 acres.

Parcel No. 8

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 5.28 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 40.40 feet; thence N84°04'00"E for a distance of 72.68 feet; thence N79°38'23"E for a distance of 12.33 feet; thence N1°34'00"W for a distance of 128.27 feet; thence S86°04'00"E for a distance of 160.00 feet; thence S2°14'06"E for a distance of 113.68 feet; thence S4°03'11"W for a distance of 49.95 feet; thence N87°00'00"W for a distance of 109.39 feet; thence along the arc of a curve to the left having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet which bears S88°32'00"W for an arc distance of 56.76 feet; thence S84°04'00"W for a distance of 78.71 feet to the true point of beginning and containing 0.685 acres.

Parcel No. 9

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 622.83 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 112.00 feet to a 5/8 inch steel rebar found; thence S3°42'42"W for a distance of 124.00 feet; thence S54°42'42"W for a distance of 94.66 feet; thence S85°40'14"W for a distance of 40.00 feet; thence along the arc of a curve to the left having a radius of 87.00 feet, a central angle of 42°14'14", a tangent of 33.60 feet and a chord of 62.69 feet which bears N25°26'53"W, for an arc distance of 64.13 feet; thence along the arc of a curve to the left having a radius of 206.00 feet, a central angle of 10°18'27", a tangent of 18.58 feet and a chord of 37.01 feet which bears N51°43'14"W, for an arc distance of 37.06 feet; thence N41°13'00"E for a distance of 52.00 feet; thence N24°00'00"E for a distance of 90.00 feet to the true point of beginning and containing 0.550 acres.

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 5.28 feet; thence N84°04'00"E for a distance of 78.71 feet to the true point of beginning of the parcel herein being described; thence along the arc of a curve to the right having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet, which bears N88°32'00"E, for an arc distance of 56.76 feet; thence S87°00'00"E for a distance of 109.39 feet; thence N4°03'11"E for a distance of 49.95 feet; thence along the arc of a curve to the right having a radius of 99.49 feet, a central angle of 43°16'53", a tangent of 39.47 feet and a chord of 73.38 feet, which bears S65°21'33"E, for an arc distance of 75.16 feet; thence S43°27'23"W for a distance of 50.75 feet; thence S23°40'02"W for a distance of 66.00 feet; thence S76°26'53"W for a distance of 182.00 feet; thence N1°00'00"E for a distance of 125.00 feet to the true point of beginning and containing 0.507 acres.

Parcel No. 11

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road, for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet to the true point of beginning of the parcel herein being described; thence N4°53'56"E for a distance of 50.06 feet; thence N4°50'18"E for a distance of 244.50 feet; thence N84°04'00"E for a distance of 0.16 feet; thence N3°56'00"E for a distance of 5.28 feet; thence N84°04'00"E for a distance of 78.71 feet; thence S1°00'00"W for a distance of 125.00 feet; thence N76°26'53"E for a distance of 151.92 feet; thence S2°05'22"W for a distance of 206.49 feet; thence N87°54'32"W for a distance of 240.00 feet to the true point of beginning and containing 1.190 acres.

Parcel No. 12

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet; thence S87°54'32"E for a distance of 240.00 feet; thence N2°05'22"E for a distance of 144.00 feet to the true point of beginning of the parcel herein being described; thence continuing N2°05'22"E for a distance of 62.49 feet; thence N76°26'53"E for a distance of 30.08 feet; thence N23°40'02"E for a distance of 66.00 feet; thence N43°27'23"E for a distance of 50.75 feet; thence S39°16'05"E for a distance of 39.52 feet; thence S40°00'00"E for a distance of 91.00 feet; thence S50°00'00"W for a distance of 108.71 feet; thence N87°54'38"W for a distance of 93.21 feet to the true point of beginning and containing 0.392 acres.

Parcel No. 13

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet; thence S87°54'32"E for a distance of 240.00 feet to the true point of beginning of the parcel herein being described; thence N2°05'22"E for a distance of 144.00 feet thence S87°54'38"E for a distance of 93.21 feet; thence N50°00'00"E for a distance of 108.71 feet; thence S40°00'00"E for a distance of 14.26 feet; thence along the arc of a curve to the right having a central angle of 43°05'28", a radius of 113.47 feet, a tangent of 44.80 feet and a chord of 83.34 feet which bears S18°27'16"W, for an arc distance of 85.34 feet; thence S3°05'28"W for a distance of 30.00 feet; thence along the arc of a curve to the right having a central angle of 89°00'00", a radius of 100.00 feet, a tangent of 98.27 feet and a chord of 140.18 feet which bears S47°35'28"W, for an arc distance of 155.33 feet; thence N87°54'32"W for a distance of 112.18 feet to the true point of beginning and containing 0.761 of an acre.

PARCEL NO. 2

Situated in the City of Akron, County of Summit and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows: Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 644.09 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence S84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"E for a distance of 191.84 feet; thence N3°56'00"E for a distance of 419.87 feet; thence along the south line of 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records, S80°00'42"E for a distance of 514.60 feet to a 5/8 inch rebar found; thence S3°42'42"W for a distance of 384.42 feet to a 5/8 inch rebar found; thence S3°32'36"W for a distance of 396.08 feet to the centerline of Smith Road and passing over a 3/4 inch pinched top steel pipe found 30.00 feet from said centerline; thence along the centerline of Smith Road, N87°21'27"W for a distance of 54.80 feet to an angle point; thence continuing along said centerline and the centerline tangent, N87°59'10"W for a distance of 680.51 feet to the point of beginning and containing 12.433 acres.

Excepting therefrom the following described Parcels No. 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13.

Situated in the City of Akron, County of Summit, and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows:

Parcel No. 3

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline, N3°56'00"E for a distance of 243.26 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence N84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"W for a distance of 30.45 feet to the true point of beginning and containing 0.725 of an acre.

Parcel No. 4

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 45.68 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 241.89 feet; thence S82°15'09"E for a distance of 62.29 feet; thence S1°34'00"E for a distance of 223.27 feet; thence S79°38'23"W for a distance of 12.33 feet; thence S84°04'00"W for a distance of 72.68 feet to the true point of beginning and containing 0.390 of an acre.

Parcel No. 5

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 882.02 feet (Previously shown incorrectly as 918.02 feet) to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 402.60 feet; thence S24°00'00"W for a distance of 90.00 feet; thence S41°13'00"W for a distance of 51.53 feet; thence N86°04'00"W for a distance of 90.00 feet; thence S3°56'00"W for a distance of 63.00 feet; thence N86°04'00"W for a distance of 177.00 feet; thence N1°34'00"W for a distance of 95.00 feet; thence N82°15'09"W for a distance of 62.29 feet; thence N3°56'00"E for a distance of 132.30 feet to the true point of beginning containing 1.487 acres.

Parcel No. 6

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 253.50 feet; thence N84°04'00"E for a distance of 223.13 feet; thence S4°50'18"E for a distance of 224.50 feet; thence S4°53'56"W for a distance of 50.06 feet; thence N87°53'40"W for a distance of 50.02 feet; thence N4°50'18"E for a distance of 29.43 feet; thence N86°04'00"W for a distance of 60.92 feet; thence N3°56'00"E for a distance of 10.00 feet; thence N86°04'00"W for a distance of 5.15 feet; thence S65°03'57"W for a distance of 114.01 feet to the true point of beginning containing 1.209 acres.

VOL 7456 PAGE 317

Parcel No. 7

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road, said boat spike being the true point of beginning of the parcel herein being described; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet; thence N65°03'57"E for a distance of 114.01 feet; thence S86°04'00"E for a distance of 5.15 feet; thence S3°56'00"W for a distance of 10.00 feet; thence S86°04'00"E for a distance of 60.92 feet; thence S4°50'18"W for a distance of 29.43 feet; thence S87°53'40"E for a distance of 50.02 feet; thence S3°46'28"W for a distance of 157.13 feet to the centerline of Smith Road; thence N87°59'10"W along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning containing 0.863 acres.

Parcel No. 8

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 5.28 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 40.40 feet; thence N84°04'00"E for a distance of 72.68 feet; thence N79°38'23"E for a distance of 12.33 feet; thence N1°34'00"W for a distance of 128.27 feet; thence S86°04'00"E for a distance of 160.00 feet; thence S2°14'06"E for a distance of 113.68 feet; thence S4°03'11"W for a distance of 49.95 feet; thence N87°00'00"W for a distance of 109.39 feet; thence along the arc of a curve to the left having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet which bears S88°32'00"W for an arc distance of 56.70 feet; thence S84°04'00"W for a distance of 70.71 feet to the true point of beginning and containing 0.685 acres.

Parcel No. 9

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 622.83 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 112.00 feet to a 5/8 inch steel rebar found; thence S3°42'42"W for a distance of 124.00 feet; thence S54°42'42"W for a distance of 94.66 feet; thence S85°40'14"W for a distance of 40.00 feet; thence along the arc of a curve to the left having a radius of 87.00 feet, a central angle of 42°14'14", a tangent of 33.60 feet and a chord of 62.69 feet which bears N25°26'53"W, for an arc distance of 64.13 feet; thence along the arc of a curve to the left having

a radius of 206.00 feet, a central angle of 10°18'27", a tangent of 18.58 feet and a chord of 37.01 feet which bears N51°43'14"W, for an arc distance of 37.06 feet; thence N41°13'00"E for a distance of 52.00 feet; thence N24°00'00"E for a distance of 90.00 feet to the true point of beginning and containing 0.550 acres.

PARCEL No. 10

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 5.28 feet; thence N84°04'00"E for a distance of 78.71 feet to the true point of beginning of the parcel herein being described; thence along the arc of a curve to the right having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet, which bears N88°32'00"E, for an arc distance of 56.76 feet; thence S87°00'00"E for a distance of 109.39 feet; thence N4°03'11"E for a distance of 49.95 feet; thence along the arc of a curve to the right having a radius of 99.49 feet, a central angle of 43°16'53", a tangent of 39.47 feet and a chord of 73.38 feet, which bears S65°21'33"E, for an arc distance of 75.16 feet; thence S43°27'23"W for a distance of 50.75 feet; thence S23°40'02"W for a distance of 66.00 feet; thence S76°26'53"W for a distance of 182.00 feet; thence N1°00'00"E for a distance of 125.00 feet to the true point of beginning and containing 0.507 acres.

Parcel No. 11

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road, for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet to the true point of beginning of the parcel herein being described; thence N4°53'56"E for a distance of 50.06 feet; thence N4°50'18"E for a distance of 244.50 feet; thence N84°04'00"E for a distance of 0.16 feet; thence N3°56'00"E for a distance of 5.28 feet; thence N84°04'00"E for a distance of 78.71 feet; thence S1°00'00"W for a distance of 125.00 feet; thence N76°26'53"E for a distance of 151.92 feet; thence S2°05'22"W for a distance of 206.49 feet; thence N87°54'32"W for a distance of 240.00 feet to the true point of beginning and containing 1.190 acres.

Parcel No. 12

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet; thence S87°54'32"E for a distance of 240.00 feet; thence

VOL 7456 PAGE 319

N2°05'22"E for a distance of 144.00 feet to the true point of beginning of the parcel herein being described; thence continuing N2°05'22"E for a distance of 62.49 feet; thence N76°26'53"E for a distance of 30.08 feet; thence N23°40'02"E for a distance of 66.00 feet; thence N43°27'23"E for a distance of 50.75 feet; thence S39°16'03"E for a distance of 39.52 feet; thence S40°00'00"E for a distance of 91.00 feet; thence S50°00'00"W for a distance of 108.71 feet; thence NB7°54'38"W for a distance of 93.21 feet to the true point of beginning and containing 0.392 acres.

Parcel No. 13

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence SB7°59'10"E along the centerline of Smith Road for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet; thence SB7°54'32"E for a distance of 240.00 feet to the true point of beginning of the parcel herein being described; thence N2°05'22"E for a distance of 144.00 feet thence SB7°54'38"E for a distance of 93.21 feet; thence N50°00'00"E for a distance of 108.71 feet; thence S40°00'00"E for a distance of 14.26 feet; thence along the arc of a curve to the right having a central angle of 43°05'28", a radius of 113.47 feet, a tangent of 44.80 feet and a chord of 83.34 feet which bears S18°27'16"W, for an arc distance of 85.34 feet; thence S3°05'28"W for a distance of 30.00 feet; thence along the arc of a curve to the right having a central angle of 89°00'00", a radius of 100.00 feet, a tangent of 98.27 feet and a chord of 140.18 feet which bears S47°35'28"W, for an arc distance of 155.33 feet; thence NB7°54'32"W for a distance of 112.18 feet to the true point of beginning and containing 0.761 of an acre.

Leaving 3.674 acres remaining in Parcel No. 2.

EXHIBIT E

PAR VALUE (PERCENTAGES OF INTEREST) OF UNITS

<u>Unit Address</u>	<u>Floor Plan Type</u>	<u>Par Values</u>
1886 Indian Hills Trail	E	1.61
1890 Indian Hills Trail	B	1.08
1896 Indian Hills Trail	B	1.08
1900 Indian Hills Trail	B	1.08
1904 Indian Hills Trail	B	1.08
1870 Indian Hills Trail	C	1.18
1871 Indian Hills Trail	D	1.33
1873 Indian Hills Trail	B	1.08
1874 Indian Hills Trail	E	1.61
1877 Indian Hills Trail	B	1.08
1878 Indian Hills Trail	E	1.61
1879 Indian Hills Trail	C	1.18
1880 Indian Hills Trail	B	1.08
1885 Indian Hills Trail	B	1.08
1889 Indian Hills Trail	B	1.08
1763 Bent Bow Drive	E	1.61
1767 Bent Bow Drive	B	1.08
1771 Bent Bow Drive	E	1.61
1775 Bent Bow Drive	D	1.33
1776 Bent Bow Drive	E	1.61
1778 Bent Bow Drive	D	1.33
1779 Bent Bow Drive	C	1.18
1783 Bent Bow Drive	D	1.33
1784 Bent Bow Drive	B	1.08
1786 Bent Bow Drive	A	.86
1787 Bent Bow Drive	C	1.18
1791 Bent Bow Drive	E	1.61
1795 Bent Bow Drive	D	1.33
1842 Indian Hills Trail	E	1.61
1846 Indian Hills Trail	C	1.18
1850 Indian Hills Trail	E	1.61
1854 Indian Hills Trail	D	1.33
1858 Indian Hills Trail	B	1.08
1862 Indian Hills Trail	C	1.18
1832 Indian Hills Trail	A	.86
1836 Indian Hills Trail	C	1.18
1700 Rock Hill Lane	A	.86
1704 Rock Hill Lane	B	1.08
1708 Rock Hill Lane	C	1.18
1712 Rock Hill Lane	C	1.18
1755 Bent Bow Drive	E	1.61
1757 Bent Bow Drive	E	1.61
1759 Bent Bow Drive	E	1.61
1701 Rock Hill Lane	B	1.08
1703 Rock Hill Lane	A	.86

<u>Unit Address</u>	<u>Floor Plan Type</u>	<u>Par Values</u>
1705 Rock Hill Lane	B	1.08
1707 Rock Hill Lane	D	1.33
1845 Indian Hills Trail	A	.86
1849 Indian Hills Trail	A	.86
1853 Indian Hills Trail	E	1.61
1857 Indian Hills Trail	B	1.08
1861 Indian Hills Trail	A	.86
1779 Rock Hill Lane	D	1.33
1785 Rock Hill Lane	D	1.33
1789 Rock Hill Lane	D	1.33
1721 Rock Hill Lane	D	1.33
1723 Rock Hill Lane	D	1.33
1763 Rock Hill Lane	B	1.08
1765 Rock Hill Lane	D	1.33
1771 Rock Hill Lane	B	1.08

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TRANSFER NOT NECESSARY
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TENTH AMENDMENT
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
INDIAN HILLS CONDOMINIUM

* 47.00
+ 65.80
112.80

This will certify that copies of this Tenth Amendment to Declaration of Condominium Ownership For Indian Hills Condominium with the following exhibits attached hereto have been filed in the Office of the County Auditor, County of Summit, Ohio:

1. Exhibit A - Legal Description of Parcel No. 1;
2. Exhibit B - Legal Description of Parcel No. 2;
SEE PLAT CAB."C" SLIDE # 543-545
3. Exhibit D - Drawings; and
- 4.. Exhibit E - Schedule of Par Values
(Percentages of Interest)

Approved as to Form:

Auditor of County of Summit

Assistant Prosecuting Attorney

Tim Davis
Tim Davis
By Cynthia Deputy Auditor

Dated: _____

Dated: 10-5-87

This Instrument Prepared By:
Jay P. Porter
BROUSE & McDOWELL
500 First National Tower
Akron, Ohio 44308-1471

NOTARY PUBLIC
[Signature]
Notary Public, Ohio

AK 211557

Declaration of Condominium Ownership (the "Fourth Amendment") dated the 9th day of June, 1986, duly recorded in Volume 7279, Pages 311, et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 556-561, inclusive of the County of Summit Records, all being duly filed for record on or about June 20, 1986, and recorded on July 3, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Fifth Amendment to Declaration of Condominium Ownership (the "Fifth Amendment"), dated the 2nd day of September, 1986, and duly recorded in Volume 7290, Pages 49, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 678-680, inclusive, of the County of Summit Records, all being duly filed for record on or about September 12, 1986, and recorded on September 24, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Sixth Amendment to Declaration of Condominium Ownership (the "Sixth Amendment"), dated the 16th day of September, 1986, and duly recorded in Volume 7319, Pages 673, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 694-696, inclusive, of the County of Summit Records, all being duly filed for record on or about September 22, 1986, and recorded on October 30, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Seventh Amendment to Declaration of Condominium Ownership (the "Seventh Amendment") dated the 29th day of October, 1986, and duly recorded in Volume 7321, Pages 891, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 795-800, inclusive, of the County of Summit Records, all being duly filed for record on or about November 17, 1986, and recorded on November 18, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Eighth Amendment to Declaration of Condominium Ownership (the "Eighth Amendment") dated the 28th day of January, 1987, and duly recorded in Volume 7364, Pages 942, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet C, Slides 140-142, inclusive, of the County of Summit Records, all being duly filed for record and recorded on or about February 5, 1987; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Ninth Amendment to Declaration of Condominium Ownership (the "Ninth Amendment") dated the 8th day of July, 1987, and duly recorded in Volume 7456, Pages 303, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet C, Slides

383-385, inclusive, of the County of Summit Records, all being duly filed for record on July 13, 1987, and recorded on July 14, 1987; and

WHEREAS, pursuant to Article XVI of the Declaration, the Developer reserved the right to add to the original Condominium Property, certain property adjacent thereto by amending the Declaration of record, and by submitting such additional property to the provisions of the Declaration and Chapter 5311 of the Ohio Revised Code; and

WHEREAS, the Developer desires to add certain land containing Units to the Condominium, and to uniformly allocate and reallocate par values (percentages of interests) for the Units.

NOW, THEREFORE, the Developer, for itself and as attorney in fact for the Unit Owners and their mortgagees, and for the purposes set forth hereinabove, hereby declares as follows:

1. RECITALS INCORPORATED. That the Recitals hereinabove set forth are incorporated herein by reference and made a part hereof.

2. DEFINITIONS. That the definitions contained in Article I(B) of the Declaration are applicable to the words and phrases used in this Tenth Amendment to Declaration unless the context otherwise requires.

3. AMENDMENT TO DECLARATION. That the Declaration is hereby amended and supplemented in the following respects:

(a) Legal Descriptions. Exhibit A to the Ninth Amendment (which replaced Exhibit A to the original Declaration) is replaced by Exhibit A attached to this Tenth Amendment to Declaration. Exhibit B to the Ninth Amendment (which replaced Exhibit B to the original Declaration) is replaced by Exhibit B attached to this Tenth Amendment to Declaration.

(b) Drawings. Exhibit D to the original Declaration, Exhibit D to the First Amendment, Exhibit D to the Second Amendment, Exhibit D to the Third Amendment, Exhibit D to the Fourth Amendment, Exhibit D to the Fifth Amendment, Exhibit D to the Sixth Amendment, Exhibit D to the Seventh Amendment, Exhibit D to the Eighth Amendment and Exhibit D to the Ninth Amendment (the "Drawings") are amended and supplemented to include the Drawings attached to this Tenth Amendment to Declaration as Exhibit D.

- (c) General Description of Buildings. Article IV of the original Declaration entitled "General Description of Buildings" which was previously amended by the First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment, Sixth Amendment, Seventh Amendment, Eighth Amendment and Ninth Amendment is amended to read as follows:

"There are seventeen (17) residential buildings which are a part of the Condominium Property, one of which contains two Units (1886 and 1890 Indian Hills Trail), one of which contains three Units (1896, 1900 and 1904 Indian Hills Trail), one of which contains four Units (1870, 1874, 1878 and 1880 Indian Hills Trail), one of which contains six Units (1871, 1873, 1877, 1879, 1885 and 1889 Indian Hills Trail), one of which contains four Units (1783, 1787, 1791 and 1795 Bent Bow Drive), one of which contains five Units (1763, 1767, 1771, 1775 and 1779 Bent Bow Drive), one of which contains four Units (1776, 1778, 1784 and 1786 Bent Bow Drive), one of which contains six Units (1842, 1846, 1850, 1854, 1858, and 1862 Indian Hills Trail), one of which contains two Units (1832 and 1836 Indian Hills Trail), one of which contains four Units (1700, 1704, 1708, and 1712 Rock Hill Lane), one of which contains four Units (1701, 1703, 1705,, and 1707 Rock Hill Lane), one of which contains three Units (1755, 1757 and 1759 Bent Bow Drive), one of which contains five Units (1845, 1849, 1853, 1857 and 1861 Indian Hills Trail), one of which contains three Units (1779, 1785, and 1789 Rock Hill Lane), one of which contains two Units (1721 and 1723 Rock Hill Lane), one of which contains three Units (1763, 1765 and 1771 Rock Hill Lane), and one of which contains four Units (1786, 1790, 1794 and 1798 Rock Hill Lane). The buildings are located as shown on the Drawings.

The principal materials of which the buildings are constructed are wood, glass, concrete, concrete block, brick and drywall."

- (d) Information About Condominium Property. The first sentence of Article V of the original Declaration entitled "Information About Condominium Property", which was previously amended by the First Amendment, the Second Amendment, the Third Amendment, the Fourth

Amendment, the Fifth Amendment, the Sixth Amendment, the Seventh Amendment, the Eighth Amendment and the Ninth Amendment, is amended to read as follows:

"The Condominium Property, until additions are made to the Condominium Property pursuant to the provisions of Article XVI hereof, is hereby divided into sixty-four (64) separately designated and legally described freehold estates, hereindescribed and referred to as 'Units', and one (1) freehold estate, herein described and referred to as the 'Common Areas and Facilities.'"

(e) Par Values (Percentages of Interest) in Common Areas and Facilities. Exhibit E to the Ninth Amendment (which replaced Exhibit E to the original Declaration) is replaced by Exhibit E attached to this Tenth Amendment to Declaration of Condominium.

4. OTHER PROVISIONS REMAIN IN FULL FORCE AND EFFECT. Except as hereinabove amended and supplemented, all of the provisions of the Declaration and First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment, Sixth Amendment, Seventh Amendment, Eighth Amendment and Ninth Amendment, shall be and remain in full force and effect.

IN WITNESS WHEREOF, the undersigned has executed this instrument this 15th day of October, 1987, for itself and on behalf of the Unit Owners of Indian Hills Condominium and their respective mortgagees.

Signed and Acknowledged
In the Presence of:

Jay P. Porter
Carol J. Kelly

Jay P. Porter
Carol J. Kelly

Developer - INDIAN HILLS
DEVELOPMENT COMPANY

By: D. Zarkovacki
Dan Zarkovacki -
Vice President

and

By: John Zarkovacki
John Zarkovacki -
Secretary

STATE OF OHIO)
) SS
SUMMIT COUNTY)

BEFORE ME, a Notary Public in and for said county and state, personally appeared the above named INDIAN HILLS DEVELOPMENT COMPANY by Dan Zarkovacki, Vice President, and John Zarkovacki, Secretary, who acknowledged that they did sign the foregoing instrument and that the same is the free act and deed of the corporation and the free act and deed of each of them personally and as such officers.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Akron, Ohio, this 15th day of October, 1987.

Jay P. Porter
Notary Public
JAY PAUL PORTER, Attorney
Notary Public - State of Ohio
My commission has no expiration date
Sec. 147.03 R.C.

CONSENT OF MORTGAGEE

The undersigned, PEOPLES FEDERAL SAVINGS BANK f.k.a. PEOPLES FEDERAL SAVINGS AND LOAN ASSOCIATION, is mortgagee of the premises described in the within Tenth Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium by virtue of two Mortgage Deeds executed by Indian Hills Development Company, and recorded in the Mortgage Records of the Recorder of Summit County, Ohio, in Volume 6885, Page 438, et seq., and Volume 6885, Page 453, et seq.

The undersigned hereby consents to the execution and delivery of the foregoing Tenth Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium, with the Exhibits and Drawings attached as Exhibits thereto, and to the filing thereof in the Office of the County Recorder of Summit County, Ohio, and further, subjects and subordinates the aforescribed Mortgage Deeds to the foregoing Tenth Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium, with the Exhibits and Drawings attached as Exhibits thereto, and to the provisions of Chapter 5311 of the Ohio Revised Code.

Signed in the Presence of:

PEOPLES FEDERAL SAVINGS BANK
f.k.a. PEOPLES FEDERAL SAVINGS
AND LOAN ASSOCIATION

Brenda J. Courson
As to Both Signatures

By: William J. Courson
William J. Courson,
Chairman and President

William J. Courson VOL 7513 PAGE 441

Brenda K. Courson
As to Both Signatures
William J. Courson

By: Roy D. Bower, Senior
Roy D. Bower, Senior
Vice President-Treasurer

STATE OF OHIO)
) SS
WAYNE COUNTY)

BEFORE ME, a Notary Public, in and for said County and State, personally appeared William J. Courson, the Chairman and President and Roy D. Bower, the Senior Vice President-Treasurer of PEOPLES FEDERAL SAVINGS BANK f.k.a. PEOPLES FEDERAL SAVINGS AND LOAN ASSOCIATION, who having been first duly sworn acknowledged that they did execute the foregoing instrument and that the same was their free act and deed individually and as such Officers and the free act and deed of said Association.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Wooster, Ohio, this 25th day of September, 1987.

Brenda K. Courson
NOTARY PUBLIC

BRENDA K. COURSON, Notary Public
Wayne County, State of Ohio
My Commission Expires Mar 11, 1990

EXHIBIT A

PARCEL NO. 1

Indian Mills Condominium

Situated in the City of Akron, County of Summit, and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows:

PARCEL NO. 1

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N03°56'00"E for a distance of 644.09 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline of Sourek Road, N03°56'00"E for a distance of 237.93 feet to a one inch in outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet; thence S03°56'00"W for a distance of 419.87 feet; thence S84°04'00"W for a distance of 191.84 feet; thence N03°56'00"E for a distance of 50.75 feet; thence N84°04'00"E for a distance of 141.09 feet; thence N03°56'00"E for a distance of 163.12 feet; thence N86°04'00"W for a distance of 169.00 feet to the true point of beginning and containing 1.540 acres.

Parcel No. 3

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline, N3°56'00"E for a distance of 243.26 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence N84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"W for a distance of 30.45 feet to the true point of beginning and containing 0.725 of an acre.

Parcel No. 4

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 45.68 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 241.89 feet; thence S82°15'09"E for a distance of 62.29 feet; thence S1°34'00"E for a distance of 223.27 feet; thence S79°38'21"W for a distance of 12.33 feet; thence S84°04'00"W for a distance of 72.68 feet to the true point of beginning and containing 0.390 of an acre.

VOL 7513 PAGE 443

Parcel No. 5

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N03°56'00"E for a distance of 918.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in volume 3167, page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 402.60 feet; thence S24°00'00"W for a distance of 90.00 feet; thence S41°13'00"W for a distance of 31.53 feet; thence N86°04'00"W for a distance of 90.00 feet; thence S03°56'00"W for a distance of 63.00 feet; thence N86°04'00"W for a distance of 177.00 feet; thence N01°34'00"W for a distance of 95.00 feet; thence N82°15'09"W for a distance of 62.29 feet; thence N03°56'00"E for a distance of 132.30 feet to the true point of beginning containing 1.487 acres.

Parcel No. 6

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 253.50 feet; thence N84°04'00"E for a distance of 223.13 feet; thence S4°56'16"E for a distance of 224.50 feet; thence S4°53'56"W for a distance of 50.06 feet; thence N87°53'40"W for a distance of 50.02 feet, thence N4°50'18"E for a distance of 29.43 feet, thence N86°04'00"W for a distance of 60.92 feet; thence N3°56'00"E for a distance of 10.00 feet; thence N86°04'00"W for a distance of 5.15 feet; thence S65°03'57"W for a distance of 114.01 feet to the true point of beginning containing 1.209 acres.

Parcel No. 7

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road, said boat spike being the true point of beginning of the parcel herein being described; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet; thence N65°03'57"E for a distance of 114.01 feet; thence S86°04'00"E for a distance of 5.15 feet; thence S3°56'00"W for a distance of 10.00 feet; thence S86°04'00"E for a distance of 60.92 feet; thence S4°50'18"W for a distance of 29.43 feet; thence S87°53'40"E for a distance of 50.02 feet; thence S3°46'28"W for a distance of 157.13 feet to the centerline of Smith Road; thence N87°59'10"W along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning containing 0.863 acres.

Parcel No. 8

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 5.28 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 40.40 feet; thence N84°04'00"E for a distance of 72.68 feet; thence N79°38'23"E for a distance of 12.33 feet; thence N1°34'00"W for a distance of 128.27 feet; thence S86°04'00"E for a distance of 160.00 feet; thence S2°14'06"E for a distance of 113.68 feet; thence S4°03'11"W for a distance of 49.95 feet; thence N87°00'00"W for a distance of 109.39 feet; thence along the arc of a curve to the left having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet which bears S88°32'00"W for an arc distance of 56.76 feet; thence S84°04'00"W for a distance of 78.71 feet to the true point of beginning and containing 0.685 acres.

Parcel No. 9

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 622.83 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 112.00 feet to a 5/8 inch steel rebar found; thence S3°42'42"W for a distance of 124.00 feet; thence S54°42'42"W for a distance of 94.66 feet; thence S85°40'14"W for a distance of 40.00 feet; thence along the arc of a curve to the left having a radius of 87.00 feet, a central angle of 42°14'14", a tangent of 33.60 feet and a chord of 62.69 feet which bears N25°26'53"W, for an arc distance of 64.13 feet; thence along the arc of a curve to the left having a radius of 206.00 feet, a central angle of 10°18'27", a tangent of 18.98 feet and a chord of 37.01 feet which bears N51°43'14"W, for an arc distance of 37.06 feet; thence N41°13'00"E for a distance of 52.00 feet; thence N24°00'00"E for a distance of 90.00 feet to the true point of beginning and containing 0.550 acres.

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 5.28 feet; thence N84°04'00"E for a distance of 78.71 feet to the true point of beginning of the parcel herein being described; thence along the arc of a curve to the right having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet, which bears N88°32'00"E, for an arc distance of 56.76 feet; thence S87°00'00"E for a distance of 109.39 feet; thence N4°03'11"E for a distance of 49.95 feet; thence along the arc of a curve to the right having a radius of 99.49 feet, a central angle of 43°16'53", a tangent of 39.47 feet and a chord of 73.38 feet, which bears S65°21'33"E, for an arc distance of 75.16 feet; thence S43°27'23"W for a distance of 50.75 feet; thence S23°40'02"W for a distance of 66.00 feet; thence S76°26'53"W for a distance of 182.00 feet; thence N1°00'00"E for a distance of 125.00 feet to the true point of beginning and containing 0.507 acres.

Parcel No. 11

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road, for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet to the true point of beginning of the parcel herein being described; thence N4°53'56"E for a distance of 50.06 feet; thence N4°50'18"E for a distance of 244.50 feet; thence N84°04'00"E for a distance of 0.16 feet; thence N3°56'00"E for a distance of 5.28 feet; thence N84°04'00"E for a distance of 78.71 feet; thence S1°00'00"W for a distance of 125.00 feet; thence N76°26'53"E for a distance of 151.92 feet; thence S2°05'22"W for a distance of 206.49 feet; thence N87°54'32"W for a distance of 240.00 feet to the true point of beginning and containing 1.190 acres.

Parcel No. 12

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet; thence S87°54'32"E for a distance of 240.00 feet; thence N2°05'22"E for a distance of 144.00 feet to the true point of beginning of the parcel herein being described; thence continuing N2°05'22"E for a distance of 62.49 feet; thence N76°26'53"E for a distance of 30.08 feet; thence N23°40'02"E for a distance of 66.00 feet; thence N43°27'23"E for a distance of 50.75 feet; thence S39°16'05"E for a distance of 39.52 feet; thence S40°00'00"E for a distance of 91.00 feet; thence S50°00'00"W for a distance of 108.71 feet; thence N87°54'38"W for a distance of 93.21 feet to the true point of beginning and containing 0.392 acres.

Parcel No. 13

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet; thence S87°54'32"E for a distance of 240.00 feet to the true point of beginning of the parcel herein being described; thence N2°05'22"E for a distance of 144.00 feet; thence S87°54'38"E for a distance of 93.21 feet; thence N50°00'00"E for a distance of 108.71 feet; thence S40°00'00"E for a distance of 14.26 feet; thence along the arc of a curve to the right having a central angle of 43°05'28", a radius of 113.47 feet, a tangent of 44.80 feet and a chord of 83.34 feet which bears S18°27'16"W, for an arc distance of 85.34 feet; thence S3°05'28"W for a distance of 30.00 feet; thence along the arc of a curve to the right having a central angle of 89°00'00", a radius of 100.00 feet, a tangent of 98.27 feet and a chord of 140.18 feet which bears S47°35'28"W, for an arc distance of 155.33 feet; thence N87°54'32"W for a distance of 112.18 feet to the true point of beginning and containing 0.761 of an acre.

Parcel No. 14

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning of the parcel herein being described; thence N3°46'28"E for a distance of 157.31 feet; thence S87°54'32"E for a distance of 189.00 feet; thence S2°05'28"E for a distance of 156.98 feet to the centerline of Smith Road; thence along said centerline N87°59'10"W for a distance of 193.62 feet to the true point of beginning and containing 0.690 of an acre.

PARCEL NO. 2

Situated in the City of Akron, County of Summit and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows: Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 644.09 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence S84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"E for a distance of 191.84 feet; thence N3°56'00"E for a distance of 419.87 feet; thence along the south line of 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records, S80°00'42"E for a distance of 514.60 feet to a 5/8 inch rebar found; thence S3°42'42"W for a distance of 384.42 feet to a 5/8 inch rebar found; thence S3°32'36"W for a distance of 396.08 feet to the centerline of Smith Road and passing over a 3/4 inch pinched top steel pipe found 30.00 feet from said centerline; thence along the centerline of Smith Road, N87°21'27"W for a distance of 54.80 feet to an angle point; thence continuing along said centerline and the centerline tangent, N87°59'10"W for a distance of 680.51 feet to the point of beginning and containing 12.433 acres.

Excepting therefrom the following described Parcels No. 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14.

Situated in the City of Akron, County of Summit, and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows:

Parcel No. 3

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline, N3°56'00"E for a distance of 243.26 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence N84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"W for a distance of 30.45 feet to the true point of beginning and containing 0.725 of an acre.

Parcel No. 4

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 45.68 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 241.89 feet; thence S82°15'09"E for a distance of 62.29 feet; thence S1°34'00"E for a distance of 223.27 feet; thence S79°38'23"W for a distance of 12.33 feet; thence S84°04'00"W for a distance of 72.68 feet to the true point of beginning and containing 0.390 of an acre.

Parcel No. 5

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 882.02 feet (Previously shown incorrectly as 918.02 feet) to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 402.60 feet; thence S24°00'00"W for a distance of 90.00 feet; thence S41°13'00"W for a distance of 51.53 feet; thence N86°04'00"W for a distance of 90.00 feet; thence S3°56'00"W for a distance of 63.00 feet; thence N86°04'00"W for a distance of 177.00 feet; thence N1°34'00"W for a distance of 95.00 feet; thence N82°15'09"W for a distance of 62.29 feet; thence N3°56'00"E for a distance of 132.30 feet to the true point of beginning containing 1.487 acres.

Parcel No. 6

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 253.50 feet; thence N84°04'00"E for a distance of 223.13 feet; thence S4°50'18"E for a distance of 224.50 feet; thence S4°53'56"W for a distance of 50.06 feet; thence N87°53'40"W for a distance of 50.02 feet, thence N4°50'18"E for a distance of 29.43 feet, thence N86°04'00"W for a distance of 60.92 feet; thence N3°56'00"E for a distance of 10.00 feet; thence N86°04'00"W for a distance of 5.15 feet; thence S65°03'57"W for a distance of 114.01 feet to the true point of beginning containing 1.209 acres.

Parcel No. 7

7519 page 150
Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road, said boat spike being the true point of beginning of the parcel herein being described; thence along the centerline of Sourek Road, N1°56'00"E for a distance of 147.33 feet; thence N65°03'57"E for a distance of 114.01 feet; thence S86°04'00"E for a distance of 5.15 feet; thence S1°56'00"W for a distance of 10.00 feet; thence S86°04'00"E for a distance of 60.92 feet; thence S4°50'18"W for a distance of 29.43 feet; thence S87°53'40"E for a distance of 50.02 feet; thence S3°46'28"W for a distance of 157.13 feet to the centerline of Smith Road; thence N87°59'10"W along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning containing 0.863 acres.

Parcel No. 8

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N1°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N1°56'00"E for a distance of 5.28 feet to the true point of beginning of the parcel herein being described; thence continuing N1°56'00"E for a distance of 40.40 feet; thence N84°04'00"E for a distance of 72.68 feet; thence N79°38'23"E for a distance of 12.33 feet; thence N1°34'00"W for a distance of 128.27 feet; thence S86°04'00"E for a distance of 160.00 feet; thence S2°14'06"E for a distance of 113.68 feet; thence S4°03'11"W for a distance of 49.95 feet; thence N87°00'00"W for a distance of 109.39 feet; thence along the arc of a curve to the left having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet which bears S88°32'00"W for an arc distance of 56.76 feet; thence S84°04'00"W for a distance of 70.71 feet to the true point of beginning and containing 0.685 acres.

Parcel No. 9

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N1°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 622.83 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 112.00 feet to a 5/8 inch steel rebar found; thence S3°42'42"W for a distance of 124.00 feet; thence S54°42'42"W for a distance of 94.66 feet; thence S85°40'14"W for a distance of 40.00 feet; thence along the arc of a curve to the left having a radius of 87.00 feet, a central angle of 42°14'14", a tangent of 33.60 feet and a chord of 62.69 feet which bears N25°26'53"W, for an arc distance of 64.13 feet; thence along the arc of a curve to the left having

N2°05'22"E for a distance of 144.00 feet to the true point of beginning of the parcel herein being described; thence continuing N2°05'22"E for a distance of 62.49 feet; thence N76°26'53"E for a distance of 30.08 feet; thence N23°40'02"E for a distance of 66.00 feet; thence N43°27'23"E for a distance of 50.75 feet; thence S39°16'05"E for a distance of 39.52 feet; thence S40°00'00"E for a distance of 91.00 feet; thence S50°00'00"W for a distance of 108.71 feet; thence NB7°54'38"W for a distance of 93.21 feet to the true point of beginning and containing 0.392 acres.

Parcel No. 13

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence SB7°59'10"E along the centerline of Smith Road for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet; thence SB7°54'32"E for a distance of 240.00 feet to the true point of beginning of the parcel herein being described; thence N2°05'22"E for a distance of 144.00 feet thence SB7°54'38"E for a distance of 93.21 feet; thence NS0°00'00"E for a distance of 108.71 feet; thence S40°00'00"E for a distance of 14.26 feet; thence along the arc of a curve to the right having a central angle of 43°05'28", a radius of 113.47 feet, a tangent of 44.80 feet and a chord of 83.34 feet which bears S18°27'16"W, for an arc distance of 85.34 feet; thence S3°05'28"W for a distance of 30.00 feet; thence along the arc of a curve to the right having a central angle of 89°00'00", a radius of 100.00 feet, a tangent of 98.27 feet and a chord of 140.18 feet which bears S47°35'28"W, for an arc distance of 155.33 feet; thence NB7°54'32"W for a distance of 112.18 feet to the true point of beginning and containing 0.761 of an acre.

Parcel No. 14

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence SB7°59'10"E along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning of the parcel herein being described; thence N3°46'28"E for a distance of 157.31 feet; thence SB7°54'32"E for a distance of 189.00 feet; thence S2°05'28"E for a distance of 156.98 feet to the centerline of Smith Road; thence along said centerline NB7°59'10"W for a distance of 193.62 feet to the true point of beginning and containing 0.690 of an acre.

Leaving 2.984 acres remaining in Parcel No. 2.

EXHIBIT E

PAR VALUE (PERCENTAGES OF INTEREST) OF UNITS

<u>Unit Address</u>	<u>Floor Plan Type</u>	<u>Par Values</u>
1886 Indian Hills Trail	E	1.61
1890 Indian Hills Trail	B	1.08
1896 Indian Hills Trail	B	1.08
1900 Indian Hills Trail	B	1.08
1904 Indian Hills Trail	B	1.08
1870 Indian Hills Trail	C	1.18
1871 Indian Hills Trail	D	1.33
1873 Indian Hills Trail	B	1.08
1874 Indian Hills Trail	E	1.61
1877 Indian Hills Trail	B	1.08
1878 Indian Hills Trail	E	1.61
1879 Indian Hills Trail	C	1.18
1880 Indian Hills Trail	B	1.08
1885 Indian Hills Trail	B	1.08
1889 Indian Hills Trail	B	1.08
1763 Bent Bow Drive	E	1.61
1767 Bent Bow Drive	B	1.08
1771 Bent Bow Drive	E	1.61
1775 Bent Bow Drive	D	1.33
1776 Bent Bow Drive	E	1.61
1778 Bent Bow Drive	D	1.33
1779 Bent Bow Drive	C	1.18
1783 Bent Bow Drive	D	1.33
1784 Bent Bow Drive	B	1.08
1786 Bent Bow Drive	A	.86
1787 Bent Bow Drive	C	1.18
1791 Bent Bow Drive	E	1.61
1795 Bent Bow Drive	D	1.33
1842 Indian Hills Trail	E	1.61
1846 Indian Hills Trail	C	1.18
1850 Indian Hills Trail	E	1.61
1854 Indian Hills Trail	D	1.33
1858 Indian Hills Trail	B	1.08
1862 Indian Hills Trail	C	1.18
1832 Indian Hills Trail	A	.86
1836 Indian Hills Trail	C	1.18
1700 Rock Hill Lane	A	.86
1704 Rock Hill Lane	B	1.08
1708 Rock Hill Lane	C	1.18
1712 Rock Hill Lane	C	1.18
1755 Bent Bow Drive	E	1.61
1757 Bent Bow Drive	E	1.61
1759 Bent Bow Drive	E	1.61
1701 Rock Hill Lane	B	1.08
1703 Rock Hill Lane	A	.86
1705 Rock Hill Lane	B	1.08

-17-

<u>Unit Address</u>	<u>Floor Plan Type</u>	<u>Par Values</u>
1707 Rock Hill Lane	D	1.33
1845 Indian Hills Trail	A	.86
1849 Indian Hills Trail	A	.86
1853 Indian Hills Trail	E	1.61
1857 Indian Hills Trail	B	1.08
1861 Indian Hills Trail	A	.86
1779 Rock Hill Lane	D	1.33
1785 Rock Hill Lane	D	1.33
1789 Rock Hill Lane	D	1.33
1721 Rock Hill Lane	D	1.33
1723 Rock Hill Lane	D	1.33
1763 Rock Hill Lane	B	1.08
1765 Rock Hill Lane	D	1.33
1771 Rock Hill Lane	B	1.08
1786 Rock Hill Lane	A	.86
1790 Rock Hill Lane	B	1.08
1794 Rock Hill Lane	B	1.08
1798 Rock Hill Lane	C	1.18

452

X

Indian Hills Development Co.

6987
359
X 2/25
✓ 7/13
433

386819 *

ELEVENTH AMENDMENT
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
INDIAN HILLS CONDOMINIUM

*Plot 108.00
Declar. 51.00
159.00*

This will certify that copies of this Eleventh Amendment to Declaration of Condominium Ownership For Indian Hills Condominium with the following exhibits attached hereto have been filed in the Office of the County Auditor, County of Summit, Ohio:

1. Exhibit A - Legal Description of Parcel No. 1;
2. Exhibit B - Legal Description of Parcel No. 2;
3. Exhibit D - Drawings; and
4. Exhibit E - Schedule of Par Values (Percentages of Interest)

Approved as to Form:

William E. Schuth
Assistant Prosecuting Attorney

Auditor of County of Summit

Tim Davis *John King*

Dated: 10-29-87

Dated: Oct 29 1987

This Instrument Prepared By:
Jay P. Porter
BROUSE & McDOWELL
500 First National Tower
Akron, Ohio 44308-1471

TRANSFER NOT NECESSARY
OCT 29 1987
Tim Davis, County Auditor

* For Plot see Cat C
Slide 590-594 Incl.

87 OCT 29 AM 11:27
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COUNTY OF SUMMIT
VOL 7516 PAGE 615
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ELEVENTH AMENDMENT
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
INDIAN HILLS CONDOMINIUM

THIS ELEVENTH AMENDMENT TO THE DECLARATION OF CONDOMINIUM OWNERSHIP is made this 22nd day of October, 1987, by INDIAN HILLS DEVELOPMENT COMPANY, an Ohio corporation ("Developer") of Akron, Ohio.

WHEREAS, INDIAN HILLS CONDOMINIUM ("Condominium") is governed by and subject to the terms and provisions of a certain Declaration of Condominium Ownership, dated October 4, 1984, (the "Declaration") duly recorded in Volume 6987 at Page 359 et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet A, Slides 525-530, inclusive, of the County of Summit Records, all being duly filed for record on or about the 11th day of October, 1984 and recorded on the 26th day of October, 1984; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain First Amendment to Declaration of Condominium Ownership (the "First Amendment") dated the 17th day of April, 1985, duly recorded in Volume 7042, Pages 387 et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet A, Slides 788-794, inclusive, of the County of Summit Records, all being duly filed for record on or about April 24, 1985, and recorded on May 14, 1985; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Second Amendment to Declaration of Condominium Ownership (the "Second Amendment") dated the 4th day of November 1985, duly recorded in Volume 7137, Pages 815 et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 267-275, inclusive, of the County of Summit Records, all being duly filed for record on or about November 12, 1985, and recorded on November 21, 1985; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Third Amendment to Declaration of Condominium Ownership (the "Third Amendment") dated the 26th day of March, 1986, duly recorded in Volume 7236, Pages 635, et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 504-508, inclusive, of the County of Summit Records, all being duly filed for record on or about April 4, 1986, and recorded on April 21, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Fourth Amendment to Declaration of Condominium Ownership (the "Fourth Amendment") dated the 9th day of June, 1986, duly recorded in Volume 7279, Pages 311, et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 556-561, inclusive of the County of Summit Records, all being duly filed for record on or about June 20, 1986, and recorded on July 3, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Fifth Amendment to Declaration of Condominium Ownership (the "Fifth Amendment"), dated the 2nd day of September, 1986, and duly recorded in Volume 7290, Pages 49, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 678-680, inclusive, of the County of Summit Records, all being duly filed for record on or about September 12, 1986, and recorded on September 24, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Sixth Amendment to Declaration of Condominium Ownership (the "Sixth Amendment"), dated the 16th day of September, 1986, and duly recorded in Volume 7319, Pages 673, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 694-696, inclusive, of the County of Summit Records, all being duly filed for record on or about September 22, 1986, and recorded on October 30, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Seventh Amendment to Declaration of Condominium Ownership (the "Seventh Amendment") dated the 29th day of October, 1986, and duly recorded in Volume 7321, Pages 891, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 795-800, inclusive, of the County of Summit Records, all being duly filed for record on or about November 17, 1986, and recorded on November 18, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Eighth Amendment to Declaration of Condominium Ownership (the "Eighth Amendment") dated the 28th day of January, 1987, and duly recorded in Volume 7364, Pages 942, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet C, Slides 140-142, inclusive, of the County of Summit Records, all being duly filed for record and recorded on or about February 5, 1987; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Ninth Amendment to Declaration of Condominium Ownership (the "Ninth Amendment") dated the 8th day of July, 1987, and duly recorded in Volume 7456, Pages 303 et seq., of the Land Records of the County of Summit, Ohio,

and as per the Drawings recorded in Plat Cabinet C, Slides 383-385, inclusive, of the County of Summit Records, all being duly filed for record on July 13, 1987, and recorded on July 14, 1987; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Tenth Amendment to Declaration of Condominium Ownership (the "Tenth Amendment") dated the 1st day of October, 1987, and duly recorded in Volume 7513, Pages 435, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet C, Slides 543-545, inclusive, of the County of Summit Records, all being duly filed for record on October 6, 1987, and recorded on October 7, 1987; and

WHEREAS, pursuant to Article XVI of the Declaration, the Developer reserved the right to add to the original Condominium Property, certain property adjacent thereto by amending the Declaration of record, and by submitting such additional property to the provisions of the Declaration and Chapter 5311 of the Ohio Revised Code; and

WHEREAS, the Developer desires to add certain land containing Units to the Condominium, and to uniformly allocate and reallocate par values (percentages of interests) for the Units.

NOW, THEREFORE, the Developer, for itself and as attorney in fact for the Unit Owners and their mortgagees, and for the purposes set forth hereinabove, hereby declares as follows:

1. RECITALS INCORPORATED. That the Recitals hereinabove set forth are incorporated herein by reference and made a part hereof.

2. DEFINITIONS. That the definitions contained in Article I(B) of the Declaration are applicable to the words and phrases used in this Eleventh Amendment to Declaration unless the context otherwise requires.

3. AMENDMENT TO DECLARATION. That the Declaration is hereby amended and supplemented in the following respects:

- (a) Legal Descriptions. Exhibit A to the Tenth Amendment (which replaced Exhibit A to the original Declaration) is replaced by Exhibit A attached to this Eleventh Amendment to Declaration. Exhibit B to the Tenth Amendment (which replaced Exhibit B to the original Declaration) is replaced by Exhibit B attached to this Eleventh Amendment to Declaration.

(b) Drawings. Exhibit D to the original Declaration, Exhibit D to the First Amendment, Exhibit D to the Second Amendment, Exhibit D to the Third Amendment, Exhibit D to the Fourth Amendment, Exhibit D to the Fifth Amendment, Exhibit D to the Sixth Amendment, Exhibit D to the Seventh Amendment, Exhibit D to the Eighth Amendment, Exhibit D to the Ninth Amendment and Exhibit D to the Tenth Amendment (the "Drawings") are amended and supplemented to include the Drawings attached to this Eleventh Amendment to Declaration as Exhibit D.

(c) General Description of Buildings. Article IV of the original Declaration entitled "General Description of Buildings" which was previously amended by the First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment, Sixth Amendment, Seventh Amendment, Eighth Amendment, Ninth Amendment and Tenth Amendment is amended to read as follows:

"There are nineteen (19) residential buildings which are a part of the Condominium Property, one of which contains two Units (1886 and 1890 Indian Hills Trail), one of which contains three Units (1896, 1900 and 1904 Indian Hills Trail), one of which contains four Units (1870, 1874, 1878 and 1880 Indian Hills Trail), one of which contains six Units (1871, 1873, 1877, 1879, 1885 and 1889 Indian Hills Trail), one of which contains four Units (1783, 1787, 1791 and 1795 Bent Bow Drive), one of which contains five Units (1763, 1767, 1771, 1775 and 1779 Bent Bow Drive), one of which contains four Units (1776, 1778, 1784 and 1786 Bent Bow Drive), one of which contains six Units (1842, 1846, 1850, 1854, 1858, and 1862 Indian Hills Trail), one of which contains two Units (1832 and 1836 Indian Hills Trail), one of which contains four Units (1700, 1704, 1708, and 1712 Rock Hill Lane), one of which contains four Units (1701, 1703, 1705, and 1707 Rock Hill Lane), one of which contains three Units (1755, 1757 and 1759 Bent Bow Drive), one of which contains five Units (1845, 1849, 1853, 1857 and 1861 Indian Hills Trail), one of which contains three Units (1779, 1785, and 1789

Rock Hill Lane), one of which contains two Units (1721 and 1723 Rock Hill Lane), one of which contains three Units (1763, 1765 and 1771 Rock Hill Lane), one of which contains four Units (1786, 1790, 1794 and 1798 Rock Hill Lane), one of which contains two Units (1737 and 1739 Bent Bow Drive), and one of which contains two Units (1745 and 1749 Bent Bow Drive). The buildings are located as shown on the Drawings.

The principal materials of which the buildings are constructed are wood, glass, concrete, concrete block, brick and drywall."

- (d) Information About Condominium Property. The first sentence of Article V of the original Declaration entitled "Information About Condominium Property", which was previously amended by the First Amendment, the Second Amendment, the Third Amendment, the Fourth Amendment, the Fifth Amendment, the Sixth Amendment, the Seventh Amendment, the Eighth Amendment, the Ninth Amendment, and the Tenth Amendment, is amended to read as follows:

"The Condominium Property, until additions are made to the Condominium Property pursuant to the provisions of Article XVI hereof, is hereby divided into sixty-eight (68) separately designated and legally described freehold estates, hereindescribed and referred to as 'Units', and one (1) freehold estate, herein described and referred to as the 'Common Areas and Facilities.'"

- (e) Par Values (Percentages of Interest) in Common Areas and Facilities. Exhibit E to the Tenth Amendment (which replaced Exhibit E to the original Declaration) is replaced by Exhibit E attached to this Eleventh Amendment to Declaration of Condominium.

4. TECHNICAL CORRECTION. Page 16 of this Eleventh Amendment was inadvertently omitted from Exhibit B of the Tenth Amendment, and it is hereby incorporated by reference into said Tenth Amendment as Page 15a.

5. OTHER PROVISIONS REMAIN IN FULL FORCE AND EFFECT. Except as hereinabove amended and supplemented, all of the provisions of the Declaration and First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment, Sixth Amendment, Seventh Amendment, Eighth Amendment, Ninth Amendment and Tenth Amendment, shall be and remain in full force and effect.

IN WITNESS WHEREOF, the undersigned has executed this instrument this 27th day of October, 1987, for itself and on behalf of the Unit Owners of Indian Hills Condominium and their respective mortgagees.

Signed and Acknowledged
In the Presence of:

Developer - INDIAN HILLS
DEVELOPMENT COMPANY

Jay P. Porter
Karen Kelly

By: D. Zarkovacki
Dan Zarkovacki -
Vice President

Jay P. Porter
Karen Kelly

and
By: John Zarkovacki
John Zarkovacki -
Secretary

STATE OF OHIO)
) SS
SUMMIT COUNTY)

BEFORE ME, a Notary Public in and for said county and state, personally appeared the above named INDIAN HILLS DEVELOPMENT COMPANY by Dan Zarkovacki, Vice President, and John Zarkovacki, Secretary, who acknowledged that they did sign the foregoing instrument and that the same is the free act and deed of the corporation and the free act and deed of each of them personally and as such officers.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Akron, Ohio, this 27th day of October, 1987.

Jay P. Porter
Notary Public

CONSENT OF MORTGAGEE

JAY PAUL PORTER, Attorney
Notary Public - State of Ohio
My commission has no expiration date
Sec. 147.03 R.C.

The undersigned, PEOPLES FEDERAL SAVINGS BANK f.k.a. PEOPLES FEDERAL SAVINGS AND LOAN ASSOCIATION, is mortgagee of the premises described in the within Eleventh Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium by virtue of two Mortgage Deeds executed by Indian Hills Development Company, and recorded in the Mortgage Records of the Recorder of Summit County, Ohio, in Volume 6885, Page 438, et seq., and Volume 6885, Page 453, et seq.

VOL 7516 PAGE 621

The undersigned hereby consents to the execution and delivery of the foregoing Eleventh Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium, with the Exhibits and Drawings attached as Exhibits thereto, and to the filing thereof in the Office of the County Recorder of Summit County, Ohio, and further, subjects and subordinates the aforescribed Mortgage Deeds to the foregoing Eleventh Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium, with the Exhibits and Drawings attached as Exhibits thereto, and to the provisions of Chapter 5311 of the Ohio Revised Code.

Signed in the Presence of:

PEOPLES FEDERAL SAVINGS BANK
f.k.a. PEOPLES FEDERAL SAVINGS
AND LOAN ASSOCIATION

[Signature]
As to Both Signatures

By: [Signature]
William J. Courson,
Chairman and President

[Signature]
As to Both Signatures

By: [Signature]
Roy D. Bower, Senior
Vice President-Treasurer

STATE OF OHIO)
) SS
WAYNE COUNTY)

BEFORE ME, a Notary Public, in and for said County and State, personally appeared William J. Courson, the Chairman and President and Roy D. Bower, the Senior Vice President-Treasurer of PEOPLES FEDERAL SAVINGS BANK f.k.a. PEOPLES FEDERAL SAVINGS AND LOAN ASSOCIATION, who having been first duly sworn acknowledged that they did execute the foregoing instrument and that the same was their free act and deed individually and as such Officers and the free act and deed of said Association.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Wooster, Ohio, this 22nd day of October, 1987.

[Signature]
NOTARY PUBLIC
BRI DDAK, COMPS ON, Notary Public,
Wayne County, State of Ohio
My Commission Expires May 11, 1990

EXHIBIT A

PARCEL NO. 1

Indian Hills Condominium

Situated in the City of Akron, County of Summit, and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows:

PARCEL NO. 1

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N03°56'00"E for a distance of 644.09 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline of Sourek Road, N03°56'00"E for a distance of 237.93 feet to a one inch in outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume J167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet; thence S03°56'00"W for a distance of 419.87 feet; thence S84°04'00"W for a distance of 191.84 feet; thence N03°56'00"E for a distance of 50.75 feet; thence N84°04'00"E for a distance of 141.09 feet; thence N03°56'00"E for a distance of 163.12 feet; thence N86°04'00"W for a distance of 169.00 feet to the true point of beginning and containing 1.540 acres.

Parcel No. 3

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline, N3°56'00"E for a distance of 243.26 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence N84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"W for a distance of 30.45 feet to the true point of beginning and containing 0.725 of an acre.

Parcel No. 4

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 45.68 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 241.89 feet; thence S82°15'09"E for a distance of 62.29 feet; thence S1°34'00"E for a distance of 223.27 feet; thence S79°38'23"W for a distance of 12.33 feet; thence S84°04'00"W for a distance of 72.68 feet to the true point of beginning and containing 0.390 of an acre.

Parcel No. 5

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N03°56'00"E for a distance of 918.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in volume 3167, page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 402.60 feet; thence S24°00'00"W for a distance of 90.00 feet; thence S41°13'00"W for a distance of 51.53 feet; thence N86°04'00"W for a distance of 90.00 feet; thence S03°56'00"W for a distance of 63.00 feet; thence N86°04'00"W for a distance of 177.00 feet; thence N01°14'00"W for a distance of 95.00 feet; thence N82°15'09"W for a distance of 62.29 feet; thence N03°56'00"E for a distance of 132.30 feet to the true point of beginning containing 1.487 acres.

Parcel No. 6

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 253.50 feet; thence N84°04'00"E for a distance of 223.13 feet; thence S4°50'18"E for a distance of 224.50 feet; thence S4°53'56"W for a distance of 50.06 feet; thence N87°53'40"W for a distance of 50.02 feet, thence N4°50'18"E for a distance of 29.43 feet, thence N86°04'00"W for a distance of 60.92 feet; thence N3°56'00"E for a distance of 10.00 feet; thence N86°04'00"W for a distance of 5.15 feet; thence S65°03'57"W for a distance of 114.01 feet to the true point of beginning containing 1.209 acres.

Parcel No. 7

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road, said boat spike being the true point of beginning of the parcel herein being described; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet; thence N65°03'57"E for a distance of 114.01 feet; thence S86°04'00"E for a distance of 5.15 feet; thence S3°56'00"W for a distance of 10.00 feet; thence S86°04'00"E for a distance of 60.92 feet; thence S4°50'18"W for a distance of 29.43 feet; thence S87°53'40"E for a distance of 50.02 feet; thence S3°46'28"W for a distance of 157.13 feet to the centerline of Smith Road; thence N87°59'10"W along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning containing 0.863 acres.

Parcel No. 8

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 5.28 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 40.40 feet; thence N84°04'00"E for a distance of 72.68 feet; thence N79°38'23"E for a distance of 12.33 feet; thence N1°34'00"W for a distance of 128.27 feet; thence S86°04'00"E for a distance of 160.00 feet; thence S2°14'06"E for a distance of 113.68 feet; thence S4°03'11"W for a distance of 49.95 feet; thence N87°00'00"W for a distance of 109.39 feet; thence along the arc of a curve to the left having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet which bears S88°32'00"W for an arc distance of 56.76 feet; thence S84°04'00"W for a distance of 78.71 feet to the true point of beginning and containing 0.685 acres.

Parcel No. 9

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 622.83 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 112.00 feet to a 5/8 inch steel rebar found; thence S3°42'42"W for a distance of 124.00 feet; thence S54°42'42"W for a distance of 94.66 feet; thence S85°40'14"W for a distance of 40.00 feet; thence along the arc of a curve to the left having a radius of 87.00 feet, a central angle of 42°14'14", a tangent of 33.60 feet and a chord of 62.69 feet which bears N25°26'53"W, for an arc distance of 64.13 feet; thence along the arc of a curve to the left having a radius of 206.00 feet, a central angle of 10°18'27", a tangent of 18.58 feet and a chord of 37.01 feet which bears N51°43'14"W, for an arc distance of 37.06 feet; thence N41°13'00"E for a distance of 52.00 feet; thence N24°00'00"E for a distance of 90.00 feet to the true point of beginning and containing 0.550 acres.

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 5.28 feet; thence N84°04'00"E for a distance of 78.71 feet to the true point of beginning of the parcel herein being described; thence along the arc of a curve to the right having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet, which bears N88°32'00"E, for an arc distance of 56.76 feet; thence S87°00'00"E for a distance of 109.39 feet; thence N4°03'11"E for a distance of 49.95 feet; thence along the arc of a curve to the right having a radius of 99.49 feet, a central angle of 43°16'53", a tangent of 39.47 feet and a chord of 73.38 feet, which bears S65°21'33"E, for an arc distance of 75.16 feet; thence S43°27'23"W for a distance of 50.75 feet; thence S23°40'02"W for a distance of 66.00 feet; thence S76°26'53"W for a distance of 182.00 feet; thence N1°00'00"E for a distance of 125.00 feet to the true point of beginning and containing 0.507 acres.

Parcel No. 11

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road, for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet to the true point of beginning of the parcel herein being described; thence N4°53'56"E for a distance of 50.06 feet; thence N4°50'18"E for a distance of 244.50 feet; thence N84°04'00"E for a distance of 0.16 feet; thence N3°56'00"E for a distance of 5.28 feet; thence N84°04'00"E for a distance of 70.71 feet; thence S1°00'00"W for a distance of 125.00 feet; thence N76°26'53"E for a distance of 151.92 feet; thence S2°05'22"W for a distance of 206.49 feet; thence N87°54'22"W for a distance of 240.00 feet to the true point of beginning and containing 1.190 acres.

Parcel No. 12

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet; thence S87°54'32"E for a distance of 240.00 feet; thence N2°05'22"E for a distance of 144.00 feet to the true point of beginning of the parcel herein being described; thence continuing N2°05'22"E for a distance of 62.49 feet; thence N76°26'53"E for a distance of 30.08 feet; thence N23°40'02"E for a distance of 66.00 feet; thence N43°27'23"E for a distance of 50.75 feet; thence S39°16'05"E for a distance of 39.52 feet; thence S40°00'00"E for a distance of 91.00 feet; thence S50°00'00"W for a distance of 108.71 feet; thence N87°54'38"W for a distance of 93.21 feet to the true point of beginning and containing 0.392 acres.

Parcel No. 13

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet; thence S87°54'32"E for a distance of 240.00 feet to the true point of beginning of the parcel herein being described; thence N2°05'22"E for a distance of 144.00 feet; thence S87°54'38"E for a distance of 93.21 feet; thence N50°00'00"E for a distance of 108.71 feet; thence S40°00'00"E for a distance of 14.26 feet; thence along the arc of a curve to the right having a central angle of 43°05'28", a radius of 113.47 feet, a tangent of 44.80 feet and a chord of 83.34 feet which bears S18°27'16"W, for an arc distance of 85.34 feet; thence S3°05'28"W for a distance of 30.00 feet; thence along the arc of a curve to the right having a central angle of 87°00'00", a radius of 100.00 feet, a tangent of 98.27 feet and a chord of 140.18 feet which bears S47°35'28"W, for an arc distance of 155.33 feet; thence N87°54'32"W for a distance of 112.18 feet to the true point of beginning and containing 0.761 of an acre.

Parcel No. 14

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning of the parcel herein being described; thence N3°46'28"E for a distance of 157.31 feet; thence S87°54'32"E for a distance of 189.00 feet; thence S2°05'28"E for a distance of 156.98 feet to the centerline of Smith Road; thence along said centerline N87°59'10"W for a distance of 193.62 feet to the true point of beginning and containing 0.690 of an acre.

Parcel No. 15

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 734.83 feet to a 5/8 inch steel rebar found; thence S3°42'42"W for a distance of 124.00 feet to the true point of beginning of the parcel herein described; thence continuing S3°42'42"W for a distance of 319.04 feet; thence S54°30'00"W for a distance of 143.27 feet; thence N40°00'00"W for a distance of 91.00 feet; thence N39°16'05"W for a distance of 39.52 feet; thence N50°00'00"E for a distance of 20.21 feet; thence along the arc of a curve to the right having a radius of 212.58 feet, a central angle of 11°26'00", a tangent of 21.28 feet and a chord of 42.35 feet which bears N55°43'00"E, for an arc distance of 42.42 feet; thence along the arc of a curve to the left having a radius of 87.00 feet, a central angle of 65°45'54", a tangent of 56.25 feet and a chord of 94.47 feet which bears N28°33'03"E, for an arc distance of 99.86 feet; thence N85°40'14"E for a distance of 40.00 feet; thence N54°42'42"E for a distance of 94.66 feet to the true point of beginning and containing 0.692 acres.

PARCEL NO. 2

Situated in the City of Akron, County of Summit and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows: Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 644.09 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence S84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"E for a distance of 191.84 feet; thence N3°56'00"E for a distance of 419.87 feet; thence along the south line of 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records, S80°00'42"E for a distance of 514.60 feet to a 5/8 inch rebar found; thence S3°42'42"W for a distance of 384.42 feet to a 5/8 inch rebar found; thence S3°32'36"W for a distance of 396.08 feet to the centerline of Smith Road and passing over a 3/4 inch pinched top steel pipe found 30.00 feet from said centerline; thence along the centerline of Smith Road, N87°21'27"W for a distance of 54.80 feet to an angle point; thence continuing along said centerline and the centerline tangent, N87°59'10"W for a distance of 680.51 feet to the point of beginning and containing 12.433 acres.

Excepting therefrom the following described Parcels No. 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15:

Situated in the City of Akron, County of Summit, and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows:

Parcel No. 3

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline, N3°56'00"E for a distance of 243.26 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence N84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"W for a distance of 30.45 feet to the true point of beginning and containing 0.725 of an acre.

Parcel No. 4

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 45.68 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 241.89 feet; thence S82°15'09"E for a distance of 62.29 feet; thence S1°34'00"E for a distance of 223.27 feet; thence S79°38'23"W for a distance of 12.33 feet; thence S84°04'00"W for a distance of 72.68 feet to the true point of beginning and containing 0.390 of an acre.

Parcel No. 5

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 882.02 feet (Previously shown incorrectly as 918.02 feet) to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 402.60 feet; thence S24°00'00"W for a distance of 90.00 feet; thence S41°13'00"W for a distance of 51.53 feet; thence N86°04'00"W for a distance of 90.00 feet; thence S3°56'00"W for a distance of 63.00 feet; thence N86°04'00"W for a distance of 177.00 feet; thence N1°34'00"W for a distance of 95.00 feet; thence N82°15'09"W for a distance of 62.29 feet; thence N3°56'00"E for a distance of 132.30 feet to the true point of beginning containing 1.487 acres.

Parcel No. 6

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 253.50 feet; thence N84°04'00"E for a distance of 223.13 feet; thence S4°50'18"E for a distance of 224.50 feet; thence S4°53'56"W for a distance of 50.06 feet; thence N87°53'40"W for a distance of 50.02 feet, thence N4°50'18"E for a distance of 29.43 feet, thence N86°04'00"W for a distance of 60.92 feet; thence N3°56'00"E for a distance of 10.00 feet; thence N86°04'00"W for a distance of 5.15 feet; thence S65°03'57"W for a distance of 114.01 feet to the true point of beginning containing 1.209 acres.

Parcel No. 7

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road, said boat spike being the true point of beginning of the parcel herein being described; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet; thence N65°03'57"E for a distance of 114.01 feet; thence S86°04'00"E for a distance of 5.15 feet; thence S1°56'00"W for a distance of 10.00 feet; thence S86°04'00"E for a distance of 60.92 feet; thence S4°50'18"W for a distance of 29.43 feet; thence S87°53'40"E for a distance of 50.02 feet; thence S3°46'28"W for a distance of 157.13 feet to the centerline of Smith Road; thence N87°59'10"W along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning containing 0.863 acres.

Parcel No. 8

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 5.28 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 40.40 feet; thence N84°04'00"E for a distance of 72.68 feet; thence N79°38'23"E for a distance of 12.33 feet; thence N1°34'00"W for a distance of 128.27 feet; thence S86°04'00"E for a distance of 160.00 feet; thence S2°14'06"E for a distance of 113.68 feet; thence S4°03'11"W for a distance of 49.95 feet; thence N87°00'00"W for a distance of 109.39 feet; thence along the arc of a curve to the left having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet which bears S88°32'00"W for an arc distance of 56.76 feet; thence S84°04'00"W for a distance of 78.71 feet to the true point of beginning and containing 0.685 acres.

Parcel No. 9

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 622.83 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 112.00 feet to a 5/8 inch steel rebar found; thence S1°42'42"W for a distance of 124.00 feet; thence S54°42'42"W for a distance of 94.66 feet; thence S85°40'14"W for a distance of 40.00 feet; thence along the arc of a curve to the left having a radius of 87.00 feet, a central angle of 42°14'14", a tangent of 33.60 feet and a chord of 62.69 feet which bears N25°26'53"W, for an arc distance of 64.13 feet; thence along the arc of a curve to the left having

a radius of 206.00 feet, a central angle of 10°18'27", a tangent of 18.58 feet and a chord of 37.01 feet which bears N51°43'14"W, for an arc distance of 37.06 feet; thence N41°13'00"E for a distance of 52.00 feet; thence N24°00'00"E for a distance of 90.00 feet to the true point of beginning and containing 0.550 acres.

PARCEL No. 10

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 5.28 feet; thence N84°04'00"E for a distance of 78.71 feet to the true point of beginning of the parcel herein being described; thence along the arc of a curve to the right having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet, which bears N88°32'00"E, for an arc distance of 56.76 feet; thence S87°00'00"E for a distance of 109.39 feet; thence N4°03'11"E for a distance of 49.95 feet; thence along the arc of a curve to the right having a radius of 99.49 feet, a central angle of 43°16'53", a tangent of 39.47 feet and a chord of 73.38 feet, which bears S65°21'33"E, for an arc distance of 75.16 feet; thence S43°27'23"W for a distance of 50.75 feet; thence S23°40'02"W for a distance of 66.00 feet; thence S76°26'53"W for a distance of 182.00 feet; thence N1°00'00"E for a distance of 125.00 feet to the true point of beginning and containing 0.507 acres.

Parcel No. 11

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road, for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet to the true point of beginning of the parcel herein being described; thence N4°53'56"E for a distance of 50.06 feet; thence N4°50'18"E for a distance of 244.50 feet; thence N84°04'00"E for a distance of 0.16 feet; thence N3°56'00"E for a distance of 5.28 feet; thence N84°04'00"E for a distance of 78.71 feet; thence S1°00'00"W for a distance of 125.00 feet; thence N76°26'53"E for a distance of 151.92 feet; thence S2°05'22"W for a distance of 206.49 feet; thence N87°54'32"W for a distance of 240.00 feet to the true point of beginning and containing 1.190 acres.

Parcel No. 12

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet; thence S87°54'32"E for a distance of 240.00 feet; thence

N2°05'22"E for a distance of 144.00 feet to the true point of beginning of the parcel herein being described; thence continuing N2°05'22"E for a distance of 62.49 feet; thence N76°26'53"E for a distance of 30.08 feet; thence N23°40'02"E for a distance of 66.00 feet; thence N43°27'23"E for a distance of 30.75 feet; thence S39°16'05"E for a distance of 39.52 feet; thence S40°00'00"E for a distance of 91.00 feet; thence S50°00'00"W for a distance of 108.71 feet; thence N87°54'38"W for a distance of 93.21 feet to the true point of beginning and containing 0.392 acres.

Parcel No. 13

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet; thence S87°54'32"E for a distance of 240.00 feet to the true point of beginning of the parcel herein being described; thence N2°05'22"E for a distance of 144.00 feet thence S87°54'38"E for a distance of 93.21 feet; thence N50°00'00"E for a distance of 108.71 feet; thence S40°00'00"E for a distance of 14.26 feet; thence along the arc of a curve to the right having a central angle of 43°05'28", a radius of 113.47 feet, a tangent of 44.80 feet and a chord of 83.34 feet which bears S18°27'16"W, for an arc distance of 85.34 feet; thence S3°05'28"W for a distance of 30.00 feet; thence along the arc of a curve to the right having a central angle of 89°00'00", a radius of 100.00 feet, a tangent of 98.27 feet and a chord of 140.18 feet which bears S47°35'28"W, for an arc distance of 155.33 feet; thence N87°54'32"W for a distance of 112.18 feet to the true point of beginning and containing 0.761 of an acre.

Parcel No. 14

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning of the parcel herein being described; thence N3°46'28"E for a distance of 157.31 feet; thence S87°54'32"E for a distance of 189.00 feet; thence S2°05'28"E for a distance of 156.98 feet to the centerline of Smith Road; thence along said centerline N87°59'10"W for a distance of 193.62 feet to the true point of beginning and containing 0.690 of an acre.

Parcel No. 15

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 734.83 feet to a 5/8 inch steel rebar found; thence S3°42'42"W for a distance of 124.00

feet to the true point of beginning of the parcel herein described; thence continuing S3°42'42"W for a distance of 319.04 feet; thence S54°30'00"W for a distance of 143.27 feet; thence N40°00'00"W for a distance of 91.00 feet; thence N39°16'05"W for a distance of 39.52 feet; thence N50°00'00"E for a distance of 20.21 feet; thence along the arc of a curve to the right having a radius of 212.58 feet, a central angle of 11°26'00", a tangent of 21.28 feet and a chord of 42.35 feet which bears N55°43'00"E, for an arc distance of 42.42 feet; thence along the arc of a curve to the left having a radius of 87.00 feet, a central angle of 65°45'54", a tangent of 56.25 feet and a chord of 94.47 feet which bears N28°33'03"E, for an arc distance of 99.86 feet; thence N85°40'14"E for a distance of 40.00 feet; thence N54°42'42"E for a distance of 94.66 feet to the true point of beginning and containing 0.692 acres.

Leaving 2.292 acres remaining in Parcel No. 2.

EXHIBIT E

PAR VALUE (PERCENTAGES OF INTEREST) OF UNITS

<u>Unit Address</u>	<u>Floor Plan Type</u>	<u>Par Values</u>
1886 Indian Hills Trail	E	1.61
1890 Indian Hills Trail	B	1.08
1896 Indian Hills Trail	B	1.08
1900 Indian Hills Trail	B	1.08
1904 Indian Hills Trail	B	1.08
1870 Indian Hills Trail	C	1.18
1871 Indian Hills Trail	D	1.33
1873 Indian Hills Trail	B	1.08
1874 Indian Hills Trail	E	1.61
1877 Indian Hills Trail	B	1.08
1878 Indian Hills Trail	E	1.61
1879 Indian Hills Trail	C	1.18
1880 Indian Hills Trail	B	1.08
1885 Indian Hills Trail	B	1.08
1889 Indian Hills Trail	B	1.08
1763 Bent Bow Drive	E	1.61
1767 Bent Bow Drive	B	1.08
1771 Bent Bow Drive	E	1.61
1775 Bent Bow Drive	D	1.33
1776 Bent Bow Drive	E	1.61
1778 Bent Bow Drive	D	1.33
1779 Bent Bow Drive	C	1.18
1783 Bent Bow Drive	D	1.33
1784 Bent Bow Drive	B	1.08
1786 Bent Bow Drive	A	.86
1787 Bent Bow Drive	C	1.18
1791 Bent Bow Drive	E	1.61
1795 Bent Bow Drive	D	1.33
1842 Indian Hills Trail	E	1.61
1846 Indian Hills Trail	C	1.18
1850 Indian Hills Trail	E	1.61
1854 Indian Hills Trail	D	1.33
1858 Indian Hills Trail	B	1.08
1862 Indian Hills Trail	C	1.18
1832 Indian Hills Trail	A	.86
1836 Indian Hills Trail	C	1.18
1700 Rock Hill Lane	A	.86
1704 Rock Hill Lane	B	1.08
1708 Rock Hill Lane	C	1.18
1712 Rock Hill Lane	C	1.18
1755 Bent Bow Drive	E	1.61
1757 Bent Bow Drive	E	1.61
1759 Bent Bow Drive	E	1.61
1701 Rock Hill Lane	B	1.08
1703 Rock Hill Lane	A	.86
1705 Rock Hill Lane	B	1.08

<u>Unit Address</u>	<u>Floor Plan Type</u>	<u>Par Values</u>
1707 Rock Hill Lane	D	1.33
1845 Indian Hills Trail	A	.86
1849 Indian Hills Trail	A	.86
1853 Indian Hills Trail	E	1.61
1857 Indian Hills Trail	B	1.08
1861 Indian Hills Trail	A	.86
1779 Rock Hill Lane	D	1.33
1785 Rock Hill Lane	D	1.33
1789 Rock Hill Lane	D	1.33
1721 Rock Hill Lane	D	1.33
1723 Rock Hill Lane	D	1.33
1763 Rock Hill Lane	B	1.08
1765 Rock Hill Lane	D	1.33
1771 Rock Hill Lane	B	1.08
1786 Rock Hill Lane	A	.86
1790 Rock Hill Lane	B	1.08
1794 Rock Hill Lane	B	1.08
1798 Rock Hill Lane	C	1.18
1737 Bent Bow Drive	E	1.61
1739 Bent Bow Drive	D	1.33
1745 Bent Bow Drive	B	1.08
1749 Bent Bow Drive	C	1.18

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 Indian Hills Development Co.
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 COUNTY OF SUMMIT
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 PUBLIC SAFETY DEPARTMENT
 COUNTY OF SUMMIT OHIO

TWELFTH AMENDMENT
 TO
 DECLARATION OF CONDOMINIUM OWNERSHIP
 FOR
 INDIAN HILLS CONDOMINIUM

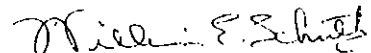
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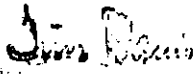
This will certify that copies of this Twelfth Amendment to Declaration of Condominium Ownership For Indian Hills Condominium with the following exhibits attached hereto have been filed in the Office of the County Auditor, County of Summit, Ohio:

1. Exhibit A - Legal Description of Parcel No. 1;
2. Exhibit B - Legal Description of Parcel No. 2;
3. Exhibit D - Drawings; and
4. Exhibit E - Schedule of Par Values (Percentages of Interest)

Approved as to Form:

Auditor of County of Summit


 Assistant Prosecuting Attorney


 Tim Davis

Dated: 11-25-87

Dated: NOV 25 1987

See Exhibit Cabinet @
 Slide 647-649

Received by
 Barbara Stange
 11/25/87

This Instrument Prepared By:
 Jay P. Porter
 BROUSE & McDOWELL
 500 First National Tower
 Akron, Ohio 44308-1471

TRANSFER NOT NECESSARY
 NOV 25 1987
 Tim Davis, County Auditor

TWELFTH AMENDMENT
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
INDIAN HILLS CONDOMINIUM

THIS TWELFTH AMENDMENT TO THE DECLARATION OF CONDOMINIUM OWNERSHIP is made this 24th day of November, 1987, by INDIAN HILLS DEVELOPMENT COMPANY, an Ohio corporation ("Developer") of Akron, Ohio.

WHEREAS, INDIAN HILLS CONDOMINIUM ("Condominium") is governed by and subject to the terms and provisions of a certain Declaration of Condominium Ownership, dated October 4, 1984, (the "Declaration") duly recorded in Volume 6987 at Page 359 et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet A, Slides 525-530, inclusive, of the County of Summit Records, all being duly filed for record on or about the 11th day of October, 1984 and recorded on the 26th day of October, 1984; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain First Amendment to Declaration of Condominium Ownership (the "First Amendment") dated the 17th day of April, 1985, duly recorded in Volume 7042, Pages 387 et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet A, Slides 788-794, inclusive, of the County of Summit Records, all being duly filed for record on or about April 24, 1985, and recorded on May 14, 1985; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Second Amendment to Declaration of Condominium Ownership (the "Second Amendment") dated the 4th day of November 1985, duly recorded in Volume 7137, Pages 815 et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 267-275, inclusive, of the County of Summit Records, all being duly filed for record on or about November 12, 1985, and recorded on November 21, 1985; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Third Amendment to Declaration of Condominium Ownership (the "Third Amendment") dated the 26th day of March, 1986, duly recorded in Volume 7236, Pages 635, et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 504-508, inclusive, of the County of Summit Records, all being duly filed for record on or about April 4, 1986, and recorded on April 21, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Fourth Amendment to Declaration of Condominium Ownership (the "Fourth Amendment") dated the 9th day of June, 1986, duly recorded in Volume 7279, Pages 311, et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 556-561, inclusive of the County of Summit Records, all being duly filed for record on or about June 20, 1986, and recorded on July 3, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Fifth Amendment to Declaration of Condominium Ownership (the "Fifth Amendment"), dated the 2nd day of September, 1986, and duly recorded in Volume 7290, Pages 49, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 678-680, inclusive, of the County of Summit Records, all being duly filed for record on or about September 12, 1986, and recorded on September 24, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Sixth Amendment to Declaration of Condominium Ownership (the "Sixth Amendment"), dated the 16th day of September, 1986, and duly recorded in Volume 7319, Pages 673, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 694-696, inclusive, of the County of Summit Records, all being duly filed for record on or about September 22, 1986, and recorded on October 30, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Seventh Amendment to Declaration of Condominium Ownership (the "Seventh Amendment") dated the 29th day of October, 1986, and duly recorded in Volume 7321, Pages 891, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 795-800, inclusive, of the County of Summit Records, all being duly filed for record on or about November 17, 1986, and recorded on November 18, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Eighth Amendment to Declaration of Condominium Ownership (the "Eighth Amendment") dated the 28th day of January, 1987, and duly recorded in Volume 7364, Pages 942, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet C, Slides 140-142, inclusive, of the County of Summit Records, all being duly filed for record and recorded on or about February 5, 1987; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Ninth Amendment to Declaration of Condominium Ownership (the "Ninth Amendment")

dated the 8th day of July, 1987, and duly recorded in Volume 7456, Pages 303, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet C, Slides 383-385, inclusive, of the County of Summit Records, all being duly filed for record on July 13, 1987, and recorded on July 14, 1987; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Tenth Amendment to Declaration of Condominium Ownership (the "Tenth Amendment") dated the 1st day of October, 1987, and duly recorded in Volume 7513, Pages 435, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet C, Slides 543-545, inclusive, of the County of Summit Records, all being duly filed for record on October 6, 1987, and recorded on October 7, 1987; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Eleventh Amendment to Declaration of Condominium Ownership (the "Eleventh Amendment") dated the 22nd day of October, 1987, and duly recorded in Volume 7516, Pages 615, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet C, Slides 590-594, inclusive, of the County of Summit Records, all being duly filed for record on October 29, 1987, and recorded on November 2, 1987; and

WHEREAS, pursuant to Article XVI of the Declaration, the Developer reserved the right to add to the original Condominium Property, certain property adjacent thereto by amending the Declaration of record, and by submitting such additional property to the provisions of the Declaration and Chapter 5311 of the Ohio Revised Code; and

WHEREAS, the Developer desires to add certain land containing Units to the Condominium, and to uniformly allocate and reallocate par values (percentages of interests) for the Units.

NOW, THEREFORE, the Developer, for itself and as attorney in fact for the Unit Owners and their mortgagees, and for the purposes set forth hereinabove, hereby declares as follows:

1. RECITALS INCORPORATED. That the Recitals hereinabove set forth are incorporated herein by reference and made a part hereof.

2. DEFINITIONS. That the definitions contained in Article 1(B) of the Declaration are applicable to the words and phrases used in this Twelfth Amendment to Declaration unless the context otherwise requires.

3. AMENDMENT TO DECLARATION. That the Declaration is hereby amended and supplemented in the following respects:

- (a) Legal Descriptions. Exhibit A to the Eleventh Amendment (which replaced Exhibit A to the original Declaration) is replaced by Exhibit A attached to this Twelfth Amendment to Declaration. Exhibit B to the Eleventh Amendment (which replaced Exhibit B to the original Declaration) is replaced by Exhibit B attached to this Twelfth Amendment to Declaration.
- (b) Drawings. Exhibit D to the original Declaration, Exhibit D to the First Amendment, Exhibit D to the Second Amendment, Exhibit D to the Third Amendment, Exhibit D to the Fourth Amendment, Exhibit D to the Fifth Amendment, Exhibit D to the Sixth Amendment, Exhibit D to the Seventh Amendment, Exhibit D to the Eighth Amendment, Exhibit D to the Ninth Amendment, Exhibit D to the Tenth Amendment, and Exhibit D to the Eleventh Amendment (the "Drawings") are amended and supplemented to include the Drawings attached to this Twelfth Amendment to Declaration as Exhibit D.
- (c) General Description of Buildings. Article IV of the original Declaration entitled "General Description of Buildings" which was previously amended by the First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment, Sixth Amendment, Seventh Amendment, Eighth Amendment, Ninth Amendment, Tenth Amendment and Eleventh Amendment is amended to read as follows:
- "There are nineteen (19) residential buildings which are a part of the Condominium Property, one of which contains two Units (1886 and 1890 Indian Hills Trail), one of which contains three Units (1896, 1900 and 1904 Indian Hills Trail), one of which contains four Units (1870, 1874, 1878 and 1880 Indian Hills Trail), one of which contains six Units (1871, 1873, 1877, 1879, 1885 and 1889 Indian Hills Trail), one of which contains four Units (1783, 1787, 1791 and 1795 Bent Bow Drive), one of which contains five Units (1763, 1767, 1771, 1775 and 1779 Bent Bow Drive), one of which contains four Units (1776, 1778, 1784 and 1786 Bent Bow Drive), one of which contains six Units (1842, 1846, 1850, 1854, 1858, and 1862 Indian Hills Trail), one of which contains two Units (1832 and 1836 Indian

Hills Trail), one of which contains four Units (1700, 1704, 1708, and 1712 Rock Hill Lane), one of which contains four Units (1701, 1703, 1705,, and 1707 Rock Hill Lane), one of which contains three Units (1755, 1757 and 1759 Bent Bow Drive), one of which contains five Units (1845, 1849, 1853, 1857 and 1861 Indian Hills Trail), one of which contains three Units (1779, 1785, and 1789 Rock Hill Lane), one of which contains two Units (1721 and 1723 Rock Hill Lane), one of which contains three Units (1763, 1765 and 1771 Rock Hill Lane), one of which contains four Units (1786, 1790, 1794 and 1798 Rock Hill Lane), one of which contains two Units (1737 and 1739 Bent Bow Drive), and one of which contains two Units (1745 and 1749 Bent Bow Drive), and one of which contains two Units (1742 and 1748 Bent Bow Drive). The buildings are located as shown on the Drawings.

The principal materials of which the buildings are constructed are wood, glass, concrete, concrete block, brick and drywall."

- (d) Information About Condominium Property. The first sentence of Article V of the original Declaration entitled "Information About Condominium Property", which was previously amended by the First Amendment, the Second Amendment, the Third Amendment, the Fourth Amendment, the Fifth Amendment, the Sixth Amendment, the Seventh Amendment, the Eighth Amendment, the Ninth Amendment, the Tenth Amendment and the Eleventh Amendment, is amended to read as follows:

"The Condominium Property, until additions are made to the Condominium Property pursuant to the provisions of Article XVI hereof, is hereby divided into seventy (70) separately designated and legally described freehold estates, hereindescribed and referred to as 'Units', and one (1) freehold estate, herein described and referred to as the 'Common Areas and Facilities.'"

Article V(B)1 of the original Declaration entitled "Description of Common Areas and Facilities" is amended to read as follows:

"The entire balance of the land and improvements thereon, including, but not limited to, all buildings, foundations, roofs, main supporting walls, exterior parking spaces and storage spaces, community and commercial facilities, sewer pipes, water mains, pumps, trees, lawns, gardens, the swimming pool, tennis court, deck areas, walks, pavement, wires, conduits, utility lines and ducts now or hereafter situated on the Condominium Property, are hereby declared and established as the Common Areas and Facilities."

The third paragraph of Article V(B)4 of the original Declaration entitled "Percentages of Interest of Units Constructed on Parcel No. 2" which was previously amended by the First Amendment, the Second Amendment, the Third Amendment, the Fourth Amendment, the Fifth Amendment, the Sixth Amendment, the Seventh Amendment (although in each of the aforementioned amendments, the Article being amended was mistakenly referred to as "Article V(A)4"), and the Eighth Amendment, is amended to read as follows:

"The types of Units (according to type of floor plan) that may be created on Parcel No. 2 or any portion thereof and the par value that will be assigned to every type of Unit created on Parcel No. 2 or any portion thereof are as follows:

<u>Floor Plan Type</u>	<u>Par Value or Percentage of Interest</u>
Unit A	.94
Unit B	1.09
Unit C	1.23
Unit D	1.39
Unit E	1.76"

(e) Par Values (Percentages of Interest) in Common Areas and Facilities. Exhibit E to the Eleventh Amendment (which replaced Exhibit E to the original Declaration) is replaced by Exhibit E attached to this Twelfth Amendment to Declaration of Condominium.

4. OTHER PROVISIONS REMAIN IN FULL FORCE AND EFFECT. Except as hereinabove amended and supplemented, all of the provisions of the Declaration and First Amendment, Second

Amendment, Third Amendment, Fourth Amendment, Fifth Amendment, Sixth Amendment, Seventh Amendment, Eighth Amendment, Ninth Amendment, Tenth Amendment, and Eleventh Amendment, shall be and remain in full force and effect.

IN WITNESS WHEREOF, the undersigned has executed this instrument this 25th day of November, 1987, for itself and on behalf of the Unit Owners of Indian Hills Condominium and their respective mortgagees.

Signed and Acknowledged
In the Presence of:

Developer - INDIAN HILLS
DEVELOPMENT COMPANY

Jay P. Porter
Karl Kelly

By: [Signature]
Dan Zarkovacki -
Vice President

and

Jay P. Porter
Karl Kelly

By: [Signature]
John Zarkovacki -
Secretary

STATE OF OHIO)
) SS
SUMMIT COUNTY)

BEFORE ME, a Notary Public in and for said county and state, personally appeared the above named INDIAN HILLS DEVELOPMENT COMPANY by Dan Zarkovacki, Vice President, and John Zarkovacki, Secretary, who acknowledged that they did sign the foregoing instrument and that the same is the free act and deed of the corporation and the free act and deed of each of them personally and as such officers.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Akron, Ohio, this 25th day of November, 1987.

Jay P. Porter
Notary Public

JAY P. PORTER, Attorney
Notary Public - State of Ohio
My commission expires on expiration date
Sec. 14703 R.C.

CONSENT OF MORTGAGEE

The undersigned, PEOPLES FEDERAL SAVINGS BANK f.k.a. PEOPLES FEDERAL SAVINGS AND LOAN ASSOCIATION, is mortgagee of the premises described in the within Twelfth Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium by virtue of two Mortgage Deeds executed by Indian Hills Development Company, and recorded in the Mortgage Records of the Recorder of Summit County, Ohio, in Volume 6885, Page 438, et seq., and Volume 6885, Page 453, et seq.

The undersigned hereby consents to the execution and delivery of the foregoing Twelfth Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium, with the Exhibits and Drawings attached as Exhibits thereto, and to the filing thereof in the Office of the County Recorder of Summit County, Ohio, and further, subjects and subordinates the aforescribed Mortgage Deeds to the foregoing Eleventh Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium, with the Exhibits and Drawings attached as Exhibits thereto, and to the provisions of Chapter 5311 of the Ohio Revised Code.

Signed in the Presence of:

PEOPLES FEDERAL SAVINGS BANK
f.k.a. PEOPLES FEDERAL SAVINGS
AND LOAN ASSOCIATION

Bresida K. Courson
As to Both Signatures

By: William J. Courson
William J. Courson,
Chairman and President

Roy D. Bower
As to Both Signatures

By: Roy D. Bower
Roy D. Bower, Senior
Vice President-Treasurer

STATE OF OHIO)
) SS
WAYNE COUNTY)

BEFORE ME, a Notary Public, in and for said County and State, personally appeared William J. Courson, the Chairman and President and Roy D. Bower, the Senior Vice President-Treasurer of PEOPLES FEDERAL SAVINGS BANK f.k.a. PEOPLES FEDERAL SAVINGS AND LOAN ASSOCIATION, who having been first duly sworn acknowledged that

they did execute the foregoing instrument and that the same was their free act and deed individually and as such Officers and the free act and deed of said Association.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Wooster, Ohio, this 24th day of November, 1987.


NOTARY PUBLIC

BRENDA K. COURSON, Notary Public
Wayne County, State of Ohio
My Commission Expires May 11, 1991

EXHIBIT A

PARCEL NO. 1

Indian Hills Condominium

Situated in the City of Akron, County of Summit, and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows:

PARCEL NO. 1

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N01°56'00"E for a distance of 644.09 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline of Sourek Road, N01°56'00"E for a distance of 237.93 feet to a one inch in outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet; thence S03°56'00"W for a distance of 419.87 feet; thence S84°04'00"W for a distance of 191.84 feet; thence N03°56'00"E for a distance of 50.75 feet; thence N84°04'00"E for a distance of 141.09 feet; thence N03°56'00"E for a distance of 163.12 feet; thence N86°04'00"W for a distance of 169.00 feet to the true point of beginning and containing 1.540 acres.

Parcel No. 3

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline, N3°56'00"E for a distance of 243.26 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence N84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"W for a distance of 30.45 feet to the true point of beginning and containing 0.725 of an acre.

Parcel No. 4

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 45.68 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 241.89 feet; thence S82°15'09"E for a distance of 62.29 feet; thence S1°34'00"E for a distance of 223.27 feet; thence S79°38'23"W for a distance of 12.33 feet; thence S84°04'00"W for a distance of 72.68 feet to the true point of beginning and containing 0.390 of an acre.

Parcel No. 5

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, $N03^{\circ}56'00''E$ for a distance of 918.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in volume 3167, page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, $S80^{\circ}00'42''E$ for a distance of 220.23 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, $S80^{\circ}00'42''E$ for a distance of 402.60 feet; thence $S24^{\circ}00'00''W$ for a distance of 90.00 feet; thence $S41^{\circ}13'00''W$ for a distance of 51.53 feet; thence $N86^{\circ}04'00''W$ for a distance of 90.00 feet; thence $S03^{\circ}56'00''W$ for a distance of 63.00 feet; thence $N86^{\circ}04'00''W$ for a distance of 177.00 feet; thence $N01^{\circ}34'00''W$ for a distance of 95.00 feet; thence $N82^{\circ}15'09''W$ for a distance of 62.29 feet; thence $N03^{\circ}56'00''E$ for a distance of 132.30 feet to the true point of beginning containing 1.487 acres.

Parcel No. 6

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, $N3^{\circ}56'00''E$ for a distance of 147.33 feet to the true point of beginning of the parcel herein being described; thence continuing $N3^{\circ}56'00''E$ for a distance of 253.50 feet; thence $N84^{\circ}04'00''E$ for a distance of 223.13 feet; thence $S4^{\circ}50'16''E$ for a distance of 224.50 feet; thence $S4^{\circ}53'56''W$ for a distance of 50.06 feet; thence $N87^{\circ}53'40''W$ for a distance of 50.02 feet; thence $N4^{\circ}50'18''E$ for a distance of 29.43 feet; thence $N86^{\circ}04'00''W$ for a distance of 60.92 feet; thence $N3^{\circ}56'00''E$ for a distance of 10.00 feet; thence $N86^{\circ}04'00''W$ for a distance of 5.15 feet; thence $S65^{\circ}03'57''W$ for a distance of 114.01 feet to the true point of beginning containing 1.209 acres.

Parcel No. 7

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road, said boat spike being the true point of beginning of the parcel herein being described; thence along the centerline of Sourek Road, $N3^{\circ}56'00''E$ for a distance of 147.33 feet; thence $N65^{\circ}03'57''E$ for a distance of 114.01 feet; thence $S86^{\circ}04'00''E$ for a distance of 5.15 feet; thence $S3^{\circ}56'00''W$ for a distance of 10.00 feet; thence $S86^{\circ}04'00''E$ for a distance of 60.92 feet; thence $S4^{\circ}50'18''W$ for a distance of 29.43 feet; thence $S87^{\circ}53'40''E$ for a distance of 50.02 feet; thence $S3^{\circ}46'28''W$ for a distance of 157.11 feet to the centerline of Smith Road; thence $N87^{\circ}59'10''W$ along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning containing 0.863 acres.

Parcel No. 8

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 5.28 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 40.40 feet; thence N84°04'00"E for a distance of 72.68 feet; thence N79°38'23"E for a distance of 12.33 feet; thence N1°34'00"W for a distance of 128.27 feet; thence S86°04'00"E for a distance of 160.00 feet; thence S2°14'06"E for a distance of 113.68 feet; thence S4°03'11"W for a distance of 49.95 feet; thence N87°00'00"W for a distance of 109.39 feet; thence along the arc of a curve to the left having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet which bears S88°32'00"W for an arc distance of 56.76 feet; thence S84°04'00"W for a distance of 78.71 feet to the true point of beginning and containing 0.685 acres.

Parcel No. 9

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 622.83 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 112.00 feet to a 5/8 inch steel rebar found; thence S3°42'42"W for a distance of 124.00 feet; thence S54°42'42"W for a distance of 94.66 feet; thence S85°40'14"W for a distance of 40.00 feet; thence along the arc of a curve to the left having a radius of 87.00 feet, a central angle of 42°14'14", a tangent of 33.60 feet and a chord of 62.69 feet which bears N25°26'53"W, for an arc distance of 64.13 feet; thence along the arc of a curve to the left having a radius of 206.00 feet, a central angle of 10°18'27", a tangent of 18.58 feet and a chord of 37.01 feet which bears N51°43'14"W, for an arc distance of 37.06 feet; thence N41°13'00"E for a distance of 52.00 feet; thence N24°00'00"E for a distance of 90.00 feet to the true point of beginning and containing 0.550 acres.

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 5.28 feet; thence N84°04'00"E for a distance of 78.71 feet to the true point of beginning of the parcel herein being described; thence along the arc of a curve to the right having a radius of 164.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet, which bears N88°32'00"E, for an arc distance of 56.76 feet; thence S87°00'00"E for a distance of 109.39 feet; thence N4°03'11"E for a distance of 49.95 feet; thence along the arc of a curve to the right having a radius of 99.49 feet, a central angle of 43°16'53", a tangent of 39.47 feet and a chord of 73.38 feet, which bears S65°21'33"E, for an arc distance of 75.16 feet; thence S43°27'23"W for a distance of 50.75 feet; thence S23°40'02"W for a distance of 66.00 feet; thence S76°26'53"W for a distance of 182.00 feet; thence N1°00'00"E for a distance of 125.00 feet to the true point of beginning and containing 0.507 acres.

Parcel No. 11

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road, for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet to the true point of beginning of the parcel herein being described; thence N4°53'56"E for a distance of 50.06 feet; thence N4°50'18"E for a distance of 244.50 feet; thence N84°04'00"E for a distance of 0.16 feet; thence N3°56'00"E for a distance of 5.28 feet; thence N84°04'00"E for a distance of 78.71 feet; thence S1°00'00"W for a distance of 125.00 feet; thence N76°26'53"E for a distance of 151.92 feet; thence S2°05'22"W for a distance of 206.49 feet; thence N87°54'32"W for a distance of 240.00 feet to the true point of beginning and containing 1.190 acres.

Parcel No. 12

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet; thence S87°54'32"E for a distance of 240.00 feet; thence N2°05'22"E for a distance of 144.00 feet to the true point of beginning of the parcel herein being described; thence continuing N2°05'22"E for a distance of 62.49 feet; thence N76°26'53"E for a distance of 30.08 feet; thence N23°40'02"E for a distance of 66.00 feet; thence N43°27'23"E for a distance of 50.75 feet; thence S39°16'05"E for a distance of 39.52 feet; thence S40°00'00"E for a distance of 91.00 feet; thence S50°00'00"W for a distance of 108.71 feet; thence N87°54'38"W for a distance of 93.21 feet to the true point of beginning and containing 0.392 acres.

Parcel No. 13

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet; thence S87°54'32"E for a distance of 240.00 feet to the true point of beginning of the parcel herein being described; thence N2°05'22"E for a distance of 144.00 feet; thence S87°54'38"E for a distance of 93.21 feet; thence N50°00'00"E for a distance of 108.71 feet; thence S40°00'00"E for a distance of 14.26 feet; thence along the arc of a curve to the right having a central angle of 43°05'28", a radius of 113.47 feet, a tangent of 44.80 feet and a chord of 83.34 feet which bears S18°27'16"W, for an arc distance of 85.34 feet; thence S3°05'28"W for a distance of 30.00 feet; thence along the arc of a curve to the right having a central angle of 89°00'00", a radius of 100.00 feet, a tangent of 98.27 feet and a chord of 140.18 feet which bears S47°35'28"W, for an arc distance of 155.33 feet; thence N87°54'32"W for a distance of 112.18 feet to the true point of beginning and containing 0.761 of an acre.

Parcel No. 14

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning of the parcel herein being described; thence N3°46'28"E for a distance of 157.31 feet; thence S87°54'32"E for a distance of 189.00 feet; thence S2°05'28"E for a distance of 156.98 feet to the centerline of Smith Road; thence along said centerline N87°59'10"W for a distance of 193.62 feet to the true point of beginning and containing 0.690 of an acre.

Parcel No. 15

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 734.83 feet to a 5/8 inch steel rebar found; thence S3°42'42"W for a distance of 124.00 feet to the true point of beginning of the parcel herein described; thence continuing S3°42'42"W for a distance of 319.04 feet; thence S54°30'00"W for a distance of 143.27 feet; thence N40°00'00"W for a distance of 91.00 feet; thence N39°16'05"W for a distance of 39.52 feet; thence N50°00'00"E for a distance of 20.21 feet; thence along the arc of a curve to the right having a radius of 212.58 feet, a central angle of 11°26'00", a tangent of 21.28 feet and a chord of 42.35 feet which bears N55°43'00"E, for an arc distance of 42.42 feet; thence along the arc of a curve to the left having a radius of 87.00 feet, a central angle of 65°45'54", a tangent of 56.25 feet and a chord of 94.47 feet which bears N28°33'03"E, for an arc distance of 99.86 feet; thence N85°40'14"E for a distance of 40.00 feet; thence N54°42'42"W for a distance of 94.66 feet to the true point of beginning and containing 0.692 acres.

Parcel No. 16

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence $N1^{\circ}56'00''E$ along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3152, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, $S80^{\circ}00'42''E$ for a distance of 622.83 feet; thence $S24^{\circ}00'00''W$ for a distance of 90.00; thence $S41^{\circ}13'00''W$ for a distance of 52.00 feet to the true point of beginning of the parcel herein described; thence along the arc of a curve to the right having a radius of 205.00 feet, a central angle of $10^{\circ}18'27''$, a tangent of 18.58 feet and a chord of 37.01 feet which bears $S51^{\circ}43'14''E$, for an arc distance of 37.06 feet; thence along the arc of a curve to the right having a radius of 97.00 feet, a central angle of $108^{\circ}25'26''$, a tangent of 120.68 feet and a chord of 141.15 feet which bears $S7^{\circ}32'18''E$, for an arc distance of 164.63 feet; thence along the arc of a curve to the left having a radius of 212.58 feet, a central angle of $11^{\circ}28'00''$, a tangent of 21.28 feet and a chord of 42.35 feet which bears $S55^{\circ}47'00''W$, for an arc distance of 42.42 feet; thence $S50^{\circ}00'00''W$ for a distance of 20.21 feet; thence $N2^{\circ}14'06''W$ for a distance of 172.78 feet; thence $N35^{\circ}04'00''W$ for a distance of 43.34 feet; thence $N3^{\circ}56'00''E$ for a distance of 55.00 feet; thence $S86^{\circ}04'00''E$ for a distance of 20.00 feet to the true point of beginning and containing 0.408 acres.

EXHIBIT B

PARCEL NO. 2

Situated in the City of Akron, County of Summit and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows: Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 644.09 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence S84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"E for a distance of 191.84 feet; thence N3°56'00"E for a distance of 419.87 feet; thence along the south line of 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records, S80°00'42"E for a distance of 514.60 feet to a 5/8 inch rebar found; thence S3°42'42"W for a distance of 384.42 feet to a 5/8 inch rebar found; thence S3°32'36"W for a distance of 396.08 feet to the centerline of Smith Road and passing over a 3/4 inch pinched top steel pipe found 30.00 feet from said centerline; thence along the centerline of Smith Road, N87°21'27"W for a distance of 54.80 feet to an angle point; thence continuing along said centerline and the centerline tangent, N87°59'10"W for a distance of 680.51 feet to the point of beginning and containing 12.433 acres.

Excepting therefrom the following described Parcels No. 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16:

Situated in the City of Akron, County of Summit, and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows:

Parcel No. 3

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline, N3°56'00"E for a distance of 243.26 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence N84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"W for a distance of 30.45 feet to the true point of beginning and containing 0.725 of an acre.

VOL 7560 PAGE 535

Parcel No. 4

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 45.68 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 241.89 feet; thence S82°15'09"E for a distance of 62.29 feet; thence S1°34'00"E for a distance of 223.27 feet; thence S79°38'23"W for a distance of 12.33 feet; thence S84°04'00"W for a distance of 72.68 feet to the true point of beginning and containing 0.390 of an acre.

Parcel No. 5

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 882.02 feet (Previously shown incorrectly as 918.02 feet) to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 402.60 feet; thence S24°00'00"W for a distance of 90.00 feet; thence S41°13'00"W for a distance of 51.53 feet; thence N86°04'00"W for a distance of 90.00 feet; thence S3°56'00"W for a distance of 63.00 feet; thence N86°04'00"W for a distance of 177.00 feet; thence N1°34'00"W for a distance of 95.00 feet; thence N82°15'09"W for a distance of 62.29 feet; thence N3°56'00"E for a distance of 132.30 feet to the true point of beginning containing 1.487 acres.

Parcel No. 6

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 253.50 feet; thence N84°04'00"E for a distance of 223.13 feet; thence S4°50'18"E for a distance of 224.50 feet; thence S4°53'56"W for a distance of 50.06 feet; thence N87°53'40"W for a distance of 50.02 feet; thence N4°50'18"E for a distance of 29.43 feet; thence N86°04'00"W for a distance of 60.92 feet; thence N3°56'00"E for a distance of 10.00 feet; thence N86°04'00"W for a distance of 5.15 feet; thence S65°03'57"W for a distance of 114.01 feet to the true point of beginning containing 1.209 acres.

Parcel No. 7

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road, said boat spike being the true point of beginning of the parcel herein being described; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet; thence N65°03'57"E for a distance of 114.01 feet; thence S86°04'00"E for a distance of 5.15 feet; thence S3°56'00"W for a distance of 10.00 feet; thence S86°04'00"E for a distance of 60.92 feet; thence S4°50'18"W for a distance of 29.43 feet; thence S87°53'40"E for a distance of 50.02 feet; thence S3°46'28"W for a distance of 157.13 feet to the centerline of Smith Road; thence N87°59'10"W along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning containing 0.863 acres.

Parcel No. 8

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 5.28 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 40.40 feet; thence N84°04'00"E for a distance of 72.68 feet; thence N79°38'23"E for a distance of 12.33 feet; thence N1°34'00"W for a distance of 128.27 feet; thence S86°04'00"E for a distance of 160.00 feet; thence S2°14'06"E for a distance of 113.68 feet; thence S4°03'11"W for a distance of 49.95 feet; thence N87°00'00"W for a distance of 109.39 feet; thence along the arc of a curve to the left having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet which bears S88°32'00"W for an arc distance of 56.76 feet; thence S84°04'00"W for a distance of 78.71 feet to the true point of beginning and containing 0.685 acres.

Parcel No. 9

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 622.83 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 112.00 feet to a 5/8 inch steel rebar found; thence S3°42'42"W for a distance of 124.00 feet; thence S54°42'42"W for a distance of 94.66 feet; thence S85°40'14"W for a distance of 40.00 feet; thence along the arc of a curve to the left having a radius of 87.00 feet, a central angle of 42°14'14", a tangent of 33.60 feet and a chord of 62.69 feet which bears N25°26'53"W, for an arc distance of 64.13 feet; thence along the arc of a curve to the left having

a radius of 206.00 feet, a central angle of $10^{\circ}18'27''$, a tangent of 18.58 feet and a chord of 37.01 feet which bears $N51^{\circ}43'14''W$, for an arc distance of 37.06 feet; thence $N41^{\circ}13'00''E$ for a distance of 52.00 feet; thence $N24^{\circ}00'00''E$ for a distance of 90.00 feet to the true point of beginning and containing 0.550 acres.

PARCEL No. 10

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence $N3^{\circ}56'00''E$ along the centerline of Sourek Road, for a distance of 400.83 feet; thence $N84^{\circ}04'00''E$ for a distance of 222.29 feet; thence $N3^{\circ}56'00''E$ for a distance of 5.28 feet; thence $N84^{\circ}04'00''E$ for a distance of 78.71 feet to the true point of beginning of the parcel herein being described; thence along the arc of a curve to the right having a radius of 364.04 feet, a central angle of $8^{\circ}56'00''$, a tangent of 28.44 feet, a chord of 56.70 feet, which bears $N88^{\circ}32'00''E$, for an arc distance of 56.76 feet; thence $S87^{\circ}00'00''E$ for a distance of 109.39 feet; thence $N4^{\circ}03'11''E$ for a distance of 49.95 feet; thence along the arc of a curve to the right having a radius of 99.49 feet, a central angle of $43^{\circ}16'53''$, a tangent of 39.47 feet and a chord of 73.38 feet, which bears $S65^{\circ}21'33''E$, for an arc distance of 75.16 feet; thence $S43^{\circ}27'23''W$ for a distance of 50.75 feet; thence $S23^{\circ}40'02''W$ for a distance of 66.00 feet; thence $S76^{\circ}26'53''W$ for a distance of 182.00 feet; thence $N1^{\circ}00'00''E$ for a distance of 125.00 feet to the true point of beginning and containing 0.507 acres.

Parcel No. 11

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence $S87^{\circ}59'10''E$ along the centerline of Smith Road, for a distance of 216.00 feet; thence $N3^{\circ}46'28''E$ for a distance of 157.31 feet to the true point of beginning of the parcel herein being described; thence $N4^{\circ}53'56''E$ for a distance of 50.06 feet; thence $N4^{\circ}50'18''E$ for a distance of 244.50 feet; thence $N84^{\circ}04'00''E$ for a distance of 0.16 feet; thence $N3^{\circ}56'00''E$ for a distance of 5.28 feet; thence $N84^{\circ}04'00''E$ for a distance of 78.71 feet; thence $S1^{\circ}00'00''W$ for a distance of 125.00 feet; thence $N76^{\circ}26'53''E$ for a distance of 151.97 feet; thence $S2^{\circ}05'22''W$ for a distance of 206.49 feet; thence $N87^{\circ}54'32''W$ for a distance of 240.00 feet to the true point of beginning and containing 1.190 acres.

Parcel No. 12

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence $S87^{\circ}59'10''E$ along the centerline of Smith Road for a distance of 216.00 feet; thence $N3^{\circ}46'28''E$ for a distance of 157.31 feet; thence $S87^{\circ}54'32''E$ for a distance of 240.00 feet; thence

N2°05'22"E for a distance of 144.00 feet to the true point of beginning of the parcel herein being described; thence continuing N2°05'22"E for a distance of 62.49 feet; thence N76°26'53"E for a distance of 30.08 feet; thence N23°40'02"E for a distance of 66.00 feet; thence N43°27'23"E for a distance of 50.75 feet; thence S39°16'05"E for a distance of 39.52 feet; thence S40°00'00"E for a distance of 91.00 feet; thence S50°00'00"W for a distance of 108.71 feet; thence N87°54'38"W for a distance of 93.21 feet to the true point of beginning and containing 0.392 acres.

Parcel No. 13

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet; thence S87°54'32"E for a distance of 240.00 feet to the true point of beginning of the parcel herein being described; thence N2°05'22"E for a distance of 144.00 feet thence S87°54'38"E for a distance of 93.21 feet; thence N50°00'00"E for a distance of 108.71 feet; thence S40°00'00"E for a distance of 14.26 feet; thence along the arc of a curve to the right having a central angle of 43°05'28", a radius of 113.47 feet, a tangent of 44.80 feet and a chord of 83.34 feet which bears S18°27'16"W, for an arc distance of 85.34 feet; thence S3°05'28"W for a distance of 30.00 feet; thence along the arc of a curve to the right having a central angle of 89°00'00", a radius of 100.00 feet, a tangent of 98.27 feet and a chord of 140.18 feet which bears S47°35'28"W, for an arc distance of 155.33 feet; thence N87°54'32"W for a distance of 112.18 feet to the true point of beginning and containing 0.761 of an acre.

Parcel No. 14

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning of the parcel herein being described; thence N3°46'28"E for a distance of 157.31 feet; thence S87°54'32"E for a distance of 189.00 feet; thence S2°05'28"E for a distance of 156.98 feet to the centerline of Smith Road; thence along said centerline N87°59'10"W for a distance of 193.62 feet to the true point of beginning and containing 0.690 of an acre.

Parcel No. 15

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 734.83 feet to a 5/8 inch steel rebar found; thence S3°42'42"W for a distance of 124.00

feet to the true point of beginning of the parcel herein described; thence continuing S3°42'42"W for a distance of 319.04 feet; thence S54°30'00"W for a distance of 143.27 feet; thence N40°00'00"W for a distance of 91.00 feet; thence N39°16'05"W for a distance of 39.52 feet; thence N50°00'00"E for a distance of 20.21 feet; thence along the arc of a curve to the right having a radius of 212.58 feet, a central angle of 11°26'00", a tangent of 21.28 feet and a chord of 42.35 feet which bears N55°43'00"E, for an arc distance of 42.42 feet; thence along the arc of a curve to the left having a radius of 87.00 feet, a central angle of 65°45'54", a tangent of 56.25 feet and a chord of 94.47 feet which bears N28°33'03"E, for an arc distance of 99.86 feet; thence N85°40'14"E for a distance of 40.00 feet; thence N54°42'42"W for a distance of 94.66 feet to the true point of beginning and containing 0.692 acres.

Parcel No. 16

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S90°00'42"E for a distance of 622.83 feet; thence S24°00'00"W for a distance of 90.00; thence S41°13'00"W for a distance of 52.00 feet to the true point of beginning of the parcel herein described; thence along the arc of a curve to the right having a radius of 226.00 feet, a central angle of 10°18'27", a tangent of 18.58 feet and a chord of 37.01 feet which bears S31°43'14"E, for an arc distance of 37.06 feet; thence along the arc of a curve to the right having a radius of 87.00 feet, a central angle of 109°25'26", a tangent of 120.63 feet and a chord of 141.15 feet which bears S7°22'18"E, for an arc distance of 154.63 feet; thence along the arc of a curve to the left having a radius of 212.58 feet, a central angle of 11°26'00", a tangent of 21.28 feet and a chord of 42.35 feet which bears S55°43'00"W, for an arc distance of 42.42 feet; thence S50°00'00"W for a distance of 20.21 feet; thence N2°14'06"W for a distance of 139.78 feet; thence N86°04'00"W for a distance of 48.84 feet; thence N3°56'00"E for a distance of 63.00 feet; thence S86°04'00"E for a distance of 90.00 feet to the true point of beginning and containing 0.408 acres.

Leaving 1.984 acres remaining in Parcel No. 2.

EXHIBIT E

PAR VALUE (PERCENTAGES OF INTEREST) OF UNITS

<u>Unit Address</u>	<u>Floor Plan Type</u>	<u>Par Values</u>
1886 Indian Hills Trail	E	1.76
1890 Indian Hills Trail	B	1.09
1896 Indian Hills Trail	B	1.09
1900 Indian Hills Trail	B	1.09
1904 Indian Hills Trail	B	1.09
1870 Indian Hills Trail	C	1.23
1871 Indian Hills Trail	D	1.39
1873 Indian Hills Trail	B	1.09
1874 Indian Hills Trail	E	1.76
1877 Indian Hills Trail	B	1.09
1878 Indian Hills Trail	E	1.76
1879 Indian Hills Trail	C	1.23
1880 Indian Hills Trail	B	1.09
1885 Indian Hills Trail	B	1.09
1889 Indian Hills Trail	B	1.09
1763 Bent Bow Drive	E	1.76
1767 Bent Bow Drive	B	1.09
1771 Bent Bow Drive	E	1.76
1775 Bent Bow Drive	D	1.39
1776 Bent Bow Drive	E	1.76
1778 Bent Bow Drive	D	1.39
1779 Bent Bow Drive	C	1.23
1783 Bent Bow Drive	D	1.39
1784 Bent Bow Drive	B	1.09
1786 Bent Bow Drive	A	.94
1787 Bent Bow Drive	C	1.23
1791 Bent Bow Drive	E	1.76
1795 Bent Bow Drive	D	1.39
1842 Indian Hills Trail	E	1.76
1846 Indian Hills Trail	C	1.23
1850 Indian Hills Trail	E	1.76
1854 Indian Hills Trail	D	1.39
1858 Indian Hills Trail	B	1.09
1862 Indian Hills Trail	C	1.23
1832 Indian Hills Trail	A	.94
1836 Indian Hills Trail	C	1.23
1700 Rock Hill Lane	A	.94
1704 Rock Hill Lane	B	1.09
1708 Rock Hill Lane	C	1.23
1712 Rock Hill Lane	C	1.23
1755 Bent Bow Drive	E	1.76
1757 Bent Bow Drive	E	1.76
1759 Bent Bow Drive	E	1.76
1701 Rock Hill Lane	B	1.09

<u>Unit Address</u>	<u>Floor Plan Type</u>	<u>Par Values</u>
1703 Rock Hill Lane	A	.94
1705 Rock Hill Lane	B	1.09
1707 Rock Hill Lane	D	1.39
1845 Indian Hills Trail	A	.94
1849 Indian Hills Trail	A	.94
1853 Indian Hills Trail	E	1.76
1857 Indian Hills Trail	B	1.09
1861 Indian Hills Trail	A	.94
1779 Rock Hill Lane	D	1.39
1785 Rock Hill Lane	D	1.39
1789 Rock Hill Lane	D	1.39
1721 Rock Hill Lane	D	1.39
1723 Rock Hill Lane	D	1.39
1763 Rock Hill Lane	B	1.09
1765 Rock Hill Lane	D	1.39
1771 Rock Hill Lane	B	1.09
1786 Rock Hill Lane	A	.94
1790 Rock Hill Lane	B	1.09
1794 Rock Hill Lane	B	1.09
1798 Rock Hill Lane	C	1.23
1737 Bent Bow Drive	E	1.76
1739 Bent Bow Drive	D	1.39
1745 Bent Bow Drive	B	1.09
1749 Bent Bow Drive	C	1.23
1742 Bent Bow Drive	A	.94
1748 Bent Bow Drive	A	.94

✓ Indian Hills Develop. Co.

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A
325

397984 (PT)

THIRTEENTH AMENDMENT
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
✓ INDIAN HILLS CONDOMINIUM

This will certify that copies of this Thirteenth Amendment to Declaration of Condominium Ownership For Indian Hills Condominium with the following exhibits attached hereto have been filed in the Office of the County Auditor, County of Summit, Ohio:

1. Exhibit A - Legal Description of Parcel No. 1;
2. Exhibit B - Legal Description of Parcel No. 2;
SEE PLAT CAB. "C" SLIDE 748-750.
3. Exhibit D - Drawings; and
A
4. Exhibit E - Schedule of Par Values
(Percentages of Interest)

Approved as to Form:

Auditor of County of Summit

William E. Schmitt
Assistant Prosecuting Attorney

Tim Davis
Tim Davis
Ry Cuyatt Deputy Auditor
Dated: *December 30, 1987*

Dated: 12-30-87

TRANSFER NOT NECESSARY
DEC 30 1987
Tim Davis, County Auditor

This Instrument Prepared By:
Jay P. Porter
BROUSE & McDOWELL
500 First National Tower
Akron, Ohio 44308-1471

DEC 31 1987
52.00
64.80
116.80

THIRTEENTH AMENDMENT
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
INDIAN HILLS CONDOMINIUM

THIS THIRTEENTH AMENDMENT TO THE DECLARATION OF CONDOMINIUM OWNERSHIP is made this 25th day of December, 1987, by INDIAN HILLS DEVELOPMENT COMPANY, an Ohio corporation ("Developer") of Akron, Ohio.

WHEREAS, INDIAN HILLS CONDOMINIUM ("Condominium") is governed by and subject to the terms and provisions of a certain Declaration of Condominium Ownership, dated October 4, 1984, (the "Declaration") duly recorded in Volume 6987 at Page 359 et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet A, Slides 525-530, inclusive, of the County of Summit Records, all being duly filed for record on or about the 11th day of October, 1984 and recorded on the 26th day of October, 1984; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain First Amendment to Declaration of Condominium Ownership (the "First Amendment") dated the 17th day of April, 1985, duly recorded in Volume 7042, Pages 387 et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet A, Slides 788-794, inclusive, of the County of Summit Records, all being duly filed for record on or about April 24, 1985, and recorded on May 14, 1985; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Second Amendment to Declaration of Condominium Ownership (the "Second Amendment") dated the 4th day of November 1985, duly recorded in Volume 7137, Pages 815 et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 267-275, inclusive, of the County of Summit Records, all being duly filed for record on or about November 12, 1985, and recorded on November 21, 1985; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Third Amendment to Declaration of Condominium Ownership (the "Third Amendment") dated the 26th day of March, 1986, duly recorded in Volume 7236, Pages 635, et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 504-508, inclusive, of the County of Summit Records, all being duly filed for record on or about April 4, 1986, and recorded on April 21, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Fourth Amendment to Declaration of Condominium Ownership (the "Fourth Amendment") dated the 9th day of June, 1986, duly recorded in Volume 7279, Pages 311, et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 556-561, inclusive of the County of Summit Records, all being duly filed for record on or about June 20, 1986, and recorded on July 3, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Fifth Amendment to Declaration of Condominium Ownership (the "Fifth Amendment"), dated the 2nd day of September, 1986, and duly recorded in Volume 7290, Pages 49, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 678-680, inclusive, of the County of Summit Records, all being duly filed for record on or about September 12, 1986, and recorded on September 24, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Sixth Amendment to Declaration of Condominium Ownership (the "Sixth Amendment"), dated the 16th day of September, 1986, and duly recorded in Volume 7319, Pages 673, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 694-696, inclusive, of the County of Summit Records, all being duly filed for record on or about September 22, 1986, and recorded on October 30, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Seventh Amendment to Declaration of Condominium Ownership (the "Seventh Amendment") dated the 29th day of October, 1986, and duly recorded in Volume 7321, Pages 891, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 795-800, inclusive, of the County of Summit Records, all being duly filed for record on or about November 17, 1986, and recorded on November 18, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Eighth Amendment to Declaration of Condominium Ownership (the "Eighth Amendment") dated the 28th day of January, 1987, and duly recorded in Volume 7364, Pages 942, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet C, Slides 140-142, inclusive, of the County of Summit Records, all being duly filed for record and recorded on or about February 5, 1987; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Ninth Amendment to Declaration of Condominium Ownership (the "Ninth Amendment")

dated the 8th day of July, 1987, and duly recorded in Volume 7456, Pages 303, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet C, Slides 383-385, inclusive, of the County of Summit Records, all being duly filed for record on July 13, 1987, and recorded on July 14, 1987; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Tenth Amendment to Declaration of Condominium Ownership (the "Tenth Amendment") dated the 1st day of October, 1987, and duly recorded in Volume 7513, Pages 435, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet C, Slides 543-545, inclusive, of the County of Summit Records, all being duly filed for record on October 6, 1987, and recorded on October 7, 1987; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Eleventh Amendment to Declaration of Condominium Ownership (the "Eleventh Amendment") dated the 22nd day of October, 1987, and duly recorded in Volume 7516, Pages 615, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet C, Slides 590-594, inclusive, of the County of Summit Records, all being duly filed for record on October 29, 1987, and recorded on November 2, 1987; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Twelfth Amendment to Declaration of Condominium Ownership (the "Twelfth Amendment") dated the 24th day of November, 1987, and duly recorded as Instrument No. 392219 of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet C, Slides 647-649, inclusive, of the County of Summit Records, all being duly filed for record on or about November 25, 1987; and

WHEREAS, pursuant to Article XVI of the Declaration, the Developer reserved the right to add to the original Condominium Property, certain property adjacent thereto by amending the Declaration of record, and by submitting such additional property to the provisions of the Declaration and Chapter 5311 of the Ohio Revised Code; and

WHEREAS, the Developer desires to add certain land containing Units to the Condominium, and to uniformly allocate and reallocate par values (percentages of interests) for the Units.

NOW, THEREFORE, the Developer, for itself and as attorney in fact for the Unit Owners and their mortgagees, and for the purposes set forth hereinabove, hereby declares as follows:

1. RECITALS INCORPORATED. That the Recitals hereinabove set forth are incorporated herein by reference and made a part hereof.

2. DEFINITIONS. That the definitions contained in Article I(B) of the Declaration are applicable to the words and phrases used in this Thirteenth Amendment to Declaration unless the context otherwise requires.

3. AMENDMENT TO DECLARATION. That the Declaration is hereby amended and supplemented in the following respects:

- (a) Legal Descriptions. Exhibit A to the Twelfth Amendment (which replaced Exhibit A to the original Declaration) is replaced by Exhibit A attached to this Thirteenth Amendment to Declaration. Exhibit B to the Twelfth Amendment (which replaced Exhibit B to the original Declaration) is replaced by Exhibit B attached to this Thirteenth Amendment to Declaration.
- (b) Drawings. Exhibit D to the original Declaration, Exhibit D to the First Amendment, Exhibit D to the Second Amendment, Exhibit D to the Third Amendment, Exhibit D to the Fourth Amendment, Exhibit D to the Fifth Amendment, Exhibit D to the Sixth Amendment, Exhibit D to the Seventh Amendment, Exhibit D to the Eighth Amendment, Exhibit D to the Ninth Amendment, Exhibit D to the Tenth Amendment, Exhibit D to the Eleventh Amendment, and Exhibit D to the Twelfth Amendment (the "Drawings") are amended and supplemented to include the Drawings attached to this Thirteenth Amendment to Declaration as Exhibit D.
- (c) General Description of Buildings. Article IV of the original Declaration entitled "General Description of Buildings" which was previously amended by the First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment, Sixth Amendment, Seventh Amendment, Eighth Amendment, Ninth Amendment, Tenth Amendment, Eleventh Amendment, and Twelfth Amendment is amended to read as follows:

"There are twenty (20) residential buildings which are a part of the Condominium Property, one of which contains two Units (1886 and 1890 Indian Hills Trail), one of which contains three Units (1896, 1900 and 1904 Indian Hills Trail), one of which contains four Units (1870, 1874, 1878 and 1880 Indian Hills Trail), one of which contains six Units (1871, 1873, 1877, 1879, 1885 and 1889 Indian

Hills Trail), one of which contains four Units (1783, 1787, 1791 and 1795 Bent Bow Drive), one of which contains five Units (1763, 1767, 1771, 1775 and 1779 Bent Bow Drive), one of which contains four Units (1776, 1778, 1784 and 1786 Bent Bow Drive), one of which contains six Units (1842, 1846, 1850, 1854, 1858, and 1862 Indian Hills Trail), one of which contains two Units (1832 and 1836 Indian Hills Trail), one of which contains four Units (1700, 1704, 1708, and 1712 Rock Hill Lane), one of which contains four Units (1701, 1703, 1705,, and 1707 Rock Hill Lane), one of which contains three Units (1755, 1757 and 1759 Bent Bow Drive), one of which contains five Units (1845, 1849, 1853, 1857 and 1861 Indian Hills Trail), one of which contains three Units (1779, 1785, and 1789 Rock Hill Lane), one of which contains two Units (1721 and 1723 Rock Hill Lane), one of which contains three Units (1763, 1765 and 1771 Rock Hill Lane), one of which contains four Units (1786, 1790, 1794 and 1798 Rock Hill Lane), one of which contains two Units (1737 and 1739 Bent Bow Drive), one of which contains two Units (1745 and 1749 Bent Bow Drive), one of which contains two Units (1742 and 1748 Bent Bow Drive), and one of which contains four Units (1768, 1770, 1772 and 1776 Rock Hill Lane). The buildings are located as shown on the Drawings.

The principal materials of which the buildings are constructed are wood, glass, concrete, concrete block, brick and drywall."

- (d) Information About Condominium Property. The first sentence of Article V of the original Declaration entitled "Information About Condominium Property", which was previously amended by the First Amendment, the Second Amendment, the Third Amendment, the Fourth Amendment, the Fifth Amendment, the Sixth Amendment, the Seventh Amendment, the Eighth Amendment, the Ninth Amendment, the Tenth Amendment, the Eleventh Amendment and the Twelfth Amendment, is amended to read as follows:

"The Condominium Property, until additions are made to the Condominium Property pursuant to the provisions of Article XVI hereof, is hereby divided into seventy-four (74) separately designated and legally described

freehold estates, hereindescribed and referred to as 'Units', and one (1) freehold estate, herein described and referred to as the 'Common Areas and Facilities.'"

(e) Par Values (Percentages of Interest) in Common Areas and Facilities. Exhibit E to the Twelfth Amendment (which replaced Exhibit E to the original Declaration) is replaced by Exhibit E attached to this Thirteenth Amendment to Declaration of Condominium.

4. OTHER PROVISIONS REMAIN IN FULL FORCE AND EFFECT. Except as hereinabove amended and supplemented, all of the provisions of the Declaration and First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment, Sixth Amendment, Seventh Amendment, Eighth Amendment, Ninth Amendment, Tenth Amendment, Eleventh Amendment and Twelfth Amendment, shall be and remain in full force and effect.

IN WITNESS WHEREOF, the undersigned has executed this instrument this 28th day of December, 1987, for itself and on behalf of the Unit Owners of Indian Hills Condominium and their respective mortgagees.

Signed and Acknowledged
In the Presence of:

Developer - INDIAN HILLS
DEVELOPMENT COMPANY

Jay P. Porter
Carol Kelly

By: D. Zarkovacki
Dan Zarkovacki -
Vice President

Jay P. Porter
Carol Kelly

and
By: John Zarkovacki
John Zarkovacki -
Secretary

STATE OF OHIO)
) SS
SUMMIT COUNTY)

BEFORE ME, a Notary Public in and for said county and state, personally appeared the above named INDIAN HILLS DEVELOPMENT COMPANY by Dan Zarkovacki, Vice President, and John Zarkovacki, Secretary, who acknowledged that they did sign the foregoing instrument and that the same is the free act and deed of the corporation and the free act and deed of each of them personally and as such officers.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Akron, Ohio, this 38th day of December, 1987.

Jay P. Porter
Notary Public

CONSENT OF MORTGAGEE

JAY PAUL PORTER, Attorney
Notary Public - State of Ohio
My commission has no expiration date
Sec. 147.03 R.C.

The undersigned, PEOPLES FEDERAL SAVINGS BANK f.k.a. PEOPLES FEDERAL SAVINGS AND LOAN ASSOCIATION, is mortgagee of the premises described in the within Thirteenth Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium by virtue of two Mortgage Deeds executed by Indian Hills Development Company, and recorded in the Mortgage Records of the Recorder of Summit County, Ohio, in Volume 6885, Page 438, et seq., and Volume 6885, Page 453, et seq.

The undersigned hereby consents to the execution and delivery of the foregoing Thirteenth Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium, with the Exhibits and Drawings attached as Exhibits thereto, and to the filing thereof in the Office of the County Recorder of Summit County, Ohio, and further, subjects and subordinates the aforescribed Mortgage Deeds to the Twelfth Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium and the foregoing Thirteenth Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium, with the Exhibits and Drawings attached as Exhibits thereto, and to the provisions of Chapter 5311 of the Ohio Revised Code.

Signed in the Presence of:

PEOPLES FEDERAL SAVINGS BANK
f.k.a. PEOPLES FEDERAL SAVINGS
AND LOAN ASSOCIATION

Mary Ann Frankel
As to Both Signatures

By: William J. Courson
William J. Courson,
Chairman and President

Brenda L. Courson
As to Both Signatures

By: Roy D. Bower
Roy D. Bower, Senior
Vice President-Treasurer

STATE OF OHIO)
) SS
WAYNE COUNTY)

BEFORE ME, a Notary Public, in and for said County and State, personally appeared William J. Courson, the Chairman and President and Roy D. Bower, the Senior Vice President-Treasurer of PEOPLES FEDERAL SAVINGS BANK f.k.a. PEOPLES FEDERAL SAVINGS AND LOAN ASSOCIATION, who having been first duly sworn acknowledged that they did execute the foregoing instrument and that the same was their free act and deed individually and as such Officers and the free act and deed of said Association.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Wooster, Ohio, this 29th day of December, 1987.

Brenda K. Courson
NOTARY PUBLIC

BRENDA K. COURSON, Notary P...
Wayne County, State of Ohio
My Commission Expires May 11, 1990

PARCEL NO. 1

Indian Mills Condominium

Situated in the City of Akron, County of Summit, and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows:

PARCEL NO. 1

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N03°56'00"E for a distance of 644.09 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline of Sourek Road, N03°56'00"E for a distance of 237.93 feet to a one inch in outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet; thence S03°56'00"W for a distance of 419.87 feet; thence S84°04'00"W for a distance of 191.84 feet; thence N03°56'00"E for a distance of 50.75 feet; thence N84°04'00"E for a distance of 141.09 feet; thence N03°56'00"E for a distance of 163.12 feet; thence N86°04'00"W for a distance of 169.00 feet to the true point of beginning and containing 1.540 acres.

Parcel No. 3

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline, N3°56'00"E for a distance of 243.26 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence N84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"W for a distance of 30.45 feet to the true point of beginning and containing 0.725 of an acre.

Parcel No. 4

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 45.68 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 241.89 feet; thence S82°13'09"E for a distance of 62.29 feet; thence S1°34'00"E for a distance of 223.27 feet; thence S79°38'23"W for a distance of 12.33 feet; thence S86°04'00"W for a distance of 72.68 feet to the true point of beginning and containing 0.390 of an acre.

Parcel No. 5

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N03°56'00"E for a distance of 910.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in volume J167, page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 402.60 feet; thence S24°00'00"W for a distance of 90.00 feet; thence S41°13'00"W for a distance of 51.33 feet; thence N86°04'00"W for a distance of 90.00 feet; thence S03°56'00"W for a distance of 63.00 feet; thence N86°04'00"W for a distance of 177.00 feet; thence N01°34'00"W for a distance of 95.00 feet; thence N82°15'09"W for a distance of 62.29 feet; thence N03°56'00"E for a distance of 132.30 feet to the true point of beginning containing 1.487 acres.

Parcel No. 6

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 253.50 feet; thence N84°04'00"E for a distance of 223.13 feet; thence S4°56'16"E for a distance of 224.50 feet; thence S4°53'56"W for a distance of 50.06 feet; thence N87°53'40"W for a distance of 50.02 feet; thence N4°50'18"E for a distance of 29.43 feet; thence N86°04'00"W for a distance of 60.92 feet; thence N3°56'00"E for a distance of 10.00 feet; thence N86°04'00"W for a distance of 5.15 feet; thence S65°03'57"W for a distance of 114.01 feet to the true point of beginning containing 1.209 acres.

Parcel No. 7

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road, said boat spike being the true point of beginning of the parcel herein being described; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet; thence N65°03'57"E for a distance of 114.01 feet; thence S86°04'00"E for a distance of 5.15 feet; thence S3°56'00"W for a distance of 10.00 feet; thence S86°04'00"E for a distance of 60.92 feet; thence S4°50'18"W for a distance of 29.43 feet; thence S87°53'40"E for a distance of 50.02 feet; thence S3°46'28"W for a distance of 157.13 feet to the centerline of Smith Road; thence N87°59'10"W along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning containing 0.863 acres.

Parcel No. 8

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 3.28 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 40.40 feet; thence N84°04'00"E for a distance of 72.68 feet; thence N79°38'23"E for a distance of 12.33 feet; thence N1°34'00"W for a distance of 128.27 feet; thence S86°04'00"E for a distance of 160.00 feet; thence S2°14'06"E for a distance of 113.68 feet; thence S4°03'11"W for a distance of 49.95 feet; thence N87°00'00"W for a distance of 109.39 feet; thence along the arc of a curve to the left having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet which bears S88°32'00"W for an arc distance of 56.76 feet; thence S84°04'00"W for a distance of 78.71 feet to the true point of beginning and containing 0.685 acres.

Parcel No. 9

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 622.83 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 112.00 feet to a 5/8 inch steel rebar found; thence S3°42'42"W for a distance of 124.00 feet; thence S54°42'42"W for a distance of 94.66 feet; thence S85°40'14"W for a distance of 40.00 feet; thence along the arc of a curve to the left having a radius of 87.00 feet, a central angle of 42°14'14", a tangent of 33.60 feet and a chord of 62.69 feet which bears N25°26'53"W, for an arc distance of 64.13 feet; thence along the arc of a curve to the left having a radius of 206.00 feet, a central angle of 10°18'27", a tangent of 18.58 feet and a chord of 37.01 feet which bears N51°43'14"W, for an arc distance of 37.06 feet; thence N41°13'00"E for a distance of 52.00 feet; thence N24°00'00"E for a distance of 90.00 feet to the true point of beginning and containing 0.550 acres.

Parcel No. 10

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 5.28 feet; thence N84°04'00"E for a distance of 78.71 feet to the true point of beginning of the parcel herein being described; thence along the arc of a curve to the right having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet, which bears N88°32'00"E, for an arc distance of 56.76 feet; thence S87°00'00"E for a distance of 109.39 feet; thence N4°03'11"E for a distance of 49.95 feet; thence along the arc of a curve to the right having a radius of 99.49 feet, a central angle of 43°16'53", a tangent of 39.47 feet and a chord of 73.38 feet, which bears S65°21'33"E, for an arc distance of 75.16 feet; thence S43°27'23"W for a distance of 50.75 feet; thence S23°40'02"W for a distance of 66.00 feet; thence S76°26'53"W for a distance of 182.00 feet; thence N1°00'00"E for a distance of 125.00 feet to the true point of beginning and containing 0.507 acres.

Parcel No. 11

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road, for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet to the true point of beginning of the parcel herein being described; thence N4°53'56"E for a distance of 50.06 feet; thence N4°50'18"E for a distance of 244.50 feet; thence N84°04'00"E for a distance of 0.16 feet; thence N3°56'00"E for a distance of 5.28 feet; thence N84°04'00"E for a distance of 78.71 feet; thence S1°00'00"W for a distance of 125.00 feet; thence N76°26'53"E for a distance of 151.92 feet; thence S2°05'22"W for a distance of 206.49 feet; thence N87°54'32"W for a distance of 240.00 feet to the true point of beginning and containing 1.190 acres.

Parcel No. 12

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet; thence N87°54'32"E for a distance of 240.00 feet; thence N2°05'22"E for a distance of 144.00 feet to the true point of beginning of the parcel herein being described; thence continuing N2°05'22"E for a distance of 62.49 feet; thence N76°26'53"E for a distance of 30.08 feet; thence N23°40'02"E for a distance of 66.00 feet; thence N43°27'23"E for a distance of 50.75 feet; thence S39°16'05"E for a distance of 39.52 feet; thence S40°00'00"E for a distance of 91.00 feet; thence S50°00'00"W for a distance of 108.71 feet; thence N87°54'38"W for a distance of 93.21 feet to the true point of beginning and containing 0.392 acres.

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence $88^{\circ}59'10''$ E along the centerline of Smith Road for a distance of 216.00 feet; thence $N3^{\circ}46'28''$ E for a distance of 157.31 feet; thence $88^{\circ}54'32''$ E for a distance of 240.00 feet to the true point of beginning of the parcel herein being described; thence $N2^{\circ}05'22''$ E for a distance of 144.00 feet; thence $88^{\circ}54'38''$ E for a distance of 93.21 feet; thence $N50^{\circ}00'00''$ E for a distance of 108.71 feet; thence $S40^{\circ}00'00''$ E for a distance of 14.26 feet; thence along the arc of a curve to the right having a central angle of $43^{\circ}05'28''$, a radius of 113.47 feet, a tangent of 44.80 feet and a chord of 83.34 feet which bears $S18^{\circ}27'16''$ W, for an arc distance of 85.34 feet; thence $S3^{\circ}05'28''$ W for a distance of 30.00 feet; thence along the arc of a curve to the right having a central angle of $89^{\circ}00'00''$, a radius of 100.00 feet, a tangent of 98.27 feet and a chord of 140.18 feet which bears $S47^{\circ}35'28''$ W, for an arc distance of 155.33 feet; thence $N87^{\circ}54'32''$ W for a distance of 112.18 feet to the true point of beginning and containing 0.761 of an acre.

Parcel No. 14

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence $88^{\circ}59'10''$ E along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning of the parcel herein being described; thence $N3^{\circ}46'28''$ E for a distance of 157.31 feet; thence $88^{\circ}54'32''$ E for a distance of 189.00 feet; thence $S2^{\circ}05'28''$ E for a distance of 156.98 feet to the centerline of Smith Road; thence along said centerline $N87^{\circ}59'10''$ W for a distance of 193.62 feet to the true point of beginning and containing 0.690 of an acre.

Parcel No. 15

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence $N3^{\circ}56'00''$ E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, $S80^{\circ}00'42''$ E for a distance of 734.83 feet to a 5/8 inch steel rebar found; thence $S3^{\circ}42'42''$ W for a distance of 124.00 feet to the true point of beginning of the parcel herein described; thence continuing $S3^{\circ}42'42''$ W for a distance of 319.04 feet; thence $S54^{\circ}30'00''$ W for a distance of 143.27 feet; thence $N40^{\circ}00'00''$ W for a distance of 91.00 feet; thence $N39^{\circ}16'05''$ W for a distance of 39.52 feet; thence $N50^{\circ}00'00''$ E for a distance of 20.21 feet; thence along the arc of a curve to the right having a radius of 212.58 feet, a central angle of $11^{\circ}26'00''$, a tangent of 21.28 feet and a chord of 42.35 feet which bears $N55^{\circ}43'00''$ E, for an arc distance of 42.42 feet; thence along the arc of a curve to the left having a radius of 87.00 feet, a central angle of $65^{\circ}45'54''$, a tangent of 56.25 feet and a chord of 94.47 feet which bears $N28^{\circ}33'03''$ E, for an arc distance of 99.86 feet; thence $N85^{\circ}40'14''$ E for a distance of 40.00 feet; thence $N54^{\circ}42'42''$ W for a distance of 94.66 feet to the true point of beginning and containing 0.692 acres.

Parcel No. 16

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence $N3^{\circ}56'00''E$ along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, $S80^{\circ}00'42''E$ for a distance of 622.83 feet; thence $S24^{\circ}00'00''W$ for a distance of 90.00; thence $S41^{\circ}13'00''W$ for a distance of 52.00 feet to the true point of beginning of the parcel herein described; thence along the arc of a curve to the right having a radius of 206.00 feet, a central angle of $10^{\circ}18'27''$, a tangent of 18.58 feet and a chord of 37.01 feet which bears $S51^{\circ}43'14''E$, for an arc distance of 37.06 feet; thence along the arc of a curve to the right having a radius of 87.00 feet, a central angle of $108^{\circ}25'26''$, a tangent of 120.68 feet and a chord of 141.15 feet which bears $S7^{\circ}32'18''E$, for an arc distance of 164.63 feet; thence along the arc of a curve to the left having a radius of 212.58 feet, a central angle of $11^{\circ}26'00''$, a tangent of 21.28 feet and a chord of 42.33 feet which bears $S55^{\circ}43'00''W$, for an arc distance of 42.42 feet; thence $S50^{\circ}00'00''W$ for a distance of 20.21 feet; thence $N2^{\circ}14'06''W$ for a distance of 139.78 feet; thence $N86^{\circ}04'00''W$ for a distance of 48.84 feet; thence $N3^{\circ}56'00''E$ for a distance of 63.00 feet; thence $S86^{\circ}04'00''E$ for a distance of 90.00 feet to the true point of beginning and containing 0.408 acres.

Parcel No. 17

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence $S87^{\circ}59'10''E$ along the centerline of Smith Road for a distance of 409.62 feet to the true point of beginning of the parcel herein being described; thence $N2^{\circ}05'28''E$ for a distance of 156.98 feet; thence $S87^{\circ}54'32''E$ for a distance of 163.18 feet; thence along the arc of a curve to the left having a radius of 100.00 feet, a central angle of $22^{\circ}13'20''$, a tangent of 19.64 feet and a chord of 38.54 feet which bears $N80^{\circ}58'48''E$, for an arc distance of 38.78 feet; thence $S2^{\circ}05'28''W$ for a distance of 164.14 feet to the centerline of Smith Road; thence along said centerline $N87^{\circ}59'10''W$ for a distance of 201.00 feet to the true point of beginning and containing 0.72 of an acre.

PARCEL NO. 2

Situated in the City of Akron, County of Summit and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows: Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 644.09 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence S84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"E for a distance of 191.84 feet; thence N3°56'00"E for a distance of 419.87 feet; thence along the south line of 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records, S80°00'42"E for a distance of 514.60 feet to a 5/8 inch rebar found; thence S3°42'42"W for a distance of 384.42 feet to a 5/8 inch rebar found; thence S3°32'36"W for a distance of 396.08 feet to the centerline of Smith Road and passing over a 3/4 inch pinched top steel pipe found 30.00 feet from said centerline; thence along the centerline of Smith Road, N87°21'27"W for a distance of 54.80 feet to an angle point; thence continuing along said centerline and the centerline tangent, N87°59'10"W for a distance of 680.51 feet to the point of beginning and containing 12.433 acres.

Excepting therefrom the following described Parcels No. 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 17:

Situated in the City of Akron, County of Summit, and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows:

Parcel No. 3

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline, N3°56'00"E for a distance of 243.26 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence N84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"W for a distance of 30.45 feet to the true point of beginning and containing 0.725 of an acre.

Parcel No. 4

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 45.68 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 241.89 feet; thence S82°15'09"E for a distance of 62.29 feet; thence S1°34'00"E for a distance of 223.27 feet; thence S79°38'23"W for a distance of 12.33 feet; thence S84°04'00"W for a distance of 72.68 feet to the true point of beginning and containing 0.390 of an acre.

Parcel No. 5

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 882.02 feet (Previously shown incorrectly as 918.02 feet) to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 402.60 feet; thence S24°00'00"W for a distance of 90.00 feet; thence S41°13'00"W for a distance of 51.53 feet; thence N86°04'00"W for a distance of 90.00 feet; thence S3°56'00"W for a distance of 63.00 feet; thence N86°04'00"W for a distance of 177.00 feet; thence N1°34'00"W for a distance of 95.00 feet; thence N82°15'09"W for a distance of 62.29 feet; thence N3°56'00"E for a distance of 132.30 feet to the true point of beginning containing 1.487 acres.

Parcel No. 6

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 253.50 feet; thence N84°04'00"E for a distance of 223.13 feet; thence S4°50'18"E for a distance of 224.50 feet; thence S4°53'56"W for a distance of 50.06 feet; thence N87°53'40"W for a distance of 50.02 feet; thence N4°50'18"E for a distance of 29.43 feet; thence N86°04'00"W for a distance of 60.92 feet; thence N3°56'00"E for a distance of 10.00 feet; thence N86°04'00"W for a distance of 5.15 feet; thence S65°03'57"W for a distance of 114.01 feet to the true point of beginning containing 1.209 acres. VOL 7565 PAGE 345

Parcel No. 7

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road, said boat spike being the true point of beginning of the parcel herein being described; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet; thence N65°03'57"E for a distance of 114.01 feet; thence S86°04'00"E for a distance of 5.15 feet; thence S3°56'00"W for a distance of 10.00 feet; thence S86°04'00"E for a distance of 60.92 feet; thence S4°50'18"W for a distance of 29.43 feet; thence S87°53'40"E for a distance of 50.02 feet; thence S3°46'28"W for a distance of 157.13 feet to the centerline of Smith Road; thence N87°59'10"W along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning containing 0.863 acres.

Parcel No. 8

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 5.28 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 40.40 feet; thence N84°04'00"E for a distance of 72.68 feet; thence N79°38'23"E for a distance of 12.33 feet; thence N1°34'00"W for a distance of 128.27 feet; thence S86°04'00"E for a distance of 160.00 feet; thence S2°14'06"E for a distance of 113.68 feet; thence S4°03'11"W for a distance of 49.95 feet; thence N87°00'00"W for a distance of 109.39 feet; thence along the arc of a curve to the left having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet which bears S88°32'00"W for an arc distance of 56.76 feet; thence S84°04'00"W for a distance of 78.71 feet to the true point of beginning and containing 0.685 acres.

Parcel No. 9

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 622.83 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 112.00 feet to a 5/8 inch steel rebar found; thence S3°42'42"W for a distance of 124.00 feet; thence S54°42'42"W for a distance of 94.66 feet; thence S85°40'14"W for a distance of 40.00 feet; thence along the arc of a curve to the left having a radius of 87.00 feet, a central angle of 42°14'14", a tangent of 33.60 feet and a chord of 62.69 feet which bears N25°26'53"W, for an arc distance of 64.13 feet; thence along the arc of a curve to the left having

a radius of 206.00 feet, a central angle of $10^{\circ}10'27''$, a tangent of 18.58 feet and a chord of 37.01 feet which bears $N51^{\circ}43'14''W$, for an arc distance of 37.06 feet; thence $N41^{\circ}13'00''E$ for a distance of 52.00 feet; thence $N24^{\circ}00'00''E$ for a distance of 90.00 feet to the true point of beginning and containing 0.550 acres.

PARCEL No. 10

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence $N3^{\circ}56'00''E$ along the centerline of Sourek Road, for a distance of 400.83 feet; thence $N84^{\circ}04'00''E$ for a distance of 222.29 feet; thence $N3^{\circ}56'00''E$ for a distance of 5.28 feet; thence $N84^{\circ}04'00''E$ for a distance of 78.71 feet to the true point of beginning of the parcel herein being described; thence along the arc of a curve to the right having a radius of 364.04 feet, a central angle of $8^{\circ}56'00''$, a tangent of 28.44 feet, a chord of 56.70 feet, which bears $N88^{\circ}32'00''E$, for an arc distance of 56.76 feet; thence $S87^{\circ}00'00''E$ for a distance of 109.39 feet; thence $N4^{\circ}03'11''E$ for a distance of 49.95 feet; thence along the arc of a curve to the right having a radius of 99.49 feet, a central angle of $43^{\circ}16'53''$, a tangent of 39.47 feet and a chord of 73.38 feet, which bears $S65^{\circ}21'33''E$, for an arc distance of 75.16 feet; thence $S43^{\circ}27'23''W$ for a distance of 50.75 feet; thence $S23^{\circ}40'02''W$ for a distance of 66.00 feet; thence $S76^{\circ}26'53''W$ for a distance of 182.00 feet; thence $N1^{\circ}00'00''E$ for a distance of 125.00 feet to the true point of beginning and containing 0:507 acres.

Parcel No. 11

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence $S87^{\circ}59'10''E$ along the centerline of Smith Road, for a distance of 216.00 feet; thence $N3^{\circ}46'28''E$ for a distance of 157.31 feet to the true point of beginning of the parcel herein being described; thence $N4^{\circ}53'56''E$ for a distance of 50.06 feet; thence $N4^{\circ}50'18''E$ for a distance of 244.50 feet; thence $N84^{\circ}04'00''E$ for a distance of 0.16 feet; thence $N3^{\circ}56'00''E$ for a distance of 5.28 feet; thence $N84^{\circ}04'00''E$ for a distance of 78.71 feet; thence $S1^{\circ}00'00''W$ for a distance of 125.00 feet; thence $N76^{\circ}26'53''E$ for a distance of 151.92 feet; thence $S2^{\circ}05'22''W$ for a distance of 206.49 feet; thence $N87^{\circ}54'32''W$ for a distance of 240.00 feet to the true point of beginning and containing 1.190 acres.

Parcel No. 12

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence $S87^{\circ}59'10''E$ along the centerline of Smith Road for a distance of 216.00 feet; thence $N3^{\circ}46'28''E$ for a distance of 157.31 feet; thence $S87^{\circ}54'32''E$ for a distance of 240.00 feet; thence

N2°05'22"E for a distance of 144.00 feet to the true point of beginning of the parcel herein being described; thence continuing N2°05'22"E for a distance of 42.49 feet; thence N74°24'33"E for a distance of 30.08 feet; thence N23°40'02"E for a distance of 44.00 feet; thence N43°27'23"E for a distance of 30.73 feet; thence S39°14'03"E for a distance of 39.32 feet; thence S40°00'00"E for a distance of 91.00 feet; thence S50°00'00"W for a distance of 108.71 feet; thence N87°54'38"W for a distance of 93.21 feet to the true point of beginning and containing 0.392 acres.

Parcel No. 13

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet; thence S87°54'32"E for a distance of 240.00 feet to the true point of beginning of the parcel herein being described; thence N2°05'22"E for a distance of 144.00 feet thence S87°54'38"E for a distance of 93.21 feet; thence N50°00'00"E for a distance of 108.71 feet; thence S40°00'00"E for a distance of 14.26 feet; thence along the arc of a curve to the right having a central angle of 43°05'28", a radius of 113.47 feet, a tangent of 44.80 feet and a chord of 83.34 feet which bears S18°27'16"W, for an arc distance of 85.34 feet; thence S3°05'28"W for a distance of 30.00 feet; thence along the arc of a curve to the right having a central angle of 89°00'00", a radius of 100.00 feet, a tangent of 98.27 feet and a chord of 140.18 feet which bears S47°35'28"W, for an arc distance of 155.33 feet; thence N87°54'32"W for a distance of 112.18 feet to the true point of beginning and containing 0.761 of an acre.

Parcel No. 14

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning of the parcel herein being described; thence N3°46'28"E for a distance of 157.31 feet; thence S87°54'32"E for a distance of 189.00 feet; thence S2°05'28"E for a distance of 156.98 feet to the centerline of Smith Road; thence along said centerline N87°59'10"W for a distance of 193.62 feet to the true point of beginning and containing 0.690 of an acre.

Parcel No. 15

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 734.83 feet to a 5/8 inch steel rebar found; thence S3°42'42"W for a distance of 124.00

feet to the true point of beginning of the parcel herein described; thence continuing $63^{\circ}42'42''$ W for a distance of 319.04 feet; thence $65^{\circ}30'00''$ W for a distance of 143.27 feet; thence $N40^{\circ}00'00''$ W for a distance of 91.00 feet; thence $N39^{\circ}16'05''$ W for a distance of 39.52 feet; thence $N50^{\circ}00'00''$ E for a distance of 20.21 feet; thence along the arc of a curve to the right having a radius of 212.58 feet, a central angle of $11^{\circ}26'00''$, a tangent of 21.28 feet and a chord of 42.35 feet which bears $N55^{\circ}43'00''$ E, for an arc distance of 42.42 feet; thence along the arc of a curve to the left having a radius of 87.00 feet, a central angle of $65^{\circ}45'54''$, a tangent of 56.25 feet and a chord of 94.47 feet which bears $N28^{\circ}33'03''$ E, for an arc distance of 99.86 feet; thence $N85^{\circ}40'14''$ E for a distance of 40.00 feet; thence $N54^{\circ}42'42''$ W for a distance of 94.66 feet to the true point of beginning and containing 0.692 acres.

Parcel No. 16

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence $N3^{\circ}56'00''$ E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, $S80^{\circ}00'42''$ E for a distance of 622.83 feet; thence $S24^{\circ}00'00''$ W for a distance of 90.00; thence $S41^{\circ}13'00''$ W for a distance of 52.00 feet to the true point of beginning of the parcel herein described; thence along the arc of a curve to the right having a radius of 206.00 feet, a central angle of $10^{\circ}18'27''$, a tangent of 18.58 feet and a chord of 37.01 feet which bears $S51^{\circ}43'14''$ E, for an arc distance of 37.06 feet; thence along the arc of a curve to the right having a radius of 87.00 feet, a central angle of $108^{\circ}25'26''$, a tangent of 120.68 feet and a chord of 141.15 feet which bears $S7^{\circ}32'18''$ E, for an arc distance of 164.63 feet; thence along the arc of a curve to the left having a radius of 212.58 feet, a central angle of $11^{\circ}26'00''$, a tangent of 21.28 feet and a chord of 42.35 feet which bears $S55^{\circ}43'00''$ W, for an arc distance of 42.42 feet; thence $S50^{\circ}00'00''$ W for a distance of 20.21 feet; thence $N2^{\circ}14'06''$ W for a distance of 139.78 feet; thence $N86^{\circ}04'00''$ W for a distance of 48.84 feet; thence $N3^{\circ}56'00''$ E for a distance of 63.00 feet; thence $S86^{\circ}04'00''$ E for a distance of 90.00 feet to the true point of beginning and containing 0.408 acres.

Parcel No. 17

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence $S87^{\circ}59'10''$ E along the centerline of Smith Road for a distance of 409.62 feet to the true point of beginning of the parcel herein being described; thence $N2^{\circ}05'28''$ E for a distance of 156.98 feet; thence $S87^{\circ}54'32''$ E for a distance of 163.18 feet; thence along the arc of a curve to the left having a radius of 100.00 feet, a central angle of $22^{\circ}13'20''$, a tangent of 19.64 feet and a chord of 38.54 feet which bears $N80^{\circ}58'48''$ E, for an arc distance of 38.78 feet; thence $S2^{\circ}05'28''$ W for a distance of 164.14 feet to the centerline of Smith Road; thence along said centerline $N87^{\circ}59'10''$ W for a distance of 201.00 feet to the true point of beginning and containing 0.72 of an acre.

Leaving 1.164 acres remaining in Parcel No. 2.

EXHIBIT E

PAR VALUE (PERCENTAGES OF INTEREST) OF UNITS

<u>Unit Address</u>	<u>Floor Plan Type</u>	<u>Par Values</u>
1886 Indian Hills Trail	E	1.76
1890 Indian Hills Trail	B	1.09
1896 Indian Hills Trail	B	1.09
1900 Indian Hills Trail	B	1.09
1904 Indian Hills Trail	B	1.09
1870 Indian Hills Trail	C	1.23
1871 Indian Hills Trail	D	1.39
1873 Indian Hills Trail	B	1.09
1874 Indian Hills Trail	E	1.76
1877 Indian Hills Trail	B	1.09
1878 Indian Hills Trail	E	1.76
1879 Indian Hills Trail	C	1.23
1880 Indian Hills Trail	B	1.09
1885 Indian Hills Trail	B	1.09
1889 Indian Hills Trail	B	1.09
1763 Bent Bow Drive	E	1.76
1767 Bent Bow Drive	B	1.09
1771 Bent Bow Drive	E	1.76
1775 Bent Bow Drive	D	1.39
1776 Bent Bow Drive	E	1.76
1778 Bent Bow Drive	D	1.39
1779 Bent Bow Drive	C	1.23
1783 Bent Bow Drive	D	1.39
1784 Bent Bow Drive	B	1.09
1786 Bent Bow Drive	A	.94
1787 Bent Bow Drive	C	1.23
1791 Bent Bow Drive	E	1.76
1795 Bent Bow Drive	D	1.39
1842 Indian Hills Trail	E	1.76
1846 Indian Hills Trail	C	1.23
1850 Indian Hills Trail	E	1.76
1854 Indian Hills Trail	D	1.39
1858 Indian Hills Trail	B	1.09
1862 Indian Hills Trail	C	1.23
1832 Indian Hills Trail	A	.94
1836 Indian Hills Trail	C	1.23
1700 Rock Hill Lane	A	.94
1704 Rock Hill Lane	B	1.09
1708 Rock Hill Lane	C	1.23
1712 Rock Hill Lane	C	1.23
1755 Bent Bow Drive	E	1.76
1757 Bent Bow Drive	E	1.76
1759 Bent Bow Drive	E	1.76
1701 Rock Hill Lane	B	1.09

<u>Unit Address</u>	<u>Floor Plan Type</u>	<u>Par Values</u>
1703 Rock Hill Lane	A	.94
1705 Rock Hill Lane	B	1.09
1707 Rock Hill Lane	D	1.39
1845 Indian Hills Trail	A	.94
1849 Indian Hills Trail	A	.94
1853 Indian Hills Trail	E	1.76
1857 Indian Hills Trail	B	1.09
1861 Indian Hills Trail	A	.94
1779 Rock Hill Lane	D	1.39
1785 Rock Hill Lane	D	1.39
1789 Rock Hill Lane	D	1.39
1721 Rock Hill Lane	D	1.39
1723 Rock Hill Lane	D	1.39
1763 Rock Hill Lane	B	1.09
1765 Rock Hill Lane	D	1.39
1771 Rock Hill Lane	B	1.09
1786 Rock Hill Lane	A	.94
1790 Rock Hill Lane	B	1.09
1794 Rock Hill Lane	B	1.09
1798 Rock Hill Lane	C	1.23
1737 Bent Bow Drive	E	1.76
1739 Bent Bow Drive	D	1.39
1745 Bent Bow Drive	B	1.09
1749 Bent Bow Drive	C	1.23
1742 Bent Bow Drive	A	.94
1748 Bent Bow Drive	A	.94
1768 Rock Hill Lane	A	.94
1770 Rock Hill Lane	A	.94
1772 Rock Hill Lane	A	.94
1776 Rock Hill Lane	A	.94

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Indian Hills Devel. Co.

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* For Plat See Cat. "D" Pgs. 12-13-14 Incl.

RECEIVED FOR RECORDS
FEB 25 1988

WILLIAMS P

Recorded FEB 26 1988

Vol 7592 - 121-144

Co. of Summit, Ohio

FOURTEENTH AMENDMENT
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
INDIAN HILLS CONDOMINIUM

$56.00 + 64.80 = 120.80$

This will certify that copies of this Fourteenth Amendment to Declaration of Condominium Ownership For Indian Hills Condominium with the following exhibits attached hereto have been filed in the Office of the County Auditor, County of Summit, Ohio:

1. Exhibit A - Legal Description of Parcel No. 1;
2. Exhibit B - Legal Description of Parcel No. 2;
3. Exhibit D - Drawings; and
4. Exhibit E - Schedule of Par Values (Percentages of Interest)

Approved as to Form:

Auditor of County of Summit

William E. Smith
Assistant Prosecuting Attorney

Tim Davis
Tim Davis
Deputy Auditor

Dated: 2-24-88

Dated: 2-25-88

This Instrument Prepared By:
Jay P. Porter
BROUSE & McDOWELL
500 First National Tower
Akron, Ohio 44308-1471

TRANSFER NOT NECESSARY
FEB 25 1988
Tim Davis, County Auditor

7592 - 121

FOURTEENTH AMENDMENT
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
INDIAN HILLS CONDOMINIUM

THIS FOURTEENTH AMENDMENT TO THE DECLARATION OF CONDOMINIUM OWNERSHIP is made this 17th day of February, 1988, by INDIAN HILLS DEVELOPMENT COMPANY, an Ohio corporation ("Developer") of Akron, Ohio.

WHEREAS, INDIAN HILLS CONDOMINIUM ("Condominium") is governed by and subject to the terms and provisions of a certain Declaration of Condominium Ownership, dated October 4, 1984, (the "Declaration") duly recorded in Volume 6987 at Page 359 et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet A, Slides 525-530, inclusive, of the County of Summit Records, all being duly filed for record on or about the 11th day of October, 1984 and recorded on the 26th day of October, 1984; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain First Amendment to Declaration of Condominium Ownership (the "First Amendment") dated the 17th day of April, 1985, duly recorded in Volume 7042, Pages 387 et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet A, Slides 788-794, inclusive, of the County of Summit Records, all being duly filed for record on or about April 24, 1985, and recorded on May 14, 1985; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Second Amendment to Declaration of Condominium Ownership (the "Second Amendment") dated the 4th day of November 1985, duly recorded in Volume 7137, Pages 815 et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 267-275, inclusive, of the County of Summit Records, all being duly filed for record on or about November 12, 1985, and recorded on November 21, 1985; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Third Amendment to Declaration of Condominium Ownership (the "Third Amendment") dated the 26th day of March, 1986, duly recorded in Volume 7236, Pages 635, et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 504-508, inclusive, of the County of Summit Records, all being duly filed for record on or about April 4, 1986, and recorded on April 21, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Fourth Amendment to Declaration of Condominium Ownership (the "Fourth Amendment")

dated the 9th day of June, 1986, duly recorded in Volume 7279, Pages 311, et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 556-561, inclusive of the County of Summit Records, all being duly filed for record on or about June 20, 1986, and recorded on July 3, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Fifth Amendment to Declaration of Condominium Ownership (the "Fifth Amendment"), dated the 2nd day of September, 1986, and duly recorded in Volume 7290, Pages 49, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 678-680, inclusive, of the County of Summit Records, all being duly filed for record on or about September 12, 1986, and recorded on September 24, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Sixth Amendment to Declaration of Condominium Ownership (the "Sixth Amendment"), dated the 16th day of September, 1986, and duly recorded in Volume 7319, Pages 673, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 694-696, inclusive, of the County of Summit Records, all being duly filed for record on or about September 22, 1986, and recorded on October 30, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Seventh Amendment to Declaration of Condominium Ownership (the "Seventh Amendment") dated the 29th day of October, 1986, and duly recorded in Volume 7321, Pages 891, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 795-800, inclusive, of the County of Summit Records, all being duly filed for record on or about November 17, 1986, and recorded on November 18, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Eighth Amendment to Declaration of Condominium Ownership (the "Eighth Amendment") dated the 28th day of January, 1987, and duly recorded in Volume 7364, Pages 942, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet C, Slides 140-142, inclusive, of the County of Summit Records, all being duly filed for record and recorded on or about February 5, 1987; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Ninth Amendment to Declaration of Condominium Ownership (the "Ninth Amendment") dated the 8th day of July, 1987, and duly recorded in Volume 7456, Pages 303, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet C,

7592-123

Slides 383-385, inclusive, of the County of Summit Records, all being duly filed for record on July 13, 1987, and recorded on July 14, 1987; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Tenth Amendment to Declaration of Condominium Ownership (the "Tenth Amendment") dated the 1st day of October, 1987, and duly recorded in Volume 7513, Pages 435, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet C, Slides 543-545, inclusive, of the County of Summit Records, all being duly filed for record on October 6, 1987, and recorded on October 7, 1987; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Eleventh Amendment to Declaration of Condominium Ownership (the "Eleventh Amendment") dated the 22nd day of October, 1987, and duly recorded in Volume 7516, Pages 615, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet C, Slides 590-594, inclusive, of the County of Summit Records, all being duly filed for record on October 29, 1987, and recorded on November 2, 1987; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Twelfth Amendment to Declaration of Condominium Ownership (the "Twelfth Amendment") dated the 24th day of November, 1987, and duly recorded in Volume 7560, Pages 519, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet C, Slides 647-649, inclusive, of the County of Summit Records, all being duly filed for record on or about November 25, 1987, and recorded on December 1, 1987; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Thirteenth Amendment to Declaration of Condominium Ownership (the "Thirteenth Amendment") dated the 28th day of December, 1987, and duly recorded in Volume 7565, Pages 329, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet C, Slides 748-750, inclusive, of the County of Summit Records, all being duly filed for record and recorded on December 31, 1987; and

WHEREAS, pursuant to Article XVI of the Declaration, the Developer reserved the right to add to the original Condominium Property, certain property adjacent thereto by amending the Declaration of record, and by submitting such additional property to the provisions of the Declaration and Chapter 5311 of the Ohio Revised Code; and

WHEREAS, the Developer desires to add certain land containing Units to the Condominium, and to uniformly allocate and reallocate par values (percentages of interests) for the Units.

NOW, THEREFORE, the Developer, for itself and as attorney in fact for the Unit Owners and their mortgagees, and for the purposes set forth hereinabove, hereby declares as follows:

1. RECITALS INCORPORATED. That the Recitals hereinabove set forth are incorporated herein by reference and made a part hereof.

2. DEFINITIONS. That the definitions contained in Article I(B) of the Declaration are applicable to the words and phrases used in this Thirteenth Amendment to Declaration unless the context otherwise requires.

3. AMENDMENT TO DECLARATION. That the Declaration is hereby amended and supplemented in the following respects:

- (a) Legal Descriptions. Exhibit A to the Thirteenth Amendment (which replaced Exhibit A to the original Declaration) is replaced by Exhibit A attached to this Fourteenth Amendment to Declaration. Exhibit B to the Thirteenth Amendment (which replaced Exhibit B to the original Declaration) is replaced by Exhibit B attached to this Fourteenth Amendment to Declaration.
- (b) Drawings. Exhibit D to the original Declaration, Exhibit D to the First Amendment, Exhibit D to the Second Amendment, Exhibit D to the Third Amendment, Exhibit D to the Fourth Amendment, Exhibit D to the Fifth Amendment, Exhibit D to the Sixth Amendment, Exhibit D to the Seventh Amendment, Exhibit D to the Eighth Amendment, Exhibit D to the Ninth Amendment, Exhibit D to the Tenth Amendment, Exhibit D to the Eleventh Amendment, Exhibit D to the Twelfth Amendment, and Exhibit D to the Thirteenth Amendment (the "Drawings") are amended and supplemented to include the Drawings attached to this Fourteenth Amendment to Declaration as Exhibit D.
- (c) General Description of Buildings. Article IV of the original Declaration entitled "General Description of Buildings" which was previously amended by the First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment, Sixth Amendment, Seventh Amendment, Eighth Amendment, Ninth Amendment, Tenth Amendment, Eleventh Amendment, Twelfth Amendment, and Thirteenth Amendment, is amended to read as follows:

7592-125

"There are twenty-one (21) residential buildings which are a part of the Condominium Property, one of which contains two Units (1886 and 1890 Indian Hills Trail), one of which contains three Units (1896, 1900 and 1904 Indian Hills Trail), one of which contains four Units (1870, 1874, 1878 and 1880 Indian Hills Trail), one of which contains six Units (1871, 1873, 1877, 1879, 1885 and 1889 Indian Hills Trail), one of which contains four Units (1783, 1787, 1791 and 1795 Bent Bow Drive), one of which contains five Units (1763, 1767, 1771, 1775 and 1779 Bent Bow Drive), one of which contains four Units (1776, 1778, 1784 and 1786 Bent Bow Drive), one of which contains six Units (1842, 1846, 1850, 1854, 1858, and 1862 Indian Hills Trail), one of which contains two Units (1832 and 1836 Indian Hills Trail), one of which contains four Units (1700, 1704, 1708, and 1712 Rock Hill Lane), one of which contains four Units (1701, 1703, 1705,, and 1707 Rock Hill Lane), one of which contains three Units (1755, 1757 and 1759 Bent Bow Drive), one of which contains five Units (1845, 1849, 1853, 1857 and 1861 Indian Hills Trail), one of which contains three Units (1779, 1785, and 1789 Rock Hill Lane), one of which contains two Units (1721 and 1723 Rock Hill Lane), one of which contains three Units (1763, 1765 and 1771 Rock Hill Lane), one of which contains four Units (1786, 1790, 1794 and 1798 Rock Hill Lane), one of which contains two Units (1737 and 1739 Bent Bow Drive), one of which contains two Units (1745 and 1749 Bent Bow Drive), one of which contains two Units (1742 and 1748 Bent Bow Drive), one of which contains four Units (1768, 1770, 1772 and 1776 Rock Hill Lane), and one of which contains two Units (1742 and 1746 Rock Hill Lane). The buildings are located as shown on the Drawings.

The principal materials of which the buildings are constructed are wood, glass, concrete, concrete block, brick and drywall."

- (d) Information About Condominium Property. The first sentence of Article V of the original Declaration entitled "Information About Condominium Property", which was previously amended by the First Amendment, the Second

Amendment, the Third Amendment, the Fourth Amendment, the Fifth Amendment, the Sixth Amendment, the Seventh Amendment, the Eighth Amendment, the Ninth Amendment, the Tenth Amendment, the Eleventh Amendment, the Twelfth Amendment, and the Thirteenth Amendment, is amended to read as follows:

"The Condominium Property, until additions are made to the Condominium Property pursuant to the provisions of Article XVI hereof, is hereby divided into seventy-six (76) separately designated and legally described freehold estates, hereindescribed and referred to as 'Units', and one (1) freehold estate, herein described and referred to as the 'Common Areas and Facilities.'"

(e) Par Values (Percentages of Interest) in Common Areas and Facilities. Exhibit E to the Thirteenth Amendment (which replaced Exhibit E to the original Declaration) is replaced by Exhibit E attached to this Fourteenth Amendment to Declaration of Condominium.

4. OTHER PROVISIONS REMAIN IN FULL FORCE AND EFFECT. Except as hereinabove amended and supplemented, all of the provisions of the Declaration and First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment, Sixth Amendment, Seventh Amendment, Eighth Amendment, Ninth Amendment, Tenth Amendment, Eleventh Amendment, Twelfth Amendment, and Thirteenth Amendment, shall be and remain in full force and effect.

IN WITNESS WHEREOF, the undersigned has executed this instrument this 17th day of February, 1988, for itself and on behalf of the Unit Owners of Indian Hills Condominium and their respective mortgages.

Signed and Acknowledged
In the Presence of:

Jay P. Porter
Carol Kelly

Jay P. Porter
Carol Kelly

Developer - INDIAN HILLS
DEVELOPMENT COMPANY

By: D. Zell
Dan Zarkovacki -
Vice President

and

By: John Zarkovacki
John Zarkovacki -
Secretary

7592-127

STATE OF OHIO)
) SS
SUMMIT COUNTY)

BEFORE ME, a Notary Public in and for said county and state, personally appeared the above named INDIAN HILLS DEVELOPEMENT COMPANY by Dan Zarkovacki, Vice President, and John Zarkovacki, Secretary, who acknowledged that they did sign the foregoing instrument and that the same is the free act and deed of the corporation and the free act and deed of each of them personally and as such officers.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Akron, Ohio, this 17th day of February, 1988.

Jay P. Porter
Notary Public
JAY PAUL PORTER, Attorney
Notary Public - State of Ohio
My commission has no expiration date
Sec. 147.03 R.C.

CONSENT OF MORTGAGEE

The undersigned, PEOPLES FEDERAL SAVINGS BANK f.k.a. PEOPLES FEDERAL SAVINGS AND LOAN ASSOCIATION, is mortgagee of the premises described in the within Fourteenth Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium by virtue of two Mortgage Deeds Executed by Indian Hills Development Company, and recorded in the Mortgage Records of the Recorder of Summit County, Ohio, in Volume 6885, Page 438, et seq., and Volume 6885, Page 453, et seq.

The undersigned hereby consents to the execution and delivery of the foregoing Fourteenth Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium, with the Exhibits and Drawings attached as Exhibits thereto, and to the filing thereof in the Office of the County Recorder of Summit County, Ohio, and further, subjects and subordinates the aforescribed Mortgage Deeds to the foregoing Fourteenth Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium, with the Exhibits and Drawings attached as Exhibits thereto, and to the provisions of Chapter 5311 of the Ohio Revised Code.

Signed in the Presence of:

PEOPLES FEDERAL SAVINGS BANK
f.k.a. PEOPLES FEDERAL SAVINGS
AND LOAN ASSOCIATION

Gene [Signature]
As to Both Signatures
Brad [Signature]

BY: William D. Courson
William D. Courson,
Chairman and President

William J. Courson
As to Both Signatures
Brad Brinkerhoff

By: Roy D. Bower
Roy D. Bower, Senior
Vice-President-Treasurer

STATE OF OHIO)
) SS
WAYNE COUNTY)

BEFORE ME, a Notary Public, in and for said County and State, personally appeared William J. Courson, the Chairman and President and Roy D. Bower, the Senior Vice President-Treasurer of PEOPLES FEDERAL SAVINGS BANK f.k.a. PEOPLES FEDERAL SAVINGS AND LOAN ASSOCIATION, who having been first duly sworn acknowledged that they did execute the foregoing instrument and that the same was their free act and deed individually and as such Officers and the free act and deed of said Association.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Wooster, Ohio, this 9th day of February, 1988.

Brad Brinkerhoff
NOTARY PUBLIC
BRAD BRINKERHOFF
NOTARY PUBLIC OF STATE OF OHIO
MY COMMISSION EXPIRES
NOVEMBER 20, 1992

7592-129

PARCEL NO. 1

Indian Mills Condominium

Situated in the City of Akron, County of Summit, and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows:

PARCEL NO. 1

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N03°56'00"E for a distance of 644.09 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline of Sourek Road, N03°56'00"E for a distance of 237.93 feet to a one inch in outer diameter steel pipe found at the southwest corner of a 3.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 3.6 acre parcel, S80°00'42"E for a distance of 220.23 feet; thence S03°56'00"W for a distance of 419.87 feet; thence S84°04'00"W for a distance of 191.84 feet; thence N03°56'00"E for a distance of 50.75 feet; thence N84°04'00"E for a distance of 141.09 feet; thence N03°56'00"E for a distance of 163.12 feet; thence N86°04'00"W for a distance of 169.00 feet to the true point of beginning and containing 1.540 acres.

27 1-

Parcel No. 3

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline, N3°56'00"E for a distance of 243.26 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence N84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"W for a distance of 30.45 feet to the true point of beginning and containing 0.725 of an acre.

Parcel No. 4

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 45.68 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 241.89 feet; thence S82°15'00"E for a distance of 62.79 feet; thence S1°34'00"E for a distance of 223.27 feet; thence S70°30'23"W for a distance of 12.33 feet; thence S84°04'00"W for a distance of 72.68 feet to the true point of beginning and containing 0.396 of an acre.

Parcel No. 3

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, $N03^{\circ}56'00''E$ for a distance of 918.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in volume 1167, page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, $S80^{\circ}00'42''E$ for a distance of 220.33 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, $S80^{\circ}00'42''E$ for a distance of 402.60 feet; thence $S24^{\circ}00'00''W$ for a distance of 90.00 feet; thence $S41^{\circ}13'00''W$ for a distance of 51.53 feet; thence $N86^{\circ}04'00''W$ for a distance of 90.00 feet; thence $S03^{\circ}56'00''W$ for a distance of 63.00 feet; thence $N86^{\circ}04'00''W$ for a distance of 177.00 feet; thence $N01^{\circ}14'00''W$ for a distance of 95.00 feet; thence $N82^{\circ}15'09''W$ for a distance of 62.29 feet; thence $N03^{\circ}56'00''E$ for a distance of 132.30 feet to the true point of beginning containing 1.487 acres.

Parcel No. 6

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, $N3^{\circ}56'00''E$ for a distance of 147.33 feet to the true point of beginning of the parcel herein being described; thence continuing $N3^{\circ}56'00''E$ for a distance of 253.50 feet; thence $N84^{\circ}04'00''E$ for a distance of 223.13 feet; thence $S4^{\circ}50'16''E$ for a distance of 224.50 feet; thence $S4^{\circ}53'56''W$ for a distance of 50.06 feet; thence $N87^{\circ}53'40''W$ for a distance of 50.02 feet; thence $N4^{\circ}50'18''E$ for a distance of 29.43 feet; thence $N86^{\circ}04'00''W$ for a distance of 60.92 feet; thence $N3^{\circ}56'00''E$ for a distance of 10.00 feet; thence $N86^{\circ}04'00''W$ for a distance of 5.15 feet; thence $S65^{\circ}03'57''W$ for a distance of 114.01 feet to the true point of beginning containing 1.209 acres.

Parcel No. 7

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road, said boat spike being the true point of beginning of the parcel herein being described; thence along the centerline of Sourek Road, $N3^{\circ}56'00''E$ for a distance of 147.33 feet; thence $N65^{\circ}03'57''E$ for a distance of 114.01 feet; thence $S86^{\circ}04'00''E$ for a distance of 5.15 feet; thence $S3^{\circ}56'00''W$ for a distance of 10.00 feet; thence $S86^{\circ}04'00''E$ for a distance of 60.92 feet; thence $S4^{\circ}50'18''W$ for a distance of 29.43 feet; thence $S87^{\circ}53'40''E$ for a distance of 50.02 feet; thence $S3^{\circ}46'28''W$ for a distance of 157.13 feet to the centerline of Smith Road; thence $N87^{\circ}59'10''W$ along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning containing 0.863 acres.

7592-131

Parcel No. 8

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 9.28 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 40.40 feet; thence N84°04'00"E for a distance of 72.68 feet; thence N79°38'23"E for a distance of 12.33 feet; thence N1°34'00"W for a distance of 128.27 feet; thence S86°04'00"E for a distance of 160.00 feet; thence S2°14'06"E for a distance of 113.68 feet; thence S4°03'11"W for a distance of 49.95 feet; thence N87°00'00"W for a distance of 109.39 feet; thence along the arc of a curve to the left having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet which bears S88°32'00"W for an arc distance of 56.76 feet; thence S84°04'00"W for a distance of 78.71 feet to the true point of beginning and containing 0.685 acres.

Parcel No. 9

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 622.83 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 112.00 feet to a 5/8 inch steel rebar found; thence S3°42'42"W for a distance of 124.00 feet; thence S54°42'42"W for a distance of 94.66 feet; thence S85°40'14"W for a distance of 40.00 feet; thence along the arc of a curve to the left having a radius of 87.00 feet, a central angle of 42°14'14", a tangent of 33.60 feet and a chord of 62.69 feet which bears N25°26'53"W, for an arc distance of 64.13 feet; thence along the arc of a curve to the left having a radius of 206.00 feet, a central angle of 10°18'27", a tangent of 18.58 feet and a chord of 37.01 feet which bears N51°43'14"W, for an arc distance of 37.06 feet; thence N41°13'00"E for a distance of 52.00 feet; thence N24°00'00"E for a distance of 90.00 feet to the true point of beginning and containing 0.550 acres.

Parcel No. 10

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°55'00"E along the centerline of Sourek Road, for a distance of 100.00 feet; thence S04°04'00"E for a distance of 322.39 feet; thence N3°56'00"E for a distance of 8.28 feet; thence N04°04'00"E for a distance of 78.71 feet to the true point of beginning of the parcel herein being described; thence along the arc of a curve to the right having a radius of 164.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet, which bears N88°32'00"E, for an arc distance of 56.76 feet; thence S87°00'00"E for a distance of 109.39 feet; thence N4°03'11"E for a distance of 49.95 feet; thence along the arc of a curve to the right having a radius of 99.49 feet, a central angle of 43°16'53", a tangent of 39.47 feet and a chord of 73.38 feet, which bears S65°21'33"E, for an arc distance of 75.16 feet; thence S43°27'23"W for a distance of 50.75 feet; thence S23°40'02"W for a distance of 66.00 feet; thence S76°26'53"W for a distance of 182.00 feet; thence N1°00'00"E for a distance of 125.00 feet to the true point of beginning and containing 0.507 acres.

Parcel No. 11

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road, for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet to the true point of beginning of the parcel herein being described; thence N4°53'56"E for a distance of 50.06 feet; thence N4°50'18"E for a distance of 244.50 feet; thence N84°04'00"E for a distance of 0.16 feet; thence N3°56'00"E for a distance of 5.28 feet; thence N84°04'00"E for a distance of 78.71 feet; thence S1°00'00"W for a distance of 125.00 feet; thence N76°26'53"E for a distance of 151.92 feet; thence S2°05'22"W for a distance of 206.49 feet; thence N87°54'32"W for a distance of 240.00 feet to the true point of beginning and containing 1.190 acres.

7592-138

Parcel No. 12

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet; thence S87°54'32"E for a distance of 240.00 feet; thence N2°05'22"E for a distance of 144.00 feet to the true point of beginning of the parcel herein being described; thence continuing N2°05'22"E for a distance of 62.49 feet; thence N76°26'53"E for a distance of 30.08 feet; thence N23°40'02"E for a distance of 66.00 feet; thence N43°27'23"E for a distance of 50.75 feet; thence S39°16'05"E for a distance of 39.52 feet; thence S40°00'00"E for a distance of 91.00 feet; thence S50°00'00"W for a distance of 108.71 feet; thence N87°54'38"W for a distance of 93.21 feet to the true point of beginning and containing 0.392 acres.

Parcel No. 13

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence $S87^{\circ}59'10''E$ along the centerline of Smith Road for a distance of 214.00 feet; thence $N3^{\circ}46'28''E$ for a distance of 157.31 feet; thence $S87^{\circ}54'32''E$ for a distance of 240.00 feet to the true point of beginning of the parcel herein being described; thence $N2^{\circ}05'22''E$ for a distance of 144.00 feet; thence $S87^{\circ}54'38''E$ for a distance of 93.21 feet; thence $N30^{\circ}00'00''E$ for a distance of 108.71 feet; thence $S40^{\circ}00'00''E$ for a distance of 14.26 feet; thence along the arc of a curve to the right having a central angle of $43^{\circ}05'28''$, a radius of 113.47 feet, a tangent of 44.80 feet and a chord of 83.34 feet which bears $S18^{\circ}27'16''W$, for an arc distance of 85.34 feet; thence $S3^{\circ}05'28''W$ for a distance of 30.00 feet; thence along the arc of a curve to the right having a central angle of $89^{\circ}00'00''$, a radius of 100.00 feet, a tangent of 98.27 feet and a chord of 140.18 feet which bears $S47^{\circ}35'28''W$, for an arc distance of 155.33 feet; thence $N87^{\circ}54'32''W$ for a distance of 112.18 feet to the true point of beginning and containing 0.761 of an acre.

Parcel No. 14

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence $S87^{\circ}59'10''E$ along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning of the parcel herein being described; thence $N3^{\circ}46'28''E$ for a distance of 157.31 feet; thence $S87^{\circ}54'32''E$ for a distance of 189.00 feet; thence $S2^{\circ}05'28''E$ for a distance of 156.98 feet to the centerline of Smith Road; thence along said centerline $N87^{\circ}59'10''W$ for a distance of 193.62 feet to the true point of beginning and containing 0.690 of an acre.

Parcel No. 15

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence $N3^{\circ}56'00''E$ along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, $S80^{\circ}00'42''E$ for a distance of 734.83 feet to a 5/8 inch steel rebar found; thence $S3^{\circ}42'42''W$ for a distance of 124.00 feet to the true point of beginning of the parcel herein described; thence continuing $S3^{\circ}42'42''W$ for a distance of 319.04 feet; thence $S54^{\circ}30'00''W$ for a distance of 143.27 feet; thence $N40^{\circ}00'00''W$ for a distance of 91.00 feet; thence $N39^{\circ}16'05''W$ for a distance of 39.52 feet; thence $N50^{\circ}00'00''E$ for a distance of 20.21 feet; thence along the arc of a curve to the right having a radius of 212.58 feet, a central angle of $11^{\circ}26'00''$, a tangent of 21.28 feet and a chord of 42.35 feet which bears $N55^{\circ}43'00''E$, for an arc distance of 42.42 feet; thence along the arc of a curve to the left having a radius of 87.00 feet, a central angle of $65^{\circ}45'54''$, a tangent of 56.25 feet and a chord of 94.47 feet which bears $N28^{\circ}33'03''E$, for an arc distance of 99.86 feet; thence $N85^{\circ}40'14''E$ for a distance of 40.00 feet; thence $N54^{\circ}42'42''W$ for a distance of 94.66 feet to the true point of beginning and containing 0.692 acres.

Parcel No. 16

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°36'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 622.83 feet; thence S24°00'00"W for a distance of 90.00; thence S41°13'00"W for a distance of 52.00 feet to the true point of beginning of the parcel herein described; thence along the arc of a curve to the right having a radius of 206.00 feet, a central angle of 10°18'27", a tangent of 18.58 feet and a chord of 37.01 feet which bears S51°43'14"E, for an arc distance of 37.06 feet; thence along the arc of a curve to the right having a radius of 87.00 feet, a central angle of 108°25'26", a tangent of 120.68 feet and a chord of 141.15 feet which bears S7°32'18"E, for an arc distance of 164.63 feet; thence along the arc of a curve to the left having a radius of 212.58 feet, a central angle of 11°26'00", a tangent of 21.28 feet and a chord of 42.33 feet which bears S55°43'00"W, for an arc distance of 42.42 feet; thence S50°00'00"W for a distance of 20.21 feet; thence N2°14'06"W for a distance of 139.78 feet; thence N86°04'00"W for a distance of 48.84 feet; thence S°56'00"E for a distance of 63.00 feet; thence S86°04'00"E for a distance of 90.00 feet to the true point of beginning and containing 0.408 acres.

Parcel No. 17

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 409.62 feet to the true point of beginning of the parcel herein being described; thence N2°05'28"E for a distance of 156.98 feet; thence S87°54'32"E for a distance of 163.18 feet; thence along the arc of a curve to the left having a radius of 100.00 feet, a central angle of 22°13'20", a tangent of 19.64 feet and a chord of 38.54 feet which bears N80°58'48"E, for an arc distance of 38.78 feet; thence S2°05'28"W for a distance of 164.14 feet to the centerline of Smith Road; thence along said centerline N87°59'10"W for a distance of 201.00 feet to the true point of beginning and containing 0.72 of an acre.

Parcel No. 18

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 680.51 feet; thence continuing along said centerline S87°21'27"E for a distance of 54.80 feet; thence N3°32'36"E for a distance of 225.00 feet to the true point of beginning of the parcel herein being described; thence N86°27'24"W for a distance of 72.95 feet; thence along the arc of a curve to the left having a radius of 100.00 feet, a central angle of 16°40'41", a tangent of 14.66 feet and a chord of 29.01 feet which bears N11°25'49"E, for an arc distance of 29.11 feet; thence N3°05'28"E for a distance of 30.00 feet; thence along the arc of a curve to the left having a radius of 113.47 feet, a central angle of 43°05'28", a tangent of 44.80 feet and a chord of 83.34 feet which bears N18°27'16"W, for an arc distance of 85.34 feet; thence N40°00'00"W for a distance of 14.26 feet; thence N54°19'48"W for a distance of 142.55 feet; thence S3°42'42"W for a distance of 65.38 feet; thence S3°32'36"W for a distance of 171.08 feet to the true point of beginning and containing 0.373 of an acre.

7592-136

EXHIBIT B

PARCEL NO. 2

Situated in the City of Akron, County of Summit and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows: Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 644.09 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence S84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"E for a distance of 191.84 feet; thence N3°56'00"E for a distance of 419.87 feet; thence along the south line of 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume J167, Page 7 of the Summit County Deed Records, S80°00'42"E for a distance of 514.60 feet to a 5/8 inch rebar found; thence S3°42'42"W for a distance of 384.42 feet to a 5/8 inch rebar found; thence S3°32'36"W for a distance of 396.08 feet to the centerline of Smith Road and passing over a 3/4 inch pinched top steel pipe found 30.00 feet from said centerline; thence along the centerline of Smith Road, N87°21'27"W for a distance of 54.80 feet to an angle point; thence continuing along said centerline and the centerline tangent, N87°59'10"W for a distance of 680.51 feet to the point of beginning and containing 12.433 acres.

Excepting therefrom the following described Parcels No. 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18:

Situated in the City of Akron, County of Summit, and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows:

Parcel No. 3

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline, N3°56'00"E for a distance of 243.26 feet; thence S86°00'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence N84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"W for a distance of 30.45 feet to the true point of beginning and containing 0.725 of an acre.

Parcel No. 4

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 45.68 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 241.89 feet; thence S82°15'09"E for a distance of 62.29 feet; thence S1°34'00"E for a distance of 223.27 feet; thence S79°38'23"W for a distance of 12.33 feet; thence S84°04'00"W for a distance of 72.68 feet to the true point of beginning and containing 0.390 of an acre.

Parcel No. 5

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 882.02 feet (Previously shown incorrectly as 918.02 feet) to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 402.60 feet; thence S24°00'00"W for a distance of 90.00 feet; thence S41°13'00"W for a distance of 51.53 feet; thence N86°04'00"W for a distance of 90.00 feet; thence S3°56'00"W for a distance of 63.00 feet; thence N86°04'00"W for a distance of 177.00 feet; thence N1°34'00"W for a distance of 95.00 feet; thence N82°15'09"W for a distance of 62.29 feet; thence N3°56'00"E for a distance of 132.30 feet to the true point of beginning containing 1.487 acres.

Parcel No. 6

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 253.50 feet; thence N84°04'00"E for a distance of 223.13 feet; thence S4°50'18"E for a distance of 224.50 feet; thence S4°53'56"W for a distance of 50.06 feet; thence N87°53'40"W for a distance of 50.02 feet, thence N4°50'18"E for a distance of 29.43 feet, thence N86°04'00"W for a distance of 60.92 feet; thence N3°56'00"E for a distance of 10.00 feet; thence N86°04'00"W for a distance of 5.15 feet; thence S65°03'57"W for a distance of 114.01 feet to the true point of beginning containing 1.209 acres.

1892-137

Parcel No. 7

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road, said boat spike being the true point of beginning of the parcel herein being described; thence along the centerline of Sourek Road, N1°56'00"E for a distance of 147.33 feet; thence N65°03'57"E for a distance of 114.01 feet; thence S86°04'00"E for a distance of 5.15 feet; thence S3°56'00"W for a distance of 10.00 feet; thence S86°04'00"E for a distance of 60.92 feet; thence S4°50'18"W for a distance of 29.43 feet; thence S87°53'40"E for a distance of 50.02 feet; thence S3°46'28"W for a distance of 157.13 feet to the centerline of Smith Road; thence N87°59'10"W along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning containing 0.863 acres.

Parcel No. 8

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N1°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N1°56'00"E for a distance of 5.28 feet to the true point of beginning of the parcel herein being described; thence continuing N1°56'00"E for a distance of 40.40 feet; thence N84°04'00"E for a distance of 72.68 feet; thence N79°38'23"E for a distance of 12.33 feet; thence N1°34'00"W for a distance of 128.27 feet; thence S86°04'00"E for a distance of 160.00 feet; thence S2°14'06"E for a distance of 113.68 feet; thence S4°03'11"W for a distance of 49.95 feet; thence N87°00'00"W for a distance of 109.39 feet; thence along the arc of a curve to the left having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet which bears S88°32'00"W for an arc distance of 56.70 feet; thence S84°04'00"W for a distance of 78.71 feet to the true point of beginning and containing 0.685 acres.

Parcel No. 9

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N1°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 622.83 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 112.00 feet to a 5/8 inch steel rebar found; thence S3°42'42"W for a distance of 124.00 feet; thence S54°42'42"W for a distance of 94.66 feet; thence S85°40'14"W for a distance of 40.00 feet; thence along the arc of a curve to the left having a radius of 87.00 feet, a central angle of 42°14'14", a tangent of 33.60 feet and a chord of 62.69 feet which bears N25°26'53"W, for an arc distance of 64.13 feet; thence along the arc of a curve to the left having

a radius of 206.00 feet, a central angle of $10^{\circ}10'27''$, a tangent of 39.58 feet and a chord of 37.01 feet which bears $S51^{\circ}43'14''W$, for an arc distance of 37.06 feet; thence $N41^{\circ}33'00''E$ for a distance of 52.00 feet; thence $W24^{\circ}00'00''E$ for a distance of 90.00 feet to the true point of beginning and containing 0.550 acres.

PARCEL No. 10

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence $N3^{\circ}56'00''E$ along the centerline of Sourek Road, for a distance of 400.83 feet; thence $N84^{\circ}04'00''E$ for a distance of 222.29 feet; thence $N3^{\circ}56'00''E$ for a distance of 5.28 feet; thence $N84^{\circ}04'00''E$ for a distance of 78.71 feet to the true point of beginning of the parcel herein being described; thence along the arc of a curve to the right having a radius of 364.04 feet, a central angle of $8^{\circ}56'00''$, a tangent of 28.44 feet, a chord of 56.70 feet, which bears $N88^{\circ}32'00''E$, for an arc distance of 56.76 feet; thence $S87^{\circ}00'00''E$ for a distance of 109.39 feet; thence $N4^{\circ}03'11''E$ for a distance of 49.95 feet; thence along the arc of a curve to the right having a radius of 99.49 feet, a central angle of $43^{\circ}16'53''$, a tangent of 39.47 feet and a chord of 73.38 feet, which bears $S65^{\circ}21'33''E$, for an arc distance of 75.16 feet; thence $S43^{\circ}27'23''W$ for a distance of 50.75 feet; thence $S23^{\circ}40'02''W$ for a distance of 66.00 feet; thence $S76^{\circ}26'53''W$ for a distance of 182.00 feet; thence $N1^{\circ}00'00''E$ for a distance of 125.00 feet to the true point of beginning and containing 0.507 acres.

Parcel No. 11

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence $S87^{\circ}59'10''E$ along the centerline of Smith Road, for a distance of 216.00 feet; thence $N3^{\circ}46'28''E$ for a distance of 157.31 feet to the true point of beginning of the parcel herein being described; thence $N4^{\circ}53'56''E$ for a distance of 50.06 feet; thence $N4^{\circ}50'18''E$ for a distance of 244.50 feet; thence $N84^{\circ}04'00''E$ for a distance of 0.16 feet; thence $N3^{\circ}56'00''E$ for a distance of 5.28 feet; thence $N84^{\circ}04'00''E$ for a distance of 78.71 feet; thence $S1^{\circ}00'00''W$ for a distance of 125.00 feet; thence $N76^{\circ}26'53''E$ for a distance of 151.97 feet; thence $S2^{\circ}05'22''W$ for a distance of 206.49 feet; thence $N87^{\circ}54'32''W$ for a distance of 240.00 feet to the true point of beginning and containing 1.190 acres.

Parcel No. 12

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence $S87^{\circ}59'10''E$ along the centerline of Smith Road for a distance of 216.00 feet; thence $N3^{\circ}46'28''E$ for a distance of 157.31 feet; thence $S87^{\circ}54'32''E$ for a distance of 240.00 feet; thence

7592-139

N2°05'22"E for a distance of 144.00 feet to the true point of beginning of the parcel herein being described; thence continuing N2°05'22"E for a distance of 62.49 feet; thence N76°26'33"E for a distance of 30.08 feet; thence N23°40'02"E for a distance of 66.00 feet; thence N43°27'23"E for a distance of 50.75 feet; thence S39°16'05"E for a distance of 39.52 feet; thence S40°00'00"E for a distance of 91.00 feet; thence S30°00'00"W for a distance of 108.71 feet; thence N87°54'38"W for a distance of 93.21 feet to the true point of beginning and containing 0.392 acres.

Parcel No. 13

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet; thence S87°54'32"E for a distance of 240.00 feet to the true point of beginning of the parcel herein being described; thence N2°05'22"E for a distance of 144.00 feet thence S87°54'38"E for a distance of 93.21 feet; thence N50°00'00"E for a distance of 108.71 feet; thence S40°00'00"E for a distance of 14.26 feet; thence along the arc of a curve to the right having a central angle of 43°05'28", a radius of 113.47 feet, a tangent of 44.80 feet and a chord of 83.34 feet which bears S18°27'16"W, for an arc distance of 85.34 feet; thence S3°05'28"W for a distance of 30.00 feet; thence along the arc of a curve to the right having a central angle of 89°00'00", a radius of 100.00 feet, a tangent of 98.27 feet and a chord of 140.18 feet which bears S47°35'28"W, for an arc distance of 155.33 feet; thence N87°54'32"W for a distance of 112.18 feet to the true point of beginning and containing 0.761 of an acre.

Parcel No. 14

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning of the parcel herein being described; thence N3°46'28"E for a distance of 157.31 feet; thence S87°54'32"E for a distance of 189.00 feet; thence S2°05'28"E for a distance of 156.98 feet to the centerline of Smith Road; thence along said centerline N87°59'10"W for a distance of 193.62 feet to the true point of beginning and containing 0.690 of an acre.

Parcel No. 15

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 734.83 feet to a 5/8 inch steel rebar found; thence S3°42'42"W for a distance of 124.00

feet to the true point of beginning of the parcel herein described; thence continuing S3°42'42"W for a distance of 319.04 feet; thence S54°30'00"W for a distance of 143.27 feet; thence N40°00'00"W for a distance of 91.00 feet; thence N39°16'05"W for a distance of 39.52 feet; thence N30°00'00"E for a distance of 20.21 feet; thence along the arc of a curve to the right having a radius of 212.58 feet, a central angle of 11°26'00", a tangent of 21.28 feet and a chord of 42.35 feet which bears N55°43'00"E, for an arc distance of 42.42 feet; thence along the arc of a curve to the left having a radius of 87.00 feet, a central angle of 65°45'54", a tangent of 56.25 feet and a chord of 94.47 feet which bears N28°33'03"E, for an arc distance of 99.86 feet; thence N85°40'14"E for a distance of 40.00 feet; thence N54°42'42"W for a distance of 94.66 feet to the true point of beginning and containing 0.692 acres.

Parcel No. 16

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 622.83 feet; thence S24°00'00"W for a distance of 90.00; thence S41°13'00"W for a distance of 52.00 feet to the true point of beginning of the parcel herein described; thence along the arc of a curve to the right having a radius of 206.00 feet, a central angle of 10°18'27", a tangent of 18.58 feet and a chord of 37.01 feet which bears S51°43'14"E, for an arc distance of 37.06 feet; thence along the arc of a curve to the right having a radius of 87.00 feet, a central angle of 108°25'26", a tangent of 120.68 feet and a chord of 141.15 feet which bears S7°32'18"E, for an arc distance of 164.63 feet; thence along the arc of a curve to the left having a radius of 212.58 feet, a central angle of 11°26'00", a tangent of 21.28 feet and a chord of 42.35 feet which bears S55°43'00"W, for an arc distance of 42.42 feet; thence S50°00'00"W for a distance of 20.21 feet; thence N2°14'06"W for a distance of 139.78 feet; thence N86°04'00"W for a distance of 48.84 feet; thence N3°56'00"E for a distance of 63.00 feet; thence S86°04'00"E for a distance of 90.00 feet to the true point of beginning and containing 0.408 acres.

Parcel No. 17

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 409.62 feet to the true point of beginning of the parcel herein being described; thence N2°05'28"E for a distance of 156.98 feet; thence S87°54'32"E for a distance of 163.18 feet; thence along the arc of a curve to the left having a radius of 100.00 feet, a central angle of 22°13'20", a tangent of 19.64 feet and a chord of 38.54 feet which bears N80°58'48"E, for an arc distance of 38.78 feet; thence S2°05'28"W for a distance of 119.14 feet to the centerline of Smith Road; thence along said centerline N87°59'10"W for a distance of 201.00 feet to the true point of beginning and containing 0.72 of an acre.

7592 - 141

Parcel No. 18

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourak Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 680.51 feet; thence continuing along said centerline S87°21'27"E for a distance of 54.80 feet; thence N3°32'36"E for a distance of 225.00 feet to the true point of beginning of the parcel herein being described; thence N86°27'24"W for a distance of 72.95 feet; thence along the arc of a curve to the left having a radius of 100.00 feet, a central angle of 16°40'41", a tangent of 14.66 feet and a chord of 29.01 feet which bears N11°25'49"E, for an arc distance of 29.11 feet; thence N3°05'28"E for a distance of 30.00 feet; thence along the arc of a curve to the left having a radius of 113.47 feet, a central angle of 43°05'28", a tangent of 44.80 feet and a chord of 83.34 feet which bears N18°27'16"W, for an arc distance of 85.34 feet; thence N40°00'00"W for a distance of 14.26 feet; thence N54°19'48"W for a distance of 142.55 feet; thence S3°42'42"W for a distance of 65.38 feet; thence S3°32'36"W for a distance of 171.08 feet to the true point of beginning and containing 0.373 of an acre.

Leaving 0.791 of an acre remaining in Parcel No. 2.

EXHIBIT E

PAR VALUE (PERCENTAGES OF INTEREST) OF UNITS

<u>Unit Address</u>	<u>Floor Plan Type</u>	<u>Par Values</u>
1886 Indian Hills Trail	E	1.76
1850 Indian Hills Trail	B	1.09
1896 Indian Hills Trail	B	1.09
1900 Indian Hills Trail	B	1.09
1904 Indian Hills Trail	B	1.09
1870 Indian Hills Trail	C	1.23
1871 Indian Hills Trail	D	1.39
1873 Indian Hills Trail	B	1.09
1874 Indian Hills Trail	E	1.76
1877 Indian Hills Trail	B	1.09
1878 Indian Hills Trail	E	1.76
1879 Indian Hills Trail	C	1.23
1860 Indian Hills Trail	B	1.09
1885 Indian Hills Trail	B	1.09
1889 Indian Hills Trail	B	1.09
1763 Bent Bow Drive	E	1.76
1767 Bent Bow Drive	B	1.09
1771 Bent Bow Drive	E	1.76
1775 Bent Bow Drive	D	1.39
1776 Bent Bow Drive	E	1.76
1778 Bent Bow Drive	D	1.39
1779 Bent Bow Drive	C	1.23
1783 Bent Bow Drive	D	1.39
1784 Bent Bow Drive	B	1.09
1786 Bent Bow Drive	A	.94
1787 Bent Bow Drive	C	1.23
1791 Bent Bow Drive	E	1.76
1795 Bent Bow Drive	D	1.39
1842 Indian Hills Trail	E	1.76
1846 Indian Hills Trail	C	1.23
1850 Indian Hills Trail	E	1.76
1854 Indian Hills Trail	D	1.39
1858 Indian Hills Trail	B	1.09
1862 Indian Hills Trail	C	1.23
1832 Indian Hills Trail	A	.94
1836 Indian Hills Trail	C	1.23
1700 Rock Hill Lane	A	.94
1704 Rock Hill Lane	B	1.09
1708 Rock Hill Lane	C	1.23
1712 Rock Hill Lane	C	1.23
1755 Bent Bow Drive	E	1.76
1757 Bent Bow Drive	E	1.76
1759 Bent Bow Drive	E	1.76
1701 Rock Hill Lane	B	1.09

7592-149

<u>Unit Address</u>	<u>Floor Plan Type</u>	<u>Par Values</u>
1703 Rock Hill Lane	A	.94
1705 Rock Hill Lane	B	1.09
1707 Rock Hill Lane	D	1.39
1845 Indian Hills Trail	A	.94
1849 Indian Hills Trail	A	.94
1853 Indian Hills Trail	Z	1.76
1857 Indian Hills Trail	B	1.09
1861 Indian Hills Trail	A	.94
1779 Rock Hill Lane	D	1.39
1785 Rock Hill Lane	D	1.39
1789 Rock Hill Lane	D	1.39
1721 Rock Hill Lane	D	1.39
1723 Rock Hill Lane	D	1.39
1763 Rock Hill Lane	B	1.09
1765 Rock Hill Lane	D	1.39
1771 Rock Hill Lane	B	1.09
1786 Rock Hill Lane	A	.94
1790 Rock Hill Lane	B	1.09
1794 Rock Hill Lane	B	1.09
1798 Rock Hill Lane	C	1.23
1737 Bent Bow Drive	E	1.76
1739 Bent Bow Drive	D	1.39
1745 Bent Bow Drive	B	1.09
1749 Bent Bow Drive	C	1.23
1742 Bent Bow Drive	A	.94
1748 Bent Bow Drive	A	.94
1768 Rock Hill Lane	A	.94
1770 Rock Hill Lane	A	.94
1772 Rock Hill Lane	A	.94
1776 Rock Hill Lane	A	.94
1742 Rock Hill Lane	D	1.39
1746 Rock Hill Lane	D	1.39

MAIL TO:

COUNTY OF SUMMIT
RECEIVED & RECORDED

88 JUN 17 PM 2:01

RALPH JAMES - RECORDER

FEE \$ ~~64.80~~
~~59.00~~
#123.80

CHICAGO TITLE
INSURANCE COMPANY

429417 * (P)
Cabinet D
Shelb 336-33A

DOCUMENT NUMBER

OFFICIAL RECORD
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FIFTEENTH AMENDMENT
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
INDIAN HILLS CONDOMINIUM

This will certify that copies of this Fifteenth Amendment to Declaration of Condominium Ownership For Indian Hills Condominium with the following exhibits attached hereto have been filed in the Office of the County Auditor, County of Summit, Ohio:

1. Exhibit A - Legal Description of Parcel No. 1;
2. Exhibit B - Legal Description of Parcel No. 2;
3. Exhibit D - Drawings; and
4. Exhibit E - Schedule of Par Values (Percentages of Interest)

Approved as to Form:

Auditor of County of Summit

William E. Schultz
Assistant Prosecuting Attorney

Tim Davis
Tim Davis
By Byronett Deputy Auditor
Dated: June 14, 1988

Dated: 6-15-88

TRANSFER NOT NECESSARY
JUN 18 1988
Tim Davis, County Auditor

This Instrument Prepared By:
Jay P. Porter
BROUSE & McDOWELL
500 First National Tower
Akron, Ohio 44308-1471

FIFTEENTH AMENDMENT
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
INDIAN HILLS CONDOMINIUM

THIS FIFTEENTH AMENDMENT TO THE DECLARATION OF CONDOMINIUM OWNERSHIP is made this 13th day of June, 1988, by INDIAN HILLS DEVELOPMENT COMPANY, an Ohio corporation ("Developer") of Akron, Ohio.

WHEREAS, INDIAN HILLS CONDOMINIUM ("Condominium") is governed by and subject to the terms and provisions of a certain Declaration of Condominium Ownership, dated October 4, 1984, (the "Declaration") duly recorded in Volume 6987 at Page 359 et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet A, Slides 525-530, inclusive, of the County of Summit Records, all being duly filed for record on or about the 11th day of October, 1984 and recorded on the 26th day of October, 1984; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain First Amendment to Declaration of Condominium Ownership (the "First Amendment") dated the 17th day of April, 1985, duly recorded in Volume 7042, Pages 387 et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet A, Slides 788-794, inclusive, of the County of Summit Records, all being duly filed for record on or about April 24, 1985, and recorded on May 14, 1985; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Second Amendment to Declaration of Condominium Ownership (the "Second Amendment") dated the 4th day of November 1985, duly recorded in Volume 7137, Pages 815 et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 267-275, inclusive, of the County of Summit Records, all being duly filed for record on or about November 12, 1985, and recorded on November 21, 1985; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Third Amendment to Declaration of Condominium Ownership (the "Third Amendment") dated the 26th day of March, 1986, duly recorded in Volume 7236, Pages 635, et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 504-508, inclusive, of the County of Summit Records, all being duly filed for record on or about April 4, 1986, and recorded on April 21, 1986; and

OR 055 - 387

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Fourth Amendment to Declaration of Condominium Ownership (the "Fourth Amendment") dated the 9th day of June, 1986, duly recorded in Volume 7279, Pages 311, et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 556-561, inclusive of the County of Summit Records, all being duly filed for record on or about June 20, 1986, and recorded on July 3, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Fifth Amendment to Declaration of Condominium Ownership (the "Fifth Amendment"), dated the 2nd day of September, 1986, and duly recorded in Volume 7290, Pages 49, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 678-680, inclusive, of the County of Summit Records, all being duly filed for record on or about September 12, 1986, and recorded on September 24, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Sixth Amendment to Declaration of Condominium Ownership (the "Sixth Amendment"), dated the 16th day of September, 1986, and duly recorded in Volume 7319, Pages 673, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 694-696, inclusive, of the County of Summit Records, all being duly filed for record on or about September 22, 1986, and recorded on October 30, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Seventh Amendment to Declaration of Condominium Ownership (the "Seventh Amendment") dated the 29th day of October, 1986, and duly recorded in Volume 7321, Pages 891, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 795-800, inclusive, of the County of Summit Records, all being duly filed for record on or about November 17, 1986, and recorded on November 18, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Eighth Amendment to Declaration of Condominium Ownership (the "Eighth Amendment") dated the 28th day of January, 1987, and duly recorded in Volume 7364, Pages 942, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet C, Slides 140-142, inclusive, of the County of Summit Records, all being duly filed for record and recorded on or about February 5, 1987; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Ninth Amendment to

Declaration of Condominium Ownership (the "Ninth Amendment") dated the 8th day of July, 1987, and duly recorded in Volume 7456, Pages 303, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet C, Slides 383-385, inclusive, of the County of Summit Records, all being duly filed for record on July 13, 1987, and recorded on July 14, 1987; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Tenth Amendment to Declaration of Condominium Ownership (the "Tenth Amendment") dated the 1st day of October, 1987, and duly recorded in Volume 7513, Pages 435, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet C, Slides 543-545, inclusive, of the County of Summit Records, all being duly filed for record on October 6, 1987, and recorded on October 7, 1987; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Eleventh Amendment to Declaration of Condominium Ownership (the "Eleventh Amendment") dated the 22nd day of October, 1987, and duly recorded in Volume 7516, Pages 615, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet C, Slides 590-594, inclusive, of the County of Summit Records, all being duly filed for record on October 29, 1987, and recorded on November 2, 1987; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Twelfth Amendment to Declaration of Condominium Ownership (the "Twelfth Amendment") dated the 24th day of November, 1987, and duly recorded in Volume 7560, Pages 519, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet C, Slides 647-649, inclusive, of the County of Summit Records, all being duly filed for record on or about November 25, 1987, and recorded on December 1, 1987; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Thirteenth Amendment to Declaration of Condominium Ownership (the "Thirteenth Amendment") dated the 28th day of December, 1987, and duly recorded in Volume 7565, Pages 329, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet C, Slides 748-750, inclusive, of the County of Summit Records, all being duly filed for record and recorded on December 31, 1987; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Fourteenth Amendment to Declaration of Condominium Ownership (the "Fourteenth Amendment") dated the 17th day of February, 1988, and duly recorded in Volume

OR 055 - 389

7592, pages 121, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Flat Cabinet D, Slides 12-14, inclusive, of the County of Summit Records, all being duly filed for record on or about February 25, 1988 and recorded on February 26, 1988; and

WHEREAS, pursuant to Article XVI of the Declaration, the Developer reserved the right to add to the original Condominium Property, certain property adjacent thereto by amending the Declaration of record, and by submitting such additional property to the provisions of the Declaration and Chapter 5311 of the Ohio Revised Code; and

WHEREAS, the Developer desires to add certain land containing additional Units to the Condominium, and to uniformly allocate and reallocate par values (percentages of interests) for the Units.

NOW, THEREFORE, the Developer, for itself and as attorney in fact for the Unit Owners and their mortgagees, and for the purposes set forth hereinabove, hereby declares as follows:

1. RECITALS INCORPORATED. That the Recitals hereinabove set forth are incorporated herein by reference and made a part hereof.

2. DEFINITIONS. That the definitions contained in Article I(B) of the Declaration are applicable to the words and phrases used in this Fifteenth Amendment to Declaration unless the context otherwise requires.

3. AMENDMENT TO DECLARATION. That the Declaration is hereby amended and supplemented in the following respects:

(a) Legal Descriptions. Exhibit A to the Fourteenth Amendment (which replaced Exhibit A to the original Declaration) is replaced by Exhibit A attached to this Fifteenth Amendment to Declaration. Exhibit B to the Fourteenth Amendment (which replaced Exhibit B to the original Declaration) is replaced by Exhibit B attached to this Fifteenth Amendment to Declaration.

(b) Drawings. Exhibit D to the original Declaration, Exhibit D to the First Amendment, Exhibit D to the Second Amendment, Exhibit D to the Third Amendment, Exhibit D to the Fourth Amendment, Exhibit D to the Fifth Amendment, Exhibit D to the Sixth Amendment, Exhibit D to the Seventh Amendment, Exhibit D to the Eighth Amendment, Exhibit D to the Ninth Amendment, Exhibit D

to the Tenth Amendment, Exhibit D to the Eleventh Amendment, Exhibit D to the Twelfth Amendment, Exhibit D to the Thirteenth Amendment, and Exhibit D to the Fourteenth Amendment (the "Drawings") are amended and supplemented to include the Drawings attached to this Fifteenth Amendment to Declaration as Exhibit D.

- (c) General Description of Buildings. Article IV of the original Declaration entitled "General Description of Buildings" which was previously amended by the First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment, Sixth Amendment, Seventh Amendment, Eighth Amendment, Ninth Amendment, Tenth Amendment, Eleventh Amendment, Twelfth Amendment, Thirteenth Amendment, and Fourteenth Amendment, is amended to read as follows:

"There are twenty-two (22) residential buildings which are a part of the Condominium Property, one of which contains two Units (1886 and 1890 Indian Hills Trail), one of which contains three Units (1896, 1900 and 1904 Indian Hills Trail), one of which contains four Units (1870, 1874, 1878 and 1880 Indian Hills Trail), one of which contains six Units (1871, 1873, 1877, 1879, 1885 and 1889 Indian Hills Trail), one of which contains four Units (1783, 1787, 1791 and 1795 Bent Bow Drive), one of which contains five Units (1763, 1767, 1771, 1775 and 1779 Bent Bow Drive), one of which contains four Units (1776, 1778, 1784 and 1786 Bent Bow Drive), one of which contains six Units (1842, 1846, 1850, 1854, 1858, and 1862 Indian Hills Trail), one of which contains two Units (1832 and 1836 Indian Hills Trail), one of which contains four Units (1700, 1704, 1708, and 1712 Rock Hill Lane), one of which contains four Units (1701, 1703, 1705,, and 1707 Rock Hill Lane), one of which contains three Units (1755, 1757 and 1759 Bent Bow Drive), one of which contains five Units (1845, 1849, 1853, 1857 and 1861 Indian Hills Trail), one of which contains three Units (1779, 1785, and 1789 Rock Hill Lane), one of which contains two Units (1721 and 1723 Rock Hill Lane), one of which contains three Units (1763, 1765 and 1771 Rock Hill Lane), one of which contains

OR 055- 391

four Units (1786, 1790, 1794 and 1798 Rock Hill Lane), one of which contains two Units (1737 and 1739 Bent Bow Drive), one of which contains two Units (1745 and 1749 Bent Bow Drive), one of which contains two Units (1742 and 1748 Bent Bow Drive), one of which contains four Units (1768, 1770, 1772 and 1776 Rock Hill Lane), one of which contains two Units (1742 and 1746 Rock Hill Lane), and one of which contains two Units (1750 and 1758 Rock Hill Lane). The buildings are located as shown on the Drawings.

The principal materials of which the buildings are constructed are wood, glass, concrete, concrete block, brick and drywall."

- (d) Information About Condominium Property. The first sentence of Article V of the original Declaration entitled "Information About Condominium Property", which was previously amended by the First Amendment, the Second Amendment, the Third Amendment, the Fourth Amendment, the Fifth Amendment, the Sixth Amendment, the Seventh Amendment, the Eighth Amendment, the Ninth Amendment, the Tenth Amendment, the Eleventh Amendment, the Twelfth Amendment, the Thirteenth Amendment, and the Fourteenth Amendment, is amended to read as follows:

"The Condominium Property, until additions are made to the Condominium Property pursuant to the provisions of Article XVI hereof, is hereby divided into seventy-eight (78) separately designated and legally described freehold estates, hereindescribed and referred to as 'Units', and one (1) freehold estate, herein described and referred to as the 'Common Areas and Facilities.'"

- (e) Par Values (Percentages of Interest) in Common Areas and Facilities. Exhibit E to the Fourteenth Amendment (which replaced Exhibit E to the original Declaration) is replaced by Exhibit E attached to this Fifteenth Amendment to Declaration of Condominium.

4. TECHNICAL CORRECTION. That since paragraph 2 of the Fourteenth Amendment incorrectly refers to "this Thirteenth Amendment," paragraph 2 of the Fourteenth Amendment is hereby amended to substitute "this Fourteenth Amendment" for "this Thirteenth Amendment."

5. OTHER PROVISIONS REMAIN IN FULL FORCE AND EFFECT.
 Except as hereinabove amended and supplemented, all of the provisions of the Declaration and First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment, Sixth Amendment, Seventh Amendment, Eighth Amendment, Ninth Amendment, Tenth Amendment, Eleventh Amendment, Twelfth Amendment, Thirteenth Amendment, and Fourteenth Amendment, shall be and remain in full force and effect.

IN WITNESS WHEREOF, the undersigned has executed this instrument this 13th day of June, 1988, for itself and on behalf of the Unit Owners of Indian Hills Condominium and their respective mortgagees.

Signed and Acknowledged
 In the Presence of:

Jay P. Porter
Carol Kelly

Developer - INDIAN HILLS
 DEVELOPMENT COMPANY
 By: [Signature]
 Dan Zarkovacki -
 Vice President

and

Jay P. Porter
Carol Kelly

By: [Signature]
 John Zarkovacki -
 Secretary

STATE OF OHIO)
) SS
 SUMMIT COUNTY)

BEFORE ME, a Notary Public in and for said county and state, personally appeared the above named INDIAN HILLS DEVELOPMENT COMPANY by Dan Zarkovacki, Vice President, and John Zarkovacki, Secretary, who acknowledged that they did sign the foregoing instrument and that the same is the free act and deed of the corporation and the free act and deed of each of them personally and as such officers.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Akron, Ohio, this 13th day of June, 1988.

Jay P. Porter
 Notary Public

OR 055 - 393

CONSENT OF MORTGAGEE

The undersigned, PEOPLES FEDERAL SAVINGS BANK f.k.a. PEOPLES FEDERAL SAVINGS AND LOAN ASSOCIATION, is mortgagee of the premises described in the within Fifteenth Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium by virtue of two Mortgage Deeds executed by Indian Hills Development Company, and recorded in the Mortgage Records of the Recorder of Summit County, Ohio, in Volume 6885, Page 438, et seq., and Volume 6885, Page 453, et seq.

The undersigned hereby consents to the execution and delivery of the foregoing Fifteenth Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium, with the Exhibits and Drawings attached as Exhibits thereto, and to the filing thereof in the Office of the County Recorder of Summit County, Ohio, and further, subjects and subordinates the aforescribed Mortgage Deeds to the foregoing Fifteenth Amendment to the Declaration of Condominium Ownership for Indian Hills Condominium, with the Exhibits and Drawings attached as Exhibits thereto, and to the provisions of Chapter 5311 of the Ohio Revised Code.

Signed in the Presence of:

PEOPLES FEDERAL SAVINGS BANK
f.k.a. PEOPLES FEDERAL SAVINGS
AND LOAN ASSOCIATION

Brenda L. Courson
As to Both Signatures

By: William J. Courson
William J. Courson,
Chairman and President

Roy D. Bower
As to Both Signatures

By: Roy D. Bower
Roy D. Bower Senior
Vice President-Treasurer

STATE OF OHIO)
) SS
WAYNE COUNTY)

BEFORE ME, a Notary Public, in and for said County and State, personally appeared William J. Courson, the Chairman and President and Roy D. Bower, the Senior Vice President-Treasurer of PEOPLES FEDERAL SAVINGS BANK f.k.a. PEOPLES FEDERAL SAVINGS AND LOAN

ASSOCIATION, who having been first duly sworn acknowledged that they did execute the foregoing instrument and that the same was their free act and deed individually and as such Officers and the free act and deed of said Association.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Wooster, Ohio, this 6th day of June, 1988.

Brenda K. Courson

NOTARY PUBLIC

BRENDA K. COURSON, Notary Public
Wayne County, State of Ohio
My Commission Expires May 31, 1992

PARCEL NO. 1

Indian Mills Condominium

Situated in the City of Akron, County of Summit, and State of Ohio and being part of Lot 3, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows:

PARCEL NO. 1

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N03°56'00"E for a distance of 644.09 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline of Sourek Road, N03°56'00"E for a distance of 237.93 feet to a one inch in outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 1167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet; thence S03°56'00"W for a distance of 419.87 feet; thence S84°04'00"W for a distance of 191.84 feet; thence N03°56'00"E for a distance of 50.75 feet; thence N84°04'00"E for a distance of 141.09 feet; thence N03°56'00"E for a distance of 163.12 feet; thence N86°04'00"W for a distance of 169.00 feet to the true point of beginning and containing 1.540 acres.

27 1-

Parcel No. 3

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline, N3°56'00"E for a distance of 243.26 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence N84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"W for a distance of 30.45 feet to the true point of beginning and containing 0.725 of an acre.

Parcel No. 4

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 45.68 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 241.89 feet; thence S82°15'09"E for a distance of 62.29 feet; thence S1°34'00"E for a distance of 223.27 feet; thence S79°38'23"W for a distance of 12.33 feet; thence S84°04'00"W for a distance of 72.68 feet to the true point of beginning and containing 0.390 of an acre.

Parcel No. 5

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N03°56'00"E for a distance of 918.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in volume 3167, page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 487.60 feet; thence S24°00'00"W for a distance of 90.00 feet; thence S41°13'00"W for a distance of 51.33 feet; thence N86°04'00"W for a distance of 90.00 feet; thence S03°56'00"W for a distance of 63.00 feet; thence N86°04'00"W for a distance of 177.00 feet; thence N01°34'00"W for a distance of 95.00 feet; thence N82°15'09"W for a distance of 62.29 feet; thence N03°56'00"E for a distance of 132.30 feet to the true point of beginning containing 1.487 acres.

Parcel No. 6

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 253.50 feet; thence N84°04'00"E for a distance of 223.13 feet; thence S4°50'18"E for a distance of 224.50 feet; thence S4°53'56"W for a distance of 50.06 feet; thence N87°53'40"W for a distance of 50.02 feet; thence N4°50'18"E for a distance of 39.43 feet; thence N86°04'00"W for a distance of 60.92 feet; thence N3°56'00"E for a distance of 10.00 feet; thence N86°04'00"W for a distance of 5.15 feet; thence S65°03'57"W for a distance of 114.01 feet to the true point of beginning containing 1.209 acres.

Parcel No. 7

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road, said boat spike being the true point of beginning of the parcel herein being described; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet; thence N65°03'57"E for a distance of 114.01 feet; thence S86°04'00"E for a distance of 5.15 feet; thence S3°56'00"W for a distance of 10.00 feet; thence S86°04'00"E for a distance of 60.92 feet; thence S4°50'18"W for a distance of 29.43 feet; thence S87°53'40"E for a distance of 50.02 feet; thence S3°46'28"W for a distance of 157.13 feet to the centerline of Smith Road; thence N87°59'10"W along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning containing 0.863 acres.

OR 055 - 397

Parcel No. 8

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 5.28 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 40.40 feet; thence N84°04'00"E for a distance of 72.68 feet; thence N79°18'23"E for a distance of 12.33 feet; thence N1°34'00"W for a distance of 128.27 feet; thence S86°04'00"E for a distance of 160.00 feet; thence S2°14'06"E for a distance of 113.68 feet; thence S4°03'11"W for a distance of 49.95 feet; thence N87°00'00"W for a distance of 109.39 feet; thence along the arc of a curve to the left having a radius of 164.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet which bears S88°32'00"W for an arc distance of 56.76 feet; thence S84°04'00"W for a distance of 78.71 feet to the true point of beginning and containing 0.685 acres.

Parcel No. 9

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 1167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 622.83 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 112.00 feet to a 5/8 inch steel rebar found; thence S1°42'42"W for a distance of 124.00 feet; thence S54°42'42"W for a distance of 94.66 feet; thence S85°40'14"W for a distance of 40.00 feet; thence along the arc of a curve to the left having a radius of 87.00 feet, a central angle of 42°14'14", a tangent of 33.60 feet and a chord of 62.69 feet which bears N25°26'53"W, for an arc distance of 64.13 feet; thence along the arc of a curve to the left having a radius of 206.00 feet, a central angle of 10°18'27", a tangent of 18.58 feet and a chord of 37.01 feet which bears N51°43'14"W, for an arc distance of 37.06 feet; thence N41°13'00"E for a distance of 52.00 feet; thence N24°00'00"E for a distance of 90.00 feet to the true point of beginning and containing 0.550 acres.

Parcel No. 10

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 5.28 feet; thence N84°04'00"E for a distance of 78.71 feet to the true point of beginning of the parcel herein being described; thence along the arc of a curve to the right having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet, which bears N88°32'00"E, for an arc distance of 56.76 feet; thence S87°00'00"E for a distance of 109.39 feet; thence N4°03'11"E for a distance of 49.95 feet; thence along the arc of a curve to the right having a radius of 99.49 feet, a central angle of 43°16'53", a tangent of 39.47 feet and a chord of 73.38 feet, which bears S65°21'33"E, for an arc distance of 75.16 feet; thence S43°27'23"W for a distance of 50.75 feet; thence S23°40'02"W for a distance of 66.00 feet; thence S76°26'53"W for a distance of 182.00 feet; thence N1°00'00"E for a distance of 125.00 feet to the true point of beginning and containing 0.507 acres.

Parcel No. 11

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road, for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet to the true point of beginning of the parcel herein being described; thence N4°53'56"E for a distance of 50.06 feet; thence N4°50'18"E for a distance of 244.50 feet; thence N84°04'00"E for a distance of 0.16 feet; thence N3°56'00"E for a distance of 5.28 feet; thence N84°04'00"E for a distance of 78.71 feet; thence S1°00'00"W for a distance of 125.00 feet; thence N76°26'53"E for a distance of 151.92 feet; thence S2°05'22"W for a distance of 206.49 feet; thence N87°54'32"W for a distance of 240.00 feet to the true point of beginning and containing 1.190 acres.

Parcel No. 12

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet; thence N87°54'32"E for a distance of 240.00 feet; thence N2°05'22"E for a distance of 144.00 feet to the true point of beginning of the parcel herein being described; thence continuing N2°05'22"E for a distance of 42.49 feet; thence N76°26'53"E for a distance of 30.08 feet; thence N23°40'02"E for a distance of 66.00 feet; thence N43°27'23"E for a distance of 50.75 feet; thence S39°14'05"E for a distance of 39.52 feet; thence S40°00'00"E for a distance of 91.00 feet; thence S50°00'00"W for a distance of 108.71 feet; thence N87°54'38"W for a distance of 93.21 feet to the true point of beginning and containing 0.392 acres.

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet; thence S87°54'32"E for a distance of 240.00 feet to the true point of beginning of the parcel herein being described; thence N2°05'22"E for a distance of 144.00 feet; thence S87°54'38"E for a distance of 93.21 feet; thence N50°00'00"E for a distance of 108.71 feet; thence S40°00'00"E for a distance of 14.26 feet; thence along the arc of a curve to the right having a central angle of 43°05'28", a radius of 113.47 feet, a tangent of 44.80 feet and a chord of 83.34 feet which bears S18°27'16"W, for an arc distance of 23.34 feet; thence S3°05'28"W for a distance of 30.00 feet; thence along the arc of a curve to the right having a central angle of 89°00'00", a radius of 100.00 feet, a tangent of 98.27 feet and a chord of 140.18 feet which bears S47°35'28"W, for an arc distance of 155.33 feet; thence N87°54'32"W for a distance of 112.18 feet to the true point of beginning and containing 0.761 of an acre.

Parcel No. 14

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning of the parcel herein being described; thence N3°46'28"E for a distance of 157.31 feet; thence S87°54'32"E for a distance of 189.00 feet; thence S2°05'28"E for a distance of 156.98 feet to the centerline of Smith Road; thence along said centerline N87°59'10"W for a distance of 193.62 feet to the true point of beginning and containing 0.690 of an acre.

Parcel No. 15

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 734.83 feet to a 5/8 inch steel rebar found; thence S3°42'42"W for a distance of 124.00 feet to the true point of beginning of the parcel herein described; thence continuing S3°42'42"W for a distance of 319.04 feet; thence S54°30'00"W for a distance of 143.27 feet; thence N40°00'00"W for a distance of 91.00 feet; thence N39°16'03"W for a distance of 39.52 feet; thence N50°00'00"E for a distance of 20.21 feet; thence along the arc of a curve to the right having a radius of 212.58 feet, a central angle of 11°26'00", a tangent of 21.28 feet and a chord of 42.35 feet which bears N55°43'00"E, for an arc distance of 42.42 feet; thence along the arc of a curve to the left having a radius of 87.00 feet, a central angle of 65°45'54", a tangent of 56.25 feet and a chord of 94.47 feet which bears N28°33'03"E, for an arc distance of 99.86 feet; thence N85°40'14"E for a distance of 40.00 feet; thence N34°42'42"W for a distance of 94.66 feet to the true point of beginning and containing 0.692 acres.

Parcel No. 16

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 622.83 feet; thence S24°00'00"W for a distance of 90.00; thence S41°13'00"W for a distance of 52.00 feet to the true point of beginning of the parcel herein described; thence along the arc of a curve to the right having a radius of 206.00 feet, a central angle of 10°18'27", a tangent of 18.58 feet and a chord of 37.01 feet which bears S51°43'14"E, for an arc distance of 37.06 feet; thence along the arc of a curve to the right having a radius of 87.00 feet, a central angle of 108°25'26", a tangent of 120.68 feet and a chord of 141.15 feet which bears S7°32'18"E, for an arc distance of 164.63 feet; thence along the arc of a curve to the left having a radius of 212.58 feet, a central angle of 11°26'00", a tangent of 21.28 feet and a chord of 42.33 feet which bears S55°43'00"W, for an arc distance of 42.42 feet; thence S50°00'00"W for a distance of 20.21 feet; thence N2°14'06"W for a distance of 139.78 feet; thence N86°04'00"W for a distance of 48.84 feet; thence S°56'00"E for a distance of 63.00 feet; thence S86°04'00"E for a distance of 90.00 feet to the true point of beginning and containing 0.408 acres.

Parcel No. 17

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 409.62 feet to the true point of beginning of the parcel herein being described; thence N2°05'28"E for a distance of 156.98 feet; thence S87°54'32"E for a distance of 163.18 feet; thence along the arc of a curve to the left having a radius of 100.00 feet, a central angle of 22°13'20", a tangent of 19.64 feet and a chord of 38.54 feet which bears N80°58'48"E, for an arc distance of 38.78 feet; thence S2°05'28"W for a distance of 164.14 feet to the centerline of Smith Road; thence along said centerline N87°59'10"W for a distance of 201.00 feet to the true point of beginning and containing 0.72 of an acre.

Parcel No. 18

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 680.51 feet; thence continuing along said centerline S87°21'27"E for a distance of 54.80 feet; thence N3°32'36"E for a distance of 225.00 feet to the true point of beginning of the parcel herein being described; thence N86°27'24"W for a distance of 72.93 feet; thence along the arc of a curve to the left having a radius of 100.00 feet, a central angle of 16°40'41", a tangent of 14.66 feet and a chord of 29.01 feet which bears N11°25'49"E, for an arc distance of 29.11 feet; thence N3°05'28"E for a distance of 30.00 feet; thence along the arc of a curve to the left having a radius of 113.47 feet, a central angle of 43°05'28", a tangent of 44.80 feet and a chord of 83.34 feet which bears N18°27'16"W, for an arc distance of 85.34 feet; thence N40°00'00"W for a distance of 14.26 feet; thence N54°19'48"W for a distance of 142.55 feet; thence S3°42'42"W for a distance of 65.38 feet; thence S3°32'36"W for a distance of 171.08 feet to the true point of beginning and containing 0.373 of an acre.

OR 055 - 401

Parcel No. 19

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 610.62 feet to the true point of beginning of the parcel herein being described; thence N2°05'28"E for a distance of 164.14 feet; thence along the arc of a curve to the left having a radius of 100.00 feet, a central angle of 50°06'00", a tangent of 46.74 feet and a chord of 84.68 feet which bears N44°49'09"E, for an arc distance of 87.44 feet; thence S86°27'24"E for a distance of 72.95 feet; thence S3°32'36"W for a distance of 225.00 feet; thence along the centerline of Smith Road, N87°21'27"W for a distance of 54.80 feet; thence continuing along said centerline, N87°59'10"W for a distance of 69.89 feet to the true point of beginning and containing 0.608 of an acre.

EXHIBIT B
PARCEL NO. 2

Situated in the City of Akron, County of Summit and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows: Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N1°56'00"E for a distance of 644.09 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S1°56'00"W for a distance of 163.12 feet; thence S84°04'00"W for a distance of 141.09 feet; thence S1°56'00"W for a distance of 30.75 feet; thence N84°04'00"E for a distance of 191.84 feet; thence N1°56'00"E for a distance of 419.87 feet; thence along the south line of 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records, S80°00'42"E for a distance of 514.60 feet to a 5/8 inch rebar found; thence S1°42'42"W for a distance of 384.42 feet to a 5/8 inch rebar found; thence S1°32'36"W for a distance of 396.08 feet to the centerline of Smith Road and passing over a 3/4 inch pinched top steel pipe found 30.00 feet from said centerline; thence along the centerline of Smith Road, N87°21'27"W for a distance of 54.80 feet to an angle point; thence continuing along said centerline and the centerline tangent, N87°59'10"W for a distance of 680.51 feet to the point of beginning and containing 12.433 acres.

Excepting therefrom the following described Parcels No. 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19:

Situated in the City of Akron, County of Summit, and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows:

Parcel No. 3

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N1°56'00"E for a distance of 400.83 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline, N1°56'00"E for a distance of 243.26 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S1°56'00"W for a distance of 163.12 feet; thence N84°04'00"W for a distance of 141.09 feet; thence S1°56'00"W for a distance of 30.75 feet; thence N84°04'00"W for a distance of 30.45 feet to the true point of beginning and containing 0.725 of an acre.

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Parcel No. 4

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 45.68 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 241.89 feet; thence S82°15'09"W for a distance of 62.29 feet; thence S1°34'00"E for a distance of 223.27 feet; thence S79°38'23"W for a distance of 12.33 feet; thence S84°04'00"W for a distance of 72.68 feet to the true point of beginning and containing 0.390 of an acre.

Parcel No. 5

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 882.02 feet (Previously shown incorrectly as 918.02 feet) to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume J167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 402.60 feet; thence S24°00'00"W for a distance of 90.00 feet; thence S41°13'00"W for a distance of 51.53 feet; thence N86°04'00"W for a distance of 90.00 feet; thence S3°56'00"W for a distance of 63.00 feet; thence N86°04'00"W for a distance of 177.00 feet; thence N1°34'00"W for a distance of 95.00 feet; thence N82°15'09"W for a distance of 62.29 feet; thence N3°56'00"E for a distance of 132.30 feet to the true point of beginning containing 1.487 acres.

Parcel No. 6

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 253.50 feet; thence N84°04'00"E for a distance of 223.13 feet; thence S4°50'18"E for a distance of 224.50 feet; thence S4°53'56"W for a distance of 50.06 feet; thence N87°53'40"W for a distance of 50.02 feet; thence N4°50'18"E for a distance of 29.43 feet; thence N86°04'00"W for a distance of 60.92 feet; thence N3°56'00"E for a distance of 10.00 feet; thence N86°04'00"W for a distance of 5.15 feet; thence S65°03'57"W for a distance of 114.01 feet to the true point of beginning containing 1.209 acres.

Parcel No. 7

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road, said boat spike being the true point of beginning of the parcel herein being described; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.33 feet; thence N65°03'57"E for a distance of 114.01 feet; thence S86°04'00"E for a distance of 5.15 feet; thence S3°56'00"W for a distance of 10.00 feet; thence S86°04'00"E for a distance of 60.92 feet; thence S4°50'18"W for a distance of 29.43 feet; thence S87°53'40"E for a distance of 50.02 feet; thence S3°46'28"W for a distance of 157.13 feet to the centerline of Smith Road; thence N87°59'10"W along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning containing 0.863 acres.

Parcel No. 8

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 5.28 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 40.40 feet; thence N84°04'00"E for a distance of 72.68 feet; thence N79°38'23"E for a distance of 12.33 feet; thence N1°34'00"W for a distance of 128.27 feet; thence S86°04'00"E for a distance of 160.00 feet; thence S2°14'06"E for a distance of 113.68 feet; thence S4°03'11"W for a distance of 49.95 feet; thence N87°00'00"W for a distance of 109.39 feet; thence along the arc of a curve to the left having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet which bears S88°32'00"W for an arc distance of 56.76 feet; thence S84°04'00"W for a distance of 78.71 feet to the true point of beginning and containing 0.685 acres.

Parcel No. 9

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 622.83 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 112.00 feet to a 5/8 inch steel rebar found; thence S3°42'42"W for a distance of 124.00 feet; thence S54°42'42"W for a distance of 94.66 feet; thence S85°40'14"W for a distance of 40.00 feet; thence along the arc of a curve to the left having a radius of 87.00 feet, a central angle of 42°14'14", a tangent of 33.60 feet and a chord of 62.69 feet which bears N25°26'53"W, for an arc distance of 64.13 feet; thence along the arc of a curve to the left having

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a radius of 206.00 feet, a central angle of 10°18'27", a tangent of 18.38 feet and a chord of 37.01 feet which bears N51°43'14"W, for an arc distance of 37.06 feet; thence N41°13'00"E for a distance of 52.00 feet; thence N24°00'00"E for a distance of 90.00 feet to the true point of beginning and containing 0.550 acres.

PARCEL No. 10

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 5.28 feet; thence N84°04'00"E for a distance of 78.71 feet to the true point of beginning of the parcel herein being described; thence along the arc of a curve to the right having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet, which bears N88°32'00"E, for an arc distance of 56.76 feet; thence S87°00'00"E for a distance of 109.39 feet; thence N4°03'11"E for a distance of 49.95 feet; thence along the arc of a curve to the right having a radius of 99.49 feet, a central angle of 43°16'53", a tangent of 39.47 feet and a chord of 73.38 feet, which bears S65°21'33"E, for an arc distance of 75.16 feet; thence S43°27'23"W for a distance of 50.75 feet; thence S23°40'02"W for a distance of 66.00 feet; thence S76°26'53"W for a distance of 182.00 feet; thence N1°00'00"E for a distance of 125.00 feet to the true point of beginning and containing 0.507 acres.

Parcel No. 11

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road, for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet to the true point of beginning of the parcel herein being described; thence N4°53'56"E for a distance of 50.06 feet; thence N4°50'18"E for a distance of 244.50 feet; thence N84°04'00"E for a distance of 0.16 feet; thence N3°56'00"E for a distance of 5.28 feet; thence N84°04'00"E for a distance of 78.71 feet; thence S1°00'00"W for a distance of 125.00 feet; thence N76°26'53"E for a distance of 151.92 feet; thence S2°05'22"W for a distance of 206.49 feet; thence N87°54'32"W for a distance of 240.00 feet to the true point of beginning and containing 1.190 acres.

Parcel No. 12

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet; thence S87°54'32"E for a distance of 240.00 feet; thence

N2°05'22"E for a distance of 144.00 feet to the true point of beginning of the parcel herein being described; thence continuing N2°05'22"E for a distance of 62.49 feet; thence N76°26'53"E for a distance of 30.08 feet; thence N23°40'02"E for a distance of 66.00 feet; thence N43°27'23"E for a distance of 80.73 feet; thence S39°16'05"E for a distance of 39.52 feet; thence S40°00'00"E for a distance of 91.00 feet; thence S50°00'00"W for a distance of 108.71 feet; thence N87°54'38"W for a distance of 93.21 feet to the true point of beginning and containing 0.392 acres.

Parcel No. 13

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet; thence S87°54'32"E for a distance of 240.00 feet to the true point of beginning of the parcel herein being described; thence N2°05'22"E for a distance of 144.00 feet thence S87°54'38"E for a distance of 93.21 feet; thence N50°00'00"E for a distance of 108.71 feet; thence S40°00'00"E for a distance of 14.26 feet; thence along the arc of a curve to the right having a central angle of 43°05'28", a radius of 113.47 feet, a tangent of 44.80 feet and a chord of 83.34 feet which bears S18°27'16"W, for an arc distance of 85.34 feet; thence S3°05'28"W for a distance of 30.00 feet; thence along the arc of a curve to the right having a central angle of 89°00'00", a radius of 100.00 feet, a tangent of 98.27 feet and a chord of 140.18 feet which bears S47°35'28"W, for an arc distance of 155.33 feet; thence N87°54'32"W for a distance of 112.18 feet to the true point of beginning and containing 0.761 of an acre.

Parcel No. 14

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning of the parcel herein being described; thence N3°46'28"E for a distance of 157.31 feet; thence S87°54'32"E for a distance of 189.00 feet; thence S2°05'28"E for a distance of 156.98 feet to the centerline of Smith Road; thence along said centerline N87°59'10"W for a distance of 193.62 feet to the true point of beginning and containing 0.690 of an acre.

Parcel No. 15

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 734.83 feet to a 3/8 inch steel rebar found; thence S3°42'42"W for a distance of 124.00

OR 055 - 407

feet to the true point of beginning of the parcel herein described; thence continuing S3°42'42"W for a distance of 319.04 feet; thence S54°30'00"W for a distance of 143.27 feet; thence N40°00'00"W for a distance of 91.00 feet; thence N39°16'05"W for a distance of 39.52 feet; thence N50°00'00"E for a distance of 20.21 feet; thence along the arc of a curve to the right having a radius of 212.58 feet, a central angle of 11°26'00", a tangent of 21.28 feet and a chord of 42.35 feet which bears N55°43'00"E, for an arc distance of 42.42 feet; thence along the arc of a curve to the left having a radius of 87.00 feet, a central angle of 65°45'54", a tangent of 56.25 feet and a chord of 94.47 feet which bears N28°33'03"E, for an arc distance of 99.86 feet; thence N85°40'14"E for a distance of 40.00 feet; thence N54°42'42"W for a distance of 94.66 feet to the true point of beginning and containing 0.692 acres.

Parcel No. 16

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 622.83 feet; thence S24°00'00"W for a distance of 90.00; thence S41°13'00"W for a distance of 52.00 feet to the true point of beginning of the parcel herein described; thence along the arc of a curve to the right having a radius of 206.00 feet, a central angle of 10°18'27", a tangent of 18.58 feet and a chord of 37.01 feet which bears S51°43'14"E, for an arc distance of 37.06 feet; thence along the arc of a curve to the right having a radius of 87.00 feet, a central angle of 108°25'26", a tangent of 120.68 feet and a chord of 141.15 feet which bears S7°32'18"E, for an arc distance of 164.63 feet; thence along the arc of a curve to the left having a radius of 212.58 feet, a central angle of 11°26'00", a tangent of 21.28 feet and a chord of 42.35 feet which bears S55°43'00"W, for an arc distance of 42.42 feet; thence S50°00'00"W for a distance of 20.21 feet; thence N2°14'06"W for a distance of 139.78 feet; thence N86°04'00"W for a distance of 48.84 feet; thence N3°56'00"E for a distance of 63.00 feet; thence S86°04'00"E for a distance of 90.00 feet to the true point of beginning and containing 0.408 acres.

Parcel No. 17

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 409.62 feet to the true point of beginning of the parcel herein being described; thence N2°05'28"E for a distance of 156.98 feet; thence S87°54'32"E for a distance of 163.18 feet; thence along the arc of a curve to the left having a radius of 100.00 feet, a central angle of 22°13'20", a tangent of 19.64 feet and a chord of 38.54 feet which bears N80°58'48"E, for an arc distance of 38.78 feet; thence S2°05'28"W for a distance of 164.14 feet to the centerline of Smith Road; thence along said centerline N87°59'10"W for a distance of 201.00 feet to the true point of beginning and containing 0.72 of an acre.

Parcel No. 18

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 680.51 feet; thence continuing along said centerline S87°21'27"E for a distance of 54.80 feet; thence N3°32'36"E for a distance of 225.00 feet to the true point of beginning of the parcel herein being described; thence N86°27'24"W for a distance of 72.95 feet; thence along the arc of a curve to the left having a radius of 100.00 feet, a central angle of 16°40'41", a tangent of 15.66 feet and a chord of 29.01 feet which bears N11°25'49"E, for an arc distance of 29.11 feet; thence N3°05'28"E for a distance of 30.00 feet; thence along the arc of a curve to the left having a radius of 113.47 feet, a central angle of 43°05'28", a tangent of 44.80 feet and a chord of 83.34 feet which bears N18°27'16"W, for an arc distance of 85.34 feet; thence N40°00'00"W for a distance of 14.26 feet; thence N54°19'48"W for a distance of 142.55 feet; thence S3°42'42"W for a distance of 65.38 feet; thence S3°32'36"W for a distance of 171.08 feet to the true point of beginning and containing 0.373 of an acre.

Parcel No. 19

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 610.62 feet to the true point of beginning of the parcel herein being described; thence N2°05'28"E for a distance of 164.14 feet; thence along the arc of a curve to the left having a radius of 100.00 feet, a central angle of 50°06'00", a tangent of 46.74 feet and a chord of 84.68 feet which bears N44°49'09"E, for an arc distance of 87.44 feet; thence S86°27'24"E for a distance of 72.95 feet; thence S3°32'36"W for a distance of 225.00 feet; thence along the centerline of Smith Road, N87°21'27"W for a distance of 54.80 feet; thence continuing along said centerline, N87°59'10"W for a distance of 69.89 feet to the true point of beginning and containing 0.608 of an acre.

Leaving 0.183 of an acre remaining in Parcel No. 2.

OR 055-409

EXHIBIT E

PAR VALUE (PERCENTAGES OF INTEREST) OF UNITS

<u>Unit Address</u>	<u>Floor Plan Type</u>	<u>Par Values</u>
✓1886 Indian Hills Trail	E	1.76
✓1890 Indian Hills Trail	B	1.09
✓1896 Indian Hills Trail	B	1.09
✓1900 Indian Hills Trail	B	1.09
✓1904 Indian Hills Trail	B	1.09
✓1870 Indian Hills Trail	C	1.23
✓1871 Indian Hills Trail	D	1.39
✓1873 Indian Hills Trail	B	1.09
✓1874 Indian Hills Trail	E	1.76
✓1877 Indian Hills Trail	B	1.09
✓1878 Indian Hills Trail	E	1.76
✓1879 Indian Hills Trail	C	1.23
✓1880 Indian Hills Trail	B	1.09
✓1885 Indian Hills Trail	B	1.09
✓1889 Indian Hills Trail	B	1.09
✓1763 Bent Bow Drive	E	1.76
✓1767 Bent Bow Drive	B	1.09
✓1771 Bent Bow Drive	E	1.76
✓1775 Bent Bow Drive	D	1.39
✓1776 Bent Bow Drive	E	1.76
✓1778 Bent Bow Drive	D	1.39
✓1779 Bent Bow Drive	C	1.23
✓1783 Bent Bow Drive	D	1.39
✓1784 Bent Bow Drive	B	1.09
✓1786 Bent Bow Drive	A	.94
✓1787 Bent Bow Drive	C	1.23
✓1791 Bent Bow Drive	E	1.76
✓1795 Bent Bow Drive	D	1.39
✓1842 Indian Hills Trail	E	1.76
✓1846 Indian Hills Trail	C	1.23
✓1850 Indian Hills Trail	E	1.76
✓1854 Indian Hills Trail	D	1.39
✓1858 Indian Hills Trail	B	1.09
✓1862 Indian Hills Trail	C	1.23
✓1832 Indian Hills Trail	A	.94
✓1836 Indian Hills Trail	C	1.23
✓1700 Rock Hill Lane	A	.94
✓1704 Rock Hill Lane	B	1.09
✓1708 Rock Hill Lane	C	1.23
✓1712 Rock Hill Lane	C	1.23
✓1755 Bent Bow Drive	E	1.76
✓1757 Bent Bow Drive	E	1.76
✓1759 Bent Bow Drive	E	1.76
✓1701 Rock Hill Lane	B	1.09

<u>Unit Address</u>	<u>Floor Plan Type</u>	<u>Per Values</u>
✓1703 Rock Hill Lane	A	.94
✓1705 Rock Hill Lane	B	1.09
✓1707 Rock Hill Lane	D	1.39
✓1845 Indian Hills Trail	A	.94
✓1849 Indian Hills Trail	A	.94
✓1853 Indian Hills Trail	E	1.76
✓1857 Indian Hills Trail	B	1.09
✓1861 Indian Hills Trail	A	.94
✓1779 Rock Hill Lane	D	1.39
✓1785 Rock Hill Lane	D	1.39
✓1789 Rock Hill Lane	D	1.39
✓1721 Rock Hill Lane	D	1.39
✓1723 Rock Hill Lane	D	1.39
✓1763 Rock Hill Lane	B	1.09
✓1765 Rock Hill Lane	D	1.39
✓1771 Rock Hill Lane	B	1.09
✓1786 Rock Hill Lane	A	.94
✓1790 Rock Hill Lane	B	1.09
✓1794 Rock Hill Lane	B	1.09
✓1798 Rock Hill Lane	C	1.23
✓1737 Bent Bow Drive	E	1.76
✓1739 Bent Bow Drive	D	1.39
✓1745 Bent Bow Drive	B	1.09
✓1749 Bent Bow Drive	C	1.23
✓1742 Bent Bow Drive	A	.94
✓1748 Bent Bow Drive	A	.94
✓1768 Rock Hill Lane	A	.94
✓1770 Rock Hill Lane	A	.94
✓1772 Rock Hill Lane	A	.94
✓1776 Rock Hill Lane	A	.94
✓1742 Rock Hill Lane	D	1.39
✓1746 Rock Hill Lane	D	1.39
✓1750 Rock Hill Lane	E	1.76
✓1758 Rock Hill Lane	E	1.76

OR OSS - UNIT

VOL 230 PG 941-958

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DOCUMENT NUMBER

COUNTY OF SUMMIT
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MAIL TO:

CHICAGO TITLE
INSURANCE COMPANY

OR 230- 941

1/21
1/25

SIXTEENTH AMENDMENT
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
INDIAN HILLS CONDOMINIUM

This will certify that copies of this Sixteenth Amendment to Declaration of Condominium Ownership For Indian Hills Condominium with the following exhibits attached hereto have been filed in the Office of the County Auditor, County of Summit, Ohio:

1. Exhibit A - Legal Description of Parcel No. 1;
2. Exhibit B - Legal Description of Parcel No. 2;
3. Exhibit D - Drawings; and

Approved as to Form:

JAMES B. McCARTHY

Auditor of County of Summit

Michael E. Scholtz
Assistant Prosecuting Attorney

By Cuyatt Deputy Auditor

Dated: 4 5 89

Dated: April 5, 1989

This Instrument Prepared By:
Jay P. Porter
BROUSE & McDOWELL
500 First National Tower
Akron, Ohio 44308-1471

SIXTEENTH AMENDMENT
TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
INDIAN HILLS CONDOMINIUM

THIS SIXTEENTH AMENDMENT TO THE DECLARATION OF CONDOMINIUM OWNERSHIP is made this 15TH day of MARCH, 1989, by INDIAN HILLS DEVELOPMENT COMPANY, an Ohio corporation ("Developer") of Akron, Ohio.

WHEREAS, INDIAN HILLS CONDOMINIUM ("Condominium") is governed by and subject to the terms and provisions of a certain Declaration of Condominium Ownership, dated October 4, 1984, (the "Declaration") duly recorded in Volume 6987 at Page 359 et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet A, Slides 525-530, inclusive, of the County of Summit Records, all being duly filed for record on or about the 11th day of October, 1984 and recorded on the 26th day of October, 1984; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain First Amendment to Declaration of Condominium Ownership (the "First Amendment") dated the 17th day of April, 1985, duly recorded in Volume 7042, Pages 387 et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet A, Slides 788-794, inclusive, of the County of Summit Records, all being duly filed for record on or about April 24, 1985, and recorded on May 14, 1985; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Second Amendment to Declaration of Condominium Ownership (the "Second Amendment") dated the 4th day of November 1985, duly recorded in Volume 7137, Pages 815 et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 267-275, inclusive, of the County of Summit Records, all being duly filed for record on or about November 12, 1985, and recorded on November 21, 1985; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Third Amendment to Declaration of Condominium Ownership (the "Third Amendment") dated the 26th day of March, 1986, duly recorded in Volume 7236, Pages 635, et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 504-508, inclusive, of the County of Summit Records, all being duly filed for record on or about April 4, 1986, and recorded on April 21, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Fourth Amendment to Declaration of Condominium Ownership (the "Fourth Amendment") dated the 9th day of June, 1986, duly recorded in Volume 7279, Pages 311, et seq. of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 556-561, inclusive of the County of Summit Records, all being duly filed for record on or about June 20, 1986, and recorded on July 3, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Fifth Amendment to Declaration of Condominium Ownership (the "Fifth Amendment"), dated the 2nd day of September, 1986, and duly recorded in Volume 7290, Pages 49, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 678-680, inclusive, of the County of Summit Records, all being duly filed for record on or about September 12, 1986, and recorded on September 24, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Sixth Amendment to Declaration of Condominium Ownership (the "Sixth Amendment"), dated the 16th day of September, 1986, and duly recorded in Volume 7319, Pages 673, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 694-696, inclusive, of the County of Summit Records, all being duly filed for record on or about September 22, 1986, and recorded on October 30, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Seventh Amendment to Declaration of Condominium Ownership (the "Seventh Amendment") dated the 29th day of October, 1986, and duly recorded in Volume 7321, Pages 891, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet B, Slides 795-800, inclusive, of the County of Summit Records, all being duly filed for record on or about November 17, 1986, and recorded on November 18, 1986; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Eighth Amendment to Declaration of Condominium Ownership (the "Eighth Amendment") dated the 28th day of January, 1987, and duly recorded in Volume 7364, Pages 942, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet C, Slides 140-142, inclusive, of the County of Summit Records, all being duly filed for record and recorded on or about February 5, 1987; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Ninth Amendment to Declaration of Condominium Ownership (the "Ninth Amendment") dated the 8th day of July, 1987, and duly recorded in Volume 7456, Pages 303, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet C, Slides 383-385, inclusive, of the County of Summit Records, all being duly filed for record on July 13, 1987, and recorded on July 14, 1987; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Tenth Amendment to Declaration of Condominium Ownership (the "Tenth Amendment") dated the 1st day of October, 1987, and duly recorded in Volume 7513, Pages 435, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet C, Slides 543-545, inclusive, of the County of Summit Records, all being duly filed for record on October 6, 1987, and recorded on October 7, 1987; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Eleventh Amendment to Declaration of Condominium Ownership (the "Eleventh Amendment") dated the 22nd day of October, 1987, and duly recorded in Volume 7516, Pages 615, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet C, Slides 590-594, inclusive, of the County of Summit Records, all being duly filed for record on October 29, 1987, and recorded on November 2, 1987; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Twelfth Amendment to Declaration of Condominium Ownership (the "Twelfth Amendment") dated the 24th day of November, 1987, and duly recorded in Volume 7560, Pages 519, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet C, Slides 647-649, inclusive, of the County of Summit Records, all being duly filed for record on or about November 25, 1987, and recorded on December 1, 1987; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Thirteenth Amendment to Declaration of Condominium Ownership (the "Thirteenth Amendment") dated the 28th day of December, 1987, and duly recorded in Volume 7565, Pages 329, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet C, Slides 748-750, inclusive, of the County of Summit Records, all being duly filed for record and recorded on December 31, 1987; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Fourteenth Amendment to Declaration of Condominium Ownership (the "Fourteenth Amendment")

dated the 17th day of February, 1988, and duly recorded in Volume 7592, pages 121, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet D, Slides 12-14, inclusive, of the County of Summit Records, all being duly filed for record on or about February 25, 1988 and recorded on February 26, 1988; and

WHEREAS, the Condominium is also governed by and subject to the terms and provisions of a certain Fifteenth Amendment to Declaration of Condominium Ownership (the "Fifteenth Amendment") dated the 13th day of June, 1988, and duly recorded in O.R. 55, Pages 386, et seq., of the Land Records of the County of Summit, Ohio, and as per the Drawings recorded in Plat Cabinet D, Slides 336-338, inclusive, of the County of Summit Records, all being duly filed for record and recorded on or about June 17, 1988; and

WHEREAS, pursuant to Article XVI of the Declaration, the Developer reserved the right to add to the original Condominium Property, certain property adjacent thereto by amending the Declaration of record, and by submitting such additional property to the provisions of the Declaration and Chapter 5311 of the Ohio Revised Code; and

WHEREAS, the Developer desires to add certain land and improvements located thereon to the Condominium.

NOW, THEREFORE, the Developer, for itself and as attorney in fact for the Unit Owners and their mortgagees, and for the purposes set forth hereinabove, hereby declares as follows:

1. RECITALS INCORPORATED. That the Recitals hereinabove set forth are incorporated herein by reference and made a part hereof.

2. DEFINITIONS. That the definitions contained in Article I(B) of the Declaration are applicable to the words and phrases used in this Sixteenth Amendment to Declaration unless the context otherwise requires.

3. AMENDMENT TO DECLARATION. That the Declaration is hereby amended and supplemented in the following respects:

- (a) Legal Descriptions. Exhibit A to the Fifteenth Amendment (which replaced Exhibit A to the original Declaration) is replaced by Exhibit A attached to this Sixteenth Amendment to Declaration. Exhibit B to the Fifteenth Amendment (which replaced Exhibit B to the original Declaration) is replaced by Exhibit B attached to this Sixteenth Amendment to Declaration, which reflects the fact that the entire Parcel No. 2 and the

improvements located thereon have been submitted to the provisions of Chapter 5311 of the Ohio Revised Code and added to the Condominium and the Condominium Property.

- (b) Drawings. Exhibit D to the original Declaration, Exhibit D to the First Amendment, Exhibit D to the Second Amendment, Exhibit D to the Third Amendment, Exhibit D to the Fourth Amendment, Exhibit D to the Fifth Amendment, Exhibit D to the Sixth Amendment, Exhibit D to the Seventh Amendment, Exhibit D to the Eighth Amendment, Exhibit D to the Ninth Amendment, Exhibit D to the Tenth Amendment, Exhibit D to the Eleventh Amendment, Exhibit D to the Twelfth Amendment, Exhibit D to the Thirteenth Amendment, Exhibit D to the Fourteenth Amendment, and Exhibit D to the Fifteenth Amendment (the "Drawings") are amended and supplemented to include the Drawings attached to this Sixteenth Amendment to Declaration as Exhibit D.

- (c) General Description of Buildings. Article IV of the original Declaration entitled "General Description of Buildings" which was previously amended by the First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment, Sixth Amendment, Seventh Amendment, Eighth Amendment, Ninth Amendment, Tenth Amendment, Eleventh Amendment, Twelfth Amendment, Thirteenth Amendment, Fourteenth Amendment, and Fifteenth Amendment, is amended to read as follows:

"There are twenty-two (22) residential buildings which are a part of the Condominium Property, one of which contains two Units (1886 and 1890 Indian Hills Trail), one of which contains three Units (1896, 1900 and 1904 Indian Hills Trail), one of which contains four Units (1870, 1874, 1878 and 1880 Indian Hills Trail), one of which contains six Units (1871, 1873, 1877, 1879, 1885 and 1889 Indian Hills Trail), one of which contains four Units (1783, 1787, 1791 and 1795 Bent Bow Drive), one of which contains five Units (1763, 1767, 1771, 1775 and 1779 Bent Bow Drive), one of which contains four Units (1776, 1778, 1784 and

1786 Bent Bow Drive), one of which contains six Units (1842, 1846, 1850, 1854, 1858, and 1862 Indian Hills Trail), one of which contains two Units (1832 and 1836 Indian Hills Trail), one of which contains four Units (1700, 1704, 1708, and 1712 Rock Hill Lane), one of which contains four Units (1701, 1703, 1705, and 1707 Rock Hill Lane), one of which contains three Units (1755, 1757 and 1759 Bent Bow Drive), one of which contains five Units (1845, 1849, 1853, 1857 and 1861 Indian Hills Trail), one of which contains three Units (1779, 1785, and 1789 Rock Hill Lane), one of which contains two Units (1721 and 1723 Rock Hill Lane), one of which contains three Units (1763, 1765 and 1771 Rock Hill Lane), one of which contains four Units (1786, 1790, 1794 and 1798 Rock Hill Lane), one of which contains two Units (1737 and 1739 Bent Bow Drive), one of which contains two Units (1745 and 1749 Bent Bow Drive), one of which contains two Units (1742 and 1748 Bent Bow Drive), one of which contains four Units (1768, 1770, 1772 and 1776 Rock Hill Lane), one of which contains two Units (1742 and 1746 Rock Hill Lane), and one of which contains two Units (1750 and 1758 Rock Hill Lane). The buildings are located as shown on the Drawings.

The clubhouse located at 1720 Rock Hill Lane, Akron, Ohio 44313 is also a building which is part of the Condominium Property. Its location is shown on the Drawings.

The principal materials of which the buildings are constructed are wood, glass, concrete, concrete block, brick and drywall."

- (d) Information About Condominium Property. The first sentence of Article V of the original Declaration entitled "Information About Condominium Property", which was previously amended by the First Amendment, the Second Amendment, the Third Amendment, the Fourth Amendment, the Fifth Amendment, the Sixth Amendment, the Seventh Amendment, the Eighth Amendment, the Ninth Amendment, the Tenth Amendment, the Eleventh Amendment, the Twelfth Amendment, the Thirteenth Amendment, the Fourteenth Amendment, and the Fifteenth Amendment, is amended to read as follows:

"The Condominium Property, until additions are made to the Condominium Property pursuant to the provisions of Article XVI hereof, is hereby divided into seventy-eight (78) separately designated and legally described freehold estates, hereindescribed and referred to as 'Units', and one (1) freehold estate, herein described and referred to as the 'Common Areas and Facilities.'"

The following sentence is hereby added as a second sentence to Article V(B)(1) of the Declaration entitled "Description of Common Areas and Facilities;" "The clubhouse located at 1720 Rock Hill Lane, Akron, Ohio 44313, the swimming pool, the deck areas, and tennis court are also part of the Common Areas and Facilities."

4. OTHER PROVISIONS REMAIN IN FULL FORCE AND EFFECT. Except as hereinabove amended and supplemented, all of the provisions of the Declaration and First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment, Sixth Amendment, Seventh Amendment, Eighth Amendment, Ninth Amendment, Tenth Amendment, Eleventh Amendment, Twelfth Amendment, Thirteenth Amendment, Fourteenth Amendment, and Fifteenth Amendment, shall be and remain in full force and effect.

IN WITNESS WHEREOF, the undersigned has executed this instrument this 15 day of March, 1989, for itself and on behalf of the Unit Owners of Indian Hills Condominium and their respective mortgagees.

Signed and Acknowledged
In the Presence of

Mark R. Cialdo

Wendy A. Grand

Mark R. Cialdo

Wendy A. Grand

Developer - INDIAN HILLS
DEVELOPMENT COMPANY

By: Dan Zarkovacki

Dan Zarkovacki -
Vice President

and

By: John Zarkovacki

John Zarkovacki -
Secretary

STATE OF OHIO)
) SS
SUMMIT COUNTY)

BEFORE ME, a Notary Public in and for said county and state, personally appeared the above named INDIAN HILLS DEVELOPMENT COMPANY by Dan Zarkovacki, Vice President, and John Zarkovacki, Secretary, who acknowledged that they did sign the foregoing instrument and that the same is the free act and deed of the corporation and the free act and deed of each of them personally and as such officers.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Akron, Ohio, this 13 day of March, 1989.

Nancy Zarkovacki

Notary Public

NANCY ZARKOVACKI, Notary Public
Residence - Summit County
State Wide Jurisdiction, Ohio
My Commission Expires Dec. 12, 1991

EXHIBIT A
PARCEL NO. 1

Indian Mills Condominium

Situated in the City of Akron, County of Summit, and State of Ohio and being part of Lot 2, West of the Cuyahoga River, formerly in Northampton Township and being more particularly described as follows:

PARCEL NO. 1

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N03°56'00"E for a distance of 644.09 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline of Sourek Road, N03°56'00"E for a distance of 237.93 feet to a one inch in outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet; thence S03°56'00"W for a distance of 419.87 feet; thence S84°04'00"W for a distance of 191.84 feet; thence N03°56'00"E for a distance of 50.75 feet; thence N84°04'00"E for a distance of 141.09 feet; thence N03°56'00"E for a distance of 163.12 feet; thence N86°04'00"W for a distance of 169.00 feet to the true point of beginning and containing 1.340 acres.

27 1-

Parcel No. 3

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet to the true point of beginning of the parcel herein being described; thence continuing along the centerline, N3°56'00"E for a distance of 143.26 feet; thence S86°04'00"E for a distance of 169.00 feet; thence S3°56'00"W for a distance of 163.12 feet; thence N84°04'00"W for a distance of 141.09 feet; thence S3°56'00"W for a distance of 50.75 feet; thence N84°04'00"W for a distance of 30.43 feet to the true point of beginning and containing 0.723 of an acre.

Parcel No. 4

Beginning at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 45.68 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 141.89 feet; thence S82°15'09"E for a distance of 62.29 feet; thence S1°34'00"E for a distance of 223.27 feet; thence S79°38'23"W for a distance of 12.33 feet; thence S84°04'00"W for a distance of 72.68 feet to the true point of beginning and containing 0.390 of an acre.

OR 2511-351

451

Parcel No. 5

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N03°56'00"E for a distance of 918.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in volume 1167, page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 220.23 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 402.60 feet; thence S24°00'00"W for a distance of 90.00 feet; thence S41°13'00"W for a distance of 51.53 feet; thence N86°04'00"W for a distance of 90.00 feet; thence S03°56'00"W for a distance of 63.00 feet; thence N86°04'00"W for a distance of 177.00 feet; thence N01°J4'00"W for a distance of 95.00 feet; thence N82°15'09"W for a distance of 62.29 feet; thence N03°56'00"E for a distance of 132.30 feet to the true point of beginning containing 1.487 acres.

Parcel No. 6

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.13 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 253.50 feet; thence N84°04'00"E for a distance of 223.13 feet; thence S4°50'18"E for a distance of 224.50 feet; thence S4°53'36"W for a distance of 50.06 feet; thence N87°53'40"W for a distance of 50.02 feet; thence N4°50'18"E for a distance of 39.43 feet; thence N86°04'00"W for a distance of 60.92 feet; thence N3°56'00"E for a distance of 10.00 feet; thence N86°04'00"W for a distance of 5.15 feet; thence S65°03'57"W for a distance of 114.01 feet to the true point of beginning containing 1.209 acres.

Parcel No. 7

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road, said boat spike being the true point of beginning of the parcel herein being described; thence along the centerline of Sourek Road, N3°56'00"E for a distance of 147.13 feet; thence N65°03'57"E for a distance of 114.01 feet; thence S86°04'00"E for a distance of 5.15 feet; thence S3°56'00"W for a distance of 10.00 feet; thence S86°04'00"E for a distance of 60.92 feet; thence S4°50'18"W for a distance of 79.43 feet; thence S87°53'40"E for a distance of 50.02 feet; thence S3°46'28"W for a distance of 157.13 feet to the centerline of Smith Road; thence N87°59'10"W along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning containing 0.863 acres.

Parcel No. 8

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 5.28 feet to the true point of beginning of the parcel herein being described; thence continuing N3°56'00"E for a distance of 40.40 feet; thence N84°04'00"E for a distance of 72.68 feet; thence N79°38'23"E for a distance of 12.33 feet; thence N1°34'00"W for a distance of 128.27 feet; thence S86°04'00"E for a distance of 160.00 feet; thence S2°14'06"E for a distance of 113.68 feet; thence S4°03'11"W for a distance of 49.95 feet; thence N87°00'00"W for a distance of 109.39 feet; thence along the arc of a curve to the left having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet which bears S88°32'00"W for an arc distance of 56.76 feet; thence S84°04'00"W for a distance of 78.71 feet to the true point of beginning and containing 0.685 acres.

Parcel No. 9

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 622.83 feet to the true point of beginning of the parcel herein described; thence continuing along said line of said 5.6 acre parcel, S80°00'42"E for a distance of 112.00 feet to a 5/8 inch steel rebar found; thence S3°42'42"W for a distance of 124.00 feet; thence S54°42'42"W for a distance of 94.66 feet; thence S85°40'14"W for a distance of 40.00 feet; thence along the arc of a curve to the left having a radius of 87.00 feet, a central angle of 42°14'14", a tangent of 33.60 feet and a chord of 62.69 feet which bears N25°26'53"W, for an arc distance of 64.13 feet; thence along the arc of a curve to the left having a radius of 206.00 feet, a central angle of 10°18'27", a tangent of 18.58 feet and a chord of 37.01 feet which bears N51°43'14"W, for an arc distance of 37.06 feet; thence N41°13'00"E for a distance of 52.00 feet; thence N24°00'00"E for a distance of 90.00 feet to the true point of beginning and containing 0.550 acres.

PARCEL NO. 10

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 400.83 feet; thence N84°04'00"E for a distance of 222.29 feet; thence N3°56'00"E for a distance of 5.28 feet; thence N84°04'00"E for a distance of 78.71 feet to the true point of beginning of the parcel herein being described; thence along the arc of a curve to the right having a radius of 364.04 feet, a central angle of 8°56'00", a tangent of 28.44 feet, a chord of 56.70 feet, which bears N88°32'00"E, for an arc distance of 56.76 feet; thence S87°00'00"E for a distance of 109.39 feet; thence N4°03'11"E for a distance of 49.95 feet; thence along the arc of a curve to the right having a radius of 99.49 feet, a central angle of 43°16'53", a tangent of 39.47 feet and a chord of 73.38 feet, which bears S65°21'33"E, for an arc distance of 75.16 feet; thence S43°27'23"W for a distance of 50.75 feet; thence S23°40'02"W for a distance of 66.00 feet; thence S76°26'53"W for a distance of 182.00 feet; thence N1°00'00"E for a distance of 125.00 feet to the true point of beginning and containing 0.507 acres.

Parcel No. 11

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road, for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet to the true point of beginning of the parcel herein being described; thence N4°53'56"E for a distance of 50.06 feet; thence N4°50'18"E for a distance of 244.50 feet; thence N84°04'00"E for a distance of 0.16 feet; thence N3°56'00"E for a distance of 5.28 feet; thence N84°04'00"E for a distance of 78.71 feet; thence S1°00'00"W for a distance of 125.00 feet; thence N76°26'53"E for a distance of 151.92 feet; thence S2°05'22"W for a distance of 206.49 feet; thence N87°54'32"W for a distance of 240.00 feet to the true point of beginning and containing 1.190 acres.

Parcel No. 12

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet; thence S87°54'32"W for a distance of 240.00 feet; thence N2°05'22"E for a distance of 144.0 feet to the true point of beginning of the parcel herein being described thence continuing N2°05'22"E for a distance of 62.49 feet; thence N76°26'53"E for a distance of 30.08 feet; thence N23°40'02"E for a distance of 66.00 feet; thence N43°27'23"E for a distance of 50.75 feet; thence S39°16'05"E for a distance of 39.52 feet; thence S40°00'00"E for a distance of 91.00 feet; thence S50°00'00"W for a distance of 108.71 feet; thence N87°54'38"W for a distance of 93.21 feet to the true point of beginning and containing 0.392 acres.

Parcel No. 13

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 216.00 feet; thence N3°46'28"E for a distance of 157.31 feet; thence S87°54'32"E for a distance of 240.00 feet to the true point of beginning of the parcel herein being described; thence N2°05'22"E for a distance of 144.00 feet thence S87°54'38"E for a distance of 93.21 feet; thence N50°00'00"E for a distance of 108.71 feet; thence S40°00'00"E for a distance of 14.26 feet; thence along the arc of a curve to the right having a central angle of 43°05'28", a radius of 113.47 feet, a tangent of 44.80 feet and a chord of 83.34 feet which bears S18°27'16"W, for an arc distance of 25.34 feet; thence S3°05'28"W for a distance of 30.00 feet; thence along the arc of a curve to the right having a central angle of 89°00'00", a radius of 100.00 feet, a tangent of 98.27 feet and a chord of 140.18 feet which bears S47°35'28"W, for an arc distance of 155.33 feet; thence N87°54'32"W for a distance of 112.18 feet to the true point of beginning and containing 0.761 of an acre.

Parcel No. 14

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 216.00 feet to the true point of beginning of the parcel herein being described; thence N3°46'28"E for a distance of 157.31 feet; thence S87°54'32"E for a distance of 189.00 feet; thence S2°05'28"E for a distance of 156.98 feet to the centerline of Smith Road; thence along said centerline N87°59'10"W for a distance of 193.62 feet to the true point of beginning and containing 0.690 of an acre.

Parcel No. 15

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 734.83 feet to a 5/8 inch steel rebar found; thence S3°42'42"W for a distance of 124.00 feet to the true point of beginning of the parcel herein described; thence continuing S3°42'42"W for a distance of 319.04 feet; thence S54°30'00"W for a distance of 143.27 feet; thence N40°00'00"W for a distance of 91.00 feet; thence N39°16'05"W for a distance of 39.52 feet; thence N50°00'00"E for a distance of 20.21 feet; thence along the arc of a curve to the right having a radius of 212.58 feet, a central angle of 11°26'00", a tangent of 21.28 feet and a chord of 42.35 feet which bears N55°43'00"E, for an arc distance of 42.42 feet; thence along the arc of a curve to the left having a radius of 87.00 feet, a central angle of 65°45'54", a tangent of 56.25 feet and a chord of 94.47 feet which bears N28°33'03"E, for an arc distance of 99.86 feet; thence N85°40'14"E for a distance of 40.00 feet; thence N54°42'42"W for a distance of 94.66 feet to the true point of beginning and containing 0.692 acres.

Parcel No. 16

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00" along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 622.83 feet; thence S24°00'00"W for a distance of 90.00; thence S41°13'00"W for a distance of 52.00 feet to the true point of beginning of the parcel herein described; thence along the arc of a curve to the right having a radius of 206.00 feet, a central angle of 10°18'27", a tangent of 18.58 feet and a chord of 37.01 feet which bears S51°43'14"E, for an arc distance of 37.06 feet; thence along the arc of a curve to the right having a radius of 87.00 feet, a central angle of 108°25'26", a tangent of 120.68 feet and a chord of 141.15 feet which bears S7°32'18"E, for an arc distance of 164.61 feet; thence along the arc of a curve to the left having a radius of 212.58 feet, a central angle of 11°26'00", a tangent of 21.28 feet and a chord of 42.33 feet which bears S55°43'00"W, for an arc distance of 42.42 feet; thence S50°00'00"W for a distance of 20.21 feet; thence N2°14'06"W for a distance of 139.78 feet; thence NB6°04'00"W for a distance of 48.84 feet; thence S°56'00"E for a distance of 63.00 feet; thence SB6°04'00"E for a distance of 90.00 feet to the true point of beginning and containing 0.408 acres.

Parcel No. 17

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 409.62 feet to the true point of beginning of the parcel herein being described; thence N2°05'28"E for a distance of 156.98 feet; thence S87°54'32"E for a distance of 163.18 feet; thence along the arc of a curve to the left having a radius of 100.00 feet, a central angle of 22°13'20", a tangent of 19.64 feet and a chord of 38.54 feet which bears N80°58'48"E, for an arc distance of 38.78 feet; thence S2°05'28"W for a distance of 164.14 feet to the centerline of Smith Road; thence along said centerline NB7°59'10"W for a distance of 201.00 feet to the true point of beginning and containing 0.72 of an acre.

Parcel No. 18

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 680.51 feet; thence continuing along said centerline S87°21'27"E for a distance of 54.80 feet; thence N3°32'36"E for a distance of 225.00 feet to the true point of beginning of the parcel herein being described; thence NB6°27'24"W for a distance of 72.95 feet; thence along the arc of a curve to the left having a radius of 100.00 feet, a central angle of 16°40'41", a tangent of 14.66 feet and a chord of 29.01 feet which bears N11°25'49"E, for an arc distance of 29.11 feet; thence N3°05'28"E for a distance of 30.00 feet; thence along the arc of a curve to the left having a radius of 113.47 feet, a central angle of 43°05'28", a tangent of 44.80 feet and a chord of 83.34 feet which bears N18°27'16"W, for an arc distance of 85.34 feet; thence N40°00'00"W for a distance of 14.26 feet; thence NS4°19'48"W for a distance of 142.55 feet; thence S3°42'42"W for a distance of 65.38 feet; thence S3°32'36"W for a distance of 171.08 feet to the true point of beginning and containing 0.373 of an acre.

Parcel No. 19

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence S87°59'10"E along the centerline of Smith Road for a distance of 610.62 feet to the true point of beginning of the parcel herein being described; thence N2°05'28"E for a distance of 164.14 feet; thence along the arc of a curve to the left having a radius of 100.00 feet, a central angle of 30°06'00", a tangent of 46.74 feet and a chord of 84.68 feet which bears N44°49'09"E, for an arc distance of 87.44 feet; thence S86°27'24"E for a distance of 72.95 feet; thence S3°32'36"W for a distance of 225.00 feet; thence along the centerline of Smith Road, N87°21'27"W for a distance of 54.80 feet; thence continuing along said centerline, N87°59'10"W for a distance of 69.89 feet to the true point of beginning and containing 0.608 of an acre.

Parcel No. 20

Commencing at a boat spike found at the intersection of the centerline tangent of Smith Road and the centerline of Sourek Road; thence N3°56'00"E along the centerline of Sourek Road, for a distance of 882.02 feet to a one inch outer diameter steel pipe found at the southwest corner of a 5.6 acre parcel now or formerly owned by Ohio Edison Company as described in Volume 3167, Page 7 of the Summit County Deed Records; thence along the south line of said 5.6 acre parcel, S80°00'42"E for a distance of 622.83 feet; thence S24°00'00"W for a distance of 90.00; thence S41°13'00"W for a distance of 52.00 feet; thence N86°04'00"W for a distance of 90.00; thence S3°56'00"W for a distance of 63.00 feet to the true point of beginning of the parcel herein described; thence S86°04'00"E for a distance of 48.84 feet; thence S2°14'06"E for a distance of 139.78 feet; thence along the arc of a curve to the left having a radius of 99.49 feet, a central angle of 43°16'53", a tangent of 39.47 feet and a chord of 73.38 feet which bears N65°21'33"W, for an arc distance of 75.16 feet; thence N2°14'06"W for a distance of 113.68 feet; thence S86°04'00"E for a distance of 17.00 feet to the true point of beginning and containing 0.183 of an acre.

EXHIBIT B

Parcel No. 2 in its entirety and the improvements located thereon have been submitted to the provisions of Chapter 5311 of the Ohio Revised Code and added to Indian Hills Condominium. Therefore, Parcel No. 2 no longer exists.