

AMENDMENTS TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
FOR  
VILLAS OF BERTRAM CONDOMINIUM

PLEASE CROSS MARGINAL REFERENCE WITH THE DECLARATION OF  
CONDOMINIUM OWNERSHIP FOR VILLAS OF BERTRAM CONDOMINIUM  
RECORDED AT INSTRUMENT NO. 201411331 OF THE PORTAGE COUNTY  
RECORDS.

**AMENDMENTS TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP FOR  
VILLAS OF BERTRAM CONDOMINIUM**

**RECITALS**

- A.** The Declaration of Condominium Ownership for Villas of Bertram Condominium (the "Declaration") and the Bylaws of Villas of Bertram Condominium Owners Association, Inc., Exhibit D of the Declaration (the "Bylaws"), were recorded at Portage County Records Instrument No. 201411331.
- 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 Villas of Bertram Condominium and the Bylaws of Villas of Bertram Condominium Owners Association, Inc. are amended by the Board of Directors as follows:

- (1) MODIFY DECLARATION ARTICLE VI, SECTION 6.10.3.1.** Said modification, to be made to the Declaration, as recorded at Portage County Records, Instrument No. 201411331, is as follows: (new language is underlined):

**6.10.3.1.** upon the Unit Owners shall be delivered personally to the Owners or Occupants at the Unit, electronic mail to an electronic mail address previously provided by the Unit Owner in writing, or mailed (by certified mail, return receipt requested) to the Owners at the address of the Unit, provided that if the Owners have provided the Association with an alternate address, all such notices shall be mailed (by certified mail, return receipt requested) to the Owners at such alternative address.

(2) **MODIFY THE DECLARATION ARTICLE VI, SECTION 6.16.4.** Said modification, to be made to the Declaration, as recorded at Portage County Records, Instrument No. 201411331, is as follows: (new language is underlined)

**6.16.4. Notice of Lien.** The Association may file a notice of continuing lien with the Recorder of Portage County signed by the president or other designated representative of the Association as authorized by the Board of Directors.

(3) **INSERT A NEW BYLAWS ARTICLE VII, SECTION 7.4.4.7.** Said addition, to be added to the Bylaws, Exhibit D of the Declaration, as recorded at Portage County Records, Instrument No. 201411331 is as follows:

**7.4.4.7. Records that date back more than five years prior to the date of the request.**

(4) **MODIFY THE LAST SENTENCE of BYLAWS ARTICLE III, SECTION 3.2.** Said modification, to be made to the Bylaws, Exhibit D of the Declaration, as recorded at Portage County Records, Instrument No. 201411331 is as follows: (new language is underlined)

If a Unit Owner is not an individual, that Unit Owner may nominate for the Board any principal, member of a limited liability company, partner, director, officer, or employee of that Unit Owner, and 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.

(5) **INSERT DECLARATION ARTICLE XII, SECTIONS 12.3.6 and 12.3.7 and a NEW PARAGRAPH THEREAFTER.** Said new addition, to be added to the Declaration, as recorded at Portage County Records, Instrument No. 201411331, and as amended at Instrument No. 202007513, is as follows:

**12.3.6. 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.**

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.

(8) **MODIFY 3rd SENTENCE OF BYLAWS ARTICLE VI, SECTION 6.2.** Said modification, to be made to the Bylaws, Exhibit D the Declaration, as recorded at Portage County Records, Instrument No. 201411331, is as follows: (deleted language is crossed out; new language is underlined)

The amount must be set aside annually for capital/reserves ~~shall not be less than ten (10%) percent of the budget for that year unless the capital/reserve requirement is waived annually by the Unit Owners exercising not less than a majority of the voting power of the Association.~~

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 Villas of Bertram Condominium Owners Association, Inc. has caused the execution of this instrument this 14<sup>th</sup> day of NOVEMBER, 2022.

VILLAS OF BERTRAM CONDOMINIUM OWNERS ASSOCIATION, INC.

By:   
ROMA RAO PANGULURI, President

By:   
ANUPAM PANIGRAHI, Secretary

STATE OF OHIO )

COUNTY OF Portage )

SS

**BEFORE ME**, a Notary Public, in and for said County, personally appeared the above named Villas of Bertram Condominium Owners Association, Inc., by its President and its Secretary, who acknowledged that they did sign the foregoing instrument, on page 5 of 6, 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 14<sup>th</sup> day of November, 2022.

*Shruti Mathur*

NOTARY PUBLIC

Place notary stamp/seal here:



SHRUTI MATHUR  
Notary Public, State of Ohio  
My Comm. Expires 11/22/2026

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





Doc ID: 005547350005 Type: CDECAM  
Recorded: 05/08/2020 at 02:22:57 PM  
Fee Amt: \$62.00 Page 1 of 5  
Portage County Ohio  
Lori Calcei County Recorder  
File **202007513**

**AMENDMENTS TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**FOR**  
**VILLAS OF BERTRAM CONDOMINIUM**

**PLEASE CROSS MARGINAL REFERENCE WITH THE DECLARATION OF  
CONDOMINIUM OWNERSHIP FOR VILLAS OF BERTRAM CONDOMINIUM  
RECORDED AT INSTRUMENT NO. 201411331 OF THE PORTAGE COUNTY  
RECORDS.**

**AMENDMENTS TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP FOR  
VILLAS OF BERTRAM CONDOMINIUM**

**RECITALS**

A. The Declaration of Condominium Ownership for Villas of Bertram Condominium (the "Declaration") and the Bylaws of the Villas of Bertram Condominium Owners Association, Inc., Exhibit D of the Declaration (the "Bylaws"), were recorded at Portage County Records Instrument No. 201411331.

B. Ohio Revised Code Section 5311.05(E)(1) 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.

G. 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 Villas of Bertram Condominium is amended by the Board of Directors as follows:

(1) All references in the Declaration and Bylaws to the term "enforcement charges" are replaced with the term "Enforcement Assessments."

(2) **DELETE DECLARATION ARTICLE V, SECTION 5.6**, entitled "Service of Process," in its entirety. Said deletion is to be made on Page 12 of the Declaration, as recorded at Portage County Records, Instrument No. 201411331.



**INSERT a NEW DECLARATION ARTICLE V, SECTION 5.6 entitled "Service of Process." Said new addition to be added on Page 12 of the Declaration, as recorded at Portage County Records, Instrument No. 201411331, is as follows:**

**5.6. Service of Process. The Board will designate the person to receive service of process for the Association. This designation will be accomplished by filing with the Ohio Secretary of State the required statutory agent designation form.**

**(3) INSERT a NEW SENTENCE to the end of DECLARATION ARTICLE VI, SECTION 6.16. Said new addition, to be added on Page 17 of the Declaration, as recorded at Portage County Records, Instrument No. 201411331, is as follows:**

**The Association's lien includes 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.**

**(4) INSERT a NEW PARAGRAPH to the end of BYLAWS ARTICLE III, SECTION 3.13. Said new addition, to be added on Page 6 of the Bylaws, Exhibit D of the Declaration, as recorded at Portage County Records, Instrument No. 201411331, is as follows:**

**Any Board meeting may be held in person or by any method of communication, including electronic or telephonic communication, as long as each Director can hear, participate and respond to every other Director. In lieu of conducting a meeting, the Board may take action with the unanimous written consent of the Directors. Those written consents will be filed with the Board meeting minutes.**

**(5) INSERT a NEW SENTENCE to the end of DECLARATION ARTICLE VI, SECTION 6.12. Said new addition, to be added on Page 16 of the Declaration, as recorded at Portage County Records, Instrument No. 201411331, is as follows:**

**In addition, 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.**

**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 Villas of Bertram Condominium Owners Association, Inc. has caused the execution of this instrument this 22<sup>nd</sup> day of April, 2020.

**VILLAS OF BERTRAM CONDOMINIUM OWNERS ASSOCIATION, INC.**

By: John Catena  
JOHN F. CATENA, President

By: Richard D. Vince, Jr.  
RICHARD D. VINCE, JR., Secretary

STATE OF OHIO )  
 ) SS  
COUNTY OF PORTAGE )

BEFORE ME, a Notary Public, in and for said County, personally appeared the above named Villas of Bertram Condominium Owners Association, Inc., by its President and its Secretary, who acknowledged that they did sign the foregoing instrument, on Page 4 of 5, 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 22<sup>nd</sup> day of April, 2020.

  
NOTARY PUBLIC

Place notary stamp/seal here:



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



LORI CALCEI  
PORTAGE CO. RECORDER

201716948 8-45

RECEIVED FOR RECORD  
AT 13:26:21  
FEE 192.00

**INDEXED**

**AMENDMENT NO. 39**  
**TO THE DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

**PHASE XXXIX**  
**ADDING UNIT NO. 1**

This will certify that copies of this AMENDMENT NO. 39 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "AMENDMENT NO. 39"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

Plat 2017-70

Dated: OCT 04 2017, 2017

PORTAGE COUNTY AUDITOR

By:

Deputy Auditor

*Janet Esposito, d*

This instrument prepared by:  
Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333

**AMENDMENT NO. 39 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE XXXIX of the Condominium which contains one (1) Unit.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE XXXIX property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.

2. The legal description of the Condominium set forth in Exhibit "A" of the Declaration is amended to include the real property for PHASE XXXIX of the Condominium, the legal description for PHASE XXXIX being described in Exhibit "1" attached hereto and made a part hereof
3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.
4. The number of Units referred to in the Declaration is increased from to ninety (90) Units to ninety-one (91) Units. A narrative description of the Buildings and Units for PHASE XXXIX is set forth in Exhibit "3" attached hereto and made a part hereof.
5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.
6. The particulars of the Buildings and Units and other improvements for PHASE XXXIX, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE XXXIX Drawings incorporated in this AMENDMENT NO. 39 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE XXXIX Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 39 to the Declaration.
7. No owner of a Unit which was not included in Phase I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX, XX, XXI, XXII, XXIII, XXIV, XXV, XXVI, XXVII, XXVIII, XXIX, XXX, XXXI, XXXII, XXXIII, XXXIV, XXXV, XXXVI, XXXVII, and XXXVIII shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE XXXIX prior to the filing of this AMENDMENT NO. 39 (except replacement reserve funds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this AMENDMENT NO. 39.

8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.

9. Except as amended herein, the Declaration thereto shall remain in full force and effect

10. Consent to this AMENDMENT NO. 39 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 20 day of October, 2017.

VILLAS OF BERTRAM, LLC,  
an Ohio limited liability company

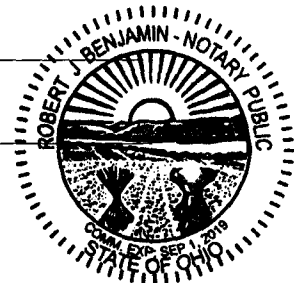
By: Iris S. Wolstein  
Iris S. Wolstein, Manager

STATE OF OHIO                    )  
  )SS.  
COUNTY OF ~~LAKE~~            )  
  Cuyahoga

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 20 day of October, 2017.

[Signature]  
Notary Public  
My Commission Expires \_\_\_\_\_





**EXHIBIT "A"**

**AMENDMENT NO. 39 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 39 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the AMENDMENT NO. 39.

**EXHIBIT "1"**  
**AMENDMENT NO. 39 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE XXXIX WILL BE ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-39-1**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 39**

**0.1649 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-39-1 on the Plat of The Villas of Bertram Condominium Phase 39 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 95.05 feet to a point;

Thence South  $89^{\circ}31'45''$  West, a distance of 30.00 feet to a point, said point being on the westerly R/W of said Hilliary Lane and the Principal Place of Beginning;

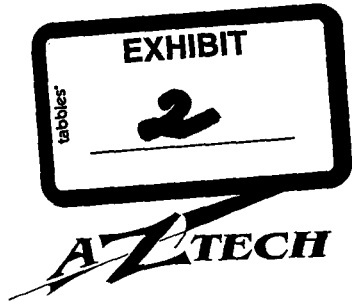
Course I: Thence South  $00^{\circ}28'15''$  East along the westerly R/W of said Hilliary Lane, a distance of 58.00 feet to a point, said point being the northeasterly corner of Ph-1-1 in the Villas of Bertram Condominiums Phase 1;

Course II: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-1-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1-1;



**EXHIBIT "2"**  
**AMENDMENT NO. 39 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION  
PH 39-R1  
THE VILLAS OF BERTRAM CONDOMINIUM PHASE 39  
16.4990 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 1 on the Plat of The Villas of Bertram Condominium Phase 39, and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $89^{\circ}30'28''$  West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South  $00^{\circ}28'15''$  East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a  $5/8''$  iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North  $89^{\circ}30'28''$  East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hilliary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta  $90^{\circ}01'17''$ , tangent 25.01 feet, chord 35.36 feet, bearing South  $45^{\circ}28'54''$  East to a point;

Course III: Thence South  $00^{\circ}28'15''$  East, continuing along the westerly R/W of said Hilliary Lane, a distance of 40.02 feet to a point;

- Course IV: Thence South  $89^{\circ}31'45''$  West, a distance of 123.86 feet to a point;
- Course V: Thence South  $00^{\circ}28'15''$  East, along the westerly line of Ph-1 in the Villas of Bertram Condominiums Phase 1, Ph-38-1 in the Villas of Bertram Condominiums Phase 38, Ph-16-1 in the Villas of Bertram Condominiums Phase 16, Ph-19-1 in the Villas of Bertram Condominium Phase 19, Ph-11-1 in the Villas of Bertram Condominium Phase 11, Ph-6-1 in the Villas of Bertram Phase 1 Condominium Phase 6, Ph-3-1 in the Villas of Bertram Phase 1 Condominium Phase 3, Ph-7-1 in the Villas of Bertram Phase 1 Condominium Phase 7, Ph-4 in the Villas of Bertram Phase 1 Condominium Phase 4, Ph-9-1 in the Villas of Bertram Phase 1 Condominium Phase 9, and Ph-12-1 in the Villas of Bertram Phase 1, Condominium Phase 12, a distance of 807.06 feet to a point, said point being the northwesterly corner of Ph-10-1 in the Villas of Bertram Phase 1, Condominium Phase 10;
- Course VI: Thence South  $17^{\circ}30'08''$  East, along the westerly line of said Ph-10-1, a distance of 84.60 feet to a point, said point being the southwesterly corner of said Ph-10-1 and the northwesterly corner of Ph-6-2 in the Villas of Bertram Phase 6;
- Course VII: Thence South  $28^{\circ}59'33''$  East, along the westerly line of said Ph-6-2, a distance of 84.31 feet to a point, said point being the southwesterly corner of said Ph-6-2 and southwesterly corner of Ph-3-2 in the Villas of Bertram Phase 1, Condominium Phase 3;
- Course VIII: Thence South  $41^{\circ}59'53''$  East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;
- Course IX: Thence South  $55^{\circ}00'13''$  East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2 and also being the southwesterly corner of Ph-5 in the Villas of Bertram Phase 1, Condominium Phase 5;
- Course X: Thence South  $67^{\circ}15'11''$  East, along the southerly line of said Ph-5, distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-5 and the southwesterly corner of Ph-16-3 in the Villas of Bertram Condominiums Phase 16;
- Course XI: Thence South  $82^{\circ}21'31''$  East, along the southerly line of said Ph-16-3 and the southerly line of Ph-20-1 in the Villas of Bertram Condominiums Phase 20, Ph-21-1 in the Villas of Bertram Condominiums Phase 21, Ph-18-2 in the Villas of Bertram Condominiums Phase 18, a distance of 269.95 feet to a point;
- Course XII: Thence South  $86^{\circ}09'02''$  East, continuing along the southerly line of said Ph-18-2, a distance of 47.61 feet to a point;
- Course XIII: Thence North  $89^{\circ}30'07''$  East, continuing along the southerly line of said Ph-18-2 and along the southerly lines of Ph-17-1 in the Villas of Bertram Condominiums Phase 17, Ph-16-5 in the Villas of Bertram Condominiums Phase 16 and Ph-15-1 in the Villas of Bertram Condominiums Phase 15, a distance of 211.65 feet to a point;
- Course XIV: Thence North  $81^{\circ}36'00''$  East, a distance of 67.71 feet to a point;
- Course XV: Thence North  $68^{\circ}35'58''$  East, a distance of 84.32 feet to a point, said point being the southwesterly corner of Ph-32-1 in the Villas of Bertram Condominiums Phase 32;

- Course XVI: Thence North  $55^{\circ}35'56''$  East, along the southerly line of said Ph-32-1, a distance of 84.32 feet to point, said point being the southeasterly corner of said Ph-32-1;
- Course XVII: Thence North  $40^{\circ}54'05''$  West, along the easterly line of said Ph-32-1, a distance of 142.39 feet to point, said point being on the easterly R/W of said Hilliary Lane and the northeasterly corner of said Ph-32-1;
- Course XVIII: Thence along the easterly R/W of said Hilliary Lane, along a curve to the left with a length 17.37 feet, radius 230.00 feet, delta  $04^{\circ}19'40''$ , tangent 8.69 feet, chord 17.37 feet, bearing North  $46^{\circ}56'05''$  East to a point, said point being the southeasterly corner of Ph-36-1 in the Villas of Bertram Condominiums Phase 36;
- Course XIX: Thence South  $45^{\circ}13'45''$  East, along the southerly line of said Ph-36-1, a distance of 132.33 feet to a point, said point being the southeasterly corner of said Ph-36-1,
- Course XX: Thence North  $38^{\circ}16'14''$  East, along the easterly line of said Ph-36-1, a distance of 82.04 feet to a point,
- Course XXI: Thence North  $25^{\circ}16'13''$  East, continuing along the easterly line of said Ph-36-1, a distance of 82.04 feet to a point, said point being the northeasterly corner of said Ph-36-1 and the southeasterly corner of Ph-35-2 in the Villas of Bertram Condominiums Phase 35;
- Course XXII: Thence North  $13^{\circ}48'36''$  East, along the easterly line of said Ph-35-2, a distance of 73.45 feet to a point,
- Course XXIII: Thence North  $00^{\circ}42'49''$  West, continuing along the easterly line of said Ph-35-2, and the easterly line of Ph-37-1 in the Villas of Bertram Condominiums Phase 37, a distance of 57.82 feet to a point;
- Course XXIV: Thence North  $03^{\circ}16'57''$  West, continuing along the easterly line of said Ph-37-1 and along the easterly line of Ph-27-1 in the Villas of Bertram Condominiums Phase 27, and the easterly lines of Ph-26-1 in the Villas of Bertram Condominiums Phase 26, Ph-29-1 in the Villas of Bertram Condominiums Phase 29, Ph-25-1 in the Villas of Bertram Condominiums Phase 25, Ph-23-2 in the Villas of Bertram Condominiums Phase 23 and Ph-24-1 in the Villas of Bertram Condominiums Phase 24, a distance of 386.27 feet to a point;
- Course XXV: Thence North  $02^{\circ}19'39''$  West, continuing along the easterly line of said Ph-24-1, a distance of 60.01 feet to a point, said point being the northeasterly corner of said Ph-24-1 and also being the southeasterly corner of Ph-26-2 in the Villas of Bertram Condominiums Phase 26;
- Course XXVI: Thence North  $06^{\circ}28'05''$  East, along the easterly line of said Ph-26-2, a distance of 71.59 feet to a point, said point being the northeasterly corner of said Ph-26-2 and the southeasterly corner of Ph-28-1 in the Villas of Bertram Condominiums Phase 28;
- Course XXVII: Thence North  $08^{\circ}29'41''$  East, along the easterly line of said Ph-28-1, a distance of 62.82 feet to a point, said point being the northeasterly corner of said Ph-28-1 and the southeasterly corner of Ph-37-2 in the Villas of Bertram Condominiums Phase 37;



- Course XXVIII: Thence North 00°42'49" West, along the northerly line of said Ph-37-2, a distance of 72.32 feet to a point, said point being the northwesterly corner of said Ph-37-2 and the southeasterly corner of Ph-32-2 in the Villas of Bertram Condominiums Phase 32;
- Course XXIX: Thence North 31°24'52" West, along the easterly line of said Ph-32-2, a distance of 121.11 feet to a point, said point being the northeasterly corner of said Ph-32-2 and the northeasterly corner of Ph-33-1 in the Villas of Bertram Condominiums Phase 33;
- Course XXX: Thence North 65°37'25" West, along the northerly line of said Ph-33-1, a distance of 106.28 feet to point,
- Course XXXI: Thence South 89°30'28" West, continuing along the northerly line of said Ph-33-1, a distance of 119.13 feet to point;
- Course XXXII: Thence South 45°57'28" West, continuing along the northerly line of said Ph-33-1 and the northerly line of Ph-34-1 in the Villas of Bertram Condominiums Phase 34, a distance of 140.68 feet to point, said point being the northwesterly corner of said Ph-34-1 and the northwesterly corner of Ph-37-3 in the Villas of Bertram Condominiums Phase 37;
- Course XXXIII: Thence South 11°44'55" West, along the westerly line of said Ph-37-3, a distance of 93.39 feet to point,
- Course XXXIV: Thence South 00°42'49" East, continuing along the westerly line of said Ph-37-3 and along the westerly line of Ph-28-2 in the Villas of Bertram Condominiums Phase 28, a distance of 48.68 feet to point;
- Course XXXV: Thence South 16°21'03" East, continuing along the westerly line of said Ph-28-2, a distance of 44.50 feet to point;
- Course XXXVI: Thence South 29°18'34" East, continuing along the westerly line of said Ph-28-2, a distance of 64.08 feet to point, said point being the southwesterly corner of said Ph-28-2 and the northwesterly corner of Ph-31-1 in the Villas of Bertram Condominiums Phase 31;
- Course XXXVII: Thence South 19°14'53" East, along the westerly line of said Ph-31-1, a distance of 57.51 feet to a point, said point being the southwesterly corner of said Ph-31-1 and the northwesterly corner of Ph-30-1 in the Villas of Bertram Condominiums Phase 30;
- Course XXXVIII: Thence South 03°16'57" East, along the westerly line of said Ph-30-1, and the westerly line of Ph-30-2 in the Villas of Bertram Condominiums Phase 30, Ph-31-2 & Ph-31-3 in the Villas of Bertram Condominiums Phase 31, a distance of 265.00 feet to a point, said point being on the northerly R/W of Samantha Drive, 60 foot R/W and the southwesterly corner of said Ph-31-3;
- Course XXXIX: Thence South 86°43'03" West, along the northerly R/W of said Samantha Drive, a distance of 17.03 feet to a point, said point being the southeasterly corner of Ph-31-4 in the Villas of Bertram Condominiums Phase 31;
- Course XL: Thence North 03°16'57" West, along the easterly line of said Ph-31-4, a distance of 130.07 feet to a point, said point being the northeasterly corner of said Ph-31-4;

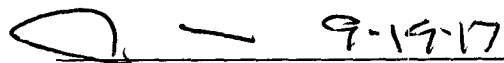
- Course XLI: Thence South  $86^{\circ}43'03''$  West, along the northerly line of said Ph-31-4, a distance of 59.40 feet to a point, said point being the northwesterly corner of said Ph-31-4 and the northeasterly corner of Ph-36-3 in the Villas of Bertram Condominiums Phase 36;
- Course XLII: Thence South  $89^{\circ}18'44''$  West, along the northerly line of said ph-36-3, a distance of 58.47 feet to a point, said point being the northwesterly corner of said Ph-36-3 and the northeasterly corner of Ph-29-3 in the Villas of Bertram Condominiums Phase 29;
- Course XLIII: Thence North  $87^{\circ}43'18''$  West, along the northerly line of said Ph-29-3, a distance of 58.47 feet to a point, said point being the northwesterly corner of said Ph-29-3 and the northeasterly corner of Ph-28-3 in the Villas of Bertram Condominiums Phase 28;
- Course XLIV: Thence North  $84^{\circ}45'24''$  West, along the northerly line of said Ph-28-3, a distance of 58.47 feet to a point, said point being the northwesterly corner of said Ph-28-3 and the northeasterly corner of Ph-27-2 in the Villas of Bertram Condominiums Phase 27;
- Course XLV: Thence North  $82^{\circ}21'31''$  West, along the northerly line of said Ph-27-2, and the northerly line of Ph-36-4 in the Villas of Bertram Condominiums Phase 36, a distance of 179.50 feet to a point, said point being the northwesterly corner of said Ph-36-4;
- Course XLVI: Thence South  $07^{\circ}38'29''$  West, along the westerly line of said Ph-36-4, a distance of 130.00 feet to a point, said point being on the northerly R/W of said Samantha Drive and the southwest corner of said Ph-36-4;
- Course XLVII: Thence along the Northerly R/W of said Samantha Drive, along a curve to the left with a length 16.66 feet, radius 330.00 feet, delta  $02^{\circ}53'31''$ , tangent 8.33 feet, chord 16.65 feet, bearing North  $84^{\circ}03'11''$  West to a point, said point being the southeasterly corner of Ph-13-2 in the Villas of Bertram Phase 1, Condominium Phase 13;
- Course XLVIII: Thence North  $00^{\circ}28'15''$  West, along the easterly lines of said Ph-13-2, Ph-10-3 in the Villas of Bertram Phase 1, Condominium Phase 10 and Ph-6-3 in the Villas of Bertram Phase 1, Condominium Phase 6, a distance of 206.24 feet to a point said point being the northeasterly corner of said Ph-6-3;
- Course XLIX: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-6-3, a distance of 137.45 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-6-3;
- Course L: Thence North  $07^{\circ}30'01''$  West, along the easterly R/W of said Hilliary Lane, a distance of 25.56 feet to a point, said point being the southwest corner of Ph-12-3 in the Villas of Bertram Phase 1, Condominium Phase 12;
- Course LI: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-12-3, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-12-3;
- Course LII: Thence North  $00^{\circ}28'15''$  West, along the easterly line of said Ph-12-3, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-12-3;

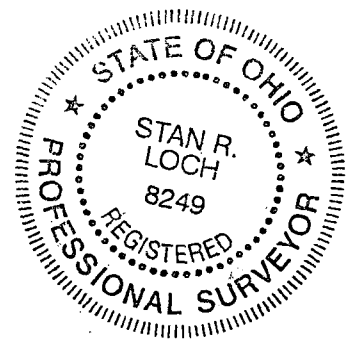
- Course LIII: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-12-3, a distance of 13.26 feet to a point, said point being the southeasterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominiums Phase 2;
- Course LIV: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ph-2, and the easterly lines of Ph-14-1 in the Villas of Bertram Condominiums Phase 14, Ph-13-1 in the Villas of Bertram Phase 1, Condominium Phase 13, Ph-16-2 in the Villas of Bertram Condominiums Phase 16 and Ph-12-4 in the Villas of Bertram Condominiums Phase 12, a distance of 300.00 feet to a point, said point being the northeasterly corner of said Ph-12-4;
- Course LV: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-12-4, a distance of 121.03 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-12-4;
- Course LVI: Thence North  $00^{\circ}28'15''$  West, along the easterly R/W of said Hilliary Lane, a distance of 40.07 feet to a point, said point being a point of curvature
- Course LVII: Thence continuing along the easterly R/W of said Hilliary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta  $89^{\circ}58'43''$ , tangent 24.99 feet, chord 35.35 feet, bearing North  $44^{\circ}31'06''$  East to a point, said point being on the southerly R/W of said Treat Road;
- Course LVIII: Thence North  $89^{\circ}30'28''$  East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a  $5/8''$  iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course LIX: Thence South  $00^{\circ}42'49''$  East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a  $5/8''$  iron pin found capped "Weiss & Assoc.", said point being the southwest corner of said Ohio Edison Company;
- Course LX: Thence North  $89^{\circ}30'28''$  East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a  $5/8''$  iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;
- Course LXI: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ohio Edison Company, passing through a  $5/8''$  iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;
- Course LXII: Thence North  $89^{\circ}30'28''$  East, along the centerline of said Treat Road, passing through a 1-1/4" axle found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;
- Course LXIII: Thence South  $00^{\circ}42'49''$  East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;

- Course LXIV: Thence South 89°32'00" West, along the northerly line of said Berry and the northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a 5/8" iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a 3/4" iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;
- Course LXV: Thence North 47°50'36" West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a 3/4" iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwesterly corner of lands conveyed to Michael & Cheryl Habbyshaw, as recorded in Document No. 201105000 of the Portage County Deed Records;
- Course LXVI: Thence North 89°30'22" East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;
- Course LXVII: Thence North 00°28'15" West, along the easterly line of said Habbyshaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

Said parcel contains 16.4990 acres or 718,699 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54, 2016-62, 2016-70, 2017-4, 2017-10, 2017-11, 2017-16, 2017-31, 2017-40, 2017-42, 2017-51 and any other matters of record as surveyed and described in September, 2017 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe the portion of the land conveyed to Villas of Bertram LLC. by File # 201401775 of the Portage County Records, which is designated as Ph-39-R1 Phase 39 Residual No. 1 on the Plat of Villas of Bertram Condominium Phase 39.

Job#20132833

  
 Stan R. Loch P.S. # 8249      Date



**EXHIBIT "3"**  
**AMENDMENT NO. 39 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE XXXIX contains one (1) detached single-family residential Buildings known as UNIT NO. 1 situated on Hillary Lane, which include a basement and attached two car garage, and which is constructed primarily of wood, vinyl siding, asphalt shingle roof, brick, concrete block, glass and drywall. The location of UNIT NO. 1 is shown on the Drawings.

Unit 1 is a "Venice" type Unit. The "Venice" type Unit is a two-story Unit containing approximately 2,344 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, great room or study, dining room, kitchen, morning room, laundry room, ½ bath and an attached two-car garage. The second floor of consists of four (4) bedrooms and two (2) full baths, and walk-in closet. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

**EXHIBIT "4"**  
**AMENDMENT NO. 39 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	1/91st
II	67	864 Hillary Lane	1/91st
III	8	853 Hillary Lane	1/91st
III	9	849 Hillary Lane	1/91st
III	16	821 Hillary Lane	1/91st
III	17	817 Hillary Lane	1/91st
IV	11	841 Hillary Lane	1/91st
V	18	813 Hillary Lane	1/91st
VI	7	857 Hillary Lane	1/91st
VI	15	825 Hillary Lane	1/91st
VI	65	854 Hillary Lane	1/91st
VII	10	845 Hillary Lane	1/91st
VIII	73	830 Hillary Lane	1/91st
IX	12	837 Hillary Lane	1/91st
X	14	829 Hillary Lane	1/91st
X	64	850 Hillary Lane	1/91st
X	74	818 Hillary Lane	1/91st
XI	6	861 Hillary Lane	1/91st
XII	13	833 Hillary Lane	1/91st
XII	66	860 Hillary Lane	1/91st
XII	71	880 Hillary Lane	1/91st
XII	72	836 Hillary Lane	1/91st
XIII	63	846 Hillary Lane	1/91st
XIII	69	872 Hillary Lane	1/91st
XIV	68	868 Hillary Lane	1/91st
XV	26	781 Hillary Lane	1/91st
XVI	4	869 Hillary Lane	1/91st
XVI	19	809 Hillary Lane	1/91st
XVI	25	785 Hillary Lane	1/91st
XVI	70	876 Hillary Lane	1/91st
XVI	77	798 Hillary Lane	1/91st
XVII	24	789 Hillary Lane	1/91st
XVII	78	794 Hillary Lane	1/91st
XVII	79	788 Hillary Lane	1/91st
XVIII	23	793 Hillary Lane	1/91st
XVIII	76	802 Hillary Lane	1/91st

XIX	5	865 Hillary Lane	1/91st
XX	20	805 Hillary Lane	1/91st
XX	21	801 Hillary Lane	1/91st
XX	81	780 Hillary Lane	1/91st
XXI	22	797 Hillary Lane	1/91st
XXII	80	784 Hillary Lane	1/91st
XXII	86	45 Samantha Drive	1/91st
XXII	87	55 Samantha Drive	1/91st
XXII	88	65 Samantha Drive	1/91st
XXII	90	85 Samantha Drive	1/91st
XXIII	38	733 Hillary Lane	1/91st
XXIII	89	75 Samantha Drive	1/91st
XXIV	39	729 Hillary Lane	1/91st
XXIV	40	725 Hillary Lane	1/91st
XXIV	75	806 Hillary Lane	1/91st
XXV	37	737 Hillary Lane	1/91st
XXV	91	95 Samantha Drive	1/91st
XXVI	35	745 Hillary Lane	1/91st
XXVI	41	721 Hillary Lane	1/91st
XXVII	34	749 Hillary Lane	1/91st
XXVII	60	80 Samantha Drive	1/91st
XXVII	61	90 Samantha Drive	1/91st
XXVIII	42	717 Hillary Lane	1/91st
XXVIII	49	714 Hillary Lane	1/91st
XXVIII	50	718 Hillary Lane	1/91st
XXVIII	59	70 Samantha Drive	1/91st
XXIX	36	741 Hillary Lane	1/91st
XXIX	58	60 Samantha Drive	1/91st
XXIX	85	35 Samantha Drive	1/91st
XXX	52	726 Hillary Lane	1/91st
XXX	54	734 Hillary Lane	1/91st
XXX	84	750 Hillary Lane	1/91st
XXXI	51	722 Hillary Lane	1/91st
XXXI	53	730 Hillary Lane	1/91st
XXXI	55	738 Hillary Lane	1/91st
XXXI	56	40 Samantha Drive	1/91st
XXXII	29	769 Hillary Lane	1/91st
XXXII	44	709 Hillary Lane	1/91st
XXXIII	45	705 Hillary Lane	1/91st
XXXIII	46	700 Hillary Lane	1/91st
XXXIV	47	706 Hillary Lane	1/91st
XXXV	27	777 Hillary Lane	1/91st

XXXV	28	773 Hillary Lane	1/91st
XXXV	32	757 Hillary Lane	1/91st
XXXVI	30	765 Hillary Lane	1/91st
XXXVI	31	761 Hillary Lane	1/91st
XXXVI	57	50 Samantha Drive	1/91st
XXXVI	62	100 Samantha Drive	1/91st
XXXVI	82	770 Hillary Lane	1/91st
XXXVI	83	760 Hillary Lane	1/91st
XXXVII	33	753 Hillary Lane	1/91st
XXXVII	43	713 Hillary Lane	1/91st
XXXVII	48	710 Hillary Lane	1/91st
XXXVIII	3	873 Hillary Lane	1/91st
XXXIX	1	881 Hillary Lane	1/91st
			Total 100%





NO TRANSFER  
REQUIRED  
JUL 20 2017  
JANET ESPOSITO  
AUDITOR *JE*

LORI CALCEI  
PORTAGE CO. RECORDER

201712121 #205  
RECEIVED FOR RECORD  
AT 14:44:30  
FEE 192.00

**INDEXED**

AMENDMENT NO. 38  
TO THE DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM

PHASE XXXVIII  
ADDING UNIT NO. 3

This will certify that copies of this AMENDMENT NO. 38 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "AMENDMENT NO. 38"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

Dated: JUL 20 2017, 2017

PORTAGE COUNTY AUDITOR

By:

*Janet Esposito*  
Deputy Auditor

*plat 2017-51*

This instrument prepared by:  
Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333

**AMENDMENT NO. 38 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE XXXVIII of the Condominium which contains one (1) Unit.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE XXXVIII property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.

2. The legal description of the Condominium set forth in Exhibit "A" of the Declaration is amended to include the real property for PHASE XXXVIII of the Condominium, the legal description for PHASE XXXVIII being described in Exhibit "1" attached hereto and made a part hereof

3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.

4. The number of Units referred to in the Declaration is increased from to eighty-nine (89) Units to ninety (90) Units. A narrative description of the Buildings and Units for PHASE XXXVIII is set forth in Exhibit "3" attached hereto and made a part hereof

5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.

6. The particulars of the Buildings and Units and other improvements for PHASE XXXVIII, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE XXXVIII Drawings incorporated in this AMENDMENT NO. 38 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE XXXVIII Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 38 to the Declaration.

7. No owner of a Unit which was not included in Phase I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX, XX, XXI, XXII, XXIII, XXIV, XXV, XXVI, XXVII, XXVIII, XXIX, XXX, XXXI, XXXII, XXXIII, XXXIV, XXXV, XXXVI, and XXXVII shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE XXXVIII prior to the filing of this AMENDMENT NO. 38 (except replacement reserve funds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this AMENDMENT NO. 38.

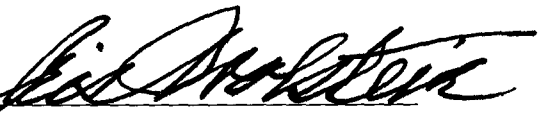
8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.

9. Except as amended herein, the Declaration thereto shall remain in full force and effect

10. Consent to this AMENDMENT NO. 38 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 17<sup>th</sup> day of July, 2017.


VILLAS OF BERTRAM, LLC,  
an Ohio limited liability company

By:   
Iris S. Wolstein, Manager

STATE OF OHIO                    )  
  )SS.  
COUNTY OF ~~LAKE~~            )  
  Cuyahoga

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 17<sup>th</sup> day of July, 2017.



Notary Public  
My Commission Expires \_\_\_\_\_



**EXHIBIT "A"**

**AMENDMENT NO. 38 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 38 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the AMENDMENT NO. 38.

**EXHIBIT "1"**  
**AMENDMENT NO. 38 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE XXXVIII WILL BE ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-38-1**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 38**

**0.1706 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-38-1 on the Plat of The Villas of Bertram Condominium Phase 38 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 215.05 feet to a point;

Thence South  $89^{\circ}31'45''$  West, a distance of 30.00 feet to a point, said point being on the westerly R/W of said Hilliary Lane and the southeasterly corner of Ph-1 in the Villas of Bertram Condominiums Phase 1 and the Principal Place of Beginning;

Course I: Thence South  $00^{\circ}28'15''$  East along the westerly R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the northeasterly corner of Ph-16-1 in the Villas of Bertram Condominiums Phase 16;

Course II: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-16-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-16-1;

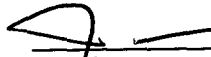


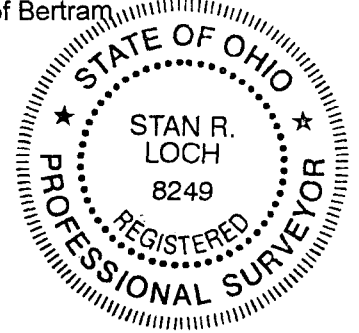
Course III: Thence North 00°28'15" West, a distance of 60.00 feet to a point, said point being the southwesterly corner of said Ph-1;

Course IV: Thence North 89°31'45" East, along the southerly line of said Ph-1, a distance of 123.86 feet to the Principal Place of Beginning.

Said parcel containing 0.1706 acres or 7,431 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54, 2016-62, 2016-70, 2017-4, 2017-10, 2017-11, 2017-16, 2017-31, 2017-40, 2017-42 and any other matters of record as surveyed and described in June, 2017 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-38-1" Phase 38, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 38.

Job#20132833

 6-30-17  
Stan R. Loch P.S. # 8249 Date



7-20-2017 *127*  
TAX MAP DEPT.  
LEGAL DESCRIPTION  
 SUFFICIENT  DEFICIENT  
 NO DIVISION OF LAND

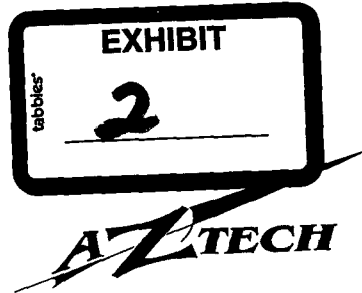
PN 03-015-10-00-001.048: 16.834 (rec)  
UNIT 3 - 0.1706  

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16.6634  
= 16.6639 Ac  
BY SURVEY

**EXHIBIT "2"**  
**AMENDMENT NO. 38 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO



## **ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**

### **LEGAL DESCRIPTION PH 38-R1 THE VILLAS OF BERTRAM CONDOMINIUM PHASE 38 16.6639 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 1 on the Plat of The Villas of Bertram Condominium Phase 38, and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $89^{\circ}30'28''$  West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South  $00^{\circ}28'15''$  East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a  $5/8''$  iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North  $89^{\circ}30'28''$  East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hilliary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta  $90^{\circ}01'17''$ , tangent 25.01 feet, chord 35.36 feet, bearing South  $45^{\circ}28'54''$  East to a point;

Course III: Thence South  $00^{\circ}28'15''$  East, continuing along the westerly R/W of said Hilliary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;

- Course IV: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;
- Course V: Thence South  $00^{\circ}28'15''$  East, along the westerly line of said Ph-1 and the westerly line of Ph-16-1 in the Villas of Bertram Condominiums Phase 16, Ph-19-1 in the Villas of Bertram Condominium Phase 19, Ph-11-1 in the Villas of Bertram Condominium Phase 11, Ph-6-1 in the Villas of Bertram Phase 1 Condominium Phase 6, Ph-3-1 in the Villas of Bertram Phase 1 Condominium Phase 3, Ph-7-1 in the Villas of Bertram Phase 1 Condominium Phase 7, Ph-4 in the Villas of Bertram Phase 1 Condominium Phase 4, Ph-9-1 in the Villas of Bertram Phase 1 Condominium Phase 9, and Ph-12-1 in the Villas of Bertram Phase 1, Condominium Phase 12, a distance of 749.06 feet to a point, said point being the northwesterly corner of Ph-10-1 in the Villas of Bertram Phase 1, Condominium Phase 10;
- Course VI: Thence South  $17^{\circ}30'08''$  East, along the westerly line of said Ph-10-1, a distance of 84.60 feet to a point, said point being the southwesterly corner of said Ph-10-1 and the northwesterly corner of Ph-6-2 in the Villas of Bertram Phase 6;
- Course VII: Thence South  $28^{\circ}59'33''$  East, along the westerly line of said Ph-6-2, a distance of 84.31 feet to a point, said point being the southwesterly corner of said Ph-6-2 and southwesterly corner of Ph-3-2 in the Villas of Bertram Phase 1, Condominium Phase 3;
- Course VIII: Thence South  $41^{\circ}59'53''$  East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;
- Course IX: Thence South  $55^{\circ}00'13''$  East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2 and also being the southwesterly corner of Ph-5 in the Villas of Bertram Phase 1, Condominium Phase 5;
- Course X: Thence South  $67^{\circ}15'11''$  East, along the southerly line of said Ph-5, distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-5 and the southwesterly corner of Ph-16-3 in the Villas of Bertram Condominiums Phase 16;
- Course XI: Thence South  $82^{\circ}21'31''$  East, along the southerly line of said Ph-16-3 and the southerly line of Ph-20-1 in the Villas of Bertram Condominiums Phase 20, Ph-21-1 in the Villas of Bertram Condominiums Phase 21, Ph-18-2 in the Villas of Bertram Condominiums Phase 18, a distance of 269.95 feet to a point;
- Course XII: Thence South  $86^{\circ}09'02''$  East, continuing along the southerly line of said Ph-18-2, a distance of 47.61 feet to a point;
- Course XIII: Thence North  $89^{\circ}30'07''$  East, continuing along the southerly line of said Ph-18-2 and along the southerly lines of Ph-17-1 in the Villas of Bertram Condominiums Phase 17, Ph-16-5 in the Villas of Bertram Condominiums Phase 16 and Ph-15-1 in the Villas of Bertram Condominiums Phase 15, a distance of 211.65 feet to a point;
- Course XIV: Thence North  $81^{\circ}36'00''$  East, a distance of 67.71 feet to a point;
- Course XV: Thence North  $68^{\circ}35'58''$  East, a distance of 84.32 feet to a point, said point being the southwesterly corner of Ph-32-1 in the Villas of Bertram Condominiums Phase 32;

- Course XVI: Thence North 55°35'56" East, along the southerly line of said Ph-32-1, a distance of 84.32 feet to point, said point being the southeasterly corner of said Ph-32-1;
- Course XVII: Thence North 40°54'05" West, along the easterly line of said Ph-32-1, a distance of 142.39 feet to point, said point being on the easterly R/W of said Hilliary Lane and the northeasterly corner of said Ph-32-1;
- Course XVIII: Thence along the easterly R/W of said Hilliary Lane, along a curve to the left with a length 17.37 feet, radius 230.00 feet, delta 04°19'40", tangent 8.69 feet, chord 17.37 feet, bearing North 46°56'05" East to a point, said point being the southeasterly corner of Ph-36-1 in the Villas of Bertram Condominiums Phase 36;
- Course XIX: Thence South 45°13'45" East, along the southerly line of said Ph-36-1, a distance of 132.33 feet to a point, said point being the southeasterly corner of said Ph-36-1,
- Course XX: Thence North 38°16'14" East, along the easterly line of said Ph-36-1, a distance of 82.04 feet to a point,
- Course XXI: Thence North 25°16'13" East, continuing along the easterly line of said Ph-36-1, a distance of 82.04 feet to a point, said point being the northeasterly corner of said Ph-36-1 and the southeasterly corner of Ph-35-2 in the Villas of Bertram Condominiums Phase 35;
- Course XXII: Thence North 13°48'36" East, along the easterly line of said Ph-35-2, a distance of 73.45 feet to a point,
- Course XXIII: Thence North 00°42'49" West, continuing along the easterly line of said Ph-35-2, and the easterly line of Ph-37-1 in the Villas of Bertram Condominiums Phase 37, a distance of 57.82 feet to a point;
- Course XXIV: Thence North 03°16'57" West, continuing along the easterly line of said Ph-37-1 and along the easterly line of Ph-27-1 in the Villas of Bertram Condominiums Phase 27, and the easterly lines of Ph-26-1 in the Villas of Bertram Condominiums Phase 26, Ph-29-1 in the Villas of Bertram Condominiums Phase 29, Ph-25-1 in the Villas of Bertram Condominiums Phase 25, Ph-23-2 in the Villas of Bertram Condominiums Phase 23 and Ph-24-1 in the Villas of Bertram Condominiums Phase 24, a distance of 386.27 feet to a point;
- Course XXV: Thence North 02°19'39" West, continuing along the easterly line of said Ph-24-1, a distance of 60.01 feet to a point, said point being the northeasterly corner of said Ph-24-1 and also being the southeasterly corner of Ph-26-2 in the Villas of Bertram Condominiums Phase 26;
- Course XXVI: Thence North 06°28'05" East, along the easterly line of said Ph-26-2, a distance of 71.59 feet to a point, said point being the northeasterly corner of said Ph-26-2 and the southeasterly corner of Ph-28-1 in the Villas of Bertram Condominiums Phase 28;
- Course XXVII: Thence North 08°29'41" East, along the easterly line of said Ph-28-1, a distance of 62.82 feet to a point, said point being the northeasterly corner of said Ph-28-1 and the southeasterly corner of Ph-37-2 in the Villas of Bertram Condominiums Phase 37;

- Course XXVIII: Thence North  $00^{\circ}42'49''$  West, along the northerly line of said Ph-37-2, a distance of 72.32 feet to a point, said point being the northwesterly corner of said Ph-37-2 and the southeasterly corner of Ph-32-2 in the Villas of Bertram Condominiums Phase 32;
- Course XXIX: Thence North  $31^{\circ}24'52''$  West, along the easterly line of said Ph-32-2, a distance of 121.11 feet to a point, said point being the northeasterly corner of said Ph-32-2 and the northeasterly corner of Ph-33-1 in the Villas of Bertram Condominiums Phase 33;
- Course XXX: Thence North  $65^{\circ}37'25''$  West, along the northerly line of said Ph-33-1, a distance of 106.28 feet to point,
- Course XXXI: Thence South  $89^{\circ}30'28''$  West, continuing along the northerly line of said Ph-33-1, a distance of 119.13 feet to point;
- Course XXXII: Thence South  $45^{\circ}57'28''$  West, continuing along the northerly line of said Ph-33-1 and the northerly line of Ph-34-1 in the Villas of Bertram Condominiums Phase 34, a distance of 140.68 feet to point, said point being the northwesterly corner of said Ph-34-1 and the northwesterly corner of Ph-37-3 in the Villas of Bertram Condominiums Phase 37;
- Course XXXIII: Thence South  $11^{\circ}44'55''$  West, along the westerly line of said Ph-37-3, a distance of 93.39 feet to point,
- Course XXXIV: Thence South  $00^{\circ}42'49''$  East, continuing along the westerly line of said Ph-37-3 and along the westerly line of Ph-28-2 in the Villas of Bertram Condominiums Phase 28, a distance of 48.68 feet to point;
- Course XXXV: Thence South  $16^{\circ}21'03''$  East, continuing along the westerly line of said Ph-28-2, a distance of 44.50 feet to point;
- Course XXXVI: Thence South  $29^{\circ}18'34''$  East, continuing along the westerly line of said Ph-28-2, a distance of 64.08 feet to point, said point being the southwesterly corner of said Ph-28-2 and the northwesterly corner of Ph-31-1 in the Villas of Bertram Condominiums Phase 31;
- Course XXXVII: Thence South  $19^{\circ}14'53''$  East, along the westerly line of said Ph-31-1, a distance of 57.51 feet to a point, said point being the southwesterly corner of said Ph-31-1 and the northwesterly corner of Ph-30-1 in the Villas of Bertram Condominiums Phase 30;
- Course XXXVIII: Thence South  $03^{\circ}16'57''$  East, along the westerly line of said Ph-30-1, and the westerly line of Ph-30-2 in the Villas of Bertram Condominiums Phase 30, Ph-31-2 & Ph-31-3 in the Villas of Bertram Condominiums Phase 31, a distance of 265.00 feet to a point, said point being on the northerly R/W of Samantha Drive, 60 foot R/W and the southwesterly corner of said Ph-31-3;
- Course XXXIX: Thence South  $86^{\circ}43'03''$  West, along the northerly R/W of said Samantha Drive, a distance of 17.03 feet to a point, said point being the southeasterly corner of Ph-31-4 in the Villas of Bertram Condominiums Phase 31;
- Course XL: Thence North  $03^{\circ}16'57''$  West, along the easterly line of said Ph-31-4, a distance of 130.07 feet to a point, said point being the northeasterly corner of said Ph-31-4;

- Course XLI: Thence South  $86^{\circ}43'03''$  West, along the northerly line of said Ph-31-4, a distance of 59.40 feet to a point, said point being the northwesterly corner of said Ph-31-4 and the northeasterly corner of Ph-36-3 in the Villas of Bertram Condominiums Phase 36;
- Course XLII: Thence South  $89^{\circ}18'44''$  West, along the northerly line of said ph-36-3, a distance of 58.47 feet to a point, said point being the northwesterly corner of said Ph-36-3 and the northeasterly corner of Ph-29-3 in the Villas of Bertram Condominiums Phase 29;
- Course XLIII: Thence North  $87^{\circ}43'18''$  West, along the northerly line of said Ph-29-3, a distance of 58.47 feet to a point, said point being the northwesterly corner of said Ph-29-3 and the northeasterly corner of Ph-28-3 in the Villas of Bertram Condominiums Phase 28;
- Course XLIV: Thence North  $84^{\circ}45'24''$  West, along the northerly line of said Ph-28-3, a distance of 58.47 feet to a point, said point being the northwesterly corner of said Ph-28-3 and the northeasterly corner of Ph-27-2 in the Villas of Bertram Condominiums Phase 27;
- Course XLV: Thence North  $82^{\circ}21'31''$  West, along the northerly line of said Ph-27-2, and the northerly line of Ph-36-4 in the Villas of Bertram Condominiums Phase 36, a distance of 179.50 feet to a point, said point being the northwesterly corner of said Ph-36-4;
- Course XLVI: Thence South  $07^{\circ}38'29''$  West, along the westerly line of said Ph-36-4, a distance of 130.00 feet to a point, said point being on the northerly R/W of said Samantha Drive and the southwestwesterly corner of said Ph-36-4;
- Course XLVII: Thence along the Northerly R/W of said Samantha Drive, along a curve to the left with a length 16.66 feet, radius 330.00 feet, delta  $02^{\circ}53'31''$ , tangent 8.33 feet, chord 16.65 feet, bearing North  $84^{\circ}03'11''$  West to a point, said point being the southeasterly corner of Ph-13-2 in the Villas of Bertram Phase 1, Condominium Phase 13;
- Course XLVIII: Thence North  $00^{\circ}28'15''$  West, along the easterly lines of said Ph-13-2, Ph-10-3 in the Villas of Bertram Phase 1, Condominium Phase 10 and Ph-6-3 in the Villas of Bertram Phase 1, Condominium Phase 6, a distance of 206.24 feet to a point said point being the northeasterly corner of said Ph-6-3;
- Course XLIX: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-6-3, a distance of 137.45 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-6-3;
- Course L: Thence North  $07^{\circ}30'01''$  West, along the easterly R/W of said Hilliary Lane, a distance of 25.56 feet to a point, said point being the southwestwesterly corner of Ph-12-3 in the Villas of Bertram Phase 1, Condominium Phase 12;
- Course LI: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-12-3, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-12-3;
- Course LII: Thence North  $00^{\circ}28'15''$  West, along the easterly line of said Ph-12-3, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-12-3;

- Course LIII: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-12-3, a distance of 13.26 feet to a point, said point being the southeasterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominiums Phase 2;
- Course LIV: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ph-2, and the easterly lines of Ph-14-1 in the Villas of Bertram Condominiums Phase 14, Ph-13-1 in the Villas of Bertram Phase 1, Condominium Phase 13, Ph-16-2 in the Villas of Bertram Condominiums Phase 16 and Ph-12-4 in the Villas of Bertram Condominiums Phase 12, a distance of 300.00 feet to a point, said point being the northeasterly corner of said Ph-12-4;
- Course LV: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-12-4, a distance of 121.03 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-12-4;
- Course LVI: Thence North  $00^{\circ}28'15''$  West, along the easterly R/W of said Hilliary Lane, a distance of 40.07 feet to a point, said point being a point of curvature
- Course LVII: Thence continuing along the easterly R/W of said Hilliary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta  $89^{\circ}58'43''$ , tangent 24.99 feet, chord 35.35 feet, bearing North  $44^{\circ}31'06''$  East to a point, said point being on the southerly R/W of said Treat Road;
- Course LVIII: Thence North  $89^{\circ}30'28''$  East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a  $5/8''$  iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course LIX: Thence South  $00^{\circ}42'49''$  East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a  $5/8''$  iron pin found capped "Weiss & Assoc.", said point being the southwesterly corner of said Ohio Edison Company;
- Course LX: Thence North  $89^{\circ}30'28''$  East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a  $5/8''$  iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;
- Course LXI: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ohio Edison Company, passing through a  $5/8''$  iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;
- Course LXII: Thence North  $89^{\circ}30'28''$  East, along the centerline of said Treat Road, passing through a  $1-1/4''$  axle found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;
- Course LXIII: Thence South  $00^{\circ}42'49''$  East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;

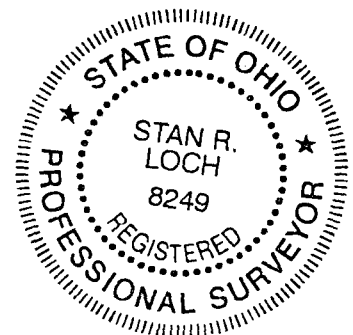


- Course LXIV: Thence South 89°32'00" West, along the northerly line of said Berry and the northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a 5/8" iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a 3/4" iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;
- Course LXV: Thence North 47°50'36" West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a 3/4" iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwesterly corner of lands conveyed to Michael & Cheryl Habbyshaw, as recorded in Document No. 201105000 of the Portage County Deed Records;
- Course LXVI: Thence North 89°30'22" East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;
- Course LXVII: Thence North 00°28'15" West, along the easterly line of said Habbyshaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

Said parcel contains 16.6639 acres or 725,883 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54, 2016-62, 2016-70, 2017-4, 2017-10, 2017-11, 2017-16, 2017-31, 2017-40, 2017-42 and any other matters of record as surveyed and described in June, 2017 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe the portion of the land conveyed to Villas of Bertram LLC. by File # 201401775 of the Portage County Records, which is designated as Ph-38-R1 Phase 38 Residual No. 1 on the Plat of Villas of Bertram Condominium Phase 38.

Job#20132833

  
 Stan R. Loch P.S. # 8249 Date



**EXHIBIT "3"**  
**AMENDMENT NO. 38 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE XXXVIII contains one (1) detached single-family residential Buildings known as UNIT NO. 3 situated on Hillary Lane, which include a basement and attached two car garage, and which is constructed primarily of wood, vinyl siding, asphalt shingle roof, brick, concrete block, glass and drywall. The location of UNIT NO. 3 is shown on the Drawings.

Unit 3 is a "Naples" type Unit. The "Naples" type Unit is a two-story Unit containing approximately 3000 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, living room, dining room, kitchen, dinette area, family room, mud room, ½ bath, and an attached two-car garage. The second floor of consists of four (4) bedrooms, laundry room, loft, and two (2) full baths. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

**EXHIBIT "4"**  
**AMENDMENT NO. 38 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	1/90th
II	67	864 Hillary Lane	1/90th
III	8	853 Hillary Lane	1/90th
III	9	849 Hillary Lane	1/90th
III	16	821 Hillary Lane	1/90th
III	17	817 Hillary Lane	1/90th
IV	11	841 Hillary Lane	1/90th
V	18	813 Hillary Lane	1/90th
VI	7	857 Hillary Lane	1/90th
VI	15	825 Hillary Lane	1/90th
VI	65	854 Hillary Lane	1/90th
VII	10	845 Hillary Lane	1/90th
VIII	73	830 Hillary Lane	1/90th
IX	12	837 Hillary Lane	1/90th
X	14	829 Hillary Lane	1/90th
X	64	850 Hillary Lane	1/90th
X	74	818 Hillary Lane	1/90th
XI	6	861 Hillary Lane	1/90th
XII	13	833 Hillary Lane	1/90th
XII	66	860 Hillary Lane	1/90th
XII	71	880 Hillary Lane	1/90th
XII	72	836 Hillary Lane	1/90th
XIII	63	846 Hillary Lane	1/90th
XIII	69	872 Hillary Lane	1/90th
XIV	68	868 Hillary Lane	1/90th
XV	26	781 Hillary Lane	1/90th
XVI	4	869 Hillary Lane	1/90th
XVI	19	809 Hillary Lane	1/90th
XVI	25	785 Hillary Lane	1/90th
XVI	70	876 Hillary Lane	1/90th
XVI	77	798 Hillary Lane	1/90th
XVII	24	789 Hillary Lane	1/90th
XVII	78	794 Hillary Lane	1/90th
XVII	79	788 Hillary Lane	1/90th
XVIII	23	793 Hillary Lane	1/90th
XVIII	76	802 Hillary Lane	1/90th

XIX	5	865 Hillary Lane	1/90th
XX	20	805 Hillary Lane	1/90th
XX	21	801 Hillary Lane	1/90th
XX	81	780 Hillary Lane	1/90th
XXI	22	797 Hillary Lane	1/90th
XXII	80	784 Hillary Lane	1/90th
XXII	86	45 Samantha Drive	1/90th
XXII	87	55 Samantha Drive	1/90th
XXII	88	65 Samantha Drive	1/90th
XXII	90	85 Samantha Drive	1/90th
XXIII	38	733 Hillary Lane	1/90th
XXIII	89	75 Samantha Drive	1/90th
XXIV	39	729 Hillary Lane	1/90th
XXIV	40	725 Hillary Lane	1/90th
XXIV	75	806 Hillary Lane	1/90th
XXV	37	737 Hillary Lane	1/90th
XXV	91	95 Samantha Drive	1/90th
XXVI	35	745 Hillary Lane	1/90th
XXVI	41	721 Hillary Lane	1/90th
XXVII	34	749 Hillary Lane	1/90th
XXVII	60	80 Samantha Drive	1/90th
XXVII	61	90 Samantha Drive	1/90th
XXVIII	42	717 Hillary Lane	1/90th
XXVIII	49	714 Hillary Lane	1/90th
XXVIII	50	718 Hillary Lane	1/90th
XXVIII	59	70 Samantha Drive	1/90th
XXIX	36	741 Hillary Lane	1/90th
XXIX	58	60 Samantha Drive	1/90th
XXIX	85	35 Samantha Drive	1/90th
XXX	52	726 Hillary Lane	1/90th
XXX	54	734 Hillary Lane	1/90th
XXX	84	750 Hillary Lane	1/90th
XXXI	51	722 Hillary Lane	1/90th
XXXI	53	730 Hillary Lane	1/90th
XXXI	55	738 Hillary Lane	1/90th
XXXI	56	40 Samantha Drive	1/90th
XXXII	29	769 Hillary Lane	1/90th
XXXII	44	709 Hillary Lane	1/90th
XXXIII	45	705 Hillary Lane	1/90th
XXXIII	46	700 Hillary Lane	1/90th
XXXIV	47	706 Hillary Lane	1/90th
XXXV	27	777 Hillary Lane	1/90th

XXXV	28	773 Hillary Lane	1/90th
XXXV	32	757 Hillary Lane	1/90th
XXXVI	30	765 Hillary Lane	1/90th
XXXVI	31	761 Hillary Lane	1/90th
XXXVI	57	50 Samantha Drive	1/90th
XXXVI	62	100 Samantha Drive	1/90th
XXXVI	82	770 Hillary Lane	1/90th
XXXVI	83	760 Hillary Lane	1/90th
XXXVII	33	753 Hillary Lane	1/90th
XXXVII	43	713 Hillary Lane	1/90th
XXXVII	48	710 Hillary Lane	1/90th
XXXVIII	3	873 Hillary Lane	1/90th
			Total 100%



LORI CALCEI  
PORTAGE CO. RECORDER

201710042 3195

RECEIVED FOR RECORD  
AT 14:43:39  
FEE 224.00

**INDEXED**

**AMENDMENT NO. 37**  
**TO THE DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

**PHASE XXXVII**  
**ADDING UNIT NOS. 33, 43, AND 48**

This will certify that copies of this AMENDMENT NO. 37 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "AMENDMENT NO. 37"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

Dated: JUN 19 2017, 2017

PORTAGE COUNTY AUDITOR

By: Xanet Esposito, CA  
Deputy Auditor

Plat 2017-42

This instrument prepared by:  
Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333

**AMENDMENT NO. 37 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE XXXVII of the Condominium which contains three (3) Units.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE XXXVII property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.



2. The legal description of the Condominium set forth in Exhibit "A" of the Declaration is amended to include the real property for PHASE XXXVII of the Condominium, the legal description for PHASE XXXVII being described in Exhibit "1" attached hereto and made a part hereof

3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.

4. The number of Units referred to in the Declaration is increased from to eighty-six (86) Units to eighty-nine (89) Units. A narrative description of the Buildings and Units for PHASE XXXVII is set forth in Exhibit "3" attached hereto and made a part hereof

5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.

6. The particulars of the Buildings and Units and other improvements for PHASE XXXVII, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE XXXVII Drawings incorporated in this AMENDMENT NO. 37 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE XXXVII Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 37 to the Declaration.

7. No owner of a Unit which was not included in Phase I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX, XX, XXI, XXII, XXIII, XXIV, XXV, XXVI, XXVII, XXVIII, XXIX, XXX, XXXI, XXXII, XXXIII, XXXIV, XXXV, and XXXVI shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE XXXVII prior to the filing of this AMENDMENT NO. 37 (except replacement reserve funds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this AMENDMENT NO. 37.

8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.

9. Except as amended herein, the Declaration thereto shall remain in full force and effect

10. Consent to this AMENDMENT NO. 37 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 15<sup>th</sup> day of June, 2017.

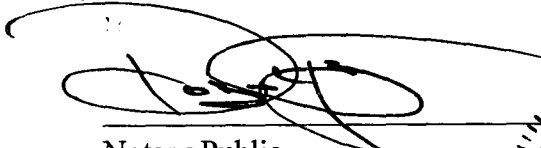
VILLAS OF BERTRAM, LLC,  
an Ohio limited liability company

By:   
Iris S. Wolstein, Manager

STATE OF OHIO                    )  
  )SS.  
COUNTY OF ~~LAKE~~            )  
  Cuyahoga

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 15<sup>th</sup> day of June, 2017.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires \_\_\_\_\_



**EXHIBIT "A"**

**AMENDMENT NO. 37 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 37 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the AMENDMENT NO. 37.

**EXHIBIT "1"**  
**AMENDMENT NO. 37 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE XXXVII WILL BE ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-37-1**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 37  
0.1942 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-37-1 on the Plat of The Villas of Bertram Condominium Phase 37 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North  $89^{\circ}31'39''$  East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta  $08^{\circ}06'50''$ , tangent 21.28 feet, chord 42.45 feet, bearing South  $86^{\circ}24'56''$  East to a point;

Thence South  $82^{\circ}21'31''$  East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta  $10^{\circ}55'25''$ , tangent 124.30 feet, chord 247.48 feet, bearing South  $87^{\circ}49'14''$  East to a point;

Thence North  $86^{\circ}43'03''$  East, continuing along the centerline of said Samantha Drive, a distance of 213.49 feet to a point, said point being the intersection of the centerline of said Samantha Drive and said Hilliary Lane;

Thence South  $03^{\circ}16'57''$  East, along the centerline of said Hilliary Lane, a distance of 122.56 feet to a point;

Thence South  $40^{\circ}08'56''$  East, a distance of 45.23 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of Ph-35-2 in the Villas of Bertram Condominiums Phase 35 and the Principal Place of Beginning;

Course I: Thence along the easterly R/W of said Hilliary Lane, along a curve to the left with a length 36.34 feet, radius 230.00 feet, delta  $09^{\circ}03'07''$ , tangent 18.21 feet, chord 36.30 feet, bearing North  $01^{\circ}14'37''$  East to a point;

Course II: Thence North  $03^{\circ}16'57''$  West, continuing along the easterly R/W of said Hilliary Lane, a distance of 18.20 feet to a point, said point being the southwesterly corner of Ph-27-1 in the Villas of Bertram Condominiums Phase 27;

Course III: Thence North  $86^{\circ}43'03''$  East, along the southerly line of said Ph-27-1, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-27-1;

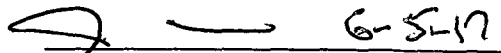
Course IV: Thence South  $03^{\circ}16'57''$  East, a distance of 26.27 feet to a point;

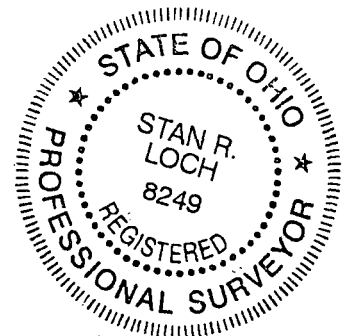
Course V: Thence South  $00^{\circ}42'49''$  East, a distance of 49.04 feet to a point, said point being the northeasterly corner of said Ph-35-2;

Course VI: Thence North  $84^{\circ}12'25''$  West, along the northerly line of said Ph-35-2, a distance of 132.32 feet to the Principal Place of Beginning.

Said parcel containing 0.1942 acres or 8,460 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54, 2016-62, 2016-70, 2017-4, 2017-10, 2017-11, 2017-16, 2017-31 and any other matters of record as surveyed and described in May, 2017 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South  $00^{\circ}28'15''$  East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-37-1" Phase 37, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 37.

Job#20132833

  
Stan R. Loch P.S. # 8249 Date





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-37-2**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 37**

**0.2060 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-37-2 on the Plat of The Villas of Bertram Condominium Phase 37 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North  $89^{\circ}31'39''$  East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta  $08^{\circ}06'50''$ , tangent 21.28 feet, chord 42.45 feet, bearing South  $86^{\circ}24'56''$  East to a point;

Thence South  $82^{\circ}21'31''$  East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta  $10^{\circ}55'25''$ , tangent 124.30 feet, chord 247.48 feet, bearing South  $87^{\circ}49'14''$  East to a point;

Thence North  $86^{\circ}43'03''$  East, continuing along the centerline of said Samantha Drive, a distance of 213.49 feet to a point, said point being the intersection of the centerline of said Samantha Drive and said Hilliary Lane;

Thence North  $03^{\circ}16'57''$  West, along the centerline of said Hilliary Lane, a distance of 329.69 feet to a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 28.64 feet, radius 300.00 feet, delta  $05^{\circ}28'10''$ , tangent 14.33 feet, chord 28.63 feet, bearing North  $06^{\circ}01'02''$  West to a point;

Thence North  $08^{\circ}45'07''$  West, continuing along the centerline of said Hilliary Lane, a distance of 122.68 feet to a point;

Thence North  $75^{\circ}39'15''$  East, a distance of 67.00 feet to a point on the Easterly R/W of said Hilliary Lane, said point being the southwesterly corner of Ph-32-2 in the Villas of Bertram Condominiums Phase 32 and the Principal Place of Beginning;

Course I: Thence North  $75^{\circ}39'15''$  East, along the southerly line of said Ph-32-2, a distance of 139.08 feet to a point, said point being the southeasterly corner of said Ph-32-2;

Course II: Thence South  $00^{\circ}42'49''$  East, a distance of 72.32 feet to a point, said point being the northeasterly corner of Ph-28-1 in the Villas of Bertram Condominiums Phase 28;;

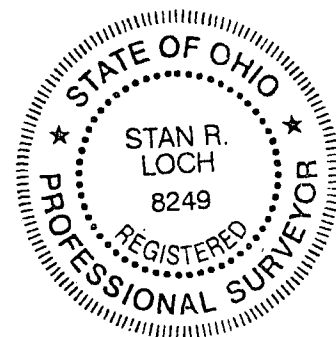
Course III: Thence South  $81^{\circ}14'53''$  West, along the northerly line of said Ph-28-1, a distance of 152.15 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-28-1 and a point of curvature;

Course IV: Thence along the easterly R/W of said Hilliary Lane along a curve to the left with a length 65.32 feet, radius 67.00 feet, delta  $55^{\circ}51'38''$ , tangent 35.52 feet, chord 62.77 feet, bearing North  $13^{\circ}35'04''$  East to the Principal Place of Beginning.

Said parcel containing 0.2060 acres or 8,973 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54, 2016-62, 2016-70, 2017-4, 2017-10, 2017-11, 2017-16, 2017-31 and any other matters of record as surveyed and described in May, 2017 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South  $00^{\circ}28'15''$  East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-37-2" Phase 37, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 37.

Job#20132833

  
Stan R. Loch P.S. # 8249 Date





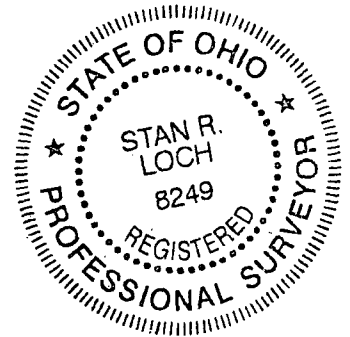


**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**



**LEGAL DESCRIPTION**

**PH-37-3**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 37**

**0.2415 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-37-3 on the Plat of The Villas of Bertram Condominium Phase 37 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 07°30'01" East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 00°28'15" East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North 89°31'39" East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta 08°06'50", tangent 21.28 feet, chord 42.45 feet, bearing South 86°24'56" East to a point;

Thence South 82°21'31" East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta  $10^{\circ}55'25''$ , tangent 124.30 feet, chord 247.48 feet, bearing South  $87^{\circ}49'14''$  East to a point;

Thence North  $86^{\circ}43'03''$  East, continuing along the centerline of said Samantha Drive, a distance of 213.49 feet to a point, said point being the intersection of the centerline of said Samantha Drive and said Hilliary Lane;

Thence North  $03^{\circ}16'57''$  West, along the centerline of said Hilliary Lane, a distance of 329.69 feet to a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 28.64 feet, radius 300.00 feet, delta  $05^{\circ}28'10''$ , tangent 14.33 feet, chord 28.63 feet, bearing North  $06^{\circ}01'02''$  West to a point;

Thence North  $08^{\circ}45'07''$  West, continuing along the centerline of said Hilliary Lane, a distance of 122.68 feet to a point;

Thence North  $61^{\circ}08'49''$  West, a distance of 67.00 feet to a point on the westerly R/W of said Hilliary Lane, said point being the southeasterly corner of Ph-34-1 in the Villas of Bertram Condominiums Phase 34 and the Principal Place of Beginning;

Course I: Thence along the westerly R/W of said Hilliary Lane along a curve to the left with a length 40.00 feet, radius 67.00 feet, delta  $34^{\circ}12'33''$ , tangent 20.62 feet, chord 39.41 feet, bearing South  $11^{\circ}44'55''$  West to a point, said point being the northeasterly corner of Ph-28-2 in the Villas of Bertram Condominiums Phase 28;

Course II: Thence South  $84^{\circ}38'38''$  West, along the northerly line of said Ph-28-2, a distance of 133.09 feet to a point, said point being the northwesterly corner of said Ph-28-2;

Course III: Thence North  $00^{\circ}42'49''$  West, a distance of 26.71 feet to a point;

Course IV: Thence North  $11^{\circ}44'55''$  East, a distance of 93.39 feet to a point, said point being the southwestly corner of said Ph-34-1;

Course V: Thence South  $61^{\circ}08'49''$  East, along the southerly line of said Ph-34-1, a distance of 139.12 feet to the Principal Place of Beginning.

Said parcel containing 0.2415 acres or 10,522 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54, 2016-62, 2016-70, 2017-4, 2017-10, 2017-11, 2017-16, 2017-31 and any other matters of record as surveyed and described in May, 2017 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South  $00^{\circ}28'15''$  East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-37-3" Phase 37, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 37.

  
Stan R. Loch P.S. # 8249      Date 6-5-17

Job#20132833

**EXHIBIT "2"**  
**AMENDMENT NO. 37 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION  
PH 37-R1  
THE VILLAS OF BERTRAM CONDOMINIUM PHASE 37  
16.8346 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 1 on the Plat of The Villas of Bertram Condominium Phase 37, and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South 89°30'28" West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South 00°28'15" East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a 5/8" iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hilliary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta 90°01'17", tangent 25.01 feet, chord 35.36 feet, bearing South 45°28'54" East to a point;

Course III: Thence South 00°28'15" East, continuing along the westerly R/W of said Hilliary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;

Course IV: Thence South 89°31'45" West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;

Course V: Thence South 00°28'15" East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwestly corner of said Ph-1;

Course VI: Thence North 89°31'45" East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hilliary Lane, said point being the southeasterly corner of said Ph-1;

- Course VII: Thence South 00°28'15" East, along the westerly R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the northeasterly corner of Ph-16-1 in the Villas of Bertram Condominiums Phase 16;
- Course VIII: Thence South 89°31'45" West, along the northerly line of said Ph-16-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-16-1;
- Course IX: Thence South 00°28'15" East, along the westerly line of said Ph-16-1, Ph-19-1 in the Villas of Bertram Condominium Phase 19, Ph-11-1 in the Villas of Bertram Condominium Phase 11, Ph-6-1 in the Villas of Bertram Phase 1 Condominium Phase 6, Ph-3-1 in the Villas of Bertram Phase 1 Condominium Phase 3, Ph-7-1 in the Villas of Bertram Phase 1 Condominium Phase 7, Ph-4 in the Villas of Bertram Phase 1 Condominium Phase 4, Ph-9-1 in the Villas of Bertram Phase 1 Condominium Phase 9, and Ph-12-1 in the Villas of Bertram Phase 1, Condominium Phase 12, a distance of 627.06 feet to a point, said point being the northwesterly corner of Ph-10-1 in the Villas of Bertram Phase 1, Condominium Phase 10;
- Course X: Thence South 17°30'08" East, along the westerly line of said Ph-10-1, a distance of 84.60 feet to a point, said point being the southwesterly corner of said Ph-10-1 and the northwesterly corner of Ph-6-2 in the Villas of Bertram Phase 6;
- Course XI: Thence South 28°59'33" East, along the westerly line of said Ph-6-2, a distance of 84.31 feet to a point, said point being the southwesterly corner of said Ph-6-2 and southwesterly corner of Ph-3-2 in the Villas of Bertram Phase 1, Condominium Phase 3;
- Course XII: Thence South 41°59'53" East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;
- Course XIII: Thence South 55°00'13" East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2 and also being the southwesterly corner of Ph-5 in the Villas of Bertram Phase 1, Condominium Phase 5;
- Course XIV: Thence South 67°15'11" East, along the southerly line of said Ph-5, distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-5 and the southwesterly corner of Ph-16-3 in the Villas of Bertram Condominiums Phase 16;
- Course XV: Thence South 82°21'31" East, along the southerly line of said Ph-16-3 and the southerly line of Ph-20-1 in the Villas of Bertram Condominiums Phase 20, Ph-21-1 in the Villas of Bertram Condominiums Phase 21, Ph-18-2 in the Villas of Bertram Condominiums Phase 18, a distance of 269.95 feet to a point;
- Course XVI: Thence South 86°09'02" East, continuing along the southerly line of said Ph-18-2, a distance of 47.61 feet to a point;
- Course XVII: Thence North 89°30'07" East, continuing along the southerly line of said Ph-18-2 and along the southerly lines of Ph-17-1 in the Villas of Bertram Condominiums Phase 17, Ph-16-5 in the Villas of Bertram Condominiums Phase 16 and Ph-15-1 in the Villas of Bertram Condominiums Phase 15, a distance of 211.65 feet to a point;
- Course XVIII: Thence North 81°36'00" East, a distance of 67.71 feet to a point;

- Course XIX: Thence North  $68^{\circ}35'58''$  East, a distance of 84.32 feet to a point, said point being the southwesterly corner of Ph-32-1 in the Villas of Bertram Condominiums Phase 32;
- Course XX: Thence North  $55^{\circ}35'56''$  East, along the southerly line of said Ph-32-1, a distance of 84.32 feet to point, said point being the southeasterly corner of said Ph-32-1;
- Course XXI: Thence North  $40^{\circ}54'05''$  West, along the easterly line of said Ph-32-1, a distance of 142.39 feet to point, said point being on the easterly R/W of said Hilliary Lane and the northeasterly corner of said Ph-32-1;
- Course XXII: Thence along the easterly R/W of said Hilliary Lane, along a curve to the left with a length 17.37 feet, radius 230.00 feet, delta  $04^{\circ}19'40''$ , tangent 8.69 feet, chord 17.37 feet, bearing North  $46^{\circ}56'05''$  East to a point, said point being the southeasterly corner of Ph-36-1 in the Villas of Bertram Condominiums Phase 36;
- Course XXIII: Thence South  $45^{\circ}13'45''$  East, along the southerly line of said Ph-36-1, a distance of 132.33 feet to a point, said point being the southeasterly corner of said Ph-36-1,
- Course XXIV: Thence North  $38^{\circ}16'14''$  East, along the easterly line of said Ph-36-1, a distance of 82.04 feet to a point,
- Course XXV: Thence North  $25^{\circ}16'13''$  East, continuing along the easterly line of said Ph-36-1, a distance of 82.04 feet to a point, said point being the northeasterly corner of said Ph-36-1 and the southeasterly corner of Ph-35-2 in the Villas of Bertram Condominiums Phase 35;
- Course XXVI: Thence North  $13^{\circ}48'36''$  East, along the easterly line of said Ph-35-2, a distance of 73.45 feet to a point,
- Course XXVII: Thence North  $00^{\circ}42'49''$  West, continuing along the easterly line of said Ph-35-2, a distance of 57.82 feet to a point;
- Course XXVIII: Thence North  $03^{\circ}16'57''$  West, along the easterly line of Ph-27-1 in the Villas of Bertram Condominiums Phase 27, and the easterly lines of Ph-26-1 in the Villas of Bertram Condominiums Phase 26, Ph-29-1 in the Villas of Bertram Condominiums Phase 29, Ph-25-1 in the Villas of Bertram Condominiums Phase 25, Ph-23-2 in the Villas of Bertram Condominiums Phase 23 and Ph-24-1 in the Villas of Bertram Condominiums Phase 24, a distance of 386.27 feet to a point;
- Course XXIX: Thence North  $02^{\circ}19'39''$  West, continuing along the easterly line of said Ph-24-1, a distance of 60.01 feet to a point, said point being the northeasterly corner of said Ph-24-1 and also being the southeasterly corner of Ph-26-2 in the Villas of Bertram Condominiums Phase 26;
- Course XXX: Thence North  $06^{\circ}28'05''$  East, along the easterly line of said Ph-26-2, a distance of 71.59 feet to a point, said point being the northeasterly corner of said Ph-26-2 and the southeasterly corner of Ph-28-1 in the Villas of Bertram Condominiums Phase 28;
- Course XXXI: Thence North  $08^{\circ}29'41''$  East, along the easterly line of said Ph-28-1, a distance of 62.82 feet to a point, said point being the northeasterly corner of said Ph-28-1;

- Course XXXII: Thence North  $00^{\circ}42'49''$  West, a distance of 72.32 feet to a point, said point being the south easterly corner of Ph-32-2 in the Villas of Bertram Condominiums Phase 32
- Course XXXIII: Thence North  $31^{\circ}24'52''$  West, along the easterly line of said Ph-32-2, a distance of 121.11 feet to a point, said point being the northeasterly corner of said Ph-32-2 and the northeasterly corner of Ph-33-1 in the Villas of Bertram Condominiums Phase 33;
- Course XXXIV: Thence North  $65^{\circ}37'25''$  West, along the northerly line of said Ph-33-1, a distance of 106.28 feet to point,
- Course XXXV: Thence South  $89^{\circ}30'28''$  West, continuing along the northerly line of said Ph-33-1, a distance of 119.13 feet to point;
- Course XXXVI: Thence South  $45^{\circ}57'28''$  West, continuing along the northerly line of said Ph-33-1 and the northerly line of Ph-34-1 in the Villas of Bertram Condominiums Phase 34, a distance of 140.68 feet to point, said point being the northwesterly corner of said Ph-34-1;
- Course XXXVII: Thence South  $11^{\circ}44'55''$  West, a distance of 93.39 feet to point,
- Course XXXVIII: Thence South  $00^{\circ}42'49''$  East, along the westerly line of Ph-28-2 in the Villas of Bertram Condominiums Phase 28, a distance of 48.68 feet to point;
- Course XXXIX: Thence South  $16^{\circ}21'03''$  East, continuing along the westerly line of said Ph-28-2, a distance of 44.50 feet to point;
- Course XL: Thence South  $29^{\circ}18'34''$  East, continuing along the westerly line of said Ph-28-2, a distance of 64.08 feet to point, said point being the southwesterly corner of said Ph-28-2 and the northwesterly corner of Ph-31-1 in the Villas of Bertram Condominiums Phase 31;
- Course XLI: Thence South  $19^{\circ}14'53''$  East, along the westerly line of said Ph-31-1, a distance of 57.51 feet to a point, said point being the southwesterly corner of said Ph-31-1 and the northwesterly corner of Ph-30-1 in the Villas of Bertram Condominiums Phase 30;
- Course LII: Thence South  $03^{\circ}16'57''$  East, along the westerly line of said Ph-30-1, and the westerly line of Ph-30-2 in the Villas of Bertram Condominiums Phase 30, Ph-31-2 & Ph-31-3 in the Villas of Bertram Condominiums Phase 31, a distance of 265.00 feet to a point, said point being on the northerly R/W of Samantha Drive, 60 foot R/W and the southwesterly corner of said Ph-31-3;
- Course LIII: Thence South  $86^{\circ}43'03''$  West, along the northerly R/W of said Samantha Drive, a distance of 17.03 feet to a point, said point being the southeasterly corner of Ph-31-4 in the Villas of Bertram Condominiums Phase 31;
- Course LIV: Thence North  $03^{\circ}16'57''$  West, along the easterly line of said Ph-31-4, a distance of 130.07 feet to a point, said point being the northeasterly corner of said Ph-31-4;
- Course LV: Thence South  $86^{\circ}43'03''$  West, along the northerly line of said Ph-31-4, a distance of 59.40 feet to a point, said point being the northwesterly corner of said Ph-31-4 and the northeasterly corner of Ph-36-3 in the Villas of Bertram Condominiums Phase 36;

- Course LVI: Thence South  $89^{\circ}18'44''$  West, along the northerly line of said Ph-36-3, a distance of 58.47 feet to a point, said point being the northwesterly corner of said Ph-36-3 and the northeasterly corner of Ph-29-3 in the Villas of Bertram Condominiums Phase 29;
- Course LVII: Thence North  $87^{\circ}43'18''$  West, along the northerly line of said Ph-29-3, a distance of 58.47 feet to a point, said point being the northwesterly corner of said Ph-29-3 and the northeasterly corner of Ph-28-3 in the Villas of Bertram Condominiums Phase 28;
- Course LVIII: Thence North  $84^{\circ}45'24''$  West, along the northerly line of said Ph-28-3, a distance of 58.47 feet to a point, said point being the northwesterly corner of said Ph-28-3 and the northeasterly corner of Ph-27-2 in the Villas of Bertram Condominiums Phase 27;
- Course LIX: Thence North  $82^{\circ}21'31''$  West, along the northerly line of said Ph-27-2, and the northerly line of Ph-36-4 in the Villas of Bertram Condominiums Phase 36, a distance of 179.50 feet to a point, said point being the northwesterly corner of said Ph-36-4;
- Course L: Thence South  $07^{\circ}38'29''$  West, along the westerly line of said Ph-36-4, a distance of 130.00 feet to a point, said point being on the northerly R/W of said Samantha Drive and the southwest corner of said Ph-36-4;
- Course LI: Thence along the Northerly R/W of said Samantha Drive, along a curve to the left with a length 16.66 feet, radius 330.00 feet, delta  $02^{\circ}53'31''$ , tangent 8.33 feet, chord 16.65 feet, bearing North  $84^{\circ}03'11''$  West to a point, said point being the southeasterly corner of Ph-13-2 in the Villas of Bertram Phase 1, Condominium Phase 13;
- Course LII: Thence North  $00^{\circ}28'15''$  West, along the easterly lines of said Ph-13-2, Ph-10-3 in the Villas of Bertram Phase 1, Condominium Phase 10 and Ph-6-3 in the Villas of Bertram Phase 1, Condominium Phase 6, a distance of 206.24 feet to a point said point being the northeasterly corner of said Ph-6-3;
- Course LIII: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-6-3, a distance of 137.45 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-6-3;
- Course LIV: Thence North  $07^{\circ}30'01''$  West, along the easterly R/W of said Hilliary Lane, a distance of 25.56 feet to a point, said point being the southwest corner of Ph-12-3 in the Villas of Bertram Phase 1, Condominium Phase 12;
- Course LV: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-12-3, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-12-3;
- Course LVI: Thence North  $00^{\circ}28'15''$  West, along the easterly line of said Ph-12-3, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-12-3;
- Course LVII: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-12-3, a distance of 13.26 feet to a point, said point being the southeasterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominiums Phase 2;
- Course LVIII: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ph-2, and the easterly lines of Ph-14-1 in the Villas of Bertram Condominiums Phase 14, Ph-13-1 in the Villas of Bertram Phase 1, Condominium Phase 13, Ph-16-2 in the



Villas of Bertram Condominiums Phase 16 and Ph-12-4 in the Villas of Bertram Condominiums Phase 12, a distance of 300.00 feet to a point, said point being the northeasterly corner of said Ph-12-4;

- Course LIX: Thence South 89°31'45" West, along the northerly line of said Ph-12-4, a distance of 121.03 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-12-4;
- Course LX: Thence North 00°28'15" West, along the easterly R/W of said Hilliary Lane, a distance of 40.07 feet to a point, said point being a point of curvature
- Course LXI: Thence continuing along the easterly R/W of said Hilliary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta 89°58'43", tangent 24.99 feet, chord 35.35 feet, bearing North 44°31'06" East to a point, said point being on the southerly R/W of said Treat Road;
- Course LXII: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a 5/8" iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course LXIII: Thence South 00°42'49" East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southwestly corner of said Ohio Edison Company;
- Course LXIV: Thence North 89°30'28" East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;
- Course LXV: Thence North 00°42'49" West, along the easterly line of said Ohio Edison Company, passing through a 5/8" iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;
- Course LXVI: Thence North 89°30'28" East, along the centerline of said Treat Road, passing through a 1-1/4" axle found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;
- Course LXVII: Thence South 00°42'49" East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;
- Course LXVIII: Thence South 89°32'00" West, along the northerly line of said Berry and the northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a 5/8" iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a 3/4" iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;


Course LXIX: Thence North 47°50'36" West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a 3/4" iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwesterly corner of lands conveyed to Michael & Cheryl Habbyshaw, as recorded in Document No. 201105000 of the Portage County Deed Records;

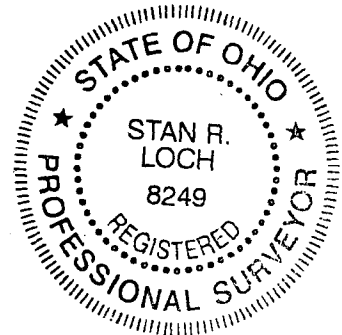
Course LXX: Thence North 89°30'22" East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;

Course LXXI: Thence North 00°28'15" West, along the easterly line of said Habbyshaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

Said parcel contains 16.8346 acres or 733,315 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54, 2016-62, 2016-70, 2017-4, 2017-10, 2017-11, 2017-16, 2017-31 and any other matters of record as surveyed and described in May, 2017 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe the portion of the land conveyed to Villas of Bertram LLC. by File # 201401775 of the Portage County Records, which is designated as Ph-37-R1 Phase 37 Residual No. 1 on the Plat of Villas of Bertram Condominium Phase 37.

Job#20132833

 6-5-17  
 Stan R. Loch P.S. # 8249 Date



**NO TRANSFER  
 REQUIRED**  
 JUN 19 2017  
**JANET ESPOSITO  
 AUDITOR**

6-19-2017  
 TAX MAP DEPT.  
 LEGAL DESCRIPTION  
 SUFFICIENT  DEFICIENT  
 NO DIVISION OF LAND

PN 03-015-10 .00-001.048: 17.476  
 UNIT 33 - 0.1942  
 17.2818  
 UNIT 43 - 0.2060  
 17.0758  
 UNIT 48 - 0.2415  
 16.8343  
 = 16.8346

(rec)

BY SURVEY

**EXHIBIT "3"**  
**AMENDMENT NO. 37 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE XXXVII contains three (3) detached single-family residential Buildings known as UNIT NOS. 33, 43, AND 48 situated on Hillary Lane, which include basements and attached two car garages, and which are constructed primarily of wood, vinyl siding, asphalt shingle roof, brick, concrete block, glass and drywall. The locations of UNIT NOS. 33, 43, AND 48 are shown on the Drawings.

Unit 33 is a "Milan" type Unit. The "Milan" type Unit is a one-story Unit containing approximately 2528 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a living room, family room, kitchen, dining room, dinette, powder room, mudroom, and 2-car attached garage. The second floor consists of four bedrooms, a loft, laundry, 2 walk-in closets, and two full baths. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 43 is a "Milan" type Unit. The "Milan" type Unit is a one-story Unit containing approximately 2528 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a living room, family room, kitchen, dining room, dinette, powder room, mudroom, and 2-car attached garage. The second floor consists of four bedrooms, a loft, laundry, 2 walk-in closets, and two full baths. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 48 is a "Rome" type Unit. The "Rome" is a two-story Unit. The first floor consists of a foyer, living room, dining room, mudroom, kitchen, dinette area, powder room, and study. The second floor consists of four (4) bedrooms and two (2) full baths, walk-in closet and loft. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

**EXHIBIT "4"**  
**AMENDMENT NO. 37 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	1/89th
II	67	864 Hillary Lane	1/89th
III	8	853 Hillary Lane	1/89th
III	9	849 Hillary Lane	1/89th
III	16	821 Hillary Lane	1/89th
III	17	817 Hillary Lane	1/89th
IV	11	841 Hillary Lane	1/89th
V	18	813 Hillary Lane	1/89th
VI	7	857 Hillary Lane	1/89th
VI	15	825 Hillary Lane	1/89th
VI	65	854 Hillary Lane	1/89th
VII	10	845 Hillary Lane	1/89th
VIII	73	830 Hillary Lane	1/89th
IX	12	837 Hillary Lane	1/89th
X	14	829 Hillary Lane	1/89th
X	64	850 Hillary Lane	1/89th
X	74	818 Hillary Lane	1/89th
XI	6	861 Hillary Lane	1/89th
XII	13	833 Hillary Lane	1/89th
XII	66	860 Hillary Lane	1/89th
XII	71	880 Hillary Lane	1/89th
XII	72	836 Hillary Lane	1/89th
XIII	63	846 Hillary Lane	1/89th
XIII	69	872 Hillary Lane	1/89th
XIV	68	868 Hillary Lane	1/89th
XV	26	781 Hillary Lane	1/89th
XVI	4	869 Hillary Lane	1/89th
XVI	19	809 Hillary Lane	1/89th
XVI	25	785 Hillary Lane	1/89th
XVI	70	876 Hillary Lane	1/89th
XVI	77	798 Hillary Lane	1/89th
XVII	24	789 Hillary Lane	1/89th
XVII	78	794 Hillary Lane	1/89th
XVII	79	788 Hillary Lane	1/89th
XVIII	23	793 Hillary Lane	1/89th
XVIII	76	802 Hillary Lane	1/89th

XIX	5	865 Hillary Lane	1/89th
XX	20	805 Hillary Lane	1/89th
XX	21	801 Hillary Lane	1/89th
XX	81	780 Hillary Lane	1/89th
XXI	22	797 Hillary Lane	1/89th
XXII	80	784 Hillary Lane	1/89th
XXII	86	45 Samantha Drive	1/89th
XXII	87	55 Samantha Drive	1/89th
XXII	88	65 Samantha Drive	1/89th
XXII	90	85 Samantha Drive	1/89th
XXIII	38	733 Hillary Lane	1/89th
XXIII	89	75 Samantha Drive	1/89th
XXIV	39	729 Hillary Lane	1/89th
XXIV	40	725 Hillary Lane	1/89th
XXIV	75	806 Hillary Lane	1/89th
XXV	37	737 Hillary Lane	1/89th
XXV	91	95 Samantha Drive	1/89th
XXVI	35	745 Hillary Lane	1/89th
XXVI	41	721 Hillary Lane	1/89th
XXVII	34	749 Hillary Lane	1/89th
XXVII	60	80 Samantha Drive	1/89th
XXVII	61	90 Samantha Drive	1/89th
XXVIII	42	717 Hillary Lane	1/89th
XXVIII	49	714 Hillary Lane	1/89th
XXVIII	50	718 Hillary Lane	1/89th
XXVIII	59	70 Samantha Drive	1/89th
XXIX	36	741 Hillary Lane	1/89th
XXIX	58	60 Samantha Drive	1/89th
XXIX	85	35 Samantha Drive	1/89th
XXX	52	726 Hillary Lane	1/89th
XXX	54	734 Hillary Lane	1/89th
XXX	84	750 Hillary Lane	1/89th
XXXI	51	722 Hillary Lane	1/89th
XXXI	53	730 Hillary Lane	1/89th
XXXI	55	738 Hillary Lane	1/89th
XXXI	56	40 Samantha Drive	1/89th
XXXII	29	769 Hillary Lane	1/89th
XXXII	44	709 Hillary Lane	1/89th
XXXIII	45	705 Hillary Lane	1/89th
XXXIII	46	700 Hillary Lane	1/89th
XXXIV	47	706 Hillary Lane	1/89th
XXXV	27	777 Hillary Lane	1/89th

XXXV	28	773 Hillary Lane	1/89th
XXXV	32	757 Hillary Lane	1/89th
XXXVI	30	765 Hillary Lane	1/89th
XXXVI	31	761 Hillary Lane	1/89th
XXXVI	57	50 Samantha Drive	1/89th
XXXVI	62	100 Samantha Drive	1/89th
XXXVI	82	770 Hillary Lane	1/89th
XXXVI	83	760 Hillary Lane	1/89th
XXXVII	33	753 Hillary Lane	1/89th
XXXVII	43	713 Hillary Lane	1/89th
XXXVII	48	710 Hillary Lane	1/89th
			Total 100%



LORI CALCEI  
PORTAGE CO. RECORDER

201709250 3-75

RECEIVED FOR RECORD  
AT 12:45:32  
FEE 248.00

**INDEXED**

**AMENDMENT NO. 36**  
**TO THE DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

**PHASE XXXVI**  
**ADDING UNIT NOS. 30, 31, 57, 62, 82, AND 83**

This will certify that copies of this AMENDMENT NO. 36 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "AMENDMENT NO. 36"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

Dated: JUN 07 2017, 2017

Plat 2017-40

PORTAGE COUNTY AUDITOR

By: Xanet Esposito, rge  
Deputy Auditor

This instrument prepared by:  
Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333



**AMENDMENT NO. 36 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE XXXVI of the Condominium which contains six (6) Units.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE XXXVI property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.

2. The legal description of the Condominium set forth in Exhibit "A" of the Declaration is amended to include the real property for PHASE XXXVI of the Condominium, the legal description for PHASE XXXVI being described in Exhibit "1" attached hereto and made a part hereof

3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.

4. The number of Units referred to in the Declaration is increased from to eighty (80) Units to eighty-six (86) Units. A narrative description of the Buildings and Units for PHASE XXXVI is set forth in Exhibit "3" attached hereto and made a part hereof

5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.

6. The particulars of the Buildings and Units and other improvements for PHASE XXXVI, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE XXXVI Drawings incorporated in this AMENDMENT NO. 36 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE XXXVI Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 36 to the Declaration.

7. No owner of a Unit which was not included in Phase I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX, XX, XXI, XXII, XXIII, XXIV, XXV, XXVI, XXVII, XXVIII, XXIX, XXX, XXXI, XXXII, XXXIII, XXXIV, and XXXV shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE XXXVI prior to the filing of this AMENDMENT NO. 36 (except replacement reserve funds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this AMENDMENT NO. 36.


8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.

9. Except as amended herein, the Declaration thereto shall remain in full force and effect

10. Consent to this AMENDMENT NO. 36 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 30 day of MAY, 2017.

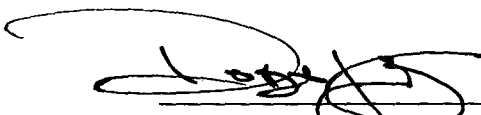
VILLAS OF BERTRAM, LLC,  
an Ohio limited liability company

By:   
Iris S. Wolstein, Manager

STATE OF OHIO                    )  
  )SS.  
COUNTY OF ~~LAKE~~            )  
  Cuyahoga

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 30th day of MAY, 2017.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires \_\_\_\_\_



**EXHIBIT "A"**

**AMENDMENT NO. 36 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 36 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the AMENDMENT NO. 36.

**EXHIBIT "1"**  
**AMENDMENT NO. 36 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE XXXVI WILL BE ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-36-1**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 36**

**0.4024 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-36-1 on the Plat of The Villas of Bertram Condominium Phase 36 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 07°30'01" East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 00°28'15" East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North 89°31'39" East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta 08°06'50", tangent 21.28 feet, chord 42.45 feet, bearing South 86°24'56" East to a point;

Thence South 82°21'31" East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta  $10^{\circ}55'25''$ , tangent 124.30 feet, chord 247.48 feet, bearing South  $87^{\circ}49'14''$  East to a point;

Thence North  $86^{\circ}43'03''$  East, continuing along the centerline of said Samantha Drive, a distance of 213.49 feet to a point, said point being the intersection of the centerline of said Samantha Drive and said Hilliary Lane;

Thence South  $03^{\circ}16'57''$  East, along the centerline of said Hilliary Lane, a distance of 122.56 feet to a point;

Thence South  $11^{\circ}57'22''$  East, a distance of 87.35 feet to a point on the easterly R/W of said Hilliary Lane, said point being the southwesterly corner of Ph-35-2 in the Villas of Bertram Condominiums Phase 35 and the Principal Place of Beginning;

Course I: Thence South  $71^{\circ}13'48''$  East, along the southerly line of said Ph-35-2, a distance of 132.33 feet to a point, said point being the southeasterly corner of said Ph-35-2;

Course II: Thence South  $25^{\circ}16'13''$  West, a distance of 82.04 feet to a point;

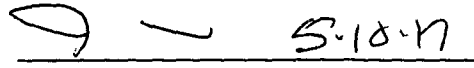
Course III: Thence South  $38^{\circ}16'14''$  West, a distance of 82.04 feet to a point;

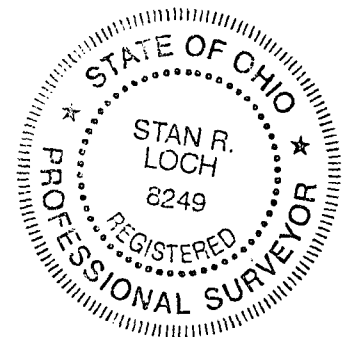
Course IV: Thence North  $45^{\circ}13'45''$  West, a distance of 132.33 feet to a point on the easterly R/W of said Hilliary Lane;

Course V: Thence along the easterly R/W of said Hilliary Lane, along a curve to the left with a length 104.37 feet, radius 230.00 feet, delta  $26^{\circ}00'03''$ , tangent 53.10 feet, chord 103.48 feet, bearing North  $31^{\circ}46'13''$  East to the Principal Place of Beginning.

Said parcel containing 0.4024 acres or 17,530 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54, 2016-62, 2016-70, 2017-4, 2017-10, 2017-11, 2017-16 and any other matters of record as surveyed and described in May, 2017 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South  $00^{\circ}28'15''$  East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-36-1" Phase 36, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 36.

Job#20132833

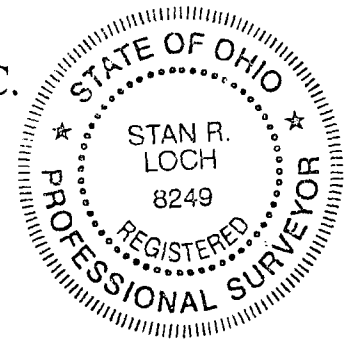
  
Stan R. Loch P.S. # 8249      Date





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**



**LEGAL DESCRIPTION  
PH-36-2  
THE VILLAS OF BERTRAM CONDOMINIUM PHASE 36  
0.4846 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-36-2 on the Plat of The Villas of Bertram Condominium Phase 36 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North  $89^{\circ}31'39''$  East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta  $08^{\circ}06'50''$ , tangent 21.28 feet, chord 42.45 feet, bearing South  $86^{\circ}24'56''$  East to a point;

Thence South  $82^{\circ}21'31''$  East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;



Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta  $10^{\circ}55'25''$ , tangent 124.30 feet, chord 247.48 feet, bearing South  $87^{\circ}49'14''$  East to a point;

Thence North  $86^{\circ}43'13''$  East, continuing along the centerline of said Samantha Drive, a distance of 213.49 feet to a point, said point being the intersection of the centerlines of said Samantha Drive and Hilliary Lane, 60 foot R/W;

Thence South  $03^{\circ}16'57''$  East, along the centerline of said Hilliary Lane, a distance of 122.56 feet to a point;


Thence South  $86^{\circ}43'03''$  West, a distance of 30.00 feet to a point on the westerly R/W of said Hilliary Lane, said point being on the easterly line of Ph-30-3 in the Villas of Bertram Condominiums Phase 30 and being a point of curvature;

Thence along the westerly R/W of said Samantha Drive and the easterly line of said Ph-30-3, along a curve to the right with a length 5.19 feet, radius 170.00 feet, delta  $1^{\circ}45'01''$ , tangent 2.60 feet, chord 5.19 feet, bearing South  $02^{\circ}24'26''$  East to a point, said point being the southeasterly corner of said Ph-30-3 and the Principal Place of Beginning;

- Course I: Thence continuing along the westerly R/W of said Samantha Drive, along a curve to the right with a length 261.48 feet, radius 170.00 feet, delta  $88^{\circ}07'38''$ , tangent 164.53 feet, chord 236.45 feet, bearing South  $42^{\circ}31'53''$  West to a point, said point being the southeasterly corner of Ph-20-2 in the Villas of Bertram Condominiums Phase 20;
- Course II: Thence North  $03^{\circ}23'45''$  West, along the easterly line of said Ph-20-2, a distance of 129.98 feet to a point, said point being the northeasterly corner of said Ph-20-2 and the southeasterly corner of Ph-29-2 in the Villas of Bertram Condominiums Phase 29;
- Course III: Thence North  $64^{\circ}30'13''$  East, along the easterly line of said Ph-29-2, a distance 30.01 feet to a point;
- Course IV: Thence North  $20^{\circ}31'31''$  East, continuing along the easterly line of said Ph-29-2, a distance of 30.01 feet to a point, said point being the southwesterly corner of said Ph-30-3;
- Course V: Thence North  $88^{\circ}28'04''$  East, along the southerly line of said Ph-30-3, a distance of 129.98 feet to the Principal Place of Beginning.

Said parcel containing 0.4846 acres or 21,110 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54, 2016-62, 2016-70, 2017-4, 2017-10, 2017-11, 2017-16 and any other matters of record as surveyed and described in May, 2017 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South  $00^{\circ}28'15''$  East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-36-2" Phase 36, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 36.

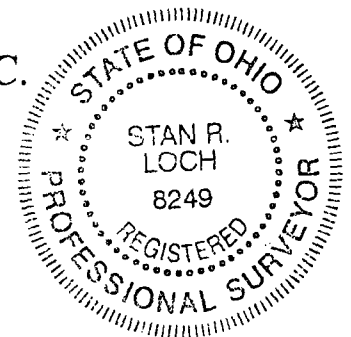
Job#20132833

  
Stan R. Loch P.S. # 8249      Date



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**



**LEGAL DESCRIPTION  
PH-36-3  
THE VILLAS OF BERTRAM CONDOMINIUM PHASE 36  
0.1845 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-36-3 on the Plat of The Villas of Bertram Condominium Phase 36 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 07°30'01" East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 00°28'15" East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North 89°31'39" East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta 08°06'50", tangent 21.28 feet, chord 42.45 feet, bearing South 86°24'56" East to a point;

Thence South 82°21'31" East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta  $10^{\circ}55'25''$ , tangent 124.30 feet, chord 247.48 feet, bearing South  $87^{\circ}49'14''$  East to a point;

Thence North  $43^{\circ}28'00''$  West, a distance of 39.60 feet to a point on the Northerly R/W of said Samantha Drive, said point being the southwesterly corner of Ph-31-4 in the Villas of Bertram Condominiums Phase 31 and the Principal Place of Beginning;

Course I: Thence along the northerly R/W of said Samantha Drive, along a curve to the right with a length 65.14 feet, radius 1270.00 feet, delta  $02^{\circ}56'19''$ , tangent 32.57 feet, chord 65.13 feet, bearing South  $89^{\circ}20'23''$  West to a point, said point being the southeasterly corner of Ph-29-3 in the Villas of Bertram Condominiums Phase 29;

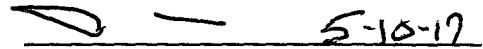
Course II: Thence North  $00^{\circ}48'33''$  East, along the easterly line of said Ph-29-3, a distance of 129.82 feet to a point, said point being the northeasterly corner of said Ph-29-3;

Course III: Thence North  $89^{\circ}18'44''$  East, a distance of 58.47 feet to a point, said point being the northwesterly corner of said Ph-31-4;

Course IV: Thence South  $02^{\circ}07'46''$  East, along the westerly line of said Ph-31-4, a distance of 129.84 feet to the Principal Place of Beginning.

Said parcel containing 0.1845 acres or 8,038 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54, 2016-62, 2016-70, 2017-4, 2017-10, 2017-11, 2017-16 and any other matters of record as surveyed and described in May, 2017 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South  $00^{\circ}28'15''$  East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-36-3" Phase 36, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 36.

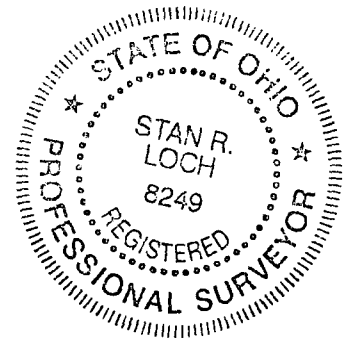
Job#20132833

  
Stan R. Loch P.S. # 8249      Date 5-10-17



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**



**LEGAL DESCRIPTION  
PH-36-4**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 36  
0.1790 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-36-4 on the Plat of The Villas of Bertram Condominium Phase 36 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

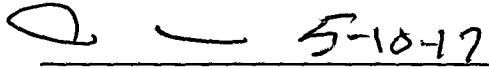
Thence North  $89^{\circ}31'39''$  East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta  $08^{\circ}06'50''$ , tangent 21.28 feet, chord 42.45 feet, bearing South  $86^{\circ}24'56''$  East to a point;

Thence North  $04^{\circ}54'31''$  East, a distance of 30.03 feet to a point on the Northerly R/W of said Samantha Drive and the Principal Place of Beginning;


- Course I: Thence North 07°38'29" East, a distance of 130.00 feet to a point;
- Course II: Thence South 82°21'31" East, a distance of 60.00 feet to a point, said point being the northwesterly corner of Ph-27-2 in the Villas of Bertram Condominiums Phase 27;
- Course III: Thence South 07°38'29" West, along the westerly line of said Ph-27-2, a distance of 130.00 feet to a point on the northerly R/W of said Samantha Drive, said point being the southwesterly corner of said Ph-27-2;
- Course IV: Thence North 82°21'31" West, along the northerly R/W of said Samantha Drive, a distance of 58.57 feet to a point of curvature;
- Course V: Thence along the northerly R/W of said Samantha Drive, along a curve to the right with a length 1.43 feet, radius 330.00 feet, delta 00°14'55", tangent 0.72 feet, chord 1.43 feet, bearing North 82°28'59" West to the Principal Place of Beginning.

Said parcel containing 0.1790 acres or 7,800 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54, 2016-62, 2016-70, 2017-4, 2017-10, 2017-11, 2017-16 and any other matters of record as surveyed and described in May, 2017 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-36-4" Phase 36, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 36.

  
 Stan R. Loch P.S. # 8249      Date

Job#20132833

**NO TRANSFER  
 REQUIRED**  
 JUN 07 2017  
**JANET ESPOSITO  
 AUDITOR**

6-7-2017   
 TAX MAP DEPT.  
 LEGAL DESCRIPTION  
 SUFFICIENT     DEFICIENT  
 NO DIVISION OF LAND

PN 03-015-10-00-001.002 : 0.486 (rec)  
 UNITS 82+83 = 0.4846

PN 03-015-10-00-001.048 : 18.243 (rec)  
 UNITS 30+31      - 0.4024  
 UNIT 57            - 0.1845  
 UNIT 62            - 0.1790  
 17.4771  
 = 17.4763 Ac  
BY SURVEY

**EXHIBIT "2"**  
**AMENDMENT NO. 36 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO

RECEIVED

MAY 12 2017

ENGINEERING DEPT.

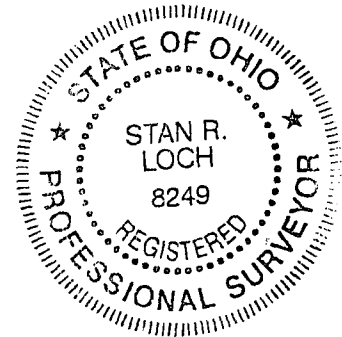


**ENGINEERING & SURVEYING CO., INC.**

5425 WARNER ROAD – SUITE 12

VALLEY VIEW, OHIO 44125

PH: 440-602-9071 FAX: 216-369-0259



**LEGAL DESCRIPTION**

**PH 36-R1**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 36**

**17.4763 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 1 on the Plat of The Villas of Bertram Condominium Phase 36, and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South 89°30'28" West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South 00°28'15" East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a 5/8" iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hilliary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta 90°01'17", tangent 25.01 feet, chord 35.36 feet, bearing South 45°28'54" East to a point;

Course III: Thence South 00°28'15" East, continuing along the westerly R/W of said Hilliary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;

Course IV: Thence South 89°31'45" West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;

Course V: Thence South 00°28'15" East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwestly corner of said Ph-1;

Course VI: Thence North 89°31'45" East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hilliary Lane, said point being the southeasterly corner of said Ph-1;

- Course VII: Thence South 00°28'15" East, along the westerly R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the northeasterly corner of Ph-16-1 in the Villas of Bertram Condominiums Phase 16;
- Course VIII: Thence South 89°31'45" West, along the northerly line of said Ph-16-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-16-1;
- Course IX: Thence South 00°28'15" East, along the westerly line of said Ph-16-1, Ph-19-1 in the Villas of Bertram Condominium Phase 19, Ph-11-1 in the Villas of Bertram Condominium Phase 11, Ph-6-1 in the Villas of Bertram Phase 1 Condominium Phase 6, Ph-3-1 in the Villas of Bertram Phase 1 Condominium Phase 3, Ph-7-1 in the Villas of Bertram Phase 1 Condominium Phase 7, Ph-4 in the Villas of Bertram Phase 1 Condominium Phase 4, Ph-9-1 in the Villas of Bertram Phase 1 Condominium Phase 9, and Ph-12-1 in the Villas of Bertram Phase 1, Condominium Phase 12, a distance of 627.06 feet to a point, said point being the northwesterly corner of Ph-10-1 in the Villas of Bertram Phase 1, Condominium Phase 10;
- Course X: Thence South 17°30'08" East, along the westerly line of said Ph-10-1, a distance of 84.60 feet to a point, said point being the southwesterly corner of said Ph-10-1 and the northwesterly corner of Ph-6-2 in the Villas of Bertram Phase 6;
- Course XI: Thence South 28°59'33" East, along the westerly line of said Ph-6-2, a distance of 84.31 feet to a point, said point being the southwesterly corner of said Ph-6-2 and southwesterly corner of Ph-3-2 in the Villas of Bertram Phase 1, Condominium Phase 3;
- Course XII: Thence South 41°59'53" East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;
- Course XIII: Thence South 55°00'13" East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2 and also being the southwesterly corner of Ph-5 in the Villas of Bertram Phase 1, Condominium Phase 5;
- Course XIV: Thence South 67°15'11" East, along the southerly line of said Ph-5, distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-5 and the southwesterly corner of Ph-16-3 in the Villas of Bertram Condominiums Phase 16;
- Course XV: Thence South 82°21'31" East, along the southerly line of said Ph-16-3 and the southerly line of Ph-20-1 in the Villas of Bertram Condominiums Phase 20, Ph-21-1 in the Villas of Bertram Condominiums Phase 21, Ph-18-2 in the Villas of Bertram Condominiums Phase 18, a distance of 269.95 feet to a point;
- Course XVI: Thence South 86°09'02" East, continuing along the southerly line of said Ph-18-2, a distance of 47.61 feet to a point;
- Course XVII: Thence North 89°30'07" East, continuing along the southerly line of said Ph-18-2 and along the southerly lines of Ph-17-1 in the Villas of Bertram Condominiums Phase 17, Ph-16-5 in the Villas of Bertram Condominiums Phase 16 and Ph-15-1 in the Villas of Bertram Condominiums Phase 15, a distance of 211.65 feet to a point;
- Course XVIII: Thence North 81°36'00" East, a distance of 67.71 feet to a point;



- Course XIX: Thence North  $68^{\circ}35'58''$  East, a distance of 84.32 feet to a point, said point being the southwesterly corner of Ph-32-1 in the Villas of Bertram Condominiums Phase 32;
- Course XX: Thence North  $55^{\circ}35'56''$  East, along the southerly line of said Ph-32-1, a distance of 84.32 feet to point, said point being the southeasterly corner of said Ph-32-1;
- Course XXI: Thence North  $40^{\circ}54'05''$  West, along the easterly line of said Ph-32-1, a distance of 142.39 feet to point, said point being on the easterly R/W of said Hilliary Lane and the northeasterly corner of said Ph-32-1;
- Course XXII: Thence along the easterly R/W of said Hilliary Lane, along a curve to the left with a length 17.37 feet, radius 230.00 feet, delta  $04^{\circ}19'40''$ , tangent 8.69 feet, chord 17.37 feet, bearing North  $46^{\circ}56'05''$  East to a point;
- Course XXIII: Thence South  $45^{\circ}13'45''$  East, a distance of 132.33 feet to a point,
- Course XXIV: Thence North  $38^{\circ}16'14''$  East, a distance of 82.04 feet to a point,
- Course XXV: Thence North  $25^{\circ}16'13''$  East, a distance of 82.04 feet to a point, said point being the southeasterly corner of Ph-35-2 in the Villas of Bertram Condominiums Phase 35;
- Course XXVI: Thence North  $13^{\circ}48'36''$  East, along the easterly line of said Ph-35-2, a distance of 73.45 feet to a point,
- Course XXVII: Thence North  $00^{\circ}42'49''$  West, continuing along the easterly line of said Ph-35-2, a distance of 8.79 feet to a point, said point being the northeasterly corner of said Ph-35-2;
- Course XXVIII: Thence North  $84^{\circ}12'25''$  West, along the northerly line of said Ph-35-2, a distance of 132.32 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-35-2;
- Course XXIX: Thence along the easterly R/W of said Hilliary Lane, along a curve to the left with a length 36.64 feet, radius 230.00 feet, delta  $09^{\circ}03'07''$ , tangent 18.21 feet, chord 36.30 feet, bearing North  $01^{\circ}14'37''$  East to a point;
- Course XXX: Thence North  $03^{\circ}16'57''$  West, continuing along the easterly R/W of said Hilliary Lane, a distance of 18.20 feet to a point, said point being the southwesterly corner of Ph-27-1 in the Villas of Bertram Condominiums Phase 27;
- Course XXXI: Thence North  $86^{\circ}43'03''$  East, along the southerly line of said Ph-27-1, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-27-1;
- Course XXXII: Thence North  $03^{\circ}16'57''$  West, along the easterly line of said Ph-27-1 and the easterly lines of Ph-26-1 in the Villas of Bertram Condominiums Phase 26, Ph-29-1 in the Villas of Bertram Condominiums Phase 29, Ph-25-1 in the Villas of Bertram Condominiums Phase 25, Ph-23-2 in the Villas of Bertram Condominiums Phase 23 and Ph-24-1 in the Villas of Bertram Condominiums Phase 24, a distance of 360.00 feet to a point;
- Course XXXIII: Thence North  $02^{\circ}19'39''$  West, continuing along the easterly line of said Ph-24-1, a distance of 60.01 feet to a point, said point being the northeasterly corner of said Ph-24-1 and also being the southeasterly corner of Ph-26-2 in the Villas of

Bertram Condominiums Phase 26;

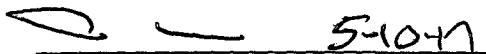
- Course XXXIV: Thence North  $06^{\circ}28'05''$  East, along the easterly line of said Ph-26-2, a distance of 71.59 feet to a point, said point being the northeasterly corner of said Ph-26-2 and the southeasterly corner of Ph-28-1 in the Villas of Bertram Condominiums Phase 28;
- Course XXXV: Thence North  $08^{\circ}29'41''$  East, along the easterly line of said Ph-28-1, a distance of 62.82 feet to a point, said point being the northeasterly corner of said Ph-28-1;
- Course XXXVI: Thence South  $81^{\circ}14'53''$  West, along the northerly line of said Ph-28-1, a distance of 152.15 feet to a point on the easterly R/W of said Hilliary Lane and a point of curvature, said point being the northwesterly corner of said Ph-28-1;
- Course XXXVII: Thence along the easterly R/W of said Hilliary Lane, along a curve to the left with a length 65.32 feet, radius 67.00 feet, delta  $55^{\circ}51'38''$ , tangent 35.52 feet, chord 62.77 feet, bearing North  $13^{\circ}35'04''$  East to a point, said point being the southwestery corner of Ph-32-2 in the Villas of Bertram Condominiums Phase 32;
- Course XXXVIII: Thence North  $75^{\circ}39'15''$  East, along the southerly line of said Ph-32-2, a distance of 139.08 feet to point, said point being the southeasterly corner of said Ph-32-2;
- Course XXXIX: Thence North  $31^{\circ}24'52''$  West, along the easterly line of said Ph-32-2, a distance of 121.11 feet to a point, said point being the northeasterly corner of said Ph-32-2 and the northeasterly corner of Ph-33-1 in the Villas of Bertram Condominiums Phase 33;
- Course XL: Thence North  $65^{\circ}37'25''$  West, along the northerly line of said Ph-33-1, a distance of 106.28 feet to point,
- Course XLI: Thence South  $89^{\circ}30'28''$  West, continuing along the northerly line of said Ph-33-1, a distance of 119.13 feet to point;
- Course XLII: Thence South  $45^{\circ}57'28''$  West, continuing along the northerly line of said Ph-33-1 and the northerly line of Ph-34-1 in the Villas of Bertram Condominiums Phase 34, a distance of 140.68 feet to point, said point being the northwesterly corner of said Ph-34-1;
- Course XLIII: Thence South  $61^{\circ}08'49''$  East, along the westerly line of said Ph-34-1, a distance of 139.12 feet to point, said point being on the northerly R/W of said Hilliary Lane and the southwestery corner of said Ph-34-1;
- Course XLIV: Thence along the northerly R/W of said Hilliary Lane, along a curve to the left with a length 40.00 feet, radius 67.00 feet, delta  $34^{\circ}12'34''$ , tangent 20.62 feet, chord 39.41 feet, bearing South  $11^{\circ}44'55''$  West to a point, said point being the northeasterly corner of Ph-28-2 in the Villas of Bertram Condominiums Phase 28;
- Course XLV: Thence South  $84^{\circ}38'38''$  West, along the northerly line of said Ph-28-2, a distance of 133.09 feet to point, said point being the northwesterly corner of said Ph-28-2;
- Course XLVI: Thence South  $00^{\circ}42'49''$  East, along the westerly line of said Ph-28-2, a distance of 21.97 feet to point;

- Course XLVII: Thence South  $16^{\circ}21'03''$  East, continuing along the westerly line of said Ph-28-2, a distance of 44.50 feet to point;
- Course XLVIII: Thence South  $29^{\circ}18'34''$  East, continuing along the westerly line of said Ph-28-2, a distance of 64.08 feet to point, said point being the southwesterly corner of said Ph-28-2 and the northwesterly corner of Ph-31-1 in the Villas of Bertram Condominiums Phase 31;
- Course XLIX: Thence South  $19^{\circ}14'53''$  East, along the westerly line of said Ph-31-1, a distance of 57.51 feet to a point, said point being the southwesterly corner of said Ph-31-1 and the northwesterly corner of Ph-30-1 in the Villas of Bertram Condominiums Phase 30;
- Course L: Thence South  $03^{\circ}16'57''$  East, along the westerly line of said Ph-30-1, and the westerly line of Ph-30-2 in the Villas of Bertram Condominiums Phase 30, Ph-31-2 & Ph-31-3 in the Villas of Bertram Condominiums Phase 31, a distance of 265.00 feet to a point, said point being on the northerly R/W of Samantha Drive, 60 foot R/W and the southwesterly corner of said Ph-31-3;
- Course LI: Thence South  $86^{\circ}43'03''$  West, along the northerly R/W of said Samantha Drive, a distance of 17.03 feet to a point, said point being the southeasterly corner of Ph-31-4 in the Villas of Bertram Condominiums Phase 31;
- Course LII: Thence North  $03^{\circ}16'57''$  West, along the easterly line of said Ph-31-4, a distance of 130.07 feet to a point, said point being the northeasterly corner of said Ph-31-4;
- Course LIII: Thence South  $86^{\circ}43'03''$  West, along the northerly line of said Ph-31-4, a distance of 59.40 feet to a point, said point being the northwesterly corner of said Ph-31-4;
- Course LIV: Thence South  $89^{\circ}18'44''$  West, a distance of 58.47 feet to a point, said point being the northeasterly corner of Ph-29-3 in the Villas of Bertram Condominiums Phase 29;
- Course LV: Thence North  $87^{\circ}43'18''$  West, along the northerly line of said Ph-29-3, a distance of 58.47 feet to a point, said point being the northwesterly corner of said Ph-29-3 and the northeasterly corner of Ph-28-3 in the Villas of Bertram Condominiums Phase 28;
- Course LVI: Thence North  $84^{\circ}45'24''$  West, along the northerly line of said Ph-28-3, a distance of 58.47 feet to a point, said point being the northwesterly corner of said Ph-28-3 and the northeasterly corner of Ph-27-2 in the Villas of Bertram Condominiums Phase 27;
- Course LVII: Thence North  $82^{\circ}21'31''$  West, along the northerly line of said Ph-27-2, a distance of 179.50 feet to a point;
- Course LVIII: Thence South  $07^{\circ}38'29''$  West, a distance of 130.00 feet to a point, said point being on the northerly R/W of said Samantha Drive;
- Course LIX: Thence along the Northerly R/W of said Samantha Drive, along a curve to the left with a length 16.66 feet, radius 330.00 feet, delta  $02^{\circ}53'31''$ , tangent 8.33 feet, chord 16.65 feet, bearing North  $84^{\circ}03'11''$  West to a point, said point being the southeasterly corner of Ph-13-2 in the Villas of Bertram Phase 1, Condominium Phase 13;

- Course LX: Thence North  $00^{\circ}28'15''$  West, along the easterly lines of said Ph-13-2, Ph-10-3 in the Villas of Bertram Phase 1, Condominium Phase 10 and Ph-6-3 in the Villas of Bertram Phase 1, Condominium Phase 6, a distance of 206.24 feet to a point said point being the northeasterly corner of said Ph-6-3;
- Course LXI: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-6-3, a distance of 137.45 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-6-3;
- Course LXII: Thence North  $07^{\circ}30'01''$  West, along the easterly R/W of said Hilliary Lane, a distance of 25.56 feet to a point, said point being the southwesterly corner of Ph-12-3 in the Villas of Bertram Phase 1, Condominium Phase 12;
- Course LXIII: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-12-3, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-12-3;
- Course LXIV: Thence North  $00^{\circ}28'15''$  West, along the easterly line of said Ph-12-3, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-12-3;
- Course LXV: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-12-3, a distance of 13.26 feet to a point, said point being the southeasterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominiums Phase 2;
- Course LXVI: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ph-2, and the easterly lines of Ph-14-1 in the Villas of Bertram Condominiums Phase 14, Ph-13-1 in the Villas of Bertram Phase 1, Condominium Phase 13, Ph-16-2 in the Villas of Bertram Condominiums Phase 16 and Ph-12-4 in the Villas of Bertram Condominiums Phase 12, a distance of 300.00 feet to a point, said point being the northeasterly corner of said Ph-12-4;
- Course LXVII: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-12-4, a distance of 121.03 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-12-4;
- Course LXVIII: Thence North  $00^{\circ}28'15''$  West, along the easterly R/W of said Hilliary Lane, a distance of 40.07 feet to a point, said point being a point of curvature
- Course LXIX: Thence continuing along the easterly R/W of said Hilliary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta  $89^{\circ}58'43''$ , tangent 24.99 feet, chord 35.35 feet, bearing North  $44^{\circ}31'06''$  East to a point, said point being on the southerly R/W of said Treat Road;
- Course LXX: Thence North  $89^{\circ}30'28''$  East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a  $5/8''$  iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course LXXI: Thence South  $00^{\circ}42'49''$  East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a  $5/8''$  iron pin found capped "Weiss & Assoc.", said point being the southwesterly corner of said Ohio Edison Company;
- Course LXXII: Thence North  $89^{\circ}30'28''$  East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a  $5/8''$  iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;

- Course LXXIII: Thence North 00°42'49" West, along the easterly line of said Ohio Edison Company, passing through a 5/8" iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;
- Course LXXIV: Thence North 89°30'28" East, along the centerline of said Treat Road, passing through a 1-1/4" axle found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;
- Course LXXV: Thence South 00°42'49" East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;
- Course LXXVI: Thence South 89°32'00" West, along the northerly line of said Berry and the northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a 5/8" iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a 3/4" iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;
- Course LXXVII: Thence North 47°50'36" West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a 3/4" iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwest corner of lands conveyed to Michael & Cheryl Habbyshaw, as recorded in Document No. 201105000 of the Portage County Deed Records;
- Course LXXVIII: Thence North 89°30'22" East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;
- Course LXXIX: Thence North 00°28'15" West, along the easterly line of said Habbyshaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

Said parcel contains 17.4763 acres or 761,271 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54, 2016-62, 2016-70, 2017-4, 2017-10, 2017-11, 2017-16 and any other matters of record as surveyed and described in May, 2017 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe the portion of the land conveyed to Villas of Bertram LLC. by File # 201401775 of the Portage County Records, which is designated as Ph-36-R1 Phase 36 Residual No. 1 on the Plat of Villas of Bertram Condominium Phase 36.

  
 \_\_\_\_\_  
 Stan R. Loch P.S. # 8249                      Date

**EXHIBIT "3"**  
**AMENDMENT NO. 36 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE XXXVI contains six (6) detached single-family residential Buildings known as UNIT NOS. 30, 31, 57, 62, 82, AND 83 situated on Hillary Lane and Samantha Drive, which include basements and attached two car garages, and which are constructed primarily of wood, vinyl siding, asphalt shingle roof, brick, concrete block, glass and drywall. The locations of UNIT NOS. 30, 31, 57, 62, 82, AND 83 are shown on the Drawings.

Unit 30 is a "Venice" type Unit. The "Venice" type Unit is a two-story Unit containing approximately 2,344 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, great room or study, dining room, kitchen, morning room, laundry room, ½ bath and an attached two-car garage. The second floor of consists of four (4) bedrooms and two (2) full baths, and walk-in closet. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 31 is a "Chantilly Place" type Unit. The "Chantilly Place" type Unit is a two-story Unit containing approximately 2300 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, dining room or study, dinette area, great room, kitchen, laundry room, ½ bath, and an attached two-car garage. The second floor of consists of three (3) bedrooms and two (2) full baths. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 57 is a "Florence" type Unit. The "Florence" type Unit is a two-story Unit containing approximately 2,000 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, living room or dining room, dinette area, family room, kitchen, laundry room, ½ bath, and an attached two-car garage. The second floor of consists of three (3) bedrooms and two (2) full baths. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 62 is a "Milan" type Unit. The "Milan" type Unit is a one-story Unit containing approximately 2528 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a living room, family room, kitchen, dining room, dinette, powder room, mudroom, and 2-car attached garage. The second floor consists of four bedrooms, a loft, laundry, 2 walk-in closets, and two full baths. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 82 is a "Venice" type Unit. The "Venice" type Unit is a two-story Unit containing approximately 2,344 square feet of living area (exclusive of the garage, attic and basement). The

first floor consists of a foyer, great room or study, dining room, kitchen, morning room, laundry room, ½ bath and an attached two-car garage. The second floor of consists of four (4) bedrooms and two (2) full baths, and walk-in closet. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 83 is a “Venice” type Unit. The “Venice” type Unit is a two-story Unit containing approximately 2,344 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, great room or study, dining room, kitchen, morning room, laundry room, ½ bath and an attached two-car garage. The second floor of consists of four (4) bedrooms and two (2) full baths, and walk-in closet. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

**EXHIBIT "4"**  
**AMENDMENT NO. 36 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	1/86th
II	67	864 Hillary Lane	1/86th
III	8	853 Hillary Lane	1/86th
III	9	849 Hillary Lane	1/86th
III	16	821 Hillary Lane	1/86th
III	17	817 Hillary Lane	1/86th
IV	11	841 Hillary Lane	1/86th
V	18	813 Hillary Lane	1/86th
VI	7	857 Hillary Lane	1/86th
VI	15	825 Hillary Lane	1/86th
VI	65	854 Hillary Lane	1/86th
VII	10	845 Hillary Lane	1/86th
VIII	73	830 Hillary Lane	1/86th
IX	12	837 Hillary Lane	1/86th
X	14	829 Hillary Lane	1/86th
X	64	850 Hillary Lane	1/86th
X	74	818 Hillary Lane	1/86th
XI	6	861 Hillary Lane	1/86th
XII	13	833 Hillary Lane	1/86th
XII	66	860 Hillary Lane	1/86th
XII	71	880 Hillary Lane	1/86th
XII	72	836 Hillary Lane	1/86th
XIII	63	846 Hillary Lane	1/86th
XIII	69	872 Hillary Lane	1/86th
XIV	68	868 Hillary Lane	1/86th
XV	26	781 Hillary Lane	1/86th
XVI	4	869 Hillary Lane	1/86th
XVI	19	809 Hillary Lane	1/86th
XVI	25	785 Hillary Lane	1/86th
XVI	70	876 Hillary Lane	1/86th
XVI	77	798 Hillary Lane	1/86th
XVII	24	789 Hillary Lane	1/86th
XVII	78	794 Hillary Lane	1/86th
XVII	79	788 Hillary Lane	1/86th
XVIII	23	793 Hillary Lane	1/86th
XVIII	76	802 Hillary Lane	1/86th



XIX	5	865 Hillary Lane	1/86th
XX	20	805 Hillary Lane	1/86th
XX	21	801 Hillary Lane	1/86th
XX	81	780 Hillary Lane	1/86th
XXI	22	797 Hillary Lane	1/86th
XXII	80	784 Hillary Lane	1/86th
XXII	86	45 Samantha Drive	1/86th
XXII	87	55 Samantha Drive	1/86th
XXII	88	65 Samantha Drive	1/86th
XXII	90	85 Samantha Drive	1/86th
XXIII	38	733 Hillary Lane	1/86th
XXIII	89	75 Samantha Drive	1/86th
XXIV	39	729 Hillary Lane	1/86th
XXIV	40	725 Hillary Lane	1/86th
XXIV	75	806 Hillary Lane	1/86th
XXV	37	737 Hillary Lane	1/86th
XXV	91	95 Samantha Drive	1/86th
XXVI	35	745 Hillary Lane	1/86th
XXVI	41	721 Hillary Lane	1/86th
XXVII	34	749 Hillary Lane	1/86th
XXVII	60	80 Samantha Drive	1/86th
XXVII	61	90 Samantha Drive	1/86th
XXVIII	42	717 Hillary Lane	1/86th
XXVIII	49	714 Hillary Lane	1/86th
XXVIII	50	718 Hillary Lane	1/86th
XXVIII	59	70 Samantha Drive	1/86th
XXIX	36	741 Hillary Lane	1/86th
XXIX	58	60 Samantha Drive	1/86th
XXIX	85	35 Samantha Drive	1/86th
XXX	52	726 Hillary Lane	1/86th
XXX	54	734 Hillary Lane	1/86th
XXX	84	750 Hillary Lane	1/86th
XXXI	51	722 Hillary Lane	1/86th
XXXI	53	730 Hillary Lane	1/86th
XXXI	55	738 Hillary Lane	1/86th
XXXI	56	40 Samantha Drive	1/86th
XXXII	29	769 Hillary Lane	1/86th
XXXII	44	709 Hillary Lane	1/86th
XXXIII	45	705 Hillary Lane	1/86th
XXXIII	46	700 Hillary Lane	1/86th
XXXIV	47	706 Hillary Lane	1/86th
XXXV	27	777 Hillary Lane	1/86th

XXXV	28	773 Hillary Lane	1/86th
XXXV	32	757 Hillary Lane	1/86th
XXXVI	30	765 Hillary Lane	1/86th
XXXVI	31	761 Hillary Lane	1/86th
XXXVI	57	50 Samantha Drive	1/86th
XXXVI	62	100 Samantha Drive	1/86th
XXXVI	82	770 Hillary Lane	1/86th
XXXVI	83	760 Hillary Lane	1/86th
			Total 100%



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MAY 05 2017  
JANET ESPOSITO, *d*  
AUDITOR

INDEXED

AMENDMENT NO. 35  
TO THE DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM

PHASE XXXV <sup>25</sup>  
ADDING UNIT NOS. 27, 28, AND 32

This will certify that copies of this AMENDMENT NO. 35 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "AMENDMENT NO. 35"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

Dated: MAY 05 2017, 2017

*Plat 2017-31*

PORTAGE COUNTY AUDITOR

By: *Janet Esposito, d*

Deputy Auditor

This instrument prepared by:  
Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333

**AMENDMENT NO. 35 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE XXXV of the Condominium which contains three (3) Units.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE XXXV property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.

2. The legal description of the Condominium set forth in Exhibit "A" of the Declaration is amended to include the real property for PHASE XXXV of the Condominium, the legal description for PHASE XXXV being described in Exhibit "1" attached hereto and made a part hereof
3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.
4. The number of Units referred to in the Declaration is increased from to seventy-seven (77) Units to eighty (80) Units. A narrative description of the Buildings and Units for PHASE XXXV is set forth in Exhibit "3" attached hereto and made a part hereof
5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.
6. The particulars of the Buildings and Units and other improvements for PHASE XXXV, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE XXXV Drawings incorporated in this AMENDMENT NO. 35 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE XXXV Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 35 to the Declaration.
7. No owner of a Unit which was not included in Phase I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX, XX, XXI, XXII, XXIII, XXIV, XXV, XXVI, XXVII, XXVIII, XXIX, XXX, XXXI, XXXII, XXXIII, and XXXIV shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE XXXV prior to the filing of this AMENDMENT NO. 35 (except replacement reserve funds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this AMENDMENT NO. 35.

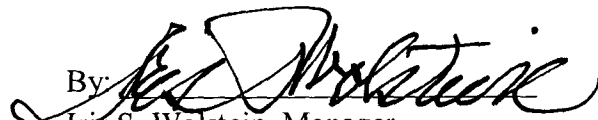
8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.

9. Except as amended herein, the Declaration thereto shall remain in full force and effect

10. Consent to this AMENDMENT NO. 35 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 30 day of MAY, 2017.

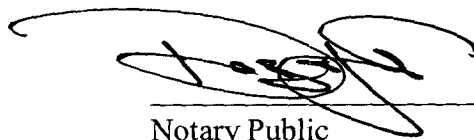
VILLAS OF BERTRAM, LLC,  
an Ohio limited liability company

By:   
Iris S. Wolstein, Manager

STATE OF OHIO            )  
  )SS.  
COUNTY OF ~~LAKE~~        )  
                                  Cuyahoga

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 30 day of MAY, 2017.



Notary Public  
My Commission Expires \_\_\_\_\_



**EXHIBIT "A"**

**AMENDMENT NO. 35 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 35 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the AMENDMENT NO. 35.



**EXHIBIT "1"**  
**AMENDMENT NO. 35 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE XXXV WILL BE ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-35-1**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 35**

**0.4401 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-35-1 on the Plat of The Villas of Bertram Condominium Phase 35 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hillary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 07°30'01" East, along the centerline of said Hillary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 00°28'15" East, continuing along the centerline of said Hillary Lane, a distance of 285.32 feet to a point;

Thence continuing along the centerline of said Hillary Lane and along the centerline of Hilliary Lane, 60 foot R/W as recorded in Villas of Bertram Phase 2A, as recorded in Plat 2015-40 of the Portage County Plat Records, along a curve to the left with a length 285.84 feet, radius 200.00 feet, delta 81°53'16", tangent 173.51 feet, chord 262.13 feet, bearing South 41°24'53" East to a point on the centerline of Hilliary Lane;

Thence South 82°21'31" East, continuing along the centerline of said Hilliary Lane, a distance of 196.73 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 71.03 feet, radius 500.00 feet, delta 08°08'22", tangent 35.57 feet, chord 70.97 feet, bearing South 86°25'42" East to a point;

Thence North 89°30'07" East, continuing along said Hilliary Lane, a distance of 160.66 feet to a point;

Thence South 11°08'39" East, a distance of 30.46 feet to a point on the Southerly R/W of said Hilliary Lane, said point being the northeasterly corner of Ph-15-1 in the Villas of Bertram Condominiums Phase 15, and the Principal Place of Beginning;

Course I: Thence along the southerly R/W of said Hilliary Lane, along a curve to the left with a length of 104.38 feet, radius 230.00 feet, tangent 53.10 feet, chord 103.48 feet, delta 26°00'04", bearing North 75°05'59" East to a point, said point being the northwesterly corner of Ph-32-1 in the Villas of Bertram Condominiums Phase 32;

Course II: Thence South 27°54'03" East, along the westerly line of said Ph-32-1, a distance of 142.39 feet to a point, said point being the southwesterly corner of said Ph-32-1;

Course III: Thence South 68°35'58" West, a distance of 84.32 feet to a point;

Course IV: Thence South 81°36'00" West, a distance of 67.71 feet to a point;

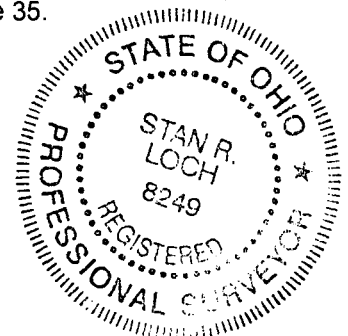
Course V: Thence South 89°30'07" West, a distance of 16.50 feet to a point, said point being the southeasterly corner of said Ph-15-1;

Course VI: Thence North 01°53'59" West, along the easterly line of said Ph-15-1, a distance of 140.11 feet to the Principal Place of Beginning.

Said parcel containing 0.4401 acres or 19,174 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54, 2016-62, 2016-70, 2017-4, 2017-10, 2017-11, 2017-16 and any other matters of record as surveyed and described in April, 2017 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-35-1", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 35.

Job#20132833

 4-13-17  
Stan R. Loch P.S. # 8249 Date





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-35-2**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 35  
0.2029 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-35-2 on the Plat of The Villas of Bertram Condominium Phase 35 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North  $89^{\circ}31'39''$  East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta  $08^{\circ}06'50''$ , tangent 21.28 feet, chord 42.45 feet, bearing South  $86^{\circ}24'56''$  East to a point;

Thence South  $82^{\circ}21'31''$  East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta 10°55'25", tangent 124.30 feet, chord 247.48 feet, bearing South 87°49'14" East to a point;

Thence North 86°43'03" East, continuing along the centerline of said Samantha Drive, a distance of 213.49 feet to a point, said point being the intersection of the centerline of said Samantha Drive and said Hilliary Lane;

Thence South 03°16'57" East, along the centerline of said Hilliary Lane, a distance of 122.56 feet to a point;

Thence South 40°08'56" East, a distance of 45.23 feet to a point on the easterly R/W of said Hilliary Lane and the Principal Place of Beginning;

Course I: Thence South 84°12'25" East, a distance of 132.32 feet to a point;

Course II: Thence South 00°42'49" East, a distance of 8.79 feet to a point;


Course III: Thence South 13°48'36" West, a distance of 73.45 feet to a point;

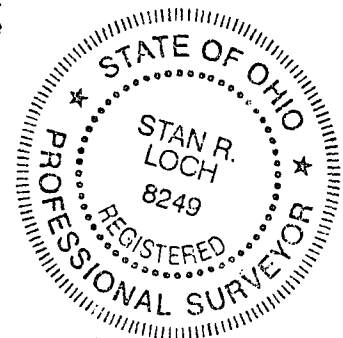
Course IV: Thence North 71°13'48" West, a distance of 132.33 feet to a point on the easterly R/W of said Hilliary Lane;

Course V: Thence along the easterly R/W of said Hilliary Lane, along a curve to the left with a length 52.19 feet, radius 230.00 feet, delta 13°00'02", tangent 26.21 feet, chord 52.08 feet, bearing North 12°16'11" East to the Principal Place of Beginning.

Said parcel containing 0.2029 acres or 8,842 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54, 2016-62, 2016-70, 2017-4, 2017-10, 2017-11, 2017-16 and any other matters of record as surveyed and described in April, 2017 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-35-2" Phase 35, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 35.

Job#20132833

 4.13.17  
Stan R. Loch P.S. # 8249 Date



**EXHIBIT "2"**  
**AMENDMENT NO. 35 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO



## **ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**

### **LEGAL DESCRIPTION PH 35-R1 THE VILLAS OF BERTRAM CONDOMINIUM PHASE 35 18.2424 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 1 on the Plat of The Villas of Bertram Condominium Phase 35, and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $89^{\circ}30'28''$  West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South  $00^{\circ}28'15''$  East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a  $5/8$ " iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North  $89^{\circ}30'28''$  East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hilliary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta  $90^{\circ}01'17''$ , tangent 25.01 feet, chord 35.36 feet, bearing South  $45^{\circ}28'54''$  East to a point;

Course III: Thence South  $00^{\circ}28'15''$  East, continuing along the westerly R/W of said Hilliary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;

Course IV: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;

Course V: Thence South  $00^{\circ}28'15''$  East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwestly corner of said Ph-1;

Course VI: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hilliary Lane, said point being the southeasterly corner of said Ph-1;

- Course VII: Thence South 00°28'15" East, along the westerly R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the northeasterly corner of Ph-16-1 in the Villas of Bertram Condominiums Phase 16;
- Course VIII: Thence South 89°31'45" West, along the northerly line of said Ph-16-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-16-1;
- Course IX: Thence South 00°28'15" East, along the westerly line of said Ph-16-1, Ph-19-1 in the Villas of Bertram Condominium Phase 19, Ph-11-1 in the Villas of Bertram Condominium Phase 11, Ph-6-1 in the Villas of Bertram Phase 1 Condominium Phase 6, Ph-3-1 in the Villas of Bertram Phase 1 Condominium Phase 3, Ph-7-1 in the Villas of Bertram Phase 1 Condominium Phase 7, Ph-4 in the Villas of Bertram Phase 1 Condominium Phase 4, Ph-9-1 in the Villas of Bertram Phase 1 Condominium Phase 9, and Ph-12-1 in the Villas of Bertram Phase 1, Condominium Phase 12, a distance of 627.06 feet to a point, said point being the northwesterly corner of Ph-10-1 in the Villas of Bertram Phase 1, Condominium Phase 10;
- Course X: Thence South 17°30'08" East, along the westerly line of said Ph-10-1, a distance of 84.60 feet to a point, said point being the southwesterly corner of said Ph-10-1 and the northwesterly corner of Ph-6-2 in the Villas of Bertram Phase 6;
- Course XI: Thence South 28°59'33" East, along the westerly line of said Ph-6-2, a distance of 84.31 feet to a point, said point being the southwesterly corner of said Ph-6-2 and southwesterly corner of Ph-3-2 in the Villas of Bertram Phase 1, Condominium Phase 3;
- Course XII: Thence South 41°59'53" East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;
- Course XIII: Thence South 55°00'13" East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2 and also being the southwesterly corner of Ph-5 in the Villas of Bertram Phase 1, Condominium Phase 5;
- Course XIV: Thence South 67°15'11" East, along the southerly line of said Ph-5, distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-5 and the southwesterly corner of Ph-16-3 in the Villas of Bertram Condominiums Phase 16;
- Course XV: Thence South 82°21'31" East, along the southerly line of said Ph-16-3 and the southerly line of Ph-20-1 in the Villas of Bertram Condominiums Phase 20, Ph-21-1 in the Villas of Bertram Condominiums Phase 21, Ph-18-2 in the Villas of Bertram Condominiums Phase 18, a distance of 269.95 feet to a point;
- Course XVI: Thence South 86°09'02" East, continuing along the southerly line of said Ph-18-2, a distance of 47.61 feet to a point;
- Course XVII: Thence North 89°30'07" East, continuing along the southerly line of said Ph-18-2 and along the southerly lines of Ph-17-1 in the Villas of Bertram Condominiums Phase 17, Ph-16-5 in the Villas of Bertram Condominiums Phase 16 and Ph-15-1 in the Villas of Bertram Condominiums Phase 15, a distance of 211.65 feet to a point;



- Course XVIII: Thence North  $81^{\circ}36'00''$  East, a distance of 67.71 feet to a point;
- Course XIX: Thence North  $68^{\circ}35'58''$  East, a distance of 84.32 feet to a point, said point being the southwesterly corner of Ph-32-1 in the Villas of Bertram Condominiums Phase 32;
- Course XX: Thence North  $55^{\circ}35'56''$  East, along the southerly line of said Ph-32-1, a distance of 84.32 feet to point, said point being the southeasterly corner of said Ph-32-1;
- Course XXI: Thence North  $40^{\circ}54'05''$  West, along the easterly line of said Ph-32-1, a distance of 142.39 feet to point, said point being on the easterly R/W of said Hilliary Lane and the northeasterly corner of said Ph-32-1;
- Course XXII: Thence along the easterly R/W of said Hilliary Lane, along a curve to the left with a length 121.75 feet, radius 230.00 feet, delta  $30^{\circ}19'43''$ , tangent 62.34 feet, chord 120.33 feet, bearing North  $33^{\circ}56'03''$  East to a point;
- Course XXIII: Thence South  $71^{\circ}13'48''$  East, a distance of 132.33 feet to a point,
- Course XXIV: Thence North  $13^{\circ}48'36''$  East, a distance of 73.45 feet to a point,
- Course XXV: Thence North  $00^{\circ}42'49''$  West, a distance of 8.79 feet to a point,
- Course XXVI: Thence North  $84^{\circ}12'25''$  West, a distance of 132.32 feet to a point on the easterly R/W of said Hilliary Lane;
- Course XXVII: Thence along the easterly R/W of said Hilliary Lane, along a curve to the left with a length 36.64 feet, radius 230.00 feet, delta  $09^{\circ}03'07''$ , tangent 18.21 feet, chord 36.30 feet, bearing North  $01^{\circ}14'37''$  East to a point;
- Course XXVIII: Thence North  $03^{\circ}16'57''$  West, continuing along the easterly R/W of said Hilliary Lane, a distance of 18.20 feet to a point, said point being the southwesterly corner of Ph-27-1 in the Villas of Bertram Condominiums Phase 27;
- Course XXIX: Thence North  $86^{\circ}43'03''$  East, along the southerly line of said Ph-27-1, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-27-1;
- Course XXX: Thence North  $03^{\circ}16'57''$  West, along the easterly line of said Ph-27-1 and the easterly lines of Ph-26-1 in the Villas of Bertram Condominiums Phase 26, Ph-29-1 in the Villas of Bertram Condominiums Phase 29, Ph-25-1 in the Villas of Bertram Condominiums Phase 25, Ph-23-2 in the Villas of Bertram Condominiums Phase 23 and Ph-24-1 in the Villas of Bertram Condominiums Phase 24, a distance of 360.00 feet to a point;
- Course XXXI: Thence North  $02^{\circ}19'39''$  West, continuing along the easterly line of said Ph-24-1, a distance of 60.01 feet to a point, said point being the northeasterly corner of said Ph-24-1 and also being the southeasterly corner of Ph-26-2 in the Villas of Bertram Condominiums Phase 26;
- Course XXXII: Thence North  $06^{\circ}28'05''$  East, along the easterly line of said Ph-26-2, a distance of 71.59 feet to a point, said point being the northeasterly corner of said Ph-26-2 and the southeasterly corner of Ph-28-1 in the Villas of Bertram Condominiums Phase 28;
- Course XXXIII: Thence North  $08^{\circ}29'41''$  East, along the easterly line of said Ph-28-1, a distance of 62.82 feet to a point, said point being the northeasterly corner of said Ph-28-1;

- Course XXXIV: Thence South  $81^{\circ}14'53''$  West, along the northerly line of said Ph-28-1, a distance of 152.15 feet to a point on the easterly R/W of said Hilliary Lane and a point of curvature, said point being the northwesterly corner of said Ph-28-1;
- Course XXXV: Thence along the easterly R/W of said Hilliary Lane, along a curve to the left with a length 65.32 feet, radius 67.00 feet, delta  $55^{\circ}51'38''$ , tangent 35.52 feet, chord 62.77 feet, bearing North  $13^{\circ}35'04''$  East to a point, said point being the southwesterly corner of Ph-32-2 in the Villas of Bertram Condominiums Phase 32;
- Course XXXVI: Thence North  $75^{\circ}39'15''$  East, along the southerly line of said Ph-32-2, a distance of 139.08 feet to point, said point being the southeasterly corner of said Ph-32-2;
- Course XXXVII: Thence North  $31^{\circ}24'52''$  West, along the easterly line of said Ph-32-2, a distance of 121.11 feet to a point, said point being the northeasterly corner of said Ph-32-2 and the northeasterly corner of Ph-33-1 in the Villas of Bertram Condominiums Phase 33;
- Course XXXVIII: Thence North  $65^{\circ}37'25''$  West, along the northerly line of said Ph-33-1, a distance of 106.28 feet to point,
- Course XXXIX: Thence South  $89^{\circ}30'28''$  West, continuing along the northerly line of said Ph-33-1, a distance of 119.13 feet to point;
- Course XL: Thence South  $45^{\circ}57'28''$  West, continuing along the northerly line of said Ph-33-1 and the northerly line of Ph-34-1 in the Villas of Bertram Condominiums Phase 34, a distance of 140.68 feet to point, said point being the northwesterly corner of said Ph-34-1;
- Course XLI: Thence South  $61^{\circ}08'49''$  East, along the westerly line of said Ph-34-1, a distance of 139.12 feet to point, said point being on the northerly R/W of said Hilliary Lane and the southwesterly corner of said Ph-34-1;
- Course XLII: Thence along the northerly R/W of said Hilliary Lane, along a curve to the left with a length 40.00 feet, radius 67.00 feet, delta  $34^{\circ}12'34''$ , tangent 20.62 feet, chord 39.41 feet, bearing South  $11^{\circ}44'55''$  West to a point, said point being the northeasterly corner of Ph-28-2 in the Villas of Bertram Condominiums Phase 28;
- Course XLIII: Thence South  $84^{\circ}38'38''$  West, along the northerly line of said Ph-28-2, a distance of 133.09 feet to point, said point being the northwesterly corner of said Ph-28-2;
- Course XLIV: Thence South  $00^{\circ}42'49''$  East, along the westerly line of said Ph-28-2, a distance of 21.97 feet to point;
- Course XLV: Thence South  $16^{\circ}21'03''$  East, continuing along the westerly line of said Ph-28-2, a distance of 44.50 feet to point;
- Course XLVI: Thence South  $29^{\circ}18'34''$  East, continuing along the westerly line of said Ph-28-2, a distance of 64.08 feet to point, said point being the southwesterly corner of said Ph-28-2 and the northwesterly corner of Ph-31-1 in the Villas of Bertram Condominiums Phase 31;

- Course XLVII: Thence South  $19^{\circ}14'53''$  East, along the westerly line of said Ph-31-1, a distance of 57.51 feet to a point, said point being the southwesterly corner of said Ph-31-1 and the northwesterly corner of Ph-30-1 in the Villas of Bertram Condominiums Phase 30;
- Course XLVIII: Thence South  $03^{\circ}16'57''$  East, along the westerly line of said Ph-30-1, and the westerly line of Ph-30-2 in the Villas of Bertram Condominiums Phase 30, Ph-31-2 & Ph-31-3 in the Villas of Bertram Condominiums Phase 31, a distance of 265.00 feet to a point, said point being on the northerly R/W of Samantha Drive, 60 foot R/W and the southwesterly corner of said Ph-31-3;
- Course XLIX: Thence South  $86^{\circ}43'03''$  West, along the northerly R/W of said Samantha Drive, a distance of 17.03 feet to a point, said point being the southeasterly corner of Ph-31-4 in the Villas of Bertram Condominiums Phase 31;
- Course L: Thence North  $03^{\circ}16'57''$  West, along the easterly line of said Ph-31-4, a distance of 130.07 feet to a point, said point being the northeasterly corner of said Ph-31-4;
- Course LI: Thence South  $86^{\circ}43'03''$  West, along the northerly line of said Ph-31-4, a distance of 59.40 feet to a point, said point being the northwesterly corner of said Ph-31-4;
- Course LII: Thence South  $02^{\circ}07'46''$  East, along the westerly line of said Ph-31-4, a distance of 129.84 feet to a point on the northerly R/W of said Samantha Drive and the southwesterly corner of said Ph-31-4;
- Course LIII: Thence along the northerly R/W of said Samantha Drive, along a curve to the right with a length 65.14 feet, radius 1270.00 feet, delta  $02^{\circ}56'19''$ , tangent 32.57 feet, chord 65.13 feet, bearing South  $89^{\circ}20'23''$  West to a point, said point being the southeasterly corner of Ph-29-3 in the Villas of Bertram Condominiums Phase 29;
- Course LIV: Thence North  $00^{\circ}48'33''$  East, along the easterly line of said Ph-29-3, a distance of 129.82 feet to point, said point being the northeasterly corner of said Ph-29-3;
- Course LV: Thence North  $87^{\circ}43'18''$  West, along the northerly line of said Ph-29-3, a distance of 58.47 feet to a point, said point being the northwesterly corner of said Ph-29-3 and the northeasterly corner of Ph-28-3 in the Villas of Bertram Condominiums Phase 28;
- Course LVI: Thence North  $84^{\circ}45'24''$  West, along the northerly line of said Ph-28-3, a distance of 58.47 feet to a point, said point being the northwesterly corner of said Ph-28-3 and the northeasterly corner of Ph-27-2 in the Villas of Bertram Condominiums Phase 27;
- Course LVII: Thence North  $82^{\circ}21'31''$  West, along the northerly line of said Ph-27-2, a distance of 119.50 feet to a point, said point being the northwesterly corner of said Ph-27-2;
- Course LVIII: Thence South  $07^{\circ}38'29''$  West, along the westerly line of said Ph-27-2, a distance of 130.00 feet to a point, said point being on the northerly R/W of said Samantha Drive and also the southwesterly corner of said Ph-27-2;
- Course: LIX: Thence North  $82^{\circ}21'31''$  West, continuing along the northerly R/W of said Samantha Drive, a distance of 58.57 feet to a point, said point being a point of curvature;

- Course LX: Thence continuing along the Northerly R/W of said Samantha Drive, along a curve to the left with a length 18.09 feet, radius 330.00 feet, delta  $03^{\circ}08'26''$ , tangent 9.05 feet, chord 18.09 feet, bearing North  $83^{\circ}55'44''$  West to a point, said point being the southeasterly corner of Ph-13-2 in the Villas of Bertram Phase 1, Condominium Phase 13;
- Course LXI: Thence North  $00^{\circ}28'15''$  West, along the easterly lines of said Ph-13-2, Ph-10-3 in the Villas of Bertram Phase 1, Condominium Phase 10 and Ph-6-3 in the Villas of Bertram Phase 1, Condominium Phase 6, a distance of 206.24 feet to a point said point being the northeasterly corner of said Ph-6-3;
- Course LXII: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-6-3, a distance of 137.45 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-6-3;
- Course LXIII: Thence North  $07^{\circ}30'01''$  West, along the easterly R/W of said Hilliary Lane, a distance of 25.56 feet to a point, said point being the southwesterly corner of Ph-12-3 in the Villas of Bertram Phase 1, Condominium Phase 12;
- Course LXIV: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-12-3, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-12-3;
- Course LXV: Thence North  $00^{\circ}28'15''$  West, along the easterly line of said Ph-12-3, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-12-3;
- Course LXVI: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-12-3, a distance of 13.26 feet to a point, said point being the southeasterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominiums Phase 2;
- Course LXVII: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ph-2, and the easterly lines of Ph-14-1 in the Villas of Bertram Condominiums Phase 14, Ph-13-1 in the Villas of Bertram Phase 1, Condominium Phase 13, Ph-16-2 in the Villas of Bertram Condominiums Phase 16 and Ph-12-4 in the Villas of Bertram Condominiums Phase 12, a distance of 300.00 feet to a point, said point being the northeasterly corner of said Ph-12-4;
- Course LXVIII: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-12-4, a distance of 121.03 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-12-4;
- Course LXIX: Thence North  $00^{\circ}28'15''$  West, along the easterly R/W of said Hilliary Lane, a distance of 40.07 feet to a point, said point being a point of curvature
- Course LXX: Thence continuing along the easterly R/W of said Hilliary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta  $89^{\circ}58'43''$ , tangent 24.99 feet, chord 35.35 feet, bearing North  $44^{\circ}31'06''$  East to a point, said point being on the southerly R/W of said Treat Road;
- Course LXXI: Thence North  $89^{\circ}30'28''$  East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a  $5/8''$  iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;

- Course LXXII: Thence South 00°42'49" East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southwesterly corner of said Ohio Edison Company;
- Course LXXIII: Thence North 89°30'28" East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;
- Course LXXIV: Thence North 00°42'49" West, along the easterly line of said Ohio Edison Company, passing through a 5/8" iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;
- Course LXXV: Thence North 89°30'28" East, along the centerline of said Treat Road, passing through a 1-1/4" axle found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;
- Course LXXVI: Thence South 00°42'49" East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;
- Course LXXVII: Thence South 89°32'00" West, along the northerly line of said Berry and the northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a 5/8" iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a 3/4" iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;
- Course LXXVIII: Thence North 47°50'36" West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a 3/4" iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwesterly corner of lands conveyed to Michael & Cheryl Habbyshaw, as recorded in Document No. 201105000 of the Portage County Deed Records;
- Course LXXIX: Thence North 89°30'22" East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;
- Course LXXX: Thence North 00°28'15" West, along the easterly line of said Habbyshaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

Said parcel contains 18.2424 acres or 794,640 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54, 2016-62, 2016-70, 2017-4, 2017-10, 2017-11, 2017-16 and any other matters of record as surveyed and described in April, 2017 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION  
PH-35-R2  
THE VILLAS OF BERTRAM CONDOMINIUM PHASE 35  
0.4846 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 2 on the Plat of The Villas of Bertram Condominium Phase 35 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North  $89^{\circ}31'39''$  East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta  $08^{\circ}06'50''$ , tangent 21.28 feet, chord 42.45 feet, bearing South  $86^{\circ}24'56''$  East to a point;

Thence South  $82^{\circ}21'31''$  East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta  $10^{\circ}55'25''$ , tangent 124.30 feet, chord 247.48 feet, bearing South  $87^{\circ}49'14''$  East to a point;

Thence North  $86^{\circ}43'13''$  East, continuing along the centerline of said Samantha Drive, a distance of 213.49 feet to a point, said point being the intersection of the centerlines of said Samantha Drive and Hilliary Lane, 60 foot R/W;

Thence South  $03^{\circ}16'57''$  East, along the centerline of said Hilliary Lane, a distance of 122.56 feet to a point;

Thence South  $86^{\circ}43'03''$  West, a distance of 30.00 feet to a point on the westerly R/W of said Hilliary Lane, said point being on the easterly line of Ph-30-3 in the Villas of Bertram Condominiums Phase 30 and being a point of curvature;

Thence along the westerly R/W of said Samantha Drive and the easterly line of said Ph-30-3, along a curve to the right with a length 5.19 feet, radius 170.00 feet, delta  $1^{\circ}45'01''$ , tangent 2.60 feet, chord 5.19 feet, bearing South  $02^{\circ}24'26''$  East to a point, said point being the southeasterly corner of said Ph-30-3 and the Principal Place of Beginning;

Course I: Thence continuing along the westerly R/W of said Samantha Drive, along a curve to the right with a length 261.48 feet, radius 170.00 feet, delta  $88^{\circ}07'38''$ , tangent 164.53 feet, chord 236.45 feet, bearing South  $42^{\circ}31'53''$  West to a point, said point being the southeasterly corner of Ph-20-2 in the Villas of Bertram Condominiums Phase 20;

Course II: Thence North  $03^{\circ}23'45''$  West, along the easterly line of said Ph-20-2, a distance of 129.98 feet to a point, said point being the northeasterly corner of said Ph-20-2 and the southeasterly corner of Ph-29-2 in the Villas of Bertram Condominiums Phase 29;


Course III: Thence North  $64^{\circ}30'13''$  East, along the easterly line of said Ph-29-2, a distance 30.01 feet to a point;

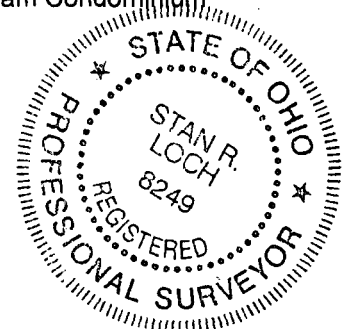
Course IV: Thence North  $20^{\circ}31'31''$  East, continuing along the easterly line of said Ph-29-2, a distance of 30.01 feet to a point, said point being the southwesterly corner of said Ph-30-3;

Course V: Thence North  $88^{\circ}28'04''$  East, along the southerly line of said Ph-30-3, a distance of 129.98 feet to the Principal Place of Beginning.

Said parcel containing 0.4846 acres or 21,110 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54, 2016-62, 2016-70, 2017-4, 2017-10, 2017-11, 2017-16 and any other matters of record as surveyed and described in April, 2017 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South  $00^{\circ}28'15''$  East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-35-R2" Phase 35 Residual No. 2, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 35.

Job#20132833

 4-13-17  
Stan R. Loch P.S. # 8249 Date





**EXHIBIT "3"**  
**AMENDMENT NO. 35 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE XXXV contains three (3) detached single-family residential Buildings known as UNIT NOS. 27, 28, AND 32 situated on Hillary Lane, which include basements and attached two car garages, and which are constructed primarily of wood, vinyl siding, asphalt shingle roof, brick, concrete block, glass and drywall. The locations of UNIT NOS. 27, 28, AND 32 are shown on the Drawings.

Unit 27 is a "Venice" type Unit. The "Venice" type Unit is a two-story Unit containing approximately 2,344 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, great room or study, dining room, kitchen, morning room, laundry room, ½ bath and an attached two-car garage. The second floor of consists of four (4) bedrooms and two (2) full baths, and walk-in closet. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 28 is a "Venice" type Unit. The "Venice" type Unit is a two-story Unit containing approximately 2,344 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, great room or study, dining room, kitchen, morning room, laundry room, ½ bath and an attached two-car garage. The second floor of consists of four (4) bedrooms and two (2) full baths, and walk-in closet. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 32 is a "Chantilly Place" type Unit. The "Chantilly Place" type Unit is a two-story Unit containing approximately 2300 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, dining room or study, dinette area, great room, kitchen, laundry room, ½ bath, and an attached two-car garage. The second floor of consists of three (3) bedrooms and two (2) full baths. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

**EXHIBIT "4"**  
**AMENDMENT NO. 35 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	1/80th
II	67	864 Hillary Lane	1/80th
III	8	853 Hillary Lane	1/80th
III	9	849 Hillary Lane	1/80th
III	16	821 Hillary Lane	1/80th
III	17	817 Hillary Lane	1/80th
IV	11	841 Hillary Lane	1/80th
V	18	813 Hillary Lane	1/80th
VI	7	857 Hillary Lane	1/80th
VI	15	825 Hillary Lane	1/80th
VI	65	854 Hillary Lane	1/80th
VII	10	845 Hillary Lane	1/80th
VIII	73	830 Hillary Lane	1/80th
IX	12	837 Hillary Lane	1/80th
X	14	829 Hillary Lane	1/80th
X	64	850 Hillary Lane	1/80th
X	74	818 Hillary Lane	1/80th
XI	6	861 Hillary Lane	1/80th
XII	13	833 Hillary Lane	1/80th
XII	66	860 Hillary Lane	1/80th
XII	71	880 Hillary Lane	1/80th
XII	72	836 Hillary Lane	1/80th
XIII	63	846 Hillary Lane	1/80th
XIII	69	872 Hillary Lane	1/80th
XIV	68	868 Hillary Lane	1/80th
XV	26	781 Hillary Lane	1/80th
XVI	4	869 Hillary Lane	1/80th
XVI	19	809 Hillary Lane	1/80th
XVI	25	785 Hillary Lane	1/80th
XVI	70	876 Hillary Lane	1/80th
XVI	77	798 Hillary Lane	1/80th
XVII	24	789 Hillary Lane	1/80th
XVII	78	794 Hillary Lane	1/80th
XVII	79	788 Hillary Lane	1/80th
XVIII	23	793 Hillary Lane	1/80th
XVIII	76	802 Hillary Lane	1/80th

XIX	5	865 Hillary Lane	1/80th
XX	20	805 Hillary Lane	1/80th
XX	21	801 Hillary Lane	1/80th
XX	81	780 Hillary Lane	1/80th
XXI	22	797 Hillary Lane	1/80th
XXII	80	784 Hillary Lane	1/80th
XXII	86	45 Samantha Drive	1/80th
XXII	87	55 Samantha Drive	1/80th
XXII	88	65 Samantha Drive	1/80th
XXII	90	85 Samantha Drive	1/80th
XXIII	38	733 Hillary Lane	1/80th
XXIII	89	75 Samantha Drive	1/80th
XXIV	39	729 Hillary Lane	1/80th
XXIV	40	725 Hillary Lane	1/80th
XXIV	75	806 Hillary Lane	1/80th
XXV	37	737 Hillary Lane	1/80th
XXV	91	95 Samantha Drive	1/80th
XXVI	35	745 Hillary Lane	1/80th
XXVI	41	721 Hillary Lane	1/80th
XXVII	34	749 Hillary Lane	1/80th
XXVII	60	80 Samantha Drive	1/80th
XXVII	61	90 Samantha Drive	1/80th
XXVIII	42	717 Hillary Lane	1/80th
XXVIII	49	714 Hillary Lane	1/80th
XXVIII	50	718 Hillary Lane	1/80th
XXVIII	59	70 Samantha Drive	1/80th
XXIX	36	741 Hillary Lane	1/80th
XXIX	58	60 Samantha Drive	1/80th
XXIX	85	35 Samantha Drive	1/80th
XXX	52	726 Hillary Lane	1/80th
XXX	54	734 Hillary Lane	1/80th
XXX	84	750 Hillary Lane	1/80th
XXXI	51	722 Hillary Lane	1/80th
XXXI	53	730 Hillary Lane	1/80th
XXXI	55	738 Hillary Lane	1/80th
XXXI	56	40 Samantha Drive	1/80th
XXXII	29	769 Hillary Lane	1/80th
XXXII	44	709 Hillary Lane	1/80th
XXXIII	45	705 Hillary Lane	1/80th
XXXIII	46	700 Hillary Lane	1/80th
XXXIV	47	706 Hillary Lane	1/80th
XXXV	27	777 Hillary Lane	1/80th

XXXV	28	773 Hillary Lane	1/80th
XXXV	32	757 Hillary Lane	1/80th
			Total 100%



*Patty*  
LORI CALCEI  
PORTAGE CO. RECORDER

NO TRANSFER  
REQUIRED  
FEB 24 2017  
JANET ESPOSITO  
AUDITOR

201703209 245

RECEIVED FOR RECORD  
AT 124055  
FEE 200.00

**INDEXED**

AMENDMENT NO. 34  
TO THE DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM

PHASE XXXIV  
ADDING UNIT NO. 47

This will certify that copies of this AMENDMENT NO. 34 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "AMENDMENT NO. 34"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

Dated: FEB 24 2017, 2017

PORTAGE COUNTY AUDITOR

By: *Janet Esposito*  
Deputy Auditor

*Plat 2017-16*

This instrument prepared by:  
Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333

**AMENDMENT NO. 34 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE XXXIV of the Condominium which contains one (1) Units.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE XXXIV property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.

2. The legal description of the Condominium set forth in Exhibit "A" of the Declaration is amended to include the real property for PHASE XXXIV of the Condominium, the legal description for PHASE XXXIV being described in Exhibit "1" attached hereto and made a part hereof
3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.
4. The number of Units referred to in the Declaration is increased from to seventy-six (76) Units to seventy-seven (77) Units. A narrative description of the Buildings and Units for PHASE XXXIV is set forth in Exhibit "3" attached hereto and made a part hereof
5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.
6. The particulars of the Buildings and Units and other improvements for PHASE XXXIV, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE XXXIV Drawings incorporated in this AMENDMENT NO. 34 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE XXXIV Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 34 to the Declaration.
7. No owner of a Unit which was not included in Phase I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX, XX, XXI, XXII, XXIII, XXIV, XXV, XXVI, XXVII, XXVIII, XXIX, XXX, XXXI, XXXII, and XXXIII shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE XXXIV prior to the filing of this AMENDMENT NO. 34 (except replacement reserve funds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this AMENDMENT NO. 34.



8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.

9. Except as amended herein, the Declaration thereto shall remain in full force and effect

10. Consent to this AMENDMENT NO. 34 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 20th day of February, 2017.

VILLAS OF BERTRAM, LLC,  
an Ohio limited liability company

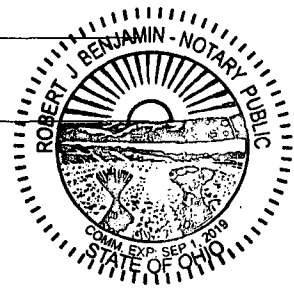
By: [Signature]  
Iris S. Wolstein, Manager

STATE OF OHIO            )  
  )SS.  
COUNTY OF ~~LAKE~~        )  
                                  Cuyahoga

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 20th day of February, 2017.

[Signature]  
Notary Public  
My Commission Expires \_\_\_\_\_



**EXHIBIT "A"**

**AMENDMENT NO. 34 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 34 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the AMENDMENT NO. 34.

**EXHIBIT "1"**  
**AMENDMENT NO. 34 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE XXXIV WILL BE ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**



**LEGAL DESCRIPTION  
PH-34-1  
THE VILLAS OF BERTRAM CONDOMINIUM PHASE 34  
0.2434 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-34-1 on the Plat of The Villas of Bertram Condominium Phase 34 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 07°30'01" East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 00°28'15" East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North 89°31'39" East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta 08°06'50", tangent 21.28 feet, chord 42.45 feet, bearing South 86°24'56" East to a point;

Thence South 82°21'31" East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta  $10^{\circ}55'25''$ , tangent 124.30 feet, chord 247.48 feet, bearing South  $87^{\circ}49'14''$  East to a point;

Thence North  $86^{\circ}43'03''$  East, continuing along the centerline of said Samantha Drive, a distance of 213.49 feet to a point, said point being the intersection of the centerline of said Samantha Drive and said Hilliary Lane;

Thence North  $03^{\circ}16'57''$  West, along the centerline of said Hilliary Lane, a distance of 329.69 feet to a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 28.64 feet, radius 300.00 feet, delta  $05^{\circ}28'10''$ , tangent 14.33 feet, chord 28.63 feet, bearing North  $06^{\circ}01'02''$  West to a point;

Thence North  $08^{\circ}45'07''$  West, continuing along the centerline of said Hilliary Lane, a distance of 122.68 feet to a point;

Thence North  $26^{\circ}56'15''$  West, a distance of 67.00 feet to a point on the northerly R/W of said Hilliary Lane, said point being the southwesterly corner of Ph-33-1 in the Villas of Bertram Condominiums Phase 31 and the Principal Place of Beginning;

Course I: Thence along the northerly R/W of said Hilliary Lane along a curve to the left with a length 40.00 feet, radius 67.00 feet, delta  $34^{\circ}12'34''$ , tangent 20.62 feet, chord 39.41 feet, bearing South  $45^{\circ}57'28''$  West to a point;

Course II: Thence North  $61^{\circ}08'49''$  West, a distance of 139.12 feet to a point;

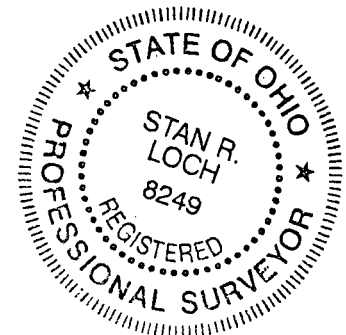
Course III: Thence North  $45^{\circ}57'28''$  East, a distance of 121.25 feet to a point, said point being the northwesterly corner of said Ph-33-1;

Course IV: Thence South  $26^{\circ}56'15''$  East, along the westerly line of said Ph-33-1, a distance of 139.12 feet to the Principal Place of Beginning.

Said parcel containing 0.2434 acres or 10,602 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54, 2016-62, 2016-70, 2017-4 and any other matters of record as surveyed and described in January, 2017 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South  $00^{\circ}28'15''$  East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-34-1" Phase 34, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 34.

Job#20132833

  
Stan R. Loch P.S. # 8249 Date



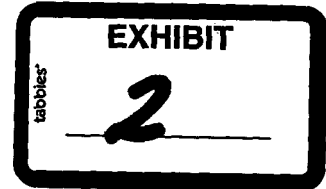
**EXHIBIT "2"**  
**AMENDMENT NO. 34 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**



**LEGAL DESCRIPTION  
PH 34-R1  
THE VILLAS OF BERTRAM CONDOMINIUM PHASE 34  
18.8856 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 1 on the Plat of The Villas of Bertram Condominium Phase 34, and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South 89°30'28" West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South 00°28'15" East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a 5/8" iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

- Course I: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hilliary Lane and a point of curvature;
- Course II: Thence along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta 90°01'17", tangent 25.01 feet, chord 35.36 feet, bearing South 45°28'54" East to a point;
- Course III: Thence South 00°28'15" East, continuing along the westerly R/W of said Hilliary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;
- Course IV: Thence South 89°31'45" West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;
- Course V: Thence South 00°28'15" East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwestly corner of said Ph-1;
- Course VI: Thence North 89°31'45" East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hilliary Lane, said point being the southeasterly corner of said Ph-1;

- Course VII: Thence South 00°28'15" East, along the westerly R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the northeasterly corner of Ph-16-1 in the Villas of Bertram Condominiums Phase 16;
- Course VIII: Thence South 89°31'45" West, along the northerly line of said Ph-16-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-16-1;
- Course IX: Thence South 00°28'15" East, along the westerly line of said Ph-16-1, Ph-19-1 in the Villas of Bertram Condominium Phase 19, Ph-11-1 in the Villas of Bertram Condominium Phase 11, Ph-6-1 in the Villas of Bertram Phase 1 Condominium Phase 6, Ph-3-1 in the Villas of Bertram Phase 1 Condominium Phase 3, Ph-7-1 in the Villas of Bertram Phase 1 Condominium Phase 7, Ph-4 in the Villas of Bertram Phase 1 Condominium Phase 4, Ph-9-1 in the Villas of Bertram Phase 1 Condominium Phase 9, and Ph-12-1 in the Villas of Bertram Phase 1, Condominium Phase 12, a distance of 627.06 feet to a point, said point being the northwesterly corner of Ph-10-1 in the Villas of Bertram Phase 1, Condominium Phase 10;
- Course X: Thence South 17°30'08" East, along the westerly line of said Ph-10-1, a distance of 84.60 feet to a point, said point being the southwesterly corner of said Ph-10-1 and the northwesterly corner of Ph-6-2 in the Villas of Bertram Phase 6;
- Course XI: Thence South 28°59'33" East, along the westerly line of said Ph-6-2, a distance of 84.31 feet to a point, said point being the southwesterly corner of said Ph-6-2 and southwesterly corner of Ph-3-2 in the Villas of Bertram Phase 1, Condominium Phase 3;
- Course XII: Thence South 41°59'53" East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;
- Course XIII: Thence South 55°00'13" East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2 and also being the southwesterly corner of Ph-5 in the Villas of Bertram Phase 1, Condominium Phase 5;
- Course XIV: Thence South 67°15'11" East, along the southerly line of said Ph-5, distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-5 and the southwesterly corner of Ph-16-3 in the Villas of Bertram Condominiums Phase 16;
- Course XV: Thence South 82°21'31" East, along the southerly line of said Ph-16-3 and the southerly line of Ph-20-1 in the Villas of Bertram Condominiums Phase 20, Ph-21-1 in the Villas of Bertram Condominiums Phase 21, Ph-18-2 in the Villas of Bertram Condominiums Phase 18, a distance of 269.95 feet to a point;
- Course XVI: Thence South 86°09'02" East, continuing along the southerly line of said Ph-18-2, a distance of 47.61 feet to a point;
- Course XVII: Thence North 89°30'07" East, continuing along the southerly line of said Ph-18-2 and along the southerly lines of Ph-17-1 in the Villas of Bertram Condominiums Phase 17, Ph-16-5 in the Villas of Bertram Condominiums Phase 16 and Ph-15-1 in the Villas of Bertram Condominiums Phase 15, a distance of 195.15 feet to a point, said point being the southeasterly corner of said Ph-15-1;



- Course XVIII: Thence North  $01^{\circ}53'59''$  West, along the easterly line of said Ph-15-1, a distance of 140.11 feet to a point on the southerly R/W of said Hilliary Lane, said point being the northeasterly corner of said Ph-15-1 and also being a point on a curve;
- Course XIX: Thence along the southerly R/W of said Hilliary Lane, along a curve to the left with a length 104.38 feet, radius 230.00 feet, delta  $26^{\circ}00'04''$ , tangent 53.10 feet, chord 103.48 feet, bearing North  $75^{\circ}05'59''$  East to a point;
- Course XX: Thence South  $27^{\circ}54'03''$  East, a distance of 142.39 feet to point;
- Course XXI: Thence North  $55^{\circ}35'56''$  East, a distance of 84.32 feet to point;
- Course XXII: Thence North  $40^{\circ}54'05''$  West, a distance of 142.39 feet to point, said point being on the easterly R/W of said Hilliary Lane;
- Course XXIII: Thence along the easterly R/W of said Hilliary Lane, along a curve to the left with a length 210.27 feet, radius 230.00 feet, delta  $52^{\circ}22'52''$ , tangent 113.13 feet, chord 203.02 feet, bearing North  $22^{\circ}54'29''$  East to a point;
- Course XXIV: Thence North  $03^{\circ}16'57''$  West, continuing along the easterly R/W of said Hilliary Lane, a distance of 18.20 feet to a point, said point being the southwesterly corner of Ph-27-1 in the Villas of Bertram Condominiums Phase 27;
- Course XXV: Thence North  $86^{\circ}43'03''$  East, along the southerly line of said Ph-27-1, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-27-1;
- Course XXVI: Thence North  $03^{\circ}16'57''$  West, along the easterly line of said Ph-27-1 and the easterly lines of Ph-26-1 in the Villas of Bertram Condominiums Phase 26, Ph-29-1 in the Villas of Bertram Condominiums Phase 29, Ph-25-1 in the Villas of Bertram Condominiums Phase 25, Ph-23-2 in the Villas of Bertram Condominiums Phase 23 and Ph-24-1 in the Villas of Bertram Condominiums Phase 24, a distance of 360.00 feet to a point;
- Course XXVII: Thence North  $02^{\circ}19'39''$  West, continuing along the easterly line of said Ph-24-1, a distance of 60.01 feet to a point, said point being the northeasterly corner of said Ph-24-1 and also being the southeasterly corner of Ph-26-2 in the Villas of Bertram Condominiums Phase 26;
- Course XXVIII: Thence North  $06^{\circ}28'05''$  East, along the easterly line of said Ph-26-2, a distance of 71.59 feet to a point, said point being the northeasterly corner of said Ph-26-2 and the southeasterly corner of Ph-28-1 in the Villas of Bertram Condominiums Phase 28;
- Course XXIX: Thence North  $08^{\circ}29'41''$  East, along the easterly line of said Ph-28-1, a distance of 62.82 feet to a point, said point being the northeasterly corner of said Ph-28-1;
- Course XXX: Thence South  $81^{\circ}14'53''$  West, along the northerly line of said Ph-28-1, a distance of 152.15 feet to a point on the easterly R/W of said Hilliary Lane and a point of curvature, said point being the northwesterly corner of said Ph-28-1;
- Course XXXI: Thence along the easterly R/W of said Hilliary Lane, along a curve to the left with a length 65.32 feet, radius 67.00 feet, delta  $55^{\circ}51'38''$ , tangent 35.52 feet, chord 62.77 feet, bearing North  $13^{\circ}35'04''$  East to a point, said point being the southwesterly corner of Ph-32-2 in the Villas of Bertram Condominiums Phase 32;

- Course XXXII: Thence North  $75^{\circ}39'15''$  East, along the southerly line of said Ph-32-2, a distance of 139.08 feet to point, said point being the southeasterly corner of said Ph-32-2;
- Course XXXIII: Thence North  $31^{\circ}24'52''$  West, along the easterly line of said Ph-32-2, a distance of 121.11 feet to a point, said point being the northeasterly corner of said Ph-32-2 and the northeasterly corner of Ph-33-1 in the Villas of Bertram Condominiums Phase 33;
- Course XXXIV: Thence North  $65^{\circ}37'25''$  West, along the northerly line of said Ph-33-1, a distance of 106.28 feet to point,
- Course XXXV: Thence South  $89^{\circ}30'28''$  West, continuing along the northerly line of said Ph-33-1, a distance of 119.13 feet to point;
- Course XXXVI: Thence South  $45^{\circ}57'28''$  West, continuing along the northerly line of said Ph-33-1, a distance of 140.68 feet to point;
- Course XXXVII: Thence South  $61^{\circ}08'49''$  East, a distance of 139.12 feet to point, said point being on the northerly R/W of said Hilliary Lane and a point of curvature;
- Course XXXVIII: Thence along the northerly R/W of said Hilliary Lane, along a curve to the left with a length 40.00 feet, radius 67.00 feet, delta  $34^{\circ}12'33''$ , tangent 20.62 feet, chord 39.41 feet, bearing South  $11^{\circ}44'55''$  West to a point, said point being the northeasterly corner of Ph-28-2 in the Villas of Bertram Condominiums Phase 28;
- Course XXXIX: Thence South  $84^{\circ}38'38''$  West, along the northerly line of said Ph-28-2, a distance of 133.09 feet to point, said point being the northwesterly corner of said Ph-28-2;
- Course XL: Thence South  $00^{\circ}42'49''$  East, along the westerly line of said Ph-28-2, a distance of 21.97 feet to point;
- Course XLI: Thence South  $16^{\circ}21'03''$  East, continuing along the westerly line of said Ph-28-2, a distance of 44.50 feet to point;
- Course XLII: Thence South  $29^{\circ}18'34''$  East, continuing along the westerly line of said Ph-28-2, a distance of 64.08 feet to point, said point being the southwesterly corner of said Ph-28-2 and the northwesterly corner of Ph-31-1 in the Villas of Bertram Condominiums Phase 31;
- Course XLIII: Thence South  $19^{\circ}14'53''$  East, along the westerly line of said Ph-31-1, a distance of 57.51 feet to a point, said point being the southwesterly corner of said Ph-31-1 and the northwesterly corner of Ph-30-1 in the Villas of Bertram Condominiums Phase 30;
- Course XLIV: Thence South  $03^{\circ}16'57''$  East, along the westerly line of said Ph-30-1, and the westerly line of Ph-30-2 in the Villas of Bertram Condominiums Phase 30, Ph-31-2 & Ph-31-3 in the Villas of Bertram Condominiums Phase 31, a distance of 265.00 feet to a point, said point being on the northerly R/W of Samantha Drive, 60 foot R/W and the southwesterly corner of said Ph-31-3;
- Course XLV: Thence South  $86^{\circ}43'03''$  West, along the northerly R/W of said Samantha Drive, a distance of 17.03 feet to a point, said point being the southeasterly corner of Ph-31-4 in the Villas of Bertram Condominiums Phase 31;

- Course XLVI: Thence North  $03^{\circ}16'57''$  West, along the easterly line of said Ph-31-4, a distance of 130.07 feet to a point, said point being the northeasterly corner of said Ph-31-4;
- Course XLVII: Thence South  $86^{\circ}43'03''$  West, along the northerly line of said Ph-31-4, a distance of 59.40 feet to a point, said point being the northwesterly corner of said Ph-31-4;
- Course XLVIII: Thence South  $02^{\circ}07'46''$  East, along the westerly line of said Ph-31-4, a distance of 129.84 feet to a point on the northerly R/W of said Samantha Drive and the southwest corner of said Ph-31-4;
- Course XLIX: Thence along the northerly R/W of said Samantha Drive, along a curve to the right with a length 65.14 feet, radius 1270.00 feet, delta  $02^{\circ}56'19''$ , tangent 32.57 feet, chord 65.13 feet, bearing South  $89^{\circ}20'23''$  West to a point, said point being the southeasterly corner of Ph-29-3 in the Villas of Bertram Condominiums Phase 29;
- Course L: Thence North  $00^{\circ}48'33''$  East, along the easterly line of said Ph-29-3, a distance of 129.82 feet to point, said point being the northeasterly corner of said Ph-29-3;
- Course LI: Thence North  $87^{\circ}43'18''$  West, along the northerly line of said Ph-29-3, a distance of 58.47 feet to a point, said point being the northwesterly corner of said Ph-29-3 and the northeasterly corner of Ph-28-3 in the Villas of Bertram Condominiums Phase 28;
- Course LII: Thence North  $84^{\circ}45'24''$  West, along the northerly line of said Ph-28-3, a distance of 58.47 feet to a point, said point being the northwesterly corner of said Ph-28-3 and the northeasterly corner of Ph-27-2 in the Villas of Bertram Condominiums Phase 27;
- Course LIII: Thence North  $82^{\circ}21'31''$  West, along the northerly line of said Ph-27-2, a distance of 119.50 feet to a point, said point being the northwesterly corner of said Ph-27-2;
- Course LIV: Thence South  $07^{\circ}38'29''$  West, along the westerly line of said Ph-27-2, a distance of 130.00 feet to a point, said point being on the northerly R/W of said Samantha Drive and also the southwest corner of said Ph-27-2;
- Course: LV: Thence North  $82^{\circ}21'31''$  West, continuing along the northerly R/W of said Samantha Drive, a distance of 58.57 feet to a point, said point being a point of curvature;
- Course LVI: Thence continuing along the Northerly R/W of said Samantha Drive, along a curve to the left with a length 18.09 feet, radius 330.00 feet, delta  $03^{\circ}08'26''$ , tangent 9.05 feet, chord 18.09 feet, bearing North  $83^{\circ}55'44''$  West to a point, said point being the southeasterly corner of Ph-13-2 in the Villas of Bertram Phase 1, Condominium Phase 13;
- Course LVII: Thence North  $00^{\circ}28'15''$  West, along the easterly lines of said Ph-13-2, Ph-10-3 in the Villas of Bertram Phase 1, Condominium Phase 10 and Ph-6-3 in the Villas of Bertram Phase 1, Condominium Phase 6, a distance of 206.24 feet to a point said point being the northeasterly corner of said Ph-6-3;
- Course LVIII: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-6-3, a distance of 137.45 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-6-3;

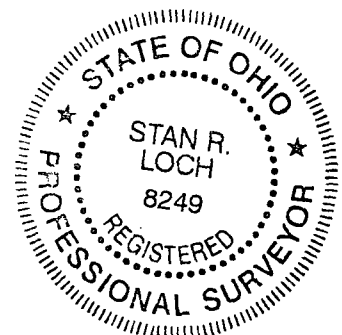
- Course LVIX: Thence North 07°30'01" West, along the easterly R/W of said Hilliary Lane, a distance of 25.56 feet to a point, said point being the southwesterly corner of Ph-12-3 in the Villas of Bertram Phase 1, Condominium Phase 12;
- Course LX: Thence North 89°31'45" East, along the southerly line of said Ph-12-3, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-12-3;
- Course LXI: Thence North 00°28'15" West, along the easterly line of said Ph-12-3, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-12-3;
- Course LXII: Thence South 89°31'45" West, along the northerly line of said Ph-12-3, a distance of 13.26 feet to a point, said point being the southeasterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominiums Phase 2;
- Course LXIII: Thence North 00°42'49" West, along the easterly line of said Ph-2, and the easterly lines of Ph-14-1 in the Villas of Bertram Condominiums Phase 14, Ph-13-1 in the Villas of Bertram Phase 1, Condominium Phase 13, Ph-16-2 in the Villas of Bertram Condominiums Phase 16 and Ph-12-4 in the Villas of Bertram Condominiums Phase 12, a distance of 300.00 feet to a point, said point being the northeasterly corner of said Ph-12-4;
- Course LXIV: Thence South 89°31'45" West, along the northerly line of said Ph-12-4, a distance of 121.03 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-12-4;
- Course LXV: Thence North 00°28'15" West, along the easterly R/W of said Hilliary Lane, a distance of 40.07 feet to a point, said point being a point of curvature
- Course LXVI: Thence continuing along the easterly R/W of said Hilliary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta 89°58'43", tangent 24.99 feet, chord 35.35 feet, bearing North 44°31'06" East to a point, said point being on the southerly R/W of said Treat Road;
- Course LXVII: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a 5/8" iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course LXVIII: Thence South 00°42'49" East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southwesterly corner of said Ohio Edison Company;
- Course LXIX: Thence North 89°30'28" East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;
- Course LXX: Thence North 00°42'49" West, along the easterly line of said Ohio Edison Company, passing through a 5/8" iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;

- Course LXXI: Thence North 89°30'28" East, along the centerline of said Treat Road, passing through a 1-1/4" axle found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;
- Course LXXII: Thence South 00°42'49" East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;
- Course LXXIII: Thence South 89°32'00" West, along the northerly line of said Berry and the northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a 5/8" iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a 3/4" iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;
- Course LXXIV: Thence North 47°50'36" West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a 3/4" iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwest corner of lands conveyed to Michael & Cheryl Habbyslaw, as recorded in Document No. 201105000 of the Portage County Deed Records;
- Course LXXV: Thence North 89°30'22" East, along the southerly line of said Habbyslaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyslaw;
- Course LXXVI: Thence North 00°28'15" West, along the easterly line of said Habbyslaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

Said parcel contains 18.8856 acres or 822,658 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54, 2016-62, 2016-70, 2017-4 and any other matters of record as surveyed and described in January, 2017 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe the portion of the land conveyed to Villas of Bertram LLC. by File # 201401775 of the Portage County Records, which is designated as Ph-34-R1 Phase 34 Residual No. 1 on the Plat of Villas of Bertram Condominium Phase 34.

Job#20132833

  
 Stan R. Loch P.S. # 8249 Date



PN 03-015-10-00-001.048: 19.129 (rec)  
UNIT 47 - 0.2434

2-24-2017  
TAX MAP DEPT.

LEGAL DESCRIPTION

SUFFICIENT  DEFICIENT  
 NO DIVISION OF LAND

PH 34-R1

= 18.8856

18.8856 BAL

BY SURVEY



**ENGINEERING & SURVEYING CO., INC.**

5425 WARNER ROAD - SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259

**LEGAL DESCRIPTION**

**PH-34-R2**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 34**

**0.4846 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 2 on the Plat of The Villas of Bertram Condominium Phase 34 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 07°30'01" East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 00°28'15" East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North 89°31'39" East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta 08°06'50", tangent 21.28 feet, chord 42.45 feet, bearing South 86°24'56" East to a point;

Thence South 82°21'31" East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta  $10^{\circ}55'25''$ , tangent 124.30 feet, chord 247.48 feet, bearing South  $87^{\circ}49'14''$  East to a point;

Thence North  $86^{\circ}43'13''$  East, continuing along the centerline of said Samantha Drive, a distance of 213.49 feet to a point, said point being the intersection of the centerlines of said Samantha Drive and Hilliary Lane, 60 foot R/W;

Thence South  $03^{\circ}16'57''$  East, along the centerline of said Hilliary Lane, a distance of 122.56 feet to a point;

Thence South  $86^{\circ}43'03''$  West, a distance of 30.00 feet to a point on the westerly R/W of said Hilliary Lane, said point being on the easterly line of Ph-30-3 in the Villas of Bertram Condominiums Phase 30 and being a point of curvature;

Thence along the westerly R/W of said Samantha Drive and the easterly line of said Ph-30-3, along a curve to the right with a length 5.19 feet, radius 170.00 feet, delta  $1^{\circ}45'01''$ , tangent 2.60 feet, chord 5.19 feet, bearing South  $02^{\circ}24'26''$  East to a point, said point being the southeasterly corner of said Ph-30-3 and the Principal Place of Beginning;

Course I: Thence continuing along the westerly R/W of said Samantha Drive, along a curve to the right with a length 261.48 feet, radius 170.00 feet, delta  $88^{\circ}07'38''$ , tangent 164.53 feet, chord 236.45 feet, bearing South  $42^{\circ}31'53''$  West to a point, said point being the southeasterly corner of Ph-20-2 in the Villas of Bertram Condominiums Phase 20;

Course II: Thence North  $03^{\circ}23'45''$  West, along the easterly line of said Ph-20-2, a distance of 129.98 feet to a point, said point being the northeasterly corner of said Ph-20-2 and the southeasterly corner of Ph-29-2 in the Villas of Bertram Condominiums Phase 29;

Course III: Thence North  $64^{\circ}30'13''$  East, along the easterly line of said Ph-29-2, a distance 30.01 feet to a point;

Course IV: Thence North  $20^{\circ}31'31''$  East, continuing along the easterly line of said Ph-29-2, a distance of 30.01 feet to a point, said point being the southwesterly corner of said Ph-30-3;

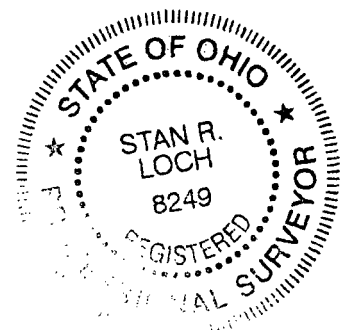
Course V: Thence North  $88^{\circ}28'04''$  East, along the southerly line of said Ph-30-3, a distance of 129.98 feet to the Principal Place of Beginning.

Said parcel containing 0.4846 acres or 21,110 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54, 2016-62, 2016-70, 2017-4 and any other matters of record as surveyed and described in January, 2017 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South  $00^{\circ}28'15''$  East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-34-R2" Phase 34 Residual No. 2, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 34.

Job#20132833

  
Stan R. Loch P.S. # 8249

Date



**EXHIBIT "3"**  
**AMENDMENT NO. 34 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE XXXIV contains one (1) detached single-family residential Building known as UNIT NO. 47 situated on Hillary Lane, which includes a basement and attached two car garage, and which is constructed primarily of wood, vinyl siding, asphalt shingle roof, brick, concrete block, glass and drywall. The location of UNIT NO. 47 is shown on the Drawings.

Unit 47 is a "Florence" type Unit. The "Florence" type Unit is a two-story Unit containing approximately 2,000 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, living room or dining room, dinette area, family room, kitchen, laundry room, ½ bath, and an attached two-car garage. The second floor of consists of three (3) bedrooms and two (2) full baths. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.



**EXHIBIT "4"**  
**AMENDMENT NO. 34 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	1/77th
II	67	864 Hillary Lane	1/77th
III	8	853 Hillary Lane	1/77th
III	9	849 Hillary Lane	1/77th
III	16	821 Hillary Lane	1/77th
III	17	817 Hillary Lane	1/77th
IV	11	841 Hillary Lane	1/77th
V	18	813 Hillary Lane	1/77th
VI	7	857 Hillary Lane	1/77th
VI	15	825 Hillary Lane	1/77th
VI	65	854 Hillary Lane	1/77th
VII	10	845 Hillary Lane	1/77th
VIII	73	830 Hillary Lane	1/77th
IX	12	837 Hillary Lane	1/77th
X	14	829 Hillary Lane	1/77th
X	64	850 Hillary Lane	1/77th
X	74	818 Hillary Lane	1/77th
XI	6	861 Hillary Lane	1/77th
XII	13	833 Hillary Lane	1/77th
XII	66	860 Hillary Lane	1/77th
XII	71	880 Hillary Lane	1/77th
XII	72	836 Hillary Lane	1/77th
XIII	63	846 Hillary Lane	1/77th
XIII	69	872 Hillary Lane	1/77th
XIV	68	868 Hillary Lane	1/77th
XV	26	781 Hillary Lane	1/77th
XVI	4	869 Hillary Lane	1/77th
XVI	19	809 Hillary Lane	1/77th
XVI	25	785 Hillary Lane	1/77th
XVI	70	876 Hillary Lane	1/77th
XVI	77	798 Hillary Lane	1/77th
XVII	24	789 Hillary Lane	1/77th
XVII	78	794 Hillary Lane	1/77th
XVII	79	788 Hillary Lane	1/77th
XVIII	23	793 Hillary Lane	1/77th
XVIII	76	802 Hillary Lane	1/77th

XIX	5	865 Hillary Lane	1/77th
XX	20	805 Hillary Lane	1/77th
XX	21	801 Hillary Lane	1/77th
XX	81	780 Hillary Lane	1/77th
XXI	22	797 Hillary Lane	1/77th
XXII	80	784 Hillary Lane	1/77th
XXII	86	45 Samantha Drive	1/77th
XXII	87	55 Samantha Drive	1/77th
XXII	88	65 Samantha Drive	1/77th
XXII	90	85 Samantha Drive	1/77th
XXIII	38	733 Hillary Lane	1/77th
XXIII	89	75 Samantha Drive	1/77th
XXIV	39	729 Hillary Lane	1/77th
XXIV	40	725 Hillary Lane	1/77th
XXIV	75	806 Hillary Lane	1/77th
XXV	37	737 Hillary Lane	1/77th
XXV	91	95 Samantha Drive	1/77th
XXVI	35	745 Hillary Lane	1/77th
XXVI	41	721 Hillary Lane	1/77th
XXVII	34	749 Hillary Lane	1/77th
XXVII	60	80 Samantha Drive	1/77th
XXVII	61	90 Samantha Drive	1/77th
XXVIII	42	717 Hillary Lane	1/77th
XXVIII	49	714 Hillary Lane	1/77th
XXVIII	50	718 Hillary Lane	1/77th
XXVIII	59	70 Samantha Drive	1/77th
XXIX	36	741 Hillary Lane	1/77th
XXIX	58	60 Samantha Drive	1/77th
XXIX	85	35 Samantha Drive	1/77th
XXX	52	726 Hillary Lane	1/77th
XXX	54	734 Hillary Lane	1/77th
XXX	84	750 Hillary Lane	1/77th
XXXI	51	722 Hillary Lane	1/77th
XXXI	53	730 Hillary Lane	1/77th
XXXI	55	738 Hillary Lane	1/77th
XXXI	56	40 Samantha Drive	1/77th
XXXII	29	769 Hillary Lane	1/77th
XXXII	44	709 Hillary Lane	1/77th
XXXIII	45	705 Hillary Lane	1/77th
XXXIII	46	700 Hillary Lane	1/77th
XXXIV	47	706 Hillary Lane	1/77th
			Total 100%



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REQUIRED  
FEB 08 2017  
JANET ESPOSITO, *el*  
AUDITOR

**INDEXED**

AMENDMENT NO. 33  
TO THE DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM

PHASE XXXIII  
ADDING UNIT NOS. 45 AND 46

This will certify that copies of this AMENDMENT NO. 33 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "AMENDMENT NO. 33"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

Dated: FEB 08 2017, 2017

*Plat 2017-11*

PORTAGE COUNTY AUDITOR

By *Janet Esposito*  
Deputy Auditor

This instrument prepared by:  
Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333

**AMENDMENT NO. 33 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE XXXIII of the Condominium which contains two (2) Units.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE XXXIII property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.

2. The legal description of the Condominium set forth in Exhibit "A" of the Declaration is amended to include the real property for PHASE XXXIII of the Condominium, the legal description for PHASE XXXIII being described in Exhibit "1" attached hereto and made a part hereof
3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.
4. The number of Units referred to in the Declaration is increased from to seventy-four (74) Units to seventy-six (76) Units. A narrative description of the Buildings and Units for PHASE XXXIII is set forth in Exhibit "3" attached hereto and made a part hereof
5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.
6. The particulars of the Buildings and Units and other improvements for PHASE XXXIII, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE XXXIII Drawings incorporated in this AMENDMENT NO. 33 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE XXXIII Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 33 to the Declaration.
7. No owner of a Unit which was not included in Phase I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX, XX, XXI, XXII, XXIII, XXIV, XXV, XXVI, XXVII, XXVIII, XXIX, XXX, XXXI, and XXXII shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE XXXIII prior to the filing of this AMENDMENT NO. 33 (except replacement reserve finds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this AMENDMENT NO. 33.

8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.

9. Except as amended herein, the Declaration thereto shall remain in full force and effect

10. Consent to this AMENDMENT NO. 33 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 6<sup>th</sup> day of February 2017.

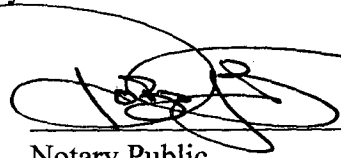
VILLAS OF BERTRAM, LLC,  
an Ohio limited liability company

By:   
Iris S. Wolstein, Manager

STATE OF OHIO            )  
  )SS.  
COUNTY OF ~~LAKE~~        )  
  Cuyahoga

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 6<sup>th</sup> day of February, 2017.

  
\_\_\_\_\_  
Notary Public

My Commission Expires \_\_\_\_\_



**EXHIBIT "A"**

**AMENDMENT NO. 33 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 33 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the AMENDMENT NO. 33.



**EXHIBIT "1"**  
**AMENDMENT NO. 33 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE XXXIII WILL BE ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-33-1**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 33**

**0.4934 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-33-1 on the Plat of The Villas of Bertram Condominium Phase 33 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North  $89^{\circ}31'39''$  East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta  $08^{\circ}06'50''$ , tangent 21.28 feet, chord 42.45 feet, bearing South  $86^{\circ}24'56''$  East to a point;

Thence South  $82^{\circ}21'31''$  East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta  $10^{\circ}55'25''$ , tangent 124.30 feet, chord 247.48 feet, bearing South  $87^{\circ}49'14''$  East to a point;

Thence North  $86^{\circ}43'03''$  East, continuing along the centerline of said Samantha Drive, a distance of 213.49 feet to a point, said point being the intersection of the centerline of said Samantha Drive and said Hilliary Lane;

Thence North  $03^{\circ}16'57''$  West, along the centerline of said Hilliary Lane, a distance of 329.69 feet to a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 28.64 feet, radius 300.00 feet, delta  $05^{\circ}28'10''$ , tangent 14.33 feet, chord 28.63 feet, bearing North  $06^{\circ}01'02''$  West to a point;

Thence North  $08^{\circ}45'07''$  West, continuing along the centerline of said Hilliary Lane, a distance of 122.68 feet to a point;

Thence North  $41^{\circ}28'51''$  East, a distance of 67.00 feet to a point on the Easterly R/W of said Hilliary Lane, said point being the northwesterly corner of Ph-32-2 in the Villas of Bertram Condominiums Phase32 and the Principal Place of Beginning;

Course I: Thence along the easterly R/W of said Hilliary Lane along a curve to the left with a length 80.01 feet, radius 67.00 feet, delta  $68^{\circ}25'06''$ , tangent 45.55 feet, chord 75.34 feet, bearing North  $82^{\circ}43'42''$  West to a point;

Course II: Thence North  $26^{\circ}56'15''$  West, a distance of 139.12 feet to a point;

Course III: Thence North  $45^{\circ}57'28''$  East, a distance of 19.43 feet to a point;


Course IV: Thence North  $89^{\circ}30'28''$  East, a distance of 119.13 feet to a point;

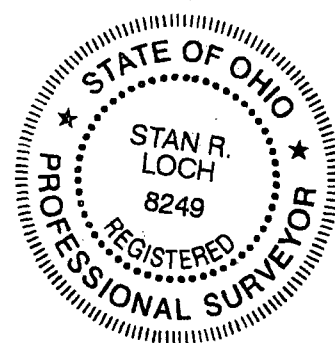
Course V: Thence South  $65^{\circ}37'25''$  East, a distance of 106.28 feet to a point, said point being the northeasterly corner of said Ph-32-2;

Course VI: Thence South  $41^{\circ}28'51''$  West, along the northerly line of said Ph-32-2, a distance of 139.12 feet to the Principal Place of Beginning.

Said parcel containing 0.4934 acres or 21,492 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54, 2016-62, 2016-70 and any other matters of record as surveyed and described in January, 2017 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South  $00^{\circ}28'15''$  East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-33-1" Phase 33, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 33.

Job#20132833

  
Stan R. Loch P.S. # 8249 Date



**EXHIBIT "2"**  
**AMENDMENT NO. 33 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH 33-R1**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 33**

**19.1290 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 1 on the Plat of The Villas of Bertram Condominium Phase 33, and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South 89°30'28" West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South 00°28'15" East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a 5/8" iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hilliary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta 90°01'17", tangent 25.01 feet, chord 35.36 feet, bearing South 45°28'54" East to a point;

Course III: Thence South 00°28'15" East, continuing along the westerly R/W of said Hilliary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;

Course IV: Thence South 89°31'45" West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;

Course V: Thence South 00°28'15" East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwestly corner of said Ph-1;

Course VI: Thence North 89°31'45" East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hilliary Lane, said point being the southeasterly corner of said Ph-1;

- Course VII: Thence South 00°28'15" East, along the westerly R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the northeasterly corner of Ph-16-1 in the Villas of Bertram Condominiums Phase 16;
- Course VIII: Thence South 89°31'45" West, along the northerly line of said Ph-16-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-16-1;
- Course IX: Thence South 00°28'15" East, along the westerly line of said Ph-16-1, Ph-19-1 in the Villas of Bertram Condominium Phase 19, Ph-11-1 in the Villas of Bertram Condominium Phase 11, Ph-6-1 in the Villas of Bertram Phase 1 Condominium Phase 6, Ph-3-1 in the Villas of Bertram Phase 1 Condominium Phase 3, Ph-7-1 in the Villas of Bertram Phase 1 Condominium Phase 7, Ph-4 in the Villas of Bertram Phase 1 Condominium Phase 4, Ph-9-1 in the Villas of Bertram Phase 1 Condominium Phase 9, and Ph-12-1 in the Villas of Bertram Phase 1, Condominium Phase 12, a distance of 627.06 feet to a point, said point being the northwesterly corner of Ph-10-1 in the Villas of Bertram Phase 1, Condominium Phase 10;
- Course X: Thence South 17°30'08" East, along the westerly line of said Ph-10-1, a distance of 84.60 feet to a point, said point being the southwesterly corner of said Ph-10-1 and the northwesterly corner of Ph-6-2 in the Villas of Bertram Phase 6;
- Course XI: Thence South 28°59'33" East, along the westerly line of said Ph-6-2, a distance of 84.31 feet to a point, said point being the southwesterly corner of said Ph-6-2 and southwesterly corner of Ph-3-2 in the Villas of Bertram Phase 1, Condominium Phase 3;
- Course XII: Thence South 41°59'53" East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;
- Course XIII: Thence South 55°00'13" East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2 and also being the southwesterly corner of Ph-5 in the Villas of Bertram Phase 1, Condominium Phase 5;
- Course XIV: Thence South 67°15'11" East, along the southerly line of said Ph-5, distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-5 and the southwesterly corner of Ph-16-3 in the Villas of Bertram Condominiums Phase 16;
- Course XV: Thence South 82°21'31" East, along the southerly line of said Ph-16-3 and the southerly line of Ph-20-1 in the Villas of Bertram Condominiums Phase 20, Ph-21-1 in the Villas of Bertram Condominiums Phase 21, Ph-18-2 in the Villas of Bertram Condominiums Phase 18, a distance of 269.95 feet to a point;
- Course XVI: Thence South 86°09'02" East, continuing along the southerly line of said Ph-18-2, a distance of 47.61 feet to a point;
- Course XVII: Thence North 89°30'07" East, continuing along the southerly line of said Ph-18-2 and along the southerly lines of Ph-17-1 in the Villas of Bertram Condominiums Phase 17, Ph-16-5 in the Villas of Bertram Condominiums Phase 16 and Ph-15-1 in the Villas of Bertram Condominiums Phase 15, a distance of 195.15 feet to a point, said point being the southeasterly corner of said Ph-15-1;

- Course XVIII: Thence North 01°53'59" West, along the easterly line of said Ph-15-1, a distance of 140.11 feet to a point on the southerly R/W of said Hilliary Lane, said point being the northeasterly corner of said Ph-15-1 and also being a point on a curve;
- Course XIX: Thence along the southerly R/W of said Hilliary Lane, along a curve to the left with a length 104.38 feet, radius 230.00 feet, delta 26°00'04", tangent 53.10 feet, chord 103.48 feet, bearing North 75°05'59" East to a point;
- Course XX: Thence South 27°54'03" East, a distance of 142.39 feet to point;
- Course XXI: Thence North 55°35'56" East, a distance of 84.32 feet to point;
- Course XXII: Thence North 40°54'05" West, a distance of 142.39 feet to point, said point being on the easterly R/W of said Hilliary Lane;
- Course XXIII: Thence along the easterly R/W of said Hilliary Lane, along a curve to the left with a length 210.27 feet, radius 230.00 feet, delta 52°22'52", tangent 113.13 feet, chord 203.02 feet, bearing North 22°54'29" East to a point;
- Course XXIV: Thence North 03°16'57" West, continuing along the easterly R/W of said Hilliary Lane, a distance of 18.20 feet to a point, said point being the southwesterly corner of Ph-27-1 in the Villas of Bertram Condominiums Phase 27;
- Course XXV: Thence North 86°43'03" East, along the southerly line of said Ph-27-1, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-27-1;
- Course XXVI: Thence North 03°16'57" West, along the easterly line of said Ph-27-1 and the easterly lines of Ph-26-1 in the Villas of Bertram Condominiums Phase 26, Ph-29-1 in the Villas of Bertram Condominiums Phase 29, Ph-25-1 in the Villas of Bertram Condominiums Phase 25, Ph-23-2 in the Villas of Bertram Condominiums Phase 23 and Ph-24-1 in the Villas of Bertram Condominiums Phase 24, a distance of 360.00 feet to a point;
- Course XXVII: Thence North 02°19'39" West, continuing along the easterly line of said Ph-24-1, a distance of 60.01 feet to a point, said point being the northeasterly corner of said Ph-24-1 and also being the southeasterly corner of Ph-26-2 in the Villas of Bertram Condominiums Phase 26;
- Course XXVIII: Thence North 06°28'05" East, along the easterly line of said Ph-26-2, a distance of 71.59 feet to a point, said point being the northeasterly corner of said Ph-26-2 and the southeasterly corner of Ph-28-1 in the Villas of Bertram Condominiums Phase 28;
- Course XXIX: Thence North 08°29'41" East, along the easterly line of said Ph-28-1, a distance of 62.82 feet to a point, said point being the northeasterly corner of said Ph-28-1;
- Course XXX: Thence South 81°14'53" West, along the northerly line of said Ph-28-1, a distance of 152.15 feet to a point on the easterly R/W of said Hilliary Lane and a point of curvature, said point being the northwesterly corner of said Ph-28-1;
- Course XXXI: Thence along the easterly R/W of said Hilliary Lane, along a curve to the left with a length 65.32 feet, radius 67.00 feet, delta 55°51'38", tangent 35.52 feet, chord 62.77 feet, bearing North 13°35'04" East to a point, said point being the southwesterly corner of Ph-32-2 in the Villas of Bertram Condominiums Phase 32;

- Course XXXII: Thence North  $75^{\circ}39'15''$  East, along the southerly line of said Ph-32-2, a distance of 139.08 feet to point, said point being the southeasterly corner of said Ph-32-2;
- Course XXXIII: Thence North  $31^{\circ}24'52''$  West, along the easterly line of said Ph-32-2, a distance of 121.11 feet to a point, said point being the northeasterly corner of said Ph-32-2;
- Course XXXIV: Thence North  $65^{\circ}37'25''$  West, a distance of 106.28 feet to point,
- Course XXXV: Thence South  $89^{\circ}30'28''$  West, a distance of 119.13 feet to point;
- Course XXXVI: Thence South  $45^{\circ}57'28''$  West, a distance of 19.43 feet to point;
- Course XXXVII: Thence South  $26^{\circ}56'15''$  East, a distance of 139.12 feet to point, said point being on the northerly R/W of said Hilliary Lane and a point of curvature;
- Course XXXVIII: Thence along the northerly R/W of said Hilliary Lane, along a curve to the left with a length 80.01 feet, radius 67.00 feet, delta  $68^{\circ}25'07''$ , tangent 45.55 feet, chord 75.34 feet, bearing South  $28^{\circ}51'11''$  West to a point, said point being the northeasterly corner of Ph-28-2 in the Villas of Bertram Condominiums Phase 28;
- Course XXXIX: Thence South  $84^{\circ}38'38''$  West, along the northerly line of said Ph-28-2, a distance of 133.09 feet to point, said point being the northwesterly corner of said Ph-28-2;
- Course XL: Thence South  $00^{\circ}42'49''$  East, along the westerly line of said Ph-28-2, a distance of 21.97 feet to point;
- Course XLI: Thence South  $16^{\circ}21'03''$  East, continuing along the westerly line of said Ph-28-2, a distance of 44.50 feet to point;
- Course XLII: Thence South  $29^{\circ}18'34''$  East, continuing along the westerly line of said Ph-28-2, a distance of 64.08 feet to point, said point being the southwestery corner of said Ph-28-2 and the northwesterly corner of Ph-31-1 in the Villas of Bertram Condominiums Phase 31;
- Course XLIII: Thence South  $19^{\circ}14'53''$  East, along the westerly line of said Ph-31-1, a distance of 57.51 feet to a point, said point being the southwestery corner of said Ph-31-1 and the northwesterly corner of Ph-30-1 in the Villas of Bertram Condominiums Phase 30;
- Course XLIV: Thence South  $03^{\circ}16'57''$  East, along the westerly line of said Ph-30-1, and the westerly line of Ph-30-2 in the Villas of Bertram Condominiums Phase 30, Ph-31-2 & Ph-31-3 in the Villas of Bertram Condominiums Phase 31, a distance of 265.00 feet to a point, said point being on the northerly R/W of Samantha Drive, 60 foot R/W and the southwestery corner of said Ph-31-3;
- Course XLV: Thence South  $86^{\circ}43'03''$  East, along the northerly R/W of said Samantha Drive, a distance of 17.03 feet to a point, said point being the southeasterly corner of Ph-31-4 in the Villas of Bertram Condominiums Phase 31;
- Course XLVI: Thence North  $03^{\circ}16'57''$  West, along the easterly line of said Ph-31-4, a distance of 130.07 feet to a point, said point being the northeasterly corner of said Ph-31-4;



- Course XLVII: Thence South  $86^{\circ}43'03''$  West, along the northerly line of said Ph-31-4, a distance of 59.40 feet to a point, said point being the northwesterly corner of said Ph-31-4;
- Course XLVIII: Thence South  $02^{\circ}07'46''$  East, along the westerly line of said Ph-31-4, a distance of 129.84 feet to a point on the northerly R/W of said Samantha Drive and the southwest corner of said Ph-31-4;
- Course XLIX: Thence along the northerly R/W of said Samantha Drive, along a curve to the right with a length 65.14 feet, radius 1270.00 feet, delta  $02^{\circ}56'19''$ , tangent 32.57 feet, chord 65.13 feet, bearing South  $89^{\circ}20'23''$  West to a point, said point being the southeasterly corner of Ph-29-3 in the Villas of Bertram Condominiums Phase 29;
- Course L: Thence North  $00^{\circ}48'33''$  East, along the easterly line of said Ph-29-3, a distance of 129.82 feet to point, said point being the northeasterly corner of said Ph-29-3;
- Course LI: Thence North  $87^{\circ}43'18''$  West, along the northerly line of said Ph-29-3, a distance of 58.47 feet to a point, said point being the northwesterly corner of said Ph-29-3 and the northeasterly corner of Ph-28-3 in the Villas of Bertram Condominiums Phase 28;
- Course LII: Thence North  $84^{\circ}45'24''$  West, along the northerly line of said Ph-28-3, a distance of 58.47 feet to a point, said point being the northwesterly corner of said Ph-28-3 and the northeasterly corner of Ph-27-2 in the Villas of Bertram Condominiums Phase 27;
- Course LIII: Thence North  $82^{\circ}21'31''$  West, along the northerly line of said Ph-27-2, a distance of 119.50 feet to a point, said point being the northwesterly corner of said Ph-27-2;
- Course LIV: Thence South  $07^{\circ}38'29''$  West, along the westerly line of said Ph-27-2, a distance of 130.00 feet to a point, said point being on the northerly R/W of said Samantha Drive and also the southwest corner of said Ph-27-2;
- Course: LV: Thence North  $82^{\circ}21'31''$  West, continuing along the northerly R/W of said Samantha Drive, a distance of 58.57 feet to a point, said point being a point of curvature;
- Course LVI: Thence continuing along the Northerly R/W of said Samantha Drive, along a curve to the left with a length 18.09 feet, radius 330.00 feet, delta  $03^{\circ}08'26''$ , tangent 9.05 feet, chord 18.09 feet, bearing North  $83^{\circ}55'44''$  West to a point, said point being the southeasterly corner of Ph-13-2 in the Villas of Bertram Phase 1, Condominium Phase 13;
- Course LVII: Thence North  $00^{\circ}28'15''$  West, along the easterly lines of said Ph-13-2, Ph-10-3 in the Villas of Bertram Phase 1, Condominium Phase 10 and Ph-6-3 in the Villas of Bertram Phase 1, Condominium Phase 6, a distance of 206.24 feet to a point said point being the northeasterly corner of said Ph-6-3;
- Course LVIII: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-6-3, a distance of 137.45 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-6-3;
- Course LVIX: Thence North  $07^{\circ}30'01''$  West, along the easterly R/W of said Hilliary Lane, a distance of 25.56 feet to a point, said point being the southwest corner of Ph-12-3 in the Villas of Bertram Phase 1, Condominium Phase 12;

- Course LX: Thence North 89°31'45" East, along the southerly line of said Ph-12-3, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-12-3;
- Course LXI: Thence North 00°28'15" West, along the easterly line of said Ph-12-3, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-12-3;
- Course LXII: Thence South 89°31'45" West, along the northerly line of said Ph-12-3, a distance of 13.26 feet to a point, said point being the southeasterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominiums Phase 2;
- Course LXIII: Thence North 00°42'49" West, along the easterly line of said Ph-2, and the easterly lines of Ph-14-1 in the Villas of Bertram Condominiums Phase 14, Ph-13-1 in the Villas of Bertram Phase 1, Condominium Phase 13, Ph-16-2 in the Villas of Bertram Condominiums Phase 16 and Ph-12-4 in the Villas of Bertram Condominiums Phase 12, a distance of 300.00 feet to a point, said point being the northeasterly corner of said Ph-12-4;
- Course LXIV: Thence South 89°31'45" West, along the northerly line of said Ph-12-4, a distance of 121.03 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-12-4;
- Course LXV: Thence North 00°28'15" West, along the easterly R/W of said Hilliary Lane, a distance of 40.07 feet to a point, said point being a point of curvature
- Course LXVI: Thence continuing along the easterly R/W of said Hilliary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta 89°58'43", tangent 24.99 feet, chord 35.35 feet, bearing North 44°31'06" East to a point, said point being on the southerly R/W of said Treat Road;
- Course LXVII: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a 5/8" iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course LXVIII: Thence South 00°42'49" East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southwesterly corner of said Ohio Edison Company;
- Course LXIX: Thence North 89°30'28" East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;
- Course LXX: Thence North 00°42'49" West, along the easterly line of said Ohio Edison Company, passing through a 5/8" iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;
- Course LXXI: Thence North 89°30'28" East, along the centerline of said Treat Road, passing through a 1-1/4" axle found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;

Course LXXII: Thence South 00°42'49" East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;

Course LXXIII: Thence South 89°32'00" West, along the northerly line of said Berry and the northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a 5/8" iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a 3/4" iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;

Course LXXIV: Thence North 47°50'36" West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a 3/4" iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwesterly corner of lands conveyed to Michael & Cheryl Habbyshaw, as recorded in Document No. 201105000 of the Portage County Deed Records;

Course LXXV: Thence North 89°30'22" East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;

Course LXXVI: Thence North 00°28'15" West, along the easterly line of said Habbyshaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

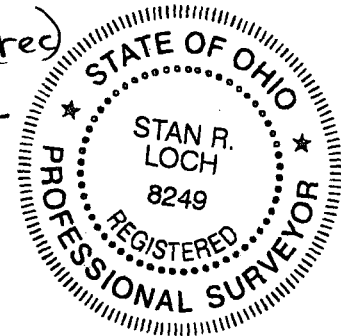
Said parcel contains 19.1290 acres or 833,260 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54, 2016-62, 2016-70 and any other matters of record as surveyed and described in January, 2017 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe the portion of the land conveyed to Villas of Bertram LLC. by File # 201401775 of the Portage County Records, which is designated as Ph-33-R1 Phase 33 Residual No. 1 on the Plat of Villas of Bertram Condominium Phase 33.

*[Signature]*  
 Stan R. Loch P.S. # 8249 Date

Job#20132833

PN 03-015-10-00-001.048: 19.622 (reg)  
 UNITS 45+46 - 0.4934  
 19.1286  
 = 19.129 Ac.  
By Survey

28-2017 ~~X~~  
 TAX MAP DEPT.  
 LEGAL DESCRIPTION  
 SUFFICIENT  DEFICIENT  
 NO DIVISION OF LAND





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION  
PH-33-R2  
THE VILLAS OF BERTRAM CONDOMINIUM PHASE 33  
0.4846 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 2 on the Plat of The Villas of Bertram Condominium Phase 33 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North  $89^{\circ}31'39''$  East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta  $08^{\circ}06'50''$ , tangent 21.28 feet, chord 42.45 feet, bearing South  $86^{\circ}24'56''$  East to a point;

Thence South  $82^{\circ}21'31''$  East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta 10°55'25", tangent 124.30 feet, chord 247.48 feet, bearing South 87°49'14" East to a point;

Thence North 86°43'13" East, continuing along the centerline of said Samantha Drive, a distance of 213.49 feet to a point, said point being the intersection of the centerlines of said Samantha Drive and Hilliary Lane, 60 foot R/W;

Thence South 03°16'57" East, along the centerline of said Hilliary Lane, a distance of 122.56 feet to a point;

Thence South 86°43'03" West, a distance of 30.00 feet to a point on the westerly R/W of said Hilliary Lane, said point being on the easterly line of Ph-30-3 in the Villas of Bertram Condominiums Phase 30 and being a point of curvature;

Thence along the westerly R/W of said Samantha Drive and the easterly line of said Ph-30-3, along a curve to the right with a length 5.19 feet, radius 170.00 feet, delta 1°45'01", tangent 2.60 feet, chord 5.19 feet, bearing South 02°24'26" East to a point, said point being the southeasterly corner of said Ph-30-3 and the Principal Place of Beginning;

Course I: Thence continuing along the westerly R/W of said Samantha Drive, along a curve to the right with a length 261.48 feet, radius 170.00 feet, delta 88°07'38", tangent 164.53 feet, chord 236.45 feet, bearing South 42°31'53" West to a point, said point being the southeasterly corner of Ph-20-2 in the Villas of Bertram Condominiums Phase 20;

Course II: Thence North 03°23'45" West, along the easterly line of said Ph-20-2, a distance of 129.98 feet to a point, said point being the northeasterly corner of said Ph-20-2 and the southeasterly corner of Ph-29-2 in the Villas of Bertram Condominiums Phase 29;

Course III: Thence North 64°30'13" East, along the easterly line of said Ph-29-2, a distance 30.01 feet to a point;

Course IV: Thence North 20°31'31" East, continuing along the easterly line of said Ph-29-2, a distance of 30.01 feet to a point, said point being the southwesterly corner of said Ph-30-3;

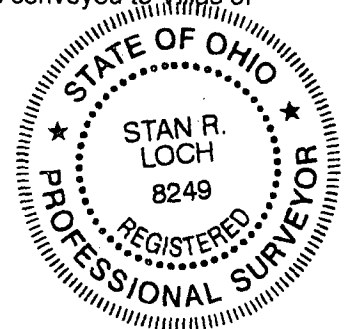
Course V: Thence North 88°28'04" East, along the southerly line of said Ph-30-3, a distance of 129.98 feet to the Principal Place of Beginning.

Said parcel containing 0.4846 acres or 21,110 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54, 2016-62, 2016-70 and any other matters of record as surveyed and described in January, 2017 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-33-R2" Phase 33 Residual No. 2, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 33.

Job#20132833

  
Stan R. Loch P.S. # 8249

Date



**EXHIBIT "3"**  
**AMENDMENT NO. 33 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE XXXIII contains two (2) detached single-family residential Buildings known as UNIT NOS. 45 AND 46 situated on Hillary Lane, which include basements and attached two car garages, and which are constructed primarily of wood, vinyl siding, asphalt shingle roof, brick, concrete block, glass and drywall. The location of UNIT NOS. 45 AND 46 are shown on the Drawings.

Unit 45 is a "Chantilly Place" type Unit. The "Chantilly Place" type Unit is a two-story Unit containing approximately 2300 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, dining room or study, dinette area, great room, kitchen, laundry room, ½ bath, and an attached two-car garage. The second floor of consists of three (3) bedrooms and two (2) full baths. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 46 is a "Venice" type Unit. The "Venice" type Unit is a two-story Unit containing approximately 2,344 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, great room or study, dining room, kitchen, morning room, laundry room, ½ bath and an attached two-car garage. The second floor of consists of four (4) bedrooms and two (2) full baths, and walk-in closet. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

**EXHIBIT "4"**  
**AMENDMENT NO. 33 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	1/76th
II	67	864 Hillary Lane	1/76th
III	8	853 Hillary Lane	1/76th
III	9	849 Hillary Lane	1/76th
III	16	821 Hillary Lane	1/76th
III	17	817 Hillary Lane	1/76th
IV	11	841 Hillary Lane	1/76th
V	18	813 Hillary Lane	1/76th
VI	7	857 Hillary Lane	1/76th
VI	15	825 Hillary Lane	1/76th
VI	65	854 Hillary Lane	1/76th
VII	10	845 Hillary Lane	1/76th
VIII	73	830 Hillary Lane	1/76th
IX	12	837 Hillary Lane	1/76th
X	14	829 Hillary Lane	1/76th
X	64	850 Hillary Lane	1/76th
X	74	818 Hillary Lane	1/76th
XI	6	861 Hillary Lane	1/76th
XII	13	833 Hillary Lane	1/76th
XII	66	860 Hillary Lane	1/76th
XII	71	880 Hillary Lane	1/76th
XII	72	836 Hillary Lane	1/76th
XIII	63	846 Hillary Lane	1/76th
XIII	69	872 Hillary Lane	1/76th
XIV	68	868 Hillary Lane	1/76th
XV	26	781 Hillary Lane	1/76th
XVI	4	869 Hillary Lane	1/76th
XVI	19	809 Hillary Lane	1/76th
XVI	25	785 Hillary Lane	1/76th
XVI	70	876 Hillary Lane	1/76th
XVI	77	798 Hillary Lane	1/76th
XVII	24	789 Hillary Lane	1/76th
XVII	78	794 Hillary Lane	1/76th
XVII	79	788 Hillary Lane	1/76th
XVIII	23	793 Hillary Lane	1/76th
XVIII	76	802 Hillary Lane	1/76th

XIX	5	865 Hillary Lane	1/76th
XX	20	805 Hillary Lane	1/76th
XX	21	801 Hillary Lane	1/76th
XX	81	780 Hillary Lane	1/76th
XXI	22	797 Hillary Lane	1/76th
XXII	80	784 Hillary Lane	1/76th
XXII	86	45 Samantha Drive	1/76th
XXII	87	55 Samantha Drive	1/76th
XXII	88	65 Samantha Drive	1/76th
XXII	90	85 Samantha Drive	1/76th
XXIII	38	733 Hillary Lane	1/76th
XXIII	89	75 Samantha Drive	1/76th
XXIV	39	729 Hillary Lane	1/76th
XXIV	40	725 Hillary Lane	1/76th
XXIV	75	806 Hillary Lane	1/76th
XXV	37	737 Hillary Lane	1/76th
XXV	91	95 Samantha Drive	1/76th
XXVI	35	745 Hillary Lane	1/76th
XXVI	41	721 Hillary Lane	1/76th
XXVII	34	749 Hillary Lane	1/76th
XXVII	60	80 Samantha Drive	1/76th
XXVII	61	90 Samantha Drive	1/76th
XXVIII	42	717 Hillary Lane	1/76th
XXVIII	49	714 Hillary Lane	1/76th
XXVIII	50	718 Hillary Lane	1/76th
XXVIII	59	70 Samantha Drive	1/76th
XXIX	36	741 Hillary Lane	1/76th
XXIX	58	60 Samantha Drive	1/76th
XXIX	85	35 Samantha Drive	1/76th
XXX	52	726 Hillary Lane	1/76th
XXX	54	734 Hillary Lane	1/76th
XXX	84	750 Hillary Lane	1/76th
XXXI	51	722 Hillary Lane	1/76th
XXXI	53	730 Hillary Lane	1/76th
XXXI	55	738 Hillary Lane	1/76th
XXXI	56	40 Samantha Drive	1/76th
XXXII	29	769 Hillary Lane	1/76th
XXXII	44	709 Hillary Lane	1/76th
XXXIII	45	705 Hillary Lane	1/76th
XXXIII	46	700 Hillary Lane	1/76th
			Total 100%





Patty  
LORI CALCEI  
PORTAGE CO. RECORDER

201702299 E-8C

RECEIVED FOR RECORD  
AT 14:30:36  
FEE 216.00

**INDEXED**

AMENDMENT NO. 32  
TO THE DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM

PHASE XXXII  
ADDING UNIT NOS. 29 AND 44

This will certify that copies of this AMENDMENT NO. 32 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "AMENDMENT NO. 32"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

Plat 2017-10

Dated: FEB 08 2017, 2017

PORTAGE COUNTY AUDITOR

By:

  
Deputy Auditor

This instrument prepared by:  
Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333

**AMENDMENT NO. 32 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE XXXII of the Condominium which contains two (2) Units.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE XXXII property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.

2. The legal description of the Condominium set forth in Exhibit "A" of the Declaration is amended to include the real property for PHASE XXXII of the Condominium, the legal description for PHASE XXXII being described in Exhibit "1" attached hereto and made a part hereof
3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.
4. The number of Units referred to in the Declaration is increased from to seventy-two (72) Units to seventy-four (74) Units. A narrative description of the Buildings and Units for PHASE XXXII is set forth in Exhibit "3" attached hereto and made a part hereof
5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.
6. The particulars of the Buildings and Units and other improvements for PHASE XXXII, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE XXXII Drawings incorporated in this AMENDMENT NO. 32 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE XXXII Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 32 to the Declaration.
7. No owner of a Unit which was not included in Phase I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX, XX, XXI, XXII, XXIII, XXIV, XXV, XXVI, XXVII, XXVIII, XXIX, XXX, and XXXI shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE XXXII prior to the filing of this AMENDMENT NO. 32 (except replacement reserve funds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this AMENDMENT NO. 32.

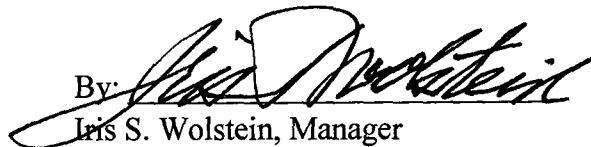
8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.

9. Except as amended herein, the Declaration thereto shall remain in full force and effect

10. Consent to this AMENDMENT NO. 32 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 6<sup>th</sup> day of February, 2017.

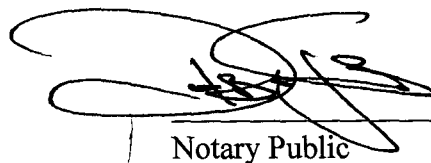
VILLAS OF BERTRAM, LLC,  
an Ohio limited liability company

By:   
Iris S. Wolstein, Manager

STATE OF OHIO                    )  
  )SS.  
COUNTY OF ~~LAKE~~            )  
                                  Cuyahoga

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 6<sup>th</sup> day of February, 2017.



Notary Public  
My Commission Expires \_\_\_\_\_



**EXHIBIT "A"**

**AMENDMENT NO. 32 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 32 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the AMENDMENT NO. 32.

**EXHIBIT "1"**  
**AMENDMENT NO. 32 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE XXXII WILL BE ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-32-1**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 32**

**0.2203 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-32-1 on the Plat of The Villas of Bertram Condominium Phase 32 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North  $89^{\circ}31'39''$  East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta  $08^{\circ}06'50''$ , tangent 21.28 feet, chord 42.45 feet, bearing South  $86^{\circ}24'56''$  East to a point;

Thence South  $82^{\circ}21'31''$  East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;



Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta  $10^{\circ}55'25''$ , tangent 124.30 feet, chord 247.48 feet, bearing South  $87^{\circ}49'14''$  East to a point;

Thence North  $86^{\circ}43'03''$  East, continuing along the centerline of said Samantha Drive, a distance of 213.49 feet to a point, said point being the intersection of the centerline of said Samantha Drive and said Hilliary Lane;

Thence South  $03^{\circ}16'57''$  East, along the centerline of said Hilliary Lane, a distance of 122.56 feet to a point;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 182.84 feet, radius 200.00 feet, delta  $52^{\circ}22'52''$ , tangent 98.37 feet, chord 176.54 feet, bearing South  $22^{\circ}54'29''$  West to a point;

Thence South  $40^{\circ}54'05''$  East, a distance of 30.00 feet to a point on the Easterly R/W of said Hilliary Lane and the Principal Place of Beginning;

Course I: Thence South  $40^{\circ}54'05''$  East, a distance of 142.39 feet to a point;


Course II: Thence South  $55^{\circ}35'56''$  West, a distance of 84.32 feet to a point;

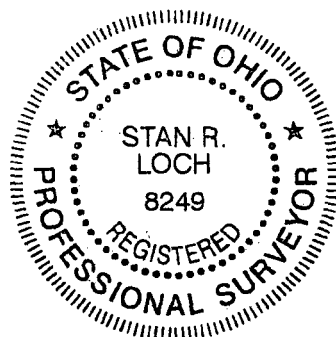
Course III: Thence North  $27^{\circ}54'03''$  West, a distance of 142.39 feet to a point on the easterly R/W of said Hilliary Lane and a point of curvature;

Course IV: Thence along the easterly R/W of said Hilliary Lane, along a curve to the left with a length 52.19 feet, radius 230.00 feet, delta  $13^{\circ}00'02''$ , tangent 26.21 feet, chord 52.08 feet, bearing North  $55^{\circ}35'56''$  East to the Principal Place of Beginning.

Said parcel containing 0.2203 acres or 9,596 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54, 2016-62, 2016-70 and any other matters of record as surveyed and described in December, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South  $00^{\circ}28'15''$  East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-32-1" Phase 32, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 32.

Job#20132833

 1-28-17  
Stan R. Loch P.S. # 8249 Date





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION  
PH-32-2  
THE VILLAS OF BERTRAM CONDOMINIUM PHASE 32  
0.2431 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-32-2 on the Plat of The Villas of Bertram Condominium Phase 32 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North  $89^{\circ}31'39''$  East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta  $08^{\circ}06'50''$ , tangent 21.28 feet, chord 42.45 feet, bearing South  $86^{\circ}24'56''$  East to a point;

Thence South  $82^{\circ}21'31''$  East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta  $10^{\circ}55'25''$ , tangent 124.30 feet, chord 247.48 feet, bearing South  $87^{\circ}49'14''$  East to a point;

Thence North  $86^{\circ}43'03''$  East, continuing along the centerline of said Samantha Drive, a distance of 213.49 feet to a point, said point being the intersection of the centerline of said Samantha Drive and said Hilliary Lane;

Thence North  $03^{\circ}16'57''$  West, along the centerline of said Hilliary Lane, a distance of 329.69 feet to a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 28.64 feet, radius 300.00 feet, delta  $05^{\circ}28'10''$ , tangent 14.33 feet, chord 28.63 feet, bearing North  $06^{\circ}01'02''$  West to a point;

Thence North  $08^{\circ}45'07''$  West, continuing along the centerline of said Hilliary Lane, a distance of 122.68 feet to a point;

Thence North  $41^{\circ}28'51''$  East, a distance of 67.00 feet to a point on the Easterly R/W of said Hilliary Lane and the Principal Place of Beginning;

Course I: Thence North  $41^{\circ}28'51''$  East, a distance of 139.12 feet to a point;

Course II: Thence South  $31^{\circ}24'52''$  East, a distance of 121.11 feet to a point;

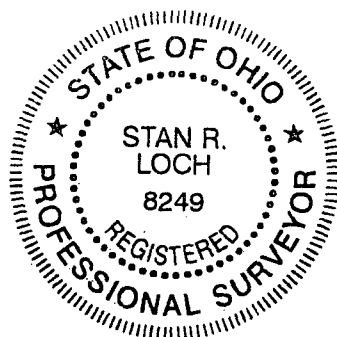
Course III: Thence South  $75^{\circ}39'15''$  West, a distance of 139.08 feet to a point, said point being on the easterly R/W of said Hilliary Lane and a point of curvature;

Course IV: Thence along the easterly R/W of said Hilliary Lane along a curve to the left with a length 39.96 feet, radius 67.00 feet, delta  $34^{\circ}10'24''$ , tangent 20.59 feet, chord 39.37 feet, bearing North  $31^{\circ}25'57''$  West to the Principal Place of Beginning.

Said parcel containing 0.2431 acres or 10,590 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54, 2016-62, 2016-70 and any other matters of record as surveyed and described in December, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South  $00^{\circ}28'15''$  East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-32-2" Phase 32, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 32.

Job#20132833

 1-28-17  
Stan R. Loch P.S. # 8249 Date



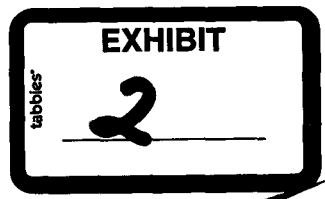
**EXHIBIT "2"**  
**AMENDMENT NO. 32 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO

PN  
03-015-10-00-001-048: 20.085 Ac AUD  
UNIT 29 — .2203

2-8-2017  
TAX MAP DEPT.  
LEGAL DESCRIPTION  
☑ SUFFICIENT ○ DEFICIENT  
○ NO DIVISION OF LAND

UNIT 44  
19.8647  
— 0.2431  
19.6216 = BAL.



NO TRANSFER  
REQUIRED  
FEB 08 2017  
JANET ESPOSITO  
AUDITOR



**ENGINEERING & SURVEYING CO., INC.**  
5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259

**LEGAL DESCRIPTION  
PH 32-R1  
THE VILLAS OF BERTRAM CONDOMINIUM PHASE 32  
19.6224 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 1 on the Plat of The Villas of Bertram Condominium Phase 32, and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South 89°30'28" West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South 00°28'15" East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a 5/8" iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hilliary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta 90°01'17", tangent 25.01 feet, chord 35.36 feet, bearing South 45°28'54" East to a point;

- Course III: Thence South 00°28'15" East, continuing along the westerly R/W of said Hilliary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;
- Course IV: Thence South 89°31'45" West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;
- Course V: Thence South 00°28'15" East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwesterly corner of said Ph-1;
- Course VI: Thence North 89°31'45" East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hilliary Lane, said point being the southeasterly corner of said Ph-1;
- Course VII: Thence South 00°28'15" East, along the westerly R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the northeasterly corner of Ph-16-1 in the Villas of Bertram Condominiums Phase 16;
- Course VIII: Thence South 89°31'45" West, along the northerly line of said Ph-16-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-16-1;
- Course IX: Thence South 00°28'15" East, along the westerly line of said Ph-16-1, Ph-19-1 in the Villas of Bertram Condominium Phase 19, Ph-11-1 in the Villas of Bertram Condominium Phase 11, Ph-6-1 in the Villas of Bertram Phase 1 Condominium Phase 6, Ph-3-1 in the Villas of Bertram Phase 1 Condominium Phase 3, Ph-7-1 in the Villas of Bertram Phase 1 Condominium Phase 7, Ph-4 in the Villas of Bertram Phase 1 Condominium Phase 4, Ph-9-1 in the Villas of Bertram Phase 1 Condominium Phase 9, and Ph-12-1 in the Villas of Bertram Phase 1, Condominium Phase 12, a distance of 627.06 feet to a point, said point being the northwesterly corner of Ph-10-1 in the Villas of Bertram Phase 1, Condominium Phase 10;
- Course X: Thence South 17°30'08" East, along the westerly line of said Ph-10-1, a distance of 84.60 feet to a point, said point being the southwesterly corner of said Ph-10-1 and the northwesterly corner of Ph-6-2 in the Villas of Bertram Phase 6;
- Course XI: Thence South 28°59'33" East, along the westerly line of said Ph-6-2, a distance of 84.31 feet to a point, said point being the southwesterly corner of said Ph-6-2 and southwesterly corner of Ph-3-2 in the Villas of Bertram Phase 1, Condominium Phase 3;
- Course XII: Thence South 41°59'53" East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;
- Course XIII: Thence South 55°00'13" East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2 and also being the southwesterly corner of Ph-5 in the Villas of Bertram Phase 1, Condominium Phase 5;
- Course XIV: Thence South 67°15'11" East, along the southerly line of said Ph-5, distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-5 and the southwesterly corner of Ph-16-3 in the Villas of Bertram Condominiums Phase 16;

- Course XV: Thence South  $82^{\circ}21'31''$  East, along the southerly line of said Ph-16-3 and the southerly line of Ph-20-1 in the Villas of Bertram Condominiums Phase 20, Ph-21-1 in the Villas of Bertram Condominiums Phase 21, Ph-18-2 in the Villas of Bertram Condominiums Phase 18, a distance of 269.95 feet to a point;
- Course XVI: Thence South  $86^{\circ}09'02''$  East, continuing along the southerly line of said Ph-18-2, a distance of 47.61 feet to a point;
- Course XVII: Thence North  $89^{\circ}30'07''$  East, continuing along the southerly line of said Ph-18-2 and along the southerly lines of Ph-17-1 in the Villas of Bertram Condominiums Phase 17, Ph-16-5 in the Villas of Bertram Condominiums Phase 16 and Ph-15-1 in the Villas of Bertram Condominiums Phase 15, a distance of 195.15 feet to a point, said point being the southeasterly corner of said Ph-15-1;
- Course XVIII: Thence North  $01^{\circ}53'59''$  West, along the easterly line of said Ph-15-1, a distance of 140.11 feet to a point on the southerly R/W of said Hilliary Lane, said point being the northeasterly corner of said Ph-15-1 and also being a point on a curve;
- Course XIX: Thence along the southerly R/W of said Hilliary Lane, along a curve to the left with a length 104.38 feet, radius 230.00 feet, delta  $26^{\circ}00'04''$ , tangent 53.10 feet, chord 103.48 feet, bearing North  $75^{\circ}05'59''$  East to a point;
- Course XX: Thence South  $27^{\circ}54'03''$  East, a distance of 142.39 feet to point;
- Course XXI: Thence North  $55^{\circ}35'56''$  East, a distance of 84.32 feet to point;
- Course XXII: Thence North  $40^{\circ}54'05''$  West, a distance of 142.39 feet to point, said point being on the easterly R/W of said Hilliary Lane;
- Course XXIII: Thence along the easterly R/W of said Hilliary Lane, along a curve to the left with a length 210.27 feet, radius 230.00 feet, delta  $52^{\circ}22'52''$ , tangent 113.13 feet, chord 203.02 feet, bearing North  $22^{\circ}54'29''$  East to a point;
- Course XXIV: Thence North  $03^{\circ}16'57''$  West, continuing along the easterly R/W of said Hilliary Lane, a distance of 18.20 feet to a point, said point being the southwesterly corner of Ph-27-1 in the Villas of Bertram Condominiums Phase 27;
- Course XXV: Thence North  $86^{\circ}43'03''$  East, along the southerly line of said Ph-27-1, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-27-1;
- Course XXVI: Thence North  $03^{\circ}16'57''$  West, along the easterly line of said Ph-27-1 and the easterly lines of Ph-26-1 in the Villas of Bertram Condominiums Phase 26, Ph-29-1 in the Villas of Bertram Condominiums Phase 29, Ph-25-1 in the Villas of Bertram Condominiums Phase 25, Ph-23-2 in the Villas of Bertram Condominiums Phase 23 and Ph-24-1 in the Villas of Bertram Condominiums Phase 24, a distance of 360.00 feet to a point;
- Course XXVII: Thence North  $02^{\circ}19'39''$  West, continuing along the easterly line of said Ph-24-1, a distance of 60.01 feet to a point, said point being the northeasterly corner of said Ph-24-1 and also being the southeasterly corner of Ph-26-2 in the Villas of Bertram Condominiums Phase 26;
- Course XXVIII: Thence North  $06^{\circ}28'05''$  East, along the easterly line of said Ph-26-2, a distance of 71.59 feet to a point, said point being the northeasterly corner of said Ph-26-2 and the southeasterly corner of Ph-28-1 in the Villas of Bertram Condominiums Phase 28;

- Course XXIX: Thence North  $08^{\circ}29'41''$  East, along the easterly line of said Ph-28-1, a distance of 62.82 feet to a point, said point being the northeasterly corner of said Ph-28-1;
- Course XXX: Thence South  $81^{\circ}14'53''$  West, along the northerly line of said Ph-28-1, a distance of 152.15 feet to a point on the easterly R/W of said Hilliary Lane and a point of curvature, said point being the northwesterly corner of said Ph-28-1;
- Course XXXI: Thence along the easterly R/W of said Hilliary Lane, along a curve to the left with a length 65.32 feet, radius 67.00 feet, delta  $55^{\circ}51'38''$ , tangent 35.52 feet, chord 62.77 feet, bearing North  $13^{\circ}35'04''$  East to a point;
- Course XXXII: Thence North  $75^{\circ}39'15''$  East, a distance of 139.08 feet to point;
- Course XXXIII: Thence North  $31^{\circ}24'52''$  West, a distance of 121.11 feet to point;
- Course XXXIV: Thence South  $41^{\circ}28'51''$  West, a distance of 139.12 feet to point, said point being on the northerly R/W of said Hilliary Lane and a point of curvature;
- Course XXXV: Thence along the northerly R/W of said Hilliary Lane, along a curve to the left with a length 160.01 feet, radius 67.00 feet, delta  $136^{\circ}50'13''$ , tangent 169.38 feet, chord 124.61 feet, bearing South  $63^{\circ}03'45''$  West to a point, said point being the northeasterly corner of Ph-28-2 in the Villas of Bertram Condominiums Phase 28;
- Course XXXVI: Thence South  $84^{\circ}38'38''$  West, along the northerly line of said Ph-28-2, a distance of 133.09 feet to point, said point being the northwesterly corner of said Ph-28-2;
- Course XXXVII: Thence South  $00^{\circ}42'49''$  East, along the westerly line of said Ph-28-2, a distance of 21.97 feet to point;
- Course XXXVIII: Thence South  $16^{\circ}21'03''$  East, continuing along the westerly line of said Ph-28-2, a distance of 44.50 feet to point;
- Course XXXIX: Thence South  $29^{\circ}18'34''$  East, continuing along the westerly line of said Ph-28-2, a distance of 64.08 feet to point, said point being the southwesterly corner of said Ph-28-2 and the northwesterly corner of Ph-31-1 in the Villas of Bertram Condominiums Phase 31;
- Course XL: Thence South  $19^{\circ}14'53''$  East, along the westerly line of said Ph-31-1, a distance of 57.51 feet to a point, said point being the southwesterly corner of said Ph-31-1 and the northwesterly corner of Ph-30-1 in the Villas of Bertram Condominiums Phase 30;
- Course XLI: Thence South  $03^{\circ}16'57''$  East, along the westerly line of said Ph-30-1, and the westerly line of Ph-30-2 in the Villas of Bertram Condominiums Phase 30, Ph-31-2 & Ph-31-3 in the Villas of Bertram Condominiums Phase 31, a distance of 265.00 feet to a point, said point being on the northerly R/W of Samantha Drive, 60 foot R/W and the southwesterly corner of said Ph-31-3;
- Course XLII: Thence South  $86^{\circ}43'03''$  East, along the northerly R/W of said Samantha Drive, a distance of 17.03 feet to a point, said point being the southeasterly corner of Ph-31-4 in the Villas of Bertram Condominiums Phase 31;




- Course XLIII: Thence North  $03^{\circ}16'57''$  West, along the easterly line of said Ph-31-4, a distance of 130.07 feet to a point, said point being the northeasterly corner of said Ph-31-4;
- Course XLIV: Thence South  $86^{\circ}43'03''$  West, along the northerly line of said Ph-31-4, a distance of 59.40 feet to a point, said point being the northwesterly corner of said Ph-31-4;
- Course XLV: Thence South  $02^{\circ}07'46''$  East, along the westerly line of said Ph-31-4, a distance of 129.84 feet to a point on the northerly R/W of said Samantha Drive and the southwest corner of said Ph-31-4;
- Course XLVI: Thence along the northerly R/W of said Samantha Drive, along a curve to the right with a length 65.14 feet, radius 1270.00 feet, delta  $02^{\circ}56'19''$ , tangent 32.57 feet, chord 65.13 feet, bearing South  $89^{\circ}20'23''$  West to a point, said point being the southeasterly corner of Ph-29-3 in the Villas of Bertram Condominiums Phase 29;
- Course XLVII: Thence North  $00^{\circ}48'33''$  East, along the easterly line of said Ph-29-3, a distance of 129.82 feet to point, said point being the northeasterly corner of said Ph-29-3;
- Course XLVIII: Thence North  $87^{\circ}43'18''$  West, along the northerly line of said Ph-29-3, a distance of 58.47 feet to a point, said point being the northwesterly corner of said Ph-29-3 and the northeasterly corner of Ph-28-3 in the Villas of Bertram Condominiums Phase 28;
- Course XLIX: Thence North  $84^{\circ}45'24''$  West, along the northerly line of said Ph-28-3, a distance of 58.47 feet to a point, said point being the northwesterly corner of said Ph-28-3 and the northeasterly corner of Ph-27-2 in the Villas of Bertram Condominiums Phase 27;
- Course L: Thence North  $82^{\circ}21'31''$  West, along the northerly line of said Ph-27-2, a distance of 119.50 feet to a point, said point being the northwesterly corner of said Ph-27-2;
- Course LI: Thence South  $07^{\circ}38'29''$  West, along the westerly line of said Ph-27-2, a distance of 130.00 feet to a point, said point being on the northerly R/W of said Samantha Drive and also the southwest corner of said Ph-27-2;
- Course: LII Thence North  $82^{\circ}21'31''$  West, continuing along the northerly R/W of said Samantha Drive, a distance of 58.57 feet to a point, said point being a point of curvature;
- Course LIII: Thence continuing along the Northerly R/W of said Samantha Drive, along a curve to the left with a length 18.09 feet, radius 330.00 feet, delta  $03^{\circ}08'26''$ , tangent 9.05 feet, chord 18.09 feet, bearing North  $83^{\circ}55'44''$  West to a point, said point being the southeasterly corner of Ph-13-2 in the Villas of Bertram Phase 1, Condominium Phase 13;
- Course LIV: Thence North  $00^{\circ}28'15''$  West, along the easterly lines of said Ph-13-2, Ph-10-3 in the Villas of Bertram Phase 1, Condominium Phase 10 and Ph-6-3 in the Villas of Bertram Phase 1, Condominium Phase 6, a distance of 206.24 feet to a point said point being the northeasterly corner of said Ph-6-3;
- Course LV: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-6-3, a distance of 137.45 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-6-3;

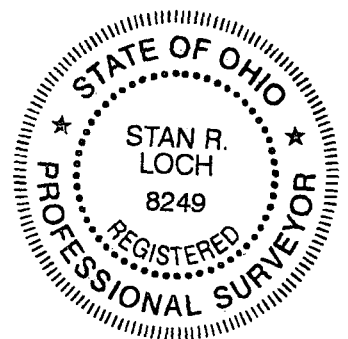
- Course LVI: Thence North 07°30'01" West, along the easterly R/W of said Hilliary Lane, a distance of 25.56 feet to a point, said point being the southwesterly corner of Ph-12-3 in the Villas of Bertram Phase 1, Condominium Phase 12;
- Course LVII: Thence North 89°31'45" East, along the southerly line of said Ph-12-3, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-12-3;
- Course LVIII: Thence North 00°28'15" West, along the easterly line of said Ph-12-3, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-12-3;
- Course LIX: Thence South 89°31'45" West, along the northerly line of said Ph-12-3, a distance of 13.26 feet to a point, said point being the southeasterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominiums Phase 2;
- Course LX: Thence North 00°42'49" West, along the easterly line of said Ph-2, and the easterly lines of Ph-14-1 in the Villas of Bertram Condominiums Phase 14, Ph-13-1 in the Villas of Bertram Phase 1, Condominium Phase 13, Ph-16-2 in the Villas of Bertram Condominiums Phase 16 and Ph-12-4 in the Villas of Bertram Condominiums Phase 12, a distance of 300.00 feet to a point, said point being the northeasterly corner of said Ph-12-4;
- Course LXI: Thence South 89°31'45" West, along the northerly line of said Ph-12-4, a distance of 121.03 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-12-4;
- Course LXII: Thence North 00°28'15" West, along the easterly R/W of said Hilliary Lane, a distance of 40.07 feet to a point, said point being a point of curvature
- Course LXIII: Thence continuing along the easterly R/W of said Hilliary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta 89°58'43", tangent 24.99 feet, chord 35.35 feet, bearing North 44°31'06" East to a point, said point being on the southerly R/W of said Treat Road;
- Course LXIV: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a 5/8" iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course LXV: Thence South 00°42'49" East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southwesterly corner of said Ohio Edison Company;
- Course LXVI: Thence North 89°30'28" East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;
- Course LXVII: Thence North 00°42'49" West, along the easterly line of said Ohio Edison Company, passing through a 5/8" iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;

- Course LXVIII: Thence North 89°30'28" East, along the centerline of said Treat Road, passing through a 1-1/4" axle found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;
- Course LXIX: Thence South 00°42'49" East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;
- Course LXX: Thence South 89°32'00" West, along the northerly line of said Berry and the northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a 5/8" iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a 3/4" iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;
- Course LXXI: Thence North 47°50'36" West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a 3/4" iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwesterly corner of lands conveyed to Michael & Cheryl Habbyshaw, as recorded in Document No. 201105000 of the Portage County Deed Records;
- Course LXXII: Thence North 89°30'22" East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;
- Course LXXIII: Thence North 00°28'15" West, along the easterly line of said Habbyshaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

Said parcel contains 19.6224 acres or 854,753 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54, 2016-62, 2016-70 and any other matters of record as surveyed and described in December, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe the portion of the land conveyed to Villas of Bertram LLC. by File # 201401775 of the Portage County Records, which is designated as Ph-32-R1 Phase 32 Residual No. 1 on the Plat of Villas of Bertram Condominium Phase 32.

Job#20132833

  
 \_\_\_\_\_ 1-20-17  
 Stan R. Loch P.S. # 8249 Date





**ENGINEERING & SURVEYING CO., INC.**  
**5425 WARNER ROAD – SUITE 12**  
**VALLEY VIEW, OHIO 44125**  
**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**  
**PH-32-R2**  
**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 32**  
**0.4846 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 2 on the Plat of The Villas of Bertram Condominium Phase 32 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North  $89^{\circ}31'39''$  East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta  $08^{\circ}06'50''$ , tangent 21.28 feet, chord 42.45 feet, bearing South  $86^{\circ}24'56''$  East to a point;

Thence South  $82^{\circ}21'31''$  East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta 10°55'25", tangent 124.30 feet, chord 247.48 feet, bearing South 87°49'14" East to a point;

Thence North 86°43'13" East, continuing along the centerline of said Samantha Drive, a distance of 213.49 feet to a point, said point being the intersection of the centerlines of said Samantha Drive and Hilliary Lane, 60 foot R/W;

Thence South 03°16'57" East, along the centerline of said Hilliary Lane, a distance of 122.56 feet to a point;

Thence South 86°43'03" West, a distance of 30.00 feet to a point on the westerly R/W of said Hilliary Lane, said point being on the easterly line of Ph-30-3 in the Villas of Bertram Condominiums Phase 30 and being a point of curvature;

Thence along the westerly R/W of said Samantha Drive and the easterly line of said Ph-30-3, along a curve to the right with a length 5.19 feet, radius 170.00 feet, delta 1°45'01", tangent 2.60 feet, chord 5.19 feet, bearing South 02°24'26" East to a point, said point being the southeasterly corner of said Ph-30-3 and the Principal Place of Beginning;

Course I: Thence continuing along the westerly R/W of said Samantha Drive, along a curve to the right with a length 261.48 feet, radius 170.00 feet, delta 88°07'38", tangent 164.53 feet, chord 236.45 feet, bearing South 42°31'53" West to a point, said point being the southeasterly corner of Ph-20-2 in the Villas of Bertram Condominiums Phase 20;

Course II: Thence North 03°23'45" West, along the easterly line of said Ph-20-2, a distance of 129.98 feet to a point, said point being the northeasterly corner of said Ph-20-2 and the southeasterly corner of Ph-29-2 in the Villas of Bertram Condominiums Phase 29;

Course III: Thence North 64°30'13" East, along the easterly line of said Ph-29-2, a distance 30.01 feet to a point;

Course IV: Thence North 20°31'31" East, continuing along the easterly line of said Ph-29-2, a distance of 30.01 feet to a point, said point being the southwestly corner of said Ph-30-3;

Course V: Thence North 88°28'04" East, along the southerly line of said Ph-30-3, a distance of 129.98 feet to the Principal Place of Beginning.

Said parcel containing 0.4846 acres or 21,110 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54, 2016-62, 2016-70 and any other matters of record as surveyed and described in December, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-32-R2" Phase 32 Residual No. 2, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 32.

Job#20132833

  
Stan R. Loch P.S. # 8249 Date



**EXHIBIT "3"**  
**AMENDMENT NO. 32 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE XXXII contains two (2) detached single-family residential Buildings known as UNIT NOS. 29 AND 44 situated on Hillary Lane, which include basements and attached two car garages, and which are constructed primarily of wood, vinyl siding, asphalt shingle roof, brick, concrete block, glass and drywall. The location of UNIT NOS. 29 AND 44 are shown on the Drawings.

Unit 29 is a "Naples" type Unit. The "Naples" type Unit is a two-story Unit containing approximately 3000 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, living room, dining room, kitchen, dinette area, family room, mud room, ½ bath, and an attached two-car garage. The second floor of consists of four (4) bedrooms, laundry room, loft, and two (2) full baths. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 44 is a "Florence" type Unit. The "Florence" type Unit is a two-story Unit containing approximately 2,000 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, living room or dining room, dinette area, family room, kitchen, laundry room, ½ bath, and an attached two-car garage. The second floor of consists of three (3) bedrooms and two (2) full baths. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

**EXHIBIT "4"**  
**AMENDMENT NO. 32 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	1/74th
II	67	864 Hillary Lane	1/74th
III	8	853 Hillary Lane	1/74th
III	9	849 Hillary Lane	1/74th
III	16	821 Hillary Lane	1/74th
III	17	817 Hillary Lane	1/74th
IV	11	841 Hillary Lane	1/74th
V	18	813 Hillary Lane	1/74th
VI	7	857 Hillary Lane	1/74th
VI	15	825 Hillary Lane	1/74th
VI	65	854 Hillary Lane	1/74th
VII	10	845 Hillary Lane	1/74th
VIII	73	830 Hillary Lane	1/74th
IX	12	837 Hillary Lane	1/74th
X	14	829 Hillary Lane	1/74th
X	64	850 Hillary Lane	1/74th
X	74	818 Hillary Lane	1/74th
XI	6	861 Hillary Lane	1/74th
XII	13	833 Hillary Lane	1/74th
XII	66	860 Hillary Lane	1/74th
XII	71	880 Hillary Lane	1/74th
XII	72	836 Hillary Lane	1/74th
XIII	63	846 Hillary Lane	1/74th
XIII	69	872 Hillary Lane	1/74th
XIV	68	868 Hillary Lane	1/74th
XV	26	781 Hillary Lane	1/74th
XVI	4	869 Hillary Lane	1/74th
XVI	19	809 Hillary Lane	1/74th
XVI	25	785 Hillary Lane	1/74th
XVI	70	876 Hillary Lane	1/74th
XVI	77	798 Hillary Lane	1/74th
XVII	24	789 Hillary Lane	1/74th
XVII	78	794 Hillary Lane	1/74th
XVII	79	788 Hillary Lane	1/74th
XVIII	23	793 Hillary Lane	1/74th
XVIII	76	802 Hillary Lane	1/74th

XIX	5	865 Hillary Lane	1/74th
XX	20	805 Hillary Lane	1/74th
XX	21	801 Hillary Lane	1/74th
XX	81	780 Hillary Lane	1/74th
XXI	22	797 Hillary Lane	1/74th
XXII	80	784 Hillary Lane	1/74th
XXII	86	45 Samantha Drive	1/74th
XXII	87	55 Samantha Drive	1/74th
XXII	88	65 Samantha Drive	1/74th
XXII	90	85 Samantha Drive	1/74th
XXIII	38	733 Hillary Lane	1/74th
XXIII	89	75 Samantha Drive	1/74th
XXIV	39	729 Hillary Lane	1/74th
XXIV	40	725 Hillary Lane	1/74th
XXIV	75	806 Hillary Lane	1/74th
XXV	37	737 Hillary Lane	1/74th
XXV	91	95 Samantha Drive	1/74th
XXVI	35	745 Hillary Lane	1/74th
XXVI	41	721 Hillary Lane	1/74th
XXVII	34	749 Hillary Lane	1/74th
XXVII	60	80 Samantha Drive	1/74th
XXVII	61	90 Samantha Drive	1/74th
XXVIII	42	717 Hillary Lane	1/74th
XXVIII	49	714 Hillary Lane	1/74th
XXVIII	50	718 Hillary Lane	1/74th
XXVIII	59	70 Samantha Drive	1/74th
XXIX	36	741 Hillary Lane	1/74th
XXIX	58	60 Samantha Drive	1/74th
XXIX	85	35 Samantha Drive	1/74th
XXX	52	726 Hillary Lane	1/74th
XXX	54	734 Hillary Lane	1/74th
XXX	84	750 Hillary Lane	1/74th
XXXI	51	722 Hillary Lane	1/74th
XXXI	53	730 Hillary Lane	1/74th
XXXI	55	738 Hillary Lane	1/74th
XXXI	56	40 Samantha Drive	1/74th
XXXII	29	769 Hillary Lane	1/74th
XXXII	44	709 Hillary Lane	1/74th
			Total 100%





*Patty*

LORI CALCEI  
PORTAGE CO. RECORDER

201700252 9-65

NO TRANSFER  
REQUIRED  
JAN 06 2017  
JANET ESPOSITO  
AUDITOR *JE*

RECEIVED FOR RECORD  
AT 12:29:22  
FEE 240.00

**INDEXED**

AMENDMENT NO. 31 <sup>27</sup>  
TO THE DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM ✓

PHASE XXXI  
ADDING UNIT NOS. 51, 53, 55, AND 56

This will certify that copies of this  
AMENDMENT NO. 31 TO THE  
DECLARATION of Condominium Ownership  
Villas of Bertram Condominium (the  
"AMENDMENT NO. 31"), together with the  
Drawings referred to therein, have been filed with  
the office of the County Auditor, Portage County,  
Ohio.

Dated: JAN 06 2017, 2016

*Plat 2017-4*

PORTAGE COUNTY AUDITOR

By:

*Janet Esposito* *JE*  
Deputy Auditor

This instrument prepared by:  
Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333

**AMENDMENT NO. 31 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, an Ohio limited liability company, hereinafter referred to as "Declarant", filed for record the Declaration of Condominium Ownership (" the Declaration") for Villas of Bertram Condominium (the "Condominium") with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the "Association") attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the "Act"); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE XXXI of the Condominium which contains four (4) Units.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE XXXI property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.

2. The legal description of the Condominium set forth in Exhibit "A" of the Declaration is amended to include the real property for PHASE XXXI of the Condominium, the legal description for PHASE XXXI being described in Exhibit "1" attached hereto and made a part hereof

3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.

4. The number of Units referred to in the Declaration is increased from to sixty-eight (68) Units to seventy-two (72) Units. A narrative description of the Buildings and Units for PHASE XXXI is set forth in Exhibit "3" attached hereto and made a part hereof

5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.

6. The particulars of the Buildings and Units and other improvements for PHASE XXXI, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE XXXI Drawings incorporated in this AMENDMENT NO. 31 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE XXXI Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 31 to the Declaration.

7. No owner of a Unit which was not included in Phase I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX, XX, XXI, XXII, XXIII, XXIV, XXV, XXVI, XXVII, XXVIII, XXIX, and XXX shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE XXXI prior to the filing of this AMENDMENT NO. 31 (except replacement reserve funds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this AMENDMENT NO. 31.

8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.

9. Except as amended herein, the Declaration thereto shall remain in full force and effect

10. Consent to this AMENDMENT NO. 31 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 4th day of January, 2016.

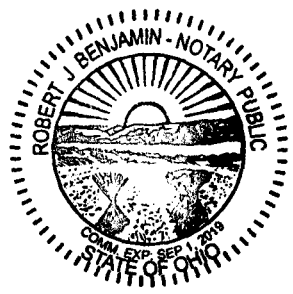
VILLAS OF BERTRAM, LLC, ✓  
an Ohio limited liability company

By: Iris S. Wolstein  
Iris S. Wolstein, Manager

STATE OF OHIO                    )  
  )SS.  
COUNTY OF ~~LAKE~~            )  
  Wahoga

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 4th day of January, 2016.



[Signature]  
Notary Public  
My Commission Expires \_\_\_\_\_

**EXHIBIT "A"**

**AMENDMENT NO. 31 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 31 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the AMENDMENT NO. 31.

**EXHIBIT "1"**  
**AMENDMENT NO. 31 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE XXXI WILL BE ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-31-1**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 31**

**0.1978 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-31-1 on the Plat of The Villas of Bertram Condominium Phase 31 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North  $89^{\circ}31'39''$  East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta  $08^{\circ}06'50''$ , tangent 21.28 feet, chord 42.45 feet, bearing South  $86^{\circ}24'56''$  East to a point;

Thence South  $82^{\circ}21'31''$  East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;



Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta  $10^{\circ}55'25''$ , tangent 124.30 feet, chord 247.48 feet, bearing South  $87^{\circ}49'14''$  East to a point;

Thence North  $86^{\circ}43'03''$  East, continuing along the centerline of said Samantha Drive, a distance of 213.49 feet to a point, said point being the intersection of the centerline of said Samantha Drive and said Hilliary Lane;

Thence North  $03^{\circ}16'57''$  West, along the centerline of said Hilliary Lane, a distance of 295.00 feet to a point;

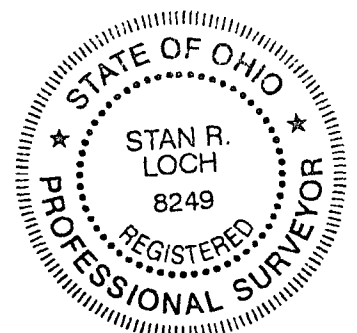
Thence South  $86^{\circ}43'03''$  West, a distance of 30.00 feet to a point on the westerly R/W of said Hilliary Lane and being the northeasterly corner of Ph-30-1 in the Villas of Bertram Condominiums Phase 30 and the Principal Place of Beginning;

- Course I: Thence South  $86^{\circ}43'03''$  West, along the northerly line of said Ph-30-1, a distance of 130.00 feet to a point, said point being the northwesterly corner of said Ph-30-1,
- Course II: Thence North  $19^{\circ}14'53''$  West, a distance of 57.51 feet to a point, said point being the southwestly corner of Ph-28-2 in the Villas of Bertram Condominiums Phase 28;
- Course III: Thence North  $81^{\circ}14'53''$  East, along the southerly line of said Ph-28-2, a distance of 144.42 feet to a point on the westerly R/W of said Hilliary Lane, said point being the southeasterly corner of said Ph-28-2;
- Course IV: Thence South  $08^{\circ}45'07''$  East, along the westerly R/W of said Hilliary Lane, a distance of 8.67 feet to a point, said point being a point of curvature;
- Course V: Thence along the westerly of said Hilliary Lane, along a curve to the right with a length 25.77 feet, radius 270.00 feet, tangent 12.90 feet, chord 25.76 feet, bearing South  $06^{\circ}01'02''$  East, delta  $05^{\circ}28'10''$  to a point;
- Course VI: Thence South  $03^{\circ}16'57''$  East, continuing along the westerly R/W of said Hilliary Lane, a distance of 34.69 feet to the Principal Place of Beginning.

Said parcel containing 0.1978 acres or 8,617 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54, 2016-62 and any other matters of record as surveyed and described in November, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South  $00^{\circ}28'15''$  East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-31-1" Phase 31, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 31.

Job#20132833

  
Stan R. Loch P.S. # 8249 Date





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION  
PH-31-2  
THE VILLAS OF BERTRAM CONDOMINIUM PHASE 31  
0.1790 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-31-2 on the Plat of The Villas of Bertram Condominium Phase 31 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North  $89^{\circ}31'39''$  East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta  $08^{\circ}06'50''$ , tangent 21.28 feet, chord 42.45 feet, bearing South  $86^{\circ}24'56''$  East to a point;

Thence South  $82^{\circ}21'31''$  East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta  $10^{\circ}55'25''$ , tangent 124.30 feet, chord 247.48 feet, bearing South  $87^{\circ}49'14''$  East to a point;

Thence North  $86^{\circ}43'03''$  East, continuing along the centerline of said Samantha Drive, a distance of 213.49 feet to a point, said point being the intersection of the centerline of said Samantha Drive and said Hilliary Lane;

Thence North  $03^{\circ}16'57''$  West, along the centerline of said Hilliary Lane, a distance of 235.00 feet to a point;

Thence South  $86^{\circ}43'03''$  West, a distance of 30.00 feet to a point on the westerly R/W of said Hilliary Lane and being the southeasterly corner of Ph-30-1 in the Villas of Bertram Condominiums Phase 30 and the Principal Place of Beginning;

Course I: Thence South  $03^{\circ}16'57''$  East, along the westerly R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the northeasterly corner of Ph-30-2 in the Villas of Bertram Condominiums Phase 30;

Course II: Thence South  $86^{\circ}43'03''$  West, along the northerly line of said Ph-30-2, a distance of 130.00 feet, said point being the northwesterly corner of said Ph-30-2;

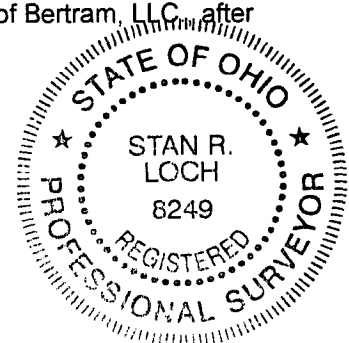
Course III: Thence North  $03^{\circ}16'57''$  West, a distance of 60.00 feet to a point, said point being the southwesterly corner of said Ph-30-1;

Course IV: Thence North  $86^{\circ}43'03''$  East, along the southerly line of said Ph-30-1, a distance of 130.00 feet to the Principal Place of Beginning.

Said parcel containing 0.1790 acres or 7,800 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54, 2016-62 and any other matters of record as surveyed and described in November, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South  $00^{\circ}28'15''$  East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-31-2" Phase 31, which is conveyed to Villas of Bertram, LLC, after the declaration of Villas of Bertram Condominium Phase 31.

Job#20132833

 12-15-16  
Stan R. Loch P.S. # 8249 Date





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION  
PH-31-3  
THE VILLAS OF BERTRAM CONDOMINIUM PHASE 31  
0.2505 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-31-3 on the Plat of The Villas of Bertram Condominium Phase 31 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North  $89^{\circ}31'39''$  East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta  $08^{\circ}06'50''$ , tangent 21.28 feet, chord 42.45 feet, bearing South  $86^{\circ}24'56''$  East to a point;

Thence South  $82^{\circ}21'31''$  East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta  $10^{\circ}55'25''$ , tangent 124.30 feet, chord 247.48 feet, bearing South  $87^{\circ}49'14''$  East to a point;

Thence North  $86^{\circ}43'03''$  East, continuing along the centerline of said Samantha Drive, a distance of 213.49 feet to a point, said point being the intersection of the centerline of said Samantha Drive and said Hilliary Lane;

Thence North  $03^{\circ}16'57''$  West, along the centerline of said Hilliary Lane, a distance of 115.00 feet to a point;

Thence South  $86^{\circ}43'03''$  West, a distance of 30.00 feet to a point on the westerly R/W of said Hilliary Lane and being the southeasterly corner of Ph-30-2 in the Villas of Bertram Condominiums Phase 30 and the Principal Place of Beginning;

Course I: Thence South  $03^{\circ}16'57''$  East, along the westerly R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being a point of curvature;

Course II: Thence continuing along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 39.27 feet, radius 25.00 feet, tangent 25.00 feet, chord 35.36 feet, bearing South  $41^{\circ}43'03''$  West, delta  $90^{\circ}00'00''$  to a point, said point being on the northerly R/W of said Samantha Drive;


Course III: Thence South  $86^{\circ}43'03''$  West, a distance of 105.00 feet to a point;

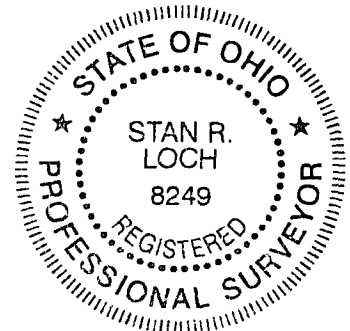
Course IV: Thence North  $03^{\circ}16'57''$  West, a distance of 85.00 feet to a point, said point being the southwesterly corner of said Ph-30-2;

Course V: Thence North  $86^{\circ}43'03''$  East, along the southerly line of said Ph-30-2, a distance of 130.00 feet to the Principal Place of Beginning.

Said parcel containing 0.2505 acres or 10,915 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54, 2016-62 and any other matters of record as surveyed and described in November, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South  $00^{\circ}28'15''$  East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-31-3" Phase 31, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 31.

Job#20132833

 12-15-16  
Stan R. Loch P.S. # 8249 Date





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION  
PH-31-4  
THE VILLAS OF BERTRAM CONDOMINIUM PHASE 31  
0.1812 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-31-4 on the Plat of The Villas of Bertram Condominium Phase 31 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North  $89^{\circ}31'39''$  East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta  $08^{\circ}06'50''$ , tangent 21.28 feet, chord 42.45 feet, bearing South  $86^{\circ}24'56''$  East to a point;

Thence South  $82^{\circ}21'31''$  East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta 10°55'25", tangent 124.30 feet, chord 247.48 feet, bearing South 87°49'14" East to a point;

Thence North 86°43'03" East, continuing along the centerline of said Samantha Drive, a distance of 36.46 feet to a point;

Thence North 03°16'57" West, a distance of 30.00 feet to a point, said point being on the easterly R/W of said Samantha Drive and being the Principal Place of Beginning;

Course I: Thence South 86°43'03" West, along the northerly R/W of said Samantha Drive, a distance of 36.46 feet to a point, said point being a point of curvature;

Course II: Thence continuing along the northerly R/W of said Samantha Drive, along a curve to the right with a length 25.56 feet, radius 1270.00 feet, tangent 12.78 feet, chord 25.56 feet, bearing South 87°17'39" West, delta 01°09'11" to a point,


Course III: Thence North 02°07'46" West, a distance of 129.84 feet to a point;

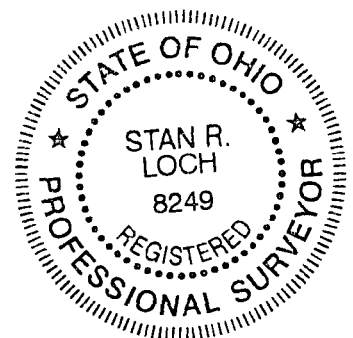
Course IV: Thence North 86°43'03" East, a distance of 59.40 feet to a point;

Course V: Thence South 03°16'57" East, a distance of 130.07 feet to the Principal Place of Beginning.

Said parcel containing 0.1812 acres or 7,894 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54, 2016-62 and any other matters of record as surveyed and described in November, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-31-4" Phase 31, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 31.

Job#20132833

  
Stan R. Loch P.S. # 8249      Date



**EXHIBIT "2"**  
**AMENDMENT NO. 31 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION  
PH 31-R1  
THE VILLAS OF BERTRAM CONDOMINIUM PHASE 31  
20.0858 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 1 on the Plat of The Villas of Bertram Condominium Phase 31, and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South 89°30'28" West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South 00°28'15" East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a 5/8" iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hilliary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta 90°01'17", tangent 25.01 feet, chord 35.36 feet, bearing South 45°28'54" East to a point;

- Course III: Thence South 00°28'15" East, continuing along the westerly R/W of said Hilliary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;
- Course IV: Thence South 89°31'45" West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;
- Course V: Thence South 00°28'15" East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwestery corner of said Ph-1;
- Course VI: Thence North 89°31'45" East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hilliary Lane, said point being the southeasterly corner of said Ph-1;
- Course VII: Thence South 00°28'15" East, along the westerly R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the northeasterly corner of Ph-16-1 in the Villas of Bertram Condominiums Phase 16;
- Course VIII: Thence South 89°31'45" West, along the northerly line of said Ph-16-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-16-1;
- Course IX: Thence South 00°28'15" East, along the westerly line of said Ph-16-1, Ph-19-1 in the Villas of Bertram Condominium Phase 19, Ph-11-1 in the Villas of Bertram Condominium Phase 11, Ph-6-1 in the Villas of Bertram Phase 1 Condominium Phase 6, Ph-3-1 in the Villas of Bertram Phase 1 Condominium Phase 3, Ph-7-1 in the Villas of Bertram Phase 1 Condominium Phase 7, Ph-4 in the Villas of Bertram Phase 1 Condominium Phase 4, Ph-9-1 in the Villas of Bertram Phase 1 Condominium Phase 9, and Ph-12-1 in the Villas of Bertram Phase 1, Condominium Phase 12, a distance of 627.06 feet to a point, said point being the northwesterly corner of Ph-10-1 in the Villas of Bertram Phase 1, Condominium Phase 10;
- Course X: Thence South 17°30'08" East, along the westerly line of said Ph-10-1, a distance of 84.60 feet to a point, said point being the southwestery corner of said Ph-10-1 and the northwesterly corner of Ph-6-2 in the Villas of Bertram Phase 6;
- Course XI: Thence South 28°59'33" East, along the westerly line of said Ph-6-2, a distance of 84.31 feet to a point, said point being the southwestery corner of said Ph-6-2 and southwestery corner of Ph-3-2 in the Villas of Bertram Phase 1, Condominium Phase 3;
- Course XII: Thence South 41°59'53" East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;
- Course XIII: Thence South 55°00'13" East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2 and also being the southwestery corner of Ph-5 in the Villas of Bertram Phase 1, Condominium Phase 5;
- Course XIV: Thence South 67°15'11" East, along the southerly line of said Ph-5, distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-5 and the southwestery corner of Ph-16-3 in the Villas of Bertram Condominiums Phase 16;

- Course XV: Thence South 82°21'31" East, along the southerly line of said Ph-16-3 and the southerly line of Ph-20-1 in the Villas of Bertram Condominiums Phase 20, Ph-21-1 in the Villas of Bertram Condominiums Phase 21, Ph-18-2 in the Villas of Bertram Condominiums Phase 18, a distance of 269.95 feet to a point;
- Course XVI: Thence South 86°09'02" East, continuing along the southerly line of said Ph-18-2, a distance of 47.61 feet to a point;
- Course XVII: Thence North 89°30'07" East, continuing along the southerly line of said Ph-18-2 and along the southerly lines of Ph-17-1 in the Villas of Bertram Condominiums Phase 17, Ph-16-5 in the Villas of Bertram Condominiums Phase 16 and Ph-15-1 in the Villas of Bertram Condominiums Phase 15, a distance of 195.15 feet to a point, said point being the southeasterly corner of said Ph-15-1;
- Course XVIII: Thence North 01°53'59" West, along the easterly line of said Ph-15-1, a distance of 140.11 feet to a point on the southerly R/W of said Hilliary Lane, said point being the northeasterly corner of said Ph-15-1 and also being a point on a curve;
- Course XIX: Thence along the southwesterly R/W of said Hilliary Lane, along a curve to the left with a length 366.83 feet, radius 230.00 feet, delta 91°22'58", tangent 235.62 feet, chord 329.17 feet, bearing North 42°24'32" East to a point;
- Course XX: Thence North 03°16'57" West, along the easterly R/W of said Hilliary Lane, a distance of 18.20 feet to a point, said point being the southwesterly corner of Ph-27-1 in the Villas of Bertram Condominiums Phase 27;
- Course XXI: Thence North 86°43'03" East, along the southerly line of said Ph-27-1, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-27-1;
- Course XXII: Thence North 03°16'57" West, along the easterly line of said Ph-27-1 and the easterly lines of Ph-26-1 in the Villas of Bertram Condominiums Phase 26, Ph-29-1 in the Villas of Bertram Condominiums Phase 29, Ph-25-1 in the Villas of Bertram Condominiums Phase 25, Ph-23-2 in the Villas of Bertram Condominiums Phase 23 and Ph-24-1 in the Villas of Bertram Condominiums Phase 24, a distance of 360.00 feet to a point;
- Course XXIII: Thence North 02°19'39" West, continuing along the easterly line of said Ph-24-1, a distance of 60.01 feet to a point, said point being the northeasterly corner of said Ph-24-1 and also being the southeasterly corner of Ph-26-2 in the Villas of Bertram Condominiums Phase 26;
- Course XXIV: Thence North 06°28'05" East, along the easterly line of said Ph-26-2, a distance of 71.59 feet to a point, said point being the northeasterly corner of said Ph-26-2 and the southeasterly corner of Ph-28-1 in the Villas of Bertram Condominiums Phase 28;
- Course XXV: Thence North 08°29'41" East, along the easterly line of said Ph-28-1, a distance of 62.82 feet to a point, said point being the northeasterly corner of said Ph-28-1;
- Course XXVI: Thence South 81°14'53" West, along the northerly line of said Ph-28-1, a distance of 152.15 feet to a point on the easterly R/W of said Hilliary Lane and a point of curvature, said point being the northwesterly corner of said Ph-28-1;

- Course XXVII: Thence along the easterly R/W of said Hilliary Lane, along a curve to the left with a length 265.30 feet, radius 67.00 feet, delta  $226^{\circ}52'15''$ , tangent 154.57 feet, chord 122.95 feet, bearing North  $71^{\circ}55'15''$  West to a point, said point being on the westerly R/W of said Hilliary Lane;
- Course XXVIII: Thence South  $84^{\circ}38'38''$  West, a distance of 133.09 feet to point;
- Course XXIX: Thence South  $00^{\circ}42'49''$  East, a distance of 21.97 feet to point;
- Course XXX: Thence South  $16^{\circ}21'03''$  East, a distance of 44.50 feet to point;
- Course XXXI: Thence South  $29^{\circ}18'34''$  East, a distance of 64.08 feet to point;
- Course XXXII: Thence South  $19^{\circ}14'53''$  East, a distance of 57.51 feet to a point, said point being the northwesterly corner of Ph-30-1 in the Villas of Bertram Condominiums Phase 30;
- Course XXXIII: Thence South  $03^{\circ}16'57''$  East, along the westerly line of said Ph-30-1, and the westerly line of Ph-30-2 in the Villas of Bertram Condominiums Phase 30, a distance of 265.00 feet to a point, said point being on the northerly R/W of Samantha Drive, 60 foot R/W;
- Course XXXIV: Thence South  $86^{\circ}43'03''$  East, along the northerly R/W of said Samantha Drive, a distance of 17.03 feet to a point;
- Course XXXV: Thence North  $03^{\circ}16'57''$  West, a distance of 130.07 feet to a point;
- Course XXXVI: Thence South  $86^{\circ}43'03''$  West, a distance of 59.40 feet to a point;
- Course XXXVII: Thence South  $02^{\circ}07'46''$  East, a distance of 129.84 feet to a point on the northerly R/W of said Samantha Drive;
- Course XXXVIII: Thence along the northerly R/W of said Samantha Drive, along a curve to the right with a length 65.14 feet, radius 1270.00 feet, delta  $02^{\circ}56'19''$ , tangent 32.57 feet, chord 65.13 feet, bearing South  $89^{\circ}20'23''$  West to a point, said point being the southeasterly corner of Ph-29-3 in the Villas of Bertram Condominiums Phase 29;
- Course XXXIX: Thence North  $00^{\circ}48'33''$  East, along the easterly line of said Ph-29-3, a distance of 129.82 feet to point, said point being the northeasterly corner of said Ph-29-3;
- Course XL: Thence North  $87^{\circ}43'18''$  West, along the northerly line of said Ph-29-3, a distance of 58.47 feet to a point, said point being the northwesterly corner of said Ph-29-3 and the northeasterly corner of Ph-28-3 in the Villas of Bertram Condominiums Phase 28;
- Course XLI: Thence North  $84^{\circ}45'24''$  West, along the northerly line of said Ph-28-3, a distance of 58.47 feet to a point, said point being the northwesterly corner of said Ph-28-3 and the northeasterly corner of Ph-27-2 in the Villas of Bertram Condominiums Phase 27;
- Course XLII: Thence North  $82^{\circ}21'31''$  West, along the northerly line of said Ph-27-2, a distance of 119.50 feet to a point, said point being the northwesterly corner of said Ph-27-2;

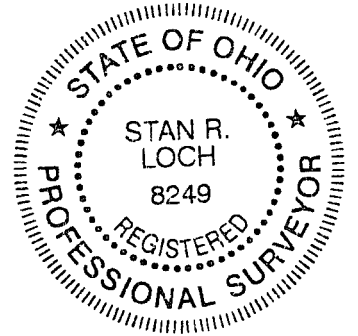
- Course XLIII: Thence South  $07^{\circ}38'29''$  West, along the westerly line of said Ph-27-2, a distance of 130.00 feet to a point, said point being on the northerly R/W of said Samantha Drive and also the southwesterly corner of said Ph-27-2;
- Course XLIV: Thence North  $82^{\circ}21'31''$  West, continuing along the northerly R/W of said Samantha Drive, a distance of 58.57 feet to a point, said point being a point of curvature;
- Course XLV: Thence continuing along the Northerly R/W of said Samantha Drive, along a curve to the left with a length 18.09 feet, radius 330.00 feet, delta  $03^{\circ}08'26''$ , tangent 9.05 feet, chord 18.09 feet, bearing North  $83^{\circ}55'44''$  West to a point, said point being the southeasterly corner of Ph-13-2 in the Villas of Bertram Phase 1, Condominium Phase 13;
- Course XLVI: Thence North  $00^{\circ}28'15''$  West, along the easterly lines of said Ph-13-2, Ph-10-3 in the Villas of Bertram Phase 1, Condominium Phase 10 and Ph-6-3 in the Villas of Bertram Phase 1, Condominium Phase 6, a distance of 206.24 feet to a point said point being the northeasterly corner of said Ph-6-3;
- Course XLVII: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-6-3, a distance of 137.45 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-6-3;
- Course XLVIII: Thence North  $07^{\circ}30'01''$  West, along the easterly R/W of said Hilliary Lane, a distance of 25.56 feet to a point, said point being the southwesterly corner of Ph-12-3 in the Villas of Bertram Phase 1, Condominium Phase 12;
- Course XLIX: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-12-3, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-12-3;
- Course L: Thence North  $00^{\circ}28'15''$  West, along the easterly line of said Ph-12-3, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-12-3;
- Course LI: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-12-3, a distance of 13.26 feet to a point, said point being the southeasterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominiums Phase 2;
- Course LII: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ph-2, and the easterly lines of Ph-14-1 in the Villas of Bertram Condominiums Phase 14, Ph-13-1 in the Villas of Bertram Phase 1, Condominium Phase 13, Ph-16-2 in the Villas of Bertram Condominiums Phase 16 and Ph-12-4 in the Villas of Bertram Condominiums Phase 12, a distance of 300.00 feet to a point, said point being the northeasterly corner of said Ph-12-4;
- Course LIII: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-12-4, a distance of 121.03 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-12-4;
- Course LIV: Thence North  $00^{\circ}28'15''$  West, along the easterly R/W of said Hilliary Lane, a distance of 40.07 feet to a point, said point being a point of curvature
- Course LV: Thence continuing along the easterly R/W of said Hilliary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta  $89^{\circ}58'43''$ , tangent 24.99 feet, chord 35.35 feet, bearing North  $44^{\circ}31'06''$  East to a point, said point being on the southerly R/W of said Treat Road;

- Course LVI: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a 5/8" iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course LVII: Thence South 00°42'49" East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southwesterly corner of said Ohio Edison Company;
- Course LVIII: Thence North 89°30'28" East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;
- Course LIX: Thence North 00°42'49" West, along the easterly line of said Ohio Edison Company, passing through a 5/8" iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;
- Course LX: Thence North 89°30'28" East, along the centerline of said Treat Road, passing through a 1-1/4" axle found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;
- Course LXI: Thence South 00°42'49" East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;
- Course LXII: Thence South 89°32'00" West, along the northerly line of said Berry and the northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a 5/8" iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a 3/4" iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;
- Course LXIII: Thence North 47°50'36" West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a 3/4" iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwesterly corner of lands conveyed to Michael & Cheryl Habbyshaw, as recorded in Document No. 201105000 of the Portage County Deed Records;
- Course LXIV: Thence North 89°30'22" East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;
- Course LXV: Thence North 00°28'15" West, along the easterly line of said Habbyshaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

Said parcel contains 20.0858 acres or 874,940 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54, 2016-62 and any other matters of record as surveyed and described in November, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe the portion of the land conveyed to Villas of Bertram LLC. by File # 201401775 of the Portage County Records, which is designated as Ph-31-R1 Phase 31 Residual No. 1 on the Plat of Villas of Bertram Condominium Phase 31.

Job#20132833

Stan R. Loch [2-15-16  
 Stan R. Loch P.S. # 8249 Date



1-6-2017 ~~07~~  
 TAX MAP DEPT.  
 LEGAL DESCRIPTION  
 SUFFICIENT  DEFICIENT  
 NO DIVISION OF LAND

PN 03-015-10-00-001.048 :	20.894 Ac	(AUD)
UNIT 51	- 0.1978	
	<hr/>	
	20.6962 = BAL	
UNIT 53	- 0.1790	
	<hr/>	
	20.5172 = BAL	
UNIT 55	- 0.2505	
	<hr/>	
	20.2667 = BAL	
UNIT 56	- 0.1812	
	<hr/>	
	20.0855	
"PH-31-R1"	= 20.0858	
		BY SURVEY



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION  
PH-31-R2  
THE VILLAS OF BERTRAM CONDOMINIUM PHASE 31  
0.4846 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 2 on the Plat of The Villas of Bertram Condominium Phase 31 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 07°30'01" East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 00°28'15" East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North 89°31'39" East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta 08°06'50", tangent 21.28 feet, chord 42.45 feet, bearing South 86°24'56" East to a point;

Thence South 82°21'31" East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;



Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta 10°55'25", tangent 124.30 feet, chord 247.48 feet, bearing South 87°49'14" East to a point;

Thence North 86°43'13" East, continuing along the centerline of said Samantha Drive, a distance of 213.49 feet to a point, said point being the intersection of the centerlines of said Samantha Drive and Hilliary Lane, 60 foot R/W;

Thence South 03°16'57" East, along the centerline of said Hilliary Lane, a distance of 122.56 feet to a point;

Thence South 86°43'03" West, a distance of 30.00 feet to a point on the westerly R/W of said Hilliary Lane, said point being on the easterly line of Ph-30-3 in the Villas of Bertram Condominiums Phase 30 and being a point of curvature;

Thence along the westerly R/W of said Samantha Drive and the easterly line of said Ph-30-3, along a curve to the right with a length 5.19 feet, radius 170.00 feet, delta 1°45'01", tangent 2.60 feet, chord 5.19 feet, bearing South 02°24'26" East to a point, said point being the southeasterly corner of said Ph-30-3 and the Principal Place of Beginning;

Course I: Thence continuing along the westerly R/W of said Samantha Drive, along a curve to the right with a length 261.48 feet, radius 170.00 feet, delta 88°07'38", tangent 164.53 feet, chord 236.45 feet, bearing South 42°31'53" West to a point, said point being the southeasterly corner of Ph-20-2 in the Villas of Bertram Condominiums Phase 20;

Course II: Thence North 03°23'45" West, along the easterly line of said Ph-20-2, a distance of 129.98 feet to a point, said point being the northeasterly corner of said Ph-20-2 and the southeasterly corner of Ph-29-2 in the Villas of Bertram Condominiums Phase 29;

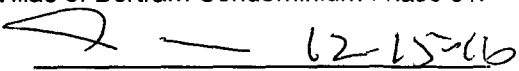
Course III: Thence North 64°30'13" East, along the easterly line of said Ph-29-2, a distance 30.01 feet to a point;

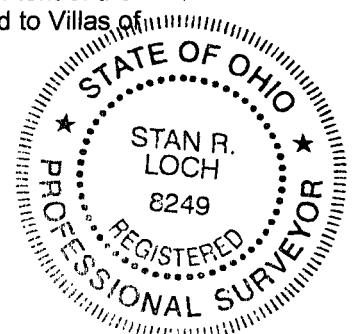
Course IV: Thence North 20°31'31" East, continuing along the easterly line of said Ph-29-2, a distance of 30.01 feet to a point, said point being the southwesterly corner of said Ph-30-3;

Course V: Thence North 88°28'04" East, along the southerly line of said Ph-30-3, a distance of 129.98 feet to the Principal Place of Beginning.

Said parcel containing 0.4846 acres or 21,110 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54, 2016-62 and any other matters of record as surveyed and described in November, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-31-R2" Phase 31 Residual No. 2, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 31.

Job#20132833

  
Stan R. Loch P.S. # 8249 Date



**EXHIBIT "3"**  
**AMENDMENT NO. 31 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE XXXI contains four (4) detached single-family residential Buildings known as UNIT NOS. 51, 53, 55, AND 56 situated on Hillary Lane and Samantha Drive, which include basements and attached two car garages, and which are constructed primarily of wood, vinyl siding, asphalt shingle roof, brick, concrete block, glass and drywall. The location of UNIT NOS. 51, 53, 55, AND 56 are shown on the Drawings.

Unit 51 is a "Torino" type Unit. The "Torino" type Unit is a two-story Unit containing approximately 3,486 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, living room, dining room, kitchen, dinette area, family room, ½ bath, and an attached two-car garage. The second floor of consists of four (4) bedrooms, laundry room, loft, and two (2) full baths. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 53 is a "Naples" type Unit. The "Naples" type Unit is a two-story Unit containing approximately 3000 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, living room, dining room, kitchen, dinette area, family room, mud room, ½ bath, and an attached two-car garage. The second floor of consists of four (4) bedrooms, laundry room, loft, and two (2) full baths. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 55 is a "Naples" type Unit. The "Naples" type Unit is a two-story Unit containing approximately 3000 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, living room, dining room, kitchen, dinette area, family room, mud room, ½ bath, and an attached two-car garage. The second floor of consists of four (4) bedrooms, laundry room, loft, and two (2) full baths. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 56 is a "Naples" type Unit. The "Naples" type Unit is a two-story Unit containing approximately 3000 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, living room, dining room, kitchen, dinette area, family room, mud room, ½ bath, and an attached two-car garage. The second floor of consists of four (4) bedrooms, laundry room, loft, and two (2) full baths. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

**EXHIBIT "4"**  
**AMENDMENT NO. 31 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	1/72nd
II	67	864 Hillary Lane	1/72nd
III	8	853 Hillary Lane	1/72nd
III	9	849 Hillary Lane	1/72nd
III	16	821 Hillary Lane	1/72nd
III	17	817 Hillary Lane	1/72nd
IV	11	841 Hillary Lane	1/72nd
V	18	813 Hillary Lane	1/72nd
VI	7	857 Hillary Lane	1/72nd
VI	15	825 Hillary Lane	1/72nd
VI	65	854 Hillary Lane	1/72nd
VII	10	845 Hillary Lane	1/72nd
VIII	73	830 Hillary Lane	1/72nd
IX	12	837 Hillary Lane	1/72nd
X	14	829 Hillary Lane	1/72nd
X	64	850 Hillary Lane	1/72nd
X	74	818 Hillary Lane	1/72nd
XI	6	861 Hillary Lane	1/72nd
XII	13	833 Hillary Lane	1/72nd
XII	66	860 Hillary Lane	1/72nd
XII	71	880 Hillary Lane	1/72nd
XII	72	836 Hillary Lane	1/72nd
XIII	63	846 Hillary Lane	1/72nd
XIII	69	872 Hillary Lane	1/72nd
XIV	68	868 Hillary Lane	1/72nd
XV	26	781 Hillary Lane	1/72nd
XVI	4	869 Hillary Lane	1/72nd
XVI	19	809 Hillary Lane	1/72nd
XVI	25	785 Hillary Lane	1/72nd
XVI	70	876 Hillary Lane	1/72nd
XVI	77	798 Hillary Lane	1/72nd
XVII	24	789 Hillary Lane	1/72nd
XVII	78	794 Hillary Lane	1/72nd
XVII	79	788 Hillary Lane	1/72nd
XVIII	23	793 Hillary Lane	1/72nd
XVIII	76	802 Hillary Lane	1/72nd

XIX	5	865 Hillary Lane	1/72nd
XX	20	805 Hillary Lane	1/72nd
XX	21	801 Hillary Lane	1/72nd
XX	81	780 Hillary Lane	1/72nd
XXI	22	797 Hillary Lane	1/72nd
XXII	80	784 Hillary Lane	1/72nd
XXII	86	45 Samantha Drive	1/72nd
XXII	87	55 Samantha Drive	1/72nd
XXII	88	65 Samantha Drive	1/72nd
XXII	90	85 Samantha Drive	1/72nd
XXIII	38	733 Hillary Lane	1/72nd
XXIII	89	75 Samantha Drive	1/72nd
XXIV	39	729 Hillary Lane	1/72nd
XXIV	40	725 Hillary Lane	1/72nd
XXIV	75	806 Hillary Lane	1/72nd
XXV	37	737 Hillary Lane	1/72nd
XXV	91	95 Samantha Drive	1/72nd
XXVI	35	745 Hillary Lane	1/72nd
XXVI	41	721 Hillary Lane	1/72nd
XXVII	34	749 Hillary Lane	1/72nd
XXVII	60	80 Samantha Drive	1/72nd
XXVII	61	90 Samantha Drive	1/72nd
XXVIII	42	717 Hillary Lane	1/72nd
XXVIII	49	714 Hillary Lane	1/72nd
XXVIII	50	718 Hillary Lane	1/72nd
XXVIII	59	70 Samantha Drive	1/72nd
XXIX	36	741 Hillary Lane	1/72nd
XXIX	58	60 Samantha Drive	1/72nd
XXIX	85	35 Samantha Drive	1/72nd
XXX	52	726 Hillary Lane	1/72nd
XXX	54	734 Hillary Lane	1/72nd
XXX	84	750 Hillary Lane	1/72nd
XXXI	51	722 Hillary Lane	1/72nd
XXXI	53	730 Hillary Lane	1/72nd
XXXI	55	738 Hillary Lane	1/72nd
XXXI	56	40 Samantha Drive	1/72nd
			Total 100%



Patty  
BOHNE M. HOWE  
PORTAGE CO. RECORDER

201619706 8-50

RECEIVED FOR RECORD  
AT 15:20:32  
FEE 232.00

NO TRANSFER  
REQUIRED  
DEC 05 2016  
JANET ESPOSITO, *J*  
AUDITOR

INDEXED

AMENDMENT NO. 30  
TO THE DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM

PHASE XXX  
ADDING UNIT NOS. 52, 54, AND 84

This will certify that copies of this AMENDMENT NO. 30 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "AMENDMENT NO. 30"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

Dated: DEC 05 2016, 2016

Plat 2016-70

PORTAGE COUNTY AUDITOR

By: Janet Esposito, *J*  
Deputy Auditor

This instrument prepared by:  
Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333

**AMENDMENT NO. 30 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE XXX of the Condominium which contains three (3) Units.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE XXX property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.

2. The legal description of the Condominium set forth in Exhibit "A" of the Declaration is amended to include the real property for PHASE XXX of the Condominium, the legal description for PHASE XXX being described in Exhibit "1" attached hereto and made a part hereof
3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.
4. The number of Units referred to in the Declaration is increased from to sixty-five (65) Units to sixty-eight (68) Units. A narrative description of the Buildings and Units for PHASE XXX is set forth in Exhibit "3" attached hereto and made a part hereof
5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.
6. The particulars of the Buildings and Units and other improvements for PHASE XXX, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE XXX Drawings incorporated in this AMENDMENT NO. 30 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE XXX Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 30 to the Declaration.
7. No owner of a Unit which was not included in Phase I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX, XX, XXI, XXII, XXIII, XXIV, XXV, XXVI, XXVII, XXVIII, and XXIX shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE XXX prior to the filing of this AMENDMENT NO. 30 (except replacement reserve funds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this AMENDMENT NO. 30.



8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.

9. Except as amended herein, the Declaration thereto shall remain in full force and effect

10. Consent to this AMENDMENT NO. 30 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 28 day of November, 2016.

VILLAS OF BERTRAM, LLC,  
an Ohio limited liability company

By:   
Iris S. Wolstein, Manager

STATE OF OHIO            )  
  )SS.  
COUNTY OF LAKE        )

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 28<sup>th</sup> day of November, 2016.



Notary Public  
My Commission Expires \_\_\_\_\_



**EXHIBIT "A"**

**AMENDMENT NO. 30 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 30 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the AMENDMENT NO. 30.

**EXHIBIT "1"**  
**AMENDMENT NO. 30 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE XXX WILL BE ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**



**LEGAL DESCRIPTION  
PH-30-1  
THE VILLAS OF BERTRAM CONDOMINIUM PHASE 30  
0.1790 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-30-1 on the Plat of The Villas of Bertram Condominium Phase 30 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 07°30'01" East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 00°28'15" East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North 89°31'39" East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta 08°06'50", tangent 21.28 feet, chord 42.45 feet, bearing South 86°24'56" East to a point;

Thence South 82°21'31" East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta  $10^{\circ}55'25''$ , tangent 124.30 feet, chord 247.48 feet, bearing South  $87^{\circ}49'14''$  East to a point;

Thence North  $86^{\circ}43'03''$  East, continuing along the centerline of said Samantha Drive, a distance of 213.49 feet to a point, said point being the intersection of the centerline of said Samantha Drive and said Hilliary Lane;

Thence North  $03^{\circ}16'57''$  West, along the centerline of said Hilliary Lane, a distance of 235.00 feet to a point;

Thence South  $86^{\circ}43'03''$  West, a distance of 30.00 feet to a point on the westerly R/W of said Hilliary Lane and the Principal Place of Beginning;

Course I: Thence South  $86^{\circ}43'03''$  West, a distance of 130.00 feet to a point;


Course II: Thence North  $03^{\circ}16'57''$  West, a distance of 60.00 feet to a point;

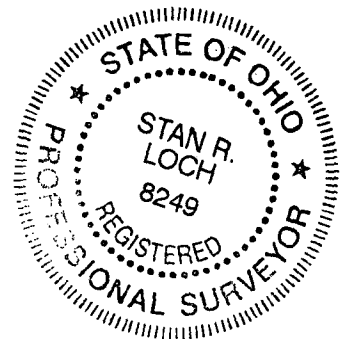
Course III: Thence North  $86^{\circ}43'03''$  East, a distance of 130.00 feet to a point, said point being on the westerly R/W of said Hilliary Lane;

Course IV: Thence South  $03^{\circ}16'57''$  East, along the westerly R/W of said Hilliary Lane, a distance of 60.00 feet to the Principal Place of Beginning.

Said parcel containing 0.1790 acres or 7,800 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54 and any other matters of record as surveyed and described in November, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South  $00^{\circ}28'15''$  East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-30-1" Phase 30, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 30.

Job#20132833

  
Stan R. Loch P.S. # 8249 Date 11-2-16





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-30-2**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 30**

**0.1790 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-30-2 on the Plat of The Villas of Bertram Condominium Phase 30 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 07°30'01" East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 00°28'15" East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North 89°31'39" East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta 08°06'50", tangent 21.28 feet, chord 42.45 feet, bearing South 86°24'56" East to a point;

Thence South 82°21'31" East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta 10°55'25", tangent 124.30 feet, chord 247.48 feet, bearing South 87°49'14" East to a point;

Thence North 86°43'03" East, continuing along the centerline of said Samantha Drive, a distance of 213.49 feet to a point, said point being the intersection of the centerline of said Samantha Drive and said Hilliary Lane;

Thence North 03°16'57" West, along the centerline of said Hilliary Lane, a distance of 115.00 feet to a point;

Thence South 86°43'03" West, a distance of 30.00 feet to a point on the westerly R/W of said Hilliary Lane and the Principal Place of Beginning;

Course I: Thence South 86°43'03" West, a distance of 130.00 feet to a point;

Course II: Thence North 03°16'57" West, a distance of 60.00 feet to a point;

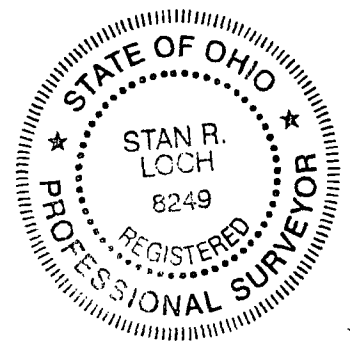
Course III: Thence North 86°43'03" East, a distance of 130.00 feet to a point, said point being on the westerly R/W of said Hilliary Lane;

Course IV: Thence South 03°16'57" East, along the westerly R/W of said Hilliary Lane, a distance of 60.00 feet to the Principal Place of Beginning.

Said parcel containing 0.1790 acres or 7,800 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54 and any other matters of record as surveyed and described in November, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-30-2" Phase 30, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 30.

Job#20132833

  
Stan R. Loch P.S. # 8249 Date



12-5-2016  
TAX MAP DEPT.

LEGAL DESCRIPTION

SUFFICIENT  DEFICIENT  
NO DIVISION OF LAND

PN. 03-015-10-00-001.048:	21.252 AC	(440)
UNIT 52	- 0.1790	
	<hr/>	
	21.073	
UNIT 54	- 0.1790	
	<hr/>	
	20.894	
PH 30-R1	= 20.8946	
	<hr/>	
		BY SURVEY



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION  
PH-30-3  
THE VILLAS OF BERTRAM CONDOMINIUM PHASE 30  
0.2827 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-30-3 on the Plat of The Villas of Bertram Condominium Phase 30 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 07°30'01" East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 00°28'15" East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North 89°31'39" East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta 08°06'50", tangent 21.28 feet, chord 42.45 feet, bearing South 86°24'56" East to a point;

Thence South 82°21'31" East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;



Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta 10°55'25", tangent 124.30 feet, chord 247.48 feet, bearing South 87°49'14" East to a point;

Thence North 86°43'03" East, continuing along the centerline of said Samantha Drive, a distance of 53.49 feet to a point;

Thence South 03°16'57" East, a distance of 30.00 feet to a point on the southerly R/W of said Samantha Drive, said point being the northeasterly corner of Ph-29-2 in the Villas of Bertram Condominiums Phase 29;

Course I: Thence North 86°43'03" East, continuing along the southerly R/W of said Samantha Drive, a distance of 105.00 feet to a point, said point being a point of curvature;

Course II: Thence continuing along the southerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta 90°00'00", tangent 25.00 feet, chord 35.36 feet, bearing South 48°16'57" East to a point, said point being on the westerly R/W of said Hilliary Lane;

Course III: Thence South 03°16'57" East, along the westerly R/W of said Hilliary Lane, a distance of 67.56 feet to a point, said point being a point of curvature;

Course IV: Thence continuing along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 5.19 feet, radius 170.00 feet, delta 1°45'01", tangent 2.60 feet, chord 5.19 feet, bearing South 02°24'26" East to a point;

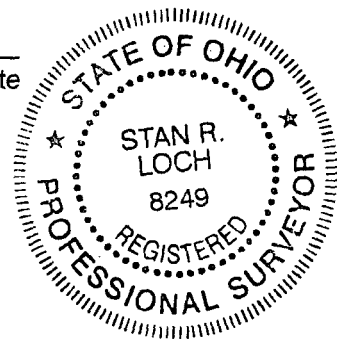
Course V: Thence South 88°28'04" West, a distance of 129.98 feet to a point, said point being on the easterly line of said Ph-29-2;

Course VI: Thence North 03°16'57" West, along the easterly line of said Ph-29-2, a distance of 93.79 feet to the Principal Place of Beginning.

Said parcel containing 0.2827 acres or 12,316 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54 and any other matters of record as surveyed and described in November, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-30-3" Phase 30, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 30.

Job#20132833

Stan R. Loch 11-2-16  
Stan R. Loch P.S. # 8249 Date



TAX MAP DEPT.  
LEGAL DESCRIPTION  
 SUFFICIENT  DEFICIENT  
 NO DIVISION OF LAND

PN 03-015-10-00-001-002 : 0.769  
UNIT 84 - 0.2827  
0.4863  
PH 30-R2 = 0.4846 BY SURVEY

**EXHIBIT "2"**  
**AMENDMENT NO. 30 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH 30-R1**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 30**

**20.8946 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 1 on the Plat of The Villas of Bertram Condominium Phase 30, and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South 89°30'28" West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South 00°28'15" East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a 5/8" iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hilliary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta 90°01'17", tangent 25.01 feet, chord 35.36 feet, bearing South 45°28'54" East to a point;

- Course III: Thence South 00°28'15" East, continuing along the westerly R/W of said Hilliary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;
- Course IV: Thence South 89°31'45" West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;
- Course V: Thence South 00°28'15" East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwesterly corner of said Ph-1;
- Course VI: Thence North 89°31'45" East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hilliary Lane, said point being the southeasterly corner of said Ph-1;
- Course VII: Thence South 00°28'15" East, along the westerly R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the northeasterly corner of Ph-16-1 in the Villas of Bertram Condominiums Phase 16;
- Course VIII: Thence South 89°31'45" West, along the northerly line of said Ph-16-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-16-1;
- Course IX: Thence South 00°28'15" East, along the westerly line of said Ph-16-1, Ph-19-1 in the Villas of Bertram Condominium Phase 19, Ph-11-1 in the Villas of Bertram Condominium Phase 11, Ph-6-1 in the Villas of Bertram Phase 1 Condominium Phase 6, Ph-3-1 in the Villas of Bertram Phase 1 Condominium Phase 3, Ph-7-1 in the Villas of Bertram Phase 1 Condominium Phase 7, Ph-4 in the Villas of Bertram Phase 1 Condominium Phase 4, Ph-9-1 in the Villas of Bertram Phase 1 Condominium Phase 9, and Ph-12-1 in the Villas of Bertram Phase 1, Condominium Phase 12, a distance of 627.06 feet to a point, said point being the northwesterly corner of Ph-10-1 in the Villas of Bertram Phase 1, Condominium Phase 10;
- Course X: Thence South 17°30'08" East, along the westerly line of said Ph-10-1, a distance of 84.60 feet to a point, said point being the southwesterly corner of said Ph-10-1 and the northwesterly corner of Ph-6-2 in the Villas of Bertram Phase 6;
- Course XI: Thence South 28°59'33" East, along the westerly line of said Ph-6-2, a distance of 84.31 feet to a point, said point being the southwesterly corner of said Ph-6-2 and southwesterly corner of Ph-3-2 in the Villas of Bertram Phase 1, Condominium Phase 3;
- Course XII: Thence South 41°59'53" East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;
- Course XIII: Thence South 55°00'13" East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2 and also being the southwesterly corner of Ph-5 in the Villas of Bertram Phase 1, Condominium Phase 5;
- Course XIV: Thence South 67°15'11" East, along the southerly line of said Ph-5, distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-5 and the southwesterly corner of Ph-16-3 in the Villas of Bertram Condominiums Phase 16;

- Course XV: Thence South  $82^{\circ}21'31''$  East, along the southerly line of said Ph-16-3 and the southerly line of Ph-20-1 in the Villas of Bertram Condominiums Phase 20, Ph-21-1 in the Villas of Bertram Condominiums Phase 21, Ph-18-2 in the Villas of Bertram Condominiums Phase 18, a distance of 269.95 feet to a point;
- Course XVI: Thence South  $86^{\circ}09'02''$  East, continuing along the southerly line of said Ph-18-2, a distance of 47.61 feet to a point;
- Course XVII: Thence North  $89^{\circ}30'07''$  East, continuing along the southerly line of said Ph-18-2 and along the southerly lines of Ph-17-1 in the Villas of Bertram Condominiums Phase 17, Ph-16-5 in the Villas of Bertram Condominiums Phase 16 and Ph-15-1 in the Villas of Bertram Condominiums Phase 15, a distance of 195.15 feet to a point, said point being the southeasterly corner of said Ph-15-1;
- Course XVIII: Thence North  $01^{\circ}53'59''$  West, along the easterly line of said Ph-15-1, a distance of 140.11 feet to a point on the southerly R/W of said Hilliary Lane, said point being the northeasterly corner of said Ph-15-1 and also being a point on a curve;
- Course XIX: Thence along the southwesterly R/W of said Hilliary Lane, along a curve to the left with a length 366.83 feet, radius 230.00 feet, delta  $91^{\circ}22'58''$ , tangent 235.62 feet, chord 329.17 feet, bearing North  $42^{\circ}24'32''$  East to a point;
- Course XX: Thence North  $03^{\circ}16'57''$  West, along the easterly R/W of said Hilliary Lane, a distance of 18.20 feet to a point, said point being the southwesterly corner of Ph-27-1 in the Villas of Bertram Condominiums Phase 27;
- Course XXI: Thence North  $86^{\circ}43'03''$  East, along the southerly line of said Ph-27-1, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-27-1;
- Course XXII: Thence North  $03^{\circ}16'57''$  West, along the easterly line of said Ph-27-1 and the easterly lines of Ph-26-1 in the Villas of Bertram Condominiums Phase 26, Ph-29-1 in the Villas of Bertram Condominiums Phase 29, Ph-25-1 in the Villas of Bertram Condominiums Phase 25, Ph-23-2 in the Villas of Bertram Condominiums Phase 23 and Ph-24-1 in the Villas of Bertram Condominiums Phase 24, a distance of 360.00 feet to a point;
- Course XXIII: Thence North  $02^{\circ}19'39''$  West, continuing along the easterly line of said Ph-24-1, a distance of 60.01 feet to a point, said point being the northeasterly corner of said Ph-24-1 and also being the southeasterly corner of Ph-26-2 in the Villas of Bertram Condominiums Phase 26;
- Course XXIV: Thence North  $06^{\circ}28'05''$  East, along the easterly line of said Ph-26-2, a distance of 71.59 feet to a point, said point being the northeasterly corner of said Ph-26-2 and the southeasterly corner of Ph-28-1 in the Villas of Bertram Condominiums Phase 28;
- Course XXV: Thence North  $08^{\circ}29'41''$  East, along the easterly line of said Ph-28-1, a distance of 62.82 feet to a point, said point being the northeasterly corner of said Ph-28-1;
- Course XXVI: Thence South  $81^{\circ}14'53''$  West, along the northerly line of said Ph-28-1, a distance of 152.15 feet to a point on the easterly R/W of said Hilliary Lane and a point of curvature, said point being the northwesterly corner of said Ph-28-1;

- Course XXVII: Thence along the easterly R/W of said Hilliary Lane, along a curve to the left with a length 265.30 feet, radius 67.00 feet, delta  $226^{\circ}52'15''$ , tangent 154.57 feet, chord 122.95 feet, bearing North  $71^{\circ}55'15''$  West to a point, said point being on the westerly R/W of said Hilliary Lane;
- Course XXVIII: Thence South  $84^{\circ}38'38''$  West, a distance of 133.09 feet to point;
- Course XXIX: Thence South  $00^{\circ}42'49''$  East, a distance of 21.97 feet to point;
- Course XXX: Thence South  $16^{\circ}21'03''$  East, a distance of 44.50 feet to point;
- Course XXXI: Thence South  $29^{\circ}18'34''$  East, a distance of 64.08 feet to point;
- Course XXXII: Thence North  $81^{\circ}14'53''$  East, a distance of 144.42 feet to point on the westerly R/W of said Hilliary Lane;
- Course XXXIII: Thence South  $08^{\circ}45'07''$  East, along the westerly R/W of said Hilliary Lane, a distance of 8.67 feet to a point, said point being a point of curvature;
- Course XXXIV: Thence continuing along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 25.77 feet, radius 270.00 feet, delta  $05^{\circ}28'10''$ , tangent 12.90 feet, chord 25.76 feet, bearing South  $06^{\circ}01'02''$  East to a point;
- Course XXXV: Thence South  $03^{\circ}16'57''$  East, continuing along the westerly R/W of said Hilliary Lane, a distance of 34.69 feet to a point;
- Course XXXVI: Thence South  $86^{\circ}43'03''$  West, a distance of 130.00 feet to a point;
- Course XXXVII: Thence South  $03^{\circ}16'57''$  East, a distance of 60.00 feet to a point;
- Course XXXVIII: Thence North  $86^{\circ}43'03''$  East, a distance of 130.00 feet to a point on the westerly R/W of said Hilliary Lane;
- Course XXXIX: Thence South  $03^{\circ}16'57''$  East, along the westerly R/W of said Hilliary Lane, a distance of 60.00 feet to a point;
- Course XL: Thence South  $86^{\circ}43'03''$  West, a distance of 130.00 feet to a point;
- Course XLI: Thence South  $03^{\circ}16'57''$  East, a distance of 60.00 feet to a point;
- Course XLII: Thence North  $86^{\circ}43'03''$  East, a distance of 130.00 feet to a point on the westerly R/W of said Hilliary Lane;
- Course XLIII: Thence South  $03^{\circ}16'57''$  East, along the westerly R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being on the northerly R/W of Samantha Drive, 60 foot R/W and also being a point of curvature;
- Course XLIV: Thence along the northerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta  $90^{\circ}00'00''$ , tangent 25.00 feet, chord 35.36 feet, bearing South  $41^{\circ}43'03''$  West to a point;
- Course XLV: Thence South  $86^{\circ}43'03''$  West, continuing along the northerly R/W of said Samantha Drive, a distance of 158.49 feet to a point, said point being a point of curvature;

- Course XLVI: Thence continuing along the Northerly R/W of said Samantha Drive, along a curve to the right with a length 90.69 feet, radius 1270.00 feet, delta  $04^{\circ}05'30''$ , tangent 45.37 feet, chord 90.67 feet, bearing South  $88^{\circ}45'48''$  West to a point, said point being the southeasterly corner of Ph-29-3 in the Villas of Bertram Condominiums Phase 29;
- Course XLVII: Thence North  $00^{\circ}48'33''$  East, along the easterly line of said Ph-29-3, a distance of 129.82 feet to point, said point being the northeasterly corner of said Ph-29-3;
- Course XLVIII: Thence North  $87^{\circ}43'18''$  West, along the northerly line of said Ph-29-3, a distance of 58.47 feet to a point, said point being the northwesterly corner of said Ph-29-3 and the northeasterly corner of Ph-28-3 in the Villas of Bertram Condominiums Phase 28;
- Course XLIX: Thence North  $84^{\circ}45'24''$  West, along the northerly line of said Ph-28-3, a distance of 58.47 feet to a point, said point being the northwesterly corner of said Ph-28-3 and the northeasterly corner of Ph-27-2 in the Villas of Bertram Condominiums Phase 27;
- Course L: Thence North  $82^{\circ}21'31''$  West, along the northerly line of said Ph-27-2, a distance of 119.50 feet to a point, said point being the northwesterly corner of said Ph-27-2;
- Course LI: Thence South  $07^{\circ}38'29''$  West, along the westerly line of said Ph-27-2, a distance of 130.00 feet to a point, said point being on the northerly R/W of said Samantha Drive and also the southwest corner of said Ph-27-2;
- Course LII: Thence North  $82^{\circ}21'31''$  West, continuing along the northerly R/W of said Samantha Drive, a distance of 58.57 feet to a point, said point being a point of curvature;
- Course LIII: Thence continuing along the Northerly R/W of said Samantha Drive, along a curve to the left with a length 18.09 feet, radius 330.00 feet, delta  $03^{\circ}08'26''$ , tangent 9.05 feet, chord 18.09 feet, bearing North  $83^{\circ}55'44''$  West to a point, said point being the southeasterly corner of Ph-13-2 in the Villas of Bertram Phase 1, Condominium Phase 13;
- Course LIV: Thence North  $00^{\circ}28'15''$  West, along the easterly lines of said Ph-13-2, Ph-10-3 in the Villas of Bertram Phase 1, Condominium Phase 10 and Ph-6-3 in the Villas of Bertram Phase 1, Condominium Phase 6, a distance of 206.24 feet to a point said point being the northeasterly corner of said Ph-6-3;
- Course LV: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-6-3, a distance of 137.45 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-6-3;
- Course LVI: Thence North  $07^{\circ}30'01''$  West, along the easterly R/W of said Hilliary Lane, a distance of 25.56 feet to a point, said point being the southwest corner of Ph-12-3 in the Villas of Bertram Phase 1, Condominium Phase 12;
- Course LVII: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-12-3, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-12-3;
- Course LVIII: Thence North  $00^{\circ}28'15''$  West, along the easterly line of said Ph-12-3, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-12-3;

- Course LIX: Thence South 89°31'45" West, along the northerly line of said Ph-12-3, a distance of 13.26 feet to a point, said point being the southeasterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominiums Phase 2;
- Course LX: Thence North 00°42'49" West, along the easterly line of said Ph-2, and the easterly lines of Ph-14-1 in the Villas of Bertram Condominiums Phase 14, Ph-13-1 in the Villas of Bertram Phase 1, Condominium Phase 13, Ph-16-2 in the Villas of Bertram Condominiums Phase 16 and Ph-12-4 in the Villas of Bertram Condominiums Phase 12, a distance of 300.00 feet to a point, said point being the northeasterly corner of said Ph-12-4;
- Course LXI: Thence South 89°31'45" West, along the northerly line of said Ph-12-4, a distance of 121.03 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-12-4;
- Course LXII: Thence North 00°28'15" West, along the easterly R/W of said Hilliary Lane, a distance of 40.07 feet to a point, said point being a point of curvature
- Course LXIII: Thence continuing along the easterly R/W of said Hilliary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta 89°58'43", tangent 24.99 feet, chord 35.35 feet, bearing North 44°31'06" East to a point, said point being on the southerly R/W of said Treat Road;
- Course LXIV: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a 5/8" iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course LXV: Thence South 00°42'49" East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southwestly corner of said Ohio Edison Company;
- Course LXVI: Thence North 89°30'28" East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;
- Course LXVII: Thence North 00°42'49" West, along the easterly line of said Ohio Edison Company, passing through a 5/8" iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;
- Course LXVIII: Thence North 89°30'28" East, along the centerline of said Treat Road, passing through a 1-1/4" axle found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;
- Course LXIX: Thence South 00°42'49" East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;
- Course LXX: Thence South 89°32'00" West, along the northerly line of said Berry and the



northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a 5/8" iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a 3/4" iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;


Course LXXI: Thence North 47°50'36" West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a 3/4" iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwesterly corner of lands conveyed to Michael & Cheryl Habbyshaw, as recorded in Document No. 201105000 of the Portage County Deed Records;

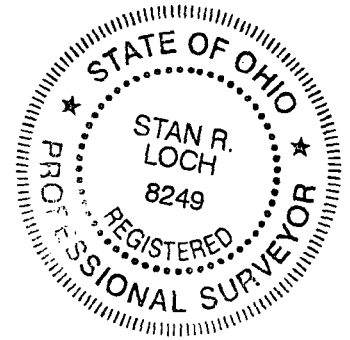
Course LXXII: Thence North 89°30'22" East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;

Course LXXIII: Thence North 00°28'15" West, along the easterly line of said Habbyshaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

Said parcel contains 20.8946 acres or 910,168 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54 and any other matters of record as surveyed and described in November, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hiliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe the portion of the land conveyed to Villas of Bertram LLC. by File # 201401775 of the Portage County Records, which is designated as Ph-30-R1 Phase 30 Residual No. 1 on the Plat of Villas of Bertram Condominium Phase 30.

Job#20132833

  
Stan R. Loch P.S. # 8249                  Date





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-30-R2**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 30**

**0.4846 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 2 on the Plat of The Villas of Bertram Condominium Phase 30 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North  $89^{\circ}31'39''$  East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta  $08^{\circ}06'50''$ , tangent 21.28 feet, chord 42.45 feet, bearing South  $86^{\circ}24'56''$  East to a point;

Thence South  $82^{\circ}21'31''$  East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta  $10^{\circ}55'25''$ , tangent 124.30 feet, chord 247.48 feet, bearing South  $87^{\circ}49'14''$  East to a point;

Thence North  $86^{\circ}43'13''$  East, continuing along the centerline of said Samantha Drive, a distance of 213.49 feet to a point, said point being the intersection of the centerlines of said Samantha Drive and Hilliary Lane, 60 foot R/W;

Thence South  $03^{\circ}16'57''$  East, along the centerline of said Hilliary Lane, a distance of 122.56 feet to a point;


Thence South  $86^{\circ}43'03''$  West, a distance of 30.00 feet to a point on the westerly R/W of said Hilliary Lane and being a point of curvature;

Thence along the westerly R/W of said Samantha Drive, along a curve to the right with a length 5.19 feet, radius 170.00 feet, delta  $1^{\circ}45'01''$ , tangent 2.60 feet, chord 5.19 feet, bearing South  $02^{\circ}24'26''$  East to a point and the Principal Place of Beginning;

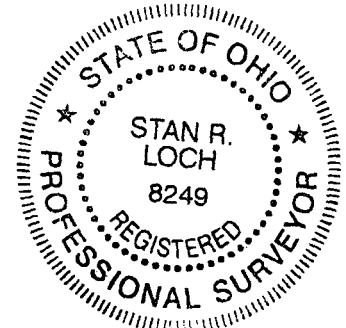
- Course I: Thence continuing along the westerly R/W of said Samantha Drive, along a curve to the right with a length 261.48 feet, radius 170.00 feet, delta  $88^{\circ}07'38''$ , tangent 164.53 feet, chord 236.45 feet, bearing South  $42^{\circ}31'53''$  West to a point, said point being the southeasterly corner of Ph-20-2 in the Villas of Bertram Condominiums Phase 20;
- Course II: Thence North  $03^{\circ}23'45''$  West, along the easterly line of said Ph-20-2, a distance of 129.98 feet to a point, said point being the northeasterly corner of said Ph-20-2 and the southeasterly corner of Ph-29-2 in the Villas of Bertram Condominiums Phase 29;
- Course III: Thence North  $64^{\circ}30'13''$  East, along the easterly line of said Ph-29-2, a distance 30.01 feet to a point;
- Course IV: Thence North  $20^{\circ}31'31''$  East, continuing along the easterly line of said Ph-29-2, a distance of 30.01 feet to a point;
- Course V: Thence North  $88^{\circ}28'04''$  East, a distance of 129.98 feet to the Principal Place of Beginning.

Said parcel containing 0.4846 acres or 21,110 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50, 2016-54 and any other matters of record as surveyed and described in November, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South  $00^{\circ}28'15''$  East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-30-R2" Phase 30 Residual No. 2, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 30.

Job#20132833

  
Stan R. Loch P. S. # 8249

Date



**EXHIBIT "3"**  
**AMENDMENT NO. 30 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE XXX contains three (3) detached single-family residential Buildings known as UNIT NOS. 52, 54, AND 84 situated on Hillary Lane and Samantha Lane, which includes a basement and attached two car garage, and which is constructed primarily of wood, vinyl siding, asphalt shingle roof, brick, concrete block, glass and drywall. The location of UNIT NOS. 52, 54, AND 84 are shown on the Drawings.

Unit 52 is a "Naples" type Unit. The "Naples" type Unit is a two-story Unit containing approximately 3000 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, living room, dining room, kitchen, dinette area, family room, mud room, ½ bath, and an attached two-car garage. The second floor of consists of four (4) bedrooms, laundry room, loft, and two (2) full baths. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 54 is a "Naples" type Unit. The "Naples" type Unit is a two-story Unit containing approximately 3000 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, living room, dining room, kitchen, dinette area, family room, mud room, ½ bath, and an attached two-car garage. The second floor of consists of four (4) bedrooms, laundry room, loft, and two (2) full baths. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 84 is a "Naples" type Unit. The "Naples" type Unit is a two-story Unit containing approximately 3000 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, living room, dining room, kitchen, dinette area, family room, mud room, ½ bath, and an attached two-car garage. The second floor of consists of four (4) bedrooms, laundry room, loft, and two (2) full baths. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

**EXHIBIT "4"**  
**AMENDMENT NO. 30 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	1/68th
II	67	864 Hillary Lane	1/68th
III	8	853 Hillary Lane	1/68th
III	9	849 Hillary Lane	1/68th
III	16	821 Hillary Lane	1/68th
III	17	817 Hillary Lane	1/68th
IV	11	841 Hillary Lane	1/68th
V	18	813 Hillary Lane	1/68th
VI	7	857 Hillary Lane	1/68th
VI	15	825 Hillary Lane	1/68th
VI	65	854 Hillary Lane	1/68th
VII	10	845 Hillary Lane	1/68th
VIII	73	830 Hillary Lane	1/68th
IX	12	837 Hillary Lane	1/68th
X	14	829 Hillary Lane	1/68th
X	64	850 Hillary Lane	1/68th
X	74	818 Hillary Lane	1/68th
XI	6	861 Hillary Lane	1/68th
XII	13	833 Hillary Lane	1/68th
XII	66	860 Hillary Lane	1/68th
XII	71	880 Hillary Lane	1/68th
XII	72	836 Hillary Lane	1/68th
XIII	63	846 Hillary Lane	1/68th
XIII	69	872 Hillary Lane	1/68th
XIV	68	868 Hillary Lane	1/68th
XV	26	781 Hillary Lane	1/68th
XVI	4	869 Hillary Lane	1/68th
XVI	19	809 Hillary Lane	1/68th
XVI	25	785 Hillary Lane	1/68th
XVI	70	876 Hillary Lane	1/68th
XVI	77	798 Hillary Lane	1/68th
XVII	24	789 Hillary Lane	1/68th
XVII	78	794 Hillary Lane	1/68th
XVII	79	788 Hillary Lane	1/68th
XVIII	23	793 Hillary Lane	1/68th
XVIII	76	802 Hillary Lane	1/68th

XIX	5	865 Hillary Lane	1/68th
XX	20	805 Hillary Lane	1/68th
XX	21	801 Hillary Lane	1/68th
XX	81	780 Hillary Lane	1/68th
XXI	22	797 Hillary Lane	1/68th
XXII	80	784 Hillary Lane	1/68th
XXII	86	45 Samantha Drive	1/68th
XXII	87	55 Samantha Drive	1/68th
XXII	88	65 Samantha Drive	1/68th
XXII	90	85 Samantha Drive	1/68th
XXIII	38	733 Hillary Lane	1/68th
XXIII	89	75 Samantha Drive	1/68th
XXIV	39	729 Hillary Lane	1/68th
XXIV	40	725 Hillary Lane	1/68th
XXIV	75	806 Hillary Lane	1/68th
XXV	37	737 Hillary Lane	1/68th
XXV	91	95 Samantha Drive	1/68th
XXVI	35	745 Hillary Lane	1/68th
XXVI	41	721 Hillary Lane	1/68th
XXVII	34	749 Hillary Lane	1/68th
XXVII	60	80 Samantha Drive	1/68th
XXVII	61	90 Samantha Drive	1/68th
XXVIII	42	717 Hillary Lane	1/68th
XXVIII	49	714 Hillary Lane	1/68th
XXVIII	50	718 Hillary Lane	1/68th
XXVIII	59	70 Samantha Drive	1/68th
XXIX	36	741 Hillary Lane	1/68th
XXIX	58	60 Samantha Drive	1/68th
XXIX	85	35 Samantha Drive	1/68th
XXX	52	726 Hillary Lane	1/68th
XXX	54	734 Hillary Lane	1/68th
XXX	84	750 Hillary Lane	1/68th
			Total 100%



*Batty*  
BONNIE M. HOWE  
PORTAGE CO. RECORDER

201617733 831 00

RECEIVED FOR RECORD  
AT 145131  
FEE 23200

NO TRANSFER  
REQUIRED  
OCT 31 2016  
JANET ESPOSITO, *rel.*  
AUDITOR *25*

**INDEXED**

**AMENDMENT NO. 29**  
**TO THE DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

**PHASE XXIX**  
**ADDING UNIT NOS. 36, 58, AND 85**

This will certify that copies of this AMENDMENT NO. 29 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "AMENDMENT NO. 29"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

*Plat 2016 pg. 62*

Dated: OCT 31 2016, 2016

PORTAGE COUNTY AUDITOR

By: *Janet Esposito, rel.*  
Deputy Auditor

This instrument prepared by:  
Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333



**AMENDMENT NO. 29 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE XXIX of the Condominium which contains three (3) Units.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE XXIX property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.

2. The legal description of the Condominium set forth in Exhibit "A" of the Declaration is amended to include the real property for PHASE XXIX of the Condominium, the legal description for PHASE XXIX being described in Exhibit "1" attached hereto and made a part hereof
3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.
4. The number of Units referred to in the Declaration is increased from to sixty-two (62) Units to sixty-five (65) Units. A narrative description of the Buildings and Units for PHASE XXIX is set forth in Exhibit "3" attached hereto and made a part hereof
5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.
6. The particulars of the Buildings and Units and other improvements for PHASE XXIX, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE XXIX Drawings incorporated in this AMENDMENT NO. 29 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE XXIX Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 29 to the Declaration.
7. No owner of a Unit which was not included in Phase I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX, XX, XXI, XXII, XXIII, XXIV, XXV, XXVI, XXVII, and XXVIII shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE XXIX prior to the filing of this AMENDMENT NO. 29 (except replacement reserve finds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this AMENDMENT NO. 29.


8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.

9. Except as amended herein, the Declaration thereto shall remain in full force and effect

10. Consent to this AMENDMENT NO. 29 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 25<sup>th</sup> day of October, 2016.

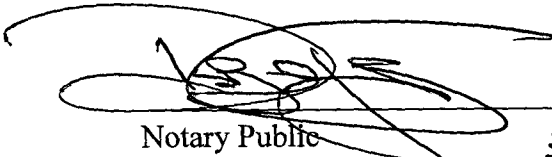
VILLAS OF BERTRAM, LLC,  
an Ohio limited liability company

By:   
Iris S. Wolstein, Manager

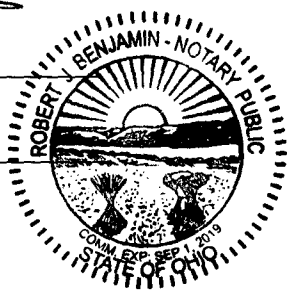
STATE OF OHIO            )  
  )SS.  
COUNTY OF LAKE        )

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 25<sup>th</sup> day of October, 2016.



Notary Public  
My Commission Expires \_\_\_\_\_



**EXHIBIT "A"**

**AMENDMENT NO. 29 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 29 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the AMENDMENT NO. 29.

**EXHIBIT "1"**  
**AMENDMENT NO. 29 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE XXIX WILL BE ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**



**LEGAL DESCRIPTION  
PH-29-1  
THE VILLAS OF BERTRAM CONDOMINIUM PHASE 29  
0.1790 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-29-1 on the Plat of The Villas of Bertram Condominium Phase 29 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 07°30'01" East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 00°28'15" East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North 89°31'39" East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta 08°06'50", tangent 21.28 feet, chord 42.45 feet, bearing South 86°24'56" East to a point;

Thence South 82°21'31" East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta  $10^{\circ}55'25''$ , tangent 124.30 feet, chord 247.48 feet, bearing South  $87^{\circ}49'14''$  East to a point;

Thence North  $86^{\circ}43'03''$  East, continuing along the centerline of said Samantha Drive, a distance of 213.49 feet to a point, said point being the intersection of the centerline of said Samantha Drive and said Hilliary Lane;

Thence North  $03^{\circ}16'57''$  West, along the centerline of said Hilliary Lane, a distance of 15.64 feet to a point;

Thence North  $86^{\circ}43'03''$  East, a distance of 30.00 feet to a point on the Easterly R/W of said Hilliary Lane, said point being the northwesterly corner of Ph-26-1 in the Villas of Bertram Condominiums Phase 26 and the Principal Place of Beginning;

Course I: Thence North  $03^{\circ}16'57''$  West, along the easterly R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the southwesterly corner of Ph-25-1 in the Villas of Bertram Condominiums Phase 25;


Course II: Thence North  $86^{\circ}43'03''$  East, along the southerly line of said Ph-25-1, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-25-1;

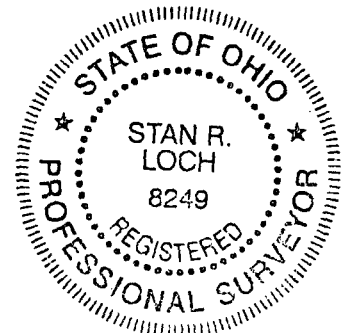
Course III: Thence South  $03^{\circ}16'57''$  East, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-26-1;

Course IV: Thence South  $86^{\circ}43'03''$  West, along the northerly line of said Ph-26-1, a distance of 130.00 feet to the Principal Place of Beginning.

Said parcel containing 0.1790 acres or 7,800 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50 and any other matters of record as surveyed and described in September, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South  $00^{\circ}28'15''$  East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-29-1" Phase 29, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 29.

Job#20132833

  
Stan R. Loch P.S. # 8249      10-4-16      Date





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION  
PH-29-2  
THE VILLAS OF BERTRAM CONDOMINIUM PHASE 29  
0.2628 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-29-2 on the Plat of The Villas of Bertram Condominium Phase 29 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North  $89^{\circ}31'39''$  East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta  $08^{\circ}06'50''$ , tangent 21.28 feet, chord 42.45 feet, bearing South  $86^{\circ}24'56''$  East to a point;

Thence South  $82^{\circ}21'31''$  East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;



Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta  $10^{\circ}55'25''$ , tangent 124.30 feet, chord 247.48 feet, bearing South  $87^{\circ}49'14''$  East to a point;

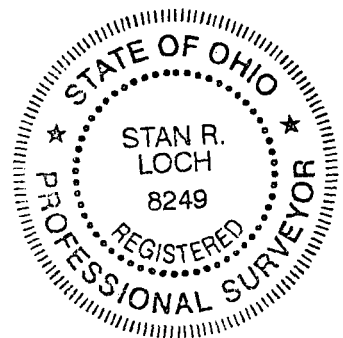
Thence South  $03^{\circ}16'57''$  East, a distance of 30.00 feet to a point on the southerly R/W of said Samantha Drive and the Principal Place of Beginning;

- Course I: Thence North  $86^{\circ}43'03''$  East, along the southerly R/W of said Samantha Drive, a distance of 53.49 feet to a point;
- Course II: Thence South  $03^{\circ}16'57''$  East, a distance of 93.79 feet to a point;
- Course III: Thence South  $20^{\circ}31'31''$  West, a distance of 30.01 feet to a point;
- Course IV: Thence South  $64^{\circ}30'13''$  West, a distance of 30.01 feet to a point, said point being the northeasterly corner of Ph-20-2 in the Villas of Bertram Condominiums Phase 20;
- Course V: Thence South  $89^{\circ}30'07''$  West, along the northerly line of said Ph-20-2, a distance of 52.16 feet to a point, said point being the southeasterly corner of Ph-22-2 in the Villas of Bertram Condominiums Phase 22;
- Course VI: Thence North  $01^{\circ}46'18''$  West, along the easterly line of said Ph-22-2, a distance 130.56 feet to a point on the southerly R/W of said Samantha Drive, said point being the northeasterly corner of said Ph-22-2 and a point of curvature;
- Course VII: Thence along the southerly R/W of said Samantha Drive, along a curve to the left with a length 35.07 feet, radius 1330.00 feet, delta  $01^{\circ}30'39''$ , tangent 17.53 feet, chord 35.07 feet, bearing North  $87^{\circ}28'22''$  East to the Principal Place of Beginning.

Said parcel containing 0.2628 acres or 11,451 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50 and any other matters of record as surveyed and described in September, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South  $00^{\circ}28'15''$  East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-29-2" Phase 29, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 29.

Job#20132833

  
Stan R. Loch P.S. # 8249 Date





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-29-3**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 29  
0.1845 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-29-3 on the Plat of The Villas of Bertram Condominium Phase 29 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North  $89^{\circ}31'39''$  East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta  $08^{\circ}06'50''$ , tangent 21.28 feet, chord 42.45 feet, bearing South  $86^{\circ}24'56''$  East to a point;

Thence South  $82^{\circ}21'31''$  East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 88.34 feet, radius 1300.00 feet, delta  $03^{\circ}53'37''$ , tangent 44.19 feet, chord 88.33 feet, bearing South  $84^{\circ}18'20''$  East to a point;

Thence North  $03^{\circ}44'52''$  East, a distance of 30.00 feet to a point on the Northerly R/W of said Samantha Drive, said point being the southeasterly corner of Ph-28-3 in the Villas of Bertram Condominiums Phase 28 and the Principal Place of Beginning;

Course I: Thence North  $03^{\circ}44'52''$  East, along the easterly line of said Ph-28-3, a distance of 129.82 feet to a point, said point being the northeasterly corner of said Ph-28-3;


Course II: Thence South  $87^{\circ}43'18''$  East, a distance of 58.47 feet to a point;

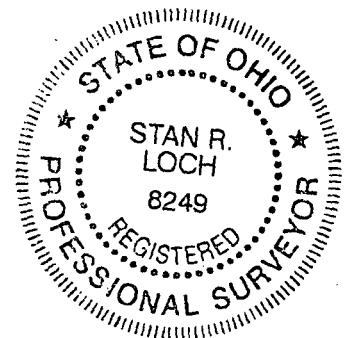
Course III: Thence South  $00^{\circ}48'33''$  West, a distance of 129.82 feet to a point on the northerly R/W of said Samantha Drive and a point of curvature;

Course IV: Thence along the northerly R/W of said Samantha Drive, along a curve to the right with a length 65.14 feet, radius 1270.00 feet, delta  $02^{\circ}56'19''$ , tangent 32.57 feet, chord 65.13 feet, bearing North  $87^{\circ}43'18''$  West to the Principal Place of Beginning.

Said parcel containing 0.1845 acres or 8,038 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50 and any other matters of record as surveyed and described in September, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South  $00^{\circ}28'15''$  East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-29-3" Phase 29, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 29.

Job#20132833

  
Stan R. Loch P.S. # 8249 Date



**EXHIBIT "2"**  
**AMENDMENT NO. 29 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH 29-R1**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 29**

**21.2527 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 1 on the Plat of The Villas of Bertram Condominium Phase 29, and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South 89°30'28" West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South 00°28'15" East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a 5/8" iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hilliary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta 90°01'17", tangent 25.01 feet, chord 35.36 feet, bearing South 45°28'54" East to a point;

- Course III: Thence South 00°28'15" East, continuing along the westerly R/W of said Hilliary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;
- Course IV: Thence South 89°31'45" West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;
- Course V: Thence South 00°28'15" East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwesterly corner of said Ph-1;
- Course VI: Thence North 89°31'45" East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hilliary Lane, said point being the southeasterly corner of said Ph-1;
- Course VII: Thence South 00°28'15" East, along the westerly R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the northeasterly corner of Ph-16-1 in the Villas of Bertram Condominiums Phase 16;
- Course VIII: Thence South 89°31'45" West, along the northerly line of said Ph-16-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-16-1;
- Course IX: Thence South 00°28'15" East, along the westerly line of said Ph-16-1, Ph-19-1 in the Villas of Bertram Condominium Phase 19, Ph-11-1 in the Villas of Bertram Condominium Phase 11, Ph-6-1 in the Villas of Bertram Phase 1 Condominium Phase 6, Ph-3-1 in the Villas of Bertram Phase 1 Condominium Phase 3, Ph-7-1 in the Villas of Bertram Phase 1 Condominium Phase 7, Ph-4 in the Villas of Bertram Phase 1 Condominium Phase 4, Ph-9-1 in the Villas of Bertram Phase 1 Condominium Phase 9, and Ph-12-1 in the Villas of Bertram Phase 1, Condominium Phase 12, a distance of 627.06 feet to a point, said point being the northwesterly corner of Ph-10-1 in the Villas of Bertram Phase 1, Condominium Phase 10;
- Course X: Thence South 17°30'08" East, along the westerly line of said Ph-10-1, a distance of 84.60 feet to a point, said point being the southwesterly corner of said Ph-10-1 and the northwesterly corner of Ph-6-2 in the Villas of Bertram Phase 6;
- Course XI: Thence South 28°59'33" East, along the westerly line of said Ph-6-2, a distance of 84.31 feet to a point, said point being the southwesterly corner of said Ph-6-2 and southwesterly corner of Ph-3-2 in the Villas of Bertram Phase 1, Condominium Phase 3;
- Course XII: Thence South 41°59'53" East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;
- Course XIII: Thence South 55°00'13" East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2 and also being the southwesterly corner of Ph-5 in the Villas of Bertram Phase 1, Condominium Phase 5;
- Course XIV: Thence South 67°15'11" East, along the southerly line of said Ph-5, distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-5 and the southwesterly corner of Ph-16-3 in the Villas of Bertram Condominiums Phase 16;

- Course XV: Thence South  $82^{\circ}21'31''$  East, along the southerly line of said Ph-16-3 and the southerly line of Ph-20-1 in the Villas of Bertram Condominiums Phase 20, Ph-21-1 in the Villas of Bertram Condominiums Phase 21, Ph-18-2 in the Villas of Bertram Condominiums Phase 18, a distance of 269.95 feet to a point;
- Course XVI: Thence South  $86^{\circ}09'02''$  East, continuing along the southerly line of said Ph-18-2, a distance of 47.61 feet to a point;
- Course XVII: Thence North  $89^{\circ}30'07''$  East, continuing along the southerly line of said Ph-18-2 and along the southerly lines of Ph-17-1 in the Villas of Bertram Condominiums Phase 17, Ph-16-5 in the Villas of Bertram Condominiums Phase 16 and Ph-15-1 in the Villas of Bertram Condominiums Phase 15, a distance of 195.15 feet to a point, said point being the southeasterly corner of said Ph-15-1;
- Course XVIII: Thence North  $01^{\circ}53'59''$  West, along the easterly line of said Ph-15-1, a distance of 140.11 feet to a point on the southerly R/W of said Hilliary Lane, said point being the northeasterly corner of said Ph-15-1 and also being a point on a curve;
- Course XIX: Thence along the southwesterly R/W of said Hilliary Lane, along a curve to the left with a length 366.83 feet, radius 230.00 feet, delta  $91^{\circ}22'58''$ , tangent 235.62 feet, chord 329.17 feet, bearing North  $42^{\circ}24'32''$  East to a point;
- Course XX: Thence North  $03^{\circ}16'57''$  West, along the easterly R/W of said Hilliary Lane, a distance of 18.20 feet to a point, said point being the southwesterly corner of Ph-27-1 in the Villas of Bertram Condominiums Phase 27;
- Course XXI: Thence North  $86^{\circ}43'03''$  East, along the southerly line of said Ph-27-1, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-27-1;
- Course XXII: Thence North  $03^{\circ}16'57''$  West, along the easterly line of said Ph-27-1 and the easterly lines of Ph-26-1 in the Villas of Bertram Condominiums Phase 26, Ph-25-1 in the Villas of Bertram Condominiums Phase 25, Ph-23-2 in the Villas of Bertram Condominiums Phase 23 and Ph-24-1 in the Villas of Bertram Condominiums Phase 24, a distance of 360.00 feet to a point;
- Course XXIII: Thence North  $02^{\circ}19'39''$  West, continuing along the easterly line of said Ph-24-1, a distance of 60.01 feet to a point, said point being the northeasterly corner of said Ph-24-1 and also being the southeasterly corner of Ph-26-2 in the Villas of Bertram Condominiums Phase 26;
- Course XXIV: Thence North  $06^{\circ}28'05''$  East, along the easterly line of said Ph-26-2, a distance of 71.59 feet to a point, said point being the northeasterly corner of said Ph-26-2 and the southeasterly corner of Ph-28-1 in the Villas of Bertram Condominiums Phase 28;
- Course XXV: Thence North  $08^{\circ}29'41''$  East, along the easterly line of said Ph-28-1, a distance of 62.82 feet to a point, said point being the northeasterly corner of said Ph-28-1;
- Course XXVI: Thence South  $81^{\circ}14'53''$  West, along the northerly line of said Ph-28-1, a distance of 152.15 feet to a point on the easterly R/W of said Hilliary Lane and a point of curvature, said point being the northwesterly corner of said Ph-28-1;

- Course XXVII: Thence along the easterly R/W of said Hilliary Lane, along a curve to the left with a length 265.30 feet, radius 67.00 feet, delta  $226^{\circ}52'15''$ , tangent 154.57 feet, chord 122.95 feet, bearing North  $71^{\circ}55'15''$  West to a point, said point being on the westerly R/W of said Hilliary Lane;
- Course XXVIII: Thence South  $84^{\circ}38'38''$  West, a distance of 133.09 feet to point;
- Course XXIX: Thence South  $00^{\circ}42'49''$  East, a distance of 21.97 feet to point;
- Course XXX: Thence South  $16^{\circ}21'03''$  East, a distance of 44.50 feet to point;
- Course XXXI: Thence South  $29^{\circ}18'34''$  East, a distance of 64.08 feet to point;
- Course XXXII: Thence North  $81^{\circ}14'53''$  East, a distance of 144.42 feet to point on the westerly R/W of said Hilliary Lane;
- Course XXXIII: Thence South  $08^{\circ}45'07''$  East, along the westerly R/W of said Hilliary Lane, a distance of 8.67 feet to a point, said point being a point of curvature;
- Course XXXIV: Thence continuing along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 25.77 feet, radius 270.00 feet, delta  $05^{\circ}28'10''$ , tangent 12.90 feet, chord 25.76 feet, bearing South  $06^{\circ}01'02''$  East to a point;
- Course XXXV: Thence South  $03^{\circ}16'57''$  East, continuing along the westerly R/W of said Hilliary Lane, a distance of 274.69 feet to a point, said point being on the northerly R/W of Samantha Drive, 60 foot R/W and also being a point of curvature;
- Course XXXVI: Thence along the northerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta  $90^{\circ}00'00''$ , tangent 25.00 feet, chord 35.36 feet, bearing South  $41^{\circ}43'03''$  West to a point;
- Course XXXVII: Thence South  $86^{\circ}43'03''$  West, continuing along the northerly R/W of said Samantha Drive, a distance of 158.49 feet to a point, said point being a point of curvature;
- Course XXXVIII: Thence continuing along the Northerly R/W of said Samantha Drive, along a curve to the right with a length 90.69 feet, radius 1270.00 feet, delta  $04^{\circ}05'30''$ , tangent 45.37 feet, chord 90.67 feet, bearing South  $88^{\circ}45'48''$  West to a point;
- Course XXXIX: Thence North  $00^{\circ}48'33''$  East, a distance of 129.82 feet to point;
- Course XL: Thence North  $87^{\circ}43'18''$  West, a distance of 58.47 feet to a point, said point being the north easterly corner of Ph-28-3 in the Villas of Bertram Condominiums Phase 28;
- Course XLI: Thence North  $84^{\circ}45'24''$  West, along the northerly line of said Ph-28-3, a distance of 58.47 feet to a point, said point being the northwesterly corner of said Ph-28-3 and the northeasterly corner of Ph-27-2 in the Villas of Bertram Condominiums Phase 27;
- Course XLII: Thence North  $82^{\circ}21'31''$  West, along the northerly line of said Ph-27-2, a distance of 119.50 feet to a point, said point being the northwesterly corner of said Ph-27-2;



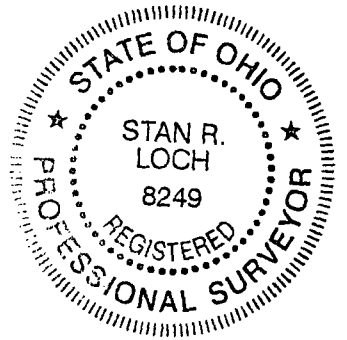
- Course XLIII: Thence South  $07^{\circ}38'29''$  West, along the westerly line of said Ph-27-2, a distance of 130.00 feet to a point, said point being on the northerly R/W of said Samantha Drive and also the southwesterly corner of said Ph-27-2;
- Course XLIV: Thence North  $82^{\circ}21'31''$  West, continuing along the northerly R/W of said Samantha Drive, a distance of 58.57 feet to a point, said point being a point of curvature;
- Course XLV: Thence continuing along the Northerly R/W of said Samantha Drive, along a curve to the left with a length 18.09 feet, radius 330.00 feet, delta  $03^{\circ}08'26''$ , tangent 9.05 feet, chord 18.09 feet, bearing North  $83^{\circ}55'44''$  West to a point, said point being the southeasterly corner of Ph-13-2 in the Villas of Bertram Phase 1, Condominium Phase 13;
- Course XLVI: Thence North  $00^{\circ}28'15''$  West, along the easterly lines of said Ph-13-2, Ph-10-3 in the Villas of Bertram Phase 1, Condominium Phase 10 and Ph-6-3 in the Villas of Bertram Phase 1, Condominium Phase 6, a distance of 206.24 feet to a point said point being the northeasterly corner of said Ph-6-3;
- Course XLVII: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-6-3, a distance of 137.45 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-6-3;
- Course XLVIII: Thence North  $07^{\circ}30'01''$  West, along the easterly R/W of said Hilliary Lane, a distance of 25.56 feet to a point, said point being the southwesterly corner of Ph-12-3 in the Villas of Bertram Phase 1, Condominium Phase 12;
- Course XLIX: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-12-3, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-12-3;
- Course L: Thence North  $00^{\circ}28'15''$  West, along the easterly line of said Ph-12-3, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-12-3;
- Course LI: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-12-3, a distance of 13.26 feet to a point, said point being the southeasterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominiums Phase 2;
- Course LII: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ph-2, and the easterly lines of Ph-14-1 in the Villas of Bertram Condominiums Phase 14, Ph-13-1 in the Villas of Bertram Phase 1, Condominium Phase 13, Ph-16-2 in the Villas of Bertram Condominiums Phase 16 and Ph-12-4 in the Villas of Bertram Condominiums Phase 12, a distance of 300.00 feet to a point, said point being the northeasterly corner of said Ph-12-4;
- Course LIII: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-12-4, a distance of 121.03 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-12-4;
- Course LIV: Thence North  $00^{\circ}28'15''$  West, along the easterly R/W of said Hilliary Lane, a distance of 40.07 feet to a point, said point being a point of curvature
- Course LV: Thence continuing along the easterly R/W of said Hilliary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta  $89^{\circ}58'43''$ , tangent 24.99 feet, chord 35.35 feet, bearing North  $44^{\circ}31'06''$  East to a point, said point being on the southerly R/W of said Treat Road;

- Course LVI: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a 5/8" iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course LVII: Thence South 00°42'49" East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southwesterly corner of said Ohio Edison Company;
- Course LVIII: Thence North 89°30'28" East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;
- Course LIX: Thence North 00°42'49" West, along the easterly line of said Ohio Edison Company, passing through a 5/8" iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;
- Course LX: Thence North 89°30'28" East, along the centerline of said Treat Road, passing through a 1-1/4" axle found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;
- Course LXI: Thence South 00°42'49" East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;
- Course LXII: Thence South 89°32'00" West, along the northerly line of said Berry and the northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a 5/8" iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a 3/4" iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;
- Course LXIII: Thence North 47°50'36" West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a 3/4" iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwesterly corner of lands conveyed to Michael & Cheryl Habbyshaw, as recorded in Document No. 201105000 of the Portage County Deed Records;
- Course LXIV: Thence North 89°30'22" East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;
- Course LXV: Thence North 00°28'15" West, along the easterly line of said Habbyshaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

Said parcel contains 21.2527 acres or 925,768 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50 and any other matters of record as surveyed and described in September, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe the portion of the land conveyed to Villas of Bertram LLC. by File # 201401775 of the Portage County Records, which is designated as Ph-29-R1 Phase 29 Residual No. 1 on the Plat of Villas of Bertram Condominium Phase 29.

Job#20132833

 10-4-16  
 Stan R. Loch P.S. # 8249      Date



10-31-2016 *SL*  
 TAX MAP DEPT.  
 LEGAL DESCRIPTION  
 SUFFICIENT  DEFICIENT  
 NO DIVISION OF LAND

PN 03-015-10-00-001.048: 21.616 Ac (AUD)  
                                   UNIT 36                         - 0.1790  
    -----  
   21.437  
   - 0.1845  
   -----  
   21.2525  
                                   "Ph-29-R1"               = 21.2527 BY SURVEY

PN 03-015-10-00-001.002 : 1.032 Ac (AUD)  
                                   UNIT 85                         - 0.2628  
    -----  
   0.7692  
                                   "Ph - 29-R2"              = 0.7673         BY SURVEY



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-29-R2**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 29**

**0.7673 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 2 on the Plat of The Villas of Bertram Condominium Phase 29 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North  $89^{\circ}31'39''$  East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta  $08^{\circ}06'50''$ , tangent 21.28 feet, chord 42.45 feet, bearing South  $86^{\circ}24'56''$  East to a point;

Thence South  $82^{\circ}21'31''$  East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta  $10^{\circ}55'25''$ , tangent 124.30 feet, chord 247.48 feet, bearing South  $87^{\circ}49'14''$  East to a point;

Thence South  $03^{\circ}16'57''$  East, a distance of 30.00 feet to a point on the southerly R/W of said Samantha Drive;

Thence North  $86^{\circ}43'03''$  East, along the southerly R/W of said Samantha Drive, a distance of 53.49 feet to a point and the Principal Place of Beginning;

Course I: Thence North  $86^{\circ}43'03''$  East, continuing along the southerly R/W of said Samantha Drive, a distance of 105.00 feet to a point, said point being a point of curvature;

Course II: Thence continuing along the southerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta  $90^{\circ}00'00''$ , tangent 25.00 feet, chord 35.36 feet, bearing South  $48^{\circ}16'57''$  East to a point, said point being on the westerly R/W of said Hilliary Lane;

Course III: Thence South  $03^{\circ}16'57''$  East, along the westerly R/W of said Hilliary Lane, a distance of 67.56 feet to a point, said point being a point of curvature;

Course IV: Thence continuing along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 266.67 feet, radius 170.00 feet, delta  $89^{\circ}52'39''$ , tangent 169.64 feet, chord 240.16 feet, bearing South  $41^{\circ}39'23''$  West to a point, said point being the southeasterly corner of Ph-20-2 in the Villas of Bertram Condominiums Phase 20;

Course V: Thence North  $03^{\circ}23'45''$  West, along the easterly line of said Ph-20-2, a distance of 129.98 feet to a point, said point being the northeasterly corner of said Ph-20-2;


Course VI: Thence North  $64^{\circ}30'13''$  East, a distance 30.01 feet to a point;

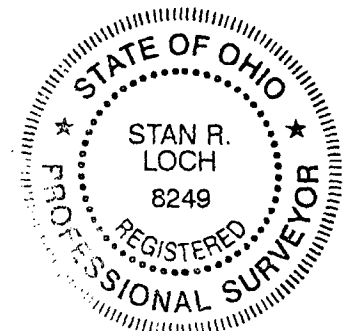
Course VII: Thence North  $20^{\circ}31'31''$  East, a distance of 30.01 feet to a point;

Course VIII: Thence North  $03^{\circ}16'57''$  West, a distance of 93.79 feet to the Principal Place of Beginning.

Said parcel containing 0.7673 acres or 33,426 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46, 2016-50 and any other matters of record as surveyed and described in September, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South  $00^{\circ}28'15''$  East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-29-R2" Phase 29 Residual No. 2, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 29.

Job#20132833

  
Stan R. Loch P.S. # 8249 Date



**EXHIBIT "3"**  
**AMENDMENT NO. 29 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE XXIX contains three (3) detached single-family residential Buildings known as UNIT NOS. 36, 58, AND 85 situated on Hillary Lane and Samantha Lane, which includes a basement and attached two car garage, and which is constructed primarily of wood, vinyl siding, asphalt shingle roof, brick, concrete block, glass and drywall. The location of UNIT NOS. 36, 58, AND 85 are shown on the Drawings.

Unit 36 is a "Milan" type Unit. The "Milan" type Unit is a one-story Unit containing approximately 2528 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a living room, family room, kitchen, dining room, dinette, powder room, mudroom, and 2-car attached garage. The second floor consists of four bedrooms, a loft, laundry, 2 walk-in closets, and two full baths. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 58 is a "Rome" type Unit. The "Rome" is a two-story Unit. The first floor consists of a foyer, living room, dining room, mudroom, kitchen, dinette area, powder room, and study. The second floor consists of four (4) bedrooms and two (2) full baths, walk-in closet and loft. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 85 is a "Rome" type Unit. The "Rome" is a two-story Unit. The first floor consists of a foyer, living room, dining room, mudroom, kitchen, dinette area, powder room, and study. The second floor consists of four (4) bedrooms and two (2) full baths, walk-in closet and loft. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

**EXHIBIT "4"**  
**AMENDMENT NO. 29 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	1/65th
II	67	864 Hillary Lane	1/65th
III	8	853 Hillary Lane	1/65th
III	9	849 Hillary Lane	1/65th
III	16	821 Hillary Lane	1/65th
III	17	817 Hillary Lane	1/65th
IV	11	841 Hillary Lane	1/65th
V	18	813 Hillary Lane	1/65th
VI	7	857 Hillary Lane	1/65th
VI	15	825 Hillary Lane	1/65th
VI	65	854 Hillary Lane	1/65th
VII	10	845 Hillary Lane	1/65th
VIII	73	830 Hillary Lane	1/65th
IX	12	837 Hillary Lane	1/65th
X	14	829 Hillary Lane	1/65th
X	64	850 Hillary Lane	1/65th
X	74	818 Hillary Lane	1/65th
XI	6	861 Hillary Lane	1/65th
XII	13	833 Hillary Lane	1/65th
XII	66	860 Hillary Lane	1/65th
XII	71	880 Hillary Lane	1/65th
XII	72	836 Hillary Lane	1/65th
XIII	63	846 Hillary Lane	1/65th
XIII	69	872 Hillary Lane	1/65th
XIV	68	868 Hillary Lane	1/65th
XV	26	781 Hillary Lane	1/65th
XVI	4	869 Hillary Lane	1/65th
XVI	19	809 Hillary Lane	1/65th
XVI	25	785 Hillary Lane	1/65th
XVI	70	876 Hillary Lane	1/65th
XVI	77	798 Hillary Lane	1/65th
XVII	24	789 Hillary Lane	1/65th
XVII	78	794 Hillary Lane	1/65th
XVII	79	788 Hillary Lane	1/65th
XVIII	23	793 Hillary Lane	1/65th
XVIII	76	802 Hillary Lane	1/65th

XIX	5	865 Hillary Lane	1/65th
XX	20	805 Hillary Lane	1/65th
XX	21	801 Hillary Lane	1/65th
XX	81	780 Hillary Lane	1/65th
XXI	22	797 Hillary Lane	1/65th
XXII	80	784 Hillary Lane	1/65th
XXII	86	45 Samantha Drive	1/65th
XXII	87	55 Samantha Drive	1/65th
XXII	88	65 Samantha Drive	1/65th
XXII	90	85 Samantha Drive	1/65th
XXIII	38	733 Hillary Lane	1/65th
XXIII	89	75 Samantha Drive	1/65th
XXIV	39	729 Hillary Lane	1/65th
XXIV	40	725 Hillary Lane	1/65th
XXIV	75	806 Hillary Lane	1/65th
XXV	37	737 Hillary Lane	1/65th
XXV	91	95 Samantha Drive	1/65th
XXVI	35	745 Hillary Lane	1/65th
XXVI	41	721 Hillary Lane	1/65th
XXVII	34	749 Hillary Lane	1/65th
XXVII	60	80 Samantha Drive	1/65th
XXVII	61	90 Samantha Drive	1/65th
XXVIII	42	717 Hillary Lane	1/65th
XXVIII	49	714 Hillary Lane	1/65th
XXVIII	50	718 Hillary Lane	1/65th
XXVIII	59	70 Samantha Drive	1/65th
XXIX	36	741 Hillary Lane	1/65th
XXIX	58	60 Samantha Drive	1/65th
XXIX	85	35 Samantha Drive	1/65th
			Total 100%





Patty  
BONNIE M. HOWE  
PORTAGE CO. RECORDER

201616323 6-7<sup>th</sup>

RECEIVED FOR RECORD  
AT 15,06,21  
FEE 23200

NO TRANSFER  
REQUIRED  
OCT 07 2016  
JANET ESPOSITO, *d*  
AUDITOR

**INDEXED**

**AMENDMENT NO. 28**  
**TO THE DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

**PHASE XXVIII**  
**ADDING UNIT NOS. 42, 49, 50, AND 59**

This will certify that copies of this AMENDMENT NO. 28 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "AMENDMENT NO. 28"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

Dated: OCT 07 2016, 2016

Plat 2016-54

PORTAGE COUNTY AUDITOR

By: Janet Esposito, *d*  
Deputy Auditor

This instrument prepared by:  
Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333

**AMENDMENT NO. 28 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE XXVIII of the Condominium which contains four (4) Units.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE XXVIII property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.

2. The legal description of the Condominium set forth in Exhibit "A" of the Declaration is amended to include the real property for PHASE XXVIII of the Condominium, the legal description for PHASE XXVIII being described in Exhibit "1" attached hereto and made a part hereof
3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.
4. The number of Units referred to in the Declaration is increased from to fifty-eight (58) Units to sixty-two (62) Units. A narrative description of the Buildings and Units for PHASE XXVIII is set forth in Exhibit "3" attached hereto and made a part hereof
5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.
6. The particulars of the Buildings and Units and other improvements for PHASE XXVIII, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE XXVIII Drawings incorporated in this AMENDMENT NO. 28 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE XXVIII Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 28 to the Declaration.
7. No owner of a Unit which was not included in Phase I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX, XX, XXI, XXII, XXIII, XXIV, XXV, XXVI, and XXVII shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE XXVIII prior to the filing of this AMENDMENT NO. 28 (except replacement reserve funds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this AMENDMENT NO. 28.
8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith

for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.

9. Except as amended herein, the Declaration thereto shall remain in full force and effect

10. Consent to this AMENDMENT NO. 28 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 4<sup>th</sup> day of October, 2016.

VILLAS OF BERTRAM, LLC, ✓  
an Ohio limited liability company

By: Iris S. Wolstein  
Iris S. Wolstein, Manager

STATE OF OHIO                    )  
  )SS.  
COUNTY OF ~~LAKE~~            )  
  Wyahoga

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 4<sup>th</sup> day of October, 2016.

[Signature]  
Notary Public  
My Commission Expires \_\_\_\_\_



**EXHIBIT "A"**

**AMENDMENT NO. 28 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 28 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the AMENDMENT NO. 28.

**EXHIBIT "1"**  
**AMENDMENT NO. 28 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE XXVIII WILL BE ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259

**LEGAL DESCRIPTION**

**PH-28-1**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 28  
0.2124 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-28-1 on the Plat of The Villas of Bertram Condominium Phase 28 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North  $89^{\circ}31'39''$  East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta  $08^{\circ}06'50''$ , tangent 21.28 feet, chord 42.45 feet, bearing South  $86^{\circ}24'56''$  East to a point;

Thence South  $82^{\circ}21'31''$  East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;



Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta 10°55'25", tangent 124.30 feet, chord 247.48 feet, bearing South 87°49'14" East to a point;

Thence North 86°43'03" East, continuing along the centerline of said Samantha Drive, a distance of 213.49 feet to a point, said point being the intersection of the centerline of said Samantha Drive and said Hilliary Lane;

Thence North 03°16'57" West, along the centerline of said Hilliary Lane, a distance of 329.69 feet to a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 28.64 feet, radius 300.00 feet, delta 05°28'10", tangent 14.33 feet, chord 28.63 feet, bearing North 06°01'02" West to a point;

Thence North 60°51'24" East, a distance of 32.01 feet to a point on the Easterly R/W of said Hilliary Lane, said point being the northwesterly corner of Ph-26-2 in the Villas of Bertram Condominiums Phase 26, a point of curvature and also the Principal Place of Beginning;

Course II: Thence North 08°45'07" West, along the easterly R/W of said Hilliary Lane, a distance of 37.78 feet to a point of curvature;

Course II: Thence continuing along the easterly R/W of said Hilliary Lane along a curve to the right with a length 23.25 feet, radius 25.00 feet, delta 53°17'08", tangent 12.54 feet; chord 22.42 feet, bearing North 17°53'27" East to a point of a reverse curve;

Course III: Thence continuing along the easterly R/W of said Hilliary Lane along a curve to the left with a length 3.53 feet, radius 67.00 feet, delta 3°01'09", tangent 1.77 feet, chord 3.53 feet, bearing North 43°01'27" East to a point;

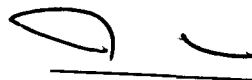
Course VI: Thence North 81°14'53" East, a distance of 152.15 feet to a point;

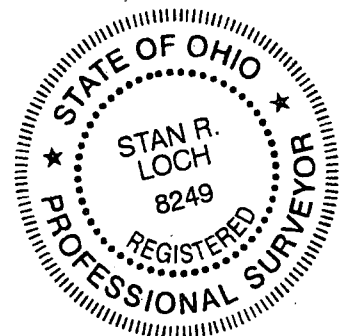
Course V: Thence South 08°29'41" West, a distance of 62.82 feet to a point, said point being the northeasterly corner of said Ph-26-2;

Course VI: Thence South 81°14'53" West, along the northerly line of said Ph-26-2, a distance of 146.36 feet to the Principal Place of Beginning.

Said parcel containing 0.2124 acres or 9,254 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46 and any other matters of record as surveyed and described in September, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-28-1" Phase 28, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 28.

Job#20132833

 9-26-16  
Stan R. Loch P.S. # 8249 Date





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-28-2**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 28  
0.4128 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-28-2 on the Plat of The Villas of Bertram Condominium Phase 28 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North  $89^{\circ}31'39''$  East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta  $08^{\circ}06'50''$ , tangent 21.28 feet, chord 42.45 feet, bearing South  $86^{\circ}24'56''$  East to a point;

Thence South  $82^{\circ}21'31''$  East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta 10°55'25", tangent 124.30 feet, chord 247.48 feet, bearing South 87°49'14" East to a point;

Thence North 86°43'03" East, continuing along the centerline of said Samantha Drive, a distance of 213.49 feet to a point, said point being the intersection of the centerline of said Samantha Drive and said Hilliary Lane;

Thence North 03°16'57" West, along the centerline of said Hilliary Lane, a distance of 329.69 feet to a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 28.64 feet, radius 300.00 feet, delta 05°28'10", tangent 14.33 feet, chord 28.63 feet, bearing North 06°01'02" West to a point;

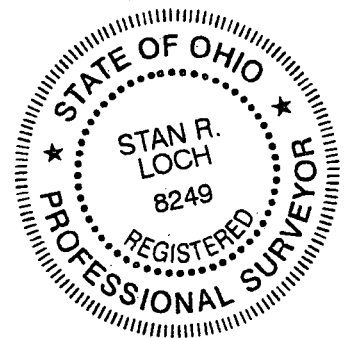
Thence North 82°37'41" West, a distance of 31.23 feet to a point on the Westerly R/W of said Hilliary Lane and the Principal Place of Beginning;

- Course II: Thence South 81°14'53" West, a distance of 144.42 feet to a point;
- Course II: Thence North 29°18'34" West, a distance of 64.08 feet to a point;
- Course III: Thence North 16°21'03" West, a distance of 44.50 feet to a point;
- Course VI: Thence North 00°42'49" West, a distance of 21.97 feet to a point;
- Course V: Thence North 84°38'38" East, a distance of 133.09 feet to a point, said point being on the westerly R/W of said Hilliary Lane and a point of curvature;
- Course VI: Thence along the westerly R/W of said Samantha Drive, along a curve to the left with a length 66.28 feet, radius 67.00 feet, delta 56°40'53", tangent 36.14 feet, chord 63.61 feet, bearing South 33°41'49" East to a point of a reverse curve;
- Course VII: Thence continuing along the westerly R/W of said Samantha Drive, along a curve to the right with a length 23.25 feet, radius 25.00 feet, delta 53°17'08", tangent 12.54 feet, chord 22.42 feet, bearing South 35°23'41" East to a point;
- Course VIII: Thence South 08°45'07" East, continuing along the westerly R/W of said Hilliary Lane, a distance of 40.25 feet to the Principal Place of Beginning.

Said parcel containing 0.4128 acres or 17,983 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46 and any other matters of record as surveyed and described in September, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-28-2" Phase 28, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 28.

Job#20132833

  
Stan R. Loch P.S. # 8249 Date





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-28-3**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 28  
0.1845 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-28-3 on the Plat of The Villas of Bertram Condominium Phase 28 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North  $89^{\circ}31'39''$  East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta  $08^{\circ}06'50''$ , tangent 21.28 feet, chord 42.45 feet, bearing South  $86^{\circ}24'56''$  East to a point;

Thence South  $82^{\circ}21'31''$  East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point;

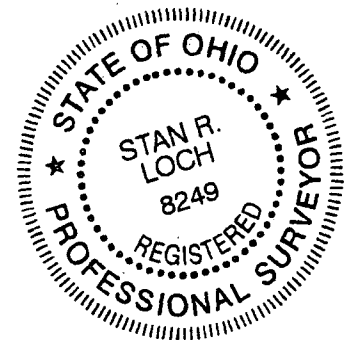
Thence North 42°41'25" East, a distance of 36.86 feet to a point on the Northerly R/W of said Samantha Drive, said point being the southeasterly corner of Ph-27-2 in the Villas of Bertram Condominiums Phase 27 and the Principal Place of Beginning;

- Course I: Thence North 06°41'11" West, along the easterly line of said Ph-27-2, a distance of 129.84 feet to a point, said point being the northeasterly corner of said Ph-27-2;
- Course II: Thence South 84°45'24" East, a distance of 58.47 feet to a point;
- Course III: Thence South 03°44'52" West, a distance of 129.82 feet to a point on the northerly R/W of said Samantha Drive and a point of curvature;
- Course IV: Thence along the northerly R/W of said Samantha Drive, along a curve to the right with a length 65.14 feet, radius 1270.00 feet, delta 02°56'19", tangent 32.57 feet, chord 65.13 feet, bearing North 84°46'59" West to the Principal Place of Beginning.

Said parcel containing 0.1845 acres or 8,038 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46 and any other matters of record as surveyed and described in September, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-28-3" Phase 28, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 28.

Job#20132833

  
Stan R. Loch P.S. # 8249      Date



**EXHIBIT "2"**  
**AMENDMENT NO. 28 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD - SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH 28-R1**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 28  
21.6163 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 1 on the Plat of The Villas of Bertram Condominium Phase 28, and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South 89°30'28" West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South 00°28'15" East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a 5/8" iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hilliary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta 90°01'17", tangent 25.01 feet, chord 35.36 feet, bearing South 45°28'54" East to a point;

- Course III: Thence South  $00^{\circ}28'15''$  East, continuing along the westerly R/W of said Hilliary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;
- Course IV: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;
- Course V: Thence South  $00^{\circ}28'15''$  East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwestery corner of said Ph-1;
- Course VI: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hilliary Lane, said point being the southeasterly corner of said Ph-1;
- Course VII: Thence South  $00^{\circ}28'15''$  East, along the westerly R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the northeasterly corner of Ph-16-1 in the Villas of Bertram Condominiums Phase 16;
- Course VIII: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-16-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-16-1;
- Course IX: Thence South  $00^{\circ}28'15''$  East, along the westerly line of said Ph-16-1, Ph-19-1 in the Villas of Bertram Condominium Phase 19, Ph-11-1 in the Villas of Bertram Condominium Phase 11, Ph-6-1 in the Villas of Bertram Phase 1 Condominium Phase 6, Ph-3-1 in the Villas of Bertram Phase 1 Condominium Phase 3, Ph-7-1 in the Villas of Bertram Phase 1 Condominium Phase 7, Ph-4 in the Villas of Bertram Phase 1 Condominium Phase 4, Ph-9-1 in the Villas of Bertram Phase 1, Condominium Phase 9, and Ph-12-1 in the Villas of Bertram Phase 1, Condominium Phase 12, a distance of 627.06 feet to a point, said point being the northwesterly corner of Ph-10-1 in the Villas of Bertram Phase 1, Condominium Phase 10;
- Course X: Thence South  $17^{\circ}30'08''$  East, along the westerly line of said Ph-10-1, a distance of 84.60 feet to a point, said point being the southwestery corner of said Ph-10-1 and the northwesterly corner of Ph-6-2 in the Villas of Bertram Phase 6;
- Course XI: Thence South  $28^{\circ}59'33''$  East, along the westerly line of said Ph-6-2, a distance of 84.31 feet to a point, said point being the southwestery corner of said Ph-6-2 and southwestery corner of Ph-3-2 in the Villas of Bertram Phase 1, Condominium Phase 3;
- Course XII: Thence South  $41^{\circ}59'53''$  East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;
- Course XIII: Thence South  $55^{\circ}00'13''$  East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2 and also being the southwestery corner of Ph-5 in the Villas of Bertram Phase 1, Condominium Phase 5;
- Course XIV: Thence South  $67^{\circ}15'11''$  East, along the southerly line of said Ph-5, distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-5 and the southwestery corner of Ph-16-3 in the Villas of Bertram Condominiums Phase 16;



- Course XV: Thence South  $82^{\circ}21'31''$  East, along the southerly line of said Ph-16-3 and the southerly line of Ph-20-1 in the Villas of Bertram Condominiums Phase 20, Ph-21-1 in the Villas of Bertram Condominiums Phase 21, Ph-18-2 in the Villas of Bertram Condominiums Phase 18, a distance of 269.95 feet to a point;
- Course XVI: Thence South  $86^{\circ}09'02''$  East, continuing along the southerly line of said Ph-18-2, a distance of 47.61 feet to a point;
- Course XVII: Thence North  $89^{\circ}30'07''$  East, continuing along the southerly line of said Ph-18-2 and along the southerly lines of Ph-17-1 in the Villas of Bertram Condominiums Phase 17, Ph-16-5 in the Villas of Bertram Condominiums Phase 16 and Ph-15-1 in the Villas of Bertram Condominiums Phase 15, a distance of 195.15 feet to a point, said point being the southeasterly corner of said Ph-15-1;
- Course XVIII: Thence North  $01^{\circ}53'59''$  West, along the easterly line of said Ph-15-1, a distance of 140.11 feet to a point on the southerly R/W of said Hilliary Lane, said point being the northeasterly corner of said Ph-15-1 and also being a point on a curve;
- Course XIX: Thence along the southwesterly R/W of said Hilliary Lane, along a curve to the left with a length 366.83 feet, radius 230.00 feet, delta  $91^{\circ}22'58''$ , tangent 235.62 feet, chord 329.17 feet, bearing North  $42^{\circ}24'32''$  East to a point;
- Course XX: Thence North  $03^{\circ}16'57''$  West, along the easterly R/W of said Hilliary Lane, a distance of 18.20 feet to a point, said point being the southwesterly corner of Ph-27-1 in the Villas of Bertram Condominiums Phase 27;
- Course XXI: Thence North  $86^{\circ}43'03''$  East, along the southerly line of said Ph-27-1, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-27-1;
- Course XXII: Thence North  $03^{\circ}16'57''$  West, along the easterly line of said Ph-27-1 and the easterly line of Ph-26-1 in the Villas of Bertram Condominiums Phase 26, a distance of 120.00 feet to a point, said point being the northeasterly corner of said Phase 26;
- Course XXIII: Thence South  $86^{\circ}43'03''$  West, along the northerly line of said Ph-26-1, a distance of 130.00 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-26-1;
- Course XXIV: Thence North  $03^{\circ}16'57''$  West, along the Easterly R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the southwesterly corner of Ph-25-1 in the Villas of Bertram Condominiums Phase 25;
- Course XXV: Thence North  $86^{\circ}43'03''$  East, along the southerly line of said Ph-25-1, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-25-1;
- Course XXVI: Thence North  $03^{\circ}16'57''$  West, along the easterly line of Ph-23-2 in the Villas of Bertram Condominiums Phase 23 and the easterly line of Ph-24-1 in the Villas of Bertram Condominiums Phase 24, a distance of 180.00 feet to a point, said point being an angle point on the easterly line of said Ph-24-1;
- Course XXVII: Thence North  $02^{\circ}19'39''$  West, continuing along the easterly line of said Ph-24-1, a distance of 60.01 feet to a point, said point being the northeasterly corner of said Ph-24-1 and the southeasterly corner of Ph-26-2 in the Villas of Bertram Condominiums Phase 26;

- Course XXVIII: Thence North  $06^{\circ}28'05''$  East, along the easterly line of said Ph-26-2, a distance of 71.59 feet to a point, said point being the northeasterly corner of said Ph-26-2;
- Course XXIX: Thence North  $08^{\circ}29'41''$  East, a distance of 62.82 feet to a point;
- Course XXX: Thence South  $81^{\circ}14'53''$  West, a distance of 152.15 feet to a point on the easterly R/W of said Hilliary Lane and a point of curvature;
- Course XXXI: Thence along the easterly R/W of said Hilliary Lane, along a curve to the left with a length 265.30 feet, radius 67.00 feet, delta  $226^{\circ}52'15''$ , tangent 154.57 feet, chord 122.95 feet, bearing North  $71^{\circ}55'15''$  West to a point, said point being on the westerly R/W of said Hilliary Lane;
- Course XXXII: Thence South  $84^{\circ}38'38''$  West, a distance of 133.09 feet to point;
- Course XXXIII: Thence South  $00^{\circ}42'49''$  East, a distance of 21.97 feet to point;
- Course XXXIV: Thence South  $16^{\circ}21'03''$  East, a distance of 44.50 feet to point;
- Course XXXV: Thence South  $29^{\circ}18'34''$  East, a distance of 64.08 feet to point;
- Course XXXVI: Thence North  $81^{\circ}14'53''$  East, a distance of 144.42 feet to point on the westerly R/W of said Hilliary Lane;
- Course XXXVII: Thence South  $08^{\circ}45'07''$  East, along the westerly R/W of said Hilliary Lane, a distance of 8.67 feet to a point, said point being a point of curvature;
- Course XXXVIII: Thence continuing along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 25.77 feet, radius 270.00 feet, delta  $05^{\circ}28'10''$ , tangent 12.90 feet, chord 25.76 feet, bearing South  $06^{\circ}01'02''$  East to a point;
- Course XXXIX: Thence South  $03^{\circ}16'57''$  East, continuing along the westerly R/W of said Hilliary Lane, a distance of 274.69 feet to a point, said point being on the northerly R/W of Samantha Drive, 60 foot R/W and also being a point of curvature;
- Course XL: Thence along the northerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta  $90^{\circ}00'00''$ , tangent 25.00 feet, chord 35.36 feet, bearing South  $41^{\circ}43'03''$  West to a point;
- Course XLI: Thence South  $86^{\circ}43'03''$  West, continuing along the northerly R/W of said Samantha Drive, a distance of 158.49 feet to a point, said point being a point of curvature;
- Course XLII: Thence continuing along the Northerly R/W of said Samantha Drive, along a curve to the right with a length 155.83 feet, radius 1270.00 feet, delta  $07^{\circ}01'49''$ , tangent 78.01 feet, chord 155.73 feet, bearing North  $89^{\circ}46'03''$  West to a point;
- Course XLIII: Thence North  $03^{\circ}44'52''$  East, a distance of 129.82 feet to point;
- Course XLIV: Thence North  $84^{\circ}45'24''$  West, a distance of 58.47 feet to a point, said point being the northeasterly corner of Ph-27-2 in the Villas of Bertram Condominiums Phase 27;

- Course XLV: Thence North  $82^{\circ}21'31''$  West, along the northerly line of said Ph-27-2, a distance of 119.50 feet to a point, said point being the northwesterly corner of said Ph-27-2;
- Course XLVI: Thence South  $07^{\circ}38'29''$  West, along the westerly line of said Ph-27-2, a distance of 130.00 feet to a point, said point being on the northerly R/W of said Samantha Drive and also the southwest corner of said Ph-27-2;
- Course XLVII: Thence North  $82^{\circ}21'31''$  West, continuing along the northerly R/W of said Samantha Drive, a distance of 58.57 feet to a point, said point being a point of curvature;
- Course XLVIII: Thence continuing along the Northerly R/W of said Samantha Drive, along a curve to the left with a length 18.09 feet, radius 330.00 feet, delta  $03^{\circ}08'26''$ , tangent 9.05 feet, chord 18.09 feet, bearing North  $83^{\circ}55'44''$  West to a point, said point being the southeasterly corner of Ph-13-2 in the Villas of Bertram Phase 1, Condominium Phase 13;
- Course XLIX: Thence North  $00^{\circ}28'15''$  West, along the easterly lines of said Ph-13-2, Ph-10-3 in the Villas of Bertram Phase 1, Condominium Phase 10 and Ph-6-3 in the Villas of Bertram Phase 1, Condominium Phase 6, a distance of 206.24 feet to a point said point being the northeasterly corner of said Ph-6-3;
- Course L: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-6-3, a distance of 137.45 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-6-3;
- Course LI: Thence North  $07^{\circ}30'01''$  West, along the easterly R/W of said Hilliary Lane, a distance of 25.56 feet to a point, said point being the southwest corner of Ph-12-3 in the Villas of Bertram Phase 1, Condominium Phase 12;
- Course LII: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-12-3, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-12-3;
- Course LIII: Thence North  $00^{\circ}28'15''$  West, along the easterly line of said Ph-12-3, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-12-3;
- Course LIV: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-12-3, a distance of 13.26 feet to a point, said point being the southeasterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominiums Phase 2;
- Course LV: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ph-2, and the easterly lines of Ph-14-1 in the Villas of Bertram Condominiums Phase 14, Ph-13-1 in the Villas of Bertram Phase 1, Condominium Phase 13, Ph-16-2 in the Villas of Bertram Condominiums Phase 16 and Ph-12-4 in the Villas of Bertram Condominiums Phase 12, a distance of 300.00 feet to a point, said point being the northeasterly corner of said Ph-12-4;
- Course LVI: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-12-4, a distance of 121.03 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-12-4;

- Course LVII: Thence North  $00^{\circ}28'15''$  West, along the easterly R/W of said Hilliary Lane, a distance of 40.07 feet to a point, said point being a point of curvature
- Course LVIII: Thence continuing along the easterly R/W of said Hilliary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta  $89^{\circ}58'43''$ , tangent 24.99 feet, chord 35.35 feet, bearing North  $44^{\circ}31'06''$  East to a point, said point being on the southerly R/W of said Treat Road;
- Course LIX: Thence North  $89^{\circ}30'28''$  East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a  $5/8''$  iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course LX: Thence South  $00^{\circ}42'49''$  East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a  $5/8''$  iron pin found capped "Weiss & Assoc.", said point being the southwesterly corner of said Ohio Edison Company;
- Course LXI: Thence North  $89^{\circ}30'28''$  East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a  $5/8''$  iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;
- Course LXII: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ohio Edison Company, passing through a  $5/8''$  iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;
- Course LXIII: Thence North  $89^{\circ}30'28''$  East, along the centerline of said Treat Road, passing through a  $1-1/4''$  axle found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;
- Course LXIV: Thence South  $00^{\circ}42'49''$  East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;
- Course LXV: Thence South  $89^{\circ}32'00''$  West, along the northerly line of said Berry and the northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a  $5/8''$  iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a  $3/4''$  iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;
- Course LXVI: Thence North  $47^{\circ}50'36''$  West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a  $3/4''$  iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwesterly corner of lands conveyed to Michael & Cheryl Habbyshaw, as recorded in Document No. 201105000 of the Portage County Deed Records;

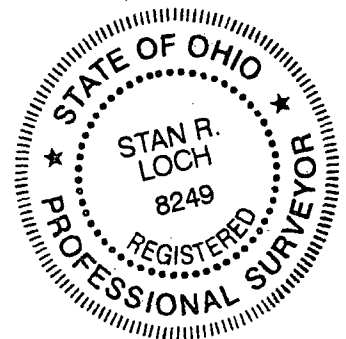
Course LXVII: Thence North  $89^{\circ}30'22''$  East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;

Course LXVIII: Thence North  $00^{\circ}28'15''$  West, along the easterly line of said Habbyshaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

Said parcel contains 21.6163 acres or 941,606 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46 and any other matters of record as surveyed and described in September, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South  $00^{\circ}28'15''$  East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe the portion of the land conveyed to Villas of Bertram LLC. by File # 201401775 of the Portage County Records, which is designated as Ph-28-R1 Phase 28 Residual No. 1 on the Plat of Villas of Bertram Condominium Phase 28.

Job#20132833

 9-26-16  
Stan R. Loch P.S. # 8249 Date





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-28-R2**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 28**

**1.0302 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 2 on the Plat of The Villas of Bertram Condominium Phase 28 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North  $89^{\circ}31'39''$  East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta  $08^{\circ}06'50''$ , tangent 21.28 feet, chord 42.45 feet, bearing South  $86^{\circ}24'56''$  East to a point;

Thence South  $82^{\circ}21'31''$  East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta 10°55'25", tangent 124.30 feet, chord 247.48 feet, bearing South 87°49'14" East to a point;

Thence South 01°46'18" East, a distance of 30.00 feet to a point on the southerly R/W of said Samantha Drive, and the Principal Place of Beginning;

Course I: Thence North 86°43'03" East, along the southerly R/W of said Samantha Drive, a distance of 158.49 feet to a point, said point being a point of curvature;

Course II: Thence continuing along the southerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta 90°00'00", tangent 25.00 feet, chord 35.36 feet, bearing South 48°16'57" East to a point, said point being on the westerly R/W of said Hilliary Lane;

Course III: Thence South 03°16'57" East, along the westerly R/W of said Hilliary Lane, a distance of 67.56 feet to a point, said point being a point of curvature;

Course IV: Thence continuing along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 266.67 feet, radius 170.00 feet, delta 89°52'39", tangent 169.64 feet, chord 240.16 feet, bearing South 41°39'23" West to a point, said point being the southeasterly corner of Ph-20-2 in the Villas of Bertram Condominiums Phase 20;

Course V: Thence North 03°23'45" West, along the easterly line of said Ph-20-2, a distance of 129.98 feet to a point, said point being the northeasterly corner of said Ph-20-2;

Course VI: Thence South 89°30'07" West, along the northerly line of said Ph-20-2, a distance of 52.16 feet to a point, said point being on the easterly line of Ph-22-2 in the Villas of Bertram Condominiums Phase 22;

Course VII: Thence North 01°46'18" West, along the easterly line of said Ph-22-2, a distance of 130.56 feet to a point on the southerly R/W of said Samantha Drive, said point being the northeasterly corner of said Ph-22-2, and being a point of curvature;

Course VIII: Thence along the southerly R/W of said Samantha Drive, along a curve to the left with a length 35.07 feet, radius 1330.00 feet, delta 01°30'39", tangent 17.53 feet, chord 35.07 feet, bearing North 87°28'22" East to the Principal Place of Beginning.

Said parcel containing 1.0302 acres or 44,878 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41, 2016-46 and any other matters of record as surveyed and described in September, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-28-R2" Phase 28 Residual No. 2, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 28.

Job#20132833 OUT OF  
03-015-10-00-001.048  
0.212Ac. UNIT 42  
0.413Ac. UNITS 49 & 50  
0.185Ac. UNIT 59  
21.616Ac. PH 28-R1  
03-015-10-00-001.002  
1.030Ac. PH-28-R2

Stan R. Loch P.S. # 8249 Date 10/7/2016  
TAX MAP DEPT.  
LEGAL DESCRIPTION  
 SUFFICIENT  DEFICIENT  
 NO DIVISION OF LAND



**EXHIBIT "3"**  
**AMENDMENT NO. 28 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE XXVIII contains four (4) detached single-family residential Buildings known as UNIT NOS. 42, 49, 50, AND 59 situated on Hillary Lane and Samantha Lane, which includes a basement and attached two car garage, and which is constructed primarily of wood, vinyl siding, asphalt shingle roof, brick, concrete block, glass and drywall. The location of UNIT NOS. 42, 49, 50, AND 59 are shown on the Drawings.

Unit 42 is a "Milan" type Unit. The "Milan" type Unit is a one-story Unit containing approximately 2528 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a living room, family room, kitchen, dining room, dinette, powder room, mudroom, and 2-car attached garage. The second floor consists of four bedrooms, a loft, laundry, 2 walk-in closets, and two full baths. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 49 is a "Chantilly Place" type Unit. The "Chantilly Place" type Unit is a two-story Unit containing approximately 2300 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, dining room or study, dinette area, great room, kitchen, laundry room, ½ bath, and an attached two-car garage. The second floor of consists of three (3) bedrooms and two (2) full baths. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 50 is a "Venice" type Unit. The "Venice" type Unit is a two-story Unit containing approximately 2,344 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, great room or study, dining room, kitchen, morning room, laundry room, ½ bath and an attached two-car garage. The second floor of consists of four (4) bedrooms and two (2) full baths, and walk-in closet. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 50 is a "Chantilly Place" type Unit. The "Chantilly Place" type Unit is a two-story Unit containing approximately 2300 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, dining room or study, dinette area, great room, kitchen, laundry room, ½ bath, and an attached two-car garage. The second floor of consists of three (3) bedrooms and two (2) full baths. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.



**EXHIBIT "4"**  
**AMENDMENT NO. 28 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	1/62nd
II	67	864 Hillary Lane	1/62nd
III	8	853 Hillary Lane	1/62nd
III	9	849 Hillary Lane	1/62nd
III	16	821 Hillary Lane	1/62nd
III	17	817 Hillary Lane	1/62nd
IV	11	841 Hillary Lane	1/62nd
V	18	813 Hillary Lane	1/62nd
VI	7	857 Hillary Lane	1/62nd
VI	15	825 Hillary Lane	1/62nd
VI	65	854 Hillary Lane	1/62nd
VII	10	845 Hillary Lane	1/62nd
VIII	73	830 Hillary Lane	1/62nd
IX	12	837 Hillary Lane	1/62nd
X	14	829 Hillary Lane	1/62nd
X	64	850 Hillary Lane	1/62nd
X	74	818 Hillary Lane	1/62nd
XI	6	861 Hillary Lane	1/62nd
XII	13	833 Hillary Lane	1/62nd
XII	66	860 Hillary Lane	1/62nd
XII	71	880 Hillary Lane	1/62nd
XII	72	836 Hillary Lane	1/62nd
XIII	63	846 Hillary Lane	1/62nd
XIII	69	872 Hillary Lane	1/62nd
XIV	68	868 Hillary Lane	1/62nd
XV	26	781 Hillary Lane	1/62nd
XVI	4	869 Hillary Lane	1/62nd
XVI	19	809 Hillary Lane	1/62nd
XVI	25	785 Hillary Lane	1/62nd
XVI	70	876 Hillary Lane	1/62nd
XVI	77	798 Hillary Lane	1/62nd
XVII	24	789 Hillary Lane	1/62nd
XVII	78	794 Hillary Lane	1/62nd
XVII	79	788 Hillary Lane	1/62nd
XVIII	23	793 Hillary Lane	1/62nd
XVIII	76	802 Hillary Lane	1/62nd

XIX	5	865 Hillary Lane	1/62nd
XX	20	805 Hillary Lane	1/62nd
XX	21	801 Hillary Lane	1/62nd
XX	81	780 Hillary Lane	1/62nd
XXI	22	797 Hillary Lane	1/62nd
XXII	80	784 Hillary Lane	1/62nd
XXII	86	45 Samantha Drive	1/62nd
XXII	87	55 Samantha Drive	1/62nd
XXII	88	65 Samantha Drive	1/62nd
XXII	90	85 Samantha Drive	1/62nd
XXIII	38	733 Hillary Lane	1/62nd
XXIII	89	75 Samantha Drive	1/62nd
XXIV	39	729 Hillary Lane	1/62nd
XXIV	40	725 Hillary Lane	1/62nd
XXIV	75	806 Hillary Lane	1/62nd
XXV	37	737 Hillary Lane	1/62nd
XXV	91	95 Samantha Drive	1/62nd
XXVI	35	745 Hillary Lane	1/62nd
XXVI	41	721 Hillary Lane	1/62nd
XXVII	34	749 Hillary Lane	1/62nd
XXVII	60	80 Samantha Drive	1/62nd
XXVII	61	90 Samantha Drive	1/62nd
XXVIII	42	717 Hillary Lane	1/62nd
XXVIII	49	714 Hillary Lane	1/62nd
XXVIII	50	718 Hillary Lane	1/62nd
XXVIII	59	70 Samantha Drive	1/62nd
			Total 100%



*Pouty*  
BONNIE M. HOWE  
PORTAGE CO. RECORDER

201614690 & 15<sup>th</sup>

RECEIVED FOR RECORD  
AT 13,564<sup>th</sup>  
FEE 216.00

**INDEXED**

AMENDMENT NO. 27  
TO THE DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM

PHASE XXVII  
ADDING UNIT NOS. 34, 60 AND 61 23

This will certify that copies of this AMENDMENT NO. 27 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "AMENDMENT NO. 27"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

Plat 2016-50

Dated: SEP 15 2016, 2016

PORTAGE COUNTY AUDITOR

By: Janet Esposito, m  
Deputy Auditor

This instrument prepared by:  
Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333

**AMENDMENT NO. 27 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE XXVII of the Condominium which contains three (3) Units.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE XXVII property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.

2. The legal description of the Condominium set forth in Exhibit “A” of the Declaration is amended to include the real property for PHASE XXVII of the Condominium, the legal

description for PHASE XXVII being described in Exhibit "1" attached hereto and made a part hereof

3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.

4. The number of Units referred to in the Declaration is increased from to fifty-five (55) Units to fifty-eight (58) Units. A narrative description of the Buildings and Units for PHASE XXVII is set forth in Exhibit "3" attached hereto and made a part hereof

5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.

6. The particulars of the Buildings and Units and other improvements for PHASE XXVII, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE XXVII Drawings incorporated in this AMENDMENT NO. 27 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE XXVII Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 27 to the Declaration.

7. No owner of a Unit which was not included in Phase I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX, XX, XXI, XXII, XXIII, XXIV, XXV, and XXVI shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE XXVII prior to the filing of this AMENDMENT NO. 27 (except replacement reserve funds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this AMENDMENT NO. 27.


8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.

9. Except as amended herein, the Declaration thereto shall remain in full force and effect

10. Consent to this AMENDMENT NO. 27 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 12<sup>th</sup> day of September, 2016.

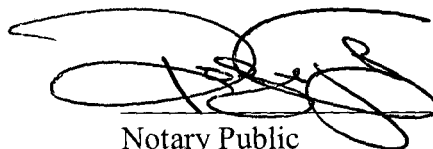
VILLAS OF BERTRAM, LLC,  
an Ohio limited liability company

By:   
Iris S. Wolstein, Manager

STATE OF OHIO                    )  
  )SS.  
COUNTY OF ~~LAKE~~            )  
  Cuyahoga

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 12<sup>th</sup> day of September, 2016.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires \_\_\_\_\_



**EXHIBIT "A"**

**AMENDMENT NO. 27 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 27 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the AMENDMENT NO. 27.



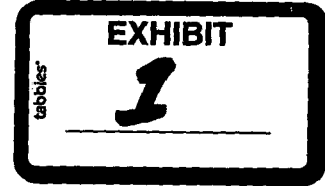
**EXHIBIT "1"**  
**AMENDMENT NO. 27 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE XXVII WILL BE ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**



**LEGAL DESCRIPTION  
PH-27-1  
THE VILLAS OF BERTRAM CONDOMINIUM PHASE 27  
0.1790 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-27-1 on the Plat of The Villas of Bertram Condominium Phase 27 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 07°30'01" East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 00°28'15" East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North 89°31'39" East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta 08°06'50", tangent 21.28 feet, chord 42.45 feet, bearing South 86°24'56" East to a point;

Thence South 82°21'31" East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta  $10^{\circ}55'25''$ , tangent 124.30 feet, chord 247.48 feet, bearing South  $87^{\circ}49'14''$  East to a point;

Thence North  $86^{\circ}43'03''$  East, continuing along the centerline of said Samantha Drive, a distance of 213.49 feet to a point, said point being the intersection of the centerline of said Samantha Drive and said Hilliary Lane;

Thence South  $03^{\circ}16'57''$  East, along the centerline of said Hilliary Lane, a distance of 44.36 feet to a point;

Thence North  $86^{\circ}43'03''$  East, a distance of 30.00 feet to a point on the Easterly R/W of said Hilliary Lane, said point being the southwesterly corner of Ph-26-1 in the Villas of Bertram Condominiums Phase 26 and the Principal Place of Beginning;

Course I: Thence North  $86^{\circ}43'03''$  East, along the southerly line of said Ph-26-1, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-26-1;

Course II: Thence South  $03^{\circ}16'57''$  East, a distance of 60.00 feet to a point;

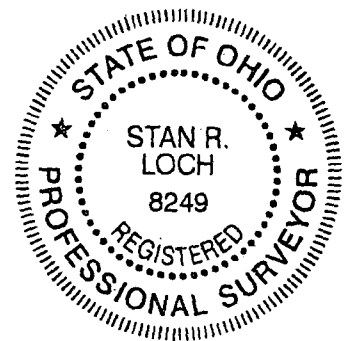
Course III: Thence South  $86^{\circ}43'03''$  West, a distance of 130.00 feet to a point on the easterly R/W of said Hilliary Lane;

Course IV: Thence North  $03^{\circ}16'57''$  West, along the easterly R/W of said Hilliary Lane, a distance of 60.00 feet to the Principal Place of Beginning.

Said parcel containing 0.1790 acres or 7,800 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41 and any other matters of record as surveyed and described in August, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South  $00^{\circ}28'15''$  East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-27-1" Phase 27, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 27.

Job#20132833

  
Stan R. Loch P.S. # 8249      Date 9-30-16





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-27-2**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 27**

**0.3598 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-27-2 on the Plat of The Villas of Bertram Condominium Phase 27 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 07°30'01" East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 00°28'15" East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North 89°31'39" East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta 08°06'50", tangent 21.28 feet, chord 42.45 feet, bearing South 86°24'56" East to a point;

Thence South 82°21'31" East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point;

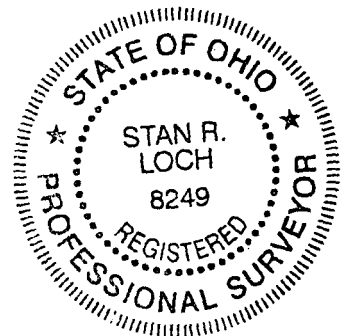
Thence North 07°38'29" East, a distance of 30.00 feet to a point on the Northerly R/W of said Samantha Drive and the Principal Place of Beginning;

- Course I: Thence North 82°21'31" West, along the northerly R/W of said Samantha Drive, a distance of 100.50 feet to a point;
- Course II: Thence North 07°38'29" East, a distance of 130.00 feet to a point;
- Course III: Thence South 82°21'31" East, a distance of 119.50 feet to a point;
- Course IV: Thence South 06°41'11" West, a distance of 129.84 feet to a point on the northerly R/W of said Samantha Drive, said point being a point of curvature;
- Course V: Thence along the northerly R/W of said Samantha Drive, along a curve to the right with a length 21.17 feet, radius 1270.00 feet, delta 00°57'18", tangent 10.58 feet, chord 21.17 feet, bearing North 82°50'10" West to the Principal Place of Beginning.

Said parcel containing 0.3598 acres or 15,674 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41 and any other matters of record as surveyed and described in August, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-27-2" Phase 27, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 27.

Job#20132833

  
Stan R. Loch P.S. # 8249      Date 8-30-16



**EXHIBIT "2"**  
**AMENDMENT NO. 27 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH 27-R1**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 27**

**22.4261 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 1 on the Plat of The Villas of Bertram Condominium Phase 27, and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $89^{\circ}30'28''$  West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South  $00^{\circ}28'15''$  East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a  $5/8$ " iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North  $89^{\circ}30'28''$  East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hilliary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta  $90^{\circ}01'17''$ , tangent 25.01 feet, chord 35.36 feet, bearing South  $45^{\circ}28'54''$  East to a point;

- Course III: Thence South 00°28'15" East, continuing along the westerly R/W of said Hilliary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;
- Course IV: Thence South 89°31'45" West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;
- Course V: Thence South 00°28'15" East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwesterly corner of said Ph-1;
- Course VI: Thence North 89°31'45" East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hilliary Lane, said point being the southeasterly corner of said Ph-1;
- Course VII: Thence South 00°28'15" East, along the westerly R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the northeasterly corner of Ph-16-1 in the Villas of Bertram Condominiums Phase 16;
- Course VIII: Thence South 89°31'45" West, along the northerly line of said Ph-16-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-16-1;
- Course IX: Thence South 00°28'15" East, along the westerly line of said Ph-16-1, Ph-19-1 in the Villas of Bertram Condominium Phase 19, Ph-11-1 in the Villas of Bertram Condominium Phase 11, Ph-6-1 in the Villas of Bertram Phase 1 Condominium Phase 6, Ph-3-1 in the Villas of Bertram Phase 1 Condominium Phase 3, Ph-7-1 in the Villas of Bertram Phase 1 Condominium Phase 7, Ph-4 in the Villas of Bertram Phase 1 Condominium Phase 4, Ph-9-1 in the Villas of Bertram Phase 1 Condominium Phase 9, and Ph-12-1 in the Villas of Bertram Phase 1, Condominium Phase 12, a distance of 627.06 feet to a point, said point being the northwesterly corner of Ph-10-1 in the Villas of Bertram Phase 1, Condominium Phase 10;
- Course X: Thence South 17°30'08" East, along the westerly line of said Ph-10-1, a distance of 84.60 feet to a point, said point being the southwesterly corner of said Ph-10-1 and the northwesterly corner of Ph-6-2 in the Villas of Bertram Phase 6;
- Course XI: Thence South 28°59'33" East, along the westerly line of said Ph-6-2, a distance of 84.31 feet to a point, said point being the southwesterly corner of said Ph-6-2 and southwesterly corner of Ph-3-2 in the Villas of Bertram Phase 1, Condominium Phase 3;
- Course XII: Thence South 41°59'53" East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;
- Course XIII: Thence South 55°00'13" East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2 and also being the southwesterly corner of Ph-5 in the Villas of Bertram Phase 1, Condominium Phase 5;
- Course XIV: Thence South 67°15'11" East, along the southerly line of said Ph-5, distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-5 and the southwesterly corner of Ph-16-3 in the Villas of Bertram Condominiums Phase 16;



- Course XV: Thence South  $82^{\circ}21'31''$  East, along the southerly line of said Ph-16-3 and the southerly line of Ph-20-1 in the Villas of Bertram Condominiums Phase 20, Ph-21-1 in the Villas of Bertram Condominiums Phase 21, Ph-18-2 in the Villas of Bertram Condominiums Phase 18, a distance of 269.95 feet to a point;
- Course XVI: Thence South  $86^{\circ}09'02''$  East, continuing along the southerly line of said Ph-18-2, a distance of 47.61 feet to a point;
- Course XVII: Thence North  $89^{\circ}30'07''$  East, continuing along the southerly line of said Ph-18-2 and along the southerly lines of Ph-17-1 in the Villas of Bertram Condominiums Phase 17, Ph-16-5 in the Villas of Bertram Condominiums Phase 16 and Ph-15-1 in the Villas of Bertram Condominiums Phase 15, a distance of 195.15 feet to a point, said point being the southeasterly corner of said Ph-15-1;
- Course XVIII: Thence North  $01^{\circ}53'59''$  West, along the easterly line of said Ph-15-1, a distance of 140.11 feet to a point on the southerly R/W of said Hilliary Lane, said point being the northeasterly corner of said Ph-15-1 and also being a point on a curve;
- Course XIX: Thence along the southwesterly R/W of said Hilliary Lane, along a curve to the left with a length 366.83 feet, radius 230.00 feet, delta  $91^{\circ}22'58''$ , tangent 235.62 feet, chord 329.17 feet, bearing North  $42^{\circ}24'32''$  East to a point;
- Course XX: Thence North  $03^{\circ}16'57''$  West, along the easterly R/W of said Hilliary Lane, a distance of 18.20 feet to a point;
- Course XXI: Thence North  $86^{\circ}43'03''$  East, a distance of 130.00 feet to a point;
- Course XXII: Thence North  $03^{\circ}16'57''$  West, along the easterly line of Ph-26-1 in the Villas of Bertram Condominiums Phase 26, a distance of 120.00 feet to a point, said point being the northeasterly corner of said Phase 26;
- Course XXIII: Thence South  $86^{\circ}43'03''$  West, along the northerly line of said Ph-26-1, a distance of 130.00 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-26-1;
- Course XXIV: Thence North  $03^{\circ}16'57''$  West, along the Easterly R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the southwesterly corner of Ph-25-1 in the Villas of Bertram Condominiums Phase 25;
- Course XXV: Thence North  $86^{\circ}43'03''$  East, along the southerly line of said Ph-25-1, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-25-1;
- Course XXVI: Thence North  $03^{\circ}16'57''$  West, along the easterly line of Ph-23-2 in the Villas of Bertram Condominiums Phase 23 and the easterly line of Ph-24-1 in the Villas of Bertram Condominiums Phase 24, a distance of 180.00 feet to a point, said point being an angle point on the easterly line of said Ph-24-1;
- Course XXVII: Thence North  $02^{\circ}19'39''$  West, continuing along the easterly line of said Ph-24-1, a distance of 60.01 feet to a point, said point being the northeasterly corner of said Ph-24-1 and the southeasterly corner of Ph-26-2 in the Villas of Bertram Condominiums Phase 26;
- Course XXVIII: Thence North  $06^{\circ}28'05''$  East, along the easterly line of said Ph-26-2, a distance of 71.59 feet to a point, said point being the northeasterly corner of said Ph-26-2;

- Course XXIX: Thence South  $81^{\circ}14'53''$  West, along the northerly line of said Ph-26-2, a distance of 146.36 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-26-2;
- Course XXX: Thence North  $08^{\circ}45'07''$  West, along the easterly R/W of said Hilliary Lane, a distance of 37.78 feet to a point, said point being a point of curvature;
- Course XXX: Thence continuing along the easterly R/W of said Hilliary Lane, along a curve to the right with a length 23.25 feet, radius 25.00 feet, delta  $53^{\circ}17'08''$ , tangent 12.54 feet, chord 22.42 feet, bearing North  $17^{\circ}53'27''$  East to a point;
- Course XXXII: Thence continuing along the easterly R/W of said Hilliary Lane, along a curve to the left with a length 335.11 feet, radius 67.00 feet, delta  $286^{\circ}34'16''$ , tangent 49.97 feet, chord 80.11 feet, bearing South  $81^{\circ}14'53''$  West to a point, said point being on the westerly R/W of said Hilliary Lane;
- Course XXXIII: Thence along the westerly R/W of said Hilliary Lane, along a curve to the left with a length 23.25 feet, radius 25.00 feet, delta  $53^{\circ}17'08''$ , tangent 12.54 feet, chord 22.42 feet, bearing South  $35^{\circ}23'41''$  East to a point;
- Course XXXIV: Thence South  $08^{\circ}45'07''$  East, continuing along the westerly R/W of said Hilliary Lane, a distance of 48.93 feet to a point, said point being a point of curvature;
- Course XXXV: Thence continuing along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 25.77 feet, radius 270.00 feet, delta  $05^{\circ}28'10''$ , tangent 12.90 feet, chord 25.76 feet, bearing South  $06^{\circ}01'02''$  East to a point;
- Course XXXVI: Thence South  $03^{\circ}16'57''$  East, continuing along the westerly R/W of said Hilliary Lane, a distance of 274.69 feet to a point, said point being on the northerly R/W of Samantha Drive, 60 foot R/W and also being a point of curvature;
- Course XXXVII: Thence along the northerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta  $90^{\circ}00'00''$ , tangent 25.00 feet, chord 35.36 feet, bearing South  $41^{\circ}43'03''$  West to a point;
- Course XXXVIII: Thence South  $86^{\circ}43'03''$  West, continuing along the northerly R/W of said Samantha Drive, a distance of 158.49 feet to a point, said point being a point of curvature;
- Course XXXIX: Thence continuing along the Northerly R/W of said Samantha Drive, along a curve to the right with a length 220.97 feet, radius 1270.00 feet, delta  $09^{\circ}58'08''$ , tangent 110.76 feet, chord 220.68 feet, bearing North  $88^{\circ}17'53''$  West to a point;
- Course XL: Thence North  $06^{\circ}41'11''$  East, a distance of 129.84 feet to a point;
- Course XLI: Thence North  $82^{\circ}21'31''$  West, a distance of 119.50 feet to a point;
- Course XLII: Thence South  $07^{\circ}38'29''$  West, a distance of 130.00 feet to a point, said point being on the northerly R/W of said Samantha Drive;
- Course XLIII: Thence North  $82^{\circ}21'31''$  West, continuing along the northerly R/W of said Samantha Drive, a distance of 58.57 feet to a point, said point being a point of curvature;

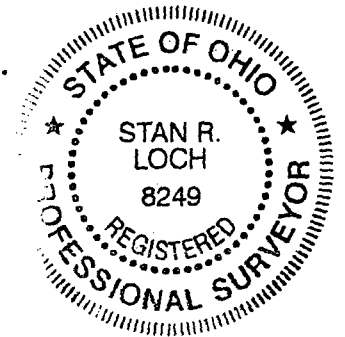
- Course XLIV: Thence continuing along the Northerly R/W of said Samantha Drive, along a curve to the left with a length 18.09 feet, radius 330.00 feet, delta  $03^{\circ}08'26''$ , tangent 9.05 feet, chord 18.09 feet, bearing North  $83^{\circ}55'44''$  West to a point, said point being the southeasterly corner of Ph-13-2 in the Villas of Bertram Phase 1, Condominium Phase 13;
- Course XLV: Thence North  $00^{\circ}28'15''$  West, along the easterly lines of said Ph-13-2, Ph-10-3 in the Villas of Bertram Phase 1, Condominium Phase 10 and Ph-6-3 in the Villas of Bertram Phase 1, Condominium Phase 6, a distance of 206.24 feet to a point said point being the northeasterly corner of said Ph-6-3;
- Course XLVI: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-6-3, a distance of 137.45 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-6-3;
- Course XLVII: Thence North  $07^{\circ}30'01''$  West, along the easterly R/W of said Hilliary Lane, a distance of 25.56 feet to a point, said point being the southwesterly corner of Ph-12-3 in the Villas of Bertram Phase 1, Condominium Phase 12;
- Course XLVIII: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-12-3, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-12-3;
- Course XLIX: Thence North  $00^{\circ}28'15''$  West, along the easterly line of said Ph-12-3, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-12-3;
- Course L: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-12-3, a distance of 13.26 feet to a point, said point being the southeasterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominiums Phase 2;
- Course LI: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ph-2, and the easterly lines of Ph-14-1 in the Villas of Bertram Condominiums Phase 14, Ph-13-1 in the Villas of Bertram Phase 1, Condominium Phase 13, Ph-16-2 in the Villas of Bertram Condominiums Phase 16 and Ph-12-4 in the Villas of Bertram Condominiums Phase 12, a distance of 300.00 feet to a point, said point being the northeasterly corner of said Ph-12-4;
- Course LII: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-12-4, a distance of 121.03 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-12-4;
- Course LIII: Thence North  $00^{\circ}28'15''$  West, along the easterly R/W of said Hilliary Lane, a distance of 40.07 feet to a point, said point being a point of curvature
- Course LIV: Thence continuing along the easterly R/W of said Hilliary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta  $89^{\circ}58'43''$ , tangent 24.99 feet, chord 35.35 feet, bearing North  $44^{\circ}31'06''$  East to a point, said point being on the southerly R/W of said Treat Road;
- Course LV: Thence North  $89^{\circ}30'28''$  East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a  $5/8''$  iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;

- Course LVI: Thence South 00°42'49" East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southwesterly corner of said Ohio Edison Company;
- Course LVII: Thence North 89°30'28" East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;
- Course LVIII: Thence North 00°42'49" West, along the easterly line of said Ohio Edison Company, passing through a 5/8" iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;
- Course LIX: Thence North 89°30'28" East, along the centerline of said Treat Road, passing through a 1-1/4" axle found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;
- Course LX: Thence South 00°42'49" East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;
- Course LXI: Thence South 89°32'00" West, along the northerly line of said Berry and the northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a 5/8" iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a 3/4" iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;
- Course LXII: Thence North 47°50'36" West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a 3/4" iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwesterly corner of lands conveyed to Michael & Cheryl Habbyshaw, as recorded in Document No. 201105000 of the Portage County Deed Records;
- Course LXIII: Thence North 89°30'22" East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**



**LEGAL DESCRIPTION  
PH-27-R2  
THE VILLAS OF BERTRAM CONDOMINIUM PHASE 27  
1.0302 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 2 on the Plat of The Villas of Bertram Condominium Phase 27 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 07°30'01" East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 00°28'15" East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North 89°31'39" East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;


Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta 08°06'50", tangent 21.28 feet, chord 42.45 feet, bearing South 86°24'56" East to a point;

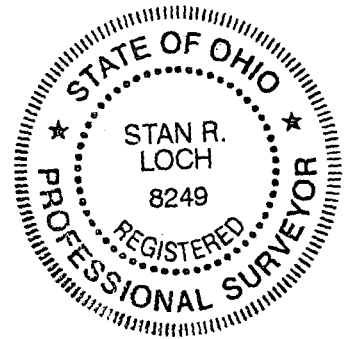
Thence South 82°21'31" East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;


Course LXIV: Thence North 00°28'15" West, along the easterly line of said Habbyslaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

Said parcel contains 22.4261 acres or 976,883 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41 and any other matters of record as surveyed and described in August, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe the portion of the land conveyed to Villas of Bertram LLC. by File # 201401775 of the Portage County Records, which is designated as Ph-27-R1 Phase 27 Residual No. 1 on the Plat of Villas of Bertram Condominium Phase 27.

Job#20132833

  
Stan R. Loch P.S. # 8249 Date



9.15.2016   
TAX MAP DEPT.  
LEGAL DESCRIPTION  
 SUFFICIENT  DEFICIENT  
 NO DIVISION OF LAND

PN 03-015-10-00-001.048  
UNIT 34 : 22.965 (AND)  
— 0.1790  
22.786  
UNITS 60+61 — 0.3598  
22.4262  
PH-27-R1 = 22.4261 Ac  
BY SURVEY

PN 03-015-10-00-001.002  
PH-26-R2 = PH-27-R2

Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta  $10^{\circ}55'25''$ , tangent 124.30 feet, chord 247.48 feet, bearing South  $87^{\circ}49'14''$  East to a point;

Thence South  $01^{\circ}46'18''$  East, a distance of 30.00 feet to a point on the southerly R/W of said Samantha Drive, and the Principal Place of Beginning;

Course I: Thence North  $86^{\circ}43'03''$  East, along the southerly R/W of said Samantha Drive, a distance of 158.49 feet to a point, said point being a point of curvature;

Course II: Thence continuing along the southerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta  $90^{\circ}00'00''$ , tangent 25.00 feet, chord 35.36 feet, bearing South  $48^{\circ}16'57''$  East to a point, said point being on the westerly R/W of said Hilliary Lane;

Course III: Thence South  $03^{\circ}16'57''$  East, along the westerly R/W of said Hilliary Lane, a distance of 67.56 feet to a point, said point being a point of curvature;

Course IV: Thence continuing along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 266.67 feet, radius 170.00 feet, delta  $89^{\circ}52'39''$ , tangent 169.64 feet, chord 240.16 feet, bearing South  $41^{\circ}39'23''$  West to a point, said point being the southeasterly corner of Ph-20-2 in the Villas of Bertram Condominiums Phase 20;

Course V: Thence North  $03^{\circ}23'45''$  West, along the easterly line of said Ph-20-2, a distance of 129.98 feet to a point, said point being the northeasterly corner of said Ph-20-2;

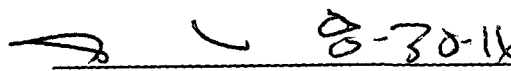
Course VI: Thence South  $89^{\circ}30'07''$  West, along the northerly line of said Ph-20-2, a distance of 52.16 feet to a point, said point being on the easterly line of Ph-22-2 in the Villas of Bertram Condominiums Phase 22;

Course VII: Thence North  $01^{\circ}46'18''$  West, along the easterly line of said Ph-22-2, a distance of 130.56 feet to a point on the southerly R/W of said Samantha Drive, said point being the northeasterly corner of said Ph-22-2, and being a point of curvature;

Course VIII: Thence along the southerly R/W of said Samantha Drive, along a curve to the left with a length 35.07 feet, radius 1330.00 feet, delta  $01^{\circ}30'39''$ , tangent 17.53 feet, chord 35.07 feet, bearing North  $87^{\circ}28'22''$  East to the Principal Place of Beginning.

Said parcel containing 1.0302 acres or 44,878 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39, 2016-41 and any other matters of record as surveyed and described in August, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South  $00^{\circ}28'15''$  East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-27-R2" Phase 27 Residual No. 2, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 27.

Job#20132833

  
Stan R. Loch P.S. # 8249      Date

**EXHIBIT "3"**  
**AMENDMENT NO. 27 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE XXVII contains two (2) detached single-family residential Buildings known as UNIT NOS. 34, 60 AND 61 situated on Hillary Lane and Samantha Lane, which includes a basement and attached two car garage, and which is constructed primarily of wood, vinyl siding, asphalt shingle roof, brick, concrete block, glass and drywall. The location of UNIT NOS. 34, 60 AND 61 are shown on the Drawings.

Unit 34 is a "Pisa Torre" type Unit. The Pisa Torre type Unit is a one-story Unit containing approximately 1407 square feet of living area (exclusive of the garage and basement.) The first floor consists of a foyer, kitchen, dining area, great room, two full baths and three bedrooms. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 60 is a "Venice" type Unit. The Venice type Unit is a two-story Unit containing approximately 2,344 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, great room or study, dining room, kitchen, morning room, laundry room, ½ bath and an attached two-car garage. The second floor of consists of four (4) bedrooms and two (2) full baths, and walk-in closet. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 61 is a "Florence" type Unit. The Florence type Unit is a two-story Unit containing approximately 2,000 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, living room or dining room, dinette area, family room, kitchen, laundry room, ½ bath, and an attached two-car garage. The second floor of consists of three (3) bedrooms and two (2) full baths. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.



**EXHIBIT "4"**  
**AMENDMENT NO. 27 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	1.72%
II	67	864 Hillary Lane	1.72%
III	8	853 Hillary Lane	1.72%
III	9	849 Hillary Lane	1.72%
III	16	821 Hillary Lane	1.72%
III	17	817 Hillary Lane	1.72%
IV	11	841 Hillary Lane	1.72%
V	18	813 Hillary Lane	1.72%
VI	7	857 Hillary Lane	1.72%
VI	15	825 Hillary Lane	1.72%
VI	65	854 Hillary Lane	1.72%
VII	10	845 Hillary Lane	1.72%
VIII	73	830 Hillary Lane	1.72%
IX	12	837 Hillary Lane	1.72%
X	14	829 Hillary Lane	1.72%
X	64	850 Hillary Lane	1.72%
X	74	818 Hillary Lane	1.72%
XI	6	861 Hillary Lane	1.72%
XII	13	833 Hillary Lane	1.72%
XII	66	860 Hillary Lane	1.72%
XII	71	880 Hillary Lane	1.72%
XII	72	836 Hillary Lane	1.72%
XIII	63	846 Hillary Lane	1.72%
XIII	69	872 Hillary Lane	1.72%
XIV	68	868 Hillary Lane	1.72%
XV	26	781 Hillary Lane	1.72%
XVI	4	869 Hillary Lane	1.72%
XVI	19	809 Hillary Lane	1.72%
XVI	25	785 Hillary Lane	1.72%
XVI	70	876 Hillary Lane	1.72%
XVI	77	798 Hillary Lane	1.72%
XVII	24	789 Hillary Lane	1.72%
XVII	78	794 Hillary Lane	1.72%
XVII	79	788 Hillary Lane	1.72%
XVIII	23	793 Hillary Lane	1.72%
XVIII	76	802 Hillary Lane	1.72%
XIX	5	865 Hillary Lane	1.72%

XX	20	805 Hillary Lane	1.72%
XX	21	801 Hillary Lane	1.72%
XX	81	780 Hillary Lane	1.72%
XXI	22	797 Hillary Lane	1.72%
XXII	80	784 Hillary Lane	1.72%
XXII	86	45 Samantha Drive	1.72%
XXII	87	55 Samantha Drive	1.72%
XXII	88	65 Samantha Drive	1.72%
XXII	90	85 Samantha Drive	1.72%
XXIII	38	733 Hillary Lane	1.72%
XXIII	89	75 Samantha Drive	1.72%
XXIV	39	729 Hillary Lane	1.72%
XXIV	40	725 Hillary Lane	1.72%
XXIV	75	806 Hillary Lane	1.72%
XXV	37	737 Hillary Lane	1.72%
XXV	91	95 Samantha Drive	1.72%
XXVI	35	745 Hillary Lane	1.72%
XXVI	41	721 Hillary Lane	1.72%
XXVII	34	749 Hillary Lane	1.72%
XXVII	60	80 Samantha Drive	1.72%
XXVII	61	90 Samantha Drive	1.72%
			Total 100%



Patty

BONNIE M. HOWE  
PORTAGE CO. RECORDER

201613518 26

RECEIVED FOR RECORD

AT 12:04:32

FEE 188.00

**INDEXED**

AMENDMENT NO. 26  
TO THE DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM

PHASE XXVI  
ADDING UNIT NOS. 35 AND 41

This will certify that copies of this AMENDMENT NO. 26 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "AMENDMENT NO. 26"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

Dated: AUG 26 2016, 2016

plat 2016-46

PORTAGE COUNTY AUDITOR

By: Janet Esposito  
Deputy Auditor

This instrument prepared by:  
Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333

**AMENDMENT NO. 26 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE XXVI of the Condominium which contains two (2) Units.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE XXVI property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.
2. The legal description of the Condominium set forth in Exhibit “A” of the Declaration is amended to include the real property for PHASE XXVI of the Condominium, the legal

description for PHASE XXVI being described in Exhibit "1" attached hereto and made a part hereof

3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.

4. The number of Units referred to in the Declaration is increased from to fifty-three (53) Units to fifty-five (55) Units. A narrative description of the Buildings and Units for PHASE XXVI is set forth in Exhibit "3" attached hereto and made a part hereof

5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.

6. The particulars of the Buildings and Units and other improvements for PHASE XXVI, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE XXVI Drawings incorporated in this AMENDMENT NO. 26 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE XXVI Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 26 to the Declaration.

7. No owner of a Unit which was not included in Phase I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX, XX, XXI, XXII, XXIII, XXIV, and XXV shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE XXVI prior to the filing of this AMENDMENT NO. 26 (except replacement reserve finds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this AMENDMENT NO. 26.

8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.

9. Except as amended herein, the Declaration thereto shall remain in full force and effect

10. Consent to this AMENDMENT NO. 26 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 22<sup>nd</sup> day of ~~August~~, 2016.

VILLAS OF BERTRAM, LLC,  
an Ohio limited liability company

By: *Iris S. Wolstein*  
Iris S. Wolstein, Manager

STATE OF OHIO                    )  
  )SS.  
COUNTY OF ~~LAKE~~            )  
  Cuyahoga

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 22<sup>nd</sup> day of August, 2016.

*[Signature]*  
Notary Public  
My Commission Expires \_\_\_\_\_



**EXHIBIT "A"**

**AMENDMENT NO. 26 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 26 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the AMENDMENT NO. 26.



**EXHIBIT "1"**  
**AMENDMENT NO. 26 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE XXVI WILL BE ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**



**LEGAL DESCRIPTION  
PH-26-1  
THE VILLAS OF BERTRAM CONDOMINIUM PHASE 26  
0.1790 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-26-1 on the Plat of The Villas of Bertram Condominium Phase 26 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 07°30'01" East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 00°28'15" East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North 89°31'39" East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta 08°06'50", tangent 21.28 feet, chord 42.45 feet, bearing South 86°24'56" East to a point;

Thence South 82°21'31" East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-26-2**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 26  
0.2003 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-26-2 on the Plat of The Villas of Bertram Condominium Phase 26 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North  $89^{\circ}31'39''$  East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta  $08^{\circ}06'50''$ , tangent 21.28 feet, chord 42.45 feet, bearing South  $86^{\circ}24'56''$  East to a point;

Thence South  $82^{\circ}21'31''$  East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta 10°55'25", tangent 124.30 feet, chord 247.48 feet, bearing South 87°49'14" East to a point;

Thence North 86°43'03" East, continuing along the centerline of said Samantha Drive, a distance of 213.49 feet to a point, said point being the intersection of the centerline of said Samantha Drive and said Hilliary Lane;

Thence North 03°16'57" West, along the centerline of said Hilliary Lane, a distance of 329.69 feet to a point;

Thence North 86°43'03" East, a distance of 30.00 feet to a point on the Easterly R/W of said Hilliary Lane, said point being a point of curvature and the Principal Place of Beginning;

Course I: Thence along the easterly R/W of said Hilliary Lane along a curve to the left with a length 31.50 feet, radius 330.00 feet, delta 05°28'10", tangent 15.76 feet, chord 31.49 feet, bearing North 06°01'02" West to a point;

Course II: Thence North 08°45'07" West, continuing along the easterly R/W of said Hilliary Lane, a distance of 11.15 feet to a point;

Course III: Thence North 81°14'53" East, a distance of 146.36 feet to a point;


Course IV: Thence South 06°28'05" West, a distance of 71.59 feet to a point, said point being the northeasterly corner of Ph-24-1 in the Villas of Bertram Condominiums Phase 24;

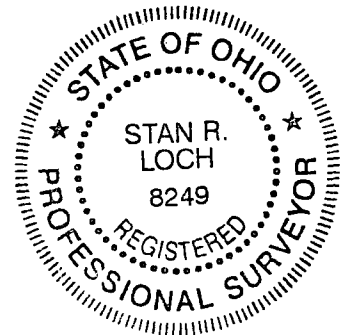
Course V: Thence South 86°43'03" West, along the northerly line of said Ph-24-1, a distance of 131.00 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-24-1;

Course VI: Thence North 03°16'57" West, along the easterly R/W of Hilliary Lane, a distance of 14.05 feet to the Principal Place of Beginning.

Said parcel containing 0.2003 acres or 8,727 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39 and any other matters of record as surveyed and described in August, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-26-2" Phase 26, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 26.

Job#20132833

  
Stan R. Loch P.S. # 8249      Date



**EXHIBIT "2"**  
**AMENDMENT NO. 26 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO



## **ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

### **LEGAL DESCRIPTION**

**PH 26-R1**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 26**

**22.9650 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 1 on the Plat of The Villas of Bertram Condominium Phase 25, and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South 89°30'28" West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South 00°28'15" East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a 5/8" iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hilliary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta 90°01'17", tangent 25.01 feet, chord 35.36 feet, bearing South 45°28'54" East to a point;

- Course III: Thence South 00°28'15" East, continuing along the westerly R/W of said Hilliary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;
- Course IV: Thence South 89°31'45" West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;
- Course V: Thence South 00°28'15" East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwesterly corner of said Ph-1;
- Course VI: Thence North 89°31'45" East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hilliary Lane, said point being the southeasterly corner of said Ph-1;
- Course VII: Thence South 00°28'15" East, along the westerly R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the northeasterly corner of Ph-16-1 in the Villas of Bertram Condominiums Phase 16;
- Course VIII: Thence South 89°31'45" West, along the northerly line of said Ph-16-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-16-1;
- Course IX: Thence South 00°28'15" East, along the westerly line of said Ph-16-1, Ph-19-1 in the Villas of Bertram Condominium Phase 19, Ph-11-1 in the Villas of Bertram Condominium Phase 11, Ph-6-1 in the Villas of Bertram Phase 1 Condominium Phase 6, Ph-3-1 in the Villas of Bertram Phase 1 Condominium Phase 3, Ph-7-1 in the Villas of Bertram Phase 1 Condominium Phase 7, Ph-4 in the Villas of Bertram Phase 1 Condominium Phase 4, Ph-9-1 in the Villas of Bertram Phase 1 Condominium Phase 9, and Ph-12-1 in the Villas of Bertram Phase 1, Condominium Phase 12, a distance of 627.06 feet to a point, said point being the northwesterly corner of Ph-10-1 in the Villas of Bertram Phase 1, Condominium Phase 10;
- Course X: Thence South 17°30'08" East, along the westerly line of said Ph-10-1, a distance of 84.60 feet to a point, said point being the southwesterly corner of said Ph-10-1 and the northwesterly corner of Ph-6-2 in the Villas of Bertram Phase 6;
- Course XI: Thence South 28°59'33" East, along the westerly line of said Ph-6-2, a distance of 84.31 feet to a point, said point being the southwesterly corner of said Ph-6-2 and southwesterly corner of Ph-3-2 in the Villas of Bertram Phase 1, Condominium Phase 3;
- Course XII: Thence South 41°59'53" East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;
- Course XIII: Thence South 55°00'13" East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2 and also being the southwesterly corner of Ph-5 in the Villas of Bertram Phase 1, Condominium Phase 5;
- Course XIV: Thence South 67°15'11" East, along the southerly line of said Ph-5, distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-5 and the southwesterly corner of Ph-16-3 in the Villas of Bertram Condominiums Phase 16;

- Course XV: Thence South  $82^{\circ}21'31''$  East, along the southerly line of said Ph-16-3 and the southerly line of Ph-20-1 in the Villas of Bertram Condominiums Phase 20, Ph-21-1 in the Villas of Bertram Condominiums Phase 21, Ph-18-2 in the Villas of Bertram Condominiums Phase 18, a distance of 269.95 feet to a point;
- Course XVI: Thence South  $86^{\circ}09'02''$  East, continuing along the southerly line of said Ph-18-2, a distance of 47.61 feet to a point;
- Course XVII: Thence North  $89^{\circ}30'07''$  East, continuing along the southerly line of said Ph-18-2 and along the southerly lines of Ph-17-1 in the Villas of Bertram Condominiums Phase 17, Ph-16-5 in the Villas of Bertram Condominiums Phase 16 and Ph-15-1 in the Villas of Bertram Condominiums Phase 15, a distance of 195.15 feet to a point, said point being the southeasterly corner of said Ph-15-1;
- Course XVIII: Thence North  $01^{\circ}53'59''$  West, along the easterly line of said Ph-15-1, a distance of 140.11 feet to a point on the southerly R/W of said Hilliary Lane, said point being the northeasterly corner of said Ph-15-1 and also being a point on a curve;
- Course XIX: Thence along the southwesterly R/W of said Hilliary Lane, along a curve to the left with a length 366.83 feet, radius 230.00 feet, delta  $91^{\circ}22'58''$ , tangent 235.62 feet, chord 329.17 feet, bearing North  $42^{\circ}24'32''$  East to a point;
- Course XX: Thence North  $03^{\circ}16'57''$  West, along the easterly R/W of said Hilliary Lane, a distance of 78.20 feet to a point;
- Course XXI: Thence North  $86^{\circ}43'03''$  East, a distance of 130.00 feet to a point;
- Course XXII: Thence North  $03^{\circ}16'57''$  West, a distance of 60.00 feet to a point;
- Course XXIII: Thence South  $86^{\circ}43'03''$  West, a distance of 130.00 feet to a point on the easterly R/W of said Hilliary Lane;
- Course XXIV: Thence North  $03^{\circ}16'57''$  West, along the Easterly R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the southwesterly corner of Ph-25-1 in the Villas of Bertram Condominiums Phase 25;
- Course XXV: Thence North  $86^{\circ}43'03''$  East, along the southerly line of said Ph-25-1, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-25-1;
- Course XXVI: Thence North  $03^{\circ}16'57''$  West, along the easterly line of Ph-23-2 in the Villas of Bertram Condominiums Phase 23 and the easterly line of Ph-24-1 in the Villas of Bertram Condominiums Phase 24, a distance of 180.00 feet to a point, said point being an angle point on the easterly line of said Ph-24-1;
- Course XXVII: Thence North  $02^{\circ}19'39''$  West, continuing along the easterly line of said Ph-24-1, a distance of 60.01 feet to a point, said point being the northeasterly corner of said Ph-24-1;
- Course XXVIII: Thence North  $06^{\circ}28'05''$  East, a distance of 71.59 feet to a point;
- Course XXIX: Thence South  $81^{\circ}14'53''$  West, a distance of 146.36 feet to a point on the easterly R/W of said Hilliary Lane;
- Course XXX: Thence North  $08^{\circ}45'07''$  West, along the easterly R/W of said Hilliary Lane, a distance of 37.78 feet to a point, said point being a point of curvature;



- Course XXX: Thence continuing along the easterly R/W of said Hilliary Lane, along a curve to the right with a length 23.25 feet, radius 25.00 feet, delta  $53^{\circ}17'08''$ , tangent 12.54 feet, chord 22.42 feet, bearing North  $17^{\circ}53'27''$  East to a point;
- Course XXXII: Thence continuing along the easterly R/W of said Hilliary Lane, along a curve to the left with a length 335.11 feet, radius 67.00 feet, delta  $286^{\circ}34'16''$ , tangent 49.97 feet, chord 80.11 feet, bearing South  $81^{\circ}14'53''$  West to a point, said point being on the westerly R/W of said Hilliary Lane;
- Course XXXIII: Thence along the westerly R/W of said Hilliary Lane, along a curve to the left with a length 23.25 feet, radius 25.00 feet, delta  $53^{\circ}17'08''$ , tangent 12.54 feet, chord 22.42 feet, bearing South  $35^{\circ}23'41''$  East to a point;
- Course XXXIV: Thence South  $08^{\circ}45'07''$  East, continuing along the westerly R/W of said Hilliary Lane, a distance of 48.93 feet to a point, said point being a point of curvature;
- Course XXXV: Thence continuing along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 25.77 feet, radius 270.00 feet, delta  $05^{\circ}28'10''$ , tangent 12.90 feet, chord 25.76 feet, bearing South  $06^{\circ}01'02''$  East to a point;
- Course XXXVI: Thence South  $03^{\circ}16'57''$  East, continuing along the westerly R/W of said Hilliary Lane, a distance of 274.69 feet to a point, said point being on the northerly R/W of Samantha Drive, 60 foot R/W and also being a point of curvature;
- Course XXXVII: Thence along the northerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta  $90^{\circ}00'00''$ , tangent 25.00 feet, chord 35.36 feet, bearing South  $41^{\circ}43'03''$  West to a point;
- Course XXXVIII: Thence South  $86^{\circ}43'03''$  West, continuing along the northerly R/W of said Samantha Drive, a distance of 158.49 feet to a point, said point being a point of curvature;
- Course XXXIX: Thence continuing along the Northerly R/W of said Samantha Drive, along a curve to the right with a length 242.14 feet, radius 1270.00 feet, delta  $10^{\circ}55'26''$ , tangent 121.43 feet, chord 241.77 feet, bearing North  $87^{\circ}49'14''$  West to a point;
- Course XL: Thence North  $82^{\circ}21'31''$  West, continuing along the northerly R/W of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;
- Course XLI: Thence continuing along the Northerly R/W of said Samantha Drive, along a curve to the left with a length 18.09 feet, radius 330.00 feet, delta  $03^{\circ}08'26''$ , tangent 9.05 feet, chord 18.09 feet, bearing North  $83^{\circ}55'44''$  West to a point, said point being the southeasterly corner of Ph-13-2 in the Villas of Bertram Phase 1, Condominium Phase 13;
- Course XLII: Thence North  $00^{\circ}28'15''$  West, along the easterly lines of said Ph-13-2, Ph-10-3 in the Villas of Bertram Phase 1, Condominium Phase 10 and Ph-6-3 in the Villas of Bertram Phase 1, Condominium Phase 6, a distance of 206.24 feet to a point said point being the northeasterly corner of said Ph-6-3;
- Course XLIII: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-6-3, a distance of 137.45 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-6-3;

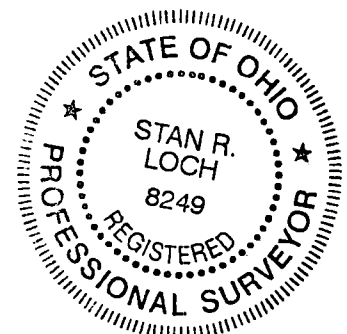
- Course XLIV: Thence North 07°30'01" West, along the easterly R/W of said Hilliary Lane, a distance of 25.56 feet to a point, said point being the southwesterly corner of Ph-12-3 in the Villas of Bertram Phase 1, Condominium Phase 12;
- Course XLV: Thence North 89°31'45" East, along the southerly line of said Ph-12-3, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-12-3;
- Course XLVI: Thence North 00°28'15" West, along the easterly line of said Ph-12-3, a distance of 60.00 feet to a point; , said point being the northeasterly corner of said Ph-12-3;
- Course XLVII: Thence South 89°31'45" West, along the northerly line of said Ph-12-3, a distance of 13.26 feet to a point, said point being the southeasterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominiums Phase 2;
- Course XLVIII: Thence North 00°42'49" West, along the easterly line of said Ph-2, and the easterly lines of Ph-14-1 in the Villas of Bertram Condominiums Phase 14, Ph-13-1 in the Villas of Bertram Phase 1, Condominium Phase 13, Ph-16-2 in the Villas of Bertram Condominiums Phase 16 and Ph-12-4 in the Villas of Bertram Condominiums Phase 12, a distance of 300.00 feet to a point, said point being the northeasterly corner of said Ph-12-4;
- Course XLIX: Thence South 89°31'45" West, along the northerly line of said Ph-12-4, a distance of 121.03 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-12-4;
- Course L: Thence North 00°28'15" West, along the easterly R/W of said Hilliary Lane, a distance of 40.07 feet to a point, said point being a point of curvature
- Course LI: Thence continuing along the easterly R/W of said Hilliary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta 89°58'43", tangent 24.99 feet, chord 35.35 feet, bearing North 44°31'06" East to a point, said point being on the southerly R/W of said Treat Road;
- Course LII: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a 5/8" iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course LIII: Thence South 00°42'49" East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southwesterly corner of said Ohio Edison Company;
- Course LIV: Thence North 89°30'28" East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;
- Course LV: Thence North 00°42'49" West, along the easterly line of said Ohio Edison Company, passing through a 5/8" iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;

- Course LVI: Thence North 89°30'28" East, along the centerline of said Treat Road, passing through a 1-1/4" axle found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;
- Course LVII: Thence South 00°42'49" East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;
- Course LVIII: Thence South 89°32'00" West, along the northerly line of said Berry and the northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a 5/8" iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a 3/4" iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;
- Course LIX: Thence North 47°50'36" West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a 3/4" iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwest corner of lands conveyed to Michael & Cheryl Habbyshaw, as recorded in Document No. 201105000 of the Portage County Deed Records;
- Course LX: Thence North 89°30'22" East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;
- Course LXI: Thence North 00°28'15" West, along the easterly line of said Habbyshaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

Said parcel contains 22.9650 acres or 1,000,358 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39 and any other matters of record as surveyed and described in August, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe the portion of the land conveyed to Villas of Bertram LLC. by File # 201401775 of the Portage County Records, which is designated as Ph-26-R1 Phase 26 Residual No. 1 on the Plat of Villas of Bertram Condominium Phase 26.

Job#20132833

  
 Stan R. Loch P.S. # 8249 Date





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-26-R2**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 26**

**1.0302 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 2 on the Plat of The Villas of Bertram Condominium Phase 26 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North  $89^{\circ}31'39''$  East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta  $08^{\circ}06'50''$ , tangent 21.28 feet, chord 42.45 feet, bearing South  $86^{\circ}24'56''$  East to a point;

Thence South  $82^{\circ}21'31''$  East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta 10°55'25", tangent 124.30 feet, chord 247.48 feet, bearing South 87°49'14" East to a point;

Thence South 01°46'18" East, a distance of 30.00 feet to a point on the southerly R/W of said Samantha Drive, and the Principal Place of Beginning;

Course I: Thence North 86°43'03" East, along the southerly R/W of said Samantha Drive, a distance of 158.49 feet to a point, said point being a point of curvature;

Course II: Thence continuing along the southerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta 90°00'00", tangent 25.00 feet, chord 35.36 feet, bearing South 48°16'57" East to a point, said point being on the westerly R/W of said Hilliary Lane;

Course III: Thence South 03°16'57" East, along the westerly R/W of said Hilliary Lane, a distance of 67.56 feet to a point, said point being a point of curvature;

Course IV: Thence continuing along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 266.67 feet, radius 170.00 feet, delta 89°52'39", tangent 169.64 feet, chord 240.16 feet, bearing South 41°39'23" West to a point, said point being the southeasterly corner of Ph-20-2 in the Villas of Bertram Condominiums Phase 20;

Course V: Thence North 03°23'45" West, along the easterly line of said Ph-20-2, a distance of 129.98 feet to a point, said point being the northeasterly corner of said Ph-20-2;

Course VI: Thence South 89°30'07" West, along the northerly line of said Ph-20-2, a distance of 52.16 feet to a point, said point being on the easterly line of Ph-22-2 in the Villas of Bertram Condominiums Phase 22;

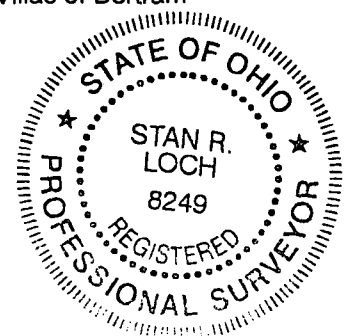
Course VII: Thence North 01°46'18" West, along the easterly line of said Ph-22-2, a distance of 130.56 feet to a point on the southerly R/W of said Samantha Drive, said point being the northeasterly corner of said Ph-22-2, and being a point of curvature;

Course VIII: Thence along the southerly R/W of said Samantha Drive, along a curve to the left with a length 35.07 feet, radius 1330.00 feet, delta 01°30'39", tangent 17.53 feet, chord 35.07 feet, bearing North 87°28'22" East to the Principal Place of Beginning.

Said parcel containing 1.0302 acres or 44,878 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39 and any other matters of record as surveyed and described in August, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-26-R2" Phase 26 Residual No. 2, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 26.

Job#20132833

  
Stan R. Loch P.S. # 8249 Date



**EXHIBIT "3"**  
**AMENDMENT NO. 26 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE XXVI contains two (2) detached single-family residential Buildings known as Units Nos. 35 and 41 situated on Hillary Lane and Samantha Lane, which includes a basement and attached two car garage, and which is constructed primarily of wood, vinyl siding, asphalt shingle roof, brick, concrete block, glass and drywall. The location of Units Nos. 35 and 41 are shown on the Drawings.

Unit 35 is a "Venice" type Unit. The Venice type Unit is a two-story Unit containing approximately 2,344 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, great room or study, dining room, kitchen, morning room, laundry room, ½ bath and an attached two-car garage. The second floor of consists of four (4) bedrooms and two (2) full baths, and walk-in closet. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 41 is a "Venice" type Unit. The Venice type Unit is a two-story Unit containing approximately 2,344 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, great room or study, dining room, kitchen, morning room, laundry room, ½ bath and an attached two-car garage. The second floor of consists of four (4) bedrooms and two (2) full baths, and walk-in closet. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

**EXHIBIT "4"**  
**AMENDMENT NO. 26 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	1.81%
II	67	864 Hillary Lane	1.81%
III	8	853 Hillary Lane	1.81%
III	9	849 Hillary Lane	1.81%
III	16	821 Hillary Lane	1.81%
III	17	817 Hillary Lane	1.81%
IV	11	841 Hillary Lane	1.81%
V	18	813 Hillary Lane	1.81%
VI	7	857 Hillary Lane	1.81%
VI	15	825 Hillary Lane	1.81%
VI	65	854 Hillary Lane	1.81%
VII	10	845 Hillary Lane	1.81%
VIII	73	830 Hillary Lane	1.81%
IX	12	837 Hillary Lane	1.81%
X	14	829 Hillary Lane	1.81%
X	64	850 Hillary Lane	1.81%
X	74	818 Hillary Lane	1.81%
XI	6	861 Hillary Lane	1.81%
XII	13	833 Hillary Lane	1.81%
XII	66	860 Hillary Lane	1.81%
XII	71	880 Hillary Lane	1.81%
XII	72	836 Hillary Lane	1.81%
XIII	63	846 Hillary Lane	1.81%
XIII	69	872 Hillary Lane	1.81%
XIV	68	868 Hillary Lane	1.81%
XV	26	781 Hillary Lane	1.81%
XVI	4	869 Hillary Lane	1.81%
XVI	19	809 Hillary Lane	1.81%
XVI	25	785 Hillary Lane	1.81%
XVI	70	876 Hillary Lane	1.81%
XVI	77	798 Hillary Lane	1.81%
XVII	24	789 Hillary Lane	1.81%
XVII	78	794 Hillary Lane	1.81%
XVII	79	788 Hillary Lane	1.81%
XVIII	23	793 Hillary Lane	1.81%
XVIII	76	802 Hillary Lane	1.81%
XIX	5	865 Hillary Lane	1.81%

XX	20	805 Hillary Lane	1.81%
XX	21	801 Hillary Lane	1.81%
XX	81	780 Hillary Lane	1.81%
XXI	22	797 Hillary Lane	1.81%
XXII	80	784 Hillary Lane	1.81%
XXII	86	45 Samantha Drive	1.81%
XXII	87	55 Samantha Drive	1.81%
XXII	88	65 Samantha Drive	1.81%
XXII	90	85 Samantha Drive	1.81%
XXIII	38	733 Hillary Lane	1.81%
XXIII	89	75 Samantha Drive	1.81%
XXIV	39	729 Hillary Lane	1.81%
XXIV	40	725 Hillary Lane	1.81%
XXIV	75	806 Hillary Lane	1.81%
XXV	37	737 Hillary Lane	1.81%
XXV	91	95 Samantha Drive	1.81%
XXVI	35	745 Hillary Lane	1.81%
XXVI	41	721 Hillary Lane	1.81%
			Total 100%



Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta 10°55'25", tangent 124.30 feet, chord 247.48 feet, bearing South 87°49'14" East to a point;

Thence North 86°43'03" East, continuing along the centerline of said Samantha Drive, a distance of 213.49 feet to a point, said point being the intersection of the centerline of said Samantha Drive and said Hilliary Lane;

Thence North 03°16'57" West, along the centerline of said Hilliary Lane, a distance of 15.64 feet to a point;

Thence North 86°43'03" East, a distance of 30.00 feet to a point on the Easterly R/W of said Hilliary Lane, and the Principal Place of Beginning;

Course I: Thence North 86°43'03" East, a distance of 130.00 feet to a point;

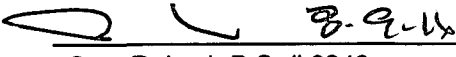
Course II: Thence South 03°16'57" East, a distance of 60.00 feet to a point;

Course III: Thence South 86°43'03" West, a distance of 130.00 feet to a point on the easterly R/W of said Hilliary Lane;

Course IV: Thence North 03°16'57" West, along the easterly R/W of said Hilliary Lane, a distance of 60.00 feet to the Principal Place of Beginning.

Said parcel containing 0.1790 acres or 7,800 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37, 2016-39 and any other matters of record as surveyed and described in August, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-26-1" Phase 26, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 26.

Job#20132833

  
Stan R. Loch P.S. # 8249 Date

NO TRANSFER  
REQUIRED  
AUG 26 2016  
JANET ESPOSITO  
AUDITOR



8-26-2016 *ML*  
TAX MAP DEPT.  
LEGAL DESCRIPTION  
 SUFFICIENT  DEFICIENT  
 NO DIVISION OF LAND  
PN 03-015-10-00-001.048 :  
UNIT 35

23.345 ac. AUD  
- 0.1790  
-----  
23.166 Ac = BAL  
- 0.2003  
-----  
22.9657 = BAL  
= 22.9650 Ac BY SURVEY

PN 03-015-10-00-001.002 : 1.032 Ac AUD  
PH-26-R2 = 1.0302 Ac BY SURVEY



*Patty*  
BONNIE M. HOWE  
PORTAGE CO. RECORDER

201612486 210<sup>th</sup>

RECEIVED FOR RECORD  
AT 11:33:57  
FEE 188.00

**INDEXED**

**AMENDMENT NO. 25**  
**TO THE DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM 22**

**PHASE XXV**  
**ADDING UNIT NOS. 37 AND 91**

This will certify that copies of this AMENDMENT NO. 25 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "AMENDMENT NO. 25"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

*Plot 2016-41*

Dated: August 10, 2016

PORTAGE COUNTY AUDITOR

By: Xanet Esposito, Esq.  
Deputy Auditor

This instrument prepared by:  
Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333

**AMENDMENT NO. 25 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE XXV of the Condominium which contains two (2) Units.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE XXV property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.
2. The legal description of the Condominium set forth in Exhibit “A” of the Declaration is amended to include the real property for PHASE XXV of the Condominium, the legal

description for PHASE XXV being described in Exhibit "1" attached hereto and made a part hereof

3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.

4. The number of Units referred to in the Declaration is increased from to fifty-one (51) Units to fifty-three (53) Units. A narrative description of the Buildings and Units for PHASE XXV is set forth in Exhibit "3" attached hereto and made a part hereof

5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.

6. The particulars of the Buildings and Units and other improvements for PHASE XXV, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE XXV Drawings incorporated in this AMENDMENT NO. 25 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE XXV Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 25 to the Declaration.

7. No owner of a Unit which was not included in Phase I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX, XX, XXI, XXII, XXIII, and XXIV shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE XXV prior to the filing of this AMENDMENT NO. 25 (except replacement reserve funds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this AMENDMENT NO. 25.

8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.

9. Except as amended herein, the Declaration thereto shall remain in full force and effect

10. Consent to this AMENDMENT NO. 25 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 07 day of August, 2016.

VILLAS OF BERTRAM, LLC,  
an Ohio limited liability company

By:   
Iris S. Wolstein, Manager

STATE OF OHIO            )  
  )SS.  
COUNTY OF ~~LAKE~~        )  
                                  Cuyahoga

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 07 day of August, 2016.



Notary Public  
My Commission Expires \_\_\_\_\_



**EXHIBIT "A"**

**AMENDMENT NO. 25 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 25 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the AMENDMENT NO. 25.

**EXHIBIT "1"**  
**AMENDMENT NO. 25 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE XXV WILL BE ATTACHED HERETO





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**



**LEGAL DESCRIPTION  
PH-25-1  
THE VILLAS OF BERTRAM CONDOMINIUM PHASE 25  
0.1790 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-25-1 on the Plat of The Villas of Bertram Condominium Phase 25 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 07°30'01" East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 00°28'15" East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North 89°31'39" East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta 08°06'50", tangent 21.28 feet, chord 42.45 feet, bearing South 86°24'56" East to a point;

Thence South 82°21'31" East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta 10°55'25", tangent 124.30 feet, chord 247.48 feet, bearing South 87°49'14" East to a point;

Thence North 86°43'03" East, continuing along the centerline of said Samantha Drive, a distance of 213.49 feet to a point, said point being the intersection of the centerline of said Samantha Drive and said Hilliary Lane;

Thence North 03°16'57" West, along the centerline of said Hilliary Lane, a distance of 75.64 feet to a point;

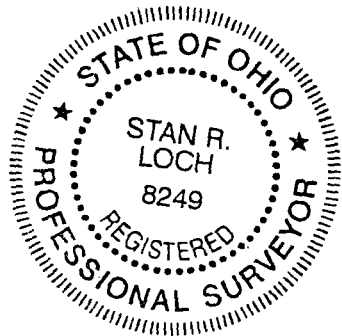
Thence North 86°43'03" East, a distance of 30.00 feet to a point on the Easterly R/W of said Hilliary Lane, and the Principal Place of Beginning;

- Course I: Thence North 03°16'57" West, along the easterly R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the southwesterly corner of Ph-23-2 in the Villas of Bertram Condominiums Phase 23;;
- Course II: Thence North 86°43'03" East, along the southerly line of said Ph-23-2, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-23-2;
- Course III: Thence South 03°16'57" East, a distance of 60.00 feet to a point;
- Course IV: Thence South 86°43'03" West, a distance of 130.00 feet to the Principal Place of Beginning.

Said parcel containing 0.1790 acres or 7,800 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37 and any other matters of record as surveyed and described in July, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-25-1" Phase 25, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 25.

Job#20132833

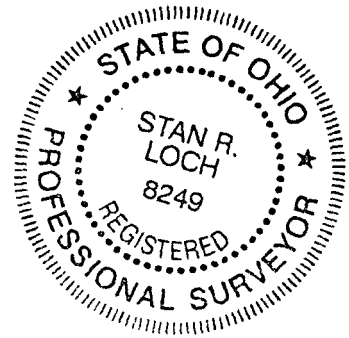
  
Stan R. Loch P.S. # 8249      Date 7-28-16





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**



**LEGAL DESCRIPTION  
PH-25-2**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 25  
0.2408 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-25-2 on the Plat of The Villas of Bertram Condominium Phase 25 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North  $89^{\circ}31'39''$  East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta  $08^{\circ}06'50''$ , tangent 21.28 feet, chord 42.45 feet, bearing South  $86^{\circ}24'56''$  East to a point;

Thence South 82°21'31" East, continuing along the centerline of said Samantha Drive, a distance of 83.30 feet to a point;

Thence South 07°38'29" West, a distance of 30.00 feet to a point on the southerly R/W of said Samantha Drive, said point being the northwesterly corner of Ph-22-1 in the Villas of Bertram Condominiums Phase 22, and the Principal Place of Beginning;

Course I: Thence South 07°38'29" West, along the westerly line of said Ph-22-1, a distance of 130.00 feet to a point, said point being the southwesterly corner of said Ph-22-1 and being on the northerly line of Ph-24-2 in the Villas of Bertram Condominiums Phase 24;;

Course II: Thence North 82°21'31" West, along the northerly line of said Ph-24-2, a distance of 41.98 feet to a point, said point being the northwesterly corner of said Ph-24-2 and the northeasterly corner of Ph-10-2 in the Villas of Bertram Condominiums Phase 10;

Course III: Thence North 56°52'23" West, along the northerly line of said Ph-10-2, a distance of 29.98 feet to a point, said point being the northwesterly corner of said Ph-10-2 and the southeasterly corner of Ph-8-1 in the Villas of Bertram Condominiums Phase 8;

Course IV: Thence North 11°39'32" West, along the easterly line of said Ph-8-1, a distance of 36.33 feet to a point, said point being the northeasterly corner of said Ph-8-1 and the southeasterly corner of Ph-12-2 in the Villas of Bertram Condominiums Phase 12;

Course V: Thence North 00°28'21" West, along the easterly line of said Ph-12-2, a distance of 83.48 feet to a point on the southerly R/W of said Samantha Drive, said point being the northeasterly corner of said Ph-12-2;

Course VI: Thence along the southerly R/W of said Samantha Drive, along a curve to the right with a length 9.53 feet, radius 270.00 feet, delta 02°01'22", tangent 4.77 feet, chord 9.53 feet, bearing South 83°22'12" East to a point;

Course VII: Thence South 82°21'31" East, continuing along the southerly R/W of said Samantha Drive, a distance of 83.30 feet to the Principal Place of Beginning.

Said parcel containing 0.2408 acres or 10,489 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37 and any other matters of record as surveyed and described in July, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-25-2" Phase 25, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 25.

Job#20132833

  
Stan R. Loch P.S. # 8249      Date

**EXHIBIT "2"**  
**AMENDMENT NO. 25 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH 25-R1**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 25**

**23.3445 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 1 on the Plat of The Villas of Bertram Condominium Phase 25, and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $89^{\circ}30'28''$  West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South  $00^{\circ}28'15''$  East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a  $5/8''$  iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North  $89^{\circ}30'28''$  East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hilliary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta  $90^{\circ}01'17''$ , tangent 25.01 feet, chord 35.36 feet, bearing South  $45^{\circ}28'54''$  East to a point;

- Course III: Thence South 00°28'15" East, continuing along the westerly R/W of said Hilliary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;
- Course IV: Thence South 89°31'45" West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;
- Course V: Thence South 00°28'15" East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwesterly corner of said Ph-1;
- Course VI: Thence North 89°31'45" East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hilliary Lane, said point being the southeasterly corner of said Ph-1;
- Course VII: Thence South 00°28'15" East, along the westerly R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the northeasterly corner of Ph-16-1 in the Villas of Bertram Condominiums Phase 16;
- Course VIII: Thence South 89°31'45" West, along the northerly line of said Ph-16-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-16-1;
- Course IX: Thence South 00°28'15" East, along the westerly line of said Ph-16-1, Ph-19-1 in the Villas of Bertram Condominium Phase 19, Ph-11-1 in the Villas of Bertram Condominium Phase 11, Ph-6-1 in the Villas of Bertram Phase 1 Condominium Phase 6, Ph-3-1 in the Villas of Bertram Phase 1 Condominium Phase 3, Ph-7-1 in the Villas of Bertram Phase 1 Condominium Phase 7, Ph-4 in the Villas of Bertram Phase 1 Condominium Phase 4, Ph-9-1 in the Villas of Bertram Phase 1 Condominium Phase 9, and Ph-12-1 in the Villas of Bertram Phase 1, Condominium Phase 12, a distance of 627.06 feet to a point, said point being the northwesterly corner of Ph-10-1 in the Villas of Bertram Phase 1, Condominium Phase 10;
- Course X: Thence South 17°30'08" East, along the westerly line of said Ph-10-1, a distance of 84.60 feet to a point, said point being the southwesterly corner of said Ph-10-1 and the northwesterly corner of Ph-6-2 in the Villas of Bertram Phase 6;
- Course XI: Thence South 28°59'33" East, along the westerly line of said Ph-6-2, a distance of 84.31 feet to a point, said point being the southwesterly corner of said Ph-6-2 and southwesterly corner of Ph-3-2 in the Villas of Bertram Phase 1, Condominium Phase 3;
- Course XII: Thence South 41°59'53" East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;
- Course XIII: Thence South 55°00'13" East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2 and also being the southwesterly corner of Ph-5 in the Villas of Bertram Phase 1, Condominium Phase 5;
- Course XIV: Thence South 67°15'11" East, along the southerly line of said Ph-5, distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-5 and the southwesterly corner of Ph-16-3 in the Villas of Bertram Condominiums Phase 16;

- Course XV: Thence South 82°21'31" East, along the southerly line of said Ph-16-3 and the southerly line of Ph-20-1 in the Villas of Bertram Condominiums Phase 20, Ph-21-1 in the Villas of Bertram Condominiums Phase 21, Ph-18-2 in the Villas of Bertram Condominiums Phase 18, a distance of 269.95 feet to a point;
- Course XVI: Thence South 86°09'02" East, continuing along the southerly line of said Ph-18-2, a distance of 47.61 feet to a point;
- Course XVII: Thence North 89°30'07" East, continuing along the southerly line of said Ph-18-2 and along the southerly lines of Ph-17-1 in the Villas of Bertram Condominiums Phase 17, Ph-16-5 in the Villas of Bertram Condominiums Phase 16 and Ph-15-1 in the Villas of Bertram Condominiums Phase 15, a distance of 195.15 feet to a point, said point being the southeasterly corner of said Ph-15-1;
- Course XVIII: Thence North 01°53'59" West, along the easterly line of said Ph-15-1, a distance of 140.11 feet to a point on the southerly R/W of said Hilliary Lane, said point being the northeasterly corner of said Ph-15-1 and also being a point on a curve;
- Course XIX: Thence along the southwesterly R/W of said Hilliary Lane, along a curve to the left with a length 366.83 feet, radius 230.00 feet, delta 91°22'58", tangent 235.62 feet, chord 329.17 feet, bearing North 42°24'32" East to a point;
- Course XX: Thence North 03°16'57" West, along the easterly R/W of said Hilliary Lane, a distance of 198.20 feet to a point;
- Course XXI: Thence North 86°43'03" East, a distance of 130.00 feet to a point
- Course XXII: Thence North 03°16'57" West, along the easterly line of Ph-23-2 in the Villas of Bertram Condominiums Phase 23 and the easterly line of Ph-24-1 in the Villas of Bertram Condominiums Phase 24, a distance of 180.00 feet to a point, said point being an angle point on the easterly line of said Ph-24-1;
- Course XXIII: Thence North 02°19'39" West, continuing along the easterly line of said Ph-24-1, a distance of 60.01 feet to a point, said point being the northeasterly corner of said Ph-24-1;
- Course XXIV: Thence South 86°43'03" West, along the northerly line of said Ph-24-1, a distance of 131.00 feet to a point, said point being on the easterly R/W of said Hilliary Lane and the northwesterly corner of said Ph-24-1;
- Course XXV: Thence North 03°16'57" West, along the easterly R/W of said Hilliary Lane, a distance of 14.05 feet to a point, said point being a point of curvature;
- Course XXVI: Thence continuing along the easterly R/W of said Hilliary Lane, along a curve to the left with a length 31.50 feet, radius 330.00 feet, delta 05°28'10", tangent 15.76 feet, chord 31.49 feet, bearing North 06°01'02" West to a point;
- Course XXVII: Thence North 08°45'07" West, continuing along the easterly R/W of said Hilliary Lane, a distance of 48.93 feet to a point, said point being a point of curvature;
- Course XXVIII: Thence continuing along the easterly R/W of said Hilliary Lane, along a curve to the right with a length 23.25 feet, radius 25.00 feet, delta 53°17'08", tangent 12.54 feet, chord 22.42 feet, bearing North 17°53'27" East to a point;
- Course XXIX: Thence continuing along the easterly R/W of said Hilliary Lane, along a curve to the left with a length 335.11 feet, radius 67.00 feet, delta 286°34'16", tangent




- 49.97 feet, chord 80.11 feet, bearing South  $81^{\circ}14'53''$  West to a point, said point being on the westerly R/W of said Hilliary Lane;
- Course XXX: Thence along the westerly R/W of said Hilliary Lane, along a curve to the left with a length 23.25 feet, radius 25.00 feet, delta  $53^{\circ}17'08''$ , tangent 12.54 feet, chord 22.42 feet, bearing South  $35^{\circ}23'41''$  East to a point;
- Course XXXI: Thence South  $08^{\circ}45'07''$  East, continuing along the westerly R/W of said Hilliary Lane, a distance of 48.93 feet to a point, said point being a point of curvature;
- Course XXXII: Thence continuing along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 25.77 feet, radius 270.00 feet, delta  $05^{\circ}28'10''$ , tangent 12.90 feet, chord 25.76 feet, bearing South  $06^{\circ}01'02''$  East to a point;
- Course XXXIII: Thence South  $03^{\circ}16'57''$  East, continuing along the westerly R/W of said Hilliary Lane, a distance of 274.69 feet to a point, said point being on the northerly R/W of Samantha Drive, 60 foot R/W and also being a point of curvature;
- Course XXXIV: Thence along the northerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta  $90^{\circ}00'00''$ , tangent 25.00 feet, chord 35.36 feet, bearing South  $41^{\circ}43'03''$  West to a point;
- Course XXXV: Thence South  $86^{\circ}43'03''$  West, continuing along the northerly R/W of said Samantha Drive, a distance of 158.49 feet to a point, said point being a point of curvature;
- Course XXXVI: Thence continuing along the Northerly R/W of said Samantha Drive, along a curve to the right with a length 242.14 feet, radius 1270.00 feet, delta  $10^{\circ}55'26''$ , tangent 121.43 feet, chord 241.77 feet, bearing North  $87^{\circ}49'14''$  West to a point;
- Course XXXVII: Thence North  $82^{\circ}21'31''$  West, continuing along the northerly R/W of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;
- Course XXXVIII: Thence continuing along the Northerly R/W of said Samantha Drive, along a curve to the left with a length 18.09 feet, radius 330.00 feet, delta  $03^{\circ}08'26''$ , tangent 9.05 feet, chord 18.09 feet, bearing North  $83^{\circ}55'44''$  West to a point, said point being the southeasterly corner of Ph-13-2 in the Villas of Bertram Phase 1, Condominium Phase 13;
- Course XXXIX: Thence North  $00^{\circ}28'15''$  West, along the easterly lines of said Ph-13-2, Ph-10-3 in the Villas of Bertram Phase 1, Condominium Phase 10 and Ph-6-3 in the Villas of Bertram Phase 1, Condominium Phase 6, a distance of 206.24 feet to a point said point being the northeasterly corner of said Ph-6-3;
- Course XL: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-6-3, a distance of 137.45 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-6-3;
- Course XLI: Thence North  $07^{\circ}30'01''$  West, along the easterly R/W of said Hilliary Lane, a distance of 25.56 feet to a point, said point being the southwesterly corner of Ph-12-3 in the Villas of Bertram Phase 1, Condominium Phase 12;
- Course XLII: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-12-3, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-12-3;

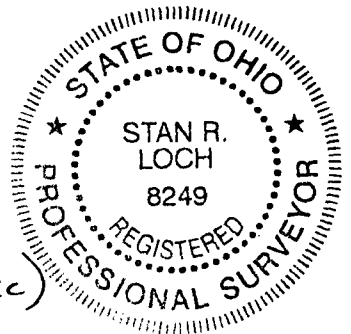
- Course XLIII: Thence North  $00^{\circ}28'15''$  West, along the easterly line of said Ph-12-3, a distance of 60.00 feet to a point; said point being the northeasterly corner of said Ph-12-3;
- Course XLIV: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-12-3, a distance of 13.26 feet to a point, said point being the southeasterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominiums Phase 2;
- Course XLV: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ph-2, and the easterly lines of Ph-14-1 in the Villas of Bertram Condominiums Phase 14, Ph-13-1 in the Villas of Bertram Phase 1, Condominium Phase 13, Ph-16-2 in the Villas of Bertram Condominiums Phase 16 and Ph-12-4 in the Villas of Bertram Condominiums Phase 12, a distance of 300.00 feet to a point, said point being the northeasterly corner of said Ph-12-4;
- Course XLVI: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-12-4, a distance of 121.03 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-12-4;
- Course XLVII: Thence North  $00^{\circ}28'15''$  West, along the easterly R/W of said Hilliary Lane, a distance of 40.07 feet to a point, said point being a point of curvature
- Course XLVIII: Thence continuing along the easterly R/W of said Hilliary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta  $89^{\circ}58'43''$ , tangent 24.99 feet, chord 35.35 feet, bearing North  $44^{\circ}31'06''$  East to a point, said point being on the southerly R/W of said Treat Road;
- Course XLIX: Thence North  $89^{\circ}30'28''$  East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a  $5/8''$  iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course L: Thence South  $00^{\circ}42'49''$  East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a  $5/8''$  iron pin found capped "Weiss & Assoc.", said point being the southwestly corner of said Ohio Edison Company;
- Course LI: Thence North  $89^{\circ}30'28''$  East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a  $5/8''$  iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;
- Course LII: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ohio Edison Company, passing through a  $5/8''$  iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;
- Course LIII: Thence North  $89^{\circ}30'28''$  East, along the centerline of said Treat Road, passing through a  $1-1/4''$  axle found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;


- Course LIV: Thence South 00°42'49" East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;
- Course LV: Thence South 89°32'00" West, along the northerly line of said Berry and the northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a 5/8" iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a 3/4" iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;
- Course LVI: Thence North 47°50'36" West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a 3/4" iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwesterly corner of lands conveyed to Michael & Cheryl Habbyshaw, as recorded in Document No. 201105000 of the Portage County Deed Records;
- Course LVII: Thence North 89°30'22" East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;
- Course LVIII: Thence North 00°28'15" West, along the easterly line of said Habbyshaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

Said parcel contains 23.3445 acres or 1,016,886 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37 and any other matters of record as surveyed and described in July, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe the portion of the land conveyed to Villas of Bertram LLC. by File # 201401775 of the Portage County Records, which is designated as Ph-25-R1 Phase 25 Residual No. 1 on the Plat of Villas of Bertram Condominium Phase 25.

Job#20132833


7-28-16  
 \_\_\_\_\_  
 Stan R. Loch P.S. # 8249                      Date



8-10-2016   
 TAX MAP DEPT.  
 LEGAL DESCRIPTION  
 SUFFICIENT     DEFICIENT  
 NO DIVISION OF LAND

P.N. 03-015-10-00-001.049: 0.24 (REC)  
 UNIT 91 = 0.2408 AC  
 03-015-10-00-001.048: 23.524 (REC)  
 UNIT 37 - 0.1790  
 -----  
 23.345 AC = BAL  
 now PH - 25 - R1 = 23.3445 AC  
BY SURVEY

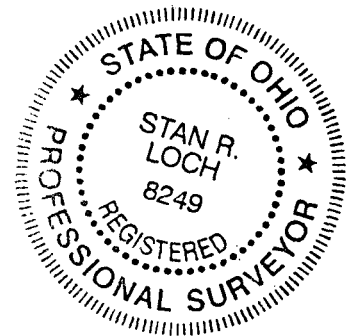


**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION  
PH-25-R2**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 25  
1.0302 TOTAL ACRES**



Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 2 on the Plat of The Villas of Bertram Condominium Phase 25 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North  $89^{\circ}31'39''$  East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta  $08^{\circ}06'50''$ , tangent 21.28 feet, chord 42.45 feet, bearing South  $86^{\circ}24'56''$  East to a point;

Thence South  $82^{\circ}21'31''$  East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta 10°55'25", tangent 124.30 feet, chord 247.48 feet, bearing South 87°49'14" East to a point;

Thence South 01°46'18" East, a distance of 30.00 feet to a point on the southerly R/W of said Samantha Drive, and the Principal Place of Beginning;

Course I: Thence North 86°43'03" East, along the southerly R/W of said Samantha Drive, a distance of 158.49 feet to a point, said point being a point of curvature;

Course II: Thence continuing along the southerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta 90°00'00", tangent 25.00 feet, chord 35.36 feet, bearing South 48°16'57" East to a point, said point being on the westerly R/W of said Hilliary Lane;

Course III: Thence South 03°16'57" East, along the westerly R/W of said Hilliary Lane, a distance of 67.56 feet to a point, said point being a point of curvature;

Course IV: Thence continuing along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 266.67 feet, radius 170.00 feet, delta 89°52'39", tangent 169.64 feet, chord 240.16 feet, bearing South 41°39'23" West to a point, said point being the southeasterly corner of Ph-20-2 in the Villas of Bertram Condominiums Phase 20;

Course V: Thence North 03°23'45" West, along the easterly line of said Ph-20-2, a distance of 129.98 feet to a point, said point being the northeasterly corner of said Ph-20-2;

Course VI: Thence South 89°30'07" West, along the northerly line of said Ph-20-2, a distance of 52.16 feet to a point, said point being on the easterly line of Ph-22-2 in the Villas of Bertram Condominiums Phase 22;

Course VII: Thence North 01°46'18" West, along the easterly line of said Ph-22-2, a distance of 130.56 feet to a point on the southerly R/W of said Samantha Drive, said point being the northeasterly corner of said Ph-22-2, and being a point of curvature;

Course VIII: Thence along the southerly R/W of said Samantha Drive, along a curve to the left with a length 35.07 feet, radius 1330.00 feet, delta 01°30'39", tangent 17.53 feet, chord 35.07 feet, bearing North 87°28'22" East to the Principal Place of Beginning.

Said parcel containing 1.0302 acres or 44,878 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32, 2016-37 and any other matters of record as surveyed and described in July, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-25-R2" Phase 25 Residual No. 2, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 25.

Job#20132833

  
Stan R. Loch P.S. # 8249 Date

**EXHIBIT "3"**  
**AMENDMENT NO. 25 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE XXV contains two (2) detached single-family residential Buildings known as Units Nos. 37 and 91 situated on Hillary Lane and Samantha Lane, which includes a basement and attached two car garage, and which is constructed primarily of wood, vinyl siding, asphalt shingle roof, brick, concrete block, glass and drywall. The location of Units Nos. 37 and 91 are shown on the Drawings.

Unit 37 is a "Venice" type Unit. The Venice type Unit is a two-story Unit containing approximately 2,344 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, great room or study, dining room, kitchen, morning room, laundry room, ½ bath and an attached two-car garage. The second floor of consists of four (4) bedrooms and two (2) full baths, and walk-in closet. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 91 is a "Rome" type Unit. The Rome is a two-story Unit. The first floor consists of a foyer, living room, dining room, mudroom, kitchen, dinette area, powder room, and study. The second floor consists of four (4) bedrooms and two (2) full baths, walk-in closet and loft. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

**EXHIBIT "4"**  
**AMENDMENT NO. 25 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	1.88%
II	67	864 Hillary Lane	1.88%
III	8	853 Hillary Lane	1.88%
III	9	849 Hillary Lane	1.88%
III	16	821 Hillary Lane	1.88%
III	17	817 Hillary Lane	1.88%
IV	11	841 Hillary Lane	1.88%
V	18	813 Hillary Lane	1.88%
VI	7	857 Hillary Lane	1.88%
VI	15	825 Hillary Lane	1.88%
VI	65	854 Hillary Lane	1.88%
VII	10	845 Hillary Lane	1.88%
VIII	73	830 Hillary Lane	1.88%
IX	12	837 Hillary Lane	1.88%
X	14	829 Hillary Lane	1.88%
X	64	850 Hillary Lane	1.88%
X	74	818 Hillary Lane	1.88%
XI	6	861 Hillary Lane	1.88%
XII	13	833 Hillary Lane	1.88%
XII	66	860 Hillary Lane	1.88%
XII	71	880 Hillary Lane	1.88%
XII	72	836 Hillary Lane	1.88%
XIII	63	846 Hillary Lane	1.88%
XIII	69	872 Hillary Lane	1.88%
XIV	68	868 Hillary Lane	1.88%
XV	26	781 Hillary Lane	1.88%
XVI	4	869 Hillary Lane	1.88%
XVI	19	809 Hillary Lane	1.88%
XVI	25	785 Hillary Lane	1.88%
XVI	70	876 Hillary Lane	1.88%
XVI	77	798 Hillary Lane	1.88%
XVII	24	789 Hillary Lane	1.88%
XVII	78	794 Hillary Lane	1.88%
XVII	79	788 Hillary Lane	1.88%
XVIII	23	793 Hillary Lane	1.88%
XVIII	76	802 Hillary Lane	1.88%
XIX	5	865 Hillary Lane	1.88%

XX	20	805 Hillary Lane	1.88%
XX	21	801 Hillary Lane	1.88%
XX	81	780 Hillary Lane	1.88%
XXI	22	797 Hillary Lane	1.88%
XXII	80	784 Hillary Lane	1.88%
XXII	86	45 Samantha Drive	1.88%
XXII	87	55 Samantha Drive	1.88%
XXII	88	65 Samantha Drive	1.88%
XXII	90	85 Samantha Drive	1.88%
XXIII	38	733 Hillary Lane	1.88%
XXIII	89	75 Samantha Drive	1.88%
XXIV	39	729 Hillary Lane	1.88%
XXIV	40	725 Hillary Lane	1.88%
XXIV	75	806 Hillary Lane	1.88%
XXV	37	737 Hillary Lane	1.88%
XXV	91	95 Samantha Drive	1.88%
			Total 100%





*Patty*  
BONNIE M. HOVE  
PORTAGE CO. RECORDER

201611302 #22 <sup>u</sup>

NO TRANSFER  
REQUIRED  
JUL 22 2016  
JANET ESPOSITO, *d*  
AUDITOR

RECEIVED FOR RECORD  
AT 12:52:39  
FEE 224.00

**INDEXED**

**AMENDMENT NO. 24**  
**TO THE DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

**PHASE XXIV**  
**ADDING UNIT NOS. 39, 40, AND 75**

This will certify that copies of this AMENDMENT NO. 24 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "AMENDMENT NO. 24"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

*Plot 2016-39*

Dated: JUL 22 2016, 2016

PORTAGE COUNTY AUDITOR

By: *Janet Esposito, d*

Deputy Auditor

This instrument prepared by:  
Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333

**AMENDMENT NO. 24 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE XXIV of the Condominium which contains three (3) Units.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE XXIV property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.

2. The legal description of the Condominium set forth in Exhibit “A” of the Declaration is amended to include the real property for PHASE XXIV of the Condominium, the legal

description for PHASE XXIV being described in Exhibit "1" attached hereto and made a part hereof

3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.

4. The number of Units referred to in the Declaration is increased from to forty-eight (48) Units to fifty-one (51) Units. A narrative description of the Buildings and Units for PHASE XXIV is set forth in Exhibit "3" attached hereto and made a part hereof

5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.

6. The particulars of the Buildings and Units and other improvements for PHASE XXIV, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE XXIV Drawings incorporated in this AMENDMENT NO. 24 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE XXIV Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 24 to the Declaration.

7. No owner of a Unit which was not included in Phase I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX, XX, XXI, XXII, and XXIII shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE XXIV prior to the filing of this AMENDMENT NO. 24 (except replacement reserve finds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this AMENDMENT NO. 24.

8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.

9. Except as amended herein, the Declaration thereto shall remain in full force and effect

10. Consent to this AMENDMENT NO. 24 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 18<sup>th</sup> day of July, 2016.

VILLAS OF BERTRAM, LLC,  
an Ohio limited liability company

By: *Iris S. Wolstein*  
Iris S. Wolstein, Manager

STATE OF OHIO                    )  
  )SS.  
COUNTY OF ~~LAKE~~            )  
  Cuyahoga

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 18<sup>th</sup> day of July, 2016.

*[Signature]*

Notary Public  
My Commission Expires \_\_\_\_\_



**EXHIBIT "A"**

**AMENDMENT NO. 24 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 24 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the AMENDMENT NO. 24.

**EXHIBIT "1"**  
**AMENDMENT NO. 24 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE XXIV WILL BE ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**



**LEGAL DESCRIPTION  
PH-24-1  
THE VILLAS OF BERTRAM CONDOMINIUM PHASE 24  
0.3588 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as PH-24-1 on the Plat of The Villas of Bertram Condominium Phase 24 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 07°30'01" East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 00°28'15" East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North 89°31'39" East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta 08°06'50", tangent 21.28 feet, chord 42.45 feet, bearing South 86°24'56" East to a point;

Thence South 82°21'31" East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;



Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta  $10^{\circ}55'25''$ , tangent 124.30 feet, chord 247.48 feet, bearing South  $87^{\circ}49'14''$  East to a point;

Thence North  $86^{\circ}43'03''$  East, continuing along the centerline of said Samantha Drive, a distance of 213.49 feet to a point, said point being the intersection of the centerline of said Samantha Drive and said Hilliary Lane;

Thence North  $03^{\circ}16'57''$  West, along the centerline of said Hilliary Lane, a distance of 195.64 feet to a point;

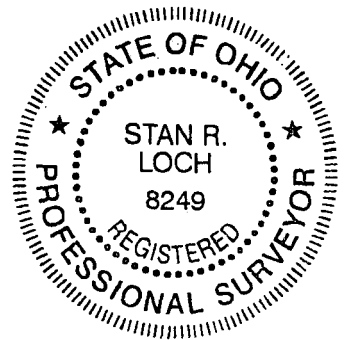
Thence North  $86^{\circ}43'03''$  East, a distance of 30.00 feet to a point on the Easterly R/W of said Hilliary Lane, and the Principal Place of Beginning;

- Course I: Thence North  $03^{\circ}16'57''$  West, along the easterly R/W of said Hilliary Lane, a distance of 120.00 feet to a point;
- Course II: Thence North  $86^{\circ}43'03''$  East, a distance of 131.00 feet to a point;
- Course III: Thence South  $02^{\circ}19'39''$  East, a distance of 60.01 feet to a point;
- Course IV: Thence South  $03^{\circ}16'57''$  East, a distance of 60.00 feet to a point;
- Course V: Thence South  $86^{\circ}43'03''$  West, a distance of 130.00 feet to the Principal Place of Beginning.

Said parcel containing 0.3588 acres or 15,630 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32 and any other matters of record as surveyed and described in June, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South  $00^{\circ}28'15''$  East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-24-1" Phase 24, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 24.

Job#20132833

  
Stan R. Loch P.S. # 8249 Date





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-24-2**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 24**

**0.1835 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as PH-24-2 on the Plat of The Villas of Bertram Condominium Phase 24 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hilliary Lane, a distance of 285.32 feet to a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 285.84 feet, radius 200.00 feet, delta  $81^{\circ}53'16''$ , tangent 173.51 feet, chord 262.13 feet, bearing South  $41^{\circ}24'53''$  East to a point;

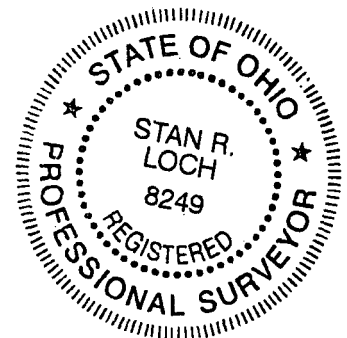
Thence North  $07^{\circ}38'29''$  East, a distance of 30.00 feet to a point, said point being on the northerly R/W of said Hilliary Lane at a point of curvature and the Principal Place of Beginning;

- Course I: Thence along the northerly R/W of said Hilliary Lane, along a curve to the right with a length 9.83 feet, radius 170.00 feet, delta  $03^{\circ}18'53''$ , tangent 4.92 feet, chord 9.83 feet, bearing North  $80^{\circ}42'04''$  West to a point, said point being the southeasterly corner of Ph-10-2 in the Villas of Bertram Condominiums Phase 10;
- Course II: Thence North  $10^{\circ}57'22''$  East, along the easterly line of said Ph-10-2, a distance of 129.93 feet to a point, said point being the northeasterly corner of said Ph-10-2;
- Course III: Thence South  $82^{\circ}21'31''$  East, a distance of 57.75 feet to a point, said point being on the southerly line of Ph-22-1 in the Villas of Bertram Condominiums Phase 22 and also the northwesterly corner of Ph-18-1 in the Villas of Bertram Condominiums Phase 18;
- Course IV: Thence South  $07^{\circ}38'29''$  West, along the westerly line of said Ph-18-1, a distance of 130.00 feet to a point on the northerly R/W of said Hilliary Lane, said point being the southwesterly corner of said Ph-18-1;
- Course V: Thence North  $82^{\circ}21'31''$  West, along the northerly R/W of said Hilliary Lane, a distance of 55.43 feet to the Principal Place of Beginning.

Said parcel containing 0.1835 acres or 7,995 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32 and any other matters of record as surveyed and described in June, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South  $00^{\circ}28'15''$  East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-24-2" Phase 24, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 24.

Job#20132833

  
 Stan R. Loch P.S. # 8249      Date



**EXHIBIT "2"**  
**AMENDMENT NO. 24 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH 24-R1**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 24**

**23.5235 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 1 on the Plat of The Villas of Bertram Condominium Phase 23, and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $89^{\circ}30'28''$  West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South  $00^{\circ}28'15''$  East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a  $5/8''$  iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North  $89^{\circ}30'28''$  East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hilliary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta  $90^{\circ}01'17''$ , tangent 25.01 feet, chord 35.36 feet, bearing South  $45^{\circ}28'54''$  East to a point;

- Course III: Thence South 00°28'15" East, continuing along the westerly R/W of said Hilliary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;
- Course IV: Thence South 89°31'45" West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;
- Course V: Thence South 00°28'15" East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwesterly corner of said Ph-1;
- Course VI: Thence North 89°31'45" East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hilliary Lane, said point being the southeasterly corner of said Ph-1;
- Course VII: Thence South 00°28'15" East, along the westerly R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the northeasterly corner of Ph-16-1 in the Villas of Bertram Condominiums Phase 16;
- Course VIII: Thence South 89°31'45" West, along the northerly line of said Ph-16-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-16-1;
- Course IX: Thence South 00°28'15" East, along the westerly line of said Ph-16-1, Ph-19-1 in the Villas of Bertram Condominium Phase 19, Ph-11-1 in the Villas of Bertram Condominium Phase 11, Ph-6-1 in the Villas of Bertram Phase 1 Condominium Phase 6, Ph-3-1 in the Villas of Bertram Phase 1 Condominium Phase 3, Ph-7-1 in the Villas of Bertram Phase 1 Condominium Phase 7, Ph-4 in the Villas of Bertram Phase 1 Condominium Phase 4, Ph-9-1 in the Villas of Bertram Phase 1 Condominium Phase 9, and Ph-12-1 in the Villas of Bertram Phase 1, Condominium Phase 12, a distance of 627.06 feet to a point, said point being the northwesterly corner of Ph-10-1 in the Villas of Bertram Phase 1, Condominium Phase 10;
- Course X: Thence South 17°30'08" East, along the westerly line of said Ph-10-1, a distance of 84.60 feet to a point, said point being the southwesterly corner of said Ph-10-1 and the northwesterly corner of Ph-6-2 in the Villas of Bertram Phase 6;
- Course XI: Thence South 28°59'33" East, along the westerly line of said Ph-6-2, a distance of 84.31 feet to a point, said point being the southwesterly corner of said Ph-6-2 and southwesterly corner of Ph-3-2 in the Villas of Bertram Phase 1, Condominium Phase 3;
- Course XII: Thence South 41°59'53" East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;
- Course XIII: Thence South 55°00'13" East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2 and also being the southwesterly corner of Ph-5 in the Villas of Bertram Phase 1, Condominium Phase 5;
- Course XIV: Thence South 67°15'11" East, along the southerly line of said Ph-5, distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-5 and the southwesterly corner of Ph-16-3 in the Villas of Bertram Condominiums Phase 16;

- Course XV: Thence South  $82^{\circ}21'31''$  East, along the southerly line of said Ph-16-3 and the southerly line of Ph-20-1 in the Villas of Bertram Condominiums Phase 20, Ph-21-1 in the Villas of Bertram Condominiums Phase 21, Ph-18-2 in the Villas of Bertram Condominiums Phase 18, a distance of 269.95 feet to a point;
- Course XVI: Thence South  $86^{\circ}09'02''$  East, continuing along the southerly line of said Ph-18-2, a distance of 47.61 feet to a point;
- Course XVII: Thence North  $89^{\circ}30'07''$  East, continuing along the southerly line of said Ph-18-2 and along the southerly lines of Ph-17-1 in the Villas of Bertram Condominiums Phase 17, Ph-16-5 in the Villas of Bertram Condominiums Phase 16 and Ph-15-1 in the Villas of Bertram Condominiums Phase 15, a distance of 195.15 feet to a point, said point being the southeasterly corner of said Ph-15-1;
- Course XVIII: Thence North  $01^{\circ}53'59''$  West, along the easterly line of said Ph-15-1, a distance of 140.11 feet to a point on the southerly R/W of said Hilliary Lane, said point being the northeasterly corner of said Ph-15-1 and also being a point on a curve;
- Course XIX: Thence along the southwesterly R/W of said Hilliary Lane, along a curve to the left with a length 366.83 feet, radius 230.00 feet, delta  $91^{\circ}22'58''$ , tangent 235.62 feet, chord 329.17 feet, bearing North  $42^{\circ}24'32''$  East to a point;
- Course XX: Thence North  $03^{\circ}16'57''$  West, along the easterly R/W of said Hilliary Lane, a distance of 258.20 feet to a point, said point being the southwesterly corner of Ph-23-2 in the Villas of Bertram Condominiums Phase 23;
- Course XXI: Thence North  $86^{\circ}43'03''$  East, along the southerly line of said Ph-23-2, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-23-2;
- Course XXII: Thence North  $03^{\circ}16'57''$  West, along the easterly line of said Ph-23-2, a distance of 120.00 feet to a point;
- Course XXIII: Thence North  $02^{\circ}19'39''$  West, a distance of 60.01 feet to a point;
- Course XXIV: Thence South  $86^{\circ}43'03''$  West, a distance of 131.00 feet to a point, said point being on the easterly R/W of said Hilliary Lane;
- Course XXV: Thence North  $03^{\circ}16'57''$  West, along the easterly R/W of said Hilliary Lane, a distance of 14.05 feet to a point, said point being a point of curvature;
- Course XXVI: Thence continuing along the easterly R/W of said Hilliary Lane, along a curve to the left with a length 31.50 feet, radius 330.00 feet, delta  $05^{\circ}28'10''$ , tangent 15.76 feet, chord 31.49 feet, bearing North  $06^{\circ}01'02''$  West to a point;
- Course XXVII: Thence North  $08^{\circ}45'07''$  West, continuing along the easterly R/W of said Hilliary Lane, a distance of 48.93 feet to a point, said point being a point of curvature;
- Course XXVIII: Thence continuing along the easterly R/W of said Hilliary Lane, along a curve to the right with a length 23.25 feet, radius 25.00 feet, delta  $53^{\circ}17'08''$ , tangent 12.54 feet, chord 22.42 feet, bearing North  $17^{\circ}53'27''$  East to a point;
- Course XXIX: Thence continuing along the easterly R/W of said Hilliary Lane, along a curve to the left with a length 335.11 feet, radius 67.00 feet, delta  $286^{\circ}34'16''$ , tangent 49.97 feet, chord 80.11 feet, bearing South  $81^{\circ}14'53''$  West to a point, said point being on the westerly R/W of said Hilliary Lane;

- Course XXX: Thence along the westerly R/W of said Hilliary Lane, along a curve to the left with a length 23.25 feet, radius 25.00 feet, delta 53°17'08", tangent 12.54 feet, chord 22.42 feet, bearing South 35°23'41" East to a point;
- Course XXXI: Thence South 08°45'07" East, continuing along the westerly R/W of said Hilliary Lane, a distance of 48.93 feet to a point, said point being a point of curvature;
- Course XXXII: Thence continuing along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 25.77 feet, radius 270.00 feet, delta 05°28'10", tangent 12.90 feet, chord 25.76 feet, bearing South 06°01'02" East to a point;
- Course XXXIII: Thence South 03°16'57" East, continuing along the westerly R/W of said Hilliary Lane, a distance of 274.69 feet to a point, said point being on the northerly R/W of Samantha Drive, 60 foot R/W and also being a point of curvature;
- Course XXXIV: Thence along the northerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta 90°00'00", tangent 25.00 feet, chord 35.36 feet, bearing South 41°43'03" West to a point;
- Course XXXV: Thence South 86°43'03" West, continuing along the northerly R/W of said Samantha Drive, a distance of 158.49 feet to a point, said point being a point of curvature;
- Course XXXVI: Thence continuing along the Northerly R/W of said Samantha Drive, along a curve to the right with a length 242.14 feet, radius 1270.00 feet, delta 10°55'26", tangent 121.43 feet, chord 241.77 feet, bearing North 87°49'14" West to a point;
- Course XXXVII: Thence North 82°21'31" West, continuing along the northerly R/W of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;
- Course XXXVIII: Thence continuing along the Northerly R/W of said Samantha Drive, along a curve to the left with a length 18.09 feet, radius 330.00 feet, delta 03°08'26", tangent 9.05 feet, chord 18.09 feet, bearing North 83°55'44" West to a point, said point being the southeasterly corner of Ph-13-2 in the Villas of Bertram Phase 1, Condominium Phase 13;
- Course XXXIX: Thence North 00°28'15" West, along the easterly lines of said Ph-13-2, Ph-10-3 in the Villas of Bertram Phase 1, Condominium Phase 10 and Ph-6-3 in the Villas of Bertram Phase 1, Condominium Phase 6, a distance of 206.24 feet to a point said point being the northeasterly corner of said Ph-6-3;
- Course XL: Thence South 89°31'45" West, along the northerly line of said Ph-6-3, a distance of 137.45 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-6-3;
- Course XLI: Thence North 07°30'01" West, along the easterly R/W of said Hilliary Lane, a distance of 25.56 feet to a point, said point being the southwesterly corner of Ph-12-3 in the Villas of Bertram Phase 1, Condominium Phase 12;
- Course XLII: Thence North 89°31'45" East, along the southerly line of said Ph-12-3, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-12-3;



- Course XLIII: Thence North 00°28'15" West, along the easterly line of said Ph-12-3, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-12-3;
- Course XLIV: Thence South 89°31'45" West, along the northerly line of said Ph-12-3, a distance of 13.26 feet to a point, said point being the southeasterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominiums Phase 2;
- Course XLV: Thence North 00°42'49" West, along the easterly line of said Ph-2, and the easterly lines of Ph-14-1 in the Villas of Bertram Condominiums Phase 14, Ph-13-1 in the Villas of Bertram Phase 1, Condominium Phase 13, Ph-16-2 in the Villas of Bertram Condominiums Phase 16 and Ph-12-4 in the Villas of Bertram Condominiums Phase 12, a distance of 300.00 feet to a point, said point being the northeasterly corner of said Ph-12-4;
- Course XLVI: Thence South 89°31'45" West, along the northerly line of said Ph-12-4, a distance of 121.03 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-12-4;
- Course XLVII: Thence North 00°28'15" West, along the easterly R/W of said Hilliary Lane, a distance of 40.07 feet to a point, said point being a point of curvature
- Course XLVIII: Thence continuing along the easterly R/W of said Hilliary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta 89°58'43", tangent 24.99 feet, chord 35.35 feet, bearing North 44°31'06" East to a point, said point being on the southerly R/W of said Treat Road;
- Course XLIX: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a 5/8" iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course L: Thence South 00°42'49" East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southwesterly corner of said Ohio Edison Company;
- Course LI: Thence North 89°30'28" East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;
- Course LII: Thence North 00°42'49" West, along the easterly line of said Ohio Edison Company, passing through a 5/8" iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;
- Course LIII: Thence North 89°30'28" East, along the centerline of said Treat Road, passing through a 1-1/4" axle found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;
- Course LIV: Thence South 00°42'49" East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;

- Course LV: Thence South 89°32'00" West, along the northerly line of said Berry and the northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a 5/8" iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a 3/4" iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;
- Course LVI: Thence North 47°50'36" West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a 3/4" iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwesterly corner of lands conveyed to Michael & Cheryl Habbyshaw, as recorded in Document No. 201105000 of the Portage County Deed Records;
- Course LVII: Thence North 89°30'22" East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;
- Course LVIII: Thence North 00°28'15" West, along the easterly line of said Habbyshaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

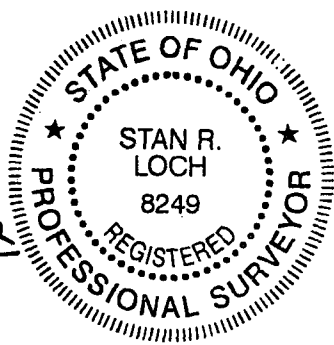
Said parcel contains 23.5235 acres or 1,024,686 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32 and any other matters of record as surveyed and described in June, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe the portion of the land conveyed to Villas of Bertram LLC. by File # 201401775 of the Portage County Records, which is designated as Ph-24-R1 Phase 24 Residual No. 1 on the Plat of Villas of Bertram Condominium Phase 24.

Job#20132833

2-1-16  
 Stan R. Loch P.S. # 8249      Date

7-22-2016  
 TAX MAP DEPT.

① PN. 03-015-10-00-001.049: 0.424 (now Ph-23-R2)  
 UNIT 75 - 0.1835  
 0.2405 = BAL  
 RESURVEY BAL. = 0.2408 = Ph-24-R2



LEGAL DESCRIPTION  
 SUFFICIENT     DEFICIENT  
 NO DIVISION OF LAND

② PN 03-015-10-00-001.048: 23.882 (now Ph-23-R1)  
 UNITS 39+40 - 0.3588  
 23.5232 BAL  
 RESURVEY BAL. = 23.5235 = Ph-24-R1

③ PN 03-015-10-00-001.002: Ph-23-R3 = Ph-24-R3

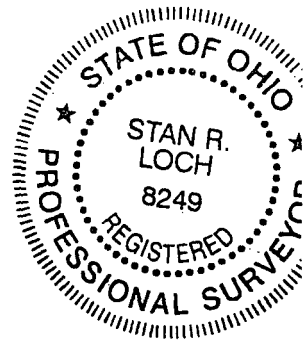


**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**



**LEGAL DESCRIPTION**

**PH-24-R2**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 24**

**0.2408 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 2 on the Plat of The Villas of Bertram Condominium Phase 24 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 07°30'01" East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 00°28'15" East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North 89°31'39" East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta 08°06'50", tangent 21.28 feet, chord 42.45 feet, bearing South 86°24'56" East to a point;

Thence South 82°21'31" East, continuing along the centerline of said Samantha Drive, a distance of 83.30 feet to a point;

Thence South 07°38'29" West, a distance of 30.00 feet to a point on the southerly R/W of said Samantha Drive, said point being the northwesterly corner of Ph-22-1 in the Villas of Bertram Condominiums Phase 22, and the Principal Place of Beginning;

Course I: Thence South 07°38'29" West, along the westerly line of said Ph-22-1, a distance of 130.00 feet to a point, said point being the southwesterly corner of said Ph-22-1;

Course II: Thence North 82°21'31" West; a distance of 41.98 feet to a point, said point being the northeasterly corner of Ph-10-2 in the Villas of Bertram Condominiums Phase 10;

Course III: Thence North 56°52'23" West, along the northerly line of said Ph-10-2, a distance of 29.98 feet to a point, said point being the northwesterly corner of said Ph-10-2 and the southeasterly corner of Ph-8-1 in the Villas of Bertram Condominiums Phase 8;

Course IV: Thence North 11°39'32" West, along the easterly line of said Ph-8-1, a distance of 36.33 feet to a point, said point being the northeasterly corner of said Ph-8-1 and the southeasterly corner of Ph-12-2 in the Villas of Bertram Condominiums Phase 12;

Course V: Thence North 00°28'21" West, along the easterly line of said Ph-12-2, a distance of 83.48 feet to a point on the southerly R/W of said Samantha Drive, said point being the northeasterly corner of said Ph-12-2;

Course VI: Thence along the southerly R/W of said Samantha Drive, along a curve to the right with a length 9.53 feet, radius 270.00 feet, delta 02°01'22", tangent 4.77 feet, chord 9.53 feet, bearing South 83°22'12" East to a point;

Course VII: Thence South 82°21'31" East, continuing along the southerly R/W of said Samantha Drive, a distance of 83.30 feet to the Principal Place of Beginning.

Said parcel containing 0.2408 acres or 10,489 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32 and any other matters of record as surveyed and described in June, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-24-R2" Phase 24 Residual No. 2, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 24.

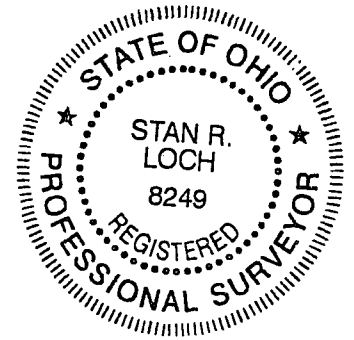
Job#20132833

  
Stan R. Loch P.S. # 8249      2-1-16      Date



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**



**LEGAL DESCRIPTION  
PH-24-R3  
THE VILLAS OF BERTRAM CONDOMINIUM PHASE 24  
1.0302 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 3 on the Plat of The Villas of Bertram Condominium Phase 24 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 07°30'01" East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 00°28'15" East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North 89°31'39" East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta 08°06'50", tangent 21.28 feet, chord 42.45 feet, bearing South 86°24'56" East to a point;

Thence South 82°21'31" East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta 10°55'25", tangent 124.30 feet, chord 247.48 feet, bearing South 87°49'14" East to a point;

Thence South 01°46'18" East, a distance of 30.00 feet to a point on the southerly R/W of said Samantha Drive, and the Principal Place of Beginning;

- Course I: Thence North 86°43'03" East, along the southerly R/W of said Samantha Drive, a distance of 158.49 feet to a point, said point being a point of curvature;
- Course II: Thence continuing along the southerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta 90°00'00", tangent 25.00 feet, chord 35.36 feet, bearing South 48°16'57" East to a point, said point being on the westerly R/W of said Hilliary Lane;
- Course III: Thence South 03°16'57" East, along the westerly R/W of said Hilliary Lane, a distance of 67.56 feet to a point, said point being a point of curvature;
- Course IV: Thence continuing along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 266.67 feet, radius 170.00 feet, delta 89°52'39", tangent 169.64 feet, chord 240.16 feet, bearing South 41°39'23" West to a point, said point being the southeasterly corner of Ph-20-2 in the Villas of Bertram Condominiums Phase 20;
- Course V: Thence North 03°23'45" West, along the easterly line of said Ph-20-2, a distance of 129.98 feet to a point, said point being the northeasterly corner of said Ph-20-2;
- Course VI: Thence South 89°30'07" West, along the northerly line of said Ph-20-2, a distance of 52.16 feet to a point, said point being on the easterly line of Ph-22-2 in the Villas of Bertram Condominiums Phase 22;
- Course VII: Thence North 01°46'18" West, along the easterly line of said Ph-22-2, a distance of 130.56 feet to a point on the southerly R/W of said Samantha Drive, said point being the northeasterly corner of said Ph-22-2, and being a point of curvature;
- Course VIII: Thence along the southerly R/W of said Samantha Drive, along a curve to the left with a length 35.07 feet, radius 1330.00 feet, delta 01°30'39", tangent 17.53 feet, chord 35.07 feet, bearing North 87°28'22" East to the Principal Place of Beginning.

Said parcel containing 1.0302 acres or 44,878 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20, 2016-32 and any other matters of record as surveyed and described in June, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-24-R3" Phase 24 Residual No. 3, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 24.

Job#20132833

  
Stan R. Loch P.S. # 8249      Date 2-1-16

**EXHIBIT "3"**  
**AMENDMENT NO. 24 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE XXIV contains three (3) detached single-family residential Buildings known as Units 39, 40, and 75 situated on Hillary Lane and Samantha Lane, which includes a basement and attached two car garage, and which is constructed primarily of wood, vinyl siding, asphalt shingle roof, brick, concrete block, glass and drywall. The location of Units 39, 40, and 75 are shown on the Drawings.

Unit 39 is a "Rome" type Unit. The Rome is a two-story Unit. The first floor consists of a foyer, living room, dining room, mudroom, kitchen, dinette area, powder room, and study. The second floor consists of four (4) bedrooms and two (2) full baths, walk-in closet and loft. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 40 is a "Rome" type Unit. The Rome is a two-story Unit. The first floor consists of a foyer, living room, dining room, mudroom, kitchen, dinette area, powder room, and study. The second floor consists of four (4) bedrooms and two (2) full baths, walk-in closet and loft. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 75 is a "Florence" type Unit. The Florence is a two-story Unit containing approximately 2,000 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, living room or dining room, dinette area, family room, kitchen, laundry room, ½ bath, and an attached two-car garage. The second floor of consists of three (3) bedrooms and two (2) full baths.

**EXHIBIT "4"**  
**AMENDMENT NO. 24 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	1.96%
II	67	864 Hillary Lane	1.96%
III	8	853 Hillary Lane	1.96%
III	9	849 Hillary Lane	1.96%
III	16	821 Hillary Lane	1.96%
III	17	817 Hillary Lane	1.96%
IV	11	841 Hillary Lane	1.96%
V	18	813 Hillary Lane	1.96%
VI	7	857 Hillary Lane	1.96%
VI	15	825 Hillary Lane	1.96%
VI	65	854 Hillary Lane	1.96%
VII	10	845 Hillary Lane	1.96%
VIII	73	830 Hillary Lane	1.96%
IX	12	837 Hillary Lane	1.96%
X	14	829 Hillary Lane	1.96%
X	64	850 Hillary Lane	1.96%
X	74	818 Hillary Lane	1.96%
XI	6	861 Hillary Lane	1.96%
XII	13	833 Hillary Lane	1.96%
XII	66	860 Hillary Lane	1.96%
XII	71	880 Hillary Lane	1.96%
XII	72	836 Hillary Lane	1.96%
XIII	63	846 Hillary Lane	1.96%
XIII	69	872 Hillary Lane	1.96%
XIV	68	868 Hillary Lane	1.96%
XV	26	781 Hillary Lane	1.96%
XVI	4	869 Hillary Lane	1.96%
XVI	19	809 Hillary Lane	1.96%
XVI	25	785 Hillary Lane	1.96%
XVI	70	876 Hillary Lane	1.96%
XVI	77	798 Hillary Lane	1.96%
XVII	24	789 Hillary Lane	1.96%
XVII	78	794 Hillary Lane	1.96%
XVII	79	788 Hillary Lane	1.96%
XVIII	23	793 Hillary Lane	1.96%
XVIII	76	802 Hillary Lane	1.96%
XIX	5	865 Hillary Lane	1.96%



XX	20	805 Hillary Lane	1.96%
XX	21	801 Hillary Lane	1.96%
XX	81	780 Hillary Lane	1.96%
XXI	22	797 Hillary Lane	1.96%
XXII	80	784 Hillary Lane	1.96%
XXII	86	45 Samantha Drive	1.96%
XXII	87	55 Samantha Drive	1.96%
XXII	88	65 Samantha Drive	1.96%
XXII	90	85 Samantha Drive	1.96%
XXIII	38	733 Hillary Lane	1.96%
XXIII	89	75 Samantha Drive	1.96%
XXIV	39	729 Hillary Lane	1.96%
XXIV	40	725 Hillary Lane	1.96%
XXIV	75	806 Hillary Lane	1.96%
			Total 100%



*Portage*  
BONNIE M. HOWE  
PORTAGE CO. RECORDER

201610056 30 30

RECEIVED FOR RECORD  
AT 8:55:47  
FEE 232.00

NO TRANSFER  
REQUIRED  
JUN 30 2016  
JANET ESPOSITO, d  
AUDITOR

**INDEXED**

AMENDMENT NO. 23  
TO THE DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM

PHASE XXIII  
ADDING UNIT NOS. 38 AND 89

This will certify that copies of this AMENDMENT NO. 23 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "AMENDMENT NO. 23"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

Dated: JUN 30 2016, 2016

PORTAGE COUNTY AUDITOR

Plat 2016-37

By: *Janet Esposito, d*  
Deputy Auditor

This instrument prepared by:  
Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333

**AMENDMENT NO. 23 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE XXIII of the Condominium which contains two (2) Units.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE XXIII property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.
2. The legal description of the Condominium set forth in Exhibit “A” of the Declaration is amended to include the real property for PHASE XXIII of the Condominium, the legal

description for PHASE XXIII being described in Exhibit "1" attached hereto and made a part hereof

3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.

4. The number of Units referred to in the Declaration is increased from to forty-six (46) Units to forty-eight (48) Units. A narrative description of the Buildings and Units for PHASE XXIII is set forth in Exhibit "3" attached hereto and made a part hereof

5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.

6. The particulars of the Buildings and Units and other improvements for PHASE XXIII, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE XXIII Drawings incorporated in this AMENDMENT NO. 23 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE XXIII Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 23 to the Declaration.

7. No owner of a Unit which was not included in Phase I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX, XX, XXI, and XXII shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE XXIII prior to the filing of this AMENDMENT NO. 23 (except replacement reserve funds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this AMENDMENT NO. 23.


8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.

9. Except as amended herein, the Declaration thereto shall remain in full force and effect

10. Consent to this AMENDMENT NO. 23 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 21<sup>th</sup> day of June, 2016.

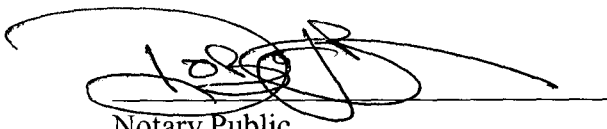
VILLAS OF BERTRAM, LLC,  
an Ohio limited liability company

By:   
Iris S. Wolstein, Manager

STATE OF OHIO                    )  
  )SS.  
COUNTY OF ~~LAKE~~            )  
  Cuyahoga

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 21<sup>th</sup> day of June, 2016.

  
Notary Public  
My Commission Expires \_\_\_\_\_



**EXHIBIT "A"**

**AMENDMENT NO. 23 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 23 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the AMENDMENT NO. 23.

**EXHIBIT "1"**  
**AMENDMENT NO. 23 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE XXIII WILL BE ATTACHED HERETO





**ENGINEERING & SURVEYING CO., INC.**  
**5425 WARNER ROAD – SUITE 12**  
**VALLEY VIEW, OHIO 44125**  
**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**  
**PH-23-1**  
**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 23**  
**0.1822 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-23-1 on the Plat of The Villas of Bertram Condominium Phase 23 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North  $89^{\circ}31'39''$  East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta  $08^{\circ}06'50''$ , tangent 21.28 feet, chord 42.45 feet, bearing South  $86^{\circ}24'56''$  East to a point;

Thence South  $82^{\circ}21'31''$  East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;


Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 42.13 feet, radius 1300.00 feet, delta 01°51'25", tangent 21.07 feet, chord 42.13 feet, bearing South 83°17'14" East to a point;

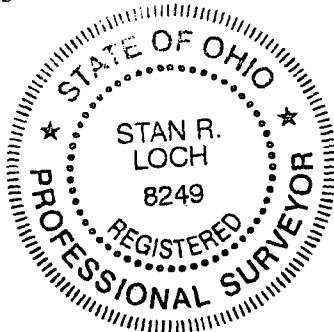
Thence South 05°47'04" West, a distance of 30.00 feet to a point on the southerly R/W of said Samantha Drive, said point being the northwesterly corner of Ph-22-2 in the Villas of Bertram Condominiums Phase 22, and the Principal Place of Beginning;

- Course I: Thence South 05°47'04" West, along the westerly line of said Ph-22-2, a distance of 130.77 feet to a point, said point being the southwesterly corner of said Ph-22-2 and also being on the northerly line of Ph-16-4 in the Villas of Bertram Condominiums Phase 16;
- Course II: Thence North 82°21'31" West, along the northerly line of said Ph-16-4, and the northerly line of Ph-18-1 in the Villas of Bertram Condominiums Phase 18, a distance of 63.10 feet to a point, said point being the southeasterly corner of Ph-22-1 in the Villas of Bertram Condominiums Phase 22;
- Course III: Thence North 07°38'29" East, along the easterly line of said Ph-22-1, a distance of 130.00 feet to a point on the southerly R/W of said Samantha Drive, said point being the northeasterly corner of said Ph-22-1;
- Course IV: Thence South 82°21'31" East, along the southerly R/W of said Samantha Drive, a distance of 15.76 feet to a point, said point being a point of curvature;
- Course V: Thence continuing along the southerly R/W of said Samantha Drive, along a curve to the left with a length 43.11 feet, radius 1330.00 feet, delta 01°51'25", tangent 21.55 feet, chord 43.10 feet, bearing South 83°17'14" East to the Principal Place of Beginning.

Said parcel containing 0.1822 acres or 7,938 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20 and any other matters of record as surveyed and described in June, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-23-1" Phase 23, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 23.

Job#20132833

  
Stan R. Loch P.S. # 8249 Date





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-23-2**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 23**

**0.1790 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 3 on the Plat of The Villas of Bertram Condominium Phase 23 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North  $89^{\circ}31'39''$  East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta  $08^{\circ}06'50''$ , tangent 21.28 feet, chord 42.45 feet, bearing South  $86^{\circ}24'56''$  East to a point;

Thence South  $82^{\circ}21'31''$  East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta  $10^{\circ}55'25''$ , tangent 124.30 feet, chord 247.48 feet, bearing South  $87^{\circ}49'14''$  East to a point;

Thence North  $86^{\circ}43'03''$  East, continuing along the centerline of said Samantha Drive, a distance of 213.49 feet to a point, said point being the intersection of the centerline of said Samantha Drive and said Hilliary Lane;

Thence North  $03^{\circ}16'57''$  West, along the centerline of said Hilliary Lane, a distance of 135.64 feet to a point;

Thence North  $86^{\circ}43'03''$  East, a distance of 30.00 feet to a point on the Easterly R/W of said Hilliary Lane, and the Principal Place of Beginning;

Course I: Thence North  $03^{\circ}16'57''$  West, along the easterly R/W of said Hilliary Lane, a distance of 60.00 feet to a point;

Course II: Thence North  $86^{\circ}43'03''$  East, a distance of 130.00 feet to a point;

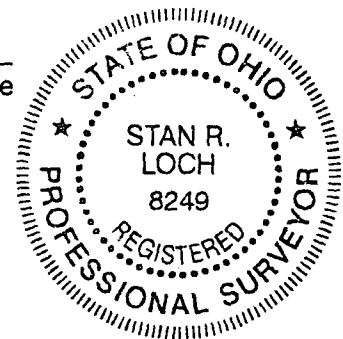
Course III: Thence South  $03^{\circ}16'57''$  East, a distance of 60.00 feet to a point;

Course IV: Thence South  $86^{\circ}43'03''$  West, a distance of 130.00 feet to the Principal Place of Beginning.

Said parcel containing 0.1790 acres or 7,800 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20 and any other matters of record as surveyed and described in June, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South  $00^{\circ}28'15''$  East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-23-2" Phase 23, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 23.

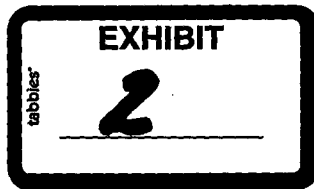
Job#20132833

  
Stan R. Loch P.S. # 8249 Date



**EXHIBIT "2"**  
**AMENDMENT NO. 23 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH 23-R1**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 23**

**23.8823 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 1 on the Plat of The Villas of Bertram Condominium Phase 23, and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $89^{\circ}30'28''$  West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South  $00^{\circ}28'15''$  East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a  $5/8''$  iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North  $89^{\circ}30'28''$  East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hilliary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta  $90^{\circ}01'17''$ , tangent 25.01 feet, chord 35.36 feet, bearing South  $45^{\circ}28'54''$  East to a point;

- Course III: Thence South 00°28'15" East, continuing along the westerly R/W of said Hilliary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;
- Course IV: Thence South 89°31'45" West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;
- Course V: Thence South 00°28'15" East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwestery corner of said Ph-1;
- Course VI: Thence North 89°31'45" East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hilliary Lane, said point being the southeasterly corner of said Ph-1;
- Course VII: Thence South 00°28'15" East, along the westerly R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the northeasterly corner of Ph-16-1 in the Villas of Bertram Condominiums Phase 16;
- Course VIII: Thence South 89°31'45" West, along the northerly line of said Ph-16-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-16-1;
- Course IX: Thence South 00°28'15" East, along the westerly line of said Ph-16-1, Ph-19-1 in the Villas of Bertram Condominium Phase 19, Ph-11-1 in the Villas of Bertram Condominium Phase 11, Ph-6-1 in the Villas of Bertram Phase 1 Condominium Phase 6, Ph-3-1 in the Villas of Bertram Phase 1 Condominium Phase 3, Ph-7-1 in the Villas of Bertram Phase 1 Condominium Phase 7, Ph-4 in the Villas of Bertram Phase 1 Condominium Phase 4, Ph-9-1 in the Villas of Bertram Phase 1 Condominium Phase 9, and Ph-12-1 in the Villas of Bertram Phase 1, Condominium Phase 12, a distance of 627.06 feet to a point, said point being the northwesterly corner of Ph-10-1 in the Villas of Bertram Phase 1, Condominium Phase 10;
- Course X: Thence South 17°30'08" East, along the westerly line of said Ph-10-1, a distance of 84.60 feet to a point, said point being the southwestery corner of said Ph-10-1 and the northwesterly corner of Ph-6-2 in the Villas of Bertram Phase 6;
- Course XI: Thence South 28°59'33" East, along the westerly line of said Ph-6-2, a distance of 84.31 feet to a point, said point being the southwestery corner of said Ph-6-2 and southwestery corner of Ph-3-2 in the Villas of Bertram Phase 1, Condominium Phase 3;
- Course XII: Thence South 41°59'53" East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;
- Course XIII: Thence South 55°00'13" East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2 and also being the southwestery corner of Ph-5 in the Villas of Bertram Phase 1, Condominium Phase 5;
- Course XIV: Thence South 67°15'11" East, along the southerly line of said Ph-5, distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-5 and the southwestery corner of Ph-16-3 in the Villas of Bertram Condominiums Phase 16;

- Course XV: Thence South 82°21'31" East, along the southerly line of said Ph-16-3 and the southerly line of Ph-20-1 in the Villas of Bertram Condominiums Phase 20, Ph-21-1 in the Villas of Bertram Condominiums Phase 21, Ph-18-2 in the Villas of Bertram Condominiums Phase 18, a distance of 269.95 feet to a point;
- Course XVI: Thence South 86°09'02" East, continuing along the southerly line of said Ph-18-2, a distance of 47.61 feet to a point;
- Course XVII: Thence North 89°30'07" East, continuing along the southerly line of said Ph-18-2 and along the southerly lines of Ph-17-1 in the Villas of Bertram Condominiums Phase 17, Ph-16-5 in the Villas of Bertram Condominiums Phase 16 and Ph-15-1 in the Villas of Bertram Condominiums Phase 15, a distance of 195.15 feet to a point, said point being the southeasterly corner of said Ph-15-1;
- Course XVIII: Thence North 01°53'59" West, along the easterly line of said Ph-15-1, a distance of 140.11 feet to a point on the southerly R/W of said Hilliary Lane, said point being the northeasterly corner of said Ph-15-1 and also being a point on a curve;
- Course XIX: Thence along the southwesterly R/W of said Hilliary Lane, along a curve to the left with a length 366.83 feet, radius 230.00 feet, delta 91°22'58", tangent 235.62 feet, chord 329.17 feet, bearing North 42°24'32" East to a point;
- Course XX: Thence North 03°16'57" West, along the easterly R/W of said Hilliary Lane, a distance of 258.20 feet to a point;
- Course XXI: Thence North 86°43'03" East, a distance of 130.00 feet to a point;
- Course XXII: Thence North 03°16'57" West, a distance of 60.00 feet to a point;
- Course XXIII: Thence South 86°43'03" West, a distance of 130.00 feet to a point, said point being on the easterly R/W of said Hilliary Lane;
- Course XXIV: Thence North 03°16'57" West, along the easterly R/W of said Hilliary Lane, a distance of 134.05 feet to a point, said point being a point of curvature;
- Course XXV: Thence continuing along the easterly R/W of said Hilliary Lane, along a curve to the left with a length 31.50 feet, radius 330.00 feet, delta 05°28'10", tangent 15.76 feet, chord 31.49 feet, bearing North 06°01'02" West to a point;
- Course XXVI: Thence North 08°45'07" West, continuing along the easterly R/W of said Hilliary Lane, a distance of 48.93 feet to a point, said point being a point of curvature;
- Course XXVII: Thence continuing along the easterly R/W of said Hilliary Lane, along a curve to the right with a length 23.25 feet, radius 25.00 feet, delta 53°17'08", tangent 12.54 feet, chord 22.42 feet, bearing North 17°53'27" East to a point;
- Course XXVIII: Thence continuing along the easterly R/W of said Hilliary Lane, along a curve to the left with a length 335.11 feet, radius 67.00 feet, delta 286°34'16", tangent 49.97 feet, chord 80.11 feet, bearing South 81°14'53" West to a point, said point being on the westerly R/W of said Hilliary Lane;
- Course XXIX: Thence along the westerly R/W of said Hilliary Lane, along a curve to the left with a length 23.25 feet, radius 25.00 feet, delta 53°17'08", tangent 12.54 feet, chord 22.42 feet, bearing South 35°23'41" East to a point;
- Course XXX: Thence South 08°45'07" East, continuing along the westerly R/W of said Hilliary



Lane, a distance of 48.93 feet to a point, said point being a point of curvature;

- Course XXXI: Thence continuing along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 25.77 feet, radius 270.00 feet, delta 05°28'10", tangent 12.90 feet, chord 25.76 feet, bearing South 06°01'02" East to a point;
- Course XXXII: Thence South 03°16'57" East, continuing along the westerly R/W of said Hilliary Lane, a distance of 274.69 feet to a point, said point being on the northerly R/W of Samantha Drive, 60 foot R/W and also being a point of curvature;
- Course XXXIII: Thence along the northerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta 90°00'00", tangent 25.00 feet, chord 35.36 feet, bearing South 41°43'03" West to a point;
- Course XXXIV: Thence South 86°43'03" West, continuing along the northerly R/W of said Samantha Drive, a distance of 158.49 feet to a point, said point being a point of curvature;
- Course XXXV: Thence continuing along the Northerly R/W of said Samantha Drive, along a curve to the right with a length 242.14 feet, radius 1270.00 feet, delta 10°55'26", tangent 121.43 feet, chord 241.77 feet, bearing North 87°49'14" West to a point;
- Course XXXVI: Thence North 82°21'31" West, continuing along the northerly R/W of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;
- Course XXXVII: Thence continuing along the Northerly R/W of said Samantha Drive, along a curve to the left with a length 18.09 feet, radius 330.00 feet, delta 03°08'26", tangent 9.05 feet, chord 18.09 feet, bearing North 83°55'44" West to a point, said point being the southeasterly corner of Ph-13-2 in the Villas of Bertram Phase 1, Condominium Phase 13;
- Course XXXVIII: Thence North 00°28'15" West, along the easterly lines of said Ph-13-2, Ph-10-3 in the Villas of Bertram Phase 1, Condominium Phase 10 and Ph-6-3 in the Villas of Bertram Phase 1, Condominium Phase 6, a distance of 206.24 feet to a point said point being the northeasterly corner of said Ph-6-3;
- Course XXXIX: Thence South 89°31'45" West, along the northerly line of said Ph-6-3, a distance of 137.45 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-6-3;
- Course XL: Thence North 07°30'01" West, along the easterly R/W of said Hilliary Lane, a distance of 25.56 feet to a point, said point being the southwesterly corner of Ph-12-3 in the Villas of Bertram Phase 1, Condominium Phase 12;
- Course XLI: Thence North 89°31'45" East, along the southerly line of said Ph-12-3, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-12-3;
- Course XLII: Thence North 00°28'15" West, along the easterly line of said Ph-12-3, a distance of 60.00 feet to a point; said point being the northeasterly corner of said Ph-12-3;
- Course XLIII: Thence South 89°31'45" West, along the northerly line of said Ph-12-3, a distance of 13.26 feet to a point, said point being the southeasterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominiums Phase 2;

- Course XLIV: Thence North 00°42'49" West, along the easterly line of said Ph-2, and the easterly lines of Ph-14-1 in the Villas of Bertram Condominiums Phase 14, Ph-13-1 in the Villas of Bertram Phase 1, Condominium Phase 13, Ph-16-2 in the Villas of Bertram Condominiums Phase 16 and Ph-12-4 in the Villas of Bertram Condominiums Phase 12, a distance of 300.00 feet to a point, said point being the northeasterly corner of said Ph-12-4;
- Course XLV: Thence South 89°31'45" West, along the northerly line of said Ph-12-4, a distance of 121.03 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-12-4;
- Course XLVI: Thence North 00°28'15" West, along the easterly R/W of said Hilliary Lane, a distance of 40.07 feet to a point, said point being a point of curvature
- Course XLVII: Thence continuing along the easterly R/W of said Hilliary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta 89°58'43", tangent 24.99 feet, chord 35.35 feet, bearing North 44°31'06" East to a point, said point being on the southerly R/W of said Treat Road;
- Course XLVIII: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a 5/8" iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course XLIX: Thence South 00°42'49" East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southwestly corner of said Ohio Edison Company;
- Course L: Thence North 89°30'28" East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;
- Course LI: Thence North 00°42'49" West, along the easterly line of said Ohio Edison Company, passing through a 5/8" iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;
- Course LII: Thence North 89°30'28" East, along the centerline of said Treat Road, passing through a 1-1/4" axle found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;
- Course LIII: Thence South 00°42'49" East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;
- Course LIV: Thence South 89°32'00" West, along the northerly line of said Berry and the northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a 5/8" iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a 3/4" iron pin found 1.23 feet north, 0.63 feet east, said point being

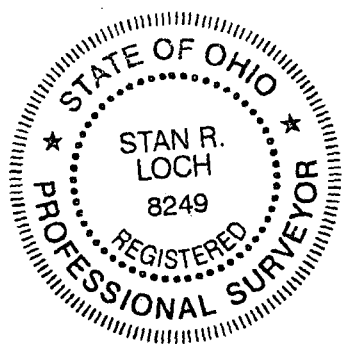
on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;

- Course LV: Thence North 47°50'36" West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a 3/4" iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwesterly corner of lands conveyed to Michael & Cheryl Habbyshaw, as recorded in Document No. 201105000 of the Portage County Deed Records;
- Course LVI: Thence North 89°30'22" East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;
- Course LVII: Thence North 00°28'15" West, along the easterly line of said Habbyshaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

Said parcel contains 23.8823 acres or 1,040,316 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20 and any other matters of record as surveyed and described in June, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe the portion of the land conveyed to Villas of Bertram LLC. by File # 201401775 of the Portage County Records, which is designated as Ph-23-R1 Phase 23 Residual No. 1 on the Plat of Villas of Bertram Condominium Phase 23.

Job#20132833

  
Stan R. Loch P.S. # 8249      Date





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-23-R2**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 23**

**0.4243 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 2 on the Plat of The Villas of Bertram Condominium Phase 23 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North 89°31'39" East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta 08°06'50", tangent 21.28 feet, chord 42.45 feet, bearing South 86°24'56" East to a point;

Thence South 82°21'31" East, continuing along the centerline of said Samantha Drive, a distance of 83.30 feet to a point;

Thence South 07°38'29" West, a distance of 30.00 feet to a point on the southerly R/W of said Samantha Drive, said point being the northwesterly corner of Ph-22-1 in the Villas of Bertram Condominiums Phase 22, and the Principal Place of Beginning;

Course I: Thence South 07°38'29" West, along the westerly line of said Ph-22-1, a distance of 130.00 feet to a point, said point being the southwesterly corner of said Ph-22-1;

Course II: Thence South 82°21'31" East, along the southerly line of said Ph-22-1, a distance of 15.77 feet to a point, said point being the northwesterly corner of Ph-18-1 in the Villas of Bertram Condominium Phase 18;

Course III: Thence South 07°38'29" West, along the westerly line of said Ph-18-1, a distance of 130.00 feet to a point on the northerly R/W of Hilliary Lane, 60 foot R/W, said point being the southwesterly corner of said Ph-18-1;

Course IV: Thence North 82°21'31" West, along the northerly R/W of said Hilliary Lane, a distance of 55.43 feet to a point, said point being a point of curvature;

Course V: Thence continuing along the northerly R/W of said Hilliary Lane, along a curve to the right with a length 9.83 feet, radius 170.00 feet, delta 03°18'53", tangent 4.92 feet, chord 9.83 feet, bearing North 80°42'04" West to a point, said point being the southeasterly corner of Ph-10-2 in the Villas of Bertram Condominiums Phase 10;

Course VI: Thence North 10°57'22" East, along the easterly line of said Ph-10-2, a distance of 129.93 feet to a point, said point being the northeasterly corner of said Ph-10-2;

Course VII: Thence North 56°52'23" West, along the northerly line of said Ph-10-2, a distance of 29.98 feet to a point, said point being the northwesterly corner of said Ph-10-2 and the southeasterly corner of Ph-8-1 in the Villas of Bertram Condominiums Phase 8;

Course VIII: Thence North 11°39'32" West, along the easterly line of said Ph-8-1, a distance of 36.33 feet to a point, said point being the northeasterly corner of said Ph-8-1 and the southeasterly corner of Ph-12-2 in the Villas of Bertram Condominiums Phase 12;

629.2016 LGD

TAX MAP DEPT.

LEGAL DESCRIPTION

9/ SUFFICIENT O DEFICIENT  
O NO DIVISION OF LAND

Course IX: Thence North 00°28'21" West, along the easterly line of said Ph-12-2, a distance of 83.48 feet to a point on the southerly R/W of said Samantha Drive, said point being the northeasterly corner of said Ph-12-2;

Course X: Thence along the southerly R/W of said Samantha Drive, along a curve to the right with a length 9.53 feet, radius 270.00 feet, delta 02°01'22", tangent 4.77 feet, chord 9.53 feet, bearing South 83°22'12" East to a point;

Course XI: Thence South 82°21'31" East, continuing along the southerly R/W of said Samantha Drive, a distance of 83.30 feet to the Principal Place of Beginning.

Said parcel containing 0.4243 acres or 18,485 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20 and any other matters of record as surveyed and described in June, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-23-R2" Phase 23 Residual No. 2, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 23.

Job#20132833

6-9-16  
Stan R. Loch P.S. # 8249 Date



P.N. 03-015-10-00-001-050:	0.182	(22-R3)
①	<del>Phase</del> UNIT 89 =	0.1822 Ac
②	PL 03-015-10-00-001.048:	24.061 Ac (rec)
	UNIT 38	- 0.1790
		<u>23.882 = bal.</u>
	RESURVEY AS 23-R1 =	23.8823 Ac
		by SURVEY
③	P.N. 03-015-10-00-601.049:	WAS 22-R2, NOW <u>23-R2</u>
④	- 001.002:	WAS 22-R4, NOW <u>23-R3</u>



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION  
PH-23-R3  
THE VILLAS OF BERTRAM CONDOMINIUM PHASE 23  
1.0302 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 3 on the Plat of The Villas of Bertram Condominium Phase 23 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 07°30'01" East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 00°28'15" East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North 89°31'39" East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta 08°06'50", tangent 21.28 feet, chord 42.45 feet, bearing South 86°24'56" East to a point;

Thence South 82°21'31" East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;

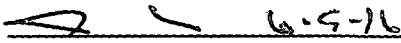
Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta  $10^{\circ}55'25''$ , tangent 124.30 feet, chord 247.48 feet, bearing South  $87^{\circ}49'14''$  East to a point;

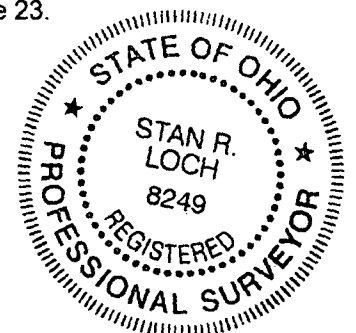
Thence South  $01^{\circ}46'18''$  East, a distance of 30.00 feet to a point on the southerly R/W of said Samantha Drive, and the Principal Place of Beginning;

- Course I: Thence North  $86^{\circ}43'03''$  East, along the southerly R/W of said Samantha Drive, a distance of 158.49 feet to a point, said point being a point of curvature;
- Course II: Thence continuing along the southerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta  $90^{\circ}00'00''$ , tangent 25.00 feet, chord 35.36 feet, bearing South  $48^{\circ}16'57''$  East to a point, said point being on the westerly R/W of said Hilliary Lane;
- Course III: Thence South  $03^{\circ}16'57''$  East, along the westerly R/W of said Hilliary Lane, a distance of 67.56 feet to a point, said point being a point of curvature;
- Course IV: Thence continuing along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 266.67 feet, radius 170.00 feet, delta  $89^{\circ}52'39''$ , tangent 169.64 feet, chord 240.16 feet, bearing South  $41^{\circ}39'29''$  West to a point, said point being the southeasterly corner of Ph-20-2 in the Villas of Bertram Condominiums Phase 20;
- Course V: Thence North  $03^{\circ}23'45''$  West, along the easterly line of said Ph-20-2, a distance of 129.98 feet to a point, said point being the northeasterly corner of said Ph-20-2;
- Course VI: Thence South  $89^{\circ}30'07''$  West, along the northerly line of said Ph-20-2, a distance of 52.16 feet to a point, said point being on the easterly line of Ph-22-2 in the Villas of Bertram Condominiums Phase 22;
- Course VII: Thence North  $01^{\circ}46'18''$  West, along the easterly line of said Ph-22-2, a distance of 130.56 feet to a point on the southerly R/W of said Samantha Drive, said point being the northeasterly corner of said Ph-22-2, and being a point of curvature;
- Course VIII: Thence along the southerly R/W of said Samantha Drive, along a curve to the left with a length 35.07 feet, radius 1330.00 feet, delta  $01^{\circ}30'39''$ , tangent 17.53 feet, chord 35.07 feet, bearing North  $87^{\circ}28'22''$  East to the Principal Place of Beginning.

Said parcel containing 1.0302 acres or 44,878 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20 and any other matters of record as surveyed and described in June, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South  $00^{\circ}28'15''$  East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-23-R3" Phase 23 Residual No. 3, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 23.

Job#20132833

  
Stan R. Loch P.S. # 8249 Date





**EXHIBIT "3"**  
**AMENDMENT NO. 23 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE XXIII contains two (2) detached single-family residential Buildings known as Units 38 and 89, situated on Hillary Lane and Samantha Lane, which includes a basement and attached two car garage, and which is constructed primarily of wood, vinyl siding, asphalt shingle roof, brick, concrete block, glass and drywall. The location of Units 38 and 89 are shown on the Drawings.

Unit 38 is a "Florence" type Unit. The Florence is a two-story Unit containing approximately 2,000 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, living room or dining room, dinette area, family room, kitchen, laundry room, ½ bath, and an attached two-car garage. The second floor of consists of three (3) bedrooms and two (2) full baths.

Unit 89 is a "Rome" type Unit. The Rome is a two-story Unit. The first floor consists of a foyer, living room, dining room, mudroom, kitchen, dinette area, powder room, and study. The second floor consists of four (4) bedrooms and two (2) full baths, walk-in closet and loft. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

**EXHIBIT "4"**  
**AMENDMENT NO. 23 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	2.08%
II	67	864 Hillary Lane	2.08%
III	8	853 Hillary Lane	2.08%
III	9	849 Hillary Lane	2.08%
III	16	821 Hillary Lane	2.08%
III	17	817 Hillary Lane	2.08%
IV	11	841 Hillary Lane	2.08%
V	18	813 Hillary Lane	2.08%
VI	7	857 Hillary Lane	2.08%
VI	15	825 Hillary Lane	2.08%
VI	65	854 Hillary Lane	2.08%
VII	10	845 Hillary Lane	2.08%
VIII	73	830 Hillary Lane	2.08%
IX	12	837 Hillary Lane	2.08%
X	14	829 Hillary Lane	2.08%
X	64	850 Hillary Lane	2.08%
X	74	818 Hillary Lane	2.08%
XI	6	861 Hillary Lane	2.08%
XII	13	833 Hillary Lane	2.08%
XII	66	860 Hillary Lane	2.08%
XII	71	880 Hillary Lane	2.08%
XII	72	836 Hillary Lane	2.08%
XIII	63	846 Hillary Lane	2.08%
XIII	69	872 Hillary Lane	2.08%
XIV	68	868 Hillary Lane	2.08%
XV	26	781 Hillary Lane	2.08%
XVI	4	869 Hillary Lane	2.08%
XVI	19	809 Hillary Lane	2.08%
XVI	25	785 Hillary Lane	2.08%
XVI	70	876 Hillary Lane	2.08%
XVI	77	798 Hillary Lane	2.08%
XVII	24	789 Hillary Lane	2.08%
XVII	78	794 Hillary Lane	2.08%
XVII	79	788 Hillary Lane	2.08%
XVIII	23	793 Hillary Lane	2.08%
XVIII	76	802 Hillary Lane	2.08%
XIX	5	865 Hillary Lane	2.08%

XX	20	805 Hillary Lane	2.08%
XX	21	801 Hillary Lane	2.08%
XX	81	780 Hillary Lane	2.08%
XXI	22	797 Hillary Lane	2.08%
XXII	80	784 Hillary Lane	2.08%
XXII	86	45 Samantha Drive	2.08%
XXII	87	55 Samantha Drive	2.08%
XXII	88	65 Samantha Drive	2.08%
XXII	90	85 Samantha Drive	2.08%
XXIII	38	733 Hillary Lane	2.08%
XXIII	89	75 Samantha Drive	2.08%
			Total 100%



*Patty*  
BONNIE M. HOWE  
PORTAGE CO. RECORDER

201608883 310

RECEIVED FOR RECORD  
AT 10:46:00  
FEE 248.00

**INDEXED**

AMENDMENT NO. 22  
TO THE DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM ✓

PHASE XXII  
ADDING UNIT NOS. 80, 86, 87, 88, AND 90

This will certify that copies of this AMENDMENT NO. 22 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "AMENDMENT NO. 22"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

*Plot 2016-32*

JUN 09 2016  
Dated: \_\_\_\_\_, 2016

PORTAGE COUNTY AUDITOR

By: *Janet Esposito*  
Deputy Auditor

This instrument prepared by:  
Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333

**AMENDMENT NO. 22 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE XXII of the Condominium which contains five (5) Units.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE XXII property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.

2. The legal description of the Condominium set forth in Exhibit “A” of the Declaration is amended to include the real property for PHASE XXII of the Condominium, the legal

description for PHASE XXII being described in Exhibit "1" attached hereto and made a part hereof

3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.

4. The number of Units referred to in the Declaration is increased from to forty-one (41) Units to forty-six (46) Units. A narrative description of the Buildings and Units for PHASE XXII is set forth in Exhibit "3" attached hereto and made a part hereof

5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.

6. The particulars of the Buildings and Units and other improvements for PHASE XXII, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE XXII Drawings incorporated in this AMENDMENT NO. 22 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE XXII Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 22 to the Declaration.

7. No owner of a Unit which was not included in Phase I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX, XX, and XXI shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE XXII prior to the filing of this AMENDMENT NO. 22 (except replacement reserve funds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this AMENDMENT NO. 22.

8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.

9. Except as amended herein, the Declaration thereto shall remain in full force and effect

10. Consent to this AMENDMENT NO. 22 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 6<sup>th</sup> day of June, 2016.

VILLAS OF BERTRAM, LLC, ✓  
an Ohio limited liability company

By: Iris S. Wolstein  
Iris S. Wolstein, Manager

STATE OF OHIO            )  
  )SS.  
COUNTY OF LAKE        )

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 6<sup>th</sup> day of June, 2016.

[Signature]  
Notary Public  
My Commission Expires \_\_\_\_\_





**EXHIBIT "A"**

**AMENDMENT NO. 22 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 22 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the AMENDMENT NO. 22.

**EXHIBIT "1"**  
**AMENDMENT NO. 22 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE XXII WILL BE ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-22-1**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 22**

**0.1790 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-22-1 on the Plat of The Villas of Bertram Condominium Phase 22 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North 89°31'39" East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta 08°06'50", tangent 21.28 feet, chord 42.45 feet, bearing South 86°24'56" East to a point;

Thence South 82°21'31" East, continuing along the centerline of said Samantha Drive, a distance of 83.30 feet to a point;

Thence South 07°38'29" West, a distance of 30.00 feet to a point on the southerly R/W of said Samantha Drive, and the Principal Place of Beginning;

Course I: Thence South 82°21'31" East, along the southerly R/W of said Samantha Drive, a distance of 60.00 to a point;


Course II: Thence South 07°38'29" West, a distance of 130.00, said point being the northerly line of Ph-18-1 in the Villas of Bertram Condominium Phase 18;

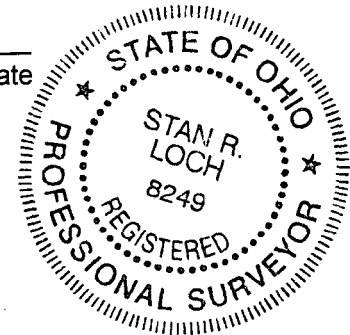
Course III: Thence North 82°21'31" West, along the northerly line of said Ph-18-1, a distance of 60.00 feet to a point;

Course IV: Thence North 07°38'29" East, a distance of 130.00 feet to the Principal Place of Beginning.

Said parcel containing 0.1790 acres or 7,800 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20 and any other matters of record as surveyed and described in May, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-22-1", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 22.

Job#20132833

  
Stan R. Loch P.S. # 8249 Date





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-22-2**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 22**

**0.7336 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-22-2 on the Plat of The Villas of Bertram Condominium Phase 22 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North  $89^{\circ}31'39''$  East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta  $08^{\circ}06'50''$ , tangent 21.28 feet, chord 42.45 feet, bearing South  $86^{\circ}24'56''$  East to a point;

Thence South  $82^{\circ}21'31''$  East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;

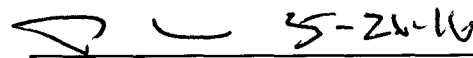
Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 42.13 feet, radius 1300.00 feet, delta 01°51'25", tangent 21.07 feet, chord 42.13 feet, bearing South 83°17'14" East to a point;

Thence South 05°47'04" West, a distance of 30.00 feet to a point on the southerly R/W of said Samantha Drive, and the Principal Place of Beginning;

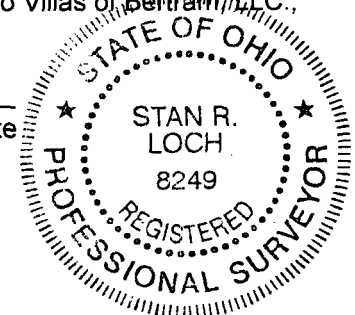
- Course I: Thence along the southerly R/W of said Samantha Drive, along a curve to the left with a length 175.40 feet, radius 1330.00 feet, delta 07°33'22", tangent 87.83 feet, chord 175.27 feet, bearing South 87°59'37" East to a point;
- Course II: Thence South 01°46'18" East, a distance of 130.56, said point being the northerly line of Ph-20-2 in the Villas of Bertram Condominium Phase 20;
- Course III: Thence South 89°30'07" West, along the northerly line of said Ph-20-2, a distance of 5.79 feet to a point, said point being the northwesterly corner of said Ph-20-2;
- Course IV: Thence South 00°29'53" East, along the westerly line of said Ph-20-2, a distance of 130.03 feet to a point on the northerly R/W of Hilliary Lane, 60 foot R/W, said point being the southwest corner of said Ph-20-2;
- Course V: Thence South 89°30'07" West, along the northerly R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the southeasterly corner of Ph-17-2 in the Villas of Bertram Condominium Phase 17;
- Course VI: Thence North 00°29'53" West, along the easterly line of said Ph-17-2, a distance of 130.03 feet to a point, said point being the northeasterly corner of said Ph-17-2;
- Course VII: Thence South 89°30'07" West, along the northerly line of said Ph-17-2, a distance of 58.40 feet to a point;
- Course VIII: Thence North 83°55'13" West, continuing along the northerly line of said Ph-17-2, a distance of 55.94 feet to a point, said point being the northwesterly corner of said Ph-17-2 and the northeasterly corner of Ph-16-4 in the Villas of Bertram Condominiums Phase 16;
- Course IX: Thence North 82°21'31" West, along the northerly line of said Ph-16-4, a distance of 12.67 feet to a point;
- Course X: Thence North 05°47'04" East, a distance of 130.77 feet to the Principal Place of Beginning.

Said parcel containing 0.7336 acres or 31,957 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20 and any other matters of record as surveyed and described in May, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-22-2", which is conveyed to Villas of Bertram, LLC, after the declaration of Villas of Bertram Condominium Phase 22.

Job#20132833

  
Stan R. Loch P.S. # 8249

Date



**EXHIBIT "2"**  
**AMENDMENT NO. 22 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO



## **ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**

### **LEGAL DESCRIPTION PH 22-R1 THE VILLAS OF BERTRAM CONDOMINIUM PHASE 22 24.0614 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 1 on the Plat of The Villas of Bertram Condominium Phase 22, and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $89^{\circ}30'28''$  West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South  $00^{\circ}28'15''$  East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a  $5/8''$  iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North  $89^{\circ}30'28''$  East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hilliary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta  $90^{\circ}01'17''$ , tangent 25.01 feet, chord 35.36 feet, bearing South  $45^{\circ}28'54''$  East to a point;



- Course III: Thence South 00°28'15" East, continuing along the westerly R/W of said Hilliary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;
- Course IV: Thence South 89°31'45" West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;
- Course V: Thence South 00°28'15" East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwesterly corner of said Ph-1;
- Course VI: Thence North 89°31'45" East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hilliary Lane, said point being the southeasterly corner of said Ph-1;
- Course VII: Thence South 00°28'15" East, along the westerly R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the northeasterly corner of Ph-16-1 in the Villas of Bertram Condominiums Phase 16;
- Course VIII: Thence South 89°31'45" West, along the northerly line of said Ph-16-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-16-1;
- Course IX: Thence South 00°28'15" East, along the westerly line of said Ph-16-1, Ph-19-1 in the Villas of Bertram Condominium Phase 19, Ph-11-1 in the Villas of Bertram Condominium Phase 11, Ph-6-1 in the Villas of Bertram Phase 1 Condominium Phase 6, Ph-3-1 in the Villas of Bertram Phase 1 Condominium Phase 3, Ph-7-1 in the Villas of Bertram Phase 1 Condominium Phase 7, Ph-4 in the Villas of Bertram Phase 1 Condominium Phase 4, Ph-9-1 in the Villas of Bertram Phase 1 Condominium Phase 9, and Ph-12-1 in the Villas of Bertram Phase 1, Condominium Phase 12, a distance of 627.06 feet to a point, said point being the northwesterly corner of Ph-10-1 in the Villas of Bertram Phase 1, Condominium Phase 10;
- Course X: Thence South 17°30'08" East, along the westerly line of said Ph-10-1, a distance of 84.60 feet to a point, said point being the southwesterly corner of said Ph-10-1 and the northwesterly corner of Ph-6-2 in the Villas of Bertram Phase 6;
- Course XI: Thence South 28°59'33" East, along the westerly line of said Ph-6-2, a distance of 84.31 feet to a point, said point being the southwesterly corner of said Ph-6-2 and southwesterly corner of Ph-3-2 in the Villas of Bertram Phase 1, Condominium Phase 3;
- Course XII: Thence South 41°59'53" East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;
- Course XIII: Thence South 55°00'13" East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2 and also being the southwesterly corner of Ph-5 in the Villas of Bertram Phase 1, Condominium Phase 5;
- Course XIV: Thence South 67°15'11" East, along the southerly line of said Ph-5, distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-5 and the southwesterly corner of Ph-16-3 in the Villas of Bertram Condominiums Phase 16;

- Course XV: Thence South  $82^{\circ}21'31''$  East, along the southerly line of said Ph-16-3 and the southerly line of Ph-20-1 in the Villas of Bertram Condominiums Phase 20, Ph-21-1 in the Villas of Bertram Condominiums Phase 21, Ph-18-2 in the Villas of Bertram Condominiums Phase 18, a distance of 269.95 feet to a point;
- Course XVI: Thence South  $86^{\circ}09'02''$  East, continuing along the southerly line of said Ph-18-2, a distance of 47.61 feet to a point;
- Course XVII: Thence North  $89^{\circ}30'07''$  East, continuing along the southerly line of said Ph-18-2 and along the southerly lines of Ph-17-1 in the Villas of Bertram Condominiums Phase 17, Ph-16-5 in the Villas of Bertram Condominiums Phase 16 and Ph-15-1 in the Villas of Bertram Condominiums Phase 15, a distance of 195.15 feet to a point, said point being the southeasterly corner of said Ph-15-1;
- Course XVIII: Thence North  $01^{\circ}53'59''$  West, along the easterly line of said Ph-15-1, a distance of 140.11 feet to a point on the southerly R/W of said Hilliary Lane, said point being the northeasterly corner of said Ph-15-1 and also being a point on a curve;
- Course XIX: Thence along the southwesterly R/W of said Hilliary Lane, along a curve to the left with a length 366.83 feet, radius 230.00 feet, delta  $91^{\circ}22'58''$ , tangent 235.62 feet, chord 329.17 feet, bearing North  $42^{\circ}24'32''$  East to a point;
- Course XX: Thence North  $03^{\circ}16'57''$  West, along the easterly R/W of said Hilliary Lane, a distance of 452.25 feet to a point, said point being a point of curvature;
- Course XXI: Thence continuing along the easterly R/W of said Hilliary Lane, along a curve to the left with a length 31.50 feet, radius 330.00 feet, delta  $05^{\circ}28'10''$ , tangent 15.76 feet, chord 31.49 feet, bearing North  $06^{\circ}01'02''$  West to a point;
- Course XXII: Thence North  $08^{\circ}45'07''$  West, continuing along the easterly R/W of said Hilliary Lane, a distance of 48.93 feet to a point, said point being a point of curvature;
- Course XXIII: Thence continuing along the easterly R/W of said Hilliary Lane, along a curve to the right with a length 23.25 feet, radius 25.00 feet, delta  $53^{\circ}17'08''$ , tangent 12.54 feet, chord 22.42 feet, bearing North  $17^{\circ}53'27''$  East to a point;
- Course XXIV: Thence continuing along the easterly R/W of said Hilliary Lane, along a curve to the left with a length 335.11 feet, radius 67.00 feet, delta  $286^{\circ}34'16''$ , tangent 49.97 feet, chord 80.11 feet, bearing South  $81^{\circ}14'53''$  West to a point, said point being on the westerly R/W of said Hilliary Lane;
- Course XXV: Thence along the westerly R/W of said Hilliary Lane, along a curve to the left with a length 23.25 feet, radius 25.00 feet, delta  $53^{\circ}17'08''$ , tangent 12.54 feet, chord 22.42 feet, bearing South  $35^{\circ}23'41''$  East to a point;
- Course XXVI: Thence South  $08^{\circ}45'07''$  East, continuing along the westerly R/W of said Hilliary Lane, a distance of 48.93 feet to a point, said point being a point of curvature;
- Course XXVII: Thence continuing along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 25.77 feet, radius 270.00 feet, delta  $05^{\circ}28'10''$ , tangent 12.90 feet, chord 25.76 feet, bearing South  $06^{\circ}01'02''$  East to a point;
- Course XXVIII: Thence South  $03^{\circ}16'57''$  East, continuing along the westerly R/W of said Hilliary Lane, a distance of 274.69 feet to a point, said point being on the northerly R/W of Samantha Drive, 60 foot R/W and also being a point of curvature;

- Course XXIX: Thence along the northerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta  $90^{\circ}00'00''$ , tangent 25.00 feet, chord 35.36 feet, bearing South  $41^{\circ}43'03''$  West to a point;
- Course XXX: Thence South  $86^{\circ}43'03''$  West, continuing along the northerly R/W of said Samantha Drive, a distance of 158.49 feet to a point, said point being a point of curvature;
- Course XXXI: Thence continuing along the Northerly R/W of said Samantha Drive, along a curve to the right with a length 242.14 feet, radius 1270.00 feet, delta  $10^{\circ}55'26''$ , tangent 121.43 feet, chord 241.77 feet, bearing North  $87^{\circ}49'14''$  West to a point;
- Course XXXII: Thence North  $82^{\circ}21'31''$  West, continuing along the northerly R/W of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;
- Course XXXIII: Thence continuing along the Northerly R/W of said Samantha Drive, along a curve to the left with a length 18.09 feet, radius 330.00 feet, delta  $03^{\circ}08'26''$ , tangent 9.05 feet, chord 18.09 feet, bearing North  $83^{\circ}55'44''$  West to a point, said point being the southeasterly corner of Ph-13-2 in the Villas of Bertram Phase 1, Condominium Phase 13;
- Course XXXIV: Thence North  $00^{\circ}28'15''$  West, along the easterly lines of said Ph-13-2, Ph-10-3 in the Villas of Bertram Phase 1, Condominium Phase 10 and Ph-6-3 in the Villas of Bertram Phase 1, Condominium Phase 6, a distance of 206.24 feet to a point said point being the northeasterly corner of said Ph-6-3;
- Course XXXV: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-6-3, a distance of 137.45 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-6-3;
- Course XXXVI: Thence North  $07^{\circ}30'01''$  West, along the easterly R/W of said Hilliary Lane, a distance of 25.56 feet to a point, said point being the southwesterly corner of Ph-12-3 in the Villas of Bertram Phase 1, Condominium Phase 12;
- Course XXXVII: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-12-3, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-12-3;
- Course XXXVIII: Thence North  $00^{\circ}28'15''$  West, along the easterly line of said Ph-12-3, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-12-3;
- Course XXXIX: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-12-3, a distance of 13.26 feet to a point, said point being the southeasterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominiums Phase 2;
- Course XL: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ph-2, and the easterly lines of Ph-14-1 in the Villas of Bertram Condominiums Phase 14, Ph-13-1 in the Villas of Bertram Phase 1, Condominium Phase 13, Ph-16-2 in the Villas of Bertram Condominiums Phase 16 and Ph-12-4 in the Villas of Bertram Condominiums Phase 12, a distance of 300.00 feet to a point, said point being the northeasterly corner of said Ph-12-4;
- Course XLI: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-12-4, a distance of 121.03 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-12-4;


- Course XLII: Thence North  $00^{\circ}28'15''$  West, along the easterly R/W of said Hilliary Lane, a distance of 40.07 feet to a point, said point being a point of curvature
- Course XLIII: Thence continuing along the easterly R/W of said Hilliary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta  $89^{\circ}58'43''$ , tangent 24.99 feet, chord 35.35 feet, bearing North  $44^{\circ}31'06''$  East to a point, said point being on the southerly R/W of said Treat Road;
- Course XLIV: Thence North  $89^{\circ}30'28''$  East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a  $5/8''$  iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course XLV: Thence South  $00^{\circ}42'49''$  East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a  $5/8''$  iron pin found capped "Weiss & Assoc.", said point being the southwesterly corner of said Ohio Edison Company;
- Course XLVI: Thence North  $89^{\circ}30'28''$  East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a  $5/8''$  iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;
- Course XLVII: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ohio Edison Company, passing through a  $5/8''$  iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;
- Course XLVIII: Thence North  $89^{\circ}30'28''$  East, along the centerline of said Treat Road, passing through a 1- $1/4''$  axle found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;
- Course XLIX: Thence South  $00^{\circ}42'49''$  East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;
- Course L: Thence South  $89^{\circ}32'00''$  West, along the northerly line of said Berry and the northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a  $5/8''$  iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a  $3/4''$  iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;
- Course LI: Thence North  $47^{\circ}50'36''$  West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a  $3/4''$  iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwesterly corner of lands conveyed to Michael & Cheryl Habbysaw, as recorded in Document No. 201105000 of the Portage County Deed Records;

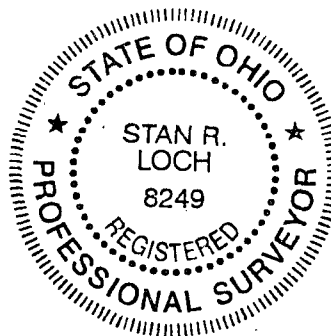
Course LII: Thence North 89°30'22" East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;

Course LIII: Thence North 00°28'15" West, along the easterly line of said Habbyshaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

Said parcel contains 24.0614 acres or 1,048,116 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20 and any other matters of record as surveyed and described in May, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe the portion of the land conveyed to Villas of Bertram LLC. by File # 201401775 of the Portage County Records, which is designated as Ph-22-R1 Phase 22 Residual No. 1 on the Plat of Villas of Bertram Condominium Phase 22.

Job#20132833

 5-26-16  
Stan R. Loch P.S. # 8249      Date





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-22-R2**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 22**

**0.4243 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 2 on the Plat of The Villas of Bertram Condominium Phase 22 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North  $89^{\circ}31'39''$  East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta  $08^{\circ}06'50''$ , tangent 21.28 feet, chord 42.45 feet, bearing South  $86^{\circ}24'56''$  East to a point;

Thence South  $82^{\circ}21'31''$  East, continuing along the centerline of said Samantha Drive, a distance of 83.30 feet to a point;

Thence South  $07^{\circ}38'29''$  West, a distance of 30.00 feet to a point on the southerly R/W of said Samantha Drive, and the Principal Place of Beginning;

- Course I: Thence South  $07^{\circ}38'29''$  West, a distance of 130.00 feet to a point;
- Course II: Thence South  $82^{\circ}21'31''$  East, a distance of 15.77 feet to a point, said point being the northwesterly corner of Ph-18-1 in the Villas of Bertram Condominium Phase 18;
- Course III: Thence South  $07^{\circ}38'29''$  West, along the westerly line of said Ph-18-1, a distance of 130.00 feet to a point on the northerly R/W of Hilliary Lane, 60 foot R/W, said point being the southwesterly corner of said Ph-18-1;
- Course IV: Thence North  $82^{\circ}21'31''$  West, along the northerly R/W of said Hilliary Lane, a distance of 55.43 feet to a point, said point being a point of curvature;
- Course V: Thence continuing along the northerly R/W of said Hilliary Lane, along a curve to the right with a length 9.83 feet, radius 170.00 feet, delta  $03^{\circ}18'53''$ , tangent 4.92 feet, chord 9.83 feet, bearing North  $80^{\circ}42'04''$  West to a point, said point being the southeasterly corner of Ph-10-2 in the Villas of Bertram Condominiums Phase 10;
- Course VI: Thence North  $10^{\circ}57'22''$  East, along the easterly line of said Ph-10-2, a distance of 129.93 feet to a point, said point being the northeasterly corner of said Ph-10-2;
- Course VII: Thence North  $56^{\circ}52'23''$  West, along the northerly line of said Ph-10-2, a distance of 29.98 feet to a point, said point being the northwesterly corner of said Ph-10-2 and the southeasterly corner of Ph-8-1 in the Villas of Bertram Condominiums Phase 8;
- Course VIII: Thence North  $11^{\circ}39'32''$  West, along the easterly line of said Ph-8-1, a distance of 36.33 feet to a point, said point being the northeasterly corner of said Ph-8-1 and the southeasterly corner of Ph-12-2 in the Villas of Bertram Condominiums Phase 12;
- Course IX: Thence North  $00^{\circ}28'21''$  West, along the easterly line of said Ph-12-2, a distance of 83.48 feet to a point on the southerly R/W of said Samantha Drive, said point being the northeasterly corner of said Ph-12-2;

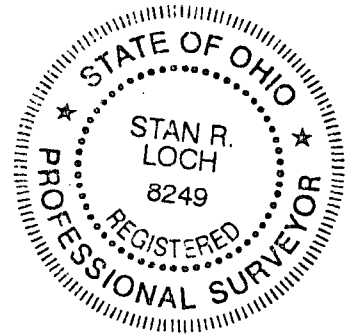
Course X: Thence along the southerly R/W of said Samantha Drive, along a curve to the right with a length 9.53 feet, radius 270.00 feet, delta  $02^{\circ}01'22''$ , tangent 4.77 feet, chord 9.53 feet, bearing South  $83^{\circ}22'12''$  East to a point;

Course XI: Thence South  $82^{\circ}21'31''$  East, continuing along the southerly R/W of said Samantha Drive, a distance of 83.30 feet to the Principal Place of Beginning.

Said parcel containing 0.4243 acres or 18,485 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20 and any other matters of record as surveyed and described in May, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South  $00^{\circ}28'15''$  East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-22-R2" Phase 22 Residual No. 2, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 22.

Job#20132833

  
\_\_\_\_\_  
Stan R. Loch P.S. # 8249      Date







**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION  
PH-22-R3  
THE VILLAS OF BERTRAM CONDOMINIUM PHASE 22  
0.1822 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 3 on the Plat of The Villas of Bertram Condominium Phase 22 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot RW and Hilliary Lane, 60 foot RW;

Thence South 00°28'15" East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 07°30'01" East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 00°28'15" East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot RW;

Thence North 89°31'39" East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta 08°06'50", tangent 21.28 feet, chord 42.45 feet, bearing South 86°24'56" East to a point;

Thence South 82°21'31" East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 42.13 feet, radius 1300.00 feet, delta 01°51'25", tangent 21.07 feet, chord 42.13 feet, bearing South 83°17'14" East to a point;

Thence South 05°47'04" West, a distance of 30.00 feet to a point on the southerly R/W of said Samantha Drive, and the Principal Place of Beginning;

Course I: Thence South 05°47'04" West, a distance of 130.77 feet to a point, said point being on the northerly line of Ph-16-4 in the Villas of Bertram Condominiums Phase 16;

Course II: Thence North 82°21'31" West, along the northerly line of said Ph-16-4, and the northerly line of Ph-18-1 in the Villas of Bertram Condominiums Phase 18, a distance of 63.10 feet to a point;

Course III: Thence North 07°38'29" East, a distance of 130.00 feet to a point on the southerly R/W of said Samantha Drive;

Course IV: Thence South 82°21'31" East, along the southerly R/W of said Samantha Drive, a distance of 15.76 feet to a point, said point being a point of curvature;

Course V: Thence continuing along the southerly R/W of said Samantha Drive, along a curve to the left with a length 43.11 feet, radius 1330.00 feet, delta 01°51'25", tangent 21.55 feet, chord 43.10 feet, bearing South 83°17'14" East to the Principal Place of Beginning.

Said parcel containing 0.1822 acres or 7,938 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20 and any other matters of record as surveyed and described in May, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-22-R3" Phase 22 Residual No. 3, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 22.

S L 5-26-16  
 Stan R. Loch P.S. # 8249      Date

Job#20132833

6.10.2016 ~~2017~~

TAX MAP DEPT.

P.N. 03-015-10-00-001.00 26.612 AC.

LEGAL DESCRIPTION

UNIT 90

- 0.1790 AC

SUFFICIENT     DEFICIENT

26.433 BAL

NO DIVISION OF LAND

UNITS: 80,86,87,88

- 0.7336 AC

25.6994 BAL

PH 22-R 1

- 24.0614 AC

1.638 BAL

PH 22-R 2

- 0.4243 AC

1.2137 BAL

PH 22-R 3

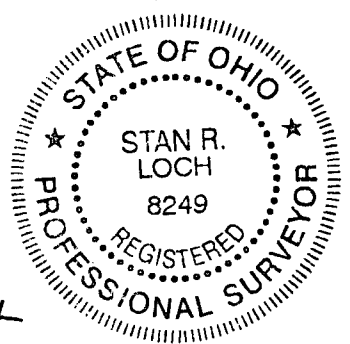
- 0.1822 AC

1.0315 BAL

PH 22-R 4

= 1.0302 AC

BY SURVEY





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-22-R4**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 22**

**1.0302 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, Phase 2A, as recorded in Plat 2015-40, Phase 2B & 3, as recorded in Plat 2016-20 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 4 on the Plat of The Villas of Bertram Condominium Phase 22 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hilliary Lane, a distance of 157.36 feet to a point, said point being the centerline intersection of Samantha Drive, 60 foot R/W;

Thence North  $89^{\circ}31'39''$  East, along the centerline of said Samantha Drive, a distance of 131.39 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the right with a length 42.48 feet, radius 300.00 feet, delta  $08^{\circ}06'50''$ , tangent 21.28 feet, chord 42.45 feet, bearing South  $86^{\circ}24'56''$  East to a point;

Thence South  $82^{\circ}21'31''$  East, continuing along the centerline of said Samantha Drive, a distance of 159.07 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Samantha Drive, along a curve to the left with a length 247.85 feet, radius 1300.00 feet, delta  $10^{\circ}55'25''$ , tangent 124.30 feet, chord 247.48 feet, bearing South  $87^{\circ}49'14''$  East to a point;

Thence South  $01^{\circ}46'18''$  East, a distance of 30.00 feet to a point on the southerly R/W of said Samantha Drive, and the Principal Place of Beginning;

Course I: Thence North  $86^{\circ}43'03''$  East, along the southerly R/W of said Samantha Drive, a distance of 158.49 feet to a point, said point being a point of curvature;

Course II: Thence continuing along the southerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta  $90^{\circ}00'00''$ , tangent 25.00 feet, chord 35.36 feet, bearing South  $48^{\circ}16'57''$  East to a point, said point being on the westerly R/W of said Hilliary Lane;

Course III: Thence South  $03^{\circ}16'57''$  East, along the westerly R/W of said Hilliary Lane, a distance of 67.56 feet to a point, said point being a point of curvature;

Course IV: Thence continuing along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 266.67 feet, radius 170.00 feet, delta  $89^{\circ}52'39''$ , tangent 169.64 feet, chord 240.16 feet, bearing South  $41^{\circ}39'29''$  West to a point, said point being the southeasterly corner of Ph-20-2 in the Villas of Bertram Condominiums Phase 20;

Course V: Thence North  $03^{\circ}23'45''$  West, along the easterly line of said Ph-20-2, a distance of 129.98 feet to a point, said point being the northeasterly corner of said Ph-20-2;

Course VI: Thence South  $89^{\circ}30'07''$  West, along the northerly line of said Ph-20-2, a distance of 52.16 feet to a point;

Course VII: Thence North  $01^{\circ}46'18''$  West, a distance of 130.56 feet to a point on the southerly R/W of said Samantha Drive and being a point of curvature;

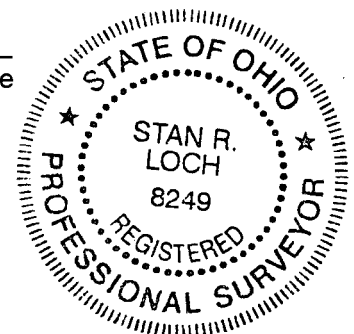
Course VIII: Thence along the southerly R/W of said Samantha Drive, along a curve to the left with a length 35.07 feet, radius 1330.00 feet, delta  $01^{\circ}30'39''$ , tangent 17.53 feet, chord 35.07 feet, bearing North  $87^{\circ}28'22''$  East to the Principal Place of Beginning.

Said parcel containing 1.0302 acres or 44,878 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5, 2016-19, 2016-20 and any other matters of record as surveyed and described in May, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South  $00^{\circ}28'15''$  East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-22-R4" Phase 22 Residual No. 4, which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 22.

Job#20132833

  
Stan R. Loch P.S. # 8249

Date



**EXHIBIT "3"**  
**AMENDMENT NO. 22 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE XXII contains five (5) detached single-family residential Buildings known as Units 80, 86, 87, 88, and 90, situated on Hillary Lane, which includes a basement and attached two car garage, and which is constructed primarily of wood, vinyl siding, asphalt shingle roof, brick, concrete block, glass and drywall. The location of Units 80, 86, 87, 88, and 90 are shown on the Drawings.

Unit 80 is a "Rome" type Unit. The Rome is a two-story Unit. The first floor consists of a foyer, living room, dining room, mudroom, kitchen, dinette area, powder room, and study. The second floor consists of four (4) bedrooms and two (2) full baths, walk-in closet and loft. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 86 is a "Milan" type Unit. The Milan type Unit is a one-story Unit containing approximately 2528 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a living room, family room, kitchen, dining room, dinette, powder room, mudroom, and 2-car attached garage. The second floor consists of four bedrooms, a loft, laundry, 2 walk-in closets, and two full baths.

Unit 87 is a "Chantilly Place" type Unit. The Chantilly Place type Unit is a two-story Unit containing approximately 2300 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, dining room or study, dinette area, great room, kitchen, laundry room, ½ bath, and an attached two-car garage. The second floor of consists of three (3) bedrooms and two (2) full baths. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 88 is a "Venice" type Unit. The Venice type Unit is a two-story Unit containing approximately 2,344 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, great room or study, dining room, kitchen, morning room, laundry room, ½ bath and an attached two-car garage. The second floor of consists of four (4) bedrooms and two (2) full baths, and walk-in closet.

Unit 90 is a "Milan" type Unit. The Milan type Unit is a one-story Unit containing approximately 2528 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a living room, family room, kitchen, dining room, dinette, powder room, mudroom, and 2-car attached garage. The second floor consists of four bedrooms, a loft, laundry, 2 walk-in closets, and two full baths.

**EXHIBIT "4"**  
**AMENDMENT NO. 22 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	2.17%
II	67	864 Hillary Lane	2.17%
III	8	853 Hillary Lane	2.17%
III	9	849 Hillary Lane	2.17%
III	16	821 Hillary Lane	2.17%
III	17	817 Hillary Lane	2.17%
IV	11	841 Hillary Lane	2.17%
V	18	813 Hillary Lane	2.17%
VI	7	857 Hillary Lane	2.17%
VI	15	825 Hillary Lane	2.17%
VI	65	854 Hillary Lane	2.17%
VII	10	845 Hillary Lane	2.17%
VIII	73	830 Hillary Lane	2.17%
IX	12	837 Hillary Lane	2.17%
X	14	829 Hillary Lane	2.17%
X	64	850 Hillary Lane	2.17%
X	74	818 Hillary Lane	2.17%
XI	6	861 Hillary Lane	2.17%
XII	13	833 Hillary Lane	2.17%
XII	66	860 Hillary Lane	2.17%
XII	71	880 Hillary Lane	2.17%
XII	72	836 Hillary Lane	2.17%
XIII	63	846 Hillary Lane	2.17%
XIII	69	872 Hillary Lane	2.17%
XIV	68	868 Hillary Lane	2.17%
XV	26	781 Hillary Lane	2.17%
XVI	4	869 Hillary Lane	2.17%
XVI	19	809 Hillary Lane	2.17%
XVI	25	785 Hillary Lane	2.17%
XVI	70	876 Hillary Lane	2.17%
XVI	77	798 Hillary Lane	2.17%
XVII	24	789 Hillary Lane	2.17%
XVII	78	794 Hillary Lane	2.17%
XVII	79	788 Hillary Lane	2.17%
XVIII	23	793 Hillary Lane	2.17%
XVIII	76	802 Hillary Lane	2.17%
XIX	5	865 Hillary Lane	2.17%

XX	20	805 Hillary Lane	2.17%
XX	21	801 Hillary Lane	2.17%
XX	81	780 Hillary Lane	2.17%
XXI	22	797 Hillary Lane	2.17%
XXII	80	784 Hillary Lane	2.17%
XXII	86	45 Samantha Drive	2.17%
XXII	87	55 Samantha Drive	2.17%
XXII	88	65 Samantha Drive	2.17%
XXII	90	85 Samantha Drive	2.17%
			Total 100%





*Patty*

BONNIE M. HOWE  
PORTAGE CO. RECORDER

201605763 21<sup>st</sup>

RECEIVED FOR RECORD

AT 15:00:35

FEE 176.00

**INDEXED**

AMENDMENT NO. 21  
TO THE DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM

PHASE XXI  
ADDING UNIT NO. 22

This will certify that copies of this AMENDMENT NO. 21 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "AMENDMENT NO. 21"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

Dated: APR 21 2016, 2016

*Plat 2016-19*

PORTAGE COUNTY AUDITOR

By: *Xanet Esposito*

Deputy Auditor

This instrument prepared by:  
Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333

**AMENDMENT NO. 21 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE XXI of the Condominium which contains one (1) Unit.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE XXI property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.
2. The legal description of the Condominium set forth in Exhibit “A” of the Declaration is amended to include the real property for PHASE XXI of the Condominium, the legal

description for PHASE XXI being described in Exhibit "1" attached hereto and made a part hereof

3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.

4. The number of Units referred to in the Declaration is increased from to forty (40) Units to forty-one (41) Units. A narrative description of the Buildings and Units for PHASE XXI is set forth in Exhibit "3" attached hereto and made a part hereof

5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.

6. The particulars of the Buildings and Units and other improvements for PHASE XXI, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE XXI Drawings incorporated in this AMENDMENT NO. 21 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE XXI Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 21 to the Declaration.

7. No owner of a Unit which was not included in Phase I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX, and XX shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE XXI prior to the filing of this AMENDMENT NO. 21 (except replacement reserve funds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this AMENDMENT NO. 21.

8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.

9. Except as amended herein, the Declaration thereto shall remain in full force and effect

10. Consent to this AMENDMENT NO. 21 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 18<sup>th</sup> day of April, 2016.

VILLAS OF BERTRAM, LLC,  
an Ohio limited liability company

By: Iris S. Wolstein  
Iris S. Wolstein, Manager

STATE OF OHIO )  
 )SS.  
COUNTY OF LAKE )  
 Cuyahoga

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 18<sup>th</sup> day of April, 2016.

[Signature]  
\_\_\_\_\_  
Notary Public  
My Commission Expires \_\_\_\_\_



**EXHIBIT "A"**

**AMENDMENT NO. 21 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 21 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the AMENDMENT NO. 21.

**EXHIBIT "1"**  
**AMENDMENT NO. 21 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE XXI WILL BE ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-21-1**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 21**

**0.1942 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, and Phase 2A, as recorded in Plat 2015-40 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-21-1 on the Plat of The Villas of Bertram Condominium Phase 21 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hilliary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 07°30'01" East, along the centerline of said Hilliary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 00°28'15" East, continuing along the centerline of said Hilliary Lane, a distance of 285.32 feet to a point;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 285.84 feet, radius 200.00 feet, delta 81°53'16", tangent 173.51 feet, chord 262.13 feet, bearing South 41°24'53" East to a point;

Thence South 82°21'31" East, continuing along the centerline of said Hilliary Lane, a distance of 143.70 feet to a point;

Thence South 07°38'29" West, a distance of 30.00 feet to a point on the southerly R/W of said Hilliary Lane, said point also being the northeasterly corner of Ph-20-1 in the Villas of Bertram Condominium Phase 20 and the Principal Place of Beginning;

Course I: Thence South 82°21'31" East, along the southerly R/W of said Hilliary Lane, a distance of 53.03 to a point of curvature;

Course II: Thence continuing along the southerly R/W of said Hilliary Lane, along a curve to the left with a length 6.54 feet, radius 530.00 feet, tangent 3.27 feet, chord 6.54 feet, bearing South 82°42'44" East, delta 00°42'25" to a point, said point being the northwesterly corner of Ph-18-2 in the Villas of Bertram Condominium Phase 18;

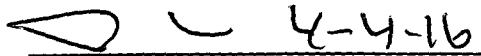
Course III: Thence South 06°56'04" West, along the westerly line of said Ph-18-2, a distance of 140.05 feet to a point, said point being the southwesterly corner of said Ph-18-2;

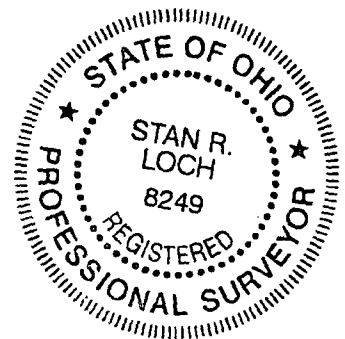
Course IV: Thence North 82°21'31" West, a distance of 61.29 feet to a point, said point being the southeasterly corner of said Ph-20-1;

Course V: Thence North 07°38'29" East, along the easterly line of said Ph-20-1, a distance of 140.00 feet to the Principal Place of Beginning.

Said parcel containing 0.1942 acres or 8,460 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5 and any other matters of record as surveyed and described in March, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-21-1", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 21.

Job#20132833

  
Stan R. Loch P.S. # 8249 Date





**EXHIBIT "2"**  
**AMENDMENT NO. 21 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO

4-21-2016  
TAX MAP DEPT.  
LEGAL DESCRIPTION  
 SUFFICIENT  DEFICIENT  
 NO DIVISION OF LAND

PN  
03-015-10-00-001.002: 29.147 ac (Rec)  
UNIT 22  
- 0.1942  
28.9528 bal  
= 28.9524 ac  
BY SURVEY



**ENGINEERING & SURVEYING CO., INC.**  
5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259

**LEGAL DESCRIPTION  
PH 21-R1  
THE VILLAS OF BERTRAM CONDOMINIUM PHASE 20  
28.9524 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, and Phase 2A, as recorded in Plat 2015-40 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 1 on the Plat of The Villas of Bertram Condominium Phase 21, and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hilliary Lane, 60 foot R/W;

Thence South 89°30'28" West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South 00°28'15" East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a 5/8" iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hilliary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hilliary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta 90°01'17", tangent 25.01 feet, chord 35.36 feet, bearing South 45°28'54" East to a point;

- Course III: Thence South 00°28'15" East, continuing along the westerly R/W of said Hilliary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;
- Course IV: Thence South 89°31'45" West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;
- Course V: Thence South 00°28'15" East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwesterly corner of said Ph-1;
- Course VI: Thence North 89°31'45" East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hilliary Lane, said point being the southeasterly corner of said Ph-1;
- Course VII: Thence South 00°28'15" East, along the westerly R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the northeasterly corner of Ph-16-1 in the Villas of Bertram Condominiums Phase 16;
- Course VIII: Thence South 89°31'45" West, along the northerly line of said Ph-16-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-16-1;
- Course IX: Thence South 00°28'15" East, along the westerly line of said Ph-16-1, Ph-19-1 in the Villas of Bertram Condominium Phase 19, Ph-11-1 in the Villas of Bertram Condominium Phase 11, Ph-6-1 in the Villas of Bertram Phase 1 Condominium Phase 6, Ph-3-1 in the Villas of Bertram Phase 1 Condominium Phase 3, Ph-7-1 in the Villas of Bertram Phase 1 Condominium Phase 7, Ph-4 in the Villas of Bertram Phase 1 Condominium Phase 4, Ph-9-1 in the Villas of Bertram Phase 1 Condominium Phase 9, and Ph-12-1 in the Villas of Bertram Phase 1, Condominium Phase 12, a distance of 627.06 feet to a point, said point being the northwesterly corner of Ph-10-1 in the Villas of Bertram Phase 1, Condominium Phase 10;
- Course X: Thence South 17°30'08" East, along the westerly line of said Ph-10-1, a distance of 84.60 feet to a point, said point being the southwesterly corner of said Ph-10-1 and the northwesterly corner of Ph-6-2 in the Villas of Bertram Phase 6;
- Course XI: Thence South 28°59'33" East, along the westerly line of said Ph-6-2, a distance of 84.31 feet to a point, said point being the southwesterly corner of said Ph-6-2 and southwesterly corner of Ph-3-2 in the Villas of Bertram Phase 1, Condominium Phase 3;
- Course XII: Thence South 41°59'53" East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;
- Course XIII: Thence South 55°00'13" East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2 and also being the southwesterly corner of Ph-5 in the Villas of Bertram Phase 1, Condominium Phase 5;
- Course XIV: Thence South 67°15'11" East, along the southerly line of said Ph-5, distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-5 and the southwesterly corner of Ph-16-3 in the Villas of Bertram Condominiums Phase 16;

- Course XV: Thence South  $82^{\circ}21'31''$  East, along the southerly line of said Ph-16-3 and the southerly line of Ph-20-1 in the Villas of Bertram Condominiums Phase 20, a distance of 269.95 feet to a point, said point being on the southerly line of Ph-18-2 in the Villas of Bertram Condominiums Phase 18;
- Course XVI: Thence South  $86^{\circ}09'02''$  East, along the southerly line of said Ph-18-2, a distance of 47.61 feet to a point;
- Course XVII: Thence North  $89^{\circ}30'07''$  East, continuing along the southerly line of said Ph-18-2 and along the southerly lines of Ph-17-1 in the Villas of Bertram Condominiums Phase 17, Ph-16-5 in the Villas of Bertram Condominiums Phase 16 and Ph-15-1 in the Villas of Bertram Condominiums Phase 15, a distance of 195.15 feet to a point, said point being the southeasterly corner of said Ph-15-1;
- Course XVIII: Thence North  $01^{\circ}53'59''$  West, along the easterly line of said Ph-15-1, a distance of 140.11 feet to a point on the southerly R/W of said Hilliary Lane, said point being the northeasterly corner of said Ph-15-1 and also being a point on a curve;
- Course XIX: Thence continuing along the southwesterly R/W of said Hilliary Lane, along a curve to the left with a length 6.04 feet, radius 230.00 feet, delta  $01^{\circ}30'19''$ , tangent 3.02 feet, chord 6.04 feet, bearing North  $87^{\circ}20'51''$  East to a point, said point being at the southeasterly terminus of said Hilliary Lane;
- Course XX: Thence North  $03^{\circ}24'18''$  West, along the easterly terminus of the R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the northeasterly terminus of said Hilliary Lane and the southeasterly corner of Ph-20-2 in the Villas of Bertram Condominiums Phase 20;
- Course XXI: Thence North  $03^{\circ}23'45''$  West, along the easterly line of said Ph-20-2, a distance of 129.98 feet to a point, said point being the northeasterly corner of said Ph-20-2;
- Course XXII: Thence South  $89^{\circ}30'07''$  West, along the northerly line of said Ph-20-2, a distance of 57.95 feet to a point, said point being the northwesterly corner of said Ph-20-2;
- Course XXIII: Thence South  $00^{\circ}29'53''$  East, along the westerly line of said Ph-20-2, a distance of 130.03 feet to a point on the northerly R/W of said Hilliary Lane, said point being the southwesterly corner of said Ph-20-2
- Course XXIV: Thence South  $89^{\circ}30'07''$  West, along the northerly R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the southeasterly corner of Ph-17-2 in the Villas of Bertram Condominiums Phase 17;
- Course XXV: Thence North  $00^{\circ}29'53''$  West, along the easterly line of said Ph-17-2, a distance of 130.03 feet to a point, said point being the northeasterly corner of said Ph-17-2;
- Course XXVI: Thence South  $89^{\circ}30'07''$  West, along the northerly line of said Ph-17-2, a distance of 58.40 feet to an angle point;
- Course XXVII: Thence North  $83^{\circ}55'13''$  West, continuing along the northerly line of said Ph-17-2, a distance of 55.94 feet to a point, said point being the northwesterly corner of said Ph-17-2 and the northeasterly corner of Ph-16-4 in the Villas of Bertram Condominiums Phase 16;


- Course XXVIII: Thence North 82°21'31" West, along the northerly line of said Ph-16-4 and Ph-18-1 in the Villas of Bertram Condominium Phase 18, a distance of 120.00 feet to a point, said point being the northwesterly corner of said Ph-18-1;
- Course XXIX: Thence South 07°38'29" West, along the westerly line of said Ph-18-1, a distance of 130.00 feet to a point on the northerly R/W of said Hilliary Lane, said point being the southwestly corner of said Ph-18-1;
- Course XXX: Thence North 82°21'31" West, along the northerly R/W of said Hilliary Lane, a distance of 55.43 feet to a point of curvature;
- Course XXXI: Thence continuing along the northerly R/W of said Hilliary Lane, along a curve to the right with a length 9.83 feet, radius 170.00 feet, delta 03°18'53", tangent 4.92 feet, chord 9.83 feet, bearing North 80°42'04" West to a point, said point being the southeasterly corner of Ph-10-2 in the Villas of Bertram Phase 1, Condominium Phase 10 and the northwesterly corner of said northerly R/W of Hilliary Lane;
- Course XXXII: Thence North 10°57'22" East, along the easterly line of said Ph-10-2, a distance of 129.93 feet to a point, said point being the northeasterly corner of said Ph-10-2;
- Course XXXIII: Thence North 56°52'23" West, along the northerly line of said Ph-10-2, a distance of 29.98 feet to a point, said point being the southeasterly corner of Ph-8-1 in the Villas of Bertram Phase 1, Condominium Phase 8,
- Course XXXIV: Thence North 11°39'32" West, along the easterly line of said Ph-8-1, a distance of 36.33 feet to a point, said point being the northeasterly corner of said Ph-8-1;
- Course XXXV: Thence North 00°28'21" West, a distance of 83.48 feet to a point, said point being a point of curvature, said point being the northeasterly corner of Ph-12-2 in the Villas of Bertram Phase 1, Condominium Phase 12;
- Course XXXVI: Thence along the northerly line of said Ph-12-2 and along a curve to the left with a length 5.27 feet, radius 270.00 feet, delta 01°07'04", tangent 2.63 feet, chord 5.27 feet, bearing North 84°56'25" West to a point, said point being at the southeasterly terminus of Samantha Drive;
- Course XXXVII: Thence North 04°30'06" East, along the easterly terminus of the R/W of said Samantha Drive, a distance of 60.00 feet to a point, said point being at the northeasterly terminus of the easterly R/W of said Samantha Drive and the southeasterly corner of Ph-13-2 in the Villas of Bertram Phase 1, Condominium Phase 13;
- Course XXXVIII: Thence North 00°28'15" West, along the easterly lines of said Ph-13-2, Ph-10-3 in the Villas of Bertram Phase 1, Condominium Phase 10 and Ph-6-3 in the Villas of Bertram Phase 1, Condominium Phase 6, a distance of 206.24 feet to a point said point being the northeasterly corner of said Ph-6-3;
- Course XXXIX: Thence South 89°31'45" West, along the northerly line of said Ph-6-3, a distance of 137.45 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-6-3;
- Course XL: Thence North 07°30'01" West, along the easterly R/W of said Hilliary Lane, a distance of 25.56 feet to a point, said point being the southwestly corner of Ph-12-3 in the Villas of Bertram Phase 1, Condominium Phase 12;

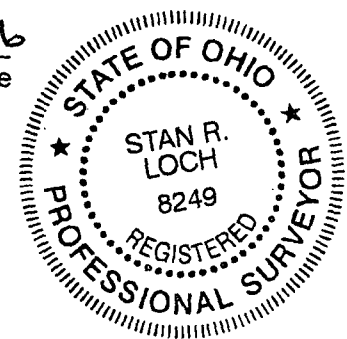
- Course XLI: Thence North 89°31'45" East, along the southerly line of said Ph-12-3, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-12-3;
- Course XLII: Thence North 00°28'15" West, along the easterly line of said Ph-12-3, a distance of 60.00 feet to a point; , said point being the northeasterly corner of said Ph-12-3;
- Course XLIII: Thence South 89°31'45" West, along the northerly line of said Ph-12-3, a distance of 13.26 feet to a point, said point being the southeasterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominiums Phase 2;
- Course XLIV: Thence North 00°42'49" West, along the easterly line of said Ph-2, and the easterly lines of Ph-14-1 in the Villas of Bertram Condominiums Phase 14, Ph-13-1 in the Villas of Bertram Phase 1, Condominium Phase 13, Ph-16-2 in the Villas of Bertram Condominiums Phase 16 and Ph-12-4 in the Villas of Bertram Condominiums Phase 12, a distance of 300.00 feet to a point, said point being the northeasterly corner of said Ph-12-4;
- Course XLV: Thence South 89°31'45" West, along the northerly line of said Ph-12-4, a distance of 121.03 feet to a point on the easterly R/W of said Hilliary Lane, said point being the northwesterly corner of said Ph-12-4;
- Course XLVI: Thence North 00°28'15" West, along the easterly R/W of said Hilliary Lane, a distance of 40.07 feet to a point, said point being a point of curvature
- Course XLVII: Thence continuing along the easterly R/W of said Hilliary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta 89°58'43", tangent 24.99 feet, chord 35.35 feet, bearing North 44°31'06" East to a point, said point being on the southerly R/W of said Treat Road;
- Course XLVIII: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a 5/8" iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course XLIX: Thence South 00°42'49" East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southwestery corner of said Ohio Edison Company;
- Course L: Thence North 89°30'28" East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;
- Course LI: Thence North 00°42'49" West, along the easterly line of said Ohio Edison Company, passing through a 5/8" iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;
- Course LII: Thence North 89°30'28" East, along the centerline of said Treat Road, passing through a 1-1/4" axle found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;

- Course LIII: Thence South 00°42'49" East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;
- Course LIV: Thence South 89°32'00" West, along the northerly line of said Berry and the northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a 5/8" iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a 3/4" iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;
- Course LV: Thence North 47°50'36" West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a 3/4" iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwest corner of lands conveyed to Michael & Cheryl Habbyshaw, as recorded in Document No. 201105000 of the Portage County Deed Records;
- Course LVI: Thence North 89°30'22" East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;
- Course LVII: Thence North 00°28'15" West, along the easterly line of said Habbyshaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

Said parcel contains 28.9524 acres or 1,261,170 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63, 2015-65, 2016-5 and any other matters of record as surveyed and described in March, 2016 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe the portion of the land conveyed to Villas of Bertram LLC. by File # 201401775 of the Portage County Records, which is designated as Ph-21-R1 Phase 21 Residual No. 1 on the Plat of Villas of Bertram Condominium Phase 21.

Job#20132833

  
 Stan R. Loch P.S. # 8249 Date



**EXHIBIT "3"**  
**AMENDMENT NO. 21 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE XXI contains one (1) detached single-family residential Buildings known as Unit 22 situated on Hillary Lane, which includes a basement and attached two car garage, and which is constructed primarily of wood, vinyl siding, asphalt shingle roof, brick, concrete block, glass and drywall. The location of Unit 22 is shown on the Drawings.

Unit 22 is a "Rome" type Unit. The Rome is a two-story Unit. The first floor consists of a foyer, living room, dining room, mudroom, kitchen, dinette area, powder room, and study. The second floor consists of four (4) bedrooms and two (2) full baths, walk-in closet and loft. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.



**EXHIBIT "4"**  
**AMENDMENT NO. 21 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	2.44%
II	67	864 Hillary Lane	2.44%
III	8	853 Hillary Lane	2.44%
III	9	849 Hillary Lane	2.44%
III	16	821 Hillary Lane	2.44%
III	17	817 Hillary Lane	2.44%
IV	11	841 Hillary Lane	2.44%
V	18	813 Hillary Lane	2.44%
VI	7	857 Hillary Lane	2.44%
VI	15	825 Hillary Lane	2.44%
VI	65	854 Hillary Lane	2.44%
VII	10	845 Hillary Lane	2.44%
VIII	73	830 Hillary Lane	2.44%
IX	12	837 Hillary Lane	2.44%
X	14	829 Hillary Lane	2.44%
X	64	850 Hillary Lane	2.44%
X	74	818 Hillary Lane	2.44%
XI	6	861 Hillary Lane	2.44%
XII	13	833 Hillary Lane	2.44%
XII	66	860 Hillary Lane	2.44%
XII	71	880 Hillary Lane	2.44%
XII	72	836 Hillary Lane	2.44%
XIII	63	846 Hillary Lane	2.44%
XIII	69	872 Hillary Lane	2.44%
XIV	68	868 Hillary Lane	2.44%
XV	26	781 Hillary Lane	2.44%
XVI	4	869 Hillary Lane	2.44%
XVI	19	809 Hillary Lane	2.44%
XVI	25	785 Hillary Lane	2.44%
XVI	70	876 Hillary Lane	2.44%
XVI	77	798 Hillary Lane	2.44%
XVII	24	789 Hillary Lane	2.44%
XVII	78	794 Hillary Lane	2.44%
XVII	79	788 Hillary Lane	2.44%
XVIII	23	793 Hillary Lane	2.44%
XVIII	76	802 Hillary Lane	2.44%
XIX	5	865 Hillary Lane	2.44%

XX	20	805 Hillary Lane	2.44%
XX	21	801 Hillary Lane	2.44%
XX	81	780 Hillary Lane	2.44%
XXI	22	797 Hillary Lane	2.44%
			Total 100%



*Patty*  
BONNIE M. HOWE  
PORTAGE CO. RECORDER

201600954 §22<sup>10</sup>

RECEIVED FOR RECORD  
AT 10:23:27  
FEE 200.00

**INDEXED**

AMENDMENT NO. 20  
TO THE DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM

PHASE XX  
ADDING UNIT NOS. 20, 21, AND 81

This will certify that copies of this AMENDMENT NO. 20 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "AMENDMENT NO. 20"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

*Plot 2016-5*

Dated: JAN 22 2016, 2015

PORTAGE COUNTY AUDITOR

By: *Xanet Esposito jr*  
Deputy Auditor

This instrument prepared by:  
Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333

**AMENDMENT NO. 20 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE XX of the Condominium which contains three (3) Units.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE XX property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.
2. The legal description of the Condominium set forth in Exhibit “A” of the Declaration is amended to include the real property for PHASE XX of the Condominium, the legal

description for PHASE XX being described in Exhibit "1" attached hereto and made a part hereof

3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.

4. The number of Units referred to in the Declaration is increased from to thirty-seven (37) Units to forty (40) Units. A narrative description of the Buildings and Units for PHASE XX is set forth in Exhibit "3" attached hereto and made a part hereof

5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.

6. The particulars of the Buildings and Units and other improvements for PHASE XX, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE XX Drawings incorporated in this AMENDMENT NO. 20 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE XX Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 20 to the Declaration.

7. No owner of a Unit which was not included in Phase I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, and XIX shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE XX prior to the filing of this AMENDMENT NO. 20 (except replacement reserve funds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this AMENDMENT NO. 20.

8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.

9. Except as amended herein, the Declaration thereto shall remain in full force and effect

10. Consent to this AMENDMENT NO. 20 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 15<sup>th</sup> day of ~~January~~, 2016.

VILLAS OF BERTRAM, LLC,  
an Ohio limited liability company

By: Iris S. Wolstein  
Iris S. Wolstein, Manager

STATE OF OHIO                    )  
  )SS.  
COUNTY OF ~~LAKE~~            )  
  Cuyahoga

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 15<sup>th</sup> day of January, 2016.

[Signature]  
Notary Public  
My Commission Expires \_\_\_\_\_



**EXHIBIT "A"**

**AMENDMENT NO. 20 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 20 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the AMENDMENT NO. 20.



**EXHIBIT "1"**  
**AMENDMENT NO. 20 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE XX WILL BE ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-20-1**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 20**

**0.3856 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, and Phase 2A, as recorded in Plat 2015-40 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-20-1 on the Plat of The Villas of Bertram Condominium Phase 20 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hillary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hillary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hillary Lane, a distance of 285.32 feet to a point;

Thence continuing along the centerline of said Hillary Lane and along the centerline of Hilliary Lane, 60 foot R/W as recorded in Villas of Bertram Phase 2A, as recorded in Plat 2015-40 of the Portage County Plat Records, along a curve to the left with a length 285.84 feet, radius 200.00 feet, delta 81°53'16", tangent 173.51 feet, chord 262.13 feet, bearing South 41°24'53" East to a point on the centerline of Hilliary Lane;

Thence South 82°21'31" East, continuing along the centerline of said Hilliary Lane, a distance of 23.70 feet to a point;

Thence South 07°38'29" West, a distance of 30.00 feet to a point on the southerly R/W of said Hilliary Lane, said point also being the northeasterly corner of Ph-16-3 in the Villas of Bertram Condominium Phase 16 and the Principal Place of Beginning;

Course I: Thence South 82°21'31" East, along the southerly R/W of said Hilliary Lane, a distance of 120.00 to a point;


Course II: Thence South 07°38'29" West, a distance of 140.00 feet to a point;

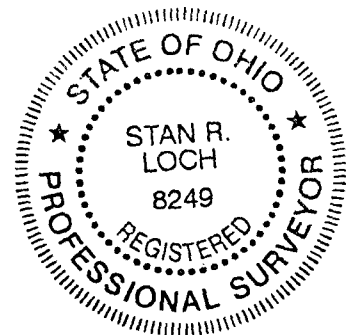
Course III: Thence North 82°21'31" West, a distance of 120.00 feet to a point, said point being the southeasterly corner of said Ph-16-3;

Course IV: Thence North 07°38'29" East, along the easterly line of said Ph-16-3, a distance of 140.00 feet to the Principal Place of Beginning.

Said parcel containing 0.3856 acres or 16,799 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55 and any other matters of record as surveyed and described in December, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-20-1", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 20.

Job#20132833

  
\_\_\_\_\_  
Stan R. Loch P.S. # 8249                      Date





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-20-2**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 20  
0.1828 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, and Phase 2A, as recorded in Plat 2015-40 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-20-2 on the Plat of The Villas of Bertram Condominium Phase 20 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hillary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hillary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hillary Lane, a distance of 285.32 feet to a point;

Thence continuing along the centerline of said Hillary Lane and along the centerline of Hilliary Lane, 60 foot R/W as recorded in Villas of Bertram Phase 2A, as recorded in Plat 2015-40 of the Portage County Plat Records, along a curve to the left with a length 285.84 feet, radius 200.00 feet, delta 81°53'16", tangent 173.51 feet, chord 262.13 feet, bearing South 41°24'53" East to a point on the centerline of Hilliary Lane;

Thence South 82°21'31" East, continuing along the centerline of said Hilliary Lane, a distance of 196.73 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 71.03 feet, radius 500.00 feet, delta 08°08'22", tangent 35.57 feet, chord 70.97 feet, bearing South 86°25'42" East to a point;

Thence North 89°30'07" East, continuing along said Hilliary Lane, a distance of 104.76 feet to a point;

Thence North 00°29'53" West, a distance of 30.00 feet to a point on the northerly R/W of said Hilliary Lane, and the Principal Place of Beginning;

Course I: Thence North 00°29'53" West, a distance of 130.03 feet to a point;

Course II: Thence North 89°30'07" East, a distance of 57.95 feet to a point;

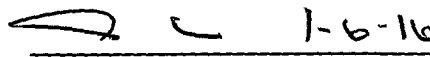
Course III: Thence South 03°23'45" East, a distance of 129.98 feet to a point, said point being on the northerly R/W of said Hilliary Lane and a point of curvature;

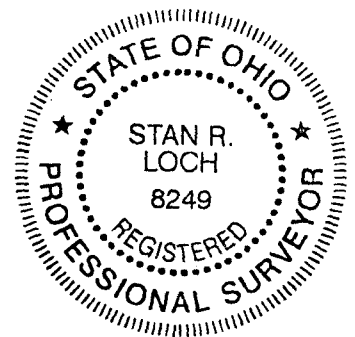
Course IV: Thence along the northerly R/W of said Hilliary Lane, along a curve to the left with a length of 8.63 feet, radius 170.00 feet, tangent 4.31 feet, chord 8.62 feet, delta 2°54'25", bearing South 88°02'54" West to a point;

Course V: Thence South 89°30'07" West, along the northerly R/W of said Hilliary Lane, a distance of 55.90 feet to the Principal Place of Beginning.

Said parcel containing 0.1828 acres or 7,962 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49 and any other matters of record as surveyed and described in December, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-20-2", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 20.

Job#20132833

  
Stan R. Loch P.S. # 8249 Date 1-6-16



**EXHIBIT "2"**  
**AMENDMENT NO. 20 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**  
**5425 WARNER ROAD – SUITE 12**  
**VALLEY VIEW, OHIO 44125**  
**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**  
**PH 20-R1**  
**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 20**  
**29.1467 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, and Phase 2A, as recorded in Plat 2015-40 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 1 on the Plat of The Villas of Bertram Condominium Phase 20, and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South 89°30'28" West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South 00°28'15" East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a 5/8" iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hillary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hillary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta 90°01'17", tangent 25.01 feet, chord 35.36 feet, bearing South 45°28'54" East to a point;

- Course III: Thence South 00°28'15" East, continuing along the westerly R/W of said Hillary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;
- Course IV: Thence South 89°31'45" West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;
- Course V: Thence South 00°28'15" East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwest corner of said Ph-1;
- Course VI: Thence North 89°31'45" East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hillary Lane, said point being the southeasterly corner of said Ph-1;
- Course VII: Thence South 00°28'15" East, along the westerly R/W of said Hillary Lane, a distance of 60.00 feet to a point, said point being the northeasterly corner of Ph-16-1 in the Villas of Bertram Condominiums Phase 16;
- Course VIII: Thence South 89°31'45" West, along the northerly line of said Ph-16-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-16-1;
- Course IX: Thence South 00°28'15" East, along the westerly line of said Ph-16-1, Ph-19-1 in the Villas of Bertram Condominium Phase 19, Ph-11-1 in the Villas of Bertram Condominium Phase 11, Ph-6-1 in the Villas of Bertram Phase 1 Condominium Phase 6, Ph-3-1 in the Villas of Bertram Phase 1 Condominium Phase 3, Ph-7-1 in the Villas of Bertram Phase 1 Condominium Phase 7, Ph-4 in the Villas of Bertram Phase 1 Condominium Phase 4, Ph-9-1 in the Villas of Bertram Phase 1 Condominium Phase 9, and Ph-12-1 in the Villas of Bertram Phase 1, Condominium Phase 12, a distance of 627.06 feet to a point, said point being the northwesterly corner of Ph-10-1 in the Villas of Bertram Phase 1, Condominium Phase 10;
- Course X: Thence South 17°30'08" East, along the westerly line of said Ph-10-1, a distance of 84.60 feet to a point, said point being the southwest corner of said Ph-10-1 and the northwesterly corner of Ph-6-2 in the Villas of Bertram Phase 6;
- Course XI: Thence South 28°59'33" East, along the westerly line of said Ph-6-2, a distance of 84.31 feet to a point, said point being the southwest corner of said Ph-6-2 and southwest corner of Ph-3-2 in the Villas of Bertram Phase 1, Condominium Phase 3;
- Course XII: Thence South 41°59'53" East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;
- Course XIII: Thence South 55°00'13" East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2 and also being the southwest corner of Ph-5 in the Villas of Bertram Phase 1, Condominium Phase 5;
- Course XIV: Thence South 67°15'11" East, along the southerly line of said Ph-5, distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-5 and the southwest corner of Ph-16-3 in the Villas of Bertram Condominiums Phase 16;



- Course XV: Thence South 82°21'31" East, along the southerly line of said Ph-16-3, a distance of 194.74 feet to a point;
- Course XVI: Thence North 07°38'29" East, a distance of 140.00 feet to a point, said point being on the southerly R/W of Hilliary Lane in the Villas of Bertram Phase 2A, as recorded in Plat 2015-40 of the Portage County Records;
- Course XVII: Thence South 82°21'31" East, along the southerly R/W of said Hilliary Lane, a distance of 53.03 feet to a point of curvature;
- Course XVIII: Thence continuing along the southerly R/W of said Hilliary Lane, along a curve to the left with a length 6.54 feet, radius 530.00 feet, delta 00°42'25", tangent 3.27 feet, chord 6.54 feet, bearing South 82°42'44" East to a point, said point being the northwesterly corner of Ph-18-2 in the Villas of Bertram Condominium Phase 18;
- Course XIX: Thence South 06°56'04" West, along the westerly line of said Ph-18-2, a distance of 140.05 feet to a point, said point being the southwesterly corner of said Ph-18-2;
- Course XX: Thence South 82°21'31" East, along the southerly line of said Ph-18-2, a distance of 13.91 feet to a point;
- Course XXI: Thence South 86°09'02" East, continuing along the southerly line of said Ph-18-2, a distance of 47.61 feet to a point;
- Course XXII: Thence North 89°30'07" East, continuing along the southerly line of said Ph-18-2 and along the southerly lines of Ph-17-1 in the Villas of Bertram Condominiums Phase 17, Ph-16-5 in the Villas of Bertram Condominiums Phase 16 and Ph-15-1 in the Villas of Bertram Condominiums Phase 15, a distance of 195.15 feet to a point, said point being the southeasterly corner of said Ph-15-1;
- Course XXIII: Thence North 01°53'59" West, along the easterly line of said Ph-15-1, a distance of 140.11 feet to a point on the southerly R/W of said Hilliary Lane, said point being the northeasterly corner of said Ph-15-1 and also being a point on a curve;
- Course XXIV: Thence continuing along the southwesterly R/W of said Hilliary Lane, along a curve to the left with a length 6.04 feet, radius 230.00 feet, delta 01°30'19", tangent 3.02 feet, chord 6.04 feet, bearing North 87°20'51" East to a point, said point being at the southeasterly terminus of said Hilliary Lane;
- Course XXV: Thence North 03°24'18" West, along the easterly terminus of the R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the northeasterly terminus of said Hilliary Lane;
- Course XXVI: Thence North 03°23'45" West, a distance of 129.98 feet to a point;
- Course XXVII: Thence South 89°30'07" West, a distance of 57.95 feet to a point;
- Course XXVIII: Thence South 00°29'53" East, a distance of 130.03 feet to a point on the northerly R/W of said Hilliary Lane;

- Course XXIX: Thence South  $89^{\circ}30'07''$  West, along the northerly R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the southeasterly corner of Ph-17-2 in the Villas of Bertram Condominiums Phase 17;
- Course XXX: Thence North  $00^{\circ}29'53''$  West, along the easterly line of said Ph-17-2, a distance of 130.03 feet to a point, said point being the northeasterly corner of said Ph-17-2;
- Course XXXI: Thence South  $89^{\circ}30'07''$  West, along the northerly line of said Ph-17-2, a distance of 58.40 feet to an angle point;
- Course XXXII: Thence North  $83^{\circ}55'13''$  West, continuing along the northerly line of said Ph-17-2, a distance of 55.94 feet to a point, said point being the northwesterly corner of said Ph-17-2 and the northeasterly corner of Ph-16-4 in the Villas of Bertram Condominiums Phase 16;
- Course XXXIII: Thence North  $82^{\circ}21'31''$  West, along the northerly line of said Ph-16-4 and Ph-18-1 in the Villas of Bertram Condominium Phase 18, a distance of 120.00 feet to a point, said point being the northwesterly corner of said Ph-18-1;
- Course XXXIV: Thence South  $07^{\circ}38'29''$  West, along the westerly line of said Ph-18-1, a distance of 130.00 feet to a point on the northerly R/W of said Hilliary Lane, said point being the southwesterly corner of said Ph-18-1;
- Course XXXV: Thence North  $82^{\circ}21'31''$  West, along the northerly R/W of said Hilliary Lane, a distance of 55.43 feet to a point of curvature;
- Course XXXVI: Thence continuing along the northerly R/W of said Hilliary Lane, along a curve to the right with a length 9.83 feet, radius 170.00 feet, delta  $03^{\circ}18'53''$ , tangent 4.92 feet, chord 9.83 feet, bearing North  $80^{\circ}42'04''$  West to a point, said point being the southeasterly corner of Ph-10-2 in the Villas of Bertram Phase 1, Condominium Phase 10 and the northwesterly corner of said northerly R/W of Hilliary Lane;
- Course XXXVII: Thence North  $10^{\circ}57'22''$  East, along the easterly line of said Ph-10-2, a distance of 129.93 feet to a point, said point being the northeasterly corner of said Ph-10-2;
- Course XXXVIII: Thence North  $56^{\circ}52'23''$  West, along the northerly line of said Ph-10-2, a distance of 29.98 feet to a point, said point being the southeasterly corner of Ph-8-1 in the Villas of Bertram Phase 1, Condominium Phase 8,
- Course XXXIX: Thence North  $11^{\circ}39'32''$  West, along the easterly line of said Ph-8-1, a distance of 36.33 feet to a point, said point being the northeasterly corner of said Ph-8-1;
- Course XL: Thence North  $00^{\circ}28'21''$  West, a distance of 83.48 feet to a point, said point being a point of curvature, said point being the northeasterly corner of Ph-12-2 in the Villas of Bertram Phase 1, Condominium Phase 12;
- Course XLI: Thence along the northerly line of said Ph-12-2 and along a curve to the left with a length 5.27 feet, radius 270.00 feet, delta  $01^{\circ}07'04''$ , tangent 2.63 feet, chord 5.27 feet, bearing North  $84^{\circ}56'25''$  West to a point, said point being at the southeasterly terminus of Samantha Drive;

- Course XLII: Thence North  $04^{\circ}30'06''$  East, along the easterly terminus of the R/W of said Samantha Drive, a distance of 60.00 feet to a point, said point being at the northeasterly terminus of the easterly R/W of said Samantha Drive and the southeasterly corner of Ph-13-2 in the Villas of Bertram Phase 1, Condominium Phase 13;
- Course XLIII: Thence North  $00^{\circ}28'15''$  West, along the easterly lines of said Ph-13-2, Ph-10-3 in the Villas of Bertram Phase 1, Condominium Phase 10 and Ph-6-3 in the Villas of Bertram Phase 1, Condominium Phase 6, a distance of 206.24 feet to a point said point being the northeasterly corner of said Ph-6-3;
- Course XLIV: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-6-3, a distance of 137.45 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-6-3;
- Course XLV: Thence North  $07^{\circ}30'01''$  West, along the easterly R/W of said Hillary Lane, a distance of 25.56 feet to a point, said point being the southwesterly corner of Ph-12-3 in the Villas of Bertram Phase 1, Condominium Phase 12;
- Course XLVI: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-12-3, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-12-3;
- Course XLVII: Thence North  $00^{\circ}28'15''$  West, along the easterly line of said Ph-12-3, a distance of 60.00 feet to a point; said point being the northeasterly corner of said Ph-12-3;
- Course XLVIII: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-12-3, a distance of 13.26 feet to a point, said point being the southeasterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominiums Phase 2;
- Course XLIX: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ph-2, and the easterly lines of Ph-14-1 in the Villas of Bertram Condominiums Phase 14, Ph-13-1 in the Villas of Bertram Phase 1, Condominium Phase 13, Ph-16-2 in the Villas of Bertram Condominiums Phase 16 and Ph-12-4 in the Villas of Bertram Condominiums Phase 12, a distance of 300.00 feet to a point, said point being the northeasterly corner of said Ph-12-4;
- Course L: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-12-4, a distance of 121.03 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-12-4;
- Course LI: Thence North  $00^{\circ}28'15''$  West, along the easterly R/W of said Hillary Lane, a distance of 40.07 feet to a point, said point being a point of curvature
- Course LII: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta  $89^{\circ}58'43''$ , tangent 24.99 feet, chord 35.35 feet, bearing North  $44^{\circ}31'06''$  East to a point, said point being on the southerly R/W of said Treat Road;

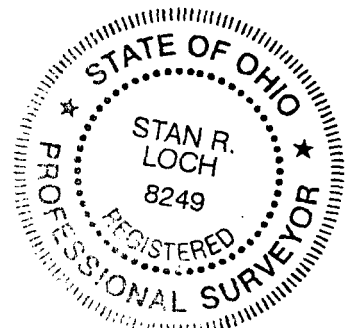
- Course LIII: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a 5/8" iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course LIV: Thence South 00°42'49" East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southwesterly corner of said Ohio Edison Company;
- Course LV: Thence North 89°30'28" East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;
- Course LVI: Thence North 00°42'49" West, along the easterly line of said Ohio Edison Company, passing through a 5/8" iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;
- Course LVII: Thence North 89°30'28" East, along the centerline of said Treat Road, passing through a 1-1/4" axle found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;
- Course LVIII: Thence South 00°42'49" East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;
- Course LIX: Thence South 89°32'00" West, along the northerly line of said Berry and the northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a 5/8" iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a 3/4" iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;
- Course LX: Thence North 47°50'36" West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a 3/4" iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwesterly corner of lands conveyed to Michael & Cheryl Habbyshaw, as recorded in Document No. 201105000 of the Portage County Deed Records;
- Course LXI: Thence North 89°30'22" East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;

Course LXII: Thence North 00°28'15" West, along the easterly line of said Habbyshaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

Said parcel contains 29.1467 acres or 1,269,630 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59, 2015-63 and any other matters of record as surveyed and described in December, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe the portion of the land conveyed to Villas of Bertram LLC. by File # 201401775 of the Portage County Records, which is designated as Ph-20-R1 Phase 20 Residual No. 1 on the Plat of Villas of Bertram Condominium Phase 20.

Job#20132833

 1-6-16  
 Stan R. Loch P.S. # 8249 Date



PN 03-015-10-00-001.002: 29.715 (A40)  
 UNITS 20+21  
 1-21-2016 ~~2017~~  
 TAX MAP DEPT.  
 LEGAL DESCRIPTION  
 SUFFICIENT     DEFICIENT  
 NO DIVISION OF LAND  
 UNIT 81  
 Ph 20-R1 residual  
 = 29.1467 Ac  
 BY SURVEY

29.715	(A40)
- 0.3856	
29.3294	
- 0.1828	
29.1466	
= 29.1467 Ac	
	BY SURVEY

**EXHIBIT "3"**  
**AMENDMENT NO. 20 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE XX contains three (3) detached single-family residential Buildings known as Unit 5 situated on Hillary Lane, which includes a basement and attached two car garage, and which is constructed primarily of wood, vinyl siding, asphalt shingle roof, brick, concrete block, glass and drywall. The location of Unit 5 is shown on the Drawings.

Unit 20 is a "Rome" type Unit. The Rome is a two-story Unit. The first floor consists of a foyer, living room, dining room, mudroom, kitchen, dinette area, powder room, and study. The second floor consists of four (4) bedrooms and two (2) full baths, walk-in closet and loft. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 21 is a "Rome" type Unit. The Rome is a two-story Unit. The first floor consists of a foyer, living room, dining room, mudroom, kitchen, dinette area, powder room, and study. The second floor consists of four (4) bedrooms and two (2) full baths, walk-in closet and loft. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 81 is a "Chantilly Place" type Unit. The Chantilly Place type Unit is a two-story Unit containing approximately 2300 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, dining room or study, dinette area, great room, kitchen, laundry room, ½ bath, and an attached two-car garage. The second floor consists of three (3) bedrooms and two (2) full baths. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

**EXHIBIT "4"**  
**AMENDMENT NO. 20 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	2.50%
II	67	864 Hillary Lane	2.50%
III	8	853 Hillary Lane	2.50%
III	9	849 Hillary Lane	2.50%
III	16	821 Hillary Lane	2.50%
III	17	817 Hillary Lane	2.50%
IV	11	841 Hillary Lane	2.50%
V	18	813 Hillary Lane	2.50%
VI	7	857 Hillary Lane	2.50%
VI	15	825 Hillary Lane	2.50%
VI	65	854 Hillary Lane	2.50%
VII	10	845 Hillary Lane	2.50%
VIII	73	830 Hillary Lane	2.50%
IX	12	837 Hillary Lane	2.50%
X	14	829 Hillary Lane	2.50%
X	64	850 Hillary Lane	2.50%
X	74	818 Hillary Lane	2.50%
XI	6	861 Hillary Lane	2.50%
XII	13	833 Hillary Lane	2.50%
XII	66	860 Hillary Lane	2.50%
XII	71	880 Hillary Lane	2.50%
XII	72	836 Hillary Lane	2.50%
XIII	63	846 Hillary Lane	2.50%
XIII	69	872 Hillary Lane	2.50%
XIV	68	868 Hillary Lane	2.50%
XV	26	781 Hillary Lane	2.50%
XVI	4	869 Hillary Lane	2.50%
XVI	19	809 Hillary Lane	2.50%
XVI	25	785 Hillary Lane	2.50%
XVI	70	876 Hillary Lane	2.50%
XVI	77	798 Hillary Lane	2.50%
XVII	24	789 Hillary Lane	2.50%
XVII	78	794 Hillary Lane	2.50%
XVII	79	788 Hillary Lane	2.50%
XVIII	23	793 Hillary Lane	2.50%
XVIII	76	802 Hillary Lane	2.50%
XIX	5	865 Hillary Lane	2.50%

XX	20	805 Hillary Lane	2.50%
XX	21	801 Hillary Lane	2.50%
XX	81	780 Hillary Lane	2.50%
			Total 100%





*Patty*  
BONNIE M. HOWE  
PORTAGE CO. RECORDER

201520483 828

NO TRANSFER  
REQUIRED  
DEC 28 2015  
JANET ESPOSITO, *el*  
AUDITOR

RECEIVED FOR RECORD  
AT 9:11:45  
FEE 256.00

**INDEXED**

AMENDMENT NO. 19  
TO THE DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM

PHASE XIX  
ADDING UNIT NO. 5

This will certify that copies of this AMENDMENT NO. 19 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "AMENDMENT NO. 19"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

*Plat 2015-65*

Dated: DEC 28 2015, 2015

PORTAGE COUNTY AUDITOR

By: *Janet Esposito*

Deputy Auditor

This instrument prepared by:  
Paul C. Thompson, Esq. *λλ*  
4040 Embassy Parkway, Suite 310, Akron, OH 44333

**AMENDMENT NO. 19 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE XIX of the Condominium which contains one (1) Unit.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE XIX property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.
2. The legal description of the Condominium set forth in Exhibit “A” of the Declaration is amended to include the real property for PHASE XIX of the Condominium, the legal

description for PHASE XIX being described in Exhibit “1” attached hereto and made a part hereof

3. The legal description of the Additional Property set forth in Exhibit “E” of the Declaration is amended by the deletion therefrom of the real property described in Exhibit “1” hereof, the residue of the Additional Property being described in Exhibit “2” attached hereto and made a part hereof.

4. The number of Units referred to in the Declaration is increased from to thirty-six (36) Units to thirty-seven (37) Units. A narrative description of the Buildings and Units for PHASE XIX is set forth in Exhibit “3” attached hereto and made a part hereof

5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit “B” of the Declaration is hereby amended to be as set forth in Exhibit “4” attached hereto and made a part hereof.

6. The particulars of the Buildings and Units and other improvements for PHASE XIX, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE XIX Drawings incorporated in this AMENDMENT NO. 19 to the Declaration for the Condominium, by reference as Exhibit “A”, prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE XIX Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 19 to the Declaration.

7. No owner of a Unit which was not included in Phase I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII, and XVIII shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE XIX prior to the filing of this AMENDMENT NO. 19 (except replacement reserve funds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this AMENDMENT NO. 19.

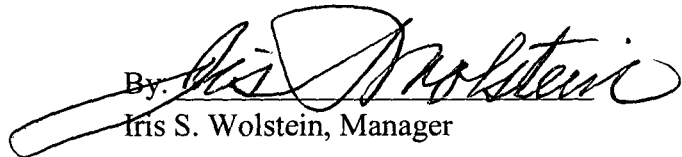
8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.

9. Except as amended herein, the Declaration thereto shall remain in full force and effect

10. Consent to this AMENDMENT NO. 19 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 17<sup>th</sup> day of December, 2015.

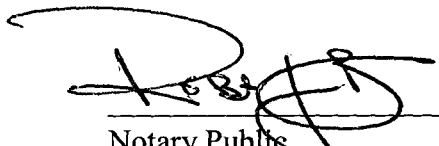
VILLAS OF BERTRAM, LLC,  
an Ohio limited liability company

By:   
Iris S. Wolstein, Manager

STATE OF OHIO                    )  
  )SS.  
COUNTY OF ~~LAKE~~            )  
  Cuyahoga

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 17<sup>th</sup> day of December, 2015.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires 9-1-2019

**EXHIBIT "A"**

**AMENDMENT NO. 19 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 19 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the AMENDMENT NO. 19.

**EXHIBIT "1"**  
**AMENDMENT NO. 19 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE XIX WILL BE ATTACHED HERETO



## **ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**

### **LEGAL DESCRIPTION**

**Ph-19-1**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 19**

**0.1706 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, and Phase 2A, as recorded in Plat 2015-40 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-19-1 on the Plat of The Villas of Bertram Condominium Phase 19 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hillary Lane, a distance of 335.05 feet to a point;

Thence South 89°31'45" West, a distance of 30.00 feet to a point on the westerly R/W of said Hillary Lane and being the southeasterly corner of Ph-16-1 in the Villas of Bertram Condominium Phase 16 and the Principal Place of Beginning;

Course I: Thence South 00°28'15" East, along the westerly R/W of said Hillary Lane, a distance of 60.00 feet to a point, said point being the northeasterly corner of Ph-11-1 in the Villas of Bertram Condominium Phase 11;

Course II: Thence South 89°31'45" West, along the northerly line of said Ph-11-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-11-1;

Course III: Thence North 00°28'15" West, a distance of 60.00 feet to a point, said point being the southwestery corner of said Ph-16-1;

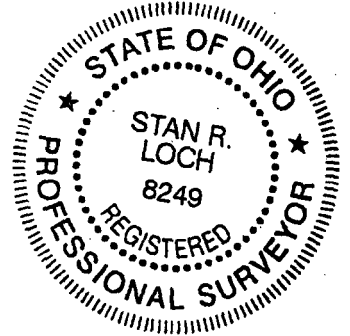


Course IV: Thence North 89°31'45" East, along the southerly line of said Ph-16-1, a distance of 123.86 feet to the Principal Place of Beginning.

Said parcel containing 0.1706 acres or 7,431 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-59 and any other matters of record as surveyed and described in December, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-19-1", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 19.

Job#20132833

Stan R. Loch 12.16.15  
Stan R. Loch P.S. # 8249 Date



**EXHIBIT "2"**  
**AMENDMENT NO. 19 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH 19-R1**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 19**

**29.7151 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, and Phase 2A, as recorded in Plat 2015-40 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 1 on the Plat of The Villas of Bertram Condominium Phase 19, and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South  $89^{\circ}30'28''$  West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South  $00^{\circ}28'15''$  East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a 5/8" iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North  $89^{\circ}30'28''$  East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hillary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hillary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta  $90^{\circ}01'17''$ , tangent 25.01 feet, chord 35.36 feet, bearing South  $45^{\circ}28'54''$  East to a point;

- Course III: Thence South 00°28'15" East, continuing along the westerly R/W of said Hillary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;
- Course IV: Thence South 89°31'45" West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;
- Course V: Thence South 00°28'15" East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwest corner of said Ph-1;
- Course VI: Thence North 89°31'45" East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hillary Lane, said point being the southeasterly corner of said Ph-1;
- Course VII: Thence South 00°28'15" East, along the westerly R/W of said Hillary Lane, a distance of 60.00 feet to a point, said point being the northeasterly corner of Ph-16-1 in the Villas of Bertram Condominiums Phase 16;
- Course VIII: Thence South 89°31'45" West, along the northerly line of said Ph-16-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-16-1;
- Course IX: Thence South 00°28'15" East, along the westerly line of said Ph-16-1, Ph-11-1 in the Villas of Bertram Condominium Phase 11, Ph-6-1 in the Villas of Bertram Phase 1 Condominium Phase 6, Ph-3-1 in the Villas of Bertram Phase 1 Condominium Phase 3, Ph-7-1 in the Villas of Bertram Phase 1 Condominium Phase 7, Ph-4 in the Villas of Bertram Phase 1 Condominium Phase 4, Ph-9-1 in the Villas of Bertram Phase 1 Condominium Phase 9, and Ph-12-1 in the Villas of Bertram Phase 1, Condominium Phase 12, a distance of 627.06 feet to a point, said point being the northwesterly corner of Ph-10-1 in the Villas of Bertram Phase 1, Condominium Phase 10;
- Course X: Thence South 17°30'08" East, along the westerly line of said Ph-10-1, a distance of 84.60 feet to a point, said point being the southwest corner of said Ph-10-1 and the northwesterly corner of Ph-6-2 in the Villas of Bertram Phase 6;
- Course XI: Thence South 28°59'33" East, along the westerly line of said Ph-6-2, a distance of 84.31 feet to a point, said point being the southwest corner of said Ph-6-2 and southwest corner of Ph-3-2 in the Villas of Bertram Phase 1, Condominium Phase 3;
- Course XII: Thence South 41°59'53" East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;
- Course XIII: Thence South 55°00'13" East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2 and also being the southwest corner of Ph-5 in the Villas of Bertram Phase 1, Condominium Phase 5;
- Course XIV: Thence South 67°15'11" East, along the southerly line of said Ph-5, distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-5 and the southwest corner of Ph-16-3 in the Villas of Bertram Condominiums Phase 16;

- Course XV: Thence South 82°21'31" East, along the southerly line of said Ph-16-3, a distance of 74.74 feet to a point, said point being the southeasterly corner of said Ph-16-3;
- Course XVI: Thence North 07°38'29" East, along the easterly line of said Ph-16-3, a distance of 140.00 feet to a point, said point being on the southerly R/W of Hilliary Lane in the Villas of Bertram Phase 2A, as recorded in Plat 2015-40 of the Portage County Records and also being the northeasterly corner of said Ph-16-3;
- Course XVII: Thence South 82°21'31" East, along the southerly R/W of said Hilliary Lane, a distance of 173.03 feet to a point of curvature;
- Course XVIII: Thence continuing along the southerly R/W of said Hilliary Lane, along a curve to the left with a length 6.54 feet, radius 530.00 feet, delta 00°42'25", tangent 3.27 feet, chord 6.54 feet, bearing South 82°42'44" East to a point, said point being the northwesterly corner of Ph-18-2 in the Villas of Bertram Condominium Phase 18;
- Course XIX: Thence South 06°56'04" West, along the westerly line of said Ph-18-2, a distance of 140.05 feet to a point, said point being the southwesterly corner of said Ph-18-2;
- Course XX: Thence South 82°21'31" East, along the southerly line of said Ph-18-2, a distance of 13.91 feet to a point;
- Course XXI: Thence South 86°09'02" East, continuing along the southerly line of said Ph-18-2, a distance of 47.61 feet to a point;
- Course XXII: Thence North 89°30'07" East, continuing along the southerly line of said Ph-18-2 and along the southerly lines of Ph-17-1 in the Villas of Bertram Condominiums Phase 17, Ph-16-5 in the Villas of Bertram Condominiums Phase 16 and Ph-15-1 in the Villas of Bertram Condominiums Phase 15, a distance of 195.15 feet to a point, said point being the southeasterly corner of said Ph-15-1;
- Course XXIII: Thence North 01°53'59" West, along the easterly line of said Ph-15-1, a distance of 140.11 feet to a point on the southerly R/W of said Hilliary Lane, said point being the northeasterly corner of said Ph-15-1 and also being a point on a curve;
- Course XXIV: Thence continuing along the southwesterly R/W of said Hilliary Lane, along a curve to the left with a length 6.04 feet, radius 230.00 feet, delta 01°30'19", tangent 3.02 feet, chord 6.04 feet, bearing North 87°20'51" East to a point, said point being at the southeasterly terminus of said Hilliary Lane;
- Course XXV: Thence North 03°24'18" West, along the easterly terminus of the R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the northeasterly terminus of said Hilliary Lane and a point of curvature;
- Course XXVI: Thence along the northerly R/W of said Hilliary Lane, along a curve to the right with a length 8.63 feet, radius 170.00 feet, delta 02°54'25", tangent 4.31 feet, chord 8.62 feet, bearing South 88°02'54" West to a point;

- Course XXVII: Thence South  $89^{\circ}30'07''$  West, continuing along the northerly R/W of said Hilliary Lane, a distance of 115.90 feet to a point, said point being the southeasterly corner of Ph-17-2 in the Villas of Bertram Condominiums Phase 17;
- Course XXVIII: Thence North  $00^{\circ}29'53''$  West, along the easterly line of said Ph-17-2, a distance of 130.03 feet to a point, said point being the northeasterly corner of said Ph-17-2;
- Course XXIX: Thence South  $89^{\circ}30'07''$  West, along the northerly line of said Ph-17-2, a distance of 58.40 feet to an angle point;
- Course XXX: Thence North  $83^{\circ}55'13''$  West, continuing along the northerly line of said Ph-17-2, a distance of 55.94 feet to a point, said point being the northwesterly corner of said Ph-17-2 and the northeasterly corner of Ph-16-4 in the Villas of Bertram Condominiums Phase 16;
- Course XXXI: Thence North  $82^{\circ}21'31''$  West, along the northerly line of said Ph-16-4 and Ph-18-1 in the Villas of Bertram Condominium Phase 18, a distance of 120.00 feet to a point, said point being the northwesterly corner of said Ph-18-1;
- Course XXXII: Thence South  $07^{\circ}38'29''$  West, along the westerly line of said Ph-18-1, a distance of 130.00 feet to a point on the northerly R/W of said Hilliary Lane, said point being the southwesterly corner of said Ph-18-1;
- Course XXXIII: Thence North  $82^{\circ}21'31''$  West, along the northerly R/W of said Hilliary Lane, a distance of 55.43 feet to a point of curvature;
- Course XXXIV: Thence continuing along the northerly R/W of said Hilliary Lane, along a curve to the right with a length 9.83 feet, radius 170.00 feet, delta  $03^{\circ}18'53''$ , tangent 4.92 feet, chord 9.83 feet, bearing North  $80^{\circ}42'04''$  West to a point, said point being the southeasterly corner of Ph-10-2 in the Villas of Bertram Phase 1, Condominium Phase 10 and the northwesterly corner of said northerly R/W of Hilliary Lane;
- Course XXXV: Thence North  $10^{\circ}57'22''$  East, along the easterly line of said Ph-10-2, a distance of 129.93 feet to a point, said point being the northeasterly corner of said Ph-10-2;
- Course XXXVI: Thence North  $56^{\circ}52'23''$  West, along the northerly line of said Ph-10-2, a distance of 29.98 feet to a point, said point being the southeasterly corner of Ph-8-1 in the Villas of Bertram Phase 1, Condominium Phase 8,
- Course XXXVII: Thence North  $11^{\circ}39'32''$  West, along the easterly line of said Ph-8-1, a distance of 36.33 feet to a point, said point being the northeasterly corner of said Ph-8-1;
- Course XXXVIII: Thence North  $00^{\circ}28'21''$  West, a distance of 83.48 feet to a point, said point being a point of curvature, said point being the northeasterly corner of Ph-12-2 in the Villas of Bertram Phase 1, Condominium Phase 12;
- Course XXXIX: Thence along the northerly line of said Ph-12-2 and along a curve to the left with a length 5.27 feet, radius 270.00 feet, delta  $01^{\circ}07'04''$ , tangent 2.63 feet, chord 5.27 feet, bearing North  $84^{\circ}56'25''$  West to a point, said point being at the southeasterly terminus of Samantha Drive;

- Course XL: Thence North  $04^{\circ}30'06''$  East, along the easterly terminus of the R/W of said Samantha Drive, a distance of 60.00 feet to a point, said point being at the northeasterly terminus of the easterly R/W of said Samantha Drive and the southeasterly corner of Ph-13-2 in the Villas of Bertram Phase 1, Condominium Phase 13;
- Course XLI: Thence North  $00^{\circ}28'15''$  West, along the easterly lines of said Ph-13-2, Ph-10-3 in the Villas of Bertram Phase 1, Condominium Phase 10 and Ph-6-3 in the Villas of Bertram Phase 1, Condominium Phase 6, a distance of 206.24 feet to a point said point being the northeasterly corner of said Ph-6-3;
- Course XLII: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-6-3, a distance of 137.45 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-6-3;
- Course XLIII: Thence North  $07^{\circ}30'01''$  West, along the easterly R/W of said Hillary Lane, a distance of 25.56 feet to a point, said point being the southwesterly corner of Ph-12-3 in the Villas of Bertram Phase 1, Condominium Phase 12;
- Course XLIV: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-12-3, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-12-3;
- Course XLV: Thence North  $00^{\circ}28'15''$  West, along the easterly line of said Ph-12-3, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-12-3;
- Course XLVI: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-12-3, a distance of 13.26 feet to a point, said point being the southeasterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominiums Phase 2;
- Course XLVII: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ph-2, and the easterly lines of Ph-14-1 in the Villas of Bertram Condominiums Phase 14, Ph-13-1 in the Villas of Bertram Phase 1, Condominium Phase 13, Ph-16-2 in the Villas of Bertram Condominiums Phase 16 and Ph-12-4 in the Villas of Bertram Condominiums Phase 12, a distance of 300.00 feet to a point, said point being the northeasterly corner of said Ph-12-4;
- Course XLVIII: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-12-4, a distance of 121.03 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-12-4;
- Course XLIX: Thence North  $00^{\circ}28'15''$  West, along the easterly R/W of said Hillary Lane, a distance of 40.07 feet to a point, said point being a point of curvature
- Course L: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta  $89^{\circ}58'43''$ , tangent 24.99 feet, chord 35.35 feet, bearing North  $44^{\circ}31'06''$  East to a point, said point being on the southerly R/W of said Treat Road;

- Course LI: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a 5/8" iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course LII: Thence South 00°42'49" East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southwesterly corner of said Ohio Edison Company;
- Course LIII: Thence North 89°30'28" East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;
- Course LIV: Thence North 00°42'49" West, along the easterly line of said Ohio Edison Company, passing through a 5/8" iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;
- Course LV: Thence North 89°30'28" East, along the centerline of said Treat Road, passing through a 1-1/4" axle found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;
- Course LVI: Thence South 00°42'49" East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;
- Course LVII: Thence South 89°32'00" West, along the northerly line of said Berry and the northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a 5/8" iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a 3/4" iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;
- Course LVIII: Thence North 47°50'36" West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a 3/4" iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwesterly corner of lands conveyed to Michael & Cheryl Habbyshaw, as recorded in Document No. 201105000 of the Portage County Deed Records;
- Course LIX: Thence North 89°30'22" East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;

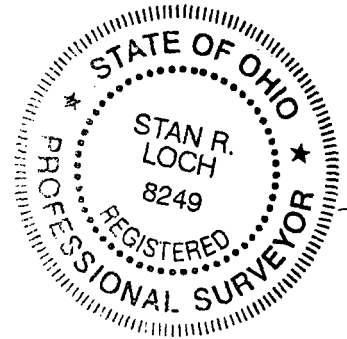


Course LX: Thence North 00°28'15" West, along the easterly line of said Habbyshaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

Said parcel contains 29.7151 acres or 1,294,393 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59 and any other matters of record as surveyed and described in December, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe the portion of the land conveyed to Villas of Bertram LLC. by File # 201401775 of the Portage County Records, which is designated as Ph-19-R1 Phase 19 Residual No. 1 on the Plat of Villas of Bertram Condominium Phase 19.

Job#20132833

  
\_\_\_\_\_  
Stan R. Loch P.S. # 8249      Date



**EXHIBIT "3"**  
**AMENDMENT NO. 19 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE XIX contains one (1) detached single-family residential Buildings known as Unit 5 situated on Hillary Lane, which includes a basement and attached two car garage, and which is constructed primarily of wood, vinyl siding, asphalt shingle roof, brick, concrete block, glass and drywall. The location of Unit 5 is shown on the Drawings.

Unit 5 is a "Chantilly Place" type Unit. The Chantilly Place type Unit is a two-story Unit containing approximately 2300 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, dining room or study, dinette area, great room, kitchen, laundry room, ½ bath, and an attached two-car garage. The second floor of consists of three (3) bedrooms and two (2) full baths. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

**EXHIBIT "4"**  
**AMENDMENT NO. 19 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	2.70%
II	67	864 Hillary Lane	2.70%
III	8	853 Hillary Lane	2.70%
III	9	849 Hillary Lane	2.70%
III	16	821 Hillary Lane	2.70%
III	17	817 Hillary Lane	2.70%
IV	11	841 Hillary Lane	2.70%
V	18	813 Hillary Lane	2.70%
VI	7	857 Hillary Lane	2.70%
VI	15	825 Hillary Lane	2.70%
VI	65	854 Hillary Lane	2.70%
VII	10	845 Hillary Lane	2.70%
VIII	73	830 Hillary Lane	2.70%
IX	12	837 Hillary Lane	2.70%
X	14	829 Hillary Lane	2.70%
X	64	850 Hillary Lane	2.70%
X	74	818 Hillary Lane	2.70%
XI	6	861 Hillary Lane	2.70%
XII	13	833 Hillary Lane	2.70%
XII	66	860 Hillary Lane	2.70%
XII	71	880 Hillary Lane	2.70%
XII	72	836 Hillary Lane	2.70%
XIII	63	846 Hillary Lane	2.70%
XIII	69	872 Hillary Lane	2.70%
XIV	68	868 Hillary Lane	2.70%
XV	26	781 Hillary Lane	2.70%
XVI	4	869 Hillary Lane	2.70%
XVI	19	809 Hillary Lane	2.70%
XVI	25	785 Hillary Lane	2.70%
XVI	70	876 Hillary Lane	2.70%
XVI	77	798 Hillary Lane	2.70%
XVII	24	789 Hillary Lane	2.70%
XVII	78	794 Hillary Lane	2.70%
XVII	79	788 Hillary Lane	2.70%
XVIII	23	793 Hillary Lane	2.70%
XVIII	76	802 Hillary Lane	2.70%
XIX	5	865 Hillary Lane	2.70%



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**Ph-19-1**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 19**

**0.1706 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, and Phase 2A, as recorded in Plat 2015-40 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-19-1 on the Plat of The Villas of Bertram Condominium Phase 19 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hillary Lane, a distance of 335.05 feet to a point;

Thence South 89°31'45" West, a distance of 30.00 feet to a point on the westerly R/W of said Hillary Lane and being the southeasterly corner of Ph-16-1 in the Villas of Bertram Condominium Phase 16 and the Principal Place of Beginning;

Course I: Thence South 00°28'15" East, along the westerly R/W of said Hillary Lane, a distance of 60.00 feet to a point, said point being the northeasterly corner of Ph-11-1 in the Villas of Bertram Condominium Phase 11;


Course II: Thence South 89°31'45" West, along the northerly line of said Ph-11-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-11-1;

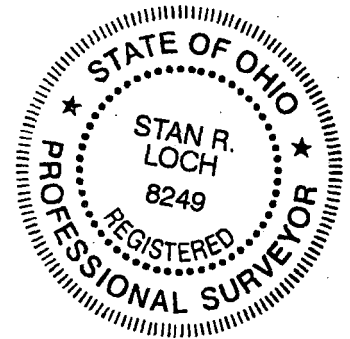
Course III: Thence North 00°28'15" West, a distance of 60.00 feet to a point, said point being the southwesterly corner of said Ph-16-1;

Course IV: Thence North 89°31'45" East, along the southerly line of said Ph-16-1, a distance of 123.86 feet to the Principal Place of Beginning.

Said parcel containing 0.1706 acres or 7,431 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-59 and any other matters of record as surveyed and described in December, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-19-1", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 19.

Job#20132833

 12-16-15  
Stan R. Loch P.S. # 8249 Date





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION  
PH 19-R1  
THE VILLAS OF BERTRAM CONDOMINIUM PHASE 19  
29.7151 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, and Phase 2A, as recorded in Plat 2015-40 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 1 on the Plat of The Villas of Bertram Condominium Phase 19, and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South 89°30'28" West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South 00°28'15" East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a 5/8" iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hillary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hillary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta 90°01'17", tangent 25.01 feet, chord 35.36 feet, bearing South 45°28'54" East to a point;

- Course III: Thence South 00°28'15" East, continuing along the westerly R/W of said Hillary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;
- Course IV: Thence South 89°31'45" West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;
- Course V: Thence South 00°28'15" East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwest corner of said Ph-1;
- Course VI: Thence North 89°31'45" East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hillary Lane, said point being the southeasterly corner of said Ph-1;
- Course VII: Thence South 00°28'15" East, along the westerly R/W of said Hillary Lane, a distance of 60.00 feet to a point, said point being the northeasterly corner of Ph-16-1 in the Villas of Bertram Condominiums Phase 16;
- Course VIII: Thence South 89°31'45" West, along the northerly line of said Ph-16-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-16-1;
- Course IX: Thence South 00°28'15" East, along the westerly line of said Ph-16-1, Ph-11-1 in the Villas of Bertram Condominium Phase 11, Ph-6-1 in the Villas of Bertram Phase 1 Condominium Phase 6, Ph-3-1 in the Villas of Bertram Phase 1 Condominium Phase 3, Ph-7-1 in the Villas of Bertram Phase 1 Condominium Phase 7, Ph-4 in the Villas of Bertram Phase 1 Condominium Phase 4, Ph-9-1 in the Villas of Bertram Phase 1 Condominium Phase 9, and Ph-12-1 in the Villas of Bertram Phase 1, Condominium Phase 12, a distance of 627.06 feet to a point, said point being the northwesterly corner of Ph-10-1 in the Villas of Bertram Phase 1, Condominium Phase 10;
- Course X: Thence South 17°30'08" East, along the westerly line of said Ph-10-1, a distance of 84.60 feet to a point, said point being the southwest corner of said Ph-10-1 and the northwesterly corner of Ph-6-2 in the Villas of Bertram Phase 6;
- Course XI: Thence South 28°59'33" East, along the westerly line of said Ph-6-2, a distance of 84.31 feet to a point, said point being the southwest corner of said Ph-6-2 and southwest corner of Ph-3-2 in the Villas of Bertram Phase 1, Condominium Phase 3;
- Course XII: Thence South 41°59'53" East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;
- Course XIII: Thence South 55°00'13" East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2 and also being the southwest corner of Ph-5 in the Villas of Bertram Phase 1, Condominium Phase 5;
- Course XIV: Thence South 67°15'11" East, along the southerly line of said Ph-5, distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-5 and the southwest corner of Ph-16-3 in the Villas of Bertram Condominiums Phase 16;

- Course XV: Thence South 82°21'31" East, along the southerly line of said Ph-16-3, a distance of 74.74 feet to a point, said point being the southeasterly corner of said Ph-16-3;
- Course XVI: Thence North 07°38'29" East, along the easterly line of said Ph-16-3, a distance of 140.00 feet to a point, said point being on the southerly R/W of Hilliary Lane in the Villas of Bertram Phase 2A, as recorded in Plat 2015-40 of the Portage County Records and also being the northeasterly corner of said Ph-16-3;
- Course XVII: Thence South 82°21'31" East, along the southerly R/W of said Hilliary Lane, a distance of 173.03 feet to a point of curvature;
- Course XVIII: Thence continuing along the southerly R/W of said Hilliary Lane, along a curve to the left with a length 6.54 feet, radius 530.00 feet, delta 00°42'25", tangent 3.27 feet, chord 6.54 feet, bearing South 82°42'44" East to a point, said point being the northwesterly corner of Ph-18-2 in the Villas of Bertram Condominium Phase 18;
- Course XIX: Thence South 06°56'04" West, along the westerly line of said Ph-18-2, a distance of 140.05 feet to a point, said point being the southwest corner of said Ph-18-2;
- Course XX: Thence South 82°21'31" East, along the southerly line of said Ph-18-2, a distance of 13.91 feet to a point;
- Course XXI: Thence South 86°09'02" East, continuing along the southerly line of said Ph-18-2, a distance of 47.61 feet to a point;
- Course XXII: Thence North 89°30'07" East, continuing along the southerly line of said Ph-18-2 and along the southerly lines of Ph-17-1 in the Villas of Bertram Condominiums Phase 17, Ph-16-5 in the Villas of Bertram Condominiums Phase 16 and Ph-15-1 in the Villas of Bertram Condominiums Phase 15, a distance of 195.15 feet to a point, said point being the southeasterly corner of said Ph-15-1;
- Course XXIII: Thence North 01°53'59" West, along the easterly line of said Ph-15-1, a distance of 140.11 feet to a point on the southerly R/W of said Hilliary Lane, said point being the northeasterly corner of said Ph-15-1 and also being a point on a curve;
- Course XXIV: Thence continuing along the southwesterly R/W of said Hilliary Lane, along a curve to the left with a length 6.04 feet, radius 230.00 feet, delta 01°30'19", tangent 3.02 feet, chord 6.04 feet, bearing North 87°20'51" East to a point, said point being at the southeasterly terminus of said Hilliary Lane;
- Course XXV: Thence North 03°24'18" West, along the easterly terminus of the R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the northeasterly terminus of said Hilliary Lane and a point of curvature;
- Course XXVI: Thence along the northerly R/W of said Hilliary Lane, along a curve to the right with a length 8.63 feet, radius 170.00 feet, delta 02°54'25", tangent 4.31 feet, chord 8.62 feet, bearing South 88°02'54" West to a point;



- Course XXVII: Thence South  $89^{\circ}30'07''$  West, continuing along the northerly R/W of said Hilliary Lane, a distance of 115.90 feet to a point, said point being the southeasterly corner of Ph-17-2 in the Villas of Bertram Condominiums Phase 17;
- Course XXVIII: Thence North  $00^{\circ}29'53''$  West, along the easterly line of said Ph-17-2, a distance of 130.03 feet to a point, said point being the northeasterly corner of said Ph-17-2;
- Course XXIX: Thence South  $89^{\circ}30'07''$  West, along the northerly line of said Ph-17-2, a distance of 58.40 feet to an angle point;
- Course XXX: Thence North  $83^{\circ}55'13''$  West, continuing along the northerly line of said Ph-17-2, a distance of 55.94 feet to a point, said point being the northwesterly corner of said Ph-17-2 and the northeasterly corner of Ph-16-4 in the Villas of Bertram Condominiums Phase 16;
- Course XXXI: Thence North  $82^{\circ}21'31''$  West, along the northerly line of said Ph-16-4 and Ph-18-1 in the Villas of Bertram Condominium Phase 18, a distance of 120.00 feet to a point, said point being the northwesterly corner of said Ph-18-1;
- Course XXXII: Thence South  $07^{\circ}38'29''$  West, along the westerly line of said Ph-18-1, a distance of 130.00 feet to a point on the northerly R/W of said Hilliary Lane, said point being the southwesterly corner of said Ph-18-1;
- Course XXXIII: Thence North  $82^{\circ}21'31''$  West, along the northerly R/W of said Hilliary Lane, a distance of 55.43 feet to a point of curvature;
- Course XXXIV: Thence continuing along the northerly R/W of said Hilliary Lane, along a curve to the right with a length 9.83 feet, radius 170.00 feet, delta  $03^{\circ}18'53''$ , tangent 4.92 feet, chord 9.83 feet, bearing North  $80^{\circ}42'04''$  West to a point, said point being the southeasterly corner of Ph-10-2 in the Villas of Bertram Phase 1, Condominium Phase 10 and the northwesterly corner of said northerly R/W of Hilliary Lane;
- Course XXXV: Thence North  $10^{\circ}57'22''$  East, along the easterly line of said Ph-10-2, a distance of 129.93 feet to a point, said point being the northeasterly corner of said Ph-10-2;
- Course XXXVI: Thence North  $56^{\circ}52'23''$  West, along the northerly line of said Ph-10-2, a distance of 29.98 feet to a point, said point being the southeasterly corner of Ph-8-1 in the Villas of Bertram Phase 1, Condominium Phase 8,
- Course XXXVII: Thence North  $11^{\circ}39'32''$  West, along the easterly line of said Ph-8-1, a distance of 36.33 feet to a point, said point being the northeasterly corner of said Ph-8-1;
- Course XXXVIII: Thence North  $00^{\circ}28'21''$  West, a distance of 83.48 feet to a point, said point being a point of curvature, said point being the northeasterly corner of Ph-12-2 in the Villas of Bertram Phase 1, Condominium Phase 12;
- Course XXXIX: Thence along the northerly line of said Ph-12-2 and along a curve to the left with a length 5.27 feet, radius 270.00 feet, delta  $01^{\circ}07'04''$ , tangent 2.63 feet, chord 5.27 feet, bearing North  $84^{\circ}56'25''$  West to a point, said point being at the southeasterly terminus of Samantha Drive;


- Course XL: Thence North  $04^{\circ}30'06''$  East, along the easterly terminus of the R/W of said Samantha Drive, a distance of 60.00 feet to a point, said point being at the northeasterly terminus of the easterly R/W of said Samantha Drive and the southeasterly corner of Ph-13-2 in the Villas of Bertram Phase 1, Condominium Phase 13;
- Course XLI: Thence North  $00^{\circ}28'15''$  West, along the easterly lines of said Ph-13-2, Ph-10-3 in the Villas of Bertram Phase 1, Condominium Phase 10 and Ph-6-3 in the Villas of Bertram Phase 1, Condominium Phase 6, a distance of 206.24 feet to a point said point being the northeasterly corner of said Ph-6-3;
- Course XLII: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-6-3, a distance of 137.45 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-6-3;
- Course XLIII: Thence North  $07^{\circ}30'01''$  West, along the easterly R/W of said Hillary Lane, a distance of 25.56 feet to a point, said point being the southwest corner of Ph-12-3 in the Villas of Bertram Phase 1, Condominium Phase 12;
- Course XLIV: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-12-3, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-12-3;
- Course XLV: Thence North  $00^{\circ}28'15''$  West, along the easterly line of said Ph-12-3, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-12-3;
- Course XLVI: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-12-3, a distance of 13.26 feet to a point, said point being the southeasterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominiums Phase 2;
- Course XLVII: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ph-2, and the easterly lines of Ph-14-1 in the Villas of Bertram Condominiums Phase 14, Ph-13-1 in the Villas of Bertram Phase 1, Condominium Phase 13, Ph-16-2 in the Villas of Bertram Condominiums Phase 16 and Ph-12-4 in the Villas of Bertram Condominiums Phase 12, a distance of 300.00 feet to a point, said point being the northeasterly corner of said Ph-12-4;
- Course XLVIII: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-12-4, a distance of 121.03 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-12-4;
- Course XLIX: Thence North  $00^{\circ}28'15''$  West, along the easterly R/W of said Hillary Lane, a distance of 40.07 feet to a point, said point being a point of curvature
- Course L: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta  $89^{\circ}58'43''$ , tangent 24.99 feet, chord 35.35 feet, bearing North  $44^{\circ}31'06''$  East to a point, said point being on the southerly R/W of said Treat Road;

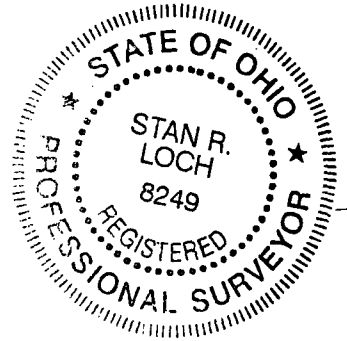
- Course LI: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a 5/8" iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course LII: Thence South 00°42'49" East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southwesterly corner of said Ohio Edison Company;
- Course LIII: Thence North 89°30'28" East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;
- Course LIV: Thence North 00°42'49" West, along the easterly line of said Ohio Edison Company, passing through a 5/8" iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;
- Course LV: Thence North 89°30'28" East, along the centerline of said Treat Road, passing through a 1-1/4" axle found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;
- Course LVI: Thence South 00°42'49" East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;
- Course LVII: Thence South 89°32'00" West, along the northerly line of said Berry and the northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a 5/8" iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a 3/4" iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;
- Course LVIII: Thence North 47°50'36" West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a 3/4" iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwesterly corner of lands conveyed to Michael & Cheryl Habbyshaw, as recorded in Document No. 201105000 of the Portage County Deed Records;
- Course LIX: Thence North 89°30'22" East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;

Course LX: Thence North 00°28'15" West, along the easterly line of said Habbyslaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

Said parcel contains 29.7151 acres or 1,294,393 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55, 2015-59 and any other matters of record as surveyed and described in December, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe the portion of the land conveyed to Villas of Bertram LLC. by File # 201401775 of the Portage County Records, which is designated as Ph-19-R1 Phase 19 Residual No. 1 on the Plat of Villas of Bertram Condominium Phase 19.

Job#20132833

  
 Stan R. Loch P.S. # 8249 Date



12-24-2015 *SL*  
 TAX MAP DEPT.  
 LEGAL DESCRIPTION  
 SUFFICIENT  DEFICIENT  
 NO DIVISION OF LAND

PN 03-015-10-00-001.002: 29.886 (Aud)  
 UNIT 5 - 0.1706  
 29.7154 BAL  
 RETRACEMENT OF BALANCE = 29.7151 AC  
 BY SURVEY

			Total 100%
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Scam me.



*Patty*  
BONNIE M. HOWE  
PORTAGE CO. RECORDER

201519878 1515

RECEIVED FOR RECORD

AT 15:12:20

FEE 192.00

**INDEXED**

AMENDMENT NO. 18  
TO THE DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM

PHASE XVIII  
ADDING UNIT NOS. 23 AND 76

This will certify that copies of this AMENDMENT NO. 18 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "AMENDMENT NO. 18"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

*Plot 2015-63*

Dated: DEC 15 2015, 2015

PORTAGE COUNTY AUDITOR

By: *Xanet Esposito*

Deputy Auditor

This instrument prepared by:  
Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333

**AMENDMENT NO. 18 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, an Ohio limited liability company, hereinafter referred to as "Declarant", filed for record the Declaration of Condominium Ownership ("the Declaration") for Villas of Bertram Condominium (the "Condominium") with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the "Association") attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the "Act"); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE XVIII of the Condominium which contains two (2) Units.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE XVIII property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.
2. The legal description of the Condominium set forth in Exhibit "A" of the Declaration is amended to include the real property for PHASE XVIII of the Condominium, the legal



description for PHASE XVIII being described in Exhibit "1" attached hereto and made a part hereof

3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.

4. The number of Units referred to in the Declaration is increased from to thirty-four (34) Units to thirty-six (36) Units. A narrative description of the Buildings and Units for PHASE XVIII is set forth in Exhibit "3" attached hereto and made a part hereof

5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.

6. The particulars of the Buildings and Units and other improvements for PHASE XVIII, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE XVIII Drawings incorporated in this AMENDMENT NO. 18 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE XVIII Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 18 to the Declaration.

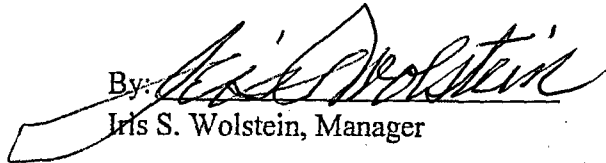
7. No owner of a Unit which was not included in Phase I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, and XVII shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE XVIII prior to the filing of this AMENDMENT NO. 18 (except replacement reserve funds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this AMENDMENT NO. 18.

8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.

9. Except as amended herein, the Declaration thereto shall remain in full force and effect
10. Consent to this AMENDMENT NO. 18 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 14<sup>th</sup> day of December, 2015.


VILLAS OF BERTRAM, LLC,  
an Ohio limited liability company

By:   
Iris S. Wolstein, Manager

STATE OF OHIO            )  
  )SS.  
COUNTY OF LAKE        )  
                                  Cuyahoga

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 14<sup>th</sup> day of December, 2015.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires \_\_\_\_\_



**EXHIBIT "A"**

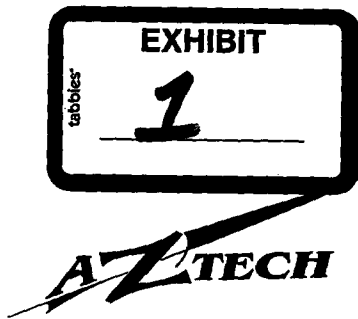
**AMENDMENT NO. 18 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 18 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the AMENDMENT NO. 18.

**EXHIBIT "1"**  
**AMENDMENT NO. 18 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE XVIII WILL BE ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION  
PH-18-1  
THE VILLAS OF BERTRAM CONDOMINIUM PHASE 18  
0.1790 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, and Phase 2A, as recorded in Plat 2015-40 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-18-1 on the Plat of The Villas of Bertram Condominium Phase 18 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hillary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hillary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hillary Lane, a distance of 285.32 feet to a point;

Thence continuing along the centerline of said Hillary Lane and along the centerline of Hilliary Lane, 60 foot R/W as recorded in Villas of Bertram Phase 2A, as recorded in Plat 2015-40 of the Portage County Plat Records, along a curve to the left with a length 285.84 feet, radius 200.00 feet, delta  $81^{\circ}53'16''$ , tangent 173.51 feet, chord 262.13 feet, bearing South  $41^{\circ}24'53''$  East to a point on the centerline of Hilliary Lane;

Thence South  $82^{\circ}21'31''$  East, continuing along the centerline of said Hilliary Lane, a distance of 55.43 feet to a point;

Thence North  $07^{\circ}38'29''$  East, a distance of 30.00 feet to a point on the northerly R/W of said Hilliary Lane and the Principal Place of Beginning;

Course I: Thence North  $07^{\circ}38'29''$  East, a distance of 130.00 to a point;

Course II: Thence South  $82^{\circ}21'31''$  East, a distance of 60.00 feet to a point, said point being the northwesterly corner of Ph-16-4 in the Villas of Bertram Condominium Phase 16;

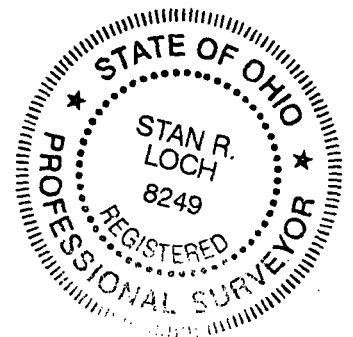
Course III: Thence South  $07^{\circ}38'29''$  West, along the westerly line of said Ph-16-4, a distance of 130.00 feet to a point, said point being on the northerly R/W of said Hilliary Lane and the southwestery corner of said Ph-16-4;

Course IV: Thence North  $82^{\circ}21'31''$  West, along the northerly R/W of said Hilliary Lane, a distance of 60.00 feet to the Principal Place of Beginning.

Said parcel containing 0.1790 acres or 7,799 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55 and any other matters of record as surveyed and described in November, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South  $00^{\circ}28'15''$  East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-18-1", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 18.

Job#20132833

  
Stan R. Loch P.S. # 8249      Date





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-18-2**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 18  
0.2091 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, and Phase 2A, as recorded in Plat 2015-40 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-18-2 on the Plat of The Villas of Bertram Condominium Phase 18 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hillary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hillary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hillary Lane, a distance of 285.32 feet to a point;

Thence continuing along the centerline of said Hillary Lane and along the centerline of Hilliary Lane, 60 foot R/W as recorded in Villas of Bertram Phase 2A, as recorded in Plat 2015-40 of the Portage County Plat Records, along a curve to the left with a length 285.84 feet, radius 200.00 feet, delta 81°53'16", tangent 173.51 feet, chord 262.13 feet, bearing South 41°24'53" East to a point on the centerline of Hilliary Lane;

Thence South 82°21'31" East, continuing along the centerline of said Hilliary Lane, a distance of 196.73 feet to a point;

Thence South 04°40'10" East, a distance of 30.66 feet to a point on a curve on the southerly R/W of said Hilliary Lane and the Principal Place of Beginning;

Course I: Thence along the southerly R/W of said Hilliary Lane along a curve to the left with a length 55.89 feet, radius 530.00 feet, tangent 27.97 feet, chord 55.87 feet bearing South 86°05'13" East and delta 06°02'33" to a point, said point being the northwesterly corner of Ph-17-1 in the Villas of Bertram Condominium Phase 17;

Course II: Thence South 00°29'53" East, along the westerly line of said Ph-17-1, a distance of 140.16 feet to a point, said point being the southwesterly corner of said Ph-17-1;

Course III: Thence South 89°30'07" West, a distance of 12.58 feet to a point;

Course IV: Thence North 86°09'02" West, a distance of 47.61 feet to a point;

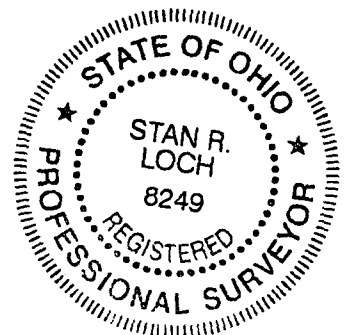
Course V: Thence North 82°21'31" West, a distance of 13.91 feet to a point;

Course VI: Thence North 06°56'04" East, a distance of 140.05 feet to the Principal Place of Beginning.

Said parcel containing 0.2091 acres or 9,109 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55 and any other matters of record as surveyed and described in November, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-18-2", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 18.

Job#20132833

 11-17-15  
Stan R. Loch P.S. # 8249 Date





**EXHIBIT "2"**  
**AMENDMENT NO. 18 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION  
PH 18-R1  
THE VILLAS OF BERTRAM CONDOMINIUM PHASE 18  
29.8857 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, and Phase 2A, as recorded in Plat 2015-40 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 1 on the Plat of The Villas of Bertram Condominium Phase 18, and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South  $89^{\circ}30'28''$  West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South  $00^{\circ}28'15''$  East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a 5/8" iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North  $89^{\circ}30'28''$  East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hillary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hillary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta  $90^{\circ}01'17''$ , tangent 25.01 feet, chord 35.36 feet, bearing South  $45^{\circ}28'54''$  East to a point;

- Course III: Thence South 00°28'15" East, continuing along the westerly R/W of said Hillary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;
- Course IV: Thence South 89°31'45" West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;
- Course V: Thence South 00°28'15" East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwesterly corner of said Ph-1;
- Course VI: Thence North 89°31'45" East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hillary Lane, said point being the southeasterly corner of said Ph-1;
- Course VII: Thence South 00°28'15" East, along the westerly R/W of said Hillary Lane, a distance of 60.00 feet to a point, said point being the northeasterly corner of Ph-16-1 in the Villas of Bertram Condominiums Phase 16;
- Course VIII: Thence South 89°31'45" West, along the northerly line of said Ph-16-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-16-1;
- Course IX: Thence South 00°28'15" East, along the westerly line of said Ph-16-1, a distance of 60.00 feet to a point, said point being the southwesterly corner of said Ph-16-1;
- Course X: Thence North 89°31'45" East, along the southerly line of said Ph-16-1, a distance of 123.86 feet to a point on the westerly R/W of said Hillary Lane, said point being the southeasterly corner of said Ph-16-1;
- Course XI: Thence South 00°28'15" East, along the westerly R/W of said Hillary Lane, a distance of 60.00 feet to a point, said point being the northeasterly corner of Ph-11-1 in the Villas of Bertram Phase 1, Condominiums Phase 11;
- Course XII: Thence South 89°31'45" West, along the northerly line of said Ph-11-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-11-1;
- Course XIII: Thence South 00°28'15" East, along the westerly lines of said Ph-11-1, Ph-6-1 in the Villas of Bertram Phase 1 Condominium Phase 6, Ph-3-1 in the Villas of Bertram Phase 1 Condominium Phase 3, Ph-7-1 in the Villas of Bertram Phase 1 Condominium Phase 7, Ph-4 in the Villas of Bertram Phase 1 Condominium Phase 4, Ph-9-1 in the Villas of Bertram Phase 1 Condominium Phase 9, and Ph-12-1 in the Villas of Bertram Phase 1, Condominium Phase 12, a distance of 507.06 feet to a point, said point being the northwesterly corner of Ph-10-1 in the Villas of Bertram Phase 1, Condominium Phase 10;
- Course XIV: Thence South 17°30'08" East, along the westerly line of said Ph-10-1, a distance of 84.60 feet to a point, said point being the southwesterly corner of said Ph-10-1 and the northwesterly corner of Ph-6-2 in the Villas of Bertram Phase 6;

- Course XV: Thence South 28°59'33" East, along the westerly line of said Ph-6-2, a distance of 84.31 feet to a point, said point being the southwesterly corner of said Ph-6-2 and southwesterly corner of Ph-3-2 in the Villas of Bertram Phase 1, Condominium Phase 3;
- Course XVI: Thence South 41°59'53" East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;
- Course XVII: Thence South 55°00'13" East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2 and also being the southwesterly corner of Ph-5 in the Villas of Bertram Phase 1, Condominium Phase 5;
- Course XVIII: Thence South 67°15'11" East, along the southerly line of said Ph-5, distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-5 and the southwesterly corner of Ph-16-3 in the Villas of Bertram Condominiums Phase 16;
- Course XIX: Thence South 82°21'31" East, along the southerly line of said Ph-16-3, a distance of 74.74 feet to a point, said point being the southeasterly corner of said Ph-16-3;
- Course XX: Thence North 07°38'29" East, along the easterly line of said Ph-16-3, a distance of 140.00 feet to a point, said point being on the southerly R/W of Hilliary Lane in the Villas of Bertram Phase 2A, as recorded in Plat 2015-40 of the Portage County Records and also being the northeasterly corner of said Ph-16-3;
- Course XXI: Thence South 82°21'31" East, along the southerly R/W of said Hilliary Lane, a distance of 173.03 feet to a point of curvature;
- Course XXII: Thence continuing along the southerly R/W of said Hilliary Lane, along a curve to the left with a length 6.54 feet, radius 530.00 feet, delta 00°42'25", tangent 3.27 feet, chord 6.54 feet, bearing South 82°42'44" East to a point;
- Course XXIII: Thence South 06°56'04" West, a distance of 140.05 feet to a point;
- Course XXIV: Thence South 82°21'31" East, a distance of 13.91 feet to a point;
- Course XXV: Thence South 86°09'02" East, a distance of 47.61 feet to a point;
- Course XXVI: Thence North 89°30'07" East, along the southerly lines of Ph-17-1 in the Villas of Bertram Condominiums Phase 17, Ph-16-5 in the Villas of Bertram Condominiums Phase 16 and Ph-15-1 in the Villas of Bertram Condominiums Phase 15, a distance of 195.15 feet to a point, said point being the southeasterly corner of said Ph-15-1;
- Course XXVII: Thence North 01°53'59" West, along the easterly line of said Ph-15-1, a distance of 140.11 feet to a point on the southerly R/W of said Hilliary Lane, said point being the northeasterly corner of said Ph-15-1 and also being a point on a curve;
- Course XXVIII: Thence continuing along the southwesterly R/W of said Hilliary Lane, along a curve to the left with a length 6.04 feet, radius 230.00 feet, delta 01°30'19", tangent 3.02 feet, chord 6.04 feet, bearing North 87°20'51" East to a point, said point being at the southeasterly terminus of said Hilliary Lane;

- Course XXIX: Thence North 03°24'18" West, along the easterly terminus of the R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the northeasterly terminus of said Hilliary Lane and a point of curvature;
- Course XXX: Thence along the northerly R/W of said Hilliary Lane, along a curve to the right with a length 8.63 feet, radius 170.00 feet, delta 02°54'25", tangent 4.31 feet, chord 8.62 feet, bearing South 88°02'54" West to a point;
- Course XXXI: Thence South 89°30'07" West, continuing along the northerly R/W of said Hilliary Lane, a distance of 115.90 feet to a point, said point being the southeasterly corner of Ph-17-2 in the Villas of Bertram Condominiums Phase 17;
- Course XXXII: Thence North 00°29'53" West, along the easterly line of said Ph-17-2, a distance of 130.03 feet to a point, said point being the northeasterly corner of said Ph-17-2;
- Course XXXIII: Thence South 89°30'07" West, along the northerly line of said Ph-17-2, a distance of 58.40 feet to an angle point;
- Course XXXIV: Thence North 83°55'13" West, continuing along the northerly line of said Ph-17-2, a distance of 55.94 feet to a point, said point being the northwesterly corner of said Ph-17-2 and the northeasterly corner of Ph-16-4 in the Villas of Bertram Condominiums Phase 16;
- Course XXXV: Thence North 82°21'31" West, along the northerly line of said Ph-16-4, a distance of 120.00 feet to a point;
- Course XXXVI: Thence South 07°38'29" West, a distance of 130.00 feet to a point on the northerly R/W of said Hilliary Lane;
- Course XXXVII: Thence North 82°21'31" West, along the northerly R/W of said Hilliary Lane, a distance of 55.43 feet to a point of curvature;
- Course XXXVIII: Thence continuing along the northerly R/W of said Hilliary Lane, along a curve to the right with a length 9.83 feet, radius 170.00 feet, delta 03°18'53", tangent 4.92 feet, chord 9.83 feet, bearing North 80°42'04" West to a point, said point being the southeasterly corner of Ph-10-2 in the Villas of Bertram Phase 1, Condominium Phase 10 and the northwesterly corner of said northerly R/W of Hilliary Lane;
- Course XXXIX: Thence North 10°57'22" East, along the easterly line of said Ph-10-2, a distance of 129.93 feet to a point, said point being the northeasterly corner of said Ph-10-2;
- Course XL: Thence North 56°52'23" West, along the northerly line of said Ph-10-2, a distance of 29.98 feet to a point, said point being the southeasterly corner of Ph-8-1 in the Villas of Bertram Phase 1, Condominium Phase 8,
- Course XLI: Thence North 11°39'32" West, along the easterly line of said Ph-8-1, a distance of 36.33 feet to a point, said point being the northeasterly corner of said Ph-8-1;

- Course XLII: Thence North  $00^{\circ}28'21''$  West, a distance of 83.48 feet to a point, said point being a point of curvature, said point being the northeasterly corner of Ph-12-2 in the Villas of Bertram Phase 1, Condominium Phase 12;
- Course XLIII: Thence along the northerly line of said Ph-12-2 and along a curve to the left with a length 5.27 feet, radius 270.00 feet, delta  $01^{\circ}07'04''$ , tangent 2.63 feet, chord 5.27 feet, bearing North  $84^{\circ}56'25''$  West to a point, said point being at the southeasterly terminus of Samantha Drive;
- Course XLIV: Thence North  $04^{\circ}30'06''$  East, along the easterly terminus of the R/W of said Samantha Drive, a distance of 60.00 feet to a point, said point being at the northeasterly terminus of the easterly R/W of said Samantha Drive and the southeasterly corner of Ph-13-2 in the Villas of Bertram Phase 1, Condominium Phase 13;
- Course XLV: Thence North  $00^{\circ}28'15''$  West, along the easterly lines of said Ph-13-2, Ph-10-3 in the Villas of Bertram Phase 1, Condominium Phase 10 and Ph-6-3 in the Villas of Bertram Phase 1, Condominium Phase 6, a distance of 206.24 feet to a point said point being the northeasterly corner of said Ph-6-3;
- Course XLVI: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-6-3, a distance of 137.45 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-6-3;
- Course XLVII: Thence North  $07^{\circ}30'01''$  West, along the easterly R/W of said Hillary Lane, a distance of 25.56 feet to a point, said point being the southwest corner of Ph-12-3 in the Villas of Bertram Phase 1, Condominium Phase 12;
- Course XLVIII: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-12-3, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-12-3;
- Course XLIX: Thence North  $00^{\circ}28'15''$  West, along the easterly line of said Ph-12-3, a distance of 60.00 feet to a point; said point being the northeasterly corner of said Ph-12-3;
- Course L: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-12-3, a distance of 13.26 feet to a point, said point being the southeasterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominiums Phase 2;
- Course LI: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ph-2, and the easterly lines of Ph-14-1 in the Villas of Bertram Condominiums Phase 14, Ph-13-1 in the Villas of Bertram Phase 1, Condominium Phase 13, Ph-16-2 in the Villas of Bertram Condominiums Phase 16 and Ph-12-4 in the Villas of Bertram Condominiums Phase 12, a distance of 300.00 feet to a point, said point being the northeasterly corner of said Ph-12-4;
- Course LII: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-12-4, a distance of 121.03 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-12-4;
- Course LIII: Thence North  $00^{\circ}28'15''$  West, along the easterly R/W of said Hillary Lane, a distance of 40.07 feet to a point, said point being a point of curvature

- Course LIV: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta 89°58'43", tangent 24.99 feet, chord 35.35 feet, bearing North 44°31'06" East to a point, said point being on the southerly R/W of said Treat Road;
- Course LV: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a 5/8" iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course LVI: Thence South 00°42'49" East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southwesterly corner of said Ohio Edison Company;
- Course LVII: Thence North 89°30'28" East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;
- Course LVIII: Thence North 00°42'49" West, along the easterly line of said Ohio Edison Company, passing through a 5/8" iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;
- Course LIX: Thence North 89°30'28" East, along the centerline of said Treat Road, passing through a 1-1/4" axle found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;
- Course LX: Thence South 00°42'49" East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;
- Course LXI: Thence South 89°32'00" West, along the northerly line of said Berry and the northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a 5/8" iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a 3/4" iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;
- Course LXII: Thence North 47°50'36" West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a 3/4" iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwesterly corner of lands conveyed to Michael & Cheryl Habbyslaw, as recorded in Document No. 201105000 of the Portage County Deed Records;

Course LXIII: Thence North 89°30'22" East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;

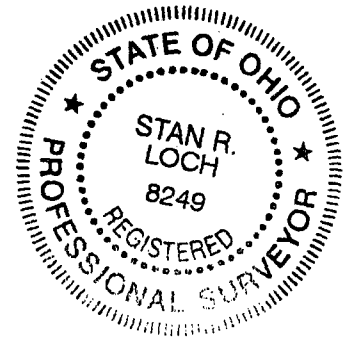
Course LXIV: Thence North 00°28'15" West, along the easterly line of said Habbyshaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

Said parcel contains 29.8857 acres or 1,301,825 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49, 2015-55 and any other matters of record as surveyed and described in November, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe the portion of the land conveyed to Villas of Bertram LLC. by File # 201401775 of the Portage County Records, which is designated as Ph-18-R1 Phase 18 Residual No. 1 on the Plat of Villas of Bertram Condominium Phase 18.

Job#20132833

*[Signature]* 11-17-15  
 Stan R. Loch P.S. # 8249 Date

**NO TRANSFER  
 REQUIRED  
 DEC 15 2015  
 JANET ESPOSITO  
 AUDITOR**



12-15-2015 *[Signature]*  
 TAX MAP DEPT.

LEGAL DESCRIPTION  
 SUFFICIENT     DEFICIENT  
 NO DIVISION OF LAND

PN 03-015-10-00-001.002:	30.274 Ac	(AUD)
UNIT 76	- 0.1790	
	<hr/>	
	30.095 = Bal	
UNIT 23	- 0.2091	
	<hr/>	
	29.8859	
RETRACEMENT OF BALANCE	= 29.8857 Ac	
	<hr/>	
	BY SURVEY	



**EXHIBIT "3"**  
**AMENDMENT NO. 18 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE XVIII contains two (2) detached single-family residential Buildings known as Units 23 AND 76 situated on Hillary Lane, which includes a basement and attached two car garage, and which is constructed primarily of wood, vinyl siding, asphalt shingle roof, brick, concrete block, glass and drywall. The location of Units 23 AND 76 are shown on the Drawings.

Unit 23 is a "Rome" type Unit. The Rome is a two-story Unit. The first floor consists of a foyer, living room, dining room, mudroom, kitchen, dinette area, powder room, and study. The second floor consists of four (4) bedrooms and two (2) full baths, walk-in closet and loft.

Unit 76 is a "Florence" type Unit. The Florence type Unit is a two-story Unit containing approximately 2,000 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, living room or dining room, dinette area, family room, kitchen, laundry room, ½ bath, and an attached two-car garage. The second floor of consists of three (3) bedrooms and two (2) full baths.

**EXHIBIT "4"**  
**AMENDMENT NO. 18 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	2.77%
II	67	864 Hillary Lane	2.77%
III	8	853 Hillary Lane	2.77%
III	9	849 Hillary Lane	2.77%
III	16	821 Hillary Lane	2.77%
III	17	817 Hillary Lane	2.77%
IV	11	841 Hillary Lane	2.77%
V	18	813 Hillary Lane	2.77%
VI	7	857 Hillary Lane	2.77%
VI	15	825 Hillary Lane	2.77%
VI	65	854 Hillary Lane	2.77%
VII	10	845 Hillary Lane	2.77%
VIII	73	830 Hillary Lane	2.77%
IX	12	837 Hillary Lane	2.77%
X	14	829 Hillary Lane	2.77%
X	64	850 Hillary Lane	2.77%
X	74	818 Hillary Lane	2.77%
XI	6	861 Hillary Lane	2.77%
XII	13	833 Hillary Lane	2.77%
XII	66	860 Hillary Lane	2.77%
XII	71	880 Hillary Lane	2.77%
XII	72	836 Hillary Lane	2.77%
XIII	63	846 Hillary Lane	2.77%
XIII	69	872 Hillary Lane	2.77%
XIV	68	868 Hillary Lane	2.77%
XV	26	781 Hillary Lane	2.77%
XVI	4	869 Hillary Lane	2.77%
XVI	19	809 Hillary Lane	2.77%
XVI	25	785 Hillary Lane	2.77%
XVI	70	876 Hillary Lane	2.77%
XVI	77	798 Hillary Lane	2.77%
XVII	24	789 Hillary Lane	2.77%
XVII	78	794 Hillary Lane	2.77%
XVII	79	788 Hillary Lane	2.77%
XVIII	23	793 Hillary Lane	2.77%
XVIII	76	802 Hillary Lane	2.77%
			Total 100%



*Patty*  
BONNIE M. HOWE  
PORTAGE CO. RECORDER

201518078 212

RECEIVED FOR RECORD  
AT 13:26:54  
FEE 192.00

NO TRANSFER  
REQUIRED  
NOV 12 2015  
JANET ESPOSITO, *el*  
AUDITOR

**INDEXED**

AMENDMENT NO. 17  
TO THE DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM

PHASE XVII  
ADDING UNIT NOS. 24, 78, AND 79

This will certify that copies of this AMENDMENT NO. 17 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "AMENDMENT NO. 17"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

Dated: Nov. 12, 2015

PORTAGE COUNTY AUDITOR

By: *Janet Esposito*  
Deputy Auditor

*Plat 2015-59*

This instrument prepared by:  
Paul C. Thompson, Esq. 20  
4040 Embassy Parkway, Suite 310, Akron, OH 44333

**AMENDMENT NO. 17 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE XVII of the Condominium which contains three (3) Units.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE XVII property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.

2. The legal description of the Condominium set forth in Exhibit “A” of the Declaration is amended to include the real property for PHASE XVII of the Condominium, the legal

description for PHASE XVII being described in Exhibit "1" attached hereto and made a part hereof

3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.

4. The number of Units referred to in the Declaration is increased from to thirty-one (31) Units to thirty-four (34) Units. A narrative description of the Buildings and Units for PHASE XVII is set forth in Exhibit "3" attached hereto and made a part hereof

5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.

6. The particulars of the Buildings and Units and other improvements for PHASE XVII, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE XVII Drawings incorporated in this AMENDMENT NO. 17 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE XVII Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 17 to the Declaration.

7. No owner of a Unit which was not included in Phase I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, and XVI shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE XVII prior to the filing of this AMENDMENT NO. 17 (except replacement reserve finds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this AMENDMENT NO. 17.

8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.

9. Except as amended herein, the Declaration thereto shall remain in full force and effect

10. Consent to this AMENDMENT NO. 17 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 9<sup>th</sup> day of November, 2015.

VILLAS OF BERTRAM, LLC,  
an Ohio limited liability company

By: Iris S. Wolstein  
Iris S. Wolstein, Manager

STATE OF OHIO )  
 )SS.  
COUNTY OF ~~LAKE~~ )  
Cuyahoga

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 9<sup>th</sup> day of November, 2015.

[Signature]  
Notary Public  
My Commission Expires \_\_\_\_\_



**EXHIBIT "A"**

**AMENDMENT NO. 17 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 17 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A"; prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the AMENDMENT NO. 17.



**EXHIBIT "1"**  
**AMENDMENT NO. 17 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE XVII WILL BE ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-17-1**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 17**

**0.1928 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, and Phase 2A, as recorded in Plat 2015-40 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-17-1 on the Plat of The Villas of Bertram Condominium Phase 17 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hillary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hillary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hillary Lane, a distance of 285.32 feet to a point;

Thence continuing along the centerline of said Hillary Lane and along the centerline of Hilliary Lane, 60 foot R/W as recorded in Villas of Bertram Phase 2A, as recorded in Plat 2015-40 of the Portage County Plat Records, along a curve to the left with a length 285.84 feet, radius 200.00 feet, delta  $81^{\circ}53'16''$ , tangent 173.51 feet, chord 262.13 feet, bearing South  $41^{\circ}24'53''$  East to a point on the centerline of Hilliary Lane;

Thence South  $82^{\circ}21'31''$  East, continuing along the centerline of said Hilliary Lane, a distance of 196.73 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 71.03 feet, radius 500.00 feet, delta  $08^{\circ}08'22''$ , tangent 35.57 feet, chord 70.97 feet, bearing South  $86^{\circ}25'42''$  East to a point;

Thence South  $00^{\circ}29'53''$  East, a distance of 30.00 feet to a point on the southerly R/W of said Hilliary Lane and the Principal Place of Beginning;

Course I: Thence North  $89^{\circ}30'07''$  East, along the southerly R/W of said Hilliary Lane, a distance of 47.14 feet to a point, said point being the northwesterly corner of Ph-16-5 of the Villas of Bertram Condominiums Phase 16;

Course II: Thence South  $00^{\circ}29'53''$  East, along the westerly line of said Ph-16-5, a distance of 140.00 feet to a point, said point being the southwesterly corner of said Ph-16-5;

Course III: Thence South  $89^{\circ}30'07''$  West, a distance of 60.00 feet to a point;

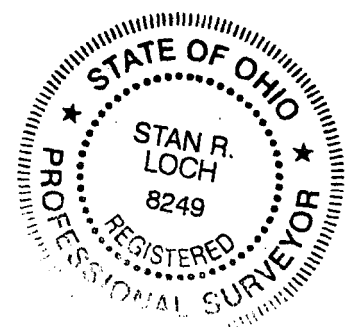
Course IV: Thence North  $00^{\circ}29'53''$  West, a distance of 140.16 feet to a point, said point being on the southerly R/W of said Hilliary Lane and a point of curvature;

Course V: Thence along the southerly R/W of said Hilliary Lane, along a curve to the left with a length 12.86 feet, radius 530.00 feet, tangent 6.43 feet, chord 12.86 feet, delta  $01^{\circ}23'24''$ , bearing South  $89^{\circ}48'11''$  East to the Principal Place of Beginning.

Said parcel containing 0.1928 acres or 8,400 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49 and any other matters of record as surveyed and described in October, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South  $00^{\circ}28'15''$  East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-17-1", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 17.

Job#20132833

 10-23-15  
Stan R. Loch P.S. # 8249 Date





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-17-2**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 17**

**0.3693 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, and Phase 2A, as recorded in Plat 2015-40 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-17-2 on the Plat of The Villas of Bertram Condominium Phase 17 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hillary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hillary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hillary Lane, a distance of 285.32 feet to a point;

Thence continuing along the centerline of said Hillary Lane and along the centerline of Hilliary Lane, 60 foot R/W as recorded in Villas of Bertram Phase 2A, as recorded in Plat 2015-40 of the Portage County Plat Records, along a curve to the left with a length 285.84 feet, radius 200.00 feet, delta 81°53'16", tangent 173.51 feet, chord 262.13 feet, bearing South 41°24'53" East to a point on the centerline of Hilliary Lane;

Thence South 82°21'31" East, continuing along the centerline of said Hilliary Lane, a distance of 196.73 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 71.03 feet, radius 500.00 feet, delta 08°08'22", tangent 35.57 feet, chord 70.97 feet, bearing South 86°25'42" East to a point;

Thence North 00°29'53" West, a distance of 30.00 feet to a point on the northerly R/W of said Hilliary Lane, said point being a point of curvature and the Principal Place of Beginning;

Course I: Thence along the northerly R/W of said Hilliary Lane, along a curve to the right with a length 66.77 feet, radius 470.00 feet, tangent 33.44 feet, chord 66.71 feet, delta 08°08'22", bearing North 86°25'42" West to a point;

Course II: Thence North 82°21'31" West, continuing along the northerly R/W of said Hilliary Lane, a distance of 21.30 feet to a point;

Course III: Thence North 07°38'29" East, a distance of 130.00 feet to a point;

Course IV: Thence South 83°55'13" East, a distance of 55.94 feet to a point;


Course V: Thence North 89°30'07" East, a distance of 58.40 feet to a point;

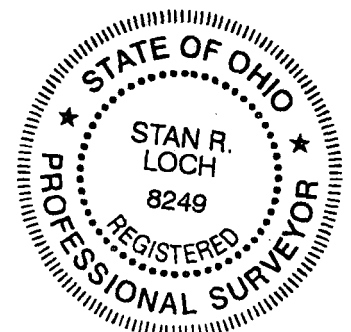
Course VI: Thence South 00°29'53" East, a distance of 130.03 feet to a point on the northerly R/W of said Hilliary Lane;

Course VII: Thence South 89°30'07" West, along the northerly R/W of said Hilliary Lane, a distance of 44.76 feet to the Principal Place of Beginning.

Said parcel containing 0.3693 acres or 16,089 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49 and any other matters of record as surveyed and described in October, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-17-2", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 17.

Job#20132833

  
Stan R. Loch P.S. # 8249      Date 10-23-15



**EXHIBIT "2"**  
**AMENDMENT NO. 17 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION  
PH 17-R1  
THE VILLAS OF BERTRAM CONDOMINIUM PHASE 17  
30.2739 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, and Phase 2A, as recorded in Plat 2015-40 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 1 on the Plat of The Villas of Bertram Condominium Phase 17, and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South  $89^{\circ}30'28''$  West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South  $00^{\circ}28'15''$  East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a  $5/8$ " iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North  $89^{\circ}30'28''$  East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hillary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hillary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta  $90^{\circ}01'17''$ , tangent 25.01 feet, chord 35.36 feet, bearing South  $45^{\circ}28'54''$  East to a point;

- Course III: Thence South 00°28'15" East, continuing along the westerly R/W of said Hillary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;
- Course IV: Thence South 89°31'45" West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;
- Course V: Thence South 00°28'15" East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwest corner of said Ph-1;
- Course VI: Thence North 89°31'45" East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hillary Lane, said point being the southeasterly corner of said Ph-1;
- Course VII: Thence South 00°28'15" East, along the westerly R/W of said Hillary Lane, a distance of 60.00 feet to a point, said point being the northeasterly corner of Ph-16-1 in the Villas of Bertram Condominiums Phase 16;
- Course VIII: Thence South 89°31'45" West, along the northerly line of said Ph-16-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-16-1;
- Course IX: Thence South 00°28'15" East, along the westerly line of said Ph-16-1, a distance of 60.00 feet to a point, said point being the southwest corner of said Ph-16-1;
- Course X: Thence North 89°31'45" East, along the southerly line of said Ph-16-1, a distance of 123.86 feet to a point on the westerly R/W of said Hillary Lane, said point being the southeasterly corner of said Ph-16-1;
- Course XI: Thence South 00°28'15" East, along the westerly R/W of said Hillary Lane, a distance of 60.00 feet to a point, said point being the northeasterly corner of Ph-11-1 in the Villas of Bertram Phase 1, Condominiums Phase 11;
- Course XII: Thence South 89°31'45" West, along the northerly line of said Ph-11-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-11-1;
- Course XIII: Thence South 00°28'15" East, along the westerly lines of said Ph-11-1, Ph-6-1 in the Villas of Bertram Phase 1 Condominium Phase 6, Ph-3-1 in the Villas of Bertram Phase 1 Condominium Phase 3, Ph-7-1 in the Villas of Bertram Phase 1 Condominium Phase 7, Ph-4 in the Villas of Bertram Phase 1 Condominium Phase 4, Ph-9-1 in the Villas of Bertram Phase 1 Condominium Phase 9, and Ph-12-1 in the Villas of Bertram Phase 1, Condominium Phase 12, a distance of 507.06 feet to a point, said point being the northwesterly corner of Ph-10-1 in the Villas of Bertram Phase 1, Condominium Phase 10;
- Course XIV: Thence South 17°30'08" East, along the westerly line of said Ph-10-1, a distance of 84.60 feet to a point, said point being the southwest corner of said Ph-10-1 and the northwesterly corner of Ph-6-2 in the Villas of Bertram Phase 6;



- Course XV: Thence South  $28^{\circ}59'33''$  East, along the westerly line of said Ph-6-2, a distance of 84.31 feet to a point, said point being the southwesterly corner of said Ph-6-2 and southwesterly corner of Ph-3-2 in the Villas of Bertram Phase 1, Condominium Phase 3;
- Course XVI: Thence South  $41^{\circ}59'53''$  East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;
- Course XVII: Thence South  $55^{\circ}00'13''$  East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2 and also being the southwesterly corner of Ph-5 in the Villas of Bertram Phase 1, Condominium Phase 5;
- Course XVIII: Thence South  $67^{\circ}15'11''$  East, along the southerly line of said Ph-5, distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-5 and the southwesterly corner of Ph-16-3 in the Villas of Bertram Condominiums Phase 16;
- Course XIX: Thence South  $82^{\circ}21'31''$  East, along the southerly line of said Ph-16-3, a distance of 74.74 feet to a point, said point being the southeasterly corner of said Ph-16-3;
- Course XX: Thence North  $07^{\circ}38'29''$  East, along the easterly line of said Ph-16-3, a distance of 140.00 feet to a point, said point being on the southerly R/W of Hilliary Lane in the Villas of Bertram Phase 2A, as recorded in Plat 2015-40 of the Portage County Records and also being the northeasterly corner of said Ph-16-3;
- Course XXI: Thence South  $82^{\circ}21'31''$  East, along the southerly R/W of said Hilliary Lane, a distance of 173.03 feet to a point of curvature;
- Course XXII: Thence continuing along the southerly R/W of said Hilliary Lane, along a curve to the left with a length 62.43 feet, radius 530.00 feet, delta  $06^{\circ}44'58''$ , tangent 31.25 feet, chord 62.40 feet, bearing South  $85^{\circ}44'00''$  East to a point;
- Course XXIII: Thence South  $00^{\circ}29'53''$  East, a distance of 140.16 feet to a point;
- Course XXIV: Thence North  $89^{\circ}30'07''$  East, along the southerly lines of Ph-16-5 in the Villas of Bertram Condominiums Phase 16 and Ph-15-1 in the Villas of Bertram Condominiums Phase 15, a distance of 182.57 feet to a point, said point being the southeasterly corner of said Ph-15-1;
- Course XXV: Thence North  $01^{\circ}53'59''$  West, along the easterly line of said Ph-15-1, a distance of 140.11 feet to a point on the southerly R/W of said Hilliary Lane, said point being the northeasterly corner of said Ph-15-1 and also being a point on a curve;
- Course XXVI: Thence continuing along the southwesterly R/W of said Hilliary Lane, along a curve to the left with a length 6.04 feet, radius 230.00 feet, delta  $01^{\circ}30'19''$ , tangent 3.02 feet, chord 6.04 feet, bearing North  $87^{\circ}20'51''$  East to a point, said point being at the southeasterly terminus of said Hilliary Lane;
- Course XXVII: Thence North  $03^{\circ}24'18''$  West, along the easterly terminus of the R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the northeasterly terminus of said Hilliary Lane and a point of curvature;

- Course XXVIII: Thence along the northerly R/W of said Hilliary Lane, along a curve to the right with a length 8.63 feet, radius 170.00 feet, delta  $02^{\circ}54'25''$ , tangent 4.31 feet, chord 8.62 feet, bearing South  $88^{\circ}02'54''$  West to a point;
- Course XXIX: Thence South  $89^{\circ}30'07''$  West, continuing along the northerly R/W of said Hilliary Lane, a distance of 115.90 feet to a point;
- Course XXX: Thence North  $00^{\circ}29'53''$  West, a distance of 130.03 feet to a point;
- Course XXXI: Thence South  $89^{\circ}30'07''$  West, a distance of 58.40 feet to a point;
- Course XXXII: Thence North  $83^{\circ}55'13''$  West, a distance of 55.94 feet to a point, said point being the northeasterly corner of Ph-16-4 in the Villas of Bertram Condominiums Phase 16;
- Course XXXIII: Thence North  $82^{\circ}21'31''$  West, along the northerly line of said Ph-16-4, a distance of 60.00 feet to a point, said point being the northwesterly corner of said Ph-16-4;
- Course XXXIV: Thence South  $07^{\circ}38'29''$  West, a distance of 130.00 feet to a point on the northerly R/W of said Hilliary Lane and being the southwestery corner of said Ph-16-4;
- Course XXXV: Thence North  $82^{\circ}21'31''$  West, along the northerly R/W of said Hilliary Lane, a distance of 115.43 feet to a point of curvature;
- Course XXXVI: Thence continuing along the northerly R/W of said Hilliary Lane, along a curve to the right with a length 9.83 feet, radius 170.00 feet, delta  $03^{\circ}18'53''$ , tangent 4.92 feet, chord 9.83 feet, bearing North  $80^{\circ}42'04''$  West to a point, said point being the southeasterly corner of Ph-10-2 in the Villas of Bertram Phase 1, Condominium Phase 10 and the northwesterly corner of said northerly R/W of Hilliary Lane;
- Course XXXVII: Thence North  $10^{\circ}57'22''$  East, along the easterly line of said Ph-10-2, a distance of 129.93 feet to a point, said point being the northeasterly corner of said Ph-10-2;
- Course XXXVIII: Thence North  $56^{\circ}52'23''$  West, along the northerly line of said Ph-10-2, a distance of 29.98 feet to a point, said point being the southeasterly corner of Ph-8-1 in the Villas of Bertram Phase 1, Condominium Phase 8,
- Course XXXIX: Thence North  $11^{\circ}39'32''$  West, along the easterly line of said Ph-8-1, a distance of 36.33 feet to a point, said point being the northeasterly corner of said Ph-8-1;
- Course XL: Thence North  $00^{\circ}28'21''$  West, a distance of 83.48 feet to a point, said point being a point of curvature, said point being the northeasterly corner of Ph-12-2 in the Villas of Bertram Phase 1, Condominium Phase 12;
- Course XLI: Thence along the northerly line of said Ph-12-2 and along a curve to the left with a length 5.27 feet, radius 270.00 feet, delta  $01^{\circ}07'04''$ , tangent 2.63 feet, chord 5.27 feet, bearing North  $84^{\circ}56'25''$  West to a point, said point being at the southeasterly terminus of Samantha Drive;

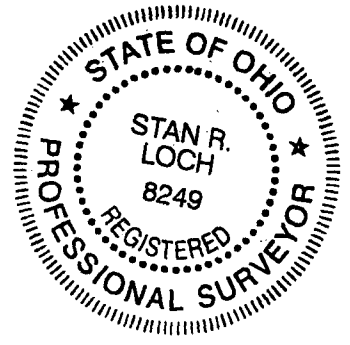
- Course XLII: Thence North 04°30'06" East, along the easterly terminus of the R/W of said Samantha Drive, a distance of 60.00 feet to a point, said point being at the northeasterly terminus of the easterly R/W of said Samantha Drive and the southeasterly corner of Ph-13-2 in the Villas of Bertram Phase 1, Condominium Phase 13;
- Course XLIII: Thence North 00°28'15" West, along the easterly lines of said Ph-13-2, Ph-10-3 in the Villas of Bertram Phase 1, Condominium Phase 10 and Ph-6-3 in the Villas of Bertram Phase 1, Condominium Phase 6, a distance of 206.24 feet to a point said point being the northeasterly corner of said Ph-6-3;
- Course XLIV: Thence South 89°31'45" West, along the northerly line of said Ph-6-3, a distance of 137.45 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-6-3;
- Course XLV: Thence North 07°30'01" West, along the easterly R/W of said Hillary Lane, a distance of 25.56 feet to a point, said point being the southwesterly corner of Ph-12-3 in the Villas of Bertram Phase 1, Condominium Phase 12;
- Course XLVI: Thence North 89°31'45" East, along the southerly line of said Ph-12-3, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-12-3;
- Course XLVII: Thence North 00°28'15" West, along the easterly line of said Ph-12-3, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-12-3;
- Course XLVIII: Thence South 89°31'45" West, along the northerly line of said Ph-12-3, a distance of 13.26 feet to a point, said point being the southeasterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominiums Phase 2;
- Course XLIX: Thence North 00°42'49" West, along the easterly line of said Ph-2, and the easterly lines of Ph-14-1 in the Villas of Bertram Condominiums Phase 14, Ph-13-1 in the Villas of Bertram Phase 1, Condominium Phase 13, Ph-16-2 in the Villas of Bertram Condominiums Phase 16 and Ph-12-4 in the Villas of Bertram Condominiums Phase 12, a distance of 300.00 feet to a point, said point being the northeasterly corner of said Ph-12-4;
- Course L: Thence South 89°31'45" West, along the northerly line of said Ph-12-4, a distance of 121.03 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-12-4;
- Course LI: Thence North 00°28'15" West, along the easterly R/W of said Hillary Lane, a distance of 40.07 feet to a point, said point being a point of curvature
- Course LII: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta 89°58'43", tangent 24.99 feet, chord 35.35 feet, bearing North 44°31'06" East to a point, said point being on the southerly R/W of said Treat Road;
- Course LIII: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a 5/8" iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;

- Course LIV: Thence South 00°42'49" East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southwesterly corner of said Ohio Edison Company;
- Course LV: Thence North 89°30'28" East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;
- Course LVI: Thence North 00°42'49" West, along the easterly line of said Ohio Edison Company, passing through a 5/8" iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;
- Course LVII: Thence North 89°30'28" East, along the centerline of said Treat Road, passing through a 1-1/4" axle found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;
- Course LVIII: Thence South 00°42'49" East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;
- Course LIX: Thence South 89°32'00" West, along the northerly line of said Berry and the northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a 5/8" iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a 3/4" iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;
- Course LX: Thence North 47°50'36" West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a 3/4" iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwesterly corner of lands conveyed to Michael & Cheryl Habbyshaw, as recorded in Document No. 201105000 of the Portage County Deed Records;
- Course LXI: Thence North 89°30'22" East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;
- Course LXII: Thence North 00°28'15" West, along the easterly line of said Habbyshaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

Said parcel contains 30.2739 acres or 1,318,734 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49 and any other matters of record as surveyed and described in October, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe the portion of the land conveyed to Villas of Bertram LLC. by File # 201401775 of the Portage County Records, which is designated as Ph-17-R1 Phase 17 Residual No. 1 on the Plat of Villas of Bertram Condominium Phase 17.

Job#20132833

Stan R. Loch P.S. # 8249      10-23-15      Date



11-12-2015 *ALZ*  
**TAX MAP DEPT.**  
**LEGAL DESCRIPTION**  
 SUFFICIENT     DEFICIENT  
 NO DIVISION OF LAND

PN 03-015-10-00-001.002:	30.836 Ac	AUD
UNIT 24	— 0.1928	
	<hr/> 30.6432	
UNITS 78+79	— 0.3693	
	<hr/> 30.2739	
Retracement of Balance (= 17-R1)	= 30.2739 Ac	BY SURVEY

**EXHIBIT "3"**  
**AMENDMENT NO. 17 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE XVII contains three (3) detached single-family residential Buildings known as Units 24, 78, and 79 situated on Hillary Lane, which includes a basement and attached two car garage, and which is constructed primarily of wood, vinyl siding, asphalt shingle roof, brick, concrete block, glass and drywall. The location of Units 24, 78, and 79 are shown on the Drawings.

Unit 24 is a "Chantilly Place" type Unit. The Chantilly Place type Unit is a two-story Unit containing approximately 2300 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, dining room or study, dinette area, great room, kitchen, laundry room, ½ bath, and an attached two-car garage. The second floor of consists of three (3) bedrooms and two (2) full baths. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 78 is a "Florence" type Unit. The Florence type Unit is a two-story Unit containing approximately 2,000 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, living room or dining room, dinette area, family room, kitchen, laundry room, ½ bath, and an attached two-car garage. The second floor of consists of three (3) bedrooms and two (2) full baths.

Unit 79 is a "Venice" type Unit. The Venice type Unit is a two-story Unit containing approximately 2,344 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, great room or study, dining room, kitchen, morning room, laundry room, ½ bath and an attached two-car garage. The second floor of consists of four (4) bedrooms and two (2) full baths, and walk-in closet.

**EXHIBIT "4"**  
**AMENDMENT NO. 17 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	2.95%
II	67	864 Hillary Lane	2.95%
III	8	853 Hillary Lane	2.95%
III	9	849 Hillary Lane	2.95%
III	16	821 Hillary Lane	2.94%
III	17	817 Hillary Lane	2.94%
IV	11	841 Hillary Lane	2.94%
V	18	813 Hillary Lane	2.94%
VI	7	857 Hillary Lane	2.94%
VI	15	825 Hillary Lane	2.94%
VI	65	854 Hillary Lane	2.94%
VII	10	845 Hillary Lane	2.94%
VIII	73	830 Hillary Lane	2.94%
IX	12	837 Hillary Lane	2.94%
X	14	829 Hillary Lane	2.94%
X	64	850 Hillary Lane	2.94%
X	74	818 Hillary Lane	2.94%
XI	6	861 Hillary Lane	2.94%
XII	13	833 Hillary Lane	2.94%
XII	66	860 Hillary Lane	2.94%
XII	71	880 Hillary Lane	2.94%
XII	72	836 Hillary Lane	2.94%
XIII	63	846 Hillary Lane	2.94%
XIII	69	872 Hillary Lane	2.94%
XIV	68	868 Hillary Lane	2.94%
XV	26	781 Hillary Lane	2.94%
XVI	4	869 Hillary Lane	2.94%
XVI	19	809 Hillary Lane	2.94%
XVI	25	785 Hillary Lane	2.94%
XVI	70	876 Hillary Lane	2.94%
XVI	77	798 Hillary Lane	2.94%
XVII	24	789 Hillary Lane	2.94%
XVII	78	794 Hillary Lane	2.94%
XVII	79	788 Hillary Lane	2.94%
			Total 100%





*POHY*  
BONNIE H. HOWE  
PORTAGE CO. RECORDER

201516702 822 #

RECEIVED FOR RECORD  
AT 11:36:37  
FEE 224.00

NO TRANSFER  
REQUIRED  
OCT 22 2015  
JANET ESPOSITO, *el.*  
AUDITOR

**INDEXED**

AMENDMENT NO. 16  
TO THE DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM

PHASE XVI  
ADDING UNIT NOS. 4, 19, 25, 70, AND 77

This will certify that copies of this AMENDMENT NO. 16 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "AMENDMENT NO. 16"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

Dated: OCT 22 2015, 2015

*Plat 2015-55*

PORTAGE COUNTY AUDITOR

By: *Janet Esposito, el.*  
Deputy Auditor

This instrument prepared by:  
Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333

**AMENDMENT NO. 16 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE XVI of the Condominium which contains five (5) Units.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE XVI property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.
2. The legal description of the Condominium set forth in Exhibit “A” of the Declaration is amended to include the real property for PHASE XVI of the Condominium, the legal

description for PHASE XVI being described in Exhibit "1" attached hereto and made a part hereof

3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.

4. The number of Units referred to in the Declaration is increased from to twenty-six (26) Units to thirty-one (31) Units. A narrative description of the Buildings and Units for PHASE XVI is set forth in Exhibit "3" attached hereto and made a part hereof

5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.

6. The particulars of the Buildings and Units and other improvements for PHASE XVI, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE XVI Drawings incorporated in this AMENDMENT NO. 16 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE XVI Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 16 to the Declaration.

7. No owner of a Unit which was not included in Phase I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV and XV shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE XVI prior to the filing of this AMENDMENT NO. 16 (except replacement reserve finds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this AMENDMENT NO. 16.

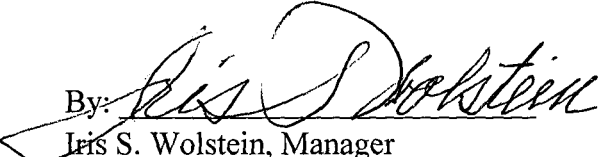
8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.

9. Except as amended herein, the Declaration thereto shall remain in full force and effect

10. Consent to this AMENDMENT NO. 16 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 19<sup>th</sup> day of October, 2015.


VILLAS OF BERTRAM, LLC,  
an Ohio limited liability company

By:   
Iris S. Wolstein, Manager

STATE OF OHIO                     )  
   )SS.  
COUNTY OF ~~LAKE~~                     )  
   Cuyahoga

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 19<sup>th</sup> day of October, 2015.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires \_\_\_\_\_



**EXHIBIT "A"**

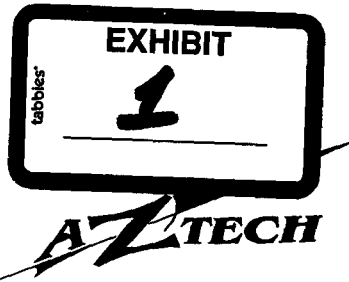
**AMENDMENT NO. 16 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 16 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the AMENDMENT NO. 16.

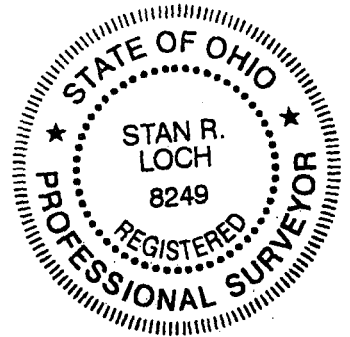
**EXHIBIT "1"**  
**AMENDMENT NO. 16 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE XVI WILL BE ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259



**LEGAL DESCRIPTION**

**Ph-16-1**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 16  
0.1706 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, and Phase 2A, as recorded in Plat 2015-40 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-16-1 on the Plat of The Villas of Bertram Condominium Phase 16 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hillary Lane, a distance of 275.05 feet to a point;

Thence South 89°31'45" West, a distance of 30.00 feet to a point on the westerly R/W of said Hillary Lane and being the Principal Place of Beginning;

Course I: Thence South 00°28'15" East, along the westerly R/W of said Hillary Lane, a distance of 60.00 feet to a point;

Course II: Thence South 89°31'45" West, a distance of 123.86 feet to a point;

Course III: Thence North 00°28'15" West, a distance of 60.00 feet to a point;

Course IV: Thence North 89°31'45" East, a distance of 123.86 feet to the Principal Place of Beginning.

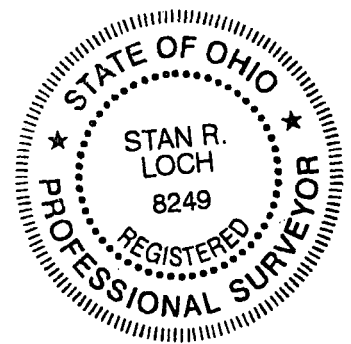
Said parcel containing 0.1706 acres or 7,431 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49 and any other matters of record as surveyed and described in October, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-16-1", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 16.

  
Stan R. Loch P.S. # 8249 Date



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**



**LEGAL DESCRIPTION  
Ph-16-2**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 16  
0.1672 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, and Phase 2A, as recorded in Plat 2015-40 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-16-1 on the Plat of The Villas of Bertram Condominium Phase 16 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hillary Lane, a distance of 155.05 feet to a point;

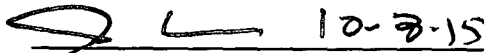
Thence North  $89^{\circ}31'45''$  East, a distance of 30.00 feet to a point on the easterly R/W of said Hillary Lane and the southwesterly corner of Ph-12-4 of the Villas of Bertram Condominiums Phase 12 and being the Principal Place of Beginning;

- Course I: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-12-4, a distance of 121.28 feet to a point, said point being the southeasterly corner of said Ph-12-4;
- Course II: Thence South  $00^{\circ}42'49''$  East, a distance of 60.00 feet to a point, said point being the northeasterly corner of Ph-13-1 of the Villas of Bertram Condominiums Phase 13;
- Course III: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-13-1, a distance of 121.54 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-13-1;



Course IV: Thence North 00°28'15" West, along the easterly R/W of said Hillary Lane, a distance of 60.00 feet to the Principal Place of Beginning.

Said parcel containing 0.1672 acres or 7,284 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49 and any other matters of record as surveyed and described in October, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-16-2", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 16.

 10-7-15

Job#20132833

Stan R. Loch P.S. # 8249 Date



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-16-3**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 16  
0.2097 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, and Phase 2A, as recorded in Plat 2015-40 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-16-3 on the Plat of The Villas of Bertram Condominium Phase 16 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hillary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 07°30'01" East, along the centerline of said Hillary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 00°28'15" East, continuing along the centerline of said Hillary Lane, a distance of 285.32 feet to a point;

Thence continuing along the centerline of said Hillary Lane, along a curve to the left with a length 285.84 feet, radius 200.00 feet, delta 81°53'16", tangent 173.51 feet, chord 262.13 feet, bearing South 41°24'53" East to a point, said point being on the centerline of Hilliary Lane, 60 foot R/W as recorded in Villas of Bertram Phase 2A, as recorded in Plat 2015-40 of the Portage County Plat Records;

Thence South 07°38'29" West, a distance of 30.00 feet to a point, said point being the common corner on the southerly R/W of said Hillary Lane & Hilliary Lane and the Principal Place of Beginning;

Course I: Thence South 82°21'31" East, along the southerly R/W of said Hilliary Lane, a distance of 23.70 feet to a point,

Course II: Thence South 07°38'29" West, a distance of 140.00 feet to a point;

Course III: Thence North 82°21'31" West, a distance of 74.74 feet to a point, said point being the southeasterly corner of Ph-5 of the Villas of Bertram Condominiums Phase 5;

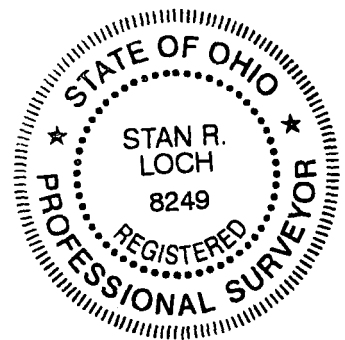
Course IV: Thence North 15°29'45" East, along the easterly line of said Ph-5, a distance of 143.50 feet to a point on the southerly R/W of said Hillary Lane and the northeasterly corner of said Ph-5 and a point of curvature;

Course V: Thence along the southerly R/W of said Hillary Lane, along a curve to the left with a length 31.53 feet, radius 230.00 feet, tangent 15.79 feet, chord 31.51 feet, bearing South 78°25'53" East, delta 07°51'16" to the Principal Place of Beginning.

Said parcel containing 0.2097 acres or 9,134 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49 and any other matters of record as surveyed and described in October, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-16-3", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 16.

Job#20132833

  
Stan R. Loch P.S. # 8249      10-3-15      Date





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-16-4**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 16  
0.1790 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, and Phase 2A, as recorded in Plat 2015-40 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-16-4 on the Plat of The Villas of Bertram Condominium Phase 16 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hillary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hillary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hillary Lane, a distance of 285.32 feet to a point;

Thence continuing along the centerline of said Hillary Lane, along a curve to the left with a length 285.84 feet, radius 200.00 feet, delta 81°53'16", tangent 173.51 feet, chord 262.13 feet, bearing South 41°24'53" East to a point, said point being on the centerline of Hilliary Lane, 60 foot R/W as recorded in Villas of Bertram Phase 2A, as recorded in Plat 2015-40 of the Portage County Plat Records;

Thence South 82°21'31" East, along the centerline of said Hilliary Lane, a distance of 115.43 feet to a point;

Thence North 07°38'29" East, a distance of 30.00 feet to a point on the northerly R/W of said Hilliary Lane and the Principal Place of Beginning;

Course I: Thence North 07°38'29" East, a distance of 130.00 feet to a point;

Course II: Thence South 82°21'31" East, a distance of 60.00 feet to a point;

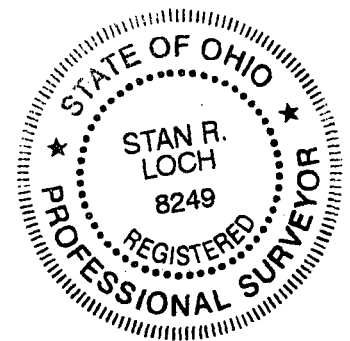
Course III: Thence South 07°38'29" West, a distance of 130.00 feet to a point on the northerly R/W of said Hilliary Lane;

Course IV: Thence North 82°21'31" West, along the northerly R/W of said Hilliary Lane, a distance of 60.00 feet to the Principal Place of Beginning.

Said parcel containing 0.1790 acres or 7,799 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49 and any other matters of record as surveyed and described in October, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-16-4", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 16.

Job#20132833

10-3-15  
 Stan R. Loch P.S. # 8249 Date



p. 22-2015  
 TAX MAP DEPT.  
 LEGAL DESCRIPTION  
 SUFFICIENT  DEFICIENT  
 NO DIVISION OF LAND

P.N.  
 03-015-10-00-001.002: 31.755 Ac (REC)  
 UNIT 4 - .1706  
 31.5844  
 UNIT 70 - .1672  
 31.4172  
 UNIT 19 - .2097  
 31.2075  
 UNIT 77 - .1790  
 31.0285  
 UNIT 25 - .1928  
 30.8357

PH16-R1 = 30.8361 Ac RETRACEMENT  
 BY SURVEY



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-16-5**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 16**

**0.1928 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, and Phase 2A, as recorded in Plat 2015-40 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-16-5 on the Plat of The Villas of Bertram Condominium Phase 16 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hillary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hillary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hillary Lane, a distance of 285.32 feet to a point;

Thence continuing along the centerline of said Hillary Lane, along a curve to the left with a length 285.84 feet, radius 200.00 feet, delta  $81^{\circ}53'16''$ , tangent 173.51 feet, chord 262.13 feet, bearing South  $41^{\circ}24'53''$  East to a point, said point being on the centerline of Hilliary Lane, 60 foot R/W as recorded in Villas of Bertram Phase 2A, as recorded in Plat 2015-40 of the Portage County Plat Records;

Thence South  $82^{\circ}21'31''$  East, continuing along the centerline of said Hilliary Lane, a distance of 196.73 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 71.03 feet, radius 500.00 feet, delta  $08^{\circ}08'22''$ , tangent 35.57 feet, chord 70.97 feet, bearing South  $86^{\circ}25'42''$  East to a point;

Thence North  $89^{\circ}30'07''$  East, continuing along the centerline of said Hilliary Lane, a distance of 107.14 feet to a point,

Thence South  $00^{\circ}29'53''$  East, a distance of 30.00 feet to a point on the southerly R/W of said Hilliary Lane and being the northwesterly corner of Ph-15-1 of the Villas of Bertram Condominiums Phase 15 and the Principal Place of Beginning;

Course I: Thence South  $00^{\circ}29'53''$  East, along the westerly line of said Ph-15-1, a distance of 140.00 feet to a point, said point being the southwesterly corner of said Ph-15-1;


Course II: Thence South  $89^{\circ}30'07''$  West, a distance of 60.00 feet to a point;

Course III: Thence North  $00^{\circ}29'53''$  West, a distance of 140.00 feet to a point, said point being on the southerly R/W of said Hilliary Lane;

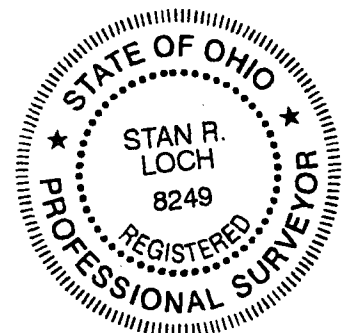
Course IV: Thence North  $89^{\circ}30'07''$  East, along the southerly R/W of said Hilliary Lane, a distance of 60.00 feet to the Principal Place of Beginning.

Said parcel containing 0.1928 acres or 8,399 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49 and any other matters of record as surveyed and described in October, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South  $00^{\circ}28'15''$  East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-16-5", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 16.

Job#20132833

  
Stan R. Loch P.S. # 8249

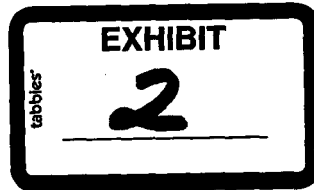
10-8-15  
Date



**EXHIBIT "2"**  
**AMENDMENT NO. 16 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO



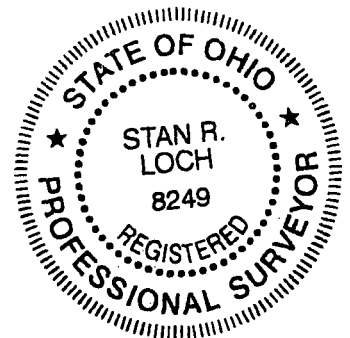


**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**



**LEGAL DESCRIPTION**

**PH 16-R1**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 16  
30.8361 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, and Phase 2A, as recorded in Plat 2015-40 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 1 on the Plat of The Villas of Bertram Condominium Phase 16, and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South  $89^{\circ}30'28''$  West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South  $00^{\circ}28'15''$  East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a  $5/8''$  iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North  $89^{\circ}30'28''$  East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hillary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hillary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta  $90^{\circ}01'17''$ , tangent 25.01 feet, chord 35.36 feet, bearing South  $45^{\circ}28'54''$  East to a point;

- Course III: Thence South 00°28'15" East, continuing along the westerly R/W of said Hillary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;
- Course IV: Thence South 89°31'45" West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;
- Course V: Thence South 00°28'15" East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwesterly corner of said Ph-1;
- Course VI: Thence North 89°31'45" East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hillary Lane, said point being the southeasterly corner of said Ph-1;
- Course VII: Thence South 00°28'15" East, along the westerly R/W of said Hillary Lane, a distance of 60.00 feet to a point;
- Course VIII: Thence South 89°31'45" West, a distance of 123.86 feet to a point;
- Course IX: Thence South 00°28'15" East, a distance of 60.00 feet to a point;
- Course X: Thence North 89°31'45" East, a distance of 123.86 feet to a point on the westerly R/W of said Hillary Lane;
- Course XI: Thence South 00°28'15" East, along the westerly R/W of said Hillary Lane, a distance of 60.00 feet to a point, said point being the northeasterly corner of Ph-11-1 in the Villas of Bertram Phase 1, Condominiums Phase 11;
- Course XII: Thence South 89°31'45" West, along the northerly line of said Ph-11-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-11-1;
- Course XIII: Thence South 00°28'15" East, along the westerly lines of said Ph-11-1, Ph-6-1 in the Villas of Bertram Phase 1 Condominium Phase 6, Ph-3-1 in the Villas of Bertram Phase 1 Condominium Phase 3, Ph-7-1 in the Villas of Bertram Phase 1 Condominium Phase 7, Ph-4 in the Villas of Bertram Phase 1 Condominium Phase 4, Ph-9-1 in the Villas of Bertram Phase 1 Condominium Phase 9, and Ph-12-1 in the Villas of Bertram Phase 1, Condominium Phase 12, a distance of 507.06 feet to a point, said point being the northwesterly corner of Ph-10-1 in the Villas of Bertram Phase 1, Condominium Phase 10;
- Course XIV: Thence South 17°30'08" East, along the westerly line of said Ph-10-1, a distance of 84.60 feet to a point, said point being the southwesterly corner of said Ph-10-1 and the northwesterly corner of Ph-6-2 in the Villas of Bertram Phase 6;
- Course XV: Thence South 28°59'33" East, along the westerly line of said Ph-6-2, a distance of 84.31 feet to a point, said point being the southwesterly corner of said Ph-6-2 and southwesterly corner of Ph-3-2 in the Villas of Bertram Phase 1, Condominium Phase 3;
- Course XVI: Thence South 41°59'53" East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;

- Course XVII: Thence South 55°00'13" East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2 and also being the southwesterly corner of Ph-5 in the Villas of Bertram Phase 1, Condominium Phase 5;
- Course XVIII: Thence South 67°15'11" East, along the southerly line of said Ph-5, distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-5;
- Course XIX: Thence South 82°21'31" East, a distance of 74.74 feet to a point;
- Course XX: Thence North 07°38'29" East, a distance of 140.00 feet to a point, said point being on the southerly R/W of Hilliary Lane in the Villas of Bertram Phase 2A, as recorded in Plat 2015-40 of the Portage County Records;
- Course XXI: Thence South 82°21'31" East, along the southerly R/W of said Hilliary Lane, a distance of 173.03 feet to a point of curvature;
- Course XXII: Thence continuing along the southerly R/W of said Hilliary Lane, along a curve to the left with a length 75.29 feet, radius 530.00 feet, delta 08°08'22", tangent 37.71 feet, chord 75.23 feet, bearing South 86°25'42" East to a point;
- Course XXIII: Thence North 89°30'07" East, continuing along the southerly R/W of said Hilliary Lane, a distance of 47.14 feet;
- Course XXIV: Thence South 00°29'53" East, a distance of 140.00 feet to a point;
- Course XXV: Thence North 89°30'07" East, a distance of 122.57 feet to a point, said point being the southeasterly corner of Ph-15-1 in the Villas of Bertram Condominiums Phase 15;
- Course XXVI: Thence North 01°53'59" West, along the easterly line of said Ph-15-1, a distance of 140.11 feet to a point on the southerly R/W of said Hilliary Lane, said point being the northeasterly corner of said Ph-15-1 and also being a point on a curve;
- Course XXVII: Thence continuing along the southwesterly R/W of said Hilliary Lane, along a curve to the left with a length 6.04 feet, radius 230.00 feet, delta 01°30'19", tangent 3.02 feet, chord 6.04 feet, bearing North 87°20'51" East to a point, said point being at the southeasterly terminus of said Hilliary Lane;
- Course XXVIII: Thence North 03°24'18" West, along the easterly terminus of the R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the northeasterly terminus of said Hilliary Lane and a point of curvature;
- Course XXIX: Thence along the northerly R/W of said Hilliary Lane, along a curve to the right with a length 8.63 feet, radius 170.00 feet, delta 02°54'25", tangent 4.31 feet, chord 8.62 feet, bearing South 88°02'54" West to a point;
- Course XXX: Thence South 89°30'07" West, continuing along the northerly R/W of said Hilliary Lane, a distance of 160.66 feet to a point of curvature;
- Course XXXI: Thence continuing along the northerly R/W of said Hilliary Lane, along a curve to the right with a length 66.77 feet, radius 470.00 feet, delta 08°08'22", tangent 33.44 feet, chord 66.71 feet, bearing North 86°25'42" West to a point;

- Course XXXII: Thence North  $82^{\circ}21'31''$  West, continuing along the northerly R/W of said Hilliary Lane, a distance of 21.30 feet to a point;
- Course XXXIII: Thence North  $07^{\circ}38'29''$  East, a distance of 130.00 feet to a point;
- Course XXXIV: Thence North  $82^{\circ}21'31''$  West, a distance of 60.00 feet to a point;
- Course XXXV: Thence South  $07^{\circ}38'29''$  West, a distance of 130.00 feet to a point on the northerly R/W of said Hilliary Lane;
- Course XXXVI: Thence North  $82^{\circ}21'31''$  West, along the northerly R/W of said Hilliary Lane, a distance of 115.43 feet to a point of curvature;
- Course XXXVII: Thence continuing along the northerly R/W of said Hilliary Lane, along a curve to the right with a length 9.83 feet, radius 170.00 feet, delta  $03^{\circ}18'53''$ , tangent 4.92 feet, chord 9.83 feet, bearing North  $80^{\circ}42'04''$  West to a point, said point being the southeasterly corner of Ph-10-2 in the Villas of Bertram Phase 1, Condominium Phase 10 and the northwesterly corner of said northerly R/W of Hilliary Lane;
- Course XXXVIII: Thence North  $10^{\circ}57'22''$  East, along the easterly line of said Ph-10-2, a distance of 129.93 feet to a point, said point being the northeasterly corner of said Ph-10-2;
- Course XXXIX: Thence North  $56^{\circ}52'23''$  West, along the northerly line of said Ph-10-2, a distance of 29.98 feet to a point, said point being the southeasterly corner of Ph-8-1 in the Villas of Bertram Phase 1, Condominium Phase 8,
- Course XL: Thence North  $11^{\circ}39'32''$  West, along the easterly line of said Ph-8-1, a distance of 36.33 feet to a point, said point being the northeasterly corner of said Ph-8-1;
- Course XLI: Thence North  $00^{\circ}28'21''$  West, a distance of 83.48 feet to a point, said point being a point of curvature, said point being the northeasterly corner of Ph-12-2 in the Villas of Bertram Phase 1, Condominium Phase 12;
- Course XLII: Thence along the northerly line of said Ph-12-2 and along a curve to the left with a length 5.27 feet, radius 270.00 feet, delta  $01^{\circ}07'04''$ , tangent 2.63 feet, chord 5.27 feet, bearing North  $84^{\circ}56'25''$  West to a point, said point being at the southeasterly terminus of Samantha Drive;
- Course XLIII: Thence North  $04^{\circ}30'06''$  East, along the easterly terminus of the R/W of said Samantha Drive, a distance of 60.00 feet to a point, said point being at the northeasterly terminus of the easterly R/W of said Samantha Drive and the southeasterly corner of Ph-13-2 in the Villas of Bertram Phase 1, Condominium Phase 13;
- Course XLIV: Thence North  $00^{\circ}28'15''$  West, along the easterly lines of said Ph-13-2, Ph-10-3 in the Villas of Bertram Phase 1, Condominium Phase 10 and Ph-6-3 in the Villas of Bertram Phase 1, Condominium Phase 6, a distance of 206.24 feet to a point said point being the northeasterly corner of said Ph-6-3;

- Course XLV: Thence South 89°31'45" West, along the northerly line of said Ph-6-3, a distance of 137.45 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-6-3;
- Course XLVI: Thence North 07°30'01" West, along the easterly R/W of said Hillary Lane, a distance of 25.56 feet to a point, said point being the southwesterly corner of Ph-12-3 in the Villas of Bertram Phase 1, Condominium Phase 12;
- Course XLVII: Thence North 89°31'45" East, along the southerly line of said Ph-12-3, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-12-3;
- Course XLVIII: Thence North 00°28'15" West, along the easterly line of said Ph-12-3, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-12-3;
- Course XLIX: Thence South 89°31'45" West, along the northerly line of said Ph-12-3, a distance of 13.26 feet to a point, said point being the southeasterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominiums Phase 2;
- Course L: Thence North 00°42'49" West, along the easterly line of said Ph-2, and the easterly lines of Ph-14-1 in the Villas of Bertram Condominiums Phase 14, Ph-13-1 in the Villas of Bertram Phase 1, Condominium Phase 13, Ph-12-4 in the Villas of Bertram Condominiums Phase 12, a distance of 300.00 feet to a point, said point being the northeasterly corner of said Ph-12-4;
- Course LI: Thence South 89°31'45" West, along the northerly line of said Ph-12-4, a distance of 121.03 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-12-4;
- Course LII: Thence North 00°28'15" West, along the easterly R/W of said Hillary Lane, a distance of 40.07 feet to a point, said point being a point of curvature
- Course LIII: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta 89°58'43", tangent 24.99 feet, chord 35.35 feet, bearing North 44°31'06" East to a point, said point being on the southerly R/W of said Treat Road;
- Course LIV: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a 5/8" iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course LV: Thence South 00°42'49" East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southwesterly corner of said Ohio Edison Company;
- Course LVI: Thence North 89°30'28" East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;
- Course LVII: Thence North 00°42'49" West, along the easterly line of said Ohio Edison Company, passing through a 5/8" iron pin found 0.15 feet north of the southerly

R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;

- Course LVIII: Thence North 89°30'28" East, along the centerline of said Treat Road, passing through a 1-1/4" axle found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;
- Course LIX: Thence South 00°42'49" East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;
- Course LX: Thence South 89°32'00" West, along the northerly line of said Berry and the northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a 5/8" iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a 3/4" iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;
- Course LXI: Thence North 47°50'36" West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a 3/4" iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwest corner of lands conveyed to Michael & Cheryl Habbyshaw, as recorded in Document No. 201105000 of the Portage County Deed Records;
- Course LXII: Thence North 89°30'22" East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;
- Course LXIII: Thence North 00°28'15" West, along the easterly line of said Habbyshaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

Said parcel contains 30.8361 acres or 1,343,224 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40, 2015-47, 2015-49 and any other matters of record as surveyed and described in October, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe the portion of the land conveyed to Villas of Bertram LLC. by File # 201401775 of the Portage County Records, which is designated as Ph-16-R1 Phase 16 Residual No. 1 on the Plat of Villas of Bertram Condominium Phase 16.

 10-2-15

Job#20132833

Stan R. Loch P.S. # 8249 Date

**EXHIBIT "3"**  
**AMENDMENT NO. 16 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE XVI contains five (5) detached single-family residential Buildings known as Units 4, 19, 25, 70, and 77 situated on Hillary Lane, which includes a basement and attached two car garage, and which is constructed primarily of wood, vinyl siding, asphalt shingle roof, brick, concrete block, glass and drywall. The location of Units 4, 19, 25, 70, and 77 are shown on the Drawings.

Unit 4 is a "Venice" type Unit. The Venice type Unit is a two-story Unit containing approximately 2,344 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, great room or study, dining room, kitchen, morning room, laundry room, ½ bath and an attached two-car garage. The second floor of consists of four (4) bedrooms and two (2) full baths, and walk-in closet.

Unit 19 is a "Rome" type Unit. The Rome is a two-story Unit. The first floor consists of a foyer, living room, dining room, mudroom, kitchen, dinette area, powder room, and study. The second floor consists of four (4) bedrooms and two (2) full baths, walk-in closet and loft.

Unit 25 is a "Venice" type Unit. The Venice type Unit is a two-story Unit containing approximately 2,344 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, great room or study, dining room, kitchen, morning room, laundry room, ½ bath and an attached two-car garage. The second floor of consists of four (4) bedrooms and two (2) full baths, and walk-in closet.

Unit 70 is a "Venice" type Unit. The Venice type Unit is a two-story Unit containing approximately 2,344 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, great room or study, dining room, kitchen, morning room, laundry room, ½ bath and an attached two-car garage. The second floor of consists of four (4) bedrooms and two (2) full baths, and walk-in closet.

Unit 77 is a "Chantilly Place" type Unit. The Chantilly Place type Unit is a two-story Unit containing approximately 2300 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, dining room or study, dinette area, great room, kitchen, laundry room, ½ bath, and an attached two-car garage. The second floor of consists of three (3) bedrooms and two (2) full baths. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

**EXHIBIT "4"**  
**AMENDMENT NO. 16 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	3.23%
II	67	864 Hillary Lane	3.23%
III	8	853 Hillary Lane	3.23%
III	9	849 Hillary Lane	3.23%
III	16	821 Hillary Lane	3.23%
III	17	817 Hillary Lane	3.23%
IV	11	841 Hillary Lane	3.23%
V	18	813 Hillary Lane	3.23%
VI	7	857 Hillary Lane	3.23%
VI	15	825 Hillary Lane	3.23%
VI	65	854 Hillary Lane	3.23%
VII	10	845 Hillary Lane	3.23%
VIII	73	830 Hillary Lane	3.23%
IX	12	837 Hillary Lane	3.23%
X	14	829 Hillary Lane	3.23%
X	64	850 Hillary Lane	3.23%
X	74	818 Hillary Lane	3.23%
XI	6	861 Hillary Lane	3.23%
XII	13	833 Hillary Lane	3.22%
XII	66	860 Hillary Lane	3.22%
XII	71	880 Hillary Lane	3.22%
XII	72	836 Hillary Lane	3.22%
XIII	63	846 Hillary Lane	3.22%
XIII	69	872 Hillary Lane	3.22%
XIV	68	868 Hillary Lane	3.22%
XV	26	781 Hillary Lane	3.22%
XVI	4	869 Hillary Lane	3.22%
XVI	19	809 Hillary Lane	3.22%
XVI	25	785 Hillary Lane	3.22%
XVI	70	876 Hillary Lane	3.22%
XVI	77	798 Hillary Lane	3.22%
			Total 100%





Patty  
SONNIE M. HOWE  
PORTAGE CO. RECORDER

201515237 8 29 15

RECEIVED FOR RECORD  
AT 15.10.16  
FEE 168.00

NO TRANSFER  
REQUIRED  
SEP 29 2015  
JANET ESPOSITO, d.  
AUDITOR

**INDEXED**

AMENDMENT NO. 15  
TO THE DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM ✓

PHASE XV  
ADDING UNIT NO. 26

This will certify that copies of this AMENDMENT NO. 15 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "AMENDMENT NO. 15"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

Plat 2015-49

Dated: SEP 29 2015, 2015

PORTAGE COUNTY AUDITOR

By: Janet Esposito, d.

Deputy Auditor

This instrument prepared by:

Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333

**AMENDMENT NO. 15 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE XV of the Condominium which contains one (1) Unit.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE XV property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.
2. The legal description of the Condominium set forth in Exhibit “A” of the Declaration is amended to include the real property for PHASE XV of the Condominium, the legal

description for PHASE XV being described in Exhibit "1" attached hereto and made a part hereof

3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.

4. The number of Units referred to in the Declaration is increased from to twenty-five (25) Units to twenty-six (26) Units. A narrative description of the Buildings and Units for PHASE XV is set forth in Exhibit "3" attached hereto and made a part hereof

5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.

6. The particulars of the Buildings and Units and other improvements for PHASE XV, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE XV Drawings incorporated in this AMENDMENT NO. 15 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE XV Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 15 to the Declaration.

7. No owner of a Unit which was not included in Phase I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, and XIV shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE XV prior to the filing of this AMENDMENT NO. 15 (except replacement reserve funds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this AMENDMENT NO. 15.

8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.

9. Except as amended herein, the Declaration thereto shall remain in full force and effect

10. Consent to this AMENDMENT NO. 15 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 28<sup>th</sup> day of September, 2015.

VILLAS OF BERTRAM, LLC, ✓  
an Ohio limited liability company

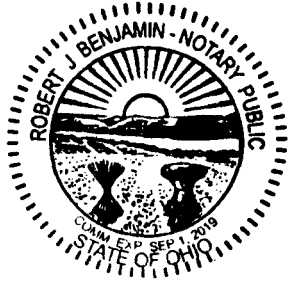
By: Iris S. Wolstein  
Iris S. Wolstein, Manager

STATE OF OHIO                    )  
  )SS.  
COUNTY OF ~~LAKE~~            )  
  Cuyahoga

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 28<sup>th</sup> day of September 2015.

[Signature]  
\_\_\_\_\_  
Notary Public  
My Commission Expires \_\_\_\_\_



**EXHIBIT "A"**

**AMENDMENT NO. 15 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 15 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the AMENDMENT NO. 15.

**EXHIBIT "1"**  
**AMENDMENT NO. 15 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE XV WILL BE ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION  
PH-15-1**

**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 15  
0.1955 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, and Phase 2A, as recorded in Plat 2015-40 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-15-1 on the Plat of The Villas of Bertram Condominium Phase 15 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hillary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hillary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hillary Lane, a distance of 285.32 feet to a point;



Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 285.84 feet, radius 200.00 feet, delta  $81^{\circ}53'16''$ , tangent 173.51 feet, chord 262.13 feet, bearing South  $41^{\circ}24'53''$  East to a point, said point being on the centerline of Hilliary Lane, 60 foot R/W as recorded in Villas of Bertram Phase 2A, as recorded in Plat 2015-40 of the Portage County Plat Records;

Thence South  $82^{\circ}21'31''$  East, continuing along the centerline of said Hilliary Lane, a distance of 196.73 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hilliary Lane, along a curve to the left with a length 71.03 feet, radius 500.00 feet, delta  $08^{\circ}08'22''$ , tangent 35.57 feet, chord 70.97 feet, bearing South  $86^{\circ}25'42''$  East to a point;

Thence North  $89^{\circ}30'07''$  East, continuing along the centerline of said Hilliary Lane, a distance of 107.14 feet to a point,

Thence South  $00^{\circ}29'53''$  East, a distance of 30.00 feet to a point on the southerly R/W of said Hilliary Lane and the Principal Place of Beginning;

Course I: Thence North  $89^{\circ}30'07''$  East, along the southerly R/W of said Hilliary Lane, a distance of 53.52 feet to a point, said point being a point of curvature;

Course II: Thence continuing along the southerly R/W of said Hilliary Lane, along a curve to the left with a length 5.63 feet, radius 230.00 feet, delta  $01^{\circ}24'06''$ , tangent 2.81 feet, chord 5.63 feet, bearing North  $88^{\circ}48'04''$  East to a point;

Course III: Thence South  $01^{\circ}53'59''$  East, a distance of 140.11 feet to a point;

Course IV: Thence South  $89^{\circ}30'07''$  West, a distance of 62.57 feet to a point;

Course V: Thence North  $00^{\circ}29'53''$  West, a distance of 140.00 feet to the Principal Place of Beginning.

Said parcel containing 0.1955 acres or 8,520 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40 and any other matters of record as surveyed and described in September, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hilliary Lane (South  $00^{\circ}28'15''$  East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-15-1", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 15.

Job#20132833

  
Stan R. Loch P.S. # 8249 Date



**EXHIBIT "2"**  
**AMENDMENT NO. 15 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**  
**5425 WARNER ROAD – SUITE 12**  
**VALLEY VIEW, OHIO 44125**  
**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**  
**PH 15-R1**  
**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 15**  
**31.7556 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, and Phase 2A, as recorded in Plat 2015-40 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 1 on the Plat of The Villas of Bertram Condominium Phase 15, and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South 89°30'28" West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South 00°28'15" East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a 5/8" iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hillary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hillary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta 90°01'17", tangent 25.01 feet, chord 35.36 feet, bearing South 45°28'54" East to a point;

- Course III: Thence South 00°28'15" East, continuing along the westerly R/W of said Hillary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;
- Course IV: Thence South 89°31'45" West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;
- Course V: Thence South 00°28'15" East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwesterly corner of said Ph-1;
- Course VI: Thence North 89°31'45" East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hillary Lane, said point being the southeasterly corner of said Ph-1;
- Course VII: Thence South 00°28'15" East, along the westerly R/W of said Hillary Lane, a distance of 180.00 feet to a point, said point being the northeasterly corner of Ph-11-1 in the Villas of Bertram Phase 1, Condominiums Phase 11;
- Course VIII: Thence South 89°31'45" West, along the northerly line of said Ph-11-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-11-1;
- Course IX: Thence South 00°28'15" East, along the westerly lines of said Ph-11-1, Ph-6-1 in the Villas of Bertram Phase 1 Condominium Phase 6, Ph-3-1 in the Villas of Bertram Phase 1 Condominium Phase 3, Ph-7-1 in the Villas of Bertram Phase 1 Condominium Phase 7, Ph-4 in the Villas of Bertram Phase 1 Condominium Phase 4, Ph-9-1 in the Villas of Bertram Phase 1 Condominium Phase 9, and Ph-12-1 in the Villas of Bertram Phase 1, Condominium Phase 12, a distance of 507.06 feet to a point, said point being the northwesterly corner of Ph-10-1 in the Villas of Bertram Phase 1, Condominium Phase 10;
- Course X: Thence South 17°30'08" East, along the westerly line of said Ph-10-1, a distance of 84.60 feet to a point, said point being the southwesterly corner of said Ph-10-1 and the northwesterly corner of Ph-6-2 in the Villas of Bertram Phase 6;
- Course XI: Thence South 28°59'33" East, along the westerly line of said Ph-6-2, a distance of 84.31 feet to a point, said point being the southwesterly corner of said Ph-6-2 and southwesterly corner of Ph-3-2 in the Villas of Bertram Phase 1, Condominium Phase 3;
- Course XVI: Thence South 41°59'53" East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;
- Course XIII: Thence South 55°00'13" East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2 and also being the southwesterly corner of Ph-5 in the Villas of Bertram Phase 1, Condominium Phase 5;
- Course XIV: Thence South 67°15'11" East, along the southerly line of said Ph-5, distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-5;
- Course XV: Thence North 15°29'45" East, along the easterly line of said Ph-5, a distance of 143.50 feet to a point, said point being on the southerly R/W of said Hillary Lane and a point of curvature and also the northeasterly corner of said Ph-5;

- Course XVI: Thence along the southwesterly R/W of said Hillary Lane and along the southerly R/W of Hilliary Lane in Villas of Bertram Phase 2A, as recorded in Plat 2015-40 of the Portage County Records, along a curve to the left with a length 31.53 feet, radius 230.00 feet, delta 07°51'16", tangent 15.79 feet, chord 31.51 feet, bearing South 78°25'53" East to a point
- Course XVII: Thence South 82°21'31" East, along the southerly R/W of said Hilliary Lane, a distance of 196.73 feet to a point of curvature;
- Course XVIII: Thence continuing along the southerly R/W of said Hilliary Lane, along a curve to the left with a length 75.29 feet, radius 530.00 feet, delta 08°08'22", tangent 37.71 feet, chord 75.23 feet, bearing South 86°25'42" East to a point;
- Course XIX: Thence North 89°30'07" East, continuing along the southerly R/W of said Hilliary Lane, a distance of 107.14 feet;
- Course XX: Thence South 00°29'53" East, a distance of 140.00 feet to a point;
- Course XXI: Thence North 89°30'07" East, a distance of 62.57 feet to a point;
- Course XXII: Thence North 01°53'59" West, a distance of 140.11 feet to a point on the southerly R/W of said Hilliary Lane, said point being on a curve;
- Course XXIII: Thence continuing along the southwesterly R/W of said Hilliary Lane, along a curve to the left with a length 6.04 feet, radius 230.00 feet, delta 01°30'19", tangent 3.02 feet, chord 6.04 feet, bearing North 87°20'51" East to a point, said point being at the southeasterly terminus of said Hilliary Lane;
- Course XXIV: Thence North 03°24'18" West, along the easterly terminus of the R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the northeasterly terminus of said Hilliary Lane and a point of curvature;
- Course XXV: Thence along the northerly R/W of said Hilliary Lane, along a curve to the right with a length 8.63 feet, radius 170.00 feet, delta 02°54'25", tangent 4.31 feet, chord 8.62 feet, bearing South 88°02'54" West to a point;
- Course XXVI: Thence South 89°30'07" West, continuing along the northerly R/W of said Hilliary Lane, a distance of 160.66 feet to a point of curvature;
- Course XXVII: Thence continuing along the northerly R/W of said Hilliary Lane, along a curve to the right with a length 66.77 feet, radius 470.00 feet, delta 08°08'22", tangent 33.44 feet, chord 66.71 feet, bearing North 86°25'42" West to a point;
- Course XXVIII: Thence North 82°21'31" West, continuing along the northerly R/W of said Hilliary Lane, a distance of 196.73 feet to a point of curvature;
- Course XXIX: Thence continuing along the northerly R/W of said Hilliary Lane, along a curve to the right with a length 9.83 feet, radius 170.00 feet, delta 03°18'53", tangent 4.92 feet, chord 9.83 feet, bearing North 80°42'04" West to a point, said point being the southeasterly corner of Ph-10-2 in the Villas of Bertram Phase 1, Condominium Phase 10 and the northwesterly corner of said northerly R/W of Hilliary Lane;

- Course XXX: Thence North  $10^{\circ}57'22''$  East, along the easterly line of said Ph-10-2, a distance of 129.93 feet to a point, said point being the northeasterly corner of said Ph-10-2;
- Course XXXI: Thence North  $56^{\circ}52'23''$  West, along the northerly line of said Ph-10-2, a distance of 29.98 feet to a point, said point being the southeasterly corner of Ph-8-1 in the Villas of Bertram Phase 1, Condominium Phase 8,
- Course XXXII: Thence North  $11^{\circ}39'32''$  West, along the easterly line of said Ph-8-1, a distance of 36.33 feet to a point, said point being the northeasterly corner of said Ph-8-1;
- Course XXXIII: Thence North  $00^{\circ}28'21''$  West, a distance of 83.48 feet to a point, said point being a point of curvature, said point being the northeasterly corner of Ph-12-2 in the Villas of Bertram Phase 1, Condominium Phase 12;
- Course XXXIV: Thence along the northerly line of said Ph-12-2 and along a curve to the left with a length 5.27 feet, radius 270.00 feet, delta  $01^{\circ}07'04''$ , tangent 2.63 feet, chord 5.27 feet, bearing North  $84^{\circ}56'25''$  West to a point, said point being at the southeasterly terminus of Samantha Drive;
- Course XXXV: Thence North  $04^{\circ}30'06''$  East, along the easterly terminus of the R/W of said Samantha Drive, a distance of 60.00 feet to a point, said point being at the northeasterly terminus of the easterly R/W of said Samantha Drive and the southeasterly corner of Ph-13-2 in the Villas of Bertram Phase 1, Condominium Phase 13;
- Course XXXVI: Thence North  $00^{\circ}28'15''$  West, along the easterly lines of said Ph-13-2, Ph-10-3 in the Villas of Bertram Phase 1, Condominium Phase 10 and Ph-6-3 in the Villas of Bertram Phase 1, Condominium Phase 6, a distance of 206.24 feet to a point said point being the northeasterly corner of said Ph-6-3;
- Course XXXVII: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-6-3, a distance of 137.45 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-6-3;
- Course XXXVIII: Thence North  $07^{\circ}30'01''$  West, along the easterly R/W of said Hillary Lane, a distance of 25.56 feet to a point, said point being the southwesterly corner of Ph-12-3 in the Villas of Bertram Phase 1, Condominium Phase 12;
- Course XXXIX: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-12-3, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-12-3;
- Course XL: Thence North  $00^{\circ}28'15''$  West, along the easterly line of said Ph-12-3, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-12-3;
- Course XLI: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-12-3, a distance of 13.26 feet to a point, said point being the southeasterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominiums Phase 2;
- Course XLII: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ph-2, and the easterly lines of Ph-14-1 in the Villas of Bertram Condominiums Phase 14 and Ph-13-1 in the Villas of Bertram Phase 1, Condominium Phase 13, distance of 180.00 feet to a point, said point being the northeasterly corner of said Ph-13-1;

- Course XLIII: Thence South 89°31'45" West, along the northerly line of said Ph-13-1, a distance of 121.54 feet to a point on the easterly R/W of said Hillary Lane and being the northwesterly corner of said Ph-13-1;
- Course XLIV: Thence North 00°28'15" West, along the easterly R/W of said Hillary Lane, a distance of 60.00 feet to a point, said point being the southwesterly corner of Ph-12-4 of the Villas of Bertram Phase 1, Condominium Phase 12;
- Course XLV: Thence North 89°31'45" East, along the southerly line of said Ph-12-4, a distance of 121.28 feet to a point, said point being the southeasterly corner of said Ph-12-4;
- Course XLVI: Thence North 00°42'49" West, along the easterly line of said Ph-12-4, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-12-4;
- Course XLVII: Thence South 89°31'45" West, along the northerly line of said Ph-12-4, a distance of 121.03 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-12-4;
- Course XLVIII: Thence North 00°28'15" West, along the easterly R/W of said Hillary Lane, a distance of 40.07 feet to a point, said point being a point of curvature
- Course XLIX: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta 89°58'43", tangent 24.99 feet, chord 35.35 feet, bearing North 44°31'06" East to a point, said point being on the southerly R/W of said Treat Road;
- Course L: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a 5/8" iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course LI: Thence South 00°42'49" East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southwesterly corner of said Ohio Edison Company;
- Course LII: Thence North 89°30'28" East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;
- Course LIII: Thence North 00°42'49" West, along the easterly line of said Ohio Edison Company, passing through a 5/8" iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;
- Course LIV: Thence North 89°30'28" East, along the centerline of said Treat Road, passing through a 1-1/4" axle found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;





**EXHIBIT "3"**  
**AMENDMENT NO. 15 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE XV contains one (1) detached single-family residential Building known as Unit 26 situated on Hillary Lane, which includes a basement and attached two car garage, and which is constructed primarily of wood, vinyl siding, asphalt shingle roof, brick, concrete block, glass and drywall. The location of Unit 26 is shown on the Drawings.

Unit 26 is a "Venice" type Unit. The Venice type Unit is a two-story Unit containing approximately 2,344 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, great room or study, dining room, kitchen, morning room, laundry room, ½ bath and an attached two-car garage. The second floor of consists of four (4) bedrooms and two (2) full baths, and walk-in closet.

**EXHIBIT "4"**  
**AMENDMENT NO. 15 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	3.85%
II	67	864 Hillary Lane	3.85%
III	8	853 Hillary Lane	3.85%
III	9	849 Hillary Lane	3.85%
III	16	821 Hillary Lane	3.85%
III	17	817 Hillary Lane	3.85%
IV	11	841 Hillary Lane	3.85%
V	18	813 Hillary Lane	3.85%
VI	7	857 Hillary Lane	3.85%
VI	15	825 Hillary Lane	3.85%
VI	65	854 Hillary Lane	3.85%
VII	10	845 Hillary Lane	3.85%
VIII	73	830 Hillary Lane	3.85%
IX	12	837 Hillary Lane	3.85%
X	14	829 Hillary Lane	3.85%
X	64	850 Hillary Lane	3.85%
X	74	818 Hillary Lane	3.84%
XI	6	861 Hillary Lane	3.84%
XII	13	833 Hillary Lane	3.84%
XII	66	860 Hillary Lane	3.84%
XII	71	880 Hillary Lane	3.84%
XII	72	836 Hillary Lane	3.84%
XIII	63	846 Hillary Lane	3.84%
XIII	69	872 Hillary Lane	3.84%
XIV	68	868 Hillary Lane	3.84%
XV	26	781 Hillary Lane	3.84%
			Total 100%



*Patty*  
RONNIE M. HOWE  
PORTAGE CO. RECORDER

201514472 & 16<sup>#</sup>

RECEIVED FOR RECORDS  
AT 15.08.48  
FEE 172.00

**INDEXED**

AMENDMENT NO. 14  
TO THE DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM

PHASE XIV  
ADDING UNIT NO. 68

This will certify that copies of this AMENDMENT NO. 14 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "AMENDMENT NO. 14"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

*Plat 2015-47*

Dated: SEP 16 2015, 2015

PORTAGE COUNTY AUDITOR

By:

*Janet Esposito*

Deputy Auditor

This instrument prepared by:

Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333

**AMENDMENT NO. 14 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE XIV of the Condominium which contains one (1) Unit.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE XIV property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.
2. The legal description of the Condominium set forth in Exhibit “A” of the Declaration is amended to include the real property for PHASE XIV of the Condominium, the legal

description for PHASE XIV being described in Exhibit "1" attached hereto and made a part hereof

3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.

4. The number of Units referred to in the Declaration is increased from to twenty-four (24) Units to twenty-five (25) Units. A narrative description of the Buildings and Units for PHASE XIV is set forth in Exhibit "3" attached hereto and made a part hereof

5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.

6. The particulars of the Buildings and Units and other improvements for PHASE XIV, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE XIV Drawings incorporated in this AMENDMENT NO. 14 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE XIV Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 14 to the Declaration.

7. No owner of a Unit which was not included in Phase I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, and XIII shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE XIV prior to the filing of this AMENDMENT NO. 14 (except replacement reserve funds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this AMENDMENT NO. 14.

8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.

9. Except as amended herein, the Declaration thereto shall remain in full force and effect

10. Consent to this AMENDMENT NO. 14 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 16<sup>th</sup> day of September, 2015.

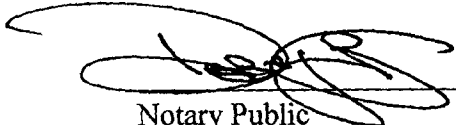
VILLAS OF BERTRAM, LLC,  
an Ohio limited liability company

By   
Iris S. Wolstein, Manager

STATE OF OHIO            )  
  )SS.  
COUNTY OF LAKE        )  
                                  Cuyahoga

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 16<sup>th</sup> day of September, 2015.



Notary Public  
My Commission Expires 9-1-2019



**EXHIBIT "A"**

**AMENDMENT NO. 14 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

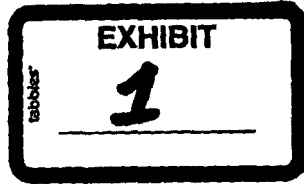
**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 14 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the AMENDMENT NO. 14.



**EXHIBIT "1"**  
**AMENDMENT NO. 14 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE XIV WILL BE ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**  
5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259

**LEGAL DESCRIPTION**  
**PH-14-1**  
**THE VILLAS OF BERTRAM CONDOMINIUM PHASE 14**  
**0.1679 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, and Phase 2A, as recorded in Plat 2015-40 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-14-1 on the Plat of The Villas of Bertram Condominium Phase 14 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hillary Lane, a distance of 275.05 feet to a point,

Thence North 89°31'45" East, a distance of 30.00 feet to a point on the easterly R/W of said Hillary Lane, said point being the southwesterly corner of Ph-13-1 in the Villas of Bertram Phase 1, Condominiums Phase 13 and the Principal Place of Beginning;

Course I: Thence North 89°31'45" East, along the southerly line of said Ph-13-1, a distance of 121.79 feet to a point, said point being the southeasterly corner of said Ph-13-1;

Course II: Thence South 00°42'49" East, a distance of 60.00 feet to a point, said point being the northeasterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominiums Phase 2;

Course III: Thence South 89°31'45" West, along the northerly line of said Ph-2, a distance of 122.05 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-2;

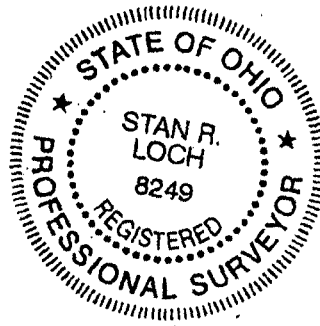
Course IV: Thence North 00°28'15" West, along the easterly R/W of said Hillary Lane, a distance of 60.00 feet to the Principal Place of Beginning.

Said parcel containing 0.1679 acres or 7,315 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40 and any other matters of record as surveyed and described in August, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-14-1", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Condominium Phase 14.

 8-31-15

Job#20132833

Stan R. Loch P.S. # 8249 Date



**EXHIBIT "2"**  
**AMENDMENT NO. 14 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION  
PH 14-R1  
THE VILLAS OF BERTRAM CONDOMINIUM PHASE 14  
32.5712 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat 2014-3, and Phase 2A, as recorded in Plat 2015-40 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 1 on the Plat of The Villas of Bertram Condominium Phase 14, and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South 89°30'28" West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South 00°28'15" East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a 5/8" iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hillary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hillary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta 90°01'17", tangent 25.01 feet, chord 35.36 feet, bearing South 45°28'54" East to a point;

- Course III: Thence South 00°28'15" East, continuing along the westerly R/W of said Hillary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;
- Course IV: Thence South 89°31'45" West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;
- Course V: Thence South 00°28'15" East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwesterly corner of said Ph-1;
- Course VI: Thence North 89°31'45" East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hillary Lane, said point being the southeasterly corner of said Ph-1;
- Course VII: Thence South 00°28'15" East, along the westerly R/W of said Hillary Lane, a distance of 180.00 feet to a point, said point being the northeasterly corner of Ph-11-1 in the Villas of Bertram Phase 1, Condominiums Phase 11;
- Course VIII: Thence South 89°31'45" West, along the northerly line of said Ph-11-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-11-1;
- Course IX: Thence South 00°28'15" East, along the westerly lines of said Ph-11-1, Ph-6-1 in the Villas of Bertram Phase 1 Condominium Phase 6, Ph-3-1 in the Villas of Bertram Phase 1 Condominium Phase 3, Ph-7-1 in the Villas of Bertram Phase 1 Condominium Phase 7, Ph-4 in the Villas of Bertram Phase 1 Condominium Phase 4, Ph-9-1 in the Villas of Bertram Phase 1 Condominium Phase 9, and Ph-12-1 in the Villas of Bertram Phase 1, Condominium Phase 12, a distance of 507.06 feet to a point, said point being the northwesterly corner of Ph-10-1 in the Villas of Bertram Phase 1, Condominium Phase 10;
- Course X: Thence South 17°30'08" East, along the westerly line of said Ph-10-1, a distance of 84.60 feet to a point, said point being the southwesterly corner of said Ph-10-1 and the northwesterly corner of Ph-6-2 in the Villas of Bertram Phase 6;
- Course XI: Thence South 28°59'33" East, along the westerly line of said Ph-6-2, a distance of 84.31 feet to a point, said point being the southwesterly corner of said Ph-6-2 and southwesterly corner of Ph-3-2 in the Villas of Bertram Phase 1, Condominium Phase 3;
- Course XVI: Thence South 41°59'53" East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;
- Course XIII: Thence South 55°00'13" East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2 and also being the southwesterly corner of Ph-5 in the Villas of Bertram Phase 1, Condominium Phase 5;
- Course XIV: Thence South 67°15'11" East, along the southerly line of said Ph-5, distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-5;
- Course XV: Thence North 15°29'45" East, along the easterly line of said Ph-5, a distance of 143.50 feet to a point, said point being on the southerly R/W of said Hillary Lane and a point of curvature and also the northeasterly corner of said Ph-5;

- Course XVI: Thence along the southwesterly R/W of said Hillary Lane and along the southerly R/W of Hilliary Lane in Villas of Bertram Phase 2A, as recorded in Plat 2015-40 of the Portage County Records, along a curve to the left with a length 31.53 feet, radius 230.00 feet, delta 07°51'16", tangent 15.79 feet, chord 31.51 feet, bearing South 78°25'53" East to a point
- Course XVII: Thence South 82°21'31" East, along the southerly R/W of said Hilliary Lane, a distance of 196.73 feet to a point of curvature;
- Course XVIII: Thence continuing along the southwesterly R/W of said Hilliary Lane, along a curve to the left with a length 75.29 feet, radius 530.00 feet, delta 08°08'22", tangent 37.71 feet, chord 75.23 feet, bearing South 86°25'42" East to a point;
- Course XIX: Thence North 89°30'07" East, continuing along the southerly R/W of said Hilliary Lane, a distance of 160.66 feet to a point of curvature;
- Course XX: Thence continuing along the southwesterly R/W of said Hilliary Lane, along a curve to the left with a length 11.67 feet, radius 230.00 feet, delta 02°54'25", tangent 5.84 feet, chord 11.67 feet, bearing North 88°02'54" East to a point, said point being at the southeasterly terminus of said Hilliary Lane;
- Course XXI: Thence North 03°24'18" West, along the easterly terminus of the R/W of said Hilliary Lane, a distance of 60.00 feet to a point, said point being the northeasterly terminus of said Hilliary Lane and a point of curvature;
- Course XXII: Thence along the northerly R/W of said Hilliary Lane, along a curve to the right with a length 8.63 feet, radius 170.00 feet, delta 02°54'25", tangent 4.31 feet, chord 8.62 feet, bearing South 88°02'54" West to a point;
- Course XXIII: Thence South 89°30'07" West, continuing along the northerly R/W of said Hilliary Lane, a distance of 160.66 feet to a point of curvature;
- Course XXIV: Thence continuing along the northerly R/W of said Hilliary Lane, along a curve to the right with a length 66.77 feet, radius 470.00 feet, delta 08°08'22", tangent 33.44 feet, chord 66.71 feet, bearing North 86°25'42" West to a point;
- Course XXV: Thence North 82°21'31" West, continuing along the northerly R/W of said Hilliary Lane, a distance of 196.73 feet to a point of curvature;
- Course XXVI: Thence continuing along the northerly R/W of said Hilliary Lane, along a curve to the right with a length 9.83 feet, radius 170.00 feet, delta 03°18'53", tangent 4.92 feet, chord 9.83 feet, bearing North 80°42'04" West to a point, said point being the southeasterly corner of Ph-10-2 in the Villas of Bertram Phase 1, Condominium Phase 10 and the northwesterly corner of said northerly R/W of Hilliary Lane;
- Course XXVII: Thence North 10°57'22" East, along the easterly line of said Ph-10-2, a distance of 129.93 feet to a point, said point being the northeasterly corner of said Ph-10-2;
- Course XXVIII: Thence North 56°52'23" West, along the northerly line of said Ph-10-2, a distance of 29.98 feet to a point, said point being the southeasterly corner of Ph-8-1 in the Villas of Bertram Phase 1, Condominium Phase 8,

- Course XXIX: Thence North  $11^{\circ}39'32''$  West, along the easterly line of said Ph-8-1, a distance of 36.33 feet to a point, said point being the northeasterly corner of said Ph-8-1;
- Course XXX: Thence North  $00^{\circ}28'21''$  West, a distance of 83.48 feet to a point, said point being a point of curvature, said point being the northeasterly corner of Ph-12-2 in the Villas of Bertram Phase 1, Condominium Phase 12;
- Course XXXI: Thence along the northerly line of said Ph-12-2 and along a curve to the left with a length 5.27 feet, radius 270.00 feet, delta  $01^{\circ}07'04''$ , tangent 2.63 feet, chord 5.27 feet, bearing North  $84^{\circ}56'25''$  West to a point, said point being at the southeasterly terminus of Samantha Drive;
- Course XXXII: Thence North  $04^{\circ}30'06''$  East, along the easterly terminus of the R/W of said Samantha Drive, a distance of 60.00 feet to a point, said point being at the northeasterly terminus of the easterly R/W of said Samantha Drive and the southeasterly corner of Ph-13-2 in the Villas of Bertram Phase 1, Condominium Phase 13;
- Course XXXIII: Thence North  $00^{\circ}28'15''$  West, along the easterly lines of said Ph-13-2, Ph-10-3 in the Villas of Bertram Phase 1, Condominium Phase 10 and Ph-6-3 in the Villas of Bertram Phase 1, Condominium Phase 6, a distance of 206.24 feet to a point said point being the northeasterly corner of said Ph-6-3;
- Course XXXIV: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-6-3, a distance of 137.45 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-6-3;
- Course XXXV: Thence North  $07^{\circ}30'01''$  West, along the easterly R/W of said Hillary Lane, a distance of 25.56 feet to a point, said point being the southwesterly corner of Ph-12-3 in the Villas of Bertram Phase 1, Condominium Phase 12;
- Course XXXVI: Thence South  $89^{\circ}31'45''$  East, along the southerly line of said Ph-12-3, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-12-3;
- Course XXXVII: Thence North  $00^{\circ}28'15''$  West, along the easterly line of said Ph-12-3, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-12-3;
- Course XXVIII: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-12-3, a distance of 13.26 feet to a point, said point being the southeasterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominiums Phase 2;
- Course XXXIX: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ph-2 and its prolongation, a distance of 180.00 feet to a point, said point being the northeasterly corner of Ph-13-1 in the Villas of Bertram Phase 1, Condominium Phase 13;
- Course XL: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-13-1, a distance of 121.54 feet to a point on the easterly R/W of said Hillary Lane and being the northwesterly corner of said Ph-13-1;



- Course XLI: Thence North 00°28'15" West, along the easterly R/W of said Hillary Lane, a distance of 60.00 feet to a point, said point being the southwesterly corner of Ph-12-4 of the Villas of Bertram Phase 1, Condominium Phase 12;
- Course XLII: Thence North 89°31'45" East, along the southerly line of said Ph-12-4, a distance of 121.28 feet to a point, said point being the southeasterly corner of said Ph-12-4;
- Course XLIII: Thence North 00°42'49" West, along the easterly line of said Ph-12-4, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-12-4;
- Course XLIV: Thence South 89°31'45" West, along the northerly line of said Ph-12-4, a distance of 121.03 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-12-4;
- Course XLV: Thence North 00°28'15" West, along the easterly R/W of said Hillary Lane, a distance of 40.07 feet to a point, said point being a point of curvature
- Course XLVI: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta 89°58'43", tangent 24.99 feet, chord 35.35 feet, bearing North 44°31'06" East to a point, said point being on the southerly R/W of said Treat Road;
- Course XLVII: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a 5/8" iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course XLVIII: Thence South 00°42'49" East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southwesterly corner of said Ohio Edison Company;
- Course XLIX: Thence North 89°30'28" East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;
- Course L: Thence North 00°42'49" West, along the easterly line of said Ohio Edison Company, passing through a 5/8" iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;
- Course LI: Thence North 89°30'28" East, along the centerline of said Treat Road, passing through a 1-1/4" axle found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;
- Course LII: Thence South 00°42'49" East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;

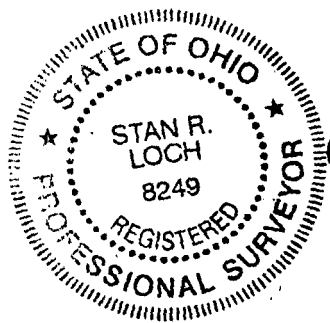
- Course LIII: Thence South 89°32'00" West, along the northerly line of said Berry and the northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a 5/8" iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a 3/4" iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;
- Course LIV: Thence North 47°50'36" West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a 3/4" iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwesterly corner of lands conveyed to Michael & Cheryl Habbyshaw, as recorded in Document No. 201105000 of the Portage County Deed Records;
- Course LV: Thence North 89°30'22" East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;
- Course LVI: Thence North 00°28'15" West, along the easterly line of said Habbyshaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

Said parcel contains 31.9512 acres or 1,391,796 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29, 2015-36, 2015-39, 2015-40 and any other matters of record as surveyed and described in August, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe the portion of the land conveyed to Villas of Bertram LLC. by File # 201401775 of the Portage County Records, which is designated as Ph-14-R1 Phase 14 Residual No. 1 on the Plat of Villas of Bertram Condominium Phase 14.

Job#20132833

 8-31-15  
 Stan R. Loch P.S. # 8249 Date

NO TRANSFER  
 REQUIRED  
 SEP 16 2015  
 JANET ESPOSITO  
 AUDITOR



9.16.2015 ~~087~~  
 TAX MAP DEPT.  
 LEGAL DESCRIPTION  
 SUFFICIENT  DEFICIENT  
 NO DIVISION OF LAND  
 PU. 03-015-10-00-001.002: 32.118  
 UNIT 68 - 0.1679  
 31.9501 = BAL  
 = 31.9512 Ac  
 BY SURVEY

**EXHIBIT "3"**  
**AMENDMENT NO. 14 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE XIV contains one (1) detached single-family residential Building known as Unit 68 situated on Hillary Lane, which includes a basement and attached two car garage, and which is constructed primarily of wood, vinyl siding, asphalt shingle roof, brick, concrete block, glass and drywall. The location of Unit 68 is shown on the Drawings.

Unit 68 is a "Venice" type Unit. The Venice type Unit is a two-story Unit containing approximately 2,344 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, great room or study, dining room, kitchen, morning room, laundry room, ½ bath and an attached two-car garage. The second floor of consists of four (4) bedrooms and two (2) full baths, and walk-in closet.

**EXHIBIT "4"**  
**AMENDMENT NO. 14 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	4.00%
II	67	864 Hillary Lane	4.00%
III	8	853 Hillary Lane	4.00%
III	9	849 Hillary Lane	4.00%
III	16	821 Hillary Lane	4.00%
III	17	817 Hillary Lane	4.00%
IV	11	841 Hillary Lane	4.00%
V	18	813 Hillary Lane	4.00%
VI	7	857 Hillary Lane	4.00%
VI	15	825 Hillary Lane	4.00%
VI	65	854 Hillary Lane	4.00%
VII	10	845 Hillary Lane	4.00%
VIII	73	830 Hillary Lane	4.00%
IX	12	837 Hillary Lane	4.00%
X	14	829 Hillary Lane	4.00%
X	64	850 Hillary Lane	4.00%
X	74	818 Hillary Lane	4.00%
XI	6	861 Hillary Lane	4.00%
XII	13	833 Hillary Lane	4.00%
XII	66	860 Hillary Lane	4.00%
XII	71	880 Hillary Lane	4.00%
XII	72	836 Hillary Lane	4.00%
XIII	63	846 Hillary Lane	4.00%
XIII	69	872 Hillary Lane	4.00%
XIV	68	868 Hillary Lane	4.00%
			Total 100%



*Patty*  
BONNIE M. HOWE  
PORTAGE CO. RECORDER

201511599 #302

RECEIVED FOR RECORD

AT 12:40:07

FEE 168.00

**INDEXED**

**AMENDMENT NO. 13**  
**TO THE DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

**PHASE XIII**  
**ADDING UNIT NOS. 63 AND 69**

This will certify that copies of this AMENDMENT NO. 13 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "AMENDMENT NO. 13"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

Dated: JUL 30 2015, 2015

PORTAGE COUNTY AUDITOR

By: *Xanet Esposito*  
Deputy Auditor

This instrument prepared by:

Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333

**AMENDMENT NO. 13 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, , an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE XIII of the Condominium which contains two (2) Units.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE XIII property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.

2. The legal description of the Condominium set forth in Exhibit “A” of the Declaration is amended to include the real property for PHASE XIII of the Condominium, the legal

description for PHASE XIII being described in Exhibit "1" attached hereto and made a part hereof

3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.

4. The number of Units referred to in the Declaration is increased from twenty-two (22) Units to twenty-four (24) Units. A narrative description of the Buildings and Units for PHASE XIII is set forth in Exhibit "3" attached hereto and made a part hereof

5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.

6. The particulars of the Buildings and Units and other improvements for PHASE XIII, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE XIII Drawings incorporated in this AMENDMENT NO. 13 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE XIII Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 13 to the Declaration.

7. No owner of a Unit which was not included in Phase I, II, III, IV, V, VI, VII, VIII, IX, X, XI, and XII shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE XIII prior to the filing of this AMENDMENT NO. 13 (except replacement reserve funds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this AMENDMENT NO. 13.

8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.




9. Except as amended herein, the Declaration thereto shall remain in full force and effect

10. Consent to this AMENDMENT NO. 13 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 28<sup>th</sup> day of June, 2015.


VILLAS OF BERTRAM, LLC,  
an Ohio limited liability company

By:   
Iris S. Wolstein, Manager

STATE OF OHIO                    )  
  )SS.  
COUNTY OF ~~LAKE~~            )  
  Cuyahoga

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 28<sup>th</sup> day of June, 2015.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires 9-1-2019



**EXHIBIT "A"**

**AMENDMENT NO. 13 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 13 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the AMENDMENT NO. 13.

**EXHIBIT "1"**  
**AMENDMENT NO. 13 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE XIII WILL BE ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

5425 WARNER ROAD – SUITE 12

VALLEY VIEW, OHIO 44125

PH: 440-602-9071 FAX: 216-369-0259



**LEGAL DESCRIPTION**

**PH-13-1**

**THE VILLAS OF BERTRAM PHASE 1 CONDOMINIUM PHASE 13  
0.1675 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-13-1 on the Plat of The Villas of Bertram Phase 1, Condominium Phase 13 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hillary Lane, a distance of 215.05 feet to a point,

Thence North 89°31'45" East, a distance of 30.00 feet to a point on the easterly R/W of said Hillary Lane and the Principal Place of Beginning;

Course I: Thence North 89°31'45" East, a distance of 121.54 feet to a point;

Course II: Thence South 00°42'49" East, a distance of 60.00 feet to a point;

Course III: Thence South 89°31'45" West, a distance of 121.79 feet to a point on the easterly R/W of said Hillary Lane;

Course IV: Thence North 00°28'15" West, along the easterly R/W of said Hillary Lane, a distance of 60.00 feet to the Principal Place of Beginning.

Said parcel containing 0.1675 acres or 7,299 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29 and any other matters of record as surveyed and described in June, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-13-1", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Phase 1, Condominium Phase 13.

 6-30-15

Job#20132833

Stan R. Loch P.S. # 8249 Date



**ENGINEERING & SURVEYING CO., INC.**  
**5425 WARNER ROAD – SUITE 12**  
**VALLEY VIEW, OHIO 44125**  
**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**  
**PH-13-2**  
**THE VILLAS OF BERTRAM PHASE 1 CONDOMINIUM PHASE 13**  
**0.2508 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-13-2 on the Plat of The Villas of Bertram Phase 1, Condominium Phase 13 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hillary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane along a curve to the left with a length 30.67 feet, radius 250.00 feet, tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East, delta 07°01'46" to a point;

Thence South 07°30'01" East, continuing along the centerline of said Hillary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane along a curve to the right with a length 30.67 feet, radius 250.00 feet, tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East, delta 07°01'46" to a point;

Thence South 00°28'15" East, continuing along the centerline of said Hillary Lane, a distance of 42.36 feet to a point;

Thence North 89°31'45" East, a distance of 30.00 feet to a point on the easterly R/W of said Hillary Lane, said point being the southwesterly corner of Ph-10-3 in the Villas of Bertram Phase 1, Condominium Phase 10 and the Principal Place of Beginning;

- Course I: Thence North 89°31'45" East, along the southerly line of said Ph-10-3, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-10-3;
- Course II: Thence South 00°28'15" East, a distance of 86.24 feet to a point at the northeasterly terminus of the easterly R/W of said Samantha Drive and a point of curvature;
- Course III: Thence along the northerly R/W of said Samantha Drive, along a curve to the left with a length 28.64 feet, radius 330.00 feet, delta 04°58'24", tangent 14.33 feet, chord 28.64 feet, bearing North 87°59'09" West to a point;
- Course IV: Thence South 89°31'39" West, continuing along the northerly R/W of said Samantha Drive, a distance of 76.39 feet to a point, said point being a point of curvature;
- Course V: Thence continuing along the northerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta 90°00'06", tangent 25.00 feet, chord 35.36 feet, bearing North 45°28'18" West to a point, said point being on the easterly R/W of said Hillary Lane;
- Course VI: Thence North 00°28'15" West, along the easterly R/W of said Hillary Lane, a distance of 60.00 feet to the Principal Place of Beginning.

Said parcel containing 0.2508 acres or 10,927 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29 and any other matters of record as surveyed and described in June, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-13-2", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Phase 1, Condominium Phase 13.

Job#20132833

 6-30-15  
Stan R. Loch P.S. # 8249 Date



**EXHIBIT "2"**  
**AMENDMENT NO. 13 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH 13-R1**

**THE VILLAS OF BERTRAM PHASE 1 CONDOMINIUM PHASE 13**

**32.7392 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 1 on the Plat of The Villas of Bertram Phase 1, Condominium Phase 13, and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South  $89^{\circ}30'28''$  West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South  $00^{\circ}28'15''$  East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a  $5/8''$  iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North  $89^{\circ}30'28''$  East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hillary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hillary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta  $90^{\circ}01'17''$ , tangent 25.01 feet, chord 35.36 feet, bearing South  $45^{\circ}28'54''$  East to a point;



- Course III: Thence South 00°28'15" East, continuing along the westerly R/W of said Hillary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;
- Course IV: Thence South 89°31'45" West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;
- Course V: Thence South 00°28'15" East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwesterly corner of said Ph-1;
- Course VI: Thence North 89°31'45" East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hillary Lane, said point being the southeasterly corner of said Ph-1;
- Course VII: Thence South 00°28'15" East, along the westerly R/W of said Hillary Lane, a distance of 180.00 feet to a point, said point being the northeasterly corner of Ph-11-1 in the Villas of Bertram Phase 1, Condominiums Phase 11;
- Course VIII: Thence South 89°31'45" West, along the northerly line of said Ph-11-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-11-1;
- Course IX: Thence South 00°28'15" East, along the westerly lines of said Ph-11-1, Ph-6-1 in the Villas of Bertram Phase 1 Condominium Phase 6, Ph-3-1 in the Villas of Bertram Phase 1 Condominium Phase 3, Ph-7-1 in the Villas of Bertram Phase 1 Condominium Phase 7, Ph-4 in the Villas of Bertram Phase 1 Condominium Phase 4, and Ph-9-1 in the Villas of Bertram Phase 1 Condominium Phase 9 and its prolongation, a distance of 507.06 feet to a point, said point being the northwesterly corner of Ph-10-1 in the Villas of Bertram Phase 1, Condominium Phase 10;
- Course X: Thence South 17°30'08" East, along the westerly line of said Ph-10-1, a distance of 84.60 feet to a point, said point being the southwesterly corner of said Ph-10-1 and the northwesterly corner of Ph-6-2 in the Villas of Bertram Phase 6;
- Course XI: Thence South 28°59'33" East, along the westerly line of said Ph-6-2, a distance of 84.31 feet to a point, said point being the southwesterly corner of said Ph-6-2 and southwesterly corner of Ph-3-2 in the Villas of Bertram Phase 1, Condominium Phase 3;
- Course XVI: Thence South 41°59'53" East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;
- Course XIII: Thence South 55°00'13" East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2 and also being the southwesterly corner of Ph-5 in the Villas of Bertram Phase 1, Condominium Phase 5;
- Course XIV: Thence South 67°15'11" East, along the southerly line of said Ph-5, distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-5;
- Course XV: Thence North 15°29'45" East, along the easterly line of said Ph-5, a distance of 143.50 feet to a point, said point being on the southwesterly R/W of said Hillary Lane and a point of curvature and also the northeasterly corner of said Ph-5;

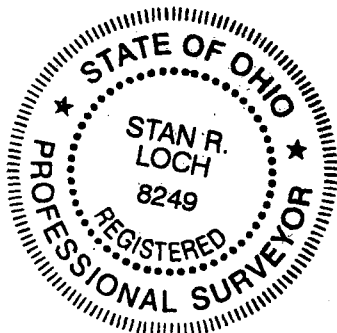
- Course XVI: Thence along the southwesterly R/W of said Hillary Lane, along a curve to the left with a length 18.22 feet, radius 230.00 feet, delta  $04^{\circ}32'23''$ , tangent 9.12 feet, chord 18.22 feet, bearing South  $76^{\circ}46'27''$  East to a point, said point being at the southeasterly terminus of said Hillary Lane;
- Course XVII: Thence North  $10^{\circ}57'22''$  East, along the easterly terminus of the R/W of said Hillary Lane and the easterly line of Ph-10-2 in the Villas of Bertram Phase 1, Condominium Phase 10, a distance of 189.93 feet to a point, said point being the northeasterly corner of said Ph-10-2;
- Course XVIII: Thence North  $56^{\circ}52'23''$  West, along the northerly line of said Ph-10-2, a distance of 29.98 feet to a point, said point being the southeasterly corner of Ph-8-1 in the Villas of Bertram Phase 1, Condominium Phase 8,
- Course XIX: Thence North  $11^{\circ}39'32''$  West, along the easterly line of said Ph-8-1, a distance of 36.33 feet to a point, said point being the northeasterly corner of said Ph-8-1;
- Course XX: Thence North  $00^{\circ}28'21''$  West, a distance of 83.48 feet to a point, said point being a point of curvature;
- Course XXI: Thence along a curve to the left with a length 5.27 feet, radius 270.00 feet, delta  $01^{\circ}07'04''$ , tangent 2.63 feet, chord 5.27 feet, bearing North  $84^{\circ}56'25''$  West to a point, said point being at the southeasterly terminus of said Samantha Drive;
- Course XXII: Thence North  $04^{\circ}30'06''$  East, along the easterly terminus of the R/W of said Samantha Drive, a distance of 60.00 feet to a point, said point being at the northeasterly terminus of the easterly R/W of said Samantha Drive;
- Course XXIII: Thence North  $00^{\circ}28'15''$  West, a distance of 206.24 feet to a point said point being the northeasterly corner of Ph-6-3 in the Villas of Bertram Phase 1, Condominium Phase 6;
- Course XXIV: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-6-3, a distance of 137.45 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-6-3;
- Course XXV: Thence North  $07^{\circ}30'01''$  West, along the easterly R/W of said Hillary Lane, a distance of 25.56 feet to a point;
- Course XXVI: Thence South  $89^{\circ}31'45''$  East, a distance of 130.00 feet to a point;
- Course XXVII: Thence North  $00^{\circ}28'15''$  West, a distance of 60.00 feet to a point;
- Course XXVIII: Thence South  $89^{\circ}31'45''$  West, a distance of 13.26 feet to a point, said point being the southeasterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominiums Phase 2;
- Course XXIX: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ph-2, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-2;
- Course XXX: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-2, a distance of 122.05 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-2;

- Course XXXI: Thence North  $00^{\circ}28'15''$  West, along the easterly R/W of said Hillary Lane, a distance of 60.00 feet to a point;
- Course XXXII: Thence North  $89^{\circ}31'45''$  East, a distance of 121.79 feet to a point;
- Course XXXIII: Thence North  $00^{\circ}42'49''$  West, a distance of 60.00 feet to a point;
- Course XXXIV: Thence South  $89^{\circ}31'45''$  West, a distance of 121.54 feet to a point on the easterly R/W of said Hillary Lane;
- Course XXXV: Thence North  $00^{\circ}28'15''$  West, along the easterly R/W of said Hillary Lane, a distance of 60.00 feet to a point, said point being the southwesterly corner of Ph-12-4 of the Villas of Bertram Phase 1, Condominium Phase 12;
- Course XXXVI: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-12-4, a distance of 121.28 feet to a point, said point being the southeasterly corner of said Ph-12-4;
- Course XXXVII: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ph-12-4, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-12-4;
- Course XXXVIII: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-12-4, a distance of 121.03 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-12-4;
- Course XXXIX: Thence North  $00^{\circ}28'15''$  West, along the easterly R/W of said Hillary Lane, a distance of 40.07 feet to a point, said point being a point of curvature
- Course XL: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta  $89^{\circ}58'43''$ , tangent 24.99 feet, chord 35.35 feet, bearing North  $44^{\circ}31'06''$  East to a point, said point being on the southerly R/W of said Treat Road;
- Course XLI: Thence North  $89^{\circ}30'28''$  East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a  $5/8''$  iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course XLII: Thence South  $00^{\circ}42'49''$  East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a  $5/8''$  iron pin found capped "Weiss & Assoc.", said point being the southwesterly corner of said Ohio Edison Company;
- Course XLIII: Thence North  $89^{\circ}30'28''$  East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a  $5/8''$  iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;
- Course XLIV: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ohio Edison Company, passing through a  $5/8''$  iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;

- Course XLV: Thence North 89°30'28" East, along the centerline of said Treat Road, passing through a 1-1/4" axle found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;
- Course XLVI: Thence South 00°42'49" East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;
- Course XLVII: Thence South 89°32'00" West, along the northerly line of said Berry and the northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a 5/8" iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a 3/4" iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;
- Course XLVIII: Thence North 47°50'36" West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a 3/4" iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwesterly corner of lands conveyed to Michael & Cheryl Habbyshaw, as recorded in Document No. 201105000 of the Portage County Deed Records;
- Course LIX: Thence North 89°30'22" East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;
- Course L: Thence North 00°28'15" West, along the easterly line of said Habbyshaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

Said parcel contains 32.7392 acres or 1,426,119 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29 and any other matters of record as surveyed and described in June, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe the portion of the land conveyed to Villas of Bertram LLC. by File # 201401775 of the Portage County Records, which is designated as Ph-13-R1 Phase 13 Residual No. 1 on the Plat of Villas of Bertram Phase 1, Condominium Phase 13.

Job#20132833



*[Signature]*  
 Stan R. Loch P.S. # 8249 Date 6-30-15

P.N. 03-015-10-00-001.002 = 33.1576 Ac  
 (UNIT 6A) - 0.1675

7-30-2015  
 TAX MAP DEPT. (UNIT 63)

LEGAL DESCRIPTION  
 SUFFICIENT  DEFICI (Residual)  
 NO DIVISION OF LAND

32.9901  
 - 0.2508  
 32.7393  
 = 32.7392 Ac  
 By Survey

**EXHIBIT "3"**  
**AMENDMENT NO. 13 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE XIII contains two (2) detached single-family residential Building known as Units 63 and 69 situated on Hillary Lane, which includes basements and attached two car garages, and which are constructed primarily of wood, vinyl siding, asphalt shingle roof, brick, concrete block, glass and drywall. The location of Units 63 and 69 are shown on the Drawings.

Unit 63 is a "Venice" type Unit. The Venice type Unit is a two-story Unit containing approximately 2,344 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, great room or study, dining room, kitchen, morning room, laundry room, ½ bath and an attached two-car garage. The second floor of consists of four (4) bedrooms and two (2) full baths, and walk-in closet.

Unit 69 is a "Venice" type Unit. The Venice type Unit is a two-story Unit containing approximately 2,344 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, great room or study, dining room, kitchen, morning room, laundry room, ½ bath and an attached two-car garage. The second floor of consists of four (4) bedrooms and two (2) full baths, and walk-in closet.

**EXHIBIT "4"**  
**AMENDMENT NO. 13 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	4.16%
II	67	864 Hillary Lane	4.16%
III	8	853 Hillary Lane	4.16%
III	9	849 Hillary Lane	4.16%
III	16	821 Hillary Lane	4.16%
III	17	817 Hillary Lane	4.16%
IV	11	841 Hillary Lane	4.16%
V	18	813 Hillary Lane	4.16%
VI	7	857 Hillary Lane	4.16%
VI	15	825 Hillary Lane	4.16%
VI	65	854 Hillary Lane	4.16%
VII	10	845 Hillary Lane	4.16%
VIII	73	830 Hillary Lane	4.16%
IX	12	837 Hillary Lane	4.16%
X	14	829 Hillary Lane	4.16%
X	64	850 Hillary Lane	4.16%
X	74	818 Hillary Lane	4.16%
XI	6	861 Hillary Lane	4.16%
XII	13	833 Hillary Lane	4.16%
XII	66	860 Hillary Lane	4.16%
XII	71	880 Hillary Lane	4.16%
XII	72	836 Hillary Lane	4.16%
XIII	63	846 Hillary Lane	4.16%
XIII	69	872 Hillary Lane	4.16%
			Total 100%



*Patty*

BONNIE M. HOWE  
PORTAGE CO. RECORDER

201510976 #20<sup>th</sup>

NO TRANSFER  
REQUIRED  
JUL 20 2015  
JANET ESPOSITO  
AUDITOR *JE*

RECEIVED FOR RECORD  
AT 12:33:06  
FFE 200.00

**INDEXED**

AMENDMENT NO. 12  
TO THE DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM

PHASE XII ✓  
ADDING UNIT NOS. 13, 66, 71, AND 72

This will certify that copies of this AMENDMENT NO. 12 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "AMENDMENT NO. 12"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

**JUL 20 2015**

Dated: \_\_\_\_\_, 2015

*PLAT 2015-36*

PORTAGE COUNTY AUDITOR

By: *Janet Esposito*  
Deputy Auditor

This instrument prepared by:

Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333



**AMENDMENT NO. 12 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, , an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE XII of the Condominium which contains four (4) Units.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE XII property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.
2. The legal description of the Condominium set forth in Exhibit “A” of the Declaration is amended to include the real property for PHASE XII of the Condominium, the legal

description for PHASE XII being described in Exhibit "1" attached hereto and made a part hereof

3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.

4. The number of Units referred to in the Declaration is increased from eighteen (18) Units to twenty-two (22) Units. A narrative description of the Buildings and Units for PHASE XII is set forth in Exhibit "3" attached hereto and made a part hereof

5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.

6. The particulars of the Buildings and Units and other improvements for PHASE XII, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE XII Drawings incorporated in this AMENDMENT NO. 12 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE XII Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 12 to the Declaration.

7. No owner of a Unit which was not included in Phase I, II, III, IV, V, VI, VII, VIII, IX, X, and XI shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE XII prior to the filing of this AMENDMENT NO. 12 (except replacement reserve funds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this AMENDMENT NO. 12.

8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.

9. Except as amended herein, the Declaration thereto shall remain in full force and effect
10. Consent to this AMENDMENT NO. 12 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 13<sup>th</sup> day of July, 2015.

VILLAS OF BERTRAM, LLC, ✓  
an Ohio limited liability company

By: Iris S. Wolstein  
Iris S. Wolstein, Manager

STATE OF OHIO )  
)SS.  
COUNTY OF ~~LAKE~~ )  
Cuyahoga

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 13<sup>th</sup> day of July, 2015.

[Signature]  
Notary Public  
My Commission Expires \_\_\_\_\_



**EXHIBIT "A"**

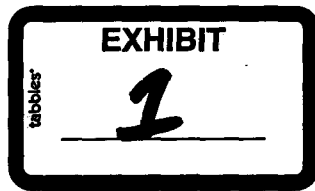
**AMENDMENT NO. 12 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 12 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the AMENDMENT NO. 12.

**EXHIBIT "1"**  
**AMENDMENT NO. 12 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE XII WILL BE ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**  
**5425 WARNER ROAD – SUITE 12**  
**VALLEY VIEW, OHIO 44125**  
**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**  
**PH-12-1**  
**THE VILLAS OF BERTRAM PHASE 1 CONDOMINIUM PHASE 12**  
**0.2127 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-12-1 on the Plat of The Villas of Bertram Phase 1, Condominium Phase 12 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hillary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane along a curve to the left with a length 30.67 feet, radius 250.00 feet, tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East, delta  $07^{\circ}01'46''$  to a point;

Thence South  $07^{\circ}30'01''$  East, continuing along the centerline of said Hillary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane along a curve to the right with a length 30.67 feet, radius 250.00 feet, tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East, delta  $07^{\circ}01'46''$  to a point;


Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hillary Lane, a distance of 285.32 feet to a point;

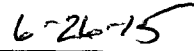
Thence South  $89^{\circ}31'45''$  West, a distance of 30.00 feet to a point on the westerly R/W of said Hillary Lane and the Principal Place of Beginning;

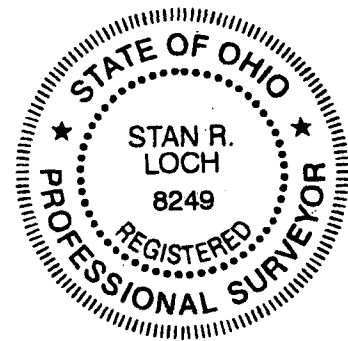
- Course I: Thence along the westerly R/W of said Hillary Lane, along a curve to the left with a length 36.21 feet, radius 230.00 feet, delta 09°01'15", tangent 18.14 feet, chord 36.18 feet, bearing South 04°58'53" East to a point, said point being the northeasterly corner of Ph-10-1 in the Villas of Bertram Phase 1, Condominium Phase 10;
- Course II: Thence South 80°30'30" West, along the northerly line of said Ph-10-1, a distance of 144.63 feet to a point, said point being the northwesterly corner of said Ph-10-1,
- Course III: Thence North 00°28'15" West, a distance of 77.06 feet to a point, said point being the southwesterly corner of Ph-9-1 in the Villas of Bertram Phase 1, Condominium Phase 9;
- Course IV: Thence North 89°31'45" East, along the southerly line of said Ph-9-1, a distance of 140.00 feet to a point on the westerly R/W of said Hillary Lane, said point being the southeasterly corner of said Ph-9-1;
- Course V: Thence South 00°28'15" East, along the westerly R/W of said Hillary Lane, a distance of 18.32 feet to the Principal Place of Beginning.

Said parcel containing 0.2127 acres or 9,267 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29 and any other matters of record as surveyed and described in June, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-12-1", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Phase 1, Condominium Phase 12.

Job#20132833

  
Stan R. Loch P.S. # 8249

  
Date





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-12-2**

**THE VILLAS OF BERTRAM PHASE 1 CONDOMINIUM PHASE 12**

**0.2503 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-12-2 on the Plat of The Villas of Bertram Phase 1, Condominium Phase 12 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hillary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane along a curve to the left with a length 30.67 feet, radius 250.00 feet, tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East, delta  $07^{\circ}01'46''$  to a point;

Thence South  $07^{\circ}30'01''$  East, continuing along the centerline of said Hillary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane along a curve to the right with a length 30.67 feet, radius 250.00 feet, tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East, delta  $07^{\circ}01'46''$  to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hillary Lane, a distance of 272.36 feet to a point;




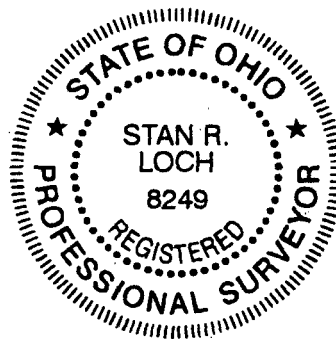
Thence North 89°31'45" East, a distance of 30.00 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of Ph-8-1 in the Villas of Bertram Phase 1, Condominium Phase 8 and the Principal Place of Beginning;

- Course I: Thence North 00°28'15" West, along the easterly R/W of said Hillary Lane, a distance of 60.00 feet to a point, said point being on the southerly R/W of Samantha Drive, 60 foot R/W and a point of curvature;
- Course II: Thence along the southerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta 89°59'54", tangent 25.00 feet, chord 35.35 feet, bearing North 44°31'42" East to a point;
- Course III: Thence North 89°31'39" East, continuing along the southerly R/W of said Samantha Drive, a distance of 76.39 feet to a point, said point being a point of curvature;
- Course IV: Thence continuing along the southerly R/W of said Samantha Drive and its prolongation, along a curve to the right with a length 28.70 feet, radius 270.00 feet, delta 06°05'28", tangent 14.37 feet, chord 28.69 feet, bearing South 87°25'37" East to a point;
- Course V: Thence South 00°28'21" East, a distance of 83.48 feet to a point, said point being the northeasterly corner of said Ph-8-1;
- Course VI: Thence South 89°31'45" West, along the northerly line of said Ph-8-1, a distance of 130.04 feet to the Principal Place of Beginning.

Said parcel containing 0.2503 acres or 10,904 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29 and any other matters of record as surveyed and described in June, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-12-2", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Phase 1, Condominium Phase 12.

Job#20132833

  
Stan R. Loch P.S. # 8249      6-26-15      Date





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-12-3**

**THE VILLAS OF BERTRAM PHASE 1 CONDOMINIUM PHASE 12**

**0.1837 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-12-3 on the Plat of The Villas of Bertram Phase 1, Condominium Phase 12 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hillary Lane, a distance of 396.47 feet to a point,

Thence North  $89^{\circ}31'45''$  East, a distance of 30.00 feet to a point on the easterly R/W of said Hillary Lane and the Principal Place of Beginning;

Course I: Thence North  $00^{\circ}28'15''$  West, along the easterly R/W of said Hillary Lane, a distance of 1.42 feet to a point, said point being the southwesterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominiums Phase 2;

Course II: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-2 and its prolongation, a distance of 135.56 feet to a point;

Course III: Thence South  $00^{\circ}28'15''$  East, a distance of 60.00 feet to a point;

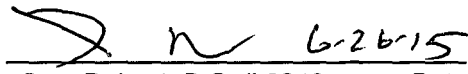
Course IV: Thence South  $89^{\circ}31'45''$  West, a distance of 130.00 feet to a point on the easterly R/W of said Hillary Lane;

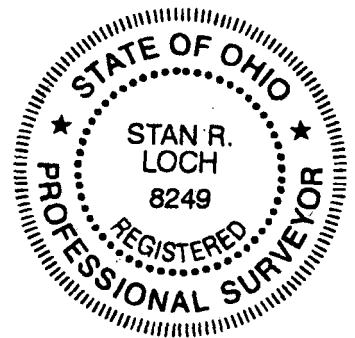
Course V: Thence North 07°30'01" West, along the easterly R/W of said Hillary Lane, a distance of 31.90 feet to a point, said point being a point of curvature;

Course VI: Thence along the easterly R/W of said Hillary Lane, along a curve to the right with a length 26.99 feet, radius 220.00 feet, delta 07°01'46", tangent 13.51 feet, chord 26.97 feet, bearing North 03°59'08" West to the Principal Place of Beginning.

Said parcel containing 0.1837 acres or 8,004 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29 and any other matters of record as surveyed and described in June, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-12-3", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Phase 1, Condominium Phase 12.

Job#20132833

  
Stan R. Loch P.S. # 8249      Date



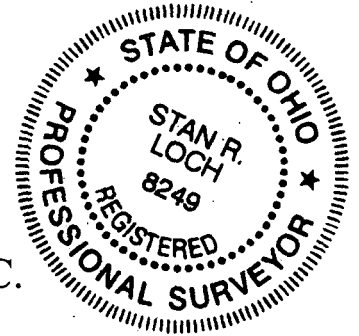


**ENGINEERING & SURVEYING CO., INC.**

5425 WARNER ROAD – SUITE 12

VALLEY VIEW, OHIO 44125

PH: 440-602-9071 FAX: 216-369-0259



**LEGAL DESCRIPTION**

**PH-12-4**

**THE VILLAS OF BERTRAM PHASE 1 CONDOMINIUM PHASE 12**

**0.1668 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-12-4 on the Plat of The Villas of Bertram Phase 1, Condominium Phase 12 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hillary Lane, a distance of 95.05 feet to a point,

Thence North 89°31'45" East, a distance of 30.00 feet to a point on the easterly R/W of said Hillary Lane and the Principal Place of Beginning;

Course I: Thence North 89°31'45" East, a distance of 121.03 feet to a point;

Course II: Thence South 00°42'49" East, a distance of 60.00 feet to a point;

Course III: Thence South 89°31'45" West, a distance of 121.28 feet to a point on the easterly R/W of said Hillary Lane;

Course IV: Thence North 00°28'15" West, along the easterly R/W of said Hillary Lane, a distance of 60.00 feet to the Principal Place of Beginning.

Said parcel containing 0.1668 acres or 7,269 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29 and any other matters of record as surveyed and described in June, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-12-4", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Phase 1, Condominium Phase 12.

Job#20132833



Stan R. Loch P.S. # 8249

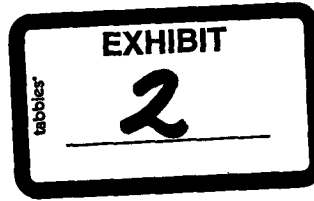
Date

**EXHIBIT "2"**  
**AMENDMENT NO. 12 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO

	33.971 Ac	(AUD)
-	0.2127	UNIT 13
	<u>33.7583</u>	
-	0.2503	UNIT 72
	<u>33.508</u>	
-	0.1837	UNIT 66
	<u>33.3243</u>	
-	0.1668	UNIT 71
	<u>33.1575</u>	
=	33.1576 AC	
	<u>BY SURVEY</u>	

TAX MAP DEPT.  
 LEGAL DESCRIPTION  
 SUFFICIENT  DEFICIENT  
 NO DIVISION OF LAND  
 7.20.2015 LGJ



**ENGINEERING & SURVEYING CO., INC.**  
 5425 WARNER ROAD – SUITE 12  
 VALLEY VIEW, OHIO 44125  
 PH: 440-602-9071 FAX: 216-369-0259

**LEGAL DESCRIPTION**  
 PH 12-R1  
**THE VILLAS OF BERTRAM PHASE 1 CONDOMINIUM PHASE 12**  
**33.1576 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 1 on the Plat of The Villas of Bertram Phase 1, Condominium Phase 12, and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South 89°30'28" West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South 00°28'15" East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a 5/8" iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hillary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hillary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta 90°01'17", tangent 25.01 feet, chord 35.36 feet, bearing South 45°28'54" East to a point;

- Course III: Thence South 00°28'15" East, continuing along the westerly R/W of said Hillary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;
- Course IV: Thence South 89°31'45" West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;
- Course V: Thence South 00°28'15" East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwesterly corner of said Ph-1;
- Course VI: Thence North 89°31'45" East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hillary Lane, said point being the southeasterly corner of said Ph-1;
- Course VII: Thence South 00°28'15" East, along the westerly R/W of said Hillary Lane, a distance of 180.00 feet to a point, said point being the northeasterly corner of Ph-11-1 in the Villas of Bertram Phase 1, Condominiums Phase 11;
- Course VIII: Thence South 89°31'45" West, along the northerly line of said Ph-11-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-11-1;
- Course IX: Thence South 00°28'15" East, along the westerly lines of said Ph-11-1, Ph-6-1 in the Villas of Bertram Phase 1 Condominium Phase 6, Ph-3-1 in the Villas of Bertram Phase 1 Condominium Phase 3, Ph-7-1 in the Villas of Bertram Phase 1 Condominium Phase 7, Ph-4 in the Villas of Bertram Phase 1 Condominium Phase 4, and Ph-9-1 in the Villas of Bertram Phase 1 Condominium Phase 9 and its prolongation, a distance of 507.06 feet to a point, said point being the northwesterly corner of Ph-10-1 in the Villas of Bertram Phase 1, Condominium Phase 10;
- Course X: Thence South 17°30'08" East, along the westerly line of said Ph-10-1, a distance of 84.60 feet to a point, said point being the southwesterly corner of said Ph-10-1 and the northwesterly corner of Ph-6-2 in the Villas of Bertram Phase 6;
- Course XI: Thence South 28°59'33" East, along the westerly line of said Ph-6-2, a distance of 84.31 feet to a point, said point being the southwesterly corner of said Ph-6-2 and southwesterly corner of Ph-3-2 in the Villas of Bertram Phase 1, Condominium Phase 3;
- Course XVI: Thence South 41°59'53" East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;
- Course XIII: Thence South 55°00'13" East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2 and also being the southwesterly corner of Ph-5 in the Villas of Bertram Phase 1, Condominium Phase 5;
- Course XIV: Thence South 67°15'11" East, along the southerly line of said Ph-5, distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-5;
- Course XV: Thence North 15°29'45" East, along the easterly line of said Ph-5, a distance of 143.50 feet to a point, said point being on the southwesterly R/W of said Hillary Lane and a point of curvature and also the northeasterly corner of said Ph-5;

- Course XVI: Thence along the southwesterly R/W of said Hillary Lane, along a curve to the left with a length 18.22 feet, radius 230.00 feet, delta  $04^{\circ}32'23''$ , tangent 9.12 feet, chord 18.22 feet, bearing South  $76^{\circ}46'27''$  East to a point, said point being at the southeasterly terminus of said Hillary Lane;
- Course XVII: Thence North  $10^{\circ}57'22''$  East, along the easterly terminus of the R/W of said Hillary Lane and the easterly line of Ph-10-2 in the Villas of Bertram Phase 1, Condominium Phase 10, a distance of 189.93 feet to a point, said point being the northeasterly corner of said Ph-10-2;
- Course XVIII: Thence North  $56^{\circ}52'23''$  West, along the northerly line of said Ph-10-2, a distance of 29.98 feet to a point, said point being the southeasterly corner of Ph-8-1 in the Villas of Bertram Phase 1, Condominium Phase 8,
- Course XIX: Thence North  $11^{\circ}39'32''$  West, along the easterly line of said Ph-8-1, a distance of 36.33 feet to a point, said point being the northeasterly corner of said Ph-8-1;
- Course XX: Thence North  $00^{\circ}28'21''$  West, a distance of 83.48 feet to a point, said point being a point of curvature;
- Course XXI: Thence along a curve to the left with a length 5.27 feet, radius 270.00 feet, delta  $01^{\circ}07'04''$ , tangent 2.63 feet, chord 5.27 feet, bearing North  $84^{\circ}56'25''$  West to a point, said point being at the southeasterly terminus of said Samantha Drive;
- Course XXII: Thence North  $04^{\circ}30'03''$  East, along the easterly terminus of the R/W of said Samantha Drive, a distance of 60.00 feet to a point, said point being at the northeasterly terminus of the easterly R/W of said Samantha Drive and a point of curvature;
- Course XXIII: Thence along the northerly R/W of said Samantha Drive, along a curve to the left with a length 28.64 feet, radius 330.00 feet, delta  $04^{\circ}58'24''$ , tangent 14.33 feet, chord 28.64 feet, bearing North  $87^{\circ}59'09''$  West to a point;
- Course XXIV: Thence South  $89^{\circ}31'39''$  West, continuing along the northerly R/W of said Samantha Drive, a distance of 76.39 feet to a point, said point being a point of curvature;
- Course XXV: Thence continuing along the northerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta  $90^{\circ}00'06''$ , tangent 25.00 feet, chord 35.36 feet, bearing North  $45^{\circ}28'18''$  West to a point, said point being on the easterly R/W of said Hillary Lane;
- Course XXVI: Thence North  $00^{\circ}28'15''$  West, along the easterly R/W of said Hillary Lane, a distance of 60.00 feet to a point, said point being the southwesterly corner of Ph-10-3 in the Villas of Bertram Phase 1, Condominium Phase 10;
- Course XXVII: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-10-3, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-10-3;
- Course XXVIII: Thence North  $00^{\circ}28'15''$  West, along the easterly line of said Ph-10-3 and the easterly line of Ph-6-3 in the Villas of Bertram Phase 1, Condominium Phase 6, a distance of 120.00 feet to a point, said point being the northeasterly corner of said Ph-6-3;

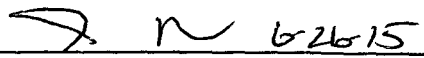


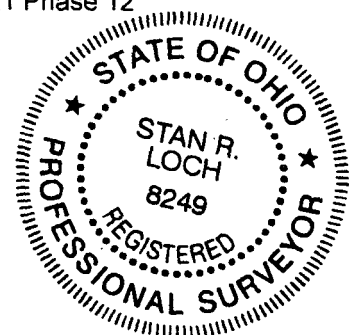
- Course XXIX: Thence South 89°31'45" West, along the northerly line of said Ph-6-3, a distance of 137.45 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-6-3;
- Course XXX: Thence North 07°30'01" West, along the easterly R/W of said Hillary Lane, a distance of 25.56 feet to a point;
- Course XXXI: Thence South 89°31'45" East, a distance of 130.00 feet to a point;
- Course XXXII: Thence North 00°28'15" West, a distance of 60.00 feet to a point;
- Course XXXIII: Thence South 89°31'45" West, a distance of 13.26 feet to a point, said point being the southeasterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominiums Phase 2;
- Course XXXIV: Thence North 00°42'49" West, along the easterly line of said Ph-2, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-2;
- Course XXXV: Thence South 89°31'45" West, along the northerly line of said Ph-2, a distance of 122.05 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-2;
- Course XXXVI: Thence North 00°28'15" West, continuing along the easterly R/W of said Hillary Lane, a distance of 180.00 feet to a point;
- Course XXXVII: Thence North 89°31'45" East, a distance of 121.28 feet to a point;
- Course XXXVIII: Thence North 00°42'49" West, a distance of 60.00 feet to a point;
- Course XXXIX: Thence South 89°31'45" West, a distance of 121.03 feet to a point on the easterly R/W of said Hillary Lane;
- Course XL: Thence North 00°28'15" West, along the easterly R/W of said Hillary Lane, a distance of 40.07 feet to a point, said point being a point of curvature
- Course XLI: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta 89°58'43", tangent 24.99 feet, chord 35.35 feet, bearing North 44°31'06" East to a point, said point being on the southerly R/W of said Treat Road;
- Course XLII: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a 5/8" iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course XLIII: Thence South 00°42'49" East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southwest corner of said Ohio Edison Company;
- Course XLIV: Thence North 89°30'28" East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;

- Course XLV: Thence North 00°42'49" West, along the easterly line of said Ohio Edison Company, passing through a 5/8" iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;
- Course XLVI: Thence North 89°30'28" East, along the centerline of said Treat Road, passing through a 1-1/4" axle found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;
- Course XLVII: Thence South 00°42'49" East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;
- Course XLVIII: Thence South 89°32'00" West, along the northerly line of said Berry and the northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a 5/8" iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a 3/4" iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;
- Course XLIX: Thence North 47°50'36" West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a 3/4" iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwest corner of lands conveyed to Michael & Cheryl Habbyshaw, as recorded in Document No. 201105000 of the Portage County Deed Records;
- Course L: Thence North 89°30'22" East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;
- Course LI: Thence North 00°28'15" West, along the easterly line of said Habbyshaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

Said parcel contains 33.1576 acres or 1,444,346 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25, 2015-29 and any other matters of record as surveyed and described in June, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe the portion of the land conveyed to Villas of Bertram LLC. by File # 201401775 of the Portage County Records, which is designated as Ph-12-R1 Phase 12 Residual No. 1 on the Plat of Villas of Bertram Phase 1, Condominium Phase 12.

Job#20132833

  
 Stan R. Loch P.S. # 8249 Date



**EXHIBIT "3"**  
**AMENDMENT NO. 12 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE XII contains four (4) detached single-family residential Building known as Units 13, 66, 71, and 72 situated on Hillary Lane, which includes basements and attached two car garages, and which are constructed primarily of wood, vinyl siding, asphalt shingle roof, brick, concrete block, glass and drywall. The location of Units 13, 66, 71, and 72 are shown on the Drawings.

Unit 13 is a "Rome" type Unit. The Rome type Unit is a two-story Unit containing approximately 3,060 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, dining room, dinette area, kitchen, ½ bath, and an attached two-car garage. The second floor of consists of four (4) bedrooms and two (2) full baths, and a laundry room. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 66 is a "Venice" type Unit. The Venice type Unit is a two-story Unit containing approximately 2,344 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, great room or study, dining room, kitchen, morning room, laundry room, ½ bath and an attached two-car garage. The second floor of consists of four (4) bedrooms and two (2) full baths, and walk-in closet.

Unit 71 is a "Florence" type Unit. The Florence type Unit is a two-story Unit containing approximately 2,000 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, living room or dining room, dinette area, family room, kitchen, laundry room, ½ bath, and an attached two-car garage. The second floor of consists of three (3) bedrooms and two (2) full baths.

Unit 72 is a "Milan" type Unit. The Milan type Unit is a one-story Unit containing approximately 2528 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a living room, family room, kitchen, dining room, dinette, powder room, mudroom, and 2-car attached garage. The second floor consists of four bedrooms, a loft, laundry, 2 walk-in closets, and two full baths.

**EXHIBIT "4"**  
**AMENDMENT NO. 12 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	4.54%
II	67	864 Hillary Lane	4.54%
III	8	853 Hillary Lane	4.54%
III	9	849 Hillary Lane	4.54%
III	16	821 Hillary Lane	4.54%
III	17	817 Hillary Lane	4.54%
IV	11	841 Hillary Lane	4.54%
V	18	813 Hillary Lane	4.54%
VI	7	857 Hillary Lane	4.54%
VI	15	825 Hillary Lane	4.54%
VI	65	854 Hillary Lane	4.54%
VII	10	845 Hillary Lane	4.54%
VIII	73	830 Hillary Lane	4.54%
IX	12	837 Hillary Lane	4.54%
X	14	829 Hillary Lane	4.54%
X	64	850 Hillary Lane	4.54%
X	74	818 Hillary Lane	4.54%
XI	6	861 Hillary Lane	4.54%
XII	13	833 Hillary Lane	4.54%
XII	66	860 Hillary Lane	4.54%
XII	71	880 Hillary Lane	4.54%
XII	72	836 Hillary Lane	4.54%
			Total 100%



PATTY  
SONNIE M. HOWE  
PORTAGE CO. RECORDER

201508965 3162

RECEIVED FOR RECORD  
AT 15:22:38  
FEE 108.00

NO TRANSFER  
REQUIRED  
JUN 16 2015  
JANET ESPOSITO, *pel*  
AUDITOR

INDEXED

AMENDMENT NO. 11 17  
TO THE DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM

PHASE XI ✓  
ADDING UNIT NO. 6

This will certify that copies of this AMENDMENT NO. 11 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "AMENDMENT NO. 11"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

Dated: JUN 16 2015, 2015

PORTAGE COUNTY AUDITOR

By: *Janet Esposito, el*  
Deputy Auditor

This instrument prepared by:

Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333

**AMENDMENT NO. 11 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, , an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE XI of the Condominium which contains one (1) Unit.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE XI property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.

2. The legal description of the Condominium set forth in Exhibit “A” of the Declaration is amended to include the real property for PHASE XI of the Condominium, the legal

description for PHASE XI being described in Exhibit "1" attached hereto and made a part hereof

3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.

4. The number of Units referred to in the Declaration is increased from seventeen (17) Units to eighteen (18) Units. A narrative description of the Buildings and Units for PHASE XI is set forth in Exhibit "3" attached hereto and made a part hereof

5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.

6. The particulars of the Buildings and Units and other improvements for PHASE XI, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE XI Drawings incorporated in this AMENDMENT NO. 11 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE XI Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 11 to the Declaration.

7. No owner of a Unit which was not included in Phase I, II, III, IV, V, VI, VII, VIII, IX, and X shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE XI prior to the filing of this AMENDMENT NO. 11 (except replacement reserve funds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this AMENDMENT NO. 11.

8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.

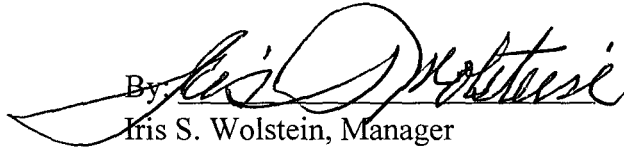


9. Except as amended herein, the Declaration thereto shall remain in full force and effect

10. Consent to this AMENDMENT NO. 11 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 15<sup>th</sup> day of June, 2015.

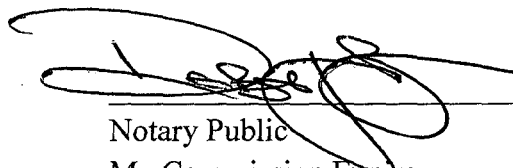
VILLAS OF BERTRAM, LLC,  
an Ohio limited liability company

By:   
Iris S. Wolstein, Manager

STATE OF OHIO                    )  
  )SS.  
COUNTY OF ~~LAKE~~            )  
  Cuyahoga

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 15<sup>th</sup> day of June, 2015.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires \_\_\_\_\_



**EXHIBIT "A"**

**AMENDMENT NO. 11 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 11 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the AMENDMENT NO. 11.

**EXHIBIT "1"**  
**AMENDMENT NO. 11 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE XI WILL BE ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**  
**5425 WARNER ROAD – SUITE 12**  
**VALLEY VIEW, OHIO 44125**  
**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**  
**PH-11-1**  
**THE VILLAS OF BERTRAM PHASE 1 CONDOMINIUM PHASE 11**  
**0.1731 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-11-1 on the Plat of The Villas of Bertram Phase 1, Condominium Phase 11 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hillary Lane, a distance of 396.47 feet to a point;

Thence South  $89^{\circ}31'45''$  West, a distance of 30.00 feet to a point on the westerly R/W of said Hillary Lane and being a point of curvature and the Principal Place of Beginning;

Course I: Thence along the westerly R/W of said Hillary Lane, along a curve to the left with a length 34.35 feet, radius 280.00 feet, delta  $07^{\circ}01'46''$ , tangent 17.20 feet, chord 34.33 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Course II: Thence South  $07^{\circ}30'01''$  East, continuing along the westerly R/W of said Hillary Lane, a distance of 24.50 feet to a point, said point being the northeasterly corner of Ph-6-1 in the Villas of Bertram Phase 1, Condominium Phase 6;

Course III: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-6-1, a distance of 128.96 feet to a point, said point being the northwesterly corner of said Ph-6-1;

Course IV: Thence North  $00^{\circ}28'15''$  West, a distance of 60.00 feet to a point;

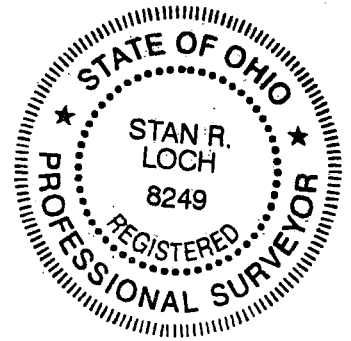
Course V: Thence North 89°31'45" East, a distance of 123.86 feet to a point on the westerly R/W of said Hillary Lane;

Course VI: Thence South 00°28'15" East, along the westerly R/W of said Hillary Lane, a distance of 1.42 feet to the Principal Place of Beginning.

Said parcel containing 0.1731 acres or 7,543 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25 and any other matters of record as surveyed and described in May, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1 West, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-11-1", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Phase 1, Condominium Phase 11.

Job#20132833

Stan R. Loch P.S. # 8249      Date 6-2-15



6-16-2015 207  
TAX MAP DEPT.  
LEGAL DESCRIPTION  
 SUFFICIENT  DEFICIENT  
 NO DIVISION OF LAND

03-015-10-00-001-002 : 34.1445 Ac  
0.1731 UNIT 6  
33.9714 = BAL.

**EXHIBIT "2"**  
**AMENDMENT NO. 11 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**  
**5425 WARNER ROAD – SUITE 12**  
**VALLEY VIEW, OHIO 44125**  
**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**  
**PH 11-R1**  
**THE VILLAS OF BERTRAM PHASE 1 CONDOMINIUM PHASE 11**  
**33.9713 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 1 on the Plat of The Villas of Bertram Phase 1, Condominium Phase 10, and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South 89°30'28" West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South 00°28'15" East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a 5/8" iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hillary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hillary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta 90°01'17", tangent 25.01 feet, chord 35.36 feet, bearing South 45°28'54" East to a point;

- Course III: Thence South  $00^{\circ}28'15''$  East, continuing along the westerly R/W of said Hillary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;
- Course IV: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;
- Course V: Thence South  $00^{\circ}28'15''$  East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwestly corner of said Ph-1;
- Course VI: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hillary Lane, said point being the southeasterly corner of said Ph-1;
- Course VII: Thence South  $00^{\circ}28'15''$  East, along the westerly R/W of said Hillary Lane, a distance of 180.00 feet to a point;
- Course VIII: Thence South  $89^{\circ}31'45''$  West, a distance of 123.86 feet to a point;
- Course IX: Thence South  $00^{\circ}28'15''$  East, along the westerly lines of Ph-6-1 in the Villas of Bertram Phase 1 Condominium Phase 6, Ph-3-1 in the Villas of Bertram Phase 1 Condominium Phase 3, Ph-7-1 in the Villas of Bertram Phase 1 Condominium Phase 7, Ph-4 in the Villas of Bertram Phase 1 Condominium Phase 4, and Ph-9-1 in the Villas of Bertram Phase 1 Condominium Phase 9, a distance of 430.00 feet to a point, said point being the southwestly corner of said Ph-9-1;
- Course X: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-9-1, a distance of 140.00 feet to a point on the westerly R/W of said Hillary Lane, said point being the southeasterly corner of said Ph-9-1;
- Course XI: Thence South  $00^{\circ}28'15''$  East, along the westerly R/W of said Hillary Lane, a distance of 18.32 feet to a point, said point being a point of curvature;
- Course XII: Thence continuing along the westerly R/W of said Hillary Lane, along a curve to the left with a length 36.21 feet, radius 230.00 feet, delta  $09^{\circ}01'15''$ , tangent 18.14 feet, chord 36.18 feet, bearing South  $04^{\circ}58'53''$  East to a point, said point being the northeasterly corner of Ph-10-1 in the Villas of Bertram Phase 1 Condominium Phase 10,;
- Course XIII: Thence South  $80^{\circ}30'30''$  West, along the northerly line of said Ph-10-1, a distance of 144.63 feet to a point, said point being the northwesterly corner of said Ph-10-1;
- Course XIV: Thence South  $17^{\circ}30'08''$  East, along the westerly line of said Ph-10-1, a distance of 84.60 feet to a point, said point being the southwestly corner of said Ph-10-1 and the northwesterly corner of Ph-6-2 in the Villas of Bertram Phase 6;
- Course XV: Thence South  $28^{\circ}59'33''$  East, along the westerly line of said Ph-6-2, a distance of 84.31 feet to a point, said point being the southwestly corner of said Ph-6-2 and southwestly corner of Ph-3-2 in the Villas of Bertram Phase 1, Condominium Phase 3;
- Course XVI: Thence South  $41^{\circ}59'53''$  East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;



- Course XVII: Thence South 55°00'13" East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2 and also being the southwesterly corner of Ph-5 in the Villas of Bertram Phase 1, Condominium Phase 5;
- Course XVIII: Thence South 67°15'11" East, along the southerly line of said Ph-5, distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-5;
- Course XIX: Thence North 15°29'45" East, along the easterly line of said Ph-5, a distance of 143.50 feet to a point, said point being on the southwesterly R/W of said Hillary Lane and a point of curvature and also the northeasterly corner of said Ph-5;
- Course XX: Thence along the southwesterly R/W of said Hillary Lane, along a curve to the left with a length 18.22 feet, radius 230.00 feet, delta 04°32'23", tangent 9.12 feet, chord 18.22 feet, bearing South 76°46'27" East to a point, said point being at the southeasterly terminus of said Hillary Lane;
- Course XXI: Thence North 10°57'22" East, along the easterly terminus of the R/W of said Hillary Lane and the easterly line of Ph-10-2 in the Villas of Bertram Phase 1, Condominium Phase 10, a distance of 189.93 feet to a point, said point being the northeasterly corner of said Ph-10-2;
- Course XXII: Thence North 56°52'23" West, along the northerly line of said Ph-10-2, a distance of 29.98 feet to a point, said point being the southeasterly corner of Ph-8-1 in the Villas of Bertram Phase 1, Condominium Phase 8,
- Course XXIII: Thence North 11°39'32" West, along the easterly line of said Ph-8-1, a distance of 36.33 feet to a point, said point being the northeasterly corner of said Ph-8-1;
- Course XXIV: Thence South 89°31'45" West, along the northerly line of said Ph-8-1, a distance of 130.04 feet to a point, said point being on the easterly R/W of said Hillary Lane and also being the northwesterly corner of said Ph-8-1;
- Course XXV: Thence North 00°28'15" West, along the easterly R/W of said Hillary Lane, a distance of 60.00 feet to a point, said point being on the southerly R/W of Samantha Drive, 60 foot R/W and a point of curvature;
- Course XXVI: Thence along the southerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta 89°59'54", tangent 25.00 feet, chord 35.35 feet, bearing North 44°31'42" East to a point;
- Course XXVII: Thence North 89°31'39" East, continuing along the southerly R/W of said Samantha Drive, a distance of 76.39 feet to a point, said point being a point of curvature;
- Course XXVIII: Thence continuing along the southerly R/W of said Samantha Drive, along a curve to the right with a length 23.44 feet, radius 270.00 feet, delta 04°58'24", tangent 11.73 feet, chord 23.43 feet, bearing South 87°59'09" East to a point, said point being at the southeasterly terminus of said Samantha Drive;
- Course XXIX: Thence North 04°30'03" East, along the easterly terminus of the R/W of said Samantha Drive, a distance of 60.00 feet to a point, said point being at the northeasterly terminus of the easterly R/W of said Samantha Drive and a point of curvature;

- Course XXX: Thence along the northerly R/W of said Samantha Drive, along a curve to the left with a length 28.64 feet, radius 330.00 feet, delta  $04^{\circ}58'24''$ , tangent 14.33 feet, chord 28.64 feet, bearing North  $87^{\circ}59'09''$  West to a point;
- Course XXXI: Thence South  $89^{\circ}31'39''$  West, continuing along the northerly R/W of said Samantha Drive, a distance of 76.39 feet to a point, said point being a point of curvature;
- Course XXXII: Thence continuing along the northerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta  $90^{\circ}00'06''$ , tangent 25.00 feet, chord 35.36 feet, bearing North  $45^{\circ}28'18''$  West to a point, said point being on the easterly R/W of said Hillary Lane;
- Course XXXIII: Thence North  $00^{\circ}28'15''$  West, along the easterly R/W of said Hillary Lane, a distance of 60.00 feet to a point, said point being the southwesterly corner of Ph-10-3 in the Villas of Bertram Phase 1, Condominium Phase 10;
- Course XXXIV: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-10-3, a distance of 130.00 feet to a point, said point being the southeasterly corner of said Ph-10-3;
- Course XXXV: Thence North  $00^{\circ}28'15''$  West, along the easterly line of said Ph-10-3 and the easterly line of Ph-6-3 in the Villas of Bertram Phase 1, Condominium Phase 6, a distance of 120.00 feet to a point, said point being the northeasterly corner of said Ph-6-3;
- Course XXXVI: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-6-3, a distance of 137.45 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-6-3;
- Course XXXVII: Thence North  $07^{\circ}30'01''$  West, along the easterly R/W of said Hillary Lane, a distance of 57.45 feet to a point, said point being a point of curvature;
- Course XXXVIII: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 26.99 feet, radius 220.00 feet, delta  $07^{\circ}01'46''$ , tangent 13.51 feet, chord 26.97 feet, bearing North  $03^{\circ}59'08''$  West to a point;
- Course XXXIX: Thence North  $00^{\circ}28'15''$  West, continuing along the easterly R/W of said Hillary Lane, a distance of 1.42 feet to a point, said point being the southwesterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominium Phase 2;
- Course XL: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-2, a distance of 122.30 feet to a point, said point being the southeasterly corner of said Ph-2;
- Course XLI: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ph-2, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-2;
- Course XLII: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-2, a distance of 122.05 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-2;
- Course XLIII: Thence North  $00^{\circ}28'15''$  West, continuing along the easterly R/W of said Hillary Lane, a distance of 280.07 feet to a point, said point being a point of curvature;

- Course XLIV: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta  $89^{\circ}58'43''$ , tangent 24.99 feet, chord 35.35 feet, bearing North  $44^{\circ}31'06''$  East to a point, said point being on the southerly R/W of said Treat Road;
- Course XLV: Thence North  $89^{\circ}30'28''$  East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a  $5/8''$  iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course XLVI: Thence South  $00^{\circ}42'49''$  East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a  $5/8''$  iron pin found capped "Weiss & Assoc.", said point being the southwesterly corner of said Ohio Edison Company;
- Course XLVII: Thence North  $89^{\circ}30'28''$  East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a  $5/8''$  iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;
- Course XLVIII: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ohio Edison Company, passing through a  $5/8''$  iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;
- Course XLIX: Thence North  $89^{\circ}30'28''$  East, along the centerline of said Treat Road, passing through a  $1-1/4''$  axle found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;
- Course L: Thence South  $00^{\circ}42'49''$  East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;
- Course LI: Thence South  $89^{\circ}32'00''$  West, along the northerly line of said Berry and the northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a  $5/8''$  iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a  $3/4''$  iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;
- Course LII: Thence North  $47^{\circ}50'36''$  West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a  $3/4''$  iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwesterly corner of lands conveyed to Michael & Cheryl Habbyshaw, as recorded in Document No. 201105000 of the Portage County Deed Records;
- Course LIII: Thence North  $89^{\circ}30'22''$  East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a  $5/8''$  iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;

Course LIV: Thence North 00°28'15" West, along the easterly line of said Habbyshaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

Said parcel contains 33.9713 acres or 1,479,792 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19, 2015-25 and any other matters of record as surveyed and described in May, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1 West, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe the portion of the land conveyed to Villas of Bertram LLC. by File # 201401775 of the Portage County Records, which is designated as Ph-11-R1 Phase 11 Residual No. 1 on the Plat of Villas of Bertram Phase 1, Condominium Phase 11.

Job#20132833

  
Stan R. Loch P.S. # 8249 Date



6.16.2015 787

TAX MAP DEPT.

LEGAL DESCRIPTION

SUFFICIENT  DEFICIENT

NO DIVISION OF LAND

RETRACEMENT OF BALANCE

03-015-10-00-001-002:

33.9714 Ac

= 33.9713 Ac

BY SURVEY

**EXHIBIT "3"**  
**AMENDMENT NO. 11 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE XI contains one (1) detached single-family residential Building known as Units 6 situated on Hillary Lane, which includes a basement and attached two car garage, and which is constructed primarily of wood, vinyl siding, asphalt shingle roof, brick, concrete block, glass and drywall. The location of Units 6 is shown on the Drawings.

Unit 6 is a "Rome" type Unit. The Rome type Unit is a two-story Unit containing approximately 3,060 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, dining room, dinette area, kitchen, ½ bath, and an attached two-car garage. The second floor of consists of four (4) bedrooms and two (2) full baths, and a laundry room. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

**EXHIBIT "4"**  
**AMENDMENT NO. 11 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	5.55%
II	67	864 Hillary Lane	5.55%
III	8	853 Hillary Lane	5.55%
III	9	849 Hillary Lane	5.55%
III	16	821 Hillary Lane	5.55%
III	17	817 Hillary Lane	5.55%
IV	11	841 Hillary Lane	5.55%
V	18	813 Hillary Lane	5.55%
VI	7	857 Hillary Lane	5.55%
VI	15	825 Hillary Lane	5.55%
VI	65	854 Hillary Lane	5.55%
VII	10	845 Hillary Lane	5.55%
VIII	73	830 Hillary Lane	5.55%
IX	12	837 Hillary Lane	5.55%
X	14	829 Hillary Lane	5.55%
X	64	850 Hillary Lane	5.55%
X	74	818 Hillary Lane	5.55%
XI	6	861 Hillary Lane	5.55%
			Total 100%



Patty  
BOHLEN F. THWE  
PORTAGE CO. RECORDER

201507331 2015

RECEIVED FOR RECORD  
AT 14 11 33  
FEE 180.00

**INDEXED**

AMENDMENT NO. 10  
TO THE DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM

PHASE X  
ADDING UNIT NOS. 14, 64, AND 74

This will certify that copies of this AMENDMENT NO. 10 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "AMENDMENT NO. 10"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

Dated: MAY 20 2015, 2015

PORTAGE COUNTY AUDITOR

By:

*Xanet Esposito, d*

Deputy Auditor

This instrument prepared by:

Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333



**AMENDMENT NO. 10 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, , an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE X of the Condominium which contains three (3) Units.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE X property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.

2. The legal description of the Condominium set forth in Exhibit “A” of the Declaration is amended to include the real property for PHASE X of the Condominium, the legal

description for PHASE X being described in Exhibit "1" attached hereto and made a part hereof

3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.

4. The number of Units referred to in the Declaration is increased from fourteen (14) Units to seventeen (17) Units. A narrative description of the Buildings and Units for PHASE X is set forth in Exhibit "3" attached hereto and made a part hereof

5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.

6. The particulars of the Buildings and Units and other improvements for PHASE X, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE X Drawings incorporated in this AMENDMENT NO. 10 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE X Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 10 to the Declaration.

7. No owner of a Unit which was not included in Phase I, II, III, IV, V, VI, VII, VIII, and IX shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE X prior to the filing of this AMENDMENT NO. 10 (except replacement reserve funds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this AMENDMENT NO. 10.

8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.

9. Except as amended herein, the Declaration thereto shall remain in full force and effect
10. Consent to this AMENDMENT NO. 10 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 14<sup>th</sup> day of MAY, 2015.

✓

VILLAS OF BERTRAM, LLC,  
an Ohio limited liability company

By: *Iris S. Wolstein*  
Iris S. Wolstein, Manager

STATE OF OHIO                    )  
  )SS.  
COUNTY OF ~~LAKE~~            )  
  Cuyahoga

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 14<sup>th</sup> day of May, 2015.

*Robert J. Benjamin*  
Notary Public  
My Commission Expires 9-1-2019



**EXHIBIT "A"**

**AMENDMENT NO. 10 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 10 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the AMENDMENT NO. 10.

**EXHIBIT "1"**  
**AMENDMENT NO. 10 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE X WILL BE ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**  
**5425 WARNER ROAD – SUITE 12**  
**VALLEY VIEW, OHIO 44125**  
**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**  
**PH-10-1**  
**THE VILLAS OF BERTRAM PHASE 1 CONDOMINIUM PHASE 10**  
**0.2224 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-10-1 on the Plat of The Villas of Bertram Phase 1, Condominium Phase 10 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hillary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 07°30'01" East, along the centerline of said Hillary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 00°28'15" East, along the centerline of said Hillary Lane, a distance of 285.32 feet to a point;

PN 03015.10.00.001.002 : 34.788 Ac  
UNIT 14 — 0.2224

TAX MAP DEPT.

LEGAL DESCRIPTION

SUFFICIENT  DEFICIENT

NO DIVISION OF LAND

5.20.2015 *SL*

34.5656

Thence South 89°31'45" West, a distance of 30.00 feet to a point on the westerly R/W of said Hillary Lane;

Thence along the westerly R/W of said Hillary Lane, along a curve to the left with a length 36.21 feet, radius 230.00 feet, delta 09°01'15", tangent 18.14 feet, chord 36.18 feet, bearing South 04°58'53" East to a point and the Principal Place of Beginning;

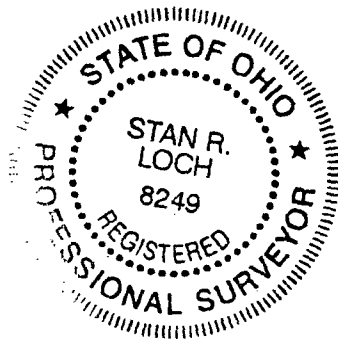
- Course I: Thence continuing along the westerly R/W of said Hillary Lane, along a curve to the left with a length 52.19 feet, radius 230.00 feet, delta 13°00'02", tangent 26.21 feet, chord 52.08 feet, bearing South 15°59'31" East to a point, said point being the northeasterly corner of Ph-6-2 in the Villas of Bertram Phase 1, Condominium Phase 6,
- Course II: Thence South 67°30'28" West, along the northerly line of said Ph-6-2, a distance of 142.39 feet to a point, said point being the northwesterly corner of said Ph-6-2;
- Course III: Thence North 17°30'08" West, a distance of 84.60 feet to a point;
- Course IV: Thence North 80°30'30" East, a distance of 144.63 feet to the Principal Place of Beginning.

Said parcel containing 0.2224 acres or 9,690 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19 and any other matters of record as surveyed and described in April, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1 West, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-10-1", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Phase 1, Condominium Phase 10.

Job#20132833

*SL*  
Stan R. Loch P.S. # 8249

*4-30-15*  
Date





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-10-2**

**THE VILLAS OF BERTRAM PHASE 1 CONDOMINIUM PHASE 10**

**0.2419 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-10-2 on the Plat of The Villas of Bertram Phase 1, Condominium Phase 10 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hillary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hillary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hillary Lane, a distance of 285.32 feet to a point;



PN 03-015-10-00-001-002: 07.5656 Ac  
UNIT 74 - 0.2419

TAX MAP DEPT.  
LEGAL DESCRIPTION 34.3237

SUFFICIENT TO DEFINE  
NO DIVISION OF LAND

5.20.2015 *SL*

Thence continuing along the centerline of said Hillary Lane, along a curve to the left with a length 120.70 feet, radius 200.00 feet, delta 34°34'39", tangent 62.25 feet, chord 118.87 feet, bearing South 17°45'34" East to a point;

Thence North 54°57'06" East, a distance of 30.00 feet to a point on the northerly R/W of said Hillary Lane, said point being the southwesterly corner of Ph-8-1 in the Villas of Bertram Phase 1, Condominium Phase 8, and the Principal Place of Beginning;

Course I: Thence North 54°57'06" East, along the southerly line of said Ph-8-1, a distance of 130.03 feet to a point, said point being the southeasterly corner of said Ph-8-1;

Course II: Thence South 56°52'23" East, a distance of 29.98 feet to a point;

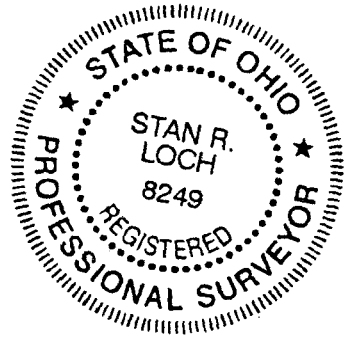
Course III: Thence South 10°57'22" West, a distance of 129.93 feet to a point, said point being at the northeasterly terminus of northerly R/W of said Hillary Lane and a point of curvature;

Course IV: Thence along the northerly R/W of said Hillary Lane, along a curve to the right with a length 130.54 feet, radius 170.00 feet, delta 43°59'44", tangent 68.68 feet, chord 127.35 feet, bearing North 57°02'46" West to the Principal Place of Beginning.

Said parcel containing 0.2419 acres or 10,539 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19 and any other matters of record as surveyed and described in April, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1 West, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-10-2", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Phase 1, Condominium Phase 10.

*SL* 4-30-15  
Stan R. Loch P.S. # 8249 Date

Job#20132833



PN 03.015-10-00-001.002 : 34.3237  
UNIT 64 - 0.1791

34.1446

TAX MAP DEPT.  
LEGAL DESCRIPTION  
 SUFFICIENT  DEFICIENT  
 NO DIVISION OF LAND  
5-20-2015 *SLJ*

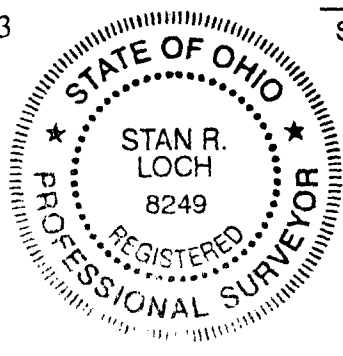
Thence North 89°31'45" East, a distance of 30.00 feet to a point on the easterly R/W of said Hillary Lane, and the Principal Place of Beginning;

- Course I: Thence North 00°28'15" West, along the easterly R/W of said Hillary Lane, a distance of 42.35 feet to a point, said point being a point of curvature;
- Course II: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the left with a length 17.66 feet, radius 280.00 feet, delta 03°36'51", tangent 8.83 feet, chord 17.66 feet, bearing North 02°16'32" West to a point, said point being the southwesterly corner of Ph-6-3 in the Villas of Bertram Phase 1, Condominium Phase 6;
- Course III: Thence North 89°31'45" East, along the southerly line of said Ph-6-3, a distance of 130.56 feet to a point, said point being the southeasterly corner of said Ph-6-3,
- Course IV: Thence South 00°28'15" East, a distance of 60.00 feet to a point;
- Course V: Thence South 89°31'45" West, a distance of 130.00 feet to the Principal Place of Beginning.

Said parcel containing 0.1791 acres or 7,803 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19 and any other matters of record as surveyed and described in April, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1 West, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-10-3", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Phase 1, Condominium Phase 10.

Job#20132833

*SL* 4-30-15  
Stan R. Loch P.S. # 8249 Date





**ENGINEERING & SURVEYING CO., INC.**  
**5425 WARNER ROAD – SUITE 12**  
**VALLEY VIEW, OHIO 44125**  
**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**  
**PH-10-3**  
**THE VILLAS OF BERTRAM PHASE 1 CONDOMINIUM PHASE 10**  
**0.1791 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-10-3 on the Plat of The Villas of Bertram Phase 1, Condominium Phase 10 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hillary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hillary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hillary Lane, a distance of 42.36 feet to a point;

**EXHIBIT "2"**  
**AMENDMENT NO. 10 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**  
5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259

**LEGAL DESCRIPTION**  
**PH 10-R1**  
**THE VILLAS OF BERTRAM PHASE 1 CONDOMINIUM PHASE 10**  
**34.1445 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 1 on the Plat of The Villas of Bertram Phase 1, Condominium Phase 10, and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South 89°30'28" West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South 00°28'15" East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a 5/8" iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hillary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hillary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta 90°01'17", tangent 25.01 feet, chord 35.36 feet, bearing South 45°28'54" East to a point;

- Course III: Thence South  $00^{\circ}28'15''$  East, continuing along the westerly R/W of said Hillary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;
- Course IV: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;
- Course V: Thence South  $00^{\circ}28'15''$  East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwesterly corner of said Ph-1;
- Course VI: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hillary Lane, said point being the southeasterly corner of said Ph-1;
- Course VII: Thence South  $00^{\circ}28'15''$  East, along the westerly R/W of said Hillary Lane, a distance of 181.42 feet to a point, said point being a point of curvature;
- Course VIII: Thence continuing along the westerly R/W of said Hillary Lane, along a curve to the left with a length 34.35 feet, radius 280.00 feet, delta  $07^{\circ}01'46''$ , tangent 17.20 feet, chord 34.33 feet, bearing South  $03^{\circ}59'08''$  East to a point;
- Course IX: Thence South  $07^{\circ}30'01''$  East, continuing along the westerly R/W of said Hillary Lane, a distance of 24.50 feet to a point, said point being the northeasterly corner of Ph-6-1 in the Villas of Bertram Phase 1, Condominium Phase 6;
- Course X: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-6-1, a distance of 128.96 feet to a point, said point being the northwesterly corner of said Ph-6-1;
- Course XI: Thence South  $00^{\circ}28'15''$  East, along the westerly line of said Ph-6-1 and the westerly lines of Ph-3-1 in the Villas of Bertram Phase 1 Condominium Phase 3, Ph-7-1 in the Villas of Bertram Phase 1 Condominium Phase 7, Ph-4 in the Villas of Bertram Phase 1 Condominium Phase 4, a distance of 370.00 feet to a point;
- Course XII: Thence North  $89^{\circ}31'45''$  East, a distance of 140.00 feet to a point on the westerly R/W of said Hillary Lane;
- Course XIII: Thence South  $00^{\circ}28'15''$  East, along the westerly R/W of said Hillary Lane, a distance of 18.32 feet to a point, said point being a point of curvature;
- Course XIV: Thence continuing along the westerly R/W of said Hillary Lane, along a curve to the left with a length 36.21 feet, radius 230.00 feet, delta  $09^{\circ}01'15''$ , tangent 18.14 feet, chord 36.18 feet, bearing South  $04^{\circ}58'53''$  East to a point,
- Course XV: Thence South  $80^{\circ}30'30''$  West, a distance of 144.63 feet to a point;
- Course XVI: Thence South  $17^{\circ}30'08''$  East, a distance of 84.60 feet to a point, said point being the northwesterly corner of Ph-6-2 in the Villas of Bertram Phase 6;
- Course XVII: Thence South  $28^{\circ}59'33''$  East, along the westerly line of said Ph-6-2, a distance of 84.31 feet to a point, said point being the southwesterly corner of said Ph-6-2 and southwesterly corner of Ph-3-2 in the Villas of Bertram Phase 1, Condominium Phase 3;
- Course XVIII: Thence South  $41^{\circ}59'53''$  East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;

- Course XIX: Thence South 55°00'13" East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2 and also being the southwesterly corner of Ph-5 in the Villas of Bertram Phase 1, Condominium Phase 5;
- Course XX: Thence South 67°15'11" East, along the southerly line of said Ph-5, distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-5;
- Course XXI: Thence North 15°29'45" East, along the easterly line of said Ph-5, a distance of 143.50 feet to a point, said point being on the southwesterly R/W of said Hillary Lane and a point of curvature and also the northeasterly corner of said Ph-5;
- Course XXII: Thence along the southwesterly R/W of said Hillary Lane, along a curve to the left with a length 18.22 feet, radius 230.00 feet, delta 04°32'23", tangent 9.12 feet, chord 18.22 feet, bearing South 76°46'27" East to a point, said point being at the southeasterly terminus of said Hillary Lane;
- Course XXIII: Thence North 10°57'22" East, along the easterly terminus of the R/W of said Hillary Lane, a distance of 189.93 feet to a point;
- Course XXIV: Thence North 56°52'23" West, a distance of 29.98 feet to a point, said point being the southeasterly corner of Ph-8-1 in the Villas of Bertram Phase 1, Condominium Phase 8,
- Course XXV: Thence North 11°39'32" West, along the easterly line of said Ph-8-1, a distance of 36.33 feet to a point, said point being the northeasterly corner of said Ph-8-1;
- Course XXVI: Thence South 89°31'45" West, along the northerly line of said Ph-8-1, a distance of 130.04 feet to a point, said point being on the easterly R/W of said Hillary Lane and also being the northwesterly corner of said Ph-8-1;
- Course XXVII: Thence North 00°28'15" West, along the easterly R/W of said Hillary Lane, a distance of 60.00 feet to a point, said point being on the southerly R/W of Samantha Drive, 60 foot R/W and a point of curvature;
- Course XXVIII: Thence along the southerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta 89°59'54", tangent 25.00 feet, chord 35.35 feet, bearing North 44°31'42" East to a point;
- Course XXIX: Thence North 89°31'39" East, continuing along the southerly R/W of said Samantha Drive, a distance of 76.39 feet to a point, said point being a point of curvature;
- Course XXX: Thence continuing along the southerly R/W of said Samantha Drive, along a curve to the right with a length 23.44 feet, radius 270.00 feet, delta 04°58'24", tangent 11.73 feet, chord 23.43 feet, bearing South 87°59'09" East to a point, said point being at the southeasterly terminus of said Samantha Drive;
- Course XXXI: Thence North 04°30'03" East, along the easterly terminus of the R/W of said Samantha Drive, a distance of 60.00 feet to a point, said point being at the northeasterly terminus of the easterly R/W of said Samantha Drive and a point of curvature;
- Course XXXII: Thence along the northerly R/W of said Samantha Drive, along a curve to the left with a length 28.64 feet, radius 330.00 feet, delta 04°58'24", tangent 14.33 feet, chord 28.64 feet, bearing North 87°59'09" West to a point;

- Course XXXIII: Thence South  $89^{\circ}31'39''$  West, continuing along the northerly R/W of said Samantha Drive, a distance of 76.39 feet to a point, said point being a point of curvature;
- Course XXXIV: Thence continuing along the northerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta  $90^{\circ}00'06''$ , tangent 25.00 feet, chord 35.36 feet, bearing North  $45^{\circ}28'18''$  West to a point, said point being on the easterly R/W of said Hillary Lane;
- Course XXXV: Thence North  $00^{\circ}28'15''$  West, along the easterly R/W of said Hillary Lane, a distance of 60.00 feet to a point, said point being a point of curvature;
- Course XXXVI: Thence North  $89^{\circ}31'45''$  East, a distance of 130.00 feet to a point;
- Course XXXVII: Thence North  $00^{\circ}28'15''$  West, a distance of 120.00 feet to a point, said point being the northeasterly corner of Ph-6-3 in the Villas of Bertram Phase 1, Condominiums Phase 6;
- Course XXXVIII: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-6-3, a distance of 137.45 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-6-3;
- Course XXXIX: Thence North  $07^{\circ}30'01''$  West, along the easterly R/W of said Hillary Lane, a distance of 57.45 feet to a point, said point being a point of curvature;
- Course XL: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 26.99 feet, radius 220.00 feet, delta  $07^{\circ}01'46''$ , tangent 13.51 feet, chord 26.97 feet, bearing North  $03^{\circ}59'08''$  West to a point;
- Course XLI: Thence North  $00^{\circ}28'15''$  West, continuing along the easterly R/W of said Hillary Lane, a distance of 1.42 feet to a point, said point being the southwesterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominium Phase 2;
- Course XLII: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-2, a distance of 122.30 feet to a point, said point being the southeasterly corner of said Ph-2;
- Course XLIII: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ph-2, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-2;
- Course XLIV: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-2, a distance of 122.05 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-2;
- Course XLV: Thence North  $00^{\circ}28'15''$  West, continuing along the easterly R/W of said Hillary Lane, a distance of 280.07 feet to a point, said point being a point of curvature;
- Course XLVI: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta  $89^{\circ}58'43''$ , tangent 24.99 feet, chord 35.35 feet, bearing North  $44^{\circ}31'06''$  East to a point, said point being on the southerly R/W of said Treat Road;



- Course XLVII: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a 5/8" iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course XLIII: Thence South 00°42'49" East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southwesterly corner of said Ohio Edison Company;
- Course LIX: Thence North 89°30'28" East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;
- Course L: Thence North 00°42'49" West, along the easterly line of said Ohio Edison Company, passing through a 5/8" iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;
- Course LI: Thence North 89°30'28" East, along the centerline of said Treat Road, passing through a 1-1/4" axle found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;
- Course LII: Thence South 00°42'49" East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;
- Course LIII: Thence South 89°32'00" West, along the northerly line of said Berry and the northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a 5/8" iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a 3/4" iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;
- Course LIV: Thence North 47°50'36" West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a 3/4" iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwesterly corner of lands conveyed to Michael & Cheryl Habbyshaw, as recorded in Document No. 201105000 of the Portage County Deed Records;
- Course LV: Thence North 89°30'22" East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;
- Course LVI: Thence North 00°28'15" West, along the easterly line of said Habbyshaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

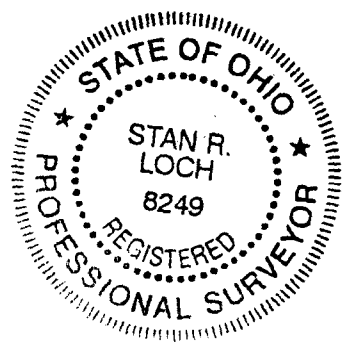
TAX MAP DEPT.  
LEGAL DESCRIPTION  
 SUFFICIENT  DEFICIENT  
 NO DIVISION OF LAND  
RETRACEMENT

P.N. 03.015.10.00.001.002 : 34.1446  
= 34.1445 Ac  
BY SURVEY

Said parcel contains 34.1445 acres or 1,487,336 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14, 2015-18, 2015-19 and any other matters of record as surveyed and described in April, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1 West, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe the portion of the land conveyed to Villas of Bertram LLC. by File # 201401775 of the Portage County Records, which is designated as Ph-10-R1 Phase 10 Residual No. 1 on the Plat of Villas of Bertram Phase 1, Condominium Phase 10.

Job#20132833

Stan R. Loch 4-30-15  
Stan R. Loch P.S. # 8249 Date



**EXHIBIT "4"**  
**AMENDMENT NO. 10 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	5.88%
II	67	864 Hillary Lane	5.88%
III	8	853 Hillary Lane	5.88%
III	9	849 Hillary Lane	5.88%
III	16	821 Hillary Lane	5.88%
III	17	817 Hillary Lane	5.88%
IV	11	841 Hillary Lane	5.88%
V	18	813 Hillary Lane	5.88%
VI	7	857 Hillary Lane	5.88%
VI	15	825 Hillary Lane	5.88%
VI	65	854 Hillary Lane	5.88%
VII	10	845 Hillary Lane	5.88%
VIII	73	830 Hillary Lane	5.88%
IX	12	837 Hillary Lane	5.88%
X	14	829 Hillary Lane	5.88%
X	64	850 Hillary Lane	5.88%
X	74	818 Hillary Lane	5.88%
			Total 100%

**EXHIBIT "3"**  
**AMENDMENT NO. 10 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE X contains three (3) detached single-family residential Buildings known as Units 14, 64, and 74 situated on Hillary Lane, which include basements and attached two car garages, and which are constructed primarily of wood, vinyl siding, asphalt shingle roofs, brick, concrete block, glass and drywall. The location of Units 14, 64, and 74 are shown on the Drawings.

Unit 14 is a "Chantilly Place" type Unit. The Chantilly Place type Unit is a two-story Unit containing approximately 2300 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, dining room or study, dinette area, great room, kitchen, laundry room, ½ bath, and an attached two-car garage. The second floor of consists of three (3) bedrooms and two (2) full baths. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 64 is a "Venice" type Unit. The Venice type Unit is a two-story Unit containing approximately 2,344 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, great room or study, dining room, kitchen, morning room, laundry room, ½ bath and an attached two-car garage. The second floor of consists of four (4) bedrooms and two (2) full baths, and walk-in closet. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 74 is a "Rome" type Unit. The Rome type Unit is a two-story Unit containing approximately 3,060 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, dining room, dinette area, kitchen, ½ bath, and an attached two-car garage. The second floor of consists of four (4) bedrooms and two (2) full baths, and a laundry room. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.



*Patty*

BOHNNIE M. HOWE  
PORTAGE CO. RECORDER

201504562 2-1 12

RECEIVED FOR RECORD  
AT 12:59:10  
FEE 168.00

INDEXED

**AMENDMENT NO. 9**  
**TO THE DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

**PHASE IX** ✓  
**ADDING UNIT NO. 12**

This will certify that copies of this AMENDMENT NO. 9 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "AMENDMENT NO. 9"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

Dated: APR - 1 2015, 2015

PORTAGE COUNTY AUDITOR

By: *Janet Esposito, e*  
Deputy Auditor

**NO TRANSFER  
REQUIRED**  
**JANET ESPOSITO  
AUDITOR**

This instrument prepared by:

Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333

*Plat 2015-19*

**AMENDMENT NO. 9 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, , an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE IX of the Condominium which contains one (1) Unit.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE IX property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.

2. The legal description of the Condominium set forth in Exhibit “A” of the Declaration is amended to include the real property for PHASE IX of the Condominium, the legal

description for PHASE IX being described in Exhibit "1" attached hereto and made a part hereof

3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.

4. The number of Units referred to in the Declaration is increased from thirteen (13) Units to fourteen (14) Units. A narrative description of the Buildings and Units for PHASE IX is set forth in Exhibit "3" attached hereto and made a part hereof

5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.

6. The particulars of the Buildings and Units and other improvements for PHASE IX, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE IX Drawings incorporated in this AMENDMENT NO. 9 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE IX Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 9 to the Declaration.

7. No owner of a Unit which was not included in Phase I, II, III, IV, V, VI, VII, and VIII shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE IX prior to the filing of this AMENDMENT NO. 9 (except replacement reserve funds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this AMENDMENT NO. 9.

8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.



9. Except as amended herein, the Declaration thereto shall remain in full force and effect

10. Consent to this AMENDMENT NO. 9 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 30<sup>th</sup> day of March, 2015.

VILLAS OF BERTRAM, LLC, ✓  
an Ohio limited liability company

By: Iris S. Wolstein  
Iris S. Wolstein, Manager

STATE OF OHIO            )  
  )SS.  
COUNTY OF LAKE        )

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 30<sup>th</sup> day of March, 2015.

Molly Belden  
Notary Public  
My Commission Expires 1/15/2020



**MOLLY BELDEN**  
**NOTARY PUBLIC**  
**STATE OF OHIO**  
Recorded in  
Gauga County  
My Comm. Exp. 1/15/2020

**EXHIBIT "A"**

**AMENDMENT NO. 9 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 9 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the AMENDMENT NO. 9.

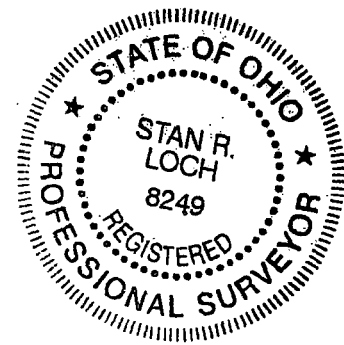
**EXHIBIT "1"**  
**AMENDMENT NO. 9 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE IX WILL BE ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259



**LEGAL DESCRIPTION  
PH-9-1**

**THE VILLAS OF BERTRAM PHASE 1 CONDOMINIUM PHASE 9  
0.1928 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Ph-9-1 on the Plat of The Villas of Bertram Phase 1, Condominium Phase 9 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hillary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hillary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hillary Lane, a distance of 206.99 feet to a point;

Thence South 89°31'45" West, a distance of 30.00 feet to a point on the westerly R/W of said Hillary Lane, said point being the southeasterly corner of Ph-4 in Villas of Bertram Phase 1, Condominiums Phase 4 and the Principal Place of Beginning;

Course I: Thence South 00°28'15" East, along the westerly R/W of said Hillary Lane, a distance of 60.00 feet to a point;


Course II: Thence South 89°31'45" West, a distance of 140.00 feet to a point;

Course III: Thence North 00°28'15" West, a distance of 60.00 feet to a point, said point being the southwesterly corner of said Ph-4;

Course IV: Thence North 89°31'45" East, along the southerly line of said Ph-4, a distance of 140.00 feet to the Principal Place of Beginning.

Said parcel containing 0.1928 acres or 8,400 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14 and any other matters of record as surveyed and described in March, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1 West, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-9-1", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Phase 1, Condominium Phase 9.

Job#20132833

 3.15.15  
Stan R. Loch P.S. # 8249 Date

3.31.2015 ~~2015~~  
**TAX MAP DEPT.**  
**LEGAL DESCRIPTION**  
 SUFFICIENT  DEFICIENT  
 NO DIVISION OF LAND

UNIT  
12

P.N. 03-015-10-00-001-002

34.9809 Ac

- 0.1928

34.7881 = BAL

(AUD)

**EXHIBIT "2"**  
**AMENDMENT NO. 9 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

5425 WARNER ROAD – SUITE 12

VALLEY VIEW, OHIO 44125

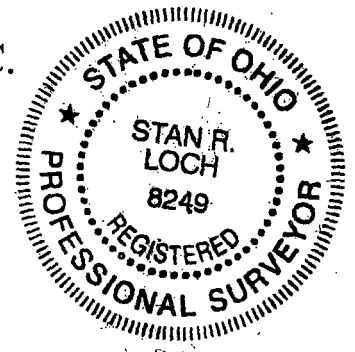
PH: 440-602-9071 FAX: 216-369-0259

**LEGAL DESCRIPTION**

PH 9-R1

**THE VILLAS OF BERTRAM PHASE 1 CONDOMINIUM PHASE 9**

**34.7880 TOTAL ACRES**



Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 1 on the Plat of The Villas of Bertram Phase 1, Condominium Phase 9, and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South  $89^{\circ}30'28''$  West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South  $00^{\circ}28'15''$  East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a  $5/8''$  iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North  $89^{\circ}30'28''$  East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hillary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hillary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta  $90^{\circ}01'17''$ , tangent 25.01 feet, chord 35.36 feet, bearing South  $45^{\circ}28'54''$  East to a point;

- Course III: Thence South  $00^{\circ}28'15''$  East, continuing along the westerly R/W of said Hillary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;
- Course IV: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;
- Course V: Thence South  $00^{\circ}28'15''$  East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwesterly corner of said Ph-1;
- Course VI: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hillary Lane, said point being the southeasterly corner of said Ph-1;
- Course VII: Thence South  $00^{\circ}28'15''$  East, along the westerly R/W of said Hillary Lane, a distance of 181.42 feet to a point, said point being a point of curvature;
- Course VIII: Thence continuing along the westerly R/W of said Hillary Lane, along a curve to the left with a length 34.35 feet, radius 280.00 feet, delta  $07^{\circ}01'46''$ , tangent 17.20 feet, chord 34.33 feet, bearing South  $03^{\circ}59'08''$  East to a point;
- Course IX: Thence South  $07^{\circ}30'01''$  East, continuing along the westerly R/W of said Hillary Lane, a distance of 24.50 feet to a point, said point being the northeasterly corner of Ph-6-1 in the Villas of Bertram Phase 1 Condominium Phase 6;
- Course X: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-6-1, a distance of 128.96 feet to a point, said point being the northwesterly corner of said Ph-6-1;
- Course XI: Thence South  $00^{\circ}28'15''$  East, along the westerly line of said Ph-6-1 and the westerly lines of Ph-3-1 in the Villas of Bertram Phase 1 Condominium Phase 3, Ph-7-1 in the Villas of Bertram Phase 1 Condominium Phase 7, Ph-4 in the Villas of Bertram Phase 1 Condominium Phase 4, a distance of 370.00 feet to a point;
- Course XII: Thence North  $89^{\circ}31'45''$  East, a distance of 140.00 feet to a point on the westerly R/W of said Hillary Lane;
- Course XIII: Thence South  $00^{\circ}28'15''$  East, along the westerly R/W of said Hillary Lane, a distance of 18.32 feet to a point, said point being a point of curvature;
- Course XIV: Thence continuing along the westerly R/W of said Hillary Lane, along a curve to the left with a length 88.40 feet, radius 230.00 feet, delta  $22^{\circ}01'17''$ , tangent 44.75 feet, chord 87.86 feet, bearing South  $11^{\circ}28'54''$  East to a point, said point being the northeasterly corner of Ph-6-2 in the Villas of Bertram Phase 1 Condominium Phase 6;
- Course XV: Thence South  $67^{\circ}30'28''$  West, along the northerly line of said Ph-6-2, a distance of 142.39 feet to a point, said point being the northwesterly line of said Ph-6-2;
- Course XVI: Thence South  $28^{\circ}59'33''$  East, along the southerly line of said Ph-6-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-6-2 and southwesterly corner of Ph-3-2 in the Villas of Bertram Phase 1, Condominium Phase 3;
- Course XVII: Thence South  $41^{\circ}59'53''$  East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;



- Course XVIII: Thence South 55°00'13" East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2 and also being the southwesterly corner of Ph-5 in the Villas of Bertram Phase 1, Condominium Phase 5;
- Course XIX: Thence South 67°15'11" East, along the southerly line of said Ph-5, distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-5;
- Course XX: Thence North 15°29'45" East, along the easterly line of said Ph-5, a distance of 143.50 feet to a point, said point being on the southwesterly R/W of said Hillary Lane and a point of curvature and also the northeasterly corner of said Ph-5;
- Course XXI: Thence along the southwesterly R/W of said Hillary Lane, along a curve to the left with a length 18.22 feet, radius 230.00 feet, delta 04°32'23", tangent 9.12 feet, chord 18.22 feet, bearing South 76°46'27" East to a point, said point being at the southeasterly terminus of said Hillary Lane;
- Course XXII: Thence North 10°57'22" East, along the easterly terminus of the R/W of said Hillary Lane, a distance of 60.00 feet to a point on the easterly R/W of said Hillary Lane, said point being a point of curvature;
- Course XXIII: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 130.54 feet, radius 170.00 feet, delta 43°59'44", tangent 68.68 feet, chord 127.35 feet, bearing North 57°02'46" West to a point, said point being the southwesterly corner of Ph-8-1 in the Villas of Bertram Phase 1 Condominium Phase 8;
- Course XXIV: Thence North 54°57'06" East, along the southerly line of said Ph-8-1, a distance of 130.03 feet to a point, said point being the southeasterly corner of said Ph-8-1;
- Course XXV: Thence North 11°39'32" West, along the easterly line of said Ph-8-1, a distance of 36.33 feet to a point, said point being the northeasterly corner of said Ph-8-1;
- Course XXVI: Thence South 89°31'45" West, along the northerly line of said Ph-8-1, a distance of 130.04 feet to a point, said point being on the easterly R/W of said Hillary Lane and also being the northwesterly corner of said Ph-8-1;
- Course XXVII: Thence North 00°28'15" West, along the easterly R/W of said Hillary Lane, a distance of 60.00 feet to a point, said point being on the southerly R/W of Samantha Drive, 60 foot R/W and a point of curvature;
- Course XXVIII: Thence along the southerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta 89°59'54", tangent 25.00 feet, chord 35.35 feet, bearing North 44°31'42" East to a point;
- Course XXIX: Thence North 89°31'39" East, continuing along the southerly R/W of said Samantha Drive, a distance of 76.39 feet to a point, said point being a point of curvature;
- Course XXX: Thence continuing along the southerly R/W of said Samantha Drive, along a curve to the right with a length 23.44 feet, radius 270.00 feet, delta 04°58'24", tangent 11.73 feet, chord 23.43 feet, bearing South 87°59'09" East to a point, said point being at the southeasterly terminus of said Samantha Drive;

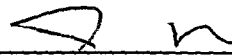
- Course XXXI: Thence North  $04^{\circ}30'03''$  East, along the easterly terminus of the R/W of said Samantha Drive, a distance of 60.00 feet to a point, said point being at the northeasterly terminus of the easterly R/W of said Samantha Drive and a point of curvature;
- Course XXXII: Thence along the northerly R/W of said Samantha Drive, along a curve to the left with a length 28.64 feet, radius 330.00 feet, delta  $04^{\circ}58'24''$ , tangent 14.33 feet, chord 28.64 feet, bearing North  $87^{\circ}59'09''$  West to a point;
- Course XXXIII: Thence South  $89^{\circ}31'39''$  West, continuing along the northerly R/W of said Samantha Drive, a distance of 76.39 feet to a point, said point being a point of curvature;
- Course XXXIV: Thence continuing along the northerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta  $90^{\circ}00'06''$ , tangent 25.00 feet, chord 35.36 feet, bearing North  $45^{\circ}28'18''$  West to a point, said point being on the easterly R/W of said Hillary Lane;
- Course XXXV: Thence North  $00^{\circ}28'15''$  West, along the easterly R/W of said Hillary Lane, a distance of 102.35 feet to a point, said point being a point of curvature;
- Course XXXVI: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the left with a length 17.66 feet, radius 280.00 feet, delta  $03^{\circ}36'51''$ , tangent 8.83 feet, chord 17.66 feet, bearing North  $02^{\circ}16'32''$  West to a point, said point being the southwesterly corner of Ph-6-3 in the Villa of Bertram Phase 1 Condominium Phase 6;
- Course XXXVII: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-6-3, a distance of 130.56 feet to a point, said point being the southeasterly corner of said Ph-6-3;
- Course XXXVIII: Thence North  $00^{\circ}28'15''$  West, along the easterly line of said Ph-6-3, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-6-3;
- Course XXXIX: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-6-3, a distance of 137.45 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-6-3;
- Course XL: Thence North  $07^{\circ}30'01''$  West, along the easterly R/W of said Hillary Lane, a distance of 57.45 feet to a point, said point being a point of curvature;
- Course XLI: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 26.99 feet, radius 220.00 feet, delta  $07^{\circ}01'46''$ , tangent 13.51 feet, chord 26.97 feet, bearing North  $03^{\circ}59'08''$  West to a point;
- Course XLII: Thence North  $00^{\circ}28'15''$  West, continuing along the easterly R/W of said Hillary Lane, a distance of 1.42 feet to a point, said point being the southwesterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominium Phase 2;
- Course XLIII: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-2, a distance of 122.30 feet to a point, said point being the southeasterly corner of said Ph-2;
- Course XLIV: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ph-2, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-2;

- Course XLV: Thence South 89°31'45" West, along the northerly line of said Ph-2, a distance of 122.05 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-2;
- Course XLI: Thence North 00°28'15" West, continuing along the easterly R/W of said Hillary Lane, a distance of 280.07 feet to a point, said point being a point of curvature;
- Course XLVII: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta 89°58'43", tangent 24.99 feet, chord 35.35 feet, bearing North 44°31'06" East to a point, said point being on the southerly R/W of said Treat Road;
- Course XLVIII: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a 5/8" iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course XLIX: Thence South 00°42'49" East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southwest corner of said Ohio Edison Company;
- Course L: Thence North 89°30'28" East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southeast corner of said Ohio Edison Company;
- Course LI: Thence North 00°42'49" West, along the easterly line of said Ohio Edison Company, passing through a 5/8" iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;
- Course LII: Thence North 89°30'28" East, along the centerline of said Treat Road, passing through a 1-1/4" axle found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;
- Course LIII: Thence South 00°42'49" East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;
- Course LIV: Thence South 89°32'00" West, along the northerly line of said Berry and the northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a 5/8" iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a 3/4" iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;

- Course LV: Thence North 47°50'36" West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a 3/4" iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwesterly corner of lands conveyed to Michael & Cheryl Habbyshaw, as recorded in Document No. 201105000 of the Portage County Deed Records;
- Course LVI: Thence North 89°30'22" East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;
- Course LVII: Thence North 00°28'15" West, along the easterly line of said Habbyshaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

Said parcel contains 34.7880 acres or 1,515,369 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9, 2015-14 and any other matters of record as surveyed and described in March, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1 West, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe the portion of the land conveyed to Villas of Bertram LLC. by File # 201401775 of the Portage County Records, which is designated as Ph-9-R1 Phase 9 Residual No. 1 on the Plat of Villas of Bertram Phase 1, Condominium Phase 9.

Job#20132833

 3-19-15  
 Stan R. Loch P.S. # 8249 Date

3-31-2015 *SL*  
**TAX MAP DEPT.**  
**LEGAL DESCRIPTION**  
 SUFFICIENT  DEFICIENT  
 NO DIVISION OF LAND

RETRACEMENT OF BALANCE  
 PN 03-015-10-00-001-002  
 34.7881 AC  
 = 34.7880 AC  
BY SURVEY

**EXHIBIT "3"**  
**AMENDMENT NO. 9 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE IX contains one (1) detached single-family residential Buildings known as Unit 12 situated on Hillary Lane, which includes a basement and an attached two car garage, and which is constructed primarily of wood, vinyl siding, asphalt shingle roofs, brick, concrete block, glass and drywall. The location of Unit 12 is shown on the Drawings.

Unit 12 is a "Chantilly Place" type Unit. The Chantilly Place type Unit is a two-story Unit containing approximately 2300 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, dining room or study, dinette area, great room, kitchen, laundry room, ½ bath, and an attached two-car garage. The second floor of consists of three (3) bedrooms and two (2) full baths. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

**EXHIBIT "4"**  
**AMENDMENT NO. 9 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	7.14%
II	67	864 Hillary Lane	7.14%
III	8	853 Hillary Lane	7.14%
III	9	849 Hillary Lane	7.14%
III	16	821 Hillary Lane	7.14%
III	17	817 Hillary Lane	7.14%
IV	11	841 Hillary Lane	7.14%
V	18	813 Hillary Lane	7.14%
VI	7	857 Hillary Lane	7.14%
VI	15	825 Hillary Lane	7.14%
VI	65	854 Hillary Lane	7.14%
VII	10	845 Hillary Lane	7.14%
VIII	73	830 Hillary Lane	7.14%
IX	12	837 Hillary Lane	7.14%
			Total 100%



*Patty*

BONNIE M. HOWE  
PORTAGE CO. RECORDER

201504560 <sup>AP</sup>-1 <sup>15</sup>

RECEIVED FOR RECORD

AT 12:57:14

FEE 168.00

INDEXED

**AMENDMENT NO. 8**  
**TO THE DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

**PHASE VIII**  
**ADDING UNIT NO. 73**

This will certify that copies of this AMENDMENT NO. 8 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "AMENDMENT NO. 8"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

Dated: APR - 1 2015, 2015

**NO TRANSFER  
REQUIRED**  
**JANET ESPOSITO  
AUDITOR**

PORTAGE COUNTY AUDITOR

By: *Janet Esposito, d*  
Deputy Auditor

This instrument prepared by:

*Plat 2015-18*

Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333



**AMENDMENT NO. 8 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, , an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE VIII of the Condominium which contains one (1) Unit.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE VIII property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.

2. The legal description of the Condominium set forth in Exhibit “A” of the Declaration is amended to include the real property for PHASE VIII of the Condominium, the legal

description for PHASE VIII being described in Exhibit "1" attached hereto and made a part hereof

3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.

4. The number of Units referred to in the Declaration is increased from twelve (12) Units to thirteen (13) Units. A narrative description of the Buildings and Units for PHASE VIII is set forth in Exhibit "3" attached hereto and made a part hereof

5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.

6. The particulars of the Buildings and Units and other improvements for PHASE VIII, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE VIII Drawings incorporated in this AMENDMENT NO. 8 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE VIII Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 8 to the Declaration.

7. No owner of a Unit which was not included in Phase I, II, III, IV, V, VI, and VII shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE VIII prior to the filing of this AMENDMENT NO. 8 (except replacement reserve finds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this AMENDMENT NO. 8.

8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.

9. Except as amended herein, the Declaration thereto shall remain in full force and effect

10. Consent to this AMENDMENT NO. 8 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 30th day of March, 2015.

VILLAS OF BERTRAM, LLC, ✓  
an Ohio limited liability company

By: Iris S. Wolstein  
Iris S. Wolstein, Manager

STATE OF OHIO )  
)SS.  
COUNTY OF ~~LAKE~~ )  
Cuyahoga

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 30th day of March, 2015.

[Signature]  
Notary Public  
My Commission Expires \_\_\_\_\_



**EXHIBIT "A"**

**AMENDMENT NO. 8 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 8 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the AMENDMENT NO. 8.

**EXHIBIT "1"**  
**AMENDMENT NO. 8 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE VIII WILL BE ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**  
**5425 WARNER ROAD – SUITE 12**  
**VALLEY VIEW, OHIO 44125**  
**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**  
**PH-8-1**  
**THE VILLAS OF BERTRAM PHASE 1 CONDOMINIUM PHASE 8**  
**0.2295 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and being part of PP#03-015-10-00-001-002 as shown as Ph-8-1 on the Plat of The Villas of Bertram Phase 1, Condominium Phase 8 further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hillary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 07°30'01" East, along the centerline of said Hillary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 00°28'15" East, along the centerline of said Hillary Lane, a distance of 272.36 feet to a point;

Thence North 89°31'45" East, a distance of 30.00 feet to a point on the easterly R/W of said Hillary Lane and the Principal Place of Beginning;

UNIT 73

P.N. 03-015-10-00-001.002

(AUD)

$$\begin{array}{r}
 35.2104 \text{ AC} \\
 - 0.2295 \text{ AC} \\
 \hline
 = 34.9809 \text{ AC} = \text{BAL}
 \end{array}$$


TAX MAP DEPT.  
LEGAL DESCRIPTION

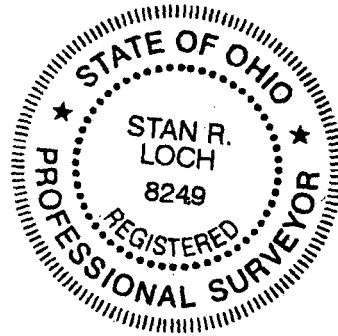
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- Course I: Thence North 89°31'45" East, a distance of 130.04 feet to a point;
- Course II: Thence South 11°39'32" East, a distance of 36.33 feet to a point;
- Course III: Thence South 54°57'06" West, a distance of 130.03 feet to a point on the easterly R/W of said Hillary Lane and being a point of curvature;
- Course IV: Thence along the easterly R/W of said Hillary Lane and a curve to the right with a length 102.59 feet, radius 170.00 feet, tangent 52.91 feet, chord 101.04 feet, bearing North 17°45'34" West, delta 34°34'39" to a point;
- Course V: Thence North 00°28'15" West, continuing along the easterly R/W of said Hillary Lane, a distance of 12.96 feet to the Principal Place of Beginning.

Said parcel containing 0.2295 acres or 9,998 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9 and any other matters of record as surveyed and described in February, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1 West, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe "Ph-8-1", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Phase 1, Condominium Phase 8.

Job#20132833


3-4-15  
 Stan R. Loch P.S. # 8249                      Date



**EXHIBIT "2"**  
**AMENDMENT NO. 8 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH 8-R1**

**THE VILLAS OF BERTRAM PHASE 1 CONDOMINIUM PHASE 8**

**34.9809 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 1 on the Plat of The Villas of Bertram Phase 1, Condominium Phase 8, and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South  $89^{\circ}30'28''$  West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South  $00^{\circ}28'15''$  East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a  $5/8$ " iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North  $89^{\circ}30'28''$  East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hillary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hillary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta  $90^{\circ}01'17''$ , tangent 25.01 feet, chord 35.36 feet, bearing South  $45^{\circ}28'54''$  East to a point;

- Course III: Thence South  $00^{\circ}28'15''$  East, continuing along the westerly R/W of said Hillary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;
- Course IV: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;
- Course V: Thence South  $00^{\circ}28'15''$  East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwesterly corner of said Ph-1;
- Course VI: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hillary Lane, said point being the southeasterly corner of said Ph-1;
- Course VII: Thence South  $00^{\circ}28'15''$  East, along the westerly R/W of said Hillary Lane, a distance of 181.42 feet to a point, said point being a point of curvature;
- Course VIII: Thence continuing along the westerly R/W of said Hillary Lane, along a curve to the left with a length 34.35 feet, radius 280.00 feet, delta  $07^{\circ}01'46''$ , tangent 17.20 feet, chord 34.33 feet, bearing South  $03^{\circ}59'08''$  East to a point;
- Course IX: Thence South  $07^{\circ}30'01''$  East, continuing along the westerly R/W of said Hillary Lane, a distance of 24.50 feet to a point, said point being the northeasterly corner of Ph-6-1 in the Villas of Bertram Phase 1 Condominium Phase 6;
- Course X: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-6-1, a distance of 128.96 feet to a point, said point being the northwesterly corner of said Ph-6-1;
- Course XI: Thence South  $00^{\circ}28'15''$  East, along the westerly line of said Ph-6-1 and the westerly lines of Ph-3-1 in the Villas of Bertram Phase 1 Condominium Phase 3, Ph-7-1 in the Villas of Bertram Phase 1 Condominium Phase 7, Ph-4 in the Villas of Bertram Phase 1 Condominium Phase 4, a distance of 310.00 feet to a point, said point being the southwesterly corner of Ph-4 in the Villas of Bertram Phase 1, Condominium Phase 4;
- Course XII: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-4, a distance of 140.00 feet to a point on the westerly R/W of said Hillary Lane, said point being the southeasterly corner of said Ph-4;
- Course XIII: Thence South  $00^{\circ}28'15''$  East, along the westerly R/W of said Hillary Lane, a distance of 78.32 feet to a point, said point being a point of curvature;
- Course XIV: Thence continuing along the westerly R/W of said Hillary Lane, along a curve to the left with a length 88.40 feet, radius 230.00 feet, delta  $22^{\circ}01'17''$ , tangent 44.75 feet, chord 87.86 feet, bearing South  $11^{\circ}28'54''$  East to a point, said point being the northeasterly corner of Ph-6-2 in the Villas of Bertram Phase 1 Condominium Phase 6;
- Course XV: Thence South  $67^{\circ}30'28''$  West, along the northerly line of said Ph-6-2, a distance of 142.39 feet to a point, said point being the northwesterly line of said Ph-6-2;
- Course XVI: Thence South  $28^{\circ}59'33''$  East, along the southerly line of said Ph-6-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-6-2 and southwesterly corner of Ph-3-2 in the Villas of Bertram Phase 1, Condominium Phase 3;

- Course XVII: Thence South  $41^{\circ}59'53''$  East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;
- Course XVIII: Thence South  $55^{\circ}00'13''$  East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2 and also being the southwesterly corner of Ph-5 in the Villas of Bertram Phase 1, Condominium Phase 5;
- Course XIX: Thence South  $67^{\circ}15'11''$  East, along the southerly line of said Ph-5, distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-5;
- Course XX: Thence North  $15^{\circ}29'45''$  East, along the easterly line of said Ph-5, a distance of 143.50 feet to a point, said point being on the southwesterly R/W of said Hillary Lane and a point of curvature and also the northeasterly corner of said Ph-5;
- Course XXI: Thence along the southwesterly R/W of said Hillary Lane, along a curve to the left with a length 18.22 feet, radius 230.00 feet, delta  $04^{\circ}32'23''$ , tangent 9.12 feet, chord 18.22 feet, bearing South  $76^{\circ}46'27''$  East to a point, said point being at the southeasterly terminus of said Hillary Lane;
- Course XXII: Thence North  $10^{\circ}57'22''$  East, along the easterly terminus of the R/W of said Hillary Lane, a distance of 60.00 feet to a point on the easterly R/W of said Hillary Lane, said point being a point of curvature;
- Course XXIII: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 130.54 feet, radius 170.00 feet, delta  $43^{\circ}59'44''$ , tangent 68.68 feet, chord 127.35 feet, bearing North  $57^{\circ}02'46''$  West to a point;
- Course XXIV: Thence North  $54^{\circ}57'06''$  East, a distance of 130.03 feet to a point;
- Course XXV: Thence North  $11^{\circ}39'32''$  West, a distance of 36.33 feet to a point;
- Course XXVI: Thence South  $89^{\circ}31'45''$  West, a distance of 130.04 feet to a point, said point being on the easterly R/W of said Hillary Lane;
- Course XXVII: Thence North  $00^{\circ}28'15''$  West, along the easterly R/W of said Hillary Lane, a distance of 60.00 feet to a point, said point being on the southerly R/W of Samantha Drive, 60 foot R/W and a point of curvature;
- Course XXVIII: Thence along the southerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta  $89^{\circ}59'54''$ , tangent 25.00 feet, chord 35.35 feet, bearing North  $44^{\circ}31'42''$  East to a point;
- Course XXIX: Thence North  $89^{\circ}31'39''$  East, continuing along the southerly R/W of said Samantha Drive, a distance of 76.39 feet to a point, said point being a point of curvature;
- Course XXX: Thence continuing along the southerly R/W of said Samantha Drive, along a curve to the right with a length 23.44 feet, radius 270.00 feet, delta  $04^{\circ}58'24''$ , tangent 11.73 feet, chord 23.43 feet, bearing South  $87^{\circ}59'09''$  East to a point, said point being at the southeasterly terminus of said Samantha Drive;

- Course XXXI: Thence North  $04^{\circ}30'03''$  East, along the easterly terminus of the R/W of said Samantha Drive, a distance of 60.00 feet to a point, said point being at the northeasterly terminus of the easterly R/W of said Samantha Drive and a point of curvature;
- Course XXXII: Thence along the northerly R/W of said Samantha Drive, along a curve to the left with a length 28.64 feet, radius 330.00 feet, delta  $04^{\circ}58'24''$ , tangent 14.33 feet, chord 28.64 feet, bearing North  $87^{\circ}59'09''$  West to a point;
- Course XXXIII: Thence South  $89^{\circ}31'39''$  West, continuing along the northerly R/W of said Samantha Drive, a distance of 76.39 feet to a point, said point being a point of curvature;
- Course XXXIV: Thence continuing along the northerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta  $90^{\circ}00'06''$ , tangent 25.00 feet, chord 35.36 feet, bearing North  $45^{\circ}28'18''$  West to a point, said point being on the easterly R/W of said Hillary Lane;
- Course XXXV: Thence North  $00^{\circ}28'15''$  West, along the easterly R/W of said Hillary Lane, a distance of 102.35 feet to a point, said point being a point of curvature;
- Course XXXVI: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the left with a length 17.66 feet, radius 280.00 feet, delta  $03^{\circ}36'51''$ , tangent 8.83 feet, chord 17.66 feet, bearing North  $02^{\circ}16'32''$  West to a point, said point being the southwesterly corner of Ph-6-3 in the Villa of Bertram Phase 1 Condominium Phase 6;
- Course XXXVII: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-6-3, a distance of 130.56 feet to a point, said point being the southeasterly corner of said Ph-6-3;
- Course XXXVIII: Thence North  $00^{\circ}28'15''$  West, along the easterly line of said Ph-6-3, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-6-3;
- Course XXXIX: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-6-3, a distance of 137.45 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-6-3;
- Course XL: Thence North  $07^{\circ}30'01''$  West, along the easterly R/W of said Hillary Lane, a distance of 57.45 feet to a point, said point being a point of curvature;
- Course XLI: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 26.99 feet, radius 220.00 feet, delta  $07^{\circ}01'46''$ , tangent 13.51 feet, chord 26.97 feet, bearing North  $03^{\circ}59'08''$  West to a point;
- Course XLII: Thence North  $00^{\circ}28'15''$  West, continuing along the easterly R/W of said Hillary Lane, a distance of 1.42 feet to a point, said point being the southwesterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominium Phase 2;
- Course XLIII: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-2, a distance of 122.30 feet to a point, said point being the southeasterly corner of said Ph-2;
- Course XLIV: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ph-2, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-2;

- Course XLV: Thence South 89°31'45" West, along the northerly line of said Ph-2, a distance of 122.05 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-2;
- Course XLI: Thence North 00°28'15" West, continuing along the easterly R/W of said Hillary Lane, a distance of 280.07 feet to a point, said point being a point of curvature;
- Course XLVII: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta 89°58'43", tangent 24.99 feet, chord 35.35 feet, bearing North 44°31'06" East to a point, said point being on the southerly R/W of said Treat Road;
- Course XLVIII: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a 5/8" iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course XLIX: Thence South 00°42'49" East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southwest corner of said Ohio Edison Company;
- Course L: Thence North 89°30'28" East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;
- Course LI: Thence North 00°42'49" West, along the easterly line of said Ohio Edison Company, passing through a 5/8" iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;
- Course LII: Thence North 89°30'28" East, along the centerline of said Treat Road, passing through a 1-1/4" axle found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;
- Course LIII: Thence South 00°42'49" East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;
- Course LIV: Thence South 89°32'00" West, along the northerly line of said Berry and the northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a 5/8" iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a 3/4" iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;

- Course LV: Thence North 47°50'36" West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a ¾" iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwesterly corner of lands conveyed to Michael & Cheryl Habbyshaw, as recorded in Document No. 201105000 of the Portage County Deed Records;
- Course LVI: Thence North 89°30'22" East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;
- Course LVII: Thence North 00°28'15" West, along the easterly line of said Habbyshaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

Said parcel contains 34.9809 acres or 1,523,769 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3, 2015-9 and any other matters of record as surveyed and described in February, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1 West, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe the portion of the land conveyed to Villas of Bertram LLC. by File # 201401775 of the Portage County Records, which is designated as Ph-8-R1 Phase 8 Residual No. 1 on the Plat of Villas of Bertram Phase 1, Condominium Phase 8.

Job#20132833

  
 Stan R. Loch P.S. # 8249      Date 3-4-15

3-31-2015 *LAB*  
**TAX MAP DEPT.**  
**LEGAL DESCRIPTION**  
 SUFFICIENT     DEFICIENT  
 NO DIVISION OF LAND

P.N. 03-015-10-00-001-002  
 RETRACEMENT  
 34.9809 Ac  
 =  
 34.9809 Ac  
By SURVEY

**EXHIBIT "3"**  
**AMENDMENT NO. 8 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE VIII contains one (1) detached single-family residential Buildings known as Unit 73 situated on Hillary Lane, which includes a basement and an attached two car garage, and which is constructed primarily of wood, vinyl siding, asphalt shingle roofs, brick, concrete block, glass and drywall. The location of Unit 73 is shown on the Drawings.

Unit 73 is a "Milan" type Unit. The Milan type Unit is a one-story Unit containing approximately 2528 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a living room, family room, kitchen, dining room, dinette, powder room, mudroom, and 2-car attached garage. The second floor consists of four bedrooms, a loft, laundry, 2 walk-in closets, and two full baths. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

**EXHIBIT "4"**  
**AMENDMENT NO. 8 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	7.69%
II	67	864 Hillary Lane	7.69%
III	8	853 Hillary Lane	7.69%
III	9	849 Hillary Lane	7.69%
III	16	821 Hillary Lane	7.69%
III	17	817 Hillary Lane	7.69%
IV	11	841 Hillary Lane	7.69%
V	18	813 Hillary Lane	7.69%
VI	7	857 Hillary Lane	7.69%
VI	15	825 Hillary Lane	7.69%
VI	65	854 Hillary Lane	7.69%
VII	10	845 Hillary Lane	7.69%
VIII	73	830 Hillary Lane	7.69%
			Total 100%





*Patty*  
BONNIE M. HOWE  
PORTAGE CO. RECORDER

201503179 E-65

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AMENDMENT NO. 7  
TO THE DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM

PHASE VII  
ADDING UNIT NO. 10

This will certify that copies of this AMENDMENT NO. 7 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "AMENDMENT NO. 7"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

MAR - 6 2015

Dated: \_\_\_\_\_, 2015

PORTAGE COUNTY AUDITOR

By: *Janet Esposito*

Deputy Auditor

This instrument prepared by:

Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333

**AMENDMENT NO. 7 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, , an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE VII of the Condominium which contains one (1) Units.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE VII property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.
2. The legal description of the Condominium set forth in Exhibit “A” of the Declaration is amended to include the real property for PHASE VII of the Condominium, the legal

description for PHASE VII being described in Exhibit "1" attached hereto and made a part hereof

3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.

4. The number of Units referred to in the Declaration is increased from eleven (11) Units to twelve (12) Units. A narrative description of the Buildings and Units for PHASE VII is set forth in Exhibit "3" attached hereto and made a part hereof

5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.

6. The particulars of the Buildings and Units and other improvements for PHASE VII, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE VII Drawings incorporated in this AMENDMENT NO. 7 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE VII Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 7 to the Declaration.

7. No owner of a Unit which was not included in Phase I, II, III, IV, V, and VI shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE VII prior to the filing of this AMENDMENT NO. 7 (except replacement reserve funds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this AMENDMENT NO. 7.

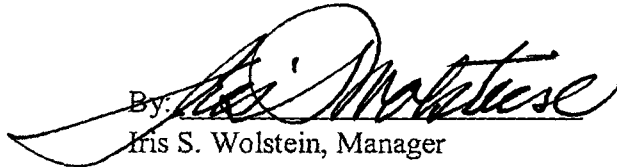
8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.

9. Except as amended herein, the Declaration thereto shall remain in full force and effect

10. Consent to this AMENDMENT NO. 7 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 3<sup>rd</sup> day of March, 2015.

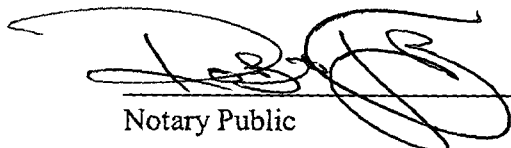
VILLAS OF BERTRAM, LLC,  
an Ohio limited liability company

By:   
Iris S. Wolstein, Manager

STATE OF OHIO                    )  
  )SS.  
COUNTY OF ~~LAKE~~            )  
  Cuyahoga

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 3<sup>rd</sup> day of March, 2015.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires \_\_\_\_\_



**EXHIBIT "A"**

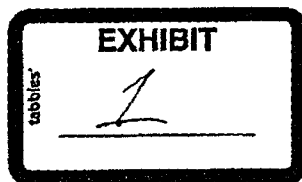
**AMENDMENT NO. 7 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 7 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the AMENDMENT NO. 7.

**EXHIBIT "1"**  
**AMENDMENT NO. 7 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE VII WILL BE ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-7-1**

**THE VILLAS OF BERTRAM PHASE 1 CONDOMINIUM PHASE 7**

**0.2089 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hillary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hillary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hillary Lane, a distance of 76.99 feet to a point;

Thence South  $89^{\circ}31'45''$  West, a distance of 30.00 feet to a point on the westerly R/W of said Hillary Lane and being the southeasterly corner of Ph-3-1 in the Villas of Bertram Phase 1 Condominiums Phase 3 and the Principal Place of Beginning;



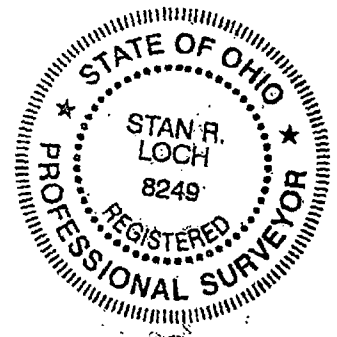
- Course I: Thence South 00°28'15" East, along the westerly R/W of said Hillary Lane, a distance of 65.00 feet to a point, said point being the northeasterly corner of Ph-4 in the Villas of Bertram Phase 1 Condominium Phase 4;
- Course II: Thence South 89°31'45" West, along the northerly line of said Ph-4, a distance of 140.00 feet to a point, said point being the northwesterly corner of said Ph-4;
- Course III: Thence North 00°28'15" West, a distance of 65.00 feet to a point, said point being the southwesterly corner of said Ph-3-1;
- Course IV: Thence North 89°31'45" East, along the southerly line of said Ph-3-1, a distance of 140.00 feet to the Principal Place of Beginning.

Said parcel containing 0.2089 acres or 9,100 sq. ft. of land, be the same more or less, but subject to all legal highways as surveyed and described on February, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1 West, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and are used to denote angles only. The intent of the above description is to describe "Ph-7-1", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Phase 1, Condominium Phase 7.

Job#20132833

Stan R. Loch P.S. # 8249      2.9.15 Date

**NO TRANSFER  
REQUIRED**  
MAR - 8 2015 *MP*  
**JANET ESPOSITO  
AUDITOR**

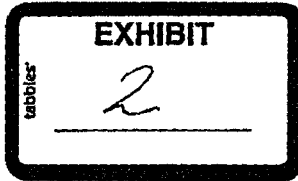


3-6-2015 *MP*  
**TAX MAP DEPT.**  
**LEGAL DESCRIPTION**  
 SUFFICIENT     DEFICIENT  
 NO DIVISION OF LAND  
P.N. 03-015-10.00.001-002

	35.4193 AC	(AUD)
-	0.2089	UNIT 10
	<u>35.2104</u>	<u>BAL.</u>

**EXHIBIT "2"**  
**AMENDMENT NO. 7 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH 7-R1**

**THE VILLAS OF BERTRAM PHASE 1 CONDOMINIUM PHASE 7**

**35.2104 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and being the part of PP#03-015-10-00-001-002 shown as Residual No. 1 on the Plat of The Villas of Bertram Phase 1, Condominium Phase 7, and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South  $89^{\circ}30'28''$  West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South  $00^{\circ}28'15''$  East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a  $5/8''$  iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North  $89^{\circ}30'28''$  East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hillary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hillary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta  $90^{\circ}01'17''$ , tangent 25.01 feet, chord 35.36 feet, bearing South  $45^{\circ}28'54''$  East to a point;

- Course III: Thence South 00°28'15" East, continuing along the westerly R/W of said Hillary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;
- Course IV: Thence South 89°31'45" West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;
- Course V: Thence South 00°28'15" East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwest corner of said Ph-1;
- Course VI: Thence North 89°31'45" East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hillary Lane, said point being the southeasterly corner of said Ph-1;
- Course VII: Thence South 00°28'15" East, along the westerly R/W of said Hillary Lane, a distance of 181.42 feet to a point, said point being a point of curvature;
- Course VIII: Thence continuing along the westerly R/W of said Hillary Lane, along a curve to the left with a length 34.35 feet, radius 280.00 feet, delta 07°01'46", tangent 17.20 feet, chord 34.33 feet, bearing South 03°59'08" East to a point;
- Course IX: Thence South 07°30'01" East, continuing along the westerly R/W of said Hillary Lane, a distance of 24.50 feet to a point, said point being the northeasterly corner of Ph-6-1 in the Villas of Bertram Phase 1 Condominium Phase 6;
- Course X: Thence South 89°31'45" West, along the northerly line of said Ph-6-1, a distance of 128.96 feet to a point, said point being the northwesterly corner of said Ph-6-1;
- Course XI: Thence South 00°28'15" East, along the westerly line of said Ph-6-1 and the westerly line of Ph-3-1 in the Villas of Bertram Phase 1 Condominium Phase 3 and the westerly line of Ph-4 in the Villas of Bertram Phase 1 Condominium Phase 4, a distance of 310.00 feet to a point, said point being the southwest corner of Ph-4 in the Villas of Bertram Phase 1, Condominium Phase 4;
- Course XII: Thence North 89°31'45" East, along the southerly line of said Ph-4, a distance of 140.00 feet to a point on the westerly R/W of said Hillary Lane, said point being the southeasterly corner of said Ph-4;
- Course XIII: Thence South 00°28'15" East, along the westerly R/W of said Hillary Lane, a distance of 78.32 feet to a point, said point being a point of curvature;
- Course XIV: Thence continuing along the westerly R/W of said Hillary Lane, along a curve to the left with a length 88.40 feet, radius 230.00 feet, delta 22°01'17", tangent 44.75 feet, chord 87.86 feet, bearing South 11°28'54" East to a point, said point being the northeasterly corner of Ph-6-2 in the Villas of Bertram Phase 1 Condominium Phase 6;
- Course XV: Thence South 67°30'28" West, along the northerly line of said Ph-6-2, a distance of 142.39 feet to a point, said point being the northwesterly line of said Ph-6-2;
- Course XVI: Thence South 28°59'33" East, along the southerly line of said Ph-6-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-6-2 and southwest corner of Ph-3-2 in the Villas of Bertram Phase 1, Condominium Phase 3;


- Course XVII: Thence South  $41^{\circ}59'53''$  East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;
- Course XVIII: Thence South  $55^{\circ}00'13''$  East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2 and also being the southwesterly corner of Ph-5 in the Villas of Bertram Phase 1, Condominium Phase 5;
- Course XIX: Thence South  $67^{\circ}15'11''$  East, along the southerly line of said Ph-5, distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-5;
- Course XX: Thence North  $15^{\circ}29'45''$  East, along the easterly line of said Ph-5, a distance of 143.50 feet to a point, said point being on the southwesterly R/W of said Hillary Lane and a point of curvature and also the northeasterly corner of said Ph-5;
- Course XXI: Thence along the southwesterly R/W of said Hillary Lane, along a curve to the left with a length 18.22 feet, radius 230.00 feet, delta  $04^{\circ}32'23''$ , tangent 9.12 feet, chord 18.22 feet, bearing South  $76^{\circ}46'27''$  East to a point, said point being at the southeasterly terminus of said Hillary Lane;
- Course XXII: Thence North  $10^{\circ}57'22''$  East, along the easterly terminus of the R/W of said Hillary Lane, a distance of 60.00 feet to a point on the easterly R/W of said Hillary Lane, said point being a point of curvature;
- Course XXIII: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 233.13 feet, radius 170.00 feet, delta  $78^{\circ}34'23''$ , tangent 139.08 feet, chord 215.29 feet, bearing North  $39^{\circ}45'26''$  West to a point;
- Course XXIV: Thence North  $00^{\circ}28'15''$  West, continuing along the easterly R/W of said Hillary Lane, a distance of 72.96 feet to a point, said point being on the southerly R/W of Samantha Drive, 60 foot R/W and a point of curvature;
- Course XXV: Thence along the southerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta  $89^{\circ}59'54''$ , tangent 25.00 feet, chord 35.35 feet, bearing North  $44^{\circ}31'42''$  East to a point;
- Course XXVI: Thence North  $89^{\circ}31'39''$  East, continuing along the southerly R/W of said Samantha Drive, a distance of 76.39 feet to a point, said point being a point of curvature;
- Course XXVII: Thence continuing along the southerly R/W of said Samantha Drive, along a curve to the right with a length 23.44 feet, radius 270.00 feet, delta  $04^{\circ}58'24''$ , tangent 11.73 feet, chord 23.43 feet, bearing South  $87^{\circ}59'09''$  East to a point, said point being at the southeasterly terminus of said Samantha Drive;
- Course XXVIII: Thence North  $04^{\circ}30'03''$  East, along the easterly terminus of the R/W of said Samantha Drive, a distance of 60.00 feet to a point, said point being at the northeasterly terminus of the easterly R/W of said Samantha Drive and a point of curvature;
- Course XXIX: Thence along the northerly R/W of said Samantha Drive, along a curve to the left with a length 28.64 feet, radius 330.00 feet, delta  $04^{\circ}58'24''$ , tangent 14.33 feet, chord 28.64 feet, bearing North  $87^{\circ}59'09''$  West to a point;

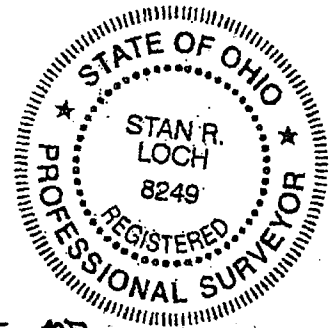
- Course XXX: Thence South  $89^{\circ}31'39''$  West, continuing along the northerly R/W of said Samantha Drive, a distance of 76.39 feet to a point, said point being a point of curvature;
- Course XXXI: Thence continuing along the northerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta  $90^{\circ}00'06''$ , tangent 25.00 feet, chord 35.36 feet, bearing North  $45^{\circ}28'18''$  West to a point, said point being on the easterly R/W of said Hillary Lane;
- Course XXXII: Thence North  $00^{\circ}28'15''$  West, along the easterly R/W of said Hillary Lane, a distance of 102.35 feet to a point, said point being a point of curvature;
- Course XXXIII: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the left with a length 17.66 feet, radius 280.00 feet, delta  $03^{\circ}36'51''$ , tangent 8.83 feet, chord 17.66 feet, bearing North  $02^{\circ}16'32''$  West to a point, said point being the southwesterly corner of Ph-6-3 in the Villa of Bertram Phase 1 Condominium Phase 6;
- Course XXXIV: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-6-3, a distance of 130.56 feet to a point, said point being the southeasterly corner of said Ph-6-3;
- Course XXXV: Thence North  $00^{\circ}28'15''$  West, along the easterly line of said Ph-6-3, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-6-3;
- Course XXXVI: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-6-3, a distance of 137.45 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-6-3;
- Course XXXVII: Thence North  $07^{\circ}30'01''$  West, along the easterly R/W of said Hillary Lane, a distance of 57.45 feet to a point, said point being a point of curvature;
- Course XXXVIII: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 26.99 feet, radius 220.00 feet, delta  $07^{\circ}01'46''$ , tangent 13.51 feet, chord 26.97 feet, bearing North  $03^{\circ}59'08''$  West to a point;
- Course XXXIX: Thence North  $00^{\circ}28'15''$  West, continuing along the easterly R/W of said Hillary Lane, a distance of 1.42 feet to a point, said point being the southwesterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominium Phase 2;
- Course XL: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-2, a distance of 122.30 feet to a point, said point being the southeasterly corner of said Ph-2;
- Course XLI: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ph-2, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-2;
- Course XLII: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-2, a distance of 122.05 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-2;
- Course XLIII: Thence North  $00^{\circ}28'15''$  West, continuing along the easterly R/W of said Hillary Lane, a distance of 280.07 feet to a point, said point being a point of curvature;
- Course XLIV: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta  $89^{\circ}58'43''$ , tangent 24.99 feet, chord 35.35 feet, bearing North  $44^{\circ}31'06''$  East to a point, said point being on the southerly R/W of said Treat Road;

- Course XLV: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a 5/8" iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course XLVI: Thence South 00°42'49" East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southwesterly corner of said Ohio Edison Company;
- Course XLVII: Thence North 89°30'28" East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;
- Course XLVIII: Thence North 00°42'49" West, along the easterly line of said Ohio Edison Company, passing through a 5/8" iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;
- Course XLIX: Thence North 89°30'28" East, along the centerline of said Treat Road, passing through a 1-1/4" axle found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;
- Course L: Thence South 00°42'49" East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;
- Course LI: Thence South 89°32'00" West, along the northerly line of said Berry and the northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a 5/8" iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a 3/4" iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;
- Course LII: Thence North 47°50'36" West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a 3/4" iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwesterly corner of lands conveyed to Michael & Cheryl Habbyshaw, as recorded in Document No. 201105000 of the Portage County Deed Records;
- Course LIII: Thence North 89°30'22" East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;
- Course LIV: Thence North 00°28'15" West, along the easterly line of said Habbyshaw and the easterly line of said Thomland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

Said parcel contains 35.2104 acres or 1,533,767 sq. ft. of land, be the same more or less, but subject to all legal highways and also subject to matters on Plats 2014-3, 2014-30, 2014-40, 2014-41, 2015-2, 2015-3 and any other matters of record as surveyed and described in February, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1 West, as recorded in Plat 2014-3 of the Portage County Records and are used to denote angles only. The intent of the above description is to describe the portion of the land conveyed to Villas of Bertram LLC. by File # 201401775 of the Portage County Records, which is designated as Ph-7-R1 Phase 7 Residual No. 1 on the Plat of Villas of Bertram Phase 1, Condominium Phase 7.

Job#20132833

  
Stan R. Loch P.S. # 8249      Date 2-9-15



3-6-2015 ~~007~~  
TAX MAP DEPT.  
LEGAL DESCRIPTION  
 SUFFICIENT  DEFICIENT  
 NO DIVISION OF LAND  
PN 03.015.10.00.001.002  
35.2104 AC  
= 35,2104 AC  
BY SURVEY



**EXHIBIT "3"**  
**AMENDMENT NO. 7 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE VII contains one (1) detached single-family residential Buildings known as Unit 10 situated on Hillary Lane, which includes a basement and an attached two car garage, and which is constructed primarily of wood, vinyl siding, asphalt shingle roofs, brick, concrete block, glass and drywall. The location of Unit 10 is shown on the Drawings.

Unit 10 is a "Pisa Torre" type Unit. The Pisa Torre type Unit Contains approximately 1407 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, great room, dining area, 3 bedrooms, 2 baths, and an attached two-car garage. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

**EXHIBIT "4"**  
**AMENDMENT NO. 7 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	8.34%
II	67	864 Hillary Lane	8.33%
III	8	853 Hillary Lane	8.33%
III	9	849 Hillary Lane	8.33%
III	16	821 Hillary Lane	8.33%
III	17	817 Hillary Lane	8.33%
IV	11	841 Hillary Lane	8.33%
V	18	813 Hillary Lane	8.33%
VI	7	857 Hillary Lane	8.33%
VI	15	825 Hillary Lane	8.33%
VI	65	854 Hillary Lane	8.33%
VII	10	845 Hillary Lane	8.33%
			Total 100%



Umw Title  
BONNIE M. HOWE  
PORTAGE CO. RECORDER First.

201502109 2132

RECEIVED FOR RECORD  
AT 9:57:34  
FEE 192.00

**INDEXED**

**AMENDMENT NO. 6**  
**TO THE DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

**PHASE VI**  
**ADDING UNIT NOS. 7, 15, and 65**

This will certify that copies of this AMENDMENT NO. 6 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "AMENDMENT NO. 6"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

Dated: FEB 13 2015, 2015

PORTAGE COUNTY AUDITOR

By: Janet Esposito  
Deputy Auditor

This instrument prepared by:

Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333

**AMENDMENT NO. 6 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, , an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE VI of the Condominium which contains three (3) Units.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE VI property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.
2. The legal description of the Condominium set forth in Exhibit “A” of the Declaration is amended to include the real property for PHASE VI of the Condominium, the legal

description for PHASE VI being described in Exhibit "1" attached hereto and made a part hereof

3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.

4. The number of Units referred to in the Declaration is increased from seven (7) Units to eight (8) Units. A narrative description of the Buildings and Units for PHASE VI is set forth in Exhibit "3" attached hereto and made a part hereof

5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.

6. The particulars of the Buildings and Units and other improvements for PHASE VI, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE VI Drawings incorporated in this AMENDMENT NO. 6 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE VI Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 6 to the Declaration.

7. No owner of a Unit which was not included in Phase I, II, III, IV, and V, shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE VI prior to the filing of this AMENDMENT NO. 6 (except replacement reserve funds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this AMENDMENT NO. 6.

8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.

9. Except as amended herein, the Declaration thereto shall remain in full force and effect

10. Consent to this AMENDMENT NO. 6 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 9<sup>th</sup> day of FEBRUARY, 2015.

✓  
VILLAS OF BERTRAM, LLC,  
an Ohio limited liability company

By: Iris S. Wolstein  
Iris S. Wolstein, Manager

STATE OF OHIO )  
)SS.  
COUNTY OF LAKE )  
Cuyahoga

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 9<sup>th</sup> day of FEBRUARY, 2015.

[Signature]  
Notary Public  
My Commission Expires \_\_\_\_\_



**EXHIBIT "A"**

**AMENDMENT NO. 6 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 6 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the AMENDMENT NO. 6.



**EXHIBIT "1"**  
**AMENDMENT NO. 6 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE VI WILL BE ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-6-1**

**THE VILLAS OF BERTRAM PHASE 1 CONDOMINIUM PHASE 6**

**0.1827 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hillary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hillary Lane, a distance of 53.75 feet to a point;

Thence South  $89^{\circ}31'45''$  West, a distance of 30.23 feet to a point, said point being on the westerly R/W of said Hillary Lane and being the Principal Place of Beginning;

Course I: Thence South  $07^{\circ}30'01''$  East, along the westerly R/W of said Hillary Lane, a distance of 34.90 feet to a point, said point being the northeasterly corner of Ph-3-1 of the Villas of Bertram Phase 1, Condominium Phase 3;

Course II: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-3-1, a distance of 136.36 feet to a point, said point being the northwesterly corner of said Ph-3-1;

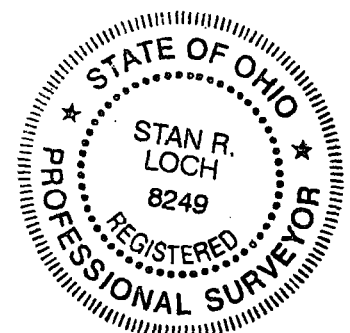
- Course LII: Thence North 00°42'49" West, along the easterly line of said Ohio Edison Company, passing through a 5/8" iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;
- Course LIII: Thence North 89°30'28" East, along the centerline of said Treat Road, passing through a 1-1/4" axle found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;
- Course LIV: Thence South 00°42'49" East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;
- Course LV: Thence South 89°32'00" West, along the northerly line of said Berry and the northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a 5/8" iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a 3/4" iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;
- Course LVI: Thence North 47°50'36" West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a 3/4" iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwest corner of lands conveyed to Michael & Cheryl Habbyshaw, as recorded in Document No. 201105000 of the Portage County Deed Records;
- Course LVII: Thence North 89°30'22" East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;
- Course LVIII: Thence North 00°28'15" West, along the easterly line of said Habbyshaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

Said parcel containing 35.4193 acres or 1,542,867 sq. ft. of land, be the same more or less, but subject to all legal highways as surveyed and described on January, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1 West, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and are used to denote angles only. The intent of the above description is to describe "Ph-6-R1", which is the remaining parcel of land conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Phase 1, Condominium Phase 6.

Job#20132833

 1-16-15  
 Stan R. Loch P.S. # 8249 Date

P.N. 03-015-10-00-001-002  
 TAX MAP DEPT. 35.4198 Ac  
 LEGAL DESCRIPTION  
 SUFFICIENT  DEFICIENT = 35.4193 Ac By SURVEY  
 NO DIVISION OF LAND  
 2.12.2015 JGZ





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH-6-2**

**THE VILLAS OF BERTRAM PHASE 1 CONDOMINIUM PHASE 6**

**0.2203 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hillary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hillary Lane, a distance of 101.15 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, continuing along the centerline of said Hillary Lane, a distance of 285.32 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the left with a length 76.87 feet, radius 200.00 feet, delta  $22^{\circ}01'17''$ , tangent 38.91 feet, chord 76.40 feet, bearing South  $11^{\circ}28'54''$  East to a point;

Thence South  $67^{\circ}30'28''$  West, a distance of 30.00 feet to a point, said point being on the westerly R/W of said Hillary Lane and being the Principal Place of Beginning;

Course I: Thence along the westerly R/W of said Hillary Lane, along a curve to the left with a length 52.19 feet, radius 230.00 feet, delta  $13^{\circ}00'02''$ , tangent 26.21 feet, chord 52.08 feet, bearing South  $28^{\circ}59'33''$  East to a point, said point being northwesterly corner of Ph-3-2 of the Villas of Bertram Phase 1, Condominium Phase 3;

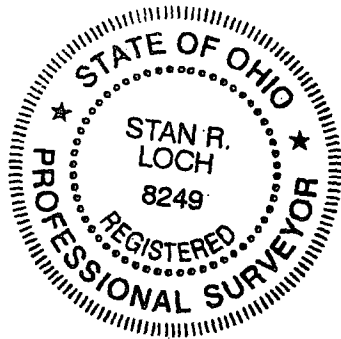
Course IV: Thence along the easterly R/W of said Hillary Lane, along a curve to the left having a radius of 280.00 feet, length 16.70 feet, tangent 8.35 feet, chord 16.70 feet, bearing North 05°47'29" West, delta 03°25'03" to a point;

Course V: Thence North 07°30'01" West, along the easterly R/W of said Hillary Lane, a distance of 43.70 feet to the Principal Place of Beginning.

Said parcel containing 0.1842 acres or 8,028 sq. ft. of land, be the same more or less, but subject to all legal highways as surveyed and described on January, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1 West, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and are used to denote angles only. The intent of the above description is to describe "Ph-6-3", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Phase 1, Condominium Phase 6.

Job#20132833

  
Stan R. Loch P.S. # 8249      Date 7-16-15



PN 03-015-10-00-001-002  
35.604  
- 0.1842  
-----  
35.4198 AC

TAX MAP DEPT.  
LEGAL DESCRIPTION  
 SUFFICIENT  DEFICIENT  
 NO DIVISION OF LAND  
2-12-2015 287



**ENGINEERING & SURVEYING CO., INC.**  
**5425 WARNER ROAD – SUITE 12**  
**VALLEY VIEW, OHIO 44125**  
**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**  
**PH-6-3**  
**THE VILLAS OF BERTRAM PHASE 1 CONDOMINIUM PHASE 6**  
**0.1842 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hillary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 07°30'01" East, along the centerline of said Hillary Lane, a distance of 53.75 feet to a point;

Thence North 89°31'45" East, a distance of 30.23 feet to a point, said point being on the easterly R/W of said Hillary Lane and being the Principal Place of Beginning;

Course I: Thence North 89°31'45" East, a distance of 137.45 feet to a point;

Course II: Thence South 00°28'15" East, a distance of 60.00 feet to a point;

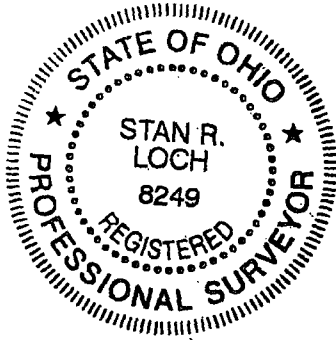
Course III: Thence South 89°31'45" West, a distance of 130.56 feet to a point, said point being on the easterly R/W of said Hillary Lane;

- Course II: Thence South 54°30'26" West, along the westerly line of said Ph-3-2, a distance of 142.39 feet to a point, said point being the southwesterly corner of said Ph-3-2;
- Course III: Thence North 28°59'33" West, a distance of 84.31 feet to a point;
- Course IV: Thence North 67°30'28" East, a distance of 142.39 feet to the Principal Place of Beginning.

Said parcel containing 0.2203 acres or 9,596 sq. ft. of land, be the same more or less, but subject to all legal highways as surveyed and described on January, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1 West, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and are used to denote angles only. The intent of the above description is to describe "Ph-6-2", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Phase 1, Condominium Phase 6.

Job#20132833

Stan R. Loch 1-16-15  
 Stan R. Loch P.S. # 8249 Date



P.N. 03-015-10-00-001-002

35.8243  
 - 0.2203  
 -----  
 35.6040 = BAL.

TAX MAP DEPT.  
 LEGAL DESCRIPTION  
 SUFFICIENT  DEF.  
 2-12-2015 *SLJ*

**EXHIBIT "2"**  
**AMENDMENT NO. 6 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH 6-R1**

**THE VILLAS OF BERTRAM PHASE 1 CONDOMINIUM PHASE 6**

**35.4193 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South 89°30'28" West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South 00°28'15" East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a 5/8" iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hillary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hillary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta 90°01'17", tangent 25.01 feet, chord 35.36 feet, bearing South 45°28'54" East to a point;

Course III: Thence South 00°28'15" East, continuing along the westerly R/W of said Hillary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;

- Course IV: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;
- Course V: Thence South  $00^{\circ}28'15''$  East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwesterly corner of said Ph-1;
- Course VI: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hillary Lane, said point being the southeasterly corner of said Ph-1;
- Course VII: Thence South  $00^{\circ}28'15''$  East, along the westerly R/W of said Hillary Lane, a distance of 181.42 feet to a point, said point being a point of curvature;
- Course VIII: Thence continuing along the westerly R/W of said Hillary Lane, along a curve to the left with a length 34.35 feet, radius 280.00 feet, delta  $07^{\circ}01'46''$ , tangent 17.20 feet, chord 34.33 feet, bearing South  $03^{\circ}59'08''$  East to a point;
- Course IX: Thence South  $07^{\circ}30'01''$  East, continuing along the westerly R/W of said Hillary Lane, a distance of 24.50 feet to a point;
- Course X: Thence South  $89^{\circ}31'45''$  West, a distance of 128.96 feet to a point;
- Course XI: Thence South  $00^{\circ}28'15''$  East, a distance of 180.00 feet to a point, said point being the southwesterly corner of Ph-3-1 in the Villas of Bertram Phase 1, Condominium Phase 3;
- Course XII: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-3-1, a distance of 140.00 feet to a point, said point being on the westerly R/W of said Hillary Lane and the southeasterly corner of said Ph-3-1;
- Course XIII: Thence South  $00^{\circ}28'15''$  East, along the westerly R/W of said Hillary Lane, a distance of 65.00 feet to a point;
- Course XIV: Thence South  $89^{\circ}31'45''$  West, a distance of 140.00 feet to a point;
- Course XV: Thence South  $00^{\circ}28'15''$  East, a distance of 65.00 feet to a point;
- Course XVI: Thence North  $89^{\circ}31'45''$  East, a distance of 140.00 feet to a point, said point being on the westerly R/W of said Hillary Lane;
- Course XVII: Thence South  $00^{\circ}28'15''$  East, along the westerly R/W of said Hillary Lane, a distance of 78.32 feet to a point, said point being a point of curvature;
- Course XVIII: Thence continuing along the westerly R/W of said Hillary Lane, along a curve to the left with a length 88.40 feet, radius 230.00 feet, delta  $22^{\circ}01'17''$ , tangent 44.75 feet, chord 87.86 feet, bearing South  $11^{\circ}28'54''$  East to a point;
- Course XIX: Thence South  $67^{\circ}30'28''$  West, a distance of 142.39 feet to a point;
- Course XX: Thence South  $28^{\circ}59'33''$  East, a distance of 84.31 feet to a point, said point being the southwesterly corner of Ph-3-2 in the Villas of Bertram Phase 1, Condominium Phase 3;
- Course XXI: Thence South  $41^{\circ}59'53''$  East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;

- Course XXII: Thence South  $55^{\circ}00'13''$  East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2 and also being the southwesterly corner of Ph-5 in the Villas of Bertram Phase 1, Condominium Phase 5;
- Course XXIII: Thence South  $67^{\circ}15'11''$  East, along the southerly line of said Ph-5, distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-5;
- Course XXIV: Thence North  $15^{\circ}29'45''$  East, along the easterly line of said Ph-5, a distance of 143.50 feet to a point, said point being on the westerly R/W of said Hillary Lane and a point of curvature and also the northeasterly corner of said Ph-5;
- Course XXV: Thence along the westerly R/W of said Hillary Lane, along a curve to the left with a length 18.22 feet, radius 230.00 feet, delta  $04^{\circ}32'23''$ , tangent 9.12 feet, chord 18.22 feet, bearing South  $76^{\circ}46'27''$  East to a point, said point being on the easterly R/W of said Hillary Lane;
- Course XXVI: Thence North  $10^{\circ}57'22''$  East, along the easterly R/W of said Hillary Lane, a distance of 60.00 feet to a point, said point being a point of curvature;
- Course XXVII: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 233.13 feet, radius 170.00 feet, delta  $78^{\circ}34'23''$ , tangent 139.08 feet, chord 215.29 feet, bearing North  $39^{\circ}45'26''$  West to a point;
- Course XXVIII: Thence North  $00^{\circ}28'15''$  West, continuing along the easterly R/W of said Hillary Lane, a distance of 72.96 feet to a point, said point being on the southerly R/W of Samantha Drive, 60 foot R/W and a point of curvature;
- Course XXIX: Thence along the southerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta  $89^{\circ}59'54''$ , tangent 25.00 feet, chord 35.35 feet, bearing North  $44^{\circ}31'42''$  East to a point;
- Course XXX: Thence North  $89^{\circ}31'39''$  East, continuing along the southerly R/W of said Samantha Drive, a distance of 76.39 feet to a point, said point being a point of curvature;
- Course XXXI: Thence continuing along the southerly R/W of said Samantha Drive, along a curve to the right with a length 23.44 feet, radius 270.00 feet, delta  $04^{\circ}58'24''$ , tangent 11.73 feet, chord 23.43 feet, bearing South  $87^{\circ}59'09''$  East to a point, said point being on the easterly R/W of said Samantha Drive;
- Course XXXII: Thence North  $04^{\circ}30'03''$  East, along the easterly R/W of said Samantha Drive, a distance of 60.00 feet to a point, said point being on the northerly R/W of said Samantha Drive and a point of curvature;
- Course XXXIII: Thence along the northerly R/W of said Samantha Drive, along a curve to the left with a length 28.64 feet, radius 330.00 feet, delta  $04^{\circ}58'24''$ , tangent 14.33 feet, chord 28.64 feet, bearing North  $87^{\circ}59'09''$  West to a point;
- Course XXXIV: Thence South  $89^{\circ}31'39''$  West, continuing along the northerly R/W of said Samantha Drive, a distance of 76.39 feet to a point, said point being a point of curvature;
- Course XXXV: Thence continuing along the northerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta  $90^{\circ}00'06''$ , tangent 25.00 feet, chord 35.36 feet, bearing North  $45^{\circ}28'18''$  West to a point, said point being on the easterly R/W of said Hillary Lane;

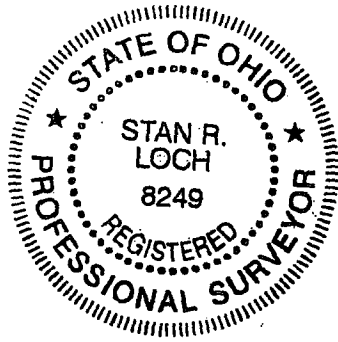
- Course XXXVI: Thence North  $00^{\circ}28'15''$  West, along the easterly R/W of said Hillary Lane, a distance of 102.35 feet to a point, said point being a point of curvature;
- Course XXXVII: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the left with a length 17.66 feet, radius 280.00 feet, delta  $03^{\circ}36'51''$ , tangent 8.83 feet, chord 17.66 feet, bearing North  $02^{\circ}16'32''$  West to a point;
- Course XXXVIII: Thence North  $89^{\circ}31'45''$  East, a distance of 130.56 feet to a point;
- Course XXXIX: Thence North  $00^{\circ}28'15''$  West, a distance of 60.00 feet to a point;
- Course XL: Thence South  $89^{\circ}31'45''$  West, a distance of 137.45 feet to a point, said point being on the easterly R/W of said Hillary Lane;
- Course XLI: Thence North  $07^{\circ}30'01''$  West, along the easterly R/W of said Hillary Lane, a distance of 57.45 feet to a point, said point being a point of curvature;
- Course XLII: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 26.99 feet, radius 220.00 feet, delta  $07^{\circ}01'46''$ , tangent 13.51 feet, chord 26.97 feet, bearing North  $03^{\circ}59'08''$  West to a point;
- Course XLIII: Thence North  $00^{\circ}28'15''$  West, continuing along the easterly R/W of said Hillary Lane, a distance of 1.42 feet to a point, said point being the southwesterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominium Phase 2;
- Course XLIV: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-2, a distance of 122.30 feet to a point, said point being the southeasterly corner of said Ph-2;
- Course XLV: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ph-2, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-2;
- Course XLVI: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-2, a distance of 122.05 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-2;
- Course XLVII: Thence North  $00^{\circ}28'15''$  West, continuing along the easterly R/W of said Hillary Lane, a distance of 280.07 feet to a point, said point being a point of curvature;
- Course XLVIII: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta  $89^{\circ}58'43''$ , tangent 24.99 feet, chord 35.35 feet, bearing North  $44^{\circ}31'06''$  East to a point, said point being on the southerly R/W of said Treat Road;
- Course XLIV: Thence North  $89^{\circ}30'28''$  East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a  $5/8''$  iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course L: Thence South  $00^{\circ}42'49''$  East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a  $5/8''$  iron pin found capped "Weiss & Assoc.", said point being the southwesterly corner of said Ohio Edison Company;
- Course LI: Thence North  $89^{\circ}30'28''$  East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a  $5/8''$  iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;

- Course III: Thence North 00°28'15" West, a distance of 60.00 feet to a point;
- Course IV: Thence North 89°31'45" East, a distance of 128.96 feet to a point, said point being on the westerly R/W of said Hillary Lane;
- Course V: Thence South 07°30'01" East, along the westerly R/W of said Hillary Lane, a distance of 25.56 feet to the Principal Place of Beginning.


Said parcel containing 0.1827 acres or 7,959 sq. ft. of land, be the same more or less, but subject to all legal highways as surveyed and described on January, 2015 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1 West, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and are used to denote angles only. The intent of the above description is to describe "Ph-6-1", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Phase 1, Condominium Phase 6.

Job#20132833

  
 Stan R. Loch P.S. # 8249      Date



P.N. 03-015-10-00-001-002 : 36.007      AUD  
 -      0.1827  
 -----  
 35.8243 AC = BAL

**TAX MAP DEPT.**  
**LEGAL DESCRIPTION**  
 SUFFICIENT     DEFICIENT  
 NO DIVISION OF LOTS  
 2-12-2015    

**EXHIBIT "3"**  
**AMENDMENT NO. 6 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE VI contains three (3) detached single-family residential Buildings known as Units 7, 15, and 65, situated on Hillary Lane, which includes a basement and an attached two car garage, and which is constructed primarily of wood, vinyl siding, asphalt shingle roofs, brick, concrete block, glass and drywall. The location of Units 7, 15, and 65 are shown on the Drawings.

Unit 7 is a "Chantilly Place" type Unit. The "Chantilly Place" type Unit is a two-story Unit containing approximately 2300 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, dining room or study, dinette area, great room, kitchen, laundry room, ½ bath, and an attached two-car garage. The second floor of consists of three (3) bedrooms and two (2) full baths. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 15 is a "Florence" type Unit. The "Florence" type Unit is a two-story Unit containing approximately 2,000 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, living room or dining room, dinette area, family room, kitchen, laundry room, ½ bath, and an attached two-car garage. The second floor of consists of three (3) bedrooms and two (2) full baths.

Unit 65 is a "Chantilly Place" type Unit. The "Chantilly Place" type Unit is a two-story Unit containing approximately 2300 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, dining room or study, dinette area, great room, kitchen, laundry room, ½ bath, and an attached two-car garage. The second floor of consists of three (3) bedrooms and two (2) full baths. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

**EXHIBIT "4"**  
**AMENDMENT NO. 6 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	9.10%
II	67	864 Hillary Lane	9.09%
III	8	853 Hillary Lane	9.09%
III	9	849 Hillary Lane	9.09%
III	16	821 Hillary Lane	9.09%
III	17	817 Hillary Lane	9.09%
IV	11	841 Hillary Lane	9.09%
V	18	813 Hillary Lane	9.09%
VI	7	857 Hillary Lane	9.09%
VI	15	825 Hillary Lane	9.09%
VI	65	854 Hillary Lane	9.09%
			Total 100%





*Patty*  
BONNIE M. HOWE  
PORTAGE CO. RECORDER

201500340 5.95

RECEIVED FOR RECORD  
AT 13:58:23  
FEE 140.00

**INDEXED**

**AMENDMENT NO. 5**  
**TO THE DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

✓

**PHASE V**  
**ADDING UNIT NO. 18**

This will certify that copies of this AMENDMENT NO. 5 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "AMENDMENT NO. 5"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

Dated: JAN 09 2015, 2014

PORTAGE COUNTY AUDITOR

By: *Janet Espinoza*

Deputy Auditor

This instrument prepared by:

Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333

**AMENDMENT NO. 5 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, , an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE V of the Condominium which contains one (1) Unit.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE V property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.

2. The legal description of the Condominium set forth in Exhibit “A” of the Declaration is amended to include the real property for PHASE V of the Condominium, the legal

description for PHASE V being described in Exhibit "1" attached hereto and made a part hereof

3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.

4. The number of Units referred to in the Declaration is increased from seven (7) Units to eight (8) Units. A narrative description of the Buildings and Units for PHASE V is set forth in Exhibit "3" attached hereto and made a part hereof

5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.

6. The particulars of the Buildings and Units and other improvements for PHASE V, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE V Drawings incorporated in this AMENDMENT NO. 5 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE V Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 5 to the Declaration.

7. No owner of a Unit which was not included in Phase I, II, III, and IV shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE V prior to the filing of this AMENDMENT NO. 5 (except replacement reserve funds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this AMENDMENT NO. 5.

8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.

9. Except as amended herein, the Declaration thereto shall remain in full force and effect

10. Consent to this AMENDMENT NO. 5 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 5<sup>th</sup> day of January, 2015

✓  
VILLAS OF BERTRAM, LLC,  
an Ohio limited liability company

By: Iris S. Wolstein  
Iris S. Wolstein, Manager

STATE OF OHIO                    )  
  )SS.  
COUNTY OF ~~LAKE~~                    )  
  Cuyahoga

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 5<sup>th</sup> day of January, 2015

[Signature]  
\_\_\_\_\_  
Notary Public  
My Commission Expires \_\_\_\_\_



**EXHIBIT "A"**

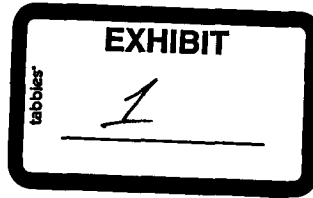
**AMENDMENT NO. 5 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 5 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the AMENDMENT NO. 5.

**EXHIBIT "1"**  
**AMENDMENT NO. 5 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE V WILL BE ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH 5**

**THE VILLAS OF BERTRAM PHASE 1 CONDOMINIUM PHASE 5**

**0.2213 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hillary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 07°30'01" East, along the centerline of said Hillary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 00°28'15" East, continuing along the centerline of said Hillary Lane, a distance of 285.32 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the left with a length 213.05 feet, radius 200.00 feet, delta 61°01'59", tangent 117.89 feet, chord 203.11 feet, bearing South 30°59'14" East to a point;

Thence South 28°29'46" West, a distance of 30.00 feet to a point, said point being on the westerly R/W of said Hillary Lane and the northeasterly corner of PH-3-2 in Villas of Bertram Phase 1, Condominium Phase 3 and being the Principal Place of Beginning;

Course I: Thence along the westerly R/W of said Hillary Lane, along a curve to the left with a length 52.19 feet, radius 230.00 feet, delta 13°00'01", tangent 26.21 feet, chord 52.08 feet, bearing South 68°00'14" East to a point;

Course II: Thence South 15°29'45" West, a distance of 143.50 feet to a point;

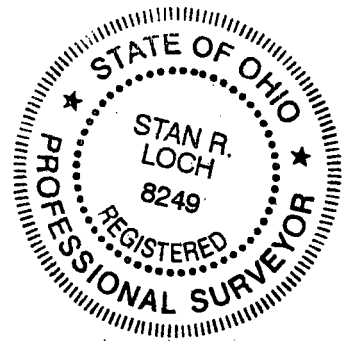
Course III: Thence North 67°15'11" West, a distance of 84.45 feet to a point, said point being the southeasterly corner of said Ph-3-2;

Course IV: Thence North 28°29'46" East, along the easterly line of said Ph-3-2, a distance of 142.39 feet to the Principal Place of Beginning.

Said parcel containing 0.2213 acres or 9,643 sq. ft. of land, be the same more or less, but subject to all legal highways as surveyed and described on December, 2014 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1 West, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and are used to denote angles only. The intent of the above description is to describe "Ph-5", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Phase 1, Condominium Phase 5.

Job#20132833

*SL* *12-17-14*  
Stan R. Loch P.S. # 8249 Date



1-9-2015 *SL*  
TAX MAP DEPT.

LEGAL DESCRIPTION

SUFFICIENT  DEFICIENT  
 NO DIVISION OF LAND

PN 03-015-10.00.001.002

36.2280 Ac

- 0.2213

36.0067 Ac

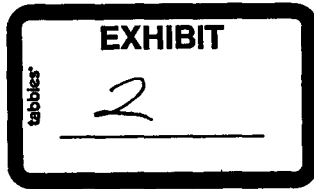
NO TRANSFER  
REQUIRED

JAN 09 2015  
JANET ESPOSITO  
AUDITOR



**EXHIBIT "2"**  
**AMENDMENT NO. 5 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH 5-R1**

**THE VILLAS OF BERTRAM PHASE 1 CONDOMINIUM PHASE 5**

**36.0067 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South  $89^{\circ}30'28''$  West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South  $00^{\circ}28'15''$  East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a 5/8" iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North  $89^{\circ}30'28''$  East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hillary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hillary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta  $90^{\circ}01'17''$ , tangent 25.01 feet, chord 35.36 feet, bearing South  $45^{\circ}28'54''$  East to a point;

Course III: Thence South  $00^{\circ}28'15''$  East, continuing along the westerly R/W of said Hillary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;

- Course IV: Thence South 89°31'45" West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;
- Course V: Thence South 00°28'15" East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwest corner of said Ph-1;
- Course VI: Thence North 89°31'45" East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hillary Lane, said point being the southeasterly corner of said Ph-1;
- Course VII: Thence South 00°28'15" East, along the westerly R/W of said Hillary Lane, a distance of 181.42 feet to a point, said point being a point of curvature;
- Course VIII: Thence continuing along the westerly R/W of said Hillary Lane, along a curve to the left with a length 34.35 feet, radius 280.00 feet, delta 07°01'46", tangent 17.20 feet, chord 34.33 feet, bearing South 03°59'08" East to a point;
- Course IX: Thence South 07°30'01" East, continuing along the westerly R/W of said Hillary Lane, a distance of 84.95 feet to a point, said point being the northeasterly corner of Ph-3-1 in Villas of Bertram Phase 1, Condominiums Phase 3;
- Course X: Thence South 89°31'45" West, along the northerly line of said Ph-3-1, a distance of 136.36 feet to a point, said point being the northwesterly corner of said Ph-3-1;
- Course XI: Thence South 00°28'15" East, along the westerly line of said Ph-3-1, a distance of 120.00 feet to a point, said point being the southwest corner of said Ph-3-1;
- Course XII: Thence North 89°31'45" East, along the southerly line of said Ph-3-1, a distance of 140.00 feet to a point, said point being on the westerly R/W of said Hillary Lane and the southeasterly corner of said Ph-3-1;
- Course XIII: Thence South 00°28'15" East, along the westerly R/W of said Hillary Lane, a distance of 65.00 feet to a point;
- Course XIV: Thence South 89°31'45" West, a distance of 140.00 feet to a point;
- Course XV: Thence South 00°28'15" East, a distance of 65.00 feet to a point;
- Course XVI: Thence North 89°31'45" East, a distance of 140.00 feet to a point, said point being on the westerly R/W of said Hillary Lane;
- Course XVII: Thence South 00°28'15" East, along the westerly R/W of said Hillary Lane, a distance of 78.32 feet to a point, said point being a point of curvature;
- Course XVIII: Thence continuing along the westerly R/W of said Hillary Lane, along a curve to the left with a length 140.59 feet, radius 230.00 feet, delta 35°01'19", tangent 72.57 feet, chord 138.41 feet, bearing South 17°58'55" East to a point, said point being the northwesterly corner of Ph-3-2 in Villas of Bertram Phase 1, Condominiums Phase 3;
- Course XIX: Thence South 54°30'26" West, along the westerly line of said Ph-3-2, a distance of 142.39 feet to a point, said point being the southwest corner of said Ph-3-2;
- Course XX: Thence South 41°59'53" East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;

- Course XXI: Thence South 55°00'13" East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2;
- Course XXII: Thence South 67°15'11" East, a distance of 84.45 feet to a point;
- Course XXIII: Thence North 15°29'45" East, a distance of 143.50 feet to a point, said point being on the westerly R/W of said Hillary Lane and a point of curvature;
- Course XXIV: Thence along the westerly R/W of said Hillary Lane, along a curve to the left with a length 18.22 feet, radius 230.00 feet, delta 04°32'23", tangent 9.12 feet, chord 18.22 feet, bearing South 76°46'27" East to a point, said point being on the easterly R/W of said Hillary Lane;
- Course XXV: Thence North 10°57'22" East, along the easterly R/W of said Hillary Lane, a distance of 60.00 feet to a point, said point being a point of curvature;
- Course XXVI: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 233.13 feet, radius 170.00 feet, delta 78°34'23", tangent 139.08 feet, chord 215.29 feet, bearing North 39°45'26" West to a point;
- Course XXVII: Thence North 00°28'15" West, continuing along the easterly R/W of said Hillary Lane, a distance of 72.96 feet to a point, said point being on the southerly R/W of Samantha Drive, 60 foot R/W and a point of curvature;
- Course XXVIII: Thence along the southerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta 89°59'54", tangent 25.00 feet, chord 35.35 feet, bearing North 44°31'42" East to a point;
- Course XXIX: Thence North 89°31'39" East, continuing along the southerly R/W of said Samantha Drive, a distance of 76.39 feet to a point, said point being a point of curvature;
- Course XXX: Thence continuing along the southerly R/W of said Samantha Drive, along a curve to the right with a length 23.44 feet, radius 270.00 feet, delta 04°58'24", tangent 11.73 feet, chord 23.43 feet, bearing South 87°59'09" East to a point, said point being on the easterly R/W of said Samantha Drive;
- Course XXXI: Thence North 04°30'03" East, along the easterly R/W of said Samantha Drive, a distance of 60.00 feet to a point, said point being on the northerly R/W of said Samantha Drive and a point of curvature;
- Course XXXII: Thence along the northerly R/W of said Samantha Drive, along a curve to the left with a length 28.64 feet, radius 330.00 feet, delta 04°58'24", tangent 14.33 feet, chord 28.64 feet, bearing North 87°59'09" West to a point;
- Course XXXIII: Thence South 89°31'39" West, continuing along the northerly R/W of said Samantha Drive, a distance of 76.39 feet to a point, said point being a point of curvature;
- Course XXXIV: Thence continuing along the northerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta 90°00'06", tangent 25.00 feet, chord 35.36 feet, bearing North 45°28'18" West to a point, said point being on the easterly R/W of said Hillary Lane;

- Course XXXV: Thence North  $00^{\circ}28'15''$  West, along the easterly R/W of said Hillary Lane, a distance of 102.39 feet to a point, said point being a point of curvature;
- Course XXXVI: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the left with a length 34.32 feet, radius 280.00 feet, delta  $07^{\circ}01'22''$ , tangent 17.18 feet, chord 34.30 feet, bearing North  $03^{\circ}59'20''$  West to a point;
- Course XXXVII: Thence North  $07^{\circ}30'01''$  West, continuing along the easterly R/W of said Hillary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;
- Course XXXVIII: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 26.99 feet, radius 220.00 feet, delta  $07^{\circ}01'46''$ , tangent 13.51 feet, chord 26.97 feet, bearing North  $03^{\circ}59'08''$  West to a point;
- Course XXXIX: Thence North  $00^{\circ}28'15''$  West, continuing along the easterly R/W of said Hillary Lane, a distance of 1.42 feet to a point, said point being the southwesterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominium Phase 2;
- Course XL: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-2, a distance of 122.30 feet to a point, said point being the southeasterly corner of said Ph-2;
- Course XLI: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ph-2, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-2;
- Course XLII: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-2, a distance of 122.05 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-2;
- Course XLIII: Thence North  $00^{\circ}28'15''$  West, continuing along the easterly R/W of said Hillary Lane, a distance of 280.07 feet to a point, said point being a point of curvature;
- Course XLIV: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta  $89^{\circ}58'43''$ , tangent 24.99 feet, chord 35.35 feet, bearing North  $44^{\circ}31'06''$  East to a point, said point being on the southerly R/W of said Treat Road;
- Course XLV: Thence North  $89^{\circ}30'28''$  East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a  $5/8''$  iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course XLVI: Thence South  $00^{\circ}42'49''$  East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a  $5/8''$  iron pin found capped "Weiss & Assoc.", said point being the southwesterly corner of said Ohio Edison Company;
- Course XLVII: Thence North  $89^{\circ}30'28''$  East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a  $5/8''$  iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;
- Course XLVIII: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ohio Edison Company, passing through a  $5/8''$  iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;

**EXHIBIT "4"**  
**AMENDMENT NO. 5 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

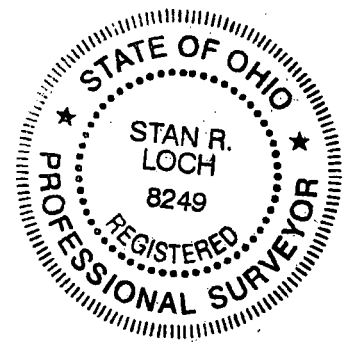
<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	12.5%
II	67	864 Hillary Lane	12.5%
III	8	853 Hillary Lane	12.5%
III	9	849 Hillary Lane	12.5%
III	16	821 Hillary Lane	12.5%
III	17	817 Hillary Lane	12.5%
IV	11	841 Hillary Lane	12.5%
V	18	813 Hillary Lane	12.5%
			Total 100%

- Course XLIX: Thence North 89°30'28" East, along the centerline of said Treat Road, passing through a 1-1/4" axel found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;
- Course L: Thence South 00°42'49" East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;
- Course LI: Thence South 89°32'00" West, along the northerly line of said Berry and the northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a 5/8" iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a 3/4" iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;
- Course LII: Thence North 47°50'36" West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a 3/4" iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwestery corner of lands conveyed to Michael & Cheryl Habbyshaw, as recorded in Document No. 201105000 of the Portage County Deed Records;
- Course LIII: Thence North 89°30'22" East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;
- Course LIV: Thence North 00°28'15" West, along the easterly line of said Habbyshaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

Said parcel containing 36.0067 acres or 1,568,452 sq. ft. of land, be the same more or less, but subject to all legal highways as surveyed and described on December, 2014 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1 West, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and are used to denote angles only. The intent of the above description is to describe "Ph 5-R1", which is the remaining parcel of land conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Phase 1, Condominium Phase 5.

Job#20132833

  
 Stan R. Loch P.S. # 8249 Date 12-12-14



1.9.2015 087  
 TAX MAP DEPT.  
 LEGAL DESCRIPTION  
 SUFFICIENT  DEFIC...  
 NO DIVISION OF LAND

PN 03-015-10-00-001-002 = 36.0067 Ac

**EXHIBIT "3"**  
**AMENDMENT NO. 5 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE V contains one (1) detached single-family residential Building known as Unit 18, situated on Hillary Lane, which includes a basement and an attached two car garage, and which is constructed primarily of wood, vinyl siding, asphalt shingle roofs, brick, concrete block, glass and drywall. The location of Unit 18 is shown on the Drawings.

Unit 18 is a "Rome" type Unit . The "Rome" type Unit Contains approximately 3,060 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a living room, dining room, Kitchen, family room, study, and ½ bath, and an attached two-car garage. The second floor of consists of four (4) bedrooms and two (2) full baths, and a laundry area. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.





Patty  
BONNIE M. HOWE  
PORTAGE CO. RECORDER

201500338 5-95

RECEIVED FOR RECORD  
AT 13:57:47  
FEE 140.00

**INDEXED**

AMENDMENT NO. 4  
TO THE DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM

PHASE IV  
ADDING UNIT NO. 11

This will certify that copies of this AMENDMENT NO. 4 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "Amendment No. 4"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

Dated: JAN 09 2015, 2014

PORTAGE COUNTY AUDITOR

By: Janet Espinoza  
Deputy Auditor

This instrument prepared by:

Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333

**AMENDMENT NO. 4 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, , an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as PHASE IV of the Condominium which contains one (1) Unit.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The PHASE IV property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.

2. The legal description of the Condominium set forth in Exhibit “A” of the Declaration is amended to include the real property for PHASE IV of the Condominium, the legal

description for PHASE IV being described in Exhibit "1" attached hereto and made a part hereof

3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.

4. The number of Units referred to in the Declaration is increased from six (6) Units to seven (7) Units. A narrative description of the Buildings and Units for PHASE IV is set forth in Exhibit "3" attached hereto and made a part hereof

5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.

6. The particulars of the Buildings and Units and other improvements for PHASE IV, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of PHASE IV Drawings incorporated in this AMENDMENT NO. 4 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The PHASE IV Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 4 to the Declaration.

7. No owner of a Unit which was not included in Phase I, II, and III shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in PHASE IV prior to the filing of this AMENDMENT NO. 4 (except replacement reserve funds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this Amendment No. 4.

8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.

9. Except as amended herein, the Declaration thereto shall remain in full force and effect

10. Consent to this AMENDMENT NO. 4 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 5<sup>th</sup> day of January, 2015

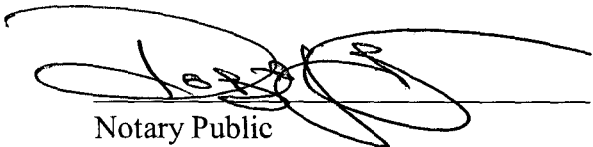
✓  
VILLAS OF BERTRAM, LLC,  
an Ohio limited liability company

By:   
Iris S. Wolstein, Manager

STATE OF OHIO                    )  
  )SS.  
COUNTY OF ~~LAKE~~            )  
  Cuyahoga

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 5<sup>th</sup> day of January, 2015

  
Notary Public  
My Commission Expires \_\_\_\_\_



**EXHIBIT "A"**

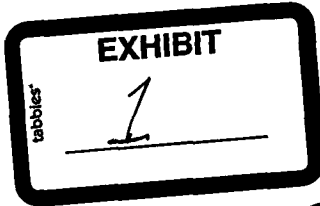
**AMENDMENT NO. 4 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 4 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the Amendment No. 4.

**EXHIBIT "1"**  
**AMENDMENT NO. 4 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE IV WILL BE ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION  
PH 4**

**THE VILLAS OF BERTRAM PHASE 1 CONDOMINIUM PHASE 4  
0.2089 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hillary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $07^{\circ}30'01''$  East, along the centerline of said Hillary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta  $07^{\circ}01'46''$ , tangent 15.36 feet, chord 30.65 feet, bearing South  $03^{\circ}59'08''$  East to a point;

Thence South  $00^{\circ}28'15''$  East, along the centerline of said Hillary Lane, a distance of 141.99 feet to a point;

Thence South  $89^{\circ}31'45''$  West, a distance of 30.00 feet to a point, said point being on the westerly R/W of said Hillary Lane and being the Principal Place of Beginning;





**EXHIBIT "2"**  
**AMENDMENT NO. 4 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO

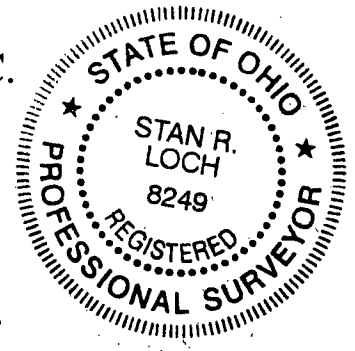


**ENGINEERING & SURVEYING CO., INC.**

5425 WARNER ROAD – SUITE 12

VALLEY VIEW, OHIO 44125

PH: 440-602-9071 FAX: 216-369-0259



**LEGAL DESCRIPTION**

**PH 4-R1**

**THE VILLAS OF BERTRAM PHASE 1 CONDOMINIUM PHASE 4**

**36.2280 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South 89°30'28" West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South 00°28'15" East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to a 5/8" iron pin found capped "Aztech #8249" in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hillary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hillary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta 90°01'17", tangent 25.01 feet, chord 35.36 feet, bearing South 45°28'54" East to a point;

Course III: Thence South 00°28'15" East, continuing along the westerly R/W of said Hillary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;

- Course IV: Thence South 89°31'45" West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;
- Course V: Thence South 00°28'15" East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwesterly corner of said Ph-1;
- Course VI: Thence North 89°31'45" East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hillary Lane, said point being the southeasterly corner of said Ph-1;
- Course VII: Thence South 00°28'15" East, along the westerly R/W of said Hillary Lane, a distance of 181.42 feet to a point, said point being a point of curvature;
- Course VIII: Thence continuing along the westerly R/W of said Hillary Lane, along a curve to the left with a length 34.35 feet, radius 280.00 feet, delta 07°01'46", tangent 17.20 feet, chord 34.33 feet, bearing South 03°59'08" East to a point;
- Course IX: Thence South 07°30'01" East, continuing along the westerly R/W of said Hillary Lane, a distance of 84.95 feet to a point, said point being the northeasterly corner of Ph-3-1 in Villas of Bertram Phase 1, Condominiums Phase 3;
- Course X: Thence South 89°31'45" West, along the northerly line of said Ph-3-1, a distance of 136.36 feet to a point, said point being the northwesterly corner of said Ph-3-1;
- Course XI: Thence South 00°28'15" East, along the westerly line of said Ph-3-1, a distance of 120.00 feet to a point, said point being the southwesterly corner of said Ph-3-1;
- Course XII: Thence North 89°31'45" East, along the southerly line of said Ph-3-1, a distance of 140.00 feet to a point, said point being on the westerly R/W of said Hillary Lane and the southeasterly corner of said Ph-3-1;
- Course XIII: Thence South 00°28'15" East, along the westerly R/W of said Hillary Lane, a distance of 65.00 feet to a point;
- Course XIV: Thence South 89°31'45" West, a distance of 140.00 feet to a point;
- Course XV: Thence South 00°28'15" East, a distance of 65.00 feet to a point;
- Course XVI: Thence North 89°31'45" East, a distance of 140.00 feet to a point, said point being on the westerly R/W of said Hillary Lane;
- Course XVII: Thence South 00°28'15" East, along the westerly R/W of said Hillary Lane, a distance of 78.32 feet to a point, said point being a point of curvature;
- Course XVIII: Thence continuing along the westerly R/W of said Hillary Lane, along a curve to the left with a length 140.59 feet, radius 230.00 feet, delta 35°01'19", tangent 72.57 feet, chord 138.41 feet, bearing South 17°58'55" East to a point, said point being the northwesterly corner of Ph-3-2 in Villas of Bertram Phase 1, Condominiums Phase 3;
- Course XIX: Thence South 54°30'26" West, along the westerly line of said Ph-3-2, a distance of 142.39 feet to a point, said point being the southwesterly corner of said Ph-3-2;

- Course XX: Thence South  $41^{\circ}59'53''$  East, along the southerly line of said Ph-3-2, a distance of 84.38 feet to a point;
- Course XXI: Thence South  $55^{\circ}00'13''$  East, continuing along the southerly line of said Ph-3-2, a distance of 84.31 feet to a point, said point being the southeasterly corner of said Ph-3-2;
- Course XXII: Thence North  $28^{\circ}29'46''$  East, along the easterly line of said Ph-3-2, a distance of 142.39 feet to a point, said point being on the westerly R/W of said Hillary Lane and a point of curvature, said point being the northeasterly corner of said Ph-3-2;
- Course XXIII: Thence along the westerly R/W of said Hillary Lane, along a curve to the left with a length 70.41 feet, radius 230.00 feet, delta  $17^{\circ}32'24''$ , tangent 35.48 feet, chord 70.14 feet, bearing South  $70^{\circ}16'26''$  East to a point, said point being on the easterly R/W of said Hillary Lane;
- Course XXIV: Thence North  $10^{\circ}57'22''$  East, along the easterly R/W of said Hillary Lane, a distance of 60.00 feet to a point, said point being a point of curvature;
- Course XXV: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 233.13 feet, radius 170.00 feet, delta  $78^{\circ}34'23''$ , tangent 139.08 feet, chord 215.29 feet, bearing North  $39^{\circ}45'26''$  West to a point;
- Course XXVI: Thence North  $00^{\circ}28'15''$  West, continuing along the easterly R/W of said Hillary Lane, a distance of 72.96 feet to a point, said point being on the southerly R/W of Samantha Drive, 60 foot R/W and a point of curvature;
- Course XXVII: Thence along the southerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta  $89^{\circ}59'54''$ , tangent 25.00 feet, chord 35.35 feet, bearing North  $44^{\circ}31'42''$  East to a point;
- Course XXVIII: Thence North  $89^{\circ}31'39''$  East, continuing along the southerly R/W of said Samantha Drive, a distance of 76.39 feet to a point, said point being a point of curvature;
- Course XXIX: Thence continuing along the southerly R/W of said Samantha Drive, along a curve to the right with a length 23.44 feet, radius 270.00 feet, delta  $04^{\circ}58'24''$ , tangent 11.73 feet, chord 23.43 feet, bearing South  $87^{\circ}59'09''$  East to a point, said point being on the easterly R/W of said Samantha Drive;
- Course XXX: Thence North  $04^{\circ}30'03''$  East, along the easterly R/W of said Samantha Drive, a distance of 60.00 feet to a point, said point being on the northerly R/W of said Samantha Drive and a point of curvature;
- Course XXXI: Thence along the northerly R/W of said Samantha Drive, along a curve to the left with a length 28.64 feet, radius 330.00 feet, delta  $04^{\circ}58'24''$ , tangent 14.33 feet, chord 28.64 feet, bearing North  $87^{\circ}59'09''$  West to a point;
- Course XXXII: Thence South  $89^{\circ}31'39''$  West, continuing along the northerly R/W of said Samantha Drive, a distance of 76.39 feet to a point, said point being a point of curvature;

- Course XXXIII: Thence continuing along the northerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta  $90^{\circ}00'06''$ , tangent 25.00 feet, chord 35.36 feet, bearing North  $45^{\circ}28'18''$  West to a point, said point being on the easterly R/W of said Hillary Lane;
- Course XXXIV: Thence North  $00^{\circ}28'15''$  West, along the easterly R/W of said Hillary Lane, a distance of 102.39 feet to a point, said point being a point of curvature;
- Course XXXV: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the left with a length 34.32 feet, radius 280.00 feet, delta  $07^{\circ}01'22''$ , tangent 17.18 feet, chord 34.30 feet, bearing North  $03^{\circ}59'20''$  West to a point;
- Course XXXVI: Thence North  $07^{\circ}30'01''$  West, continuing along the easterly R/W of said Hillary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;
- Course XXXVII: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 26.99 feet, radius 220.00 feet, delta  $07^{\circ}01'46''$ , tangent 13.51 feet, chord 26.97 feet, bearing North  $03^{\circ}59'08''$  West to a point;
- Course XXXVIII: Thence North  $00^{\circ}28'15''$  West, continuing along the easterly R/W of said Hillary Lane, a distance of 1.42 feet to a point, said point being the southwesterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominium Phase 2;
- Course XXXIX: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-2, a distance of 122.30 feet to a point, said point being the southeasterly corner of said Ph-2;
- Course XL: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ph-2, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-2;
- Course XLI: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-2, a distance of 122.05 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-2;
- Course XLII: Thence North  $00^{\circ}28'15''$  West, continuing along the easterly R/W of said Hillary Lane, a distance of 280.07 feet to a point, said point being a point of curvature;
- Course XLIII: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta  $89^{\circ}58'43''$ , tangent 24.99 feet, chord 35.35 feet, bearing North  $44^{\circ}31'06''$  East to a point, said point being on the southerly R/W of said Treat Road;
- Course XLIV: Thence North  $89^{\circ}30'28''$  East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a  $5/8''$  iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course XLV: Thence South  $00^{\circ}42'49''$  East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a  $5/8''$  iron pin found capped "Weiss & Assoc.", said point being the southwesterly corner of said Ohio Edison Company;
- Course XLVI: Thence North  $89^{\circ}30'28''$  East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a  $5/8''$  iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;

1.9.2015 *SL*

TAX MAP DEPT.  
LEGAL DESCRIPTION  
 SUFFICIENT  DEFICIENT  
 NO DIVISION OF LAND  
P.N. 03-015.10.00.001-002 = 36.2280 Ac

- Course XLVII: Thence North 00°42'49" West, along the easterly line of said Ohio Edison Company, passing through a 5/8" iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;
- Course XLVIII: Thence North 89°30'28" East, along the centerline of said Treat Road, passing through a 1-1/4" axel found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;
- Course XLIX: Thence South 00°42'49" East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry, as recorded in Document No. 201218565 of the Portage County Deed Records;
- Course L: Thence South 89°32'00" West, along the northerly line of said Berry and the northerly line of lands conveyed to CZ Holdings LLC., as recorded in Document No. 200116204 of the Portage County Deed Records, passing through a 5/8" iron pin found capped "Aztech #8249" in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a 3/4" iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said CZ Holdings LLC.;
- Course LI: Thence North 47°50'36" West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a 3/4" iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwestery corner of lands conveyed to Michael & Cheryl Habbyshaw, as recorded in Document No. 201105000 of the Portage County Deed Records;
- Course LII: Thence North 89°30'22" East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;
- Course LIII: Thence North 00°28'15" West, along the easterly line of said Habbyshaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

Said parcel containing 36.2280 acres or 1,578,095 sq. ft. of land, be the same more or less, but subject to all legal highways as surveyed and described on December, 2014 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1 West, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and are used to denote angles only. The intent of the above description is to describe "Ph 4-R1", which is the remaining parcel of land conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Phase 1, Condominium Phase 4.

Job#20132833

 12-2-14  
Stan R. Loch P.S. # 8249 Date

**EXHIBIT "3"**  
**AMENDMENT NO. 4 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

PHASE IV contains one (1) detached single-family residential Building known as Unit 11, situated on Hillary Lane, which includes a basement and an attached two car garage, and which is constructed primarily of wood, vinyl siding, asphalt shingle roofs, brick, concrete block, glass and drywall. The location of Unit 11 is shown on the Drawings.

Unit 11 is a "Pisa Torre" type Unit . The "Pisa Torre" type Unit Contains approximately 1407 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, great room, dining area, 3 bedrooms, 2 baths, and an attached two-car garage. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.



**EXHIBIT "4"**  
**AMENDMENT NO. 4 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	14.285%
II	67	864 Hillary Lane	14.285%
III	8	853 Hillary Lane	14.285%
III	9	849 Hillary Lane	14.285%
III	16	821 Hillary Lane	14.285%
III	17	817 Hillary Lane	14.285%
IV	11	841 Hillary Lane	14.285%
			Total 100%



Patty  
BONNIE M. HOWE  
PORTAGE CO. RECORDER

201418293 4-21

RECEIVED FOR RECORD  
AT 13:19:24  
FEE 156.00

**INDEXED**

AMENDMENT NO. 3 18  
TO THE DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM ✓

PHASE III  
ADDING UNIT NOS. 8, 9, 16, and 17

This will certify that copies of this AMENDMENT NO. 3 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "Amendment No. 3"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

Dated: DEC 02 2014, 2014

PORTAGE COUNTY AUDITOR

By: Xanet Esposito  
Deputy Auditor

This instrument prepared by:

Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333

**AMENDMENT NO. 3 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, , an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as Phase III of the Condominium which contains one (1) Unit.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The Phase III property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.
2. The legal description of the Condominium set forth in Exhibit “A” of the Declaration is amended to include the real property for Phase III of the Condominium, the legal

description for Phase III being described in Exhibit "1" attached hereto and made a part hereof

3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.

4. The number of Units referred to in the Declaration is increased from two (2) Units to six (6) Units. A narrative description of the Buildings and Units for Phase III is set forth in Exhibit "3" attached hereto and made a part hereof

5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.

6. The particulars of the Buildings and Units and other improvements for Phase III, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Phase III Drawings incorporated in this AMENDMENT NO. 3 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The Phase III Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this AMENDMENT NO. 3 to the Declaration.

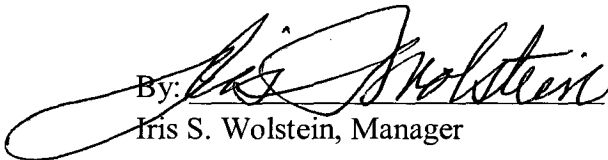
7. No owner of a Unit which was not included in Phase I and II shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in Phase III prior to the filing of this AMENDMENT NO. 3 (except replacement reserve funds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this Amendment No. 3.

8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.

9. Except as amended herein, the Declaration thereto shall remain in full force and effect
10. Consent to this AMENDMENT NO. 3 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this \_\_\_\_ day of \_\_\_\_\_, 2014.

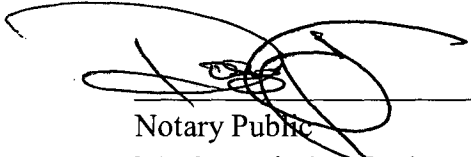
VILLAS OF BERTRAM, LLC, ✓  
an Ohio limited liability company

By:   
Iris S. Wolstein, Manager

STATE OF OHIO                    )  
  )SS.  
COUNTY OF ~~LAKE~~            )  
  Cuyahoga

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 24<sup>th</sup> day of November, 2014.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires \_\_\_\_\_



**EXHIBIT "A"**

**AMENDMENT NO. 3 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

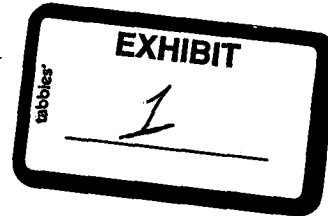
**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the AMENDMENT NO. 3 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the Amendment No. 3.

**EXHIBIT "1"**  
**AMENDMENT NO. 3 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE III WILL BE ATTACHED HERETO





**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH 3-1**

**THE VILLAS OF BERTRAM PHASE 1 CONDOMINIUM PHASE 3**

**0.3843 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hillary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 07°30'01" East, along the centerline of said Hillary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 00°28'15" East, along the centerline of said Hillary Lane, a distance of 76.99 feet to a point;

Thence South 89°31'45" West, a distance of 30.00 feet to a point, said point being on the westerly R/W of said Hillary Lane and being the Principal Place of Beginning;

Course I: Thence South 89°31'45" West, a distance of 140.00 feet to a point;

Course II: Thence North 00°28'15" West, a distance of 120.00 feet to a point;

Course III: Thence North 89°31'45" East, a distance of 136.36 feet to a point, said point being on the westerly R/W of said Hillary Lane;

Course IV: Thence South 07°30'01" East, along the westerly R/W of said Hillary Lane, a distance of 16.20 feet to a point, said point being a point of curvature;

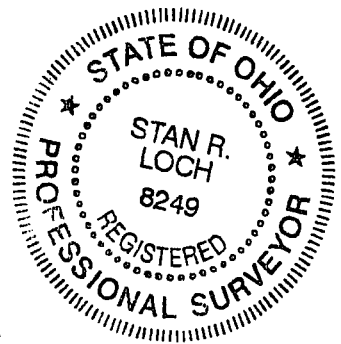
Course V: Thence continuing along westerly R/W of said Hillary Lane, along a curve to the right with a length 26.97 feet, radius 220.00 feet, delta 07°01'22", tangent 13.50 feet, chord 26.95 feet, bearing South 03°59'20" East to a point;

Course VI: Thence South 00°28'15" East, continuing along the westerly R/W of said Hillary Lane, a distance of 77.02 feet to the Principal Place of Beginning.

Said parcel containing 0.3843 acres or 16,742 sq. ft. of land, be the same more or less, but subject to all legal highways as surveyed and described on November, 2014 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1 West, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and are used to denote angles only. The intent of the above description is to describe "Ph 3-1", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Phase 1, Condominium Phase 3.

Job#20132833

*SL* *11-19-14*  
Stan R. Loch P.S. # 8249 Date



12-1-2014 *SL*  
TAX MAP DEPT.  
LEGAL DESCRIPTION  
 SUFFICIENT  DEFICIENT  
 NO DIVISION OF LAND  
P.N. 03-015-10-00-001.000  
37.2621 Ac  
- 0.3843 Ac  
36.8778 Ac

*002*



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH 3-2**

**THE VILLAS OF BERTRAM PHASE 1 CONDOMINIUM PHASE 3**

**0.4407 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hillary Lane, a distance of 396.47 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the left with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 07°30'01" East, along the centerline of said Hillary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the right with a length 30.67 feet, radius 250.00 feet, delta 07°01'46", tangent 15.36 feet, chord 30.65 feet, bearing South 03°59'08" East to a point;

Thence South 00°28'15" East, continuing along the centerline of said Hillary Lane, a distance of 285.32 feet to a point, said point being a point of curvature;

Thence continuing along the centerline of said Hillary Lane, along a curve to the left with a length 122.25 feet, radius 200.00 feet, delta 35°01'19", tangent 63.10 feet, chord 120.36 feet, bearing South 17°58'55" East to a point;


Thence South 54°30'26" West, a distance of 30.00 feet to a point, said point being on the westerly R/W of said Hillary Lane and being the Principal Place of Beginning;

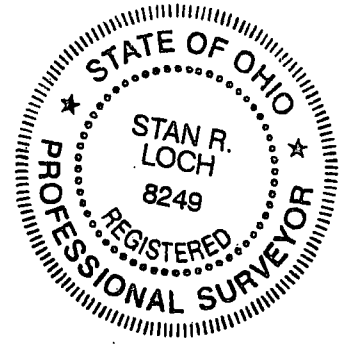
Course I: Thence along the westerly R/W of said Hillary Lane, along a curve to the left with a length 104.42 feet, radius 230.00 feet, delta 26°00'40", tangent 53.12 feet, chord 103.52 feet, bearing South 48°29'54" East to a point;

- Course II: Thence South 28°29'46" West, a distance of 142.39 feet to a point;
- Course III: Thence North 55°00'13" West, a distance of 84.31 feet to a point;
- Course IV: Thence North 41°59'53" West, a distance of 84.38 feet to a point;
- Course V: Thence North 54°30'26" East, a distance of 142.39 feet to the Principal Place of Beginning.

Said parcel containing 0.4407 acres or 19,200 sq. ft. of land, be the same more or less, but subject to all legal highways as surveyed and described on November, 2014 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1 West, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and are used to denote angles only. The intent of the above description is to describe "Ph 3-1", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Phase 1, Condominium Phase 3.

Job#20132833

  
 Stan R. Loch P.S. # 8249      Date



12.1.2014 *LDJ*  
 TAX MAP DEPT.  
 LEGAL DESCRIPTION  
 SUFFICIENT     DEFICIENT  
 NO DIVISION OF LAND

P.N: 03-015-10-00- 001.000  
 36.8778 Ac  
 0.4407  
 —————  
 36.4371 Ac

**EXHIBIT "2"**  
**AMENDMENT NO. 3 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**

**5425 WARNER ROAD – SUITE 12**

**VALLEY VIEW, OHIO 44125**

**PH: 440-602-9071 FAX: 216-369-0259**

**LEGAL DESCRIPTION**

**PH 3-R1**

**THE VILLAS OF BERTRAM PHASE 1 CONDOMINIUM PHASE 3**

**36.4369 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South 89°30'28" West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South 00°28'15" East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to an iron pin set in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

Course I: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hillary Lane and a point of curvature;

Course II: Thence along the westerly R/W of said Hillary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta 90°01'17", tangent 25.01 feet, chord 35.36 feet, bearing South 45°28'54" East to a point;

Course III: Thence South 00°28'15" East, continuing along the westerly R/W of said Hillary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;

Course IV: Thence South 89°31'45" West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;

Course V: Thence South 00°28'15" East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwestly corner of said Ph-1;

Course VI: Thence North 89°31'45" East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hillary Lane, said point being the southeasterly corner of said Ph-1;

- Course VII: Thence South  $00^{\circ}28'15''$  East, along the westerly R/W of said Hillary Lane, a distance of 181.42 feet to a point, said point being a point of curvature;
- Course VIII: Thence continuing along the westerly R/W of said Hillary Lane, along a curve to the left with a length 34.35 feet, radius 280.00 feet, delta  $07^{\circ}01'46''$ , tangent 17.20 feet, chord 34.33 feet, bearing South  $03^{\circ}59'08''$  East to a point;
- Course IX: Thence South  $07^{\circ}30'01''$  East, continuing along the westerly R/W of said Hillary Lane, a distance of 84.95 feet to a point;
- Course X: Thence South  $89^{\circ}31'45''$  West, a distance of 136.36 feet to a point;
- Course XI: Thence South  $00^{\circ}28'15''$  East, a distance of 120.00 feet to a point;
- Course XII: Thence North  $89^{\circ}31'45''$  East, a distance of 140.00 feet to a point, said point being on the westerly R/W of said Hillary Lane;
- Course XIII: Thence South  $00^{\circ}28'15''$  East, along the westerly R/W of said Hillary Lane, a distance of 208.32 feet to a point, said point being a point of curvature;
- Course XIV: Thence continuing along the westerly R/W of said Hillary Lane, along a curve to the left with a length 140.59 feet, radius 230.00 feet, delta  $35^{\circ}01'19''$ , tangent 72.57 feet, chord 138.41 feet, bearing South  $17^{\circ}58'55''$  East to a point;
- Course XV: Thence South  $54^{\circ}30'26''$  West, a distance of 142.39 feet to a point;
- Course XVI: Thence South  $41^{\circ}59'53''$  East, a distance of 84.38 feet to a point;
- Course XVII: Thence South  $55^{\circ}00'13''$  East, a distance of 84.31 feet to a point;
- Course XVIII: Thence North  $28^{\circ}29'46''$  East, a distance of 142.39 feet to a point, said point being on the westerly R/W of said Hillary Lane and a point of curvature;
- Course XIX: Thence along the westerly R/W of said Hillary Lane, along a curve to the left with a length 70.41 feet, radius 230.00 feet, delta  $17^{\circ}32'24''$ , tangent 35.48 feet, chord 70.14 feet, bearing South  $70^{\circ}16'26''$  East to a point, said point being on the easterly R/W of said Hillary Lane;
- Course XX: Thence North  $10^{\circ}57'22''$  East, along the easterly R/W of said Hillary Lane, a distance of 60.00 feet to a point, said point being a point of curvature;
- Course XXI: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 233.13 feet, radius 170.00 feet, delta  $78^{\circ}34'23''$ , tangent 139.08 feet, chord 215.29 feet, bearing North  $39^{\circ}45'26''$  West to a point;
- Course XXII: Thence North  $00^{\circ}28'15''$  West, continuing along the easterly R/W of said Hillary Lane, a distance of 72.96 feet to a point, said point being on the southerly R/W of Samantha Drive, 60 foot R/W and a point of curvature;
- Course XXIII: Thence along the southerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta  $89^{\circ}59'54''$ , tangent 25.00 feet, chord 35.35 feet, bearing North  $44^{\circ}31'42''$  East to a point;

- Course XXIV: Thence North  $89^{\circ}31'39''$  East, continuing along the southerly R/W of said Samantha Drive, a distance of 76.39 feet to a point, said point being a point of curvature;
- Course XXV: Thence continuing along the southerly R/W of said Samantha Drive, along a curve to the right with a length 23.44 feet, radius 270.00 feet, delta  $04^{\circ}58'24''$ , tangent 11.73 feet, chord 23.43 feet, bearing South  $87^{\circ}59'09''$  East to a point, said point being on the easterly R/W of said Samantha Drive;
- Course XXVI: Thence North  $04^{\circ}30'03''$  East, along the easterly R/W of said Samantha Drive, a distance of 60.00 feet to a point, said point being on the northerly R/W of said Samantha Drive and a point of curvature;
- Course XXVII: Thence along the northerly R/W of said Samantha Drive, along a curve to the left with a length 28.64 feet, radius 330.00 feet, delta  $04^{\circ}58'24''$ , tangent 14.33 feet, chord 28.64 feet, bearing North  $87^{\circ}59'09''$  West to a point;
- Course XXVIII: Thence South  $89^{\circ}31'39''$  West, continuing along the northerly R/W of said Samantha Drive, a distance of 76.39 feet to a point, said point being a point of curvature;
- Course XXIX: Thence continuing along the northerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta  $90^{\circ}00'06''$ , tangent 25.00 feet, chord 35.36 feet, bearing North  $45^{\circ}28'18''$  West to a point, said point being on the easterly R/W of said Hillary Lane;
- Course XXX: Thence North  $00^{\circ}28'15''$  West, along the easterly R/W of said Hillary Lane, a distance of 102.39 feet to a point, said point being a point of curvature;
- Course XXXI: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the left with a length 34.32 feet, radius 280.00 feet, delta  $07^{\circ}01'22''$ , tangent 17.18 feet, chord 34.30 feet, bearing North  $03^{\circ}59'20''$  West to a point;
- Course XXXII: Thence North  $07^{\circ}30'01''$  West, continuing along the easterly R/W of said Hillary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;
- Course XXXIII: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 26.99 feet, radius 220.00 feet, delta  $07^{\circ}01'46''$ , tangent 13.51 feet, chord 26.97 feet, bearing North  $03^{\circ}59'08''$  West to a point;
- Course XXXIV: Thence North  $00^{\circ}28'15''$  West, continuing along the easterly R/W of said Hillary Lane, a distance of 1.42 feet to a point, said point being the southwesterly corner of Ph-2 in the Villas of Bertram Phase 1, Condominium Phase 2;
- Course XXXV: Thence North  $89^{\circ}31'45''$  East, along the southerly line of said Ph-2, a distance of 122.30 feet to a point, said point being the southeasterly corner of said Ph-2;
- Course XXXVI: Thence North  $00^{\circ}42'49''$  West, along the easterly line of said Ph-2, a distance of 60.00 feet to a point, said point being the northeasterly corner of said Ph-2;
- Course XXXVII: Thence South  $89^{\circ}31'45''$  West, along the northerly line of said Ph-2, a distance of 122.05 feet to a point on the easterly R/W of said Hillary Lane, said point being the northwesterly corner of said Ph-2;



- Course XXXVIII: Thence North 00°28'15" West, continuing along the easterly R/W of said Hillary Lane, a distance of 280.07 feet to a point, said point being a point of curvature;
- Course XXXIX: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta 89°58'43", tangent 24.99 feet, chord 35.35 feet, bearing North 44°31'06" East to a point, said point being on the southerly R/W of said Treat Road;
- Course XL: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a 5/8" iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course XLI: Thence South 00°42'49" East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southwesterly corner of said Ohio Edison Company;
- Course XLII: Thence North 89°30'28" East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;
- Course XLIII: Thence North 00°42'49" West, along the easterly line of said Ohio Edison Company, passing through a 5/8" iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;
- Course XLIV: Thence North 89°30'28" East, along the centerline of said Treat Road, passing through a 1-1/4" axel found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;
- Course XLV: Thence South 00°42'49" East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry as recorded in Document No. 201218565 of the Portage County Deed Records;
- Course XLVI: Thence South 89°32'00" West, along the northerly line of said Berry, passing through an iron pin set in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a 3/4" iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said Berry;
- Course XLVII: Thence North 47°50'36" West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a 3/4" iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwesterly corner of lands conveyed to Michael & Cheryl Habbysaw, as recorded in Document No. 201105000 of the Portage County Deed Records;

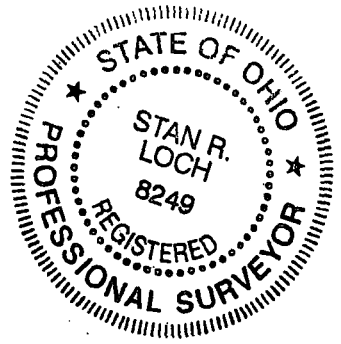
Course XLVIII: Thence North 89°30'22" East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;

Course XLIX: Thence North 00°28'15" West, along the easterly line of said Habbyshaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

Said parcel containing 36.4369 acres or 1,587,195 sq. ft. of land, be the same more or less, but subject to all legal highways as surveyed and described on November, 2014 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1 West, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and are used to denote angles only. The intent of the above description is to describe "Ph 3-R1", which is the remaining parcel of land conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Phase 1, Condominium Phase 3.

Job#20132833

Stan R. Loch 11-9-14  
Stan R. Loch P.S. # 8249 Date



12.1.2014 007  
TAX MAP DEPT,  
LEGAL DESCRIPTION  
 SUFFICIENT  DEFICIENT  
 NO DIVISION OF LAND

P.W. 03-015-10-00-001.000<sup>002</sup>

(36.4371Ac)

= 36.4369 Ac BY SURVEY

NO TRANSFER

REQUIRED

DEC 02 2014  
JANET ESPOSITO

**EXHIBIT "3"**  
**AMENDMENT NO. 3 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

Phase III contains four (4) two-story detached single-family residential Building known as Unit 8, Unit 9, Unit 16, and Unit 17, situated on Hillary Lane, which includes a basement and an attached two car garage, and which is constructed primarily of wood, vinyl siding, asphalt shingle roofs, brick, concrete block, glass and drywall. The location of Unit 8, Unit 9, Unit 16, and Unit 17 are shown on the Drawings.

Unit 8 is a "Florence" type Unit . The "Florence" type Unit is a two-story Unit containing approximately 2,000 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, living room or dining room, dinette area, family room, kitchen, laundry room, ½ bath, and an attached two-car garage. The second floor of consists of three (3) bedrooms and two (2) full baths.

Unit 9 is a "Venice" type Unit . The "Venice" type Unit is a two-story Unit containing approximately 2,344 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, great room or study, dining room, kitchen, morning room, laundry room, ½ bath and an attached two-car garage. The second floor of consists of four (4) bedrooms and two (2) full baths, and walk-in closet.

Unit 16 is a "Chantilly Place" type Unit . The "Chantilly Place" type Unit is a two-story Unit containing approximately 2300 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, dining room or study, dinette area, great room, kitchen, laundry room, ½ bath, and an attached two-car garage. The second floor of consists of three (3) bedrooms and two (2) full baths. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

Unit 17 is a "Chantilly Place" type Unit . The "Chantilly Place" type Unit is a two-story Unit containing approximately 2300 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, dining room or study, dinette area, great room, kitchen, laundry room, ½ bath, and an attached two-car garage. The second floor of consists of three (3) bedrooms and two (2) full baths. Any conflict between this narrative and the Drawings will be resolved in favor of the Drawings.

**EXHIBIT "4"**  
**AMENDMENT NO. 3 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

PHASE	UNIT NUMBER	UNIT ADDRESS	UNDIVIDED INTEREST
I	2	877 Hillary Lane	<del>12.5%</del> 16.66% PCT
II	67	864 Hillary Lane	<del>12.5%</del> 16.66% PCT
III	8	853 Hillary Lane	12.5% 16.66% PCT
III	9	849 Hillary Lane	<del>12.5%</del> 16.66% PCT
III	16	821 Hillary Lane	<del>12.5%</del> 16.66% PCT
III	17	817 Hillary Lane	<del>12.5%</del> 16.66% PCT
			Total 100%



Patty  
BONNIE M. HOWE  
PORTAGE CO. RECORDER

201418291 8-23

RECEIVED FOR RECORD  
AT 13:19:09  
FEE 124.00

**INDEXED**

AMENDMENT NO. 2 14  
TO THE DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM ✓

PHASE II  
ADDING UNIT NO. 67

This will certify that copies of this Amendment No. 2 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium (the "Amendment No. 2"), together with the Drawings referred to therein, have been filed with the office of the County Auditor, Portage County, Ohio.

Dated: DEC 02 2014, 2014

PORTAGE COUNTY AUDITOR

By: Xanet Esposito  
Deputy Auditor

This instrument prepared by:

Paul C. Thompson, Esq.  
4040 Embassy Parkway, Suite 310, Akron, OH 44333

**AMENDMENT NO. 2 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

WHEREAS, VILLAS OF BERTRAM, LLC, , an Ohio limited liability company, hereinafter referred to as “Declarant”, filed for record the Declaration of Condominium Ownership (“ the Declaration”) for Villas of Bertram Condominium (the “Condominium”) with the Bylaws of Villas of Bertram Condominium Owners Association, Inc. (the “Association”) attached thereto, and Drawings incorporated by reference therein, on July 31, 2014, with the Portage County Recorder, as Instrument No. 201411331, Portage County Records and thereby submitted Phase I of the Condominium to the provisions of Chapter 5311 of the Ohio Revised Code (the “Act”); and

WHEREAS, under the Declaration the right was reserved by Declarant to add to the Condominium Property phases and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium and to submit to the Act, as Additional Property pursuant to Article XVII of the Declaration, the real property designated herein as Phase II of the Condominium which contains one (1) Unit.

NOW, THEREFORE, Declarant, pursuant to the authority of Article XVII of the Declaration hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The Phase II property and the improvements therein, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners, are hereby added to the Condominium as defined in Article I of the Declaration, and are also hereby submitted to the Act as a part of the Condominium in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.

2. The legal description of the Condominium set forth in Exhibit "A" of the Declaration is amended to include the real property for Phase II of the Condominium, the legal description for Phase II being described in Exhibit "1" attached hereto and made a part hereof

3. The legal description of the Additional Property set forth in Exhibit "E" of the Declaration is amended by the deletion therefrom of the real property described in Exhibit "1" hereof, the residue of the Additional Property being described in Exhibit "2" attached hereto and made a part hereof.

4. The number of Units referred to in the Declaration is increased from one (1) Unit to two (2) Units. A narrative description of the Buildings and Units for Phase II is set forth in Exhibit "3" attached hereto and made a part hereof

5. The Undivided Interest of each Unit in the Common Elements as set forth in Exhibit "B" of the Declaration is hereby amended to be as set forth in Exhibit "4" attached hereto and made a part hereof.

6. The particulars of the Buildings and Units and other improvements for Phase II, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Phase II Drawings incorporated in this Amendment No. 2 to the Declaration for the Condominium, by reference as Exhibit "A", prepared and bearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Act of the State of Ohio. The Phase II Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the filing of this Amendment No. 2 to the Declaration.

7. No owner of a Unit which was not included in Phase I shall: (a) have or obtain any interest in funds collected by the Association from the Owners of Units included in Phase II prior to the filing of this Amendment No. 2 (except replacement reserve funds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium prior to the filing of this Amendment No. 2.

8. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Units that have been declared but are not yet sold and conveyed to a Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.



9. Except as amended herein, the Declaration thereto shall remain in full force and effect
10. Consent to this Amendment No. 2 to the Declaration is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XVII of the Declaration.

The said VILLAS OF BERTRAM, LLC, an Ohio limited liability company, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 24<sup>th</sup> day of November, 2014.

VILLAS OF BERTRAM, LLC, ✓  
an Ohio limited liability company

By Iris S. Wolstein  
Iris S. Wolstein, Manager

STATE OF OHIO                    )  
  )SS.  
COUNTY OF ~~LAKE~~                    )  
  Cuyahoga

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named VILLAS OF BERTRAM, LLC, an Ohio limited liability company, by Iris S. Wolstein, its Manager, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed both individually and as such Manager of said limited liability company.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 24<sup>th</sup> day of November, 2014.

[Signature]  
Notary Public  
My Commission Expires \_\_\_\_\_



**EXHIBIT "A"**

**AMENDMENT NO. 2 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS OF BERTRAM CONDOMINIUM**

**REFERENCE TO DRAWINGS**

The particulars of the land, the Building and other improvements, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Allotted Drawings incorporated in the Amendment No. 2 TO THE DECLARATION of Condominium Ownership Villas of Bertram Condominium by reference as Exhibit "A", prepared and hearing the certified statements of AZTECH Engineering and Surveying Co., Inc., Registered Surveyors and Licensed Professional Engineers, 5425 Warner Road – Suite 12, Valley View, Ohio 44125, as required by the Condominium Property Act of the State of Ohio. Such set of Drawings will be filed in the Office of the Recorder of Portage County, Ohio, simultaneously with the recording of the Amendment No. 2.

**EXHIBIT "1"**  
**AMENDMENT NO. 2 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF PHASE II WILL BE ATTACHED HERETO

P.N. 03-015-10-00-001.002

12-1-2014 XAD

TAX MAP DEPT.

LEGAL DESCRIPTION

SUFFICIENT  DEFICIENT =

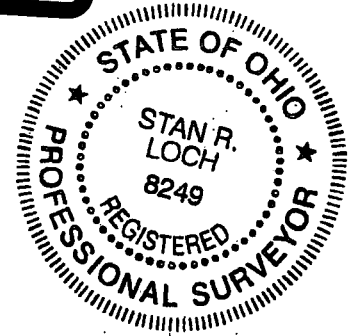
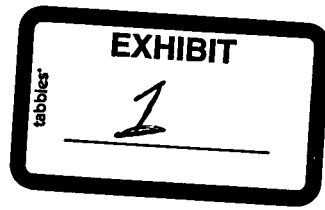
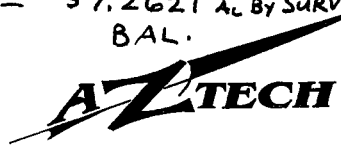
NO DIVISION OF LAND

37.430 AC (AUD)

0.1682

(37.2618 AC)

37.2621 AC BY SURVEY BAL.



NO TRANSFER  
REQUIRED  
DEC 02 2014  
JANET ESPOSITO,  
AUDITOR *JE*

**ENGINEERING & SURVEYING CO., INC.**

5425 WARNER ROAD - SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259

**LEGAL DESCRIPTION  
PH-2**

**THE VILLAS OF BERTRAM PHASE 1 CONDOMINIUM PHASE 2  
0.1682 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South 00°28'15" East, along the centerline of said Hillary Lane, a distance of 335.05 feet to a point;

Thence North 89°31'45" East, a distance of 30.00 feet to a point, said point being on the easterly R/W of said Hillary Lane and being the Principal Place of Beginning;

Course I: Thence North 89°31'45" East, a distance of 122.05 feet to a point;

Course II: Thence South 00°42'49" East, a distance of 60.00 feet to a point;

Course III: Thence South 89°31'45" West, a distance of 122.30 feet to a point, said point being on the easterly R/W of said Hillary Lane;

Course IV: Thence North 00°28'15" West, along the easterly R/W of said Hillary Lane, a distance of 60.00 feet to the Principal Place of Beginning.

Said parcel containing 0.1682 acres or 7,330 sq. ft. of land, be the same more or less, but subject to all legal highways as surveyed and described on November, 2014 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1 West, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and are used to denote angles only. The intent of the above description is to describe "Ph-2", which is conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Phase 1, Condominium Phase 2.

11-18-14

Job#20132833

Stan R. Loch P.S. # 8249

Date

**EXHIBIT "2"**  
**AMENDMENT NO. 2 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY ATTACHED HERETO



**ENGINEERING & SURVEYING CO., INC.**  
5425 WARNER ROAD – SUITE 12  
VALLEY VIEW, OHIO 44125  
PH: 440-602-9071 FAX: 216-369-0259



**LEGAL DESCRIPTION**  
**PH 2-R1**  
**THE VILLAS OF BERTRAM PHASE 1 CONDOMINIUM PHASE 2**  
**37.2621 TOTAL ACRES**

Situated in the City of Aurora, County of Portage, and State of Ohio, and being part of Original Aurora Township Lot 15 and also being part of the Villas of Bertram Phase 1, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and being further bounded and described as follows:

Beginning at a point at the centerline intersection of Treat Road, 60 foot R/W and Hillary Lane, 60 foot R/W;

Thence South 89°30'28" West, along the centerline of said Treat Road, a distance of 188.86 feet to a point, said point being the northeasterly corner of lands conveyed to Thornland Properties LLC., as recorded in Document No. 200515777 of the Portage County Deed Records;

Thence South 00°28'15" East, along the easterly line of said Thornland Properties LLC., a distance of 30.00 feet to an iron pin set in the southerly R/W of said Treat Road and being the Principal Place of Beginning;

- Course I: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 133.85 feet to a point, said point being on the westerly R/W of said Hillary Lane and a point of curvature;
- Course II: Thence along the westerly R/W of said Hillary Lane, along a curve to the right with a length 39.28 feet, radius 25.00 feet, delta 90°01'17", tangent 25.01 feet, chord 35.36 feet, bearing South 45°28'54" East to a point;
- Course III: Thence South 00°28'15" East, continuing along the westerly R/W of said Hillary Lane, a distance of 98.02 feet to a point, said point being the northeasterly corner of Ph-1 in Villas of Bertram Phase 1, Condominiums Phase 1;
- Course IV: Thence South 89°31'45" West, along the northerly line of said Ph-1, a distance of 123.86 feet to a point, said point being the northwesterly corner of said Ph-1;
- Course V: Thence South 00°28'15" East, along the westerly line of said Ph-1, a distance of 62.00 feet to a point, said point being the southwestly corner of said Ph-1;
- Course VI: Thence North 89°31'45" East, along the southerly line of said Ph-1, a distance of 123.86 feet to point on the westerly R/W of said Hillary Lane, said point being the southeasterly corner of said Ph-1;

- Course VII: Thence South  $00^{\circ}28'15''$  East, along the westerly R/W of said Hillary Lane, a distance of 181.42 feet to a point, said point being a point of curvature;
- Course VIII: Thence continuing along the westerly R/W of said Hillary Lane, along a curve to the left with a length 34.35 feet, radius 280.00 feet, delta  $07^{\circ}01'46''$ , tangent 17.20 feet, chord 34.33 feet, bearing South  $03^{\circ}59'08''$  East to a point;
- Course IX: Thence South  $07^{\circ}30'01''$  East, continuing along the westerly R/W of said Hillary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;
- Course X: Thence continuing along the westerly R/W of said Hillary Lane, along a curve to the left with a length 27.02 feet, radius 220.00 feet, delta  $07^{\circ}02'10''$ , tangent 13.53 feet, chord 27.00 feet, bearing South  $03^{\circ}58'56''$  East to a point;
- Course XI: Thence South  $00^{\circ}28'15''$  East, continuing along the westerly R/W of said Hillary Lane, a distance of 285.29 feet to a point, said point being a point of curvature;
- Course XII: Thence continuing along the westerly R/W of said Hillary Lane, along a curve to the left with a length 315.41 feet, radius 230.00 feet, delta  $78^{\circ}34'23''$ , tangent 188.16 feet, chord 291.27 feet, bearing South  $39^{\circ}45'26''$  East to a point, said point being on the easterly R/W of said Hillary Lane;
- Course XIII: Thence North  $10^{\circ}57'22''$  East, along the easterly R/W of said Hillary Lane, a distance of 60.00 feet to a point, said point being a point of curvature;
- Course XIV: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 233.13 feet, radius 170.00 feet, delta  $78^{\circ}34'23''$ , tangent 139.08 feet, chord 215.29 feet, bearing North  $39^{\circ}45'26''$  West to a point;
- Course XV: Thence North  $00^{\circ}28'15''$  West, continuing along the easterly R/W of said Hillary Lane, a distance of 72.96 feet to a point, said point being on the southerly R/W of Samantha Drive, 60 foot R/W and a point of curvature;
- Course XVI: Thence along the southerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta  $89^{\circ}59'54''$ , tangent 25.00 feet, chord 35.35 feet, bearing North  $44^{\circ}31'42''$  East to a point;
- Course XVII: Thence North  $89^{\circ}31'39''$  East, continuing along the southerly R/W of said Samantha Drive, a distance of 76.39 feet to a point, said point being a point of curvature;
- Course XVIII: Thence continuing along the southerly R/W of said Samantha Drive, along a curve to the right with a length 23.44 feet, radius 270.00 feet, delta  $04^{\circ}58'24''$ , tangent 11.73 feet, chord 23.43 feet, bearing South  $87^{\circ}59'09''$  East to a point, said point being on the easterly R/W of said Samantha Drive;
- Course XIX: Thence North  $04^{\circ}30'03''$  East, along the easterly R/W of said Samantha Drive, a distance of 60.00 feet to a point, said point being on the northerly R/W of said Samantha Drive and a point of curvature;
- Course XX: Thence along the northerly R/W of said Samantha Drive, along a curve to the left with a length 28.64 feet, radius 330.00 feet, delta  $04^{\circ}58'24''$ , tangent 14.33 feet, chord 28.64 feet, bearing North  $87^{\circ}59'09''$  West to a point;

- Course XXI: Thence South 89°31'39" West, continuing along the northerly R/W of said Samantha Drive, a distance of 76.39 feet to a point, said point being a point of curvature;
- Course XXII: Thence continuing along the northerly R/W of said Samantha Drive, along a curve to the right with a length 39.27 feet, radius 25.00 feet, delta 90°00'06", tangent 25.00 feet, chord 35.36 feet, bearing North 45°28'18" West to a point, said point being on the easterly R/W of said Hillary Lane;
- Course XXIII: Thence North 00°28'15" West, along the easterly R/W of said Hillary Lane, a distance of 102.39 feet to a point, said point being a point of curvature;
- Course XXIV: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the left with a length 34.32 feet, radius 280.00 feet, delta 07°01'22", tangent 17.18 feet, chord 34.30 feet, bearing North 03°59'20" West to a point;
- Course XXV: Thence North 07°30'01" West, continuing along the easterly R/W of said Hillary Lane, a distance of 101.16 feet to a point, said point being a point of curvature;
- Course XXVI: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 26.99 feet, radius 220.00 feet, delta 07°01'46", tangent 13.51 feet, chord 26.97 feet, bearing North 03°59'08" West to a point;
- Course XXVII: Thence North 00°28'15" West, continuing along the easterly R/W of said Hillary Lane, a distance of 1.42 feet to a point;
- Course XXVIII: Thence North 89°31'45" East, a distance of 122.30 feet to a point;
- Course XXIX: Thence North 00°42'49" West, a distance of 60.00 feet to a point;
- Course XXX: Thence South 89°31'45" West, a distance of 122.05 feet to a point on the easterly R/W of said Hillary Lane;
- Course XXXI: Thence North 00°28'15" West, along the easterly R/W of said Hillary Lane, a distance of 280.07 feet to a point, said point being a point of curvature;
- Course XXXII: Thence continuing along the easterly R/W of said Hillary Lane, along a curve to the right with a length 39.26 feet, radius 25.00 feet, delta 89°58'43", tangent 24.99 feet, chord 35.35 feet, bearing North 44°31'06" East to a point, said point being on the southerly R/W of said Treat Road;
- Course XXXIII: Thence North 89°30'28" East, along the southerly R/W of said Treat Road, a distance of 130.77 feet to a point being referenced by a 5/8" iron pin found capped "Weiss & Assoc" 0.13 feet north, said point being on the westerly line of lands conveyed to Ohio Edison Company, as recorded in Volume 1128, Page 403 of the Portage County Deed Records;
- Course XXXIV: Thence South 00°42'49" East, along the westerly line of said Ohio Edison Company, a distance of 320.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southwesterly corner of said Ohio Edison Company;



12-1-2014 287  
TAX MAP DEPT.  
LEGAL DESCRIPTION

SUFFICIENT  DEFICIENT  
 NO DIVISION OF LAND

P.N. 03-015-10-00-001.000<sup>008</sup> = 37.2621 Ac.

- Course XXXV: Thence North 89°30'28" East, along the southerly line of said Ohio Edison Company, a distance of 350.00 feet to a 5/8" iron pin found capped "Weiss & Assoc.", said point being the southeasterly corner of said Ohio Edison Company;
- Course XXXVI: Thence North 00°42'49" West, along the easterly line of said Ohio Edison Company, passing through a 5/8" iron pin found 0.15 feet north of the southerly R/W of said Treat Road, at a distance of 320.15 feet, a total distance of 350.00 feet to a point in the centerline of said Treat Road, said point being the northeasterly corner of said Ohio Edison Company;
- Course XXXVII: Thence North 89°30'28" East, along the centerline of said Treat Road, passing through a 1-1/4" axel found in a monument box at a distance of 467.38 feet, a total distance of 502.70 feet to a point, said point being in intersection of the centerline of said Treat Road and the centerline of North Chillicothe Road, 66 foot R/W;
- Course XXXVIII: Thence South 00°42'49" East, along the centerline of said North Chillicothe Road, a distance of 1289.59 feet to a point, said point being the northeasterly corner of lands conveyed to Mark Berry as recorded in Document No. 201218565 of the Portage County Deed Records;
- Course XXXIX: Thence South 89°32'00" West, along the northerly line of said Berry, passing through an iron pin set in the westerly R/W of said North Chillicothe Road, at a distance of 33.00 feet, a total distance of 2048.89 feet to a point being referenced by a 3/4" iron pin found 1.23 feet north, 0.63 feet east, said point being on the easterly R/W of Pennsylvania Lines Railroad, 100 foot R/W and also being the northwesterly corner of said Berry;
- Course XL: Thence North 47°50'36" West, along the easterly R/W of said Railroad, a distance of 397.86 feet to a point being referenced by a 3/4" iron pipe found 0.97 feet south, 0.20 feet west, said point being the southwest corner of lands conveyed to Michael & Cheryl Habbyshaw, as recorded in Document No. 201105000 of the Portage County Deed Records;
- Course XLI: Thence North 89°30'22" East, along the southerly line of said Habbyshaw, a distance of 1108.97 feet to a point being referenced by a 5/8" iron pin found capped "Foresight" 0.19 feet north, 0.08 feet east, said point being the southeasterly corner of said Habbyshaw;
- Course XLII: Thence North 00°28'15" West, along the easterly line of said Habbyshaw and the easterly line of said Thornland Properties LLC., passing through a 5/8" iron pin found at a distance of 259.11 feet, a total distance of 989.08 feet to the Principal Place of Beginning.

Said parcel containing 37.2621 acres or 1,623,138 sq. ft. of land, be the same more or less, but subject to all legal highways as surveyed and described on November, 2014 by Stan R. Loch, Ohio Registered Surveyor Number 8249. Bearings are per the centerline bearing of Hillary Lane (South 00°28'15" East) per the Villas of Bertram Phase 1 West, as recorded in Plat Volume 2014, Page 3 of the Portage County Map Records and are used to denote angles only. The intent of the above description is to describe "Ph 2-R1", which is the remaining parcel of land conveyed to Villas of Bertram, LLC., after the declaration of Villas of Bertram Phase 1, Condominium Phase 2.

Job#20132833

  
Stan R. Loch P.S. # 8249

11-17-14  
Date

**EXHIBIT "3"**  
**AMENDMENT NO. 2 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

A NARRATIVE DESCRIPTION OF UNITS

Phase II contains one (1) two-story detached single-family residential Building known as Unit 67, situated on Hillary Lane, which includes a basement and an attached two car garage, and which is constructed primarily of wood, vinyl siding, asphalt shingle roofs, brick, concrete block, glass and drywall. The location of Unit 67 is shown on the Drawings.

Unit 67 is a "Venice" type Unit . The "Venice" type Unit is a two-story Unit containing approximately 2,344 square feet of living area (exclusive of the garage, attic and basement). The first floor consists of a foyer, great room or study, dining room, kitchen, morning room, laundry room, ½ bath and an attached two-car garage. The second floor of consists of four (4) bedrooms and two (2) full baths, and walk-in closet.

**EXHIBIT "4"**  
**AMENDMENT NO. 2 TO THE**  
**DECLARATION OF CONDOMINIUM OWNERSHIP**  
**VILLAS OF BERTRAM CONDOMINIUM**

<b>PHASE</b>	<b>UNIT NUMBER</b>	<b>UNIT ADDRESS</b>	<b>UNDIVIDED INTEREST</b>
I	2	877 Hillary Lane	50%
II	67	864 Hillary Lane	50%
			Total 100%



BONNIE M. HOWE  
PORTAGE CO. RECORDER

201416049

14 OCT 22 1

RECEIVED FOR RECORD  
AT 14.25.43  
FEE 56.00

**INDEXED**

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Space Above Reserved for Auditor, Engineer & Recorder

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**AMENDMENT NO. 1**

**TO THE DECLARATION**

**OF**

**CONDOMINIUM OWNERSHIP**

✓

**VILLAS AT BERTRAM CONDOMINIUM**

A copy of Amendment No. 1 to the Declaration of Condominium Ownership for Villas at Bertram Condominium and the attached drawings have been filed with the Portage County Auditor.

*Xanet Esposito, d*

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Deputy Auditor

This Instrument was Prepared By:  
James A. Matre, Attorney at Law

**AMENDMENT NO. 1 TO THE  
DECLARATION OF CONDOMINIUM OWNERSHIP  
VILLAS AT BERTRAM CONDOMINIUM**

**WHEREAS, Villas at Bertram, LLC**, an Ohio limited liability company is the **DECLARANT** under the Declaration of Condominium Ownership for Villas at Bertram Condominium, filed for record in Instrument No. 201411331 of the Official Records of Portage County, Ohio (the “**DECLARATION**”); and

**WHEREAS, DECLARANT** expressly reserved pursuant to Article XII of the **DECLARATION** the right to amend the documents for the purpose of eliminating or correcting any typographical or other inadvertent error herein; eliminating or resolving any ambiguity herein; making nominal changes; clarifying Declarant’s original intent; making any change necessary or desirable to meet the requirements of any institutional lender, or any other agency which may insure or purchase loans on a Unit; and

**WHEREAS, DECLARANT** desires to amend the documents for the purpose of complying with the Veterans Administration Guidelines;

**NOW THEREFORE, DECLARANT** makes the following amendments to the **DECLARATION**:

1. **Amendments to the Declaration.** The **DECLARATION** is hereby amended by the addition of the following to Article XII:

**13.7. Veterans Administration Limitations.** If the Veterans Administration has guaranteed any loan secured by a Unit in the Condominium, all of the following actions must have the prior approval of the Veterans Administration:

**13.7.1.** Any Amendment of the Declaration which includes adding, deleting or modifying any provision regarding the following:

**13.7.2.** Assessment basis or assessment liens;

**13.7.3.** Any method of imposing or determining any charges to be levied against individual unit owners;

**13.7.4.** Reserves for maintenance, repair or replacement of Common Element improvements;

**13.7.5.** Maintenance obligations;

**13.7.6.** Allocation of rights to use Common Elements;

**13.7.7.** Any scheme of regulation or enforcement of standards for maintenance, architectural design or exterior appearance of improvements on units;

**13.7.8.** Reduction of insurance requirements;

**13.7.9.** Restoration or repair of Common Element improvements;

**13.7.10.** The addition, annexation or withdrawal of land to or from the project;

**13.7.11.** Voting rights;

**13.7.12.** Restrictions affecting leasing or sale of a unit;

**13.7.13.** Any provision which is for the express benefit of mortgagees;

**13.7.14.** The rights of any specific class of members;

**13.7.15.** Termination of the Declaration;

**13.7.16.** Dissolution of the Association except pursuant to a consolidation or merger; or

**13.7.17.** Conveyance of all Common Elements.

**13.7.18.** Any of the following action taken by the Association:

**13.7.19.** Merging or consolidating the association (other than with another non-profit entity formed for purposes similar to the subject association);

**13.7.20.** Determining not to require professional management if that management has been required by the association documents, a majority of eligible mortgagees or a majority vote of the members;

**13.7.21.** Expanding the association to include land not previously described as additional land which increases the overall land area of the project or number of units by more than 10 percent;

**13.7.22.** Abandoning, partitioning, encumbering, mortgaging, conveying selling or otherwise transferring or relocating the boundaries of Common Elements (except for (i) granting easements which are not inconsistent with or which do not interfere with the intended Common Element use; (ii) dedicating Common Elements as required by a public authority; (iii) limited boundary-line adjustments made in accordance with the provisions of the declaration or (iv) transferring Common Elements pursuant to a merger or consolidation with a non-profit entity formed for purposes similar to the subject association);

**13.7.23.** Using insurance proceeds for purposes other than construction or repair of the insured improvements;

**13.7.24.** Making capital expenditures (other than for repair or replacement of existing improvements) during any period of 12 consecutive months costing more than 20 percent of the annual operating budget);

**13.7.25.** Terminating the Declaration;

**13.7.26.** Dissolving the Association except pursuant to a consolidation or merger; or

**13.7.27.** Conveying all Common Elements.

**13.8. Actions by Meeting of Members.** If any of the above actions are taken at a meeting of the Members, then the following provisions apply:

**13.8.1.** at least 25 days advance notice to all Members is required;

**13.8.2.** the notice states the purpose of the meeting and contains a summary of any material amendments or extraordinary actions proposed;

**13.8.3.** the notice contains a copy of the proxy that can be cast in lieu of attendance at the meeting; and

**13.8.4.** the quorum is at least 20 percent of the total number of votes.

**13.9. Approval of Capital Expenditures.** A majority vote of the Members is required to approve capital expenditures, other than for repair and replacement, during any fiscal year of more than twenty (20%) percent of the budget for Common Expenses for that fiscal year.




2. **Amendments to the Bylaws.** The Bylaws are amended by the deletion of Article II, Section 2.9 and the substitution of the following:

**2.9 Quorum.** Except as otherwise provided in these Bylaws or in the Declaration, the Members present, in person or by proxy, at any meeting representing twenty (20%) percent of the voting power of the Association shall constitute a quorum for such meeting of the Association. Any provision in the Declaration concerning quorums is specifically incorporated herein.

3. **Effect of Amendment.** The **DECLARATION** as herein modified shall remain in full force and effect.

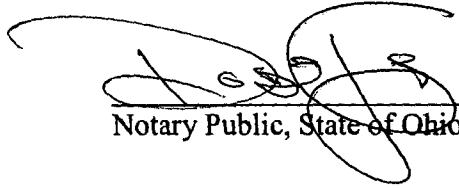
IN WITNESS WHEREOF, Iris S. Wolstein, President has caused this Amendment to the Declaration to be signed this 13<sup>th</sup> day of October, 2014, pursuant to a resolution of the Members.

✓ **VILLAS OF BERTRAM  
CONDOMINIUM OWNERS  
ASSOCIATION, INC.**

By:   
Iris S. Wolstein, President

**STATE OF OHIO  
COUNTY OF CUYAHOGA SS:**

The foregoing instrument was acknowledged before me, this 13<sup>th</sup> day of October, 2014, by Iris S. Wolstein, President of Villas of Bertram Condominium Owners Association, Inc., pursuant to a resolution of the Members.

  
Notary Public, State of Ohio

