

EXHIBIT "A"
TRI-CITY ENGINEERING COMPANY

CIVIL ENGINEERS AND SURVEYORS

2151 EMBURY PARK ROAD

DAYTON, OHIO 45414

TELEPHONE 513 278-4803

80-94

ABRAHAM BODENSTEIN

DON MEEK

LUIS RIANCHO

SCOTT VAGEDES

GERALD MACY

DARRELL BALL

JEFFREY JONES

JAMES RUEMPING



December 5, 1983
Description of The Bluffs Of Normandy Condominium
Section Two-A

Located in Section 26, Town 2, Range 6 MRs, Washington Township, County of Montgomery, State of Ohio, and being a tract of land described as follows:

beginning at the southeast corner of The Bluffs of Normandy Condominium, Section Two, as recorded in book 119 page 33 in the Plat Records of Montgomery County, Ohio, said point being in the west line of The Bluffs of Normandy Condominium, Section One, as recorded in book 115 page 36 in the Plat Records of Montgomery County, Ohio; thence with the west line of said Bluffs of Normandy Condominium, Section Two, and with its southward extension, South five degrees nine minutes forty-one seconds ($5^{\circ} 09' 41''$) West for one hundred eight and $92/100$ (108.92) feet; thence South seventy-eight degrees nine minutes forty-one seconds ($78^{\circ} 09' 41''$) West for ninety-six and $41/100$ (96.41) feet; thence North eleven degrees fifty minutes nineteen seconds ($11^{\circ} 50' 19''$) West for one hundred forty-three and $37/100$ (143.37) feet to a point in the south line of The Bluffs of Normandy Condominium, Section Two; thence with the south line of said The Bluffs of Normandy Condominium, Section Two, South eighty-four degrees fifty minutes eighteen seconds ($84^{\circ} 50' 18''$) East for one hundred thirty-four and $12/100$ (134.12) feet to the point of beginning, containing 0.326 acres more or less and subject to all legal highways, easements, restrictions and agreements of record, according to a survey of said premises by A. Bodenstein, Registered Surveyor, State of Ohio No. 4235, dated December 5, 1983.

DEC 15 1983

REGISTERED
ROBERT L. BODENSTEIN
SURVEYOR

DEED 83-0602 005

Chk'd by: W.B.

INDIANA OFFICE, 1224 South D Street, Richmond, Indiana 47374 317 835-3436

IN WITNESS WHEREOF, ALEX-BELL DEVELOPMENT CO., INC., acting in its capacity as Declarant of Parcel B, as owner of a Unit or Units in Parcel A and as attorney-in-fact for all other Parcel A Unit Owners, and for Parcel A Mortgagees, has caused this instrument to be executed this 13th day of Dec, 1983.

Signed and acknowledged
in the presence of:

ALEX-BELL DEVELOPMENT CO., INC.

Cynthia S. Karkins

By:

Its

Hans H. Soltau

By:

Its

STATE OF OHIO, COUNTY OF MONTGOMERY, SS:

The foregoing instrument was acknowledged before me this 13th day of Dec, 1983, by EDWARD D. RAILLY, Vice - Pres, and THOMAS J. FLYNN, Vice - Pres of ALEX-BELL DEVELOPMENT CO., INC., an Ohio corporation, on behalf of the Corporation.

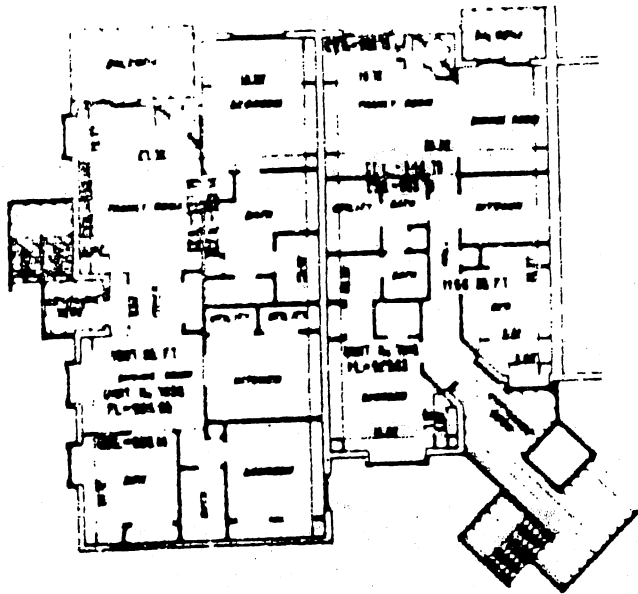
Hans H. Soltau

HANS H. SOLTAU, Attorney at Law
Notary Public, State of Ohio
My Commission has no expiration date
Section 147.03 O. R. C.

THIS INSTRUMENT PREPARED BY:

HANS H. SOLTAU
Attorney at Law
367 West Second Street
Dayton, Ohio 45402

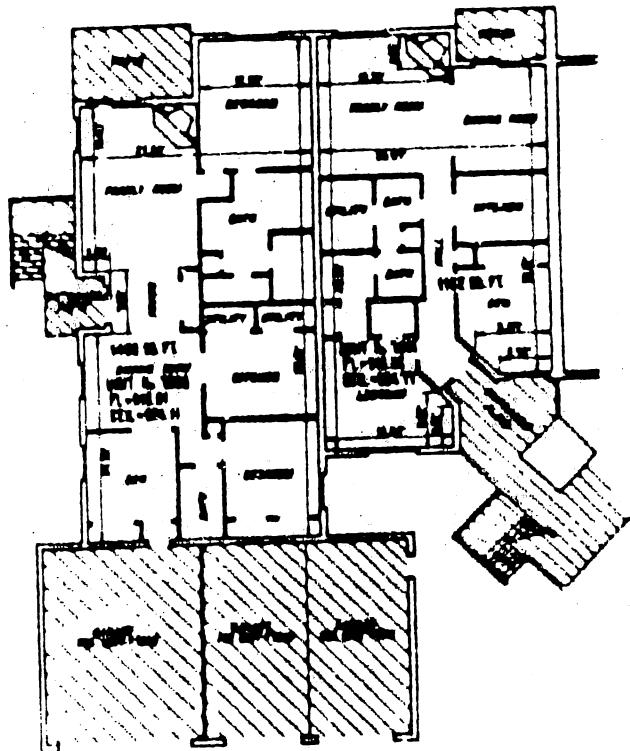
EXHIBIT "B"
THE BLUFFS OF NORMANDY CONDOMINIUM
SECTION TWO-A
SEC. 26, T. 2, R. 6 Mrs WASHINGTON TWP.
MONTGOMERY COUNTY, OHIO



SECOND FLOOR



BUILDING "B-B"



FIRST FLOOR

BUILDING No. 2

٢٠٠

19520

THIRD AMENDMENT TO DECLARATION
FOR
THE BLUFFS OF NORMANDY CONDOMINIUM
(SECTION THREE)

I hereby certify that copies of the within Third Amendment, together with drawings attached as Exhibits thereto, have been filed with in the office of the Auditor, Montgomery County, Ohio.

Dated: NOV 28 1984, 1984

MONTGOMERY COUNTY AUDITOR

By: *[Signature]*

Plat Reference: Book 123, Page 14 & 14A & 14B

THIS INSTRUMENT PREPARED BY:

HANS H. SOLTAU
Attorney at Law
124 East Third Street
Dayton, Ohio 45402

RECORDED
RECORDER

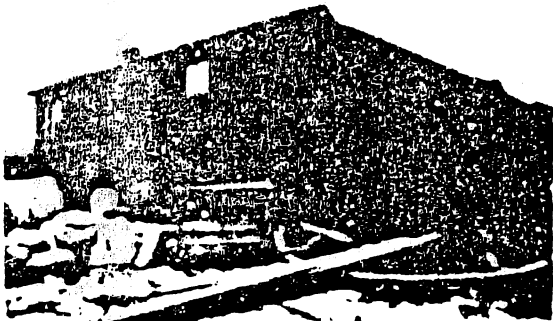
NOV 28 9 05 AM '84

RECORDED
MCA

EXHIBIT "B"

THE BLUFFS OF NORMANDY CONDOMINIUM

SECTION TWO-A
SEC 26, T2, R6 Mrs WASHINGTON TWP
MONTGOMERY COUNTY, OHIO



LEFT SIDE OF BUILDING

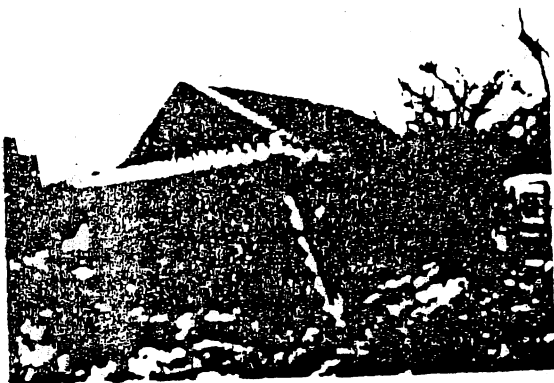


BACK OF BUILDING



FRONT OF BUILDING

BUILDING No 2



LEFT SIDE & BACK OF BUILDING



RIGHT SIDE & FRONT OF BUILDING

BUILDING "B-B"

G. Declarant is, pursuant to the provisions of Item 21, Section M of the Declaration, the duly appointed and acting attorney-in-fact of each of the Parcel A Unit Owners and Parcel A Mortgagees for the purpose of executing, acknowledging and recording for and in the name of each Parcel A Unit Owner such amendment to the Declaration as are contemplated by Item 21 thereof, and in the name of each Parcel A Mortgagee, a consent to such amendment.

NOW, THEREFORE, Declarant hereby declares that:

1. All of the terms used herein which are defined in the Declaration shall be interpreted to have the same meaning as defined in the Declaration unless specifically hereinafter amended.

2. Declarant is the owner of Parcel B, together with the Parcel B building and all improvements thereon, all easements, rights, appurtenances belonging thereto, and all articles of personal property existing thereon for the common use of the Unit Owners, all of which is hereby submitted to the provisions of the Declaration and is hereby included and made a part of the Condominium Property.

3. The Declaration is hereby amended in accordance with the provisions of Item 21 in the following respects:

A. The legal description within Item 3 is hereby amended by adding thereto the real estate described in Exhibit "A" hereof.

B. Item 4 titled "Description and Location of Building" is hereby amended by deleting the entire provisions thereof and substituting the following:

"A. Description. Unless or until amended, the following buildings are located on the Condominium Property, and are generally described as follows:

(1) Building 1 is partially two and three stories in height, containing ten (10) Residential Units; five (5) of which are ground floor garden type Residential Units, one (1) second floor garden type Residential Unit, and four (4) townhouse Residential Units. The Building also contains four (4) Garage Units.

(2) Building 2 is two stories in height, containing eight (8) Residential Units, all of which are one story garden type Residential Units.

(3) Buildings A-A, A-B and A-C are one story in height, containing Garage Units. Building A-A has two (2) Garage Units, Building A-B has four (4) Garage Units, and Building A-C has two (2) Garage Units.

THIRD AMENDMENT TO DECLARATION
FOR
THE BLUFFS OF NORMANDY CONDOMINIUM
(SECTION THREE)

THIS THIRD AMENDMENT TO DECLARATION, hereinafter referred to as the "Third Amendment", made on the date hereinafter set forth by ALEX-BELL DEVELOPMENT CO., INC., an Ohio corporation, hereinafter referred to as "Declarant."

RECITALS

A. On December 15, 1981, certain premises located in the Township of Washington, County of Montgomery, and State of Ohio were submitted to the provisions of Chapter 5311 of the Ohio Revised Code for condominium ownership by filing with the Montgomery County Recorder a legal instrument with attached exhibits titled "Declaration of Condominium Property for The Bluffs of Normandy Condominium," hereinafter referred to as the "Declaration." Said Declaration was previously filed with the Auditor of Montgomery County, Ohio.

B. The Declaration was amended to add additional property on September 29, 1983 by a legal instrument entitled "First Amendment to Declaration for The Bluffs of Normandy Condominium", hereinafter referred to as "First Amendment", and on December 15, 1983 by a legal instrument entitled "Second Amendment to Declaration for The Bluffs of Normandy Condominium", hereinafter referred to as "Second Amendment".

C. The Declaration was filed at Microfiche No. 81-545-A01, et seq., the First Amendment at Microfiche No. 83-465-A12, and the Second Amendment at Microfiche No. 83-602-C12 of the Deed Records of Montgomery County, Ohio.

D. The Declarant is the owner of adjacent property.

E. The present owners and mortgagees of each unit for which provision is made in the Declaration are hereinafter referred to as "Parcel A Unit Owners" and "Parcel A Mortgagees", with Parcel A being those premises described in Item 3 of the Declaration, along with any buildings or any other improvements thereon.

F. The Declarant has determined to submit a certain part of the premises described in "Exhibit D" of the Declaration, said part being hereinafter referred to as "Parcel B", together with the buildings and any other improvements thereon constructed and hereinafter described, to the provisions of the Declaration and to the provisions of Chapter 5311 of the Ohio Revised Code for condominium ownership.

(4) Buildings B-A and B-B are one story in height containing garage spaces assigned as Limited Common Areas and Facilities for Units in Building 2.

(5) Building 3 is partially one, two and three stories in height, containing nine (9) Residential Units; five (5) of which are ground floor garden type Residential Units, three (3) of which are second floor garden type Residential Units, and one (1) of which is a second floor garden type Residential Unit with a loft.

(6) Building C is one story in height containing garage spaces assigned as Limited Common Areas and Facilities for Units in Building 3.

(7) Unless otherwise indicated, all buildings are built on a concrete foundation with frame exterior walls, with some brick veneer, stucco and siding, windows, a wood truss roof with asphalt shingle convering, wood floor joists, wall studs and drywall."

"B. Location.

(1) Buildings 1, A-A, A-B and A-C face Trebor Road, a private driveway.

(2) Buildings 2, 3, B-A, B-B and C face Bluffs Drive, a private driveway.

C. Item 5, Section B, titled "Type of Residential Units" is hereby amended by deleting the entire provisions thereof and substituting therefor the following:

"B. Type of Residential Units. There are different types of Residential Units which are generally described as follows:

(1) Type A is a garden type Residential Unit containing approximately 1,495 to 1,525 square feet. The Unit has two (2) bedrooms, a den, two (2) baths, a living room, dining room, kitchen, utility room and closets.

(2) Type A-1(2) is a garden type Residential Unit containing approximately 1,460 to 1,507 square feet. The Unit has two (2) bedrooms, two (2) baths, a living center, leisure room, dining room, kitchen, utility room and closets.

(3) Type A-1(3) is a Type A-1(2) Unit with different room designations. The Unit has two (2) bedrooms, two (2) baths, family room, dining room, den or guest room, kitchen and closets.

(4) Type B is a garden type Residential Unit containing approximately 1,044 to 1,061 square feet. The Unit has one (1) bedroom, a den, two (2) baths, kitchen, a living center, utility room and closets.

(5) Type B-1(2) is a garden type Residential Unit containing approximately 1,130 to 1,165 square feet. The Unit has one (1) bedroom, a living center, dining room, kitchen, leisure room, two (2) baths, dressing room, utility room and closets.

(6) Type B-1(3) is a Type B-1(2) Unit with different room designations. The Unit has one (1) bedroom, two (2) baths, den, kitchen, dining room, family room, utility room, dressing area and closets.

(7) Type B-1(3L) is a Type B-1(3) Unit with an additional approximately 160 square feet of loft area.

(8) Type C is a townhouse Residential Unit containing approximately 2,076 to 2,111 square feet. The first floor contains a country kitchen, living center, half (1/2) bath, utility room, leisure room and closets. The second floor contains three (3) bedrooms, two (2) baths and closets.

D. Item 5 titled "Description of Units" is hereby amended by adding thereto the following section:

"D". Designation of Units by Type. The following is a listing of the Residential Units by their type and the approximate square footage as shown on the drawings and building designation:

<u>Unit No.</u>	<u>Bldg.</u>	<u>Type</u>	<u>Square Footage</u>
7014 1	1	A	1,495
7016 2	1	A	1,525
300 0	1	B	1,044
302 0	1	B	1,043
304 0	1	B	1,045
312 1	1	B	1,061
308 2	1	C	2,076
306 2	1	C	2,111
310 2	1	C	2,108
312 2	1	C	2,111
6997	2	A-1(2)	1,460
6999	2	A-1(2)	1,498
7033	2	A-1(2)	1,463
7035	2	A-1(2)	1,507
7007	2	B-1(2)	1,130
7009	2	B-1(2)	1,138
7011	2	B-1(2)	1,132
7013	2	B-1(2)	1,156

Handwritten notes in a box:
 302
 306
 310
 314
 7016
 10
 7014(1)
 312(1)

<u>Unit No.</u>	<u>Fltg.</u>	<u>Type</u>	<u>Square Footage</u>
7173		A-1(3)	1,469
7175		A-1(3)	1,459
7151		A-1(3)	1,462
7167		B-1(3)	1,160
7169		B-1(3)	1,130
7161		B-1(3)	1,142
7155		B-1(3)	1,142
7157		B-1(3)	1,165
7163		B-1(3L)	1,330

E. Item 9, Section A, titled "Percentage of Ownership" is hereby amended by deleting the unit designations and their percentages and substituting the following:

<u>UNIT DESIGNATION</u>	<u>PERCENTAGE</u>
A-1	.219
A-2	.219
A-3	.219
A-4	.219
A-5	.219
A-6	.219
A-7	.219
A-8	.219
A-9	.219
A-10	.219
A-11	.219
A-12	.219
300	2.583
304	2.583
308	2.583
312	2.583
302	5.433
306	5.433
310	5.433
314	5.433
7014	4.381
7016	4.381
6997	3.925
6999	3.925
7033	3.925
7035	3.925
7173	3.925
7175	3.925
7151	3.925

302
300
306
310
314
no 16
(312)

<u>UNIT DESIGNATION</u>	<u>PERCENTAGE</u>
7007	2.890
7009	2.890
7011	2.890
7013	2.890
7167	2.890
7169	2.890
7161	2.890
7155	2.890
7157	2.890
7163	<u>3.065</u>
	100.00%

D. The drawings, attached as Exhibit "B" to the Declaration are hereby amended by adding thereto and making a part thereof the drawings attached to this Third Amendment as Exhibit "B", relating to Parcel B, the Parcel B building and all other improvements thereon.

4. Except as specifically hereinabove amended, all of the provisions of the Declaration and the By-Laws, and the drawings shall be and hereby are declared to remain in full force and effect.

5. Consent to this Third Amendment on behalf of Parcel A Unit Owners and on behalf of Parcel A Mortgagees is hereby granted to Declarant in its capacity as attorney-in-fact pursuant to the provisions of Item 21, Section M, of the Declaration.

EXHIBIT "A"

G. E. REINKE COMPANY
ENGINEERS AND SURVEYORS
156 EAST SPRING VALLEY ROAD
CENTERVILLE, OHIO 45459
434-4810

Nov. 7, 1984

LEGAL DESCRIPTION
BLUFFS OF NORMANDY
SECTION THREE

Located in Section 26, Town 2, Range 6, M.R.S. and Section 25, Town 2, Range 6, M.R.S., Washington Township, Montgomery County, State of Ohio, and being part of Lot 1, The Bluffs of Normandy Plat, as recorded in Plat Book 115, Page 30, as recorded in the Plat Records of Montgomery County, Ohio, and being more particularly described as follows:

Beginning at a point on the east Right - of - Way of Normandy Lane, said point also being the southwest corner of The Bluffs of Normandy Condominium, Section Two, as recorded in Plat Book 119, Page 33, in the Plat Records of Montgomery County, Ohio:

thence along the south line of said Bluffs of Normandy Condominium, Section Two in an easterly direction, South eighty-five degrees fifteen minutes six seconds (85deg.15min.06sec.) East for one hundred twenty and 00/100 (120.00) feet to a point;

thence in a northerly direction, still along the south line of said Bluffs of Normandy Condominium, Section Two, North four degrees forty-four minutes fifty-four seconds (4deg.44min.54sec.) East for forty-four and 00/100 (40.00) feet to a point;

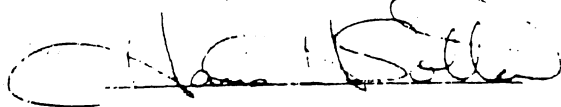
thence still along the south line of said Bluffs of Normandy Condominium, Section Two in an easterly direction, South eighty-six degrees twenty-four minutes (86deg.24min.) East for sixty-four and 58/100 (64.58) feet to a point;

thence still along the south line of said Bluffs of Normandy Condominium, Section Two, in an easterly direction, South eighty-four degrees fifty minutes eighteen seconds (84deg.50min.18sec.) East for twenty-six and 31/100 (26.31) feet to a point, said point also being the northwest corner of the Bluffs of Normandy Condominium, Section Two-A, as recorded in Plat Book 120, Page 6 in the Plat Records of Montgomery County, Ohio;

IN WITNESS WHEREOF, ALEX-BELL DEVELOPMENT CO., INC., acting in its capacity as Declarant of Parcel B, as owner of a Unit or Units in Parcel A and as attorney-in-fact for all other Parcel A Unit Owners, and for Parcel A Mortgagees, has caused this instrument to be executed this 15 day of November, 1984.

Signed and acknowledged
in the presence of:

ALEX-BELL DEVELOPMENT CO., INC.



By:

its

By:

its

STATE OF OHIO, COUNTY OF MONTGOMERY, SS:

The foregoing instrument was acknowledged before me this
____ day of _____, 1984, by Edward B. Reilly,
Vice President and Thomas J. Flynn,
Vice President of ALEX-BELL DEVELOPMENT CO., INC.,
an Ohio corporation, on behalf of the Corporation.


Notary Public

HANS H. SOLTAU, Attorney at Law
Notary Public, State of Ohio
My Commission has no expiration date
Section 147.03 O. R. C.

THIS INSTRUMENT PREPARED BY:

HANS H. SOLTAU
Attorney at Law
124 East Third Street
Dayton, Ohio 45402

Legal Description
Bluffs of Normandy
Section Three
Page 2

thence along the west line of said Bluffs of Normandy Condominium, Section Two-A in a southerly direction, South eleven degrees fifty seconds nineteen minutes (11deg.50min.19sec.) West for one hundred forty-three and 37/100 (143.37) feet to a point, said point also being the southwest corner of said Bluffs of Normandy, Section Two-A;

thence in a southerly direction, South seventy-eight degrees nine minutes forty-one seconds (78deg.09min.41sec.) West for two hundred sixty-two and 96/100 (262.96) feet to a point, said point being on the east right-of-way of Normandy Lane;

thence along the east right-of-way of Normandy Lane in a northerly direction, North five degrees nine minutes forty-one seconds (5deg.09min.41sec.) East for twenty-seven and 64/100 (27.64) feet to a point;

thence still along the east right-of-way of Normandy Lane in a northerly direction, North four degrees forty-four minutes fifty-four seconds (4deg.44min.54sec.) East for one hundred forty-three and 73/100 (143.73) feet to the point of beginning, containing 0.8327 acres, more or less, subject however, to all legal highways and easements of record.

NOTE: The above described tract of land is part of that land conveyed to Alex/Bell Development Co., Inc., as recorded on Microfiche #81-497805 as recorded in the Deed Records of Montgomery County, Ohio.

THE BLUFFS OF NORMANDY CONDOMINIUM
SECTION THREE

1. The Bluffs of Normandy Condominium, Section Three, is located on the northeast corner of the intersection of Highway 1 and Highway 2, in the City of Normandy, Louisiana. The Bluffs of Normandy Condominium, Section Three, is a portion of the Bluffs of Normandy Condominium, Section One, and is bounded by the Bluffs of Normandy Condominium, Section One, to the north, east, and south, and by the Bluffs of Normandy Condominium, Section Two, to the west.



FRONT OF
BUILDING 3



FRONT OF
BUILDING 3 AND 3



EAST SIDE OF
BUILDING 3



WEST AND SOUTH
SIDES OF BUILDING 3

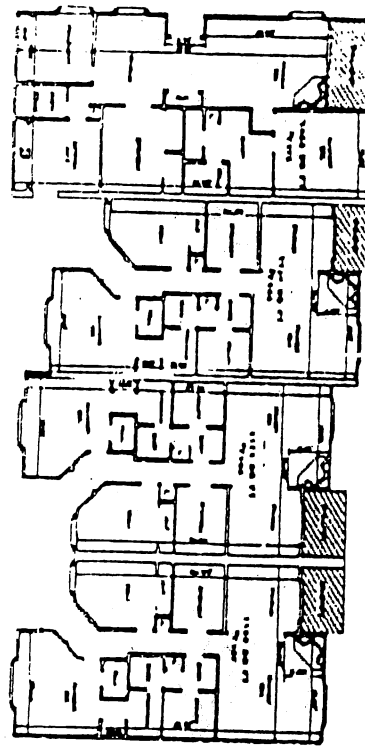


REAR OF
BUILDING 3



EAST SIDE AND
REAR OF BUILDING 3

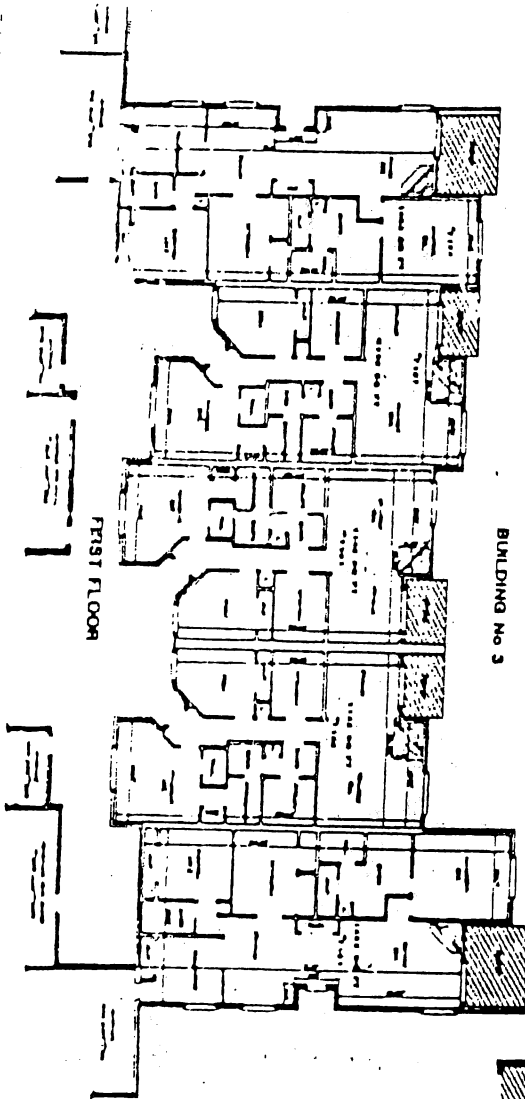
THE BLUFFS OF NORMANDY CONDOMINIUM
SECTION THREE



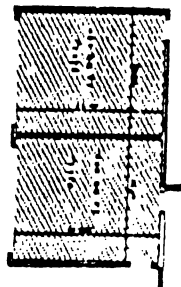
BUILDING No. 3
SECOND FLOOR

Room	Area	Notes
101	100	
102	100	
103	100	
104	100	
105	100	
106	100	
107	100	
108	100	
109	100	
110	100	
111	100	
112	100	
113	100	
114	100	
115	100	
116	100	
117	100	
118	100	
119	100	
120	100	

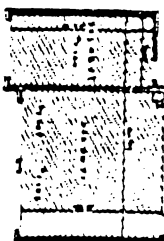
Room	Area	Notes
101	100	
102	100	
103	100	
104	100	
105	100	
106	100	
107	100	
108	100	
109	100	
110	100	
111	100	
112	100	
113	100	
114	100	
115	100	
116	100	
117	100	
118	100	
119	100	
120	100	



BUILDING No. 3
FIRST FLOOR



BUILDING "C"



DEED 84-0555 E07

ORIGINAL IN POOR CONDITION

PART LOT No. 1
THE BLUFFS OF NORMANDY PLAT
PR 116 PR 20

Received by:
 THE CITY ENGINEER (10)
 Date: 10/10/1910
 File Number: 100-100

Alexandersville - Bellbrook
 Pike

THE CITY OF NEW YORK
COUNTY OF NEW YORK
IN SENATE
January 11, 1911.

15

Normandy Lane

Dr. Joe

1

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UNCLASSIFIED COPIES BEHIND THE LAKE MEADOWS OFFICIALS AND THEIR REPORTS TO THE CONGRESSIONAL PLAN GROUP IN THE NAME OF UNKNOWN CONGRESSIONAL SECTION SET FORTH IN THE RECONSTRUCTION OF SAID CONGRESSIONAL AND THE ST-LINE OF RECONSTRUCTION OF THE "UNIT GROUP" ANALYSIS WAS FILLED OUT THE RECORDS OF CONGRESSIONAL CHAIRMAN. IN THE CONGRESSIONAL STATUTES OF THE STATE OF OHIO.

THESE ARE OF INTEREST IN THE CONGRESSIONAL WHICH IS CARRY ON LAKE MEADOWS IN THE CONGRESSIONAL CONGRESSIONAL TO GIVE THE SMALL SCALE COPY OF THIS TAPED.

[illegible]

ALLIANCE DEVELOPMENT GROUP, INC.

~~SECRET~~

[REDACTED]

AND J. ALLEN, SENIOR PARTNER ONLY SHARE. HAVE THEY ALL PARTIES TO THE DEED BY WHO
ONE, INTERESTED IN THEIR LANDS. HAVE WRITTEN IN THE RECORDS OF THE LANDS
A CHARTER OF THE STATE

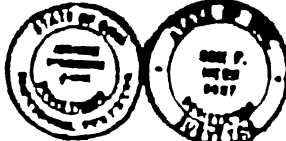
STATE OF OHIO, COUNTY OF CUYAHOGA, S.S.
BE IT REMEMBERED THAT on this 15th day of
January 1964, I have acknowledged the foregoing to be the true and correct
copy of the original.

EDU. FRECKEN. P. E. P. S.

Abstract

12-14-85

IRENE



100

- Philip Bush

.....

SHEET 1 OF 3

TRI-CITY ENGINEERING COMPANY

CIVIL ENGINEERS AND SURVEYORS

2151 EMBURY PARK ROAD

DAYTON, OHIO 45414

TELEPHONE 513 278-4803

80-94

ABRAHAM BODENSTEIN

DON MEEK

LUIS RIANCHO

SCOTT VAGEDS

GERALD MACY

DARRELL BALL

JEFFREY JONES

JAMES RUEMPING

December 5, 1983

Description of The Bluffs Of Normandy Condominium Section Two-A

Located in Section 26, Town 2, Range 6 MRs, Washington Township, County of Montgomery, State of Ohio, and being a tract of land described as follows:

beginning at the southeast corner of The Bluffs of Normandy Condominium, Section Two, as recorded in book 119 page 33 in the Plat Records of Montgomery County, Ohio, said point being in the west line of The Bluffs of Normandy Condominium, Section One, as recorded in book 115 page 36 in the Plat Records of Montgomery County, Ohio; thence with the west line of said Bluffs of Normandy Condominium, Section Two, and with its southward extension, South five degrees nine minutes forty-one seconds ($5^{\circ} 09' 41''$) West for one hundred eight and 92/100 (108.92) feet; thence South seventy-eight degrees nine minutes forty-one seconds ($78^{\circ} 09' 41''$) West for ninety-six and 41/100 (96.41) feet; thence North eleven degrees fifty minutes nineteen seconds ($11^{\circ} 50' 19''$) West for one hundred forty-three and 37/100 (143.37) feet to a point in the south line of The Bluffs of Normandy Condominium, Section Two; thence with the south line of said The Bluffs of Normandy Condominium, Section Two, South eighty-four degrees fifty minutes eighteen seconds ($84^{\circ} 50' 18''$) East for one hundred thirty-four and 12/100 (134.12) feet to the point of beginning, containing 0.326 acres more or less and subject to all legal highways, easements, restrictions and agreements of record, according to a survey of said premises by A. Bodenstein, Registered Surveyor, State of Ohio No. 4235, dated December 5, 1983.

DEC 15 1983

8441

TRANSFERRED
ROBERT L. ROEDER
COUNTY CLERK

DEED 83-0602 005

Chk'd by: WB

- (iii) the number of votes in the Association appertaining to any Unit;
 - (iv) the fundamental purposes to which any Unit or the Common Areas are restricted; or
 - (v) dissolution of the Condominium.
3. Section 17 of the Declaration is hereby amended to provide that the Association shall carry a minimum of \$5,000,000 general liability insurance. Additionally, the Board of Managers of the Association shall have the authority to increase the liability coverage maintained by the Association to such limits as the Board deems commercially reasonable and as is consistent for properties of like quality and condition in the Montgomery County, Ohio area and surrounding communities.
4. Section 20, D of the Declaration is hereby revised to include the following sentence at the end of the Section: In any action to foreclose the lien, interest and costs of such action (including reasonable attorneys' fees) shall be added to the amount of any such assessment, to the extent permitted by Ohio law.
5. Section 1, E of the By-Laws of the Association is hereby amended to read as follows:

Quorum. Except as otherwise provided in these By-Laws, the presence in person or by proxy of nine (9) members of the Association shall constitute a quorum.

6. The By-Laws of the Association are amended to include the following Section:

7. INDEMNIFICATION OF MANAGERS, OFFICERS, EMPLOYEES, AGENTS AND VOLUNTEERS

To the extent permitted by law, the Association shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action or suit by or in the right of the Association to procure a judgment in its favor by reason of the fact that he is or was a Manager, officer, employee, agent or volunteer of the Association, or is or was serving at the request of the Association as a Manager, officer, employee, agent or volunteer of another corporation, domestic or foreign, nonprofit or for profit, or a partnership, joint venture, trust or other enterprise against expenses, including attorney's fees, actually and reasonably incurred by him in connection with the defense or settlement of the action or suit if he acted in good faith and in a manner he reasonably believed to be in or not opposed to the best interests of the Association, except that no indemnification shall be made in respect of any claim, issue or matter as to which the person shall have been adjudged to be liable for

FOURTH AMENDMENT TO DECLARATION FOR
THE BLUFFS OF NORMANDY CONDOMINIUM
(SECTION THREE)

THIS FOURTH AMENDMENT TO DECLARATION FOR THE BLUFFS OF
NORMANDY CONDOMINIUM (SECTION THREE) (this "Amendment") is made as of this
14th day of October, 2002, under the following circumstances:

A. By Declaration recorded December 15, 1981 at Microfiche No. 81-545A01 of the Montgomery County, Ohio Records, certain premises located in the Township of Washington, County of Montgomery and State of Ohio and being more particularly described in Exhibit A attached hereto and made a part hereof were submitted to the provisions of Chapter 5311 of the Ohio Revised Code for Condominium ownership by filing with the Montgomery County Recorder the Declaration of Condominium Property for the Bluffs of Normandy Condominium (the "Declaration").

B. The Declaration was amended by amendments recorded September 29, 1983, December 15, 1983 and November 28, 1984, at Microfiche No. 83-465A12, 83-0602C12 and 84-0555D08 respectively of the Montgomery County, Ohio Records.

C. Pursuant to the provisions of the Declaration and the By-Laws of The Bluffs of Normandy Condominium Association, Inc. (the "Association"), seventy-five percent (75%) of the members of the Association have adopted a resolution (attached to this Amendment as Exhibit B and made a part hereto) to amend the Declaration and the Association's By-Laws as more particularly set forth below.

NOW, THEREFORE, the Association amends the Declaration as follows:

1. Section 12, D of the Declaration is hereby amended to provide that the person to receive service of process for the Association shall be Gerard D. Sowar, Chernesky, Heyman & Kress P.L.L., 10 Courthouse Plaza SW, Suite 1100, Dayton, Ohio 45402.
2. Section 13 of the Declaration is hereby amended to provide that the Declaration and the By-Laws of the Association may be amended by a vote of fifty percent (50%) of the members of the Association, except in the following circumstances, in which case the prior written consent of seventy-five percent (75%) of the members shall be required for any amendment:

(i) the boundaries of any Unit;

(ii) the undivided interest in the Common Areas appertaining to a Unit or the liability for common expenses appertaining to that Unit;

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negligence or misconduct in the performance of his duty to the Association, unless, and only to the extent that, the court of common pleas or the court in which the action or suit was brought determines upon application that, despite the adjudication of liability but in view of all the circumstance of the case, the person is fairly and reasonably entitled to be indemnified for such expenses as the court of common pleas or such other court deems proper.

Any indemnification under this Article IX, unless ordered by a court, shall be made by the Association only as authorized in the specific case upon a determination that indemnification of the Manager, officer, employee, agent or volunteer is proper in the circumstances because he had met the applicable standard of conduct set forth above. This determination shall be made (a) by a majority vote of a quorum consisting of Managers of the Association who were not and are not parties to or threatened with the action, suit or proceeding, or (b) whether or not a quorum is obtainable, and if a majority of a quorum of disinterested Managers so directs, in a written opinion by independent legal counsel other than an attorney, or a firm having associated with it an attorney, who has been retained by or who has performed services for the Association or any person to be indemnified within the past five (5) years, or (c) by the members, or (d) by the court of common pleas or the court in which the action, suit or proceeding was brought. Any determination made by the disinterested Managers or by independent legal counsel as described above shall be promptly communicated to the person who threatened or brought the action or suit by or in the right of the Association and within ten (10) days after receipt of such notification, that person shall have the right to petition the court of common pleas or the court in which the action or suit was brought to review the reasonableness of this determination.

The indemnification provided by this Article IX shall not be deemed exclusive of any rights to which the person seeking indemnification may be entitled under the Articles of Incorporation, this Code or any agreement vote of members or disinterested Managers, or otherwise, both as to actions in his official capacity and as to actions in another capacity while holding office, and shall continue as to a person who has ceased to be a Manager, officer, employee, agent, or volunteer and shall inure to the benefit of the heirs, executors and administrators of that person.

7. Except as modified by this Amendment, the Declaration remains in full force and effect.
8. The Declaration, as modified by this Amendment, is ratified and confirmed.

EXECUTED as of the date first written above.

THE BLUFFS OF NORMANDY
CONDOMINIUM ASSOCIATION, INC.

By: Michael Cahalt
Name: MICHAEL C. CAHALT
Title: PRESIDENT

STATE OF OHIO)
) SS:
COUNTY OF MONTGOMERY)

The foregoing instrument was acknowledged before me this 11th day of October, 2002,
by Michael Cahalt, President of The Bluffs of Normandy Condominium
Association, Inc., an Ohio nonprofit corporation, on behalf of the corporation.

Holly L. Hutchison
Notary Public

This Instrument Prepared by:
Karen R. Adams, Esq.
Chernesky, Heyman & Kress P.L.L.
1100 Courthouse Plaza, S.W.
Dayton, Ohio 45402
:95936.1

HOLLY L. HUTCHISON Notary Public
My Comm. Expires March 5, 2007

88/100 (521.88) feet to the place of beginning containing 11.148 acres, more or less, 6.925 acres being in Section 25 and 4.223 acres being in Section 26, subject, however, to all legal highways and easements of record, zoning resolutions and all other governmental rules and regulations.

EXCEPTING therefrom, the following new descriptions.

Located in Section 26, Town 2, Range 6 MRs, Washington Township, County of Montgomery, State of Ohio, and being a tract of land described as follows:

beginning at the southwest corner of said Section 26, said point being in the centerline of Normandy Lane; thence with the west line of said Section 26, and with the centerline of said Normandy Lane, north four degrees forty-four minutes fifty-four seconds ($4^{\circ} 44' 54''$) East for three hundred thirty and 20/100 (330.20) feet; thence South eighty-four degrees fifty minutes nineteen seconds ($84^{\circ} 50' 19''$) East for twenty-seven and 38/100 (27.38) feet; thence North eighteen degrees fifty-eight minutes twenty seconds ($18^{\circ} 58' 20''$) East for one hundred two and 34/100 (102.34) feet to a point in the south line of Alexandersville-Bellbrook Road; thence with the south line of said Alexandersville-Bellbrook Road, South sixty-three degrees forty-six minutes forty-five seconds ($63^{\circ} 46' 45''$) East for three hundred fifty-eight and 15/100 (358.15) feet to the true point of beginning of this parcel.

thence continuing with the south line of said Alexandersville-Bellbrook Road, South sixty-three degrees forty-six minutes forty-five seconds ($63^{\circ} 46' 45''$) East for two hundred and 34/100 (200.34) feet; thence South thirty-eight degrees nine minutes fifty-five seconds ($38^{\circ} 09' 55''$) West for fifty-one and 38/100 (51.38) feet; thence South fifty-one degrees fifty minutes five seconds ($51^{\circ} 50' 05''$) East for fifty-five and 00/100 (55.00) feet to a point in the west line of I-675; thence with the west line of said I-675, South ten degrees thirty-eight minutes forty-five seconds ($10^{\circ} 38' 45''$) West for sixty-nine and 00/100 (69.00) feet; thence North seventy-nine degrees twenty-one minutes sixteen seconds ($79^{\circ} 21' 16''$) West for one hundred ninety-nine and 42/100 (199.42) feet; thence North five degrees nine minutes forty-one seconds ($5^{\circ} 09' 41''$) East for one hundred ninety-four and 66/100 (194.66) feet to the point of beginning, containing 10.725 acres more or less and subject to all legal highways, easements, restrictions and

EXHIBIT A

Situate in Sections 25 and 26, Town 2, Range 6 MRs, Washington Township, Montgomery County, Ohio, and being a tract of land more particularly described as follows:

beginning at a point in the centerline of Normandy Lane, said point also being the northwest section corner of said Section 25 and the southwest section corner of said Section 26;

thence from said point of beginning North two degrees fifteen minutes forty-six seconds ($2^{\circ} 15' 46''$) with the centerline of Normandy Lane and the west section line of said Section 26 a distance of three hundred twenty-nine and $90/100$ (329.90) feet to a point; thence North eighty-eight degrees seven minutes twenty-three seconds ($88^{\circ} 07' 23''$) East a distance of twenty-seven and $21/100$ (27.21) feet to a point, thence North eleven degrees fifty-six minutes two seconds ($11^{\circ} 56' 02''$) East a distance of one hundred two and $34/100$ (102.34) feet to an angle point in the south right-of-way of Alexandersville-Bellbrook Road as conveyed to the State of Ohio by deed recorded in Microfiche No. 77-446-B09 of the Deed Records of Montgomery County, Ohio; thence South seventy degrees forty-nine minutes three seconds ($70^{\circ} 49' 3''$) East with said right-of-way a distance of five hundred eighty-four and $49/100$ (584.49) feet to an angle point in said right-of-way; thence South three degrees thirty-six minutes thirty-five seconds ($3^{\circ} 36' 35''$) West with the westerly right-of-way of I-675 a distance of four hundred sixty-four and $09/100$ (464.09) feet to a point; thence South thirty-eight degrees fifty-one minutes thirty-two seconds ($38^{\circ} 51' 32''$) West continuing with said right-of-way a distance of seven hundred thirty and $00/100$ (730.00) feet to a point; thence North seven degrees thirty-nine minutes thirty-nine seconds ($7^{\circ} 39' 39''$) with the east right-of-way of Normandy Lane a distance of two hundred thirty-nine and $30/100$ (239.30) feet to a point; thence North forty-one degrees thirty-seven minutes eight seconds ($41^{\circ} 37' 8''$) West a distance of forty-six and $93/100$ (46.93) feet to a point thence South eight-seven degrees thirty-six minutes three seconds ($87^{\circ} 36' 3''$) West; a distance of twenty and $00/100$ (20.00) feet to a point in the centerline of Normandy Lane and the west section line of said Section 25; thence North one degree fifty-two minutes thirty-seven seconds ($1^{\circ} 52' 37''$) West with said centerline and section line a distance of five hundred twenty-one and

Being the following described tracts of Lot 1, Bluffs of Normandy,
recorded in Plat Book 115, Page 30 of the Plat Records
of Montgomery County, Ohio

Located in Section 26, Town 2, Range 6 MRs, Washington Township, County of
Montgomery, State of Ohio, and being two tracts of land described as follows:

Building 2 and Building B-A

beginning at the southwest corner of said Section 26, said point being in the centerline of Normandy Lane; thence with the west line of said Section 26 and with the centerline of said Normandy Lane, North four degrees forty-four minutes fifty-four seconds ($4^{\circ} 44' 54''$) East for one hundred forty two and 30/100 (142.30) feet; thence South eighty-five degrees fifteen minutes six seconds ($85^{\circ} 15' 06''$) East for forty and 00/100 (40.00) feet to the northeast corner of The Bluffs of Normandy Condominium, Section One, and the true point of beginning of said parcel.

thence with the east line of said Normandy Lane, North four degrees forty-four minutes fifty-four seconds ($4^{\circ} 44' 54''$) East for fifty-two and 00/100 (52.00) feet; thence South eighty-five degrees fifteen minutes six seconds ($85^{\circ} 15' 06''$) East for one hundred twenty and 00/100 (120.00) feet; thence North eight-nine degrees twenty-six minutes fifty-nine seconds ($89^{\circ} 26' 59''$) East for sixty-four and 96/100 (64.96) feet; thence North twenty-six degrees thirteen minutes fifteen seconds ($26^{\circ} 13' 15''$) East for one hundred fifty and 00/100 (150.00) feet to a point in the south line of Alexandersville-Bellbrook Pike; thence with the south line of said Alexandersville-Bellbrook Pike South sixty-three degrees forty-six minutes forty-five seconds ($63^{\circ} 46' 45''$) East for one hundred fourteen and 15/100 (114.15) feet to the northwest corner of The Bluffs of Normandy Condominium, Section One, thence with the west line of The Bluffs of Normandy Condominium, Section One, South five degrees nine minutes 41 seconds ($5^{\circ} 09' 41''$) West for one hundred fifteen and 67/100 (115.67) feet; thence North eighty-four degrees fifty minutes nineteen seconds ($84^{\circ} 50' 19''$) West for one hundred sixty and 43/100 (160.43) feet;

agreements of record, according to a survey of said premises by A. Bodenstein, Registered Surveyor, State of Ohio, dated November 19, 1981.

Section Two-A

Located in Section 26, Town 2, Range 6 MRs, Washington Township, County of Montgomery, State of Ohio, and being a tract of land described as follows:

beginning at the southeast corner of The Bluffs of Normandy Condominium, Section Two, as recorded in book 199 page 33 in the Plat Records of Montgomery County, Ohio, said point being in the west line of The Bluffs of Normandy Condominium, Section One, as recorded in book 115 page 36 in the Plat Records of Montgomery County, Ohio; thence with the west line of said Bluffs of Normandy Condominium, Section Two, and with its southward extension, South five degrees nine minutes forty-one seconds ($5^{\circ} 09' 41''$) West for one hundred eight and $92/100$ (108.92) feet; thence South seventy-eight degrees nine minutes forty-one seconds $78^{\circ} 09' 41''$ West for ninety-six and $41/100$ (96.41) feet; thence North eleven degrees fifty minutes nineteen seconds ($11^{\circ} 50' 19''$) West for one hundred forty-three and $37/100$ (143.37) feet to a point in the south line of The Bluffs of Normandy Condominium, Section Two; thence with the south line of said The Bluffs of Normandy Condominium, Section Two, South eighty-four degrees fifty minutes eighteen seconds ($84^{\circ} 50' 18''$) East for one hundred thirty-four and $12/100$ (134.12) feet to the point of beginning, containing 0.326 acres more or less and subject to all legal highways, easements, restrictions and agreements of record, according to a survey of said premises by A. Bodenstein, Registered Surveyor, State of Ohio No. 4235, dated December 5, 1983.

containing 0.051 acres more or less and subject to all legal highways, easements, restrictions and agreements of record, according to a survey of said premises by A. Bodenstein, Registered Surveyor, State of Ohio No. 4235 dated September 7, 1983.

BLUFFS OF NORMANDY

SECTION THREE

Located in Section 26, Tow 2, Range 3 M.R.S. and Section 25, Town 2, Range 6, M.R.S., Washington Township, Montgomery County, State of Ohio, and being part of Lot 1, The Bluffs of Normandy Plat, as recorded in Plat Book 115, Page 30, as recorded in the Plat Records of Montgomery County, Ohio, and being more particularly described as follows:

Beginning at a point on the east right-of-way of Normandy Lane, said point also being the southwest corner of The Bluffs of Normandy Condominium, Section Two, as recorded in Plat Book 119, Page 33, the Plat Records of Montgomery County, Ohio.

thence along the south line of said Bluffs of Normandy Condominium, Section Two in an easterly direction, South eighty-five degrees fifteen minutes six seconds ($85^{\circ} 15' 06''$) East for one hundred twenty and 00/100 (120.00) feet to a point;

thence in a northerly direction, still along the south line of said Bluffs of Normandy Condominium, Section Two, North four degrees forty-four minutes fifty-four seconds ($4^{\circ} 44' 54''$) East for forty-four 00/100 (40.00) feet to a point;

thence still along the south line of said Bluffs of Normandy Condominium, Section Two in an easterly direction, South eighty-six degrees twenty-four minutes ($86^{\circ} 24'$) East for sixty-four and 58/100 (64.58) feet to a point;

thence North eighty-six degrees twenty-four minutes ($86^{\circ} 24'$) West for sixty-four and 58/100 (64.58) feet; thence South four degrees forty-four minutes fifty-four seconds ($4^{\circ} 44' 54''$) West for forty and 00/100 (40.00) feet; thence North eighty-five degrees fifteen minutes six seconds ($85^{\circ} 15' 06''$) West for one-hundred twenty and 00/100 (120.00) feet to the point of beginning, containing 0.605 acres more or less and subject to all legal highways, easements, restrictions and agreements of record, according to a survey of said premises by A. Bodenstein, Registered Surveyor, State of Ohio No. 4234, dated September 7, 1983.

Building A-C

beginning at the southwest corner of said Section 26, said point being in the centerline of Normandy Lane; thence with the west line of said Section 26, and with the centerline of said Normandy Lane, North four degrees forty-four minutes fifty-four seconds ($4^{\circ} 44' 54''$) East for three hundred thirty and 20/100 (330.20) feet; thence South eighty-four degrees fifty minutes nineteen seconds ($84^{\circ} 50' 19''$) East for twenty-seven and 38/100 (27.38) feet; thence North eighteen degrees fifty-eight minutes twenty seconds ($18^{\circ} 58' 20''$) East for one hundred two and 34/100 (102.34) feet to a point in the south line of Alexandersville-Bellbrook Pike; thence with the south line of said Alexandersville-Bellbrook Pike, South sixty-three degrees forty-six minutes forty-five seconds ($63^{\circ} 46' 45''$) East for five hundred fifty-eight and 49/100 (558.49) feet to the northeast corner The Bluffs of Normandy Condominium, Section One, and the true point of beginning of this parcel;

thence continuing with the south line of said Alexandersville-Bellbrook Pike, South sixty-three degrees forty-six minutes forty-five seconds ($63^{\circ} 46' 45''$) East for twenty-six and 00/100 (26.00) feet to a point in the west line of I-675 thence with the west line of said I-675, South ten degrees thirty-eight minutes forty-five seconds ($10^{\circ} 38' 45''$) West for sixty-four and 00/100 (64.00) feet to a point in the east line of said The Bluffs of Normandy Condominium, Section One, thence with the east line of said The Bluffs of Normandy Condominiums, Section One, on the following two courses; North fifty-one degrees fifty minutes five seconds ($51^{\circ} 50' 05''$) West for fifty-five and 00/100 (55.00) feet and North thirty-eight degrees nine minutes fifty-five seconds ($38^{\circ} 09' 55''$) East for fifty-one and 38/100 (51.38) feet to the point of beginning,

EXHIBIT B

THE BLUFFS OF NORMANDY CONDOMINIUM ASSOCIATION, INC.

MEMBERS' ACTION

The undersigned, being a seventy-five percent (75%) majority of the members of THE BLUFFS OF NORMANDY CONDOMINIUM ASSOCIATION, INC., an Ohio nonprofit corporation (the "Corporation"), do hereby affirmatively vote for, consent to, adopt, and approve the following resolutions by unanimous written consent:

RESOLVED, that Section 12, D of the Declaration of The Bluffs of Normandy Condominium (the "Declaration") be amended to provide that the person to receive service of process for the Association shall be Gerard D. Sowar, Chernesky, Heyman & Kress P.L.L., 10 Courthouse Plaza SW, Suite 1100, Dayton, Ohio 45402.

FURTHER RESOLVED, that Section 13 of the Declaration be amended to provide that the Declaration and the By-Laws of the Association may be amended by a vote of fifty percent (50%) of the members of the Association, except in the following circumstances, in which case the prior written consent of seventy-five percent (75%) of the members shall be required for any amendment:

- (i) the boundaries of any Unit;
- (ii) the undivided interest in the Common Areas appertaining to a Unit or the liability for common expenses appertaining to that Unit;
- (iii) the number of votes in the Association appertaining to any Unit;
- (iv) the fundamental purposes to which any Unit or the Common Areas are restricted; or
- (v) dissolution of the Condominium.

FURTHER RESOLVED, that Section 17 of the Declaration be amended to provide that the Association shall carry a minimum of \$5,000,000 general liability insurance. Additionally, the Board of Managers of the Association shall have the authority to increase the liability coverage maintained by the Association to such limits as the Board deems commercially reasonable and as is consistent for properties of like quality and condition in the Montgomery County, Ohio area and surrounding communities.

thence still along the south line of said Bluffs of Normandy Condominium, Section Two, in an easterly direction, South eighty-four degrees fifty minutes eighteen seconds ($84^{\circ} 50' 18''$) East for twenty-six and $31/100$ (26.31) feet to a point, said point also being the northwest corner of the Bluffs of Normandy Condominium, Section Two-A, as recorded in Plat Book 120, Page 6 in the Plat Records of Montgomery County, Ohio;

thence along the west line of said Bluffs of Normandy Condominium, Section Two-A in the southerly direction, South eleven degrees fifty minutes nineteen seconds ($11^{\circ} 50' 19''$) West for one hundred forty-three and $37/100$ (143.37) feet to a point, said point also being the southwest corner of said Bluffs of Normandy, Section Two-A;

thence in a southerly direction, South seventy-eight degrees nine minutes forty-one seconds ($78^{\circ} 09' 41''$) West for two hundred sixty-two and $96/100$ (262.96) feet to a point, said point being on the east right-of-way of Normandy Lane;

thence along the east right-of-way of Normandy Lane in a northerly direction, North five degrees nine minutes forty-one seconds ($5^{\circ} 09' 41''$) East for twenty-seven and $64/100$ (27.64) feet to a point;

thence still along the east right-of-way of Normandy Lane in a northerly direction, North four degrees forty-four minutes fifty-four seconds ($4^{\circ} 44' 54''$) East for one hundred forty-three and $73/100$ (143.73) feet to the point of beginning, containing 0.8327 acres, more or less, subject, however, to all legal highways and easements of record.

NOTE: The above described tract of land is part of that land conveyed to Alex/Bell Development Co., Inc. as recorded on Microfiche #81-497B05 as recorded in the Deed Records of Montgomery County, Ohio.

whether or not a quorum is obtainable, and if a majority of a quorum of disinterested Managers so directs, in a written opinion by independent legal counsel other than an attorney, or a firm having associated with it an attorney, who has been retained by or who has performed services for the Association or any person to be indemnified within the past five (5) years, or (c) by the members, or (d) by the court of common pleas or the court in which the action, suit or proceeding was brought. Any determination made by the disinterested Managers or by independent legal counsel as described above shall be promptly communicated to the person who threatened or brought the action or suit by or in the right of the Association and within ten (10) days after receipt of such notification, that person shall have the right to petition the court of common pleas or the court in which the action or suit was brought to review the reasonableness of this determination.

The indemnification provided by this Article IX shall not be deemed exclusive of any rights to which the person seeking indemnification may be entitled under the Articles of Incorporation, this Code or any agreement vote of members or disinterested Managers, or otherwise, both as to actions in his official capacity and as to actions in another capacity while holding office, and shall continue as to a person who has ceased to be a Manager, officer, employee, agent, or volunteer and shall inure to the benefit of the heirs, executors and administrators of that person.

FURTHER RESOLVED, that _____ and _____, the President and Vice President of the Corporation be, and each acting alone hereby is authorized and directed on behalf of the Corporation to execute any and all such documents, agreements, certificates and instruments of writing relating to the Amendment, including but not limited to an Amendment to the Declaration; to perform any and all such other actions necessary, desirable or appropriate to consummate the intent of the Amendment; and the execution and delivery of the Amendment, and any and all such other documents, certificates and instruments of writing and the performance of any and all such other actions shall be conclusive evidence that the same have been authorized by this resolution and shall be binding upon the Corporation.

FURTHER RESOLVED, that Section 20,D of the Declaration revised to include the following sentence at the end of the Section: In any action to foreclose the lien, interest and costs of such action (including reasonable attorneys' fees) shall be added to the amount of any such assessment, to the extent permitted by Ohio law.

FURTHER RESOLVED, that Section 1, E of the By-Laws of the Corporation be amended to read as follows:

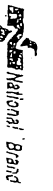
Quorum. Except as otherwise provided in these By-Laws, the presence in person or by proxy of nine (9) members of the Association shall constitute a quorum.

FURTHER RESOLVED, that the By-Laws of the Corporation be amended to include the following Section:

7. INDEMNIFICATION OF MANAGERS, OFFICERS, EMPLOYEES, AGENTS AND VOLUNTEERS

To the extent permitted by law, the Association shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action or suit by or in the right of the Association to procure a judgment in its favor by reason of the fact that he is or was a Manager, officer, employee, agent or volunteer of the Association, or is or was serving at the request of the Association as a Manager, officer, employee, agent or volunteer of another corporation, domestic or foreign, nonprofit or for profit, or a partnership, joint venture, trust or other enterprise against expenses, including attorney's fees, actually and reasonably incurred by him in connection with the defense or settlement of the action or suit if he acted in good faith and in a manner he reasonably believed to be in or not opposed to the best interests of the Association, except that no indemnification shall be made in respect of any claim, issue or matter as to which the person shall have been adjudged to be liable for negligence or misconduct in the performance of his duty to the Association, unless, and only to the extent that, the court of common pleas or the court in which the action or suit was brought determines upon application that, despite the adjudication of liability but in view of all the circumstance of the case, the person is fairly and reasonably entitled to be indemnified for such expenses as the court of common pleas or such other court deems proper.

Any indemnification under this Article IX, unless ordered by a court, shall be made by the Association only as authorized in the specific case upon a determination that indemnification of the Manager, officer, employee, agent or volunteer is proper in the circumstances because he had met the applicable standard of conduct set forth above. This determination shall be made (a) by a majority vote of a quorum consisting of Managers of the Association who were not and are not parties to or threatened with the action, suit or proceeding, or (b)



45-113 E/O-Case
Made in USA

Logging

ONE

TWO

ADDRESS	Y	N	Y	N	
300	✓		✓		
312	✓		✓		
7167	✓		✓		
7011*		✓		✓	
7014	✓		✓		
6999	✓		✓		
7035	✓		✓		
306	✓		✓		
302	✓		✓		
7169	✓		✓		
7007	✓		✓		
7009	✓		✓		
7157	✓		✓		
7175	✓		✓		
304	✓		✓		
9033	✓		✓		
7013	✓		✓		
7151	✓		✓		
314	✓		✓		
7173	✓		✓		
7155		✓		✓	
	19	2	17	4	1
	90%	10%	81%	19%	8
308	✓		✓		
7161	✓		✓		

The Bluffs of Normandy Condominium Association

Voting Grid

Issue	Yes	No
Element One	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Two	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Three	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Four	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Five	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Six	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date 25 Sep 02

Signature (s)

Daniel R. Fleischman
Mark Thompson

Unit Address

300 Trebor Lane

The Bluffs of Normandy Condominium Association

Voting Grid

Issue	Yes	No
Element One	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Two	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Three	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Four	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Five	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Six	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date 9/24/02Signature (s) Gloria A. StewartUnit Address 312 TREEBOL LANE

The Bluffs of Normandy Condominium Association

Voting Grid

Issue	Yes	No
Element One	<u>X</u>	<u> </u>
Element Two	<u>X</u>	<u> </u>
Element Three	<u>X</u>	<u> </u>
Element Four	<u>X</u>	<u> </u>
Element Five	<u>X</u>	<u> </u>
Element Six	<u>X</u>	<u> </u>

Date 9/25/02

Signature (s) Nancy E. Hendrickson
 NANCY E. HENDRICKSON
L.K. Hendrickson
 L.K. HENDRICKSON

Unit Address 7167 BLUFFS DR

The Bluffs of Normandy Condominium Association

Voting Grid

Issue	Yes	No
Element One	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Element Two	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Element Three	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Element Four	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Element Five	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Element Six	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Date 9.25.02Signature (s) Janette M ReeseUnit Address 7011 Bluffs Drive

The Bluffs of Normandy Condominium Association

Voting Grid

Issue	Yes	No
Element One	<u>X</u>	<u> </u>
Element Two	<u>X</u>	<u> </u>
Element Three	<u>X</u>	<u> </u>
Element Four	<u>X</u>	<u> </u>
Element Five	<u>X</u>	<u> </u>
Element Six	<u>X</u>	<u> </u>

Date 9-25-02Signature (s) Shirley M. May
Betty S. WilsonUnit Address 7016 Bluffs Dr.

The Bluffs of Normandy Condominium Association

Voting Grid

Issue	Yes	No
Element One	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Two	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Three	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Four	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Five	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Six	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date Sept. 25, 2002Signature (s) Ethel WanamakerUnit Address 6999 Bluffs Drive

The Bluffs of Normandy Condominium Association

Voting Grid

Issue	Yes	No
Element One	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Two	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Three	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Four	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Five	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Six	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date 9/25/02Signature (s) Quint BushUnit Address 7035 BLUFFS DR.

The Bluffs of Normandy Condominium Association

Voting Grid

Issue	Yes	No
Element One	<u>X</u>	<u> </u>
Element Two	<u>X</u>	<u> </u>
Element Three	<u>X</u>	<u> </u>
Element Four	<u>X</u>	<u> </u>
Element Five	<u>X</u>	<u> </u>
Element Six	<u>X</u>	<u> </u>

Date 9/26/02Signature (s) Joe BruttilliUnit Address 306 Tribor Lane

The Bluffs of Normandy Condominium Association

Voting Grid

Issue	Yes	No
Element One	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Two	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Three	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Four	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Five	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Six	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date Sept 26 2002Signature (s) Robert L. Remm
Cynthia A. RemmUnit Address 302 Trebor Lane

The Bluffs of Normandy Condominium Association

Voting Grid

Issue	Yes	No
Element One	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Two	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Three	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Four	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Five	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Six	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date 10-01-02Signature (s) Randy WrightUnit Address 7123 Bluffs

The Bluffs of Normandy Condominium Association

Voting Grid

Issue	Yes	No
Element One	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Two	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Three	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Element Four	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Five	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Six	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Date

10/5/02

Signature (s)

Hugh Thornby

Unit Address

7161

The Bluffs of Normandy Condominium Association

Voting Grid

Issue	Yes	No
Element One	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Two	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Three	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Element Five	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Six	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date OCT 4, 2002Signature (s) M. AlieUnit Address 308 TREBOR LN

The Bluffs of Normandy Condominium Association

Voting Grid

Issue	Yes	No
Element One	<u> </u>	<u>✓</u>
Element Two	<u> </u>	<u>✓</u>
Element Three	<u> </u>	<u>✓</u>
Element Four	<u>✓</u>	<u> </u>
Element Five	<u>✓</u>	<u> </u>
Element Six	<u> </u>	<u>✓</u>

Date Sept 29, 2002Signature (s) B. Glena Hamilton
Anna V. HamiltonUnit Address 7155 Bluffs Pl.
Cincinnati, Ohio 45459

The Bluffs of Normandy Condominium Association

Voting Grid

Issue	Yes	No
Element One	<u>X</u>	<u> </u>
Element Two	<u>X</u>	<u> </u>
Element Three	<u>X</u>	<u> </u>
Element Four	<u>X</u>	<u> </u>
Element Five	<u>X</u>	<u> </u>
Element Six	<u>X</u>	<u> </u>

Date 9/30/02Signature (s) Michael Cahalt
Deborah M. CahaltUnit Address 314 TREBOR LN

The Bluffs of Normandy Condominium Association

Voting Grid

Issue	Yes	No
Element One	<u>X</u>	<u> </u>
Element Two	<u>X</u>	<u> </u>
Element Three	<u>X</u>	<u> </u>
Element Four	<u>X</u>	<u> </u>
Element Five	<u>X</u>	<u> </u>
Element Six	<u>X</u>	<u> </u>

Date 9/28/02Signature (s) Fred DeLuryUnit Address 7151 BLUFFS DR.

The Bluffs of Normandy Condominium Association

Voting Grid

Issue	Yes	No
Element One	<u>X</u>	<u> </u>
Element Two	<u> </u>	<u>X</u>
Element Three	<u>X</u>	<u> </u>
Element Four	<u>X</u>	<u> </u>
Element Five	<u>X</u>	<u> </u>
Element Six	<u>X</u>	<u> </u>

Date 9-25-02Signature (s) BHUnit Address 7013 BLUFF'S DR

The Bluffs of Normandy Condominium Association

Voting Grid

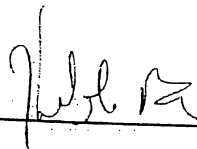
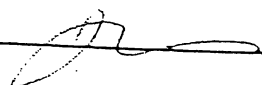
Issue	Yes	No
Element One	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Two	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Three	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Four	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Five	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Six	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date 9/30/02Signature (s) Danica ShyackUnit Address 7033 Bluffs Drive

The Bluffs of Normandy Condominium Association

Voting Grid

Issue	Yes	No
Element One	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Two	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Three	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Four	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Five	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Six	<input type="checkbox"/>	<input type="checkbox"/>

Date 1/24/02Signature (s) 
Unit Address 304 Trsler Ln.

The Bluffs of Normandy Condominium Association

Voting Grid

Issue	Yes	No
Element One	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Two	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Three	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Element Four	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Five	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Six	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date September - 27, 2002Signature (s) Samuel Perkins
William BlanchUnit Address 7175 Bluffs Drive

The Bluffs of Normandy Condominium Association

Voting Grid

Issue	Yes	No
Element One	<u>/</u>	<u> </u>
Element Two	<u>/</u>	<u> </u>
Element Three	<u>/</u>	<u> </u>
Element Four	<u>/</u>	<u> </u>
Element Five	<u>/</u>	<u> </u>
Element Six	<u>/</u>	<u> </u>

Date 9-29-02Signature (s) [Signature]Unit Address 2157 Bluffs

The Bluffs of Normandy Condominium Association

Voting Grid

Issue	Yes	No
Element One	<u>X</u>	<u> </u>
Element Two	<u> </u>	<u>X</u>
Element Three	<u>X</u>	<u> </u>
Element Four	<u>X</u>	<u> </u>
Element Five	<u>X</u>	<u> </u>
Element Six	<u>X</u>	<u> </u>

Date September 26, 2002Signature (s) Unit Address 7009 Bluffs Drive

The Bluffs of Normandy Condominium Association

Voting Grid

Issue	Yes	No
Element One	<u>X</u>	<u> </u>
Element Two	<u>X</u>	<u> </u>
Element Three	<u> </u>	<u>X</u>
Element Four	<u> </u>	<u>X</u>
Element Five	<u>X</u>	<u> </u>
Element Six	<u>X</u>	<u> </u>

Date Sept. 28, 02Signature (s) Barbara BowlingUnit Address 7007 Bluffs Dr.

The Bluffs of Normandy Condominium Association

Voting Grid

Issue	Yes	No
Element One	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Two	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Three	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Four	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Five	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Element Six	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date 9/26/2002Signature (s) Rev. Ernest J. ChalfantUnit Address 7169 Bluffs

Cox

**FIFTH AMENDMENT TO
DECLARATION FOR THE BLUFFS OF NORMANDY CONDOMINIUM
(SECTION THREE)**

THIS FIFTH AMENDMENT TO DECLARATION FOR THE BLUFFS OF NORMANDY CONDOMINIUM (SECTION THREE) (this "Amendment") is made as of this 25th day of April, 2011, by THE BLUFFS OF NORMANDY CONDOMINIUM ASSOCIATION, INC., an Ohio non-profit corporation (the "Association"), whose address is P.O. Box 750636, Dayton, Ohio 45475, under the following circumstances:

A. By Declaration for The Bluffs of Normandy Condominium (Section Three) recorded December 15, 1981 at Microfiche No. 81-545A01 of the Montgomery County, Ohio Records (the "Original Declaration"), certain premises located in the Township of Washington, County of Montgomery and State of Ohio and being more particularly described in Exhibit A attached hereto and made a part hereof were submitted to the provisions of Chapter 5311 of the Ohio Revised Code for Condominium ownership.

B. The Declaration was amended by a First Amendment dated July 29, 1983 and recorded September 29, 1983 at Microfiche No. 83-465A12 of the Montgomery County, Ohio Records (the "First Amendment").

C. The Declaration was amended by a Second Amendment dated December 15, 1983 and recorded December 15, 1983 at Microfiche No. 83-0602C12 of the Montgomery County, Ohio Records (the "Second Amendment").

D. The Declaration was amended by a Third Amendment dated November 28, 1984 and recorded November 28, 194 at Microfiche No. 84-0555D08 of the Montgomery County, Ohio Records (the "Third Amendment").

E. The Declaration was amended by a Fourth Amendment dated October 11, 2002 and recorded November 27, 2002 at SP-I-02-148599 of the Montgomery County, Ohio Records (the "Fourth Amendment", and, with the Original Declaration, the First Amendment, Second Amendment and Third Amendment, the "Declaration").

F. Pursuant to the provisions of the Declaration and the By-Laws of the Association, 50% of the members of the Association are required to approve any amendment to the Declaration and, by vote of 74% of the members, as summarized in Exhibit B attached hereto and made a part hereof, the Association has voted to amend the Declaration as more particularly set forth herein.

NOW, THEREFORE, for valuable consideration paid, the receipt and sufficiency of which is hereby acknowledged, the Declaration is amended as follows:

1. Section 12D of the Declaration is hereby amended to provide that the person to receive service of process for the Association shall be CH&K Agent Service, Inc., 10 Courthouse Plaza SW, Suite 1100, Dayton, Ohio 45402.

2. Section 20A of the Declaration shall be deleted in its entirety and the following inserted in lieu thereof:

A. General. The Association shall be entitled to collect, in a manner as provided in this Declaration and the By-Laws of the Association, (i) from all Owners an annual assessment for the payment of Common Expenses, for the costs of maintenance, repair and insurance for the Common Areas and Facilities, and for the cost of insurance for the Units and any other insurance required pursuant to the provisions of this Declaration or the By-Laws of the Association, and (ii) from individual Owners, an assessment to reimburse the Association for its costs (x) in curing any damage to the Common Areas and Facilities due to the willful or negligent act or omission of an Owner or (y) to enforce such Owner's compliance with any requirements of this Declaration or the By-Laws of the Association pursuant to Section 19 of this Declaration.

3. Section 20D of the Declaration shall be deleted in its entirety and the following inserted in lieu thereof:

D. Lien of Association. The Association shall have a lien upon the estate of interest of the Owner in any Unit, and the appurtenant percentage of interest in the Common Areas and Facilities, for the payment of any Assessments chargeable against the Unit that remains unpaid for ten (10) days after the Assessment has become due and payable. Assessments not paid with such ten (10) day period shall be subject to a late charge of \$____ and shall accrue interest at the rate of __% per annum until paid. The lien is effective on the date a certificate of lien is filed for record in the office of the Recorder of Montgomery County, Ohio, pursuant to authorization of the Board of Managers. The certificate shall contain a description of the unit, the name of the record Owner and the total of (i) the amount of the unpaid Assessments against the Unit; and (ii) interest, administrative late fees, enforcement assessments, and collection costs, attorney's fees, and paralegal fees the Association incurs in connection with collection of the Assessment. The lien is valid for a period of five (5) years from the date of filing, unless

sooner released or satisfied in the same manner provided by law for the release and satisfaction of mortgages on real property or discharged by the final judgment or order of a court in an action brought to discharge the lien as hereinafter provided. The Association shall credit payments made by, or collected from, an Owner for the expenses described in subitems (i) and (ii) above in the following order of priority:

- (a) First, to interest owed to the Association;
- (b) Second, to administrative late fees owed to the Association;
- (c) Third, to collection costs, attorney's fees, and paralegal fees incurred by the Association;
- (d) Fourth, to the principal amounts the Owner owes to the Association for the common expenses or penalty assessments chargeable against the Unit.

The Association shall be entitled to collect from the Owner, in addition to the amount set forth on the certificate of lien, any additional costs of collection, including but not limited to court costs, attorney's fees and/or paralegal fees, and other expenses, whether or not the Association bring an action in court to foreclose the lien.

2. Except as modified by this Amendment, the Declaration remains in full force and effect.
3. The Declaration, as modified by this Amendment, is ratified and confirmed.

EXECUTED as of the date first written above.

THE BLUFFS OF NORMANDY CONDOMINIUM
ASSOCIATION, INC.
an Ohio non-profit corporation

By Joe Brittelly
Name: JOE BRITTELY
Title: TREASURER

STATE OF OHIO)
)
COUNTY OF MONTGOMERY)

SS:

The foregoing instrument was acknowledged before me this 25th day of April 2011 by Joseph L. Brittelli of The Bluffs of Normandy Condominium Association, Inc., an Ohio non-profit corporation, on behalf of the corporation.

Abbie J. Birchfield
Notary Public

This Instrument Prepared by:

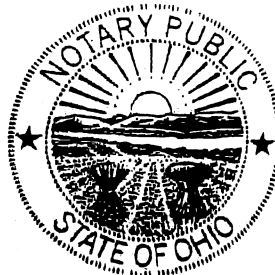
Karen R. Adams, Esq.

Dinsmore & Shohl LLP

10 Courthouse Plaza SW, Suite 1100

Dayton, Ohio 45402

30x



ABBIE J. BIRCHFIELD, Notary Public
In and for the State of Ohio
My Commission Expires May 22, 2013

Master List Fifth Amendment Summary

Address	Owner	Approve	Disapprove
300 Trebor	Fleischman	✓	
302 Trebor	Gillespie	✓	
304 Trebor	US Bank		
306 Trebor	Brittelli	✓	
308 Trebor	Calvert		
310 Trebor	Erbes		
312 Trebor	Littler	✓	
314 Trebor	Blevins	✓	
7014 Bluffs	Reese	✓	
7016 Bluffs	Wiley	✓	
6997 Bluffs	Brown	✓	
6999 Bluffs	Wanamaker	✓	
7007 Bluffs	Louderback	✓	
7009 Bluffs	Miller	✓	
7011 Bluffs	Reese	✓	
7013 Bluffs	Lokai		✓
7033 Bluffs	Galley		
7035 Bluffs	Bush	✓	
7151 Bluffs	Dettling	✓	
7155 Bluffs	Mahefkey	✓	
7157 Bluffs	Sparks	✓	
7161 Bluffs	Thornburg		
7163 Bluffs	Murdock	✓	
7167 Bluffs	Hendrickson	✓	
7169 Bluffs	Chalfant		7
7173 Bluffs	Wright	✓	
7175 Bluffs	McMurray	✓	

Certified as Accurate Dated 4/17/2011

Joe Brittelli, Secretary/Treasurer Joe Brittelli

EXHIBIT A

Situate in the Township of Washington, County of Montgomery and State of Ohio and being Unit Numbers A-1, A-2, A-3, A-4, A-5, A-6, A-7, A-8, A-9, A-10, A-11, A-12, 300, 302, 304, 306, 308, 310, 312 and 314 of the Bluffs of Normandy Condominiums, Section One, as designated in the Declaration of Condominium Property recorded in Deed Microfiche No. 81-545A01 and amended at Deed Microfiche Nos. 83-465A12, 84-555D08 and SP-I-02-148544 of the Montgomery County, Ohio Records and in Plat Book 115, Page 36 and 36D of the plat Records of Montgomery County, Ohio.

Situate in the Township of Washington, County of Montgomery and State of Ohio and being Unit Number 6997, 6999, 7007, 7009, 2011, 7013, 7014, 7016, 7033, and 7055 of the Bluffs of Normandy Condominiums, Section Three, as designated in the Declaration of Condominium Property recorded in Deed Microfiche No. 81-545A01 and amended at Deed Microfiche Nos. 83-465A12, 84-555D08 and SP-I-02-148544 of the Montgomery County, Ohio Records and in Plat Book 120, Page 6 through 6B of the plat Records of Montgomery County, Ohio.

Situate in the Township of Washington, County of Montgomery and State of Ohio and being Unit Number 7151, 7155, 7161, 7163, 7167, 7167, 7169, 7175 of the Bluffs of Normandy Condominiums, Section Two, as designated in the Declaration of Condominium Property recorded in Deed Microfiche No. 81-545A01 and amended at Deed Microfiche Nos. 83-465A12, 84-555D08 and SP-I-02-148544 of the Montgomery County, Ohio Records and in Plat Book 123, Page 14 and 14A and 14B of the plat Records of Montgomery County, Ohio.

Type: DEE
Kind: SPECIAL INSTRUMENT (DEED)
Recorded: 06/03/2014 11:21:53 AM
Fee Amt: \$52.00 Page 1 of 5
Montgomery County, OH
Jill E. Blackshear County Recorder
File# 2014-00027937

NO TRANSFER
11:20am JUNE 03, 2014
KARL L. KEITH, COUNTY AUDITOR

SIXTH AMENDMENT TO DECLARATION FOR THE BLUFFS OF NORMANDY CONDOMINIUM

THIS SIXTH AMENDMENT TO DECLARATION FOR THE BLUFFS OF NORMANDY CONDOMINIUM (this "Amendment") is made as of this 30th day of May, 2014, by THE BLUFFS OF NORMANDY CONDOMINIUM ASSOCIATION, INC., an Ohio non-profit corporation (the "Association"), whose address is P.O. Box 750636, Dayton, Ohio 45475, under the following circumstances:

A. By Declaration for The Bluffs of Normandy Condominium (Section Three) recorded December 15, 1981 at Microfiche No. 81-545A01 of the Montgomery County, Ohio Records (the "Original Declaration"), certain premises located in the Township of Washington, County of Montgomery and State of Ohio and being more particularly described in Exhibit A attached hereto and made a part hereof were submitted to the provisions of Chapter 5311 of the Ohio Revised Code for Condominium ownership.

B. The Declaration was amended by a First Amendment dated July 29, 1983 and recorded September 29, 1983 at Microfiche No. 83-465A12 of the Montgomery County, Ohio Records (the "First Amendment").

C. The Declaration was amended by a Second Amendment dated December 15, 1983 and recorded December 15, 1983 at Microfiche No. 83-0602C12 of the Montgomery County, Ohio Records (the "Second Amendment").

D. The Declaration was amended by a Third Amendment dated November 28, 1984 and recorded November 28, 1984 at Microfiche No. 84-0555D08 of the Montgomery County, Ohio Records (the "Third Amendment").

E. The Declaration was amended by a Fourth Amendment dated October 11, 2002 and recorded November 27, 2002 at SP-I-02-148599 of the Montgomery County, Ohio Records (the "Fourth Amendment").

F. The Declaration was amended by a Fifth Amendment dated April 25, 2011 and recorded May 4, 2011 at SP-I-11-026756 of the Montgomery County, Ohio Records (the "Fifth Amendment", and, with the Original Declaration, the First Amendment, Second Amendment, Third Amendment, and Fourth Amendment, the "Declaration").

G. Pursuant to the provisions of the Declaration and the By-Laws of the Association, 50% of the members of the Association are required to approve any amendment to the Declaration and, by vote of 84.6% of the members, as summarized in Exhibit B attached hereto and made a part hereof, the Association has voted to amend the Declaration as more particularly set forth herein.

NOW, THEREFORE, for valuable consideration paid, the receipt and sufficiency of which is hereby acknowledged, the Declaration is amended as follows:

1. Section 5A(6) of the Declaration shall be deleted in its entirety and the following inserted in lieu thereof:

(6) All plumbing from the Unit Owner's water meter, electric from the Unit Owner's circuit panel, heating, cooling and other utility lines, pipes, wires, ducts or conduits which exclusively serve either the Unit, the fixtures located therein, or the Limited Common Areas for such Unit, including the pipes leading to any external spigot which solely serves the Unit (provided however, the Association shall be responsible for spigot failures.)

2. The final paragraph of Section 5A of the Declaration shall be deleted in its entirety and the following inserted in lieu thereof:

But excepting therefrom all plumbing, electrical, heating, cooling and other utility service lines, pipes, wires, ducts or conduits which do not exclusively serve a Unit (regardless of their location) or are located in the Common Areas.

3. The following section shall be inserted at the end of Section 7B(5):

(5) Plumbing, including all pipes, which exclusively serve a Unit (regardless of their location).

4. Section 14D(1) of the Declaration shall be deleted in its entirety and the following inserted in lieu thereof:

(1) To maintain, repair and replace at his expense all portions of his Unit and the Limited Common Areas for such Unit and all internal installations of such Unit such as appliances, heating, plumbing, electrical and air conditioning fixtures or

This Instrument Prepared by:
Karen R. Dillon, Esq.
Dinsmore & Shohl LLP
1100 Courthouse Plaza SW
10 N. Ludlow Street
Dayton, Ohio 45402

EXHIBIT A

Situate in the Township of Washington, County of Montgomery and State of Ohio and being Unit Numbers A-1, A-2, A-3, A-4, A-5, A-6, A-7, A-8, A-9, A-10, A-11, A-12, 300, 302, 304, 306, 308, 310, 312 and 314 of the Bluffs of Normandy Condominiums, Section One, as designated in the Declaration of Condominium Property recorded in Deed Microfiche No. 81-545A01 and amended at Deed Microfiche Nos. 83-465A12, 84-555D08 and SP-I-02-148544 of the Montgomery County, Ohio Records and in Plat Book 115, Page 36 and 36D of the plat Records of Montgomery County, Ohio.

Situate in the Township of Washington, County of Montgomery and State of Ohio and being Unit Number 6997, 6999, 7007, 7009, 2011, 7013, 7014, 7016, 7033, and 7055 of the Bluffs of Normandy Condominiums, Section Three, as designated in the Declaration of Condominium Property recorded in Deed Microfiche No. 81-545A01 and amended at Deed Microfiche Nos. 83-465A12, 84-555D08 and SP-I-02-148544 of the Montgomery County, Ohio Records and in Plat Book 120, Page 6 through 6B of the plat Records of Montgomery County, Ohio.

Situate in the Township of Washington, County of Montgomery and State of Ohio and being Unit Number 7151, 7155, 7161, 7163, 7167, 7167, 7169, 7175 of the Bluffs of Normandy Condominiums, Section Two, as designated in the Declaration of Condominium Property recorded in Deed Microfiche No. 81-545A01 and amended at Deed Microfiche Nos. 83-465A12, 84-555D08 and SP-I-02-148544 of the Montgomery County, Ohio Records and in Plat Book 123, Page 14 and 14A and 14B of the plat Records of Montgomery County, Ohio.



DATE	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
10/09/2012	201227900935	NONPROFIT - CERTIFICATE OF CONTINUED EXISTENCE (CCE)	25.00	.00	.00	.00	.00

Receipt

This is not a bill. Please do not remit payment.

DINSMORE & SHOHL LLP
ATTN: MARY BETH HEWITT
10 N. LUDLOW STREET - SUITE 1100
DAYTON, OH 45402

**STATE OF OHIO
CERTIFICATE**

Ohio Secretary of State, Jon Husted

585650

It is hereby certified that the Secretary of State of Ohio has custody of the business records for

THE BLUFFS OF NORMANDY CONDOMINIUM ASSOCIATION, INC.

and, that said business records show the filing and recording of:

Document(s):

NONPROFIT - CERTIFICATE OF CONTINUED EXISTENCE

Document No(s):

201227900935



United States of America
State of Ohio
Office of the Secretary of State

Witness my hand and the seal of the
Secretary of State at Columbus, Ohio
this 4th day of October, A.D. 2012.

Jon Husted

Ohio Secretary of State

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO
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Form 521 Prescribed by:

JON HUSTED
Ohio Secretary of State

Central Ohio: (614) 466-3910

Toll Free: (877) SOS-FILE (767-3453)

www.OhioSecretaryofState.gov

Busserv@OhioSecretaryofState.gov

Mail this form to one of the following:

Regular Filing (non expedite)
P.O. Box 788
Columbus, OH 43216

Expedite Filing (Two-business day processing
time requires an additional \$100.00).
P.O. Box 1390
Columbus, OH 43216

Statutory Agent Update
Filing Fee: \$25

(CHECK ONLY ONE(1) BOX)

(1) Subsequent Appointment of Agent

- ☒ Corp (165-AGS)
☐ LP (165-AGS)
☐ LLC (171-LSA)
☐ Business Trust
(171-LSA)

(2) Change of Address of an Agent

- ☐ Corp (145-AGA)
☐ LP (145-AGA)
☐ LLC (144-LAD)
☐ Business Trust
(144-LAD)

(3) Resignation of Agent

- ☐ Corp (155-AGR)
☐ LP (155-AGR)
☐ LLC (153-LAG)
☐ Partnership (153-AGR)
☐ Business Trust
(153-LAG)

Name of Entity **The Bluffs of Normandy Condominium Association**

Charter, License or Registration No. **585650**

Name of Current Agent **Karen R. Adams**

Complete the information in this section if box (1) is checked

Name and Address
of New Agent

CH&K Agent Service, Inc.

Name of Agent

10 N. Ludlow Street - Suite 1100

Mailing Address

Dayton

City

Ohio

State

45402

Zip Code

Complete the information in this section if box (1) is checked and business is an Ohio entity

ACCEPTANCE OF APPOINTMENT FOR DOMESTIC ENTITY'S AGENT

The Undersigned, CH&K Agent Service, Inc., named herein as the
Name of Agent

statutory agent for The Bluffs of Normandy Condominium Association, hereby acknowledges
Name of Business Entity

and accepts the appointment of statutory agent for said entity.

CH&K Agent Service, Inc.

Signature: By Mary Beth Hewitt Asst Secy

Individual Agent's Signature/Signature on behalf of Corporate Agent
Mary Beth Hewitt, Assistant Secretary

☐ If an agent is an individual using a P.O. Box, the agent must check this box to confirm that the agent is an Ohio resident.

Complete the information in this section if box (2) is checked

New Address of Agent

Mailing Address

City

Ohio
State

Zip Code

☐ If an agent is an individual using a P.O. Box, the agent must check this box to confirm that the agent is an Ohio resident.

Complete the information in this section if box (3) is checked

The agent of record for the entity identified on page 1 resigns as statutory agent.

Current or last known address of the entity's principal office where a copy of this Resignation of Agent was sent as of the date of filing or prior to the date filed.

Mailing Address

City

State

Zip Code

By signing and submitting this form to the Ohio Secretary of State, the undersigned hereby certifies that he or she has the requisite authority to execute this document.

Required

Agent update must be signed by an authorized representative (see instructions for specific information).

If authorized representative is an individual, then they must sign in the "signature" box and print their name in the "Print Name" box.

If authorized representative is a business entity, not an individual, then please print the business name in the "signature" box, an authorized representative of the business entity must sign in the "By" box and print their name in the "Print Name" box.

Joe Brittell
Authorized Representative

By (if applicable)

JOE BRITTELL
Print Name

BLUFFS OF NORMANDY CONDOMINIUM
Authorized Representative

Joe Brittell
By (if applicable)

JOE BRITTELL
Print Name



DATE	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
10/10/2012	201228400537	SUBSEQUENT AGENT APPOINTMENT (AGS)	25.00	.00	.00	.00	.00

Receipt

This is not a bill. Please do not remit payment.

DINSMORE & SHOHL LLP
10 N. LUDLOW STREET - #1100
ATTN: M. HEWITT
DAYTON, OH 45402

**STATE OF OHIO
CERTIFICATE**

Ohio Secretary of State, Jon Husted

585650

It is hereby certified that the Secretary of State of Ohio has custody of the business records for

THE BLUFFS OF NORMANDY CONDOMINIUM ASSOCIATION, INC.

and, that said business records show the filing and recording of:

Document(s):

SUBSEQUENT AGENT APPOINTMENT

Document No(s):

201228400537



United States of America
State of Ohio
Office of the Secretary of State

Witness my hand and the seal of the
Secretary of State at Columbus, Ohio
this 9th day of October, A.D. 2012.

Ohio Secretary of State

THE UNIVERSITY OF CHICAGO

DEPARTMENT OF THE HISTORY OF ARTS
AND ARCHITECTURE

THE UNIVERSITY OF CHICAGO PRESS

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☐ LLC (163-LAG)
☐ Partnership (163-AGR)
☐ Business Trust
(163-LAG)

Name of Entity	The Bluffs of Normandy Condominium Association
Charter, License or Registration No.	585650
Name of Current Agent	Karen R. Adams

Complete the information in this section if box (1) is checked

Name and Address
of New Agent

CH&K Agent Service, Inc.
Name of Agent

10 N. Ludlow Street - Suite 1100
Mailing Address

Dayton
City

Ohio
State

45402
Zip Code

2012 OCT 9 AM 10:56
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SECRETARY OF STATE
CLIENT SERVICE CENTER

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By Mary Beth Hewitt Asst Secy

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Complete the information in this section if box (2) is checked

New Address of Agent

Mailing Address

City

Ohio

State

Zip Code

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Joe Brittelli
Authorized Representative

By (If applicable)

JOE BRITTELLI
Print Name

BLUFFS OF NORMANDY CONDOMINIUM
Authorized Representative

Joe Brittelli
By (If applicable)

JOE BRITTELLI
Print Name

Public Swimming Pool Inspection Report

Health District:

Public Health Dayton-Montgomery County

Name of Facility: BLUFFS OF NORMANDY		Type visit	Type pool	Setting	Special feature (SF)
Address: 7014 BLUFFS DRIVE		<input checked="" type="checkbox"/> Standard	<input checked="" type="checkbox"/> Pool	<input type="checkbox"/> Wading pool <input type="checkbox"/> Zero Entry <input type="checkbox"/> Spray ground	<input type="checkbox"/> Kiddie slide <input type="checkbox"/> Playground slide <input type="checkbox"/> Rec slide <input type="checkbox"/> Water slide <input type="checkbox"/> Fountain
City: DAYTON OH 45459		<input type="checkbox"/> Re-inspection	<input type="checkbox"/> SPA	<input type="checkbox"/> School <input type="checkbox"/> Govt <input type="checkbox"/> MHP	
		<input type="checkbox"/> Complaint	<input type="checkbox"/> SUP	<input type="checkbox"/> Indoor <input checked="" type="checkbox"/> Outdoor <input type="checkbox"/> Camp	
		<input type="checkbox"/> Epi Investigation		<input checked="" type="checkbox"/> Apartment/Condo <input type="checkbox"/> Hotel/motel	<input type="checkbox"/> Other
		<input type="checkbox"/> Consultation		<input type="checkbox"/> Other	

Insp. Date (mm/dd/yy)	09/12/2014	Insp Time	15	Travel Time	ID no.	6306	License no.	2014109
Surface Area (sf)	800	Required turnover rate (min) [ie 30]	480	Volume (gallons)	24000	Required flow min:(gpm) [Volume/TRate]	50	

☐ Check if in violation of the Ohio Administrative Code 3701-31-04 (A-E); NA= Not Applicable

<input type="checkbox"/> Flow measure reading (gpm)	<input checked="" type="checkbox"/> Max allow. filter flow: (gpm) [filter label]	150	<input type="checkbox"/> Max allow. flow. SF pump capacity (gpm)	<input type="checkbox"/> Max allow. flow. Jet pump capacity (gpm)
---	--	-----	--	---

Critical violations (3701-31-04(B)(1)(a-i))

<input type="checkbox"/> (a) Outlet covers installed/secured/ in compliance	<input type="checkbox"/> (d) Circulation/Disinfection system operating properly	<input type="checkbox"/> (g) Water clarity; (can see pool bottom)	<input type="checkbox"/> (j) Pool treated after RWI
<input type="checkbox"/> (b) SVRS devices functioning	<input type="checkbox"/> (e) Automatic chemical controller functioning properly	<input type="checkbox"/> (h) Natural or artificial light sufficient	<input type="checkbox"/> (k) Proper use/storage of chemicals
<input type="checkbox"/> (c) Disinfection residual as required	<input type="checkbox"/> (f) Lifeguards on duty	<input type="checkbox"/> (i) Fecal accident treated properly	<input type="checkbox"/> (l) No Electrical hazards present

Water Quality 3701-31-04 C, D

(check all that apply)	<input type="checkbox"/> Calcium Hypochlorite <input checked="" type="checkbox"/> Sodium Hypochlorite <input type="checkbox"/> Bromine	<input type="checkbox"/> (D)(6) Total Chlorine-Cl ₂ (ppm)	<input type="checkbox"/> (C)(2) pH (7.2 - 7.8)
<input type="checkbox"/> Di-Chlor <input type="checkbox"/> Tri-Chlor <input type="checkbox"/> Salt	<input type="checkbox"/> (D)(6) Free Chlorine-Cl ₂ (ppm) [≥ 1; 2]	<input type="checkbox"/> (C)(3) Alkalinity (ppm) [min 60]	
<input type="checkbox"/> **Monopersulfate (if present will interfere with DPD test kit results)	<input type="checkbox"/> (D)(6) Combined - Cl ₂ (ppm) [≤ 1]	<input type="checkbox"/> (C)(6) Pool water temp (≤ 90°F)	
Secondary disinfection (check if used)	<input type="checkbox"/> (D)(6) Total Bromine-Br ₂ (ppm) [≥ 2; 4]	<input type="checkbox"/> (C)(7) Spa water temp (≤ 104°F)	
<input type="checkbox"/> UV light (MJoules/cm ²)	<input type="checkbox"/> (D)(6) ORP/HRR (millivolts) [≥ 650]	<input type="checkbox"/> (C)(8) Spa water replaced every 30 days	
<input type="checkbox"/> Ozone (ppm)	<input type="checkbox"/> (D)(5) Cyanuric acid ≤ 70ppm		
<input type="checkbox"/> Ionization: Copper-Silver (ppm)			

Responsibilities of the Operator 3701-31-04

<input type="checkbox"/> (A) License is displayed or on file	<input type="checkbox"/> (B)(7) No domestic animals unless otherwise permitted	<input type="checkbox"/> (D)(9) Chemicals are manually added while bathers are not present
<input type="checkbox"/> (A) All construction or alterations of a pool done with approved plans	<input type="checkbox"/> (d)(1) No gas chlorine for disinfection	<input type="checkbox"/> (E)(1) Exclusion of people with obvious infectious wound or experiencing diarrhea/vomiting
<input type="checkbox"/> (B) All facilities are maintained clean, safe and sanitary condition and in good repair	<input type="checkbox"/> (D)(2) Pool is continuously disinfected by a feeding device connected to circulation system	<input type="checkbox"/> (E)(2) Safety equipment is visible and accessible
<input type="checkbox"/> (B)(2) Authorized representative available within 30 minutes	<input type="checkbox"/> (D)(3) Mixing tank for spray ground has disinfection	<input type="checkbox"/> (E)(3) Appropriate signs are posted
<input type="checkbox"/> (B)(3) Staff are knowledgeable of equipment and pool operation	<input type="checkbox"/> (D)(4) Secondary disinfection device is not adversely affecting water quality	<input type="checkbox"/> (E)(4) Lifeguards are provided and on duty as required
<input type="checkbox"/> (B)(4&5) Operational records maintained and on file	<input type="checkbox"/> (D)(7) Automatic chemical control is functioning properly	
<input type="checkbox"/> (B)(6) All equipment maintained in clean safe and sanitary condition and in good repair	<input type="checkbox"/> (D)(8) Test kit is maintained and complete	

THE ITEMS LISTED BELOW ARE IN VIOLATION OF OHIO ADMINISTRATIVE CODE CHAPTER 3701-31 AND MUST BE CORRECTED.

Cite the specific rule number, explain where and what violation has occurred, and when the violation must be corrected.

Pool closed for season

Notes:

- Observed "Pool Closed" sign posted on pool gate.
- Observed pool water partially drained.
- Observed pool gate locked, ensure pool gate is secured.
- Ensure a copy of the Certificate of Installation is given to PHDMC for the installation of the VGB compliant main drain cover.
- Ensure PHDMC offices are contacted for opening inspection prior to opening pool next season.

Remarks <input type="checkbox"/> See additional remarks on the attached form, HEA 5217	Re-inspection Required? <input type="checkbox"/> Yes <input type="checkbox"/> No	Compliance date
--	--	-----------------

Sanitarian

Paul Fields
DOH #2114

Phone

DOH #2114

Operator or Representative

Phone

