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ERIC C. SEARS
GREENE CO. RECORDER
XENIA, OH.

**SECOND AMENDMENT OF
THE DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS
AND RESERVATION OF EASEMENTS
FOR SPRING MEADOWS/RIDGE OWNERS ASSOCIATION, INC.**

WHEREAS, a Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Spring Meadows/Ridge Owners Association, Inc. ("the Declaration") was filed and recorded in Official Records Volume 2743, Page 451 of the Greene County, Ohio Recorder's Office, on September 21, 2007 at 8:48 a.m. for the benefit of the Spring Meadows/Ridge Owners Association, Inc., an Ohio nonprofit corporation (the "Association"), and;

WHEREAS, the Declaration was modified by a Supplemental Filing recorded in Official Records Volume 2745, Page 112 of the Greene County, Ohio Recorder's Office, pursuant to which part of the Additional Property was annexed into the Property covered by the Declaration, and;

WHEREAS, the Declaration was amended by an Amendment thereto executed on February 11, 2008 and recorded in Official Records Volume 2783, Page 854 of the Greene County, Ohio Recorder's Office (the "First Amendment"); and

WHEREAS, pursuant to the Declaration, Section 12.2, the Declaration may be amended in whole or in part or terminated by a recorded instrument approved by (i) the members representing 75% of the total votes of the Association and (ii) so long as it is the Owner of at least one Lot, the Developer; and

WHEREAS, the undersigned Developer currently carries at least 75% of the voting rights of the Association; and

WHEREAS, the Developer and the Association desire to amend the Declaration in order to remove a Lot that is not functionally a part of the development; and

NOW, THEREFORE, the Developer and Association hereby amend the Declaration as follows:

1. Unless otherwise defined herein, capitalized terms used in this Second Amendment shall have the meanings set forth in the Declaration.

2. Lot Number 138 of the Spring Ridge Record Plan, Phase 3-A, as recorded in Plat Cabinet 38, Pages 15B-71A Greene County Official Records (the "Removed Lot") is hereby removed from the Property and shall no longer be considered a Lot for purposes of the Declaration. This removal shall be on the following terms and conditions.

(a) The removal of the Removed Lot from the Property shall be effective upon the recording of this Amendment. Until the effective date of removal, the Owner of the Lot shall have the responsibility for the payment of Assessments and the performance of any other obligations under the Declaration. Any such Assessments shall be prorated as of the effective date. After the effective date of removal, the Removed Lot shall no longer be subject to the payment of Assessments or to any of the restrictive covenants or other terms and conditions of the Declaration.

(b) Nothing contained herein shall affect the validity and applicability of the easements located on the Removed Lot as shown on the recorded plat.

(c) As Owner of the Removed Lot, Developer specifically consents to the removal effected hereby.

(d) The Removed Lot shall be deemed Additional Property so that if, at a future date, Developer desires to add the Removed Lot to the Declaration and has the right to do so under the terms of the Declaration, and the Owner of the Removed Lot so agrees, the Removed Lot may be annexed to the Property. Nothing contained herein shall be deemed to permit such annexation without the consent of the Owner of the Removed Lot.

3. The undersigned, GEORGE R. OBERER JR, as President of the Association, joins in the execution hereof to certify that the Members representing at least 75% of the total votes of the Association have approved this instrument. Such President also certifies and confirms that the First Amendment was approved by Members representing at least 75% of the total votes of the Association.

4. Except as amended hereby, the Declaration is ratified and confirmed.

OWNERS, DEVELOPERS, AND DECLARANT:

Oberer Land Developers, Ltd., an Ohio limited liability company, successor by merger to **NGT Developers, Ltd.** and **BFD New Germany Trebein Developers, Ltd.**

By: 
Michael F. Oberer, Vice President

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ASSOCIATION:

Spring Meadows/Ridge Owners Association, Inc., an Ohio nonprofit corporation

By: *George R. Oberer Jr.*
Name: **GEORGE R. OBERER, JR.**
Title: **President**

The above signature by the President of the Association shall also constitute his certified statement for purposes of Paragraph 3 above.

STATE OF OHIO)
) SS:
COUNTY OF MONTGOMERY)

The foregoing instrument was acknowledged before me this 31st day of MAY, 2016, by Michael F. Oberer, Vice President on behalf of Oberer Land Developers, Ltd., an Ohio limited liability company, successor by merger to NGT Developers, Ltd. and BFD New Germany Trebein, Ltd.

Susan A. Favaloro
Notary Public

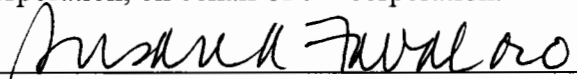


SUSAN A. FAVALORO, Notary Public
In and for the State of Ohio
My Commission Expires Sept. 27, 2019

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STATE OF OHIO)
) SS:
COUNTY OF MONTGOMERY)

The foregoing instrument was acknowledged before me this 31st day of MAY, 2016, by GEORGE R. OBERER, JR, the President of Spring Meadows/Ridge Owners Association, Inc., an Ohio nonprofit corporation, on behalf of the corporation.



Notary Public



SUSAN A. FAVALORO, Notary Public
In and for the State of Ohio
My Commission Expires Sept. 27, 2019

This Instrument Prepared By:
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