

203

JOE O. PEGG
RECORDER

APR 12 2 26 PM '78

MONTGOMERY CO., OHIO
RECORDED

36-30

FIRST AMENDMENT

TO

DECLARATION OF CONDOMINIUM OWNERSHIP

FOR

GREENBRIER COMMONS CONDOMINIUMS

TO ADD A PORTION OF PHASE II

Prepared by:

Jablinski, Folino & Roberts Co., L.P.A.
Attorneys at Law
One First National Plaza, Suite 1110
Dayton, Ohio 45402
513/461-5980

Condominium Plot Plan
for this First Amend-
ment is recorded in
Plat Book 104
at Page 73

APR 21 1978

JOHN J. ROBERTS
COUNTY AUDITOR
ROBERT L. ROBERTS
COUNTY RECORDER

78 161B01

THIS AMENDMENT to the Declaration of Condominium Ownership is made this 9th day of February, 1978, for the purpose of adding additional land to Greenbrier Commons Condominiums and to subject this additional land to the provisions of Chapter 5311 of the Ohio Revised Code.

W I T N E S S E T H:

WHEREAS, Greenbrier Limited, the predecessor in title to Albert G. Oakes (the correct spelling of whose name is Albert G. Oakes), not individually but as Trustee on behalf of Abner G. Goldstein, James C. Hill, Allen T. Murphy, T. A. Sedam and Boyd J. Simmons, not individually but as Trustees on behalf of Continental Illinois Realty, a California Real Estate Investment Trust, on November 25, 1975, executed a Declaration of Condominium Ownership for Greenbrier Commons Condominiums, which Declaration was filed for record with the Recorder of Montgomery County, Ohio, on November 25, 1975, at Microfiche 75-558801 of the Deed Records of Montgomery County, Ohio; and

WHEREAS, Albert G. Oakes (the correct spelling of whose name is Albert G. Oakes), not individually but Trustee on behalf of Abner G. Goldstein, James C. Hill, Allen T. Murphy, T. A. Sedam and Boyd J. Simmons, not individually but as Trustees on behalf of Continental Illinois Realty, a California Real Estate Investment Trust, successor in title to Greenbrier Limited executed an Amendment to and Restatement of the Declaration of Condominium Ownership of Greenbrier Commons Condominiums previously executed by Greenbrier Limited, which Amendment and Restatement was filed for record with the Recorder of Montgomery County, on December 6, 1977, and recorded at Microfiche 77-704A01 of the Deed Records of Montgomery County, Ohio; and

WHEREAS, as provided in §22 of the Amended and Restated Declaration of Condominium Ownership, the Declarant, Albert G. Oakes (the correct spelling of whose name is Albert G. Oakes), not individually but as Trustees on behalf of Abner G. Goldstein, James C. Hill, Allen T. Murphy, T. A. Sedam and Boyd J. Simmons, not individually but as Trustees on behalf of Continental Illinois Realty, a California Real Estate Investment Trust, reserved unto itself the right to add certain real estate described in Exhibits "B and B-1" to the Amended and Restated Declaration, as well as any buildings, structures, improvements, units, common areas, limited common areas and other improvements constructed upon said real estate to the plan of Condominium Ownership; and

WHEREAS, the land described in Exhibit "A" attached to this First Amendment is a part of the land described in Exhibits "B and B-1" to the Amended and Restated Declaration as land to be added to the plan of Condominium Ownership; and

WHEREAS, in §22 of the Amended and Restated Declaration of Condominium Ownership, the Declarant, Albert G. Oakes (the correct spelling of whose name is Albert G. Oakes), not individually but as Trustee on behalf of Abner G. Goldstein, James C. Hill, Allen T. Murphy, T. A. Sedam and Boyd J. Simmons, not individually but as Trustees on behalf of Continental Illinois Realty, a California Real Estate Investment Trust, reserved unto itself the right to annex additional land to the condominium property and reserved unto itself both the right to execute and record, without the necessity of any other signatures, amendments to the Declaration in order to implement annexation of additional land to the condominium property. Further, according to the provisions of §22 of the Amended and Restated Declaration, each and every present and future holder of any interest in the title to any unit or any other form of real estate now or subsequently included within Greenbrier Commons Condominiums, by acceptance of conveyance, transfer or inheritance of such interest, is deemed irrevocably to appoint the Declarant, its successors and assigns as his, her or its Attorney-

in-Fact to execute, acknowledge, deliver and record for and in the name of holder of such interest, such amendments to the Declaration as are necessary and appropriate to accomplish the annexation of additional real estate to Greenbrier Commons Condominiums; and

WHEREAS, the Declarant has completed one (1) additional building on the land described in Exhibit "A" containing four (4) units.

SECTION ONE - PURPOSE OF AMENDMENT: The purpose of this Amendment is to add additional land to Greenbrier Commons Condominiums.

SECTION TWO - DECLARATION: Declarant states that it is the fee simple owner of the real estate described in Exhibit "A", attached hereto and incorporated herein by reference, and submits real estate described in Exhibit "A", along with all improvements made thereon to the provisions of Chapter 5311 of the Ohio Revised Code, subject to the provisions of the Declaration of Condominium Ownership executed on November 25, 1975, and filed for record in the office of the Recorder of Montgomery County, Ohio, on November 25, 1975, and recorded in Microfiche 75-558A01 of the Deed Records of Montgomery County, Ohio, and the Amended and Restated Declaration of Condominium Ownership executed on October 3, 1977, and filed for record with the office of the Recorder of Montgomery County, Ohio, on December 6, 1977, and recorded in Microfiche 77-704A01 of the Deed Records of Montgomery County, Ohio.

SECTION THREE - DESCRIPTION OF BUILDINGS: There is one building built upon the land described in Exhibit "A" and being added to Greenbrier Commons Condominiums. This building is one and two stores in height and is built on a slab foundation (no basement), is of frame construction with brick veneer and cedar exteriors, with an exterior roof covering of plywood and asphalt shingles. Garages for each residential unit are built to the rear of the units and the description of the residential unit shall include the garage built to the rear of that unit. Floor plans of the units involved are set forth in Exhibit "B" attached hereto and incorporated herein by reference.

SECTION FOUR - LOCATION OF BUILDING: The building which is being added to Greenbrier Commons Condominiums is numbered as building number eighteen (18) and is located on Norwich Lane, a public right-of-way. Each unit has access for both vehicular and pedestrian traffic to Norwich Lane which is a public right-of-way and also to Olde Greenbrier Lane and Alexanderville-Belbrook Road, which are also public right-of-ways. The location of the building is further described in drawings attached hereto as Exhibit "C".

SECTION FIVE - COMMON AREAS: The entire lands and improvement not included within a unit shall be a common area.

SECTION SIX - PERCENTAGE OF INTEREST OF OWNERSHIP IN COMMON AREAS: The interest of each unit added by this Amendment and the units previously submitted to the Declaration of Condominium Ownership in the common areas, limited common areas and facilities are in the proportion that the fair value of each unit at the date of the filing of this Amendment bears to the then aggregate value of all units having an interest in such common areas, limited common areas and facilities, which percentages of ownership are set forth in Exhibit "D" attached hereto and incorporated hereby by reference.

SECTION SEVEN: MEMBERSHIP IN THE GREENBRIER COMMONS CONDOMINIUMS UNIT OWNERS ASSOCIATION: The owner of each unit added to Greenbrier Commons Condominiums by this Amendment shall be a member of the Greenbrier Commons Condominiums Unit Owners Association, an Ohio non-profit corporation.

IN WITNESS WHEREOF, this First Amendment to the Declaration of Condominium Ownership has been executed on the date first written above by Declarant, Albert G. Oaks (the correct spelling of whose name is Albert G. Oaks), not individually but as Trustee on behalf of Abner G. Goldstein, James C. Hill, Allen T. Murphy, T. A. Sedam and Boyd J. Simmons, not individually but as Trustees on behalf of Continental Illinois Realty, a California Real Estate Investment Trust, as owner and record titleholder of the real estate described in Exhibit "A" attached hereto and as owner of one or more condominium units already existing in the Condominium Development.

Signed in the presence of:

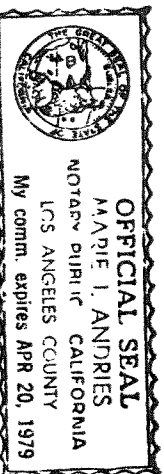
Witness [Signature]
Witness [Signature]

Albert G. Oaks

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:

Before me, a Notary Public in and for said County and State, personally appeared Albert G. Oaks and acknowledged that he did execute the foregoing Amendment to Declaration of Condominium Ownership and that the same is the free act and deed of himself, not individually but as Trustee on behalf of Abner G. Goldstein, James C. Hill, Allen T. Murphy, T. A. Sedam and Boyd J. Simmons, not individually but as Trustees on behalf of Continental Illinois Realty, a California Real Estate Investment Trust.

IN WITNESS WHEREOF, I have set my hand and official seal this 9th day of February, 1978.



[Signature]
Notary Public

IN WITNESS WHEREOF, this Amendment to Declaration of Condominium Ownership has been executed by Albert G. Oaks as Attorney-in-Fact for various Owners and respective Mortgages under Power of Attorney coupled with an interest as set forth in §22 of the Restated and Amended Declaration of Condominium Ownership.

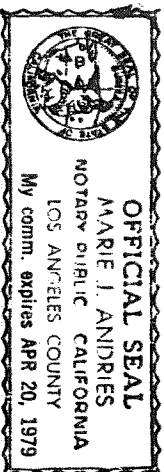
Signed in the presence of:

Witness [Signature]
STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:

Albert G. Oaks
for various Owners and Mortgages

Before me, a Notary Public in and for said County and State, personally appeared Albert G. Oaks as Attorney-in-Fact for various Owners and Mortgagees who acknowledged that he did execute the foregoing instrument on behalf of Albert G. Oaks, not individually but as Trustee on behalf of Abner G. Goldstein, James C. Hill, Allen T. Murphy, T. A. Sedam and Boyd J. Simmons, not individually but as Trustees on behalf of Continental Illinois Realty, a California Real Estate Investment Trust, and that the same is the free act and deed of Albert G. Oaks, as Attorney-in-Fact.

IN WITNESS WHEREOF, I have set my hand and official
seal this 9th day of January, 1978.



M. J. Andries
Notary Public

-78 161B05

INDEX OF EXHIBITS

Exhibit "A" - Legal Description of 0.417 acres
(Portion of Phase II)

Exhibit "B-1" - Floor Plan - Unit 18-A-1151
"B-2" - Floor Plan - First Floor Unit 18-C-2-1153
"B-3" - Floor Plan - Second Floor Unit 18-C-2-1153
"B-4" - Floor Plan - First Floor Unit 18-C-3-1155
"B-5" - Floor Plan - Second Floor Unit 18-C-3-1155
"B-6" - Floor Plan - Unit 18-B-1157

Exhibit "C" - Condominium Plan for portion of Phase II

Exhibit "D" - Percentage of Ownership in common areas

Exhibit "E" - Consent of Mortgagee

RALPH L. WOOLPERT COMPANY

CONSULTING ENGINEERS, PLANNERS AND PHOTOGRAMMETRISTS

2024 STANLEY AVENUE
DAYTON, OHIO 45404

513/451-5060

February 9, 1978

Exhibit "A"
Description of Parcel TTT
Greenbrier Commons Condominium

RALPH L. WOOLPERT (1919-1970)
CHARLES ABRAMOVITZ
JOHN E. ESCHLIMAN
PHILIP M. SCHAEFFER
ROBERT F. ARCONDEACON
ROBERT L. BARNETT
MAY LAWREN
CALE L. FLAMERTY
JAMES A. HERMAN
WALLACE E. SMITH
GEORGE E. REINE
DONALD E. CRIST
ROY B. MCGILLIAN
CHARLES M. BLACK
CONSULTANT

JOHN S. P. BOSS
MILLER L. GENTLEMAN
MICHAEL J. FOLEY
JOHN E. GENT
FRANCIS J. LEIGHTY
WILLIAM B. LOVE JR.
TOMMY L. POLARIS
RICHARD J. SCHUMMER
ELVIS G. WEST
FRANKLIN K. WRIGHT

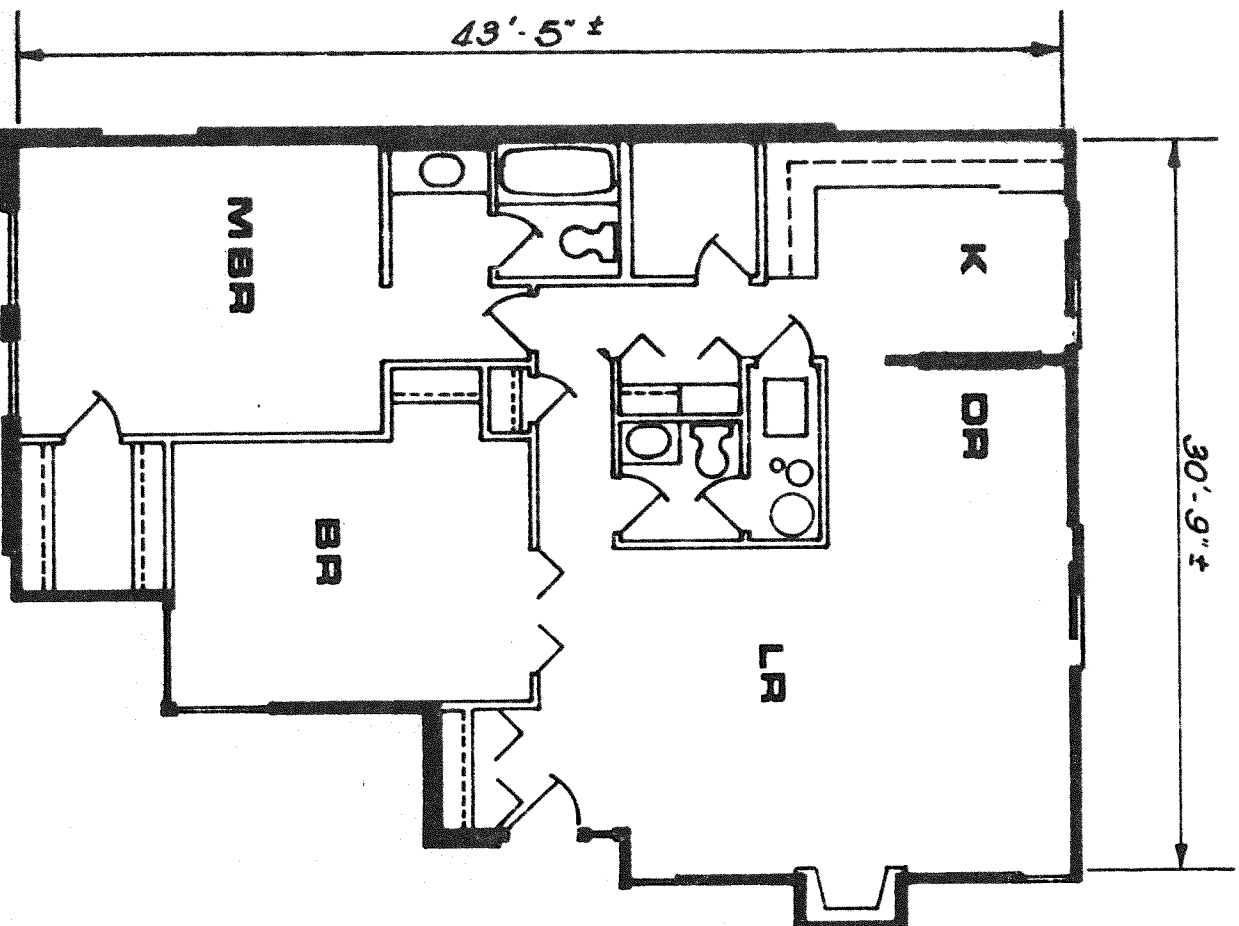
Located in Section 20, Town 2, Range 6 M.R.S., City of Centerville, County of Montgomery, State of Ohio and being a tract of land at the southeast corner of Lot #2 in Greenbrier Commons, Section One-B as recorded in Plat Book 104, Page 71, in the Plat Records of Montgomery County, Ohio and being described as follows:

Beginning at a point in the north line of Norwich Lane in Greenbrier Commons, Section One as recorded in Plat Book 94, Page 16 in the Plat Records of Montgomery County, Ohio, said point also being a southwest corner of Lot #3 in said Greenbrier Commons, Section One-B;
thence with the west lines of said Lot #3 for the following three (3) courses:
North no degrees forty-nine minutes fifty seconds (0° 49' 50") West for one hundred and 00/100 (100.00) feet;
thence South eighty-nine degrees ten minutes ten seconds (89° 10' 10") West for ten and 00/100 (10.00) feet;
thence North no degrees forty-nine minutes fifty seconds (0° 49' 50") West for eighteen and 50/100 (18.50) feet;
thence South eighty-nine degrees ten minutes ten seconds (89° 10' 10") West for one hundred forty-five and 00/100 (145.00) feet;
thence South no degrees forty-nine minutes fifty seconds (0° 49' 50") East for one hundred eighteen and 50/100 (118.50) feet to a point in the westward extension of the north line of said Norwich Lane;
thence with said westward extension and said north line of said Norwich Lane, North eighty-nine degrees ten minutes ten seconds (89° 10' 10") East for one hundred fifty-five and 00/100 (155.00) feet to the point of beginning, containing no and 417/1000 (0.417) acres, more or less, subject, however, to all easements of record.

WJH/mb
#10397

-78 161B07 -

GREENBRIER COMMONS CONDOMINIUM



2 BEDROOM
UNIT 18-A-1151

■ Structural Walls

This drawing accurately shows
the unit as constructed.
RALPH L. WOOLPERT CO.

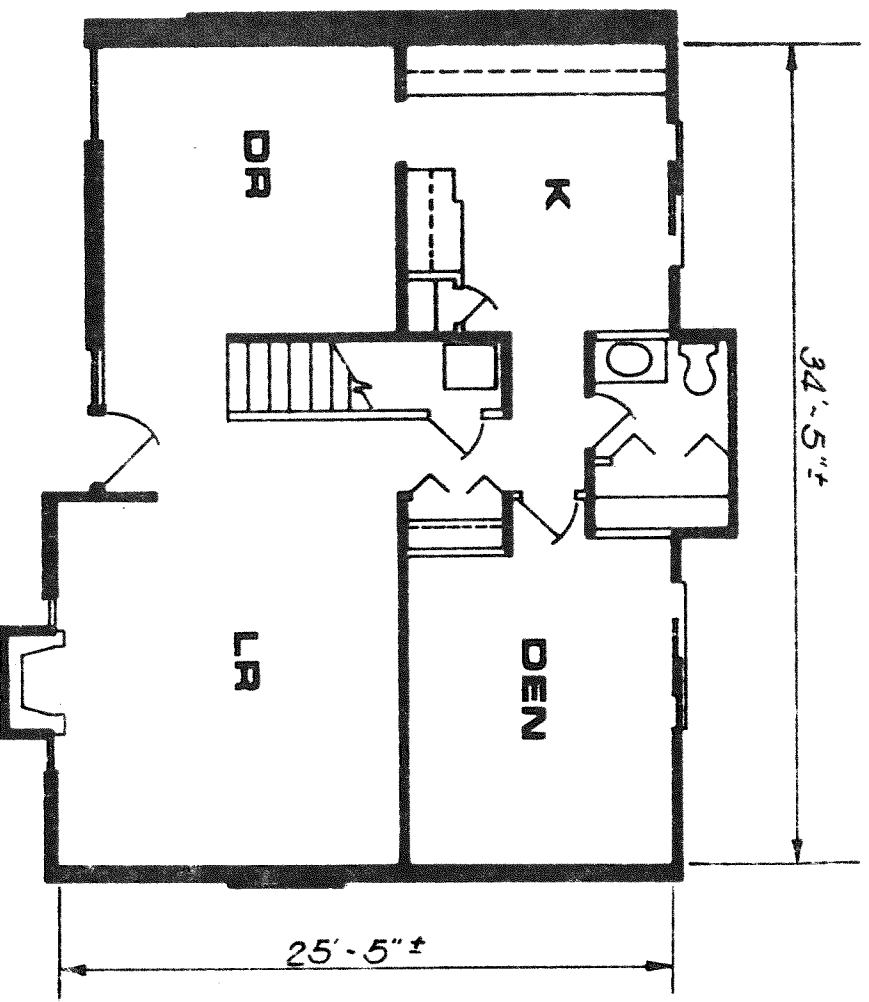


78 161B08

EXHIBIT "B-1"

By: Robert L. Barnett
Robert L. Barnett, Surveyor No. 5515
By: Robert F. Archdeacon
Robert F. Archdeacon, Engineer No. 22446

GREENBRIER COMMONS CONDOMINIUM



2 BEDROOM - FIRST FLOOR
UNIT - 18-C-2-1153

■ Structural Walls

This drawing accurately shows
the unit as constructed.

RALPH L. WOOLPERT CO.

78 161B09

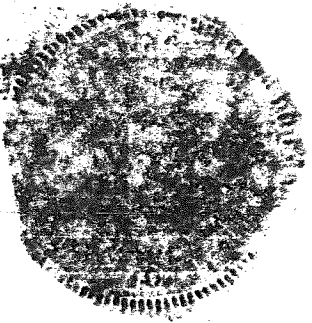
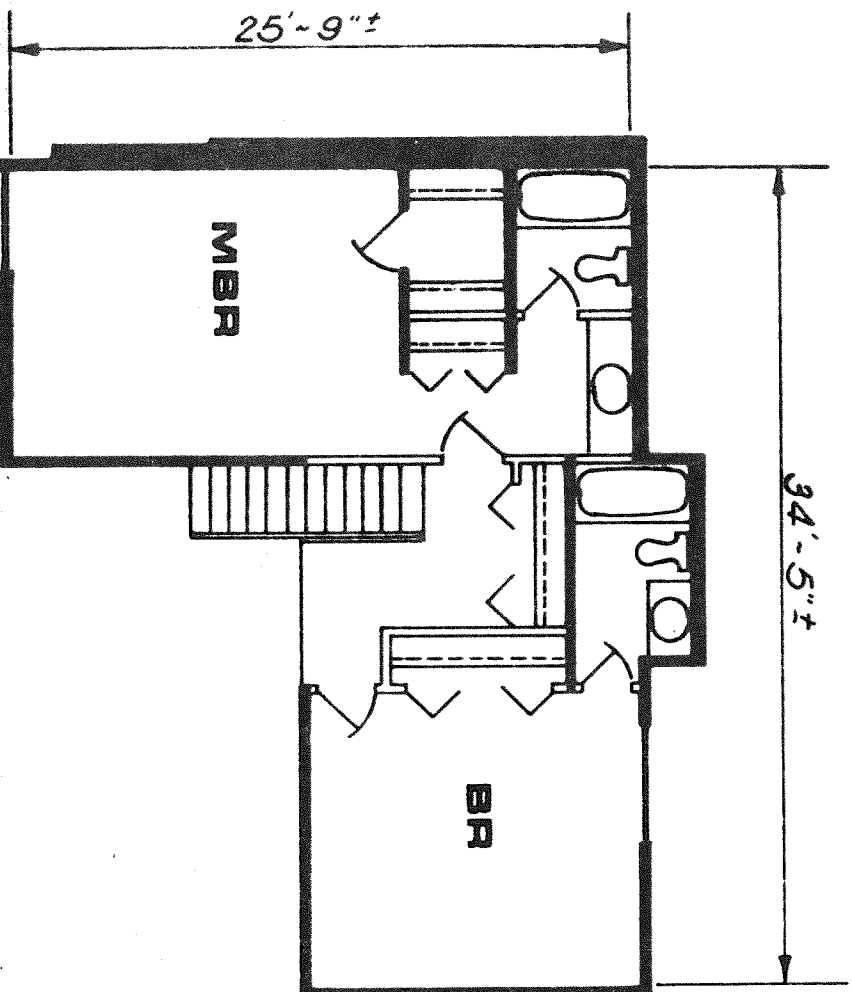


EXHIBIT "B-2"

By: Robert F. Archdeacon
Robert F. Archdeacon, Engineer No. 22446

By: Robert L. Barnett
Robert L. Barnett, Surveyor No. 5515

GREENBRIER COMMONS
CONDOMINIUM



2 BEDROOM - SECOND FLOOR
UNIT 18-C-2-1153

■ Structural Walls

This drawing accurately shows
the unit as constructed.

RALPH L. WOOLPERT CO.

By: Robert L. Barnett

Robert L. Barnett, Surveyor No 5515

By: Robert F. Archdeacon

Robert F. Archdeacon, Engineer No 22446

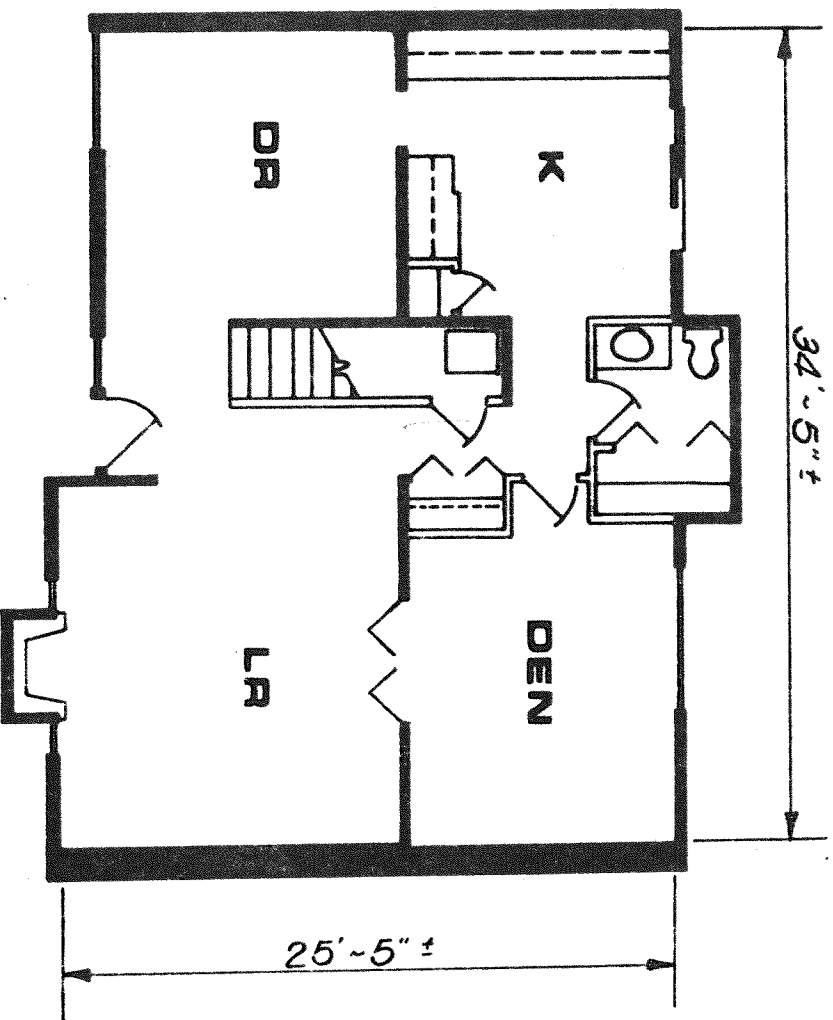
78 161B10

EXHIBIT "B-3"

31-A-135

31-A-170

GREENBRIER COMMONS
CONDOMINIUM



3 BEDROOM - FIRST FLOOR
UNIT - 18-C-3-1155

■ Structural Walls

This drawing accurately shows
the unit as constructed.
RALPH L. WOOLPERT CO.

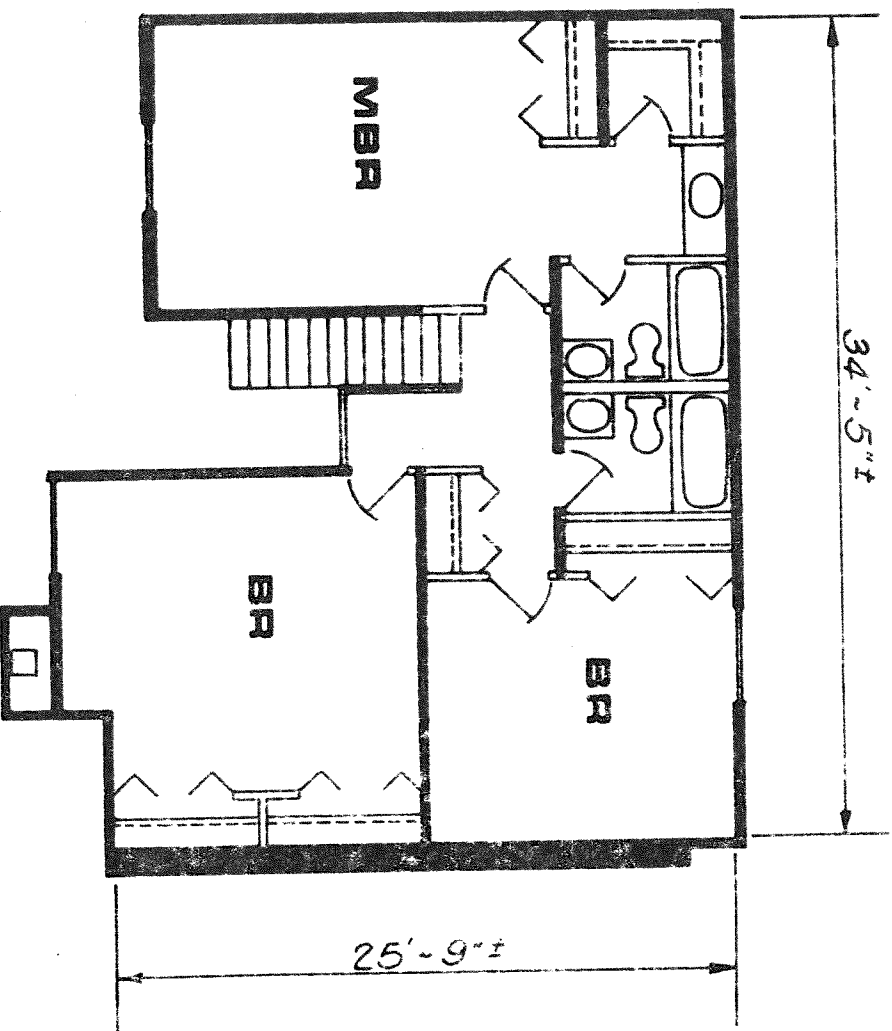
By: Robert L. Barnett
Robert L. Barnett, Surveyor N° 5515

By: Robert F. Archdeacon
Robert F. Archdeacon, Engineer N° 22446

EXHIBIT "B-4"

78 161B11

GREENBRIER COMMONS
CONDOMINIUM



3 BEDROOM - SECOND FLOOR
UNIT - 18-C-3-1155

■ Structural Walls

This drawing accurately shows
the unit as constructed.

RALPH L. WOOLPERT CO.

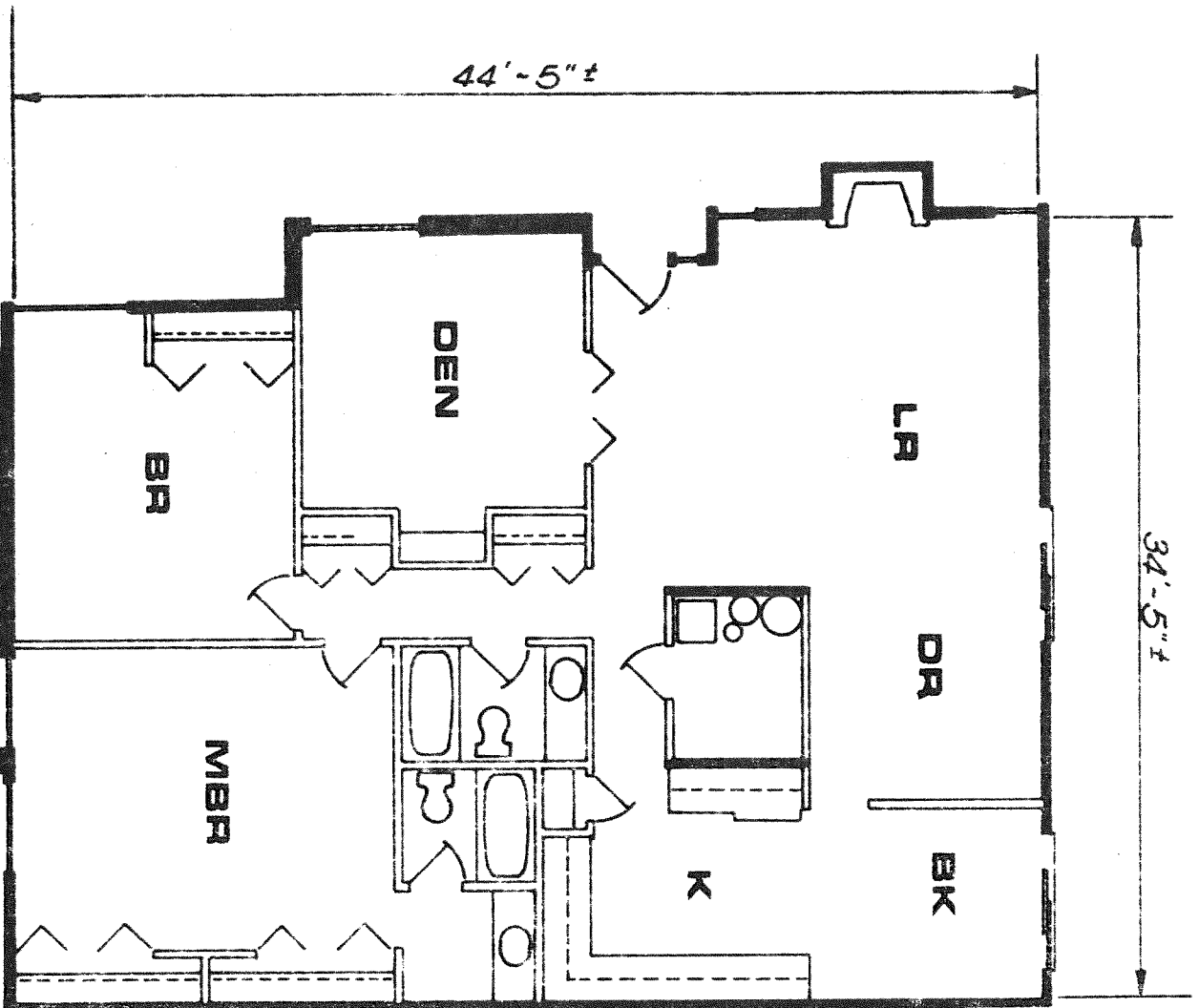
By: Robert L. Barnett
Robert L. Barnett, Surveyor N° 5515

By: Robert F. Archdeacon
Robert F. Archdeacon, Engineer N° 22446

78 161B12

EXHIBIT "B-5"

GREENBRIER COMMONS CONDOMINIUM



2 BEDROOM
UNIT -18-B-1157

■ Structural Walls

This drawing accurately shows
the unit as constructed.

RALPH L. WOOLPERT CO.

By: *Robert L. Barnett*

Robert L. Barnett, Surveyor - No 5515

By: *Robert F. Archdeacon*
Robert F. Archdeacon, Engineer No 22446

EXHIBIT "B-G"

78 161C01



"EXHIBIT D"

PERCENTAGE OF OWNERSHIP IN COMMON AREAS

<u>UNIT DESIGNATION</u>	<u>OWNERSHIP PERCENTAGE</u>
11-3-1201	3.28
11-2-1203	2.99
11-1-1205	2.09
11-1-1207	2.09
11-1-1209	2.09
11-A-1211	2.44
12-1-1200	2.09
12-1-1202	2.09
12-C-1204	3.37
12-1-1206	2.09
12-1-1208	2.09
14-A-1210	2.44
14-3-1212	3.28
14-2-1214	2.99
14-C-6850	3.37
14-1-6852	2.09
14-1-6854	2.09
15-1-1237	2.09
15-3-1235	3.28
15-2-1233	2.99
15-B-1231	3.38
16-3-1224	3.28
16-2-1227	2.99
16-2-1225	2.99
16-3-1223	3.28
16-A-1221	2.44
17-3-1219	3.28
17-2-1217	2.99
17-1-1215	2.09
17-A-1213	2.44
18-A-1151	2.68
18-C-2-1153	3.31
18-C-3-1155	3.81
18-B-1157	3.23

<u>GARAGE UNIT DESIGNATION</u>	<u>OWNERSHIP PERCENTAGE</u>
11-G-1	.36
11-G-2	.36
13-G-1	.36
13-G-2	.36
13-G-3	.36
13-G-4	.36
13-G-5	.36
13-G-6	.36
14-G-1	.36
14-G-2	.36
15-G-1	.36
15-G-2	.36
15-G-3	.36
15-G-4	.36
16-G-1	.36
16-G-2	.36
17-G-1	.36
17-G-2	.36
TOTAL	100.00%

EXHIBIT "E"

CONSENT OF MORTGAGEE

The undersigned, Continental Illinois Realty, the holder of certain Mortgage Deeds recorded in Mortgage Book 2833, Page 572; Mortgage Book 2865, Page 22; Microfiche 74-473C05 and Microfiche 75-260E05 of the Mortgage Records as recorded in the office of the Recorder of Montgomery County, Ohio, hereby consents to the execution of this Amendment to Declaration of Condominium Ownership with Exhibits thereto and to the filing thereof in the office of the County Recorder of Montgomery County, Ohio, and further subjects the above described mortgages to the provisions of this Amendment to the Declaration of Condominium Ownership.

IN WITNESS WHEREOF, Continental Illinois Realty, has set its hand this 13th day of December, 1978.

Signed in the presence of:

CONTINENTAL ILLINOIS REALTY

Witness

BY:

Witness

BY:

STATE OF)
COUNTY OF) SS:

I, Michael J. Kelly, a Notary Public in and for said County of the State of Illinois, do hereby certify that Michael J. Kelly and Robert J. Kelly as Assistant Secretary and Assistant Secretary of Continental Illinois Realty, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Assistant Secretary and Assistant Secretary, appeared before me this day and acknowledged that they duly authorized, signed and delivered the said instrument as their own free and voluntary act of said real estate investment trust.

Given under my hand and notarial seal this 13th day of December, 1978.

Notary Public

-78 161C04 -

81. 21 APR

COLLIER RODERER
NOTARY PUBLIC

1110C

DE P. REG
RECORDED

G
JUN 6 1 58 PM '78

HOLBROOK CO., OHIO
RECORDED

Fee 3500

SECOND AMENDMENT

TO

AMENDED AND RESTATED DECLARATION OF CONDOMINIUM OWNERSHIP

FOR

/ GREENBRIER COMMONS CONDOMINIUMS

TO ADD A FURTHER PORTION OF PHASE II

Prepared by:

Jablinski, Folino & Roberts Co., L.P.A.
Attorneys at Law
One First National Plaza, Suite 1110
Dayton, Ohio 45402
513/461-5980

Condominium Plot Plan
for this Second Amend-
ment is recorded in
Plat Book *195*
at Page *35*

-78 284D05 -

8L 8 MJP

NOTARY PUBLIC
RECORDED
INDEXED

THIS AMENDMENT to the Declaration of Condominium Ownership is made this 18 day of April, 1978, for the purpose of adding additional land to Greenbrier Commons Condominiums and to subject this additional land to the provisions of Chapter 5311 of the Ohio Revised Code.

W I T N E S S E T H:

WHEREAS, Greenbrier Limited, the predecessor in title to Albert G. Oakes, aka Albert G. Oaks, not individually but as Trustee on behalf of Abner D. Goldstein, aka Abner D. Goldstine, James C. Hill, Allen T. Murphy, T. A. Sedam and Boyd J. Simmons, not individually but as Trustees on behalf of Continental Illinois Realty, a California Real Estate Investment Trust, on November 25, 1975, executed a Declaration of Condominium Ownership for Greenbrier Commons Condominiums, which Declaration was filed for record with the Recorder of Montgomery County, Ohio, on November 25, 1975, at Microfiche 75-558801 of the Deed Records of Montgomery County, Ohio; and

WHEREAS, Albert G. Oakes, aka Albert G. Oaks, not individually but as Trustee on behalf of Abner D. Goldstein, aka Abner D. Goldstine, James C. Hill, James C. Hill, Allen T. Murphy, T. A. Sedam and Boyd J. Simmons, not individually but as Trustees on behalf of Continental Illinois Realty, a California Real Estate Investment Trust, successor in title to Greenbrier Limited executed an Amendment to and Restatement of the Declaration of Condominium Ownership of Greenbrier Commons Condominiums previously executed by Greenbrier Limited, which Amendment and Restatement was filed for record with the Recorder of Montgomery County, Ohio, on December 6, 1977, and recorded at Microfiche 77-704A01 of the Deed Records of Montgomery County, Ohio; and

WHEREAS, Declarant, Albert G. Oakes, aka Albert G. Oaks, not individually but as Trustee on behalf of Abner D. Goldstein, aka Abner D. Goldstine, James C. Hill, Allen T. Murphy, T. A. Sedam and Boyd J. Simmons, not individually but as Trustees on behalf of Continental Illinois Realty, a California Real Estate Investment Trust, filed it's First Amendment to the Amended and Restated Declaration of Condominium Ownership for the purpose of adding additional land to the Plan of Condominium Ownership for Greenbrier Commons Condominiums, which First Amendment is recorded in Deed Record 78-161B01 of the Deed Records of Montgomery County, Ohio; and

WHEREAS, as provided in §22 of the Amended and Restated Declaration of Condominium Ownership, the Declarant, Albert G. Oakes, aka Albert G. Oaks, not individually but as Trustee on behalf of Abner D. Goldstein, aka Abner D. Goldstine, James C. Hill, Allen T. Murphy, T. A. Sedam and Boyd J. Simmons, not individually but as Trustees on behalf of Continental Illinois Realty, a California Real Estate Investment Trust, reserved unto itself the right to add certain real estate described in Exhibits "B and B-1" to the Amended and Restated Declaration, as well as any buildings, structures, improvements, units, common areas, limited common areas and other improvements constructed upon said real estate to the plan of Condominium Ownership; and

WHEREAS, the land described in Exhibit "A" attached to this Second Amendment is a part of the land described in Exhibits "B and B-1" to the Amended and Restated Declaration as land to be added to the plan of Condominium Ownership; and

WHEREAS, in §22 of the Amended and Restated Declaration of Condominium Ownership, the Declarant, Albert G. Oakes, aka Albert G. Oaks, not individually but as Trustee on behalf of Abner D. Goldstein, aka Abner D. Goldstine, James C. Hill, Allen T. Murphy, T. A. Sedam and Boyd J. Simmons, not individually but as Trustees on behalf of Continental Illinois Realty,

a California Real Estate Investment Trust, reserved unto itself the right to annex additional land to the condominium property and reserved unto itself both the right to execute and record, without the necessity of any other signatures, amendments to the Declaration in order to implement annexation of additional land to the condominium property. Further, according to the provisions of §22 of the Amended and Restated Declaration, each and every present and future holder of any interest in the title to any unit or any other form of real estate now or subsequently included within Greenbrier Commons Condominiums, by acceptance of conveyance, transfer or inheritance of such interest, is deemed irrevocably to appoint the Declarant, its successors and assigns as his, her or its Attorney-In-Facto to execute, acknowledge, deliver and record for and in the name of holder of such interest, such amendments to the Declaration as are necessary and appropriate to accomplish the annexation of additional real estate to Greenbrier Commons Condominiums; and

WHEREAS, the Declarant has completed one (1) additional building on the land described in Exhibit "A" containing four (4) units.

SECTION ONE - PURPOSE OF AMENDMENT: The purpose of this Amendment is to add additional land to Greenbrier Commons Condominiums.

SECTION TWO - DECLARATION: Declarant states that it is the fee simple owner of the real estate described in Exhibit "A", attached hereto and incorporated herein by reference, and submits real estate described in Exhibit "A", along with all improvements made thereon, to the provisions of Chapter 531 of the Ohio Revised Code and subject to the provisions of the Declaration of Condominium Ownership executed on November 25, 1975, and filed for record in the office of the Recorder of Montgomery County, Ohio, on November 25, 1975, and recorded in Microfiche 75-558A01 of the Deed Records of Montgomery County, Ohio, and the Amended and Restated Declaration of Condominium Ownership executed on October 3, 1977, and filed for record with the Office of the Recorder of Montgomery County, Ohio, on December 6, 1977, and recorded in Microfiche 77-704A01 of the Deed Records of Montgomery County, Ohio, as expanded by the First Amendment to Declaration of Condominium Ownership executed on February 9, 1978, and recorded in Microfiche 78-161B01 of the Deed Records of Montgomery County, Ohio.

SECTION THREE - DESCRIPTION OF BUILDING: There is one (1) building built upon the land described in Exhibit "A" and being added to Greenbrier Commons Condominiums. This building is one and two stories in height and is built on a slab foundation (no basement), is of frame construction with brick veneer and cedar exterior, with an exterior roof covering of plywood and asphalt shingles. Garages for each residential unit are built to the rear of the units and the description of the residential unit shall include the garage built to the rear of that unit. Floor plans of the units involved are set forth in Exhibit "B" attached hereto and incorporated herein by reference.

SECTION FOUR - LOCATION OF BUILDING: The building which is being added to Greenbrier Commons Condominiums is numbered building number nineteen. Building nineteen is located on Olde Greenbrier Lane, a public right-of-way. Each unit has access for both vehicular and pedestrian traffic over the common areas and private roadways leading to Norwich Lane, Olde Greenbrier Lane and Alexander-ville-Belbrook Road, which are public right-of-ways. The location of the building is further described in drawings attached hereto as Exhibit "C".

SECTION FIVE - COMMON AREAS: The entire lands and improvements not included within a unit shall be a common area.

SECTION SIX - PERCENTAGE OF INTEREST OF OWNERSHIP IN
COMMON AREAS: The interest of each unit added by this Amendment and the units previously submitted to the Declaration of Condominium Ownership in the common areas, limited common areas and facilities are in the proportion that the fair value of each unit at the date of the filing of this Amendment bears to the then aggregate value of all units having an interest in such common areas, limited common areas and facilities, which percentages of ownership are set forth in Exhibit "D" attached hereto and incorporated herein by reference.

SECTION SEVEN - MEMBERSHIP IN THE GREENBRIER COMMONS
CONDOMINIUMS UNIT OWNERS ASSOCIATION: The owner of each unit added to Greenbrier Commons Condominiums by this Amendment shall be a member of the Greenbrier Commons Condominiums Unit Owners Association, an Ohio non-profit corporation.

IN WITNESS WHEREOF, this Second Amendment to the Amended and Restated Declaration of Condominium Ownership has been executed on the date first written above by the Declarant, Albert G. Oakes, aka Albert G. Oaks, not individually but as Trustee on behalf of Abner D. Goldstein, aka Abner D. Goldstine, James C. Hill, Allen T. Murphy, T. A. Sedam and Boyd J. Simmons, not individually but as Trustees on behalf of Continental Illinois Realty, a California Real Estate Investment Trust, as fee simple owner and record titleholder of the real estate described in Exhibit "A" attached hereto and incorporated herein by reference and as owner of one or more condominium units already existing in the Condominium Development.

SIGNED IN THE PRESENCE OF:

Charlene W. Lathrop
Witness

Albert G. Oakes, aka

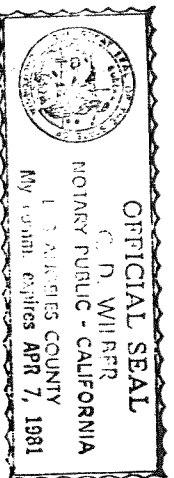
Abner D. Goldstein
Witness

Albert G. Oaks, not individually but as Trustee on behalf of Abner D. Goldstein, aka Abner D. Goldstine, James C. Hill, Allen T. Murphy, T. A. Sedam and Boyd J. Simmons, not individually but as Trustees on behalf of Continental Illinois Realty, a California Real Estate Investment Trust

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:

Before me, a Notary Public in and for said County and State, personally appeared Albert G. Oakes, aka Albert G. Oaks, and acknowledged that he did execute the foregoing Amendment to the Amended and Restated Declaration of Condominium Ownership and that the same is the free act and deed of himself, not individually but as Trustee on behalf of Abner D. Goldstein, aka Abner D. Goldstine, James C. Hill, Allen T. Murphy, T. A. Sedam and Boyd J. Simmons, not individually but as Trustees on behalf of Continental Illinois Realty, a California Real Estate Investment Trust.

IN WITNESS WHEREOF, I have set my hand and official seal this 18th day of May, 1978.



Notary Public

78 284D08

IN WITNESS WHEREOF, this Second Amendment to the Amended and Restated Declaration of Condominium Ownership has been executed by Albert G. Oakes, aka Albert G. Oaks, not individually but as Trustee on behalf of Abner D. Goldstine, aka Abner D. Goldstine, James C. Hill, Allen T. Murphy, T. D. Sedam and Boyd J. Simmons, not individually but as Trustees on behalf of Continental Illinois Realty, a California Real Estate Investment Trust, as Attorney-in-Fact for each present and future holder of any interest in the title to any unit or other form of real property now or subsequently included within Greenbrier Commons Condominiums under Power of Attorney coupled with an interest as set forth in the Amended and Restated Declaration of Condominium Ownership.

SIGNED IN THE PRESENCE OF:

Charles W. Calhoun

Witness

Albert G. Oakes, aka

Witness

Helga M. Jackson

Albert G. Oaks, not individually but as Trustee on behalf of Abner D. Goldstine, aka Abner D. Goldstine, James C. Hill, Allen T. Murphy, T.A. Sedam and Boyd J. Simmons, not individually but as Trustees on behalf of Continental Illinois Realty, a California Real Estate Investment Trust, as Attorney-in-Fact for each present and future holder of any interest in the title to any unit or other form of real property now or subsequently included in Greenbrier Commons Condominiums

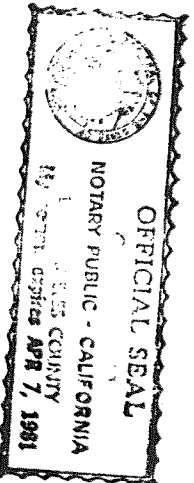
STATE OF CALIFORNIA)

) SS:

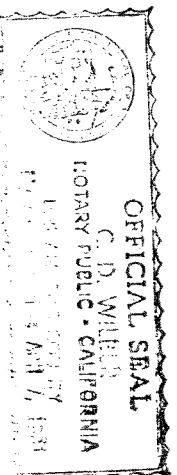
COUNTY OF LOS ANGELES)

Before me, a Notary Public in and for said County and State, personally appeared Albert G. Oakes, aka Albert G. Oaks, not individually but as Trustee on behalf of Abner D. Goldstine, aka Abner D. Goldstine, James C. Hill, Allen T. Murphy, T. A. Sedam and Boyd J. Simmons, not individually but as Trustees on behalf of Continental Illinois Realty, a California Real Estate Investment Trust, as Attorney-in-Fact for each present and future holder of any interest in the title to any unit or other form of real property now or subsequently included in Greenbrier Commons Condominiums who acknowledged that he did execute the foregoing Second Amendment to the Amended and Restated Declaration of Condominium Ownership and that the same is the free act and deed of himself, not individually but as Trustee on behalf of each present and future holder of any interest in the title to any unit or other form of real estate now or subsequently included within Greenbrier Commons Condominiums.

IN WITNESS WHEREOF, I have set my hand and official seal this 18th day of May, 1978.



Notary Public



-78 284D09 -

INDEX OF EXHIBITS

Exhibit "A" - Legal description of 0.654 acres
(Portion of Phase II)

Exhibit "B-1" - Floor Plan - Unit 19-A-6851
"B-2" - Floor Plan - Unit 19-B-6859
"B-3" - Floor Plan - First Floor Unit 19-C-2-6855
"B-4" - Floor Plan - Second Floor Unit 19-C-2-6855
"B-5" - Floor Plan - First Floor Unit 19-C-3-6857
"B-6" - Floor Plan - Second Floor Unit 19-C-3-6857

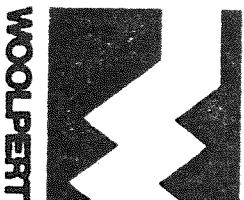
Exhibit "C" - Condominium Plan for portion of Phase II

Exhibit "D" - Percentage of Ownership in common areas

Exhibit "E" - Consent of Mortgagee

RALPH L. WOOLPERT (1970)

CHARLES ABRAMOVITZ
JOHN E. ESCHULMAN
PHILLIP N. SCHAEFER
ROBERT F. ARCHDEACON
ROBERT L. BARNETT
MARK LAWNER
DALE L. FLAHERTY
JAMES A. HERMAN
WALLACE E. SMITH
GEORGE E. REINKE
CHARLES H. BLACK
CONSULTANT



May 25, 1978

Exhibit "A"

Description of Parcel IV
Greenbrier Commons Condominium

Located in Section 20, Town 2, Range 6 M.R.S., City of Centerville, County of Montgomery, State of Ohio and being a part of Lot No. 2 of Greenbrier Commons, Section One-B as recorded in Plat Book 104, Page 71 in the Plat Records of Montgomery County, Ohio and being a tract of land described as follows:

Beginning at a point in the west line of Parcel II as recorded in Greenbrier Commons Condominium, Plat Book 104, Page 26 of the Plat Records of Montgomery County, Ohio, said point also being the northeast corner of Parcel III of Greenbrier Commons Condominium as recorded in Plat Book 104, Page 73 in the Plat Records of Montgomery County, Ohio;

thence with the north line of said Parcel III and its westward extension, South eighty-nine degrees ten minutes ten seconds (89° 10' 10") West for one hundred fifty-seven and 50/100 (157.50) feet;

thence North no degrees forty-nine minutes fifty seconds (0° 49' 50") West for one hundred ninety and 81/100 (190.81) feet;

thence South eighty-three degrees thirty-nine minutes forty seconds (83° 39' 40") East for one hundred fifty-eight and 74/100 (158.74) feet to a point in the west line of said Parcel II;

thence with said west line of said Parcel II, South no degrees forty-nine minutes fifty seconds (0° 49' 50") East for one hundred seventy-one and 00/100 (171.00) feet to the point of beginning, containing no and 654/1000 (0.654) acres, more or less, subject, however, to all easements of record.

JLH/mb
#10397

-78 284D11 -

RALPH L. WOOLPERT COMPANY • CONSULTING SERVICES • 2324 STANLEY AVE. • DAYTON, OHIO 45404 • 513/461-5660

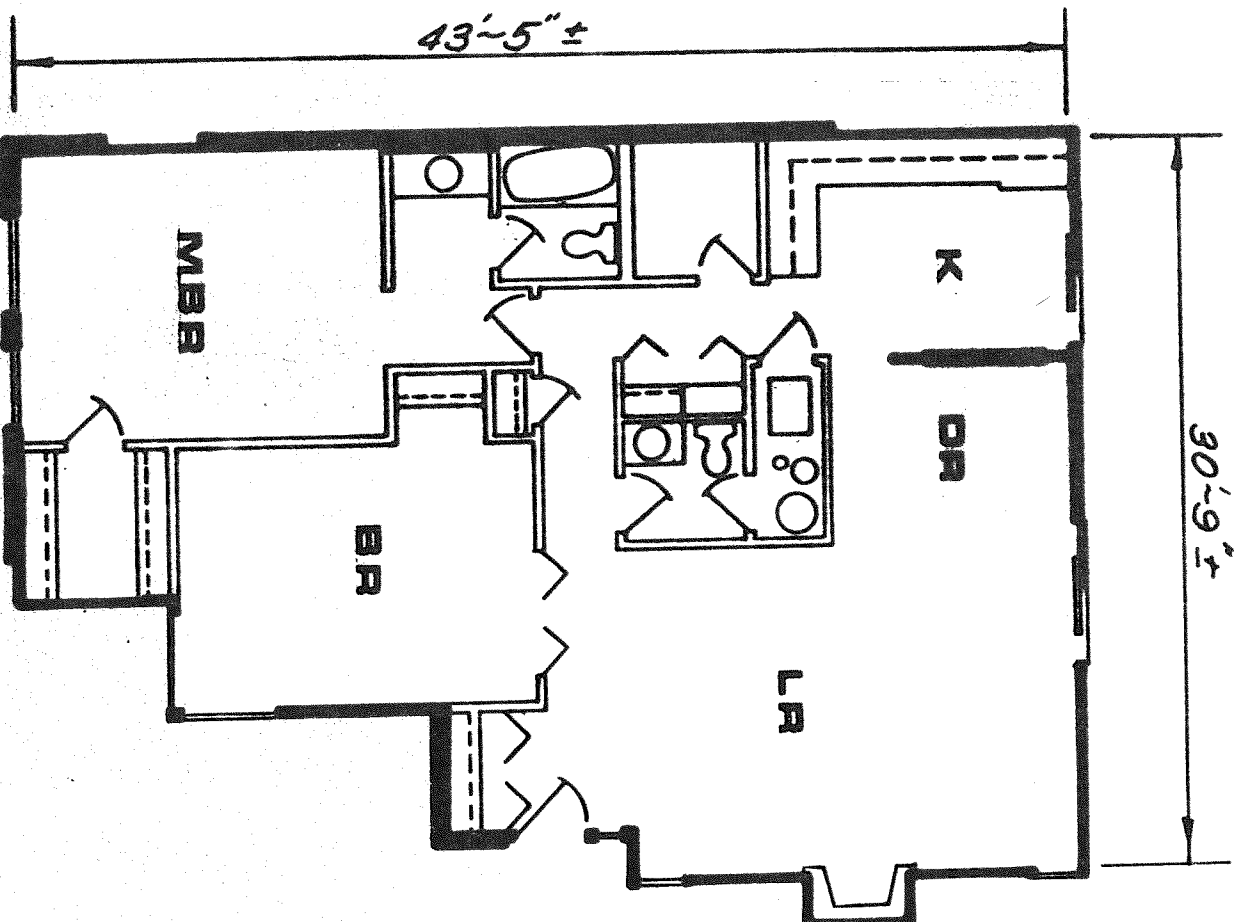
OFFICES IN CINCINNATI, OHIO • CARROLLTON, KENTUCKY • MOBILE, ALABAMA

DONALD E. ERNST

ROY B. MCQUILLAN
FRANCIS X. LEIGHTY
WILLIAM R. LOVE JR.
FRANKLIN R. WRIGHT, III

JAMES H. BOGGS
WILLIAM L. DENLINGER
DEAN C. EBERHARDT
MICHAEL J. FOLEY
NORMAN E. GRICE
DONALD A. PESER
EDWIN L. POLLARD
WILLIAM J. SCHINDLER, JR.
RICHARD L. SCHLEMMER
ELLIS G. WEST

GREENBRIER COMMONS CONDOMINIUM



2 BEDROOM
UNIT 19-A-6851

■ Structural Walls

This drawing accurately shows
the units as constructed.

RALPH L. WOOLPERT CO.

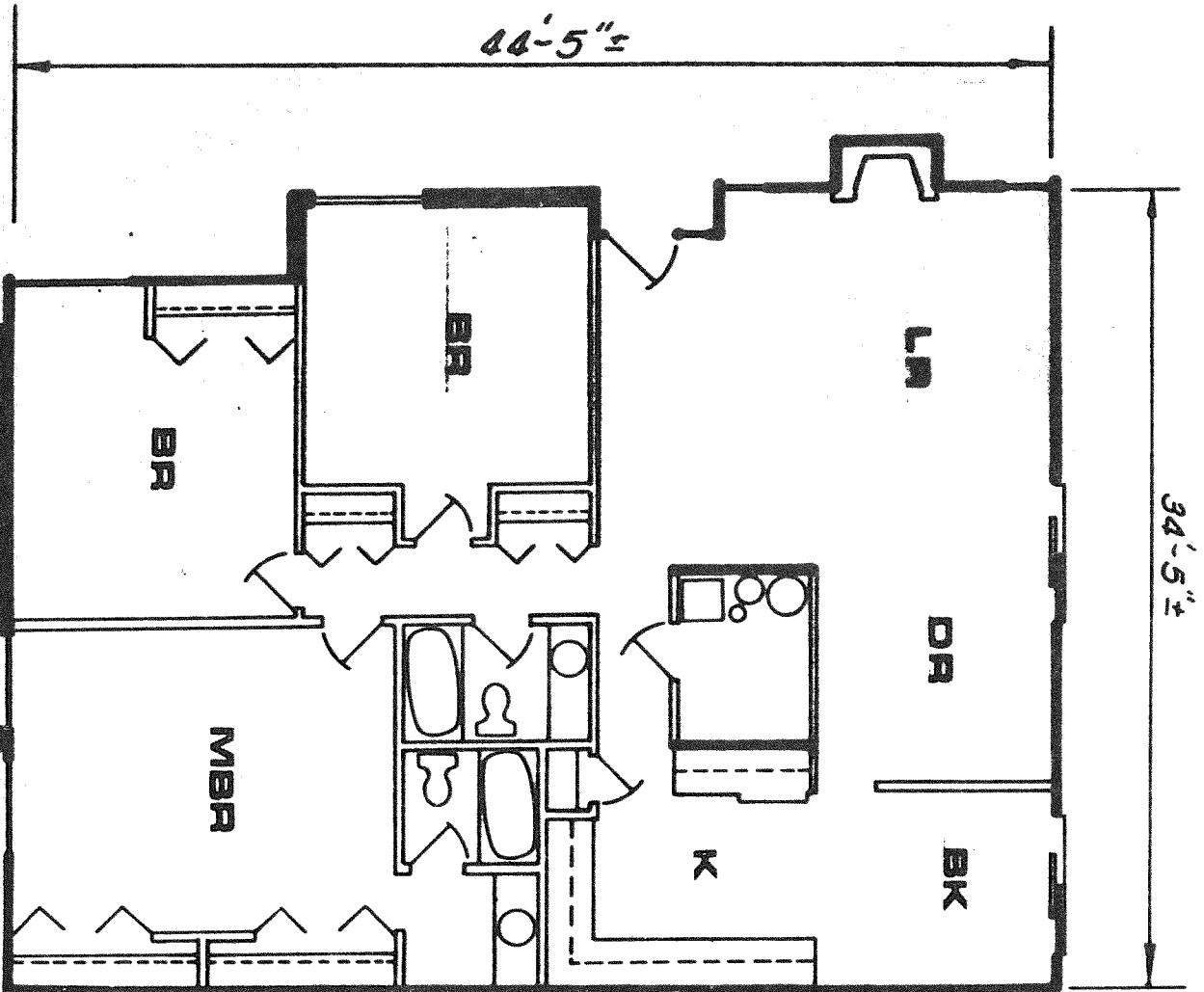
By: Charles H. Block
Charles H. Block, Surveyor N° 3147

By: Robert F. Archdeacon
Robert F. Archdeacon, Engineer N° 22446

EXHIBIT "B-1"

78 - 284D12

GREENBRIER COMMONS CONDOMINIUM



3 BEDROOM
UNIT 19-B-6859

■ Structural Walls

This drawing accurately shows
the units as constructed.
RALPH L. WOOLPERT CO.

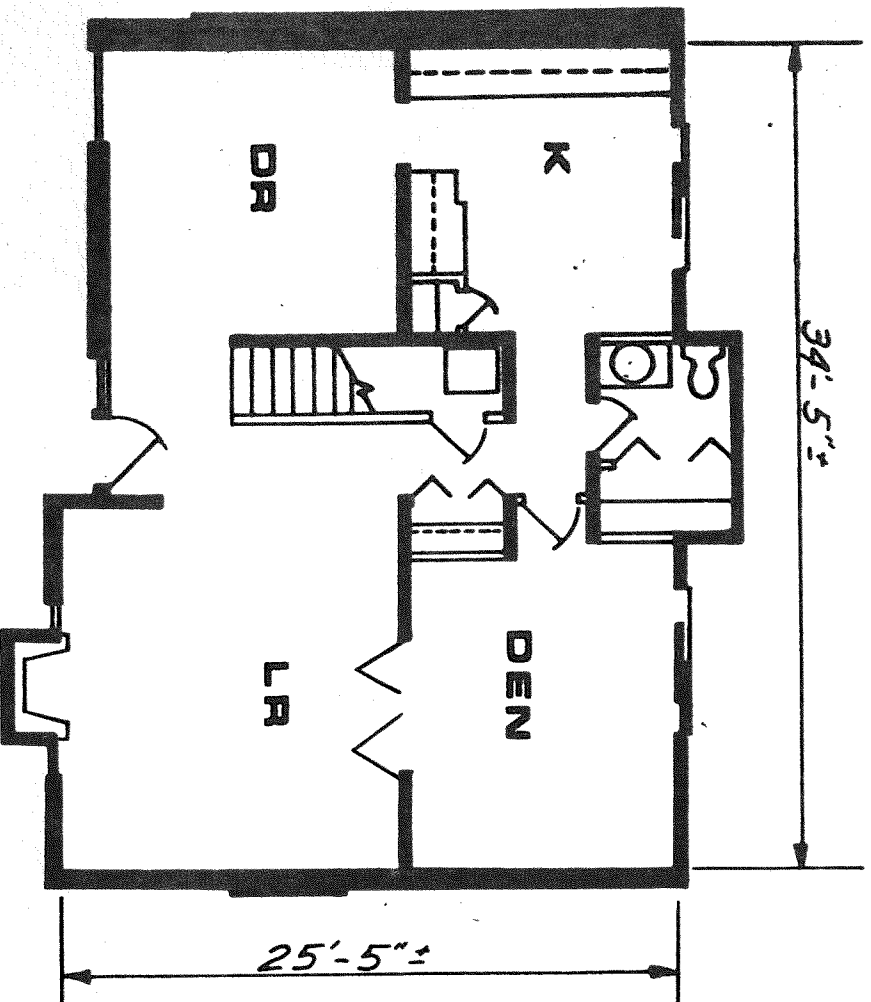
By: Charles H. Block
Charles H. Block, Surveyor N° 3147

By: Robert F. Archdeacon
Robert F. Archdeacon, Engineer N° 22446

78 284E01

EXHIBIT 'B-2'

GREENBRIER COMMONS CONDOMINIUM



2 BEDROOM - FIRST FLOOR
UNIT 19-C-2-6855

This drawing accurately shows
the units as constructed.

RALPH L. WOOLPERT CO.

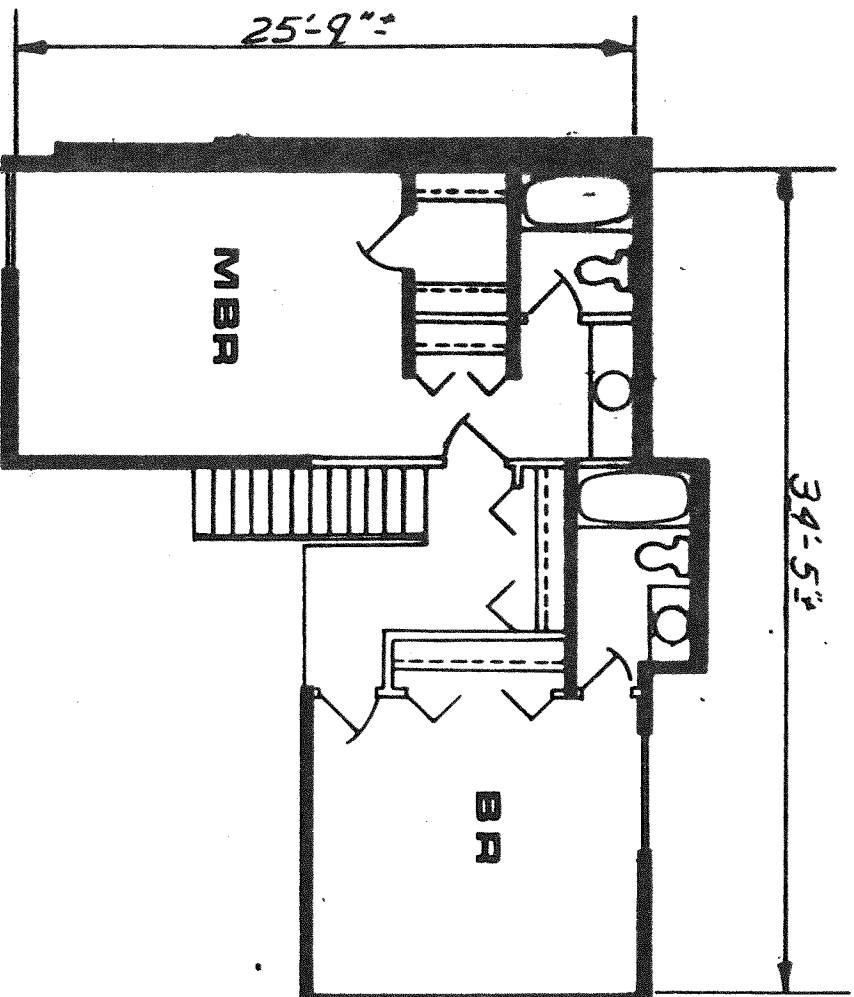
By: Charles H. Block
Charles H. Block, Surveyor N° 3147

By: Robert F. Archdeacon
Robert F. Archdeacon, Engineer N° 22446

EXHIBIT "B-3"

78 284E02

GREENBRIER COMMONS CONDOMINIUM



2 BEDROOM - SECOND FLOOR
UNIT 19-C-2-6855

■ Structural Walls

This drawing accurately shows
the units as constructed.

RALPH L. WOOLPERT CO.

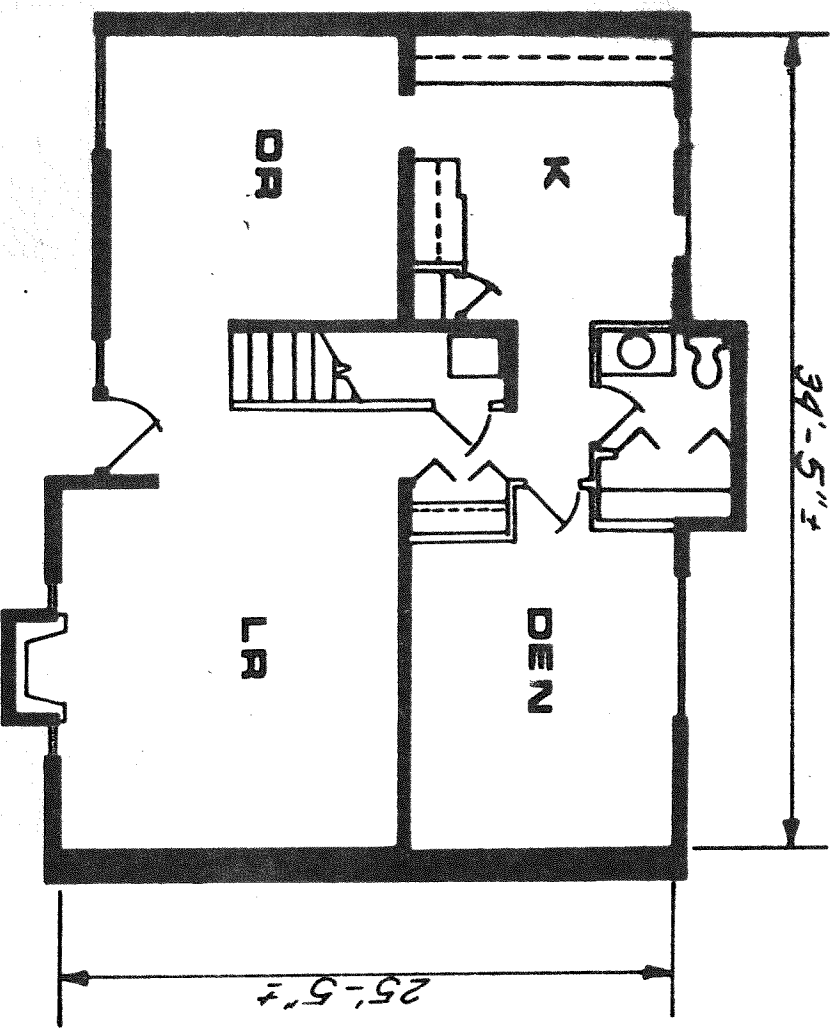
By: Charles H. Block
Charles H. Block, Surveyor N° 3147

By: Robert F. Archdeacon
Robert F. Archdeacon, Engineer N° 22446

EXHIBIT "B-4"

78-284E03

GREENBRIER COMMONS
CONDOMINIUM



3 BEDROOM ~ FIRST FLOOR
UNIT 19-C-3-6857

■ Structural Walls

This drawing accurately shows
the units as constructed.

RALPH L. WOOLPERT CO.

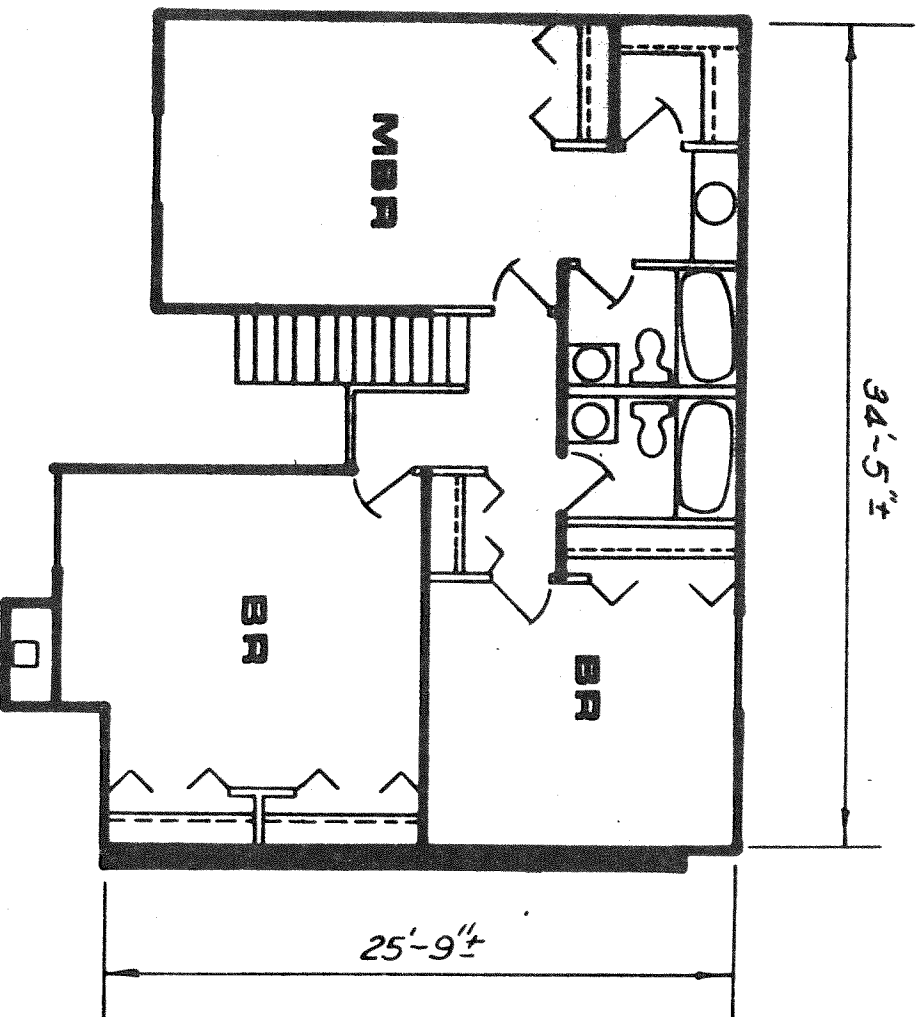
By: Charles H. Black
Charles H. Black, Surveyor No. 3147

By: Robert F. Archdeacon
Robert F. Archdeacon, Engineer No. 22446

EXHIBIT B-5

78 284E04

GREENBRIER COMMONS CONDOMINIUM



3 BEDROOM - SECOND FLOOR
UNIT 19-C-3-6857

■ Structural Walls

*This drawing accurately shows
the units as constructed.*

RALPH L. WOOLPERT CO.

By: *Charles H. Block*
Charles H. Block, Surveyor N° 3147

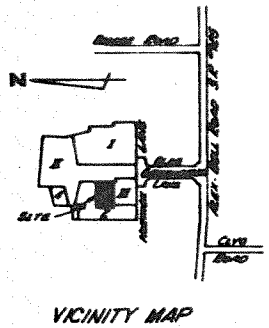
By: *Robert F. Archdeacon*
Robert F. Archdeacon, Engineer N° 22446

78 284E05

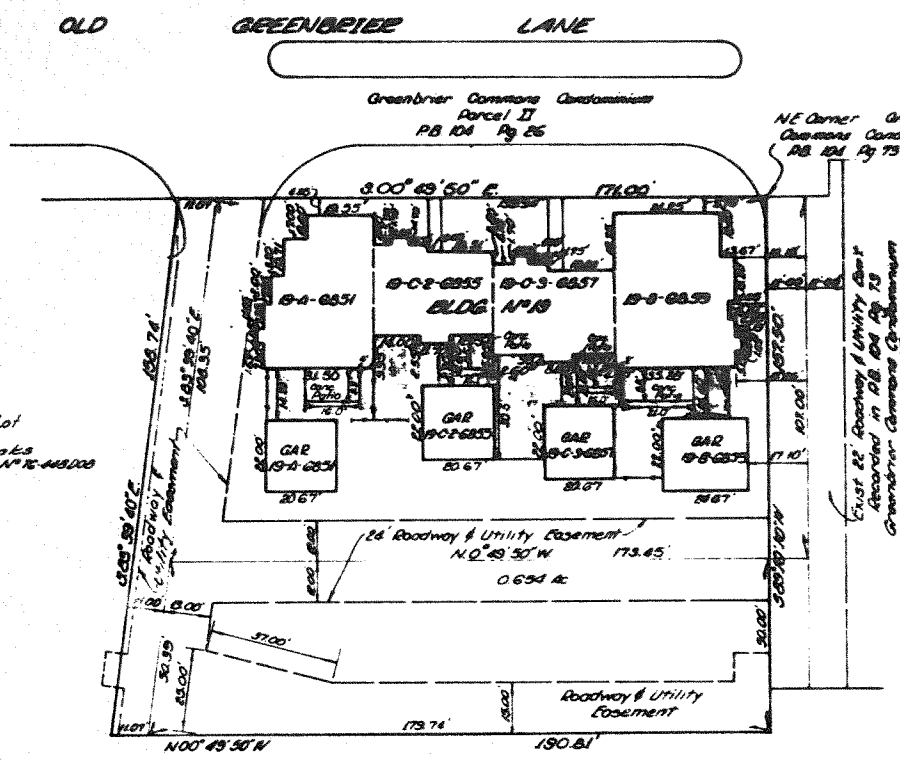
EXHIBIT "B-6"

78 284E06

The within Condominium is Part of Lot 172 of Greenbrier Commons Section One B as recorded in Plat Book 104, Page 71 in the Plat Records of Montgomery County, Ohio, containing 0.654 Acres out of a 2.516 Acre Tract conveyed to Albert G. Oaks, Jr. by deed recorded in Microfilm N° 76-448 D-8 in the Deed records of Montgomery County, Ohio

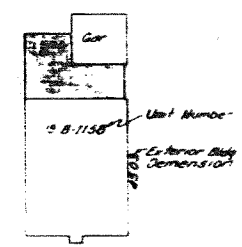


Part Lot
N° 2
Albert G. Oaks
Microfilm N° 76-448 D-8



CONDOMINIUM PLAN
GREENBRIER COMMONS
CONDOMINIUM
PARCEL II

LOCATED IN
SECTION 50 TOWN 4 RANGE 6822
CITY OF CINCINNATI
MONTGOMERY COUNTY, OHIO
CONTAINING 0.654 ACRES
SCALE: 1"=20'
MAY, 1978



LEGEND
Indicates 1 - Two Commons Area
Note: Utility Easements shown are made as recorded in Plat Book 104, Pg 71 in the Plat Records of Montgomery County, Ohio

CERTIFICATION
I, the undersigned, hereby certify that the above is a true and correct copy of the original as shown to me by the owner of the premises and structures situated on the premises.
RALPH L. WOOLPERT COMPANY
By Ralph L. Woolpert President
Date 5-25-78
By Robert L. Anderson Vice President
Date 5-25-78

NOTE: Building dimensions are finished exterior wall of finished grade

APPROVED FOR DESCRIPTION AND OWNERSHIP
Montgomery County Engineer
Date 6/6/78
FREDERICK GREEN, P. E., P. S.

EXHIBIT "D" - PERCENTAGE OF OWNERSHIP IN THE COMMON AREAS

UNIT DESIGNATION	PERCENTAGE
11-3-1201	2.89
11-2-1203	2.64
11-1-1205	1.85
11-1-1207	1.85
11-1-1209	1.85
11-A-1211	2.15
12-1-1200	1.85
12-1-1202	1.85
12-C-1204	2.98
12-1-1206	1.85
12-1-1208	1.85
14-A-1210	2.15
14-3-1212	2.89
14-2-1214	2.64
14-C-6850	2.98
14-1-6852	1.85
14-1-6854	1.85
15-1-1237	1.85
15-3-1235	2.89
15-2-1233	2.64
15-B-1231	2.98
16-3-1224	2.89
16-2-1227	2.64
16-2-1225	2.64
16-3-1223	2.89
16-A-1221	2.15
17-3-1219	2.89
17-2-1217	2.64
17-1-1215	1.85
17-A-1213	2.15
18-A-1151	2.38
18-C-1153	2.92
18-C-3-1155	3.36
18-B-1157	2.86
19-A-6851	2.38
19-C-2-6855	2.92
19-C-3-6857	3.36
19-B-6859	2.99

GARAGE UNIT DESIGNATION	PERCENTAGE
11-G-1	.32
11-G-2	.32
13-G-1	.32
13-G-2	.32
13-G-3	.32
13-G-4	.32
13-G-5	.32
13-G-6	.32
14-G-1	.32
14-G-2	.32
15-G-1	.32
15-G-2	.32
15-G-3	.32
15-G-4	.32
16-G-1	.32
16-G-2	.32
17-G-1	.32
17-G-2	.32
TOTAL	100.00%

86.8 MNP

COLLECTED BY
JEROME L. HARRISON
COUNTY CLERK

78 284E07

EXHIBIT "E"

CONSENT OF MORTGAGEE

The undersigned, James D. Harper, Jr., not individually but as Trustee on behalf of Frank E. Feder, Abner D. Goldstine, James D. Harper, Jr., James C. Hill, Allen T. Murphy, Albert G. Oakes, aka Albert G. Oaks, and Boyd J. Simmons, not individually but as Trustees on behalf of Continental Illinois Realty, a California Real Estate Investment Trust, the holder of certain Mortgage Deed recorded in Mortgage Book 2865, Page 22 of the Mortgage Records as recorded in the office of the Recorder of Montgomery County, Ohio, hereby consents to the execution of this Amendment to Declaration of Condominium Ownership with Exhibits thereto and to the filing thereof in the office of the County Recorder of Montgomery County, Ohio, and further subjects the above described mortgage to the provisions of this Amendment to the Declaration of Condominium Ownership.

IN WITNESS WHEREOF, James D. Harper, Jr., not individually but as Trustee on behalf of Frank E. Feder, Abner D. Goldstine, James D. Harper, Jr., James C. Hill, Allen T. Murphy, Albert G. Oakes, aka Albert G. Oaks, and Boyd J. Simmons, not individually but as Trustees on behalf of Continental Illinois Realty, a California Real Estate Investment Trust, by Jeffrey K. Gwin and Brian J. Weber, have set their hands this 18th day of May, 1978.

Signed in the presence of:

Charles W. Lathrop
Witness

By: [Signature]
Jeffrey K. Gwin as

Helga M. Jackson
Witness

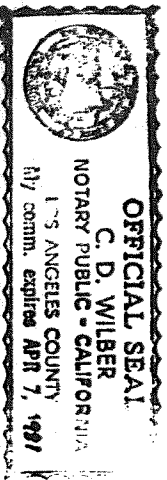
By: [Signature]
Brian J. Weber as
Assistant Treasurer

STATE OF CALIFORNIA)
)
COUNTY OF LOS ANGELES) SS:

I, , a Notary Public in and for said County of the State of California, do hereby certify that Jeffrey K. Gwin and Brian J. Weber as Assistant Secretary and Assistant Treasurer of Continental Illinois Realty, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Jeffrey K. Gwin and Brian J. Weber, appeared before me this day and acknowledged that they duly authorized, signed and delivered the said instrument as their own free and voluntary act of said real estate investment trust.

Given under my hand and notarial seal this 18th day of May, 1978.

C. D. Wilber
Notary Public



19203

JOE D. PEGG
RECORDER

MAY 29 10 37 AM '78

RECORDED
MAY 29, 1978

CONSENT OF MORTGAGEE

HOMESTEAD FEDERAL SAVINGS AND LOAN ASSOCIATION, being a holder of certain Mortgage Deeds, covering residential units included within Greenbrier Commons Condominiums, hereto by consents to the execution and recording of the Amended and Restated Declaration of Condominium Ownership of Greenbrier Commons Condominiums together with all of the Exhibits thereto, said Amended and Restated Declaration of Condominium Ownership having been filed with the Recorder of Montgomery County, Ohio, at Deed Record 77-704A01 of the Deed Records of Montgomery County, Ohio, and that the drawings thereof being recorded in Plat Book 104 at Page 26 of the Plat Records of Montgomery County, Ohio. Further, Homestead Federal Savings and Loan Association subjects its mortgage interest to the provisions of the Amended and Restated Declaration of Condominium Ownership. The following is a list of the units in Greenbrier Commons Condominiums which are subject to mortgages held by Homestead Federal Savings and Loan Association along with the location of the recorded Mortgages:

UNIT NUMBER

MORTGAGE MICROFICHE NUMBER

11-2-1203
14-1-6852

77-1475A05
77-1455A09

IN WITNESS WHEREOF, the undersigned Mortgagee has caused the execution of the Consent by its duly authorized Officers this 30th day of March, 1978.

SIGNED AND ACKNOWLEDGED IN THE
PRESENCE OF: HOMESTEAD FEDERAL SAVINGS
AND LOAN ASSOCIATION

[Signature]
[Signature]

By: [Signature]
George H. Feldmaier,
President

By: [Signature]
Donald A. Moeller
Executive Vice President

STATE OF OHIO)
COUNTY OF MONTGOMERY) SS:

Before me, a Notary Public in and for said County and State, personally appeared the above named Mortgagee by George H. Feldmaier, its President, and by Donald A. Moeller, its Exec. Vice President, each of whom acknowledged that he did execute the above Consent of Mortgagee and that said execution was his free act and deed individually and as such Officer and the free act and deed of said Mortgagee itself.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Dayton, Ohio, this 30th day of March, 1978.

LARRY E. HECKMAN, Notary Public
in and for the State of Ohio
My Commission Expires May 26, 1981 Notary Public

This instrument prepared by: Thomas P. Martin, Attorney at Law
Jablonski, Folino & Roberts Co., L.P.A.
One First National Plaza, Suite 1110
Dayton, Ohio 45402

78 643C01

418

19204

JOE D. PEGG
RECORDER

APR 30 10 37 AM '78

MONTGOMERY CO., OHIO
RECORDED

CONSENT OF MORTGAGEE

MONTGOMERY COUNTY BUILDING AND LOAN ASSOCIATION, being a holder of certain Mortgage Deeds, covering residential units included within Greenbrier Commons Condominiums, hereby consents to the execution and recording of the Amended and Restated Declaration of Condominium Ownership of Greenbrier Commons Condominiums together with all of the Exhibits thereto, said Amended and Restated Declaration of Condominium Ownership having been filed with the Recorder of Montgomery County, Ohio, at Deed Record 77-704A01 of the Deed Records of Montgomery County, Ohio, and that the drawings thereof being recorded in Plat Book 104 at Page 26 of the Plat Records of Montgomery County, Ohio. Further, Montgomery County Building and Loan Association subjects its mortgage interest to the provisions of the Amended and Restated Declaration of Condominium Ownership. The following is a list of the units in Greenbrier Commons Condominiums which are subject to mortgages held by Montgomery County Building and Loan Association along with the location of the recorded Mortgages.

UNIT NUMBER

MORTGAGE MICROFICHE NUMBER

11-3-1201
16-3-1229

77-944E08
76-558A10

IN WITNESS WHEREOF, the undersigned Mortgagee has caused the execution of the Consent by its duly authorized Officers this 3rd day of April, 1978.

SIGNED AND ACKNOWLEDGED IN THE MONTGOMERY COUNTY BUILDING AND LOAN ASSOCIATION

Sharon A. Jones

By: Burdette E. Worth
Burdette E. Worth, President

Richard J. Steiner

By: Richard J. Steiner
Richard J. Steiner, Secretary

STATE OF OHIO)
COUNTY OF MONTGOMERY) SS:

Before me, a Notary Public in and for said County and State, personally appeared the above named Mortgagee by Burdette E. Worth, its President, and Richard J. Steiner, its Secretary, each of whom acknowledged that he did execute the above Consent of Mortgagee and that said execution was his free act and deed individually and as such Officer and the free act and deed of said Mortgagee itself.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Dayton, Ohio, this 3rd day of April, 1978.

Notary Public

This instrument prepared by:
Thomas P. Martin, Attorney at Law

In and for Montgomery County, Ohio
My Commission Expires June 30, 1980

Jablonski, Folino & Roberts Co., L.P.A.
One First National Plaza, Suite 1110
Dayton, Ohio 45402

- 78 643002 -

245

NOT RECORDED
NOV 10 1960
FBI - CLEVELAND

400

77-881D05
77-1173C10

BY

Thomas P. Martin, Attorney at Law
Jablinski, Folino & Roberts Co., L.P.A.
One First National Plaza, Suite 1110
Dayton, Ohio 45402

19206

JOE D. PEGGS
RECORDER

MAY 30 10 37 AM '78

MONTGOMERY CO., OHIO
RECORDED

CONSENT OF MORTGAGEE

STATE FIDELITY SAVINGS AND LOAN ASSOCIATION, being a holder of certain Mortgage Deeds, covering residential units included within Greenbrier Commons Condominiums, hereby consents to the execution and recording of the Amended and Restated Declaration of Condominium Ownership of Greenbrier Commons Condominiums together with all of the Exhibits thereto, said Amended and Restated Declaration of Condominium Ownership having been filed with the Recorder of Montgomery County, Ohio, at Deed Record 77-704A01 of the Deed Records of Montgomery County, Ohio, and that the drawings thereof being recorded in Plat Book 104 at Page 26 of the Plat Records of Montgomery County, Ohio. Further, State Fidelity Savings and Loan Association subjects its mortgage interest to the provisions of the Amended and Restated Declaration of Condominium Ownership. The following is a list of the units in Greenbrier Commons Condominiums which are subject to mortgages held by State Fidelity Savings and Loan Association along with the location of the recorded Mortgages:

<u>UNIT NUMBER</u>	<u>MORTGAGE MICROFICHE NUMBER</u>
11-1-1205	76-1226D12
11-1-1207	76-060B05
11-1-1209	76-1226E07
11-A-1211	77-288A01
12-1-1200	77-1363C02
12-1-1202	77-927D08
12-1-1206	77-1446C05
12-1-1208	76-060C03
14-A-1210	77-1260C04
14-3-1212	77-459A12
14-1-6854	76-278A03
15-2-1233	77-288A06
15-3-1235	77-288C10
15-1-1237	77-1145D08
16-A-1221	76-278B03
16-3-1223	78-113E03
16-2-1225	77-1208A10
17-A-1213	77-927D03
13-G-4	76-1226D12
13-G-5	76-1226D12
11-G-1	76-1226E07
15-G-3	77-1446C05

IN WITNESS WHEREOF, the undersigned Mortgagee has caused the execution of the Consent by its duly authorized Officers this 23rd day of May, 1978.

Signed and acknowledged in the presence of:

STATE FIDELITY SAVINGS AND
LOAN ASSOCIATION

Robert J. Smith

By: *Eugene C. Dever*
Eugene C. Dever, Senior Vice President

D. Bruce Todd

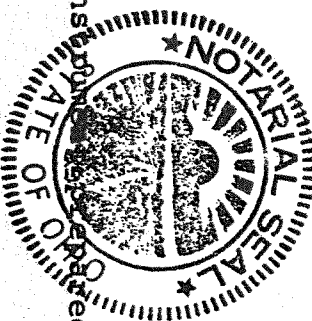
By: *D. Bruce Todd*
D. Bruce Todd, Assistant Vice President

- 78 643C04 -

STATE OF OHIO)
) SS:
COUNTY OF MONTGOMERY)

Before me, a Notary Public in and for said County and State, personally appeared the above named Mortgagee by Eugene C. Dever, its Senior Vice President, and by D. Bruce Todd, its Assistant Vice President, each of whom acknowledged that he did execute the above Consent of Mortgagee and that said execution was his free act and deed individually and as such officer and the free act and deed of said mortgagee itself.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at Dayton, Ohio, this 23rd day of May, 1978.



This instrument was signed by:

Thomas P. Martin, Attorney at Law
Jablinski, Folino & Roberts Co., L.P.A.
One First National Plaza, Suite 1110
Dayton, Ohio 45402

My Commission Expires July 8, 1980

In and for the State of Ohio

W. L. Greene
Notary Public