28.5 13.675.39.4 6.110 28.65.39.99.4 6.110

FOURTH AMENDMENT

TO

AMENDED AND RESTATED DECLARATION OF CONDOMINIUM OWNERSHIP

FOR

GREENBRIER COMMONS CONDOMINIUMS

TO ADD A FURTHER PORTION OF PHASE II

Prepared by:

Thomas P. Martin, of
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 Fourth Amendment is recorded in Plat Book at Page

TOR MAP JEE BOOK 106 PAGE 55

mons the ership :
for the provisions the purpose o is made AMENDMENT this e of a 0f Chapter and to s /o adding to the subject t r 5311 of day of additional Declaration this the Ohio land additional Landonio Revised of d to Greenbrier Condominium Own-Land 19

WITNESSETH:

but as Trustee on behalf of Added T. Murphy, T. A. Sed Goldstine, James C. Hill, Allen T. Murphy, T. A. Sed Boyd J. Simmons, not individually but as Trustee on of Continental Illinois Realty, a California Real Es vestment Trust, on November 25, 1975, executed a Dec of Condominium Ownership establishing a plan of resi condominiums for Greenbrier Commons Condominiums, who claration was filed for record with the Recorder of claration was filed for 25, 1975, at Microfiche 75 condominiums for Greenbrier Common claration was filed for record with County, Ohio, on November 25, 197 of the Deed Records of Montgomery bert G AS Oakes, aka . ee on behalf Greenbr r Limited Albert :a , , 1975, a . , rv County, G the predecessor in tit Oaks, not individually D. Goldstein, aka Abne Ohio; of residential eal Estate In-a Declaration 0f Sedam and on behalf on which 75-Montgomery 5-558A01 Abner De-U

Estate Investment Trust, successor in Limited executed an Amendment to and I claration of Condominium Ownership of Condominiums previously executed by Gamendment and Restatement was filed for Recorder of Montgomery County, Ohio, of the Condominium of Montgomery County, Ohio, of the County of the Abner Recorder of Montgomery recorded at Microfiche 9 dually Sedam dam and behalf County, WHEREAS D. HEREAS, Albert G. Oakes, aka Albert G. (but as Trustee on behalf of Abner D. Gol.). Goldstine, James C. Hill, Allen T. Mand Boyd J. Simmons, not individually but alf of Continental Illinois Realty, a Called Continental Ill but Ohio; and County, Ohio, 77-704A01 of for the Deed Records f Greenbrier Greenbrier L Restatement of the D record with G. Va... Goldstein, but as Tru California Limited, with the Commons not 1977, of aka Real indivi Dewhich Montgo-

miniums for to Resident Trustees on Real Estate stein, aka *l* T. A. Sedam the the individually but .n, aka Abner D. (WHEREAS Amended and purpose of purpose ial Albert G. Oakes, aka Albert G. Oaks, ally but as Trustee on behalf of Abner D. Gold-Abner D. Gold-Abner D. Goldstine, James C. Hill, Allen T. Murphy, and Boyd J. Simmons, not individually but as behalf of Continental Illinois Realty, a California Investment Trust, has filed the following Amendments ded and Restated Declaration of Condominium Ownership cose of adding additional land to the Plan of Condominium Ownership for Greenbrier Commons Condo-

- Þ First Amendment executed on Februa recorded in Microfiche 78-161801 o of Montgomery County , 9, the 1978 Deed Records and
- ä recorded Records ecorded Amendment of H. Montgomery ment executed Microfiche 78 County, ted on May 78-284D05 Ohio; 18 of and the 19 œ D
- 0 and reco recorded in 0f Montgomery microfiche 78: on - 78-October 8-600B07 0f th @ '~ 1978 Deed

Oakes, aka Albert behalf of Abner D Hill, Allen T. Mu individually but larat. ion REAS Albert 0 f as provided i Murphy, T. A. ut as Trustees D. ٠ Goldstein, Oaks, in §22 of the Ame Ownership, the D not individually Sedam aka Abner dam and behalf Boyd J. Simmon of Continental D. Amended Declarant Goldstine, but as Trustee Albert James linois S C G

areas as well as ibits and other Plan of 98 a California self the right "B and B-l" buildings Condominium Ownership; right B-1" improvements constructed upon Real to to the add Estate d certain real estate Amended and Rostatod Investment improvements and Trust said d Declaration, units, common described real reserved

to this Fourth Amendment in Exhibits "B and B-1" claration as land to be Ownership; and land described : is a part described in Exhibit "A" attached is a part of the land described to the Amended and Restated Deadded to the Plan of Condominium

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 Plan of Residential Condominium Ownership and reserved unto itself 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 Plan of Residential Condominium Ownership. 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 Attorney-in-Fact to the "to the" Continental Illinois Realty vestment Trust, reserved un additional land to the ship and rebehalf the Declaration as are necessary annexation of additional real ential Condominium Ownership for G of aka Condominium 0f Albert G Abner each and every present and future holder ne title to any unit or any other form o subsequently included within Greenbrier by acceptance of conveyance, transfer o its successors and assigns as his, her or its ct to execute, acknowledge, deliver and record name of holder of such interest, such Amendments tion as are necessary and appropriate to accomplish of additional real estate to the Plan of Resinium Ownership for Greenbrier Commons Condominiums D. Oaks, noc D. Goldstein, a Ownership, . Oaks, not of of deemed individually the aka Abner Declarant irrevocably . D but out as Trus Goldstine Alber to appoint or Condominiums; Commons in-

buildings eight (8) WHEREAS, the unit the Declarant has land described completed in Exhibi d two (2) additional containing

Residential Condominiums Amendment is to accept the condominium SECTION ONE PURPOSE add Ownership addit OF ional La AMENDMENT: land Greenbrier to The the purpose Plan of Commons

of the I ber 25, of County, Ohio, and the Amended and Condominium Ownership executed on for record with the Office of the claration and as fiche county, Ohio, of iche 77-704A01 Montgomery Microfiche submits real improvements l of the Ohio tional Of attached further Declaration of Ohio, 1975, simple real estace
ments made thereon, contion Revised Code and subject
Ohio Revised Code and subject
aration of Condominium Ownership executed
sty County, Ohio, on November 25, 1975, and recorded
the 75-558A01 of the Deed Records of Montgomery
and the Amended and Restated Declaration of
recuted on October 3, 1977, and filed
recuted on October 3, 1977, and filed
recuted on October 3, 1977, only
recuted on October 3, 1977, and filed land Condominium and to the P TWO hereto expanded by the following Amendments to ondominium Ownership for the purposes of to the Plan of Residential Condominium owner DECLARATION and 0f the real estate incorporated herein by rewhibit "A", described reference, Exhibit adding the Recorder

First Amendment executed

H O Montgomery orded in Microfichery County, iche Ohio 78-16 1B 01 0 m the Deed Records

- ů Records H ecorded Amendment in Montgomery ment executed Microfiche 78 County, 78on May -284D0 May 1D05 Ohio; 18 0f and the 19 U co eed;
- 0 and the Third Deed recorded Amendment Records in Microfiche executed 0f Montgomery on 78-October 600B07 County 10 Ohio 19 0f

These attached hereto and income following specifications Garages terior include units (2) and 0 g tud ion roof s for CTIONthe buildings ρ Of. ldings being the and with slab lings are one and slab foundation with brick veneer covering of ply covering of plywood and asphalt shingles.
each residential unit are built to the rear
nd the description of the residential unit s
garage built to the rear of the unit. Floo
e units involved are set forth in Exhibit "B Residential added built incorporated to veneer DESCRIPTION and Condominium noqu Greenbrier apply (no and cedar two the basement), to stories QF herein land described the Commons Ownership ent), are of exterior, wi BUILDING in by nunits 'n reference. height Condominiums. being bу with in this frame and added Floor Exhibit shall are Fourth con-The exof to

22-C-2-S-1163 22-B-1161	2-C-2-S-1165	2-C-2-1167	2-B-S-1169	1-A-1171	1-C-3-1173	1-B-S-1175	NIT DESIGNATION NO	
7	7	σ	7	U I	7	6	NUMBER OF ROOMS	
1,888	1,888	1,583	1,534	1,197	1,888	1,534	LIVING	APPROXIMATE SOUARE

right-of-v described which brier mouth Buildings private vehicular numbered and Alexandersville-Bellbrook a of-ways. are ourt twenty-one being roadways building numbers drawings FOUR private street. Each The added location of sattached LOCATION and leading to twenty-two Greenbrier to Norwich Lane, Ollhrook Road, which OF twenty-one hereto the BUILDINGS Road, which buildings are Commons unit SB over located and Exhibi has a The Condominiums twenty access S 01de common are on building further "C". Green Bourne -two. public areas 02

area impro vements CTION FIVE not included COMMON Within within Ω unit The entire t shall ф lands Ø common and

ship in for the president. set fair having common Amendment areas Amendment tion of NOMMO forth value and an areas purposes tial Condo Condominium Ownership the and the interest in such of facilities, which in Exhibit "D" at bears reference of f common condominium SIX each to faciliti units previously the int areas in PERCENTAGE The percentage of reas may be altered adding additional la erest then val ___on areas, ___ch percentages o " attached heri he perci at Ownership. iles s are 0f aggregate In date each in the INTEREST the proportion that of the filing of t submitted unit value of land of all of all of own Уď interest and added further to the ownership are incorporated ţ OWNERSHIP Ьy the and ownercommon Plan this limited that the units Amendment Declar this

UNIT OWNERS A an member c of the Greenbrier non-profit corporat of Commons f the Gre ASSOCIATION: Condominiums by MEMBERSHIP The owner niums by this Amendment shall be Commons Unit Owners Association, IN THE of each GREUNBRIER unit added COMMONS c^{\dagger} Ö

gations of obligation Commons Uni ţo Fourth the SECTION O Amendment, s of a unit to UM OWNERSHIP INTEREST: Prior to the sale of ium ownership interest in the units submitted of Residential Condominium Ownership by this ment, Declarant agrees to assume all the obliunit owner including, but not limited to, thopay monthly assessments to the Greenbrier Owners Association. Owners pay submitted this e obliof

purchaser trust or e Section sh of Declara at for \$2, credited to the purchaser Any deposit condominium Amendment condominium ownership interest in the units submitte to the Plan of Residential Condominium Ownership by Amendment shall be held in trust or escrow until del at the settlement, or otherwise credited to purchase forfeited to Declarant. If a deposit or down paymen \$2,000.00 or more is held for a period in excess of (90) days, interest at the rate of four percent (4%) annum for the period exceeding ninety (90) days shall credited to the purchaser at settlement, upon return purchaser or added to any forfeiture to Declarant. trust or escrow account established pursuant to this section shall not be subject to attachment by credit of Declarant. tion s... Declarant SECTION or NINE down payment made DEPOSIT AND DOWN Уď by the purchaser PAYMENT to purchaser or down payment of to this creditors return shall (48)by this delivered 0f tted of ninety per മ

tion, capacity as interest. any of elopment has n, Declarant SECTION AND FAC the common areas and facilities other than in his a unit owner of unsold condominium owner. ACILITIES:
has been and will DECLARANT'S PROPE ES: After control en assumed by the ll not retain any control PROPERTY l of Unit INTEREST the Condominium Owners Associa-

residential the Plan of Fourth Amend SECTION Amendment ON ELEVEN - WARRA dwelling units Residential Con the following WARRANTIES: With refunits and common areas Condominium Ownership by ollowing warranties shall reference shall apply: submitted this

A. Common Areas

with on 9 ij the and service elements serving condominium occasioned or necessitated by a defect in Ownership Declarant workmanship. This two year warranty shall commence the date the Deed of Ownership is filed for record the Montgomery County Recorder's Office following sale of the first condominium ownership interest the units added to the Plan of Residential Condominium the submitted by this Fourth Amendment; and the or full replacement of hereby cost furnishes of labor roof and structural a two year warran and materials for warranty in property n material components any recover

B. Unit Warranty

ship is filed for the corder's Officership and a mechancial or occasioned by warranty shall Ownership added to t added by th material Fourth the interest Office warranty for Plan defect in l commence for other Amendment any of Record with the following the sa in elements pertaining to covering Residential in material repair the on ng the sale of the Condominiu residential dwelling unit lential Condominium Ownership the the sale of the or the al or date replacement workmanship.
of the Deed of 0 h of structural each unit Condominium Owner

Simmons, tinental units Trustee executed herein estate Trust Restated Z already as fee sim described <u>.</u> James Уď g WITNESS on not individually Illinois Realty, reference 0akes behalf the Declarat nois Realty, simple owner bed in Exhibi existing date Hill, WHEREOF, aka f of and e owner a first v Albert Abner Allen T. Ľ, a S of this the Ω but IJ. and written California owner G. Condominium ıιΑιι Goldstein, Fourth Condominium Development Oaks, Murphy, T. as Trustees record title attached hereto and r of one or more con above not Amendment Real endment to the Amen Ownership has been by the Declarant, aka individually on A.holder Estate Abner D. behalf Sedam condominium and Boyd f of Conof Investment incorporated the but Gold-Amended Boyd real as

S IGNED PRESENCE OF:

Alber

Sedam of vidual Goldstein, aka James C. Hill, but California Continental as and Trustee but Boyd Real as Abner D. Allen T. J. Simmon on Illinois Trustees Estate behalf immons, ndividually Goldstine, Murphy, T. A. ns, not indi-Investment Realty, 9 of behalf Abner D.

COUNTY STATE 엵 CALIFORNIA 09 A & 6 M ANCEL ES ss:

minium Ownership of himself, not 0aks Amendment Allen Realty, vidually tate, pera himself, not ner D. Goldstein, aka ner Murphy, T. A. ω Murphy, T. ... as Trustees 6 acknowledged out as Trus California sonally the Amended and that the individually Notary appeard Albert Real that Sedam Abner and on Public the Estate he behal and Restated Declaration of Condo same is the free and but as me D. Goldstine, James of Boyd J. Simmons, all of Continental H Investment and for said Trust County not Illinois Hi D. Condo-ld deed indi and

REPERER

seal thi H WITNESS ທ WHEREOF day 0 Hhave G 3000 set mУ hand and nd official 1978



OFFICIAL SEAL SUSAN WISDOM NOTARY PUBLIC - CALIFORNIA ORANGE COUNTY comm. expires JUL 23, 1982

Notary Public

not nas the Murphy, T. A. Sobut as Trustees Goldstein, Amended Fact California been title individually stein, aka A for and WITNESS each executed ţo RESS WHEREOF, this Fourth Restated Declaration of any unit included Real present Sedam and Abner on but Уd Estate m and Boyd behalf of Ö S Albert or other and Goldstine, James (Boyd J. Simmons, r alf of Continental other Investment future **G**. Greenbrier Fourth Oakes, aka Albert e on behalf of Abn form Condominium of Trust, lder of Amendment real not individuality, Illinois Realty, at, as Attorney-in-Commons о . of any Hill, Allen T t individually property Abner to Ownership t G. Oaks, Condominiums d. D the now in Ö

forth in §22 Condominium under Power in §2 22 2 of the Am Ownership. of Attorney coupled the Amended and with Restated Declaration an interest set n of

SIGNED IN THE PRESENCE OF:

Wighess

When B. Capro

Albert G. Oakes, aka

allus to ans

holder of to any uni James g not but property Realty, Goldstein, aka Abner James C. Hill, Allen Albert Condominiums cluded Investment : individually behalf of Con A. as for C. Hil Sedam unit Trustee р now each f any California t Trust, as Oaks, Greenbrier 02 and Continental 20 present a interest other on behalf Boyd not subsequently but individually as Real D. form Attorney-in-and future H. Commons in Murphy, Simmons, Trustees Goldstine, Of Illinois of Estate the Abner inreal title Ö

STATE OF CALIFORNIA)

OAAUGE) SS:

COUNTY OF LOC ANGELES)

and that the s individually b future holder Murphy, but as ' Oaks, State, title the for Goldstein, other form of real estate now or Greenbrier Commons Condominiums. quently California ledged ged that Amended each Before Before me, a Notary, personally appeared Albert not individually but as Trunch aka Abner D. Goldstine to Trustees H included any present Real A he and same but a unit Sedam and did execute the l Estate Investment Tr nt and future holder c nit or other form of r ed in Greenbrier Commo Restated Declaration of Condominium ne is the free act and deed of himse t as Trustee on behalf of each present on any appeared Albert G. Oakenally but as Trustee on loner D. Goldstine, James of am and Boyd J. Simmons, lone behalf of Continental interest now or in of real property now or subse-Commons Condominiums who acknowforegoing in the title to subsequently Trust, r of any James and Oakes, of any for kes, aka Albert G.
n behalf of Abner D
s C. Hill, Allen T
, not individually not indiv Illinois S Fourth interest llinois Realty, a s Attorney-in-Fact interest in the said any unit included himself, not present and Amendment County Abner D. Allen T. Ownership not and within or subse

seal this WITNESS WHEREOF day Of Octobe have set my hand and official 1978.



OFFICIAL SEAL
SUSAN WISDOM
NOTARY PUBLIC - CALIFORNIA
ORANGE COUNTY
My comm. expires JUL 23, 1982

Susan Misdom

OCT 31 778

COUNTY AUDITOR

INDEX OF EXHIBITS

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Exhibit "A" (Portion c
 of I
 Legal
Phase
  Description II)
        of
        0.863
         acres
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Exhibit
                               "B-2"
"B-2"
"B-4"
"B-6"
"B-6"
"B-8"
                         "B-
         B
                 B
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                                 Unit 21-A-117
First Floor U
Second Floor
Unit 21-B-S-1
Unit 22-B-116
First Floor U
Second Floor
First Floor U
 Second F
- First F
- Second
- Unit 22
                                    21-B-S-1175
22-B-1161
t Floor Unit 2
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t Floor
                                                                                   21-A-1171
t Floor Unit
nd Floor Unit 22: Floor Unit 22: d Floor Unit 2: nd Floor Unit 2: st Floor Unit 2: nd Floor Unit 2: 22-B-S-1169
          t 22-2-S-1163
t 22-2-S-1163
22-C-2S-1165
t 22-C-2S-1165
t 22-C-2-1167
hit 22-C-2-1167
                                                                             21-C-3-1173
21-C-3-1173
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Exhibit U. Condominium Plan for portion 0f Phase II

Exhibit "D" Percentage 0f Ownership in. common areas

Exhibit "E" - Consent of Mortgagee

COPOR B BRILLIA C WOCLPERT (1916-1970)



October 19

ETTRO META

CONTRACTOR

CONTRA

#11.4W \$51.0% #11.4W \$50.0% \$1.4W \$50.0%

CONSULTANT

scription 0 H EXHIBIT "A"
Greenbrier Commons
Parcel Six "A" Condominium

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

Beginning at the Three southwest recorded corner in Plat Of Greenbrier | lat Book 10 t Book Ohio; Commons • Page

Condominium, Parcel Three as recorded 73 in the Plat Records of Montgomery (thence South eighty-nine degrees (89° 10' 10") West for one hundred two eet; twelve County, Onio, ss ten minutes ten twelve and 50/100 ten seconds (112.50)

thence (0° 49' 50") (370.00) fee Condominium, 26 in the Pl the Plat 50") feet West ç the for degrees forty-nine minutes fifty three hundred seventy and 00/100 three hundred seventy and 00/100 cm three hundred seventy and 104, fifty s Commons Page seconds

Commons Conc ten minutes 00/100 (50.0 thence nium, Parcel Two as recorded in Plat Book 104 pe Plat Records of Montgomery County, Ohio; nce eastwardly with the south line of said Gi Condominium, Parcel Two, North eighty-nine do the seconds (89° 10' 10") East for fifty Greenbrier degrees and

(50.00)feet;

said G. degrees for fifteen thence Greenbrier thence forty-nine minusen and 49/100 southwardly Commons ardly continuing with the mmons Condominium, Parcel minutes fifty seconds (0° /100 (15.49) feet; south Two, S South 50") I East o 9

eighty-nine degrees ten East for forty-five and the west line of Greenbl as recorded in Plat Bool thence eastwardly Greenbrier Commons County, minutes

e and 00/100 (

f Greenbrier Complat Book 100

y, Ohio y continuing with the sons Condominium, Parcel is minutes ten seconds and 00/100 (45.00) feet Commons Page S Condominium, : south Two, (89° വ point on Parcel Five t Records of North line 10")

minutes th 47/100 (45 Commons Co 105, Page Montgomery Commons ns Condominium, Parcel Five, es thirty seconds (7° 08' 30' 0 (45.47) feet to the northwens Condominium, Parcel Four a Page 35 in the Plat Records (thence southwardly 1 Five, Sc 08' 30") northwest the west west line South sev East for Montgomery recorded corner seven of Greenbrier n degrees eight forty-five and H. said County, Ohio; Plat Greenbrier Book

EXHIBIT "A"
Description
Parcel Six "A" О Н Greenbrier Commons Condominium

October 24, 1978

Page Two

one corner Greenbrier fortyhundred ner of

dominium, Parcel Four;
the south line of said Greenbrier
Four, North eighty-nine degrees
o 10' 10") East for twelve and
northwest corner of said Greenbrier

Commons Condominium, Parcel Four, South no degrees for nine minutes fifty seconds (0° 49' 50") East for one ninety and 81/100 (190.81) feet to the southwest cornes aid Greenbrier Commons Condominium, Parcel Four; thence eastwardly with the south line of said Green minutes ten seconds (89° 10' 10") East for twelve 50/100 (12.50) feet to the northwest corner of said Greenmons Condominium, Parcel Three; thence southwardly with the west line of said Greenmons Condominium, Parcel Three; commons Condominium, Parcel Three; south no degrees from the minutes fifty seconds (0° 49' 50") East for one leighteen and 50/100 (118.50) feet to the point of begin containing no and 863/1000 (0.863) acres, more or less subject, however, to all easements of record. ne of said G no degrees East for one one less, beginning, Greenbrier s fortyne hundred

CJR/mb #10397

SIXTH AMENDMENT TO AMENDED AND RESTATED DECLARATION OF CONDOMINIUM OWNERSHIP FOR GREENBRIER COMMONS CONDOMINIUMS

Prepared by:

Thomas P. Martin, of
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 Sixth Amend-ment is recorded in Plat Book 109 at Page 53

MAY 15 779

TRANSFERED ROBERT L. RODERER COUNTY AUDITOR

the purpose o Condominiums provisions of purpose 0 H subject er 5311 (Condominium, 19'('), f rer. Commons

establishing Condonimiums, plan

an Amendment to a Restatement

per 12, 1978, and is recommended Records of Montgome included all right, title of Condominium Ownership Commons Condomination the Montgomery ded to the Pl Condominiums Condominium to the Plan

- May 18, 8-284D05

ownership; constructed improvement perty reserve stated tated des S Declaration Declarat unto cribed WHEREAS and upon said uni in sel Ġ. ion as Exhibits as of H the common real provided in Condominium well right its "B n areas, a estate to ವಿ B. tο and "B-1" to buildings, st as, and other Ownership, add addition 22 the 0f plan the st ional improvements Amended the the ructure Of f real condominium Amended Declarant and ord and Re

land = this and to be B-1" to the Am -l" to the added to 1 REAS the the ent is a Amended land Plan descri Condominium Rest ibed of cated the Exhibit Dec Ownershi larat des ct crib Ġ attached bed in El Ø Exhibi

Ownership, e order name of additional Ownership for tion estate now or Condominiums, 0 S such any execute, Residential Condominium Ownership. 0 Of successors O.f. S D ťо the other interest, are necessary holder Condomini implement each n the WHEREAS Amended acknowledge signatures real estate Greenbrier γď subsequently of and title and acceptance . Um such S F estate and annexation of assigns L'a Owner: every and appropriate tate to the Plan deemed to Restated interest, ns as hi amendments Commons any unit or any o y included within ship, present any unit of. irrevocably his, record conveyance, rship. Further, according Declaration of Condominium additional and r Condominiums; Amended and Declarant rd without ţ0 record of to amendments future 9 the 40 accomplish other and Residential its At declaration appoint transfer Greenbrier land holder Restated reserved form and and torneytο t 0 the the or 0f the 0 f Condominium Common inheritande Declarant Declar the real any Plan annexation Declaraitanc

additional containing buildings eight (8) WHEREAS the unit 9 Declarant n the land has c completed ibed. H. d two (2) Exhibit

of this 1 Resident: Condonim smrimi SECTION ONE -Amendment is to tial Condominium PURPOSE OF AMENDMENT: add additional land to Ownership for Greenbri Greenbrier The Commons purpo Plan 0 H O

Montgomery following F executed Office of along Recorder October Restated Records provisions Chapter erence 1975, c recorded with Of 3 of 3 of Monty...

Declaration of tour

1, 1977, and filed for of Montgomery Count

Microfiche Resident op Op D for and Amendments = H| 0 5311 of th County, all and ee November 2 he Recorder attac NOIL the the Recorder of Montgomery recorded in Microfiche submi improvements ne purposes 0 ache Declaration of per 25, 1975, a Le Ohio, the cy County, Ohio, and of Condominium Owner it filed for record will ery County, Ohio, on I rofiche 77-704A01 of Condominium Ownership; ts ţο owne he Ohio real the eto O.f. 0 Declaration of Cond of adding additional made Revised estate and the and further Condominium nd filed for 8 thereon, real ncorporate described Ownership executed od with the Office of on December 6, 19 and Code County, Ohio 75-558A01 of es expanded of Condom the the and t 0 Condominium Deed Amended and 0 0 Ownership record in record the subject des Ħ Exhibi land Records provisions the g ibed the of 977 November Deed the the the O.H.

- × Deed Records Second Amend recorded 0f Microfiche ed g $\frac{\tilde{\omega}}{1}$ 91. 1B0 0 the 197 ∞
- വ W and : Third Amendment rec recorded recorded Records Amendment of ni u, n Microfiche 78-284D05 of the Montgomery County, Ohio; f Montgomery County, Ohio; the 1978 and
- U Deed Re Fourth and rec the Dee Records of the Amendment corded Records in. Microfiche Montgomery executed Of. Mont gomery on County, Oh on October 78-6 17A01 of 10, and 197

set 0 tud herein plywood with brick slab lldings uni forth rear Эд two are Ë by Lts res and gs are one foundation Ø Ġ and asphalt built to the 0 N ouilt to sidential) bui: added r L being reference. veneer the Exhibit NON inn added ťο Q ling THRE the and and on) cne rear unit sha rt nd with an shingles. he rear of unit shall Ω S reenbr .. ש The 6 basement) two Tng H Floor plans B" attached stor tu following DESCRIPTION noqu plans the include exterior les Garages the units suommo are the in hereto O H of f speci f Resi height ar of frame the the and described Condominiums. OF S for roof and and incorp .den BUILDINGS garage units : de each the and covering iniums. These and are built of construction incorporated ibed description built to involved res ind .. apply ident Of 'n There Exhibit ial 40 on

1905	7	24-D-3-1308
1778	თ	24-D-2-1306
1905	7	24-D-3-1304
1525	0	24-B-1302
1525	o	23-B-1307
1778	9	23-D-2-1305
1905	7	23-D-3-1303
1778	6	23-D-2-1301
EA	NUMBER OF ROOMS	JNIT DESIGNATION
APPROXIMATE SQUARE FOOTAGE OF LIVING	*.	
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which is fur Lane, over unit dings OW er has the are are Olde Greenbrier are public right ther described in SECTION
e being ac
building
e located access common added areas for numbers two FOUR both nt-of-ways. in drawings and and 40 vehicular 0 reenbrio private roadways le Alexandersville-Bel twenty Lane cier Cor / three The locati and Ø public ommons and pedestrian F hereto ion ING leading twenty street lbrook ondomi 0f **3** the The t. Each traffic four t 0 niums Road, Exhibi tud tud Norwich lding ldings Bui 2 (†

ď ovemen et lo m i 20 8 1 ac Lac luded within ? ¥1 AREAS Q uni rt The shal 5 0 4 Ō Ø Ø lands common

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to t unit pay the Amendment monthly Ч owner Association. condominium SECTION EI an Of fi including, Residenti t, Declara assessmen ownership interest dential Condominium OWNERSHIP ant but OBLIGATION agrees not INTEREST: interest in imited Greenbri assume Ownership DECLAR the Ò n -CLARANT all the all the obligation the obligation Commons Unit units to Λq the PRIOR TO the sale submitte thi Ċ ed 000 0f

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TATE OF OHIO

COUNTY OF MONTGOMERY)

foregoing deed of sa tant Mastandrea and State, |
DEVELOPMENT them Secretary, said corporation, personally and as instrument Before personally CORPORATION, a its President, who acknowledged and മ appeared Notary that, and an such and Ohio the Public the Thomas ed that the officers. he above named OHIO MII Corporation, by James homas P. Martin, its A same free Tn they act S L and the did and free sign deed OHIO MIDWEST said act d of the County Assis each and

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Notary Public

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Commons

James C. Mastandrea

ВУ

By: Thomas P. Martin

STATE OF OHIO

) SS :

COUNTY OF MONTGOMERY)

Mastandrea, its Secretary, who a Sixth Amendment Condominium Owne and deed. any unit included present any unit poration, State, and uț ao an Before efore me, a Not personally appe n Ohio Corporat other form Greenbrier Ownership future acknowledge President ф holder of an form of real rier Commons the appeared and Amended Notary and that ion, that any Thomas Public as and Ohio the property now Condominiums they Attorney-in-Fact interest in the t same Restated Midwest P. N h Martin, a and ecute the foregoing Declaration of their free act or Development for Уď subsequently James C. as said Assistant for County each Cor

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Notary Bublic

INDEX OF EXHIBITS

Exhibit (Pos of Phase III) iption 0f 172 acre

Exhibit Floor First Floor Unit 23.
Second Floor Unit 23.
First Floor Unit 23.
Second Floor Unit 24.
First Floor Unit 23.
Unit 23-B-1307
Unit 24-B-1302
First Floor Unit 24.
First Floor Unit 24.
Second Floor Unit 24.
First Floor Unit 24.
Second Floor Unit 24.
First Floor Unit 25. 24-D-24-D-24-D-24-D-24-D-24-D-23-D-2 23-D-3 23-D-3 23-D-2 23-D-2 -2-1304 -D-3-1304 D-2-1306 -D-2-1306 D-3-1308 D-3-1308 50337

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Exhibit ם יי ercentage 0 f Ownershi Ö r H Common Areas

Exhibit "E" - Consent of Mortgagee

EXHIBIT "A"

Description of Greenbrier Parcel VII (Seven) Commons Condominium

Ohio, and being a tract of land more particularly described as in Book 106, Page part of Centerville, County of Montgomery, Premises situate Lot No. 5 OH: 72 of Greenbrier Commons, Section 2 in Section 20, the Plat Records of Montgomery Town 2, Range 6 MRs, City State of Ohio and as recorded County,

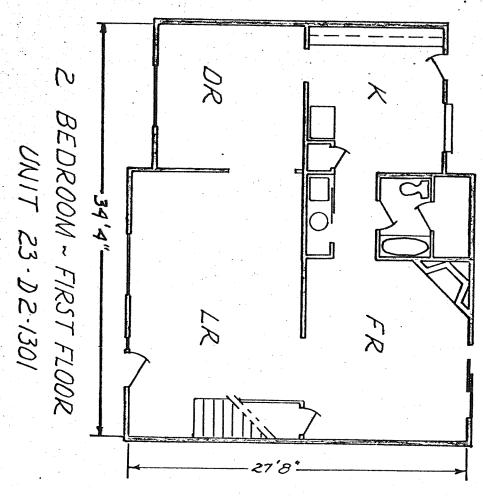
dominium Parcel I as recorded in Book 104, Page being Beginning at in the north right-of-way Montgomery the southeast corner of Greenbrier Commons County, Ohio, said point line of Norwich of beginning 26A of Lane; the Plat

of said Greenbrier thence and from said point Commons Condominium Parcel I on the following of beginning with the east boundary

N Q° 49 TO! 50" W a distance of 156.00 feet 10" W a distance of 18.50 feet to a point; to a point;

10" Montgomery County, west line subject, however, to by deed recorded in Parcel I, the place of beginning, containing the north right-of-way line of Norwich Lane; thence said Acro W with said leaving the boundary of a tract 968 N Realty tract 40" W a distance 571 north right-of-way line Ohio; thence S 0° Book 48" Οff all 百 日 land conveyed to Acro Realty Co., 2242, Page legal a distance of 192.00 feet to a distance of said Greenbrier Off easements and covenants of record. 40.00 feet 502 of the Deed Records of 49 1.172 acres, more of 280.78 feet to a point മ 50" E distance to a point; with Commons 0 f the west 259.38 feet ഗ 8 Condominium point less, Inc. in the

BL. C. NIM



accurately shows the company concerns # 4211

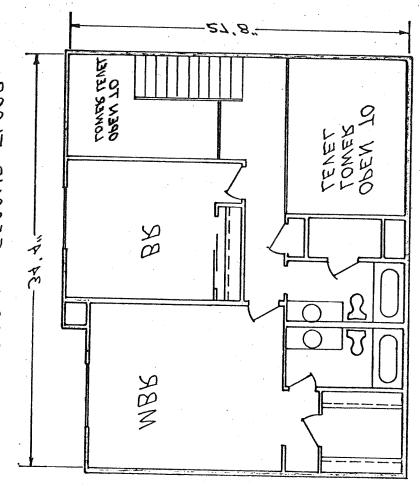
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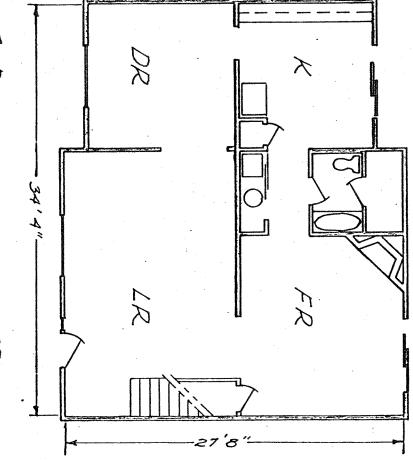
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BEDROOM FLOOR

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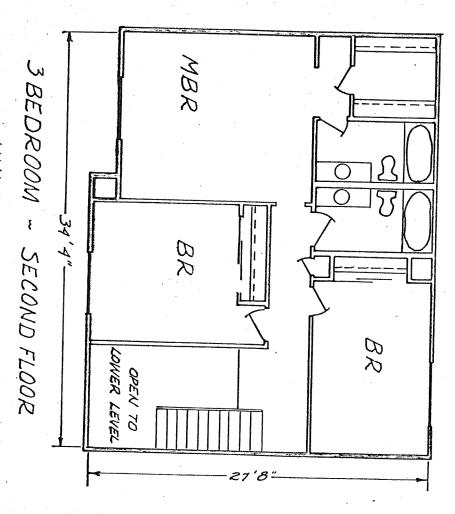
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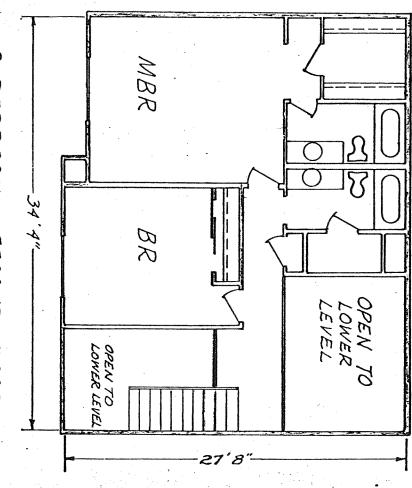
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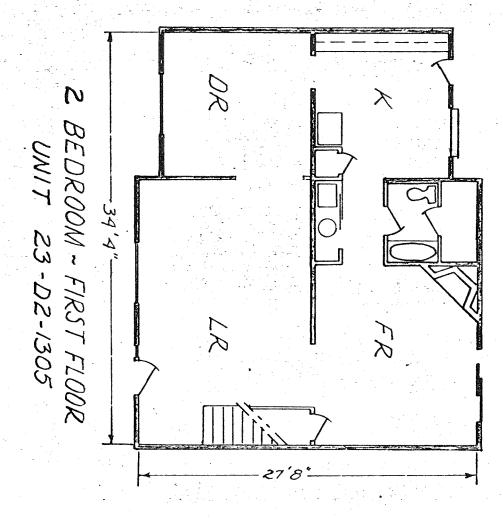


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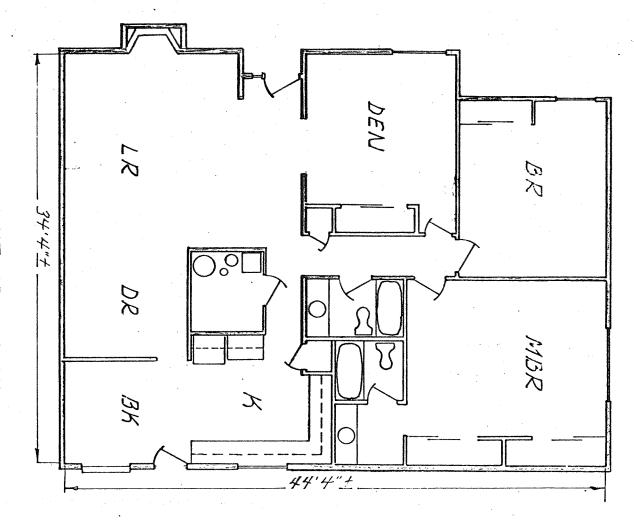


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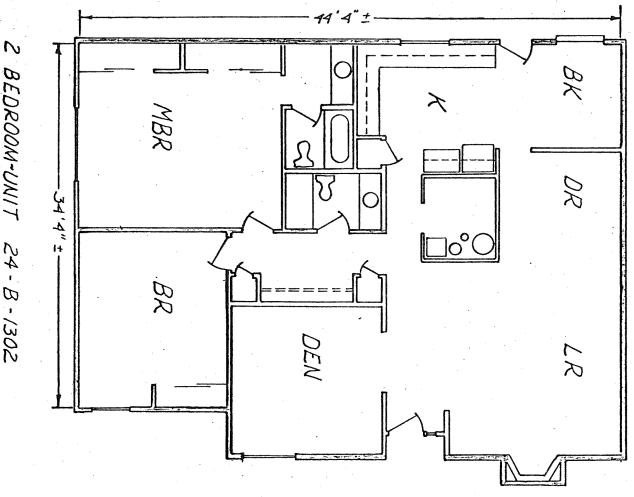
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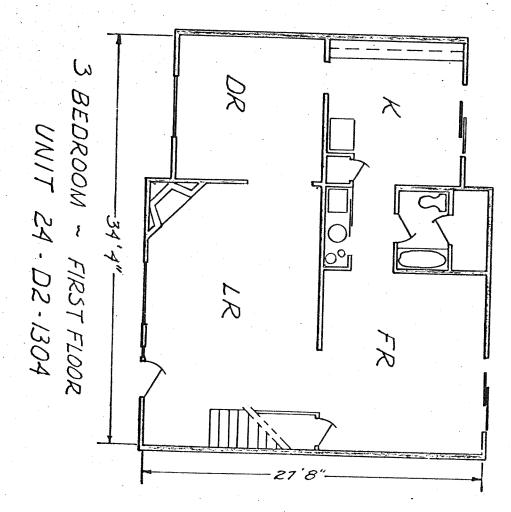
BEDROOM-UNIT 24-B-1302

Note: shaded walls

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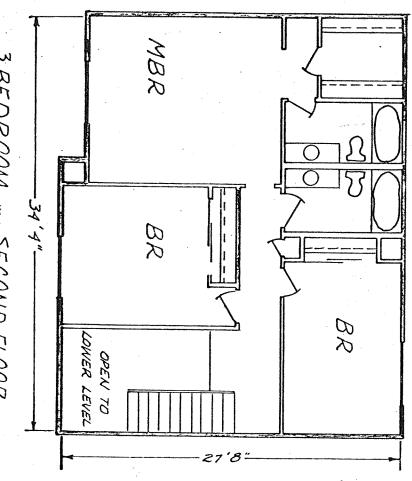


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JUHN W. JUDGE ENGINEERING, COMPANY

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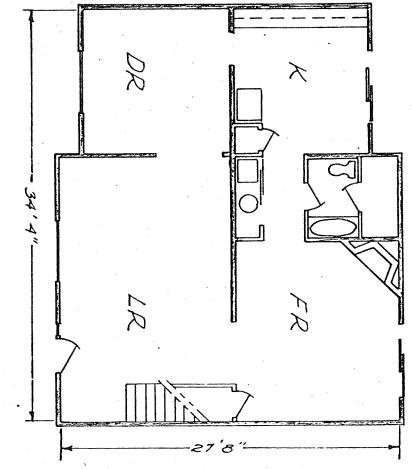


BEDROOM UNIT 24-D3-SECOND FLOOR 1304

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CONDOMI

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2 BEDROOM - FIRST FLOOR
UNIT 24-D2-1306

Note: shaded walls are structural walls

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This drawing accurately shows the unit as constructed.

JOHN W. JUDGE ENGINEERING COMPANY

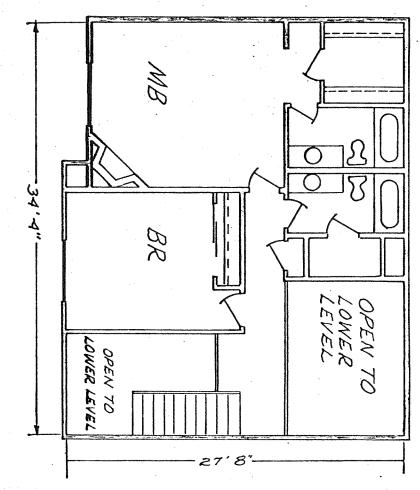
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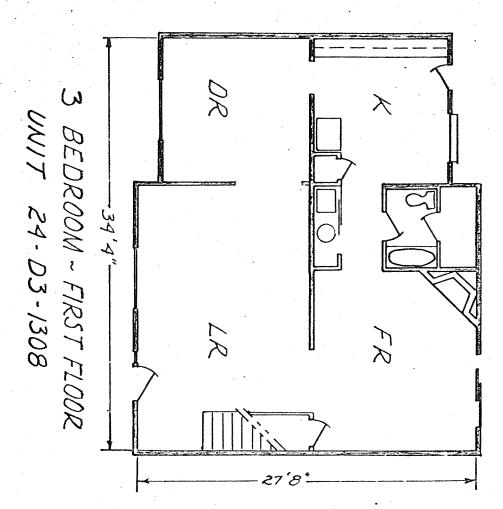


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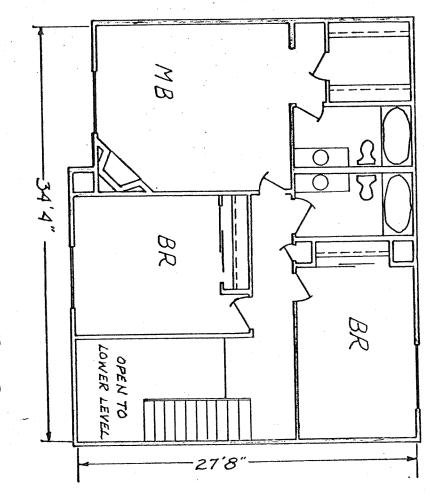


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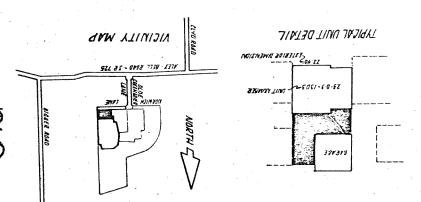
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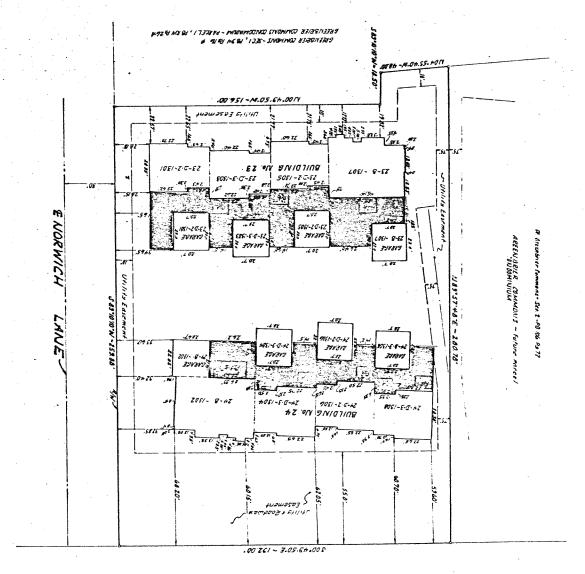
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in Mortgage kec
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to the I Investment above bits thereto, ar Recorder of Mor above described Condominium Continental trust, the nt of Rents e o Corpora Record Montgomery and Ohio, hereby co Declaration of id to the filing itgomery County, Mortgage to the Mortgage s executed b ration, and d 78-1711A01 Illinois holder of of dated Λq of the Mo Realty, a Califo a certain Open-Ohio thereof in the off Ohio, and further provisions of this Condominium December ecember 1, Mortgage Midwest g California the Ownership the office Develop-1, 1978, execu-End

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	their hands	Weber	(. Gwin	s Realty,
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		/	,	California

SIGNED HN THE PRESENCE OF:

CONTINENTAL CALIFORNIA F REAL ILLINOIS RIEAL ESTATE REALTY, A

Witness

ву:

Asgistant

Secretary

D Assistant Treasure

COUNTY STATE 읝 ဝှု CALIFORNIA ORANGE SS:

Jeffrey K. Gwin and Continental Illinois are and Assistant Treasurer ledged that they duly strument as their own Investment Trust. Trust, County st, personally subscribed to of Charlene the State and Brian J.
ois Realty, a
known to me t . the 0 H Lathouse authorized, signed free and voluntary foregoing California, tο Weber California instruments þе before ďο the Notary hereby same and act me Real I as Public certify t as Office al Estate this day a delivered of said Re this persons such ut icers of te Investment Assistant Secretary that Real and and the e said in Estate for said

WITNESS WHEREOF, 1979. have set my hand thi day

CHARLENE W. L expires OCT 29, 1982 CALIFORNIA

Notary

Attorneys One First Dayton, Ohio 513/461-5980 Jablinski Thomas at National Plaza, io 45402 Martin, Folino Law ₽ O Roberts Suite co. ,L.P.A