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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 Amend-
ment is recorded in
Plat Book
at Page

FOR MAP SEE PLAT BOOK 106 PAGE 55

THIS AMENDMENT to the Declaration of Condominium Ownership is made this 10 day of October, 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 Trustee on behalf of Continental Illinois Realty, a California Real Estate Investment Trust, on November 25, 1975, executed a Declaration of Condominium Ownership establishing a plan of residential condominiums for Greenbrier Commons Condominiums, which Declaration was filed for record with the Recorder of Montgomery County, Ohio, on November 25, 1975, at Microfiche 75-558A01 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, 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, has filed the following Amendments to the Amended and Restated Declaration of Condominium Ownership for the purpose of adding additional land to the Plan of Residential Condominium Ownership for Greenbrier Commons Condominiums:

1. A. First Amendment executed on February 9, 1978, and recorded in Microfiche 78-161B01 of the Deed Records of Montgomery County, Ohio;
2. B. Second Amendment executed on May 18, 1978, and recorded in Microfiche 78-284D05 of the Deed Records of Montgomery County, Ohio; and
3. C. Third Amendment executed on October 10, 1978, and recorded in Microfiche 78-600B07 of the Deed Records of Montgomery County, Ohio.

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

ROBERT C. RODERER
COUNTY AUDITOR

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 buildings, structures, improvements, units, 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 Fourth 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 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 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 the Plan of Residential Condominium Ownership for Greenbrier Commons Condominiums; and

WHEREAS, the Declarant has completed two (2) additional buildings on the land described in Exhibit "A" containing eight (8) units.

SECTION ONE - PURPOSE OF AMENDMENT: The purpose of this Amendment is to add additional land to the Plan of Residential Condominium Ownership for 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 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, and as further expanded by the following Amendments to the Declaration of Condominium Ownership for the purposes of adding additional land to the Plan of Residential Condominium Ownership:

A. First Amendment executed on February 9, 1978, and

recorded in Microfiche 78-161B01 of the Deed Records of Montgomery County, Ohio;

- B. Second Amendment executed on May 18, 1978, and recorded in Microfiche 78-284D05 of the Deed Records of Montgomery County, Ohio; and

- C. Third Amendment executed on October 10, 1978, and recorded in Microfiche 78-600B07 of the Deed Records of Montgomery County, Ohio.

SECTION THREE - DESCRIPTION OF BUILDINGS: There are two (2) buildings built upon the land described in Exhibit "A", and being added to Greenbrier Commons Condominiums. These buildings are one and two stories in height and are built on a slab foundation (no basement), are 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 the unit. Floor plans of the units involved are set forth in Exhibit "B" attached hereto and incorporated herein by reference. The following specifications apply to the units being added to the Plan of Residential Condominium Ownership by this Fourth Amendment:

<u>UNIT DESIGNATION</u>	<u>NUMBER OF ROOMS</u>	<u>APPROXIMATE SQUARE FOOT-AGE OF LIVING AREA</u>
21-B-S-1175	6	1,534
21-C-3-1173	7	1,888
21-A-1171	5	1,197
22-B-S-1169	7	1,534
22-C-2-1167	6	1,583
22-C-2-S-1165	7	1,888
22-C-2-S-1163	7	1,888
22-B-1161	7	1,534

SECTION FOUR - LOCATION OF BUILDINGS: The buildings which are being added to Greenbrier Commons Condominiums are numbered building numbers twenty-one and twenty-two. Buildings twenty-one and twenty-two are located on Bourne-mouth Court, a private street. Each unit has access for both vehicular and pedestrian traffic over the common areas and private roadways leading to Norwich Lane, Olde Greenbrier and Alexandersville-Bellbrook Road, which are public right-of-ways. The location of the buildings 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. The percentage of interest and ownership in the common areas may be altered by further Amendment for the purposes of adding additional land to the Plan of Residential Condominium Ownership.

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

SECTION EIGHT - OBLIGATION OF DECLARANT PRIOR TO SALE OF CONDOMINIUM OWNERSHIP INTEREST: Prior to the sale of the condominium ownership interest in the units submitted to the Plan of Residential Condominium Ownership by this Fourth Amendment, Declarant agrees to assume all the obligations of a unit owner including, but not limited to, the obligation to pay monthly assessments to the Greenbrier Commons Unit Owners Association.

SECTION NINE - DEPOSIT AND DOWN PAYMENT PROVISIONS: Any deposit or down payment made by the purchaser of a condominium ownership interest in the units submitted to the Plan of Residential Condominium Ownership by this Amendment shall be held in trust or escrow until delivered at the settlement, or otherwise credited to purchaser or forfeited to Declarant. If a deposit or down payment of \$2,000.00 or more is held for a period in excess of ninety (90) days, interest at the rate of four percent (4%) per annum for the period exceeding ninety (90) days shall be credited to the purchaser at settlement, upon return to purchaser or added to any forfeiture to Declarant. Any trust or escrow account established pursuant to this Section shall not be subject to attachment by creditors of Declarant.

SECTION TEN - DECLARANT'S PROPERTY INTEREST IN COMMON AREAS AND FACILITIES: After control of the Condominium Development has been assumed by the Unit Owners Association, Declarant will not retain any property interest in any of the common areas and facilities other than in his capacity as a unit owner of unsold condominium ownership interest.

SECTION ELEVEN - WARRANTIES: With reference to the residential dwelling units and common areas submitted to the Plan of Residential Condominium Ownership by this Fourth Amendment, the following warranties shall apply:

A. Common Areas

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

B. Unit Warranty

A one year warranty covering the full cost of labor and material for any repair or replacement of structural, mechanical or other elements pertaining to each unit occasioned by defect in material or workmanship. This warranty shall commence on the date of the Deed of Ownership is filed for Record with the Montgomery County Recorder's Office following the sale of the Condominium Ownership interest in the residential dwelling unit added to the Plan of Residential Condominium Ownership by this Fourth Amendment.

IN WITNESS WHEREOF, this Fourth 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 title holder 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:

Witness

Albert G. Oakes, aka

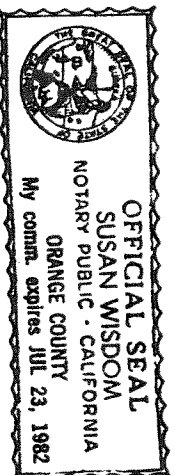
Witness

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 ORANGE) SS:
~~(LOS ANGELES)~~

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 10 day of October, 1978.



Susan Wisdom
Notary Public

IN WITNESS WHEREOF, this Fourth 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. 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 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 §22 of the Amended and Restated Declaration of Condominium Ownership.

SIGNED IN THE PRESENCE OF:

[Signature]
Witness

[Signature]
Witness

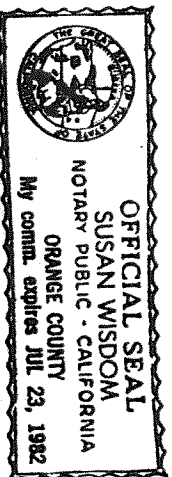
Albert G. Oakes
Albert G. Oakes, aka

Albert G. Oakes
Albert G. Oakes, 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 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)
) 099966) 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. 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 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 Fourth 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 10 day of October, 1978.



Susan Wisdom
Notary Public

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EDITORIAL BOARD
REVIEWER

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INDEX OF EXHIBITS

Exhibit "A" - Legal Description of 0.863 acres
(Portion of Phase II)

Exhibit "B-1" - Floor Plan - Unit 21-A-1171
"B-2" - Floor Plan - First Floor Unit 21-C-3-1173
"B-3" - Floor Plan - Second Floor Unit 21-C-3-1173
"B-4" - Floor Plan - Unit 21-B-S-1175
"B-5" - Floor Plan - Unit 22-B-1161
"B-6" - Floor Plan - First Floor Unit 22-2-S-1163
"B-7" - Floor Plan - Second Floor Unit 22-2-S-1163
"B-8" - Floor Plan - First Floor Unit 22-C-2S-1165
"B-9" - Floor Plan - Second Floor Unit 22-C-2S-1165
"B-10" - Floor Plan - First Floor Unit 22-C-2-1167
"B-11" - Floor Plan - Second Floor Unit 22-C-2-1167
"B-12" - Floor Plan - Unit 22-B-S-1169

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

Exhibit "D" - Percentage of Ownership in common areas

Exhibit "E" - Consent of Mortgagee



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Located in Section 20, Town 2, Range 6 M.R.S., City of Centerville, County of Montgomery, State of Ohio and being part of Lot No. Two 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 the southwest corner of Greenbrier Commons Condominium, Parcel Three as recorded in Plat Book 104, Page 73 in the Plat Records of Montgomery County, Ohio; thence South eighty-nine degrees ten minutes ten seconds (89° 10' 10") West for one hundred twelve and 50/100 (112.50) feet;

thence North no degrees forty-nine minutes fifty seconds
(0° 49' 50") West for three hundred seventy and 00/100
(370.00) feet to the southwest corner of Greenbrier Commons
Condominium, Parcel Two as recorded in Plat Book 104, Page
26 in the Plat Records of Montgomery County, Ohio;

thence eastwardly with the south line of said Greenbrier Commons Condominium, Parcel Two, North eighty-nine degrees ten minutes ten seconds (89° 10' 10") East for fifty and 00/100 (50.00) feet;

thence southwardly continuing with the south line of said Greenbrier Commons Condominium, Parcel Two, South no degrees forty-nine minutes fifty seconds (0° 49' 50") East for fifteen and 49/100 (15.49) feet;

thence eastwardly continuing with the south line of said Greenbrier Commons Condominium, Parcel Two, North eighty-nine degrees ten minutes ten seconds (89° 10' 10") East for forty-five and 00/100 (45.00) feet to a point on the west line of Greenbrier Commons Condominium, Parcel Five as recorded in Plat Book 106, Page 49 in the Plat Records of Montgomery County, Ohio;

thence southwardly with the west line of said Greenbrier Commons Condominium, Parcel Five, South seven degrees eight minutes thirty seconds (7° 08' 30") East for forty-five and 47/100 (45.47) feet to the northwest corner of Greenbrier Commons Condominium, Parcel Four as recorded in Plat Book 105, Page 35 in the Plat Records of Montgomery County, Ohio;

EXHIBIT "A"
Description of Greenbrier Commons Condominium
Parcel Six

October 24, 1978

Page Two

thence southwardly with the west line of said Greenbrier Commons Condominium, Parcel Four, South no degrees forty-nine minutes fifty seconds (0° 49' 50") East for one hundred ninety and 81/100 (190.81) feet to the southwest corner of said Greenbrier Commons Condominium, Parcel Four;

thence eastwardly with the south line of said Greenbrier Commons Condominium, Parcel Four, North eighty-nine degrees ten minutes ten seconds (89° 10' 10") East for twelve and 50/100 (12.50) feet to the northwest corner of said Greenbrier Commons Condominium, Parcel Three;

thence southwardly with the west line of said Greenbrier Commons Condominium, Parcel Three, South no degrees forty-nine minutes fifty seconds (0° 49' 50") East for one hundred eighteen and 50/100 (118.50) feet to the point of beginning, containing no and 863/1000 (0.863) acres, more or less, subject, however, to all easements of record.

CJR/mb
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RECORDED
HARRIS & CO., OHIO

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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 107
at Page 53

FOR MAP SEE PLAT BOOK 107 PAGE 53

61.51 MAY

TRANSFERRED
COUNTY AUDITOR
ROBERT L. RODERER

-79-235A01-

THIS AMENDMENT to the Declaration of Condominium ownership is made this 10th day of November, 1979, 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 establishing a plan of residential condominiums for Greenbrier Commons Condominiums, which Declaration was filed for record with the Recorder of Montgomery County, Ohio, on November 25, 1975, at Microfiche 75-558A01 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, 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, on November 28, 1978, 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, Boyd J. Simmons, Martin Fenton, Jr., and Herbert T. Lundahl, not individually, but as Trustees on behalf of Continental Illinois Realty, a California Real Estate Investment Trust conveyed to Ohio Midwest Development Corporation, an Ohio Corporation, certain real estate described in Exhibits "B" and "B-1" to the Amended and Restated Declaration of Condominium Ownership as additional land that could be added to the Plan of Condominium Ownership for Greenbrier Commons Condominiums. This conveyance was filed for record with the Montgomery County Recorder's Office on December 12, 1978, and is recorded in Deed Record 78-703C05 of the Deed Records of Montgomery County, Ohio. This conveyance included all right, title and interest to the Declaration of Condominium Ownership for Greenbrier Commons Condominiums, including, but not limited to, the right to add the additional land so conveyed to the plan of Condominium Ownership for Greenbrier Commons Condominiums; and

WHEREAS, the following amendments to the Amended and Restated Declaration of Condominium Ownership for the purpose of adding additional land to the Plan of residential condominium ownership for Greenbrier Commons have been filed:

- A. First Amendment executed on February 9, 1978, and recorded in Microfiche 78-161B01 of the Deed Records of Montgomery County, Ohio;
- B. Second Amendment executed on May 18, 1978, and recorded in Microfiche 78-284D05 of the Deed Records of Montgomery County, Ohio;
- C. Third Amendment executed on October 10, 1978, and recorded in Microfiche 78-600B07 of the Deed Records of Montgomery County, Ohio.
- D. Fourth Amendment executed on October 10, 1978, and recorded in Microfiche 78-617A01 of the Deed Records of Montgomery County, Ohio.

WHEREAS, as provided in §22 of the Amended and Restated Declaration of Condominium Ownership, the Declarant reserves unto itself the right to add additional real property described in Exhibits "B" and "B-1" to the Amended and Restated Declaration as well as buildings, structures, and improvements, units, 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 Sixth 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 reserved unto itself the right to amend 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 §22 of the Amended and Restated Declaration of Condominium Ownership, 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 the Plan of Residential Condominium Ownership for Greenbrier Commons Condominiums; and

WHEREAS, the Declarant has completed two (2) additional buildings on the land described in Exhibit "A" containing eight (8) units.

SECTION ONE - PURPOSE OF AMENDMENT: The purpose of this Amendment is to add additional land to the Plan of Residential Condominium Ownership for 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 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, and as further expanded by the following Amendments to the Declaration of Condominium Ownership for the purposes of adding additional land to the Plan of Residential Condominium Ownership;

- A. First Amendment executed on February 9, 1978, and recorded in Microfiche 78-161B01 of the Deed Records of Montgomery County, Ohio;
- B. Second Amendment executed on May 18, 1978, and recorded in Microfiche 78-284D05 of the Deed Records of Montgomery County, Ohio; and
- C. Third Amendment executed on October 10, 1978, and recorded in Microfiche 78-600B07 of the Deed Records of Montgomery County, Ohio; and
- D. Fourth Amendment executed on October 10, 1978, and recorded in Microfiche 78-617A01 of the Deed Records of Montgomery County, Ohio.

SECTION THREE - DESCRIPTION OF BUILDINGS: There are two (2) buildings built upon the land described in Exhibit "A", and being added to Greenbrier Commons Condominiums. These buildings are one and two stories in height and are built on a slab foundation (no basement), are of frame construction with brick veneer and 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 the unit. Floor plans of the units involved are set forth in Exhibit "B" attached hereto and incorporated herein by reference. The following specifications apply to the units being added to the Plan of Residential Condominium Ownership by this Sixth Amendment:

<u>UNIT DESIGNATION</u>	<u>NUMBER OF ROOMS</u>	<u>APPROXIMATE SQUARE</u>
		<u>FOOTAGE OF LIVING AREA</u>
23-D-2-1301	6	1778
23-D-3-1303	7	1905
23-D-2-1305	6	1778
23-B-1307	6	1525
24-B-1302	6	1525
24-D-3-1304	7	1905
24-D-2-1306	6	1778
24-D-3-1308	7	1905

SECTION FOUR - LOCATION OF BUILDINGS: The buildings which are being added to Greenbrier Commons Condominiums are numbered building numbers twenty three and twenty four. Buildings are located on Norwich Lane, a public street. Each unit has access for both vehicular and pedestrian traffic over the common areas and private roadways leading to Norwich Lane, Olde Greenbrier and Alexandersville-Bellbrook Road, which are public right-of-ways. The location of the buildings 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. The percentage of interest and ownership in the common areas may be altered by further Amendment for the purposes of adding additional land to the Plan of Residential Condominium Ownership.

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

SECTION EIGHT - OBLIGATION OF DECLARANT PRIOR TO SALE OF CONDOMINIUM OWNERSHIP INTEREST: Prior to the sale of the condominium ownership interest in the units submitted to the Plan of Residential Condominium Ownership by this Sixth Amendment, Declarant agrees to assume all the obligations of a unit owner including, but not limited to, the obligation to pay monthly assessments to the Greenbrier Commons Unit Owners Association.

SECTION NINE - DEPOSIT AND DOWN PAYMENT PROVISIONS:

Any deposit or down payment made by the purchaser of a condominium ownership interest in the units submitted to the Plan of Residential Condominium Ownership by this Amendment shall be held in trust or escrow until delivered at the settlement, or otherwise credited to purchaser or forfeited to Declarant. If a deposit or down payment of \$2,000.00 or more is held for a period in excess of ninety (90) days, interest at the rate of four percent (4%) per annum for the period exceeding ninety (90) days shall be credited to the purchaser at settlement, upon return to purchaser or added to any forfeiture to Declarant. Any trust or escrow account established pursuant to this Section shall not be subject to Attachment by creditors of Declarant.

SECTION TEN - DECLARANT'S PROPERTY INTEREST IN

AREAS AND FACILITIES: After control of the Condominium Development has been assumed by the Unit Owners Association, Declarant will not retain any property interest in any of the common areas and facilities other than in his capacity as a unit owner of unsold condominium ownership interest.

SECTION ELEVEN - WARRANTIES: With reference to the residential dwelling units and common areas submitted to the Plan of Residential Condominium Ownership by this Sixth Amendment, the following warranties shall apply:

A. Common Areas

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

B. Unit Warranty

Declarant hereby furnishes a one year warranty covering the full cost of labor and material for any repair or replacement of structural, mechanical or other elements pertaining to each unit occasioned by defect in material or workmanship. This warranty shall commence on the date the Deed of Ownership is filed for Record with the Montgomery County Recorder's Office following the sale of the Condominium Ownership interest in the residential dwelling unit added to the Plan of Residential Condominium Ownership by this Sixth Amendment.

IN WITNESS WHEREOF, this Sixth Amendment to the Amended and Restated Declaration of Condominium Ownership has been executed on the date first written above by Ohio Midwest Development Corporation, an Ohio Corporation, by James C. Mastandrea, President and Thomas P. Martin, Assistant Secretary as fee simple owner and record title holder 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:

OHIO MIDWEST DEVELOPMENT
CORPORATION, an Ohio Corporation

WITNESS

BY:

James C. Mastandrea,
President

BY:

Thomas P. Martin,
Assistant Secretary

RECORDED
DECEMBER 11, 1980
MONTGOMERY COUNTY, OHIO

STATE OF OHIO)
) SS:
COUNTY OF MONTGOMERY)

Before me, a Notary Public in and for said County and State, personally appeared the above named OHIO MIDWEST DEVELOPMENT CORPORATION, an Ohio Corporation, by James C. Mastandrea, its President, and Thomas P. Martin, its Assistant Secretary, who acknowledged that they did sign the foregoing instrument and that the same is the free act and deed of said corporation, and the free act and deed of each of them personally and as such officers.

IN WITNESS WHEREOF, I have set my hand and official seal this 10th day of Nov, 1979.

Margaret Ann McGee
Notary Public

IN WITNESS WHEREOF, this Sixth Amendment to the Amended and Restated Declaration of Condominium Ownership has been executed by Ohio Midwest Development Corporation, an Ohio Corporation, by James C. Mastandrea and Thomas P. Martin, 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 §22 of the Amended and Restated Declaration of Condominium Ownership.

OHIO MIDWEST DEVELOPMENT CORPORATION, an Ohio Corporation, 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;

By: James C. Mastandrea

By: Thomas P. Martin

STATE OF OHIO)
) SS:
COUNTY OF MONTGOMERY)

Before me, a Notary Public in and for said County and State, personally appeared Ohio Midwest Development Corporation, an Ohio Corporation, 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, by James C. Mastandrea, its President and Thomas P. Martin, as Assistant Secretary, who acknowledge that they did execute the foregoing Sixth Amendment to the Amended and Restated Declaration of Condominium Ownership and that the same is their free act and deed.

IN WITNESS WHEREOF, I have set my hand and official seal this 10th day of Nov, 1979.

Margaret Ann McGee
Notary Public

INDEX OF EXHIBITS

Exhibit "A" - Legal Description of 1.172 acres
(Portion of Phase III)

Exhibit "B-1" - Floor Plan - First Floor Unit 23-D-2-1301
"B-2" - Floor Plan - Second Floor Unit 23-D-2-1301
"B-3" - Floor Plan - First Floor Unit 23-D-3-1303
"B-4" - Floor Plan - Second Floor Unit 23-D-3-1303
"B-5" - Floor Plan - Second Floor Unit 23-D-2-1305
"B-6" - Floor Plan - First Floor Unit 23-D-2-1305
"B-7" - Floor Plan - Unit 23-B-1307
"B-8" - Floor Plan - Unit 24-B-1302
"B-9" - Floor Plan - First Floor Unit 24-D-2-1304
"B-10" - Floor Plan - Second Floor Unit 24-D-3-1304
"B-11" - Floor Plan - First Floor Unit 24-D-2-1306
"B-12" - Floor Plan - Second Floor Unit 24-D-2-1306
"B-13" - Floor Plan - First Floor Unit 24-D-3-1308
"B-14" - Floor Plan - Second Floor Unit 24-D-3-1308

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

Exhibit "D" - Percentage of Ownership in Common Areas

Exhibit "E" - Consent of Mortgagee

EXHIBIT "A"

Description of Greenbrier Commons Condominium Parcel VII (Seven)

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

Beginning at the southeast corner of Greenbrier Commons Condominium Parcel I as recorded in Book 104, Page 26A of the Plat Records of Montgomery County, Ohio, said point of beginning also being in the north right-of-way line of Norwich Lane; thence from said point of beginning with the east boundary of said Greenbrier Commons Condominium Parcel I on the following bearings and courses:

N 0° 49' 50" W a distance of 156.00 feet to a point;
S 89° 10' 10" W a distance of 18.50 feet to a point;
N 4° 55' 40" W a distance of 40.00 feet to a point;

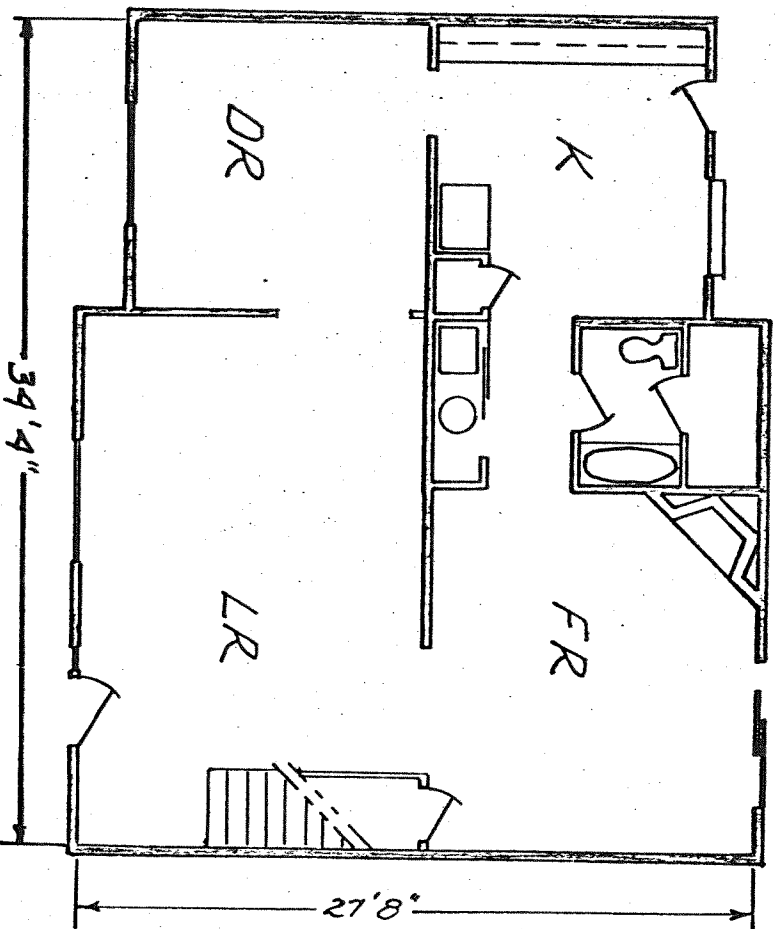
thence leaving the boundary of said Greenbrier Commons Condominium Parcel I, N 89° 57' 48" E a distance of 280.78 feet to a point in the west line of a tract of land conveyed to Acro Realty Co., Inc. by deed recorded in Book 2242, Page 502 of the Deed Records of Montgomery County, Ohio; thence S 0° 49' 50" E with the west line of said Acro Realty tract a distance of 192.00 feet to a point in the north right-of-way line of Norwich Lane; thence S 89° 10' 10" W with said north right-of-way line a distance of 259.38 feet to the place of beginning, containing 1.172 acres, more or less, subject, however, to all legal easements and covenants of record.

62.51 NMM

RECORDED
MAY 11 1960
CLERK OF CLEVELAND

- 79-235A08 -

GREENBRIER CONDOMS
CONDOMINIUM
PARCEL VII



2 BEDROOM - FIRST FLOOR
UNIT 23-D2-1301

Note: Shaded walls are structural walls.

This drawing accurately shows the
unit as constructed.

JOHN W. JUDGE ENGINEERING COMPANY

By: *John W. Judge*

John W. Judge, Reg. Surveyor # 4211

By: *John W. Judge*

Validis License, Reg. Engineer # 25935

EXHIBIT B-1

29-2335A09

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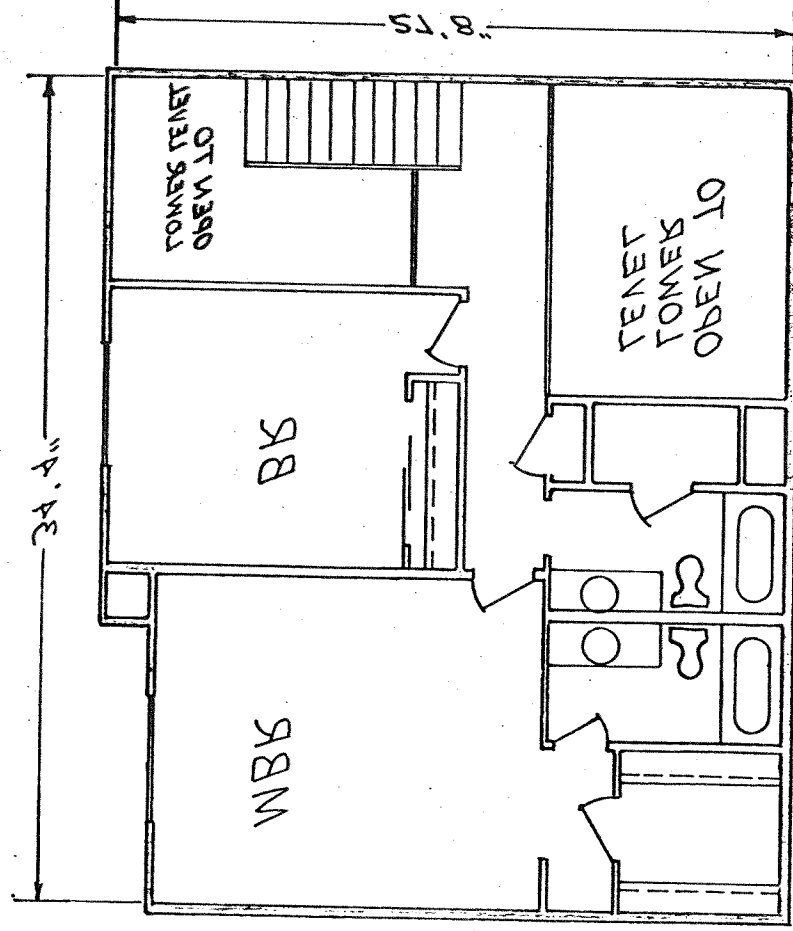
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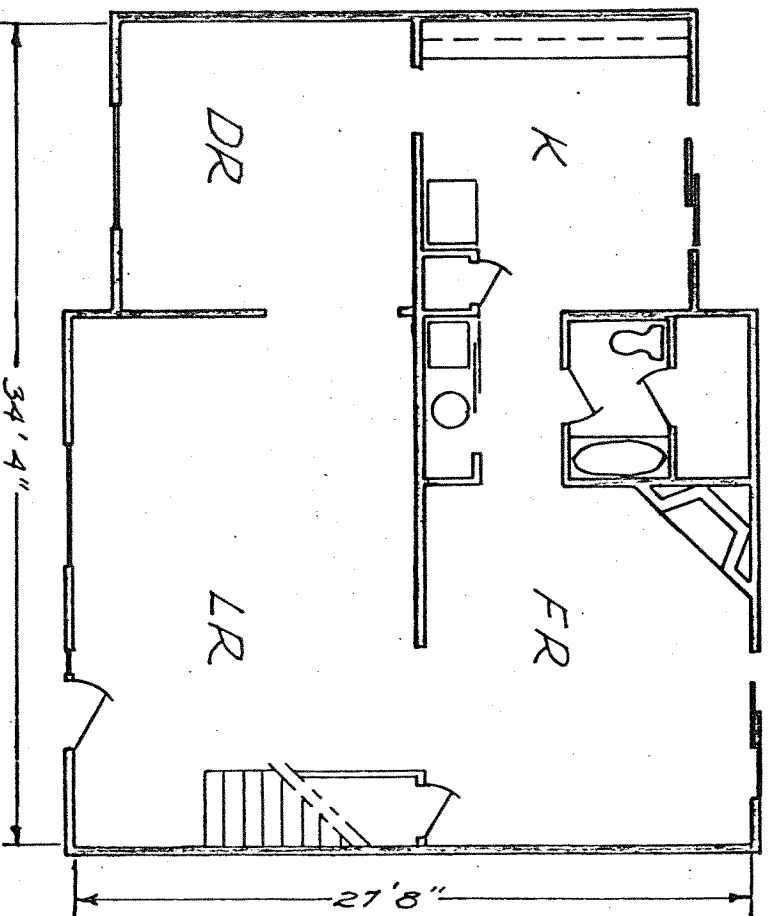
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S BEDROOM - SECOND FLOOR



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GREENBRIER COMMONS CONDOMINIUM PACEL VII



3 BEDROOM - FIRST FLOOR
UNIT 23-D3-1303

Note: Shaded walls are structural walls

This drawing accurately shows the
unit as constructed.

JOHN W. JUDGE ENGINEERING COMPANY

By: *John W. Judge*

John W. Judge Reg. Surveyor # 4211

By:

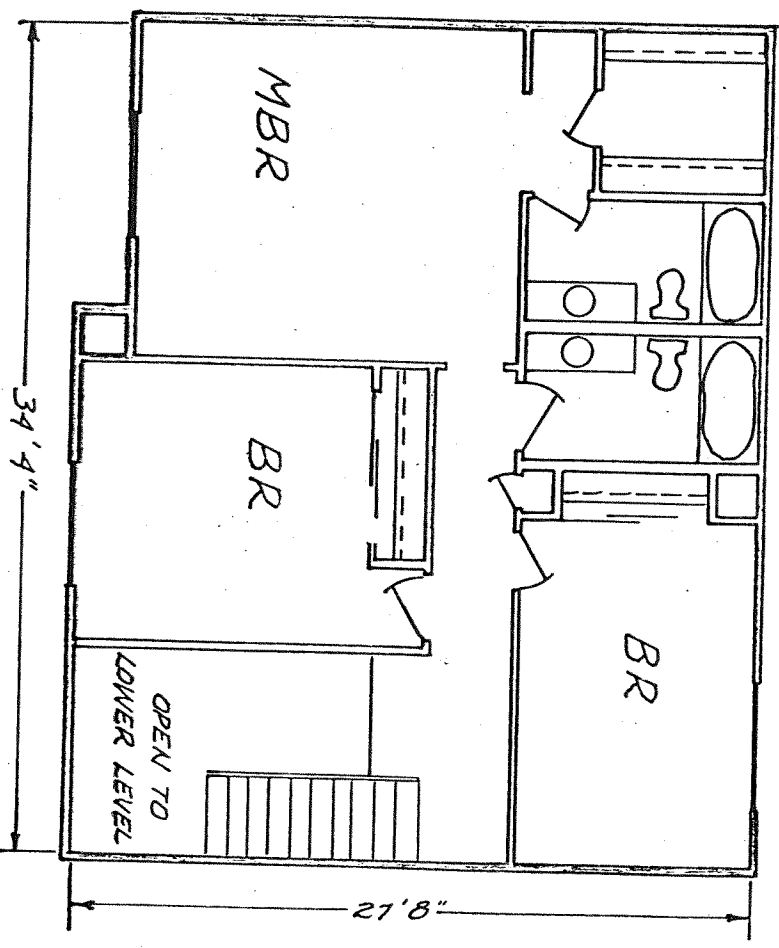
Valdis Lapsins

Valdis Lapsins, Reg. Engineer # 25935

EXHIBIT "B.3"

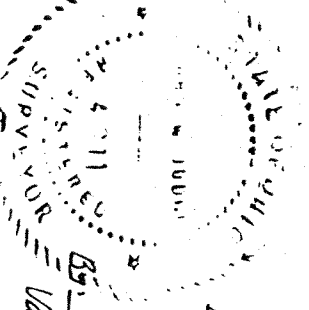
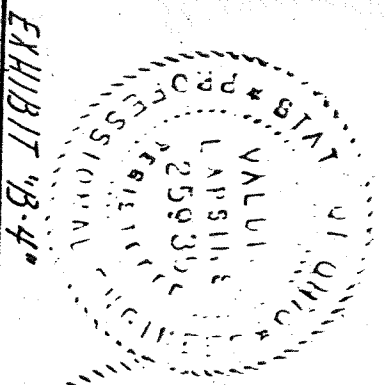
29-2335A11

GREENBRIER COMMONS CONDOMINIUM PARCEL VII



3 BEDROOM ~ SECOND FLOOR
UNIT 23-D3-1303

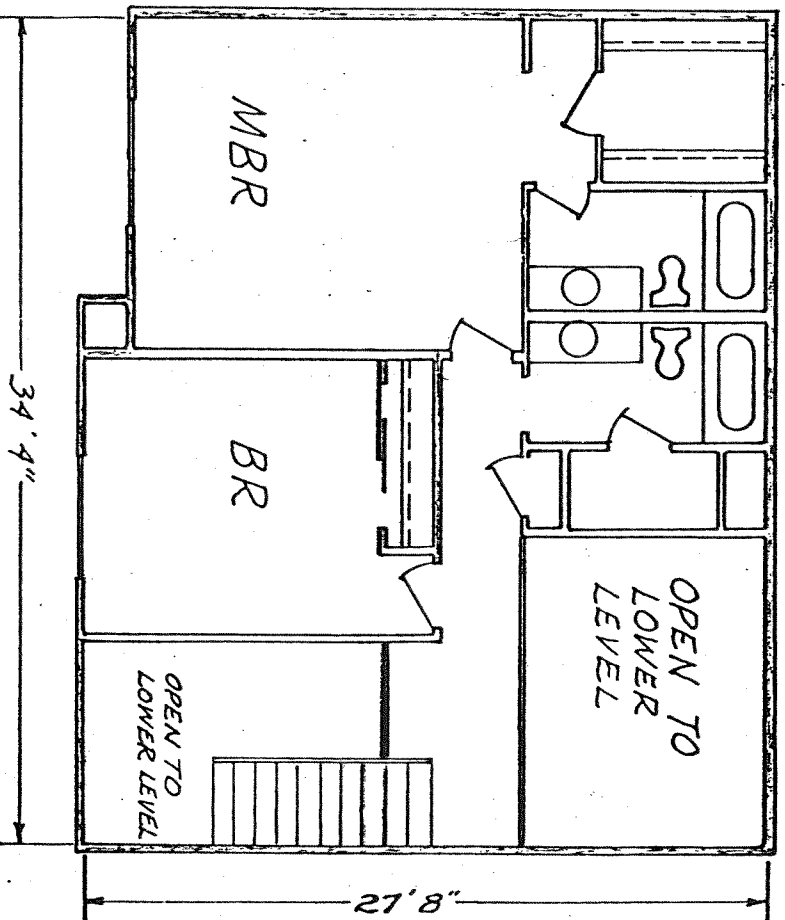
Note: Shaded walls are structural walls
This drawing accurately shows the
unit as constructed



By: *John W. Ludae*
John W. Ludae, Reg. Surveyor # 41211
David L. Lapsins
David Lapsins, Reg. Engineer # 25935

29-2335A12

GREENBRIER CONDOS PUDDOMINIUM PARCEL VII



2 BEDROOM - SECOND FLOOR
 UNIT 23-D2-1305

Note: Shaded walls are structural walls

This drawing accurately shows the
 unit as constructed.

JOHN W. JUDGE ENGINEERING COMPANY

By: *John W. Judge*

John W. Judge, P.E., Surveyor # 4211

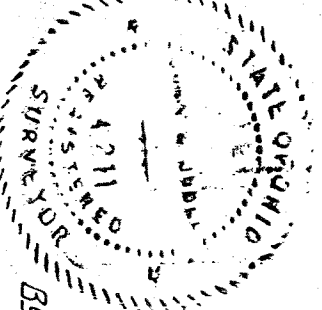
By:

Carol Dapkin

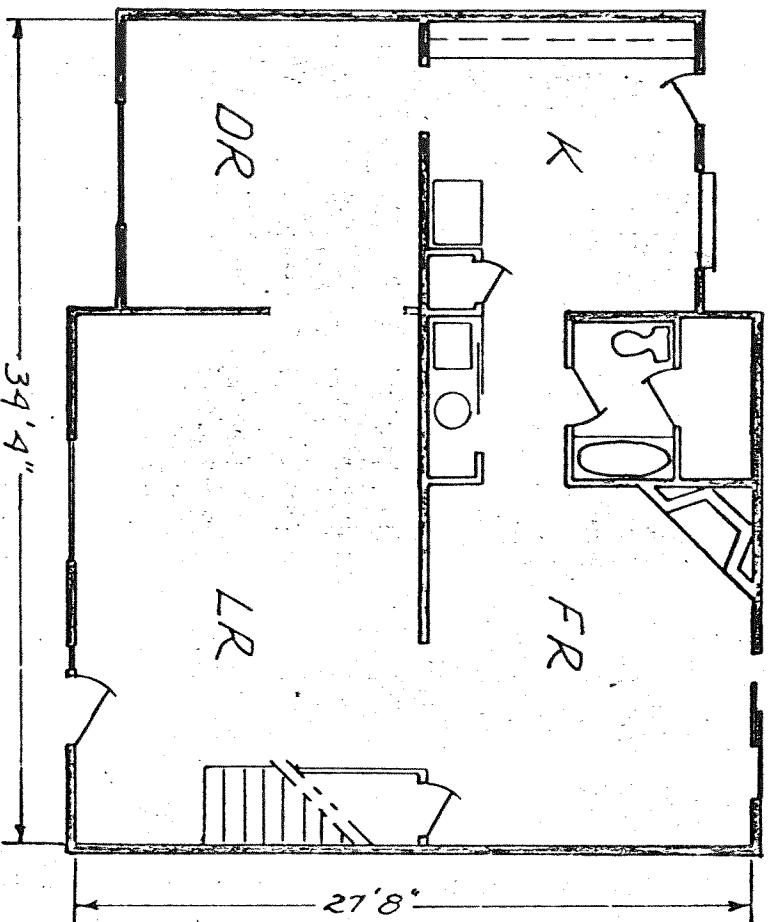
Vol. 14, Page 10, P. 10

2003

29-2335B01



GREENBRIER COMMODUS CONDOMINIUM PARCEL VII



2 BEDROOM ~ FIRST FLOOR
UNIT 23-D2-1305

Note: Shaded walls are structural walls

This drawing accurately shows the
unit as constructed.

JOHN W. JUDGE ENGINEERING COMPANY

By: *John W. Judge*

John W. Judge Reg. Surveyor # 41211

By:

Charles Lapierre

Valid Licenses: Reg. Engineer # 25035

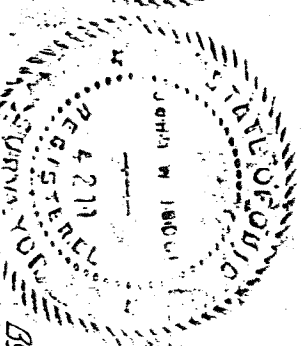
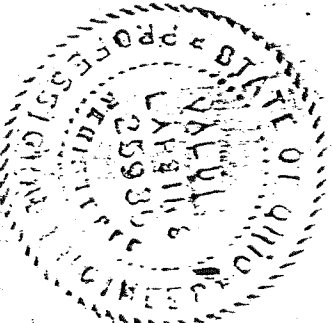
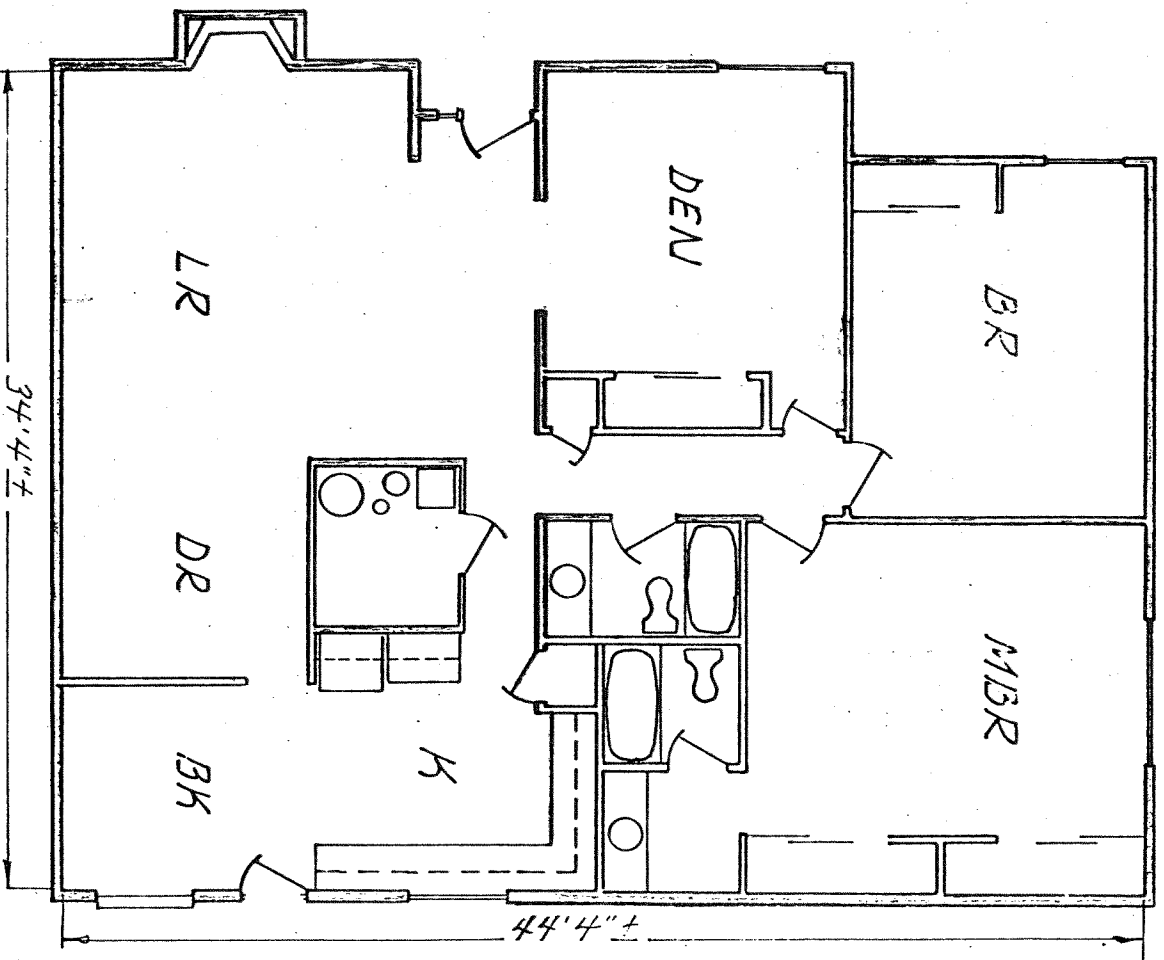


EXHIBIT - B-6

29-235B02

GREENBRIER COMMONS CONDOMINIUM PARCEL VII

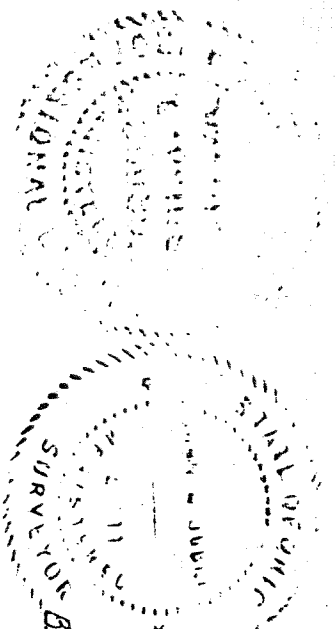


2 BEDROOM ~ UNIT 23-B-1307

Note: Shaded walls are structural walls.

This drawing accurately shows the unit as constructed.

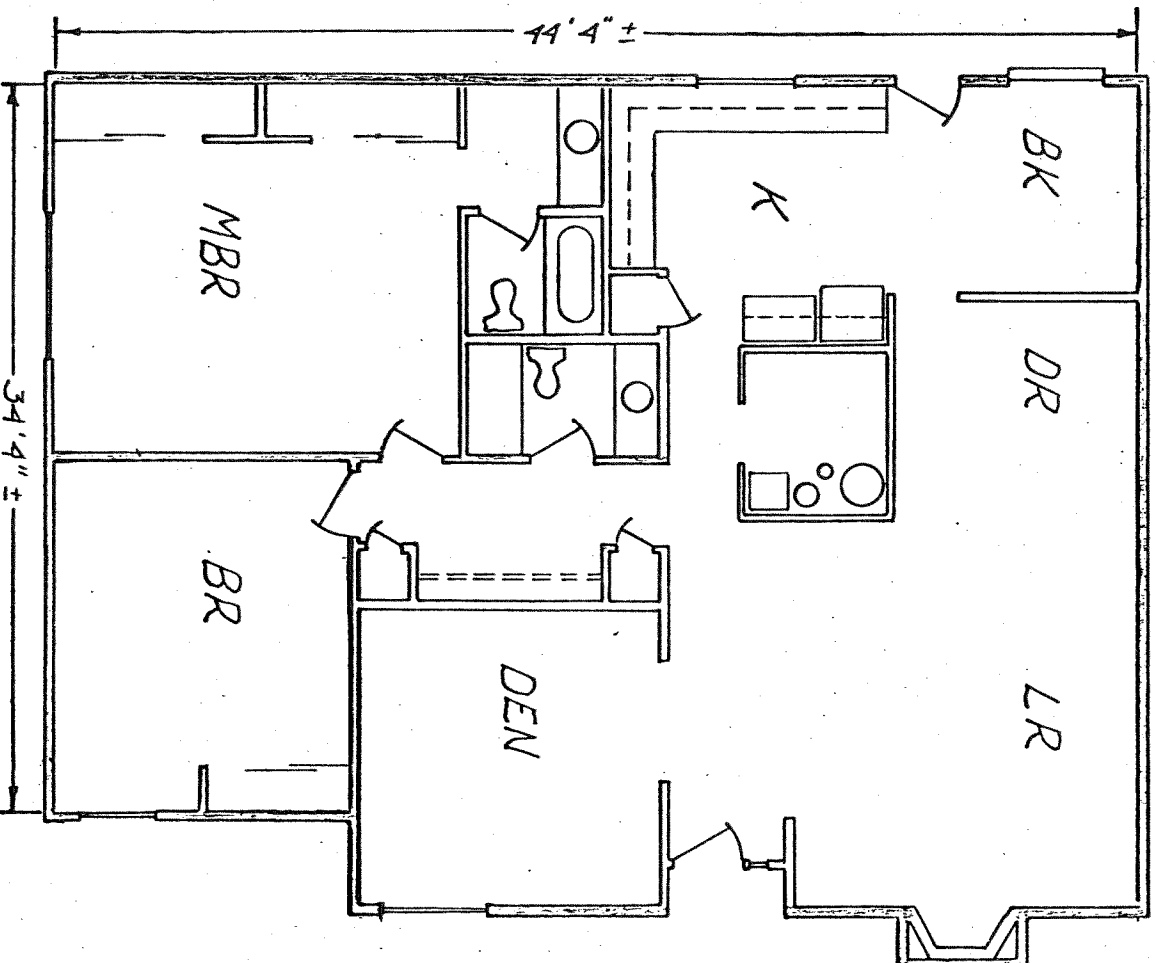
JOHN W. JUDGE ENGINEERING COMPANY



By: *John W. Judge*
John W. Judge, Reg. Surveyor # 4211
Valdis Lapins
Valdis Lapins, Reg. Engineer # 25935

29-23-B-1307

GREENBRIER COMMONS CONDOMINIUM PARCEL VII



2 BEDROOM-UNIT 24-B-1302

Note: Shaded walls are structural walls.

This drawing accurately shows the unit as constructed.

JOHN W. JUDGE ENGINEERING COMPANY

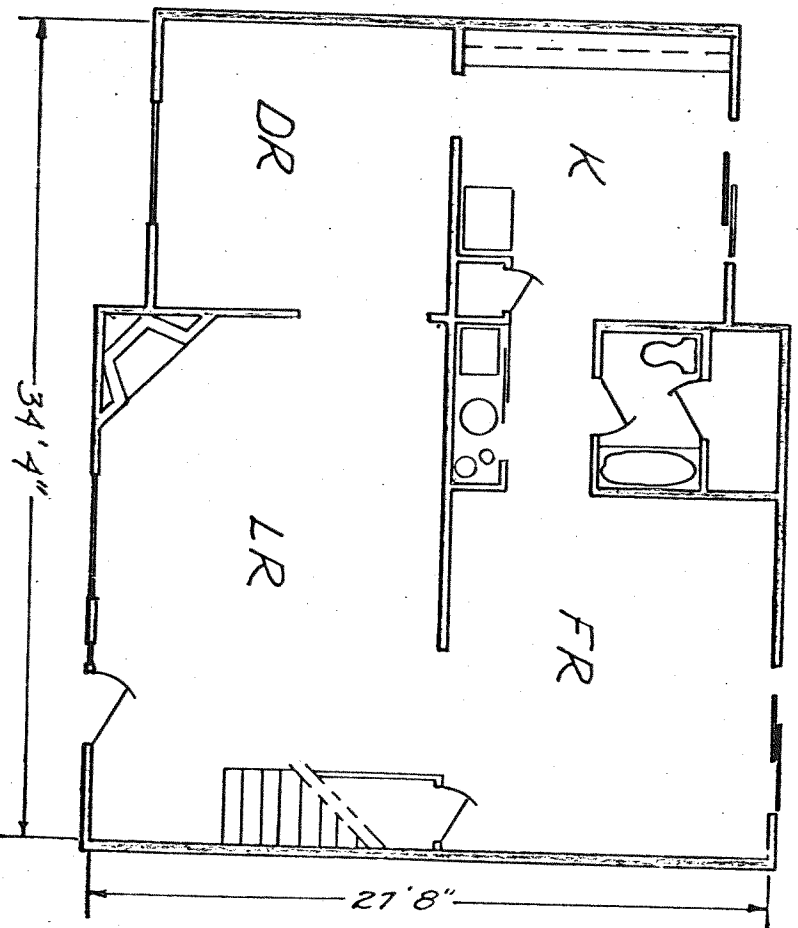
By: *John W. Judge*

John W. Judge, Reg. Surveyor #4211

By: *Valdis Larsons*

Valdis Larsons, Reg. Engineer #15935

GREENBRIER CONDOS CONDOMINIUM PARCEL VII



3 BEDROOM ~ FIRST FLOOR
UNIT 24 - D2 - 1304

Note: shaded walls are structural walls.

This drawing accurately shows the
unit as constructed.

JOHN W. WUDGE ENGINEERING COMPANY

By: John W. Wudge
John W. Wudge, Reg. Surveyor #4211

By: John W. Wudge

John W. Wudge, Reg. Engineer #25935

29-2235
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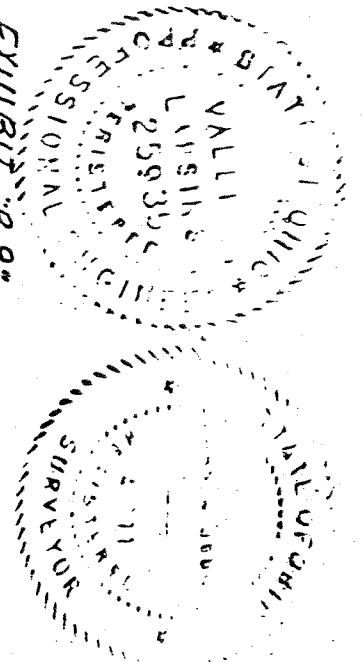
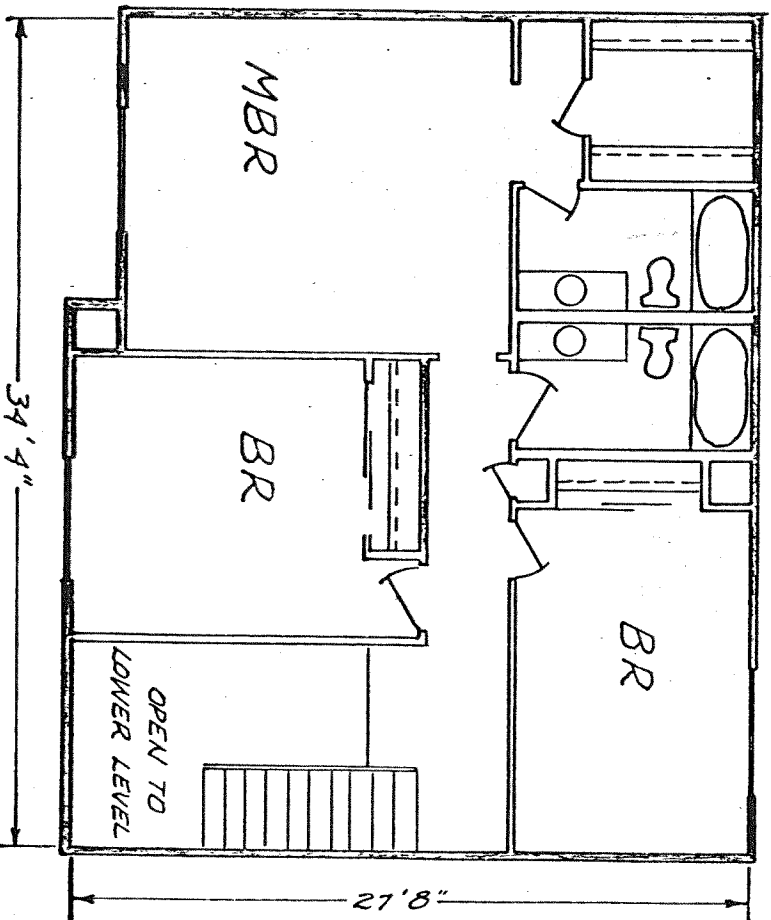


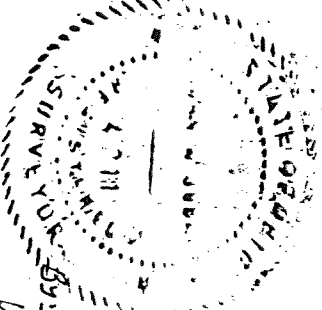
EXHIBIT B-9

GREENBRIER COMMONS CONDOMINIUM PARCEL VII



3 BEDROOM ~ SECOND FLOOR
UNIT 24-D3-1304

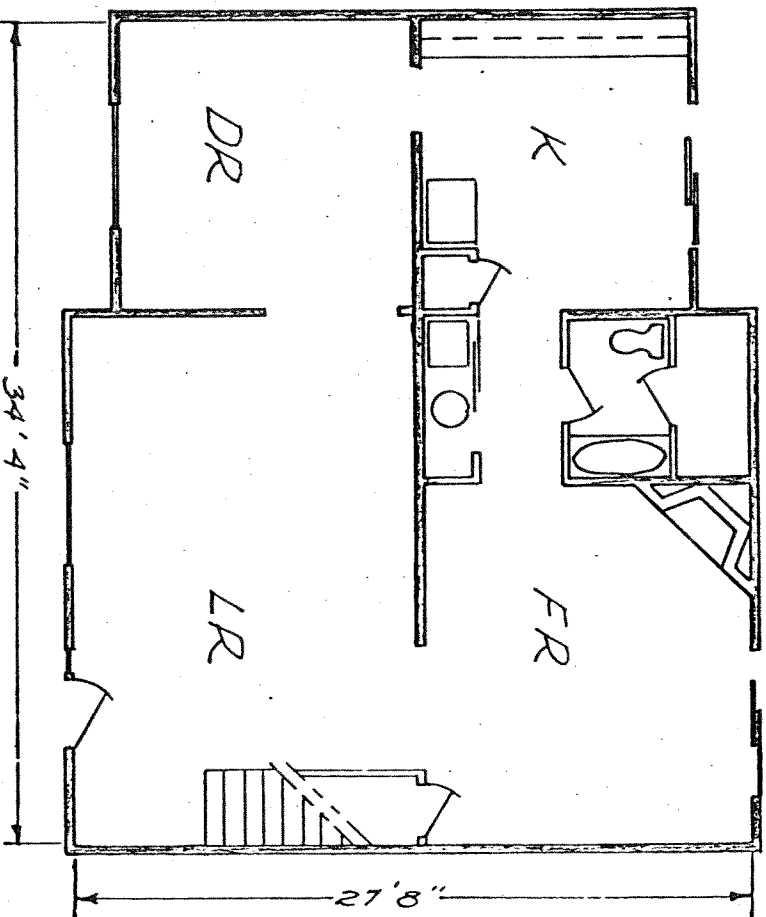
Note: Shaded walls are structural walls
This drawing accurately shows the
unit as constructed



By: *John M. Lapsins*
John M. Lapsins, Reg. Surveyor # 4211
John M. Lapsins
Validis Lapsins, Reg. Engineer 25935

79-235B06

GREENBRIER COMMONS
CONDOMINIUM
PARCEL 111



2 BEDROOM ~ FIRST FLOOR
UNIT 24-D2-1306

Note: Shaded walls are structural walls

This drawing accurately shows the
unit as constructed.

JOHN W. JUDGE ENGINEERING COMPANY

By: *John W. Judge*
John W. Judge, Reg. Surveyor # 4211

By: *Joelle Papineau*
Joelle Papineau, Reg. Engineer # 25935

79-235 B07

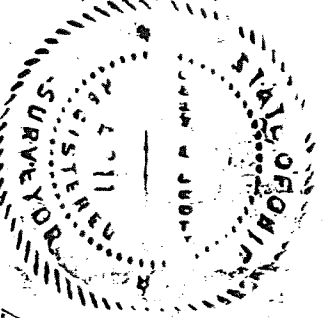
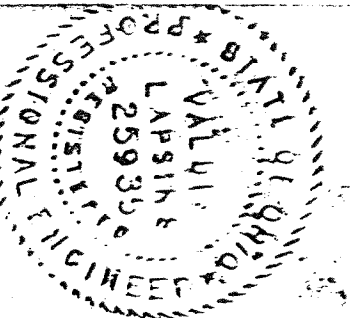
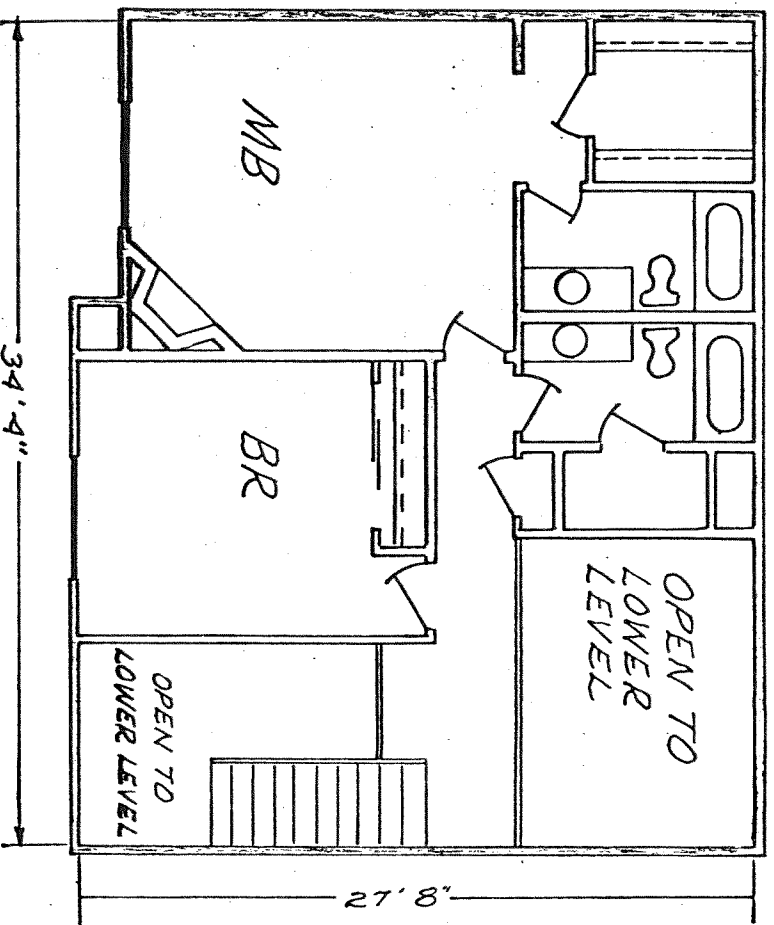


EXHIBIT B.11

GREENBRIER COMMONS CONDOMINIUM PARCEL VII



2 BEDROOM ~ SECOND FLOOR

UNIT 24-D2-1306

Note: Shaded walls are structural walls.

This drawing accurately shows the unit as constructed.

JOHN W. JUDGE ENGINEERING COMPANY

By: *John W. Judge*

John W. Judge, Reg. Surveyor # 4211

By:

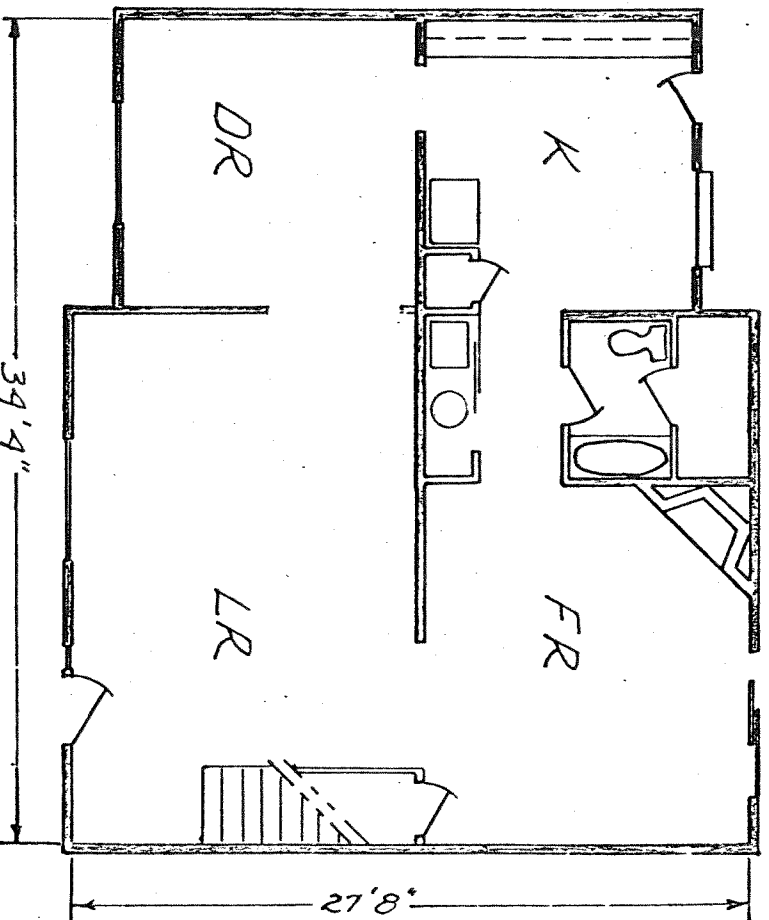
Valdis Lapsins

Valdis Lapsins, Reg. Engineer # 25935

EXHIBIT "B-12"

29-233508

GREENBRIER COMMONS CONDOMINIUM PARCEL VII



3 BEDROOM ~ FIRST FLOOR
UNIT 24-D3-1308

Note: shaded walls are structural walls
This drawing accurately shows the
unit as constructed.

JOHN W. JUDGE ENGINEERING COMPANY

By: *John W. Judge*
John W. Judge, Reg. Engineer # 4211

Valeri Lapinskas

Valeri Lapinskas, Reg. Engineer 25935

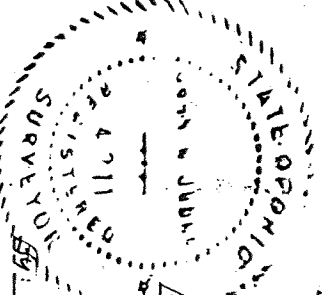
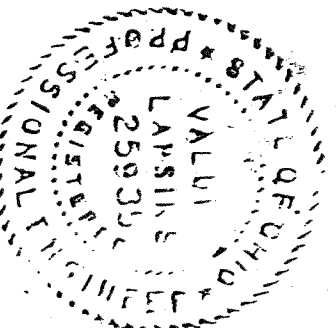
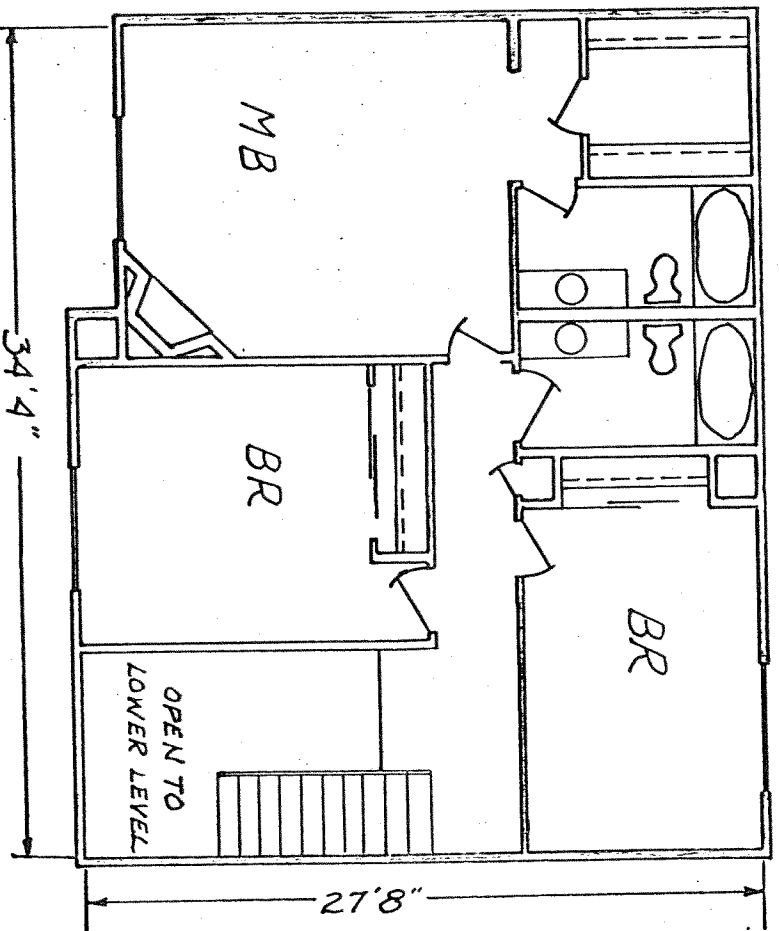


EXHIBIT "B-13"

29-235809

GREENBRIER CONDOMINIUMS CONDOMINIUM PARCEL VII



3 BEDROOM - SECOND FLOOR
UNIT 24 - D3-1308

Note: Shaded walls are structural walls

This drawing accurately shows the unit as constructed.

JOHN W. JUDGE ENGINEERING COMPANY

By: *John W. Judge*

John W. Judge Reg. Surveyor #4211

By:

Valdis Lapsins

Valdis Lapsins, Reg. Engineer #25935

29-2335-B10

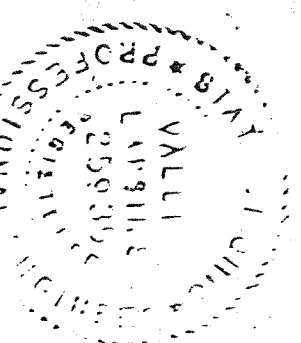


EXHIBIT "B.14"

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

<u>UNIT DESIGNATION</u>	<u>PERCENTAGE</u>
11-3-1201	2.11
11-2-1203	1.88
11-1-1205	1.45
11-1-1207	1.45
11-1-1209	1.45
11-A-1211	1.25
12-1-1200	1.45
12-1-1202	1.45
12-C-1204	2.01
12-1-1206	1.45
12-1-1208	1.45
14-A-1210	1.25
14-3-1212	2.11
14-2-1214	1.88
14-C-6850	2.01
14-1-6852	1.45
14-1-6850	1.45
15-1-1237	1.45
15-3-1235	1.45
15-2-1233	2.11
15-B-1231	1.88
16-3-1229	2.01
16-2-1227	2.11
16-2-1225	1.88
16-3-1223	1.88
16-A-1221	2.11
17-3-1219	1.25
17-2-1217	2.11
17-1-1215	1.88
17-A-1213	1.45
18-A-1151	1.25
18-C-2-1153	1.28
18-C-3-1155	1.63
18-B-1157	1.91
19-A-6851	1.59
19-C-2-6855	1.28
19-C-3-6857	1.63
19-B-6859	1.91
20-A-1187	1.63
20-C-3-1185	1.28
20-C-2S-1183	1.91
20-B-1181	1.91
21-B-S-1175	1.59
21-C-3-1173	1.59
21-A-1171	1.91
22-B-S-1169	1.28
22-C-2-1167	1.59
22-C-2S-1165	1.63
22-C-2S-1163	1.91
22-B-1161	1.91
23-D2-1301	1.59
23-D3-1303	1.80
23-D2-1305	1.92
23-B-1307	1.80
24-B-1302	1.58
24-D3-1304	1.58
24-D2-1306	1.92
24-D3-1308	1.80
	1.92

EXHIBIT "D" Continued

<u>GARAGE UNIT DESIGNATION</u>	<u>PERCENTAGE</u>
11-G-1	.12
11-G-2	.12
13-G-1	.12
13-G-2	.12
13-G-3	.12
13-G-4	.12
13-G-5	.12
13-G-6	.12
14-G-1	.12
14-G-2	.12
15-G-1	.12
15-G-2	.12
15-G-3	.12
15-G-4	.12
16-G-1	.12
17-G-1	.12
17-G-2	.12
	<hr/>
TOTAL	100.00%

EXHIBIT "E"

CONSENT OF MORTGAGEE

The undersigned, Continental Illinois Realty, a California Real Estate Investment Trust, the holder of a certain Open-End Mortgage and Assignment of Rents executed by Ohio Midwest Development Corporation, an Ohio Corporation, and dated December 1, 1978, and recorded in Mortgage Record 78-1711A01 of the Mortgage Records of Montgomery County, Ohio, hereby consents to the execution of this Amendment to the Declaration of Condominium Ownership with the 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 Declaration of Condominium Ownership.

IN WITNESS WHEREOF, Continental Illinois Realty, a California Real Estate Investment Trust, by Jeffrey K. Gwin, its Assistant Secretary and Brian J. Weber, its Assistant Treasurer, have set their hands this 7 day of May, 1979.

SIGNED IN THE PRESENCE OF: CONTINENTAL ILLINOIS REALTY, A CALIFORNIA REAL ESTATE INVESTMENT TRUST

William D. Alexander
Witness

By: Jeffrey K. Gwin
as Assistant Secretary

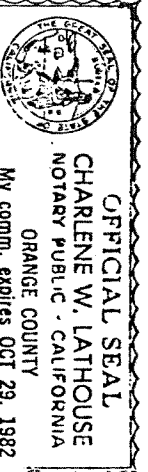
William D. Alexander
Witness

By: Brian J. Weber
as Assistant Treasurer

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS:

I, Charlene W. Lathouse, Notary Public in and for said County of the State of California, do hereby certify that Jeffrey K. Gwin and Brian J. Weber as Officers of Continental Illinois Realty, a California Real Estate Investment Trust, personally known to me to be the same persons whose names are subscribed to the foregoing instruments as such Assistant Secretary and Assistant Treasurer, 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.

IN WITNESS WHEREOF, I have set my hand this 7 day of May, 1979.



This instrument prepared by:

Charlene W. Lathouse
Notary Public

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

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