

## **SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR FOREST WALK**

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**THIS SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR FOREST WALK**, hereinafter referred to as the "Second Amendment" is made on the date(s) hereinafter set forth by the Board of Trustees of Forest Walk Homeowners' Association, Inc., an Ohio not-for-profit corporation, hereinafter referred to as the "Association", with the consent of the owners in Forest Walk exercising not less than seventy-five percent (75%) of the voting power of the Association, hereinafter referred to as the "Consenting Owners", under the circumstances summarized in the following Recitals.

### **RECITALS**

A. The Declaration of Covenants, Conditions and Restrictions for Forest Walk, hereinafter referred to as the "Declaration", dated August 4, 1999 and filed for record August 24, 2009 at Microfiche 99-575-A01 of the Deed Records of Montgomery County, Ohio submitted the following property to the provisions of the Declaration:

Situate in the City of Centerville, County of Montgomery, State of Ohio and being Lots Numbered 1 through 21, inclusive, together with Reserve Areas A, B, C and D of Forest Walk, Section One, as recorded in Plat Book 176, Page 27 of the Plat Records of Montgomery County, Ohio.

B. The First Amendment to Declaration of Covenants, Conditions and Restrictions for Forest Walk, hereinafter referred to as the "First Amendment", dated July 23, 2001 and filed for record on July 23, 2001 at Microfiche 01-502-A03 of the Deed Records of Montgomery County, Ohio added the following property to the provisions of the Declaration:

Situate in the City of Centerville, County of Montgomery, State of Ohio and being Lots Numbered 23 through 47, inclusive, together with Reserve Areas E, F and G of Forest Walk, Section Two, as recorded in Plat Book 182, Page 172 of the Plat Records of Montgomery County, Ohio.

C. For purposes hereof, the term Declaration shall mean the Declaration, as amended by the First Amendment, and the Consenting Owners shall mean the owners identified in Exhibit "A" attached hereto.

**STATE OF OHIO, COUNTY OF MONTGOMERY, SS:**

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of APRIL, 2010 by JUERGEN NIACHOWSKY, Trustee of Forest Walk Homeowners' Association, Inc., on behalf of such association.



DENNIS GRAF, Notary Public  
In and for the State of Ohio  
My Commission Expires Dec. 23, 2011

Dennis Graf  
Notary Public

**STATE OF OHIO, COUNTY OF MONTGOMERY, SS:**

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of April, 2010 by Joan Raine, Trustee of Forest Walk Homeowners' Association, Inc., on behalf of such association.



DENNIS GRAF, Notary Public  
In and for the State of Ohio  
My Commission Expires Dec. 23, 2011

Dennis Graf  
Notary Public

**STATE OF OHIO, COUNTY OF MONTGOMERY, SS:**

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of April, 2010 by Terri L. Kraft, Trustee of Forest Walk Homeowners' Association, Inc., on behalf of such association.



DENNIS GRAF, Notary Public  
In and for the State of Ohio  
My Commission Expires Dec. 23, 2011

Dennis Graf  
Notary Public

**THIS INSTRUMENT PREPARED BY:**

**HANS H. SOLTAU**  
Attorney at Law  
6776 Loop Road  
Centerville, Ohio 45459

D. The Consenting Owners do hereby desire to amend the provisions of the Declaration pursuant to Section 11.01 thereof.

NOW, THEREFORE, the Consenting Owners do hereby desire to amend the Declaration as follows:

1. Section 12.01 is hereby amended by deleting any references to fences.
2. The Design Standards which are attached as Exhibit "B" to the Declaration are hereby amended by deleting Section 14.1 and 14.2 and substituting therefor:

14.1 With the exception of the fences presently erected on Lot 21, Section One, and Lots 26, 35, 36 and 37 of Section Two and the fence approved as to Lot 11, Section One, no fences shall be permitted on the Property.

3. Unless herein specifically amended or modified all provisions of the Declaration shall remain in full force and effect.

**EXECUTED** by the Board of Trustees of the Association, pursuant to the consent and authorization of the Consenting Owners, on the date(s) set forth in the acknowledgements of the signatures below.

**FOREST WALK  
HOMEOWNERS' ASSOCIATION, INC.**

By: Juergen Machowsky  
Trustee

By: Joan D. Baine  
Trustee

By: Jeri L. Kelt  
Trustee

## **CONSENT AND AUTHORIZATION**

The undersigned, being the owners of condominium ownership interests within owners of lots within Forest Walk do hereby:

- (a) Consent to and approve the Second Amendment to Declaration of Covenants, Conditions and Restrictions for Forest Walk ("Second Amendment").
- (b) Authorize the Trustees of the Forest Walk Homeowners' Association, Inc. to execute and record the Second Amendment and the exhibits thereto with the Recorder of Montgomery County, Ohio.
- (c) Limit the consents and authorizations herein for a period of one (1) year commencing on the execution date hereof and terminating on the first anniversary date thereof, or on the date the Second Amendment is recorded, whichever first occurs.

Please note, if a Lot is owned by more than one individual, unless otherwise specified, one individual shall be presumed to have the approval to exercise this consent for the Lot.

Dated: APRIL 16, 2010

Lot No. 15

Address:  
1206 DEER RUN ROAD  
CENTERVILLE, OHIO

Name(s):

Joyen Machowsky

Dated: 4-16-10, 2010

Lot No. 44

Address:

7445 Forest Crest  
Dayton OH 45459

Name(s):

Jan Owens

Dated: 4-16-, 2010

Lot No. 19

Address:

1223 Deer Run Rd.  
Dayton, Oh. 45459

Name(s):

John Raine  
Charles E Raine

Dated: 4-16, 2010

Lot No. 5

Address:

1257 Forest Walk  
Centerville OH 45459

Name(s):

Marilyn Johnston

Dated: 4-16-, 2010

Lot No. 20

Address:

1235 Deer Run Rd.  
Centerville, Ohio 45459

Name(s):

Nella Douel  
\_\_\_\_\_

Dated: 4-16, 2010

Lot No. 12

Address:

1256 Forest Walk  
Centerville, OH 45459

Name(s):

Sandra L. DeBeauvoir  
Chris DeBeauvoir

Dated: 4/16, 2010

Lot No. 6

Address:

1271 Forest Walk Dr.  
CENTERVILLE, OH 45459

Name(s):

William L. Haffner  
Mary N. Haffner

Dated: 7-16-, 2010

Lot No. 24

Address:

7410 FOREST CREEK DR  
CENTERVILLE, OH 45457

Name(s):

Roger O. Whitaker  
Gwen Whitaker

Dated: 4-16-, 2010

Lot No. 7

Address:

1285 Forest Walk Dr.  
Centerville, OH 45459

Name(s):

James J. Latta  
John Latta

Dated: 9-16, 2010

Lot No. 42

Address:

7455 FOREST CREEK

Name(s):

DICK & CYNTHIA  
Blomson

Dated: APRIL 18, 2010

Lot No. 1

Address:

1201 FOREST WALK DR.  
CENTERVILLE OHIO

Name(s):

Mueller F. Yang

Dated: APRIL 17, 2010

Lot No. 14

Address:

1284 FOREST WALK DR.  
CENTERVILLE

Name(s):

Jeffrey D. Johnson  
CENTERVILLE

Dated: APRIL 17, 2010

Lot No. 41

Address:

7465 FOREST CREEK DR.  
CENTERVILLE

Name(s):

Thomas Edwards



Dated: 4-17, 2010

Lot No. 13

Address:

1270 FOREST WALK DR.  
CENTERVILLE

Name(s):

[Signature]

Dated: 4-17-10, 2010

Lot No. 9

Address:

1244 FOREST WALK DR.  
CENTERVILLE

Name(s):

Ruth D. Acharf  
1214 Forest Walk

Dated: 4-20, 2010

Lot No. 39

Address:

7485 FOREST CREEK DR.  
CENTERVILLE

Name(s):

[Signature]

Dated: 4/18/10, 2010

Lot No. 30

Address:

7446 Fawn Run  
Covello, 45459

Name(s):

Patricia H. Tilton  
D. Ward Tilton

Dated: 5/16/, 2010

Lot No. 27

Address:

7470 Forest Creek Dr.

Name(s):

D. H. H.  
Barbara K. H.

Dated: 4-18-, 2010

Lot No. 34

Address:

7470 F. Creek Dr.

Name(s):

Pat Syles

Dated: 4-16, 2010

Lot No. 23

Address:

7400 FOREST CREEK DR  
CENTERVILLE, OH 45459

Name(s):

ROBERT F. FELDMAN

Dated: 4-16, 2010

Lot No. 38

Address:

7445 FOREST CREEK  
CENTERVILLE, OH 45459

Name(s):

[Signature]

Dated: 4-16, 2010

Lot No. 36

Address:

7490 Forest Creek Dr  
Centerville OH 45459

Name(s):

[Signature]

Dated: 4-16-10, 2010

Lot No. 47

Address:

7405 Forest Creek Dr  
45459

Name(s):

Ruthie Robinson

Dated: 4-16-10, 2010

Lot No. 40

Address:

7475 Forest Creek Dr.

Name(s):

Jenni Kraft

Dated: 4-16-10, 2010

Lot No. 45

Address:

7425 Forest Creek Dr

Name(s):

Harold L. Giegel

Dated: 4/16/2010, 2010

Lot No. 10

Address:

1250 Front Street

Name(s):

Mary Lou Schaefer

Dated: 4/16/, 2010

Lot No. 2

Address:

1215 Front Street  
Eden  
Justin A. Martin

Name(s):

Dated: 4/16, 2010

Lot No. 3

Address:

1229 Front Street

Name(s):

Tom Martin

Jo Martin

Dated: 4-16, 2010

Lot No. 8

Address:

1299 Forest Walk  
Douglas Ohio 45459

Name(s):

Jeanne Nathan  
\_\_\_\_\_

Dated: 7-16, 2010

Lot No. 29

Address:

7494 Lawn Run  
\_\_\_\_\_

Name(s):

Louise L. Doolley  
\_\_\_\_\_

Dated: 4-16, 2010

Lot No. 46

Address: 7415 Forest Creek DR

Michael W. Kline  
Sandra Kline

Name(s):

\_\_\_\_\_  
\_\_\_\_\_

Dated: \_\_\_\_\_, 2010

Lot No. \_\_\_\_\_

Address:

\_\_\_\_\_  
\_\_\_\_\_

Name(s):

\_\_\_\_\_  
\_\_\_\_\_

Dated: 5/3/10, 2010

Lot No. 18

Address:

1213 DEER RUN RD.  
CENTERVILLE

Name(s):

Michael D. George  
\_\_\_\_\_

Dated: \_\_\_\_\_, 2010

Lot No. \_\_\_\_\_

Address:

\_\_\_\_\_  
\_\_\_\_\_

Name(s):

\_\_\_\_\_  
\_\_\_\_\_

Dated: April 16, 2010, 2010

Lot No. 28

Address:

7442 Fawn Run  
Centerville, O.H.

Name(s):

Sylvia Cole  
Willard Cole

Dated: April 16, 2010

Lot No. 4

Address:

1243 Forest Walk  
45459

Name(s):

Madge Will  
Cornelius Will

Dated: APRIL 17, 2010

Lot No. 17

Address:

1203 DEER RUN ROAD  
CENTERVILLE

Name(s):

Theresa King



## CONSENT AND AUTHORIZATION

The undersigned, being the owners of condominium ownership interests within owners of lots within Forest Walk do hereby:

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Please note, if a Lot is owned by more than one individual, unless otherwise specified, one individual shall be presumed to have the approval to exercise this consent for the Lot.

Dated: APRIL 16, 2010

✓ Lot No. 15

Address:  
1206 DEER RUN ROAD  
CENTERVILLE, OHIO

Name(s):

Juergen Machowsky