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VICKI D. PEGG
RECORDER

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99 MAY 30 AM 8:58

MONTGOMERY CO. OHIO
RECORDED

0009487

SEVENTH AMENDMENT TO DECLARATION

0009488

FOR

0009489

NANTUCKET LANDING SOUTH CONDOMINIUM
(SECTION EIGHT)

I hereby certify that copies of the within Seventh Amendment, together with the drawings attached as Exhibits thereto, have been filed in the Office of the Auditor, Montgomery County, Ohio.

MONTGOMERY COUNTY AUDITOR

Dated: 5/31/90

By: DANA A. STAMPS

PLAT REFERENCE:

Book: 143 Page(s): 15, 15A + 15B

THIS INSTRUMENT PREPARED BY:

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

MONTGOMERY COUNTY
RECORDED
1990 MAY 30 AM 8:58
TRANSFERRED

**SEVENTH AMENDMENT TO DECLARATION
FOR
NANTUCKET LANDING SOUTH CONDOMINIUM
(SECTION EIGHT)**

THIS SEVENTH AMENDMENT TO DECLARATION, hereinafter referred to as the "Seventh Amendment", made on the date hereinafter set forth by CHARLES V. SIMMS DEVELOPMENT CORPORATION, an Ohio corporation, hereinafter referred to as "Declarant".

RECITALS

A. On June 13, 1988, certain premises located in the Township of Washington, County of Montgomery and State of Ohio were submitted to the provisions of Chapter 5311 of the Ohio Revised Code for condominium ownership by filing with the Montgomery County Recorder a legal instrument with attached exhibits titled "Declaration of Condominium Property for Nantucket Landing South Condominium", hereinafter referred to as the "Declaration". Said Declaration was previously filed with the Auditor of Montgomery County, Ohio.

B. The Declaration has been subsequently amended for the purpose of adding additional property to the provisions thereof. For purposes hereof, the term Declaration shall refer to the Declaration as amended by any subsequent amendment thereto filed with the Recorder of Montgomery County, Ohio.

C. The Declaration and amendments thereto have been recorded in the plat records of Montgomery County, Ohio as follows:

<u>Instrument</u>	<u>Deed Record</u>	<u>Plat Record</u>
Declaration	88-329-B03	135-22
First Amendment	88-443-B10	136-12
Second Amendment	88-578-C05	137-7
Third Amendment	88-694-C04	137-44
Fourth Amendment	89-286-A01	140-3
Fifth Amendment	89-626-C02	141-22
Sixth Amendment	90-144-D08	142-22

D. The Declaration is the owner of adjacent property.

E. The present owners and mortgagees of each Unit for which provision is made in the Declaration are hereinafter respectively referred to as "Parcel A Unit Owners" and "Parcel A Mortgagees", with Parcel A being those premises described in Item 3 of the Declaration, along with any buildings or any other improvements thereon.

F. The Declarant has determined to submit a certain part of the premises described in "Exhibit D" of the Declaration, said part being hereinafter referred to as "Parcel B", together with the buildings and any other improvements thereon constructed and hereinafter described, to the provisions of the Declaration and to the provisions of Chapter 5311 of the Ohio Revised Code for condominium ownership.

G. Declarant is, pursuant to the provisions of Section 22.11 of the Declaration, the duly appointed and acting attorney-in-fact of each of the Parcel A Unit Owners and Parcel Mortgagees for the purpose of executing, acknowledging and recording for and in the name of each Parcel A Unit Owner such amendment to the Declaration as is contemplated by Article XXII thereof, and in the name of each Parcel A Mortgagee, a consent to such amendment.

NOW, THEREFORE, Declarant hereby declares that:

1. All of the terms used herein which are defined in the Declaration shall be interpreted to have the same meaning as defined in the Declaration unless specifically hereinafter amended.

2. Declarant is the owner of Parcel B, together with the Parcel B building and all improvements thereon, all easements, rights, appurtenances belonging thereto, and all articles of personal property existing thereon for the common use of the Unit Owners, all of which is hereby submitted to the provisions of the Declaration and is hereby included and made part of the Condominium Property.

3. The Declaration is hereby amended in accordance with the provisions of Article XXII in the following respects:

A. The legal description referred to in Article III is hereby amended by adding thereto, and to Exhibit "A" of the Declaration, the real estate described in Exhibit "A" attached hereto.

B. Section 4.01 is hereby amended by adding thereto the following:

(n) Building 22 is partially one (1) and two (2) stories in height containing two (2) townhouse Units and three (3) ranch Units.

(o) Building 23 is partially one (1) and two (2) stories in height containing two (2) townhouse Units and three (3) ranch Units.

C. Section 4.03 is hereby amended by adding thereto the following:

(g) Buildings 22 and 23 face Queens Crossing.

D. Section 5.03 is hereby amended by deleting the unit and type designations and substituting therefor the following:

<u>UNITS</u>	<u>TYPE</u>
126, 129, 133, 137, 140, 145, 151, 158, 165, 169	A
114, 119, 134, 135, 142, 143, 147, 150, 168, 176	B
109, 110, 111, 112, 115, 116, 120, 121, 127, 128, 132, 136, 138, 139, 141, 144	C
146, 148, 149, 152, 157, 159, 160, 161, 164, 170, 175	D
118, 123, 125, 130, 153, 156, 162, 166, 171, 173	E
117, 122, 124, 131, 154, 155, 163, 167, 172, 174	

E. Section 9.01 titled "Percentage of Ownership" is hereby amended by deleting the unit designations and their percentages and substituting the following:

<u>UNIT DESIGNATION</u>	<u>PERCENTAGE OF OWNERSHIP</u>	<u>UNIT DESIGNATION</u>	<u>PERCENTAGE OF OWNERSHIP</u>	<u>UNIT DESIGNATION</u>	<u>PERCENTAGE OF OWNERSHIP</u>
109	1.70	133	1.38	153	1.25
110	1.70	134	1.60	156	1.18
111	1.70	135	1.60	157	1.70
112	1.70	136	1.70	158	1.38
114	1.60	137	1.38	159	1.70
115	1.70	138	1.70	160	1.70
116	1.70	139	1.70	161	1.70
117	1.25	140	1.38	162	1.18
118	1.18	141	1.70	163	1.25
119	1.60	142	1.60	164	1.70
120	1.70	143	1.60	165	1.38
121	1.70	144	1.70	166	1.18
122	1.25	145	1.38	167	1.25
123	1.18	146	1.70	168	1.60
124	1.25	147	1.60	169	1.38
125	1.18	148	1.70	170	1.70
126	1.38	149	1.70	171	1.18
127	1.70	150	1.60	172	1.25
128	1.70	151	1.38	173	1.18
129	1.38	152	1.70	174	1.25
130	1.18	153	1.18	175	1.70
131	1.25	154	1.25	176	1.60
132	1.70				

F. The drawings attached as Exhibit "B" to the Declaration are hereby amended by adding thereto and making a part thereof the drawings attached to this Seventh Amendment as Exhibit "B", relating to Parcel B, the Parcel B building and all other improvements thereon.

4. Except as specifically hereinabove amended, all the provisions of the Declaration and the By-Laws, and the drawings shall be and hereby are declared to remain in full force and effect.

5. Consent to this Seventh Amendment on behalf of Parcel A Owners and on behalf of Parcel A Mortgagees is hereby granted by Declarant in its capacity as attorney-in-fact pursuant to the provisions of Section 22.11 of Declaration.

IN WITNESS WHEREOF, Charles V. Simms Development Corporation, as Declarant of Parcel B, as owner of a Unit or Units in Parcel A and as attorney-in-fact for all other Parcel A Unit Owners, and for Parcel A Mortgagees, has caused this instrument to be executed on this 22nd day of May, 1990.

Signed and acknowledged
in the presence of:

CHARLES V. SIMMS
DEVELOPMENT CORPORATION

Cynthia L. Larkins

By: *Hans H. Soltau*
Hans H. Soltau
Vice President

Cheryl A. Mitchell

STATE OF OHIO, COUNTY OF MONTGOMERY, SS:

The foregoing instrument was acknowledged before me this 22nd day of May, 1990 by Hans H. Soltau, Vice President of Charles V. Simms Development Corporation, an Ohio corporation, on behalf of the corporation

Cynthia L. Larkins
Notary Public

CYNTHIA L. LARKINS, Notary Public
In and for the State of Ohio
My Commission Expires Nov. 6, 1991

THIS INSTRUMENT PREPARED BY:

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

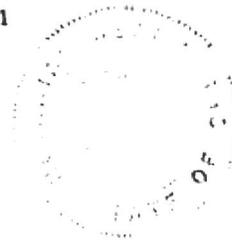


EXHIBIT "A"



A DESCRIPTION OF
NANTUCKET LANDING SOUTH CONDOMINIUMS
SECTION EIGHT
MAY 10, 1990

Located in Section 29, Town 3, Range 5, M.R.S., Washington Township, County of Montgomery, State of Ohio, and being a portion of Lot No. 3 as shown on Nantucket Landing South record plan recorded in Plat Book 134, Page 26 of the Plat records of Montgomery County, Ohio, and being more particularly described as follows:

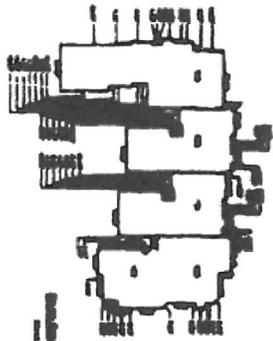
Beginning at the most northerly corner of said Lot No. 3;
thence along the east line of said Lot No. 3, South fifty-eight degrees seven minutes fifty-nine seconds (58°07'59") East for one hundred ninety-six and 47/100 (196.47) feet;
thence over said Lot No. 3 for the following six courses:
South thirty-eight degrees thirty-two minutes forty-one seconds (38°32'41") West for eighty-six and 01/100 (86.01) feet;
thence South ten degrees twelve minutes fifty-three seconds (10°12'53") East for forty-nine and 87/100 (49.87) feet;
thence South sixty-nine degrees twelve minutes fifty-four seconds (69°12'54") West for eighty-five and 04/100 (85.04) feet;
thence North twenty degrees forty-seven minutes six seconds (20°47'06") West for forty-eight and 25/100 (48.25) feet;
thence North fifty-six degrees twenty-one minutes forty-eight seconds (56°21'48") West for one hundred eighty-one and 12/100 (181.12) feet;
thence North five degrees thirty-eight minutes ten seconds (05°38'10") West for ninety-two and 00/100 (92.00) feet to a point in the north line of said Lot No. 3;
thence along the north line of Lot No. 3, North eighty-four degrees twenty-one minutes fifty seconds (84°21'50") East for one hundred thirty-five and 00/100 (135.00) feet to the point of beginning, containing no and 978/1000 (0.978) acres, more or less, subject however to all covenants, conditions, restrictions, reservations, and easements contained in any instrument of record pertaining to the above described tract of land.

EXHIBIT "B"

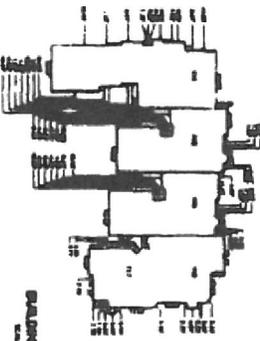


THE FOLLOWING IS A SUMMARY OF THE INFORMATION RECEIVED FROM THE INTERVIEW OF THE ABOVE NAMED PERSONS ON THE DATES INDICATED:

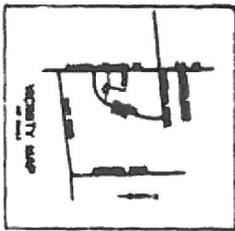
[Handwritten notes and signatures, including names like 'John A. ...' and 'John B. ...']



BUILDING NO. 23



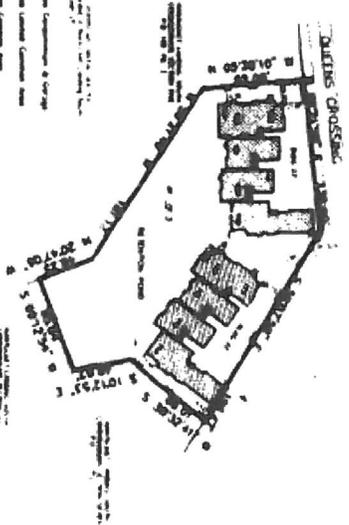
BUILDING NO. 22



VELOCITY MAP

TRANSMITTED TO
 ON 11/11/53
 BY SA [Signature]

- LEGEND
- ▬ [Symbol] [Description]
 - ▬ [Symbol] [Description]
 - ▬ [Symbol] [Description]
 - ▬ [Symbol] [Description]
 - ▬ [Symbol] [Description]



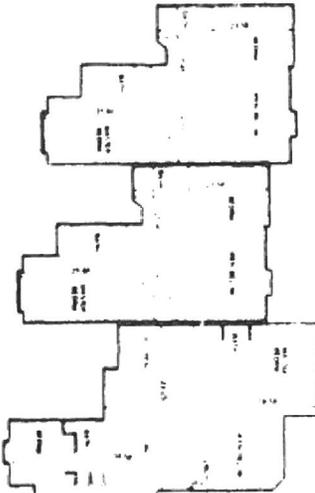
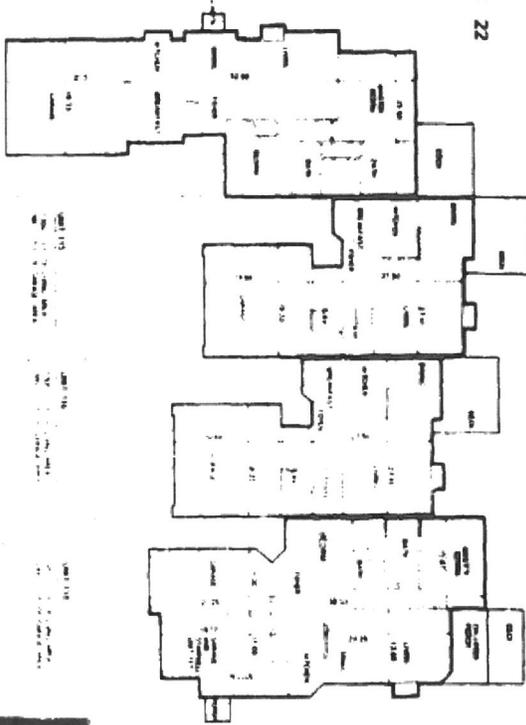
CONDUCT VISUAL SURVEY OF THE ABOVE NAMED BUILDINGS ON THE DATES INDICATED. THE RESULTS OF THE SURVEY SHOULD BE REPORTED TO THE OFFICE OF THE DIRECTOR OF THE FBI.

SCALE 1" = 100'

DATE 11/11/53

original in poor condition

BUILDING 22



SECTION EIGHT

EAST

WEST

NORTH

SOUTH

NANTUCKET LANDING SOUTH CONDOMINIUMS

SECTION EIGHT

BEING PART OF LOT 1 OF
NANTUCKET LANDING SOUTH
AS RECORDED IN P.L.S. BOOK 134, PAGE 26
IN THE PLAT RECORDS OF
MONTGOMERY COUNTY, OHIO

LOCATED IN
SECTION 29, TOWN 3, RANGE 3, W. 1/4 S.
MONTGOMERY COUNTY, OHIO
MARCH 1998 SCALE: 1" = 60'-0"
CONTAINING 0.78 ACRES



BOARDER
CONSULTANTS
ONE F. BRUNNEN AVENUE
MANTON, OHIO 43042

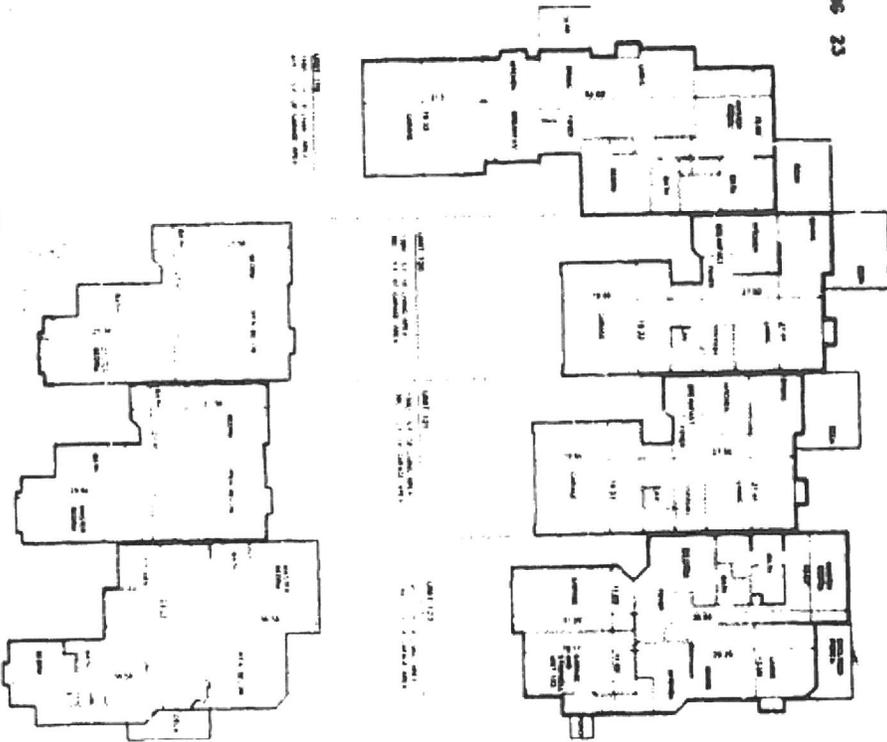
DEED

90-0284

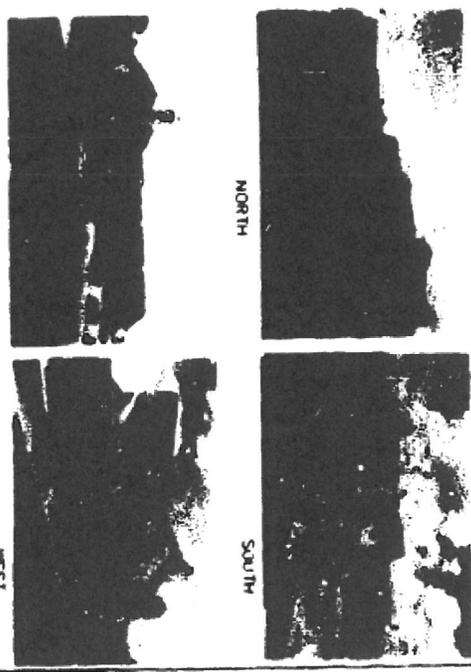
DO9

original in poor condition

BUILDING 23



BRIDGEVIEW



NAUTICKET LANING SOUTH CONDOMINIUMS

SECTION EIGHT

BEING PART OF LOT 3 OF
NAUTICKET LANING SOUTH
AS RECORDED IN PLAT BOOK 134 PAGE 26,
IN THE PLAT RECORDS OF
MONTGOMERY COUNTY, OHIO

LOCATED IN
SECTION 28 TOWNSHIP 10 NORTH
MONTGOMERY COUNTY, OHIO
MARCH 1990 SCALE 1/8"=1'-0"
CONTAINING 0.978 ACRES



Griffin, One 00005
1-18 E. Lima St. Suite 300
Lima, Ohio 43004
TEL: 614-233-1111 FAX: 614-233-1112

DEED 90-0284 D10

This

NUMBER

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VOID