

2007R010295

LAKE COUNTY OHIO
RECORDED ON

03-27-2007 11:20 AM

NAUTICAL RIDGE CONDOMINIUMS

FRANK A SUPONCIC
LAKE COUNTY RECORDER

FAIRPORT HARBOR, OHIO

REC. FEE: 156.00
PAGES: 18

PHASE 3

ADDING UNITS 1, 3, 4, 15 and 16

SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP

This will certify that copies of this Second Amendment to Declaration of Condominium Ownership for Nautical Ridge Condominiums and the Drawings attached thereto have been filed in the office of the County Auditor, Lake County, Ohio.

Date: 3-27 - _____, 2007

County Auditor

By: Carrie Pacheco
Deputy Auditor

This Second Amendment to Declaration of Condominium Ownership has been filed in the office of the Lake County Recorder on _____, 20__ and recorded in _____.

County Recorder

By: _____
County Recorder

This Instrument Prepared by:
Ranallo & Aveni LLC
6685 Beta Drive
Cleveland, Ohio 44143
(440) 684-1600

CHICAGO TITLE INSURANCE CO.
Order No. P- DIV27330293



SECOND AMENDMENT TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR NAUTICAL RIDGE CONDOMINIUMS
FAIRPORT HARBOR, OHIO
(PHASE 3)

WHEREAS, Nautical Ridge Development LLC, an Ohio limited liability company, hereinafter referred to as "Declarant", filed for record the Declaration of Condominium Ownership ("Declaration") with the Bylaws attached thereto, and Drawings incorporated by reference therein, on APRIL 20, 2006, with the Lake County Recorder, the Declaration being recorded in No. 2006R015438 of the Lake County Deed Records and the Drawings being recorded in No. _____, Volume 52, Page 9 of Lake County Condominium Map Records and thereby submitted Phase 1 of the Nautical Ridge Condominiums to the provisions of Chapter 5311 of the Ohio Revised Code (the Condominium Property Act); and

WHEREAS, by First Amendment to the Declaration recorded on SEPTEMBER 8, 2006, with the Lake County Recorder, the Declaration being recorded in No. 2006R037066 of Lake County Deed Records and the Drawings being recorded in No. _____, Volume 53, Page 3, of Lake County Condominium Map Records, the Declarant submitted Phase 2 of the Nautical Ridge Condominiums to the provisions of Chapter 5311 of the Ohio Revised Code; and

WHEREAS, Declarant is the legal title holder of and desires to add to the Condominium Property and to submit to said Chapter 5311 of the Ohio Revised code, pursuant to Article XI of the Declaration, the real property designated herein as Phase 3 of the Nautical Ridge Condominiums which is improved with three (3) Buildings. Two Buildings are comprised of two (2) Units (Units 3, 4 and 15, 16). One Building is comprised of one (1) Unit (Unit 1) with additional Unit(s) to be added in future phases. The total number of Units added in Phase 3 is five (5).

NOW, THEREFORE, Declarant, pursuant to the authority of Article XII of the Declaration, hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration):

1. The Phase 3 property and the improvements therein and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of Unit Owners, are hereby added to the Condominium Property as defined in Article I of the Declaration, and are also hereby submitted to Chapter

5311 of the Ohio Revised Code as a part of the Condominium Property in accordance with and to be governed in all respects by the terms and provisions of the Declaration as hereby and hereinafter amended.

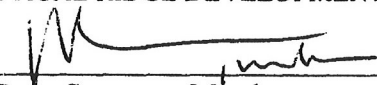
2. **Exhibit "A"** of the Declaration, entitled Allotted Drawings, is hereby amended by **Exhibit "A"** attached hereto and incorporated herein by reference, to add Phase 3 for dedication to Nautical Ridge Condominiums.
3. The legal description of the Condominium Property set forth in **Exhibit "1"** of the Declaration is amended to include the real property for Phase 3 of Nautical Ridge Condominiums, the legal description for Phase 3 being described in **Exhibit "A-1"** attached hereto and made a part hereof.
4. The legal description of the Additional Property set forth in **Exhibit "2"** of the Declaration is amended by the deletion therefrom of the real property described in **Exhibit "A-1"** hereof, the residue of the Additional Property being described in **Exhibit "2"** attached hereto and made a part hereof.
5. In the first paragraph of Article II of the Declaration and in Article II(A) of the Declaration the number of Units referred to therein is increased from twelve (12) Units to seventeen (17) Units. A narrative description of the Building and Units for Phase 3 is set forth in **Exhibit "3"** attached hereto and made a part hereof.
6. The undivided interest of each Unit in the Common Elements as set forth in **Exhibit "5"** of the Declaration is hereby amended to be as set forth in **Exhibit "4"** attached hereto and made a part hereof.
7. The particulars of the land, Building and other improvements for Phase 3, including, but not limited to, the layout, location, designation, dimensions of the Unit, the layout, locations and dimensions of the Common Elements and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Phase 3 Amendment to Allotted Drawings incorporated in this Second Amendment to Declaration of Condominium Ownership for the Nautical Ridge Condominiums, by reference as **Exhibit "A"**, prepared and bearing the certified statements of Robert Provost, Professional Engineer, and Steve Roessner, Professional Surveyor as required by the Condominium Act of the State of Ohio. The Phase 3 Amendment to the Allotted Drawings will be filed in the Condominium Map Records of the Office of the Recorder of Lake County, Ohio, simultaneously with the filing of this Second Amendment to the Declaration.
8. Article XVIII of the Declaration is amended to provide that the two (2) year warranty period for Phase 3 shall commence on the date the deed or other evidence of ownership is filed for record following the first sale of a

Condominium Ownership Interest in Phase 3 to a Purchaser in good faith for value.

9. No owner of a Unit which was not included in Phase Nos. 1, 2 and 3 shall: (a) have or obtain any interest in funds collected by the Association from the owners of Units included in Phase Nos. 1, 2 and 3 prior to the filing of this Second Amendment (except replacement reserve funds), nor (b) have or be subjected to any liability for expenses arising with respect to the Condominium Property prior to the filing of this Second Amendment.
10. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Condominium Ownership Interests that have been declared but are not yet sold and conveyed to Purchaser in good faith for value, including, without limitation, the obligation to pay Common Expenses attaching to such interests from the date the amendment to the Declaration creating such interests is filed for record.
11. Except as amended herein, the Declaration thereto shall remain in full force and effect.
12. Consent to this Second Amendment to Declaration of Condominium Ownership is hereby exercised by Declarant on behalf of the Unit Owners and their mortgagees pursuant to Article XII of the Declaration.

IN WITNESS WHEREOF, the said Nautical Ridge Development LLC, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 21st day of March, 2007.

NAUTICAL RIDGE DEVELOPMENT LLC

By: 

Ryan Sommers, Member

STATE OF OHIO)
)
COUNTY OF LAKE)

Executed before me this 21 day of MARCH, 2007, by Ryan Sommers, its Member, who, having been first duly sworn acknowledged that he did execute the foregoing instrument and that the same was his free act and deed individually and on behalf of Nautical Ridge Development LLC.

This Instrument Prepared by:
Ranallo & Aveni LLC
6685 Beta Drive
Cleveland, Ohio 44143
(440) 684-1600

Notary Public



PAMELA J. KNAZEK
Notary Public - State of Ohio
My Commission Expires March 20, 2010

EXHIBIT "A-1"

TO SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM
OWNERSHIP FOR NAUTICAL RIDGE CONDOMINIUMS

LEGAL DESCRIPTION OF PHASE 3

Survey Description
Phase 3
Nautical Ridge Condominiums
February 14, 2007

Unit's 1, 3 & 4

Situated in the Village of Fairport Harbor, County of Lake and State of Ohio and known as being a part of original Lot 8, Tract 4 in Township 11 North, Range 8 West of the Connecticut Western Reserve and being further described as follows:

Beginning at a 5/8 inch rebar found capped "Babcock & Jones" at the southeasterly corner of Ridge Condominium Association Phase 1 as recorded in volume 28, page 7 of Lake County Record of Plats;

Thence South $41^{\circ}30'36''$ East along an easterly right of way of High Street, 80' wide, a distance of 128.28 feet to the true place of beginning;

- Course I. Thence South $41^{\circ}30'36''$ East along an easterly right of way of said High Street, a distance of 90.86 feet
- Course II. Thence North $48^{\circ}23'25''$ East a distance of 98.50 feet;
- Course III. Thence along the arc of a curve deflecting to the right having a length of 13.58 feet, a radius of 80.00 feet, a delta of $9^{\circ}43'39''$, a tangent of 6.81 feet, and a chord which bears N $53^{\circ}15'15''$ E a distance of 13.57 feet;
- Course IV. Thence North $58^{\circ}07'04''$ East a distance of 58.26 feet;
- Course V. Thence North $53^{\circ}15'15''$ East a distance of 11.87 feet;
- Course VI. Thence North $48^{\circ}23'25''$ East a distance of 103.84 feet;
- Course VII. Thence along the arc of a curve deflecting to the left having a length of 31.42 feet, a radius of 20.00 feet, a delta of $90^{\circ}00'00''$, a tangent of 20.00 feet, and a chord which bears N $03^{\circ}23'25''$ E a distance of 28.28 feet;
- Course VIII. Thence North $41^{\circ}36'35''$ West a distance of 82.86 feet;
- Course IX. Thence South $48^{\circ}23'25''$ West a distance of 304.94 feet to the place of beginning and containing 0.6797 acres of land.

Units 15 & 16

Situated in the Village of Fairport Harbor, County of Lake and State of Ohio and known as being a part of original Lot 7, Tract 4 in Township 11 North, Range 8 West of the Connecticut Western Reserve and being further described as follows:

Beginning at a 5/8 inch rebar found capped "Babcock & Jones" at the southeasterly corner of Ridge Condominium Association Phase 1 as recorded in volume 28, page 7 of Lake County Record of Plats;

Thence North $24^{\circ}11'53''$ East along an easterly line of the said Ridge Condominium Association Phase 1 a distance of 241.41 feet to a 5/8 inch rebar found, capped "Babcock and Jones;"

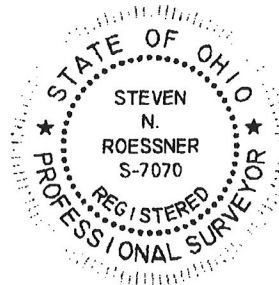
Thence along an easterly line of the said Ridge Condominium Association Phase 1 on the arc of a curve deflecting to the right having a delta of $20^{\circ}56'53''$, a length of 253.88 feet, a radius of 694.39 feet, and a chord which bears North $34^{\circ}42'08''$ East a distance of 252.47 feet;

Thence North $45^{\circ}06'01''$ East along an easterly line of said Ridge Condominium Association Phase 1 a distance of 94.96 feet to the true place of beginning;

- Course I. Thence North $45^{\circ}06'01''$ East along an easterly line of said Ridge Condominium Association Phase 1 and along an easterly line of Ridge Condominium Association Phases 2 as recorded in the following Lake County Record of Plats Volume 28, Page 30, a distance of 92.00;
- Course II. Thence South $44^{\circ}53'59''$ East a distance of 95.56 feet;
- Course III. Thence South $45^{\circ}06'01''$ West a distance of 92.00 feet;
- Course IV. Thence North $44^{\circ}53'59''$ West a distance of 95.56 feet to the place of beginning and containing 0.2018 acres.


STEVEN N. ROESSNER, P.S. #7070
FORESIGHT ENGINEERING GROUP, INC.

2/14/17
DATE



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EXHIBIT "2"

TO SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM
OWNERSHIP FOR NAUTICAL RIDGE CONDOMINIUMS

LEGAL DESCRIPTION OF ADDITIONAL PROPERTY

**Description
Additional Lands
Phase 3
Nautical Ridge Condominiums
February 14, 2007**

Remaining Land

Parcel 1

Situated in the Village of Fairport Harbor, County of Lake and State of Ohio and known as being a part of original Lot 8, Tract 4 in Township 11 North, Range 8 West of the Connecticut Western Reserve and being further described as follows:

Beginning at a 5/8 inch rebar found capped "Coffman" at a northwesterly corner of parcel 14A025B000100 owned by Eco. Inc. by deed recorded in document 2001R057839 of the Lake County Records of Deeds, said point of beginning being located South 41°30'36" East along an easterly right of way of High Street, 80' wide, a distance of 417.14 feet from a 5/8 inch rebar found, capped "Babcock & Jones," at a southeasterly corner of Ridge Condominium Association Phase 1 as recorded in volume 28, page 7 of Lake County Record of Plats;

Thence North 48°23'25" East along a northerly line of said parcel 14A025B0001000 a distance of 156.22 feet to the true place of beginning;

- | | |
|--------------|--|
| Course I. | Thence North 41°36'35" West a distance of 128.00 feet; |
| Course II. | Thence along the arc of a curve deflecting to the right having a length of 30.72 feet, a radius of 20.00 feet, a delta of 88°00'44", a tangent of 19.32 feet, and a chord which bears N 02° 23'47" E a distance of 27.79 feet; |
| Course III. | Thence North 65°05'22" East a distance of 20.84 feet; |
| Course IV. | Thence North 48°23'25" East a distance of 41.47 feet; |
| Course V. | Thence North 31°41'28" East a distance of 20.88 feet; |
| Course VI. | Thence North 48°23'25 East a distance of 67.27 feet; |
| Course VII. | Thence along the arc of a curve deflecting to the right having a length of 31.42 feet, a radius of 20.00 feet, a delta of 90°00'00", a tangent of 20.00 feet, and a chord which bears S 86°36'35" E a distance of 28.28 feet; |
| Course VIII. | Thence South 41°36'35" East a distance of 128.00 feet to the northerly line of said parcel 14A025B000100; |
| Course IX. | Thence South 48°23'25" West along a northerly line of said parcel 14A025B000100 and distance of 188.01 feet to the place of beginning and containing 0.6263 acres of land. |

Parcel 2

Situated in the Village of Fairport Harbor, County of Lake and State of Ohio and known as being a part of original Lots 7 and 8, Tract 4 in Township 11 North, Range 8 West of the Connecticut Western Reserve and being further described as follows:

Beginning at a 5/8 inch rebar found, capped "Babcock & Jones," at a southeasterly corner of Ridge Condominium Association Phase 1 as recorded in volume 28, page 7 of Lake County Record of Plats;

Thence South 41°30'36" East along an easterly right of way of High Street, 80' wide, a distance of 219.14 feet;

Thence North 48°23'25" East a distance of 98.50 feet;

Thence along the arc of a curve deflecting to the right having a length of 13.58 feet, a radius of 80.00 feet, a delta of 9°43'39", a tangent of 6.81 feet, and a chord which bears N 53°15'15" E a distance of 13.57 feet;

Thence North 58°07'04" East a distance of 58.26 feet;

Thence North 53°15'15" East a distance of 11.87 feet;

Thence North 48°23'25" East a distance of 103.84 feet;

Thence along the arc of a curve deflecting to the left having a length of 31.42 feet, a radius of 20.00 feet, a delta of 90°00'00", a tangent of 20.00 feet, and a chord which bears N 03°23'25" E a distance of 28.28 feet;

Thence North 41°36'35" West a distance of 53.75 feet;

Thence North 48°23'25" East a distance of 52.00 feet to the true place of beginning;

Course I. Thence North 41°36'35" West a distance of 30.00 feet;

Course II. Thence South 48°23'25" West a distance of 20.00 feet;

Course III. Thence North 41°36'35" West a distance of 111.58 feet;

Course IV. Thence along the arc of a curve deflecting to the right having a length of 23.54 feet, a radius of 20.00 feet, a delta of 67°26'35", a tangent of 13.35 feet, and a chord which bears N 07°53'18" W a distance of 22.21 feet;

Course V. Thence along the arc of a curve deflecting to the right having a length of 24.10 feet, a radius of 384.00 feet, a delta of 3°35'45", a tangent of 12.05 feet, and a chord which bears N 27°37'52" E a distance of 24.10 feet;

Course VI. Thence South 59°49'29" East a distance of 20.00 feet;

Course VII. Thence North 34°02'44" East a distance of 43.07 feet;

Course VIII. Thence South 55°57'16" East a distance of 64.02 feet;

Course IX. Thence North 48°23'25" East a distance of 99.95 feet;

Course X. Thence North 44°53'59" West a distance of 93.91 feet;

Course XI. Thence North 45°06'01" East a distance of 85.97 feet;

Course XII. Thence along the arc of a curve deflecting to the right having a length of 31.42 feet, a radius of 20.00 feet, a delta of 90°00'00", a tangent of 20.00 feet, and a chord which bears S 89°53'59" E a distance of 28.28 feet;

Course XIII. Thence South 44°53'59" East a distance of 29.08 feet;

- Course XIV. Thence along the arc of a curve deflecting to the right having a length of 52.51 feet, a radius of 84.00 feet, a delta of 35°48'50", a tangent of 27.14 feet, and a chord which bears S 26°59'34" E a distance of 51.66 feet;
- Course XV. Thence South 84°19'36" West a distance of 19.85 feet;
- Course XVI. Thence South 05°40'24" East a distance of 70.00 feet;
- Course XVII. Thence North 84°19'36" East a distance of 20.00 feet;
- Course XVIII. Thence South 05°40'24" East a distance of 58.14 feet;
- Course XIX. Thence along the arc of a curve deflecting to the right having a length of 87.34 feet, a radius of 184.00 feet, a delta of 27°11'51", a tangent of 44.51 feet, and a chord which bears S 07°55'32" W a distance of 86.52 feet;
- Course XX. Thence North 66°55'07" West a distance of 20.01 feet;
- Course XXI. Thence South 28°08'13" West a distance of 38.85 feet;
- Course XXII. Thence South 56°48'27" East a distance of 20.01 feet;
- Course XXIII. Thence along the arc of a curve deflecting to the right having a length of 43.81 feet, a radius of 184.00 feet, a delta of 13°38'26", a tangent of 22.01 feet, and a chord which bears S 41°34'12" W a distance of 43.70 feet;
- Course XXIV. Thence South 48°23'25" West a distance of 44.78 feet;
- Course XXV. Thence along the arc of a curve deflecting to the right having a length of 31.42 feet, a radius of 20.00 feet, a delta of 90°00'00", a tangent of 20.00 feet, and a chord which bears N 86°36'35" W a distance of 28.28 feet;
- Course XXVI. Thence North 41°36'35" West a distance of 60.75 feet;
- Course XXVII. Thence North 48°23'25" East a distance of 20 feet to the place of beginning and containing 1.1737 acres.

Parcel 3

Situated in the Village of Fairport Harbor, County of Lake and State of Ohio and known as being a part of original Lot 7, Tract 4 in Township 11 North, Range 8 West of the Connecticut Western Reserve and being further described as follows:

Beginning at a 5/8 inch rebar found capped "Babcock & Jones" at the southeasterly corner of Ridge Condominium Association Phase 1 as recorded in volume 28, page 7 of Lake County Record of Plats;

Thence North 24°11'53" East along an easterly line of the said Ridge Condominium Association Phase 1 a distance of 241.41 feet to a 5/8 inch rebar found, capped "Babcock and Jones;"

Thence along an easterly line of the said Ridge Condominium Association Phase 1 on the arc of a curve deflecting to the right having a delta of 10°11'06", a length of 123.43 feet, a radius of 694.39 feet, and a chord which bears North 29°19'14" East a distance of 123.27 feet to the true place of beginning;

- Course I. Thence along an easterly line of the said Ridge Condominium Association Phase 1 on the arc of a curve deflecting to the right having a delta of 10°45'48", a length of 130.44

- feet, a radius of 694.39 feet, and a chord which bears North 39°47'41" East a distance of 130.25 feet to a 5/8 inch rebar found capped Babcock & Jones at a point of tangency;
- Course II. Thence North 45°06'01" East, along an easterly line of the said Ridge Condominium Association Phase 1 a distance of 94.96 feet;
- Course III. Thence South 44°53'59" East a distance of 95.56 feet;
- Course IV. Thence South 45°06'01" West a distance of 93.47 feet;
- Course V. Thence along the arc of a curve deflecting to the left having a length of 111.73 feet, a radius of 416.00 feet, a delta of 15°23'19", a tangent of 56.20 feet, and a chord which bears S 37° 24'22 W a distance of 111.39 feet;
- Course VI. Thence along the arc of a curve deflecting to the right having a length of 37.94 feet, a radius of 20.00 feet, a delta of 108°40'42", a tangent of 27.87 feet, and a chord which bears S 84°03'04" W a distance of 32.50 feet;
- Course VII. Thence North 41°36'35" West a distance of 78.13 feet to the place of beginning and containing 0.5052 acres of land.

Parcel 4

Situated in the Village of Fairport Harbor, County of Lake and State of Ohio and known as being a part of original Lots 7 and 8, Tract 4 in Township 11 North, Range 8 West of the Connecticut Western Reserve and being further described as follows:

Beginning at a 5/8 inch rebar found capped "Babcock & Jones" at the southeasterly corner of Ridge Condominium Association Phase 1 as recorded in volume 28, page 7 of Lake County Record of Plats;

Thence North 24°11'53" East along an easterly line of the said Ridge Condominium Association Phase 1 a distance of 241.41 feet to a 5/8 inch rebar found, capped "Babcock and Jones;"

Thence along an easterly line of the said Ridge Condominium Association Phase 1 on the arc of a curve deflecting to the right having a delta of 20°56'53", a length of 253.88 feet, a radius of 694.39 feet, and a chord which bears North 34°42'08" East a distance of 252.47 feet;

Thence North 45°06'01" East along an easterly line of said Ridge Condominium Association Phase 1 and along an easterly line of Ridge Condominium Association Phases 2 as recorded in the following Lake County Record of Plats Volume 28, Page 30, a distance of 186.96 feet to the true place of beginning;

- Course I. Thence North 45°06'01" East along and along an easterly line of line of said Ridge Condominium Association Phase 2 and along an easterly line of Ridge Condominium Association Phases 3-5 as recorded in the following Lake County Record of Plats respectively: Volume 29, Page 30, Volume 30, Page 13, & Volume 31, Page 14, a distance of 480.14 feet to a 5/8 inch rebar found, capped "Foresight Eng." at the northwesterly corner of parcel #14A0250000150 conveyed to Quartz Scientific, Inc., as recorded in volume 806, page 102 of Lake County Deed Records;
- Course II. Thence South 6°16'40" East, along a westerly line of said parcel #14A0250000150, a distance of 193.49 feet to a 5/8 inch rebar found at the southwesterly corner of said parcel #14A0250000150;
- Course III. Thence North 84°40'36" East, along a southerly line of said parcel # 14A0250000150 a distance of 141.26 feet to a 5/8 inch rebar found at the northwesterly corner of subplot 1 of Fairport Industrial Park as recorded in Volume W, Page 11 of Lake County Record

of Plats also being parcel #14A025A000010 conveyed to Quartz Scientific, Inc. as recorded in volume 899, page 855 of the Lake County Deed Records ;

- Course IV. Thence South 5°40'24" East, along the westerly line of said parcel # 14A025A000010 and also along the westerly line of subplot 2 in said Fairport Industrial Park, known as parcel #14A025A000020 conveyed to Quartz Scientific, Inc. as recorded in volume 125, page 51 of the Lake County Deed Records a distance of 420.00 feet to a 5/8 inch rebar set on a northerly line of parcel #14A025A000030 conveyed to American Property Group, LLC. as recorded in document 2005R022402 of Lake County Record of Documents, also being a southwesterly corner of said parcel #14A025A000020;
- Course V. Thence South 42°53'29" West along a westerly line of said parcel 14A025A000030, a distance of 38.22 feet to 5/8 inch rebar found, capped "Foresight Eng.";
- Course VI. Thence South 87°45'55" West along a northerly line of said parcel 14A025A000030 a distance of 102.53 feet to a 5/8 inch rebar found, capped "Foresight Eng.";
- Course VII. Thence South 5°40'24" East along a westerly line of said parcel 14A025A000030 a distance of 36.72 feet to a 5/8 inch rebar set, capped "Foresight Eng.";
- Course VIII. Thence South 84°19'36" West along a northerly line of said parcel 14A025A000030 a distance of 11.36 feet to a 5/8 inch rebar found, capped "Foresight Eng.";
- Course IX. Thence South 5°15'37" West along a westerly line of said parcel 14A025A000030 a distance of 19.24 feet to a 5/8 inch rebar found, capped "Foresight Eng.";
- Course X. Thence along the arc of a curve deflecting to the right, having a delta of 89°28'31", a length of 114.00 feet, a radius of 73.00 feet, a tangent of 72.33 feet, and a chord which bears South 49°59'53" West a distance of 102.76 feet to a 5/8 inch rebar found, capped "Foresight Eng.";
- Course XI. Thence North 85°15'52" West along a northerly line of said parcel 14A025A000030 a distance of 22.87 feet to a 5/8 inch rebar found, capped "Foresight Eng.";
- Course XII. Thence South 4°44'08" West along a westerly line of said parcel 14A025A000030 a distance of 63.03 feet to a 5/8 inch rebar found, capped "Foresight Eng.," on a westerly line of said parcel #14A025A000030;
- Course XIII. Thence South 21°33'39" East along the westerly line of said parcel #14A025A000030 a distance of 35.84 feet to a 5/8 inch rebar found, capped "Foresight Eng." at a northerly corner of parcel #14A025B000100 conveyed to Eco, Inc., as recorded in Document 2001R057839 of Lake County Record of Documents;
- Course XIV. Thence South 48°23'25" West, along the westerly line of said parcel #14A025B000100, a distance of 172.99 feet;
- Course XV. Thence North 41°36'35" West a distance of 127.00 feet;
- Course XVI. Thence along the arc of a curve deflecting to the right having a length of 31.42 feet, a radius of 20.00 feet, a delta of 90°00'00", a tangent of 20.00 feet, and a chord which bears N 03° 23'25" E a distance of 28.28 feet;
- Course XVII. Thence North 48°23'25" East a distance of 6.00 feet;
- Course XVIII. Thence along the arc of a curve deflecting to the left having a length of 106.09 feet, a radius of 216.00 feet, a delta of 28°08'26", a tangent of 54.14 feet, and a chord which bears N 34° 19'12" E a distance of 105.02 feet;

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- Course XIX. Thence along the arc of a curve deflecting to the right having a length of 29.39 feet, a radius of 20.00 feet, a delta of $84^{\circ}11'20''$, a tangent of 18.07 feet, and a chord which bears $N 62^{\circ}20'39'' E$ a distance of 26.81 feet;
- Course XX. Thence North $11^{\circ}03'54''$ East a distance of 32.08 feet;
- Course XXI. Thence along the arc of a curve deflecting to the right having a length of 29.16 feet, a radius of 20.00 feet, a delta of $83^{\circ}32'17''$, a tangent of 17.86 feet, and a chord which bears $N 39^{\circ}04'41'' W$ a distance of 26.65 feet;
- Course XXII. Thence along the arc of a curve deflecting to the left having a length of 31.53 feet, a radius of 216.00 feet, a delta of $8^{\circ}21'51''$, a tangent of 15.79 feet, and a chord which bears $N 01^{\circ}29'28'' W$ a distance of 31.50 feet;
- Course XXIII. Thence North $05^{\circ}40'24''$ West a distance of 83.71 feet;
- Course XXIV. Thence North $84^{\circ}19'36''$ East a distance of 113.00 feet;
- Course X. Thence North $05^{\circ}40'24''$ West a distance of 126.58 feet;
- Course XXV. Thence South $71^{\circ}15'31''$ West a distance of 131.60 feet;
- Course XXVI. Thence along the arc of a curve deflecting to the left having a length of 19.38 feet, a radius of 116.00 feet, a delta of $9^{\circ}34'16''$, a tangent of 9.71 feet, and a chord which bears $N 40^{\circ}06'51'' W$ a distance of 19.36 feet;
- Course XXVII. Thence North $44^{\circ}53'59''$ West a distance of 29.08 feet;
- Course XXVIII. Thence along the arc of a curve deflecting to the right having a length of 31.42 feet, a radius of 20.00 feet, a delta of $90^{\circ}00'00''$, a tangent of 20.00 feet, and a chord which bears $N 00^{\circ}06'01'' E$ a distance of 28.28 feet;
- Course XXIX. Thence North $46^{\circ}41'23''$ West a distance of 32.02 feet;
- Course XXX. Thence South $45^{\circ}06'01''$ West a distance of 27.26 feet;
- Course XXXI. Thence North $44^{\circ}53'59''$ West a distance of 95.56 feet to the place of beginning and containing 5.6568 acres of land.


 STEVEN N. ROESSNER, P.S. #7070
 FORESIGHT ENGINEERING GROUP, INC.

2/14/07
 DATE



010295

EXHIBIT "3"

TO SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM
OWNERSHIP FOR NAUTICAL RIDGE CONDOMINIUMS

A NARRATIVE DESCRIPTION OF BUILDINGS AND UNITS

The Nautical Ridge Condominium Development is located off High Street (a dedicated public street) in Fairport Harbor, Ohio. The development is served by Nautical Ridge Drive (private road maintained by the Nautical Ridge Condominium Association). The development is situated in Fairport Harbor, Lake County, Ohio. The developer intends to extend and expand the private roadway in order to build condominium units in the Development. The buildings are duplex and triplex multi-family, attached structures containing 2 and 3 units. The buildings are constructed on a slab or basement with a wood frame, exterior of vinyl siding, asphalt felt paper, asphalt shingles and drywall finish on the interior walls.

Unit 1 is a Sutton 2 story Cape-Cod on a Slab Foundation model consisting of 2872 square feet including the garage. The Sutton has a kitchen, great room, 3 bedrooms (master-down), office, 2.5 Baths, laundry room and a two car garage.

Unit 3 is a Sutton 2 story Cape-Cod on a Slab Foundation model consisting of 2751 square feet including the garage. The Sutton has a kitchen, great room, 3 bedrooms (master-down), office, 2.5 Baths, laundry room and a two car garage.

Unit 4 is a Sutton 2 story Cape-Cod on a Slab Foundation model consisting of 2751 square feet including the garage. The Sutton has a kitchen, great room, 3 bedrooms (master-down), office, 2.5 Baths, laundry room and a two car garage.

Unit 15 is a Nantucket one story ranch model consisting of 1986 square feet including the garage. The Nantucket has a great room, two-bedrooms, two full baths, laundry room, and a two car garage.

Unit 16 is a Sutton 2 story Cape-Cod on a Slab Foundation model consisting of 2806 square feet including the garage. The Sutton has a kitchen, great room, 3 bedrooms (master-down), office, 2.5 Baths, laundry room and a two car garage.

Any inconsistencies between the Narrative Description and the Allotted Drawings shall be resolved in favor the Allotted Drawings.

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EXHIBIT "4"

TO SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM
OWNERSHIP FOR NAUTICAL RIDGE CONDOMINIUMS

(Percentage Ownership Interest)

[REDACTED]		
UNIT NUMBER	UNIT TYPE	PERCENTAGE OWNERSHIP INTEREST
1	Sutton	5.88235294117%
3	Sutton	5.88235294117%
4	Sutton	5.88235294117%
5	Waterford	5.88235294117%
6	Nantucket w/ basement	5.88235294117%
7	Waterford	5.88235294117%
8	Nantucket	5.88235294117%
9	Carlisle	5.88235294117%
15	Nantucket	5.88235294117%
16	Sutton	5.88235294117%
19	Sutton	5.88235294117%
20	Nantucket	5.88235294117%
29	Nantucket	5.88235294117%
30	Nantucket	5.88235294117%
45	Carlisle	5.88235294117%
46	Sutton	5.88235294117%
47	Monterey	5.88235294117%
<u>TOTAL</u>		100%

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CONSENT OF MORTGAGEE

The undersigned, Fifth Third Bank, is mortgagee of the premises described in the Declaration of Condominium Ownership for Nautical Ridge Condominiums, Fairport Harbor, Ohio, by virtue of the mortgage recorded on 3-29-2005, as Instrument No. 2005RO12045 of Lake County Records.

The undersigned hereby consents to the execution and delivery of the Second Amendment to Declaration of Condominium Ownership, with the Phase 3 Amendment to Allocated Drawings, attached as an exhibit thereto, and to the filing thereof in the Office of the County Recorder of Lake County, Ohio, and further subjects said Mortgage Deeds to the provisions of Chapter 5311 of the Ohio Revised Code.

FIFTH THIRD BANK

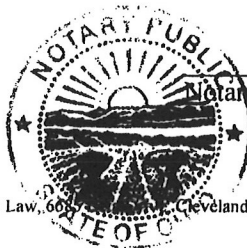
Tony Tavrell
By: Tony Tavrell
Commercial Loan Officer

Kevin Ball
By: Kevin Ball
Senior Vice President

STATE OF OHIO)
) SS.
COUNTY OF LAKE)
 Cuyahoga

BEFORE ME, a Notary Public, in and for said County and State, personally appeared Fifth Third Bank, by Tony TAVRELL, its Commercial Loan Officer and by Kevin Ball, its Senior Vice President, who, having been first duly sworn acknowledged that they did execute the foregoing instrument and that the same was their free act and deed individually and as such officers and the free act and deed of the said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at CLEVELAND, Ohio, this 22nd day of MARCH, 2006. 2007.



Donna M. Feser
DONNA M. FESER
Notary Public, State of Ohio
My Commission Expires
July 24, 2010

THIS INSTRUMENT PREPARED BY:
Ranallo & Aveni LLC, Attorneys And Counselors At Law, 6080
Cleveland, Ohio 44143,

010295