

NAUTICAL RIDGE CONDOMINIUMS

FAIRPORT HARBOR, OHIO

FIRST AMENDMENT TO THE DECLARATION OF CONDOMINIUM OWNERSHIP

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

Date: September 8, 2006
County Auditor: Edward H. Zupancic
By: Kimberly M. Peterson
Deputy Auditor

This First Amendment to the Declaration of Condominium Ownership has been filed in the office of the Lake County Recorder on _____ and Recorded in Document Number: _____.

County Recorder

By: _____
County Recorder

THIS INSTRUMENT PREPARED BY:

Ranallo & Aveni LLC
6685 Beta Drive
Cleveland, Ohio 44143
Telephone (440) 684-1600
Fax (440) 684-1601

2006R037066

LAKE COUNTY OHIO
RECORDED ON

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LAKE COUNTY RECORDER

REC. FEE: 156.00
PAGES: 18

FIRST AMENDMENT TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR NAUTICAL RIDGE CONDOMINIUMS
FAIRPORT, OHIO

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 Instrument No. 20061015438 of Lake County Official Records and the Drawings being recorded in Volume 52, Page 7 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; and

WHEREAS, under the Declaration the right was reserved by Declarant to develop a total of one hundred fifty-six (156) Units, eighty (80) Units on land currently owned by Declarant and the possible addition of seventy-six (76) Units on the Additional Land, and the improvements thereon and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the Unit Owners; and

WHEREAS, Declarant is the legal title holder 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 2 of the Nautical Ridge Condominiums which is improved with the Buildings thereon containing five (5) Units.

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

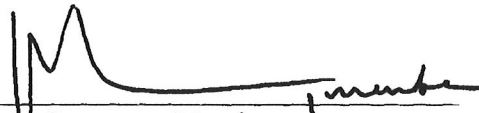
1. Exhibit "A" of the Declaration, entitled Condominium Drawing for Phase 1 of the Nautical Ridge Condominiums, is hereby deleted in its entirety and replaced with Exhibit "A" attached hereto and incorporated herein by reference.
2. The Phase 2 property and the improvements thereon, and all easements, rights and appurtenances thereto and all articles of personal property existing for the common use of the 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 hereinbefore identified.

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 2 of the Nautical Ridge Condominiums, the legal description of Phase 2 being described in Exhibit "A-1" (containing 1.1981 acres) attached hereto and made a part hereof.
4. The legal description of the Additional Lands 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 to the Additional Lands being described in Exhibit "A-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 seven (7) Units to twelve (12) Units. A narrative description of the Units for Phase 2 is set forth in Exhibit "3" attached hereto and made a part hereof.
6. The percentage 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 "5" attached hereto and made a part hereof.
7. The particulars of the land, buildings and other improvements for Phase 2, including, but not limited to, the layout, location, designation, dimensions of each 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 2 Allotted Drawings incorporated in this First Amendment to Declaration of Condominium Ownership for the Nautical Ridge Condominiums, by reference as Exhibit "A", prepared and bearing the certified statement of Steven N. Roessner, Professional Surveyor, 320 Center Street, Unit F, Chardon, Ohio 44024 and Robert J. Provost, Professional Engineer, 320 Center Street, Unit F, Chardon, Ohio 44024, as required by the Condominium Act of the State of Ohio. The Phase 2 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 First Amendment to the Declaration.
8. Article XVIII (C) of the Declaration entitled Warranties is amended to provide that the two (2) year warranty period for Phase 2 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 2 to a Purchaser in good faith for value.
9. No owner of a Unit which was not included in Phase 2 shall: (a) have or obtain any interest funds collected by the Association from the owners of units included in Phase 1 prior to the filing of this 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 Amendment.

10. Declarant will assume the rights and obligations of a Unit Owner in its capacity as owner of Condominium Ownership Interests not yet sold, including, without limitation, the obligation to pay Common Expenses attaching to such interest from the date the amendment to the Declaration creating such interest is filed for record.
11. Except as amended herein, the Declaration and Bylaws thereto shall remain in full force and effect.
12. Consent to this First Amendment to the Declaration 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 8th day of September, 2006.

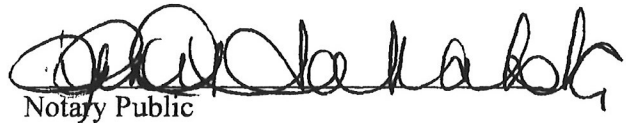
NAUTICAL RIDGE DEVELOPMENT LLC

By: 
Ryan Sommers, Member

STATE OF OHIO)
)
LAKE COUNTY) SS.

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named Nautical Ridge Development LLC, an Ohio limited liability company, by Ryan Sommers, its Member, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was the free act and deed of said limited liability company and was his free act and deed both individually and in his capacity as such member.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this
27th day of September, 2006.


Notary Public

THIS INSTRUMENT PREPARED BY:
Ranallo & Aveni LLC
Attorneys and Counselors At Law
6685 Beta Drive
Cleveland, Ohio 44143
Telephone (440) 684-1600
Fax (440) 684-1601



RENEE C. SOKALSKI
Notary Public - State of Ohio
My Commission Expires July 2, 2011
(Recorded in Lake County)

EXHIBIT "A-1"

**TO FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM
OWNERSHIP FOR THE NAUTICAL RIDGE CONDOMINIUMS**

LEGAL DESCRIPTION OF PHASE 2

Survey Description
Phase 2
Nautical Ridge Condominiums
August 9, 2006

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:

Unit's 5, 6 & 7

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, on the easterly right of way of High Street, 80 feet wide;

- Course I. Thence South $41^{\circ}30'36''$ East along an easterly right of way of High Street, 80' wide, a distance of 128.28 feet;
- Course II. Thence North $48^{\circ}23'25''$ East a distance of 304.94 feet;
- Course III. Thence North $41^{\circ}36'35''$ West a distance of 128.00 feet;
- Course IV. Thence South $48^{\circ}26'36''$ West a distance of 304.72 feet to the true place of beginning and containing 0.8967 acres.

Units 29 & 30

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 $41^{\circ}30'36''$ East along an easterly right of way of High Street, 80' wide, 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 $48^{\circ}23'25''$ East along a northerly line of said parcel 14A025B000100 a distance of 376.23 feet;

Thence North $41^{\circ}36'35''$ West a distance of 127.00 feet;

Thence along the arc of a curve deflecting to the right having a length of 30.42 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;

Thence North $48^{\circ}23'25''$ East a distance of 6.00 feet;

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 $28^{\circ}08'26''$, a tangent of 54.14 feet, and a chord which bears N $34^{\circ}19'12''$ E a distance of 105.02 feet;

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;

Thence North $11^{\circ}03'54''$ East a distance of 32.08 feet;

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;

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;

Thence North $05^{\circ}40'24''$ West a distance of 83.71 feet to the true place of beginning;

Course I. Thence North $84^{\circ}19'36''$ East a distance of 113.00 feet;

Course II. Thence North $05^{\circ}40'24''$ West a distance of 126.58 feet;

Course III. Thence South $71^{\circ}15'31''$ West a distance of 131.60 feet;

Course IV. Thence along the arc of a curve deflecting to the right having a delta of $29^{\circ}39'19''$, a length of 60.04 feet, a radius of 116.00 feet, a tangent of 30.71 feet, and a chord which bears $S\ 20^{\circ}30'03''\ E$ a distance of 59.37 feet;

Course V. Thence South $05^{\circ}40'24''$ East a distance of 39.42 feet to the place of beginning and containing 0.3014 acres.


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

9/10/06
DATE



EXHIBIT "A-2"

**TO FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM
OWNERSHIP FOR THE NAUTICAL RIDGE CONDOMINIUMS**

LEGAL DESCRIPTION OF ADDITIONAL LANDS

**Description
Additional Lands
to
Phase 2
Nautical Ridge Condominiums
August 9, 2006**

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 32.00 feet to the true place of beginning;

- | | |
|--------------|---|
| Course I. | Thence North 48°23'25" East a distance of 20 feet; |
| Course II. | Thence North 41°36'35" West a distance of 30.00 feet; |
| Course III. | Thence South 48°23'25" West a distance of 20.00 feet; |
| Course IV. | Thence North 41°36'35" West a distance of 111.58 feet; |
| Course V. | 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 VI. | Thence along the arc of a curve deflecting to the left 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 VII. | Thence South 59°49'29" East a distance of 20.00 feet; |
| Course VIII. | Thence North 34°02'44" East a distance of 43.07 feet; |
| Course IX. | Thence South 55°57'16" East a distance of 64.02 feet; |
| Course X. | Thence North 48°23'25" East a distance of 99.95 feet; |
| Course XI. | Thence North 44°53'59" West a distance of 93.91 feet; |
| Course XII. | Thence North 45°06'01" East a distance of 85.97 feet; |
| Course XIII. | 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 XIV. | Thence South 44°53'59" East a distance of 29.08 feet; |

- Course XV. 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 XVI. Thence South 84°19'36" West a distance of 19.85 feet;
- Course XVII. Thence South 05°40'24" East a distance of 70.00 feet;
- Course XVIII. Thence North 84°19'36" East a distance of 20.00 feet;
- Course XIX. Thence South 05°40'24" East a distance of 58.14 feet;
- Course XX. 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 XXI. Thence North 66°55'07" West a distance of 20.01 feet;
- Course XXII. Thence South 28°08'13" West a distance of 38.85 feet;
- Course XXIII. Thence South 56°48'27" East a distance of 20.01 feet;
- Course XXIV. 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 XXV. Thence South 48°23'25" West a distance of 44.78 feet;
- Course XXVI. 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 XXVII. Thence North 41°36'35" West a distance of 60.75 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 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 South 41°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°30'36" East along an easterly right of way of said High Street, a distance of 90.86 feet
- Course II. Thence North 48°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°43'39", a tangent of 6.81 feet, and a chord which bears N 53°15'15" E a distance of 13.57 feet;

- Course IV. Thence North 58°07'04" East a distance of 58.26 feet;
- Course V. Thence North 53°15'15" East a distance of 11.87 feet;
- Course VI. Thence North 48°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°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 VIII. Thence North 41°36'35 West a distance of 82.86 feet;
- Course IX. Thence South 48°23'25" West a distance of 304.94 feet to the place of beginning and containing 0.6797 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 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 and along an easterly line of Ridge Condominium Association Phases 2-5 as recorded in the following Lake County Record of Plats respectively: Volume 28, Page 30, Volume 29, Page 30, Volume 30, Page 13, & Volume 31, Page 14, a distance of 667.10 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 III. 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 IV. 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 V. 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 VI. 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 VII. 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 VIII. 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 IX. 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 X. 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 XI. 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 XII. 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 XIII. 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 XIV. 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 XV. Thence South 48°23'25" West, along the westerly line of said parcel #14A025B000100, a distance of 172.99 feet;
- Course XVI. Thence North 41°36'35" West a distance of 127.00 feet;
- Course XVII. Thence along the arc of a curve deflecting to the right having a length of 30.42 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 XVIII. Thence North 48°23'25" East a distance of 6.00 feet;
- Course XIX. 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;
- Course XX. 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°11'20", a tangent of 18.07 feet, and a chord which bears N 62°20'39" E a distance of 26.81 feet;

- Course XXI. Thence North $11^{\circ}03'54''$ East a distance of 32.08 feet;
- Course XXII. 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 XXIII. 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 XXIV. Thence North $05^{\circ}40'24''$ West a distance of 83.71 feet;
- Course XXV. 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 XXVI. Thence South $71^{\circ}15'31''$ West a distance of 131.60 feet;
- Course XXVII. 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 XXVIII. Thence North $44^{\circ}53'59''$ West a distance of 29.08 feet;
- Course XXIX. 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 XXX. Thence North $46^{\circ}41'23''$ West a distance of 32.02 feet;
- Course XXXI. Thence South $45^{\circ}06'01''$ West a distance of 212.73 feet;
- Course XXXII. 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 $15^{\circ}23'19''$, a tangent of 56.20 feet, and a chord which bears S $37^{\circ}24'22''$ W a distance of 111.39 feet;
- Course XXXIII. 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 $108^{\circ}40'42''$, a tangent of 27.87 feet, and a chord which bears S $84^{\circ}03'04''$ W a distance of 32.50 feet;
- Course XXXIV. Thence North $41^{\circ}36'35''$ West a distance of 78.13 feet to the place of beginning and containing 6.3638 acres of land.


 STEVEN N. ROESSNER, P.S. #7070
 FORESIGHT ENGINEERING GROUP, INC.
 DATE 8/10/06



EXHIBIT "3"

TO FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR THE NAUTICAL RIDGE CONDOMINIUMS

NARRATIVE DESCRIPTION

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 5 is a Waterford two story Cape Cod model with a full basement. The Waterford consists of 2616 square feet including the garage. The Waterford has a kitchen, great room, 3 bedrooms (master-down), office, 3 full Baths and two-car garage. This Waterford condominium has a walkout basement.

Unit 6 is a Nantucket one story ranch model with a full basement. The Nantucket consists of 1944 square feet including the garage. This Nantucket model has a kitchen, great room, two-bedrooms, two full baths, laundry room, a two-car garage and a walkout basement.

Unit 7 is a Waterford two story Cape Cod model with a full basement. The Waterford consists of 2616 square feet including the garage. The Waterford has a kitchen, great room, 3 bedrooms (master-down), office, 3 full baths, laundry room and two-car garage. This Waterford condominium has a walkout basement.

Unit 29 is a Nantucket one story ranch model with a full basement. The Nantucket consists of 1954 square feet including the garage. The Nantucket has a kitchen, great room, one guest bedroom, master bedroom, two full baths, laundry room, and a two-car garage.

Unit 30 is a Nantucket one story ranch model with a full basement. The Nantucket consists of 1935 square feet including the garage. The Nantucket has a kitchen, great room, one guest bedroom, master bedroom, two full 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.

EXHIBIT "5"

**TO FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM
OWNERSHIP FOR THE NAUTICAL RIDGE CONDOMINIUMS**

(Percentage Ownership Interest)

EXHIBIT 5 - PERCENTAGE OWNERSHIP OF COMMON ELEMENTS		
UNIT NUMBER	UNIT TYPE	PERCENTAGE OWNERSHIP INTEREST
5	Waterford	8.333333333333%
6	Nantucket w/ basement	8.333333333333%
7	Waterford	8.333333333333%
8	Nantucket	8.333333333333%
9	Carlisle	8.333333333333%
19	Sutton	8.333333333333%
20	Nantucket	8.333333333333%
29	Nantucket	8.333333333333%
30	Nantucket	8.333333333333%
45	Carlisle	8.333333333333%
46	Sutton	8.333333333333%
47	Monterey	8.333333333333%
TOTAL		100%

CONSENT OF MORTGAGEE

The undersigned, 5/3 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 March 29, 2005, as Instrument No. 2056012045 of Lake County Records.

The undersigned hereby consents to the execution and delivery of the First Amendment to Declaration of Condominium Ownership, with the Phase 2 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

Anthony Tarrell
By: Anthony Tarrell

Louis Sala
By: LOUIS SALA

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

BEFORE ME, a Notary Public, in and for said County and State, personally appeared 5/3 BANK, by ANTHONY TAVRELL, its CRE OFFICER and by LOUIS SALA, its CRE OFFICER, 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 5 day of SEPT., 2006.

Rose Ann M. Stone
Notary Public

THIS INSTRUMENT PREPARED BY:

Ranallo & Aveni LLC, Attorneys And Counselors At Law, 6685 Beta Drive, Cleveland, Ohio 44143,

Rose Ann M. Stone
Notary Public for the State of Ohio
Recorded in Cuyahoga County
My Commission Expires July 14, 2008