

199900038640  
Filed for Record in  
DELAWARE COUNTY, OHIO  
KAY E. CONKLIN  
11-22-1999 At 04:36  
ADJUST AMEN 32.00  
199900038640  
Celtic Title Miller Box

**SUPPLEMENTAL DECLARATION  
TO THE  
MASTER DECLARATION OF COVENANTS,  
EASEMENTS, CONDITIONS AND RESTRICTIONS  
FOR SCIOTO RESERVE SUBDIVISION**

This Supplemental Declaration of Covenants, Easements, Conditions and Restrictions is made as of the 19<sup>th</sup> day of November, 1999, by Triangle Properties, Inc., an Ohio corporation, located at 6099 Frantz Road, Dublin, Ohio 43017 ("Declarant").

Whereas the Declarant has previously filed of record a Master Declaration of Covenants, Easements, Conditions and Restrictions on September 10, 1999 at 1:12 P.M. in Volume 672, Page 235, Recorder's Office, Delaware County, Ohio, (the "Original Declaration").

Whereas the Declarant established in said Original Declaration specific restrictions and conditions affecting the single family subdivision lot ground described therein in Exhibit "A", and by reference certain of the provisions apply to what is generally referred to as the Scioto Reserve Condominium ground.

Whereas, at the time of filing of the Original Declaration, Declarant was the owner of 746.436 acres (referred to in error in the Original Declaration as 459.43 acres) on which the Declarant is developing a golf course, four single family development phases (consisting of 459.43 acres as described in the Original Declaration in Exhibit "A") and one multi family development phase (the "Condominium Ground" as more fully described herein as a 22.288 acre tract of ground as setforth in Exhibit "A" herein) each of said developments was referred to therein as a Development Phase.

Whereas, certain provisions of the Original Declaration provide that Declarant has the right to modify and supplement the provisions thereof for the different development phases of Scioto Reserve.

NOW THEREFORE:

- I. The Declarant by this document is adding the Condominium Ground described in Exhibit "A" and consisting of 22.288 acres and as delineated on Exhibit "B" hereto, as ground that is specifically subject to those covenants, easements and conditions and restrictions as setforth in the Original Declaration, recorded in Volume 672, Page 235, Recorder's Office, Delaware County, Ohio, except as setforth below:
  - A. The following provisions setforth in the Original Declaration do not apply to the Condominium Ground.


F10991-001  
CELTIC TITLE BOX

1. The Use Restrictions set forth as Item IV in the Original Declaration will not apply to the Condominium Ground. However, the developer of the Condominium Ground must develop a comparable set of Use Restrictions, which will be included in the Declaration of Condominium to be prepared and filed by the developer. These Use Restrictions will be subject to the written approval of the Declarant, Triangle Properties, Inc. in its sole discretion, provided, however, if such proposed Use Restrictions are substantially and materially the equivalent of the Use Restrictions set forth in Item IV, Triangle Properties, Inc. will not unreasonably withhold its consent to the same.
  
2. The Easements and Licenses set forth as Item VI in the Original Declaration will not apply to the Condominium Ground. However, the developer of the Condominium Ground must develop comparable easement and license provisions, to be set forth in the Declaration of Condominium. These provisions relating to easements and licenses will be subject to the written approval of the Declarant, Triangle Properties, Inc. in its sole discretion, provided, however, if such proposed easement and license provisions are substantially and materially the equivalent of the easement and license provisions set forth in Item VI, Triangle Properties, Inc. will not unreasonably withhold its consent to the same.


II. The Condominium Ground shall be used solely for the construction of up to ninety-two (92) condominium units to be sold as residential units. The units are to be constructed so as to have a minimum living area of two thousand square feet, being net interior finished livable square footage, including basements, and excluding garages. A minimum of seventeen hundred square feet of the required two thousand square feet must be located on the first and second floors.

In witness whereof, the Declarant has caused the execution of this Declaration as of the date first above written.

WITNESSES:

  
Ronald E. Davis  
 [Print Name]

Triangle Properties, Inc., an Ohio corporation

By:   
 Its: \_\_\_\_\_



*DJ Betts*  
DJ BETTS  
[Print Name]

STATE OF OHIO,  
COUNTY OF FRANKLIN, SS

BE IT REMEMBERED, that on this 19<sup>th</sup> day of November 1999,  
before me, the subscriber, a Notary Public in and for said County, personally appeared  
the above named Triangle Properties, Inc., an Ohio corporation, by Donald R. Kenney, its  
President, who acknowledged that he 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 him personally  
and as such officer.

IN TESTIMONY THEREOF, I have hereunto subscribed my name and affixed  
my seal on this day and year aforesaid.

*Ronald E. Davis*

Notary Public



RONALD E. DAVIS, Attorney-At-Law  
NOTARY PUBLIC, STATE OF OHIO  
My commission has no expiration date  
Section 147.03 R.C.

EXHIBIT A

vol 0011 PAGE 171

DESCRIPTION OF A 22.288 ACRE TRACT OF LAND  
LOCATED NORTH OF HOME ROAD, EAST OF SECTION LINE ROAD  
CONCORD TOWNSHIP, DELAWARE COUNTY , OHIO

Situated in the State of Ohio, County of Delaware, Township of Concord, lying in Farm Lots 15, 16 and 31, Section 2, Township 3 North, Range 19 West, United States Military Lands, and being a 22.288 acre tract of land, comprised of 22.288 acres out of a 121.670 acre tract and 2.57 square feet out of a 63.545 acre tracts conveyed to Triangle Properties, Inc. by deeds of record in Deed Book 663, Page 648, and Deed Book 663, Page 646, respectively, all records herein of the Recorder's Office, Delaware County, Ohio and being more particularly described as follows;

**BEGIN FOR REFERENCE** at a railroad spike found marking the centerline intersection of Home Road (County Road 124, 60 feet-wide) and Section Line Road (County Road 5, 60 feet-wide), said railroad spike also being the corner common to said Farm Lot 14 and Farm Lot 15, Section 2, Township 3 North, Range 19 West and Farm Lot 3 and 4, Section 1, Township 3 North, Range 20 West;

Thence South  $86^{\circ} 49' 49''$  East, a distance of 1541.06 feet, along the centerline of said Home Road, to a railroad spike set at south corner common to said 121.670 acre tract and a 1.110 acre tract conveyed to Janice E. Williams by a deed of record in Deed Book 485, Page 800, said spike also being the **POINT OF TRUE BEGINNING** of the 22.288 acre tract described herein;

Thence North  $03^{\circ} 28' 52''$  East, a distance of 297.44 feet, leaving the centerline of said Home Road, along a line common to said 121.758 and 1.110 acre tracts, to an iron pin found marking a corner common to said 121.758 and 1.110 acre tracts;

Thence along the following six (6) courses and distances over and across said 121.758 and 63.545 acre tracts:

1. Thence North  $60^{\circ} 31' 14''$  East, a distance of 379.09 feet, to a point;
2. Thence North  $40^{\circ} 24' 27''$  East, a distance of 270.30 feet, to a point;
3. Thence North  $33^{\circ} 06' 42''$  East, a distance of 447.34 feet, to a point;
4. Thence North  $45^{\circ} 03' 24''$  East, a distance of 155.01 feet, to a point;
5. Thence South  $45^{\circ} 22' 42''$  East, a distance of 544.00 feet, to a point, passing the line common to said 121.758 and 63.545 acre tracts at 533.88 feet;
6. Thence South  $03^{\circ} 50' 34''$  West, a distance of 44.69 feet, to a stone found at a corner common to said 121.670 and 63.545 acre tracts, and a 7.893 acre tract conveyed to Ronnie A. Dulin by a deed of record in Deed Book 459, Page 632;



Thence South 03° 50' 34" West, a distance of 814.55 feet, along the line common to said 121.758 and 7.893 acre tracts, to a railroad spike found marking the south corner common to said 121.758 and 7.893 acre tracts set in the centerline of said Home Road;

Thence North 87° 01' 53" West, a distance of 252.20 feet, along the centerline of said Home Road, to an railroad spike found marking an angle point in said centerline;

Thence North 86° 49' 49" West, a distance of 956.60 feet, continuing along the centerline of Home Road, to the POINT OF TRUE BEGINNING, containing 22.288 acres more or less, of which 15.813 acres lie within Farm Lot 15, 3.017 acres lie within Farm Lot 16, and 3.458 acres lie within Farm Lot 31 are out of said 121.758 acre tract, and 2.57 square feet lie within Farm Lot 30 are out of said 63.545 acre tract, and being subject to all easements and rights-of-way of record;

All iron pins (to be set after construction) are 3/4" iron pins with yellow plastic caps stamped "R. D. Zande".

The bearings shown hereon are based on the Grid Bearing of N 86° 28' 32" W between Delaware County GIS Monuments DEL 94 and DEL 89 as determined by a GPS network of field observations performed in July, 1998.

R.D. ZANDE & ASSOCIATES, INC.

*Chris Y. Scheeres, P.S.* 18 June 99  
Registered Surveyor No. 7385 Date



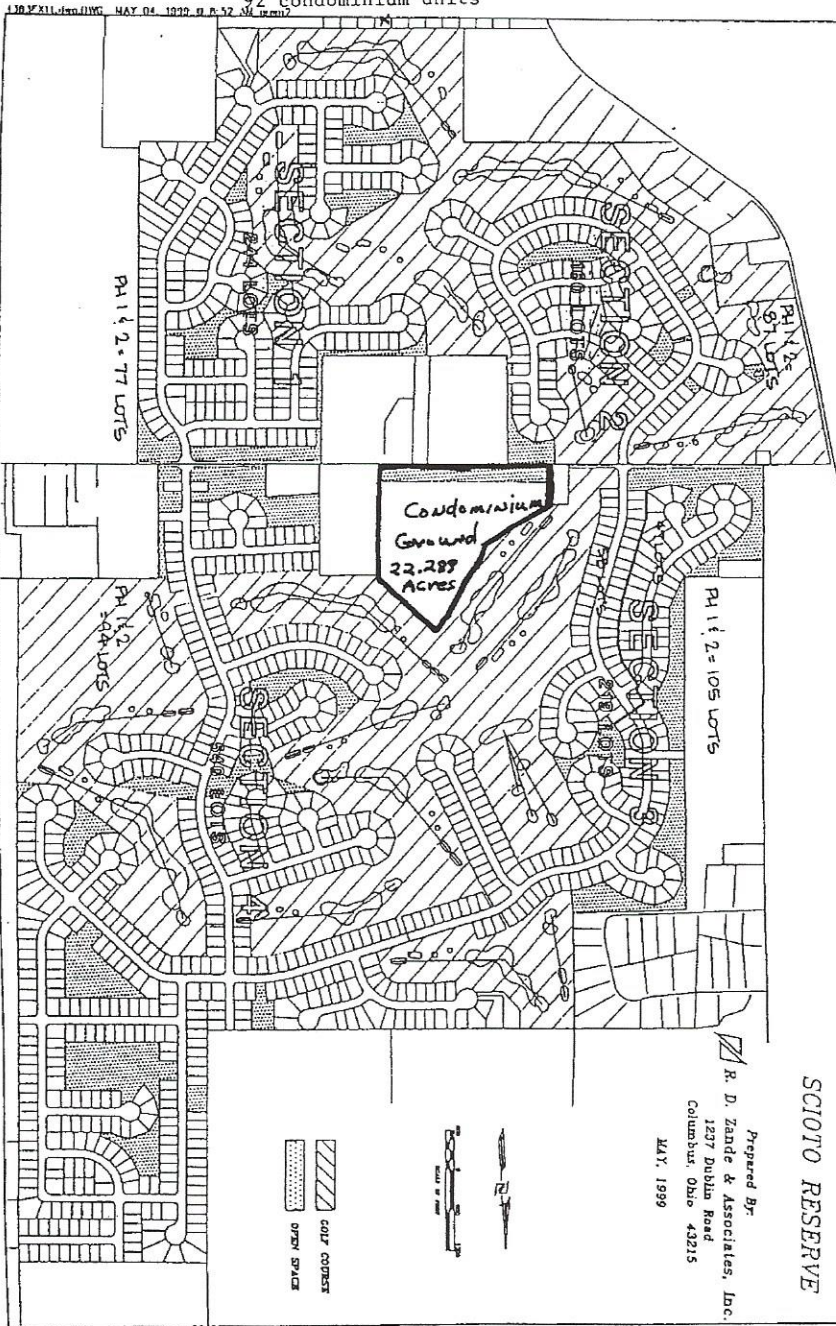
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EXHIBIT B

Site Plan

for Golf Course,  
1163 subdivision lots and  
92 condominium units

VOL 0011 PAGE 173



200100030010  
Filed for Record in  
DELAWARE COUNTY, OHIO  
KAY E. CONKLIN  
08-13-2001 03:36 PM.  
REST AMEN 20.00  
OR book 119 Page 30 - 31A  
INDICATION

**SECOND SUPPLEMENTAL DECLARATION  
TO THE  
MASTER DECLARATION OF COVENANTS,  
EASEMENTS, CONDITIONS AND RESTRICTIONS  
FOR SCIOTO RESERVE SUBDIVISION**

*Midland Caltee, Scioto Res., dh*  
200100030010  
SCOTT MILLER BOX

This Second Supplemental Declaration of Covenants, Easements, Conditions and Restrictions is made as of the 7<sup>th</sup> day of August, 2001, by Triangle Properties, Inc., an Ohio corporation, located at 470 Olde Worthington Road, Suite 100, Westerville, Ohio 43082 ("Declarant").

Whereas the Declarant has previously filed of record a Master Declaration of Covenants, Easements, Conditions and Restrictions on September 10, 1999 at 1:12 P.M. in Volume 672, Page 235, Recorder's Office, Delaware County, Ohio, (the "Original Declaration"), and a Supplemental Declaration of record in Volume 0011 page 168, Recorder's Office, Delaware County, Ohio (the "Supplemental Declaration")

Whereas the Declarant established in said Original Declaration specific restrictions and conditions affecting the single family subdivision lot ground described therein in Exhibit "A".

Whereas, at the time of filing of the Original Declaration and the Supplemental Declaration, Declarant was the owner of 746.436 acres (referred to in error in the Original Declaration as 459.43 acres) on which the Declarant is developing a golf course, four single family development phases (consisting of 459.43 acres as described in the Original Declaration in Exhibit "A") and one multi family development phase (the "Condominium Ground" as more fully described herein as a 22.288 acre tract of ground as setforth in Exhibit "A" or the Supplemental Declaration), each of said developments was referred to therein as a Development Phase.

Whereas, certain provisions of the Original Declaration provide that Declarant has the right to modify and supplement the provisions thereof for the different development phases of Scioto Reserve.

NOW THEREFORE:

The original Declaration is hereby modified and amended as follows:

a. Article IV, Section S is hereby deleted in its entirety and substituted therefore is the following:

S. Swimming Pools; Recreational Structures. No above ground swimming pool extending twelve (12) inches or more above the finished grade of the Lot shall be permitted upon any Lot except that this Article



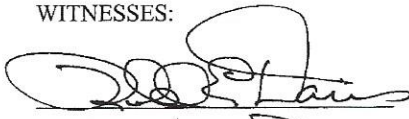
IV, Section S shall not be intended to prohibit the installation of a hot tub or sauna. If an in-ground pool is installed on any Lot, all fencing around said Pool shall be wrought iron construction, painted dark green or black (one or the other) only. On lots having any portion of any lot line in common with the Golf Course, no recreational structures may be located, including but not limited to teeter-totters, merry-go-rounds, play houses, forts and any and all other forms of children's recreational structures, except for swing sets and sand boxes which shall only be erected with written approval of the design and location by Declarant or its designee. Any approved recreational structure on lots adjacent to the golf course must be erected no closer than 20 feet from the adjacent Golf Course property line(s).

b. Article IV, Section AA is hereby added to the original Declaration:

AA. Rear Step Design and Construction. Declarant hereby requires that steps leading down from/up to any rear facing door be constructed in such a manner as to preclude the use of simple one-direction stringer and step construction. Declarant requires the use of a landing with a change of direction, and mandatory hand rails as part of rear step construction, and rear step construction specifications should all be specifically addressed as part of the plan approval process between a builder and Declarant.

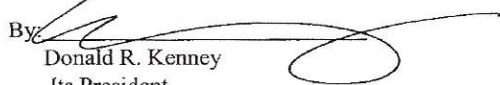
In witness whereof, the Declarant has caused the execution of this Second Supplemental Declaration as of the date first above written.

WITNESSES:

  
\_\_\_\_\_  
Donald E. Davis  
[Print Name]

  
\_\_\_\_\_  
D J BETTS  
[Print Name]

Triangle Properties, Inc., an Ohio corporation

By:   
Donald R. Kenney  
Its President

Provisions contained in any deed or other instrument for the conveyance of a dwelling which restrict the sale, rental or use of the property because of race or color are invalid under federal law and are unenforceable.



STATE OF OHIO,  
COUNTY OF FRANKLIN, SS

BE IT REMEMBERED, that on this 7<sup>th</sup> day of August 2001, before me, the subscriber, a Notary Public in and for said County, personally appeared the above named Triangle Properties, Inc., an Ohio corporation, by Donald R. Kenney, its President, who acknowledged that he 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 him personally and as such officer.

IN TESTIMONY THEREOF, I have hereunto subscribed my name and affixed my seal on this day and year aforesaid.



Notary Public



RONALD E. DAVIS, Attorney-At-Law  
NOTARY PUBLIC, STATE OF OHIO  
My commission has no expiration date  
Section 147.03 R.C.

This Instrument Prepared by:  
Ronald E. Davis, Esq.  
Folkerth, Haddow, & Davis  
341 South Third Street, Suite 200  
Columbus, Ohio 43215  
i:/red/r2974.doc

200500025544  
Filed for Record in  
DELAWARE COUNTY, OHIO  
ANDREW O BRENNER  
07-01-2005 At 02:53 pm.  
DECLAR SUPP 64.00  
DR Book 624 Page 1 - 6

**SUPPLEMENTAL DECLARATION TO THE MASTER DECLARATION OF  
COVENANTS, EASEMENTS, CONDITIONS AND RESTRICTIONS FOR  
SCIOTO RESERVE SUBDIVISION**

This Supplemental Declaration of Covenants, Easements, Conditions and Restrictions is made as of the 15<sup>th</sup> day of May, 2005, by Triangle Properties, Inc., an Ohio corporation, located at 470 Olde Worthington Road, Westerville, Ohio, 43082, ("Declarant").

Whereas the Declarant has previously filed of record a Master Declaration of Covenants, Easements, Conditions and Restrictions on September 10, 1999 at 1:12 P.M. in Volume 672, Page 235, Recorder's Office, Delaware County, Ohio, (the "Original Declaration").

Whereas the Declarant established in said Original Declaration specific restrictions and conditions affecting the single family subdivision lot ground described therein, and by reference certain of the provisions apply to what is generally referred to as the Scioto Reserve Condominium ground.

Whereas, at the time of filing of the Original Declaration, Declarant was the owner of 746.436 acres (referred to in error in the Original Declaration as 459.43 acres) on which the Declarant is developing a golf course, four single family development phases (consisting of 459.43 acres as described in the Original Declaration) and one multi family development phase, each of said developments was referred to therein as a Development Phase.

Whereas, pursuant to the General Provisions, I of the Master Declaration the Declarant has the right to add additional acreage adjacent to the Property described in the Master Declaration and subject it to the Master Declaration, so as to benefit and encumber such annexed property as fully as if it were a part of the Property described in the Master Declaration.

NOW THEREFORE:

- I. The Declarant by this document is adding as Condominium Ground 21.556 acres described in Exhibit "A", as part of the Property subject to those covenants, easements, conditions and restrictions as set forth in the Master Declaration, recorded in Volume 672, page 235, Recorder's Office, Delaware County, Ohio.
  - A. The following provisions set forth in the Original Declaration do not apply to the Condominium Ground.
    - 1. The Use Restrictions set forth as Item IV in the Original Declaration will not apply to the Condominium Ground. However, the developer of the

The Talon Group Box-DTN-TP  
520032-KC

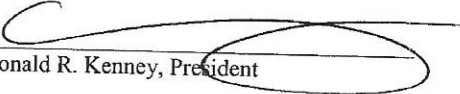
200500025544  
TALON GROUP--BOX

which will be included in the Declaration of Condominium to be prepared and filed by the Condominium Developer. These Use Restrictions will be subject to the written approval of the Declarant, Triangle Properties, Inc. in its sole discretion, provided, however, if such proposed Use Restrictions are substantially and materially the equivalent of the Use Restrictions set forth in Item IV, Triangle Properties, Inc. will not unreasonably withhold its consent to the same.

- 2. The Easements and Licenses set forth in Item VI in the Original Declaration will not apply to the Condominium Ground. However, the developer of the Condominium Ground must develop comparable easement and license provisions, to be set forth in the Declaration of Condominium. These provisions relating to easements and licenses will be subject to the written approval of the Declarant, Triangle Properties, Inc. in its sole discretion, provided, however, if such proposed easement and license provisions are substantially and materially the equivalent of the easement and license provisions set forth in Item VI, Triangle Properties, Inc. will not unreasonably withhold its consent to same.

The Declarant has caused the execution of this Declaration as of the date first above written.

Triangle Properties, Inc., an Ohio corporation

By:   
Donald R. Kenney, President

STATE OF OHIO  
COUNTY OF Delaware, SS:

Be it remembered that on this 29 day of June, 2005, before me, the subscriber, a Notary Public in and for said County, personally appeared the above named Triangle Properties, Inc., an Ohio corporation, by Donald R. Kenney, its President, who acknowledged that he 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 him personally and as such officer.

In testimony thereof, I have hereunto subscribed my name and affixed my seal on this day and year aforesaid.



**PHAEDRA M. COOPER**  
STATE OF OHIO  
My Commission Expires 02-24-07

  
Notary Public



## EXHIBIT A

## Description of a 21.556 Acre Tract

May 13, 2005

Situate in the State of Ohio, County of Delaware, Township of Concord, being part of Farm Lot 19 and Farm Lot 20, in Section 2, Township 3, Range 19, United States Military Lands, and being 6.737 acres out of a 101.718 acre tract of land described in deed to Triangle Properties, Inc., recorded Official Record Volume 606, Page 237, and 14.819 acres out of a 27.012 acre tract of land described in deed to Triangle Properties, Inc., recorded Official Record Volume 518, Page 1348, and being more particularly described as follows:

**BEGINNING** at an iron pin found at the northeast corner of said Farm Lot 19, and being on the centerline of Hyatts Road (C.R. 123);

Thence, South 04°00'32" West, with the west line of a 5.0 acre tract of land described in deed to David R. Monska and Paula Monska, recorded Deed Book 503, Page 427, and the east line of said Farm Lot 19 (passing an iron pipe found at 30 feet and at 726.21 feet), in all a distance of 771.21 feet to an iron pin set on the west line of said 27.012 acre tract;

Thence, through said 27.012 acre tract the following eleven (11) courses;

- 1.) South 86°45'32" East, a distance of 159.68 feet to an iron pin set;
- 2.) South 70°21'38" East, a distance of 212.53 feet to an iron pin set;
- 3.) South 86°45'32" East, a distance of 613.70 feet to an iron pin set;
- 4.) South 04°05'43" West, a distance of 462.41 feet to an iron pin set;
- 5.) North 86°08'17" West, a distance of 213.66 feet to an iron pin set;
- 6.) South 03°51'43" West, a distance of 130.00 feet to an iron pin set;
- 7.) North 86°08'17" West, a distance of 199.52 feet to an iron pin set;

Page 1 of 4



# EXHIBIT A

VOL 0624 PAGE 0004

- 8.) South  $03^{\circ}51'43''$  West, a distance of 60.00 feet to an iron pin set at a point of curvature;
- 9.) With the arc of a curve to the right, having a radius of 12.00 feet, an interior angle of  $89^{\circ}45'57''$ , a chord which bears South  $40^{\circ}47'13''$  East at 16.94 feet, and an arc length of 18.80 feet to an iron pin set;
- 10.) South  $04^{\circ}05'50''$  West, a distance of 75.45 feet to an iron pin set;
- 11.) North  $85^{\circ}54'44''$  West, continue through said 27.012 acre tract and through said 101.718 acre tract, with a line parallel to and forty five feet north of the south line of said 27.012 acre tract (passing an iron pin set at 576.40 feet on the west line of said 27.012 acre tract), in all a distance of 701.99 feet to an iron pin set;

Thence, continue through said 100 acre tract the following Ten (10) courses;

- 1.) South  $50^{\circ}18'36''$  West, a distance of 150.88 feet to an iron pin set at a point of curvature;
- 2.) With the arc of a curve to the left, having a radius of 405.00 feet, an interior angle of  $03^{\circ}20'22''$ , a chord which bears North  $38^{\circ}01'13''$  West at 23.60 feet, and an arc length of 23.60 feet to an iron pin set;
- 3.) North  $39^{\circ}41'24''$  West, a distance of 128.41 feet to an iron pin set;
- 4.) North  $50^{\circ}18'36''$  East, a distance of 222.80 feet to an iron pin set;
- 5.) North  $35^{\circ}35'04''$  West, a distance of 358.83 feet to an iron pin set;
- 6.) North  $14^{\circ}58'41''$  East, a distance of 160.39 feet to an iron pin set;
- 7.) North  $63^{\circ}52'39''$  East, a distance of 147.17 feet to an iron pin set;
- 8.) North  $37^{\circ}15'51''$  East, a distance of 215.67 feet to an iron pin set;
- 9.) South  $52^{\circ}44'09''$  East, a distance of 84.58 feet to an iron pin set;
- 10.) North  $04^{\circ}00'32''$  East, with a line sixty feet west of and parallel with the east line of said 101.718 acre tract (passing an iron pin set at 725.50 feet), in all a distance of 755.50 feet to a spike set on the centerline of said Hyatts Road;

Thence, South  $86^{\circ}40'15''$  East, with the centerline of said Hyatts Road, a distance of 60.00 feet to the **TRUE POINT OF BEGINNING**.

Containing 21.556 acres of land, more or less, of which 6.737 acres are in Farm Lot 19 and 14.819 acres in are in Farm Lot 20.

Subject, however, to all easements, restrictions and rights-of-way of record, if any.

Basis of bearings is North 86°45'11" West on the centerline of Hyatts Road (County Road 123), Concord Township, based on a prior survey prepared by Floyd Browne Associates, Inc. in March, 2003.

The above legal description is based on and referenced to a plat of survey prepared by Floyd Browne Group, dated May 2, 2005, attached hereto and made a part hereof.

All iron pins set are 5/8" diameter solid iron bar with orange plastic cap.

All references are to the records of the Recorder's Office, Delaware County, Ohio.

*Paul R. Jackson*  
Paul R. Jackson, P.S.  
Registered Surveyor No. 7707



DESCRIPTION FOR CLOSING ONLY  
 RPC Approval Required  
 Municipal Approval Required  
Delaware County Engineer

*Survey Plat*  
DESCRIPTION APPROVED  
FOR TRANSFER  
Chris Bauserman  
Delaware County Engineer



**SUPPLEMENTAL DECLARATION TO THE MASTER DECLARATION OF COVENANTS, EASEMENTS, CONDITIONS AND RESTRICTIONS FOR SCIOTO RESERVE SUBDIVISION**

This Supplemental Declaration of Covenants, Easements, Conditions and Restrictions is made as of the 6<sup>th</sup> day of July, 2005, by Triangle Properties, Inc., an Ohio corporation, located at 470 Olde Worthington Road, Westerville, Ohio, 43082, ("Declarant").

Whereas the Declarant has previously filed of record a Master Declaration of Covenants, Easements, Conditions and Restrictions on September 10, 1999 at 1:12 P.M. in Volume 672, Page 235, Recorder's Office, Delaware County, Ohio, (the "Original Declaration").

Whereas, the Declarant filed of record a Supplemental Declaration to the Master Declaration of Covenants, Easements, Conditions and Restrictions for Scioto Reserve Subdivision on July 1, 2005, at 2:53 PM in Volume 624, page 1, Recorder's Office, Delaware County, Ohio, (the "Supplemental Declaration").

Whereas the Declarant established in said Original Declaration specific restrictions and conditions affecting the single family subdivision lot ground described therein.

Whereas, at the time of filing of the Original Declaration, Declarant was the owner of 746.436 acres (referred to in error in the Original Declaration as 459.43 acres) on which the Declarant is developing a golf course, four single family development phases (consisting of 459.43 acres as described in the Original Declaration) and one multi family development phase, each of said developments was referred to therein as a Development Phase.

Whereas, pursuant to the General Provisions I, of the Master Declaration the Declarant has the right to add additional acreage adjacent to the Property described in the Master Declaration and subject it to the Master Declaration, so as to benefit and encumber such annexed property as fully as if it were a part of the Property described in the Master Declaration.

NOW THEREFORE:

The Declarant by this document is adding as single family subdivision lot ground 150.713 acres described in Exhibit "A", as part of the Property subject to those covenants, easements, conditions and restrictions as set forth in the Master Declaration, recorded in Volume 672, page 235, Recorder's Office, Delaware County, Ohio.

200500028233  
Filed for Record in  
DELAWARE COUNTY, OHIO  
ANDREW D BRENNER  
07-19-2005 At 04:22 pm.  
DECLAR SUPP 48.00  
OR Book 629 Page 1658 - 1661 B

200500028233  
TALON GROUP-BOX

The Talon Group Box-DTN-TP 520072-VL



The Declarant has caused the execution of this Declaration as of the date first above written.

Triangle Properties, Inc., an Ohio corporation

By: [Signature]  
Donald R. Kenney, President

STATE OF OHIO  
COUNTY OF Delaware, SS:

Be it remembered that on this 13 day of July, 2005, before me, the subscriber, a Notary Public in and for said County, personally appeared the above named Triangle Properties, Inc., an Ohio corporation, by Donald R. Kenney, its President, who acknowledged that he 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 him personally and as such officer.

In testimony thereof, I have hereunto subscribed my name and affixed my seal on this day and year aforesaid.

[Signature]  
Notary Public



PHAEDRA M. COOPER  
STATE OF OHIO  
My Commission Expires 02-24-07

## EXHIBIT A



**Description of a 150.710 Acre Tract  
July 12, 2005**

Situate in the State of Ohio, County of Delaware, Township of Concord, being part of Farm Lots 18, 19 and 20, in Section 2, Township 3, Range 19, United States Military Lands, and being part of a 101.718 acre tract of land described in deed to Triangle Properties, Inc., recorded in Official Record Volume 606, Page 237 and part of a 27.012 acre tract of land described in deed to Triangle Properties, Inc., recorded in Official Record Volume 518, Page 1348 and part of a 85.860 acre tract of land described in deed to Triangle Properties, Inc., recorded in Official Record Volume 564, Page 1273, and being more particularly described as follows:

**BEGINNING** at an iron pin set at the northeast corner of said 27.014 acre tract, said point of beginning bears South 04°05'43" West, a distance of 726.09 feet from the intersection of the east line of said lot 20 with the centerline of Hyatts Road.

Thence, South 04°05'43" West, continue with said Farm Lot line, a distance of 896.67 feet to an iron pin set;

Thence, North 85°54'44" West, with the north line of an 8.275 acre tract of land described in deed to Home Road LTD., recorded in Official Record Volume 672, Page 284 and Scioto Reserve Section 4, Phase 11, Parts A & B, recorded in Plat Cabinet 3, Slide 265-265A, a distance of 1326.19 feet to a iron pin found;

Thence, South 04°00'32" West, with the west line of said subdivision plat and the east line of said 101.718 acre tract a distance of 1744.52 feet to a iron pin set;

Thence, North 86°34'21" West, with the north line of Scioto Reserve Section 4, Phase 10, recorded Plat Cabinet 3, Slide 162, 162A, 162B and the south line of said 100 acre tract a distance of 1317.62 feet to an iron pin found at an angle point therein;

Thence, North 86°34'11" West, continue with north line of said subdivision and the north line of the Scioto Reserve Golf Course recorded Plat Cabinet 3, Slide 373,373-A, 373-B, 373-C a distance of 1338.74 feet to an iron pipe found at the northeast corner of Lake Hill Estates No. 2, recorded Plat Book 7, Page 255;

Thence, North 03°44'21" East, with the west line of said 85.860 acre tract and the east line of a 6.912 acre tract of land described in deed to John R. Gusler, recorded in Deed Book 574, Page 305, a distance of 584.54 feet to a wood fence corner post found;

Thence, through said 85.860 acre tract, the following eight (8) courses;

- 1.) North 03°54'43" West, a distance of 41.20 feet to an iron pin set;
- 2.) North 18°36'35" East, a distance of 154.40 feet to an iron pin set;
- 3.) North 51°40'16" East, a distance of 159.96 feet to an iron pin set;
- 4.) North 28°32'23" East, a distance of 257.09 feet to an iron pin set;
- 5.) South 83°22'18" East, a distance of 91.00 feet to an iron pin set;
- 6.) North 56°05'14" East, a distance of 105.98 feet to an iron pin set;
- 7.) North 23°11'36" East, a distance of 248.17 feet to an iron pin set;

- 8.) North  $03^{\circ}41'06''$  East, a distance of 260.61 feet to an iron pin set on the south line of Scioto Highlands Number 3, recorded Plat Cabinet 2, Slide 789 and 789A;

Thence, South  $86^{\circ}18'54''$  East, with the south line of said subdivision, a distance of 824.16 feet, witness iron pins found on line at 5.00 feet north and 5.00 feet west of corner;

Thence, North  $03^{\circ}51'18''$  East, with the west line of Farm Lot 19 and the east line of said subdivision, a distance of 1681.66 feet to a railroad spike found in the centerline of Hyatts Road;

Thence, South  $86^{\circ}41'34''$  East, with the centerline of Hyatts Road a distance of 694.69 feet to a railroad spike found;

Thence, South  $86^{\circ}40'15''$  East, continue with the centerline of Hyatts Road a distance of 571.93 feet to a railroad spike set;

Thence, with the boundary line of a 21.556 acre tract of land described in deed to Triangle Properties Inc., recorded Official Record Volume 612, Page 30 the following twenty-two (22) courses;

- 1.) South  $04^{\circ}00'32''$  West, a distance of 755.50 feet to a iron pin set;
- 2.) North  $52^{\circ}44'09''$  West, a distance of 84.58 feet to a iron pin set;
- 3.) South  $37^{\circ}15'51''$  West, a distance of 215.67 feet to a iron pin set;
- 4.) South  $63^{\circ}52'39''$  West, a distance of 147.17 feet to a iron pin set;
- 5.) South  $14^{\circ}58'41''$  West, a distance of 160.39 feet to a iron pin set;
- 6.) South  $35^{\circ}35'04''$  East, a distance of 358.83 feet to a iron pin set;
- 7.) South  $50^{\circ}18'36''$  West, a distance of 222.80 feet to a iron pin set;
- 8.) South  $39^{\circ}41'24''$  East, a distance of 128.41 feet to a iron pin set on a point of curvature;
- 9.) With the arc of a curve to the right, having a radius of 405.00 feet, an interior angle of  $03^{\circ}20'22''$ , a chord which bears South  $38^{\circ}01'13''$  East, at 23.60 feet and an arc length of 23.60 feet to iron pin set;
- 10.) North  $50^{\circ}18'36''$  East, a distance of 150.88 feet to iron pin set;
- 11.) South  $85^{\circ}54'44''$  East, a distance of 701.99 feet to an iron pin set;
- 12.) North  $04^{\circ}05'50''$  East, a distance of 75.45 feet to an iron pin set at a point of curvature;
- 13.) With the arc of a curve to the left, having a radius of 12.00 feet, an interior angle of  $89^{\circ}45'58''$ , a chord which bears North  $40^{\circ}47'12''$  West at 16.94 feet, and an arc length of 18.80 feet to an iron pin set;
- 14.) North  $03^{\circ}51'43''$  East, a distance of 60.00 feet to an iron pin set;
- 15.) South  $86^{\circ}08'17''$  East, a distance of 199.52 feet to an iron pin set;
- 16.) North  $03^{\circ}51'43''$  East, a distance of 130.00 feet to an iron pin set;
- 17.) South  $86^{\circ}08'17''$  East, a distance of 213.66 feet to an iron pin set;
- 18.) North  $04^{\circ}05'43''$  East, a distance of 462.41 feet to an iron pin set;
- 19.) North  $86^{\circ}45'32''$  West, a distance of 613.70 feet to an iron pin set;

20.) North 70°21'38" West, a distance of 212.53 feet to an iron pin set;

21.) North 86°45'32" West, a distance of 159.68 feet to an iron pin set;

22.) North 04°00'32" East, a distance of 45.00 feet to an iron pipe found at the northwest corner of said 27.014 acre tract;

Thence, South 86°45'32" East, with the north line of said 27.014 acre a distance of 1327.66 feet to the **TRUE POINT OF BEGINNING**;

Containing 150.710 acres of land, more or less, being 43.684 acres in Farm Lot 18, 94.831 acres in Farm Lot 19 and 12.195 acres in Farm Lot 20;

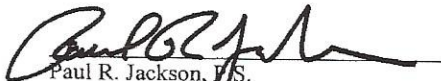
Subject, however, to all easements, restrictions and rights-of-way of record, if any.

Basis of bearings is North 86°40'15" West on the centerline of Hyatts Road (County Road 123), Concord Township, based on a prior survey prepared by Floyd Browne Associates, Inc. in March, 2003.

The above legal description is based on and referenced to an Exhibit prepared by Floyd Browne Group, dated July 12, 2005, attached hereto and made a part hereof and is for mortgage purposes only and as such is not intended for fee transfer of real property.

All iron pins set are 5/8" diameter solid iron bar with orange plastic cap.

All references are to the records of the Recorder's Office, Delaware County, Ohio.

  
Paul R. Jackson, P.S.  
Registered Surveyor No. 7707



DESCRIPTION FOR CLOSING ONLY  
 RPC Approval Required  
 Municipal Approval Required  
 Delaware County Engineer





Central Ohio  
740.363.6792  
740.363.6536 fax  
www.floydbrowne.com

Offices Throughout Ohio & West Virginia

VOL 0629 PAGE 1661B

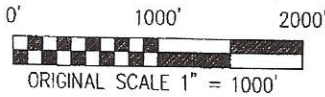
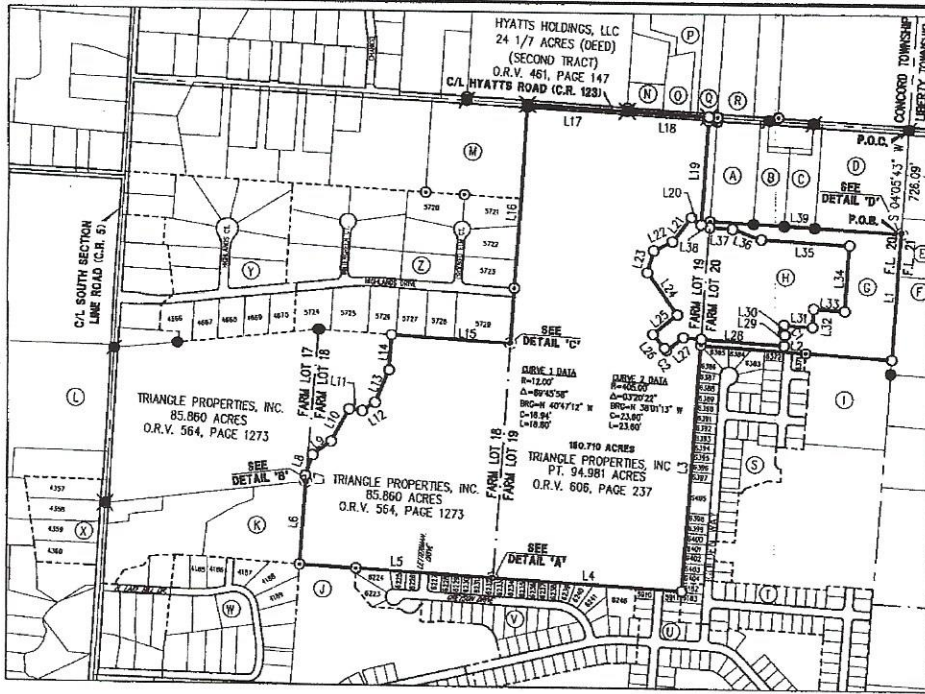
PLAT OF SURVEY OF

**150.710 ACRES**

SITUATE IN THE STATE OF OHIO, COUNTY OF DELAWARE, TOWNSHIP OF CONCORD,  
BEING PART OF FARM LOTS 18, 19 AND 20, SECTION 2, TOWNSHIP 3, RANGE 19,  
UNITED STATES MILITARY LANDS  
JULY 12, 2005

**OWNER LEGEND**

- (A) DAVID R. MONSKA & PAULA MONSKA  
5.0 ACRES  
D.B. 503, PAGE 427
- (B) AMANDA E. DODSON  
2.806 ACRES  
O.R.V. 530, PAGE 1117
- (C) RICHARD L. DODSON JR.  
2.806 ACRES  
O.R.V. 464, PAGE 2427
- (D) J. MICHAEL JACKSON & SUSAN M. JACKSON  
10.00 ACRES  
D.B. 493, PAGE 342
- (E) DAVID R. MILLER & JANIS C. MILLER  
9.144 ACRES  
D.B. 536, PAGE 75
- (F) RODERICK ALAN LAWRENCE SR. & KATHRYN L. LAWRENCE  
21.01 ACRES  
D.B. 549, PAGE 677
- (G) TRIANGLE PROPERTIES, INC.  
PT. 27.014 ACRES  
O.R.V. 518, PAGE 1348
- (H) RAVINES AT SCIOTO RESERVE, LLC  
21.566 ACRES  
O.R.V. 612, PAGE 30
- (I) HOME ROAD LTD.  
6.275 AC.  
(ORIGINAL 221.136 AC.)  
O.R.V. 672, PAGE 284
- (J) LOT 6458  
17.217 ACRES  
SCIOTO RESERVE GOLF COURSE  
PLAT CAB. 3, SLIDE 373,  
373-A, 373-B, 373-C  
(PERMANENT GREEN SPACE/  
GOLF COURSE)
- (K) JOHN R. GUSLER et al  
6.912 ACRES  
(PARCEL I)  
D.B. 574, PAGE 305
- (L) MARTHA ANNE YINGER  
21.405 ACRES  
D.B. 506, PAGE 111
- (M) JAMES A. GRIFFIN  
BISHOP OF THE ROMAN CATHOLIC  
DIOCESE OF COLUMBUS  
9.970 ACRES  
D.B. 510, PAGE 467
- (N) PAUL JANTON SPRING & JUDITH SPRING  
1.178 ACRES  
D.B. 341, PAGE 209
- (O) ERNEST RICHARD AVRY & SAUNDRA JEAN AVEY  
1.83 ACRES  
D.B. 415, PAGE 659
- (P) SUSAN J. MASSARO  
5.000 ACRES  
(PARCEL II)  
D.B. 429, PAGE 740
- (Q) JOHN R. TAYLOR & SHIRLEY J. TAYLOR  
5.000 ACRES  
D.B. 408, PAGE 362
- (R) ROGER C. STAHL & CATHERINE H. STAHL  
8.64 ACRES  
O.R.V. 6, PAGE 64



LINE	BEARING	DISTANCE
L1	S 04°05'43" W	896.67'
L2	N 85°54'44" W	1326.19'
L3	S 04°00'32" W	1744.52'
L4	N 86°34'21" W	1317.62'
L5	N 86°34'11" W	1338.74'
L6	N 03°44'21" E	584.54'
L7	N 03°54'43" W	41.20'
L8	N 18°36'35" W	154.40'
L9	N 51°40'16" E	159.96'
L10	N 28°32'23" E	257.09'
L11	S 83°22'18" E	91.00'
L12	N 56°05'14" E	105.98'
L13	N 23°11'36" E	248.17'
L14	N 03°41'06" E	260.61'
L15	S 86°18'54" E	824.16'
L16	N 03°51'18" E	1681.66'
L17	S 86°41'34" E	694.69'
L18	S 86°40'15" E	571.93'
L19	S 04°00'32" W	755.50'
L20	N 52°44'09" W	84.58'
L21	S 37°15'51" W	215.67'
L22	S 63°52'39" W	147.17'
L23	S 14°58'41" W	160.39'
L24	S 35°35'04" E	358.83'
L25	S 50°18'36" W	222.80'
L26	S 39°41'24" E	128.41'
L27	N 50°18'36" E	150.88'
L28	S 85°54'44" E	701.99'
L29	N 04°05'50" E	75.45'
L30	N 03°51'43" E	60.00'
L31	S 86°08'17" E	199.52'
L32	N 03°51'43" E	130.00'
L33	S 86°08'17" E	213.66'
L34	N 04°05'43" E	462.41'
L35	N 86°45'32" W	613.70'
L36	N 70°21'38" W	212.53'
L37	N 86°45'32" W	159.68'
L38	N 04°00'32" E	45.00'
L39	S 86°45'32" E	1327.66'

**BASIS OF BEARINGS**

BASIS OF BEARINGS IS SOUTH 86°40'15" EAST ON THE CENTERLINE OF HYATTS ROAD, BASED ON STATE PLANE COORDINATE SYSTEM, OHIO NORTH ZONE BASED ON GPS OBSERVATIONS.

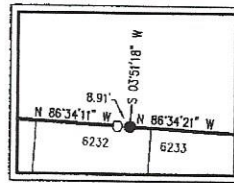
**ACREAGE BREAKDOWN**

AREA IN SECTION 2, TWP. 3:  
AREA IN FARM LOT 18 = 43.884 ACRES  
AREA IN FARM LOT 19 = 94.831 ACRES  
AREA IN FARM LOT 20 = 12.195 ACRES

I HEREBY STATE THAT THIS SURVEY IS BASED ON ACTUAL FIELD MEASUREMENTS AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IS CORRECT.

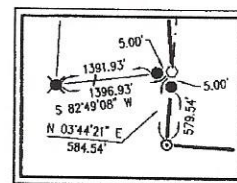
*Paul R. Jackson*  
PAUL R. JACKSON, PS  
PROFESSIONAL SURVEYOR NO. 7707

7/18/05  
DATE



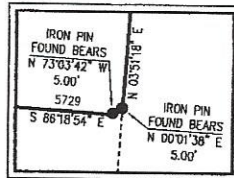
**DETAIL 'A'**

SCALE: 1"=100'



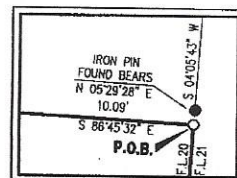
**DETAIL 'B'**

SCALE: 1"=100'



**DETAIL 'C'**

SCALE: 1"=100'



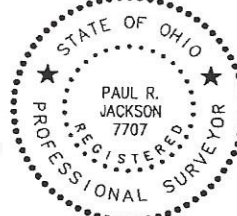
**DETAIL 'D'**

SCALE: 1"=100'

- (S) SCIOTO RESERVE SECTION 4, PHASE 11 PARTS A & B PLAT CABINET 3, SLIDE 285-285A
- (T) SCIOTO RESERVE SECTION 4, PHASE 9 PLAT CABINET 3, SLIDE 77-77A
- (U) SCIOTO RESERVE SECTION 4, PHASE 7 PLAT CABINET 2, SLIDE 644, 644A, 644B
- (V) SCIOTO RESERVE SECTION 4, PHASE 10 PLAT CABINET 3, SLIDE 162, 162A, 162B
- (W) LAKE HILL ESTATES NO 2 PLAT BOOK 7, PAGE 255
- (X) CORNELL SUBDIVISION PLAT BOOK 15, PAGE 156
- (Y) SCIOTO HIGHLANDS No. 2 PLAT CABINET 1, SLIDE 586
- (Z) SCIOTO HIGHLANDS No. 3 PLAT CABINET 2, SLIDE 789-789A

**LEGEND**

- CORNER POST FOUND
- IRON PIN SET
- IRON PIN FOUND
- ✱ SURVEYOR'S NAIL FOUND
- ✱ SPIKE FOUND
- ⊙ SPIKE SET
- ⊙ IRON PIPE FOUND
- SUBDIVISION LINE



File: G:\CLIENT\TRIANGLE COMMUNITIES\04-178-01\SURVEY-OFFICE\PLATS\04-178-PLAT-150.713AC(REDUCED).DWG - Jul 18, 2005 7:24am

**Written Consent of Trustees  
In Lieu of a  
Meeting of Trustees of Scioto Reserve Master Association, Inc.**

The undersigned, being all of the trustees of Scioto Reserve Master Association, Inc., consent in writing, pursuant to the authority granted by Section 1702.25 of the Ohio Revised Code, to the adoption without a meeting of the following resolutions:

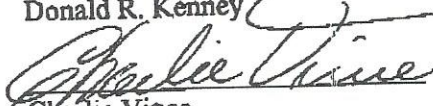
1. RESOLVED, that the following persons are elected to the offices set opposite their respective names, to serve as such until their respective successors have been duly elected and qualified:

Donald R. Kenney	-	President
Charles A. Vince	-	Vice President
Tre Giller	-	Secretary / Treasurer

2. FURTHER RESOLVED, that Alan Davies be appointed to act as an agent of Scioto Reserve Master Association, Inc. for the purpose of levying lot assessments as set forth in the Master Declaration of Covenants, Easements, Conditions and Restrictions for Scioto Reserve Subdivision of record in the Delaware County Recorder's Office, Volume 672, Page 235.

Signed this 1<sup>st</sup> day of November, 2005.

  
Donald R. Kenney

  
Charlie Vince

  
Tre Giller



**Written Consent of Master Member in Lieu of a  
Meeting of the Master Member of Scioto Reserve Master Association, Inc.**

WHEREAS, the undersigned is the sole Master Member of Scioto Reserve Master Association, Inc.,

WHEREAS, the Master Member is given the authority to appoint trustees for the Scioto Reserve Master Association, Inc. pursuant to Section VII (C) of the Master Declaration of Covenants, Easements, Conditions and Restrictions for Scioto Reserve Subdivision of record in the Delaware County Recorder's Office, Volume 672, Page 235; and

WHEREAS, the undersigned, being the sole Master Member, consents in writing pursuant to the authority granted in Ohio Revised Code §1702.25 to the adoption of the following resolutions without a meeting:

1. RESOLVED, that the following persons are appointed to serve as trustees of the Scioto Reserve Master Association, Inc. until their respective successors have been duly elected and qualified:

Donald R. Kenney	470 Olde Worthington Road Westerville, Ohio 43082
Charlie Vince	110 Polaris Parkway Westerville, Ohio 43082
Tre Giller	470 Olde Worthington Road Westerville, Ohio 43082

Signed this 1<sup>st</sup> day of November, 2005.

Triangle Properties, Inc.

By: 

**SUPPLEMENTAL DECLARATION TO THE MASTER DECLARATION OF COVENANTS, EASEMENTS, CONDITIONS AND RESTRICTIONS FOR SCIOTO RESERVE SUBDIVISION**

This Supplemental Declaration of Covenants, Easements, Conditions and Restrictions is made as of the 20<sup>th</sup> day of April, 2006, by Triangle Properties, Inc., an Ohio corporation, located at 470 Olde Worthington Road, Westerville, Ohio, 43082, ("Declarant").

Whereas the Declarant has previously filed of record a Master Declaration of Covenants, Easements, Conditions and Restrictions on September 10, 1999 at 1:12 P.M. in Volume 672, Page 235, Recorder's Office, Delaware County, Ohio, (the "Original Declaration").

Whereas the Declarant established in said Original Declaration specific restrictions and conditions affecting the single family subdivision lot ground described therein, and by reference certain of the provisions apply to what is generally referred to as the Scioto Reserve Condominium ground.

Whereas, at the time of filing of the Original Declaration, Declarant was the owner of 746.436 acres (referred to in error in the Original Declaration as 459.43 acres) on which the Declarant is developing a golf course, four single family development phases (consisting of 459.43 acres as described in the Original Declaration) and one multi family development phase, each of said developments was referred to therein as a Development Phase.

Whereas, pursuant to the General Provisions, I of the Master Declaration the Declarant has the right to add additional acreage adjacent to the Property described in the Master Declaration and subject it to the Master Declaration, so as to benefit and encumber such annexed property as fully as if it were a part of the Property described in the Master Declaration.

**NOW THEREFORE:**

I. The Declarant by this document is adding as Condominium Ground 42.688 acres described in Exhibit "A", as part of the Property subject to those covenants, easements, conditions and restrictions as set forth in the Master Declaration, recorded in Volume 672, page 235, as amended Recorder's Office, Delaware County, Ohio.

A. The following provisions set forth in the Original Declaration do not apply to the Condominium Ground.

1. The Use Restrictions set forth as Item IV in the Original Declaration will not apply to the Condominium Ground. However, the developer of the Condominium Ground must develop a comparable set of Use Restrictions, which will be included in the Declaration of Condominium to be prepared and filed by the Condominium Developer. These Use Restrictions will be subject to the written approval of the Declarant, Triangle Properties, Inc.

The Talon Group Box-DTN-TP

137832

Delaware County  
The Grantor Has Complied With  
Section 319.202 Of The R.C.  
DATE 5-17-2006 Transfer Tax Paid  
~~TRANSFER TAX TRANSFER NOT NECESS~~  
Delaware County Auditor By STP

200600017220  
Filed for Record in  
DELAWARE COUNTY, OHIO  
ANDREW D BRENNER  
05-17-2006 At 02:41 pm.  
DECLAR SUPP 56.00  
DR Book 708 Page 1419 - 1423

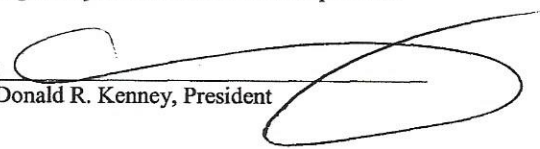


in its sole discretion, provided, however, if such proposed Use Restrictions are substantially and materially the equivalent of the Use Restrictions set forth in Item IV, Triangle Properties, Inc. will not unreasonably withhold its consent to the same.

- 2. The Easements and Licenses set forth in Item VI in the Original Declaration will not apply to the Condominium Ground. However, the developer of the Condominium Ground must develop comparable easement and license provisions, to be set forth in the Declaration of Condominium. These provisions relating to easements and licenses will be subject to the written approval of the Declarant, Triangle Properties, Inc. in its sole discretion, provided, however, if such proposed easement and license provisions are substantially and materially the equivalent of the easement and license provisions set forth in Item VI, Triangle Properties, Inc. will not unreasonably withhold its consent to same.

The Declarant has caused the execution of this Declaration as of the date first above written.

Triangle Properties, Inc., an Ohio corporation

By:   
Donald R. Kenney, President

STATE OF OHIO  
COUNTY OF DELAWARE, SS:

Be it remembered that on this 20th day of April, 2006, before me, the subscriber, a Notary Public in and for said County, personally appeared the above named Triangle Properties, Inc., an Ohio corporation, by Donald R. Kenney, its President, who acknowledged that he 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 him personally and as such officer.

In testimony thereof, I have hereunto subscribed my name and affixed my seal on this day and year aforesaid.

  
Notary Public



AMY L. FINN  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES 06-02-07

This Instrument Prepared By:  
Folkerth, Haddow & Davis  
250 Civic Center Dr., Suite 460  
Columbus, Ohio 43215

Z:\RED\DRK\SciotoReserveExpansion\SupplementalDeclaration.doc

EXHIBIT A



Description of a 42.688 Acre Tract of Land

Situate in the State of Ohio, County of Delaware, Township of Concord, being part of Farm Lots 17 and 18, Section 2, Township 3, Range 19, United States Military Lands, being all of the remainder of an original 85.860 acre tract of land described in deed to Triangle Properties, Inc., by deed of record in Official Record Volume 564, Page 1273, being part of a 150.710 acre tract of land described in deed to Triangle Properties, Inc., by deed of record in Official Record Volume 629, Page 1653 and being more particularly described as follows:

COMMENCE at an iron pipe found at the northeast corner of Lot 4188 of Lake Hill Estates No. 2, recorded in Plat Book 7, Page 255;

Thence, North 03°44'21" East, with the west line of said 150.710 acre tract and with the east line of a 6.912 acre tract of land described in deed to K. Quick Family Limited Partnership, by deed of record in Official Record Volume 614, Page 114 (passing a reference iron pin found at 579.54 feet), a total distance of 584.54 feet to a corner post found at the common corner of said 6.912 acre tract and said 150.710 acre tract to the TRUE POINT OF BEGINNING;

Thence, South 82°49'08" West, with the south line of said original 85.860 acre tract and with the north line of said 6.912 acre tract, and with the north line of a 7.517 acre tract of land described in deed to Michael H. Bradford, by deed of record in Deed Book 574, Page 310 and with the north line of a 1.107 acre tract of land described in deed to Carol L. Cottrell and Susi Lincoln, by deed of record in Deed Book 586, Page 237, (passing a reference iron pin found at 5.00 feet), a total distance of 1396.93 feet to a railroad spike found in the centerline of South Section Line Road (County Road 5);

Thence, North 03°04'32" East, with the centerline of said South Section Line Road and the west line of said original 85.860 acre tract a distance of 1102.66 feet to a P.K. nail found at the southwest corner of a 1.138 acre tract of land described in deed to Sean Brian Gall and Dani Suzanne Gall, by deed of record in Official Record Volume 414, Page 528;

Thence, North 83°51'32" East, with the north line of said original 85.860 acre tract and with the south line of said 1.138 acre tract, a distance of 439.30 feet to an iron pin found at the southeast corner of said 1.138 acre tract and the southwest corner of Lot 4666 of Scioto Highlands No. 2, recorded in Plat Cabinet 1, Slide 586;

Thence, North 83°40'17" East, with the south line of said Scioto Highlands No. 2 and part of the south line of Scioto Highlands No. 3, recorded in Plat Cabinet 2, Slide 789-789A, a distance of 981.57 feet to a 5/8" iron pin found at the northeast corner of Farm Lot 17 (an iron pin found bears South 76°25'57" West at 5.43 feet);

Thence, South 86°18'54" East, continue with part of the south line of said Scioto Highlands No. 3, (passing an iron pin found at a distance of 4.28 feet), a total distance of 503.09 feet to an iron pin set;

Thence, the following courses and distances with a common line between remainder of said original 85.86 acre tract and said 150.710 acre tract:

Course 1) South 03°41'06" West, a distance of 260.61 feet to an iron pin set;

Course 2) South 23°11'36" West, a distance of 248.17 feet to an iron pin set;

Course 3) South 56°05'14" West, a distance of 105.98 feet to an iron pin set;

Course 4) North 83°22'18" West, a distance of 15.50 feet to an iron pin set;

Thence, the following courses and distances through said 150.710 acre tract;

Course 1) South 06°37'42" West, a distance of 41.73 feet to an iron pin set;

EXHIBIT A

- Course 2) With the arc of a curve to the left, having a radius of 145.00 feet, a delta angle of 64°50'29", having a chord bearing of South 25°47'32" East, a chord distance of 155.48 feet, and an arc length of 164.10 feet to an iron pin set;
- Course 3) South 58°12'46" East, a distance of 124.92 feet to an iron pin set;
- Course 4) With the arc of a curve to the left, having a radius of 13.50 feet, a delta angle of 75°33'55", having a chord bearing of North 84°00'17" East, a chord distance of 16.54 feet, and an arc length of 17.80 feet to an iron pin set;
- Course 5) With the arc of a curve to the left, having a radius of 305.00 feet, a delta angle of 15°48'11", having a chord bearing of South 38°19'13" West, a chord distance of 83.86 feet, and an arc length of 84.12 feet to an iron pin set;
- Course 6) With the arc of a curve to the left, having a radius of 13.50 feet, a delta angle of 88°37'54", having a chord bearing of North 13°53'49" West, a chord distance of 18.86 feet, and an arc length of 20.88 feet to an iron pin set;
- Course 7) North 58°12'46" West, a distance of 114.96 feet to an iron pin set;
- Course 8) With the arc of a curve to the right, having a radius of 205.00 feet, a delta angle of 64°50'29", having a chord bearing of North 25°47'32" West, a chord distance of 219.81 feet, and an arc length of 232.00 feet to an iron pin set;
- Course 9) North 06°37'42" East, a distance of 41.73 feet to an iron pin set on the north line of said 150.710 acre tract and on the south line of said 85.860 acre tract;

Thence, the following courses and distances with a common line between remainder of said original 85.86 acre tract and said 150.710 acre tract:

- Course 1) North 83°22'18" West, a distance of 15.50 feet to an iron pin set;
- Course 2) South 28°32'23" West, a distance of 257.09 feet to an iron pin set;
- Course 3) South 51°40'16" West, a distance of 159.96 feet to an iron pin set;
- Course 4) South 18°36'35" West, a distance of 154.40 feet to an iron pin set;
- Course 5) South 03°54'43" East, a distance of 41.20 feet to the **TRUE POINT OF BEGINNING**.

Containing 42.688 acres of land, more or less, of which 34.761 acres are within Farm Lot 17, 7.927 acres are within Farm Lot 18, 42.176 acres are within the remainder of original 85.860 acre tract and 0.512 acres are within 150.710 acre tract.

Subject, however, to all easements, restrictions and rights-of-way of record, if any.

The above description is based on and referenced to a plat of survey prepared by Floyd Browne Group dated March 28, 2006.

Basis of bearings is South 03°51'18" West on the east line of said Farm Lot 18, State Plane Coordinate System, Ohio North Zone based on GPS Observations NAD 88(1985) using the Delaware County Geodetic Control Monuments.

All iron pins set are 5/8" diameter 30" long with a plastic cap stamped "FLOYD BROWNE GROUP".

All references are to the records of the Recorder's Office, Delaware County, Ohio.

*Mark Alan Smith*  
 Mark Alan Smith, P.S.  
 Ohio Registered Surveyor No. S-8232 *3/28/06*



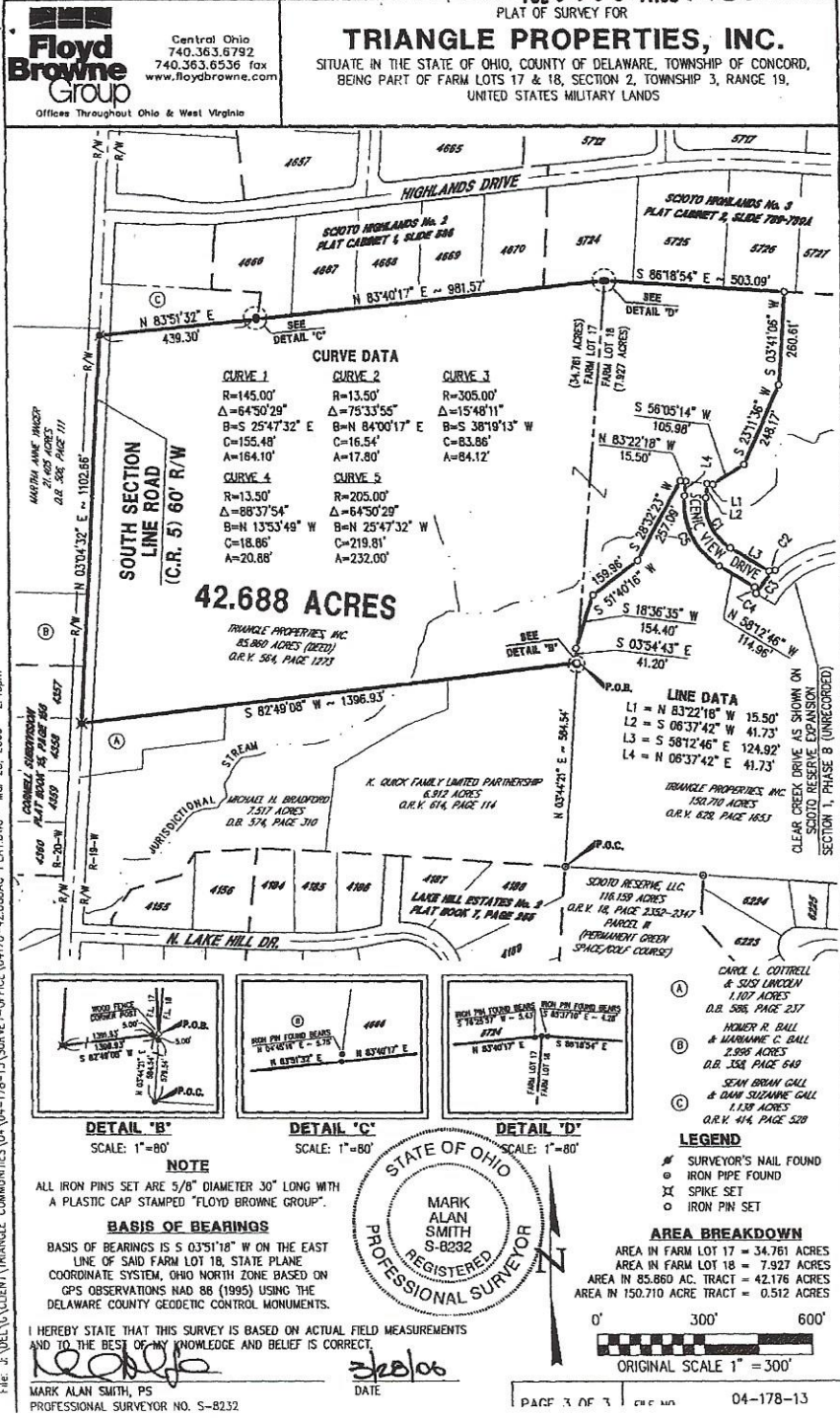
J:\DEL\HClient\Triangle Real Estate\0404-178-13\SURVEY-OFFICE\42.688 AC.doc

DESCRIPTION FOR CLOSING ONLY	
<input type="checkbox"/>	RPC Approval Required <i>1-1-4</i>
<input type="checkbox"/>	Municipal Approval Required
<input checked="" type="checkbox"/>	Delaware County Engineer <i>1-1-4</i>



# EXHIBIT A

VO 0708 PAGE 1423



File: J:\DEL\CLIENT\TRIANGLE COMMUNITIES\04-178-13\SURVEY-OFFICE\04178-42.688AC-PLAT.DWG - Mar 28, 2006 2:45pm



**RESOLUTION**  
**of the Board of Directors**  
**Scioto Reserve Master Association**  
**for**  
**COVENANTS COMPLIANCE INSPECTION**

**WHEREAS**, The Board of Directors for the Scioto Reserve Master Association has determined to establish a covenant compliance policy in conjunction with the unit being transferred to a new owner.


**WHEREAS**, Article XI, Section C of the CC&Rs specifically permits the Board of Directors to adopt and amend rules within the Association.

**NOW THEREFORE, BE IT RESOLVED THAT** at the time of each transfer of Unit ownership, the Association shall require a Covenant Compliance Inspection of the Unit in conjunction with the Association related disclosure process. Such inspections will be coordinated through and conducted by Real Property Management Company. All fees associated with resale, including said inspection shall be the responsibility of the real estate transaction parties, and not the Association.

**IT IS FURTHER RESOLVED** that this COVENANTS COMPLIANCE INSPECTION requirement is effective upon adoption hereof, to remain in force and effect until revoked, modified or amended.

This is to certify that the foregoing Resolution was adopted by the Board of Directors at a meeting of same on May 13, 2008 and has not been modified, rescinded or revoked.

Date: May 14, 2008

Alan Davies: 



Doc ID: 010392990007 Type: OFF  
 Kind: DECLAR SUPP  
 Recorded: 07/08/2014 at 04:05:50 PM  
 Fee Amt: \$72.00 Page 1 of 7  
 Workflow# 0000078092-0001  
 Delaware County, OH  
 Melissa Jordan County Recorder  
 File# 2014-00016449

Delaware County  
 The Grantor Has Complied With  
 Section 319.202 Of The R.C.  
 DATE 7/8/2014 Transfer Tax Paid 0  
~~TRANSFERRED OR TRANSFER NOT NECESSARY~~  
 Delaware County Auditor By TUH

BK 1295 PG 739-745

County Record  
 EWED

DI: 14/8-74  
 DATE: 7/8-14

**SUPPLEMENTAL DECLARATION TO THE MASTER DECLARATION  
 OF COVENANTS, EASEMENTS, CODNITIONS AND RESTRICTIONS FOR  
 SCIOTO RESERVE SUBDIVISION**

This Supplemental Declaration of Covenants, Easements, Conditions and Restrictions is made as of the 8<sup>th</sup> day of July, 2014 by Triangle Properties Inc., an Ohio corporation, located at 470 Olde Worthington Road, Westerville, Ohio 43082 (the "Declarant") and Crown Ridge Investments LLC, an Ohio limited liability company, located at 999 Polaris Parkway, Suite 220, Columbus, Ohio 43240 ("Crown Ridge").

WHEREAS, the Declarant has previously filed of record a Master Declaration of Covenants, Easements, Conditions and Restrictions on September 10, 1999 in Volume 672, Page 235, Recorder's Office, Delaware County, Ohio (the "Master Declaration"); and

WHEREAS, the Master Declaration imposed certain restrictions, covenants and easements on approximately 746 +/- acres located in Delaware County, Ohio (the "Scioto Reserve Property"); and

WHEREAS, Crown Ridge is the owner of approximately 35.14 +/- acres of land in Delaware County, Ohio more fully described on Exhibit A attached hereto commonly known as Harvest Point (the "Harvest Point Property") and 36.69 +/- acres of land in Delaware County, Ohio more fully described on Exhibit B attached hereto commonly known as Harvest Curve (the "Harvest Curve Property") (The Harvest Point Property and the Harvest Curve Property are hereinafter collectively referred to as the "Crown Ridge Property") which is in proximity to the Scioto Reserve Property as originally defined in the Master Declaration; and

WHEREAS pursuant to the General Provisions, Section I of the Master Declaration, the Declarant has the right to add additional acreage adjacent to the Scioto Reserve Property described in the Master Declaration and subject it to the Master Declaration, so as to benefit and encumber such adjacent acreage as fully as if it were a part of the Scioto Reserve Property described in the Master Declaration; and

WHEREAS both the Declarant and Crown Ridge desire to add the Crown Ridge Property to the Scioto Reserve Property as described in the Master Declaration so that the Crown Ridge Property is subject to the restrictions, covenants and easements set forth in the Master Declaration;

VORYS SATER SEYMOUR & PEASE  
 LLP  
 52 E. GAY ST  
 COLUMBUS, OH 43216

NOW THEREFORE:

1. The Declarant and Crown Ridge by this document add the Crown Ridge Property described on Exhibit A attached hereto as part of the Scioto Reserve Property subject to those covenants, easements, conditions and restrictions set forth in the Master Declaration recorded in Volume 672, Page 235, as subsequently amended, in the Recorder's Office, Delaware County, Ohio.
2. Except to the extent that they are modified or amended by this instrument, either specifically or implicitly, all provisions of the Master Declaration, as amended, shall continue in full force and effect.

*(Signature Page to Follow)*

The Declarant and Crown Ridge have caused the execution of this Supplemental Declaration as of the date first above written.

**Triangle Properties, Inc., an Ohio corporation**

By: [Signature]  
Donald R. Kenney, President

STATE OF OHIO  
COUNTY OF DELAWARE, SS:

The foregoing instrument was acknowledged before me this 2<sup>nd</sup> day of July, 2014, by Donald R. Kenney, President of Triangle Properties, Inc., an Ohio corporation, LLC, on behalf of the company.

IN WITNESS WHEREOF I have hereunto set my hand and official seal.



Jil Siemen Tangeman, Attorney at Law  
NOTARY PUBLIC, STATE OF OHIO  
My Commission has no expiration date  
Section 147.03R.C.

[Signature]  
Notary Public

**Crown Ridge Investments, LLC, an Ohio limited liability company**

By: [Signature]  
Its: President

STATE OF OHIO  
COUNTY OF DELAWARE, SS:

The foregoing instrument was acknowledged before me this 18 day of June, 2014, by Robert E. Yockam, the President (title) of Crown Ridge Investments LLC, an Ohio limited liability company, on behalf of the company.

IN WITNESS WHEREOF I have hereunto set my hand and official seal.

[Signature]  
Notary Public



**KIMBERLY J. WILCHECK**  
NOTARY PUBLIC  
STATE OF OHIO  
My Commission Expires  
December 5, 2017



**DESCRIPTION OF A 35.137 ACRE TRACT**  
As shown on the plat recorded in Volume 15, Page 10  
**Of the SURVEY RECORDS of the DELAWARE COUNTY ENGINEER**  
As found in the DELAWARE COUNTY MAP DEPARTMENT  
**DELAWARE COUNTY, OHIO**

Situated in the State of Ohio, County of Delaware, Township of Liberty, lying in Farm Lot 30, Quarter Township 2, Township 3, Range 19, United States Military Lands, and being part of that 98.736 acre tract conveyed as Parcel No. 1 to TLK Development, LLC by deed of record in Deed Book 666, Page 198, (all references are to the records of the Recorder's Office, Delaware County, Ohio) and being more particularly described as follows:

DESCRIPTION FILED  
FOR RECORDED  
Chris Eubank  
Delaware County E. Ohio  
10-23-13

BEGINNING at a magnetic nail set at a common corner of said 98.736 acre tract and that 1.469 acre tract conveyed to Jack A. and Eula Gay Price by deed of record in Official Record 115, Page 1420, being an angle point in the centerline of Steitz Road (County Road 125, 60 feet wide), a common corner of said Farm Lot 30 and Farm Lot 16;

Thence North 87°01'43" West, with the southerly line of said 98.736 acre tract, the northerly line of said 1.469 acre tracts and that 11.746 acre tract conveyed as Parcel No. 2 to TLK Development, LLC by deed of record in Deed Book 666, Page 198, being the line common to said Farm Lots 30 and 16, (passing a 5/8 inch iron pin found at 399.49 feet) a total distance of 734.96 feet to a 5/8 inch iron pin capped "6612" found at a common corner of said 98.736 acre tract, said 11.746 acre tract and that 5.009 acre tract conveyed to Donald A. and Norma J. Lind by deed of record in Deed Book 660, Page 397;

Thence North 86°51'39" West, with the southerly line of said 98.736 acre tract, the northerly line of said 5.009 acre tract and that 5.011 acre tract conveyed to Paolo G. I. & Cynthia A. Rosi by deed of record in Official Record 316, Page 58, continuing with the line common to said Farm Lots 30 and 16, (passing a 5/8 inch iron pin capped "6612" found at 336.82 feet) a total distance of 709.03 feet to an iron pin set at a southeasterly corner of "Scioto Reserve Golf Course", of record in Plat Cabinet 3, Slide 373, being in the line common to Liberty and Concord Townships, said pin being South 86° 61' 39" East, a distance of 16.96 feet from a 5/8 inch iron pin capped "6612 found and South 86° 61' 39" East, a distance of 547.82 feet from a 1 inch iron pin found;

Thence North 04°05'41" East, with the line common to the remainder of said 98.736 acre tract and said "Scioto Reserve Golf Course", a distance of 1066.48 feet to an iron pin set at the common corner of the remainder of said 98.736 acre tract and the remainder of that 100 acre tract conveyed as Tract 2 to Thomas David and Joyce J. Hall by deed of record in Deed Book 545, Page 541;

Thence South 86°34'45" East, with the northerly line of said 98.736 acre tract, the southerly line of said 100 acre tract and that 0.9882 acre tract conveyed to Thomas D. and Joyce Hall by deed of record in Deed Book 343, Page 712, (passing a 5/8 inch iron pin capped "Fox" found at 1220.96 feet and a 5/8 inch pinch-top iron pin found at 1412.92 feet) a total distance of 1437.73 feet to a magnetic nail set in the centerline of said Steitz Road;

Thence South 03°45'48" West, with said centerline, the easterly line of said 98.736 acre tract, a distance of 1057.18 feet to the POINT OF BEGINNING, containing 35.137 acres, more or less, of which 0.728 acre is within the present right-of-way of Steitz Road.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings herein are based on the Ohio State Plane Coordinate System, North Zone, NAD83 (2011). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in

35.137 ACRES

- 2 -

the National Spatial Reference System. The portion of the centerline of Steitz Road, having a bearing of South 04° 16' 06" West and monumented as shown hereon, is designated the "basis of bearing" for this survey.

This description is based on an actual field survey performed by or under the direct supervision of Heather L. King, Professional Surveyor Number 8307, in October 2013.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Heather L. King  
Professional Surveyor No. 8307

Date

HLK:aww  
35\_137 ac 20131591-VS-BNDY-TLK.doc

**DESCRIPTION OF A 36.700 ACRE TRACT**  
**As shown on the plat recorded in Volume 15, Page 11**  
**Of the SURVEY RECORDS of the DELAWARE COUNTY ENGINEER**  
**As found in the DELAWARE COUNTY MAP DEPARTMENT**  
**DELAWARE COUNTY, OHIO**

Situated in the State of Ohio, County of Delaware, Township of Liberty, lying in Farm Lots 21 and 28, Quarter Township 2, Township 3, Range 19 United States Military Lands, and being part of that original 153.800 acre tract conveyed to Murphy Boxer Associates, Inc. by deed of record in Deed Book 661, Page 655, and all of that 2.123 acre tract conveyed to Murphy Boxer Associates, Inc. by deed of record in Official Record 591, Page 716, (all references are to the records of the Recorder's Office, Delaware County, Ohio) and being more particularly described as follows:

DELAWARE COUNTY ENGINEER  
10-23-13

**BEGINNING** at a 3/4 inch iron pin capped "6034/5456" found at an angle point in the centerline of Steitz Road (County Road 125, 60 feet wide), at a southeasterly corner of the remainder of said 153.800 acre tract, being in the northerly line of that 5.004 acre tract conveyed to John R. and Irene Lawrence by deed of record in Official Record 610, Page 2603, also being a common corner of said Farm Lot 21 and Farm Lot 22, and in the northerly line of said Farm Lot 28;

Thence with the line common to the remainder of said 153.800 acre tract and said 5.004 acre tract, the following courses and distances:

North 86°27'03" West, being the line common to said Farm Lots 21 and 28, a distance of 65.58 feet to a 3/4 inch iron pin capped "6034/5456" found;

South 12°18'22" West, a distance of 50.55 feet to an iron pin set; and

North 86°20'25" West, a distance of 248.80 feet to an iron pin set at the common corner of said 2.123 and 5.004 acre tracts;

Thence South 03°39'35" West, with the line common to said 2.123 and 5.004 acre tracts, a distance of 279.14 feet to an iron pin set;

Thence North 86°20'25" West, continuing with the line common to said 2.123 and 5.004 acre tracts, a distance of 140.69 feet to an iron pin set at a common corner of the remainder of said 153.800 acre tract and said 5.004 acre tract;

Thence South 03°39'35" West, with a line common to the remainder of said 153.800 acre tract and said 5.004 acre tract, a distance of 243.75 feet to an iron pin set in the northerly line of that 50 acre tract conveyed as Tract 1 to Thomas David and Joyce J. Hall by deed of record in Deed Book 545, Page 541;

Thence North 86°39'29" West, with the line common to said 153.800 and 50 acre tracts, a distance of 868.03 feet to an iron pin set in the easterly line of "Scioto Reserve Section 4 Phase 9", of record in Plat Cabinet 3, Slide 77, being the line common to Liberty and Concord Townships;

Thence North 04°05'41" East, with westerly line of the remainder of said 153.800 acre tract, the easterly line of said "Scioto Reserve Section 4 Phase 9" and "Scioto Reserve Section 4 Phase 12", of record in Plat Cabinet 3, Slide 375, the line common to Liberty and Concord Townships, (passing 5/8 inch iron pins capped "Pomeroy" found at distances of 1237.53 and 1307.50 feet, and a 3/4 inch iron pin capped "Hoy" found at a distance of 1379.88 feet) a total distance of 1396.61 feet to an iron pin set at the southwesterly corner of that 6.786 acre tract conveyed to Vern L. Schisler by deed of record in Deed Book 640, Page 271 (witnessed by a 3/4 inch iron pin capped "6612" found North 86° 36' 17" West, a distance of 3.95 feet);

Thence South 86°36'17" East, with the line common to said 153.800 and 6.786 acre tracts, a distance of 998.45 feet to a 5/8 inch iron pin found at the northwesterly corner of that

**36.700 ACRES**

- 2 -

1.1387 acre tract conveyed to Richard and Sherril McGhghy by deed of record in Official Record 955, Page 904;

Thence South 04°14'02" West, with the line common to said 153.800 and 1.1387 acre tracts, a distance of 150.07 feet to a 5/8 inch iron pin found;

Thence South 86°37'13" East, continuing with the line common to said 153.800 and 1.1387 acre tracts, (passing a 5/8 inch iron pin found at 290.33 feet and a 3/4 inch iron pin capped "6034/5456" found at 305.26 feet) a total distance of 330.30 feet to a railroad spike found in the centerline of said Steitz Road;

Thence South 04°15'54" West, with said centerline and the easterly line of said 153.800 acre tract, a distance of 198.47 feet to a railroad spike found;

Thence South 04°16'06" West, continuing with said centerline and the easterly line of said 153.800 acre tract, a distance of 476.49 feet to the POINT OF BEGINNING, containing 36.700 acres, more or less, of which 0.465 acre is within the present right-of-way of Steitz Road. Of said 36.700 acres, 23.948 acres are located within Farm Lot 21, and 12.752 acres are located within Farm Lot 28.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings herein are based on the Ohio State Plane Coordinate System, North Zone, NAD83 (2011). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System. The portion of the centerline of Steitz Road, having a bearing of South 04° 16' 06" West and monumented as shown hereon, is designated the "basis of bearing" for this survey.

This description is based on an actual field survey performed by or under the direct supervision of Heather L. King, Professional Surveyor Number 8307, in October 2013.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Heather L. King  
Professional Surveyor No. 8307

Date

HLK:tw  
36\_700 ac 20131591-VS-BNDY-Murphy Boxer.doc



**AMENDMENT TO THE MASTER DECLARATION OF COVENANTS, EASEMENTS,  
CONDITIONS AND RESTRICTIONS FOR SCIOTO RESERVE SUBDIVISION**

Background

- A. A Master Declaration of Covenants, Easements, Conditions and Restrictions for Scioto Reserve Subdivision (the "Declaration") was recorded in Delaware County, Ohio, on September 10, 1999, in Deed Vol. 672, Page 235 *et seq.*, to establish a general plan for the protection, benefit and mutual advantage of the Scioto Reserve Subdivision (the "Subdivision") and the real estate located therein.
- B. Pursuant to Article XI, Section C., of the Declaration, the undersigned Triangle Properties, Inc. (The "Declarant") is permitted unilaterally to amend the Declaration as necessary to correct errors which do not materially adversely affect title of any property within the Subdivision.
- C. It has come the attention of the Declarant that errors and ambiguities appear in the Declaration which are necessary to correct to make it clear that any condominium developments within the Subdivision are intended by the Declarant to be bound by the Declaration. Correction of these errors will not materially adversely affect the title of any property in the Subdivision since all of the condominium communities within the Subdivision have provisions in their individual condominium declarations which subject the condominiums to the provisions of the Declaration.

**NOW THEREFORE**, the Declaration is amended as follows:

- 1. Article II, Section (L), shall be amended to read:

"Lot - a discrete parcel of real property identified upon the recorded subdivision plat of any Development Phase at the Property, or recorded re-subdivision thereof, any condominium unit within the subdivision, and any other discrete parcel of real property designated by Declarant, including any property added for condominium development, excluding the Golf Course, the Common Property and any portion of the Property dedicated for public use."
- 2. Article II, Section (M) shall be amended to read:

"Lot Assessment - an assessment that the Board may levy against one or more Lots or units to reimburse the Master Association for costs incurred on behalf of those Lots or units, including without limitation, costs associated with making repairs that are the responsibility of the Owner of those Lots or units; costs of additional insurance premiums specifically allocable to an Owner; costs of any utility expenses chargeable to an Owner but not separately billed by the utility company; and all other charges reasonably determined to be a Lot Assessment by the Board."

3. Article II, shall be amended to add Section (Y), to read:  
 "Unit or unit"- Any condominium living unit within the Subdivision or on property added for condominium development, also called a "Lot" herein.
4. The remainder of the Declaration and any prior amendments not modified above, shall remain the same.
5. The effective date of this Amendment shall be the date upon which it is recorded in Delaware County, Ohio.

IN WITNESS WHEREOF, the President and Secretary of Declarant have hereunto set their hands this 2<sup>nd</sup> day of October, 2014.

[Signature]  
 Triangle Properties, Inc.  
 \_\_\_\_\_  
 President

Rawland S. Giller III  
 Printed

[Signature]  
 Secretary

Nancy Inman  
 Printed

**ACKNOWLEDGMENT**

STATE OF OHIO  
 COUNTY OF FRANKLIN, ss:

Before me, a Notary Public, personally appeared the above-named Rawland S. Giller III and Nancy Inman, President and Secretary respectively and swore the signing hereof to be of their own free and voluntary act and that the same is true this 2<sup>nd</sup> day of October, 2014.



Kara L. Perry  
 Notary Public, State of Ohio  
 MY COMMISSION EXPIRES 8/9/15

[Signature]  
 NOTARY PUBLIC

WILLIAMS & STROHM  
TWO MIRANOVA PLACE STE 380  
COLUMBUS, OH 43215



Doc ID: 010491210003 Type: OFF  
Kind: DECLAR AMEN  
Recorded: 10/15/2014 at 09:47:38 AM  
Fee Amt: \$40.00 Page 1 of 3  
Workflow# 0000083486-0001  
Delaware County, OH  
Melissa Jordan County Recorder  
File# 2014-00026241

BK 1313 PG 661-663

**AMENDMENT TO THE MASTER DECLARATION OF COVENANTS, EASEMENTS,  
CONDITIONS AND RESTRICTIONS FOR SCIOTO RESERVE SUBDIVISION**

**Auditor's Certificate**

This is to certify that a copy of this Amendment to the Master Declaration of Covenants, Easements, Conditions and Restrictions for Scioto Reserve Subdivision has been filed with the Auditor of Delaware County, Ohio, this 15 day of October, 2014.

AUDITOR OF DELAWARE COUNTY, OHIO

Tracy Hedges  
By:

\_\_\_\_\_  
This Instrument prepared by Charles T. Williams, Esq., Williams & Strohm, LLC, Attorneys at Law, 2 Miranova Place, Ste. 380, Columbus, Ohio 43215-7047

Delaware County  
The Grantor Has Complied With  
Section 319.202 Of The R.C.  
DATE 7/8/2014 Transfer Tax Paid   
~~TRANSFERRED OR TRANSFER NOT NECESSARY~~  
Delaware County Auditor By TCH

Delaware County Recorder

REVIEWED

BY: N

DATE: 7-8-14

**SUPPLEMENTAL DECLARATION TO THE MASTER DECLARATION  
OF COVENANTS, EASEMENTS, CODNITIONS AND RESTRICTIONS FOR  
SCIOTO RESERVE SUBDIVISION**

This Supplemental Declaration of Covenants, Easements, Conditions and Restrictions is made as of the 17<sup>th</sup> day of June, 2014 by Triangle Properties Inc., an Ohio corporation, located at 470 Olde Worthington Road, Westerville, Ohio 43082 (the "Declarant") and The Reserve at Scioto Glenn LLC, an Ohio limited liability company, located at 999 Polaris Parkway, Suite 220, Columbus, Ohio 43240 ("Scioto Glenn").

WHEREAS, the Declarant has previously filed of record a Master Declaration of Covenants, Easements, Conditions and Restrictions on September 10, 1999 in Volume 672, Page 235, Recorder's Office, Delaware County, Ohio (the "Master Declaration"); and

WHEREAS, the Master Declaration imposed certain restrictions, covenants and easements on approximately 746 +/- acres located in Delaware County, Ohio (the "Scioto Reserve Property"); and

WHEREAS, Scioto Glenn is the owner of approximately 68 +/- acres of land in Delaware County, Ohio more fully described on Exhibit A attached hereto commonly known as The Reserve at Scioto Glenn Subdivision which is in proximity to the Scioto Reserve Property as originally defined in the Master Declaration (the "Scioto Glenn Property"); and

WHEREAS pursuant to the General Provisions, Section I of the Master Declaration, the Declarant has the right to add additional acreage to the Scioto Reserve Property described in the Master Declaration and subject it to the Master Declaration, so as to benefit and encumber such adjacent acreage as fully as if it were a part of the Scioto Reserve Property described in the Master Declaration; and

WHEREAS both the Declarant and Scioto Glenn desire to add the Scioto Glenn Property to the Scioto Reserve Property as described in the Master Declaration so that the Scioto Glenn Property is subject to the restrictions, covenants and easements set forth in the Master Declaration;

NOW THEREFORE:

VORYS SATER SEYMOUR & PEASE  
LLP  
52 E GAY ST  
COLUMBUS, OH 43216



Doc ID: 010393000006 Type: OFF  
Kind: DECLAR SUPP  
Recorded: 07/08/2014 at 04:05:50 PM  
Fee Amt: \$64.00 Page 1 of 6  
Workflow# 000078092-0002  
Delaware County, OH  
Melissa Jordan County Recorder  
File# 2014-00016450

BK **1295** PG **746-751**



1. The Declarant and Scioto Glenn by this document add the Scioto Glenn Property described on Exhibit A attached hereto as part of the Scioto Reserve Property subject to those covenants, easements, conditions and restrictions set forth in the Master Declaration recorded in Volume 672, Page 235, as subsequently amended, in the Recorder's Office, Delaware County, Ohio.

2. Except to the extent that they are modified or amended by this instrument, either specifically or implicitly, all provisions of the Master Declaration, as amended, shall continue in full force and effect.

*(Signature Page to Follow)*

The Declarant and Scioto Glenn have caused the execution of this Supplemental Declaration as of the date first above written.

**Triangle Properties, Inc., an Ohio corporation**

By: [Signature]  
Donald R. Kenney, President

STATE OF OHIO  
COUNTY OF DELAWARE, SS:

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of June, 2014, by Donald R. Kenney, President of Triangle Properties, Inc., an Ohio corporation, LLC, on behalf of the company.



WITNESS WHEREOF I have hereunto set my hand and official seal.

Kara L Perry  
Notary Public, State of Ohio  
MY COMMISSION EXPIRES 8/19/15 Notary Public  
[Signature]

**The Reserve at Scioto Glenn, LLC, an Ohio limited liability company**  
By: **Metro Development LLC, sole member**

By: [Signature]  
Donald R. Kenney, Manager

STATE OF OHIO  
COUNTY OF DELAWARE, SS:

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of June, 2014, by Donald R. Kenney, Manager of Metro Development LLC, sole member of the Reserve at Scioto Glenn LLC, an Ohio limited liability company, on behalf of the company.



WITNESS WHEREOF I have hereunto set my hand and official seal.

Kara L Perry  
Notary Public, State of Ohio  
MY COMMISSION EXPIRES 8/19/15 Notary Public  
[Signature]

Instrument prepared by:  
Jill S. Tangeman, 52 East Gay Street, Columbus, OH 43215



69.815 ACRES

- 2 -

Reserve Condominiums Phase 1" and in the easterly line of that subdivision entitled "Scioto Reserve Section 1 Phase 4" of record in Plat Cabinet 2, Slides 583;

thence North 03° 27' 56" East, with the westerly line of said 70.0 acre tract and partly with easterly lines of "Scioto Reserve Section 1 Phase 4", and said "Scioto Reserve Section 1 Phase 3", (passing a 3/4-inch iron pipe found at a distance of 1292.64, and passing a 3/4-inch iron pipe (capped "ZANDE") found at a distance of 1943.29) a total distance of 2300.63 feet to the POINT OF BEGINNING and containing 69.815 acres of land, more or less, of which 18.389 acres lie within Farm Lot 14, 21.978 acres lie within Farm Lot 13, 29.448 acres lie within Farm Lot 12, 42.903 acres lie within Concord Township, 26.912 acres lie within Liberty Township and 0.909 acre lies within the present right-of-way occupied.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

The above description was prepared using documents of record, prior plats of survey and observed evidence located by an actual field survey performed by BMH&T in May 2013.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings described herein are based on the Ohio State Plane Coordinate System, North Zone, and NAD83 (2011). Said bearings originated from a field traverse which was tied (referenced) to said coordinate system by GPS observations and observations of selected CORS base stations in the National Spatial Reference System. The portion of the centerline of Home Road, having a bearing of South 86° 54' 09" East and monumented as shown hereon/described herein, is designated the "basis of bearing" for this survey.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

DESCRIPTION APPROVED  
FOR TRANSFER  
11/01/13 Chris Bauserman  
Delaware County Engineer

*D. Neer*  
Daniel A. Neer  
Registered Surveyor No. 8533  
7/10/13  
Date

DAN  
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DESCRIPTION FOR CLOSING ONLY  
 RPC Approval Required  
 Municipal Approval Required  
Delaware County Engineer  
7-10-13





**SURVEY OF ACREAGE PARCEL**  
 PART OF FARM LOTS 12, 13 & 14, SECTION 2, TOWNSHIP 3, RANGE 19  
 UNITED STATES MILITARY LANDS  
 TOWNSHIPS OF LIBERTY & CONCORD, COUNTY OF DELAWARE, STATE OF OHIO

