

COUNTY OF LAKE

FRANK A. SUPONCIC, CPA, CFE
RECORDER

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2006R032304

LAKE COUNTY OHIO
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FRANK A SUPONCIC
LAKE COUNTY RECORDER

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**SECOND AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS
NATURE PRESERVE SUBDIVISION
TOWNSHIP OF CONCORD, OHIO**

KNOW ALL MEN BY THESE PRESENTS THAT

WHEREAS, Richard M. Osborne, Trustee, U/T/A 1-13-95 hereinafter the "Declarant" and Nature Preserve Owner's Association, Inc. an Ohio non-profit corporation, hereinafter referred to as the "Association" heretofore caused to be filed for record that certain Declaration of Covenants and Restrictions for Nature Preserve Subdivision (the "Declaration"), said Declaration having been recorded on the 25th day of May, 2004 as Lake County Recorder's Document No. 2004R023698; and

WHEREAS, the Declaration was heretofore amended by instrument recorded on the 6th day of June, 2005 as Lake County Recorder's Document Number 2005R023192; and

WHEREAS, Declarant heretofore acquired additional property which is being developed as a further expansion of the Nature Preserve Subdivision, said additional property being described in Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, in order to promote the harmonious development and operation of the Exhibit "A" land as part of the Nature Preserve Subdivision, Declarant and the Association has deemed it necessary and advisable to subject the Exhibit "A" land to the Declaration;

NOW THEREFORE, in consideration of the foregoing and for other good, valuable and sufficient consideration received to their mutual satisfaction, Declarant and the Association hereby further amend the Declaration in the following particulars, to-wit:

The description of the real property referred to in Article II, Section 1 of the Declaration and Exhibit "A" to the Declaration are hereby amended to include the real property described in Exhibit "A" hereto, such that the real property described in Exhibit "A" hereto shall in all respects be subject to the Declaration.

IN WITNESS WHEREOF, the Declarant and the Association have hereunto affixed their signatures as of the 8th day of August, 2006.

**NATURE PRESERVE
SUBDIVISION OWNERS ASSOCIATION**

By: Richard M. Osborne, Jr.
Richard M. Osborne, Jr. President

**DECLARANT:
RICHARD M. OSBORNE, TRUSTEE
U/T/A 1-13-95**

BY: Richard M. Osborne
Richard M. Osborne, Trustee

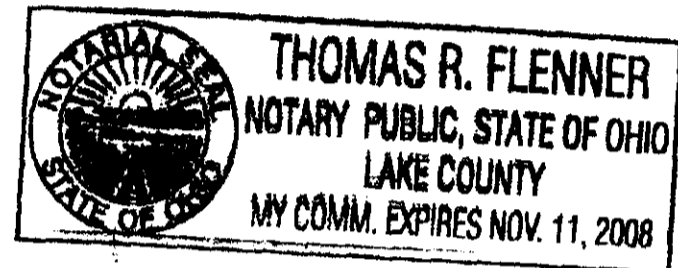
2006 R032304

STATE OF OHIO)
) SS.
COUNTY OF LAKE)

BEFORE ME, a Notary Public for and in said County and State, personally appeared the above **RICHARD M. OSBORNE TRUSTEE U/T/A/ 1-13-95**, who did acknowledge that he did sign the foregoing instrument and that the same is his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Painesville, Ohio this 8th day of August, 2006.

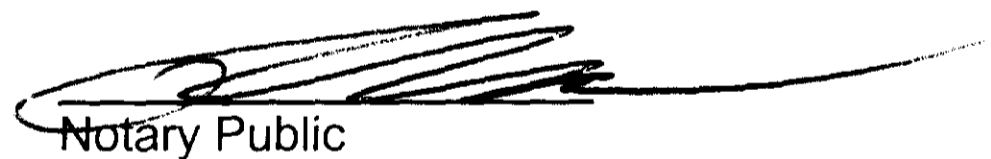

Notary Public

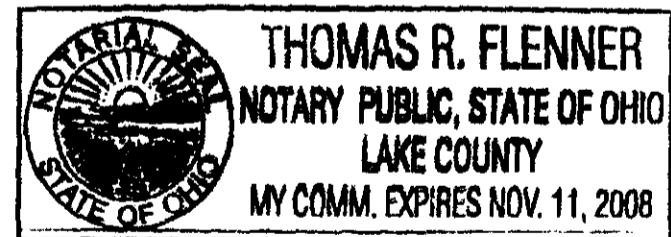


STATE OF OHIO)
) SS.
COUNTY OF LAKE)

BEFORE ME, a Notary Public for and in said County and State, personally appeared the above **NATURE PRESERVE SUBDIVISION OWNERS ASSOCIATION, INC.** by **RICHARD M. OSBORNE, JR.**, its President, who did acknowledge that he did sign the foregoing instrument for and on behalf of said corporation, 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 WHEREOF, I have hereunto set my hand and official seal at Painesville, Ohio this 8th day of August, 2006.


Notary Public



Prepared by:
David J. Richards, Jr., Esq.
60 South Park Place
Painesville, Ohio 44077



JUNE 22, 2006

LEGAL DESCRIPTION
NATURE PRESERVE NORTH
PHASE 3

Situated in the Township of Concord, County of Lake and State of Ohio, known as being part of Original Township Lot No. 2, Tract 2.

Beginning at a 5/8" iron pin found at a point of tangency in the easterly sideline of Butterfly Street (60 feet wide) at Sublot No. 4 in the Nature Preserve North Phase 1 subdivision recorded in Volume 48, Page 26 of Lake County Plat Records.

Thence North $09^{\circ}49'16''$ East, along said sideline, 17.94 feet to a 5/8 inch iron pin set and the Principal Place of Beginning.

COURSE I Thence North $09^{\circ}49'16''$ East, continuing along said sideline, 170.99 feet to a 5/8" iron pin set at a point of curvature therein;

COURSE II Thence along the arc of said sideline deflecting to the left, 79.97 feet, said arc having a radius of 404.30 feet, a central angle of $11^{\circ}20'00''$ and a chord which bears North $04^{\circ}09'16''$ East, 79.84 feet to a 5/8" iron pin set at a point of tangency therein;

COURSE III Thence North $01^{\circ}30'44''$ West, along said sideline, 330.80 feet to a 5/8" iron pin set at a point of curvature therein;

COURSE IV Thence along the arc of said sideline deflecting to the right, 72.19 feet, said arc having a radius of 470.00 feet, a central angle of $08^{\circ}48'00''$ and a chord which bears North $02^{\circ}53'16''$ East, 72.12 feet to a 5/8 inch iron pin set at a point of tangency therein;

COURSE V Thence North $07^{\circ}17'16''$ East, along said sideline, 46.59 feet to a 5/8 inch iron pin set at the southwesterly corner of Sublot 8 in said subdivision;

COURSE VI Thence North $88^{\circ}29'16''$ East, along the southerly lines of Sublots 8, 9 and 10 in said subdivision, 392.65 feet to an angle point in the southerly line of said Sublot No. 10;

COURSE VII Thence North $00^{\circ}32'53''$ West, along said line, 48.95 feet to a 5/8 inch iron pin set at an angle point therein;

COURSE VIII Thence North $88^{\circ}45'28''$ East, continuing along said line, 62.51 feet to a 5/8 inch iron pin set;

Engineers and Surveyors

- COURSE IX Thence South 33°32'53" East, 227.04 feet to a 5/8 inch iron pin set;
- COURSE X Thence South 04°15'11" West, 235.25 feet to a 5/8 inch iron pin set;
- COURSE XI Thence South 51°15'00" West, 235.25 feet to a 5/8 inch iron pin set in the northerly line of land conveyed to Robert C. and Anna Winters by deed recorded in Lake County Document No. 2004R033908, PPN: 8A-12-03;
- COURSE XII Thence South 84°54'24" West, along said northerly line, 139.43 feet to a 5/8 inch iron pin set at an angle point therein;
- COURSE XIII Thence North 84°24'24" West, continuing along said northerly line, 22.64 feet to a 5/8 inch iron pin set at the northwesterly corner thereof;
- COURSE XIV Thence South 11°18'06" West, along said Winter's northwesterly line, 217.18 feet to a 5/8 inch iron pin set at the northeasterly corner of said Sublot No. 4 in subdivision;
- COURSE XV Thence North 80°10'44" West, along the northerly line of said Sublot No. 4, 214.03 feet to the Principal Place of Beginning and containing 7.5361 acres (328,270 square feet) of land, more or less, as calculated and described in June of 2006 by James R. Pegoraro, Jr., P.S. No. 8150 of LDC, Inc.

