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2003R024450

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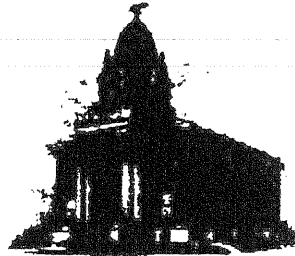
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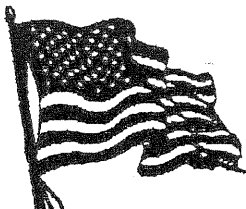


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M.T.

AMENDMENT TO THE MASTER
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR LOT NOS. 1 THROUGH 102, INCLUSIVE,
LAKE ERIE SHORES, PHASE I AND ALL SUBSEQUENT FUTURE PHASES,
PAINESVILLE TOWNSHIP, LAKE COUNTY, OHIO
("Amended Declaration")

THIS AMENDMENT TO THE DECLARATION is made as of this 23 day of APRIL, 2002.

Recitals

WHEREAS, Declarant filed with the Lake County Recorder on May 9, 2002, at Volume 2002R023781, page(s) 25, the Declaration of Covenants, Conditions and Restrictions for Lot Nos. 1 through 102, Inclusive, Lake Erie Shores, Phase I, Painesville Township, Lake County, Ohio ("Declaration") for certain real property in the Township of Painesville, Lake County, Ohio, owned by Declarant and;

WHEREAS, Declarant reserves the right from time to time to amend the conditions of the Declaration in accordance with Article XI, Section 6C- Amendment of Master Declaration; and

WHEREAS, Declarant is desirous of amending the conditions of Declaration by this Amendment to the Declaration as provided below.

NOW, THEREFORE, Declarant, for itself and his successors and assigns, amends the conditions of the Declaration as follows:

1. Article VII Section 16, Residential Requirements, to be amended to read as follows.
- 16 c – Sidewalks in the public right of ways, are required to be installed by all lot owners with the construction of each dwelling or within 6 months of occupancy, weather permitted. These same sidewalks are to be repaired and maintained or replaced as needed throughout the life of the dwelling. If a section of walkway should become dangerous and unsafe and is not corrected by the owner of said parcel, the Homeowners Association can correct said problem and assess Homeowner.
- 16 i – Also to include lots 1-18 in Phase I. In Phase II the entire 50 foot buffer area which runs parallel to the railroad tracks behind the condominium units and continuing behind lots 151-174, and 83, 84, 85, 86, 89, 90, 91, 92, 93, 94, 97 & 98 are to be maintained by the individual lot owners. The maintenance areas to be included are the grass areas and the wooded areas combined.
- 16 k – Out building or storage sheds are to be of the same materials, color and over all appearance of the main dwelling. No Aluminum or foreign type material shed is permitted.
- 16 o – To be added to read that- Mail Boxes and posts are to be of the same style and color and be uniform throughout the entire single family detached home area and to be provided and installed by each builder for owners use. Featured builders have specifications for post and mailbox arm that box rests on.

COMMONWEALTH LAND TITLE

ORDER NO. ALC001

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16 p - To be added to read that- Preservation easements established at the rear portions of the following properties are to be left natural and trees are not to be cut or eliminated, unless of a dying or diseased nature. A 45-foot easement exists at the rear of sublots 151 through 156 and a 35-foot easement at the rear of 143 through 150. Future lots in Phase III on the westerly section of Outrigger Cove will have a similar easement and must also be protected.

16 q - Local service drainage easements at the rear of the following sublots must be maintained along with its portion of land within the easement and basin area. Keeping the waterways free of debris and maintaining and cleaning and grooming of the basins is the responsibility of the individual lot owners. The sublots are 105 through 125, 131, 132, 133, 134, 139, 140, 141, 142 and 157 through 161.

2. Article VII. Section 7- Storage of vehicles and machinery to be amended to include, "Motorcycles."
3. Article VIII Section 4 to read that there is hereby-reserved an "access" easement.

These easements shall be granted in all phases of single family and condominium areas.

IN WITNESS WHEREOF, LAKE ERIE SHORES DEVELOPMENT, LLC has signed this document this 24 day of APRIL, 2002.

Signed and acknowledged
In the presence of:

Gail DiPerna
(print witness name)

Lake Erie Shores Development, LLC

By: Michael DiSanto
Michael DiSanto
Its: President

STATE OF OHIO,)
) SS:
COUNTY OF ~~LAKE~~)
Cuyahoga

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above-named LAKE ERIE SHORES DEVELOPMENT, LLC, and Ohio limited liability company, by MICHAEL DISANTO, its President, who acknowledged that he did sign the foregoing instrument on behalf of such limited liability company, and the same is their free act and deed as such President and the free act and deed of the limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal at Solon, Ohio, this 24th day of April, 2002.



GAIL DIPERNA
Notary Public
In and for the State of Ohio
My Commission Expires
August 24, 2003

Gail DiPerna
Notary Public