

TRANSFER NOT NECESSARY

Janette Cussey

KNOX COUNTY AUDITOR



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Knox Ohio
John Lybarger County Recorder
File# 2017-00002106

BK **1609** PG **425-427**

**SECOND SUPPLEMENT TO DECLARATION OF COVENANTS,
EASEMENTS, CONDITIONS AND RESTRICTIONS FOR
CENTERBURG MEADOWS PHASE II**

This Second Supplement to the Declaration of Covenants, Easements, Conditions and Restrictions for Centerburg Meadows Phase II is made on this 10th day of March, 2017.

RECITALS

A. Centerburg Meadows Phase II, Section I is a platted residential subdivision in the Village of Centerburg, Knox County, Ohio, of record in Plat Book C, Pages 22 and 23, Recorder's Office, Knox County, Ohio. ✓

B. Centerburg Meadows Phase II, Section II is a platted residential subdivision in the Village of Centerburg, Knox County, Ohio, of record in Plat Book C, Pages 37 and 38, Recorder's Office, Knox County, Ohio. ✓

C. The Declaration of Covenants, Easements, Conditions and Restrictions for Centerburg Meadows Phase II, hereinafter the Declaration, is filed for record in Book 999, Pages 398 through 433, Recorder's Office, Knox County, Ohio. ✓

D. Schlabach Builders, Ltd., an Ohio limited liability company, hereinafter Declarant, is the successor in interest to Quillin Properties, Ltd., by virtue of the Warranty Deed recorded in Book 1565, Pages 731 through 733, Recorder's Office, Knox County, Ohio, and thus, is the Developer, as defined in Article II, Section A of the Declaration. ✓

E. Quillin Properties, Ltd., further assigned, transferred and quit claimed to Schlabach Builders, Ltd., any of its development rights or interest in Centerburg Meadows Phase II in an Assignment of Interest, filed for record in Book 1609, Pages 421 through 424, Recorder's Office, Knox County, Ohio. ✓

F. Pursuant to Article X, Section C of the Declaration, the Declarant desires by this Supplement to amend certain provisions of the Declaration. Article X, Section C gives Developer, in its absolute discretion, the ability to unilaterally amend the Declaration without the consent of any other members or owners.

DECLARATION

NOW THEREFORE, the Declaration is hereby amended by Declarant as follows:

1. ARTICLE II, DEFINITIONS:

DELETE Declaration Article II, Section T in its entirety. Said deletion is to be made on Page 5 of the Declaration.

EAU

INSERT a new Article II, Section T in its entirety. Said new addition, to be added on Page 5 of the Declaration, is as follows:

- T. "Turnover Date" – the date the last lot has been sold by Developer or the date the Developer turns over the Association to the members, whichever occurs last.

2. EXHIBIT A

DELETE Exhibit A in its entirety. Said deletion is to be made on Page 34 of the Declaration.

INSERT a new Exhibit A in its entirety. Said new addition, to be added on Page 34 of the Declaration, is as follows:

EXHIBIT 'A'

Situated in the Village of Centerburg, County of Knox, and in the State of Ohio:

Being Lots Numbered One (1) through Twelve (12) inclusive, Nineteen (19) through Thirty-eight (38) inclusive, Fifty-five (55) through Fifty-eight (58) inclusive, and Reserve Area A, aka Reserve A, of CENTERBURG MEADOWS PHASE II, SECTION I, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Cabinet C, Slides 22 and 23, Recorder's Office, Knox County, Ohio.

And Also:

Situated in the Village of Centerburg, County of Knox, and in the State of Ohio:

Being Lots Numbered Thirteen (13) through Eighteen (18) inclusive, Thirty-nine (39) through Fifty-four (54) inclusive, and Reserve Area B, aka Reserve B, of CENTERBURG MEADOWS PHASE II, SECTION II, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Cabinet C, Slides 37 and 38, Recorder's Office, Knox County, Ohio.

IN WITNESS WHEREOF, Declarant has set its hand unto this 10th day of March, 2017.

DECLARANT

SCHLABACH BUILDERS, LTD.

By: Roy A. Schlabach
Roy A. Schlabach
Its Authorized Member

The undersigned, Centerburg Meadows Homeowners Association, Inc., an Ohio corporation, by and through its initial Trustees, Roy A. Schlabach and James R. Schlabach, joins in the execution of this Supplement as to Paragraph 2 'Exhibit A.' Centerburg Meadows Homeowners Association, Inc. is the owner of Reserve Area A, aka Reserve A, of Centerburg Meadows Phase II, Section I, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Cabinet C, Slides 22 and 23, Recorder's Office, Knox County, Ohio, by virtue of the Quit Claim Deed from Declarant recorded in Book 1598, Pages 638 through 640, Recorder's Office, Knox County, Ohio. By its execution hereof, Centerburg Meadows Homeowners Association, Inc. subjects Reserve Area A, aka Reserve A, to the Declaration and any Supplements and Amendments thereto, including this Supplement.

X

**CENTERBURG MEADOWS
HOMEOWNERS ASSOCIATION, INC.**

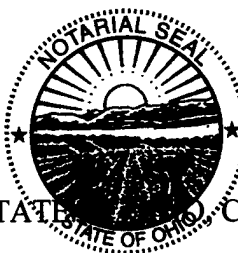
By: Roy A. Schlabach
Roy A. Schlabach, Trustee

By: James R. Schlabach
James R. Schlabach, Trustee

STATE OF OHIO, COUNTY OF HOLMES, SS:

Before me, a Notary Public in and for said County and State, personally appeared the above named Schlabach Builders, Ltd., an Ohio limited liability company, by Roy A. Schlabach, its Authorized Member, and who acknowledged that he did sign the foregoing instrument and that the same is the free act and deed of said limited liability company, and the free act and deed of him personally and as an Authorized Member.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Millersburg, Ohio, this 10 day of March, 2017.



PETE L HILTY
Notary Public
In and for the State of Ohio
My Commission Expires
July 31, 2017

Pete Hilty
Notary Public

STATE OF OHIO, COUNTY OF HOLMES, SS:

Before me, a Notary Public in and for said County and State, personally appeared the above named Centerburg Meadows Homeowners Association, Inc., an Ohio corporation, by Roy A. Schlabach and James R. Schlabach, its Trustees, and who acknowledged that they 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 them personally and as Trustees.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Millersburg, Ohio, this 10 day of March, 2017.



PETE L HILTY
Notary Public
In and for the State of Ohio
My Commission Expires
July 31, 2017

Pete Hilty
Notary Public

This instrument was prepared by Max A. Miller, Miller, Mast, Mason & Bowling, Ltd., Attorneys at Law, The Lincoln Building, 88 South Monroe Street, Millersburg, Ohio 44654.