First Amendment to the Amended and Restated Declaration of Restrictions for Riverhills

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FIRST AMENDMENT TO THE
AMENDED AND RESTATE DECLARATION
OF RESTRICTIONS FOR RIVERHILLS

This First Amendment to the Amended and Restated Declaration of Restrictions for Riverhills is made by the undersigned owners of lots in Riverhills, a Subdivision in the Township of Sylvania, Lucas County, Ohio. Intending to be legally bound, the parties agree as follows:

1. Background and Purpose. McGowan-Corey, Inc., an Ohio corporation ("Developer"), and the owners of certain lots in Riverhills adopted an Amended and Restated Declaration of Restrictions for Riverhills dated October 31, 1994, which was recorded in the Lucas County, Ohio, deed records as Deed No. 94-2702-D04 on November 3, 1994 (the "Restrictions"). The Restrictions encumber lot numbers one (1) through thirteen (13), both inclusive, in Riverhills, a Subdivision in the township of Sylvania, Lucas County, Ohio. Article Four, Section 2 of the Restrictions provides that the Restrictions can be amended with the written approval of the owners of not less than 9 lots in Riverhills. The undersigned owners of at least 9 lots in Riverhills desire to amend the Restrictions as indicated below.

2. Amendment. Article 2, Section 1 of the Restrictions is hereby amended and restated in its entirety to read as follows:

Section 1. Owner's Association. Upon the occupancy of not less than seven (7) Dwellings in Riverhills, Developer may cause to be incorporated a nonprofit corporation under the laws of the State of Ohio to be called the "Riverhills Property Owner's Association" or a name similar thereto (the "Association"), and upon the formation of the Association, every lot owner shall become a member thereof and each owner shall be entitled to one vote on each matter submitted to a vote of the members for each lot owned by such owner, provided, however, that where title to a lot is held by more than one person, such co-owners acting jointly shall be entitled to but one vote.

3. Ratification. Except as amended herein, the Restrictions are hereby ratified and confirmed.

[THE REMAINDER OF THIS PAGE HAS INTENTIONALLY BEEN LEFT BLANK]
IN WITNESS WHEREOF, the undersigned constituting the owners of at least nine lots have executed this First Amendment to the Amended and Restated Declaration of Restrictions on the dates indicated below.

WITNESSES:

LOT NUMBERS 1 AND 2.

B. Thomas Shirk, Co-Trustee

Date

Mary Alice Shirk, Co-Trustee

Date

The foregoing instrument was acknowledged before me this day of 2000 by B. Thomas Shirk and Mary Alice Shirk, Co-Trustees.

Notary Public

CARRIE F. KELLERMEIER
Notary Public - State of Ohio
My Commission Expires July 23, 2008

00 2848B07
WITNESSES:

Joyce Taylor

Sign: Joyce Taylor
Print Name: Joyce Taylor

John K. Weikel

Sign: John K. Weikel
Print Name: John K. Weikel

STATE OF OHIO
COUNTY OF LUCAS

LOT NUMBER 3

Barbara D. Weikel, Trustee of the Barbara D. Weikel Trust 
U/A/D October 9, 1992

August 1, 2000

The foregoing instrument was acknowledged before me this [day] of
[day] 2000 by Barbara D. Weikel, Trustee.

CHERYL K. ADAMS
Notary Public, State of Ohio
My Commission Expires: 00 2848B08
WITNESSES:
Grace M. Chapman
Sign:______________________________
Print Name: Grace M. Chapman

Sandra J. Smith
Sign:______________________________
Print Name: Sandra J. Smith

STATE OF OHIO 
COUNTY OF LUCAS 

LOT NUMBER 4
Diana M. Gabel, Trustee
U/D/T dated February 24, 1997
8/3/00
Date

The foregoing instrument was acknowledged before me this 31st day of
August, 2000 by Diana M. Gabel, Trustee.

Grace M. Chapman
Notary Public

GRACE M. CHAPMAN
Notary Public, State of Ohio
My Commission Expires May 6, 2012

00 2848B09
WITNESSES

JULIE MEARM

SIGN

JULIE MEARM

Print Name

KELLI MARIE POZERK

SIGN

KELLI MARIE POZERK

Print Name

STATE OF OHIO

) SS:

COUNTY OF LUCAS

LOT NUMBER 6

LINDA L. SMITH

David A. Smith

Date

JULY 31, 2000

SANDRA G. SMITH

Date

JULY 31, 2000

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 31st DAY OF JULY 2000 BY DAVID A. SMITH AND SANDRA G. SMITH.

KELLI MARIE POZERK

Notary Public

WITNESSES:

KELLI MARIE POZERK

SIGN

KELLI MARIE POZERK

Print Name

STATE OF OHIO

) SS:

COUNTY OF LUCAS

LOT NUMBER 7

AM L.T. SERVICES INC., TRUSTEE

JULY 31, 2000

Date

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 31st DAY OF JULY 2000 BY KELLI MARIE POZERK, NOTARY PUBLIC, OF AM L.T. SERVICES INC., ON BEHALF OF THE CORPORATION AS TRUSTEE.

KELLI MARIE POZERK

Notary Public, State of Ohio
My Commission Expires 6-19-2003

00 2848B10
WITNESSES

LOT NUMBER S

Barbara A. Nash
Barbara A. Nash

Date
8/7/00

STATE OF OHIO
COUNTY OF LUCAS ) SS.

The foregoing instrument was acknowledged before me this 7th day of August 2000 by Barbara A. Nash

Notary Public

CATHY A. SIMPSON, Lucas County
Notary Public, Sept. 17, 2000
My Commission Expires Aug. 20, 2000

00 2848B11
WITNESSES:

Sign Cheryl Adamski
Print Name (Redacted)

Sign Dawn Carlen
Print Name (Redacted)

Sign Cheryl Adamski
Print Name (Redacted)

Sign Dawn Carlen
Print Name (Redacted)

STATE OF OHIO
COUNTY OF LUCAS

The foregoing instrument was acknowledged before me this ______ day of __________ 2000 by R. Jeffrey Bixler and Kathleen R. Bixler.

Notary Public
Commission Expires 3-31-03

LOT NUMBER 9

R Jeffrey Bixler

5/2/00

LOT NUMBER 10

Midland Agency of Northwest Ohio, Inc., Trustee

Date

STATE OF OHIO
COUNTY OF LUCAS

The foregoing instrument was acknowledged before me this ______ day of __________ 2000 by ___________________________ of Midland Agency of Northwest Ohio, Inc. on behalf of the corporation.

Notary Public
Commission Expires 9-14-03
WITNESSES:

SIGNED:

Print Name: 

STATE OF OHIO
COUNTY OF LUCAS

The foregoing instrument was acknowledged before me this day of , 2000 by Tamara B. Fleisher.

Notary Public

LOT NUMBER

Tamara B. Fleisher

Date

SIGNATURE
WITNESSES:

Margaret Milano

LOT NUMBER 12

Sandra L. Milano, Trustee

Date

8/13/2000

Print Name

M. Milano

Notary Public

Print Name

State of Ohio

COUNTY OF LUCAS

The foregoing instrument was acknowledged before me this 10th day of

August 2000 by Sandra L. Milano, Trustee.

Notary Public

MARGARET

MOYART PUBLIC, STATE OF OHIO

RECORDER, LUCAS COUNTY, OHIO

RECEIVED &Recorded

AUG 28 2000

SUE DIoux

00 2848C02