

DECLARATION AND AMENDMENT
TO RESTRICTIVE COVENANTS

Instr: 199912010297004 12/01/1999
Pages: 1 Fee: \$16.00 2:40PM
Richard B. Metcalf T19990166991
Franklin County Recorder BXALLIANCE

THIS DECLARATION AND AMENDMENT TO RESTRICTIVE COVENANTS is made as of the 29th day of November, 1999, by Dominion Homes, Inc., an Ohio corporation, with offices at 5501 Frantz Road, Dublin, Ohio 43017 (hereinafter "Grantor").

A. Grantor executed and recorded a Special Warranty Deed setting forth restrictions applying to lots in Albany Park Section 1, Part 1, and Albany Park Section 1, Part 2, which restrictions are of record at Instrument No. 199905120120251, Recorder's Office, Franklin County, Ohio.

B. Section X, paragraph C of the restrictions states that "Until the Turnover Date, Grantor may, in its sole and absolute discretion, unilaterally amend these Restrictions at any time and from time to time, without the consent of any other Owners."

C. Grantor hereby amends Section VIII, paragraph R of the Special Warranty Deed to add the following language. As amended, the Section VIII, paragraph R will include the following language:

Fences installed by Grantor or the Association within any common area or landscape or entry easement area shall not be subject to the provisions above, and Grantor or the Association shall have the right to maintain or replace such fencing.

Except as amended above, the restrictions shall remain in full force and effect as originally written, executed and recorded.

The Recorder is hereby requested to make a marginal notation on the restrictive covenants recorded as Instrument No. 199905120120251 referencing this Declaration and Amendment to Restrictive Covenants.

IN WITNESS WHEREOF, the Grantor has caused the execution of this Declaration and Amendment to Restrictive Covenants as of the date first above written.

Signed and acknowledged
in the presence of:

DOMINION HOMES, INC., an Ohio
corporation

Susan Blanc
Printed: SUSAN BLANC

By: Robert A. Meyer, Jr.
Robert A. Meyer, Jr.
Senior Vice President

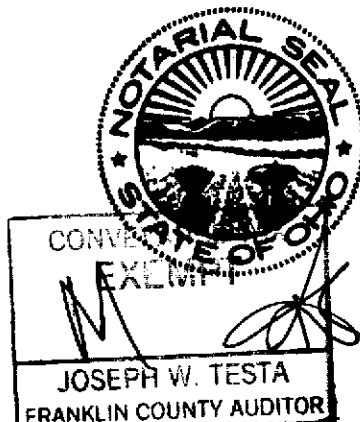
Patty G. Crocker
Printed: Patty G. Crocker

STATE OF OHIO,
COUNTY OF FRANKLIN, SS:

The foregoing instrument was acknowledged before me this 29th day of November, 1999, by Robert A. Meyer, Jr., Senior Vice President of Dominion Homes, Inc., an Ohio corporation, on behalf of the corporation.

Patty G. Crocker
Notary Public

This instrument prepared by:
Robert A. Meyer, Jr., Esq.
Dominion Homes, Inc.
5501 Frantz Road
Dublin, OH 43017



PATTY G. CROCKER
Notary Public, State of Ohio
My Commission Expires
Feb. 26, 2000

TRANSFERRED
NOT NECESSARY

DEC 01 1999
JOSEPH W. TESTA
AUDITOR
FRANKLIN COUNTY, OHIO

ALLIANCE TITLE BOX