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MISC

TRANSFER NOT NECESSARY
John A. Donofrio, Fiscal Officer

WOODLAND POINTE MACEDONIA, OH PHASE 2

TNN
2-21-07

ORIGINAL RECORDED

Second Amendment to the Declaration of Covenants, Conditions and Restrictions for Woodland Pointe Homeowners Association



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MISC 76.00

John A Donofrio, Summit Fiscal Officer

SECOND AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

FOR

WOODLAND POINTE HOMEOWNERS ASSOCIATION

This Second Amendment to the Declaration of Covenants, Conditions and Restrictions for Woodland Pointe Homeowners Association ("Supplemental Declaration") is made as of the 8th day of January, 2007, by WOODLAND RESIDENTIAL, LTD., an Ohio Limited Liability Company ("Declarant"), for the purpose of subjecting additional property to the provisions of the Declaration of Covenants, Conditions and Restrictions for Woodland Pointe Homeowners Association.

WITNESSETH:

WHEREAS, Declarant caused (1) the Declaration of Covenants, Conditions and Restrictions for Woodland Pointe Homeowners Association (the "Declaration") to be recorded on August 22, 2005 as No. 55224618 of Summit County Records; and (2) the Amendment to and Reaffirmation of the Declaration of Covenants, Conditions and Restrictions for Woodland Pointe Homeowners Association (the "Amendment") to be recorded on September 22, 2005 as No. 55236614 of Summit County Records;

WHEREAS, Article X, Section 3 of the Declaration provides that the Declarant shall have the right to expand the Woodland Pointe Area by executing and filing with the Summit County Recorder a Supplemental Declaration to the Declaration;

WHEREAS, Declarant desires to expand the Woodland Pointe Area in accordance with Article X, Section 3 of the Declaration;

NOW, THEREFORE, Declarant hereby expands the Woodland Pointe area as follows:

1. Declarant as owner of the real property designated as "Phase 2" and described in Exhibit A hereby declares that all of the real property described in Exhibit A and shown as "Phase 2" on Exhibit B (the "Additional Property") shall be subject to the Declaration and shall be held, sold and conveyed subject to the easements,

restrictions, covenants and conditions set forth in the Declaration which shall run with the real property subject to the Declaration and shall be binding upon and shall inure to the benefit of all parties having any right, title or interest in the Additional Property, their heirs, personal representatives, successors and assigns.

2. The Common Areas in this phase are described on Exhibit A-1.

3. This phase of the Woodland Pointe Area shall consist of a maximum number of thirty-seven (37) units being added to the Woodland Pointe Area for a total of sixty-three (63) units in the Woodland Pointe Area.

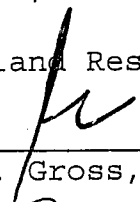
4. The Woodland Pointe Area is hereby made subject to the easements and reservations of easements set forth in the Declaration and those easements and reservations of easements now encumbering the Woodland Pointe Area.

5. The Declaration as modified by this Supplemental Declaration is hereby ratified and confirmed and shall be and remain in full force and effect.

IN WITNESS WHEREOF, the undersigned have executed this instrument as of the day and year set forth above.

WOODLAND RESIDENTIAL, LTD.

BY: HGG Woodland Residential, Inc., Member

By: 
Gary L. Gross, Vice-President

BY: FCLG, Inc. Member

By: 
Robert F. Monchein, President



John A Donofrio, Summit Fiscal Officer

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MISC 76.00

STATE OF OHIO)
) SS.
COUNTY OF CUYAHOGA)

The foregoing instrument was acknowledged before me a notary public on the 8th day of January, 2007, by Woodland Residential, Ltd., by HGG Woodland Residential, Inc. its Member acting by and through Gary L. Gross, its Vice-President, who acknowledged that he did sign the foregoing Declaration as the free act and deed of the Limited Liability Company, the Corporation, and was his free act and deed as such officer.

Debra M. Baran
Notary Public

STATE OF OHIO)
) SS.
COUNTY OF CUYAHOGA)



DEBRA M. BARAN, Notary Public
STATE OF OHIO
My Commission Expires July 20, 2007

The foregoing instrument was acknowledged before me a notary public on the 11th day of January, 2007, by Woodland Residential, Ltd., by FCLG, Inc., its Member acting by and through Robert F. Monchein its President who acknowledged that he did sign the foregoing Declaration as the free act and deed of the Limited Liability Company, the Corporation, and was his free act and deed as such officer.



Deana M. Giangiaco
DEANA M. GIANGIACO
Notary Public
STATE OF OHIO Notary Public
My Commission Expires Jan. 23, 2011
(Recorded in Lake County)

The WOODLAND POINTE HOMEOWNERS ASSOCIATION joins in the execution of this Supplemental Declaration to express its consent and approval of the terms and provisions hereof, this 8th day of January, 2007.

WOODLAND POINTE HOMEOWNERS ASSOCIATION

By: Kurt Updegraff
Kurt Updegraff, President

By: Kelly Leggin
Kelly Leggin, Secretary



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MISC 76.00

John A Donofrio, Summit Fiscal Officer

STATE OF OHIO)
) SS.
COUNTY OF CUYAHOGA)

The foregoing instrument was acknowledged before me a notary public on the 8th day of January, 2007, by Kurt Updegraff the President, and Kelly Leggin the Secretary, of Woodland Pointe Homeowners Association, an Ohio corporation not for profit, on behalf of the corporation and the same is the free act and deed of the corporation and their free act and deed as such officers.

Debra M. Baran
Notary Public



DEBRA M. BARAN, Notary Public
STATE OF OHIO
My Commission Expires July 20, 2007

ATTACHED EXHIBITS

- Exhibit A: Legal description of Phase 2 Area
- Exhibit A-1: Legal description of Phase 2 Common Area
- Exhibit B: Site Plan

This instrument was prepared by:

Aaron S. Evenchik, Esq.
14300 Ridge Road, Suite 100
North Royalton, OH 44133



John A Donofrio, Summit Fiscal Officer

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GBC DESIGN, INC.

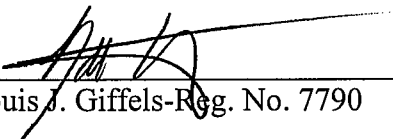
3378 West Market Street Akron, OH 44333-3386
Phone 330-836-0228 Fax 330-836-5782
www.GBCdesign.com

Sy Cymerman, A.I.A.
Gary R. Rouse, P.E., P.S.
John E. Walsh, P.E., P.S.

January 4, 2006

EXHIBIT A
LEGAL DESCRIPTION
Woodland Pointe (Phase 2)
Total Area – 20.236 Acres

Situated in the City of Macedonia, County of Summit, State of Ohio and known as being all of Woodland Point (Phase 2) (all of phase 2 being known as all of Lots 27 thru 63 inclusive, all of Block E, all of Block F, all of Block G, all of Willow Lane - 50' Wide and all of Cypress Court – 50' Wide) as recorded in Reception No. 55416665 of the Summit County Records and containing 20.236 Acres of land more or less, as determined in January, 2007 by Louis J. Giffels, Registered Surveyor No. 7790, with GBC Design, Inc., but subject to all legal highways and any restrictions, reservations or easements of record.


Louis J. Giffels-Reg. No. 7790



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MISC 76.00

John A Donofrio, Summit Fiscal Officer

GBC DESIGN, INC.

3378 West Market Street
Phone 330-836-0228
www.GBCdesign.com


Akron, OH 44333-3386
Fax 330-836-5782

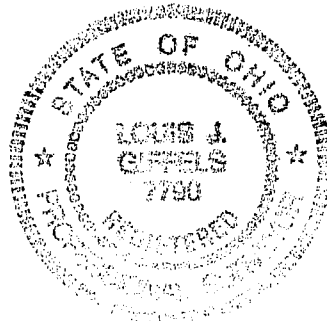
Sy Cymerman, A.I.A.
Gary R. Rouse, P.E., P.S.
John E. Walsh, P.E., P.S.

January 4, 2006

EXHIBIT A-1
LEGAL DESCRIPTION
Woodland Pointe (Phase 2)
Common Space
Total Area – 12.713 Acres

Situated in the City of Macedonia, County of Summit, State of Ohio and known as being all of Block E, all of Block F and all of Block G of Woodland Point (Phase 2) recorded in Reception No. 55416665 of the Summit County Records and containing 12.713 Acres of land (0.135 Acres within Block E, 0.192 Acres within Block F, and 12.386 Acres within Block G) more or less, as determined in January, 2007 by Louis J. Giffels, Registered Surveyor No. 7790, with GBC Design, Inc., but subject to all legal highways and any restrictions, reservations or easements of record.


Louis J. Giffels-Reg. No. 7790



John A Donofrio, Summit Fiscal Officer

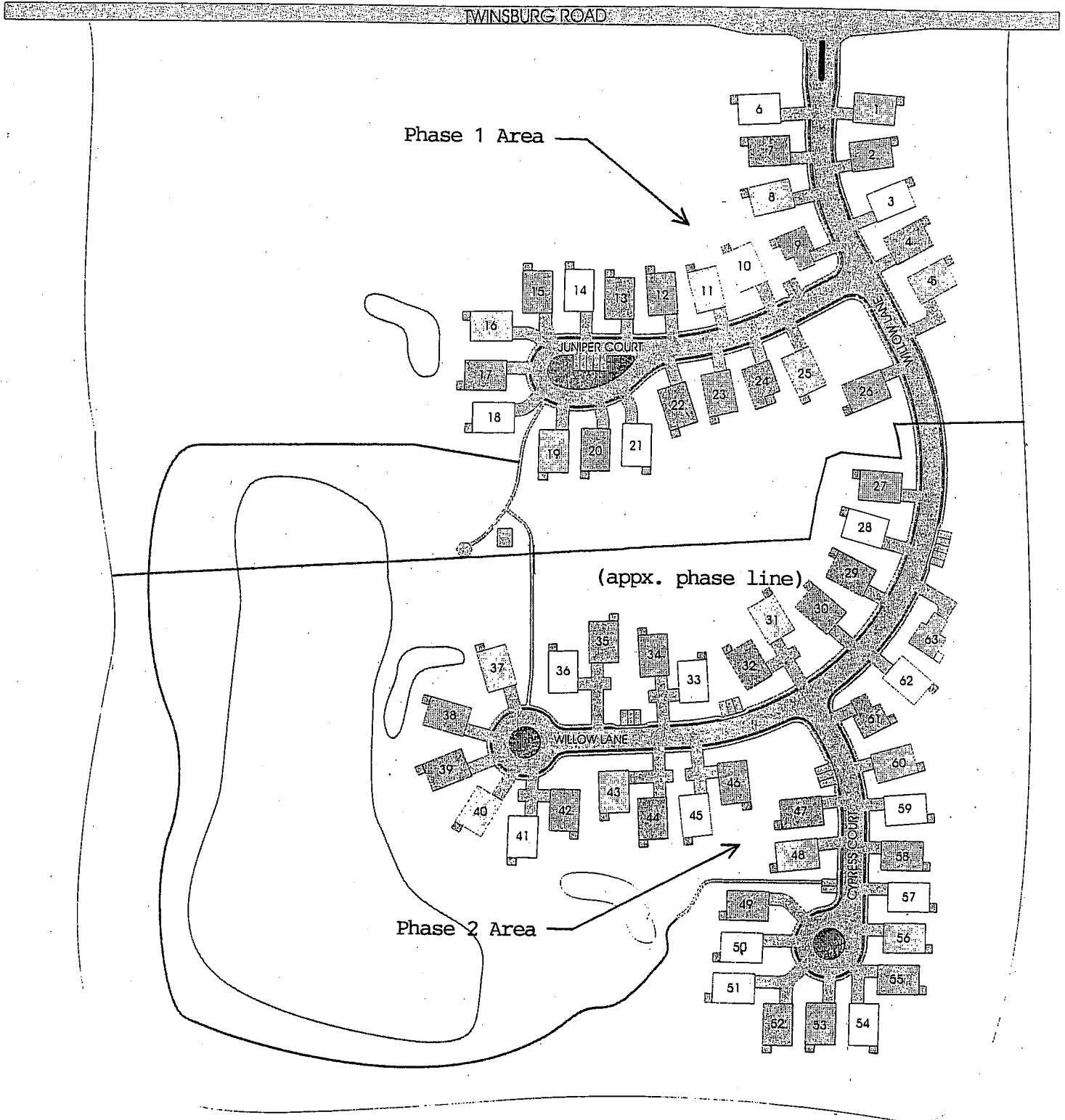
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MISC 76.00



John A Donofrio, Summit Fiscal Officer

Exhibit B

WOODLAND POINTE SITE PLAN



not to scale

AMENDMENT TO AND REAFFIRMATION OF THE
DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR WOODLAND POINTE HOMEOWNERS ASSOCIATION

THIS AMENDMENT AND REAFFIRMATION (the "Amendment and Reaffirmation"), made as of the 1st day of September, 2005 by Woodland Residential, Ltd., an Ohio Limited Liability Company, hereinafter referred to as "Declarant."

RECITALS

A. Declarant, on August 22, 2005, caused the Declaration of Covenants, Conditions and Restrictions for Woodland Pointe Homeowners Association, to be recorded in the Summit County Records as Reception Number 55224618 (the "Declaration").

B. The Declaration improperly listed Woodland Residential Associates as the Declarant, rather than Woodland Residential, Ltd., the actual Declarant

NOW THEREFORE, Declarant hereby Amends and Reaffirms the Declaration as follows:

1. "Declarant" shall mean Woodland Residential, Ltd., an Ohio Limited Liability Company, or its successors and assigns who take title to any portion of the Woodland Pointe Area for the primary purpose of development and sale of Lots and Units thereon, and are designated as a successor Declarant in a recorded instrument executed by the immediately preceding Declarant.

2. Declarant hereby reaffirms the Declaration, as recorded, except as noted above, as recorded.

3. All terms of the Declaration unchanged by this Amendment and Reaffirmation, shall continue to have their full force and effect.



John A Donofrio, Summit Fiscal Officer

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CHICAGO TITLE
INSURANCE CO
ORDER # KAC
2421078

IN WITNESS WHEREOF, the undersigned Declarant has executed this Amendment and Reaffirmation this 1st day of September, 2005.

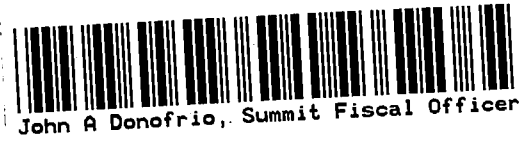
WOODLAND RESIDENTIAL, LTD.,
An Ohio Limited Liability Company

By: FCLG, Inc., Member
By: [Signature]
Robert F. Monchein, President

By: HGG Woodland Residential, Inc., Member
By: [Signature]
Gary L. Gross, Vice-President

The Woodland Pointe Homeowners Association joins in the execution of this Amendment and Reaffirmation to express its consent and approval of the terms and provisions hereof, this 1st day of September, 2005.

WOODLAND POINTE HOMEOWNERS ASSOCIATION
By: [Signature]
Kurt Updegraff, President
By: [Signature]
Kelly Loggin, Secretary



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MISC 36.00

STATE OF OHIO)
) SS
COUNTY OF CUYAHOGA)

The foregoing instrument was acknowledged before me a notary public on the 12th day of September, 2005, by Woodland Residential, Ltd, by FCLG, Inc., its member, acting by and through Robert F. Monchein, President, who acknowledged that he did sign the foregoing Declaration as the free act and deed of the Limited Liability Company, the Corporation, and was his free act and deed as such officer.

Michaelene S. Pilch

Notary Public

MICHAELENE S. PILCH
Notary Public, State of Ohio
My Commission Expires Sept. 27, 2005
Recorded in Cuyahoga County

STATE OF OHIO)
) SS
COUNTY OF CUYAHOGA)

The foregoing instrument was acknowledged before me a notary public on the 12th day of September, 2005, by Woodland Residential, Ltd., by HGG Woodland Residential, Inc., its member acting by and through Gary L. Gross, its Vice President, who acknowledged that he sign the foregoing Declaration as the free act and deed of the Limited Liability Company, the Corporation, and was his free act and deed as such officer.

Debra M. Baran

Notary Public



DEBRA M. BARAN, Notary Public
STATE OF OHIO
My Commission Expires July 20, 2007

STATE OF OHIO)
) SS
COUNTY OF CUYAHOGA)

The foregoing instrument was acknowledged before me a notary public on the 12th day of September, 2005, by Kurt Updegraff the President, and Kelly Leggin, the Secretary of Woodland Pointe Homeowners Association, an Ohio corporation not for profit, on behalf of the corporation and the same is the free act and deed of the corporation and their free act and deed as such officers.

Debra M. Baran

Notary Public



DEBRA M. BARAN, Notary Public
STATE OF OHIO
My Commission Expires July 20, 2007

This instrument prepared by:
Aaron S. Evenchik, Esq.
14300 Ridge Road, Suite 100
North Royalton, OH 44133