

THE OVERLOOK AT EDEN PARK CONDOMINIUM

AMENDMENT NO. 1

I hereby certify that a copy of the within Amended Drawing has been filed with the office of the County Auditor of Hamilton County, Ohio for The Overlook at Eden Park Condominium.

DUSTY RHODES, COUNTY AUDITOR

Date: 8/11/08

By: C. BANKS

Transfer Not Necessary

Dusty Rhodes
Hamilton County Auditor

Rebecca Prem Gruppe
Hamilton County Recorders Office
Doc #: 08-0110698 Type: DE
Filed: 08/11/08 01:47:16 PM \$52.00
Off.Rec.: 10922 01834 F B10 5 462

10922 01834 F B10 5 462

THIS INSTRUMENT PREPARED BY:

Laurie A. Lamb, Esq.
Beckman Weil Shepardson LLC
300 Pike Street, Suite 400
Cincinnati, OH 45202
Telephone: (513) 621-2100

PIBK 417
pg 15

10922 1834

HAMILTON COUNTY OHIO

08 AUG 11 PM 1:45

REC'D FOR TRANS

**FIRST AMENDMENT
TO THE DECLARATION OF CONDOMINIUM OWNERSHIP
FOR THE OVERLOOK AT EDEN PARK CONDOMINIUM,**

WHEREAS, on May 12, 2008, certain real property, which land and buildings are described in Exhibit A attached hereto and made a part hereof (hereinafter the "Condominium Property"), was submitted to the provisions of Chapter 5311 of the Ohio Revised Code for the purpose of providing that said real property would be owned pursuant to the type of ownership known as Condominium and that the said real property would be known as The Overlook at Eden Park Condominium; and

WHEREAS, the Declaration of Condominium Ownership (hereinafter, the "Declaration") was recorded on June 3, 2008 in Official Record Vol. 10865, Page 1066 et seq. of the records of the Recorder of Hamilton County, Ohio; and

WHEREAS, the Declaration and Drawings described and depicted parking spaces in the garage, which were designated as Limited Common Elements for the exclusive use of those Units; and

WHEREAS, the Declaration at Article VI, Section 4 and Article XX, Section 8 provides that Unit owners may reallocate Limited Common Elements among themselves.

WHEREAS, the undersigned, as owner of both Unit 11S and 11N, desires to reallocate certain parking spaces and storage spaces, as Limited Common Elements, among the two units.

NOW, THEREFORE:

1. The Declaration is hereby amended for the purpose of reallocating certain Limited Common Element parking spaces and storage spaces among Unit 11S and Unit 11N.

2. The Drawing recorded in the plat records of the Hamilton County, Ohio Recorder at Plat Book 416, Page 33, is hereby amended and replaced by Amendment No. 1 to the Drawing that shows the reallocation of the Limited Common Element parking spaces and storage spaces.

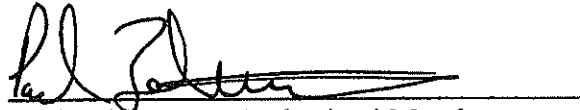
FIRST AMENDMENT

The Amended Drawing, which depicts the reallocation of certain Unit 11S and Unit 11N Limited Common Element parking spaces and storage spaces will be submitted for recording with the plat records of the Hamilton County Recorder contemporaneously herewith.

10922 1835

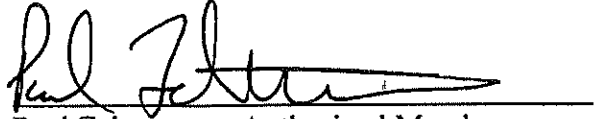
IN WITNESS WHEREOF, the undersigned, being the owner of both Unit 11S and 11N of The Overlook at Eden Park Condominium, has signed this Amendment and indicated its consent to the same this 8th day of August, 2008.

OWNER OF UNIT 11N OF THE OVERLOOK
AT EDEN PARK CONDOMINIUM



Paul Zeltwanger, Authorized Member
The Overlook at Eden Park, L.P.

OWNER OF UNIT 11S OF THE OVERLOOK
AT EDEN PARK CONDOMINIUM



Paul Zeltwanger, Authorized Member
The Overlook at Eden Park, L.P.

STATE OF OHIO, COUNTY OF HAMILTON, ss:

The foregoing instrument was executed and acknowledged before me this 8th day of August, 2008 by Paul Zeltwanger, Authorized Member, The Overlook at Eden Park, L.P., the owner of Units 11N and 11S of The Overlook at Eden Park Condominium, on behalf of the Limited Partnership.


Notary Public – State of Ohio

THIS INSTRUMENT PREPARED BY:

Laurie A. Lamb, Esq.
Beckman Weil Shepardson LLC
300 Pike Street, Suite 400
Cincinnati, OH 45202



LAURIE ANN LAMB
Attorney at Law
Notary Public, State of Ohio
My Commission Expires No Expiration
Section 147.03 R.C.

T:\Joshua One - 8307\Overlook at Eden Park condos - .001\Amendment 1.doc

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2-18-08

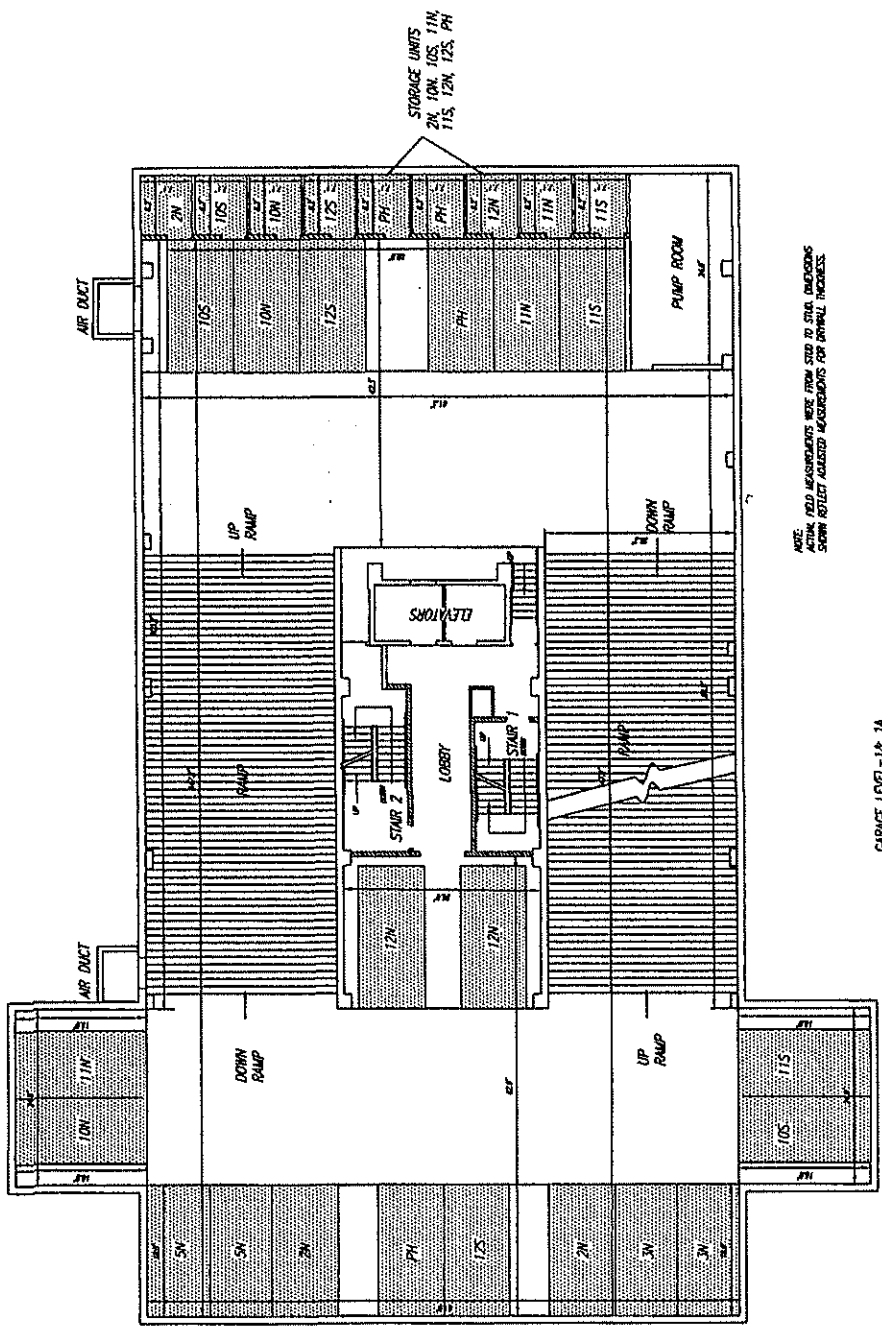
H. Hoggart
Professional Engineer
No. 10487
State of Ohio

1/8" = 1'-0"
VMS-2000

CONDOMINIUM UNIT PLAN
THE OVERLOOK AT EDEN PARK CONDOMINIUM
W.B. WOODS SUBDIVISION
CITY OF CINCINNATI
HAMILTON COUNTY, OHIO

A&A
Civil Engineers/Surveyors
Abercrombie & Associates, Inc.
117 Columbia Road - Cincinnati, OH 45219
(513) 533-1100
www.aber-cro.com

FIRST AMENDMENT
EXHIBIT B-4



STORAGE UNITS
2N, 10N, 10S, 11N,
11S, 12N, 12S, 14N

NOTE: ALL DIMENSIONS WERE FROM STED TO STED, DIMENSIONS SHOWN REFLECT ADJUSTED MEASUREMENTS FOR DRIVAIL THICKNESS.

GARAGE LEVEL - 1& 1A

ALL PARKING SPACES SHOWN ARE (NOT YET COMPLETED).

10922 1837

- LEGEND
- Unit
 - Locked Common Element
 - Common Element

I HEREBY CERTIFY THAT THE AS-SHOWN DIMENSIONS ON PAGES 2 THRU 11 ACCURATELY SHOW THE BUILDING AS CONSTRUCTED.

H. HOGGART
REGISTERED PROFESSIONAL ENGINEER NO. 10487
STATE OF OHIO



**Abercrombie
& Associates, Inc.**
Civil Engineers/Surveyors

APRIL 11, 2005

LEGAL DESCRIPTION
0.8393 ACRES

SITUATE IN THE CITY OF CINCINNATI, HAMILTON COUNTY, OHIO AND BEING PART OF LOTS 23, 24 AND 25 OF W.B. DODDS SUBDIVISION AS RECORDED IN PLAT BOOK 4, PAGES 284 AND 285 OF THE HAMILTON COUNTY, OHIO RECORDS:

BEGINNING AT A THE NORTHWEST CORNER OF SAID LOT 25 OF W.B. DODDS SUBDIVISION; THENCE ALONG THE WESTERLY LINE OF SAID LOT 25, SOUTH 01°32'00" WEST, 88.00 FEET TO THE REAL PLACE OF BEGINNING OF THE HEREIN DESCRIBED TRACT, SAID POINT BEING WITNESSED BY AN EXISTING IRON PIN AND CAP WHICH IS 0.24 FEET WEST; THENCE LEAVING THE WESTERLY LINE OF SAID LOT 25, SOUTH 88°30'00" EAST, 208.82 FEET TO A POINT IN THE WESTERLY RIGHT OF WAY OF LURAY AVENUE, SAID POINT BEING WITNESSED BY AN EXISTING IRON PIN AND CAP WHICH IS 0.28 FEET EAST; THENCE ALONG THE WESTERLY RIGHT OF WAY OF LURAY AVENUE, ALONG A CURVE DEFLECTING TO THE RIGHT, HAVING A RADIUS OF 1,005.00 FEET, A DISTANCE OF 166.07 FEET; THE CHORD OF SAID CURVE BEARS SOUTH 06°20'06" EAST, 165.88 FEET TO A POINT, SAID POINT BEING WITNESSED BY AN EXISTING 1" IRON PIPE WHICH IS 0.80 FEET SOUTH AND 0.23 FEET EAST; THENCE LEAVING THE WESTERLY RIGHT OF WAY OF LURAY AVENUE, NORTH 88°30'00" WEST, 231.53 FEET TO A POINT IN THE WESTERLY LINE OF LOT 23 OF SAID W.B. DODD'S SUBDIVISION, SAID POINT BEING WITNESSED BY AN EXISTING CROSS NOTCH WHICH IS 0.73 FEET SOUTH; THENCE ALONG THE WESTERLY LINE OF SAID W.B. DODD'S SUBDIVISION, NORTH 01°32'00" EAST, 164.33 FEET TO THE PLACE OF BEGINNING.

THUS CONTAINING 0.8393 ACRES OF LAND AND BEING SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

BEARINGS USED IN THIS LEGAL DESCRIPTION ARE BASED ON A RANDOM BEARING SYSTEM RELATIVE TO W.B. DODDS SUBDIVISION AS RECORDED IN PLAT BOOK 4, PAGE 284 OF THE HAMILTON COUNTY, OHIO RECORDS.

THE ABOVE DESCRIBED REAL ESTATE IS ALL THE SAME PREMISES DESCRIBED IN OFFICIAL RECORD 9457, PAGE 5167, OF THE HAMILTON COUNTY, OHIO RECORDS. BEING THE RESULT OF A SURVEY AND PLAT DATED 04-07-05 MADE BY STEPHEN L. CAHILL P.L.S. OF ABERCROMBIE & ASSOCIATES, INC., OHIO REGISTERED SURVEYOR NUMBER 7862.

69-3-98

FILE:03-0185.LD1

DESCRIPTION ACCEPTABLE
HAMILTON COUNTY ENGINEER

Tax Map -

5/14/08

CAGIS -

10865 1105

10922 1838