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2015 DEC 11 AM 10:21

DUSTY RHODES
HAMILTON COUNTY AUDITOR


Dusty Rhodes

Hamilton County Auditor

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

This will certify that the Second Amendment to Declaration of Condominium Ownership for The Overlook at Eden Park Condominium has been filed in the office of the County Auditor, Hamilton County, Ohio, this 11th day of December, 2015.

HAMILTON COUNTY AUDITOR

DUSTY RHODES

By _____

NON-CONFORMING DOCUMENT
ADDITIONAL RECORDING FEE
(ORC 317.114)

Lisa M. Conn, Esq.
Cuni, Ferguson & LeVay Co., LPA
10655 Springfield Pike
Cincinnati, Ohio 45215
(513) 771-6768

Wayne Coates
Hamilton County Recorders Office
Doc #: 15-0131121 Type: DE
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**SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP
FOR
THE OVERLOOK AT EDEN PARK CONDOMINIUM**

WHEREAS, the Declaration of Condominium Ownership for The Overlook at Eden Park Condominium is dated May 12, 2008 and was recorded on June 3, 2008 in Official Record 10865, Page 1066, et seq, of the records of the Hamilton County, Ohio Recorder's Office (the "Declaration");

WHEREAS, the First Amendment to the Declaration was recorded on July 3, 2014 in Official Record 12646, Page 1506, et seq, of the records of the Hamilton County, Ohio Recorder's Office;

WHEREAS, the By-Laws of The Overlook at Eden Park Condominium Association were recorded as Exhibit C to the Declaration in Official Record 10865, Page 1117, et seq., of the records of the Hamilton County, Ohio Recorder's Office (the "By-Laws");

WHEREAS, the Declaration and By-Laws are all binding upon the property described in Exhibit A attached hereto;

WHEREAS, the members of The Overlook at Eden Park Condominium Association (the "Association") are all owners of record of Units in The Overlook at Eden Park Condominium;

WHEREAS, the members and the Association desire to amend the Declaration as detailed below in this Second Amendment;

WHEREAS, pursuant to ORC 5311.04(E), as well as Article XX Section 1(c) of the Declaration, 100% of the Unit Owners must consent to convert Common Element to Limited Common Element of the Condominium Property and because this Second Amendment purports to do the same, 100% Unit Owner approval is required;

WHEREAS, unanimous approval for this Second Amendment was obtained by the members of the Association;

WHEREAS, Article XX, Section 1(c) requires the consent of at least seventy-five percent (75%) of the Eligible Holders of First Mortgage Liens because this amendment seeks to change the right to use the Common Elements and Limited Common Elements of the Condominium Property;

WHEREAS, Paragraph 18 of the Definitions Section within the Declaration defines "Eligible Holder of a First Mortgage Lien" as the holder of a valid recorded first mortgage on a Unit, which holder has given written notice to the Association requesting notification of any proposed action that requires the consent of a specified percentage of Eligible Holders of First Mortgage Liens;

WHEREAS, there are no Eligible Holders of First Mortgage Liens, as no first mortgage holders have given written notice to the Association required by Paragraph 18, and thus the consent of the Eligible Holders of First Mortgage Liens is not required;

WHEREAS, attached hereto as Exhibit B is page B-3 of the recorded plats for the Condominium Property;

NOW THEREFORE, the Declaration is hereby amended as follows:

1. The following sentence shall be added to the end of Article III, Section 2(d).

Unit 10S and Unit 2N shall have designated as their Limited Common Element the parking spaces marked on Exhibit B to this Second Amendment as Space A, and Space B, respectively.

PRESIDENT'S CERTIFICATION

SCOTT M. SLOVIN, the President of The Overlook at Eden Park Condominium Association, an Ohio non-profit corporation, hereby certifies, pursuant to Article XX, Section 10 of the Declaration, that this Second Amendment was duly adopted in accordance with Article XX, Section 1(c) of the Declaration by the consent of Unit Owners exercising not less than one hundred (100%) of the voting power of Unit Owners.

**THE OVERLOOK AT EDEN PARK
CONDOMINIUM ASSOCIATION**
An Ohio non-profit corporation

Scott M. Slovin
By: _____
Its: **President**

STATE OF OHIO :
: SS:
COUNTY OF HAMILTON:

The foregoing instrument was acknowledged before me this 30TH day of NOVEMBER, 2015 by SCOTT M. SLOVIN, President of The Overlook at Eden Park Condominium Association, an Ohio non-profit corporation, by and on behalf of the Association.

Debbe A. Levin
NOTARY PUBLIC



DEBBE A. LEVIN
Attorney at Law
Notary Public, State of Ohio
My Commission Has No Expiration
Date. Section 147.03 O.R.C.

EXHIBIT "A"
LEGAL DESCRIPTION

Situate in the City of Cincinnati, Hamilton County, Ohio and being Units 2N, 2S, 3N, 3S, 4N, 4S, 5N, 5S, 6N, 6S, 7N, 7S, 8N, 8S, 9N, 9S, 10N, 10S, 11N, 11S, 12N, 12S and PH of The Overlook at Eden Park Condominium created by the Declaration of Condominium Ownership for The Overlook at Eden Park Condominium recorded on June 3, 2008 at Official Record 10865, Page 1066, et seq., of the Hamilton County, Ohio Recorder's Office. Plat Book 416, Pages 30 to 40 and Plat Book 417, Page 15.

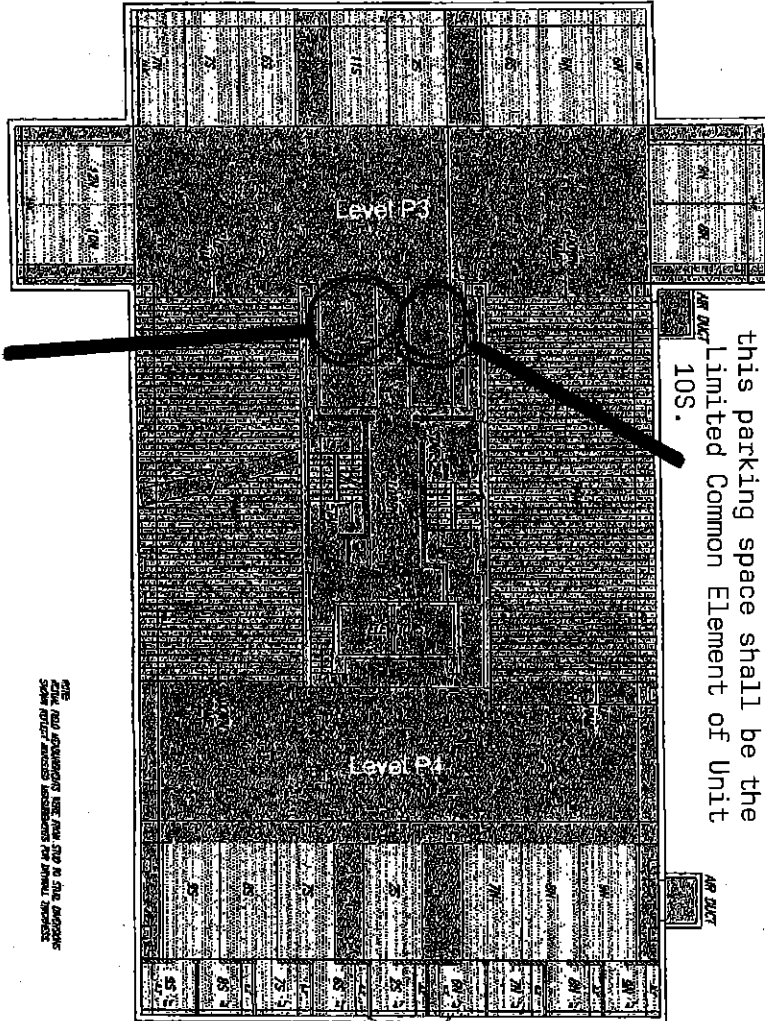
ALL PARKING SPACES SHOWN ARE
(NOT YET COMPLETED)

LEGEND
 Unit
 Limited Common Element
 Common Element

1. OWNER CERTIFY THAT THE COMPLETIONS IN PARAS 3 AND 11
 ACCORDANT WITH THE INTENT OF CONVEYANCE.

2. PUBLIC RECORDATION
 DATE _____ TIME _____
 ONE DAY RECORDATION PROVISIONS, PARAGRAPH 10.03(B)

Space A. After the recording of the
 Second Amendment to the Declaration
 this parking space shall be the
 Limited Common Element of Unit
 10S.



Space B. After the recording of the Second Amendment
 to the Declaration this parking space shall be the
 Limited Common Element of Space 10S-2A, 2B
 Unit 2N.

EXHIBIT B-3

	CONDOMINIUM UNIT PLAN THE OVERLOOK AT EBER PARK CONDOMINIUM R.R. WOODS SUBDIVISION CITY OF CINCINNATI HAMILTON COUNTY, OHIO	DATE: 2-14-08 DRAWN BY: R. Moggard CHECKED BY: T. Abersomskib SCALE: 1/8" = 1'-0" PROJECT NO.: 07-0155/PLANS-0000	2-14-08 R. Moggard T. Abersomskib 1/8" = 1'-0"
	Abersomskib & Associates, Inc. Civil Engineers/Surveyors 10000 Riverchase Lane, Suite 100 Cincinnati, Ohio 45241-1101 513-285-9722 www.abersomskib.com	EXHIBIT B-3	