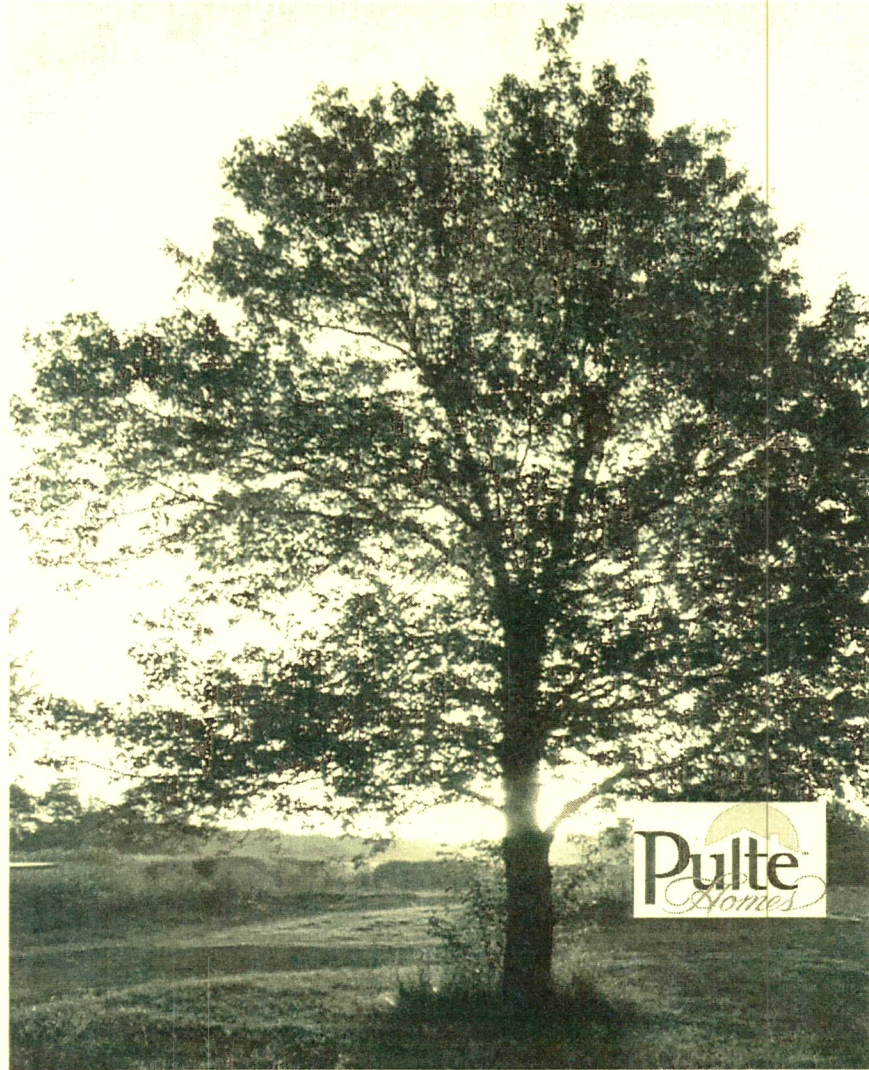


# WESTBURY PLACE



*AMENDMENTS TO DECLARATION OF  
COVENANTS, CONDITIONS, EASEMENTS, AND  
RESTRICTIONS*

**Changing the rules to deliver a home and  
community experience of a lifetime.**

MEDINA COUNTY RECORDER

NANCY ABBOTT

AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS,

~~2002OR018700~~

EASEMENTS AND RESTRICTIONS FOR

05-13-2002 1:40 PM

WESTBURY PLACE, A CONSERVATION DEVELOPMENT,

RECORDING FEE: 20.00

BRUNSWICK HILLS TOWNSHIP, OHIO

DOCUMENT TYPE: AMEND

PAGES: 3

Affn: Sandra

1-216-520-1431

WHEREAS, PULTE HOMES OF OHIO CORPORATION, an Ohio corporation, hereinafter referred to as "Developer", filed for record the Declaration of Covenants, Conditions, Easements and Restrictions for Westbury Place, a Conservation Development, Brunswick Hills Township, Ohio (the "Declaration") with the Code of Regulations of Westbury Place Homeowners' Association, Inc. attached thereto, on April 10, 2002 with the Medina County Recorder. The Declaration was recorded as Recorder's Instrument Number 2002OR014091 of Medina County Deed Records; and

WHEREAS, pursuant to Section 16.10(a) of the Declaration, the Developer desires to amend the Declaration to comply with requirements of the Federal Housing Administration.

NOW, THEREFORE, the undersigned, pursuant to Section 16.10(a) of the Declaration, hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The first sentence of Article X, Section 10.3 of the Declaration is deleted in its entirety and the following is incorporated in the Declaration in its place:

A lien perfected under this Article X shall take priority over any lien or encumbrance subsequently arising or created, except liens for real estate taxes and assessments and the lien of any first mortgage.

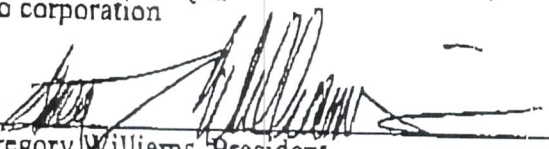
2. Except as amended herein, and as previously amended, the Declaration shall remain in full force and effect.

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Resource Tit. #33065

IN WITNESS WHEREOF, the said Declarant, as aforesaid, has caused its name to be signed to these presents as of this 6<sup>th</sup> day of May, 2002.

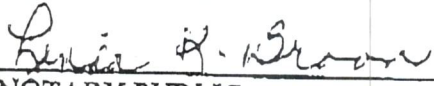
PULTE HOMES OF OHIO CORPORATION,  
an Ohio corporation

By:   
Gregory Williams, President

STATE OF OHIO )  
 ) SS.  
COUNTY OF CUYAHOGA )

Before me, a Notary Public in and for said County and State, personally appeared the above named PULTE HOMES OF OHIO CORPORATION, an Ohio corporation, by Gregory Williams, its President, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed individually and as such officer and the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 6 day of May, 2002.

  
NOTARY PUBLIC

My Commission Expires: LINDA K. BROWN  
NOTARY PUBLIC, State of Ohio  
My Commission Expires September 1, 2004

MEDINA COUNTY RECORDER  
NANCY ABBOTT

20020R050104

12-11-2002 10:56 AM

RECORDING FEE: 32.00

DOCUMENT TYPE: AMEND/DECLAR

PAGES: 6

MEDINA COUNTY RECORDER  
NANCY L. ABBOTT

(DO NOT REMOVE THIS COVER SHEET. THIS IS THE  
FIRST PAGE OF THIS DOCUMENT.)

Reserve Title  
33065

SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS,  
EASEMENTS AND RESTRICTIONS FOR  
WESTBURY PLACE, A CONSERVATION DEVELOPMENT.  
BRUNSWICK HILLS TOWNSHIP, OHIO

WHEREAS, PULTE HOMES OF OHIO CORPORATION, an Ohio corporation, hereinafter referred to as "Developer", filed for record the Declaration of Covenants, Conditions, Easements and Restrictions for Westbury Place, a Conservation Development, Brunswick Hills Township, Ohio (the "Declaration") with the Code of Regulations of Westbury Place Homeowners' Association, Inc. attached thereto, on April 10, 2002 with the Medina County Recorder. The Declaration encumbers the real property described in Exhibit "A" attached hereto. The Declaration was recorded as Recorder's Instrument Number 2002OR014091 of Medina County Deed Records; and

WHEREAS, on May 13, 2002, Developer filed for record an Amendment to Declaration of Covenants, Conditions, Easements and Restrictions as Recorder's Instrument Number 2002OR018700 of Medina County Records; and

WHEREAS, pursuant to Section 16.10(a) of the Declaration, the Developer desires to amend the Declaration to clarify clerical errors and comply with certain governmental requirements; and

WHEREAS, pursuant to Section 16.10(b) of the Declaration, the Developer desires to amend the Declaration to submit certain of the real property designated in the Declaration as Additional Property to the provisions of the Declaration.

NOW, THEREFORE, the undersigned, pursuant to Section 16.10(a) and 16.10(b) of the Declaration, hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The following sentence is added to the end of Article V, Section 5.2(b) of the Declaration:

(TEXT\K0416053 1)

50104-1

For the purposes of determining the number of votes allowed under this Section, the total number of Sublots shall be three hundred seventeen (317) which is the maximum number of Sublots which the Developer intends (but need not) submit to the provisions of Declaration. If Developer at any time makes a final determination that less than three hundred seventeen (317) Living Units will be constructed within the Property and any Additional Property, Developer may amend this Section 5.2(b)(2) pursuant to Section 16.10 hereof, to reflect the actual number of Living Units to be constructed.

2. The following sentence is added to the end of Article VI, Section 6.8 hereof:

The Association shall engage a reputable wetlands consultant for the purpose of monitoring all Wetland Areas within the Property. The Board shall meet with such consultant no less frequently than annually, to discuss the consultant's conclusion regarding the status of the Wetland Areas and to discuss any remedial action required to maintain the condition of the Wetland Areas. The Board shall follow any reasonable recommendation of the consultant in order to maintain the condition of the Wetland Areas.

3. The second sentence of Article VII, Section 7.24 is deleted in its entirety and the following is inserted in its place:

There shall be no dredging, filling or other discharge within or impacting any Wetland Area, nor shall there be any removal, destruction or cutting of vegetation, spraying with herbicides, grazing of domestic animals or disturbance or manipulation or alteration of any Wetland Areas, or any water course, shoreline, marsh, or other area of the Property within the jurisdiction of the Army Corps of Engineers without the prior written authorization of the Department of the Army.

4. The property described in Exhibit "B" attached hereto is added to the Property, subject to the Declaration and shall be held, sold and conveyed, subject to the covenants, conditions, easements and restrictions set forth in the Declaration, which are for the purpose of protecting the value and desirability of, and which shall run with, the real property and be binding on all of the parties having any right, title or interest in the described properties or any part thereof, their heirs, personal representatives, successors and assigns, and shall inure to the benefit of each owner thereof.

5. Section 2.2(b) is deleted in its entirety and the following is substituted in its place:

(v) "PLAT." The subdivision plat of Westbury Place Phase 1 recorded as Document No. 2002PL000007 of the Medina County Records and the subdivision plat of Westbury Pace Phase 2 recorded as Document No. 2002PL000088 of the Medina County Records.

(TEXT\K0416053 1)

50104-2

6. Except as amended herein, and as previously amended, the Declaration shall remain in full force and effect.

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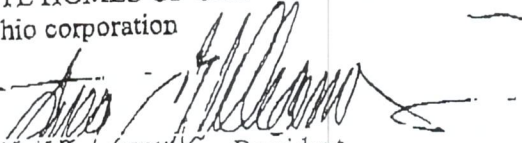
(TEXT0416053 1)

3

50104-3

IN WITNESS WHEREOF, the said Declarant, as aforesaid, has caused its name to be signed to these presents as of this 10 day of December, 2002.

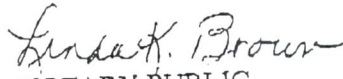
PULTE HOMES OF OHIO CORPORATION,  
an Ohio corporation

By:   
Gregory Williams, President

STATE OF OHIO                    )  
  ) SS.  
COUNTY OF CUYAHOGA )

Before me, a Notary Public in and for said County and State, personally appeared the above named PULTE HOMES OF OHIO CORPORATION, an Ohio corporation, by Gregory Williams, its President, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed individually and as such officer and the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 10th day of December, 2002.

  
NOTARY PUBLIC  
My Commission **LINDA K. BROWN**  
**NOTARY PUBLIC, State of Ohio**  
My Commission Expires **September 1, 2004**

prepared by Gaanter

50104-4



EXHIBIT AA@

LEGAL DESCRIPTION

Situated in the Township of Brunswick Hills, County of Medina, State of Ohio and known as Sublot Numbers 1 through 34 and Blocks "A", "B", and "C" in the Westbury Phase 1 Subdivision, known as being part of Original Brunswick Township, as shown by Plat recorded in Document No. 2002 PL 000007 of the Medina County Subdivision Plat Records, be the same, more or less, but subject to all legal highways.

- |                |                |
|----------------|----------------|
| 001-02A-22-014 | 001-02A-22-017 |
| 001-02A-22-015 | 001-02A-22-018 |
| 001-02A-26-012 | 001-02A-22-019 |
| 001-02A-26-029 | 001-02A-26-020 |
| 001-02A-26-030 | 001-02A-26-021 |
| 001-02A-26-032 | 001-02A-26-022 |
| 001-02A-26-033 | 001-02A-26-023 |
| 001-02A-26-034 | 001-02A-26-024 |
| 001-02A-26-035 | 001-02A-26-025 |
| 001-02A-26-036 | 001-02A-26-026 |
| 001-02A-26-037 | 001-02A-26-027 |
| 001-02A-26-038 | 001-02A-22-013 |
| 001-02A-26-039 | 001-02A-26-031 |
| 001-02A-26-040 | 001-02A-26-028 |
| 001-02A-26-041 | 001-02A-22-003 |
| 001-02A-26-042 | 001-02A-22-010 |
| 001-02A-26-043 | 001-02A-22-011 |
| 001-02A-26-044 | 001-02A-22-019 |
| 001-02A-26-045 | 001-02A-22-016 |
| 001-02A-26-046 |                |

(TEXTK0416053 1)

5

50104-5

EXHIBIT AB@

LEGAL DESCRIPTION

Situated in the Township of Brunswick Hills, County of Medina, State of Ohio and known as Sublot Numbers 35 through 50 and Blocks "D" and "E" in the Westbury Place Phase 2 Subdivision, known as being part of Original Brunswick Township, as shown by Plat recorded in Document No. 2002 PL 000088 of the Medina County Subdivision Plat Records, be the same, more or less, but subject to all legal highways.

Permanent Parcel Nos:	Block D	001-02A-22-020
	S/L 35	001-02A-22-021
	S/L 36	001-02A-22-022
	S/L 37	001-02A-22-023
	S/L 38	001-02A-22-024
	S/L 39	001-02A-22-025
	S/L 40	001-02A-26-048
	S/L 41	001-02A-26-049
	S/L 42	001-02A-22-026
	S/L 43	001-02A-22-027
	S/L 44	001-02A-22-028
	S/L 45	001-02A-22-029
	S/L 46	001-02A-22-030
	S/L 47	001-02A-22-031
	S/L 48	001-02A-26-050
	S/L 49	001-02A-27-040
	S/L 50	001-02A-23-007
	Block E	001-02A-26-047

{TEXTK0416053.1}

50104-6

1-216-520-1431

MEDINA COUNTY RECORDER  
NANCY ABBOTT

THIRD AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS,  
EASEMENTS AND RESTRICTIONS FOR

CK# 3735 \$2.50  
CK# 3734 \$76.00

08-22-2003 8:48 AM

WESTBURY PLACE, A CONSERVATION DEVELOPMENT

RECORDING FEE: ~~44.00~~ 48.00

BRUNSWICK HILLS TOWNSHIP, OHIO

DOCUMENT TYPE: AMEND

PAGES: 4

WHEREAS, PULTE HOMES OF OHIO LLC, a Michigan limited liability company, successor by merger to Pulte Homes of Ohio Corporation, an Ohio corporation, hereinafter referred to as "Developer", filed for record the Declaration of Covenants, Conditions, Easements and Restrictions for Westbury Place, a Conservation Development, Brunswick Hills Township, Ohio (the "Declaration") with the Code of Regulations of Westbury Place Homeowners' Association, Inc. attached thereto, on April 10, 2002 with the Medina County Recorder. The Declaration was recorded as Recorder's Instrument Number 2002OR014091 of Medina County Deed Records;

WHEREAS, on May 13, 2002, Developer filed for record an Amendment to Declaration of Covenants, Conditions, Easements and Restrictions as Recorder's Instrument Number 2002OR018700 of Medina County Records;

WHEREAS, on May 13, 2002, Developer filed for record a Second Amendment to Declaration of Covenants, Conditions, Easements and Restrictions as Recorder's Instrument Number 2002OR018700 of Medina County Records; and

WHEREAS, pursuant to Section 16.10(b) of the Declaration, the Developer desires to amend the Declaration to submit certain of the real property designated in the Declaration as Additional Property to the provisions of the Declaration;

NOW, THEREFORE, the undersigned, pursuant to Section 16.10(b) of the Declaration, hereby declares that the Declaration be and hereby is amended as follows (unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration).

1. The property described in Exhibit "A" attached hereto is added to the Property, subject to the Declaration and shall be held, sold and conveyed, subject to the covenants, conditions, easements and restrictions set forth in the Declaration, which are for the purpose of protecting the value and desirability of, and which shall run with, the real property and be binding on all of the parties having any right, title or interest in the described properties or any part thereof, their heirs, personal representatives, successors and assigns, and shall inure to the benefit of each owner thereof.

2. Section 2.2(b) is deleted in its entirety and the following is substituted in its place:

(v) "PLAT." The subdivision plat of Westbury Place Phase 1 recorded as Document No. 2002PL000007 of the Medina County Records, the subdivision plat of Westbury Place Phase 2 recorded as Document No. 2002PL000088 of the

{EMZK0448302.1}

4th: Sanchez

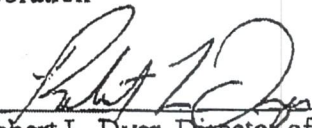


Medina County Records, the subdivision plat of Eastbury Place Phase 1 recorded as Document No. 2002PL000170 of the Medina County Records and the subdivision plat of Southbury Place Phase 1 recorded as Document No. 2002PL000172."

3. Except as amended herein, and as previously amended, the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, the said Declarant, as aforesaid, has caused its name to be signed to these presents as of this 21 day of August, 2003.

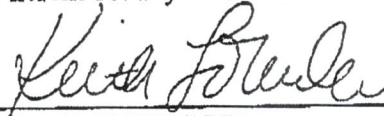
PULTE HOMES OF OHIO LLC,  
a Michigan limited liability company, successor by  
merger to Pulte Homes of Ohio Corporation, an  
Ohio corporation

By:   
Robert L. Dyer, Director of Land

STATE OF OHIO )  
 ) SS.  
COUNTY OF CUYAHOGA )

Before me, a Notary Public in and for said County and State, personally appeared the above named PULTE HOMES OF OHIO LLC, a Michigan limited liability company, successor by merger to Pulte Homes of Ohio Corporation, an Ohio corporation, by Robert L. Dyer, Director of Land, who acknowledged that he executed the within instrument and further acknowledged that he did examine and read the same, that such execution was his free act and deed individually and as such officer and the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have herein set my hand and notarial seal this 21 day of August, 2003.

  
NOTARY PUBLIC  
My Commission Expires: 12/12/2007

MEDINA COUNTY RECORDER

NANCY ABBOTT

20020R014091

04-10-2002 10:33 AM

RECORDING FEE: 328.00

DOCUMENT TYPE: DECLARATION

PAGES: 80

MEDINA COUNTY RECORDER  
NANCY L. ABBOTT

(DO NOT REMOVE THIS COVER SHEET. THIS IS THE FIRST  
PAGE OF THIS DOCUMENT.)

FOURTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS,

EASEMENTS AND RESTRICTIONS FOR

WESTBURY PLACE, A CONSERVATION DEVELOPMENT,

BRUNSWICK HILLS TOWNSHIP, OHIO

ADDING ADDITIONAL PROPERTY  
(SUBLOTS 51 THROUGH 91 INCLUSIVE  
AND BLOCKS "F", "G", "H" AND "I")

THIS THIRD AMENDMENT TO DECLARATION OF COVENANTS CONDITIONS, EASEMENTS AND RESTRICTIONS FOR WESTBURY PLACE, A CONSERVATION DEVELOPMENT ("Third Amendment") made as of the 11 day of December, 2003, by PULTE HOMES OF OHIO LLC, a Michigan limited liability company, successor by merger to Pulte Homes of Ohio Corporation, an Ohio corporation (the "Developer").

PREAMBLE

WHEREAS, on April 10, 2002, Developer filed for record the *Declaration of Covenants Conditions, Easements And Restrictions For Westbury Place, A Conservation Development, Brunswick Hills Township, Ohio* (the "Declaration") with the *Code of Regulations of Westbury Place Homeowners' Association, Inc.* and recorded as Instrument Number 2002OR014091 of Medina County Deed Records for "Property" known as Westbury Phase 1 Subdivision, said Property being described in Exhibit "A" of the Declaration and being further known as Sublot Numbers 1 through 34, inclusive, and Blocks "A", "B" and "C" in the Westbury Phase 1 Subdivision, known as being part of the Original Brunswick Township, as shown by the Plat recorded in Document No. 2002PL00007 of the Medina County Subdivision Plat Records.

WHEREAS, on May 13, 2002, the Declaration, by *Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Westbury Place, a Conservation Development, Brunswick Hills Township, Ohio* recorded with the Medina County Recorder as Instrument No. 2002OR018700 of Medina County Records, was amended to comply with requirements of the Federal Housing Administration.

WHEREAS, on December 10, 2002, the Declaration, by *Second Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Westbury Place, a Conservation Development, Brunswick Hills Township, Ohio* recorded with the Medina County Recorder as Instrument No. 2002OR050104 of Medina County Records, was amended to clarify clerical errors and comply with certain governmental requirements and to submit certain real property designated in the Declaration as Additional Property to the provisions of the Declaration.

WHEREAS, on August 22, 2003, the Declaration was supplemented and amended by *Third Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Westbury Place, a Conservation Development, Brunswick Hills Township, Ohio* recorded with the Medina County Recorder as Instrument No. 2003OR044739 of Medina County Records to

submit certain real property designated in the Declaration as Additional Property to the provisions of the Declaration.

WHEREAS, pursuant to Sections 1.3 and 16.10(b) of the Declaration, the Declaration reserves unto Developer the rights to amend the Declaration to add additional property for expansion to the Property, including the Property described on "Exhibit A" attached hereto and made a part hereof (the "Phase III Expansion Property"), consisting of forty (40) Sublots – Sublots numbered 51 through 91, the Living Units constructed thereon, the Common Areas known as Block "F", Block "G", Block "H" and Block "I" by filing a subsequent Amendment submitting such additional property to the provisions of the Declaration and to the covenants and conditions set forth in the Declaration.

**WHEREAS**, Developer desires to add to the Property the Phase III Expansion Property.

**NOW, THEREFORE**, the undersigned, pursuant to Sections 1.3 and 16.10(b) of the Declaration, hereby declares that the Declaration be and hereby is amended as follows (Unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration):

1. The Preamble is incorporated in and made a part of this Fourth Amendment.
2. The Phase III Expansion Property is added to the Property, subject to the Declaration and shall be held, sold and conveyed, subject to the covenants, conditions, easements and restrictions set forth in the Declaration, which are for the purpose of protecting the value and desirability of, and which shall run with, the real property and be binding on all of the parties having any right, title or interest in the described properties or any part thereof, their heirs, personal representatives, successors and assigns, and shall inure to the benefit of each owner thereof.
3. The Sublots and Common Areas in the Phase III Expansion Property are shown on the plats prepared for Developer entitled "Westbury Place Subdivision Phase 3" recorded November 19, 2003 as Instrument No. 2003PL000126 in the Medina County Records, and shall be held, granted and conveyed as provided for Sublots and Common Areas in the Declaration.
4. Section 2.2(b) of the Declaration is deleted in its entirety and the following is substituted in its place:
  - (v) "PLAT." The subdivision plat of Westbury Place Phase 1 recorded as Document No. 2002PL000007 of the Medina County Records, the subdivision plat of Westbury Place Phase 2 recorded as Document No. 2002PL000088 of the Medina County Records, the subdivision plat of Eastbury Place Subdivision Phase 1 recorded as Document No. 2002PL000170 of the Medina County Records, the subdivision plat of Southbury Place Subdivision Phase 1 recorded as Document No. 2002PL000172 and the subdivision plat of Westbury Place Subdivision Phase 3 recorded as Document No. 2003PL000126 of the Medina County Records."





EXHIBIT "A"

**LEGAL DESCRIPTION**

Situated in the Township of Brunswick Hills, County of Medina, State of Ohio and known as Sublot Numbers 51 through 91, inclusive and Blocks "F", "G", "H" and "I" in the Westbury Place Subdivision Phase 3, known as being part of Original Brunswick Township Tract 1, Lots 9 and 10, as shown by Plat recorded in Document No. 2003PL000126 of the Medina County Subdivision Plat Records, be the same, more or less, but subject to all legal highways.

Permanent Parcel No: \_\_\_\_\_

MEDINA COUNTY RECORDER  
NANCY ABBOTT

20040R014070

04-06-2004 11:28 AM

RECORDING FEE: 56.00

DOCUMENT TYPE: AMEND/DECLA

PAGES: 5

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MEDINA COUNTY RECORDER  
NANCY DONAHUE ABBOTT

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FIFTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS,  
EASEMENTS AND RESTRICTIONS FOR  
WESTBURY PLACE, A CONSERVATION DEVELOPMENT,  
BRUNSWICK HILLS TOWNSHIP, OHIO

ADDING ADDITIONAL PROPERTY TO WESTBURY PLACE, A CONSERVATION  
DEVELOPMENT, BRUNSWICK HILLS TOWNSHIP, OHIO

THIS FIFTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR WESTBURY PLACE, A CONSERVATION DEVELOPMENT ("Fifth Amendment") made as of the 4th day of March, 2004, by PULTE HOMES OF OHIO LLC, a Michigan limited liability company, successor by merger to Pulte Homes of Ohio Corporation, an Ohio corporation (the "Developer").

PREAMBLE

WHEREAS, on April 10, 2002, Developer filed for record the *Declaration of Covenants, Conditions, Easements And Restrictions For Westbury Place, A Conservation Development, Brunswick Hills Township, Ohio* (the "Declaration") with the *Code of Regulations of Westbury Place Homeowners' Association, Inc.* and recorded as Instrument Number 2002OR014091 of Medina County Deed Records for "Property" known as Westbury Phase 1 Subdivision, said Property being described in Exhibit "A" of the Declaration and being further known as Sublot Numbers 1 through 34, inclusive, and Blocks "A", "B" and "C" in the Westbury Phase 1 Subdivision, known as being part of the Original Brunswick Township, as shown by the Plat recorded in Document No. 2002PL00007 of the Medina County Subdivision Plat Records.

WHEREAS, on May 13, 2002, the Declaration, by *Amendment to Declaration of Covenants, Conditions, Easements and Restrictions for Westbury Place, a Conservation Development, Brunswick Hills Township, Ohio* recorded with the Medina County Recorder as Instrument No. 2002OR018700 of Medina County Records, was amended to comply with requirements of the Federal Housing Administration.

WHEREAS, on December 11, 2002, the Declaration, by *Second Amendment to Declaration of Covenants, Conditions, Easements and Restrictions for Westbury Place, a Conservation Development, Brunswick Hills Township, Ohio* recorded with the Medina County Recorder as Instrument No. 2002OR050104 of Medina County Records, was amended to clarify clerical errors and comply with certain governmental requirements and to submit certain real property designated in the Declaration as Additional Property to the provisions of the Declaration.

WHEREAS, on August 22, 2003, the Declaration was supplemented and amended by *Third Amendment to Declaration of Covenants, Conditions, Easements and Restrictions for Westbury Place, a Conservation Development, Brunswick Hills Township, Ohio* recorded with

the Medina County Recorder as Instrument No. 2003OR044739 of Medina County Records to submit certain real property designated in the Declaration as Additional Property to the provisions of the Declaration.

WHEREAS, on January 2, 2004, the Declaration was supplemented and amended by *Fourth Amendment to Declaration of Covenants, Conditions, Easements and Restrictions for Westbury Place, a Conservation Development, Brunswick Hills Township, Ohio* recorded with the Medina County Recorder as Instrument No. 2004OR000047 of Medina County Records to submit certain real property designated in the Declaration as Additional Property to the provisions of the Declaration.

WHEREAS, pursuant to Sections 1.3 and 16.10(b) of the Declaration, the Declaration reserves unto Developer the rights to amend the Declaration to add additional property for expansion to the Property, including the Property described on "Exhibit A" attached hereto and made a part hereof (the "Phase IV Expansion Property"), consisting of seven (7) Sublots – Sublots numbered 33 through 39, the Living Units constructed thereon, the Common Areas known as Block "B", Block "C" and Block "D", being of the "Eastbury Place Subdivision Phase 2" and twenty-four (24) Sublots – Sublots numbered 46 through 69, the Living Units constructed thereon, the Common Areas known as Block "E" and Block "F", being of the Southbury Place Subdivision Phase 2 by filing a subsequent Amendment submitting such additional property to the provisions of the Declaration and to the covenants and conditions set forth in the Declaration.

WHEREAS, Developer desires to add to the Property the Phase IV Expansion Property.

NOW, THEREFORE, the undersigned, pursuant to Sections 1.3 and 16.10(b) of the Declaration, hereby declares that the Declaration be and hereby is amended as follows (Unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration):

1. The Preamble is incorporated in and made a part of this Fifth Amendment.
2. The Phase IV Expansion Property is added to the Property, subject to the Declaration and shall be held, sold and conveyed, subject to the covenants, conditions, easements and restrictions set forth in the Declaration, which are for the purpose of protecting the value and desirability of, and which shall run with, the real property and be binding on all of the parties having any right, title or interest in the described properties or any part thereof, their heirs, personal representatives, successors and assigns, and shall inure to the benefit of each owner thereof.
3. The Sublots and Common Areas in the Phase IV Expansion Property are shown on the plats prepared for Developer entitled "Eastbury Place Subdivision Phase 2" recorded \_\_\_\_\_, 200\_ as Instrument No. 200\_ PL \_\_\_\_\_ and entitled "Southbury Place Subdivision Phase 2" recorded \_\_\_\_\_, 200\_ as Instrument No. 200\_ PL \_\_\_\_\_ in the Medina County Records, and shall be held, granted and conveyed as provided for Sublots and Common Areas in the Declaration.

4. Section 2.2(b) of the Declaration is deleted in its entirety and the following is substituted in its place:

(v) "PLAT." The subdivision plat of Westbury Place Phase 1 recorded as Document No. 2002PL000007 of the Medina County Records, the subdivision plat of Westbury Place Phase 2 recorded as Document No. 2002PL000088 of the Medina County Records, the subdivision plat of Eastbury Place Subdivision Phase 1 recorded as Document No. 2002PL000170 of the Medina County Records, the subdivision plat of Southbury Place Subdivision Phase 1 recorded as Document No. 2002PL000172, the subdivision plat of Westbury Place Subdivision Phase 3 recorded as Document No. 2003PL000126 of the Medina County Records, the subdivision plat of Eastbury Place Subdivision Phase 2 recorded as Document No. 200\_\_PL\_\_\_\_\_ of the Medina County Records and the subdivision plat of Southbury Place Subdivision Phase 2 recorded as Document No. 200\_\_PL\_\_\_\_\_ of the Medina County Records."

5. Except as amended herein, all covenants, conditions, easements and restrictions of the Declaration shall remain in full force and effect.

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IN WITNESS WHEREOF, PULTE HOMES OF OHIO LLC signed this Fifth Amendment this 4<sup>th</sup> day of March, 2004.

**PULTE HOMES OF OHIO LLC,**  
a Michigan Limited Liability Company,  
successor by merger to Pulte Homes of  
Ohio Corporation, an Ohio corporation

By: *[Signature]*  
GREGORY J. SCHMIDT  
Its: President

STATE OF OHIO )  
  )  
COUNTY OF CUYAHOGA )      ss:

BEFORE ME, a Notary Public in and for said county and state, personally appeared the above-named **PULTE HOMES OF OHIO LLC**, a Michigan limited liability company, by Gregory J. Schmidt, its President, who acknowledged that he executed the within instrument and that such execution was the free act and deed of said corporation and was his free act and deed both individually and in his capacity as officer of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Solon, Ohio, this 4<sup>th</sup> day of March, 2004.

*Jeannine M. Chilia*  
NOTARY PUBLIC  
My Commission Expires: March 25, 2008



**JEANNINE M. CHILIA**  
Notary Public, State of Ohio  
My Commission Expires March 25, 2008  
(Recorded in Lake County)

This Instrument Prepared By:  
  
*THEODORE EINHORN, ATTORNEY AT LAW*  
*KAHN KLEINMAN, A LEGAL PROFESSIONAL ASSOCIATION*  
*2600 ERIEVIEW TOWER*  
*1301 EAST NINTH STREET*  
*CLEVELAND, OHIO 44114-1824*  
*216-696-3311*

1216-520-1431

MEDINA COUNTY RECORDER

NANCY ABBOTT

Sandra

2004OR028800

SIXTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS,  
EASEMENTS AND RESTRICTIONS OF  
WESTBURY PLACE, A CONSERVATION DEVELOPMENT,  
BRUNSWICK HILLS TOWNSHIP, OHIO

07-15-2004 11:51 AM

RECORDING FEE: 52.00

DOCUMENT TYPE: AMEND/DECLA

ADDING ADDITIONAL PROPERTY TO WESTBURY PLACE, A CONSERVATION  
DEVELOPMENT, BRUNSWICK HILLS TOWNSHIP, OHIO

BRUNSWICK HILLS  
#A-04-31

THIS SIXTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR WESTBURY PLACE, A CONSERVATION DEVELOPMENT ("Sixth Amendment") made as of the 12th day of July, 2004, by PULTE HOMES OF OHIO LLC, a Michigan limited liability company, successor by merger to Pulte Homes of Ohio Corporation, an Ohio corporation (the "Developer").

PREAMBLE

WHEREAS, on April 10, 2002, Developer filed for record the *Declaration of Covenants, Conditions, Easements and Restrictions of Westbury Place, a Conservation Development, Brunswick Hills Township, Ohio* (the "Declaration"), with the *Code of Regulations of Westbury Place Homeowners' Association, Inc.* and recorded as Instrument Number 2002OR014091 of Medina County Deed Records for "Property" known as Westbury Phase 1 Subdivision, said Property being described in Exhibit "A" of the Declaration and as shown by the Plat recorded in Document No. 2002PL00007 of the Medina County Subdivision Plat Records.

WHEREAS, on May 13, 2002, the Declaration, by *Amendment to Declaration of Covenants, Conditions, Easements and Restrictions for Westbury Place, a Conservation Development, Brunswick Hills Township, Ohio*, recorded with the Medina County Recorder as Instrument No. 2002OR018700 of Medina County Records, was amended to comply with requirements of the Federal Housing Administration.

WHEREAS, on December 11, 2002, the Declaration, by *Second Amendment to Declaration of Covenants, Conditions, Easements and Restrictions for Westbury Place, a Conservation Development, Brunswick Hills Township, Ohio*, recorded with the Medina County Recorder as Instrument No. 2002OR050104 of Medina County Records, was amended to clarify clerical errors and comply with certain governmental requirements and to submit certain real property designated in the Declaration as Additional Property to the provisions of the Declaration.

WHEREAS, on August 22, 2003, the Declaration was supplemented and amended by *Third Amendment to Declaration of Covenants, Conditions, Easements and Restrictions for Westbury Place, a Conservation Development, Brunswick Hills Township, Ohio*, recorded with the Medina County Recorder as Instrument No. 2003OR044739 of Medina County Records to

(JMCK0488046.1)



submit certain real property designated in the Declaration as Additional Property to the provisions of the Declaration.

WHEREAS, on January 2, 2004, the Declaration was supplemented and amended by *Fourth Amendment to Declaration of Covenants, Conditions, Easements and Restrictions for Westbury Place, a Conservation Development, Brunswick Hills Township, Ohio*, recorded with the Medina County Recorder as Instrument No. 2004OR000047 of Medina County Records to submit certain real property designated in the Declaration as Additional Property to the provisions of the Declaration.

WHEREAS, on April 6, 2004, the Declaration was supplemented and amended by *Fifth Amendment to Declaration of Covenants, Conditions, Easements and Restrictions for Westbury Place, a Conservation Development, Brunswick Hills Township, Ohio* recorded with the Medina County Recorder as Instrument No. 2004OR014070 of Medina County Records to submit certain real property designated in the Declaration as Additional Property to the provisions of the Declaration.

WHEREAS, pursuant to Sections 1.3 and 16.10(b) of the Declaration, the Declaration reserves unto Developer the rights to amend the Declaration to add additional property for expansion to the Property, including the Property described on "Exhibit A" attached hereto and made a part hereof (the "Phase V Expansion Property"), consisting of forty-two (42) Sublots – Sublots numbered 92 through 133, the Living Units constructed thereon or to be constructed thereon, the Common Areas known as Block "J", Block "K" and Block "L", being of the "Westbury Place Subdivision Phase 4" by filing a subsequent Amendment submitting such additional property to the provisions of the Declaration and to the covenants and conditions set forth in the Declaration.

WHEREAS, Developer desires to add to the Property the Phase V Expansion Property.

NOW, THEREFORE, the undersigned, pursuant to Sections 1.3 and 16.10(b) of the Declaration, hereby declares that the Declaration be and hereby is amended as follows (Unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration):

1. The Preamble is incorporated in and made a part of this Sixth Amendment.
2. The Phase V Expansion Property is added to the Property, subject to the Declaration and shall be held, sold and conveyed, subject to the covenants, conditions, easements and restrictions set forth in the Declaration, which are for the purpose of protecting the value and desirability of, and which shall run with, the real property and be binding on all of the parties having any right, title or interest in the described properties or any part thereof, their heirs, personal representatives, successors and assigns, and shall inure to the benefit of each owner thereof.
3. The Sublots and Common Areas in the Phase V Expansion Property are shown on the plats prepared for Developer entitled "Westbury Place Subdivision Phase 4" recorded on



May 24, 2004, as Instrument No. 2004PL000051 in the Medina County Records, and shall be held, granted and conveyed as provided for Sublots and Common Areas in the Declaration.

4. Section 2.2(b) of the Declaration is deleted in its entirety and the following is substituted in its place:

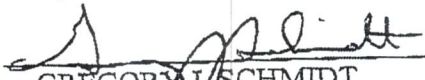
(v) "PLAT." The subdivision plat of Westbury Place Phase 1 recorded as Document No. 2002PL000007 of the Medina County Records, the subdivision plat of Westbury Place Phase 2 recorded as Document No. 2002PL000088 of the Medina County Records, the subdivision plat of Eastbury Place Subdivision Phase 1 recorded as Document No. 2002PL000170 of the Medina County Records, the subdivision plat of Southbury Place Subdivision Phase 1 recorded as Document No. 2002PL000172, the subdivision plat of Westbury Place Subdivision Phase 3 recorded as Document No. 2003PL000126 of the Medina County Records, the subdivision plat of Eastbury Place Subdivision Phase 2 recorded as Document No. 2004PL000034 of the Medina County Records and the subdivision plat of Southbury Place Subdivision Phase 2 recorded as Document No. 2004PL000035 of the Medina County Records, the subdivision plat of Westbury Place Subdivision Phase 4 recorded as Document No. 2004PL000051 of the Medina County Records."

5. Except as amended herein, all covenants, conditions, easements and restrictions of the Declaration shall remain in full force and effect.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, PULTE HOMES OF OHIO LLC signed this Sixth Amendment this 12<sup>m</sup> day of July, 2004.

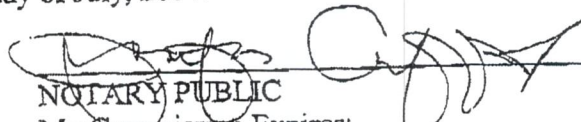
**PULTE HOMES OF OHIO LLC,**  
a Michigan Limited Liability Company,  
successor by merger to Pulte Homes of  
Ohio Corporation, an Ohio corporation

By:   
GREGORY J. SCHMIDT  
Its: President

STATE OF OHIO                    )  
  )  
COUNTY OF CUYAHOGA        )        ss:

BEFORE ME, a Notary Public in and for said county and state, personally appeared the above-named **PULTE HOMES OF OHIO LLC**, a Michigan limited liability company, by Gregory J. Schmidt, its President, who acknowledged that he executed the within instrument and that such execution was the free act and deed of said corporation and was his free act and deed both individually and in his capacity as officer of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Solon, Ohio, this 12<sup>m</sup> day of July, 2004.

  
NOTARY PUBLIC  
My Commission Expires: \_\_\_\_\_

*This Instrument Prepared By:*  
**THEODORE EINHORN, ATTORNEY AT LAW**  
KAHN KLEINMAN, LPA  
1301 EAST NINTH STREET  
CLEVELAND, OHIO 44114-1824  
216-696-3311

**Jennifer Clifford**  
Notary Public, STATE OF OHIO  
My commission expires December 9, 2008  
Recorded in Cuyahoga County

EXHIBIT A

LEGAL DESCRIPTION

Situated in the Township of Brunswick Hills, County of Medina, State of Ohio and known as Sublot Numbers 92 through 133, inclusive, and Blocks "J", "K" and "L" of the Westbury Place Subdivision Phase 4, known as being part of Original Brunswick Township Tr. 1, Lot 9, as shown by Plat recorded in Document No. 2004PL000051 of the Medina County Subdivision Plat Records, all being the same, more or less, but subject to all legal highways.

Permanent Parcel Nos:	001-02A-23-098	001-02A-23-120
	001-02A-23-099	001-02A-23-121
	001-02A-23-100	001-02A-23-122
	001-02A-23-101	001-02A-23-123
	001-02A-23-102	001-02A-23-124
	001-02A-23-103	001-02A-23-125
	001-02A-23-104	001-02A-23-126
	001-02A-23-105	001-02A-23-127
	001-02A-23-106	001-02A-23-128
	001-02A-23-107	001-02A-23-129
	001-02A-23-108	001-02A-23-130
	001-02A-23-109	001-02A-23-131
	001-02A-23-110	001-02A-23-132
	001-02A-23-111	001-02A-23-133
	001-02A-23-112	001-02A-23-124
	001-02A-23-113	001-02A-23-125
	001-02A-23-114	001-02A-23-126
	001-02A-23-115	001-02A-23-127
	001-02A-23-116	001-02A-23-128
	001-02A-23-117	001-02A-23-129
	001-02A-23-118	001-02A-23-130
	001-02A-23-119	001-02A-23-131
		001-02A-23-132
		001-02A-23-133
		001-02A-23-134
		001-02A-23-135
		001-02A-23-136
		001-02A-23-137
		001-02A-23-138
		001-02A-23-139
		001-02A-23-140
		001-02A-23-141
		001-02A-23-142
		001-02A-23-143

MEDINA COUNTY RECORDER  
NANCY ABBOTT

Attu-Sand  
ck # 2898 \$ 80.00  
ck # 2897 \$ 1.00

2005OR01112

SEVENTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS,  
EASEMENTS AND RESTRICTIONS OF

WESTBURY PLACE, A CONSERVATION DEVELOPMENT 04-12-2005 10:39 AM

BRUNSWICK HILLS TOWNSHIP, OHIO RECORDING FEE: 52.00

ADDING ADDITIONAL PROPERTY TO WESTBURY PLACE, A CONSERVATION  
DEVELOPMENT, BRUNSWICK HILLS TOWNSHIP, OHIO DOCUMENT TYPE: DECLARATION  
PAGES: 5

RTAL # A-05-11

THIS SEVENTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR WESTBURY PLACE, A CONSERVATION DEVELOPMENT ("Seventh Amendment") made as of the 4th day of April, 2005, by PULTE HOMES OF OHIO LLC, a Michigan limited liability company, successor by merger to Pulte Homes of Ohio Corporation, an Ohio corporation (the "Developer").

PREAMBLE

WHEREAS, on April 10, 2002, Developer filed for record the *Declaration of Covenants, Conditions, Easements and Restrictions of Westbury Place, a Conservation Development, Brunswick Hills Township, Ohio* (the "Declaration"), with the *Code of Regulations of Westbury Place Homeowners' Association, Inc.* and recorded as Instrument Number 2002OR014091 of Medina County Deed Records for "Property" known as Westbury Phase 1 Subdivision ("Subdivision"), said Property being described in Exhibit "A" of the Declaration and as shown by the Plat recorded in Document No. 2002PL00007 of the Medina County Subdivision Plat Records.

WHEREAS, on May 13, 2002, the Declaration, by *Amendment to Declaration of Covenants, Conditions, Easements and Restrictions for Westbury Place, a Conservation Development, Brunswick Hills Township, Ohio*, recorded with the Medina County Recorder as Instrument No. 2002OR018700 of Medina County Records, was amended to comply with requirements of the Federal Housing Administration.

WHEREAS, on December 11, 2002, the Declaration, by *Second Amendment to Declaration of Covenants, Conditions, Easements and Restrictions for Westbury Place, a Conservation Development, Brunswick Hills Township, Ohio*, recorded with the Medina County Recorder as Instrument No. 2002OR050104 of Medina County Records, was amended to clarify clerical errors and comply with certain governmental requirements and to submit certain real property designated in the Declaration as Additional Property to the provisions of the Declaration.

WHEREAS, on August 22, 2003, the Declaration was supplemented and amended by *Third Amendment to Declaration of Covenants, Conditions, Easements and Restrictions for Westbury Place, a Conservation Development, Brunswick Hills Township, Ohio*, recorded with the Medina County Recorder as Instrument No. 2003OR044739 of Medina County Records to

COPY

submit certain real property designated in the Declaration as Additional Property to the provisions of the Declaration.

WHEREAS, on January 2, 2004, the Declaration was supplemented and amended by *Fourth Amendment to Declaration of Covenants, Conditions, Easements and Restrictions for Westbury Place, a Conservation Development, Brunswick Hills Township, Ohio*, recorded with the Medina County Recorder as Instrument No. 2004OR000047 of Medina County Records to submit certain real property designated in the Declaration as Additional Property to the provisions of the Declaration.

WHEREAS, on April 6, 2004, the Declaration was supplemented and amended by *Fifth Amendment to Declaration of Covenants, Conditions, Easements and Restrictions for Westbury Place, a Conservation Development, Brunswick Hills Township, Ohio* recorded with the Medina County Recorder as Instrument No. 2004OR014070 of Medina County Records to submit certain real property designated in the Declaration as Additional Property to the provisions of the Declaration.

WHEREAS, on July 15, 2004, the Declaration was supplemented and amended by *Sixth Amendment to Declaration of Covenants, Conditions, Easements and Restrictions of Westbury Place, a Conservation Development, Brunswick Hills Township, Ohio* recorded with the Medina County Recorder as Instrument No. 2004OR028800 of Medina County Records to submit certain real property designated in the Declaration as Additional Property to the provisions of the Declaration.

WHEREAS, on March 30, 2005, an Affidavit of Facts Relating to Title in Real Property Pursuant to Ohio Revised Code Section 5301.252 recorded as Instrument No. 2005OR009788 with the Medina County Recorder correcting the plats for certain real property designated in the Declaration for Phases I through VII of the Subdivision.

WHEREAS, pursuant to Sections 1.3 and 16.10(b) of the Declaration, the Declaration reserves unto Developer the rights to amend the Declaration to add additional property for expansion to the Property, including the Property described on "Exhibit A" attached hereto and made a part hereof (the "Phase VII Expansion Property"), consisting of seventeen (17) Sublots - Sublots numbered 40 through 56, the Living Units constructed thereon or to be constructed thereon, the Common Areas known as Block "D" and Block "E", being of the "Eastbury Place Subdivision Phase 3" by filing a subsequent Amendment submitting such additional property to the provisions of the Declaration and to the covenants and conditions set forth in the Declaration.

WHEREAS, Developer desires to add to the Property the Phase VII Expansion Property.

NOW, THEREFORE, the undersigned, pursuant to Sections 1.3 and 16.10(b) of the Declaration, hereby declares that the Declaration be and hereby is amended as follows (Unless otherwise expressly provided herein, the capitalized terms used herein shall have the same meaning as defined in the Declaration):

1. The Preamble is incorporated in and made a part of this Seventh Amendment.

2. The Phase VII Expansion Property is added to the Property, subject to the Declaration and shall be held, sold and conveyed, subject to the covenants, conditions, easements and restrictions set forth in the Declaration, which are for the purpose of protecting the value and desirability of, and which shall run with, the real property and be binding on all of the parties having any right, title or interest in the described properties or any part thereof, their heirs, personal representatives, successors and assigns, and shall inure to the benefit of each owner thereof.

3. The Sublots and Common Areas in the Phase VII Expansion Property are shown on the plats prepared for Developer entitled "Eastbury Place Subdivision Phase 3" recorded on November 24, 2004, as Instrument No. 2004PL000135 in the Medina County Records, and shall be held, granted and conveyed as provided for Sublots and Common Areas in the Declaration.

4. Section 2.2(b) of the Declaration is deleted in its entirety and the following is substituted in its place:


(v) "PLAT." The subdivision plat of Westbury Place Phase 1 recorded as Document No. 2002PL000007 of the Medina County Records, the subdivision plat of Westbury Place Phase 2 recorded as Document No. 2002PL000088 of the Medina County Records, the subdivision plat of Eastbury Place Subdivision Phase 1 recorded as Document No. 2002PL000170 of the Medina County Records, the subdivision plat of Southbury Place Subdivision Phase 1 recorded as Document No. 2002PL000172, the subdivision plat of Westbury Place Subdivision Phase 3 recorded as Document No. 2003PL000126 of the Medina County Records, the subdivision plat of Eastbury Place Subdivision Phase 2 recorded as Document No. 2004PL000034 of the Medina County Records, and the subdivision plat of Southbury Place Subdivision Phase 2 recorded as Document No. 2004PL000035 of the Medina County Records, the subdivision plat of Westbury Place Subdivision Phase 4 recorded as Document No. 2004PL000051 of the Medina County Records and the subdivision plat of Eastbury Place Subdivision Phase 3 recorded as Document No. 2004PL000135 of the Medina County Records."

5. Except as amended herein, all covenants, conditions, easements and restrictions of the Declaration shall remain in full force and effect.

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IN WITNESS WHEREOF, PULTE HOMES OF OHIO LLC signed this Seventh Amendment this 4 day of April, 2005.

**PULTE HOMES OF OHIO LLC,**  
a Michigan Limited Liability Company,  
successor by merger to Pulte Homes of  
Ohio Corporation, an Ohio corporation

By: 

**SCOTT WITHINGTON**

Its: President

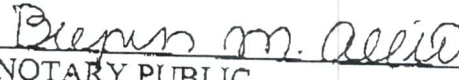
STATE OF OHIO )

COUNTY OF CUYAHOGA )

ss:

BEFORE ME, a Notary Public in and for said county and state, personally appeared the above-named **PULTE HOMES OF OHIO LLC**, a Michigan limited liability company, by Scott Withington, its President, who acknowledged that he executed the within instrument and that such execution was the free act and deed of said corporation and was his free act and deed both individually and in his capacity as officer of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Solon, Ohio, this 4th day of April, 2005.

  
NOTARY PUBLIC

My Commission Expires: 12/12/2009

**BRYNN M. ALLIO**

Notary Public, State of Ohio, Cuy. Cty.  
My commission expires Dec. 12, 2009

*This Instrument Prepared By:*

**THEODORE EINHORN, ATTORNEY AT LAW**  
**KAHN KLEINMAN, LPA**  
1301 EAST NINTH STREET  
CLEVELAND, OHIO 44114-1824  
216-696-3311

EXHIBIT "A"

## LEGAL DESCRIPTION

Situated in the Township of Brunswick Hills, County of Medina, State of Ohio and known as Sublot Numbers 40 through 56, inclusive, and Block "D" and Block "E" of the Eastbury Place Subdivision Phase 3, known as being part of Original Brunswick Township Lots 11 & 12, Tract 1, now in the Township of Brunswick Hills, Medina County, Ohio, as shown by Plat recorded in Document No. 2004PL000135 of the Medina County Subdivision Plat Records, all being the same, more or less, but subject to all legal highways.

Permanent Parcel Nos: