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ALTICK & CURWIN

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NICK NELSON, AUDITOR
WARREN COUNTY, OHIO

DEC 11 2009

NICK NELSON
AUDITOR, WARREN CO. OHIO

**SECOND AMENDMENT TO
THE DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS AND RESERVATIONS OF EASEMENTS FOR
LAUREL GLEN SUBDIVISION**

This Second Amendment to the Declaration of Covenants, Conditions and Restrictions and Reservations of Easements for Laurel Glen Subdivision ("Declarations") is made on the date hereinafter set forth by LGHOA, Inc., an Ohio non-profit company ("Association").

WHEREAS: On or about April 8, 1999, certain parcels of real property located in the City of Springboro, County of Warren, State of Ohio were submitted to the authority of the Declarations, by filing with the Warren County Recorder a legal instrument, as recorded at Book 1739, page 899 *et seq.*; and

WHEREAS: Additional lands were submitted to said Declarations by the filing of a "First Supplement" to the Declarations with the Warren County Recorder, as recorded at Volume 2453 Page 323, the filing of a "Second Supplement" to the Declarations with the Warren County Recorder, as recorded at Volume 2557, Page 613, and the filing of a "Third Supplement" to the Declarations with the Warren County Recorder, as recorded at Volume 3076, Page 401; and

WHEREAS: The real estate subject to this Second Amendment is described in Exhibit "A" attached hereto and made a part hereof; and

WHEREAS: Article XI, Section 2 (b) of the Declarations, as Amended and recorded at Book 5002, Page 244, *et seq.*, the Declarations may be amended by an instrument executed by persons or entities enabled to exercise 60% of the voting power of the Association; and

WHEREAS: In accordance with Article XI, Section 2 (b) of the Declarations an persons or entities enabled to exercise 60% of the voting power of the Association have executed an instrument titled "Amendment Ballot," which is on file with the Association's official records.

NOW THEREFORE, pursuant to Article XI, Section 2 (b) of the Declarations, the Declarations are hereby amended as follows:

SECTION I: That Article VII, Architectural Control, Section 2. General Requirements, (i) Fences shall be amended to read as follows:

No fence or wall of any kind, including, without limitation, the use of a hedge or other growing plants as a fence, and for any purpose, excepting a retaining wall, shall be erected, placed or suffered to remain upon any easement area or upon any Lot nearer to any street than the rear building line of the residence located on the Lot. Unless otherwise approved by the ARB, fences shall be limited to ~~three-rail, split-rail fencing with or without wire mesh~~, DECORATIVE WOOD, VINYL, RESIN, ALUMINUM, or a hedge or other growing plants used as a fence, and shall not exceed four feet (4') in height: WITH FIFTY PERCENT (50%) OPEN APPEARANCE FROM ALL SIDES. ALL FENCING MUST BE WOOD TONE OR WHITE. No chain link OR FARM fencing shall be permitted ~~without prior written approval by the ARB~~. LOTS THAT CONTAIN HOT TUBS WILL ALSO BE PERMITTED A FIVE (5) FOOT HIGH PRIVACY FENCE CONSTRUCTED OF ANY OF THE ABOVE MATERIALS WITH A MAXIMUM DISTANCE OF FIVE (5) FEET FROM THE TUB.

On a corner Lot, in addition to the restrictions set forth above, no fence or portion thereof shall be erected or placed or suffered to remain upon said corner Lot, closer to the side street than the shortest distance between the residence erected on said corner Lot and the side street. The term "fence" as used herein shall be liberally construed so as to accomplish the purpose of these restrictions, and shall specifically include, but not be limited to, contrived barriers of any type including those of shrubs, hedges or walls. Side street as used herein, shall refer to any street contiguous to any Lot, but not referred to in the mailing address of said Lot. Additionally, no fence shall be permitted to be constructed or extended into a landscape or signage easement on the Property, if any. This paragraph shall not apply to fences enclosing pool areas or decorative fences installed by Declarant in connection with the development of the Property.

SECTION II: This Second Amendment shall become effective on the date when it is recorded with the Recorder of Warren County, Ohio.

This instrument was executed on the 13 day of November, 2009, as evidenced of the below signature and acknowledgements.

(Remainder of this page intentionally left blank)

LGHOA, INC.

Richard D. Bernard

BY: RICHARD D. BERNARD

ITS: President

STATE OF OHIO)
) SS
COUNTY OF WARREN)

The foregoing instrument was acknowledged before me this 13 day of November, 2009 by the aforementioned individual on behalf of LGHOA, Inc., an Ohio non-profit company.



CRAIG A. KENLEY, Notary Public
In and for the State of Ohio
My Commission Expires Aug. 30, 2014

Craig Kenley
Notary Public