

202100014558 10/28/2021 02:13 PM
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 Jane Carmichael Rec Fees: \$240.00
 COND OR Vol 33 Pgs 52 - 57

BK 33 Pg 52-57



2021-14558
 Michael A. Lehman, P.E. 67578
 10-6-21 Date

STATE OF OHIO
 PROFESSIONAL ENGINEER
 MICHAEL A. LEHMAN
 E-67578

Filed for Record in Wayne County, Ohio
 202100014558
 Date Recorded: 10/28/2021
 Rec Fees: \$240.00
 DDB on Vol 33 Pg 52-57

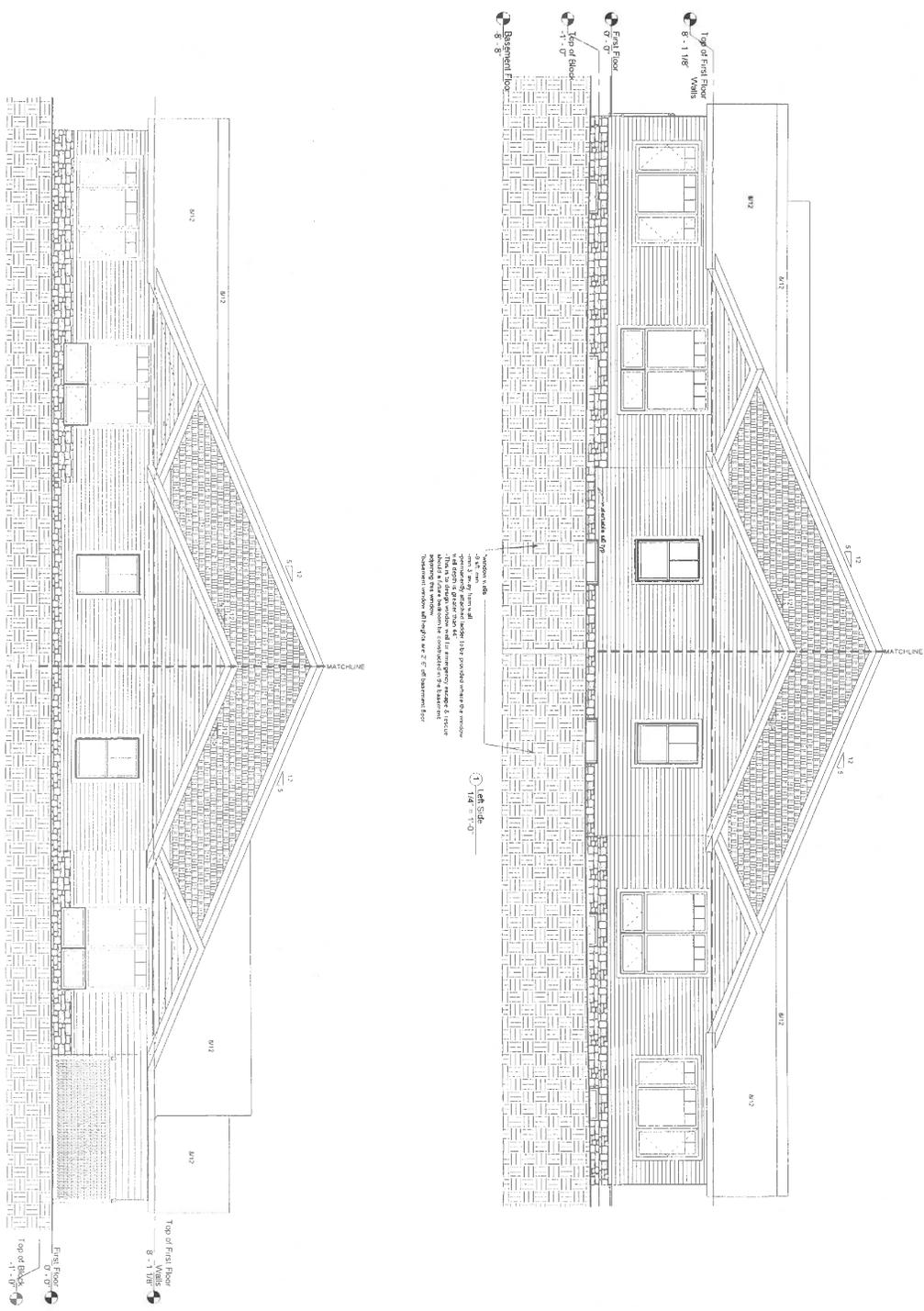
STATE OF OHIO
 PROFESSIONAL ENGINEER
 MARK E. PURDY
 P.S. 7307

Filed for Record in Wayne County, Ohio
 202100014558
 Date Recorded: 10/28/2021
 Rec Fees: \$240.00
 DDB on Vol 33 Pg 52-57

Approved by
 day of October, 2021
 day of October, 2021
 day of October, 2021

SHARPER JOHNSTON LIGHTENWALTER
 & ASSOCIATES, INC.
 Consulting Engineers & Surveyors
 3477 Commerce Parkway, Suite C
 Wexley, Ohio 44691
 TEL: (330) 345-6277 FAX: (330) 345-6278
 WWW: www.sjli.com

CONTRACT NO. EW-2286CM JOB NO. EW-2265CM PAGE 1 OF 2
 SHEET NO. 52



1. Left Side
1/4\"/>

2. Right Side
1/4\"/>

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NO.	DATE	DESCRIPTION
1	20/05/21 11:27:34 AM	NEW
2		POSTED

REVISIONS

DRAWN BY

CHECKED BY

DATE

SCALE

PROJECT

SHEET

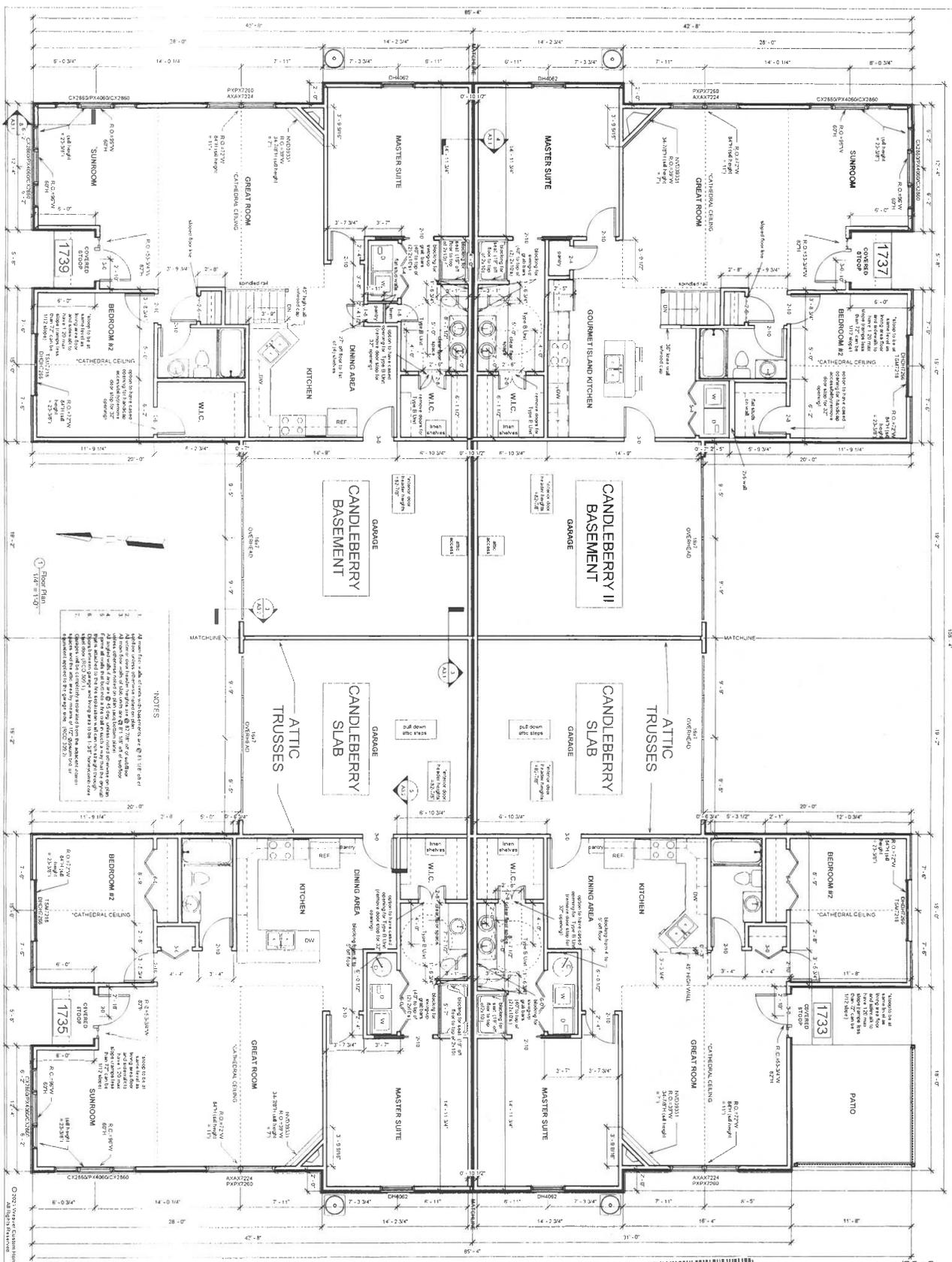
A1.2

4 UNIT CONDO #10
1733, 1735, 1737 & 1739
BLACKBERRY LANE
ORRVILLE OHIO

GENERAL CONTRACTOR

124 EAST LIBERTY ST.
WOOSTER, OH 44691
PH 330-284-5444

WEAVER
CUSTOM HOMES



REVISIONS

NO.	DATE	BY	REVISION
1	10/03/11	JK	ISSUED FOR PERMITS
2	10/03/11	JK	REVISED PER PERMITS
3	10/03/11	JK	REVISED PER PERMITS
4	10/03/11	JK	REVISED PER PERMITS
5	10/03/11	JK	REVISED PER PERMITS
6	10/03/11	JK	REVISED PER PERMITS
7	10/03/11	JK	REVISED PER PERMITS
8	10/03/11	JK	REVISED PER PERMITS
9	10/03/11	JK	REVISED PER PERMITS
10	10/03/11	JK	REVISED PER PERMITS

REVISIONS

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202100014558
BK 33 PG 56

4 UNIT CONDO #10
1733 1735 1737 & 1739
BLACKBERRY LANE
ORRVILLE OHIO

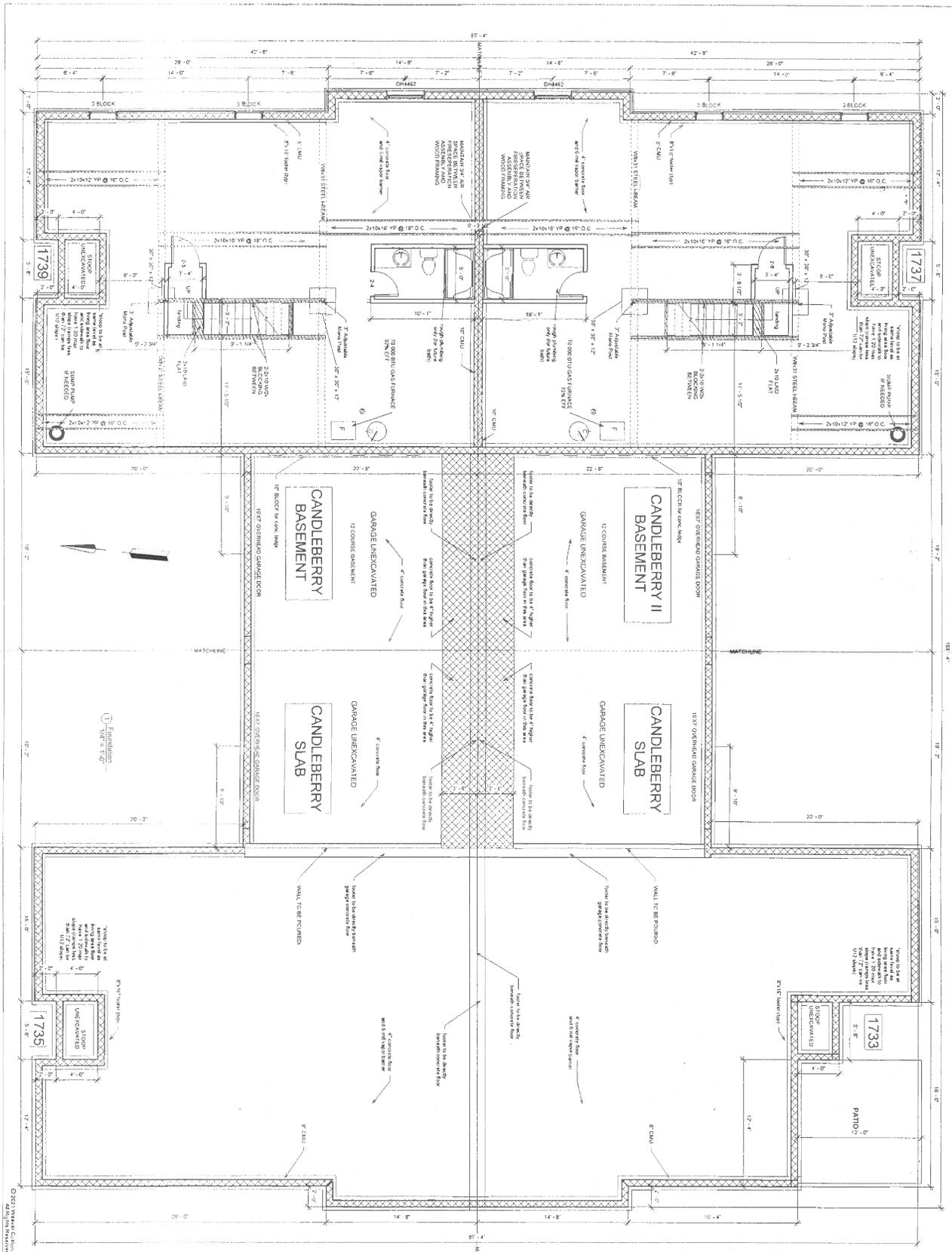
GENERAL CONTRACTOR

124 EAST LIBERTY ST.
WOOSTER, OH 44691
PH: 330-264-5444

WEAVER CUSTOM HOMES

Blairton, SFTL
Unit 1735-1, 1861 (if occupied)
Unit 1735-1, 1861 (if occupied)
Unit 1737-1, 1861 (if occupied)
Unit 1737-1, 1861 (if occupied)
Unit 1739-1, 1861 (if occupied)
Unit 1739-1, 1861 (if occupied)

A2.1



202100014558
BK 33 PG 57

NO.	REVISIONS	DATE
1	FOUNDATION	11/22/20
2	FOUNDATION	11/22/20
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6	FOUNDATION	11/22/20
7	FOUNDATION	11/22/20
8	FOUNDATION	11/22/20
9	FOUNDATION	11/22/20
10	FOUNDATION	11/22/20

POSTED
FOUNDATION PLAN
SHEET
A2.2

4 UNIT CONDO #10
1733, 1735, 1737 & 1739
BLACKBERRY LANE
ORRVILLE OHIO

GENERAL CONTRACTOR
124 EAST LIBERTY ST.
WOOSTER, OH 44691
PH 330-284-5666
WEAVER
CUSTOM HOMES

WAYNE COUNTY TAX MAP

Initials SD FILE# -
DATE 10 / 28 / 2021
IDENT. -



202100014559 10/28/2021 02:13 PM
Filed for Record in WAYNE County, Ohio
Jane Carmichael Rec Fees: \$154.00
D&B OR Vol 932 Pgs 5316 - 5331

Filed for Record in Wayne County, Ohio
202100014558 10/28/2021 02:13 PM COPY
Jane Carmichael Rec Fees: \$240.00
COND OR Vol 33 Pgs 52 - 57

**AMENDMENT NUMBER FIFTEEN TO
THE DECLARATION ESTABLISHING A PLAN FOR
CONDOMINIUM OWNERSHIP
UNDER CHAPTER 5311 OF THE OHIO REVISED CODE
FOR
HERITAGE BLACKBERRY CONDOMINIUM
(ESTABLISHING PHASE THIRTEEN)**

This will certify that copies of this Declaration, together with the Drawings attached thereto as Exhibits have been filed in the Office of the County Auditor, Wayne County, Ohio.

Dated: October 28, 2021

Jarra Underwood, Wayne County Auditor

By: Janna Hatten
Deputy Auditor

This Conveyance has been examined and the
Grantor has complied with Section 319.202
Of the Revised Code
Fee \$
Exempt
JARRA L. UNDERWOOD, County Auditor

This instrument prepared by:
John T. Keating, Esq.
Keating Law Offices, LLP
141 East Liberty Street
Wooster, Ohio 44691
telephone: (330) 262-2916

AMT. PD \$2.00 DATE 10 / 28 / 21
JARRA L. UNDERWOOD, AUDITOR
Janna Hatten DEPUTY



AMENDMENT NUMBER FIFTEEN
TO
DECLARATION OF CONDOMINIUM OWNERSHIP FOR
HERITAGE BLACKBERRY CONDOMINIUM
(ESTABLISHING PHASE THIRTEEN)

WWM PROPERTIES, LTD., an Ohio Limited Liability Company, hereinafter referred to as the "Declarant", as the owner in fee simple of the Condominium Property to be added to and become part of Heritage Blackberry Condominium, hereby makes the following Amendment ("this Amendment") to the Declaration of Condominium Ownership for Heritage Blackberry Condominium.

WITNESSETH:

WHEREAS, the Declarant submitted certain property (hereinafter referred to as "Phase One"), together with the buildings thereon (hereinafter referred to as the "Phase One Buildings") and other improvements, to the provisions of Chapter 5311 of the Ohio Revised Code, by filing with the Wayne County Auditor and Wayne County Recorder a document entitled "Declaration of Condominium Ownership for Heritage Blackberry Condominium, Phase One", together with the Drawings and Bylaws recorded in connection therewith, the Declaration of Condominium Ownership being recorded in Wayne County Official Records Volume 578, Page 839 et seq., and the Drawings being recorded in Wayne County Plat Records Volume 28, Page 185 et seq. (the Declaration, Bylaws, and Drawings are hereinafter collectively referred to as the "Declaration");

WHEREAS, Declarant reserved the right and option in Article XX of the Declaration to submit from time to time any part or parts of that certain land referred to and described in the Declaration as "the Additional Property", and submit all buildings and improvements thereon to the provisions of the Declaration, and thereby cause said part or parts, and said buildings and improvements, to become part of Heritage Blackberry Condominium;

WHEREAS, pursuant to the expansion option reserved in Article XX of the Declaration, the Declarant submitted part of the Additional Property (hereinafter referred to as "Phase Two"), together with the buildings thereon (hereinafter referred to as the "Phase Two Buildings") and other improvements, to the provisions of Chapter 5311 of the Ohio Revised Code, by filing with the Wayne County Auditor and Wayne County Recorder a document entitled "Amendment Number One to Declaration of Condominium Ownership for Heritage Blackberry Condominium (Establishing Phase Two)", together with the Drawings recorded in connection therewith, said Amendment Number One being recorded in Wayne County Official Records Volume 598, Pages 1066-1073, and said Drawings being recorded in Wayne County Plat Records Volume 28, Pages 310-321;



WHEREAS, the Declaration was further amended, as to matters other than expansion of the Condominium, by Declarant and Heritage Blackberry Condominium Association, Inc. by filing with the Wayne County Auditor and Wayne County Recorder a document entitled "Amendment Number Two to the Declaration of Condominium Ownership for Heritage Blackberry Condominium", said Amendment Number Two being recorded in Wayne County Official Records Volume 601, Pages 2398-2400;

WHEREAS, pursuant to the expansion option reserved in Article XX of the Declaration, the Declarant submitted part of the Additional Property (hereinafter referred to as "Phase Three"), together with the building thereon (hereinafter referred to as the "Phase Three Building") and other improvements, to the provisions of Chapter 5311 of the Ohio Revised Code, by filing with the Wayne County Auditor and Wayne County Recorder a document entitled "Amendment Number Three to Declaration of Condominium Ownership for Heritage Blackberry Condominium (Establishing Phase Three)", together with the Drawings recorded in connection therewith, said Amendment Number Three being recorded in Wayne County Official Records Volume 622, Pages 105-113, and said Drawings being recorded in Wayne County Plat Records Volume 29, Pages 9-14;

WHEREAS, the Declaration was further amended, as to matters other than expansion of the Condominium, by Declarant and Heritage Blackberry Condominium Association, Inc. by filing with the Wayne County Auditor and Wayne County Recorder a document entitled "Amendment Number 4 to the Declaration of Condominium Ownership for Heritage Blackberry Condominium", said Amendment Number 4 being recorded in Wayne County Official Records Volume 640, Pages 326-329;

WHEREAS, pursuant to the expansion option reserved in Article XX of the Declaration, the Declarant submitted part of the Additional Property (hereinafter referred to as "Phase Four"), together with the buildings thereon (hereinafter referred to as the "Phase Four Buildings") and other improvements, to the provisions of Chapter 5311 of the Ohio Revised Code, by filing with the Wayne County Auditor and Wayne County Recorder a document entitled "Amendment Number Five to Declaration of Condominium Ownership for Heritage Blackberry Condominium (Establishing Phase Four)", together with the Drawings recorded in connection therewith, said Amendment Number Five being recorded in Wayne County Official Records Volume 665, Pages 1519-1529, and said Drawings being recorded in Wayne County Plat Records Volume 29, Pages 280-285;

WHEREAS, pursuant to the expansion option reserved in Article XX of the Declaration, the Declarant submitted part of the Additional Property (hereinafter referred to as "Phase Five"), together with the building thereon (hereinafter referred to as the "Phase Five Building") and other improvements, to the provisions of Chapter 5311 of the Ohio Revised Code, by filing with the Wayne County Auditor and Wayne County Recorder a document entitled "Amendment Number Six to Declaration of Condominium Ownership for Heritage Blackberry Condominium (Establishing Phase Five)", together with the Drawings recorded in connection therewith, said Amendment Number Six being recorded in Wayne County Official Records Volume 721, Pages 2215-2225, and said Drawings being recorded in Wayne County Plat Records Volume 29, Pages 528-533;

WHEREAS, pursuant to the expansion option reserved in Article XX of the Declaration, the Declarant submitted part of the Additional Property (hereinafter referred to as "Phase Six"), together with the building thereon (hereinafter referred to as the "Phase Six Building") and other improvements, to the provisions of Chapter 5311 of the Ohio Revised Code, by filing with the Wayne County Auditor and Wayne County Recorder a document entitled "Amendment Number Seven to Declaration of Condominium Ownership for Heritage Blackberry Condominium (Establishing Phase Six)", together with the Drawings recorded in connection therewith, said Amendment Number Seven being recorded in Wayne County Official Records Volume 786, Pages 1083-1094, and said Drawings being recorded in Wayne County Plat Records Volume 30, Pages 276-281;

WHEREAS, the Declaration was further amended by Declarant and Heritage Blackberry Condominium Association, Inc. by filing with the Wayne County Auditor and Wayne County Recorder a document entitled "Amendment Number Eight to the Declaration of Condominium Ownership for Heritage Blackberry Condominium", said Amendment Number Eight being recorded in Wayne County Official Records Volume 809, Pages 1080-1084;

WHEREAS, pursuant to the expansion option reserved in Article XX of the Declaration, the Declarant submitted part of the Additional Property (hereinafter referred to as "Phase Seven"), together with the buildings thereon (hereinafter referred to as the "Phase Seven Buildings") and other improvements, to the provisions of Chapter 5311 of the Ohio Revised Code, by filing with the Wayne County Auditor and Wayne County Recorder a document entitled "Amendment Number Nine to Declaration of Condominium Ownership for Heritage Blackberry Condominium (Establishing Phase Seven)", together with the Drawings recorded in connection therewith, said Amendment Number Nine being recorded in Wayne County Official Records Volume 810, Pages 560-573, and said Drawings being recorded in Wayne County Plat Records Volume 30, Pages 404-413;

WHEREAS, pursuant to the expansion option reserved in Article XX of the Declaration, the Declarant submitted part of the Additional Property (hereinafter referred to as "Phase Eight"), together with the building thereon (hereinafter referred to as the "Phase Eight Building") and other improvements, to the provisions of Chapter 5311 of the Ohio Revised Code, by filing with the Wayne County Auditor and Wayne County Recorder a document entitled "Amendment Number Ten to Declaration of Condominium Ownership for Heritage Blackberry Condominium (Establishing Phase Eight)", together with the Drawings recorded in connection therewith, said Amendment Number Ten being recorded in Wayne County Official Records Volume 823, Pages 2574-2587, and said Drawings being recorded in Wayne County Plat Records Volume 30, Pages 465-470;

WHEREAS, pursuant to the expansion option reserved in Article XX of the Declaration, the Declarant submitted part of the Additional Property (hereinafter referred to as "Phase Nine"), together with the building thereon (hereinafter referred to as the "Phase Nine Building") and other improvements, to the provisions of Chapter 5311 of the Ohio Revised Code, by filing with the Wayne County Auditor and Wayne County Recorder a document entitled "Amendment Number Eleven to Declaration of Condominium Ownership for Heritage Blackberry Condominium (Establishing Phase Nine)", together with the Drawings recorded in connection therewith, said Amendment Number Eleven being recorded in Wayne County Official Records Volume 885, Pages



3974-3987, and said Drawings being recorded in Wayne County Plat Records Volume 31, Pages 319-324;

WHEREAS, pursuant to the expansion option reserved in Article XX of the Declaration, the Declarant submitted part of the Additional Property (hereinafter referred to as "Phase Eleven"), together with the buildings thereon (hereinafter referred to as the "Phase Eleven Buildings") and other improvements, to the provisions of Chapter 5311 of the Ohio Revised Code, by filing with the Wayne County Auditor and Wayne County Recorder a document entitled "Amendment Number Thirteen to Declaration of Condominium Ownership for Heritage Blackberry Condominium (Establishing Phase Eleven)", together with the Drawings recorded in connection therewith, said Amendment Number Thirteen being recorded in Wayne County Official Records Volume 908, Pages 4258-4273, and said Drawings being recorded in Wayne County Plat Records Volume 32, Pages 161-170;

WHEREAS, pursuant to the expansion option reserved in Article XX of the Declaration, the Declarant submitted part of the Additional Property (hereinafter referred to as "Phase Twelve"), together with the buildings thereon (hereinafter referred to as the "Phase Twelve Buildings") and other improvements, to the provisions of Chapter 5311 of the Ohio Revised Code, by filing with the Wayne County Auditor and Wayne County Recorder a document entitled "Amendment Number Fourteen to Declaration of Condominium Ownership for Heritage Blackberry Condominium (Establishing Phase Twelve)", together with the Drawings recorded in connection therewith, said Amendment Number Fourteen being recorded in Wayne County Official Records Volume 925, Pages 166-181, and said Drawings being recorded in Wayne County Plat Records Volume 32, Pages 450-455;

WHEREAS, Declarant owns the land described on **EXHIBIT "A"** attached hereto and made a part hereof (hereinafter referred to as the "Phase Thirteen Land"), which land is part of the Additional Property described in the Declaration;

WHEREAS, Declarant has constructed on the Phase Thirteen Land one (1) building containing four (4) Units, for a total of four (4) Units (hereinafter referred to as the "Phase Thirteen Building");

WHEREAS, the general architectural design, quality, appearance, and materials used in the construction of the Phase Thirteen Building and the landscaping of the Common Elements surrounding the same are substantially the same as the architectural design, quality, appearance, materials, and landscaping on the Buildings in Phase One, Phase Two, Phase Three, Phase Four, Phase Five, Phase Six, Phase Seven, Phase Eight, Phase Nine, Phase Ten, Phase Eleven, and Phase Twelve, and the Common Elements surrounding the same;

WHEREAS, the Units in Phase Thirteen and the Common Elements in Phase Thirteen shall be subject to the same uses, purposes, covenants, and restrictions as the Units in Phase One, Phase Two, Phase Three, Phase Four, Phase Five, Phase Six, Phase Seven, Phase Eight, Phase Nine, Phase Ten, Phase Eleven, and Phase Twelve, and the Common Elements in Phase One, Phase Two, Phase Three, Phase Four, Phase Five, Phase Six, Phase Seven, Phase Eight, Phase Nine, Phase Ten, Phase Eleven, and Phase Twelve, and shall be subject, as one single Condominium, to the provisions of the Declaration;



WHEREAS, when the Phase Thirteen Land and the Phase Thirteen Building and the other improvements constructed thereon are added to the existing Condominium as hereafter provided, the undivided interest of each Unit in the combined Common Elements shall be re-established as set forth in **EXHIBIT "B"** attached hereto and made a part hereof;

WHEREAS, Declarant has determined to submit the Phase Thirteen Land, Phase Thirteen Building, and all other improvements thereon, to the provisions of the Declaration and the provisions of Chapter 5311, Ohio Revised Code;

NOW, THEREFORE, Declarant hereby declares as follows:

1. All of the above recitals are incorporated into and made a part of this Amendment. All terms used in this Amendment which are defined in the Declaration shall be interpreted to have the same meaning as defined in the Declaration, unless expressly otherwise provided herein or unless the context requires otherwise.

2. Declarant is the owner of the Phase Thirteen Land (described on **EXHIBIT "A"** attached hereto), which together with the Phase Thirteen Building and all other improvements thereon, all easements, rights, and appurtenances belonging thereto and all articles of personal property existing thereon for the common use of the Unit Owners, is hereby submitted to the provisions of Chapter 5311, Ohio Revised Code, and the provisions of the Declaration, as amended by this Amendment, and is hereby included in and made a part of Heritage Blackberry Condominium (hereinafter collectively referred to as "the Condominium Property").

3. Article VI of the Declaration is amended and supplemented in the following respects:

(a) The "Units" in Phase Thirteen are the same as in the original Declaration, except that Phase Thirteen contains one (1) building, containing four (4) Units, for a total of four (4) Units in Phase Thirteen.

(b) Other improvements located on the Phase Thirteen Land include driveways, landscaping, and underground and above-ground conduits and facilities for utilities.

(c) The unit designation of each Unit and its undivided interest in the Common Elements, in the common profits for distribution, and in the common expenses for assessments, are set forth on **EXHIBIT "B"** attached hereto, which exhibit is hereby substituted for the Exhibit "B" attached to the Declaration.

(d) Voting rights in the Association shall be in accordance with the "one-unit, one-vote" rule set forth in Article VIII, Section 3 of the Declaration.

(e) The layout, location, designation, and dimensions of the Buildings and of each Unit, the number of rooms in each Unit, the approximate area of each Unit in square feet, the layout, location, and dimensions of the Common Elements and Limited Common Elements to which each Unit has access, the location and dimensions of

appurtenant easements, and other particulars, are shown graphically on the Drawings for Heritage Blackberry Condominium, Phase 13.

4. The Declaration is hereby amended by adding the following to Article IV, Section 1 (Purposes):

Declarant, in order to establish a plan of condominium ownership for the Condominium Property, hereby subjects the Condominium Property to the provisions of Chapter 5311, Ohio Revised Code. The Condominium Property is hereby divided into EIGHTY (80) separately designated and legally described freehold estates, hereinafter described and referred to as "Units", and ONE (1) freehold estate, hereinafter described and referred to as the "Common Elements."

5. EXHIBIT "A" of the Declaration is hereby supplemented by adding thereto and making a part thereof the Phase Thirteen Land, being the land described on **EXHIBIT "A" (Legal Description of Condominium Property - Phase Thirteen)** of this Amendment.

6. The Declaration is hereby amended by eliminating EXHIBIT "B" thereof and substituting in its place **EXHIBIT "B" (Allocation of Common Element Interests Among Condominium Units - Phases One, Two, Three, Four, Five, Six, Seven, Eight, Nine, Ten, Eleven, Twelve, and Thirteen)** attached to and made a part of this Amendment. Any reference in the Declaration to EXHIBIT "B" shall henceforth be deemed a reference to **EXHIBIT "B"** of this Amendment.

7. The Drawings recorded in Wayne County Plat Volume 28, Page 185, et seq., as amended by the Drawings recorded in Wayne County Plat Volume 28, Pages 310-321, as amended by the Drawings recorded in Wayne County Plat Volume 29, Pages 9-14, as amended by the Drawings recorded in Wayne County Plat Volume 29, Pages 280-285, as amended by the Drawings recorded in Wayne County Plat Volume 29, Pages 528-533, as amended by the Drawings recorded in Plat Volume 30, Pages 276-281, as amended by the Drawings recorded in Plat Volume 30, Pages 404-413, and as amended by the Drawings recorded in Plat Volume 30, Pages 465-470, as amended by the Drawings recorded in Plat Volume 31, Pages 319-324, as amended by the Drawings recorded in Plat Volume 32, Pages 18-23, as amended by the Drawings recorded in Plat Volume 32, Pages 161-170, as amended by the Drawings recorded in Plat Volume 32, Pages 450-455, are hereby amended by adding thereto the Drawings for Heritage Blackberry Condominium, Phase 13, to be recorded concurrently with this Amendment Number Fifteen.

8. Each owner of a Unit in Phases One, Two, Three, Four, Five, Six, Seven, Eight, Nine, Ten, Eleven, Twelve, and Thirteen of the Condominium shall have all easement rights described in the Declaration, including but not limited to the following easement rights set forth in Article XV, Section 1 (Easements of Enjoyment; Limitations) of the Declaration:

In addition, every Unit owner shall have a non-exclusive right and easement of access to and from his, her or its Unit, over the private streets in the Condominium to North Crown Hill Road.

NOTE: Phase Three of the Condominium contains no Units; it consists entirely of the recreational building and related improvements, all of which are part of the Common Elements of the Condominium.

9. Except as amended by this Amendment Number Fifteen, all of the terms and provisions, including but not limited to all rights, privileges and obligations contained in the original Declaration, the original Drawings, and the original Bylaws of the Unit Owners' Association, as originally executed and recorded, shall remain in full force and effect.

IN WITNESS WHEREOF, the Declarant has executed this Amendment Number Fifteen by its duly Authorized Member this 26th day of October, 2021.

WWM PROPERTIES, LTD.

By: *Ken Weaver*
Ken Weaver, Authorized Member

STATE OF OHIO)
) ss:
WAYNE COUNTY)

The foregoing instrument was acknowledged before me this 26th day of October, 2021, by **Ken Weaver, Authorized Member**, on behalf of **WWM PROPERTIES, LTD., an Ohio Limited Liability Company**. This is an acknowledgement certificate; no oath or affirmation was administered to the signer.

John T. Keating
Notary Public

 **JOHN T. KEATING**
Attorney at Law
NOTARY PUBLIC
STATE OF OHIO
My Commission Has
No Expiration Date
Section 147.03 O.R.C.

Heritage Blackberry Condominium, Phase Thirteen

EXHIBIT "A"

Legal Description of Condominium Property

(Phase Thirteen)

See attached description, captioned "Boundary Description for Heritage Blackberry Condominium, Phase 13 (0.477 ac.), Job No. EW 2266CM" prepared by Mark E. Purdy, P.S. #7307, of Shaffer, Johnston, Lichtenwalter & Associates, Inc., which is incorporated herein and made a part hereof.

RESERVING UNTO WWM PROPERTIES, LTD., its successors and assigns a perpetual non-exclusive easement over the premises herein for use of roadways and extensions thereof; use of and installation of all utility lines and easements all for the benefit of future expandable portions of Heritage Blackberry Condominium.

TOGETHER WITH THE FOLLOWING DRIVE & UTILITY EASEMENTS (previously created in connection with Heritage Blackberry Condominium, Phases 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12):

Boundary description for drive & utility easement for Heritage Blackberry, Phases 1 and 2 (Job No. EW 2266CA)

Situated in the City of Orrville, County of Wayne, State of Ohio and known as being a part of Lot No. 3644 in the Heritage Blackberry Allotment, Phase 1 as recorded in Volume 28, Page 180 of Wayne County Plat Records and further bound and described as follows:

Commencing at the northeast corner of said Lot 3644; thence S 00° 24' 14" W, 205.55 feet along the easterly line of said Lot 3644 to a point and the principal place of beginning of the easement herein described;

THENCE WITH THE FOLLOWING TEN (10) COURSES:

- 1) thence continuing S 00° 24' 14" W, 50.00 feet along the easterly line of said Lot 3644 to a point;
- 2) thence N 89° 35' 46" W, 111.28 feet to a point of curvature;
- 3) thence southwesterly 20.80 feet along the arc of a curve deflecting to the left, said curve having a radius of 49.00 feet, a central angle of 24° 19' 28" and a chord which bears S 78° 14' 30" W, 20.65 feet to a point;
- 4) thence S 66° 04' 47" W, 364.70 feet to a point of curvature;
- 5) thence southwesterly 41.06 feet along the arc of a curve deflecting to the left, said curve having a radius of 49.00 feet, a central angle of 48° 00' 22" and a chord which bears S 42° 04' 35" W, 39.87 feet to a point;
- 6) thence N 71° 55' 36" W, 50.00 feet to a point of curvature;

- 7) thence northeasterly 82.95 feet along the arc of a curve deflecting to the right, said curve having a radius of 99.00 feet, a central angle of 48° 00' 24" and a chord which bears N 42° 04' 36" E, 80.54 feet to a point;
- 8) thence N 66° 04' 47" E, 364.70 feet to a point of curvature;
- 9) thence northeasterly 42.03 feet along the arc of a curve deflecting to the right, said curve have a radius of 99.00 feet, a central angle of 24° 19' 28" and a chord which bears N 78° 14' 30" E, 41.71 feet to a point;
- 10) thence S 89° 35' 46" E, 111.28 feet to the place of beginning.

This description was prepared by Mark E. Purdy, P.S. #7307.

Boundary description for drive & utility easement for Heritage Blackberry, Phases 3, 4, and 5:

Situated in the City of Orrville, County of Wayne and State of Ohio:

And known as being a part of Lot 3644 in the Blackberry Farm Allotment, Phase 1 as recorded in Volume 28, Page 180 of Wayne County Plat Records and further bound and described as follows:

Commencing at the northwest corner of said Lot 3644; thence South 08° 35' 27" East, 297.90 feet along the westerly line of said Lot 3644 to a point; thence South 87° 22' 44" East, 181.62 feet to a point; thence North 55° 28' 28" East, 127.05 feet to a point; thence South 34° 31' 32" East, 117.79 feet to a point of curvature; thence southwesterly 48.68 feet along the arc of a curve deflecting to the left, said curve having a radius of 99.00 feet, a central angle of 28° 10' 18" and a chord which bears South 32° 09' 33" West, 48.19 feet to a point and the principal place of beginning of the easement herein described;

THENCE WITH THE FOLLOWING SIX (6) COURSES:

1. South 71° 55' 36" East, 50.00 feet to a point;
2. South 18° 04' 24" West, 95.18 feet to a point of curvature;
3. Southwesterly 24.07 feet along the arc of a curve deflecting to the left, said curve having a radius of 49.00 feet, a central angle of 28° 09' 00" and a chord which bears South 03° 59' 54" West, 23.83 feet to a point;
4. South 79° 55' 24" West, 50.00 feet to a point of curvature;
5. Northeasterly 48.64 feet along the arc of a curve deflecting to the right, said curve having a radius of 99.00 feet, a central angle of 28° 09' 00" and a chord which bears North 03° 59' 54" East, 48.15 feet to a point;
6. North 18° 04' 24" East, 95.18 feet to the principal place of beginning.

This survey made and description prepared by Mark E. Purdy, P.S. 7307, on September 30, 2008 (Job No. EW 2266CC).



Boundary description of drive & utility easement for Heritage Blackberry Condominium, Phase 6 (Job No. EW 2266CF)

Situated in the City of Orrville, County of Wayne, State of Ohio;

Known as being a part of Lot 3644 in Blackberry Farm Allotment, Phase 1 as recorded in Volume 28, Page 180 of Wayne County Plat Records and further bounded and described as follows:

Commencing at the northwest corner of said Lot 3644;

Thence S 08° 35' 27" E, 468.70 feet along a westerly line of said Lot 3644 to a point;

Thence N 81° 24' 33" E, 91.44 feet to a point;

Thence N 55° 28' 28" E, 93.10 feet to a point;

Thence S 42° 42' 20" E, 149.97 feet to a point and the principal place of beginning of the easement herein described:

THENCE WITH THE FOLLOWING FOUR (4) COURSES:

- 1) N 79° 55' 24" E, 50.00 feet to a point;
- 2) S 10° 04' 36" E, 36.05 feet to a point;
- 3) S 79° 55' 24" W, 50.00 feet to a point;
- 4) N 10° 04' 36" W, 36.05 feet to the principal place of beginning.

This description was prepared by Mark E. Purdy, P.S. #7307, on September 23, 2014 (Job No. EW 2266CF).

Boundary description of Heritage Blackberry Condominium, Phase 7 Drive & Utility Easement (Job No. EW 2266CG)

Situated in the City of Orrville, County of Wayne, State of Ohio;

Known as being a part of Lot 3644 in Blackberry Farm Allotment, Phase 1 as recorded in Volume 28, Page 180 of Wayne County Plat Records and further bounded and described as follows:

Commencing at the northwest corner of said Lot 3644;

Thence S 08° 35' 27" E, 575.03 feet along a westerly line of said Lot 3644 to a point;

Thence N 81° 24' 33" E, 160.89 feet to a point;

Thence N 69° 51' 04" E, 53.09 feet to a point;

Thence N 79° 55' 24" E, 34.67 feet to a point;

Thence S 35° 43' 05" E, 27.73 feet to a point and the principal place of beginning of the easement herein described:

THENCE WITH THE FOLLOWING FOUR (4) COURSES:

- 1) N 79° 55' 24" E, 50.00 feet to a point;
- 2) S 10° 04' 36" E, 118.53 feet to a point;
- 3) S 79° 55' 24" W, 50.00 feet to a point;
- 4) N 10° 04' 36" W, 118.53 feet to the principal place of beginning.

TOGETHER WITH THE FOLLOWING DRIVE AND UTILITY EASEMENT:

Boundary description of Heritage Blackberry Condominium, Phase 11 drive & utility easement (Job No. EW 2266CK)

Situated in the City of Orrville, County of Wayne, and State of Ohio:

Known as being a part of Lot 3644 in Blackberry Farm Allotment, Phase 1 as recorded in Volume 28; Page 180 of Wayne County Plat Records and further bounded and described as follows:

Commencing at the northwest corner of said Lot 3644;

Thence S 08° 35' 27" E, 642.91 feet along a westerly line of said Lot 3644 to a capped pin marked "S.J.L., INC." found;

Thence S 20° 12' 18" W, 45.67 feet along a westerly line of said Lot 3644 to a point;

Thence S 89° 35' 46" E, 171.09 feet to a point;

Thence N 79° 55' 24" E, 116.32 feet to a point and the principal place of beginning of the easement herein described:

THENCE WITH THE FOLLOWING FOUR (4) COURSES:

1. continuing **N 79° 55' 24" E, 50.00** feet to a point;
2. **S 00° 24' 14" W, 155.75** feet to a point;
3. **N 89° 35' 46" W, 50.00** feet to a point;
4. **N 00° 43' 47" E, 146.66** feet to the principal place of beginning.

[End of Exhibit "A"]



**SHAFFER, JOHNSTON, LICHTENWALTER
& ASSOCIATES, INC.
ENGINEERS & SURVEYORS**



**BOUNDARY DESCRIPTION FOR HERITAGE BLACKBERRY CONDOMINIUM,
PHASE 13 (0.477 AC.)** Job No. EW 2266CM

Situated in the City of Orrville, Township of Green, T-17N; R-12W, Northeast Quarter Section 23, County of Wayne, and State of Ohio:

Known as being a part of Lot 3644 in the Blackberry Farm Allotment, Phase 1 as recorded in Volume 28; Page 180 of Wayne County Plat Records and further bound and described as follows:

Commencing at a 5/8" rebar found at the northeast corner of said Lot and being on the westerly right-of-way line of North Crown Hill Road;

Thence S 00° 24' 14" W, 553.73 feet along the westerly right-of-way line of said North Crown Hill Road;

Thence N 89° 35' 46" W, 76.86 feet to a point;

Thence S 00° 24' 14" W, 29.22 feet to a point;

Thence S 73° 47' 44" W, 131.90 feet to the principal place of beginning of the parcel herein described:

TENCE WITH THE FOLLOWING FOUR (4) COURSES:

1. S 10° 04' 36" E, 138.35 feet to a point;
2. S 79° 55' 24" W, 146.22 feet to a point;
3. N 13° 08' 26" W, 122.13 feet to a point;
4. N 73° 47' 44" E, 153.62 feet to the place of beginning and containing within said bounds 0.447 acres of land, more or less, and subject to all legal highways and easements of record.

3477 Commerce Parkway, Suite C □ Wooster, Ohio 44691
Ph. (330) 345-6377 □ Fax (330) 345-6725 □ Email: sjl@sjl-inc.com



Heritage Blackberry Condominium

EXHIBIT "B"

Allocation of Common Element Interests Among Condominium Units
(Phases One, Two, Three, Four, Five, Six, Seven, Eight, Nine, Ten, Eleven, Twelve, and Thirteen)
Page 1

Unit No.	Type	Number of Rooms	Gross Interior Finished SF (1st floor)	Undivided % Interest in Common Elements
<u>Phase One Units:</u>				
1751	Candleberry (basement)	6	1225	1.156
1753	Candleberry (basement)	6	1225	1.156
1755	Candleberry (slab)	6	1225	1.156
1757	Baycrest (slab)	7	1225	1.156
1759	Candleberry (basement)	6	1225	1.156
1761	Baycrest (basement)	7	1225	1.156
1763	Candleberry (slab)	6	1225	1.156
1765	Candleberry (slab + sunroom)	7	1401	1.321
1750	Legacy (basement)	9	1504	1.419
1752	Legacy (basement)	9	1504	1.419
1754	Candleberry (basement)	6	1225	1.156
1756	Candleberry (bsmt + sunroom)	7	1401	1.321
1758	Baycrest (slab)	7	1225	1.156
1760	Candleberry (slab)	6	1225	1.156
1767	Baycrest (basement)	7	1225	1.156
1769	Candleberry (basement)	6	1225	1.156
1771	Candleberry (slab)	6	1225	1.156
1773	Baycrest (slab)	7	1225	1.156

Phase Two Units:

1783	Candleberry (slab)	6	1225	1.156
1785	Candleberry (bsmt + sunroom)	7	1401	1.321
1787	Baycrest (slab)	7	1225	1.156
1789	Baycrest (basement)	7	1225	1.156
1775	Candleberry (basement)	6	1225	1.156
1777*	Baycrest (bsmt + 3-season room)	7	1257	1.186
1779	Baycrest (basement)	7	1225	1.156
1781	Candleberry (bsmt + sunroom)	7	1401	1.321
1874*	Candleberry (slab + 3-season rm)	6	1257	1.186
1876	Candleberry (bsmt + sunroom)	7	1401	1.321
1878	Baycrest (slab + sunroom)	8	1401	1.321
1880	Candleberry (bsmt + sunroom)	7	1401	1.321
1882	Candleberry (slab + sunroom)	7	1401	1.321
1884	Legacy (basement)	9	1504	1.419
1886*	Baycrest (slab + 3-season room)	7	1257	1.186
1888	Legacy (basement)	9	1504	1.419

*NOTE: Plat in Vol. 28, Pg. 311 is amended accordingly for these units.

Heritage Blackberry Condominium

EXHIBIT "B"

Allocation of Common Element Interests Among Condominium Units
 (Phases One, Two, Three, Four, Five, Six, Seven, Eight, Nine, Ten, Eleven, Twelve, and Thirteen)

Page 2

NOTE: Phase Three of the Condominium contains no Units; it consists entirely of the recreational building and related improvements, all of which are part of the Common Elements of the Condominium.

Unit No.	Type	Number of Rooms	Gross Interior Finished SF (1st floor)	(manual)
<u>Phase Four Units:</u>				
1762	Baycrest (basement)	7	1225	1.156
1764	Candleberry (basement)	6	1225	1.156
1766	Kensington (slab)	6	1098	1.036
1768	Campton (slab)	5	1046	0.987
<u>Phase Five Units:</u>				
1858	Candleberry (bsmt + sunroom)	7	1401	1.321
1860	Baycrest (slab)	7	1225	1.156
1862	Legacy [new] (basement)	9	1475	1.391
1864	Candleberry (slab + sunroom)	7	1401	1.321
<u>Phase Six Units:</u>				
1850	Candleberry (bsmt + sunroom)	7	1401	1.321
1852	Candleberry (bsmt + sunroom)	7	1401	1.321
1854	Candleberry (bsmt + sunroom)	7	1401	1.321
1856	Baycrest[new](bsmt + 3-season rm)	7	1257	1.186
<u>Phase Seven Units:</u>				
1833	Legacy [new] (basement)	9	1475	1.391
1835	Legacy [new] (basement)	9	1475	1.391
1837	Candleberry (slab)	6	1225	1.156
1839	Candleberry (slab + sunroom)	7	1401	1.321
1841	Candleberry (bsmt + sunroom)	7	1401	1.321
1843	Candleberry (bsmt + sunroom)	7	1401	1.321
<u>Phase Eight Units:</u>				
1770	Candleberry (slab)	6	1225	1.155
1772	Candleberry (slab + sunroom)	7	1401	1.321
1774	Candleberry (bsmt + sunroom)	7	1401	1.321
1776	Candleberry (bsmt + sunroom)	7	1401	1.321



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Heritage Blackberry Condominium

EXHIBIT "B"

Allocation of Common Element Interests Among Condominium Units
(Phases One, Two, Three, Four, Five, Six, Seven, Eight, Nine, Ten, Eleven, Twelve, and Thirteen)

Page 3

Unit No.	Type	Number of Rooms	Gross Interior Finished SF	(manual)
<u>Phase Nine Units:</u>				
1778	Candleberry (slab)	6	1225	1.155
1780	Candleberry (slab + sunroom)	7	1401	1.321
1782	Candleberry (bsmt + sunroom)	7	1401	1.321
1784	Candleberry (bsmt + sunroom)	7	1401	1.321
<u>Phase Ten Units:</u>				
1786	Candleberry (slab)	6	1225	1.155
1788	Candleberry (slab + sunroom)	7	1401	1.321
1790	Candleberry II (bsmt + sunroom)	7	1401	1.321
1792	Candleberry (basmt + sunroom)	7	1401	1.321
<u>Phase Eleven Units:</u>				
1817	Candleberry (slab + sunroom)	7	1401	1.321
1819	Candleberry II (slab)	6	1225	1.155
1821	Candleberry (basement)	6	1225	1.155
1823	Candleberry (bsmt + sunroom)	7	1401	1.321
1825	Candleberry (slab)	6	1225	1.155
1827	Candleberry (slab + sunroom)	7	1401	1.321
1829	Candleberry II (bsmt + sunroom)	7	1401	1.321
1831	Candleberry (bsmt + sunroom)	7	1401	1.321
<u>Phase Twelve Units:</u>				
1725	Baycrest (slab)	7	1225	1.155
1727	Candleberry (slab + sunroom)	7	1401	1.321
1729	Candleberry II (bsmt + sunroom)	7	1401	1.321
1731	Candleberry (bsmt + sunroom)	7	1401	1.321
<u>Phase Thirteen Units:</u>				
1733	Candleberry (slab)	7	1225	1.155
1735	Candleberry (slab + sunroom)	7	1401	1.321
1737	Candleberry II (bsmt + sunroom)	7	1401	1.321
1739	Candleberry (bsmt + sunroom)	7	1401	1.321
TOTALS			106024	100.000

[End of Exhibit B]