

WAYNE COUNTY TAX MAP
Initials SOLD FILE# 2024-0674
DATE 2/29/2024
IDENT. CG052

20240001858 03/01/2024 02:29 PM
Filed for Record in WAYNE County, Ohio
Jane Carmichael Rec Fees: \$202.00
D&B OR Vol 961 Pgs 3111 - 3132

This Conveyance has been examined and the
Grantor has complied with Section 319 202
Of the Revised Code.

FEE \$ _____
EXEMPT

20240001857 03/01/2024 02:29 PM
Filed for Record in WAYNE County, Ohio
Jane Carmichael Rec Fees: \$240.00
COND OR Vol 34 Pgs 51 - 56

Russell Robertson, County Auditor

AMT. PD \$2.00 DATE 3/1/24
Russell Robertson, AUDITOR

JoAnna Hatten DEPUTY
JoAnna Hatten

AMENDMENT NUMBER SEVENTEEN TO

THE DECLARATION ESTABLISHING A PLAN FOR

CONDOMINIUM OWNERSHIP

UNDER CHAPTER 5311 OF THE OHIO REVISED CODE

FOR

HERITAGE BLACKBERRY CONDOMINIUM
(ESTABLISHING PHASE FIFTEEN)

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: 3/1/2024

Russell Robertson, Wayne County Auditor

By: JoAnna Hatten
Deputy Auditor JoAnna Hatten

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



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

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., as to matters other than expansion of the Condominium, 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 Ten"), together with the building thereon (hereinafter referred to as the "Phase Ten 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 Twelve to Declaration of Condominium Ownership for Heritage Blackberry Condominium (Establishing Phase Ten)", together with the Drawings recorded in connection therewith, said Amendment Number Twelve being recorded in Wayne County Official Records Volume 898, Pages 841-854, and said Drawings being recorded in Wayne County Plat Records Volume 32, Pages 18-23;

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 building thereon (hereinafter referred to as the "Phase Twelve 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 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, 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 Thirteen"), together with the building thereon (hereinafter referred to as the "Phase Thirteen 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 Fifteen to Declaration of Condominium Ownership for Heritage Blackberry Condominium (Establishing Phase Thirteen)", together with the Drawings recorded in connection therewith, said Amendment Number Fifteen being recorded in Wayne County Official Records Volume 932, Pages 5316-5331, and said Drawings being recorded in Wayne County Plat Records Volume 33, Pages 52-57;



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 Fourteen"), together with the building thereon (hereinafter referred to as the "Phase Fourteen 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 Sixteen to Declaration of Condominium Ownership for Heritage Blackberry Condominium (Establishing Phase Fourteen)", together with the Drawings recorded in connection therewith, said Amendment Number Sixteen being recorded in Wayne County Official Records Volume 942, Pages 3668-3684, and said Drawings being recorded in Wayne County Plat Records Volume 33, Pages 205-210;

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

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

WHEREAS, the general architectural design, quality, appearance, and materials used in the construction of the Phase Fifteen 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 through Phase Fourteen, inclusive, and the Common Elements surrounding the same;

WHEREAS, the Units in Phase Fifteen and the Common Elements in Phase Fifteen shall be subject to the same uses, purposes, covenants, and restrictions as the Units in Phase One through Phase Fourteen, inclusive, and the Common Elements in Phase One through Phase Fourteen, inclusive, and shall be subject, as one single Condominium, to the provisions of the Declaration, as amended;

WHEREAS, when the Phase Fifteen Land and the Phase Fifteen 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 Fifteen Land, Phase Fifteen 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 Fifteen Land (described on **EXHIBIT "A"** attached hereto), which together with the Phase Fifteen 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 Fifteen are the same as in the original Declaration, except that Phase Fifteen contains one (1) building, containing four (4) Units, for a total of four (4) Units in Phase Fifteen.

(b) Other improvements located on the Phase Fifteen 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 15.

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-EIGHT (88) 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 Fifteen Land, being the land described on **EXHIBIT "A" (Legal Description of Condominium Property - Phase Fifteen)** 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 through**



Fifteen, inclusive) 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, 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, as amended by the Drawings recorded in Plat Volume 33, Pages 52-57, and as amended by the Drawings recorded in Plat Volume 33, Pages 205-210, are hereby amended by adding thereto the Drawings for Heritage Blackberry Condominium, Phase 15, to be recorded concurrently with this Amendment Number Seventeen.

8. Each owner of a Unit in Phase One through Phase Fifteen, inclusive, 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 Seventeen, 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 Seventeen by its duly Attorney-in-Fact this 21st day of February, 2024.

WWM PROPERTIES, LTD.

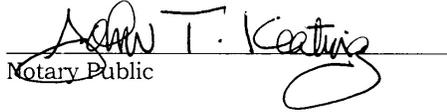
By: 
**Merle Stutzman, Attorney-in-Fact
(Pursuant to Limited Power of
Attorney recorded in Official
Records Volume 961, Page 2668)**



202400001858
BK 961 PG 3119

STATE OF OHIO)
)
WAYNE COUNTY) ss:

The foregoing instrument was acknowledged before me this 21st day of February, 2024, by **Merle Stutzman, Attorney-in-Fact**, 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.


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 Fifteen

EXHIBIT "A"

Legal Description of Condominium Property

(Phase Fifteen)

See attached description, captioned "Boundary Description of Heritage Blackberry Condominium, Phase 15), Job No. EW 2266CO" 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, 12, 13, and 14):

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.

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.

TOGETHER WITH THE FOLLOWING TWO (2) DRIVE AND UTILITY EASEMENTS:

- (1) See attached description, captioned BOUNDARY DESCRIPTION OF HERITAGE BLACKBERRY CONDOMINIUM, PHASE 15 DRIVE & UTILITY EASEMENT (Job No. EW 2266CO);



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BK 961 PG 3124

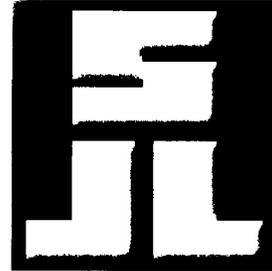
- (2) See attached description, captioned BOUNDARY DESCRIPTION OF HERITAGE BLACKBERRY CONDOMINIUM, PHASE 15 DRIVE EASEMENT (Job No. EW 2266CO).

[End of Exhibit "A"]



202400001858
BK 961 PG 3125

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



**BOUNDARY DESCRIPTION OF HERITAGE BLACKBERRY
CONDOMINIUM, PHASE 15**

EW 2266CO

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 southwest corner of said Lot 3644;

Thence N 20° 12' 18" E, 352.37 feet along a westerly line of said Lot 3644 to a point and being the principal place of beginning of the parcel herein described:

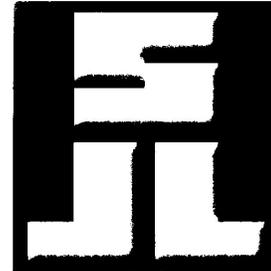
THENCE WITH THE FOLLOWING FOUR (4) COURSES:

1. continuing N 20° 12' 18" E, 142.37 feet to a point;
2. S 89° 35' 46" E, 175.00 feet to a point;
3. S 00° 24' 14" W, 133.95 feet to a point;
4. N 89° 35' 46" W, 223.23 feet to the principal place of beginning and containing within said bounds 0.612 acres of land, more or less, and subject to all legal highways and easements of record.



202400001858
BK 961 PG 3126

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



**BOUNDARY DESCRIPTION OF HERITAGE BLACKBERRY
CONDOMINIUM, PHASE 15 DRIVE & UTILITY EASEMENT**

EW 2266CO

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 southwest corner of said Lot 3644;

Thence N 20° 12' 18" E, 352.37 feet along a westerly line of said Lot 3644 to a point;

Thence S 89° 35' 46" E, 431.59 feet to a point;

Thence N 31° 33' 43" E, 28.20 feet to a point and being the principal place of beginning of the easement herein described:

THENCE WITH THE FOLLOWING SEVEN (7) COURSES:

1. northwesterly **126.00** feet along the arc of a curve deflecting to the right, said curve having a radius of 102.60 feet, a central angle of 70° 21' 54" and a chord which bears N 34° 46' 43" W, 118.23 feet to a point;
2. N 00° 24' 14" E, **13.18** feet to a point;
3. S 89° 35' 46" E, **50.00** feet to a point;
4. S 00° 24' 14" W, **13.18** feet to a point;

Continued on Page 2

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



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BK 961 PG 3127

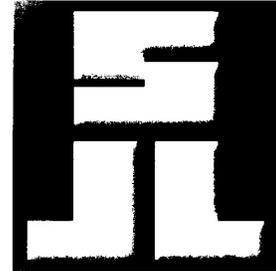
Page 2 (Description Ease.)

5. southeasterly **66.68** feet along the arc of a curve deflecting to the left, said curve having a radius of 52.60 feet, a central angle of 72° 37' 46" and a chord which bears S 35° 54' 39" E, 62.30 feet to a point;
6. **S 17° 46' 28" W, 33.40** feet to a point;
7. **S 31° 33' 43" W, 17.01** feet to the principal place of beginning.



202400001858
BK 961 PG 3128

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



**BOUNDARY DESCRIPTION OF HERITAGE BLACKBERRY
CONDOMINIUM, PHASE 15 DRIVE EASEMENT**

EW 2266CO

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 southwest corner of said Lot 3644;

Thence N 20° 12' 18" E, 352.37 feet along a westerly line of said Lot 3644 to a point;

Thence S 89° 35' 46" E, 223.23 feet to a point and being the principal place of beginning of the easement herein described:

THENCE WITH THE FOLLOWING SIX (6) COURSES:

1. N 00° 24' 14" E, 24.00 feet to a point;
2. S 89° 35' 46" E, 175.58 feet to a point;
3. N 56° 21' 38" E, 25.32 feet to a point;
4. southeasterly 30.00 feet along the arc of a curve deflecting to the left, said curve having a radius of 102.60 feet, a central angle of 16° 45' 11" and a chord which bears N 61° 35' 05" W, 29.89 feet to a point;
5. S 31° 33' 43" W, 28.20 feet to a point;
6. N 89° 35' 46" W, 208.36 feet to the principal place of beginning.

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Heritage Blackberry Condominium

EXHIBIT "B"

Allocation of Common Element Interests Among Condominium Units
(Phases One through Fifteen, inclusive)

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	1.051
1753	Candleberry (basement)	6	1225	1.051
1755	Candleberry (slab)	6	1225	1.051
1757	Baycrest (slab)	7	1225	1.051
1759	Candleberry (basement)	6	1225	1.051
1761	Baycrest (basement)	7	1225	1.051
1763	Candleberry (slab)	6	1225	1.051
1765	Candleberry (slab + sunroom)	7	1401	1.200
1750	Legacy (basement)	9	1504	1.289
1752	Legacy (basement)	9	1504	1.289
1754	Candleberry (basement)	6	1225	1.050
1756	Candleberry (bsmt + sunroom)	7	1401	1.200
1758	Baycrest (slab)	7	1225	1.050
1760	Candleberry (slab)	6	1225	1.050
1767	Baycrest (basement)	7	1225	1.050
1769	Candleberry (basement)	6	1225	1.050
1771	Candleberry (slab)	6	1225	1.050
1773	Baycrest (slab)	7	1225	1.050
<u>Phase Two Units:</u>				
1783	Candleberry (slab)	6	1225	1.050
1785	Candleberry (bsmt + sunroom)	7	1401	1.200
1787	Baycrest (slab)	7	1225	1.050
1789	Baycrest (basement)	7	1225	1.050
1775	Candleberry (basement)	6	1225	1.050
1777*	Baycrest (bsmt + 3-season room)	7	1257	1.077
1779	Baycrest (basement)	7	1225	1.050
1781	Candleberry (bsmt + sunroom)	7	1401	1.200
1874*	Candleberry (slab + 3-season rm)	6	1257	1.077
1876	Candleberry (bsmt + sunroom)	7	1401	1.200
1878	Baycrest (slab + sunroom)	8	1401	1.200
1880	Candleberry (bsmt + sunroom)	7	1401	1.200
1882	Candleberry (slab + sunroom)	7	1401	1.200
1884	Legacy (basement)	9	1504	1.289
1886*	Baycrest (slab + 3-season room)	7	1257	1.077
1888	Legacy (basement)	9	1504	1.289

*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 through Fifteen, inclusive)

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)	Undivided Interest in Common Elements
<u>Phase Four Units:</u>				
1762	Baycrest (basement)	7	1225	1.050
1764	Candleberry (basement)	6	1225	1.050
1766	Kensington (slab)	6	1098	0.941
1768	Campton (slab)	5	1046	0.896
<u>Phase Five Units:</u>				
1858	Candleberry (bsmt + sunroom)	7	1401	1.200
1860	Baycrest (slab)	7	1225	1.050
1862	Legacy [new] (basement)	9	1475	1.264
1864	Candleberry (slab + sunroom)	7	1401	1.200
<u>Phase Six Units:</u>				
1850	Candleberry (bsmt + sunroom)	7	1401	1.200
1852	Candleberry (bsmt + sunroom)	7	1401	1.200
1854	Candleberry (bsmt + sunroom)	7	1401	1.200
1856	Baycrest[new](bsmt + 3-season rm)	7	1257	1.077
<u>Phase Seven Units:</u>				
1833	Legacy [new] (basement)	9	1475	1.264
1835	Legacy [new] (basement)	9	1475	1.264
1837	Candleberry (slab)	6	1225	1.050
1839	Candleberry (slab + sunroom)	7	1401	1.200
1841	Candleberry (bsmt + sunroom)	7	1401	1.200
1843	Candleberry (bsmt + sunroom)	7	1401	1.200
<u>Phase Eight Units:</u>				
1770	Candleberry (slab)	6	1225	1.050
1772	Candleberry (slab + sunroom)	7	1401	1.200
1774	Candleberry (bsmt + sunroom)	7	1401	1.200
1776	Candleberry (bsmt + sunroom)	7	1401	1.200



Heritage Blackberry Condominium

EXHIBIT "B"

Allocation of Common Element Interests Among Condominium Units
(Phases One through Fifteen, inclusive)

Page 3

Unit No.	Type	Number of Rooms	Gross Interior Finished SF (1st floor)	Undivided Interest in Common Elements
<u>Phase Nine Units:</u>				
1778	Candleberry (slab)	6	1225	1.050
1780	Candleberry (slab + sunroom)	7	1401	1.200
1782	Candleberry (bsmt + sunroom)	7	1401	1.200
1784	Candleberry (bsmt + sunroom)	7	1401	1.200
<u>Phase Ten Units:</u>				
1786	Candleberry (slab)	6	1225	1.050
1788	Candleberry (slab + sunroom)	7	1401	1.200
1790	Candleberry II (bsmt + sunroom)	7	1401	1.200
1792	Candleberry (basmt + sunroom)	7	1401	1.200
<u>Phase Eleven Units:</u>				
1817	Candleberry (slab + sunroom)	7	1401	1.200
1819	Candleberry II (slab)	6	1225	1.050
1821	Candleberry (basement)	6	1225	1.050
1823	Candleberry (bsmt + sunroom)	7	1401	1.200
1825	Candleberry (slab)	6	1225	1.050
1827	Candleberry (slab + sunroom)	7	1401	1.200
1829	Candleberry II (bsmt + sunroom)	7	1401	1.200
1831	Candleberry (bsmt + sunroom)	7	1401	1.200
<u>Phase Twelve Units:</u>				
1725	Baycrest (slab)	7	1225	1.050
1727	Candleberry (slab + sunroom)	7	1401	1.200
1729	Candleberry II (bsmt + sunroom)	7	1401	1.200
1731	Candleberry (bsmt + sunroom)	7	1401	1.200
<u>Phase Thirteen Units:</u>				
1733	Candleberry (slab)	6	1225	1.050
1735	Candleberry (slab + sunroom)	7	1401	1.200
1737	Candleberry II (bsmt + sunroom)	7	1401	1.200
1739	Candleberry (bsmt + sunroom)	7	1401	1.200

Heritage Blackberry Condominium

EXHIBIT "B"

Allocation of Common Element Interests Among Condominium Units
(Phases One through Fifteen, inclusive)

Page 4

Unit No.	Type	Number of Rooms	Gross Interior Finished SF (1st floor)	Undivided Interest in Common Elements
<u>Phase Fourteen Units:</u>				
1741	Candleberry (slab)	6	1225	1.050
1743	Candleberry (slab + sunroom)	7	1401	1.200
1745	Candleberry II (bsmt + sunroom)	7	1401	1.200
1747	Candleberry (bsmt + sunroom)	7	1401	1.200
<u>Phase Fifteen Units:</u>				
1809	Easton (basement)	6	1225	1.050
1811	Easton (slab)	6	1225	1.050
1813	Windsor (bsmt + sunroom)	7	1401	1.200
1815	Bexley (slab + sunroom)	7	1401	1.200
TOTALS			116704	100.000

[End of Exhibit B]