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**FIRST AMENDMENT TO MASTER DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS FOR  
THE RESERVE AT THE FAIRWAYS "CONDOMINIUM", PHASE I**

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**PLAT REFERENCE:**

**Book: 195, Page 21**

**Book: 202, Page 1**

**NO TRANSFER NEEDED  
11 SEP 20 AM 8:20  
KARL L. KEITH  
AUDITOR**

**THIS INSTRUMENT PREPARED BY:  
HANS H. SOLTAU  
Attorney at Law  
6776 Loop Road  
Centerville, Ohio 45459**

**FIRST AMENDMENT TO MASTER DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS FOR THE RESERVE AT THE  
FAIRWAYS "CONDOMINIUM" PHASE I**

**THIS FIRST AMENDMENT TO MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE RESERVE AT THE FAIRWAYS "CONDOMINIUM" PHASE I** is made on the date hereinafter set forth by **TREBEIN LIMITED ADK IV**, an Ohio limited liability company, hereinafter referred to as "Declarant" under the circumstances summarized in the following Recitals.

**RECITALS**

A. On April 18, 2005 the Declarant filed the Master Declaration of Covenants, Conditions and Restrictions for The Reserve At the Fairways "Condominium" Phase I, hereinafter referred to as the "Master Declaration", with the Recorder of Montgomery County, Ohio which was recorded at SP-I-05-035097 of the Instrument Records.

B. The Master Declaration submitted the following described real property, hereinafter referred to as the "Property" to its provisions:

Situate in the City of Huber Heights, County of Montgomery, State of Ohio and being Lots 1 through 13, inclusive, together with Reserve Areas A, B, C and D of The Reserve At The Fairways Section One, as recorded in Plat Book 195, Page 21 of the Plat Records of Montgomery County, Ohio.

C. A part of the Property was subsequently re-platted and as a result of such re-plat the Property now consists of the following:

Situate in the City of Huber Heights, County of Montgomery, State of Ohio and being Lots 1, 2, 3 and 4, together with Reserve Areas A, B and C of The Reserve At The Fairways Section One, as recorded in Plat Book 195, Page 21 of the Plat Records of Montgomery County, Ohio.

Situate in the City of Huber Heights, County of Montgomery, State of Ohio and being Lots 14, 15 and 16 of The Reserve At The Fairways Section One-A, as recorded in Plat Book 202, Page 1 of the Plat Records of Montgomery County, Ohio.

D. Pursuant to Section 12.02 of the Master Declaration the Declarant reserved and retained the right to amend the Master Declaration during the Development Period as defined in Section 1.18 of the Master Declaration.

E. This First Amendment is being recorded for the purpose of amending the Master Declaration to conform to Declarant's present and/or future development plans for the Property and to correct certain typographical errors.

NOW, THEREFORE, Declarant amends the Master Declaration as follows.

1. All of the terms used herein which are defined in the Master Declaration shall be interpreted to have the same meaning as defined in the Master Declaration, unless specifically hereinafter defined.

2. Section 1.13 of the Master Declaration is hereby amended to change the reference to Section 4.02 therein to Section 5.02.

3. Section 1.18 of the Master Declaration is hereby amended to change the reference of ten (10) years therein, to fifteen (15).

4. Section 3.02 of the Master Declaration is hereby amended by deleting the property descriptions therein and substituting the following:

Situate in the City of Huber Heights, County of Montgomery, State of Ohio and being Lots 1, 2, 3, and 4 of The Reserve At The Fairways Section One, as recorded in Plat Book 195, Page 21 of the Plat Records of Montgomery County, Ohio.

Situate in the City of Huber Heights, County of Montgomery, State of Ohio and being Lots 14, 15 and 16 of The Reserve At The Fairways Section One, as recorded in Plat Book 195, Page 21 of the Plat Records of Montgomery County, Ohio.

5. Section 3.03 of the Master Declaration is hereby amended by deleting the property description therein and substituting the following:

Situate in the City of Huber Heights, County of Montgomery, State of Ohio and being Reserve Areas A, B and C of The Reserve At The Fairways Section One as recorded in Plat Book 195, Page 21 of the Plat Records of Montgomery County, Ohio.

6. Section 4.03 of the Master Declaration is hereby amended by deleting the provisions thereof and substituting the following:

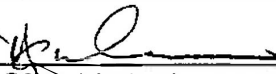
Tie-In Rights and Access Easements. The following rights and/or easements are hereby reserved and/or granted to the Property:

- (a) The right of Declarant to use, tie into and extend all existing utility lines for the purpose of serving any part of the Property.
- (b) A right-of-way and easement for ingress and egress over and through any improvements thereon as depicted and delineated in the access easements on the Plat(s) which are referenced therein as Salon Circle, Lyon Street and Monte Carlo Way. Such right-of-way is for the benefit of Declarant and any owners of part of the Property, their successors and assigns.

7. Unless specifically hereinabove amended, all of the provisions of the Master Declaration shall be and hereby are declared to remain in full force and effect.

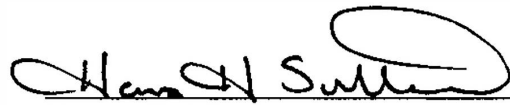
**EXECUTED** on the date set forth in the acknowledgement of the signature below.

**TREBEIN LIMITED ADK IV**

By:   
\_\_\_\_\_  
Gary M. Anderson  
Member

**STATE OF OHIO, COUNTY OF MONTGOMERY, SS:**

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of September, 2011 by Gary M. Anderson, Member of Trebein Limited ADK IV, an Ohio limited liability company, on behalf of such company.

  
\_\_\_\_\_  
Notary Public

**THIS INSTRUMENT PREPARED BY:**

**HANS H. SOLTAU**  
Attorney at Law  
6776 Loop Road  
Centerville, Ohio 45459

**HANS H. SOLTAU, Attorney at Law**  
Notary Public, State of Ohio  
My Commission has no expiration date  
Section 147.03 O. R. C.

