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Robert G. Montgomery
Franklin County Recorder

FOR REFERENCE PLEASE SEE
CONDOMINIUM PLAT BOOK NO. 208 PAGE 27-40

FIRST AMENDMENT
TO

DECLARATION OF CONDOMINIUM
PRESCOTT PLACE CONDOMINIUM

Condo plat
200812050174823

This first amendment to the Declaration of PRESCOTT PLACE CONDOMINIUM is made on or as of this 25th day of November, 2008.

Recitals

A. Prescott Place Condominium ("the Condominium") is a condominium created pursuant to the provisions of Chapter 5311 of the Revised Code of Ohio ("the Condominium Act") by the filing of the Declaration of Prescott Place Condominium ("the Declaration"), recorded as Instrument No. 200706050097835, and the Drawings thereof ("the Drawings"), recorded in Condominium Plat Book 187, Page 46, et seq. (Instrument No. 200706050097836), both of the records of the Recorder of Franklin County, Ohio.

B. Pursuant to the provisions of Article XVI of the Declaration, and the provisions of the Condominium Act, the Declarant, Pizzuti Prescott Place LLC, desires by this amendment to add Additional Property to the Condominium, which Additional Property, hereinafter described, meets all of the criteria and qualifications for addition to the Condominium described in that Article.

Declaration

NOW THEREFORE, Declarant, the sole creator of the Condominium and the sole owner of the property hereinafter described to be added to the Condominium, hereby amends the Declaration and Drawings to expand the Condominium and declares the Condominium Property of the Condominium to be expanded by addition of the property hereinafter described, as follows:

1. Definitions. All terms used herein shall have the same meanings as those terms have as used and defined in the Declaration.

2. Additional Property Added. A legal description of the portion of the property added hereby to the Condominium Property, consisting of 0.921 acres, more or less, and being a part of the Additional Property, is attached hereto, marked "Exhibit A", and hereby made a part hereof. A sketch plot plan of the property is attached hereto, marked "Exhibit B", and hereby made a part hereof.

3. Name. The Condominium, as expanded hereby, shall continue to be named "Prescott Place Condominium".

4. Purposes. The purposes of the Condominium shall continue to be as set forth in the Declaration (encompassing the additional property added hereby).

5. Improvement Description. The Additional Property added to the Condominium Property hereby contains three residential buildings, consisting of two residential buildings each containing three side-by-side two story dwelling units, and one residential building containing two side-by-side three story dwelling units, adding eight (8) dwelling units, and expanding the Condominium to include a total of twenty-three (23) dwelling units. The two residential buildings each containing three two story dwelling units with cathedral ceilings in some rooms, are built on poured concrete wall foundations, with wood frames, a combination of stucco and cultured stone exteriors, and a combination of standing seam metal, rubber and asphalt shingle roofs, each dwelling Unit having an attached two car garage and a basement. The residential building containing two three story dwelling units is built with a stone and masonry block foundation, wood frame, slate roof, and stone exterior with some HardiPlank® (or equivalent), each dwelling Unit having an attached three car garage and basement. The principal materials of which the buildings are constructed are wood, glass, concrete, stucco, cultured stone, copper rubber, asphalt shingle, slate, drywall and HardiPlank® (or equivalent) material, although each building may not contain all of the aforementioned materials. The buildings added hereby are located as shown on the First Amendment to the Drawings and on Exhibit B.

(Continued next page)

CERTIFICATE OF AUDITOR

A copy of this First Amendment to the Declaration for Prescott Place Condominium, together with the First Amendment to the Drawings attached thereto, were filed with this office on Dec 5th, 2008.

Franklin County Auditor

By Sharon Rish
Deputy Auditor

TRANSFERRED

DEC 05 2008

JOSEPH W. TESTA
AUDITOR
FRANKLIN COUNTY, OHIO

Also on the Additional Property, added hereby, are private drives and roadways, sidewalks, paved parking areas, entry features and green and landscaped areas that adjoin the residential buildings. Improvements on the property added hereby are compatible in terms of quality of construction, principal materials used, and architectural style and design to the improvements now a part of the Condominium Property.

6. Units.

A. Unit Designations. Each of the Units added to the Condominium hereby is designated on the amendment to the Drawings filed simultaneously herewith, and attached hereto (although the same may be detached herefrom upon filing by the Franklin County Recorder and filed in separate records), labeled "The Drawings Prescott Place Condominium First Amendment," by number assigned by the Declarant for the Unit and is shown on the Drawings where that Unit is located. An example of an appropriate Unit designation is "1531". A listing of the type and composition of all Units that may be in the Condominium is set forth on the exhibit attached hereto, marked "Exhibit D", and hereby made a part hereof. The designations of the Units added hereby and of each Unit heretofore part of the Condominium is set forth on "Exhibit C" attached hereto and hereby made a part hereof.

B. Composition of Units. Each Unit added hereby constitutes a single freehold estate and consists, among other things, of the space in the building designated on the amendment to the drawings filed simultaneously herewith with that Unit's Unit designation, including and excluding, as appropriate, those same items as are described and defined in the description of Unit types on the attached Exhibit D and in the Declaration. The type of each Unit added hereby (and of each other Unit) is also shown on Exhibit C. Floor plan layouts and elevation drawings for the Units added hereby are shown on the amendment to the Drawings filed simultaneously herewith.

C. Unit Locations. The location of each Unit added hereby is shown on the amendment to the Drawings filed simultaneously herewith, and is also shown on Exhibit B. Each Unit has direct access to Common Elements leading directly to Roxbury Avenue and Arlington Avenue, public streets.

7. Common and Limited Common Elements.

A. Common Elements. All of the Additional Property, which is hereby added hereto, including all of the land, and all improvements thereon and appurtenances thereto, except those portions labeled or described herein or in the amendment to the Drawings filed herewith as a part of a Unit, are Common Elements.

B. Limited Common Elements. Those portions of the Common Elements that are labeled or designated "limited common elements" on the amendment to the Drawings filed herewith, or so described herein, are Limited Common Elements and with respect to each Unit, consist of one or more unenclosed porches, and in some instances, a driveway area, deck, roof terrace and/or one or more private patio/yard areas, and the improvements within that area (except for utility lines that serve another Unit and components of the Unit). Each such Limited Common Element is reserved for the exclusive use of the Owners and Occupants of the Unit or Units it is described, designed or designated to serve.

C. Undivided Interests. The undivided interest in the Common Elements of each Unit in the Condominium, as expanded hereby, and as thereby allocated and reallocated, are as designated on Exhibit C, and, in each case, is based on a par value that has been assigned to each type of Unit, as shown on the attached Exhibit D. This Exhibit C supersedes, in its entirety, Exhibit C of the Declaration, and all amendments thereto. The Common Elements shall be owned by the Unit owners as tenants in common, and ownership thereof shall remain undivided. No Unit owner may waive or release any rights in the Common Elements. Further, the undivided interest in the Common Elements of a Unit shall not be separated from the Unit to which it appertains.

8. Effects of Expansion. Upon the filing for record of this amendment to the Declaration adding Additional Property to the Condominium Property:

A. the added portion shall thereafter be subject to all of the terms and provisions of the Declaration, to the same extent and with the same effect as if that added portion had been provided herein as constituting part of the Condominium Property, that is, the rights, easements, covenants, restrictions and assessment plan set forth therein shall run with and bind the added portion in the same manner, to the same extent, and with the same force and effect as the terms of the Declaration apply to the Condominium Property;

B. the owner or owners of the added portion shall thereupon become members, to the same extent, with the same effect, subject to the same obligations, and imbued with the same rights, as all other members; and

C. in all other respects, all of the provisions of the Declaration shall include and apply to such additional portion, and to the owners, mortgagees and lessees thereof, with equal meaning and of like force and effect.

IN TESTIMONY WHEREOF, the undersigned has executed and acknowledged this instrument this 25 day of NOVEMBER, 2008.

PIZZUTI PRESCOTT PLACE LLC,
an Ohio limited liability company

By Scott B. West
Scott B. West, Senior Vice-President

STATE OF OHIO
COUNTY OF FRANKLIN, SS:

This instrument was acknowledged before me by Scott B. West, the Senior Vice-President of PIZZUTI PRESCOTT PLACE LLC, an Ohio limited liability company, on behalf of said limited liability company on this 25 day of NOVEMBER 2008.



RON G. SCHWINE
Notary Public, State of Ohio
My Commission Expires
11-30-11

RGS
Notary Public

This instrument prepared by Marie C. Donofrio, Attorney at Law, Loveland & Brosius, LLC, 50 West Broad Street, Suite 3300, Columbus, Ohio 43215.

EXHIBIT A

FIRST AMENDMENT
DECLARATION OF CONDOMINIUM
PRESCOTT PLACE CONDOMINIUM

Legal Description, Property Added
(0.921 acres)

Situated in the State of Ohio, County of Franklin, City of Marble Cliff, Fractional Township 1 North, Range 23 West, Congress Lands East of the Scioto River, part of Lots 14 and 15 as delineated on the Plat of Arlington Place, of record in Plat Book 4, Page 183 and re-filed in Plat Book 17, Page 196, being a 0.921 acre tract of land all out of that 2.72 acre tract as described in a deed to Pizzuti Prescott Place LLC, an Ohio Limited Liability Company, filed on January 03, 2006 of record in Instrument Number 200601030000843, (all records referenced herein are on file in the Recorder's Office, Franklin County, Ohio) said 0.921 acre tract being more particularly described as follows:

Commencing for Reference at a 1" iron pipe found (no cap) at the intersection of the northerly right of way line of Cardigan Avenue (60 feet wide) and the easterly right of way line of Roxbury Road (60 feet wide), said iron pin being the southwesterly corner of said Lot 14 and the southwesterly corner of Prescott Place Condominium, of record in Condominium Plat Book 187, Page 46;

Thence South 80° 36' 29" East, along the northerly right of way line of said Cardigan Avenue, the southerly line of said Lot 14, the southerly line of said Prescott Place Condominium, a distance of 274.81 feet to a 1" iron pipe found (no cap) at the intersection of the northerly right of way line of said Cardigan Avenue and the westerly right of way line of Arlington Avenue (60 feet wide), at the southeasterly corner of said Lot 14, at the southeasterly corner of said Prescott Place Condominium;

Thence North 06° 16' 29" West, along the westerly right of way line of said Arlington Avenue, along the easterly line of said Lot 14, the easterly line of said Prescott Place Condominium, a distance of 130.30 feet to a magnail set at a northeasterly corner of said Prescott Place Condominium, and being the **TRUE POINT OF BEGINNING** of the 0.921 acre tract herein described:

Thence South 83° 43' 31" West, into said Lot 14, along a northerly line of said Prescott Place Condominium, a distance of 46.63 feet to a magnail set;

Thence North 80° 34' 00" West, continuing through said Lot 14, along a northerly line of said Prescott Place Condominium, a distance of 129.60 feet to a magnail set;

Thence North 19° 00' 00" West, continuing through said Lot 14, into said Lot 15, along an easterly line of said Prescott Place Condominium, a distance of 186.90 feet to a magnail set;

EXHIBIT A (Continued)

FIRST AMENDMENT
DECLARATION OF CONDOMINIUM
PRESCOTT PLACE CONDOMINIUM

Legal Description, Property Added
(0.921 acres)

Thence North 69° 22' 55" East, continuing through said Lot 15, along a southerly line of said Prescott Place Condominium, a distance of 78.55 feet to an iron pin set in a westerly line of Cotswold Condominium, of record in Plat Book 169, Pages 17-23, and being a southeasterly corner of said Prescott Place Condominium;

Thence South 28° 23' 56" East, continuing through said Lot 15, along a westerly line of said Cotswold Condominium, a distance of 17.15 feet to an iron pin set at a southwesterly corner of Cotswold Condominium;

Thence North 83° 43' 31" East, continuing through said Lot 15, along the southerly line of said Cotswold Condominium, a distance of 130.00 feet to a cut cross on the top of a stone pillar on the westerly right-of-way line of said Arlington Avenue;

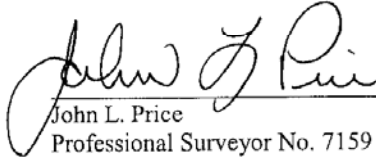
Thence South 06° 16' 29" East, along the easterly line of said Lot 15 and said Lot 14, along the westerly right-of-way line of said Arlington Avenue, a distance of 220.97 feet to the **TRUE POINT OF BEGINNING** and containing 0.921 acre of land.

Bearings are based on North 19° 00' 00" West, along the easterly right-of-way line of said Roxbury Road, from a survey done by Jennings-Lawrence Company on June 11, 1948 found on file at the Franklin County Engineers Office.

The foregoing description was prepared by the BRH Group, Inc., from actual field surveys performed in February 2005, March 2007 and November 2008. Iron pins referenced as being set are 5/8" rebar 30" long with yellow plastic cap marked "BRH GROUP".



BRH Group, Inc.


John L. Price
Professional Surveyor No. 7159 12/01/08

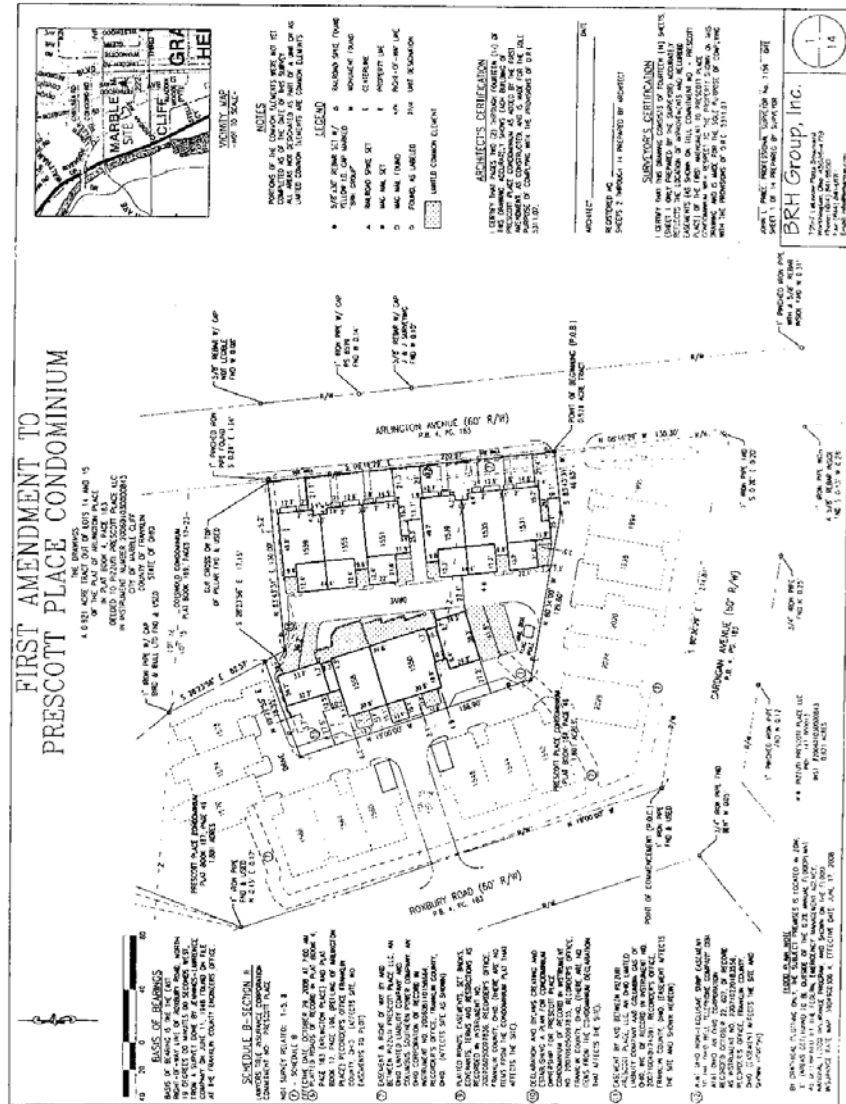
Job # 20032.16

BRH GROUP, INC.
705-F Lakeview Plaza Boulevard, Worthington, Ohio 43085-4779
Phone: 614-841-9500 Fax: 614-841-0170

EXHIBIT B

**FIRST AMENDMENT
DECLARATION OF CONDOMINIUM
PRESCOTT PLACE CONDOMINIUM**

Sketch Plot Plan, Property Added



- NOTES**
- 1. PORTIONS OF THE COMMON ELEMENTS SHOWN ARE NOT SHOWN TO SCALE.
 - 2. PORTIONS OF THE COMMON ELEMENTS SHOWN ARE NOT SHOWN TO SCALE.
 - 3. PORTIONS OF THE COMMON ELEMENTS SHOWN ARE NOT SHOWN TO SCALE.
 - 4. PORTIONS OF THE COMMON ELEMENTS SHOWN ARE NOT SHOWN TO SCALE.
 - 5. PORTIONS OF THE COMMON ELEMENTS SHOWN ARE NOT SHOWN TO SCALE.
- LEGEND**
- 1. UNITS
 - 2. COMMON ELEMENTS
 - 3. EXISTING BUILDINGS
 - 4. PROPOSED BUILDINGS
 - 5. EXISTING DRIVEWAYS
 - 6. PROPOSED DRIVEWAYS
 - 7. EXISTING SIDEWALKS
 - 8. PROPOSED SIDEWALKS
 - 9. EXISTING STREETS
 - 10. PROPOSED STREETS
 - 11. EXISTING UTILITIES
 - 12. PROPOSED UTILITIES

AGREEMENTS/DEFINITIONS

1. ALL RIGHTS AND INTERESTS IN THE COMMON ELEMENTS SHOWN ARE RESERVED BY THE DECLARANT.

2. THE COMMON ELEMENTS SHOWN ARE RESERVED BY THE DECLARANT.

3. THE COMMON ELEMENTS SHOWN ARE RESERVED BY THE DECLARANT.

4. THE COMMON ELEMENTS SHOWN ARE RESERVED BY THE DECLARANT.

5. THE COMMON ELEMENTS SHOWN ARE RESERVED BY THE DECLARANT.

BRH Group, Inc.
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**FIRST AMENDMENT TO
PRESCOTT PLACE CONDOMINIUM**

4.8.2011 AMENDMENT TO THE DECLARATION OF THE PRESCOTT PLACE CONDOMINIUM, INC. IS HEREBY AMENDED TO ADD THE FOLLOWING UNITS AND COMMON ELEMENTS TO THE DECLARATION OF THE PRESCOTT PLACE CONDOMINIUM, INC. AS SHOWN ON THE ATTACHED SKETCH PLOT PLAN.

BASES OF RECORDS

1. THE DECLARATION OF THE PRESCOTT PLACE CONDOMINIUM, INC. IS HEREBY AMENDED TO ADD THE FOLLOWING UNITS AND COMMON ELEMENTS TO THE DECLARATION OF THE PRESCOTT PLACE CONDOMINIUM, INC. AS SHOWN ON THE ATTACHED SKETCH PLOT PLAN.

SCHEDULE B - RECORDS

1. THE DECLARATION OF THE PRESCOTT PLACE CONDOMINIUM, INC. IS HEREBY AMENDED TO ADD THE FOLLOWING UNITS AND COMMON ELEMENTS TO THE DECLARATION OF THE PRESCOTT PLACE CONDOMINIUM, INC. AS SHOWN ON THE ATTACHED SKETCH PLOT PLAN.

EXHIBIT A - SKETCH PLOT PLAN

1. THE DECLARATION OF THE PRESCOTT PLACE CONDOMINIUM, INC. IS HEREBY AMENDED TO ADD THE FOLLOWING UNITS AND COMMON ELEMENTS TO THE DECLARATION OF THE PRESCOTT PLACE CONDOMINIUM, INC. AS SHOWN ON THE ATTACHED SKETCH PLOT PLAN.

EXHIBIT B - LEGEND

1. THE DECLARATION OF THE PRESCOTT PLACE CONDOMINIUM, INC. IS HEREBY AMENDED TO ADD THE FOLLOWING UNITS AND COMMON ELEMENTS TO THE DECLARATION OF THE PRESCOTT PLACE CONDOMINIUM, INC. AS SHOWN ON THE ATTACHED SKETCH PLOT PLAN.

EXHIBIT C - NOTES

1. THE DECLARATION OF THE PRESCOTT PLACE CONDOMINIUM, INC. IS HEREBY AMENDED TO ADD THE FOLLOWING UNITS AND COMMON ELEMENTS TO THE DECLARATION OF THE PRESCOTT PLACE CONDOMINIUM, INC. AS SHOWN ON THE ATTACHED SKETCH PLOT PLAN.

EXHIBIT C
FIRST AMENDMENT
DECLARATION OF CONDOMINIUM
PRESCOTT PLACE CONDOMINIUM

Unit Information

I. EXISTING UNITS:

<u>Unit Designation</u>	<u>Unit Address</u>	<u>Unit Type</u>	<u>Par Value</u>	<u>Undivided Interest</u>
1540	1540 Roxbury Road	Samuel	1.00	4.082%
1544	1544 Roxbury Road	Walker*	1.00	4.082
1548	1548 Roxbury Road	Flora*	1.00	4.082
1560	1560 Roxbury Road	Flora*	1.00	4.082
1564	1564 Roxbury Road	Walker*	1.00	4.082
1568	1568 Roxbury Road	Samuel*	1.00	4.082
1570	1570 Roxbury Road	Dillman	1.00	4.082
1574	1574 Roxbury Road	Raphael	1.00	4.082
1578	1578 Roxbury Road	Hannah	1.00	4.082
1990	1990 Cardigan Avenue	Flora*	1.00	4.082
1994	1994 Cardigan Avenue	Walker*	1.00	4.082
1998	1998 Cardigan Avenue	Samuel*	1.00	4.082
2020	2020 Cardigan Avenue	Flora*	1.00	4.082
2024	2024 Cardigan Avenue	Walker*	1.00	4.082
2028	2028 Cardigan Avenue	Samuel*	1.00	4.081

II. UNITS ADDED HEREBY:

<u>Unit Designation</u>	<u>Unit Address</u>	<u>Unit Type</u>	<u>Par Value</u>	<u>Undivided Interest</u>
1550	1550 Roxbury Road	Bush Manor South	2.00	8.163
1558	1558 Roxbury Road	Bush Manor North	1.50	6.122
1531	1531 Arlington Avenue	Flora*	1.00	4.081
1535	1535 Arlington Avenue	Walker*	1.00	4.081
1539	1539 Arlington Avenue	Samuel*	1.00	4.081
1551	1551 Arlington Avenue	Flora*	1.00	4.081
1555	1555 Arlington Avenue	Walker*	1.00	4.081
1559	1559 Arlington Avenue	Samuel*	1.00	4.081
<u>TOTAL</u>				<u>100.000%</u>

⁽⁷⁾ Unit with optional bonus room

EXHIBIT D

FIRST AMENDMENT
DECLARATION OF CONDOMINIUM
PRESCOTT PLACE CONDOMINIUM

Unit Types

I. Type

Composition

Walker	Two story unit consisting of a foyer, great room, dining room, kitchen, breakfast nook, laundry, one bedroom, one and one-half bathrooms, and a two car garage at street level, two bedrooms, two bathrooms, a loft, and a library area on the second floor, and a basement and containing approximately 3,873 gross interior square feet. In addition, some units may have an optional bonus room on the second floor containing an additional approximately 246 gross interior square feet.
Samuel	Two story unit consisting of a foyer, great room, dining room, kitchen, breakfast nook, laundry, one bedroom, one and one-half bathrooms, and a two car garage at street level, two bedrooms, two bathrooms, a loft, and a library area on the second floor, and a basement and containing approximately 3,882 gross interior square feet. In addition, some units may have an optional bonus room on the second floor containing an additional approximately 246 gross interior square feet.
Flora	Two story unit consisting of a foyer, great room, dining room, kitchen, study, bathroom, and a two car garage at street level, two bedrooms, two bathrooms, and a laundry on the second floor, and a basement and containing approximately 3,770 gross interior square feet. In addition, some units may have an optional bonus room on the second floor containing an additional approximately 265 gross interior square feet.
Dillman	Two story unit consisting of a foyer, great room, dining room, kitchen, breakfast nook, bathroom, library, laundry room, and a two car garage at street level, two bedrooms and two bathrooms on the second floor, and a basement and containing approximately 3,920 gross interior square feet.
Raphael	Two story unit consisting of a foyer, great room, dining room, kitchen, breakfast nook, bathroom, library, laundry room, and a two car garage at street level, two bedrooms and two bathrooms on the second floor, and a basement and containing approximately 3,681 gross interior square feet.
Hannah	Two story unit consisting of a foyer, great room, dining room, kitchen, keeping room, bathroom, library, laundry room, sun room and a two car garage at street level, two bedrooms and two bathrooms on the second floor, and a basement and containing approximately 4,043 gross interior square feet.
Bush Manor South	A custom unit consisting of three stories plus a basement and containing a three car garage, enclosed breezeway or mud room, and, subject to final design, approximately 7,954 gross interior square feet. It is presently anticipated that the first floor will include a foyer, living room, dining room, kitchen, bathroom and great room, the second floor will contain will contain two or three bedrooms, two bathrooms and a laundry room and the third floor will contain a game room, bathroom and wet bar.
Bush Manor North	A custom unit consisting of three stories plus a basement and containing a three car garage, enclosed breezeway or mud room, and, subject to final design, approximately 5,892 gross interior square feet. It is presently anticipated that the first floor will include a foyer, living room, dining room, kitchen, bathroom and great room, the second floor will contain will contain three bedrooms, two bathrooms and a laundry room and the third floor will contain a game room, bathroom and wet bar.

EXHIBIT D (continued)

FIRST AMENDMENT
DECLARATION OF CONDOMINIUM
PRESCOTT PLACE CONDOMINIUM

II. Par Values and Voting Rights:

<u>Type</u>	<u>Par Value</u>	<u>Number of Votes</u>
Walker	1.00	1
Samuel	1.00	1
Flora	1.00	1
Dillman	1.00	1
Raphael	1.00	1
Hannah	1.00	1
Bush Manor South	2.00	3
Bush Manor North	1.50	2