

54228

**AMENDMENT TO THE DECLARATION
OF EASEMENTS AND AMENDED AND RESTATED
PROTECTIVE COVENANTS
FOR THE POPLAR HILL SUBDIVISION**

Whereas, the Declaration of Declaration of Easements and Amended and Restated Protective Covenants for The Poplar Hill Subdivision is recorded in Volume 1055, page 892 of the Official Records of Warren County (the Declaration), and

Whereas, the Declaration is binding upon all Lots Owners and the property described in Exhibit A. attached, and

Whereas, pursuant to Section 5 the Declaration the Poplar Hill Section I Homeowners' Association, Inc. (the "Association") was formed for the purpose of administration and control of the Common Facilities and other duties; and

Whereas, pursuant to Section 16 the Declaration may be amended by consent of seventy (70%) percent of the owners; and

Whereas, the Association and the Owners desire to amend the Declaration to allow a Successor Developer to add additional Lots; now therefore

The Association and the Owners hereby amend the Declaration as follows:

1. Amendment. The following section is hereby added to the Declaration

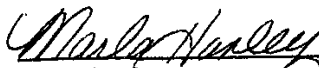
4 a. The Todd Group, Inc., its successors and assigns, is hereby designated as Successor Developer with the power to add additional lots to the Subdivision by the filing of a Supplemental Declaration identifying the Lots and designating the Common Facilities. This power to add lots is limited to the property deeded to The Todd Group, Inc. by a deed recorded in Volume 1225, page 511 of the Official Records of Warren County, Ohio which property is described in Exhibit A. A Supplemental Declaration adding additional Lots shall be executed solely by the Successor Developer and shall include a certification that a copy has been sent to the Association by certified mail.

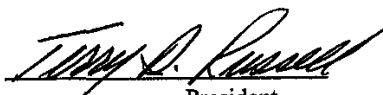
2. Certification of Consent. By execution of this Amendment, the President and Secretary of the Association certify that the owners of at least seventy (70%) of the Lots have given written consent as set forth in Section 16 of the Declaration. Such consents are on file with the Association and are available for inspection during reasonable business hours.

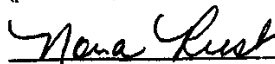
In witness whereof, The Poplar Hill Section I Homeowners' Association, Inc. has caused this instrument to be signed pursuant to a resolution of the Board of Trustees, this 9th day of July, 1997.

Signed and Acknowledged
in the presence of:

The Poplar Hill Section I
Homeowners' Association, Inc.


(signature)
MARIA HANLEY
(printed name)


By: 
President


(signature)
Nora Rust
(printed name)

By: 
Secretary

State of Ohio
County of Warren

The foregoing instrument was acknowledged before me, this 9th day of July, 1997, by Terry D. Russell President and Edwin A. Sauer Secretary of The Poplar Hill Section I Homeowners' Association, Inc. an Ohio nonprofit corporation, on behalf of the corporation.


Notary Public, State of Ohio
Commission Expires 11-16-2000

Instrument Prepared By:
James A. Matre, Attorney at Law
One Crowne Point Court, Suite 190
Cincinnati, Ohio 45241-5411
(513) 772-1140

Exhibit A

Situate in Section 34, Town 5E, Range 3N, in the City of Lebanon, Warren County, Ohio and more particularly described as follows: Lot Numbers 4952 through 4995 and 4999 through 5002, inclusive of the Record Plat for Poplar Hill Subdivision, Section I, recorded in Plat Book 30, page 1 & 2

Situate in Section 34, Town 5E, Range 3N, in the City of Lebanon, Warren County, Ohio and more particularly described as follows: Lot Numbers 4996 A, 4997 A and 4998 A, on the Replat of Lots 4996, 4997 and 4998 of Poplar Hill Subdivision, Section I, recorded in Plat Book 31, page 67

Lot 4952	13-34	126	005	Lot 4978	13-34	141	001
Lot 4953	13-34	126	006	Lot 4979	13-34	141	002
Lot 4954	13-34	126	007	Lot 4980	13-34	141	003
Lot 4955	13-34	126	008	Lot 4981	13-34	141	004
Lot 4956	13-34	126	009	Lot 4982	13-34	130	001
Lot 4957	13-34	126	010	Lot 4983	13-34	132	001
Lot 4958	13-34	126	011	Lot 4984	13-34	132	002
Lot 4959	13-34	128	001	Lot 4985	13-34	143	001
Lot 4960	13-34	128	002	Lot 4986	13-34	143	002
Lot 4961	13-34	128	003	Lot 4987	13-34	143	003
Lot 4962	13-34	128	004	Lot 4988	13-34	143	004
Lot 4963	13-34	128	005	Lot 4989	13-34	143	005
Lot 4964	13-34	128	006	Lot 4990	13-34	143	006
Lot 4965	13-34	128	007	Lot 4991	13-34	143	007
Lot 4966	13-34	128	008	Lot 4992	13-34	143	008
Lot 4967	13-34	128	009	Lot 4993	13-34	143	009
Lot 4968	13-34	128	010	Lot 4994	13-34	143	010
Lot 4969	13-34	138	001	Lot 4995	13-34	143	011
Lot 4970	13-34	138	002	Lot 4996-A	13-34	145	009
Lot 4971	13-34	138	003	Lot 4997-A	13-34	145	008
Lot 4972	13-34	138	004	Lot 4998-A	13-34	145	007
Lot 4973	13-34	138	005	Lot 4999	13-34	145	003
Lot 4974	13-34	138	006	Lot 5000	13-34	145	002
Lot 4975	13-34	138	007	Lot 5001	13-34	145	001
Lot 4976	13-34	138	009	Lot 5002	13-34	138	008
Lot 4977	13-34	138	010				

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RECEIVED & RECORDED
BETH DECKARD
WARREN CO. RECORDER

97 SEP 26 PM 12:09

O.R. VOL. 1420

PAGE 647 FEE 18

BOOK 1420 PAGE 649

for all
(B)

TRANSFER NOT NECESSARY
NICK NELSON, AUDITOR
WARREN COUNTY, OHIO

NR
18 b x first title