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JOY A. CLARK
RECORDER
97 MAR 17 AM 8:30
MONTGOMERY CO. OHIO
RECORDED

AMENDMENT No. 1 TO THE AMENDED AND RESTATED
PROTECTIVE COVENANTS AND RESTRICTIONS
FOR
IRONGATE ESTATES, SECTION 2

THIS AMENDMENT No. 1 ("Amendment No. 1"), to the AMENDED AND RESTATED PROTECTIVE COVENANTS AND RESTRICTIONS FOR IRONGATE ESTATES, SECTION 2 ("Covenants") is made as of the 10th day of March, 1997, by IRONGATE MEADOWS, L.P.D., an Ohio limited liability company ("Developer").

RECITALS:

A. Developer is the owner of certain real estate located in the City of Union, Montgomery County, Ohio, which is legally described as follows:

Lots 29 through 32, inclusive, and lots 34 through 59, inclusive, of Irongate Estates, Section 2, located in the northeast quarter of Section 8, Town 5, Range 5 East, City of Union, Montgomery County, Ohio ("the Property").

B. On August 29, 1996, the Developer recorded AMENDED AND RESTATED PROTECTIVE COVENANTS AND RESTRICTIONS FOR IRONGATE ESTATES, SECTION 2, which are recorded in Plat Book 164, Pages 15 and 15A of the Official Records of Montgomery County, Ohio.

C. Pursuant to Section VI. F. AMENDMENTS, of the Covenants, the Developer intends to amend Section V. ASSESSMENTS, of the Covenants by adding paragraph D. thereto, as follows:

V. ASSESSMENTS

D. In the event that the Association is dissolved or ceases to exist as a nonprofit corporation pursuant to the provisions of Chapter 1702 of the Ohio Revised Code other than pursuant to a merger, reorganization, or consolidation, and provided that no successor organization having substantially the same purposes as the Association is incorporated or otherwise organized within thirty (30) days after the Association is dissolved or otherwise ceases to exist, or, if title to Lots 60 and/or 61 of Irongate Estates, Section 3, is otherwise transferred to the City of Union, then the City of Union shall have the right to assess each Lot owner for a prorata share of the actual maintenance and other costs incurred by the City of Union pursuant to the procedures set forth in the City of Union Code of Ordinances for Assessments. Any assessment so made by the City of Union shall be in addition to assessments for storm water utilities fees and any other

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A. J. WAGNER
AUDITOR
TRANSFER NEEDED

purpose for which the City of Union has the authority to assess property owners in the City of Union. Any assessment made by the City of Union pursuant to this Section V. shall be used for the purposes and benefit of the Association as set forth in these Covenants, and the Articles of Incorporation and Code of Regulations of the Association, whether nor not the Association continues to exist.

This Amendment No. 1 shall only modify this Section V. of the Covenants. All other terms and conditions shall remain unchanged.

IN WITNESS WHEREOF, the undersigned has executed this Amendment No. 1 on the date first set forth above.

Witnesses:

Bette E. Zucceke
 Print name: BETTE E. ZUCEKE

Debra M. Fingerman
 Print name: DEBRA M. FINGERMAN

IRONGATE MEADOWS, LTD.
 an Ohio limited liability company

By: William J. Dries, Manager
 William J. Dries, Manager

STATE OF OHIO)
) SS:
 COUNTY OF HAMILTON)

The foregoing instrument was acknowledged before me, a notary public, this 11th day of March, 1996 by William J. Dries, Manager of IRONGATE MEADOWS, LTD., on behalf of such company.

Mary Jo Brewster
 Notary Public
 MARY JO BREWSTER
 Notary Public, State of Ohio
 My Commission Expires Sept. 28, 1998

prepared by: Irongate Meadows