

**THIRTEENTH AMENDMENT
TO THE DECLARATION OF CONDOMINIUM OWNERSHIP
OF UNIVERSITY COMMONS CONDOMINIUM
PHASE 1-A and 2 AND PHASE 3 AND SHOWING
BUILDING 8 "AS BUILT"
UNDER CHAPTER 5311 OF THE OHIO REVISED CODE,
WHICH DECLARATION WAS ORIGINALLY RECORDED
ON OCTOBER 3, 2001 IN STARK COUNTY RECORDS
INSTRUMENT NUMBER 2001071085 AND
AMENDED ON JUNE 3, 2002 IN STARK COUNTY RECORDERS
INSTRUMENT NUMBER 200266030044362 AND
ON NOVEMBER 7, 2002 IN STARK COUNTY RECORDERS
INSTRUMENT NUMBER 200211070090435 AND
NOVEMBER 15, 2002 IN STARK COUNTY RECORDERS
INSTRUMENT NUMBER 20020047887 AND
JULY 28, 2003 RECORDER INSTRUMENT NUMBER
200307280071959 AND
AMENDED ON AUGUST 6, 2003 IN STARK COUNTY RECORDERS
INSTRUMENT NUMBER 200308060076248 AND
AMENDED ON NOVEMBER 18, 2003 RECORDERS INSTRUMENT
NUMBER 200311180110766 AND
AMENDED ON FEBRUARY 2, 2004, RECORDERS INSTRUMENT
NUMBER 20040212000911 AND
AMENDED ON MARCH 30, 2004 RECORDERS INSTRUMENT
NUMBER 200403300021137 AND
AMENDED ON JUNE 8, 2004 IN STARK COUNTY RECORDERS
INSTRUMENT NUMBER 200406080040940 AND
AMENDED ON DECEMBER 16, 2004 IN STARK COUNTY
RECORDERS INSTRUMENT NUMBER 200412160088480 AND
AMENDED ON JANUARY 20, 2005, STARK COUNTY RECORDERS
INSTRUMENT NUMBER 200501200004007 AND
AMENDED ON APRIL 27, 2005, STARK COUNTY RECORDERS
INSTRUMENT NUMBER 200504270026479**

This is to certify that copies of the Thirteenth Amendment of the Declaration, Bylaws and Drawings for University Commons Condominium, depicting Building 8 "as built" have been filed this date with the Auditor of Stark County, Ohio.

Kim Perez
Auditor of Stark County, Ohio

by David Mealey

This document prepared by:
Larry A. Zink, Esq.
Zink, Zink & Zink Co., L.P.A.
3711 Whipple Ave., N.W.
Canton, Ohio 44718-2933
Phone: (330) 492-2225
Fax: (330) 492-3956

**THIRTEENTH AMENDMENT TO THE
ORIGINAL DECLARATION OF
CONDOMINIUM OWNERSHIP FOR
UNIVERSITY COMMONS CONDOMINIUM
DEPICTING BUILDING 8 "AS BUILT"**

THE THIRTEENTH AMENDMENT to the Original Declaration of Condominium Ownership for University Commons Condominium is made this 11th day of August 2005, by TOBIN ENTERPRISES, INC., an Ohio corporation (hereinafter referred to as Developer), pursuant to the provisions of Chapter 5311 of the Ohio Revised Code and pursuant to the terms of the Condominium Instruments.

WHEREAS, on the 4th day of September 2001, the Declarant executed the Declaration of Condominium Ownership for University Commons Condominium (the "Declaration") which Declaration was certified by the Stark County, Ohio, Auditor on October 3, 2001, and recorded with the Stark County, Ohio, Recorder on October 3, 2002, under Official Imaging No. 2001071085, and which included a description of the Condominium Property with a condominium plat plan of the Condominium Property and Additional Property which was recorded in Volume 6, Pages 123-127 of the Stark County, Ohio, Condominium Plat Records; and the Declaration was amended on June 3, 2002, Recorders Imaging Number 200206030044362 and on November 7, 2002 the Second Amendment was filed, Recorders Imaging Number 200211070090435 and on November 15, 2002 the Third Amendment was filed, Recorders Imaging Number 20020047887 and on July 28, 2003 the Fourth Amendment was filed, Recorder Imaging Number 200307280071959, and on August 6, 2003 the 5th Amendment was filed,

Recorders Imaging Number 200308060076228, and on November 18, 2003 the Sixth Amendment was filed, Recorders Imaging Number 200311180110766, and on February 2, 2004 the Seventh Amendment was filed, Recorders Imaging Number 20040212000911, and on March 30, 2004 the Eighth Amendment was filed, Recorders Imaging Number 200403300021137, and on June 8, 2004 the Ninth Amendment was filed, Recorders Imaging Number 200406080040940. On December 16, 2004 the Tenth Amendment was filed, Recorder Imaging Number 200412160088480. On January 20, 2005, the Eleventh Amendment was filed, Recorders Imaging Number 200501200004007. On April 27, 2005, the Twelfth Amendment was filed, Recorders Imaging Number 200504270026479.

WHEREAS, the Declarant does by this Thirteenth Amendment set forth the “as built” drawings for Building 8 being 1912, 1916, 1922 and 1926 University Commons Dr. SE (Private Drive), Massillon, Ohio 44647.

- 1) Attached hereto as Exhibit 1 is the Condominium Plat showing Building 8, as built.
- 2) Attached hereto as Exhibit 2 are the elevation drawings for Building 8, as built.
- 3) Attached hereto as Exhibit 3 are the floor plan drawings for Building 8, as built.
- 4) In all other respects the Declaration of Condominium and all amendments thereto shall remain unchanged.




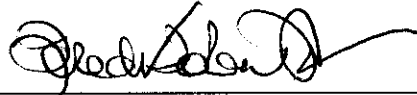
IN WITNESS WHEREOF, the undersigned have executed this instruments this 11th day of August, 2005.

Signed and acknowledged in the presence of:

DECLARANT:

TOBIN ENTERPRISES, INC.


Marcia A. Brown

By: 
Fred W. Tobin, President

STATE OF OHIO

SS:

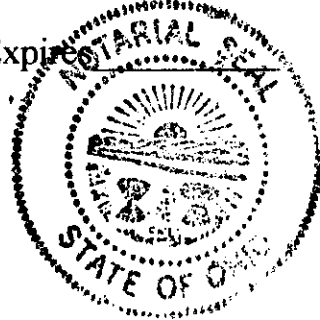
COUNTY OF STARK

Notary

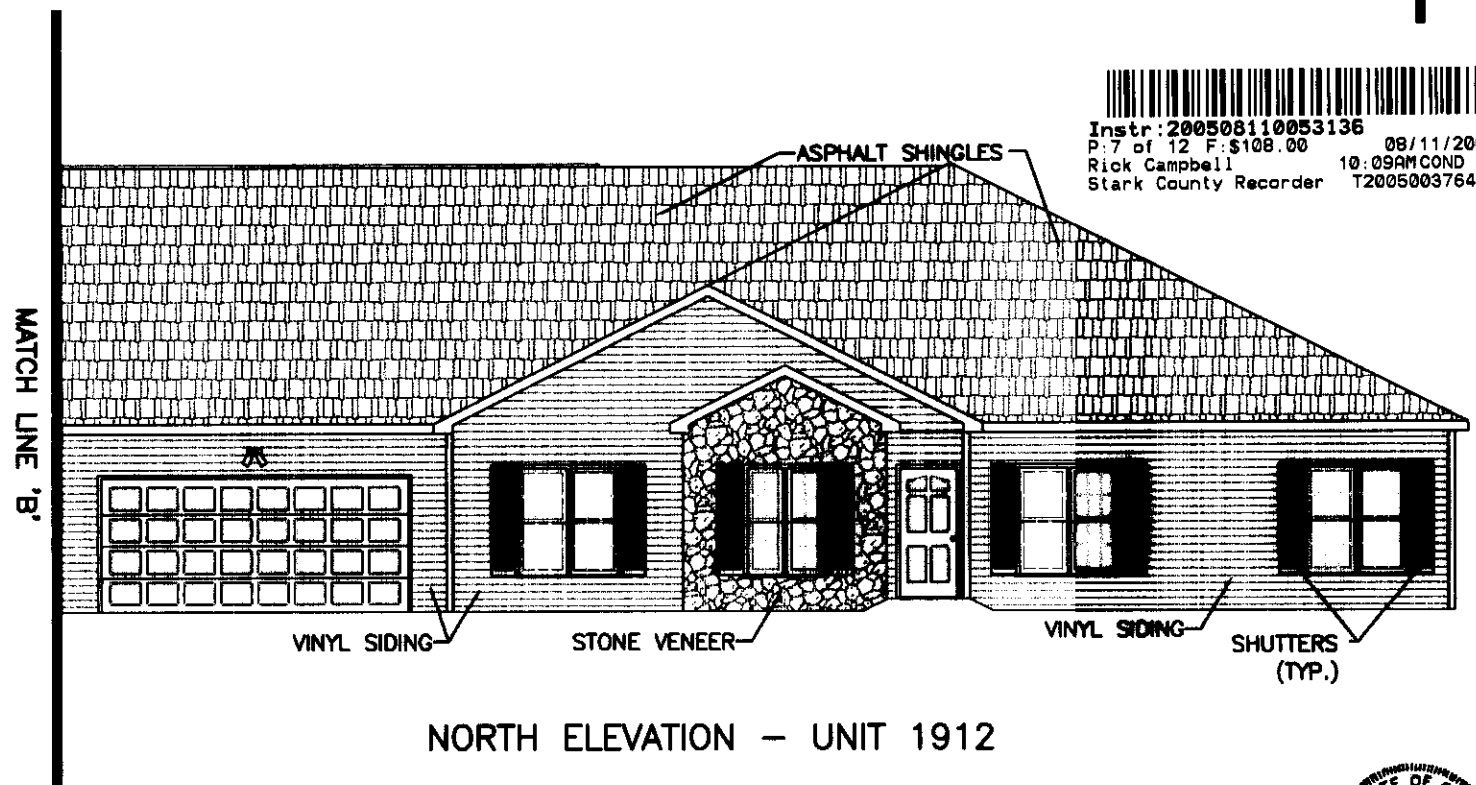
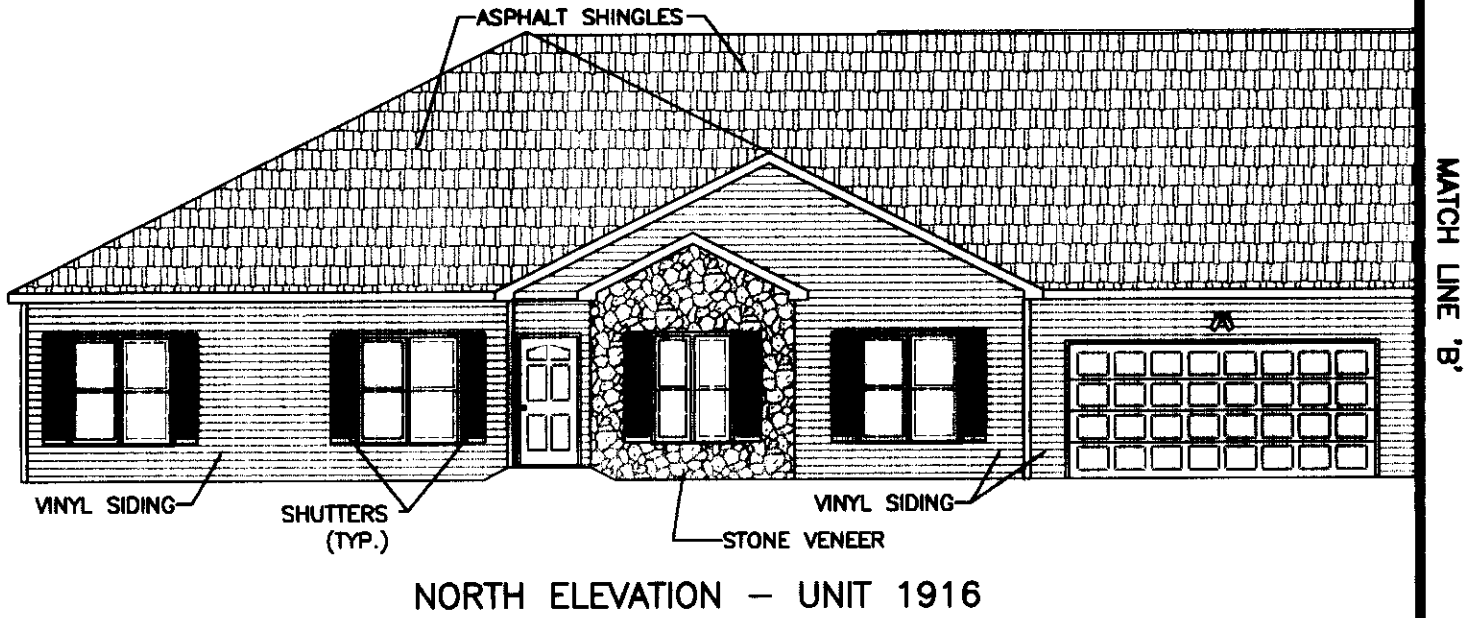
Before me appears FRED W. TOBIN, President of Tobin Enterprises, Inc., and did execute and acknowledge that the above signature was of his free act and deed.


Notary Public
My Commission Expires

LARRY A. ZINK, ATTY. AT LAW
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION HAS NO EXPIRATION DATE
UNDER SECTION 147.03 R.C.



This document prepared by:
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Phone: (330) 492-2225
Fax: (330) 492-3956



Instr: 200508110053136
 P: 7 of 12 F: \$108.00 08/11/2005
 Rick Campbell 10:09AM COND
 Stark County Recorder T20050037643

THE HEREON REGISTERED PROFESSIONAL ENGINEER STATES PURSUANT TO O.A.C. 5311.07 (B)(1) AND REGISTERED PROFESSIONAL SURVEYOR STATES PURSUANT TO O.A.C. 5311.07 (B)(2) THAT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF THE DRAWING ACCURATELY SHOWS BUILDING 8 AND ACCURATELY REFLECTS THE LOCATION OF THE IMPROVEMENTS AS CONSTRUCTED.

7/20/05
 DATE *Bryan J. Ashman*
 BRYAN J. ASHMAN
 REGISTERED ENGINEER
 NO. E-043804



7/20/05
 DATE *Jerold E. Geib*
 JEROLD E. GEIB
 REGISTERED SURVEYOR
 NO. 6725

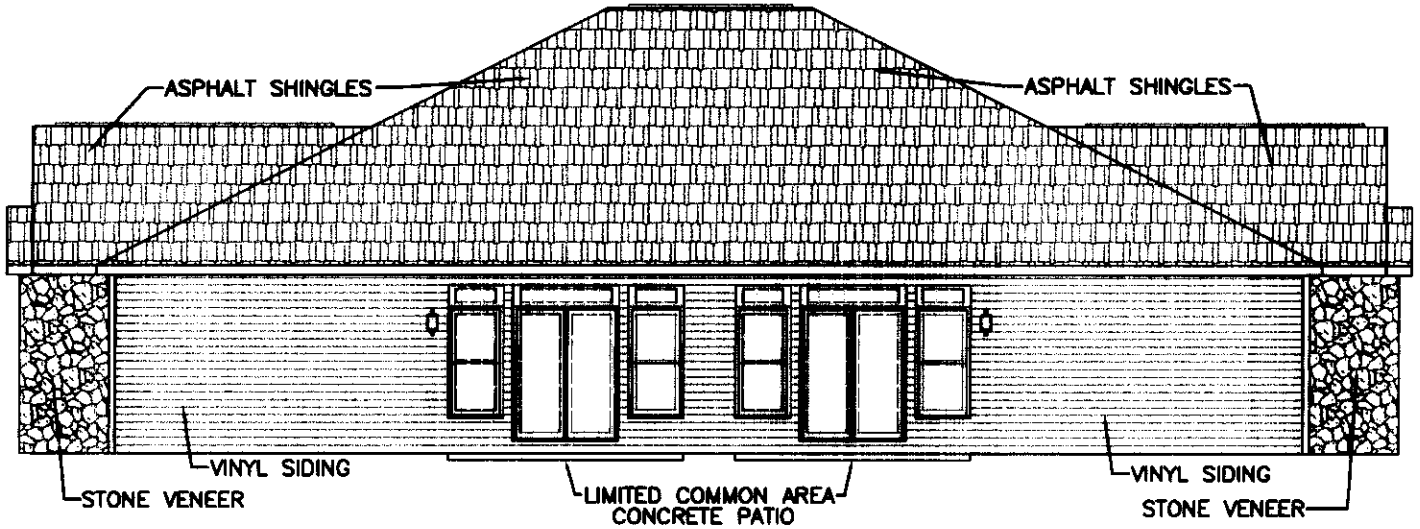


BUILDING 8
 UNITS 1912, 1916, 1922 & 1926
 CONDOMINIUM DRAWINGS
 FOR UNIVERSITY COMMONS

Exhibit 2



Instr: 200508110053136
 P: 8 of 12 F: \$108.00 08/11/2005
 Rick Campbell 10:09AM COND
 Stark County Recorder T20050037643



EAST ELEVATION - UNITS 1916 & 1926

THE HEREON REGISTERED PROFESSIONAL ENGINEER STATES PURSUANT TO O.A.C. 5311.07 (B)(1) AND REGISTERED PROFESSIONAL SURVEYOR STATES PURSUANT TO O.A.C. 5311.07 (B)(2) THAT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF THE DRAWING ACCURATELY SHOWS BUILDING 8 AND ACCURATELY REFLECTS THE LOCATION OF THE IMPROVEMENTS AS CONSTRUCTED.

BUILDING 8
 UNITS 1912, 1916, 1922 & 1926
 CONDOMINIUM DRAWINGS
 FOR UNIVERSITY COMMONS

7/20/05
 DATE

Bryan J. Ashman
 BRYAN J. ASHMAN
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 NO. E-043804



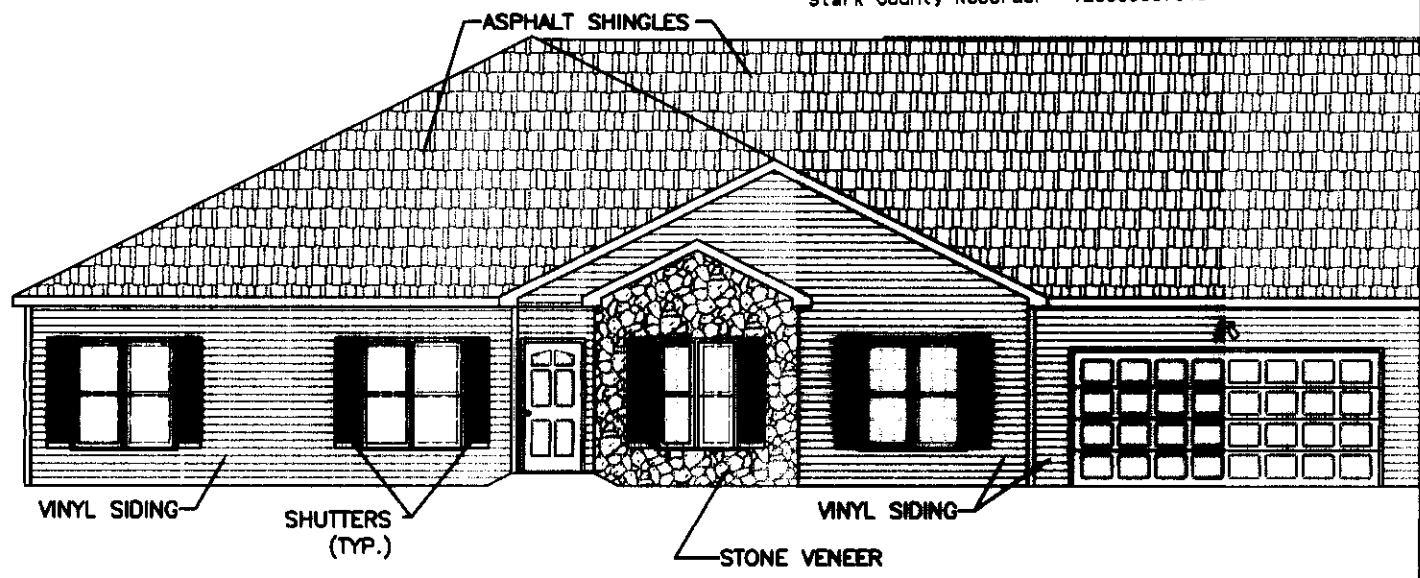
7/20/05
 DATE

Jerold E. Geib
 JEROLD E. GEIB
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 NO. 6725

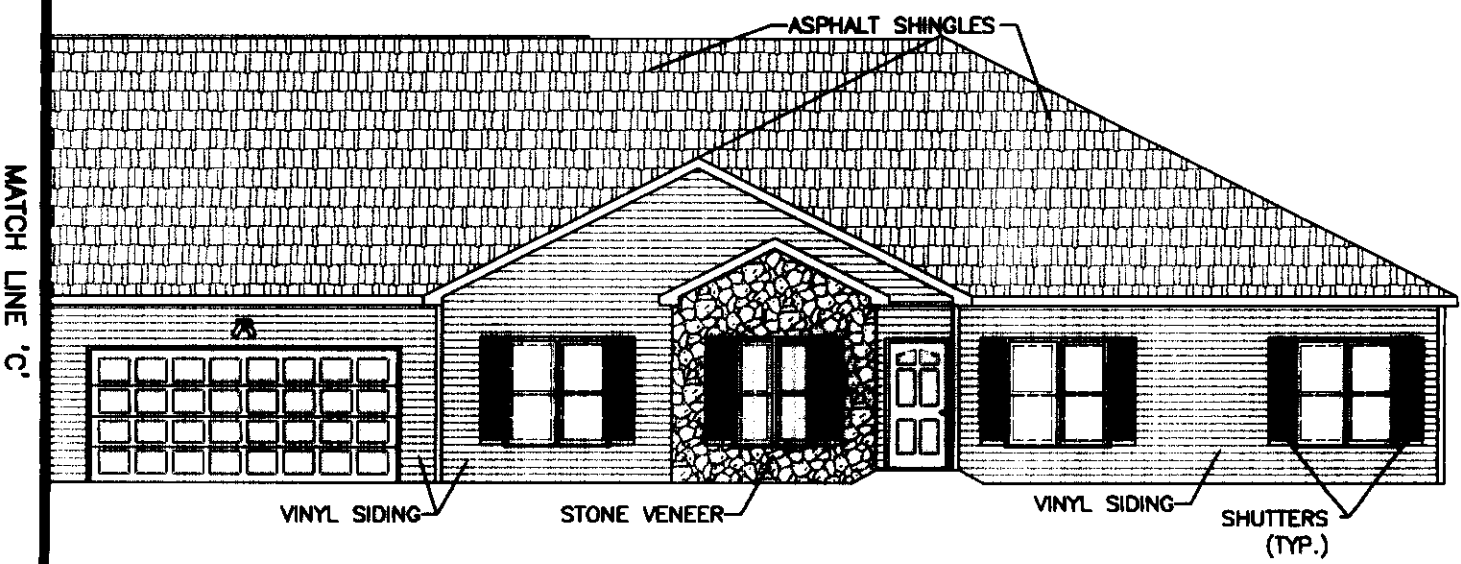


SHEET 2 OF 6

01138



SOUTH ELEVATION - UNIT 1922



SOUTH ELEVATION - UNIT 1926

THE HEREON REGISTERED PROFESSIONAL ENGINEER STATES PURSUANT TO O.A.C. 5311.07 (B)(1) AND REGISTERED PROFESSIONAL SURVEYOR STATES PURSUANT TO O.A.C. 5311.07 (B)(2) THAT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF THE DRAWING ACCURATELY SHOWS BUILDING 8 AND ACCURATELY REFLECTS THE LOCATION OF THE IMPROVEMENTS AS CONSTRUCTED.

BUILDING 8
 UNITS 1912, 1916, 1922 & 1926
 CONDOMINIUM DRAWINGS
 FOR UNIVERSITY COMMONS

11/20/05
 DATE *Bryan J. Ashman*
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 REGISTERED ENGINEER
 NO. E-043804

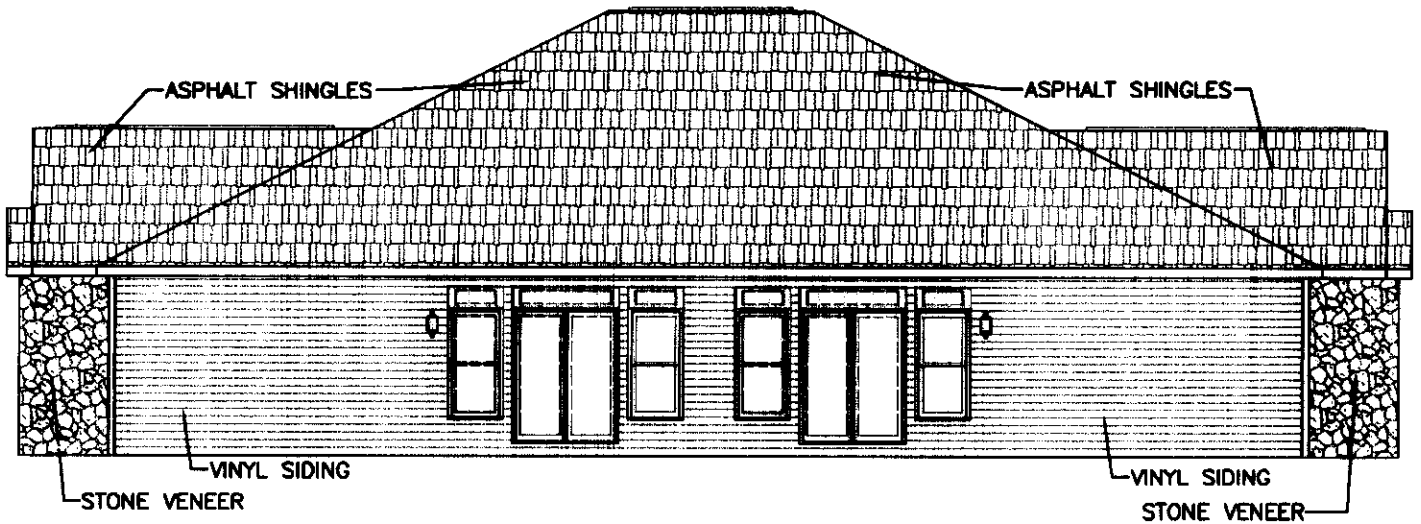


7/20/05
 DATE *Jerrold E. Geib*
 JEROLD E. GEIB
 REGISTERED SURVEYOR
 NO. 6725





Instr: 200508110053136
 P: 10 of 12 F: \$108.00 08/11/2005
 Rick Campbell 10:09AM COND
 Stark County Recorder T20050037643



WEST ELEVATION - UNITS 1912 & 1922

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BUILDING 8
 UNITS 1912, 1916, 1922 & 1926
 CONDOMINIUM DRAWINGS
 FOR UNIVERSITY COMMONS

7/20/05
 DATE

Bryan J. Ashman
 BRYAN J. ASHMAN
 REGISTERED ENGINEER
 NO. E-043804



7/20/05
 DATE

Jerold E. Geib
 JEROLD E. GEIB
 REGISTERED SURVEYOR
 NO. 6725



SHEET 4 OF 6

01138



JEROLD E. GEIB
REGISTERED SURVEYOR
NO. 6725

DATE 7/20/05

Exhibit 3

BUILDING 8
UNITS 1912, 1916, 1922 & 1926
CONDOMINIUM DRAWINGS
FOR UNIVERSITY COMMONS

IMPROVEMENTS AS CONSTRUCTED.

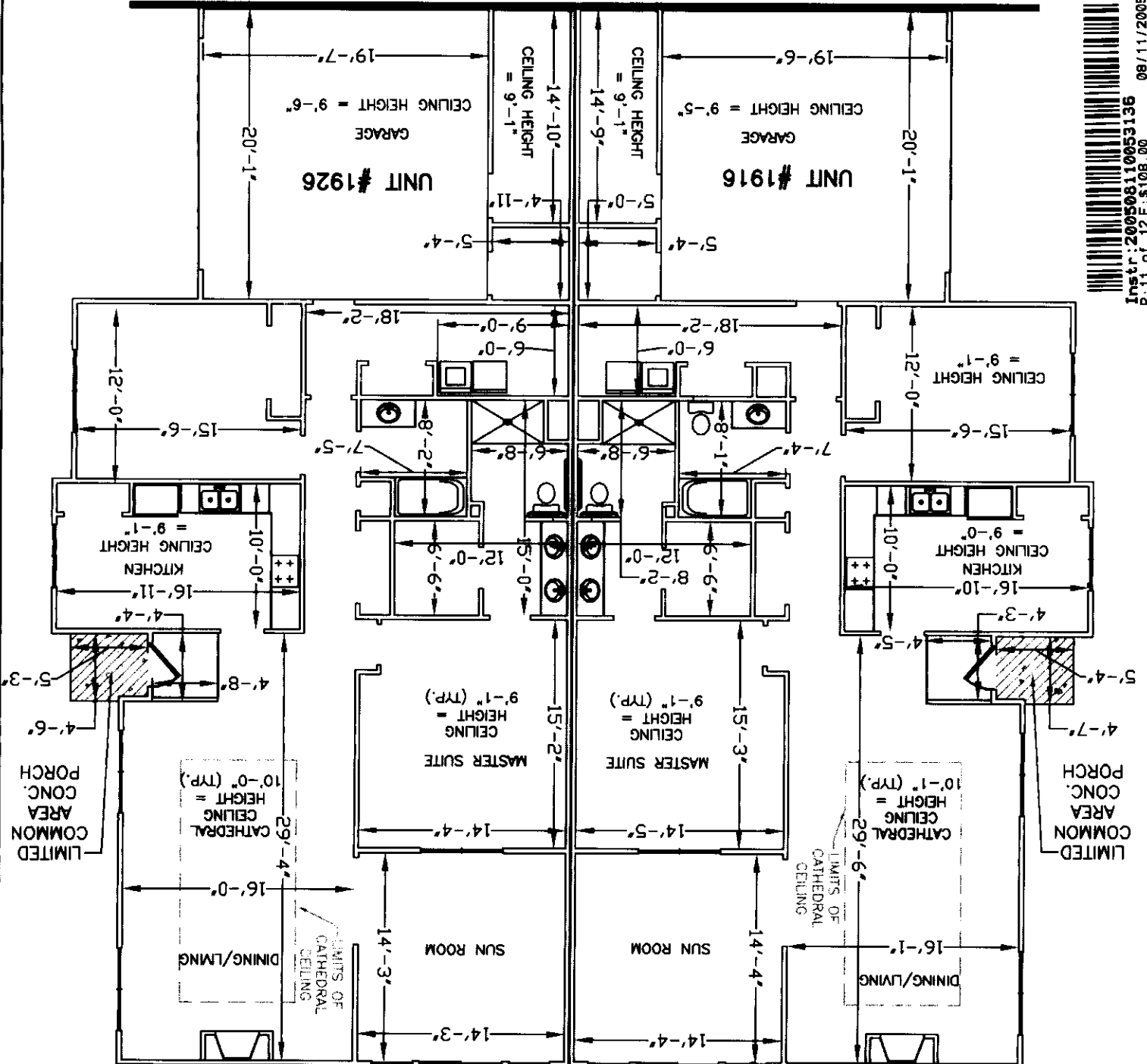
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REGISTERED ENGINEER
NO. E-043804

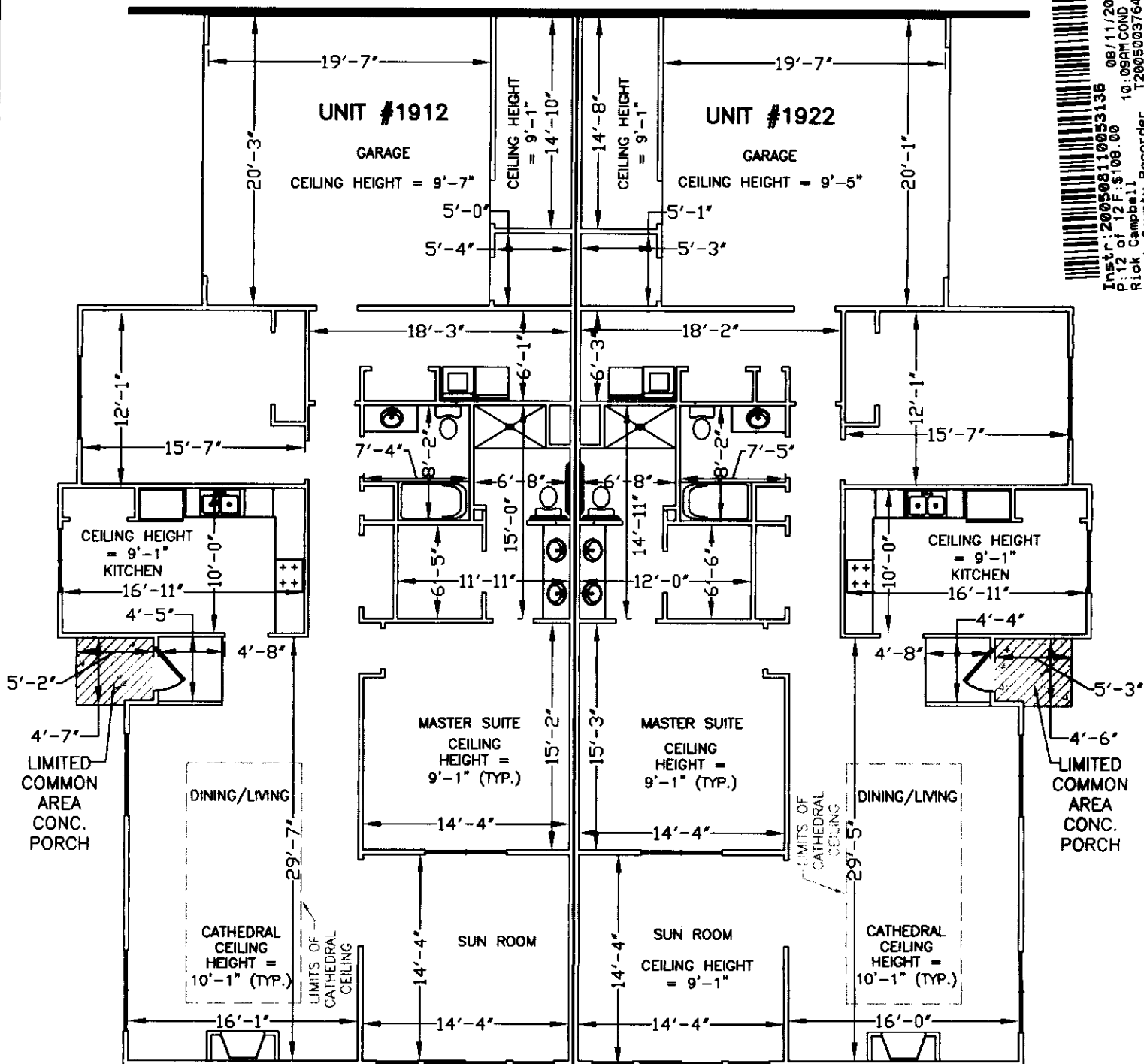
DATE 7/20/05

FLOOR PLAN - UNITS 1916 & 1926
MATCH LINE 'A'



Instr: 200508110953136 08/11/2005
P: 11 of 12 F: \$108.00 10:09AM COND
Rick Campbell
Stark County Recorder T20050037643

MATCH LINE 'A'



Instr: 200508110053138 08/11/2005
 P: 12 of 12 F: \$108.00 10:09AM COND
 Rick Campbell, Stark County Recorder T20050037643

FLOOR PLAN - UNITS 1912 & 1922

THE HEREON REGISTERED PROFESSIONAL ENGINEER STATES PURSUANT TO O.A.C. 5311.07 (B)(1) AND REGISTERED PROFESSIONAL SURVEYOR STATES PURSUANT TO O.A.C. 5311.07 (B)(2) THAT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF THE DRAWING ACCURATELY SHOWS BUILDING 8 AND ACCURATELY REFLECTS THE LOCATION OF THE IMPROVEMENTS AS CONSTRUCTED.

7/20/05 DATE *Bryan J. Ashman*
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BUILDING 8
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