

FIRST AMENDMENT  
TO THE DECLARATION OF CONDOMINIUM OWNERSHIP  
OF UNIVERSITY COMMONS CONDOMINIUM - PHASE 1-A  
UNDER CHAPTER 5311 OF THE OHIO REVISED CODE,  
WHICH DECLARATION WAS ORIGINALLY RECORDED  
ON OCTOBER 3, 2001 IN STARK COUNTY RECORDS  
INSTRUMENT NUMBER 2001071085

This is to certify that copies of the First Amendment of the Declaration, Bylaws and Drawings for University Commons Condominium have been filed this date with the Auditor of Stark County, Ohio.

Janet Wein Creighton  
Auditor of Stark County, Ohio

by Robert P. Mahan, Deputy

This document prepared by:

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

FIRST AMENDMENT TO THE  
DECLARATION OF UNIVERSITY COMMONS CONDOMINIUMS  
PHASE 1-A

Declaration

The First Amendment to Declaration made on May 23, 2002; pursuant to Chapter 5311 of the Ohio Revised Code, by Tobin Enterprises, Inc., a corporation organized and existing under the Laws of Ohio, having its principal offices at 7694 Strausser St. N.W., North Canton, County of Stark, State of Ohio, 44720 and referred to as "Developer" and the Declarant of the Declaration of University Commons Condominiums.

WHEREAS, Declarant did on September 4, 2001 execute the Declaration for University Commons Condominiums which Declaration was recorded on October 3, 2001, Stark County Records Imaging Number 2001071085 and;

WHEREAS, the Declarant does hereby amend the Declaration as follows:

Section 3

The land on which the buildings and improvements constituting the property are located is depicted on the survey attached as Exhibit 1 and incorporated by reference and consists of Phases 1-A situated on 1.551 acres and 1-B situated on 1.720 acres constituting a total acreage of Phases 1-A & 1-B of 3.271 acres, in the City of Massillon, Ohio, as set forth in the Plat Exhibit 2.

Section 4  
Description of Buildings

Two buildings have been constructed on the land consisting of Phase 1-A designated as Units 2133, 2137, 2143, 2147, 2163, 2167, 2183 and 2187 University

Commons Dr. S.E. on the drawing attached as Exhibit 3 and incorporated by reference which buildings have been constructed principally of block, stone, concrete, vinyl and consist of a ground floor; each unit including garage and porch, comprising a total building area of 2278 square feet for units 2133, 2147, 2163 and 2187 and 2279 square feet for units 2137, 2143, 2167 and 2183 of which 17,228 square feet constitutes eight family units exclusive of entry and exit ramps.

Section 5  
Units

As depicted in the drawings of the buildings attached as Exhibit 3 and incorporated by reference there are eight (8) units which are identified by the addresses set forth in Section 4, all units being located on University Commons Drive S.E. in Massillon, Ohio.

In all other respects, Section 5 from the original Declaration shall remain the same.

Section 8  
Ownership of Common Elements

Each owner of a unit will own as fee simple absolute a proportionate, undivided interest in the common elements listed in Section 6 equal to the proportion that the value of each such unit bears to the total value of all units as follows:

<u>Unit Address</u>	<u>Square Footage</u>	<u>Percentage to Total</u>
2133	2278	12.5%
2137	2279	12.5%
2143	2279	12.5%
2147	2278	12.5%
2163	2278	12.5%
2167	2279	12.5%
2183	2279	12.5%
<u>2187</u>	<u>2278</u>	<u>12.5%</u>
Totals	18,228	100%

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P: 4 of 26 F: \$110.00 3:14PM COND  
Rick Campbell T20020011616  
Stark County Recorder INO

In all other respects, the Declaration of Condominium executed on September 4, 2001 and received for record on October 3, 2001, Stark County, Ohio Recorders Imaging Number 2001071085.

Witnesses:

Developer/Declarant  
Tobin Enterprises, Inc.

Larry A. Zink  
LARRY A. ZINK

Marcia A. Brown  
MARCIA A. BROWN

by Fred W. Tobin  
Fred W. Tobin, President

May 23 2002  
Dated

STATE OF OHIO

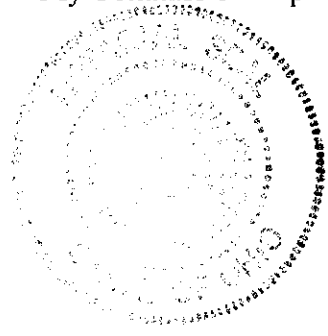
SS:

COUNTY OF STARK

Before me, a Notary Public in and for said County and State, personally appeared the above-named **Developer/Declarant for Tobin Enterprises, Inc.** by its President, **Fred We. Tobin**, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Canton, Ohio, this 23d day of May, 2002.

Larry A. Zink  
Notary Public  
My Commission Expires: LARRY A. ZINK, ATTY. AT LAW  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION RENEWS ON EXPIRATION DATE  
UNDER SECTION 147.03 H.C.



This instrument prepared by:

Larry A. Zink, Esquire  
ZINK, ZINK & ZINK CO., L.P.A.  
3711 Whipple Ave. N.W.  
Canton, OH 44718-2933  
Phone: (330) 492-2225  
Fax: (330) 492-3956

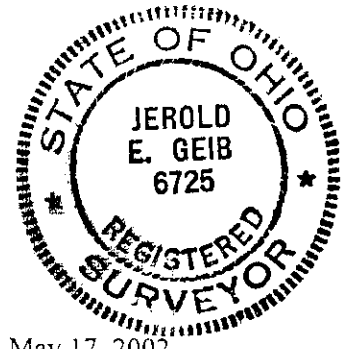


1359 MARKET  
AVENUE NORTH  
CANTON, OHIO  
44714

BRYAN J. ASHMAN  
JEROLD E. GEIB

Instr: 200206030044362 06/03/2002  
P: 6 of 26 F: \$110.00 3:14PM COND  
Rick Campbell T20020011616  
Stark County Recorder INO

**COOPER & ASSOCIATES, LLP / ENGINEERS & SURVEYORS**  
PHONE: (330) 452-5731 FAX: (330) 452-9110



May 17, 2002

**PHASE 1-A  
DESCRIPTION OF 1.5513 ACRES  
FOR: TOBIN ENTERPRISES INC.**

Known as and being part of Outlot 899 in the City of Massillon, Stark County, Ohio presently known as The University Commons Condominiums-Phase 1, being 3.271 acres of land more or less and owned by Tobin Enterprises Inc. as recorded in Recorder's Image Number 2001/059245 of the Stark County Deed Records and being more particularly bounded and described as follows;

Beginning for the same at a point, marked by a 1/2 inch iron bar with Cooper & Associates cap found, at the northwest corner of Outlot 899 in the City of Massillon as depicted on the Record Plat of University Village Phase 7 and recorded in Plat Book 69, Page 39 of the Stark County Plat Records;

Thence S02°38'19"W on a portion of the west line of said Outlot 899 a distance of 504.78 feet to a point, marked by a 1/2 inch iron bar set, on the east right-of-way line of Bowling Green Drive S.E. (50 feet wide) and being the true place of beginning for the tract of land herein to be described;

Thence S87°21'41"E perpendicular to the east right-of-way line of said Bowling Green Drive S.E. a distance of 255.97 feet to a point, marked by a 1/2 inch iron bar set, on the east line of the previously stated 3.271 acre Tobin Enterprises Inc. tract of land;

Thence S16°22'36"W on a portion of the east line of said 3.271 acre tract of land a distance of 81.29 feet to a point, marked by a 1/2 inch iron bar with Cooper & Associates cap found;

Thence S04°39'19"W continuing on a portion of the east line of said 3.271 acre Tobin Enterprises Inc. tract of land a distance of 218.46 feet to a point, marked by a 1/2 inch iron bar with Cooper & Associates cap found, on the north right-of-way line of Ohio State Drive S.E. (60 feet wide);

Thence on an arc of a curve to the left, on a portion of the north right-of-way line of said Ohio State Drive S.E., in a westerly direction, with said curve having a central angle of 12°00'22", a radius of 530.00 feet, a tangent distance of 55.73 feet and an arc length of 111.06 feet, a distance of 111.06 feet to the point of tangency of said curve, marked by a 1/2 inch iron bar with Cooper & Associates cap found. (last stated curved course has a chord bearing and distance of N80°36'02"W -- 110.86 feet);

*Exhibit 1-A*

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Thence N86°36'13"W continuing on a portion of the north right-of-way line of Ohio State Drive S.E. a distance of 94.23 feet to a point of curvature, marked by a ½ inch iron bar with Cooper & Associates cap found;


Thence on an arc of a curve to the right, in northwesterly direction, with said curve having a central angle of 89°14'32", a radius of 25.00 feet, a tangent distance of 24.67 feet and an arc length of 38.94 feet, a distance of 38.94 feet to the point of tangency of said curve, marked by a ½ inch iron bar with Cooper & Associates cap found, on the east right-of-way line of Bowling Green Drive S.E. (50 feet wide) (last stated curved course has a chord bearing and distance of N41°58'57"W - 35.12 feet);

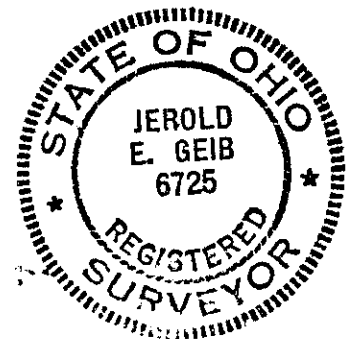
Thence N02°38'19"E on a portion of the east right-of-way line of said Bowling Green Drive S.E. a distance of 258.00 feet to a point, marked by a ½ inch iron bar set, being the true place of beginning and containing 1.551 acres of land more or less.

Subject to any and all easements, reservations, or restrictions that may be of record pertaining to the above described tract of land.

NOTE: Reference direction for bearing system used in the above description was established from the Record Plat of University Village Phase 2 as recorded in Plat Book 65, Pages 144 and 145 of the Stark County Plat Records, using N02°38'19"E for the centerline of Bowling Green Drive S.E.

As surveyed this 17<sup>TH</sup> day of May, 2002.

  
\_\_\_\_\_  
Jerold E. Geib - Registered Surveyor No. 6725



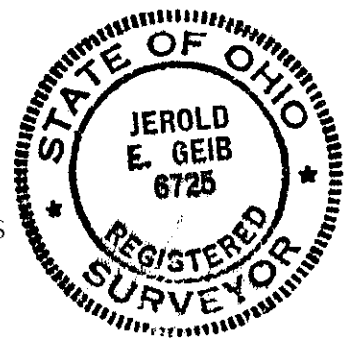


1359 MARKET  
AVENUE NORTH  
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BRYAN J. ASHMAN  
JEROLD E. GEIB

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Rik Campbell T20020011616  
Stark County Recorder INO

**COOPER & ASSOCIATES, LLP / ENGINEERS & SURVEYORS**  
PHONE: (330) 452-5731 FAX: (330) 452-9110



May 17, 2002

**PHASE 1-B  
DESCRIPTION OF 1.720 ACRES  
FOR: TOBIN ENTERPRISES INC.**

Known as and being part of Outlot 899 in the City of Massillon, Stark County, Ohio presently known as The University Commons Condominiums-Phase 1, being 3.271 acres of land more or less and owned by Tobin Enterprises Inc. as recorded in Recorder's Image Number 2001/059245 of the Stark County Deed Records and being more particularly bounded and described as follows;

Beginning for the same at a point, marked by a ½ inch iron bar with Cooper & Associates cap found, at the northwest corner of Outlot 899 in the City of Massillon as depicted on the Record Plat of University Village Phase 7 and recorded in Plat Book 69, Page 39 of the Stark County Plat Records;

Thence S02°38'19"W on a portion of the west line of said Outlot 899 a distance of 269.90 feet to a point, marked by a ½ inch iron bar with Cooper & Associates cap found, at the northwest corner of the previously stated 3.271 acre Tobin Enterprises Inc. tract of land and being the true place of beginning for the tract of land herein to be described;

Thence on a common line between the said 3.271 acre tract of land and a 6.487 acre tract of land now or formerly owned by Tobin Enterprises Inc. the following five (5) courses:

1. S87°21'41"E perpendicular to the west line of Outlot 899 in the City of Massillon a distance of 211.39 feet to a point, marked by a ½ inch iron bar with Cooper & Associates cap found;
2. Thence N02°38'19"E parallel with and 211.39 feet east of the west line of Outlot 899 a distance of 63.05 feet to a point, marked by a ½ inch iron bar with Cooper & Associates cap found;
3. Thence S87°21'41"E a distance of 118.06 feet to a point, marked by a ½ inch iron bar with Cooper & Associates cap found;
4. Thence S02°38'19"W a distance of 72.04 feet to a point, marked by a ½ inch iron bar with Cooper & Associates cap found;
5. Thence S33°51'07"W a distance of 59.04 feet to a point, marked by a ½ inch iron bar with Cooper & Associates cap found;

*Exhibit 1-B*



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Stark County Recorder INO

COOPER & ASSOCIATES, LLP

Thence S16°22'36"W on a portion of the east line of the previously stated 3.271 acre Tobin Enterprises Inc. tract of land a distance of 180.56 feet to a point, marked by a ½ inch iron bar set;

Thence N87°21'41"W perpendicular to the east right-of-way line of Bowling Green Drive S.E. on a common line between the subject 1.720 acre tract of land and a 1.551 acre tract of land a distance of 255.97 feet to a point, marked by a ½ inch iron bar set, on the east right-of-way line of Bowling Green Drive S.E.;

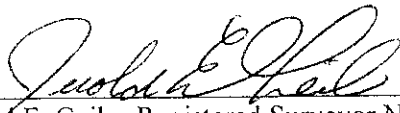
Thence N02°38'19"E on a portion of the east right-of-way line of said Bowling Green Drive S.E. and it's northerly extension a distance of 234.88 feet to a point, marked by a ½ inch iron bar with Cooper & Associates cap found, at the northwest corner of the previously stated 3.271 acre Tobin Enterprises Inc. tract of land, being the true place of beginning and containing 1.720 acres of land more or less.

Subject to any and all easements, reservations, or restrictions that may be of record pertaining to the above described tract of land.

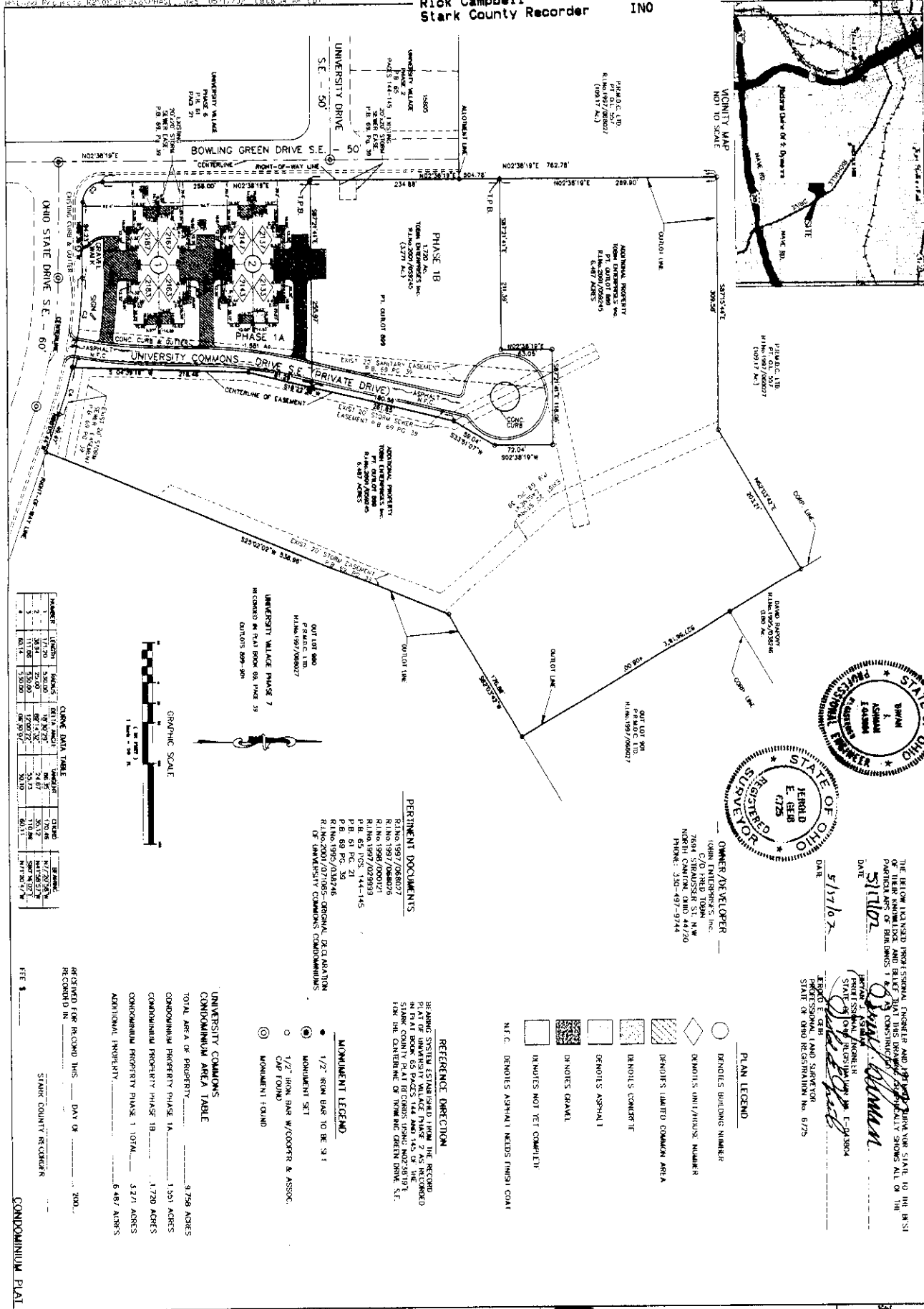
NOTE: Reference direction for bearing system used in the above description was established from the Record Plat of University Village Phase 2 as recorded in Plat Book 65, Pages 144 and 145 of the Stark County Plat Records, using N02°38'19"E for the centerline of Bowling Green Drive S.E.



As surveyed this 17<sup>TH</sup> day of May, 2002.

  
Jerold E. Geib - Registered Surveyor No. 6725

PLAT: 01138



CHANGING DATA TABLE

NUMBER	LENGTH	BEARS	DELTA	BEARS	DELTA	BEARS	DELTA	BEARS	DELTA
1	171.20	5.82	0.00	171.20	5.82	0.00	171.20	5.82	0.00
2	51.70	1.70	0.00	51.70	1.70	0.00	51.70	1.70	0.00
3	50.00	1.67	0.00	50.00	1.67	0.00	50.00	1.67	0.00
4	80.11	2.67	0.00	80.11	2.67	0.00	80.11	2.67	0.00



- PERMIT DOCUMENTS
- R/No: 1987/088077
  - R/No: 1987/088076
  - R/No: 1986/080021
  - R/No: 1987/023931
  - R/No: 1987/044145
  - P/B: 01 PC 21
  - P/B: 01 PC 38
  - R/No: 1985/038246
  - R/No: 2007/0105 - ORIGINAL DECLARATION OF UNITOWNERS' COMMONS CONDOMINIUMS

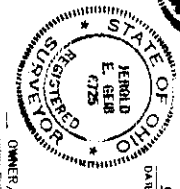
- REFERENCE DIRECTION
- BRASSING SYSTEM ESTABLISHED FROM THE RECORD PLAT OF UNIVERSITY WALLACE PHASE 7 AS RECORDED IN PLAT BOOK 65 PAGES 144 AND 145 OF THE STARK COUNTY PLAT OF CONDOMINIUMS, S.T. FOR THE CENTERLINE OF UNIVERSITY COMMONS DRIVE S.E.

- PLAN LEGEND
- DENOTES BUILDING NUMBER
  - ◇ DENOTES UNIT/HOUSE NUMBER
  - ▨ DENOTES LIMITED COMMON AREA
  - ▩ DENOTES CONCRETE
  - ▧ DENOTES ASPHALT
  - ▦ DENOTES GRAVEL
  - IN NOTES NOT YET COMPLETED
  - ▨ DENOTES ASPHALT NEEDS FINISH COAT

UNIVERSITY COMMONS CONDOMINIUM AREA TABLE

TOTAL AREA OF PROPERTY	9.758 ACRES
CONDOMINIUM PROPERTY PHASE 1A	1.551 ACRES
CONDOMINIUM PROPERTY PHASE 1B	1.720 ACRES
CONDOMINIUM PROPERTY PHASE 1 TOTAL	3.271 ACRES
ADDITIONAL PROPERTY	6.487 ACRES

RECORDED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2002.  
 RECORDED IN \_\_\_\_\_ STARK COUNTY RECORDER



DATE: 5/17/02

THE BELOW MENTIONED PROFESSIONAL ENGINEER AND SURVEYOR HAVE FOR STATE TO THE BEST OF THEIR KNOWLEDGE AND BELIEF COMPLIED WITH ALL REQUIREMENTS OF THE PROFESSIONAL ENGINEERING ACT AND THE PROFESSIONAL LAND SURVEYOR ACT OF THE STATE OF OHIO.

DATE: 5/17/02

PROFESSIONAL ENGINEER: Heraldo E. Geib, No. 6725

PROFESSIONAL LAND SURVEYOR: Bryan J. Ashman, No. 6725

CONDOMINIUM PLAT

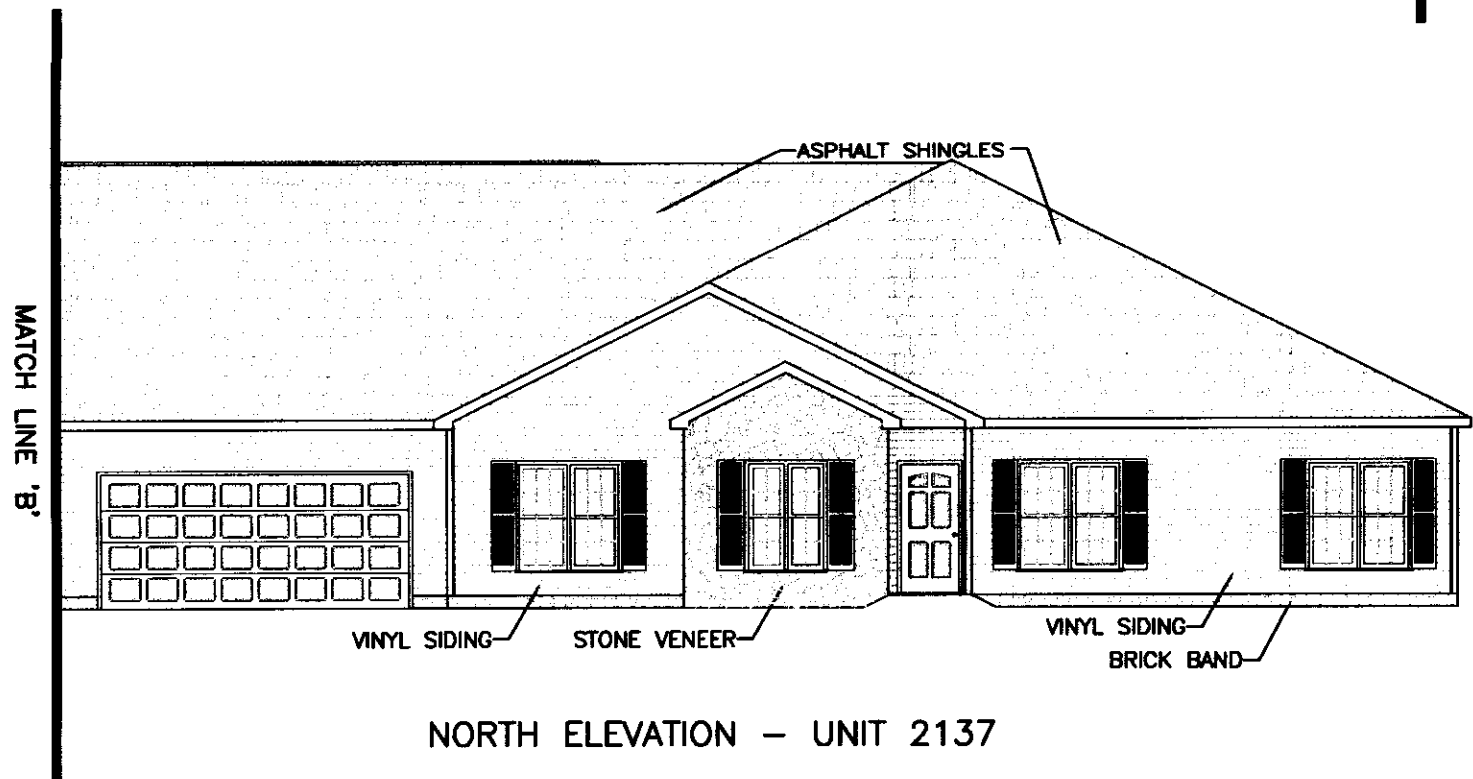
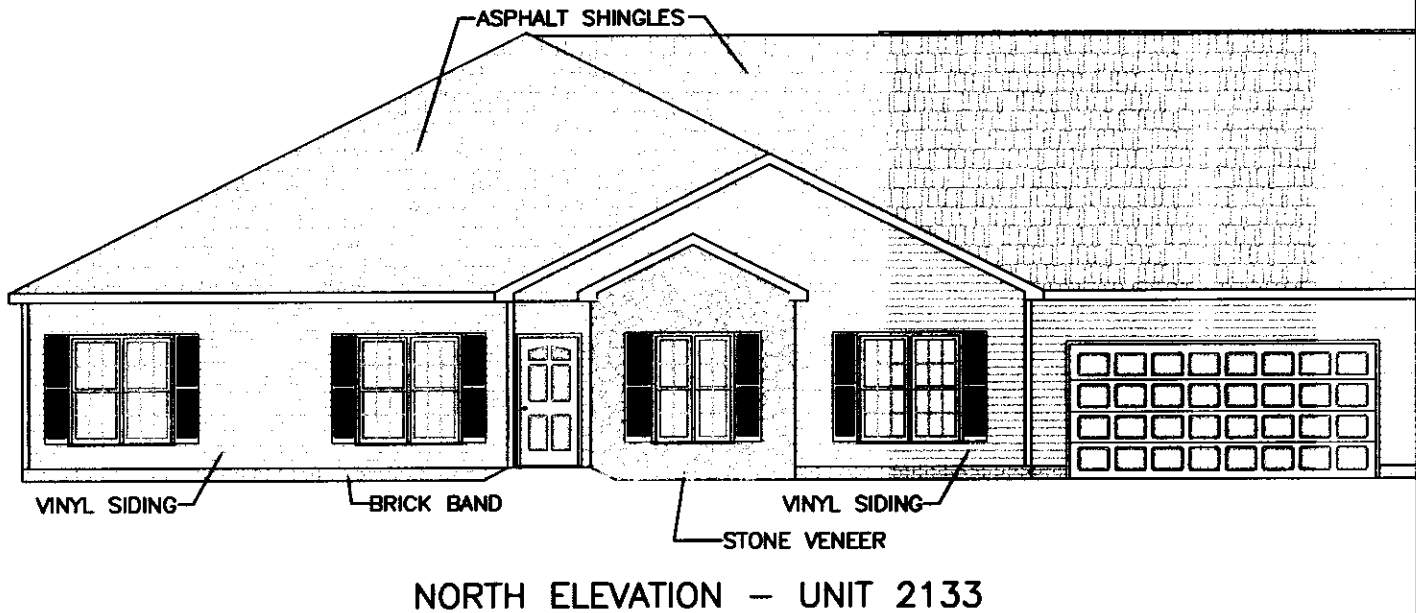
NO. 01138	DATE: MAY 2002
PLAT BOOK NO.	PAGE
1	1

CONDOMINIUM PLAT  
 UNIVERSITY COMMONS CONDOMINIUMS  
 BEING ALL OF OUTLOT 899 IN THE CITY OF MASSILLON  
 STARK COUNTY, OHIO  
 FOR: TOBIN ENTERPRISES, INC.

COOPER & ASSOCIATES, P.L.L.C.  
 ENGINEERS AND SURVEYORS  
 336 GARFIELD AVE. S.W.  
 CLEVELAND, OHIO 44115-2202  
 PHONE: (216) 451-1531  
 FAX: (216) 451-6110

BRYAN J. ASHMAN  
 PROFESSIONAL LAND SURVEYOR  
 NO. 6725

Exhibit 2



THE BELOW LICENSED PROFESSIONAL ENGINEER AND LICENSED SURVEYOR STATE THAT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF THIS DRAWING GRAPHICALLY SHOWS THE PARTICULARS OF THE BUILDING AS CONSTRUCTED.

**BUILDING 2**  
 UNITS 2133, 2137, 2143 & 2147  
 CONDOMINIUM DRAWINGS  
 FOR UNIVERSITY COMMONS

5/17/07  
 DATE

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



5/17/07  
 DATE

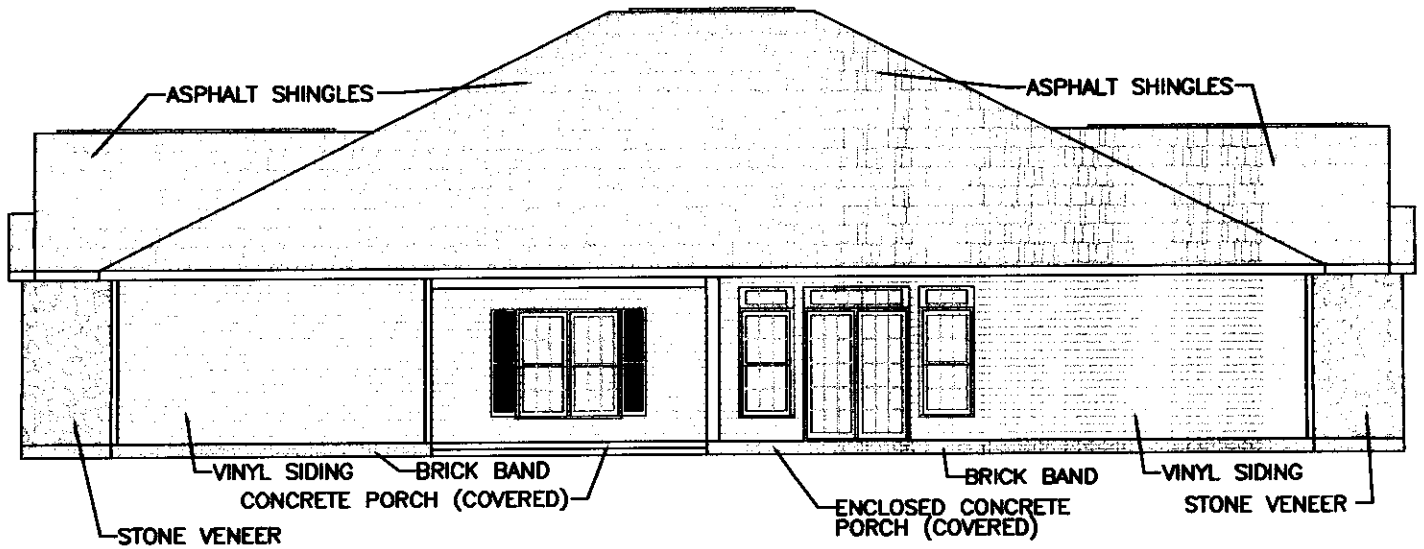
*Jerold E. Geib*  
 JEROLD E. GEIB  
 REGISTERED SURVEYOR NO. 6725



Exhibit 3



Instr: 200206030044362 06/03/2002  
 P: 12 of 26 F: \$110.00 3:14PM COND  
 Rick Campbell T20020011616  
 Stark County Recorder INO



EAST ELEVATION - UNITS 2143 & 2133

THE BELOW LICENSED PROFESSIONAL ENGINEER AND LICENSED SURVEYOR STATE THAT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF THIS DRAWING GRAPHICALLY SHOWS THE PARTICULARS OF THE BUILDING AS CONSTRUCTED.

BUILDING 2  
 UNITS 2133, 2137, 2143 & 2147  
 CONDOMINIUM DRAWINGS  
 FOR UNIVERSITY COMMONS

5/17/02  
 DATE

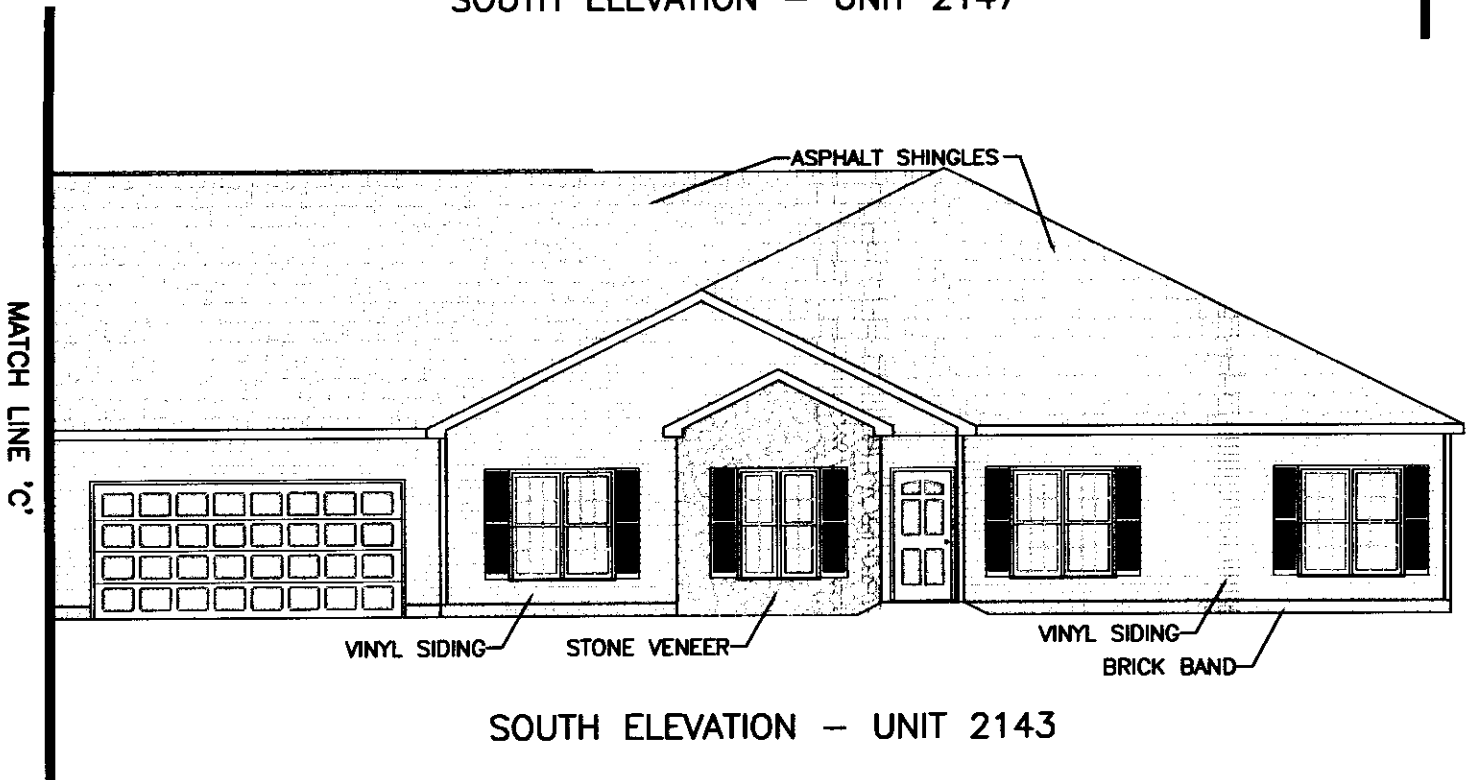
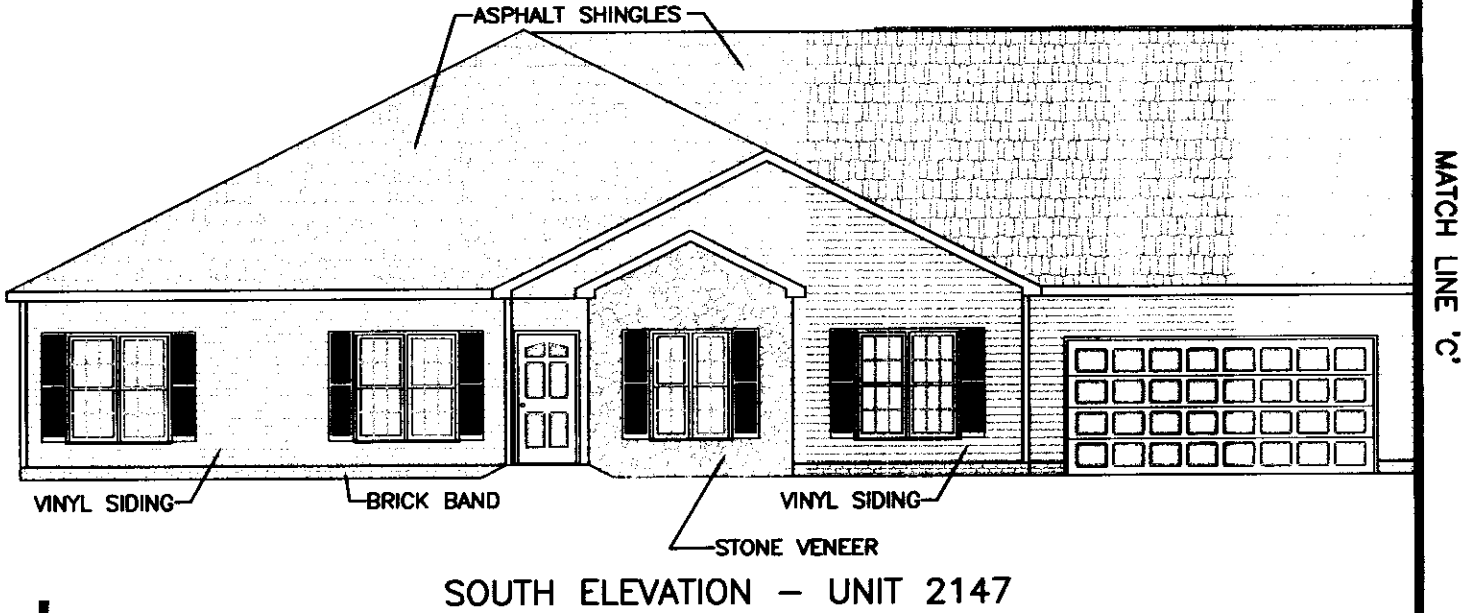
*Bryan J. Ashman*  
 BRYAN J. ASHMAN  
 REGISTERED ENGINEER NO. E-043804



5/17/02  
 DATE

*Jerrold E. Geib*  
 JEROLD E. GEIB  
 REGISTERED SURVEYOR NO. 6725





THE BELOW LICENSED PROFESSIONAL ENGINEER AND LICENSED SURVEYOR STATE THAT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF THIS DRAWING GRAPHICALLY SHOWS THE PARTICULARS OF THE BUILDING AS CONSTRUCTED.

**BUILDING 2**  
 UNITS 2133, 2137, 2143 & 2147  
 CONDOMINIUM DRAWINGS  
 FOR UNIVERSITY COMMONS

5/17/02  
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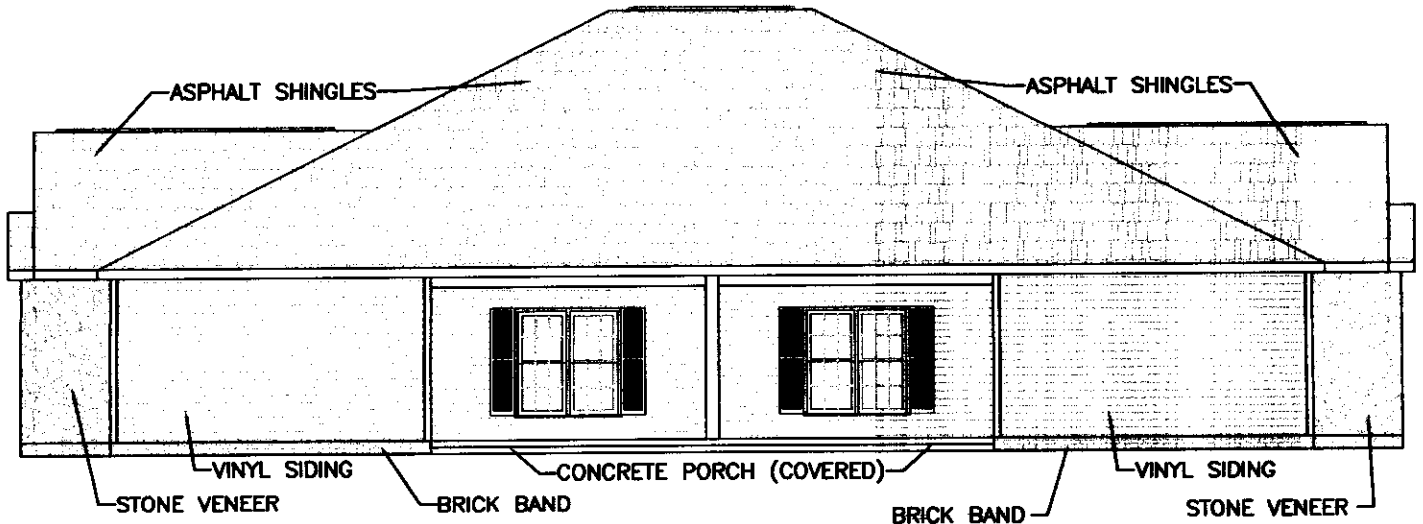
5/17/02  
 DATE

*Jerrold E. Geib*  
 JEROLD E. GEIB  
 REGISTERED SURVEYOR NO. 6725





Instr: 200206030044362 06/03/2002  
 P: 14 of 26 F: \$110.00 3:14PM COND  
 Rick Campbell T20020011616  
 Stark County Recorder INO



WEST ELEVATION - UNITS 2137 & 2147

THE BELOW LICENSED PROFESSIONAL ENGINEER AND LICENSED SURVEYOR STATE THAT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF THIS DRAWING GRAPHICALLY SHOWS THE PARTICULARS OF THE BUILDING AS CONSTRUCTED.

BUILDING 2  
 UNITS 2133, 2137, 2143 & 2147  
 CONDOMINIUM DRAWINGS  
 FOR UNIVERSITY COMMONS

5/17/07  
 DATE

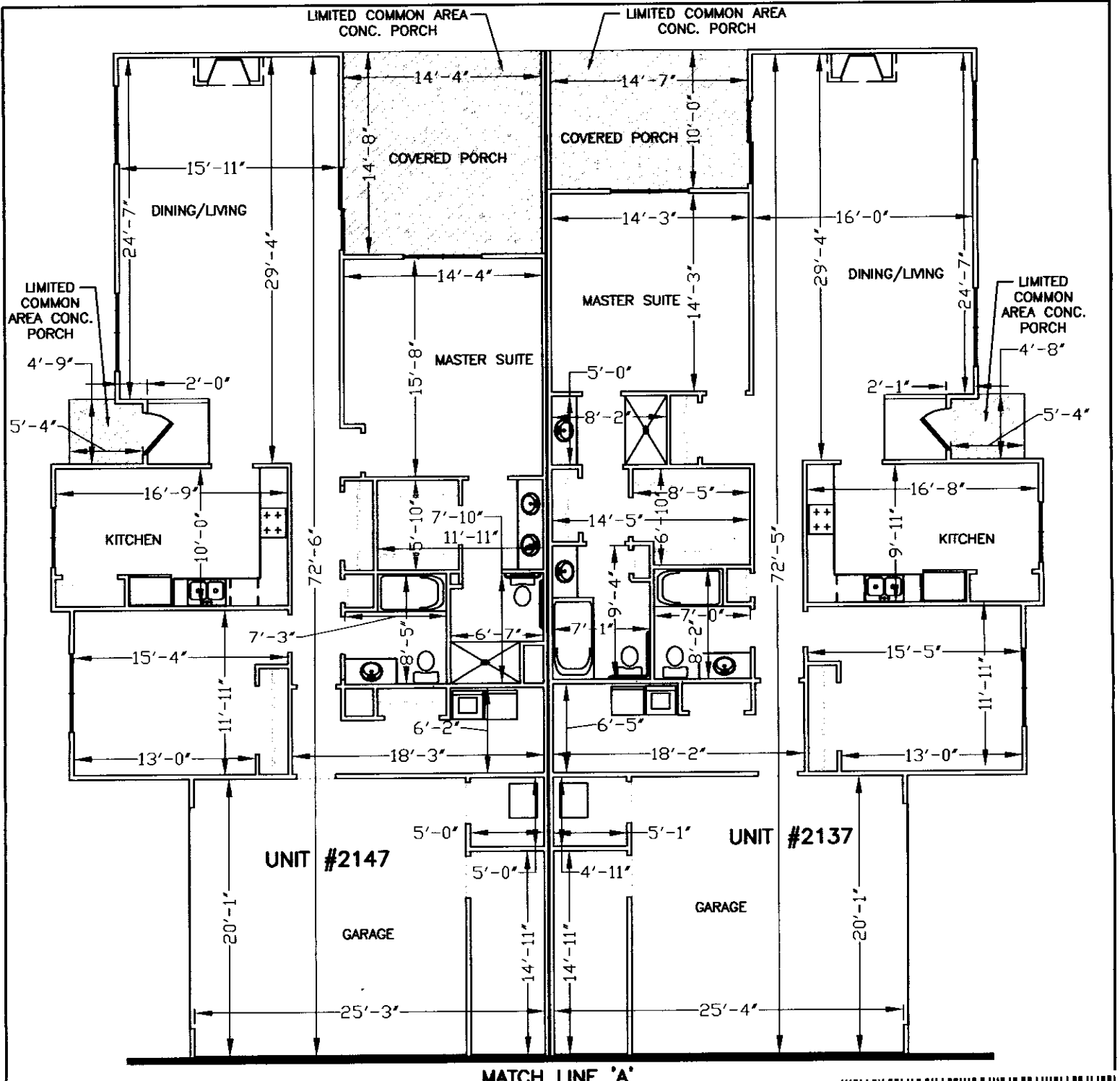
*Bryan J. Ashman*  
 BRYAN J. ASHMAN  
 REGISTERED ENGINEER NO. E-043804



5/17/07  
 DATE

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





FLOOR PLAN - UNITS 2147 & 2137

Instr: 200208030044362 06/03/2002  
 P: 15 of 26 F: \$110.00 3:14PM COND  
 Rick Campbell T20020011616  
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BUILDING 2  
 UNITS 2133, 2137, 2143 & 2147  
 CONDOMINIUM DRAWINGS  
 FOR UNIVERSITY COMMONS

5/17/02  
 DATE

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



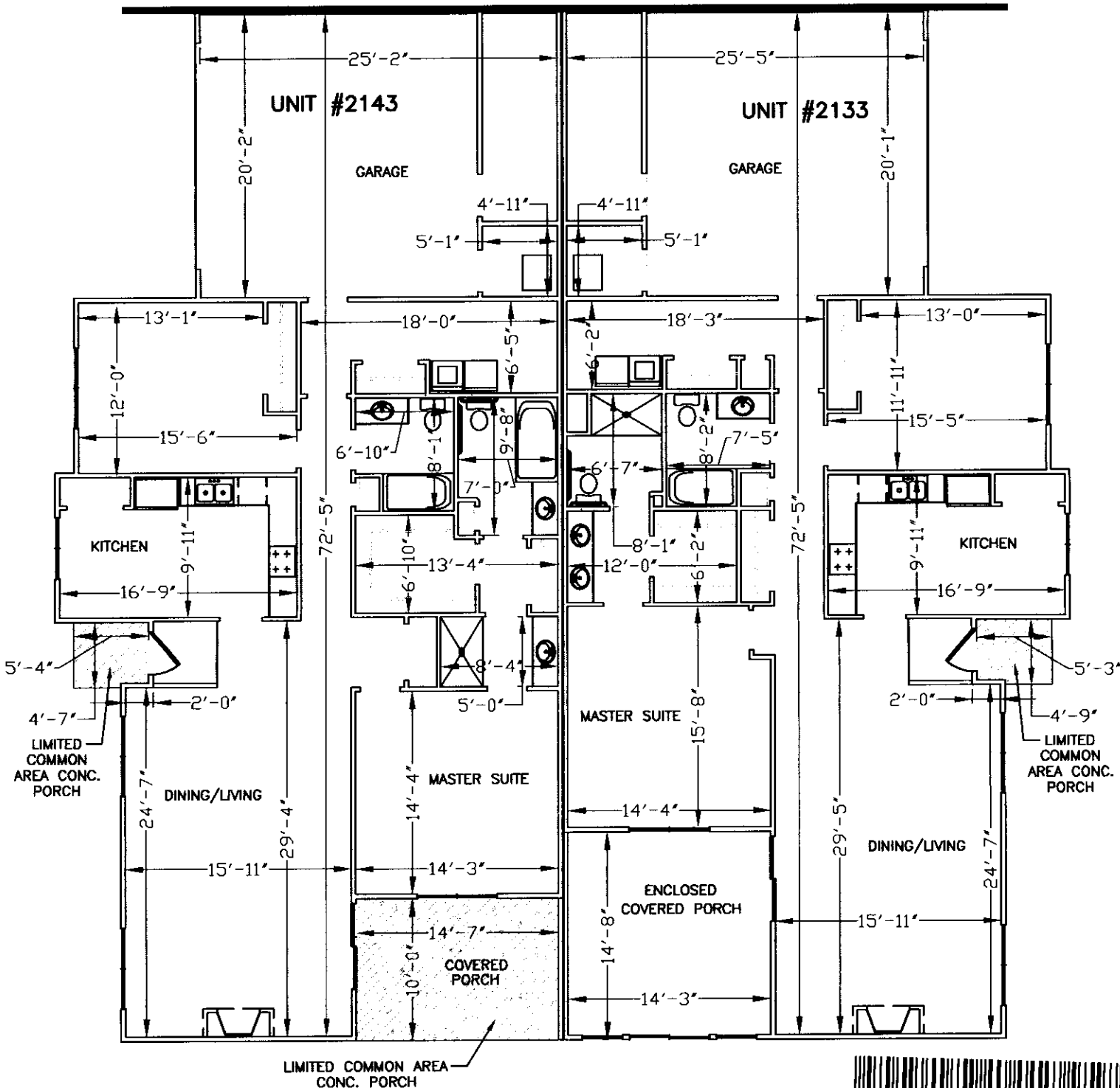
5/17/02  
 DATE

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



01138

MATCH LINE 'A'



LIMITED COMMON AREA CONC. PORCH

FLOOR PLAN - UNITS 2143 & 2133

Instr: 200206030044362 06/03/2002  
 P: 16 of 26 F: \$110.00 3:14PM COND  
 Rick Campbell T20020011616  
 Stark County Recorder INO

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**BUILDING 2**  
**UNITS 2133, 2137, 2143 & 2147**  
**CONDOMINIUM DRAWINGS**  
**FOR UNIVERSITY COMMONS**

5/17/02  
DATE

*Bryan J. Ashman*  
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 REGISTERED ENGINEER NO. E-043804



5/17/02  
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*Jerold E. Geib*  
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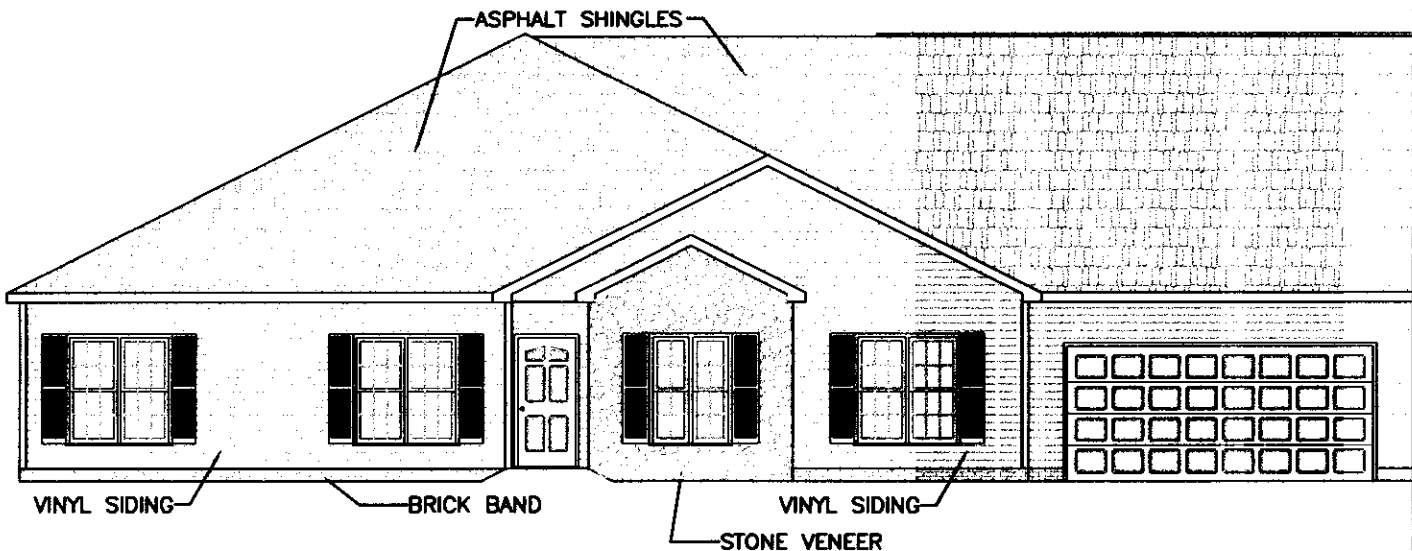


01138

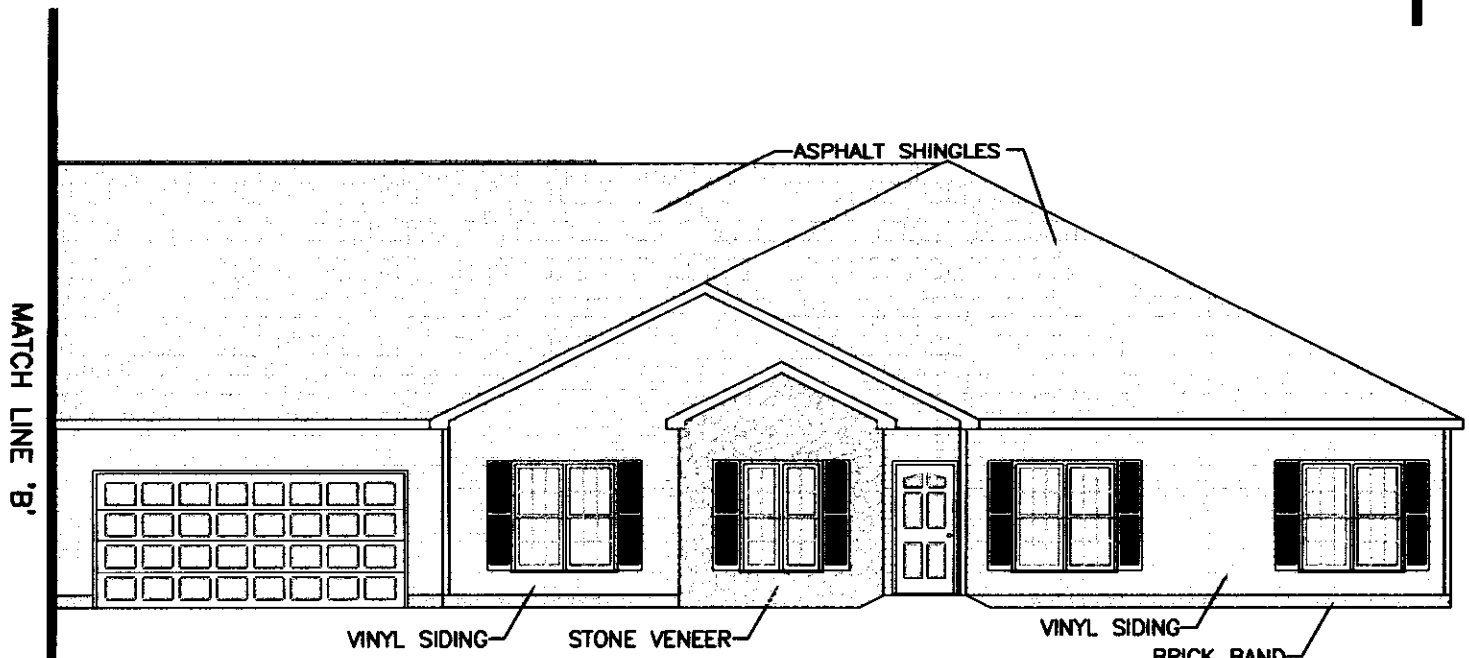




Instr: 200206030044362 06/03/2002  
 P: 17 of 26 F: \$110.00 3:14PM COND  
 Rick Campbell T20020011616  
 Stark County Recorder INO



NORTH ELEVATION - UNIT 2163



NORTH ELEVATION - UNIT 2167

THE BELOW LICENSED PROFESSIONAL ENGINEER AND LICENSED SURVEYOR STATE THAT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF THIS DRAWING GRAPHICALLY SHOWS THE PARTICULARS OF THE BUILDING AS CONSTRUCTED.

BUILDING 1  
 UNITS 2163, 2167, 2183 & 2187  
 CONDOMINIUM DRAWINGS  
 FOR UNIVERSITY COMMONS

5/17/02  
 DATE

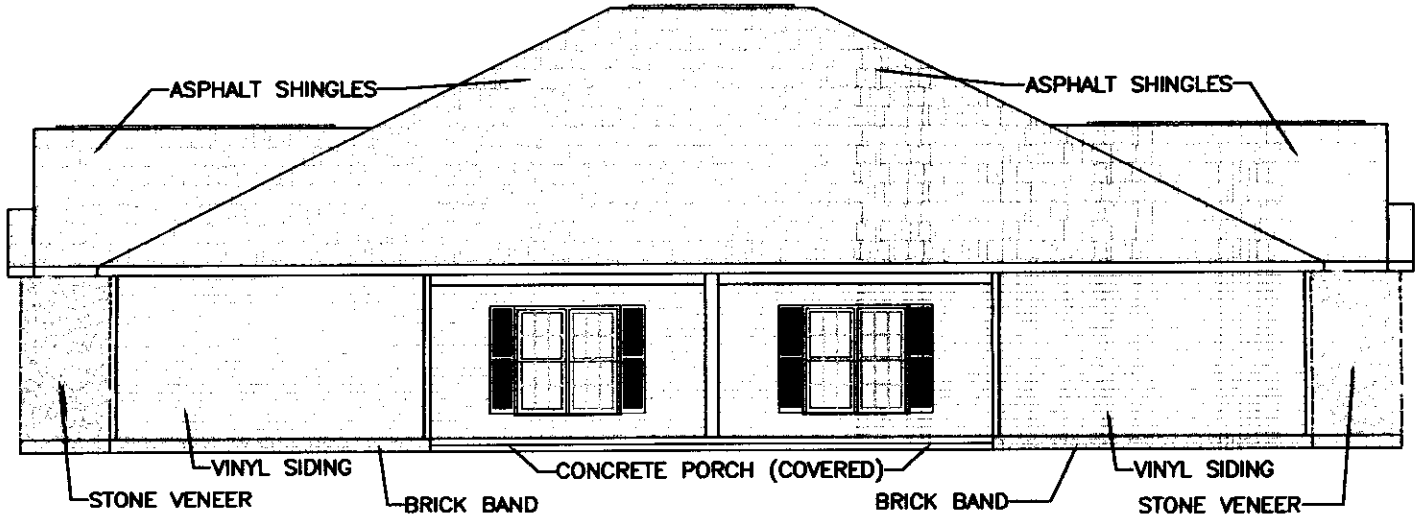
*Bryan J. Ashman*  
 (BRYAN J. ASHMAN  
 REGISTERED ENGINEER NO. E-043804



5/17/02  
 DATE

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





EAST ELEVATION - UNITS 2183 & 2163

THE BELOW LICENSED PROFESSIONAL ENGINEER AND LICENSED SURVEYOR STATE THAT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF THIS DRAWING GRAPHICALLY SHOWS THE PARTICULARS OF THE BUILDING AS CONSTRUCTED.

BUILDING 1  
 UNITS 2163, 2167, 2183 & 2187  
 CONDOMINIUM DRAWINGS  
 FOR UNIVERSITY COMMONS

5/17/02  
 DATE

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



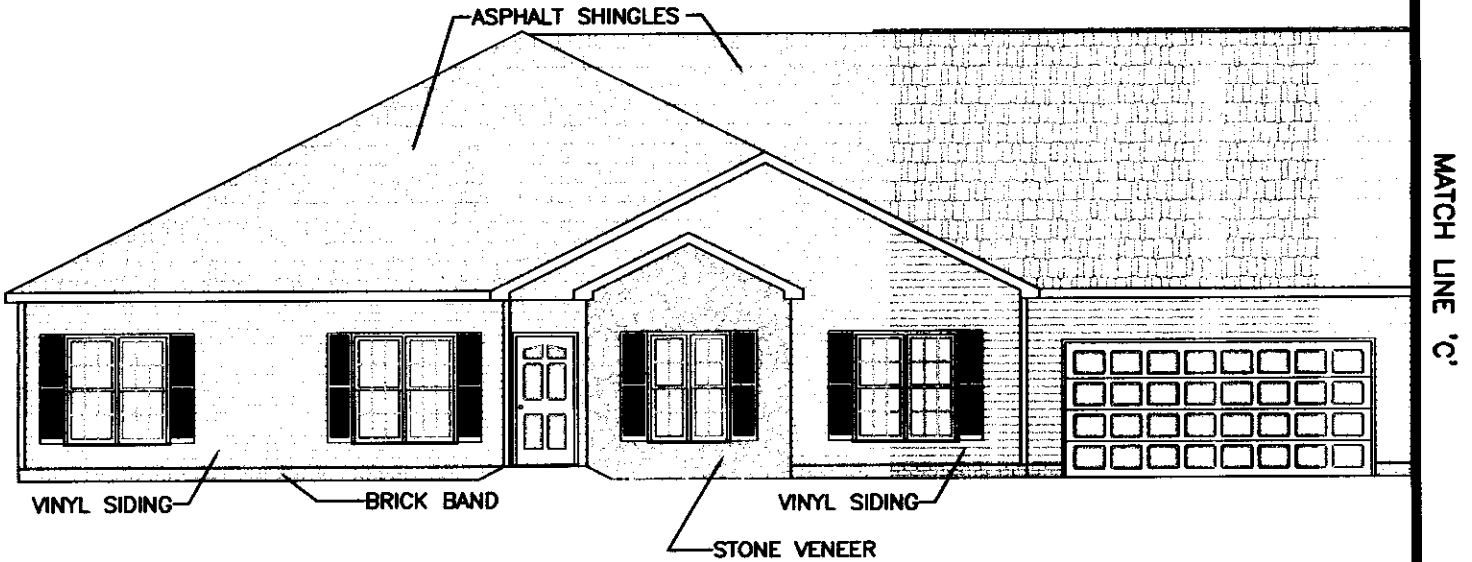
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 DATE

*Jerold E. Geib*  
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 REGISTERED SURVEYOR NO. 6725

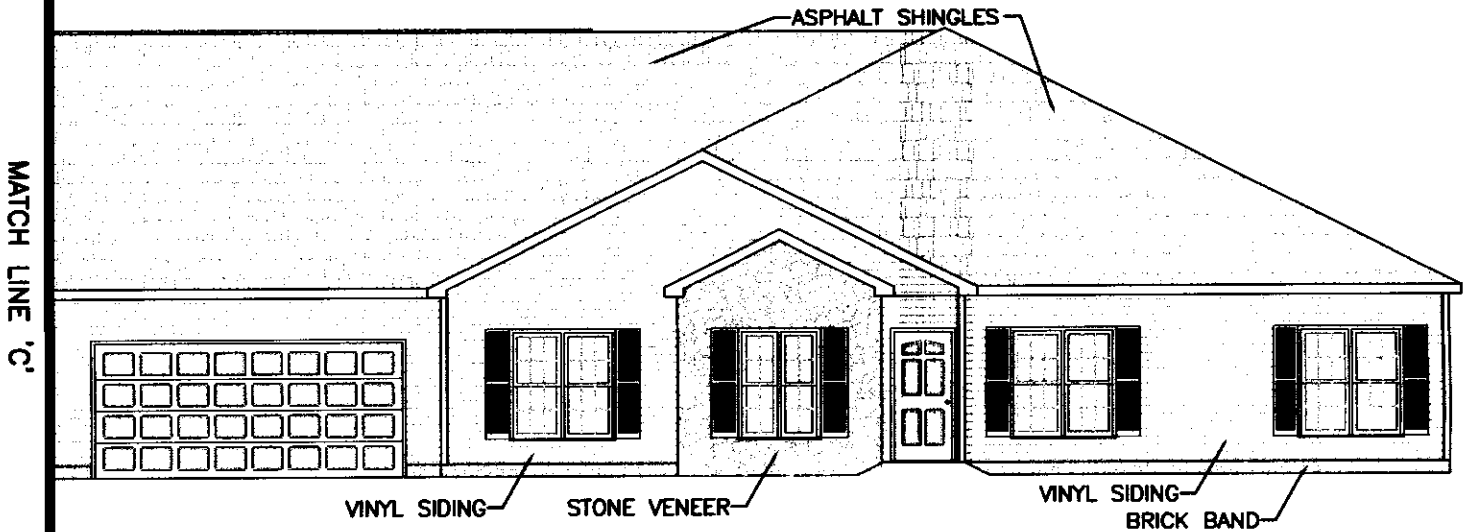




Instr: 200206030044362 06/03/2002  
 P: 19 of 26 F: \$110.00 3:14PM COND  
 Rick Campbell T20020011616  
 Stark County Recorder INO



SOUTH ELEVATION - UNIT 2187



SOUTH ELEVATION - UNIT 2183

THE BELOW LICENSED PROFESSIONAL ENGINEER AND LICENSED SURVEYOR STATE THAT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF THIS DRAWING GRAPHICALLY SHOWS THE PARTICULARS OF THE BUILDING AS CONSTRUCTED.

**BUILDING 1**  
 UNITS 2163, 2167, 2183 & 2187  
 CONDOMINIUM DRAWINGS  
 FOR UNIVERSITY COMMONS

5/17/02  
 DATE

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



5/17/02  
 DATE

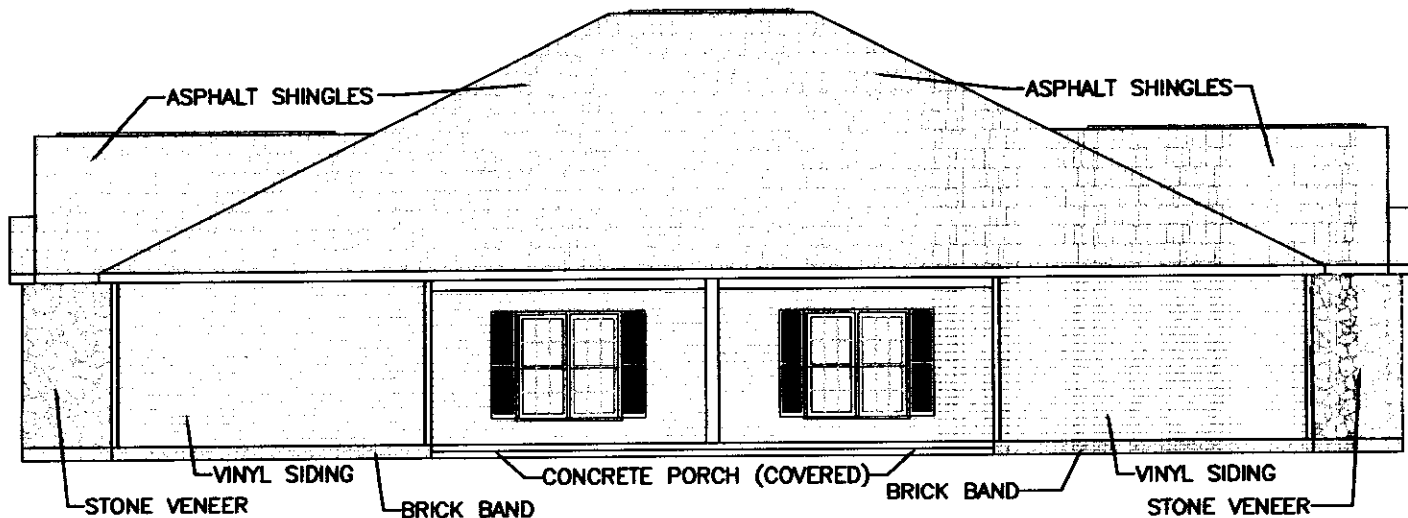
*Jerold E. Geib*  
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 REGISTERED SURVEYOR NO. 6725



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 Stark County Recorder INO



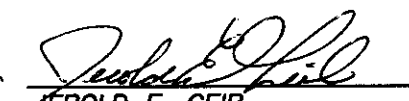
WEST ELEVATION - UNITS 2167 & 2187

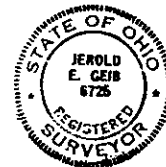
THE BELOW LICENSED PROFESSIONAL ENGINEER AND LICENSED SURVEYOR STATE THAT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF THIS DRAWING GRAPHICALLY SHOWS THE PARTICULARS OF THE BUILDING AS CONSTRUCTED.

BUILDING 1  
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 CONDOMINIUM DRAWINGS  
 FOR UNIVERSITY COMMONS

5/17/02   
 DATE BRYAN J. ASHMAN  
 REGISTERED ENGINEER NO. E-043804



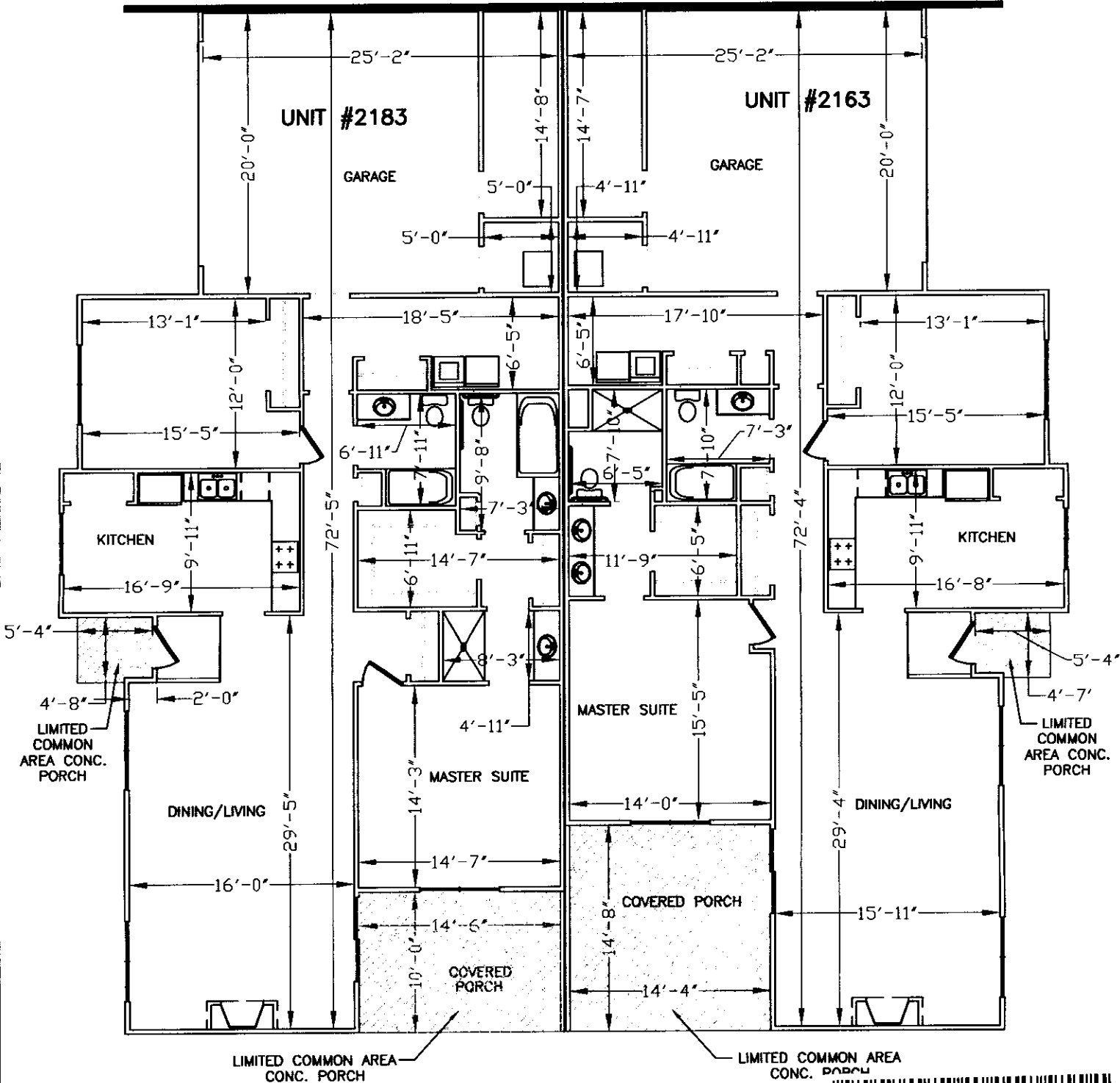
5/17/02   
 DATE JEROLD E. GEIB  
 REGISTERED SURVEYOR NO. 6725



MATCH LINE 'A'

UNIT #2183

UNIT #2163



FLOOR PLAN - UNITS 2183 & 2163

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 Stark County Recorder INO

THE BELOW LICENSED PROFESSIONAL ENGINEER AND LICENSED SURVEYOR STATE THAT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF THIS DRAWING GRAPHICALLY SHOWS THE PARTICULARS OF THE BUILDING AS CONSTRUCTED.

**BUILDING 1**  
 UNITS 2163, 2167, 2183 & 2187  
 CONDOMINIUM DRAWINGS  
 FOR UNIVERSITY COMMONS

5/17/02  
 DATE

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

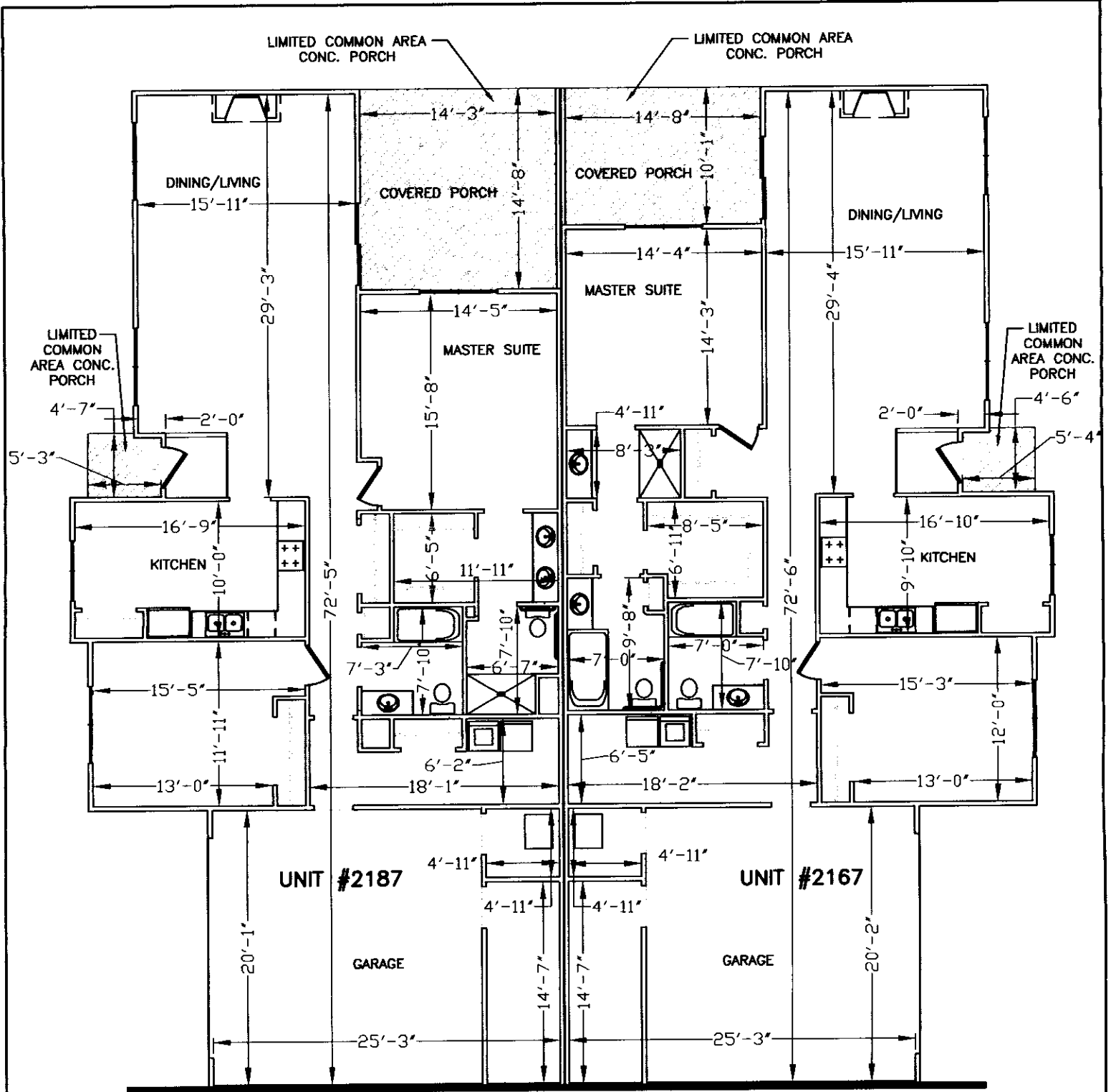


5/17/02  
 DATE

*Jerold E. Geib*  
 JEROLD E. GEIB  
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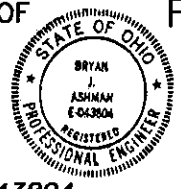
FLOOR PLAN - UNITS 2187 & 2167

BUILDING 1  
 UNITS 2163, 2167, 2183 & 2187  
 CONDOMINIUM DRAWINGS  
 FOR UNIVERSITY COMMONS

Instr: 200206030044362 06/03/2002  
 P: 22 of 26 F: \$110.00 3:14PM COND  
 Rick Campbell T20020011616  
 Stark County Recorder INO

THE BELOW LICENSED PROFESSIONAL ENGINEER AND LICENSED SURVEYOR STATE THAT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF THIS DRAWING GRAPHICALLY SHOWS THE PARTICULARS OF THE BUILDING AS CONSTRUCTED.

5/17/02 *Bryan J. Ashman*  
 DATE BRYAN J. ASHMAN  
 REGISTERED ENGINEER NO. E-043804



5/17/02 *Jerrold E. Geib*  
 DATE JEROLD E. GEIB  
 REGISTERED SURVEYOR NO. 6725



01138



1359 MARKET  
AVENUE NORTH  
CANTON, OHIO  
44714

BRYAN J. ASHMAN  
JEROLD E. GEIB

Instr: 200206030044362 06/03/2002  
P: 23 of 26 F: \$110.00 3:14PM COND  
Rick Campbell T20020011616  
Stark County Recorder IN0

**COOPER & ASSOCIATES, LLP / ENGINEERS & SURVEYORS**  
PHONE: (330) 452-5731 FAX: (330) 452-9110



May 17, 2002

**PHASE 1-B  
DESCRIPTION OF 1.720 ACRES  
FOR: TOBIN ENTERPRISES INC.**

Known as and being part of Outlot 899 in the City of Massillon, Stark County, Ohio presently known as The University Commons Condominiums-Phase 1, being 3.271 acres of land more or less and owned by Tobin Enterprises Inc. as recorded in Recorder's Image Number 2001/059245 of the Stark County Deed Records and being more particularly bounded and described as follows;

Beginning for the same at a point, marked by a 1/2 inch iron bar with Cooper & Associates cap found, at the northwest corner of Outlot 899 in the City of Massillon as depicted on the Record Plat of University Village Phase 7 and recorded in Plat Book 69, Page 39 of the Stark County Plat Records;

Thence S02°38'19"W on a portion of the west line of said Outlot 899 a distance of 269.90 feet to a point, marked by a 1/2 inch iron bar with Cooper & Associates cap found, at the northwest corner of the previously stated 3.271 acre Tobin Enterprises Inc. tract of land and being the true place of beginning for the tract of land herein to be described;

Thence on a common line between the said 3.271 acre tract of land and a 6.487 acre tract of land now or formerly owned by Tobin Enterprises Inc. the following five (5) courses:

1. S87°21'41"E perpendicular to the west line of Outlot 899 in the City of Massillon a distance of 211.39 feet to a point, marked by a 1/2 inch iron bar with Cooper & Associates cap found;
2. Thence N02°38'19"E parallel with and 211.39 feet east of the west line of Outlot 899 a distance of 63.05 feet to a point, marked by a 1/2 inch iron bar with Cooper & Associates cap found;
3. Thence S87°21'41"E a distance of 118.06 feet to a point, marked by a 1/2 inch iron bar with Cooper & Associates cap found;
4. Thence S02°38'19"W a distance of 72.04 feet to a point, marked by a 1/2 inch iron bar with Cooper & Associates cap found;
5. Thence S33°51'07"W a distance of 59.04 feet to a point, marked by a 1/2 inch iron bar with Cooper & Associates cap found;

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Rick Campbell T20020011616  
Stark County Recorder INO

Thence S16°22'36"W on a portion of the east line of the previously stated 3.271 acre Tobin Enterprises Inc. tract of land a distance of 180.56 feet to a point, marked by a 1/2 inch iron bar set;

Thence N87°21'41"W perpendicular to the east right-of-way line of Bowling Green Drive S.E. on a common line between the subject 1.720 acre tract of land and a 1.551 acre tract of land a distance of 255.97 feet to a point, marked by a 1/2 inch iron bar set, on the east right-of-way line of Bowling Green Drive S.E.;

Thence N02°38'19"E on a portion of the east right-of-way line of said Bowling Green Drive S.E. and it's northerly extension a distance of 234.88 feet to a point, marked by a 1/2 inch iron bar with Cooper & Associates cap found, at the northwest corner of the previously stated 3.271 acre Tobin Enterprises Inc. tract of land, being the true place of beginning and containing 1.720 acres of land more or less.

Subject to any and all easements, reservations, or restrictions that may be of record pertaining to the above described tract of land.

NOTE: Reference direction for bearing system used in the above description was established from the Record Plat of University Village Phase 2 as recorded in Plat Book 65, Pages 144 and 145 of the Stark County Plat Records, using N02°38'19"E for the centerline of Bowling Green Drive S.E.

As surveyed this 17<sup>TH</sup> day of May, 2002.



*Jerold E. Geib*  
\_\_\_\_\_  
Jerold E. Geib - Registered Surveyor No. 6725



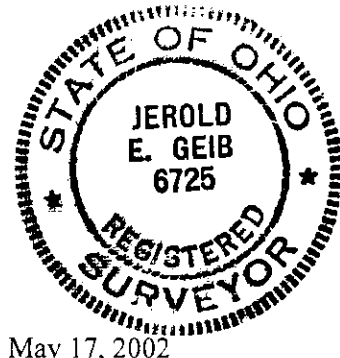


1359 MARKET  
AVENUE NORTH  
CANTON, OHIO  
44714

BRYAN J. ASHMAN  
JEROLD E. GEIB

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P: 25 of 26 F: \$110.00 3:14PM COND  
Rick Campbell T20020011616  
Stark County Recorder INO

**COOPER & ASSOCIATES, LLP / ENGINEERS & SURVEYORS**  
PHONE: (330) 452-5731 FAX: (330) 452-9110



May 17, 2002

**PHASE 1-A  
DESCRIPTION OF 1.5513 ACRES  
FOR: TOBIN ENTERPRISES INC.**

Known as and being part of Outlot 899 in the City of Massillon, Stark County, Ohio presently known as The University Commons Condominiums-Phase 1, being 3.271 acres of land more or less and owned by Tobin Enterprises Inc. as recorded in Recorder's Image Number 2001/059245 of the Stark County Deed Records and being more particularly bounded and described as follows;

Beginning for the same at a point, marked by a 1/2 inch iron bar with Cooper & Associates cap found, at the northwest corner of Outlot 899 in the City of Massillon as depicted on the Record Plat of University Village Phase 7 and recorded in Plat Book 69, Page 39 of the Stark County Plat Records;

Thence S02°38'19"W on a portion of the west line of said Outlot 899 a distance of 504.78 feet to a point, marked by a 1/2 inch iron bar set, on the east right-of-way line of Bowling Green Drive S.E. (50 feet wide) and being the true place of beginning for the tract of land herein to be described;

Thence S87°21'41"E perpendicular to the east right-of-way line of said Bowling Green Drive S.E. a distance of 255.97 feet to a point, marked by a 1/2 inch iron bar set, on the east line of the previously stated 3.271 acre Tobin Enterprises Inc. tract of land;

Thence S16°22'36"W on a portion of the east line of said 3.271 acre tract of land a distance of 81.29 feet to a point, marked by a 1/2 inch iron bar with Cooper & Associates cap found;

Thence S04°39'19"W continuing on a portion of the east line of said 3.271 acre Tobin Enterprises Inc. tract of land a distance of 218.46 feet to a point, marked by a 1/2 inch iron bar with Cooper & Associates cap found, on the north right-of-way line of Ohio State Drive S.E. (60 feet wide);

Thence on an arc of a curve to the left, on a portion of the north right-of-way line of said Ohio State Drive S.E., in a westerly direction, with said curve having a central angle of 12°00'22", a radius of 530.00 feet, a tangent distance of 55.73 feet and an arc length of 111.06 feet, a distance of 111.06 feet to the point of tangency of said curve, marked by a 1/2 inch iron bar with Cooper & Associates cap found, (last stated curved course has a chord bearing and distance of N80°36'02"W -- 110.86 feet);

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COOPER & ASSOCIATES, LLP

Thence N86°36'13"W continuing on a portion of the north right-of-way line of Ohio State Drive S.E. a distance of 94.23 feet to a point of curvature, marked by a ½ inch iron bar with Cooper & Associates cap found;

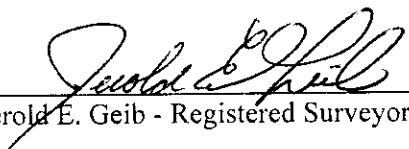
Thence on an arc of a curve to the right, in northwesterly direction, with said curve having a central angle of 89°14'32", a radius of 25.00 feet, a tangent distance of 24.67 feet and an arc length of 38.94 feet, a distance of 38.94 feet to the point of tangency of said curve, marked by a ½ inch iron bar with Cooper & Associates cap found, on the east right-of-way line of Bowling Green Drive S.E. (50 feet wide) (last stated curved course has a chord bearing and distance of N41°58'57"W - 35.12 feet);

Thence N02°38'19"E on a portion of the east right-of-way line of said Bowling Green Drive S.E. a distance of 258.00 feet to a point, marked by a ½ inch iron bar set, being the true place of beginning and containing 1.551 acres of land more or less.

Subject to any and all easements, reservations, or restrictions that may be of record pertaining to the above described tract of land.

NOTE: Reference direction for bearing system used in the above description was established from the Record Plat of University Village Phase 2 as recorded in Plat Book 65, Pages 144 and 145 of the Stark County Plat Records, using N02°38'19"E for the centerline of Bowling Green Drive S.E.

As surveyed this 17<sup>TH</sup> day of May, 2002.

  
\_\_\_\_\_  
Jerold E. Geib - Registered Surveyor No. 6725

