

45

54



Instr: 200308060076248  
P: 1 of 34 F: \$284.00 08/06/2003  
Rick Campbell 2:18PM COND  
Stark County Recorder T20030043739

**FIFTH AMENDMENT  
TO THE DECLARATION OF CONDOMINIUM OWNERSHIP  
OF UNIVERSITY COMMONS CONDOMINIUM - PHASE 1-A,  
ADDING PHASE 2  
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**

This is to certify that copies of the Fifth Amendment of the Declaration, Bylaws and Drawings for University Commons Condominium, adding Phase 2 have been filed this date with the Auditor of Stark County, Ohio.

Janet Weir Brighten  
Auditor of Stark County, Ohio

by [Signature], 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

**FIFTH AMENDMENT TO THE  
ORIGINAL DECLARATION OF CONDOMINIUM OWNERSHIP  
FOR UNIVERSITY COMMONS CONDOMINIUM  
ADDING PHASE 2**

THE FIFTH AMENDMENT to the Original Declaration of Condominium Ownership for University Commons Condominium is made this 4th day of August 2003, 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 files, Recorders Imaging Number 20020047887 and on July 28, 2003 the Fourth Amendment was filed, Recorder Imaging Number 200307280071959.

WHEREAS, the Declarant desires to Amend Section 8 of the First Amendment to set forth the percentage of ownership for the eight (8) buildings currently constituting the condominium property, adding buildings 11, 12, 13 & 14.

NOW THEREFORE, Section 8 of Amendment One is hereby amended to recite the square footage and percentage of ownership for the thirty-two (32) units currently constituting University Commons Condominium.

**Section 8**

**Ownership of Common Elements**

Each owner of a unit will own in fee simple absolute a proportionate, undivided interest in the common elements listed in Section 6 equal to the proportion that the value of such unit bears to the total value of all units, as follows. All units on University Commons Dr. S.E., Massillon, Ohio 44646:

	<u>Square Footage</u>	<u>Percentage of Total</u>
2042	2279	3.147
2043	2278	3.147
2046	2278	3.147
2047	2279	3.147
2052	2278	3.147
2053	2279	3.147
2056	2279	3.147
2057	2278	3.147
2072	2279	3.147
2073	2278	3.147
2076	2278	3.147
2077	2279	3.147
2082	2278	3.147

	<u>Square Footage</u>	<u>Percentage of Total</u>
2083	2279	3.147
2086	2279	3.147
2087	2278	3.147
2132	2149	2.971
2133	2278	3.147
2136	2149	2.971
2137	2279	3.147
2142	2149	2.971
2143	2279	3.147
2146	2149	2.971
2147	2278	3.147
2162	2278	3.147
2163	2278	3.147
2166	2279	3.147
2167	2279	3.147
2182	2279	3.147
2183	2279	3.147
2186	2278	3.147
2187	<u>2278</u>	<u>3.147</u>
Total:	72,394	100.0%

### Section 8

The Fifth Amendment adds buildings 11, 12, 13 & 14 to University Commons Condominium Phase 1-A, said buildings being referred to as Phase 2. Attached hereto as Exhibit 1 is the Site Plan for the 8 buildings constituting Phase 1-A and Phase 2. Attached here to as Exhibit 2 are the elevation drawings for the new buildings constituting Phase 2. Attached hereto as Exhibits 3A & B are the floor plans for buildings in Phase 2. Attached hereto as Exhibit 4 is the legal description for the 2.680 acres of land comprising Phase 2. Attached hereto as Exhibit 5 is the legal description

for the 3.807 acres comprising the expansion area as originally set forth in Section 28 of the Original Declaration as filed on October 3, 2001. Phase 2 shall be subject to all of the provisions, terms and conditions of the Original Declaration and Amendments hereto.

In all other respects, the Declaration of Condominium and Amendments thereto shall remain unchanged.

IN WITNESS WHEREOF, the undersigned have executed this instruments this 4th day of August 2003.

Signed and acknowledged  
in the presence of:

DECLARANT:

TOBIN ENTERPRISES, INC.

Marcia A. Brown  
Marcia A. Brown

By: Fred W. Tobin  
Fred W. Tobin, President

Larry A. Zink  
Larry A. Zink

STATE OF OHIO

SS:

COUNTY OF STARK

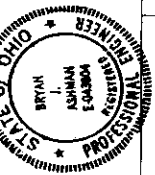
Notary

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.



Larry A. Zink  
Notary  
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.



THE BELOW LICENSED PROFESSIONAL ENGINEER AND SURVEYOR HAS REGISTERED SURVEYOR STATE TO THE BEST OF THEIR KNOWLEDGE AND BELIEF THAT THIS INSTRUMENT IS ACCURATE AND COMPLETELY SHOWS ALL OF THE PARTICULARS OF THE BUILDING OF PHASE 2 AS TO BE CONSTRUCTED.

**DATE:** 5/21/03  
**DATE:** 5/21/03

**OWNER/DEVELOPER:**  
 TOBIN ENTERPRISES, INC.  
 7894 STRAUSSER ST. N.W.  
 NORTH CANTON, OHIO 44720  
 PHONE: 330-497-9744



**MONUMENT LEGEND:**

- 7/2" IRON BAR TO BE SET
- MONUMENT 5"
- 1/2" IRON BAR W/ COPPER & ASSOC. (CAP FOUND)
- MONUMENT FOUND
- PROPERTY LINE
- .01 LINE

**PLAN LEGEND:**

- DENOTES BUILDING NUMBER
- ◇ DENOTES UNIT/HOUSE NUMBER
- DENOTES LIMITED COMMON AREA

**PERTINENT DOCUMENTS:**

- 1. INC. 1987/066027
- 2. INC. 1987/066027
- 3. RING 1988/000121
- 4. P.B. 65 P.C.S. 144 145
- 5. P.B. 61 P.C. 20
- 6. P.B. 61 P.C. 20
- 7. RING 1995/038246
- 8. RING 2001/029245-DEED OF RECORD
- 9. OWNER-TOBIN ENTERPRISES INC.
- 10. RING 2001/080119-NOTICE OF COMMENCEMENT
- 11. DECLARATION OF UNIVERSITY COMMONS CONDOMINIUM
- 12. RING 2002/044362-FIRST AMENDMENT TO THE DECLARATION OF UNIVERSITY COMMONS CONDOMINIUMS
- 13. RING 2002/044363-SECOND AMENDMENT TO THE DECLARATION OF UNIVERSITY COMMONS CONDOMINIUMS
- 14. RING 2002/044363-SECOND AMENDMENT TO THE DECLARATION OF UNIVERSITY COMMONS CONDOMINIUMS
- 15. RING 2002/044363-PLAT OF BUILDING 3
- 16. RING 2002/093279-THIRD AMENDMENT TO THE DECLARATION OF UNIVERSITY COMMONS CONDOMINIUMS

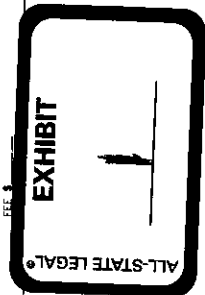
**REFERENCE DIRECTION**

BEARING SYSTEM ESTABLISHED FROM THE RECORD PLAT OF UNIVERSITY VILLAGE PHASE 2 AS RECORDED IN PLAT BOOK 89, PAGE 39, STARK COUNTY PLAT RECORDS USING MONUMENT FOR THE CENTERLINE OF BOWLING GREEN DRIVE S.E.

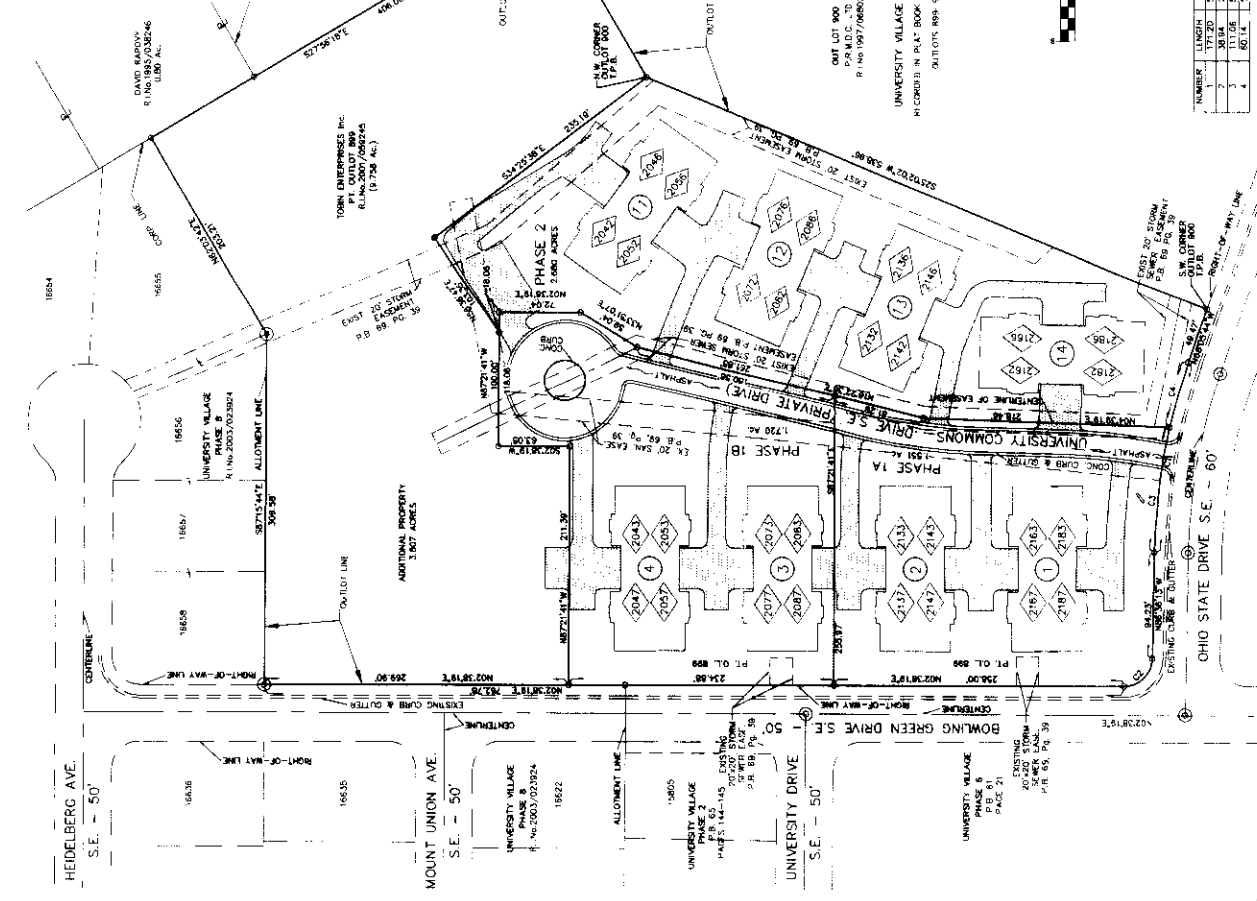
**UNIVERSITY COMMONS CONDOMINIUM AREA TABLE**

TOTAL AREA OF PROPERTY	9.798 ACRES
UNIVERSITY COMMONS CONDOMINIUM PROPERTY PHASE 1A	1.501 ACRES
UNIVERSITY COMMONS CONDOMINIUM PROPERTY PHASE 1B	1.720 ACRES
UNIVERSITY COMMONS CONDOMINIUM PROPERTY PHASE 1 TOTAL	3.221 ACRES
UNIVERSITY COMMONS CONDOMINIUM PROPERTY PHASE 2	2.680 ACRES
ADDITIONAL PROPERTY	3.807 ACRES

RECEIVED FOR RECORD THIS DAY OF 2003  
 RECORDED IN STARK COUNTY RECORDER



**OWNER/DEVELOPER:**  
 TOBIN ENTERPRISES, INC.  
 7894 STRAUSSER ST. N.W.  
 NORTH CANTON, OHIO 44720  
 PHONE: 330-497-9744



**CURVE DATA TABLE**

NUMBER	LENGTH	CHORD	ANGLE	PIECE	CHORD	ANGLE	PIECE
1	177.80	500.00	90.00	177.80	500.00	90.00	177.80
2	30.84	29.00	85.14	31.17	29.00	85.14	31.17
3	80.14	50.00	36.87	80.14	50.00	36.87	80.14

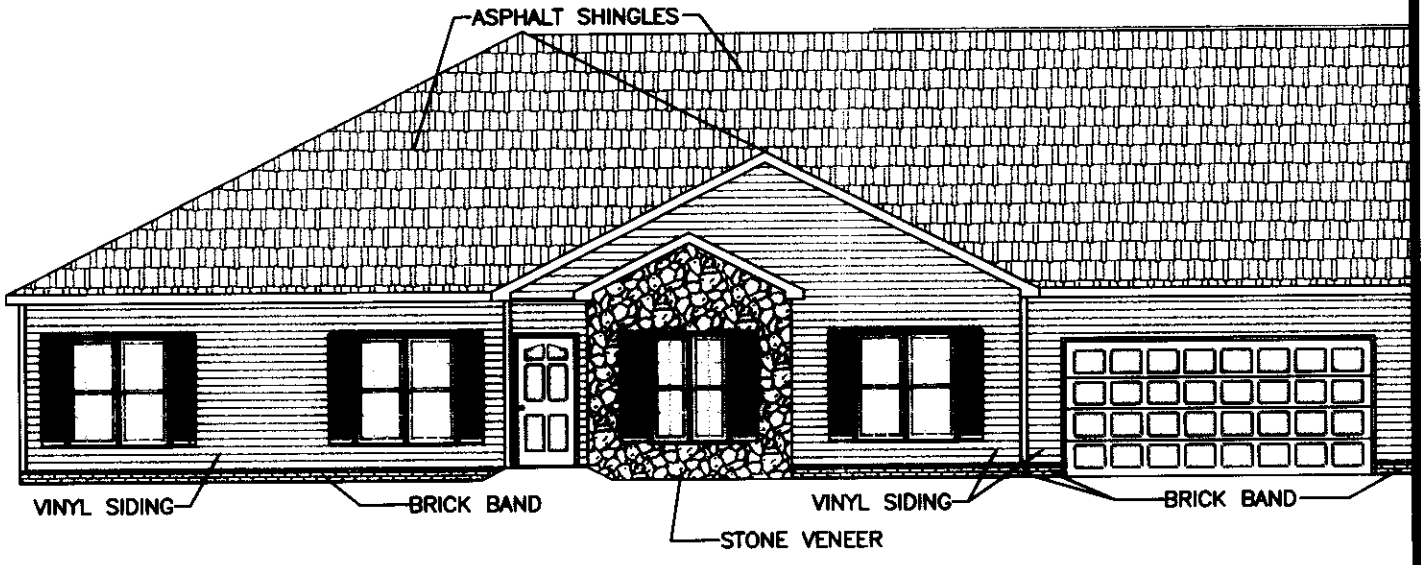
Instr: 200308060076248  
 P: 6 of 34 F: \$284.00  
 Rick Campbell 2:18PM COND  
 Stark County Recorder T20030043739

CONDOMINIUM PLAT - PHASE 2 - 01138-2

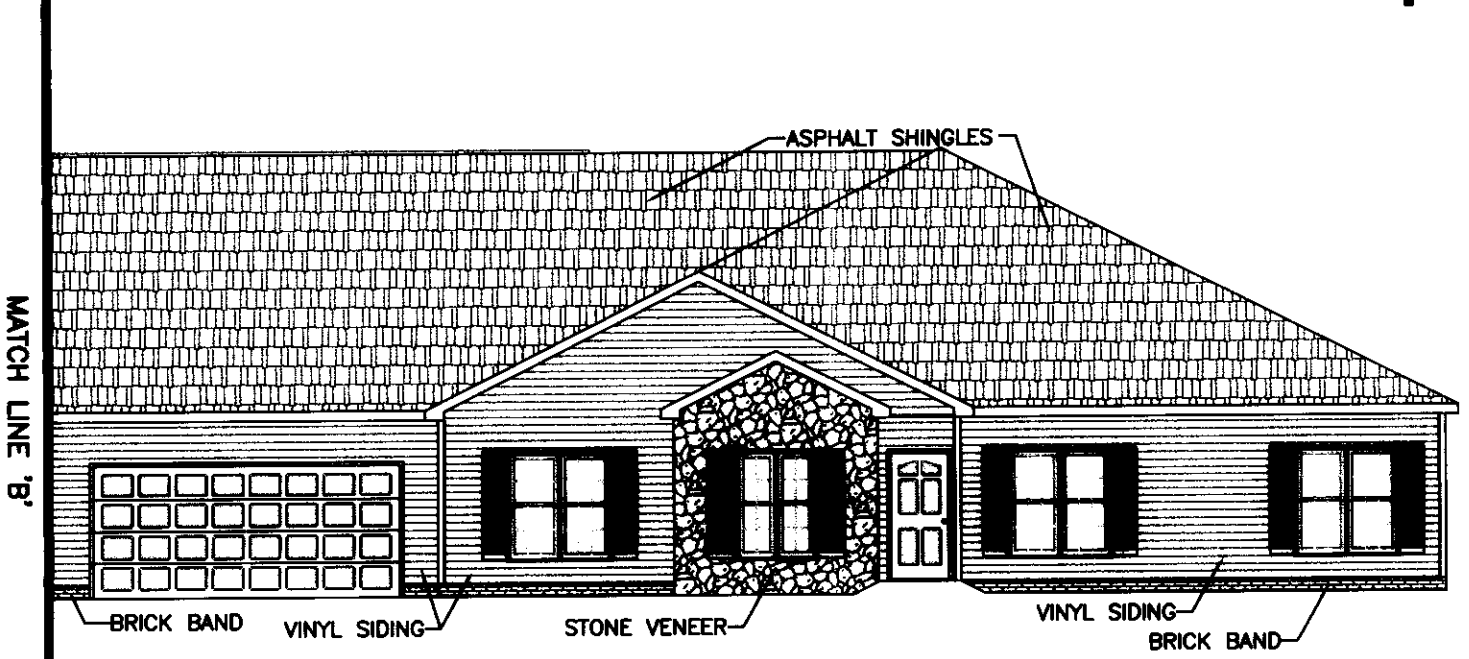


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 P: 7 of 34 F: \$284.00  
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ALL-STATE LEGAL®  
 EXHIBIT  
 2



WEST ELEVATION - UNIT 2162



WEST ELEVATION - UNIT 2182

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 TO BE CONSTRUCTED.

BUILDING 14  
 UNITS 2162, 2166, 2182 & 2186  
 CONDOMINIUM DRAWINGS  
 FOR UNIVERSITY COMMONS

7/29/03  
 DATE

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



7/29/03  
 DATE

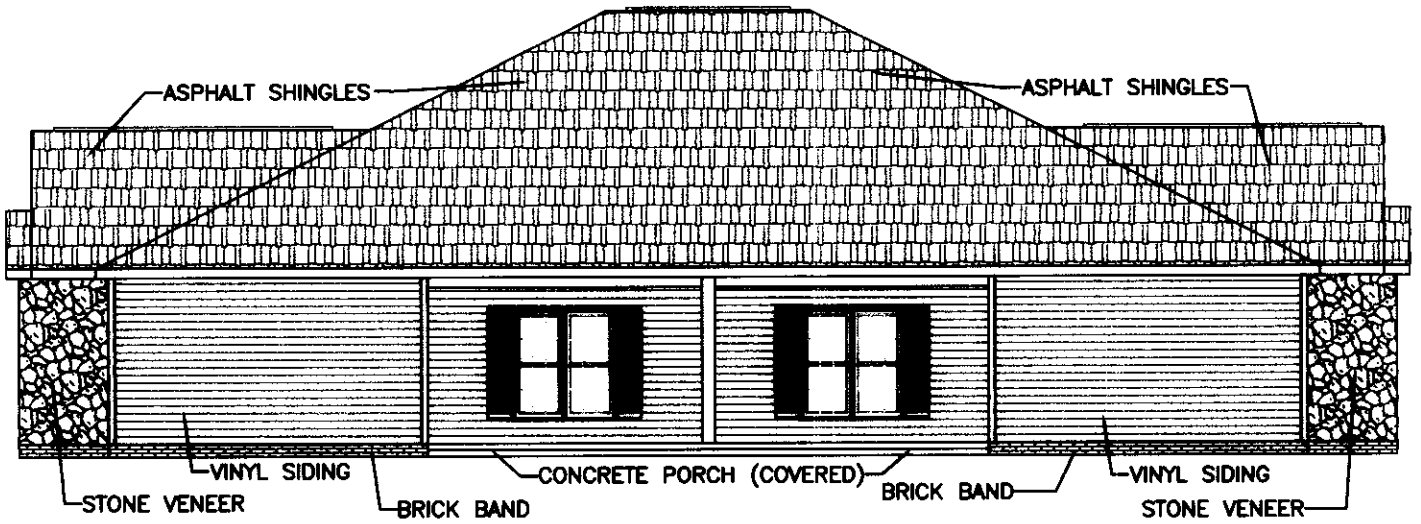
*Jerold E. Geib*  
 JEROLD E. GEIB  
 REGISTERED SURVEYOR  
 NO. 6725



01138



Instr: 200308060076248 08/06/2003  
 P: 8 of 34 F: \$284.00  
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SOUTH ELEVATION - UNITS 2182 & 2186

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 TO BE CONSTRUCTED.

BUILDING 14  
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 CONDOMINIUM DRAWINGS  
 FOR UNIVERSITY COMMONS

7/29/03  
 DATE

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



7/29/03  
 DATE

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

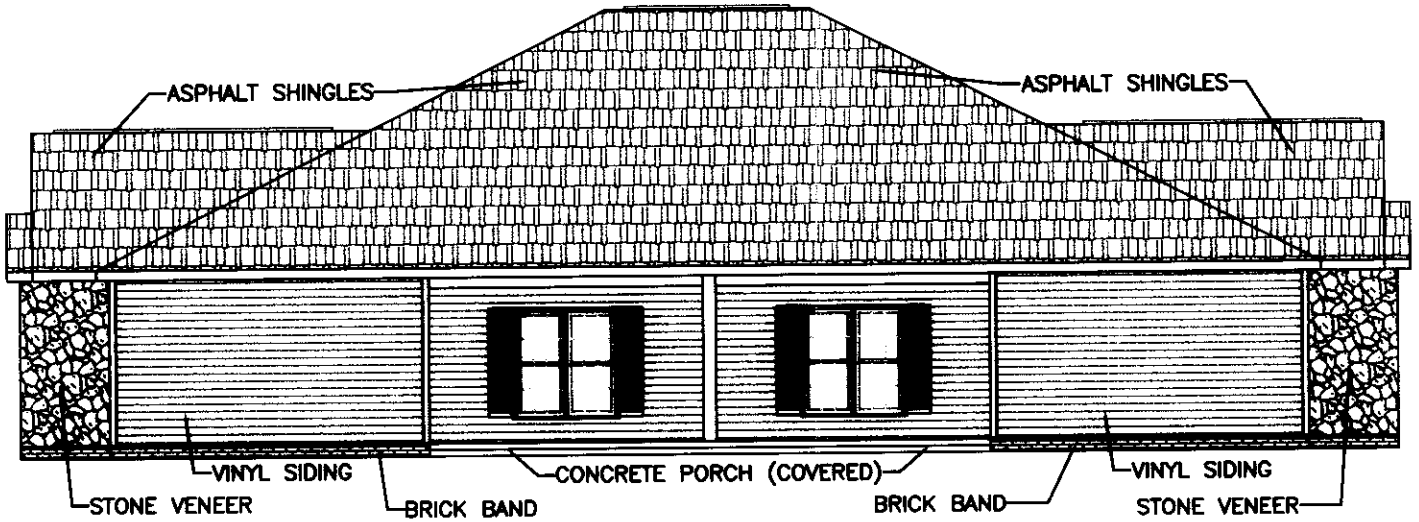


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Instr: 200308060076248  
 P.9 of 34 F: \$284.00 08/06/2003  
 Rick Campbell 2:18PM COND  
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NORTH ELEVATION - UNITS 2166 & 2162

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BUILDING 14  
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 DATE

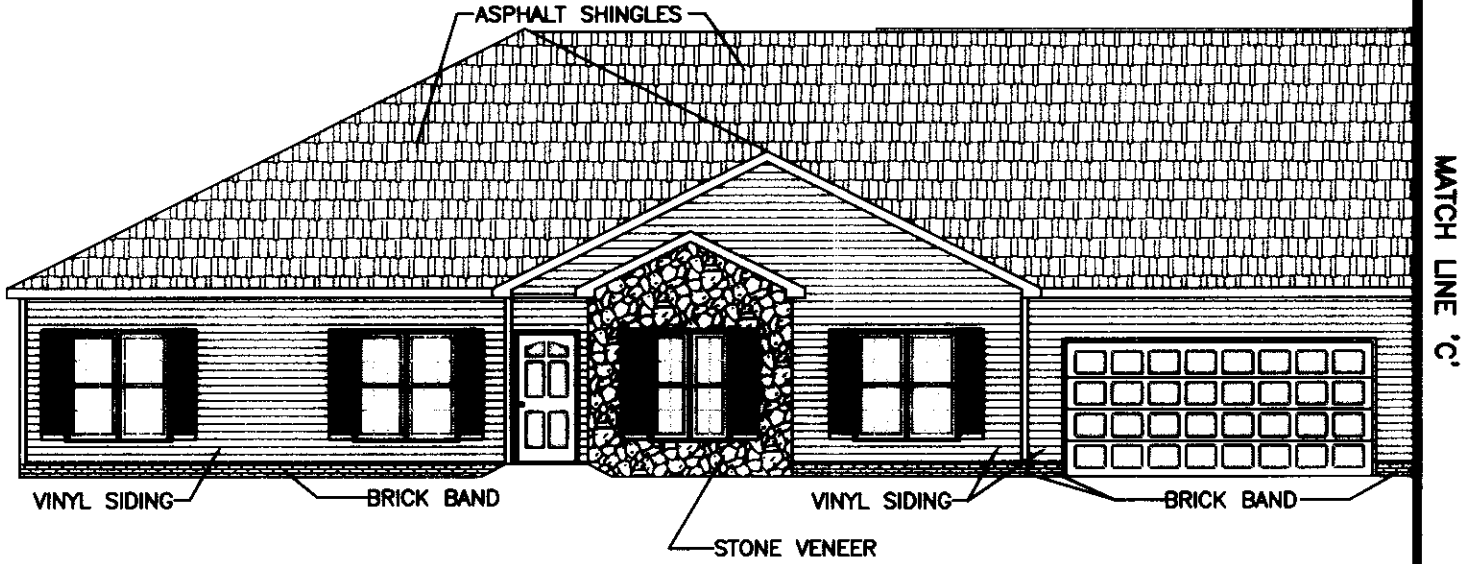
*Jerrold E. Geib*  
 JEROLD E. GEIB  
 REGISTERED SURVEYOR  
 NO. 6725



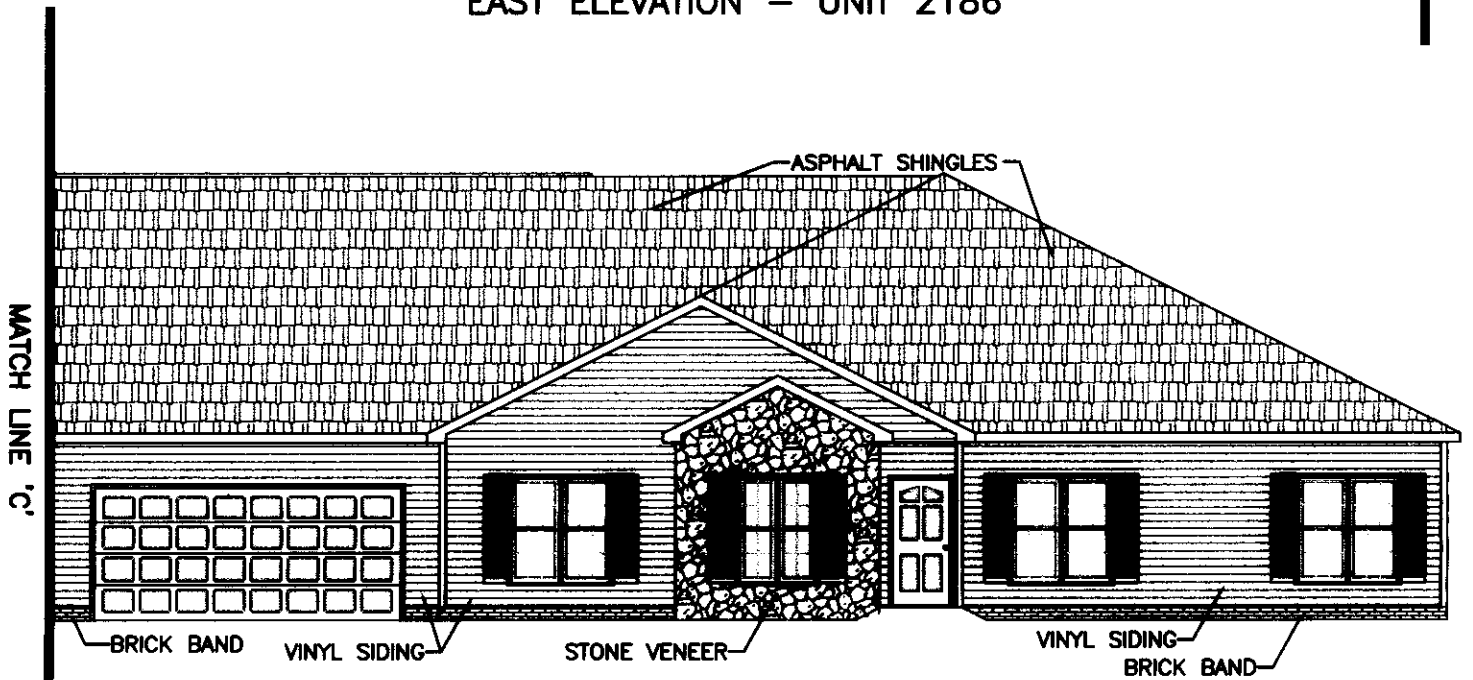
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Instr: 200308060076248 08/06/2003  
 P: 10 of 34 F: \$284.00 2:18PM COND  
 Rick Campbell Stark County Recorder T20030043739



EAST ELEVATION - UNIT 2186



EAST ELEVATION - UNIT 2166

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BUILDING 14  
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 CONDOMINIUM DRAWINGS  
 FOR UNIVERSITY COMMONS

7/29/03  
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*Bryan J. Ashman*  
 BRYAN J. ASHMAN  
 REGISTERED ENGINEER  
 NO. E-043804



7/29/03  
 DATE

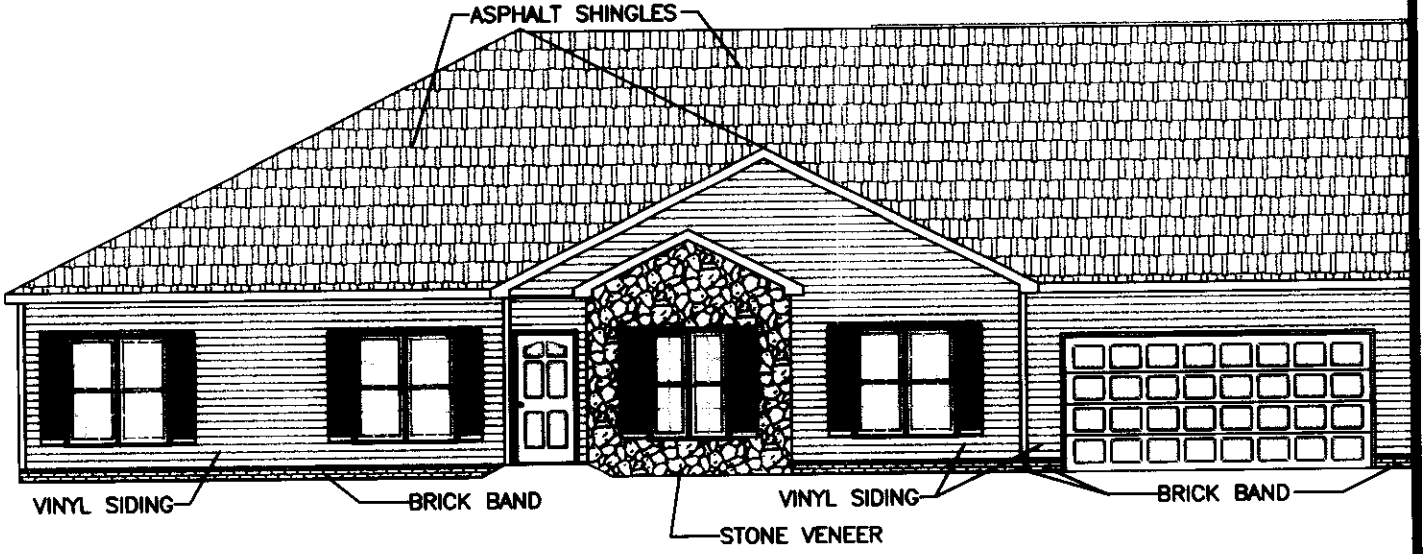
*Jerold E. Geib*  
 JEROLD E. GEIB  
 REGISTERED SURVEYOR  
 NO. 6725



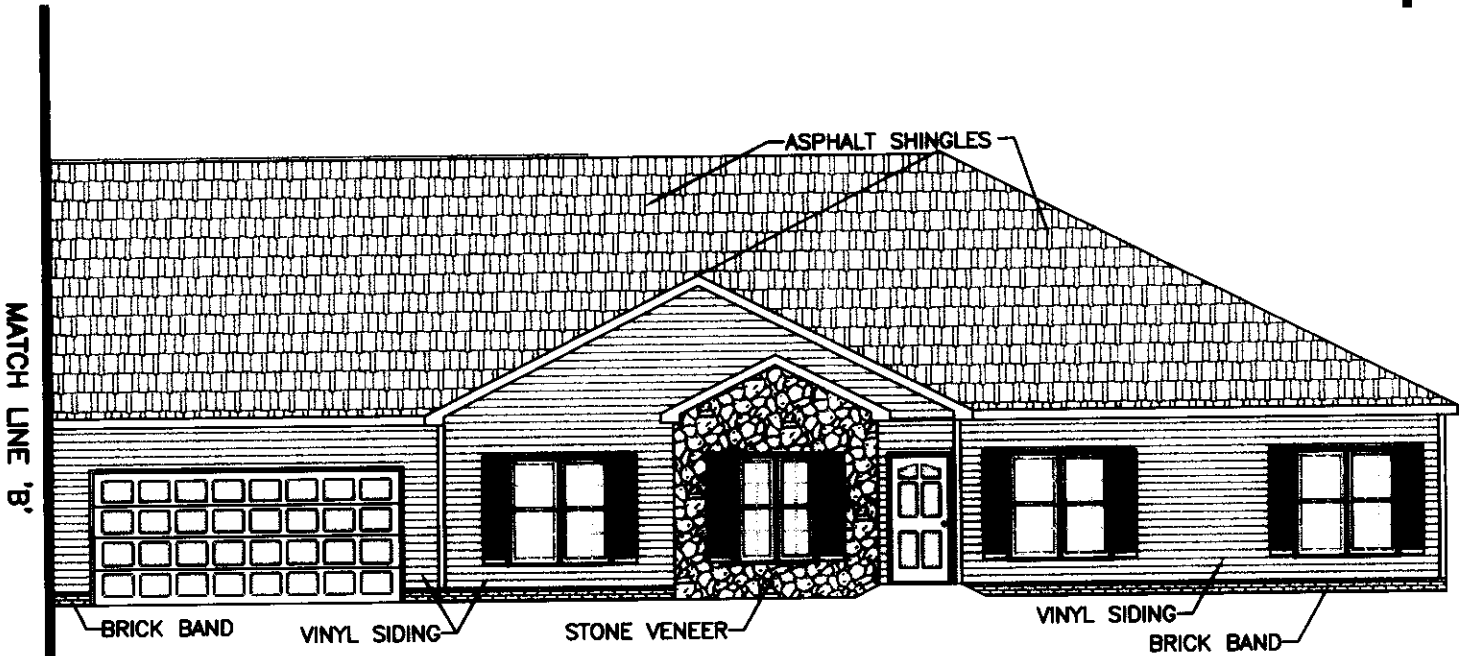
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Instr: 200308060076248  
 P: 11 of 34 F: \$284.00 08/06/2003  
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NORTH ELEVATION - UNIT 2136



NORTH ELEVATION - UNIT 2132

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 TO BE CONSTRUCTED.

BUILDING 13  
 UNITS 2132, 2136, 2142 & 2146  
 CONDOMINIUM DRAWINGS  
 FOR UNIVERSITY COMMONS

7/29/03  
 DATE

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



7/29/02  
 DATE

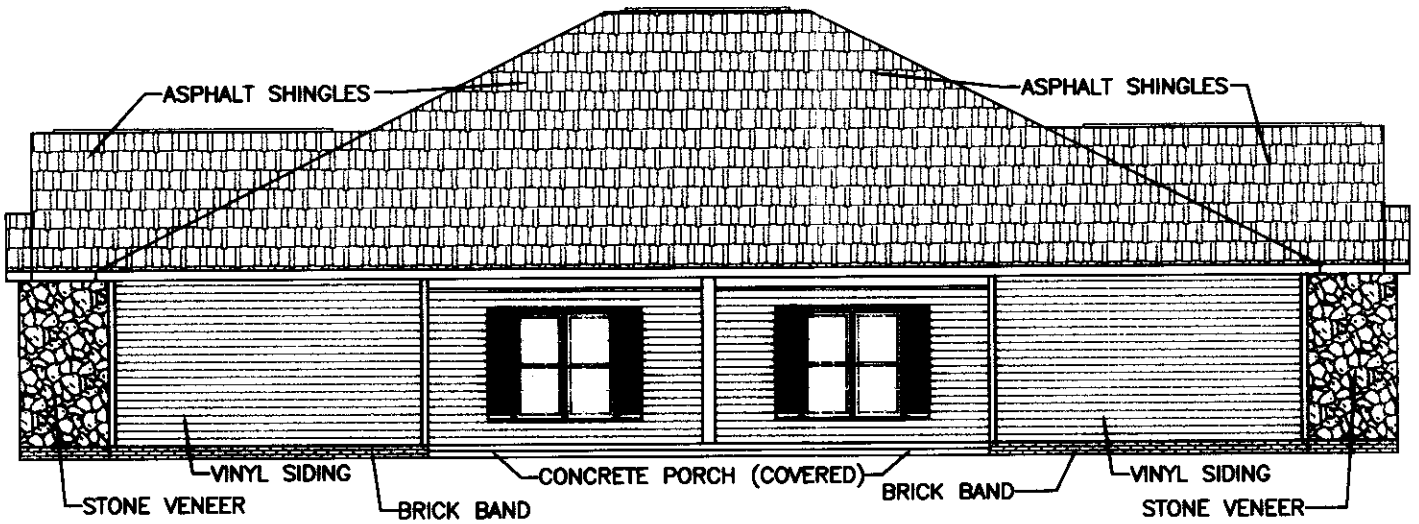
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 JEROLD E. GEIB  
 REGISTERED SURVEYOR  
 NO. 6725



01138



Instr: 200308050076248  
 P: 12 of 34 F: \$284.00 08/06/2003  
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WEST ELEVATION - UNITS 2132 & 2142

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 TO BE CONSTRUCTED.

BUILDING 13  
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 CONDOMINIUM DRAWINGS  
 FOR UNIVERSITY COMMONS

7/29/03  
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*Bryan J. Ashman*  
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 REGISTERED ENGINEER  
 NO. E-043804



7/29/03  
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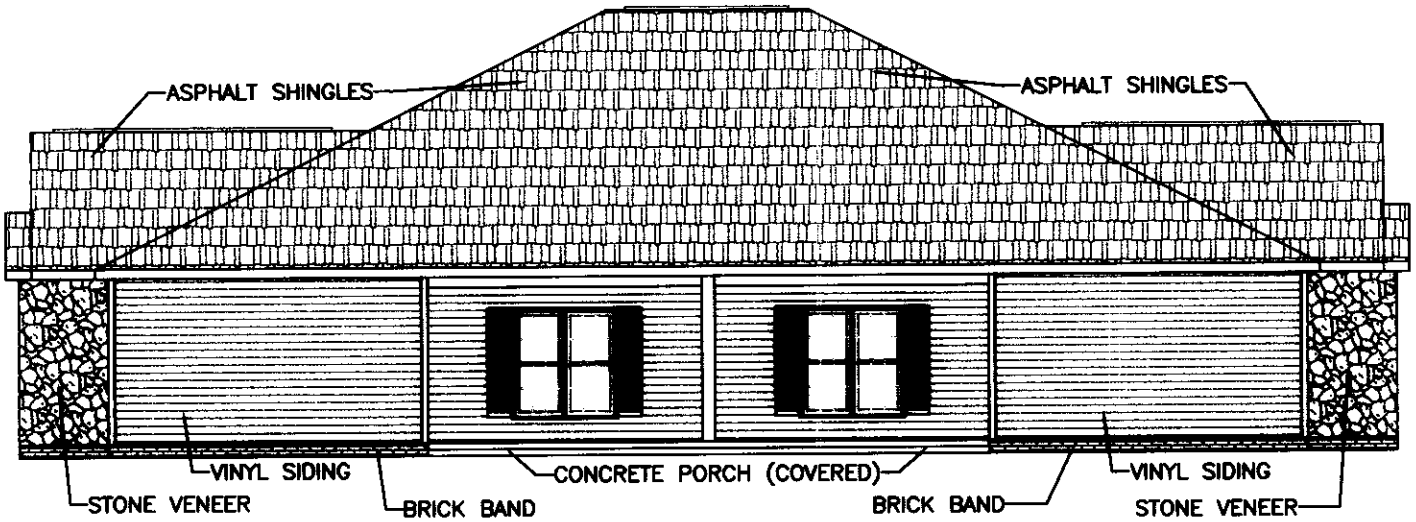
*Jerold E. Geib*  
 JEROLD E. GEIB  
 REGISTERED SURVEYOR  
 NO. 6725



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Instr: 200308060076248  
 P: 13 of 34 F: \$284.00 08/06/2003  
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EAST ELEVATION - UNITS 2146 & 2136

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 TO BE CONSTRUCTED.

BUILDING 13  
 UNITS 2132, 2136, 2142 & 2146  
 CONDOMINIUM DRAWINGS  
 FOR UNIVERSITY COMMONS

7/29/03  
 DATE

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



7/29/03  
 DATE

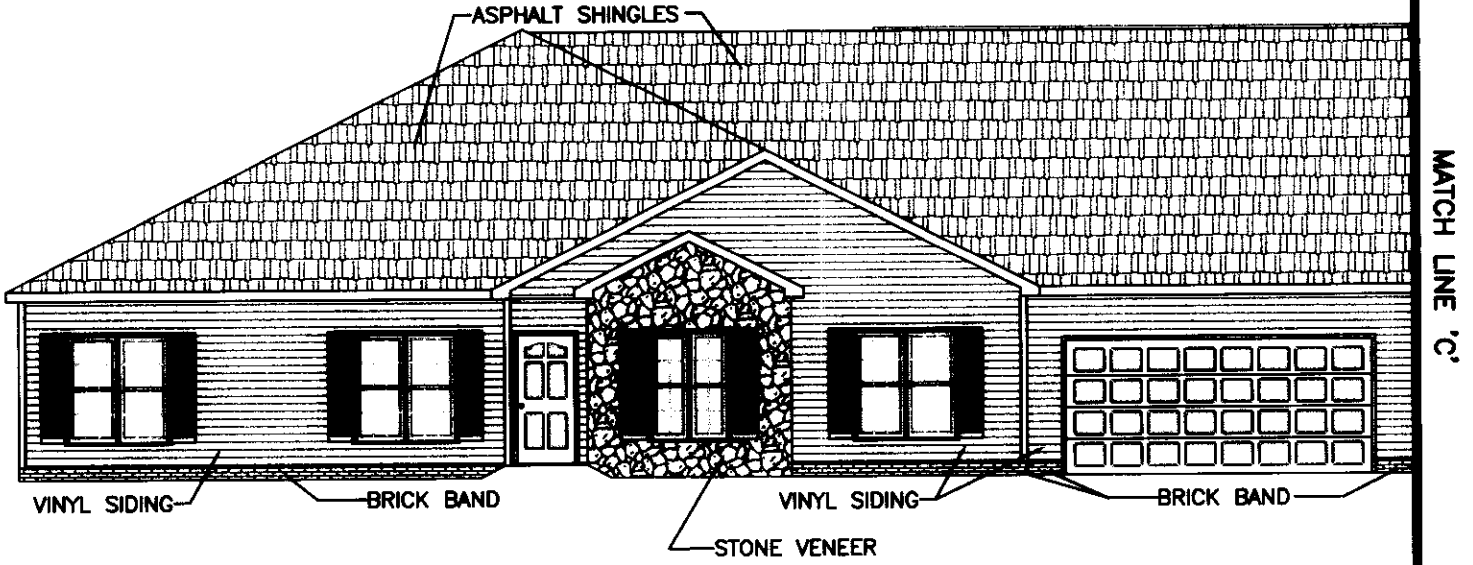
*Jerold E. Geib*  
 JEROLD E. GEIB  
 REGISTERED SURVEYOR  
 NO. 6725



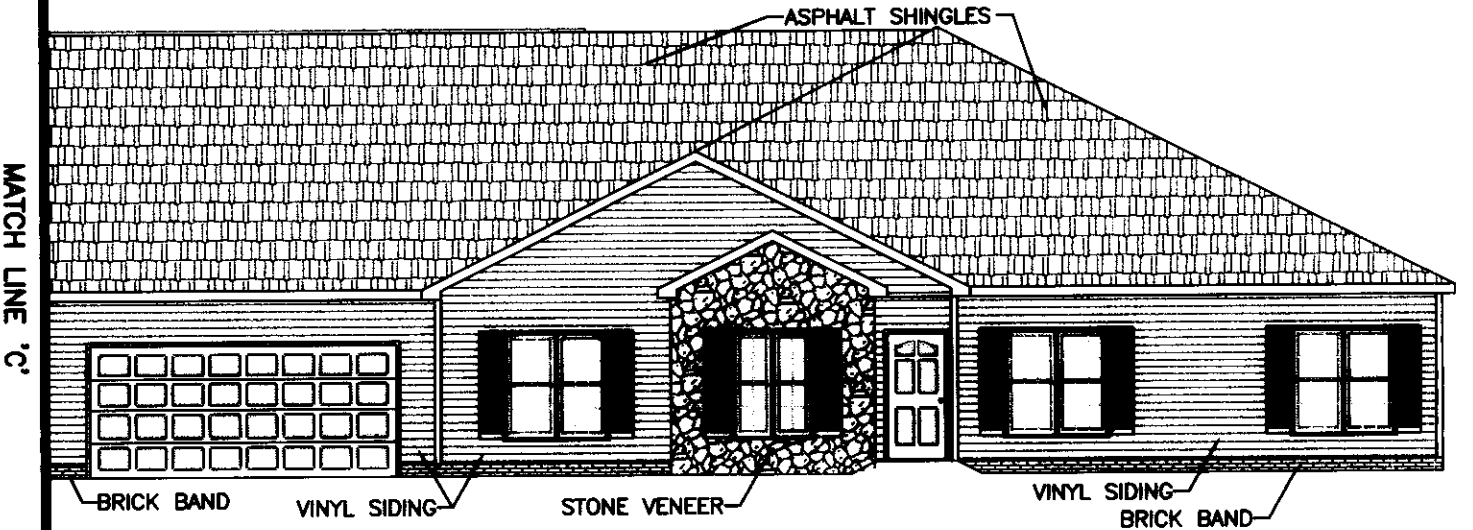
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 P: 14 of 34 F: \$284.00  
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SOUTH ELEVATION - UNIT 2142



SOUTH ELEVATION - UNIT 2146

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BUILDING 13  
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 CONDOMINIUM DRAWINGS  
 FOR UNIVERSITY COMMONS

7/29/03  
 DATE

*Bryan J. Ashman*  
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7/29/03  
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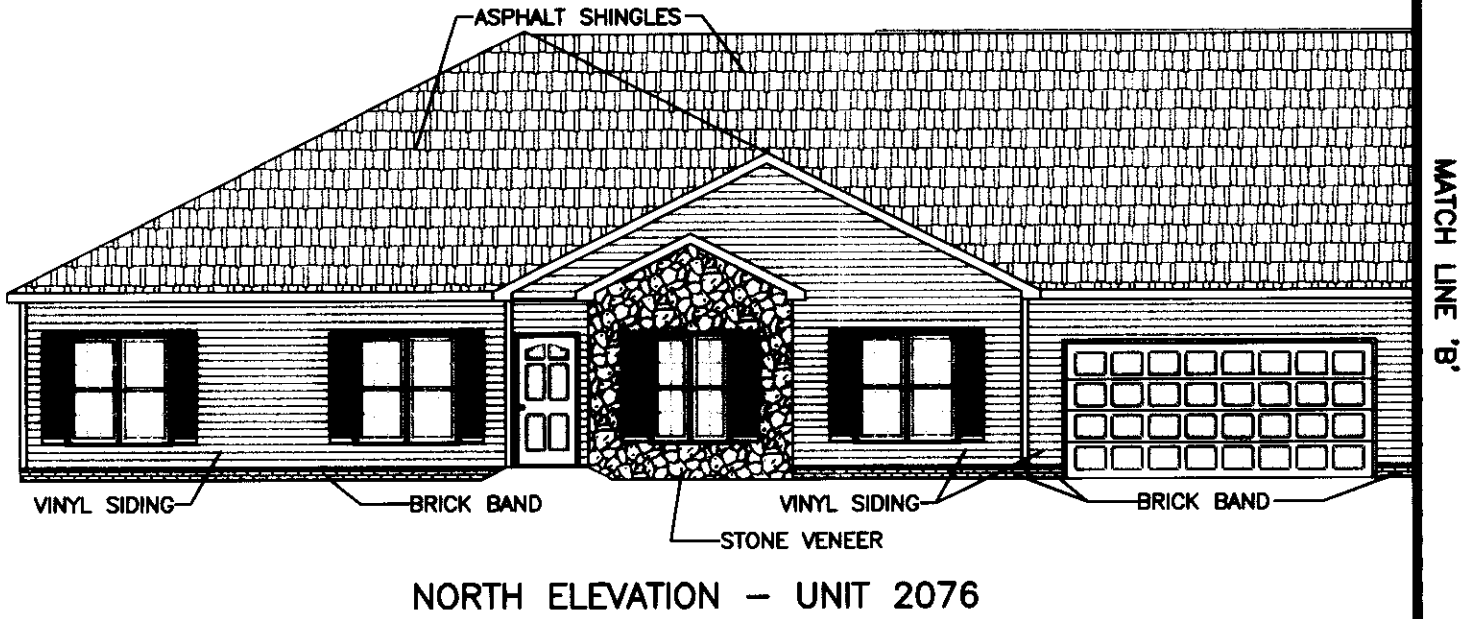
*Jerold E. Geib*  
 JEROLD E. GEIB  
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 NO. 6725



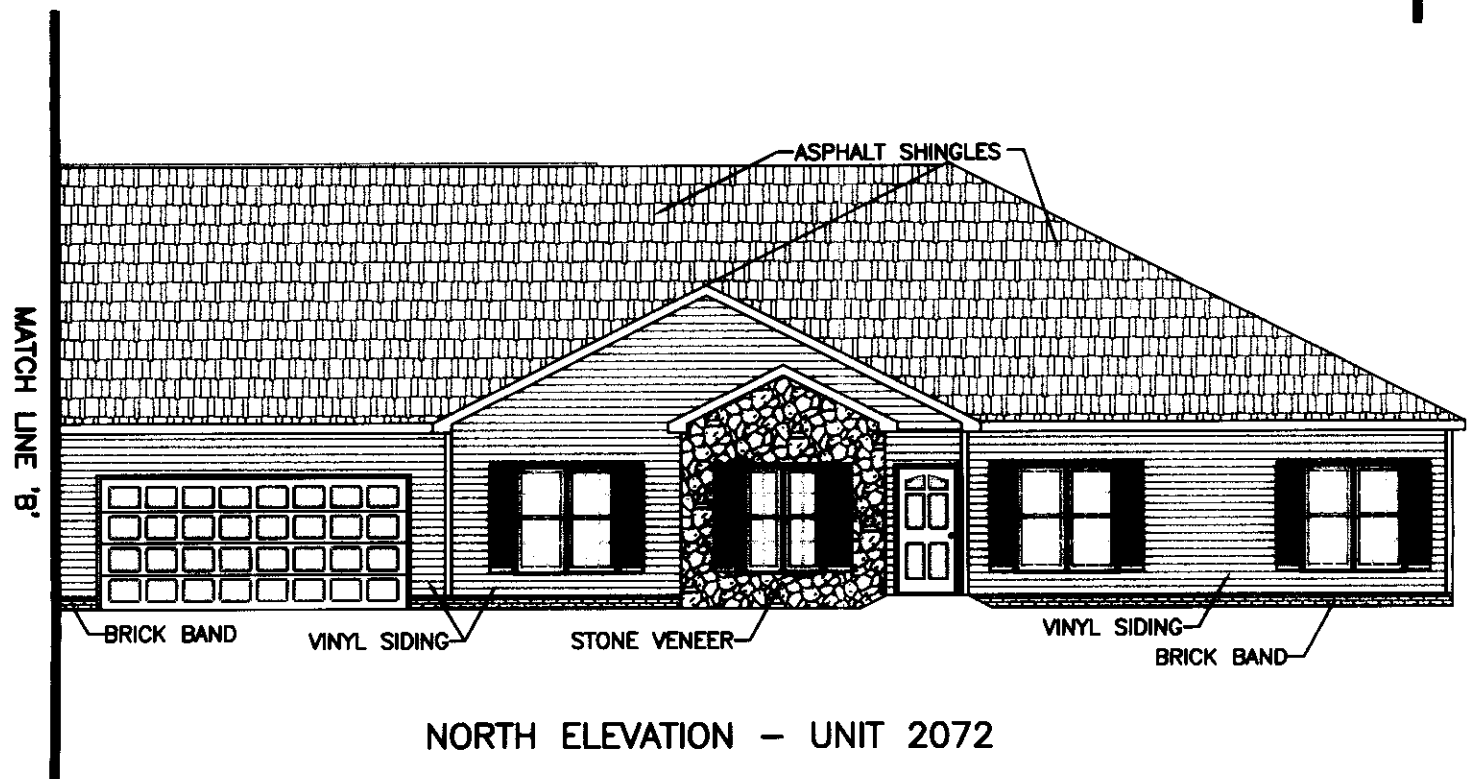
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Instr: 200308060076248 08/06/2003  
 P: 15 of 34 F: \$284.00  
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NORTH ELEVATION - UNIT 2076



NORTH ELEVATION - UNIT 2072

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 TO BE CONSTRUCTED.

BUILDING 12  
 UNITS 2072, 2076, 2082 & 2086  
 CONDOMINIUM DRAWINGS  
 FOR UNIVERSITY COMMONS

7/29/03  
 DATE

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



7/29/03  
 DATE

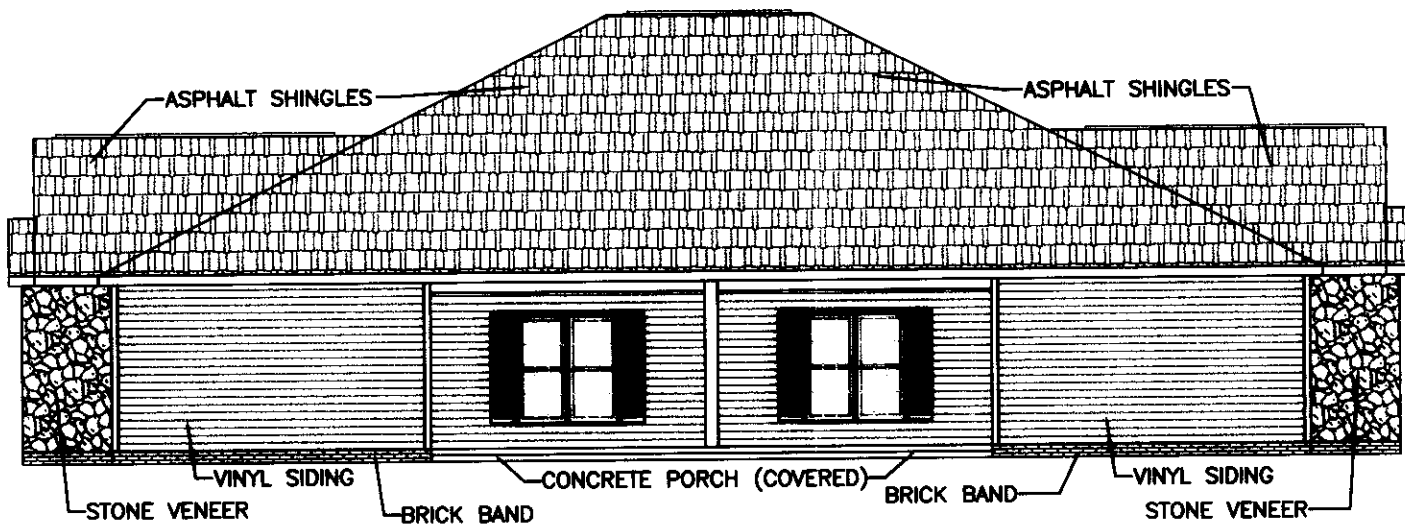
*Jerold E. Geib*  
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01138



Instr: 200308060076248  
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WEST ELEVATION - UNITS 2072 & 2082

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 TO BE CONSTRUCTED.

BUILDING 12  
 UNITS 2072, 2076, 2082 & 2086  
 CONDOMINIUM DRAWINGS  
 FOR UNIVERSITY COMMONS

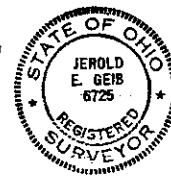
7/29/03  
 DATE

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



7/29/03  
 DATE

*Jerold E. Geib*  
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 REGISTERED SURVEYOR  
 NO. 6725

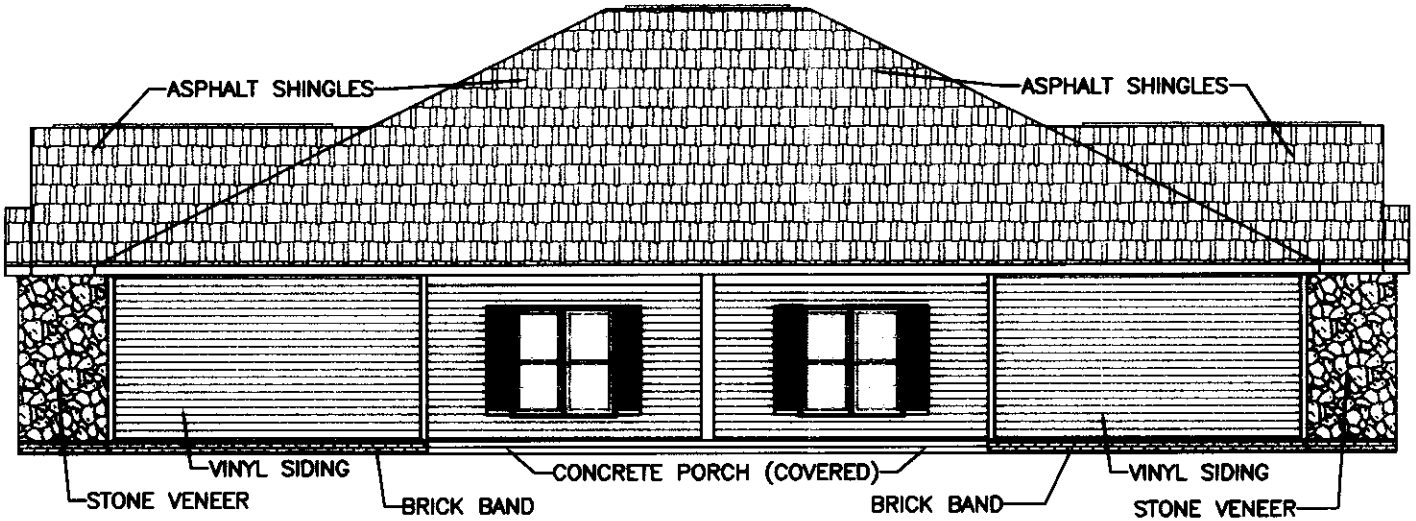


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Instr: 200308060076248 08/06/2003  
 P: 17 of 34 F: \$284.00  
 Rick Campbell 2:18PM COND  
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EAST ELEVATION - UNITS 2086 & 2076

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 TO BE CONSTRUCTED.

BUILDING 12  
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 CONDOMINIUM DRAWINGS  
 FOR UNIVERSITY COMMONS

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 DATE

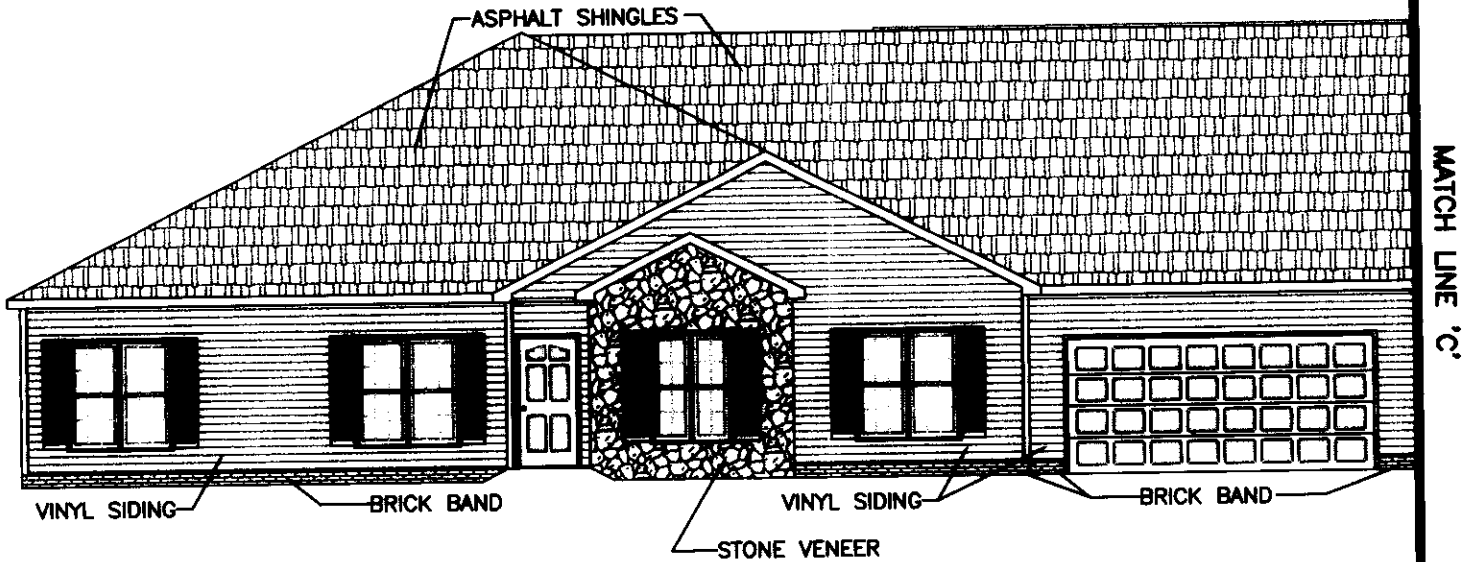
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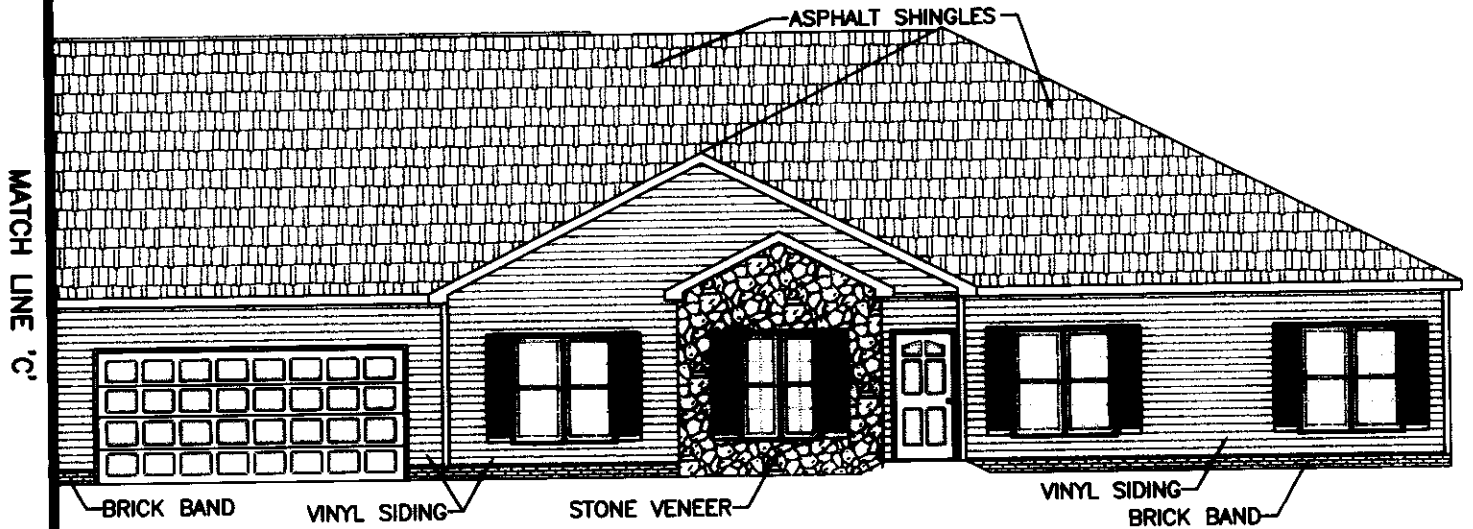
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Instr: 200308060076248 08/06/2003  
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SOUTH ELEVATION - UNIT 2082



SOUTH ELEVATION - UNIT 2086

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 TO BE CONSTRUCTED.

BUILDING 12  
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 CONDOMINIUM DRAWINGS  
 FOR UNIVERSITY COMMONS

7/29/03  
 DATE

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



7/29/03  
 DATE

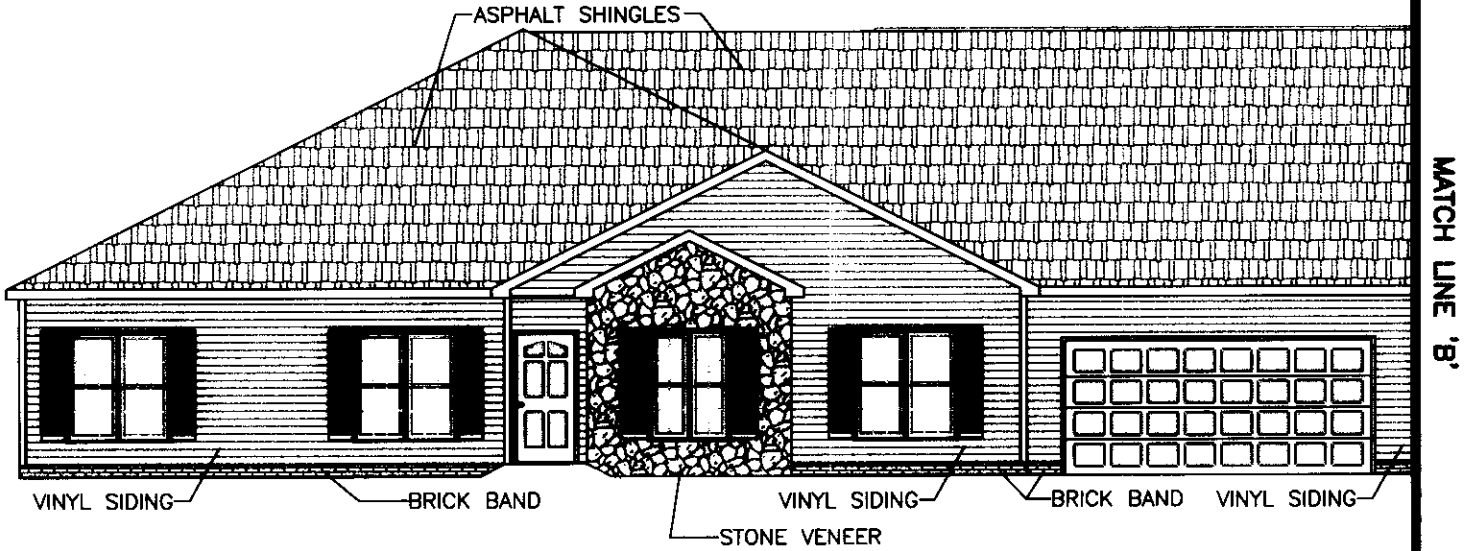
*Jerold E. Geib*  
 JEROLD E. GEIB  
 REGISTERED SURVEYOR  
 NO. 6725



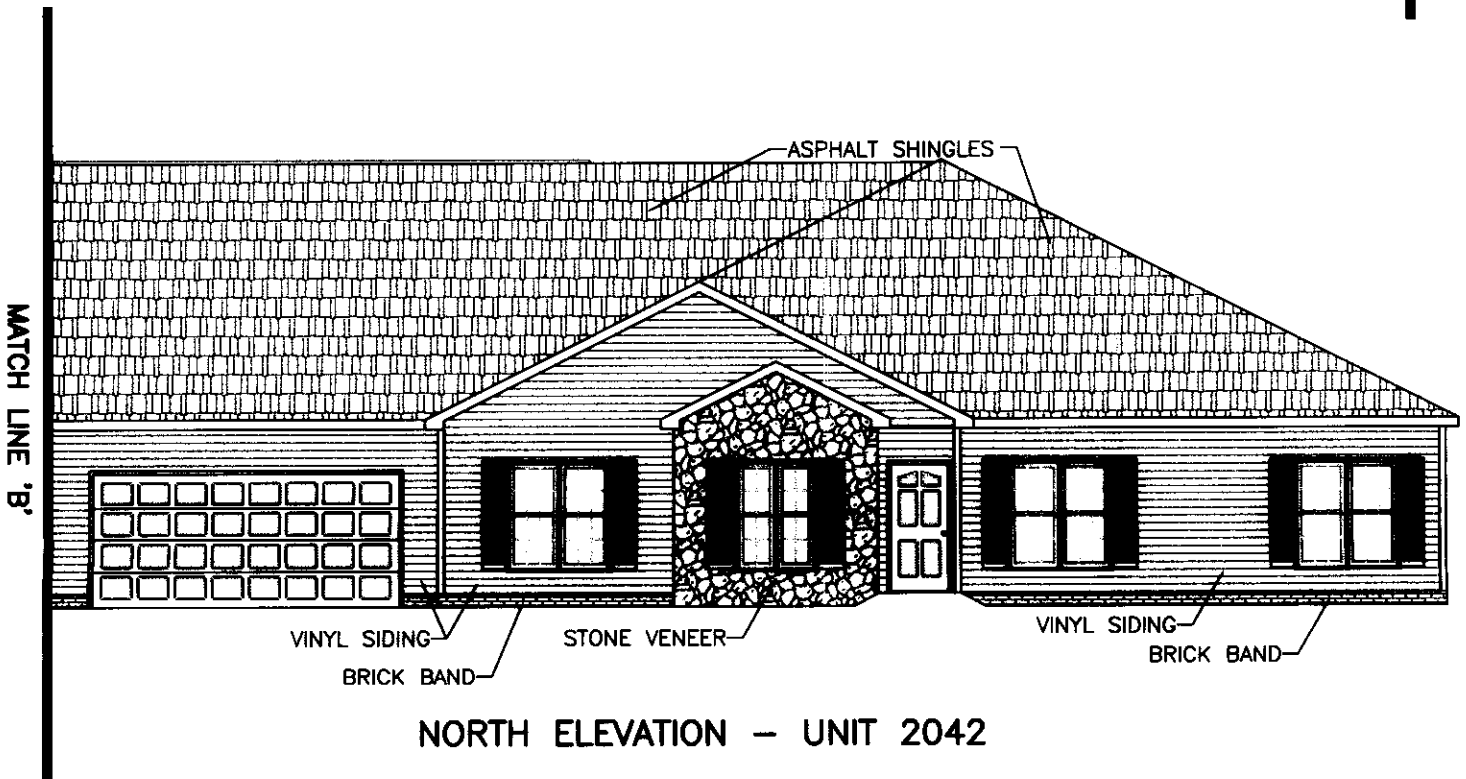
01138



Instr: 200308060076248  
 P: 19 of 34 F: \$284.00 08/06/2003  
 Rick Campbell 2:18PM COND  
 Stark County Recorder T20030043739



NORTH ELEVATION - UNIT 2046



NORTH ELEVATION - UNIT 2042

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 TO BE CONSTRUCTED.

BUILDING 11  
 UNITS 2042, 2046, 2052 & 2056  
 CONDOMINIUM DRAWINGS  
 FOR UNIVERSITY COMMONS

7/29/03  
 DATE

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



7/29/03  
 DATE

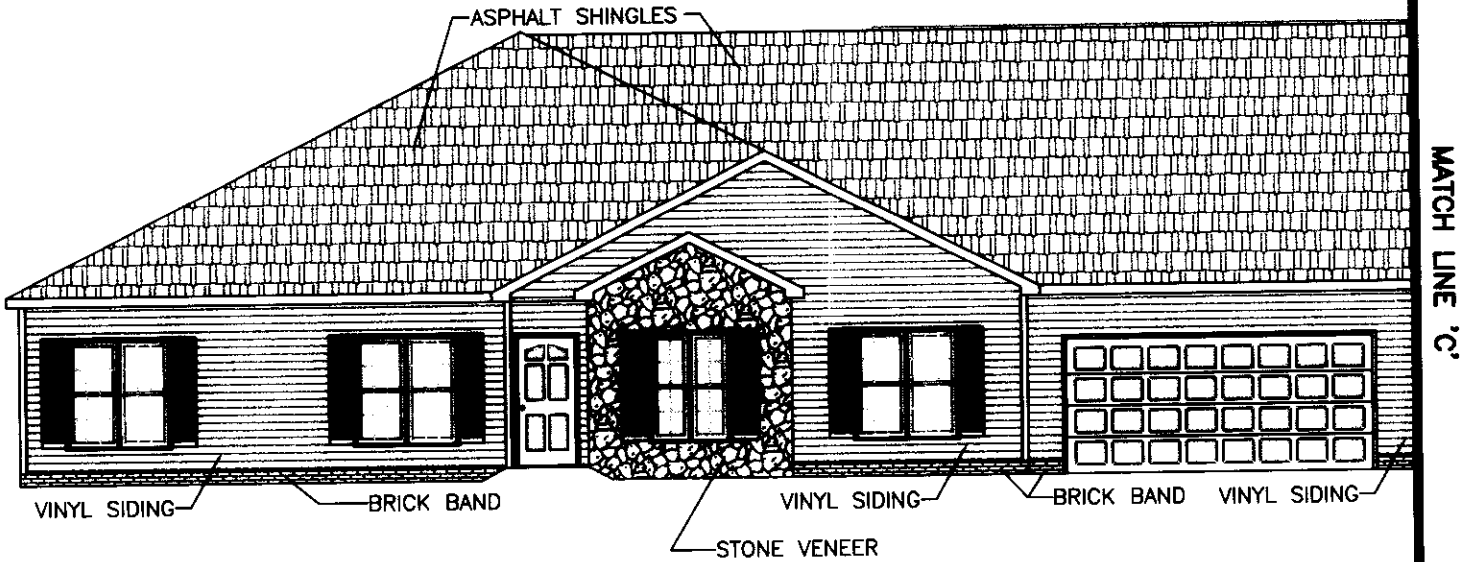
*Jerold E. Geib*  
 JEROLD E. GEIB  
 REGISTERED SURVEYOR  
 NO. 6725



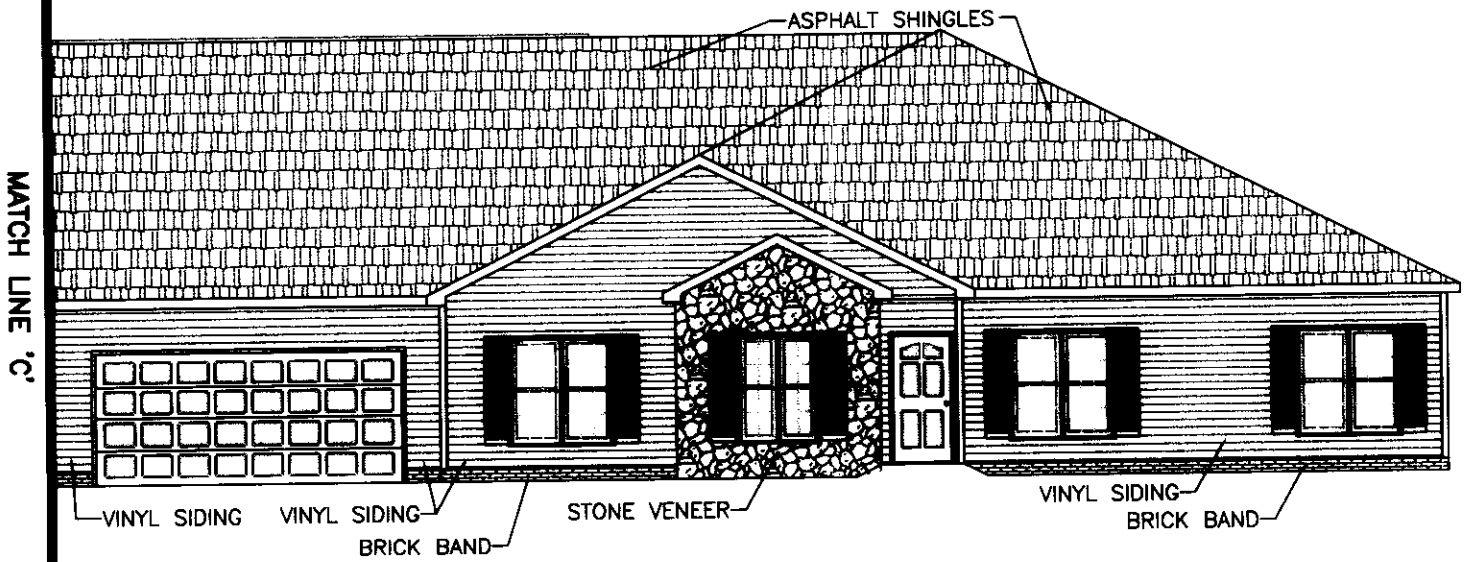
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Instr: 200308050075248  
 P: 20 of 34 F: \$284.00 08/06/2003  
 Rick Campbell 2:18PM COND  
 Stark County Recorder T20030043739



SOUTH ELEVATION - UNIT 2052



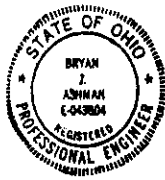
SOUTH ELEVATION - UNIT 2056

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 TO BE CONSTRUCTED.

BUILDING 11  
 UNITS 2042, 2046, 2052 & 2056  
 CONDOMINIUM DRAWINGS  
 FOR UNIVERSITY COMMONS

7/29/03  
 DATE

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



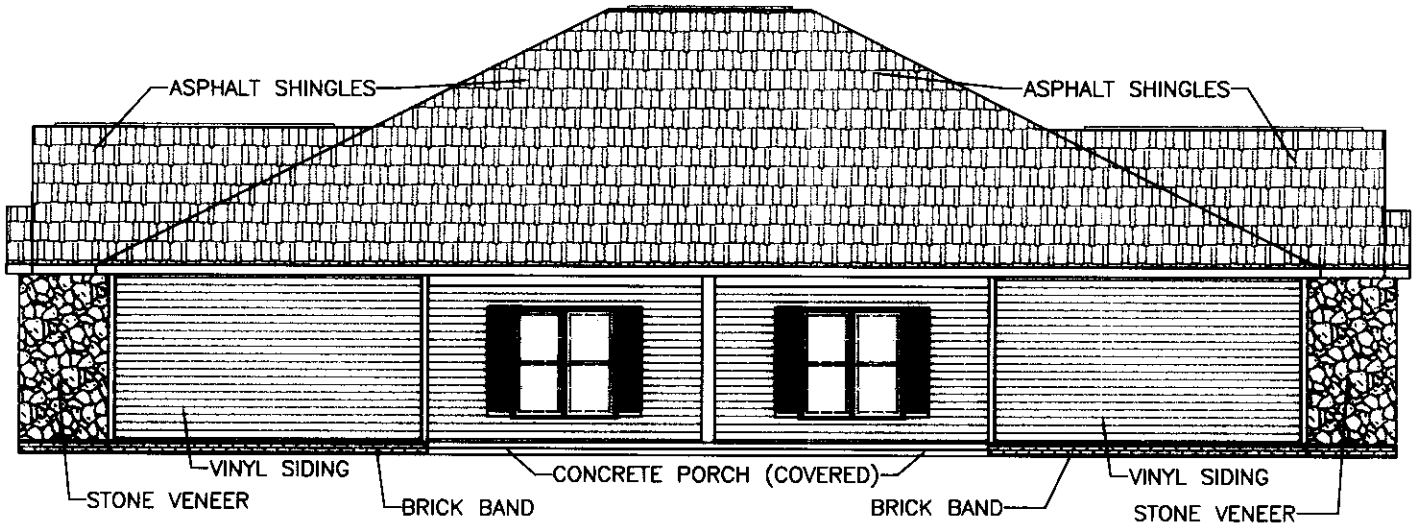
7/29/03  
 DATE

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



01138

Instr: 200308060076248 08/06/2003  
 P: 21 of 34 F: \$284.00 2:18PM COND  
 Rick Campbell Stark County Recorder T20030043739



EAST ELEVATION - UNITS 2056 & 2046

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 TO BE CONSTRUCTED.

BUILDING 11  
 UNITS 2042, 2046, 2052 & 2056  
 CONDOMINIUM DRAWINGS  
 FOR UNIVERSITY COMMONS

7/29/03  
 DATE

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



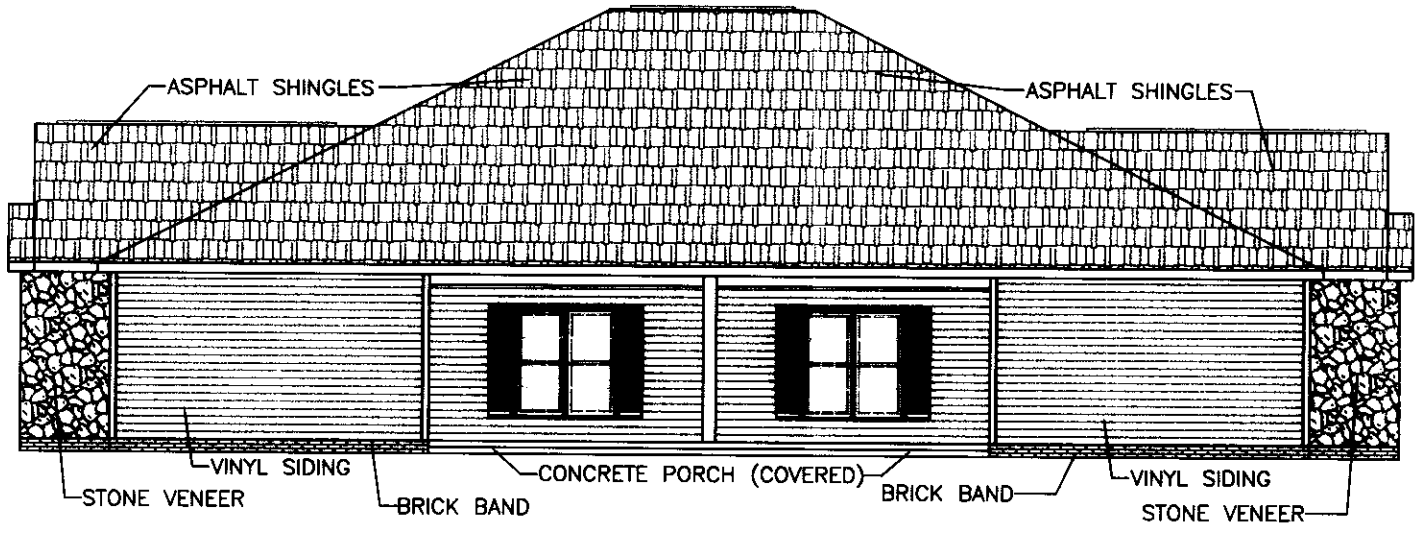
7/29/03  
 DATE

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



01138

Instr: 200308060076248 08/06/2003  
 P: 22 of 34 F: \$284.00  
 Rick Campbell 2:18PM COND  
 Stark County Recorder T20030043739



WEST ELEVATION - UNITS 2042 & 2052

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 TO BE CONSTRUCTED.

BUILDING 11  
 UNITS 2042, 2046, 2052 & 2056  
 CONDOMINIUM DRAWINGS  
 FOR UNIVERSITY COMMONS

7/29/03  
 DATE

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



7/29/03  
 DATE

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



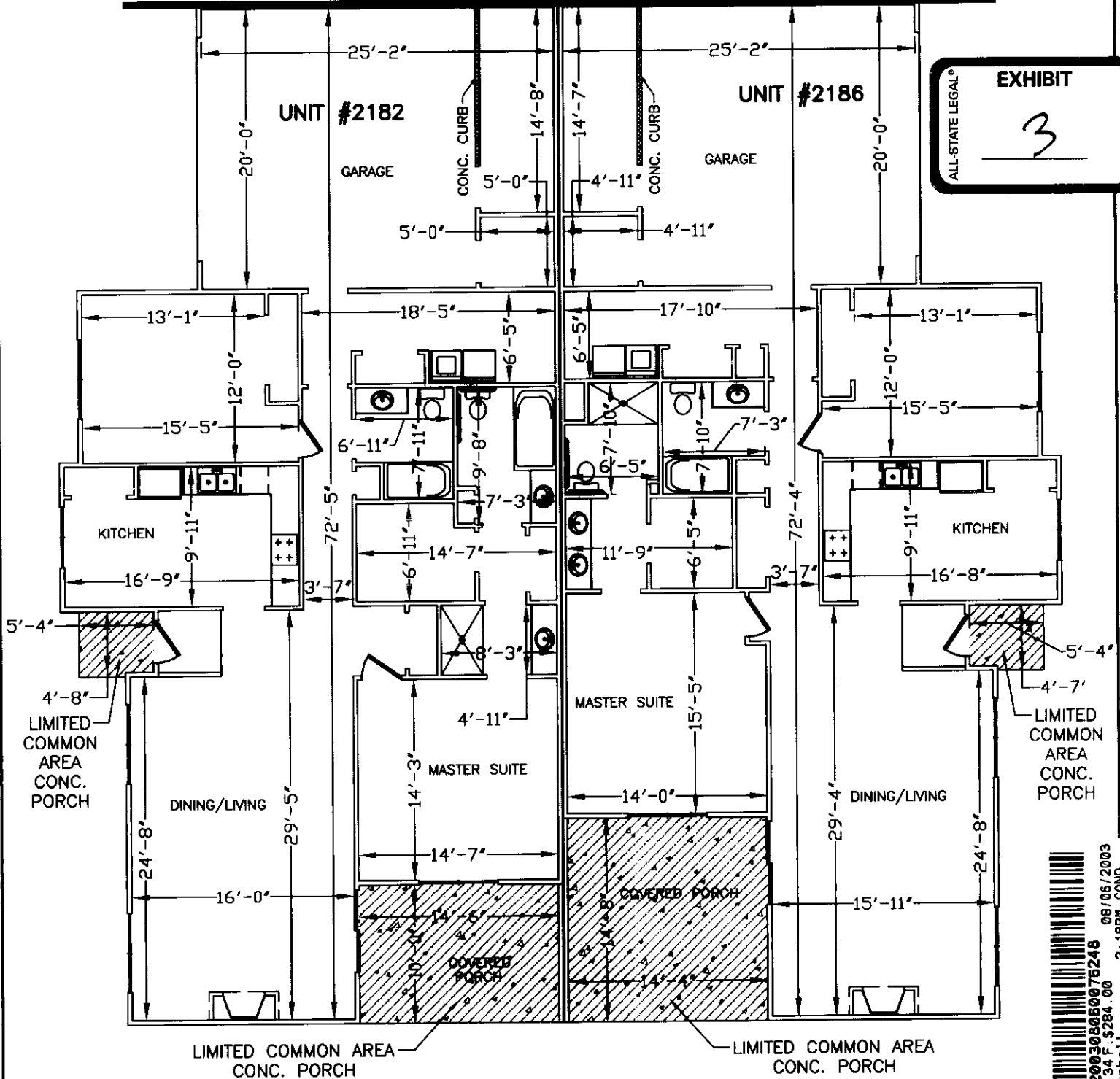
01138

MATCH LINE 'A'

UNIT #2182

UNIT #2186

ALL-STATE LEGAL®  
EXHIBIT  
3



FLOOR PLAN - UNITS 2182 & 2186

  
 Instr: 200308060075248 08/06/2003  
 P: 23 of 34 F: \$284.00 2:18PM COND  
 Rick Campbell, I Stark County Recorder T20030043739

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 TO BE CONSTRUCTED.

BUILDING 14  
UNITS 2162, 2166, 2182 & 2186  
CONDOMINIUM DRAWINGS  
FOR UNIVERSITY COMMONS

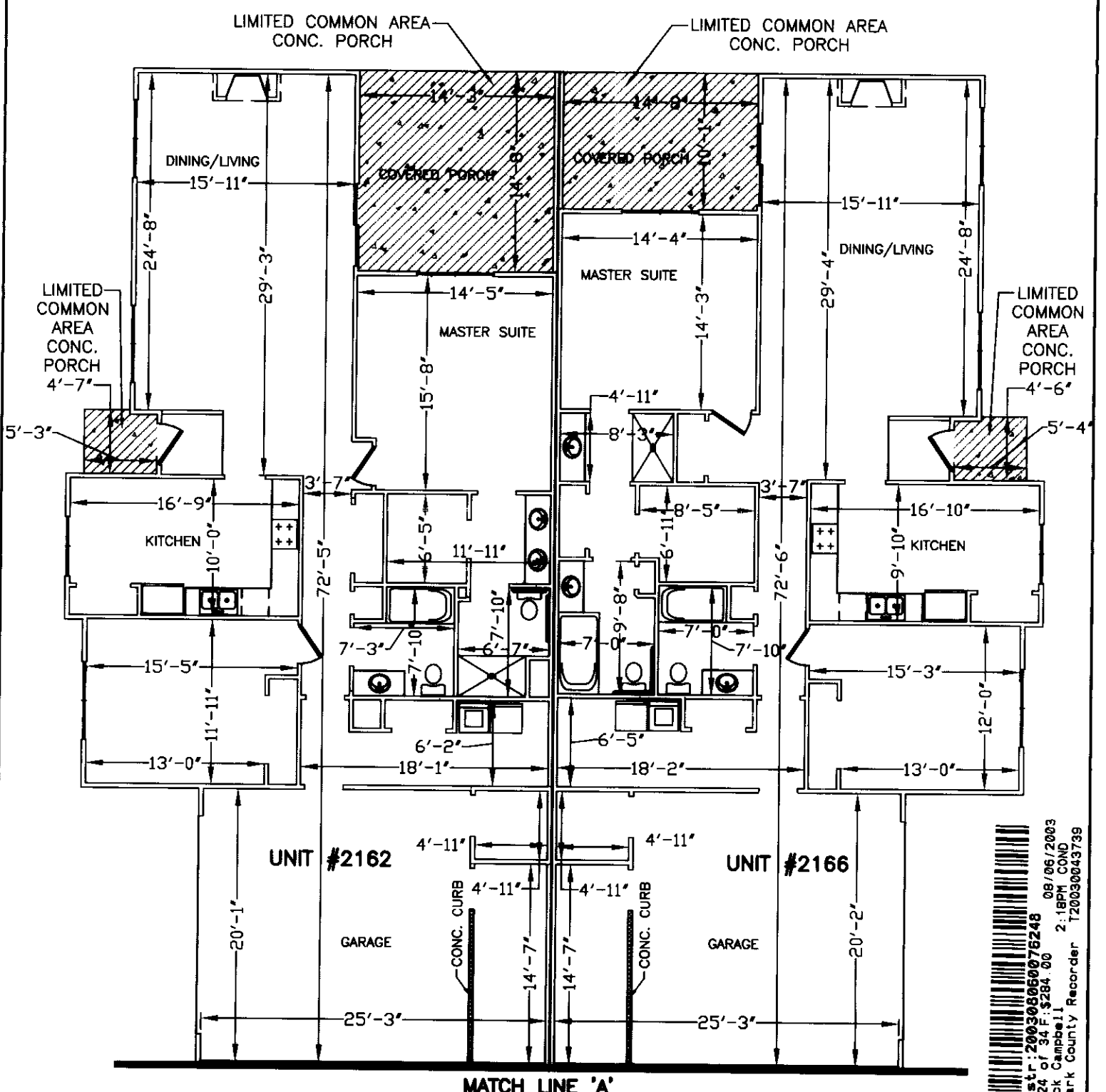
7/29/03  
DATE  
*Bryan J. Ashman*  
BRYAN J. ASHMAN  
REGISTERED ENGINEER  
NO. E-043804



7/29/03  
DATE  
*Jerold E. Geib*  
JEROLD E. GEIB  
REGISTERED SURVEYOR  
NO. 6725



01138



FLOOR PLAN - UNITS 2162 & 2166

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 TO BE CONSTRUCTED.

BUILDING 14  
 UNITS 2162, 2166, 2182 & 2186  
 CONDOMINIUM DRAWINGS  
 FOR UNIVERSITY COMMONS

7/29/08  
 DATE *Bryan J. Ashman*  
 BRYAN J. ASHMAN  
 REGISTERED ENGINEER  
 NO. E-043804



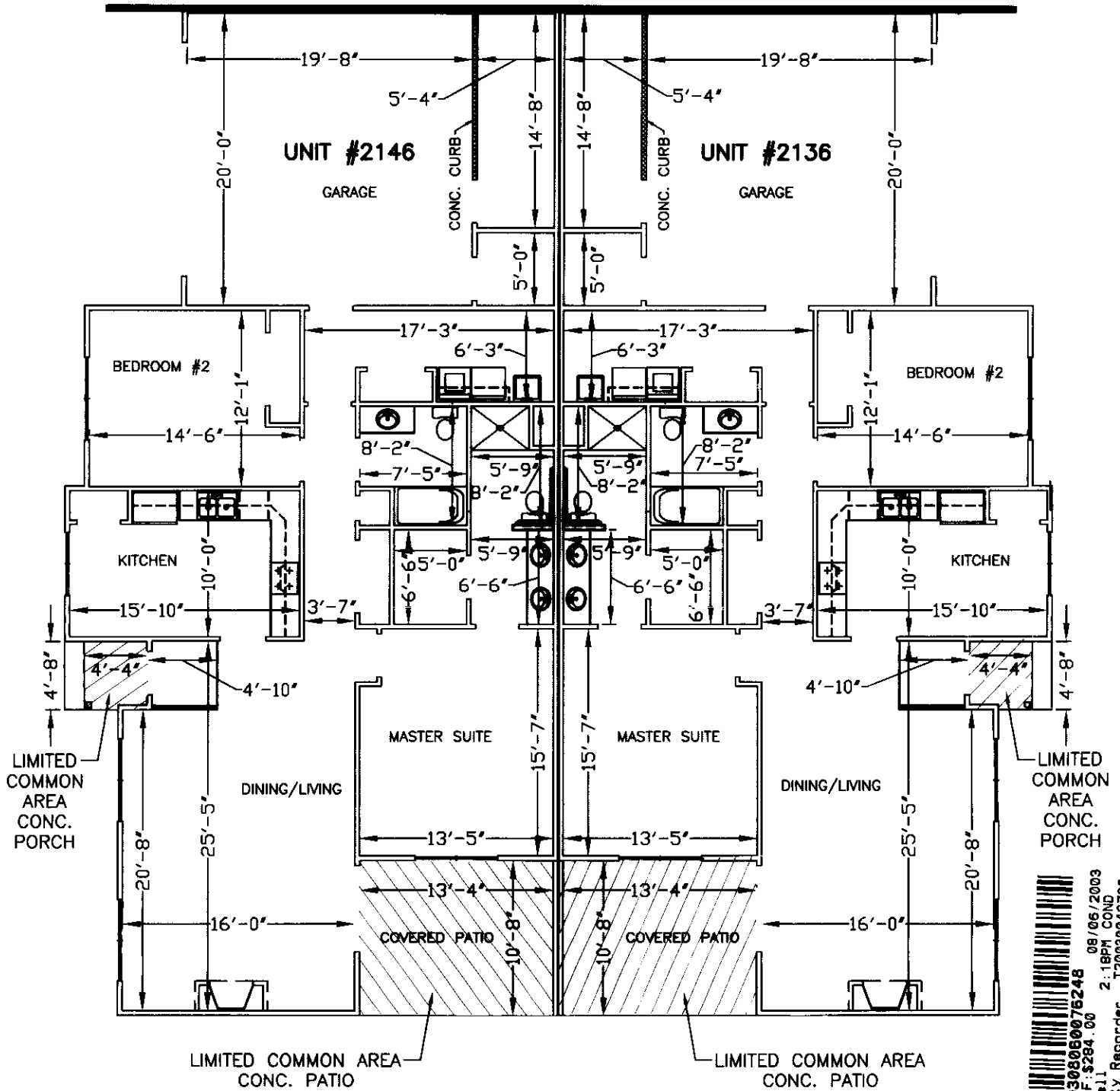
7/29/08  
 DATE *Jerald E. Geib*  
 JEROLD E. GEIB  
 REGISTERED SURVEYOR  
 NO. 6725




Inst. r. 200303060076248  
 p. 24 of 34 F. \$284.00 08/06/2003  
 Rick Campbell 2:18PM COND  
 Stark County Recorder T20030043739



MATCH LINE 'A'



FLOOR PLAN - UNITS 2146 & 2136

  
 Instr: 20030808076248 08/06/2003  
 P: 25 of 34 F: \$284.00 2: 1BPM COND  
 Rick Campbell  
 Stark County Recorder T20030043739

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 TO BE CONSTRUCTED.

BUILDING 13  
 UNITS 2132, 2136, 2142 & 2146  
 CONDOMINIUM DRAWINGS  
 FOR UNIVERSITY COMMONS

7/29/03  
DATE

*Bryan J. Ashman*  
 BRYAN J. ASHMAN  
 REGISTERED ENGINEER  
 NO. E-7043804

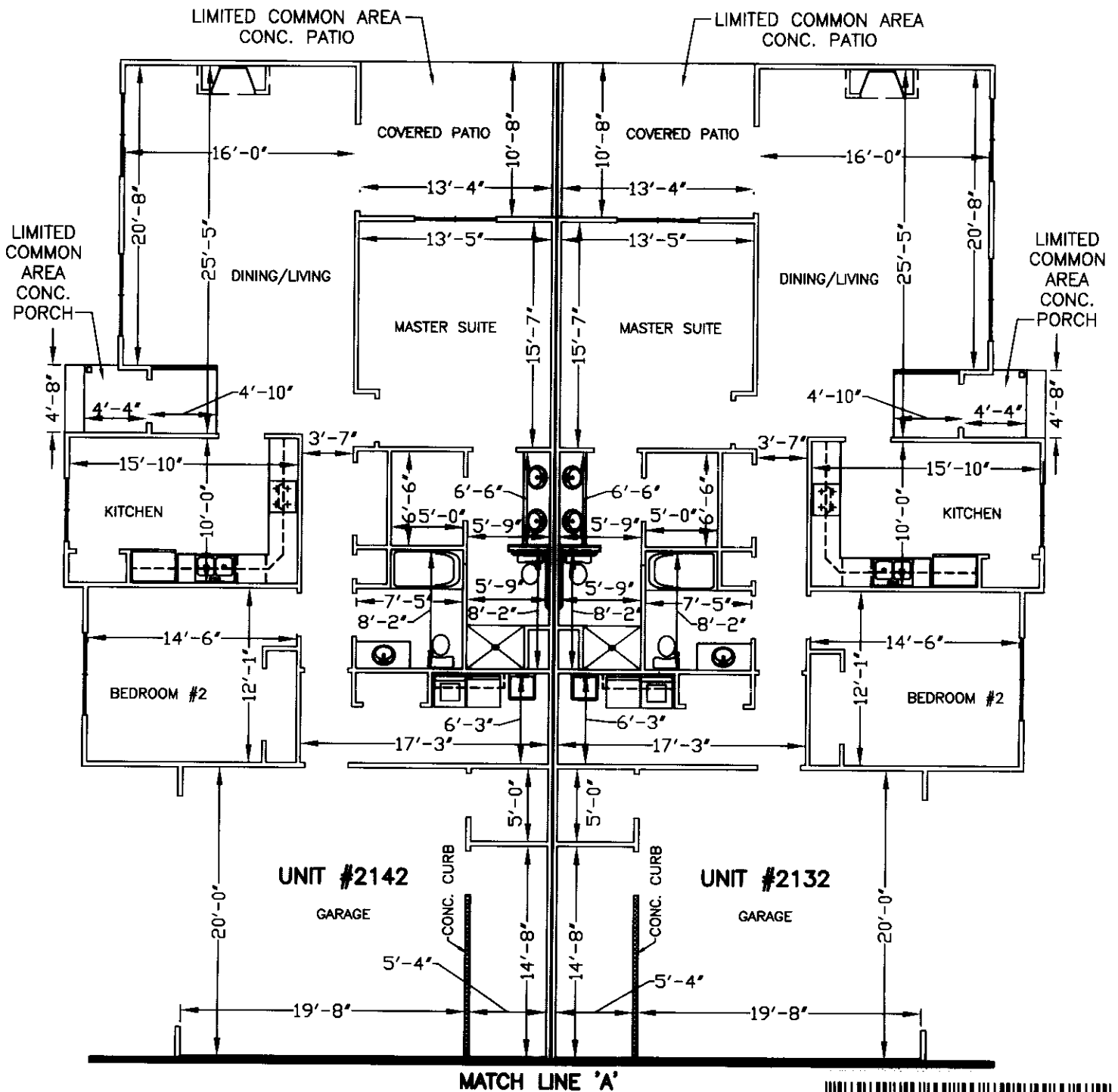


7/29/03  
DATE

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



01138



FLOOR PLAN - UNITS 2142 & 2132

Instr: 200308050076248  
 P: 26 of 34 F: \$284.00 08/06/2003  
 Rick Campbell 2:18PM COND  
 Stark County Recorder T20030043739

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 TO BE CONSTRUCTED.

BUILDING 13  
 UNITS 2132, 2136, 2142 & 2146  
 CONDOMINIUM DRAWINGS  
 FOR UNIVERSITY COMMONS

7/29/03  
 DATE

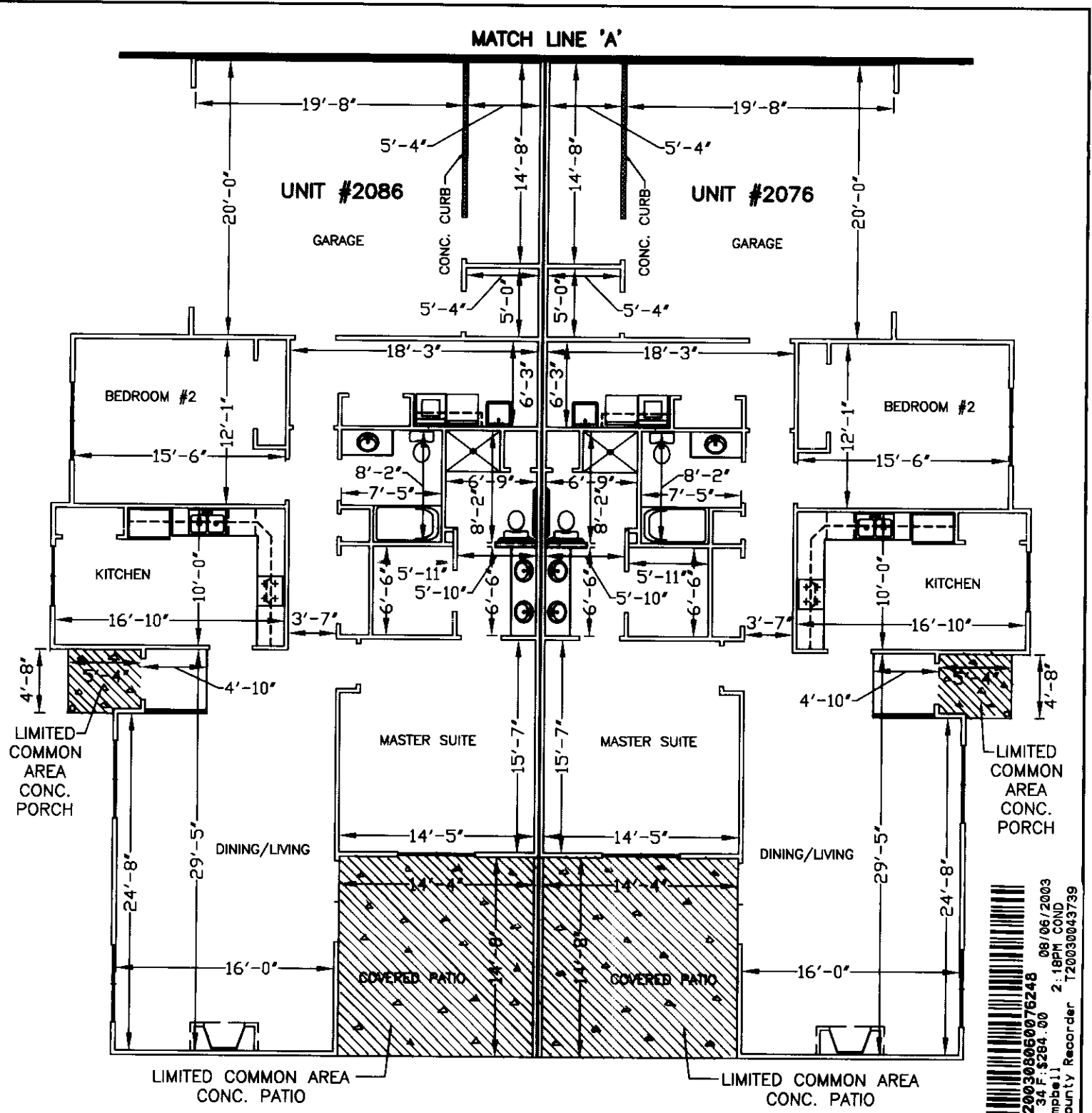
*Bryan J. Ashman*  
 BRYAN J. ASHMAN  
 REGISTERED ENGINEER  
 NO. E-043804



7/29/03  
 DATE

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





**FLOOR PLAN - UNITS 2086 & 2076**

Instr: 200308050076248    08/06/2003  
 P. 27 of 34 F. \$284.00    2:18PM COND  
 Rick Campbell  
 Stark County Recorder T20030043739

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 TO BE CONSTRUCTED.

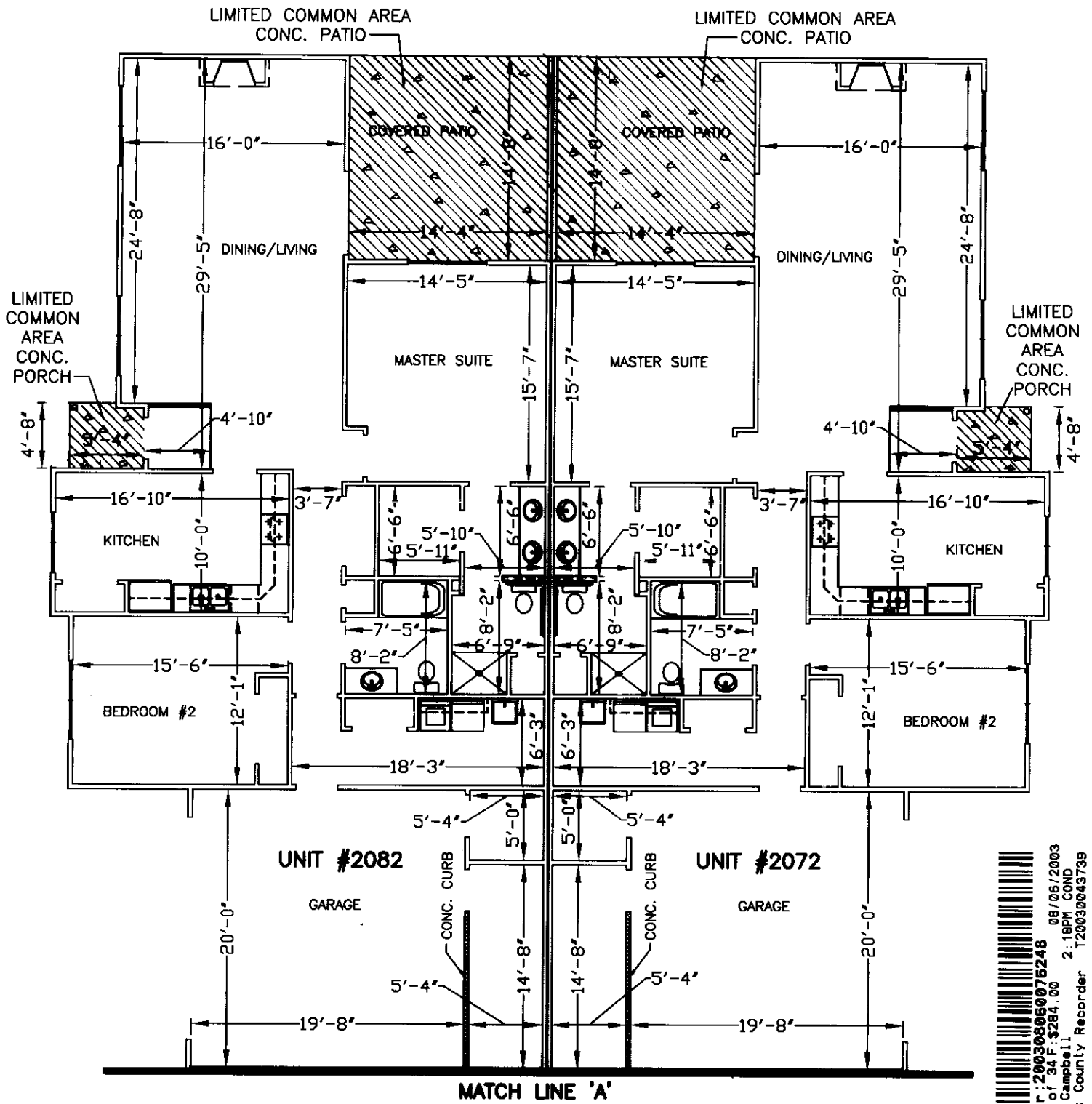
**BUILDING 12**  
**UNITS 2072, 2076, 2082 & 2086**  
**CONDOMINIUM DRAWINGS**  
**FOR UNIVERSITY COMMONS**

7/29/03  
 DATE *Bryan J. Ashman*  
**BRYAN J. ASHMAN**  
**REGISTERED ENGINEER**  
**NO. E-043804**



7/29/03  
 DATE *Jerold E. Geib*  
**JEROLD E. GEIB**  
**REGISTERED SURVEYOR**  
**NO. 6725**





FLOOR PLAN - UNITS 2082 & 2072

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 TO BE CONSTRUCTED.

BUILDING 12  
 UNITS 2072, 2076, 2082 & 2086  
 CONDOMINIUM DRAWINGS  
 FOR UNIVERSITY COMMONS

7/29/03  
 DATE

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

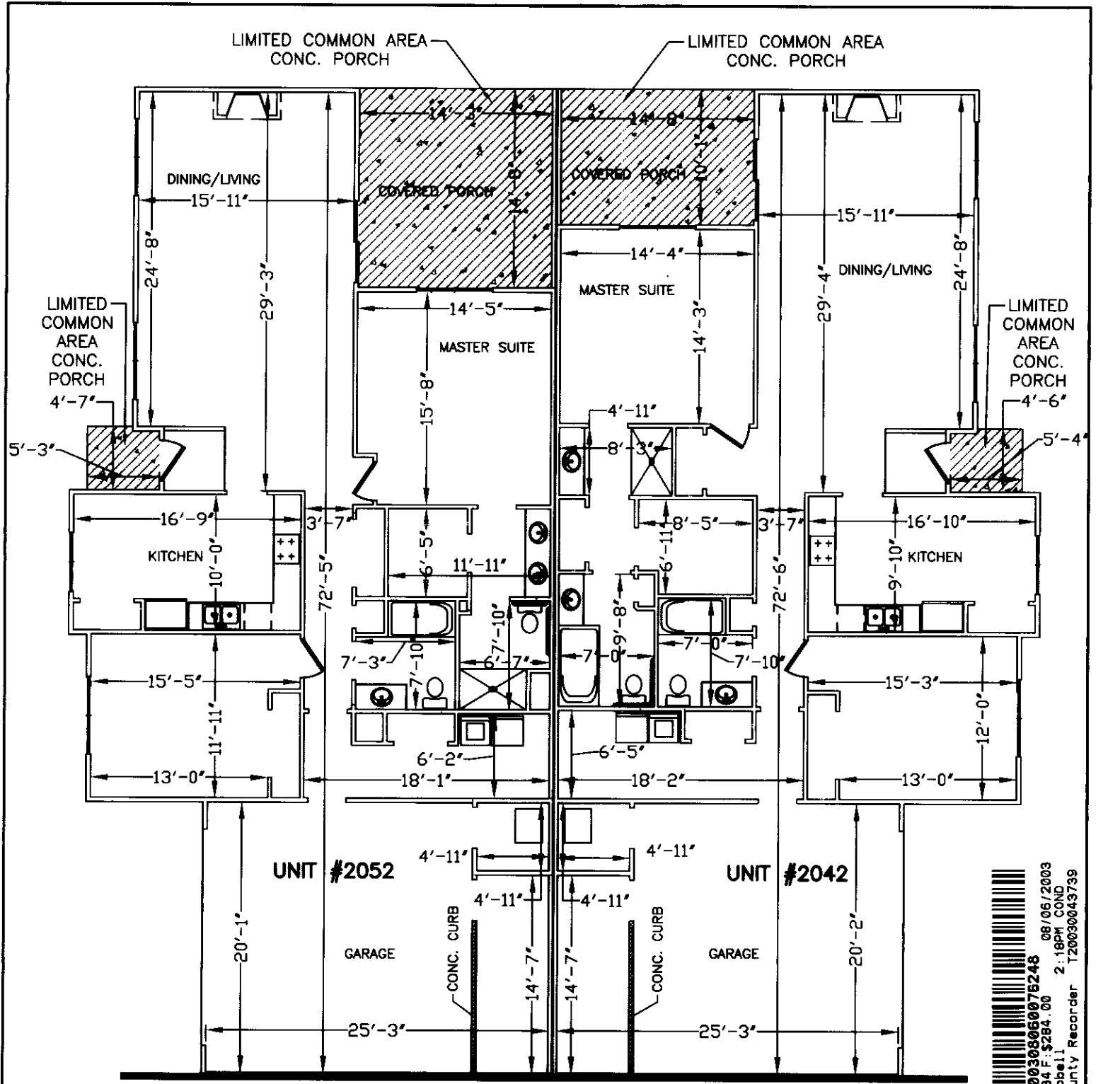


7/29/03  
 DATE

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



Inst. # 200303060075248  
 P. 28 of 34 F. \$284.00  
 Rick Campbell  
 Stark County Recorder T200300043739



FLOOR PLAN - UNITS 2052 & 2042

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 TO BE CONSTRUCTED.

BUILDING 11  
 UNITS 2042, 2046, 2052 & 2056  
 CONDOMINIUM DRAWINGS  
 FOR UNIVERSITY COMMONS

7/29/03  
 DATE

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



7/29/03  
 DATE

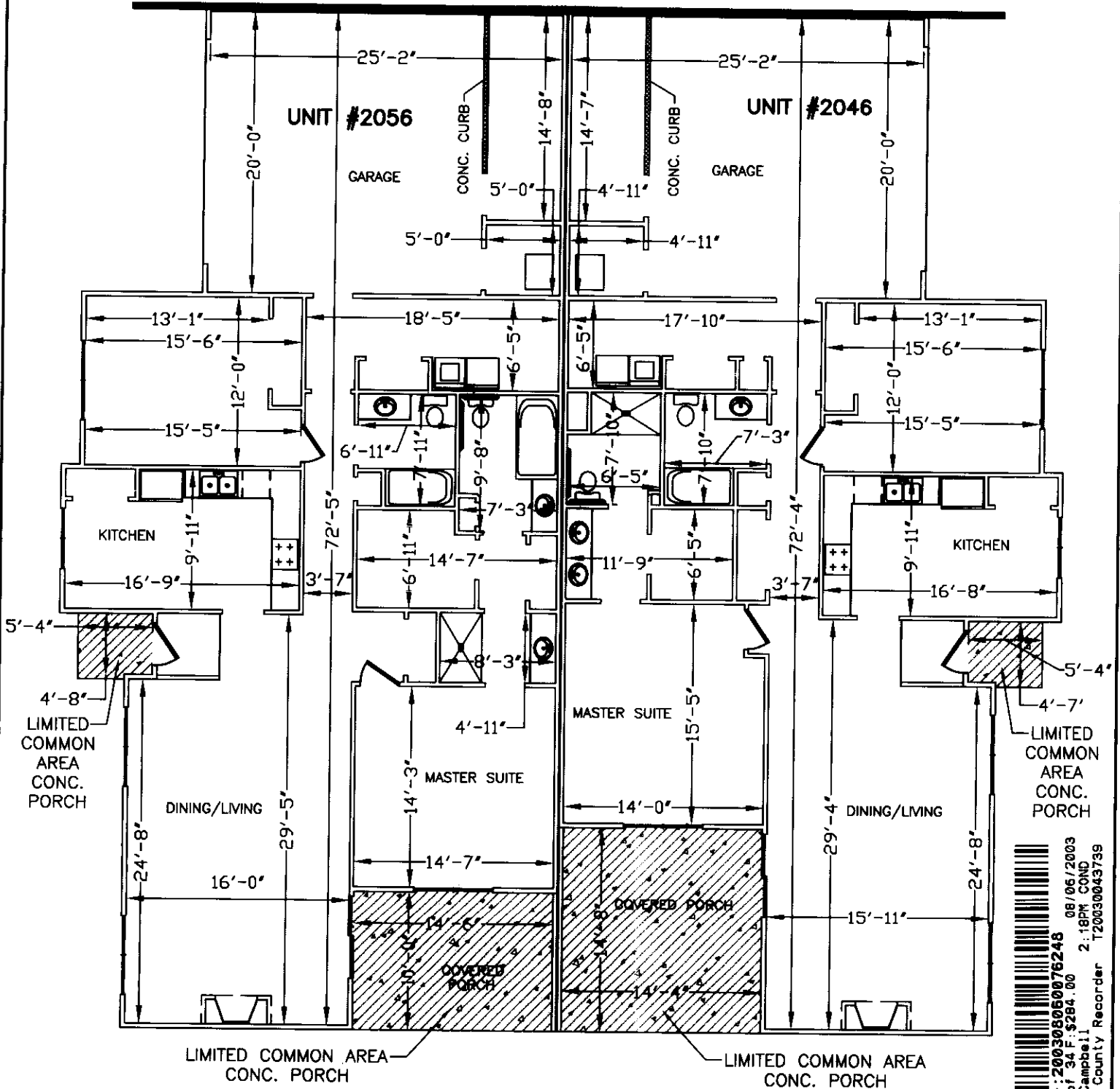
*Jerold E. Geib*  
 JEROLD E. GEIB  
 REGISTERED SURVEYOR  
 NO. 6725



Instr: 200308060075248 08/06/2003  
 P: 29 of 34 F: \$284.00 2: 18PM COND  
 Rick Campbell  
 Stark County Recorder T200306043739

01138

MATCH LINE 'A'



FLOOR PLAN - UNITS 2056 & 2046

Instr: 20030806076248 08/06/2003  
 P:30 of 34 F:\$284.00  
 Rick Campbell 2:18PM COND  
 Stark County Recorder 120030043739

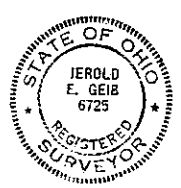
THE BELOW LICENSED PROFESSIONAL ENGINEER AND LICENSED SURVEYOR STATE THAT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF THIS DRAWING GRAPHICALLY SHOWS THE PARTICULARS OF THE BUILDING AS TO BE CONSTRUCTED.

BUILDING 11  
 UNITS 2042, 2046, 2052 & 2056  
 CONDOMINIUM DRAWINGS  
 FOR UNIVERSITY COMMONS

7/26/03  
 DATE  
*Bryan J. Ashman*  
 BRYAN J. ASHMAN  
 REGISTERED ENGINEER  
 NO. E-043804



7/29/03  
 DATE  
*Jerold E. Geib*  
 JEROLD E. GEIB  
 REGISTERED SURVEYOR  
 NO. 6725



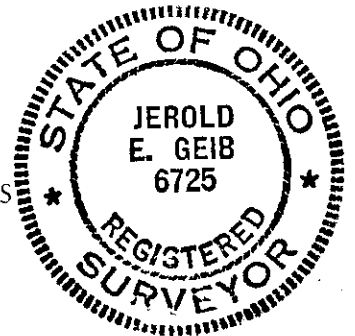


1359 MARKET  
AVENUE NORTH  
CANTON, OHIO  
44714

BRYAN J. ASHMAN  
JEROLD E. GEIB

Instr: 200308060076248 08/06/2003  
P: 31 of 34 F: \$284.00  
Rick Campbell 2:18PM COND  
Stark County Recorder T20030049739

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



May 20, 2003

**PHASE -2  
DESCRIPTION OF 2.680 ACRES  
FOR: TOBIN ENTERPRISES, INC.**

Known as and being part of a 9.758 acre tract of land presently owned by Tobin Enterprises, Inc. as recorded in Stark County Recorder's Image Number 2001/059245 of the Stark County Deed Records. Subject tract is part of Outlot 899 in the City of Massillon, Stark County, Ohio and is more particularly bounded and described as follows;

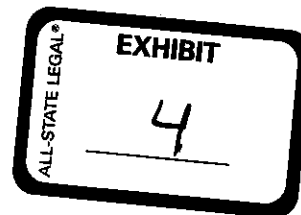
Beginning for the same at a point, marked by ½ inch iron bar with Cooper & Assoc. cap found, on the north right-of-way line of Ohio State Drive S.E. (60 feet wide), at the southwest corner of Outlot 900 in the City of Massillon as recorded in Plat Book 69, Page 39 of the Stark County Plat Records and being the true place of beginning for the tract of land herein to be described;

Thence N68°05'44"W on a portion of the north right-of-way line of said Ohio State Drive S.E. a distance of 49.47 feet to a point of curvature, marked by a ½ inch iron bar with Cooper & Assoc. cap found;

Thence on an arc of a curve to the left, continuing on a portion of the north right-of-way line of Ohio State Drive S.E., in a westerly direction, with said curve having a central angle of 06°30'07", a radius of 530.00 feet, a tangent distance of 30.10 feet and an arc length of 60.14 feet, a distance of 60.14 feet to the termination point of said curve, marked by a ½ inch iron bar with Cooper & Assoc. cap found, (last stated curved course has a chord bearing and distance of N71°20'47"W - 60.11 feet);

Thence on the east line of University Commons Condominiums - Phase I as recorded in Stark County Recorder's Image Number 2002/044363 the following four (4) courses:

1. N04°39'19"E a distance of 218.46 feet to a point, marked by a ½ inch iron bar with Cooper & Assoc. cap found;
2. Thence N16°22'36"E a distance of 261.85 feet to a point, marked by a ½ inch iron bar with Cooper & Assoc. cap found;
3. Thence N33°51'07"E a distance of 59.04 feet to a point, marked by a ½ inch iron bar with Cooper & Assoc. cap found;



Instr: 200308060076248 08/06/2003  
 P: 32 of 34 F: \$284.00 2:18PM COND  
 Rick Campbell Stark County Recorder T20030043739

4. Thence N02°38'19"E a distance of 72.04 feet to a point, marked by a ½ inch iron bar with Cooper & Assoc. cap found;

Thence N87°21'41"W on a portion of the north line of said University Commons Condominiums - Phase 1 a distance of 18.06 feet to a point, marked by a ½ inch iron bar set;

Thence N58°36'47"E on a common line between the subject 2.680 acre tract of land and a 3.807 acre tract of land a distance of 103.35 feet to a point, marked by a ½ inch iron bar set;

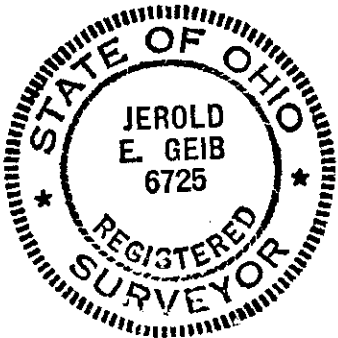
Thence S34°25'38"E continuing on the common line between said 2.680 acre and 3.807 acre tracts of land a distance of 235.19 feet to a point, marked by a ½ inch iron bar with Cooper & Assoc. cap found, at the northwest corner of previously stated Outlot 900 in the City of Massillon;

Thence S25°02'02"W on the west line of said Outlot 900 a distance of 538.96 feet to a point, marked by a ½ inch iron bar with Cooper & Assoc. cap found, at the southwest corner of Outlot 900 in the city of Massillon, being the true place of beginning and containing 2.680 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 20<sup>TH</sup> day of May, 2003.



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





1359 MARKET  
AVENUE NORTH  
CANTON, OHIO  
44714

BRYAN J. ASHMAN  
JEROLD E. GEIB

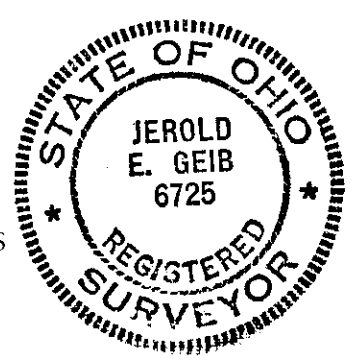


Instr: 200308060076248  
P: 33 of 34 F: \$284.00 08/06/2003  
Rick Campbell 2:19PM COND  
Stark County Recorder T20030043739

**COOPER & ASSOCIATES, LLP / ENGINEERS & SURVEYORS**

PHONE: (330) 452-5731

FAX: (330) 452-9110



May 20, 2003

**ADDITIONAL PROPERTIES  
DESCRIPTION OF 3.807 ACRES  
FOR: TOBIN ENTERPRISES, INC.**

Known as and being part of a 9.758 acre tract of land presently owned by Tobin Enterprises, Inc. as recorded in Stark County Recorder's Image Number 2001/059245 of the Stark County Deed Records. Subject tract is part of Outlot 899 in the City of Massillon, Stark County, Ohio and is more particularly bounded and described as follows:

Beginning for the same at a point, marked by a 1/2 inch iron bar with Cooper & Assoc. cap found, on the north right-of-way line of Ohio State Drive S.E. (60 feet wide), at the southwest corner of Outlot 900 in the City of Massillon as recorded in Plat Book 69, Page 39 of the Stark County Plat Records;

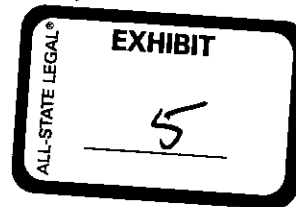
Thence N25°02'02"E on the west line of said Outlot 900 a distance of 538.96 feet to a point, marked by a 1/2 inch iron bar with Cooper & Assoc. cap found, at the northwest corner of Outlot 900 and being the true place of beginning for the tract of land herein to be described;

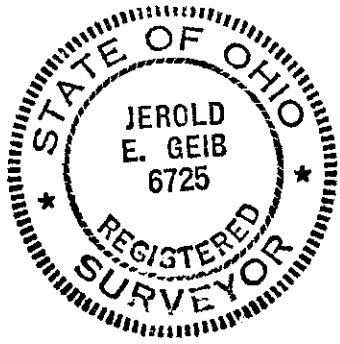
Thence N34°25'38"W on a common line between the subject 3.807 acre tract of land and a 2.680 acre tract of land a distance of 235.19 feet to a point, marked by a 1/2 inch iron bar set;

Thence S58°36'47"W continuing on the common line between said 3.807 acre and 2.680 acre tracts of land a distance of 103.35 feet to a point, marked by a 1/2 inch iron bar set, on the north line of University Commons Condominiums - Phase 1 as recorded in Stark County Recorder's Image Number 2002/044363 of the Stark County Plat Records;

Thence on the north line of said University Commons Condominiums - Phase 1 the following three (3) courses:

1. N87°21'41"W a distance of 100.00 feet to a point, marked by a 1/2 inch iron bar with Cooper & Assoc. cap found;
2. Thence S02°38'19"W a distance of 63.05 feet to a point, marked by a 1/2 inch iron bar with Cooper & Assoc. cap found;
3. Thence N87°21'41"W a distance of 211.39 feet to a point, marked by a 1/2 inch iron bar with Cooper & Assoc. cap found, on the east right-of-way line of Bowling Green Drive S.E. (50





Instr: 200308060076248  
P: 34 of 34 F: \$284.00 08/06/2003  
Rick Campbell 2:18PM COND  
Stark County Recorder T20030043739

feet wide) as recorded in Stark County Recorder's Image Number 2003/023924 of said Plat Records;

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 269.90 feet to a point, marked by a monument found, at the southwest corner of Lot 16658 in the City of Massillon, as depicted on the Record Plat of University Village Phase 8 recorded in Stark County Recorder's Image Number 2003/023924;

Thence S87°15'44"E on the south line of Lots 16658, 16657 and 16656 in the said City of Massillon a distance of 309.58 feet to a point, marked by a monument set, at the southeast corner of said Lot 16656;

Thence N62°03'42"E on the south line of Lot 16655 in the City of Massillon a distance of 203.21 feet to a point, marked by a ½ inch iron bar with Cooper & Assoc. cap found, on the west line of a 0.80 acre tract of land now or formerly owned by David Rapovy as recorded in Stark County Recorder's Image Number 1995/038246 of the Stark County Deed Records;

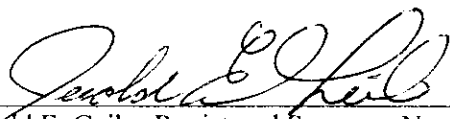
Thence S27°56'18"E on a portion of the west line of said 0.80 acre David Rapovy tract of land and the west line of Outlot 901 in the City of Massillon a distance of 406.00 feet to a point, marked by a ½ inch iron bar with Cooper & Assoc. cap found, at the southwest corner of said Outlot 901;

Thence S62°03'42"W on a portion of the north line of Outlot 900 in the City of Massillon, a distance of 176.86 feet to a point, marked by a ½ inch iron bar with Cooper & Assoc. cap found, at the previously stated northwest corner of Outlot 900 in the City of Massillon, being the true place of beginning and containing 3.807 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 20<sup>TH</sup> day of May, 2003.

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