

**SIXTH AMENDMENT
TO THE DECLARATION OF CONDOMINIUM OWNERSHIP
OF UNIVERSITY COMMONS CONDOMINIUM - PHASE 1-A, TO
REFLECT BUILDING 13 ("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**

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

Janet White Creighton

Auditor of Stark County, Ohio
by *Patricia A. Allat*

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

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

THE SIXTH AMENDMENT to the Original Declaration of Condominium Ownership for University Commons Condominium is made this 19th day of November 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 and the Fifth Amendment was filed on August 6, 2003,

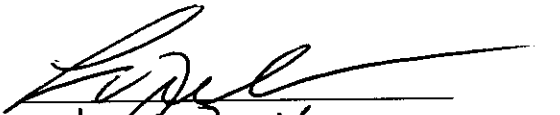
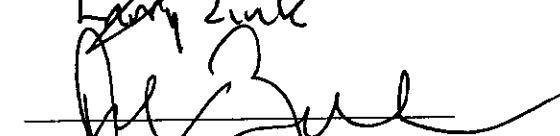
Recorders Imaging Number 200308060076248.

Whereas, the Declarant does by this Sixth Amendment set forth the “as built” drawings for Building 13 being 2132, 2136, 2142 and 2146 University Commons Dr. SE (Private Drive), Massillon, Ohio 44647.

- 1) Attached hereto as Exhibit 1 is the Condominium Plat showing Building 13, as built.
- 2) Attached hereto as Exhibit 2 are the elevation drawings for Building 13, as built.
- 3) Attached hereto as Exhibit 3 are the floor plan drawings for Building 13, as built.
- 4) In all other respects the Declaration of Condominium and all amendments thereto shall remain unchanged.

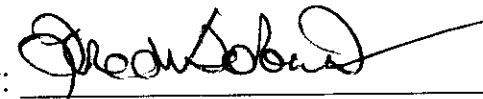
IN WITNESS WHEREOF, the undersigned have executed this instruments this 18 day of November 2003.

Signed and acknowledged
in the presence of:


Larry Zink

Jeff Zink

DECLARANT:

TOBIN ENTERPRISES, INC.

By: 
Fred W. Tobin, President

STATE OF OHIO

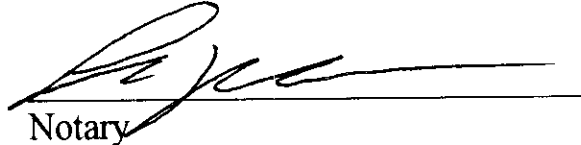
SS:

COUNTY OF STARK

Instr: 200311180110766 11/18/2003
P: 4 of 11 F: \$100.00
Rick Campbell 3:32PM COND
Stark County Recorder T20030062170

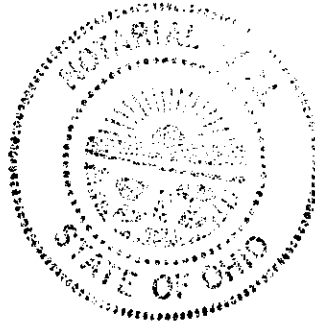
Notary

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

My Commission Expires _____



LARRY A. ZINK, ATTY. AT LAW
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION HAS NO EXPIRATION DATE
UNDER SECTION 147.06 R.C.

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



I, BP, BE, LM, LICENSED PROFESSIONAL ENGINEER AND LICENSED SURVEYOR STATE TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THIS DRAWING GRAPHICALLY SHOWS ALL OF THE PARTICULARS OF BUILDING 13 AS CONSTRUCTED.

DATE: **4/6/03**

DATE: **11/06/03**

BRYAN J. ASHMAN
PROFESSIONAL ENGINEER
STATE OF OHIO LICENSE NO. 476103
BRYAN J. ASHMAN
STATE OF OHIO SURVEYOR
LICENSE NO. 041804

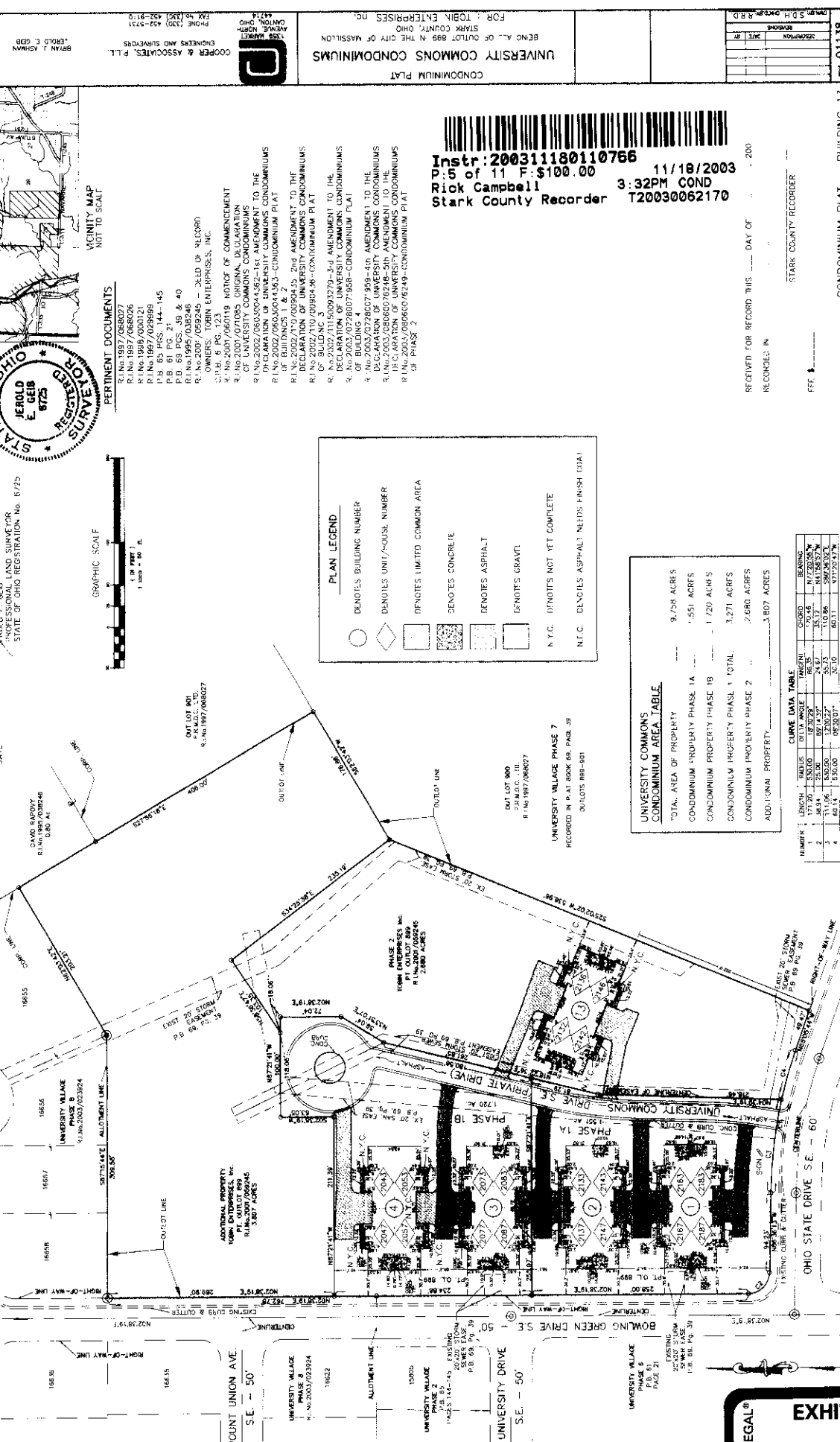
OWNER / DEVELOPER
TOBIN ENTERPRISES, INC.
7884 STRAUSSER ST. N.W.
NORTH CANTON, OHIO 44720
PHONE: 330-497-8744
NOVEMBER 2003

REFERENCE DIRECTION
BEARING SYSTEM ESTABLISHED FROM THE RECORD PLAT OF UNIVERSITY VILLAGE PHASE 2 AS RECORDED IN STARK COUNTY PLAT RECORDS USING 400.36179'E FOR THE CENTERLINE OF BOWLING GREEN DRIVE S.E.

MONUMENT LEGEND
● 1/2" IRON BAR 10 BL. SET
○ MONUMENT S.I.
○ 1/2" IRON BAR W/COOPER & ASSOC. CAP FOUND
○ MONUMENT YOUNG

GRAPHIC SCALE
1 inch = 50' ft.

NEARBY MAP NOT TO SCALE



PERTINENT DOCUMENTS
 0. No. 1997/068027
 1. No. 1997/068026
 2. No. 1997/068025
 3. No. 1997/068024
 4. No. 1997/068023
 5. No. 1997/068022
 6. No. 1997/068021
 7. No. 1997/068020
 8. No. 1997/068019
 9. No. 1997/068018
 10. No. 1997/068017
 11. No. 1997/068016
 12. No. 1997/068015
 13. No. 1997/068014
 14. No. 1997/068013
 15. No. 1997/068012
 16. No. 1997/068011
 17. No. 1997/068010
 18. No. 1997/068009
 19. No. 1997/068008
 20. No. 1997/068007

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
 CONDOMINIUM PROPERTY PHASE 2 2.680 ACRES
 ADDITIONAL PROPERTY 3.807 ACRES

PLAN LEGEND
 ○ DENOTES BUILDING NUMBER
 ◇ DENOTES UNIT/HOUSE NUMBER
 □ DENOTES LIMITED COMMON AREA
 ▨ DENOTES CONCRETE
 ▩ DENOTES ASPHALT
 ▭ DENOTES GRAVEL
 N.Y.C. (NOTES NOT YET COMPLETE)
 N.T.C. (NOTES ASPHALT NEEDS FINISH TOTAL)

CURVE DATA TABLE

NUMBER	LENGTH	RADIUS	DELTA ANGLE	BEARING	CHORD	BEARING
1	171.20	330.00	18.227°	N 77.253° W	103.75	N 77.253° W
2	111.06	550.00	12.002°	S 87.958° E	58.745	S 87.958° E
3	80.14	550.00	9.8207°	S 78.137° E	43.11	S 78.137° E

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

Instr: 20031180110756
 P: 5 of 11 F: \$100.00
 Rick Campbell
 Stark County Recorder T20030062170
 11/18/2003 3:32PM COND

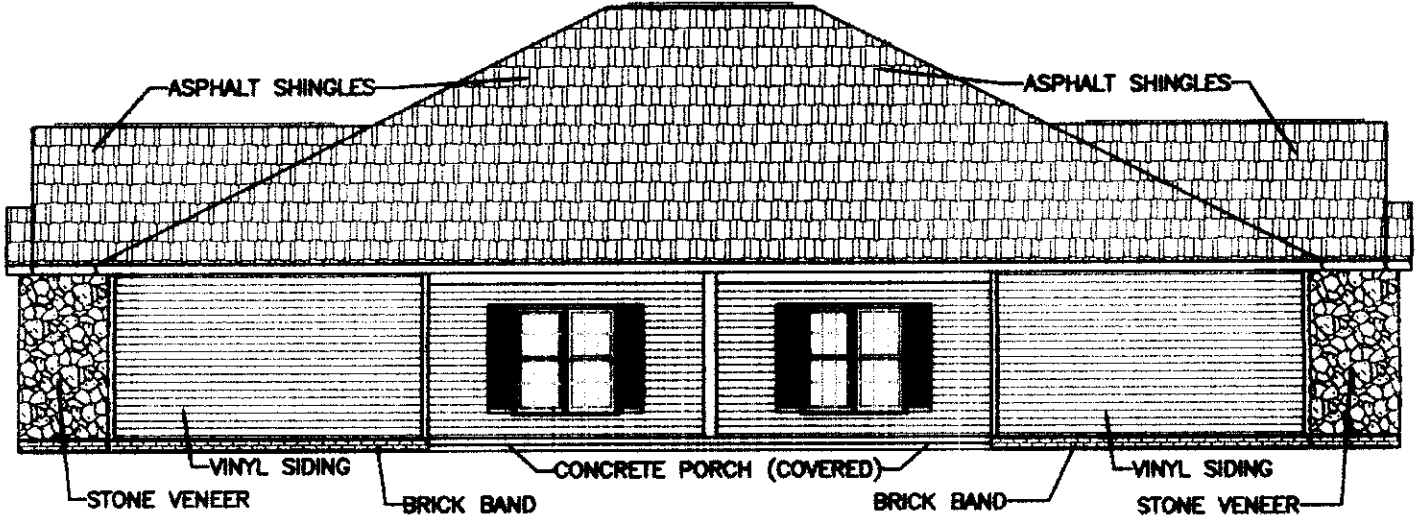
RECEIVED FOR RECORD THIS DATE OF 11/18/2003
 RECORDED IN STARK COUNTY RECORDER

RECORDED IN STARK COUNTY RECORDER

CONDOMINIUM PLAT - BUILDING 13

ALL-STATE LEGAL® EXHIBIT

Instr: 20031180110766 11/18/2003
 P: 6 of 11 F: \$100.00
 Rick Campbell 3:32PM COND
 Stark County Recorder T20030062170



EAST ELEVATION - UNITS 2146 & 2136

ALL-STATE LEGAL®
 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 13
 UNITS 2132, 2136, 2142 & 2146
 CONDOMINIUM DRAWINGS
 FOR UNIVERSITY COMMONS

11/16/03
 DATE
Bryan J. Ashman
 BRYAN J. ASHMAN
 REGISTERED ENGINEER
 NO. E-043804



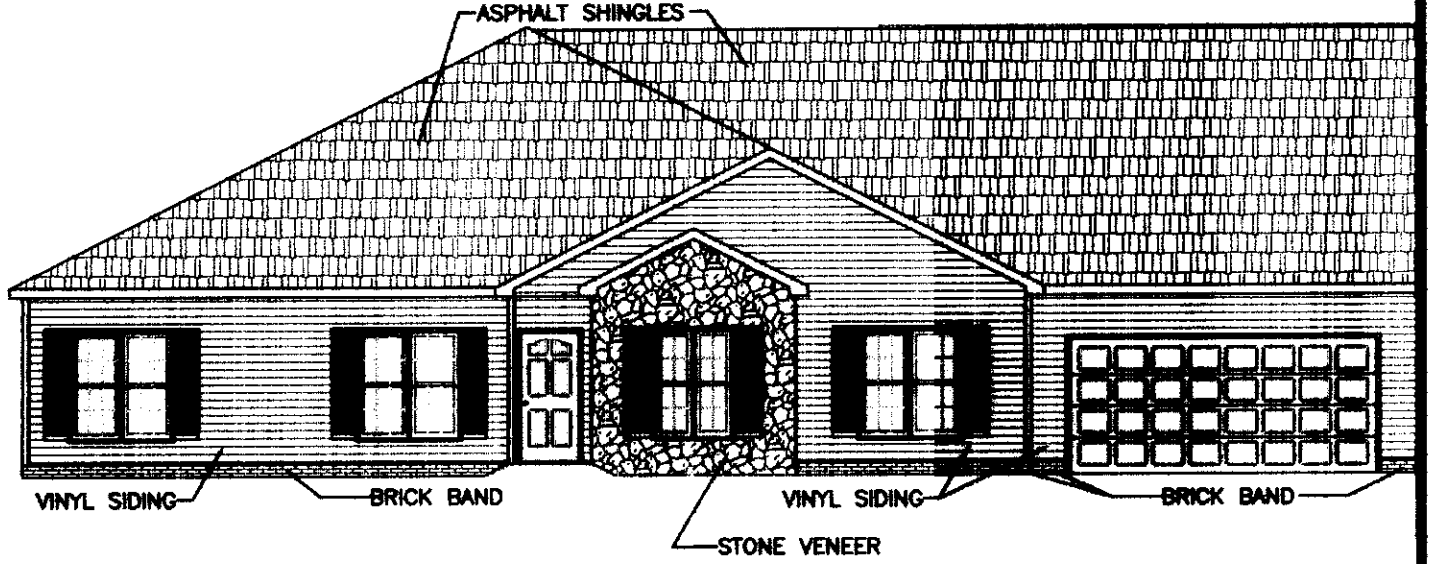
11/06/03
 DATE
Jerold E. Geib
 JEROLD E. GEIB
 REGISTERED SURVEYOR
 NO. 6725



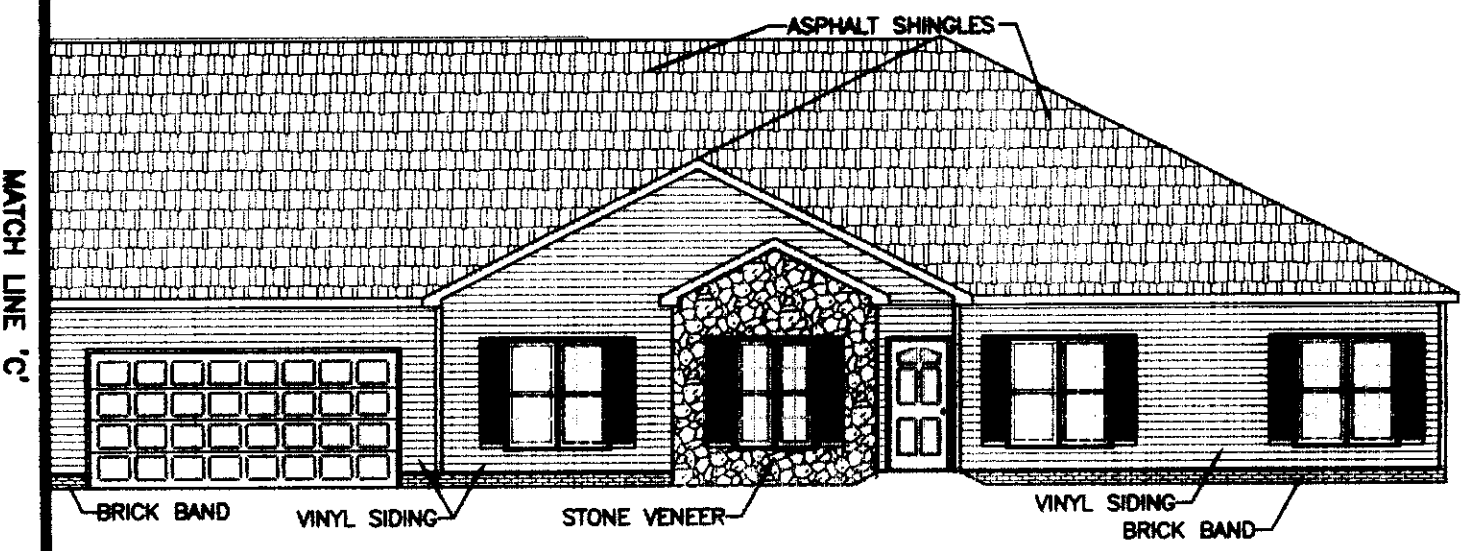
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Instr: 200311180110766
 P: 7 of 11 F: \$100.00 11/18/2003
 Rick Campbell 3:32PM COND
 Stark County Recorder T20030062170



SOUTH ELEVATION - UNIT 2142



SOUTH ELEVATION - UNIT 2146

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

11/6/03
 DATE *Bryan J. Ashman*
 BRYAN J. ASHMAN
 REGISTERED ENGINEER
 NO. E-043804



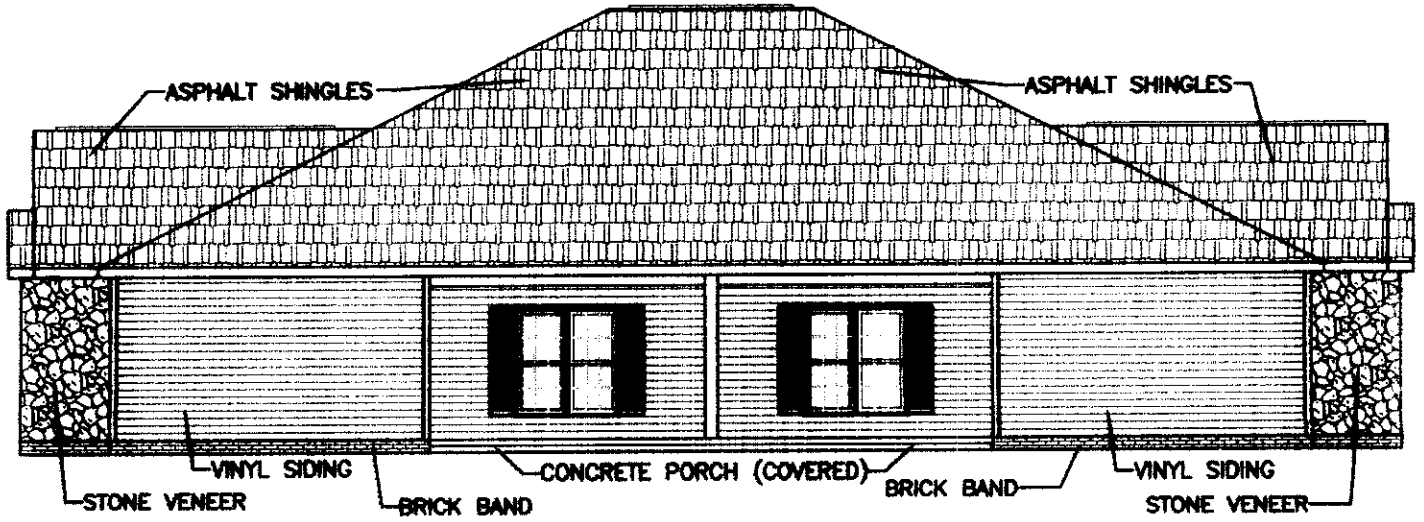
11/06/03
 DATE *Jerold E. Geib*
 JEROLD E. GEIB
 REGISTERED SURVEYOR
 NO. 6725



01138



Instr: 200311180110766
 P: 8 of 11 F: \$100.00 11/18/2003
 Rick Campbell 3:32PM COND
 Stark County Recorder T20030062170



WEST ELEVATION - UNITS 2132 & 2142

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

11/6/03
 DATE

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



11/06/03
 DATE

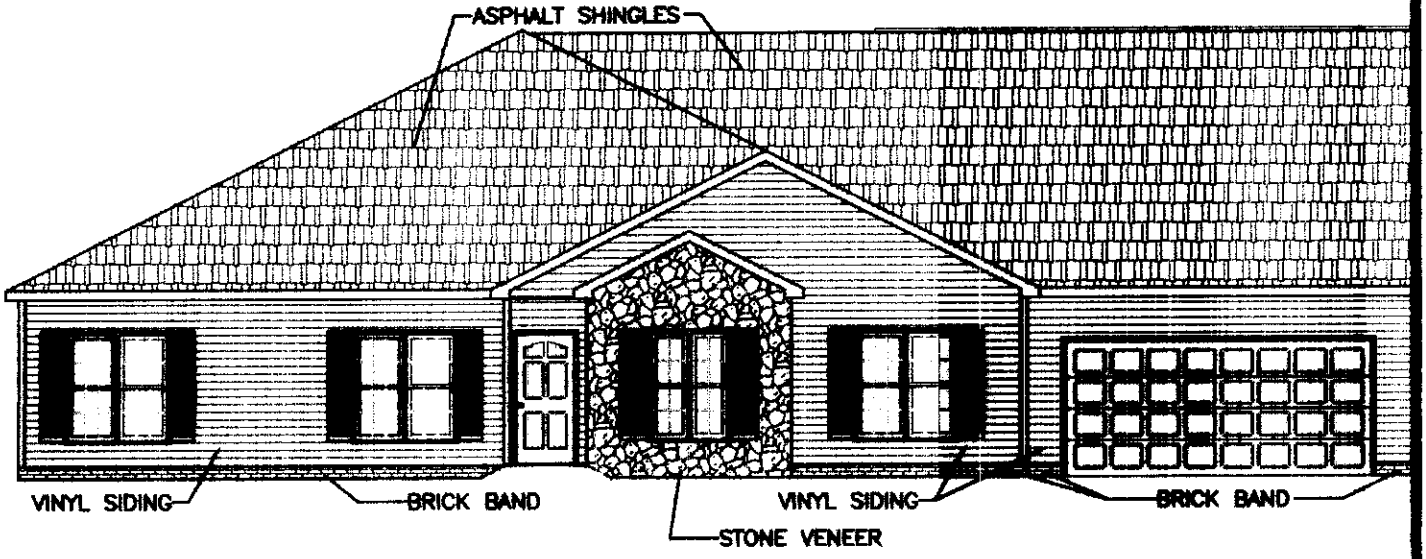
Jerold E. Geib
 JEROLD E. GEIB
 REGISTERED SURVEYOR
 NO. 6725



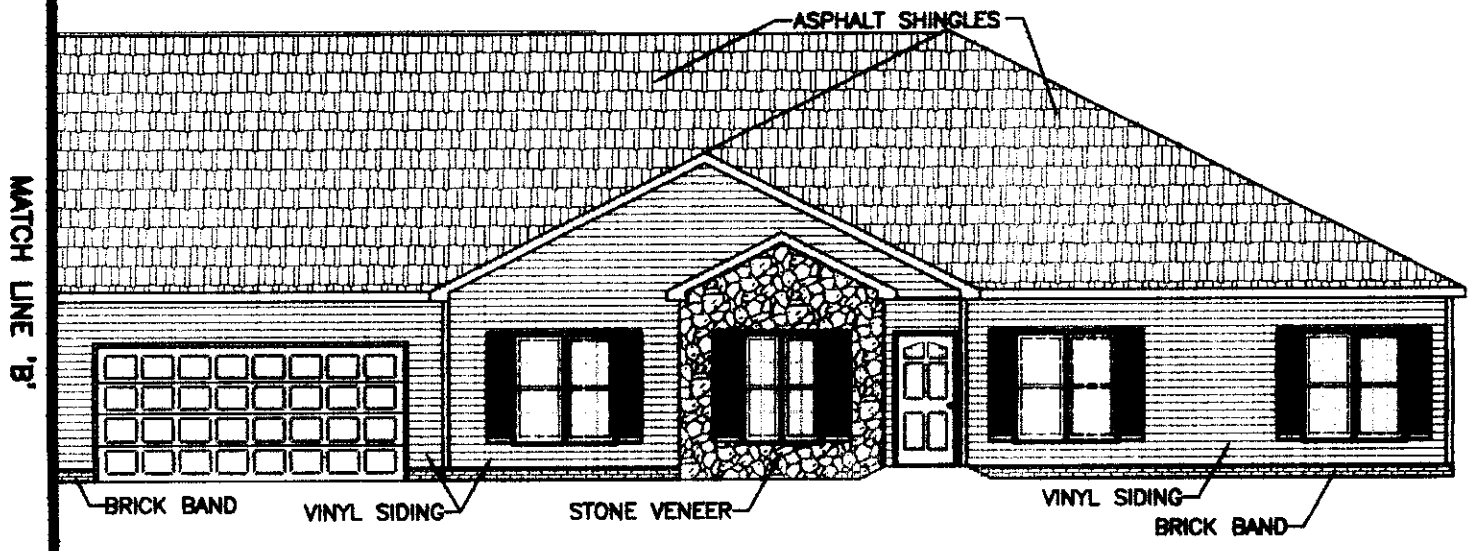
01138



Instr: 200311180110766 11/18/2003
 P: 9 of 11 F: \$100.00
 Rick Campbell 3:32PM COND
 Stark County Recorder T20030062170



NORTH ELEVATION - UNIT 2136



NORTH ELEVATION - UNIT 2132

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

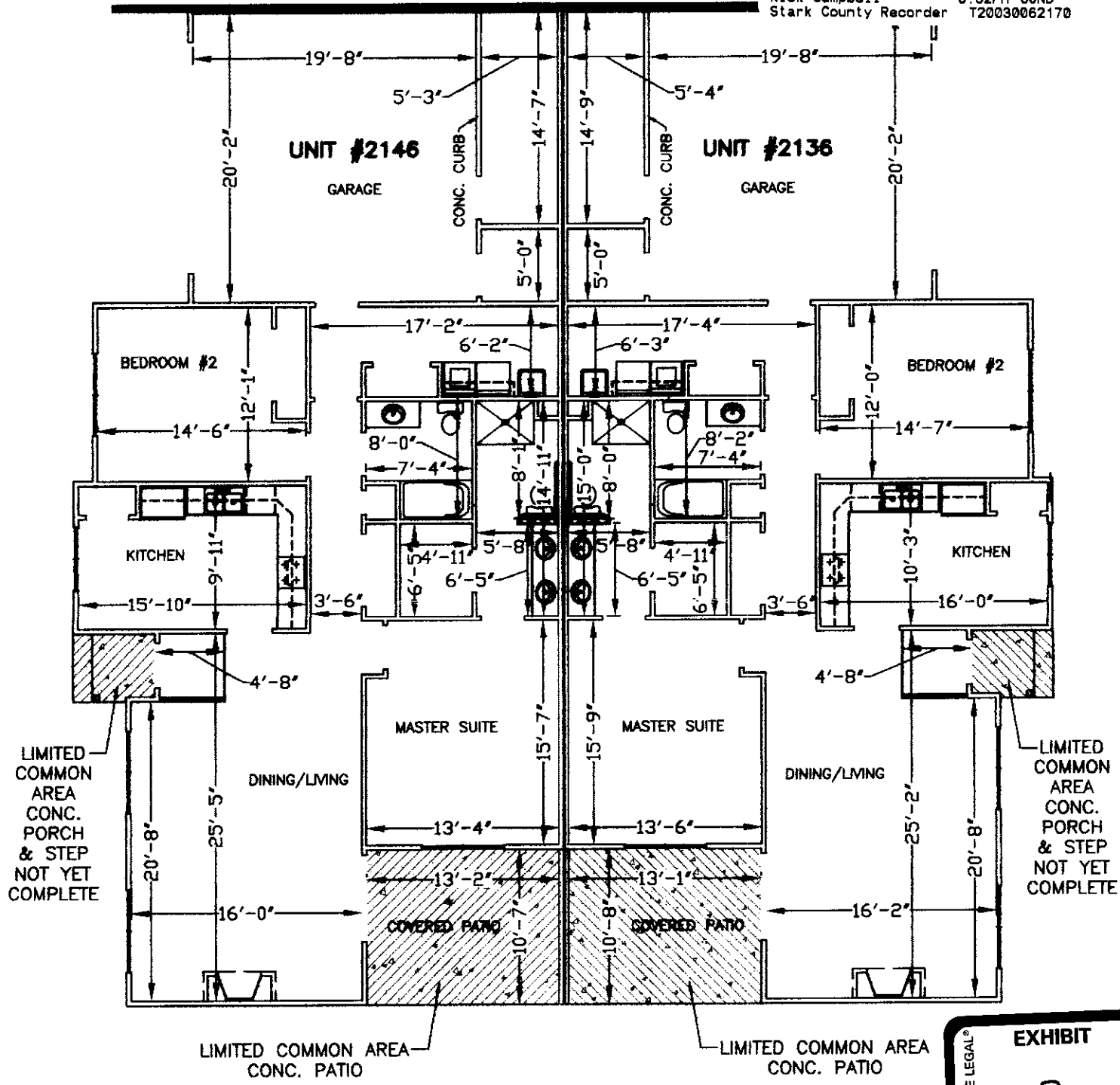
11/6/03
 DATE *Bryan J. Ashman*
 BRYAN J. ASHMAN
 REGISTERED ENGINEER
 NO. E-043804



11/06/03
 DATE *Jerold E. Geib*
 JEROLD E. GEIB
 REGISTERED SURVEYOR
 NO. 6725



MATCH LINE 'A'



FLOOR PLAN - UNITS 2146 & 2136

ALL-STATE LEGAL®
 EXHIBIT
 3

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.

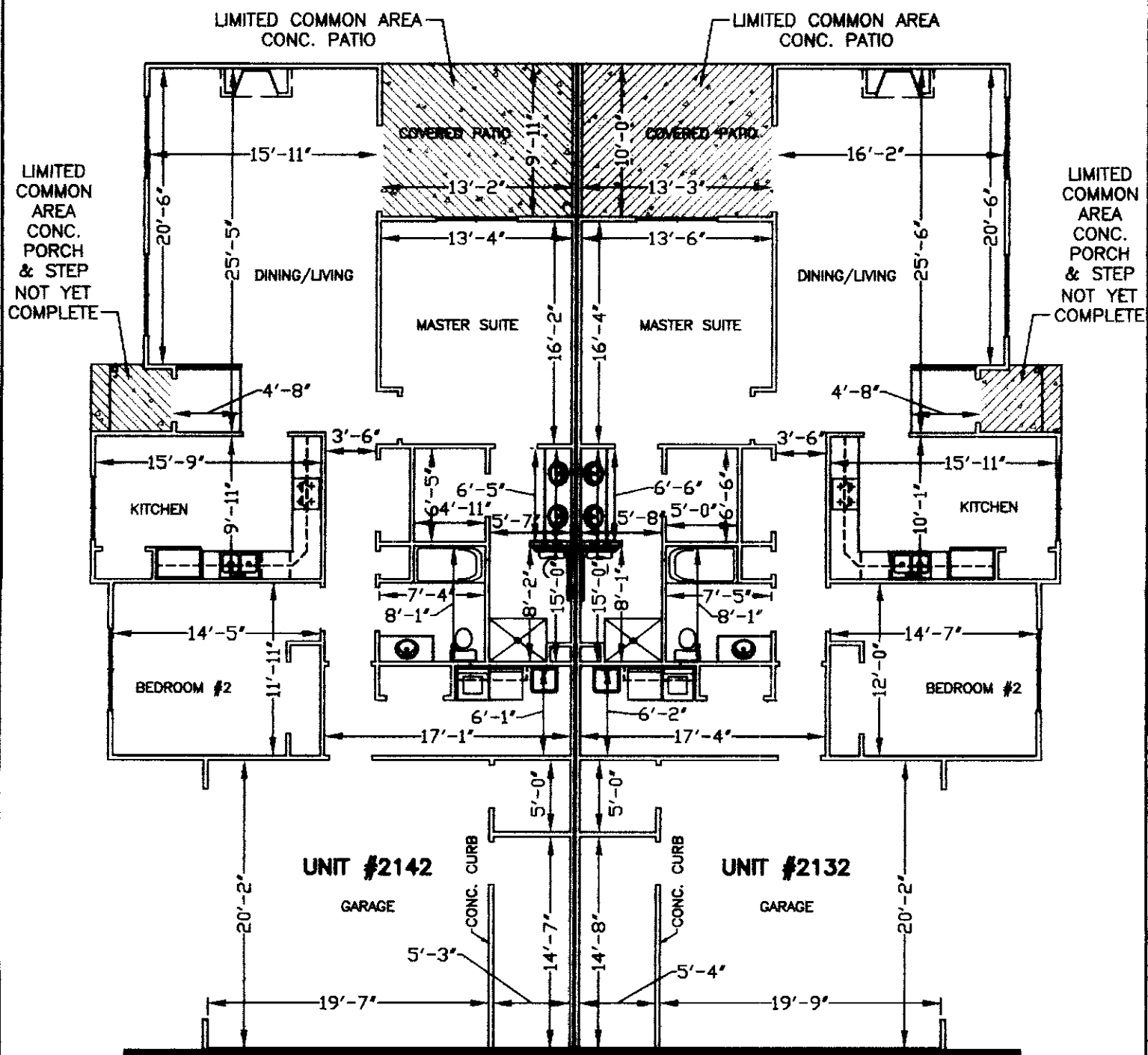
BUILDING 13
 UNITS 2132, 2136, 2142 & 2146
 CONDOMINIUM DRAWINGS
 FOR UNIVERSITY COMMONS

11/6/03
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 NO. E-043804



11/06/03
 DATE
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 JEROLD E. GEIB
 REGISTERED SURVEYOR
 NO. 6725





MATCH LINE 'A'
FLOOR PLAN - UNITS 2142 & 2132

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

11/6/03
 DATE *Bryan J. Ashman*
BRYAN J. ASHMAN
REGISTERED ENGINEER
NO. E-043804



11/06/03
 DATE *Jerold E. Geib*
JEROLD E. GEIB
REGISTERED SURVEYOR
NO. 6725

