

Recorder  
Loveland Box

Instr: 199811030281068 11/03/1998  
Pages: 10 Fee: \$91.20 12:05PM  
Richard B. Matcoiff T19980158687  
Franklin County Recorder BXLOVELAND

**FOURTH AMENDMENT  
TO  
DECLARATION OF CONDOMINIUM  
GENDER PARK CONDOMINIUM**

This fourth amendment to the Declaration of GENDER PARK CONDOMINIUM is made on or as of the 2nd day of November, 1998.

**Recitals**

A. Gender Park Condominium is a condominium created pursuant to the provisions of Chapter 5311 of the Revised Code of Ohio ("the Condominium Act") by the filing of the Declaration of Gender Park Condominium and the Drawings thereof, recorded, respectively, in Instrument No. 199802240040764, and Condominium Plat Book 76, at page 81 et seq., both of the records of the Recorder of Franklin County, Ohio.

B. Pursuant to the provisions of Article XVII of the Declaration, and the provisions of the Condominium Act, Declarant, The Qualstan Corporation, desires by this amendment to add a portion of the Additional Property to the Condominium, which Additional Property, hereinafter described, meets all of the criteria and qualifications for addition to the Condominium described in that Article.

**Declaration**

NOW THEREFORE, Declarant, the sole creator of the Condominium and the sole owner of the property hereinafter described to be added to the Condominium, hereby declares the Condominium Property of the Condominium to be expanded by addition of the property hereinafter described, as follows:

1. **Definitions.** All terms used herein shall have the same meanings as those terms have as used and defined in the Declaration.
2. **Additional Property Added.** A legal description of the portion of the property added hereby to the Condominium Property, consisting of 8.587 acres, more or less, is described in the attachment hereto, marked "Exhibit A", and hereby made a part hereof. A sketch site plan showing the composition of the property added hereby is attached hereto, marked "Exhibit B", and hereby made a part hereof. A plot plan showing the relationship of the property added hereby to the property already a part of the Condominium is attached hereto, marked "Exhibit C", and hereby made a part hereof.
3. **Name.** The Condominium, as expanded hereby, shall continue to be named "Gender Park Condominium".
4. **Purposes.** The purposes of the Condominium shall continue to be as set forth in the Declaration (encompassing the additional property added hereby).
5. **Improvement Description.** The Additional Property added to the Condominium Property hereby contains seven buildings, each containing five dwelling units, adding a total of thirty-five (35) Units, and expanding the Condominium to contain a total of one hundred twenty-five (125) dwelling units, each of which is called a "Unit". The buildings are a combination of two story townhouse style dwelling units, with one story ranch style dwelling units on each end, with poured concrete foundations, built of wood frame,

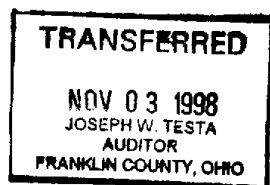
(continued next page)

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CERTIFICATE OF AUDITOR

A copy of this Fourth Amendment to the Declaration for Gender Park Condominium, together with the Fourth Amendment to the Drawings attached thereto, were filed with this office on November 3, 1998.

Joe Testa  
Franklin County Auditor

By James E. Luning  
Deputy Auditor



FOR REFERENCE PLEASE SEE  
CONDOMINIUM PLAT BOOK NO. 80 PAGE 5455

with vinyl siding, and asphalt shingle roofs. The principal materials of which these buildings are constructed are wood, glass, concrete, concrete block, vinyl siding, asphalt shingles, and drywall. Each dwelling unit has a front stoop or porch and a patio or yard area. Some Units have no garage, while others have either a one or two car attached garage, as shown on Exhibit B. Dwelling units added hereby do not have basements. In addition, there are green and landscaped areas and private asphalt drives and parking areas. All improvements on the property added hereby are compatible in terms of quality of construction, principal materials used, and architectural style and design to the improvements now a part of the Condominium Property.

6. Units.

a. Unit Designation. Each of the Units added to the Condominium hereby is designated on the amendment to the Drawings filed simultaneously herewith, and attached hereto (although the same may be detached herefrom upon filing by the Franklin County Recorder and filed in separate records), labeled "The Drawings Gender Park Condominium Fourth Amendment", by a Unit designation, which is a number corresponding with the building number, and a capitalized letter of the alphabet. A listing of the type and composition of all Units that may be in the Condominium is set forth on the exhibit attached hereto, marked "Exhibit D", and hereby made a part hereof. The Unit designation of each Unit added hereby and of each Unit heretofore part of the Condominium is set forth on "Exhibit E" attached hereto and hereby made a part hereof.

b. Composition of Units. Each Unit added hereby consists of the space in the building designated on the amendment to the Drawings filed simultaneously herewith with that Unit's Unit designation, including and excluding, as appropriate, those same items as are described and defined in the description of Unit types on Exhibit D. The type of each Unit is shown on the attached Exhibit E. Floor plan layouts and elevation drawings for the Units and buildings added hereby are shown on the amendment to the Drawings filed simultaneously herewith.

c. Unit Locations. The location of each Unit added hereby is shown on the amendment to the Drawings filed simultaneously herewith, and is also shown on Exhibit B. Each Unit has direct access to Common Areas leading directly to Gender Road, a public street.

7. Common and Limited Common Areas.

a. Common Areas. All of the additional property hereby added hereto, including all of the land and all improvements thereon and appurtenances thereto, except those portions labeled or described herein or in the amendment to the Drawings filed herewith as a part of a Unit, are Common Areas.

b. Limited Common Areas. Those portions of the Common Areas that are added hereby that are labeled or designated "limited common areas" on the amendment to the Drawings filed herewith are Limited Common Areas. These Limited Common Areas consist of a front stoop or porch and a patio or yard area contiguous to and appurtenant to each Unit. In each case, a Limited Common Area is reserved for the exclusive use of the Unit or Units which those improvements are designed or designated to serve.

c. Undivided Interests. The undivided interest in the Common Areas of each Unit in the Condominium, as expanded hereby, and as thereby allocated and reallocated, are as designated on the attached Exhibit E, and, in each case, is based on each Unit having an equal par value of one (1.00) so that each Unit will have an equal undivided interest. All Units added also have equal par values of one (1.00). This exhibit supersedes, in its entirety, Exhibit C of the Declaration, and all amendments thereto. The Common Areas shall be owned by the Unit owners as tenants in common, and ownership thereof shall remain undivided. No Unit owner may waive or release any rights in the Common Areas. Further, the undivided interest of a Unit in the Common Areas shall not be separated from the Unit to which it appertains.

8. Effects of Expansion. Upon the filing for record of this amendment to the Declaration adding additional property to the Condominium Property:

a. the added portion shall thereafter be subject to and benefited by all of the terms and provisions of the Declaration, to the same extent and with the same effect as if that added portion had been provided herein as constituting part of the Condominium Property, that is, the rights, easements, covenants, restrictions and assessment plan set forth therein shall run with, bind and benefit the added portion in the same manner, to the same extent, and with the same force and effect as the terms of the Declaration apply to the Condominium Property;

b. the owner or owners of the added portion shall thereupon become members, to the same extent, with the same effect, subject to the same obligations, and imbued with the same rights, as all other members; and

c. in all other respects, all of the provisions of the Declaration shall include and apply to such additional portion, and to the owners, mortgagees and lessees thereof, with equal meaning and of like force and effect.

IN WITNESS WHEREOF, the undersigned has executed this instrument this 2<sup>nd</sup> day of November, 1998.

Signed and acknowledged  
in the presence of:

THE QUALSTAN CORPORATION

Kathleen M. Michael  
(Print Name) Kathleen M. Michael  
Calvin T. Johnson Jr.  
(Print Name) Calvin T. Johnson Jr.

By Julie D. Beshara  
Julie D. Beshara, Assistant Secretary

STATE OF OHIO  
COUNTY OF FRANKLIN, SS:

This instrument was acknowledged before me by Julie D. Beshara, Assistant Secretary of The Qualstan Corporation, an Ohio corporation, on its behalf, this 2<sup>nd</sup> day of November, 1998.

Calvin T. Johnson Jr.  
Notary Public



CALVIN T. JOHNSON, JR., ATTORNEY-AT-LAW  
NOTARY PUBLIC, STATE OF OHIO  
LIFETIME COMMISSION

This instrument prepared by Calvin T. Johnson, Jr., attorney at law, Loveland & Brosius, 50 West Broad Street, Columbus, Ohio 43215-3352.

CONDOQUALSTAN.ITJ201110/30/98

EXHIBIT A

FOURTH AMENDMENT  
DECLARATION OF CONDOMINIUM  
GENDER PARK CONDOMINIUM

Legal Description, Property Added  
(8.587 acres)

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Section 13, Township 11, Range 21, Congress Lands and being part of the 50.770 acre tract of land conveyed to Qualstan Corporation, by deed of record in Instrument No. 199706160023398, all references being to records in the Recorder's Office, Franklin County, Ohio and bounded and described as follows:

Beginning at an iron pin set in the northerly line of the Qualstan Corporation 50.770 acre tract, the southerly line of the Roland E. Reeb, Trustee 59.761 acre tract and being the northeasterly corner of "GENDER PARK CONDOMINIUM THIRD AMENDMENT";

thence South 85° 33' 45" East, along the southerly line of the Roland E. Reeb, Trs. 59.761 acre tract, a distance of 754.40 feet to an iron pin set;

thence South 37° 37' 22" West, a distance of 534.69 feet to a point;

thence South 31° 35' 53" West, a distance of 191.23 feet to a point;

thence South 15° 35' 41" West, a distance of 10.08 feet to a point;

thence North 86° 05' 16" West, a distance of 457.85 feet to a point;

thence North 3° 54' 44" East, a distance of 173.60 feet to a point;

thence North 86° 05' 16" West, a distance of 30.46 feet to a point;

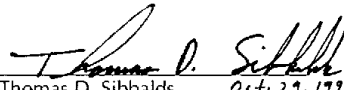
thence North 3° 54' 44" East, a distance of 102.74 feet to a point in the southerly line of "GENDER PARK CONDOMINIUM THIRD AMENDMENT";

thence South 86° 05' 16" East along said southerly line of "GENDER PARK CONDOMINIUM THIRD AMENDMENT", a distance of 121.58 feet to the southeasterly corner of said Condominium;

thence North 3° 54' 44" East, along the easterly line of "GENDER PARK CONDOMINIUM THIRD AMENDMENT", a distance of 354.57 feet to the place of beginning, containing 8.587 acres, more or less.

Bearings contained herein are based on the Ohio State Plane Coordinate System, as per NAD 83. Control for bearings was from coordinates of Monuments Numbers 9968 and 9932, established by the Franklin County Engineering Department, using Global Positioning System procedures and equipment, in which the bearing between the monuments is South 4° 14' 33" West.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

By   
Thomas D. Sibbalds Oct. 27, 1998  
Registered Surveyor No. 5908

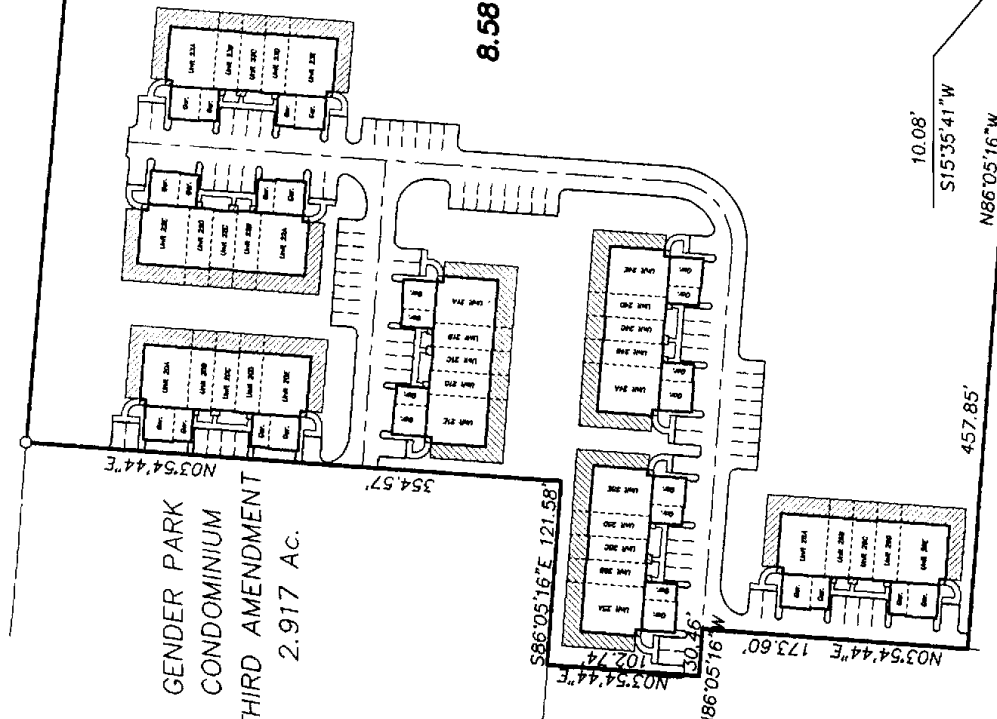
TDS:kd

Declarant's Mailing Address: Qualstan Corporation  
1827 O'Brien Road  
Columbus, Ohio 43228

**EXHIBIT 'B'**  
**DECLARATION OF CONDOMINIUM**  
**GENDER PARK CONDOMINIUM**  
**FOURTH AMENDMENT**  
**PLOT PLAN, PROPERTY ADDED**

Roland E. Reeb, Tr.  
 59.761 Ac.  
 O.R. 26048HO5

S 85°33'45" E  
 754.40'



GENDER PARK  
 CONDOMINIUM  
 THIRD AMENDMENT  
 2.917 AC.

8.587 AC.

ADDITIONAL PROPERTY  
 29.773 Ac.  
 Inst. No. 199706160023398

S34.69'  
 S57°37'22" W

S37°35'53" W  
 191.23'

10.08'  
 S15°35'41" W  
 N86°05'16" W

457.85'

N03°54'44"E  
 102.74'  
 N86°05'16" E  
 121.58'  
 N03°54'44"E  
 173.60'  
 N03°54'44"E  
 354.57'

NOTE:  
 Bearings are based on The Ohio State Plane Coordinate System as per NAD83. Control for bearings was from coordinates of monuments Numbers 9988 and 9932 established by the Franklin County Engineering Department, using Global Positioning System procedures and equipment in which the bearing is South 4° 14' 33" West.



LEGEND  
 Areas not designated as units or limited common areas are common areas.  
 [Hatched Box] = Limited Common Area  
 [Circle] = Iron Pin

OCTOBER 26, 1998

# EXHIBIT 'C'

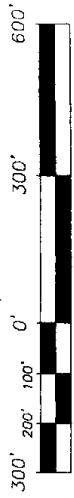
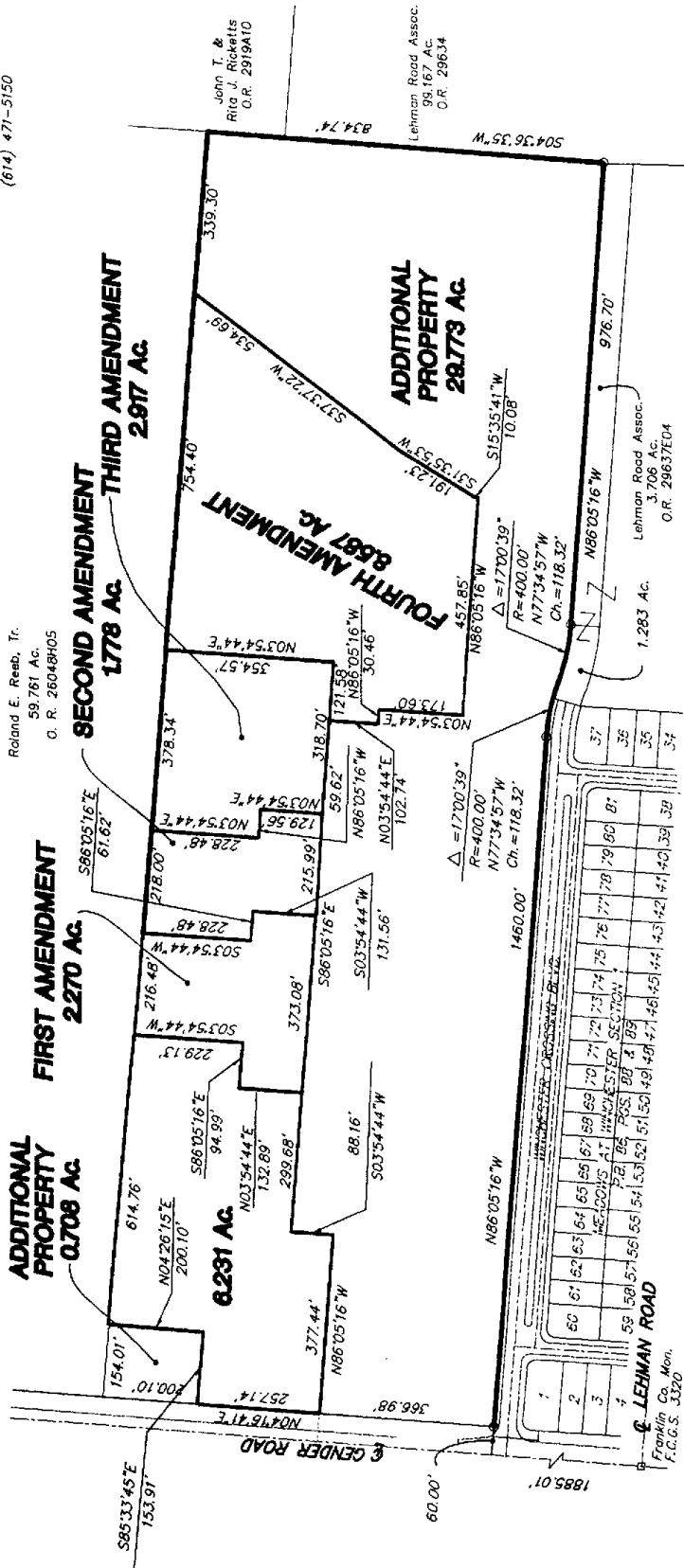
## GENDER PARK CONDOMINIUM FOURTH AMENDMENT

### DECLARATION OF CONDOMINIUM PLOT PLAN, PROPERTY ADDED

SURVEYED & PLOTTED  
BY  
**EVANS, MECHWART, HAMBLETON & TILTON, INC.**  
CONSULTING ENGINEERS & SURVEYORS  
170 MILL STREET  
GAHANNA, OHIO 43230  
(614) 471-5150

Roland E. Reeb, Jr.  
59.761 Ac.  
O. R. 26048H05

**NOTE:**  
Bearings are based on The Ohio State Plane Coordinate System as per MAD83. Control for bearings was from coordinates of monuments Numbers 9968 and 9932 established by the Franklin County Engineering Department, using Global Positioning System procedures and equipment in which the bearing is South 41°43' West.



OCTOBER 28, 1998

QUALSTAN - GENDER PARK  
5483JMM4.DWG

## EXHIBIT D

### FOURTH AMENDMENT DECLARATION OF CONDOMINIUM GENDER PARK CONDOMINIUM

#### Unit Types

<u>Type</u>	<u>Description</u>
T1B -	A two bedroom standard townhouse Unit containing a full bath and two bedrooms on the second floor, a living room with dining area, a kitchen, a laundry room, and a half bath on the first floor and does not have a garage. Contains approximately 1,148 gross interior square feet, <sup>(1)(2)</sup> and seven rooms, in total. <sup>(3)</sup>
T1BG -	A two bedroom townhouse Unit containing a full bath and two bedrooms on the second floor, a living room with dining area, a kitchen, a laundry room, and a half bath on the first floor, contains approximately 1,178 gross interior square feet <sup>(1)(2)</sup> and seven rooms, in total. <sup>(3)</sup>
T2BG -	A two bedroom deluxe townhouse Unit, containing two full baths and two bedrooms on the second floor, a living room with dining area, a kitchen, a laundry room, and half bath on the first floor. Contains approximately 1,178 gross interior square feet <sup>(1)(2)</sup> and eight rooms, in total. <sup>(3)</sup>
T3 -	A three bedroom townhouse Unit, containing three bedrooms and a bath on the second floor, a living room with dining area, a kitchen, a laundry room, and half bath on the first floor and does not have a garage. Contains approximately 1,178 gross interior square feet <sup>(1)(2)</sup> and eight rooms, in total. <sup>(3)</sup>
T3BG -	A three bedroom townhouse Unit, containing three bedrooms and a bath on the second floor, a living room with dining area, a kitchen, a laundry room, and half bath on the first floor. Contains approximately 1,178 gross interior square feet <sup>(1)(2)</sup> and eight rooms, in total. <sup>(3)</sup>
R2BG -	A two bedroom ranch style unit, containing two full baths, two bedrooms, a living room with dining area, a kitchen and a laundry room on the first floor. Contains approximately 1,209 gross interior square feet, <sup>(1)(2)</sup> and seven rooms, in total. <sup>(3)</sup>
R3 -	A three bedroom ranch style Unit, containing two full baths, three bedrooms, a living room with dining area, a kitchen and a laundry room on the first floor. Contains approximately 1,209 gross interior square feet, <sup>(1)(2)</sup> and eight rooms, in total. <sup>(3)</sup>

Some Units may have one or more of the following: an air conditioning system, a refrigerator, gas range, and a dishwasher. Some Units have a fireplace. In addition, each Unit has the exclusive use of a patio or yard area and a porch or stoop.

#### NOTES:

- (1) "Approximate interior gross square feet" means the gross square feet of the Unit at all levels, and is measured from the inside of the Unit's exterior perimeter walls, inward, including space encompassed by interior walls. Each Unit with a garage contains an additional approximately 241 gross interior square feet for a one car front garage or a one car end garage or an additional approximately 412 gross interior square feet for a two car garage.
- (2) In the event that a basement is added to a Unit type, the basement will be included as part of a Unit and the approximate gross interior square footage will increase so as to include the additional space.
- (3) "Rooms, in total," includes each bath or half bath as one room each, and the living room with dining area as one room, and does not count closets, hallways, garages or foyers as rooms.

EXHIBIT E

FOURTH AMENDMENT  
DECLARATION OF CONDOMINIUM  
GENDER PARK CONDOMINIUM

Unit Information

I. EXISTING UNITS:

<u>Unit Designation</u>	<u>Unit Type</u>	<u>Bedrooms</u>	<u>Garage Spaces</u>	<u>Undivided Interest</u>
2A	R2BG	2	2	1/125th
2B	T2BG	2	1	1/125th
2C	T1B	2	0	1/125th
2D	T1BG	2	1	1/125th
2E	R2BG	2	2	1/125th
3A	R2BG	2	2	1/125th
3B	T2BG	2	1	1/125th
3C	T1B	2	0	1/125th
3D	T1BG	2	1	1/125th
3E	R2BG	2	2	1/125th
4A	R2BG	2	2	1/125th
4B	T2BG	2	1	1/125th
4C	T1B	2	0	1/125th
4D	T1BG	2	1	1/125th
4E	R2BG	2	2	1/125th
5A	R2BG	2	2	1/125th
5B	T2BG	2	1	1/125th
5C	T1B	2	0	1/125th
5D	T1BG	2	1	1/125th
5E	R2BG	2	2	1/125th
6A	R2BG	2	2	1/125th
6B	T2BG	2	1	1/125th
6C	T1B	2	0	1/125th
6D	T1BG	2	1	1/125th
6E	R2BG	2	2	1/125th
7A	R2BG	2	2	1/125th
7B	T2BG	2	1	1/125th
7C	T1B	2	0	1/125th
7D	T1BG	2	1	1/125th
7E	R2BG	2	2	1/125th
8A	R2BG	2	2	1/125th
8B	T2BG	2	1	1/125th
8C	T1B	2	0	1/125th
8D	T1BG	2	1	1/125th
8E	R2BG	2	2	1/125th
9A	R2BG	2	2	1/125th
9B	T2BG	2	1	1/125th
9C	T1B	2	0	1/125th
9D	T1BG	2	1	1/125th
9E	R2BG	2	2	1/125th
10A	R2BG	2	2	1/125th
10B	T2BG	2	1	1/125th
10C	T1B	2	0	1/125th
10D	T1BG	2	1	1/125th
10E	R2BG	2	2	1/125th



**EXHIBIT E**  
**FOURTH AMENDMENT**  
**DECLARATION OF CONDOMINIUM**  
**GENDER PARK CONDOMINIUM**

Unit Information

**I. EXISTING UNITS (Continued):**

<b>Unit Designation</b>	<b>Unit Type</b>	<b>Bedrooms</b>	<b>Garage Spaces</b>	<b>Undivided Interest</b>
11A	R2BG	2	2	1/125th
11B	T2BG	2	1	1/125th
11C	T1B	2	0	1/125th
11D	T1BG	2	1	1/125th
11E	R2BG	2	2	1/125th
12A	R3	3	2	1/125th
12B	T2BG	2	1	1/125th
12C	T1B	2	0	1/125th
12D	T1BG	2	1	1/125th
12E	R3	3	2	1/125th
13A	R2BG	2	2	1/125th
13B	T1BG	2	1	1/125th
13C	T1B	2	0	1/125th
13D	T1BG	2	1	1/125th
13E	R3	3	2	1/125th
14A	R3	3	2	1/125th
14B	T1BG	2	1	1/125th
14C	T1B	2	0	1/125th
14D	T2BG	2	1	1/125th
14E	R2BG	2	2	1/125th
15A	R3	3	2	1/125th
15B	T1BG	2	1	1/125th
15C	T1B	2	0	1/125th
15D	T1BG	2	1	1/125th
15E	R3	3	2	1/125th
16A	R3	3	2	1/125th
16B	T1BG <sup>(1)</sup>	2	1	1/125th
16C	T1B	2	0	1/125th
16D	T1BG	2	1	1/125th
16E	R3	3	2	1/125th
17A	R3	3	2	1/125th
17B	T1BG	2	1	1/125th
17C	T1B	2	0	1/125th
17D	T1BG	2	1	1/125th
17E	R2BG	2	2	1/125th
18A	R2BG	2	2	1/125th
18B	T1BG	2	1	1/125th
18C	T1B <sup>(1)</sup>	2	0	1/125th
18D	T1BG	2	1	1/125th
18E	R2BG	2	2	1/125th
19A	R3 <sup>(2)</sup>	3	2	1/125th
19B	T2BG	2	1	1/125th
19C	T1B	2	0	1/125th
19D	T1BG	2	1	1/125th
19E	R2BG	2	2	1/125th

**EXHIBIT E**  
**FOURTH AMENDMENT**  
**DECLARATION OF CONDOMINIUM**  
**GENDER PARK CONDOMINIUM**

Unit Information

**II. UNITS ADDED HEREBY:**

<b>Unit Designation</b>	<b>Unit Type</b>	<b>Bedrooms</b>	<b>Garage Spaces</b>	<b>Undivided Interest</b>
20A	R3	3	2	1/125th
20B	T1BG	2	1	1/125th
20C	T1B	2	0	1/125th
20D	T1BG	2	1	1/125th
20E	R2BG	2	2	1/125th
21A	R2BG	2	2	1/125th
21B	T1BG	2	1	1/125th
21C	T1B	2	0	1/125th
21D	T2BG	2	1	1/125th
21E	R2BG	2	2	1/125th
22A	R2BG	2	2	1/125th
22B	T1BG	2	1	1/125th
22C	T1B	2	0	1/125th
22D	T1BG	2	1	1/125th
22E	R2BG	2	2	1/125th
23A	R3	3	2	1/125th
23B	T1BG	2	1	1/125th
23C	T1B	2	0	1/125th
23D	T1BG	2	1	1/125th
23E	R2BG	2	2	1/125th
24A	R3	2	2	1/125th
24B	T1BG	2	1	1/125th
24C	T1B	2	0	1/125th
24D	T1BG	2	1	1/125th
24E	R2BG	2	2	1/125th
25A	R2BG	2	2	1/125th
25B	T1BG	2	1	1/125th
25C	T1B	2	0	1/125th
25D	T1BG	2	1	1/125th
25E	R2BG	2	2	1/125th
26A	R2BG	2	2	1/125th
26B	T1BG	2	1	1/125th
26C	T1B	2	0	1/125th
26D	T1BG	2	1	1/125th
26E	R2BG	2	2	1/125th
			Total	<u>125/125ths</u> <u>or 100%</u>

**NOTES:**

<sup>(1)</sup> Unit with closet on first floor in lieu of half-bath

<sup>(2)</sup> Unit with larger master bedroom in lieu of master bath