

# AMENDMENTS

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Gen. Inv. 0th Ser. Bk. 126 P. 14

RECORDED BY 1829

AMENDMENT NO. 1  
TO THE DECLARATION OF  
CONDOMINIUM OWNERSHIP FOR  
THE MADISON HOUSE CONDOMINIUM

JUL 15 AM 11:50

Prepared by:

George Raymond Drew  
Drew, Ward & Brigham Co., L.P.A.  
2400 Central Trust Tower  
Cincinnati, Ohio

COUNTY OF HAMILTON  
AUDITOR'S OFFICE

This will certify that copies of AMENDMENT NO. 1 TO THE DECLARATION OF CONDOMINIUM OWNERSHIP FOR THE MADISON HOUSE CONDOMINIUM have been filed in the office of the County Auditor, Hamilton County.

Ordinance & Compliance Sec. 319.202 R.C. Enforcement as  
except from the under Sec. 319.641 F13.

JOS. L. DE COURCY, JR., AUDITOR  
HAMILTON COUNTY, OHIO

Date: JULY 15, 1980

By Gene DeCorman  
Auditor's office

TRANSFER NOT NECESSARY  
JOS. L. DE COURCY, JR.  
COUNTY AUDITOR

RECORDED BY 4190 FC 1829



AMENDMENT NO. 1  
TO THE DECLARATION OF  
CONDOMINIUM OWNERSHIP FOR  
THE MADISON HOUSE CONDOMINIUM

This Amendment is made and entered into this 7th day of July, 1980, for the purpose of making the following corrections and additions, pursuant to the reservation of the right to make changes in Declaration of Condominium Ownership, under Article X, paragraphs 10.5 and 10.6 thereof:

1. To correct a clerical or typographical error, the Unit shown as Unit 301 on Exhibit C, page 3 of 10, of said Declaration, which is recorded in Deed Book 4184 at page 218, should be shown as Common Area replacing the same designation on Unit 201 (above Unit 204 and immediately to the right of Unit 202, at the top of said page. Hereafter Unit 201 will be designated as Unit 201 and not designated as Common Area and Unit 301 will be designated as Common Area. Both Units 201 and 301 are exactly the same size, configuration and location, located in the same relative position but on different floors, and the substitution of Unit 201 for Unit 301 in no way alters any owner's percentage of interest in the Common Areas and facilities or adversely affects any Unit owner's rights. Unit 210 (above Unit 206 and between Units 201 and 209, at the top of the page recorded in Deed Book 4184 at page 218) shall continue to be designated Common Area. The substitution of Unit 201 for Unit 301 also is required on page 6 of the Declaration, recorded in Deed Book 4184 at page 149 where Unit 201 is added at the top of the Unit Number list shown thereon, together with .44, percentage of interest and 867, square footage and on page 7 thereof recorded in Deed Book 4184 at page 150 where Unit 301 is deleted together with .44, percentage of interest and 867, square footage. The substitution of Unit 301 for Unit 201 on pages 2 and 5 of the Declaration, recorded in Deed Book 4184 at pages 145 and 146, also is required.

2. To correct a clerical or typographical error and to clarify Declarant's original intent, Article 1, paragraph 1.3.6.2, of said Declaration, which is recorded in Deed Book 4184 at page 155 is amended and the first sentence thereof is rewritten as follows: "Except as otherwise provided herein, management, maintenance, repair, alteration and improvement of the Common Areas and facilities, as well as the provision of reasonable amounts of heating and air-conditioning to the Units herein, shall be the responsibility of the Association."

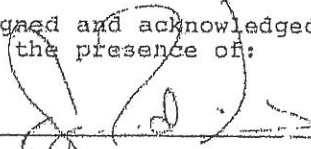
3. To correct a clerical or typographical error and to clarify Declarant's original intent, Exhibit B, page 11, of said Declaration, which is recorded in Deed Book 4184 at page 200 should include the following: "4.1.1.1 Heating and Air-Conditioning. Provisions of reasonable amounts of heat and air-conditioning to the Common Areas and facilities and the Units herein.

IN WITNESS WHEREOF, the Declarant, acting as the Declarant, as a Unit Owner and as Attorney-in-fact for all Unit Owners

DEED 4184 PC 1830

and their mortgagees, has caused the execution of this instrument this 7th day of July, 1980.

Signed and acknowledged in the presence of:

  
\_\_\_\_\_  
Ann E. Bennett

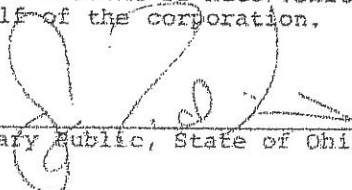
Auto-Vehicle Parts Co.

By   
\_\_\_\_\_  
John T. Collopy, President

STATE OF OHIO )  
                  ) SS.  
COUNTY OF HAMILTON )

The foregoing instrument was acknowledged before me this 7th day of July, 1980, by John T. Collopy, President of Auto-Vehicle Parts Co., a Kentucky corporation, on behalf of the corporation.



  
\_\_\_\_\_  
Notary Public, State of Ohio

GEORGE LAUMOND DREN, Attorney at Law  
NOTARY PUBLIC - STATE OF OHIO  
My Commission has no expiration  
date. Section 147.03 R.C.

JUL 16 8:44

190-1831



AMENDMENT NO. 2  
TO THE DECLARATION OF  
CONDOMINIUM OWNERSHIP FOR  
THE MADISON HOUSE CONDOMINIUM

This Amendment is made and entered into this 15th day of June, 1981, for the purpose of making the following corrections and additions, pursuant to the reservation of the right to make changes in Declaration of Condominium Ownership, under Article X, paragraphs 10.5 and 10.6 thereof:

1. To correct a clerical or typographical error, the Unit shown as Unit 1009 on Exhibit C, page 5 of 10, of said Declaration, which is recorded in Deed Book 4184 at page 218, of the Hamilton County, Ohio Deed Records, should be renumbered 1010, and the unnumbered unit immediately to its right should be numbered 1009. Article I, paragraph 1.3.3, on page 8 of said Declaration is amended to show:

1009	.	<u>61</u>
1010	.	<u>26</u>

Further, wherever and whenever the Unit 1009 is shown elsewhere in said Declaration and its exhibits and attachments, hereafter it shall be taken to mean Unit 1009 and Unit 1010 and any language or reference to said Unit 1009 shall be hereafter deemed to add Unit 1010 to said language or reference. The addition of the additional Unit number in no way increases or decreases any owner's percentage of interest in the Common Areas and facilities or adversely affects any Unit owner's rights.

IN WITNESS WHEREOF, the Declarant, acting as the Declarant, as a Unit Owner and as Attorney-in-fact for all Unit Owners and their mortgagees, has caused the execution of this instrument this 15th day of June, 1981.

Signed and acknowledged  
in the presence of:

Charles Mitchell  
Ann E. Bennett

AUTO-VEHICLE PARTS CO.

By John T. Collopy  
John T. Collopy, President

SEP 15 1981  
 8:40:48  
 HAMILTON COUNTY, OHIO

STATE OF OHIO, COUNTY OF HAMILTON SS:

The foregoing instrument was acknowledged before me this 15th day of June, 1981, by John T. Collopy, President of Auto-Vehicle Parts Co., a Kentucky corporation, on behalf of the corporation.

Charles Mitchell  
Notary Public, State of Ohio

CHARLES E. MITCHELL, Attorney at Law  
NOTARY PUBLIC - STATE OF OHIO  
My Commission Exp. 06/30/82  
44th. Section 14720 B.M.C.

DEED BOOK 4218 pg 1393

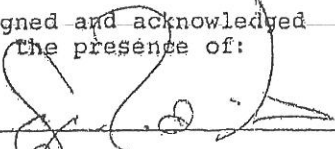
AMENDMENT NO. 3  
TO THE DECLARATION OF  
CONDOMINIUM OWNERSHIP FOR  
THE MADISON HOUSE CONDOMINIUM

This Amendment is made and entered into this 18th day of October, 1982, for the purpose of making the following corrections and additions, pursuant to the reservation of the right to make changes in Declaration of Condominium Ownership, under Article X, paragraphs 10.5 and 10.6 thereof:

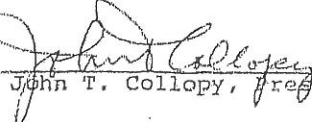
1. To correct clerical errors, the Units shown as 1706 and 1707 on Exhibit C, page 7 of 10, of said Declaration, which is recorded in Deed Book 4184, at page 222, should be shown as rearranged on the attached Amended page 7 of 10, Exhibit C. Page 9 of the Declaration recorded in Deed Book 4184 at page 152 is likewise amended by replacing "1706 .32" and "1707 .80" with "1706 .45" and "1707 .67".

IN WITNESS WHEREOF, the Declarant, acting as the Declarant, as a Unit Owner and as Attorney-in-fact for all Unit Owners and their mortgagees, has caused the execution of this instrument this 18th day of October, 1982.

Signed and acknowledged  
in the presence of:

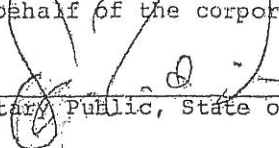
  
\_\_\_\_\_  
Ann E. Bennett

Auto-Vehicle Parts Co.

By   
John T. Collopy, President

STATE OF OHIO        )  
                          ) SS:  
COUNTY OF HAMILTON )

The foregoing instrument was acknowledged before me this 18th day of October, 1982, by John T. Collopy, President of Auto-Vehicle Parts Co., a Kentucky corporation, on behalf of the corporation.

  
\_\_\_\_\_  
Notary Public, State of Ohio

GEORGE RAYMOND DREW, Attorney at Law  
NOTARY PUBLIC - STATE OF OHIO  
My Commission has no expiration  
date. Section 147.03, R.C.

DEED BOOK 4246 PAGE 1639

Consented to:

Marilynn K. Braude  
Marilynn K. Braude  
Owner of Unit 1707

John C. Collopy PRESIDENT  
Auto-Vehicle Parts Co.  
Owner of Unit 1706

RECEIVED  
DEC 13 1971  
P. 2: 41

DEED 4246 FC 1640



126 / 124-A 132 140  
124 136-A 144

SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR THE  
MADISON HOUSE CONDOMINIUM AND BY-LAWS OF THE MADISON HOUSE  
CONDOMINIUM OWNERS' ASSOCIATION, INC.

THIS SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR THE MADISON HOUSE CONDOMINIUM AND BY-LAWS OF THE MADISON HOUSE CONDOMINIUM OWNERS' ASSOCIATION, INC. ("Amendment") is made this 10<sup>th</sup> day of August, 1989 by The Madison House Condominium Owners' Association, Inc., an Ohio non-profit corporation ("Association").

HAMILTON COUNTY RECORDERS OFFICE  
FRONT DESK

KNOW ALL MEN BY THESE PRESENTS THAT DOC # 89-102186 TYPE DEED  
FILED: 08/17/89 @ 10:59:09AM \$ 26.00  
OFF REC: 5074 0544 F 168

A. Auto-Vehicle Parts Co., a Kentucky corporation ("Declarant") has caused to be recorded a Declaration of Condominium Ownership for The Madison House Condominium ("Declaration"), together with the By-Laws of The Madison House Owners' Association, Inc., attached thereto as Exhibit B ("By-Laws"), recorded with the Hamilton County Recorder, Cincinnati, Ohio at Book 4184, Page 139, on or about March 20, 1980.

B. The power of amendment has been reserved in Article XI to the Association and to the President of the Association.

C. The Association desires to amend the Declaration in order to clearly set forth the criteria to be considered by the Board of Managers in locating and employing competent professional management to manage, maintain, repair, alter, and improve the Common Areas and Facilities as required by Section 1.3.6.2 of the Declaration.

D. The Association desires to amend the By-Laws of the Association in order to more clearly define the voting procedures to be utilized by the Association in electing the Board of Managers.

Pursuant to Article XI of the Declaration, the Association's President desires to certify to the approval of this amendment by at least seventy-five percent (75%) of the total voting power of the Association.

NOW, THEREFORE, the Association declares as follows:

1. All terms used in this Amendment that are defined in the Declaration or the By-Laws shall have the same meaning ascribed to such terms in the Declaration and the By-Laws except as otherwise stated herein.

2. The Declaration is hereby amended by deleting Section 1.3.6.2 thereof, and by substituting the following in its place:

Sec. 319.202 R.C. Conveyance  
is exempt from fee under Sec. 319.54 (F) 3.  
JOS. L. DE COURCY, JR., AUDITOR  
HAMILTON COUNTY, OHIO

TRANSFER NOT NECESSARY

JOS. L. DE COURCY, JR.  
COUNTY AUDITOR

BOOK 5074 PAGE 544

1.3.6.2 Management, Maintenance, Repairs, Alterations and Improvements.

Except as otherwise provided herein, management, maintenance, repair, alteration and improvement of the Common Areas and Facilities shall be the responsibility of the Association. The responsibility of the Association to manage, maintain, repair, make necessary alterations and improve the Common Areas and Facilities shall include all radiators, thermostats and associated plumbing, wiring, conduits, ducts and utility pipes located within any Unit and connected to the heating and air conditioning system or systems that service all Units centrally. The Association's responsibility shall not include the replacement of glass, which is a part of a Unit, and is the responsibility of the Unit Owner.

The Association shall fulfill the foregoing responsibility by entering into a management contract with a competent professional management company (the "Manager"), upon such terms and conditions as shall be agreed upon by the Association and the Manager, including reasonable compensation, term and termination provisions.

In choosing a Manager with whom the Association shall contract, the Association shall apply criteria which includes, but is not limited to the following:

- i. The Manager, or at least one of its principals, shall have at least five (5) years experience in professional real estate management and provide to the Association favorable references from previous clients;
- ii. The Manager, or at least one person in its employ, must be certified by the National Association of Real Estate Boards as a certified property manager or have equivalent qualifications if such title or certification is no longer in use at that time. Notwithstanding the foregoing, if the Board of Managers determines that it will not be possible to obtain a contract on

terms reasonable to the Association with a competent professional management company which has such a person in its employ, the Board of Managers shall have the right to waive the requirement that the Manager be a certified property manager, provided that the Manager meets all of the other requirements set forth in this paragraph;

iii. The Manager shall also be managing at least five hundred (500) residential units other than units in the condominium property at the time it is initially employed by the Association and demonstrate to the Board of Managers that it has adequate prior experience in managing "high rise" units;

iv. The Manager must have a net worth of not less than One Million Dollars (\$1,000,000), or in the alternative, provide in favor of the Association a financial responsibility/employee dishonesty bond with limits of not less than One Million Dollars (\$1,000,000);

v. The Manager must adequately demonstrate to the Board of Managers its ability and sufficient staff to carry out the following functions:

(a) provide a full time trained and experienced property supervisor;

(b) provide an on-site community property manager with responsibility for day-to-day management activities;

(c) recruit, hire, train, pay and discharge permanent and temporary employees; provided, however, that employees in categories (a) and (b) above shall be hired and discharged only with prior



approval of the Board of Managers;

(d) prepare and supply an organization chart covering all on-site personnel and establish job descriptions for the same;

(e) provide administrative and professional management support;

(f) maintain all books and records and documents of the Association pertaining to the financial, administrative and legal affairs of the Association;

(g) provide fiscal, financial and accounting services, including, but not limited to monthly financial statements containing an analysis of variances from the Association's annual budget;

(h) review, acquire, maintain and handle all insurance requirements;

(i) supervise and maintain all maintenance, repair and replacement functions;

(j) any and all other functions which, in the discretion of the Board of Managers, are necessary or appropriate for the management of the Common Areas and Facilities.

vi. In its sole discretion, the Board of Managers shall have the authority to waive no more than two (2) of the criteria set forth in subparagraphs (1) through (iv) above.

3. The By-Laws are hereby amended by deleting Section 2.1 thereof and by substituting in its place:

2.1 Number and Qualification.

The affairs of this Association shall be managed by a Board of Managers consisting of five (5) persons to be elected by the Unit Owners. All persons so elected shall be Unit Owners, or spouses of Unit Owners, and shall take office immediately upon election. Notwithstanding the foregoing sentence, if the owner of a unit is a corporation (including the Declarant), executor, trustee, partnership, or other entity or representative of an Owner, such Owner or its designated officer, partner, agent, or attorney-in-fact, may nominate for election a person to the Board of Managers who is not an Owner or occupier of a Unit.

4. The By-Laws are hereby further amended by deleting Section 2.2 thereof, and by substituting in its place:

2.2 Election of Managers; Vacancies.

Nomination for election to the Board of Managers shall be made by a nominating committee. The nominating committee shall consist of a chairman, who shall be a member of the Board of Managers, and two or more members of the Association. The nominating committee shall be appointed by the Board of Managers not less than sixty (60) days prior to each annual meeting of the members of the Association. Any member of the Association may present to the nominating committee, not less than thirty (30) days prior to the date set for the annual meeting of the members of the Association, nominees for the Board of Managers. Nominations may not be made from the floor at the annual meeting of members of the Association. Thereafter, the nominating committee shall present to the Board of Managers the nominees for election to the Board of Managers not less than 14 days prior to the date set for the annual meeting of the members of the Association. Not less than 10 days prior to the date set for the annual meeting of the members of the Association, the Board of Managers shall mail to each Unit Owner the list of nominations for the Board of Managers.

At each annual meeting of the members of the Association, the members shall elect the number of managers whose terms have expired as of the date of that annual meeting. Election to the Board of Managers shall be made by secret written ballot. At such election, the members or their proxies may cast, in respect to each vacancy, as many votes as they are entitled to exercise under the provisions of the Declaration. The persons receiving the largest number of votes shall be elected. Any vacancy in any position on the Board of Managers occupied by a person elected pursuant to these By-Laws, however caused, shall be filled at a meeting of the members of the Association called for that purpose by the vote of a majority of the remaining Managers, though less than a majority of the whole authorized number of Managers.

5. The By-Laws are hereby further amended by deleting Section 2.3 thereof, and by substituting in its place:

2.3 Term of Office; Resignations.

Except as otherwise provided in the Declaration or in these By-Laws, each Manager shall hold office for a two (2) year term and until his successor is appointed or elected, or until his earlier resignation, removal from office or death. Any Manager may be reelected or reappointed for additional terms of two (2) years each. At the expiration of the term of a Manager and each successor of such Manager, the members of the Association shall elect a successor Manager for a two (2) year term. Unless provided otherwise herein, two (2) Managers shall be elected in even numbered years and three (3) Managers shall be elected in odd numbered years. Any Manager may resign at any time by oral statement to that effect made at a meeting of the Board of Managers or in a writing to that effect delivered to the Secretary of the Association. Such resignation shall take effect immediately or at such other time as the resigning Manager may specify; provided, however, that in the event three (3) or more Managers shall resign at or near the same time, such resignations shall not be effective until such time as new Managers have been elected in accordance with this Declaration, which elections shall be held within forty-five (45) days of the first



date of such resignations. Members of the Board of Managers shall serve without compensation.

6. The certificate of the Association's President, attached hereto as Exhibit A, certifies that at least seventy-five percent (75%) of the Unit Owners have approved this Amendment.

7. All provisions of the Declaration and By-Laws and of all exhibits thereto not affected by this Amendment shall remain in full force and effect.

IN WITNESS WHEREOF, The Madison House Condominium Owners' Association, Inc., has caused this instrument to be executed by its duly authorized representative this 10 day of August, 1989.

Witnesses:

Margaret Shaw  
Susan Kennedy

THE MADISON HOUSE CONDOMINIUM OWNERS' ASSOCIATION, INC.

By John A. Malone  
John Malone, President

STATE OF OHIO :  
                  : SS:  
COUNTY OF HAMILTON :

The foregoing instrument was acknowledged before me this day of August 10<sup>th</sup>, 1989, by John Malone, President of The Madison House Condominium Owners' Association, Inc., an Ohio corporation not for profit, on behalf of the corporation.

FRANK L. BRIDENBARK JR.  
Notary Public, State of Ohio  
My Commission Expires Dec. 11, 1990

Frank L. Bridenbark Jr.  
Notary Public

This instrument prepared by: W. Breck Weigel  
Rendigs, Fry, Kiely & Dennis  
900 Central Trust Tower  
Cincinnati, Ohio 45202

EXHIBIT A

CERTIFICATE

I, John Malone, President of The Madison House Condominium Owners' Association, Inc., an Ohio corporation not for profit, certify that the following are Unit Owners in The Madison House Condominium Owners' Association, Inc.:

Mr. Joseph Mendelsohn	Mr./Mrs. Walter Grote
Mr. Robert Castellini	Mr. William E. Kuhn
Mr. Lawrence D. Foley	Mrs. Rutha Pearlman
Mr. Thomas Lockwood	Mrs. Mary Helmick
Mrs. Mary Weller**	Mr./Mrs. John Malone
Mr. Harry Addison	Mr./Mrs. Akbar Fazalbhoy
Mr./Mrs. Ralph Borcherdin	Vista Realty
Mr./Mrs. William Hosty	Mrs. Pamela Hastings
Mr. Victor Kolodny	Mrs. Ruth Harris###
Dr. Laura Struminger	Mr. James Kauffman
Ms. Beverly Morris	Mrs. Giulia Kinneary
Ms. June P. Goodpaster	Mrs. Margaret Lottman
Dr. Stephan Weiss	Mrs. Neva Danman
Mr./Mrs. James Kern	Mr./Mrs. William Field
Mr. Sanford Lockspeiser	Mrs. Sylvia Rauchman
Mr./Mrs. Ivor Sciarro	Madison Properties
Mr./Mrs. Robert Glazer	Mr./Mrs. H. J. Hocks
Ms. Virginia Gress	Mr./Mrs. Coleman Ullner
Mr./Mrs. Coleman Ullner	Mr./Mrs. Norbert Giver
Mrs. Helen Peck	Mrs. Robert Gugenheim
Mrs. Ann Robens	Dr. Stephan Weiss
Mrs. Louise Buka	Dr. Olga Platz
Mrs. Helen Kefauver	Mrs. Virginia Carter
Mr./Mrs. Charles Wise§	Dr. Archie Fine
Mrs. Sol Schaengold	Mrs. Helen Underwood##
Mr. Stephen Strauss	Mrs. Annie Docter
Clermont Cin-Dev	Mr./Mrs. Kenneth Gettelman
Mrs. Carolyn Armstrong*	Ms. Carol MacGregor****
Mr. Fred Milne	Mr. Harry Finke
Mrs. Dorothy Wrisley	Dr./Mrs. Mel Simon
Mr. Terry Eisert	Ms. Stephanie G. Young
Mrs. Ella Abraham	Mrs. Margaret Santen
Ms. Julianne Macke**	Mrs. Madeline Landsman
Ms. Carol Dolzine	Mr. David Grocer##
Mrs. Nathan Flax	Mrs. Violet D'Alessandro
Mr. Rex Ochs	Mr./Mrs. William Hosty
Mr./Mrs. Albert Seasongood	Mrs. Marian Magee
Ms. Jeanna Odgers	Mr./Dr. Peter Kamnitzer
Mr./Mrs. Jay E. Harris	Mr. Leonard S. Maxanus
Ms. Cynthia Starr	Mrs. Jane F. Braunstein
Mrs. Sarah Mills	Mrs. Mary Stern***
Dr. George Benzing	Mrs. Lore Metzger*
Mr. Aldo Santoro	Mr. Thomas Peck

dent of The Madison House Condominium Owners' Association, Inc.,  
an Ohio corporation not for profit, on behalf of hte corporation.

FRANK L. BRIZENDINE JR.  
Notary Public, State of Ohio  
My Commission Expires Dec. 11, 1988

*Frank L. Brizendine Jr.*  
Notary Public

This instrument was prepared by: W. Breck Weigel  
Rendigs, Fry, Kiely & Dennis  
900 Central Trust Tower  
Cincinnati, Ohio 45202





MADISON HOUSE CONDOMINIUM OWNERS' ASSOCIATION  
SUMMARY OF VOTES ON AMENDMENTS TO BY-LAWS

Unit #	Name	Votes On Amendments			
		1.3.6.2	2.1	2.2	2.3
201	Joe Mendelsohn III	yes	yes	yes	yes
202	Walter F. Grote, Jr.	yes	yes	yes	yes
203	Robert H. Castellini			yes	
204	William E. Kuhn	yes	yes	yes	yes
205	Lawrence L. Foley	yes	yes	yes	yes
206	Ruthe G. Pearlman	yes	yes	yes	yes
207	Maybelle Ingraham	yes	yes	yes	yes
208	Thomas Lockwood	yes	yes	yes	yes
209	Mary B. Helmick	yes	yes	yes	yes
302	Mary M. Weiler	yes	yes	no	no
303	J. D. Malone	yes	yes	yes	yes
304	Mary N. Patterson	yes	yes	yes	yes
305	Ruth E. Fredericks	yes	yes	yes	yes
306	Constance Ruck	no	yes	no	no
307	Shaheen Fazelbhoj	yes	yes	yes	yes
308	Ralph J. Borcharding	yes	yes	yes	yes
309	Clermont CIN-DEV Co.	yes	yes	yes	yes
310	Ruth Z. Hosty	yes	yes	yes	yes
402	Harry M. Hoffheimer	yes	yes		
405	Victor Kolodny	yes	yes		
406	Clermont CIN-DEV Co.	yes	yes	yes	yes
407	Frank Carr	yes	yes	yes	yes

408	Elissa Valerio-Lucia Valerio	yes	yes	yes	yes
409	Laura S. Strumingher	yes	yes	yes	yes
410	James G. Kauffman	yes	yes	yes	yes
501	Beverly Morris			yes	
502	Giulia M. Kinneary	yes	yes	yes	yes
503	June P. Goodpaster	yes	yes	yes	yes
504	Margaret A. Lottman	yes	yes	yes	yes
506	Stephen D. Weiss	yes	yes	yes	yes
507	Neva C. Denman	yes	yes	yes	yes
508	Maratta B. Kern	yes	yes	yes	yes
509	Dorothy B. Field and William R. Field	yes	yes	yes	yes
601	Sanford E. Lockspeiser	yes	yes	yes	yes
602	Sylvia Rauchman	yes	yes	yes	yes
603	Ivor E. Sciarra	yes	yes	yes	yes
605	Clermont CIN-DEV Co.	yes	yes	yes	yes
606	Luke F. Harig, Jr.	no	no	no	no
607	Robert W. Glazer	yes	yes	yes	yes
608	Henrietta Bickett	yes	yes	yes	yes
609	H. J. Hocks, Jr.	yes	yes	yes	yes
610	Dorothy Lockspeiser	no	no	no	no
701	Virginia F. Gress	yes	yes	yes	yes
702	Coleman Ullner	yes	yes		yes
703	Coleman Ullner	yes	yes		yes
704	Norbert J. Giver and Ann W. Giver	yes	yes	yes	yes

705	Helen C. Feck	yes	yes	yes	yes
706	Clermont CIN-DEV Co.	yes	yes	yes	yes
707	Marion G. Gugenheim	yes	yes	yes	yes
708	Madeline Krohn	yes	yes	yes	yes
709	Ann T. Robens	yes	yes	yes	yes
710	Stephan D. Weiss	yes	yes	yes	yes
801	Stephan D. Weiss	yes	yes	yes	yes
802	Louise Buka	yes	yes	yes	yes
803	Olga J. Platz	yes	yes	yes	yes
804	Susan Marrs	yes	yes	yes	yes
805	Helen D. Kefauver	yes	yes	yes	yes
806	Virginia Routt Carter	yes	yes	yes	yes
807	Paul William Nordyke	yes	yes	yes	yes
808	Charles and Getrude Wise	yes	yes	yes	yes
809	Archie Fine	yes	yes	yes	yes
810	Stephan D. Weiss	yes	yes	yes	yes
	<del>Marion G. Gugenheim</del>	<del>yes</del>	<del>yes</del>	<del>yes</del>	<del>yes</del>
903	Helen E. Underwood	no	no	no	no
904	Stephen D. Strauss	yes	yes	yes	yes
905	Annie Docter	yes	yes	yes	yes
906	Clermont CIN-DEV Co.	yes	yes	yes	yes
907	Kenneth M. Gattelman	yes	yes	yes	yes
908	Ruth M. Harris	yes	yes	yes	yes
909	Clermont CIN-DEV Co.	yes	yes	yes	yes
910	Dorothy Lockspeiser	no	no	no	no

1001	Carolyn Myles Armstrong			yes	
1002	Carol Ann MacGregor	yes	no	yes	yes
1003	Clermont CIN-DEV Co.	yes	yes	yes	yes
1004	Clermont CIN-DEV Co.	yes	yes	yes	yes
1006	Fred L. Milne	yes	yes	yes	yes
1007	Harry J. Finke, III	yes	yes	yes	yes
1008	Dorothy C. Wrisley	yes	yes	yes	yes
1009	Lydia S. Simon	yes	yes		yes
1010	Lydia S. Simon	yes	yes		yes
1101	Terry Eisert			yes	
1103	Ella Abraham	yes	yes	yes	
1104	Harry H. Santen	yes	yes	no	yes
1105	Julanne C. Macke	yes	yes		yes
1106	Sanford E. Lockspeiser	yes	yes	yes	yes
1107	Joseph E. Rosen	yes	yes	yes	yes
1108	Henry and Beatrice Winkler	yes	yes	yes	yes
	<del>Carolyn Myles Armstrong</del>	yes	yes	yes	yes
1110	Clermont CIN-DEV Co.	yes	yes	yes	yes
1201	Ruthe G. Pearlman	yes	yes	yes	yes
1202	Ruthe G. Pearlman	yes	yes	yes	yes
1203	Dorothy G. Flax	yes	yes		yes
1204	Violet D'Alessandro	yes	yes	yes	yes
1205	Rex Ochs	yes	yes	yes	
1206	Ruth V. Hosty	yes	yes	yes	yes
1208	Stella W. and Albert Seasongood, Jr.	yes	yes	yes	yes



1209	Marion A. Magee	yes	yes	yes	yes
1210	Jenna Odgers	yes	yes	yes	yes
1401	Sophie Kamnitzer	yes	yes	yes	yes
1402	Katherine H. Harris	yes	yes	yes	yes
1403	Jerome A. Gordon	yes	yes	yes	yes
1404	Cynthia M. Starr	yes	yes	yes	yes
1405	Jane F. Braunstein	yes	no	yes	yes
1407	Mary S. Stern and Suzanne DuBroff	yes	yes	yes	
1408	George Benzing, III	yes	yes	yes	yes
1409	Lore R. Metzger	yes	yes	yes	yes
1410	Alvor Santoro	yes	yes	yes	yes
1501	Thomas R. Peck and Nancy E. Offutt	yes	yes	yes	yes
1502	L. J. Koesters	yes	yes	yes	yes
1503	Edward Senior	yes	yes	yes	yes
1505	Jane Hirsch	yes	yes	yes	yes
1507	Jane L. Lamb	yes	yes	yes	yes
1508	Te'Chuan Chou	yes	yes	yes	yes
1601	Frank X. Homan	yes	yes	yes	yes
1602	Frank X. Homan	yes	yes	yes	yes
1603	Frank X. Homan	yes	yes	yes	yes
1604	Frank X. Homan	yes	yes	yes	yes
1605	Frank X. Homan	yes	yes	yes	yes
1607	Clermont CIN-DEV Co.	yes	yes	yes	yes

1608	Madeline S. Landsman	yes	yes	yes	yes
1609	Sanford E. Lockspeiser	yes	yes	yes	yes
1610	Frank X. Homan	yes	yes	yes	yes
1701	David N. Grocer	yes	yes		yes
1702	Nancy E. Garfield			yes	
1703	Kathryn D. MacGregor	yes	no	yes	yes
1705	Patricia I. Doyle	yes	yes	yes	yes
1706	Sophie Kamnitzer	yes	yes	yes	yes
1707	Marilynn K. Braude	yes	yes	yes	yes
1708	Marilynn K. Braude	yes	yes	yes	yes
1801	Stanley Smith, Jr.	yes	yes	yes	yes
1804	Lea K. Sachs	no	yes	yes	yes
1805	John A. Carrozzella	yes	yes	yes	yes
1806	Janet L. Fassnacht	no	yes	no	yes
1807	Theodore and Elizabeth Hattemer	yes	yes	yes	yes
1808	Helen E. Underwood	no	no	no	no
1809	E. Vance Walters	yes	yes	yes	yes
1810	E. Vance Walters	yes	yes	yes	yes
1901	Clermont CIN-DEV Co.	yes	yes	yes	yes
1903	C. Thomas Cross	yes	yes	yes	yes
1904	Clermont CIN-DEV Co.	yes	yes	yes	yes
1907	Clermont CIN-DEV Co.	yes	yes	yes	yes
1908	J. Rawson Collins	yes	yes	yes	yes
1909	Jean Glenn-Gordon	yes	yes	yes	yes
1910	J. Rawson Collins	yes	yes	yes	yes

2004	Bernard and Jacquelyn Finkelman	yes	yes	yes	yes
2005	Clermont CIN-DEV Co.	yes	yes	yes	yes
2006	Robert and Patricia Wickwire	yes	yes		yes
2007	Olivia Hawley	yes	yes	yes	yes
2008	Henrietta Kauffman	yes	yes	yes	yes
2009	John A. Carrozzella	yes	yes	yes	yes
Commercial Unit B	Daniel J. Gahl/Professional Leasing Company	yes		yes	yes
<u>TOTALS:</u>		<u>139</u>	<u>137</u>	<u>132</u>	<u>134</u>

126 = 124-A  
126 = 128-A  
126 = 132  
126 = 136-A  
126 = 140  
126 = 144

**THE MADISON HOUSE CONDOMINIUM**  
**AMENDMENT TO THE DECLARATION**  
**OF CONDOMINIUM OWNERSHIP**

I hereby certify that copies of the within Amendment to Declaration of Condominium for The Madison House Condominium, together with the affidavit of the Association President, have been filed in the Office of the County Auditor, Hamilton County, Ohio, for The Madison House Condominium.

Dated: August 4<sup>th</sup> 1992

Exempt in Compliance with Sec. 319.202 R.C. Conveyance is exempt from fee under Sec. Sec. 319.54 (F) 3.

DUSTY RHODES  
HAMILTON COUNTY, OHIO  
TRANSFER NOT NECESSARY

DUSTY RHODES  
COUNTY AUDITOR

Dusty Rhodes,  
Hamilton County Auditor

By: *[Signature]*

This instrument was prepared by:

DANIEL M. BENNIE, ESQ.  
BARRON, PECK & BENNIE  
1420 Central Trust Tower  
Cincinnati, Ohio 45202  
513/721-1350

THIS DOCUMENT HAS BEEN:  
RECEIVED AUG 4 1992

TRANSFERED August 4, 1992 R  
HAMILTON COUNTY AUDITORS  
RECORDED IN PLAT BOOK

TRANS

12 AUG 4 1992  
HAMILTON COUNTY, OHIO

HAMILTON COUNTY RECORDER'S OFFICE  
Doc #192 - 123968 Type DE  
Filed: 08/04/1992 1:29:15 PM \$ 18.00  
Off. Rec. 1 5920 1580 F B50 6 474

BOOK 5920 PAGE 1580



**AFFIDAVIT**

STATE OF OHIO, COUNTY OF HAMILTON, SS:

JOHN D. MALONE, of 2324 Madison Road, Cincinnati, Ohio 45208, states that he is President of The Madison House Condominium Unit Owners' Association, Inc. and certifies that seventy-five (75%) percent of the voting power of said Association on March 30, 1992, approved and amended the Association's Declaration and Bylaws to correct and modify certain language contained therein. Said Amendments to the Declaration and By-Laws as approved are attached hereto.

A copy of the attached Amendment has been mailed by certified mail to all Unit Owners and to all first mortgages having bona fide liens of record against any Unit.

Further affiant saith naught.

WITNESSES:

*Margaret Shaw*  
*Sue Kennedy*

*John D. Malone*  
John D. Malone

Sworn to before me and subscribed in my presence this 28<sup>th</sup> day of July, 1992.

*Daniel M. Brumm*  
Notary Public

DANIEL M. BRUMM  
Notary Public, State of Ohio  
My Commission has an expiration date  
Section 147.03 O.R.C.

AMENDMENT TO THE DECLARATION  
OF CONDOMINIUM  
FOR  
THE MADISON HOUSE CONDOMINIUM

WHEREAS, on March 6, 1980, Auto-Vehicle Parts Co. committed certain real property which is described in Exhibit "A" attached hereto and made a part hereof to the provisions of Chapter 5311 of the Ohio Revised Code for the purpose of providing that said real property would be owned pursuant to the type of ownership known as Condominium; and

WHEREAS, the Declaration of Condominium Ownership for The Madison House Condominium (the "Declaration") is recorded in Deed Book 4184, page 139 of the Hamilton County, Ohio, Records; and

WHEREAS, Unit Owners at The Madison House entitled to exercise at least seventy-five (75%) percent of the total voting power of the Association has approved this Amendment; and

WHEREAS, the undersigned President of the Association has executed an Affidavit which complies with Article XI of the Declaration certifying that Unit Owners entitled to exercise at least seventy-five (75%) percent of the total voting power of the Association have approved this Amendment.

NOW, THEREFORE, the Declaration and By-Laws are hereby amended as follows:

1. Section 2.1 of the By-Laws is hereby deleted and the following substituted in its place.

2.1 Number and Qualification. The affairs of this Association shall be managed by a Board of Managers consisting of seven (7) persons to be elected by the Unit

Owners. All persons so elected shall be Unit Owners, or spouses of Unit Owners, and shall take office immediately upon election. Notwithstanding the foregoing sentence, if the owner of a unit is a corporation, executor, trustee, partnership, or other entity or representative of an Owner, such Owner or its designated officer, partner, agent, or attorney-in-fact, may nominate for election a person to the Board of Managers who is not an Owner or occupier of a Unit.

2. Section 2.3 of the By-Laws is hereby deleted and the following substituted in its place.

2.3 Term of Office; Resignations.

Except as otherwise provided in the Declaration or in these By-Laws, each Manager shall hold office for a two (2) year term and until his successor is appointed or elected, or until his earlier resignation, removal from office or death. Any Manager may be reelected or reappointed for additional terms of two (2) years each. At the expiration of the term of a Manager and each successor of such Manager, the members of the Association shall elect a successor Manager for a two (2) year term. Unless provided otherwise herein, four (4) Managers shall be elected in even numbered years and three (3) Managers shall be elected in odd numbered years. Any Manager may resign at any time by oral statement to that effect made at a meeting of the Board of Managers or in a writing to that effect delivered to the Secretary of the Association. Such resignation shall take effect immediately or at such other time as the resigning Manager may specify; provided, however, that in the event three (3) or more Managers shall resign at or near the same time, such resignations shall not be effective until such time as new Managers have been elected in accordance with this Declaration, which elections shall be held within forty-five (45) days of the first date of such resignations. Members of the Board of Managers shall serve without compensation.

3. Except as herein specifically provided, all of the provisions of the Declaration and By-Laws for The Madison House Condominium and any amendments thereto shall be and are hereby declared to remain in full force and effect. This Amendment shall be effective on the date of recording in the Hamilton County, Ohio, Records.

WITNESSES:

*Margaret Shaw*  
*Sue Kennedy*

*John D. Malone*  
John D. Malone, President  
The Madison House Condominium  
Unit Owners' Association, Inc.

STATE OF OHIO, COUNTY OF HAMILTON, SS:

Be It Remembered, that on this 28<sup>th</sup> day of July, 1992, before me, the subscriber, a Notary Public in and for said County and State, personally appeared JOHN D. MALONE, President of The Madison House Condominium Unit Owners' Association, Inc., the corporation whose name is subscribed to and which executed the foregoing instrument, and for himself and as such officer respectively, and for and on behalf of said corporation, acknowledged the signing and execution of said instrument, as authorized by the Declaration and the vote of the Unit Owners of The Madison House Condominium Unit Owners' Association, Inc.; and that the signing and execution of said instrument is his free and voluntary act and deed, his free act and deed as such officer respectively, and the free and voluntary act and deed of said corporation, for the uses and purposes in said instrument mentioned.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal on the day and year last aforesaid.

*David M. Egan, III*  
Notary Public

DAVID M. EGAN, III  
Notary Public, State of Ohio  
My Commission has no expiration date  
Section 147.03 D.R.C.



EXHIBIT A

All that certain tract or parcel of land situate in Section 32 and 33, Town 4, Fractional Range 2, Miami Purchase, Columbia Township, City of Cincinnati, Hamilton County, Ohio, being part of Col. John Ferris' Estate, Restored Plats C.O., page 85, Hamilton County, Ohio, Records, and being bounded and described in accordance with a survey plan made by Thomas B. Punshon Engineering Company No. A-1044 dated February 25, 1958, and last revised January 18, 1962, as follows:

Beginning at a point in the westerly line of Vista Avenue, said point of beginning being located south 13 degrees 00 minutes east 163.38 feet from the intersection of said westerly line of Vista Avenue with the southerly line of C. B. Foote's Subdivision, said point of beginning also being the intersection of the center line of a private roadway (Garden Place; 40 feet wide) with said westerly line of Vista Avenue; thence along said center line of Garden Place south 86 degrees 54 minutes west 120.50 feet to a point; thence south 85 degrees 14 minutes west 33.65 feet to a point; thence along an arc deflecting to the left and having a radius of 90.62 feet a distance of 83.58 feet to a point (the chord of said arc bears south 58 degrees 49 minutes 30 seconds west and is 80.61 feet in length); thence along an arc deflecting to the left and having a radius of 114.61 feet a distance of 80.51 feet to a point (the chord of said arc bears south 12 degrees 17 minutes 30 seconds west and is 78.87 feet in length); thence along the center line of a private roadway (Garden Place Drive; 30 feet wide) south 7 degrees 50 minutes east 54.00 feet; thence on an arc deflecting to the right, tangent to the last described course and having a radius of 186.38 feet a distance of 64.35 feet (the chord of said arc bears south 2 degrees 3 minutes 30 seconds west and is 64.04 feet in length); thence south 11 degrees 57 minutes west tangent to the last described arc 102.00 feet to an iron pipe in the Grantor's northerly line; thence north 81 degrees 53 minutes west along said Grantor's northerly line 343.84 feet to a point; thence north 37 degrees 57 minutes west 122.00 feet to a point; thence south 39 degrees 48 minutes west 32.30 feet to an old stone in the southerly line of said Section 33; thence north 89 degrees 30 minutes east along said southerly line of Section 33 19.60 feet to a point in the easterly line of O'Bryon's Estate as recorded in Deed Book 200, page 274, Hamilton County, Ohio, Records; thence along said easterly line of said O'Bryon's Estate the following two courses and distances: (1) south 37 degrees 57 minutes east 618.42 feet; and (2) south 26 degrees 44 minutes 30 seconds east 388.83 feet to an iron pipe in the northerly line of Madison Road (80 feet wide); thence along said northerly line of Madison Road the following two courses and distances: (1) north 17 degrees 26 minutes east 499.04 feet; and (2) north 48 degrees 11 minutes east 113.70 feet to said westerly line of Vista Avenue; thence north 13 degrees 00 minutes west along said westerly line of Vista Avenue 521.62 feet to the first mentioned point and place of beginning.

Subject to easements, restrictions, and legal highways of record. Also subject to an easement for street, sidewalk and sewer purposes in the private right of way known as Garden Place.

Prior Deed References: Deed Book 4077, Page 692 and Deed Book 4079, Page 1  
Hamilton County, Ohio Recorder's Records

HW5920 PAGE 1585

**THE MADISON HOUSE CONDOMINIUM**

**AMENDMENT TO THE DECLARATION  
OF CONDOMINIUM OWNERSHIP**

I hereby certify that copies of the within Amendment to Declaration of Condominium for The Madison House Condominium, together with the affidavit of the Association President, have been filed in the Office of the County Auditor, Hamilton County, Ohio, for The Madison House Condominium.

REC'D FOR TRANS

97 AUG 12 AM 10:39  
Dated June \_\_\_\_\_, 1997  
DUSTY RHODES  
AUDITOR  
HAMILTON COUNTY OHIO

\_\_\_\_\_  
Dusty Rhodes,  
Hamilton County Auditor

By: *Carl Canale*

This instrument was prepared by:

HERBERT B. WEISS  
KEATING, MUETHING, & KLEKAMP  
1800 Provident Tower  
1 E. Fourth Street  
Cincinnati, Ohio 45202

REBECCA PREM GROPPE  
HAMILTON COUNTY RECORDER  
Doc #: 97 - 121646 Type: DE  
Filed: 08/12/1997 1:39:27 PM \$ 26.00  
Off. Rec.: 7420 1598 F K22 5 584

~~TRANSFER NOT NECESSARY~~

DUSTY RHODES  
COUNTY AUDITOR

7420 1598

AFFIDAVIT

STATE OF OHIO, COUNTY OF HAMILTON, SS:

STEPHAN D. WEISS, of 2324 Madison Road, Cincinnati, Ohio, 45208, states that he is the President of The Madison House Condominium Unit Owners' Association, Inc. and certifies that seventy-five (75%) percent of the voting power of said Association on March 30, 1997 approved and amended the Association's Declaration and Bylaws to correct and modify certain language contained therein. Said Amendments to the Declaration and By-Laws as approved are attached hereto.

A copy of the Attached Amendmment has been mailed by certified mail to all Unit Owners and to all first mortgagees having bona fide liens of record against any Unit.

Further affiant saith naught.

WITNESSES:

William Browning  
William Browning

Stephan D. Weiss  
Stephan D. Weiss

Herbert B. Weiss  
Herbert B. Weiss

Sworn to before me and subscribed in my presence this 3<sup>rd</sup> day of

JUNE, 1997



Carol Ann Combs  
Notary Public

**CAROL ANN COMBS**  
Notary Public, State of Ohio  
My Commission Expires Sept. 8, 2002

7420 1599

**AMENDMENT TO THE DECLARATION  
OF CONDOMINIUM  
FOR  
THE MADISON HOUSE CONDOMINIUM**

WHEREAS, on March 6, 1980, Auto-Vehicle Parts Co. committed certain real property which is described in Exhibit "A" attached hereto and made a part hereof to the provisions of Chapter 5311 of the Ohio Revised Code for the purpose of providing that said real property would be owned pursuant to the type of ownership known as Condominium; and

WHEREAS, the Declaration of Condominium Ownership for The Madison House Condominium (the "Declaration") is recorded in Deed Book 4184, page 139 of the Hamilton County, Ohio, Records; and

WHEREAS, Unit Owners at The Madison House entitled to exercise at least seventy-five (75%) percent of the total voting power of the Association has approved this Amendment; and

WHEREAS, the undersigned President of the Association has executed an Affidavit which complies with Article XI of the Declaration certifying that Unit Owners entitled to exercise at least seventy-five (75%) percent of the total voting power of the Association have approved this Amendment.

NOW, THEREFORE, the Declaration and By-Laws are hereby amended as follows:

1. Section 6, Sub-Section 6.1 of the Declaration is hereby amended by deleting the first paragraph thereof and substituting therefore the following:

6.1 Fire and Extended Coverage Insurance. In accordance with the procedures set forth herein, the Association shall obtain and maintain for the benefit of all owners and mortgagees insurance on all buildings, structures and other improvements now or at any time hereafter constituting a part of the Condominium Property as well as all fixtures, alterations, installations, betterments and improvements comprising a part of the buildings, structures or

other improvements regardless of whether such fixtures, alterations, installations, betterments and improvements are within or outside of a Family Unit against loss or damage by any direct physical loss. All fixtures, alterations, installations, betterments and improvements made within or outside of a Family Unit at any time by a Family Unit owner shall be reported to the Board of Managers provided such improvements to be over \$5,000 as a condition to being covered by such policy. The Board of Managers may require Family Unit owners to provide such information regarding new or improved fixtures, alterations, installations, betterments and improvements within or outside of a Family Unit as it, in its sole discretion, deems necessary. Such information may, if required by an insurer, be given to an insurer to obtain an endorsement or schedule as a condition to providing insurance coverage. Such policy shall be in an amount not less than one hundred percent (100%) of the replacement value thereof, exclusive of the cost of foundations, footings and excavation. Such policy shall have an agreed amount endorsement and a deductible on any single loss or group of losses within one year in such amounts as shall be found reasonable by the Board of Managers after carefully considering and comparing the increased premium costs resulting from a low deductible with the lower premium costs but higher per loss risk resulting from a high deductible together with all other pertinent factors. The policy providing such coverage shall provide that no mortgagee shall have any right to apply the proceeds thereof to the reduction of any mortgage debt. Said policy shall also provide that despite any clause that gives the insurer the right to restore damage in lieu of a cash settlement, such right shall not exist in case the Condominium Property is removed from the provisions of Chapter 5311 of the Ohio Revised Code pursuant to the provision of this Declaration. Such policy shall provide that the insurer shall have no right to contribution from any insurance which may be purchased by any Family Unit owner as hereinafter permitted. Such policy shall also contain either a waiver by the insurer of any increased hazard clause or a provision stating that the coverage will not be affected by the act, omission or neglect of any person unless such act, omission or neglect is within the knowledge or control of the Association prior to the occurrence of the loss.

7420 1602



EXHIBIT A

All that certain tract or parcel of land situate in Section 32 and 33, Town 4, Fractional Range 2, Miami Purchase, Columbia Township, City of Cincinnati, Hamilton County, Ohio, being part of Col. John Ferris' Estate, Restored Plats C.O., page 85, Hamilton County, Ohio, Records, and being bounded and described in accordance with a survey plan made by Thomas B. Punshon Engineering Company No. A-1044 dated February 25, 1958, and last revised January 18, 1962, as follows:

Beginning at a point in the westerly line of Vista Avenue, said point of beginning being located south 13 degrees 00 minutes east 163.38 feet from the intersection of said westerly line of Vista Avenue with the southerly line of C. B. Foote's Subdivision, said point of beginning also being the intersection of the center line of a private roadway (Garden Place; 40 feet wide) with said westerly line of Vista Avenue; thence along said center line of Garden Place south 86 degrees 54 minutes west 120.50 feet to a point; thence south 85 degrees 14 minutes west 33.65 feet to a point; thence along an arc deflecting to the left and having a radius of 90.62 feet a distance of 83.58 feet to a point (the chord of said arc bears south 58 degrees 49 minutes 30 seconds west and is 80.61 feet in length); thence along an arc deflecting to the left and having a radius of 114.61 feet a distance of 80.51 feet to a point (the chord of said arc bears south 12 degrees 17 minutes 30 seconds west and is 78.87 feet in length); thence along the center line of a private roadway (Garden Place Drive; 30 feet wide) south 7 degrees 50 minutes east 54.00 feet; thence on an arc deflecting to the right, tangent to the last described course and having a radius of 186.38 feet a distance of 64.35 feet (the chord of said arc bears south 2 degrees 3 minutes 30 seconds west and is 64.04 feet in length); thence south 11 degrees 57 minutes west tangent to the last described arc 102.00 feet to an iron pipe in the Grantor's northerly line; thence north 81 degrees 53 minutes west along said Grantor's northerly line 343.84 feet to a point; thence north 37 degrees 57 minutes west 122.00 feet to a point; thence south 39 degrees 48 minutes west 32.30 feet to an old stone in the southerly line of said Section 33; thence north 89 degrees 30 minutes east along said southerly line of Section 33 19.60 feet to a point in the easterly line of O'Bryon's Estate as recorded in Deed Book 200, page 274, Hamilton County, Ohio, Records; thence along said easterly line of said O'Bryon's Estate the following two courses and distances: (1) south 37 degrees 57 minutes east 618.42 feet; and (2) south 26 degrees 44 minutes 30 seconds east 388.83 feet to an iron pipe in the northerly line of Madison Road (80 feet wide); thence along said northerly line of Madison Road the following two courses and distances (1) north 17 degrees 26 minutes east 499.04 feet; and (2) north 48 degrees 11 minutes east 113.70 feet to said westerly line of Vista Avenue; thence north 13 degrees 00 minutes west along said westerly line of Vista Avenue 521.62 feet to the first mentioned point and place of beginning.

Subject to easements, restrictions, and legal highways of record. Also subject to an easement for street, sidewalk and sewer purposes in the private right of way known as Garden Place.

Prior Deed References: Deed Book 4077, Page 692 and Deed Book 4079, Page 1  
Hamilton County, Ohio Recorder's Records

7420 1602

11

REC'D FOR TRANS

SIXTH AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR  
MADISON HOUSE CONDOMINIUM AND BY-LAWS OF THE MADISON HOUSE  
CONDOMINIUM OWNERS' ASSOCIATION, INC.

WHEREAS, there has been executed and filed that certain Declaration of Condominium Ownership for The Madison House Condominium (the "Declaration") in Deed Book 4184, Page 139 of the Hamilton County, Ohio records, as amended by the First Amendment to the Declaration recorded in Deed Book 4190, Page 1829 of the Hamilton County, Ohio records, as further amended by the Second Amendment to the Declaration recorded in Deed Book 4218, Page 1392 of the Hamilton County, Ohio records, as further amended by the Third Amendment to the Declaration recorded in Deed Book 4246, Page 1638 of the Hamilton County, Ohio records, as further amended by the Amendment to the Declaration in Deed Book 5920, Page 1580, as further amended by the Amendment to the Declaration in Deed Book 7420, Page 1598 of the Hamilton County, Ohio records;

WHEREAS, Unit Owners at The Madison House Condominium entitled to exercise at least seventy-five percent (75%) of the total voting power of the The Madison House Condominium Owners' Association, Inc. (the "Association") have approved this Amendment; and

WHEREAS, the undersigned President of the Association has executed an Affidavit which complies with Article XI of the Declaration certifying that Unit Owners entitled to exercise at least seventy-five percent (75%) of the total voting power of the Association have approved this Amendment.

NOW, THEREFORE, the Declaration is amended as follows:

1. All terms used in this Amendment which are defined in the Declaration shall have the same meanings as given to them in the Declaration, except as otherwise hereinafter stated.
2. In accordance with Article XI of the Declaration, Section 1.8 of the By-Laws of The Madison House Condominium ("By-Laws") shall be deleted in its entirety and replaced with the following language:

"1.8 Absentee Voting by Association Members. Any Association member may cast an absentee vote by mail or any other manner of transmittal on any proposal voted upon at any meeting of the members of the Association by sending such absentee vote to the Association office, all postage/shipping charges paid by the Association member, provided the vote is received no later than the close of voting. Absentee votes received after the close of voting shall under no circumstances be accepted or counted. All valid written votes shall be filed with the records of the Association, and in no event shall any action be taken or approved by the Association with the approval of any less than the percentage of voting power required by the provisions of the Declaration and the By-Laws or without the consent of the party that is required by any of said provisions."

Rebecca Prum Grappe  
Hamilton County Recorder's Office  
Doc #: 06-0060008 Type: DE  
Filed: 04/19/06 12:21:20 PM \$100.00  
Off. Rec.: 10221 01903 F K22 11 571

1022101903FB

10221 1903

TRANSFER NOT NEEDED

DW

DUSTY RHODES  
COUNTY AUDITOR

3. In accordance with Article XI of the Declaration, Section 4.3 of the By-Laws shall be deleted in its entirety and replaced with the following language and a new Subsection 4.3.1 shall be added as follows:

“Section 4.3 Structural Alterations, Capital Additions and Improvements. The expense for a capital asset is prorated yearly over its lifetime. The amount of the expenditure must be expressly included in the Association’s annual budget for the year of such purchase and, if applicable, in that year’s reserve budget. A copy of both budgets must be provided to each Association member immediately after the Board’s approval of same. As a supplement, a resume of the number of bids and the amounts of each shall be provided to the Association members immediately upon final bid acceptance. The identity of the bidders is not required. The Association shall without delay act to restore or replace damaged, destroyed or obsolete portions of the Common Areas and Facilities which pose a clear and present danger to persons or property, or hinders day to day operations. This also applies to any additions, replacements or changes required immediately to meet unanticipated or previously unknown legal requirements. Funding for the above expenditures may be derived from maintenance funds, reserves for contingencies, special assessments, or borrowed funds, subject to the other provisions of the Declaration and By-Laws, provided full and explicit information is provided to Association members immediately upon Board approval.”

4.3.1 Obsolete Portions of the Common Areas and Facilities. The Association shall repair or replace with comparable material, if available and acceptable, or with new materials any item or portion of the Common Areas and Facilities which has become obsolete due to prior damage or deterioration or which is near or past the expiration of its life expectancy. Full funding for such repair or replacements per item or portion shall be explicitly included in the Association’s annual operating and, if applicable, the reserve budget, copies of which must be provided to Association members upon Board approval.”

4. Pursuant to the provisions of Article XI, attached hereto as Exhibit A, is an affidavit of the President of the Association stating that Unit Owners entitled to exercise at least seventy-five percent (75%) of the total voting power of the Members of the Association have approved the amendment to the Declaration provided in Paragraphs 2 through 5 above.

5. All provisions of the Declaration and of all exhibits thereto not affected by the foregoing Amendment shall remain in full force and effect.



The Madison House Condominium Owners' Association, Inc., an Ohio corporation, by its duly authorized officer has consented to all of the foregoing and have caused this instrument to be executed this 13<sup>th</sup> day of April, 2006.

THE MADISON HOUSE CONDOMINIUM OWNERS' ASSOCIATION, INC., an Ohio not-for-profit corporation

By: James Fethe  
James Fethe, President

STATE OF OHIO )  
 ) ss:  
COUNTY OF HAMILTON )

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of April, 2006 by James Fethe, as President of THE MADISON HOUSE CONDOMINIUM OWNERS' ASSOCIATION, INC., an Ohio not-for-profit corporation, on behalf of the corporation.

James C. Kear, Jr.  
Notary Public



JAMES C. KEAR, JR.  
Notary Public, State of Ohio  
My Commission Expires May 20, 2008

This Instrument Prepared By:

Sean S. Suder, Esq.  
Keating Muething & Klekamp PLL  
One East Fourth Street  
Suite 1400  
Cincinnati, Ohio 45202  
(513) 579-6400

10221 1905

EXHIBIT A

AFFIDAVIT

STATE OF OHIO            )  
                                      :SS  
COUNTY OF HAMILTON )

Now comes James Fethe, President of The Madison House Condominium Owners' Association, Inc., an Ohio not-for-profit corporation, and after being first duly cautioned and sworn, deposes and says the following:

1. Affiant states that he is the duly elected President of The Madison House Condominium Owners' Association, Inc., an Ohio not-for-profit corporation.
2. There are one hundred seventy-six (176) Condominium Units in The Madison House Condominium.
3. Ballots were sent to each Unit Owner for the purposes of allowing each Unit Owner to vote on the proposed amendment to the By-Laws for The Madison House Condominium which proposed amendment is set forth on attached Schedule I.
4. Ballots were returned by one hundred forty-four (144) of the Unit Owners.
5. Attached hereto as Schedule II and made a part hereof is the amendment, the numbers of the Unit Owners voting for and against the amendment.
6. Affiant states that Unit Owners entitled to exercise at least seventy-five percent (75%) of the total voting power of the Association has approved the amendment.

Further Affiant Sayeth Naught.

James Fethe  
James Fethe, President

Sworn to before me and subscribed in the presence this 13<sup>th</sup> day of April, 2006.

James C. Kear, Jr.  
Notary Public



JAMES C. KEAR, JR.  
Notary Public, State of Ohio  
My Commission Expires May 20, 2008

10221 1906



SCHEDULE I

Proposed Amendments:

**Section 1.8 of the By-Laws is hereby amended as follows:**

"1.8 Absentee Voting by Association Members. Any Association member may cast an absentee vote by mail or any other manner of transmittal on any proposal voted upon at any meeting of the members of the Association by sending such absentee vote to the Association office, all postage/shipping charges paid by the Association member, provided the vote is received no later than the close of voting. Absentee votes received after the close of voting shall under no circumstances be accepted or counted. All valid written votes shall be filed with the records of the Association, and in no event shall any action be taken or approved by the Association with the approval of any less than the percentage of voting power required by the provisions of the Declaration and the By-Laws or without the consent of the party that is required by any of said provisions."

**Section 2.3 of the By-Laws is hereby amended as follows:**

"Section 2.3 Term of Office; Term Limitation; Resignations. Except as otherwise provided in the Declaration or in these By-Laws, each Manager shall hold office for a two (2) year term and until his successor is appointed or elected, or until his earlier resignation, removal or death. Any Manager may be re-elected or appointed for additional terms of two years each, not, to exceed three (3) successive two (2) year terms. After serving three (3) successive terms on the Board, an Association member shall not be eligible to stand for election for at least a two (2) year period. This provision shall govern the first election following the date this amendment is recorded with Hamilton County. Unless provided otherwise herein, four (4) Managers shall be elected in even numbered years and three (3) Managers in odd numbered years. Any Manager may resign at any time by oral statement to that effect made at a meeting of the Board of Managers or in writing to that effect delivered to the Secretary of the Association. Such resignation shall take effect immediately or at such other time as the resigning Manager may specify; provided, however, that in the event three (3) or more Managers shall resign at or near the same time, such resignations shall not be effective until such time as new Managers have been elected in accordance with this Declaration, which elections shall be held within forty-five (45) days of the first of such resignations. Members of the Board of Managers shall serve without compensation."

**Section 2.5 of the By-Laws is hereby amended as follows:**

"Section 2.5 Regular Meetings. Regular meetings of the Board of Managers shall be held at such times and places as shall be determined by a majority of the Managers, but at least four (4) such meetings shall be held during

10221 1907

each fiscal year. Except for meetings that involve discussion of personnel matters or issues involving problems of a personal nature relating to residents, all meetings of the Board of Managers shall be announced two (2) days in advance and shall be open to any member of the Association to attend as a non-participating observer, unless the member is requested to participate by the Board.”

**Section 4.3 of the By-Laws is hereby deleted in its entirety and replaced with the following language and a new Subsection 4.3.1 is added as follows:**

“Section 4.3 Structural Alterations, Capital Additions and Improvements. The expense for a capital asset is prorated yearly over its lifetime. The amount of the expenditure must be expressly included in the Association’s annual budget for the year of such purchase and, if applicable, in that year’s reserve budget. A copy of both budgets must be provided to each Association member immediately after the Board’s approval of same. As a supplement, a resume of the number of bids and the amounts of each shall be provided to the Association members immediately upon final bid acceptance. The identity of the bidders is not required. The Association shall without delay act to restore or replace damaged, destroyed or obsolete portions of the Common Areas and Facilities which pose a clear and present danger to persons or property, or hinders day to day operations. This also applies to any additions, replacements or changes required immediately to meet unanticipated or previously unknown legal requirements. Funding for the above expenditures may be derived from maintenance funds, reserves for contingencies, special assessments, or borrowed funds, subject to the other provisions of the Declaration and By-Laws, provided full and explicit information is provided to Association members immediately upon Board approval.

4.3.1 Obsolete Portions of the Common Areas and Facilities. The Association shall repair or replace with comparable material, if available and acceptable, or with new materials any item or portion of the Common Areas and Facilities which has become obsolete due to prior damage or deterioration or which is near or past the expiration of its life expectancy. Full funding for such repair or replacements per item or portion shall be explicitly included in the Association’s annual operating and, if applicable, the reserve budget, copies of which must be provided to Association members upon Board approval.”

# Amendment Vote Response Talley

2006 Unit #	Last Name	FINAL First Name	Phone #	AMENDMENTS										
				I		II		III		IV				
				YES	NO	YES	NO	YES	NO	YES	NO	VOTE		
201	Than-Win	Mrs. Jeanie	321-7505											
202	Mooney	Ms. Marguerite	871-6412	1		1		1		1		1		1
203	Wyantt	Ms. Margaret	871-7110	1		1		1		1		1		1
204	Kuhn	Mr and Mrs William E	871-7158				1			1		1		1
205	Ryan	Ms. Ann	533-3452	1		1		1		1		1		1
206	Gates	Mr. Paul	533-0059											
207	Maguire	Mrs. Helen	871-5322	1			1	1		1		1		1
208	Smith	Mr and Mrs Willie	321-3135	1		1		1		1		1		1
209	Schwabb	Mrs. Beatrice	321-9553	1		1		1		1		1		1
302	Reynolds	Mrs. Dorothy	871-3277	1		1		1		1		1		1
303	Malone	Mrs. John	871-8445	1		1		1		1		1		1
304	Spittler	Mrs. Peggy	321-7306	1		1		1		1		1		1
305	Maccarone	Mr. Kenneth	556-9098	1		1		1		1		1		1
306	Ruck	Mrs. Constance	321-7706	1		1		1		1		1		1
307	Milne	Mr Fred	871-6081	1		1		1		1		1		1
308	Moley	Mrs. Margaret	871-5492	1		1		1		1		1		1
309	Price	Mrs. Carabal	871-9376	1		1		1		1		1		1
	Krane	Ms. Amanda	871-0652	1		1		1		1		1		1
	Ruthman	Mrs. Cheryl	751-4688	1		1		1		1		1		1
402	Hoffheimer	Mrs Harry	871-2261	1		1		1		1		1		1
403	Azer	Mr. Ed	535-1022	1		1		1		1		1		1
404	Hilb	Mrs Nelly	321-1330											
405	Wilson	Mr Jerry	225-5569											
406	Costello	Mr. Thomas	202-232-1732	1		1		1		1		1		1
407	Meacham	Mr Christopher	321-5587	1		1			1	1		1		1
408	Hoopes	Mr Robin	321-5587	1		1			1	1		1		1
409	Wyantt	Mrs. Margaret	871-7110	1		1		1		1		1		1
410	Evans	Ms. Kelly	325-6698											
501	Cummins	Mr. James R.	751-3130	1		1		1		1		1		1
502	Killeary	Mrs. Guila	871-3311	1		1		1		1		1		1
503	Donald	Mrs. Barbara	871-2218	1		1		1			1	1		1
504	Lottman	Mrs. Margaret	871-7051	1		1		1		1		1		1
505	Fisher	Miss Allyson	871-1879	1		1		1		1		1		1
506	London	Barbara	871-9359	1			1	1		1		1		1
507	Robinson	Mr. And Mrs. Mark	258-4909	1		1		1		1		1		1

2006 Dist #	Last Name	FINAL First Name	Phone #	I		II		III		IV		VOTE
				YES	NO	YES	NO	YES	NO	YES	NO	
508	Kern	Mr James	321-9265	1		1		1		1		1
509	Diericks	Ms. Gisela	321-2296	1		1		1			1	1
510	O'Driscoll	Ms. Geri	533-3783	1		1		1		1		1
601	Schneider	Mr. Michael	871-5161	1		1		1		1		1
602	Schreiber	Mr and Mrs Gary	533-1958	1		1		1		1		1
603	Fine	Dr and Mrs Archie	533-3559									
604	Phillips	Ms Carolyn	313-0921	1		1		1		1		1
605	Wyantt	Mrs. Margaret	871-7110	1		1		1		1		1
606	Harig	Mr Luke	321-5515	1		1		1		1		1
607	Stucky	Ms Sheila	321-4094	1		1			1		1	1
608	Bickett	Miss Henrietta	871-7326	1		1		1		1		1
609	Leftwich	Mr. And Mrs. Leftwich	321-6815	1			1		1		1	1
610	Lockspeiser	Miss Dorothy	871-8355	1		1		1		1		1
701	Yee	Mr William	321-6463									
702	Robnson	Mrs. Marilynn	871-6060	1		1		1		1		1
703	Robnson	Mrs. Marilynn	871-6060	1		1		1		1		1
704	Giver	Mrs. Anne	871-1779	1		1		1		1		1
705	Park	Mr Ted	321-0050									
706	Ramsingh	Mr Harry	646-4265									
	Garber	Mrs Stanley	321-1995	1		1		1		1		1
708	Crawford	Mrs. Joan	231-9005	1		1		1		1		1
709	Levine	Mr Maurie	221-7129	1		1		1		1		1
710	Cannanova	Dr Manuel	614-446-8239	1		1		1		1		1
801	Weiss	Dr. Stephen	321-9696	1		1		1		1		1
802	Mitnik	Mr. And Mrs. Raymon	321-5414									
803	Platz	Dr. Olga	321-4860	1		1		1		1		1
804	Wyantt	Mrs Margaret	871-7110	1		1		1		1		1
805	Robnson	Mr. And Mrs. Mark	258-4909	1		1		1		1		1
806	Boggis	Mrs. Martha	321-3002	1		1		1		1		1
807	Nordyke	Mr and Mrs William	871-2755	1		1		1		1		1
808	Fox	Mrs Betty	321-1017	1		1		1		1		1
809	Fine	Mr. John	321-0130	1		1		1		1		1
810	Weiss	Dr. Stephen	321-9696	1		1		1		1		1
901	Lachman	Eleanor	861-1252									
902	Oseas	Mrs. Hollis	533-3993	1		1		1		1		1
903	Schneider	Mr and Mrs Robert	321-9460	1		1		1		1		1
904	Smith	Mr Mitchell	321-9233	1		1		1		1		1

#	Last Name	FINAL First Name	Phone #	I		II		III		IV		VOTE
				YES	NO	YES	NO	YES	NO	YES	NO	
905	Pajanowski	Mr Joseph	201-934-5146	1		1		1		1		1
906	Oser	Mr. Margaret	321-2578	1		1		1		1		1
907	Gettelman	Mrs. Lois	321-6027	1		1		1		1		1
908	Faessler	Mr and Mrs Joseph	533-0179	1		1		1		1		1
909	Wyantt	Mrs. Margaret	871-7110	1		1		1		1		1
910	Rabius	Mr. Steven	321-0527	1		1		1		1		1
1001	Bolser	Mrs. Toni	891-4447									
1002	MacGergor	Carol	321-4409	1		1		1		1		1
1003	Levy	Ms Sue	871-8301									
1004	Shapiro	Ms. Barbara	321-2268	1		1		1		1		1
1005	Ringblom	Ms. Madelene	533-4565	1		1		1		1		1
1006	Evans	Mr. Jim	232-8250	1		1		1		1		1
1007	Mellinger	Mr and Mrs Danial	321-3931									
1008	Parker	Mr David	321-5432	1		1		1		1		1
1009	Wyantt	Mrs. Margaret	871-7110	1		1		1		1		1
1010	Simon	Mrs. Lydia	740-446-3919									
1101	Jonas	Ms. Virginia	321-1994	1		1		1		1		1
1102	VanKirk	Mr. And Mrs. John	533-3717									
1103	Abraham	Mrs. Ella	871-3648	1		1		1		1		1
1105	Culp	Mr Bill	321-5509									
1105	Macke	Miss Julanne	321-4199	1		1		1		1		1
1106	Walters	Mr. William	322-3544	1		1		1		1		1
1107	Feinberg	Ms Jean	533-2367	1		1		1		1		1
1108	Winkler	Dr and Mrs Henry	871-0985	1		1		1		1		1
1109	Dolzine	Miss Carol	871-4151	1		1		1		1		1
1110	Murray	Mr Michael	237-5700									
1201	Pearlman	Mrs. Ruthe	321-3217	1		1		1		1		1
1202	Pearlman	Mrs. Ruthe	321-3217	1		1		1		1		1
1203	Wagenecht	Mrs. Katherine	871-2866	1		1		1		1		1
1204	D'Alessandro	Mr Kenneth	321-7009									
1205	Kiley	Mr and Mrs. Richard	698-7172	1		1		1		1		1
1206	Hosty	Dr. Ruth	707-537-0322	1		1		1		1		1
1207	Herrman	Dr and Mrs Edward	321-7517	1		1		1		1		1
1208	Herman	Dr and Mrs. Edward	321-7517	1		1		1		1		1
1209	Griesmer	Miss Elizabeth	321-8837									
1210	Odgers	Miss Jeanna	321-6918	1		1		1		1		1
1401	Kamnitzer	Mr and Mrs Peter	321-6616	1		1		1		1		1

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2006	FINAL			I	II	III	IV			
Lot #	Last Name	First Name	Phone #	YES	NO	YES	NO	YES	NO	VOTE
1402	Harris	Mrs. Katherine	871-0104	1		1		1		1
1403	Hackney	Mrs. Ruthe	533-1522							
1404	Utlaut	Miss Kimberly	816-674-4445							
1405	Norris	Mr Richard	407-299-8098	1		1		1		1
1406	Garza	Mr. Effrin	534-7939	1			1			1
1407	Field	Mrs. Hancy	321-0846	1	1			1		1
1408	Benzing	Dr. George	321-3990	1		1	1		1	1
1409	Metzger	Mrs. Lore	321-5341	1	1			1		1
1410	Santoro	Mr. Aldo	474-4619	1			1		1	1
1501	Axe	Fr. Thomas R.	871-8906							
1502	Ragouzis	Mr. Edger	321-2002	1		1			1	1
1502	Ragouzis	Mr. Edger	321-2002	1		1			1	1
1504	Alquizola	Mr and Mrs. Teresito	813-920-8873		1		1		1	1
1505	Bolke	Mrs. Katrin								
1506	Lumb	Mr and Mrs Richard	871-4781	1		1			1	1
1507	Levine	Mrs. Helen	533-9229	1	1		1		1	1
1508	McLaughlin	Christine	871-8389	1	1		1		1	1
1509	French	Mr. Howard	404-626-7814	1	1		1		1	1
1510	French	Mr. Howard	404-626-7814	1	1		1		1	1
1601	Holloway	Mr. Willis								
1602	Laurens	Mrs Judith	871-3225	1		1			1	1
1603	Laurens	Mrs Judith	871-3225	1		1			1	1
1604	Laurens	Mrs Judith	871-3225	1		1			1	1
1605	Laurens	Mrs. Judith	871-3225	1		1			1	1
1606	Leiberman	Ms Jessica	412-2622	1		1			1	1
1607	Holman	Mr. Chip	859-341-6450	1		1			1	1
1608	Osher	Mrs. Murial	533-9763	1		1			1	1
1609	Lockspeiser	Mr. Sanford	321-6544	1		1			1	1
1610	Stovering	Ms. Jamie	871-1785	1		1			1	1
1701	Leavell	Mrs. Eleanor	924-0946	1		1			1	1
1702	Inabnlit	Mr. William	871-2288	1				1		1
1703	MacGreger	Mrs. Alistair	871-0279	1		1			1	1
1704	Schoen	Ms. Mary	533-9749	1		1			1	1
1705	Sheehy	Mr Dan	470-5063							
1706	Bolce	Beau	321-1450	1		1	1		1	1
1707	Braude	Mrs. Marilyn	871-6881	1		1			1	1
1708	Braude	Mrs. Marilyn	871-6881	1		1			1	1

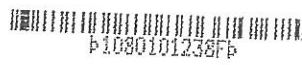
006 #	Last Name	FINAL First Name	Phone #	I		II		III		IV		VOTE
				YES	NO	YES	NO	YES	NO	YES	NO	
1709	Fethe/Bowden		533-9526	1			1		1		1	1
1801	Gardner	Mrs. Annette	871-4350	1			1	1		1		1
1802	Schwering	Mr and Mrs Joseph	321-3252	1		1		1		1		1
1803	Harrison	Mr. John	871-6673	1		1			1	1		1
1804	Stewart	Mr and Mrs.	290-2007	1		1		1		1		1
1805	Ramineni	Mr	615-3630									
1806	McBurnie	Ms Barbara	526-7114	1			1	1		1		1
1807	Hattermer	Mr and Mrs Ted	321-7442	1		1		1		1		1
1808	Lafferty	Ms. Ann	321-2297									
1809	Hoffman	Mr and Mrs Erwin	871-8342	1		1		1		1		1
1901	Pike	Mr. And Mrs. Robert	533-1902	1		1		1		1		1
1903	Cross	Mr and Mrs Thomas	321-3999	1			1	1		1		1
1904	Hollster	Mr. Bruce	973-379-5561	1		1		1		1		1
1905	Jeanmougin	Mr David	871-4650									
1906	Pantellis	Mr. Joseph	330-519-6411									
1907	Summers-Muir	Mrs. Anita	533-0053	1		1		1		1		1
1908	McFarlane	Mr. And Mrs. Roger	533-4583	1		1		1		1		1
1909	Gorden	Mrs. Jean	533-3774	1		1		1		1		1
1910	Kitchen	Ms. Kristen	751-3741									
2001	Troup	Dr and Mrs Stanley	533-0451	1		1		1		1		1
2003	Fisher	Mr and Mrs Fremont	321-1234									
2004	Finkelman	Mr. Bernard	533-9305	1			1	1		1		1
2005	Roberts	Mr. Raymond	961-4949	1		1		1		1		1
2006	Wickwire	Mr and Mrs Robert	310-376-7378		1	1		1		1		1
2007	Aronoff	Mrs. Leah	533-3335	1		1		1		1		1
2008	Leftwich	Dr and Mrs Howard	321-6815	1			1		1	1		1
2009	Hronek	Mr. William	543-1186	1		1		1		1		1
2010	Neff	Mr. Mark	3211066	1		1		1		1		1
Com1	Rinaldi	Mr and Mrs Frank	321-3100	1			1	1		1		1
Com2	Volmer Realty	Mr. Chirs Volmer	533-4400	1		1		1		1		1
				141	1	119	23	131	11	133	11	144
				P		F		F		P		

**\*132 votes are required for an Amendment to pass**

REC'D FOR TRANS

AMENDMENT NUMBER SEVEN  
TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR  
THE MADISON HOUSE CONDOMINIUM

Hamilton County Recorder's Office  
Filed: 03/20/08 10:26:51 AM \$52.00  
10801 1238 F 059 5



WHEREAS, the Declaration of Condominium Ownership for The Madison House Condominium (hereinafter the "Declaration") and its attached exhibits was recorded on March 20, 1980 in Deed Book 4184, Page 139 of the Hamilton County, Ohio Recorder's Office;

WHEREAS, the By-Laws of The Madison House Condominium Owners' Association, Inc. were recorded as Exhibit B to the Declaration at Deed Book 4184, Page 186, et seq.;

WHEREAS, Amendment No. 1 to the Declaration was recorded on July 16, 1980 at Deed Book 4190, Page 1829 of the Hamilton County, Ohio Recorder's Office;

WHEREAS, Amendment No. 2 to the Declaration was recorded on September 1, 1981 at Deed Book 4218, Page 1392 of the Hamilton County, Ohio Recorder's Office;

WHEREAS, Amendment No. 3 to the Declaration was recorded on December 10, 1982 at Deed Book 4246, Page 1638 of the Hamilton County, Ohio Recorder's Office;

WHEREAS, the "Second Amendment to Declaration of Condominium Ownership for The Madison House Condominium and By-Laws of The Madison House Condominium Owners' Association" (the "Second Amendment") was recorded on August 17, 1989 at Official Record Book 5074, Page 544 of the Hamilton County, Ohio Recorder's Office, and an Amended Certificate to that Second Amendment was recorded on May 21, 1990 at Official Record Book 5287, Page 2071 of the Hamilton County, Ohio Recorder's Office,

WHEREAS, an Amendment to the Declaration was recorded on August 4, 1992 at Book 5920, Page 1580 of the Hamilton County, Ohio Recorder's Office;

WHEREAS, an Amendment to the Declaration was recorded on August 12, 1997 at Book 7420, Page 1598 of the Hamilton County, Ohio Recorder's Office;

WHEREAS, the Sixth Amendment to the Declaration was recorded on April 19, 2006 at Book 10221, Page 1903 of the Hamilton County, Ohio Recorder's Office

WHEREAS, the Declaration and all Amendments thereto are binding upon the owners of the property described in Exhibit "A", attached hereto;

WHEREAS, Article XI of the Declaration permits its amendment upon the filing for record with the Recorder of Hamilton County, Ohio an instrument in writing setting forth specifically the item to be amended and any new matter to be added which amendment must be executed with the same formalities as the Declaration and must refer to the recording reference of the first page of the Declaration and its attached exhibits;

Transfer Not Necessary

10801 1238

Dusty Rhodes  
Hamilton County Auditor

WHEREAS, Article XI of the Declaration further requires an Affidavit of the President of the Association stating that Unit Owners entitled to exercise at least seventy-five percent (75%) of the total voting power of the Association have approved the amendment;

WHEREAS, at least seventy-five percent (75%) of the total voting power of the Association have approved this amendment and desire to add a provision to the By-Laws allowing the Board of Directors to assign the Association's rights to common assessments;

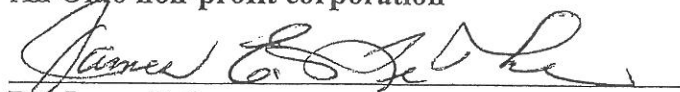
NOW THEREFORE, pursuant to Article XI of the Declaration, the Declaration is hereby amended as follows:

1. Article IV, Section 4.10 of the By-Laws is hereby added:

4.10 The Board of Directors is authorized to assign the Association's rights to common assessments, or other future income, to a lender as security for a loan to the Association for the purpose of funding the restoration of damage to the Common Element in accordance with Section 4.3 of the By-Laws, which loan shall be procured in calendar year 2008 to restore the concrete facade.

IN WITNESS WHEREOF, James Fethe, President of The Madison House Condominium Owners' Association, Inc., an Ohio non-profit corporation, executes this Amendment No. 7 and does hereby certify that the requisite consent or vote to the Amendment has been obtained from the Unit Owners of the Association.

THE MADISON HOUSE CONDOMINIUM OWNERS' ASSOCIATION, INC.  
An Ohio non-profit corporation

  
By: James Fethe  
Its: President

STATE OF OHIO

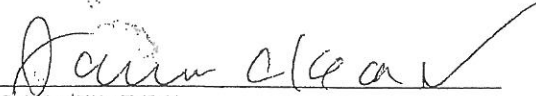
COUNTY OF HAMILTON

)  
) SS:  
)



JAMES C. KEAR, Notary Public, State of Ohio  
My Commission Expires May 20, 2008

The foregoing instrument was acknowledged before me this 19 day of March, 2008 by James Fethe, President of The Madison House Condominium Owners' Association, Inc., an Ohio non-profit corporation, by and on behalf of the Association.

  
NOTARY PUBLIC





**PRESIDENT'S AFFIDAVIT**

Now comes James Fethe, the President of The Madison House Condominium Owners' Association, Inc., an Ohio non-profit corporation, and pursuant to Article XI of the Declaration, hereby states as follows:

1. I am the President of The Madison House Condominium Owners' Association, Inc., an Ohio non-profit corporation.
2. I attest that Unit Owners entitled to exercise at least seventy-five percent (75%) of the total voting power of the Association have approved the preceding Amendment No. 7 adding Article IV, Section 4.10 to the By-Laws.
3. I further attest that the approvals referenced in the preceding paragraph are on file with the books and records of the Board of the Directors at the office of its on-site managing agent.
4. A true and accurate copy of Amendment No. 7 precedes this Affidavit.

**THE MADISON HOUSE CONDOMINIUM OWNERS' ASSOCIATION, INC.**  
An Ohio non-profit corporation

*James E. Fethe*

By: James Fethe  
Its: President

STATE OF OHIO

COUNTY OF HAMILTON

)  
) SS:  
)



JAMES C. KEAR, Notary Public, State of Ohio  
My Commission Expires May 20, 2008

The foregoing instrument was acknowledged before me this 19 day of MARCH, 2008 by James Fethe, the President of The Madison House Condominium Owners' Association, Inc., an Ohio non-profit corporation, by and on behalf of the Association.

*James C. Kear*  
NOTARY PUBLIC

This Instrument Prepared By:  
Amy Schott Ferguson, Esq.  
Cuni, Ferguson & LeVay Co., L.P.A.  
10655 Springfield Pike  
Cincinnati, Ohio 45215  
(513) 771-6768

10801 1241

Exhibit A

Legal Description

Situated in Sections 32 and 33, Town 4, Fractional Range 2, Miami Purchase, Columbia Township, City of Cincinnati, Hamilton County, Ohio, and being units 1, 2, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1901, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, and 2010 of The Madison House Condominium as created by the Declaration of Condominium Ownership recorded at Deed Book 4184, Page 139 of the Hamilton County, Ohio Recorder's Office.

10801 1242

REC'D FOR TRANS

Hamilton County Recorders Office  
Doc #: 09-0019471 Type: DE  
Filed: 02/19/09 10:56:35 AM \$44.00  
Off. Rec.: 11069 01298 F C59 4 3

1106901298Fb

AMENDMENT NUMBER EIGHT  
TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR  
THE MADISON HOUSE CONDOMINIUM  
HAMILTON COUNTY OHIO

WHEREAS, the Declaration of Condominium Ownership for The Madison House Condominium (hereinafter the "Declaration") and its attached exhibits was recorded on March 20, 1980 in Deed Book 4184, Page 139 of the Hamilton County, Ohio Recorder's Office;

WHEREAS, the By-Laws of The Madison House Condominium Owners' Association, Inc. (hereinafter the "By-Laws") were recorded as Exhibit B to the Declaration at Deed Book 4184, Page 186, et seq.;

WHEREAS, Amendment No. 1 to the Declaration was recorded on July 16, 1980 at Deed Book 4190, Page 1829 of the Hamilton County, Ohio Recorder's Office;

WHEREAS, Amendment No. 2 to the Declaration was recorded on September 1, 1981 at Deed Book 4218, Page 1392 of the Hamilton County, Ohio Recorder's Office;

WHEREAS, Amendment No. 3 to the Declaration was recorded on December 10, 1982 at Deed Book 4246, Page 1638 of the Hamilton County, Ohio Recorder's Office;

WHEREAS, the "Second Amendment to Declaration of Condominium Ownership for The Madison House Condominium and By-Laws of The Madison House Condominium Owners' Association" was recorded on August 17, 1989 at Official Record Book 5074, Page 544 of the Hamilton County, Ohio Recorder's Office, and an Amended Certificate to that Second Amendment was recorded on May 21, 1990 at Official Record Book 5287, Page 2071 of the Hamilton County, Ohio Recorder's Office,

WHEREAS, an Amendment to the Declaration was recorded on August 4, 1992 at Book 5920, Page 1580 of the Hamilton County, Ohio Recorder's Office;

WHEREAS, an Amendment to the Declaration was recorded on August 12, 1997 at Book 7420, Page 1598 of the Hamilton County, Ohio Recorder's Office;

WHEREAS, the Sixth Amendment to the Declaration was recorded on April 19, 2006 at Book 10221, Page 1903 of the Hamilton County, Ohio Recorder's Office

WHEREAS, Amendment Number Seven to the Declaration was recorded on March 20, 2008 at Book 10801, Page 1238 to the Hamilton County, Ohio Recorder's Office;

WHEREAS; the Declaration and all Amendments thereto are binding upon the owners of the property described in Exhibit "A", attached hereto;

11069 1298

Transfer Not Necessary  
Dusty Rhodes  
Hamilton County Auditor

WHEREAS, The Madison House Condominium Owners' Association, Inc. (the "Association") is an Ohio non-profit corporation, whose members are all of the Unit Owners of Units in Madison House Condominium and, as such, the Association is the representative of all Unit Owners;

WHEREAS, the Association wishes to amend the provisions of the Declaration and By-Laws in accordance with amendments to Chapter 5311 of the Ohio Revised Code effective July 20, 2004 and with the authority of O.R.C. 5311.05(E)(1)(a) in order to meet the requirements of institutional mortgagees, guarantors and insurers of first mortgage loans, the federal national mortgage association, the federal home loan mortgage corporation, the federal housing administration, the veterans administration, and similar institutions;

WHEREAS, this Amendment Number 8 has received the affirmative vote of at least a majority of the Board of Directors of the Association and, pursuant to O.R.C. 5311.05(E)(1), a vote of the Unit Owners is not necessary;

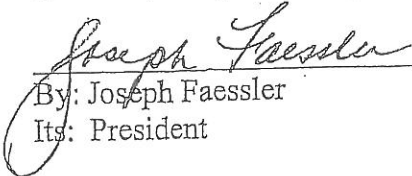
WHEREAS, this Amendment Number 8 is binding upon the properties described in Exhibit A;

NOW THEREFORE, the Declaration and By-Laws are hereby amended by the Board of Directors, as follows:

1. Article X, Section 10.4 of the Declaration is hereby deleted in its entirety.
2. Article VI of the By-Laws is hereby deleted in its entirety.

IN WITNESS WHEREOF, Joseph Faessler, President of The Madison House Condominium Owners' Association, Inc., an Ohio non-profit corporation, executes this Amendment Number 8 and does hereby certify that a majority of the Board of Directors voted affirmatively to adopt the preceding Amendment Number 8.

THE MADISON HOUSE CONDOMINIUM  
OWNERS' ASSOCIATION, INC.  
An Ohio non-profit corporation

  
By: Joseph Faessler  
Its: President

11069 1299

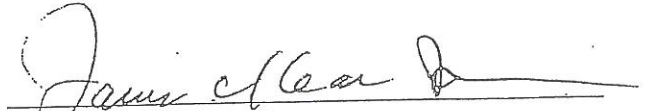
STATE OF OHIO

)  
) SS:

COUNTY OF HAMILTON

)

The foregoing instrument was acknowledged before me this ~~12~~<sup>13</sup> day of February 2009 by Joseph Faessler, President of The Madison House Condominium Owners' Association, Inc., an Ohio non-profit corporation, by and on behalf of the Association.

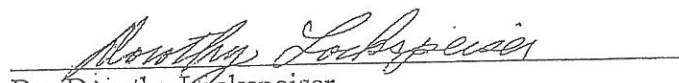
  
NOTARY PUBLIC



JAMES C. KEAR JR.  
Notary Public, State of Ohio  
My Commission Expires 08-31-2013

IN WITNESS WHEREOF, Dorothy Lockspeiser, the Secretary of The Madison House Condominium Owners' Association, Inc., an Ohio non-profit corporation, executes this Amendment Number 8 and does hereby certify that a majority of the Board of Directors voted affirmatively to adopt the preceding Amendment Number 8.

THE MADISON HOUSE CONDOMINIUM  
OWNERS' ASSOCIATION, INC.  
An Ohio non-profit corporation

  
By: Dorothy Lockspeiser  
Its: Secretary

11069 1300



Exhibit A

Legal Description

Situated in Sections 32 and 33, Town 4, Fractional Range 2, Miami Purchase, Columbia Township, City of Cincinnati, Hamilton County, Ohio, and being units 1, 2, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1901, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, and 2010 of The Madison House Condominium as created by the Declaration of Condominium Ownership recorded at Deed Book 4184, Page 139 of the Hamilton County, Ohio Recorder's Office.

REC-31177P3

TRANSFER NOT NECESSARY

DUSTY RHODES  
COUNTY AUDITOR

2012 DEC -6 AM 10:19

DEC 6 2012  
AUDITOR  
HAMILTON COUNTY, OHIO

**AMENDMENT NUMBER NINE TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR THE MADISON HOUSE CONDOMINIUM AND BY-LAWS OF THE MADISON HOUSE CONDOMINIUM OWNERS' ASSOCIATION, INC.**

NON-CONFORMING DOCUMENT  
ADDITIONAL RECORDING FEE  
10/30/11 114

WHEREAS, the Declaration of Condominium Ownership for The Madison House Condominium (hereinafter the "Declaration") and its attached exhibits was recorded on March 20, 1980 in Deed Book 4184, Page 139 of the Hamilton County, Ohio Recorder's Office;

WHEREAS, the By-Laws of The Madison House Condominium Owners' Association, Inc. (hereinafter the "By-Laws") were recorded as Exhibit B to the Declaration at Deed Book 4184, Page 186, et seq.;

WHEREAS, Amendment No. 1 to the Declaration was recorded on July 16, 1980 at Deed Book 4190, Page 1829 of the Hamilton County, Ohio Recorder's Office;

WHEREAS, Amendment No. 2 to the Declaration was recorded on September 1, 1981 at Deed Book 4218, Page 1392 of the Hamilton County, Ohio Recorder's Office;

WHEREAS, Amendment No. 3 to the Declaration was recorded on December 10, 1982 at Deed Book 4246, Page 1638 of the Hamilton County, Ohio Recorder's Office;

WHEREAS, the "Second Amendment to Declaration of Condominium Ownership for The Madison House Condominium and By-Laws of The Madison House Condominium Owners' Association" was recorded on August 17, 1989 at Official Record Book 5074, Page 544 of the Hamilton County, Ohio Recorder's Office, and an Amended Certificate to that Second Amendment was recorded on May 21, 1990 at Official Record Book 5287, Page 2071 of the Hamilton County, Ohio Recorder's Office,

WHEREAS, an Amendment to the Declaration was recorded on August 4, 1992 at Book 5920, Page 1580 of the Hamilton County, Ohio Recorder's Office;

WHEREAS, an Amendment to the Declaration was recorded on August 12, 1997 at Book 7420, Page 1598 of the Hamilton County, Ohio Recorder's Office;

WHEREAS, the Sixth Amendment to the Declaration was recorded on April 19, 2006 at Book 10221, Page 1903 of the Hamilton County, Ohio Recorder's Office;

Wayne Coates  
Hamilton County Recorders Office  
Doc #: 12-0157431 Type: DE  
Filed: 12/06/12 11:10:08 AM \$60.00  
Off.Rec.: 12183 01627 F 059 6 382

RECORD AS SHOWN BY THIS OFFICE AND A COPY TO PUBLIC RECORDS SECTION  
1218301627fb

12183 1627

WHEREAS, Amendment Number Seven to the Declaration was recorded on March 20, 2008 at Book 10801, Page 1238 of the Hamilton County, Ohio Recorder's Office;

WHEREAS, Amendment Number Eight to the Declaration was recorded on February 19, 2009 at Book 11069, Page 1298 of the Hamilton County, Ohio Recorder's Office;

WHEREAS, the Declaration and all Amendments thereto, including this Amendment Number Nine, are binding upon the owners of the property described in Exhibit "A", attached hereto and incorporated herein;

WHEREAS, The Madison House Condominium Owners' Association, Inc. (the "Association") is an Ohio non-profit corporation, whose members are all of the Unit Owners of Units in Madison House Condominium and, as such, the Association is the representative of all Unit Owners;

WHEREAS, this Amendment Number Nine has received the affirmative vote of at least seventy-five percent (75%) of the voting power of the Association;

NOW THEREFORE, the Declaration is hereby amended by the addition of Article IV, Section 4.18, as follows:

4.18 Limitation on Number of Units Owned. No person or entity shall own more than three (3) total Units within Madison House Condominium. This limitation applies to individual persons or entities as well as to any of those individuals' affiliated entities, limited liability companies, or trusts and any entities related to a Unit Owner or the spouse of a Unit Owner. Ownership of a Unit by a limited liability company in which a Unit Owner or that Unit Owner's spouse is a member or ownership of a Unit by a corporation in which the Unit Owner or that Unit Owner's spouse is a shareholder or officer qualifies as ownership by that Unit Owner. Ownership of a Unit by a trust of which the Unit Owner or his or her spouse is a trustee or beneficiary qualifies as ownership by the Unit Owner. For these intents and purposes, a husband and wife shall be treated as one person such that ownership of a Unit by a husband shall also qualify as ownership of the Unit by the wife, and vice versa, regardless of whether the spouse's name appears on the deed to the Unit.

This limitation shall not apply to Units that are physically connected to one another or Units which are combined pursuant to Ohio Revised Code 5311.031.

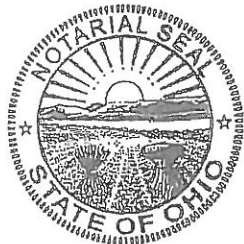
Additionally, this limitation shall not apply to Unit Owners who own more than three (3) Units on the date of recording of this Amendment (the "Effective Date"); however, such Unit Owners shall only be permitted to own those Units that the Unit Owners own upon the Effective Date, and in no case shall any additional Units be acquired by those Unit Owners, so that the maximum number of Units owned by such Owners cannot exceed the number of Units owned on the Effective Date.

Upon conveyance of any Unit, any grantee thereof shall be subject to the provisions of this Section, in addition to all other provisions of the Declaration, By-Laws, and Rules and Regulations adopted by the Board.

IN WITNESS WHEREOF, E. Joseph Faessler, President of The Madison House Condominium Owners' Association, Inc., an Ohio non-profit corporation, executes this Amendment Number Nine and does hereby certify that this Amendment Number Nine has received the affirmative vote of at least seventy-five percent (75%) of the voting power of the Association.

THE MADISON HOUSE CONDOMINIUM  
OWNERS' ASSOCIATION, INC.  
An Ohio non-profit corporation

By: E. Joseph Faessler  
Printed: E. Joseph Faessler  
Its: President



Justin Ivey  
Notary Public, State of Ohio  
My Commission Expires 10-15-2017

*Justin Ivey*

STATE OF OHIO

)  
) SS:  
)

COUNTY OF HAMILTON

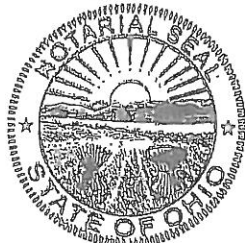
The foregoing instrument was acknowledged before me this 27 day of Nov, 2012 by Gregory K. Kasse, President of The Madison House Condominium Owners' Association, Inc., an Ohio non-profit corporation, by and on behalf of the Association.

Justin Ivey  
NOTARY PUBLIC

IN WITNESS WHEREOF, Dorothy Lockspeiser, the Secretary of The Madison House Condominium Owners' Association, Inc., an Ohio non-profit corporation, executes this Amendment Number Nine and does hereby certify that this Amendment Number Nine has received the affirmative vote of at least seventy-five percent (75%) of the voting power of the of the Association.

THE MADISON HOUSE CONDOMINIUM  
OWNERS' ASSOCIATION, INC.  
An Ohio non-profit corporation

By: Dorothy Lockspeiser  
Printed: Dorothy Lockspeiser  
Its: Secretary



Justin Ivey  
Notary Public, State of Ohio  
My Commission Expires 10-15-2017

Justin Ivey

12183 1630



STATE OF OHIO

)  
) SS:

COUNTY OF HAMILTON

The foregoing instrument was acknowledged before me this 27 day of Nov,  
2012 by Dorothy Locksley, the Secretary of The Madison House Condominium  
Owners' Association, Inc., an Ohio non-profit corporation, by and on behalf of the Association.

Justin Ivey  
NOTARY PUBLIC

This Instrument Prepared By:  
R. Tony Martina, Esq.  
Cuni, Ferguson & LeVay Co., L.P.A.  
10655 Springfield Pike  
Cincinnati, Ohio 45215  
(513) 771-6768



Justin Ivey  
Notary Public, State of Ohio  
My Commission Expires 10-15-2017

Justin Ivey

Exhibit A  
Legal Description

Situated in Sections 32 and 33, Town 4, Fractional Range 2, Miami Purchase, Columbia Township, City of Cincinnati, Hamilton County, Ohio, and being units 1, 2, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1901, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, and 2010 of The Madison House Condominium as created by the Declaration of Condominium Ownership recorded at Deed Book 4184, Page 139 of the Hamilton County, Ohio Recorder's Office.

TRANSFER NOT NECESSARY

*DR*  
DUSTY RHODES  
COUNTY AUDITOR

2012 DEC - 1 11:10:19

DUSTY RHODES  
AUDITOR

**AMENDMENT NUMBER TEN TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR THE MADISON HOUSE CONDOMINIUM AND BY-LAWS OF THE MADISON HOUSE CONDOMINIUM OWNERS' ASSOCIATION, INC.**

NON-CONFORMING DOCUMENT  
ADDITIONAL RECORDING FEE  
(OFC 317114)

WHEREAS, the Declaration of Condominium Ownership for The Madison House Condominium (hereinafter the "Declaration") and its attached exhibits was recorded on March 20, 1980 in Deed Book 4184, Page 139 of the Hamilton County, Ohio Recorder's Office;

WHEREAS, the By-Laws of The Madison House Condominium Owners' Association, Inc. (hereinafter the "By-Laws") were recorded as Exhibit B to the Declaration at Deed Book 4184, Page 186, et seq.;

WHEREAS, Amendment No. 1 to the Declaration was recorded on July 16, 1980 at Deed Book 4190, Page 1829 of the Hamilton County, Ohio Recorder's Office;

WHEREAS, Amendment No. 2 to the Declaration was recorded on September 1, 1981 at Deed Book 4218, Page 1392 of the Hamilton County, Ohio Recorder's Office;

WHEREAS, Amendment No. 3 to the Declaration was recorded on December 10, 1982 at Deed Book 4246, Page 1638 of the Hamilton County, Ohio Recorder's Office;

WHEREAS, the "Second Amendment to Declaration of Condominium Ownership for The Madison House Condominium and By-Laws of The Madison House Condominium Owners' Association" was recorded on August 17, 1989 at Official Record Book 5074, Page 544 of the Hamilton County, Ohio Recorder's Office, and an Amended Certificate to that Second Amendment was recorded on May 21, 1990 at Official Record Book 5287, Page 2071 of the Hamilton County, Ohio Recorder's Office,

WHEREAS, an Amendment to the Declaration was recorded on August 4, 1992 at Book 5920, Page 1580 of the Hamilton County, Ohio Recorder's Office;

WHEREAS, an Amendment to the Declaration was recorded on August 12, 1997 at Book 7420, Page 1598 of the Hamilton County, Ohio Recorder's Office;

WHEREAS, the Sixth Amendment to the Declaration was recorded on April 19, 2006 at Book 10221, Page 1903 of the Hamilton County, Ohio Recorder's Office;

Wayne Conates  
Hamilton County Recorders Office  
Doc #: 12-0157432 Type: DE  
Filed: 12/06/12 11:10:27 AM \$52.00  
Off.Rec.: 12183 01633 F 059 5 383

12183 1633

RECORDED BY 1218301633FB







Exhibit A  
Legal Description

Situated in Sections 32 and 33, Town 4, Fractional Range 2, Miami Purchase, Columbia Township, City of Cincinnati, Hamilton County, Ohio, and being units 1, 2, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1901, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, and 2010 of The Madison House Condominium as created by the Declaration of Condominium Ownership recorded at Deed Book 4184, Page 139 of the Hamilton County, Ohio Recorder's Office.