Second Supplement to Master Declaration 07-31-06

SECOND SUPPLEMENT TO MASTER DECLARATION

OF

COVENANTS, EASEMENTS AND RESTRICTIONS

FOR

FIRESTONE FARMS HOMEOWNERS ASSOCIATION, INC.

This Second Supplement ("Second Supplement") to the Master Declaration of Covenants, Easements and Restrictions for Firestone Farms Homeowners Association, Inc., ("Declaration") is made this 20th day of September, 2006 by Meadowbrooke Development, LLC, an Ohio limited liability company ("Meadowbrooke") and Firestone Farms Homeowners Association, Inc., an Ohio corporation ("Firestone Farms Association").

WITNESSETH:

WHEREAS, Meadowbrooke and Firestone Farms Association executed the Declaration on May 5, 2004; and

WHEREAS, the Declaration was filed with the Columbiana County Recorder's Office on May 7, 2004 Columbiana County Records in Volume 1271, Page 169, et seq.; and

WHEREAS, the legal description of the real property ("Firestone Farms") for Phase I ("A", "B" and "C") was filed as Exhibit "A" to the Declaration; and

WHEREAS, the First Supplement to the Declaration was filed with the Columbiana County Recorder's Office on January 28, 2005, Columbiana County Records in Volume 1344, Page 582, et seq.; and

WHEREAS, Meadowbrooke reserved the right, pursuant to Article III Section 1 of the Declaration, to add additional lands to the real property described in the Declaration and thereby intends to add additional lands and subject such land to the Declaration and Meadowbrooke reserved the right, pursuant to Article XIV, Section 3 of the Declaration, the sole right to amend the Declaration as provided therein and the parties hereto desire to cause the Declaration to be supplemented by the Second Supplement in the manner hereinafter set forth.

WHEREAS, Meadowbrooke further reserves the right, pursuant to the Declaration in Article III, Section 2, to amend square footage for single family residences, condominium units,

^{**}TO THE RECORDER: PLEASE INDEX WITH VOLUME 1271, PAGE 169 AND VOLUME 1344, PAGE 582 OF THE COLUMBIANA COUNTY RECORDS.

cluster homes and apartments as part of the Design Criteria ("DC") all as set forth therein and for different Phases in Article XVI, Section 3 and to the extent necessary or desired to amend set back requirements and fencing, as well as other matters set forth therein and the parties hereto desire to cause the additional amendments to the Declaration by this Supplement in the manner hereinafter set forth.

NOW, THEREFORE, in consideration of the mutual covenants hereinafter set forth and for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

- 1. Meadowbrooke hereby declares by the Second Supplement that the following additional land, comprising real property which is described on Exhibit "A" attached hereto and made a part hereof, is and shall be, upon the filing of said Second Supplement to the Declaration as Exhibit "A" with the Columbiana County Recorder's Office, added to the real property described in the Declaration and is and shall be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions, easements, charges, liens and all other terms and provisions set forth in the Declaration, which is by this reference fully incorporated herein as though rewritten in its entirety.
- 2. Firestone Farms, for the purposes of accepting the duties and responsibilities imposed upon it hereby joins in the Second Supplement to hereby declare that the land described in Exhibit "A" attached hereto and made a part hereof, is and shall be upon the filing of this Second Supplement to the Declaration with the Columbiana County Recorder's Office, added to the real property described in the Declaration and shall be held, transferred, sold, conveyed and occupied subject to the Covenants, Restrictions, Easements, Charges, Liens and all other terms and provisions set forth in the Declaration.

3. Article XII, Section 3 of the Declaration is deleted in the entirety and the following new Section 3 of Article XII of the Declaration is substituted in lieu thereof:

"Section 3. Animals and Pets. For initial purchasers of single family residences, condominiums, cluster homes or apartments, the Declarant or Master Board (as the case may be), shall have the right to approve of (in writing) the number, type and weight of pet(s) to be kept in such single family residences, condominiums, cluster homes or apartments. As such pet(s) die, they shall not be permitted to be replaced except in accordance with the provisions in the paragraph set forth below.

No animals, rabbits, pot bellied pigs, livestock, or poultry of any kind shall be raised, bred, or kept on any portion of Firestone Farms, except, fish kept in aquariums and household birds such as parakeets and parrots kept in bird cages may be permitted in a Residence. Further, two (2) dogs weighing not more than seventy five (75) pounds each and/or two (2) cats weighing not more than fifteen

Situated in the Township of Fairfield, County of Columbiana and State of Ohio, and being in the City of Columbiana:

And known as being Lot Nos. 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, and 131 of Firestone Farms Plat No. 4 as recorded in Plat Volume 24, Page 5 of Columbiana County Records.

EXHIBIT 'A'

(15) pounds each may be kept in a Residence as may be regulated under rules adopted by the Master Board or by the Community Association Board. No pets, including, without limitation, cats, are permitted to roam free unless contained within an invisible fence area. Those pets which, in the sole discretion of the Master Board, endanger the health, make objectionable noise or odors, or constitute a nuisance or inconvenience to the Owners or Occupants of other Residences or the Owner of any portion of Firestone Farms shall be removed upon request of the Master Board. If the owner fails to honor such request, the pet may be removed by the Master Board. No pets shall be kept, bred, or maintained for any commercial purpose. Dogs which are household pets shall at all times whenever they are outside a Residence (except when confined by an invisible fence) be confined on a leash held by a responsible person. All droppings from pets must be immediately removed by their owners. Community Association Boards and apartments owners may impose more stringent restrictions on keeping or maintaining animals and pets, including, but not limited to the prohibition of animals and pets. Meadowbrooke, as Declarant under the Declaration. pursuant to Article XIV, Section 3 (a) thereof, implements this new Section 3 on a retroactive basis."

Executed by the parties hereto and caused this Second Supplement to the Declaration to be executed on their behalf by their duly authorized officers on the day and year first above written.

MEADOWBROOKE DEVELOPMENT, LLC, an Ohio limited liability company

By: Wayne A. Bacon, Managing Member

STATE OF OHIO COUNTY OF COLUMBIANA)
) SS)

The foregoing instrument was acknowledged before me on the <u>20</u> day of <u>September</u> 2006, by MEADOWBROOKE DEVELOPMENT, LLC, an Ohio limited liability company, by Wayne A. Bacon, Managing Member, the Grantor and that the same was his free act and deed and the free act and deed of said limited liability company and his free act and deed as its duly authorized manager.

In Testimony Whereof, I have hereunto set my hand, and official seed

Notary Public

RICHARD 1 MASTRIANA, Attorney at Law Hotary Public, State of Ohio My Commission has no experition date. Section 147.03 R.C. Firestone Farms Homeowners Association, Inc., joins in the execution of this Second Supplemental to the Declaration to express its consent and approval of the terms and provisions hereof, this 20 day of September, 2006.

FIRESTONE FARMS HOMEOWNERS ASSOCIATION, INC., an Ohio corporation

By: Duche & Bach.
Wayne A. Bacon, President

STATE OF OHIO

) SS

COUNTY OF COLUMBIANA

The foregoing instrument was acknowledged before me on the 20th day of September 2006, by FIRESTONE FARMS HOMEOWNERS ASSOCIATION, INC., an Ohio corporation, by Wayne A. Bacon, President, the Grantor and that the same was his free act and deed and the free act and deed of said corporation and his free act and deed as its duly authorized officer.

In Testimony Whereof, I have hereunto set my hand and official se

Notary Public



RICHARD I MASTRIANA, Attorney at Law RUTARY PUBLIC, STATE OF OND MY.COMMISSION HAS NO EXPRATION DATE. SECTION 147.03 R.C.

This Instrument prepared by: Richard J. Mastriana, Esq. 24 N. Phelps Street Youngstown, Ohio 44503 (330) 746-3291