DO NOT DETACH

Instrument Number: 202310060104984
Recorded Date: 10/06/2023 10:58:37 AM

Daniel J. O'Connor Jr.
Franklin County Recorder
373 South High Street, 18th Floor
Columbus, OH 43215
(614) 525-3930
http://Recorder.FranklinCountyOhio.gov
Recorder@FranklinCountyOhio.gov

Return To (Mail Envelope):
BROSIUS JOHNSON & GRIGGS

Mail Envelope

Transaction Number: T20230071079
Document Type: CONDOMINIUM DECLARATION
Document Page Count: 9

Submitted By (Walk-In):
BROSIUS JOHNSON & GRIGGS

Walk-In

First Grantor:	**First Grantee:**
LEGACY VILLAGE CONDOMINIUMS LLC	LEGACY VILLAGE CONDOMINIUM FIRST AMENDMENT

Fees:	
Document Recording Fee:	$34.00
Additional Pages Fee:	$56.00
Marginal Reference Fee:	$8.00
Total Fees:	$98.00
Amount Paid:	$98.00
Amount Due:	$0.00

Instrument Number: 202310060104984
Recorded Date: 10/06/2023 10:58:37 AM

OFFICIAL RECORDING COVER PAGE

DO NOT DETACH

THIS PAGE IS NOW PART OF THIS RECORDED DOCUMENT

NOTE: If the document data differs from this cover sheet, please first check the document on our website to ensure it has been corrected. The document data always supersedes the cover page.

If an error on the cover page appears on our website after review please let our office know.

COVER PAGE DOES NOT INCLUDE ALL DATA, PLEASE SEE INDEX AND DOCUMENT FOR ANY ADDITIONAL INFORMATION.

Instrument # - 202310060104985

9.2
4/5

FOR REFERENCE PLEASE SEE
CONDOMINIUM PLAT BOOK NO. 303 PAGE 381

TRANSFERRED

OCT 05 2023

MICHAEL STINZIANO
AUDITOR
FRANKLIN COUNTY, OHIO

FIRST AMENDMENT
TO
DECLARATION OF CONDOMINIUM
LEGACY VILLAGE CONDOMINIUM

This First Amendment to the Declaration of Legacy Village Condominium is made on or as of the 28th day of September 2023.

Recitals

A. Legacy Village Condominium (the "Condominium") is a condominium created pursuant to the provisions of Chapter 5311 of the Revised Code of Ohio (the "Condominium Act") by the filing of the Declaration of Legacy Village Condominium (the "Declaration"), recorded Instrument No. 201906250075995 and the Drawings thereof (the "Drawings"), recorded as Instrument No. 201906250075996 (Condominium Plat Book 279, Pages 39-42), and all amendments thereto.

B. Pursuant to the provisions of Article XVI of the Declaration and the provisions of the Condominium Act, the Declarant, Legacy Village Condominiums, LLC, desires by this amendment to add a portion of the Additional Property to the Condominium, which Additional Property, hereinafter described, meets all of the criteria and qualifications for addition to the Condominium described in that Article.

Declaration

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

1. Definitions. All terms used herein shall have the same meanings as those terms have as used and defined in the Declaration.

2. Additional Property Added. Legal descriptions of the property added hereby to the Condominium Property, consisting of two parts, Part I containing 0.613 acres, more or less, and Part II containing 0.064 acres, more or less, and both being a part of the Additional Property, are attached hereto, marked "Exhibit A", and are hereby made a part hereof. A sketch site plan showing the composition of the property added hereby is attached hereto, marked "Exhibit B", and is hereby made a part hereof. A location drawing showing the relationship of the property added hereby and the Condominium Property is attached hereto, marked "Exhibit C," and hereby made a part hereof.

3. Name. The Condominium, as expanded hereby, shall continue to be named "Legacy Village Condominium".

4. Purposes. The purposes of the Condominium shall continue to be as set forth in the Declaration (encompassing the Additional Property added hereby).

(continued next page)

CERTIFICATE OF AUDITOR

A copy of this First Amendment to the Declaration for Legacy Village Condominium and a copy of the First Amendment to the Drawings were filed with this office on October 5th, 2023.

Franklin County Auditor

By _____
Deputy Auditor

5. Improvement Description. The Additional Property added to the Condominium Property hereby includes one residential building containing eight (8) dwelling units, adding a total of eight (8) dwelling units, and expands the Condominium to contain a total of seventeen (17) dwelling units, each of which is called a "Unit". The residential building added hereby is of traditional architectural style and contains a combination of ranch-style and townhouse-style Units, each with a two-car garage located on the ground floor of the Unit. The building added hereby is constructed on a poured concrete foundation, with wood framing, a combination of a stone veneer and stucco exterior, and a roof primarily covered with asphalt shingles (although some areas are covered by a metal seam roof). The principal materials of which the building is constructed are wood, glass, concrete, stucco, stone veneer, metal, drywall, and asphalt shingle. The residential building and the Units are located as shown on the First Amendment to the Drawings and Exhibit B.

Also on the Additional Property added hereby are portions of private drives, walkways, and green and landscaped areas. All improvements on the property added hereby are compatible in terms of quality of construction, principal materials used, and architectural style and design to the improvements now a part of the Condominium Property.

6. Units.

a. Unit Designation. Each of the Units added to the Condominium hereby is designated on the First Amendment to the Drawings filed simultaneously herewith, labeled "First Amendment to Condominium Drawings of Legacy Village Condominium", by a Unit designation, which is a number corresponding with the numerical portion of the street address for the Unit (the Unit's "Unit designation"). The Unit designations of all Units added hereby and of all Units heretofore part of the Condominium are set forth on "Exhibit D" attached hereto and hereby made a part hereof.

b. Composition of Units. Each Unit added hereby constitutes a single freehold estate and consists of the space in the building designated with that Unit's Unit designation on the First Amendment to the Drawings and includes and excludes, as appropriate, those same items as are described and defined in the description of Units in the Declaration. A description of each type of Unit is also set forth on the attachment hereto marked "Exhibit E," and hereby made a part hereof. The type of each Unit added hereby (and of each other Unit) is also shown on "Exhibit D."

c. Unit Locations. The location of each Unit added hereby is shown on the First Amendment to the Drawings filed simultaneously herewith and on Exhibit B. Each Unit has direct access to Common Elements leading directly to Broadleigh Road or Chesterfield Road, both public streets.

7. Common and Limited Common Elements.

a. Common Elements. All of the Additional Property hereby added hereto, including all of the land and all improvements thereon and appurtenances thereto, except those portions labeled or described herein or in the First Amendment to the Drawings filed herewith as a part of a Unit, are Common Elements.

b. Limited Common Elements. Those portions of the Common Elements that are added hereby that are labeled or designated "limited common elements" on the First Amendment to the Drawings, or so designated herein, are Limited Common Elements. In the case of each Unit, these Limited Common of one or more of the following a porch or stoop area, a parking space or spaces, and/or a patio/yard area all as shown on the First Amendment to the Drawings. In each case, a Limited Common Element is reserved for the exclusive use of the Unit or Units that those improvements are designed or designated to serve. Under no circumstances, however, may a vehicle be parked in such a manner within the Limited Common Elements as to unreasonably interfere with vehicular access to another Unit Owner's garage. The foregoing provisions of this paragraph notwithstanding, the Board may permit the occasional, non-recurring parking of vehicles otherwise prohibited hereby or by the rules provided that such parking does not unreasonably interfere with vehicular access to another Unit Owner's garage.

c. Undivided Interests. The undivided interests in the Common Elements of each Unit in the Condominium, as expanded hereby, and as thereby allocated and reallocated, are as designated on the attached "Exhibit D" and, in each case, are based on a par value for each type of Unit that is set forth on Exhibit E. The undivided interest of each Unit is determined by dividing the par value of a Unit by the total of the par values of all Units in the Condominium at any time, multiplying by 100, and rounding to hundredths of a percent, and further adjusted at hundredths of a percent if necessary, in Declarant's sole discretion, so that the undivided interests of all Units equals precisely 100.00%. This exhibit supersedes, in its entirety, "Exhibit C" of the Declaration and amendments thereto. The Common Elements shall be owned by the Unit Owners as tenants in common, and ownership thereof shall remain undivided. No Unit Owner may waive or release

any rights in the Common Elements. Further, the undivided interest of a Unit in the Common Elements shall not be separated from the Unit to which it appertains.

8. Effects of Expansion. Upon the filing for record of this First Amendment to the Declaration adding Additional Property to the Condominium Property:

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

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

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

IN TESTIMONY WHEREOF, the undersigned has caused this instrument to be executed this 28th day of September 2023.

Legacy Village Condominiums, LLC,
an Ohio limited liability company

By _____
Joshua Ruben, Authorized Member

STATE OF OHIO
COUNTY OF FRANKLIN, SS:

This instrument was executed and acknowledged before me by Joshua Ruben, Authorized Member of Legacy Village Condominiums, LLC, an Ohio limited liability company, on behalf of said liability company, this 28th day of September 2023.

_____
Notary Public

Sonya L. Gould
Notary Public, State of Ohio
My Commission Expires 04-25-2026

This instrument was prepared by Calvin T. Johnson, Jr., Attorney at Law, Brosius, Johnson & Griggs, LLC, 1600 Dublin Road, Suite 100, Columbus, Ohio 43215.

EXHIBIT A

LEGAL DESCRIPTION – CONDOMINIUM PROPERTY
0.613 ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Lots 1 through 5 of Broadleigh, delineated in Plat Book 14, Page 16, same being that 1.304 acre tract as conveyed to Legacy Village Condominiums LLC, of record in Instrument Number 201711130159840, all references being those of record in the Franklin County, Ohio, Recorder's Office and being more particularly described as follows:

COMMENCING at a 5/8" iron pin found capped "EP FERRIS SURVEYOR 8342" being the southeasterly corner of said Lot 1 and Legacy Village Condominium of record in Condominium Plat Book 279, Page 39 and declared in Instrument Number 201906250075995, also being the northeasterly corner of a 0.064 acre tract as conveyed to Legacy Village Condominiums LLC in Instrument Number 201909130118864 being a portion of the first Alley south of East Broad Street, as shown in said Broadleigh, sold per Ordinance Number 1591-2019, being in the westerly line of Chesterfield Road (50'), as dedicated in Plat Book 14, Page 16 and Plat Book 16, Page 21;

Thence along the westerly line of said Chesterfield Road and the easterly line of said Lot 1 and said Legacy Village Condominium, North 04°05'06" East, 107.07 feet to a 5/8" iron pin found capped "EP FERRIS SURVEYOR 8342", being the northeasterly corner of said Legacy Village Condominium, said iron pin being the **TRUE POINT OF BEGINNING:**

Thence along the northerly lines of said Legacy Village Condominium, the following three (3) courses:

South 69°40'23" West, 12.00 feet to a point;

South 82°55'42" West, 267.84 feet to a point;

North 82°40'53" West, 10.00 feet to a 5/8" iron pin found capped "EP FERRIS SURVEYOR 8342", being on the easterly line of Broadleigh Road (60') as shown in said Broadleigh and the westerly line of said Lot 5 and being the northwesterly corner of said Legacy Village Condominium;

Thence along the westerly line of said Lot 5 and said 1.304 acre tract and along the easterly line of said Broadleigh Road, North 04°11'46" East, 89.99 feet to a point, (referencing a 3/4" hollow iron pin found at 0.28' south and 0.19 feet east), being the northwesterly corner of said Lot 5 and said 1.304 acre tract, also being on the intersection of southerly line of E. Broad Street (100'), as dedicated in Plat Book 14, Page 16, and the easterly line of said Broadleigh Road;

Thence along the northerly lines of said Lots 1 through 5 and said 1.304 acre tract and along the southerly line of said E. Broad Street, North 82°14'51" East, 289.68 feet to a 5/8" rebar found, being on the intersection of the southerly line of said E. Broad Street and the westerly line of said Chesterfield Road, also being the northeasterly corner of said Lot 1;

Thence along the westerly line of said Chesterfield Road and the easterly line of said Lot 1 and said 1.304 acre tract, South 04°05'06" West, 93.19 feet to the **TRUE POINT OF BEGINNING**, containing 0.613 acres, more or less.

Subject, however, to all legal easements, restrictions and rights of way, if any, of previous record.

All monuments found are in good condition unless otherwise noted.

All Iron Pins set are 5/8" rebar, with a yellow plastic cap with "EP FERRIS SURVEYOR 8342" inscribed on top.

The bearings for this description are based on a portion of the westerly right of way line of Chesterfield Road as being South 04° 05' 06" West, as determined by GPS observations utilizing Ohio Department of Transportation's VRS network, Ohio South Zone (NAD83, 2011).



Matthew Lee Sloat 9/28/23

Matthew Lee Sloat, P.E., P.S. Date
Registered Surveyor No. 8342

EXHIBIT A

LEGAL DESCRIPTION – CONDOMINIUM PROPERTY
0.064 ACRES

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Broadleigh, of record in Plat Book 14, Page 16, and being part of an Alley (16') as shown therein, being the first alley south of Broad Street and east of Broadleigh Road sold by Ordinance Number 1591-2019, and being all of a 0.064 acre tract as conveyed to Legacy Village Condominiums LLC in Instrument Number 201909130118864, all references being those of record in the Franklin County, Ohio, Recorder's Office and being more particularly described as follows:

BEGINNING at a 5/8" rebar found capped "EP FERRIS SURVEYOR 8342" at the common corner of said Alley and Lot 1 of said Broadleigh, being in the west line of Chesterfield Road (50'), of record in Plat Book 14, Page 16 and Plat Book 16, Page 21, being the southeasterly corner of Legacy Village Condominium, of record in Condominium Plat Book 279, Page 39 and declared in Instrument Number 201906250075995;

Thence along said westerly line, South 04°05'06" West, 16.35 feet to a 5/8" rebar found capped "EP FERRIS SURVEYOR 8342" at the common corner of said Alley and Lot 114 of said Broadleigh, as conveyed to Thomas P. Tussing and Diane D. Tussing in Instrument Number 199706160023964;

Thence with the common line of said Alley and said Lot 114 and Lot 62 of said Broadleigh, as conveyed to Kate M. McTavish in Instrument Number 201908120101381, South 82°16'24" West, passing a ¾" hollow iron pin capped "6579" at 145.13 feet, a total distance of 175.18 feet to a 5/8" rebar found capped "EP FERRIS SURVEYOR 8342";

Thence across said Alley, North 04°05'06" East, 16.35 feet, to a 5/8" rebar found capped "EP FERRIS SURVEYOR 8342" in the northerly line of said Alley and in the southerly line of Lot 4 of said Broadleigh and said Legacy Village Condominium;

Thence with the northerly line of said Alley, with part of the southerly line of said Lot 4, and with the southerly lines of Lot 3 and Lot 2 of said Broadleigh, said Lot 1 and said Legacy Village Condominium, North 82°16'24" East, 175.18 feet to the **TRUE POINT OF BEGINNING**, containing 0.064 acres (2,803 s.f.), more or less.

Subject, however, to all legal easements, restrictions and rights of way, if any, of previous record.

All monuments found are in good condition unless otherwise noted.

All Iron Pins set are 5/8" rebar, with a yellow plastic cap with "EP FERRIS SURVEYOR 8342" inscribed on top.

The bearings for this description are based on a portion of the westerly right of way line of Chesterfield Road as being South 04°05'06" West, as determined by GPS observations utilizing Ohio Department of Transportation's VRS network, Ohio South Zone (NAD83, 2011).



Matthew Lee Sloat 9/20/23

Matthew Lee Sloat, P.E., P.S. Date
Registered Surveyor No. 8342

Legacy Village Condominium

FIRST AMENDMENT - EXHIBIT B

Situated in the State of Ohio, County of Franklin, City of Columbus, Being part of Broadleigh as recorded in Plat Book 14 Page 16.

LEGEND

PL Property Line
R/W Right-of-Way
O IP Fnd
POB Point of Beginning
Existing Concrete Walk/Drive
2967 Unit Designation
Limited Common Elements

NOTES:

ALL AREAS NOT DESIGNATED AS UNITS OR LIMITED COMMON ELEMENTS ARE COMMON ELEMENTS.

ZONING:
ARLD (Z68-054)
VARIANCE BZA15-140

BASIS OF BEARINGS

The bearings for this exhibit are based on a portion of the westerly right of way line of Chesterfield Road as being South 04°05'06" West, as determined by GPS observations utilizing Ohio Department of Transportation's VRS network, Ohio South Zone (NAD83, 2011).

E. BROAD ST. (100')
PLAT BOOK 14 PG. 16

COMMON ELEMENT

N82°14'51"E 289.68'

LEGACY VILLAGE CONDOMINIUMS LLC
PID 010-088338
I.N. 201711130159840
1.304 Ac.

CONDOMINIUM PROPERTY
0.613 ACRES

2966 2970 2974 2978 2982 2986 2990 2994

5' BUILDING SETBACK
12' BUILDING SETBACK

BLOCK WALL

PAVERS
TREE ISLAND

GATE ASSEMBLY

S82°55'42"W 267.84'

BERNARD VIEW LANE
(PRIVATE)

N82°40'53"W 10.00'

S69°40'23"W 12.00'

POB 0.613 AC

BROADLEIGH RD. (60')
PLAT BOOK 14 PG. 16

CHESTERFIELD RD. (50')
PLAT BOOK 14 PG. 16
PLAT BOOK 16 PG. 21

BROADLEIGH
P.B. 14, PG 16

LEGACY VILLAGE CONDOMINIUM
C.P.B. 279, PG. 39
DECLARATION I.N. 201906250075995

LOT 5 LOT 4 LOT 3 LOT 2 LOT 1

BUILDING SETBACK

N82°16'24"E 175.18'

N04°05'06"E 16.35'

ALLEY (16')
PLAT BOOK 14 PG. 16

LEGACY VILLAGE CONDOMINIUMS LLC
PID 010-300129
I.N. 201909130118864
0.064 Ac.

SOLD PER ORD. NO. 1591-2019

CONDOMINIUM PROPERTY
0.064 ACRES

POB 0.064 AC
POC 0.613 AC

S04°05'06"W 16.35'

S82°16'24"W 175.18'

Ex. Asphalt Driveway

LOT 62

KATE M. MCTAVISH
IN 201908120101381

LOT 114

THOMAS P. TUSSING AND
DIANE D. TUSSING
IN 199706160023964

Scale: 1"= 20'

Field survey was conducted on 9/13/23. All monuments found are in good condition unless otherwise noted.
We hereby certify that the foregoing Boundary Survey was prepared from actual field measurements in accordance with Chapter 4733-37 Ohio Administrative Code.

PLAN PREPARED BY:
E. P. FERRIS AND ASSOCIATES INC
Consulting Civil Engineers and Surveyors

984023

Legacy Village Condominium

FIRST AMENDMENT - EXHIBIT C

Situated in the State of Ohio, County of Franklin, City of Columbus, Being part of Broadleigh as recorded in Plat Book 14 Page 16.

LEGEND

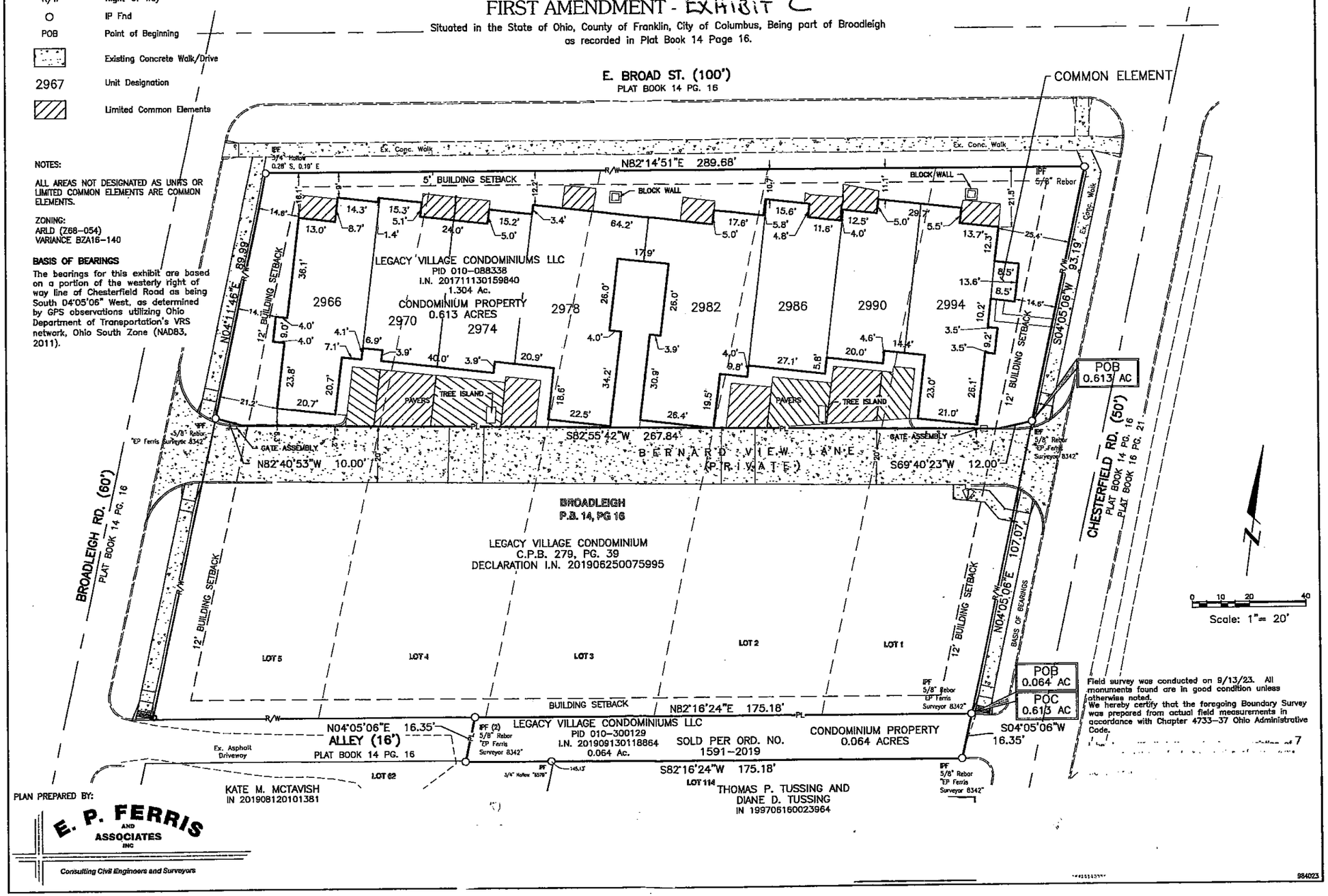
PL Property Line
R/W Right-of-Way
O IP Fnd
POB Point of Beginning
Existing Concrete Walk/Drive
2967 Unit Designation
Limited Common Elements

NOTES:

ALL AREAS NOT DESIGNATED AS UNITS OR LIMITED COMMON ELEMENTS ARE COMMON ELEMENTS.

ZONING:
ARLD (Z68-054)
VARIANCE BZA16-140

BASIS OF BEARINGS
The bearings for this exhibit are based on a portion of the westerly right of way line of Chesterfield Road as being South 04°05'06" West, as determined by GPS observations utilizing Ohio Department of Transportation's VRS network, Ohio South Zone (NAD83, 2011).



Field survey was conducted on 9/13/23. All monuments found are in good condition unless otherwise noted.
We hereby certify that the foregoing Boundary Survey was prepared from actual field measurements in accordance with Chapter 4733-37 Ohio Administrative Code.

PLAN PREPARED BY:

E. P. FERRIS AND ASSOCIATES INC
Consulting Civil Engineers and Surveyors

984023

EXHIBIT D

FIRST AMENDMENT
DECLARATION OF CONDOMINIUM
LEGACY VILLAGE CONDOMINIUM

Unit Information

I. Existing Units:

Unit Designation	Unit Address	Unit Type	Par Value	Undivided Interest
2967	2967 Bernard View Lane	A	1.10	6.18%
2971	2971 Bernard View Lane	B	1.00	5.62%
2975	2975 Bernard View Lane	B	1.00	5.62%
2979	2979 Bernard View Lane	B	1.00	5.62%
2983	2983 Bernard View Lane	B	1.00	5.62%
2987	2987 Bernard View Lane	B	1.00	5.62%
2991	2991 Bernard View Lane	B	1.00	5.62%
2995	2995 Bernard View Lane	B	1.00	5.62%
2999	2999 Bernard View Lane	A	1.10	6.18%

II. Units Added Hereby:

Unit Designation	Unit Address	Unit Type	Par Value	Undivided Interest
2966	2966 Bernard View Lane	2BR-R	1.00	5.61%
2970	2970 Bernard View Lane	3BR-TH	1.10	6.18%
2974	2974 Bernard View Lane	3BR-TH	1.10	6.18%
2978	2978 Bernard View Lane	3BR-R	1.10	6.18%
2982	2982 Bernard View Lane	3BR-R	1.10	6.18%
2986	2986 Bernard View Lane	3BR-TH	1.10	6.18%
2990	2990 Bernard View Lane	3BR-TH	1.10	6.18%
2994	2994 Bernard View Lane	2BR-R	1.00	5.61%
			Total	100.00%

EXHIBIT E

FIRST AMENDMENT
DECLARATION OF CONDOMINIUM
LEGACY VILLAGE CONDOMINIUM

Unit Types and Par Values

I. Unit Types.

Type	Description
A	Two-story townhouse style Unit consisting of a two-car garage, a foyer, bedroom, one and one-half bathrooms, great room, dining area and kitchen at street level, two bedrooms, a bathroom, loft and storage area on the second floor, and, in some instances, a storage area above the second floor, and containing between 2,829 and 2,990 gross interior square feet(1).
B	Two-story townhouse style Unit consisting of a two-car garage, a foyer, bedroom, one and one-half bathrooms, great room, dining area and kitchen at street level, two bedrooms, a bathroom, loft and storage area on the second floor, and, in some instances, a storage area above the second floor, and containing between 2,386 and 2,758 gross interior square feet(1).
3BR-R	Single-story ranch style Unit consisting of a two-car garage, three bedrooms, two and one-half bathrooms, living room, kitchen, laundry room and mechanical room at street level, and containing approximately 2,419 gross interior square feet(1).
3BR-TH	Two-story townhouse style Unit consisting of a two-car garage, one bedroom, one and one-half bathrooms, living room, laundry and kitchen at street level, two bedrooms, one bathroom, mechanical room, a screened porch, and flex space on the second floor, and containing approximately 2,576 gross interior square feet(1).
2BR-R	Single-story ranch style Unit consisting of a two-car garage, two bedrooms, two and one-half bathrooms, living room, kitchen, laundry room and mechanical room at street level, and containing approximately 1,932 gross interior square feet(1).

II. Par Values.

Unit Type	Par Value
A, 3BR-R, 3BR-TH	1.10
B, 2BR-R	1.00

(1) Gross interior square feet means the approximate gross area constituting the Unit at all levels, is measured from the undecorated inner surfaces of its boundary walls, and includes space occupied by interior partitions, staircases and voids, as well as space in the garage area. This measurement is not the measurement normally used in the real estate industry for sales and leasing purposes.