

SUPPLEMENTAL DECLARATION

KENSINGTON PLACE SECTION 3, PART I TO DECLARATION OF COVENANTS, EASEMENTS, RESTRICTIONS, ASSESSMENTS OF KENSINGTON PLACE

This Supplemental Declaration of Covenants, Easements, Restriction and Assessments liens is made on or as of this 29th day of June, 1999, by CROSSMANN COMMUNITIES OF OHIO, INC. an Ohio corporation, with offices at 929 Eastwind Drive, Suite 201, Westerville, OH 43081 (Declarant).

RECITALS

- A. WHEREAS, Declarant is the owner in fee simple of the following REAL PROPERTY:

Situated in the State of Ohio, County of Delaware, and in the City of Delaware, being located in Lots 7411 through 7462, both inclusive, in Kensington Place, Section 3, Part I, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Cabinet 2, slides 216, 216A and 216B, Recorder's Office, Delaware County, Ohio.

Last transfer: Deed Book 587, page 199, Recorder's Office, Delaware, Ohio

Each of these Lots is referred to as a "Lot", and collectively they are referred to herein as the "Lots". A "Lot Owner" is each owner of a fee simple interest in a Lot. The Kensington Place Section 1 Subdivision, the Kensington Place Section 2 Subdivision, and the Kensington Place Section 3, Part I are referred to as the "Subdivision".

- B. WHEREAS, as to Kensington Place Section 1, Declarant has filed a Declaration of Covenants, Easements, Restrictions and Assessment liens of record in Deed Book 615, page 589, Recorder's Office, Delaware, Ohio (The Declaration). The Declaration is made a part hereof by this reference.

- C. WHEREAS, as to Kensington Place Section 2, Declarant has filed a Supplemental Declaration to Declaration of Covenants, Easements, Restrictions, Assessments of Kensington Place Section 1 of record in Volume 0641, Page 354, Recorder's Office, Delaware, Ohio. Said Declaration is made a part hereof by reference.

- D. WHEREAS, Article IV Section 32 of The Declaration states "Right to Expand: Consonant with the foregoing, if within 10 years of the date of the recording of this Declaration, Declarant or its successors or assigns shall plat all or a portion of this contiguous property into lots substantially similar to the layout of the Subdivision, and if the same is developed with single-family residential homes on the lots all or some of the lots and reserves, if any, may, at Declarant's sole discretion, be subjected

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to the provisions hereof, and those lots and reserves made a part of the plan created hereby, by the execution and recording by Declarant, or its designated successors and assigns, of a Supplemental Declaration describing the Property to be subject to this plan and reciting that the provisions hereof shall be applicable thereto and to the owners thereof.*

NOW THEREFORE, Declarant hereby declares that the Lots and Drainage reserves shall be held, sold, conveyed and occupied subject to the plan, provisions, covenants, easements and restrictions of The Declaration which are for the purpose of protecting the values and desirability of, and which shall run with the Lots and Drainage Reserves, and each part thereof, and be binding on all parties having a right, title or interest in the same, and each part thereof, and their respective personal representatives, heirs, successors and assigns and shall inure to the benefit of and be enforceable by Declarant and each Lot Owner, and their respective personal representatives, heirs, successors and assigns and the Association.

IN WITNESS WHEREOF, Declarant, Crossmann Communities of Ohio, Inc., has caused these presents to be executed by David P. Clark, its Vice President.

Jodie King
Sheila L. Bachelors

Crossmann Communities of Ohio, Inc.

By: [Signature]
David P. Clark, Vice President

STATE OF OHIO
COUNTY OF FRANKLIN, SS:

BE IT REMEMBERED, That on June 29th, 1999, before me, the subscriber, a Notary Public in and for said State, personally came Crossmann Communities of Ohio, Inc., by David P. Clark, its Vice President, and acknowledged the signing hereof to be his voluntary act and deed on behalf of said corporation.

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

[Signature]
Notary Public

THIS INSTRUMENT PREPARED BY:

MAGNUSON & BARONE
1001 EASTWIND DRIVE, SUITE 402
WESTERVILLE, OH 43081



OFFICIAL SEAL
Jodie King
Notary Public - Ohio
Franklin County
My Commission Expires
Mar 3, 2003

9900022981
ORIGINAL FILE
PICK UP

9900022981
Filed for Record in
DELAWARE COUNTY, OHIO
KAY E. CONKLIN
On 07-09-1999 At 02:35 pm.
DECLAR AMEN 18.00
Vol. 667 Pg. 451 - 452

2 NOTARIAL

Provisions contained in any deed or other instrument for the conveyance of a dwelling which restrict the sale, rental or use of the property because of race or color are invalid under federal law and are unenforceable.