

**THIRD AMENDMENT TO  
MASTER DECLARATION OF COVENANTS,  
EASEMENTS AND RESTRICTIONS  
FOR ABERDEEN**

**CUYAHOGA COUNTY RECORDER  
PATRICK J. OMALLEY  
DEEA 01/23/2002 11:58:52 AM  
200201231175**

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WHEREAS, Miner Properties, Ltd., an Ohio limited liability company ("Declarant"), and Aberdeen Community Master Homeowners Association, Inc., an Ohio not-for-profit corporation (the "Association"), entered into a Declaration of Covenants, Easements and Restrictions, dated March 17, 1995, recorded in Volume 95-01966, Page 46 of the records of the Recorder of Cuyahoga County, Ohio (the "Master Declaration"); and

WHEREAS, the Master Declaration was amended pursuant to a First Amendment thereto dated July 16, 1998 and recorded on August 18, 1998 in Volume 98-10576, page 19 of the records of The Cuyahoga County Recorder; and

WHEREAS, the Master Declaration was amended pursuant to a Second Amendment thereto dated MARCH 3, 1999, and recorded on MARCH 11, 1999 as Instrument Number 199903110681 of the records of The Cuyahoga County Recorder; and

WHEREAS, Declarant desires to further amend the Master Declaration.

NOW, THEREFORE, Declarant hereby amends the Master Declaration pursuant to Article XIV, Section 3 thereof, as follows:

1. Article XII, Section 27 shall be deleted in its entirety.

Except as herein amended, the Master Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned has hereunto set its hand at Cleveland, Ohio as of the 24<sup>th</sup> day of December, 2001.

Signed and acknowledged  
in the presence of:

Michelle L. Haef  
MICHELLE L. HAEF

Michael A. Shemp  
MICHAEL A. SEMP

MINER PROPERTIES, LTD.

By: [Signature]  
Sam Miller,  
Administrative Officer

And By: [Signature]  
Milton Wolf,  
Administrative Officer

STATE OF OHIO )  
 ) SS:  
COUNTY OF CUYAHOGA )

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Before me, a Notary Public, in and for said County and State, personally appeared Sam Miller and Milton Wolf, known to me to be the persons, who as Administrative Officers of MINER PROPERTIES, LTD., the limited liability company which executed the foregoing instrument, signed the same, and acknowledged to me that they did so sign said instrument in the name and upon behalf of said limited liability company as such officers, respectively; that the same is their free act and deed as such officers, and the free act and deed of said limited liability company.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal at Cleveland, Ohio this 24<sup>th</sup> day of December, 2001.

Michael T. Holowaty  
Notary Public  
MICHAEL T. HOLOWATY  
Notary Public, State of Ohio, Cuy. Cty.  
My Commission Expires Feb. 2, 2002

The Aberdeen Community Master Homeowners Association joins in the execution of this Third Amendment to Master Declaration to express its consent and approval of the terms and provisions hereof, this 24<sup>th</sup> day of December, 2001.

Signed and acknowledged  
in the presence of:

Maria Pontius

Michael Hoff

ABERDEEN COMMUNITY MASTER  
HOMEOWNERS ASSOCIATION

By: Michael A. Shemo  
Michael A. Shemo,  
its President

And By: Robert F. Monchein  
Robert F. Monchein,  
its Secretary

STATE OF OHIO )  
 ) SS:  
COUNTY OF CUYAHOGA )

The foregoing instrument was acknowledged before me, a Notary Public, on the 24<sup>th</sup> day of December, 2001, by Michael A. Shemo, the President and Robert F. Monchein, the Secretary of the ABERDEEN COMMUNITY MASTER HOMEOWNERS ASSOCIATION, an Ohio not-for-profit corporation, on behalf of the corporation.

Michael T. Holowaty  
Notary Public  
MICHAEL T. HOLOWATY  
Notary Public, State of Ohio, Cuy. Cty.  
My Commission Expires Feb. 2, 2002

This Instrument Prepared By:  
Jennifer A. Victor, Esq.  
Terminal Tower  
50 Public Square, Suite 1160  
Cleveland, Ohio 44113-2267