

FOURTH AMENDMENT TO
MASTER DECLARATION OF COVENANTS, EASEMENTS AND RESTRICTIONS
OF ABERDEEN COMMUNITY MASTER HOMEOWNERS ASSOCIATION

THIS FOURTH AMENDMENT to Master Declaration ("Fourth Amendment") is entered into as of the 1st day of November, 2004 (the "Effective Date") between Miner Properties, Ltd., an Ohio limited liability company ("Declarant"), and Aberdeen Community Master Homeowners Association, an Ohio not-for-profit corporation (the "Association").

WITNESSETH:

WHEREAS, Declarant and the Association, entered into a Master Declaration of Covenants, Easements and Restrictions of Aberdeen, dated March 17, 1995, recorded in Volume 95-01966, Page 46 of the Cuyahoga County Recorder's Office, Cleveland, Ohio (the "Master Declaration");

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 Cuyahoga County Recorder's Office, Cleveland, Ohio;

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 in the Cuyahoga County Recorder's Office, Cleveland, Ohio;

WHEREAS, the Master Declaration was amended pursuant to a Third Amendment thereto dated December 24, 2001, and recorded on January 23, 2002 as Instrument Number 200201231175 in the Cuyahoga County Recorder's Office, Cleveland, Ohio; 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.

1. Article XII, Section 7. shall be amended and shall read as follows:

Section 7. Basketball Hoops and Other Items:

a) Basketball Hoops - Portable.

Portable basketball hoops ("Portable Standards") can be installed only on seasonal basis between April 15th and November 15th of each year within the life of this Master Declaration. Seasonal storage of the Portable Standards between November 15th and April 15th of each year is required. Storage means inside or not visible from any side of the property. Portable Standards are not allowed to block the public sidewalk, may not be located in the street, and may not be located between the sidewalk and the street. Portable Standards must be upright at all times and must be located on or adjacent to the owner's driveway with a minimum of 10 feet

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b) Other Items.

Except as herein amended, all other terms and conditions of the Master Declaration shall be unamended and remain in full force and effect.

IN WITNESS WHEREOF, the undersigned has hereunto set its hand at Cleveland, Ohio as of the 15th day of November, 2004.

Signed and acknowledged
in the presence of:

MINER PROPERTIES, LTD.

Michaelene Pilch
Michaelene Pilch

By: [Signature]
Sam Miller
Administrative Officer

[Signature]

And By: [Signature]
Milton Wolf
Administrative Officer

STATE OF OHIO)
) SS:
COUNTY OF CUYAHOGA)

Before me, a Notary Public, in and for said County and State, personally appeared Sam Miller, known to me to be the person, who as Administrative Officer of MINER PROPERTIES, LTD., the limited liability company which executed the foregoing instrument, signed the same, and acknowledged to me that he did so sign said instrument in the name and upon behalf of said limited liability company as such officer, respectively; that the same is his free act and deed as such officer, 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 15th day of November, 2004.

Michaelene S. Pilch
Notary Public

STATE OF OHIO)
) SS:
COUNTY OF CUYAHOGA)

MICHAELENE S. PILCH
Notary Public, State of Ohio
My Commission Expires Sept. 27, 2005
Recorded in Cuyahoga County

Before me, a Notary Public, in and for said County and State, personally appeared Milton Wolf, known to me to be the person, who as Administrative Officer of MINER PROPERTIES, LTD., the limited liability company which executed the foregoing instrument, signed the same, and acknowledged to me that he did so sign said instrument in the name and upon behalf of said limited liability company as such officer, respectively; that the same is his free act and deed as such officer, 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 14th day of October, 2004.

Michael T. Holowaty
Notary Public

MICHAEL T. HOLOWATY
Notary Public, State of Ohio, Cuy. Cty.
My commission expires Feb. 2, 2007

CUYAHOGA COUNTY RECORDER

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The Aberdeen Community Master Homeowners Association joins in the execution of this Fourth Amendment to Master Declaration to express its consent and approval of the terms and provisions hereof, this 15th day of November, 2004.

Signed and acknowledged
in the presence of:

Maria Shenton

**ABERDEEN COMMUNITY MASTER
HOMEOWNERS ASSOCIATION**

By: Michael A. Shemo
Michael A. Shemo
President

Michaelene Pilch
Michaelene Pilch

And By: Robert F. Monchein
Robert F. Monchein
Vice President and Secretary

STATE OF OHIO)
) SS:
COUNTY OF CUYAHOGA)

The foregoing instrument was acknowledged before me, a Notary Public, on the 14th day of October, 2004, by Michael A. Shemo, the President of the ABERDEEN COMMUNITY MASTER HOMEOWNERS ASSOCIATION, an Ohio not-for-profit corporation, on behalf of the corporation.

Michael T. Holowaty
Notary Public

STATE OF OHIO)
) SS:
COUNTY OF CUYAHOGA)

MICHAEL T. HOLOWATY
Notary Public, State of Ohio, Cuy. Cty.
My commission expires Feb. 2, 2007

The foregoing instrument was acknowledged before me, a Notary Public, on the 5th day of November, 2004, by Robert F. Monchein, the Vice President and Secretary of the ABERDEEN COMMUNITY MASTER HOMEOWNERS ASSOCIATION, an Ohio not-for-profit corporation, on behalf of the corporation.

Michaelene S. Pilch
Notary Public

MICHAELENE S. PILCH
Notary Public, State of Ohio
My Commission Expires Sept. 27, 2005
Recorded in Cuyahoga County

This Instrument Approved By:
Amanda M. Seewald, Esq.
Terminal Tower
50 Public Square, Suite 1160
Cleveland, Ohio 44113-2267

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