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STARK COUNTY RECORDER

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SIXTH AMENDED DECLARATION
OF CONDOMINIUM OWNERSHIP
under Chapter 5311 of the Ohio Revised Code
for
SHERBROOK CONDOMINIUM

August 7th, 1997

This is to certify that copies of the Sixth Amended Declaration and Drawings for Sherbrook Condominium have been filed this date with the Auditor of Stark County, Ohio.

Janet W. Kreigher
Auditor of Stark County
Patricia A. Follis, Deputy Auditor

C:\HARTNETT\MISC\SMTHDEV.6TH[TEH:llm]

INDEX	<i>A</i>
DESCRIPTION	<i>e</i>
CROSS REF	

SIXTH AMENDMENT TO
DECLARATION OF SHERBROOK CONDOMINIUM

This is the Sixth Amendment to the Declaration of Sherbrook Condominium made this 24th day of July, 1997 by SMITH DEVELOPMENT CORPORATION (hereinafter referred to as Declarant) pursuant to the provisions of Chapter 5311 of the Revised Code of Ohio.

W I T N E S S E T H:

WHEREAS, Francis General Construction, Inc. (hereinafter "Francis") executed a Declaration of Condominium Ownership dated June 19, 1989, known as The Declaration of Condominium Ownership for Sherbrook Condominium which was filed for record in the Stark County, Ohio Records Office and recorded on June 19, 1989 in Volume 823, Page 453, a First Amendment to Declaration of Sherbrook Condominium dated March 5, 1990 and recorded in Volume 911, Page 777, of the Stark County, Ohio Official Records; a Second Amendment of Declaration of Condominium Ownership dated July 20, 1990 and recorded in Volume 957, Page 101 of the Stark County, Ohio Official Records; a Third Amendment to the Declaration of Condominium Ownership dated April 10, 1991 and recorded in Volume 1041, Page 301 of the Stark County, Ohio Official Records.

WHEREAS, Francis' interest in the remaining additional property in Sherbrook Condominium was sold as the result of a foreclosure proceeding, at sheriff's sale, and was acquired by Declarant along with the remaining unsold condominium units located at Sherbrook Condominiums.

WHEREAS, Declarant and the Sherbrook Condominium Unit Owners Association, Inc. have executed a Fourth Amendment of Declaration

of Condominium Ownership dated December 8, 1994 and recorded in Volume 1751, Page 547 of the Stark County, Ohio Official Records, for the purpose, among other things, to name Smith Development Corporation as the Declarant of Sherbrook Condominium.

WHEREAS, Declarant has filed a Fifth Amended Declaration of Condominium Ownership for Sherbrook Condominium, dated May 18, 1995 and recorded in Stark County Official Record Imaging No. 95021856.

WHEREAS, pursuant to the Third Amended Declaration of Condominium Ownership for Sherbrook Condominium, the Declarant specifically set forth additional expansion area in Phase IIIA consisting of 75.90 feet on the east and west sides and 129.06 feet on the north and south sides of Phase IIIA, consisting of approximately 9795.65 square feet;

WHEREAS, pursuant to Article XVII of the Declaration, Declarant has reserved the right to amend the original Declaration for the purpose of expanding and adding additional property to the Condominium;

WHEREAS, Declarant has now determined to add the additional property to the original development so that said property shall become Condominium Property in all respects and be subject to the same requirements and conditions as the present Condominium Property in Sherbrook Condominium; and

NOW, THEREFORE, Declarant does hereby submit the following amendments to the Declaration of Condominium Ownership of Sherbrook Condominium:

1. Exhibit "A" to the Declaration of Condominium Ownership for Sherbrook Condominium is hereby amended by adding thereto, if not previously added, the real property described in Exhibit "A" attached hereto and made a part hereof.

2. Exhibit "B" to the Declaration of Condominium Ownership of Sherbrook Condominiums is hereby amended by adding thereto the layout, location designation and dimension of Building 411, Units A, B, C and D, as shown on the drawings in Exhibit "B-1" through "B-9" attached hereto and made a party hereof.

3. Exhibit "C" to the Declaration of Condominium Ownership of Sherbrook Condominiums is hereby deleted and replaced with the following:

SCHEDULE OF COMMON AREA OWNERSHIP

	<u>Square Feet</u>	<u>Percentage of Common Area Ownership</u>
Building 140		
Unit A	1062	.021
Unit B	1207	.024
Unit C	1062	.021
Unit D	1207	.024
Sherbrook Circle		
Unit 410	1644	.033
Unit 412	1846	.037
Unit 414	1644	.033
Building 142		
Unit A	1118	.022
Unit B	1207	.024
Unit C	1118	.022
Unit D	1207	.024
Building 144		
Unit A	1118	.022
Unit B	1207	.024
Unit C	1118	.022
Unit D	1207	.024

	<u>Square Feet</u>	<u>Percentage of Common Area Ownership</u>
Sherbrook Circle		
Unit 422	1644	.033
Unit 424	1644	.033
Unit 426	2810	.057
Unit 428	1644	.033
Building 413		
Unit A	1365	.027
Unit B	1344	.027
Unit C	1354	.027
Unit D	1354	.027
Sherbrook Circle		
Unit 416	1289	.025
Unit 418	1624	.032
Unit 420	1311	.026
Sherbrook Circle		
Unit 415	1419	.028
Unit 417	1419	.028
Unit 419	1419	.028
Unit 421	1419	.028
Unit 423	1419	.028
Unit 425	1419	.028
Building 411		
Unit A	1378	.027
Unit B	1378	.027
Unit C	1378	.027
Unit D	1378	.027
Total	50,381	100%

4. Exhibit "D" of the Declaration of Condominium Ownership of Sherbrook Condominium is hereby amended by deleting the real property described in Exhibits "A" attached hereto and made a part hereof.

5. The original Declaration and Bylaws, original drawings and other Exhibits to the Declaration as each have been amended hereby shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned has executed this instrument this 24th day of July, 1997.

Signed in the Presence of:

Vera C. Kupala
Valeri D. Amos

DECLARANT:

SMITH DEVELOPMENT CORPORATION

By: Steve Smith Pres.
Steve Smith, President

STATE OF OHIO)
) SS:
COUNTY OF STARK)

Before me, a Notary Public in and for said County and State personally appeared the above-named SMITH DEVELOPMENT CORPORATION, an Ohio corporation, by Steve Smith, its President, who acknowledged that he did sign the foregoing instrument on behalf of said Corporation and that the same is its free act and deed, and the free act and deed of him personally as such officer.

In testimony whereof, I have hereunto set my hand and official seal, at Canton, Ohio, this 24 day of July, 1997.

Vera C. Kupala
Notary Public

C:\HARTNETT\MISC\SMTHDEV.6TH[TEH:llm]



VERA A. KIEFABER
Notary Public, State of Ohio
My Commission Expires Aug. 21, 2000
Recorded in Stark County

BUCKEYE SURVEYING SERVICES, INC.

Suite 202 - Fulton Bldg.

2223 Fulton Drive N.W.

Canton, Ohio 44709

President
Bruce D. Conery, P.S.

(216) 453-8339
FAX (216) 453-5570

April 27, 1995

Description of a 0.250 Acre Tract

Situated in the City of North Canton, County of Stark, and State of Ohio and known as being part of Out Lot 209 in said City of North Canton, more fully bounded and described as follows, to-wit;

Beginning at the northeast corner of the Northeast Quarter of Section 7, Plain Township, (T-11,R-8), thence S03°50'00"W along the east line of said Section 7, a distance of 1156.08 feet to the northeast corner of Out Lot 58 in said City of North Canton, thence N86°03'33"W along the north line of said Out Lot 58, a distance of 166.00 feet to the true place of beginning for the tract of land herein described;

1. Thence continuing N86°03'33"W along the north line of said Out Lot 58 a distance of 129.06 feet to a point on the east line of Phase 11A in Sherbrook Condominium as recorded in Condo Plat Book 3 page 79 of the Stark County Condo Plat Records;
2. Thence N03°49'04"E along the east line of said Phase 11A and an east line of Phase I in Sherbrook Condominium as recorded in Condo Plat Book 3 page 65 of the Stark County Condo Plat Records, a distance of 84.36 feet to a point at a corner of said Phase I;
3. Thence S86°03'33"E along a south line of said Phase I, a distance of 129.08 feet to a corner of said Phase I;
4. Thence S03°50'00"W along a line of said Phase I, a distance of 84.36 feet to the true place of beginning.

The above described tract of land contains 0.250 of an acre of land as determined by Bruce D. Conery, P.S. no. 6499 of Buckeye Surveying Services, Inc., of Canton, Ohio, in April of 1995 and is not of a boundary survey.

NCC8001.

EXHIBIT A

SHERBROOK CONDOMINIUMS

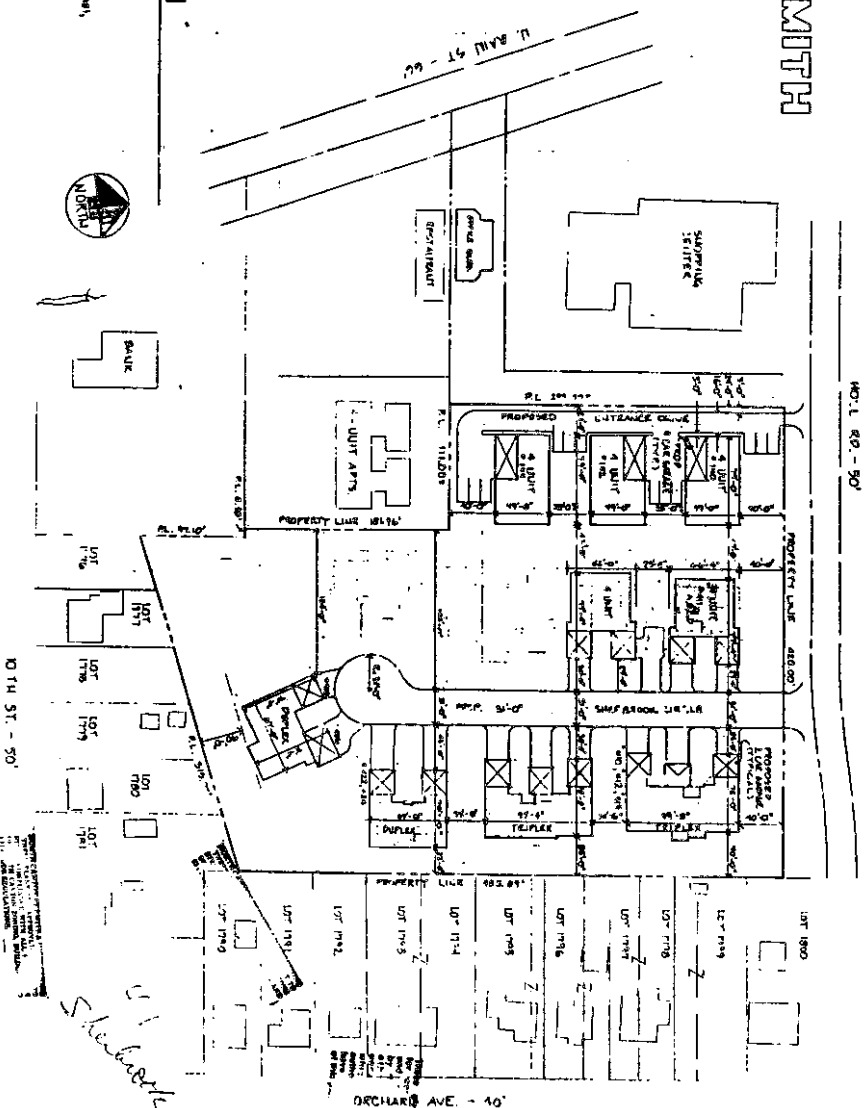
HOLL ROAD NORTH CANTON, OHIO
 DEVELOPED BY SMITH HOMES

THOMAS H. KLINGENSMITH
 ARCHITECT

SITE PLAN

SCALE: 1" = 50'-0"

BOLDAKER PARKING LOT TAKEN FROM
 SURVEY OF UNIVERSITY AVENUE, 1971,
 AND SHOWN AS PARKING LOT ON
 MAP OF O.L. 53 DATED JULY 1988.



NO. 1, 80-90'

D. TH. ST. - 50'

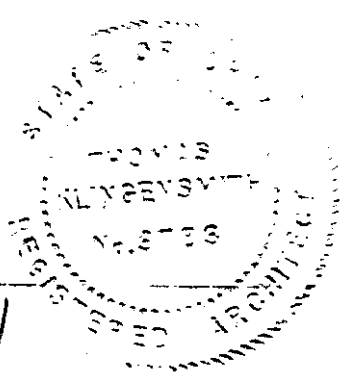


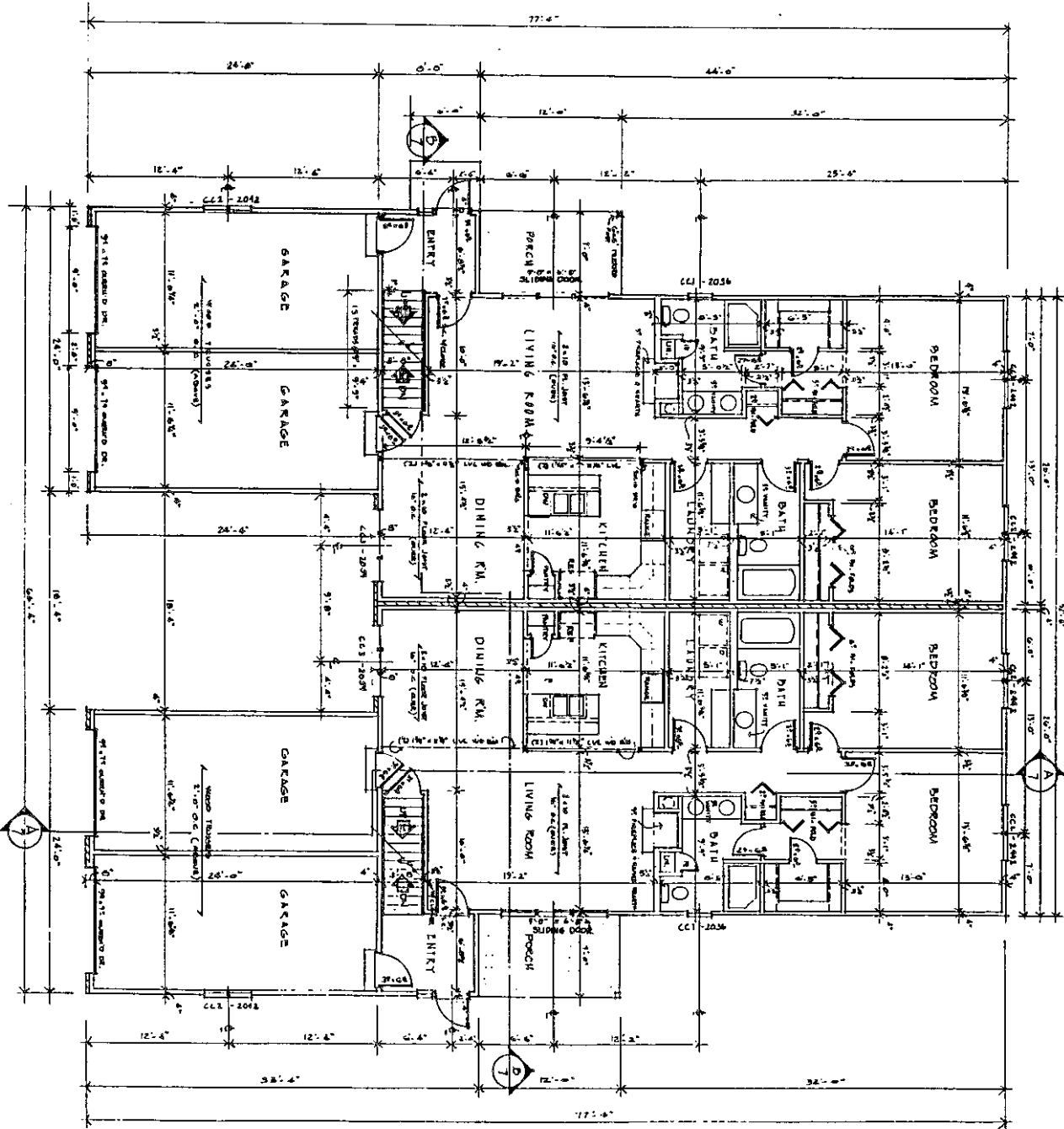
EXHIBIT B-1

SDA
 STATE OF OHIO
 DEPARTMENT OF PUBLIC SAFETY
 DIVISION OF PUBLIC SAFETY
 100 EAST WASHINGTON STREET
 COLUMBUS, OHIO 43260
 614-467-2200

FIRST FLOOR PLAN

36' FOOTING THIS FLOOR, TOTAL 2010'

1/370 PER EACH UNIT & 60 SQ FT PER ENTRY



3
DATE: JUNE 15, 1955
COMM. NO. 7919

PROPOSED NEW 4 UNIT CONDOMINIUM
for SHERBROOK CONDOMINIUMS
SHERBROOK CIRCLE - NORTH CANTON, OHIO
STEVE SMITH CONSTRUCTION, INC.

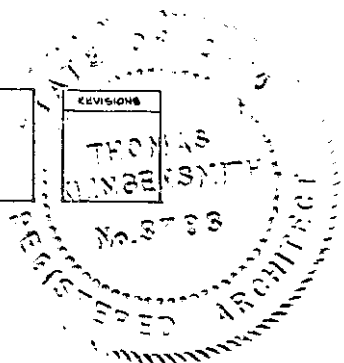
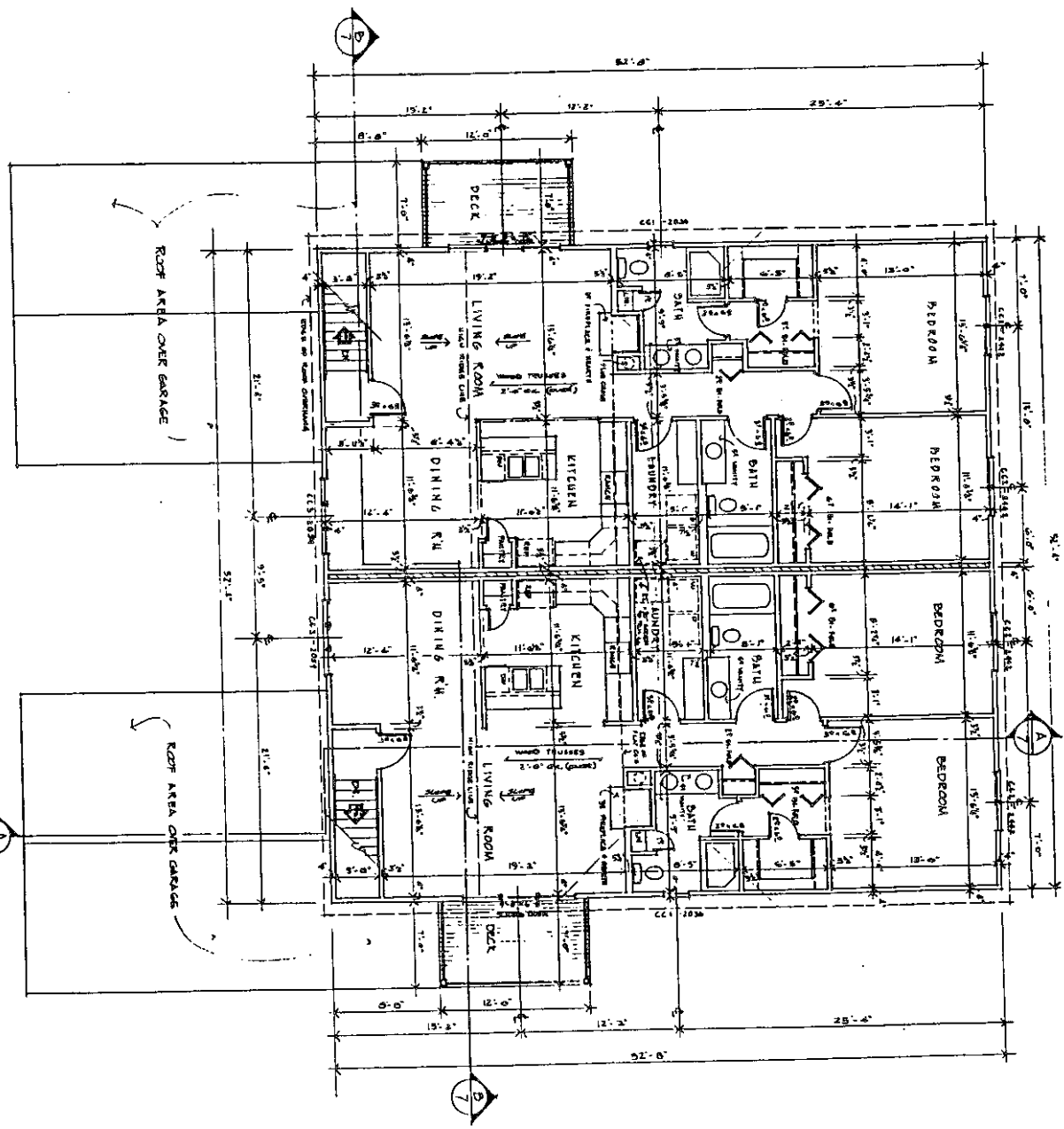


EXHIBIT B-3

2ND FLOOR PLAN 1/4" SCALE 1/8" = 1'-0"

50' FOOTWALL THIS FLOOR, TOTAL 3,150' (120' PER EACH UNIT)



DATE: JUNE 10, 1985
 COMM. NO. 9519

PROPOSED NEW 4 UNIT CONDOMINIUM
 for SHERBROOK CONDOMINIUMS
 SHERBROOK CIRCLE • NORTH CANTON, OHIO
 STEVE SMITH CONSTRUCTION, INC.

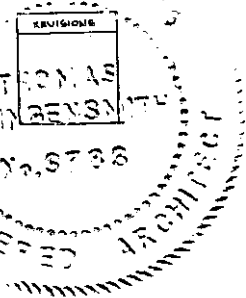
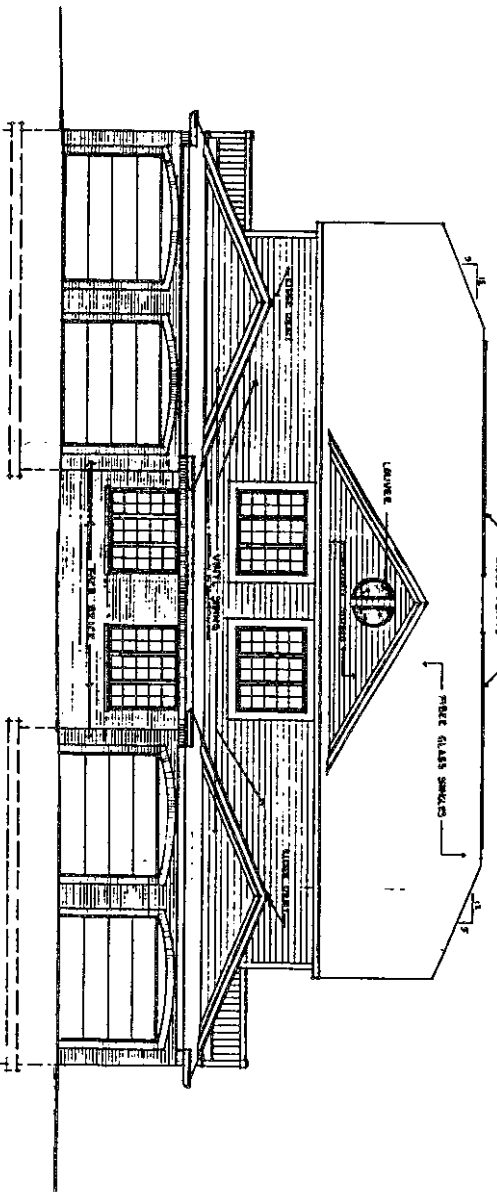


EXHIBIT B-4

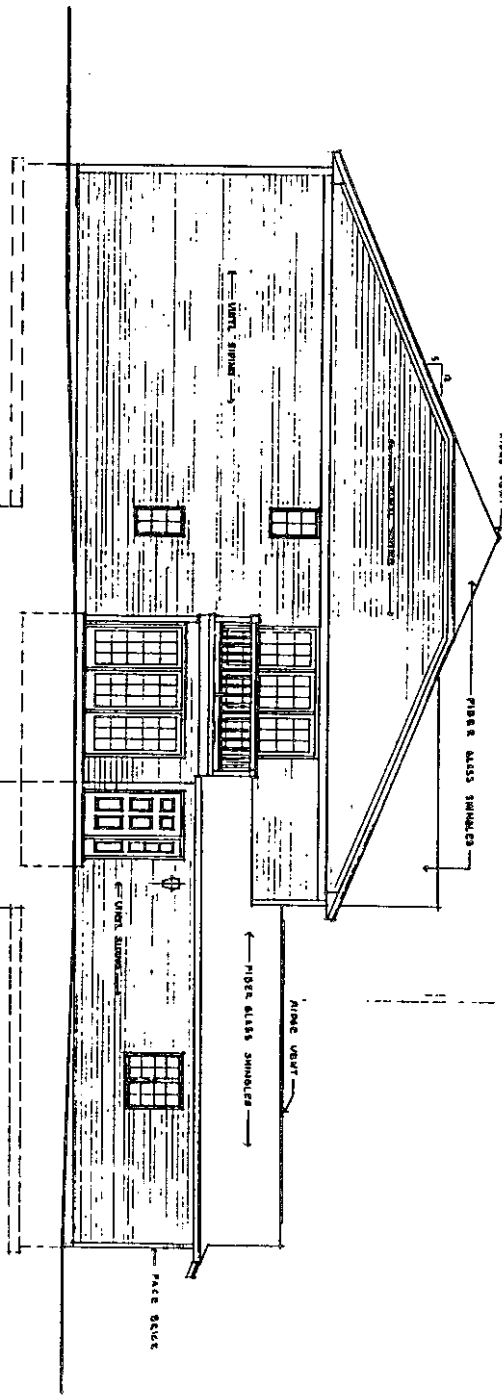
EAST (FRONT) ELEVATION

SCALE N=1/8"



SOUTH (LEFT) ELEVATION

SCALE N=1/8"



5

DATE: JUNE 1978

CONV. NO. 9918

PROPOSED NEW 4 UNIT CONDOMINIUM
 for SHERBROOK CONDOMINIUMS
 SHERBROOK CIRCLE NORTH CANTON, OHIO
 STEVE SMITH CONSTRUCTION, INC.

EXHIBIT

THOMAS
LADDEN SM

No. 6728

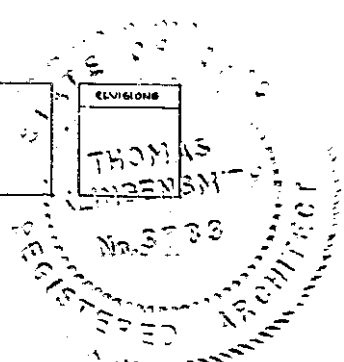
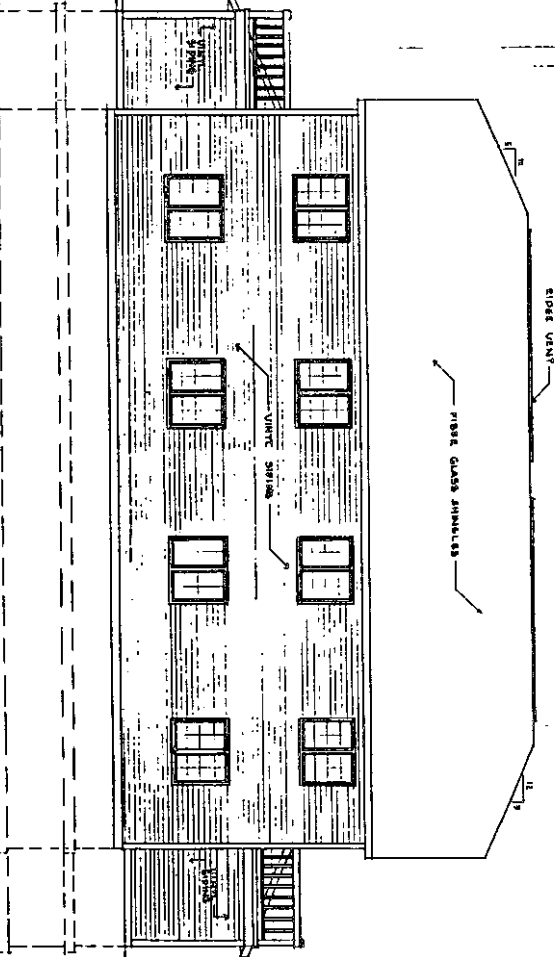


EXHIBIT B-5

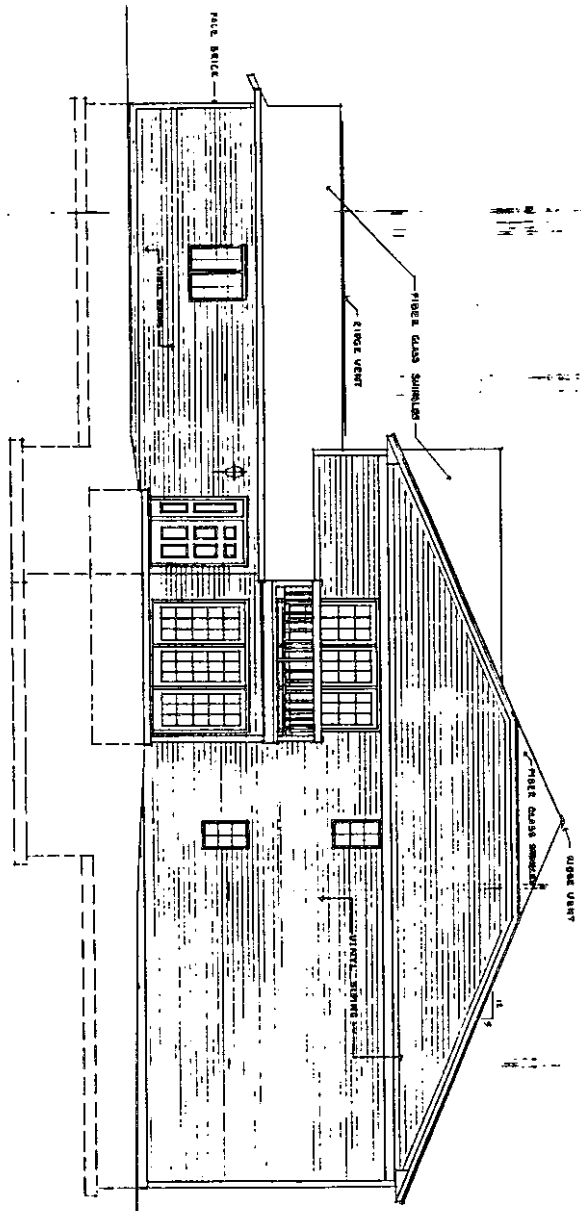
WEST (REAR) ELEVATION

SCALE 1/4"=1'-0"



NORTH (RIGHT) ELEVATION

SCALE 1/4"=1'-0"



9

DATE: JUNE 19, 1975

COMM. NO. 5215

PROPOSED NEW 4 UNIT CONDOMINIUM
 For SHERBROOK CONDOMINIUMS
 SHERBROOK CIRCLE • NORTH CANTON, OHIO
 STEVE SMITH CONSTRUCTION, INC.

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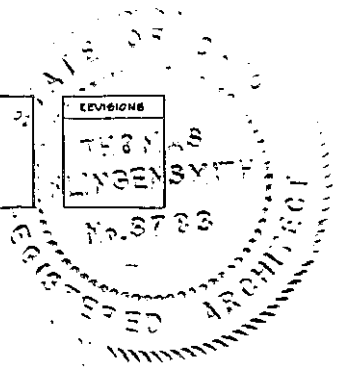
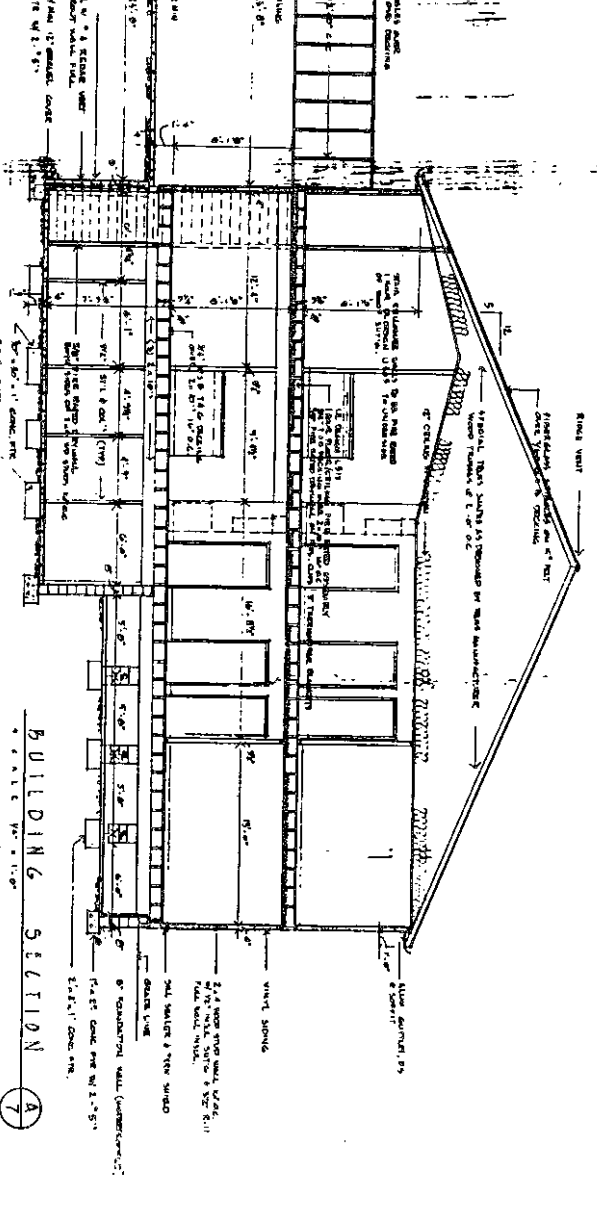
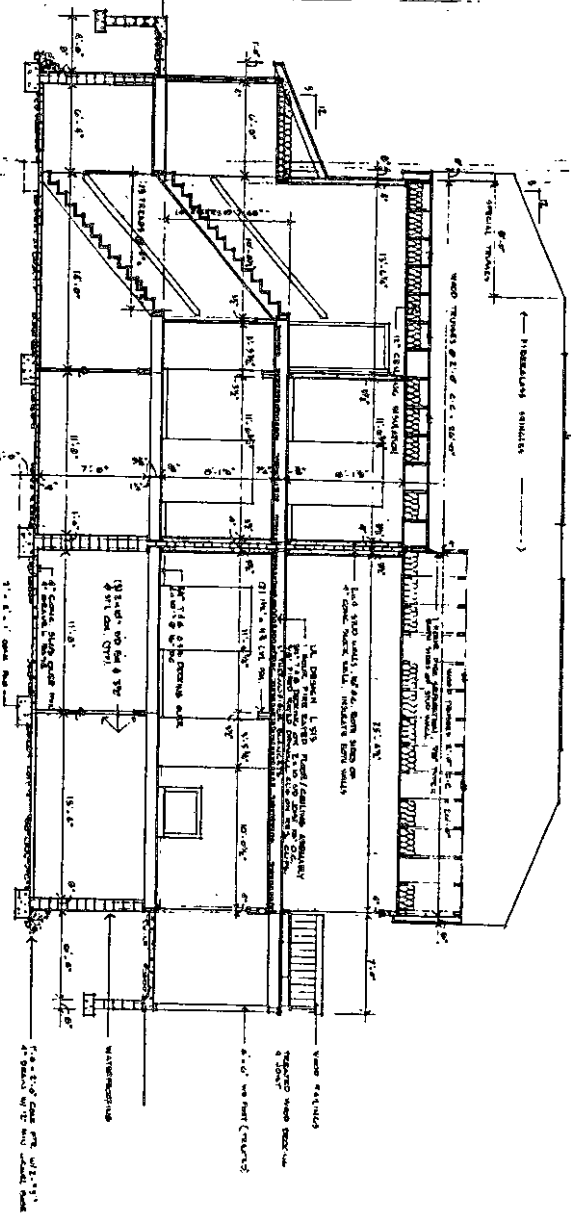


EXHIBIT B-6

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES TO REMAIN.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES AND LANDSCAPE.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING ADJACENT PROPERTIES.
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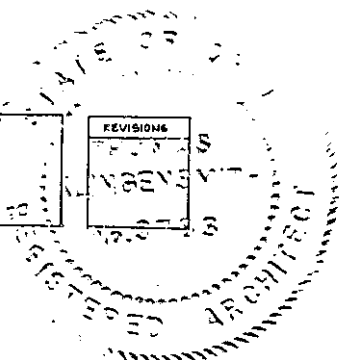


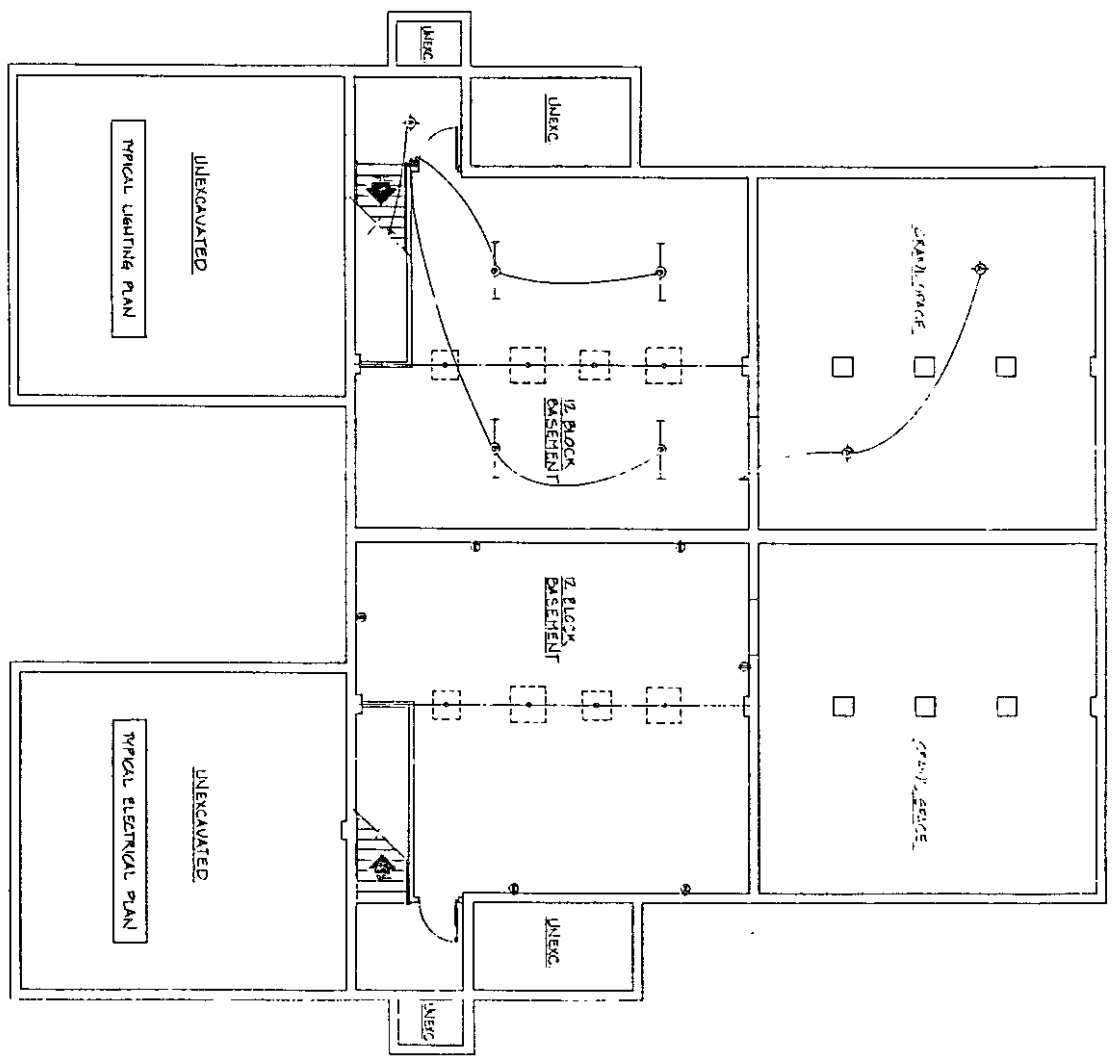
BUILDING SECTION B

BUILDING SECTION A

PROPOSED NEW 4 UNIT CONDOMINIUM
for SHERBROOK CONDOMINIUMS
SHERBROOK CIRCLE • NORTH CANTON, OHIO
STEVE SMITH CONSTRUCTION, INC.

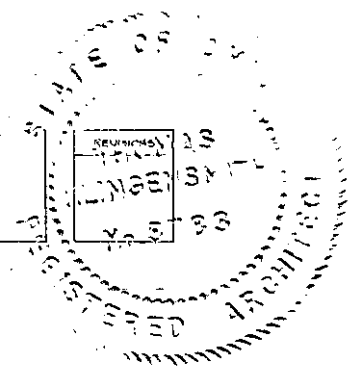
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BASEMENT ELECTRICAL PLAN

SCALE: 1/8" = 1'-0"



PROPOSED NEW 4 UNIT CONDOMINIUM
 for SHERBROOK CONDOMINIUMS
 SHERBROOK CIRCLE • NORTH CANTON, OHIO
 STEVE SMITH CONSTRUCTION, INC.

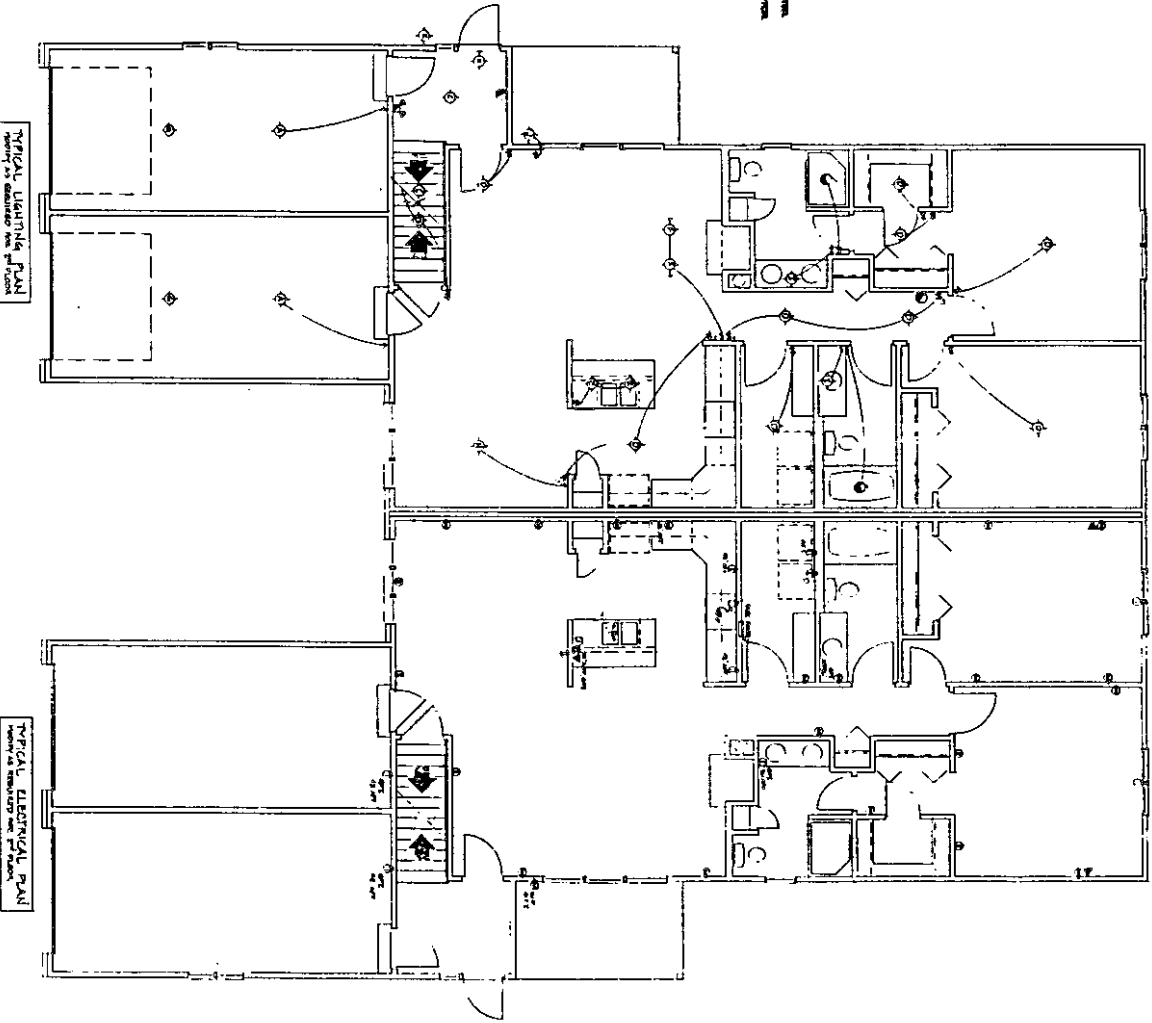
E-1

DATE: JUNE 9, 1975

Sheet No. 888

EXHIBIT B-8

- ELECTRICAL AND LIGHTING LEGEND:**
- 1. RECESSED LAMP UNITS, CEILING MOUNTED
 - 2. 4" x 4" FLUORESCENT STRIP FIXTURES
 - 3. CEILING MOUNTED TRACK FIXTURES
 - 4. CEILING MOUNTED TRACK FIXTURES
 - 5. RECESSED CASE LIGHT
 - 6. CEILING MOUNTED TRACK LIGHTS
 - 7. CEILING MOUNTED TRACK LIGHTS
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LIGHTING AND ELECTRICAL PLAN
SCALE: 1/8" = 1'-0"

E-2
DATE: JUNE 9, 1975

PROPOSED NEW 4 UNIT CONDOMINIUM
for SHERBROOK CONDOMINIUMS
SHERBROOK CIRCLE • NORTH CANTON, OHIO
STEVE SMITH CONSTRUCTION, INC

REVISIONS
NO. 1
DATE
BY
DESCRIPTION

EXHIBIT B-9