

CUYAHOGA COUNTY RECORDER
PATRICK J. O'MALLEY
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FIRST AMENDMENT
TO
GOLF COURSE DECLARATION

THIS FIRST AMENDMENT TO THAT CERTAIN DECLARATION OF EASEMENTS, COVENANTS, AND RESTRICTIONS (also referred to as the "Golf Course Declaration") is made as of the _____ day of _____, 1999, by MINER PROPERTIES, LTD. ("Miner") and ABERDEEN LIMITED LIABILITY COMPANY ("ALLC"). (Capitalized terms used in this First Amendment and not defined herein shall have the meanings set forth in the Golf Course Declaration.)

RECITALS

A. Miner and ALLC have executed and filed for record in Volume 95-01953 Page 44 of Cuyahoga County Records a certain Declaration of Easements, Covenants, and Restrictions (the "Declaration") dated March 13, 1995, which provides certain restrictions, covenants and easements upon the Residential Land (described on Exhibit A attached hereto and made a part hereof) and the Golf Course Site (described on Exhibit B attached hereto and made a part hereof) for the coordinated development of the Golf Course Site and the Residential Land.

B. The parties wish to amend the Declaration as hereinafter provided.

NOW, THEREFORE, for and in consideration of the mutual promises and agreements hereinafter set forth and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree that the Declaration shall be and is hereby amended as follows:

1. Clause "(c)(ii)" of Section 1, Article 2 of the Declaration is hereby amended to provide that (a) the private roadway connecting the clubhouse area of the Golf Course Site with Aberdeen Boulevard (the "Golf Course Entrance Road") shall be twenty-two (22) feet in width (instead of the twenty-four (24) foot width originally set forth in the Development Plan); and (b) the number of parking spaces on the Golf Course Site shall be not less than two hundred (200) spaces (instead of the two hundred fifty (250) spaces originally set forth in the Declaration and Development Plan). The Aberdeen Tri-Party Development Agreement and the Miner/ALLC Agreement, and any and all instruments and documents related or pertaining thereto, have been likewise amended to reflect the corrected width of the Golf Course Entrance Road and the required two hundred (200) parking spaces.

2. Except as specifically provided in paragraph 1 above, all terms,

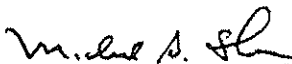
covenants, provisions and conditions set forth in the Declaration, and all documents related thereto, are hereby ratified and confirmed and shall remain in full force and effect.

3. Miner and Aberdeen each acknowledge and agree that the location of housing units along both sides of Golf Course Holes 15 and 16 presents certain aesthetic concerns in those areas. Accordingly, Miner hereby agrees that the owner of each Golf Course Lot (as the term is defined in the Declaration of Easements, Covenants and Restrictions, dated March 13, 1995, recorded in Volume 95-01953, Page 44 of Cuyahoga County Records (the "Declaration")) located in pod H, I and J adjacent to and along each side of Golf Course Hole 15 and each side of Golf Course Hole 16, measured from the back edge of the championship tee area to the back edge of putting green, shall be required to install and maintain, at a location within the 25-foot rear set back between each housing unit and the Golf Course, at least one oak or maple tree having a caliper measurement of between two and one-half inches and three inches at time of installation (based upon a measurement to be performed by the nurseryman or tree vendor). In addition, the owner or homeowners association responsible for maintaining the exterior areas of the attached housing units along Golf Course Holes 15 and 16 shall be required to install and maintain one oak or maple tree of a size described above at a location within the 25-foot rear set back and between each structure or attached housing unit, substantially in line with the trees referred to above. A drawing showing the approximate location of these trees is attached hereto as Exhibit C and made a part hereof. Each tree required to be installed in accordance with this paragraph shall be installed within 180 days after issuance of the occupancy permit for the applicable housing unit. The tree requirements described above in this paragraph are referred to in this Agreement as the "Hole 15 and 16 Tree Requirement". The Hole 15 and 16 Tree Requirement shall be a covenant running with the land and shall be enforceable by any owner of the Golf Course, any owner of a Golf Course Lot and any Homeowners Association governing the applicable Golf Course Lots. Aberdeen, and any successor or other owner of the golf course shall have the right to require any such homeowners association to enforce the Hole 15 and 16 Tree Requirement. The Hole 15 and 16 Tree Requirement applies only to attached housing units of three or more if such are built in the future along the 15th and 16th fairways.


IN WITNESS WHEREOF, the undersigned by their respective duly authorized officials or members have hereunto set their hands as of the date first set forth above.

Witnesses:

MINER PROPERTIES, LTD.


Print Name: MICHAEL A. SHOMO

By: 
Milton A. Wolf, Administrative
Officer


Print Name: LAURA DULACH

STATE OF OHIO)
) SS.
COUNTY OF CUYAHOGA)

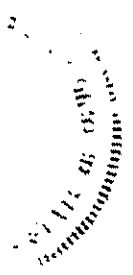
BEFORE ME, a Notary Public in and for said county and state, personally appeared the above-named MINER PROPERTIES, LTD. by Sam Miller, its Administrative Officer, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed, personally and as such officer, and the free act and deed of said limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal at Cleveland, Ohio, this 5TH day of OCTOBER, 1999.

Laura Dulach

Notary Public

LAURA DULACH, Notary Public
STATE OF OHIO
My Commission Expires Mar. 19, 2000
(Recorded in Cuyahoga County)



STATE OF OHIO)
) SS.
COUNTY OF CUYAHOGA)

BEFORE ME, a Notary Public in and for said county and state, personally appeared the above-named ABERDEEN LIMITED LIABILITY COMPANY by James Skoch, its Manager, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed, personally and as such officer, and the free act and deed of said limited liability company.

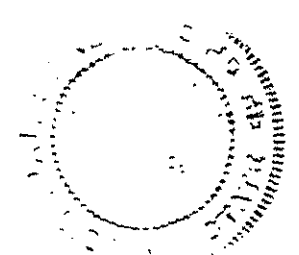
IN WITNESS WHEREOF, I have hereunto set my hand and official seal at Cleveland, Ohio, this 10 day of November, 1999.

Deborah L. Urban

Notary Public

DEBORAH L. URBAN
Notary Public, State of Ohio, Cuy. Cty.
My Commission Expires Oct. 29, 2001

This instrument prepared by:
Samuel R. Knezevic, Esq.
TURNER BROWN & KNEZEVIC P.C.
National City Bank Building
629 Euclid Avenue, 12th Floor
Cleveland, Ohio 44114
(216) 687-0340



The Western Reserve Surveying Co.4705 STATE ROAD
CLEVELAND, OHIO 44109
PHONE: 216 / 741-0110 741-3243

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A-1884-HG
October 7, 1993LEGAL DESCRIPTION
OF
RESIDENTIAL AREA "A"
ABERDEEN

Situated in the City of Highland Heights, County of Cuyahoga and State of Ohio and known as being part of Original Mayfield Township Lot No. 22, Tract 1 and more fully described as follows:

Beginning at a point in the centerline of Bishop Road (width varies) at its intersection with the centerline of Highland Road (width varies);

Thence due North along the centerline of Bishop Road, as aforesaid, 1303.23 feet to a point;

Thence due East 841.25 feet to a point;

Thence due North 40.00 feet to a point and the principal place of beginning;

Thence due West 481.25 feet to a point;

Thence North $84^{\circ}-17'-22''$ West 100.50 feet to a point;

Thence due West 92.85 feet to a point;

Thence North $19^{\circ}-39'-52''$ East 582.44 feet to a point;

Thence South $70^{\circ}-28'-10''$ East 235.40 feet to a point;

Thence South $59^{\circ}-43'-28''$ East 214.22 feet to a point;

Thence South $46^{\circ}-41'-05''$ East 240.52 feet to a point;

Thence South $27^{\circ}-39'-48''$ East 140.00 feet to a point;

Thence South $0^{\circ}-17'-32''$ West 62.21 feet to a point;

Thence by the arc of a curve bearing to the right:
Radius = 700.00 feet, Delta = $13^{\circ}-55'-25''$, Arc = 170.11 feet, Chord = 169.69 feet and Chord Bearing South $83^{\circ}-02'-17''$ West to a point and the principal place of beginning and containing 7.0498 acres of land, according to a survey by the Western Reserve Surveying Company, in September, 1993 be the same more or less but subject to all legal highways.

The Western Reserve Surveying Co.

4705 STATE ROAD
CLEVELAND, OHIO 44109
PHONE: 216 / 741-0110 741-3243

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A-1884-HG
September 30, 1993

LEGAL DESCRIPTION
OF
RESIDENTIAL AREA "B"
ABERDEEN

Situated in the City of Highland Heights, County of Cuyahoga and State of Ohio and known as being part of Original Mayfield Township Lots Nos. 22 & 32, Tract 1 and more fully described as follows:

Beginning at a point in the centerline of Bishop Road (width varies) at its intersection with the centerline of Highland Road (width varies);

Thence due North along the centerline of Bishop Road, as aforesaid, 438.38 feet to a point;

Thence South $89^{\circ}-09'-00''$ East 40.00 feet to a point on the Easterly line of Bishop Road, as aforesaid, and the principal place of beginning;

Thence due North along the Easterly line of Bishop Road, as aforesaid, 502.33 feet to a point;

Thence South $83^{\circ}-38'-09''$ East 271.67 feet to a point;

Thence North $76^{\circ}-08'-27''$ East 795.99 feet to a point;

Thence by the arc of a curve bearing to the left:
Radius = 290.00 feet, Delta = $28^{\circ}-38'-53''$, Arc = 145.00 feet, Chord = 143.49 feet and Chord Bearing North $3^{\circ}-54'-38''$ West to a point and the P.T. of said curve;

Thence North $18^{\circ}-14'-05''$ West 28.66 feet to a point and P.C. of a curve;

Thence by the arc of a curve bearing to the left:
Radius = 25.00 feet, Delta = $86^{\circ}-04'-56''$, Arc = 37.56 feet, Chord = 34.13 feet and Chord Bearing North $61^{\circ}-16'-33''$ West to a point and the P.T. of said curve;

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Thence by the arc of a curve bearing to the left:
 Radius = 780.00 feet, Delta = 7°-50'-07", Arc = 106.67
 feet, Chord = 106.58 feet and Chord Bearing North
 71°-45'-55" East to a point;

Thence by the arc of a curve bearing to the left:
 Radius = 25.00 feet, Delta = 86°-04'-57", Arc = 37.56
 feet, Chord = 34.13 feet and Chord Bearing South
 24°-48'-23" West to a point and the P.T. of said curve;

Thence South 18°-14'-05" East 28.66 feet to a point and
 P.C. of a curve;

Thence by the arc of a curve bearing to the right:
 Radius = 350.00 feet, Delta = 53°-30'-27", Arc = 326.86
 feet, Chord = 315.11 feet and Chord Bearing South
 8°-31'-08" West to a point;

Thence South 60°-36'-08" East 33.83 feet to a point;

Thence North 89°-09'-00" West 159.70 feet to a point;

Thence South 0°-51'-00" West 512.44 feet to a point;

Thence North 89°-09'-00" West 905.63 feet to a point and
 the principal place of beginning, and containing 12.1283
 acres of land, according to a survey by the Western
 Reserve Surveying Company in September, 1993 be the same
 more or less, but subject to all legal highways.

The Western Reserve Surveying Co.

4705 STATE ROAD
CLEVELAND, OHIO 44109
PHONE: 216 741-0100 741-3243

A-1884-HG
October 19, 1993

LEGAL DESCRIPTION
OF
RESIDENTIAL AREA "C"
ABERDEEN

Situated in the City of Highland Heights, County of Cuyahoga and State of Ohio and known as being part of Original Mayfield Township Lots Nos. 22 and 23, Tract 1 and more fully described as follows:

Beginning at a point in the centerline of Bishop Road (width varies) at its intersection with the centerline of Highland Road (width varies):

Thence due North along the centerline of Bishop Road, as aforesaid, 1303.23 feet to a point;

Thence due East 841.25 feet to a point and P.C. of a curve;

Thence by the arc of a curve bearing to the left:
Radius = 740.00 feet, Delta = $46^{\circ}-37'-06''$, Arc = 602.10 feet, Chord = 585.62 feet and Chord Bearing North $66^{\circ}-41'-27''$ East to a point of reverse curvature;

Thence by the arc of a curve bearing to the right:
Radius = 1701.38 feet, Delta = $38^{\circ}-53'-48''$, Arc = 1155.03 feet, Chord = 1132.97 feet and Chord Bearing North $62^{\circ}-49'-48''$ East to a point;

Thence South $7^{\circ}-43'-18''$ East 40.00 feet to a point and the principal place of beginning;

Thence by the arc of a curve bearing to the left:
Radius = 610.00 feet, Delta = $9^{\circ}-56'-16''$, Arc = 105.80 feet, Chord = 105.67 feet and Chord Bearing North $77^{\circ}-18'-34''$ East to a point;

Thence by the arc of a curve bearing to the left:
Radius = 25.00 feet, Delta = $85^{\circ}-01'-52''$, Arc = 37.10 feet, Chord = 33.79 feet and Chord Bearing South $29^{\circ}-49'-30''$ West to a point of compound curvature;

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Thence by the arc of a curve bearing to the left:
Radius = 270.00 feet, Delta = $24^{\circ}-17'-13''$, Arc = 114.45
feet, Chord = 113.59 feet and Chord Bearing South
 $24^{\circ}-50'-02''$ East to a point and P.T. of said curve;

Thence South $36^{\circ}-58'-39''$ East 293.23 feet to a point and
P.C. of a curve;

Thence by the arc of a curve bearing to the right:
Radius = 330.00 feet, Delta = $60^{\circ}-34'-35''$, Arc = 348.90
feet, Chord = 332.87 feet and Chord Bearing South
 $6^{\circ}-41'-21''$ East to a point;

Thence South $17^{\circ}-40'-05''$ East 504.47 feet to a point;

Thence North $89^{\circ}-45'-00''$ West 1195.23 feet to a point;

Thence due North 150.00 feet to a point;

Thence due East 385.00 feet to a point;

Thence North $60^{\circ}-04'-08''$ East 692.85 feet to a point;

Thence by the arc of a curve bearing to the left:
Radius = 270.00 feet, Delta = $61^{\circ}-27'-11''$, Arc = 289.59
feet, Chord = 275.91 feet and Chord Bearing North
 $6^{\circ}-15'-04''$ West to a point and the P.T. of said curve;

Thence North $36^{\circ}-58'-39''$ West 293.23 feet to a point and
P.C. of a curve;

Thence by the arc of a curve bearing to the right:
Radius = 330.00 feet, Delta = $24^{\circ}-17'-13''$, Arc = 139.88
feet, Chord = 138.84 feet and Chord Bearing North
 $24^{\circ}-50'-02''$ West to a point of reverse curvature;

Thence by the arc of a curve bearing to the left:
Radius = 25.00 feet, Delta = $85^{\circ}-01'-52''$, Arc = 37.10
feet, Chord = 33.79 feet and Chord Bearing North
 $55^{\circ}-12'-22''$ West to a point and the principal place of
beginning and containing 8.3609 acres of land,
according to a survey by the Western Reserve Surveying
Company in September, 1993 be the same more or less
but subject to all legal highways.

The Western Reserve Surveying Co.

4705 STATE ROAD
 CLEVELAND, OHIO 44109
 PHONE: 216 / 741-0110 741-3243

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A-1884-HG
 October 19, 1993

LEGAL DESCRIPTION
 OF
 RESIDENTIAL AREA "D"
 ABERDEEN

Situated in the City of Highland Heights, County of Cuyahoga and State of Ohio and known as being part of Original Mayfield Township Lots Nos. 22 and 23, Tract 1 and more fully described as follows:

Beginning at a point in the centerline of Bishop Road (width varies) at its intersection with the centerline of Highland Road (width varies);

Thence due North along the centerline of Bishop Road, as aforesaid, 1303.23 feet to a point;

Thence due East 841.25 feet to a point and P.C. of a curve;

Thence by the arc of a curve bearing to the left:
 Radius = 740.00 feet, Delta = $46^{\circ}-37'-06''$, Arc = 602.10 feet, Chord = 585.62 feet and Chord Bearing North $66^{\circ}-41'-27''$ East to a point of reverse curvature;

Thence by the arc of a curve bearing to the right:
 Radius = 1701.38 feet, Delta = $38^{\circ}-53'-48''$, Arc = 1155.03 feet, Chord = 1132.97 feet and Chord Bearing North $62^{\circ}-49'-48''$ East to a point;

Thence South $7^{\circ}-43'-18''$ East 40.00 feet to a point and the principal place of beginning;

Thence by the arc of a curve bearing to the right:
 Radius = 25.00 feet, Delta = $85^{\circ}-01'-52''$, Arc = 37.10 feet, Chord = 33.79 feet and Chord Bearing South $55^{\circ}-12'-22''$ East to a point of reverse curve;

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Thence by the arc of a curve bearing to the left:
Radius = 230.00 feet, Delta = $24^{\circ}-17'-13''$, Arc = 139.88
feet, Chord = 138.84 feet and Chord Bearing South
 $24^{\circ}-50'-02''$ East to a point and P.T. of said curve;

Thence South $36^{\circ}-58'-39''$ East 293.23 feet to a point and
P.C. of a curve;

Thence by the arc of a curve bearing to the right:
Radius = 270.00 feet, Delta = $17^{\circ}-47'-19''$, Arc = 83.83
feet, Chord = 83.49 feet and Chord Bearing South
 $28^{\circ}-05'-00''$ East to a point;

Thence South $73^{\circ}-41'-24''$ West 715.00 feet to a point;

Thence South $84^{\circ}-03'-29''$ West 246.49 feet to a point;

Thence due West 228.50 feet to a point;

Thence North $14^{\circ}-59'-32''$ West 245.47 feet to a point;

Thence by the arc of a curve bearing to the right:
Radius = 1661.38 feet, Delta = $35^{\circ}-50'-18''$, Arc = 1039.19
feet, Chord = 1022.33 feet and Chord Bearing North
 $64^{\circ}-21'-33''$ East to a point and the principal place of
beginning and containing 11.8805 acres of land,
according to a survey by the Western Reserve Surveying
Company in September, 1993 be the same more or less, but
subject to all legal highways.

Accepted this date
REC'D BY: [illegible]
CUYAHOGA COUNTY RECORDER
95 MAR 21 PM 12:56

The Western Reserve Surveying Co.

4705 STATE ROAD
CLEVELAND, OHIO 44109
PHONE: 216 / 741-080 741-3243

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A-1884-HG
September 30, 1993

LEGAL DESCRIPTION
OF
RESIDENTIAL AREA "E"
ABERDEEN

Situated in the City of Highland Heights, County of Cuyahoga and State of Ohio and known as being part of Original Mayfield Township Lots Nos. 12, 13, 22 & 23, Tract 1 and more fully described as follows:

Beginning at a point in the centerline of Bishop Road (width varies) at its intersection with the centerline of Highland Road (width varies):

Thence due North along the centerline of Bishop Road, as aforesaid, 1303.23 feet to a point;

Thence due East 841.25 feet to a point and P.C. of a curve;

Thence by the arc of a curve bearing to the left:
Radius = 740.00 feet, Delta = $46^{\circ}-37'-06''$, Arc = 602.10 feet, Chord = 585.62 feet and Chord Bearing North $66^{\circ}-41'-27''$ East to a point of the reverse curvature;

Thence by the arc of a curve bearing to the right:
Radius = 1701.38 feet, Delta = $38^{\circ}-53'-48''$, Arc = 1155.03 feet, Chord = 1132.97 feet and Chord Bearing North $62^{\circ}-49'-48''$ East to a point;

Thence North $7^{\circ}-43'-18''$ West 40.00 feet to a point and the principal place of beginning;

Thence by the arc of a curve bearing to the left:
Radius = 1741.38 feet, Delta = $9^{\circ}-54'-03''$, Arc = 300.91 feet, Chord = 300.54 feet and Chord Bearing South $77^{\circ}-19'-40''$ West to a point;

Thence North $16^{\circ}-14'-43''$ West 100.00 feet to a point;

Thence North $29^{\circ}-38'-32''$ West 125.00 feet to a point;

Thence North $77^{\circ}-21'-52''$ West 80.00 feet to a point;

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Thence due North 1090.00 feet to a point;

Thence South $89^{\circ}-52'-28''$ East 427.87 feet to a point;

Thence South $18^{\circ}-10'-11''$ East 518.06 feet to a point;

Thence South $10^{\circ}-51'-06''$ East 318.70 feet to a point;

Thence South $82^{\circ}-17'-38''$ East 259.06 feet to a point;

Thence by the arc of a curve bearing to the right:
Radius = 530.00 feet, Delta = $69^{\circ}-12'-20''$, Arc = 640.17
feet, Chord = 601.96 feet and Chord Bearing South
 $47^{\circ}-40'-32''$ West to a point and the principal place of
beginning and containing 17.8839 acres of land,
according to a survey by the Western Reserve Surveying
Company in September, 1993 be the same more or less,
but subject to all legal highways.

WESTERN RESERVE SURVEYING CO.

4705 STATE ROAD
 CLEVELAND, OHIO 44109
 PHONE: 216 / 741-0110 741-3243

A-1884-HG
 October 19, 1993

LEGAL DESCRIPTION
 OF
 RESIDENTIAL AREA "F"
 ABERDEEN

Situated in the City of Highland Heights, County of Cuyahoga and State of Ohio and known as being part of Original Mayfield Township Lots Nos. 22 and 23, Tract 1 and more fully described as follows:

Beginning at a point in the centerline of Bishop Road (width varies) at its intersection with the centerline of Highland Road (width varies):

Thence due North along the centerline of Bishop Road, as aforesaid, 1303.23 feet to a point;

Thence due East 841.25 feet to a point and P.C. of a curve;

Thence by the arc of a curve bearing to the left:
 Radius = 740.00 feet, Delta = $46^{\circ}-37'-06''$, Arc = 602.10 feet, Chord = 585.62 feet and Chord Bearing North $66^{\circ}-41'-27''$ East to a point of reverse curvature;

Thence by the arc of a curve bearing to the right:
 Radius = 1701.38 feet, Delta = $38^{\circ}-53'-48''$, Arc = 1155.03 feet, Chord = 1132.97 feet and Chord Bearing North $62^{\circ}-49'-48''$ East to a point;

Thence South $7^{\circ}-43'-18''$ East 40.00 feet to a point;

Thence by the arc of a curve bearing to the left:
 Radius = 610.00 feet, Delta = $9^{\circ}-56'-16''$, Arc = 105.80 feet, Chord = 105.67 feet and Chord Bearing North $77^{\circ}-18'-34''$ East to a point and the principal place of beginning;

Thence by the arc of a curve bearing to the left:
 Radius = 610.00 feet, Delta = $58^{\circ}-11'-48''$, Arc = 619.59 feet, Chord = 593.30 feet and Chord Bearing North $43^{\circ}-14'-32''$ East to a point;

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Thence South $70^{\circ}-32'-33''$ East 267.96 feet to a point;

Thence South $14^{\circ}-37'-55''$ West 649.88 feet to a point;

Thence South $45^{\circ}-00'-00''$ West 169.71 feet to a point;

Thence South $65^{\circ}-39'-38''$ West 130.22 feet to a point;

Thence by the arc of a curve bearing to the left:
Radius = 330.00 feet, Delta = $18^{\circ}-18'-45''$, Arc = 105.47
feet, Chord = 105.02 feet and Chord Bearing North
 $27^{\circ}-49'-17''$ West to a point and P.T. of said curve;

Thence North $36^{\circ}-58'-39''$ West 293.23 feet to a point and
P.C. of a curve;

Thence by the arc of a curve bearing to the right:
Radius = 270.00 feet, Delta = $24^{\circ}-17'-13''$, Arc = 114.45
feet, Chord = 113.59 feet and Chord Bearing North
 $24^{\circ}-50'-02''$ West to a point of compound curvature;

Thence by the arc of a curve bearing to the right:
Radius = 25.00 feet, Delta = $85^{\circ}-01'-52''$, Arc = 37.10
feet, Chord = 33.79 feet and Chord Bearing North
 $29^{\circ}-49'-30''$ East to a point and the principal place of
beginning and containing 7.1453 acres of land, according
to a survey by the Western Reserve Surveying Company in
September, 1993 be the same more or less but subject to
all legal highways.

The Western Reserve Surveyors' Co.,

4705 STATE ROAD
CLEVELAND, OHIO 44109
PHONE 216 / 741-0110 741-3243

1884.G2

A-1884-HG
December 6, 1994

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LEGAL DESCRIPTION
OF RESIDENTIAL AREA "G"
EXCLUDING THE CASTLEHILL CUL-DE-SAC
AT ABERDEEN

Situated in the City of Highland Heights, County of Cuyahoga and State of Ohio and known as being part of Original Mayfield Township Lots Nos. 13 and 23, Tract 1 and more fully described as follows:

Beginning at a point in the centerline of Bishop Road (width varies) at its intersection with the centerline of Highland Road (width varies);

Thence due North along the centerline of Bishop Road, as aforesaid, 1303.23 feet to a point;

Thence due East 841.25 feet to a point and P.C. of a curve;

Thence by the arc of a curve bearing to the left: Radius = 740.00 feet, Delta = $46^{\circ}-37'-06''$, Arc = 602.10 feet, Chord = 583.62 feet and Chord Bearing North $66^{\circ}-41'-27''$ East to a point of the reverse curvature;

Thence by the arc of a curve bearing to the right: Radius = 1701.38 feet, Delta = $18^{\circ}-53'-48''$, Arc = 1155.03 feet, Chord = 1132.97 feet and Chord Bearing North $62^{\circ}-49'-48''$ East to a point of reverse curvature;

Thence by the arc of a curve bearing to the left: Radius = 570.00 feet, Delta = $85^{\circ}-01'-04''$, Arc = 845.79 feet, Chord = 770.30 feet and Chord Bearing North $39^{\circ}-46'-10''$ East to a point and P.T. of said curve;

Thence North $87^{\circ}-15'-38''$ East 40.00 feet to a point and the principal place of beginning;

Thence North $2^{\circ}-44'-22''$ West 584.17 feet to a point and the P.C. of a curve;

Thence by the arc of a curve bearing to the right: Radius = 560.00 feet, Delta = $103^{\circ}-32'-52''$, Arc = 1012.06 feet, Chord = 879.84 feet and Chord Bearing North $49^{\circ}-02'-04''$ East to a point and P.T. of said curve;

LEGAL DESCRIPTION

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December 6, 1994
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Thence South $79^{\circ}-11'-30''$ East 463.61 feet to a point and the P.C. of a curve;

Thence by the arc of a curve bearing to the left: Radius = 1690.00 feet, Delta = $19^{\circ}-46'-10''$, Arc = 583.12 feet, Chord = 580.23 feet and Chord Bearing South $89^{\circ}-04'-35''$ East to a point and P.T. of said curve;

Thence North $81^{\circ}-02'-20''$ East 496.16 feet to a point and P.C. of a curve;

Thence by the arc of a curve bearing to the right: Radius = 1610.00 feet, Delta = $5^{\circ}-45'-29''$, Arc = 161.80 feet, Chord = 161.73 feet and Chord Bearing North $83^{\circ}-55'-05''$ East to a point;

Thence South $85^{\circ}-35'-56''$ East 97.77 feet to a point;

Thence South $89^{\circ}-43'-50''$ East 213.34 feet to a point on the Westerly line of Miner Road (width varies);

Thence South $0^{\circ}-16'-10''$ West along the Westerly line of Miner Road, as aforesaid, 42.56 feet to a point on the Northerly line of a parcel of land conveyed to Russel Baker by deed recorded in Volume 84-5812 Page 26 of Cuyahoga County Deed Records;

Thence South $89^{\circ}-08'-28''$ West along the Northerly line of said parcel conveyed to Russel Baker 259.99 feet to a point at the Northwesterly corner thereof;

Thence South $0^{\circ}-16'-10''$ West along the Westerly line of said parcel conveyed to Russel Baker 110.00 feet to a point at the Southwestly corner thereof;

Thence North $89^{\circ}-08'-28''$ East along the Southerly line of said parcel conveyed to Russel Baker 259.99 feet to a point on the Westerly line of Miner Road, as aforesaid;

Thence South $0^{\circ}-16'-10''$ West along the Westerly line of Miner Road, as aforesaid, 109.48 feet to a point on the Northerly line of a parcel of land conveyed to James P. and Susan Scruton by deed recorded in Volume 86-4455 Page 31 of Cuyahoga County Deed Records;

Thence South $89^{\circ}-08'-28''$ West along the Northerly line of said parcel conveyed to James P. and Susan Scruton 259.99 feet to a point at the Northwesterly corner thereof;

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Thence South $0^{\circ}-16'-10''$ West 198.89 feet to a point on the Northerly line of Highland Woods Subdivision No. 1 as recorded in Volume 222 Page 36 thru 38 of Cuyahoga County Map Records;

Thence South $21^{\circ}-32'-18''$ West along a Westerly line of said Highland Woods Subdivision No. 1 a distance of 41.46 feet to a point;

Thence North $89^{\circ}-43'-50''$ West along the Northerly line of said Highland Woods Subdivision No. 1 and along the Northerly line of Highland Woods Subdivision No. 2 as recorded in Volume 232 Pages 91 thru 94 of Cuyahoga County Map Records 1500.00 feet to a point;

Thence North $89^{\circ}-20'-44''$ West along the Northerly line of said Highland Woods Subdivision No. 2 a distance of 100.00 feet to a point at the Northeast corner of Sublot No. 10 in the Resubdivision of part of Highland Woods Subdivision No. 2 as recorded in Volume 233 Page 29 of Cuyahoga County Map Records;

Thence North $86^{\circ}-54'-21''$ West along the Northerly line of said Resubdivision of part of Highland Woods Subdivision No. 2 a distance of 93.74 feet to a point;

Thence North $82^{\circ}-56'-32''$ West along the Northerly line of said Resubdivision of part of Highland Woods Subdivision No. 2 a distance of 193.91 feet to a point at the Northwesterly corner thereof;

Thence South $9^{\circ}-43'-28''$ West along the Westerly line of said Resubdivision of part of Highland Woods Subdivision No. 2 a distance of 175.00 feet to a point on the Northerly line of Castlehill Drive (80 feet wide);

Thence North $80^{\circ}-16'-32''$ West 22.36 feet to a point;

Thence by the arc of a curve bearing to the left and around the Castlehill Cul-de-sac: Radius = 60.00 feet, Delta = $276^{\circ}-22'-46''$, Arc = 289.42 feet, Chord = 80.00 feet and Chord Bearing South $9^{\circ}-43'-28''$ West to a point;

Thence South $80^{\circ}-16'-32''$ East 22.36 feet to a point at the intersection of the South line of Castlehill Drive, as aforesaid, with the Westerly line of said Highland Woods Subdivision No. 2;

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Thence South $9^{\circ}-43'-28''$ West along the Westerly line of said Highland Woods Subdivision No. 2 a distance of 133.57 feet to an angle point;

Thence South $0^{\circ}-16'-10''$ West along the Westerly line of said Highland Woods Subdivision No. 2 a distance of 553.00 feet to a point;

Thence North $70^{\circ}-32'-33''$ West 431.27 feet to a point;

Thence by the arc of a curve bearing to the left: Radius = 610.00 feet, Delta = $10^{\circ}-13'-45''$, Arc = 108.91 feet, Chord = 108.76 feet and Chord Bearing North $2^{\circ}-22'-31''$ East to a point and the principal place of beginning and containing 32.8402 acres of land, according to a survey by the Western Reserve Surveying Company in September 1994, be the same more or less, but subject to all legal highways.

The Western Reserve Surveying Co.

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4705 STATE ROAD
CLEVELAND, OHIO 44109
PHONE: 216 / 741-0110 741-3243

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LEGAL DESCRIPTION
OF
RESIDENTIAL AREA "H"
ABERDEEN

Situated in the City of Highland Heights, County of Cuyahoga and State of Ohio and known as being part of Original Mayfield Township Lots Nos. 3, 12 and 13, Tract 1 and more fully described as follows:

Beginning at a point in the centerline of Bishop Road (width varies) at its intersection with the centerline of Highland Road (width varies);

Thence due North along the centerline of Bishop Road, as aforesaid, 1303.23 feet to a point;

Thence due East 841.25 feet to a point and P.C. of a curve;

Thence by the arc of a curve bearing to the left:
Radius = 740.00 feet, Delta = $46^{\circ}-37'-06''$, Arc = 602.10 feet, Chord = 585.62 feet and Chord Bearing North $66^{\circ}-41'-27''$ East to a point of the reverse curvature;

Thence by the arc of a curve bearing to the right:
Radius = 1701.38 feet, Delta = $38^{\circ}-53'-48''$, Arc = 1155.03 feet, Chord = 1132.97 feet and Chord Bearing North $62^{\circ}-49'-48''$ East to a point of the reverse curvature;

Thence by the arc of a curve bearing to the left:
Radius = 570.00 feet, Delta = $85^{\circ}-01'-04''$, Arc = 845.79 feet, Chord = 770.30 feet and Chord Bearing North $39^{\circ}-46'-10''$ East to a point and P.T. of said curve;

Thence North $2^{\circ}-44'-22''$ West 584.17 feet to a point and P.C. of a curve;

Thence by the arc of a curve bearing to the right:
Radius = 600.00 feet, Delta = $103^{\circ}-32'-52''$, Arc = 1084.35 feet, Chord = 942.69 feet and Chord Bearing North $49^{\circ}-02'-04''$ East to a point and P.T. of said curve;

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Thence North $10^{\circ}-48'-30''$ East 40.00 feet to a point and
the principal place of beginning;

Thence by the arc of a curve bearing to the left:
Radius = 640.00 feet, Delta = $49^{\circ}-07'-45''$, Arc = 548.78
feet, Chord = 532.12 feet and Chord Bearing South
 $76^{\circ}-14'-38''$ West to a point;

Thence North $44^{\circ}-25'-44''$ West 563.43 feet to a point;

Thence North $20^{\circ}-12'-33''$ East 160.30 feet to a point;

Thence North $3^{\circ}-17'-03''$ East 875.00 feet to a point;

Thence North $41^{\circ}-05'-29''$ East 228.22 feet to a point;

Thence South $77^{\circ}-44'-56''$ East 537.23 feet to a point;

Thence South $10^{\circ}-26'-44''$ East 845.79 feet to a point;

Thence South $30^{\circ}-04'-29''$ East 570.00 feet to a point;

Thence South $10^{\circ}-48'-30''$ West 90.00 feet to a point;

Thence North $79^{\circ}-11'-30''$ West 296.61 feet to a point and
the principal place of beginning and containing 28.2004
acres of land, according to a survey by the Western
Reserve Surveying Company in September, 1993 be the same
more or less, but subject to all legal highways.

The Western Reserve Surveying Co.

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4705 STATE ROAD
CLEVELAND, OHIO 44109
PHONE: 216 / 741-0110 741-3243

A-1684-HG
October 7, 1993

LEGAL DESCRIPTION
OF
RESIDENTIAL AREA "I"
ABERDEEN

Situated in the City of Highland Heights, County of Cuyahoga and State of Ohio and known as being part of Original Mayfield Township Lots Nos. 2 and 13, Tract 1 and more fully described as follows:

Beginning at a point in the centerline of Bishop Road (width varies) at its intersection with the centerline of Highland Road (width varies);

Thence due North along the centerline of Bishop Road, as aforesaid, 1303.23 feet to a point;

Thence due East 841.25 feet to a point and P.C. of a curve;

Thence by the arc of a curve bearing to the left:
Radius = 740.00 feet, Delta = $46^{\circ}-37'-06''$, Arc = 602.10 feet, Chord = 585.62 feet and Chord Bearing North $66^{\circ}-41'-27''$ East to a point of the reverse curvature;

Thence by the arc of a curve bearing to the right:
Radius = 1701.38 feet, Delta = $38^{\circ}-53'-48''$, Arc = 1155.03 feet, Chord = 1132.97 feet and Chord Bearing North $62^{\circ}-49'-48''$ East to a point of the reverse curvature;

Thence by the arc of a curve bearing to the left:
Radius = 570.00 feet, Delta = $85^{\circ}-01'-04''$, Arc = 845.79 feet, Chord = 770.30 feet and Chord Bearing North $39^{\circ}-46'-10''$ East to a point and P.T. of said curve;

Thence North $2^{\circ}-44'-22''$ West 584.17 feet to a point and P.C. of a curve;

Thence by the arc of a curve bearing to the right:
Radius = 600.00 feet, Delta = $103^{\circ}-32'-52''$, Arc = 1084.35 feet, Chord = 942.69 feet and Chord Bearing North $49^{\circ}-02'-04''$ East to a point and P.T. of said curve;

Thence South $79^{\circ}-11'-30''$ East 463.61 feet to a point;

Thence North $10^{\circ}-48'-30''$ East 40.00 feet to a point and the principal place of beginning;

Thence North $79^{\circ}-11'-30''$ West 55.00 feet to a point;

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Thence by the arc of a curve bearing to the left:
Radius = 25.00 feet, Delta = 90°-00'-00", Arc = 39.27
feet, Chord = 35.36 feet and Chord Bearing North
55°-48'-30" East to a point and P.T. of said curve;

Thence North 10°-48'-30" East 307.98 feet to a point;

Thence North 79°-11'-30" West 57.13 feet to a point;

Thence North 2°-38'-02" West 63.03 feet to a point;

Thence North 14°-09'-52" West 653.59 feet to a point;

Thence North 10°-39'-20" West 371.99 feet to a point;

Thence North 57°-17'-48" West 993.51 feet to a point;

Thence South 89°-03'-37" West 340.21 feet to a point;

Thence North 3°-31'-00" West 443.72 feet to a point;

Thence North 55°-10'-32" East 86.55 feet to a point;

Thence South 73°-14'-10" East 590.52 feet to a point;

Thence North 89°-47'-58" East 1045.48 feet to a point;

Thence South 1°-05'-49" West 642.93 feet to a point;

Thence South 4°-57'-06" East 210.00 feet to a point;

Thence South 58°-32'-35" East 180.00 feet to a point;

Thence South 12°-26'-39" West 1032.49 feet to a point;

Thence South 79°-11'-30" East 70.00 feet to a point;

Thence South 10°-48'-30" West 307.02 feet to a point and
P.C. of a curve;

Thence by the arc of a curve bearing to the left:
Radius = 25.00 feet, Delta = 91°-59'-19", Arc = 40.14
feet, Chord = 35.96 feet and Chord Bearing South
35°-11'-10" East to a point and P.T. of said curve;

Thence by the arc of a curve bearing to the right: Radius
= 1610.00 feet, Delta = 1°-59'-19", Arc = 55.88 feet,
Chord = 55.88 feet and Chord Bearing North 80°-11'-10"
West to a point and the principal place of beginning and
containing 35.1988 acres of land, according to a survey
by the Western Reserve Surveying Company in September,
1993 be the same more or less but subject to all legal
highways.

The Western Reserve Surveying Co.

4705 STATE ROAD
CLEVELAND, OHIO 44109
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September 30, 1993

LEGAL DESCRIPTION
OF
RESIDENTIAL AREA "J"
ABERDEEN

Situated in the City of Highland Heights, County of Cuyahoga and State of Ohio and known as being part of Original Mayfield Township Lots Nos. 3 and 13, Tract No 1 and more fully described as follows:

Beginning at a point in the centerline of Miner Road (width varies) at the Northeast corner of Original Mayfield Township Lot No. 3, said point also being on the Northerly line of Cuyahoga County;

Thence South 89°-47'-58" West along the Northerly line of said Original Lot No. 3 a distance of 40.00 feet to a point and the principal place of beginning;

Thence South 0°-18'-50" West along the Westerly line of Miner Road, as aforesaid, 230.34 feet to a point on the Northerly line of a parcel of land conveyed to James A. and Jean R. Barnes by deed recorded in Volume 85-0664 Page 9 of Cuyahoga County Deed Records;

Thence North 89°-49'-54" West along the Northerly line of said parcel to James A. and Jean R. Barnes 410.00 feet to a point at the Northwesterly corner thereof;

Thence South 0°-18'-50" West along the Westerly line of said parcel conveyed to James A. and Jean R. Barnes 200.00 feet to a point at the Southwesterly corner thereof;

Thence South 89°-49'-54" East along the Southerly line of said parcel conveyed to James A. and Jean R. Barnes 410.00 feet to a point on the Westerly line of Miner Road, as aforesaid;

Thence South 0°-18'-50" West along the Westerly line of Miner Road, as aforesaid, 422.00 feet to a point on the Northerly line of a parcel of land conveyed to Virgil C. and Fanni Stapleton by deed recorded in Volume 84-1711 Page 59 of Cuyahoga County Deed Records;

Thence North 89°-49'-54" West along the Northerly line of said parcel conveyed to Virgil C. and Fanni Stapleton 360.00 feet to a point at the Northwesterly corner thereof;

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Thence South $0^{\circ}-18'-50''$ West 681.24 feet to an angle point;

Thence South $0^{\circ}-16'-10''$ West 140.65 feet to a point on the Southerly line of a parcel of land conveyed to Eleanore Bevan by deed recorded in Volume 7263 Page 109 of Cuyahoga County Deed Records;

Thence South $89^{\circ}-49'-28''$ East along the Southerly line of said parcel conveyed to Eleanore Bevan 360.00 feet to a point on the Westerly line of Miner Road, as aforesaid;

Thence South $0^{\circ}-16'-10''$ West along the Westerly line of Miner Road, as aforesaid, 80.00 feet to a point on the Northerly line of a parcel of land conveyed to Edward J. and Helen Chesnik by deed recorded in Volume 13303 Page 839 of Cuyahoga County Deed Records;

Thence North $89^{\circ}-49'-28''$ West along the Northerly line of said parcel conveyed to Edward J. and Helen Chesnik 360.00 feet to a point at the Northwesterly corner thereof;

Thence South $0^{\circ}-16'-10''$ West 523.97 feet to a point at the Southwesterly corner of a parcel of land conveyed to Mary J. Scott by deed recorded in Volume 15280 Page 761 of Cuyahoga County Deed Records;

Thence North $89^{\circ}-08'-28''$ East along the Southerly line of said parcel conveyed to Mary J. Scott 100.08 feet to a point at the Northwesterly corner of a parcel of land conveyed to Lucille J. Alber by deed recorded in Volume 10689 Page 381 of Cuyahoga County Deed Records;

Thence South $0^{\circ}-16'-10''$ West 160.00 feet to a point at the Southwesterly corner of a parcel of land conveyed to John B. and Julia T. Morgan by deed recorded in Volume 8048 Page 1 of Cuyahoga County Deed Records;

Thence North $89^{\circ}-08'-28''$ East along the Southerly line of said parcel conveyed to John B. and Julia T. Morgan 259.99 feet to a point on the Westerly line of Miner Road, as aforesaid;

Thence South $0^{\circ}-16'-10''$ West along the Westerly line of Miner Road, as aforesaid, 57.44 feet to a point;

Thence North $89^{\circ}-43'-50''$ West 213.34 feet to a point;

Thence South $82^{\circ}-58'-30''$ West 103.20 feet to a point;

Thence by the arc of a curve bearing to the left:
Radius = 1690.00 feet, Delta = $5^{\circ}-45'-29''$, Arc = 169.84 feet, Chord = 169.77 feet and Chord Bearing South $83^{\circ}-55'-04''$ West to a point and P.T. of said curve;

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Thence South $81^{\circ}-02'-20''$ West 496.16 feet to a point and
P.C. of a curve;

Thence by the arc of a curve bearing to the right:
Radius = 1610.00 feet, Delta = $3^{\circ}-47'-51''$, Arc = 106.71
feet, Chord = 106.69 feet and Chord Bearing South
 $82^{\circ}-56'-15''$ West to a point and P.T. of said curve;

Thence North $4^{\circ}-05'-04''$ West 150.00 feet to a point;

Thence North $20^{\circ}-49'-13''$ East 488.78 feet to a point;

Thence North $2^{\circ}-09'-48''$ West 1243.45 feet to a point;

Thence North $11^{\circ}-55'-23''$ West 151.30 feet to a point;

Thence North $89^{\circ}-47'-58''$ East 473.73 feet to a point;

Thence North $0^{\circ}-12'-02''$ West 608.53 feet to a point on
the Northerly line of Original Mayfield Township Lot No.
3, said line also being the Northerly line of Cuyahoga
County;

Thence North $89^{\circ}-47'-58''$ East along the Northerly line of
said Original Lot No. 3 a distance of 537.01 feet to a
point and the place of beginning and containing 36.3579
acres of land, according to a survey by the Western
Reserve Surveying Company in September, 1993, be the
same more or less, but subject to all legal highways.

The Western Reserve Surveying Co.4705 STATE ROAD
CLEVELAND, OHIO 44109
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A-1884-HG
September 30, 1993LEGAL DESCRIPTION
OF
PARCEL NO. 1
ABERDEEN GOLF COURSE

Situated in the City of Highland Heights, County of Cuyahoga and State of Ohio and known as being part of Original Mayfield Township Lot No. 23, Tract 1 and more fully described as follows:

Beginning at a point in the centerline of Bishop Road (width varies) at its intersection with the centerline of Highland Road (width varies);

Thence due North along the centerline of Bishop Road, as aforesaid, 438.38 feet to a point;

Thence South $89^{\circ}-09'-00''$ East 1699.63 feet to a point;

Thence due North 450.00 feet to a point;

Thence South $89^{\circ}-45'-00''$ East 1195.23 feet to a point and the principal place of beginning;

Thence North $17^{\circ}-40'-05''$ West 504.47 feet to a point;

Thence by the arc of a curve bearing to the left:
Radius = 330.00 feet, Delta = $42^{\circ}-15'-51''$, Arc = 243.42 feet, Chord = 237.94 feet and Chord Bearing North $2^{\circ}-28'-01''$ East to a point;

Thence North $65^{\circ}-39'-38''$ East 130.22 feet to a point;

Thence North $45^{\circ}-00'-00''$ East 169.71 feet to a point;

Thence North $14^{\circ}-37'-55''$ East 649.88 feet to a point;

Thence North $70^{\circ}-32'-33''$ West 267.96 feet to a point;

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Parcel No. 1

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Thence by the arc of a curve bearing to the left:
Radius = 610.00 feet, Delta = 6°-39'-15", Arc = 70.34
feet, Chord = 70.80 feet and Chord Bearing North
10°-49'-01" East to a point;

Thence South 70°-32'-33" East 431.27 feet to a point;

Thence South 0°-16'-10" West 1537.87 feet to a point;

Thence North 89°-45'-00" West 420.00 feet to a point and
the principal place of beginning and containing 14.3951
acres of land, according to a survey by the Western
Reserve Surveying Company in September, 1993 be the
same more or less, but subject to all legal highways.

The Western Reserve Surveying Co.

4705 STATE ROAD
 CLEVELAND, OHIO 44109
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 September 30, 1993

LEGAL DESCRIPTION
 OF
 PARCEL NO. 2
 ABERDEEN GOLF COURSE

Situated in the City of Highland Heights, County of Cuyahoga and State of Ohio and known as being part of Original Mayfield Township Lots Nos. 22 and 23, Tract 1 and more fully described as follows:

Beginning at a point in the centerline of Bishop Road (width varies) at its intersection with the centerline of Highland Road (width varies);

Thence due North along the centerline of Bishop Road, as aforesaid, 438.36 feet to a point;

Thence South $89^{\circ}-09'-00''$ East 945.63 feet to a point;

Thence North $0^{\circ}-51'-00''$ East 512.44 feet to a point;

Thence South $89^{\circ}-09'-00''$ East 159.70 feet to a point and the principal place of beginning;

Thence North $60^{\circ}-36'-08''$ West 23.83 feet to a point;

Thence by the arc of a curve bearing to the left:
 Radius = 350.00 feet, Delta = $53^{\circ}-30'-27''$, Arc = 326.86 feet, Chord = 315.11 feet and Chord Bearing North $8^{\circ}-31'-08''$ East to a point and P.T. of said curve;

Thence North $18^{\circ}-14'-05''$ West 28.66 feet to a point and P.C. of a curve;

Thence by the arc of a curve bearing to the right:
 Radius = 25.00 feet, Delta = $86^{\circ}-04'-57''$, Arc = 37.56 feet, Chord = 34.13 feet and Chord Bearing North $24^{\circ}-48'-23''$ East to a point of reverse curvature;

Thence by the arc of a curve bearing to the left:
 Radius = 780.00 feet, Delta = $24^{\circ}-27'-58''$, Arc = 333.07 feet, Chord = 330.55 feet and Chord Bearing North $55^{\circ}-36'-53''$ East to a point of reverse curvature;

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Thence by the arc of a curve bearing to the right:
 Radius = 1661.38 feet, Delta = 3°-03'-30", Arc = 88.68
 feet, Chord = 88.67 feet and Chord Bearing North
 44°-54'-39" East to a point:

Thence South 14°-59'-32" East 245.47 feet to a point:

Thence due East 228.50 feet to a point:

Thence North 84°-03'-29" East 246.49 feet to a point:

Thence North 73°-41'-24" East 715.00 feet to a point:

Thence by the arc of a curve bearing to the right:
 Radius = 270.00 feet, Delta = 43°-39'-52", Arc = 205.76
 feet, Chord = 200.82 feet and Chord Bearing South
 2°-38'-36" West to a point:

Thence South 60°-04'-08" West 692.85 feet to a point:

Thence due West 385.00 feet to a point:

Thence due South 27.50 feet to a point:

Thence North 89°-09'-00" West 586.70 feet to a point and
 the principal place of beginning and containing 13.1061
 acres of land, according to a survey by the Western
 Reserve Surveying Company in September, 1993 be the
 same more or less, but subject to all legal highways.

THOMAS J. NEFF, P.E., P.S.	
COUNTY ENGINEER	
TAX MAP DIVISION	
APPROVED FOR	
RECORD	<i>[Signature]</i>
TRANSFER	
SPLIT	

The Western Reserve Surveying Co.

4705 STATE ROAD
CLEVELAND, OHIO 44109
PHONE: 216 741-0110 741-3243

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LEGAL DESCRIPTION
OF
PARCEL NO. 3
ABERDEEN GOLF COURSE

Situated in the City of Highland Heights, County of Cuyahoga and State of Ohio and known as being part of Original Mayfield Township Lot No. 22, Tract 1 and more fully described as follows:

Beginning at a point in the centerline of Bishop Road (width varies) at its intersection with the centerline of Highland Road (width varies);

Thence due North along the centerline of Bishop Road, as aforesaid, 1253.23 feet to a point;

Thence due East 60.00 feet to a point and the principal place of beginning;

Thence continuing due East 200.00 feet to a point;

Thence North $84^{\circ}-17'-22''$ East 100.50 feet to a point;

Thence due East 481.25 feet to a point and the P.C. of a curve;

Thence by the arc of a curve bearing to the left:
Radius = 780.00 feet, Delta = $14^{\circ}-19'-01''$, Arc = 194.90 feet, Chord = 194.40 feet and Chord Bearing North $82^{\circ}-50'-30''$ East to a point of reverse curve;

Thence by the arc of a curve bearing to the right:
Radius = 25.00 feet, Delta = $86^{\circ}-04'-56''$, Arc = 37.56 feet, Chord = 34.13 feet and Chord Bearing South $61^{\circ}-16'-33''$ East to a point and P.T. of said curve;

Thence South $18^{\circ}-14'-05''$ East 28.66 feet to a point and the P.C. of a curve;

Thence by the arc of a curve bearing to the right:
Radius = 290.00 feet, Delta = $28^{\circ}-38'-53''$, Arc = 145.00 feet, Chord = 143.49 feet and Chord Bearing South $3^{\circ}-54'-38''$ East to a point;

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Thence South $76^{\circ}-08'-27''$ West 795.99 feet to a point;

Thence North $83^{\circ}-38'-09''$ West 271.67 feet to a point on
the Easterly line of Bishop Road, as aforesaid;

Thence due North along the Easterly line of Bishop Road,
as aforesaid, 293.12 feet to a point and the P.C. of a
curve;

Thence by the arc of a curve bearing to the right: Radius
= 20.00 feet, Delta = $90^{\circ}-00'-00''$, Arc = 31.42 feet,
Chord = 28.28 feet and Chord Bearing North $45^{\circ}-00'-00''$
East to a point and the principal place of beginning and
containing 6.6558 acres of land, according to a survey by
the Western Reserve Surveying Company in September, 1993
be the same more or less but subject to all legal
highways.

The Western Reserve Surveying Co.

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CLEVELAND, OHIO 44109
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LEGAL DESCRIPTION
OF
PARCEL NO. 4
ABERDEEN GOLF COURSE

Situated in the City of Highland Heights, County of Cuyahoga and State of Ohio and known as being part of Original Mayfield Township Lots Nos. 2, 3, 12, 13, 22 and 23, Tract No. 1 and more fully described as follows:

Beginning at a point in the centerline of Miner Road (60 feet wide) at the Northeast corner of Original Mayfield Township Lot No. 3, said point also being on the Northerly line of Cuyahoga County;

Thence South $89^{\circ}-47'-58''$ West along the Northerly line of said Original Lot No. 3 a distance of 1177.01 feet to a point and the principal place of beginning;

Thence South $11^{\circ}-55'-23''$ East 772.80 feet to a point;

Thence South $2^{\circ}-09'-48''$ East 1243.45 feet to a point;

Thence South $20^{\circ}-49'-13''$ West 488.78 feet to a point;

Thence South $4^{\circ}-05'-04''$ East 150.00 feet to a point;

Thence by the arc of a curve bearing to the right: Radius = 1610.00 feet, Delta = $13^{\circ}-59'-00''$, Arc = 392.93 feet, Chord = 391.96 feet and Chord Bearing North $88^{\circ}-10'-19''$ West to a point of compound curvature;

Thence by the arc of a curve bearing to the right: Radius = 25.00 feet, Delta = $91^{\circ}-59'-19''$, Arc = 40.14 feet, Chord = 35.96 feet, and Chord Bearing North $35^{\circ}-11'-10''$ West to a point;

Thence North $10^{\circ}-48'-30''$ East 307.02 feet to a point;

Thence South $79^{\circ}-11'-30''$ East 70.00 feet to a point;

Thence North $12^{\circ}-26'-39''$ East 1032.49 feet to a point;

Thence North $58^{\circ}-32'-35''$ West 180.00 feet to a point;

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Thence North $4^{\circ}-57'-06''$ West 210.00 feet to a point;
Thence North $1^{\circ}-05'-49''$ East 642.93 feet to a point;
Thence South $89^{\circ}-47'-58''$ West 1045.48 feet to a point;
Thence North $73^{\circ}-14'-10''$ West 590.52 feet to a point;
Thence South $55^{\circ}-10'-32''$ West 86.55 feet to a point;
Thence South $3^{\circ}-31'-00''$ East 443.72 feet to a point;
Thence North $89^{\circ}-03'-37''$ East 340.21 feet to a point;
Thence South $57^{\circ}-17'-48''$ East 993.51 feet to a point;
Thence South $10^{\circ}-39'-20''$ East 371.99 feet to a point;
Thence South $14^{\circ}-09'-52''$ East 653.59 feet to a point;
Thence South $2^{\circ}-38'-02''$ East 63.03 feet to a point;
Thence South $79^{\circ}-11'-30''$ East 57.13 feet to a point;
Thence South $10^{\circ}-48'-30''$ West 307.98 feet to a point and
P.C. of a curve:
Thence by the arc of a curve bearing to the right:
Radius = 25.00 feet, Delta = $90^{\circ}-00'-00''$, Arc = 39.27
feet, Chord = 35.36 feet and Chord Bearing South
 $55^{\circ}-48'-30''$ West to a point;
Thence North $79^{\circ}-11'-30''$ West 112.00 feet to a point;
Thence North $10^{\circ}-48'-30''$ East 90.00 feet to a point;
Thence North $30^{\circ}-04'-29''$ West 570.00 feet to a point;
Thence North $10^{\circ}-26'-44''$ West 845.79 feet to a point;
Thence North $77^{\circ}-44'-56''$ West 537.23 feet to a point;
Thence South $41^{\circ}-05'-29''$ West 228.22 feet to a point;
Thence South $3^{\circ}-17'-03''$ West 875.00 feet to a point;
Thence South $20^{\circ}-12'-33''$ West 160.30 feet to a point;
Thence South $30^{\circ}-59'-06''$ West 469.86 feet to a point;

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Thence South $36^{\circ}-04'-09''$ East 453.63 feet to a point;

Thence South $80^{\circ}-00'-25''$ East 137.87 feet to a point;

Thence by the arc of a curve bearing to the left:
Radius = 640.00 feet, Delta = $12^{\circ}-43'-56''$, Arc = 142.22
feet, Chord = 141.93 feet and Chord Bearing South
 $3^{\circ}-37'-36''$ West to a point and P.T. of said curve;

Thence South $2^{\circ}-44'-22''$ East 584.17 feet to a point and
P.C. of a curve;

Thence by the arc of a curve bearing to the right:
Radius = 530.00 feet, Delta = $15^{\circ}-48'-44''$, Arc = 146.27'
feet, Chord = 145.80 feet and Chord Bearing South
 $5^{\circ}-10'-00''$ West to a point;

Thence North $82^{\circ}-17'-38''$ West 259.06 feet to a point;

Thence North $10^{\circ}-51'-06''$ West 318.70 feet to a point;

Thence North $18^{\circ}-10'-11''$ West 518.06 feet to a point;

Thence North $89^{\circ}-52'-28''$ West 427.87 feet to a point;

Thence due South 1090.00 feet to a point;

Thence South $77^{\circ}-21'-52''$ East 80.00 feet to a point;

Thence South $29^{\circ}-38'-32''$ East 125.00 feet to a point;

Thence South $16^{\circ}-14'-43''$ East 100.00 feet to a point;

Thence by the arc of a curve bearing to the left:
Radius = 1741.38 feet, Delta = $28^{\circ}-59'-45''$, Arc = 881.27
feet, Chord = 871.89 feet and Chord Bearing South
 $57^{\circ}-52'-46''$ West to a point of reverse curve;

Thence by the arc of a curve bearing to the right:
Radius = 700.00 feet, Delta = $32^{\circ}-41'-41''$, Arc = 399.44
feet, Chord = 394.04 feet and Chord Bearing South
 $59^{\circ}-43'-44''$ West to a point;

Thence North $0^{\circ}-17'-32''$ East 62.21 feet to a point;

Thence North $27^{\circ}-39'-48''$ West 140.00 feet to a point;

Thence North $46^{\circ}-41'-05''$ West 240.52 feet to a point;

Thence North $59^{\circ}-43'-28''$ West 214.22 feet to a point;

Thence North $70^{\circ}-28'-10''$ West 235.40 feet to a point;

Thence South $19^{\circ}-39'-52''$ West 582.44 feet to a point;

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September 30, 1993
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Thence due West 127.15 feet to a point on the Easterly line of Bishop Road (width varies);

Thence due North along the Easterly line of Bishop Road, as aforesaid, 836.97 feet to a point on the Southerly line of a parcel of land conveyed to Algis V. and M. Petkus by deed recorded in Volume 15065 Page 7 of Cuyahoga County Deed Records;

Thence South $89^{\circ}-03'-55''$ East along the Southerly line of said parcel conveyed to Algis V. and M. Petkus 259.99 feet to a point at the Southeast corner thereof;

Thence due North along the Easterly line of said parcel conveyed to Algis V. and M. Petkus 27.21 feet to a point;

Thence due East 1485.62 feet to a point;

Thence North $15^{\circ}-23'-19''$ West 565.27 feet to a point;

Thence North $4^{\circ}-36'-20''$ West 196.06 feet to a point;

Thence due North 1110.00 feet to a point;

Thence due West 61.46 feet to a point;

Thence North $0^{\circ}-22'-00''$ West 576.71 feet to a point;

Thence North $89^{\circ}-51'-00''$ East 1.47 feet to a point;

Thence North $0^{\circ}-22'-00''$ West 733.82 feet to a point;

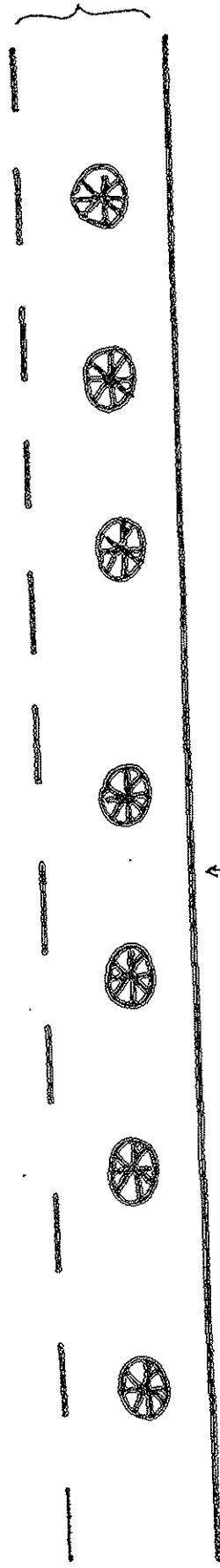
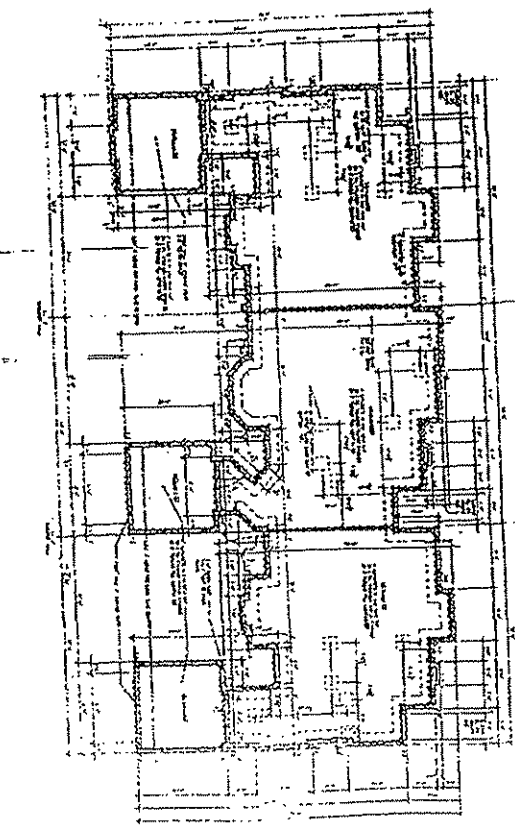
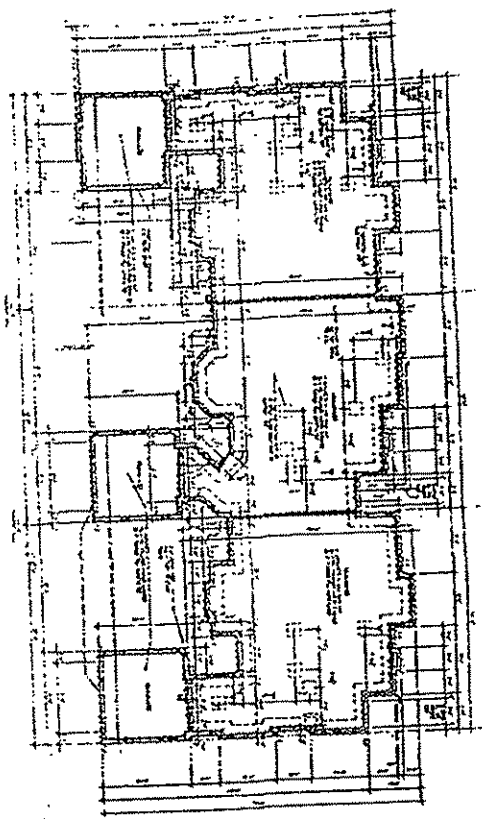
Thence North $89^{\circ}-40'-40''$ East 713.62 feet to a point on the Easterly line of a parcel of land conveyed to The Ostseite Siebenburger Sachsen Kranken Unterstutzungs Verein by deed recorded in Volume 7090 Page 37 of Cuyahoga County Deed Records;

Thence North $0^{\circ}-18'-24''$ West along the Easterly line of said parcel conveyed to The Ostseite Siebenburger Sachsen Kranken Unterstutzungs Verein 995.72 feet to a point on the Northerly line of Original Mayfield Township Lot No. 2, said line also being the Northerly line of Cuyahoga County;

Thence North $89^{\circ}-47'-58''$ East along the Northerly line of said Original Lot No. 2 and said Original Lot No. 3 a distance of 2170.13 feet to a point and the principal place of beginning and containing 142.4324 acres of land, according to a survey by the Western Reserve Surveying Company in September, 1993 be the same more or less, but subject to all legal highways.

EXHIBIT C

25 foot Setback Area



↑
Golf Course Property Line

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

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, Declarant desires to amend the Master Declaration.

NOW, THEREFORE, Declarant hereby amends the Master Declaration pursuant to Article III, Section 1 and Article XIV, Section 1 thereof, as follows:

1. The property described in Exhibit A attached hereto and made a part hereof is hereby deleted from the property which is subject to the Master Declaration.

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 16th day of July, 1998.

Signed and acknowledged
in the presence of:

MINER PROPERTIES, LTD.

Michael A. Shamo
MICHAEL A. SHAMO

By: [Signature]
Sam Miller,
Administrative Officer

Robert Hamilton
Robert Hamilton

And By: [Signature]
Milton Wolf,
Administrative Officer

U S TITLE AGENCY, INC.
98-122

STATE OF OHIO)
) SS:
COUNTY OF CUYAHOGA }

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 16 day of July, 1998.

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 First Amendment to Master Declaration to express its consent and approval of the terms and provisions hereof, this 16 day of July, 1998.

Signed and acknowledged
in the presence of:

Roberta Hamilton
Roberta Hamilton

Thomas L. Sedlak
THOMAS L. SEDLAK

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 16th day of July, 1998, by MICHAEL A. SHERO, the President and Robert F. Monchein, the Secretary of the ABERDEEN COMMUNITY MASTER HOMEOWNERS ASSOCIATION, an Ohio 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, 2004

CO

This Instrument Prepared By:
David J. Gordon, Esq.
1100 Terminal Tower
50 Public Square
Cleveland, Ohio 44113-2203

EXHIBIT A

Situated in the City of Highland Heights, County of Cuyahoga, and State of Ohio, and known as being Block No(s). A in the Subdivision of Phase II Residential Area "G" at Aberdeen A Golf Course Community of part of Original Mayfield Township Lot(s) Nos. 12, 13, 22 and 23, Tract No. 1, as shown by the recorded Plat in Volume 290 of Maps, Page(s) 35 of Cuyahoga County Records, and forming a parcel of land 109.48 feet front on the Westerly side of Miner Road and extending back between parallel lines 259.98 feet as appears by said plat be the same more or less, but subject to all legal highways

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CUYAHOGA COUNTY RECORDER
PATRICK J. OMALLEY
DEED 03/11/1999 02:44:29 PM
199903110681

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

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, Declarant desires to further amend the Master Declaration.

NOW, THEREFORE, Declarant hereby amends the Master Declaration pursuant to Article III, Section 1 and Article XIV, Section 3 thereof, as follows:

1. The Legal Description of Residential Area "B" Aberdeen appearing in Exhibit A to the Master Declaration is hereby amended to delete it in its entirety and to substitute therefor the legal description attached hereto as Exhibit 1.

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 3rd day of March, 1999.

Signed and acknowledged
in the presence of:

MINER PROPERTIES, LTD.

Michelle Meredith
Michelle Meredith

By:

Sam Miller
Sam Miller,
Administrative Officer

AS TO
BOTH

Michael A. SHERO
MICHAEL A. SHERO

And By:

Milton Wolf
Milton Wolf,
Administrative Officer

W. S. TITEN AGENCY, II
199342-E

COPY

STATE OF OHIO)
) SS:
COUNTY OF CUYAHOGA)

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 3rd day of March, 1999.

Michelle Meredith
Notary Public

MICHELLE MEREDITH, Notary Public
STATE OF OHIO
My Commission Expires June 8, 2002
(Recorded in Cuyahoga County)

The Aberdeen Community Master Homeowners Association joins in the execution of this Second Amendment to Master Declaration to express its consent and approval of the terms and provisions hereof, this 3rd day of March, 1999.

Signed and acknowledged
in the presence of:

ABERDEEN COMMUNITY MASTER
HOMEOWNERS ASSOCIATION

Gaiena Dorsey
GAIENA DORSEY } AS To
 } BOTH

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

Michelle Meredith
Michelle Meredith

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

COPY

STATE OF OHIO)
) SS:
COUNTY OF CUYAHOGA)

The foregoing instrument was acknowledged before me, a Notary Public, on the 3rd day of March, 1999, 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.

Michelle Meredith

Notary Public.

MICHELLE MEREDITH, Notary Public
STATE OF OHIO
My Commission Expires June 8, 2002
(Recorded in Cuyahoga County)

This Instrument Prepared By:
David J. Gordon, Esq.
1100 Terminal Tower
50 Public Square
Cleveland, Ohio 44113-2203

COPIES

COPY



Residential Area "B"
Reconfigured
Aberdeen Subdivision

September, 1998

LEGAL DESCRIPTION

Situated in the City of Highland Heights, County of Cuyahoga, and State of Ohio and known as being part of Residential Area "B" and part of the southerly storm water management area in the Aberdeen Subdivision of part of Original Mayfield Township Lots 22 & 32, Tract 1 as shown by the plat as recorded in Volume 272, Page 19 of Cuyahoga County Map Records and bounded and described as follows:

Beginning at a point in the centerline of Aberdeen Boulevard, 80 feet wide, at its intersection with the centerline of Bishop Road;

Thence Due East along the centerline of Aberdeen Boulevard, 841.25 feet to a point of curvature therein;

Thence Due South, 40.00 feet to a point in the southerly line of Aberdeen Boulevard;

Thence easterly along the southerly curved line of Aberdeen Boulevard being the arc of a curve deflecting to the left, 194.90 feet to its intersection with the northerly line of said Residential Area "B", and the principal place of beginning of the parcel herein described, said arc having a radius of 780.00 feet, a central angle of 14 degrees 19 minutes 01 second, and a chord which bears North 82 degrees 50 minutes 29 seconds East, 194.40 feet;

Thence southeasterly along the curved northerly line of said Area "B" being the arc of a curve deflecting to the right, 37.56 feet to a point of tangency, said arc having a radius of 25.00 feet, a central angle of 86 degrees 04 minutes 56 seconds, and a chord which bears South 61 degrees 16 minutes 33 seconds East, 34.13 feet;

Thence South 18 degrees 14 minutes 05 seconds East, continuing along the northerly line of said Area "B", 28.66 feet to a point of curvature;

COPY



Residential Area "B"
Reconfigured
Aberdeen Subdivision

Thence southerly continuing along the curved northerly line of said Area "B" being the arc of a curve deflecting to the right, 145.00 feet to a point, said arc having a radius of 290.00 feet, a central angle on 28 degrees 38 minutes 53 seconds, and a chord which bears South 03 degrees 54 minutes 39 seconds East, 143.50 feet;

Thence South 76 degrees 08 minutes 27 seconds West continuing along the northerly line of said Area "B", 795.99 feet to a point;

Thence North 83 degrees 38 minutes 09 seconds West continuing along the northerly line of said Area "B", 271.67 feet to a point in the easterly line of Bishop Road, 70 feet wide;

Thence Due South along the easterly line of Bishop Road, 502.33 feet to its intersection with the southerly line of said Area "B";

Thence South 89 degrees 09 minutes 00 seconds East along the southerly line of said Area "B", 905.63 feet to a point;

Thence North 00 degrees 51 minutes 00 seconds East along the easterly line of said Area "B", 440.45 feet to a point;

Thence northeasterly along the arc of a curve deflecting to the left, 147.05 feet to a point of compound curvature, said arc having a radius of 200.00 feet, a central angle of 42 degrees 07 minutes 41 seconds, and a chord which bears North 58 degrees 40 minutes 15 seconds East, 143.76 feet;

Thence northeasterly along the easterly line of said Area "B" being the arc of a curve deflecting to the left, 341.12 feet to a point of tangency, said arc having a radius of 350.00 feet, a central angle of 55 degrees 50 minutes 30 seconds, and a chord which bears North 09 degrees 41 minutes 10 seconds East, 327.78 feet;

COPY



Residential Area "B"
Reconfigured
Aberdeen Subdivision

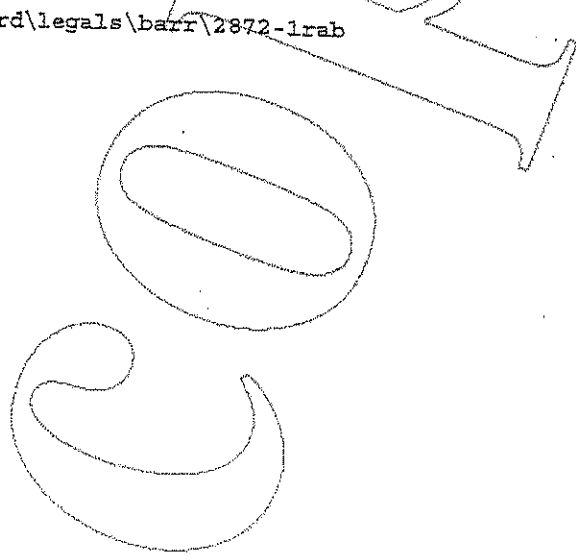
Thence North 18 degrees 14 minutes 05 seconds West
continuing along the easterly line of said Area "B", 28.66
feet to a point of curvature;

Thence northeasterly continuing along the easterly line of
said Area "B", 37.56 feet to a point of tangency in the
southerly line of Aberdeen Boulevard, said arc having a
radius of 25.00 feet, a central angle of 86 degrees 04
minutes 57 seconds, and a chord which bears North 24 degrees
48 minutes 23 seconds East, 34.13 feet;

Thence southwesterly along the southerly line of Aberdeen
Boulevard being the arc of a curve deflecting to the right,
106.67 feet to the principal place of beginning, and
containing 12.2446 acres of land, said arc having a radius
of 780.00 feet, a central angle of 07 degrees 50 minutes 07
seconds, and a chord which bears South 71 degrees 45 minutes
55 seconds West, 106.58 feet, as described by Donald G.
Bohning & Associates, Inc. in September, 1998.

The courses used in this description are referenced to an
assumed meridian and are used to indicate angles only.

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