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2008R011310

COUNTY OF LAKE

FRANK A. SUPONCIC, CPA, CFE
RECORDER

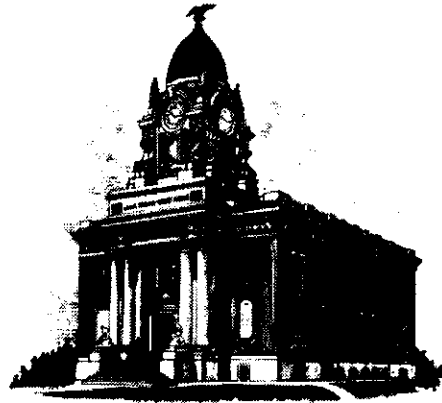
EASTERN
LAKE COUNTY
(440) 350-2510

WESTERN
LAKE COUNTY
(440) 946-2829

FAX
(440) 350-5940

LAKE COUNTY OHIO
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FRANK A SUPONCIC, CPA, CFE
LAKE COUNTY RECORDER
REC FEE: \$308.00
PAGES: 38



IMPORTANT RECORDING INFORMATION

This cover sheet is a permanent addition to the original document and **MUST** be retained with the document that was filed and/or recorded.

Reflected hereon is the pertinent recording information:

- File Number
- Date Filed
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2008 AUG 17 11 09 17

To be recorded with Deed
Records – ORC § 317.08

ALL TITLE SERVICES, INC.
ORDER NO. Accom

ENVIRONMENTAL COVENANT

This Environmental Covenant is entered into by Lake Erie Shores Homeowners Association, Inc., an Ohio non-profit corporation (the "Owner") located at 32100 Solon Road, Solon, Ohio 44139, The Land Conservancy of Ohio, an Ohio non-profit corporation (the "Holder") located at 85 E. Gay Street, Suite 702, Columbus, Ohio 43215, and the Ohio Environmental Protection Agency ("Ohio EPA"), a non-holding party, pursuant to Ohio Revised Code ("ORC") §§ 5301.80 to 5301.92, for the purpose of subjecting the Covenant Areas (as defined herein) to the activity and use limitations set forth herein.

WHEREAS, the Owner is the owner in fee of certain real property comprising approximately 43 acres and situated in Lake County, Ohio, and being part of the subdivisions known as Lake Erie Shores Phases 1, 2A, 2B, 3 and 4A and North Shore Estates at Lake Erie Shores, and as more fully described in Exhibit A attached hereto (collectively referred to as the "Properties");

WHEREAS, Owner's predecessor in title received Section 401 Water Quality Certification Ohio EPA ID No. 062970 (the "401 Certification Ohio EPA ID No. 062970") from the Ohio EPA and Section 404 Permit No. 2004-01211 from the U.S. Army Corps of Engineers (the "404 Permit No. 2004-01211");

WHEREAS, Owner has agreed to protect in perpetuity with an environmental covenant specific areas of the Properties which are more particularly described as Environmental Covenant Nos. 1, 2, 3, 4, 5, 6, 7A, 7B, and 8 in Exhibit B (hereinafter collectively referred to as the "Covenant Areas");

WHEREAS, the Covenant Areas possess substantial ecological and conservation values. The specific ecological and conservation values (hereinafter "Conservation Values") of the Covenant Areas have been documented in the administrative record for 401 Certification Ohio EPA ID No. 062970, which is on file at the offices of the Ohio EPA;

WHEREAS, Owner proposes to ensure the Covenant Areas and their Conservation Values are protected in perpetuity by this Environmental Covenant. Ohio EPA agrees by entering into this Environmental Covenant to ensure the preservation and protection of the Conservation Values of the Covenant Areas for the benefit of this generation and generations to come via enforcement of this Environmental Covenant; and

WHEREAS, Holder is a charitable organization organized for the purpose of, among other things, the protection of natural environmental systems and is exempt from federal taxation under Subsection 501(a) and is described in Subsection 501(c) of the Internal Revenue Code of 1954, as

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amended, and is thus qualified to acquire a conservation easement pursuant to R.C. Section 5301.69(B).

Now therefore, Owner, Holder, and Ohio EPA agree to the following:

1. Environmental Covenant. This instrument is an environmental covenant developed and executed pursuant to ORC §§ 5301.80 to 5301.92.

2. Property. This Environmental Covenant concerns the Covenant Areas as described in Exhibit B, of which Owner is the owner in fee simple.

3. Conveyance of Environmental Covenant. Owner hereby conveys to Holder this Environmental Covenant for the purpose of protecting, in perpetuity, the Covenant Areas in their natural habitat condition and to prevent any use of the same that will significantly impair or interfere with the Conservation Value of the Covenant Areas.

4. Activity and Use Limitations. As part of the conditions set forth in the 401 Certification Ohio EPA ID No. 062970 and the 404 Permit No. 2004-01211 and given the Conservation Values of the Covenant Areas, Owner hereby imposes and agrees to comply with the following activity and use limitations:

- a. Division: Any division or subdivision of the Covenant Areas are prohibited;
- b. Commercial Activities: Commercial development or industrial activity on the Covenant Areas are prohibited;
- c. Construction: The placement or construction of any man-made modifications such as buildings, structures, fences, roads and parking lots on the Covenant Areas are prohibited, other than: construction, maintenance, or repair of storm water structures; construction activities that are authorized by the Mitigation Plan approved by Ohio EPA for 401 Certification Ohio EPA ID No. 062970; the maintenance, repair and replacement of the existing path and bridges located within Environmental Covenant No. 2; and construction activities authorized by Ohio EPA and/or the U.S. Army Corps of engineers in the future;
- d. Cutting Vegetation: Any cutting of trees, ground cover or vegetation, or destroying by means of herbicides or pesticides on the Covenant Areas are prohibited, other than the removal or control of invasive and noxious species and control activities that are authorized by the Mitigation Plan approved by Ohio EPA for 401 Certification Ohio EPA ID No. 062970 or that are authorized by the Ohio EPA and/or the U.S. Army Corps of Engineers in the future. As used herein, the terms "noxious plants" and "invasive species" shall refer to those plants and species so identified by the Ohio Department of Natural Resources or other appropriate state agency or department;

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- e. **Dumping:** Waste, garbage and unsightly or offensive materials are not permitted and may not be accumulated on the Covenant Areas; and
- f. **Water Courses:** Natural water courses and streams and their adjacent riparian buffers may not be dredged, straightened, filled, channelized, impeded, diverted or otherwise altered on the Covenant Areas, other than as part of activities that are authorized by the Mitigation Plan approved by Ohio EPA for 401 Certification Ohio EPA ID No. 062970 or that are authorized by the Ohio EPA and/or the U.S. Army Corps of Engineers in the future.

Except as expressly limited herein, Owner reserves for itself, its heirs, successors and assigns all rights as owner of the Covenant Areas, including the right to use the Covenant Areas for all purposes not inconsistent with this Environmental Covenant. Notwithstanding the foregoing, this Environmental Covenant does not prohibit wetland and/or stream mitigation, monitoring, and maintenance activities, authorized to occur within the Covenant Areas by the 401 Certification Ohio EPA ID No. 062970, the 404 Permit No. 2004-01211, or any future wetland and/or stream mitigation, monitoring, and maintenance activities authorized by Ohio EPA and/or the U.S. Army Corps of Engineers in accordance with state or federal law.

5. **Running with the Land.** This Environmental Covenant shall be binding upon the Owner and all assigns and successors in interest, including any Transferee, and shall run with the land, pursuant to ORC § 5301.85, subject to amendment or termination as set forth herein. The term "Transferee," as used in this Environmental Covenant, shall mean any future owner of any interest in the Covenant Areas or any portion thereof, including, but not limited to, owners of an interest in fee simple, mortgagees, easement holders, and/or lessees. Holder may not assign its rights and obligations under this Environmental Covenant unless such assignment is approved in writing by Owner or Transferee (if applicable) and Ohio EPA.

6. **Compliance Enforcement.** Compliance with this Environmental Covenant may be enforced pursuant to ORC § 5301.91 or other applicable law. Failure to timely enforce compliance with this Environmental Covenant or the use limitations contained herein by any party shall not bar subsequent enforcement by such party and shall not be deemed a waiver of the party's right to take action to enforce any non-compliance. Nothing in this Environmental Covenant shall restrict the Director of Ohio EPA from exercising any authority under applicable law in order to protect public health or safety or the environment.

7. **Rights of Access.** Owner hereby grants to Ohio EPA, its agents, contractors, and employees, the U.S. Army Corps of Engineers, and Holder or its agents the right of access to the Covenant Areas on the Properties in connection with the implementation or enforcement of this Environmental Covenant.

8. **Compliance Reporting.** Owner and any Transferee, or someone acting on its behalf, shall submit to Ohio EPA, upon written request by Ohio EPA, a written report verifying that the activity and use limitations specified herein remain in place and are being complied with.

9. **Notice upon Conveyance.** Each instrument hereafter conveying any interest in the Covenant Areas or any portion of the Covenant Areas shall contain a notice of the activity and use

limitations set forth in this Environmental Covenant, and provide the recorded location of this Environmental Covenant. The notice shall be substantially in the following form:

THE INTEREST CONVEYED HEREBY IS SUBJECT TO AN ENVIRONMENTAL COVENANT, DATED _____, 200__, RECORDED IN THE DEED OR OFFICIAL RECORDS OF THE _____ COUNTY RECORDER ON _____, 200__, IN [DOCUMENT ____, or BOOK ____, PAGE ____]. THE ENVIRONMENTAL COVENANT CONTAINS THE FOLLOWING ACTIVITY AND USE LIMITATIONS:

[Restate restrictions from Paragraph 4 of this Covenant]

Owner shall notify Ohio EPA within ten (10) days after each conveyance of an interest in any portion of the Covenant Areas. Owner's notice shall include the name, address and telephone number of the Transferee, and a copy of the original document that imposed restrictions on the Covenant Areas.

10. Representations and Warranties. Owner hereby represents and warrants to the other signatories hereto, that:

- a. Owner is the sole owner of the Covenant Areas;
- b. Owner holds fee simple title to the Covenant Areas which is subject to the interests or encumbrances identified in Exhibit C attached hereto and incorporated by reference herein;
- c. Owner has the power and authority to enter into this Environmental Covenant, to grant the rights and interests herein provided and to carry out all obligations hereunder; and
- d. This Environmental Covenant will not materially violate or contravene or constitute a material default under any other agreement, document or instrument to which Owner is a party or by which Owner may be bound or affected.

11. Amendment or Termination. This Environmental Covenant may be amended or terminated only by consent of all of the following: the Owner or a Transferee, Holder, and the Ohio EPA, pursuant to ORC § 5301.89 and § 5301.90 and other applicable law. "Amendment" means any changes to the Environmental Covenant, including the activity and use limitations set forth herein, or the elimination of one or more activity and use limitations when there is at least one limitation remaining. "Termination" means the elimination of all activity and use limitations set forth herein and all other obligations under this Environmental Covenant. Amendment or termination shall not affect Owner's obligations pursuant to the 401 Certification and 404 Permit No. 2004-01211.

This Environmental Covenant may be amended or terminated only by a written instrument duly executed by the Director of Ohio EPA, Holder, and the Owner or a Transferee of the Covenant Areas or portion thereof, as applicable. Within thirty (30) days of signature by all requisite parties on any amendment or termination of this Environmental Covenant, the Owner or Transferee shall file

such instrument for recording with the Lake County Recorder's Office, and shall provide a true copy of the recorded instrument to Ohio EPA.

12. Severability. If any provision of this Environmental Covenant is found to be unenforceable in any respect, the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired.

13. Governing Law. This Environmental Covenant shall be governed by and interpreted in accordance with the laws of the State of Ohio.

14. Recordation. Within thirty (30) days after the date of the final required signature upon this Environmental Covenant, Owner shall file this Environmental Covenant for recording, in the same manner as a deed to the property, with the Lake County Recorder's Office.

15. Effective Date. The effective date of this Environmental Covenant shall be the date upon which the fully executed Environmental Covenant has been recorded as a deed record for the Covenant Areas with the Lake County Recorder.

16. Distribution of Environmental Covenant. The Owner shall distribute copies of the recorded Environmental Covenant to: Ohio EPA, Holder, and any other person designated by Ohio EPA; see ORC § 5301.83.

17. Notice. Unless otherwise notified in writing by Ohio EPA, any document or communication required by this Environmental Covenant shall be submitted to:

Manager, Wetland/401 Unit
Division of Surface Water
Ohio EPA
P.O. Box 1049
Columbus, Ohio 43216-1049.

The undersigned Owner represents and certifies that he is authorized to execute this Environmental Covenant.

[Remainder of Page Left Blank/Signature Pages Follow]

IT IS SO AGREED:

OWNER:

Lake Erie Shores Homeowners Association, Inc.
an Ohio non-profit corporation

By: Michael DiSanto

Michael DiSanto

Title: President

Date: 3-12-08

By: Charles Hillier

Charles Hillier

Title: Treasurer/Secretary

Date: 3-12-08

State of Ohio)
County of Cuyahoga)

ss:

Before me, a notary public, in and for said county and state, personally appeared Michael DiSanto, the President of Lake Erie Shores Homeowners Association, Inc., an Ohio non-profit corporation, who acknowledged to me that he did execute the foregoing instrument on behalf of the corporation.

IN TESTIMONY WHEREOF, I have subscribed my name and affixed my official seal this 12 day of March, 2008.

Judy Hersh
Notary Public

JUDY HERSH
NOTARY PUBLIC, STATE OF OHIO

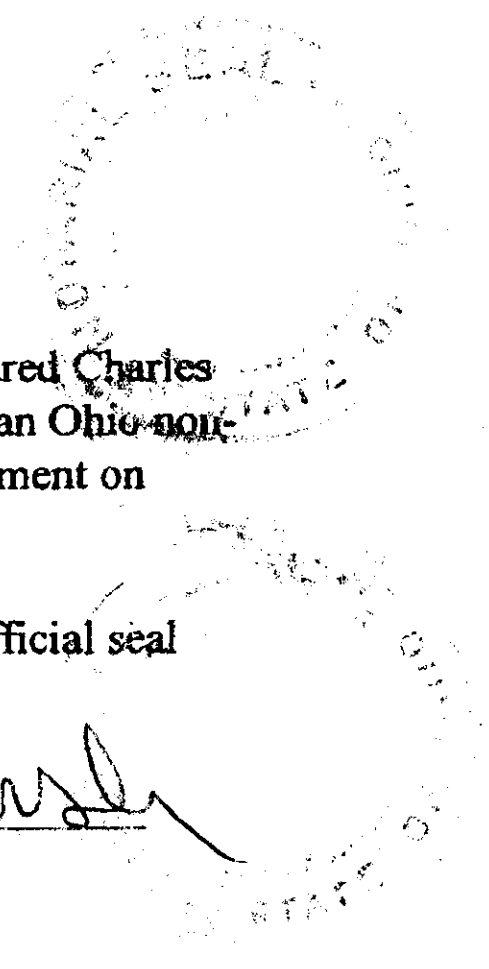
State of Ohio)
County of Cuyahoga)

ss:

Before me, a notary public, in and for said county and state, personally appeared Charles Hillier, the Treasurer/Secretary of Lake Erie Shores Homeowners Association, Inc., an Ohio non-profit corporation, who acknowledged to me that he did execute the foregoing instrument on behalf of the corporation.

IN TESTIMONY WHEREOF, I have subscribed my name and affixed my official seal this 12 day of March, 2008.

Judy Hersh
Notary Public



HOLDER:

The Land Conservancy of Ohio
an Ohio non-profit corporation

By: *Karl R. Gebhardt*
Karl R. Gebhardt
Its: Executive Director

Date: 3-14-08

State of Ohio)
County of Franklin) ss:

Before me, a notary public, in and for said county and state, personally appeared Karl R. Gebhardt, the Executive Director of The Land Conservancy of Ohio, an Ohio non-profit corporation, who acknowledged to me that he did execute the foregoing instrument on behalf of the corporation.

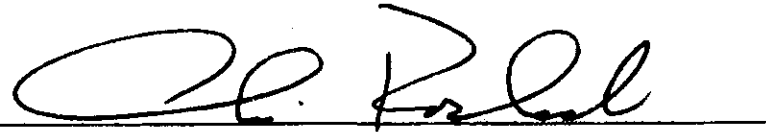
IN TESTIMONY WHEREOF, I have subscribed my name and affixed my official seal this 14th day of March, 2008.



J. GREGORY SMITH
Attorney At Law
NOTARY PUBLIC
STATE OF OHIO
My Commission Has
No Expiration Date
Section 147.03 O.R.C

J. Gregory Smith
Notary Public

OHIO ENVIRONMENTAL PROTECTION AGENCY



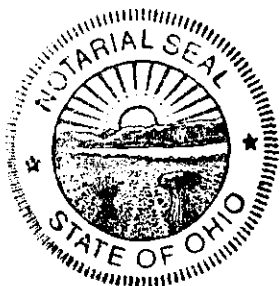
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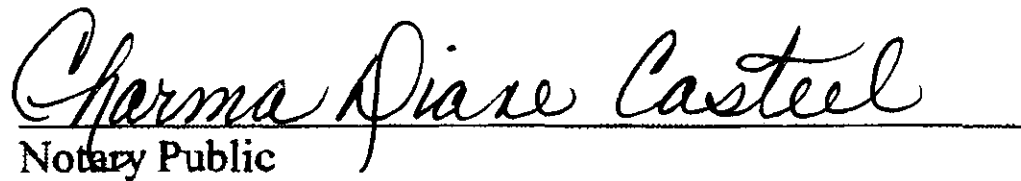
By: Chris Korleski
Its: Director

State of Ohio)
) ss:
County of Franklin)

Before me, a notary public, in and for said county and state, personally appeared Chris Korleski, the Director of Ohio EPA, who acknowledged to me that he did execute the foregoing instrument on behalf of Ohio EPA.

IN TESTIMONY WHEREOF, I have subscribed my name and affixed my official seal this 18th day of April, 2008.




Notary Public

CHARMA DIANE CASTEEL
NOTARY PUBLIC
STATE OF OHIO
MY COMMISSION EXPIRES

[Exhibits Follow]

May 10, 2009

This instrument prepared by:

J. Gregory Smith, Esq.
Ulmer & Berne LLP
88 East Broad Street, Suite 1600
Columbus, OH 43215
Phone: (614) 229-0000
Fax: (614) 229-0001

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Exhibit A

Legal Descriptions for Properties

North Shores Estates at Lake Erie Shores Subdivision

Situated in the Township of Painesville, County of Lake and State of Ohio and known as being Open Space A – 0.2276 acres, Open Space B – 4.5119 acres, Open Space C – 6.9643 acres and Open Space D – 0.1844 acres in North Shore Estates at Lake Erie Shores, Subdivision of a part of Original Painesville Township Lot No. 4, Tract No. 2 and part of Lot No. 27, Tract No. 1, as shown by the recorded plat of said Subdivision in Volume 50 of Maps, Page 5 and refilled in volume 50 of Maps, Page 5A of Lake County Records, as appears by said plat, be the same more or less, but subject to all legal highways.

Permanent Parcel Nos.: 11B-050A-00-057-0, 11B-050A-00-058-0, 11B-050A-00-059-0 and
11B-050A-00-060-0

Instrument Reference No. 2006R010179

Lake Erie Shores – Phase 1 Subdivision

Being a part of Lake Erie Shores – Phase 1 as recorded by plat in Volume 42, Page 25, Lake County Records. Also known as being part of Original Lot 4, Tract 2, and Lot 27, Tract 1, Township of Painesville, Lake County, Ohio

Being three areas designated as OPEN SPACE and containing 0.8321 Acres, 0.2877 Acres, 4.6271 Acres and 2.4118 Acres of land as shown by said plat recorded August 5, 2002 Said OPEN SPACE lands are subject to covenants and restrictions as recorded in Document No. 2002R023781 of Lake County Records and to all easements of record.

Permanent Parcel Nos.: 11-B-043-F-00-103-0, 11-B-043-F-00-104-0, 11-B-043-F-00-105-0 and
11-B-043-F-00-106-0

Instrument Reference No. 2003R048586

Lake Erie Shores – Phase 2A Subdivision

Situated in the Township of Painesville, County of Lake and State of Ohio: And known as being Open Space "A" and Open Space "B" in Lake Erie Shores – Phase 2A Subdivision, of a part of Original Painesville Township Lot 4, Tract 2 and part of Lot No. 27, Tract No. 1, as shown by the recorded plat of said Subdivision in Volume 45 of Maps, Page 30 of Lake County Records, as appears by said plat, be the same more or less, but subject to all legal highways.

Permanent Parcel Nos. 11-B-043-F-00-194-0 and 11-B-043-F-00-195-0

Instrument Reference No. 2004R053692

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Lake Erie Shores – Phase 2B Subdivision

Situated in the Township of Painesville, County of Lake and State of Ohio: And known as being Open Space in Lake Erie Shores – Phase 2B Subdivision, of a part of Original Painesville Township Lot 4, Tract 2 and part of Lot No. 27, Tract No. 1, as shown by the recorded plat of said Subdivision in Volume 46 of Maps, Page 30 of Lake County Records, as appears by said plat, be the same more or less, but subject to all legal highways.

Permanent Parcel No. 11-B-043-F-00-200-0

Instrument Reference No. 2004R053692

Lake Erie Shores – Phase 3 Subdivision

Situated in the Township of Painesville, County of Lake and State of Ohio, and known as being Open Space A – 0.2276 acres and Open Space B – 5.9746 acres in Lake Erie Shores – Phase 3 Subdivision of a part of Original Painesville Township Lot No. 4, Tract No. 2, and part of Lot No. 27, Tract No. 1, as shown by the recorded plat of said Subdivision in Volume 48 of Maps, Page 4 of Lake County Records, as appears by said plat, be the same more or less, but subject to all legal highways.

Permanent Parcel Nos.: 11B-043F-00-263-0 and 11B-043F-00-264-0

Instrument Reference No. 2006R010179

Lake Erie Shores – Phase 4A Subdivision

Situated in the Township of Painesville, County of Lake and State of Ohio and known as being Open Space A – 4.7243 acres and Open Space B – 2.1249 acres in Lake Erie Shores – Phase 4A Subdivision of a part of Original Painesville Township Lot No. 3 and 4, Tract No. 2, as shown by the recorded plat of said Subdivision in Volume 50 of Maps, Page 33 of Lake County Records, as appears by said plat, be the same more or less, but subject to all legal highways.

Permanent Parcel Nos.: Open Space A = 11B-043F-00-319-0 and
Open Space B = 11B-043F-00-317-0

Instrument Reference No. 2006R010179

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Exhibit B

**A Legal Description and Drawing for each Environmental Covenant
Nos. 1, 2, 3, 4, 5, 6, 7A, 7B, and 8**

[See Attached]

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**LEGAL DESCRIPTION
ENVIRONMENTAL COVENANT NO. 1**

Being a part of lands designated as "Open Space" within North Shore Estates at Lake Erie Shores, Volume 50, Page 5 Lake County Records. Said lands are granted to the Homeowners Association within the Lake Erie Shores Subdivision Development, LLC as provided in the Declaration of Covenants and Restrictions recorded in Document No. 2002R023781, Lake County Records.

Beginning at the northeasterly corner of Sublot 28 of said North Shore Estates;

Thence South 64E 41' 32" West, 8.82 feet to a point along the northwesterly line of Sublot 28 of said North Shore Estates;

Thence North 78E 47' 49" West, 33.62 feet to a point;

Thence South 64E 41' 32" West, 108.43 feet to a point;

Thence North 14E 54' 54" West, 30.00 feet to a point;

Thence North 19E 30' 12" West, 57.63 feet to a point along the easterly right-of-way line of North Shore Drive in said North Shore Estates;

Thence along said easterly right-of-way line of North Shore Drive, North, 20E 32' 10" East, 60.00 to a point;

Thence North 46E 32' 48" East, 61.88 feet to a point along the southwesterly property line of Sublot 27 of said North Shore Estates;

Thence South 38E 08' 52" East, 104.71 feet to the southerly corner of said Sublot 27;

Thence North 65E 50' 02" East, 167.53 feet to the easterly corner of Sublot 26 of said North Shore Estates;

Thence South 26E 34' 27" East, 50.01 feet to the southerly corner of Sublot 25 of said North Shore Estates;

Thence North 58E 33' 06" East, 124.05 feet to the southerly corner of Sublot 24 of said North Shore Estates;

Thence North 50E 17' 11" East, 109.00 feet to the easterly corner of said Sublot 24;

Thence North 40E 58' 54" West, 50.02 feet to the southerly corner of said Sublot 23;

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Thence North 34E 09' 22" East, 155.88 feet to the northeasterly corner of Sublot 23 of said North Shore Estates;

Thence North 40E 58' 54" West, 90.00 feet to a point along the northerly line of said Sublot 23;

Thence parallel a 20 foot distance from the easterly right-of-way of said North Shore Drive, North 49E 01' 06" East, 268.37 feet to a point of curvature;

Thence continuing parallel to said easterly right-of-way of North Shore Drive along the arc of a curve deflecting to the right, 12.28 feet to a point; Said curve having a radius of 15.00 feet and a chord that bears North 72E 25' 53" East, 11.92 feet;

Thence continuing parallel to said easterly right-of-way of North Shore Drive along the arc of a curve deflecting to the left, 138.73 feet to a point; Said curve having a radius of 80.00 feet and a chord that bears North 46E 10' 00" East, 121.99 feet;

Thence North 64E 27' 51" East, 123.97 feet to a point;

Thence North 25E 32' 09" West, 30.00 feet to a point along the easterly line of Sublot 22 in said North Shore Estates;

Thence North 64E 72' 15" Est, 74.12 feet to the easterly corner of said Sublot 22;

Thence South 00E 20' 15" East, 412.62 feet to the northeast corner of Sublot 45 of said North Shore Estates;

Thence North 73E 40' 50" West, 164.33 feet to the northerly corner of Sublot 44 of said North Shore Estates;

Thence South 75E 09' 18" West, 148.29 feet to northerly corner of Sublot 43 of said North Shore Estates;

Thence South 32E 31' 09" West, 148.29 feet to the northwest corner of Sublot 42 of said North Shore Estates;

Thence South 10E 07' 00" East, 148.29 feet to the westerly corner of Sublot 41 of said North Shore Estates;

Thence South 13E 36' 33" East, 49.07 feet to the northwest corner of Sublot 40 of said North Shore Estates;

Thence South 00E 20' 15" East, 154.95 feet to the southwest corner of Sublot 39 of said North Shore Estates;

Thence along the southerly line of said Sublot 39, North 89E 39' 45" East, 115.00 feet to a point;

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Thence South 00E 20' 15" East, 101.84 feet to a point along the northerly line of Sublot 37 of said North Shore Estates;

Thence North 53E 01' 27" West, 26.62 feet to the northeast corner of Sublot 36 of said North Shore Estates;

Thence North 70E 20' 42" West, 132.19 feet to a point along the northerly line of said Sublot 36;

Thence North 01E 39' 46" West, 45.00 feet to a point;

Thence South 88E 20' 14" West, 30.00 feet to a point;

Thence South 01E 39' 46" East, 45.00 feet to a point along the westerly line of Sublot 35 of said North Shore Estates ;

Thence South 67E 01' 09" West, 132.19 feet to the northerly corner of said Sublot 34 of said North Shore Estates;

Thence South 65E 32' 44" West, 105.79 feet to the northeast corner of Sublot 31 of said North Shore Estates;

Thence North 64E 41' 55" West, 81.35 feet to the northeast corner of Sublot 30 of said North Shore Estates;

Thence North 54E 13' 37" West, 42.58 feet to the northeast corner of Sublot 29 of said North Shore Estates;

Thence North, 37E 59' 02" West, 42.18 feet to the easterly corner of Sublot 28;

Thence North, 25E 39' 14" West, 79.72 feet to the place of beginning and containing 6.2259 Acres of land.

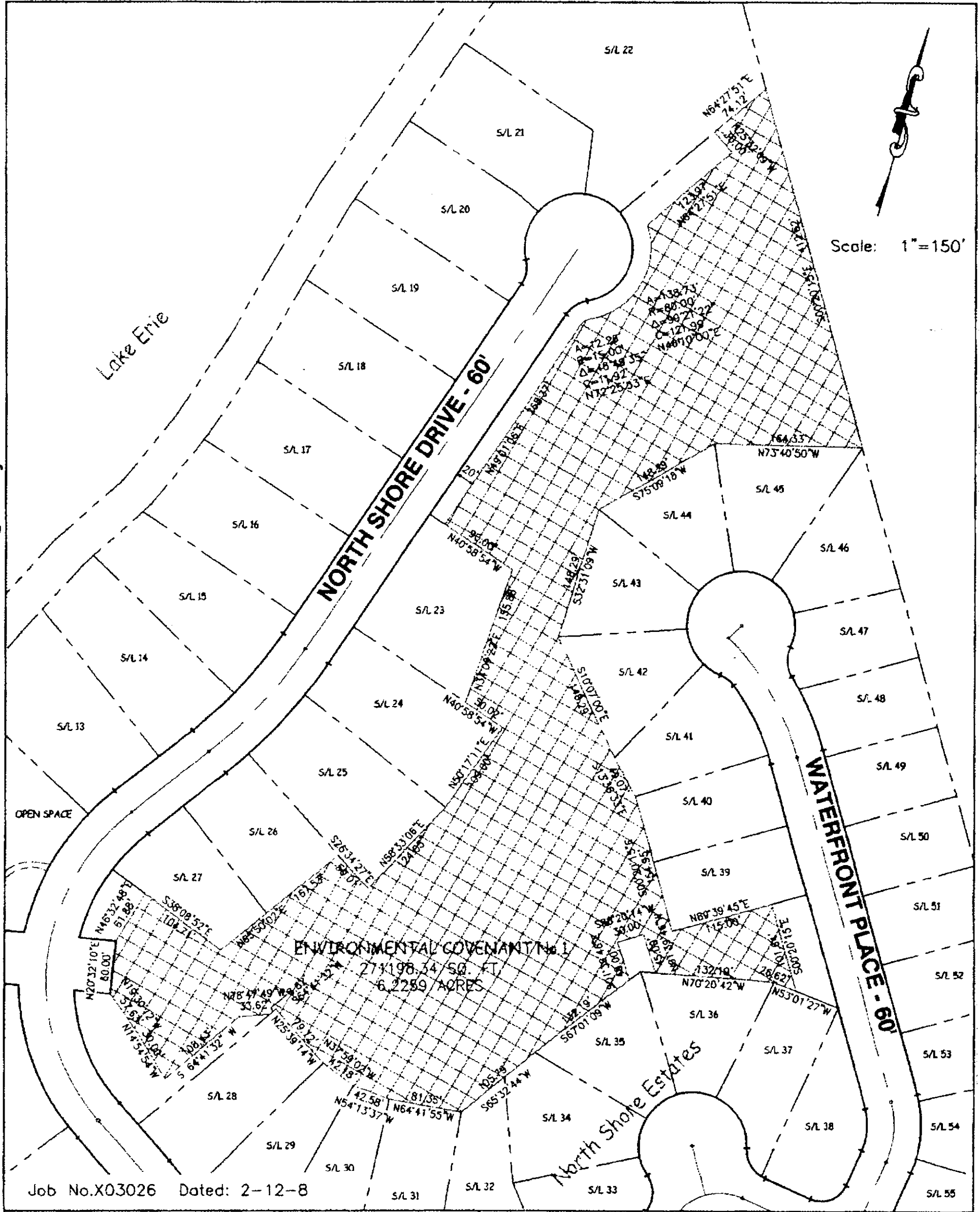
(See "Exhibit 1" attached)

04037:Covenant No. 1\Environmental Easements\Disk 4

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due to original document
legibility.

Reference: North Shore Estates (Lake County Recorded Plat) Vol. 50-5



orbow

Engineering, Inc.

10 West Erie Street, Suite 201 Painesville, Ohio 44077
Phone (440) 352-9559 / 942-0041 Fax (440) 352-9196
orbowengineering@sbcglobal.net

"EXHIBIT - 1"
ENVIRONMENTAL COVENANT

PAINESVILLE TOWNSHIP - LAKE COUNTY - OHIO

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**LEGAL DESCRIPTION
ENVIRONMENTAL COVENANT NO. 2**

Being a part of lands designated as "Open Space" within North Shore Estates at Lake Erie Shores, Volume 50, Page 5 Lake County Records. Said lands are granted to the Homeowners Association within the Lake Erie Shores Subdivision Development, LLC as provided in the Declaration of Covenants and Restrictions recorded in Document No. 2002R023781, Lake County Records.

Beginning at the westerly corner of Sublot 12 of said North Shore Estates;

Thence South 25E 28' 26" East, 44.91 feet to a point along the southwesterly line of said Sublot 12;

Thence South 60E 34' 17" West, 25.33 feet to a point;

Thence South 18E 31' 24" East, 38.13 feet to a point;

Thence North, 66E 52' 51" East, 29.66 feet to the westerly corner of Sublot 11 of said North Shore Estates;

Thence South 25E 18' 28" East, 90.73 feet to the westerly corner of Sublot 10 of said North Shore Estates;

Thence South 37E 52' 02" East, 98.87 feet to the westerly corner of Sublot 9 of said North Shore Estates;

Thence South 46E 44' 43" East, 98.58 feet to the westerly corner of Sublot 8 of said North Shore Estates;

Thence South 57E 13' 11" East, 98.58 feet to the southwesterly corner of Sublot 7 of said North Shore Estates;

Thence South 64E 29' 10" East, 84.13 feet to the southwesterly corner of Sublot 6 of said North Shore Estates;

Thence South 70E 21' 49" East, 92.43 feet to a point along the southerly line of said Sublot 6;

Thence South 12E 28' 47" West, 14.40 feet to a point;

Thence South 67E 06' 17" East, 74.13 feet to a point;

Thence South 87E 57' 06" West, 135.64 feet to a point;

0 1 1 3 1 0

Thence South 03E 13' 25" East, 3.00 feet to a point;

Thence South 86E 46' 35" West, 10.00 feet to a point;

Thence North 26E 13' 33" West, 31.73 feet to a point of curvature;

Thence along the arc of a curve deflecting to the left 133.95 feet to a point; Said curve having a radius of 160.00 feet and a chord that bears North 50E 12' 35" West, 130.07 feet;

Thence continuing along the arc of a curve deflecting to the left 36.40 feet to a point; Said curve having a radius of 70.00 and a chord that bears North 89E 05' 24" West, 35.99 feet;

Thence South 14E 18' 02" East, 10.49 feet to a point;

Thence along the arc of a curve deflecting to the left 11.18 feet to a point; Said curve having a radius of 62.33 feet and a chord that bears North 70E 40' 05" East, 11.17 feet;

Thence along the arc of a curve deflecting to the right 7.13 feet to a point; Said curve having a radius of 5.00 feet and a chord that bears South 73E 36' 39" East, 6.54 feet;

Thence along the arc of a curve deflecting to the left 54.98 feet to a point; Said curve having a radius of 64.01 feet and a chord that bears North 57E 21' 42" West, 53.30 feet;

Thence along the arc of a curve deflecting to the right 9.54 feet to a point; Said curve having a radius of 8.00 feet and a chord that bears North 47E 47' 48" West, 8.99 feet;

Thence along the arc of a curve deflecting to the left 14.23 feet to a point; Said curve having a radius of 53.00 feet and a chord that bears North 21E 18' 42" West, 14.19 feet;

Thence North 29E 00' 09" West, 67.98 feet to a point;

Thence South 66E 23' 07" West, 11.45 feet to a point along the westerly boundary of said North Shore Estates;

Thence North 29E 00' 09" West, 39.97 feet to an iron pin found along said westerly boundary of North Shore Estates;

Thence along said westerly line of North Shore Estates, North, 41E 08' 59" West, 239.27 feet to an iron pin found;

Thence North 79E 11' 26" East, 70.00 feet to a point;

Thence North 25E 18' 28" West, 40.00 feet to a point;

Thence North 04E 29' 36" East, 206.88 feet to a point;

011310

Thence North 67E 04' 14" East, 125.20 feet to a point along the westerly right-of-way line of North Shore Drive;

Thence along said westerly right-of-way line of said North Shore Drive, South 20E 32' 13" West, 60.00 feet to a point;

Thence along said westerly right-of-way line of said North Shore Drive, South 69E 27' 36" East, 24.41 feet to a point;

Thence South 11E 06' 36" West, 203.57 feet to a point along the northerly line of said Sublot 12;

Thence South 67E 53' 14" West, 59.99 feet to the place of beginning and containing 1.5959 Acres of land.

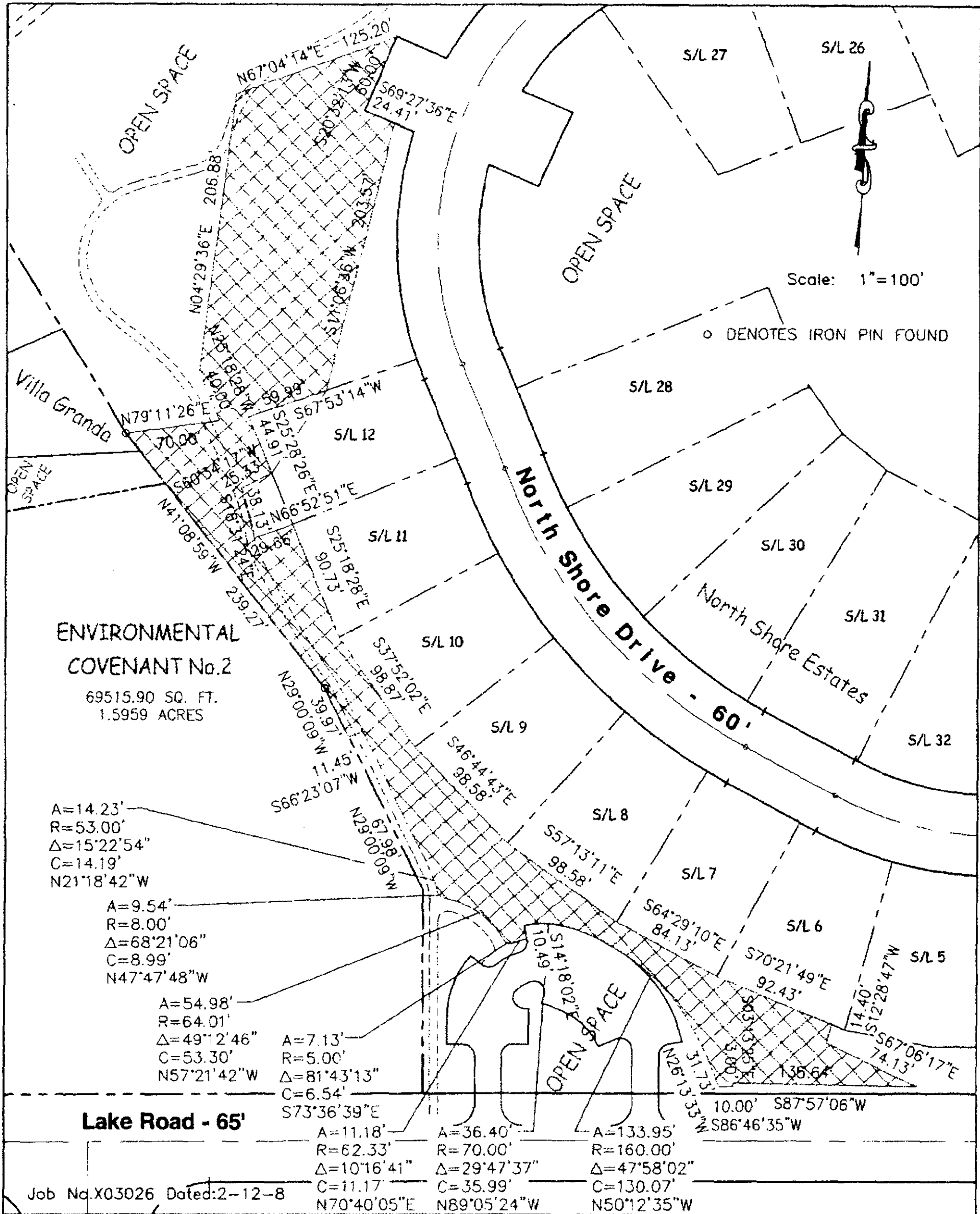
(See "Exhibit 1" attached)

04037\Covenant No. 2\Environmental Easements\Disk 4

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due to original document
legibility.

Reference: North Shore Estates (Lake County Recorded Plat) Vol. 50-5
and Villa Grande (Lake County Recorded Plat) Vol. 54-4



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"EXHIBIT - 1"
ENVIRONMENTAL COVENANT
PAINESVILLE TOWNSHIP - LAKE COUNTY - OHIO

011310

**LEGAL DESCRIPTION
ENVIRONMENTAL COVENANT NO. 3**

Being a part of lands designated as "Open Space" within the Lake Erie Shores Subdivision Phase 1, Volume 42, Page 25 Lake County Records. Said lands are granted to the Homeowners Association within the Lake Erie Shores Subdivision Development, LLC as provided in the Declaration of Covenants and Restrictions recorded in Document No. 2002R023781, Lake County Records.

Beginning at a point along the southerly right-of-way line of Lake Road (65 feet wide). Said point being the northeasterly corner of said Lake Erie Shores Subdivision Phase 1;
Thence South 00E 20' 15" East, 10.00 feet to a point at the principle place of beginning of the premises herein described;

Thence along the easterly line of said Lake Erie Shores Subdivision Phase 1, South 00E 20' 15" East, 570.64 feet to a point;

Thence South 89E 39' 45" West, 38.57 feet to a point along the easterly line of Sublot 9 of said Lake Erie Shores Phase 1;

Thence North 00E 20' 15" West, 114.89 feet to the northeast corner of Sublot 8 in said Lake Erie Shores Subdivision Phase 1;

Thence North 20E 26' 31" West, 378.18 feet to the northeast corner of Sublot 2 in said Lake Erie Shores Subdivision Phase 1;

Thence North 03E 13' 25" West, 42.92 feet to the northeast corner of Sublot 1 of said Lake Erie Shores Subdivision Phase 1;

Thence South 86E 46' 35" West, 81.50 feet to a point along the northerly line of said Sublot 1;

Thence North 03E 13' 25" West, 45.00 feet to a point;

Thence parallel to and distant 15.00 feet from said southerly right-of-way line of Lake Road North 86E 46' 35" East, 100.00 feet to a point;

Thence North 03E 13' 25" West, 5.00 feet to a point;

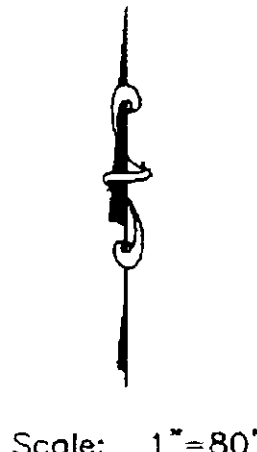
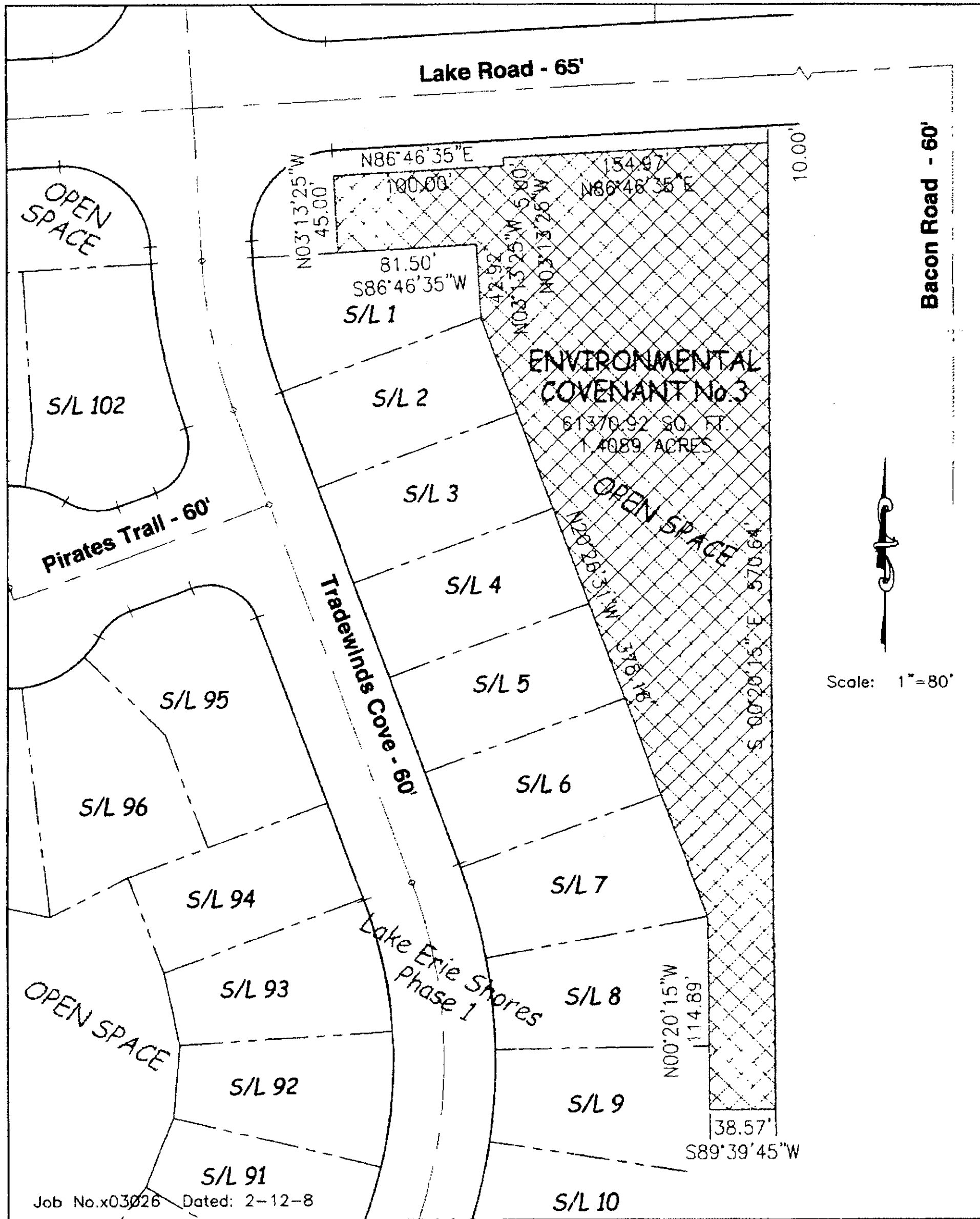
Thence parallel to and distant 10.00 feet from said southerly right-of-way line of Lake Road, North 86E 46' 35" East, 154.97 feet to the place of beginning and containing 1.4089 Acres of land.

(See "Exhibit 1" attached)

04037\Covenant No. 3\Environmental Easements\Disk 4

011310

Reference: Lake Erie Shores - Phase 1 (Lake County Recorded Plat) Vol. 42-25



Job No.x03026 Dated: 2-12-8

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"EXHIBIT - 1"
ENVIRONMENTAL COVENANT

PAINESVILLE TOWNSHIP - LAKE COUNTY - OHIO

011310

**LEGAL DESCRIPTION
ENVIRONMENTAL COVENANT NO. 4**

Being a part of lands designated as "Open Space" within the Lake Erie Shores Subdivision Phase 1, Volume 42, Page 25 Lake County Records. Said lands are granted to the Homeowners Association within the Lake Erie Shores Subdivision Development, LLC as provided in the Declaration of Covenants and Restrictions recorded in Document No. 2002R023781, Lake County Records.

Beginning at the southwest corner of Sublot 96 of said Lake Erie Shores Subdivision Phase 1;

Thence North 62E 57' 00" East, 50.91 feet to the northwest corner of Sublot 94 of said Lake Erie Shores Subdivision Phase 1;

Thence South 20E 26' 31" East, 60.00 feet to the northwest corner of Sublot 93 of said Lake Erie Shores Phase 1;

Thence South 12E 15' 33" East, 43.88 feet to the northwest corner of Sublot 92 in said Lake Erie Shores Subdivision Phase 1;

Thence South 05E 02' 08" West, 43.36 feet to the northwest corner of Sublot 91 in said Lake Erie Shores Subdivision Phase 1;

Thence South 22E 14' 02" West, 43.36 feet to the most northerly corner of Sublot 90 of said Lake Erie Shores Subdivision Phase 1;

Thence South 37E 31' 02" West, 58.56 feet to the most westerly corner of Sublot 90 of said Lake Erie Shores Subdivision Phase 1;

Thence South 38E 55' 57" West, 90.00 feet to the most westerly corner of Sublot 89 in said Lake Erie Shores Subdivision Phase 1;

Thence North 51E 04' 03" West, 197.76 feet to the most northerly corner of Sublot 84 of said Lake Erie Shores Subdivision Phase 1;

Thence North 53E 19' 54" West, 72.31 feet to the most northerly corner of Sublot 83 in said Lake Erie Shores Subdivision Phase 1;

Thence North 62E 39' 18" West, 64.01 feet to a point on the northerly line of Sublot 82 of said Lake Erie Shores Subdivision Phase 1;

Thence North 23E 09' 10" East, 17.23 feet to a point of curvature.

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Thence along the arc of a curve deflecting to the left 20.49 feet to a point. Said curve having a radius of 19.32 feet, and a chord that bears North 37E 57' 43" East, 19.54 feet;

Thence North 08E 58' 55" East, 164.25 feet to a point of curvature.

Thence along the arc of a curve deflecting to the left 14.73 feet to a point; Said curve having a radius of 18.00 feet and a chord that bears North 14E 43' 41" West, 14.32 feet;

Thence North 38E 10' 27" West, 4.64 feet to a point of curvature;

Thence along the arc of a curve deflecting to the left 35.16 feet to a point. Said curve having a radius of 18.00 feet and a chord that bears South 85E 52' 21" West, 29.83 feet;

Thence South 29E 55' 09" West, 16.25 feet to a point;

Thence North 10E 57' 46" West, 123.92 feet to a point;

Thence North 47E 52' 30" West, 160.38 feet to a point;

Thence North 03E 13' 25" West, 21.53 feet to a point;

Thence parallel to and 15.00 feet distant from the southerly right-of-way line of Lake Road, North 86E 46' 35" East, 312.98 feet to a point;

Thence South 03E 13' 25" East, 18.04 feet to a point;

Thence South 35E 30' 38" West, 121.94 feet to a point;

Thence North 54E 29' 22" West, 74.00 feet to a point of curvature.

Thence along the arc of a curve deflecting to the left 23.56 feet to a point. Said curve having a radius of 15.00 feet and a chord that bears South 80E 30' 38" West, 21.21 feet;

Thence South 35E 30' 38" West, 24.68 feet to a point of curvature.

Thence along the arc of a curve deflecting to the left 17.46 feet to a point. Said curve having a radius of 15.00 feet and a chord that bears South 02E 09' 26" West, 16.49 feet;

Thence South 31E 11' 46" East, 82.74 feet to a point of curvature;

Thence along the arc of a curve deflecting to the left 29.66 feet to a point. Said curve having a radius of 15.00 feet, and a chord that bears South 87E 50' 34" East, 25.06 feet;

Thence South 27E 28' 23" East, 45.23 feet to a point along the westerly line of Sublot 99 of said Lake Erie Shores Subdivision Phase 1;

011310

Thence South 00E 57' 32" West, 65.75 feet to the northwest corner of Sublot 98 of said Lake Erie Shores Subdivision Phase 1;

Thence South 38E 10' 27" East, 131.51 feet to the southwest corner of Sublot 97 of said Lake Erie Shores Subdivision Phase 1;

Thence North 77E 18' 26" West, 131.51 feet to the place of beginning and containing 2.7430 Acres of land.

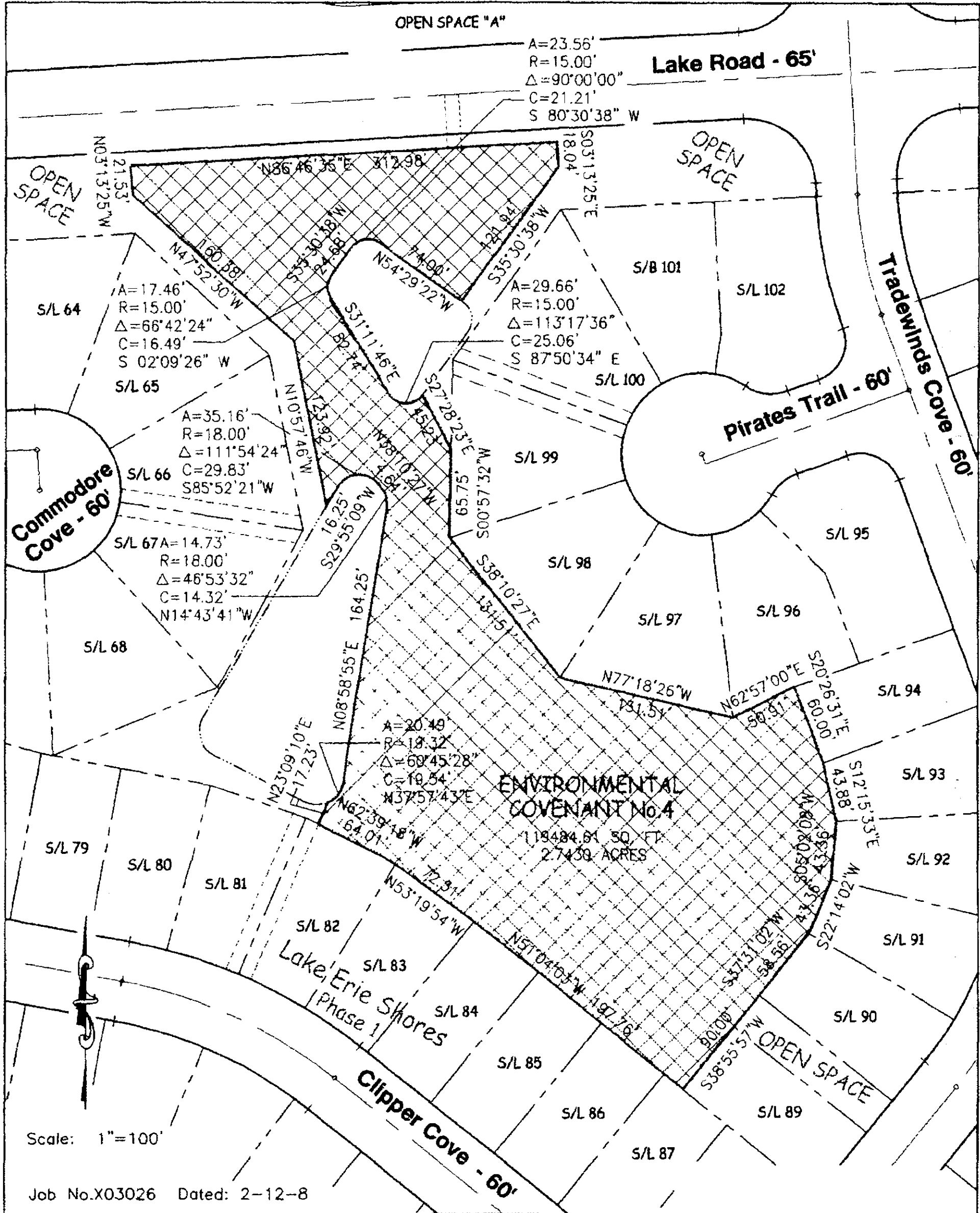
(See "Exhibit 1" attached)

\\04037\Covenant No. 4\Environmental Easements\Disk 4

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legibility.

Reference: Lake Erie Shores - Phase 1 (Lake County Recorded Plat) Vol. 42-25



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"EXHIBIT - 1"
ENVIRONMENTAL COVENANT

PAINESVILLE TOWNSHIP - LAKE COUNTY - OHIO

011310

LEGAL DESCRIPTION
ENVIRONMENTAL COVENANT NO. 5

Being a part of lands designated as "Open Space" within the Lake Erie Shores Subdivision Phase 2B, Volume 46, Page 30 Lake County Records. Said lands are granted to the Homeowners Association within the Lake Erie Shores Subdivision Development, LLC as provided in the Declaration of Covenants and Restrictions recorded in Document No. 2002R023781, Lake County Records.

Beginning at an iron pin found at the southwest corner of said Lake Erie Shores Subdivision Phase 2B. Thence North 51E 04'15" West, 25.00 feet to a point and the principle place of beginning of the premises herein described;

Thence along the southwesterly boundary of said Lake Erie Shores Subdivision Phase 2B North 51E 04' 15" West, 398.72 feet to a point;

Thence North 38E 55' 45" East, 5.80 feet to a point of curvature;

Thence along the arc of a curve deflecting to the left 594.16 feet to a point. Said curve having a radius of 385.89 feet and a chord that bears South 83E 02' 20" West, 537.19 feet.

Thence South 51E 04' 15" East, 24.82 feet to a point;

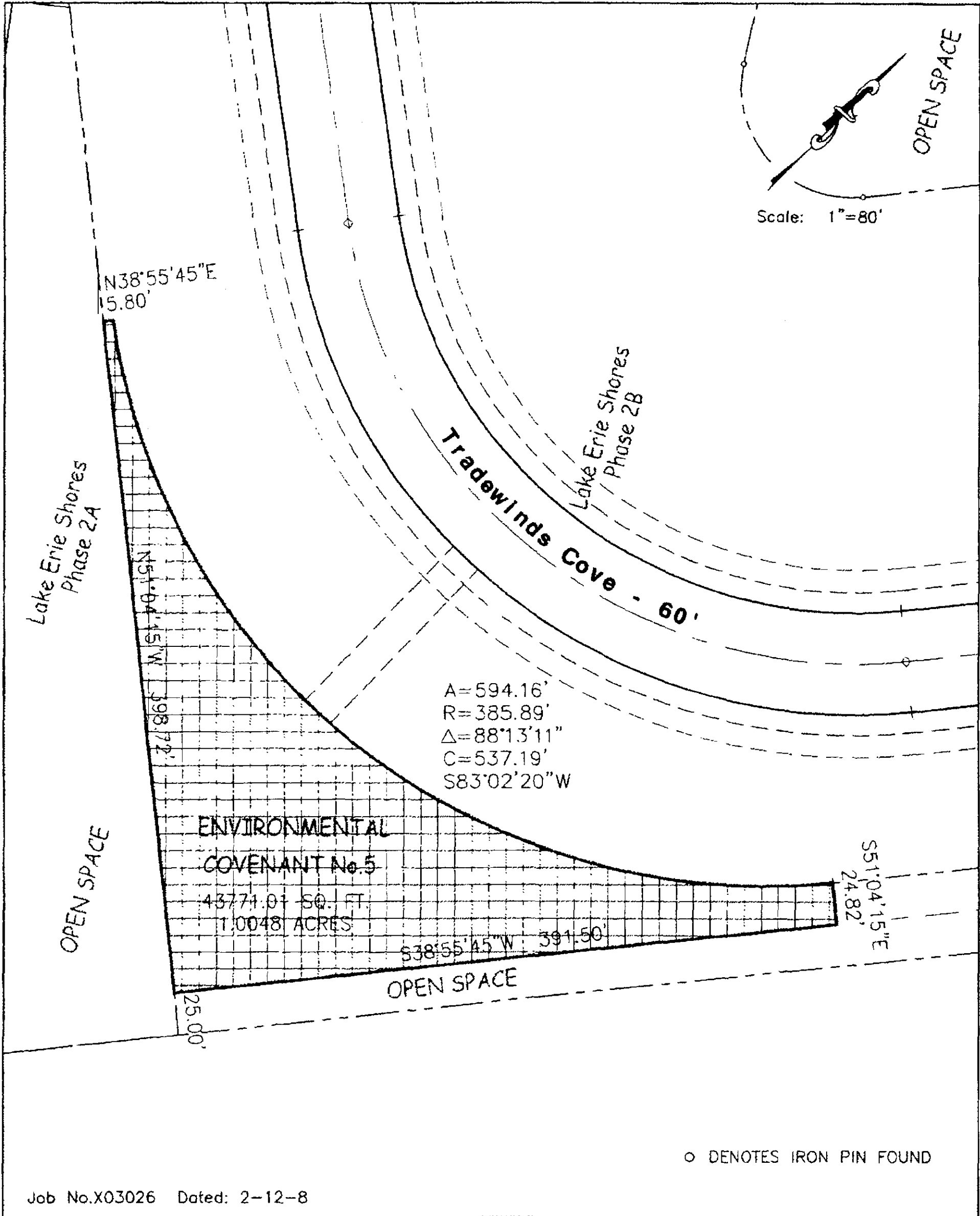
Thence South 38E 55' 45" West, 391.50 feet to the place of beginning and containing 1.0048 Acres of land.

(See "Exhibit 1" attached)

04037:Covenant No. 5:Environmental Easements:Disk 4

011310

Reference: Lake Erie Shores - Phase 2B (Lake County Recorded Plat) Vol. 46-30



○ DENOTES IRON PIN FOUND

Job No.X03026 Dated: 2-12-8

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"EXHIBIT - 1"
ENVIRONMENTAL COVENANT

PAINESVILLE TOWNSHIP - LAKE COUNTY - OHIO

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LEGAL DESCRIPTION
ENVIRONMENTAL COVENANT NO. 6

Being a part of lands designated as "Open Space" within the Lake Erie Shores Subdivision Phase 2A, Volume 45, Page 30 Lake County Records. Said lands are granted to the Homeowners Association within the Lake Erie Shores Subdivision Development, LLC as provided in the Declaration of Covenants and Restrictions recorded in Document No. 2002R023781, Lake County Records.

Beginning at the most easterly corner of Sublot 183 of said Lake Erie Shores Subdivision Phase 2A.

Thence South 51E 04' 15" East 585.33 feet to a point;

Thence parallel to the southerly line of said Lake Erie Shores Subdivision Phase 2A, South 38E 55' 45" West, 601.53 feet to a point;

Thence North 51E 04' 15" West, 24.91 feet to the most southerly corner of Sublot 171 of said Lake Erie Shores Subdivision Phase 2A;

Thence North 38E 55' 57" East, 132.68 feet to the most southerly corner of Sublot 173 of said Lake Erie Shores Subdivision Phase 2A;

Thence North 24E 27' 14" East, 88.89 feet to the southeasterly corner of Sublot 174 in said Lake Erie Shores Subdivision Phase 2A;

Thence North 14E 46' 39" East, 88.64 feet to the southeasterly corner of Sublot 175 of said Lake Erie Shores Subdivision Phase 2A;

Thence North 03E 38' 12" East, 88.64 feet to southeasterly corner of Sublot 176 of said Lake Erie Shores Subdivision Phase 2A;

Thence North 07E 30' 15" West, 88.64 feet to the southeasterly corner of Sublot 177 of said Lake Erie Shores Subdivision Phase 2A;

Thence North 18' 38' 42" West, 88.64 feet to most easterly corner of Sublot 178 of said Lake Erie Shores Subdivision Phase 2A;

Thence North 29E 08' 05" West, 72.92 feet to a point along the easterly line of said Sublot 178;

Thence North 37E 27'19" West, 259.24 feet to a point along the southeasterly line of said Sublot 183;

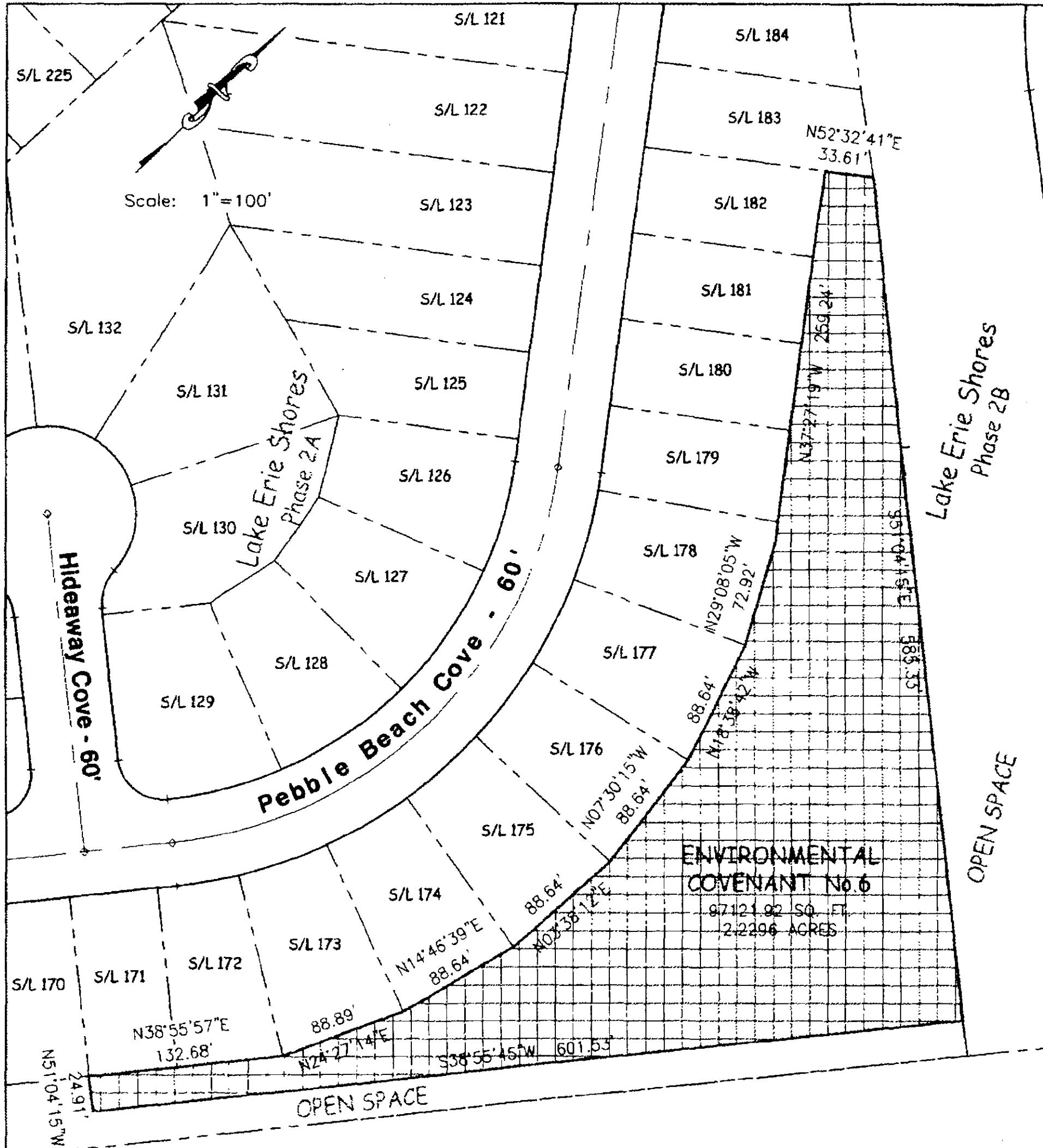
Thence North 52E 32' 41" East 33.61 feet to the place of beginning and containing 2.2296 Acres of land.

(See "Exhibit 1" attached)

04037\Covenant No. 6\Environmental Easements\Disk 4

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Reference: Lake Erie Shores - Phase 2A (Lake County Recorded Plat) Vol. 45-30



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"EXHIBIT - 1"
ENVIRONMENTAL COVENANT

PAINESVILLE TOWNSHIP - LAKE COUNTY - OHIO

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**LEGAL DESCRIPTION
ENVIRONMENTAL COVENANT NO. 7A**

Being a part of lands designated as "Open Space" within the Lake Erie Shores Subdivision Phase 3, Volume 48, Page 4 Lake County Records. Said lands are granted to the Homeowners Association within the Lake Erie Shores Subdivision Development, LLC as provided in the Declaration of Covenants and Restrictions recorded in Document No. 2002R023781, Lake County Records.

Beginning at the northwest corner of Sublot 192 of said Lake Erie Shores Subdivision Phase 3;

Thence South 01E 08' 59" East, 5.00 feet to a point along the westerly line of said Sublot 192; Said point being the principle place of beginning of the premises herein described;

Thence South 01E 08' 59" East, 695.86 feet to the southwest corner of Sublot 203 in said Lake Erie Shores Subdivision Phase 3;

Thence South 70E 49' 53" East, 96.22 feet to a point on the easterly line of said Sublot 203 and a point of curvature;

Thence parallel to and 12.00 feet distant from the westerly right-of-way line of Outrigger Cove in Lake Erie Shores Subdivision Phase 3 along the arc of a curve deflecting to the left 70.70 feet to a point. Said curve having a radius of 347.00 feet and a chord that bears South 13E 19' 55" West, 70.58 feet;

Thence continuing parallel to and 12.00 feet distant from the westerly right-of-line of said Outrigger Cove, South 07E 29' 42" West, 187.54 feet to a point;

Thence North 82E 30' 18" West, 13.00 feet to a point;

Thence South 07E 29' 42" West, 20.00 feet to a point;

Thence South 82E 30' 18" East, 13.00 feet to a point;

Thence parallel to and 12.00 feet distant from the westerly right-of-way line of said Outrigger Cove, South 07E 29' 42" West, 78.33 feet to a point of curvature;

Thence continuing parallel to and 12.00 feet distant from the westerly right-of-way line of said Outrigger Cove along the arc of a curve deflecting to the left 217.23 feet to a point. Said curve having a radius of 353.08 feet and a chord that bears South 10E 07' 49" East, 213.82 feet;

Thence continuing parallel to and 12.00 feet distant from the westerly right-of-way line of Outrigger Cove, South 27E 45' 21" East, 70.97 feet to a point;

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Thence South 62E 14' 39" West, 106.08 feet to a point;
Thence South 27E 45' 21" East, 15.00 feet to the northwest corner of Sublot 204 in said Lake Erie Shores Subdivision Phase 3;

Thence South 01E 08' 59" East, 406.36 feet to a point on the westerly line of Sublot 210 of said Lake Erie Shores Subdivision Phase 3;

Thence South 63E 51' 01" West, 88.31 feet to a point;

Thence parallel to and 20.00 feet distant from the westerly boundary of said Lake Erie Shores Subdivision Phase 3, North 01E 08' 45" West, 1745.38 feet to a point;

Thence North 88E 51' 15" East, 20.00 feet to a point;

Thence North 01E 08' 45" West, 57.86 feet to a point of curvature;

Thence along the arc of a curve deflecting to the left 32.14 feet to a point. Said curve having a radius of 20.00 feet and a chord that bears North 42E 48' 55" East, 28.79 feet;

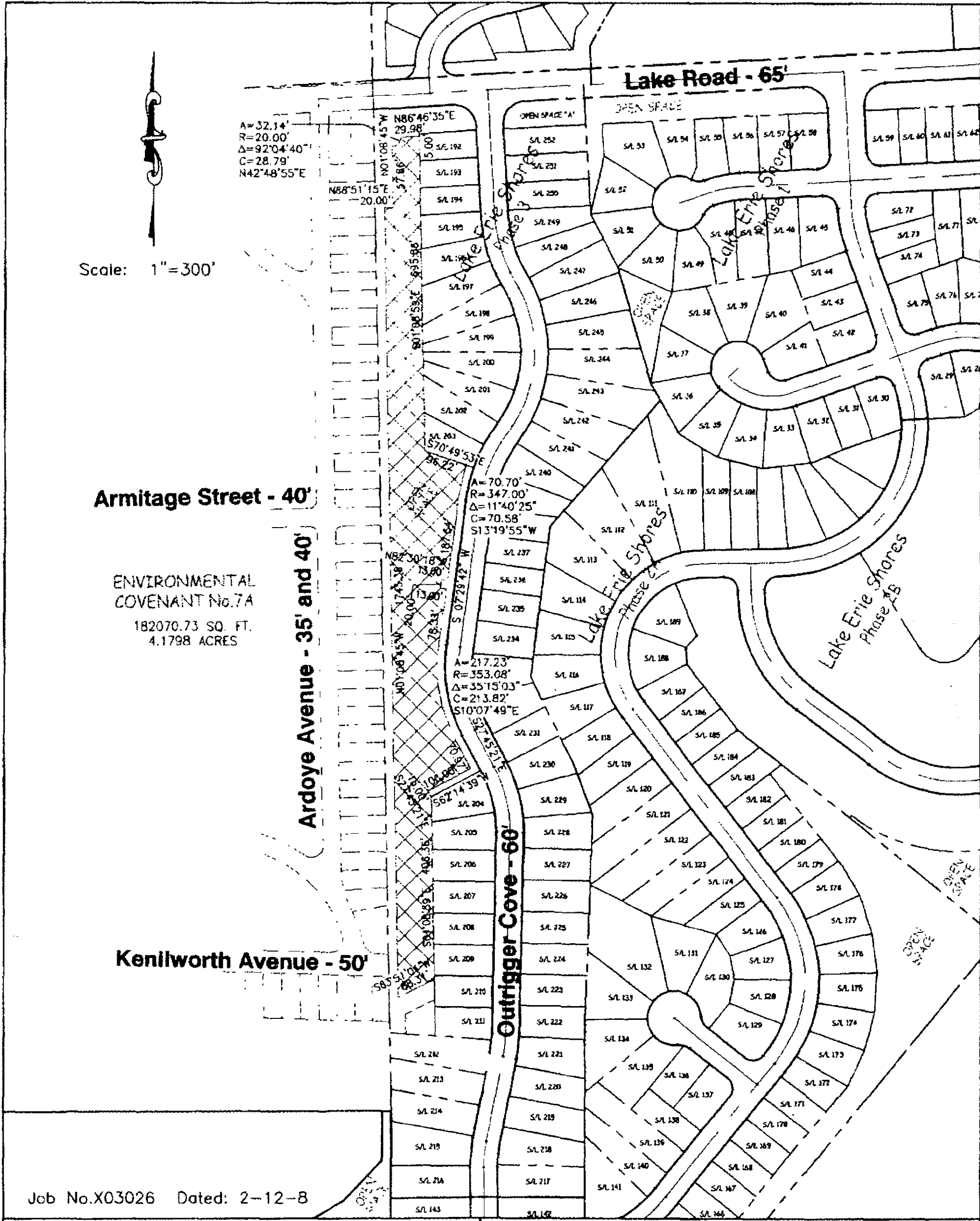
Thence North 86E 46' 35" East, 29.98 feet to the place of beginning and containing 4.1798 Acres of land.

(See "Exhibit 1" attached)

04037\Covenant No. 7A\Environmental Easements\Disk 4

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Reference: Lake Erie Shores - Phase 3 (Lake County Recorded Plat) Vol. 48-4



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"EXHIBIT - 1"
ENVIRONMENTAL COVENANT

PAINESVILLE TOWNSHIP - LAKE COUNTY - OHIO

011310

LEGAL DESCRIPTION
ENVIRONMENTAL COVENANT NO. 7B

Beginning as a part of lands designated as "Open Space" within the Lake Erie Shores Subdivision Phase 3, Volume 48, Page 4 Lake County Records. Said lands are granted to the Homeowners Association within the Lake Erie Shores Subdivision Development, LLC as provided in the Declaration of Covenants and Restrictions recorded in Document No. 2002R023781, Lake County Records.

Beginning at the southwest corner of Sublot 211 of said Lake Erie Shores Subdivision Phase 3;

Thence North 85E 42' 28" West, 63.83 feet to a point;

Thence North 01E 08' 45" West, 44.13 feet to a point;

Thence North 63E 51' 01" East, 71.76 feet to a point along the westerly line of Sublot 210 of Lake Erie Shores Subdivision Phase 3;

Thence South 01E 08' 59" East, 64.76 feet to a point;

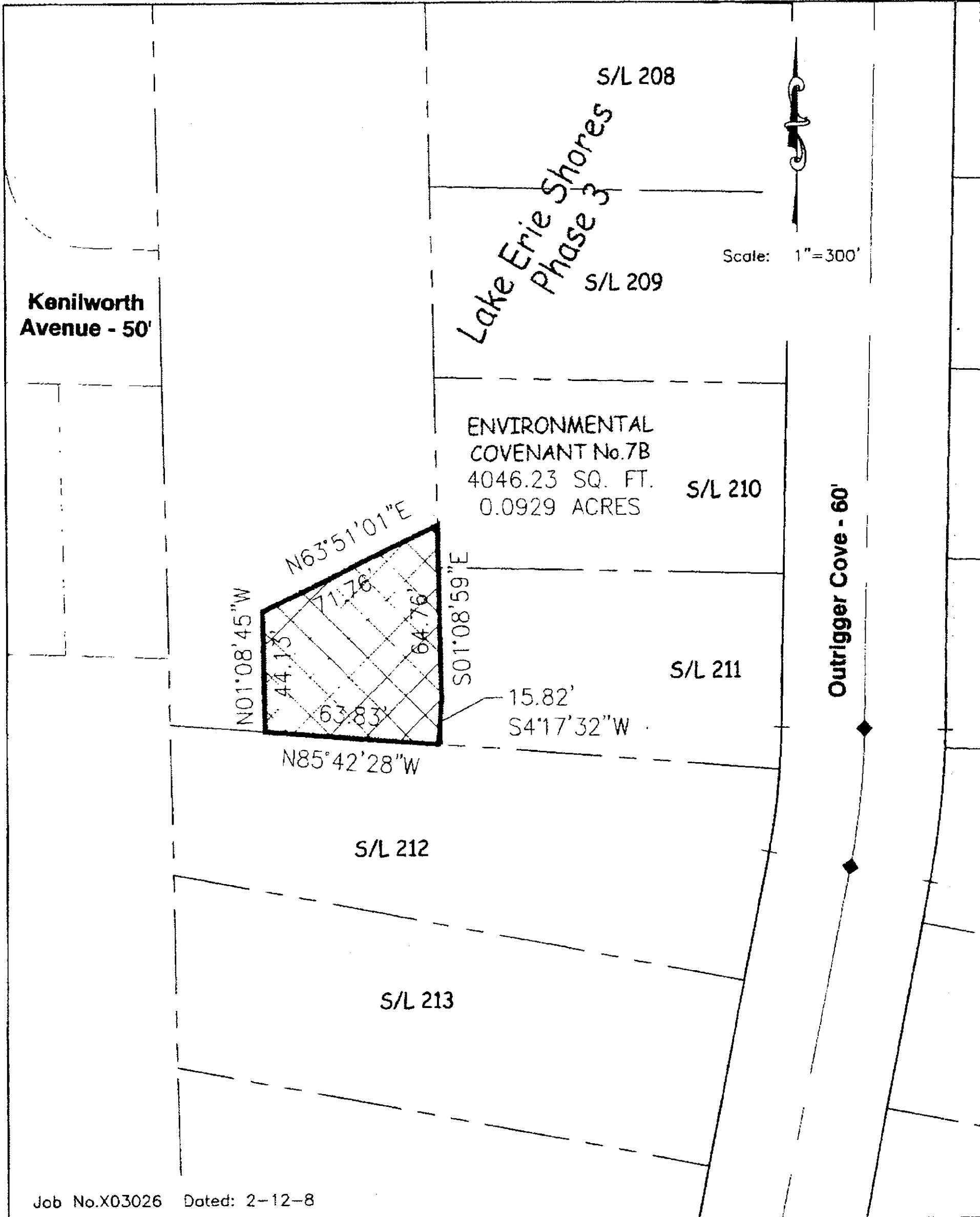
Thence South 04E 17' 32" West, 15.82 feet to the place of beginning and containing 0.0929 Acres of Land.

(See "Exhibit 1" attached)

:\04037\Covenant No. 7B\Environmental Easements\Disk 4

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Reference: Lake Erie Shores - Phase 3 (Lake County Recorded Plat) Vol. 48-4



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**"EXHIBIT - 1"
ENVIRONMENTAL COVENANT**

PAINESVILLE TOWNSHIP - LAKE COUNTY - OHIO

011310

LEGAL DESCRIPTION
ENVIRONMENTAL COVENANT NO. 8

Being a part of lands designated as "Open Space" within Lake Erie Shores Subdivision Phase 4A, Volume 50, Page 33 Lake County Records. Said lands are granted to the Homeowners Association within the Lake Erie Shores Subdivision Development, LLC as provided in the Declaration of Covenants and Restrictions recorded in Document No. 2002R023781, Lake County Records.

Beginning at the southeasterly corner of Sublot 274 of said Lake Erie Shores Phase 4A;

Thence South 40E 09' 44" East, 16.79 feet to a point along the westerly line of Sublot 273 of said Lake Erie Shores Phase 4A;

Thence along the arc of a curve deflecting to the right 748.15 feet to a point. Said curve having a radius of 1101.28 feet and a chord that bears South 69E 18' 03" West, 733.84 feet;

Thence North 00E 59' 12" West, 11.54 feet to a point;

Thence South 89E 00' 48" West, 62.41 feet to a point;

Thence North 01E 49' 25" West, 364.58 feet to a point;

Thence North 88E 10' 35" East, 26.78 feet to a point;

Thence South 32E 37' 10" East, 215.61 feet to a point;

Thence North 69E 07' 42" East, 256.90 feet to a point;

Thence North 16E 14' 51" East, 365.76 feet to a point;

Thence South 22E 31' 02" East, 68.20 feet to the most northerly corner of Sublot 277 of said Lake Erie Shores Phase 4A;

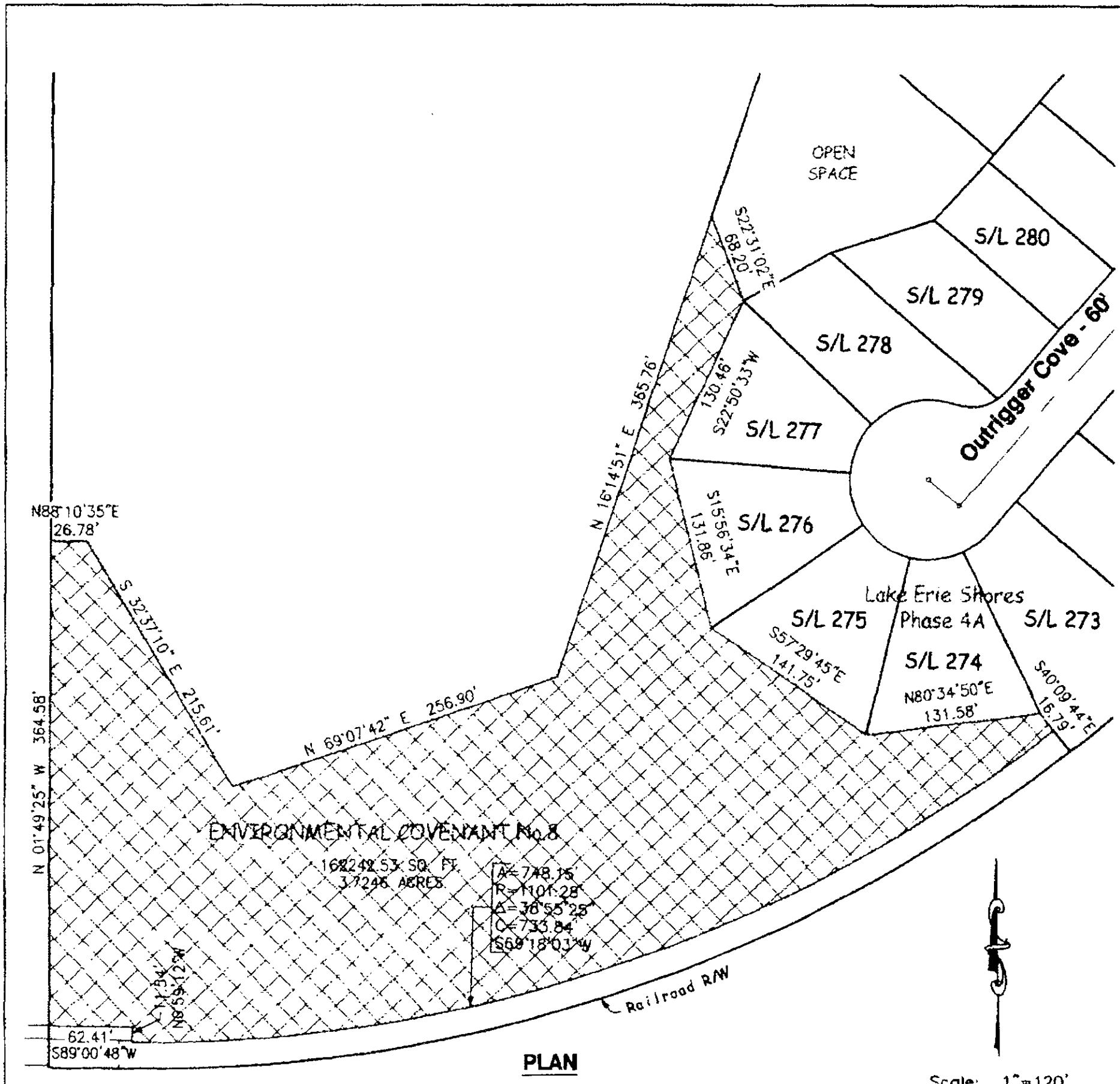
Thence South 22E 50' 33" West, 130.46 feet to the northwest corner of Sublot 276 of said Lake Erie Shores Phase 4A;

Thence South 15E 56' 34" East, 131.86 feet to the most westerly corner of Sublot 275 of said Lake Erie Shores Phase 4A;

Thence South 57E 29' 45" East, 141.75 feet to the southwest corner of said Sublot 274;

Thence North 80E 34' 50" East, 131.58 feet to the place of beginning and containing 3.7246 acres of land.

Reference: Lake Erie Shores - Phase 4A (Lake County Recorded Plat) Vol. 50-33,
 Sanitary Easement (Lake County Recorded Deed) Vol 50-33 and Lake Erie Shores - Phase 4B (Future)



PLAN

Scale: 1"=120'

Job No.X03026 Dated: 2-12-8

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"EXHIBIT - 1"
 ENVIRONMENTAL COVENANT

PAINESVILLE TOWNSHIP - LAKE COUNTY - OHIO

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Exhibit C

1. Stormwater Easement in North Shore Estates at Lake Erie Shores Subdivision to the Board of Lake County Commissioners of record as Instrument No. 2005R034459, and refiled as Instrument No. 2005R039561 in the official plat records of the Recorder's Office, Lake County, Ohio.
2. The recorded plat of North Shore Estates at Lake Erie Shores, recorded in Volume 50 of Maps, Page 5 of Lake County Map Records, and refiled in Volume 50 of Maps, Page 5A of Lake County Records as to Covenant Areas and more land, shows the Stormwater Easement and Open Space Areas.
3. The recorded plat of Lake Erie Shores Phase 1 Subdivision, recorded in Volume 42 of Maps, Page 25 of Lake County Map Records, as to Covenant Areas and more land, shows the Open Space Areas.
4. The recorded plat of Lake Erie Shores Phase 2A Subdivision, recorded in Volume 45 of Maps, Page 30 of Lake County Map Records, as to Covenant Areas and more land, shows the Open Space Areas.
5. The recorded plat of Lake Erie Shores Phase 2B Subdivision, recorded in Volume 46 of Maps, Page 30 of Lake County Map Records, as to Covenant Areas and more land, shows the Open Space Areas.
6. The recorded plat of Lake Erie Shores Phase 3 Subdivision, recorded in Volume 48 of Maps, Page 4 of Lake County Map Records, as to Covenant Areas and more land, shows the Open Space Areas.
7. The recorded plat of Lake Erie Shores Phase 4A Subdivision, recorded in Volume 50 of Maps, Page 33 of Lake County Map Records, as to Covenant Areas and more land, shows the Open Space Areas.
8. Declaration of Covenants, Conditions, Easements and Restriction ("Declaration") as contained in the document dated April 30, 2002 and recorded May 9, 2002 in Lake County Recorders Document No. 2002R023781, as amended by documents recorded in Lake County Recorders Document Nos. 2003R024450, 2004R050271, 2005R012444, 2005R043348, 2006R024098, 2006R051045, 2007R042501, and 2008R003558 covering Covenant Areas and more land. No releases from third parties are necessary under the Declaration in order for Owner to execute the Environmental Covenant.