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FIFTEENTH AMENDMENT TO  
DECLARATION AND BY-LAWS  
CREATING AND ESTABLISHING A PLAN FOR  
CONDOMINIUM OWNERSHIP  
UNDER CHAPTER 5311 OF THE REVISED CODE OF OHIO  
FOR  
BLUE WATER CONDOMINIUM

CERTIFICATE OF AUDITOR

A copy of this Fifteenth Amendment to Declaration, with By-Laws and Drawings attached, was filed with this office on  
June 26, 1996.

*James R. Sinden by O. K. Kozick*  
County Auditor

This instrument prepared by:  
John A. Kocher, Attorney at Law  
Meyer, Kocher, Loeffler & Wargo  
Port Clinton, Ohio 43452

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FIFTEENTH AMENDMENT TO  
DECLARATION OF CONDOMINIUM OWNERSHIP  
FOR  
BLUE WATER CONDOMINIUM

THIS AMENDMENT TO DECLARATION is made and entered into this 3rd day of June, 1996, by Hubert Keating and Sheila N. Keating, Trustees, under the Keating Living Trust, dated December 6, 1993 successor Declarant by deed recorded in Volume 386 at page 653, Ottawa County, Ohio, deed records, (hereinafter referred to as "Declarant"), for the purpose of submitting certain property to condominium use and ownership in accordance with the provisions of Chapter 5311 of the Ohio Revised Code (herein referred to as the "Act").

WHEREAS, on August 29, 1985, Declarant filed with the Ottawa County Recorder, a Declaration of Condominium Ownership (herein referred to as the "original declaration") for Blue Water Condominium with Original Declaration and Bylaws attached thereto, were recorded in Deed Volume 313, Page 364 through 417 of the Ottawa County Records, and which Original Declaration was accompanied by Drawings (herein referred to as the "Original Drawings") recorded in Volume 20 of Plat Records, Page 20; First Amendment to Declaration of Blue Water Condominium recorded in Ottawa County Recorder's Office, Volume 314, Pages 194 through 196; Second Amendment to Declaration recorded in Ottawa County Recorder's Office, Volume 315, Pages 530 through 539 and Ottawa County Plat Records Volume 21 at Page 8 through 8E; Third Amendment to Declaration recorded in Ottawa County Recorder's Office, Volume 318, Pages 888 through 896 and Ottawa County Plat Records Volume 22 at Page 3 through 3F; Fourth Amendment to Declaration recorded in

Ottawa County Recorder's Office, Volume 322 at page 823 through 833 and Ottawa County Plat Records Volume 23 at Page 1 through 1E; Fifth Amendment to Declaration recorded in Ottawa County Recorder's Office, Volume 325 at Page 268 and Ottawa County Plat Records, Volume 24 at Page 1; Sixth Amendment to Declaration recorded in Ottawa County Recorder's Office, Volume 325 at Page 383 and Ottawa County Plat Records, Volume 24 at Page 2; Seventh Amendment to Declaration recorded in Ottawa County Recorder's Office, Volume 327 at Page 184 and Ottawa County Plat Records, Volume 24 at Page 14 through 14C; Eighth Amendment to Declaration recorded in Ottawa County Recorder's Office, Volume 344 at Page 625 and Ottawa County Plat Records, Volume 29 at Page 9; Ninth Amendment to Declaration recorded in Ottawa County Recorder's Office, Volume 355 at Page 597 and Ottawa County Plat Records, Volume 30 at Page 18; Tenth Amendment to Declaration recorded in Ottawa County Recorder's Office, Volume 360 at Page 850 and Ottawa County Plat Records, Volume 31 at Page 8; Eleventh Amendment to Declaration recorded in Ottawa County Recorder's Office, Volume 372 at Page 836 and Ottawa County Plat Records, Volume 32 at Page 7; Twelfth Amendment to Declaration recorded in Ottawa County Recorder's Office, Volume 378 at Page 614 and Ottawa County Plat Records, Volume 33 at Page 6 through 6D; Thirteenth Amendment to Declaration recorded in Ottawa County Recorder's Office, Volume 381 at Page 451 and Ottawa County Plat Records, Volume 33 at Page 17; and Fourteenth Amendment to Declaration recorded in Ottawa County Recorder's Office, Volume 397 at Page 407 and Ottawa County Plat Records, Volume 35 at Page 6

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through 6E, by which condominium ownership was established pursuant to the provisions of the Act for the Condominium Property (as defined in the Original Declaration); and

WHEREAS, the length of time to expand this condominium was extended by Certificate of Amendment recorded in Ottawa County Recorder's Office, Volume 377, Page 714; and

WHEREAS, pursuant to the provisions of the Act, Declarant reserved the option in the Original Declaration to expand the Condominium Property by submitting any or all of the Additional Condominium Property (as defined in the Original Declaration) to the provisions of the Act, and

WHEREAS, Declarant, pursuant to the provisions of Article XX of the Original Declaration, desires to amend the Original Declaration, as previously amended, in accordance with the provisions of Section 5311.051 of the Act for the purpose of expanding the Condominium Property by adding thereto and making a part thereof a portion of the Additional Condominium Property.

NOW, THEREFORE, Declarant hereby declares as follows:

1. Declarant hereby submits to the provision of the Act that portion of the "Additional Condominium Property" which consists of the land described on Exhibit "A" attached hereto which contains Residential Building Number 12 comprised of Unit No.'s 35, 36, 37 and 38, and all other structures, improvements and facilities including roadways that may hereafter be constructed or installed on the parcel herein all easements, rights, and appurtenances thereunto belonging and all articles of personal property that may

be owned by Declarant and may be located on the parcel for the common use of the Unit Owners (as defined in the Original Declaration).

2. Unless otherwise specifically defined herein, all terms used herein shall have the respective meanings ascribed thereto in the Original Declaration.

3. Unless the context expressly otherwise requires, all references in the Original Declaration, in the Bylaws attached thereto, in the Original Drawings (as referred to in Subsection 3(c) hereof) are:

- (a) to "Condominium Property" - shall mean and include as a part thereof the real estate originally declared into the condominium and the real estate added by the Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth and Fifteenth Amendments; and
- (b) to "Declaration" - shall mean and include as a part thereof the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth and Fifteenth Amendments to Declaration of Ownership; and
- (c) to "Drawings" - shall mean and include as a part thereof the Supplemental Drawings, to be attached hereto as Exhibit "C" (which comprise the "Additional Drawings", as defined in the Original Declaration), and were prepared and certified by registered architects or registered engineers and registered surveyors, in accordance with Section 5311.07 of the Act; and
- (d) to "Residential Buildings" - shall mean and include as a part thereof the "Residential Buildings" constructed on the original parcel together with the Amendments thereto (as defined in the Original Declaration); and
- (e) to "Unit" - shall mean and include as a part thereof that part of the Condominium Property (as amended by Section 3(a) hereof designated

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in Article V of the Original Declaration and delineated as such on the Drawings.

4. Article IV Building Description of the Original Declaration is hereby deleted and the following is substituted in lieu thereof:

Section 1 - Residential Building. The original Declaration declared Building No. 14 with three units; the Second Amendment added Building No. 15 with three units; the Third Amendment added Building No. 16 with three units; the Fourth Amendment added Buildings No. 17 and 18 with three units each; the Fifth Amendment added Buildings No. 4 and 5 with three units each; the Sixth Amendment stated Building No. 15 was complete; the Seventh Amendment stated Building No. 5 was complete; the Eighth Amendment added Building No. 6 with three units; the Ninth Amendment added Building No. 1 with three units; the Tenth Amendment added Buildings No. 2, 3 and 7 with three units each; the Eleventh Amendment added Building No. 8 with three units; the Twelfth Amendment added Building No. 9 with three units and the pool; the Thirteenth Amendment added Building No. 10 with three units; the Fourteenth Amendment added Building 11 with four units; and the Fifteenth Amendment added four units. Each of which is designated and delineated in the Drawings, each of which constitutes a separate residence, each of which constitutes a single freehold estate and each of which has an undivided interest in the Common Areas and Facilities appurtenant to it. The dimensions, layout, designation, location and approximate area of the Common Areas and Facilities and the Units, and the number of rooms contained within each Unit, are shown graphically on the Drawings.

5. Article V Units of the Original Declaration is hereby deleted and the following is substituted in lieu thereof:

Section 1 - Unit Designations. The Condominium Property is principally comprised of seventeen (17) separate Residential Buildings (identified as Buildings Numbered 14, 15, 16, 17, 18, 4, 5, 6, 1, 2, 3, 7, 8, 9, 10, 11 and 12 in the Drawings), each such Residential Building being two stories in height (without a basement) and principally of wood frame construction. Each Residential Building will have aluminum or wood frame windows, wood truss roof with asphalt shingles and wood floor joists and wall studs.

6. Pursuant to Article XX Section 16 of the Original Declaration, the respective percentages of interest pertaining to each Unit, as listed on Exhibit "B" attached to the Original Declaration are hereby amended to consist of the percentages of interest designated on Exhibit "B" attached hereto.

7. Notwithstanding any contrary provision in the Original Declaration or in the Bylaws attached thereto, the Unit Owners of Units in Building 12 shall not have any right or title to or interest in funds of the Association nor any liability for expenses of the Association which are allocable to a period preceding the date on which this Amendment to Declaration is filed with the Ottawa County Recorder.

8. Notwithstanding any contrary provisions in the Original Declaration or in the Bylaws attached thereto, there shall be no prohibition or restriction against a Unit Owner collaterally assigning his Boat Slip Interest for the purpose of securing a loan; provided, however, that any lender obtaining the right to such Boat Slip Interest, whether through foreclosure of a security interest or otherwise, shall be subject to each and every provision of Article VII contained in the Original Declaration.

9. The Original Declaration, the Bylaws attached thereto, and the Original Drawings, as each of the foregoing are hereby amended and supplemented, shall be and remain in full force and effect and are hereby incorporated into this instrument as if fully rewritten herein.

10. The invalidity or unenforceability of any provision of this Amendment to Declaration shall not affect or impair the validity or enforceability of any other provision of this Amendment to Declaration.

11. All Exhibits referred to in this Amendment to Declaration and attached hereto constitute an integral part of this Amendment to Declaration.

IN WITNESS WHEREOF, Hubert Keating and Sheila N. Keating, Trustees \* have caused this instrument to be executed this 3rd day of June, 1996.

IN THE PRESENCE OF:

DECLARANT:

Deanna R. Nix  
[Signature]

Hubert Keating  
Hubert Keating, Trustee  
Sheila N. Keating  
Sheila N. Keating, Trustee

\* under the Keating Living Trust, dated December 6, 1994 successor Declarant

STATE OF OHIO,  
COUNTY OF OTTAWA, SS:

Before me, a Notary Public in and for said County and State, personally appeared the above named Hubert Keating and Sheila N. Keating, Trustees, \* who acknowledged that they did sign the foregoing instrument and that the same is their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Port Clinton, Ohio, and hereby certify the foregoing, this 3rd day of June, 1996.



Deanna R. Nix  
NOTARY PUBLIC

Deanna R. Nix, Notary Public  
State of Ohio  
My Commission Expires March 2, 2002

This instrument prepared by:  
John A. Kocher, Attorney at Law  
Meyer, Kocher, Loeffler & Wargo  
Port Clinton, Ohio 43452

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## EXHIBIT A

## LEGAL DESCRIPTION: Bluewater Condominium -- Building 12

Known as and being a parcel of land in Section 2, Lot 13, Firelands Survey, Danbury Township, Ottawa County, Ohio and being more particularly described as follows:

Commencing at an iron pin marking the intersection of the East line of said Section 2, Lot 13, with the northerly right-of-way line of North Shore Boulevard, T.R. #257; thence proceeding South 52 degrees 08 minutes 58 seconds West in said northerly right-of-way line of North Shore Boulevard, T.R. #257, a distance of 369.09 feet to an iron pin; thence proceeding North 0 degrees 00 minutes 00 seconds East a distance of 525.85 feet to a point; thence proceeding North 90 degrees 00 minutes 00 seconds East a distance of 30.00 feet to the point and place of beginning of the parcel herein described; thence continuing North 90 degrees 00 minutes 00 seconds East a distance of 88.86 feet to a point; thence proceeding South 0 degrees 00 minutes 00 seconds West a distance of 135.00 feet to a point; thence proceeding South 45 degrees 00 minutes 00 seconds West a distance of 68.61 feet to a point; thence proceeding North 45 degrees 00 minutes 00 seconds West a distance of 57.06 feet to a point; thence proceeding North 0 degrees 00 minutes 00 seconds East a distance of 143.16 feet to the point and place of beginning. Said parcel contains 0.3287 acres of land.

The above legal description was based on the assumption that the northerly right-of-way line of North Shore Boulevard, T.R. #257, bears South 52 degrees 08 minutes 58 seconds West.

## EXHIBIT B

The condominium building, unit and percentage of common area for the units declared into the condominium are as follows:

Building	Unit No.	Unit Type	Sq. Feet Interest	Percentage
14	40	A	1791	1.9436
14	41	B	1651	1.7969
14	42	C	1749	1.9036
15	43	A	1791	1.9436
15	44	B	1651	1.7969
15	45	C	1749	1.9036
16	46	C	1749	1.9036
16	47	B	1651	1.7969
16	48	C	1749	1.9036
17	49	C	1707	1.8579
17	50	B	1774	1.9308
17	51	A	1788	1.9461
18	52	C	1749	1.9036
18	53	B	1651	1.7969
18	54	A	1791	1.9436
4	10	C	1749	1.9036
4	11	B	1651	1.7969
4	12	C	1749	1.9036
5	13	C	1749	1.9036
5	14	B	1651	1.7969
5	15	C	1749	1.9036
6	16	C	1749	1.9036
6	17	B	1651	1.7969
6	18	C	1749	1.9036
1	1	C	1749	1.9036
1	2	B	1651	1.7969
1	3	C EXPANDED	2544	2.7689
2	4	C	1749	1.9036
2	5	B	1651	1.7969
2	6	C	1749	1.9036
3	7	C	1749	1.9036
3	8	B	1651	1.7969
3	9	C	1749	1.9036
7	19	C	1749	1.9036
7	20	B	1651	1.7969
7	21	C	1749	1.9036
8	22	C	1749	1.9036
8	23	B	1651	1.7969
8	24	C	1749	1.9036
9	25	C	1749	1.9036
9	26	B	1651	1.7969
9	27	C	1749	1.9036
10	28	C	1749	1.9036
10	29	B	1651	1.7969
10	30	C	1749	1.9036
11	31	C	1749	1.9036
11	32	B	1651	1.7969
11	33	B	1651	1.7969
11	34	C	1749	1.9036
12	35	C	1749	1.9036
12	36	B	1651	1.7969
12	37	B	1651	1.7969
12	38	C	1749	1.9036

EXHIBIT C  
TO DECLARATION OF CONDOMINIUM OWNERSHIP  
BLUE WATER CONDOMINIUM  
REFERENCE TO DRAWINGS

The particulars of the land, buildings and other improvements, including, but not limited to, the layout, location, designation, dimensions of each Unit, the layout, locations and dimensions of the Common Areas and Facilities and the location and dimensions of all appurtenant easements or encroachments are shown graphically on the set of Supplemental Drawings incorporated in the Fifteenth Amendment to Declaration of Condominium Ownership of Blue Water Condominium, by reference as Exhibit "C" hereto, prepared and bearing the certified statements of David A. Brunkhorst, Registered Surveyor and Professional Engineer, as required by the Condominium Act of the State of Ohio. Such set of Drawings are filed in the Plat Map Records of the Office of the Recorder of Ottawa County, Ohio, in Book 36 Pages 43 through 48.

The first page of said drawings also reflects Building No. 9 and the pool area which were declared into the condominium by the Twelfth Amendment.