ELEVENTH AMENDMENT TO DECLARATION

CREATING AND ESTABLISHING A PLAN FOR

CONDOMINIUM OWNERSHIP

UNDER CHAPTER 5311 OF THE REVISED CODE OF OHIO

FOR

SAFE HARBOR STORAGE CONDOMINIUM

CERTIFICATE OF AUDITOR

A copy of this Eleventh Amendment to Declaration, with Drawings attached, was filed with this office on _____, 2019.

_____
County Auditor

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

ELEVENTH AMENDMENT TO

DECLARATION OF CONDOMINIUM OWNERSHIP

FOR

SAFE HARBOR STORAGE CONDOMINIUM

THIS AMENDMENT TO DECLARATION is made and entered into this _____ day of _____, 2019, by Safe Harbor Development Ltd, an Ohio limited liability company, (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 January 11, 2012 Declarant filed with the Ottawa County Recorder, a Declaration of Condominium Ownership (herein referred to as the "Original Declaration") for Safe Harbor Storage Condominium with Bylaws attached thereto, which were recorded in Book 1389, Pages 326 through 436 of the Ottawa County Records, and which Original Declaration was accompanied by Drawings (herein referred to as the "Original Drawings") recorded in Book 60 of Plat Records, Pages 17 through 19 by which condominium ownership was established pursuant to the provisions of the Act for the Condominium Property (as defined in the Original Declaration); First Amendment was recorded in Book 1482, Page 242 through 266 of the Ottawa County Records and the Drawings in Book 62 of Plat Records, Pages 24 through 26; and a Second Amendment was recorded in Book 1524, Pages 829

through 863 of the Ottawa County Records and the Drawings in Book 63 of Plat Records, Page 32 and a Third Amendment was recorded in Book 1525, Pages 449 through 474 of the Ottawa County Records and the Drawings in Book 63 of Plat Records, Pages 48 through 50 and a Fourth Amendment was recorded in Book 1570, Pages 401 through 423 and the Drawings in Book 64 of Plat Records, Pages 29 through 32; and a Fifth Amendment was recorded in Book 1601, Pages 526 through 550 and the Drawings in Book 65 of Plat Records, Pages 2 through 5; and a Sixth Amendment was recorded in Book 1651, Page 504 through 534 and the Drawings in Book 66 of Plat Records, Pages 17 through 22; and a Seventh Amendment that was recorded in Book 1683, Pages 669 through 693 and the Drawings in Book 67 of Plat Records, Pages 36 through 41; and an Eighth Amendment that was recorded in Book 1697, Page 118 through 144 and the Drawings in Book 67 of Plat Records, Pages 118 through 144; and a Ninth Amendment that was recorded in Book 1702, Page 183 through 249; and a Tenth Amendment that was recorded in Book 1702, Pages 250 through 327.

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, the Expansion Time was amended by the Ninth Amendment recorded in Book 1702, Pages 183 through 249; and

WHEREAS, Declarant, pursuant to the provisions of Article XIX of the Original Declaration, desires to amend the Original Declaration 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 as amended by the Tenth Amendment records in Book 1702, Pages 250 through 327.

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, subject to all existing non-exclusive easements, which contains Unit Nos. D-9, D-10, D-11, D-12, D-13, D-14, D-15 and D-16, and all other structures, improvements, and facilities that may hereafter be constructed or installed on the parcel herein and all easements, rights, and appurtenances thereunto belonging 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 By-Laws 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 First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth

Amendment, Sixth Amendment, Seventh Amendment, Eighth Amendment, Ninth Amendment, Tenth Amendment and Eleventh Amendment; and

(b) to "Declaration" - shall mean and include as a part thereof the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth and Eleventh 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 "Unit" - shall mean and include as a part thereof that part of the Condominium Property (as amended by Section 3(a) hereof) designated in Article V of the Original Declaration and delineated as such on the Drawings; and

4. The hereinbelow stated Articles and Sections only amend the stated respective Articles and Sections in the original Declaration so that they now read as written hereinbelow. The changes have been made to reflect the addition of ten (10) more Units to the Condominium.

ARTICLE IV

BUILDING DESCRIPTION

Section 1. Storage Condominiums. Each storage building contains adjoining storage Units. The Units are constructed on a concrete slab being a minimum of six (6) inches thick. Each Unit shall contain a 70-amp electrical service except A-10 has 100 amp with no less than 4 wall outlets. Each Unit shall have high output fluorescent interior lighting and shall contain one natural gas infrared radiant overhead tube heater or forced air with thermostat. The Units may be of various sizes, but shall generally be approximately fifty (50) to fifty-five (55) feet deep, twenty (20) to thirty (30) feet wide, with some forty-five (45) feet wide, and twenty

(20) feet high. Each Unit shall contain an insulated overhead door with an electrical opener. Each Unit shall also have one standard walk-in door.

Each Unit is constructed entirely of steel. The building shall be free standing construction with fire walls as may be required by the applicable building code. The exterior side walls shall contain approximately four (4) inches of insulation and the ceiling shall contain approximately six (6) inches of insulation.

ARTICLE V

UNITS

Section 1. Unit Designations. Each of the seventy-seven (77) units is designated on the Drawings by a building letter followed by a unit number. Therefore, for instance, Unit A-2 is Unit Number 2, which is located in Building A. The address of this building is 5686 East Harbor Road, Lakeside-Marblehead, Ohio 43440.

The unit designations for the 77 Units (8 Units being declared herein) for its proper identification are attached as Exhibit B.

ARTICLE VI

COMMON AND LIMITED COMMON AREAS

Section 2. Limited Common Elements - Description. Those portions of the Common Elements that are labeled or designated "LCE" or "Limited Common Elements" on the Drawings, are Limited Common Elements. Exterior lights connected to a unit's electrical circuit and external components of the air conditioning system servicing a unit are Limited Common Elements. Each Unit will also have as Limited Common Elements, at least one area to be used as a parking space, which shall be located in front of the Unit's overhead door. All such Limited Common Elements are reserved for the exclusive use of the owners and occupants of the Unit(s) designated to be served by the same.

Section 3. Undivided Interest. The undivided interest of each Unit being declared herein in the Common Elements is based upon a par value of one for the Units divided by the summation of all par values for each Unit within the condominium as shown on Exhibit B.

Section 6. LCE Air Conditioner. Unit Owners shall have the option of installing a limited common element air conditioner on the roof of the building provided that the plans and specifications are approved in writing by the Board of Directors, and that the Unit Owners shall be responsible for all costs associated with the installation, maintenance, and operation of the air-conditioning unit, including the cost of the power thereto and the insurance therefor.

ARTICLE XIV

GRANTS AND RESERVATION OF RIGHTS AND EASEMENTS

Section 13. Non-Exclusive Access and Utility Easements. Attached hereto as Exhibit D are the legal descriptions for the non-exclusive easements for access and utilities granted for this condominium to Unit Owners and Association as well as the Declarant and any other owner of the land described in Exhibit E, being the future expansion, together with the right to install and maintain utilities as well as to connect thereto.

ARTICLE XIX

EXPANSIONS

Section 4. Legal Description. A legal description, of all additional property that, through exercise of Declarant's option, may be added to the Condominium Property by submission to the Condominium Act as part of this Condominium, is attached hereto and marked "Exhibit E", and referred to herein as "the additional property".

IN WITNESS WHEREOF, Safe Harbor Development Ltd, an Ohio limited liability company, has caused this instrument to be executed this _____ day of _____, 2019.

SAFE HARBOR DEVELOPMENT LTD,
an Ohio limited liability company

_____
Mark Montgomery, Member

STATE OF OHIO,
COUNTY OF OTTAWA, SS:

Before me, a Notary Public in and for said County, personally appeared the above named Safe Harbor Development Ltd, an Ohio limited liability company, by Mark Montgomery, Member, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed and the free act and deed of said limited liability company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Port Clinton, Ohio, this _____ day of _____, 2019.

_____
NOTARY PUBLIC

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

EXHIBIT A

LEGAL DESCRIPTION
OF DECLARED PARCEL

EXHIBIT B

The Condominium Unit, Par Value and the percentage of undivided fractional interest in the Condominium Units being declared into the Condominium are as follows:

Unit	Par Value	% Interest in Common Area	Unit	Par Value	% Interest in Common Area
A-9	1	1.176	C-4	1	1.176
A-10	1	1.176	C-5	1	1.176
A-11	1	1.176	C-6	1	1.176
A-12	1	1.176	C-7	1.5	1.764
A-13	1	1.176	C-8	1	1.176
A-14	1	1.176	C-9	1	1.176
A-15	1	1.176	C-10	1.5	1.764
A-16	1	1.176	C-11	1	1.176
A-17	1	1.176	C-12	1	1.176
A-18	1	1.176	C-13	1	1.176
B-2	1	1.176	C-14	1	1.176
B-3	1	1.176	C-15	1.5	1.764
B-4	1	1.176	C-16	1.5	1.764
B-5	1	1.176	C-17	1	1.176
B-6	1	1.176	C-18	1	1.176
B-7	1	1.176	C-19	1	1.176
B-8	1	1.176	C-20	1	1.176
B-9	1.5	1.764	C-21	1	1.176
B-10	1.5	1.764	C-22	1	1.176
B-11	1	1.176	C-23	1	1.176
B-12	1	1.176	C-24	1	1.176
B-13	1	1.176	C-25	1.5	1.764
B-14	1	1.176	C-26	1.5	1.764
B-15	1	1.176	D-1	1	1.176
B-16	1	1.176	D-2	1	1.176
B-17	1.5	1.764	D-2	1	1.176
B-18	1.5	1.764	D-3	1	1.176
B-19	1	1.176	D-4	1	1.176
B-20	1	1.176	D-5	1	1.176
B-21	1	1.176	D-6	1	1.176
B-22	1	1.176	D-7	1.5	1.764
B-23	2	2.352	D-8	1.5	1.764
B-24	1	1.176	D-9	1	1.176
B-25	1.5	1.764	D-10	1	1.176
B-26	1.5	1.764	D-11	1	1.176
C-1	1	1.176	D-12	1	1.176
C-2	1	1.176	D-13	1	1.176
C-3	1	1.176	D-14	1	1.176
			D-15	1	1.176
			D-16	1	1.176

EXHIBIT C

ELEVENTH AMENDMENT TO
DECLARATION OF CONDOMINIUM OWNERSHIP
SAFE HARBOR STORAGE 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 Drawings incorporated in the Eleventh Amendment to Declaration of Condominium Ownership of Safe Harbor Storage Condominium, by reference to Exhibit "C" hereto prepared and bearing the certified statements of Joshua J. O'Neil, PE No. 69263 and Peter J. Segaard, R.S. No. 7883 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 _____, Pages _____ through _____.

EXHIBIT D

NON-EXCLUSIVE EASEMENTS

EXHIBIT E

LEGAL DESCRIPTION

FOR EXPANDABLE PROPERTY