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SECOND SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS,
RESERVATIONS, RESTRICTIONS AND EASEMENTS
FOR
DANBURY GLEN ESTATES, HARTVILLE, STARK COUNTY, OHIO

Being developed by:

**Danbury Glen Estates, LLC, an Ohio limited liability company,
as successor in interest to Danbury Glen Estates, Inc.
1015 Edison St., N.W.
Hartville, Ohio 44632**

Certification

**Danbury Glen Estates, LLC, an Ohio limited liability company, has filed with the Auditor
of Stark County, Ohio, a copy of this Second Supplement to Declaration of Covenants,
Conditions, Reservations, Restrictions and Easements for Danbury Glen Estates,
Hartville, Stark County, Ohio**

This instrument prepared by:

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SECOND SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS,
RESERVATIONS, RESTRICTIONS AND EASEMENTS
FOR
DANBURY GLEN ESTATES, HARTVILLE, STARK COUNTY, OHIO

THIS SECOND SUPPLEMENT to the original Declaration of Covenants, Conditions, Reservations and Easements for Danbury Glen Estates, Hartville, Stark County, Ohio, is made this 2nd day of December, 2016, by Danbury Glen Estates, LLC, an Ohio limited liability company (hereinafter referred to as "Declarant").

RECITALS:

A. On February 1, 2005, Danbury Glen Estates, Inc. (the "Original Declarant") executed the Declaration of Covenants, Conditions, Reservations and Easements for Danbury Glen Estates, Hartville, Stark County, Ohio (the "Declaration"), which Declaration was filed with the Stark County, Ohio, Auditor and recorded with the Stark County, Ohio, Recorder on February 4, 2005 as Instrument Number 200502040007295.

B. The Declaration defined the "Property" as the property described within "Exhibit A" attached to the Declaration, being 139.2517 acres, more or less.

C. The "Property" consisted of some of that property defined in the Declaration as the "Expansion Parcel" and described in Exhibit "C" to the Declaration, being 81.9603 acres, more or less.

D. On October 29, 2008, Declarant executed a First Supplement to the Declaration, in which it attempted to re-define the Expansion Parcel by reference to a Consolidation Deed recorded with the Stark County, Ohio, Recorder on April 13, 2006 as Instrument Number 200604130021743.

E. This Second Supplement, among other things, will clarify and amend the description of the Expansion Parcel as consisting of 87.0803 acres, more or less, of which 38.5969 acres was within original O.L. 163, 43.3634 acres was within original O.L. 164, 2.25 acres was within original O.L. 162 and 2.87 acres was within original O.L. 211.

F. The Declaration established and declared certain covenants, conditions, reservations, restrictions and easements (collectively the "Conditions and Restrictions") for the Property so as to provide a general plan of development for the benefit and protection of the Property and any/all present and future owners thereof.

G. This Second Supplement will also amend certain of the Conditions and Restrictions in accordance with Declarant's right to do so pursuant to Articles I and VII of the Declaration.

NOW, THEREFORE, Declarant, being duly authorized under the terms and conditions of the Declaration, amends the Declaration as follows:

1. The "Property" is re-defined as being (i) all of that real estate described in Exhibit "B" to the Declaration, consisting of 57.2914 acres, which was developed as Danbury Glen Estates No. 1 and (ii) all of that real estate described in *Exhibit A* to this Second Supplement, consisting of 87.0803 acres, more or less (the "Expansion Parcel").

2. The "Expansion Parcel" is re-defined as being all of that real estate described in *Exhibit A* to this Second Supplement, consisting of 87.0803 acres, more or less. Exhibit "C" to the Declaration and Exhibit "C-1" to the First Supplement are wholly deleted and replaced in their entirety by *Exhibit A* attached to this Second Supplement and incorporated herein by this reference.

3. Out of the Expansion Parcel, as re-defined herein, Declarant creates and establishes the second phase of the Development, to be known as Danbury Glen Estates No. 2, comprised of 25.1158 acres, more or less, as shown on the plat ("Plat") recorded with the Stark County, Ohio, Recorder on September 19, 2016 as Instrument Number 201609190037048. There are thirty-one (31) lots in Phase II.

4. The term "A Lots," as defined in the Declaration, shall be amended to include Lot Numbers 1045 to 1061 in Phase II.

5. There are no "B Lots" in Phase II, as that term is defined in the Declaration.

6. The term "C Lots," as defined in the Declaration, shall be amended to include Out Lot Numbers 274 to 280 and Lot Numbers 1038 to 1044 in Phase II.

7. There are no "Open Space Parcels" in Phase II, as that term is defined in the Declaration.

8. The "Board" or "Board of Trustees" shall be re-constituted as set forth in this paragraph 8. The Board shall continue to consist of five (5) Trustees, three (3) of which shall be appointed by the Declarant and two (2) of which shall be elected by the Owners. The Trustees elected by the Owners shall serve three (3) and two (2) year terms, respectively, based upon the number of votes received by each (with the individual receiving the highest number of votes to serve the longest term). This arrangement will continue until the Relinquishment Date, at which time the Owners will elect five (5) Owners to serve on the Board as provided within the Bylaws. Declarant hereby appoints Gary Sommers, Scott Sommers and Zach Coblentz to serve as its initial representative Trustees on the Board. After the Relinquishment Date and at such time as Declarant no longer has any appointed representatives serving as Trustees, the Board shall provide copies of its corporate records to Declarant on an annual basis or more frequently if requested by Declarant and such request is reasonable and does not create an undue burden on the Board.

9. The "Review Committee" shall be re-constituted as set forth in this Paragraph 9. The Committee shall continue to consist of three (3) members, all of which shall be appointed by Declarant until the Relinquishment Date. Thereafter, the Board shall act as the Review Committee. Declarant hereby appoints Gary Sommers, Scott Sommers and Zach Coblenz to serve as the current members of the Review Committee. These members shall serve until such time as Declarant designates one or more substitute or replacement members or until the Relinquishment Date. The members of the Review Committee, whether appointed by Declarant or the Board acting as Review Committee, shall have the right to engage an architect to assist with the plan review and approval pursuant to Article VI of the Declaration.

10. Despite the fact that Declarant may also be an Owner, Declarant is exempt from paying Assessments for the Lot(s) that it owns. The total Expenses, as determined by the Association, shall be equally apportioned among only those Lots that are not owned by Declarant, a subsidiary of Declarant or an entity controlled by Declarant.

11. In the course of the construction of improvements on any Lot, no activities or any action will be taken by a grantee of a Lot to be in violation of the NPDES permit for the Development or a violation of the erosion and sediment control plans and any other relevant plans. A grantee of a Lot or said grantee's contractor(s), employee(s), agent(s), successor(s), or assign(s), shall not permit sediment to be discharged on adjoining property, on paved surfaces, or into public storm sewer systems. Copies of all applicable plans are on file in the office of Danbury Glen Estates, LLC, c/o HRM Enterprises, Inc., at 1015 Edison St. NW, Hartville, Ohio 44632. A grantee of a Lot or its Builder agrees to submit an individual lot Notice of Intent (NOI) to the Ohio Environmental Protection Agency, General Permit Program, P.O. Box 1049, Columbus, Ohio 43266-1049. See the Application attached hereto as "Appendix A." A grantee of a Lot and its Builder shall comply with each and every requirement set forth in the permit, or otherwise as imposed by the Ohio Environmental Protection Agency.

The Declaration and the Exhibits attached thereto, as each of the foregoing have been amended and supplemented by the First Supplement and this Second Supplement, shall remain in full force and effect.

IN WITNESS WHEREOF, Declarant has hereunto executed this Second Supplement as of the 2nd day of December, 2016.

DANBURY GLEN ESTATES, LLC, an Ohio limited liability company

By: [Signature]
Gary L. Sommers
Its Managing Member

STATE OF OHIO)
) ss:
STARK COUNTY)

Before me, a Notary Public in and for said County and State, personally appeared the above-named, Gary L. Sommers, the Managing Member of Danbury Glen Estates, LLC, an Ohio limited liability company, duly authorized, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed both individually and on behalf of said company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Hartville, Ohio, this 2nd day of December, 2016.

[Signature]
Notary Public



LORALEI R MILLER
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
08-03-2021

Exhibit A

Legal Description
(Expansion Parcel)

Tract I:

Situated in the Village of Hartville, County of Stark, State of Ohio and known as being part of the Southwest Quarter of Section 12 & part of the Northwest Quarter of Section 13, Township 12, Range 8 of former Township of Lake, also known as being part of O.L. 162, part of O.L. 163 and part of O.L. 211 of said Village of Hartville, also known as being part of the lands now or formerly owned by Danbury Glen Estates Inc. as recorded in Instrument #200407290054652 of the Stark County records, also being part of the lands now or formerly owned by Bethany Mennonite Church as recorded in Instrument #200503040013342 of the Stark County records and more fully described as follows:

Beginning at a county disk found at the northeasterly corner of said Northwest Quarter of Section 13, also being the northeasterly corner of said O.L. 211, which is the True Place of Beginning for the parcel of land herein described in the following 23 courses:

- 1) Thence S 00°49'43" W, along the easterly line of said Northwest Quarter of Section 13, also being the easterly line of said O.L. 211, also being the easterly line of said Bethany Mennonite Church lands, a distance of 500.01 feet to a 5/8" capped rebar (GBC Design, Inc.) to be set;
- 2) Thence N 89°26'02" W, along a line of new division, a distance of 448.68 feet to a 5/8" capped rebar (GBC Design, Inc.) to be set;
- 3) Thence N 01°27'00" E, along the westerly line of said Bethany Mennonite Church lands a distance of 500.06 feet to a 5/8" capped rebar (GBC Design, Inc.) to be set;
- 4) Thence N 89°26'02" W, along the southerly line of the said Southwest Quarter of Section 12, a distance of 1331.86 feet to chiseled "X" in stone found;
- 5) Thence N 00°25'07" E, along the easterly line of lands now or formerly owned by David O. & Susan L. Kameron as recorded in Instrument #1998028812 of the Stark County records, also along the easterly line of lands now or formerly owned by Owen C. & Katherine L. Kameron as recorded in Instrument #1998028813 of the Stark County records, a distance of 969.36 feet to a 1" rebar set;
- 6) Thence S 89°34'53" E, along a southerly line of said Danbury Glen Estates No. 1, a distance of 235.04 feet to a 1" rebar set;
- 7) Thence continuing along a southerly line of said Danbury Glen Estates No. 1, along the arc of a circle curving to the left, having a central angle of 00°56'18", a radius of 300.00 feet, a chord length of 4.91 feet, a chord bearing of S 00°53'16" W, a tangent of 2.46 feet, and an arc length of 4.91 feet to a 1" rebar set at a point of tangency;
- 8) Thence S 00°25'07" W, continuing along a southerly line of said Danbury Glen Estates No. 1, a distance of 16.69 feet to a 1" rebar set;

- 9) Thence S 89°34'53" E, continuing along a southerly line of said Danbury Glen Estates No. 1, a distance of 141.10 feet to a 1" rebar set;
- 10) Thence S 55°16'59" E, continuing along a southerly line of said Danbury Glen Estates No. 1, a distance of 131.04 feet to a 1" rebar set;
- 11) Thence S 00°25'07" W, continuing along a southerly line of said Danbury Glen Estates No. 1, a distance of 70.17 feet to a 1" rebar set;
- 12) Thence N 87°39'06" E, continuing along a southerly line of said Danbury Glen Estates No. 1, a distance of 521.70 feet to a 1" rebar set;
- 13) Thence N 87°33'40" E, continuing along a southerly line of said Danbury Glen Estates No. 1, a distance of 50.00 feet to a 1" rebar set;
- 14) Thence N 02°26'20" W, continuing along a southerly line of said Danbury Glen Estates No. 1, a distance of 13.56 feet to a 1" rebar set;
- 15) Thence N 76°38'42" E, continuing along a southerly line of said Danbury Glen Estates No. 1, a distance of 337.28 feet to a 1" rebar set;
- 16) Thence N 54°01'29" E, continuing along a southerly line of said Danbury Glen Estates No. 1, a distance of 74.78 feet to a 1" rebar set;
- 17) Thence N 25°48'05" E, continuing along a southerly line of said Danbury Glen Estates No. 1, a distance of 185.76 feet to a 1" rebar set;
- 18) Thence continuing along a southerly line of said Danbury Glen Estates No. 1, along the arc of a circle curving to the left, having a central angle of 01°20'20" , a radius of 375.00 feet, a chord length of 8.76 feet, a chord bearing of S 64°52'05" E, a tangent of 4.38 feet, and an arc length of 8.76 feet to a 1" rebar set;
- 19) Thence N 24°27'45" E, continuing along a southerly line of said Danbury Glen Estates No. 1, a distance of 50.00 feet to a 1" rebar set;
- 20) Thence N 20°59'44" E, continuing along a southerly line of said Danbury Glen Estates No. 1, a distance of 172.81 feet to a 1" rebar set;
- 21) Thence S 64°47'23" E, continuing along a southerly line of said Danbury Glen Estates No. 1, a distance of 75.29 feet to a 1" rebar set;
- 22) Thence N 43°25'10" E, along a southerly line of said Danbury Glen Estates No. 1, a distance of 119.71 feet to a point (witnessed by a 1" iron pipe found N 89°22'42" W, 1.81 feet);
- 23) Thence S 00°09'02" E, along the easterly line of said Southwest Quarter of Section 12, a distance of 1401.86 feet to the True Place of Beginning and containing 43.7159 Acres of land (2.2494 Acres within O.L. 162, 38.5969 Acres within O.L. 163 & 2.8696 Acres within O.L. 211), more or less, as surveyed in February, 2006, by Joseph A. Burgoon, Registered Surveyor No. 8325 with GBC Design, Inc. but subject to any legal highways, restrictions, reservations or easements of record.

*Basis of bearing of this survey is the plat of Danbury Glen Estates No. 1 as recorded in Instrument #200408020055655 of the Stark County Records.

Parcel Nos.: 2313709, 2313987 & 2313988

Tract II:

Situated in the Village of Hartville, County of Stark and State of Ohio:

Known as and being Outlot Number 164 in said Village, containing 43.32 acres more or less.

Parcel No.: 2313514