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**FOURTH AMENDMENT TO THE DECLARATION OF COVENANTS,  
CONDITIONS, RESTRICTIONS, EASEMENTS AND LIENS FOR THE  
FAIRWAYS AT RIVERS GLEN**

**WHEREAS**, the Declaration of Covenants, Conditions, Restrictions, Easements and Liens for The Fairways at River's Glen (the "Declaration") was recorded on April 3, 2003 at Book 2971, Page 494 et. seq. of the Official Records of Warren County, Ohio; and

**WHEREAS**, the Declaration provides for the formation of a homeowner's association to administer the property known as The Fairways at Rivers Glen.

**WHEREAS**, the Declaration and all supplements and amendments thereto are binding upon the properties described in Exhibit A, attached hereto; and

**WHEREAS**, on or about March 10, 2003 Brandenburg Development Company, LLC set forth a Declaration of Covenants, Conditions, Restrictions, Easements and Liens for The Fairways at Rivers Glen, a subdivision that it was developing in Hamilton Township, Warren County, Ohio; and

**WHEREAS**, Declarant recorded the Declaration on April 3, 2003 in Official Record Book 2971, Page 494 of the Warren County, Ohio Recorder's Record; and

**WHEREAS**, Declarant recorded the First Amendment to the Declaration on the 8<sup>th</sup> day of June, 2007, in Official Record Book 4473, Page 716 of the Warren County, Ohio Recorder's Record; and

**WHEREAS**, Declarant recorded the Second Amendment to the Declaration on the 16<sup>th</sup> day of March, 2010, in Official Record Book 5048, Page 712 of the Warren County, Ohio Recorder's Record; and

**WHEREAS**, Declarant recorded the Third Amendment to the Declaration on the 22<sup>nd</sup> day of March, 2012, in Official Record Book 5508, Page 914 of the Warren County, Ohio Recorder's Record; and

**WHEREAS**, the Owners comprising the Membership of the Association hereby desire to amend the Declaration to provide for the expansion of the Association by annexing thirty-eight (38) new lots known as the Cypress Pointe Subdivision (*as well as potential further development with contiguous land to the east of Glen Abbey Lane*).

**WHEREAS**, pursuant to Article XII, Section 12.3(b) of the Declaration, at least seventy-five (75%) percent of the Lot Owners entitled to exercise the voting power of the Association have consented to this Amendment in writing; and

**NOW THEREFORE**, the Declaration is hereby amended as follows:

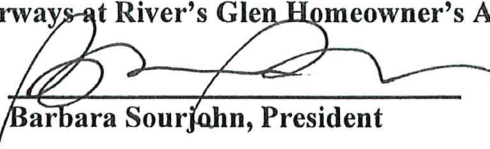
**Additional Property:** Article II, Section 2.2 states that any additional property which is contiguous to any part of the Subdivision, may be added to the Property subject to the Declaration of Declarant provided that such addition occur within twenty (20) years after the date the Declaration became effective. The effective date of the Declaration was April 3, 2003, as such, Article II, Section 2.2 is no longer applicable for purposes of authorizing the inclusion of additional property. Article XII, Section 12.3 of the Declaration provides that any provision of the Declaration may be amended during the first twenty-five (25) year period by the Owners upon the filing for record with the Recorder of Warren County, Ohio, of an instrument executed by persons enabled to exercise seventy-five (75%) percent of all voting power of the Association.

The Declaration is hereby amended to include the addition of the Cypress Pointe Subdivision properties that will consist of thirty-eight (38) single family building lots that shall be a minimum of 80' by 135' and contain 35' frontage setbacks, 30' rear setbacks and 7' side setbacks. The proposed standard lot shall be approximately 10,800 square feet. The proposed Planned Unit Development will contain a 30' right-of-way and shall match the adjacent streets. The real property described in the attached Exhibit "B" is hereby annexed to and made subject to the provisions of the Declaration. In addition, the Declaration is further amended to include potential further expansion of the Cypress Pointe Subdivision development that would allow further expansion to the east of Glen Abbey Lane. The plans and specifications for this potential additional development is not currently known; however, this Amendment expressly authorizes the Association to allow further expansion and annexation of additional contiguous land immediately east of Glen Abbey Lane. The above-described real property shall be held, sold and conveyed subject to the covenants, conditions and restrictions and reservation of easements contained in the Declaration which shall run with said real property and shall be binding on all parties having any right, title or interest in such real property or part thereof, their heirs, successors and assigns, and shall insure to the benefit of each owner thereof.

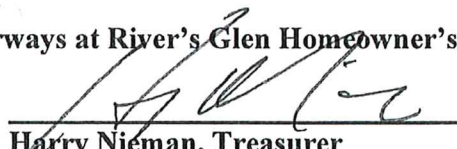
**Binding Effect.** As herein amended, the Declaration and Bylaws remain in full force and effect and shall be binding upon the Property, the Owners and their heirs, successors and assigns.

*In witness whereof*, the forgoing Fourth Amendment to the Declaration of Covenants, Conditions, Restrictions, Easements and Liens for **The Fairways at River's Glen** was sworn to and subscribed before me by Barbara Sourjohn, President and by Harry Nieman, Treasurer, of the **Fairways at River's Glen Homeowner's Association, Inc.**, an Ohio non-profit corporation, by and on behalf of the Association.

**Fairways at River's Glen Homeowner's Association, Inc.**

By:   
**Barbara Sourjohn, President**

**Fairways at River's Glen Homeowner's Association, Inc.**

By:   
**Harry Nieman, Treasurer**

*State of Ohio* )  
 ) *SS:*  
*County of WARREN* )

Before me, a Notary Public, in and for said County and State, personally appeared Barbara Sourjohn, President and Harry Nieman, Treasurer, to me and known to me to be the same persons described in and who executed the foregoing Fourth Amendment to the Declaration of Covenants, Conditions, Restrictions, Easements and Liens for The Fairways at River's Glen, and acknowledged to me that they executed the same as their free and voluntary act and deed.

IN WITNESS WHEREOFF, I have hereunto subscribed my name and affixed my notarial seal on this 8<sup>th</sup> day of August, 2024.

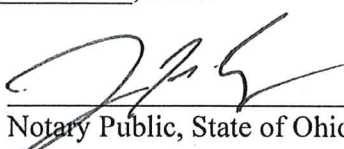


Instrument  
Joseph L. Beyke

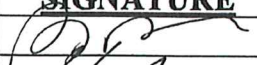
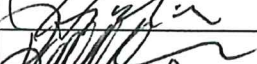
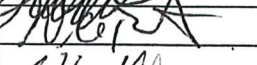
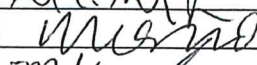
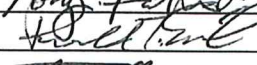
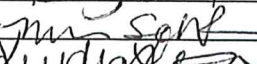
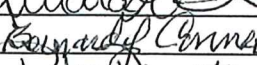
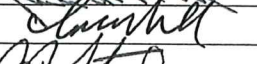
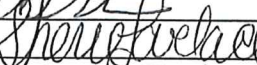
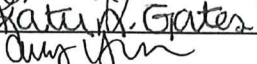
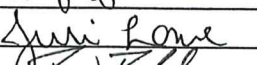
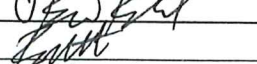
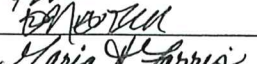
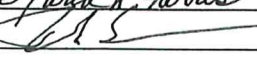
**Beyke Law, LLC**

8561 S. Mason-Montgomery Road, Suite 28  
Mason, Ohio 45040  
(513) 346-2836 / (513) 204-7900 – fax

JOSEPH L. BEYKE  
State of Ohio  
My Comm. Has No Exp.  
Section 147.03 R.C.  
Attorney at Law

  
Notary Public, State of Ohio

We the undersigned property owners in Fairways at River's Glen Homeowner's Association, Inc., do hereby approve and agree to change and amend the Covenants and Restrictions for Fairways at River's Glen Homeowner's Association regarding the expansion of the Association by annexing thirty-eight (38) new lots known as the Cypress Pointe Subdivision (as well as potential further development to include annexation of additional contiguous land located to the east of Glen Abbey Lane).

| PRINTED NAME                 | SIGNATURE                                                                           | ADDRESS               |
|------------------------------|-------------------------------------------------------------------------------------|-----------------------|
| 1. BARBARA SOURJOHN          |    | 440 Glen Abbey Ln.    |
| 2. HARRY ALPERMAN            |    | 417 Fox Chapel Run    |
| 3. Gary Midwell              |    | 5157 Emerald View     |
| 4. NINA BENVENUTI            |    | 5135 Emerald View Dr. |
| 5. Anthony Wilson            |    | 430 Fox Chapel Run    |
| 6. Steven H. Jones           |    | 5235 Emerald View Dr. |
| 7. Scott Scheider            |    | 5141 Emerald View     |
| 8. Ronald Milligan           |   | 5099 Emerald View     |
| 9. Mark Bunte                |  | 5223 Emerald View     |
| 10. MARK KANALL              |  | 5160 EMERALD View     |
| 11. Kathy Guerin             |  | 405 Fox Chapel Run    |
| 12. PAUL E. BLESSING         |  | 5226 EMERALD VIEW DR. |
| 13. Tony Fatica              |  | 5220 Emerald View Dr. |
| 14. Ron Erickson             |  | 423 Fox Chapel Run    |
| 15. Michael Robbins          |  | 439 Glen Abbey Ln.    |
| 16. Barry Worsch             |  | 5255 Emerald View Dr. |
| 17. Nina Schrote             |  | 5130 Emerald View     |
| 18. Kendra Cassick           |  | 435 Fox Chapel Run    |
| 19. BERNARD J. CONNER        |  | 5196 Emerald View     |
| 20. Patty Daniels Ed Hammill |  | 5250 Emerald View     |
| 21. Julie & Ron Martin       |  | 5112 Emerald View Dr. |
| 22. Chuck Schick             |  | 5202 Emerald View Dr. |
| 23. Annæ Steimer             |  | 5170 Emerald View     |
| 24. Sherree Louplace         |  | 412 Fox Chapel Run    |
| 25. Katie Gates              |  | 406 Fox Chapel Run    |
| 26. Amy Yoshimura            |  | 452 Glen Abbey Ln.    |
| 27. Julie Lowe               |  | 442 Fox Chapel Run    |
| 28. BRENT BLACK              |  | 5111 EMERALD VIEW DR. |
| 29. Robert Mitchell          |  | 5117 Emerald View Dr. |
| 30. ERIK MEUTSCH             |  | 5142 Emerald View Dr. |
| 31. MARIA HELENA FARRIS      |  | 451 Glen Abbey Lane   |
| 32. Robert Sauer             |  | 456 Glen Abbey Lane   |

|                                       |                                   |                               |
|---------------------------------------|-----------------------------------|-------------------------------|
| 33. Nathan Myers                      | Nathan Myers                      | 445 Glen Abbey Ln             |
| 34. Joshua Datzello                   | Joshua Datzello                   | 5267 Emerald View             |
| 35. TRISHA ORSOB                      | Trisha Orsob                      | 5118 Emerald View             |
| 36. Ariza Motamora                    | Ariza Motamora                    | 5124 Emerald View             |
| 37. Leo Tante                         | Leo Tante                         | 5166 Emerald View             |
| 38. FRANK OBERMEIER                   | Frank Obermeier                   | 5178 EMERALD VIEW             |
| 39. <del>Barrie &amp; Christine</del> | <del>Barrie &amp; Christine</del> | <del>454 Fox Chapel Run</del> |
| 40. Mya Willard                       | Mya Willard                       | 448 Fox Chapel Run            |
| 41. Susan Erickson                    | Susan Erickson                    | 5238 Emerald View             |
| 42. <del>Dea E. E. E.</del>           | <del>Dea E. E. E.</del>           | <del>5256 EMERALD DR.</del>   |
| 43. <del>Chelle &amp; Dan Daa</del>   | <del>Sally Sampson</del>          | <del>441 Fox Chapel Run</del> |
| 44. <del>Nancy Kay Lohman</del>       | <del>Nancy Kay Lohman</del>       | <del>5232 Emerald View</del>  |
| 45. John Bibart                       | John Bibart                       | 424 Fox Chapel Run            |
| 46. MONICA WEIDMAN                    | Monica Weidman                    | 5249 EMERALD VIEW DR.         |
| 47. Abisa Bunti                       | Abisa Bunti                       | 429 Fox Chapel Run            |
| 48. Alan Barker                       | Alan Barker                       | 5268 Emerald View Drive       |
| 49. LYNN B. PRUTH                     | Lynn B. Pruth                     | 5193 EMERALD VIEW DR.         |
| 50. Joyce Clark                       | Joyce Clark                       | 5184 Emerald View             |
| 51. Gordon Urinbach                   | Gordon Urinbach                   | 436 Fox Chapel Run            |
| 52. PALE & NANCY FRIETCH              | Pale & Nancy Fretch               | 5148 EMERALD VIEW DR.         |
| 53. Mutazz Nuseirat                   | M. Nuseirat                       | 5123 Emerald View Dr.         |
| 54. MIKE MAYER                        | Mike Mayer                        | 5105 Emerald View Dr.         |
| 55. Cherie Wright                     | Cherie Wright                     | 5105 Emerald View             |
| 56. Stephen Cant                      | Stephen Cant                      | 5187 Emerald View             |
| 57. Ucan Hutzell                      | Ucan Hutzell                      | 5244 Emerald View Dr.         |
| 58. NIKKI BISHOP-Kallmeyer            | Nikki Bishop-Kallmeyer            | 447 Fox Chapel Run            |
| 59.                                   |                                   |                               |
| 60.                                   |                                   |                               |
| 61.                                   |                                   |                               |
| 62.                                   |                                   |                               |
| 63.                                   |                                   |                               |
| 64.                                   |                                   |                               |

## EXHIBIT A

### Fairways at River's Glen Legal Description

Situated in the State of Ohio, County of Warren, Township of Hamilton, Virginia Military Survey No. 1547, and being all of Lots 1 through 27, inclusive, and Lots 30 through 68, inclusive, of the Fairways of Rivers Glen Subdivision, and shown on the plat recorded in Plat Book 60, Pages 83 and 84, of the Warren County Recorder's Office.

| <u>LOT NO.</u> | <u>ACRES</u>  | <u>NEW SIDEWELL NO.</u> | <u>LOT NO.</u> | <u>ACRES</u> | <u>NEW SIDEWELL NO.</u> |
|----------------|---------------|-------------------------|----------------|--------------|-------------------------|
| LOT 1          | 0.5149        | 16-06-124-001           | LOT 35         | 0.2666       | 16-06-124-035           |
| LOT 2          | 0.4038        | 16-06-124-002           | LOT 36         | 0.2890       | 16-06-124-036           |
| LOT 3          | 0.4038        | 16-06-124-003           | LOT 37         | 0.2650       | 16-06-130-001           |
| LOT 4          | 0.4038        | 16-06-124-004           | LOT 38         | 0.2592       | 16-06-130-002           |
| LOT 5          | 0.4038        | 16-06-124-005           | LOT 39         | 0.2950       | 16-06-130-003           |
| LOT 6          | 0.4038        | 16-06-124-006           | LOT 40         | 0.2387       | 16-06-130-004           |
| LOT 7          | 0.4796        | 16-06-124-007           | LOT 41         | 0.3112       | 16-06-130-005           |
| LOT 8          | 0.4710        | 16-06-124-008           | LOT 42         | 0.2979       | 16-06-130-006           |
| LOT 9          | 0.3005        | 16-06-124-009           | LOT 43         | 0.3102       | 16-06-130-007           |
| LOT 10         | 0.2453        | 16-06-124-010           | LOT 44         | 0.3301       | 16-06-130-008           |
| LOT 11         | 0.3828        | 16-06-124-011           | LOT 45         | 0.3301       | 16-06-130-009           |
| LOT 12         | 0.2736        | 16-06-124-012           | LOT 46         | 0.3301       | 16-06-130-010           |
| LOT 13         | 0.2479        | 16-06-124-013           | LOT 47         | 0.3301       | 16-06-130-011           |
| LOT 14         | 0.2479        | 16-06-124-014           | LOT 48         | 0.3496       | 16-06-130-012           |
| LOT 15         | 0.2479        | 16-06-124-015           | LOT 49         | 0.6071       | 16-06-130-013           |
| LOT 16         | 0.2479        | 16-06-124-016           | LOT 50         | 0.5022       | 16-06-130-014           |
| LOT 17         | 0.2479        | 16-06-124-017           | LOT 51         | 0.4462       | 16-06-130-015           |
| LOT 18         | 0.2479        | 16-06-124-018           | LOT 52         | 0.3803       | 16-06-130-016           |
| LOT 19         | 0.2479        | 16-06-124-019           | LOT 53         | 0.3122       | 16-06-130-017           |
| LOT 20         | 0.2889        | 16-06-124-020           | LOT 54         | 0.3122       | 16-06-130-018           |
| LOT 21         | 0.2866        | 16-06-124-021           | LOT 55         | 0.3122       | 16-06-130-019           |
| LOT 22         | 0.3284        | 16-06-124-022           | LOT 56         | 0.3122       | 16-06-130-020           |
| LOT 23         | 0.4762        | 16-06-124-023           | LOT 57         | 0.2595       | 16-06-130-021           |
| LOT 24         | 0.4545        | 16-06-124-024           | LOT 58         | 0.3819       | 16-06-130-022           |
| LOT 25         | 0.3474        | 16-06-124-025           | LOT 59         | 0.5119       | 16-06-130-023           |
| LOT 26         | 0.2777        | 16-06-124-026           | LOT 60         | 0.3110       | 16-06-130-024           |
| LOT 27         | 0.4540        | 16-06-124-027           | LOT 61         | 0.3122       | 16-06-130-025           |
| LOT 28A        | 16-06-124-037 |                         | LOT 62         | 0.3122       | 16-06-130-026           |
| LOT 30         | 0.2815        | 16-06-124-030           | LOT 63         | 0.3122       | 16-06-130-027           |
| LOT 31         | 0.3399        | 16-06-124-031           | LOT 64         | 0.3122       | 16-06-130-028           |
| LOT 32         | 0.3416        | 16-06-124-032           | LOT 65         | 0.3122       | 16-06-130-029           |
| LOT 33         | 0.3144        | 16-06-124-033           | LOT 66         | 0.3122       | 16-06-130-030           |
| LOT 34         | 0.3253        | 16-06-124-034           | LOT 67         | 0.3219       | 16-06-130-031           |
|                |               |                         | LOT 68         | 0.1252       | 16-06-130-034           |

Situated in the State of Ohio, County of Warren, Township of Hamilton, Virginia Military Survey No. 1547, and being all of Lot 28A, being a replat of Lots 28 and 29, inclusive, of the Fairways of Rivers Glen Subdivision, and shown on the plat recorded in Plat Book 86, Page 10, of the Warren County Recorder's Office.

## **EXHIBIT B**

### **Cypress Pointe Legal Description**

Situated in the State of Ohio, County of Warren, Township of Hamilton, Virginia Military Survey No. 1547, and being more particularly described as Lots 1 through 38, inclusive, and Open Spaces A, B, and C, and two rights-of-ways of Cypress Pointe as shown on the plat recorded at Plat Book 110, Pages 69, 70, and 71 of the Warren County, Ohio Recorder's Office.

|            |                |         |               |
|------------|----------------|---------|---------------|
| Lot Number | Sidwell Number | 22      | 16-06-180-014 |
| 1          | 16-06-130-035  | 23      | 16-06-185-013 |
| 2          | 16-06-130-036  | 24      | 16-06-185-014 |
| 3          | 16-06-130-037  | 25      | 16-06-185-015 |
| 4          | 16-06-130-038  | 26      | 16-06-185-016 |
| 5          | 16-06-130-039  | 27      | 16-06-185-017 |
| 6          | 16-06-130-040  | 28      | 16-06-185-018 |
| 7          | 16-06-130-041  | 29      | 16-06-135-001 |
| 8          | 16-06-130-042  | 30      | 16-06-135-002 |
| 9          | 16-06-130-043  | 31      | 16-06-135-003 |
| 10         | 16-06-130-044  | 32      | 16-06-135-004 |
| 11         | 16-06-130-045  | 33      | 16-06-135-005 |
| 12         | 16-06-130-046  | 34      | 16-06-135-006 |
| 13         | 16-06-130-047  | 35      | 16-06-135-007 |
| 14         | 16-06-130-048  | 36      | 16-06-135-008 |
| 15         | 16-06-130-049  | 37      | 16-06-135-009 |
| 16         | 16-06-124-040  | 38      | 16-06-135-010 |
| 17         | 16-06-124-041  | O/S "A" | 16-06-135-011 |
| 18         | 16-06-180-010  | O/S "B" | 16-06-130-050 |
| 19         | 16-06-180-011  | O/S "C" | 16-06-130-051 |
| 20         | 16-06-180-012  | R/W     | 16-06-600-002 |
| 21         | 16-06-180-013  | R/W     | 16-06-600-002 |