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**SIXTEENTH AMENDMENT AND SUPPLEMENT TO  
THE LEGENDARY RUN DECLARATION  
OF COVENANTS, CONDITIONS AND RESTRICTIONS  
AND RESERVATION OF EASEMENTS**

This Sixteenth Amendment and Supplement to the Legendary Run Declaration of Covenants, Conditions and Restrictions and Reservation of Easements ("**Amendment**") is made as of the 29<sup>th</sup> day of September, 2004 by **TRADITIONS INVESTMENTS-PIERCE, INC.**, an Ohio corporation ("**Declarant**") as follows:

WHEREAS, Declarant filed the Legendary Run Declaration of Covenants, Conditions and Restrictions and Reservation of Easements on the 12th day of March, 1998, which Declaration is recorded in Official Record Book 1031, Page 762 of the Clermont County, Ohio Records to aid in the development of the property described therein ("**Legendary Run**"), which was modified by the First Amendment and Supplement thereto recorded at Official Record Book Volume 1087, Page 119; by the Third Amendment and Supplement thereto recorded at Official Record Volume 1145, Page 579; by the Fourth Amendment and Supplement thereto recorded at Official Record Volume 1168, Page 1036; by the Fifth (A) Amendment and Supplement thereto recorded at Official Record Volume 1209, Page 1147; by the Sixth Amendment and Supplement thereto recorded at Official Record Volume 1223, Page 1571; by the Seventh Amendment and Supplement thereto recorded at Official Record Volume 1234, Page 827; by the Eighth Amendment and Supplement thereto recorded at Official Record Volume 1249, Page 792; by the Ninth Amendment and Supplement thereto recorded at Official Record Book 1251, Page 2497; and by the Tenth Amendment and Supplement thereto recorded at Official Record Book 1274, Page 293; and by the Eleventh Amendment and Supplement thereto recorded at Official Record Book 1497, Page 373; and by a non-numbered Amendment (twelfth in order) thereto recorded at Official Record Book 1520, Page 1736, all of the Clermont County, Ohio Records; and by the Thirteenth Amendment and Supplement thereto as corrected and re-recorded at Official Record Book 1763, Page 1277 (originally recorded at 1692, page 132); and by the Fourteenth Amendment and Supplement thereto recorded at Official Record Book 1699, Page 830; and by the Fifteenth Amendment and Supplement thereto recorded at Official Record Book 1817, Page 1636 (collectively, the Declaration, as so modified is

hereinafter referred to as the "Declaration", and it being expressly stated herein that no Second Amendment and Supplement was ever filed);

WHEREAS, Declarant desires to provide for the preservation of values and amenities in Legendary Run and to provide for the maintenance of the Common Areas and Community Facilities (as defined in the Declaration) within Legendary Run;

WHEREAS, the Declaration provides, in Article II, that Declarant can annex property to the Development (as defined in the Declaration) and subject property to the terms and conditions of the Declaration.

NOW, THEREFORE, Declarant makes the following Amendment:

The following provisions of the Declaration are amended as provided for in Article XIV of the Declaration:

1.1 Property Subject to Declaration.

Article II, Section 1 of the Declaration, which sets forth the real property that is to be subject to the terms and conditions of the Declaration, is amended to include the real property described in **Exhibit A** hereto and made a part hereof.

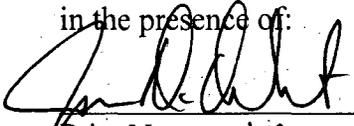
1.2 Common Areas and Community Facilities.

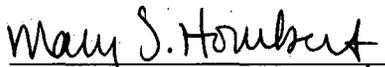
Article I, Section 1(e) of the Declaration, which sets forth the definition of Common Areas and Community Facilities, is amended to include the property described in **Exhibit B** attached hereto and made a part hereof.

Except as expressly amended by this Amendment, the Declaration remains in full force and effect.

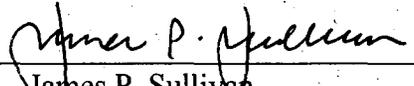
**IN WITNESS WHEREOF**, James P. Sullivan, Vice President and Treasurer of Traditions Investments-Pierce, Inc., an Ohio corporation, has executed this Amendment on behalf of the corporation as of the date first above written.

Signed and acknowledged  
in the presence of:

  
Print Name: JAMES D. OBERG

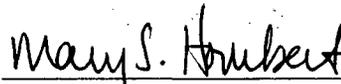
  
Print Name: Mary S. Howbert

TRADITIONS INVESTMENTS-PIERCE, INC.  
an Ohio corporation

By:   
James P. Sullivan,  
Vice President & Treasurer

STATE OF OHIO, COUNTY OF HAMILTON, SS:

The foregoing Amendment was acknowledged before me this 29<sup>TH</sup> day of September 2004, by James P. Sullivan, Vice President and Treasurer of Traditions Investments-Pierce, Inc., an Ohio corporation, on behalf of such corporation.

  
\_\_\_\_\_  
Notary Public

MARY S. HOWBERT  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES JUNE 29, 2008



This instrument was prepared by:

DANIEL M. BENNIE, ESQ.  
BARRON PECK BENNIE & SCHLEMMER  
3074 Madison Road  
Cincinnati, Ohio 45209  
513/721-1350  
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**EXHIBIT A**

**Property Subject to Declaration**

Situated in Lucas Military Survey No. 1753, Pierce Township, Clermont County, Ohio, and being all of Lots 1 through 21 inclusive, of Stonehaven at Legendary Run, as recorded in Plat Cabinet 12, Pages 226, 227, & 228, of the Clermont County, Ohio Records.

<b><u>LOT NUMBER</u></b>	<b><u>PARCEL NUMBER</u></b>
1	27-28-14A-143.
2	27-28-14A-144.
3	27-28-14A-145.
4	27-28-14A-146.
5	27-28-14A-147.
6	27-28-14A-148.
7	27-28-14A-149.
8	27-28-14A-150.
9	27-28-14A-151.
10	27-28-14A-152.
11	27-28-14A-153.
12	27-28-14A-154.
13	27-28-14A-155.
14	27-28-14A-156.
15	27-28-14A-157.
16	27-28-14A-158.
17	27-28-14A-159.
18	27-28-14A-160.
19	27-28-14A-161.
20	27-28-14A-162.
21	27-28-14A-163.

**EXHIBIT B**

**Common Areas and Community Facilities**

Situated in Lucas Military Survey No. 1753, Pierce Township, Clermont County, Ohio, and being all of Lots 19 & 20 of Stonehaven at Legendary Run, as recorded in Plat Cabinet 12, Pages 226, 227, & 228, of the Clermont County, Ohio Records.

**LOT NUMBER**

**PARCEL NUMBER**

<b>19</b>	<b>27-28-14A-161.</b>
<b>20</b>	<b>27-28-14A-162.</b>

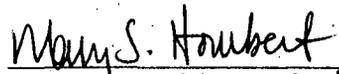
**CONSENT BY OWNER**

**LEGENDARY RUN ASSOCIATES, LTD.**, an Ohio limited liability company (hereinafter the "Owner"), is the owner of the real property described in **Exhibit A** (the "Property") and **Exhibit B** (the "Common Areas"), attached to and made a part of the foregoing Sixteenth Amendment, pursuant to a Fiduciary Deed, recorded in Official Record Book 1615, Page 1900, and a General Warranty Deed, recorded in Official Record Book 1615, Page 1905, both of the Clermont County, Ohio Records. Pursuant to the foregoing Sixteenth Amendment and Supplement to the Declaration of Covenants, Condition, Restrictions and Reservations of Easements for Legendary Run, the Property and the Common Areas are hereafter subjected to such covenants, conditions, restrictions and reservations as set forth in the original Legendary Run Declaration of Covenants, Conditions, Restrictions and Reservation of Easements, together with all amendments to date (collectively, the "Declaration"). Therefore, Owner hereby consents to the execution and delivery of the foregoing Sixteenth Amendment, and agrees to the imposition of such covenants, conditions, restrictions, and reservations of said Declaration upon the Property and Common Areas.

**IN WITNESS WHEREOF**, Legendary Run Associates, Ltd., by its authorized officer has caused the execution of this Consent this 29<sup>TH</sup> day of September 2004.

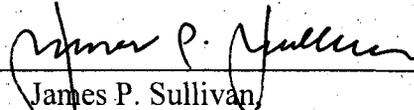
Witnessed and Acknowledged  
In the Presence of:

  
Print Name JAMES D. ORENT

  
Print Name Mary S. Howbert

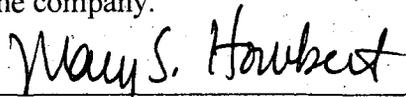
LEGENDARY RUN ASSOCIATES,  
LTD., an Ohio limited liability company

By: Great Traditions Development Group, Inc.  
Its: Managing Member

By:   
James P. Sullivan  
Vice President & Treasurer

STATE OF OHIO            )  
  )        SS:  
COUNTY OF HAMILTON )

The foregoing instrument was acknowledged before me this 29<sup>TH</sup> day of September 2004 by James P. Sullivan, the Vice President and Treasurer of Great Traditions Development Group, Inc., an Ohio corporation, which is the Managing Member of Legendary Run Associates, Ltd., an Ohio limited liability company, on behalf of the corporation and the company.

  
Notary

MARY S. HOWBERT  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES JUNE 29, 2008



CONSENT OF MORTGAGEE

Instrument 200400048756 Book Page 0R 1832 2010

The undersigned, US BANK, N.A. FKA FIRSTSTAR BANK, N.A. ("**Mortgagee**") is the holder of a Mortgage on a portion of the real estate described in the foregoing Sixteenth Amendment and Supplement to the Legendary Run Declaration of Covenants, Conditions and Restrictions and Reservation of Easements (the "**Declaration**") for Stonehaven at Legendary Run from Legendary Run Associates, Ltd., recorded May 6, 2003, in Official Record Book 1615, Page 1907 of the Clermont County, Ohio Records.

Mortgagee hereby consents to the execution and delivery of the Declaration, together with the exhibits thereto, and consents to the filing thereof in the office of the Recorder of Clermont County, Ohio. Mortgagee hereby subjects and subordinates the above-described mortgage and any amendments thereto, to the easements, covenants and restrictions contained in the foregoing Declaration with all exhibits attached thereto; provided however, the mortgage shall not be subordinate in priority to any of the assessments that can be charged under or pursuant to the Declaration.

IN WITNESS WHEREOF, the Mortgagee has caused the execution of this Consent of Mortgagee this 24<sup>th</sup> day of November 2004, by its duly authorized officer.

Signed and acknowledged

US BANK, N.A.,  
a national banking association

Stephanie Smith  
Print Name: Stephanie Smith

By: Rebecca B. Schumloffel  
Name: Rebecca B. Schumloffel  
Its: AVP

Carol Neely  
Print Name: CAROL NEELY

200400048756  
Filed for Record in  
CLERMONT COUNTY, OH  
CARDLYN GREEN  
11-24-2004 At 03:01 pm.  
DECLAR 68.00  
OR Book 1832 Page 2004 - 2010

STATE OF OHIO )  
) SS:  
COUNTY OF HAMILTON )

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of November 2004, by, REBECCA SCHUMLOFFEL as A.V.P. of US Bank, N.A., a national banking association, on behalf of the same.

Carol Neely  
Notary Public  
Carol Neely, Notary Public  
In and for the State of Ohio  
My Commission Expires June 8, 2005

