

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

This Seventeenth Amendment and Supplement to the Legendary Run Declaration of Covenants, Conditions and Restrictions and Reservation of Easements ("**Amendment**") is made as of the 11<sup>th</sup> day of November 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; and by the Sixteenth Amendment and Supplement thereto recorded at Official Record Book 1832, Page 2004 (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.

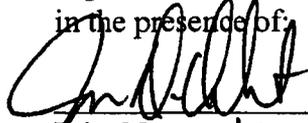
1.2 Common Areas and Community Facilities.

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.

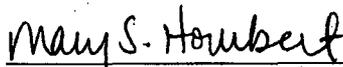
Except as expressly amended by this Amendment, the Declaration remains in full force and effect.

**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:

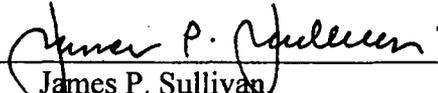


Print Name: JAMES D. OSBERT



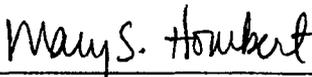
Print Name: Mary S. Howbert

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 11<sup>th</sup> day of November 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 Eddins Military Survey No. 1366, Lucas Military Survey No. 1753, Pierce Township, Clermont County, Ohio and being all of Lots 481 through 511 inclusive, described on the plat of Legendary Run Subdivision, Section 7-A, as recorded in Plat Cabinet 12, Pages 349, 350 & 351, of the Clermont County, Ohio Records.

<b><u>Lot Number</u></b>	<b><u>Parcel Number</u></b>
481	27-28-13B-039.
482	27-28-13B-009.
483	27-28-13B-010.
484	27-28-13B-011.
485	27-28-13B-012.
486	27-28-13B-013.
487	27-28-13B-014.
488	27-28-13B-015.
489	27-28-13B-016.
490	27-28-13B-017.
491	27-28-13B-018.
492	27-28-13B-019.
493	27-28-13B-020.
494	27-28-13B-021.
495	27-28-13B-022.
496	27-28-13B-023.
497	27-28-13B-024.
498	27-28-13B-025.
499	27-28-13B-026.
500	27-28-13B-027.
501	27-28-13B-028.
502	27-28-13B-029.
503	27-28-13B-030.
504	27-28-13B-031.
505	27-28-13B-032.
506	27-28-13B-033.
507	27-28-13B-034.
508	27-28-13B-035.
509	27-28-13B-036.
510	27-28-13B-037.
511	27-28-13B-038.

**EXHIBIT B**

**Common Areas and Community Facilities**

Situated in Eddins Military Survey No. 1366, Lucas Military Survey No. 1753, Pierce Township, Clermont County, Ohio and being all of Lots 481, 495, 505 and 508, described on the plat of Legendary Run Subdivision, Section 7-A, as recorded in Plat Cabinet 12, Pages 349, 350 & 351, of the Clermont County, Ohio Records.

<b><u>Lot Numbers</u></b>	<b><u>Parcel Numbers</u></b>
<b>481</b>	<b>27-28-13B-039.</b>
<b>495</b>	<b>27-28-13B-022.</b>
<b>505</b>	<b>27-28-13B-032.</b>
<b>508</b>	<b>27-28-13B-035.</b>

**CONSENT OF MORTGAGEE**

The undersigned, WINCHESTER FUNDING, LTD., ("**Mortgagee**") is the holder of a Mortgage on a portion of the real estate described in the foregoing Seventeenth Amendment and Supplement to the Legendary Run Declaration of Covenants, Conditions and Restrictions and Reservation of Easements (the "**Declaration**") for Legendary Run from Traditions Investments-Pierce, Inc., dated September 25, 1996 and recorded in Official Record book 0884, Page 698 of the Mortgage Records of Clermont County, Ohio as amended.

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 as amended 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.

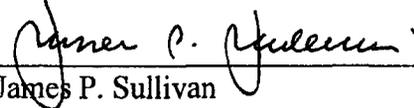
IN WITNESS WHEREOF, the Mortgagee has caused the execution of this Consent of Mortgage this 11<sup>th</sup> day of NOVEMBER, 2004, by its duly authorized officer.

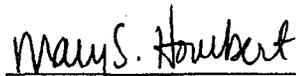
Signed and acknowledged  
in the presence of:

WINCHESTER FUNDING, LTD.,  
an Ohio limited liability company,

By Great Traditions Development Group, Inc.,  
Its Authorized Member

  
Print Name: JAMES D. O'BRIEN

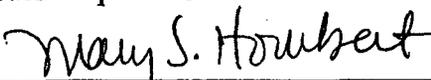
By   
James P. Sullivan  
Its Vice President and Treasurer

  
Print Name: Mary S. Howbert

200500014663  
Filed for Record in  
CLERMONT COUNTY, OH  
CAROLYN GREEN  
04-29-2005 At 10:58 am.  
DECLAR 60.00  
DR Book 1872 Page 1849 - 1854

STATE OF OHIO            )  
                                          ) SS:  
COUNTY OF HAMILTON )

The foregoing instrument was acknowledged before me this 11<sup>th</sup> day of November, 2004, by James P. Sullivan, as Vice President and Treasurer of Great Traditions Development Group, Inc., an Ohio corporation, and as the Authorized Member of Winchester Funding, Ltd., an Ohio limited liability company, on behalf of such corporation and limited liability company.

  
Notary Public

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

