

26.

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

This Seventh Amendment and Supplement to the Legendary Run Declaration of Covenants, Conditions and Restrictions and Reservation of Easements ("Amendment") is made as of the 29th day of OCTOBER, 1999, by **TRADITIONS INVESTMENTS-PIERCE, INC.**, an Ohio corporation ("Declarant") and **LEGENDARY TRAILS, LTD.**, an Ohio limited liability company ("Owner") as follows:

Instrument Book Page
199900044543 OR 1234 827

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 1144, and by the Sixth Amendment and Supplement thereto recorded at Official Record Volume 1223, Page 1571, all of the Clermont County, Ohio Records (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 and Owner desire to provide for the preservation of values and amenities in Legendary Run and Legendary Trails (as hereinafter defined) and to provide for the maintenance of the Common Areas and Community Facilities (as defined in the Declaration) within Legendary Run and Legendary Trails;

WHEREAS, the Declaration contains provisions related to the Grant of Conservation Right in Form of an Easement recorded at Official Record Book 870, Page 455 of the Clermont County, Ohio Records (the "Conservation Easement") and to the Building Design Review Criteria For Proposed Planned Golf Development Community recorded at Official Record Book 870, Page 700 of the Clermont County, Ohio Records (the "ABDRC").

WHEREAS, the Conservation Easement and the BDRC do not apply to the real property described in Exhibit A and Exhibit B attached hereto and made a part hereof (collectively, the "Legendary Trails Property").

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 and Owner make the following Amendment:

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

Instrument Book Page
199900044543 OR 1234 828

1.1 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 real property described in Exhibit A hereto and made a part hereof.

1.2 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 B hereto and made a part hereof.

1.3 Nonapplicability of Conservation Easement.

Article XIII of the Declaration and any other provisions in the Declaration pertaining to the Conservation Easement do not apply to the Legendary Trails Property.

1.4 Design Review Criteria.

Article VI, Section 2 and Article VII of the Declaration and any other provisions in the Declaration pertaining to the BDRC, do not apply to the Legendary Trails Property. The design review criteria set forth in Exhibit C (the "Criteria") attached hereto and made a part hereof shall apply to the Legendary Trails Property and any reference in the Declaration to the BDRC shall instead refer to the Criteria. No structure on any Lot shall be built, erected, remodeled or altered in any way which materially changes the exterior appearance thereof until and unless detailed Plans and Specifications therefor shall have been submitted and approved in writing pursuant to the Criteria. Such Plans and Specifications shall be in such form and shall contain such information as the Design Review Committee, as established in the Criteria, may reasonably require. The Design Review Committee may charge reasonable fees for the processing of Plans and Specifications to offset its actual costs, including inspection cost incurred in such processing. No approval of Plans and Specifications and no publication of standards shall be construed as representing or implying that such Plans, Specifications or standards will, if followed, result in properly designed improvements. Such approvals and standards shall in no event be construed as representing or guaranteeing that any Living Unit or other improvement built in accordance therewith be built in a good and workmanlike manner.

1.5 Private Access Easements. The Private Access Easements as depicted on the subdivision plat for Legendary Trails (Plat Book 8, Page 257-2 of the Clermont County, Ohio Records) shall be for the exclusive benefit of those lots adjacent to such Private Access Easements. Specifically, there shall be a Private Access Easement for the benefit of Lots 11 and 13, for the benefit of Lots 14, 15 and 16, and for the benefit of Lots 24, 37, 38 and 39. The owners of

Lots benefitted by a Private Access Easement shall be equally responsible for the maintenance, upkeep and repair of the particular Private Access Easement benefitting the Lots.

1.6 Floodway Easements. The Floodway Easements as depicted on the subdivision plat for Legendary Trails (Plat Book 8, Page 257-262 of the Clermont County, Ohio Records) shall be part of the storm water facilities for Legendary Run and shall be maintained pursuant to Article XI of the Declaration.

Instrument Book Page
199900044543 OR 1234 829

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

IN WITNESS WHEREOF, Declarant and Owner have caused this Amendment to be executed as of the date first above written.

DECLARANT:

Signed and acknowledged
in the presence of:
(as to both)

TRADITIONS INVESTMENTS-PIERCE, INC.
an Ohio corporation

Mary S. Howbert

Print Name: Mary S. Howbert

Linda D. Shafer

Print Name: Linda D. Shafer

By: James P. Sullivan
James P. Sullivan,
Vice President & Treasurer

OWNER:

LEGENDARY TRAILS, LTD.,
an Ohio limited liability company

By Great Traditions Development
Group, Inc., an Ohio corporation
Its Authorized Member

By: James P. Sullivan
Name: JAMES P. SULLIVAN
Its: VICE PRESIDENT & TREASURER

Instrument Book Page
199900044543 OR 1234 830

STATE OF OHIO, COUNTY OF HAMILTON, SS:

The foregoing Amendment was acknowledged before me this 28th day of October, 1999, by James P. Sullivan, Vice President and Treasurer of Traditions Investments-Pierce, Inc., an Ohio corporation, on behalf of such corporation.



Mary S. Howbert
Notary Public

MARY S. HOWBERT
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES JUNE 30, 2003

STATE OF OHIO, COUNTY OF HAMILTON, SS:

The foregoing instrument was acknowledged before me this 28th day of October, 1999 by James P. Sullivan, as VP + Treasurer of Great Traditions Development Company, Inc., an Ohio corporation and the managing member of Legendary Trails, Ltd., an Ohio limited liability company, on behalf of the corporation and the limited liability company.



Mary S. Howbert
Notary Public

MARY S. HOWBERT
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES JUNE 30, 2003

This instrument was prepared:

Andrew D. Graf, Esq.
Barron, Peck & Bennie
One West Fourth Street
Suite 1400
Cincinnati, Ohio 45202-3618
513/721-1350
X:\ADG\DECAMEND.7TH

CONSENT OF MORTGAGEE

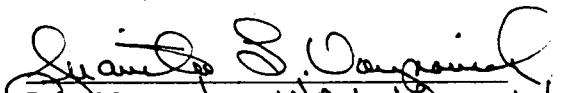
The undersigned, **TOWNE DEVELOPMENT GROUP, LTD.** ("Mortgagee") is the holder of a Mortgage on a portion of the real estate described in the foregoing Seventh Amendment and Supplement to the Legendary Run Declaration of Covenants, Conditions and Restrictions and Reservation of Easements (the "Declaration") for Legendary Run from Legendary Trails, Ltd. dated July 14, 1999 and recorded in Official Record Book 1213, Page 1886 of the Mortgage Records of Clermont County, Ohio as amended.

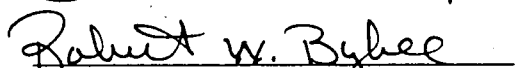
Mortgagee hereby consents to the execution and delivery of the Declaration, together with the exhibits thereto, and consents to the filing thereof in the office of the Recorder of Clermont County, Ohio. Mortgagee hereby subjects and subordinates the above-described mortgage as amended to the easements, 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.

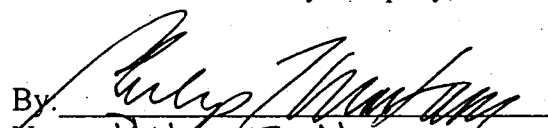
IN WITNESS WHEREOF, the Mortgagee has caused the execution of this Consent of Mortgagee this 29 day of Oct., 1999, by its duly authorized member.

Signed and acknowledged

TOWNE DEVELOPMENT GROUP, LTD.,
an Ohio limited liability company,


Print Name: Janis A. H. Doynovich


Print Name: Robert W. Bybee

By: 
Name: Philip T. Montanus
Its: Authorized Member

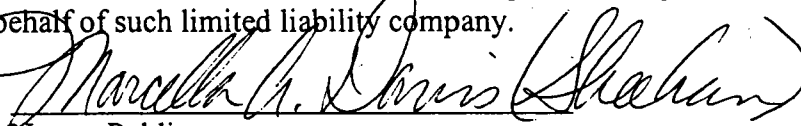
STATE OF OHIO)

SS:

COUNTY OF HAMILTON)

The foregoing instrument was acknowledged before me this 29th day of October, 1999, by Philip T. Montanus as the Authorized Member of Towne Development Group, Ltd., an Ohio limited liability company, on behalf of such limited liability company.




Notary Public

Marcella A. Davis (Sheehan)
Notary Public, State of Ohio
My Commission Expires Oct. 6, 2002

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 Seventh Amendment and Supplement to the Legendary Run Declaration of Covenants, Conditions and Restrictions and Reservation of Easements (the "Declaration") for Legendary Run from Legendary Trails, Ltd. dated July 14, 1999 and recorded in Official Record Book 1213, Page 1863 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 Mortgagee this 29th day of OCTOBER, 1999, by its duly authorized officer.

Signed and acknowledged

WINCHESTER FUNDING, LTD.,
an Ohio limited liability company

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

By James P. Sullivan
James P. Sullivan
Its Vice President and Treasurer

Mary S. Howbert
Print Name: Mary S. Howbert

Linda D. Shafer
Print Name: Linda D. Shafer

STATE OF OHIO)
) SS:
COUNTY OF HAMILTON)

The foregoing instrument was acknowledged before me this 28th day of October, 1999, 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.

X:\ADG\DECAMEND.7TH



Mary S. Howbert
Notary Public

MARY S. HOWBERT
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES JUNE 30, 2003

Instrument	Book	Page
199900044543	OR 1234	833

EXHIBIT A

There are no Common Areas or Community Facilities to be included.

EXHIBIT B

Instrument	Book	Page
199900044543	OR 1234	834

Situated in Eddins Military Survey No. 1366 and Lucas Military Survey No. 1753, Pierce Township, Clermont County, Ohio and being all of Lots 1 through 39 inclusive of Legendary Trails Subdivision as recorded in Plat Book 8, Pages 257 - 262 of the Clermont County, Ohio records.

out of parcel 27-28-13C-006

EXHIBIT C

Instrument Book Page
199900044543 OR 1234 835

Building Design Review Criteria For Legendary Trails

July 1, 1999

TABLE OF CONTENTS

<u>Description</u>	Instrument 199900044543 OR	Book 1234	Page 836	<u>Page</u>
INTRODUCTION.....				1
DESIGN REVIEW PROCESS				1
DESIGN REVIEW COMMITTEE				1
PRELIMINARY BUILDING PLANS				3
APPROVAL OF FINAL PLANS				3
SITE INSPECTIONS.....			1	4
DESIGN CRITERIA AND MATERIALS.....				4
BUILDING SETBACKS				4
EXTERIOR MATERIALS				4
METERS AND EQUIPMENT.....				5
WALLS AND FENCES.....				5
MAILBOXES				6
EXTERIOR LIGHTING.....				6
POOLS AND TENNIS COURTS				6
PLAY EQUIPMENT				6
REFUSE AND STORAGE AREAS				7
HEIGHT RESTRICTIONS				7
LANDSCAPING.....				8
VACANT HOMESITES.....				8
NATURAL FEATURES.....				8
GRADING AND EXCAVATING				8
LANDSCAPE PLAN				9
LOT DEVELOPMENT DEPOSIT				9
GENERAL COMMUNITY STANDARDS				10
TEMPORARY IMPROVEMENTS.....				10
SITE CLEANLINESS				10
SIGNS.....				10
REMODELING AND ADDITIONS				10
BUILDING DESIGN STANDARDS (Tables A and B).....				12

BUILDING DESIGN REVIEW CRITERIA

INTRODUCTION

Instrument Book Page
199900044543 OR 1234 837

The golf community development is a master planned community being developed by Legendary Trails, Ltd. (the "Developer"), consisting of natural rolling hills, indigenous woodlands and gently flowing creeks located south of Bradbury and north and south of White Oak Road, east and west of Merwin-Ten Mile Road, and north of Locust Corner Road in Pierce Township (the "Property"). The natural beauty of this land combined with a championship golf course, clubhouse and swim and tennis facility will establish the Property as one of Ohio's premier golf course communities.

Great care has been taken in the planning, design and construction phases of the community to ensure the Property's natural beauty is retained and that the community is characterized by high quality residential construction. To these ends, it is paramount that the housing designs, exterior materials and construction process are closely monitored so as to make the homes as special and aesthetically pleasing as the land itself.

DESIGN REVIEW PROCESS

To accomplish the Developer's goal of architectural integrity, quality and balance of the built environment with the existing natural environment, the Developer has decided to establish a Design Review Committee to review and approve all building designs, exterior materials, site plans, landscaping plans and color combinations prior to submittal to the Township for issuance of a Zoning Certificate.

Neither the Design Review Committee, nor the design criteria that it will utilize, seeks to make judgments as to what is beautiful. The objective is not to discourage creativity nor infringe upon the freedom of individual expression. Indeed, design creativity is not only welcomed but encouraged.

The Design Review Committee, through the application of design criteria, seeks only to coordinate the many directions of all residents, to create harmony with the natural environment, and to protect mutual interests in individual investments of all residents in the community.

DESIGN REVIEW COMMITTEE

The Design Review Committee shall consist of three members. Pursuant to the Homeowner's Declaration, the Developer shall appoint two of the Design Review Committee members and Pierce Township shall appoint one member.

The Design Review Committee will review plans at the schematic design stage if submitted, at the completion of working drawings, and upon the completion of the planned improvement. Members of the Committee shall be as follows:

TBD, (Developer Appointee)

TBD, (Developer Appointee)

TBD, (Township Appointee)

When, in the opinion of the Design Review Committee, additional technical support is needed, the following types of consultants may be utilized by the Design Review Committee:

Landscape Architect

Civil Engineer

The address of the Design Review Committee is 3650 Park 42 Drive, Cincinnati, Ohio 45241. Meetings of the Design Review Committee shall be on an as needed basis, with at least 48 weekday hours notice given to the Township's representative. The Design Review Committee shall exercise diligence in acting upon building plans promptly so as not to delay planning, design or construction progress.

Plans will be reviewed according to the criteria hereinafter included. No construction, tree removal, grading, addition, or exterior staining/painting involving a color change, shall commence without written approval of the Design Review Committee. This includes but is not limited to such structures as basketball goals, play sets, dog houses, swimming pools, fences, etc. The basis for approvals shall be the plans as submitted and on record. Proposed changes in plans following approvals must be resubmitted in writing to the Design Review Committee.

The Developer of the Property and the Township may, in accordance with the Homeowner's Declaration for the property replace any of their respective existing members of the Design Review Committee.

The Design Review Committee will review and approve, approve with comment, or disapprove each submission. Technical review standards include conformance with the approved Detailed Construction Plans and all items identified in Table A, such as lot area and dimensions, conformance to minimum setback and yard requirements, minimum floor area requirements and minimum masonry requirements.

The Design Review Committee shall have authority for approving or disapproving each submission based upon architectural, engineering and landscape design character, massing and detailing, and compatibility of materials and colors in relationship to other homes within the neighborhood and from prominent and/or important view lines. The Design Review Committee does not have authority to grant any variance from the requirements of the Township Zoning Regulations.

The Design Review Committee has the discretion to issue partial design review approval for footings, foundations and framing prior to receipt and approval of exterior selections and a landscape plan.

PRELIMINARY BUILDING PLANS

Instrument Book Page
199900044543 OR 1234 839

Prior to commencing preparation of working drawings (final engineering and architectural) it is recommended that the applicant informally submit to the Design Review Committee preliminary plans to assure conceptual acceptability; two copies of the plan should be submitted to the offices of the Design Review Committee. Preliminary plans should include:

1. A site development plan showing proposed building and driveway location, any proposed change in existing topography, approximate location of existing trees 6" or greater in caliper and proposed retaining walls.
2. Sketches of building elevations showing exterior appearance and exterior materials of all sides.
3. Sketch of building floor plans.

The Design Review Committee will review the sketch plans and promptly return them to the applicant with comments, enabling the applicant to proceed with detailed design and preparation of final working.

APPROVAL OF FINAL BUILDING PLANS

Prior to submission to the Township for a Zoning Certificate, four copies of complete site development and building plans to scale, shall be reviewed and approved by the Design Review Committee. These plans must include:

- (1) grading plan showing finished contours; (maximum contours shall be 2');
- (2) existing environmental features (e.g. ravines, creeks, significant tree stands, etc.) and resource protection areas, if any, subject to a conservation easement;
- (3) proposed building pad and lot number, with dimensions and lot setbacks, distances and all applicable easements;
- (4) proposed retaining walls;
- (5) driveway location with dimensions and type of surface materials;
- (6) complete architectural plans and specifications including structural details, floor plans, decks or balconies, and elevations clearly depicting the design and exterior appearance including roof pitches, types of materials, color trim and detail for each side of the structure (on a scale of no less than 1/8" = 1');
- (7) landscape plan including all exterior lighting.

SITE INSPECTIONS

Instrument Book Page
199900044543 OR 1234 840

The Design Review Committee shall have the right to enter upon and inspect any property at any time before, during and upon the completion of work for which approval is necessary. Upon completion of construction, the applicant shall notify the Design Review Committee so a final inspection can be scheduled. If the improvements are considered substantially complete and in compliance with the approved plans, the Design Review Committee will issue a Certificate of Conformance and notify the Township.

If the Design Review Committee determines that it is appropriate, it may issue a Conditional Certificate of Conformance, indicating the improvements have been substantially completed in accordance with approved plans, but noting certain items which have not been completed due to inclement weather or other reasons beyond the reasonable control of the applicant, and still need to be completed. The Design Review Committee shall not issue any Conditional Certificate of Conformance unless the Committee first reserves adequate assurance that the incomplete items will be completed as soon as reasonably practicable.

Builders and property owners are forewarned the Homeowner's Declaration governing the planned golf community provides for the remedy or removal of any nonconforming improvements. The cost of the remedy or removal shall be borne by the builder and/or the property owner.

DESIGN CRITERIA AND MATERIALS

The design criteria and building materials approved for each building type are listed in Table A which is attached to these Design Review Criteria and have also been recorded against the Property. For each building type to be constructed on the Property, an evaluation of the appropriate building materials and design criteria has been made in accordance with Table A. This evaluation takes into consideration architectural style and targeted market of the home.

BUILDING SETBACKS

Specific setback requirements are established on the record plat in accordance with the Pierce Township Zoning Code except to the extent that more stringent building setbacks are imposed by the Developer by means of separate instruments, and should be referenced prior to planning any construction activity. These setback requirements are created based on the housing type, lot size, desired street scene, etc.

EXTERIOR MATERIALS

The exterior of each residence shall be consistent with the high quality of the overall community. It is required that all exterior finish materials be consistently applied to all sides of the building attached.

The composition of all pitched roofs is to be cedar shake shingles, slate or asphaltic shingles. Asphaltic shingles must be dimensional and 240 lbs. or heavier. Required roof pitches are identified in Table A attached.

Instrument Book Page
199900044543 OR 1234 841

The exposed portion of a chimney may be constructed of any approved building material provided that (1) the material is in keeping with the other materials in use on the structure; (2) the material has been selected to add architectural detail to the residence; and (3) the material complies with all applicable building and fire code requirements. All exposed flues including spark arresters other than clay shall have a cowl or other surrounding material approved in advance by the Design Review Committee which screens the view of the flue.

The attached Table A identifies housing types required to have side or rear entry access. The Design Review Committee may grant an exception from this requirement where the size or shape of the home would preclude a functional approach to the garage.

METERS AND EQUIPMENT

Utility meters and air conditioning equipment must be located only in the side or rear yard, unless the Design Review Committee gives a site specific design exception due to the architectural character of the home and all improvements are screened from public view. Pool equipment may be allowed in rear yards when proper siting and screening has been approved by the Design Review Committee. Mechanical equipment shall be located in such a manner as to minimize offensive noises, odors and appearance to adjoining properties, including the golf course. Equipment shall be landscaped and/or screened and shall be located on the appropriate drawings and documents.

All plumbing vents and roof ventilators shall be installed so as not to be seen from any street side of the home. Additional measures should be taken whenever feasible to reduce exposure of the same from view of the golf course. All plumbing vents or other roof appurtenances must be painted to match the roof color in order to minimize their appearance.

WALLS AND FENCES

Walls and fences are considered an extension of the architecture of the residence. They are used to make transitions between the mass of the architecture and natural forms of the site. All walls and fences shall be designed to be compatible with the total surrounding environment and shall not block natural views. Fences, walls and hedges are considered design elements to enclose and define courtyards, to extend and relate the building forms to the landscape, and to provide security and privacy to the property. Although it is encouraged that homeowners add trees and shrubs to their yards, the installation of row like plantings will be discouraged.

All walls and fences must be approved by the Design Review Committee prior to installation. Prefab wood fencing or chain link will not be permitted within the community. Maximum height for walls and fences is 6' above grade. The Design Review Committee will review requests for adjustments to height and material usage on a case-by-case basis.

Retaining walls which attach to the residence should utilize the same materials that the wall comes in contact with. All retaining walls shall be made from stone, brick, landscape ties or other approved materials. Final design and materials must be approved by the Design Review Committee.

In-ground pool and tennis court fencing must receive Design Review Committee approval and meet the typical setback requirements.

Instrument Book Page
199900044543 OR 1234 842

MAILBOXES

The Design Review Committee requires the installation of a standardized mailbox prior to final site inspection and release of the Lot Development Deposit (LDD). A vendor for the acquisition of the mailbox has been approved by the Design Review Committee. The payment for the mailbox and its installation is the responsibility of the lot owner.

EXTERIOR LIGHTING

As with all exterior design work, lighting should be used to enhance the overall design concept of the home in an aesthetically pleasing manner. Exterior pool and landscape lighting must not infringe upon adjacent neighbors. Glare shields are required to eliminate bright spots and glare sources. Exterior lighting which utilizes low-voltage or similar non-glare direct task type fixtures mounted as close to grade as possible is encouraged. No bare light bulbs are permitted to be visible. All lighting fixtures and appurtenances must be as inconspicuous as possible, especially if lights are visible above grade level. Written approval from the Design Review Committee is required prior to the installation of any exterior lighting.

POOLS AND TENNIS COURTS

The construction of in-ground swimming pools, spas and tennis courts is permissible provided such structures comply with the minimum setback requirements. In addition, the location, design and use of all materials must be approved by the Design Review Committee.

PLAY EQUIPMENT

The Property is a community of family, professional and empty nester households. Due to this diversity it is important to be respectful of the overall image of the community. To create a harmonious order, minimum design standards are established for all play equipment. All play sets including swings, forts and climbers must be constructed of natural materials. Tenting is permitted on the play sets but must be neutral, green or blue in color. Harsh primary or neon colors are not permitted. Design Review Committee approval is required of all play sets. The applicant must submit a representation of the equipment proposed along with a plan of the lot which locates the placement of the proposed construction. Landscape screening of the equipment may be required by the Committee to reduce views from roadways and adjoining properties.

Basketball courts are permitted as long as the goal is located behind the projection of the front plane of the house. Poles must be black or white in color, with clear, white or grey backboards exclusive of ornamentation. Roof or wall mounted backboards are not permitted. Applicants must submit a plan of the lot with the proposed location of the pole to the Design Review Committee for approval.

REFUSE AND STORAGE AREAS

Instrument Book Page
199900044543 OR 1234 843

Garbage and refuse shall be placed in containers and shall be capped or contained in such a manner they are inaccessible to animals. These containers shall be concealed within the homes or screened by landscaping sufficient to ensure that they are not visible from the street, adjoining homesites or the golf course.

HEIGHT RESTRICTIONS

Maximum building heights for the development, measured vertically from the highest point of the structure to the average natural grade level on the perimeter of the structure, are established as follows. These requirements do not supercede the requirements in the Pierce Township Zoning Code.

Type	Maximum Building Height
Detached Single Family	35ft.*
Attached Single Family (Carriage and Townhouse)	35ft.
Notes: * The height of a single-family detached unit may exceed 35 feet, up to a maximum of 41 feet, provided the living space of the dwelling unit does not exceed 2 stories above grade at the front elevation, and the height to the front eaves of the dwelling unit does not exceed 25 feet from the finished grade. The height of the lowest elevation of any designated fire ingress/egress point (door or window) shall not exceed 35 feet from the finished grade immediately below the ingress/egress point. (See Table A, Diagram A-3 at back of document)	

More stringent restrictions may be imposed on given homesites where deemed necessary by the developer's Design Review Committee to protect the aesthetic integrity of the community.

SIZE RESTRICTIONS

The minimum square foot sizes for the homes on the Property are listed in Table A attached to these Design Criteria. Each home will be evaluated based on its individual impact on the homesite, the homes in close proximity, and the community as a whole.

LANDSCAPING

VACANT HOMESITES

Instrument Book Page
199900044543 OR 1234 844

All homesites purchased from the developer and remaining vacant are the responsibility of the property owner for periodic maintenance. No stocking of material, firewood or temporary shelters will be permitted on any vacant homesite without prior approval by the Design Review Committee. In the event the lot owner does not provide the required maintenance, the Association will cause this work to be done at the owner's expense.

NATURAL FEATURES

Throughout the Property a number of fine mature trees exist. Many are located in prominent view from streets, roads and the golf course, giving them special significance. The community has taken a positive step toward the recognition and protection of such trees by requiring approval by the Design Review Committee to remove any tree, on any building lot outside the building and driveway footprint as shown on the Plot Plan, with a minimum trunk diameter over six (6) inches at four (4) feet above natural grade (diameter at breast height - DBH).

In addition to the already established vegetation many other plant types will be acceptable for use within the community. The Design Review Committee will take into consideration all elements of the individual landscape plan and plant materials selected during the approval process.

Fundamental to the design criteria is the need for gardens and lawns to harmonize with the native terrain and natural beauty of the community. Owners will be encouraged by the Design Review Committee to landscape their homesite with plant material indigenous to the area.

GRADING AND EXCAVATING

The design and development concepts of the Property call for the maintenance of the natural features in as much of the original condition as possible.

The Design Review Committee is particularly conscious of site utilization and desires not to disrupt the natural terrain unnecessarily. The Design Review Committee encourages all applicants and property owners to locate structures sympathetically with the specific homesite. It is important to remember the beauty of the development is the land and its natural features and the architecture should compliment and enhance rather than compete with or destroy this beauty.

In order to assure compliance with this philosophy, a grading plan will be required as a part of the final design submittal. Grading approval must be obtained from the Design Review Committee before earth is moved or removed from a specific homesite. Absolutely no grading whatsoever shall be permitted without first obtaining written authorization.

All grading reviews shall be subject to the jurisdiction of the Design Review Committee and shall be considered individually for each lot. In addition to the grading and excavation requirements of Clermont County, Committee recommendations or requirements will be based upon individual homesite location, terrain, soil conditions, drainage, cuts and fills, and other specific conditions the Design Review Committee feels impact upon the site design.

Instrument Book Page
199900044543 OR 1234 845

LANDSCAPE PLAN

A strong emphasis is placed on landscaping in the Design Review process. Quality landscaping is important to both the appearance of each individual home and the overall continuity of the community, and each Design Review submittal must satisfy the landscaping requirements of Table A.

To assure the overall beauty of the Property is preserved and enhanced, the Design Review Committee must review and approve plans for each individual residence. Front and rear yards may be seeded with straw, stolonized or hydroseeded. Grass types are restricted to fescue, bluegrass, and rye unless otherwise approved. The Design Review Committee requires shade trees planted in each front yard in accordance with Table A. Landscaping for homes on corner lots must include all sides of the house facing roadways.

The Property has been designed utilizing the natural elements as much as possible. Various hardwoods and other trees are common within the community and it is the intent of the Design Review Committee to maintain this landscape integrity.

The determining factor of good landscape design is the integration of the architecture with the location of the residence. The Design Review Committee will take into account the relationship between the home, site, adjacent homes, views, prevailing breezes, golf course and other amenities in making approval decisions regarding specific landscape plans.

Landscape plans shall be detailed and accurately drawn to an appropriate scale (not less than 1" = 20'). The plans shall show pertinent site and architectural information including existing and proposed contours and elevations, drainageways, existing trees over 6" caliper, driveways, walks and an accurate outline of the existing and / or proposed building with doors, windows, stoops, decks, retaining walls, spas, hot tubs and other features shown. The materials of outdoor surfaces such as walks, decks, patios, driveways, courtyards, etc., shall be specified.

LOT DEVELOPMENT DEPOSIT

A Lot Development Deposit (LDD) must be submitted to the Design Review Committee prior to approval of any improvement. This deposit will be retained by the Committee to assure all homes in the community receive a minimum landscaping package. This deposit shall also serve as a deposit to be used toward the repair of damages to community property as a result of the builders or owners actions or inaction.

The amount of this deposit is subject to change from time to time. The full amount of the deposit is refundable, less any justifiable expenses, within 30 days of the issuance of a Certification of Conformance, or for Conditional Certificates of Conformance, within 30 days after the fulfillment of the incomplete items described in the Conditional Certificate of Conformance, providing no significant discrepancies are remaining. Deficiencies noted at the final inspection will cause the return of the deposit to be delayed until such time as the deficiencies are remedied.

GENERAL COMMUNITY STANDARDS

TEMPORARY IMPROVEMENTS

Instrument Book Page
199900044543 OR 1234 846

No temporary building or structure shall be permitted except for trailers, barricades, trash receptacles or portable toilets as may be approved or required by the Design Review Committee. The existence of these structures will only be permitted during the construction period for a permanent improvement.

SITE CLEANLINESS

All sites must be kept free of loose debris and other non-indigenous waste materials. During construction, the builder is required to maintain a trash receptacle of sufficient size to contain all debris from the project, and to cause the removal of the trash periodically in order to avoid overloading the receptacle to the point the debris projects above the top rim.

During the construction period it is critical that all loose debris be contained on a daily basis and that no debris is allowed to blow onto adjacent homesites or the golf course.

SIGNS

The installation of signs other than those specifically approved by the developer, are strictly prohibited. This signage restriction includes but is not limited to builders, subcontractors, realtors, lender, architect and suppliers. Standardized community signs benefiting the Developer and Featured Builders for the development are permitted. Signs of a temporary nature which advertise the development of the community shall be removed when 95% of the lots have been sold to homeowners. Temporary signs on individual lots advertising the builder shall be removed when the home has been transferred to the homeowner.

REMODELING AND ADDITIONS

It is required that all plans for remodeling or additions that alter the exterior appearance of any permanent structure or homesite be approved by the Design Review Committee. All of the requirements and guidelines in this document, as well as applicable governmental approvals, apply to these types of improvements.

Instrument Book Page
199900044543 OR 1234 847

DESIGN REVIEW CHECKLIST AND APPLICATION

The Design Review Criteria has been established for the benefit of all Property Featured Builders and homeowners. Please fill out the checklist below and submit with each plan to Great Traditions Land & Development Co., 3650 Park 42 Drive, Cincinnati, OH 45241, for approval by the Design Review Committee.

Recorded Lot# _____ Submission Date: _____

Lot Address: _____

Applicant: _____ Contact: _____

Return Address: _____

Engineer: _____ Contact: _____

Landscape: _____ Contact: _____

Submitted For:

____ Preliminary Design Review

*(Refer to the Design Review Criteria
for submission requirements)*

____ Final Working Drawing Review

____ Four sets of plans are enclosed (Two sets of plans will be returned to the applicant)

____ Four plot plans are enclosed (Two plot plans will be returned to the applicant)

____ Two Landscape plans enclosed

____ Lot Development Deposit (LDD)

____ Exterior material selections enclosed, i.e. roof, brick/stone, siding, trim, walls, etc. (Paint samples are included for all exterior materials).

REVIEW COMMENTS: _____

____ Approved

By: _____

____ Not Approved

Date: _____

Notes:

INSTRUMENT Book Page
199900044543 OR 1234 849

- (a) Average width of units must be a minimum of 24 feet for each building.
- (b) The standard minimum front yard setback is 50 feet. The setback may not be reduced to less than 35 feet when it is necessary to avoid disturbances to natural resources. The Design Review Committee must approve any reduction in front yard setbacks.
- (c) Zero setback is permitted. A minimum of 10 feet horizontal separation shall be maintained between dwelling units.
- (d) Masonry materials include: brick, stone, cultured stone, dryvit, stucco, and decorative masonry products.
- (e) For each 1% increase in dwelling size, the minimum amount of masonry is reduced by 1% up to a minimum of 0%. Required masonry may be applied to any facade of the structure. [See Diagram A-1 (Lot Line) and (Village)]
- (f) For each 1% increase in dwelling size, the minimum amount of masonry is reduced by 1% up to a minimum of 25%. Required masonry must be applied to each facade of the structure at the required percentage. [See Diagram A-2 (Carriage) and (Town Home)]
- (g) These requirements apply to owner/builder required front yard landscaping to be located between the residence and the street.
- (h) Ornamental trees include evergreen trees.
- (i) All three car garages except on corner lots must be side or rear loading.
- (j) Side loading garages shall be located no less than 20 feet from roadway pavement edge.
- (k) The standard minimum front yard setback is 35 feet. The setback may not be reduced to less than 30 feet in order to avoid disturbances to natural resources or to increase the rear yard adjacent to the golf course. The Design Review Committee must approve any reduction in front yard setbacks.
- (l) Units must be staggered by at least six feet.
- (m) Maximum building heights for any dwelling unit, measured vertically from the highest point of the structure to the finished grade level on the perimeter of the structure, are established as follows:

Type	Maximum Building Height
Detached Single Family	35ft.*
Attached Single Family (Carriage and Townhouse)	35ft.
<p>Notes:</p> <p>* The height of a single-family detached unit may exceed 35 feet, up to a maximum of 41 feet, provided the living space of the dwelling unit does not exceed 2 stories above grade at the front elevation, and the height to the front eaves of the dwelling unit does not exceed 25 feet from the finished grade. The height of the lowest elevation of any designated fire ingress/egress point (door or window) shall not exceed 35 feet from the finished grade immediately below the ingress/egress point. (See Diagram A-3)</p>	

More stringent restrictions may be imposed on given homesites where deemed necessary by the developer's design review committee to protect the aesthetic integrity of the community.

DIAGRAM A-3

Maximum Building Height

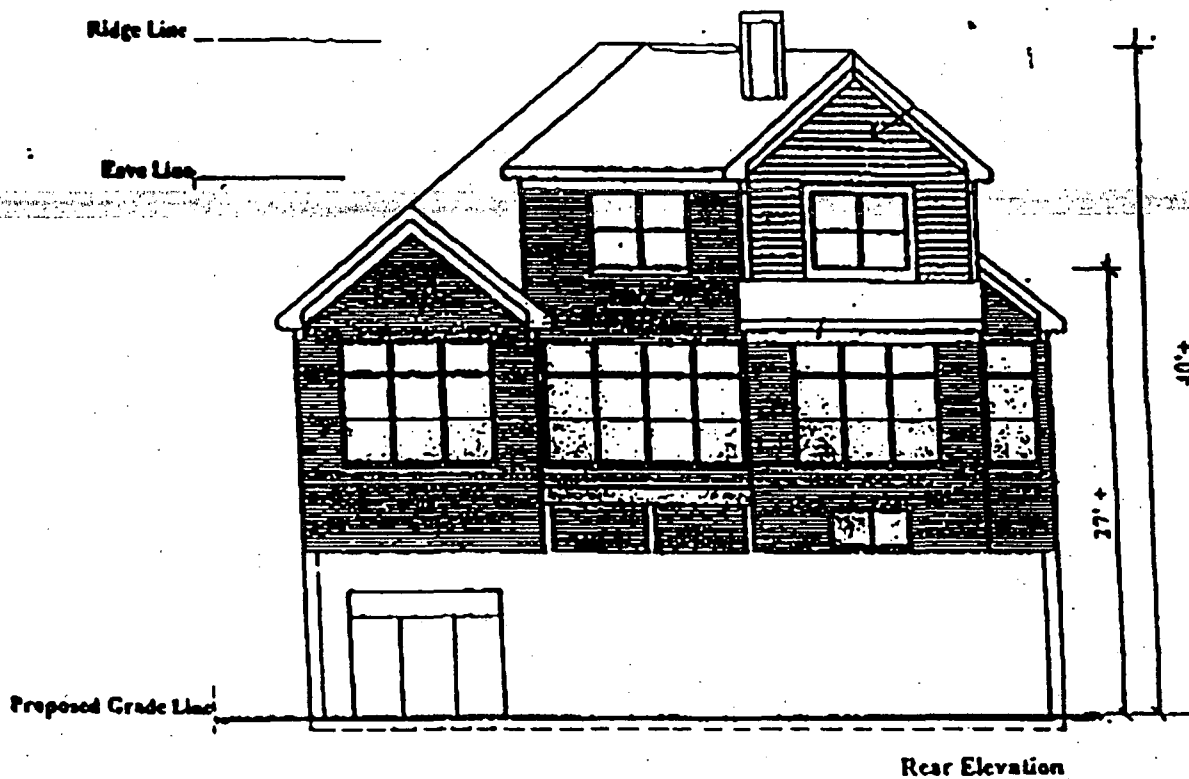
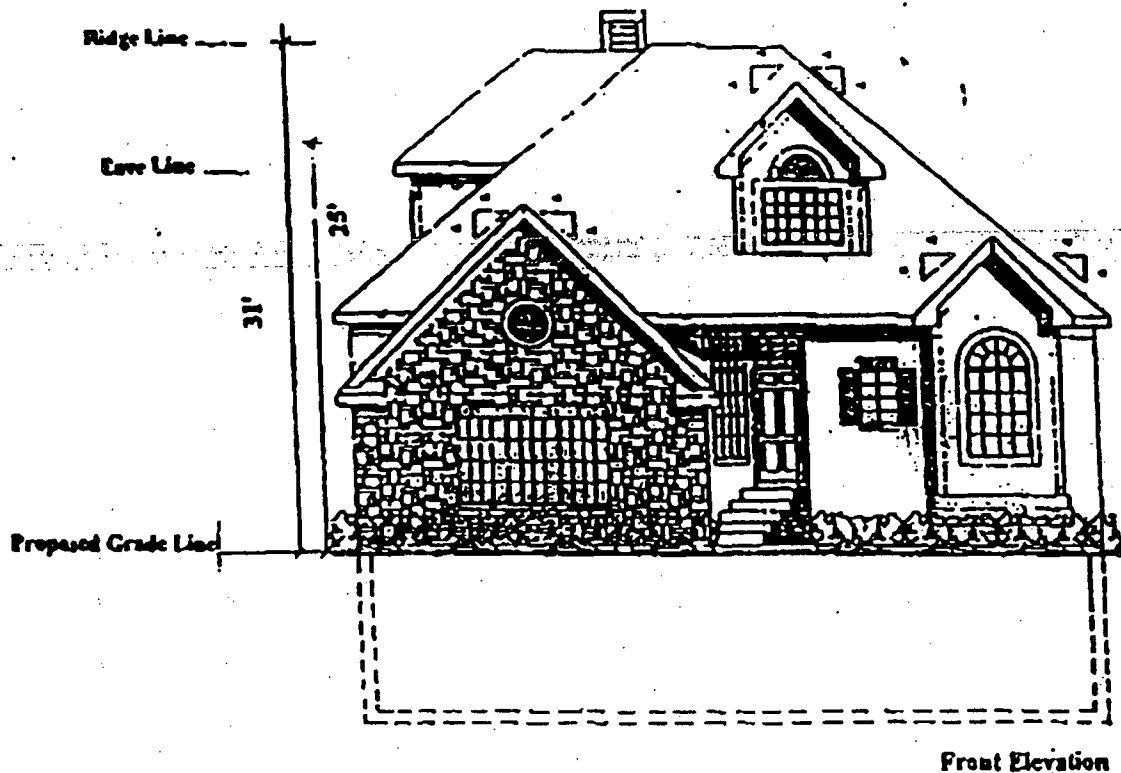


Table B

	Masonry	Minimum Standard
Materials List		
Brick	yes	None
Decorative Masonry	yes	None
Natural Stone	yes	None
Cultured Stone	yes	Stone Products Corp., Carriage Hill Stone Co., or equal
Dryvit (EFIS)	yes	None
Stucco	yes	None
Redwood	no	None
Cedar	no	None
Composition siding	no	Innerseal by Louisiana-Pacific or equal. 25 year minimum Limited Warranty
Vinyl Siding	no	Armco or equal. 0.044 minimum thickness, 40 year minimum Limited Warranty.
Vinyl Trim	no	Armco or equal. 0.044 minimum thickness, 40 year minimum Limited Warranty.

Diagram A-3 to
The Design Review Guidelines

Maximum Building Height



199900044543
Filed for Record in
CLERMONT COUNTY, OH
CAROLYN GREEN
On 11-01-1999 At 02:22 pm.
DECLAR 110.00
OR Book 1234 Page 827 - 852

