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 Lorain County, Ohio
 Mike Doran County Recorder
 File **2022-0893204**

**FIRST AMENDMENT TO DECLARATION OF
 EASEMENTS, COVENANTS AND RESTRICTIONS
 FOR
 SOUTH PORT**

This First Amendment to the Declaration of Easements, Covenants and Restrictions for South Port is made this 20th day of September, 2022 at Avon Lake, Ohio by South Port Development, LLC, an Ohio limited liability company (“Declarant”):

WHEREAS, Declarant recorded the Declaration of Easements, Covenants and Restrictions for South Port on November 25, 2020 as Document No. 2020-0790847 (the “Declaration”); and

WHEREAS, pursuant to Article XIII, Section 13.2(a) of the Declaration, Declarant reserved the right to amend the Declaration to add real property to the Land and subject such additional real property to the provisions of the Declaration; and

WHEREAS, Declarant desires to subject additional real property to the Declaration and amend the Declaration pursuant to the rights reserved in Article XIII, Section 13.2(a) of the Declaration; and

WHEREAS, pursuant to Article XIII, Section 13.2(b) of the Declaration, Declarant reserved the right to amend the Declaration for any purpose not inconsistent with the development of South Port as a first-class residential community.

NOW THEREFORE, Declarant hereby amends the Declaration as follows:

1. The real estate known as Sublots 34-62 and Blocks C & D of South Port Subdivision No. 2 as shown on the Plat of South Port Subdivision No. 2 recorded with the Lorain County Recorder on or about September 29, 2022 as Plat Volume 112, Pages 62, 63, 64 and described in Exhibit A hereto is hereby incorporated into the Land (as defined in the Declaration) which is subject to the Declaration, as amended.

2022-0893204

2. Blocks C & D of South Port Subdivision No. 2 are hereby designated as being part of the Common Elements within South Port.


3. Exhibit A to the Declaration is amended to include the property described in Exhibit A hereto.

4. The following paragraph (f) is added to Article II, Section 2.11-, GENERAL CONSTRUCTION AND IMPROVEMENT LIMITATIONS:

(f) No solar energy collection device shall be installed, erected, or placed on any Residence, Lot, or the Common Elements in South Port.

The said South Port Development, LLC, as Declarant, as aforesaid, has caused its name to be signed to these presents as of this 20th day of September, 2022.

SOUTH PORT DEVELOPMENT, LLC
BY KOPF CONSTRUCTION CORPORATION,
Its Manager


By: 

H. R. Kopf, President

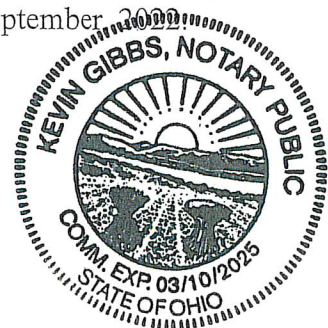
STATE OF OHIO)
) SS:
COUNTY OF LORAIN)

BEFORE ME, a Notary Public in and for said County and State, personally appeared South Port Development, LLC, and Ohio limited liability company, by its Manager, Kopf Construction Corporation, by H. R. Kopf, its President, who acknowledged that he did sign the foregoing instrument and that the same is the free act and deed of such company of him personally and as such officer. This is an acknowledgement clause. No oath or affirmation was administered to the signer.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal at Avon Lake, Ohio, this 20th day of September, 2022.



Notary Public
My commission expires: 3/10/2025



THIS INSTRUMENT PREPARED BY:

Jay C. Marcie, Esq.

Marcie & Associates, LPA

1001 Jaycox Road, Suite 1

Avon, Ohio 44011

(440) 937-6600

THE HENRY G. REITZ ENGINEERING COMPANY

Civil Engineers & Surveyors

Stuart W. Sayler, *P.E., P.S., Pres.*
James T. Sayler, *P.E., P.S., Vice Pres.*
Linda S. Rerko, *Sec. & Treas.*

4214 Rocky River Drive
Cleveland, Ohio 44135

TELEPHONE: 216-251-3033

EMAIL: reitz@reitzeng.com

September 13th, 2022

Description of South Port Subdivision No. 2

Situated in the City of Avon Lake, County of Lorain and State of Ohio, and known as being part of Original Avon Township Section No. 29, and bounded and described as follows:

Beginning on the Easterly line of South Port Drive, 60 feet wide, at the Southwesterly corner of Sublot No. 18 in the South Port Subdivision No. 1, as shown by the recorded plat in Volume 108 of Plats, Pages 88-90 of Lorain County Records;

Thence N. 89d 36' 13" E., along the Southerly line of said Sublot No. 18, a distance of 150.00 feet to the Southeasterly corner thereof;

Thence N. 00d 23' 47" W., along the Easterly line of said Sublot No. 18 and along the Easterly line of Sublot No. 17 in said South Port Subdivision No. 1, a distance of 129.83 feet to the Southwesterly corner of Sublot No. 15 in said South Port Subdivision No. 1;

Thence N. 89d 36' 13" E., along the Southerly line of said Sublot No. 15 and along the Southerly line of Sublot No. 14 in said South Port Subdivision No. 1, a distance of 320.00 feet to the Westerly line of the Bridgeside Subdivision No. 1, as shown by the recorded plat in Volume 55 of Plats, Page 20 of Lorain County Records;

Thence S. 00d 23' 47" E., along the Westerly line of said Bridgeside Subdivision No. 1 and along the Westerly line of the Bridgeside Subdivision No. 2, as shown by the recorded plat in Volume 55 of Plats, Page 33 of Lorain County Records, and along the Westerly line of the Bridgeside Subdivision No. 3, as shown by the recorded plat in Volume 66 of Plats, Page 9 of Lorain County Records, a distance of 1216.50 feet to the Northwesterly corner of Sublot No. 118 in said Bridgeside Subdivision No. 3;

Thence S. 89d 28' 13" W., a distance of 150.00 feet;

Thence S. 89d 36' 13" W., a distance of 60.00 feet;

Thence N. 00d 23' 47" W., a distance of 65.34 feet;

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EXHIBIT A

Thence S. 89d 36' 13" W., a distance of 490.00 feet to the Easterly line of a parcel of land conveyed to Kopf Construction Corp., by deed recorded in Volume 1048, Page 268 of Lorain County Official Records;

Thence N. 00d 23' 47" W., along the Easterly line of land so conveyed to Kopf Construction Corp., a distance of 1008.17 feet to the Southwesterly corner of Sublot No. 19 in said South Port Subdivision No. 1;

Thence N, 89d 36' 13" E., along the Southerly line of said Sublot No. 19 and along the Southerly end of South Port Drive, a distance of 230.00 feet to the Easterly line of South Port Drive;

Thence N. 00d 23' 47" W., along the Easterly line of South Port Drive, a distance of 13.50 feet to the place of beginning, and containing 17.6149 acres, according to a survey by The Henry G. Reitz Engineering Company, James T. Saylor, Registered Surveyor No. 7425, dated July 2022, be the same more or less, but subject to all legal highways and easements of record.

All bearings are based on Walker Road having a bearing of N. 89d 28' 00" E., and are used to denote angles only.

Accom

Fidelity National Title
5340 Meadow Lane Ct.
Sheffield Village, OH 44035

FIDELITY NATIONAL TITLE
5340 MEADOW LANE CT
SHEFFIELD VILLAGE, OH 44035