

**SECOND AMENDMENT TO DECLARATION OF
RESTRICTIVE COVENANTS FOR
BRANDY MILL ESTATES SUBDIVISION**

THIS SECOND AMENDMENT TO DECLARATION OF RESTRICTIVE COVENANTS FOR BRANDY MILL ESTATES SUBDIVISION (the "Declaration") is executed this 11th day of MAY, 2006, by MARONDA HOMES, INC. OF OHIO, hereinafter referred to as "Declarant."

RECITALS

A. Certain real property was submitted to the application of the Declaration, which real property is located in Licking County, State of Ohio, and more fully described as follows ("Section 1 Property"):

A certain 20.519 acre tract of real property located in Etna Township, Licking County, Ohio, inclusive of Brandy Mill Estates Subdivision Section 1, as the same are delineated upon the recorded plat thereof, of record in Plat Book 17, Pages 184 and 185, Recorder's Office, Licking County, Ohio.

B. The Declaration was filed on April 3, 2003, in Instrument Number 200304030014623 of the Official Records of Licking County, Ohio.

C. The Declarant is the owner of the property located adjacent to the Section 1 Property and more fully described as follows ("Section 2 Property"):

A certain 37.373 acre tract of real property located in Etna Township, Licking County, Ohio, inclusive of Brandy Mill Subdivision Section 2, as the same are delineated upon the recorded plat thereof, of record on Instrument Number 20060308000683, Recorder's Office, Licking County, Ohio, filed on March 8, 2006.

D. The Declaration provides that the Declarant may impose the same covenants as outlined in the Declaration to future phases of the development in the Brandy Mill subdivision, and the Declarant desires to so submit the Section 2 Property to the operation of the Declaration.

NOW, THEREFORE, the Declarant hereby declares that:

1. All of the terms used herein which are defined in the Declaration shall be interpreted to have the same meaning as defined in the Declaration unless specifically hereinafter amended.

2. The Declarant is the owner of the Section 2 Property, together with all easements, rights, and appurtenances belonging thereto, and hereby submits all such Section 2 Property to

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the provisions of the Declaration and such Section 2 Property is hereby included and made part of the Property.

3. The Declaration is hereby amended in the following respects.

The legal description referred to in the Declaration, as amended, is hereby amended by adding thereto the Section 2 Property described in Paragraph C of the Recitals in this Amendment.

4. Except as specifically hereinabove amended, all of the provisions of the Declaration shall be and hereby are declared to remain in full force and effect.

11th IN WITNESS WHEREOF, the undersigned has executed this Amendment effective this day of May, 2006.

MARONDA HOMES, INC. OF OHIO,
an Ohio corporation

By 
Mike Hoffmaster, President

STATE OF OHIO, COUNTY OF FRANKLIN, ss:

The foregoing instrument was acknowledged before me this 11th day of May, 2006, by Mike Hoffmaster, Vice President of Maronda Homes, Inc. of Ohio, an Ohio corporation, on behalf of the corporation.

Kelly J. Beatty
Notary Public

Prepared By:
Sheila Deselich Cohen, Esq.
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Powell, Ohio 43065
(614) 431-3305



KELLY J. BEATTY
Notary Public, State of Ohio
Pickaway County
My Commission Expires 8/22/10