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DECLARATION OF RIGHTS AND RESTRICTIONS

AS TO VILLAGE OF FOX HOLLOW PLAT TWO
A Subdivision in Monclova Township, Lucas County, Ohio

This Declaration of Rights and Restrictions ("Declaration") is made and adopted as of the 10th day of December, 1992, by The Port Lawrence Title and Trust Company, Trustee an Ohio corporation ("Owner"), with offices at 616 Madison Avenue, Toledo, Ohio 43604. Owner was the owner in fee simple of all of the property constituting Village of Fox Hollow Plat One, a subdivision in Monclova Township, Lucas County, Ohio, as per plat thereof recorded at Volume 128, Pages 85-87 of the Lucas County, Ohio Record of Plats ("Fox Hollow Plat One"). Owner is the owner in fee simple of that portion of Lot 3 in Briarfield Business Park, a subdivision in Monclova Township, Lucas County (more thoroughly described on attached Exhibit A) by virtue of a deed recorded with the Lucas County, Ohio Recorder at Deed Record 92- 562 A01 ("Park"). Owner is the owner in fee simple of Lot 60 in the Village of Fox Hollow Plat Two, a subdivision in Monclova Township, Lucas County, Ohio as described in attached Exhibit B ("Parcel") as per plat thereof recorded at Volume 131-48, Pages _____ of the Lucas County, Ohio Record of Plats ("Fox Hollow Plat Two") by virtue of a deed recorded with the Lucas County, Ohio Recorder at Deed Record 92- 562 A01.

Owner has by Declaration of Rights and Restrictions as to Village of Fox Hollow Plat One, a subdivision in Monclova Township, Lucas County, Ohio, recorded at Mortgage Record 91-0056B04 with the Lucas County, Ohio Recorder ("Fox Hollow Plat One Declaration"), established a general plan for the development, improvement and use

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of Fox Hollow Plat One as an architecturally harmonious, first-class, high quality subdivision, and has established restrictions upon the manner of use, improvement and enjoyment of Fox Hollow Plat One which has made the lots therein more attractive for residential purposes and will protect present and future owners of the lots therein in their use and enjoyment thereof for residential purposes. The Fox Hollow Plat One Declaration is herein incorporated by reference.

Owner has by Declaration of Rights and Restrictions as to a Portion of Lot 3 of Briarfield Business Park in Monclova Township, Lucas County, Ohio, recorded at Mortgage Record 92-3635002 with the Lucas County, Ohio Recorder ("Park Declaration"), established a general plan for the development, improvement and use of the Park as an architecturally harmonious, first-class, high quality subdivision and has established restrictions upon the manner of use, improvement and enjoyment of the Park which has made it more attractive and will protect present and future owners of the Park in their use and enjoyment thereof. The Park Declaration is herein incorporated by reference.

Owner intended to provide for the development of a subsequent plat(s) or property as an extension of Fox Hollow Plat One on certain other lands located in the vicinity of, adjacent to, and/or contiguous to Fox Hollow Plat One. Owner reserved the right to establish restrictions upon the manner of use, improvement and enjoyment of the lands in any said subsequent plat(s) or property which are similar to the restrictions on Fox Hollow Plat One and which will make the lands and such subsequent plat(s) or property

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more attractive and will protect present and future owners of such lands in their use and enjoyment thereof. Owner or its successors and assigns may exercise the above-mentioned reserved rights by filing consecutively numbered plats of Fox Hollow together with supplemental declarations of restrictions subjecting such subsequent plats or property to the Fox Hollow Plat One Declaration or similar restrictions.

Owner is developing Fox Hollow Plat Two as an extension of Fox Hollow Plat One and intends to develop Fox Hollow Plat Two pursuant to the general plan and scheme established in Fox Hollow Plat One. Owner desires for the rights and restrictions set forth in this Declaration to inure to the benefit of and be enforceable by all property owners in Fox Hollow Plat One, the Park, and all property owners in subsequent Fox Hollow plats. Owner desires that Fox Hollow Plat Two be subject to the Fox Hollow Plat One Declaration and the Park Declaration and that, as such, the Fox Hollow Plat One Declaration and the Park Declaration and all subsequent Fox Hollow plat restrictions shall inure to the benefit of and be enforceable by the owner(s) of lots in Fox Hollow Plat Two.

Owner declares that Fox Hollow Plat Two touches and concerns and affects the property in Fox Hollow Plat One, the Park, and/or all subsequent plat or plats developed as an extension of Fox Hollow Plat One and the Park on certain other lands located in the vicinity of, adjacent to, and/or contiguous to the Parcel, Fox Hollow Plat One, and/or the Park.

NOW, THEREFORE, Owner, in consideration of the

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enhancement in value of Fox Hollow Plat Two by reason of the adoption of this Declaration, does for itself and its successors and assigns, hereby declare, covenant and stipulate that Fox Hollow Plat Two shall be, and shall hereafter be conveyed by it, its successors and assigns, subject to, and entitled to the benefits of the Fox Hollow Plat One Declaration except for Article I, Section 1.1, Use of Land which shall be replaced, only as applied to Fox Hollow Plat Two, with Article I, Section 1.1, Use of Land as stated below, and Owner declares that these Rights and Restrictions shall run with the land:

Article I.

1.1 Use of Land. Each residential dwelling on a residential lot shall be used and occupied solely and exclusively for private residential purposes by a single family, as "family" is currently defined in the zoning resolution, Monclova Township, Lucas County, Ohio, 1991, and such family's servants, and group homes, with "group homes" defined as a residential facility that provides room and board, personal care, habilitation services and supervision in a family setting for mentally retarded, physically handicapped, or developmentally disabled persons; homeless, mistreated, or abused children; and the elderly. No lot shall be used for any purpose not presently permitted under the provisions of any applicable zoning, building or other governmental ordinances, codes and regulations, and including any current special uses approved for the lots subject to this Declaration of Rights and Restrictions (the "Codes").

IN WITNESS WHEREOF, The Port Lawrence Title and Trust Company, Trustee, acting by and through its duly authorized representatives, has caused this Declaration of Rights and Restrictions to be executed on its behalf this 10th day of December, 1992.

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Signed and acknowledged
in the presence of :

Lara Fish
Stacy Sacucci LARA M FISH

THE PORT LAWRENCE TITLE AND
TRUST COMPANY, TRUSTEE

By Margaretta K. Lackey
Its Vice President
By Victor Crouch
Its Vice President

STATE OF OHIO)
) SS:
COUNTY OF LUCAS)

The foregoing instrument was acknowledged before me this
10th day of December, 1992 by Margaretta K. Lackey, the
Victor Crouch V.P., and by Victor Crouch,
the V.P. of The Port Lawrence Title and
Trust Company, Trustee, an Ohio corporation, on behalf of the
corporation.

Stacy Sacucci
Notary Public

This instrument prepared by:
Robison, Curphey & O'Connell
Four SeaGate, Ninth Floor
Toledo, Ohio 43604



STACY SACCUCCI
Notary Public, State of Ohio
My Commission Expires 11-4-96

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EXHIBIT "A"

A parcel of land being part of Lot Three (3) in Briarfield Business Park, as recorded in Volume 129, Pages 18 through 20, Lucas County Plat Records, in Monclova Township, Lucas County, Ohio, said parcel of land being bounded and described as follows:

Beginning at the Northwest corner of said Lot Three (3); thence in a northeasterly direction along the northerly lot line of said Lot Three (3) having an assumed bearing of North sixty-nine (69) degrees, twenty-one (21) minutes, five (05) seconds East, a distance of one hundred fifty and zero hundredths (150.00') feet to a point, said northerly lot line of Lot Three (3) also being a line drawn thirty and zero hundredths (30.00') southerly of and parallel with the centerline of Kit Lane, as it now exists; thence South twenty (20) degrees, thirty-eight (38) minutes, fifty-five (55) seconds East along a line, a distance of three hundred and zero hundredths (300.00') feet to a point; thence North eighty-five (85) degrees, forty-four (44) minutes, thirty-seven (37) seconds West along a line, a distance of two hundred sixteen and sixty-nine hundredths (216.69') feet to the intersection of the westerly lot line of said Lot Three (3); thence North four (04) degrees, fifteen (15) minutes, twenty-three (23) seconds East along said westerly lot line of Lot Three (3), a distance of one and fifty-seven hundredths (1.57') feet to an angle point in said westerly lot line of Lot Three (3); thence North eight (08) degrees, ten (10) minutes, fourteen (14) seconds West along said westerly lot line of Lot Three (03), a distance of two hundred twelve and thirty-four hundredths (212.34') feet to the Point of Beginning.

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EXHIBIT "B"

Lot 60 in Village of Fox Hollow Plat Two, as recorded in
Volume 131, Pages 48 through , Lucas County
Plat Records, in Monclova Township, Lucas County, Ohio.

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SUE RIOUX

RECORDER, LUCAS COUNTY, OHIO

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Return: Robinson, Murphy Box
T.K.
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