

CUYAHOGA COUNTY
OFFICE OF FISCAL OFFICER - 8
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**FOURTH AMENDMENT TO DECLARATION OF
CONDOMINIUM OWNERSHIP**

**FOR
ERIE BUILDING LOFTS
CONDOMINIUM**

**A Mixed-Use Condominium
CLEVELAND, OHIO**

DEVELOPED BY:

ERIE BUILDING CONDOMINIUMS, LTD.
an Ohio limited partnership

**P.O. Box 91644
Cleveland, Ohio 44101
(216) 215-7129**

FISCAL OFFICE NOTE:

FOR MAPS ACCOMPANYING THIS DECLARATION AND
BY-LAWS SEE VOL. 166 PAGES 92 TO 94
INCLUSIVE OF CONDOMINIUM MAP RECORDS.

**FOURTH AMENDMENT TO DECLARATION OF CONDOMINIUM
OWNERSHIP FOR
ERIE BUILDING LOFTS CONDOMINIUM**

a Mixed Use Condominium

CLEVELAND, OHIO

This Fourth Amendment to Declaration (the "Fourth Amendment") made at Cleveland, Ohio, by **ERIE BUILDING CONDOMINIUMS, LTD.**, an Ohio limited partnership organized and existing under Ohio law, hereinafter referred to as "**Declarant**,"

WHEREAS, the Declarant caused a Declaration of Condominium Ownership for Erie Building Lofts Condominium (the "Declaration") to be recorded as Instrument No. 200605170352 of Cuyahoga County Records;

WHEREAS, the Declarant caused a First Amendment to Declaration of Condominium Ownership for Erie Building Lofts Condominium (the "First Amendment") to be recorded as Instrument No. 200607110802 of Cuyahoga County Records;

WHEREAS, the Declarant caused a Second Amendment to Declaration of Condominium Ownership for Erie Building Lofts Condominium (the "Second Amendment") to be recorded as Instrument No. 200808010786 of Cuyahoga County Records;

WHEREAS, the Declarant caused a Third Amendment to Declaration of Condominium Ownership for Erie Building Lofts Condominium (the "Third Amendment") to be recorded as Instrument No. 200901130123 of Cuyahoga County Records;

WHEREAS, Article I, Section (S) of the Declaration makes Unit 503 a "Convertible Unit";

WHEREAS, Article I, Section (GG) of the Declaration permits Declarant "to convert Convertible Units to Common Elements and/or additional Units";

WHEREAS, the Declarant now elects to exercise its right under Article I, Section (GG) to convert Unit 503 into two (2) units;

WHEREAS, Article X, Section (B) of the Declaration permits Declarant, without a vote of the unit owners to "(4) to correct clerical or typographical errors or obvious factual errors and inconsistencies in this Declaration or any Exhibit thereto or any supplement or amendment hereto, or (5) to correct obvious factual errors or inconsistencies between the Declaration and any exhibit thereto and other documents governing the Condominium, the correction of which would not materially impair the interest of any Unity Owner or mortgagee";

WHEREAS, the drawings incorporated in the Declaration as Exhibit "A" showed the demising wall between Units 601 and 602 inaccurately; and,

WHEREAS, the correction of the location of the wall between Unit 601 and 602 affects only the interior of those units and will not materially impair the interest of any other unit owner, and the owners of Unit 601 and 602 have consented or will consent to this Amendment;

WHEREAS, Declarant will cause the Fourth Amendment to be promptly recorded as an instrument with the Office of the County Recorder of Cuyahoga County, Ohio.

Now, Therefore, Declarant hereby amends the Declaration as follows:

1. Unit 503 is hereby divided into Units 503 and 504 as shown graphically on Page 2 of the set of drawings incorporated herein by reference as Exhibit "A" to the Fourth Amendment (hereinafter referred to as "Revised Exhibit A"), prepared and bearing the certified statements of Kenneth L. Bohning, Registered Surveyor, of Donald G. Bohning & Associates, Inc., 7979 Hub Parkway, Valley View, Ohio, 44125, and Todd M. Sciano, Registered Engineer, of Donald G. Bohning & Associates, Inc., 7979 Hub Parkway, Valley View, Ohio, 44125, as required by Section 5311.07, of the Ohio Revised Code.

2. Units 503 and 504 as shown on Page 2 of Revised Exhibit "A" are made fully subject to the provisions contained in the Declaration.

3. The location and dimension of Units 601 and 602 are now correctly shown on Page 3 of Revised Exhibit "A" attached hereto.

4. Exhibit "D" entitled Designation of Unit Numbers, Unit Square Footages and Undivided Interests on the Declaration is hereby deleted in its entirety and Exhibit "D" to the Fourth Amendment (hereinafter referred to as "Revised Exhibit "D"") attached hereto is hereby substituted.

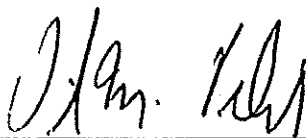
5. Except as amended herein, the Declaration remains in full force and effect.

(signature on next pages)

EXECUTED this 23rd day of October, 2013.

ERIE BUILDING CONDOMINIUMS, LTD.,
an Ohio limited partnership

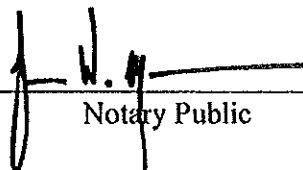
By: 1260 West 4th Street, LLC,
an Ohio limited liability company
its General Partner

By: 
David M. Perkowski,
its Managing Member

STATE OF OHIO)
) SS:
COUNTY OF CUYAHOGA)

Before me, a Notary Public in and for said County and State aforesaid, personally appeared **ERIE BUILDING CONDOMINIUMS, LTD.**, an Ohio limited partnership, by and through 1260 West 4th Street, LLC, an Ohio limited liability company, its general partner, by and through David M. Perkowski, its Managing Member, who acknowledged that he did sign the foregoing instrument and that the same was his free act and deed individually and as such officer, and the free act and deed of said limited liability company and said limited partnership.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal, at Cleveland, Ohio this 23rd day of October, 2013.

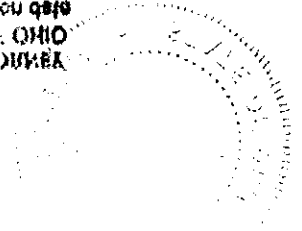

Notary Public

JOHN W. MONROE, ATTORNEY
NOTARY PUBLIC • STATE OF OHIO
My commission has no expiration date
Section 147.03 O.R.C.

This Instrument Prepared By:

Mansour, Gavin, Gerlack & Manos Co., L.P.A.
55 Public Square, Suite 2150
Cleveland, Ohio 44113
(216) 523-1500

Section 141.02 O.R.C.
My commission has no expiration date
NOTARY PUBLIC - STATE OF OHIO
JOHN W. KOIBOE, Attorney



CONSENT

The undersigned, 1260 WEST 4th STREET, LLC, a limited liability company organized and existing under Ohio law, is the current owner of Unit 503 described in the Declaration of Condominium Ownership for Erie Building Lofts Condominium (the "Declaration") which was recorded as Instrument No. 200605170352 of Cuyahoga County Records as amended by First Amendment to Declaration of Condominium Ownership for Erie Building Lofts Condominium (the "First Amendment") which was recorded as Instrument No. 200607110802 of Cuyahoga County Records, as further amended by Second Amendment to Declaration of Condominium Ownership for Erie Building Lofts Condominium (the "Second Amendment") recorded as Instrument No. 200808010786 of Cuyahoga County Records, as further amended by Third Amendment to Declaration of Condominium Ownership for Erie Building Lofts Condominium (the "Third Amendment") recorded as Instrument No. 200901130123 of Cuyahoga County Records.

The undersigned hereby consents to the execution and delivery of the foregoing Fourth Amendment to Declaration of Condominium Ownership for Erie Building Lofts Condominium with the exhibits thereto ("Fourth Amendment"), and to the filing thereof in the Office of the County Recorder of Cuyahoga County, Ohio, and further, subjects and subordinates its interest to the Fourth Amendment, and to the provisions of Chapter 5311 of the Ohio Revised Code.

EXECUTED this 23rd day of October, 2013.

1260 West 4th Street, LLC,
an Ohio limited liability company

By: David M. Perkowski

David M. Perkowski
its Managing Member

STATE OF OHIO)

) SS:

COUNTY OF CUYAHOGA)

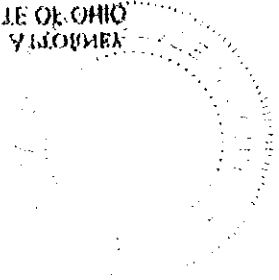
Before me, a Notary Public in and for said County and State aforesaid, personally appeared 1260 West 4th Street, LLC, an Ohio limited liability company, by and through David M. Perkowski, its Managing Member, who acknowledged that he did sign the foregoing instrument and that the same was his free act and deed individually and as such officer, and the free act and deed of said limited liability company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal, at Cleveland, Ohio this 23rd day of October, 2013.

John W. Monroe
Notary Public

JOHN W. MONROE, ATTORNEY
NOTARY PUBLIC • STATE OF OHIO
My commission has no expiration date
Section 147.03 O.R.C.

SECTION 147.03 O.B.C.
My commission runs to expiration date
NOTARY PUBLIC - STATE OF OHIO
JONI M. MOYNOE, APOBMEK

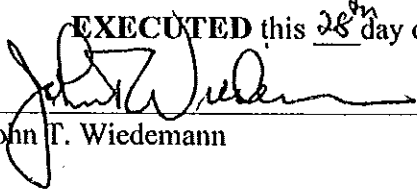


CONSENT

The undersigned, John T. Wiedemann and Pamala R. Schnellinger, husband and wife, are the current owners of Unit 601 described in the Declaration of Condominium Ownership for Erie Building Lofts Condominium (the "Declaration") which was recorded as Instrument No. 200605170352 of Cuyahoga County Records as amended by First Amendment to Declaration of Condominium Ownership for Erie Building Lofts Condominium (the "First Amendment") which was recorded as Instrument No. 200607110802 of Cuyahoga County Records, as further amended by Second Amendment to Declaration of Condominium Ownership for Erie Building Lofts Condominium (the "Second Amendment") recorded as Instrument No. 200808010786 of Cuyahoga County Records, as further amended by Third Amendment to Declaration of Condominium Ownership for Erie Building Lofts Condominium (the "Third Amendment") recorded as Instrument No. 200901130123 of Cuyahoga County Records.

The undersigned hereby consent to the execution and delivery of the foregoing Fourth Amendment to Declaration of Condominium Ownership for Erie Building Lofts Condominium with the exhibits thereto ("Fourth Amendment"), and to the filing thereof in the Office of the County Recorder of Cuyahoga County, Ohio, and further, subjects and subordinates their interests to the Fourth Amendment, and to the provisions of Chapter 5311 of the Ohio Revised Code.

EXECUTED this 28th day of October, 2013.


John T. Wiedemann


Pamala R. Schnellinger

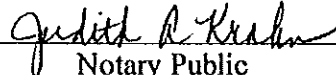
STATE OF OHIO)
) SS:
COUNTY OF CUYAHOGA)

Before me, a Notary Public in and for said County and State aforesaid, personally appeared John T. Wiedemann and Pamala R. Schnellinger, who acknowledged that they did sign the foregoing instrument and that the same was their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal, at Cleveland, Ohio this 28th day of October, 2013.



JUDITH A. KRAHN
Resident Summit County
Notary Public, State of Ohio
My Commission Expires 12-02-13
2013


Notary Public



CONSENT

The undersigned, Aaron Cornell, a single man, is the current owner of Unit 602 described in the Declaration of Condominium Ownership for Erie Building Lofts Condominium (the "Declaration") which was recorded as Instrument No. 200605170352 of Cuyahoga County Records as amended by First Amendment to Declaration of Condominium Ownership for Erie Building Lofts Condominium (the "First Amendment") which was recorded as Instrument No. 200607110802 of Cuyahoga County Records, as further amended by Second Amendment to Declaration of Condominium Ownership for Erie Building Lofts Condominium (the "Second Amendment") recorded as Instrument No. 200808010786 of Cuyahoga County Records, as further amended by Third Amendment to Declaration of Condominium Ownership for Erie Building Lofts Condominium (the "Third Amendment") recorded as Instrument No. 200901130123 of Cuyahoga County Records.

The undersigned hereby consents to the execution and delivery of the foregoing Fourth Amendment to Declaration of Condominium Ownership for Erie Building Lofts Condominium with the exhibits thereto ("Fourth Amendment"), and to the filing thereof in the Office of the County Recorder of Cuyahoga County, Ohio, and further, subjects and subordinates his interest to the Fourth Amendment, and to the provisions of Chapter 5311 of the Ohio Revised Code.

EXECUTED this 25 day of October, 2013.



Aaron Cornell

STATE OF OHIO)
) SS:
COUNTY OF CUYAHOGA)

Before me, a Notary Public in and for said County and State aforesaid, personally appeared Aaron Cornell, who acknowledged that he did sign the foregoing instrument and that the same was his free act and deed.

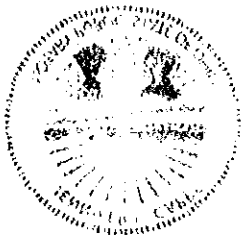
IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal, at Cleveland, Ohio this 25th day of October, 2013.



JENNIFER L. CAPPS
NOTARY PUBLIC, STATE OF OHIO
CUYAHOGA COUNTY
My Commission Expires 5/20/2017



Notary Public



ҚАЗАҚСТАН РЕСПУБЛИКАСЫНЫҢ
ІШІ АТҚАНА
МІІА

ҚАЗАҚСТАН РЕСПУБЛИКАСЫНЫҢ
ІШІ АТҚАНА
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ІШІ АТҚАНА
МІІА

REVISED EXHIBIT "D"

REPLACING EXHIBIT "D" TO DECLARATION OF CONDOMINIUM

OWNERSHIP

FOR

ERIE BUILDING LOFTS CONDOMINIUM

Undivided Interest in
Common Elements and in
Common Expenses,
Common Assessments,
Common Surplus, Common
Profits and Common Losses

Unit No.	Floor	Square Footage		Commercial Unit	Convertible Unit
101	First	5,384	0.1492	X	X
201	Second	5,800	0.1607	X	X
301	Third	1,691	0.0469		
302	Third	1,154	0.0319		
303	Third	1,412	0.0392		
304	Third	1,540	0.0427		
401	Fourth	1,698	0.0470		
402	Fourth	1,154	0.0319		
403	Fourth	1,414	0.0392		
404	Fourth	1,543	0.0428		
501	Fifth	1,729	0.0482		
502	Fifth	1,180	0.0331		
503	Fifth	1,386	0.0390		
504	Fifth	1,556	0.0431		
601	Sixth	2,046	0.0567		
602	Sixth	1,673	0.0474		
603	Sixth	1,787	0.0495		
604	Sixth	1,874	0.0515		
Totals:		36,060	1.000		