

FIFTH AMENDMENT TO DECLARATION OF RESTRICTIONS

WHEREAS the Association desires to amend the original Declaration of Restriction§* to indicate the following addition to Article V, which shall be designated as Section 14, Private Lake in the Woods Water Property.

**filed 7/31/1984 in Vol. 719 page 806

NOW THEREFORE, the Association hereby declares that Article V is amended to read (by addition of Section 14):

Section 14. Private Lake in the Woods Water Property. Assessments levied by Association, whether annual or special, may be used to treat the portions of the Lake in the Woods lake and the Lake in the Woods sediment pond that are located on private property; provided that any expenditure that is not for normal annual maintenance and that is in excess of \$6,500 must first be approved by two-thirds of the voting members attending the ballot meeting or by proxy, (with at least a quorum as defined by the Lake in the Woods Declaration of Restrictions, Article V, Section 7); and provided that the expenditure of such funds must be for the health, safety and benefit of the Association.

In addition to the above, up to \$14,000 of Association funds may be used prior to July 1, 2010 for the removal of sediment from the sediment pond located on sublots 138 and 139.

IN WINTNESS WHEREOF, said Association has executed this Fifth Amendment to Declaration of Restrictions this 11th day of October, 2009, by its duly authorized officers who hereby certify that two-thirds (2/3) of the Lots or Living Units in said Association have approved the same by vote or proxy in accordance with the requirements of the Declaration of Restrictions for Lake-in-the-Woods.

Authorized Officer:

By David Strauch
David Strauch
LITW 2009 Association President

State of Ohio
County of Geauga

The foregoing instrument was acknowledged before me this 11th day of October, 2009 by David Strauch.

Notary Public:

By Linda Spiros October 11, 2009

Linda Spiros

LINDA SPIROS
Notary Public, State of Ohio, Cuy. Cty.
My commission expires Feb. 5, 2011

Prepared by: Kevin Thornton