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ERIC C. SEARS
GREENE CO. RECORDER
XENIA, OH.

**SECOND AMENDMENT TO THE
SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR SPINDLETOP AT STONEHILL VILLAGE**

Nutter Enterprises, Ltd., an Ohio limited liability company ("Developer"), adopts this Second Amendment to the Supplemental Declaration of Covenants, Conditions and Restrictions for Spindletop at Stonehill Village (the "Supplemental Declaration").

1. **Background.** The Supplemental Declaration was recorded on March 10, 1999 at Volume 1307, Page 436, of the Official Records of Greene County, Ohio. On March 8, 2011, Developer recorded the First Amendment to the Supplemental Declaration at Volume 3118, Page 323, of the Official Records of Greene County, Ohio. The purpose of the First Amendment was to comply with Section 5312.02(D)(1) of the *Ohio Revised Code*, which requires recording of the bylaws or regulations governing the homeowners' association of any planned community.
2. **Authority.** Section 10.01 of the Canons of Order of Spindletop Neighborhood Society, Inc. ("Canons") expressly reserves the right of Developer to amend the Canons unilaterally during the Development Period without any notice to, or consent, approval or signature of, any other party. Developer exercises that right in adopting this Second Amendment.
3. **Purpose of Amendment.** The purpose of this Amendment is to modify certain provisions of the Canons to stagger the terms of office of Council Members in order to maintain better continuity on the Council.
4. **Amendment.** Developer amends the Supplemental Declaration to modify the Canons. Section 6.06 of the Canons is amended to read as follows:

Section 6.06: Terms of Office. Council Members will hold office for a term of Three (3) years, until their respective successors are elected and qualified, unless they are removed in the manner provided in this Article. However, a Council Member will be deemed to have resigned if the Council Member, or the partnership, corporation or other entity with which the Council Member is associated, sells the Lot that qualified the individual to become a Council Member.

The terms of the respective Council Members will be staggered. In order to implement the staggered terms, at the first annual meeting following the adoption of this amendment, One-Third (1/3) of the Council Members will be elected for an initial term of One (1) year, One-Third (1/3) of the Council Members will be elected for an initial term of Two (2) years, and One-Third (1/3) of the Council Members will be elected for a full term of Three (3) years. After that election, all successive terms will be for a period of Three (3) years, so that only One-Third (1/3) of the Council positions will be up for election each year. If the number of Council Members is not evenly divisible by Three (3), then the excess position or positions will be allocated among the staggered terms in a manner that will result in the least number of positions being voted upon in any one year.

5. **Ratification.** Except as specifically modified in this Amendment, the Supplemental Declaration and the Canons remain in full force and effect without change. Developer ratifies and confirms the Supplemental Declaration and the Canons, as amended.

Developer adopted this Second Amendment to the Supplemental Declaration and the Canons effective as of July 11, 2012.

DEVELOPER:
NUTTER ENTERPRISES, LTD.,
An Ohio Limited Liability Company

By: 
Robert W. Nutter, Authorized Member

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STATE OF OHIO

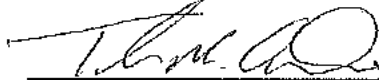
COUNTY OF GREENE

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) SS:
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Robert W. Nutter, in his capacity as an authorized Member of Nutter Enterprises, Ltd., an Ohio limited liability company, acknowledged the foregoing Instrument before me on July 11, 2012, on behalf of the Company.



THOMAS M. O'DIAM, Attorney at Law
Notary Public, State of Ohio
My Commission has no expiration date.
Section 147.03 C. R. C.



Notary Public

This Instrument Prepared By:

O'DIAM & STECKER LAW GROUP, INC.
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