

LANGUAGE TO AMEND THE DECLARATION OF COVENANTS, EASEMENTS, RESTRICTIONS AND ASSESSMENT LIEN FOR HEATHER GLEN SUBDIVISION

The Board of Directors for the Heather Lake Association proposes that the Declaration of Covenants, Easements, Restrictions and Assessment Lien for Heather Glen Subdivision (the "Declaration"), Bloom Township, Ohio, be amended as follows:

INSERT a new DECLARATION ARTICLE I, SECTION 2(n) entitled, "Occupancy Restriction." Said new addition, to be added on Page 6 of the Declaration, as recorded at Fairfield County Records, Volume 651, Page 729 et seq., is as follows:

(n) **Occupancy Restriction.** A Person who is classified a Tier III or Tier II sexual offender/child-victim offender, or any future equivalent classification, and for whom the County Sheriff or other government entity must provide community notification of the sex offender's residence is prohibited from residing in or occupying a Lot or remaining in or on the property for any length of time. The classification of a sexual offender/child-victim offender and determination of whether notice is required is made by a court of law pursuant to the Ohio Sex Offenders Act, as may be amended and/or renamed from time to time, or similar statute from another jurisdiction. The Association is not, however, liable to any Lot owner or Occupant, or anyone visiting any Lot owner or the Association, as a result of the Association's alleged failure, whether negligent, intentional, or otherwise, to enforce the provisions of this restriction.

Any conflict between this provision and any other provisions of the Declaration and Bylaws will be interpreted in favor of this restriction on the occupancy of Lots. The invalidity of any part of the above provision does not impair or affect in any manner the validity or enforceability of the remainder of the provision. Upon the recording of this amendment, only Lot owners of record at the time of such filing have standing to contest the validity of the amendment, whether on procedural, substantive or any other grounds, provided further that any such challenge must be brought in the court of common pleas within one year of the recording of the amendment.