



State of Ohio
Department of State

Sherrod Brown
Secretary of State

Date 6/24/87

Number 703371

Receipt No. 94836

G180-1670 0119

Received of or filed by CORPORATE SERVICES

G0180-1670

The sum of \$ 25.00 for filing ARN of

DEER RUN OWNERS ASSOCIATION

Returned to: 94836

SNELL, ROGERS & GREENBERG
ATT: D.T. HARMAN
2160 KETTERING TWR.
DAYTON, OH 45423

RECEIPT

ARN \$ 25.00

Name:
DEER RUN OWNERS ASSOCIATION

Total Fee: \$ 25.00

SEC-001



Department of State

The State of Ohio

Sherrod Brown
Secretary of State

G0180-1670

703371

Certificate

It is hereby certified that the Secretary of State of Ohio has custody of the Records of Incorporation and Miscellaneous Filings; that said records show the filing and recording of: ARN

of:

DEER RUN OWNERS ASSOCIATION

United States of America
State of Ohio
Office of the Secretary of State

Recorded on Roll 6180 at Frame 1672 of
the Records of Incorporation and Miscellaneous Filings.

Witness my hand and the seal of the Secretary of State, at the
City of Columbus, Ohio, this 22ND day of JUNE,
A.D. 1987.



Sherrod Brown
Sherrod Brown
Secretary of State

SEC 6002

G0180-1672

ARTICLES OF INCORPORATION
DEER RUN OWNERS ASSOCIATION

APPROVED

By J
Date 1-22-87
Amount 25.00

In compliance with the requirements of the provisions of Chapter 1702 of the Revised Code of Ohio, the undersigned hereby forms a corporation not-for-profit and certifies:

ARTICLE I

Name

The name of the Corporation is Deer Run Owners Association, the "Association".

ARTICLE II

The principal office of the Association shall be 7913 South Suburban Drive, Centerville, Montgomery County, Ohio.

ARTICLE III

Purposes and Powers

Forthwith upon the creation of the Association, the undersigned is creating a condominium under the provisions of Chapter 5311 of the Revised Code of Ohio, known as "Deer Run Condominium" of the property described on Exhibit "A" hereto. The purposes for which the Association is formed are to be and act as the unit owners' association for the Condominium, to provide for the maintenance, preservation and architectural control of the property of the Condominium, and to promote the health, safety and welfare of the residents of the Condominium, and for these purposes to:

- a) exercise all of the powers and privileges and perform all of the duties and obligations of the Association as set forth in these Articles of Incorporation, and the Declaration and By-Laws of the Condominium (the "Articles", the "Declaration" and the "By-Laws" respectively);
- b) fix, levy, collect and enforce payment by any lawful means, all charges or assessments pursuant to the terms of the Declaration, and pay all expenses in connection therewith and all office and other expenses incident to the conduct of the business of the Association;
- c) acquire (by gift, purchase or otherwise), own, hold, improve, build upon, operate, maintain, convey, sell, lease, transfer or otherwise dispose of real or personal property in connection with the affairs of the Association;

G0180-1673

- d) borrow money to fulfill its purposes;
- e) administer, enforce terms, conditions, covenants, restrictions and regulations upon, under and subject to which the Condominium or any part thereof may now or hereafter be used, and fix and provide any such terms, conditions, covenants, restrictions and regulations, and administer, enforce, alter, amend, change, add to, extend, waive or terminate in whole or in part, any of the same;
- f) provide the residents and Unit Owners of the Condominium with (i) normal utility services not separately provided to individual Units, (ii) services supplemental to municipal services, and (iii) Common Areas maintenance service;
- g) be, function and act as the unit owners' association of the Condominium, under the provisions of Chapter 5311 of the Revised Code of Ohio, and delegate such authority as it desires to a managing agent;
- h) have and exercise any and all powers, rights and privileges which a corporation organized under Chapter 1702 may now or hereafter have or exercise by law; and
- i) take any action necessary, expedient, incidental, appropriate or convenient to the carrying out of the foregoing purposes.

The Association shall not do any act or enter into any agreement or enter into any transaction in a manner which would violate any provision of Chapter 5311 of the Ohio Revised Code or the provisions of these Articles, the Declaration, or the By-Laws.

ARTICLE IV

Membership

Every person or entity who is a record owner of a fee or undivided fee simple interest in a Unit shall be member of the Association, and is herein called a "Unit Owner". The foregoing is not intended to include persons or entities who hold an interest merely as security for the performance of an obligation. Membership shall be appurtenant to and may not be separated from ownership of a Unit, and transfer of a Unit shall automatically transfer membership to the transferee. Voting rights of members shall be as set forth in the Declaration and By-Laws. (The latter of which shall also be and serve as the Association's Code of Regulations.)

G0180-1674

ARTICLE V

Board of Trustees (Managers)

The names and addresses of the persons who are initially to act in the capacity of Trustees, until the selection of their successors (as provided in the Declaration and By-Laws), are:

Gregg H. Taylor
8746 Normandy Lane
Centerville, Ohio 45459

Ray O. Black
10869 Lebanon Pike
Dayton, Ohio 45459

Donald W. Dunnington
2566 Lower Springboro Road
Waynesville, Ohio 45068

The number, qualifications, manner and time of selection of successor Trustees, and their terms of office, shall be as set forth in the Declaration and By-Laws.

The Board of Trustees shall be and act as the board of managers of the Condominium and shall have all of the powers and all of the duties of the board of managers as defined in Chapter 5311 of the Revised Code of Ohio and of the board of trustees as defined in Chapter 1702 of the Revised Code of Ohio, except as such powers may be limited or expanded by the provisions of these Articles, the Declaration or the By-Laws.

ARTICLE VI

Notice and Quorum

Notice and quorum requirements shall be in accordance with the provisions of the By-Laws.

ARTICLE VII

Indemnification

1) The Association shall indemnify every person who is or has been a trustee, officer, agent or employee of the Association and those persons' respective heirs, legal representatives, successors and assigns, against expenses, including attorneys' fees and judgments, decrees, fines, penalties and amounts paid in settlement actually and reasonably incurred in connection with any threatened, pending or completed action,

G0180-1675

suit or proceeding, whether civil, criminal, administrative or investigative, and whether in an action or proceeding by or in the right of the Association, or otherwise, in which such person was or is a party or a trustee, officer, employee or agent of the Association, or is or was serving in such capacity at the request of the Association, provided that person (a) acted in good faith and in a manner that person believed to be in or not opposed to the best interests of the Association, and (b) in any matter the subject of a criminal action or proceeding, had no reasonable cause to believe the questioned conduct was unlawful, but provided that in the case of any threatened, pending or completed action or suit by or in the right of the Association to procure a judgment in its favor against any such person by reason of that person serving in such capacity, no indemnification shall be made in respect to any claim or matter as to which such person shall have been adjudged to be liable for negligence or misconduct in the performance of a duty to the Association unless and only to the extent that the court in which such action was brought shall determine upon application that in view of all the circumstances of the case that person is fairly and reasonably entitled to indemnity for such expenses as the court shall deem proper.

2) Unless ordered by a court, the determination of indemnification, pursuant to the foregoing criteria, shall be made (a) by a majority vote of a quorum of Trustees of the Association who were not and are not parties to or threatened with any such action, suit or proceeding, or (b) if such a quorum is not obtainable, or if a majority of a quorum of disinterested Trustees so direct, in a written opinion by independent legal counsel other than an attorney or a firm having associated with it an attorney who has been retained by or who has performed services for the Association or any person to be indemnified within the past five (5) years, or (c) by the Unit Owners, or (d) by the court in which such action, suit or proceeding was brought.

3) Any such indemnification shall not be deemed exclusive of any other rights to which such person may be entitled under law, any agreement, or any insurance purchased by the Association, or by vote of Unit Owners, or otherwise.

ARTICLE VIII

Duration

The Association shall exist so long as the condominium regime of the Condominium exists, and no longer.

GD180-1670

ARTICLE IX

Dissolution

The Association may be dissolved only with the same consents as are required to terminate the condominium regime, as provided in the Declaration.

ARTICLE X

Definitions

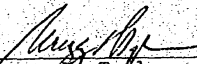
All terms used herein shall have the same meanings as set forth in the Declaration.

ARTICLE XI

Amendments

The Articles may be amended only under the same terms and conditions, and with the same approvals, as are provided in the Declaration for its amendment.

JOHN G. BLACK COMMUNITIES, INC.

By 
Gregg A. Taylor, President
INCORPORATOR

C-123, August 1983
Prescribed by **Sherrod Brown**
Secretary of State

G0180-1677



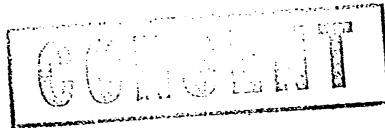
CONSENT FOR USE OF SIMILAR NAME

On the 19th day of May, 19 87,
the BOARD OF DIRECTORS (TRUSTEES) OF Deer Run Condominium Owners
(Name of Corporation giving Consent)
Association, Inc. (Charter or License No.) 455492

passed the following resolution:

RESOLVED, that Deer Run Condominium Owners Association, Inc.
(Name of Corporation giving Consent)
gives its consent to Gregg H. Taylor and/or John G. Black Communities, Inc.
to use the name Deer Run Owners Association

Date 5-19-87 Signed [Signature]
Secretary or Assistant Secretary of
Consenting Corporation



NOTE: This document MUST BE SIGNED by the SECRETARY or ASSISTANT SECRETARY of
the consenting corporation, pursuant to Section 1701.05(A) of the Ohio Revised Code.

14th Floor State Office Tower Columbus, Ohio 43215 614/466-3910

Form C-103 Prescribed by Secretary of State Ted W. Brown

Original Appointment of Agent

60180-1678

The undersigned, being at least a majority of the incorporators of _____
(Name of Corporation)

DEER RUN OWNERS ASSOCIATION _____

hereby appoint Donald W. Dunnington _____
(Name of Agent)

a natural person resident in the county in which the corporation has its principal office, a corporation
having a business address in the county in which DEER RUN OWNERS ASSOCIATION _____
(Name of Corporation)

has its principal office (strike out phrase not applicable), upon whom ~~(which)~~ any process, notice or
demand required or permitted by statute to be served upon the corporation may be served. His ~~(its)~~

complete address is 7913 South Suburban Drive _____, Centerville _____
(Street or Avenue) (City or Village)

Montgomery _____ County, Ohio, 45459 _____
(Zip Code)

DEER RUN OWNERS ASSOCIATION _____
(Name of Corporation)

JOHN C. BLACK COMMUNITIES, INC. _____

BY Gregg N. Taylor _____
Gregg N. Taylor, President

(INCORPORATORS NAMES SHOULD BE TYPED OR PRINTED BENEATH SIGNATURES)

_____, Ohio

_____, 19____

(Name of Corporation)

Gentlemen: I, It (strike out word not applicable) hereby accept(s) appointment as agent of your
corporation upon whom process, tax notices or demands may be served.

(Signature of Agent or Name of Corporation)

By: Donald W. Dunnington _____
(Signature of Officer Signing and Title)

Remarks: All articles of incorporation must be accompanied by an original appointment of agent. There is no
filing fee for this appointment.

CORPORATE SERVICES



85 East Gay Street, Suite 604
Columbus, Ohio 43215

Telephone
(614) 464-2400

~~G0180-1673~~

June 22, 1987

TO: SECRETARY OF STATE OF OHIO

- Corporations Section
- Uniform Commercial Code Section
- Elections Section

Please file:

Articles of Incorporation re: DEER RUN OWNERS ASSOCIATION

Consent attached

Please issue:

Enclosed is a check (or checks) in total amount of \$ 25.00

PLEASE RETURN FILED DOCUMENTS TO:

Daniel T. Harman

Snell, Rogers & Greenberg

2160 Kettering Tower

Dayton, OH 45423

Enclosure(s)



Ruth M. Harriston
Manager

PROMPT PROFESSIONAL SERVICE