

The Talon Group Box-CT

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**FIRST SUPPLEMENT
TO
DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND
ASSESSMENTS
FOR
TUSCANA AT TARTAN WEST**

332211

This is the First Supplement to the Declaration of Covenants, Conditions, Restrictions and Assessments for Tuscana at Tartan West made on or as of this 30th day of August 2006, by Maratage, LLC, f/k/a Meritage Homes, LLC (hereinafter "Declarant").

BACKGROUND

A. A plan of covenants, conditions, restrictions and assessments for Tuscana at Tartan West in the City of Dublin, Union County, Ohio, was created by a declaration thereof (the "Declaration") recorded in Official Record Volume 651 at Page 286, et. seq., records of the Recorder of Union County, Ohio, on November 28, 2003.

B. Pursuant to the provisions of Section 2 of Article 1 of the Declaration, Declarant reserved the right to add to the real property, subject to the Declaration, certain property called "the Additional Property", and subject that Additional Property to the provisions of the Declaration.

C. Maratage, LLC, f/k/a Meritage Homes, LLC, is the owner and developer of a portion of the Additional Property hereinafter described:

Situated in the State of Ohio, County of Union, City of Dublin, and described as follows:

Being Lots 53, 54, 75 and 77 in Tartan West, Section 3, as the same are numbered, designated and delineated on the recorded plat thereof, of record in Plat Book 5, Pages 147-148, records of the Recorder of Union County, Ohio; and

Being Lots 128, 129, 130, 131, 132, 133 and Lots 149 through 158, inclusive, in Tartan West, Section 5, as the same are numbered, designated and delineated on the recorded plat thereof, of record in Plat Book 5, Pages 198-200, records of the Recorder of Union County, Ohio.

COVENANTS, CONDITIONS AND RESTRICTIONS

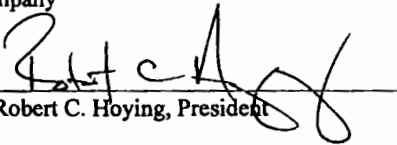
NOW THEREFORE, Declarant hereby declares that the property described in Paragraph C of the Background section hereof, all of which is owned by Declarant, and all of which is part of the Additional Property as defined in the Declaration, shall be held, sold, conveyed and occupied subject to all of the covenants, conditions and restrictions set forth in the Declaration, which shall run with the title to the Additional Property added hereby, and each part thereof, and be binding on all parties having any right, title or interest therein, and each part thereof, and their respective heirs, successors and assigns, and shall inure to the benefit of and be enforceable by Declarant, their successors and assigns, each Member of the Tuscana at Tartan West Homeowners Association, the respective personal representatives, heirs, successors, and assigns of each Member, and the Tuscana at Tartan West Homeowners Association and its successors and assigns.

For the purposes set forth herein the Declaration is incorporated herein by this reference, and by reason hereof all of the Lots in Tartan West, Section 3, all of which are Lots as defined in the Declaration, have for all purposes become part of Tuscana at Tartan West, as defined in the Declaration.

The owner of each Lot in Tuscana at Tartan West is and shall be a Member of the Tuscana at Tartan West Homeowners Association, as well as Members of the Tartan West Community Association.

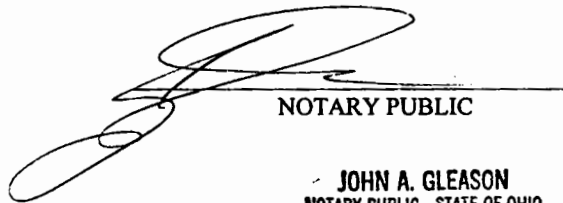
IN TESTIMONY WHEREOF, this First Supplement to the Declaration of Covenants, Conditions, Restrictions and Assessments for Tuscana at Tartan West has been duly executed and delivered by Maratage, LLC on or as of this 30th day of August 2006.

MARATAGE, LLC, f/k/a MERITAGE HOMES, LLC, an Ohio limited liability company

By 
Robert C. Hoying, President

STATE OF OHIO
COUNTY FRANKLIN, SS:

This instrument was acknowledged before me by Robert C. Hoying, President of Maratage, LLC, f/k/a Meritage Homes, LLC, an Ohio limited liability company, on behalf of Maratage, LLC, and as the act and deed of Maratage, LLC, f/k/a Meritage Homes, LLC, this 30th day of August 2006.


NOTARY PUBLIC

JOHN A. GLEASON
NOTARY PUBLIC - STATE OF OHIO
My Commission Has No Expiration
Section 147.03 R.C.

This instrument prepared by

John A. Gleason
5675 Feder Road
Columbus, Ohio 43228

TERESA L. MARKHAM
RECORDER, UNION CO., OHIO

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