

RELEASE

NOW COMES the Johnson's Island Property Owner's Association, Inc., an Ohio non-profit Corporation, (hereafter "JIPOA") and pursuant to the Decision and Judgment Entry of the Ottawa County Common Pleas Court issued on August 31, 2011, in Case No. 10CV232H captioned *Cianciola et al. v. Johnson's Island Property Owner's Association* (Decision affirmed by the Sixth District Court of Appeals on November 9, 2012, in Case No. OT 11-031) (hereafter "Litigation"), does hereby completely, fully and unequivocally release and discharge certain parcels of Real Estate in the Bay Haven Estates Subdivisions, which parcels are more fully described herein below, from any and all encumbrances, conditions, restrictions, burdens, or covenants created, or attempted to be created, by the documents titled (1) Resolution and Certification of Amended Code of Regulations of Johnson's Island Property Association, Inc., filed for record on August 24, 2009, in the Ottawa County Recorder's Office and recorded in Official Records Book 1287 at Pages 252 through 276 (hereafter Code of Regulations I), and re-filed for record on March 9, 2011, in the Ottawa County Recorder's Office Official Record Book 1354 at Pages 695 through 721 (Code of Regulations II), and (2) the Operating Agreement and all attachments to the Operating Agreement attached to the Judgment Entry, issued on June 7, 2007, and again on August 27, 2007 in Case No. 04-CVH-202 of the Ottawa County Common Pleas Court in the case captioned *Baycliffs Homeowner's Association, Inc., v Johnson's Island Property Owners Association, et al.*, (the "Baycliffs Entry") which Entry was filed for record in the Ottawa County Recorder's Office on July 18, 2007, and recorded in Volume 1206, page 251 through 330.

On August 21, 2011, the Ottawa County Court of Common Pleas, in the above referenced Litigation, specifically ordered that "JIPOA shall immediately execute and file with the Ottawa County Recorder, a release of Plaintiffs' property from the Amended Code of Regulations and the Operating Agreement".

JIPOA, through its duly authorized officers, in compliance with the Ottawa County Common Pleas Court's Decision and Judgment Entry in the Litigation, does hereby execute this Release, to fully and unequivocally release, discharge, nullify, and make void, any and all encumbrances, conditions, rights, restrictions, burdens or covenants imposed by the Code of Regulations I, the Code of Regulations II, or the Operating Agreement attached to the Baycliffs Entry, against or upon the Real Estate described hereinbelow and all past, present or future owners of the Real Estate described herein:

1. LOTS: 353, 354 and 355 Bay Haven Estates Subdivision.

Anthony Cianciola and Elizabeth Cianciola as owners of real property by virtue of a Deed recorded in Official Record Book 1196 at Page 970 (as to Lot 353) being more particularly described on Exhibit A attached hereto; and by virtue of a Deed recorded in Deed Volume 329 at Page 136 (as to Lots 354 and 355) and being more particularly described on Exhibit B attached hereto.

2. LOTS: 20, part of 21, 383, 384, 385, and 386 Bay Haven Estates Subdivision.

Clagg Family Limited Partnership as owners of real property by virtue of a Deed recorded in Deed Volume 415 at Page 132 (as to Lot 20 and part of Lot 21) being more particularly described on Exhibit C attached hereto; as owners of real property by virtue of a Deed recorded in Deed Volume 415 at Page 128 (as to Lots 383 and 384) being more particularly described on Exhibit D attached hereto; as owners of real property by virtue of a Deed recorded in Deed Volume 415 at Page 130 (as to Lot 385) being more particularly described on Exhibit E attached hereto; and as owners of real property by virtue of a Deed recorded in Deed Volume 145 at Page 134 (as to Lot 386) being more particularly described on Exhibit F attached hereto.

3. LOTS: part of 21, 22, 23, and 24 Bay Haven Estates Subdivision .

Harold R. Clagg, Trustee of the Second Restatement of the Trust Agreement of Harold R. Clagg dated December 25, 2002 as owner of real property by virtue of a Deed recorded in Official Record Book 963 at Page 781 (as to part of Lot 21 and Lots 22, 23, and 24) being more particularly described on Exhibit G attached hereto.

4. LOTS: 56, 58, and 356 Bay Haven Estates Subdivision.

The David F. McLellan and Hannah L. McLellan Revocable Living Trust as owners of real property by virtue of a Deed recorded in Deed Volume 414 at Page 143 (as to Lot 56) being more particularly described on Exhibit H attached hereto; and as owners of real property by virtue of a Deed recorded in Deed Volume 414 at Page 414 (as to Lots 58 and 356) being more particularly described on Exhibit I attached hereto.

5. LOT: 52 . Bay Haven Estates Subdivision

SusanneTomaschek as owners of real property by virtue of a Deed recorded in Deed Volume 380 at Page 176 (as to Lot 52) being more particularly described on Exhibit J attached hereto.

6. LOT: 435 Bay Haven Estates Subdivision.

Joseph Skoczen as owner of real property by virtue of a Deed recorded in Official Record Book 1142 at Page 679 (as to Lot 435) being more particularly described on Exhibit K attached hereto.

7. LOT: 13 Bay Haven Estates Subdivision.

Ronald L. Ameigh as owner of real property by virtue of a Deed recorded in Deed Volume 227 at Page 512 (as to Lot 13) being more particularly described on Exhibit L attached hereto.

8. LOTS: 53 and 361 Bay Haven Estates Subdivision.

James E. Thompson, Trustee of the James E. Thompson Trust and Eleanor L. Thompson, Trustee of the Eleanor L. Thompson Trust as owners of real property by virtue of a Deed recorded in Deed Volume 425 at Page 507 (as to Lots 53 and 361) being more particularly described on Exhibit M attached hereto.

9. LOTS: 265 and 266 Bay Haven Estates Subdivision.

Gary W. Burke as owners of real property by virtue of a Deed recorded in Deed Volume 321 at Page 534 (as to Lots 265 and 266) being more particularly described on Exhibit N attached hereto.

10. LOT 153 Bay Haven Estates Subdivision. Permanent Parcel No. 0151327017855000

John Fred Bode and Joan Jean Bode as owners of real property by virtue of a Deed recorded in Deed Volume 294 at Page 882 (as to Lot 153) being more particularly described on Exhibit O attached hereto.

JOHNSON'S ISLAND PROPERTY_


By: David Kugman
Its: PRESIDENT

STATE OF OHIO
COUNTY OF OTTAWA, SS:

Before me a Notary Public in and for said County, personally appeared David Kugman act and deed of Johnson's Island Property Owner's Association.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Westlake, Ohio, this 29 day of January, 2013.


NOTARY PUBLIC

This instrument prepared by:
Richard R. Gillum, Attorney at Law
Kocher & Gillum
Port Clinton, Ohio 43452

BRAD R. BRISTOW, NOTARY
STATE OF OHIO
MY COMMISSION EXPIRES: 9.18.2013

