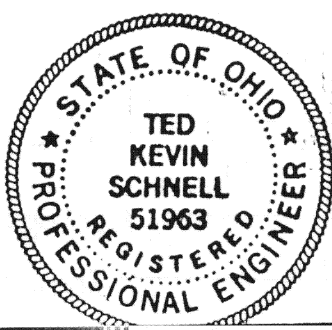


ATTEST: Ted K. Schnell
TED K. SCHNELL
PROFESSIONAL ENGINEER
PROFESSIONAL SURVEYOR



LEGEND	
○	IRON PIN SET
▲	P.K. NAIL SET
△	R.R. SPIKE FOUND

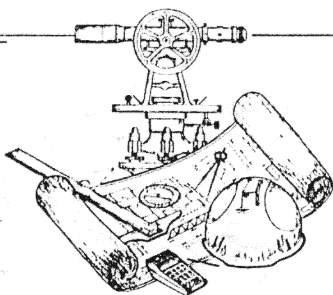
Client BREWFIELD DOCTORS DEVELOPMENT
County AKRON Twp. DUCHOUQUET Sec. 19
Drawn by T.K.S. Scale 1"=60' Drwg. No.
Checked by T.K.S. Date JULY 7, 1990
Sheet of I-174 (T 3 S; R 6 E)

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Land Surveying

R.R. No. 3
11873 Glynwood Road
Wapakoneta, Ohio 45895
phone - (419) 738-4758

Ted Kevin Schnell

Registered Professional Engineer
Registered Professional Surveyor



client BRENFIELD DOCTORS DEVELOP.
county AUGLAIZE township DUCHOUQUET
section 19 T- S -S, R- 6 -E
drawn by TKS date 6/30/90
checked by TKS sheet 1 of 7

SURVEYOR'S DESCRIPTION

The following described tract of land is situated in the East Half of the Southeast Quarter of Section 19, Duchouquet Township, Town-5-South, Range-6-East, Auglaize County, Ohio, and is more particularly described as follows:

Commencing at a Railroad Spike located at the Southeast Corner of the Southeast Quarter of said Section 19, Duchouquet Township;

thence with a bearing of S. $88^{\circ}-15'-16''$ W. along the South line of the Southeast Quarter of said Section 19 for a distance of 348.48 feet to an iron pin (set) and the PLACE OF BEGINNING;

thence with a bearing of N. $38^{\circ}-41'-42''$ W. for a distance of 335.92 feet to an iron pin (set);

thence along a curve to the left for an arc distance of 104.57 feet to an iron pin (set), said curve to the left having a chord which bears N. $28^{\circ}-12'-44''$ E. and chord distance of 99.87 feet;

thence with a bearing of N. $01^{\circ}-44'-44''$ W. for a distance of 20.00 feet to an iron pin (set);

thence with a bearing of N. $88^{\circ}-15'-16''$ E. for a distance of 155.00 feet to an iron pin (set);

thence with a bearing of S. $01^{\circ}-17'-44''$ E. for a distance of 375.00 feet to an iron pin (set), and the true PLACE OF BEGINNING.

Containing in all, 1.036 acres of land subject to all legal easements, reservations, and restrictions, if any, upon said premises.

ALSO:

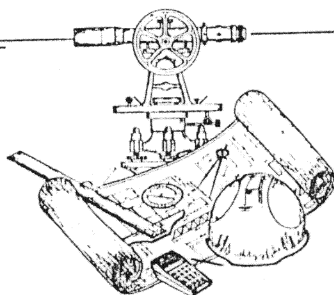
The above described tract of land shall be provided a temporary 25.00 foot wide ingress-egress easement, but shall become terminated at such a time when the proposed construction, dedication, and approval for public use of the "Redskin Trail" roadway is completed between Lincoln Avenue and Defiance Street. Said easement is situated upon and provided for by the present owners of a tract of land whose last known deed references are Deed Book "OR-29", Page 41, in the Auglaize County Recorder's office. The centerline of said 25.00 foot wide easement is described as follows:

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Land Surveying

R.R. No. 3
11873 Glyncrood Road
Wapakoneta, Ohio 45395
phone - (419) 738-4758

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county _____ township _____
section _____ T- _____ -S, R- _____ -E
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checked by _____ sheet 2 of 7

Commencing at a Railroad Spike located at the Southeast Corner of the Southeast Quarter of Section 19, Duchouquet Township, Town-5-South, Range-6-East, Auglaize County, Ohio;

thence with a bearing of N. $01^{\circ}-17'-44''$ W. along the East line of the Southeast Quarter of said Section 19, and the centerline of Lincoln Avenue, (State Route #501), for a distance of 257.00 feet to a P.K. Nail;

thence with a bearing of N. $89^{\circ}-55'-14''$ W. for a distance of 30.00 feet to a point on the Westerly right-of-way of Lincoln Avenue, (State Route 501), and the PLACE OF BEGINNING;

thence continuing with a bearing of N. $89^{\circ}-55'-14''$ W. for a distance of 26.40 feet to a P.K. Nail (set);

thence with a bearing of N. $49^{\circ}-03'-29''$ W. for a distance of 111.82 feet to a P.K. Nail (set);

thence with a bearing of S. $43^{\circ}-09'-06''$ W. for a distance of 161.73 feet to a P.K. Nail (set);

thence with a bearing of S. $73^{\circ}-41'-36''$ W. for a distance of 25.55 feet to a P.K. Nail (set);

thence with a bearing of S. $88^{\circ}-15'-16''$ W. for a distance of 71.37 feet to a point on the Easterly property line of the above described 1.036 Acre tract of land and there to terminate.

This 25.00 foot wide ingress-egress easement is also subject to all legal restrictions and reservations which, if any, may exist. It shall be understood by the grantors and grantees of this easement that if, for unforeseen reasons, the construction, dedication, and approval for public use of the "Redskin Trail" roadway between Lincoln Avenue and Defiance Street does not take place, this easement shall become permanent.

ALSO:

The above described tract of land shall be provided a 10.00 foot wide easement for sanitary sewer purposes. Said easement is situated upon and provided for by the present owners of a tract of land whose last known deed references are Deed Book "OR-29", Page 41, in the Auglaize County Recorder's office. The centerline of said 10.00 foot wide easement is described as follows:

Commencing at a Railroad Spike located at the Southeast Corner of the Southeast Quarter of Section 19, Duchouquet Township, Town-5-South, Range-6-East, Auglaize County, Ohio;

thence with a bearing of S. $88^{\circ}-15'-16''$ W. along the South line of the Southeast Quarter of said Section 19, for a distance of 188.00 feet to a point;

thence with a bearing of N. $01^{\circ}-17'-44''$ W. for a distance of 30.00 feet to a point and the PLACE OF BEGINNING;

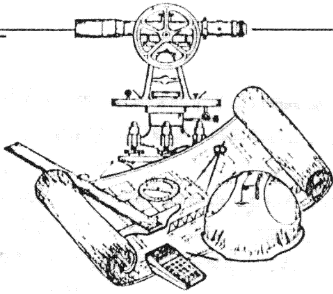
thence with a bearing of S. $88^{\circ}-15'-16''$ W. for a distance of 160.48 feet to a point on the East property line of the above described 1.036 Acre tract of land and there to terminate.

This 10.00 foot easement for sanitary sewer purposes is also subject to all legal restrictions and reservations which, if any, may exist.

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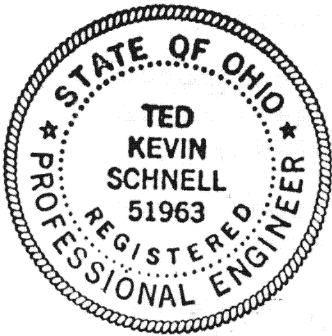
client _____
county _____ township _____
section _____ T- _____ - S, R- _____ - E
drawn by _____ date _____
checked by _____ sheet 3 of 7

ALSO:

The above described 1.036 Acre tract of land shall be subject to all of the following conditions, limitations, and restrictions set forth, and shall become a part of any deed, contract, lease, or any other type of instrument related to this described tract of land with or without being incorporated therein.

(ATTACHED)

Survey plat and description prepared by:



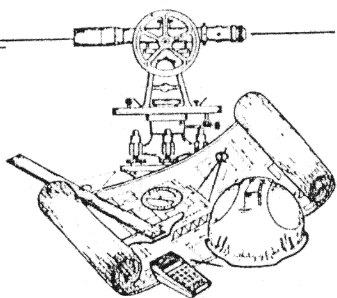
Ted K. Schnell

Ted K. Schnell
Professional Engineer #51963
Professional Surveyor # 7216

Civil Engineering
Land Surveying

R.R. No. 3
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Wapakoneta, Ohio 45895
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COVENANT OF RESTRICTIONS

1) **PURPOSE:** These covenants and restrictions are for the benefit of all lot owners and are to be binding upon all parties and all persons claiming title to said lots for a period of 25 years from the actual date of Recording with the Auglaize County Recorder, and then from then on shall be automatically be extended for successive periods of 10 years unless by a majority vote of the lot owners it is agreed upon to change or alter the stated covenants in whole or in part.

The conditions, limitations, and restrictions set forth herein shall be considered part of any deed, contract, lease, or any other type of instrument relating to any lot located within this subdivision without being incorporated therein, and the acceptance of any deed, contract, lease, or any other type of instrument relating thereto shall operate as a covenant to use the premises in conformity with the conditions, limitations, and restrictions herein set forth which are for the use and benefit of all persons claiming title to said lots.

Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any of these covenants or restrictions either to restrain violations or to recover damages. Invalidation of any one of these covenants or restrictions by judgement or court order in no way effects any of the other provisions which shall remain in force and effect.

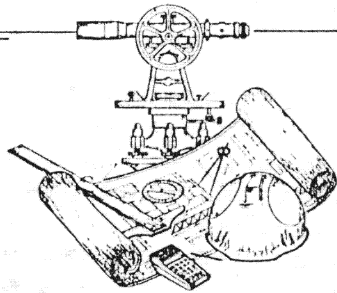
2) **FORMATION OF ASSOCIATION:** The owners of all lots situated within this subdivision shall automatically become a member of the Brewfield Development Property Owners Association, a non-profit organization, which shall be responsible for the decision making for the repair, maintenance, and general upkeep of the easement area dedicated for the use of the Stormwater Retention Pond. All lot owners shall be responsible for an equal share of all costs incurred for said repair, maintenance and upkeep of the Stormwater Retention Pond. The collection and enforcement of collection of all monies required to repair and maintain said pond shall be within the Brewfield Development Property Owners Association.

3) **UTILITY EASEMENTS:** All easements and rights-of-ways, either existing or created by the platting of this subdivision, shall be reserved in and over said lots as shown on the subdivision plat, for the purpose of the construction, operation, and maintenance of utility poles, conduits, and the necessary attachments in connection therewith. The use of utilities shall include electric, natural gas, storm sewers, sanitary sewers, water lines, telephone lines, or for any other quasi public utility or function maintained, furnished, or supplied in any method above or below ground elevation. Said easement areas as shown of the plat of the subdivision may be used by utility companies as the circumstances may require without incurring any liability to the lot owners of the subdivision for damages to sod, shrubbery, or any other surface improvement. All utilities, as much as possible and as conditions permit, shall be installed underground. Location, depths, and documentation of "as built" prints for said underground utilities shall be filed with the Brewfield Development Property Owners Association for permanent record.

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checked by _____ sheet 5 of 7

4) **WELLS AND MINING:** There shall be no excavation for stone, sand, gravel, or other earthen materials upon any lot situated within this subdivision except for the construction of footers, basements, walls, or for the placement of utility service lines, drainage and sewage pipes, or for landscaping purposes unless required by the City of Wapakoneta.

No well for the production of, or from which may be produced, oil and natural gas, shall be drilled or operated on the premises, nor shall any machinery, appliance, or structure be placed, operated, or maintained thereon in connection with such activities.

5) **BUILDING REQUIREMENTS:** All buildings or structures situated on these lots shall meet all local (City of Wapakoneta), and federal (State of Ohio), building codes. No structure of a temporary nature, trailer, basement, tent, shack, garage, barn, or other type of outbuilding shall be used on any lot situated within this subdivision except for the storage of materials and equipment for the construction of the main building or structure. All such temporary buildings for actual construction shall be removed from the premises immediately following the building's completion.

Prior to the commencement of the construction or alteration of all buildings or structures, enclosures, fences, loading docks, parking facilities, storage yards, or any other type of permanent improvement, the property owner shall first submit his site plans and specifications to the Planning Advisory Committee of the Brewfield Doctors Development for its written approval. Said approval shall be given within 30 days following submittal. All other type of permanent or temporary outbuildings, sheds, or storage buildings located on any lot shall also have the approval of the Planning Advisory Committee of the Brewfield Doctors Development.

6) **SIGNS:** No billboards and/or signs other than those to identify the Name, Products, or Business of the person(s) or firm(s) occupying the premises shall be permitted, except in the case of real estate for sale or lease signs. The plans and specifications for the construction, installation, or alteration of all outdoor signing shall be first submitted to the Planning Advisory Board of the Brewfield Doctors Development, its successors and assigns for final approval.

7) **OCCUPANCY:** If, after the expiration of one year from the date of execution of a contract for the sale of any lot within this subdivision, any purchaser has not in good faith begun the construction of a building or structure, the Brewfield Doctors Development retains the option to rescind such contract for purchase, and shall refund the original purchase price in full, without interest, and regain possession of said land.

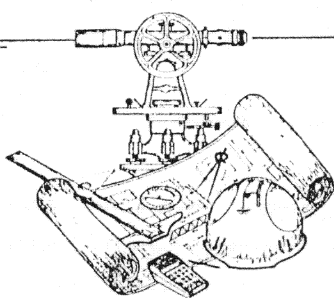
9) **SETBACK REQUIREMENTS:** All buildings or structures shall be located no closer than 40 feet of any public or private street. All such buildings and structures shall also be located no closer than 22 feet from side and rear property lines.

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10) **PARKING AREAS:** All parking areas shall become either concrete or asphalt surface within 90 days of the final completion of the building or structure, weather and season permitting. All parking areas shall be located no closer than 10 feet from all side property lines, and no closer than 25 feet from the rear property lines. These 10 and 25 foot strip buffer areas shall be grassed landscaped. Parking shall not be permitted on either the Redskin Trail roadway.

11) **LIVESTOCK:** No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any of the lots situated within this subdivision excepting domestic pets such as dogs and/or cats provided they are not kept, bred or maintained in any commercial manner which may disturb or disrupt the wellbeing of the subdivision. Kennels shall be strictly forbidden.

12) **SANITARY SEWAGE:** All lots situated within this subdivision shall have its sanitary sewerage disposed of into the City of Wapakoneta's sanitary sewage system. Lot #6 of the Brewfield Subdivision shall have access to an existing sanitary sewer lift station located on the property which presently contains the Lincoln Medical Center. An easement, 10 foot in width located on Lot #7, shall be provided for the maintenance and repair of the sanitary service line for Lot #6 as shown on the Plat. All other sanitary sewer lines shall be serviced by a sanitary sewer line connected into the City of Wapakoneta's sewage collection system.

13) **WATER:** All lots situated within this subdivision shall be serviced with treated public water from the City of Wapakoneta.

14) **MISCELLANEOUS:** No lot situated within this subdivision shall be used or maintained as a dumping ground for rubbish, trash, wastes, automobiles and trucks, or any other type of refuse disposal site. Garbage and all other wastes produced from all lots shall be placed into sanitary containers.

No noxious or offensive activity shall be carried on or upon any lot situated within this subdivision, nor shall anything be performed which may be or become a nuisance to adjoining lot owners, or adjacent subdivisions in the neighborhood.

Provisions for drainage shall be requested from all lot owners situated within this subdivision to direct all of their surface runoff overflow water into catch basins provided and shall be incorporated into the landscaping of the lot. All lots having access to the Stormwater Retention Pond shall utilize the area for retaining excess stormwater runoff. The natural flow of stormwater runoff upon all lots shall not interrupt upstream flows due to development unless special design provisions are made to accommodate the natural overland flow of stormwater runoff water.

Additional development created by the filing of this Subdivision Plat and covenant of restrictions shall only be approved by the City of Wapakoneta at a time when a sanitary sewer becomes available to each individual lot, including lots #6 and #7.