

NO. 52010

HOWELL'S - SUBDIVISION SOUTH PART OF OUT LOT NUMBER 92.
SURVEYOR'S CERTIFICATE

I hereby certify that the accompanying plat represents the subdivision of a part of Out Lot Number 92 in the city of St. Marys, Huguize County, Ohio, as platted by me on the 15th day of May 1945. For description of Howell's Sub-divisions, Part of Out Lot #92, City of St. Marys, Ohio, marked Exhibit "A" and made a part hereof.

H. R. CEMIG
COUNTY ENGINEER

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that Aletha Grace Howell and Adrian H. Howell, wife and husband, owners of the land embraced in the accompanying plat do hereby set apart, dedicate, and convey the streets and alleys as indicated on the accompanying plat to the public use of the inhabitants of St. Marys, Huguize County, Ohio and to the general public forever; and we do hereby certify and acknowledge the accompanying plat to be a true and correct representation of the land embraced therein, designated ^{ST. MARYS} HOWELL'S SUBDIVISION, SOUTH PART OF OUT LOT NUMBER 92, in the said city of ^{ST. MARYS} Huguize County, Ohio.

IN WITNESS WHEREOF, we have hereunto set our hands this 8th day of September, 1945.

ALETHA GRACE HOWELL
ADRIAN H. HOWELL . . .

ACKNOWLEDGEMENT

STATE OF OHIO }
COUNTY OF HUGUIZE } SS:

BEFORE ME, a Notary Public, in and for the state of Ohio personally appeared Aletha Grace Howell and Adrian H. Howell to me personally known and acknowledged that they did sign the foregoing dedication of property for the uses and purposes therein set forth and that the same was their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal at St. Marys, Ohio this 8th day of September 1945.

(SEAL)

FRED R. SEIBERT
FRED R. SEIBERT, Notary Public
STATE of Ohio

CERTIFICATE OF ACCEPTANCE

I hereby certify that the accompanying plat was approved by the Council of the City of St. Marys, Huguize County, Ohio at its regular meeting, by Ordinance Number 1232, passed on the 24th day of September, 1945.

ATTEST:

(SEAL)

GEORGE W. HALE . . .
CLERK of Council . . .

APPROVED
October 9, 1945

- - - E. M. HAGEMAN - - -
DIRECTOR OF PUBLIC SERVICE,
PLATTING COMMISSIONER

RESTRICTIONS

- (1) THAT any building erected on said premises shall strictly conform to the building line established and recorded on the Plat in the Recorder's Office of Huguize County, Ohio.
- (2) RESERVING HOWEVER to said Grantors herein, its successors and assigns forever, the right and privilege of using a strip of land four feet wide along the rear of all the lots for the purpose of building, constructing, using, maintaining and repairing sewer, water and gas pipe lines, telephone and electric light and power poles, wires

APPURTENANCES AND APPLIANCES OR UNDERGROUND CONDUITS AND THE RIGHT OF INGRESS AND EGRESS OVER AND ALONG SAID STRIP OF LAND FOR SAID PURPOSES.

(3) THAT NO BUILDING EXCEPT A DWELLING HOUSE AND A PRIVATE GARAGE SHALL BE ERECTED OR MAINTAINED ON SAID PREMISES, AND ANY SUCH PRIVATE DWELLING HOUSE AND GARAGE ERECTED THEREON SHALL NOT COST LESS THAN THE SUM OF THREE THOUSAND FIVE HUNDRED DOLLARS AND SHALL NOT BE BUILT CLOSER THAN 30 FEET FROM THE FRONT BOUNDARY LINE.

(4) THAT NO PRIVATE GARAGE SHALL BE ERECTED ON SAID PREMISES CLOSER TO ANY FRONT LINE THAN THE REAR WALL OF THE DWELLING HOUSE UNLESS SAME IS AN INTEGRAL PART OF SAID DWELLING HOUSE AND CONFORMS TO THE ARCHITECTURE THEREOF.

(5) THAT NO OUTSIDE PRIVY OR DETACHED PRIVY, VAULT, PRIVY VAULT OR CESS POOL WILL BE MAINTAINED ON SAID PREMISES.

(6) THAT NO BUILDING, EXCEPT A PRIVATE GARAGE WHICH MAY BE ERECTED WITHIN TWO FEET OF THE BOUNDARY LINE OF AN ADJACENT LOT, SHALL BE CLOSER THAN SIX FEET TO THE BOUNDARY LINE OF AN ADJACENT LOT EXCEPT THAT NO BUILDING WHATSOEVER ERECTED THEREON MAY BE WITHIN FOUR FEET OF THE BOUNDARY LINE OF THE LOT LOCATED IMMEDIATELY ADJACENT TO SAID PREMISES IN THE REAR.

(7) THESE COVENANTS ARE TO RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES OWNING REAL PROPERTY IN SUBDIVISION, THEIR HEIRS, EXECUTORS, ADMINISTRATORS, SUCCESSORS AND ASSIGNS.

(8) IF ANY OF THE PARTIES HERETO OR ANY OF THEM OR THEIR HEIRS AND/OR ASSIGNS SHALL VIOLATE OR ATTEMPT TO VIOLATE ANY OF THE COVENANTS IT SHALL BE LAWFUL FOR ANY OTHER PERSON OR PERSONS OWNING ANY OF THE REAL PROPERTY SITUATED IN SAID SUBDIVISION TO PROSECUTE ANY AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT AND EITHER TO PREVENT HIM OR THEM FROM DOING OR TO RECOVER DAMAGES FOR SUCH VIOLATION OR VIOLATIONS.

(9) INVALIDATING OF ANY OF THE COVENANTS BY JUDGMENT OR COURT ORDER SHALL IN NO WISE EFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

(10) THE RESTRICTIONS HEREIN PROVIDED SHALL NOT APPLY TO THOSE PURCHASES OF REAL PROPERTY IN SAID OUT LOT NUMBER 92, PRIOR TO THE DEDICATION OF SAID SUBDIVISION.

Description of Howell Sub-division

PART OF OUT LOT #92

CITY OF ST. MARYS, OHIO

BEGINNING AT THE STONE LOCATED IN THE CENTER OF SECTION 10, TOWN 6 SOUTH, RANGE 4 EAST, ST. MARYS TOWNSHIP, HUGLIZE COUNTY, OHIO; THENCE NORTH TWENTY (20) FEET TO A POINT; THENCE WEST PARALLEL WITH THE HALF SECTION LINE A DISTANCE OF SEVEN HUNDRED THIRTY NINE AND TWELVE HUNDREDTHS (739.12) FEET TO A POINT AT THE EAST RIGHT OF WAY LINE OF WAYNE STREET; THENCE NORTH ON SAID EAST RIGHT OF WAY LINE A DISTANCE OF ONE THOUSAND TWO HUNDRED TWENTY SIX AND TWENTY NINE HUNDREDTHS (1,226.29) FEET TO A POINT; THENCE EAST A DISTANCE OF ONE HUNDRED FORTY EIGHT AND FIVE TENTHS (148.5) FEET TO A STAKE; THENCE NORTH EIGHTY EIGHT AND FIVE TENTHS (88.5) FEET TO A STAKE; THENCE EAST FIVE HUNDRED NINETY FIVE (595) FEET TO AN IRON PIN IN THE NORTH AND SOUTH HALF SECTION LINE OF SAID SECTION 10; THENCE SOUTH ALONG SAID HALF SECTION LINE ONE THOUSAND THREE HUNDRED TWELVE AND THREE TENTHS (1312.3) FEET TO THE PLACE OF BEGINNING.

PART OF THE NORTHWEST CORNER OF THIS DESCRIPTION IS NOT INCLUDED IN THE HOWELL SUB-DIVISION, HOWEVER IT IS INCLUDED IN THIS TOTAL DESCRIPTION AS THERE IS TO BE AN ALLEY LOCATED ON THE EAST SIDE OF THIS PART WHICH IS NOT INCLUDED IN THIS SUBDIVISION, NAMELY ALONG THE EAST SIDE OF THE PROPERTY OWNED BY DAN BRICKER, FRED WISS, VERLING NELSON AND EVERETT SPRINGER, THIS PART OF OUT LOT #92 AS LAID OUT BY THE SURVEY OF H.R. CRAIG OCTOBER 9, 1933.

HOWARD R. CRAIG
REG. ENGINEER #3189
Wapakoneta, Ohio

FEES \$27.00

EXHIBIT "A"

Filed October 9, 1945; at 2:30 P.M.

Recorded October 29, 1945

Ray Sullivan
Luna Mae Reincke

Recorder
Deputy