

KESSLER'S 4TH HILLSDALE ADDITION.
ST. MARY'S OHIO.

SHEET 1 OF 2

M. HIRSCH

GLASS

- = IRON PIN OR PIPE
- ⊙ = CONCRETE MONUMENT
- = WOOD STAKE
- BEARINGS ARE MAGNETIC
- SCALE 1 INCH = 50 FEET.

N



RESTRICTIONS

No lot shall be used except for residential purposes. No buildings shall be erected, altered, placed or permitted to remain on any lot other than one single family dwelling and a private garage for same. Lot numbers 177 to 238 inclusive shall be used as the zoning ordinance number 1527 permits under single residential one district. Lot numbers 239 to 264 inclusive shall be used as the zoning ordinance number 1527 permits under single residential two district.

Easements and rights of way are reserved in and over such of said lots as are shown on said plat, for the construction, operation and maintenance of poles, wires, conduits, and the necessary and proper attachments in connection therewith for the transmission of electricity, for telephone and other purposes, also for the construction, operation, maintenance of drains, sewers and pipe lines for supplying gas, water, heat, and for any other public or quasi-public utility of functions maintained, furnished or performed in any method beneath the surface of the ground. Easements shown upon plat may also be used by Utility Companies as circumstances require without incurring any liability from property owners for damage to sod, shrubbery or other surface improvements.

No noxious or offensive activity shall be carried on or upon any lot nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

No structure of a temporary nature, trailer, basement, tent, shack, garage, barn or other outbuilding shall be used on any lot at any time as residence either temporary or permanently and the owners shall keep the premises free from weeds, trash and miscellaneous material which might distract from the value of the surrounding premises.

These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of twenty five years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of ten years unless an instrument signed by a majority of the then landowners of the lots has been recorded, agreeing to change said covenants in whole or in part.

These conditions, limitations, restrictions set forth herein shall be considered part of any contract, deed, lease or instrument relating to any lot in Hillside North Addition, without being incorporated therein, and the acceptance of any contract, deed, lease or 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 every person who shall or may become the owner of, or have any title to any lot or parcel of land situated in Hillside Fourth Addition.

Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violations or to recover damages.

Invalidation of any one of these covenants by judgement or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

ACCEPTANCE BY CITY COUNCIL AND CITY PLANNING BOARD

We hereby certify that this plat was approved and that the streets, walkways and Public Playground shown hereon were accepted by both the Council and by the Planning Board of City of St. Marys, Auglaize County, Ohio, this 27th day of December, 1955.

Wm. J. Poppe
Pres. of Council
Wm. J. Poppe
Mayor St. Marys
E. N. Schmitt
Director Public Service & Safety
St. Marys, O
Date December 27th 1955
30988

PRESENTED FOR RECORD

On the 28 day of August 1956 at 10:00 A.M.
Recorded 28 day of August 1956 in Auglaize County, Record of Plats
VOL. 62 PAGE 53 FEE 2.00

Ray Sullivan
Auglaize County Recorder

DEDICATION

The undersigned owners of the following real estate in Auglaize County, Ohio hereby subdivide same into streets, lots and playgrounds to be known as KESSLER'S FOURTH HILLSDALE ADDITION to St. Marys, Ohio. A definite description follows.

Being a tract of land located in SW 1 of the NW 1 and S 1 of NW 1 Section 4, Town 6 South, Range 4 East, St. Marys Township.

Beginning on the 1/2 Section line at an iron stake marking the NW corner of lot 164, KESSLER'S THIRD HILLSDALE ADDITION. Thence S 89° 05' W, 769.95 feet along half section line to an iron pipe; Thence N 0° 26' E, 1766.5 feet across Joe Williams farm to an iron pipe set on property line between M. Hirsch and Joe Williams, said line also being the North right of way line of the now abandoned New York Central Railroad as conveyed by said railroad to Joe Williams. Thence N 88° 52' E, 555.87 feet along north line of railway right of way to an iron pipe. Thence S 51° 47' E, 549.51 feet to an iron pipe. Thence N 74° 43' E, 160 feet to an iron pipe set on south right of way of U.S. Highway 33; thence S 51° 48' E, 290 feet along south right of way of U.S. Route 33 to an iron pipe; Thence S 74° 41' W, 342.52 feet to an iron pin. Thence S 89° 05' E, 241.69 feet to an iron pin set on West line of Metz-Dieker Addition to St. Marys. Thence S 0° 32' E, 678 feet along West line of Metz-Dieker Addition to an iron pin set on North line of KESSLER'S THIRD HILLSDALE ADDITION to St. Marys. Thence S 88° 44' W, 599.97 feet along North line of KESSLER'S THIRD HILLSDALE ADDITION to point of beginning. Tract contains 37.35 acres less and except a 3.85 acre tract dedicated for swimming pool purposes and described as follows.

Beginning at an iron pipe marking the NW corner of Metz-Dieker Addition Thence S 0° 32' E, 478 feet to a concrete monument; thence S 89° 28' W, 50 feet to a concrete monument; Thence S 80° 35' W, 290.7 feet to a concrete monument; Thence S 80° W, 15 feet to an iron pin; Thence N 0° 26' E, 381.90 feet to a concrete monument. Thence N 74° 41' E, 18065 feet to an iron pin; Thence S 89° 05' E, 241.69 feet to point of beginning.

The remaining 33.50 acres is divided into 143 lots numbered from 179 to 321 inclusive. Streets are dedicated to public use forever and swimming pool area is dedicated to City of St. Marys for the use of the public subject to any and all rules and regulations necessary for its operation.

8-13-56

Dated

Caren V. Hall

Donald C. Biltz

Witnesses

Paul Kessler

Beatrice A. Kessler

Owners

NOTARY ACKNOWLEDGMENT

STATE of OHIO

COUNTY of AUGLAIZE

Before me, a Notary Public, in and for said county of Auglaize personally appeared the above signed owners and acknowledged the signing of the foregoing instrument, to be their free act and deed.

In testimony whereof I have affixed my hand and seal this 13th day of August, 1956.

Helen Kessler
Notary Public

My commission expires HELEN KESSLER
NOTARY PUBLIC
Commission Expires Aug. 1, 1958

ENGINEER'S CERTIFICATE

I hereby certify that the above plat correctly represents the subdivision of the above described tract of land. Concrete Monuments and iron pipe or pins are set as shown. Bearings are magnetic. The plat detail is correct to best of my knowledge.

8-11-56

Dated

B. R. Rebhart
Registered Surveyor.

Accepted for
transfer August 28, 1956
O. J. Lusk, Auditor
of Auglaize County, Ohio