

# WEST OAKS THIRD ADDITION

## CITY OF ST. MARYS, OHIO

### RESTRICTIONS

Lots 5 thru 45 inclusive, shall be used as the Zoning Ordinance Number 1901 permits under Residential Two District.

Lots 183 thru 192, 194, 207, and 195 thru 205, inclusive, shall be used as the Zoning Ordinance Number 1901 permits under Single Residential One (1) 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 and maintenance of drains, sewers and pipe lines for supplying gas, water, heat and for any other public or quasi-public utility or function maintained, furnished or performed in any method beneath the surface of the ground. Easements shown on the plat may also be used by utility companies as the circumstances require without incurring any liabilities from property owners for damages to sod, shrubbery or other surface improvements.

The City of St. Marys is hereby granted for the sole purpose of street light installation and maintenance an easement upon, under and across a two and one half foot strip parallel with and adjacent to each interior side lot line of each lot of said Addition, provided that such an easement is not granted hereby with reference to any such interior lot line as may fall within any tract created by a single purchaser of more than one such lot.

No fence or wall shall be erected, placed or altered on any lot nearer to any street than the minimum building setback line unless similarly approved. All residents in the Addition shall be required to have a private drive for off-street parking.

No noxious or offensive activity shall be carried on or upon any lot, nor shall anything be done thereon which 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 a residence either temporary or permanent and the owners shall keep the premises free from weeds, trash and miscellaneous materials which may detract from the value of the surrounding premises.

These covenants are to run with the land and shall be binding on all parties 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 periods of ten years unless an instrument signed by a majority of the landowners of the lots has been recorded agreeing to change said covenants in whole or in part.

These conditions, limitations and restrictions set forth herein shall be considered part of any deed, contract, lease or instrument relating to any lot in this 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 owners, or have any title to any lot or parcel of land situated in this 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 judgment or court order shall in no wise effect any of the other provisions which shall remain in force and effect.

### OWNERS

### DEDICATION

Know all men by these presents:

We the undersigned owners of the within described land, have caused the area encompassed by this plat to be surveyed, platted and to be known as the WEST OAKS THIRD ADDITION to the CITY of ST. MARYS, OHIO and do hereby certify that the said plat is a true representation of the same.

Paul Kessler owner 9-15-72 date  
Bertice G. Kessler owner 9-15-72 date

We the undersigned being the owners of lot No. 32  
James Robert Bledsoe, Jr. owner  
Ken Paul Bledsoe, Sr. owner Sept 18, 1972 date

We the undersigned being the owners of lot No. 33  
Charles D. Duerksen owner Sept. 16- 1972 date  
Dorothy M. Duerksen owner Sept 16- 1972 date

We the undersigned being the owners of lot No. 34  
Hayd L. Sharp owner Sept 16- 1972 date  
Guendolyn B. Sharp owner Sept 16- 1972 date

### ACKNOWLEDGEMENT

Before me, a Notary Public in and for said County of Mercer, State of Ohio, personally appeared the above signed owners and acknowledged the signing of the forgoing instrument to be their own free act and deed. In testimony whereof, I have affixed my hand and seal this 18th day of September, 1972.

Helen Kessler  
Notary Public in and for said County of Mercer and State of Ohio.

HELEN KESSLER  
NOTARY PUBLIC  
Commission Expires August 9, 1974

### PLANNING COMMISSION APPROVAL

Approved by the planning commission of the City of St. Marys, Ohio, at the meeting of December 14, 1972.

Leonard J. Hagan  
Secretary Planning Commission

### CERTIFICATE OF ACCEPTANCE

All improvements have been installed in accordance with the requirements of Ordinance number 1902, pertinent agreements with the City and with the action of the Planning Commission in approving the Preliminary Plat.

Kenneth J. Hagan Director of Public Service December 12, 1972 Date

### COUNTY

### AUDITORS

### CERTIFICATE

I hereby certify that there are no unpaid taxes on this land comprising the WEST OAKS THIRD ADDITION to the CITY of ST. MARYS, OHIO and that this plat was filed for transfer in the Office of the Auglaize County Auditor, this 12th day of June, 1972.

Vernon E. Daugh Auditor 130246

### COUNTY

### RECORDERS

### CERTIFICATE

Received for recording in the Office of the Auglaize County Recorder this 12th day of June, 1972 at 11:25 A.M. o'clock and is recorded in Plat Book C. Page 29-29 Fee paid \$30.00

Le Roy H. Kuman Recorder

### ENGINEERS

### CERTIFICATE

I hereby certify that I am a Civil Engineer registered professionally to practice in the State of Ohio, and that this plat is, in all respects, correct and was prepared from an actual survey completed by me 9/14/72

B. R. DeBhart  
Registered Engineer

### SURVEYORS

### CERTIFICATE

Situated in the City of St. Marys, County of Auglaize, Township of St. Marys, State of Ohio.

Beginning for reference at a point on the East and West half section line, which bears N88°56'E, a distance of three hundred seventy and fifty hundredths (370.50) feet East of the West quarter (1/4) post of Sec. 4, T6S, R4E, St. Marys Township, Auglaize County, Ohio; thence N00°53'W a distance of two hundred and sixty (260.00) feet to a point at the Northwest corner of Lot No. 94; thence N88°56'E, a distance of one hundred and seventy two and sixty five hundredths (172.65) feet to a point; thence N00°26'E, a distance of twenty (20.00) feet to a point; thence N88°56'E, a distance of three hundred and thirty seven (337.00) feet to a point on the East line of Royal Oak Drive; thence S00°26'W, a distance of ten (10.00) feet to a concrete monument at the Northwest corner of Lot No. 150; thence N88°56'E, a distance of three hundred and sixty five (365.00) feet to a concrete monument at the Northeast corner of Lot No. 180; thence N00°26'E, a distance of one hundred and fifty (150.00) feet to a concrete monument at the Northwest corner of Lot No. 82, THIS BEING THE TRUE PLACE OF BEGINNING FOR THE DESCRIPTION OF WEST OAKS THIRD ADDITION; thence N00°26'E, a distance of eight hundred thirty five (835.00) feet to a point on the North side of Hawthorne Street; thence N88°56'E on and along the North line of Hawthorne Street a distance of twenty (20.00) feet to the Southwest corner of Lot No. 194; thence N00°26'E on and along the West line of Lot No. 194, a distance of one hundred thirteen and seventeen hundredths (113.17) feet to the Northwest corner of Lot No. 194; thence N89°00'E a distance of two hundred fifty (250.00) feet to a point at the Northeast corner of Lot No. 207; thence S00°26'W, a distance of two hundred seventy seven and eighty eight hundredths (277.88) feet to a point at the Northwest corner of Lot No. 23; thence N88°56'E, a distance of nine hundred sixteen (916.00) feet to a point at the Northeast corner of Lot No. 34; thence S00°26'W, a distance of one hundred ten (110.00) feet to the Southeast corner of Lot No. 34; thence S88°56'W along the North line of Neil Avenue a distance of one hundred fifty four (154.00) feet to a point; thence S00°26'W on and along the West line of West Oaks First Addition a distance of four hundred thirty (430.00) feet to a point at the Southeast corner of Lot No. 38; thence S88°56'W on and along the North line of West Oaks Second Addition a distance of six hundred two (602.00) feet to a concrete monument at the Southwest corner of Lot No. 45; thence S00°26'W along the East side of Heather Drive a distance of thirty (30.00) feet to a concrete monument; thence S88°56'W a distance of one hundred sixty (160.00) feet to a concrete monument at the Southwest corner of Lot No. 5; thence S00°26'W, a distance of one hundred (100.00) feet to a concrete monument at the Southeast corner of Lot No. 205; thence S88°56'W, a distance of two hundred seventy (270.00) feet to the true place of beginning.

The above tract contains fifteen and seventy seven hundredths (15.77) acres of land and is divided in sixty four (64) lots as numbered and shown.

B. R. DeBhart 9/14/72 Date  
Registered Surveyor No. 3909

# WEST OAKS THIRD ADDITION

CITY OF ST. MARYS, OHIO

- LEGEND
- ⊙ Concrete Monument
  - Iron Stakes

