

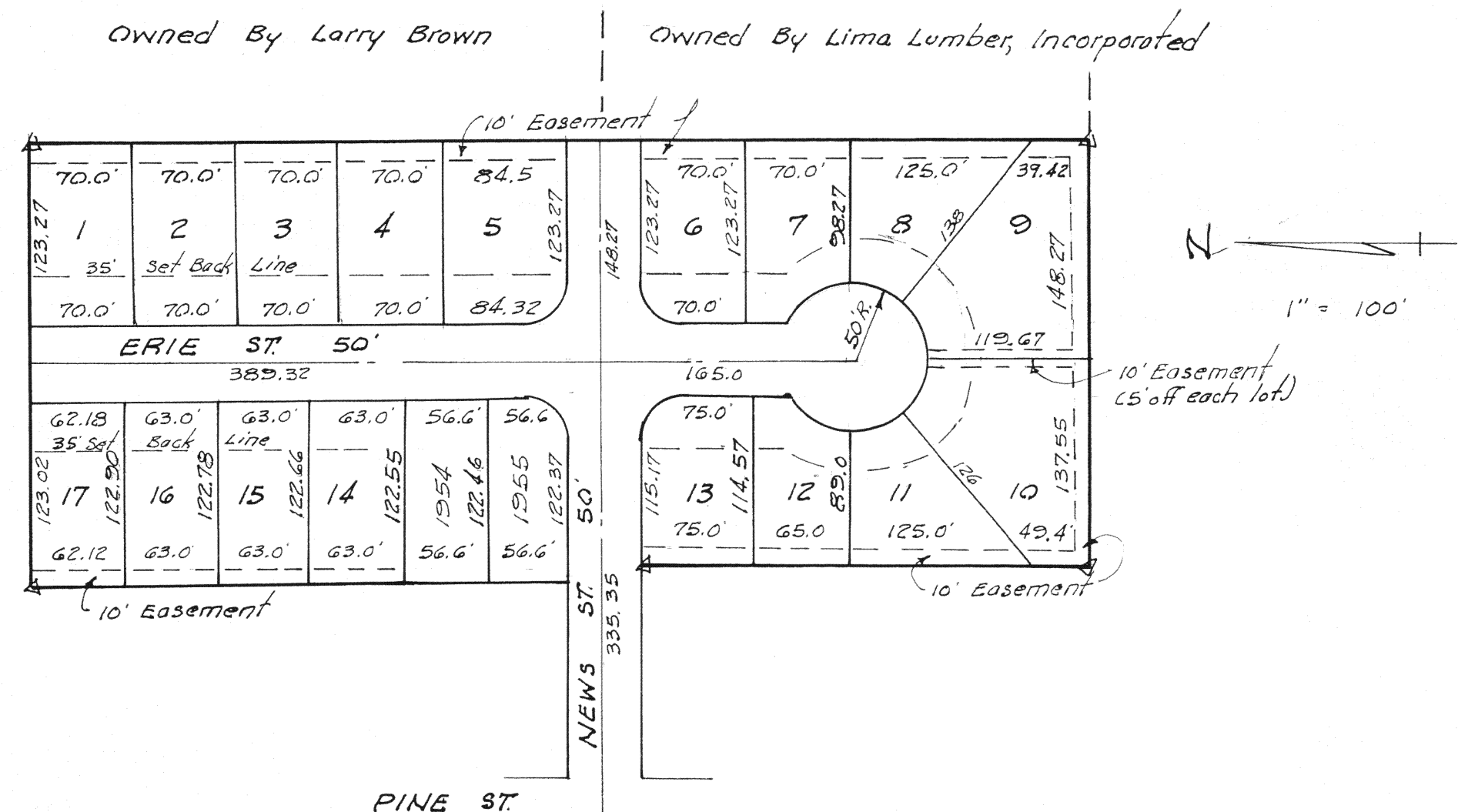
RESTRICTIONS  
 WESTHAVEN NO. 2 ZONED R-3  
 WAPAKONETA, AUGLAIZE, COUNTY, OHIO.

AS A PART OF A GENERAL PLAN FOR THE DEVELOPMENT OF THE REAL ESTATE SHOWN OF THE FOREGOING PLAT, AS A RESIDENTIAL AREA, AND FOR THE COMMON ADVANTAGE AND BENEFIT OF THE PURCHASERS OF ANY OF THE LOTS SHOWN ON SHOWN PLAT, THE RESTRICTIONS, COVENANTS, RESERVATIONS, EASEMENTS, LIENS AND CHARGES HEREIN AFTER SET FORTH, EACH AND ALL OF WHICH IS AND ARE FOR THE COMMON BENEFIT OF SAID PROPERTY AND FOR EACH OWNER THEREOF, SHALL INURE TO AND PASS WITH SAID PROPERTY AND EACH AND EVERY PARCEL THEREOF, AND SHALL APPLY TO AND BE BINDING UPON THE PURCHASERS AND THEIR SUCCESSORS IN INTEREST, AND THE RESTRICTIONS, COVENANTS, RESERVATIONS, EASEMENTS, LIENS AND CHARGES APPLICABLE TO EACH TRACT, LOT OR PARCEL, SHALL INURE TO AND BENEFIT OF AND BE INFORCIBLE BY THE PURCHASER OR PURCHASERS OF EVERY OTHER TRACT, LOT OR PARCEL, AND THEIR SUCCESSORS IN INTEREST.

THE TRACTS, LOTS AND PARCELS OF REAL ESTATE SHOWN AND DESCRIBED ON THIS PLAT ARE AND SHALL BE HELD, TRANSFERRED, SOLD AND CONVEYED SUBJECT TO THE FOLLOWING CONDITIONS, RESTRICTIONS, COVENANTS, RESERVATIONS, EASEMENTS, LIENS AND CHARGES:

1. SAID BUILDING SITES SHALL BE USED AND OCCUPIED SOLELY AND EXCLUSIVELY FOR PRIVATE RESIDENTIAL PURPOSES BY A SINGLE FAMILY, INCLUDING FAMILY SERVANTS.
2. NO BUILDING OR STRUCTURES OTHER THAN ONE FAMILY RESIDENCES NOT TO EXCEED TWO AND ONE HALF STORIES IN HEIGHT, TOGETHER WITH CUSTOMARY OUTBUILDINGS SUCH AS PRIVATE GARAGES, HOME WORKSHOPS AND HOME GREENHOUSES, INCIDENTAL TO THE RESIDENTIAL USE OF SUCH BUILDING SITES SHALL BE ERECTED, MAINTAINED OR PERMITTED UPON ANY BUILDING SITES.
3. ALL BUILDINGS SHALL BE CONSTRUCTED OF NEW MATERIAL AND NO BUILDING OR STRUCTURE WHATSOEVER ERECTED ELSEWHERE SHALL BE PERMITTED TO BE MOVED UPON ANY BUILDING SITE.
4. NO BUILDING OR STRUCTURE OF ANY KIND SHALL BE LOCATED ON ANY BUILDING SITE NEARER THAN THE SETBACK AND UTILITY EASEMENT REQUIREMENTS SHOWN ON THE PLAT. THE RESTRICTIONS AS TO THE DISTANCES AT WHICH BUILDINGS SHALL BE PLACED FROM THE FRONT SIDE AND REAR LOT LINES SHALL APPLY TO AND INCLUDE PORCHES, PORT COCHERES, VERANDAS AND OTHER SIMILAR PROJECTIONS.
5. NO RESIDENTIAL STRUCTURE SHALL BE ERECTED ON ANY BUILDING SITE HAVING A LIVING SPACE OF LESS THAN 864 SQUARE FEET.
6. NO WALL, FENCE OR HEDGE, EXCEPT RETAINING WALLS NOT EXTENDING ABOVE GROUND LEVEL SHALL BE PLANTED OR ERECTED ON ANY BUILDING SITE BETWEEN THE FRONT PROPERTY LINE AND THE FRONT SET BACK LINE, EXCEPT ALONG THE SIDE PROPERTY LINE, PROVIDED IT DOES NOT EXCEED 3 FEET IN HEIGHT ABOVE THE TOP OF THE GROUND.
7. NO ANIMALS, LIVESTOCK OR POULTRY SHALL BE KEPT OR MAINTAINED ON ANY PART OF SAID BUILDING SITE, EXCEPT ORDINARY HOUSEHOLD PETS WHICH DO NOT CONSTITUTE AN ANNOYANCE OR NUISANCE; NOR SHALL ANY HOUSE TRAILER BE STORED OR PERMITTED TO REMAIN UPON ANY BUILDING SITE, THIS INCLUDES HOUSE TRAILERS OR MOBILE HOMES WITH THE ROAD CARRIAGES REMOVED.
8. NO SIGNS, ADVERTISEMENTS OR BILLBOARDS EXCEPT "FOR SALE" OR "FOR RENT" SIGNS MAY BE ERECTED OR MAINTAINED ON ANY BUILDING SITE.
9. NO TRADE OR ACTIVITY OF A BUSINESS NATURE SHALL BE CARRIED ON UPON ANY BUILDING SITE NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE OR BECOME ANNOYANCE OR NUISANCE.
10. THE FOREGOING RESTRICTIONS, COVENANTS AND CONDITIONS SHALL RUN WITH THE LAND AND SHALL BE BINDING ON ALL BUILDING SITES AND ALL PERSONS CLAIMING UNDER THEM UNTIL JANUARY 1, 1999, AFTER WHICH TIME SAID COVENANTS, CONDITIONS AND RESTRICTIONS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN 10 YEARS EACH; PROVIDED THAT THE OWNERS OF A THREE FOURTHS MAJORITY OF THE BUILDING SITES MAY, IN WRITING, CHANGE, MODIFY, ALTER, AMEND OR ANNUL ANY OF THE RESTRICTIONS, RESERVATIONS OR CONDITIONS, AT ANY TIME.

# WESTHAVEN N<sup>o</sup> 2 R-3



## PLANNING COMMISSION APPROVAL

I hereby certify, that this plat was approved by the Wapakoneta City Planning Commission on March 6 1973  
John E. Shantz VICE-CHAIRMAN  
 Chairman Wapakoneta City Planning Commission

## COUNTY AUDITOR

I hereby certify that the land described by this plat was transferred on March 6 1973  
Vernon E. Daughes  
 Auglaize County Auditor

## COUNTY RECORDER 131817

I hereby certify that this plat was filed for recording on Mar. 7 1973, and that it was recorded in Vol. C, Page 31, 32 plat records of Auglaize County, Ohio

Fee 17.30 AK  
LeRoy H. Kneiss  
 Auglaize County Recorder

## ENGINEER'S CERTIFICATE

WESTHAVEN N<sup>o</sup> 2 ADDITION is laid out on Lots 1922-1928, 1949-1953, & Part O.L. 108 in Fisher's Subdivision in the City of Wapakoneta, Auglaize County, Ohio  
 stone monuments have been placed as shown (Δ) and iron pipes at all lot corners. This survey was completed February, 1973.

Thomas E. Kuck Reg. Surveyor #4996  
Thomas E. Kuck

## DEDICATION

Being the sole owners of the above described premises, we hereby dedicate the streets and utility easements as shown, to the public for their use forever, signed this 21st day of FEBRUARY 1973.

OWNER  
Rex S. Wilson Rex S. Wilson Pres.  
 M&W Developments, Inc.  
William H. Merritt William H. Merritt Pres.  
 Lima Lumber, Incorporated  
 WITNESS  
Marilyn Shawler  
Robert M. Heinicke, V.P.

## ACKNOWLEDGEMENT

county of Allen, state of Ohio  
 Before me, a notary public in and for said county and state did personally appear the above signed owners who acknowledged this document to be their free act and deed, in testimony thereof I affix my hand and seal this 21st day of FEBRUARY 1973.  
 My commission expires 8-31-74  
Wm. H. Hittelman  
 Notary Public