

GRAND VIEW ESTATES N^o 5

RESTRICTIVE COVENANTS

1. Building sites shall be used and occupied solely and exclusively for private residential purposes by a single family, including family servants.
2. No residential structure shall be erected on a building site having a living space of less than 1500 sq. ft. on Carnation Drive, 1200 sq. ft. on Aster Drive, 1100 sq. ft. on Poppy Drive and 1100 sq. ft. on Primrose Drive.
3. All buildings shall be constructed of new material and no building or structure whatsoever erected elsewhere shall be permitted to be moved onto any building site.
4. Only open type fence or hedge not to exceed three (3) feet in height above ground level shall be erected or planted on any building site and shall not extend closer to the street than 20 feet beyond the front wall of the house.
5. No building shall be erected closer to the property line than the minimum set-back line as shown on this plat while back and side yard distances shall conform to Wapakoneta City Ordinances related to the proper residential district.
6. Easements for installation and maintenance of utilities are reserved as shown on this plat. Said easements are reserved for electricity, telephone and other utility facilities. The easement shall also provide surface drainage for rear yards of higher lots where applicable and access to the easement areas for construction or maintenance is hereby granted at this time of dedication.
7. No animals, livestock or poultry shall be kept or maintained on any part of any building site, except ordinary household pets which do not constitute an annoyance or nuisance; nor shall any house trailer or boat 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 trade or activity of any business nature shall be carried on upon any building site nor shall anything be done thereon which may be or become an annoyance or nuisance.
9. No signs of any kind shall be displayed to the public view on any lot except that one sign of not more than five (5) square feet advertising the property for sale or for rent or signs used by the builders to advertise the property during construction and sale shall be permitted.
10. All lots in this subdivision are to be zoned R-3 single family residential district.
11. Enforcement of these covenants shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant and the proceedings may be either to restrain or recover damages and may be brought by any owner of this plat.

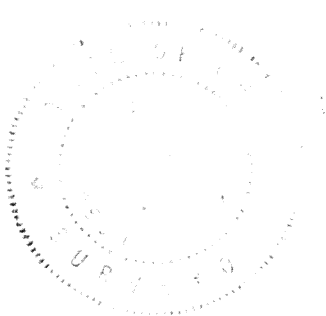
SURVEYOR'S CERTIFICATE

Being a part of the North $\frac{1}{2}$ of Section 30, Duchouquet Township, T-5S, R-6E, Auglaize County, Ohio, and more particularly described as follows:

Beginning at the southwest corner of Lot N^o 173 in Grand View Estates N^o 3 Subdivision to the City of Wapakoneta, Ohio; thence N 89° 39' 59" W, along the north line of Glynwood Heights Subdivision, 1102.13 feet; thence N 0° 37' 50" W, 200.00 feet; thence N 76° 16' 12" W, 300.00 feet; thence S 0° 29' 10" E, 200.00 feet; thence N 76° 16' 08" W, 349.97 feet; thence N 0° 29' 01" W, 199.95 feet; thence N 0° 55' 09" W, 701.38 feet; thence N 89° 38' 14" E, 744.69 feet; thence N 0° 21' 46" W, 295.19 feet; thence S 84° 56' 49" E, 240.0 feet; thence S 86° 06' 24" E, 183.41 feet; thence S 0° 03' 11" W, 155.00 feet; thence N 89° 38' 40" E, 60.00 feet; thence S 0° 03' 05" E, 104.89 feet; thence S 89° 44' 35" E, 532.27 feet; thence S 0° 00' W, 1067.11 feet to the place of beginning, containing 42.769 Acres, more or less.

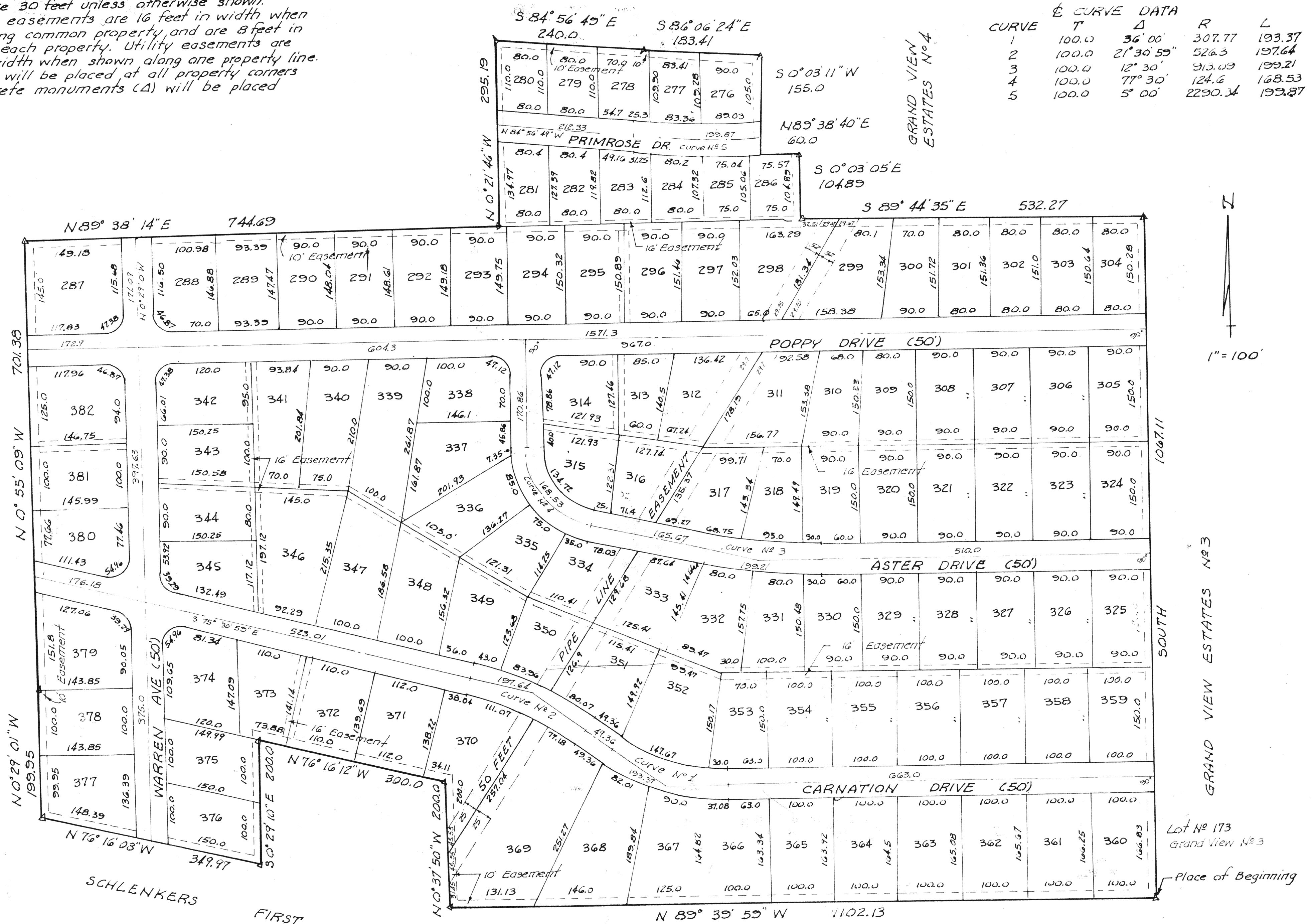
Thomas E. Kuck Registered Surveyor N^o 4996

Thomas E. Kuck



GRAND VIEW ESTATES N^o 5

1. Building Set Back Line shall be 35 feet.
2. All radii are 30 feet unless otherwise shown.
3. All utility easements are 16 feet in width when shown along common property and are 8 feet in width off each property. Utility easements are 10 feet in width when shown along one property line.
4. Iron pipes will be placed at all property corners and concrete monuments (Δ) will be placed as shown.



THOMAS E. KUCK
ENGINEERING & SURVEYS
LIMA - OHIO

IN RE: ALTERATION OF)
THE PLAT OF GRAND VIEW ESTATES)
SUBDIVISION NUMBER FIVE (5)) CASE NO. 75-405
IN THE CITY OF WAPAKONETA,)
AUGLAIZE COUNTY, OHIO.) JOURNAL ENTRY

This matter came on for hearing this 23rd day of January, 1976, on the Petition of Schlenker Developments, Inc., an Ohio corporation; R. F. Stolte Builders, Inc., an Ohio corporation; John J. Zehringer and Janice L. Zehringer, husband and wife; and Samih J. Awad and Linda K. Awad, husband and wife, all being represented by Douglas S. Jauert, Attorney at Law, representing themselves and other proprietors, for the alteration of the Plat of Grand View Estates Subdivision Number Five (5) in the City of Wapakoneta, Auglaize County, Ohio, and on consideration of said Petition and the evidence, the Court finds that thirty (30) days' notice of the filing of said Petition and the hearing thereof has been given by the applicants by publication in a newspaper printed and of general circulation in this county, and that two-thirds (2/3) of the persons owning lots or parts thereof described in said Plat have joined in said application to alter said Plat.

WHEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that such Plat be altered in the following respects:

- (a) The building set-back line shall be 50 feet on the following lots: 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 339, 340, 341, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374 (West Side Only), 375, 376, 377, 378, 379 (East Side Only);
- (b) Utility easements sixteen (16) feet along the common property lines of the following lots - eight (8) feet width off of each property shall be established:

368 and 369
351 and 352
332 and 333
317 and 318
315 and 316
334 and 335

Misc. Vol. 9
Page 8

DOUGLAS S. JAUERT
ATTORNEY AT LAW
402 HAMILTON ROAD
P. O. BOX 87
APAKONETA, OHIO 45695

Page 1 of 2 Pages

JAN 23 1976
GORDON W. CUMMINGS
CLERK

The Clerk is hereby directed to transmit a certified copy of this Entry to the Auglaize County Recorder.

Costs assessed against Petitioners.

Gerald Rone
Gerald Rone - Judge

APPROVED:

Douglas S. Javert
Douglas S. Javert
Attorney for Petitioners

state of Ohio, Auglaize County, SS
Edward W. Cummings, Clerk of the Common
 Pleas Court within and for said County, hereby certify
 that the foregoing is a true and correct copy of the
 original Indorse. Entry
ESS 11/17/21
 on file and in this office remains.
 In Testimony Whereof, I have hereunto subscribed
 my name official and affix the seal of said
 Court at the _____ house in Wapakoneta in
 said County, this _____ 23rd
 day of Jan 1926 A.D. 1926
Edward W. Cummings Clerk
 By John W. Rouse Deputy

DOUGLAS S. JAUERT
ATTORNEY AT LAW
402 HAMILTON ROAD
P. O. BOX 87
NARAKOHEA, OHIO 45060

Page 2 of 2 Pages

GRAND VIEW ESTATES N^o 5

DEDICATION

Schlenker Development, Inc., an Ohio Corporation, being the sole owner of the above described premises, does hereby dedicate the streets and utility easements as shown on the accompanying plat of Grand View Estates N^o 5 to the public for their use forever.

Signed this 27 day of July, 1974

Witnessed:

SCHLENKER DEVELOPMENT, INC.

John A. Schlenker
PRESIDENT — JOHN A. SCHLENKER

Phillip E. Schlenker
SECRETARY — PHILLIP E. SCHLENKER

ACKNOWLEDGEMENT

COUNTY OF AUGLAIZE, STATE OF OHIO:

Before me, a Notary Public in and for said County and State, did personally appear the above named Schlenker Development, Inc., signed by John A. Schlenker, its president and Phillip E. Schlenker, its secretary, who acknowledged that they did sign the foregoing instrument and that the same is the free act and deed of said corporation, and the free act and deed of each of them personally and as such officers, in testimony thereof, I affix my hand and seal this 27 day of July, 1974.

[Signature]
NOTARY PUBLIC

WAPAKONETA PLANNING COMMISSION APPROVAL

The Planning Commission of the City of Wapakoneta certified that the accompanying plat of Grand View Estates N^o 5 was approved by the said Commission on the 9th day of July, 1974.

[Signature]
CHAIRMAN WAPAKONETA CITY PLANNING COMMISSION

COUNTY AUDITOR'S CERTIFICATE

This plat was filed for transfer this 30th day of September, 1974.

Fee: \$ _____

[Signature]
AUGLAIZE COUNTY AUDITOR

13800

COUNTY RECORDER'S CERTIFICATE

N^o _____
Filed for record in the Auglaize County Recorder's Office this 30 day of Sept., 1974.
at 3:40 P.M. and recorded in Auglaize County, Ohio, Plat Book A, on Page A-7-A-8-A-9.

\$25.95

CABINET

[Signature]
AUGLAIZE COUNTY RECORDER