

COVENANT OF RESTRICTIONS

APPROVAL OF PLAN

1. No buildings or structures of any kind shall be constructed or placed upon the above described land, nor shall any existing building or structure be altered in exterior appearance in any way until the plans therefore have been approved in writing by SOUTHMOOR SHORES, INC., its successors or assigns. Refusal or approval of such plans may be based upon any grounds including purely aesthetic grounds, and shall be solely within the discretion of SOUTHMOOR SHORES, INC., its successors or assigns. When SOUTHMOOR SHORES, INC. shall have sold all the lots in said subdivision, it will notify all the lot owners of this fact and assign the approval of plans as provided in this paragraph to the proper committee of property owners in this subdivision. No Building shall contain less than 600 sq. ft. of living space.

2. No fences shall be constructed along the front, side, or rear lot lines of any lot unless plans therefore shall have first been approved by SOUTHMOOR SHORES, INC. in accordance with the provisions of the preceding paragraph. No hedges, trees, or other plantings which when fully grown will materially obstruct the waterway view from adjoining and nearby property shall be placed behind the rear building line on water-front lots.

3. The approval of plans pursuant to this provision shall specifically be exercised so as to prevent the erection of structures having a similar exterior design or elevation in proximity to an existing structure.

COMPLETION OF CONSTRUCTION - REMEDY

4. When the construction of any building is once begun, work thereon must be prosecuted diligently and completed within a reasonable time. If for any reason work is discontinued and there is no substantial progress towards completion for a continuous six (6) months period then the SOUTHMOOR SHORES, INC., its successors or assigns, shall have the right to notify the owner of record of the premises of its intentions herein, invade the premises and take such steps as might be required to correct an undesirable appearance, the reason for such correction shall be solely in the discretion of SOUTHMOOR SHORES, INC. and may include but not limited to aesthetic grounds. The owner in fact of such property shall be liable for all costs incurred in such action, and the total costs thereof will be a lien on his property, which lien may be foreclosed in this manner provided for foreclosure of mortgages in the State of Ohio.

ANTENNAS

5. No television or other antenna which is visible from the street, waterway, or adjoining property is permitted unless specific approval for such granted by SOUTHMOOR SHORES, INC., its successors or assigns except for master tower located at the Southwest corner of Lot 31 in favor of S.H. Cablevision.

UNDERGROUND WIRES

6. All telephone, electric and other wires of all kinds must be underground from the poles or the underground transmission cables located within the platted utility easements to the building or use connected.

BOAT SLIPS, DOCKS, AND SEA WALLS

7. A dock is permitted so long as the same is constructed parallel to the channel easement line as recorded on each lot built in a neat and workmanlike manner, and does not block the channel. Approval of the plans to be same as in Paragraph No. 1 above.

PETS

8. Dogs and cats, provided they are not kept, bred, or maintained for any commercial purpose, may be kept on the above described property. No other animals, livestock, poultry of any kind, shall be kept, raised, or bred on any part of the above described property.

GENERAL APPEARANCE

9. Clothes lines or drying yards shall be so located so as not to be visible from the street, waterways, or adjoining properties.

10. Outside garbage and rubbish disposal facilities shall be either underground or in garbage bins, fully enclosed, covered and screened.

11. No weeds, underbrush or other unsightly growths shall be permitted to grow or remain upon any part of the premises and no refuse pile or unsightly objects shall be allowed to be placed or suffered to remain anywhere thereon, provided that after proper notice if such condition is not corrected, SOUTHMOOR SHORES, INC. shall have the right to enter upon the premises and make such correction at the expense of the owner.

12. No noxious or offensive activity shall be carried on upon the above described property, or upon any part, portion or tract thereof, nor shall anything be done thereon which may be or become a nuisance or annoyance to the neighborhood.

DRAINAGE

13. No changes in the elevations of the lands shall be made which will interfere with the drainage or otherwise cause undue hardship to adjoining property.

REMEDIES - SEPARABILITY

14. In the event of violation or breach of any of these restrictions, SOUTHMOOR SHORES, INC. its successors or assigns shall have the right to proceed at law or in equity to compel compliance with terms hereof to prevent the violation or breach of any of them. The failure to enforce any right, reservation, restriction or condition contained herein, however long continued, shall not be deemed a waiver of the right to do so thereafter as to the same breach or as to a breach occurring prior to or subsequent thereto and shall not bar or affect its enforcement. The invalidation by any court of any restrictions herein contained shall not in any way affect any of the other restrictions which shall remain in full force and effect.

DURATION OF RESTRICTIONS

15. THESE covenants & restrictions are to run with the land and shall be binding upon the undersigned and upon the parties and upon all persons claiming under them until January 1, 1980 at which time said covenants and restrictions shall automatically be extended for successive periods of ten (10) years unless by vote of the majority of the then owners of the lots or tracts it is agreed to change said covenants in whole or in part.

DEDICATION

Southmoor Shores Inc., represented by Robert C. Giesken, its PRES. and John R. Sansalone, its Vice PRES. the owners of the land contained in the hereon plat hereby adopt the said plat. We grant unto Auglaize County, Ohio its successors and assigns forever easements for sewers as shown hereon.

STATE OF OHIO AUGLAIZE COUNTY

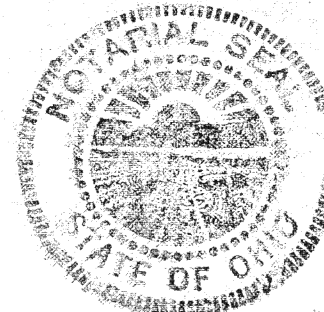
Be it remembered that on this 22 day of August 1974 A.D. Before me a Notary Public in and for said County and State, personally came,

Southmoor Shores Inc. represented by its President Robert C. Giesken and its Vice President John R. Sansalone and acknowledged signing & sealing of this Plat to be their voluntary act and deed for the Use and Purpose herein stated and in testimony whereof I have hereunto subscribed my hand and affixed my Notary Seal of this office and State.

WITNESS

By Thomas P. Sansalone

By Mary Umbach



BOARD OF HEALTH APPROVAL

This Plat approved by Auglaize County Board of Health on this 31st day of OCTOBER 1974.

PLANNING COMMISSION APPROVAL

Approval by the Planning Commission of the City of St. Marys, Ohio was resolved at the meeting on this 29th day of October 1974.

COUNTY ENGINEERS APPROVAL

Since Southmoor Shores Drive has been improved to the standards of street construction required by this office I recommend approval and acceptance of this plat on this 1st day of November 1974.

COUNTY COMMISSIONER'S APPROVAL

We the undersigned Commissioners of Auglaize County, Ohio do hereby approve and accept this plat this 1st day of November 1974.

COUNTY AUDITERS CERTIFICATE

This Plat was filed for transfer this 10 day of Oct. 1974.

COUNTY RECORDER'S CERTIFICATE

US (138333)

Filed for record in the Auglaize County, Ohio, Recorder's Office this 1 day of Nov. 1974 at 10:30 a.m. A.M. and recorded in Auglaize County, Ohio, Plat Cabinet A on Pages A12-A13-A14.

\$ 25.95

CHANNEL EASEMENT

The channel easements as shown hereon are for the common use of all lot owners within Southmoor Shores, for ingress and egress and free passage thereon by watercraft. No improvement of any kind shall be made within said easement that will interfere with ingress and egress of watercraft. Boat docks within said easement shall comply with Paragraph #7 of Covenant of Restrictions. Sea Walls shall be constructed with face of same along easement line as recorded for each lot line of this Plat. The repair and maintenance of the sea walls and of the channel as recorded on each lot including keeping the channel navigable shall be the responsibility of each lot owner to use to repair and maintain said sea wall's channel shall give each or any group of owners the right to repair or maintain as herein contemplated at the cost of the owner neglecting to do so, and said cost shall be a lien against the subject lot collectable in a court of law.

SOUTHMOOR SHORES BLOCK "B"	
SEC. 17, T. 6 S., R. 4 E., ST. MARY TWP. AUGLAIZE COUNTY, OHIO	
JOHN R. SANSALONE & CO. CIVIL ENGINEERS & SURVEYORS 1008 MARSHALL AVE CINCINNATI OHIO 45225	
SHEET 1 of 3	SCALE NONE MAY 1974

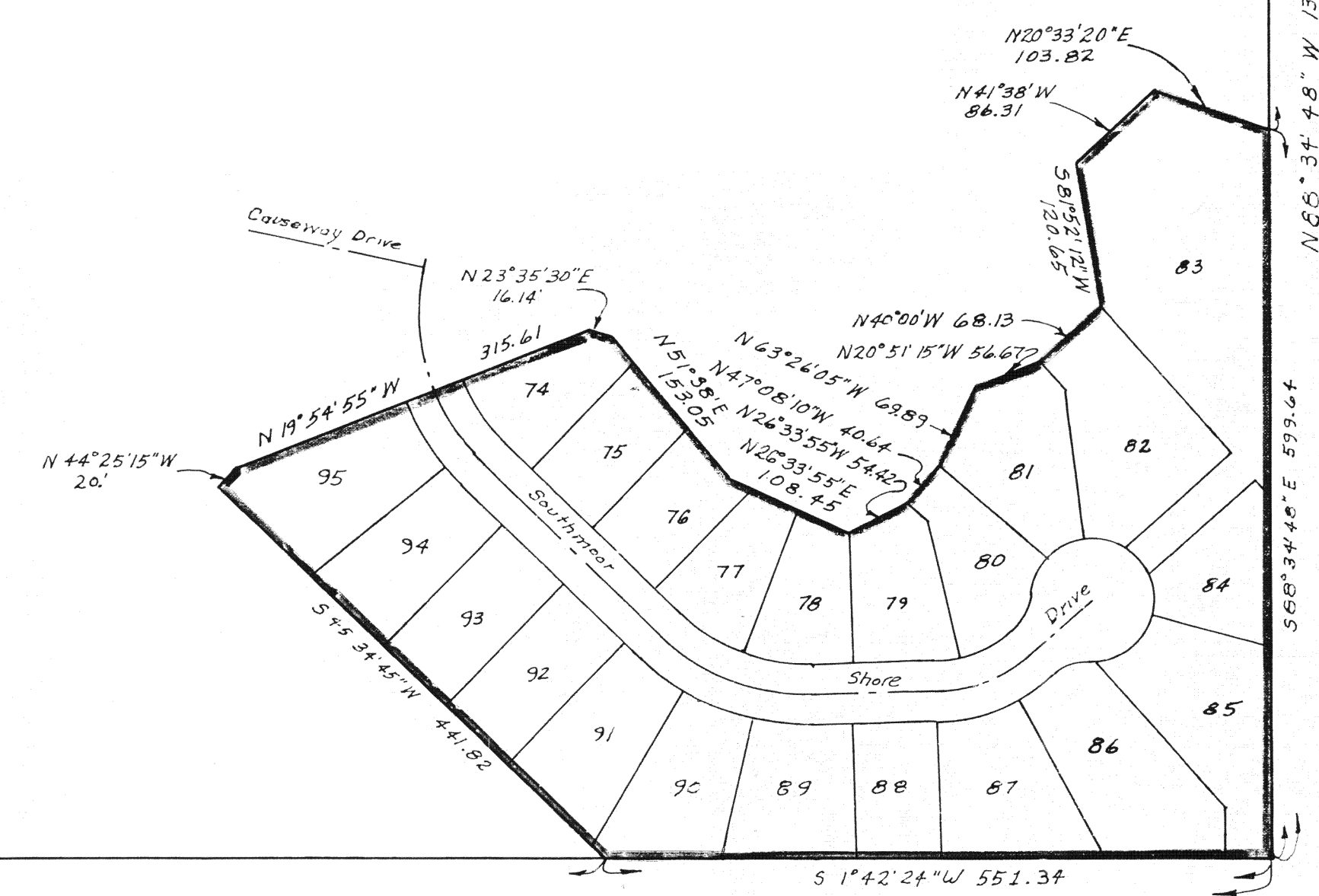
File No. 1166

(NOTE:
N. 02° 56' 04" E. by GRAND LAKE ST. MARYS SURVEY
N 1° 42' 24" E 2657.77

Section 18
Section 17

19 18
20 17

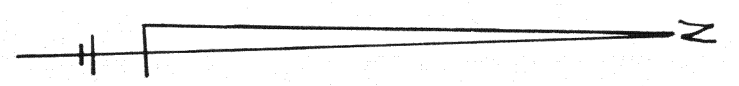
Section 20
Section 17
N 88° 34' 48" W 1328.68
State Route # 304
Right of Way



N 1° 42' 24" E 2106.43

N 1° 42' 24" E 2657.77

S 1° 42' 24" W 551.34



PLAT of SURVEY of the LANDS of the DEDICATORS

Block 'B'
SOUTHMOOR SHORES
SECTION 17, TOWN 6, SOUTH RANGE & EAST ST. MARY TWP.
AUGLAIZE COUNTY, OHIO
JOHN R. SANSALONE & CO.
CIVIL ENGINEERS & SURVEYORS
1008 MARSHALL AVE. 513-5411530
CINCINNATI, OHIO 45225
SCALE 1"=120' FILE NO 1166
SHEET 3 of 3

SOUTHMOOR SHORES DRIVE
EAST RIGHT OF WAY LINE 2

100.00

111.76 WEST

113.84 WEST

CHANNEL EASEMENT

LOT 100.00

LOT 1 23.83' 20' 78' 15' 75' 15' 76' 15' 77' 15' 83'

LOT 2 23.83' 20' 78' 15' 79' 15' 80' 15' 81' 15' 82'

LOT 3 23.83' 20' 78' 15' 79' 15' 80' 15' 81' 15' 82'

LOT 4 23.83' 20' 78' 15' 79' 15' 80' 15' 81' 15' 82'

LOT 5 23.83' 20' 78' 15' 79' 15' 80' 15' 81' 15' 82'

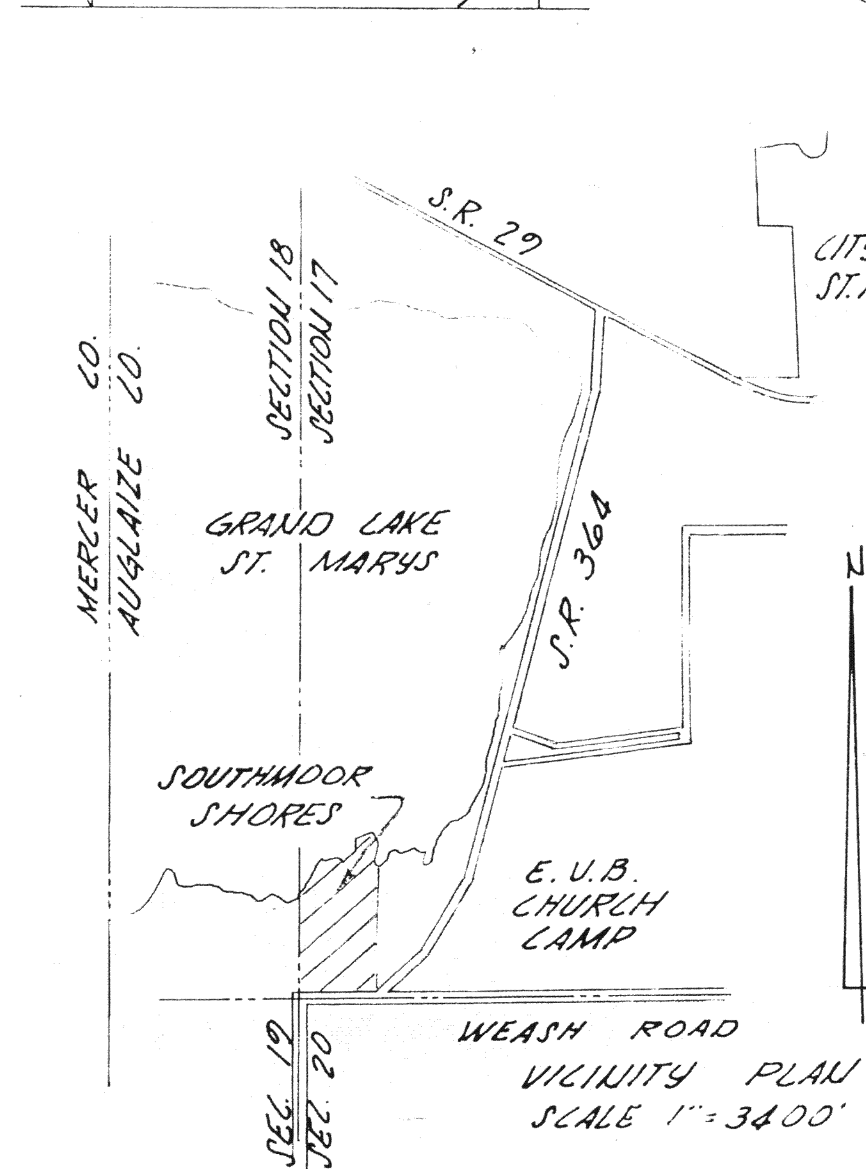
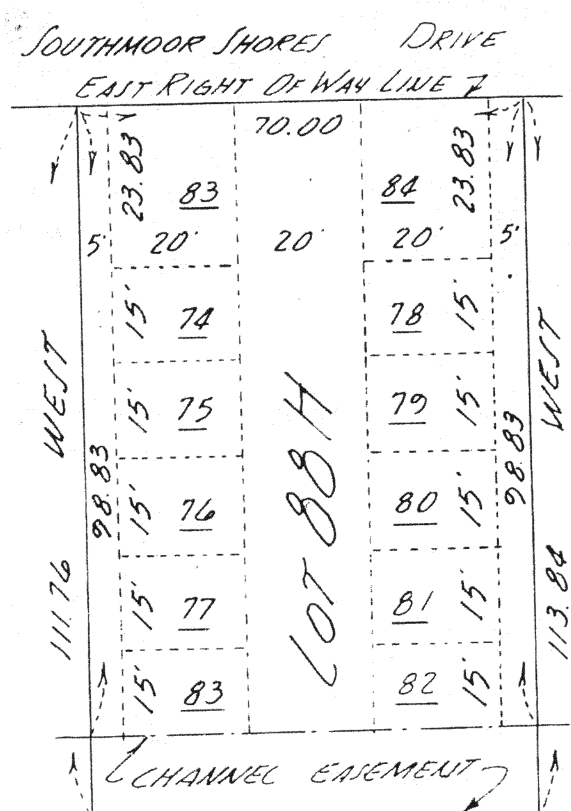
LOT 6 23.83' 20' 78' 15' 79' 15' 80' 15' 81' 15' 82'

LOT 7 23.83' 20' 78' 15' 79' 15' 80' 15' 81' 15' 82'

LOT 8 23.83' 20' 78' 15' 79' 15' 80' 15' 81' 15' 82'

LOT 9 23.83' 20' 78' 15' 79' 15' 80' 15' 81' 15' 82'

LOT 10 23.83' 20' 78' 15' 79' 15' 80' 15' 81' 15' 82'



Situate in section 17, Town 6 South, Range 4 East, St. Marys Township, Auglaize County, Ohio, and being more particularly described as follows:

Beginning at the northeast corner of Lot #73 of Southmoor Shores as recorded in Plat Book "C" E Page 20 and 21, Auglaize County Recorders Office; thence North $51^{\circ}38'$ East, 153.05 feet, thence North $26^{\circ}33'55''$ East, 108.45 feet, thence North $26^{\circ}33'55''$ West, 54.42 feet, thence North $47^{\circ}08'10''$ West, 40.64 feet, thence North $63^{\circ}26'05''$ West, 69.89 feet, thence North $20^{\circ}51'15''$ West, 56.67 feet, thence North $40^{\circ}00'$ West, 68.13 feet, thence South $81^{\circ}52'12''$ West, 120.65 feet, thence North $41^{\circ}38'$ West, 86.31 feet, thence North $20^{\circ}33'20''$ East, 103.82 feet, thence South $88^{\circ}34'48''$ East, 599.64 feet, thence South $1^{\circ}42'24''$ West, 551.34 feet, thence South $45^{\circ}34'45''$ West, 441.82 feet to the easterly most corner of Lot #96 of said Southmoor Shores; thence with the east line of said Lot #96, North $44^{\circ}25'15''$ West, 20.00 feet, thence continuing northwardly with the east line of said Lot #96 and 73 and their productions, North $19^{\circ}54'55''$ West, 315.61 feet, thence continuing with the east line of said Lot #73, North $23^{\circ}35'30''$ East, 16.14 feet to the place of beginning. All angle points, points of curve and points of tangent in the above description are marked with an Iron Pin an or cross cuts in the concrete.

Contains 6.9411 Acres

Each interior lot line is marked with either a cross notch and/or notch cut into the concrete street.

Cr. N. = "Cross-Notch" cut into concrete street.

John R. Sansalone
John R. Sansalone
Reg Surveyor #4513

SOUTHMOOR SHORES

SECTION 17, TOWNSHIP 6 SOUTH RANGE 4 EAST PRIMARY TWP
AUGLAIZE COUNTY OHIO
JOHN R. SANSALONE & CO.
CIVIL ENGINEERS & SURVEYORS
1008 MARSHALL AVE S.W. 513-5411530
CINCINNATI OHIO 45225
SCALE 1" = 50' FILE NO. 1166 SEPTEMBER 1972
SHEET 2 OF 3

