

WEST OAKS FIFTH ADDITION
ST. MARYS, OHIO

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RESTRICTIONS

Lots 125 thru 137 inclusive and Lots 138 thru 179 inclusive, shall be used as the Zoning Ordinance Number 1201 permits under Single Residential One (1st) District.

Lot 138 inclusive has been deleted from West Oaks Subdivision.

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 seed, 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 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 affect any of the other provisions which shall remain in force and effect.

PLANNING COMMISSION APPROVAL

Approved by the planning commission of the City of St. Marys, Ohio, at the meeting of October 14, 1975.

Ronald G. Hageman
Secretary Planning Commission

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 FIFTH 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 Beatrice A. Kessler
Owner

We the undersigned being the owners of the west part of Lot 125

Robert P. Neely Miner G. Neely
Owner

We the undersigned being the owners of the east part of Lot 125

Robert A. Mel Raymond M. Mel
Owner

COUNTY AUDITORS CERTIFICATE

I hereby certify that there are no unpaid taxes on this land comprising the WEST OAKS FIFTH 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 14th day of October, 1975.

James E. Dungan
Auditor

COUNTY RECORDERS CERTIFICATE

Received for recording in the Office of the Auglaize County Recorder this 14th day of October, 1975, at 11:01 PM of clock and is recorded in Vol. 11-57 Page 11-57 of Book 116-78 Shaker A

L. Roy H. Kause
Recorder Car. L. Hageman

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.

9/29/75
Date

Randolph M. Munn
Registered Engineer 34373

ACKNOWLEDGMENT

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 foregoing instrument to be their own free act and deed.

In testimony whereof, I have affixed my hand and seal this 14th day of October, 1975.

Carol Ann Lewis
Notary Public in and for said County of Mercer and State of Ohio

CAROL ANN LEWIS, Notary Public
Mercer County, Ohio
My Commission Expires 12/31/77

CERTIFICATE OF ACCEPTANCE

THE OWNER AND DEVELOPER HAS ON FILE WITH THE CITY, A LETTER OF IRREVOCABLE CREDIT, TO ASSURE COMPLETION OF ALL REQUIRED IMPROVEMENTS IN ACCORDANCE WITH PERTINENT CITY ORDINANCES.

Ronald G. Hageman
DIRECTOR OF PUBLIC SERVICE & SAFETY

Oct 14, 1975
DATE

SURVEYOR'S CERTIFICATE

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

Beginning at a concrete monument at the southeast corner of Lot No. 121 in West Oaks Fourth Addition to St. Marys, Ohio; thence N 00° 26' 00" E with the east line of West Oaks Fourth Addition a distance of nine hundred and ten and forty-seven hundredths feet (910.47') to a concrete monument at the northeast corner of Lot No. 112 in the West Oaks Fourth Addition; thence northeast with the south line of Hawthorne Street on a curve to the right having a radius of one hundred and ninety-five and thirty-seven hundredths feet (195.37') an arc distance of twenty-two and forty-one hundredths feet (22.41') to a concrete monument; thence N 00° 26' 00" E with the east line of West Oaks Fourth Addition a distance of one hundred and seventy-one and ten hundredths feet (171.10') to a concrete monument at the northeast corner of Lot No. 106 in West Oaks Fourth Addition; thence N 88° 00' 00" E a distance of five hundred and seventy-nine and ninety-eight hundredths feet (579.98') to a concrete monument on the west line of West Oaks Third Addition; thence S 00° 26' 00" W with the west line of West Oaks Third Addition a distance of one hundred and sixty-three and eighteen hundredths feet (163.18') to a concrete monument on the south line of Hawthorne Street; thence S 88° 56' 00" W with the south line of Hawthorne Street a distance of twenty feet (20.00') to a concrete monument on the west line of West Oaks Third Addition; thence S 00° 26' 00" W with the west line of West Oaks Third Addition and West Oaks Second Addition a distance of nine hundred and thirty-five feet (935.00') to a concrete monument at the northeast corner of Lot No. 180 in West Oaks Second Addition; thence S 88° 56' 05" W with the north line of West Oaks Second Addition a distance of three hundred and sixty-four and ninety hundredths feet (364.90') to a concrete monument on the east line of Royal Oak Drive; thence N 00° 26' 00" E with the east line of Royal Oak Drive a distance of ten feet (10.00') to a concrete monument on the north line of West Oak Second Addition; thence S 88° 56' 00" W with the north line of West Oak Second Addition a distance of two hundred and sixteen and one hundredths feet (216.01') to a concrete monument the PLACE OF BEGINNING.

The above tract contains 14.588 Acres of land and is divided into 52 lots and numbered as shown on the plat.

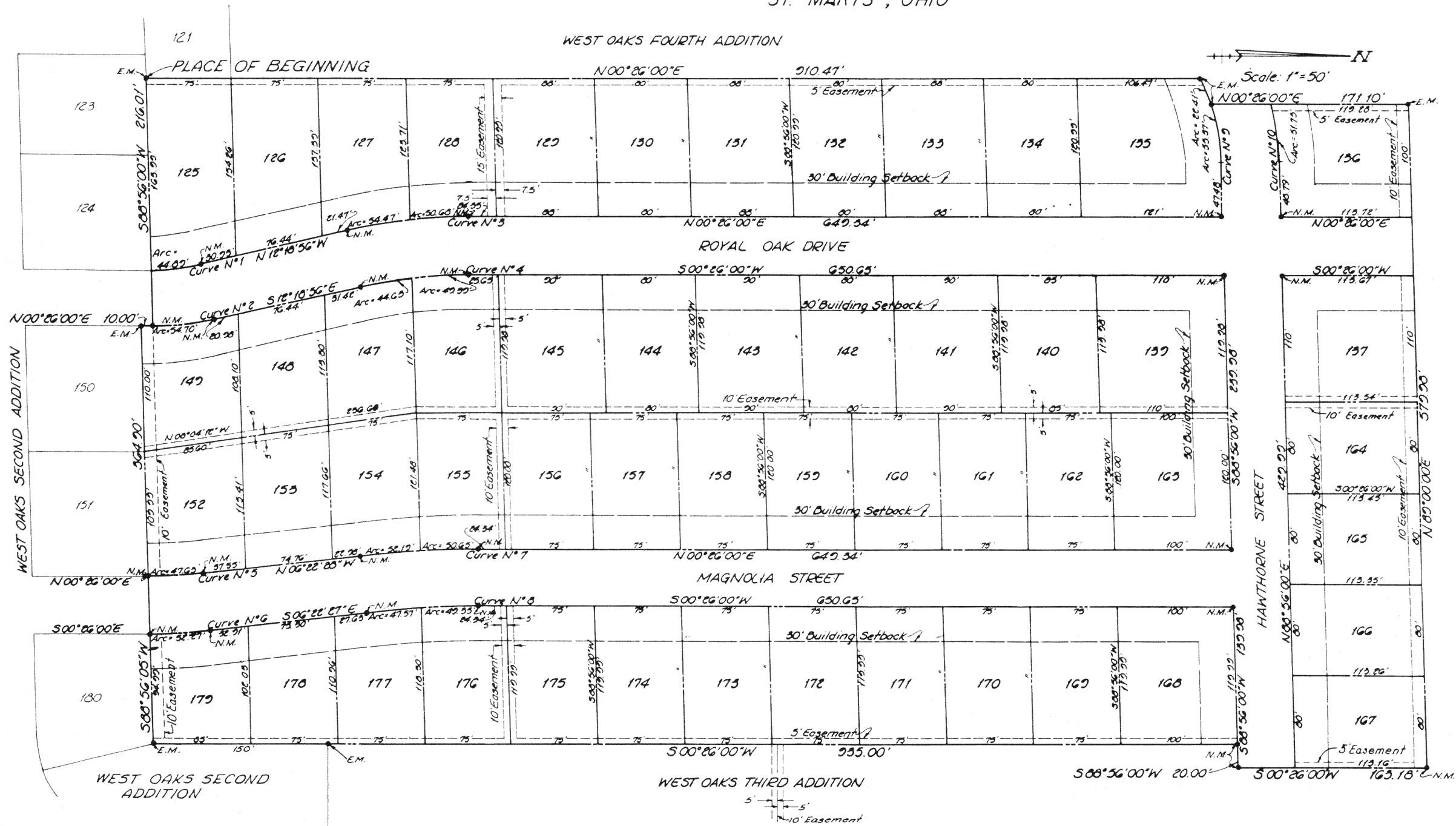
Building setback lines, utility easements, lot dimensions and streets are as shown on the plat.

10/10/75
Date

Shadell A. Munn
Registered Surveyor No. 5514

WEST OAKS FIFTH ADDITION

ST. MARYS, OHIO



CURVE N°1
 $\Delta = 12^{\circ}44'56''$
 $R = 190.78'$
 $Q = 28^{\circ}49'24''$
 $T = 22.21'$
 $L = 44.25'$

CURVE N°2
 $\Delta = 12^{\circ}44'56''$
 $R = 240.78'$
 $Q = 23^{\circ}01'50''$
 $T = 27.79'$
 $L = 55.56'$

CURVE N°3
 $\Delta = 12^{\circ}44'56''$
 $R = 472.56'$
 $Q = 12^{\circ}07'28''$
 $T = 52.79'$
 $L = 105.15'$

CURVE N°4
 $\Delta = 12^{\circ}44'56''$
 $R = 422.56'$
 $Q = 13^{\circ}33'33''$
 $T = 47.21'$
 $L = 94.02'$

CURVE N°5
 $\Delta = 6^{\circ}48'28''$
 $R = 395.32'$
 $Q = 14^{\circ}29'36''$
 $T = 23.51'$
 $L = 46.97'$

CURVE N°6
 $\Delta = 6^{\circ}48'28''$
 $R = 445.32'$
 $Q = 12^{\circ}51'58''$
 $T = 26.49'$
 $L = 52.91'$

CURVE N°7
 $\Delta = 6^{\circ}48'28''$
 $R = 365.64'$
 $Q = 6^{\circ}37'08''$
 $T = 51.40'$
 $L = 102.85'$

CURVE N°8
 $\Delta = 6^{\circ}48'28''$
 $R = 815.64'$
 $Q = 7^{\circ}01'28''$
 $T = 48.51'$
 $L = 96.92'$

CURVE N°9
 $\Delta = 15^{\circ}59'05''$
 $R = 195.57'$
 $Q = 29^{\circ}19'56''$
 $T = 26.85'$
 $L = 53.57'$

CURVE N°10
 $\Delta = 12^{\circ}04'49''$
 $R = 245.57'$
 $Q = 23^{\circ}21'02''$
 $T = 25.96'$
 $L = 51.75'$

MONUMENT LEGEND
 E.M. - Existing 36"x6" Diam. Concrete Monument
 N.M. - New Monument
 NOTE: All Lot Corners Not Marked With Existing Or New Monuments Are Marked With 3/4" Iron Pipe, 24" Long.