

WEST OAKS MEADOWS NO. 5
CITY OF ST. MARYS, OHIO

RESTRICTIONS

Lots 471 thru 481 inclusive shall be used as Zoning Ordinance No. 1901 permits under Residential Two District.

Lots 482 and 483 and Tracts "C" thru "G" shall be used as Zoning Ordinance No. 1901 permits under Multiple Family 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 above or 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 purchase of more than one such lot. If new Property lines are created by lot splits then the easements shall be parallel with and adjacent to the new property lines.

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 have off street parking as required by the City of St. Marys.

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, basements, 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 judgement or court order shall in no ways 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 MEADOWS NO. 5 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

Debra Kessler
Owner

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 foregoing instrument to be their own free act and deed.

In testimony whereof, I have affixed my hand and seal this 13th day of July, 1987.

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

PLANNING COMMISSION APPROVAL

Approved by the planning commission of the City of St. Marys, Ohio, at the meeting of AUGUST 18, 1987.

J. D. Brookhart
Secretary of Planning Commission

CERTIFICATE OF ACCEPTANCE

All improvements have been installed in accordance with the requirements of the regulations of Ordinance No. 1902, and pertinent agreements with the City of St. Marys and with the action of the Planning Commission in approving the preliminary plats or the installation of said improvements have been assured by an escrow agreement with the Third National Bank of Western Ohio.

J. D. Brookhart
Director of Public Service

11-19-87
Date

COUNTY AUDITOR'S CERTIFICATE

I hereby certify that there are no unpaid taxes on this land comprising the WEST OAKS MEADOWS NO. 5 to the CITY OF ST. MARYS, OHIO and that this plat was filed for transfer in the Office of the Auglaize County Auditor, this 20 day of Nov, 1987.

Karen Schumann
Auditor

6517

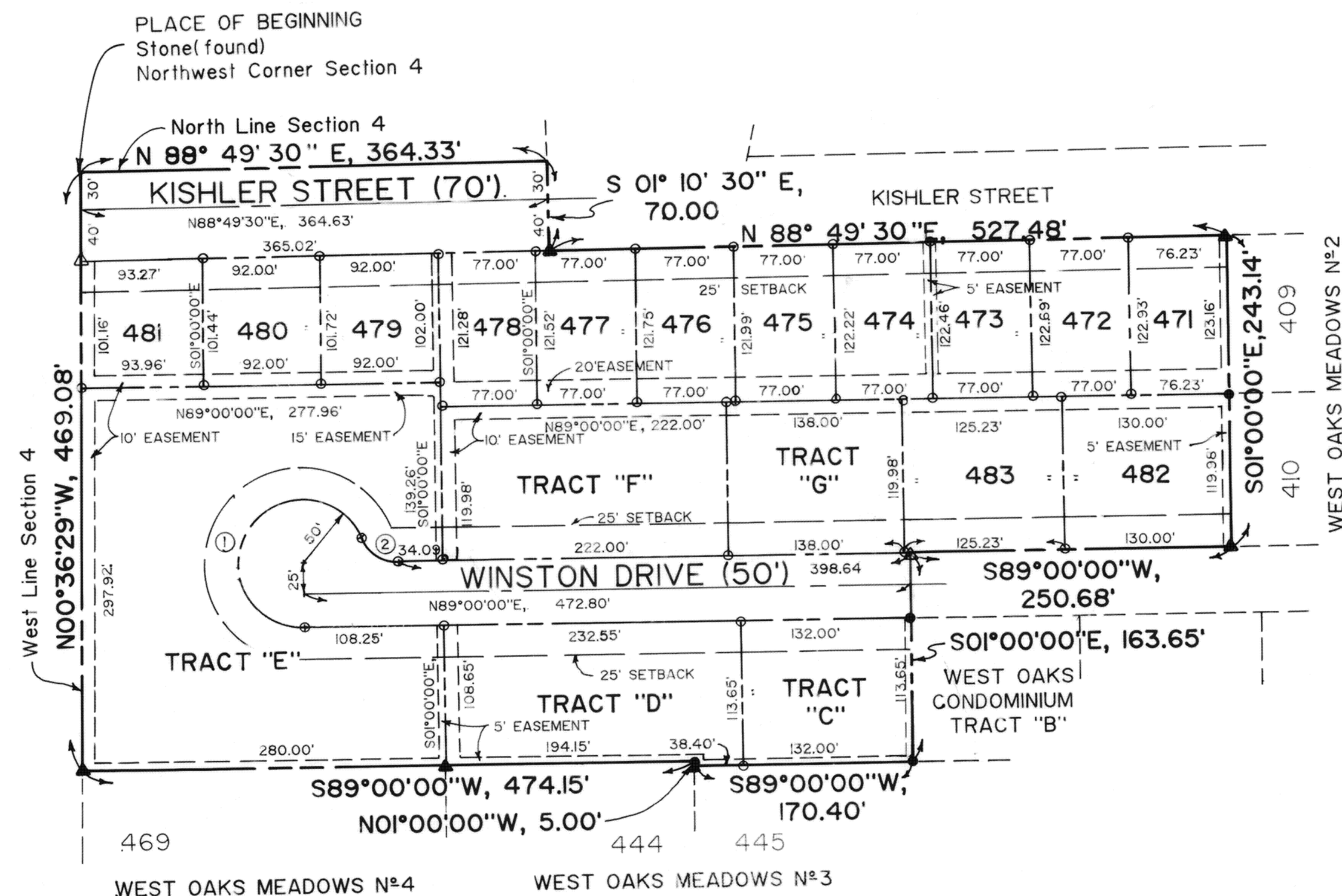
COUNTY RECORDER'S CERTIFICATE

Received for recording in the Office of the Auglaize County Recorder this 20th day of November, 1987, at 1:20 o'clock and is recorded in Plat Book A, Page 347-348. Fee Paid 43.20.

Maureen E. Schumann
Recorder

WEST OAKS MEADOWS N^o5

PART OF SECTION 4, T-6-S, R-4-E, CITY OF ST. MARYS,
ST. MARYS TOWNSHIP, AUGLAIZE COUNTY, OHIO



CURVE DATA			
CURVE	RADIUS	ARC LENGTH	CHORD BEARING & LENGTH
1	50.00'	216.40	N32°59'16"E, 82.92'
2	30.00	35.58	S57°00'44"E, 33.54'

LEGEND

- △ Concrete Monument Set
- ▲ Concrete Monument Found
- Iron Pipe Set
- Iron Pipe Found

DESCRIPTION

Being a parcel of land situate in the northwest quarter of Section 4, T-6-S, R-4-E, St. Marys, Township, Auglaize County, Ohio, and being more particularly described as follows:

Beginning at a found stone at the northwest corner of said Section 4; thence N 88°49'30"E, 364.33 feet with the north line of Section 4 to the west right-of-way line of Kishler Street; thence S 01°10'30"E, 70.00 feet with said west right-of-way line to a found concrete monument on the south right-of-way line of Kishler Street; thence N 88°49'30"E, 527.48 feet with said south right-of-way line to a found concrete monument at the northwest corner of Lot 409 in West Oaks Meadows No. 2; thence S 01°00'00"E, 243.14 feet with the west line of said West Oaks Meadows No. 2 to a found concrete monument at the southwest corner of Lot 410 in said West Oaks Meadows No. 2; thence S 89°00'00"W, 250.68 feet with the north right-of-way line of Winston Drive; thence S 01°00'00"E, 163.65 feet to a found iron pipe at the southwest corner of West Oaks Condominium Tract "B"; thence S 89°00'00"W, 170.40 feet with the north line of West Oaks Meadows No. 3 to a found concrete monument at the northwest corner of Lot 445 in said West Oaks Meadows No. 3; thence N 01°00'00"W, 5.00 feet with the east line of Lot 444 to a found iron pipe at the northeast corner of said Lot 444; thence S 89°00'00"W, 474.15 feet with the north line of West Oaks Meadows No. 3 and West Oaks Meadows No. 4 to a found concrete monument at the northwest corner of Lot 469 in West Oaks Meadows No. 4; said monument is also on the west line of Section 4; thence N 00°36'29"W, 469.08 feet with said west line to the PLACE OF BEGINNING.

SURVEYOR'S CERTIFICATE

I hereby certify that I am a Surveyor 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 under my supervision 10-8-86 Date

The above tract contains 7.909 acres of land and is divided into 13 lots and 3 tracts identified as shown on the plat.

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

7-2-87
Date

Theodore A. Metzger
Registered Surveyor No. 5514