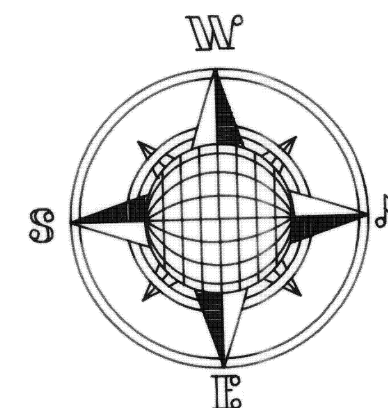


REF.	RADIUS	DELTA ANGLE	ARC	BEARING	CHORD	DISTANCE
①	150'	21° 57' 45"	57.50'	N 78° 58' 53" E		57.15'
②	25'	106° 09' 38"	46.32'	N 58° 55' 11" W		39.97'
③	25'	85° 37' 52"	37.36'	N 25° 11' 04" E		33.98'
④	50'	77° 04' 20"	67.26'	N 39° 05' 42" W		62.30'
⑤	50'	59° 12' 48"	51.67'	N 29° 02' 55" E		49.40'
⑥	50'	50° 33' 09"	44.12'	N 83° 55' 34" E		42.70'
⑦	50'	50° 33' 08"	44.12'	S 45° 30' 47" E		42.70'
⑧	50'	62° 36' 35"	54.64'	S 11° 03' 50" W		51.96'

ERIE SUBDIVISION

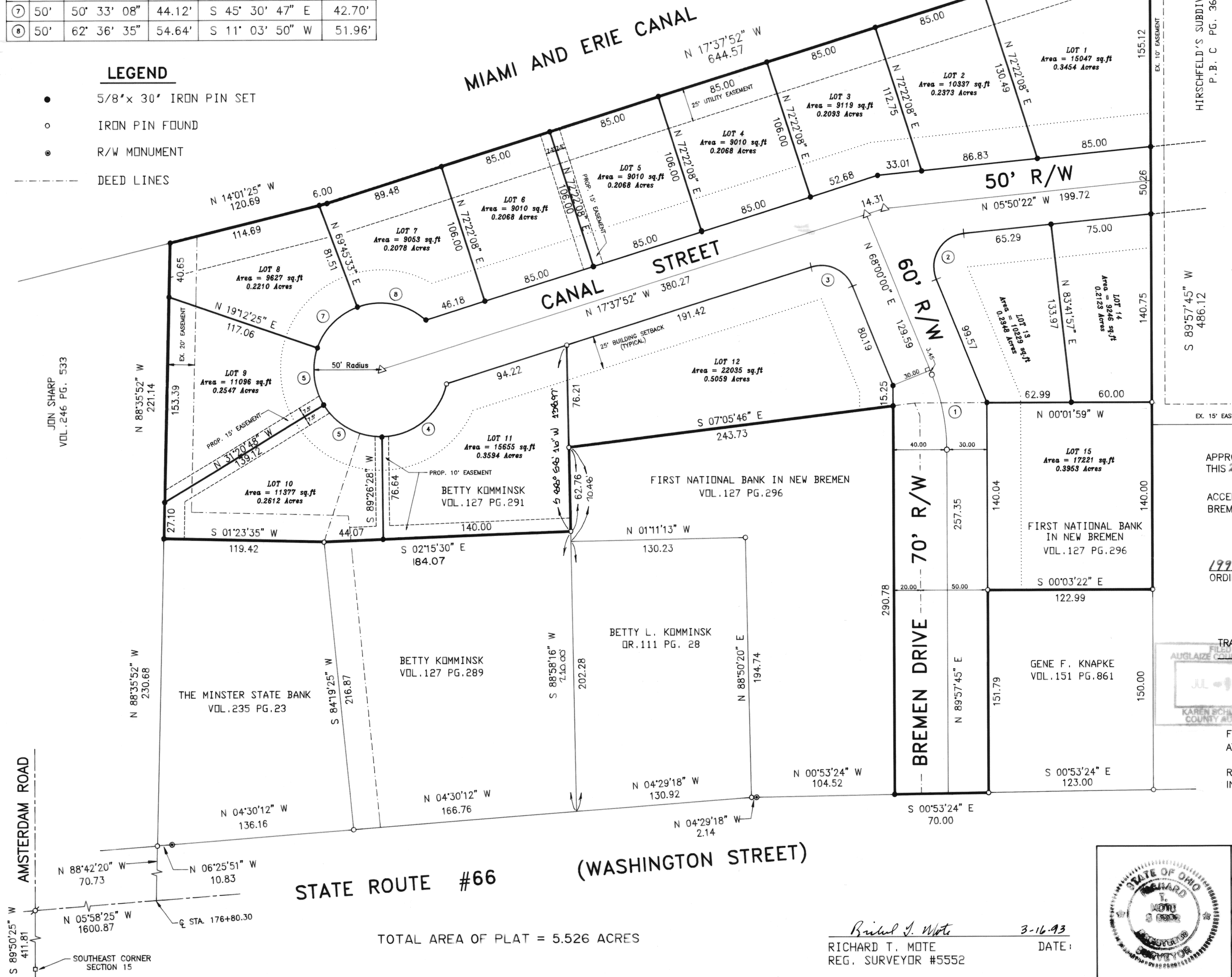
SECTION 15 - TOWNSHIP 7 SOUTH - RANGE 4 EAST
GERMAN TOWNSHIP AUGLAIZE COUNTY
VILLAGE OF NEW BREMEN



SCALE 1"=50'

LEGEND

- 5/8"x 30" IRON PIN SET
- IRON PIN FOUND
- R/W MONUMENT
- DEED LINES



RATIFICATION

KNOW ALL MEN BY THESE PRESENT THAT
CW & LH ENTERPRISES, INC., BETTY KOMMINSK
AND THE FIRST NATIONAL BANK IN NEW BREMEN
THE OWNERS OF THE LANDS SHOWN ON THIS PLAT
DO HEREBY CONSENT TO SAID PLAN AND RATIFY
THE SAME AND DOES HEREBY DEDICATE TO
PUBLIC USE FOREVER FOR STREET PURPOSES
THE AREAS THEREON DESIGNATED.

CW & LH ENTERPRISES, INC. ADMINISTRATOR

BETTY KOMMINSK

FIRST NATIONAL BANK IN NEW BREMEN

STATE OF OHIO, SS
AUGLAIZE COUNTY

BE IT REMEMBERED THAT ON THIS 22nd DAY OF March
1993, BEFORE ME THE SUBSCRIBER A NOTARY PUBLIC IN AND
FOR SAID STATE PERSONALLY APPEARED THE ABOVE NAMED
INDIVIDUALS AND ACKNOWLEDGED THE SIGNING THEREOF TO BE
THEIR VOLUNTARY ACT AND DEED FOR THE USE AND PURPOSES
THEREIN MENTIONED.

IN WITNESS WHEREOF I HAVE HEREUNTO SUBSCRIBE MY NAME
AND AFFIXED MY OFFICIAL SEAL ON THIS DAY AND YEAR AFORESAID.

Notary Public, State of Ohio

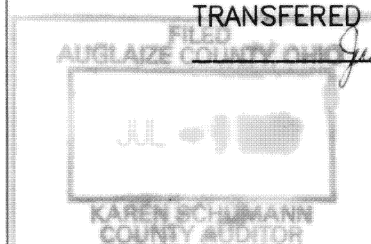
EXPIRATION DATE: 9-1-93

APPROVED BY THE NEW BREMEN PLANNING COMMISSION
THIS 23rd DAY OF MAY 1993

ACCEPTED BY THE COUNCIL OF THE VILLAGE OF NEW
BREMEN THIS 8th DAY OF JUNE 1993

1993-6-18
ORDINANCE NO.

TRANSFERRED AND NUMBERED THIS 1 DAY OF
JULY 1993



Karen Schumann, C.A.
AUGLAIZE COUNTY AUDITOR

FILED THIS 2nd DAY OF July 1993
AT 3:50 O'CLOCK PM

RECORDED THIS 2nd DAY OF July 1993
IN PLAT CABINET C SLIDE 54

Marilyn Schumann
AUGLAIZE COUNTY RECORDER



Richard T. Mote
RICHARD T. MOTE
REG. SURVEYOR #5552
DATE: 3-16-93

PLAT OF ERIE SUBDIVISION

FOR:
CW & LH ENTERPRISES, INC.

MOTE AND ASSOCIATES, INC.
GREENVILLE, OHIO

DATE: 03-16-93
DRWN. BY: T.J.B.
DRWG. NO: 1C1407

ERIE SUBDIVISION

DESCRIPTION, DEDICATION, COVENANTS & RESTRICTIONS

RECITALS

Vol 231 PAGE 0654

- A) On July 2, 1993 the plat of ERIE SUBDIVISION was filed with the Recorder for Auglaize County, Ohio and recorded by her on July 2, 1993 in Plat Cabinet C at slide 55.
- B) ERIE SUBDIVISION consists of fifteen (15) lots numbered consecutively as Lots 1 through 15.
- C) The original owners and dedicators of ERIE SUBDIVISION were CW & LH Enterprises, Inc., an Ohio corporation; Betty Komminsk, unmarried; and, First National Bank in New Bremen.
- D) Through oversight, the legal description for ERIE SUBDIVISION and the Declaration of Covenants and Restrictions was not filed with the original plat for said subdivision.
- E) On June 1, 1994 a deed conveying lot number 3 in ERIE SUBDIVISION was executed and delivered to Alan J. Thieman and Sandra J. Thieman, husband & wife, which deed was recorded on June 2, 1994 in Official Records Volume 216 at page 913 of the Auglaize County Recorder's Office.
- F) On October 13, 1994 a deed conveying lot number 4 in ERIE SUBDIVISION was executed and delivered to Edward P. Thobe and Brenda S. Thobe, husband & wife, which deed was recorded on October 27, 1994 in Official Records Volume 226 at page 1020 of the Auglaize County Recorder's Office.
- G) The present owners of the lots as shown on the plat of ERIE SUBDIVISION are as follows:

Name	Lot numbers
CW & LH Enterprises, Inc:	1, 2, 5, 6, 7, 8, 9, part of 10, 12, 13 & 14 and also real estate behind Bremen Drive and Canal Street on the plat
Betty Komminsk:	11 and part of 10
First National Bank in New Bremen:	15 and also real estate behind Bremen Drive on the plat
Alan J. Thieman and Sandra J. Thieman:	3
Edward P. Thobe and Brenda S. Thobe:	4

H) The present holders of mortgage liens on the lots as shown on the plat of ERIE SUBDIVISION are as follows:

Name	Lot numbers
First National Bank in New Bremen:	1, 2, 3, 5, 6, 7, 8, 9, part of 10, 12, 13 & 14 and also real estate behind Bremen Drive and Canal Street on the plat
Minster State Bank:	4
Norma L. Lampert:	part of lot 10, 11 & 15 and also real estate behind Bremen Drive on the plat

I) For the mutual benefit of all owners and lien holders in the ERIE SUBDIVISION, all parties desire to cause the metes and bounds legal description of the real estate behind ERIE SUBDIVISION to be entered of record and duly certified by the registered surveyor who drew the plat and laid out the subdivision; and, desire to cause certain covenants and restrictions to be placed against the subdivision; and, desire to correct any technical defects in the former dedication of said plat.

NOW THEREFORE, the Recorder of Auglaize County is authorized and directed to enter the following certifications and dedications of record against the plat of ERIE SUBDIVISION as recorded in Plat Cabinet C at page 55, to wit:

We, the undersigned owners of the land shown on the plat and survey of ERIE SUBDIVISION as recorded on July 2, 1993 in Plat Cabinet C at slide 55 of the Auglaize County Recorder's Office and as further described below, ratify, assent to and adopt said ERIE SUBDIVISION and acknowledge that it was made at our request. The streets as shown on said plat are dedicated to the public use.

We do further adopt the covenants and restrictions as set forth below and ratify the certification of the surveyor as set forth below.

COVENANTS & RESTRICTIONS

All lots included in the Erie Subdivision, except the northern part of lot 10 (approximately 44.07 feet owned by Betty Komminsk) and lots 11, 12 & 15, are hereby made subject to the following covenants and restrictions, hereby recited on the plat and/or hereby incorporated thereon by reference, which are intended for the protection and benefit of all lot owners, which shall be enforceable by all lot owners, each against the others, and which

shall run with the land when conveyed and shall be binding upon all owners, or persons, firms or corporations claiming under them.

The northern part of lot 10 (approximately 44.07 feet) owned by Betty Komminsk) and lots 11, 12 & 15 are specifically excepted from these covenants and restrictions:

1. All lots, are restricted to single family residential use only. Only one (1) single family dwelling unit and one (1) storage shed shall be built on any one lot. Each single family residential unit shall include an attached garage of sufficient size to store at least one (1) automobile.
2. No buildings shall exceed two (2) stories in height.
3. No part of any building shall be constructed on any easement and all buildings or other structures placed upon any lot shall be built within the set back lines as shown on the plat and as otherwise stated in these covenants and restrictions.
4. No structure of a temporary character, trailer, basement, tent, shack, garage, barn, storage shed, cage, or other outbuildings shall be used on any lot at any time as a residence either temporarily or permanently.
5. No sign of any kind shall be displayed to public view on any lot except one professional sign of not more than five square feet, advertising the property for sale or rent.
6. No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any lot, except that dogs, cats or other household pets may be kept, provided that they are not kept, bred, or maintained for any commercial purpose.
7. Fuel oil storage tanks (of any type, buried or otherwise), are prohibited.
8. No structure or any part thereof, except a prebuilt storage shed, shall be moved upon any lot, nor shall used or salvaged material be used on the exterior of any dwelling or other buildings.
9. No business, industry, manufacturing, farming, or other noxious or offensive activity shall be carried out on any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.
10. No fencing or gates of any kind shall be installed around or on the property.

11. No single family residence shall have less than eighteen hundred (1800) square feet living area, exclusive of any garage.
12. No residence or other structure shall be constructed closer than ten (10) feet to any side lot line.
13. The front and rear of any residential or other building or structure constructed on any lot shall not be constructed closer to the street or rear lot line than the set back line or lines as shown on the plat.
14. The owner of any lot shall install sidewalks running adjacent to any streets abutting such lot within one (1) year after occupancy of any residence erected upon such lot.
15. There shall be no curbs or sidewalks installed until the final finished grade of the adjacent street is set and approved.
16. All roof water and footer tiles are to be installed in storm tile only. (roof drains must be tied into storm tile)
17. The owner of any lot shall install a black top, concrete or brick driveway within one (1) year after occupancy of any home erected upon such lot. All other types of driveways are prohibited.
18. The owner of any lot or lots shall complete all exterior construction of any building within one (1) year after construction of same is commenced.
19. The owner of any lot or lots shall complete grass seeding of the entire lot not later than one (1) year after occupancy of any residence constructed thereon.
20. The owner of any lot or lots shall complete all landscaping around any residence constructed thereon no later than two (2) years after occupancy of the home.
21. Multifamily dwellings of any kind are not permitted.
22. The Village of New Bremen or any other public utility operating under a franchise granted by the Village of New Bremen is hereby granted a utility easement for the sole purpose of installing and maintaining utilities, including electrical distribution, lighting, communications or cable systems, water, sewer, etc. upon, under, and across a seven and one half (7 & 1/2) foot strip parallel with and adjacent to each interior side lot line of each lot of said addition, provided that such an easement

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 purchase by a single purchaser of more than one such lot unless such lots are subsequently sold separately to separate owners.

23. Customary home occupations such as beauty salons, offices, etc., which are operated by persons who reside in the premises, from within the confines of the home are not prohibited.

24. The owner of any lot or lots shall keep the lawn and other portions of such lot (except trees, flowers and decorative shrubbery, etc.) mowed down to a maximum 4 inches in height, and shall not permit rubbish, trash or other unusual or unsightly material to remain upon the premises. Building materials may be stored upon the premises during the construction of any residence but excess materials shall be immediately removed after such construction is completed as provided above.

25. One storage shed not exceeding two hundred square feet (200' sq) may be constructed or placed on any lot upon which a residential unit has been constructed and must be of the same material and decor as the exterior of the residential unit. Such shed must be placed entirely upon a single concrete slab of at least four inch (4") thickness. Such shed shall be constructed or placed within ten feet (10') of the rear lot line of the lot or abutting the rear set back line as shown on the plat, whichever is the farthest from the rear lot line, and shall not be closer to any side lot line than the residential building on the same lot.

26. These restrictions may, at any time, be altered, amended, changed or eliminated by the written agreement of all (100%) of the fee simple owners of at least seventy-five percent (75%) of the total number of lots within Erie Subdivision. Any such written agreement shall be signed by said owners, witnessed and acknowledged in the manner required for deeds executed in the State of Ohio; and, filed for record in the Office of the Recorder of Auglaize County, Ohio.

In witness whereof the parties have hereunto set their hands to this dedication and certification at New Bremen, Ohio this 14th day of January, 1995.

CW & LH ENTERPRISES, INC.

Rebecca S. Dabbelt
Witness as to 1 & 2

Michael Will
Witness as to 1 & 2

by: Larry D. Hileman
1 LARRY D. HILEMAN
It's President

2 Constance K. Will
CONSTANCE K. WILL

5

FIRST NATIONAL BANK IN
NEW BREMEN

William W. T.
Witness as to 3 & 4

James H. T.
Witness as to 3 & 4

Michael Will
Witness as to 5 & 6

Rebecca S. Dabbelt
Witness as to 5 & 6

Michael Will
Witness as to 7 & 8

Rebecca S. Dabbelt
Witness as to 7 & 8

by:

3

Betty Komhinsk
BETTY KOMHINSK
It's President

4

Betty Komhinsk
BETTY KOMHINSK
Individually

5

Alan J. Thieman
ALAN J. THIEMAN

6

Sandra J. Thieman
SANDRA J. THIEMAN

7

Edward P. Thobe
EDWARD P. THOBE

8

Brenda S. Thobe
BRENDA S. THOBE

ACKNOWLEDGMENTS

STATE OF OHIO
AUGLAIZE COUNTY

This day appeared before me the above signed CW & LH ENTERPRISES, INC., an Ohio corporation, by LARRY D. HILEMAN, it's president and CONSTANCE K. WILL, it's secretary/treasurer, who acknowledged the signing of the foregoing dedications and certifications to be the voluntary act and deed of said corporation and the voluntary act and deed of themselves as it's officers, thereunto duly authorized by it's board of directors.

In witness whereof I have hereunto set my hand and seal this 14th day of January, 1995.

REBECCA S. DABBELT
NOTARY PUBLIC, STATE OF OHIO
My Commission Expires Oct. 19, 1998

Rebecca S. Dabbelt
NOTARY PUBLIC

STATE OF OHIO
AUGLAIZE COUNTY

This day appeared before me the above signed FIRST NATIONAL BANK IN NEW BREMEN, an Ohio corporation, by BETTY KOMHINSK, it's president, who acknowledged the signing of the foregoing dedications and certifications to be the voluntary act and deed of said corporation and the voluntary act and deed of herself as it's officer, thereunto duly authorized by it's board of directors.

In witness whereof I have hereunto set my hand and seal this 27th day of January, 1995.

KENNETH W. LEUGERS, NOTARY PUBLIC
IN AND FOR THE STATE OF OHIO
MY COMMISSION EXPIRES JUNE 3, 1997

Kenneth W. Leugers
NOTARY PUBLIC

STATE OF OHIO
AUGLAIZE COUNTY

This day appeared before me the above signed BETTY KOMHINSK, unmarried, who acknowledged the signing of the foregoing dedications and certifications to be her voluntary act and deed.

In witness whereof I have hereunto set my hand and seal this 27th day of January, 1995.

KENNETH W. LEUGERS, NOTARY PUBLIC
IN AND FOR THE STATE OF OHIO
MY COMMISSION EXPIRES JUNE 3, 1997

Kenneth W. Leugers
NOTARY PUBLIC

6

STATE OF OHIO
AUGLAIZE COUNTY

This day appeared before me the above signed **ALAN J. THIEMAN** and **SANDRA J. THIEMAN**, husband & wife, who acknowledged the signing of the foregoing dedications and certifications to be their voluntary act and deed.

In witness whereof I have hereunto set my hand and seal this 14th day of January, 1995.

Rebecca S. Dabbert
NOTARY PUBLIC

STATE OF OHIO
AUGLAIZE COUNTY

This day appeared before me the above signed **EDWARD P. THOBE** and **BRENDA S. THOBE**, husband & wife, who acknowledged the signing of the foregoing dedications and certifications to be their voluntary act and deed.

In witness whereof I have hereunto set my hand and seal this 14th day of January, 1995.

Rebecca S. Dabbert
NOTARY PUBLIC

PARTIAL RELEASE OF LIENS AND CONSENT TO
COVENANTS AND RESTRICTIONS

The undersigned, holders of mortgage liens upon the lands described below and shown within the plat of ERIE SUBDIVISION as recorded on July 2, 1993 in Plat Cabinet C at slide 55 of the Auglaize County Recorder's Office, do hereby release from the operation of our liens, the areas shown as streets thereon and consent to the establishment of utility easements and set backs as shown thereon and consent to and ratify the adoption of the covenants and restrictions as set forth herein.

FIRST NATIONAL BANK IN
NEW BREMEN

by:

Betty Komhinsk
9 **BETTY KOMHINSK**
It's President

by:

MINSTER STATE BANK

David Kelch
10 **DAVID KELCH**
It's Branch Manager

11

Norma Lampert
NORMA LAMPERT

William Wente
Witness as to 9
Kenneth W. Leugers
Witness as to 9

Mary M. Linke
Witness as to 10
Carol A. Opperman
Witness as to 10

William Wente
Witness as to 11
Kenneth W. Leugers
Witness as to 11

STATE OF OHIO
AUGLAIZE COUNTY

This day appeared before me the above signed **FIRST NATIONAL BANK IN NEW BREMEN**, an Ohio corporation, by **BETTY KOMHINSK**, it's president, who acknowledged the signing of the foregoing release and consent to be the voluntary act and deed of said corporation and the voluntary act and deed of herself as it's officer, thereunto duly authorized by it's board of directors.

In witness whereof I have hereunto set my hand and seal this 5th day of January, 1995.

Kenneth W. Leugers
NOTARY PUBLIC

KENNETH W. LEUGERS, NOTARY PUBLIC
IN AND FOR THE STATE OF OHIO
MY COMMISSION EXPIRES JUNE 3, 1997

STATE OF OHIO
AUGLAIZE COUNTY

This day appeared before me the above signed **MINSTER STATE BANK**, an Ohio corporation, by **DAVID KELCH**, it's New Bremen Branch Manager, who acknowledged the signing of the foregoing release and consent to be the voluntary act and deed of said corporation and the voluntary act and deed of himself as it's officer, thereunto duly authorized by it's board of directors.

In witness whereof I have hereunto set my hand and seal this 7th day of January, 1995.

Mary M. Linke
NOTARY PUBLIC

MARY M. LINKE
Notary Public, State of Ohio
My Commission Expires April 23, 1997

STATE OF OHIO
AUGLAIZE COUNTY

This day appeared before me the above signed **NORMA LAMPERT**, who acknowledged the signing of the foregoing release and consent to be her voluntary act and deed.

In witness whereof I have hereunto set my hand and seal this 5th day of January, 1995.

Kenneth W. Leugers
NOTARY PUBLIC

KENNETH W. LEUGERS, NOTARY PUBLIC
IN AND FOR THE STATE OF OHIO
MY COMMISSION EXPIRES JUNE 3, 1997

SURVEYOR'S CERTIFICATE

The undersigned registered surveyor, Richard T. Mote, certifies that the plat of ERIE SUBDIVISION as recorded on July 2, 1993 in Plat Cabinet C at page 55 of the Auglaize County Recorder's Office is a correct plat of ERIE SUBDIVISION, consisting of fifteen (15) lots numbered 1 through 15 and of Bremen Drive and Canal Street as shown on said plat, in the Village of New Bremen, Auglaize County, Ohio, as surveyed by him or under his direction based on a field survey in conformity with the requirements of applicable governmental laws, rules, ordinances or orders, and consisting of 5.526 acres of which 4.248 acres is from the description contained in Official Records volume 175 page 552; 0.864 acres is from the description contained in deed volume 127 page 296 and 0.414 acres is from the description contained in deed volume 127 page 291; and, I do further certify that the following is a true and accurate description of all land contained within ERIE SUBDIVISION; to wit,

Erie Subdivision

Being a parcel of land situated in German Township, Auglaize County, Ohio in the southeast quarter of Section 15, T7S, R4E. Said land also being in Fraction 17 in the Village of New Bremen and more particularly described as follows:

Commencing for reference at the cornerstone at the southeast corner of said Section 15;

thence S 89° 50' 25" W, along the south line of the southeast quarter of said Section 15, a distance of 411.81 feet to a point;

thence N 05° 58' 25" W, a distance of 1600.87 feet to a point in the centerline of State Route 66 at station 176+80.3;

thence N 88° 42' 20" W, a distance of 70.73 feet to an iron pin in the west right of way line of said State Route 66;

thence N 06° 25' 51" W, along said west right of way, a distance of 10.83 feet to a concrete right of way monument;

thence N 04° 30' 12" W, along said west right of way line, a distance of 302.92 feet to an iron bar in the south line of a 0.68 acre tract of land conveyed to Betty L. Komminsk by deed recorded in OR volume 111 at page 28;

thence continuing along said west right of way, N 04° 29' 18" W, a distance of 133.06 feet to a concrete right of way monument;

thence continuing along said west right of way line, N 00° 53' 24" W, a distance of 104.52 feet to a point, said point being the true point of beginning for the tract described herein;

thence S 89° 57' 45" W, 290.78 feet to an iron pin set;

thence S 07° 05' 46" E, 243.73 feet to an iron pin found;

thence N 88° 58' 16" E, 62.76 feet to an iron pin found;

thence S 02° 15' 30" E, 184.07 feet to an iron pin found;

thence S 01° 23' 35" W, 119.42 feet to an iron pin set;

thence N 88° 35' 52" W, 221.14 feet to an iron pin set;

thence N 14° 01' 25" W, 120.69 feet along the east line of the Miami and Erie Canal to an iron pin set;

thence continuing along said east line N 17° 37' 52" W, 644.57 feet to an iron pin set;

thence N 89° 57' 45" E, 486.12 feet to an iron pin found;

thence S 00° 03' 22" E, 122.99 feet to an iron pin found;

thence N 89° 57' 46" E, 151.79 feet to an iron pin found on the west right of way line of State Route 66 (Washington Street);

thence S 00° 53' 24" E, 70.00 feet to the point of beginning.

Containing 5.526 acre, more or less, 4.248 acres from tract OR 175 page 552; 0.864 acres from deed volume 127 page 296 and 0.414 acres from deed volume 127 page 291 and being subject to all highways and easements of record.

The foregoing description was prepared by Richard T. Mote, registered surveyor # 5552.

Richard T. Mote
RICHARD T. MOTE

Registered surveyor # 5552

Erie Subdivision

CERTIFICATE OF PLANNING COMMISSION

The undersigned Planning Commission of the Village of New Bremen, Ohio certifies that a resolution duly approving the plat of ERIE SUBDIVISION as recorded on July 2, 1993 in Plat Cabinet C at slide 55 of the Auglaize County Recorder's Office was passed at its meeting on May 23, 1993.

PLANNING COMMISSION OF THE VILLAGE
OF NEW BREMEN, OHIO

by:

William Wente
WILLIAM WENTE
It's President

by:

John Pape
JOHN PAPE
It's Clerk

CERTIFICATE OF CLERK OF COUNCIL

I certify that Ordinance No. 1993-6-18, duly approving and accepting the plat of ERIE SUBDIVISION as recorded on July 2, 1993 in Plat Cabinet C at slide 55 of the Auglaize County Recorder's Office was duly passed in accordance with law at the meeting of the Council of the Village of New Bremen, Ohio on June 8, 1993.

Diane Gast
DIANE GAST
Clerk of Council

Prepared by:

KENNETH E. HITCHEN

Attorney at Law

510 West South

St. Marys, Ohio 45885

Ph: (419) 394-7431

Fax: (419) 394-7432

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95 JUN 18 AM 8:34
HARLENE SCHUMANN
AUGLAIZE CO. RECORDER
Ken Hitchen