

WOODLAND HILLS SUBDIVISION N° 2

LEGAL DESCRIPTION

Being a part of the NW 1/4 of Section 30 (City of Wapakoneta) and a part of the SW 1/4 of Section 19, T-5-S, R-6-E, Duchouquet Township, Auglaize County, Ohio and more particularly described as follows:

Commencing at stone found at the northwest corner of said Section 30 (and the southwest corner of Section 19); thence N 89° 38' 52"E along the north line of the northwest quarter of said Section 30 for a distance of 175.43 feet to a 5/8" re-rod w/cap (set) and the PLACE OF BEGINNING; thence N 00° 00' 34"W for a distance of 275.01 feet to a 5/8" re-rod w/cap (set); thence N 89° 38' 47"E for a distance of 402.26 feet to a 5/8" re-rod w/cap (set) in place of an iron pipe (found); thence S 00° 21' 08"E for a distance of 275.01 feet to the north line of the northwest quarter of said Section 30; thence N 89° 38' 52"E along the north line of the northwest quarter of said Section 30 for a distance of 121.81 feet to a 5/8" re-rod w/cap (set); thence S 26° 13' 48"W for a distance of 397.89 feet to a 5/8" re-rod w/cap (set); thence N 86° 04' 21"W for a distance of 181.59 feet to a 5/8" re-rod w/cap (set) on the westerly right-of-way line of Hickory Circle; thence S 03° 55' 39"W along said right-of-way line for a distance of 9.26 feet; thence N 86° 04' 21"W for a distance of 151.85 feet to a 5/8" re-rod w/cap (set); thence N 04° 59' 09"W for a distance of 190.16 feet to a 5/8" re-rod w/cap (set); thence N 00° 00' 34"W for a distance of 150.65 feet to the PLACE OF BEGINNING, containing therein 6.015 acres more or less, of which 2.544 acres is within the southwest quarter of Section 19, and 3.471 acres is within the northwest quarter of Section 30.

JAMES M. KENT, PS 6792 OH

PROTECTIVE COVENANTS

1. Building sites shall be used and occupied solely for private residential purposes by a single family, including family servants.
2. The living space above grade for a one-story dwelling exclusive of open porches and garages, erected upon said above described lots, shall be not less than 1,500 total square feet. The living space of a one and a half story, two-story or tri-level dwelling, exclusive of open porches and garages, erected on said above-described lots, shall be not less than 1,800 total square feet. No cinder or cement block structure shall be permitted on said lots except in foundations. The dwelling unit must be completed within a six (6) month period from the start of construction.
3. No building or structure such as house trailers, manufactured homes or other types of housing structures which are built and assembled at another location will be permitted to be moved onto any lot in this subdivision.

4. Drives shall be at least ten (10) feet in width and constructed of blacktop, concrete or paving brick. Construction of sidewalks within the street right-of-way shall be the responsibility of the Lot owner in accordance with the City of Wapakoneta Specifications.

5. No noxious or offensive activity shall be carried on or upon any lot in said above-described plat, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

6. No trailer, basement, tent, shed, garage, barn or other outbuilding shall be used on any lot at any time either as a temporary or permanent dwelling.

7. No signs of any kind shall be displayed to the public view on any lot in said plat, except one of the following types:

1. One (1) sign advertising the property for sale or rent.

2. One (1) sign to advertise the property during construction, development and sale.

8. No animals, livestock or poultry of any kind shall be raised, bred or kept on any lots in said plat excepting dogs, cats or other household pets, not to exceed a total of two (2) pets, providing they are not kept, bred or maintained for any commercial purpose. Kennels are hereby strictly forbidden.

9. No lot in said above-described plat shall be used or maintained as a dumping ground for rubbish or trash. Garbage or other wastes shall be kept only in sanitary containers. All lots shall be mowed and the grass kept neat, trimmed and cut at all times.

10. These covenants, restrictions and limitations shall be binding on all parties hereto and all owners of lots in said plat for a period of ten (10) years from this date, after which time, such covenants, restrictions and limitations shall automatically extend for successive periods of one (1) year unless an instrument in writing, signed by a majority of the owners of the lots in the premises, has been recorded agreeing to change said covenants, restrictions or limitations in whole, or in part, which agreement shall specifically enumerate the changes thereof.

11. No trucks or trailers other than those used for family purposes, of any type shall be parked, kept or stored on any lot in said subdivision unless the same be parked, and kept or stored in a garage or other accessory building which has been erected with the consent and approval of the developer, or its assignee. No boats, trailers, motor homes or other chattels of a similar nature shall be stored or maintained on the premises.

12. No owner of any lot shall interfere with the natural flow of surface water through drainage swales or drainage pipes on his lot.

13. Enforcement of the terms of these restrictions shall vest in each of the Lot owners of this development. Said Lot owners may, at their discretion, join together to enforce any and all of the terms of this agreement.

14. All easements and right-of-way are reserved in and over such said lots as are shown on said plat, for the construction thereof for the transmission of electricity, for telephone or drainage facilities including surface drainage 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 of function maintained, furnished or performed in any method beneath the surface of the ground. Easements shown upon the plat may also be used by utility companies as circumstances require.

15. No fence shall be erected on any lot in this subdivision without express written approval of the Developer or its assignee. Any application for the construction of a fence shall show the location, height and type of material and if approved and built shall be properly maintained at all times.

16. No television, radio or other type of external antenna or receiving dish shall be installed on any lot with out the express written approval of the developer or its assignee. approval will only be granted if the design and location is determined by the developer or its assignee, at its sole discretion, to be of no detriment to the aesthetics of the neighborhood.

17. In the event that there is invalidation of any one of those covenants, changes, restrictions or limitations by judgement or order of any court of competent jurisdiction, the same shall in no way affect any of the other provisions hereof, which shall remain in full force and effect.

18. No structure including the main residence, garage, out building or storage shed shall be erected on any lot in

the subdivision until the plans and specifications have been approved, in writing, as to location, grade, elevation, size of structure and external design, by an architectural committee appointed by Schlenker Developments, Inc., an Ohio Corporation, the developer. The original committee shall consist of John A. Schlenker, Philip E. Schlenker and Edward Shroyer.

In the event of the death or resignation of any member of the committee originally appointed, the remaining member or members of the committee shall have the power to appoint new members to fill the vacancies.

In the event such architectural committee fails to approve or disapprove said plans and specifications within thirty (30) days after being submitted to them in proper form, then such approval shall not be required, provided the design is in harmony with similar structures in the development and conforms to all other covenants, restrictions and conditions set forth herein.

19. These Protective Covenants are in addition to any applicable City of Wapakoneta building and zoning regulations and the more restrictive of the two shall prevail.

DEDICATION

We, the undersigned owners of the land shown, have caused the area encompassed by this plat to be surveyed, platted and to be known as WOODLAND HILLS SUBDIVISION N° 2, and do hereby certify that said plat is a true representation of the same. We also dedicate the street right-of-ways and the utility easements as shown on the above plat to the public for their use forever.

SCHLENKER DEVELOPMENTS, INC.

Witness:

Edward L. Shroyer By: John A. Schlenker 8-19-93
John A. Schlenker, President date

Pat Shroyer By: Philip E. Schlenker 8-19-93
Philip E. Schlenker, Secretary date

ACKNOWLEDGEMENT

STATE OF OHIO

COUNTY OF AUGLAIZE

Before me, a Notary Public in and for the County and State aforesaid, personally appeared John A. Schlenker, President, and Philip E. Schlenker, Secretary of SCHLENKER DEVELOPMENTS, INCORPORATED, an Ohio Corporation, and acknowledged the signing of the foregoing instrument to be their free act and deed.

IN TESTIMONY WHEREOF, I have affixed my hand and seal on this 19th day of AUGUST, 1993.

Barlene J. Haynes
Notary Public, State of Ohio
Commission Expires Sept. 8, 1994

DEDICATION

We, the undersigned owners of a portion of the land shown, do hereby dedicate those easement areas that are within the confines of our property to the public forever.

Witness

Barlene J. Haynes By: John A. Schlenker 8-19-93
John A. Schlenker date

Pat Shroyer By: Evon E. Schlenker 8-19-93
Evon E. Schlenker date

ACKNOWLEDGEMENT

STATE OF OHIO

COUNTY OF AUGLAIZE

Before me, a Notary Public, in and for the County and State aforesaid, personally appeared John H. and Evon E. Schlenker, and acknowledged the signing of the foregoing instrument to be their free act and deed.

IN TESTIMONY WHEREOF, I have affixed my hand and seal on

this 19th day of AUGUST, 1993.

Barlene J. Haynes
Notary Public, State of Ohio
Commission Expires Sept. 8, 1994

PLANNING COMMISSION APPROVAL

The Planning Commission of the City of Wapakoneta hereby certifies that the above plat was approved by said Commission on the 25th day of August, 1993.

John Swartz, Chairman

Thomas W. Stueck, Secretary

CERTIFICATE OF ACCEPTANCE

I hereby certify that the above plat was approved and the street right-of-way and easements dedicated thereon were accepted by Council of the City of Wapakoneta, Ohio.

Rex Katterhehnrich
Director of Public Service & Safety

Carlene J. Koch
Clerk of Council

August 27, 1993
date

8-27-93
date

AUDITOR'S CERTIFICATE

This plat was filed for transfer this 7th day of Sep, 1993.

Fee: _____

Harvey Schumann
Auglaize County Auditor

RECORDER'S CERTIFICATE

Number: 7065 #4320

Filed for record in the Auglaize County Recorder's Office on this 7th day of September, 1993 at 1:55 p.m., and recorded in Plat Cabinet C, Page 6044.

Harvey Schumann
Auglaize County Recorder

kont
surveying

SCHLENKER DEVELOPMENTS, INC.
404 Hamilton Road
Wapakoneta, OH 45895
419/738-8111

Subdivision of Lot 465 Woodland Hills Subdivision #2 to the City of Wapakoneta, Ohio

Part of the Northwest Quarter of Section 30, Duchouquet Township,
Town-5-South, Range-6-East,
Auglaize County, Ohio

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Legend

- Centerline of Street
- Street right-of-way
- Building set-back line
- Easement line
- Surveyed property line
- Subdivision lot-line
- Iron Pin (found)
- Iron Pin (set)

References

Prior Deed References
Deed Volume OR 148
Page 98
Auglaize County Recorder

Plat Recording
Plat Cabinet "C"
Slides 60-61
Auglaize County Recorder

Scale

0 25 50 100
1" = 60'

Notes

(1) It is the intentions of the purchaser of Tract #1 to abandon the plotted 10 foot wide easement (5 feet on each side of the property line common to Lot #464 and Lot #465).

(2) An easement, 10 feet in width, shall be created 5 feet on each side of the property line being established as a result of the subdivision of said Lot # 465.

Attest

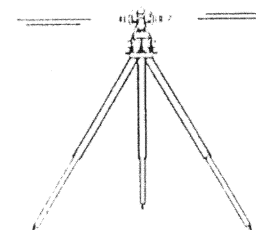
Ted K. Schnell
Professional Engineer
Professional Surveyor
913 Fieldstone Court
Wapakoneta, Ohio
(419) 738-4758

11-3-96

H & S Civil Engineers and Land Surveyors

913 Fieldstone Court
Wapakoneta, Ohio 45895
(419) 738-4758

Ted K. Schnell P.E., P.S.
Greg B. Huber P.E.



SURVEYOR'S DESCRIPTION FOR TRACT #1

THE FOLLOWING DESCRIBED PARCEL OF LAND IS A PART OF LOT #465 OF THE WOODLAND HILLS SUBDIVISION #2 TO THE CITY OF WAPAKONETA, ALSO BEING LOCATED IN THE NORTHWEST QUARTER OF SECTION 30, DUCHOUQUET TOWNSHIP, TOWN-5-SOUTH, RANGE-6-EAST, AUGLAIZE COUNTY, OHIO, AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIN SITUATED AT THE NORTHWEST CORNER OF LOT #465 OF THE WOODLAND HILLS SUBDIVISION #2 TO THE CITY OF WAPAKONETA AS PLATTED AND RECORDED IN PLAT CABINET C, SLIDES 60 AND 61, AUGLAIZE COUNTY RECORDER'S OFFICE, AND THE PLACE OF BEGINNING;

THENCE WITH A BEARING OF S. 86°-04'-21" E. ALONG THE NORTHERLY LINE OF SAID LOT #465 FOR A DISTANCE OF 177.79 FEET TO A POINT SITUATED AT THE NORTHEAST CORNER OF SAID LOT #465;

THENCE WITH A BEARING OF S. 26°-13'-48" W. ALONG THE EASTERLY LINE OF SAID LOT #465 FOR A DISTANCE OF 72.75 FEET TO AN IRON PIN;

THENCE WITH A BEARING OF N. 81°-53'-20" W. FOR A DISTANCE OF 150.59 FEET TO AN IRON PIN;

THENCE WITH A BEARING OF N. 03°-55'-39" E. ALONG THE WESTERLY LINE OF SAID LOT #465 FOR A DISTANCE OF 56.32 FEET TO AN IRON PIN SITUATED AT THE NORTHWEST CORNER OF SAID LOT #465 AND THE PLACE OF BEGINNING.

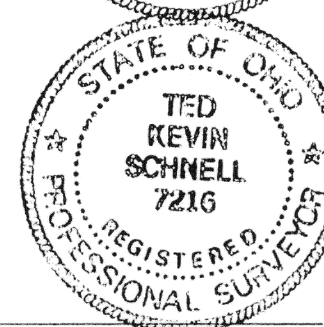
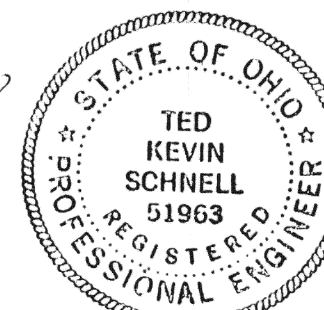
CONTAINING IN ALL, 10,212.73 SQUARE FEET (0.234 ACRE) OF LAND SUBJECT TO ALL EASEMENTS, RESERVATIONS, OR RESTRICTIONS UPON SAID PREMISES.

ALSO, AN EASEMENT FOR UTILITY PURPOSES SHALL BE RESERVED 5 FEET IN WIDTH OFF OF THE ENTIRE SOUTH SIDE OF THE ABOVE DESCRIBED PARCEL OF LAND.

PREPARED BY:

Ted K. Schnell

TED K. SCHNELL
PROFESSIONAL ENGINEER
PROFESSIONAL SURVEYOR



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RECEIVED

96-NOV-8 AM 11:21

MARLENE SCHUMANN
AUGLAIZE CO. RECORDER

Schlenker Nabel

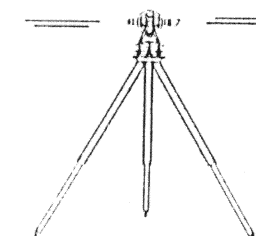
subdivision developments • construction staking • topographic surveys • drainage analysis
lot surveys • on-site septic systems • farm surveys • ohio epa SWPP plans

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H & S Civil Engineers and Land Surveyors

913 Fieldstone Court
Wapakoneta, Ohio 45895
(419) 738-4758

Ted K. Schnell P.E., P.S.
Greg B. Huber P.E.



SURVEYOR'S DESCRIPTION FOR TRACT #2

THE FOLLOWING DESCRIBED PARCEL OF LAND IS A PART OF LOT #465 OF THE WOODLAND HILLS SUBDIVISION #2 TO THE CITY OF WAPAKONETA, ALSO BEING LOCATED IN THE NORTHWEST QUARTER OF SECTION 30, DUCHOUQUET TOWNSHIP, TOWN-5-SOUTH, RANGE-6-EAST, AUGLAIZE COUNTY, OHIO, AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT SITUATED AT THE SOUTHWEST CORNER OF LOT #465 OF THE WOODLAND HILLS SUBDIVISION #2 TO THE CITY OF WAPAKONETA AS PLATTED AND RECORDED IN PLAT CABINET C, SLIDES 60 AND 61, AUGLAIZE COUNTY RECORDER'S OFFICE, AND THE PLACE OF BEGINNING;

THENCE WITH A BEARING OF N. 03°-55'-39" E. ALONG THE WESTERLY LINE OF SAID LOT #465 FOR A DISTANCE OF 56.32 FEET TO AN IRON PIN;

THENCE WITH A BEARING OF S. 81°-53'-20" E. FOR A DISTANCE OF 150.59 FEET TO AN IRON PIN;

THENCE WITH A BEARING OF S. 26°-13'-48" W. ALONG THE EASTERLY LINE OF SAID LOT #465 FOR A DISTANCE OF 49.00 FEET TO AN IRON PIN;

THENCE WITH A BEARING OF N. 86°-04'-21" W. ALONG THE SOUTHERLY LINE OF SAID LOT #465 FOR A DISTANCE OF 131.59 FEET TO A POINT SITUATED AT THE SOUTHWEST CORNER OF SAID LOT #465 AND THE PLACE OF BEGINNING.

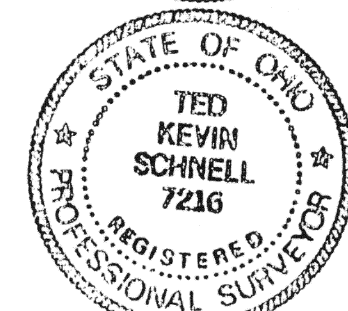
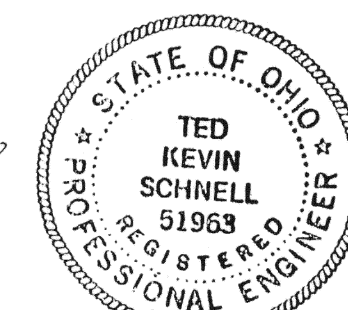
CONTAINING IN ALL, 7,212.01 SQUARE FEET (0.166 ACRE) OF LAND SUBJECT TO ALL EASEMENTS, RESERVATIONS, OR RESTRICTIONS UPON SAID PREMISES.

ALSO, AN EASEMENT FOR UTILITY PURPOSES SHALL BE RESERVED 5 FEET IN WIDTH OFF OF THE ENTIRE NORTH SIDE OF THE ABOVE DESCRIBED PARCEL OF LAND.

PREPARED BY:

Ted K. Schnell

TED K. SCHNELL
PROFESSIONAL ENGINEER
PROFESSIONAL SURVEYOR



subdivision developments • construction staking • topographic surveys • drainage analysis
lot surveys • on-site septic systems • farm surveys • ohio epa SWPP plans

WOODLAND HILLS SUBDIVISION #2

Part of the NW 1/4 of Section
30, and a part of the SW 1/4 of
Section 19, T-5-S, R-6-E, Duchouquet
Township, Auglaize County, Ohio.
County, Ohio.

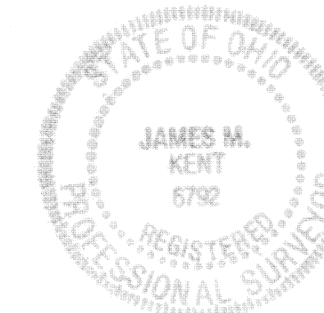
ACREAGE BREAKOUT

SW 1/4 SEC. 19.....2.544 ACRES
NW 1/4 SEC. 30.....3.471 ACRES
TOTAL ACREAGE 6.015 ACRES

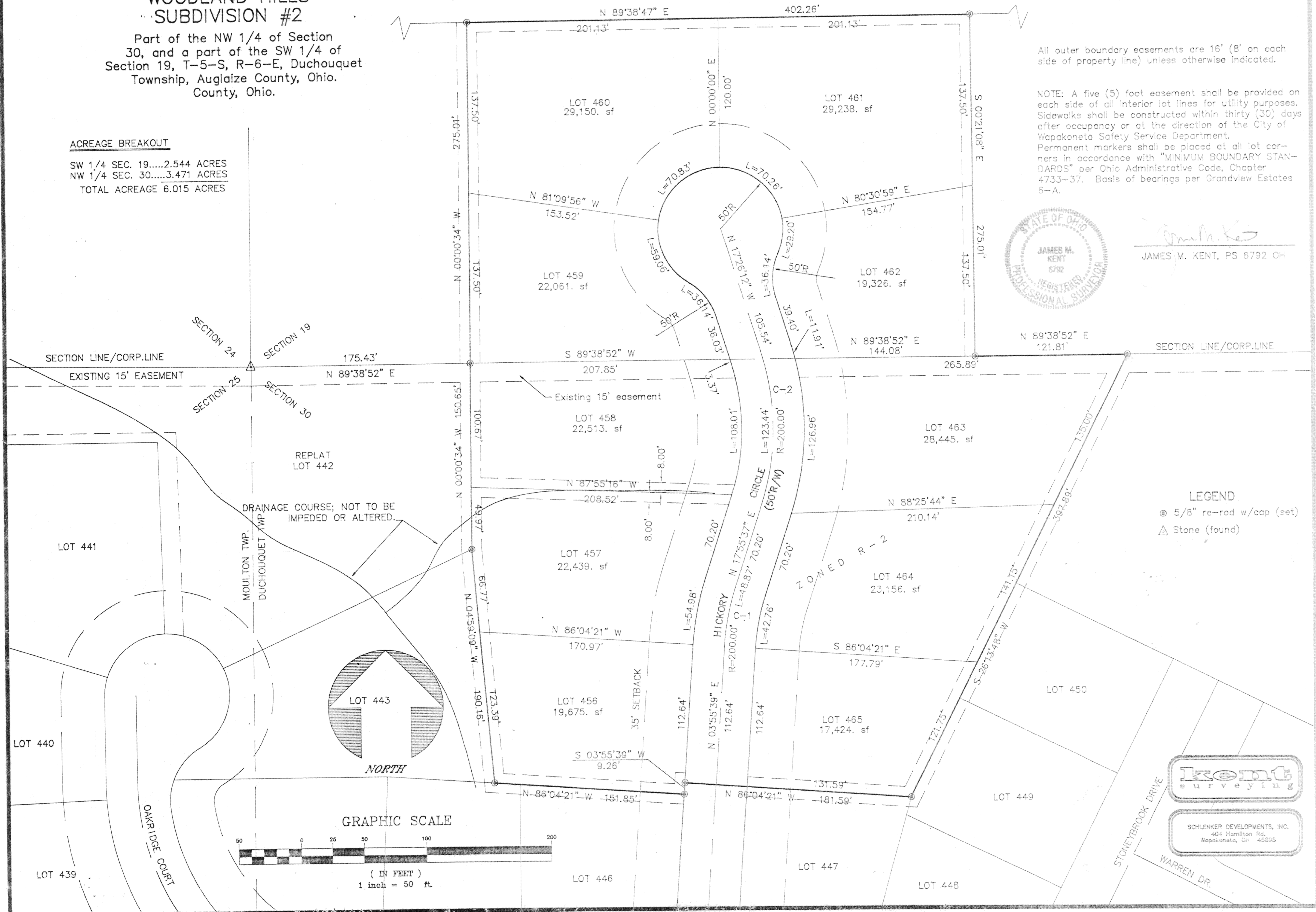
CURVE DATA						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C-1	200.00'	48.87'	24.56'	48.75'	S 10°55'38" W	13°59'58"
C-2	200.00'	123.44'	63.76'	121.49'	N 00°14'42" E	35°21'48"

All outer boundary easements are 16' (8' on each side of property line) unless otherwise indicated.

NOTE: A five (5) foot easement shall be provided on each side of all interior lot lines for utility purposes. Sidewalks shall be constructed within thirty (30) days after occupancy or at the direction of the City of Wapakoneta Safety Service Department. Permanent markers shall be placed at all lot corners in accordance with "MINIMUM BOUNDARY STANDARDS" per Ohio Administrative Code, Chapter 4733-37. Basis of bearings per Grandview Estates 6-A.



JAMES M. KENT, PS 6792 OH



LEGEND

- 5/8" re-rod w/cap (set)
- △ Stone (found)

kent
surveying

SCHLENKER DEVELOPMENTS, INC.
404 Hamilton Rd.
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