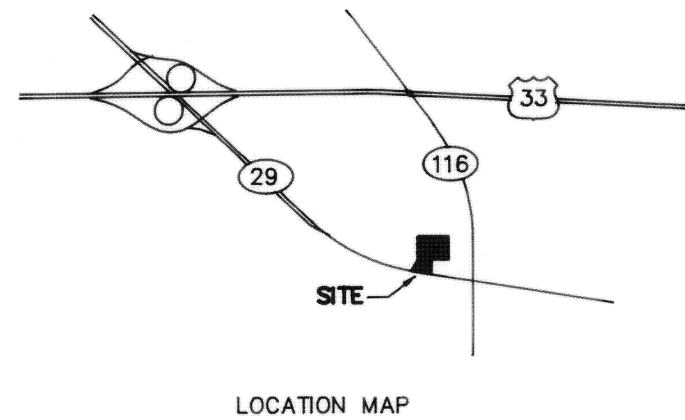


# DEFIANCE TRAIL SUBDIVISION

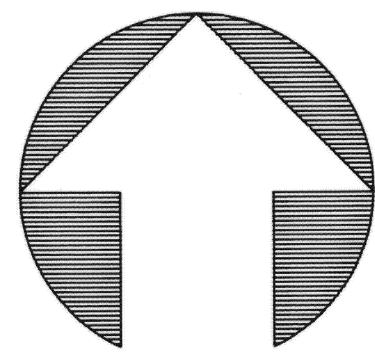
Part of Out Lot No. 131,  
City of St. Marys, Ohio

7.381 GROSS ACRES



St. Marys Senior Village, Ltd.  
OR V. 6, P. 891

Swack  
OR V. 15, P. 913

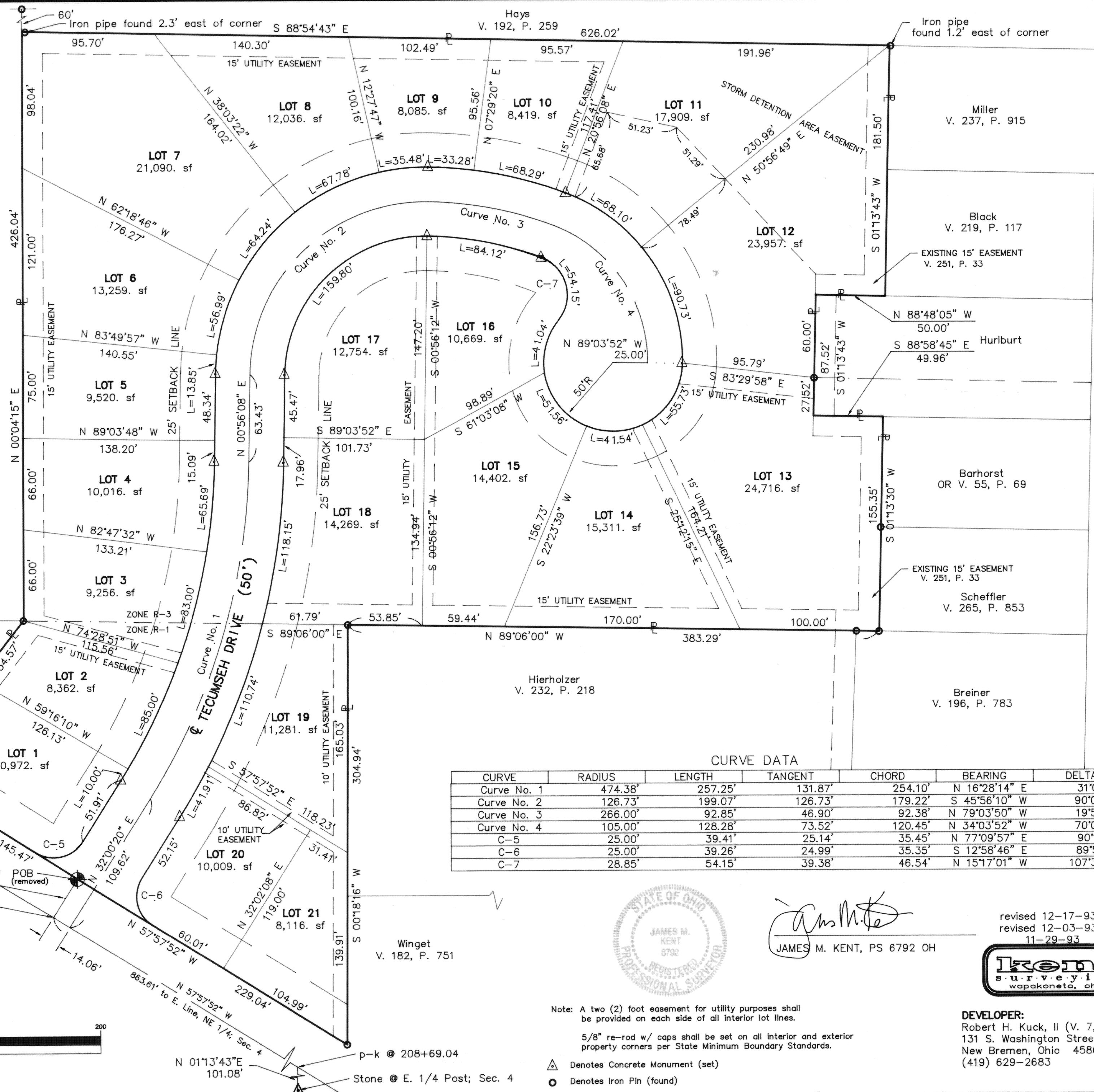


NORTH

GRAPHIC SCALE



( IN FEET )  
1 inch = 50 ft.



## CURVE DATA

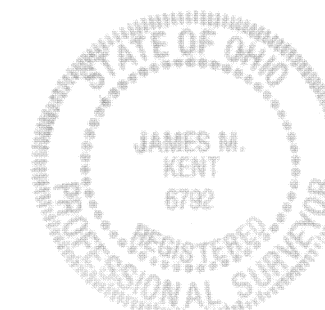
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
Curve No. 1	474.38'	257.25'	131.87'	254.10'	N 16°28'14" E	31°04'13"
Curve No. 2	126.73'	199.07'	126.73'	179.22'	S 45°56'10" W	90°00'05"
Curve No. 3	266.00'	92.85'	46.90'	92.38'	N 79°03'50" W	19°59'56"
Curve No. 4	105.00'	128.28'	73.52'	120.45'	N 34°03'52" W	70°00'00"
C-5	25.00'	39.41'	25.14'	35.45'	N 77°09'57" E	90°19'14"
C-6	25.00'	39.26'	24.99'	35.35'	S 12°58'46" E	89°58'12"
C-7	28.85'	54.15'	39.38'	46.54'	N 15°17'01" W	107°33'43"

Note: A two (2) foot easement for utility purposes shall be provided on each side of all interior lot lines.

5/8" re-rod w/ caps shall be set on all interior and exterior property corners per State Minimum Boundary Standards.

△ Denotes Concrete Monument (set)

○ Denotes Iron Pin (found)



*James M. Kent*  
JAMES M. KENT, PS 6792 OH

revised 12-17-93  
revised 12-03-93  
11-29-93



DEVELOPER:  
Robert H. Kuck, II (V. 7, P. 494)  
131 S. Washington Street  
New Bremen, Ohio 45869  
(419) 629-2683



# DEFIANCE TRAIL SUBDIVISION

Part of Out Lot No. 131,  
City of St. Marys, Ohio

## DESCRIPTION

Being a part of Out Lot 131 to the City of St. Marys, Ohio and being more particularly described as follows:  
Commencing at a stone found at the E. Quarter Post of Section 4, T-6-S, R-4-E, St. Marys Township, City of St. Marys, Auglaize County; thence N 01°13'43"E along the east line of the north-east quarter of said Section 4 for a distance of 101.08 feet to a p-k nail found at the intersection of said east line with the tangent of a spiral curve denoting the centerline of Indiana Avenue (SR 29); thence N 57°57'52"W along said tangent of spiral for a distance of 863.61 feet to a p-k nail found at STA. 200+05.42; thence N 32°02'08"E for a distance of 32.50 feet to a concrete right-of-way monument (found) and the PLACE OF BEGINNING for the tract herein described;

thence N 57°25'W along the chord of a spiral denoting the northerly right-of-way line of Indiana Avenue (SR 29) for a distance of 145.47 feet to a 5/8" re-rod w/cap (set);

thence N 37°40'51"E for a distance of 138.48 feet to an iron pipe in concrete (found);

thence N 00°04'15"E along the easterly property line of St. Marys Senior Village as evidenced by OR Vol. 6, Page 891, for a distance of 426.04 feet to a 5/8" re-rod w/cap (set);

thence S 88°54'43"E along the southerly line of that parcel evidenced by Deed Volume 192, Page 259 (passing through an iron pipe found at a distance of 2.3') for a total distance of 626.02 feet to a 5/8" re-rod (set) 1.2' west of an iron pipe (found);

thence S 01°13'43"W for a distance of 181.50 feet to a 5/8" re-rod w/cap (set);

thence N 88°48'05"W for a distance of 50.00 feet to a 5/8" re-rod w/cap (set);

thence S 01°13'43"W, passing through a 5/8" re-rod w/cap set at 60.00 feet, for a total distance of 87.52 feet to a point;

thence S 88°58'45"E for a distance of 49.96 feet to a 5/8" re-rod w/cap (set);

thence S 01°13'30"W for a distance of 155.35 feet to a 1" iron bar (found);

thence N 89°06'00"W (passing through a re-rod found at a distance of 16.41 feet at the northwest corner of that parcel evidenced by Deed Volume 196, Page 783) for a total distance of 383.29 feet to a re-rod (found);

thence S 00°18'16"W for a distance of 304.94 feet to an iron bar found in concrete on the northerly right-of-way line of Indiana Avenue (SR 29);

thence N 57°57'52"W along said northerly right-of-way line for a distance of 229.04 feet to the PLACE OF BEGINNING, containing therein 7.381 acres more or less.

JAMES M. KENT, PS 6792 OH

## COVENANTS AND RESTRICTIONS

1. All lots shall be used for residence purposes and nothing shall be permitted on any premises in said subdivision which may become detrimental to a good neighborhood.

2. SIGNS; No signs of any kind shall be displayed to the public view on any lot except one sign of not more than six square feet advertising the property for sale or rent or signs used by the builder to advertise the property during construction and sale period. Permanent subdivision entrance signs identifying the subdivision name are permitted, the size of which is to be approved by the City of St. Marys.

3. No building or structure shall be erected, placed, maintained or permitted to remain on any building site or plot in said subdivision, the walls or roof line of which shall be nearer to the street on which the same faces than 25 feet as shown upon the plat herein.

4. No residential structure shall be erected on any building site, the habitable floor area of which, exclusive of basements, open porches and garages, is less than 1200 square feet; if such residential structure exceeds one story in height, the habitable floor area of the first floor shall contain at least 800 square feet.

5. Building plans and specifications and a site plan (including landscaping) shall be submitted to Mike & Candice Kuck or their assigns for their approval prior to the start of construction or installation. Said plans and specifications shall be delivered to Mike & Candice Kuck at their business address which is presently the Kuck Realty Office Building at 206 East Spring Street, St. Marys, Ohio 45885. In the event that the above named fail to approve or disapprove said plans and specifications within fifteen (15) days, then approval shall not be required provided the design is in harmony with other structures in the development and conforms to all other covenants, restrictions and conditions herein set forth.

6. The keeping of household pets shall be permitted so long as they are not a nuisance, detriment or danger to the neighborhood. The keeping of animals for breeding is prohibited.

7. No temporary structure for residence purposes shall be erected or maintained in said subdivision.

8. All grounds and premises in said subdivision shall be mowed and kept reasonably clear of weeds and undergrowth by the owners thereof at all times prior to the erection of any building; thereafter all such grounds shall be maintained by the owners so as to conform to the beauty of the area in the subdivision. During home construction, any and all leftover building products, trash and debris are to be regularly removed from the building site. At no time shall anyone be allowed to discard leftover building materials and other debris on vacant lots in said subdivision.

9. No wall, fence or hedge, except retaining walls not extending above ground level, shall be planted or erected on any building site unless approved by the developers.

10. Easements for the installation and maintenance of utilities and drainage facilities are reserved as shown on the plat.

11. No boat, trailer, camper or motor home shall be parked on any lot for longer than one week with the exception that enclosed storage shall be permitted.

12. The owners of Lots 11 and 12 are prohibited from filling in or altering the shape of the surface water retention basin constructed at the rear of their lots.

13. Any house being constructed in said subdivision is to have the exterior construction completed within eight (8) months from the date of the beginning of construction. The same applies to any house additions that may occur at a later date. The house interior construction is to be completed within one (1) year from the date of beginning. The same applies to any house additions that may occur at a later date.

14. At no time shall anyone be allowed to store trash cans or bags of garbage anywhere on the exterior of their property where it can be seen by others, except for days of regular scheduled garbage pick-up.

15. All houses shall be landscaped within one year from the date of their completion in the manner approved by the developers. Yards are to have a finished grade, and are to be seeded within 6 months from the date the houses are completed.

16. All driveways shall be paved with concrete, and off street parking for not less than 2 motor vehicles shall be provided. Any exception to this restriction must be approved in writing by the Developer.

17. All residences shall have at least a 1 1/2 car garage, 16' (min.) in width, and provide a pedestrian door in addition to the overhead door(s) which shall have automatic opener(s).

18. The foregoing restrictions, covenants and conditions shall run with the land and shall be binding on all future owners of all building sites, and all persons claiming under them. Changes can be made by a vote of 3/4 of the land owners after all lots have been sold by the developers.

19. Should any one or more of the foregoing restrictions, covenants, or conditions, at any time in the future be held to be illegal, void or unenforceable, such fact shall not in any way impair the validity of any of the other restrictions, covenants or conditions, all of which shall remain in full force and effect.

Robert H. Kuck, II  
Robert H. Kuck, II  
Developer

## DEDICATION

We, the undersigned owners of the land shown hereon, do hereby dedicate the street right-of-way and utility easements as shown or mentioned to the public forever.

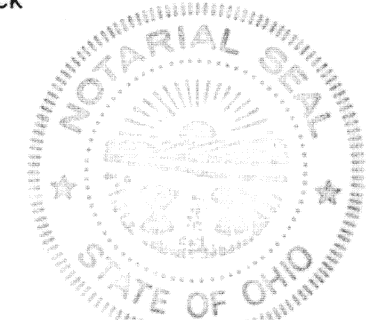
Witness:

Steven C. Opperman

Robert H. Kuck, II

Bruce C. Barner

Linda M. Kuck



## ACKNOWLEDGEMENT

STATE OF OHIO

COUNTY OF AUGLAIZE

Before me, a Notary Public in and for the County and State aforesaid, personally appeared the above signed owners of all of the land shown hereon, 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

20<sup>th</sup> day of December, 1993.

Steven C. Opperman  
Notary Public

STEVEN C. OPPERMAN  
NOTARY PUBLIC, STATE OF OHIO  
Commission Expires June 29, 1994

## PLANNING COMMISSION APPROVAL

The Planning Commission of the City of St. Marys hereby certifies that the above plat was approved by said Commission on the

20<sup>th</sup> day of April, 1993.

Michael Woodcock  
Secretary

## CERTIFICATE OF ACCEPTANCE

I hereby certify that the above plat was approved and that street right-of-way and easements dedicated thereon, and that all public improvements have been installed, inspected and accepted by the City of St. Marys.

Michael Woodcock  
Michael Woodcock, Dir. of Service & Safety

## AUDITOR'S CERTIFICATE

This plat was filed for transfer this 20<sup>th</sup> day of Dec, 1993.

Fee: \_\_\_\_\_

Karyn Schumann, Co. Auditor

10192

## RECORDER'S CERTIFICATE

Number: \_\_\_\_\_

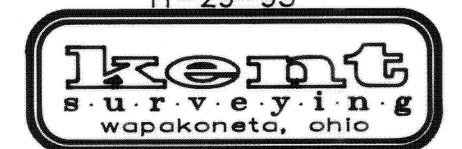
Filed for record in the Auglaize County Recorder's Office on

this 20<sup>th</sup> day of December, 1993 at 3:27 p.m., and record-

ed in Plat Cabinet C, Page 70

Marlene Schumann, Co. Recorder

11-29-93



REV: 12-14-93  
REV: 12-17-93