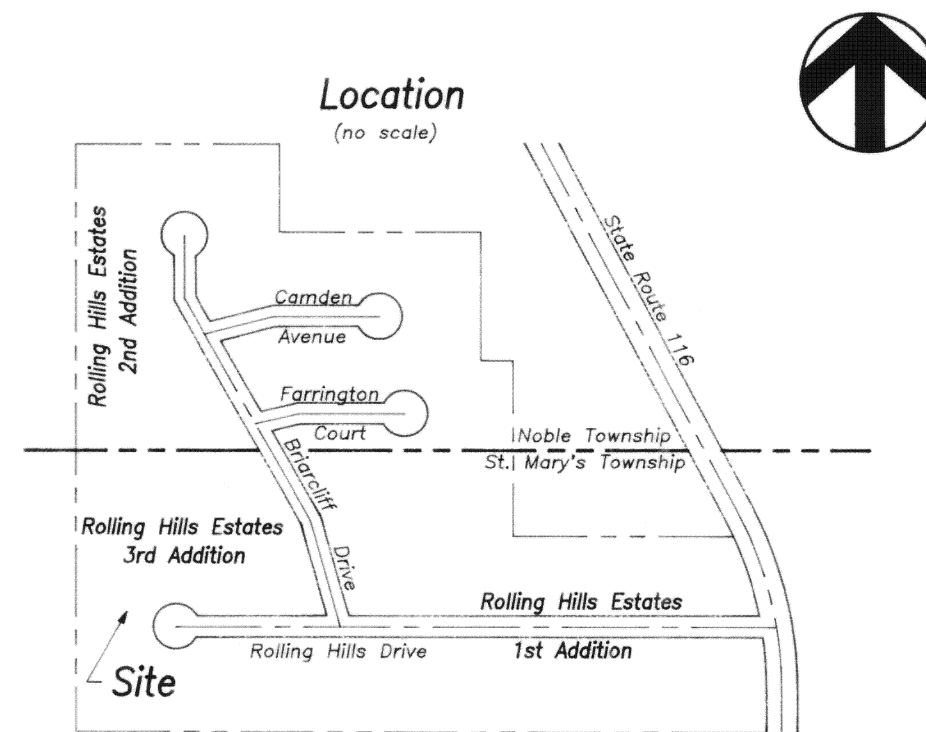
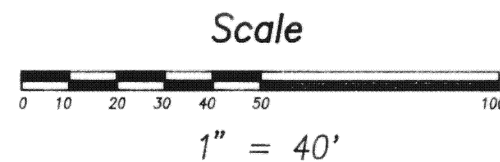


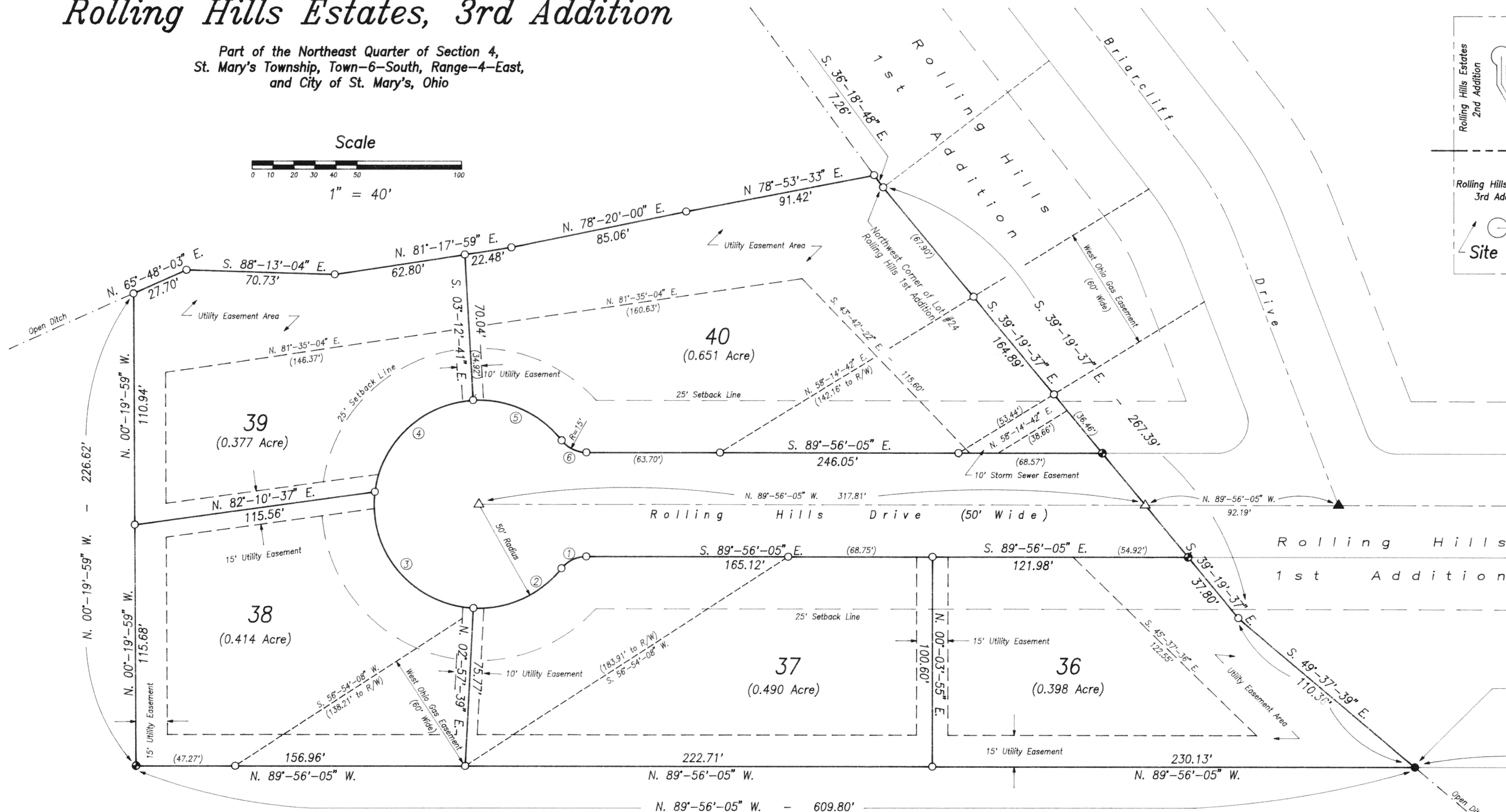
Subdivision Plat Rolling Hills Estates, 3rd Addition

Part of the Northeast Quarter of Section 4,
St. Mary's Township, Town-6-South, Range-4-East,
and City of St. Mary's, Ohio



Legend

- Iron Pin (set)
- Iron Pin (found)
- ⊕ Concrete Monument
- ▲ Railroad Spike (found)
- △ Railroad Spike (set)



Description

The following described tract of land is situated in the Northeast Quarter of Section 4, St. Mary's Township, Town-6-South, Range-4-East, Auglaize County, Ohio, and being more particularly described as follows:

COMMENCING for reference at an iron pin located at the Northeast Corner of the Northeast Quarter of Section 4, St. Mary's Township, Town-6-South, Range-4-East, Auglaize County, Ohio;

THENCE with a bearing of N. 88°-53'-08" W. along the North line of the Northeast Quarter of said Section 4, for a distance of 241.17 feet to an iron pin, said iron pin located on the former centerline of State Route #116;

THENCE with a bearing of S. 19°-55'-40" E. along the former centerline of State Route #116 for a distance of 373.68 feet to an iron pin, said iron pin being located at the Southeast Corner of Rolling Hills Estates 1st Addition;

THENCE with a bearing of N. 89°-56'-05" W. along the South line of Lots #1, #2, #3, #4, #5, #6, and #7, Rolling Hills Estates 1st Addition, for a distance of 609.21 feet to an iron pin, said iron pin being located at the Southwest Corner of Lot #7, Rolling Hills Estates 1st Addition, and the PLACE OF BEGINNING;

THENCE continuing with a bearing of N. 89°-56'-05" W. for a distance of 609.80 feet to a concrete monument;

THENCE with a bearing of N. 00°-19'-59" W. for a distance of 226.62 feet to an iron pin, said iron pin being located in the center of an open ditch;

THENCE with a bearing of N. 65°-48'-03" E. along the center of said open ditch for a distance of 27.70 feet to an iron pin;

THENCE with a bearing of S. 88°-13'-04" E. along the center of an open ditch for a distance of 70.73 feet to an iron pin;

THENCE with a bearing of N. 81°-17'-59" E. along the center of an open ditch for a distance of 85.28 feet to an iron pin;

THENCE with a bearing of N. 78°-20'-00" E. along the center of an open ditch for a distance of 85.06 feet to an iron pin;

THENCE with a bearing of N. 78°-53'-33" E. along the center of an open ditch for a distance of 91.42 feet to an iron pin;

THENCE with a bearing of S. 36°-18'-48" E. along the center of an open ditch, and the West line of Rolling Hills Estates, 1st Addition, for a distance of 7.26 feet to an iron pin, said iron pin being located at the Northwest Corner of Lot #24, Rolling Hills 1st Addition;

THENCE with a bearing of S. 39°-19'-37" E. along the center of an open ditch, and the West line of Rolling Hills Estates, 1st Addition, for a distance of 267.39 feet to an iron pin;

THENCE with a bearing of S. 49°-37'-39" E. along the center of an open ditch, and the West line of Rolling Hills Estates, 1st Addition, for a distance of 110.36 feet to an iron pin, said iron pin being the original PLACE OF BEGINNING.

Containing in all 2.820 Acres of land subject to all legal easements, reservations, and restrictions.

Surveyor's Certificate

I, the undersigned, do hereby certify that this Subdivision Plat is a true and accurate representation of a survey performed by me, and that in all respects the bearings and distances of all courses are true to the best of my knowledge. I do hereby also certify that I am a Registered Professional Engineer, and Registered Professional Land Surveyor licensed in the State of Ohio.

The area of land encompassed within the boundaries of this Subdivision Plat contains a total of 2.820 Acres of land, including all dedicated road rights-of-ways and utility easements, and contains a total of Five (5) building lots. All widths of the street right-of-way, easements, and setback lines, as well as all lot dimensions, are as shown on the Subdivision Plat.

Attest:

Ted K. Schnell

Ted K. Schnell
Registered Professional Engineer # 51963
Registered Professional Surveyor # 7216

7/7/95

date

Building Setbacks

All frontage setbacks shall be 25 feet measured from the street right-of-way line

All side yard setbacks shall be a minimum of 8 feet measured perpendicular from the property line

Curve Table

Curve Number	Radius	Arc Length	Chord Bearing	Chord Distance
1	15'	13.62'	S. 64°-03'-18" W.	13.16'
2	50'	47.93'	S. 65°-30'-11" W.	46.11'
3	50'	81.96'	N. 40°-04'-48" W.	73.09'
4	50'	69.73'	N. 46°-50'-01" E.	64.22'
5	50'	48.26'	S. 65°-33'-47" E.	46.40'
6	15'	13.62'	S. 63°-55'-29" E.	13.16'

Ted K. Schnell Professional Engineer Professional Surveyor

REVISIONS				Subdivision Plat	
NO.	DATE	BY		Rolling Hills Estates 3rd Add	
1					
2					
3					
4					
5					

DRAWN BY Kevin SCALE Shown
CHK'D Greg DATE
TRACED APP'D
1 OF 2

Restrictive Covenants

- (1) LAND USE: All lots in this subdivision shall be used for single residence purposes only, and that nothing shall be permitted on any premises in this subdivision which may be detrimental to a good neighbor. There shall be no excavation for stone, gravel, or earthen material on any lot in this subdivision except for walls, basements, or cellars of dwellings, or for landscaping and/or drainage purposes. Also, there shall be no drilling of wells for the production of, or from which there may be produced, any type of oil or gas related products, upon the premises, nor shall any machinery, appliance, or structure be placed, operated, or maintained thereon in connection with such activities.
- (2) DWELLING SIZE: Any residential structure being erected on a building site is to have no less than One Thousand Five Hundred (1500) square feet of habitable floor area exclusive of basements, open porches, and garages. If such residential structure exceeds one story in height, the habitable floor area of the first floor shall contain at least Nine Hundred (900) square feet.
- (3) PERMITS: All building permits are to be obtained from the City of St. Mary's prior to construction. Permits for storm taps, sanitary taps, and water service taps shall also be obtained from the City of St. Mary's prior to construction.
- (4) BUILDING LOCATION: All building locations shall conform to the building set back lines as shown on the Plat.
- (5) CONSTRUCTION TIME: Any house being constructed in this subdivision shall be completed within six (6) months from the date of the commencement of construction. The same shall apply to any house additions that may occur at a later date. All residential lots shall be landscaped within one (1) year from the date of the completion of construction. All yards shall be finished graded as per the grading plan of the engineering and construction drawings for this subdivision on file with the City of St. Mary's Engineering Department. All yards are to be seeded, fertilized, and mulched within six (6) months from the date of the completion of construction.
- (6) SIGNS: No signs of any type shall be displayed to the public view on any residential lot in this subdivision except for one (1) sign of not more than six (6) square feet for the purpose of advertising the property for sale or rent, or signs used by the builder to advertise the property during construction and sale period.
- (7a) EASEMENTS: Easements and right-of-way are reserved in and over said lots as shown on the plat for the construction, operation, and maintenance of poles, wire conduits, and the necessary and proper attachments in connection therewith the construction, operation, and maintenance of drains, sewers, and pipe systems designed for the conveyance of gas, water, heat, electricity, telephone, or any other quasi-public utility in order to maintain, furnish, or perform work 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 liability to damages to existing landscaping. No building(s) or obstacles shall be placed anywhere in the existing open ditch easement, known and recorded as the "KAUFMAN DITCH" with the Board of Auglaize County Commissioners and the Auglaize County Engineer, and is permanently maintained by said authorities.
- (7b) LIGHTING EASEMENTS: The City of St. Mary's is hereby granted, for the sole purpose of supplying electricity for street light installation and maintenance, an easement upon and across a two and one half foot strip parallel with and adjacent to each interior side lot line of each Lot in this subdivision, 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. If new property lines are created by lot splits, then the easements shall be parallel with and adjacent to the new property line
- (8) ARCHITECTURAL CONTROL: Building plans and specifications and site plan (which shall include landscaping) shall be submitted to the developer (Lakeland Development) its successors and assigns, for their approval prior to the commencement of construction or installation. Said plans and specifications shall be delivered to the developer at its business address which currently is located at 1865 Celina Road, St. Mary's, Ohio, 45885. Refusal to approve such plans may be based on any grounds, including purely aesthetic grounds. No MODULAR residential structure shall be approved for any lot located in this subdivision. In the event that the developer fails to approve or disapprove said plans and specifications within Fifteen (15) days from the date of their submittal, then approval shall not be required provided the design is in harmony with other structures located in this subdivision and conforms to all other restrictive covenants and conditions herein setforth.
- (9) FENCES: No fence of any type shall be constructed or allowed to remain nearer to the Street than the minimum building set-back lines as shown on the Plat. All fences must be constructed of attractive and durable materials which shall be limited to Four (4) feet in height. No barbed wire, field fencing, poultry wire, or of similar type will be permitted.
- (10) NUISANCES: No hunting, noxious, or offensive activity shall be carried on or upon any lot in this subdivision, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood. No trucks over 3/4 ton, busses, or large commercial vehicles may be parked on the streets, driveways, or lots for more that 24 hours. Recreational vehicles shall not be used for living quarters. No outside storage of any recreational vehicles, campers, or boats shall be permitted, nor the parking thereof on said lots for a period greater than 72 hours in any 7 day period.
- (11) LOT MAINTENANCE: All grounds and premises in this subdivision shall be mowed and kept reasonably free of noxious weeds and undergrowth by the owners thereof at all times prior to the erection of any buildings; thereafter all such grounds shall be maintained by the owners so as to conform to the beauty of the area in this subdivision.
- (12) TEMPORARY STRUCTURES: No structure of a temporary nature, trailer, basement, tent, shack, garage, barn, or other type of outbuilding shall be used on any lot at any time as a residence, either temporary or permanent, except as may be permitted during the original constuction of the home. During said original construction, the owner shall keep the premises free from weeds, trash, and miscellaneous materials which may detract from the value of the surrounding premises.
- (13) GARAGES AND DRIVEWAYS: All residences shall have at least a One and One-Half (1-1/2) car attached garage with a pedestrian door in addition to the overhead garage door(s). All driveways shall be finished with a hard wearing surface such as asphalt, concrete, brick, or simular type of material within One (1) year from the date of completion of any dwelling. Gravel and stone driveway surfaces shall not be considered a hard wearing surface by the developer and shall not be permitted except for use during the initial construction of the dwelling, or within One (1) year from the date of completion of any dwelling in this subdivision.
- (14) UTILITY BUILDINGS: All out-buildings, storage sheds, greenhouses, garages, etc. shall be a part of or attached to the existing house structure, and shall be constructed with identical siding or brick as used on said house structure. In the event that a property owner located within this subdivision desires to construct a childrens playhouse structure on their lot, then special permission for such must first be obtained beforehand from the developer (Lakeland Developments) its successors and assigns, or from the majority of the lot onwers within this subdivision.
- (15) LIVESTOCK: No animals including, but not limited to, horse, cow, hog, goat, poultry, and bees shall be raised bred or kept on any Lot in this subdivision except for domestic pets such as dogs, cats, or other household pets, provided they are housed within the structure and kept intact within the confines of the property, and not kept, bred, or maintained for commercial purposes.
- (16) GARBAGE AND REFUSE DISPOSAL: At no time shall any lot owner be allowed to store trash cans or bags of garbage anywhere on the exterior of their property where it is visible by others, except on those days when regularly scheduled garbage pick-up is to occur. No lot shall be used or maintained as a dumping ground for rubbish, trash, or garbage.
- (17) RESTICTION CHANGES: These covenants are to run with the land and shall be binding on all parties claiming title under them. Changes to these restrictive covenants and conditions can be made by a vote of 3/4 of the land owners after all lots have been sold by the deveioper.
- (18) STORM SEWERS: A storm sewer line has been provided to all lots in this subdivision (see construction plans) and is to be used for the drainage of footer drains, sump pump drains, and basement or crawl space drains of the dwellings. All gutter and downspout water draining roofs shall be surface drained unless otherwise permitted by the City of St. Mary's. Refer to PERMITS above concerning storm sewer tap permit.
- (19) GENERAL: The conditions, limitations, and restrictions set forth shall be considered a part of any deed, contract, lease, or instrument relating to any lot in this subdivision, without being explicitly expressed or incorporated within, 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 setforth 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 subdivision.
- (20) ENFORCEMENT: Enforcement of these restrictive covenants shall be by proceedings at law, or in equity by the developer, lot owner, or owners against any person or persons violating or attempting to violate any covenant either to restrain violation or recover damages. Should any one or more of the foregoing restrictive covenants or conditions at any time in the future be held illegal, void, or unenforceable, such fact shall not in any way impair the validity of any of the other restrictive covenants or conditions, all of 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 ROLLING HILLS ESTATES, THIRD ADDITION, to the CITY OF ST. MARY'S, OHIO, and do hereby certify that the said plat is a true representation of the same

Lakeland Development
M.P. Bowers
Steve Zathke
Owner
8-29-95
Date

Acknowledgement

Before me, a Notary Public in and for said County of Auglaize, State of Ohio, personally appeared the above signed owner and acknowledges the signing of the foregoing instrument to be their own free act and deed. In testimony whereof, I have affixed my hand and seal on this 29th day of August 1995

J. Paul Lopus
Notary Public in and for said County of Auglaize, and State of Ohio.
My Commission Expires 9/12/98

Planning Commission Approval

This plat is hereby approved by the Planning Commission of the City of St. Mary's, Ohio, at the meeting held on the date of the 18th day of December, 1994.

Mark H. Woodsh
Secretary of Planning Commission
City of St. Mary's, Ohio

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.

10-4-95
Director of Public Service
Date
FILED
AUGLAIZE COUNTY, OHIO
OCT 4 1995
KAREN SCHUMANN
COUNTY AUDITOR
County Auditor's Certificate

I do hereby certify that there are no unpaid taxes on this land which encompasses the extent of this plat, known as ROLLING HILLS THIRD ADDITION, to the CITY OF ST. MARY'S, OHIO, and that this plat was filed for transfer in the Office of the Auglaize County Auditor on this 4th day of Oct, 1995.

Karen Schumann, A.S.
Auglaize County Auditor

05657

County Recorder's Certificate

This plat has been received for recording purposes in the Office of the Auglaize County Recorder on this 4th day of October, 1995, at 11:33 o'clock A.M., and is officially recorded in Plat Book C, Page(s) 10-102. Fee Paid \$ 43.00.

Mark Schumann
Auglaize County Recorder