

$$\frac{2}{2}$$

RESTRICTIONS

16. Architectural Approval: All proposed construction on lot within this plat must be in compliance with City of Wapakoneta Zoning Regulations or as allowed by the Board of Zoning Appeals.

No dwelling, detached building or fence shall be erected on any lot unless the building plans, specifications and plot plan showing location of such structures have been approved by the Developer. The developer shall give notice of approval or rejection within fourteen (14) days after receipt of such plans and specifications. The developer agrees that his approval of such plans and specifications shall not be unreasonably withheld.

Criteria considered in granting approval shall be in conformity with commonly accepted building standards, harmony of external design and color with existing homes in the subdivision and proposed height of foundation in relation to ground elevation adjacent to said building. Approval for construction of any outbuilding or fence shall be considered only if such items are designed to be limited in nature, compatible with surrounding architecture and of no apparent detriment to the overall look of the subdivision.

17. In the event that there is invalidation of any one of these covenants, charges 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. Enforcements of the terms of these restrictions shall be vested in each owner of lots within this plat. Said lot owner may, at their discretion, join together to enforce any and all of the terms of these restrictions.

Enforcement shall be proceedings, in law or in equity against any person or persons or legal entity violating or attempting to violate any covenant, restrictions or limitations. These remedies are available to any owner of any lot within this plat who may seek both a restraint of such violation and damages thereof.

19. No changes shall be made in the size of the area making up the lake as shown on the approved construction drawings for Wildernes Trail Subdivision No. 1 and located within the lake easement area shown on this plat. No changes shall be made in the elevation level of the inlet and outlet to the lakes as shown on the approved construction drawings for said Wildernes Trails Subdivision No. 1 on file at the Engineer's Office of the City of Wapakoneta, Ohio.

For the purpose of general maintenance of the lake including by way of illustration, erosion control and algae control, general cleaning and maintenance of the inlet and outlet tiles and maintenance of the dikes and for establishing rules in connection with usage of the lake, each of the owners of Lots No. 23, 24, 25, 32, 33, 34, 48, 49 and 50 their successors and assigns, by accepting a deed or contract for any of the listed lots, agrees to and shall become a member of and be subject to the obligations and duly enacted bylaws and rules of WILDERNESS TRAILS LAKE ASSOCIATION, a nonprofit corporation.

With the exception of the general maintenance of the lake listed above, all the storm sewers, major maintenance of the pond and the outlet tile as shown on the approval construction drawings for Wilderness Trails Subdivision No. 1 and on the approved construction drawings for future phases of Wilderness Trail Subdivision within the limits of the Phillips' farm land obtained for said subdivision will be permanently maintained by the Auglaize County Engineer under Section 6137 of the Ohio Revised Code as the Wilderness Trail Subdivision watershed with the owners of all lots within all phases of Wilderness Trails Subdivision being responsible for the cost of the permanent maintenance. All Fee holders and all receiving title to the Fee through them are subject to payment of Drainage Maintenance fees assessed or to be assessed by the County pursuant to O.R.C. 6137 and following.

PLANNING COMMISSION APPROVAL

The Planning Commission of the City of Wapakoneta hereby certifies that the above PLAT was approved by said Commission on the 28 day of FEBRUARY, 1996.

Rex A. Kattukemunk
CHAIRMAN / PRO TEM

AUDITOR'S CERTIFICATE

This plat was filed for transfer this 18th day of MARCH, 1996.

FEE: _____

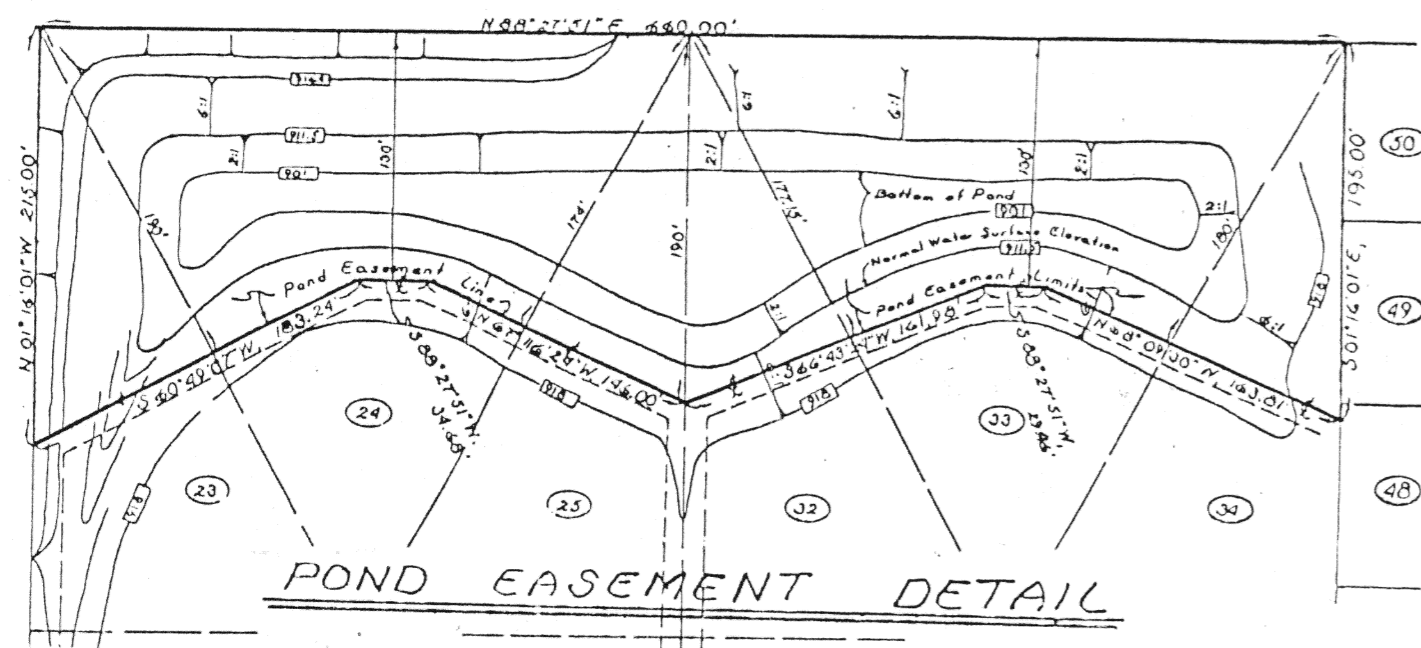
Kevin R. Ruman
Auglaize County Auditor RR

RECORDED'S CERTIFICATE

Number: 1763

Filed for record in the Auglaize County Recorder's Office this 18 day of

March, 1896, at 1:56 P.M. and recorded in Plat Cabinet C
page: 119-120
Martha E. Schuman AR
Auglaize County Recorder



scale: 1"=30'

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[illegible]

Dee Egan Pl
Burley Road Estate
12140. Dwydgar

LOT NUMBER

all lots except those
hereinafter listed

ANN BILLINGS
AUGLAIZE CO. RECORDER

'97 OCT 7 AM 10 17

RECEIVED

05700

25

10-1-97

Slight setback violation re. SE corner of house. Find out age of house. If > 10 yrs, will insure thru for loan purposes.

Also, easement noted above was not shown on title notes. Call surveyor for more info & disclose on policy.

I hereby certify that the foregoing Mortgage Location Survey was prepared from actual field measurements in accordance with Chapter 4733-38, Ohio Administrative Code, and is not a boundary survey pursuant to Chapter 4733-37 of said Ohio

The subject parcel is /is not in a Flood Hazard Area in 1981

STATE OF OHIO
JAMES M.

Wilderness Trails Encroachment Waiver
Signatures page 2

As to Lot 29	<u>Francis J. Elliott</u>	<u>10-3-97</u>
	Francis J. Elliott	Date
As to Lot 29	<u>Marlene S. Elliott</u>	<u>10-3-97</u>
	Marlene S. Elliott	Date
As to Lot 34	<u>David B. Jackson</u>	<u>10-6-97</u>
	David B. Jackson	Date
As to Lot 34	<u>Patricia L. Jackson</u>	<u>10-6-97</u>
	Patricia L. Jackson	Date
As to Lot 35	<u>Calvin G. Schneider</u>	<u>10-3-97</u>
	Calvin G. Schneider	Date
As to Lot 35	<u>Christina J. Schneider</u>	<u>10-3-97</u>
	Christina J. Schneider	Date
As to Lot 36	<u>Jeffrey J. Schneider</u>	<u>10/3/97</u>
	Jeffrey J. Schneider	Date
As to Lot 37	<u>Michael P. Watt</u>	<u>10-2-97</u>
	Michael P. Watt	Date
As to Lot 37	<u>Angela K. Watt</u>	<u>10/2/97</u>
	Angela K. Watt	Date
As to Lot 39	<u>Wesley K. Newland</u>	<u>10/2/97</u>
	Wesley K. Newland	Date
As to Lot 39	<u>Alice K. Newland</u>	<u>10/2/97</u>
	Alice K. Newland	Date
As to Lot 39b	<u>Carolyn L. Schneider</u>	<u>10/3/97</u>
	Carolyn L. Schneider	Date
As to Lot 40	<u>Richard D. Brorein</u>	<u>10/2/97</u>
	Richard D. Brorein	Date
As to Lot 40	<u>Eileen M. Brorein</u>	<u>10/2/97</u>
	Eileen M. Brorein	Date
As to all other lots not numbered above	<u>Gary L. Binkley</u>	<u>10-2-97</u>
	Gary L. Binkley	Date
As to all other lots not numbered above	<u>Darlene M. Binkley</u>	<u>10-8-97</u>
	Darlene M. Binkley	Date
As to Lot 25	<u>Barb A. Email</u>	<u>10-8-97</u>
	Barb A. Email	Date

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Wilderness Trails Encroachment Waiver
Signatures

VOL 305 PAGE 0051

As to Lot 8	<u>Richard J. Naylor</u>	<u>10-6-87</u>
	Richard J. Naylor	Date
As to Lot 14	<u>Eugene Warnecke</u>	<u>10-6-87</u>
	Eugene Warnecke	Date
As to Lot 14	<u>Marciel Warnecke</u>	<u>10-2-97</u>
	Marciel Warnecke	Date
As to Lot 14	<u>Twila A. Poe</u>	<u>10-2-97</u>
	Twila A. Poe	Date
As to Lot 17	<u>James L. Becker</u>	<u>10-2-87</u>
	James L. Becker	Date
As to Lot 19	<u>Robert G. Ritchie</u>	<u>10-2-87</u>
	Robert G. Ritchie	Date
As to Lot 19	<u>Sharon Ritchie</u>	<u>10-2-87</u>
	Sharon Ritchie	Date
As to Lot 21	BY <u>Michael A. Steiner</u>	<u>10-3-97</u>
	Lima Lumber Rentals Partnership	Date
As to Lot 22 and 23	<u>Dale N. Kohlrieser</u>	<u>10-2-97</u>
	Dale N. Kohlrieser	Date
As to Lot 22 and 23	<u>Nancy D. Kohlrieser</u>	<u>10-2-97</u>
	Nancy D. Kohlrieser	Date
As to Lot 24	<u>Daniel L. Stinebaugh</u>	<u>10-2-97</u>
	Daniel L. Stinebaugh	Date
As to Lot 24	<u>Tammy C. Stinebaugh</u>	<u>10-2-97</u>
	Tammy C. Stinebaugh	Date
As to Lot 26	<u>James W. Smith</u>	<u>10-2-97</u>
	James W. Smith	Date
As to Lot 26	<u>Barbara A. Smith</u>	<u>10-2-97</u>
	Barbara A. Smith	Date
As to Lot 28	<u>Harold W. Thiedt</u>	<u>10-2-97</u>
	Harold W. Thiedt	Date
As to Lot 38	<u>Patricia A. Shofer</u>	<u>10-2-97</u>
	Patricia A. Shofer	Date
As to Lot 38	<u>Patricia A. Shofer</u>	<u>10-2-97</u>
	Patricia A. Shofer	Date

Wilderness Trails Encroachment Waiver
Signatures

VOL 305 PAGE 0052

As to Lot 8	<u>Richard J. Naylor</u>	<u>10-2-97</u>
	Richard J. Naylor	Date
As to Lot 14	<u>Eugene Warnecke</u>	<u>10-2-97</u>
	Eugene Warnecke	Date
As to Lot 14	<u>Marciel Warnecke</u>	<u>10-2-97</u>
	Marciel Warnecke	Date
As to Lot 14	<u>Twila A. Poe</u>	<u>10-2-97</u>
	Twila A. Poe	Date
As to Lot 17	<u>James L. Becker</u>	<u>10-2-87</u>
	James L. Becker	Date
As to Lot 19	<u>Robert G. Ritchie</u>	<u>10-2-87</u>
	Robert G. Ritchie	Date
As to Lot 19	<u>Sharon Ritchie</u>	<u>10-2-87</u>
	Sharon Ritchie	Date
As to Lot 21	BY <u>Lima Lumber Rentals Partnership</u>	<u>10-2-97</u>
	Lima Lumber Rentals Partnership	Date
As to Lot 22 and 23	<u>Dale N. Kohlrieser</u>	<u>10-2-97</u>
	Dale N. Kohlrieser	Date
As to Lot 22 and 23	<u>Nancy D. Kohlrieser</u>	<u>10-2-97</u>
	Nancy D. Kohlrieser	Date
As to Lot 24	<u>Daniel L. Stinebaugh</u>	<u>10-3-97</u>
	Daniel L. Stinebaugh	Date
As to Lot 24	<u>Tammy C. Stinebaugh</u>	<u>10-3-97</u>
	Tammy C. Stinebaugh	Date
As to Lot 26	<u>James W. Smith</u>	<u>10-2-97</u>
	James W. Smith	Date
As to Lot 26	<u>Barbara A. Smith</u>	<u>10-2-97</u>
	Barbara A. Smith	Date
As to Lot 28	<u>Harold W. Thiedt</u>	<u>10-3-97</u>
	Harold W. Thiedt	Date
As to Lot 38	<u>Patricia A. Shofer</u>	<u>10-2-97</u>
	Patricia A. Shofer	Date
As to Lot 38	<u>Patricia A. Shofer</u>	<u>10-2-97</u>
	Patricia A. Shofer	Date
As to Lot 38	<u>William T. Shofer</u>	<u>10-2-97</u>
	William T. Shofer	Date

WILDERNESS TRAILS SUBDIVISION No. 1

PART OF THE S.E. 1/4, S.W. 1/4, SECTION 20, T-5-S,
R-6-E, DUCHOUQUET TOWNSHIP, CITY OF
WAPAKONETA, AUGLAIZE COUNTY, OHIO.

1
2

Existing Zoning: R-2

LEGEND:

- (X) ~ Curve Data location designation. See sheet 2 for table.
- (1) ~ 15' Utility Easement
- (2) ~ 10' Utility Easement
- XX ~ Lot Number
- A ~ Capped 5/8" rebar set

LOT AREA			
LOT NO.	AREA Sq. Ft.	LOT NO.	AREA Sq. Ft.
6	12,762.	20	17,147.
7	17,149.	21	13,967.
8	26,580.	22	10,961.
9	15,214.	23	24,218.
10	12,041.	24	49,927.
11	12,493.	25	24,227.
12	15,329.	26	10,831.
13	12,000.	27	9,297.
14	12,000.	28	11,484.
15	11,050.	29	18,052.
16	14,677.	37	12,976.
17	14,677.	38	16,731.
18	12,022.	39	15,134.
19	14,253.	40	16,093.



DESCRIPTION

Being a part of the southeast quarter of the Southwest quarter of Section 20, T-5-S, R-6-E, Duchouquet Township, Auglaize County, Ohio and more particularly described as follows:

Commencing at the southwest corner of said Southwest quarter of said Section 20; thence N 01°17'44" W with the west line of said Southwest quarter (also the centerline of State Route 501), 415.00 feet to a PK nail found at the intersection of said west line and centerline with the centerline of Redskin Trail; thence N 88°24'15" E with said centerline of Redskin Trail, 1,266.79 feet to a PK nail found at the P.T. of a curve to the right; thence S 85°56'07" E with a chord for said centerline curve, 129.18 feet to a PK nail and shinner set; thence N 36°32'46" E, 44.50 feet to a capped 5/8 inch rebar found on the north right-of-way line of said Redskin Trail and the PLACE OF BEGINNING thence continuing N 36°32'46" E, 368.79 feet to a capped 5/8 inch rebar found; thence N 01°16'01" W, 600.19 feet to a capped 5/8 inch rebar found on the north line of said southeast quarter of said Southwest quarter of said Section 20; thence N 88°27'51" E with said north line, 330.00 feet to a capped 5/8 inch rebar set; thence S 01°16'01" E, 438.71 feet to a capped 5/8 inch rebar set; thence S 58°46'26" E, 65.47 feet to a capped 5/8 inch rebar set; thence N 88°43'59" E, 274.77 feet to a capped 5/8 inch rebar set; thence S 01°16'01" E, 55.00 feet to a capped 5/8 inch rebar set; thence S 03°21'54" W, 213.91 feet to a capped 5/8 inch rebar set; thence S 01°35'45" E (passing through a capped 5/8 inch rebar set at 78.73 feet on the north right-of-way line of Cheyenne Crossing), 138.73 feet to a capped 5/8 inch rebar set on the south right-of-way line of said Cheyenne Crossing; thence S 88°24'15" W with said south right-of-way line, 33.95 feet to a point; thence continuing with said south right-of-way line on a tangent curve to the right having a radius of 265.02 feet an arc length of 20.32 feet to a capped 5/8 inch rebar set (chord for said curve being N 89°23'31" W, 20.31 feet); thence S 01°35'45" E, 135.78 feet to a capped 5/8 inch rebar set; thence S 88°24'15" W, 115.00 feet to a capped 5/8 inch rebar found; thence S 01°14'17" E, 151.18 feet to a capped 5/8 inch rebar found on the north right-of-way line of Redskin Trail; thence northwesterly with said north right-of-way line with a non-tangent curve to the right having a radius of 614.81 feet an arc length of 169.61 feet to the P.T. of said curve (chord for said curve being N 65°05'57" W, 169.08 feet); thence N 57°11'45" W continuing with said north right-of-way line, 267.20 feet to the P.C. of a curve; thence northwesterly continuing with said north right-of-way on a tangent curve to the left having a radius of 694.81 feet an arc length of 259.79 feet (chord for said curve being N 67°54'26" W, 258.28 feet) to the PLACE OF BEGINNING containing 13.016 acres more or less and subject to all legal easements of record.

DEDICATION

I the undersigned owner of the shown land, have caused the area encompassed by this plat to be surveyed, platted and to be known as
WILDERNESS TRAILS SUBDIVISION - No. 1,
and do hereby certify that said plat is a true representation of the same. I also dedicate the street right-of-ways and the utility easements as shown on the mentioned PLAT to the public for their use forever.

Signed this 28th day of February, 1996.

Witness
David L. Kallabauk
Gary L. Binkley - Owner and Developer
Darlene M. Binkley

ACKNOWLEDGEMENT

State of Ohio
County of Auglaize

Before me, a Notary Public in and for the County of Auglaize and the State of Ohio, personally appeared the above signed owner, who acknowledged that he signed the hereon plat and the signing thereof was his free act and deed.

IN WITNESS THEREOF, I have affixed my hand and seal this 28th day of February, 1996.

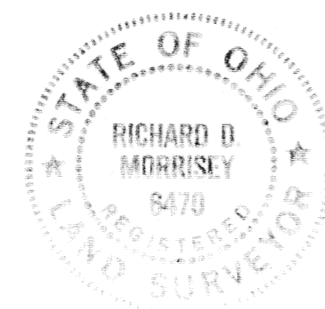
My commission expires
Dec. 31, 1996.

Notary Public - Auglaize County, Ohio.

SURVEYOR'S CERTIFICATION

I hereby certify that this plat is based on a true and accurate survey made under my direct supervision in March, 1994. A 5/8 inch rebar topped with a plastic Peramark cap stamped: KUCK & MORRISEY - LS 6470 will be placed at all lot corners within six (6) months of the recording of this PLAT.

Registered Surveyor, No. 6470 (Ohio)
KUCK AND MORRISEY, INC.



NOTE:

A five (5) foot easement shall be provided on each side of all interior lot lines for utility purpose, unless otherwise shown.

Unless otherwise shown a ten (10) foot easement shall be provided on the inside of all front 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 Director.

No direct vehicular access to Redskin Trail will be permitted from Lots No. 8, 9, 10, 11 or 12.