

zlosterman Zove

LEGAL DESCRIPTION

Being a part of the southeast quarter of Section 18, T-6-S, R-4-E, St. Marys Township, Auglaize County, Ohio as evidenced by Certificate of Transfer Official Record Volume 3, Page 789 and more particularly described as follows:

Commencing at a monument box (found) {GPS N-313098.42 E-1427959.42} at the South quarter corner of said Section 18 and the legal centerline of Schroeder Road: thence, with a bearing determined by the Auglaize County Global Positioning Survey along the West line of the southeast quarter and the legal centerline of Schroeder Road — N 01 degree 10' 52" E, for a distance of 890.44 feet to a p-k nail (found) {GPS N-314087.04, E-1427979.80} and the POINT OF BE-GINNING for the tract herein described;

thence. S 88 degrees 11' 21" E (passing the easterly right-of-way line of Schroeder Road at a distance of 20.00 feet) for a total distance of 21.19 feet to a 5/8" re-rod w/cap (set):

thence, with a non-tangent curve, which is concave to the northeast, having a radius of 25.00 feet, a chord which bears S 43 degrees 55' 01" E a chord which measures 35.43 feet, for a total arc length of 39.37 feet to a 5/8" re-rod w/cap (set);

thence, S 89 degrees 02' 14" E for a distance of 92.69 feet to a 5/8" re-rod w/cap (set);

thence, with a tangent curve which is concave to the north, having a radius of 156.13 feet, a chord which bears N 81 degrees 59' 16" E, a chord which measures 48.71 feet, for a total arc length of 48.91 feet to a 5/8" re-rod w/cap (set) on a point of reverse curve;

thence, with said tangent curve which is concave to the south, having a radius of 256.13 feet, a chord which bears N 81 degrees 59' 16" E, a chord which measures 79.91 feet, for a total arc length of 80.24 feet to a 5/8" re-rod w/cap (set);

thence, S 89 degrees 02' 14" E for a distance of 424.94 feet to a 5/8" re-rod w/cap (set);

thence, N 79 degrees 39' 55" E for a distance of 20.61 feet to a 5/8" re-rod w/cap (set);

thence, N 01 degree 10' 52" E (passing through a 5/8" re-rod set for reference at a distance of 85.89 feet) for a total distance of 140.83 feet to a point in a channel connected to Grand Lake:

thence, S 88 degrees 49' 44" E, within a portion of the aforesaid channel, for a distance of 189.02 feet to a point;

thence. S 00° 16' 20"E for a distance of 255.45 feet to a point; thence. S 00° 10′ 45″ W for a distance of 88.87 feet to a 5/8″ re-rod w/cap (set):

thence. N 89° 02' 14" W for a distance of 73.70 feet to a 5/8" re-rod w/cap (set);

thence, S 00' 57' 46" W for a distance of 50.00 feet to a 5/8" re-rod w/cap (set);

thence, N 89° 02' 14" W for a distance of 93.54 feet to a 5/8"

re-rod w/cap (set); thence, N 01 degree 10' 52" E for a distance of 60.00 feet to a 1" iron bar (found) at the northeast corner of what is referred to as Lot 16 of "HARMON'S PROPOSED SUBDIVISION":

thence, N 89 degrees 02' 14" W along the northerly line of the aforesaid Lot 16, for a distance of 30.00 feet to a 5/8" re-rod w/cap (set);

thence, N 01 degree 10' 52" E for a distance of 140.07 feet to the northeast corner of Lot 25 of the aforesaid "HARMON'S PROPOSED SUB-DIVISION" and a 5/8" re-rod w/cap (set)

thence, N 89 degrees 02' 14" W along the northerly line of Lots 25, 24, 23, 22, 21, 27 and 26 of the aforesaid "HARMON'S PROPOSED SUB-DIVISION", for a distance of 444.97 feet to a 5/8" re-rod w/cap (set);

thence, along a tangent curve which is concave to the south, having radius of 206.13 feet, a chord which bears S 81 degrees 59' 16" W, a chord which measures 64.31 feet, for a total arc length of 64.58 feet to a point of reverse curve and a 5/8" re-rod w/cap (set);

thence, along said tangent curve which is concave to the north, having a radius of 206.13 feet, a chord which bears S 81 degrees 59' 16" W. a chord which measures 64.31 feet, for a total arc length of 64.58 feet to a 5/8" re-rod w/cap (set);

thence, N 89 degrees 02' 14" W for a distance of 93.18 feet to a 5/8" re-rod w/cap (found):

thence, with a tanget curve which is concave to the southeast, having a radius of 25.00 feet, a chord which bears S 45 degrees 57' 14" W, a chord which measures 35.36 feet, for a total arc length of 39.28 feet to a 5/8" re-rod w/cap (found);

thence, N 88 degrees 49' 08" W (passing the easterly right-of-way line of Schroeder Road at a distance of 1.15 feet) for a total distance of 21.15 feet to a cotton gin spindle (set) on the west line of the southeast quarter and the legal centerline of Schroeder Road;

thence. N 01 degree 10' 52" E along the aforesaid West line and legal centerline, for a distance of 100.35 feet to the POINT OF BEGINNING, containing therein 2.479 acres, of which 0.045 acres is road right-of-way. Subject to all easements and right-of-way of record at the time of the recording of this instrument. Part of Parcel #K31-018-029-00.

I do hereby certify that I have surveyed the premises and prepared the attached plat and that said plat is correct.

James M. Kent, PS 6792 OH

COVENANTS AND RESTRICTIONS FOR KLOSTERMAN KOVE SUBDIVSION

The lots in Klosterman Kove are hereby subject to the following covenants and restrictions which shall run with the land when conveyed and shall be binding upon all owners, persons, firms or corporations claiming under them.

- 1. All lots in this Subdivision shall be used exclusively for residential purposes only, with the exception of homes with professional offices which conform to signage requirements, and the Zoning Regulations of St. Marys Township.
- 2. No sign of any kind shall be permitted, with the following exceptions:
 - a. A professional sign of not more than one (1) square foot;
 - b. One (1) sign of not more than five (5) square feet advertising the property for sale or rent;
 - c. Signs used by a builder to advertise during construction, not to exceed five (5) square feet in size;
 - Signs placed at the entrance and lakefront of the subdivision by the developer.
 - Road and traffic signs erected by any political subdivision or the subdivision itself:
 - f. Personal warning sign (such as No Trespassing, Beware of Dog, etc) of not more than one (1) square foot each.
- 3. No single family residential structure shall be erected on any building site. the habitable floor area of which, exclusive of basements, open porches and garage is less than 1000 square feet. No building, boat dock, or other structure shall be erected on any building site, unless the building plans, specifications, and plot showing the location of such building have been approved in writing as to conformity and harmony of external design and color with the existing structures in the Subdivision and as to the location of the building with reference to topography and finished ground elevation by the architectural committee appointed by Steve Klosterman, 5038 LakeVista Lane. Celing, OH 45822, or in the event of his death, the architectural committee will be appointed by the attorney representing his estate. After his estate has been closed, the architectural committee shall be designated by majority vote of the lot owners. Each lot owner shall be entitled to a total of one vote, regardless of the number of lots owned. In the event of both husband and wife own lots in the Subdivision, they shall be entitled to a total of one vote between them.
- 4. In the event such architectural committee fails to approve or disapprove said plans and specifications within thirty (30) days after same has been submitted in writing to the architectural committee for approval, then such approval shall not be required provided the design is in harmony with similar structures in the development and conforms to all of the other covenants. restrictions and conditions herein set forth.
- 5. No animal, livestock or poultry of any kind shall be raised, bred or kept on any lot, except household pets, provided they are not used for any commercial purpose.
- 6. No old buildings or structures shall be moved onto or upon any lot or premises in said Subdivision, nor shall any such building or structure be maintained thereon, and no temporary structure for residential purposes shall be erected or maintained thereon, and no garage trailer, tent, shack or uncompleted house shall be occupied or used for residential purposes.
- 7. All grounds and premises in said Subdivision shall be moved and kept reasonably clear of weeds and undergrowth by the owners thereof at all times prior to the start or commencing of the erection of any buildings, and thereafter all such grounds shall be maintained and kept up by the owners so as to conform to the beauty of the area in said Subdivision.
- 8. No fence shall be built between the street and building line as shown on the plat to a height of more than four (4) feet.
- 9. No oil or gas wells shall be drilled, nor shall any mining or commercial excavating operation of any kind be conducted on any building site.
- 10. All dwellings shall provide off-street parking for not less than two (2) motor vehicles per family.
- 11. Fuel oil tanks, if not buried, will not be allowed.
- 12. No used or salvaged material shall be used on the exterior of any dwelling.
- 13. The exterior of any building to be erected in this development shall be completed within a period of twelve (12) months from the beginning of construction.
- 14. Easements and right-of-ways as shown on the plat are expressly reserved in and over said lots for construction and maintenance of necessary utilities, drains,
- etc. Fasements as shown are to be used without incurring any liability to property owners for damage to sod.
- 15. No garbage, waste, or trash shall be dumped on any lot and all such garbage, waste or trash shall be kept in sanitary conditions until proper disposal is made
- 16. No noxious or offensive activity shall be carried out upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.
- 17. These covenants shall be enforceable by injunction and otherwise by the grantor, his successors or assigns. Should any on 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.

- 18. All telephone, electric or other wires of all kinds shall be buried under ground.
- 19. The lowest floor elevation of any structure shall be at least 876 feet above sea level.
- 20. The purpose of these covenants and restrictions are not to infringe on people's rights as individuals, but to protect lot owners investments and to make sure that the Klosterman Kove Subdivision will always be a safe and pleasant place to live.

DEVELOPER:

KLOSTERMAN DEVELOPMENT & HOME SALES, INC.

of two

DEDICATION

IN WITNESS WHEREOF, KLOSTERMAN DEVELOPMENT & HOME SALES, INC., the Dedicator, an Ohio corporation, by Steven R. Klosterman, its President duly authorized, hereby accepts this plat

ACKNOWLEDGEMENT

STATE OF OHIO COUNTY OF AUGLAIZE

BE IT REMEMBERED, that on this 14 day of ______, 1998, before me, a Notary Public in and for said state, personally came KLOSTERMAN DEV. & HOME SALES, INC. the owner of the heron plat by STEVEN R. KLOSTERMAN, its President, who acknowledged the signing thereof to be his voluntary act and deed as such officer and the voluntary act and deed of said corporation.

IN TESTIMONY WHEREOF. I have hereunto subscribed my name and affixed my seal on this day and year aforesaid.

We certify that the road construction plans meet with our approval this 17 day of Mag , 1998.

Notary Public 1-6-2000 Commission Expired

We certify that the roads and utilities are completed, or that bond or surety has been furnished this day ___, 1998.

County Commissioners

I certify that (improvements are complete, bond has been furnished or surety has been furnished) this 12 day of May, 1998.

Auglaize County Engineer

PLANNING COMMISSION APPROVAL Auglaize County Regional Planning Commission

AUDITOR'S CERTIFICATE This plat was filed for transfer this $\frac{q^{4}}{}$ day of $\frac{q}{}$ Fee: 43 20 Drumann & chumann umann, Co. Auditor 🗸 🗸

CORDER'S CERTIFICATE

Filed for record in the Auglaize County Recorder's Office on this 14 day of 1998 at 3.58 m. and recorded in Plat Cabinet

> AVGINEE COURSE IN THE COURSE OF AAR BILLIA PLOS Recorder WORKSHIP AT MESSAGE s u r v e y i n g

April 13, 1998

REVISED 5/7/98 REVISED 5/8/98

STATE OF OHIO, COUNTY OF AUGLAIZE, SS:

A STATE OF THE STA Now comes Steven R. Klosterman, individually, and as President of Klosterman Development Corporation, an Ohio Corporation, being first duly sworn according to law, and who deposes and states that he has personal knowledge of the facts contained in this Affidavit and further states as follows:

- 1. That he is the President of Klosterman Development Corporation.
- 2. That Klosterman Development Corporation is an Ohio Corporation.
- 3. That Klosterman Development Corporation is the record title owner of the property described in attached Exhibit "A", being incorporated herein by reference, by virtue of a Warranty Deed dated July 1, 1997 and filed for record July 3, 1997 in Official Record Vol. 297, Page 666, in the Office of the Recorder of Auglaize County, Ohio.
- 4. That the property as described on attached Exhibit "A" has been platted into Klosterman Kove, Phase One, as shown by a certain Plat recorded at Plat Cabinet "C", Slide 155-156, in the Office of the Recorder of Auglaize County, Ohio.
- 5. That the Dedication and Acknowledgment on said Plat recites that Klosterman Development & Home Sales, Inc. is the owner of said property.
- 6. That the reference to Klosterman Development & Home Sales, Inc. on said Plat was in error and that no such Corporation is in existence and that the correct name for the Corporation is "Klosterman Development Corporation."
- 7. That this Affidavit is given to correct the Dedication and Acknowledgment on said Plat in that Klosterman Development Corporation was, and still is, the owner of the property as platted and as described on attached Exhibit "A".

VOL 328 PAGE 0448 8. That Klosterman Development Corporation, an Ohio Corporation, as Dedicator of the aforementioned Plat does

hereby accept the Plat as depicted

Further Affiant saith naught

Sworn to before me and subscribed in my presence by the said Steven R. Klosterman this 1544 day

1998. Heather R. Staugler

Notary Public, State of Ohio My Commission Expires November 5, 2001

In Witness thereof, the undersigned has hereunto set its hand this 150 day of June, 1998.

Witness

Klosterman Development Corporation

By: Steven R. Klosterman Pres. Steven R. Klosterman, President

Heather R. Staugler State of Ohio,

County of Auglaize, ss:

Be it remembered, that on this day of June, 1998, before me, a Notary Public in and for said State, personally came Klosterman Development Corporation, the owner of the property described on attached Exhibit "A", by Steven R. Klosterman, its President, who acknowledged the signing thereof to be his voluntary act and deed as such officer and the voluntary act and deed of said Corporation.

In Testimony Whereof, I have hereunto subscribed my name this 154 day of June, 1998.

Heather R. Staugler Notary Public, State of Ohio My Commission Expires November 5, 2001

Instrument Prepared By:

Dennis P. Faller, Attorney at Law 105 S. Blackhoof Street P.O. Box 413 Wapakoneta, Ohio 45895-0413



ANN BILLINGS
AUGLAIZE CO. RECORDER 98 JUN 16 RECEIVED 05184 PM 12 **بـــا** ∞

LEGAL DESCRIPTION

Baing a part of the southcast quarter of Section 18, T-6-S, R-4-F, St. Marys Township, Augicize County, Ohio as evidenced by Certificate of Transfer Official Record Volume 3, Page 789 and more particularly described as follows:

Commencing at a monument box (found) [GI'S N~313098.42 E-1427959.42) of the South quarter corner of sald Section 18 and the legal centerline of Schroeder Road; thence, with a bearing determined by the Auglalze County Global Positioning Survey along the West line of the southeast quarter and the legal centerline of Schroeder Road — N 01 degree 10' 52" E, for a distance of 890.44 feet to a p-k nail (found) [GPS N~314087.04, E-1427979.80] and the POINT OF BE-GINNING for the tract herein described:

thence, S BB degrees 11' 21" E (passing the easterly right-of-way line of Schroeder Road at a distance of 20,00 feet) for a total distance of 21.19 feet to a 5/8" re-rod w/cap (set);

thence, with a non-tangent curve, which is concave to the northeast, having a radius of 25.00 feet, a chord which bears 5 43 degrees 55" 01" E a chord which measures 35.43 feet, for a total arc length of 39.37 feet to a 5/8" re-rod w/cap (set);

thence, S 89 degrees 02' 14" E for a distance of 92.69 feet to a 5/8" ra-rod w/cap (set);

thence, with a tangent curve which is concave to the north, having a radius of 156.13 lest, a chord which bears N 81 degrees 59' 16" E, a chord which measures 48.71 feet, for a total arc length of 48.91 feet to a 5/8" re-rod w/cap (set) on a point of reverse curve;

thence, with sold tangent curve which is concave to the south, having a radius of 256.13 feet, a chord which bears N B1 degrees 59' 18" E, a chord which measures 79.91 feet, for a total arc length of 80.24 feet to a 5/8" re-rod w/cap (set);

thence, S 89 degrees 02' 14" E for a distance of 424.94 feet to a 5/8" re-rod w/cop (set);

thence, N 78 degrees 39' 55" E for a distance of 20.61 feet to a 5/8" re-rod w/cop (set);

thence, N 01 degree 10' 52" E (passing through a 5/8" re-rod set for reference at a distance of 85.89 feet) for a total distance of 140.83 feet to a point in a channel connected to Grand Lake;

thence, S 88 degrees 49' 44" E, within a portion of the aforesald channel, for a distance of 189.02 feet to a point;

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thence, N 89' 02' 14" W for a distance of 93.54 feet to a 5/8"

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thence, 11 01 degree 10' 52" E for a distance of 60.00 feet to a 1" Iron bar (found) at the northeast corner of what is referred to as Lot 18 of "HARMON'S PROPOSED SUBDIVISION";

thence, 11 89 degrees 02' 14" W along the northerly line of the aforesald Lot 16, for a distance of 30.00 feet to a 5/8" re-rod w/cap

(set):
thence, N 01 degree 10' 52" E for a distance of 140.07 feet to the
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thence, N 88 degrees 49' OB" W (passing the easterly right—of—way line of Schroeder Road at a distance of 1.15 feet) for a total distance of 21.15 feet to a cotton glin spindle (sot) on the west line of the southeast quarter and the legal centerline of Schroader Read;

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I do hereby certify that I have surveyed the premises and prepared the allached plot and that sold plot is correct.

Jumper M. Kenl, PS 6792 OH

THIS CONVEYANCE HAS BEEN EXAMINED AND THE GRANTOR HAS COMPILED WITH SECTION 319.372 THE REVISED CODE

SHUMANN, COUNTY AUDITOR