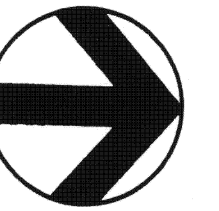


Rolling Hills Estates, 5th Addition

7.877 Acres situated in the Southeast Quarter of Section 33, Noble Township, Town-5-South, Range-4-East, and in the Northeast Quarter of Section 4, St. Mary's Township, Town-6-South, Range-4-East, County of Auglaize, City of St. Mary's, State of Ohio, and is also a part of Lots #8, #9, #14, and #15, of the former Bueler's Subdivision as Recorded in Plat Book 1, Page 180



Southwest Corner of the Southeast Quarter of Section 33, Noble Township (Southwest Corner Lot #12, former Bueler's Subdivision)

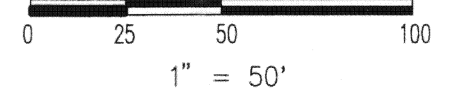
ROLLING HILLS LIMITED PARTNERSHIP II
DEED VOLUME OR 229, PAGE 369

ROLLING HILLS LIMITED PARTNERSHIP II
DEED VOLUME OR 229, PAGE 369

LEGEND

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

SCALE



ROLLING HILLS LIMITED PARTNERSHIP II
DEED VOLUME OR 229, PAGE 369

ROLLING HILLS ESTATES #4
PLAT CABINET C, SLIDES 171, 172, 173

ROLLING HILLS ESTATES #4
PLAT CABINET C, SLIDES 171, 172, 173

CURRENT ZONING

City of St. Mary's, Ohio
R-3 Zoning Designation

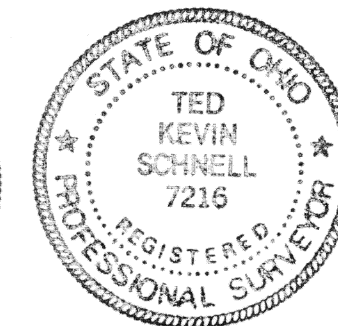
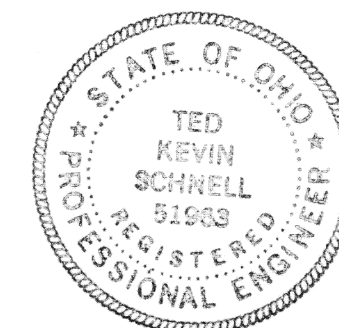
PROPERTY LINE CURVE TABLE

Arc #	Arc Length	Radius	Chord Dist	Chord Brng
(1)	19.51'	275'	19.51'	S. 86°-51'-10" E.
(2)	101.76'	275'	101.18'	S. 74°-13'-09" E.
(3)	97.39'	175'	96.14'	S. 79°-33'-40" E.
(4)	98.17'	175'	96.89'	N. 68°-23'-31" E.
(5)	139.69'	125'	132.53'	N. 84°-22'-05" W.
(6)	66.25'	325'	66.13'	N. 69°-27'-29" W.
(7)	14.11'	15'	13.60'	N. 48°-20'-55" W.
(8)	29.46'	15'	24.95'	S. 34°-51'-26" W.
(9)	49.71'	125'	49.39'	N. 10°-00'-26" W.
(10)	69.60'	175'	69.14'	S. 10°-00'-26" E.
(11)	26.61'	275'	26.60'	N. 01°-23'-10" W.
(12)	53.72'	275'	53.63'	N. 09°-45'-19" W.
(13)	59.96'	225'	59.78'	S. 06°-14'-54" E.
(14)	51.82'	35'	47.22'	N. 27°-03'-59" E.
(15)	52.24'	35'	47.53'	S. 56°-38'-41" E.
(16)	62.69'	283'	62.56'	S. 86°-56'-19" W.
(17)	90.14'	217'	89.49'	N. 81°-23'-03" E.

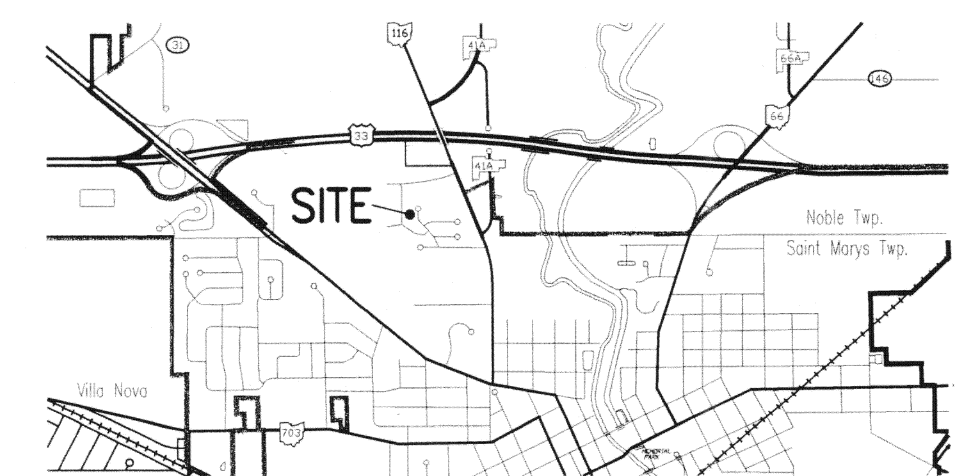
PREPARED BY:

Ted K. Schnell
Ted K. Schnell
Professional Engineer
Professional Surveyor

4-29-99
date



LOCATION PLAN



City of St. Mary's, Ohio

H & S Civil Engineers and Land Surveyors

913 Fieldstone Court Wapakoneta, Ohio 45895
Voice: (419) 738-4758 Email: hscivil@bright.net
Fax: (419) 739-7631

Rolling Hills Estates, 5th Addition

Restrictive Covenants

- (1) GENERAL: As a part of the general plan of development for the Rolling Hills Estates, 5th Addition, as a residential area, and for the benefit of the purchasers of any of the lots located within said subdivision, the herein described restrictions, covenants, and conditions, easements, and charges are for the common advantage of each and every lot and shall apply to and be binding upon the purchasers and successors in interest.
- (2) LAND USE: All lots shall be used for residential purposes and nothing shall be permitted on any premises in said subdivision which may become detrimental to a good neighbor. Current zoning is an R-3 district.
- (3) DWELLING SIZE: Any residential structure being erected on any building site is to have no less than 1,400 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 900 square feet.
- (4) PERMITS: All building permits are to be obtained from the City of St. Mary's. Permits for storm and sanitary sewer taps are also to be obtained from the City of St. Mary's.
- (5) BUILDING LOCATION: Building location shall conform to the minimum setback lines as shown on the Plat of the subdivision. Minimum building elevations are as shown on the Grading Plan of the construction plans of the subdivision.
- (6) CONSTRUCTION TIME: Any house being constructed in said subdivision is to be completed within 6 months from the date of the beginning of construction. The same applies to any house additions that may occur at a later date. All houses shall be landscaped within 6 months from the date of their completion. All lawns and yards are to have a finished grade and are to be seeded within 6 months from the date of the house construction completion.
- (7) SIGNS: No signs of any kind shall be displayed to the public view on any lot in the subdivision except for one sign of not more than 6 square feet in total area for the purpose of advertising the property for sale or rent, or signs by the builder to advertise the property during actual construction and sale period.
- (8) EASEMENTS: Easements are reserved as shown on the attached Plat of the subdivision for the installation and maintenance of public utilities, water, sanitary sewer and and storm-water drainage facilities.
- (9) ARCHITECTURAL CONTROL: All proposed building plans and specifications, as well as a site plan including landscaping, shall be submitted to the developer, ROLLING HILLS LIMITED PARTNERSHIP II, its successors and assigns, for approval prior to the start of construction or installation. All said plans and specifications shall be delivered to the developer at the business address of 1865 Celina Road, St. Mary's, Ohio. Refusal to approve such plans may be based on any grounds, including purely aesthetic grounds. Modular construction shall be permitted in this phase of development. In the event that the developer fails to approve or disapprove said plans and specifications within fifteen (15) days from the date they are received, 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.
- (10) FENCES: No fence shall be constructed or allowed to remain nearer the street than the minimum building setback line. All fencing must be of attractive and durable materials. No barbed wire, field fencing, poultry wire, or any other similar type(s) of material may be used. Refer to the City of St. Mary's zoning regulations for additional information.
- (11) NUISANCES: No hunting, noxious, or offensive activities shall be carried on upon any residential lot, nor shall anything be done thereon which may become an annoyance to the neighborhood. Recreational vehicles shall not be used for a living quarters. Outside storage of any recreational vehicle, camper, or boat shall be in accordance with the City of St. Mary's zoning regulations.
- (12) LOT MAINTENANCE: All grounds and premises in said subdivision shall be mowed and kept reasonably free of noxious weeds and undergrowth by the owners thereof at all times prior, during and after the construction and erection of any building or structure. Thereafter the completion of installation of lawns and landscaping, all such grounds shall be maintained by the owners so as to conform to the beauty of the area in the subdivision.
- (13) TEMPORARY STRUCTURES: No structure of any temporary character, trailer, basement, tent, shack, barn, garage, or any other out-building shall be used except during periods of construction of the house.
- (14) GARAGES AND DRIVEWAYS: All residences are to have at least a two car attached garage with a pedestrian door in addition to the overhead garage door(s). All driveways are to be paved or poured with a hard wearing surface such as asphalt, concrete, brick, or similar type of material within one year from the date of construction completion of said residence. Gravel and stone driveway surfaces are not considered to be a hard wearing surface by the developer and are not permitted except for use during construction of any dwelling or within one year from the date of construction completion of the residence.
- (15) LIVESTOCK AND POULTRY: No animals, bees livestock, or poultry of any kind shall be raised, bred, or kept on any lot in the subdivision with the exception of domestic dogs, cats, or any other household pet, provided they are housed within the structure, kept intact within the owners property line, and not kept, bred, or maintained for commercial purposes.
- (16) GARBAGE AND REFUSE DISPOSAL: 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 visible or seen by others, except for the days of the regular scheduled garbage pick-up. No lot shall be used or maintained as a dumping ground for rubbish, trash, building materials, garbage, or any other type of refuse material whatsoever.
- (17) STORM SEWER: A storm sewer tap has been provided for each lot in the subdivision (see construction plans on file with the City of St. Mary's Engineer's Office) for the purpose of providing drainage for sump pumps, foundation drains, basement drains, or crawl space drains. All roof water drained by downspouts and gutters shall be kept out of the storm sewer system, and is to be surface drained onto the lots unless otherwise approved by the City of St. Mary's Engineering Department. See Restriction (3) regarding storm sewer tap permit.
- (18) SANITARY SEWER: A sanitary sewer tap has been provided for each lot in the subdivision (see construction plans on file with the City of St. Mary's Engineer's Office) for the purpose of providing sanitary sewerage disposal to each and every lot in the subdivision. All "clean water" connections to the sanitary sewer system is strictly prohibited. See Restriction (3) regarding sanitary sewer permit.
- (19) SIDEWALKS: All lots in the subdivision shall install concrete sidewalks according to the specifications, codes, and requirements of the City of St. Mary's within 30 days after occupancy of the house.
- (20) DRAINAGE SWALES: Each and every lot in the subdivision shall finish grade their lot to provide surface water drainage to defined drainage swales located at the sides and rear of all lots as shown on the Grading Plan of the subdivision construction plans. In most cases, all drainage swales shall be graded to drain either to the street, or to a drainage swale to be incorporated into the rear of all lots.
- (21) UTILITIES: All utility services to each and every lot shall be located underground at the lot owners expense. The City of St. Mary's reserves the right to provide public utilities in designated utility easements located within the subdivision above ground, except on or along side yard easements, in which case, the utilities must be located under ground. Each and every lot in the subdivision shall be subject to a 6 foot side yard utility easement for the purpose of providing utility services to each lot, and/or for providing power for street lighting purposes.
- (22) ENFORCEMENT: Enforcement of the above restrictions, covenants, and conditions shall be proceedings at law, or in equity against any person or persons violating or attempting to violate any restriction either to restrain violation, or to recover damages. Should any one or more of the foregoing restrictions, 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 restrictions, covenants, or conditions, all of which shall remain in force and effect.
- (23) The forementioned restrictions, covenants, and conditions are in addition to any applicable City of St. Mary's building and zoning regulations.

Rolling Hills Estates, 5th Addition

DEDICATION

We, the undersigned owner(s) of the land herein shown on the attached plat of land have caused said described area to be surveyed, platted, and recorded to be known as ROLLING HILLS ESTATES, 5TH ADDITION, and do hereby certify that said plat is a true representation of the same. We also do hereby dedicate the street right-of-ways and utility easements as shown on the attached plat to the public for their use forever. Also, the Area as shown on the accompanying plat shall be dedicated to the City for the purposes of a public recreation area and park forever, of which, contains a total of 34,780 square feet of land.

ROLLING HILLS LIMITED PARTNERSHIP II

Steven Katterheinrich
Steven Katterheinrich
Rolling Hills Limited Partnership II

5-11-99
date

Steve C. Opperman
Witness

5-11-99
date

John Duncan
Witness

5-11-99
date

ACKNOWLEDGEMENT

STATE OF OHIO

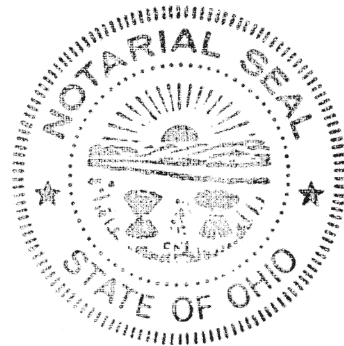
COUNTY OF AUGLAIZE

Before me, a Notary Public in and for the State of Ohio, County of Auglaize, personally appeared Steven Katterheinrich, representing ROLLING HILLS LIMITED PARTNERSHIP II and acknowledged the signing of the foregoing instrument to be their free act and deed.

IN WITNESS THEREOF, I have affixed my hand and seal on this 11th day of

May, 1999.

Steve C. Opperman
Notary Public
Steven C. Opperman
Notary Public, State of Ohio
My Commission Expires June 29, 1999



RECORDER'S CERTIFICATE

NUMBER: 04184

This Plat and attached Covenant of Restrictions was filed for permanent record in the Auglaize

County Recorder's Office on this 12 day of May, 1999,

at 9: 15 am/pm, and is now permanently recorded in PLAT CABINET C,

SLIDE(S) 188-190

Ann Billings
Ann Billings
Auglaize County Recorder

5/12/99
date

CERTIFICATE OF ACCEPTANCE

I do hereby certify that the public improvements are constructed in accordance with ORDINANCE #1902 for the ROLLING HILLS ESTATES, 5TH ADDITION to the City of St. Mary's, Ohio, and do hereby certify and accept the said improvements on behalf of the public.

Mike Weadock
Mike Weadock
Director of Public Service and Safety

5-11-99
date

PLANNING COMMISSION APPROVAL

The Planning Commission for the City of St. Mary's, Ohio, does hereby certify that the attached Plat for the land encompassing the area to be known as ROLLING HILLS ESTATES, 5TH ADDITION, was approved by said Planning Commission on the 20th day of APRIL, 1999.

Henry L. Weadock
secretary

5-11-99
date

AUDITOR'S CERTIFICATE

This Plat and attached Covenant of Restrictions was filed for transfer on this 12th day of May, 1999.

FEE: _____

Karyn Schumann
Karyn Schumann
Auglaize County Auditor

5-12-99
date

LEGAL DESCRIPTION

The following described parcel of land is situated in the Southeast Quarter of Section 33, Noble Township, Town-5-South, Range-4-East, and in the Northeast Quarter of Section 4, St. Mary's Township, Town-6-South, Range-4-East, County of Auglaize, City of St. Mary's, State of Ohio, and is also a part of the former Lots #8, #9, #14 and #15 of the former Bueler's Subdivision as Recorded in Plat Book 1, Page 180, Auglaize County Recorder's Office, and is more particularly described as follows:

Commencing for reference at an iron pin (found) at the Southwest Corner of the Southeast Quarter of said Section 33, Noble Township, same being the Southwest corner of the former Lot #12 of said Bueler's Subdivision;

Thence with a bearing of S. 88°-53'-08" E. along the South line of the Southeast Quarter of said Section 33, Noble Township, and along the South line of the former Lots #12, #13, and #14 of said Bueler's Subdivision, for a distance 986.23 feet to a Concrete Monument (set), and the PLACE OF BEGINNING for the land herein described as ROLLING HILLS ESTATES, 5TH ADDITION;

Thence with a bearing of N. 01°-23'-10" E. for a distance of 178.73 feet to a Concrete Monument (set) on the Northerly R/W line of Woodridge Drive;

Thence with a bearing of S. 88°-53'-08" E. along the Northerly R/W line of Woodridge Drive for a distance of 7.41 feet to an iron pin (set);

Thence with a bearing of N. 01°-25'-31" E. for a distance of 577.28 feet to a Concrete Monument (set) on the Northerly R/W line of Stoneybrook Drive;

Thence with a bearing of S. 86°-42'-56" E. along the Northerly R/W line of Stoneybrook Drive for a distance of 28.70 feet to an iron pin (set);

Thence continuing along the Northerly R/W line of Stoneybrook Drive with a curve to the left for an arc length of 90.14 feet to an iron pin (set), said curve to the left having the following data: Radius (R) = 217.00 feet, Chord Length (LCh) = 89.49 feet bearing N. 81°-23'-03" E.;

Thence continuing along the Northerly R/W line of Stoneybrook Drive with a bearing of N. 69°-29'-02" E. for a distance of 92.97 feet to an iron pin (found);

Thence with a bearing of S. 20°-30'-58" E. for a distance of 66.00 feet to an iron pin (found), located on the Southerly R/W line of Stoneybrook Drive;

Thence with a bearing of N. 69°-29'-02" E. along the Southerly R/W line of Stoneybrook Drive, for a distance of 64.39 feet to a Concrete Monument (found);

Thence with a bearing S. 20°-30'-58" E. for a distance of 87.80 feet to a Concrete Monument (found);

Thence with a bearing S. 88°-42'-42" E. for a distance of 15.00 feet to a Concrete Monument (found);

Thence with a bearing of S. 01°-23'-10" W. along the Easterly line of the former Lot #15, Bueler's Subdivision, for a distance of 406.55 feet to a Concrete Monument (set);

Thence with a bearing of S. 57°-35'-44" E. along the centerline of an open ditch for a distance of 173.82 feet to a point;

Thence with a bearing of S. 36°-18'-48" E. along the centerline of an open ditch for a distance of 338.80 feet to a point;

Thence with a bearing of S. 78°-53'-33" W. along the centerline of an open ditch for a distance of 91.42 feet to a point;

Thence with a bearing of S. 78°-20'-00" W. along the centerline of an open ditch for a distance of 85.06 feet to a point;

Thence with a bearing of S. 81°-17'-59" W. along the centerline of an open ditch for a distance of 85.28 feet to a point;

Thence with a bearing of N. 88°-13'-04" W. along the centerline of an open ditch for a distance of 70.73 feet to a point;

Thence with a bearing of S. 65°-48'-03" W. along the centerline of an open ditch for a distance of 27.70 feet to a point;

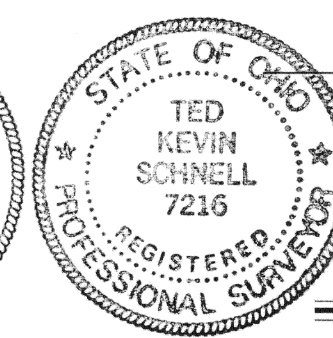
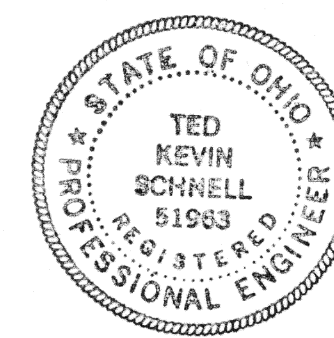
Thence with a bearing of N. 00°-19'-59" W. for a distance of 144.59 feet to a Concrete Monument (set)

Thence with a bearing of N. 88°-53'-08" W. along the South line of the Southeast Quarter of said Section 33, Noble Township, and along the South line of the former Lots #14, and #15 of said Bueler's Subdivision, for a distance 343.00 feet to a Concrete Monument (set), and the PLACE OF BEGINNING for the land herein described as ROLLING HILLS ESTATES, 5TH ADDITION;

CONTAINING IN ALL 7.877 ACRES OF LAND.

SURVEYOR'S CERTIFICATION

I do hereby certify that the accompanying Subdivision Plat and Legal Description is a true and accurate representation of the land encompassing the Rolling Hills Estates, 5th Addition, as surveyed by me. I do also certify that all lot corners and subdivision corners are monumented or will be monumented within 60 days of the Recording of this Subdivision Plat, and that all said corners are or will be set by me.



Ted K. Schnell
Ted K. Schnell
Professional Engineer
Professional Surveyor

4-29-99
date

H & S Civil Engineers and Land Surveyors

913 Fieldstone Court Wapakoneta, Ohio 45895
Voice: (419) 738-4758 Email: hscivil@bright.net
Fax: (419) 739-7631