

GeorgeTown Estates – Phase Two

DESCRIPTION

GEORGETOWN ESTATES, PHASE 2

Situated in and being a part of the Northwest Quarter of Section 33, Duchouquet, Town-5-South, Range-6-East Auglaize County, City of Wapakoneta, and State of Ohio

Commencing for reference at an Auglaize County Engineer's Monument Box situated at the Northeast Corner of the Northwest Quarter of Section 33, Duchouquet Township, Town-5-South, Range-6-East, Auglaize County, City of Wapakoneta, State of Ohio;

Thence with a bearing of N. 89°-07'-43" W. along the North line of said Northwest Quarter of Section 33, and the centerline of Middle Street, for a distance of 829.46 feet to a P.K. Nail/Shiner (set), and the PLACE OF BEGINNING;

Thence with a bearing of S. 01°-54'-52" W. along the West line of the Georgetown Estates, Phase One, for a distance of 1,267.21 feet to an iron pin (found) on the Northerly right-of-way line of Benton Street, and passing thru an iron pin (found) on the Southerly right-of-way line of Middle Street at 25.00 feet;

Thence with a bearing of N. 88°-02'-01" W. along the Northerly right-of-way line of Benton Street for a distance of 297.21 feet to an iron pin (set);

Thence with a bearing of N. 01°-59'-42" E. for a distance of 1,261.57 feet to a Railroad Spike (found), and passing thru an iron pin (set) on the Southerly right-of-way line of Middle Street at 1,236.57 feet;

Thence with a bearing of S. 89°-07'-43" E. along the North line of said Northwest Quarter of Section 33, and the centerline of Middle Street, for a distance of 295.49 feet to a P.K. Nail/Shiner (set), and the PLACE OF BEGINNING.

CONTAINING IN ALL 8.6012 ACRES OF LAND

DEDICATION

We, the undersigned owners 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 GEORGETOWN ESTATES PHASE 2, 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.

Schaub Hoying, Inc.  
An Ohio Corporation

Thomas B. Hoying 7-13-99  
Thomas B. Hoying (president) date

Lucille M. Hoying 7-13-99  
Lucille M. Hoying (secretary, treasurer) date

Deborah Q. Cant 7-13-99  
Witness date

Lisa A. Braun 7-13-99  
Witness date

CERTIFICATE OF ACCEPTANCE

I do hereby certify that the public improvements are constructed in accordance with the plans, profiles, and specifications of the GEORGETOWN ESTATES, PHASE 2, or that surety of an amount sufficient to complete the public improvements has been submitted to the City of Wapakoneta, Ohio, and accept the said improvements on behalf of the public.

Rex A. Katterheinrich 7/12/99  
Rex Katterheinrich date  
Director of Public Service and Safety

PLANNING COMMISSION APPROVAL

The Planning Commission for the City of Wapakoneta, Ohio does hereby certify that the attached Plat for the land encompassing the area to be known as GEORGETOWN ESTATES PHASE 2, was approved by said Planning Commission on the 28th day of JUNE, 1999.

Robert K. Henderson 6/28/99  
president of commission date  
Wayne A. Ford 6-28-99  
secretary VICE-CHAIRMAN 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 Thomas B. Hoying (president) and Lucille M. Hoying (secretary, treasurer), representing Schaub Hoying, Inc., being the developers of the GEORGETOWN ESTATES, PHASE 2, 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 13 day of July, 1999.

Lisa A. Braun  
Notary Public



RECORDER'S CERTIFICATE

6091

This Plat and attached Covenant of Restrictions was filed for permanent record in the Auglaize County Recorder's Office on this 14th day of July, 1999, at 8:49 am/pm, and is now permanently recorded in PLAT CABINET C, SLIDE(S) 192-194.

AUGLAIZE COUNTY RECORDER  
201 S. WILLIPIE ST.  
WAPAKONETA, OH 45895  
Auglaize County Recorder

7-14-99  
date

AUDITOR'S CERTIFICATE

This Plat and attached Covenant of Restrictions was filed for transfer on this 14th day of July, 1999.  
FEE: \_\_\_\_\_

Karyn Schumann 7-14-99  
Karyn Schumann R.R. date  
Auglaize County Auditor

SURVEYOR'S CERTIFICATION

I, Ted K. Schnell, being a Licensed Professional Engineer (Registration # 51,963), and a Licensd Professional Surveyor (Registration # 7,216), in the State of Ohio, do hereby certify that :

- (1) All lot dimensions, distances, and bearings, as shown on the accompanying Subdivision Plat of the GEORGETOWN ESTATES, PHASE 2, are correct, to the best of my abilities
- (2) All lot corners as shown on the accompanying Subdivision Plat of the GEORGETOWN ESTATES, PHASE 2, being set by me were done in accordance within the minimum standards as required under Section 4733-37 of the Ohio Administrative Code.

Ted K. Schnell 6-25-99  
Ted K. Schnell 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

# GeorgeTown Estates – Phase Two

## Restrictive Covenants

(1) GENERAL: As a part of the general plan of development for the GeorgeTown Estates, Phase 2, and for the benefit of the purchasers, deed and/or title bearer, 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: Lots #16 thru #37 inclusive shall be used for residential purposes and nothing shall be permitted on any of said premises within the subdivision which may become detrimental to a good neighbor. Current zoning for these particular lots is a City of Wapakoneta PUD zoned district. Lots #14, #15, #38, and #39 is zoned as a City of Wapakoneta B-2 zoned district.

(3) DWELLING SIZE: The living space above grade for a one-story dwelling exclusive of open porches, and garages erected upon said described lots shall not be less than 1,500 total square feet, and not more than 2,400 total square feet, both total square footages applying to dwellings only, and does not apply to commercial developed lots.

(4) PERMITS: All building permits are to be obtained from the City of Wapakoneta. Permits for storm and sanitary sewer taps are also to be obtained from the City of Wapakoneta, if applicable.

(5) BUILDING LOCATION AND ELEVATION: 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 subdivision construction plans.

(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, TOWERS, AND ANTENNAS: 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 by the builder to advertise the property during actual construction and sale period, except for the platted area which is designated as a B-2 district, in which case the sign shall not be more than 80 square feet, or as permitted by the City of Wapakoneta. No radio or television antenna, or any other type of receiver or dish shall be installed on any lot.

(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 storm-water drainage facilities, both present and future.

(9) ARCHITECTURAL CONTROL: All proposed building plans and specifications, as well as a site plan including landscaping, shall be submitted to the developer, SCHAUB HOYING, INC., THOMAS B. HOYING, president, and LUCILLE M. HOYING, secretary/treasurer, its successors and assigns, for approval prior to the start of construction or installation. All said plans and specifications shall be delivered in person to said develop(s) for thier review. Refusal to approve such plans may be based on any grounds, including purely aesthetic grounds. Approved 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 thirty (30) 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 erected on any residential lot within the subdivision without the express written approval of the Developer or it's assignee. Any written application to erect a fence shall show its location, size, height, and type of material to be used. All approved fencing shall be properly maintained forever.

(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 Wapakoneta zoning regulations. On-Street parking of any vehicles will be not be permitted on a frequent basis by any lot owner.

(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) OUT-BUILDINGS AND/OR STORAGE SHEDS: No structure of any permanent character, trailer, basement, tent, shack, barn, garage, shed, or any other out-building shall be erected 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 simular type of material within one month from the dtae 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 month 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 Wapakoneta 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 apporved by the City of Wapakoneta Engineering Department. See Restriction (4) 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 Wapakoneta Engineer's Office) for the purpose of providing sanitary sewerage disposal to to each and every lot in the subdivision. All "clean water" connections to the sanitary sewer systsem is strictly prohibited. See Restriction (4) 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 Wapakoneta 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. No owner of any Lot shall interfere or cause to interfere with the designed flow surface water through drainage swales or drainage catch basins installed as a part of the subdivision development.

(21) UTILITIES: All utility services to each and every lot shall be located underground at the lot owners expense. The City of Wapakoneta 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 3 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 Wapakoneta building and zoning regulations.

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

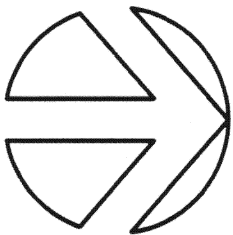


GeorgeTown Estates  
Phase 2

Situated in the Northwest Quarter of Section 33, Duchouquet Township,  
Town-5-South, Range-6-East, County of Auglaize, City of Wapakoneta, State of Ohio  
Containing 8.6012 Acres of Land

LEGEND

- Iron Pin (set)
- Iron Pin (found)
- △ P.K. Nail/Shiner (set)
- ▲ Railroad Spike (found)
- Auglaize County Monument Box



DEDICATOR:  
Schaub Hoying, Inc.  
Thomas B. & Lucille M. Hoying  
16291 North Dixie C.R. 25A  
Wapakoneta, Ohio 45895

ACREAGE  
DEDICATION

Total Platted Area  
8.6012 Acres

Total Platted in Lots  
7.0045 Acres

Total Dedicated Street  
1.5967 Acres

REFERENCES:

Deed Volume OR 245  
Page 0937

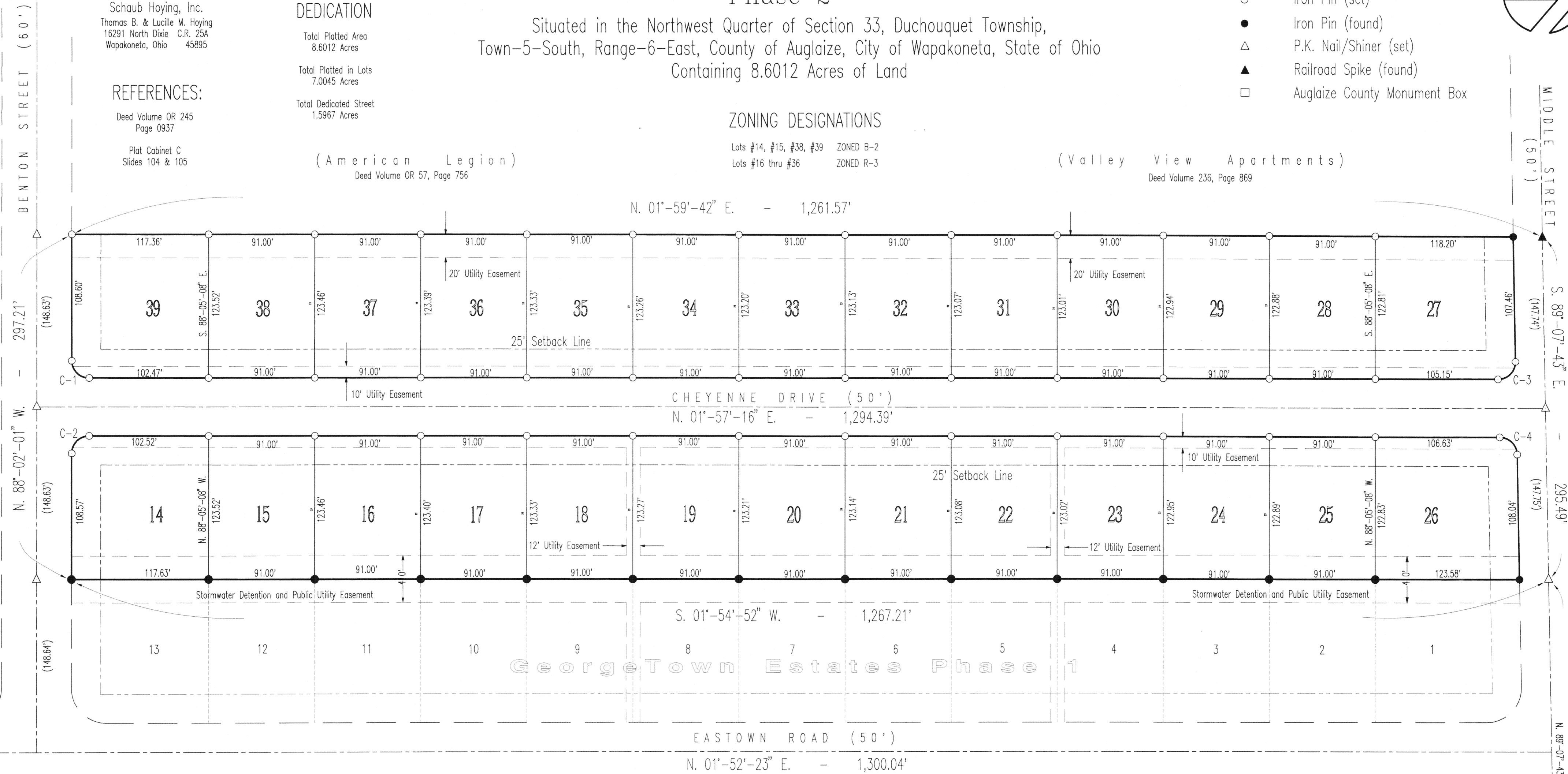
Plat Cabinet C  
Slides 104 & 105

( American Legion )  
Deed Volume OR 57, Page 756

ZONING DESIGNATIONS

Lots #14, #15, #38, #39 ZONED B-2  
Lots #16 thru #36 ZONED R-3

( Valley View Apartments )  
Deed Volume 236, Page 869



LOT #	AREA	LOT #	AREA
14	14,476 sq.ft.	27	14,598 sq.ft.
15	11,238 sq.ft.	28	11,179 sq.ft.
16	11,232 sq.ft.	29	11,185 sq.ft.
17	11,226 sq.ft.	30	11,191 sq.ft.
18	11,220 sq.ft.	31	11,196 sq.ft.
19	11,215 sq.ft.	32	11,202 sq.ft.
20	11,209 sq.ft.	33	11,208 sq.ft.
21	11,203 sq.ft.	34	11,214 sq.ft.
22	11,197 sq.ft.	35	11,220 sq.ft.
23	11,192 sq.ft.	36	11,226 sq.ft.
24	11,186 sq.ft.	37	11,232 sq.ft.
25	11,180 sq.ft.	38	11,238 sq.ft.
26	14,991 sq.ft.	39	14,460 sq.ft.

GENERAL NOTES

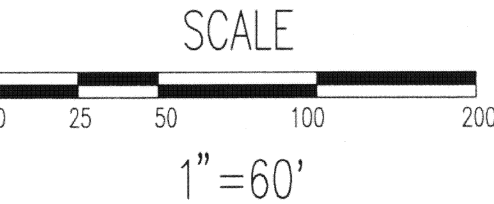
The subject property as shown is not located within the confines of a Flood Hazard Area, as per F.I.R.M. #390023, Panel #0105 C as published by the Federal Emergency Management Agency, effective date of map being September 6, 1989.

A 3 foot wide utility easement area is reserved on every interior side lot line for the purposes of maintenance and installation of public utilities.

Sidewalks shall be installed by the owner of each corresponding lot in compliance with the attached restrictive covenants for this subdivision, in accordance with the City of Wapakoneta standards for sidewalk installation and regulations.

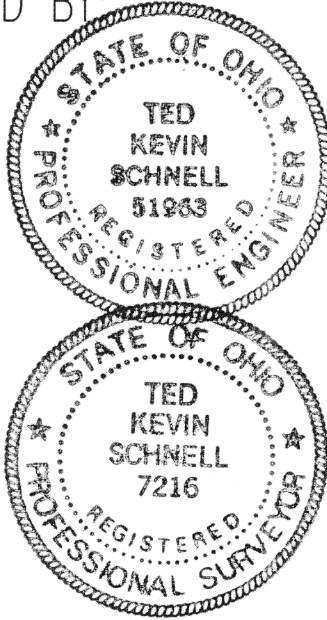
CURVE TABLE

Curve #	Radius	Arc Length	Chord Length	Chord Bearing
C-1	15'	23.57'	21.22'	N. 46°-57'-37" E.
C-2	15'	23.54'	21.21'	N. 43°-02'-23" W.
C-3	15'	23.85'	21.41'	N. 43°-35'-14" W.
C-4	15'	23.28'	21.01'	N. 46°-24'-47" E.



PREPARED BY:

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



6-25-99  
date

H & S Civil Engineers and Land Surveyors

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MIDDLE STREET (50')  
S. 89°-07'-43" E. (147.75')  
295.49'  
N. 89°-07'-43" W. 829.46'  
Section 33  
Duchouquet Twp.

