

LAKELAND SUBDIVISION

Re-Plat of Lots 565, 566, 567, 568 & 569

Part of the Northwest guarter of Section 30. T-5-S, R-6-E, Duchouquet Township, (Pt. Duchouquet Reserve). City of Wapakoneta, Auglaize County, Ohio. Overall legal description for Lakeland Subdivision

Beginning at a re-rod (found) at the Northeast corner of Lot # 427 of Grandview Estates No. 6-A;

thence S 62° 48' 28" E, along the boundary line of said Grandview Estates No. 6-A, for a distance of 299.52 feet to an iron pipe (found):

thence S 89° 46' 08" E, continuing along said boundary, for a distance of 351.95 feet to an iron pipe (found):

thence S 83° 17' 14" E, continuing along said boundary, for a distance of 341.86 feet to an iron pipe (found) on the westerly line of Grandview Estates No. 5.:

thence S 00° 27' 49" E, along said westerly line of Grandview Estates No. 5, for a distance of 456.10 feet to a re-rod (found):

thence N 75° 26' 07" W, for a distance of 199.52 feet to a 5/8" re-rod w/cap (found);

thence N 00° 21' 09" W. for a distance of 100.05 feet to a 5/8" re-rod w/cap (set):

thence N 75° 51' 52" W, for a distance of 213.88 feet to a 5/8" re-rod w/cap (set)

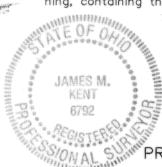
thence S 83° 58' 34" W for a distance of 154.71 feet to a 5/8" re-rod w/cap (found);

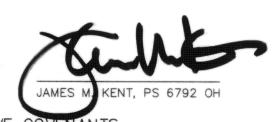
thence with a tangent curve, concave to the North, having a radius of 954.93 feet and a chord which bears N 78° 45' 22" W and measures 566.92 feet, for a total arc distance of 575.58 feet to a re-rod (found) on the easterly line of Grandview Estates No. 6-A;

thence N 24° 28' 25" E, along the easterly line of Lot 428 and passing through a re-rod found on the the southerly right-of-way line of Carnation Drive at a distance of 132.08 feet, for a total distance of 182.08 feet to a re-rod (found) on the northerly right-of-way line of said Carnation Drive;

thence along said right-of-way, on a curve which is concave to the North, having a radius of 979.25 feet and a chord which bears N 65' 31' 13" W and measures 9.52 feet, for a total arc distance of 9.52 feet to a re-rod

thence N 26° 12' 59" E, along the easterly line of Lot 427 of said Grandview Estates No. 6-A, for a distance of 187.18 feet to the Place of Beginning, containing therein 8.468 acres.





1. Building sites shall be used and occupied solely for private residential purposes by a single family, including family servants.

2. The living space above grade for a one-story dwelling exclusive of open porches and garages, erected upon said above described lots, shall be not less than 1,500 total square feet. The living space of a one and a half story, two-story or tri-level dwelling, exclusive of open porches and garages, erected on said above-described lots, shall be not less than 1,800 total square feet. No cinder or cement block structure shall be permitted on said lots except in foundations. The dwelling unit must be completed within a six (6) month period from the start of construc-

3. No building or structure such as house trailers, manufactured homes or other types of housing structures which are built and assembled at another location will be permitted to be moved onto any lot in this subdivision.

4. Drives shall be at least ten (10) feet in width and constructed of blacktop, concrete or paving brick. Construction of sidewalks within the street right-of-way shall be the responsibility of the Lot owner in accordance with the City of Wapakoneta Specifications.

5. No noxious or offensive activity shall be carried on or upon any lot in said above-described plat, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

6. No trailer, basement, tent, shed, garage, barn or other outbuilding shall be used on any lot at any time either as a temporary or permanent dwelling.

7. No signs of any kind shall be displayed to the public view on any lot in said plat, except one of the following types

One (1) sign advertising the property for sale or rent.

2. One (1) sign to advertise the property during construction, development and sale.

8. No animals, livestock or poultry of any kind shall be raised, bred or kept on any lots in said plat excepting dogs, cats or other household pets, not to exceed a total of two (2) pets, providing they are not kept, bred or maintained for any commercial purpose. Kennels are hereby strictly forbidden.

9. No lot in said above-described plat shall be used or maintained as a dumping ground for rubbish or trash. Garbage or other wastes shall be kept only in sanitary containers. All lots shall be mowed and the grass kept neat, trimmed and cut at all times.

10. These covenants, restrictions and limitations shall be binding on all parties hereto and all owners of lots in said plat for a period of ten (10) years from this date, after which time, such covenants, restrictions and limitations shall automatically extend for successive periods of one (1) year unless an instrument in writing, signed by a majority of the owners of the lots in the subdivision, has been recorded agreeing to change said covenants, restrictions or limitations in whole, or in part, which agreement shall specifically enumerate the changes thereof.

11. No trucks or trailers other than those used for family purposes, of any type shall be parked, kept or stored on any lot in said subdivision unless the same be parked, and kept or stored in a garage or other accessory building which has been erected with the consent and approval of the developer, or its assignee. No boats, trailers, motor homes or other chattels of a similar nature shall be stored or maintained on the premises.

12. No owner of any Lot shall interfere with the natural flow of surface water through drainage swales or drainage pipes on his Lot.

13. Enforcement of the terms of these restrictions shall vest in each of the Lot owners of this development. Said Lot owners may, at their discretion, join together to enforce any and all of the terms of this agreement.

14. All easements and right-of-way are reserved in and over such said lots as are shown on said plat, for the construction therewith for the transmission of electricity, for telephone or drainage facilities including surface drainage and other purposes; also for the construction, operation and maintenance of drains, sewers and pipe lines for supplying gas, water, heat and for any other public or quasi-public utility of function maintained, furnished or performed in any method beneath the surface of the ground. Easements shown upon the plat may also be used by utility companies as circumstances require.

15. No fence shall be erected on any lot in this subdivision without express written approval of the Developer or its assignee. Any application for the construction of a fence shall show the location, height and type of material and if approved and built shall be properly maintained at all times.

16. No television, radio or other type of external antenna or receiving dish shall be installed on any lot with out the express written approval of the developer or its assignee. approval will only be granted if the design and location is determined by the developer or its assignee, at its sole discretion, to be of no detriment to the aesthetics of the neighborhood.

17. In the event that there is invalidation of any one of those covenants, changes, restrictions or limitations by judgment 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. No structure including the main residence, garage, out building or storage shed shall be erected on any lot in

the subdivision until the plans and specifications have been approved, in writing, as to location, grade, elevation, size of structure and external design, by a majority of an architectural committee appointed by Schlenker Developments, Inc., an Ohio Corporation, the developer. The original committee shall consist of John A. Schlenker, Philip E. Schlenker, Edward Shroyer and David Schlenker.

In the event of the death or resignation of any member of the committee originally appointed, the remaining member or members of the committee shall have the power to appoint new members to fill the vacancies.

In the event such architectural committee fails to approve or disapprove said plans and specifications within thirty (30) days after being submitted to them in proper form, then such approval shall not be required, provided the the design is in harmony with similar structures in the development and conforms to all other covenants, restrictions and conditions set forth herein.

19. These Protective Covenants are in addition to any applicable City of Wapakoneta building and zoning regulations and the more restrictive of the two shall prevail.

sheet two of two

CERTIFICATE OF ACCEPTANCE

I hereby certify that the above plat was approved and the street right-of-way and easements dedicated thereon were accept-

Director of Public Service & Safety

Fee: _____

DEDICATION

The undersigned owner of the land shown, has caused the area encompassed by this plat to be surveyed, platted and to be known as LAKELAND SUBDIVISION RE-Plat and do hereby certify that said plat is a true representation of the same. The undersigned owner also dedicates the street right-of-ways and the utility easements as shown on the above plat to the public for their use forever.

AUDITOR'S CERTIFICATE

SCHLENKER DEVELOPMENTS, INC.

ACKNOWLEDGMENT

STATE OF OHIO

COUNTY OF AUGLAIZE

Before me, a Notary Public in and for the County and State aforesaid, personally appeared John A. Schlenker, President and Philip E. Schlenker, Secretary of SCHLENKER DEVELOP-MENTS. INCORPORATED, an Ohio Corporation, and acknowledged the signing of the foregoing instrument to be their free act

IN TESTIMONY WHEREOF, I have affixed my hand and seal on

this 30 day of september, 2003.

Notary Public, State of Ohio My Commission Expires 11-13-2006

RECORDER'S CERTIFICATE

Number: /2752

Filed for record in the Auglaize County Recorder's Office on this 6 day of October, 2003 at/:308m., and recorded Maney Wom in Plat Cabinet _ C, Page 327-328

PLANNING COMMISSION APPROVAL

The Planning Commission of the City of Wapakoneta hereby

certifies that the above plat was approved by said Commission on

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REVISED - 4/15/99

September 13, 2003