

WEST OAKS LAKES NO. 4

SECTION 32, NOBLE TOWNSHIP,

CITY OF ST. MARYS, AUGLAIZE COUNTY, OHIO

West Oaks Lakes No. 4

LEGAL DESCRIPTION
Owner--Yorkshire, Inc., an Ohio Corporation
(Official Records Volume 80, Page 112)

Part of the southeast quarter of Section 32, Township-5-South, Range-4-East, in what was Noble Township, but is now part of the City of St. Marys, Auglaize County, Ohio, more particularly described by metes and bounds as follows:

Commencing at a concrete monument (set 1992) at the southeast corner of said southeast quarter of Section 32;

thence westerly with the south line of said southeast quarter at N 89°02'06"W, 361.42 feet to a concrete monument (set 1992) at the southwest corner of the subdivision platted as West Oaks Lakes No. 1, thence continuing with said south line of southeast quarter at N 89°02'06"W, 363.38 feet to a concrete monument (set 2000) at the southwest corner of the subdivision platted as West Oaks Lakes No. 2, thence continuing with said south line of southeast quarter at N 89°02'06"W, 288.23 feet to a concrete monument (set 2001) at the southwest corner of the subdivision platted as West Oaks Lakes No. 3 which point is also the POINT OF BEGINNING;

thence westerly, continuing with said south line of southeast quarter, on course (1) at N 89°02'06"W, 308.65 feet to a concrete monument (set);

thence northerly with the west line of the owner's lands as described in Deed Volume 80, Page 112, on course (2) at N 01°19'27"E, 1278.72 feet to a concrete monument (set) in the south right-of-way line of the exit ramp for State Route 29;

thence generally southeasterly with said south right-of-way line on courses (3) and (4) as follows:

(3) S 88°34'34"E, 73.20 feet to a concrete monument (set);
(4) S 74°44'51"E, 334.70 feet to a concrete monument (set 2001) at the northwest corner of said West Oaks Lakes No. 3 Subdivision;

thence generally southerly with the west boundaries of said West Oaks Lakes No. 3 Subdivision on courses (5) thru (13) as follows:
(5) S 21°10'46"W, 278.11 feet to a concrete monument (set 2001);
(6) S 01°19'27"W, 225.76 feet to a point falling on a catch basin;
(7) S 28°39'34"E, 181.28 feet to a concrete monument (set 2001);
(8) S 12°40'00"E, 83.14 feet to a concrete monument (set 2001);
(9) westerly with a curving line concave southerly, not tangent to the previous course, an arc distance of 66.53 feet thru a radius of 1025.00 feet (chord bears S 75°28'26"W, 66.52 feet) to an iron pipe (set 2001);
(10) tangent to the previous curve at S 73°36'52"W, 47.13 feet to a concrete monument (set 2001);
(11) S 16°23'08"E, 150.00 feet to a concrete monument (set 2001);
(12) S 73°36'52"W, 46.36 feet to an iron pipe (set 2001);
(13) S 00°57'54"W, 281.58 feet to the POINT OF BEGINNING.

This area to be subdivided contains an area of 9.569 acres, subject to any legal easements or restrictions of record.

This description is based on surveying work performed by Kohli & Kaliher Associates, Inc., through January 2002. Bearings are based on the record bearings for the boundaries of said West Oaks Lakes No. 1 Subdivision. Iron pipes set as a result of this survey shall be 3/4-inch diameter by 30-inch long iron pipes with an orange plastic "K&K/LIMA" plug.

I hereby certify that I am a Surveyor registered professionally to practice in the State of Ohio, and that this plat is, in all respects, correct and was prepared from an actual survey completed under my supervision

Date Feb. 4, 2003

The above tract contains 9.569 acres of land and is divided into 28 lots and numbered as shown on the plat.

Building setback lines, easements, lot dimensions and streets are as shown on the plat.

Feb. 4, 2003
Date

Michael G. Buettner
Michael G. Buettner
Ohio Registered Surveyor No. 6881



KISHLER STREET



~~11-1097~~ H-1114

WEST OAKS LAKES NO. 4
SECTION 32, NOBLE TOWNSHIP,
CITY OF ST. MARYS, AUGLAIZE COUNTY, OHIO

RESTRICTIONS

This subdivision is subject to the Declaration of Covenants, Conditions and Restrictions as recorded in Volume _____, Pages _____ of the Official Records of Auglaize County, Ohio.

Easements and rights of way are reserved in and over such of said lots as are shown on said plat, for the construction, operation and maintenance of poles, wires, conduits and the necessary and proper attachments in connection therewith for the transmission of electricity, for telephone and other purposes, also for the construction, operation and maintenance of drains, sewers and pipelines for supplying gas, water, heat and for any other public or quasi-public utility or function maintained, furnished or performed in any method above or beneath the surface of the ground. Easements shown on the plat may also be used by utility companies as the circumstances require without incurring any liabilities from property owners for damages to sod, shrubbery or other surface improvements.

The City of St. Marys is hereby granted for the sole purpose of street light installation and maintenance an easement upon, under and across a two and one half foot strip parallel with and adjacent to each interior side lot line of each lot of said Addition, provided that such an easement is not granted hereby with reference to any such interior lot line as may fall within any tract created by a single purchaser of more than one such lot.

No fence or wall shall be erected, placed or altered on any lot nearer to any street than the minimum building setback line unless similarly approved.

All residents in the Addition shall be required to have a private drive for off-street parking.

No noxious or offensive activity shall be carried on or upon any lot, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood.

No structure of a temporary nature, trailer, basement, tent, shack, garage, barn, or other outbuilding shall be used on any lot at any time as a residence either temporary or permanent and the owners shall keep the premises free from weeds, trash and miscellaneous materials which may detract from the value of the surrounding premises.

These covenants are to run with the land and shall be binding on all parties claiming under them for a period of twenty-five years from the date these covenants are recorded, after which time said covenants shall be automatically extended for periods of ten years unless an instrument signed by a majority of the landowners of the lots has been recorded agreeing to change said covenants in whole or in part.

These conditions, limitations and restrictions set forth herein shall be considered part of any deed, contract, lease or instrument relating to any lot in this Addition, without being incorporated therein, and the acceptance of any contract, deed, lease or instrument relating thereto shall operate as a covenant to use the premises in conformity with the conditions, limitations and restrictions herein set forth which are for the use and benefit of every person who shall or may become the owners, or have any title to any lot or parcel of land situated in this Addition.

Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violations or to recover damages.

Invalidation of any one of these covenants by judgment or court order shall in no way effect any of the other provisions which shall remain in force and effect.

OWNERS' DEDICATION

Know all men by these presents:

We the undersigned owners of the within described land, have caused the area encompassed by this plat to be surveyed, platted and to be known as the WEST OAKS LAKES NO. 4 to the City of St. Marys, Ohio and do hereby certify that the said plat is a true representation of the same and hereby dedicate all street right-of-ways and utility easements indicated on said plat to the public forever.

Scott A. Winstler
Witness

Casey H. Parker
Witness

Owner - Yorkshire, Inc.

By: Jon Kessler, Pres.
Jon Kessler, President

A 2.5 foot width utility easement shall be provided on each side of all interior lot lines for the purpose of the installation of street light wires as may be required.

ACKNOWLEDGMENT

Before me, a Notary Public in and for said County of Mercer, State of Ohio personally appeared the above signed owners and acknowledged the signing of the foregoing instrument to be their own free act and deed.

In testimony whereof, I have affixed my hand and seal this 23rd day of January, 2003.

Carol Ann Lewis
Notary Public in and for said County of Mercer

PLANNING COMMISSION APPROVAL

Approved by the Planning Commission of the City of St. Marys, Ohio at the meeting of

February 18th, 2003
Mark W. Wood
Secretary of the Planning Commission

CERTIFICATE OF ACCEPTANCE

All improvements have been installed in accordance with the requirements of the regulations of Ordinance No. 1902, and pertinent agreements with the City of St. Marys and with the action of the Planning Commission in approving the preliminary plats.

Mark W. Wood
Director of Public Service

6-18-04
Date

COUNTY AUDITOR'S CERTIFICATE

I hereby certify that there are no unpaid taxes on this land comprising the WEST OAKS LAKES NO. 4 to the City of St. Marys, Ohio and that this plat was filed for transfer in the Office of the Auglaize County Auditor this 24 day of June, 2004

Karyn Schumann Jr.
Auditor

RECEIVED
JUN 24 2004
KARYN SCHUMANN
Auglaize Co. Auditor

#5414

COUNTY RECORDER'S CERTIFICATE

Received for recording in the Office of the Auglaize County Recorder this 24 day of June, 2004 at 11:20 o'clock and is recorded in Plat Book C, Page 349-350 Fee Paid \$26.40

Ann Billings
Recorder

H-1114
H-1097