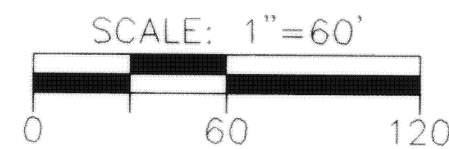


# ROLLING HILLS ESTATES, 7th ADDITION

5.380 ACRES SITUATED IN THE SOUTHEAST QUARTER OF SECTION 33, NOBLE TOWNSHIP, TOWN 5 SOUTH,  
RANGE 4 EAST, COUNTY OF AUGLAIZE, CITY OF ST. MARYS, STATE OF OHIO

BEARINGS BASED ON ROLLING HILLS ESTATES,  
5TH ADDITION, PLAT CAB. C, SLIDE 188-190



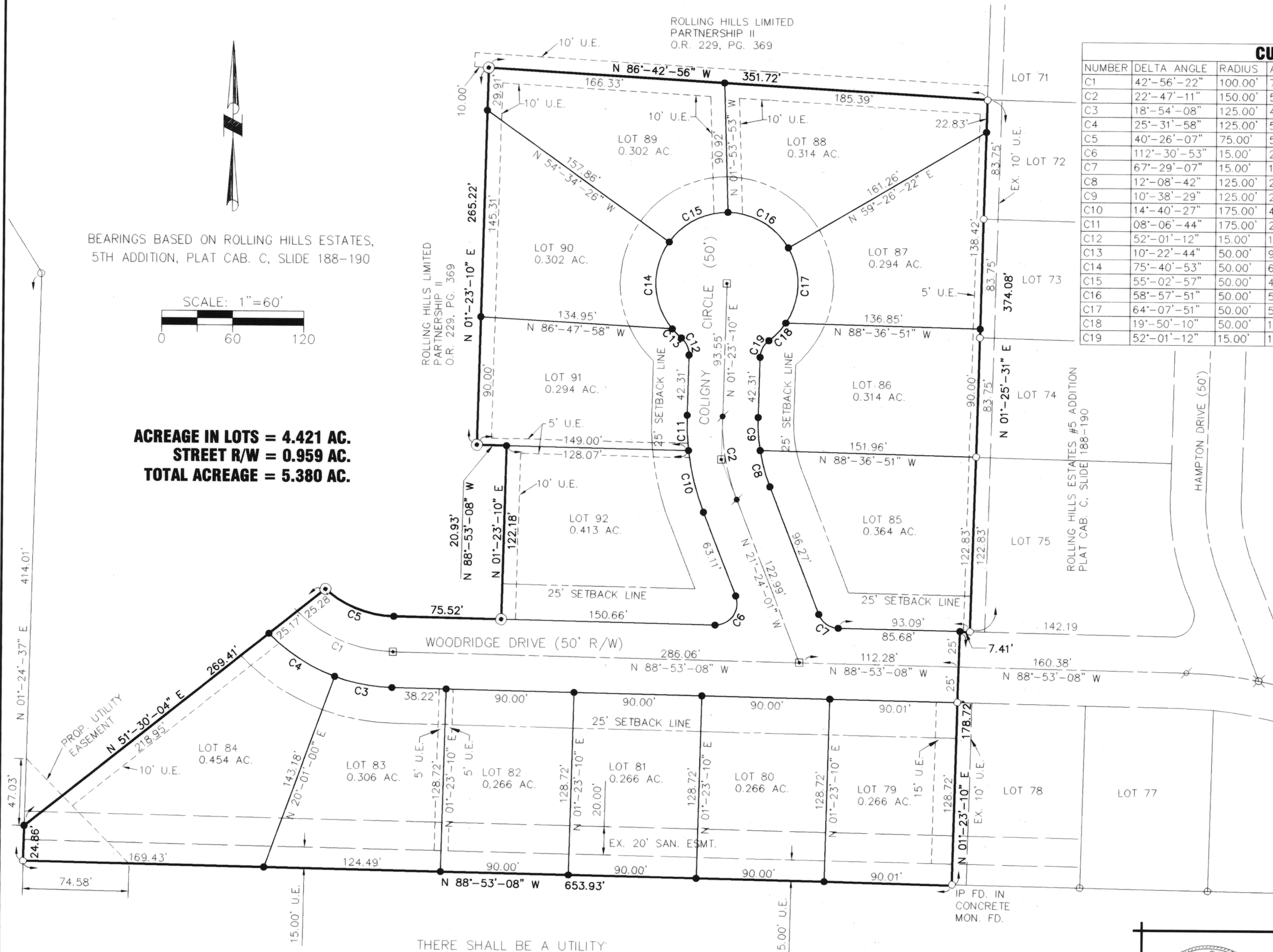
ACREAGE IN LOTS = 4.421 AC.  
STREET R/W = 0.959 AC.  
TOTAL ACREAGE = 5.380 AC.

ROLLING HILLS LIMITED  
PARTNERSHIP II  
O.R. 229, PG. 369

CURVE TABLE					
NUMBER	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD DIRECTION
C1	42°-56'-22"	100.00'	74.94'	73.20'	N 67°-24'-57" W
C2	22°-47'-11"	150.00'	59.65'	59.26'	N 10°-00'-26" W
C3	18°-54'-08"	125.00'	41.24'	41.05'	N 79°-26'-04" W
C4	25°-31'-58"	125.00'	55.70'	55.24'	N 57°-13'-01" W
C5	40°-26'-07"	75.00'	52.93'	51.84'	N 68°-40'-05" W
C6	112°-30'-53"	15.00'	29.46'	24.95'	N 34°-51'-26" E
C7	67°-29'-07"	15.00'	17.67'	16.66'	N 55°-08'-34" W
C8	12°-08'-42"	125.00'	26.50'	26.45'	N 15°-19'-40" W
C9	10°-38'-29"	125.00'	23.22'	23.18'	N 03°-56'-05" W
C10	14°-40'-27"	175.00'	44.82'	44.70'	N 02°-03'-47" W
C11	08°-06'-44"	175.00'	24.78'	24.76'	N 04°-40'-12" W
C12	52°-01'-12"	15.00'	13.62'	13.16'	N 24°-37'-26" W
C13	10°-22'-44"	50.00'	9.06'	9.04'	N 45°-26'-41" W
C14	75°-40'-53"	50.00'	66.04'	61.35'	N 02°-24'-52" W
C15	55°-02'-57"	50.00'	48.04'	46.21'	N 02°-57'-03" E
C16	58°-57'-51"	50.00'	51.46'	49.22'	N 60°-02'-33" W
C17	64°-07'-51"	50.00'	55.96'	53.09'	N 01°-30'-18" E
C18	19°-50'-10"	50.00'	17.31'	17.22'	N 43°-29'-17" E
C19	52°-01'-12"	15.00'	13.62'	13.16'	N 27°-23'-46" E

## LEGEND

- 5/8" x 30" REBAR W/CAP SET
- IRON PIN FOUND
- ✱ P.K. NAIL SET
- ✱ P.K. NAIL FOUND
- ✱ RAILROAD SPIKE FOUND
- ⊙ CONCRETE MONUMENT SET
- ⊠ MONUMENT BOX W/IP PLACED

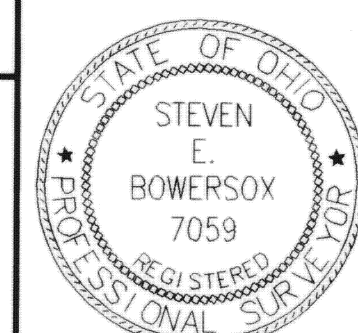


THERE SHALL BE A UTILITY  
EASEMENT FOR STREET LIGHT  
WIRE PURPOSES 2.5' IN WIDTH  
ALONG EACH SIDE OF ALL  
INTERIOR LOT LINES UNLESS  
OTHERWISE SHOWN.

A 5/8"x 30" REBAR WITH CAP TO BE SET AT ALL  
LOT CORNERS AFTER CONSTRUCTION OF STREETS  
AND UTILITIES.

STEVEN E. BOWERSOX, P.S. #7059

09-08-2004  
DATE



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09-08-2004	seb	AUGSMA0301FIN

SHEET 1 OF 2

REVISION	DATE
CITY COMMENTS	12-22-2003
CITY COMMENTS	09-08-2004



# ROLLING HILLS ESTATES, 7th ADDITION

## COVENANTS AND RESTRICTIONS

(1) GENERAL: AS A PART OF THE GENERAL PLAN OF DEVELOPMENT FOR THE ROLLING HILLS ESTATES, 7TH 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) 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.

(5) CONSTRUCTION TIME: ANY HOUSE BEING CONSTRUCTED IN SAID SUBDIVISION IS TO BE COMPLETED WITHIN 6 MONTHS FROM THE DATE OF 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 SEEDD WITHIN 6 MONTHS FROM THE DATE OF THE HOUSE CONSTRUCTION COMPLETION.

(6) 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.

(7) 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.

(8) 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.

(9) 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.

(10) 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.

(11) 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.

(12) TEMPORARY STRUCTURES: NO STRUCTURE OF ANY TEMPORARY CHARACTER, TRAILER, BASEMENT, TENT, SHACK, BARN, GARAGE, OR ANY OTHER OUTBUILDING SHALL BE USED EXCEPT DURING PERIODS OF CONSTRUCTION OF THE HOUSE.

(13) 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.

(14) 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.

(15) GARBAGE AND REFUSE DISPOSAL: AT NO TIME SHALL ANYONE BE ALLOWED TO STORE TRASH CANS OR BAGS OF GARBAGE ANYWHERE ON THE EXTERIOR OF THE 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.

(16) 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 DOWN SPOUTS AND GUTTERS SHALL BE KEPT OUT OF THE STORM SEWER SYSTEM, AND IS TO BE SURFACED DRAINED ONTO THE LOTS UNLESS OTHERWISE APPROVED BY THE CITY OF ST. MARY'S ENGINEERING DEPARTMENT.

(17) 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 SYSTEMS IS STRICTLY PROHIBITED.

(18) SIDEWALKS: ALL LOTS IN THE SUBDIVISION SHALL INSTALL CONCRETE SIDEWALKS ACCORDING TO THE SPECIFICATIONS, CODES, AND REQUIREMENTS OF THE CITY OF ST. MARY'S PRIOR TO OCCUPANCY OF THE HOUSE.

(19) DRAINAGE SWALES: EACH AND EVERY LOT IN THE SUBDIVISION SHALL FINISH GRADE THEIR LOT TO PROVIDE SURFACE WATER DRAINAGE TO DEFINED 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.

(20) 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 2.5 FOOT SIDE YARD UTILITY EASEMENT FOR THE PURPOSE OF PROVIDING POWER FOR STREET LIGHTING PURPOSES.

(21) 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.

(22) THE AFOREMENTIONED RESTRICTIONS, COVENANTS, AND CONDITIONS ARE IN ADDITION TO ANY APPLICABLE CITY OF ST. MARY'S BUILDING AND ZONING REGULATIONS.

## ST. MARYS 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, 7th ADDITION, WAS APPROVED BY SAID PLANNING COMMISSION ON THE 20<sup>TH</sup> DAY OF JANUARY, 2004.

Michael Weadock  
SECRETARY

## AUDITOR'S CERTIFICATE

THIS PLAT AND ATTACHED COVENANT OF RESTRICTIONS WAS FILED THIS 20 OF Sept, 2004.

Karyn Schumann  
KARYN SCHUMANN  
AUGLAIZE COUNTY AUDITOR

DATE

## RECORDER'S CERTIFICATE #7737

THIS PLAT AND ATTACHED COVENANT OF RESTRICTIONS WAS FILED FOR PERMANENT RECORD IN AUGLAIZE COUNTY RECORDER'S OFFICE ON THIS 22 OF Sept, 2004 AT 10:02 AM/PM AND IS NOW PERMANENTLY RECORDED IN PLAT CABINET C, SLIDE(S) 365-366.

Ann Billings  
ANN BILLINGS  
AUGLAIZE COUNTY RECORDER

9/22/04  
DATE

## DEDICATION

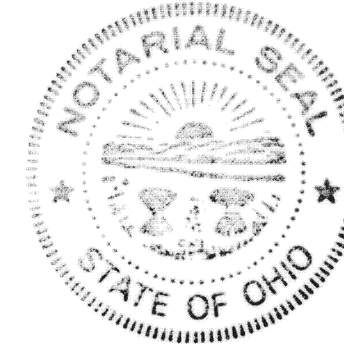
I, THE OWNER OF THE LAND PLATTED HEREON, DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE PROPOSED STREETS AND EASEMENTS SHOWN HEREON.

OWNER: ROLLING HILLS LIMITED PARTNERSHIP II

Stanley W. Dicke  
STANLEY W. DICKE  
9-21-04  
DATE

## ACKNOWLEDGMENT

STATE OF OHIO, AUGLAIZE COUNTY, SS  
BE IT REMEMBERED THAT ON THIS 21<sup>st</sup> DAY OF September, 2004  
BEFORE ME, A NOTARY PUBLIC IN AUGLAIZE COUNTY, CAME PERSONALLY THE OWNER OF THE LAND PLATTED HEREON, AND DOES HEREBY ACKNOWLEDGE HIS SIGNING TO BE A VOLUNTARY ACT AND DEED FOR THE PURPOSES HEREIN STATED.  
IN TESTIMONY WHEREOF I HAVE SUBSCRIBED MY NAME AND AFFIXED MY NOTARY SEAL THIS 21<sup>st</sup> DAY OF September, 2004. MY COMMISSION EXPIRES June 29, 2009.



John C. O'Brien  
NOTARY PUBLIC

## CERTIFICATE OF ACCEPTANCE

I DO HEREBY CERTIFY THAT THE PUBLIC IMPROVEMENTS ARE CONSTRUCTED IN ACCORDANCE WITH ORDINANCE #1902 FOR THE ROLLING HILLS ESTATES, 7th 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

9-21-04  
DATE

SHEET 2 OF 2

REVISION	DATE
CITY COMMENTS	12-22-2003
CITY COMMENTS	09-08-2004

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date: 09-08-2004	drawn by: seb	job number: AUGSMA0301COV
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