

PROTECTIVE COVENANTS

- EACH LOT SHALL BE USED ONLY FOR RESIDENTIAL PURPOSES. NO BUILDING SHALL BE ERECTED, ALTERED, PLACED OR PERMITTED TO REMAIN ON ANY LOT OTHER THAN ONE SINGLE FAMILY DWELLING WITH A PRIVATE GARAGE FOR NOT MORE THAN THREE CARS AND NO LESS THAN TWO CARS WHICH IS TO BE ATTACHED TO THE PRINCIPAL DWELLING. OUTBUILDINGS ARE PERMITTED AS LONG AS THEY MATCH THE DECOR OF THE HOME, HAVE THE SAME ROOF PITCH AND ARE SUBJECT TO APPROVAL OF THE DEVELOPER.
- NO RESIDENTIAL STRUCTURE SHALL BE ERECTED ON ANY BUILDING SITE WITH THE INHABITABLE AREA THEREOF, EXCLUDING BASEMENTS, OPEN PORCHES AND GARAGES LESS THAN 1800 SQUARE FEET FOR A ONE-STORY HOUSE OR 2000 SQUARE FEET FOR A TWO-STORY OR SPLIT-LEVEL DWELLING. NO HOME SHALL HAVE A CONCRETE FLOOR SLAB.
- NO LOT SHALL BE FURTHER SUBDIVIDED INTO SMALLER LOTS OR PARCELS FOR THE PURPOSE OF PROVIDING ADDITIONAL BUILDING SITES. HOWEVER, NOTHING IN THESE RESTRICTIONS SHALL BE CONSTRUED SO AS TO PREVENT A RESIDENTIAL BUILDING FROM BEING ERECTED ON A PARCEL OR PARCELS OF LAND WITH AN AREA GREATER THAN A SINGLE LOT IN THIS SUBDIVISION.
- GRAVEL AND DIRT DRIVEWAYS ARE PROHIBITED.
- NO TRASH, LITTER OR DEBRIS OF ANY KIND SHALL BE PLACED OR PERMITTED TO ACCUMULATE UPON ANY LOT OTHER THAN IN CLOSED SANITARY RECEPTACLES. NO NOXIOUS ODORS SHALL BE PERMITTED TO EMANATE FROM ANY LOT, NOR SHALL ANY PORTION OF ANY LOT BE MAINTAINED IN SUCH CONDITION AS TO BE UNSAFE, UNSANITARY, UGLY, DETRIMENTAL OR OTHERWISE UNHEALTHFUL TO RESIDENTS OF SUBDIVISION.
- MAILBOX REQUIREMENTS TO FOLLOW AUGLAIZE COUNTY REGULATIONS. MAILBOXES MUST BE MADE OF HEAVY-DUTY, WEATHER RESISTANT POLY CONSTRUCTION OR RESIN CONSTRUCTION. ALL MAILBOXES MUST HAVE A NEWSPAPER COMPARTMENT ATTACHED. INDIVIDUAL NEWSPAPER BOXES ARE NOT PERMITTED.
- ALL SIGNS, BILLBOARDS, OR ADVERTISING STRUCTURES OF ANY KIND ARE PROHIBITED WITH THE FOLLOWING EXCEPTIONS: 1) BUILDER AND CONTRACTOR SIGNS DURING CONSTRUCTION PERIOD, 2) ONE PROFESSIONAL SIGN OF NOT MORE THAN FOUR SQUARE FEET TO ADVERTISE A LOT FOR SALE DURING THE SALES PERIOD, 3) DEVELOPER'S SIGN OR SIGN ADVERTISING THE SALE OF LOTS.
- NO INOPERABLE MOTOR VEHICLE, NO TRAILER, MOTOR HOME, CAMPER, RECREATIONAL VEHICLE, BOAT OR BOAT TRAILER, SNOWMOBILE TRAILER, AIRCRAFT OR MOTORCYCLE, NOR ANY TRUCK LARGER THAN THREE QUARTER TONS, SHALL BE PARKED ON ANY LOT FOR MORE THAN 12 HOURS DURING ANY 30 DAY PERIOD, UNLESS STORED WHOLLY WITHIN A PRIVATE GARAGE.
- EXTERIOR MATERIALS OF ALL RESIDENCES SHALL BE BRICK, STONE OR CEMENTITIOUS MATERIALS AND MUST ENCOMPASS THE ENTIRE PERIMETER OF THE HOUSE ON THE FIRST FLOOR. QUALITY VINYL SIDING CAN BE UTILIZED ABOVE THE FIRST FLOOR CEILING SUCH AS GABLE ENDS OR OTHER MISCELLANEOUS AREAS. NO LOG HOUSES, CONCRETE BLOCK, OR MODULAR HOMES WILL BE PERMITTED WITHOUT THE APPROVAL OF THE DEVELOPER OR HIS ASSIGNS.
- WHEN CONSTRUCTION IS BEGUN, RESIDENCE MUST BE COMPLETED WITHIN ONE (1) YEAR INCLUDING LANDSCAPING UNLESS SUCH COMPLETION IS IMPOSSIBLE OR WOULD RESULT IN GREAT HARDSHIP TO THE OWNER. EXTENSIONS MUST BE APPROVED BY THE DEVELOPER OR HIS ASSIGNS.
- ENFORCEMENT OF ABOVE RESTRICTIONS, COVENANTS, OBLIGATIONS AND CHARGES WILL BE THE RESPONSIBILITY OF THE DEVELOPER OR HIS ASSIGNS.
- THE DEVELOPER OR HIS ASSIGNS OR ANY OTHER OWNER OF ANY LOT SHALL BE ENTITLED TO PROSECUTE ANY PROCEEDING AT LAW OR IN EQUITY PROVIDED HEREIN, AGAINST ANY PERSON OR ENTITY VIOLATING OR ATTEMPTING TO VIOLATE ANY OF THE COVENANTS, CONDITIONS OR RESTRICTIONS CONTAINED HEREIN.
- THESE CONDITIONS, LIMITATIONS AND RESTRICTIONS SET FORTH HEREIN SHALL BE CONSIDERED PART OF ANY CONTRACT, DEED, LEASE OR INSTRUMENT RELATING TO ANY LOT IN DIAMOND ESTATES, WITHOUT BEING INCORPORATED THEREIN, AND THE ACCEPTANCE OF ANY CONTRACT, DEED, LEASE OR INSTRUMENT RELATING THEREIN SHALL OPERATE AS COVENANTS TO USE THE PREMISES IN CONFORMITY WITH THE CONDITIONS, LIMITATIONS AND THE RESTRICTIONS HEREIN SET FORTH WHICH ARE FOR THE USE AND BENEFIT OF EVERY PERSON WHO SHALL OR MAY BECOME THE OWNER OF OR HAVE ANY TITLE TO ANY LOT LOCATED IN DIAMOND ESTATES. THE VILLAGE OF MINSTER ZONING CODE SHALL BE CONSIDERED PART OF THESE PROTECTIVE COVENANTS.
- THE FOREGOING RESERVATIONS, RESTRICTIONS, CONDITIONS, COVENANTS, OBLIGATIONS AND CHARGES MAY BE CHANGED, MODIFIED, ALTERED, AMENDED OR ANNULLLED AT ANY TIME UPON THE ACTION, IN WRITING, OF THE OWNERS OF A THREE-FOURTHS MAJORITY OF THE LOTS.
- SHOULD ANY ONE OR MORE OF THE FOREGOING RESTRICTIONS, COVENANTS, OR CONDITIONS AT ANY TIME IN THE FUTURE BE HELD TO BE 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 FULL FORCE AND EFFECT.
- THE COVENANTS, CONDITIONS AND RESTRICTIONS IMPOSED ARE FOR THE BENEFIT OF ALL THE LOT OWNERS AND ARE TO RUN WITH THE LAND, AND SHALL BE BINDING ON ALL PARTIES AND PERSONS CLAIMING UNDER SUCH LOT OWNERS UNTIL JULY 1, 2009, AT WHICH TIME THESE COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN YEARS, UNLESS THEY ARE TERMINATED BY THREE-FOURTHS MAJORITY VOTE OF THE HOMEOWNERS WITHIN THE SUBDIVISION.
- A LOT OWNER WANTING TO DO SOMETHING WHICH WOULD DIFFER FROM ANY COVENANT, CONDITION OR RESTRICTION CONTAINED HEREIN MUST OBTAIN WRITTEN PERMISSION FROM THE DEVELOPER OR HIS ASSIGNS BEFORE PROCEEDING.
- IF THE LOT OWNER USES PROPANE FUEL THE TANK MUST BE BURIED.
- ANY FENCE CANNOT EXTEND BEYOND THE FRONT OF THE HOUSE, CANNOT BE A CHAINLINK FENCE AND CANNOT BE MORE THAN 6' IN HEIGHT.
- THE MINIMUM FRONT YARD SET BACK IS 35' AND THE MAXIMUM SETBACK IS 45' (FOR LOTS #1-#18).

DIAMOND ESTATES PHASE I

BEING PART OF THE NORTHWEST QUARTER OF
SECTION 27, TOWN 7 SOUTH, RANGE 4 EAST,
VILLAGE OF MINSTER, JACKSON TOWNSHIP,
AUGLAIZE COUNTY, OHIO

DAVID TEBBE
SURVEY BOOK K, PAGE 630

ROBERT TEBBE
SURVEY BOOK K, PAGE 630

CURVE TABLE					
CURVE #	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	CHORD LENGTH
#1	15'	89°-01'-31"	23.31'	N 46°-14'-17" W	21.03'
#2	15'	90°-58'-28"	23.82'	S 43°-45'-44" E	21.39'
#3	15'	90°-00'-00"	23.56'	S 43°-16'-29" E	21.21'
#4	15'	90°-00'-00"	23.56'	S 46°-43'-31" W	21.21'
#5	50'	41°-24'-35"	36.14'	S 18°-58'-46" E	35.36'
#6	50'	23°-51'-07"	20.90'	N 21°-42'-30" W	20.75'
#7	50'	55°-53'-29"	48.71'	S 12°-12'-48" W	46.26'
#8	50'	51°-33'-58"	45.00'	S 65°-56'-32" E	43.50'
#9	50'	51°-33'-58"	45.00'	S 62°-29'-30" E	43.50'
#10	50'	57°-49'-10"	50.46'	S 1°-41'-51" E	48.35'
#11	50'	22°-01'-16"	19.22'	S 32°-07'-28" W	19.10'
#12	50'	41°-24'-35"	36.14'	S 22°-25'-48" W	35.36'

LEGEND

○ = Spikes Found
 ● = Spikes Set
 ○ = I.P. Found
 ● = I.P. Set
 ■ = Monument Box
 I.P. with cap will be set at all lot corners after construction of streets and utilities.

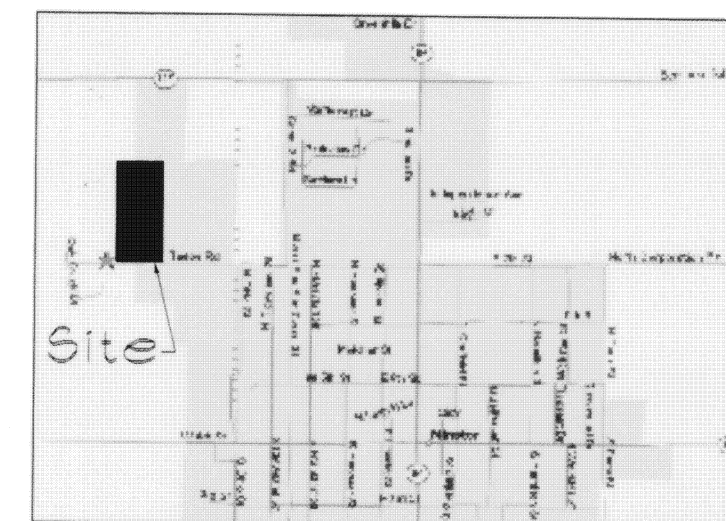
Scale 1" = 100'



STONE AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 27

Bearings from a Survey by:
Jauert Surveying, October, 1997
Survey Book K, Page 630.

Location Plan



200700006453
Filed for Record in
AUGLAIZE COUNTY, OHIO
AHH BILLINGS
10-02-2007 At 1:44 PM
PLAT 43.20

Plot Cab D
Slide 109

APPROVAL BY THE VILLAGE OF MINSTER COUNCIL

THIS PLAT WAS APPROVED AND ACCEPTED THIS 27th DAY OF September, 2007 BY THE VILLAGE OF MINSTER COUNCIL BY RESOLUTION NUMBER _____

Dennis Kitzmiller 9-27-07
MAYOR Date

MINSTER VILLAGE PLANNING COMMISSION

THIS PLAT WAS APPROVED AND ACCEPTED THIS 9-27-07 DAY OF September, 2007 BY THE VILLAGE OF MINSTER PLANNING COMMISSION.

Handa H. Hulsmen 9-27-07
CHAIRMAN Date

DEDICATION

DIAMOND ESTATES, LLC, THE OWNER OF THE LAND PLATTED HEREON, DOES HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE STREETS AND EASEMENTS SHOWN HEREON.

DIAMOND ESTATES, LLC

David H. Tebbe 9-27-07
DAVID TEBBE, MEMBER AND MANAGER DATE

Beverly Tebbe 9-27-07
BEVERLY TEBBE, MEMBER DATE

ACKNOWLEDGEMENT

STATE OF OHIO, AUGLAIZE COUNTY, ss

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED THE ABOVE NAMED DIAMOND ESTATES, LLC, AN OHIO LIMITED LIABILITY COMPANY, BY DAVID TEBBE, MEMBER AND MANAGER, AND BY BEVERLY TEBBE, MEMBER, WHO ACKNOWLEDGED THE SIGNING HEREOF TO BE THEIR FREE ACT AND DEED AND THE FREE ACT AND DEED OF DIAMOND ESTATES, LLC.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THIS 27 DAY OF SEPTEMBER, 2007.

James R. Shenk 9-27-07
NOTARY PUBLIC DATE

LEGAL DESCRIPTION

BEING A PART OF THE NORTHWEST QUARTER OF SECTION 27 TOWN 7 SOUTH, RANGE 4 EAST, VILLAGE OF MINSTER, JACKSON TOWNSHIP, AUGLAIZE COUNTY, OHIO AND BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT A STONE AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 27 AND BEING IN THE CENTERLINE OF SEVENTH STREET.

THENCE WITH SAID CENTERLINE OF SEVENTH STREET SOUTH 89°-14'-58" EAST FOR 641.22 FEET TO A NAIL AND BEING THE TRUE POINT OF BEGINNING.

THENCE LEAVING SAID SEVENTH STREET CENTERLINE NORTH 0°-45'-02" EAST FOR 181.39 FEET TO AN IRON PIN.

THENCE NORTH 1°-43'-31" EAST FOR 1151.43 FEET TO AN IRON PIN.

THENCE SOUTH 89°-11'-20" EAST FOR 350.04 FEET TO AN IRON PIN AND BEING A CORNER FOR THE VILLAGE OF MINSTER AS RECORDED IN OFFICIAL RECORD VOLUME 56 PAGE 245.

THENCE WITH SAID VILLAGE OF MINSTER PROPERTY LINE SOUTH 1°-43'-31" WEST FOR 1332.44 FEET TO A NAIL IN THE CENTERLINE OF SEVENTH STREET.

THENCE WITH THE CENTERLINE OF SEVENTH STREET N 89°-14'-58" WEST FOR 346.96 FEET TO THE TRUE POINT OF BEGINNING CONTAINING 10.101 ACRES MORE OR LESS WITH 1.813 ACRES IN STREET RIGHT OF WAY DEDICATED TO THE PUBLIC HEREON AND SUBJECT TO ANY EASEMENTS OR RESTRICTIONS OF RECORD. BEARINGS ARE BASED FROM SURVEY BOOK K, PAGE 630.

WEAVER SURVEYING

224 S. Paris St.
Minster, Ohio 45865 (419)628-3299

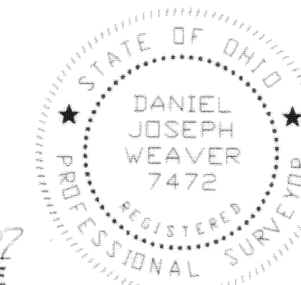
CLIENT: Dave Tebbe

COUNTY: Auglaize TOWNSHIP: Jackson SEC: 27

SCALE: 1" = 100'

DATE: 7/17/07

REVISIONS: 9/27/07



Daniel Weaver 9-27-07
DANIEL WEAVER #7472 DATE