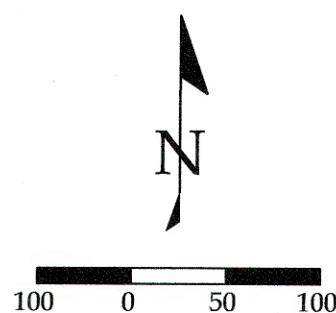


Bovee Estates, Phase 2 Final Plat

Part of the W 1/2 of Section 30, T5S, R6E,
City of Wapakoneta, Duchouquet Township, Auglaize County, Ohio



Legend

- A = Existing #5 Rebar
- B = Set #5 Rebar
- C = Set MAG Spike at the intersection of Biscayne Blvd. and Wells Dr. Set at Sta. 8+15.65 on Biscayne & Sta. 0+00 on Wells Dr.
- D = Set MAG Spike at Sta. 1+58.56 on Wells Dr. Point of Curvature
- E = Set MAG Spike at Sta. 2+52.02 on Wells Dr. Point of Tangent
- F = Set MAG Spike at Sta. 10+53.24 on Biscayne Blvd. Point of Curvature
- G = Set MAG Spike at Sta. 11+33.44 on Biscayne Blvd. Point of Tangent
- H = Set MAG Spike at Sta. 14+54.00 on Biscayne Blvd. Center of Cul-de-sac
- - - - - = Proposed 35.0' Building Setback Line
- - - - - = Proposed Utility Easement
- _____ = Proposed Lot Line

Notes:

1. Construction of sidewalks within the street right-of-way shall be the responsibility of the Lot owner and be constructed in accordance with the City of Wapakoneta specifications. Sidewalk construction shall be completed not later than thirty (30) days after occupancy of the dwelling.
2. All distances called for on this plat are measured distances unless otherwise noted.

Easements:

All easements within this subdivision and shown on this plat are for the construction, operation, maintenance, repair, replacement, or removal of all utilities, public and private, including but not limited to water, storm sewer, detention, sanitary sewer, gas, electric, telephone, cable television or other utility lines or services and for the express privilege of removing any trees or other obstructions to the free use of said utilities and for providing ingress and egress to the property for said purposes and are to be maintained as such forever. No permanent structures or permanent plantings of trees or shrubs shall be placed on easements designated on this plat. The grade in all easements is critical to the proper function of storm sewers, storm water detention, and surface drainage, therefore, there must not be any changes made to the grade in any easement, within the subdivision, shown on this plat.

Legal Description

Part of Parcel #B07-300-001-00 with prior deed referenced in O.R. 648, Page 496, being a part of the westerly portion of the Duchouquet Reserve commonly referred to as lying within the confines of the W 1/2 of Section 30, Town 5 South, Range 6 East, City of Wapakoneta, Duchouquet Township, Auglaize County, Ohio, more particularly described as follows:

BEGINNING at an existing #5 Rebar at the SW corner of Lot #18 of Bovee Estates, Phase 1 (P.B. D, Pg. 324); thence the following courses:

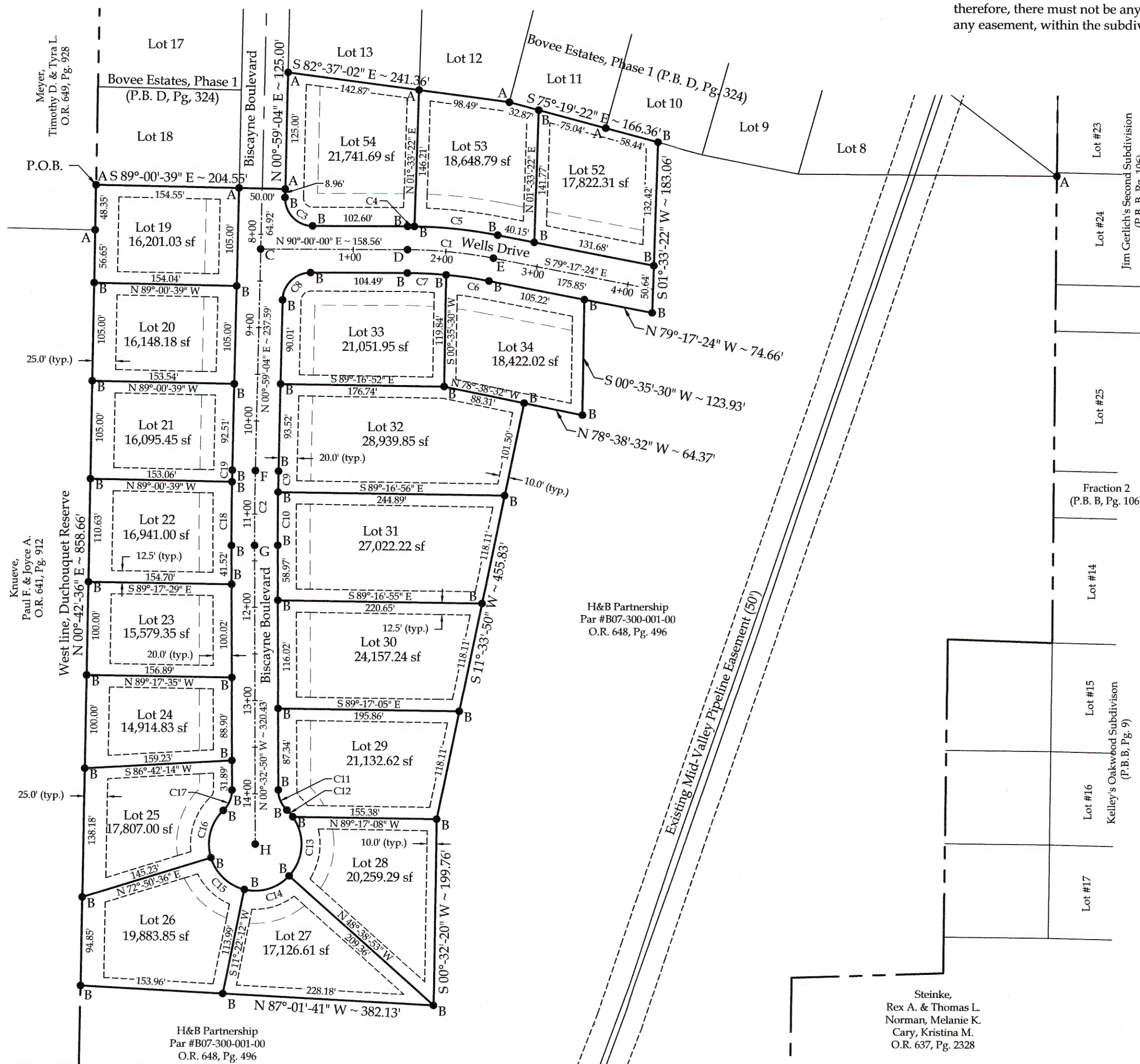
1. S 89°-00'-39" E, on the South line of Bovee Estates, Phase 1, 204.55' to an existing #5 Rebar;
2. N 00°-59'-04" E, on the East line of Biscayne Boulevard, 125.00' to an existing #5 Rebar at the SW Corner of Lot #13 of Bovee Estates, Phase 1;
3. S 82°-37'-02" E, on the South line of Bovee Estates, Phase 1, 241.36' to an existing #5 Rebar at the SE Corner of Lot #12 of Bovee Estates, Phase 1;
4. S 75°-19'-22" E, on the south line of Bovee Estates, Phase 1, 166.36' to a set #5 Rebar;
5. S 01°-33'-22" W, 183.06' to a set #5 Rebar;
6. N 79°-17'-24" W, 74.66' to a set #5 Rebar;
7. S 00°-35'-30" W, 123.93' to a set #5 Rebar;
8. N 78°-38'-32" W, 64.37' to a set #5 Rebar;
9. S 11°-33'-50" W, 455.83' to a set #5 Rebar;
10. S 00°-32'-20" W, 199.76' to a set #5 Rebar;
11. N 87°-01'-41" W, 382.13' to a #5 Rebar set on the West line of the Duchouquet Reserve;
12. N 00°-42'-36" E, on said West Reserve line, 858.66' to the POINT OF BEGINNING.

The above described parcel contains 9.897 acres, more or less subject to all legal highways and easements of record.

The system of bearings for this legal description is based on the Ohio State Plane North Coordinate System NAD83 (2011). This legal description and accompanying plat represent an actual boundary survey completed under the direct supervision of Brad J. Core, P.S. #8004 and Kyle J. Binkley, P.S. #8587 on August 13, 2020. All markers called for above are in place.

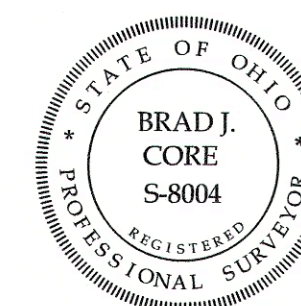
Centerline Curve Table				
Curve #	Arc Length	Radius	Chord Bearing	Chord Distance
C1	93.46'	500.00'	N 84°-38'-42" W	93.33'
C2	80.20'	3000.00'	S 0°-13'-07" W	80.20'

Road Curve Table				
Curve #	Arc Length	Radius	Chord Bearing	Chord Distance
C3	47.64'	30.00'	S 44°-30'-27" E	42.79'
C4	7.41'	525.00'	N 89°-35'-44" W	7.41'
C5	90.72'	525.00'	N 84°-14'-26" W	90.61'
C6	46.81'	475.00'	N 82°-06'-48" W	46.79'
C7	41.98'	475.00'	N 87°-28'-06" W	41.96'
C8	46.61'	30.00'	S 45°-29'-33" W	42.06'
C9	22.48'	2975.00'	S 0°-46'-05" W	22.48'
C10	57.05'	2975.00'	S 0°-00'-08" W	57.05'
C11	24.38'	30.00'	S 23°-49'-51" E	23.72'
C12	9.62'	67.56'	N 41°-35'-47" W	9.62'
C13	68.76'	50.00'	N 3°-19'-04" E	63.47'
C14	52.86'	50.00'	N 73°-00'-09" E	50.44'
C15	51.97'	50.00'	S 46°-55'-57" E	49.66'
C16	55.13'	50.00'	S 14°-25'-55" W	52.38'
C17	24.38'	30.00'	N 22°-44'-12" E	23.72'
C18	68.38'	3025.00'	S 0°-06'-02" W	68.38'
C19	12.49'	3025.00'	S 0°-51'-59" W	12.49'



This plat, including the legal description, represents an actual boundary survey completed under my direct supervision on August 14, 2020.

Kyle J. Binkley, P.S. #8587



This plat, including the legal description, represents an actual boundary survey completed under my direct supervision on August 14, 2020.

Brad J. Core, P.S. #8004

Final Plat

H & B Partnership
15907 St. Rt. 67
Wapakoneta, OH 45895

Date:
08/14/2020

Surveyed By: KJB Drawn By: TKN Checked By: BJC

1
2



202000003341
Filed for Record in AUGLAIZE County, Ohio
Emily K. Schenker, Recorder
09/01/2020 09:34 AM Recording Fees: \$86.40
PLAT CABINET PLAT D / p390 - p391

Bovee Estates, Phase 2

Protective Covenants & Restrictions

- Building sites shall be used and occupied solely for private residential purposes by a single family home with an attached two car, or larger, garage.
 - The living space above grade for a one-story dwelling exclusive of open porches and garages, shall be not less than 1,800 total square feet for a single family home. The living space above grade for a one and a half, two-story or tri-level dwelling, exclusive of open porches and garages, shall not be less than 2,000 total square feet for a single family home. Each home must have a minimum 6/12 roof pitch. No cement block structure shall be permitted on said lots except in foundations. The dwelling unit must be completed within a eight (8) month period from the start of construction. Front elevation shall have a minimum 50% masonry finish surface.
 - No fence shall be erected on any lot in this subdivision without the 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. Chan link fences shall not be permitted.
 - Drives shall be at least eighteen (18) feet in width and constructed of concrete or paving brick. Construction of sidewalks within the street right-of-way shall be the responsibility of the Lot owner and be constructed in accordance with the City of Wapakoneta specifications. Sidewalk construction shall be completed not later than sixty (60) days after occupancy of the dwelling.
 - No noxious or offensive activity shall be carried on or upon any lot within this plat, nor shall anything be done thereon which may be or may become an annoyance or nuisance to this neighborhood.
 - No trailer, basement, tent, shed, garage, barn or other outbuildings shall be used on any lot at any time either as a temporary or permanent dwelling.
 - No signs of any kind shall be displayed to the public view on any Lot in said plant, except one of the following types:
 - One (1) sign advertising the property for sale or rent;
 - One (1) sign to advertise the property during construction, development and sale.
 - No animals, livestock or poultry of any kind shall be raised, bred or kept on any Lot 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 purposes. Outside dog runs and commercial kennels are hereby strictly forbidden.
 - No lot in said 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.
 - 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 premises, has been recorded agreeing to change the covenants, restrictions or limitations in whole, or in part, which agreement shall specifically enumerate the changes thereof.
 - 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 subdivisions 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 any Lot in said subdivision for a period of longer than seven (7) days.
 - No owner of any Lot shall interfere with the natural flow of surface water through drainage swales or drainage pipes on their Lot. During construction of the houses on both sides of a common lot line, there shall be established a drainage swale over the property line between the homes, that sheds water away from the homes and towards the front and rear of the lots. This swale shall not be filled in and shall be permanent. The top of the foundation wall for each home being built in this subdivision shall be no less than 18" higher and no more than 36" higher than the elevation of the top of curb of the street directly in front of the home.
 - 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.

Enforcement shall be proceedings, in law or in equity, against any person or persons or legal entity violating or attempting to violate any covenant, restriction or limitation. These remedies are available to any owner of any Lot within this plat.
 - All easements and right-of-way, except interior Lot line easements, as shown in and over Lots within this plat are reserved for the poles, wires, conduits and the necessary and proper attachment in connection 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 or 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.
 - All interior Lot line easements and right-of-way, not shown on the plat of Bovee Estates, Phase #1 are for the exclusive use of the City of Wapakoneta for utility purposes.
 - Modular/Industrial homes, on a permanent foundation, are permitted under the definition of a factory-fabricated transportable building consisting of one or more units designed to be assembled at the building site, to be used for residential purposes, and which meets the standards for industrialized units, as provided for by the State of Ohio Basic Building Code as may be hereafter amended pursuant to the Ohio Revised Code - Section 3781.01 et seq. as amended. A "Manufactured Home" or "Mobile Home" shall not be included in this definition.
 - No television, radio or other type of external antenna or receiving dish shall be installed on any Lot without 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.
 - No structure, including the main residence, garages, out buildings or storage sheds, 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 the Developer or its assignee. After the Developer has sold ten (10) Lots an Architectural Committee consisting of three (3) individuals, who are each owners of Lots in Bovee Estates, shall be appointed by the Developer. The Architectural Committee shall assume full responsibility for approving any residential structures, outbuilding plans for residential structures, any storage outbuildings, or any fences that are to be constructed on the referenced land known as Bovee Estates. In the event of the death or resignation of any member of the committee originally appointed, the remaining members shall have the power to appoint new members to fill any or all vacancies. Said Architectural Committee shall function, operate, and make decisions on a majority rule vote.
- The following material will be provided by the Lot owner to the Developer or Architectural Committee, as the case may be:
- A formal site plan with final grade elevations and layout of proposed landscaping.
 - A formal set of floor plans drawn in either one-eighth inch (1/8") or one-quarter inch (1/4") scale.
- In the event such Architectural Committee fails to approve or disapprove said plans and specifications within thirty (30) days after being submitted to them, then such approval shall not be required, provided the design is in harmony with similar structures in the development and conforms to all other covenants and conditions set forth herein.
- These Protective Covenants are in addition to any applicable City of Wapakoneta building and zoning regulations.
 - Out buildings and/or storage sheds are permitted up to 600 square feet maximum, must be of new construction and must be approved by the developer for aesthetics.
 - Each property owner will be assessed \$10/year for the maintenance of the subdivision sign. Fee shall be paid to the architectural committee by the first day of March each calendar year.

OWNER'S DEDICATION AND ACKNOWLEDGMENT

We, the undersigned, being all the owners of the land platted herein, do hereby voluntarily consent to the execution of said plat, and dedicate the streets as shown thereon, comprising of a total of 1.405 acres, to the public forever.

Easements shown on this plat are for the construction, operation, maintenance, repair, replacement or removal of water, storm sewer, open ditch, sanitary sewer, gas, electric, telephone, or other utility lines or services and for the express privilege of removing any trees or other obstructions to the free use of said utilities and for providing ingress and egress to the property for said purposes and are to be maintained as such forever.

Gary Binkley 8/31/20
Gary Binkley, H & B Partnership Date

Witness
Date

Guy Hut 8-31-20
Guy Hut, H & B Partnership Date

Witness
Date

NOTARY PUBLIC
State of Ohio
Auglaize County

Be it remembered that on this 31st day of August, 2020, personally came the said Gary Binkley and Guy Hut, to me known, and acknowledged the signing and execution of the foregoing statement to be their voluntary act and deed.

Tina Gossard
Notary Public
State of Ohio
My Commission Expires
December 26, 2021

Planning Commission Approval

The Planning Commission of the City of Wapakoneta hereby certifies the the above plat was approved by said Commission on the _____ day of _____, 2020.

By: Paul Esent 8-31-2020
Chairman Date

By: Mary Duck 8-31-2020
Secretary Date

Certificate of Acceptance

I hereby certify the the above plat was approved and the street right-of-way and easements dedicated thereon were accepted by Council of the City of Wapakoneta, Ohio.

By: Floyd T. Fugy 8/31/2020
Director of Public Service and Safety Date

Auditor's Certificate

This plat was filed for transfer this 1 day of September, 2020.

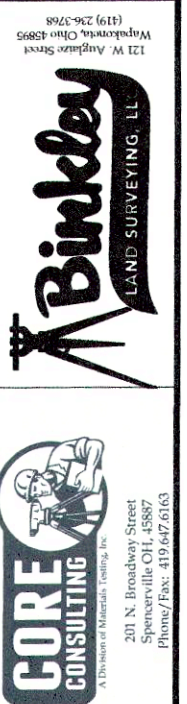
Fee: _____
Janet Schuler -HR 9-1-2020
Auglaize County Auditor Date

Recorder's Certificate

Number: inst #202000005341

Filed for record in the Auglaize County Recorder's Office on this 1 day of September, 2020, and recorded in Plat Cabinet D, Page 390-391.

Emily K. Schlenker DK
Auglaize County Recorder



Final Plat

H & B Partnership
15907 St. Rt. 67
Wapakoneta, OH 45895

Date:
08/14/2020

Checked By: BJC
Drawn By: DJD
Surveyed By: KJB

2
2

H & B
PICK UP

202000005341