

PROTECTIVE COVENANTS & RESTRICTIONS

- (1) Lots shown hereon are to be used solely and exclusively for single family private residence purposes. No buildings or structures or any additions thereto or any alterations thereof shall be erected, reconstructed, placed or suffered to remain upon the lots unless and until the architect therefor and the size, location, type, cost, use, the materials of construction thereof, the color scheme therefor, the grading plan of the lot, including the grade elevations of said buildings and structures, the plot plan showing the proposed location of said buildings and structures upon said premises and the plans, specifications and details of said buildings and structures shall have been approved in writing by the developer and a true copy of said plans, specifications and details shall have been lodged permanently with the developer, and no buildings or structures except such as conform to said plans, specifications and details shall be erected, reconstructed or suffered to remain upon said premises.
- (2) The front elevation and the front and the main entrances of the dwelling house shall be towards the principal highway, as designated by the developer, upon which said premises abut; nor shall said dwelling house be erected, placed, or suffered to remain upon said premises within 30 feet of the side lines of any of the adjoining property, nor within the minimum building setback line shown hereon.
- (3) The lots shown hereon shall be used and occupied solely and exclusively by a single family and not more than one dwelling house shall be erected or suffered to remain upon said premises not to exceed three(3) stories in height, exclusive of basement and a private garage for not less than two (2) cars nor more than four (4) cars, attached to the residence, unless otherwise approved in writing by the developer. The total living space of any such dwelling house shall be not less than 1800 square feet for a one story dwelling and not less than 2000 square feet for a dwelling in excess of one story.
- (4) No outbuildings not for the exclusive use of the family occupying the lot shall be erected, placed or suffered to remain upon said lot, nor shall said outbuildings be erected, placed or suffered to remain upon said lot nearer to the sidelines of any adjoining property or highways than the respective building lines hereinbefore provided in respect to said dwelling house.
- (5) No above-ground swimming pools shall be permitted on the lots. In-ground swimming pools and tennis courts are permitted but shall be placed to the rear of the dwelling house within the building set-back lines.
- (6) The lots shown hereon, excluding Lot No.11, shall not be further subdivided, except that transfers to an adjoining owner are not prohibited so long as the construction of an additional dwelling house is not occasioned thereby.
- (7) The developer reserves easements and rights-of-way for the installation and maintenance of telephone and electric poles, lines or conduits, and/or sewers and conduits for storm water and sanitary purposes, gas and/or water mains, or for any other similar facility deemed convenient or necessary by the developer for the service of the premises hereby conveyed and for adjoining and adjacent property. The developer further reserves the right to assign the use of said easements and rights-of-way to any person, firm or corporation furnishing any one or more of the aforesaid facilities.
- (8) No camping trailer, recreational vehicle, basement, tent, garage or other out building erected on the premises shall at any time be used as a residence either temporarily or permanently, nor shall any structure of a temporary nature be used as a residence.
- (9) No debris, junk, inoperable motor vehicles or machinery, house trailers, modular or double wides shall be kept or allowed on the lots. Boats, camping trailers, trucks, recreational vehicles, buses and like property must be kept behind the dwelling house and out of view from the roadway and adjoining properties.
- (10) No satellite dish antennas shall be permitted without the written approval of the developer, including the location.
- (11) No animals, livestock or poultry of any kind shall be raised, bred or kept on the premises except domestic dogs, cats and other household pets, provided they are not kept, bred or maintained for commercial purposes. Two dogs or two cats, or a combination of both, are the maximum allowable.
- (12) No noxious or offensive trade or activities shall be carried on upon the premises, nor shall anything be done thereon which may be or become an annoyance or nuisance to the occupants of neighboring properties.
- (13) No lakes or ponds may be constructed or established on the premises without the developers written approval.
- (14) The covenants and restrictions hereinabove enumerated are for the benefit of the owners of all lots in the subdivision to be hereafter known as "MOCKABEE FARMS" and shall run with the land until January 1, 2005 at which time the same shall be automatically extended for successive periods of ten years, unless by a vote of the majority of the then lot owners of said Mockabee Farms Subdivision the same shall be terminated or be changed in whole or in part.
- (15) In the event that any person violates, or attempts to violate, any of the covenants and restrictions hereinabove enumerated, any lot owner in said Mockabee Farms Subdivision shall have the right to prosecute any proceedings at law or in equity against such person or persons, either to enjoin such violation or to recover damages for the same.
- (16) Invalidation of any of the covenants and restrictions hereinabove enumerated by judgement or court order shall not affect the validity of the remaining covenants and restrictions.
- (17) The lot owners further agree to allow the developers to place and maintain on the premises, without fee, a marker or monument identifying said "MOCKABEE FARMS" Subdivision.

DEVELOPER:
JAMES D. BORTON
 799 W. LOCUST ST.
 WILMINGTON, OHIO 45177

~MOCKABEE FARMS~
 MILITARY SURVEYS NO. 1556, NO. 4693 & NO. 15507
 UNION TOWNSHIP
 CLINTON COUNTY, OHIO
 JULY, 1995

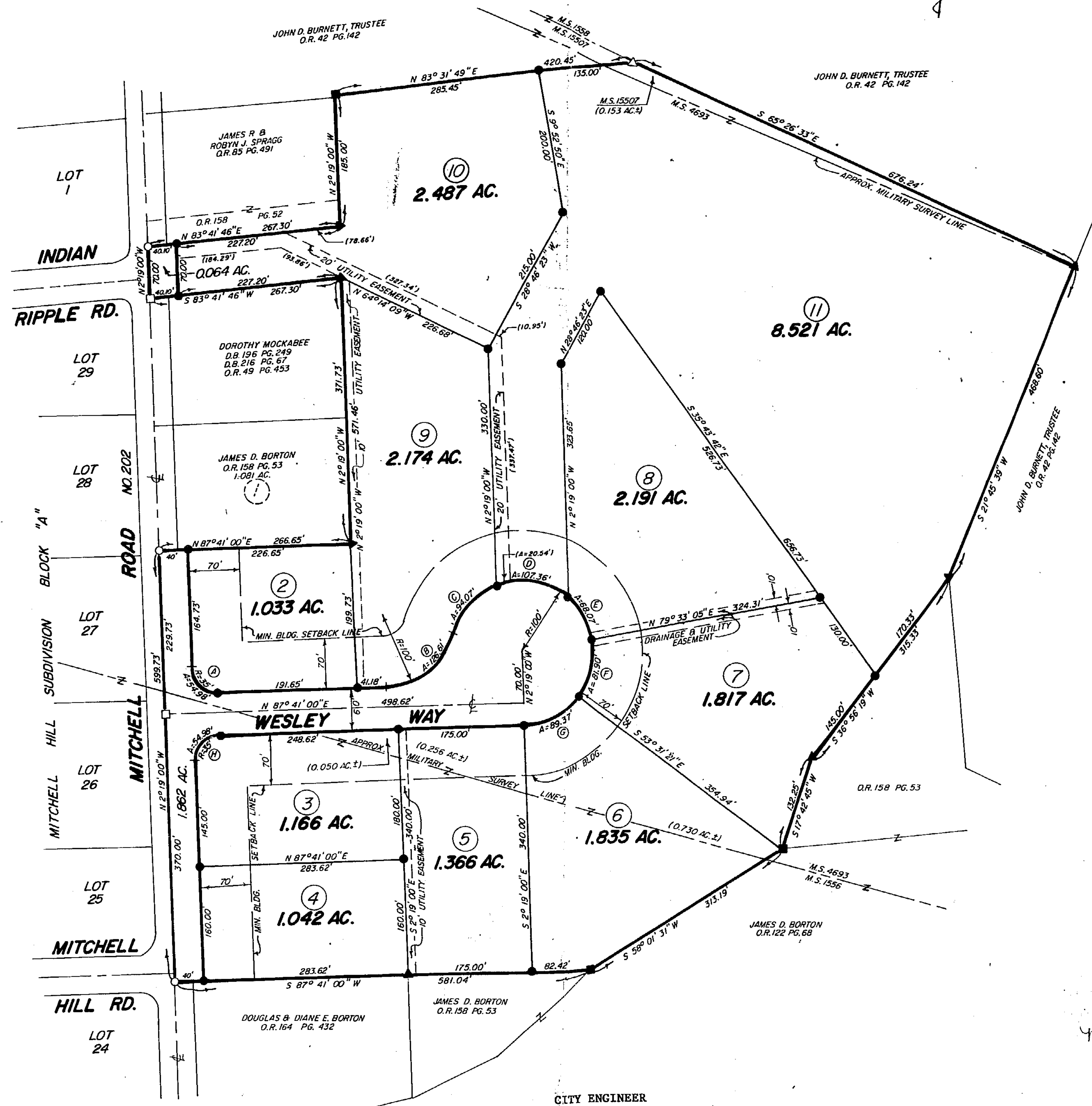
PREPARED BY
CLINCO SURVEYORS
 58 S. WALNUT STREET
 P.O. BOX 241
 WILMINGTON, OHIO 45177

Plat No. 104
 Clinton County
 Engineer
 Land Surveys
 File Date: 11-7-95
 Deed Ref. Vol. 18

- NOTES:**
- (1) ● DENOTES SET 1/2" x 30" IRON PIN WITH PLASTIC CAP STAMPED "CLINCO"
 - (2) ▲ DENOTES FOUND 1/2" IRON PIN.
 - (3) ■ DENOTES FOUND 5/8" IRON PIN.
 - (4) □ DENOTES SET PK. MASONRY NAIL.
 - (5) ○ DENOTES FOUND NAIL.
 - (6) △ DENOTES FOUND STONE.

RECEIVED FOR RECORD
 #38799
 Recorded: Nov. 7
 Plat Book No. 7 Page: 51A
 95 NOV-7 AM 9:38
 Fee: \$40.00
 SANDRA K. WILT
 Recorder
 Clinton County, Ohio

1" = 100'



CHORDS

(A)	N 47° 19' 00" W	49.50'
(B)	S 51° 24' 44" W	118.32'
(C)	S 42° 05' 26" W	90.64'
(D)	N 80° 12' 12" W	102.28'
(E)	N 29° 56' 52" W	66.76'
(F)	N 13° 00' 52" E	79.63'
(G)	N 62° 04' 45" E	66.43'
(H)	N 42° 41' 00" E	49.50'

DEDICATION

I, the undersigned, being the owner of 25.558 Acres in Union Township, Clinton County, Ohio, do hereby certify that the foregoing plat is a subdivision of land to be known as MOCKABEE FARMS, and that of said 25.558 Acres, 23.632 Acres consisting of lots numbered 2 through 11 inclusive are part of said subdivision and are of the shapes and sizes as shown on said plat, and that the streets within the boundaries of said plat, consisting of 1.926 Acres are hereby dedicated to the perpetual use of the public according to the law in such cases made and provided.

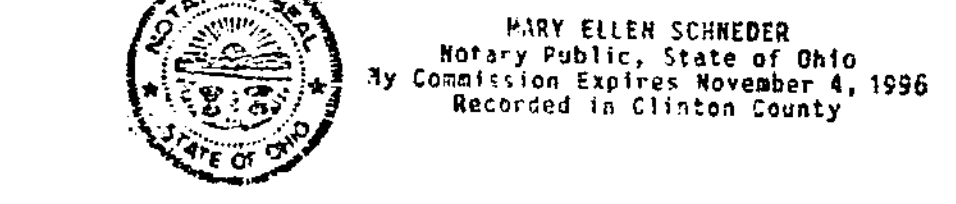
Witness: *Mary Ellen Schuler*
 James D. Borton

ACKNOWLEDGMENT

State of Ohio, County of Clinton SS: 21 day of August, 1995, before me, the undersigned, a Notary Public in and for said County, personally came James D. Borton, to me known, and acknowledged the signing and execution of the within plat to be their voluntary act and deed.

In testimony whereof, I have hereunto set my hand and notarial seal on the day and year first above written.

11-4-96
 My commission expires _____
 Notary Public - Clinton County, Ohio



CITY PLANNING COMMISSION

Under authority provided by acts of the General Assembly of the State of Ohio, and ordinances adopted by Council of the City of Wilmington, Ohio, this plat was given approval by the City of Wilmington as follows:

Approved by City Planning Commission at a meeting held August 22, 1995
 Chairman: *[Signature]*
 Secretary: *[Signature]*

COUNTY COMMISSIONERS

We hereby approve the within plat and accept the dedication of the streets shown hereon for the perpetual use of the public this 6th day of August, 1995.

[Signatures]
 Clinton County Commissioners

CITY ENGINEER

I have checked this plat, find the bearings and distances satisfactory, and find no conflict with City Subdivision Regulations.

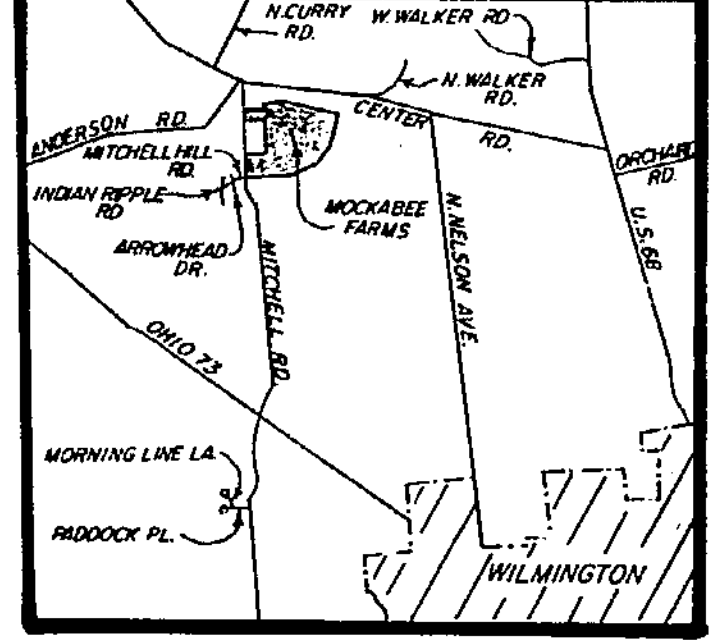
Robert W. Holmes
 City Engineer
 Date: 11-6-95

COUNTY ENGINEER

I hereby approve the within plat on this 30 day of November, 1995.

William Temple, PE, PS
 Clinton County Engineer

VICINITY SKETCH



SURVEYOR CERTIFICATION

I, Richard D. Roll, hereby certify that I am a Professional Surveyor, licensed in compliance with the laws of the State of Ohio, that this plat correctly represents a survey made or supervised by me, and that all monuments shown thereon actually exist at their locations.

Richard D. Roll
 Surveyor
 4557
 Registration No.
 8-2-95
 Date