

WYNDBURST PHASE III

SITUATED IN
MILITARY SURVEY NO. 1057
CITY OF WILMINGTON
CLINTON COUNTY, OHIO

DEVELOPER:
EDWIN N. LOVING
30 S. WALNUT ST.
WILMINGTON, OHIO 45177

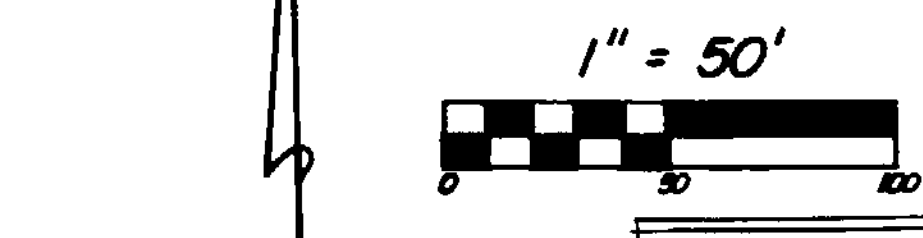
PREPARED BY
CLINGO SURVEYORS
58 S. WALNUT STREET
P.O. BOX 241
WILMINGTON, OHIO 45177
MARCH, 1996

- PROTECTIVE COVENANTS AND RESTRICTIONS**
- These covenants and restrictions are for the benefit of all the lot owners and are to run with the land and shall be binding upon all parties and all persons claiming under them until January, 2016, at which time said covenants shall be automatically extended for successive periods of ten (10) years, unless by a majority vote of the then owners of the lots it is agreed to change said covenants in whole or in part.
 - Each lot shall be used only for residential purposes. No building shall be erected, altered, placed or be permitted to remain on any lot other than one detached single-family dwelling with a private garage for not more than three cars which is to be attached to the principal dwelling. No mobile homes or double-wide sectional homes will be permitted. No structures of a temporary nature shall be used as a residence.
 - No lot shall hereafter be subdivided into parcels for additional building sites.
 - The total floor area of the main dwelling structure, exclusive of open porches, garages, or steps shall be not less than fifteen hundred (1500) square feet for a one story structure and eighteen hundred (1800) square feet for a one and one-half story or two story structure. Contemporary designs having a lesser floor area than the above stated, however, may be approved if said design shall have a volume comparable to the above stated.
 - No building shall be located nearer to the front lot line or nearer to the side street line than the minimum building setback line shown on the recorded plat. All buildings shall provide space as required by the applicable zoning restrictions.
 - Underground and log structures are prohibited.
 - No fence, wall, hedge or mass planting shall be permitted to extend nearer to any street than the minimum building setback.
 - No sign or billboard shall be erected on any lot in this subdivision except a professional sign of not more than two (2) square feet, "For Sale" or "For Rent" signs and advertising signs during the construction or sales period.
 - No animals, livestock or poultry shall be kept or maintained for commercial purposes.
 - No noxious or offensive trade or activities shall be carried on upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the occupants of any lot.
 - Above ground swimming pools are not permitted. Inground pools must be placed within the setback lines of the lot. All pools must have adequate safety fencing.
 - No junk or debris, such as discarded automobiles, machinery or vehicles, or parts thereof including any waste materials shall be stored on any lot. Currently licensed boats, trailers, recreational vehicles and other such items must be kept free from public view. No licensed vehicles may be stored on lots.
 - No satellite dish antennas are permitted without the written consent of the developer, as to the specific location.
 - Air conditioning and heat pump equipment shall be located only in the side or rear yards and shall be screened from view.
 - Each and every lot and house thereon shall be maintained by the owner thereof in a reasonable manner in accordance with the general standards of maintenance prevailing throughout the property. All lots, including easement areas, shall be kept free of debris and clutter and shall be kept mowed. This paragraph shall not apply to any lots owned by the declarant or builder and held for sale.
 - Drainage channels, swales and slopes in this subdivision have been established for the conveyance of surface drainage to the public streets or storm sewers and shall be maintained continuously for such purposes by the lot owners. No materials shall be removed from or placed upon any lot which obstructs, retards, or changes the direction of flow of water through these drainage channels or swales.
 - No trucks over three-quarter (3/4) ton capacity shall at any time be parked in this subdivision, except in an enclosed garage. Trucks making service or delivery calls are hereby excluded from this restriction.
 - No structures may be constructed on any lot until the builder, the plans and specifications for said structure have been approved in writing by the developer, or a committee named by them, their heirs, successors or assigns. In the event that the declarant or designated committee, fails to approve or disapprove said plans and specifications within ten (10) days after submission, approval will not be required and this article shall be deemed fully complied with. Two (2) sets of plans must be submitted to the developer, with one set returned with initialed approval.
 - Concurrent with construction of a house, each lot owner must install a sidewalk along that portion of said lot having curb and gutter. Said sidewalks are to be built in accordance with the location, elevations and specifications supplied by the City of Wilmington. Each lot owner shall construct said sidewalk by April, 2001, even though there is no house on said lot.
 - These covenants shall be enforceable by injunction and otherwise by the Grantor, its successors and assigns. Invalidation of any of these covenants by judgement or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

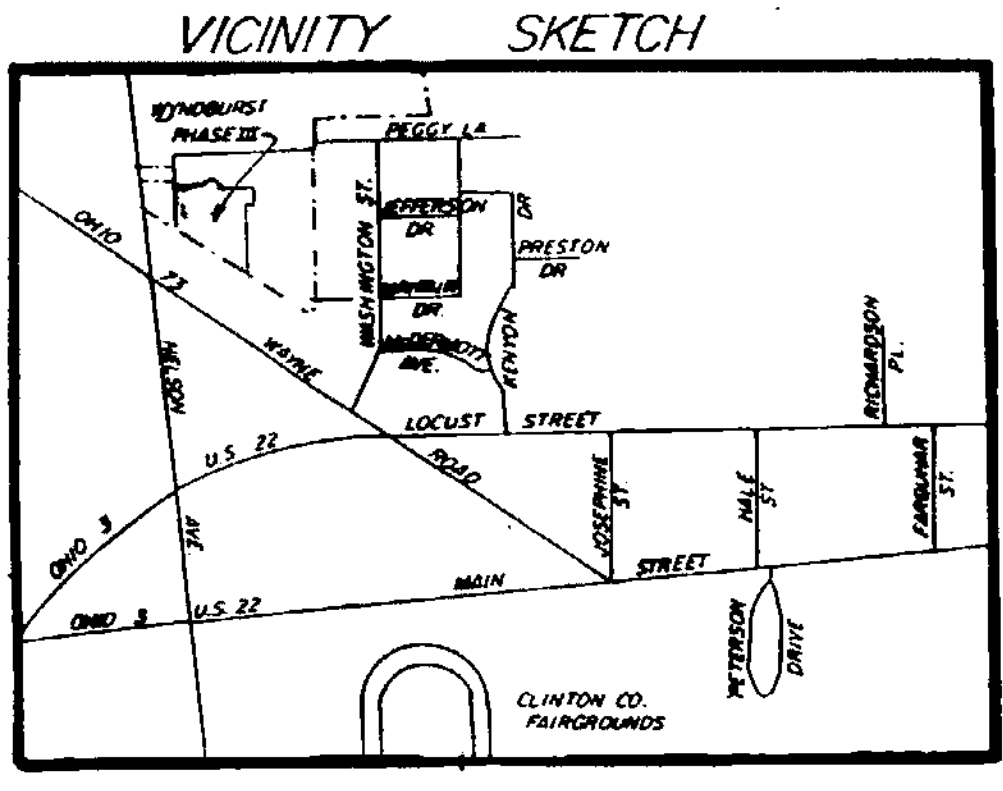
- NOTES:**
- Denotes set 1/2" x 3/8" iron pin with plastic cap stamped "CLINGO".
 - Denotes found 1/2" iron pin.
 - ▲ Denotes found 5/8" iron pin.
 - Lot lines along Spinnaker Place are marked by notches in curb.
 - Curved distances are measured on the arc.
 - The City of Wilmington assumes no legal obligation to maintain or repair any open "drainage easements" on this plat. The easement area of each lot and all improvements within it shall be maintained continuously by the lot owner. Within the easements, no structure, planting, fencing, culvert, or other material shall be placed or permitted to remain which may obstruct, retard or divert the flow through the watercourse.
 - BEARINGS WERE DERIVED FROM THE RECORDED PLAT OF WYNDBURST - PHASE II.
 - DENOTES NO EVIDENCE OF OCCUPATION EXISTS.

CHORDS

A	N 64° 52' 27" W	35.36'
B	N 48° 15' 02" W	7.12'
C	N 86° 42' 35" W	56.46'
D	S 35° 59' 40" W	38.94'
E	S 9° 50' 32" E	38.94'
F	S 61° 24' 30" E	47.94'
G	N 71° 28' 39" E	31.67'
H	N 73° 42' 59" E	35.36'



RECEIVED FOR RECORD
Recorded: June 24, 1996
Plat Book No. 7 Page: 63 B
96 June 24 AM 10:28
44375
Fee: \$40.00
SANDRA K. WILT
Recorder
Clinton County, Ohio



ACREAGE

6 Lots = 2.017 Acres
Street = 0.227 Acre
TOTAL = 2.244 Acres

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 location.

Richard D. Roll
Surveyor
4957
Registration No. 4-6-96
Date

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 April 23, 1996.

Chairman: [Signature]
Secretary: [Signature]

DEDICATION CERTIFICATION

I, the undersigned, Edwin N. Loving, owner of the real estate shown and described herein, do hereby certify that I have laid off, platted, and subdivided and do hereby lay off, plat and subdivide said real estate in accordance with this plat, and do hereby agree that I will abide by all requirements of the City Standard Plans and Specifications of the City of Wilmington, Ohio.

This subdivision, to be known as WYNDBURST, PHASE III shall be an addition to the City of Wilmington, Ohio, and all streets, alleys and public areas shown and not heretofore dedicated, are hereby dedicated to public use.

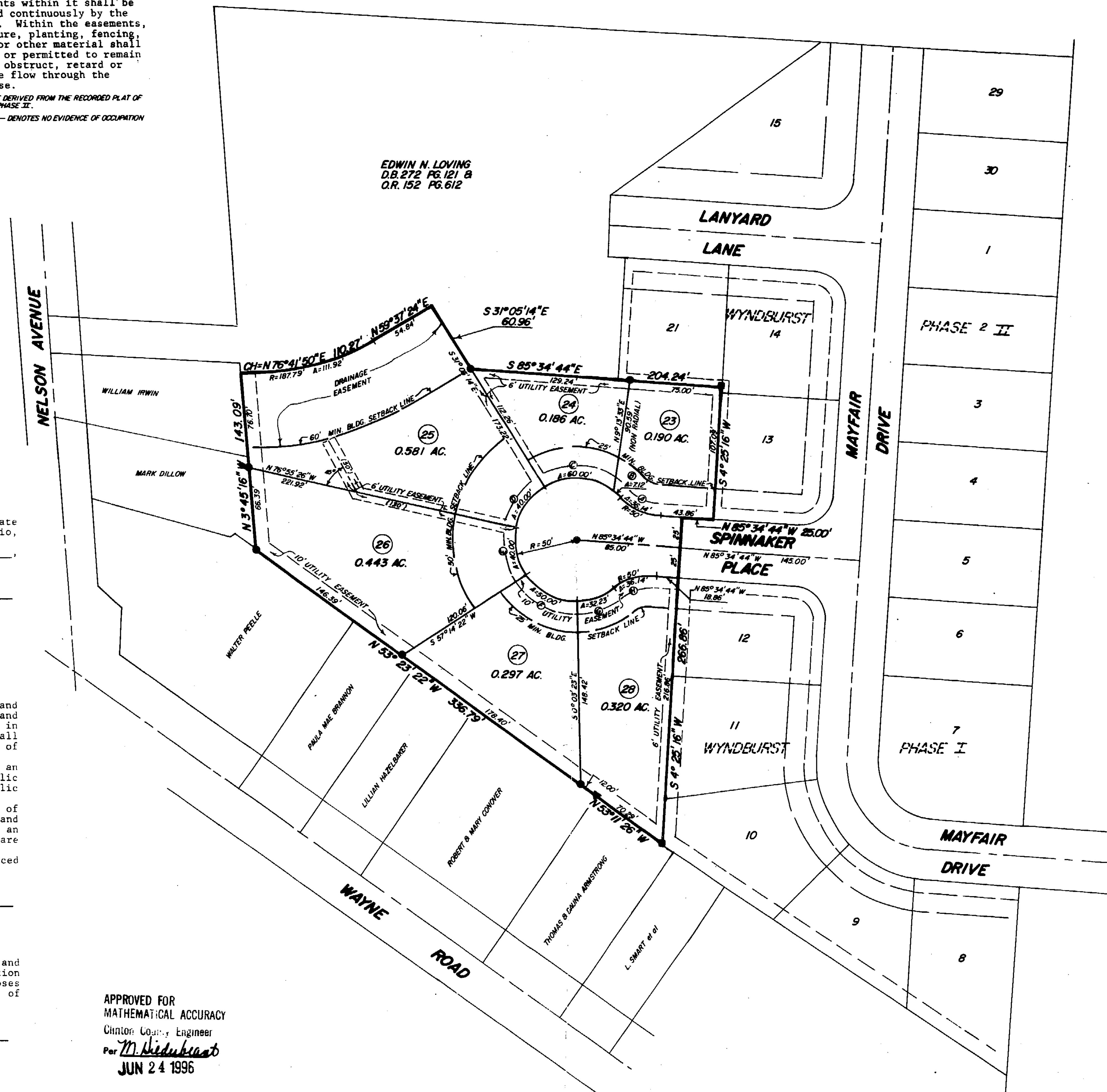
All easements shown as a part of this plat are dedicated to the use of private or public utilities for the installation, maintenance and replacement of utility lines. No structures shall be placed within an easement and any trees, flowers or other objects upon the easement are placed there at the property owner's risk.

After construction and grading is completed, monuments shall be placed on all lot corners where they do not exist at that time.

Witness: Meredith S. Naley, Edwin N. Loving

State of Ohio, County of Clinton SS,
Before me, the undersigned Notary Public, in and for the County and State, personally appeared Edwin N. Loving and acknowledged the execution of the foregoing instrument as his voluntary act and deed, for the purposes therein expressed, witness my hand and Notarial seal this 9 day of June, 1996.

Alice L. M... Notary Public
Per: M. Niedzwiedz
JUN 24 1996



CITY ENGINEER

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

City Engineer: [Signature] Date: 6/11/96

DEED REFERENCE

The within plat is a part of the 9.684 Acre Tract as acquired by Edwin N. Loving by deeds recorded in Volume 272, Page 121, of the Clinton County, Ohio, Deed Records and Volume 152, Page 612, of the Official Records of Clinton County, Ohio.