PROTECTIVE COVENANTS AND RESTRICTIONS

(1) 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 2019, 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

(2) EXCEPT AS APPROVED BY DEVELOPER, OR AS OTHERWISE ZONED, 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 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.

(3) NO LOT SHALL HEREAFTER BE SUBDIVIDED INTO PARCELS FOR ADDITIONAL BUILDING SITES, UNLESS AS APPROVED BY DEVELOPER

(4) THE TOTAL FLOOR AREA OF THE MAIN DWELLING STRUCTURE, EXCLUSIVE OF OPEN PORCHES, GARAGES, OR STEPS SHALL NOT BE LESS THAN ONE THOUSAND (1000) SQUARE FEET FOR A ONE STORY STRUCTURE AND FOURTEEN HUNDRED (1400) SQUARE FEET FOR A ONE AND ONE HALF STORY OR TWO STORY STRUCTURE HOWEVER CONTEMPORARY DESIGNS HAVING A LESSER FLOOR AREA THAN THE ABOVE STATED MAY BE APPROVED IF SAID DESIGN SHALL HAVE A VOLUME COMPARABLE TO THE ABOVE STATED AND IS APPROVED BY DEVELOPER

(5) 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

(6) UNDERGROUND AND LOG STRUCTURES ARE PROHIBITED

(7) NO FENCE, WALL, HEDGE OR MASS PLANTING SHALL BE PERMITTED, EXCEPT IN ACCORDANCE WITH PLANS AS APPROVED BY THE DEVELOPER

(8) NO SIGN OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT EXCEPT ONE TEMPORARY SIGN OF NOT MORE THAN ONE SQUARE FOOT, ONE SIGN OF NOT MORE THAN SIX SQUARE FEET ADVERTISING THE PROPERTY FOR SALE OR RENT, INCLUDING SIGNS USED BY A BUILDER TO ADVERTISE THE PROPERTY DURING THE CONSTRUCTION AND SALES PERIOD, EXCEPT AS APPROVED BY THE DEVELOPER

(9) NO ANIMALS, LIVESTOCK OR POULTRY OF ANY KIND SHALL BE RAISED, BRED, OR KEPT ON ANY LOT EXCEPT DOGS, CATS AND OTHER HOUSEHOLD PETS, PROVIDED THEY ARE NOT KEPT, BRED OR MAINTAINED FOR COMMERCIAL PURPOSES

(10) 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

(11) ABOVE GROUND POOLS (EXCLUDING HOT TUBS) ARE NOT PERMITTED INGROUND POOLS AND HOT TUBS MUST BE PLACED WITHIN THE SETBACK LINES OF THE LOT AND IN REAR YARDS ONLY ALL POOLS OR HOT TUBS MUST HAVE ADEQUATE SAFETY FENCES

(12) NO LOT SHALL BE USED AS A DUMPING GROUND FOR RUBBISH ANY TRASH, GARBAGE, OR OTHER WASTE SHALL NOT BE KEPT EXCEPT IN SANITARY CONTAINERS, PROPERLY ENCLOSED SO AS TO BE OUT OF VIEW ALL ENCLOSURES, INCINERATORS OR OTHER EQUIPMENT USED FOR THE STORAGE OR DISPOSAL OF SUCH MATERIAL SHALL BE KEPT IN A CLEAN AND SANITARY CONDITION

NO TRUCK, TRAILER, BOAT, CAMPER, RECREATIONAL VEHICLE OR COMMERCIAL VEHICLE SHALL BE PARKED OR STORED IN FRONT OF OR ON ANY LOT UNLESS IT IS IN A GARAGE OR OTHER VEHICLE ENCLOSURE OUT OF VIEW FROM THE STREET AND ABUTTING PROPERTIES, PROVIDED, HOWEVER, THAT NOTHING HEREIN SHALL PROHIBIT THE OCCASIONAL AND NONRECURRING TEMPORARY PARKING OF SUCH TRUCK, TRAILER, BOAT, CAMPER, RECREATIONAL VEHICLE OR COMMERCIAL VEHICLE ON THE PROPERTY FOR A PERIOD NOT TO EXCEED SEVENTY-TWO (72) HOURS IN ANY PERIOD OF THIRTY (30) DAYS.

(13) NO ANTENNAS, SATELLITE DISH, SOLAR PANELS, STORAGE TANKS, WHETHER ABOVE OR BELOW THE GROUND (EXCEPT IN CONJUNCTION WITH GAS GRILLS) , STORAGE BUILDINGS, OR ANIMAL SHELTERS ARE PERMITTED WITHOUT WRITTEN CONSENT OF THE DEVELOPER, AS TO THE SPECIFIC LOCATION

(14) AIR CONDITIONING AND HEAT PUMP EQUIPMENT SHALL BE LOCATED ONLY IN THE SIDE OR REAR YARDS AND SHALL BE SCREENED FROM VIEW

(15) 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 AND HELD FOR SALE

(16) 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

(17) 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 AND CONSTRUCTION VEHICLES ARE HEREBY EXCLUDED FROM THIS RESTRICTION

(18) NO TEMPORARY OR PERMENANT STRUCTURES, SITE IMPROVEMENT, LANDSCAPING, OR SIGNAGE, MAY BE CONSTRUCTED ON ANY LOT UNTIL THE BUILDER, AND THE PLANS AND SPECIFICATIONS FOR SAID STRUCTURES, SITE IMPROVEMENT, LANDSCAPING, OR SIGNAGE HAVE BEEN APPROVED IN WRITING BY THE DEVELOPERS, 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 THIRTY (30) 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

(19) 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, AND THE DEVELOPER DEVELOPER EXCEPTED, EACH LOT OWNER SHALL CONSTRUCT SAID SIDEWALK DURING LOT DEVELOPMENT OR AS PROVIDED BY THE DEVELOPMENT PLAN

(20) THESE COVENANTS SHALL BE ENFORCIBLE 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

(21) GRANTOR RESERVES THE RIGHT TO AMEND OR MODIFY THESE RESTRICTIONS BY A DECLARATION OF AMENDMENT IF SUCH AMENDMENT IS REQUESTED OR REQUIRED BY FHA OR VA TO SECURE GOVERNMENTAL APPROVAL FOR MORTGAGE FINANCING PURPOSES THE RECORDATION OF SUCH AMENDMENT SHALL BE SUFFICIENT EVIDENCE OF SUCH PURPOSES NO FURTHER EVIDENCE SHALL BE NECESSARY OR REQUIRED

(22) AREAS DESIGNATED AND DELINEATED HEREON AS "COMMON AREA" SHALL BE OWNED AND MAINTAINED BY AN ASSOCIATION COMPRISED OF OWNERS OF THE FEE SIMPLE TITLES TO ALL OF THE LOTS IN TIMBER GLEN, PHASE 1, SECTION 2, AND ALL SUBSEQUENT PHASES AND SECTIONS OF THIS DEVELOPMENT

RECORD PLAN

TIMBER GLEN, PHASE 1
SECTION 4

SITUATED IN
MILITARY SURVEY NO. 2471
CITY OF WILMINGTON, UNION TOWNSHIP, CLINTON CO., OHIO
FEBRUARY, 2002

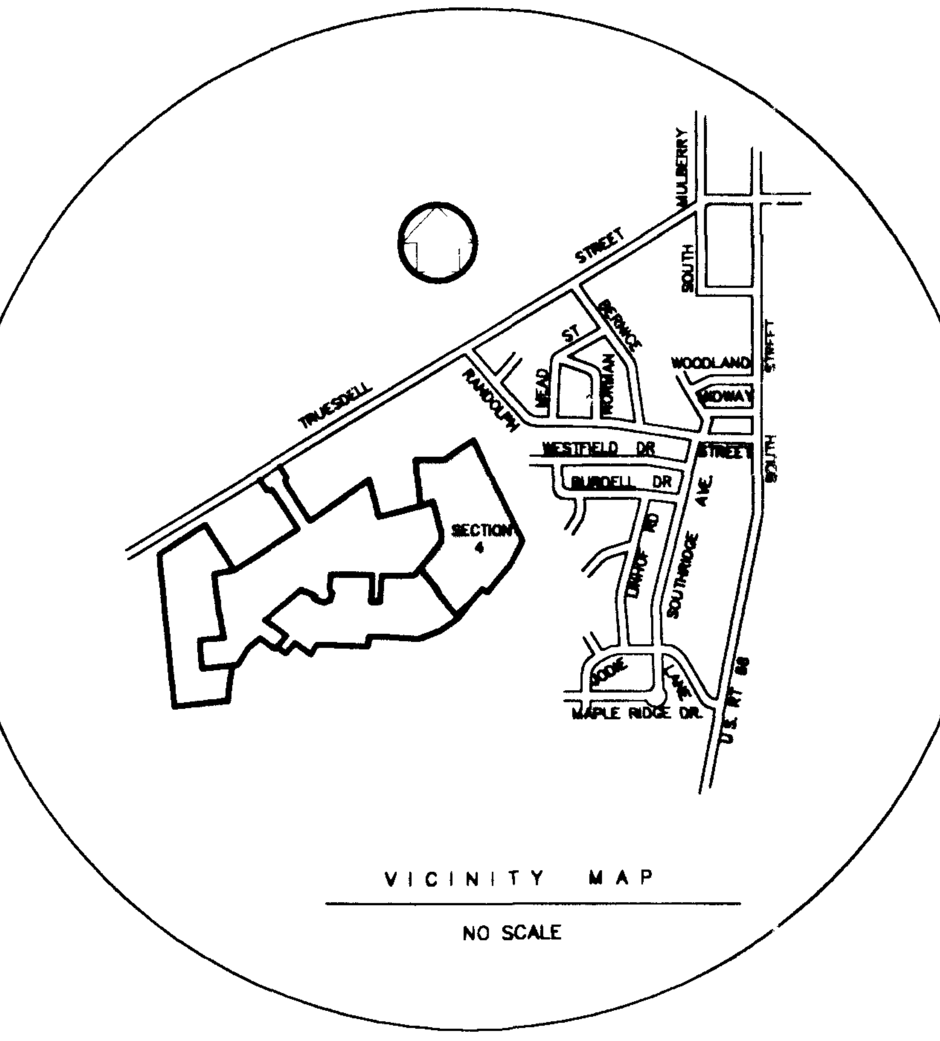
0 554 ACRES IN COMMON AREA
6 039 ACRES IN LOTS
1 086 ACRES IN R/W

CONTAINING 7 679 TOTAL ACRES

PREPARED BY

JUDGE ENGINEERING CO
1201 E DAVID ROAD
KETTERING OHIO 45429
PHONE (937)294-1441 FAX (937)294 6498

DEED REFERENCE.
VOLUME 176,PAGE 722



VICINITY MAP

NO SCALE

NOTE
THE FOLLOWING EASEMENTS AS RECORDED IN THE CLINTON COUNTY RECORDER'S OFFICE DO NOT AFFECT THIS PLAT THEY DO, HOWEVER, AFFECT PORTIONS OF THE REMAINDER OF TIMBER GLEN AND HAVE BEEN OR WILL BE SHOWN ON THE RESPECTIVE RECORD PLAN(S) WHICH THEY AFFECT

OFFICIAL VOLUME RECORD

VOLUME 311, PAGE 533
VOLUME 311, PAGE 536
VOLUME 311, PAGE 539
VOLUME 311, PAGE 542
VOLUME 311, PAGE 545
VOLUME 311, PAGE 548
VOLUME 311, PAGE 551
VOLUME 311, PAGE 554
VOLUME 311, PAGE 557
VOLUME 311, PAGE 560
VOLUME 311, PAGE 563

SURVEYORS RECORD
Book 32 Page 149
4-26-2002

RECEIVED FOR RECORD
RECORDED April 25, 2002
BOOK NO 8 PAGE NO 103-A
FEE $ 40.00
SANDRA K WILT
Recorder
Clinton County, OH

SURVEYOR CERTIFICATION

THE WITHIN PLAT IS 7.679 ACRES OUT OF 163 490 ACRES OF LAND AS ACQUIRED BY DAVAL PROPERTIES, INC BY DEED AS RECORDED IN VOLUME 176, PAGE 722 OF THE OFFICIAL RECORDS OF CLINTON COUNTY OHIO

I, BRADLEY J JUDGE, 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 OR WILL BE SET AT THE LOCATION SHOWN

Bradley J. Judge — SURVEYOR
7150 — REGISTRATION NO
3/7/02 — DATE

DEDICATION CERTIFICATION.

THE UNDERSIGNED, DAVID W AND CYNTHIA A CAMP, OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED, HEREIN, DO HEREBY CERTIFY THAT WE 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 WE WILL ABIDE BY ALL REQUIREMENTS OF THE CITY STANDARD PLANS AND SPECIFICATIONS OF THE CITY OF WILMINGTON, OHIO

THIS SUBDIVISION, TO BE KNOWN AS TIMBER GLEN, PHASE 1, SECTION 4, 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 UTILITIES (I E CABLE, TELEPHONE AND GAS) OR PUBLIC UTILITIES FOR THE INSTALLATION, MAINTENANCE AND REPLACEMENT OF UTILITY LINES AND APPURTENANCES. ANY AND ALL WATER AND SEWER LINES AND THEIR APPURTENANCES AND ANY LIFT STATIONS WHICH MAY BE LOCATED WITHIN SAID EASEMENTS ARE ALSO DEDICATED AND CONVEYED TO THE CITY OF WILMINGTON, OHIO 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, MONUMENTATION SHALL BE PLACED ON ALL LOT CORNERS WHERE THEY DO NOT EXIST AT THAT TIME

OWNERS
DAVAL PROPERTIES INC
849 ORCHARD ROAD
WILMINGTON, OHIO 45177

WITNESSES

WITNESS — WITNESS — DAVID W CAMP, SEC

WITNESS — WITNESS — CYNTHIA A CAMP,VP

STATE OF OHIO.S.S.

BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY AND STATE, PERSONALLY APPEARED DAVID W & CYNTHIA A CAMP, AND ACKNOWLEDGED THE SIGNING AND EXECUTION OF THE FOREGOING INSTRUMENT AS THEIR VOLUNTARY ACT AND DEED, FOR THE PURPOSES THEREIN EXPRESSED WITNESS MY HAND AND NOTORIAL SEAL THIS ____ DAY OF __________ , 2002

NOTARY PUBLIC
MY COMMISSION EXPIRES ________

MELINDA S. ROSE
Notary Public, State of Ohio
Recorded in Clinton County
My Comm. Expires 08-22-2006

STATE OF OHIO, S.S

DAVID W. CAMP, BEING DULY SWORN, SAYS THAT ALL PERSONS AND CORPORATIONS, TO THE BEST OF HIS KNOWLEDGE, INTERESTED IN THIS DEDICATION, EITHER AS OWNERS OR LIENHOLDERS, HAVE UNITED IN IT'S EXECUTION

DAVID W CAMP,OWNER

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND NOTARIAL SEAL ON THE DAY AND DATE WRITTEN ABOVE

NOTARY PUBLIC
MY COMMISSION EXPIRES ____________

MELINDA S. ROSE
Notary Public, State of Ohio
Recorded in Clinton County
My Comm. Expires 08-22-2006

ENGINEER'S APPROVAL

I HAVE CHECKED THIS PLAT, FIND THE BEARINGS AND DISTANCES PLAT SATISFACTORILY, AND FIND NO CONFLICT WITH CITY SUBDIVISION REGULATIONS

CDS Associates, Inc
J Frederick Grossman VP — CITY ENGINEER
3/25/02 — DATE

PLANNING COMMISION APPROVAL

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 THE CITY PLANNING COMMISION AT A MEETING HELD 2/26 , 2002

CHAIRMAN — Karen Lopetz, SECRETARY

DATE 2/06/02
SHEET 1 OF 2