

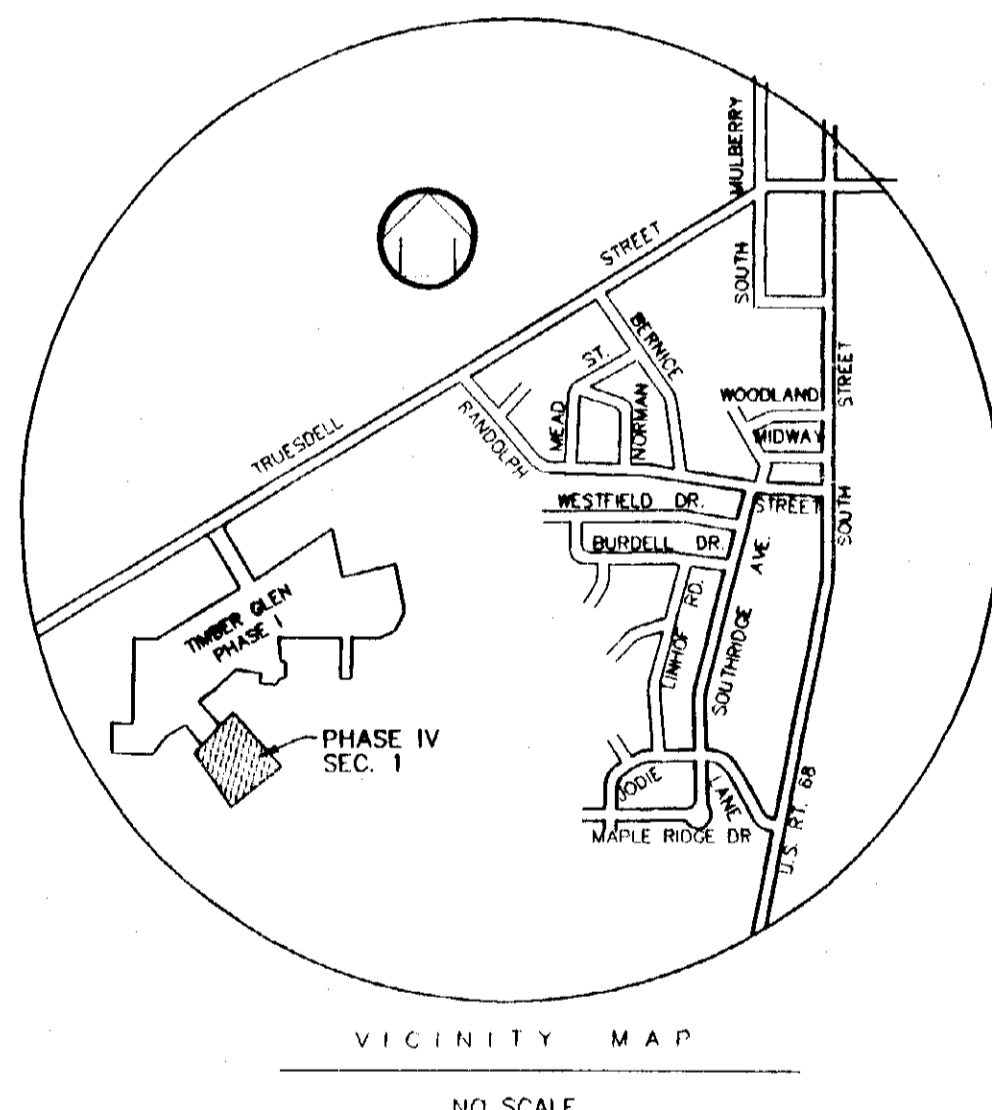
RECORD PLAN
**TIMBER GLEN, PHASE IV
SECTION I**

SITUATED IN
MILITARY SURVEY NO. 2471
CITY OF WILMINGTON, UNION TOWNSHIP, CLINTON CO., OHIO
NOVEMBER, 2003

0.110 ACRES IN COMMON AREA
5.157 ACRES IN LOTS
1.068 ACRES IN R/W
CONTAINING 6.335 TOTAL ACRES

PREPARED BY:
JUDGE ENGINEERING CO.
1701 L. DAVID ROAD
KETTERING, OHIO 45429
PHONE 937/294-1441 FAX 937/294-6498

DEED REFERENCE:
VOLUME 176, PAGE 722



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 ERRECTED, 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 ADJUTING 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, RELARDS, 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 PERMANENT 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 ENFORCEBLE 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 A" 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 4, SECTION 1, AND ALL SUBSEQUENT PHASES AND SECTIONS OF THIS DEVELOPMENT.

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

SURVEYOR CERTIFICATION

THE WITHIN PLAT IS 6.335 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 7150 12/18/03
SURVEYOR REGISTRATION NO. 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 4, SECTION 1, 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:
David W. Camp
Cynthia A. Camp
DAVID W. CAMP, OWNER
CYNTHIA A. CAMP, OWNER

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 NOTARIAL SEAL THIS 2nd DAY OF March 2004.

Elizabeth Ann Hunt
NOTARY PUBLIC
MY COMMISSION EXPIRES Jan 28 2008



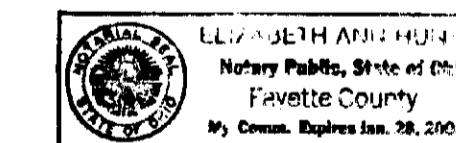
STATE OF OHIO, S.S.

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
DAVID W. CAMP, OWNER

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

Elizabeth Ann Hunt
NOTARY PUBLIC
MY COMMISSION EXPIRES Jan 28 2008



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.
Richard L. ...
CITY ENGINEER DATE March 11, 2004

PLANNING COMMISSION 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 COMMISSION AT A MEETING HELD 12/23, 2003.

Chairman *Secretary*

RECEIVED FOR RECORD: January 15, 2005

TIME RECORDED: 12:45 PM

BOOK NO. 8 PAGE NO. 123-A

FEE: \$ 80.00

APPROVED FOR
MATHEMATICAL ACCURACY
CLINTON COUNTY ENGINEER

Sandra K. Wilt
Recorder
Clinton County, OH

SANDRA K. WILT
Recorder
Clinton County, OH