

In Amendment to Protective Covenants  
Law OR Vol. 345 pg. 688  
Recorded Aug. 22, 2000  
Landra K. West, Recorder

**PROTECTIVE COVENANTS AND RESTRICTIONS**

THE SILVER CREEK SUBDIVISION IS DIVIDED IN PART INTO 7 LOTS WHICH ARE NUMBERED CONSECUTIVELY FROM 1 TO 7 INCLUSIVE. AS TO SUCH LOTS NOS. 1 THROUGH 7 INCLUSIVE, THE FOLLOWING COVENANTS AND RESTRICTIONS SHALL APPLY:

1. ALL SUCH LOTS SHALL BE KNOWN AND DESCRIBED AS RESIDENTIAL ESTATE LOTS. NO STRUCTURE OR IMPROVEMENTS SHALL BE ERRECTED, ALTERED, PLACED OR BE PERMITTED TO REMAIN ON ANY RESIDENTIAL LOT, OTHER THAN ONE (1) DETACHED SINGLE FAMILY BUILDING NOT TO EXCEED 2 1/2 STORIES IN HEIGHT, CONTAINING A FINISHED LIVING AREA OF NOT LESS THAN 1,600 SQUARE FEET AND A PRIVATE GARAGE FOR NOT MORE THAN THREE (3) CARS. EACH LOT SHALL PROVIDE OFF-STREET PARKING FOR TWO (2) CARS.
2. A COMPLETE SET OF PLANS FOR HOUSE TO BE CONSTRUCTED SHALL BE SUBMITTED TO DEVELOPER FOR APPROVAL. PLANS MUST SHOW ALL ELEVATIONS, TYPE OF EXTERIOR MATERIALS TO BE USED AND ESTIMATED GRADING. ALL PLANS MUST BE APPROVED AND SIGNED BY THE DEVELOPERS, THEIR AGENTS, HEIRS, ADMINISTRATORS OR ASSIGNS, BEFORE CONSTRUCTION BEGINS.
3. NO BUILDING, EXCEPT OPEN PORCHES, BAYS OR OTHER SUCH PROJECTIONS, SHALL BE LOCATED ON ANY LOT NEARER THE STREET LINE THAN THE MINIMUM BUILDING SET-BACK LINES AS SHOWN ON THE RECORDED PLAT. NO LOT SHALL BE FURTHER SUBDIVIDED INTO SMALLER LOTS FOR THE PURPOSE OF PROVIDING ADDITIONAL BUILDING SITES; HOWEVER, A RESIDENTIAL BUILDING MAY BE ERRECTED ON A TRACT WITH AN AREA GREATER THAN A SINGLE LOT AS SHOWN ON THE RECORDED PLAT.
4. NO NOXIOUS OR OFFENSIVE TRADE OR ACTIVITY SHALL BE CARRIED ON UPON ANY LOT, NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE OR BECOME AN ANNOYANCE OR A NUISANCE TO THE NEIGHBORHOOD.
5. NO STRUCTURES OF A TEMPORARY CHARACTER, TRAILER, BASEMENT, GARAGE, TENT, OR SHACK ON ANY LOT SHALL BE USED AT ANY TIME AS A TEMPORARY OR PERMANENT RESIDENCE. NO TRUCK OVER 3/4 TON, TRACTOR TRAILER OR SIMILAR VEHICLE MAY BE STORED ON ANY LOT.
6. WHEN CONSTRUCTION OF A RESIDENCE OR ANY OTHER BUILDING IS STARTED, IT SHALL BE COMPLETED ON THE OUTSIDE INCLUDING DRIVEWAY, GRADING AND SEEDING WITHIN ONE YEAR FROM COMMENCEMENT OF CONSTRUCTION.
7. TRASH, GARBAGE, OR OTHER WASTE SHALL NOT BE STORED OUTDOORS EXCEPT UPON THE DAY ON WHICH THE SAME IS TO BE COLLECTED AND IT SHALL THEN BE PLACED IN COVERED SANITARY CONTAINERS.
8. NO SIGN OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT, EXCEPT ONE PROFESSIONAL SIGN OF NOT MORE THAN ONE SQUARE FOOT, ONE SIGN OF NOT MORE THAN FIVE SQUARE FEET ADVERTISING THE PROPERTY FOR SALE OR RENT, OR SIGNS USED BY THE DEVELOPER TO ADVERTISE THE PROPERTY DURING CONSTRUCTION OR SALES PERIOD.
9. NO FENCE SHALL BE ERRECTED, PLACED OR ALTERED ON ANY LOT NEARER TO ANY STREET THAN THE MINIMUM BUILDING SET-BACK LINE.
10. EASEMENTS FOR INSTALLATION AND MAINTENANCE OF UTILITIES ARE RESERVED AS SHOWN ON THE RECORDED PLAT.
11. THESE COVENANTS ARE TO RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES AND PERSONS CLAIMING UNDER THEM FOR A PERIOD OF TWENTY-FIVE (25) YEARS FROM THE DATE THESE COVENANTS ARE RECORDED, AFTER WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN (10) YEARS UNLESS AN INSTRUMENT SIGNED BY A MAJORITY OF THE THEN OWNERS OF LOTS HAS BEEN RECORDED, AGREEING TO CHANGE SAID COVENANTS IN WHOLE OR IN PART.
12. ENFORCEMENT OF THESE RESTRICTIONS SHALL BE BY PROCEEDING AT LAW OR IN EQUITY AGAINST ANY PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY COVENANT AND MAY BE BROUGHT BY ANY OWNER OF A LOT WHETHER TO RESTRAIN VIOLATION OR TO RECOVER DAMAGES.
13. INVALIDATION OF ANY ONE 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.

# REPLAT OF SILVER CREEK

## SECTION ONE MILITARY SURVEY #1458 WASHINGTON TOWNSHIP CLINTON COUNTY, OHIO

SCALE: 1"=100' APRIL, 1975

PREPARED BY  
**CLINCO**  
ENGINEERS - SURVEYORS  
WILMINGTON, OHIO

RECEIVED FOR RECORD  
RECORDED  
EX. NO. 6 PAGE 432  
1975 JUN 10 PM 3:48  
FEE \$ 30.00  
S. RICHARDSON  
RECORDER  
CLINTON COUNTY, OHIO

41588

### CITY PLANNING COMMISSION

WE, THE PLANNING COMMISSION OF THE CITY OF WILMINGTON, OHIO, DO HEREBY APPROVE THIS PLAT ON THIS 21<sup>st</sup> DAY OF May, 1975.

*Chairman*  
CHAIRMAN  
*Secretary*  
SECRETARY

### COUNTY COMMISSIONERS

WE HEREBY APPROVE THE WITHIN PLAT AND ACCEPT THE DEDICATION OF THE STREETS SHOWN THEREON FOR THE PERPETUAL USE OF THE PUBLIC THIS 16 DAY OF May, 1975.

*Estel Snyder*  
Estel Snyder  
*Chairman*  
Chairman

ATTEST:  
*Helen J. Rannels*  
Helen J. Rannels  
CLERK

### SURVEYOR'S NOTES

1. (C) DENOTES IRON PIN.
2. CURVED DISTANCES ARE MEASURED ON THE ARC.

### CERTIFICATE OF SURVEYOR

I HEREBY CERTIFY THAT THE WITHIN PLAT IS A CORRECT RESULT OF A SURVEY MADE UNDER MY DIRECTION IN AUGUST, 1974, AND ALL MONUMENTS ARE SET AS SHOWN.

*Richard D. Roll*  
RICHARD D. ROLL  
REGISTERED SURVEYOR #4957

### DEED REFERENCE

THE WITHIN PLAT IS A PART OF A 202.00 ACRE TRACT AS ACQUIRED BY ROBERT J. PHILLIPS (1/2 INTEREST) BY DEED RECORDED IN VOLUME 236, PAGE 117, AND AS ACQUIRED BY JOHN W. MORRIS AND HELEN J. MORRIS (1/2 INTEREST) BY DEED RECORDED IN VOLUME 236, PAGE 119, OF THE CLINTON COUNTY, OHIO, DEED RECORDS.

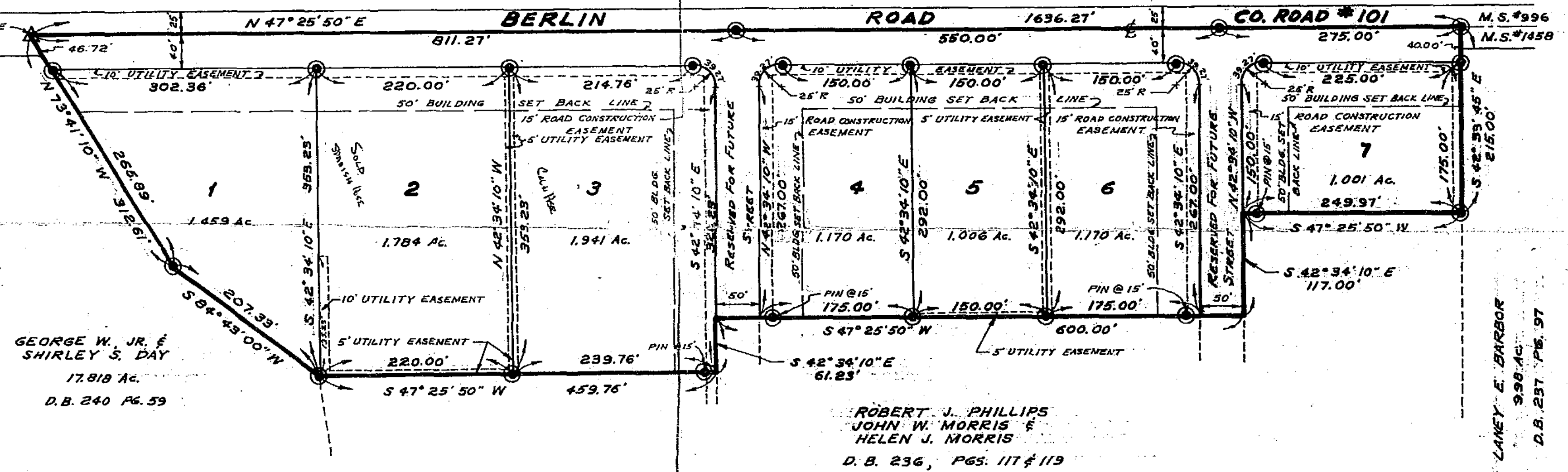
### HEALTH DEPARTMENT

WE, THE HEALTH DEPARTMENT OF CLINTON COUNTY, OHIO, HEREBY APPROVE THIS PLAT SUBJECT TO ADHERENCE TO THE HOME SEWAGE DISPOSAL REGULATIONS ON THIS DAY OF May, 1975.

*Commissioner*  
COMMISSIONER  
*Inspector*  
INSPECTOR

PREPARED BY  
**CLINCO**  
ENGINEERS - SURVEYORS  
62 1/2 E. SUBARTREE ST. WILMINGTON, OHIO

ENMETT H. & MARION W. BAILEY  
122.72 Ac.  
D.B. 216 Pg. 182



GEORGE W. JR. & SHIRLEY S. DAY  
17.919 Ac.  
D.B. 240 Pg. 59

ROBERT J. PHILLIPS  
JOHN W. MORRIS & HELEN J. MORRIS  
D.B. 236, Pgs. 117 & 119

### DEDICATION

WE, THE UNDERSIGNED, BEING OWNERS OF 11.705 ACRES IN WASHINGTON TOWNSHIP, CLINTON COUNTY, OHIO, DO HEREBY CERTIFY THAT THE FOREGOING PLAT IS A SUBDIVISION OF LAND TO BE KNOWN AS "SILVER CREEK, SECTION ONE" AND THAT OF SAID 11.705 ACRES, 9.531 ACRES CONSISTING OF LOTS NUMBERED 1 THROUGH 7 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 2.174 ACRES, ARE HEREBY DEDICATED TO THE PERPETUAL USE OF THE PUBLIC ACCORDING TO THE LAW IN SUCH CASES MADE AND PROVIDED.

EASEMENTS SHOWN ON THIS PLAT ARE FOR THE CONSTRUCTION OPERATION, MAINTENANCE, REPAIR, REPLACEMENT OR REMOVAL OF STREETS, ELECTRIC, TELEPHONE, OR OTHER UTILITIES OR SERVICES, AND FOR THE EXPRESS PURPOSE OF REMOVING ANY OF ALL TREES OR OTHER OBSTRUCTIONS TO THE FREE USE OF SAID UTILITIES AND FOR THE PROVIDING OF INGRESS AND EGRESS TO THE PROPERTY FOR SAID PURPOSES, AND ARE TO BE MAINTAINED AS SUCH FOREVER.

WITNESS  
*Robert J. Phillips*  
ROBERT J. PHILLIPS  
*John W. Morris*  
JOHN W. MORRIS  
*Helen J. Morris*  
HELEN J. MORRIS

### ACKNOWLEDGMENT

STATE OF OHIO  
COUNTY OF CLINTON ss:  
BE IT REMEMBERED THAT ON THIS 23<sup>rd</sup> DAY OF April, 1975, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY, PERSONALLY CAME ROBERT J. PHILLIPS, JOHN W. MORRIS AND HELEN J. MORRIS, HIS WIFE, 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 HERETO SET MY HAND AND NOTARIAL SEAL ON THE DAY AND YEAR FIRST ABOVE WRITTEN.

ARTHUR R. HORTON  
Notary Public - Ohio, 1969  
My Commission Expires August 24, 1978  
MY COMMISSION EXPIRES

*Arthur R. Horton*  
NOTARY PUBLIC  
CLINTON COUNTY, OHIO

