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 JEAN S. RICHARDSON
 RECORDER
 CLINTON COUNTY, OHIO

PROTECTIVE COVENANTS & RESTRICTIONS

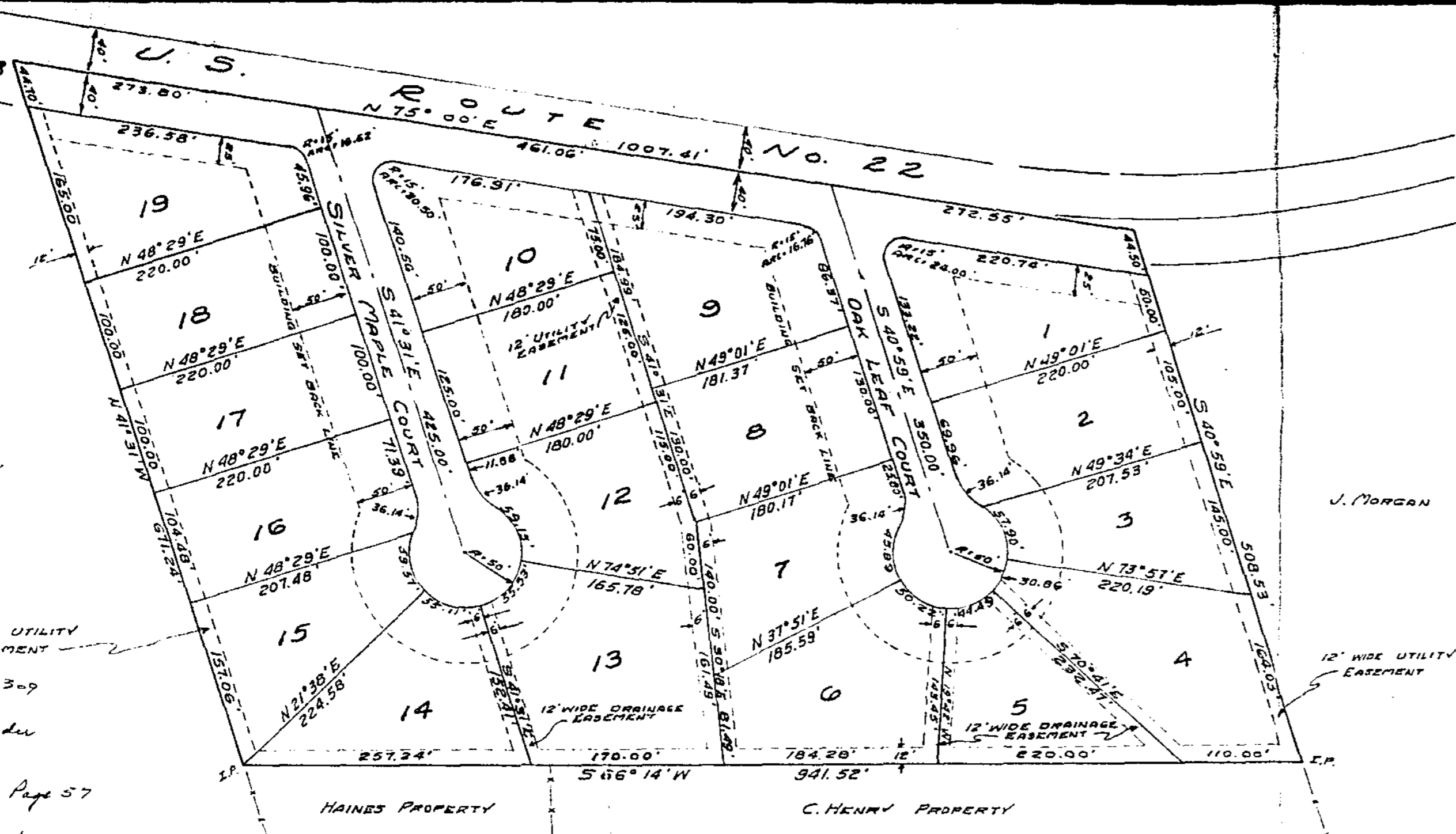
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LOUIS CURTIS PROPERTY

J. MORGAN PROPERTY

See Deed Volume 256 Page 309
 Recorded August 2, 1977
 Jean S. Richardson, Recorder

See Agreement Volume 14 Page 57
 Recorded July 17, 1981
 Jean S. Richardson, Recorder



AMENDED PLAT
 ROLLING ACRES SUBDIVISION
 MILITARY SURVEY *727, RICHLAND TWP.
 CLINTON COUNTY, OHIO
 1" = 100'

1. ALL NUMBERED HOMESITES OR BUILDING TRACTS IN THIS SUBDIVISION SHALL BE KNOWN AND USED AS SINGLE RESIDENTIAL HOMESITES. NO TRACT SHALL BE RESUBDIVIDED INTO SMALLER TRACTS FOR THE PURPOSE OF ADDITIONAL RESIDENCES. ONLY ONE RESIDENCE MAY BE BUILT OR PLACED ON ANY TRACT.
2. NO RESIDENCE BUILDING WITH LESS THAN TWELVE HUNDRED (1200) SQUARE FEET OF FIRST FLOOR LIVING SPACE (EXCLUDING GARAGE AND UTILITY ROOM) IN THE CASE OF A ONE STORY STRUCTURE, OR LESS THAN NINE HUNDRED (900) SQUARE FEET OF FIRST FLOOR LIVING SPACE (EXCLUDING GARAGE AND UTILITY ROOM) FOR OTHER THAN A ONE STORY STRUCTURE, SHALL BE ERECTED OR PLACED ON ANY TRACT IN THIS SUBDIVISION. ALL RESIDENCE BUILDINGS ERECTED OR PLACED ON ANY TRACT IN THIS SUBDIVISION SHALL HAVE A GARAGE ATTACHED THERETO. ALL BUILDINGS SHALL BE ON A SOLID STONE, BRICK, BLOCK OR CONCRETE FOUNDATION. THE EXTERIOR OF ALL BUILDINGS (INCLUDING GARAGES OR OTHER ATTACHED BUILDINGS) SHALL BE COVERED WITH STONE, ROCK OR VITRIFIED BUILDING BRICK ONLY. NO PAURED CONCRETE, CONCRETE BLOCK, CONCRETE BRICK, CINDER BLOCK OR BRICK HOUSES, OR PARTS THEREOF, OTHER THAN FOUNDATIONS, SHALL BE PERMITTED. NO ASPHALT BASE EXTERIOR SIDING OR ASBESTOS SIDING SHALL BE PERMITTED. THE ROOF OF ALL BUILDINGS SHALL BE COVERED WITH WOOD, COMPOSITION OR ASPHALT SHINGLES. NO BUILT UP OR ROLL ROOFING SHALL BE PERMITTED. ALL FRAME EXTERIORS SHALL BE STAINED, VARNISHED OR PAINTED WITH TWO (2) COATS OF APPROVED LEAD OR OIL PAINT. ALL BUILDINGS ON ANY TRACT IN THIS SUBDIVISION SHALL BE FULLY COMPLETED WITHIN ONE YEAR FROM THE TIME THAT THAT CONSTRUCTION ON ANY BUILDING ON ANY SUCH TRACT IS COMMENCED. ALL BUILDINGS ON ANY TRACT IN THIS SUBDIVISION, ALL STRUCTURES OF ANY KIND, AND ADDITIONS OR ALTERATIONS THERETO, MUST BE OF CONVENTIONAL DESIGN AND IN HARMONY WITH THE BUILDINGS IN THE NEIGHBORHOOD AND WITH SURROUNDING STRUCTURES. ALL CONSTRUCTION MUST BE PERFORMED IN A NEAT AND WORKMANLIKE MANNER AND FOLLOW STANDARD APPROVED CONSTRUCTION PRACTICES.
3. ANY OUTBUILDING SHALL HAVE SAME QUALITY FINISH AND ROOF AS THAT PRESCRIBED FOR RESIDENCE IN RESTRICTION TWO (2) HEREOF. NO SUCH BUILDING CAN BE MADE OF UNSIGHTLY MATERIAL OR SIMILAR LUMBER.
4. ALL BUILDINGS SHALL BE PLACED BACK OF THE BUILDING SET BACK LINE AS SHOWN IN THE WITHIN PLAT (PORCHES AND BAY WINDOWS EXCEPTED) AND NOT NEARER THAN TEN (10) FEET OF ANY SIDE LOT LINE. NO FENCE SHALL BE ERECTED ANY NEARER THE ROAD THAN THE SET BACK LINE UNLESS SAME SHALL BE A HEDGE OR SHRUB NOT TO EXCEED FOUR (4) FEET IN HEIGHT. NO GARDEN MAY BE PLANTED ANY NEARER TO THE ROAD THAN THE SET BACK LINE.
5. NO TRAILER, CABIN OR SHACK IS PERMITTED ON ANY TRACT OR LOT IN THIS SUBDIVISION, NOR IS ANY BASEMENT, GARAGE, OR OTHER OUTBUILDING, AT ANY TIME TO BE USED AS A TEMPORARY OR PERMANENT RESIDENCE.
6. UNTIL SUCH TIME AS A PUBLIC WATER SUPPLY AND SANITARY SEWER SYSTEM ARE AVAILABLE, EACH DWELLING ERECTED IN THIS SUBDIVISION SHALL HAVE A WELL AND A PRIVATE SEWAGE DISPOSAL SYSTEM, THE LOCATION AND CONSTRUCTION OF WHICH SHALL BE APPROVED BY THE PROPER HEALTH AUTHORITIES. NO OUTSIDE TOILETS PERMITTED.
7. NO NOXIOUS OR OFFENSIVE TRADE SHALL BE CARRIED ON UPON THIS LAND, NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE OR BECOME AN ANNOYANCE OR A NUISANCE TO THE NEIGHBORHOOD, EXCEPT THAT NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT THE USE OF ANY STRUCTURE ON ANY TRACT HEREIN, OR ANY PORTION OF SUCH STRUCTURE, FROM BEING USED FOR OFFICE SPACE ONLY.
8. NO SOIL, EARTH, SAND, GRAVEL, STONE OR TREE SHALL BE REMOVED FROM ANY TRACT TO BE SOLD, OR TO THE INJURY OF THE VALUE OR APPEARANCE OF THE TRACT.
9. NO UNUSED BUILDING MATERIAL, JUNK, RUBBISH OR TRASH SHALL BE LEFT EXPOSED ON ANY LOT OR TRACT EXCEPT DURING ACTUAL BUILDING OPERATIONS.
10. NO WORKOUT OR DISCARDED AUTOMOBILES, MACHINERY, OR VEHICLES OR PARTS THEREOF SHALL BE STORED ON ANY TRACT IN THIS SUBDIVISION AND NO PORTION THEREOF SHALL BE USED FOR AUTOMOBILE JUNK PILES OR THE STORAGE OF ANY KIND OF JUNK, OR WASTE MATERIALS.
11. NO POULTRY, PIGS, COWS OR GOATS MAY BE KEPT ON ANY LOT OR TRACT IN THIS SUBDIVISION.
12. THE PREMISES MUST BE KEPT NEAT AND CLEAN, THE BUILDINGS WELL PAINTED, AND WEEDS AND UNDERBRUSH MUST BE KEPT UNDER CONTROL AT ALL TIMES.
13. THE SELLER RESERVES THE RIGHT TO ENTER UPON SAID PREMISES FOR PURPOSE OF CUTTING GRASS, REMOVING DEBRIS OR FILLING IN, OR FOR ANY PURPOSE TO IMPROVE THE APPEARANCE OF SAID PREMISES AS IT MAY SEEM NECESSARY IN THE OPINION OF THE SELLER, UNTIL THE LAND IS CONVEYED IN FEE SIMPLE.
14. THE PRIVILEGE AND EASEMENT IS HEREBY RESERVED TO THE SELLER, HIS HEIRS, REPRESENTATIVES, AND ASSIGNS TO ERECT LIGHT AND TELEPHONE POLES AND SUITABLE EQUIPMENT FOR ANY OTHER UTILITIES, AND TO LAY WATER MAINS ON OR IN THE REAR SIX OR TWELVE FEET, OR AS SHOWN ON EACH TRACT HEREIN PLATTED.
15. THESE COVENANTS AND RESTRICTIONS ARE TO RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES AND PERSONS CLAIMING UNDER THEM UNTIL FEBRUARY OF 1977, AT WHICH TIME SAID COVENANTS AND RESTRICTIONS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN (10) YEARS. AT ANY TIME THESE COVENANTS AND RESTRICTIONS MAY BE AMENDED BY WRITTEN CONSENT OF SIXTY (60) PER CENT OF THE THEN OWNERS OF THE SEVERAL TRACTS. EACH OWNER HAVING ONE VOTE FOR EACH SEPARATE TRACT OWNED BY HIM.
16. IF THE PARTIES HERETO, OR ANY OF THEM OR THEIR HEIRS OR ASSIGNS SHALL VIOLATE OR ATTEMPT TO VIOLATE ANY OF THE COVENANTS OR RESTRICTIONS HEREIN, IT SHALL BE LAWFUL FOR ANY OTHER PERSON OR PERSONS OWNING ANY REAL PROPERTY SITUATED IN SAID DEVELOPMENT OR SUBDIVISION DESCRIBED HEREIN TO PROSECUTE ANY PROCEEDING AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANTS AND RESTRICTIONS AND EITHER TO PREVENT HIM OR THEM FROM SO DOING OR TO RECOVER DAMAGES OR OTHER DUES FOR SUCH VIOLATION.
17. INVALIDATION OF ANY ONE OF THESE COVENANTS AND RESTRICTIONS BY JUDGEMENT OR COURT ORDER SHALL IN NO WISE AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.
18. THE ABOVE COVENANTS AND RESTRICTIONS APPLY SPECIFICALLY TO THE TRACTS AND LOTS SHOWN AND DESCRIBED ON THE WITHIN PLAT.

PETITION

WE, THE UNDERSIGNED, BEING THE OWNERS, IN OUR OWN RIGHT, AND HOLDERS OF THE LEGAL TITLE TO, 12 LOTS IN ROLLING ACRES SUBDIVISION, LOCATED IN MILITARY SURVEY No. 727, RICHLAND TOWNSHIP, CLINTON COUNTY, OHIO, SAID SUBDIVISION HAVING A TOTAL OF NINETEEN (19) LOTS, AS SET FORTH IN THE PLAT THEREOF RECORDED IN PLAT BOOK 5, PAGES 129, 130 AND 131, AND ACCORDINGLY BEING THE OWNERS OF, AND HOLDERS OF THE LEGAL TITLE TO, AT LEAST SIXTY (60) PERCENT OF SAID LOTS, PURSUANT TO THE PROVISIONS OF COVENANT No. 15 OF SAID PLAT, AND PURSUANT TO THE PROVISIONS OF SECTION 711.24, OHIO REVISED CODE, AND RELATED STATUTES, DO HEREBY PETITION THE BOARD OF COUNTY COMMISSIONERS OF CLINTON COUNTY, OHIO, TO CHANGE AND AMEND SAID PLAT IN ACCORDANCE WITH THE COVENANTS AND RESTRICTIONS SHOWN HEREIN, SUCH AMENDED PLAT TO REPLACE AND SUPERCEDE SAID PLAT FIRST REFERRED TO ABOVE.

Dorene Babl
Dwight L. Babl
Robert F. Anson
Edith J. Anson
James H. Sweetman
Oliver M. Sweetman
Walter W. Sweetman
Walter W. Sweetman
Paul B. Foster
Nella C. Foster
Robert J. Foster
Elizabeth H. Foster
Richard H. Klayman
Ray D. Klingensmith

John W. ...
...
...
William E. ...
...
...

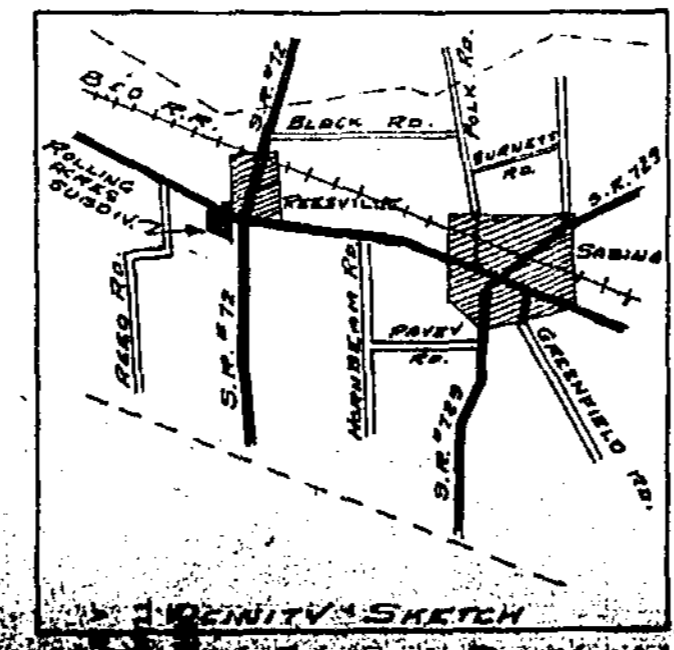
RECEIVED BY THE BOARD OF COMMISSIONERS OF CLINTON COUNTY, OHIO MAY 8, 1961.

APPROVED BY THE BOARD OF COMMISSIONERS OF CLINTON COUNTY, OHIO MAY 8, 1961. SUCH APPROVAL TO APPLY TO CHANGES IN PROTECTIVE COVENANTS & RESTRICTIONS ONLY, AS PETITIONED BY THE LOT OWNERS WHO HAVE SIGNED THIS PLAT.

THIS PLAT PREPARED BY ME IN APRIL 1961, FOR THE PURPOSE OF AMENDING THE PROTECTIVE COVENANTS AND RESTRICTIONS ONLY.

Ruby Redler
 CLERK
Waynard Boston
Halter M. ...
 CLINTON COUNTY COMMISSIONERS

Waynard Boston
 REGISTERED SURVEYOR No. 3966



STATE OF OHIO
 COUNTY OF CLINTON, SS:
 ON THIS 22ND DAY OF APRIL 1961, BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY EACH PERSON WHOSE NAME APPEARS ABOVE AS SIGNER OF THE PETITION, AND EACH REPORTER AND SEPARATELY ACKNOWLEDGED TO ME THAT THEY ARE THE OWNERS OF THE LOTS AND VOLUNTARILY AND KNOWINGLY MADE THE ABOVE STATEMENTS AND AFFIRMATIONS AND THAT THEY ARE FULLY COMPETENT TO DO SO.