

COVENANTS AND RESTRICTIONS

AS A PART OF THE CONSIDERATION FOR THE CONVEYANCE, THE GRANTEES FOR THEMSELVES AND THEIR HEIRS AND ASSIGNS, AGREE AS FOLLOWS:

- 1.) EACH LOT SHALL BE USED EXCLUSIVELY FOR PRIVATE, SINGLE FAMILY RESIDENCE PURPOSES, UNLESS OTHERWISE SPECIFICALLY APPROVED BY THE PROPRIETORS.
- 2.) RESIDENCE HOMES SHALL HAVE A MINIMUM LIVING AREA OF 1200 SQUARE FEET UNLESS APPROVED BY THE PROPRIETORS. THERE WILL BE NO MOBILE HOMES OR MOTOR HOMES USED FOR LIVING PURPOSES EXCEPT ON A TEMPORARY BASIS AND APPROVED BY THE PROPRIETORS. NO UNLICENSED VEHICLES WILL BE PERMITTED.
- 3.) ALL PLANS AND SPECIFICATIONS OF ANY STRUCTURE TO BE ERRECTED OR REMODELED SHALL FIRST BE SUBMITTED TO AND APPROVED BY THE PROPRIETORS PRIOR TO CONSTRUCTION OR REMODELING.
- 4.) NO LIVESTOCK SHALL BE ALLOWED EXCEPT FOR DOMESTIC ANIMALS SUCH AS DOGS OR CATS UNLESS APPROVED BY THE PROPRIETORS. NO MORE THAN TWO DOGS AND CATS PER RESIDENCE SHALL BE PERMITTED, EXCEPT FOR LITTERS ON SALE.
- 5.) NO BUILDINGS SHALL BE ERRECTED CLOSER THAN 20 FEET FROM EITHER SIDE LINE AND FRONT SET BACK SHALL BE 50 FEET FROM THE ROAD RIGHT-OF-WAY LINE.
- 6.) MAINTENANCE AND REPAIR OF DRAIN TILES SHALL BE THE EQUAL AND JOINT RESPONSIBILITY OF THE OWNERS AFFECTED. IF ANY OWNER DAMAGES A TILE, THAT OWNER SHALL BE RESPONSIBLE FOR THE REPAIR AND SHALL IMMEDIATELY REPAIR OR REPLACE THE DAMAGED TILE.
- 7.) IIC FENCES SHALL BE ERRECTED IN FRONT OF RESIDENCES ALONG ANY STREET UNLESS APPROVED BY THE PROPRIETORS.
- 8.) NO WEEDS OR UNDERGROWTH SHALL BE ALLOWED.
- 9.) INVALIDATION OF ANY PART OF THESE COVENANTS AND RESTRICTIONS SHALL NOT HAVE AN EFFECT ON THE REMAINING COVENANTS.
- 10.) ONE YEAR AFTER THE SALE OF ALL OF THE LOTS BY THE PROPRIETORS, THE PHRASE "MAJORITY OF THE LOT OWNERS" WILL BE SUBSTITUTED FOR THE WORD "PROPRIETORS" IN THE ABOVE COVENANTS AND RESTRICTIONS. HOWEVER, ANY WRITTEN AGREEMENTS BY THE PROPRIETORS PRIOR TO THIS TIME WILL REMAIN IN EFFECT.
- 11.) GRANTEES FURTHER AGREE THAT ANY USE OF IMPROVEMENTS MADE ON THIS LAND SHALL BE IN CONFORMITY WITH ALL EXISTING VALID ZONING, PLATTING, HEALTH, OR OTHER LAWFUL RULES AND REGULATIONS.
- 12.) GRANTEES, THEIR HEIRS AND ASSIGNS, AGREE NOT TO DELIVER A DEED WITHOUT INCORPORATING THESE RESTRICTIONS IN THEIR ENTIRETY ON THE DEED DOCUMENT.

EASEMENTS

EASEMENTS ARE A MINIMUM OF 12 FEET WIDE, UNLESS OTHERWISE NOTED, ALONG ALL REAR LOT LINES AND CENTERED ON ALL SIDE LOT LINES FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF ALL PUBLIC AND PRIVATE UTILITIES, ABOVE AND BENEATH THE SURFACE OF THE GROUND, AND WHERE NECESSARY, ARE FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF SERVICE CONNECTIONS TO ALL ADJACENT LOTS AND LANDS. NO PERMANENT STRUCTURES OR PLANTINGS ARE PERMITTED WITHIN THE DESIGNATED EASEMENTS.

SURVEYOR'S STATEMENT

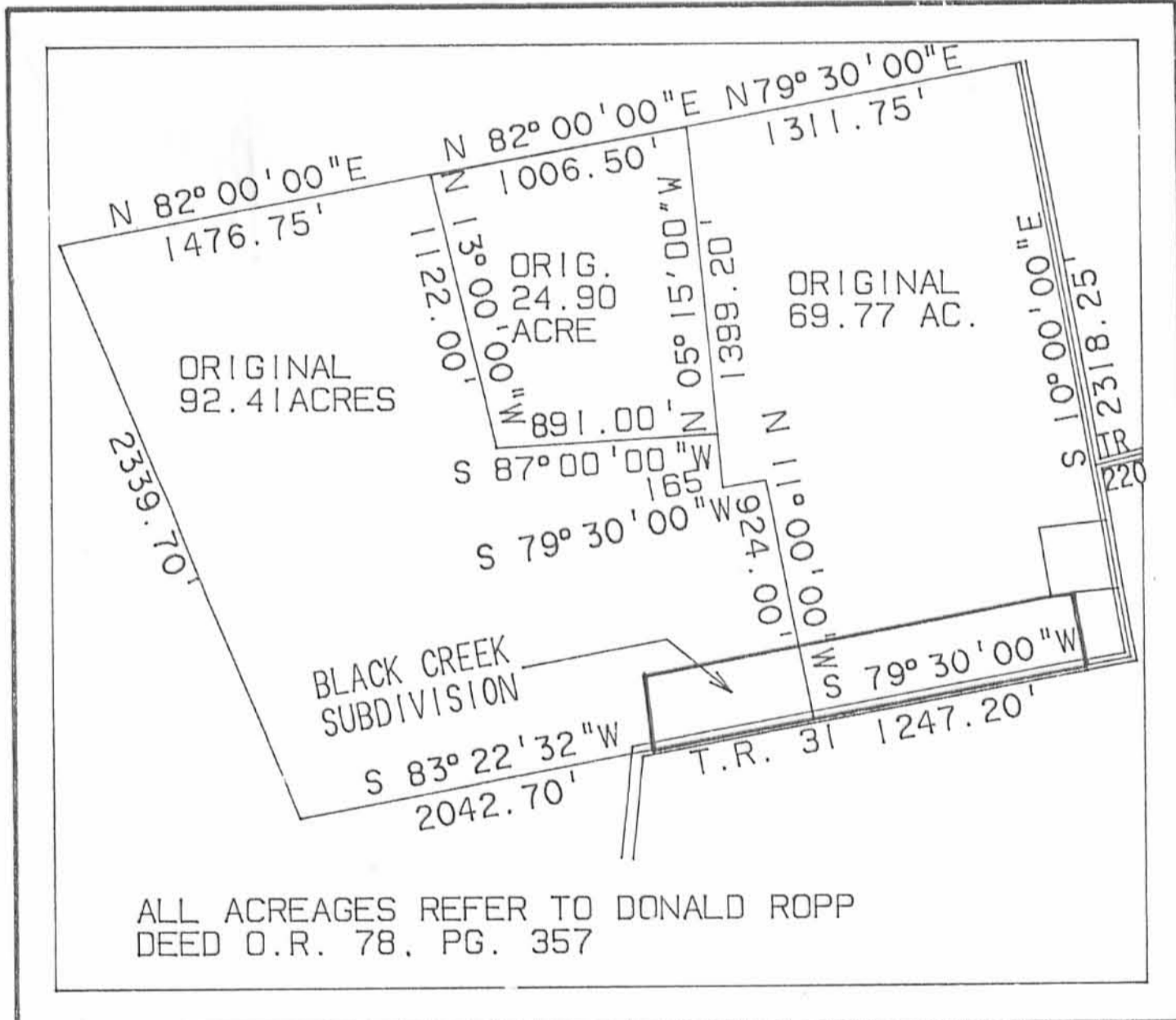
THE ACCOMPANYING PLAT REPRESENTS A SUBDIVISION OF LAND IN V.M.S. 10122, 10248, 10249, McARTHUR TOWNSHIP, LOGAN COUNTY, OHIO.

THE TRACT HAS A TOTAL AREA OF 11.150 ACRES OF WHICH 0.976 ACRE IS IN THE ROAD RIGHT-OF-WAY, LEAVING A NET AREA IN BUILDING LOTS OF 10.174 ACRES.

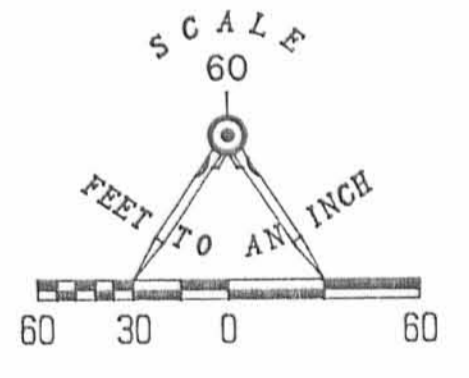
ALL MEASUREMENTS ARE IN FEET AND DECIMAL PARTS THEREOF.

I HEREBY STATE THAT THE ACCOMPANYING PLAT IS A CORRECT REPRESENTATION OF BLACK CREEK SUBDIVISION AS SURVEYED IN NOVEMBER OF 1989, AND THAT ALL MONUMENTS AND IRON RODS AS SHOWN HEREON HAVE BEEN, OR WILL BE SET AS PART OF WORK SURETY IS POSTED FOR.

JEFFREY I. LEE
PROFESSIONAL SURVEYOR 6359



OVERLAY MAP
SCALE 1" = 600'



BLACK CREEK SUBDIVISION

V.M.S. 10122, 10248, 10249, McARTHUR TOWNSHIP, LOGAN COUNTY, OHIO

ZONING

ALL LOTS ARE ZONED R-1 (SINGLE FAMILY RESIDENCE)

LEGEND

- BUILDING SETBACK LINE
- EASEMENT LINE
- CURTAIN DRAIN TILE
- ⊕ CONCRETE MONUMENT SET
- ⊙ RAILROAD SPIKE SET
- 5/8" I. ROD SET
- ⊕ STONE FOUND

DESCRIPTION

Lying in V.M.S. 10122, 10248, and 10249, McArthur Township, Logan County, Ohio.

Being out of that original 69.77 acre tract and that original 92.41 acre tract in the name of Ropp as deeded and described in O.R. 78, Page 357, of the Logan County Records of Deeds and being more particularly described as follows:

Beginning at a railroad spike set on the center-line of Township Road 31 which is S 83°-31'-15" W, a distance of 172.67 feet from a corner stone found at an angle in the center-line of Township Road 31 (Station 28+09.44, County Engineer's Field Book 70B, Page 68) marking the southeast corner of the said Ropp 69.77 acres.

THENCE, with the center-line of Township Road 31, S 83°-31'-15" W, a distance of 1700.37 feet to a railroad spike set.

THENCE, N 6°-28'-45" W, a distance of 285.39 feet to a concrete monument set, passing a 5/8 inch iron rod set at 25.00 feet.

THENCE, N 83°-31'-15" E, a distance of 1616.53 feet to a concrete monument set.

THENCE, N 84°-13'-33" E, a distance of 87.34 feet to a concrete monument set.

THENCE, S 5°-46'-27" E, a distance of 284.33 feet to the point of beginning, passing a 5/8 inch iron rod set at 259.33 feet.

Basis for bearings is based upon the center-line of Township Road 31 being S 83°-31'-15" W, and all other bearings are from angles and distances measured in a field survey by Lee Surveying and Mapping Company in November 1989.

ACREAGE BREAKDOWN			
ORIGINAL PARCEL	ROAD R.O.W.	LOTS	TOTAL
92.41 ACRES	0.359	3.732	4.091
69.77 ACRES	0.617	6.442	7.059
TOTAL	0.976	10.174	11.150

LOT 5 ACREAGE BREAKDOWN		
ORIGINAL PARCEL	ROAD R.O.W.	LOTS
92.41 ACRES	0.000	0.030
69.77 ACRES	0.000	0.896
TOTAL	0.000	0.926

KNOW ALL MEN BY THESE PRESENTS THAT DONALD ROPP AND CAROLYN ROPP, PROPRIETORS OF THE LAND INDICATED ON THE ACCOMPANYING PLAT HAVE AUTHORIZED THE PLATTING THEREOF AND DO HEREBY DEDICATE THAT PORTION OF McARTHUR TOWNSHIP ROAD 31 SHOWN THEREON, TO THE PUBLIC USE FOREVER.

WITNESSES

Doris J. Heminger
Bellie Mudge

PROPRIETORS

Donald M. Ropp
Carolyn L. Ropp

STATE OF OHIO
COUNTY OF LOGAN
BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY CAME DONALD ROPP AND CAROLYN ROPP, WHO ACKNOWLEDGED THE SIGNING OF THE FOREGOING INSTRUMENT TO BE THEIR VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN EXPRESSED.

IN WITNESS WHEREOF, I HAVE SET MY HAND AND AFFIXED MY OFFICIAL SEAL THIS 9th DAY OF Sept., 1991.

Doris J. Heminger
NOTARY PUBLIC STATE OF OHIO

DORIS J. HEMINGER, Notary Public
in and for the State of Ohio
My Commission Expires March 3, 1995

PREAPPROVAL qch 9-6-91

PLAT CHECKED Jan C. Hines 10-29-91

REVIEWED THIS 28th DAY OF October, 1991 *Paul W. Harv*
CHAIRMAN, McARTHUR TOWNSHIP TRUSTEES

APPROVED THIS 15th DAY OF October, 1991 *Chester R. Kurty, P.E., P.S.*
LOGAN COUNTY ENGINEER

APPROVED THIS 23 DAY OF October, 1991 *William A. Vukobratovic, DVM*
LOGAN COUNTY HEALTH DEPARTMENT

APPROVED THIS 10 DAY OF October, 1991 *Carolyn L. Scott*
LOGAN-UNION-CHAMPAGNON REGIONAL PLANNING COMMISSION

APPROVED THIS 15th DAY OF October, 1991 *John E. Jeffrey*
Donald E. Scarwin

George W. Clayton
LOGAN COUNTY COMMISSIONERS

TRANSFERRED THIS 29th DAY OF October, 1991 *Jean Jones*
LOGAN COUNTY AUDITOR

RECORDED IN PLAT CABINET A SLIDE 731B

RECEIVED FOR RECORD AT 11:19 O'CLOCK A.M THIS 29th DAY OF October, 1991.
Carolyn Collins
LOGAN COUNTY RECORDER

PROPRIETORS: DONALD ROPP AND CAROLYN ROPP
9325 ROAD 166
WEST LIBERTY, OHIO 43357
(513) 465-6376

LEE SURVEYING & MAPPING CO.
143 East Columbus Avenue
BELLEFONTAINE, OHIO 43111
(513) 593-7335