

RECORD PLAT OF
WILDERNESS SHORES SUBDIVISION
PHASE TWO
RICHLAND TOWNSHIP, LOGAN COUNTY, OHIO
VIRGINIA MILITARY SURVEY 13393

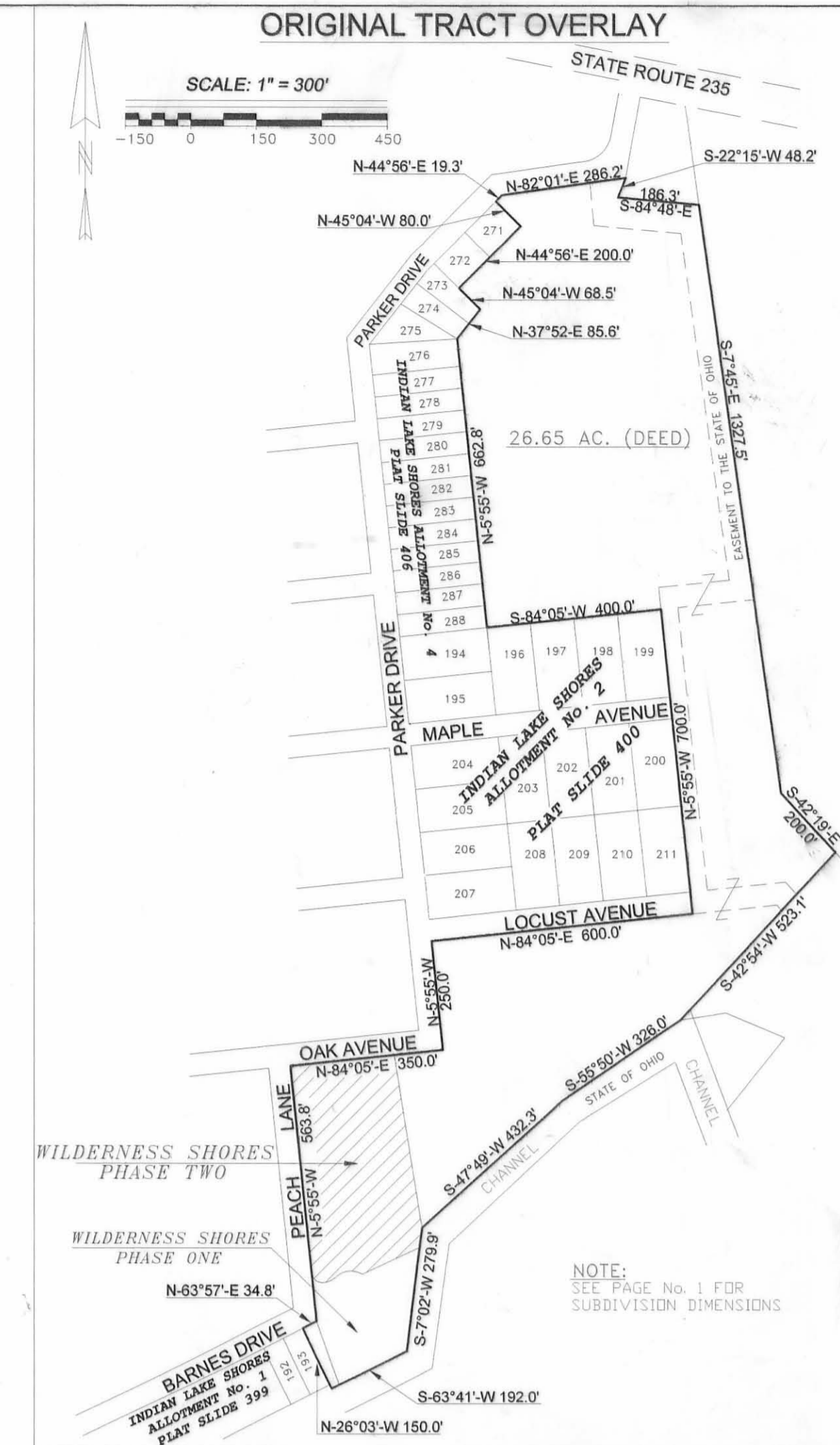
COVENANTS AND RESTRICTIONS

AS A PART OF THE CONSIDERATION FOR THE CONVEYANCE OF LOTS IN WILDERNESS SHORES, THE RESPECTIVE GRANTEES OF SAID LOTS, FOR THEMSELVES AND THEIR HEIRS AND ASSIGNS, AGREE AS FOLLOWS:

- 1) **LOT SPLIT**- NO LOT SHALL BE SPLIT, DIVIDED, OR SUBDIVIDED FOR SALE, RESALE, GIFT, TRANSFER, OR OTHERWISE, SO AS TO CREATE A NEW BUILDING LOT. NOTHING UNDER THIS PARAGRAPH SHALL RESTRICT THE PROPRIETOR OR SUBSEQUENT OWNERS FROM DIVIDING A LOT IN SUCH A WAY THAT SUCH SPLIT DOES NOT CREATE A NEW BUILDING LOT.
- 2) **LAND USE**- ALL LOTS IN THIS TRACT SHALL BE KNOWN AND DESCRIBED AS SINGLE FAMILY RESIDENTIAL LOTS. NO STRUCTURE SHALL BE ERRECTED, ALTERED, PLACED OR PERMITTED TO REMAIN ON ANY RESIDENTIAL BUILDING LOT OTHER THAN ONE DETACHED SINGLE-FAMILY DWELLING NOT TO EXCEED TWO AND ONE-HALF (2-1/2) STORIES IN HEIGHT, EXCEPT THAT ONE UNATTACHED NON-RESIDENTIAL OUT BUILDING OR SHED IS PERMITTED. OUT BUILDINGS SHALL CONFORM WITH THE ARCHITECTURAL STYLE OF THE RESIDENCE HOUSE, INCLUDING WITHOUT LIMITATION. THE ROOF PITCH REQUIRED HEREUNDER FOR THE RESIDENCE HOUSE.
- 3) **MOBILE HOMES/MANUFACTURED HOMES**- NO MOBILE HOMES OR MANUFACTURED HOMES SHALL BE PERMITTED ON ANY LOT FOR ANY PURPOSE, INCLUDING STORAGE THEREOF, IT BEING THE INTENTION OF THIS RESTRICTION TO PROHIBIT ANY HOUSING THAT HAS, OR HAD AT ANY TIME, A CERTIFICATE OF TITLE OR A MANUFACTURER'S STATEMENT OF ORIGIN AND TO REQUIRE THAT ALL HOMES BUILT IN WILDERNESS SHORES SHALL BE CUSTOM STICK BUILT ON THE PREMISES, OR SHALL BE INDUSTRIALIZED/MODULAR HOMES. AS USED HEREIN, THE TERM "INDUSTRIALIZED/MODULAR HOMES" SHALL MEAN A FACTORY-FABRICATED, TRANSPORTABLE BUILDING CONSISTING OF ONE OR MORE UNITS DESIGNED TO BE ASSEMBLED AT THE BUILDING SITE. TO BE USED FOR RESIDENTIAL PURPOSES, AND WHICH MEETS THE STANDARDS FOR INDUSTRIALIZED UNITS, AS PROVIDED FOR BY THE OHIO BASIC BUILDING CODE, AS MAY BE HEREAFTER AMENDED, AND AS AUTHORIZED BY THE STATE OF OHIO BOARD OF BUILDING STANDARDS PURSUANT TO OHIO REVISED CODE SECTION 3781.01 ET SEQ., AS MAY BE HEREAFTER AMENDED. A "MOBILE HOME" OR "MANUFACTURED HOME" SHALL NOT BE INCLUDED IN THE DEFINITION OF AN "INDUSTRIALIZED/MODULAR HOME". AS USED HEREIN, THE TERMS "MOBILE HOME" OR "MANUFACTURED HOME" SHALL INCLUDE ANY STRUCTURE DESIGNED TO BE USED AS A HABITABLE SPACE, THAT IS TRANSPORTABLE IN ONE OR MORE SECTIONS, WHICH MAY OR MAY NOT BE PERMANENTLY ATTACHED TO A CHASSIS OR PLACED ON A FOUNDATION, AND MEETING THE STANDARDS OF THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS FOR MOBILE HOMES
- 4) **MINIMUM LIVING AREA**- RESIDENCE HOMES SHALL HAVE A MINIMUM LIVING AREA OF 1,500 SQUARE FEET FOR A ONE STORY HOME AND 1,800 SQUARE FEET FOR A MULTI-LEVEL HOME, EXCLUSIVE OF PORCHES, GARAGES, AND BASEMENTS.
- 5) **PLAN APPROVAL**- FOR THE PURPOSES OF MAINTAINING SPECIFIC ARCHITECTURAL GUIDELINES AND STANDARDS FOR THE DEVELOPMENT OF ALL THE LOTS WITHIN WILDERNESS SHORES, EACH OWNER OF A LOT SHALL BE REQUIRED TO SUBMIT TWO (2) SETS OF COMPLETE BUILDING AND SITE PLANS TO THE PROPRIETOR, SMELCER DEVELOPMENT, LTD., SETTING FORTH THE GENERAL ARRANGEMENTS OF THE INTERIOR AND EXTERIOR OF THE STRUCTURE, INCLUDING THE COLOR AND TEXTURE OF THE BUILDING MATERIALS, THE TYPE AND CHARACTER OF ALL IMPROVEMENTS, SUCH AS DECORATIVE WALLS, CHIMNEYS, DRIVEWAYS AND WALKWAYS, AND DETAILING THE LOCATION OF THE STRUCTURE ON THE LOT INCLUDING SETBACKS, DRIVEWAY LOCATIONS, GARAGE OPENINGS, ORIENTATION OF THE STRUCTURE TO THE TOPOGRAPHY AND CONFORMANCE WITH THE GRADING AND DRAINAGE PLAN. EACH OWNER COVENANTS THAT NO EXCAVATION SHALL BE MADE, NO BUILDING SHALL BE ERRECTED AND NO MATERIALS SHALL BE STORED UPON THE PREMISES UNTIL THE PROPRIETOR SHALL HAVE APPROVED SAID PLANS AND SPECIFICATION IN WRITING, WHICH APPROVAL SHOULD NOT BE UNREASONABLY WITHHELD.
- 6) **EASEMENT**- ALL EASEMENTS OR RIGHTS-OF-WAY INDICATED ON THIS PLAT ARE FOR THE ERECTION, CONSTRUCTION, MAINTENANCE REPAIR AND INSTALLATION OF ANY OR ALL UTILITIES, BOTH PUBLIC AND PRIVATE. IT SHALL BE LAWFUL FOR ANY SUCH UTILITY, PUBLIC AND PRIVATE, OR ITS EMPLOYEES OR REPRESENTATIVES OR ANYONE ACTING FOR ANY SUCH UTILITY TO ENTER UPON SAID EASEMENT OR RIGHT-OF-WAY AT ANY TIME FOR THE PURPOSE OF CARRYING OUT THE OBJECTIVES FOR WHICH SUCH EASEMENTS OR RIGHTS-OF-WAY WERE RESERVED. NO PERMANENT STRUCTURES OR PLANTINGS ARE PERMITTED WITHIN ANY EASEMENT AREA.
- 7) **DRAINAGE**- NO CONSTRUCTION, GRADING OR OTHER IMPROVEMENTS SHALL BE MADE TO THE REAL ESTATE IF SUCH CONSTRUCTION, GRADING OR OTHER IMPROVEMENT WOULD INTERFERE OR OTHERWISE ALTER THE GENERAL GRADING AND DRAINAGE PLAN OF THE SURROUNDING REAL ESTATE OR ANY EXISTING SWALES, FLOODWAYS OR OTHER DRAINAGE CONFIGURATIONS.

- 8) **WALLS AND FENCES** NO WALLS OR FENCES OF ANY TYPE (EXCEPT FOR HEDGES ALLOWABLE PURSUANT TO PARAGRAPH (9) HEREOF) SHALL BE ERRECTED OR MAINTAINED ON ANY LOT IN THE AREA EXTENDING BETWEEN SIDE LOT LINES ACROSS THE FRONT OF A LOT AND FROM THE FRONT LOT LINE TO THE FRONT OF THE RESIDENCE HOUSE. PROPERTY LINE FENCES TO THE REAR AND THE SIDES SHALL BE AESTHETICALLY CONSTRUCTED AND MAINTAINED AND NO GREATER THAN SIX (6) FEET IN HEIGHT, EXCEPT FOR FENCES AROUND SWIMMING POOLS WHICH SHALL COMPLY WITH THE APPLICABLE ZONING ORDINANCE. NO CHAIN-LINK FENCES SHALL BE PERMITTED ON ANY LOT.
- 9) **HEDGES** NO HEDGE (I.E. A ROW OF CLOSELY PLANTED SHRUBS OR LOW-GROWING TREES FORMING A BOUNDARY OR FENCE) WITHIN THE AREA EXTENDING BETWEEN SIDE LOT LINES ACROSS THE FRONT OF A LOT AND FROM THE FRONT LOT LINE TO THE FRONT OF THE RESIDENCE HOUSE SHALL HAVE A HEIGHT OF MORE THAN THREE (3) FEET ABOVE THE FINISHED GRADED SURFACE AT THE HEDGE.
- 10) **GRADING** EACH RESIDENCE LOT SHALL BE PROPERLY GRADED THE FULL WIDTH OF SUCH LOT, FROM THE STREET TO THE RESIDENCE HOUSE, AND SUCH GRADED AREA SHALL BE SEEDED TO A LAWN WITHIN TWELVE MONTHS OF TAKING OCCUPANCY.
- 11) **DRIVEWAYS** ALL DRIVEWAYS MUST BE ASPHALT OR CONCRETE, AND MUST BE COMPLETED WITHIN ONE (1) YEAR FROM THE TIME OCCUPANCY OF THE RESIDENCE OCCURS.
- 12) **SIDEWALKS** CONCRETE OR BRICK SIDEWALKS SHALL BE PROVIDED FROM THE FRONT DOOR OF THE RESIDENCE TO THE DRIVEWAY, SAID SIDEWALKS MUST BE A MINIMUM OF FOUR (4) FEET WIDE.
- 13) **BUILDING EXITS** RESIDENCES SHALL HAVE FRONT AND REAR OR SIDE DOOR EXITS.
- 14) **ROOF OF BUILDING** THE SLOPE OF THE ROOF ON ALL ONE STORY BUILDINGS SHALL BE A RATIO OF NOT LESS THAN SIX (6) FEET VERTICAL FOR EACH TWELVE (12) FEET HORIZONTAL.
- 15) **SETBACK LINES** THE BUILDING SET BACK LINES SHALL BE AS DEPICTED ON THE DEVELOPMENT PLAT. IF NOT DEPICTED ON THE DEVELOPMENT PLAT, ALL FRONT SET BACK LINES, SIDE SET BACK LINES, AND ALL REAR SET BACK LINES SHALL BE AS SET FORTH IN THE APPLICABLE ZONING ORDINANCE.
- 16) **TEMPORARY STRUCTURE** NO TRAILER, MOTOR HOME, BASEMENT, TENT, SHACK, GARAGE, BARN, OR OTHER OUTBUILDINGS SHALL BE USED AS A RESIDENCE, TEMPORARILY OR PERMANENTLY, NOR SHALL ANY STRUCTURE OF A TEMPORARY CHARACTER BE USED AS A RESIDENCE.
- 17) **WASTE DISPOSAL** NO LOT SHALL BE USED OR MAINTAINED AS A DUMPING GROUND FOR RUBBISH, TRASH, GARBAGE, OR OTHER WASTE SHALL NOT BE KEPT EXCEPT IN SANITARY CONTAINERS. ALL EQUIPMENT FOR THE STORAGE OR DISPOSAL REMOVED FROM VIEW OF ABUTTING PROPERTIES.
- 18) **MOWING** ALL LOTS WHICH HAVE BEEN DEVELOPED BUT NOT BUILT UPON SHALL BE MAINTAINED BY THE OWNERS OF SUCH LOTS TO INCLUDE AT LEAST TWO (2) MOWINGS EACH YEAR, NOT LATER THAN JUNE 15 FOR THE FIRST MOWING AND SEPTEMBER 15 FOR THE SECOND MOWING. EACH LOT WHICH HAS BEEN DEVELOPED AND BUILT UPON SHALL BE MAINTAINED BY THE OWNER OF SAID LOT TO INCLUDE AT LEAST ONE (1) MOWING OF GRASS AND WEEDS PER MONTH COMMENCING THIRTY (30) DAYS AFTER THE DATE OF TRANSFER AND CONTINUING MONTHLY THEREAFTER. THIS REQUIREMENT FOR MOWING DEVELOPED AND BUILT-UPON LOTS SHALL APPLY ONLY TO THE MONTHS OF MAY THROUGH NOVEMBER OF EVERY YEAR.
- 19) **ACTIVITIES PROHIBITED** NO NOXIOUS OR OFFENSIVE TRADE SHALL BE TRANACTED ON ANY LOT, INCLUDING THE MANUFACTURE OF SALE OF INTOXICATING LIQUOR, NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE OR BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD, NOR SHALL THE PREMISES BE USED, IN ANY WAY, FOR ANY PURPOSE WHICH WOULD ENDANGER THE HEALTH OR DISTURB THE PEACE AND QUIET OF THE SUBDIVISION. NO MORE THAN TWO (2) "GARAGE SALES" OR "YARD SALES" SHALL BE PERMITTED ON ANY LOT DURING ANY CALENDAR YEAR. NO COMMERCIAL TRADE OR BUSINESS MAY BE CONDUCTED ON ANY LOT IF SUCH TRADE OR BUSINESS INVOLVES A SOLICITATION OF BUSINESS FROM THE GENERAL PUBLIC, INCREASES THE TRAFFIC FLOW WITHIN THE DEVELOPMENT, AND CONSISTENTLY INVOLVES CUSTOMERS FROM THE GENERAL PUBLIC PARKING ON THE LOT IN QUESTION OR ON ANY OTHER AREA WITHIN THE DEVELOPMENT, INCLUDING WITHOUT LIMITATION, THE STREETS WITHIN THE DEVELOPMENT.
- 20) **VEHICLE STORAGE** NO RECREATIONAL VEHICLES, SNOWMOBILES, BOATS, MOTORCYCLES, TRAILERS, CAMPERS, LARGE TRUCKS DESIGNED WITH A CARGO WEIGHT IN EXCESS OF ONE (1) GROSS TON, AND OTHER SIMILAR VEHICLES SHALL BE STORED ON ANY LOT UNLESS SUCH VEHICLES ARE STORED WITHIN THE GARAGE OR OUTBUILDING. NO SUCH VEHICLES SHALL BE PARKED ON THE STREETS OF THE DEVELOPMENT, EXCEPT FOR LARGE TRUCKS DESIGNED WITH A CARGO WEIGHT IN EXCESS OF ONE (1) GROSS TON WHICH ARE IN THE PROCESS OF MOVING OR DELIVERING FURNITURE AND/OR APPLIANCES AT THE RESIDENCE WHERE SUCH TRUCKS ARE TEMPORARILY PARKED.
- 21) **VEHICLES NOT IN USE** NO NON-FUNCTIONING AUTOMOBILE OR MOTOR VEHICLE SHALL BE PARKED MORE THAN THIRTY (30) DAYS ON ANY STREET OR LOT, EXCEPT WHEN WITHIN THE GARAGE OR OUTBUILDING. AFTER SUCH A PERIOD, THE VEHICLE SHALL BE CONSIDERED A NUISANCE AND DETRIMENTAL TO THE WELFARE OF THE SUBDIVISION AND SHALL BE REMOVED THEREFROM.
- 22) **SIGNS** NO LIGHTED OR PERMANENT TYPE SIGN SHALL BE ERRECTED ON ANY LOT IN THIS SUBDIVISION, EXCEPT: (1) SO LONG AS THE PROPRIETOR OWNS LOTS IN THE SUBDIVISION, SIGN PLACEMENT WILL BE AT THE DISCRETION OF THE PROPRIETOR AND CURRENT LOCAL ZONING ORDINANCES; (2) ONE SIGN OF NOT MORE THAN THREE FEET SQUARE MAY BE USED TO ADVERTISE A LOT FOR SALE; AND (3) SIGNS MAY BE USED BY A BUILDER DURING THE PERIOD OF CONSTRUCTION ON A LOT.
- 23) **ANIMALS** NO ANIMALS, BIRDS, INSECTS, LIVESTOCK, OR POULTRY OF ANY KIND SHALL BE RAISED, BRED, OR KEPT ON ANY LOT EXCEPT DOGS, CATS OR OTHER HOUSEHOLD PETS WHICH ARE KEPT FOR DOMESTIC PURPOSES ONLY, AND ARE NOT KEPT, BRED OR MAINTAINED FOR ANY COMMERCIAL PURPOSE. NO MORE THAN TWO DOGS AND TWO CATS MAY BE KEPT ON ANY LOT EXCEPT SUCH DOGS OR CATS IN EXCESS OF SUCH NUMBERS THAT ARE LESS THAN THREE MONTHS OF AGE. ALL ANIMALS MUST BE RESTRAINED ON THE OWNER'S LOT AND OWNERS SHALL TAKE ALL STEPS NECESSARY TO INSURE THE SAME.

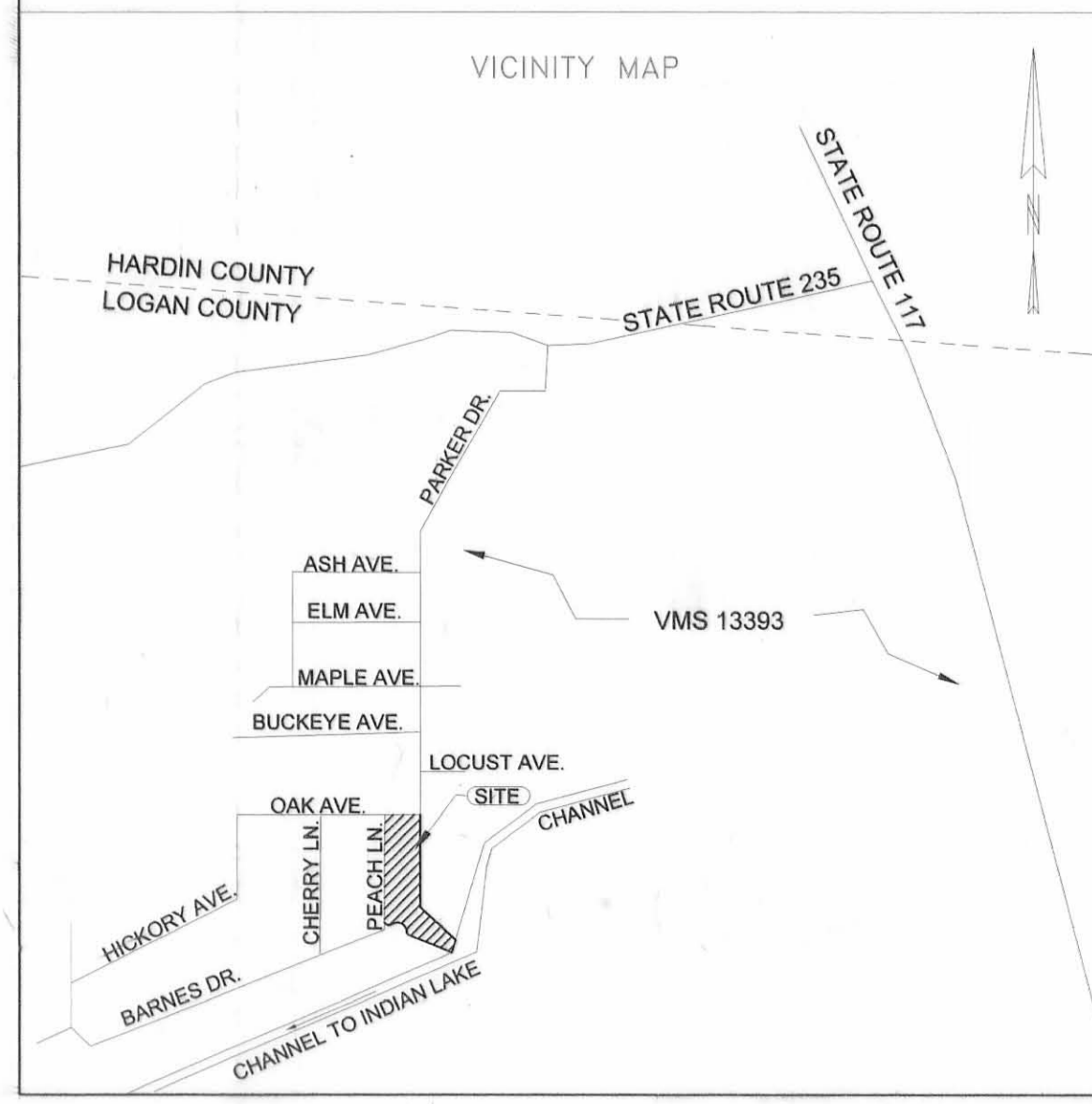
- 24) **STORM DETENTION EASEMENTS** STORM DETENTION EASEMENTS SHALL NOT BE ALTERED AND SHALL BE MAINTAINED BY THE LOT OWNER.
- 25) **GOVERNMENTAL REGULATIONS** GRANTEES FURTHER AGREE THAT ANY USE OF IMPROVEMENTS MADE ON THIS LAND SHALL BE IN CONFORMITY WITH ALL EXISTING VALID ZONING, PLATTING, HEALTH, OR OTHER LAWFUL RULES AND REGULATIONS.
- 26) **ANTENNAS** IF CABLE TELEVISION IS AVAILABLE, TELEVISION ANTENNAS AND SATELLITE DISHES, WHETHER ROOFTOP MOUNTED OR GROUND MOUNTED, SHALL BE PROHIBITED ON THE EXTERIOR OF ANY HOUSE OR LOT. IN THE EVENT THAT CABLE TELEVISION BECOMES AVAILABLE AT A TIME WHEN OWNERS OF LOTS HAVE INSTALLED A TELEVISION ANTENNA OR SATELLITE DISH, THEN SAID ANTENNAS OR SATELLITE DISHES ALREADY INSTALLED SHALL BE REMOVED WITHIN NINETY (90) DAYS AFTER THE CABLE TELEVISION SERVICE BECOMES AVAILABLE TO SAID LOTS. AT NO TIME SHALL RADIO ANTENNAS BE ALLOWED ON THE EXTERIOR OF ANY HOUSE OR LOT.
- 27) **STORAGE TANKS** ALL PROPANE OR ANY OTHER TANKS STORING FUEL SHALL BE BURIED UNDERGROUND.
- 28) **CLOTHES LINES** NO CLOTHING OR ANY OTHER HOUSEHOLD FABRICS SHALL BE HUNG IN THE OPEN ON ANY LOT, AND NO OUTSIDE CLOTHES DRYING OR AIRING FACILITIES SHALL BE PERMITTED ON ANY LOT.
- 29) **WELLS** IF PUBLIC WATER SUPPLY IS NOT AVAILABLE TO SERVE THIS SUBDIVISION, POTABLE WATER SHALL BE SUPPLIED FROM INDIVIDUAL WELLS DRILLED FOR EACH DWELLING ERRECTED IN THE AREA IN ACCORDANCE WITH THE REQUIREMENTS OF THE COUNTY BOARD OF HEALTH.
- 30) **BOAT DOCKS AND WELLS** NO MORE THAN ONE(1) TRIPLE BOAT DOCK OR WELL WILL BE PERMITTED ON ANY LOT. BOAT DOCKS AND WELLS SHALL NOT HAVE SOLID WALLS AND SHALL USE A FLAT ROOF OR GABLE ROOF WHICH PITCH SHALL NOT EXCEED A RATIO OF TWO (2) INCHES VERTICAL FOR EACH TWELVE (12) INCHES HORIZONTAL. BOAT DOCKS OR WELLS MAY HAVE LIFTS. NO BOAT DOCK SHALL BE CONSTRUCTED TO EXTEND INTO THE CHANNEL.
- 31) **SALE OF ALL LOTS** ONE YEAR AFTER THE SALE OF ALL OF THE LOTS IN WILDERNESS SHORES BY THE PROPRIETOR, THE PHRASE "MAJORITY OF THE LOT OWNERS" WILL BE SUBSTITUTED FOR THE WORD "PROPRIETOR" IN THE ABOVE COVENANTS AND RESTRICTIONS. HOWEVER, ANY WRITTEN AGREEMENTS BY THE PROPRIETOR PRIOR TO THIS TIME WILL REMAIN IN EFFECT.
- 32) **RESTRICTIONS TO RUN WITH LAND** THESE COVENANTS AND RESTRICTIONS ARE FOR THE BENEFIT OF ALL LOT OWNERS OF WILDERNESS SHORES AND ARE TO RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING UNDER THEM UNLESS BY VOTE OF THE MAJORITY OF THE THEN OWNERS OF THE LOTS, IT IS AGREED TO CHANGE SAID COVENANTS IN WHOLE OR IN PART. ANY SUCH REVISION SHALL NOT TAKE EFFECT UNTIL PROPERLY FILED FOR RECORD WITH THE LOGAN COUNTY RECORDER.
- 33) **ENFORCEMENT** THESE RESTRICTIONS SHALL BE FOR THE BENEFIT OF ALL OF THE LOT OWNERS OF WILDERNESS SHORES AND THE PROPRIETOR HEREIN. ENFORCEMENT OF THESE RESTRICTIONS SHALL BE BY PROCEEDINGS AT LAW OR EQUITY AGAINST ANY PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY RESTRICTION, EITHER TO RESTRAIN ANY VIOLATION OR TO RECOVER DAMAGES, INCLUDING ATTORNEYS FEES AND COURT COSTS RESULTING FROM SAID VIOLATION, TOGETHER WITH ANY OTHER REMEDY PERMISSIBLE UNDER OHIO LAW.
- 34) **SEVERABILITY** INVALIDATION OF ANY ONE OF THESE COVENANTS BY JUDGMENT OR COURT ORDER SHALL IN NO WAY AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.
- 35) **CHANNEL MAINTENANCE** MAINTENANCE OF CHANNEL IS THE RESPONSIBILITY OF CHANNEL ADJOINING LOT OWNERS. THE CHANNEL WATER IS CONSIDERED PUBLIC AND MAY BE USED AS SUCH.



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APPROVED THIS 23rd DAY OF May, 2006
 APPROVED THIS 11th DAY OF May, 2006
 APPROVED THIS 18th DAY OF May, 2006
 APPROVED THIS 22nd DAY OF May, 2006
 APPROVED THIS 11th DAY OF May, 2006
 APPROVED THIS 18th DAY OF May, 2006

TRANSFERRED THIS 23rd DAY OF May, 2006
 RECORDED IN PLAT CABINET B SLIDE 104A RECEIVED FOR RECORDING AT 2:11 O'CLOCK P.M.
 THIS 23rd DAY OF May, 2006
 PLAT PREAPPROVAL
 PLAT CHECKED