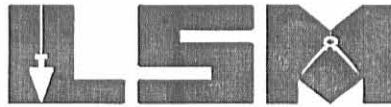


REC'D 7-24-03 SWM OK ✓

# Lee Surveying and Mapping Co., Inc.

Land Surveys • Topography • Subdivisions • Construction Layout

117 N. Madriver St.  
Bellefontaine OH 43311



Phone: (937) 593-7335  
Fax: (937) 593-7444

## SOUTH PART LOT 4994 0.144 ACRE

Lying in Virginia Military Survey 4478, Jefferson Township, City of Bellefontaine, Logan County, Ohio.

Being out of Lot 4994 of Whispering Pines No. 4 as recorded in Plat Cabinet B, Slide 43B of the Logan County Records of Plats and being more particularly described as follows:

Beginning at a 5/8 inch iron rod found on the east right-of-way of Red Pines Drive (60 feet wide) at the northwest corner of Lot 4994 and the southwest corner of Lot 4993.

THENCE, with the west right-of-way of Red Pines Drive, a curve to the right having a central angle of 5°-00'-48", a radius of 400.00 feet, an arc length of 35.00 feet and a chord bearing S 9°-13'-49" E, a distance of 34.99 feet to a 5/8 inch iron rod set at the TRUE POINT OF BEGINNING.

THENCE, N 82°-54'-37" E, a distance of 154.32 feet to a 5/8 inch iron rod set.

THENCE, with the west line of the Won Bong Cha 6.000 acre tract (O.R. 252, Pg. 973, Tract II), S 6°-13'-24" W, a distance of 49.89 feet to a 5/8 inch iron rod found.

THENCE, S 88°-17'-16" W, a distance of 145.23 feet to a 5/8 inch iron rod found.

THENCE, with the east right-of-way of Red Pines Drive, a curve to the left having a central angle of 5°-00'-48", a radius of 400.00 feet, an arc length of 35.00 feet and a chord bearing N 4°-13'-01" W, a distance of 34.99 feet to the point of beginning.

Containing 0.144 acre.

The basis for bearings is the south line of Lot 4993, being N 78°-15'-40" E, and all other bearings are from angles and distances measured in a field survey by Lee Surveying and Mapping Co., Inc. on July 21, 2003.

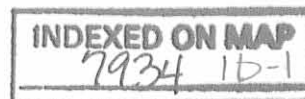
Description prepared by:



ORIGINAL STAMP IN GREEN

Jeffrey I. Lee  
Professional Surveyor 6359  
July 21, 2003

L-3628

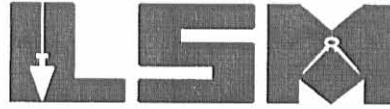


REC'D 7-24-03 8MM OK-V

# Lee Surveying and Mapping Co., Inc.

Land Surveys • Topography • Subdivisions • Construction Layout

117 N. Madriver St.  
Bellefontaine OH 43311



Phone: (937) 593-7335  
Fax: (937) 593-7444

## NORTH PART LOT 4994 0.153 ACRE

Lying in Virginia Military Survey 4478, Jefferson Township, City of Bellefontaine, Logan County, Ohio.

Being out of Lot 4994 of Whispering Pines No. 4 as recorded in Plat Cabinet B, Slide 43B of the Logan County Records of Plats and being more particularly described as follows:

Beginning at a 5/8 inch iron rod found on the east right-of-way of Red Pines Drive (60 feet wide) at the northwest corner of Lot 4994 and the southwest corner of Lot 4993.

THENCE, with the south line of Lot 4993, N 78°-15'-40" E, a distance of 167.67 feet to a 5/8 inch iron rod found.

THENCE, with the west line of the Won Bong Cha 6.000 acre tract (O.R. 252, Pg. 973, Tract II), S 6°-13'-24" W, a distance of 49.89 feet to a 5/8 inch iron rod set.

THENCE, S 82°-54'-37" W, a distance of 154.32 feet to a 5/8 inch iron rod set.

THENCE, with the east right-of-way of Red Pines Drive, a curve to the left having a central angle of 5°-00'-48", a radius of 400.00 feet, an arc length of 35.00 feet and a chord bearing N 9°-13'-49" W, a distance of 34.99 feet to the point of beginning.

Containing 0.153 acre.

The basis for bearings is the south line of Lot 4993, being N 78°-15'-40" E, and all other bearings are from angles and distances measured in a field survey by Lee Surveying and Mapping Co., Inc. on July 21, 2003.

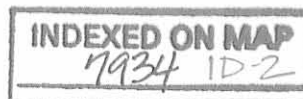


ORIGINAL STAMP IN GREEN

Description prepared by:

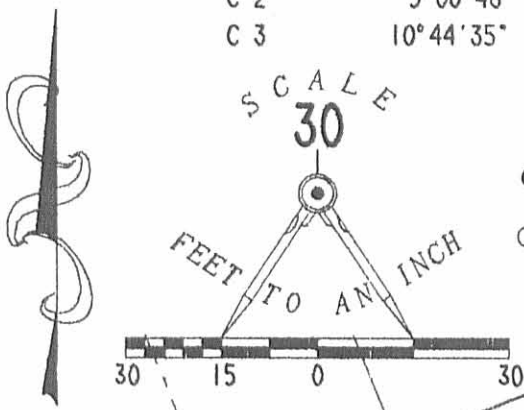
Jeffrey I. Lee  
Professional Surveyor 6359  
July 21, 2003

L-3628



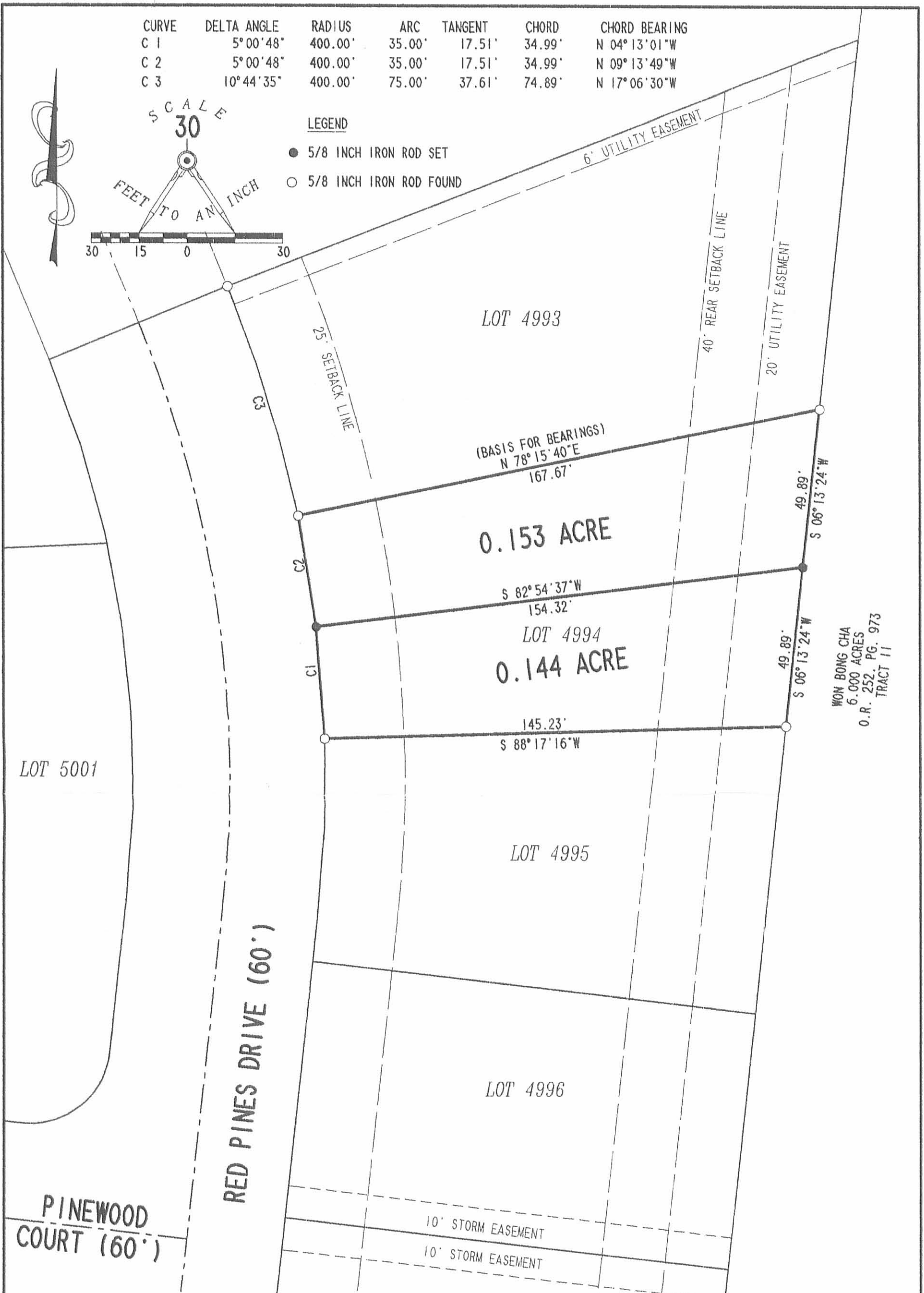
REC'D 7-24-03 SWJ OK ✓

CURVE	DELTA ANGLE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C 1	5°00'48"	400.00'	35.00'	17.51'	34.99'	N 04°13'01"W
C 2	5°00'48"	400.00'	35.00'	17.51'	34.99'	N 09°13'49"W
C 3	10°44'35"	400.00'	75.00'	37.61'	74.89'	N 17°06'30"W



LEGEND

- 5/8 INCH IRON ROD SET
- 5/8 INCH IRON ROD FOUND



WON BONG CHA  
6.000 ACRES  
O.R. 252, PG. 973  
TRACT 11

SURVEY OF TWO TRACTS OUT  
OF LOT 4994 OF WHISPERING PINES NO. 4  
PLAT CABINET B, SLIDE 43B  
VIRGINIA MILITARY SURVEY 4478  
JEFFERSON TOWNSHIP  
CITY OF BELLEFONTAINE  
LOGAN COUNTY, OHIO



SURVEYED BY:  
*[Signature]*  
JEFFREY I. LEE  
PROFESSIONAL SURVEYOR 6359  
JULY 21, 2003

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BELLEFONTAINE, OHIO 43311  
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2 WORKING DAYS  
**BEFORE YOU DIG**  
CALL TOLL FREE **800-362-2764**  
OHIO UTILITIES PROTECTION SERVICE.

INDEXED ON MAP  
7934 IP

ORIGINAL STAMP IN GREEN

Received 7-13-95 OK g/l

**LESLIE H. GEESLIN**  
REGISTERED SURVEYOR 5248  
P. O. BOX 274  
RUSHSVLVANIA, OHIO 43347  
TELEPHONE: (513) 468-2793

WESTERMAN SURVEY

June 23, 1995

The following described real estate situated in the State of Ohio, County of Logan, Township of Lake being part of Virginia Military Survey 4399, in the City of Bellefontaine and more particularly described as follows:

Beginning at a 5/8 inch iron bar set in the west line of Lot 4587 of Glenwood East Subdivision No. 4. that is N. 40° 00' 57" W. 35.00 feet from a 5/8 inch iron bar found in the right of way line of Woodglen Circle at the southwest corner of said Lot 4587.

Thence N 56° 05' 22" W. 18.28 feet to a 5/8 inch iron bar set.

Thence N. 37° 30' 06" W. 115.37 feet to a 5/8 inch iron bar found at the northwest corner of said Lot 4587.

Thence with the west line of said Lot 4587 S. 40° 00' 57" E. 132.82 feet to the place of beginning.

Containing 0.008 acre more or less.

The above described 0.008 acre tract being part of Lot 4588 of Glenwood East Subdivision No. 4.

Bearings are based on an assumed bearing (S. 40° 00' 57" E.) for the west line of Lot 4587 of Glenwood East Subdivision No. 4 in this field survey by Leslie H. Geeslin, Reg. Surveyor 5248 on June 23, 1995.

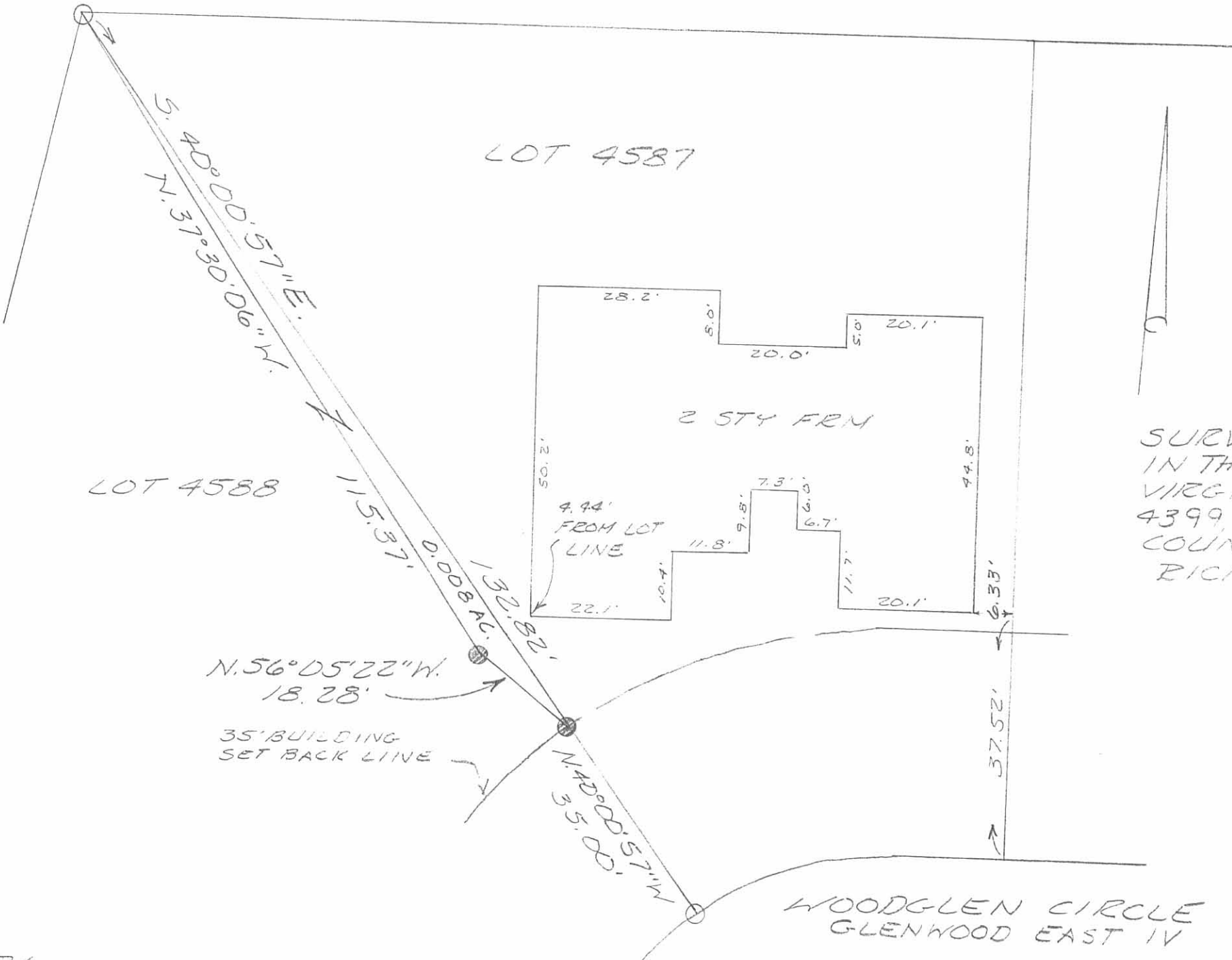
INDEXED ON MAP  
7434 2D



BE A:\GLENWD4\WESTERMN.SAM

*Leslie H. Geeslin*  
LESLIE H. GEESLIN  
RUSHSVLVANIA, OH  
(513) 468-2793





SCALE: 1"=20'



LEGEND:  
 ○ = 5/8 INCH IRON B.A.E. FOUND  
 ● = 5/8 INCH IRON B.A.E. SET

SURVEY OF A 0.010 ACRE TRACT  
 IN THE CITY OF BELLEFONTAINE,  
 VIRGINIA MILITARY SURVEY  
 4399, LAKE TOWNSHIP, LOGAN  
 COUNTY, OHIO FOR  
 RICHARD WESTERMAN ON  
 JUNE 23, 1995



WOODGLEN CIRCLE  
 GLENWOOD EAST IV

INDEXED ON MAP  
 7434 2P

*Leslie H. Geeslin*  
 LESLIE H. GEESLIN  
 RUSHSVLVANIA, O  
 (513) 463-2793

JLW

**LESLIE H. GEESLIN**

**REGISTERED SURVEYOR 5248**

**P. O. BOX 274**

**RUSHSVLVANIA, OHIO 43347**

**TELEPHONE: (513) 468-2793**

NEER SURVEY

October 30, 1996

The following described real estate situated in the State of Ohio, County of Logan, Township of Jefferson, being part of Virginia Military Survey 4399 in the City of Bellefontaine and more particularly described as follows:

Beginning at a 5/8 inch iron bar set at the northeast corner of Lot 4784 of Whispering Pines No. 2 ( Plat Cabinet A Slide 697A-699A ) and in the west line of Lot 4641 of Whispering Pines ( Plat Cabinet A Slide 681-683 ).

Thence with the north line of said Whispering Pines No. 2 the following three courses and distances:

1. S. 63° 03' 05" W. 199.46 feet to a 5/8 inch iron bar set at the northwest corner of Evergreen Drive.
2. N. 26° 55' 00" W. 49.48 feet to a 3/4 inch iron pipe found at the northeast corner of Lot 4783 of said Whispering Pines No. 2.
3. S. 54° 21' 26" W. 206.26 feet to a 5/8 inch iron bar set in the east line of Lot 4907 of Whispering Pines No. 3 ( Plat Cabinet A Slide 769B-771A ).

Thence with the east line of said Lot 4907 of Whispering Pines No. 3 N. 15° 35' 02" W. 17.06 feet to a 5/8 inch iron bar found at the southeast corner of Lot 4906 of said Whispering Pines No. 3.

Thence with the east line of said Whispering Pines No. 3 N. 4° 19' 40" W. 427.12 feet to a 5/8 inch iron bar found .

Thence with the north line of said Whispering Pines No. 3 S. 86° 02' 24" W. 319.82 feet to a 5/8 inch iron bar set in the east line of Glenwood East Allotment No. 4 ( Plat Cabinet B Slide 775 ).

Thence with the east line of said Glenwood East Allotment No. 4 N. 5° 55' 10" E. 329.70 feet to a 5/8 inch iron bar found at the northeast corner of Lot 4582 in the south line of the City of Bellefontaine's 17.19 acre tract as described in D. B. Vol. 333 Page 820.

Thence with the south line of said 17.19 acre tract and the south line of Roger Rathfelder etal's 21.961 acre tract as described in O. R. Vol. 241 Page 565 N. 86° 09' 19" E. 566.40 feet to a 5/8 inch iron bar found at the northwest corner of Lot 4641 of Whispering Pines ( Plat Cabinet A Slide 681-683 ).

Thence with the west line of said Lot 4641 S. 7° 49' 29" E. 518.02 feet to a 5/8 inch iron bar set.

Thence again with the west line of said Lot 4641 S. 26° 53' 48" E. 119.43 feet to the place of beginning.

Containing 7.433 acres more or less.

The above described 7.433 acre tract being part of L U C Development, Inc.'s 57.705 acre tract as described in O. R. Vol. 70 Page 933.

Bearings are based on an assumed bearing (N. 7° 49' 29" W.) for the west line of Lot 4641 of Whispering Pines ( Plat Cabinet A Slide 681-683 ) in this field survey by Leslie H. Geeslin, Reg. Surveyor 5248 on October 30, 1996.

7934 3D

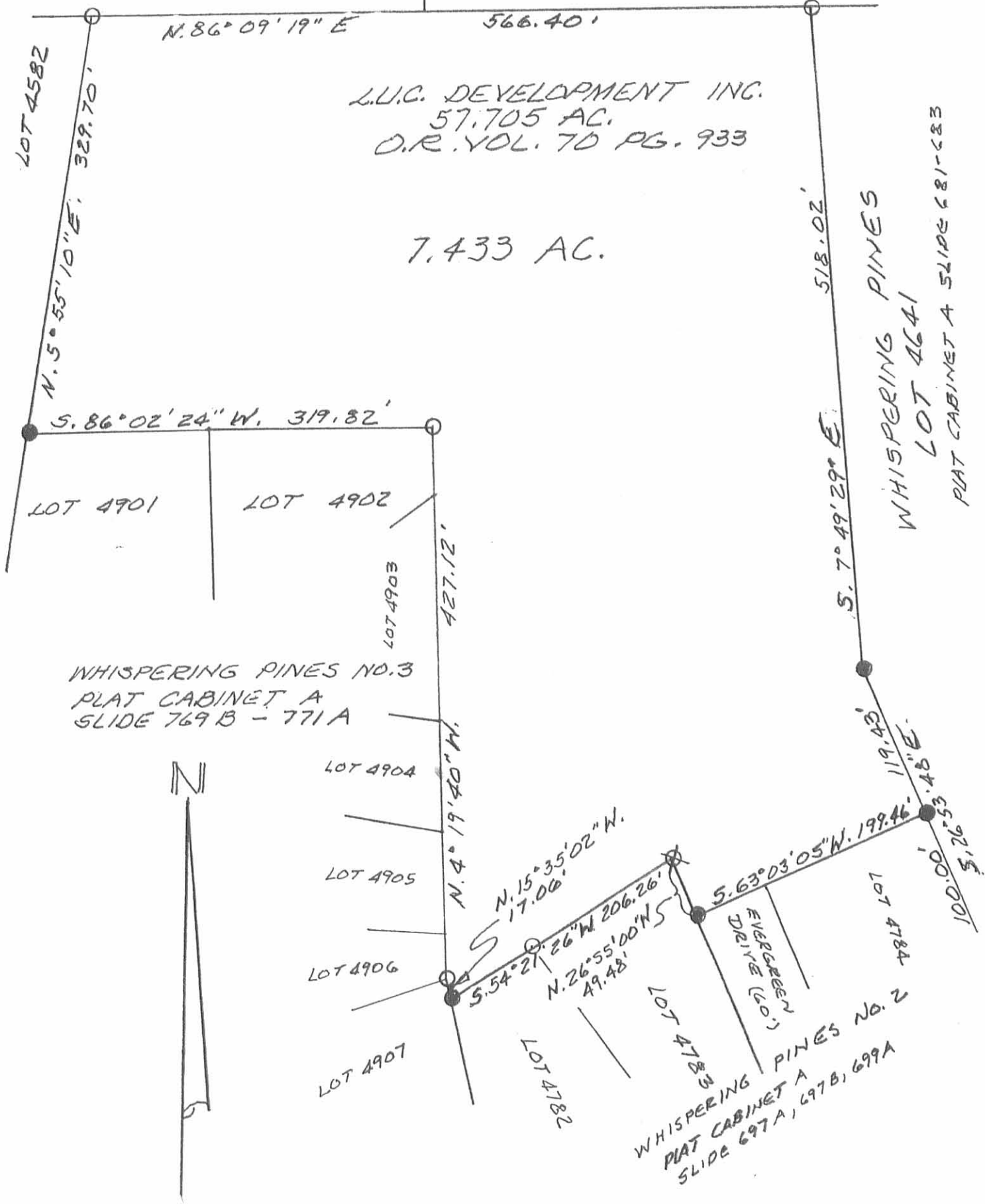


*Leslie H. Geeslin*

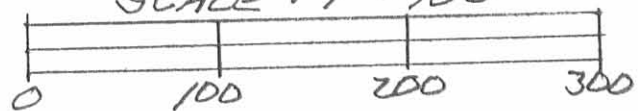
GLENWOOD EAST ALLOTMENT NO 4 -  
CABINET B SLIDE 775

CITY OF BELLEFONTAINE  
17.19 AC.  
D.B. VOL. 333 PG 820

ROGER RATHFELDER ETAL  
21.961 AC.  
O.R. VOL. 241 PG 565



SURVEY OF 7.433 AC. TRACT  
IN V.M.S. 4399, CITY OF BELLEFONTAINE,  
JEFFERSON TOWNSHIP, LOGAN COUNTY,  
OHIO FOR TERRY NEER.  
OCTOBER 30, 1996  
SCALE: 1" = 100



- LEGEND:
- = 5/8" IRON BAR FOUND
  - = 5/8" IRON BAR SET
  - ⊗ = 3/4" IRON PIPE FOUND



*Leslie H. Geeslin*  
 LESLIE H. GEESLIN  
 RUSHSVLVANIA, OHIO  
 PH 513-468-2793

INDEXED ON MAP  
 7934 3P

REC'D 8-4-05 SMM/OK

WHISPERING PINES LANE (60 FEET WIDE)

N 63°04'55" E  
74.96'

WHISPERING PINES  
PLAT CABINET A, SLIDE 681-683  
WHISPERING PINES NO. 2  
PLAT CABINET A, SLIDE 697-A&B, 699-A

LOT 4639

LOT 4758

BASIS FOR BEARINGS  
S 26°55'00" E  
220.48'

N 26°51'15" W  
172.22'

LOT 4759

LOT 4762

89.31'  
N 84°12'44" W

DAVID A. THOMPSON AND JACQUELINE R. THOMPSON  
5.00 ACRE TRACT  
O.R. 533, PG. 279

A RETRACEMENT SURVEY OF  
LOT 4758  
WHISPERING PINES NO. 2  
PLAT CABINET A, SLIDE 697-A&B, 699-A  
VIRGINIA MILITARY SURVEY 4399  
CITY OF BELLEFONTAINE  
JEFFERSON TOWNSHIP  
LOGAN COUNTY, OHIO

SURVEYED BY:

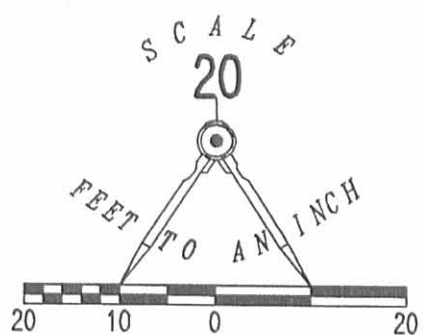
JEFFREY I. LEE  
PROFESSIONAL SURVEYOR 6359  
JULY 29, 2005

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117 North Madriver Street  
BELLEFONTAINE, OHIO 43311  
(937) 593-7335



ORIGINAL STAMP IN GREEN

ADW D0805 4078075 L-4078075-3



LEGEND

- 5/8 INCH IRON ROD FOUND
- ⊕ 5/8 INCH IRON ROD FOUND IN CONCRETE

2 WORKING DAYS  
BEFORE YOU DIG  
CALL TOLL FREE 800-362-2764  
OHIO UTILITIES PROTECTION SERVICE.

REC'D 9-23-03 SMY/AL

LEGEND:

- 5/8 INCH IRON ROD FOUND
- 5/8 INCH IRON ROD SET

GLENWOOD EAST ALLOTMENT NO. 3  
PLAT CABINET A. SLIDE 745B

LOT 4899

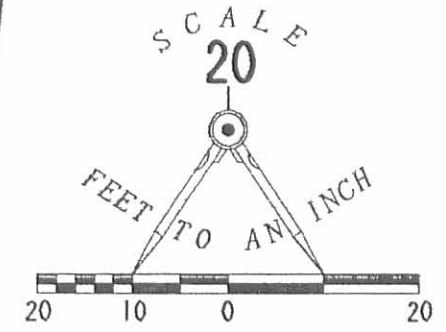
S 84°04'50"E  
140.00'

LOT 4898

80.00'  
S 05°55'10"W  
BASIS FOR BEARINGS

140.00'  
N 84°04'50"W

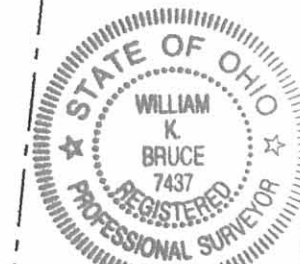
BENT PINES COURT (60')



RETRACEMENT SURVEY OF  
BUCKEYE LINKS LTD  
LOT 4898 OF  
WHISPERING PINES NO. 3  
PLAT CABINET A. SLIDE 769 B  
OFFICIAL RECORD 376. PAGE 522. PARCEL FOUR  
VIRGINIA MILITARY SURVEY 4399  
JEFFERSON TOWNSHIP  
LOGAN COUNTY, OHIO

SURVEYED BY:

*William K. Bruce*  
WILLIAM K. BRUCE  
PROFESSIONAL SURVEYOR 7437  
SEPTEMBER 19, 2003



ORIGINAL STAMP IN GREEN

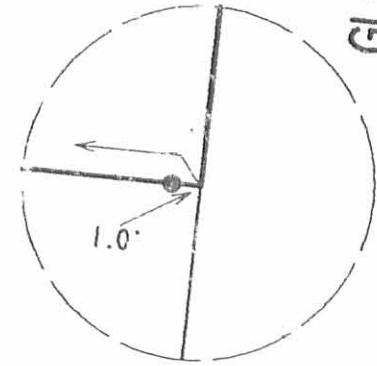
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(937) 593-7335  
D 411 LLINK L-3671-3

INDEXED ON MAP  
7934 5P

LOT 4576

LOT 4897

LOT 4577



80.00'  
N 05°55'10"E

2 WORKING DAYS  
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CALL TOLL FREE **800-362-2764**  
OHIO UTILITIES PROTECTION SERVICE.

REC'D 8-14-01 SMJ on

# Lee Surveying and Mapping Co., Inc.

Land Surveys • Topography • Subdivisions • Construction Layout

117 N. Madriver St.  
Bellefontaine OH 43311



Phone: (937) 593-7335  
Fax: (937) 593-7444

## WHISPERING PINES

Lying in Virginia Military Survey 4399, City of Bellefontaine, Jefferson Township, Logan County, Ohio.

Being the north half of Lot 4624 and the south half of Lot 4625 of Whispering Pines Estates No. 1 as platted in Plat Cabinet A, Slide 681 of the Logan County Records of Plats.

Description prepared by:

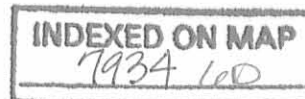


ORIGINAL STAMP IN GREEN

A handwritten signature in black ink, appearing to read 'Jeffrey I. Lee'.

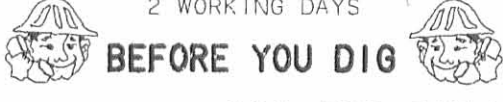
Jeffrey I. Lee  
Professional Surveyor 6359  
August 8, 2001

L-3202





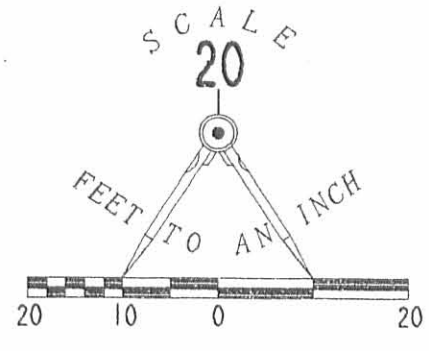
RD 8-16-01 SMY OK



2 WORKING DAYS

CALL TOLL FREE 800-362-2764

OHIO UTILITIES PROTECTION SERVICE.



SURVEY OF THE NORTH HALF OF LOT 4624 AND THE SOUTH HALF OF LOT 4625 WHISPERING PINES PLAT CABINET A. SLIDE 681-683 VIRGINIA MILITARY SURVEY 4399 CITY OF BELLEFONTAINE JEFFERSON TOWNSHIP LOGAN COUNTY, OHIO

SURVEYED BY:

Handwritten signature of Jeffrey I. Lee

JEFFREY I. LEE PROFESSIONAL SURVEYOR 6359 AUGUST 8, 2001



ORIGINAL STAMP IN GREEN

COPYRIGHT 2001 BY: LEE SURVEYING & MAPPING CO., INC. 117 North Madriver Street BELLEFONTAINE, OHIO 43311 (937) 593-7335

INDEXED ON MAP 7934 GP

**LESLIE H. GEESLIN**  
**REGISTERED SURVEYOR 5248**  
**P. O. BOX 274**  
**RUSHSVLVANIA, OHIO 43347**  
**TELEPHONE: (513) 468-2793**

WESTERMAN SURVEY

January 7, 1997

The following described real estate situated in the State of Ohio, County of Logan, Township of Jefferson, being part of Virginia Military Survey 4399 in the City of Bellefontaine and more particularly described as follows:

Beginning at a 5/8 inch iron bar found at the northeast corner of Lot 4902 of Whispering Pines No. 3 as shown in Plat Cabinet A, Slide 769B-771A.

Thence with the north line of said Lot 4902 S. 86° 02' 24" W. 174.21 feet to a 5/8 inch iron bar set at the northwest corner of said Lot 4902 and the northeast corner of Lot 4901 of said Whispering Pines No. 3.

Thence N. 3° 57' 36" W. 0.72 feet to a 5/8 inch iron bar found.

Thence N. 86° 16' 31" E. 174.21 feet to the place of beginning.

Containing 0.0014 acre (62.313 square feet) more or less.

The above described 0.0014 acre tract being part of Richard E. Westerman's 7.433 acre tract as described in O. R. Vol. 307 page 318.

Bearings are based on an assumed bearing (S. 86° 02' 24" W.) for the north line of Lot 4902 of Whispering Pines No. 3 as shown in Plat Cabinet A, Slide 769B-771A in this field survey by Leslie H. Geeslin, Reg. Surveyor 5248 on January 7, 1997.



*Leslie H. Geeslin*

SCALE: 1" = 20'



RICHARD E. WESTERMAN

7.933 AC.

O.R. VOL. 307 PG. 318

N. 3° 57' 36" W.

0.72'

N. 86° 16' 31" E.

174.21'

174.21'

S. 86° 02' 24" W.

LOT 4902

0.0014 AC

62.313 S.F.

WHISPERING PINES NO. 3  
FLAT PLAT CABINET A  
SLIDE 769B-771A

LEGEND:

- = 5/8 INCH IRON BAR FOUND
- = 5/8 INCH IRON BAR SET

LOT 4901

INDEXED ON MAP  
79.34 TP

SURVEY OF 0.0014 ACRE (62.313 S.F.)  
IN THE CITY OF BELLEFONTAINE,  
VIRGINIA MILITARY SURVEY 4399,  
JEFFERSON TOWNSHIP, LOGAN COUNTY,  
OHIO FOR DICK WESTERMAN  
ON JANUARY 7, 1996



Leslie H. Geeslin  
LESLIE H. GEESLIN  
RUSHSVLVANIA, O  
(937) 468-2793

Received 6-4-96 OKYCH

**LESLIE H. GEESLIN**  
**REGISTERED SURVEYOR 5248**  
**P. O. BOX 274**  
**RUSHSVLVANIA, OHIO 43347**  
**TELEPHONE: (513) 468-2793**

NEER SURVEY

May 23, 1996

The following described real estate situated in the State of Ohio, County of Logan, Township of Jefferson, being part of Lot 4905 in the City of Bellefontaine, and more particularly described as follows:

Beginning at a 5/8 inch iron bar found in the east line of Bent Pines Court at the southwest corner of Lot 4904.

Thence with the south line of said Lot 4904 S. 84° 04' 50" E. 170.76 feet to a 5/8 inch iron bar found in the west line of L. U. C. Development, Inc.'s 57.705 acre tract as described in O. R. Vol. 70 Page 933 at the southeast corner of said Lot 4904.

Thence with the west line of said 57.705 acre tract S. 4° 18' 27" E. 39.83 feet to a 5/8 inch iron bar set.

Thence N. 87° 01' 12" W. 178.06 feet to a 5/8 inch iron bar set in the east line of said Bent Pines Court.

Thence with the east line of said Bent Pines Court N. 5° 55' 10" E. 48.33 feet to the place of beginning.

Containing 0.176 acre more or less.

The above described 0.176 acre tract being the north half of Lot 4905 of Whispering Pines Subdivision No. 3 in the City of Bellefontaine as recorded in Plat Cabinet "A" Slide 771

Bearings are based on an assumed bearing (N. 5° 55' 10" E.) for the east line of Bent Pines Court in this field survey by Leslie H. Geeslin, Reg. Surveyor 5248 on May 23, 1996.



BE A:\78\NEER1.SAM

INDEXED ON MAP  
7934 0D-1

*Leslie H. Geeslin*

Received 6-4-96 OK gch

**LESLIE H. GEESLIN**  
**REGISTERED SURVEYOR 5248**  
**P. O. BOX 274**  
**RUSHSVLVANIA, OHIO 43347**  
**TELEPHONE: (513) 468-2793**

NEER SURVEY

May 23, 1996

The following described real estate situated in the State of Ohio, County of Logan, Township of Jefferson, being part of Lot 4905 in the City of Bellefontaine, and more particularly described as follows:

Beginning at a 5/8 inch iron bar set in the east line of Bent Pines Court at the northwest corner of Lot 4906.

Thence with the east line of said Bent Pines Court N. 5° 55' 10" E. 48.34 feet to a 5/8 inch iron bar set.

Thence S. 87° 01' 12" E. 178.06 feet to a 5/8 inch iron bar set in the west line of L. U. C. Development, Inc.'s 57.705 acre tract as described in O. R. Vol. 70 Page 933.

Thence with the west line of said 57.705 acre tract S. 4° 18' 27" E. 39.84 feet to a 5/8 inch iron bar found at the northeast corner of said Lot 4906.

Thence with the north line of said Lot 4906 S. 89° 43' 18" W. 185.80 feet to the place of beginning.

Containing 0.183 acre more or less.

The above described 0.183 acre tract being the south half of Lot 4905 of Whispering Pines Subdivision No. 3 in the City of Bellefontaine as recorded in Plat Cabinet "A" Slide 771.

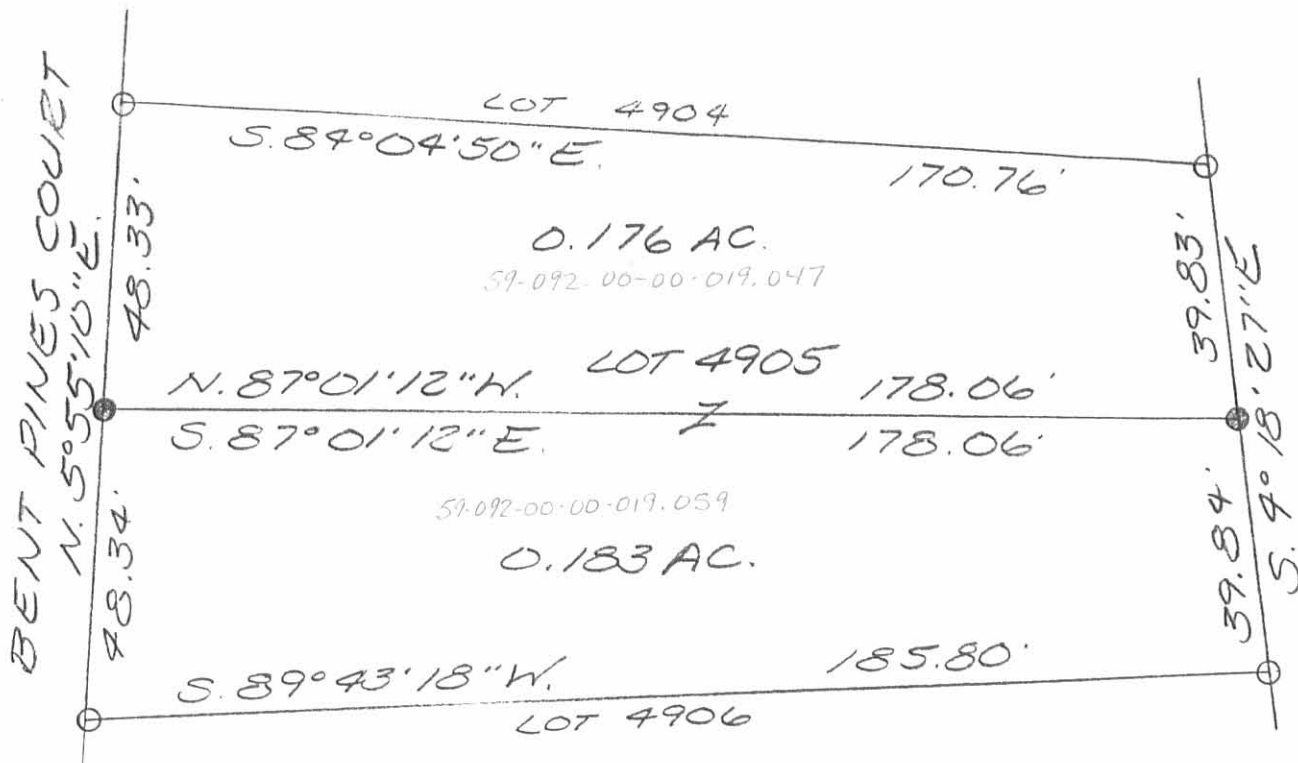
Bearings are based on an assumed bearing (N. 5° 55' 10" E.) for the east line of Bent Pines Court in this field survey by Leslie H. Geeslin, Reg. Surveyor 5248 on May 23, 1996.



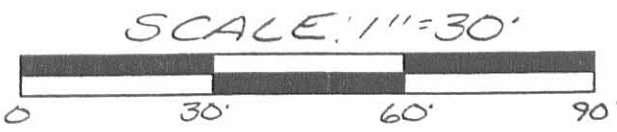
BE A:\78\NEER2.SAM



*Leslie H. Geeslin*



L.L.C. DEVELOPMENT, INC.  
 57.705 AC.  
 O.R. VOL. 70 PAGE 933



LEGEND:  
 ○ = 5/8 INCH IRON BAR FOUND  
 ● = 5/8 INCH IRON BAR SET

SURVEY OF A 0.176 ACRE TRACT AND A 0.183 ACRE TRACT IN THE CITY OF BELLEFONTANE, JEFFERSON TOWNSHIP, LOGAN COUNTY, OHIO FOR TERRY NEER ON MAY 23, 1996



Leslie H. Geeslin  
 LESLIE H. GEESLIN  
 RUSHSVLVANIA, O  
 (513) 468-2793

INDEXED ON MAP  
 7934 0P

JLB





# Lee Surveying and Mapping Co.

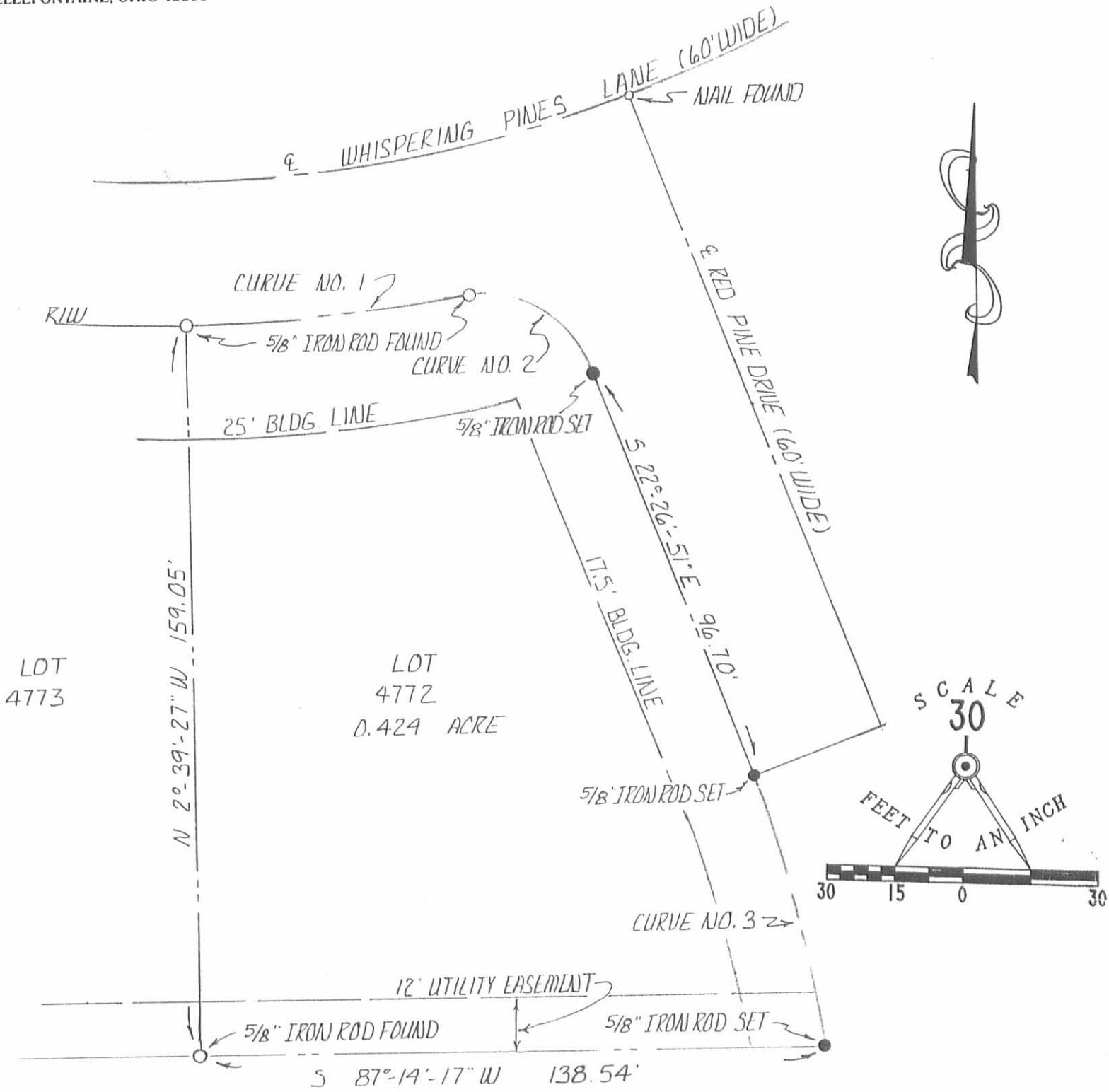


Farm Surveys • Lot Surveys • Topography • Subdivisions • Construction Layout

143 EAST COLUMBUS AVENUE  
BELLEFONTAINE, OHIO 43311

(513) 593-7335

JEFFREY I. LEE, P.S.



CURVE NO.	RADIUS	ARC	DELTA	CHORD	CHORD BEARING
1	330.00'	62.80'	10° 54' 10"	62.70'	N 81° 54' 50" E
2	25.00'	35.36'	81° 03' 11"	32.49'	S 62° 58' 59" E
3	340.00'	59.70'	10° 03' 36"	59.62'	S 17° 23' 31" E

RETRACEMENT SURVEY OF LOT 4772  
IN WHISPERING PINES # 2  
CITY OF BELLEFONTAINE  
LOGAN COUNTY, OHIO

INDEXED ON MAP  
7934 9P



SURVEYED BY:  
*[Signature]*  
JEFFREY I. LEE, P.S. 6359  
AUGUST 26, 1992  
L-1814-4

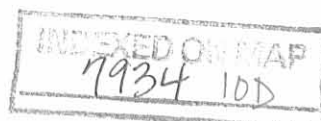
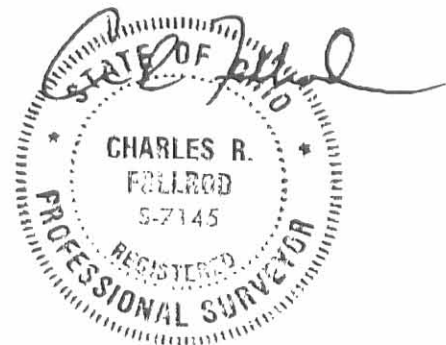
**DESCRIPTION**

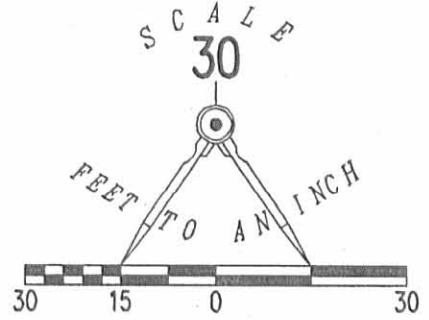
Being a 40' easement for ingress and egress purposes in V.M.S. 4478, Jefferson Township, City of Bellefontaine, Logan County, Ohio and also part of Lots 5022 and 5023 in Whispering Pines No. 4 as recorded in Plat Cabinet "B", Slides 43B, 44A and 44B in the Logan County Recorder's Office and more particularly described as follows:

Commencing at a found #5 rebar at the northwest corner of Lot 5023, thence S83°46'36"E with the north line of said Lot 5023 (also being the right-of-way line of White Pines Dr.), 20.00' to the POINT OF BEGINNING, thence the following courses:

1. S06°13'24"W parallel with the west line of said Lot 5023, 150.00' to the south line of said Lot;
2. N83°46'36"W with the south line of said Lots 5023 & 5022, 40.00';
3. N06°13'24"E parallel with the east line of said Lot 5022, 150.00' to the north line of said Lot (also being the right-of-way line of White Pines Dr.);
4. S83°46'36"E with the north line of Lots 5022 & 5023, 40.00' to the POINT OF BEGINNING.

The above described easement contains 6000 square feet or 0.138 acres more or less subject to all legal highways and easements of record.





LEGEND:

- 5/8 INCH IRON ROD FOUND
- 5/8 INCH IRON ROD SET WITH PLASTIC I.D. CAP STAMPED "LSM 7437"

**WHISPERING PINES**  
PLAT CABINET A, SLIDES 681-683

LOT 4637  
LOT 4636

LOT 4635

LOT 4638

LOT 4634

SPLIT RAIL COURT (60')

(BASIS FOR BEARINGS)  
S 09°55'35" E 162.92'

100.00'

62.92'

17.11'

146.12'  
S 66°38'34" W

126.82'  
N 26°55'00" W

RETRACEMENT SURVEY OF THE  
SOUTH LINE OF THE  
WILLIAM ZELLER AND  
DEANNA ZELLER  
LOT 4635  
WHISPERING PINES  
PLAT CABINET A, SLIDES 681-683  
OFFICIAL RECORD 939, PAGE 921  
TRACT III  
CITY OF BELLEFONTAINE  
JEFFERSON TOWNSHIP  
LOGAN COUNTY, OHIO

SURVEYED BY:

*William K. Bruce*

WILLIAM K. BRUCE  
PROFESSIONAL SURVEYOR 7437  
JANUARY 28, 2010



ORIGINAL STAMP IN GREEN

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(937) 593-7335  
surveys@lsminc.us  
KSS 00110 4900110 L-4900-3

2 WORKING DAYS  
**BEFORE YOU DIG**  
CALL TOLL FREE **800-362-2764**  
OHIO UTILITIES PROTECTION SERVICE.

**INDEXED ON MAP**  
7934 11P

12-31-12

**APPROVED**

RED PINES DRIVE (60 FEET WIDE)

BASIS FOR BEARINGS  
N 04°32'01" E  
79.97'



WHISPERING PINES NO. 4  
PLAT CABINET B, SLIDE 43B

PHASE II

BELLE PINES SUBDIVISION  
PLAT CABINET B, SLIDE 102A

LOT 4997

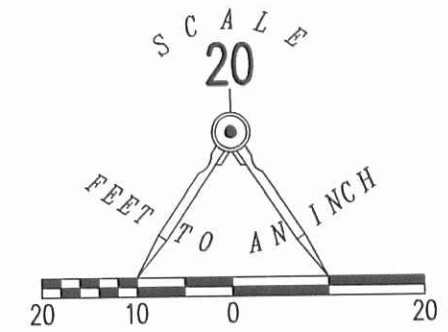
LOT 5091

LOT 4998

LOT 5090

LOT 5089

LOT 4999



LEGEND

- 5/8 INCH IRON ROD SET WITH PLASTIC I.D. CAP STAMPED "LSM7437"

RETRACEMENT SURVEY OF  
 LOT 4998  
 WHISPERING PINES NO. 4  
 PLAT CABINET B, SLIDE 43B  
 CITY OF BELLEFONTAINE  
 VIRGINIA MILITARY SURVEY 4478  
 JEFFERSON TOWNSHIP  
 LOGAN COUNTY, OHIO

SURVEYED BY:

*William K. Bruce*

WILLIAM K. BRUCE  
 PROFESSIONAL SURVEYOR 7437  
 DECEMBER 19, 2012



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 surveys@lsminc.us

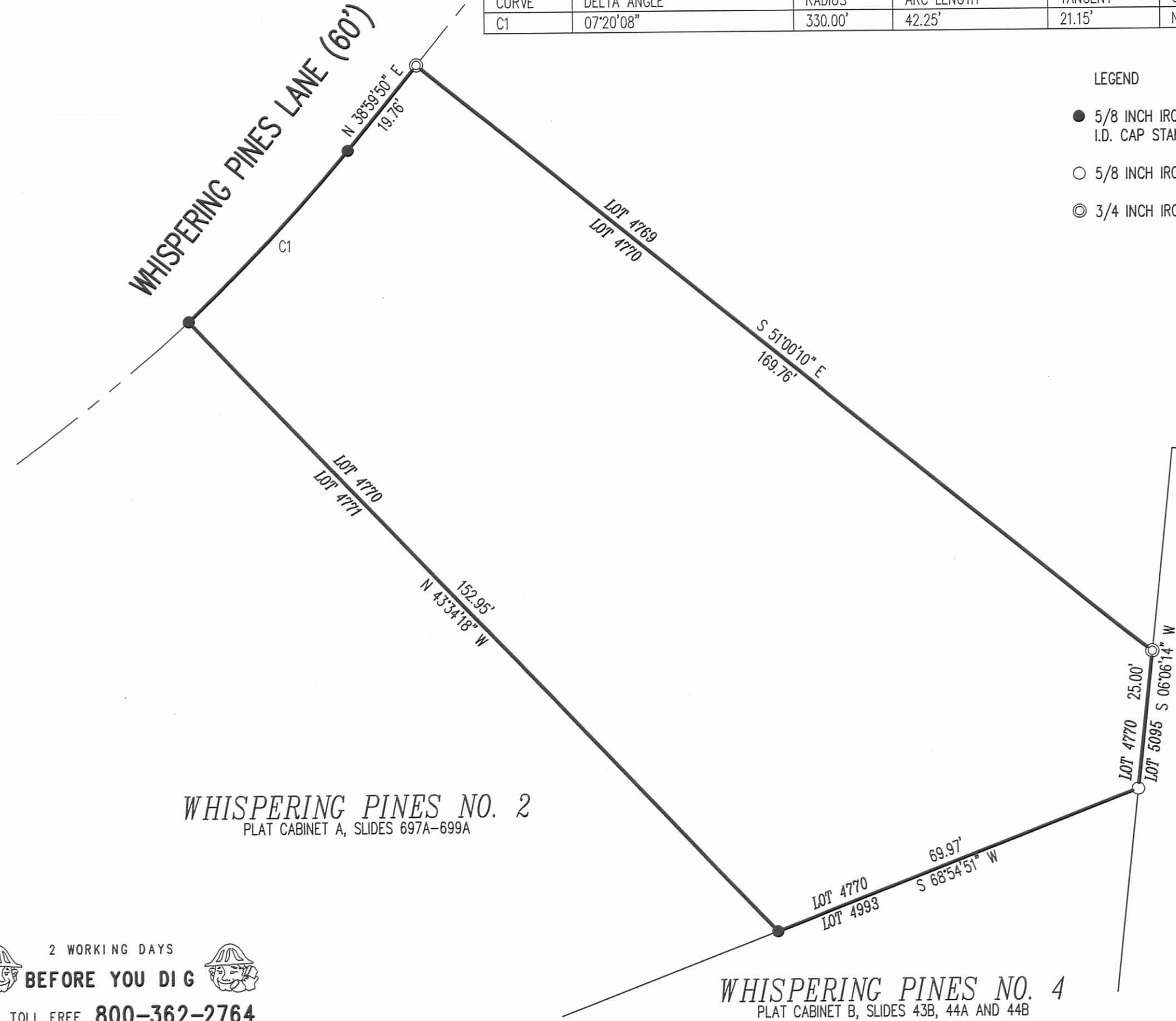
ADW D1212 54531212 L-5453-3

2 WORKING DAYS  
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 CALL TOLL FREE **800-362-2764**  
 OHIO UTILITIES PROTECTION SERVICE.

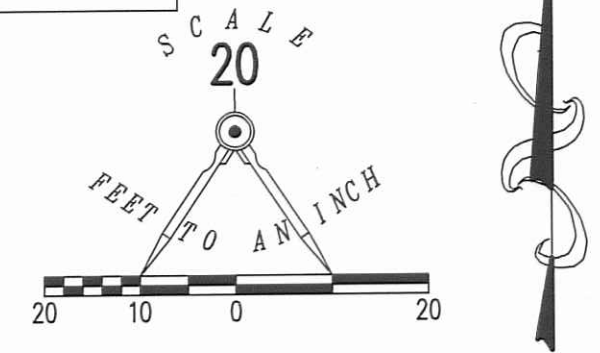
INDEXED ON MAP  
 7934 12P

**APPROVED** 5-21-14

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD BEARING	CHORD LENGTH
C1	07°20'08"	330.00'	42.25'	21.15'	N 43°22'45" E	42.22'



- LEGEND
- 5/8 INCH IRON ROD SET WITH PLASTIC I.D. CAP STAMPED "LSM7437"
  - 5/8 INCH IRON ROD FOUND
  - ◎ 3/4 INCH IRON PIPE FOUND



RETRACEMENT SURVEY OF  
 LOT 4770  
 WHISPERING PINES NO. 2  
 PLAT CABINET A, SLIDES 697A-699A  
 CITY OF BELLEFONTAINE  
 JEFFERSON TOWNSHIP  
 LOGAN COUNTY, OHIO

BELLE PINES SUBDIVISION PHASE II  
 PLAT CABINET B, SLIDE 102A & B

WHISPERING PINES NO. 2  
 PLAT CABINET A, SLIDES 697A-699A

WHISPERING PINES NO. 4  
 PLAT CABINET B, SLIDES 43B, 44A AND 44B

SURVEYED BY:  
*William K. Bruce*  
 WILLIAM K. BRUCE  
 PROFESSIONAL SURVEYOR 7437  
 MAY 17, 2014

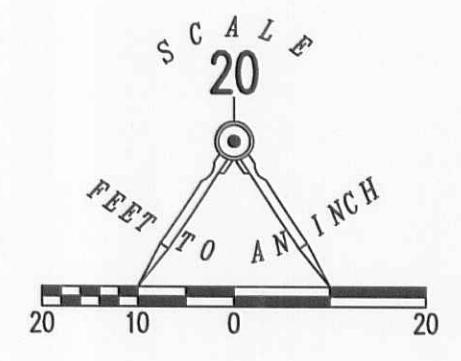
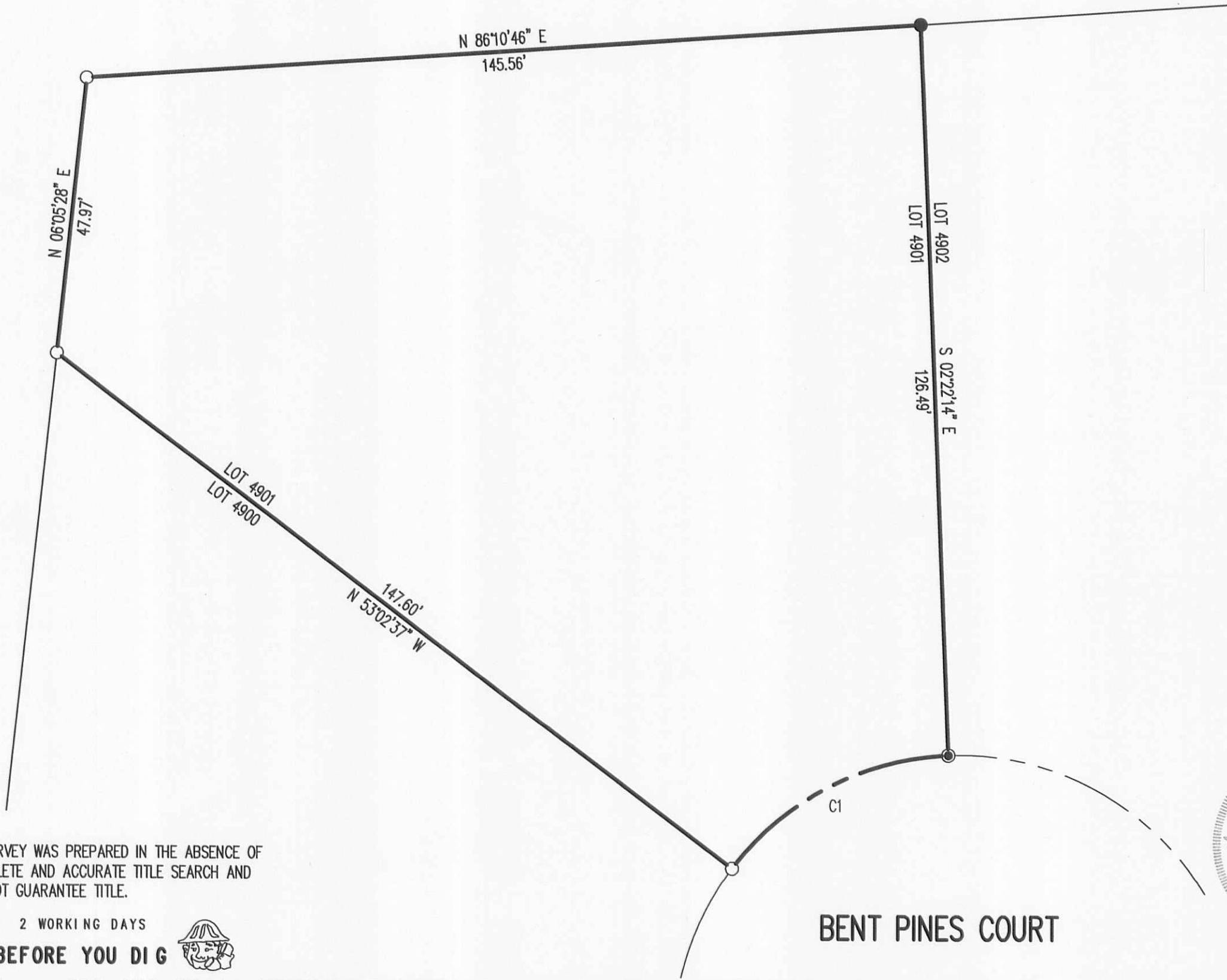


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 ADW D0414 57320414 L-5732-3

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 OHIO UTILITIES PROTECTION SERVICE

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 7934 13P

4-22-16  
**APPROVED**



**LEGEND**

- 5/8 INCH IRON ROD SET WITH PLASTIC I.D. CAP STAMPED "LSM7437"
- 5/8 INCH IRON ROD FOUND
- ⊙ MAG NAIL SET

**RETRACEMENT SURVEY OF  
 LOT 4901  
 WHIPERING PINES NO. 3  
 PLAT CABINET A, SLIDE 769B & 771A  
 CITY OF BELLEFONTAINE  
 JEFFERSON TOWNSHIP  
 LOGAN COUNTY**

SURVEYED BY:

*William K. Bruce*

WILLIAM K. BRUCE  
 PROFESSIONAL SURVEYOR 7437  
 APRIL 19, 2016



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 surveys@lsminc.us  
 ADW D0316 60750316 L-6075-3

THIS SURVEY WAS PREPARED IN THE ABSENCE OF A COMPLETE AND ACCURATE TITLE SEARCH AND DOES NOT GUARANTEE TITLE.

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 OHIO UTILITIES PROTECTION SERVICE

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD BEARING	CHORD LENGTH
C1	50°17'06"	50.00'	43.88'	23.47'	N 62°17'20" E	42.49'

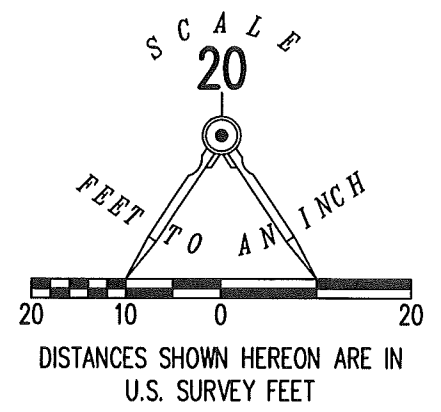
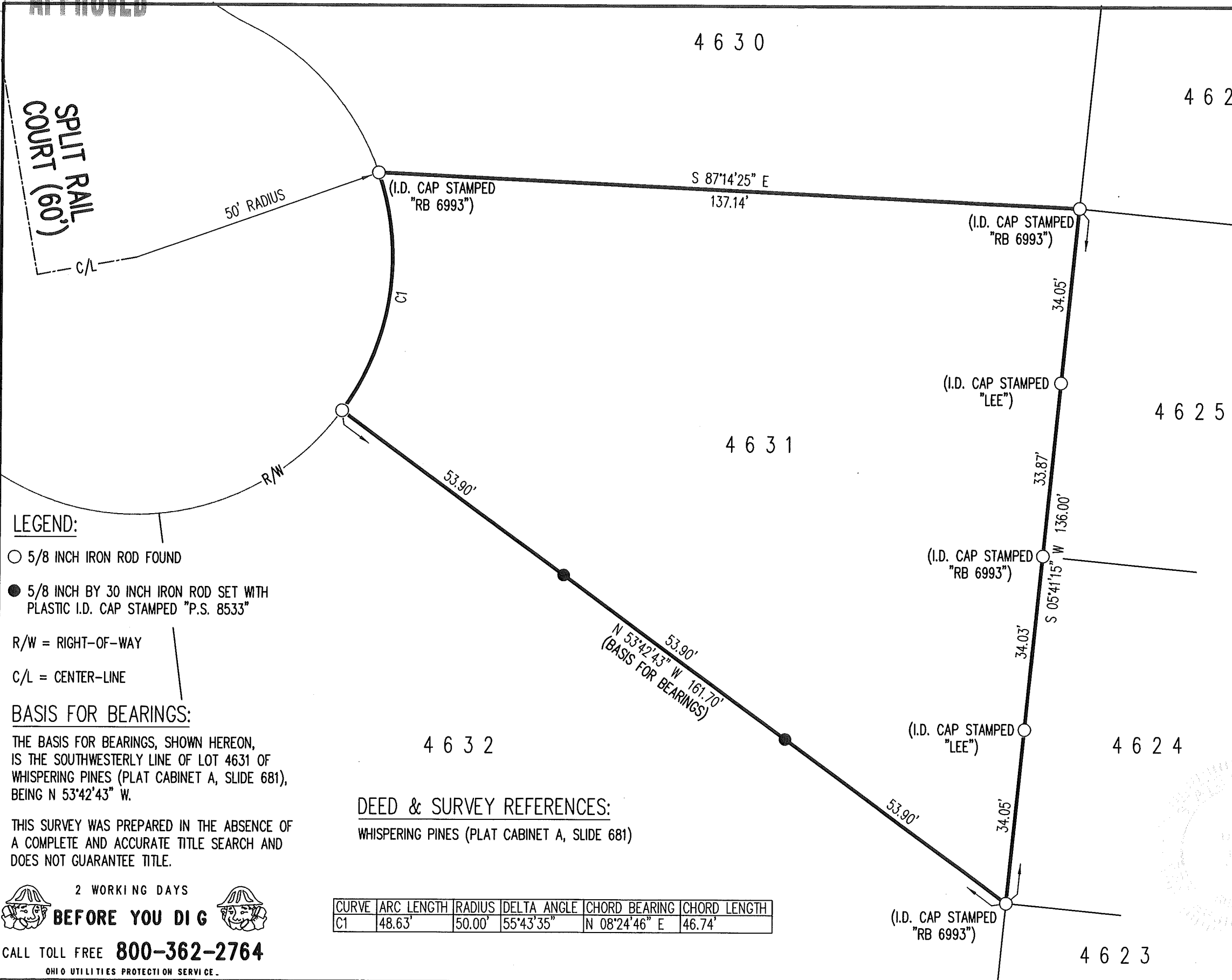
**BENT PINES COURT**

INDEXED ON MAP  
 7934 14P



11-10-18

APPROVED



**LEGEND:**

- 5/8 INCH IRON ROD FOUND
- 5/8 INCH BY 30 INCH IRON ROD SET WITH PLASTIC I.D. CAP STAMPED "P.S. 8533"
- R/W = RIGHT-OF-WAY
- C/L = CENTER-LINE

**BASIS FOR BEARINGS:**

THE BASIS FOR BEARINGS, SHOWN HEREON, IS THE SOUTHWESTERLY LINE OF LOT 4631 OF WHISPERING PINES (PLAT CABINET A, SLIDE 681), BEING N 53°42'43" W.

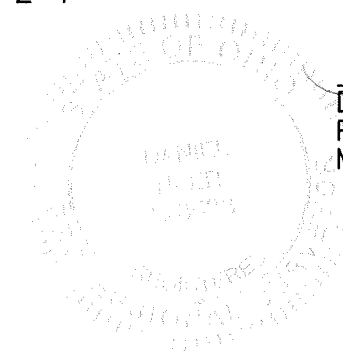
THIS SURVEY WAS PREPARED IN THE ABSENCE OF A COMPLETE AND ACCURATE TITLE SEARCH AND DOES NOT GUARANTEE TITLE.

**DEED & SURVEY REFERENCES:**  
WHISPERING PINES (PLAT CABINET A, SLIDE 681)

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	48.63'	50.00'	55°43'35"	N 08°24'46" E	46.74'

**RETRACEMENT SURVEY OF  
LOT 4631  
WHISPERING PINES  
PLAT CABINET A, SLIDE 681  
CITY OF BELLEFONTAINE  
JEFFERSON TOWNSHIP  
LOGAN COUNTY, OHIO**

SURVEYED BY:  
*D. Neer*  
DANIEL A. NEER  
PROFESSIONAL SURVEYOR NO. 8533  
NOVEMBER 8, 2018



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WWW.LEE-SURVEYING.COM  
surveys@lee-surveying.com  
KSS D1018 64521018 L-6452-3

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OHIO UTILITIES PROTECTION SERVICE.

INDEXED ON MAP  
7934

# "WHISPERING PINES"

1  
3

BEING A PART OF V.M.S. 4399      JEFFERSON TOWNSHIP,  
CITY OF BELLEFONTAINE, LOGAN COUNTY, OHIO

S. 05°-41'10" W. 1113.29



LUC DEVELOPMENT, INC.  
O.R. 70, PG. 933  
57.705 AC.

**DEDICATION**

KNOW ALL MEN BY THESE PRESENTS, that Charles P. Conrad, President and Terry G. Neer, Vice-President of LUC Development, Incorporated, an Ohio Corporation, Proprietors of the land indicated on the accompanying plat, have authorized the platting thereof and do hereby dedicate the streets to the public use forever.

The buffer lot at the west end of Whispering Pines Lane is dedicated conditionally until such time as the adjacent land is subdivided and a part thereof is dedicated for the purpose of extending the public right-of-way hereon shown.

*James M. Carsten*      *Terry G. Neer*  
Witnesses                      Proprietors

STATE OF OHIO      SS:  
LOGAN COUNTY

Before me, a Notary Public in and for said County, personally came Charles P. Conrad, President and Terry G. Neer, Vice-President of LUC Development, Incorporated, an Ohio Corporation, Proprietors, who acknowledge 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 hereunto set my hand and affixed my official seal this 3rd day of February, 1989.

**SURVEYOR'S CERTIFICATION**

The accompanying plat represents a subdivision of land in VMS 4399, Jefferson Township, City of Bellefontaine, Logan County, Ohio.

All measurements are in feet and decimals of a foot. All measurements of curves are arc distances.

The tract has an area of 2.455 acres in streets and 17.933 acres in lots, making a total of 20.388 acres.

I hereby certify that the accompanying plat is a correct representation of Whispering Pines as surveyed and that all monuments and iron bars as shown hereon have been set or will be set as a part of work that surety is posted for.

5/8" iron bars are set at all lot corners and points shown thus: o

Concrete monuments are set at points shown thus: ●

*Richard A. Bruce*      2-3-89  
Richard A. Bruce #6993      Date

H. A. Moores & Associates, Inc.  
1224 South Main Street  
Bellefontaine, OH 43311

SUBDIVIDERS OF PLAT: LUC Development, Inc.  
2140 Riverside Drive



A-142      L-1-N-N      PLAT CAB. A SLIDE 68



# "WHISPERING PINES"

BEING A PART OF V.M.S. 4399                      JEFFERSON TOWNSHIP,  
CITY OF BELLEFONTAINE, LOGAN COUNTY, OHIO

PLAN

CURVE DATA

CURVE	DELTA ANGLE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
1	90°-00'-00"	25.00	39.27	25.00	35.36	N.39°-18'-50" W.
2	09°-58'-34"	585.00	101.86	51.06	101.73	N.89°-18'-07" W.
3	95°-38'-11"	25.00	41.73	27.59	37.05	S.37°-53'-31" W.
4	53°-07'-48"	50.00	46.36	25.00	44.72	S.36°-29'-29" E.
5	233°-07'-48"	50.00	203.45		89.44	S.53°-30'-31" W.
6	95°-38'-11"	25.00	41.73	27.59	37.05	N.57°-44'-41" W.
7	11°-21'-14"	585.00	115.93	58.15	115.74	S.68°-45'-37" W.
8	32°-36'-10"	615.00	349.95	179.85	345.25	N.79°-23'-05" E.
9	32°-36'-10"	645.00	367.02	188.63	362.09	N.79°-23'-05" E.
10	90°-00'-00"	25.00	39.27	25.00	35.36	N.50°-41'-10" E.

METES AND BOUNDS DESCRIPTION

The following situated in the State of Ohio, County of Logan, Township of Jefferson, City of Bellefontaine, being part of VMS 4399 and more particularly described as follows:

Beginning at a 1-inch iron found at the intersection of the centerline of T.R. 55 and T.R. 179, said iron being in the north line of VMS 4399.

THENCE with the centerline of T.R. 179, S.5°-41'-10" W. 1113.29 feet to a railroad spike found marking the northeast corner of Anthony and Janet Tedeschi's 5.00 acre tract, O.R. Vol. 18, Page 107.

THENCE with said Tedeschi's north line, N. 84°-11'-01" W. 637.63 feet to a concrete monument to be set.

THENCE N.26°-55'-00" W. 280.40 feet to a concrete monument to be set.

THENCE N.63°-05'-00" E. 41.21 feet to a concrete monument to be set.

THENCE N.26°-55'-00" W. 219.43 feet to a concrete monument to be set.

THENCE N.7°-48'-00" W. 518.02 feet to a concrete monument to be set in the south line of Marvin and Nancy Rathfelder's 24.17 acre tract, D.B. 395, Page 218, also the north line of VMS 4399.

THENCE with said Rathfelder's south line and the north line of VMS 4399, N.86°-13'-50" E. 389.58 feet to a 5/8 inch iron found marking the southwest corner of the State of Ohio's 25 acre tract, D.B. 276, Page 506.

THENCE continuing with the north line of VMS 4399 and the south line of said 25 acre tract, N.86°-16'-56" E. 617.04 feet to the point of beginning. Containing 20.388 acres, more or less.

The above described 20.388 acres being part of LUC Development, Inc.'s 57.705 acre tract as described in O.R. Vol. 70, Page 933.

Basis for bearings: Centerline of T.R. 179 (S.5°-41'-10" W.)

This description prepared from an actual field survey dated September 8, 1988.

APPROVALS

Description Checked gch 7-31-89

Approved this 31 day of July, 1989.

Timothy L. Nossie  
Bellefontaine City Engineer

The within streets and easements are hereby approved and accepted for public maintenance by Ordinance No. 89-58, recorded in City Council's record book 89 on this 26th day of July, 1989.

Richard G. Vicario  
Mayor

Howard Jackson 7-27-89  
President, Bellefontaine City Council

Adythe Pedmore  
Clerk of Council

Approved this 25th day of July, 1989.

James M. Weeks 7-27-89  
Chairman, City Planning Commission

Transferred this 1st day of AUGUST, 1989.

Juan Jones  
Logan County Auditor

Filed for record this 1st day of August, 1989, at 9:02AM.

Recorded this 1st day of August, 1989, in Plat Cabinet A Slide 681-683

Carolyn Collins  
Logan County Recorder

318742

LOT	PARCEL NO.
4623	55-092-00-00-019.003
4624	55-092-00-00-019.004
4625	55-092-00-00-019.005
4626	55-092-00-00-019.006
4627	55-092-00-00-019.007
4628	55-092-00-00-019.008
4629	55-092-00-00-019.009
4630	55-092-00-00-019.010
4631	55-092-00-00-019.011
4632	55-092-00-00-019.012
4633	55-092-00-00-019.013
4634	55-092-00-00-019.014
4635	55-092-00-00-019.015
4636	55-092-00-00-019.016
4637	55-092-00-00-019.017
4638	55-092-00-00-019.018
4639	55-092-00-00-019.019
4640	55-092-00-00-019.020
4641	55-092-00-00-019.021

PLAT CMB. A STUBB 681



# "WHISPERING PINES"

BEING A PART OF V.M.S. 4399 CITY OF BELLEFONTAINE, LOGAN COUNTY, OHIO JEFFERSON TOWNSHIP,

### RESTRICTIONS WHISPERING PINES ARTICLE I

(A) **LAND USE:** All of the said lots in Whispering Pines Subdivision shall be used for single family residential purposes only, except lots 4641 and 4640 which shall be solely for the following purposes:

(1) 4641—multifamily condominium—limited, however, to the number of units presently permitted under R-3-C zoning;  
(11) 4640—multifamily rentals—limited, however, to the number of units presently permitted in the R-3 zoning district.

All garages shall be attached to the residence building and no unattached permanent structures of any type or any other out buildings shall be constructed or erected on any lot. Providing, however, garages for lots 4641 and 4640 may be attached or unattached.

(B) **HEIGHT RESTRICTIONS:** No buildings shall be erected, altered, placed or permitted to remain on any lot that would exceed two and one-half stories in height and in no event shall any building be erected to a height exceeding 35 feet from the finish grade of building, together with necessary accessory buildings including a garage.

(C) **LOT SPLIT:** No lot shall be split, divided, or subdivided for sale, resale, gift, transfer or otherwise, so as to create a new lot. Providing, however, lot 4641 or 4640 shall be subject to split solely to permit the filing and establishment of a condominium.

(D) **TRADE OR COMMERCIAL ACTIVITY BARRED:** No trade or commercial activity shall be conducted upon any lot, nor shall anything be done thereon which may become an annoyance or nuisance to any of the owners of any said lot in Whispering Pines.

(E) **PLAN APPROVAL:** Subject to the exception for lot 4641, as hereinafter provided, the following provisions shall apply to all of the lots.

For the purpose of maintaining specific architectural guidelines and standards for the development of all said lots within Whispering Pines, each owner of a lot shall be required to submit two (2) sets of complete building and site plans with specifications for the buildings intended to be erected thereon to the Granor, 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 windows, doors, exterior light fixtures and appurtenant elements 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.

(K) **CLOTHES LINE:** 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.

(L) **VEHICLES NOT IN USE:** No automobile or motor-driven vehicle shall be left upon any lot for a period longer than 30 days, within a 90-day period, in a condition wherein it is not able to be operated upon the public highway. After such period, the vehicle shall be considered a nuisance and detrimental to the welfare of the above-described real estate and shall be removed therefrom.

(M) **HOBBIES:** Hobbies or other activities which tend to detract from the aesthetic character of Whispering Pines and any improvements used in connection with such hobbies or activities shall not be permitted unless carried out or conducted within the building erected upon the lot and not viewable from either the street or adjoining properties. This restriction refers specifically but not exclusively to such activities as automobile, bicycle, moped, motorboat and sailboat repair.

(N) **BOAT, TRAILER, AND VEHICLE PARKING AND STORAGE:** No truck, trailer, boat, camper, recreational vehicle or commercial vehicle shall be parked or stored on any lot unless it is in a garage or other vehicle permanent enclosure out of view from the street and abutting properties; provided, however, that nothing herein shall prohibit the occasional nonrecurring temporary parking of such truck, trailer, boat, camper, recreational vehicle or commercial vehicle on the premises for a period not to exceed 72 hours in any period of thirty (30) days.

(O) **GARAGE:** No dwelling may be constructed on any lot unless an enclosed garage for at least two automobiles is also constructed thereon. The foregoing provisions shall not apply to lots 4641 and 4640.

(P) **SIGNS:** No signs of any kind shall be displayed to the public view, on any lot, except one temporary sign of not more than twelve square feet advertising the property for sale or rent, or signs used by the builder to advertise the property during the construction sales period.

(Q) **ANTENNAS:** Television and radio-antennas, including satellite dishes, whether roof-top or ground mounted, shall be prohibited on the exterior of any house or lot.

(R) **ENTRANCE WALLS, FENCING, SUBDIVISION IDENTIFICATION SIGNS, PARTIMOUNTS AND LANDSCAPING:** The walls, fencing, subdivision identification signs, partimounts and landscaping placed on lots 4623, 4624, 4625, 4626, 4627, and 4640 shall not be removed or changed and shall be maintained in good condition by the Association.

(S) **GRADING AND DRAINAGE:** No construction, grading or other improvements shall be made to any lot if such improvements would interfere with or otherwise alter the general grading and drainage plan of the subdivision or any existing swales, floodways, or other drainage configurations.

Each owner covenants that no excavation shall be made, no building shall be erected and no materials shall be stored upon the premises by said owner of his agents, heirs, successors, or assigns until the Granor shall have approved said plans and specifications in writing. If the Granor fails within thirty (30) days after receipt of said plans and specifications to either approve or disapprove said plans and specifications, they shall be deemed to have been approved and the requirements herein fulfilled. If the Granor disapproves said plans and specifications, the owner may revise and resubmit said plans and specifications, until approval is received. If satisfactory one (1) year following conveyance of title to said owner (or such extension of time as Granor may, at its sole option extend) Granor reserves and Granor and each owner hereby acknowledge the right of Granor, at its option, to repurchase the lot at the original purchase price thereof as evidenced by the closing statement executed at time of purchase.

Each lot owner further acknowledges that in considering plans and specifications submitted, Granor will take into consideration plans and specifications already approved or in the process of being reviewed for approval of proposed improvements on adjacent lots and effect upon the neighborhood and the overall development of Whispering Pines and acknowledges that the Granor may require submission of samples of materials to be used in the construction of said single family residence as a condition of the approval of said plans and specifications. Each lot owner further acknowledges that the Granor shall not be responsible or liable to said owner of to any other owner of lots in the subdivisions by reason of the exercise of its judgment in approving or disapproving plans submitted not shall it be liable for any expenses entailed to any lot owner in the preparation, submission and, if necessary, resubmission of proposed plans and specifications.

Each lot owner further agrees that no tree removal, excavation, construction or other site work which would in any way alter the lot from its present state shall be commenced until the plans and specifications shall first have been approved in writing by Granor in accordance herewith.

Within the easement areas designated on the recorded plat of Whispering Pines, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and the direction of the flow of the drainage channels or water over said easement areas. The easement area of each lot and all surface improvements thereon shall be maintained continuously by the owner of said lot, except for those improvements for which a public authority of public utility company is responsible.

The following provisions shall apply to lot 4641.  
Providing the proposed development of lot 4641 is similar to Graystone Manor, on Frantz Road, north of Hayden Run, Columbus, Ohio, Granor shall be obligated to approve said plans and specifications.

(7) **LIGHTING:** Exterior lighting for lot 4640 shall be subject to the following restrictions.

(1) Wall-mounted lights shall be limited to maximum 75 wattage;  
(11) Ground lighting shall be on post lights with maximum 100 wattage.

(U) **DUMPSTERS:** Dumpsters on lot 4640 shall be subject to the following restrictions:

(1) Wood cedar fencing must entirely surround the dumpster;  
(11) Fencing must be at least one foot (1') above the top of any container.

(V) **ACCESS/CURB CUT:** With respect to lot 4640, access/curb cut shall be limited to Township Road No. 179.

(W) **EXPOSED BLOCK:** No buildings or structures within the subdivision may have more than two (2) courses of exposed block.

(X) **LANDSCAPING:** With the exception of lots 4641 and 4640, the following minimum landscaping standards shall apply:

(1) Front yards must be sodded except around trees where mulching shall be permitted;  
(11) Along the front foundation area, a minimum of twelve (12) shrubs with height no less than eighteen inches (18") must be installed and maintained;  
(111) In the front yards, there must exist at least one (1) shade or ornamental tree with minimum caliper of two inches (2").

(Y) **OWNERS ASSOCIATION ITEM:** Each owner of lots in this subdivision shall automatically become a member of the Owners Association which shall be established for the purpose, among other things, of maintaining the common areas (excluding common areas on lots 4641 and 4640) as set forth on the recorded plat of said subdivision as well as those dedicated areas not maintained to the satisfaction of the Owners Association. As a member of the Association, each owner shall be liable for assessments and/or dues which assessments and/or dues shall become a lien upon said lots, subject only to the lien for real estate tax and assessments and any first mortgage lien against said real estate.

For the purposes of determining each owner's share and also for the purpose of determining the number of votes that each owner has in the Owners Association, said share and voting shall be determined on a unit basis. Therefore, as to lots 4641 and 4640, following completion of construction of multifamily development, each of said lots shall, for these purposes, be divided into the number of units constructed on the lot. Prior to completion of construction, however, each of said lots shall be considered as a single unit. Notwithstanding the foregoing, the maximum share of annual Owners Association expense paid by the combined units on lot 4641 shall be limited to twenty percent (20%) of the total.

(F) **BUILDING LOCATION, FENCES:** No building shall be located on any lot nearer to the front line or nearer to a side street than the minimum building setback lines shown on the recorded plat. No portion of any lot nearer to any street than the building setback lines shall be used for any purposes other than that of a lawn nor shall any fence or wall of any kind, for any purpose, be erected, placed or suffered to remain on any lot nearer to any street now existing, or any hereafter created, than the front building lines of the building thereon, excepting ornamental railings, or fences not exceeding three (3) feet in height located on or adjacent to concrete platforms or steps. This provision (F) shall not be applicable to limit the size or location of the subdivision entry signs, identification or walls. Nothing herein contained, however, shall be construed as preventing the use of such portion of the lots for walks, drives, or shrubbery. The growing of flowers or other ornamental plants, or for small statutory entranceways, fountains or similar ornamentals for the purpose of beautifying said premises. No such portions of said lots, and no weed, underbrush or other unsightly growths shall be permitted to grow or remain anywhere on said lots and no unsightly Nothing herein contained shall be construed so as to permit a violation of any applicable law, ordinance or governmental regulations.

No chain link fencing shall be permitted in the subdivision.

(G) **TEMPORARY RESIDENCE:** No structure of a temporary character, trailer, basement, tent, shack, garage, barn, or other outbuilding shall be used on any lot at any time as a residence, either temporarily or permanently.

(H) **TEMPORARY STRUCTURE:** No temporary building, trailer, garage, storage building or structure shall be placed upon any lot for storage without the express written consent of Granor.

(I) **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 or two cats may be kept on any lot except such dogs or cats in excess of such numbers 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.

(J) **LOT MAINTENANCE AND 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 garbage for the storage or disposal of such material shall be kept in a clean and sanitary condition and removed from view and abutting properties. All lots which have been developed but not build upon shall be maintained to include two (2) mowings each year, not later than June 15 and September 15.

(K) **MINIMUM SALES PRICE:** No single-family home, following completion of the building, shall be valued at less than Eighty-Five Thousand Dollars (\$85,000.00), including value of the lot. For a sale of a completed home, evidence of value shall be conclusive with the conveyance fee statement. Otherwise, the value shall be supported by appraisal.

### ARTICLE II

Granor reserves the right to modify or amend these Deed Restrictions during the period of constructing improvements and selling all lots. However, any modification or amendment shall not further restrict those requirements set forth herein.

### ARTICLE III

At the time of development of lot 4641, mounding, trees, bushes, fencing or other acceptable buffer (to Granor) shall be constructed and maintained along the west and south sides of lot 4641 in order to provide a barrier/buffer/screen between the single family lots and lot 4641. Further providing, however, along the south side of lot 4641, fencing conforming to the standard set forth in the attached exhibit shall be constructed and maintained.

At the time of development of lot 4640, fencing similar to that required along the south side of lot 4640 shall be constructed and maintained along the south line of lot 4641.

On lot 4640, within a thirty-five foot (35') strip bordering lot 4641, the property shall remain in its natural or existing state except for routine maintenance and five foot (5') utility easement. Providing, however, if the owner of lot 4640 is the same as lot 4641, the foregoing restriction shall be of no force or effect.

### ARTICLE IV

(A) These restrictions shall run with the land and shall be binding upon all parties until 2017, after which time said restrictions shall be automatically extended for successive periods of ten years unless an instrument signed by a majority of the then owners of the lots in said subdivision has been recorded, agreeing to change said restrictions in whole or in part.

(B) 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 attorney fees and court costs.

(C) Invalidation of any one of these restrictions by judgment of court order shall in no way affect any of the other provisions which shall remain in full force and effect.



# "WHISPERING PINES NO. 2"

BEING A PART OF V.M.S. 4399 AND V.M.S. 4478, JEFFERSON TOWNSHIP,  
CITY OF BELLEFONTAINE, LOGAN COUNTY, OHIO

### METES AND BOUNDS DESCRIPTION

The following situated in the State of Ohio, County of Logan, Township of Jefferson, City of Bellefontaine, being part of VMS 4399 and VMS 4478 and more particularly described as follows:

Beginning at a concrete monument at the southwest corner of Whispering Pines Subdivision, also being the southwest corner of Lot 4639, also being the north line of Anthony and Janet Tedeschi's 5.00 acre tract recorded in O.R. 18, PG. 107.

THENCE N 84°11'01"W a distance of 89.16 feet along the north line of said 5 acre tract to the northwest corner of said tract to a concrete monument.

THENCE S 05°41'51"W a distance of 329.80 feet along the west line of said 5 acre tract to a concrete monument in the north line of Marion L. Enoch's 5.50 acre tract, O.R. 71, PG. 841 (Land Contract).

THENCE N 83°45'59"W a distance of 299.06 feet along the north line of said Enoch tract to a concrete monument at said Enoch's northwest corner.

THENCE S 06°13'24"W a distance of 61.81 feet along the west line of said Enoch tract to a concrete monument.

THENCE S 68°47'15"W a distance of 213.13 feet to a concrete monument.

THENCE S 67°31'05"W a distance of 60 feet to a concrete monument.

THENCE S 17°25'35"E a distance of 59.92 feet along a chord of a curve to the right, having a radius of 340 feet, an arc length of 60 feet, and a tangent length of 30.08 feet to a concrete monument.

THENCE S 87°19'44"W a distance of 315.66 feet to the east line of Glenwood East Subdivision to a concrete monument.

THENCE N 05°55'10"E a distance of 405 feet along the east line of Glenwood East Subdivision to a concrete monument.

THENCE S 84°04'50"E a distance of 142.61 feet to a concrete monument.

THENCE N 60°28'10"E a distance of 40.95 feet to a concrete monument.

THENCE N 47°50'11"E a distance of 155.51 feet to a concrete monument.

THENCE N 50°53'00"W a distance of 26.55 feet to a concrete monument.

THENCE N 39°07'00"E a distance of 60 feet to a concrete monument.

THENCE N 48°02'42"E a distance of 171.07 feet to a concrete monument.

THENCE N 15°35'02"W a distance of 21.61 feet to a concrete monument.

THENCE N 54°19'36"E a distance of 206.26 feet to a concrete monument.

THENCE S 26°55'00"E a distance of 49.48 feet to a concrete monument.

THENCE N 63°05'00"E a distance of 200 feet to the westerly line of Whispering Pines Subdivision to a concrete monument.

THENCE along the westerly boundary of Whispering Pines Subdivision the following three courses and distances:

S 26°55'00"E a distance of 100 feet to a concrete monument;

S 63°05'00"W a distance of 41.21 feet to a concrete monument;

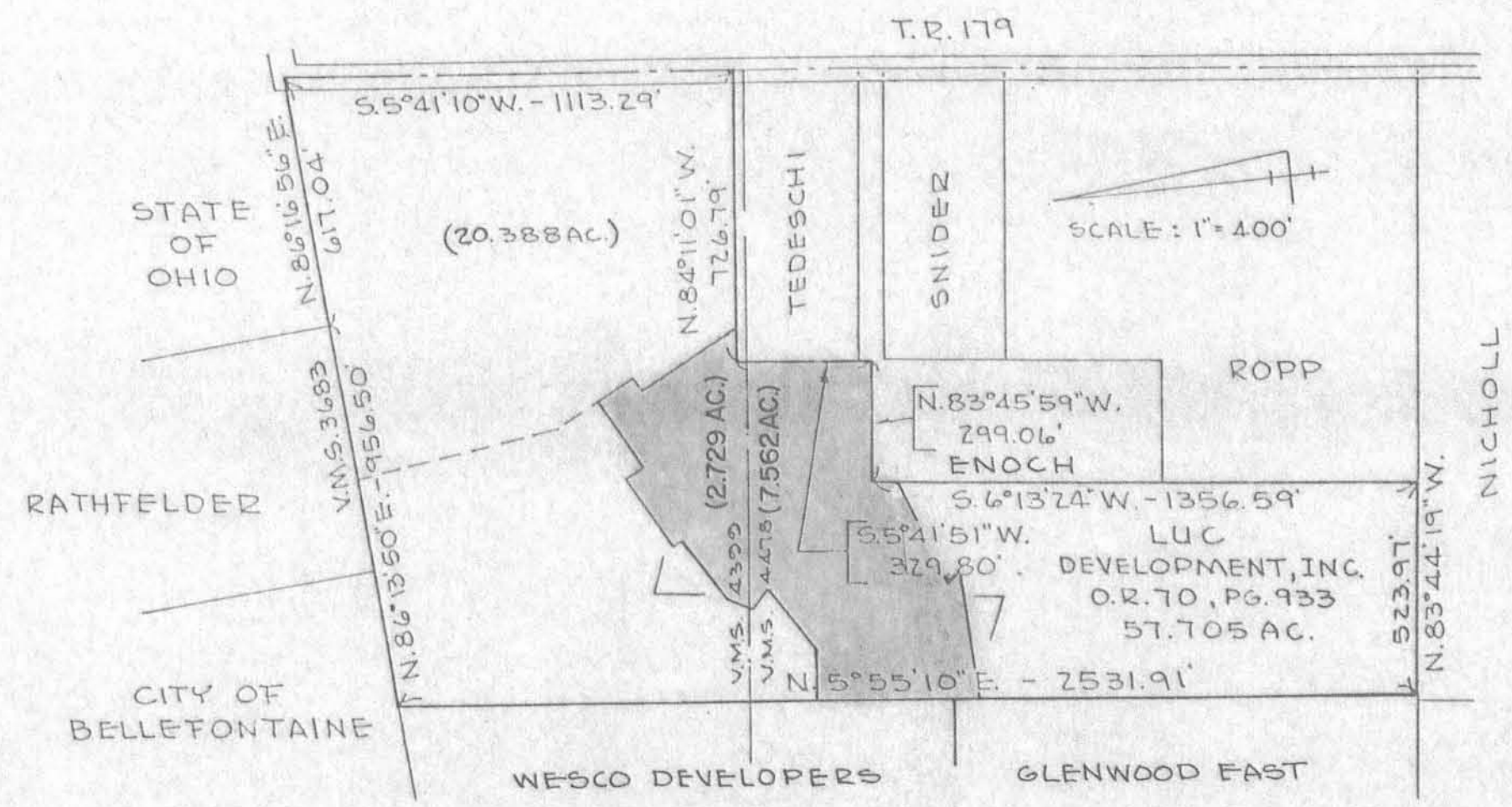
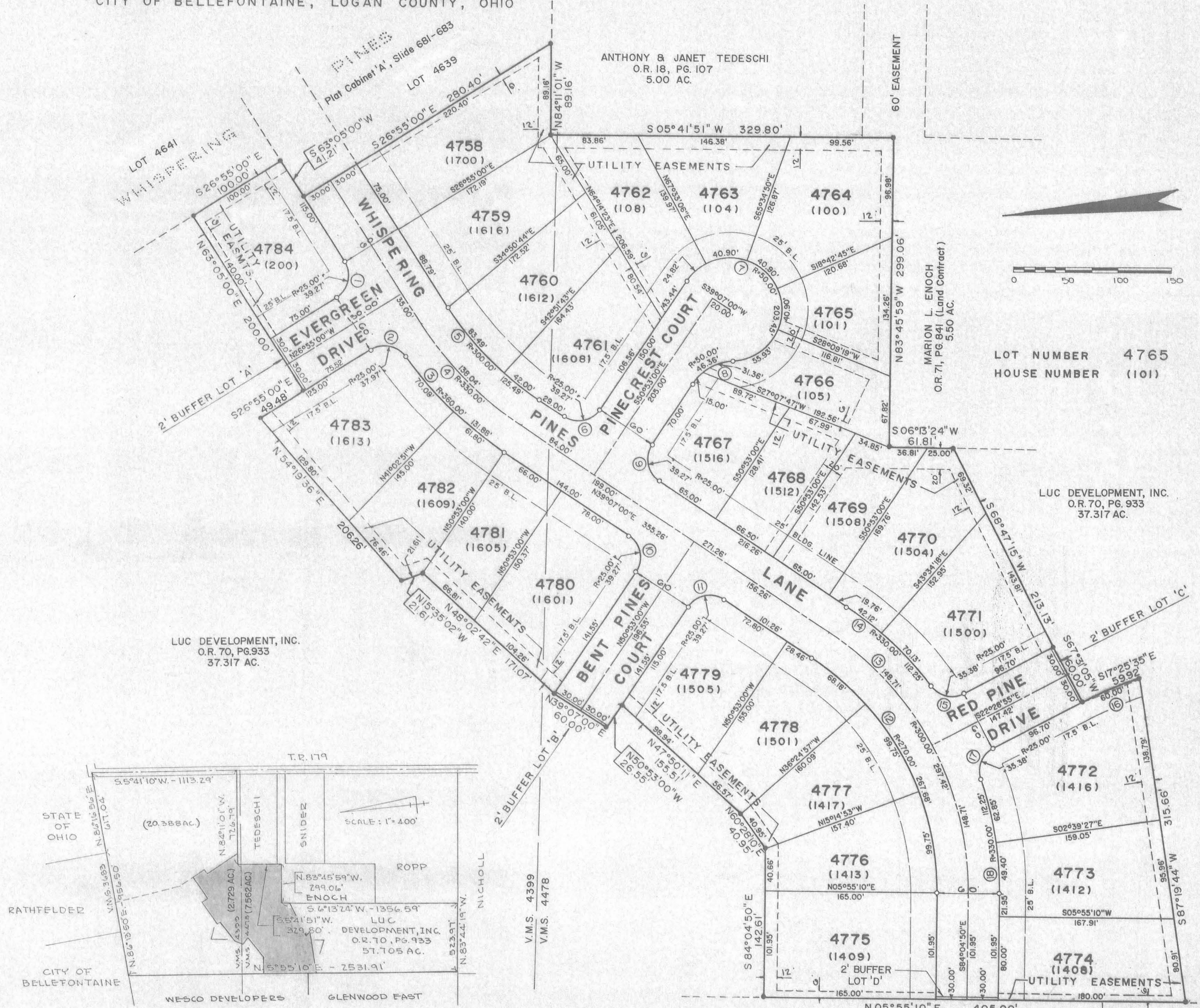
S 26°55'00"E a distance of 280.40 to a concrete monument at the southwest corner of Whispering Pines Subdivision, the point of beginning

Containing 10.291 acres, more or less. (2.729 AC. In VMS 4399, 7.562 AC. In VMS 4478)

The above described 10.291 acres being part of LUC Development, Inc.'s 37.317 acre tract as described in O.R. Volume 70, Page 933.

Basis for bearings: Centerline of T.R. 179 (S. 5°41'10"W.)

This description prepared from an actual field survey dated September 8, 1988.



LOT NUMBER 4765  
HOUSE NUMBER (101)

LUC DEVELOPMENT, INC.  
O.R. 70, PG. 933  
37.317 AC.

WESCO DEVELOPERS  
O.R. 58, PG. 708  
PART OF 31.573 AC.

GLENWOOD EAST  
ALLOTMENT NO. 1  
P.C. A, SLIDE 665



# "WHISPERING PINES NO. 2"

BEING A PART OF V.M.S. 4399 AND V.M.S. 4478, JEFFERSON TOWNSHIP,  
CITY OF BELLEFONTAINE, LOGAN COUNTY, OHIO

### DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that LUC Development, Inc., an Ohio corporation, by Charles P. Conrad, its President, and Terry G. Neer, its Vice-President, proprietor of the land indicated on the accompanying plat, has authorized the platting thereof and does hereby dedicate the streets to the public use forever.

Buffer lots A, B, C, and D are herewith dedicated conditionally until such time as the adjacent land is subdivided and a part thereof is dedicated for the purpose of extending the public right-of-way hereon shown.

Signed and acknowledged in the presence of: LUC DEVELOPMENT, INC., an Ohio corporation

Witness as to (1) Charles P. Conrad (1)  
Charles P. Conrad, President  
Signed Jan 11, 1990  
Witness as to (2) Terry G. Neer (2)  
Terry G. Neer, Vice-President  
Signed January 11, 1990  
Witness as to (2) Virginia M. Beasley

STATE OF OHIO,  
COUNTY OF Logan, ss:

Before me, a notary public in and for said county and state, personally appeared the above named LUC Development, Inc., an Ohio corporation, by Charles P. Conrad, its President, who acknowledged the signing of the foregoing plat to be his free act and deed for and as the act of said corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal at Logan County, Ohio, this 11th day of January, 1990.

Virginia M. Beasley  
Notary Public

VIRGINIA M. BEASLEY, Notary Public  
In and for the State of Ohio  
My Commission Expires April 3, 1993

STATE OF OHIO,  
COUNTY OF Logan, ss:

Before me, a notary public in and for said county and state, personally appeared the above named LUC Development, Inc., an Ohio corporation, by Terry G. Neer, its Vice-President, who acknowledged the signing of the foregoing plat to be his free act and deed for and as the act of said corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal at Logan County, Ohio, this 11th day of January, 1990.

Virginia M. Beasley  
Notary Public

VIRGINIA M. BEASLEY, Notary Public  
In and for the State of Ohio  
My Commission Expires April 3, 1993

### CURVE DATA

CURVE	RADIUS	ARC	DELTA	TANGENT	CHORD	CHORD BEARING
1	25.00	39.27	90°-00'-00"	25.00	35.36	N.71°-55'-00"W.
2	25.00	37.97	87°-01'-20"	23.73	34.42	S.16°-35'-40"W.
3	360.00	131.88	20°-59'-20"	66.69	131.14	S.49°-36'-40"W.
4	330.00	138.04	23°-58'-00"	70.04	137.03	N.51°-06'-00"E.
5	300.00	125.49	23°-58'-00"	63.68	124.58	N.51°-06'-00"E.
6	25.00	39.27	90°-00'-00"	25.00	35.36	N.05°-53'-00"W.
7	50.00	203.45	233°-07'-48"	89.44	N.65°-40'-54"E.	
8	50.00	46.36	53°-07'-48"	25.00	44.72	S.24°-19'-06"E.
9	25.00	39.27	90°-00'-00"	25.00	35.36	N.84°-07'-00"E.
10	25.00	39.27	90°-00'-00"	25.00	35.36	S.84°-07'-00"W.
11	25.00	39.27	90°-00'-00"	25.00	35.36	S.05°-53'-00"E.
12	270.00	267.68	56°-48'-10"	146.00	256.85	S.67°-31'-05"W.
13	300.00	297.42	56°-48'-10"	162.22	285.39	N.67°-31'-05"E.
14	330.00	112.25	19°-29'-19"	56.67	111.71	N.48°-51'-39.5"E.
15	25.00	35.38	81°-05'-14"	21.38	32.50	N.18°-03'-42"E.
16	340.00	60.00	10°-06'-40"	30.08	59.92	S.17°-25'-35"E.
17	25.00	35.38	81°-05'-14"	21.38	32.50	S.63°-01'-32"E.
18	330.00	112.25	19°-29'-19"	56.67	111.71	N.86°-10'-30.5"E.

### NOTE

The lots of Whispering Pines No. 2 are subject to the Covenants, Conditions, Restrictions and Assessments which are set forth on page three hereof, the provisions of which are hereby incorporated herein and made a part of this plat.

### APPROVALS

Description checked JCH 1-17-90  
Approved this 11 day of January, 1990.  
Timothy L. Nesbitt  
Bellefontaine City Engineer

The within streets and easements are hereby approved and accepted for public maintenance by Ordinance No. 89-106 recorded in City Council's record book 89 on this 12th day of 12, 1989.

Richard J. Vicario  
Mayor  
Harold Jackson 1-16-90  
President, Bellefontaine City Council  
Audette Redmore  
Clerk of Council

Approved this 12 day of January, 1990.  
Joseph A. Neely  
Chairman, City Planning Commission

Transferred this 18th day of January, 1990.  
Jean Jones  
Logan County Auditor

RECORDED IN PLAT CABINET A SLIDE 697A, 697B, 699A  
RECEIVED FOR RECORD AT 2:53 O'CLOCK AM THIS DAY 18 OF January, 1990.  
Carolyn Collins  
RECORDER, LOGAN COUNTY, OHIO

### SURVEYOR'S CERTIFICATION

The accompanying plat represents a subdivision of land in VMS 4399 and VMS 4478, Jefferson Township, City of Bellefontaine, Logan County, Ohio.

All measurements are in feet and decimals of a foot. All measurements of curves are arc distances.

The tract has an area of 2.375 acres in streets (0.602 acres in VMS 4399 and 1.773 acres in VMS 4478) and 7.916 acres in lots (2.127 acres in VMS 4399 and 5.789 acres in VMS 4478), making a total of 10.291 acres.

I hereby certify that the accompanying plat is a correct representation of WHISPERING PINES NO. 2, as surveyed and that all monuments and iron bars as shown hereon have been set or will be set as a part of work that surety is posted for.

5/8" iron bars are set at all lot corners and points shown thus: o  
Concrete monuments are set at all points shown thus: ●

Record plat prepared by:  
H. A. Moores & Associates, Inc. Richard A. Bruce 1-10-90  
1224 South Main Street  
Bellefontaine, Ohio 43311  
Richard A. Bruce P.S. 6993 Date

Subdividers of Plat:  
LUC Development, Inc.  
2140 Riverside Drive  
Columbus, Ohio 43221





# "WHISPERING PINES NO. 2"

BEING A PART OF V.M.S. 4399 AND V.M.S. 4478, JEFFERSON TOWNSHIP,  
CITY OF BELLEFONTAINE, LOGAN COUNTY, OHIO

COVENANTS, CONDITIONS, RESTRICTIONS AND ASSESSMENTS  
FOR WHISPERING PINES NO. 2

Whispering Pines No. 2 (hereinafter referred to as the "Subdivision") is part of the Whispering Pines Development (as hereinafter defined) which is being developed by LUC Development, Inc. (an Ohio corporation hereinafter referred to as the "Grantor"). The Whispering Pines Development presently includes one section known as Whispering Pines, of record in Plat Cabinet A, Slide 681 and 682, Recorder's Office, Logan County, Ohio. The Subdivision together with the aforesaid existing section and any further sections which Grantor may subsequently plat and designate as being part of the Whispering Pines Development are hereinafter collectively referred to as the "Development".

In pursuance of a comprehensive plan for the development of the Whispering Pines Development, the Covenants, Conditions, Restrictions and Assessments which are set forth hereinbelow (hereinafter referred to as the "Restrictions") are hereby declared to be covenants running with the land, and shall be binding upon and inure to the benefit of any owners of any lot within the Subdivision and all others claiming under or through them. The restrictions shall also inure to the benefit of and be enforceable by any owners of lots within the Development and all others claiming under or through them, subject to the limitations contained herein.

## ARTICLE I

(A) **LAND USE:** All of the lots in Whispering Pines No. 2 shall be used for single family residential purposes only.

All garages shall be attached to the residence building and no unattached permanent structures of any type or any other out buildings shall be constructed or erected on any lot.

(B) **HEIGHT RESTRICTIONS:** No buildings shall be erected, altered, placed or permitted to remain on any lot that would exceed two and one-half stories in height and in no event shall any building be erected to a height exceeding 35 feet from the finish grade of building.

(C) **TRADE OR COMMERCIAL ACTIVITY BARRED:** No trade or commercial activity shall be conducted upon any lot, nor shall anything be done thereon which may become an annoyance or nuisance to any of the owners of any said lot in Whispering Pines.

(D) **PLAN APPROVAL:** As hereinafter provided, the following provisions shall apply to all of the lots in the Subdivision:

For the purpose of maintaining specific architectural guidelines and standards for the development of all said lots within Whispering Pines No. 2, each owner of a lot shall be required to submit two (2) sets of complete building and site plans with specifications for the buildings intended to be erected thereon to the Grantor, 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 windows, doors, exterior light fixtures and appurtenant elements 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 erected and no materials shall be stored upon the premises by said owner or his agents, heirs, successors, or assigns until the Grantor shall have approved said plans and specifications in writing. If the Grantor fails within thirty (30) days after receipt of said plans and specifications to either approve or disapprove said plans and specifications, they shall be deemed to have been approved and the requirements herein fulfilled. If the Grantor disapproves said plans and specifications, the owner may revise and resubmit said plans and specifications, until approval is received. If satisfactory plans and specifications are not received and approved by Grantor within one (1) year following conveyance of title to said owner (or such extension of time as Grantor may, at its sole option extend) Grantor reserves and Grantee and each owner hereby acknowledge the right of Grantor, at its option, to repurchase the lot at the original purchase price thereof as evidenced by the closing statement executed at time of purchase.

Each lot owner further acknowledges that in considering plans and specifications submitted, Grantor will take into consideration plans and specifications already approved or in the process of being reviewed for approval of proposed improvements on adjacent lots and effect upon the neighboring properties and the overall development of the Development and acknowledges that the Grantor may require submission of samples of materials to be used in the construction of said single family residence as a condition of the approval of said plans and specifications. Each lot owner further acknowledges that the Grantor shall not be responsible or liable to said owner or to any other owner of lots in the subdivisions by reason of the exercise of its judgment in approving or disapproving plans submitted nor shall it be liable for any expenses incurred by any lot owner in the preparation, submission and, if necessary, resubmission of proposed plans and specifications.

Each lot owner further agrees that no tree removal, excavation, construction or other site work which would in any way alter the lot from its present state shall be commenced until the plans and specifications shall first have been approved in writing by Grantor in accordance herewith.

Within the easement areas designated on the recorded plat of Whispering Pines No. 2, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and the direction of the flow of the drainage channels or water over said easement areas. The easement area of each lot and all surface improvements thereon shall be maintained continuously by the owner of said lot, except for those improvements for which a public authority of public utility company is responsible.

(E) **BUILDING LOCATION; FENCES:** No building shall be located on any lot nearer to the front line or nearer to a side street than the minimum building setback lines shown on the recorded plat. No portion of any lot nearer to any street than the building setback lines shall be used for any purposes other than that of a lawn nor shall any fence or wall of any kind, for any purpose, be erected, placed or suffered to remain on any lot nearer to any street now existing, or any hereafter created, than the front building lines of the building thereon, excepting ornamental railing, or fences not exceeding three (3) feet in height located on or adjacent to entrance platform or steps. This provision (E) shall not be applicable to limit the size or location of the subdivision entry signs, identification or walls. Nothing herein contained, however, shall be construed as preventing the use of such portion of the lots for walks, drives, the planting of trees or shrubbery, the growing of flowers or other ornamental plants, or for small statuary entranceways, fountains or similar ornamentations for the purpose of beautifying said premises. No vegetable, or grains of the ordinary garden or field variety shall be grown on such portions of said lots, and no weed, underbrush or other unsightly growths shall be permitted to grow or remain anywhere on said lots and no unsightly object shall be allowed to be placed or suffered to remain anywhere thereon. Nothing herein contained shall be construed so as to permit a violation of any applicable law, ordinance or governmental regulations.

No chain link fencing shall be permitted in the subdivision.

(F) **TEMPORARY RESIDENCE:** No structure of a temporary character, trailer, basement, tent, shack, garage, barn, or other outbuilding shall be used on any lot at any time as a residence, either temporarily or permanently.

(G) **TEMPORARY STRUCTURE:** No temporary building, trailer, garage, storage building or structure shall be placed upon any lot for storage without the express written consent of Grantor.

(H) **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 or two cats may be kept on any lot except such dogs or cats in excess of such numbers as 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.

(I) **LOT MAINTENANCE AND 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 of such material shall be kept in a clean and sanitary condition and removed from view and abutting properties. All lots which have been developed but not built upon shall be maintained to include two (2) mowings each year, not later than June 15 and September 15.

(J) **CLOTHESLINE:** 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.

(K) **VEHICLES NOT IN USE:** No automobile or motor-driven vehicle shall be left upon any lot for a period longer than 30 days, within a 90-day period, in a condition wherein it is not able to be operated upon the public highway. After such period, the vehicle shall be considered a nuisance and detrimental to the welfare of the above-described real estate and shall be removed therefrom.

(L) **HOBBIES:** Hobbies or other activities tend to detract from the aesthetic character of Whispering Pines and any improvements used in connection with such hobbies or activities shall not be permitted unless carried out or conducted within the building erected upon the lot and not viewable from either the street or adjoining properties. This restriction refers specifically but not exclusively to such activities as automobile, bicycle, moped, motorboat and sailboat repair.

(M) **BOAT, TRAILER AND VEHICLE PARKING AND STORAGE:** No truck, trailer, boat, camper, recreational vehicle or commercial vehicle shall be parked or stored on any lot unless it is in a garage or other vehicle permanent enclosure out of view from the street and abutting properties; provided, however, that nothing herein shall prohibit the occasional nonrecurring temporary parking of such truck, trailer, boat, camper, recreational vehicle or commercial vehicle on the premises for a period not to exceed 72 hours in any period of thirty (30) days.

(N) **GARAGE:** No dwelling may be constructed on any lot unless an enclosed attached garage for at least two automobiles is also constructed thereon. The foregoing provisions shall not apply to lots 4641 and 4640.

(O) **SIGNS:** No signs of any kind shall be displayed to the public view, on any lot, except one temporary sign of not more than twelve square feet advertising the property for sale or rent, or signs used by the builder to advertise the property during the construction sales period.

(P) **ANTENNAS:** Television and radio-antennas, including satellite dishes, whether roof-top or ground mounted, shall be prohibited on the exterior of any house or lot.

(Q) **GRADING AND DRAINAGE:** No construction, grading or other improvements shall be made to any lot if such improvement would interfere with or otherwise alter the general grading and drainage plan of the subdivision or any existing swales, floodways, or other drainage configurations.

(R) **EXPOSED BLOCK:** No buildings or structures within the subdivision may have more than two (2) courses of exposed block.

(S) **LANDSCAPING:** The following minimum landscaping standards shall apply:

(i) Front yards must be sodded except around trees where mulching shall be permitted;

(ii) Along the front foundation area, a minimum of twelve (12) shrubs with height no less than eighteen inches (18") must be installed and maintained;

(iii) In the front yards, there must exist at least one (1) shade or ornamental tree with minimum caliper of two inches (2").

(T) **TREE REMOVAL:** In order that the natural beauty of the Subdivision may be preserved, no living tree having a caliper measurement or diameter of four (4) inches or more shall be destroyed or removed from any lot unless approved by Grantor in connection with its approval of the plans and specifications for the construction of improvements on the lot or otherwise with the prior express written consent of the Grantor or the person or entity designated by Grantor to grant such approval.

(U) **OWNERS ASSOCIATION LIEN:** Each owner of lots in the Development shall automatically become a member of the Owners Association which shall be established for the purpose, among other things, of maintaining the common areas in the Development (excluding common areas on lots 4641 and 4640 of Whispering Pines) as set forth on the recorded plats of the Development as well as those dedicated areas not maintained to the satisfaction of the Owners Association, including, but not limited to, (a) the gatehouse, entrance walls, subdivision identification signs, landscaping, ornamental lighting, and fencing located within the dedicated right-of-way of Whispering Pines Lane, and (b) the entrance walls, fencing, subdivision identification signs, and earthmounds and landscaping referred to in provision (R) of Article I of the Restrictions for Whispering Pines of record in Plat Cabinet A, Slide 681 and 682, Recorder's Office, Logan County, Ohio. As a member of the Association, each owner shall be liable for assessments and/or dues which assessments and/or dues shall become a lien upon said lots, subject only to the lien for real estate tax and assessments and any first mortgage lien against said real estate.

For the purpose of determining each owner's share and also for the purpose of determining the number of votes that each owner has in the Owners Association, said share and voting shall be determined on a unit basis. Therefore, as to lots 4641 and 4640 of Whispering Pines, following completion of construction of multifamily development, each of said lots shall, for these purposes, be divided into the number of units constructed on the lot. Prior to completion of construction, however, each of said lots shall be considered as a single unit. Notwithstanding the foregoing, the maximum share of annual Owners Association expense paid by the combined units on lot 4641 of Whispering Pines shall be limited to twenty percent (20%) of the total.

(V) **MINIMUM SALES PRICE:** No single-family home, following completion of the dwelling, shall be valued at less than Eighty-five Thousand Dollars (\$85,000.00), including value of the lot. For a sale of a completed home, evidence of value shall be conclusive with the conveyance fee statement. Otherwise, the value shall be supported by appraisal.

## ARTICLE II

Grantor reserves the right to modify or amend these Deed Restrictions during the period of constructing improvements and selling all lots. However, any modification or amendment shall not further restrict those requirements set forth herein.

## ARTICLE III

(A) These restrictions shall run with the land and shall be binding upon all parties until 2017, after which time said restrictions shall be automatically extended for successive periods of ten years unless an instrument signed by a majority of the then owners of the lots in said subdivision has been recorded, agreeing to change said restrictions in whole or in part.

(B) Enforcement of these restrictions shall be by proceedings at law or equity, brought by any owner of any lot within the Development, the Grantor, or the Owners' Association, against any person or persons violating or attempting to violate any restriction, either to restrain any violation or to recover damages including attorney fees and court costs.

(C) Invalidation of any one of these restrictions by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.







**COVENANTS, CONDITIONS, RESTRICTIONS AND ASSESSMENTS  
FOR WHISPERING PINES NO. 3**

Whispering Pines No. 3 (hereinafter referred to as the "Subdivision") is part of the Whispering Pines Development (as hereinafter defined) which is being developed by LUC Development, Inc. (an Ohio corporation hereinafter referred to as the "Grantor"). The Whispering Pines Development presently includes two sections known as Whispering Pines, of record in Plat Cabinet A, Slides 681, 682 and 683, Recorder's Office, Logan County, Ohio, and Whispering Pines No. 2 of record in Plat Cabinet A, Slides 697, 698 and 699, Recorder's Office, Logan County, Ohio. The Subdivision together with the aforesaid existing sections and any further sections which Grantor may subsequently plat and designate as being part of the Whispering Pines Development are hereinafter collectively referred to as the "Development".

In pursuance of a comprehensive plan for the development of the Whispering Pines Development, the Covenants, Conditions, Restrictions and Assessments which are set forth hereinbelow (hereinafter referred to as the "Restrictions") are hereby declared to be covenants running with the land, and shall be binding upon and inure to the benefit of any owners of any lot within the Subdivision and all others claiming under or through them. The Restrictions shall also inure to the benefit of and be enforceable by any owners of lots within the Development and all others claiming under or through them, subject to the limitations contained herein.

**ARTICLE I**

(A) **LAND USE:** All of the lots in Whispering Pines No. 3 shall be used for single family residential purposes only.

All garages shall be attached to the residence building and no unattached permanent structures of any type or any other out buildings shall be constructed or erected on any lot.

(B) **HEIGHT RESTRICTIONS:** No buildings shall be erected, altered, placed or permitted to remain on any lot that would exceed two and one-half stories in height and in no event shall any building be erected to a height exceeding 35 feet from the finish grade of building.

(C) **TRADE OR COMMERCIAL ACTIVITY BARRED:** No trade or commercial activity shall be conducted upon any lot, nor shall anything be done thereon which may become an annoyance or nuisance to any of the owners of any said lot in Whispering Pines.

(D) **PLAN APPROVAL:** As hereinafter provided, the following provisions shall apply to all of the lots in the Subdivision:

For the purpose of maintaining specific architectural guidelines and standards for the development of all said lots within Whispering Pines No. 3, each owner of a lot shall be required to submit two (2) sets of complete building and site plans with specifications for the buildings intended to be erected thereon to the Grantor, 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 windows, doors, exterior light fixtures and appurtenant elements 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 erected and no materials shall be stored upon the premises by said owner or his agents, heirs, successors, or assigns until the Grantor shall have approved said plans and specifications in writing. If the Grantor fails within thirty (30) days after receipt of said plans and specifications to either approve or disapprove said plans and specifications, they shall be deemed to have been approved and the requirements herein fulfilled. If the Grantor disapproves said plans and specifications, the owner may revise and resubmit said plans and specifications, until approval is received. If satisfactory plans and specifications are not received and approved by Grantor within one (1) year following conveyance of title to said owner (or such extension of time as Grantor may, at its sole option extend) Grantor reserves and Grantee and each owner hereby acknowledge the right of Grantor, at its option, to repurchase the lot at the original purchase price thereof as evidenced by the closing statement executed at time of purchase.

Each lot owner further acknowledges that in considering plans and specifications submitted, Grantor will take into consideration plans and specifications already approved or in the process of being reviewed for approval of proposed improvements on adjacent lots and effect upon the neighboring properties and the overall development of the Development and acknowledges that the Grantor may require submission of samples of materials to be used in the construction of said single family residence as a condition of the approval of said plans and specifications.

Each lot owner further acknowledges that the Grantor shall not be responsible or liable to said owner or to any other owner of lots in the subdivisions by reason of the exercise of its judgment in approving or disapproving plans submitted nor shall it be liable for any expenses incurred by any lot owner in the preparation, submission and, if necessary, resubmission of proposed plans and specifications.

Each lot owner further agrees that no tree removal, excavation, construction or other site work which would in any way alter the lot from its present state shall be commenced until the plans and specifications shall first have been approved in writing by Grantor in accordance herewith.

Within the easement areas designated on the recorded plat of Whispering Pines No. 3, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and the direction of the flow of the drainage channels or water over said easement areas. The easement area of each lot and all surface improvements thereon shall be maintained continuously by the owner of said lot, except for those improvements for which a public authority or public utility company is responsible.

(E) **BUILDING LOCATION; FENCES:** No building shall be located on any lot nearer to the front line or nearer to a side street than the minimum building setback lines shown on the recorded plat. No portion of any lot nearer to any street than the building setback lines shall be used for any purposes other than that of a lawn nor shall any fence or wall of any kind, for any purpose, be erected, placed or suffered to remain on any lot nearer to any street now existing, or any hereafter created, than the front building lines of the building thereon, excepting ornamental railing, or fences not exceeding three (3) feet in height located on or adjacent to entrance platform or steps. This provision (E) shall not be applicable to limit the size or location of the subdivision entry signs, identification or walls. Nothing herein contained, however, shall be construed as preventing the use of such portion of the lots for walks, drives, the planting of trees or shrubbery, the growing of flowers or other ornamental plants, or for small statuary entranceways, fountains or similar ornamentations for the purpose of beautifying said premises. No vegetable, or grains of the ordinary garden or field variety shall be grown on such portions of said lots, and no weed, underbrush or other unsightly growths shall be permitted to grow or remain anywhere on said lots and no unsightly object shall be allowed to be placed or suffered to remain anywhere thereon. Nothing herein contained shall be construed so as to permit a violation of any applicable law, ordinance or governmental regulations.

No chain link fencing shall be permitted in the Subdivision.

(F) **TEMPORARY RESIDENCE:** No structure of a temporary character, trailer, basement, tent, shack, garage, barn, or other outbuilding shall be used on any lot at any time as a residence, either temporarily or permanently.

(G) **TEMPORARY STRUCTURE:** No temporary building, trailer, garage, storage building or structure shall be placed upon any lot for storage without the express written consent of Grantor.

(H) **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 or two cats may be kept on any lot except such dogs or cats in excess of such numbers as 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.

(I) **LOT MAINTENANCE AND 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 of such material shall be kept in a clean and sanitary condition and removed from view from the street and abutting properties. All lots which have been developed but not built upon shall be maintained to include two (2) mowings each year, not later than June 15 and September 15.

(J) **CLOTHESLINE:** 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.

(K) **VEHICLES NOT IN USE:** No automobile or motor-driven vehicle shall be left upon any lot for a period longer than 30 days, within a 90-day period, in a condition wherein it is not able to be operated upon the public highway. After such period, the vehicle shall be considered a nuisance and detrimental to the welfare of the above-described real estate and shall be removed therefrom.

(L) **HOBBIES:** Hobbies or other activities which tend to detract from the aesthetic character of the Subdivision and any improvements used in connection with such hobbies or activities shall not be permitted unless carried out or conducted within the building erected upon the lot and not viewable from either the street or adjoining properties. This restriction refers specifically but not exclusively to such activities as automobile, bicycle, moped, motorboat and sailboat repair.

(M) **BOAT, TRAILER AND VEHICLE PARKING, AND STORAGE:** No truck, trailer, boat, camper, recreational vehicle or commercial vehicle shall be parked or stored on any lot unless it is in a garage or other vehicle permanent enclosure out of view from the street and abutting properties; provided, however, that nothing herein shall prohibit the occasional nonrecurring temporary parking of such truck, trailer, boat, camper, recreational vehicle or commercial vehicle on the premises for a period not to exceed 72 hours in any period of thirty (30) days.

(N) **GARAGE:** No dwelling may be constructed on any lot unless an enclosed attached garage for at least two automobiles is also constructed thereon.

(O) **SIGNS:** No signs of any kind shall be displayed to the public view, on any lot, except one temporary sign of not more than twelve square feet advertising the property for sale or rent, or signs used by the builder to advertise the property during the construction sales period.

(P) **ANTENNAS:** Television and radio-antennas, including satellite dishes, whether roof-top or ground mounted, shall be prohibited on the exterior of any house or lot.

(Q) **GRADING AND DRAINAGE:** No construction, grading or other improvements shall be made to any lot if such improvement would interfere with or otherwise alter the general grading and drainage plan of the Subdivision or any existing swales, floodways, or other drainage configurations.

(R) **EXPOSED BLOCK:** No buildings or structures within the Subdivision may have more than two (2) courses of exposed block.

(S) **LANDSCAPING:** The following minimum landscaping standards shall apply:

(i) Front yards must be sodded except around trees where mulching shall be permitted;

(ii) Along the front foundation area, a minimum of twelve (12) shrubs with height no less than eighteen inches (18") must be installed and maintained;

(iii) In the front yards, there must exist at least one (1) shade or ornamental tree with minimum caliper of two inches (2").

(T) **TREE REMOVAL:** In order that the natural beauty of the Subdivision may be preserved, no living tree having a caliper measurement or diameter of four (4) inches or more shall be destroyed or removed from any lot unless approved by Grantor in connection with its approval of the plans and specifications for the construction of improvements on the lot or otherwise with the prior express written consent of the Grantor or the person or entity designated by Grantor to grant such approval.

(U) **OWNERS ASSOCIATION LIEN:** Each owner of lots in the Development shall automatically become a member of the Owners Association which shall be established for the purpose, among other things, of maintaining the common areas in the Development (excluding common areas on lots 4641 and 4640 of Whispering Pines) as set forth on the recorded plats of the Development as well as those dedicated areas not maintained to the satisfaction of the Owners Association, including, but not limited to, (a) the gatehouse, entrance walls, subdivision identification signs, landscaping, ornamental lighting, and fencing located within the dedicated right-of-way of Whispering Pines Lane, and (b) the entrance walls, fencing, subdivision identification signs, and earthmounds and landscaping referred to in provision (R) of Article I of the Restrictions for Whispering Pines of record in Plat Cabinet A, Slides 681, 682 and 683, Recorder's Office, Logan County, Ohio. As a member of the Association, each owner shall be liable for assessments and/or dues which assessments and/or dues shall become a lien upon said lots, subject only to the lien for real estate tax and assessments and any first mortgage lien against said real estate.

For the purpose of determining each owner's share and also for the purpose of determining the number of votes that each owner has in the Owners Association, said share and voting shall be determined on a unit basis. Therefore, as to lots 4641 and 4640 of Whispering Pines, following completion of construction of multifamily development, each of said lots shall, for these purposes, be divided into the number of units constructed on the lot. Prior to completion of construction, however, each of said lots shall be considered as a single unit. Notwithstanding the foregoing, the maximum share of annual Owners Association expense paid by the combined units on lot 4641 of Whispering Pines shall be limited to twenty percent (20%) of the total.

(V) **MINIMUM SALES PRICE:** No single-family home, following completion of the dwelling, shall be valued at less than One Hundred Twenty-Five Thousand Dollars (\$125,000.00), including value of the lot. For a sale of a completed home, evidence of value shall be conclusive with the conveyance fee statement. Otherwise, the value shall be supported by appraisal.

**ARTICLE II**

Grantor reserves the right to modify or amend these Deed Restrictions during the period of constructing improvements and selling all lots. However, any modification or amendment shall not further restrict those requirements set forth herein.

**ARTICLE III**

(A) These restrictions shall run with the land and shall be binding upon all parties until 2017, after which time said restrictions shall be automatically extended for successive periods of ten years unless an instrument signed by a majority of the then owners of the lots in said subdivision has been recorded, agreeing to change said restrictions in whole or in part.

(B) Enforcement of these restrictions shall be by proceedings at law or equity, brought by any owner of any lot within the Development, the Grantor, or the Owners' Association, against any person or persons violating or attempting to violate any restriction, either to restrain any violation or to recover damages including attorney fees and court costs.

(C) Invalidation of any one of these restrictions by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

BEING A PART OF V.M.S. 4399 & V.M.S. 4478  
CITY OF BELLEFONTAINE, LOGAN COUNTY, OHIO  
JEFFERSON TOWNSHIP,

**"WHISPERING PINES NO. 3"**

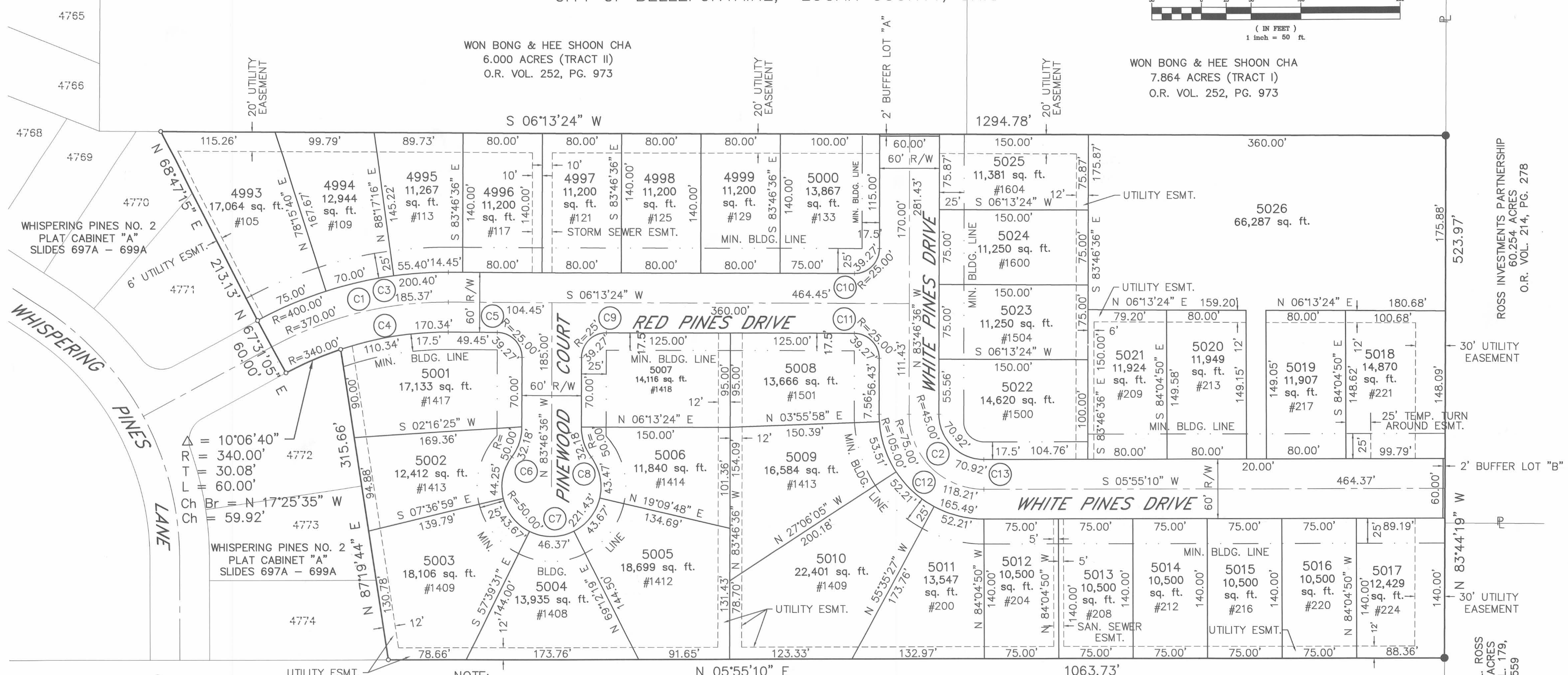
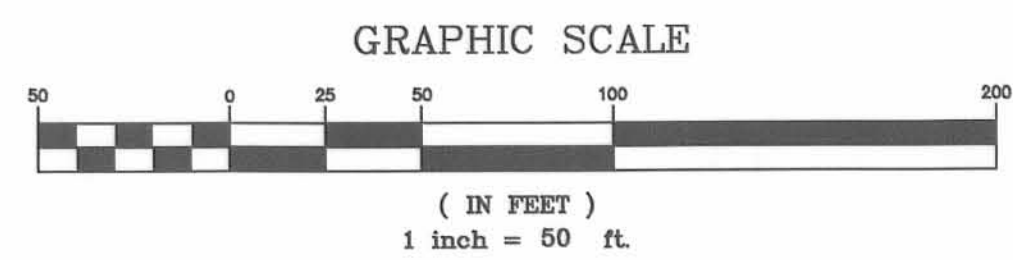
CBA Side 711A

SHEET 2 of 2



# WHISPERING PINES NO. 4

BEING A PART OF V.M.S. 4478 JEFFERSON TOWNSHIP  
CITY OF BELLEFONTAINE, LOGAN COUNTY, OHIO



Surveyor  
Harold A. Moores  
5360 Savina Avenue  
Dayton, Ohio 45415

Owner  
Buckeye Links, LTD  
201 Bradenton Avenue  
Suite 120  
Dublin, Ohio 43213

NOTE:  
The lots of Whispering Pines No. 4 are subject to the Covenants, Conditions, Restrictions and Assessments which are set forth on Page Two (2) hereof, the provisions of which are hereby incorporated herein and made a part of this plat.

- LEGEND**
- 5003 - INDICATES LOT NUMBER
  - #1409 - INDICATES HOUSE NUMBER
  - - INDICATES CONCRETE MONUMENT FOUND
  - - INDICATES CONCRETE MONUMENT SET

**CURVE DATA**

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	370.00'	185.37'	94.67'	183.44'	S 08°07'46" E	28°42'19"
C2	75.00'	118.21'	75.40'	106.35'	S 51°04'17" W	90°18'14"
C3	400.00'	200.40'	102.35'	198.31'	S 08°07'46" E	28°42'19"
C4	340.00'	170.34'	87.00'	168.56'	S 08°07'46" E	28°42'19"
C5	25.00'	39.27'	25.00'	35.36'	S 51°13'24" W	90°00'00"
C6	50.00'	32.18'	16.67'	31.62'	N 65°20'30" W	36°52'12"
C7	50.00'	221.43'	66.67'	80.00'	S 06°13'24" W	253°44'24"
C8	50.00'	32.18'	16.67'	31.62'	N 77°47'18" E	36°52'12"
C9	25.00'	39.27'	25.00'	35.36'	S 38°46'36" E	90°00'00"
C10	25.00'	39.27'	25.00'	35.36'	N 38°46'36" W	90°00'00"
C11	25.00'	39.27'	25.00'	35.36'	S 51°13'24" W	90°00'00"
C12	105.00'	165.49'	105.56'	148.49'	S 51°04'17" W	90°18'14"
C13	45.00'	70.92'	45.24'	63.81'	N 51°04'17" E	90°18'14"

GLENWOOD EAST ALLOTMENT NO. 1  
PLAT CABINET "A", SLIDE 665

**SURVEYOR'S CERTIFICATION**

The accompanying plat "WHISPERING PINES NO. 4" represents a subdivision of land in V.M.S. 4478, Jefferson Township, City of Bellefontaine, Logan County, Ohio.

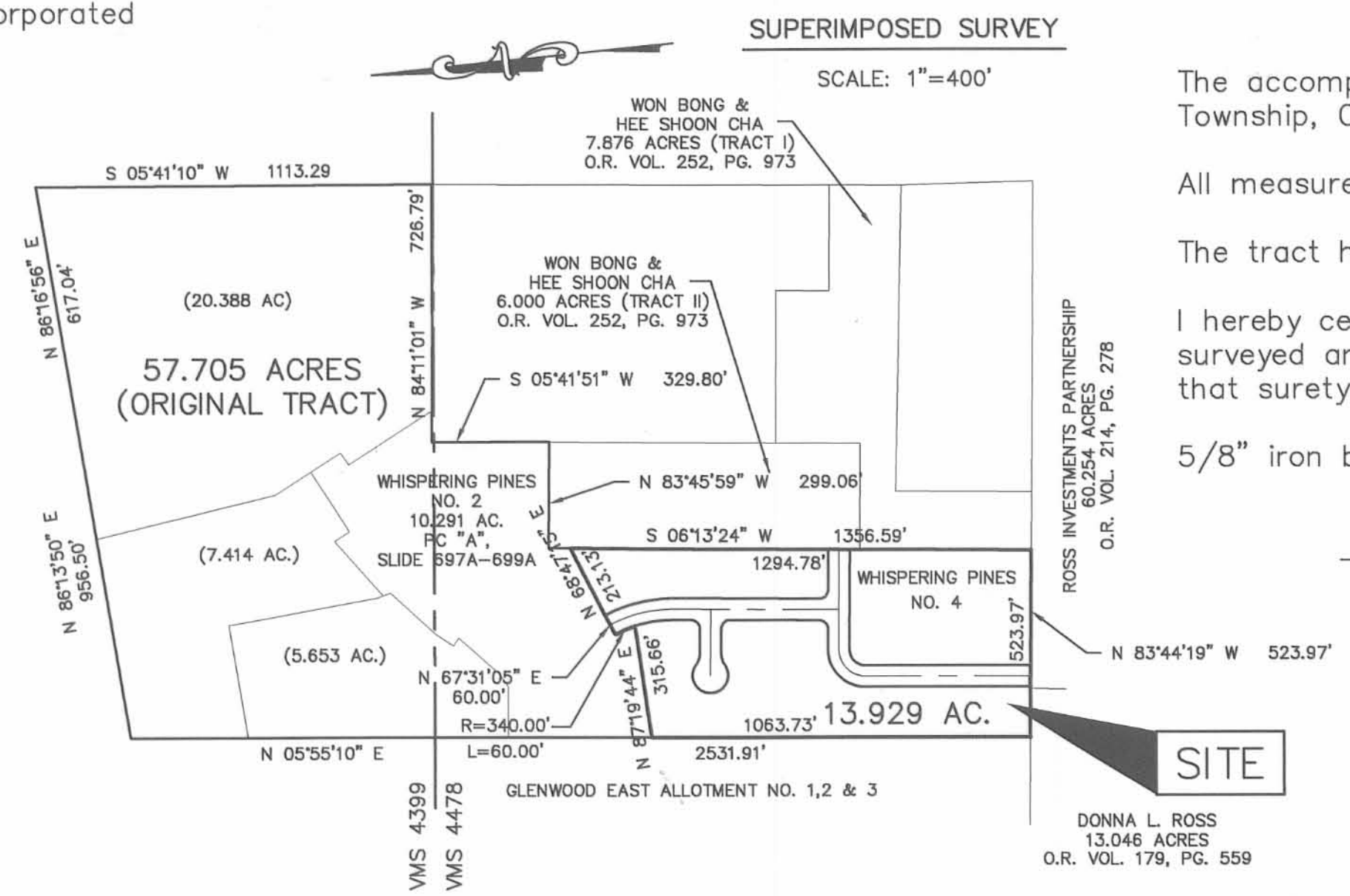
All measurements are in feet and decimals of a foot. All measurements of curves are arc distances.

The tract has an area of 2.382 acres in streets and 11.547 acres in lots, making a total of 13.929 acres.

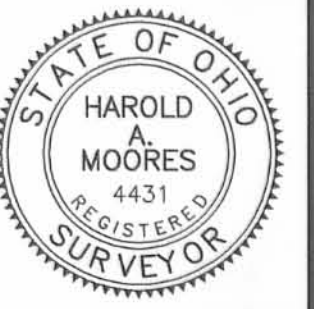
I hereby certify that the accompanying plat is a correct representation of "WHISPERING PINES NO. 4", as surveyed and that all monuments as shown hereon have been set or will be set as a part of the work that surety is posted for.

5/8" iron bars are set at all lot corners and at the beginning and ending of all curves.

*Harold A. Moores*  
Harold A. Moores, P.S. 4431  
Date 11-11-98



**H.A. MOORES & ASSOC., INC.**  
5360 SAVINA AVENUE  
DAYTON, OHIO 45415  
PHONE: (937) 836-6836





” WHISPERING PINES NO. 4 ”

COVENANTS, CONDITIONS, RESTRICTIONS AND ASSESSMENTS FOR WHISPERING PINES NO. 4

BEING A PART OF V.M.S. 4478 JEFFERSON TOWNSHIP CITY OF BELLEFONTAINE, LOGAN COUNTY, OHIO

Whispering Pines No. 4 (hereinafter referred to as the subdivision) is part of the Whispering Pines Development (as hereinafter defined) which is being developed by BUCKEYE LINKS, LTD (an Ohio LTD, hereinafter referred to as the "Grantor").

In pursuance of a comprehensive plan for the development of the Whispering Pines Development, the Covenants, Conditions, Restrictions and Assessments which are set forth herein below (hereinafter referred to as the "Restrictions") are hereby declared to be covenants running with the land, and shall be binding upon and inure to the benefit of any owners of any lot within the Subdivision and all others claiming under or through them.

ARTICLE I

(A) LAND USE: All of the lots in Whispering Pines No. 4 shall be used for single family residential purposes only.

All garages shall be attached to the residence building and no unattached permanent structures of any type or any other out buildings shall be constructed or erected on any lot.

(B) HEIGHT RESTRICTIONS: No buildings shall be erected, altered, placed or permitted to remain on any lot that would exceed two and one-half stories in height and in no event shall any building be erected to a height exceeding 35 feet from the finish grade of the building.

(C) TRADE OR COMMERCIAL ACTIVITY'S RULES: Trade or commercial activity shall not be conducted upon any lot, nor shall anything be done thereon which may become an annoyance or nuisance to any of the owners of any said lot in Whispering

Pines.(D) PLAN APPROVAL: As hereinafter provided, the following provisions shall apply to all of the lots in the Subdivision:

For the purpose of maintaining specific architectural guidelines and standards for the development of all said lots within Whispering Pines No. 4, each owner of a lot shall be required to submit two (2) sets of complete building and site plans with specifications for the buildings intended to be erected thereon to the Grantor, 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 windows, doors, exterior light fixtures and appurtenant elements 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 excavations shall be made, no building shall be erected and no materials shall be stored upon the premises by said owner or his agents, heirs, successors, or assigns until the Grantor shall have approved said plans and specifications in writing. If the Grantor fails within thirty (30) days after receipt of said plans and specifications to either approve or disapprove said plans and specifications, they shall be deemed to have been approved and the requirements herein fulfilled. If the Grantor disapproves said plans and specifications, the owner may revise and resubmit said plans and specifications, until approval is received. If satisfactory plans and specifications are not received and approved by Grantor within one (1) year following conveyance of title to said owner (or such extension of time as Grantor may, at its sole option extend) Grantor reserves and Grantee and each owner hereby acknowledge the right of Grantor, at its option, to repurchase the lot at the original purchase price thereof as evidenced by the closing statement executed at time of purchase.

Each lot owner further acknowledges that in considering plans and specifications submitted, Grantor will take into consideration plans and specifications already approved or in the process of being reviewed for approval of proposed improvements on adjacent lots and effect upon the neighboring properties and the overall development of the Development and acknowledges that the Grantor may require submission of samples of materials to be used in the construction of said single family residence as a condition of the approval of said plans and specifications. Each lot owner further acknowledges that the Grantor shall not be responsible or liable to said owner or to any other owner of lots in the subdivisions by reason of the exercise of its judgment in approving or disapproving plans submitted nor shall it be liable for any expenses incurred by any lot owner in the preparation, submission and, if necessary, resubmission of proposed plans and specifications.

Each lot owner further agrees that no tree removal, excavation, construction or other site work which would in any way alter the lot from its present state shall be commenced until the plans and specifications shall first have been approved in writing by Grantor in accordance herewith.

Within the easement areas designated on the recorded plat of Whispering Pines No. 4, no structure, planting or other material shall be placed of permitted to remain which may damage or interfere with the installation and the direction of the flow of the drainage channels or water over said easement areas. The easement area of each lot and all surface improvements thereon shall be maintained continuously by the owner of said lot, except for those improvements for which a public authority or public utility company is responsible.

(E) BUILDING LOCATION: FENCES: No building shall be located on any lot nearer to the front line or nearer to a side street than the minimum building setback lines shown on the recorded plat. No portion of any lot nearer to any street than the building setback lines shall be used for any purposes other than that of a lawn, nor shall any fence or wall of any kind, for any purpose, be erected, placed or suffered to remain on any lot nearer to any street now existing, or any hereafter created, than the front building lines of the building thereon, excepting ornamental railing, or fences not exceeding three (3) feet in height located on or adjacent to entrance platform or steps. This provision (E) shall not be applicable to limit the size or location of the subdivision entry signs, identification or walls. Nothing herein contained, however, shall be construed as preventing the use of such portion of the lots for walks, drives, the planting of trees or shrubbery the growing of flowers or other ornamental plants, or for small statuary entranceways, fountains or similar ornamentations for the purpose of beautifying said premises. No vegetable, or grains of the ordinary garden or field variety shall be grown on such portions of said lots, and no weed, underbrush or other unsightly growths shall be permitted to grow or remain anywhere on said lots and no unsightly object shall be allowed to be placed of suffered to remain anywhere thereon. Nothing herein contained shall be construed so as to permit a violation of any applicable law, ordinance or governmental regulations.

No chain link fencing shall be permitted in the Subdivision.

(F) TEMPORARY RESIDENCE: No structure of a temporary character, trailer, basement, tent, shack, garage, barn, or other outbuilding shall be used on any lot at any time as a residence, either temporarily or permanently.

(G) TEMPORARY STRUCTURE: No temporary building, trailer, garage, storage building or structure shall be placed upon any lot for storage without the express written consent of Grantor.

(H) 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 or two cats may be kept on any lot except such dogs or cats in excess of such numbers as 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.

(I) LOT MAINTENANCE AND 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 of such material shall be kept in a clean and sanitary condition and removed from view from the street and abutting properties. All lots which have been developed but not built upon shall be maintained to include two (2) mowings each year, not later than June 15 and September 15.

(J) CLOTHESLINE: 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.

(K) VEHICLES NOT IN USE: No automobile or motor-driven vehicle shall be left upon any lot for a period longer than 30 days, within a 90 day period, in a condition wherein it is not able to be operated upon the public highway. After such period, the vehicle shall be considered a nuisance and detrimental to the welfare of the above-described real estate and shall be removed therefrom.

(L) HOBBIES: Hobbies or other activities which tend to detract from the aesthetic character of the Subdivision and improvements used in connection with such hobbies or activities shall not be permitted unless carried out or conducted within the building erected upon the lot and not viewable from either the street or adjoining properties. This restriction refers to specifically but not exclusively to such activities as automobile, bicycle, moped, motorboat and sailboat repair.

(M) BOAT, TRAILER AND VEHICLE PARKING AND STORAGE: No truck, trailer, boat, camper, recreational vehicle or commercial vehicle shall be parked or stored on any lot unless it is in a garage or other vehicle permanent enclosure out of view from the street and abutting properties; provided, however, that nothing herein shall prohibit the occasional nonrecurring temporary parking of such truck, trailer, boat, camper, recreational vehicle or commercial vehicle on the premises for a period not to exceed 72 hours in any period of thirty (30) days.

(N) GARAGE: No dwelling may be constructed on any lot unless an enclosed attached garage for at least two automobiles is also constructed thereon.

(O) SIGNS: No signs of any kind shall be displayed to the public view, on any lot, except one temporary sign of not more than twelve square feet advertising the property for sale or rent, or signs used by the builder to advertise the property during the construction sales period.

(P) ANTENNAS: Television and radio-antennas, including satellite dishes, whether roof-top or ground mounted, shall be prohibited on the exterior of any house or lot.

(Q) GRADING AND DRAINAGE: No construction, grading or other improvements shall be made to any lot if such improvement would interfere with or otherwise alter the general grading and drainage plan of the Subdivision or any existing swales, floodways, or other drainage configurations.

(R) EXPOSED BLOCK: No buildings or structures within the Subdivision may have more than two (2) courses of exposed block.

(S) LANDSCAPING: The following minimum landscaping standards shall apply:

- (i) Front yards must be sodded except around trees where mulching shall be permitted;
(ii) Along the front foundation area, a minimum of twelve (12) shrubs with height no less than eighteen inches (18") must be installed and maintained;
(iii) In the front yards, there must exist at least one (1) shade or ornamental tree with minimum caliper of two inches (2").

(T) TREE REMOVAL: In order that the natural beauty of the Subdivision may be preserved, no living tree having a caliper measurement or diameter of four (4) inches or more shall be destroyed or removed from any lot unless approved by Grantor in connection with its approval of the plans and specifications for the construction of improvements on the lot or otherwise with the prior express written consent of the Grantor or the person or entity designated by Grantor to grant such approval.

(U) OWNERS ASSOCIATION LIEN: Each owner of lots in the Development shall automatically become a member of the Owners Association which shall be established for the purpose, among other things, of maintaining the common areas in the Development (excluding common areas on lots 4641 and 4640 of Whispering Pines) as set forth on the recorded plats of the Development as well as those dedicated areas not maintained to the satisfaction of the Owners Association, including, but not limited to, (a) the gatehouse, entrance walls, subdivision identification signs, landscaping, ornamental lighting, and fencing located within the dedicated right-of-way of Whispering Pines Lane, and (b) the entrance walls, fencing, subdivision identification signs, and earth mounds and landscaping referred to in provision (R) of Article I of the Restrictions for Whispering Pines of record in Plat Cabinet A, Slides 681, 682 and 683, Recorder's Office, Logan County, Ohio. As a member of the Association, each owner shall be liable for assessments and/or dues which assessments and/or dues shall become a lien upon said lots, subject only to the lien for real estate tax and assessments and any first mortgage lien against said real estate.

For the purpose of determining each owner's share and also for the purpose of determining the number of votes that each owner has in the Owners Association, said share and voting shall be determined on a unit basis. Therefore, as to lots 4641 and 4640 of Whispering Pines, following completion of construction of multifamily development, each of said lots shall, for these purposes, be divided into the number of units constructed on the lot. Prior to completion of construction, however, each of said lots shall be considered as a single unit. Notwithstanding the foregoing, the maximum share of annual Owners Association expense paid by the combined units on lot 4641 of Whispering Pines shall be limited to twenty percent (20%) of the total.

(V) MINIMUM SALES PRICE: No single-family home, following completion of the dwelling, shall be valued at less than One Hundred Twenty-Five Thousand Dollars (\$125,000.00), including value of the lot. For a sale of a completed home, evidence of value shall be conclusive with the conveyance fee statement. Otherwise, the value shall be supported by appraisal.

ARTICLE II

Grantor reserves the right to modify or amend these Deed Restrictions during the period of constructing improvements and selling all lots. However, any modification or amendment shall not further restrict those requirements set forth herein.

ARTICLE III

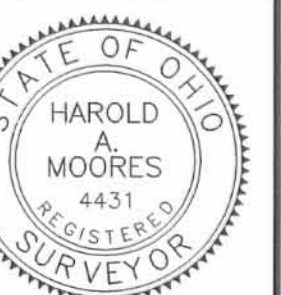
(A) These restrictions shall run with the land and shall be binding upon all parties until 2017, after which time said restrictions shall be automatically extended for successive periods of ten years unless an instrument signed by a majority of the then owners of the lots in said subdivision has been recorded, agreeing to change said restrictions in whole or in part.

(B) Enforcement of these restrictions shall be by proceedings at law or equity, brought by any owner of any lot within the Development, the Grantor, or the Owner's Association, against any person or persons violating or attempting to violate any restriction, either to restrain any violation or to recover damages including attorney fees and court costs.

(C) Invalidation of any one of these restrictions by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

H.A. MOORES & ASSOC., INC.

5360 SAVINA AVENUE DAYTON, OHIO 45415 PHONE: (937) 836-6836





# "WHISPERING PINES NO. 4"

BEING A PART OF V.M.S. 4478 JEFFERSON TOWNSHIP  
CITY OF BELLEFONTAINE, LOGAN COUNTY, OHIO

### METES AND BOUNDS DESCRIPTION

The following situated in the State of Ohio, County of Logan, Township of Jefferson, City of Bellefontaine, being part of VMS 4478 and being all of that 13.940 acre tract as conveyed to Buckeye Links, LTD by deed as recorded in O.R. Volume 376, Page 522 and being more particularly described as follows:

Beginning at a concrete monument found at the southwest corner of Lot 4771 of Whispering Pines No. 2 as recorded in Plat Cabinet A, Slide 697A - 699A, said monument also being in the east right-of-way line of Red Pine Drive as dedicated in said Whispering Pines No. 2;

Thence along the south line of said Whispering Pines No. 2 North 68° 47' 15" East a distance of 213.13 feet to a concrete monument found at the southeast corner of Lot 4770 of said Whispering Pines No. 2, and said monument also being in the east line of said Buckeye Links, LTD 13.940 acre tract;

Thence along the east line of said Buckeye Links, LTD 13.940 acre tract, said line also being the west line of a 6.000 acre (Tract II) and a 7.864 acre tract (Tract I) as conveyed to Won Bong and Hee Shoon Cha by deed as recorded in O.R. 252, Page 973 South 06° 13' 24" West a distance of 1294.78 feet to a concrete monument set, said point also being the southeast corner of said Buckeye Links, LTD 13.940 acre tract and also being in the north line of a 60.254 acre tract as conveyed to Ross Investments Partnership by deed as recorded in O.R. Volume 214, Page 278;

Thence along the south line of said Buckeye Links, LTD 13.940 acre tract, said line also being the north line of said Ross Investments Partnership 60.254 acre parcel and the north line of a 13.046 acre tract conveyed to Donna L. Ross by deed as recorded in O.R. Volume 179, Page 559 North 83° 44' 19" West a distance of 523.97 feet to a concrete monument set, said point being the southwest corner of said Buckeye Links, LTD 13.940 acre tract and also being the southeast corner of Glenwood East Allotment No. 1 as recorded in Plat Cabinet "A", Slide 665;

Thence along the west line of said Buckeye Links, LTD 13.940 acre tract and with the east line of said Glenwood East Allotment No. 1 North 05° 55' 10" East a distance of 1063.73 feet to a concrete monument found at the southwest corner of Lot 4774 in said Whispering Pines No. 2;

Thence along the south line of said Whispering Pines No. 2 North 87° 19' 44" East a distance of 315.66 feet to a concrete monument found at the southeast corner of Lot 4772 in said Whispering Pines No. 2, said monument also being in the west right-of-way line of Red Pine Drive;

Thence with the said west right-of-way line of Red Pine Drive, said right-of-way line also being a southern boundary line of said Whispering Pines No. 2 and a northern boundary line of said Buckeye Links LTD 13.940 acre tract, on a curve to the left, said curve having a radius 340.00 feet, an included angle of 10° 06' 40", an arc length of 60.00 feet, the chord of said arc bearing North 17° 25' 35" West for a chord distance of 59.92 feet to a concrete monument found;

Thence continuing along the southern boundary of said Whispering Pines No. 2 and the north line of said Buckeye Links LTD 13.940 acre tract North 67° 31' 05" East a distance of 60.00 feet to the point of beginning.

Containing a total of 13.929 acres, subject to all legal highways, easements and restrictions of record.

Basis of Bearings: South line of Whispering Pines No. 2, west of Red Pine Drive: North 87°19'44" East.

### DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that BUCKEYE LINKS, LTD, an Ohio LTD, by Richard J. Wakefield, it's General Partner, as proprietor of the land indicated on the accompanying plat, have authorized the platting thereof and do hereby dedicate the streets to the public use forever.

Buffer Lots "A" and "B" and the temporary turnaround easement located on Lot 5018 are herewith dedicated conditionally until such time as the adjacent land is subdivided and a part thereof is dedicated for the purpose of extending the public right-of-way hereon shown.

#### WITNESSES

Don Stevens  
Signature

DON STEVENS  
(Print name)

Virginia M. Beasley  
Signature

Virginia M. Beasley  
(Print name)

#### PROPRIETOR

Richard J. Wakefield  
Richard J. Wakefield, General Partner

### STATE OF OHIO, SS:

Before me, a notary public in and for said State, personally came BUCKEYE LINKS, LTD an Ohio LTD, by Richard J. Wakefield, it's General Partner as Proprietor, who acknowledge the signing of the foregoing instrument to be his voluntary act and deed for the uses and purposes within expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 16<sup>th</sup> day of Sept, 1999.

Virginia M. Beasley  
Notary Public

VIRGINIA M. BEASLEY  
Notary Public, State of Ohio  
My Commission Expires April 6, 2008

### APPROVALS

Approved this 16<sup>th</sup> day of September, 1999.

FE Norris  
Bellefontaine City Engineer

The within streets and Lot 5026 are hereby approved and accepted for public maintenance by Ordinance No. 98-01, recorded in City Council's record book 98 on this 13<sup>th</sup> day of October, 1998.

Paul E. Hamilton  
Mayor

William R. Patterson  
President, Bellefontaine City Council

Debi Yorkam  
Clerk of Council

Approved this 13<sup>th</sup> day of October, 1998.

David E. Zimmerman  
Chairman, City Planning Commission

Transferred this 22nd day of September, 1999.

Michael G. Jordan  
Auditor, Logan County, Ohio

Recorded in Plat Cabinet B  
Slide 43B, 44A, 44B, received for record at 3:57 o'clock P. M. this 22nd day of September 1999.

Carolyn Collins  
Recorder, Logan County, Ohio

Plat pre-approval Jon C. Hines 9-21-99

Plat checked Jon C. Hines 9-22-99

SHEET 3 OF 3

**H.A. MOORES & ASSOC., INC.**  
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