



BK: 2208 PG: 481

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DECLARATION 56.00
OR Book 2208 Page 481 - 485

201300002887
BROWN BENILLER MURRAY & MCINTYRE
FILE

DECLARATION OF COVENANTS & RESTRICTIONS

This Declaration made this 1st day of March, 2013 by the owner certain real property located within Richland County, Ohio and more fully described on Exhibit A, attached hereto and incorporated herein by reference.

WITNESSETH:

WHEREAS, the undersigned owner of the real property described on Exhibit A have decided to provide for the preservation of the values and amenities in and around said real property and in order to further such values hereby provides the following Declaration of Covenants and Restrictions with respect to the real property which shall run with the land.

NOW, THEREFORE, the owners declare that the real property described on Exhibit A is, and shall be, held, transferred, sold, conveyed and occupied subject to the Covenants, Restrictions, charges and liens (sometimes referred to as "Covenants and Restrictions") hereinafter set forth.

1. The real property shall be used solely and exclusively as a single family residences.
2. All vehicles, including automobiles, trucks, motor homes, trailers, boats, tractors, recreational vehicles must be stored in a building. However, temporary parking of passenger vehicles on any portion of the private driveway is permitted.
3. No outside cloths line, above-ground swimming pool, TV towers, wooden towers or towers or yard fences of any nature shall be permitted on the real property with the exception of a pool house and a privacy fence for those residences with a pool. Out buildings are permissible as long as they of quality construction and in character with the main residence.
4. The real property may only be sub-divided into a minimum of five (5) acre lots and each lot may have no more than two residences on it
5. No structure of any temporary character, trailer, mobile home, basement, tent, shack or a barn may be used as a residence on the real property.
6. The owners of the real property shall care for, keep and maintain the trees, shrubbery and garden thereon in good condition, shall see the same properly trimmed and replace trees and shrubbery that are damaged due to disease and aging.
6. All dwellings to be constructed on a property shall be of quality of workmanship and materials substantially the same or better than that produced on the dates these Covenants are recorded. All dwelling exteriors shall be constructed using at least sixty



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9. All future utility lines on a property shall be buried unless otherwise required by law.
10. The purpose of these covenants is to protect the investments of the owners of the properties and to protect the aesthetic quality of the property for future generations.
11. The enforcement of these Covenants shall be by proceedings at law or in equity, either to restrain violation or to recover damages, against any person or entity violating or attempting to violate any of these Covenants. Invalidation of any portion or provision of these Covenants shall not be construed to invalidate any other provisions which shall remain in full force and effect.
12. These restrictions, conditions and covenants are to run with the land and are to be binding upon all parties and all persons claiming under them for a period of twenty-five (25) years from the date these Covenants and Restrictions are recorded. After the initial twenty-five (25) year period has expired the Covenants and Restrictions shall be automatically renewed for successive periods of ten (10) years each, unless modified or cancelled pursuant to the terms and conditions of these Covenants and Restrictions. These Covenants may be amended or revoked only by the affirmative vote of seventy five (75%) of the then owners of properties within the Covenant area.

IN WITNESS WHEREOF, the owners have executed their hands on the date and year written below.

PRIOR INST: Vol. 1876 Pg. 482

The Herbert E. Rupp, II Trust

Herbert E. Rupp, II
Herbert E. Rupp, II, as Trustee

STATE of OHIO)
) ss:
COUNTY of RICHLAND)

Before me, a Notary Public in and for said County and State, personally appeared the above named HERBERT E. RUPP, II TRUST, by HERBERT E. RUPP, II, as TRUSTEE who acknowledged that he did sign the foregoing instrument and that the same is His free act and deed and the free act and deed of the said Trust

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seat at Mansfield, Ohio, this 1ST day of March, 2013.

[Signature]
Notary Public



DAVID N. HARING
Attorney At Law



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EXHIBIT A

PARCEL #1: Situated in the Township of Springfield, County of Richland and State of Ohio: Being known as part of the Southeast quarter of Section 36, Township 21, Range 19, Springfield Township, Richland County, and more fully described as follows: Beginning for the same at the Northwest corner of the Southeast quarter of Section 36, Township 21, Range 19; thence South 1 degree 52 minutes East along and with the West line of said quarter section to the centerline of the Mansfield-Marion Road, CH #146, a distance of 419.30 feet; thence North 75 degrees 55 minutes East along and with the centerline of said road, a distance of 880.00 feet; thence North 74 degrees 24 minutes East along and with the centerline of said road, a distance of 420.00 feet; thence North 70 degrees 27 minutes East along and with the centerline of said road, a distance of 294.50 feet; thence North 1 degree 52 minutes West to the North line of said quarter section, a distance of 49.89 feet; thence South 87 degrees 54 minutes 45 seconds West along and with the North line of said quarter section to the point of beginning, a distance of 1,548.67 feet and containing in all 8.83 acres, more or less, and subject to all legal highways and other legal easements of record.

Permanent Parcel # 037-28-063-01-000

PARCEL #2: Being known as part of the Northeast quarter of Section 36, Township 21, Range 19, Springfield Township, Richland County and more fully described as follows: Beginning for the same at the Southwest corner of the Northeast quarter of Section 36, Township 21, Range 19; thence North 1 degree 32 minutes 15 seconds West along and with the West line of said quarter section to the centerline of the Alta West Road TH #147, a distance of 726.41 feet; thence South 47 degrees 34 minutes East along and with the centerline of said road, a distance of 7.60 feet; thence North 1 degree 14 minutes West, a distance of 311.80 feet; thence North 89 degrees 09 minutes 45 seconds East, a distance of 626.12 feet; thence South 1 degree 05 minutes East, a distance of 71.14 feet; thence a distance of 114.27 feet on a curve (D-65 degrees 27 minutes 45 seconds, T-84.28 feet, R-100.00 feet); thence South 64 degrees 22 minutes 45 seconds West, a distance of 47.71 feet; thence a distance of 250.35 feet on a curve (D-65 degrees 27 minutes 45 seconds, T-140.84 feet, R-219.16 feet); thence South 1 degree 05 minutes East to the centerline of the Alta West Road, TH #147, a distance of 142.10 feet; thence South 65 degrees 36 minutes East along and with the centerline of said road, a distance of 321.26 feet; thence South 67 degrees 34 minutes East along and with the centerline of said road, a distance of 581.70 feet; thence South 85 degrees 29 minutes East along and with the centerline of said road to the south line of said quarter section, a distance of 251.30 feet; thence South 87 degrees 54 minutes 45 seconds West along and with the South line of said quarter section to the point of beginning a distance of 1,445.30 feet and containing in all 16.20 acres, more or less, and subject to all legal highways and other legal easements of record. *** See below

Permanent Parcel # 037-28-062-15-000, #037-28-062-16-000 and #037-28-062-18-000

PARCEL #3: Being part of the Northwest Quarter of Section 36, Township 21, Range 19 and described as follows: Beginning at the southeast corner of said Quarter Section, thence north, along the east line of said Quarter Section, 620.3 feet; thence South 89 degrees 05 minutes West, 621.5 feet; thence South, parallel with the east line of said Quarter Section, 620.3 feet; thence South 89 degrees 05 minutes East, along the south line of said Quarter Section 621.5 feet to the place of beginning, containing 8.85 acres, more or less, according to survey, but subject to all legal highways.

Permanent Parcel # 037-28-063-02-000

PARCEL #4: Being part of the Southwest Quarter of Section 36, Township 21, Range 19 and described as follows: Beginning at the northeast corner of said Quarter Section; thence South 89 degrees 05 minutes West, along the north line of said Quarter Section 621.5 feet; thence south, parallel with the east line of said Quarter Section, 547.3 feet to the center line of Mansfield-Marion Road; thence North 76 degrees 39 minutes East, along said center line, 153.2 feet; thence North 77 degrees 41 minutes East, continuing along said center line, 482.8 feet to the east line of said Quarter Section; thence north 419.3 feet to the place of beginning, containing 6.878 acres, more or less, according to survey, but subject to all legal highways.

Permanent Parcel # 037-28-062-17-000



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Save and Except from Parcel 2 the following:

Situated in the Township of Springfield, County of Richland, State of Ohio and being a part of the Northeast Quarter of Section 36, of Township 21 North, Range 19 West, and being more particularly described as follows:

Commencing at an iron pin round and accepted as marking the southwest corner of said quarter; Thence, North 00 degrees 46 minutes 01 second West with the west line of said quarter, a distance of 517.18 feet to an iron pin set, said iron pin being the place of beginning of the parcel herein described;

Thence, continuing North 00 degrees 46 minutes 01 second West with said west line, passing through an iron pin found at 100.00 feet, a total distance of 219.95 feet to a railroad spike found on the centerline of Alta West Road (Township Highway 147);

Thence, with said centerline, the following two courses and distances:

1. South 47 degrees 38 minutes 58 seconds East a distance of 69.61 feet to a Mag nail spike set;
2. South 56 degrees 17 minutes 18 seconds East a distance of 59.67 feet to a point as referenced by an iron pin set on a bearing of South 00 degrees, 46 minutes 01 second East and at a distance of 38.59 feet from said point;

Thence, South 00 degrees 46 minutes 01 second East a distance of 38.59 feet to an iron pin set;

Thence, southwesterly along a curve concave to the northwest with a central angle of 90 degrees 00 minutes 00 seconds, a radius of 100.00 feet, an arc length of 157.08 feet, a chord distance of 141.42 feet with a chord bearing of South 44 degrees 13 minutes 59 seconds West to the place of beginning, containing 0.36 of an acre, according to survey by Douglas C. Seiler, Professional Surveyor #6869 for Seiler & Craig Surveying, Inc., on July 31, 2007 but subject to the right of way of Alta West Road..

The grantee, his heirs and assigns do hereby covenant and agree that the parcel of land described by this instrument will not be conveyed by said grantee, heirs, or assigns independently from a contiguous parcel of land without the approval of the Richland County Regional Planning Commission.

Iron pins set are 5/8" rods with caps stamped "SEILER AND CRAIG INC."

used for angular determination



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PARCEL #5

Situated in the Township of Springfield, County of Richland, State of Ohio and being a part of the Northeast Quarter of Section 36, of Township 21 North, Range 19 West, and being more particularly described as follows:

Commencing at an iron pin round and accepted as marking the southwest corner of said quarter; Thence, North 00 degrees 46 minutes 01 second West with the west line of said quarter, a distance of 517.18 feet to an iron pin set, said iron pin being the place of beginning of the parcel herein described;

Thence, continuing North 00 degrees 46 minutes 01 second West with said west line, passing through an iron pin found at 100.00 feet, a total distance of 219.95 feet to a railroad spike found on the centerline of Alta West Road (Township Highway 147);

Thence, with said centerline, the following two courses and distances:

1. South 47 degrees 38 minutes 58 seconds East a distance of 69.61 feet to a Mag nail spike set;
2. South 56 degrees 17 minutes 18 seconds East a distance of 59.67 feet to a point as referenced by an iron pin set on a bearing of South 00 degrees, 46 minutes 01 second East and at a distance of 38.59 feet from said point;

Thence, South 00 degrees 46 minutes 01 second East a distance of 38.59 feet to an iron pin set;

Thence, southwesterly along a curve concave to the northwest with a central angle of 90 degrees 00 minutes 00 seconds, a radius of 100.00 feet, an arc length of 157.08 feet, a chord distance of 141.42 feet with a chord bearing of South 44 degrees 13 minutes 59 seconds West to the place of beginning, containing 0.36 of an acre, according to survey by Douglas C. Seiler, Professional Surveyor #6869 for Seiler & Craig Surveying, Inc., on July 31, 2007 but subject to the right of way of Alta West Road..

The grantee, his heirs and assigns do hereby covenant and agree that the parcel of land described by this instrument will not be conveyed by said grantee, heirs, or assigns independently from a contiguous parcel of land without the approval of the Richland County Regional Planning Commission.

Iron pins set are 5/8" rods with caps stamped "SEILER AND CRAIG INC."