P B 5 P228
SLOT 373

PINE CREST ACRES SUBDIVISION

BEING A PART OF THE EAST HALF OF SECTION 16, TOWNSHIP 17, RANGE 15, OF THE CONGRESS LANDS EAST OF THE SCIOTO RIVER, MADISON TOWNSHIP, PERRY COUNTY OHIO.

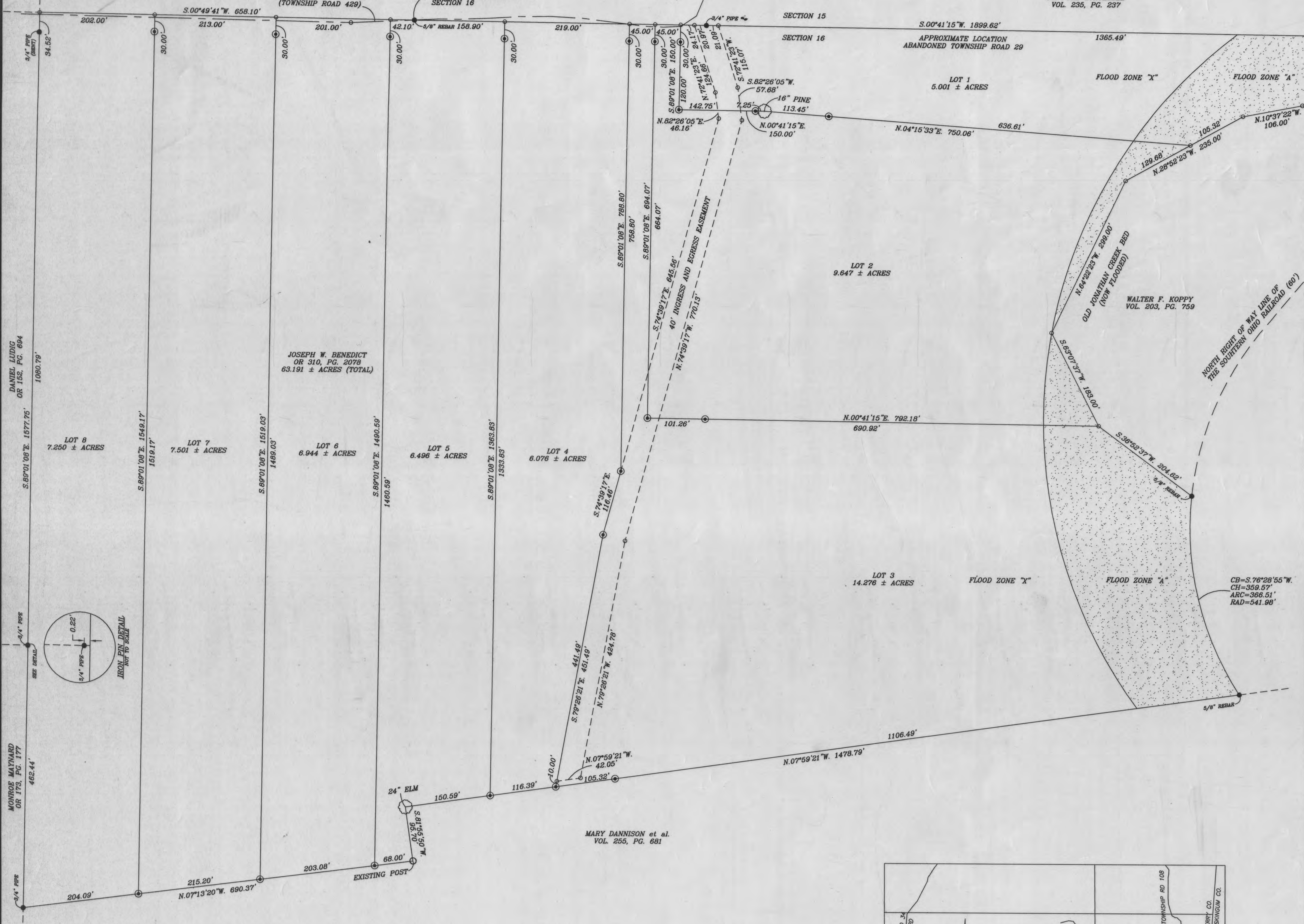
P B 5 P 228
SLOT 373

GRAPHIC SCALE

100 0 50 100 200 400

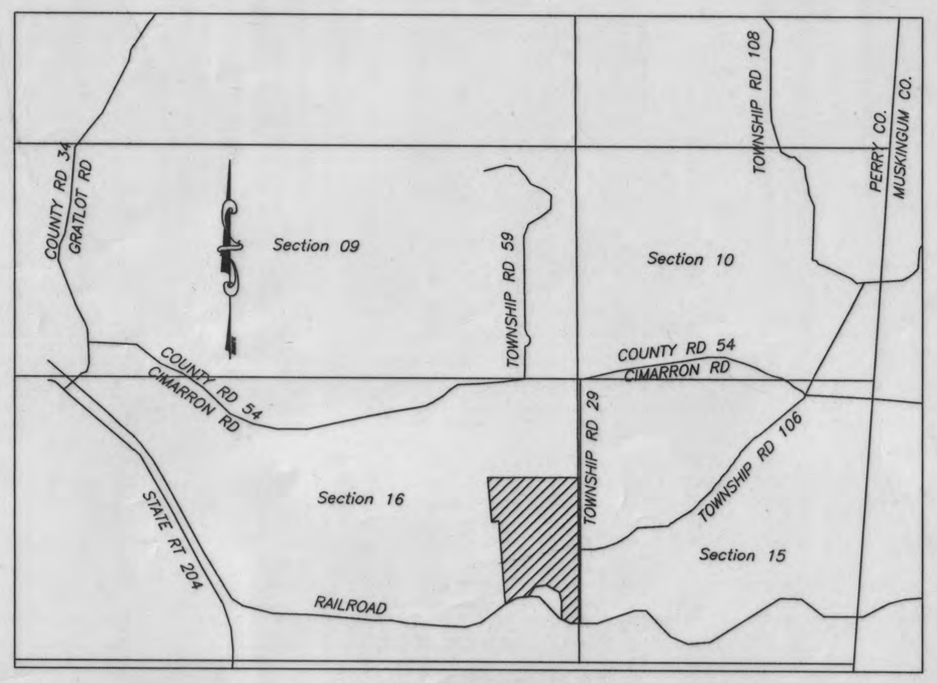
(IN FEET)
1 inch = 100 ft.

200400007032
Filed for Record in
PERRY COUNTY, OHIO
BARBARA J. FOX
11-02-2004 At 09:22 am.
PLAT 86.40



LEGEND

- EXISTING IRON PIN
- IRON PIN SET WITH CAP
- ANGLE POINT
- EXISTING POST
- EXISTING TREE



LOCATION MAP
NOT TO SCALE

PREPARED FOR:
JOSEPH W. BENEDICT

FLOOD ZONE NOTE

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE A AND ZONE X OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL No. 390778 0050 C WHICH BEARS AN EFFECTIVE DATE OF SEPTEMBER 27, 1991 AND IS IN A SPECIAL FLOOD HAZARD AREA. ZONE X REPRESENTS AN AREA OUTSIDE OF THE 500 YEAR FLOOD PLAIN.

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE PREVIOUS SURVEY OF 63.19 ACRES BY KEVIN CANNON (PS#7224) AND DATED MARCH 24, 2004.

NOTARIZED OWNER DEDICATION AND ACKNOWLEDGMENT

THE UNDERSIGNED FURTHER AGREES THAT ANY USE OF IMPROVEMENTS MADE ON THIS LAND SHALL BE IN CONFORMITY WITH EXISTING VALID ZONING, PLATTING, HEALTH OR OTHER LAWFUL RULES AND REGULATIONS, INCLUDING THE APPLICABLE OFF-STREET PARKING AND LOADING REQUIREMENTS OF PERRY COUNTY, OHIO, FOR THE BENEFIT OF HIMSELF AND ALL OTHER SUBSEQUENT OWNERS OR ASSIGNS TAKING TITLE FROM, UNDER OR THROUGH THE UNDERSIGNED.
IN WITNESS THERETO, JOSEPH W. BENEDICT HAS HEREUNTO SET HIS HAND THIS 12th DAY OF OCTOBER 2004.

Joseph W Benedict — JOSEPH W. BENEDICT
[signature] — WITNESS
Delores J. Sala — WITNESS

STATE OF OHIO
COUNTY OF ~~PERRY~~ FRANKLIN
BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED JOSEPH W. BENEDICT WHO ACKNOWLEDGES THE SIGNING OF THE FOREGOING INSTRUMENT TO BE HIS VOLUNTARY ACT AND DEED FOR USE AND PURPOSES THEREIN EXPRESSED.
IN WITNESS WHEREOF, I HAVE HEREUNTO SET HAND AND AFFIXED BY OFFICIAL SEAL THIS 12th DAY OF OCTOBER, 2004.

BY Delores J. Sala

NOTARY PUBLIC, STATE OF OHIO, MY COMMISSION EXPIRES 7-29-08

DELORES J. SALA
Notary Public, State of Ohio
My Commission Expires 07-29-08

COUNTY ENGINEER

APPROVED THIS 25 DAY OF October, 2004.
[signature]
PERRY COUNTY ENGINEER

PERRY COUNTY HEALTH DEPARTMENT

APPROVED THIS 22 DAY OF October, 2004.
[signature]
PERRY COUNTY HEALTH DEPARTMENT

PERRY COUNTY COMMISSIONERS

APPROVED THIS 28th DAY OF OCTOBER, 2004.
[signature]
PERRY COUNTY COMMISSIONER
[signature]
PERRY COUNTY COMMISSIONER
[signature]
PERRY COUNTY COMMISSIONER

COUNTY AUDITOR

TRANSFERRED THIS 29 DAY OF Oct, 2004, AT 10 (AM)
William C Crane
PERRY COUNTY AUDITOR

COUNTY RECORDER

RECORDED THIS 2nd DAY OF Nov., 2004, AT 9:22 (AM)
IN PLAT BOOK 5, PAGE 227 ALSO BEING SLOT 373
Barbara J. Fox
PERRY COUNTY RECORDER
RECORDED

CERTIFICATION BY SURVEYOR

TO ALL PARTIES INTERESTED IN TITLE TO PREMISES SURVEYED, I HEREBY CERTIFY THAT AN ACTUAL FIELD SURVEY OF THE PREMISES WAS MADE, AND THAT SAID PLAT IS A CORRECT REPRESENTATION AS DETERMINED BY SAID SURVEY.

Edward A Bischoff / PEPS 8Oct04
EDWARD A. BISCHOFF, REGISTERED SURVEYOR NO. S-5

STATE OF OHIO · EDWARD A. BISCHOFF · 26953 · REGISTERED · PROFESSIONAL ENGINEER

PINE CREST ACRES PROTECTIVE COVENANTS

THE FOLLOWING PROTECTIVE COVENANTS ARE COVENANTS RUNNING WITH THE LAND UNTIL JANUARY 1, 2080 AND MAY BE ENFORCED (THROUGH INJUNCTION OR OTHERWISE) BY ANY OWNER ACQUIRING ANY PART OF THE LAND ACQUIRED BY THE SELLER IN MADISON TOWNSHIP, PINE CREST ACRES BY DEED TO THE LAND DESCRIBED AS A PART OF THE EAST HALF OF SECTION 16, TOWNSHIP 17, RANGE 15, OF THE CONGRESS LANDS EAST OF THE SCIOTO RIVER, PERRY COUNTY, OHIO.

1. NO MORE THAN ONE RESIDENCE PER TRACT SHALL BE PERMITTED
2. THE ERECTION AND/OR PLACEMENT OF MANUFACTURED HOUSING INCLUDING MOBILE HOMES AND/OR MODULAR HOUSING SHALL BE PERMITTED, PROVIDED THAT SUCH PLACEMENT SHALL BE ON A PERMANENT CONCRETE BLOCK FOUNDATION. MOBILE HOMES AND MODULARS MUST HAVE BEEN MANUFACTURED IN CALENDAR YEAR 1995 OR LATER.
3. NEW HOUSE CONSTRUCTION, MOBILE AND MODULAR HOMES ON EACH LAND TRACT MUST CONTAIN A MINIMUM OF EIGHT HUNDRED (800) SQUARE FEET OF HEATED LIVING AREA (EXCLUDING BASEMENT AND GARAGE).
4. EXCEPT FOR THE REMOVAL OF TREES AND SOIL FOR ROADS AND BUILDING AREAS, NO TREES OR SOIL SHALL BE REMOVED FROM THE TRACT IF PURCHASED BY LAND CONTRACT WITHOUT THE PERMISSION OF THE SELLER UNTIL SUCH TRACT IS DEEDED TO THE NEW OWNER.
5. ALL BUILDINGS ON THE TRACT SHALL HAVE A FINISHED SIDING SUCH AS RUSTIC WOOD, FRAME, BRICK VENEER, PRESS BOARD OR CONTEMPORARY SIDING.
6. NO INOPERATIVE OR UNLICENSED VEHICLES MAY BE PLACED OR REMAIN ON THESE LAND TRACTS. NO ACCUMULATION OF DEBRIS, WASTE, GARBAGE OR ANY UNSIGHTLY OBJECTS OR MATTER WILL BE PERMITTED ON ANY LOT.
7. NO SWINE SHALL BE PERMITTED ON SAID LOTS. FOWL OF ANY NATURE SHALL NOT BE KEPT OR RAISED EXCEPT FOR PERSONAL ENJOYMENT OR CONSUMPTION.
8. BEFORE OCCUPANCY OF ANY HOUSE OR MOBILE HOME, A SEWAGE DISPOSAL SYSTEM AND PRESSURIZED WATER SYSTEM FOR THE DWELLING SHALL BE INSTALLED IN CONFORMANCE WITH THE MINIMUM STANDARDS REQUIRED BY THE PERRY COUNTY BOARD OF HEALTH.
9. ALL LOTS ARE FOR RESIDENTIAL USE AND NO TRACT, HOUSE OR STRUCTURE SHALL BE USED FOR ANY TYPE OF BUSINESS OR COMMERCIAL ENTERPRISE EXCEPT FOR FARMING PURPOSES SUCH AS HORSE, CATTLE, LLAMA, FRUIT AND VEGETABLE, ET CETERA. A BUSINESS OFFICE IS PERMITTED IN THE HOME.
10. TEMPORARY TENTS AND RECREATIONAL VEHICLES ARE PERMITTED ON THE TRACT FOR NO MORE THAN FOURTEEN (14) DAYS IN ANY THREE MONTH PERIOD. ONE CAMPER IS PERMITTED ON THE PROPERTY AS LONG AS IT IS NOT A RESIDENCE.
11. WHERE PROTECTIVE COVENANTS AND PERRY COUNTY OR MADISON TOWNSHIP ZONING ORDINANCES ARE IN CONFLICT, THE STRICTER REQUIREMENT WILL PREVAIL.
12. INVALIDATION OF ANY OF THESE COVENANTS BY JUDGMENT OF COURT ORDER SHALL IN NO WAY AFFECT ANY OF THE OTHER PROVISIONS, WHICH SHALL REMAIN IN FORCE AND EFFECT.
13. NOTHING CONTAINED HEREIN SHALL BE CONSTRUCTED AS CREATING AN OBLIGATION ON THE PART OF THE SELLER OR ANY SELLER'S AGENT TO ENFORCE THESE PROTECTIVE COVENANTS.
14. THE PURCHASERS OF THESE TRACTS, FOR THEMSELVES, THEIR HEIRS AND ASSIGNS, BY THE ACCEPTANCE OF THE CONVEYANCE OF THIS TRACT, AGREE TO BE BOUND BY THE COVENANTS CONTAINED HEREIN AND ARE THE PRIMARY ENFORCERS OF THESE COVENANTS.
15. LOTS 1,2, AND 3 ARE DEED RESTRICTED THAT THE LOTS CANNOT BE DIVIDED.

*NOTE:

LOT 1. BUYERS HEREBY AGREE THAT THE OWNERS OF PINE CREST ACRES LOTS 2, 3, AND 4 ARE TO HAVE UNLIMITED AND UNRESTRICTED ACCESS AND USE OF THE ROAD ON LOT 1 GOING TO THEIR LAND. IF THE OWNERS OF LOT 1 WISH TO USE THIS ROAD, THEY WILL BE RESPONSIBLE FOR MAINTENANCE OF THAT PORTION OF THE ROAD ON THEIR PROPERTY.

LOT 2. BUYERS HEREBY AGREE THAT THE OWNERS OF PINE CREST ACRES LOTS 3 AND 4 ARE TO HAVE UNLIMITED AND UNRESTRICTED ACCESS AND USE OF THE ROAD GOING THROUGH LOT 2 OF PINE CREST ACRES. IF THE OWNERS OF LOT 2 DESIRE TO USE THIS ROAD, THEY WILL BE RESPONSIBLE FOR MAINTENANCE OF THAT PORTION OF THE ROAD ON LOT 2 AND FOR MAINTENANCE OF THE ROAD ON LOT 1, IF THE OWNERS OF LOT 1 DO NOT USE THE ROAD.

LOT 3. BUYERS HEREBY AGREE THAT THE OWNERS OF PINE CREST ACRES LOT 4 ARE TO HAVE UNLIMITED AND UNRESTRICTED ACCESS AND USE OF THE ROAD GOING THROUGH LOT 3. IF THE OWNERS OF LOT 3 DESIRE TO USE THIS ROAD, THEY WILL BE RESPONSIBLE FOR MAINTENANCE OF THAT PORTION OF THE ROAD ON THEIR PROPERTY AND FOR MAINTENANCE OF THE ROAD ON LOTS 1 AND 2 IF NOT BEING MAINTAINED AND USED BY THE OWNERS OF LOTS 1 AND 2.

LOT 4. BUYERS HEREBY AGREE THAT IF THEY DESIRE TO USE THE ROAD ON LOTS 1, 2, AND 3 THEY WILL BE RESPONSIBLE FOR MAINTENANCE OF ANY PART OF THE ROAD NOT BEING USED AND MAINTAINED BY OWNERS OF LOTS 1, 2, AND 3.

DESCRIPTION

BEING A PART OF THE EAST HALF OF SECTION 16, TOWNSHIP 17, RANGE 15, OF THE CONGRESS LANDS EAST OF THE SCIOTO RIVER, MADISON TOWNSHIP, PERRY COUNTY, OHIO AND BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING IRON PIN (5/8 INCH REBAR) AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 16;

THENCE ALONG THE EAST LINE OF SECTION 16, SOUTH 00 DEGREES 41 MINUTES 15 SECONDS WEST 1899.62 FEET TO AN EXISTING IRON PIN ON THE NORTH RIGHT OF WAY OF THE SOUTHERN OHIO RAILROAD (60 FEET), PASSING AN EXISTING IRON PIN (3/4 INCH PIPE) AT 513.04 FEET;

THENCE ALONG SAID LINE 132.67 FEET ON A CURVE TO THE RIGHT, HAVING A 443.41 RADIUS, THE CHORD BEARS NORTH 57 DEGREES 15 MINUTES 25 SECONDS WEST 132.18 FEET TO AN EXISTING IRON PIN (5/8 INCH REBAR);

THENCE ALONG THE CENTER OF THE OLD JONATHAN CREEK BED (NOW FLOODED) THE NEXT 6 COURSES AND DISTANCES:
1. NORTH 01 DEGREES 51 MINUTES 52 SECONDS WEST 268.44 FEET TO A POINT;
2. NORTH 10 DEGREES 37 MINUTES 22 SECONDS WEST 106.00 FEET TO A POINT;
3. NORTH 28 DEGREES 52 MINUTES 23 SECONDS WEST 235.00 FEET TO A POINT;
4. NORTH 64 DEGREES 22 MINUTES 23 SECONDS WEST 299.00 FEET TO A POINT;
5. SOUTH 63 DEGREES 07 MINUTES 37 SECONDS WEST 183.00 FEET TO A POINT;
6. SOUTH 36 DEGREES 52 MINUTES 37 SECONDS WEST 204.62 FEET TO AN EXISTING IRON PIN (5/8 INCH REBAR) ON THE NORTH RIGHT OF WAY LINE OF SAID RAILROAD;

THENCE 366.51 FEET ON A CURVE TO THE LEFT, HAVING A 541.98 FOOT RADIUS, THE CHORD BEARS SOUTH 76 DEGREES 28 MINUTES 55 SECONDS WEST 359.57 FEET TO AN EXISTING IRON PIN (5/8 INCH REBAR);

THENCE LEAVING SAID RAILROAD, NORTH 07 DEGREES 59 MINUTES 21 SECONDS WEST 1478.79 FEET TO A 24 INCH DIAMETER ELM TREE;

THENCE SOUTH 81 DEGREES 55 MINUTES 50 SECONDS WEST 95.70 FEET TO A CORNER POST SET IN CONCRETE;

THENCE NORTH 07 DEGREES 13 MINUTES 20 SECONDS WEST 690.37 FEET TO AN EXISTING IRON PIN (3/4 INCH PIPE);

THENCE SOUTH 89 DEGREES 01 MINUTES 08 SECONDS EAST 1577.75 FEET TO A POINT IN TOWNSHIP ROAD 429, PASSING EXISTING IRON PINS (3/4 INCH PIPE) AT 462.44 FEET AND AT 1543.23 FEET;

THENCE ALONG SAID ROAD AND WITH THE EAST LINE OF SECTION 16 SOUTH 00 DEGREES 49 MINUTES 41 SECONDS WEST 658.10 FEET TO THE PLACE OF BEGINNING.

CONTAINING 63.191 MORE OR LESS ACRES, AND BEING SUBJECT TO RIGHT OF WAYS OF TOWNSHIP ROAD 429, TOWNSHIP ROAD 106 AND TOWNSHIP ROAD 29 AND ALSO BEING SUBJECT TO ALL OTHER LEGAL HIGHWAYS AND EASEMENTS.

IRON PINS SET ARE 5/8 INCH REBAR WITH PLASTIC IDENTIFICATION CAPS.

BISCHOFF MILLER & ASSOCIATES, LLC
Consulting Engineers & Surveyors
1251 DUBLIN ROAD
COLUMBUS, OHIO 43215-7000
PHONE: (614)481-4150
FAX: (614)481-4199

These drawings are instruments of professional service prepared by Bischoff Miller & Associates, LLC for the designated project. Bischoff Miller & Associates, LLC assumes no liability for any unauthorized use of these drawings, specifications, and documents.

Copyright © 2004 by Bischoff Miller & Associates, LLC

PLOT FILE:
PROJ. NO. 04-
ACAD FILE 04-239

P B 5 P228
SLOT 373

P B 5 P228
SLOT 373