PB 5 P234
380

Instrument
200500001946
200500001946
Filed for Record in
PERRY COUNTY, OHIO
BARBARA J. FOX
04-15-2005 At 10:27 am.
PLAT
259.20

RECEIVED FOR RECORD THIS 15 DAY OF April, 200_.

RECORDED IN PLAT CABINET 5, SLIDE 234-235-236 10:20 AM

SLOT 380, 381, 382

PERRY COUNTY RECORDER

WE, THE PERRY COUNTY COMMISSIONERS, HEREBY, CERTIFY THAT THIS PLAT WAS FILED WITH THE CLERK OF SAID COMMISSIONERS ON THE _____ DAY OF _____, 200_, AND A RESOLUTION WAS PASSED APPROVING THIS PLAT.

4/14/05

WITNESSES

COMMISSIONERS

RECEIVED FOR TRANSFER THIS 14th DAY OF April, 2005

PERRY COUNTY AUDITOR

South Gratiot Farms Development - Protective Covenants

Subject to the following protective covenants and restrictions. These protective covenants may be legally enforced by the seller, or by any purchaser at South Gratiot Farms. These restrictions are also placed for the benefit of the people of Madison Township and Perry County, and may be enforced by the duly elected or appointed officials of same, or by any individual residing in Madison Township. All purchasers of these farms, for themselves, their heirs and assigns, by acceptance of the conveyance of the farm, agree to be bound by the covenants herein contained, which shall remain in full force and effect until December 31, 2035.

1. All tracts shall be for single-family residential use with customary outbuildings, with no structure being used for any type of business or commercial enterprise. Notwithstanding the above, tracts 4 and 5 may be used for a farmer's market, horse boarding facility, or storage or mini-storage business.
2. All residences shall contain a minimum of 1,400 square feet of indoor heated area, excluding porches and garages. All homes must be of a traditional style and structure and be constructed of new materials. Exterior of houses shall be of rustic wood, frame, brick veneer or contemporary type siding. No exposed concrete block allowed except for the foundation. All structures erected shall be completed within one (1) year from the date that structural work begins. Dome, polygon or fiberglass homes are prohibited. Homes must be completed within one year of the beginning of construction. All homes must be framed and roofed by professional contractors. All house plans must be submitted for approval to developer, South Gratiot Farms, LLC, an Ohio Limited Liability Company. Single-wide and double-wide mobile homes are prohibited.
3. No incomplete or junk type structures shall be permitted on the property, and no temporary house, shack, tent, camper, school bus or recreational vehicle shall be used as a dwelling, either temporary or permanent.
4. No accumulation of discarded personal effects, debris, waste, garbage or other unsightly objects or matter will be permitted.
5. No animals may be raised or kept for commercial purposes except as stated below. Household pets may be kept provided they are not kept, tied, or maintained for commercial purposes. ALL SWINE ARE PROHIBITED. Notwithstanding the above, horses and cattle may be raised and kept for commercial purposes provided that no more than two (2) large animals per acre are permitted per farm.
6. Before placement or occupancy of any residence, a sewage disposal system shall be installed in conformity with the minimum standards of the County Board of Health. In addition, the disposal system must be maintained in accordance with the standards of the county Board of Health. Outhouses are prohibited.
7. Any motorized vehicles left unattended or without current license plates and registration for more than 30 days shall be removed from the property at the owner's expense. No junk or non-operative vehicles shall be kept on the property. All recreational vehicles, boats, tractors and similar vehicles shall be kept behind the residence when not in use. Transport trucks or construction equipment may not be stored or parked overnight on the property unless placed in a fully enclosed storage building. No items may be stored or kept on the property until after the construction and occupation of a dwelling. This provision shall not apply to construction equipment stored overnight on the property during the construction of a house or other construction project.
8. Only one dwelling per tract is permitted. Tracts may not be subdivided.
9. Houses shall be placed a minimum of 75 feet from the center of the road.
10. Farm owners must comply with zoning and land use regulations of Madison Township, Perry County and the State of Ohio.
11. Driveways are to be built using a proper culvert and shall be constructed of concrete, gravel, asphalt or chip and seal material. The use of shredded shingles or similar materials as a paving material is expressly prohibited.
12. Billboards and outdoor advertising are prohibited except to advertise a property for sale. This prohibition shall not apply to political signs with a total area of no more than 64 square feet in place for no more than 90 days per calendar year.
13. Buyer waives contribution toward a line or boundary fence from Seller, or any adjoining property owner, for a period of 7 years from the recording of this deed.
14. If any restriction, or part of any restriction, shall be declared invalid, illegal, or unconstitutional by any federal or state court, or by any government agency or body, or in any other manner, all other restrictions shall remain in full force and effect. Where these covenants differ from any zoning or other regulations, the stricter shall apply.
15. These restrictions may be amended or modified at the request of 75% of the farm owners at South Gratiot Farms, with each farm having one vote and the owner of multiple farms having a number of votes equal to the number of farms owned. See OR 358 P33 for Amendment

Subject to all laws of the United States, the State of Ohio, Perry County, and their respective subdivisions.

SUBJECT TO ALL ZONING LAWS AND HEALTH DEPARTMENT REGULATIONS OF PERRY COUNTY, OHIO.

SUBJECT TO THE RIGHT-OF-WAY OF COUNTY ROAD NO. 34 (COOPER MILL ROAD).

THERE SHALL BE A 10.00 FEET WIDE BUILDING SETBACK LINE ALONG BOTH SIDES OF ALL SIDE LOT LINES AND ALONG ALL REAR LOT LINES WITHIN THIS SUBDIVISION.

THERE SHALL BE A 75.00 FEET BUILDING SETBACK LINE ALONG COUNTY ROAD NO. 34. SAID 75.00 FEET TO BE MEASURED FROM THE CENTERLINE OF COUNTY ROAD NO. 34

THERE SHALL BE A 25.00 FEET BUILDING SETBACK LINE ALONG SHERWOOD LANE. SAID 25.00 FEET TO BE MEASURED FROM THE RIGHT-OF-WAY LINE OF SHERWOOD LANE.

THE AREA ENCOMPASSED WITHIN ALL OF THE ABOVE DESCRIBED 10.00 FEET WIDE SETBACKS, 25.00 FEET WIDE SETBACKS, AND 75.00 FEET WIDE SETBACKS SHALL ALSO BE RESERVED FOR THE RUNNING OF PUBLIC UTILITIES.

SUBJECT TO ALL LEGAL RIGHT-0F-WAYS, EASEMENTS, RESTRICTIONS, RESERVATIONS, AND ZONING REGULATIONS OF RECORD.

SUBJECT TO 100 YEAR FLOOD PLAIN RESTRICTIONS, IF APPLICABLE.

SUBJECT TO ANY FACTS THAT MAY BE DISCLOSED IN A FULL AND ACCURATE TITLE SEARCH.

BEING A TOTAL SUBDIVISION OF 148.473 ACRES WHICH IS A NEW SURVEY OF PART OF THE PREMISES AS DESCRIBED AS 416.428 ACRES IN THE DEED TO SOUTH GRATIOT FARMS, LLC. BY OFFICIAL RECORDS VOLUME ___, PAGE ___ OF THE PERRY COUNTY RECORDER'S OFFICE.

KNOW ALL MEN BY THEIR PRESENCE, THAT WILLIAM F. HURDLE, MANAGING MEMBER OF SOUTH GRATIOT FARM, LLC, THE UNDERSIGNED OWNERS OF THE LAND SHOWN ON THIS PLAT, DO HEREBY ACKNOWLEDGE THAT MAKING OF THE SAME TO BE OUR FREE ACT AND DEED, AND DO HEREBY DEDICATE THE EASEMENTS FOR PUBLIC USE, FOREVER.

WITNESSES

OWNERS

NOTARY PUBLIC

4-1-08

MY COMMISSION EXPIRES

APPROVED BY COUNTY ENGINEER:
DATE: 4/14/05

COUNTY ENGINEER

APPROVED BY PERRY COUNTY PLANNING COMMISSION:

DATE: _____ PERRY COUNTY PLANNING COMMISSIONERS:

APPROVED BY BOARD OF HEALTH:
DATE: 4-11-05

REGISTERED SANITARIAN

DATE: 4/11/05

HEALTH COMMISSIONER

OWNER'S CONSENT AND DEDICATION

I, THE UNDERSIGNED, BEING THE OWNER OF ALL THE LANDS HEREIN PLATTED, DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION AND RECORDING OF SAID PLAT AND DEDICATE SHERWOOD LANE AS A PRIVATE ROADWAY, EXCEPT FOR THE USE OF ALL ABUTTING PROPERTY OWNERS, TOGETHER WITH THEIR HEIRS, EXECUTORS, SUCCESSORS, AND ASSIGNS, AS A MEANS OF INGRESS AND EGRESS UNTIL SUCH TIME AS SAID PRIVATE ROAD IS DEDICATED FOR PUBLIC USE. THE RIGHT EXTENDS TO THE LICENCEES, INVITEES, AND BUSINESS INVITEES OF SAID ABUTTING PROPERTY OWNERS. WE ALSO AGREE TO TO FORM A PROPERTY OWNERS ASSOCIATION WITH EACH LOT OWNER BEING AN EQUAL MEMBER OF SAID ASSOCIATION. EACH LOT OWNER SHALL SHARE ALL ASSOCIATION COSTS EQUALLY BASED ON THE NUMBER OF LOTS HE OR SHE OWNS.

SAID PROPERTY OWNERS ASSOCIATION SHALL BE THE OWNERS OF SHERWOOD LANE CONTAINING 3.217 ACRES. THE ASSOCIATION SHALL PROVIDE ALL NECESSARY MAINTENANCE FOR THIS PRIVATE ROAD AND UNDERSTAND THAT, STATE, COUNTY, TOWNSHIP, OR OTHER GOVERNMENT AGENCIES WILL NOT BE RESPONSIBLE FOR MAINTENANCE OF SAID ROADWAY UNTIL SUCH TIME IT IS DEDICATED TO PUBLIC USE IN ACCORDANCE WITH SUBDIVISION REGULATIONS. TRACTS 1-6, 9 & 10 SHALL HAVE NEITHER VOTE NOR FINANCIAL OBLIGATION RELATING TO SHERWOOD LANE.

WITNESS

OWNER
Mgr. South Gratiot Farms, LLC

WITNESS

WITNESS

OWNER

WITNESS

Line	Bearing	Distance
1	N 85°57'06"W	1.46'
2	N 86°01'19"W	25.02'
3	S 17°54'01"W	218.18'
4	S 85°52'03"E	26.83'
5	S 3°05'38"W	207.05'
6	S 3°05'38"W	100.00'
7	S 3°05'38"W	30.00'
8	S 3°05'38"W	19.66'
9	S 3°05'38"W	100.00'
10	N 85°52'42"W	5.06'
11	N 85°52'42"W	30.00'
12	N 3°10'10"E	37.59'
13	N 3°18'14"E	343.33'
14	N 3°18'14"E	258.48'
15	N 3°18'14"E	19.28'
16	N 3°10'10"E	122.31'
17	S 86°17'23"E	30.24'
18	N 11°12'01"E	354.42'
19	N 11°12'01"E	45.19'
20	N 0°38'59"W	147.63'
21	N 0°38'59"W	46.71'
22	N 2°20'00"E	51.00'
23	S 85°34'20"E	100.00'
24	S 85°34'20"E	30.00'
25	S 85°34'20"E	15.22'
26	S 3°02'40"W	20.02'
27	S 3°02'40"W	30.00'
28	N 86°44'35"W	30.00'
29	S 17°51'07"W	133.30'
30	S 18°46'06"W	80.83'
31	S 18°46'06"W	119.17'
32	S 28°50'46"W	221.98'
33	N 40°18'16"W	25.00'
34	N 40°18'16"W	178.10'
35	S 70°15'07"E	161.57'
36	S 70°15'07"E	20.75'
37	S 86°01'19"E	0.40'
38	S 86°01'19"E	322.46'
39	N 3°10'10"E	153.76'
40	N 60°40'47"W	18.31'
41	N 85°54'32"W	336.80'
42	S 85°54'32"E	100.00'
43	S 85°54'32"E	40.88'
44	S 80°16'28"E	121.32'
45	S 48°02'28"E	137.62'
46	S 25°59'30"W	35.69'
47	S 24°21'34"W	256.69'
48	S 24°21'34"W	276.24'
49	N 60°40'47"W	82.69'
50	N 60°40'47"W	359.20'
51	S 3°05'38"W	214.03'
52	N 34°01'40"E	40.19'
53	N 38°12'03"E	336.76'
54	S 71°37'15"W	52.21'
55	S 61°45'04"W	56.27'
56	S 48°07'17"W	17.40'
57	N 51°01'57"W	46.26'
58	N 16°44'02"W	297.58'
59A	S 86°50'26"E	41.02'
59B	S 86°50'26"E	192.44'
60	S 86°50'26"E	14.04'
61	S 10°48'39"E	208.14'
62	S 10°48'39"E	27.91'
63	S 76°30'00"W	59.45'
64	N 0°38'59"W	194.34'
65	N 85°21'13"W	37.88'
66	N 85°55'16"W	364.76'
67	N 70°29'05"W	144.73'
68	N 72°57'39"W	58.73'
69	N 41°52'36"E	134.54'
70	N 41°52'36"E	293.23'
71	N 3°10'10"E	316.80'
72	N 86°49'50"W	195.94'
73	N 4°59'52"E	231.00'
74	S 86°51'58"E	188.57'
75	S 3°10'10"W	231.00'
76	S 48°07'17"W	29.53'
77	S 33°39'42"W	26.24'
78	N 74°01'11"W	50.00'
79	N 74°01'11"W	141.06'
80	N 36°27'04"W	178.43'
81A	N 77°17'30"W	103.01'
81B	N 77°17'30"W	140.00'
82A	N 81°39'33"W	133.00'
82B	N 81°39'33"W	115.97'
83	N 87°20'19"W	157.07'
84	N 25°07'49"E	151.00'
85	N 25°07'49"E	207.87'
86	N 25°07'49"E	11.00'
87	N 4°02'16"W	77.78'
88	N 4°02'16"W	172.96'
89	S 67°17'26"E	56.83'
90	S 4°02'16"E	193.91'
91	S 25°07'49"W	317.52'
92	S 87°20'19"E	107.20'
93A	S 81°39'33"E	208.36'
93B	S 81°39'33"E	45.00'
94	S 77°17'30"E	244.92'
95	S 36°27'04"E	141.02'
96	S 74°01'11"E	127.32'
97	S 74°01'11"E	50.00'
98	S 3°02'40"W	200.00'
99	N 85°34'20"W	16.19'
100	N 85°34'20"W	30.00'
101	N 85°34'20"W	100.00'
102	N 3°02'40"E	200.00'
103	S 3°02'40"W	200.00'
104	N 85°34'20"W	17.17'
105	N 85°34'20"W	30.00'
106	N 85°34'20"W	100.00'
107	N 3°02'40"E	200.00'
108	S 3°02'40"W	200.00'
109	N 85°34'20"W	33.86'
110	N 85°34'20"W	30.00'
111	N 85°34'20"W	100.00'
112	N 85°34'20"W	75.00'
113	N 3°02'40"E	200.00'
114	S 14°30'43"W	20.18'
115	S 32°26'45"W	67.41'
116	S 51°31'06"W	45.55'
117	S 61°21'11"W	118.57'
118	S 65°58'15"W	201.04'
119	S 70°56'54"W	117.14'
120	S 74°17'22"W	225.93'
121	S 74°10'43"W	185.00'
122	S 0°00'00"E	30.00'
123	S 0°00'00"E	100.00'
124	N 15°08'43"W	30.00'
125	N 15°08'43"W	100.00'
126	N 15°08'43"W	357.55'
127	S 85°34'20"E	322.34'
128	S 85°34'20"E	75.00'
129	S 1°36'09"W	100.00'
130	S 1°36'09"W	30.00'
131	S 76°29'40"W	288.46'
132	N 10°50'42"W	236.05'
133	S 85°34'20"E	316.06'
134	S 3°07'27"W	300.44'
135	S 3°07'27"W	207.33'
136	S 3°07'27"W	308.21'
137	N 86°50'26"W	247.50'
138	N 3°08'40"E	100.00'
139	N 3°08'40"E	277.00'
147	S 34°02'45"W	266.20'
148	S 27°10'07"W	88.46'
149	N 82°58'59"W	163.22'
150	N 74°29'20"W	52.87'
151	N 58°00'05"W	69.17'
152	N 45°58'46"W	155.00'
153	N 43°11'40"W	154.08'
154	N 44°45'40"W	190.59'
155	N 48°34'34"W	54.03'
156	N 48°34'34"W	53.00'
157	N 48°02'28"W	137.62'
162	N 48°02'28"W	21.21'
166	N 24°57'22"W	43.16'
167	N 11°50'15"W	78.07'
168	N 3°25'22"W	86.94'
169	N 63°38'52"E	30.00'
170	N 63°38'52"E	100.00'
171	N 63°38'52"E	100.00'
172	N 82°38'05"E	29.93'
173	N 82°38'05"E	100.00'
174	N 82°38'05"E	100.00'
175	N 13°31'11"E	77.36'
176	N 11°12'01"E	288.39'
177	S 85°21'21"E	29.61'
178	S 85°21'21"E	100.00'
179	S 85°21'21"E	100.00'
180	N 11°12'01"E	66.03'
181	N 11°12'01"E	45.19'
185	S 18°51'38"E	100.00'
186	S 49°32'20"E	100.00'
187	S 19°35'04"W	100.00'
190	S 27°12'47"W	184.18'
191	S 27°12'47"W	100.00'
193	N 27°12'47"E	284.18'
194	S 3°02'40"W	200.00'
195	N 89°09'58"W	100.00'
196	N 3°07'27"E	300.44'
197	N 86°51'20"W	100.00'
198	N 3°08'40"E	295.64'
199	N 37°54'14"W	216.26'
200	S 37°54'14"E	100.00'
201	S 37°54'14"E	116.26'
202	S 3°27'45"W	100.00'
203	S 3°27'45"W	100.00'
204	N 60°43'01"W	30.00'
205	N 60°43'01"W	100.00'
206	N 34°15'28"E	307.41'
207	N 34°15'28"E	100.00'
208	N 60°17'12"W	30.00'
209	N 60°17'12"W	100.00'
210	N 34°15'28"E	130.00'
211	S 34°15'28"W	130.00'
212	N 34°15'28"E	30.00'
213	N 34°15'28"E	100.00'
214	N 34°15'28"E	214.50'
215	N 33°44'01"E	30.00'
216	N 33°44'01"E	100.00'
217	N 33°44'01"E	100.00'
218	N 40°36'56"E	30.00'
219	N 40°36'56"E	100.00'
220	N 40°36'56"E	100.00'
221	S 72°55'58"E	100.00'
222	S 59°29'53"E	137.05'
223	S 59°29'53"E	100.00'

Curve	Delta Angle	Radius	Arc	Tangent	Chord	Chord Bearing
1	47°34'17"	277.61	230.49	122.36	223.93	S 56°29'20"E
2	32°14'00"	281.11	158.15	81.23	156.07	S 64°09'28"E
3	40°50'26"	150.00	106.92	55.84	104.67	N 56°52'17"W
7	75°10'37"	75.00	98.41	57.73	91.50	N 33°33'03"E
8	41°34'13"	75.00	54.42	28.47	53.23	S 88°04'32"E
9	35°57'08"	1450.00	100.02	50.03	100.00	S 69°16'00"E
10	5°10'33"	1450.00	130.99	65.54	130.94	S 73°49'50"E
11	52°19'48"	30.00	27.40	14.74	26.46	N 77°24'59"E
12	108°29'12"	60.00	113.61	83.32	97.38	S 74°30'19"E
13	33°50'37"	60.00	35.44	18.25	34.93	S 3°20'25"E
14	76°25'07"	60.00	80.03	47.23	74.22	S 51°47'27"W
15	65°54'42"	60.00	69.02	38.90	65.28	N 57°02'39"W
16	52°19'48"	30.00	27.40	14.74	26.46	N 50°15'12"W
17	9°07'41"	1500.00	238.97	119.74	238.72	N 71°51'16"W
18	116°44'50"	60.00	122.26	97.43	102.18	S 54°20'09"W
19	29°10'05"	500.00	254.54	130.09	251.80	S 10°32'47"W
20	112°28'08"	60.00	117.77	89.74	99.76	S 31°06'11"E
21	40°50'26"	200.00	142.56	74.46	139.56	S 56°52'17"E
22	37°34'08"	60.00	39.34	20.41	38.64	S 55°14'08"E
23	10°01'08"	277.61	48.54	24.33	48.48	N 75°15'54"W
24	37°33'09"	277.61	181.95	94.38	178.71	N 51°28'46"W
25	2°24'24"	1500.00	63.00	31.51	63.00	S 75°12'55"E
26	6°43'17"	1500.00	175.97	88.08	175.87	S 70°39'04"E
27	112°28'08"	75.00	147.22	112.18	124.70	N 31°06'15"W
28	20°14'47"	450.00	159.01	80.34	158.19	N 15°00'26"E
29	8°55'18"	450.00	70.07	35.11	70.00	N 0°25'24"E

148.473 ACRES = TOTAL AREA IN PROPOSED SOUTH GRATIOT FARMS DEVELOPMENT

CURRENT OWNER:
SOUTH GRATIOT FARMS L.L.C.
PART OF 416.428 ACRES DEED
O.R. VOL. 319, PG. 244, OR VOL 320 pg 330

PRIOR OWNERS:
DAVID R. AND MARTHA J. PURKEY
D.V. 231, PG. 63
D.V. 182, PG. 368

CLAUS SURVEYING
ROGER W. CLAUS, P.S.
(740) 567-3168
Fax (740) 567-3106
33310 TH 2065
Lewisville, Ohio 43754
Email: rogerclaus@hotmail.com

PLAT CABINET 5, SLIDE 234

SLOT 380

SURVEY PLAT FOR SOUTH GRATIOT FARMS DEVELOPMENT

SHEET 1 OF 3

(PRIVATE ROAD)

AREA DEDICATED IN SHERWOOD LANE	3.217 ACRES
AREA IN 26 LOTS	145.256 ACRES
TOTAL SUBDIVISION AREA	148.473 ACRES

SITUATED IN THE STATE OF OHIO, COUNTY OF PERRY, TOWNSHIP OF MADISON, BEING IN THE SOUTH HALF OF SECTION 5, RANGE 15 WEST, TOWNSHIP 17 NORTH, OF "THE CONGRESS LANDS EAST OF THE SCIOTO RIVER 1795-1802".

PERTINENT DOCUMENTS

(1) ALL DEEDS AS SHOWN.
(2) COUNTY TAX MAPS.
(3) U.S.G.S. QUAD. MAP "GRATIOT"
(4) THREE SURVEY PLATS BY WAYNE A. KNISLEY
(5) SURVEY PLAT BY SCOTT A. ENGLAND
(6) TWO SURVEY PLATS BY CHARLES R. HARKNESS
(7) FORMER U.S.G.S. QUAD. MAP. "GRATIOT"
(8) 1875 MADISON TOWNSHIP MAP
(9) 1875 TO 1900 TAX MAP
(10) TWO SURVEY PLATS BY CLAUS SURVEYING

SUBJECT TO ALL LEGAL RIGHT-0F-WAYS, EASEMENTS, RESTRICTIONS, RESERVATIONS, AND ZONING REGULATIONS OF RECORD.
SUBJECT TO 100 YEAR FLOOD PLAIN RESTRICTIONS, IF APPLICABLE.
SUBJECT TO ANY FACTS THAT MAY BE DISCLOSED IN A FULL AND ACCURATE TITLE SEARCH.

SURVEYORS CERTIFICATION:

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT IT WAS PREPARED FROM AN ACTUAL FIELD SURVEY OF THE PREMISES ON THE 28 DAY OF FEBRUARY, 2005. ALL DIMENSIONS SHOWN IN FEET AND DECIMAL PARTS THEREOF. DIMENSIONS ON CURVES ARE ARC DISTANCES ON DRAWING AND CHORD DISTANCES IN THE CURVE TABLE.

03-30-05

ROGER W. CLAUS, REG. SURVEYOR 6456 DATE:
33310 CHRISTMAN RIDGE ROAD
LEWISVILLE, OHIO 43754
1-740-567-3168
1-740-567-3106 fax

STATE OF OHIO ROGER W. CLAUS S-6456 REGISTERED PROFESSIONAL SURVEYOR

SURVEY PLAT FILE: 050207 -4

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