PB 5 PG 245
SLOT 391

FREEDOM HILL SUBDIVISION

NEW STRAITSVILLE, OHIO

Situated in the Village of New Straitsville, Coal Township, Perry County, Ohio; being part of Section 29, Township 14, Range 15

200600000144
Filed for Record in
PERRY COUNTY, OHIO
BARBARA J. FOX
01-10-2006 At 02:15 pm
PLAT 144.00

Description Meets Minimum, Survey Standards, Approval for transfer is up to the Auditors Office.
12-20-05
Perry County Engineers Ofc.

Split Fee Paid
Date: 12-20-05
Perry Co. Planning Comm.

SURVEY DESCRIPTION OF A 75.557 ACRE TRACT

Situated in the Village of New Straitsville, Coal Township, Perry County, Ohio; being part of the Northwest quarter of Section 29, Township 14, Range 15; and being more particularly described as follows:

Commencing for reference at a 1–1/2" iron pin found 3 feet above ground at the Northwest corner of Section 29; thence South 86 degrees 44 minutes 12 seconds East a distance of 1115.13 feet to a 5/8" iron pin to be set in concrete and being the point of Beginning of the tract of land to be described, thence continuing South 86 degrees 44 minutes 12 seconds East a distance of 1402.98 feet to a 5/8" iron pin to be set in concrete, passing 5/8" iron pins set at distances of 826.37 feet and 915.25 feet, passing the center of Cunningham Road at a distance of 873.52 feet;

thence South 2 degrees 23 minutes 31 seconds West a distance of 53.72 feet to a 5/8" iron pin with 1–1/4" plastic ID cap stamped SEYMOUR & ASSOC. found;

thence South 2 degrees 17 minutes 41 seconds West a distance of 101.98 feet to a 5/8" iron pin with 1–1/4" plastic ID cap stamped SEYMOUR & ASSOC. found;

thence South 2 degrees 20 minutes 31 seconds West a distance of 48.04 feet to a 5/8" iron pin with 1–1/4" plastic ID cap stamped SEYMOUR & ASSOC. found;

thence South 2 degrees 16 minutes 47 seconds West a distance of 1333.31 feet to a 5/8" iron pin to be set in concrete, passing the center of Cunningham Road at a distance of 26.99 feet and passing the center of Weaver Street at a distance of 1237.55 feet;

thence North 87 degrees 42 minutes 50 seconds West a distance of 132.44 feet to a 5/8" iron pin set;

thence South 2 degrees 17 minutes 10 seconds West a distance of 322.74 feet to a 5/8" iron pin with 1–1/4" plastic ID cap stamped CLS7224 found;

thence South 3 degrees 48 minutes 44 seconds West a distance of 146.79 feet to a 1" OD iron pipe found and passing a 5/8" iron pin with 1–1/4" plastic ID cap stamped CLS found at a distance of 47.79 feet;

thence South 1 degree 08 minutes 50 seconds West a distance of 196.65 feet to a 5/8" iron pin found;

thence North 86 degrees 30 minutes 00 seconds West a distance of 138.60 feet to a 5/8" iron pin set;

thence South 64 degrees 28 minutes 34 seconds West a distance of 71.98 feet to a 1" iron bolt found from which a 1" OD iron pipe found bears North 18 degrees 18 minutes 38 seconds East at a distance of 4.88 feet;

thence North 77 degrees 47 minutes 17 seconds West a distance of 106.60 feet to a 3/4" OD iron pipe found;

thence North 89 degrees 07 minutes 34 seconds West a distance of 87.83 feet to a 1–1/4" OD iron pipe found;

thence South 3 degrees 49 minutes 48 seconds West a distance of 204.25 feet to a 5/8" iron pin to be set in concrete;

thence North 86 degrees 18 minutes 22 seconds West a distance of 762.30 feet to a 5/8" iron pin to be set in concrete, passing 5/8" iron pins set at distances of 204.33 feet and 234.00 feet and passing the center of Van Heyde Street at a distance of 221.92 feet;

thence North 3 degrees 41 minutes 38 seconds East a distance of 69.95 feet to a 5/8" iron pin set;

thence South 86 degrees 38 minutes 51 seconds East a distance of 100.00 feet to a 5/8" iron pin set;

thence North 3 degrees 41 minutes 38 seconds East a distance of 150.48 feet to a 5/8" iron pin set;

thence North 86 degrees 38 minutes 51 seconds West a distance of 100.00 feet to a 5/8" iron pin set;

thence North 3 degrees 41 minutes 38 seconds East a distance of 534.61 feet to a 1" iron pin found;

thence North 86 degrees 38 minutes 51 seconds West a distance of 511.51 feet to a 5/8" iron pin to be set in concrete, passing 5/8" iron pins set at distances of 151.33 feet and 175.81 feet and passing the center of the Weaver Street and Davis Street intersection at a distance of 161.30 feet;

thence North 3 degrees 41 minutes 38 seconds East a distance of 223.67 feet to a 5/8" iron pin set;

thence North 85 degrees 03 minutes 04 seconds East a distance of 89.26 feet to a 5/8" iron pin set;

thence South 81 degrees 30 minutes 00 seconds East a distance of 147.32 feet to a 5/8" iron pin set;

thence North 4 degrees 03 minutes 50 seconds East a distance of 1090.43 feet to the point of beginning, containing 75.557 acres more or less, and subject to the public easements of Cunningham Road, Cunningham Street, Weaver Street, Van Hyde Street, and Davis Street, and any other public or private easements of record.

The above 75.557 acre survey is intended to describe part of the 100.621 acre survey tract as deeded to New Straitsville Enterprises. LLC, deed reference Volume OR312, Page 179, Perry County Recorder's Office. This survey was based upon information obtained from tax maps, deed descriptions, previous surveys, existing monumentation, and existing streets. The reference bearing for this survey is the North half of the West line of Section 29 as North 4 degrees 00 minutes 00 seconds East. Bearings are based upon an assumed meridian and are to denote angles only. All iron pins set by this survey are 5/8" by 30" and are capped by a 1–1/4" plastic identification cap stamped LPG–6344. The above described property was surveyed by Larry P. Gerstner, Ohio Registered Surveyor No. 6344, on June 18, 2004.

SURVEY DESCRIPTION OF A 0.844 ACRE TRACT

Situated in the Village of New Straitsville, Coal Township, Perry County, Ohio; being part of the Northwest quarter of Section 29, Township 14, Range 15; and being more particularly described as follows:

Commencing for reference at a 1–1/2" iron pin found 3 feet above ground at the Northwest corner of Section 29; thence South 86 degrees 44 minutes 12 seconds East a distance of 2518.11 feet to a 5/8" iron pin set, passing 5/8" iron pins set at distances of 1115.13 feet, 1941.50 feet, and 2030.38 feet, passing the center of Old Town Street at a distance of 72.40 feet, and passing the center of Cunningham Road at a distance of 1988.65 feet;

thence South 2 degrees 23 minutes 31 seconds West a distance of 53.72 feet to a 5/8" iron pin with 1–1/4" plastic ID cap stamped SEYMOUR & ASSOC. found;

thence South 2 degrees 17 minutes 41 seconds West a distance of 101.98 feet to a 5/8" iron pin with 1–1/4" plastic ID cap stamped SEYMOUR & ASSOC. found;

thence South 2 degrees 20 minutes 31 seconds West a distance of 48.04 feet to a 5/8" iron pin with 1–1/4" plastic ID cap stamped SEYMOUR & ASSOC. found;

thence South 2 degrees 16 minutes 47 seconds West a distance of 1333.31 feet to a 5/8" iron pin set, passing the center of Cunningham Road at a distance of 26.99 feet and passing the center of Weaver Street at a distance of 1237.55 feet;

thence South 2 degrees 16 minutes 08 seconds West a distance of 859.93 feet to a 5/8" iron pin with 1–1/4" plastic ID cap stamped SEYMOUR & ASSOC. found and being the point of Beginning of the tract of land to be described;

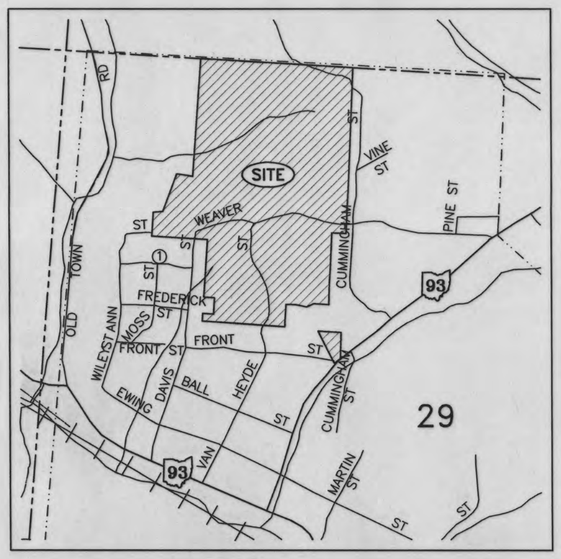
thence South 2 degrees 18 minutes 12 seconds West a distance of 239.35 feet to a 5/8" iron pin with 1–1/4" plastic ID cap stamped SEYMOUR & ASSOC. found;

thence South 51 degrees 21 minutes 55 seconds West a distance of 70.79 feet to a railroad spike found;

thence North 26 degrees 26 minutes 29 seconds West a distance of 329.62 feet to a 5/8" iron pin set;

thence South 86 degrees 48 minutes 42 seconds East a distance of 212.02 feet to the point of beginning, containing .844 acres more or less, and subject to any public or private easements of record.

The above .844 acre survey is intended to describe part of the 100.621 acre survey as deeded to New Straitsville Enterprises, LLC, deed reference Volume OR312, Page 179, Perry County Recorder's Office. This survey was based upon information obtained from tax maps, deed descriptions, previous surveys, existing monumentation, and existing streets. The reference bearing for this survey is the North half of the West line of Section 29 as North 4 degrees 00 minutes 00 seconds East. Bearings are based upon an assumed meridian and are to denote angles only. All iron pins set by this survey are 5/8" by 30" and are capped by a 1–1/4" plastic identification cap stamped LPG–6344. The above described property was surveyed by Larry P. Gerstner, Ohio Registered Surveyor No. 6344, on June 18, 2004.



LOCATION MAP
NOT TO SCALE

OWNER: New Straitsville, LLC, an Ohio Limited Liability Company
9 East Second Street, Logan, Ohio 43138
DEVELOPER: New Straitsville, LLC, an Ohio Limited Liability Company
9 East Second Street, Logan, Ohio 43138
SURVEYOR AND ENGINEER: Larry P. Gerstner
9 East Second Street, Logan, Ohio 43138

I do hereby certify that I have surveyed the premises and prepared the attached plat and that said plat is correct.

Larry P. Gerstner
By Larry P. Gerstner, PE, PS
Registration Number S–6344

APPROVALS

Approved this 6th day of DECEMBER 2005 David A. Brown
Mayor Village of New Straitsville
by Council of Village of New Straitsville 8–11–03

Mathematically approved this 15 day of Dec 200_ _____
Perry County Mapping Department

Approved this 15 day of Dec 2005 _____
Perry County Engineer

Approved this 15 day of Dec 2005 _____
Perry County Sanitary Engineer

Approved this 15 day of Dec 2005 _____
Perry County Commissioner

_____
Perry County Commissioner

_____
Perry County Commissioner

Transferred on tax duplicate this 10 day of Jan 2006 _____
Perry County Auditor

Filed for record this 10 day of Jan 2006 at 2:15 pm
Recorded this 10 day of Jan 2006 in Plat Book 5 Page Number 245 & 246
~~File~~ No. _____ Fee $144.00
SLOT 391 & 392

_____
Perry County Recorder

STATEMENT: Situated in the Village of New Straitsville, Coal Township, Perry County, Ohio; being part of the Northwest quarter of Section 29, Township 14, Range 15, containing 76.401 acres; being a tract of land in the name of New Straitsville Enterprises, LLC as conveyed in Official Record 312, Page 179, as recorded in the Perry County Recorder's Office.

The undersigned Larry P. Gerstner, Member/Manager of New Straitsville Enterprises, LLC hereby certifies that the attached plat correctly represents **FREEDOM HILL SUBDIVISION**, a subdivision of lots 1 through 83 inclusive and does hereby accept this plat of the same and dedicate to public use all roads and public areas shown hereon and not heretofore dedicated.

The undersigned further agrees that any use of improvements made on this land shall be in conformity with all existing valid zoning, platting, health or other lawful rules and regulations including the applicable off–street parking and loading requirements of Perry County, Ohio, for the benefit of themselves and all the other subsequent owners or assigns taking title from, under, or through the undersigned. Easements are reserved where indicated and are for public utility or private access purposes.

IN WITNESS THEREOF Larry P. Gerstner has hereunto set his hand this 2nd day of DECEMBER, 2005.

Owner: Larry P. Gerstner
Larry P. Gerstner
Member/Manager New Straitsville Enterprises, LLC

STATE OF OHIO, COUNTY OF HOCKING:

Before me a Notary Public in and for said County personally came Larry P. Gerstner, Member/Manager of New Straitsville Enterprises, LLC who acknowledged 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 my hand and affixed my seal this 2ND day of December, 2005.

NOTARIAL SEAL STATE OF OHIO
CATHERINE I. COX, Notary Public
State of Ohio
My Comm. Expires Jan. 2, 2006

By: Catherine I. Cox
My Commission Expires: January 2, 2006

RESTRICTIONS

1. These restrictions apply to all lots.
2. All sales or leases of lots in this subdivision shall be made subject to the following restrictions which are binding upon the grantees, their heirs, executors, administrators and assigns, and are imposed upon the real estate as an obligation against the same for the benefit of the grantors, their heirs and assigns.
3. These restrictions are made for the benefit of any and all persons who now may own property or who may hereafter own property in Freedom Hill Subdivision and such persons are specifically given the right to enforce these restrictions.
4. These restrictions shall be perpetual and are to run with the land and shall be binding on all parties and all persons claiming under them unless an instrument signed by a majority of the owners of the lots has been recorded, which agrees to change such restrictions in whole or in part.
5. Failure by the grantors, their heirs or assigns, or any landowner to enforce any restrictions herein contained shall in no event be deemed a waiver of the right to do so thereafter as to the same breach or as to one occurring prior or subsequently thereto.
6. Enforcement shall be by proceedings at law in equity against any person or persons violating or attempting to violate any covenants either to restrain violation or to recover damages.
7. No structure of a temporary character; ie camper, mobile home, trailer, basement, tent, shack, barn, garage, or other outbuilding shall be used on said premises at any time as a residence, either temporarily or permanently. This restriction shall not be construed to ban the use of tents, campers, and motor homes by lot owners on a temporary basis for up to 72 hours. Campers and motor homes cannot permanently be stored on the street or within sight of the street.
8. There shall be no mobile home on any lot. Modular homes and double wides are permitted providing they are on a permanent foundation.
9. No more than one single family dwelling and attached garage shall be erected on any lot. The living space of the dwelling must be at least 1000 square feet in size. For the purpose of this covenant eaves, steps, and open purchases shall not be considered part of the building. There may additionally be erected behind the dwelling two detached one–story garages or out buildings of new material, similar in construction to the dwelling, and combined not to exceed the dwelling in size.
10. All lots shall be used for private residential purposes.
11. Building setback lines and utility easements are shown on this plat. The utility easements are for the benefit of all owners of the lots in Freedom Hill Subdivision. No buildings, plantings, or other obstructions shall be placed upon any of these setbacks or easements. The area of any easement on any lot must be maintained continuously by the owner of the lot, except for those improvements for which a public authority or utility company is responsible.
12. No hoofed animals of any kind shall be raised, bred or kept on any lot, except that 1 horse may be kept on lots over two acres in total area. Only two dogs over the age of three months may be kept outside on any lot.
13. No junk vehicle, non–operable vehicle, vehicle without current license plates, equipment, trash, rubbish, or debris is to be parked, kept or stored outside on the premises for more than 72 hours, so as to cause a rundown appearance.
14. No noxious or offensive activity shall be carried on upon any lot, nor anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.
15. No intoxicating liquors or beer shall be manufactured for sale, kept for sale, or sold on any lot.
16. Fires must be contained, enclosed and carefully supervised. Use of firearms on any lot is prohibited.
17. All Village of New Straitsville, Coal Township, or Perry County zoning laws, ordinances, regulations, restrictions, or other requirements are applicable at all times.
18. Invalidation of any one of the covenants by judgment or court shall in no way affect any of the other provisions, which shall remain in full force and effect.
19. Subject further to leases, easements, and rights of ways of record.

SHEET INDEX

1.) .....NOTES & SIGNATURES
2.) .....SUBDIVISION PLAT

SHEET 1/2

REVISIONS
11–30–05

JOB NO: 1954 | DRAWN BY: RAC | DATE: 30 Nov 05

Scale: 1" = 100'

Larry P. Gerstner
Ohio P.E. #39713
Ohio P.S. #6344

STATE OF OHIO · LARRY P. GERSTNER S–6344 · REGISTERED SURVEYOR

FREEDOM HILL SUBDIVISION
NEW STRAITSVILLE, OHIO

Notes & Signatures

Larry P. Gerstner
Engineering & Surveying
9 East Second Street, Suite A, Logan, Ohio 43138
(740) 385–4260

PB 5 PG 245
SLOT 391