

APPROVED FOR
TRANSFER
BY: **WT** DATE: **5/25/21**
PERRY COUNTY ENGINEER

CK# 4381 Rec# 507832
Split Fee Paid: \$1000.00
Date: **5/25/21**
Perry Co. Planning Comm.
Drawn: **Cannon**
Perry County Auditor
Date: **5-26-21**
By: **KTB**

PLEASANT VALLEY ACRES

SECTION #35, TOWNSHIP 18 NORTH, RANGE 17 WEST,
THORN TOWNSHIP, PERRY COUNTY, OHIO.

PARCEL DESCRIPTION

BEING A PART OF THE SOUTHEAST QUARTER OF SECTION #35, TOWNSHIP 18 NORTH, RANGE 17 WEST, THORN TOWNSHIP, PERRY COUNTY, OHIO. ALSO BEING THE PROPERTY OF MARILYN C. WINEGARDNER OF OFFICIAL RECORD BOOK 473, PAGE 2248 OF THE PERRY COUNTY RECORDER (AUDITOR'S PARCEL #370008680000) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING, FOR REFERENCE, AT A POINT IN, ASPHALT SURFACED, STATE ROUTE #13 MARKING THE SOUTHEAST CORNER OF SECTION #35; THENCE N 28° 14' 25" W 94.48 FEET TO AN EXISTING IRON PIN IN THE NORTH RIGHT OF WAY LINE OF STATE ROUTE #13 AND THE PRINCIPAL PLACE OF BEGINNING OF THIS 21.29 ACRES PARCEL TO BE DESCRIBED; THENCE N 86° 05' 52" W 413.98 FEET, IN THE NORTH RIGHT OF WAY LINE OF STATE ROUTE #13, TO AN EXISTING IRON PIN; THENCE S 89° 30' 32" W 250.75 FEET, IN THE NORTH RIGHT OF WAY LINE OF STATE ROUTE #13, TO AN EXISTING IRON PIN, PASSING AN IRON PIN SET AT 38.66 FEET; THENCE N 85° 01' 39" W 233.95 FEET, IN THE NORTH RIGHT OF WAY LINE OF STATE ROUTE #13, TO AN EXISTING CONCRETE HIGHWAY MONUMENT; THENCE, LEAVING THE NORTH RIGHT OF WAY LINE OF STATE ROUTE #13, N 3° 58' 40" E 365.89 FEET TO AN IRON PIN SET; THENCE S 85° 40' 14" E 462.53 FEET TO AN IRON PIN SET, PASSING AN IRON PIN SET AT 425.79 FEET; THENCE N 3° 44' 46" E 1311.86 FEET TO AN IRON PIN SET, PASSING IRON PINS SET AT 354.85 FEET, 681.86 FEET AND 996.86 FEET; THENCE S 85° 40' 14" E 484.02 FEET TO A POINT IN THE EAST LINE OF SECTION #35 AND IN, ASPHALT SURFACED, TOWNSHIP ROAD #37, PASSING EXISTING IRON PINS AT 236.95 FEET AND 467.82 FEET; THENCE S 3° 44' 46" W 785.76 FEET, IN THE EAST LINE OF SECTION #35 AND IN TOWNSHIP ROAD #37, TO A POINT; THENCE, LEAVING THE EAST LINE OF SECTION #35, N 86° 08' 09" W 14.94 FEET TO AN EXISTING IRON PIN IN THE WEST RIGHT OF WAY LINE OF TOWNSHIP ROAD #37; THENCE S 17° 02' 09" W 154.03 FEET, IN THE WEST RIGHT OF WAY LINE OF TOWNSHIP ROAD #37, TO AN EXISTING IRON PIN; THENCE S 5° 44' 33" W 153.93 FEET, IN THE WEST RIGHT OF WAY LINE OF TOWNSHIP ROAD #37, TO AN EXISTING IRON PIN, PASSING AN IRON PIN SET AT 20.87 FEET; THENCE S 3° 10' 23" W 566.29 FEET, IN THE WEST RIGHT OF WAY LINE OF TOWNSHIP ROAD #37, TO AN EXISTING IRON PIN AND THE PRINCIPAL PLACE OF BEGINNING OF THIS, SUBJECT, 21.29 ACRES PARCEL, PASSING AN IRON PIN SET AT 221.86 FEET.

THE TRACT AS DESCRIBED CONTAINS 21.29 ACRES, MORE OR LESS, SUBJECT TO ALL LEGAL HIGHWAYS, LEGAL RESTRICTIONS AND EASEMENTS OF RECORD.

THE BEARINGS IN THE ABOVE DESCRIPTION ARE BASED ON THE EAST LINE OF SECTION #35 AS BEING S 3° 44' 46" W.

STATE ROUTE #13 AND TOWNSHIP ROAD #37 HAVE VARYING RIGHT OF WAY WIDTHS.

CERTIFICATE OF SURVEYOR

ALL DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

I DO HEREBY CERTIFY THAT I HAVE FULLY COMPLIED WITH THE REQUIREMENTS OF THE SUBDIVISION REGULATIONS AND THE SUBDIVISION LAWS OF THE COUNTY OF PERRY AND STATE OF OHIO GOVERNING SURVEYING, DIVIDING AND MAPPING OF THE LAND, AND THAT THE PLAT IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE SUBDIVISION OF IT, AND THAT THE PLAT REPRESENTS A SURVEY MADE BY ME AND THAT ALL MONUMENTS INDICATED THEREON ACTUALLY EXIST AND THEIR LOCATION, SIZE AND MATERIAL ARE CORRECTLY SHOWN.

ALL IRON PINS SET ARE 5/8 INCH BY 30 INCH STEEL RODS WITH PLASTIC IDENTIFICATION CAPS MARKED "KNISLEY 7231".

Wayne A. Knisley
WAYNE A. KNISLEY
OHIO P.S. #7231
April 4, 2021



DECLARATION OF COVENANTS, EASEMENTS, CONDITIONS AND RESTRICTIONS

THIS DECLARATION OF COVENANTS, EASEMENTS, CONDITIONS AND RESTRICTIONS (THE "DECLARATION") IS MADE BY MARILYN C. WINEGARDNER ("DEVELOPER").

THROUGH PURCHASE OF THIS PROPERTY OWNER(S) SHALL AT ALL TIMES MAINTAIN COMPLIANCE WITH THE RULES AND REGULATIONS OF ALL PERRY COUNTY, THORN TOWNSHIP OR OTHER APPLICABLE GOVERNMENTAL BODIES HAVING JURISDICTION OVER THE PROPERTY. THE PURCHASERS OF THIS LAND, FOR THEMSELVES, THEIR HEIRS OR FUTURE OWNERS, AGREE TO BE BOUND BY THE COVENANTS CONTAINED HEREIN AND ARE THE PRIMARY ENFORCERS OF THESE COVENANTS.

PURPOSE OF COVENANTS AND RESTRICTIONS:
TO RESTRICT THE USE OF THE PROPERTY AND TO PROTECT THE PROPERTY VALUE AND DESIRABILITY OF OWNERS AND FUTURE PROPERTY OWNERS. THERE SHALL NOT BE ERECTED, PLACED OR ALLOWED TO REMAIN ON THE PROPERTY ANY BUILDING OR STRUCTURE EXCEPT AS DESCRIBED BELOW. FURTHERMORE, THE PROPERTY SHALL AT ALL TIMES BE MAINTAINED IN COMPLIANCE WITH THE FOLLOWING REQUIREMENTS:

DWELLINGS:

- 1- ONLY ONE PRIVATE SINGLE FAMILY RESIDENCE WITH A MINIMUM OF A TWO CAR ATTACHED GARAGE IS ALLOWED ON AN INDIVIDUAL PROPERTY.
- 2- ANY RESIDENCE SHALL BE A MINIMUM OF 1,500 SQUARE FEET OF INDOOR LIVING SPACE (EXCLUDING BASEMENT AND GARAGE).
- 3- NO MOBILE HOMES (MANUFACTURED HOMES) SHALL BE PERMITTED. SITE BUILT HOMES ARE PREFERRED HOWEVER MODULAR HOMES THAT ARE COMPLETELY CONSTRUCTED IN A FACTORY, TRANSPORTED TO THE SITE AND ASSEMBLED ON SITE, AS LONG AS THEY MEET STATE AND LOCAL BUILDING CODES, ARE ALLOWED.
- 4- ALL OUT BUILDINGS REGARDLESS OF SIZE MUST BE PERMANENTLY CONSTRUCTED ON A PERMANENT FOUNDATION OF CONCRETE, BLOCK OR STONE. POLE BARNs ARE EXCLUDED FROM THIS REQUIREMENT, ALSO LAWN SHEDS LESS THAN 150 SQUARE FEET.
- 5- BEFORE OCCUPANCY OF ANY RESIDENCE ON THE PROPERTY, A SEWAGE DISPOSAL SYSTEM SHALL BE INSTALLED IN CONFORMANCE WITH THE MINIMUM STANDARDS AS REQUIRED BY THE PERRY COUNTY BOARD OF HEALTH AND/OR THE GOVERNMENTAL ENTITY WITH JURISDICTION THERE OVER.

CONDITION / MAINTENANCE:

- 1- NO INOPERATIVE OF UNLICENSED MOTOR VEHICLES MAY BE PLACED ON THE PROPERTY FOR MORE THAN THREE (3) DAYS, UNLESS STORED INDOORS.
- 2- NO ACCUMULATION OF DISCARDED PERSONAL EFFECTS, DEBRIS, GARBAGE, OR ANY UNSIGHTLY OBJECT OR MATTER WILL BE PERMITTED ON THE PROPERTY.
- 3- NO INCOMPLETE OR JUNK TYPE STRUCTURES SHALL BE PERMITTED ON THE PROPERTY. NO TEMPORARY HOUSE, SHACK, TENT, CAMPER, SCHOOL BUS OR RECREATIONAL VEHICLE SHALL BE USED AS A PERMANENT DWELLING.
- 4- EACH OWNER OF A PROPERTY AGREES TO, AT ALL TIMES, MAINTAIN THEIR PROPERTY AND ANY ROAD DITCHES ON THEIR PROPERTY BY MOWING REGULARLY AND AT ALL TIMES CONTROLLING NOXIOUS WEEDS ON THE PROPERTY.
- 5- NO NOXIOUS OR OFFENSIVE ACTIVITY SHALL TAKE PLACE ON THE PROPERTY.
- 6- PROPANE TANKS MAY BE KEPT AND MAINTAINED ABOVE GROUND PROVIDED THEY ARE PROPERLY LANDSCAPED IN SUCH A FASHION TO HIDE THE TANKS FROM PUBLIC VIEW.
- 7- NOISE AND ODORS ON THE PROPERTY SHALL BE CONTROLLED SO THAT NEITHER SHALL BE UNREASONABLY OFFENSIVE TO OTHER PROPERTY OWNERS.
- 8- LANDSCAPING MUST BE COMPLETED IN FRONT OF THE HOME FOUNDATION WITHIN EIGHT (8) MONTHS AFTER CONSTRUCTION IS COMPLETE.
- 9- WHERE PROTECTIVE COVENANTS AND PERRY COUNTY OR THORN TOWNSHIP ORDINANCES ARE IN CONFLICT, THE STRICTER REQUIREMENT WILL PREVAIL.

EASEMENTS:

OWNERS AGREE TO GRANT UTILITY EASEMENTS AND ALL LEASE EASEMENTS TO SERVE ANY LOT IN THE DEVELOPMENT.

BUILDING SETBACK ACCORDING TO THORN TOWNSHIP ZONING REGULATIONS:

150 FEET FROM THE CENTERLINE OF STATE ROUTE #13, 80 FEET FROM THE CENTERLINE OF TOWNSHIP ROAD #37, 20 FEET FROM THE SIDE LINE, 40 FEET FROM THE REAR LINE.

ENFORCEMENT:

THE DEVELOPER WILL NOT BE OBLIGATED TO ENFORCE, JOIN OR ASSIST IN ANY SUIT BROUGHT AGAINST A LOT OWNER BY ANOTHER LOT OWNER. ENFORCEMENT SHALL BE THE RESPONSIBILITY OF THE LOT OWNERS OF "PLEASANT VALLEY ACRES" AND ANY LOT OWNER WILL HAVE THE RIGHT TO ENFORCE THE COVENANTS BY ANY PROCEEDING AT LAW. THE FIRST RESIDENCE BUILT MUST MEET THE COVENANTS AND RESTRICTIONS OR BE SUBJECT TO THE DEVELOPER'S ENFORCEMENT BY ANY PROCEEDING AT LAW. INVALIDATION OF THESE COVENANTS BY ANY JUDGMENT OF COURT ORDER SHALL IN NO WAY AFFECT ANY OF THE OTHER PROVISIONS WHICH WILL REMAIN IN FULL FORCE AND EFFECT.

APPROVALS

APPROVED THIS 24th DAY OF MAY, 2021

W. E. C.
ZONING INSPECTOR

APPROVED THIS 24 DAY OF MAY, 2021

[Signature]
PERRY COUNTY ENGINEER

APPROVED THIS 25 DAY OF MAY, 2021

[Signature]
PERRY COUNTY BOARD OF HEALTH

APPROVED THIS 26th DAY OF MAY, 2021

[Signature]
PERRY COUNTY COMMISSIONER

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PERRY COUNTY COMMISSIONER

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PERRY COUNTY COMMISSIONER

202100002519
Filed for Record in
PERRY COUNTY, OHIO
JACKIE HOOVER, RECORDER
05/27/2021 08:11 AM
PLAT SMALL 80.00
BOOK: 477 PAGE: 1628
PAGES: 2

STATE OF OHIO, PERRY COUNTY

RECEIVED FOR RECORD ON THIS 27 DAY OF MAY, 2021 AT 8:11 (AM - PM).
RECORDED THIS 27 DAY OF MAY, 2021 IN PLAT BOOK 6, PAGE 18-19.
SLOT 478-479

Jackie Hoover
PERRY COUNTY RECORDER

TRANSFERRED THIS 26 DAY OF MAY, 2021.

[Signature]
PERRY COUNTY AUDITOR

DEDICATION

BEING A PART OF THE SOUTHEAST QUARTER OF SECTION #35, TOWNSHIP 18 NORTH, RANGE 17 WEST, THORN TOWNSHIP, PERRY COUNTY, OHIO. ALSO BEING THE PROPERTY OF MARILYN C. WINEGARDNER OF OFFICIAL RECORD BOOK 473, PAGE 2248 OF THE PERRY COUNTY RECORDER, SAID TRACT CONTAINING 21.29 ACRES.

I, THE UNDERSIGNED, MARILYN C. WINEGARDNER, OWNER AND ALL PARTIES WITH ANY RIGHT, TITLE OR INTEREST IN THE REAL ESTATE SHOWN HEREON, HEREBY CERTIFY THAT I HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED INTO LOTS AS SHOWN, THAT SAID LOTS ARE NUMBERED 1 THROUGH 6, INCLUSIVELY, AND THAT THE FOREGOING SUBDIVISION HAS BEEN NAMED "PLEASANT VALLEY ACRES". RESTRICTIVE COVENANTS IN THIS SUBDIVISION ARE DESCRIBED HEREON AND SHALL APPLY TO ALL FUTURE OWNERS OF ANY LOT OR LOTS IN THIS SUBDIVISION WHETHER SPECIFIED IN EACH INDIVIDUAL CONVEYANCE OR NOT.

IN WITNESS THEREOF THIS 26th DAY OF MAY, 2021.

Marilyn C. Winegardner
MARILYN C. WINEGARDNER

Valerie Storts
WITNESS

VALERIE STORTS
NOTARY PUBLIC - STATE OF OHIO
Recorded in Perry County
My commission expires Jan. 28, 2023

ACKNOWLEDGEMENT

STATE OF OHIO, COUNTY OF PERRY

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED MARILYN C. WINEGARDNER WHO ACKNOWLEDGE THE SIGNING OF THE FOREGOING INSTRUMENT THAT SHE DID EXECUTE THIS INSTRUMENT AND THAT IT WAS HER FREE ACT AND DEED. IN TESTIMONY THEREOF, I HERETO SUBSCRIBE MY NAME AND AFFIX MY OFFICIAL SEAL THIS ____ DAY OF ____, 2021.

NOTARY PUBLIC: _____

MY COMMISSION EXPIRES: _____

