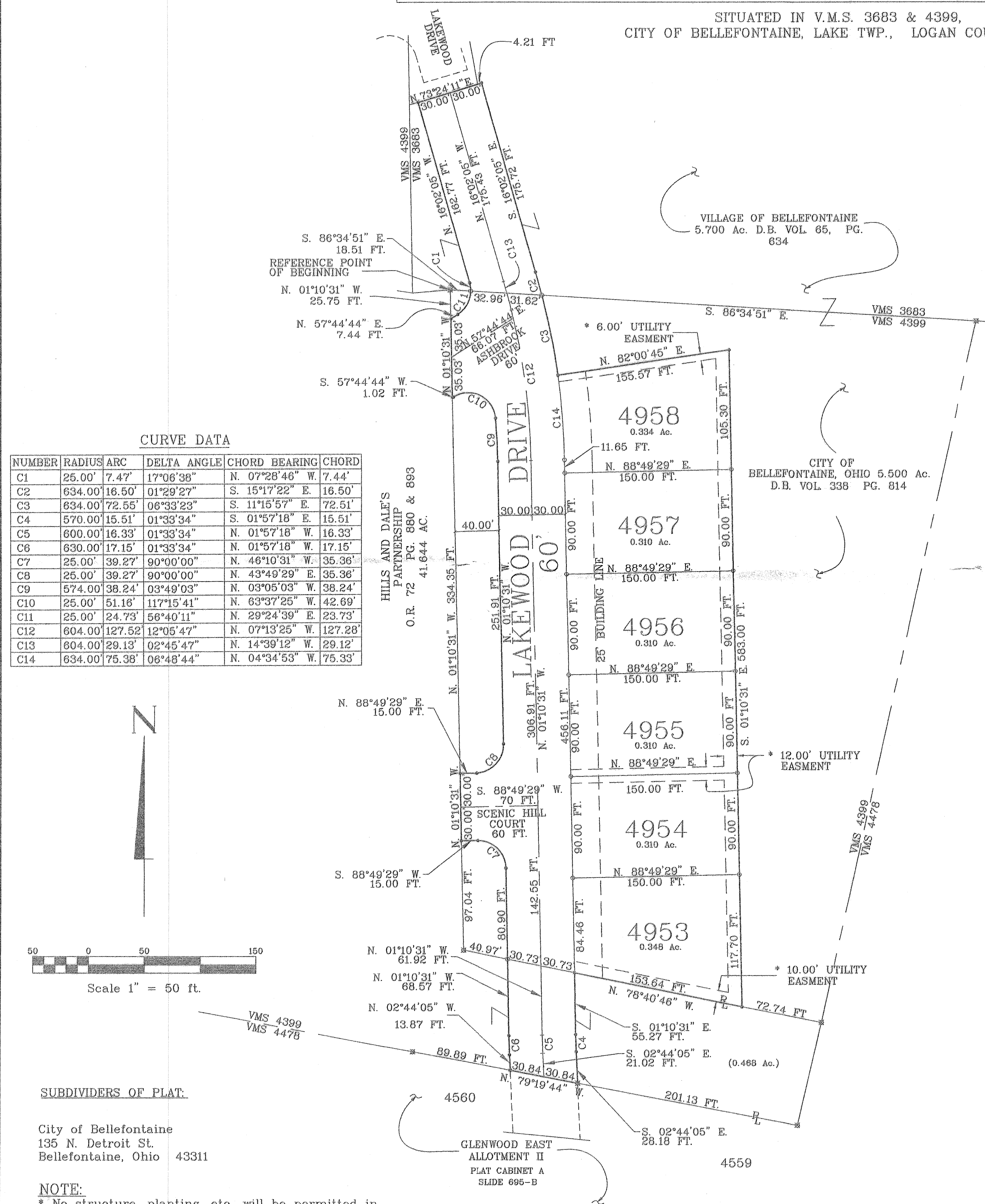


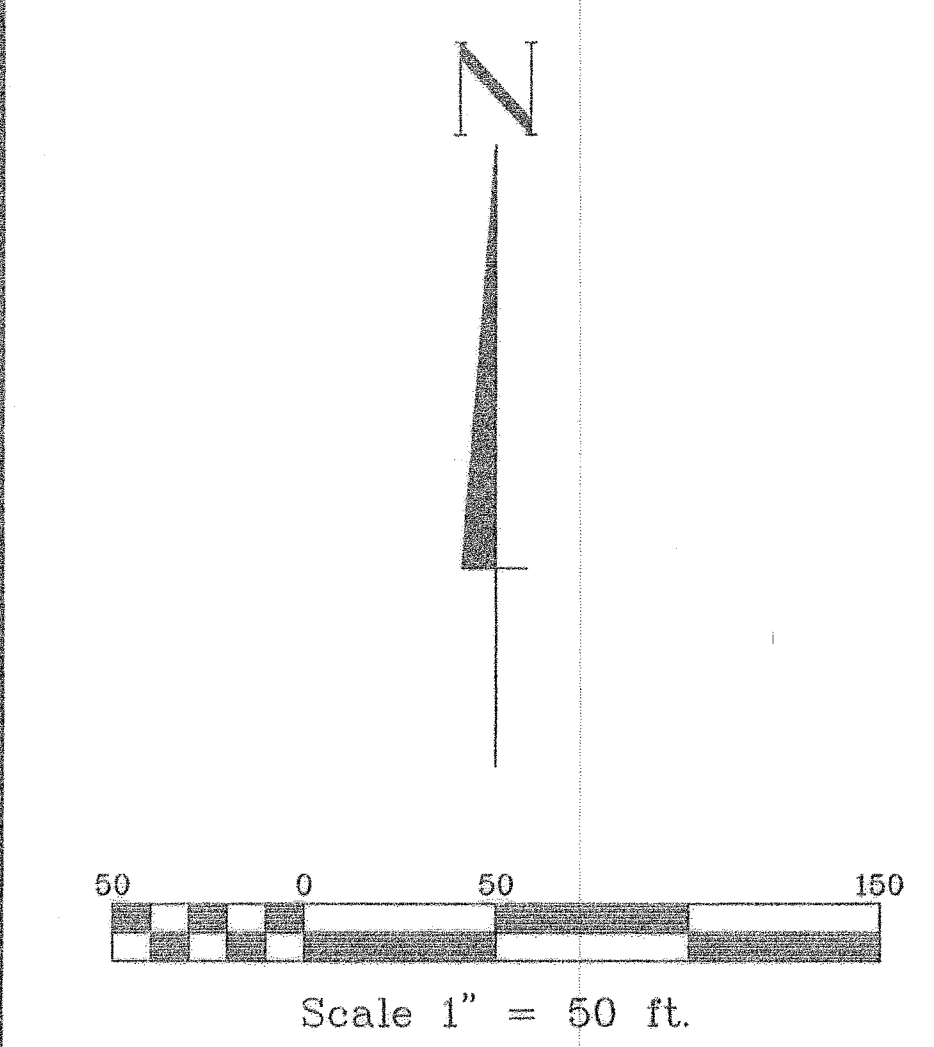
# FRED CARTER PARK ESTATES

SITUATED IN V.M.S. 3683 & 4399,  
CITY OF BELLEFONTAINE, LAKE TWP., LOGAN COUNTY, OHIO



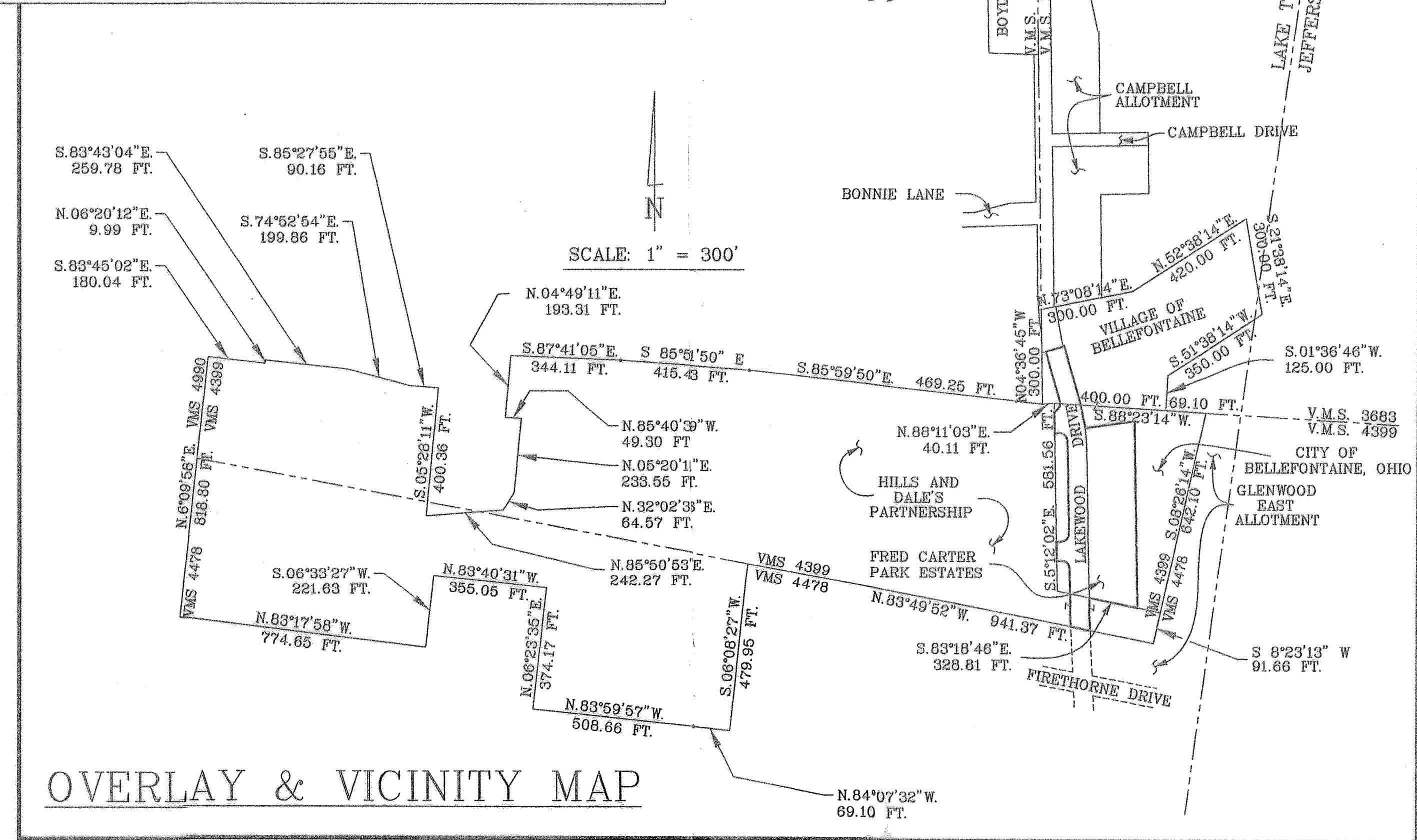
**CURVE DATA**

NUMBER	RADIUS	ARC	DELTA ANGLE	CHORD BEARING	CHORD
C1	25.00'	7.47'	17°06'38"	N. 07°28'46" W.	7.44'
C2	634.00'	16.50'	01°29'27"	S. 15°17'22" E.	16.50'
C3	634.00'	72.55'	06°33'23"	S. 11°15'57" E.	72.51'
C4	570.00'	15.51'	01°33'34"	S. 01°57'18" E.	15.51'
C5	600.00'	16.33'	01°33'34"	N. 01°57'18" W.	16.33'
C6	630.00'	17.15'	01°33'34"	N. 01°57'18" W.	17.15'
C7	25.00'	39.27'	90°00'00"	N. 46°10'31" W.	35.36'
C8	25.00'	39.27'	90°00'00"	N. 43°49'29" E.	35.36'
C9	574.00'	38.24'	03°49'03"	N. 03°05'03" W.	38.24'
C10	25.00'	51.16'	117°15'41"	N. 63°37'25" W.	42.69'
C11	25.00'	24.73'	56°40'11"	N. 29°24'39" E.	23.73'
C12	604.00'	127.52'	12°05'47"	N. 07°13'25" W.	127.28'
C13	604.00'	29.13'	02°45'47"	N. 14°39'12" W.	29.12'
C14	634.00'	75.38'	06°48'44"	N. 04°34'53" W.	75.33'



**SUBDIVIDERS OF PLAT:**  
City of Bellefontaine  
135 N. Detroit St.  
Bellefontaine, Ohio 43311

**NOTE:**  
\* No structure, planting, etc. will be permitted in the easment areas shown.



**DEDICATION**

KNOW ALL MEN BY THESE PRESENTS, that Garon C. Carmean, agent and Service Safety Director for the City of Bellefontaine, proprietor of the land indicated on the accompanying plat, have authorized the platting thereof and do hereby dedicate the streets to the public use forever.

*Tracy Burton*  
*Joyce Bradley*  
Witnesses

*Garon C. Carmean*  
Service Safety Director  
The City of Bellefontaine

STATE OF OHIO  
LOGAN COUNTY

Before me a Notary Public in and for said County, personally came Garon C. Carmean, agent and Service Safety Director for the City of Bellefontaine who acknowledged the signing of the foregoing instrument to be his voluntary act and deed for the uses and purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 9th day of November, 2005.

*Kathy J. Robinson*  
Notary Public  
KATHY J. ROBINSON  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES JUNE 24, 2006

**SURVEYOR'S CERTIFICATE**

The accompanying plat represents a subdivision of land in V.M.S. 3683 and 4399, Lake Township, City of Bellefontaine, Logan County, Ohio.

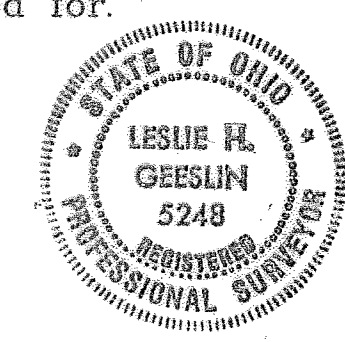
All measurements are in feet and decimals of a foot. All measurements on curves are arc distances.

The tract has an area of 1.331 acres in streets and 1.922 acres in lots, making a total of 3.253 acres. Of the 1.331 acres in streets 0.250 acres are in V.M.S. 3683 and 1.081 acres are in V.M.S. 4399. All of the 1.922 acres in lots are in V.M.S. 4399. All of the lots are out of the City of Bellefontaine's 5,500 acre tract, 0.250 acres of the streets are out of the Village of Bellefontaine's 5,700 acre tract, 0.944 acres are out of the City of Bellefontaine's 5,500 acre tract and 0.137 acres are out of Hill's and Dale's Partnership's 41,644 acre tract.

I hereby certify that the accompanying plat is a correct representation of Fred Carter Park Estates, as surveyed and that all monuments and iron bars as shown hereon have been set or will be set as a part of work that surety is posted for.

o = 5/8" iron bar set  
• = Concrete monument set  
x = 5/8" iron bar found

*Leslie H. Geeslin* 11/15/05  
Leslie H. Geeslin, Reg. Surveyor No. 5248 Date  
P.O. Box 274  
Rushsylvania, Ohio 43348



**APPROVALS**

Plat pre-approval Jan 11/10/05 Plat checked Jan C. 11/27/07

The within streets are hereby approved and accepted for public maintenance by Ordinance No. 97-17 recorded in City council's record book 97 on this 11th day of March, 1997.

*Steve Lutz*  
Mayor, Bellefontaine, Ohio

*William R. Burton*  
President, Bellefontaine City Council

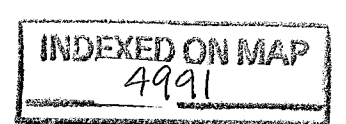
*Linda Jordan*  
Clerk of Council

Approved this 9th day of November 2005.  
*F. L. N. N. N.*  
Bellefontaine City Engineer

Approved this 9 day of November, 2005.  
*Ed Wallace*  
Chairperson, City Planning Commission

Transferred this 10th day of July, 2007.  
*Anne E. Grew*  
Auditor, Logan County, Ohio

Recorded in Plat Cabinet B, Slide 108B  
Received for record at 11:51:40'clock A.M. this 10th day of July, 2007.  
*Linda Hanson*  
Recorder, Logan County, Ohio



CABINET B SLIDE 108B

2007005154

A-188



# FRED CARTER PARK ESTATES

## RESTRICTIONS FRED CARTER PARK ESTATES

SITUATED IN V.M.S. 3683 AND 4399,  
CITY OF BELLEFONTAINE, LAKE TWP., LOGAN COUNTY, OHIO

### ARTICLE I

(A) **LAND USE.** All of the said lots in Fred Carter Park Estates shall be used for single family residential purposes only. All garages shall be attached to the residence building and no unattached permanent structures of any type or any other out buildings shall be constructed or erected on any lot.

(B) **HEIGHT RESTRICTIONS.** No building shall be erected, altered, placed or permitted to remain on any lot that would exceed two and one-half stories in height and in no event shall any building be erected to height exceeding 35 feet from the finish grade of building, together with necessary accessory buildings including a garage.

(C) **LOT SPLIT.** No lot shall be split, divided, or subdivided for sale, resale, gift, transfer or otherwise, so as to create a new building lot.

(D) **TRADE OR COMMERCIAL ACTIVITY BARRED.** No trade or commercial activity shall be conducted upon any lot, nor shall anything be done thereon which may become an annoyance or nuisance to any of the owners of any said lot in Fred Carter Park Estates.

(E) **BUILDING STANDARDS.** All homes constructed on lots in Fred Carter Park Estates shall meet and conform to the following requirements:

- (1) A minimum living space of 1500 square feet for one story dwellings & 1,800 square feet for 1½ and 2 story dwellings.
- (2) Two car attached garages comprising a minimum of 400 square feet.
- (3) Exterior materials of vinyl, stone, brick, cedar, redwood, other solid natural woods, stucco, drivet or some combination thereof.
- (4) Minimum roof pitches 6" (vertical)/12" (horizontal).
- (5) Mandatory use of architectural or "dimensional" shingles.
- (6) Mandatory use of earth tones and muted colors on painted surfaces with the exception of architectural accents.

(F) **PLAN APPROVAL.** For the purpose of maintaining specific architectural guidelines and standards for the development of all said lots within Fred Carter Park Estates, each owner of a lot shall be required to submit two (2) sets of complete building and site plans with specifications for the buildings intended to be erected thereon to the Grantor, setting forth the general arrangements of the interior and exterior of the structure, including the color and texture of the building materials, the type and character of all windows, doors, exterior light fixtures and appurtenant elements such as decorative walls, chimneys, driveways and walkways and detailing the location of the structure on the lot including setbacks, driveway locations, garage openings, orientation of the structure to the topography and conformance with the grading and drainage plan.

Each owner covenants that no excavation shall be made, no building shall be erected and no materials shall be stored upon the premises by said owner or his agents, heirs, successors, or assigns until the Grantor shall have approved said plans and specifications in writing. If the Grantor fails within thirty (30) days after receipt of said plans and specifications to either approve or disapprove said plans and specifications, they shall be deemed to have been approved and the requirements herein fulfilled. If the Grantor disapproves said plans and specifications, the owner may revise and resubmit said plans and specifications until approval is received. If satisfactory plans and specifications are not received and approved by Grantor within one (1) year following conveyance of title to said owner (or such extension of time as Grantor agrees to) Grantor may, at it's option, repurchase the lot at the original purchase price as evidenced by the closing statement thereof executed at time of purchase.

Each lot owner further acknowledges that in considering plans and specifications submitted, Grantor already approved or in the process of being reviewed for approval of proposed improvements on adjacent lots and effect upon the neighboring properties and the overall development of Fred Carter Park Estates and acknowledges that the Grantor may require submission of samples of materials to be used in the construction for approval of said plans and specifications. As a general principle, the Grantor will not approve plans that are identical or are closely approximate to those that have been previously submitted for review and approval. Each lot owner further acknowledges that the Grantor shall not be responsible or liable to said owner or to any other owner of lots in the subdivision by reason of the exercise of its judgment in approving or disapproving plans submitted nor shall it be liable for any expenses entailed to any lot owner in the preparation, submission and, if necessary,

resubmission of proposed plans and specifications.

Each lot owner further agrees that no tree removal, excavation, construction or other site work which would in any way alter the lot from its present state shall be commenced until the plans and specifications shall first have been approved in writing by Grantor in accordance herewith.

Within the easement areas designated on the recorded plat of Fred Carter Park Estates, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and the direction of the flow of the drainage channels or water over said easement areas. The easement area of each lot and all surface improvements thereon shall be maintained continuously by the owner of said lot, except for those improvements for which a public authority of public utility company is responsible.

(G) **BUILDING LOCATION, FENCES.** No building shall be located on any lot nearer to the front line than the minimum building setback lines shown on the recorded plat. No portion of any lot nearer to any street than the building setback lines shall be used for any purposes other than that of a lawn nor shall any fence or wall of any kind, for any purpose, be erected, placed or suffered to remain on any lot nearer to any street now existing, or any hereafter created, than the front building lines of the building thereon, excepting ornamental railing, or fences not exceeding three (3) feet in height located on or adjacent to entrance platforms or steps. Nothing herein contained, however, shall be construed as preventing the use of such portion of the lots for walks, drives, the planting of trees or shrubbery, the growing of flowers or other ornamental plants, or for small statuary entranceways, fountains or similar ornamentations for the purpose of beautifying said premises. No vegetable, or grains of the ordinary garden or field variety shall be grown on such portions of said lots, and no weed, underbrush or other unsightly growths shall be permitted to grow or remain anywhere on said lots and no unsightly objects shall be allowed to be placed or suffered to remain anywhere thereon. Nothing herein contained shall be construed so as to permit a violation of any applicable law, ordinance or governmental regulations.

No chain link fencing shall be permitted in the subdivision except along each east (rear) property line adjacent to the Fred Carter Park property.

(H) **PATIOS AND DECKS.** Patios and decks are permitted only in the backyards of lots; no patio or deck structures permitted in the front or side yards of lots.

(I) **TEMPORARY RESIDENCE.** No structure of a temporary character, trailer, basement, tent, shack, garage, barn, or other outbuilding shall be used on any lot at any time as a residence, either temporarily or permanently.

(J) **TEMPORARY STRUCTURE.** No temporary building, trailer, garage, storage building or structure shall be placed upon any lot for storage without the express written consent of Grantor.

(K) **ANIMALS.** No animals, birds, insects, livestock, or poultry of any kind shall be raised, bred, or kept on any lot except dogs, cats, or other household pets which are kept for domestic purposes only, and are not kept, bred or maintained for any commercial purpose. No more than two dogs or two cats may be kept on any lot except such dogs or cats in excess of such numbers are less than three months of age. All animals must be restrained on the owners lot and owners shall take all steps necessary to insure the same.

(L) **WASTE DISPOSAL.** No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage, or other waste shall not be kept except in sanitary containers. All equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition and kept within the confines of the owner's dwelling. On trash removal day, trash containers may be kept on driveways or boulevards for a maximum period of 24 hours.

(M) **CLOTHES LINE.** No clothing or any other household fabrics shall be hung in the open on any lot, and no outside clothes drying or airing facilities shall be permitted.

(N) **VEHICLES NOT IN USE.** No automobile or motordriven vehicle shall be left upon any lot for a period longer than 10 days in a condition wherein it is not able to be operated upon the public highway. After such period, the vehicle shall be considered a nuisance and detrimental to the welfare of the above described real estate and shall be removed therefrom.

(O) **HOBBIES.** Hobbies or other activities which tend to detract from the aesthetic character of Fred Carter Park Estates and any improvements used in connection with such hobbies or activities shall not be permitted unless carried out or conducted within the building erected upon the lot and not viewable from either the street or adjoining properties. This restriction refers specifically but not exclusively to such activities as automobile, bicycle, moped, motorboat and sailboat repair.

(P) **BOAT, TRAILER AND VEHICLE PARKING AND STORAGE.** No truck, trailer, boat, camper, recreational vehicle or commercial vehicle shall be parked or stored on any lot unless it is in a garage or other vehicle permanent enclosure out of view from the street and abutting properties; provided, however, that nothing herein shall prohibit the occasional nonrecurring temporary parking of such truck, trailer, boat, camper, recreational vehicle or commercial vehicle on the premises for a period not to exceed 72 hours in any period of thirty (30) days.

(Q) **GARAGE.** No dwelling may be constructed on any lot unless an enclosed garage for at least two automobiles is also constructed thereon.

(R) **SIGNS.** No signs of any kind shall be displayed to the public view, on any lot, except one temporary sign of not more than six square feet advertising the property for sale or rent, or signs used by the builder to advertise the property during the construction sales period.

(S) **ANTENNAS.** Television and radio-antennas, including satellite dishes greater than 30 inches in diameter, whether rooftop or ground mounted, shall be prohibited on the exterior of any house or lot.

(T) **POOLS.** Above ground pools are absolutely prohibited in Fred Carter Park Estates. In ground pools are permitted but require Grantor approval with respect to location, type, design and planned fencing.

(U) **DRIVEWAY LIGHT, MAIL BOX, NEWSPAPER BOX COMBINED.** All lot owners within Fred Carter Park Estates subdivision shall be required to have a combined driveway light, mail box and newspaper box so designed as to blend with the architecture of their respective building and subject to the Grantors approval. The driveway light is to be controlled by photo cell only and be set to operate from dusk to dawn.

(V) **GRADING AND DRAINAGE.** No construction, grading or other improvements shall be made to any lot if such improvement would interfere with or otherwise alter the general grading and drainage plan of the subdivision or any existing swales, floodways, or other drainage configurations.

(W) **EXPOSED BLOCK.** No buildings or structures within the subdivision may have more than two (2) courses of exposed block.

(X) **LANDSCAPING.** The following minimum landscaping standards shall apply:

- (1) Front yards must be sodded except around trees where mulching shall be permitted;
- (2) Along the front foundation area, a minimum of twelve (12) shrubs with height no less than eighteen (18") must be installed and maintained;
- (3) In the front yards, there must exist at least one (1) shade or ornamental tree with minimum caliper of two inches (2").

(Y) **FRED CARTER PARK ACCESS.** Each owner of a lot in the subdivision is required to maintain a fence across the east (rear) edge of his property. This fence is twofold in purpose as it shall provide protection for the lot owner from intrusion by visitors to the adjacent Fred Carter Park while marking the limit that the lot owner may legally clear, regrade or otherwise alter his property. Each lot owner shall be allowed a gate that would allow him access into the park property as is provided for any other inhabitant of Bellefontaine, Ohio.

### ARTICLE II

Grantor reserves the right to modify or amend these Deed Restrictions during the period of constructing improvements and selling all lots. However, any modification or amendment shall not further restrict those requirements setforth herein.

### ARTICLE III

(A) These restrictions shall run with the land and shall be binding upon all parties until 2015 after which time said restrictions shall be automatically extended for successive periods of ten years unless an instrument signed by a majority of the then owners of the lots in said subdivision has been recorded, agreeing to change said restrictions in whole or in part.

(B) Enforcement of these restrictions shall be by proceedings at law or equity against any person or persons violating or attempting to violate any restriction, either to restrain any violation or to recover damages including attorney fees and court costs.

(C) Invalidation of any one of these restrictions by judgement or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

### FRED CARTER PARK ESTATES LEGAL DESCRIPTION

The following described real estate situated in the State of Ohio, County of Logan, Township of Lake, City of Bellefontaine, being a part of V.M.S. 3683 and 4399 and being more particularly described as follows:

Beginning for reference at a 5/8 inch iron bar found at the northwest corner of the City of Bellefontaine Ohio's 5.500 acre tract as described in D.B. Vol. 338, Page 814, and also being in the south line of V.M.S. 3683, and in the south line of said Village of Bellefontaine's 5.700 acre tract as described in D.B. Vol. 65, Page 634.

Thence, with the north line of said 5.500 acre tract, S.86°-34'-51"E. 18.51 feet to a 5/8 inch iron bar set, and being the true place of beginning of this description.

Thence, passing into V.M.S. 3683 with a 25.00 foot radius curve to the left, having a central angle of 17°-06'-38", an arc length of 7.47 feet, a chord bearing and length of N.7°-28'-46"W. 7.44 feet, to a concrete monument set,

Thence N.16°-02'-05"W. 162.77 feet to a concrete monument set in the south line of Lakewood Drive.

Thence with the south line of Lakewood Drive N.73°-24'-11"E. 60.00 feet to a concrete monument set, passing the southeast corner of said Lakewood Drive at 55.79 feet,

Thence S.16°-02'-05"E. 175.72 feet to a concrete monument set,

Thence, with a 634.00 foot radius curve to the right, having a central angle of 1°-29'-27", an arc length of 16.50 feet, a chord bearing and length of S.15°-17'-22"E. 16.50 feet, to a 5/8 inch iron bar set in the north line of said City's 5.500 acre tract and in the north line of V.M.S. 4399,

Thence, passing into V.M.S. 4399 with a 634.00 foot radius curve to the right, having a central angle of 6°-33'-23", an arc length of 72.55 feet, a chord bearing and length of S.11°-15'-57"E. 72.51 feet, to a concrete monument set,

Thence N.82°-00'-45"E. 155.57 feet to a concrete monument set,

Thence, 250.00 feet east of, and parallel to the west line of the aforementioned City of Bellefontaine's 5.500 acre tract (said west line bearing being assumed and all other distances and bearings are as measured by this survey), S.1°-10'-31"E. 583.00 feet to a concrete monument set in the north line of Hills and Dale's Partnership 41.644 acre tract as described in O.R. Vol. 72 Page 893,

Thence, with a north line of said 41.644 acre tract, N.78°-40'-46"W. 153.64 feet, to a concrete monument set,

Thence S.1°-10'-31"E. 55.27 feet to a concrete monument set,

Thence, with a 570.00 foot radius curve to the left, having a central angle of 1°-33'-34", an arc length of 15.51 feet, a chord bearing and length of S.1°-57'-18"E. 15.51 feet, to a concrete monument set,

Thence S.2°-44'-05"E. 28.18 feet to a 5/8 inch iron bar found at the northwest corner of lot 4559, as shown on the recorded plat of Glenwood East Allotment II, as recorded in Plat Cabinet A, Slide 695-B in the Logan County Records Office, and in the north line of V.M.S. 4478,

Thence, with the north line of the aforementioned subdivision, the north line of V.M.S. 4478 and the north line of the existing Lakewood Drive right of way, N.79°-19'-44"W. 61.68 feet to a concrete monument set at the northwest corner of lot 4560 of said subdivision,

Thence N.2°-44'-05"W. 13.87 feet to a concrete monument set,

Thence, with a curve to the right, having a radius of 630.00 feet, a central angle of 1°-33'-34", an arc length of 17.15 feet, a chord bearing and length of N.1°-57'-18"W. 17.15 feet, to a concrete monument set,

Thence parallel to, and 40.00 feet east of the extended west line of the aforementioned 5.500 acre tract, N.1°-10'-31"W. 149.47 feet to a concrete monument set, passing a 5/8 inch iron bar set in the north line of said Hills and Dale's Partnership 41.644 acre tract at 68.57 feet,

Thence, with a 25.00 foot radius curve to the left, having a central angle of 90°-00'-00", an arc length of 39.27 feet, a chord bearing and length of N.46°-10'-31"W. 35.36 feet, to a concrete monument set,

Thence S.88°-49'-29"W. 15.00 feet to a concrete monument set in the west line of the City of Bellefontaine's aforementioned 5.500 acre tract,

Thence, with the west line of said 5.500 acre tract, and the east line of Hills and Dale's Partnership's aforementioned 41.644 acre tract, N.1°-10'-31"W. 60.00 feet, to a concrete monument set,

Thence N.88°-49'-29"E. 15.00 feet to a concrete monument set,

Thence, with a 25.00 foot radius curve to the left, having a central angle of 90°-00'-00", an arc length of 39.27 feet, a chord bearing and length of N.43°-49'-29"E. 35.36 feet, to a concrete monument set,

Thence, 40.00 feet east of and parallel to the west line of the aforementioned City of Bellefontaine's 5.500 acre tract, N.1°-10'-31"W. 251.91 feet to a concrete monument set,

Thence with a 574.00 foot radius curve to the left, having a central angle of 3°-49'-03", an arc length of 38.24 feet, a chord bearing and length of N.3°-05'-03"W. 38.24 feet, to a concrete monument set,

Thence, with a 25.00 foot radius curve to the left, having a central angle of 117°-15'-41", an arc length of 51.16 feet, a chord bearing and length of N.63°-37'-25"W. 42.69 feet, to a concrete monument set,

Thence, S.57°-44'-44"W. 1.02 feet to a concrete monument set in the west line of said City of Bellefontaine's aforementioned 5.500 acre tract,

Thence with west line of said 5.500 acre tract, and the east line of said Hills and Dale's Partnership 41.644 acre tract, N.1°-10'-31"W. 70.06 feet to a concrete monument set. Said monument being S.1°-10'-31"E. 25.75 feet from the 5/8 inch iron bar found at the northwest corner of said City of Bellefontaine's 5.500 acre tract,

Thence N.57°-44'-44"E. 7.44 feet to a concrete monument set,

Thence, with a 25.00 foot radius curve to the left, having a central angle of 56°-40'-11", an arc length of 24.73 feet, a chord bearing and length of N.29°-24'-39"E. 23.73 feet, to the point of beginning.

Containing 3.253 acres, more or less of which 0.250 acres are in V.M.S. 3683 and 3.003 acres are in V.M.S. 4399, more or less. Of the above described 3.253 acres, 2.866 acres are out of the aforementioned City of Bellefontaine's 5.500 acre tract, 0.250 acres are out of the Village of Bellefontaine's 5.700 acre tract and 0.137 acres are out of Hills and Dale's Partnership aforementioned 41.644 acre tract, more or less.

This description prepared from an actual field survey dated November 14, 1995.