

DESCRIPTION

Being all of the Premier Properties, a Florida General Partnership 4.992 acre tract as deeded and described in Official Record 327, Page 944 of the Logan County Records of Deeds and being more particularly described in that record as follows:

Lying in Virginia Military Survey 13393, Richland Township, Logan County, Ohio.

Being out of the Premier Properties original 26.12 acre tract as deeded in Official Record 116, Page 978 of the Logan County Records of Deeds and described as: Survey Number Sixteen (16) as designated in a town of survey of State Lands in and across the Lewisiana Reservoir commenced April 6th, 1875, by M.R. McCormick, surveyor which said return of survey is now filed in the office of the Auditor of State and described as Scott Island, being part of V.M.S. 13393 and containing thirty-six and 50/100 acres, subject to the flowage of the Lewisiana Reservoir as now constructed excepting therefrom all that tract or parcel of land known and designated on the recorded plat of the Recorder's Office of Logan County, Ohio, as Fern Wood Subdivision on Long Island (formerly Scott Island), said tract herein conveyed containing approximately twenty-six and 12/100 acres. The subject parcel being more particularly described as follows:

Beginning at a railroad spike set on the center-line of Ohio Route 273 (50 feet wide) at the intersection of the said center-line and the easterly line of Lot 206 of Fernwood Number Five extended.

THENCE, with the said east line of Lot 206 extended and the east line of Lot 206, N 10°-02'-30" W, a distance of 89.00 feet to a point on the shore of Indian Lake, passing 1/2 inch square iron bars found at 24.91 feet and 63.85 feet and a 3/4 inch iron rod set at 76.64 feet.

THENCE, with the shore line of Indian Lake the following thirty-three (33) courses:

N 74°-21'-10" E, a distance of 14.48 feet to a point
N 57°-48'-38" E, a distance of 29.01 feet to a point
N 52°-16'-12" E, a distance of 51.17 feet to a point

N 42°-44'-02" E, a distance of 19.69 feet to a point referenced by a 5/8 inch iron rod set S 69°-09'-33" E, a distance of 10.00 feet.
N 30°-40'-48" E, a distance of 20.18 feet to a point
N 19°-30'-16" E, a distance of 20.85 feet to a point

N 6°-01'-14" E, a distance of 29.91 feet to a point referenced by a 5/8 inch iron rod set S 72°-11'-42" E, a distance of 10.00 feet.
N 8°-04'-05" E, a distance of 70.46 feet to a point referenced by a 5/8 inch iron rod set S 85°-17'-48" E, a distance of 10.00 feet.
N 3°-35'-34" W, a distance of 19.00 feet to a point

N 14°-30'-17" E, a distance of 22.46 feet to a point
N 9°-47'-28" W, a distance of 24.52 feet to a point
N 8°-44'-10" W, a distance of 10.57 feet to a point referenced by a 5/8 inch iron rod set N 88°-00'-06" E, a distance of 10.00 feet.

N 60°-54'-43" W, a distance of 56.09 feet to a point
N 10°-41'-51" W, a distance of 34.93 feet to a point
N 16°-42'-06" E, a distance of 18.40 feet to a point

N 12°-13'-27" W, a distance of 18.99 feet to a point
N 35°-32'-24" E, a distance of 35.10 feet to a point
N 47°-22'-56" E, a distance of 34.54 feet to a point referenced by a 3/4 inch iron rod set S 50°-15'-34" E, a distance of 4.35 feet.

N 67°-24'-02" E, a distance of 22.36 feet to a point
N 78°-48'-50" E, a distance of 56.13 feet to a point
N 73°-07'-12" E, a distance of 84.53 feet to a point referenced by a 5/8 inch iron rod set S 11°-43'-05" E, a distance of 10.00 feet.

N 56°-39'-17" E, a distance of 18.28 feet to a point
N 85°-17'-16" E, a distance of 42.56 feet to a point
S 75°-33'-18" E, a distance of 29.04 feet to a point

S 53°-31'-41" E, a distance of 27.51 feet to a point
S 70°-32'-39" E, a distance of 26.00 feet to a point referenced by a 5/8 inch iron rod set S 18°-11'-01" W, a distance of 10.00 feet.
S 63°-36'-31" E, a distance of 41.68 feet to a point

N 49°-07'-30" E, a distance of 10.85 feet to a point
S 67°-06'-30" E, a distance of 44.03 feet to a point referenced by a 5/8 inch iron rod set S 23°-47'-05" W, a distance of 10.00 feet.
S 65°-38'-22" E, a distance of 79.97 feet to a point referenced by a 5/8 inch iron rod set S 27°-09'-40" W, a distance of 10.00 feet.

S 67°-48'-47" E, a distance of 34.94 feet to a point
S 61°-07'-15" E, a distance of 30.48 feet to a point
S 84°-43'-35" E, a distance of 23.78 feet to a 5/8 inch iron rod set.

THENCE, S 66°-22'-30" E, a distance of 25.00 feet to a railroad spike set on the center-line of Ohio Route 273.

THENCE, with the center-line of Ohio Route 273 the following three courses:

S 23°-36'-55" W, a distance of 111.65 feet to a railroad spike set.

With a curve to the right having a central angle of 47°-43'-05", a radius of 382.11 feet, an arc length of 318.23 feet, and having a chord bearing S 47°-28'-28" W, a distance of 309.12 feet to a pony spike found.

THENCE, S 71°-20'-00" W, a distance of 385.12 feet to the point of beginning.

Containing 217446 square feet or 4.992 acres of which 0.461 acre is within right-of-way of Ohio Route 273.

The basis for bearings is the center-line of Ohio Route 273 at the intersection with the easterly line of aforementioned Lot 206 being S 71°-20'-00" W, and all other bearings are from angles and distances measured in a field survey by Lee Surveying and Mapping Co., Inc. on September 23, 1996.

Description prepared by Jeffrey I. Lee, Professional Surveyor 6359, April 2, 1997.

COVENANTS AND RESTRICTIONS

A. GENERAL
1. BY THE RECORDING OF THE ATTACHED PLAT OF LONG ISLAND SHORES SUBDIVISION AND FOR THE PURPOSE OF FURTHERING THE GENERAL PLAN OF DEVELOPMENT OF THE SAID PLAT, THE REAL ESTATE DESCRIBED BY THE SAID PLAT IS HEREBY MADE SUBJECT TO THE PROTECTIVE COVENANTS, RESTRICTIONS, EASEMENTS AND RESERVATIONS HEREINAFTER DESCRIBED.

2. THESE COVENANTS, RESTRICTIONS, CONDITIONS, AND REGULATIONS PERTAINING TO THE USE, OWNERSHIP, AND OCCUPANCY OF THE LAND IN SAID PLAT SHALL RUN WITH THE LAND AND SHALL BE BINDING UPON ANY OWNER OR OWNER'S HEIRS, PERSONAL REPRESENTATIVES, SUCCESSORS, OR ASSIGNS AS THE CASE MAY BE, FROM WHICH TIME THE SAME SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN YEARS, UNLESS BY AN AFFIRMATIVE VOTE THE THEN OWNERS OF A MAJORITY OF THE LOTS IN SAID PLAT, IT IS AGREED TO CHANGE THESE RESTRICTIONS, AND REVISED SET OF RESTRICTIONS ARE FILED IN THE RECORDER'S OFFICE OF LOGAN COUNTY, OHIO.

3. THE OWNER OF ANY LOT OR PART OF A LOT IN SAID PLAT MAY ENFORCE THESE RESTRICTIONS, EASEMENTS, OR RESERVATIONS HEREIN CONTAINED BY ANY APPROPRIATE ACTION IN A COURT OF COMPETENT JURISDICTION AGAINST ANY PERSON, FIRM, OR CORPORATION WHO, OR WHICH VIOLATES SAID COVENANTS, RESTRICTIONS, EASEMENTS OR RESERVATIONS.

4. INVALIDATION OF ANY ONE OF THE HEREINAFTER CONTAINED RESTRICTIONS BY JUDGMENT OF A COURT OF COMPETENT JURISDICTION SHALL IN NO WAY AFFECT ANY OTHER COVENANTS, RESTRICTION, EASEMENTS, OR RESERVATIONS HEREIN CONTAINED AND SAID OTHER COVENANTS, RESERVATIONS, EASEMENTS OR RESTRICTIONS SHALL REMAIN IN FULL FORCE AND EFFECT.

B. SPECIFIC:
1. ALL LOTS IN THIS SUBDIVISION SHALL BE KNOWN AND DESCRIBED AS RESIDENTIAL LOTS. NO STRUCTURE SHALL BE ERRECTED, ALTERED, PLACED OR PERMITTED TO REMAIN ON ANY RESIDENTIAL BUILDING PLOT OTHER THAN ONE DETACHED SINGLE-FAMILY DWELLING NOT TO EXCEED TWO AND ONE-HALF (2-1/2) STORIES IN HEIGHT AND A PRIVATE ATTACHED GARAGE.

2. BUILDING LOCATION:
A. THE BUILDING SETBACK DIMENSIONS SHALL COMPLY WITH LOCAL BUILDING AND ZONING CODES, EXCEPT, HOWEVER, NO RESIDENCE SHALL BE BUILT CLOSER THAN 10 FEET TO ANY SIDE LOT LINE MEASURED FROM THE FOUNDATION.
B. LOCATION OF ANY HOUSE CONSTRUCTED WITHIN THIS SUBDIVISION SHALL BE SUBJECT TO COUNTY HEALTH DEPARTMENT APPROVAL FOR LOCATION OF WELL.
3. NO NOXIOUS OR OFFENSIVE TRADE OR ACTIVITY SHALL BE CARRIED ON UPON ANY LOT OR LOTS IN THIS PLAT, NOR SHALL ANYTHING BE DONE WHICH MAY BE OR BECOME AN ANNOYANCE TO THE NEIGHBORHOOD, INCLUDING THE STORING OF HOUSE TRAILERS, MOBILE HOMES AND/OR NON-OPERABLE AUTOMOBILES EXCEPT IN CLOSED GARAGES.

4. NO STRUCTURE OF A TEMPORARY CHARACTER, TRAILER, BASEMENT, TENT, SHACK, GARAGE OR OTHER OUTBUILDING SHALL BE USED ON ANY LOT AT ANY TIME AS A RESIDENCE, EITHER TEMPORARILY OR PERMANENTLY.

5. NO ANIMALS, LIVESTOCK OR POULTRY OF ANY KIND SHALL BE RAISED, BRED OR KEPT ON ANY LOT, EXCEPT THAT DOGS, CATS, OR OTHER HOUSEHOLD PETS MAY BE KEPT PROVIDED THAT THEY ARE NOT KEPT, BRED, OR MAINTAINED FOR ANY COMMERCIAL PURPOSES. FOR THE PURPOSES OF THESE COVENANTS, POT BELLED PIGS ARE NOT CONSIDERED HOUSEHOLD PETS.

6. NO LOT SHALL BE USED OR MAINTAINED AS A DUMPING GROUNDS FOR RUBBISH. GARBAGE AND TRASH SHALL NOT BE KEPT OUT OF DOORS EXCEPT IN CLOSED CONTAINERS. ALL INCINERATORS OR OTHER EQUIPMENT FOR THE STORAGE OR DISPOSAL OF SUCH TRASH, GARBAGE OR OTHER WASTE, SHALL BE KEPT IN A CLEAN AND SANITARY CONDITION. A NEATLY MAINTAINED COMPOST PILE MAY BE KEPT BEHIND ANY RESIDENCE.

7. EASEMENTS:
A. THE DEDICATORS OF THIS SUBDIVISION, FOR THE BENEFIT OF THEMSELVES, THEIR HEIRS, SUCCESSORS AND ASSIGNS, AS THE CASE MAY BE, AND FOR THE BENEFIT OF THE OWNER OR OWNERS OF ANY LOT OR PARTS OF LOTS IN THIS SUBDIVISION, AND ITS OR THEIR HEIRS, PERSONAL REPRESENTATIVES, SUCCESSORS, OR ASSIGNS AS THE CASE MAY BE, DO HEREBY RESERVE THE EASEMENTS OR RIGHTS-OF-WAY INDICATED UPON SAID PLAT FOR THE PURPOSE OF ERRECTING, CONSTRUCTING, MAINTAINING, REPAIRING, AND INSTALLING ANY OR ALL UTILITY FACILITIES TO SERVE SAID SUBDIVISION, OR ANY LOT OR PART OF LOTS THEREIN CONTAINED, WHETHER SUCH UTILITY CONSISTS OF SEWERS (STORM OR SANITARY), GAS PIPES OR LINES, STEAM HEATING PIPES OR LINES OTHERWISE, AND IT SHALL BE LAWFUL FOR ANY SUCH UTILITY, PUBLIC OR PRIVATE OR ITS EMPLOYEES OR REPRESENTATIVES OR ANYONE ACTING FOR ANY SUCH UTILITY TO ENTER UPON SAID EASEMENT OR RIGHT-OF-WAY AT ANY TIME FOR THE PURPOSE OF CARRYING OUT THE OBJECTIVES FOR WHICH SUCH EASEMENTS OR RIGHTS-OF-WAY WERE RESERVED.
B. THE RIGHTS AND PRIVILEGES WITH RESPECT TO UTILITY EASEMENTS AND RIGHTS-OF-WAY AS SET FORTH IN THIS SECTION SHALL NOT BE SUBJECT TO THE TERMINATION PROVISION SET FORTH IN SECTION A-2 HEREOF.
C. NO STRUCTURES OR PLANTINGS ARE PERMITTED WITHIN ANY EASEMENT.

8. BUILDINGS:
A. THE GROUND FLOOR AREA OF A ONE FLOOR PLAN HOUSE, EXCLUSIVE OF ONE STORY OPEN PORCHES AND GARAGES, SHALL NOT BE LESS THAN 1200 SQUARE FEET. THE MAIN FLOOR AREA OF A ONE AND ONE HALF FLOOR PLAN HOUSE OR A TWO FLOOR PLAN HOUSE SHALL BE NOT LESS THAN 1000 SQUARE FEET, WITH A TOTAL OF NOT LESS THAN 1800 SQUARE FEET.
B. NO DWELLING SHALL BE CONSTRUCTED ON THE PREMISES WITHOUT THE PLANS THEREOF HAVING FIRST BEEN APPROVED IN WRITING BY THE SUBDIVIDER HEREIN, IT BEING THE INTENT OF THIS COVENANT TO ASSURE THAT ALL DWELLINGS IN THE VICINITY OF THE PREMISES SHALL BE OF A QUALITY OF WORKMANSHIP AND MATERIALS EQUIVALENT TO AND COMPATIBLE WITH OTHER DWELLINGS IN THE VICINITY, AND IT BEING THE FURTHER INTENT OF THIS COVENANT TO ASSURE THAT THE ARCHITECTURAL DESIGN OF THE DWELLINGS IN THE GENERAL LOCALITY OF THE PREMISES SHALL BE AESTHETICALLY COMPATIBLE AND HARMONIOUS.
C. THE FINISHED FLOOR OF THE RESIDENCE SHALL BE AT OR ABOVE 998.7 FEET ELEVATION (NGVD).

9. NO BILLBOARDS OR OTHER ADVERTISING SIGNS SHALL BE ERRECTED OR MAINTAINED ON THE PREMISES OTHER THAN A SIGN NOT TO EXCEED FIVE SQUARE FEET IN SIZE USED SPECIFICALLY FOR THE ADVERTISEMENT OF THE PREMISES FOR SALE.

10. NO WALL OR FENCE SHALL BE PLACED OR ERRECTED ON THE PREMISES NEARER TO THE STREET THAN THE MINIMUM BUILDING SET-BACK LINES DESCRIBED ABOVE, AND NO WALL, FENCE OR HEDGE OF ANY TYPE SHALL BE ERRECTED OR PERMITTED TO GROW THAT SHALL EXCEED SEVEN FEET IN HEIGHT.

11. ALL CONSTRUCTION COMMENCED ON THE PREMISES SHALL BE COMPLETED WITHIN 12 MONTHS OF THE BEGINNING THEREOF.

12. ALL DRIVEWAYS IN THE SUBDIVISION SHALL BE CONSTRUCTED OF ASPHALT, CONCRETE, PAVING BRICKS, OR OTHER DURABLE, DUST FREE MATERIAL. SUCH DRIVEWAY SHALL BE COMPLETED PRIOR TO THE OCCUPANCY OF THE RESIDENCE, A REASONABLE DELAY IN PAVING THE DRIVEWAY DUE TO SEASONAL WINTER WEATHER CONDITIONS IS PERMISSIBLE, BUT THE DRIVEWAY MUST BE PAVED PRIOR TO THE FOLLOWING MAY 15.

13. WATER SUPPLY:
A. UNTIL SUCH TIME AS PUBLIC WATER SUPPLY IS AVAILABLE TO SERVE THIS SUBDIVISION, POTABLE WATER SHALL BE SUPPLIED FROM INDIVIDUAL WELLS DRILLED FOR EACH DWELLING ERRECTED IN THE AREA IN ACCORDANCE WITH THE REQUIREMENTS OF THE COUNTY BOARD OF HEALTH.

20. NO ABOVE GROUND POOLS SHALL BE CONSTRUCTED ON ANY LOT IN THIS SUBDIVISION.

21. NO LOT SHALL BE SPLIT, DIVIDED, OR SUBDIVIDED FOR SALE, RESALE, GIFT, TRANSFERS OR OTHERWISE, SO AS TO CREATE A NEW LOT, EXCEPT FOR LOTS 4, 5, AND 6 WHICH LOTS MAY BE SPLIT BY PREMIER PROPERTIES TO CREATE UP TO THREE ADDITIONAL BUILDING LOTS. IF THESE LOTS ARE SPLIT, ALL OF THE RESTRICTIONS HEREIN SET FORTH WILL APPLY TO EACH PORTION OF THE LOT(S) SO SUBDIVIDED.

NOTE: THIS PLAT CONSISTS OF TWO (2) PAGES, AND BOTH PAGES MUST BE USED FOR A COMPLETE REPRESENTATION OF THIS SUBDIVISION.

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SUBDIVISION PLAT

LONG ISLAND SHORES NO. 1

A RESIDENTIAL COMMUNITY ON INDIAN LAKE
VIRGINIA MILITARY SURVEY 13393
RICHLAND TOWNSHIP
LOGAN COUNTY, OHIO

OWNER/DEVELOPER/PROPRIETOR

PREMIER PROPERTIES
101 W. COLUMBUS AVE.
BELLEFONTAINE, OHIO 43311

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