

PLAT OF THE "BRAD-MER ACRES" SUBDIVISION, PART OF FRACTIONAL LOTS NO. 3, NO. 4, NO. 6 OF SEC. 33, GREEN TWP., T-13N, R-16W, HOCKING CO., OHIO

OVERALL SUBDIVISION LEGAL DESCRIPTION

Being all of the 2.0462 Ac. tract described in Vol. 49, Pg. 300, Hocking Co. Official Records, all of the 2.753 Ac. tract described in O.R. Vol. 49, Pg. 315, all of the 2.0196 Ac. tract described in O.R. Vol. 49, Pg. 293, part of the 2.017 Ac. tract described in Vol. 209, Pg. 256, and parts of the tract conveyed to Bradford T. Phares in O.R. Vol. 82, Pg. 372, situated in Fractional Lots No. 3, No. 4, and No. 6, of Sec. 33, Green Twp., T-13N, R-16W, Hocking Co., Ohio, and being more particularly described as follows:

Beginning at an iron pin previously set on the northern-most corner of the 2.753 Ac. tract described in O.R. Vol. 49, Pg. 315;

Thence with the east boundary of said tract the following two (2) courses:

- 1) S 20 degrees 31' 58" W a distance of 132.63 ft. to an iron pin previously set;
- 2) S 37 degrees 31' 58" W a distance of 132.63 ft. to an iron pin previously set on the north line of the 2.0196 Ac. tract described in O.R. Vol. 49, Pg. 293;

Thence with the north and east line of said tract the following two (2) courses:

- 1) S 54 degrees 23' 20" E a distance of 215.90 ft. to a concrete monument set;
- 2) S 55 degrees 03' 18" W a distance of 197.00 ft. to an iron pin previously set;

Thence, continuing with said bearing, S 55 degrees 03' 18" W a distance of 836.76 ft. to a concrete monument set on the northern-most corner of the 5.000 Ac. tract described in Vol. 210, Pg. 424.

Thence, with a new line, N 37 degrees 50' 38" W a distance of 319.91 ft. to an iron pin set;

Thence, with a curve to the left having a radius of 705.57 ft. and a central angle of 21 degrees 16' 55", the chord bearing N 80 degrees 20' 59" E a distance of 260.57 ft. to a point;

Thence N 28 degrees 22' 27" W a distance of 61.45 ft. to a point;

Thence, with a curve to the left having a radius of 549.57 ft. and a central angle of 2 degrees 55' 45", the chord bearing N 47 degrees 07' 04" E a distance of 33.00 ft. to an iron pin set;

Thence N 43 degrees 11' 05" W a distance of 494.86 ft. to a concrete monument set;

Thence N 46 degrees 53' 48" E a distance of 431.57 ft. to an iron pin previously set;

Thence N 0 degrees 14' 08" E a distance of 355.29 ft. to an iron pipe found on the NE corner of the 21.6196 Ac. tract described in Vol. 209, Pg. 606;

Thence N 33 degrees 14' 57" E a distance of 369.19 ft. to a concrete monument set;

Thence S 74 degrees 42' 11" E a distance of 118.99 ft. to an iron pin set;

Thence N 86 degrees 49' 29" E a distance of 443.73 ft. to a concrete monument set;

Thence, with a curve to the left having a radius of 383.10 ft. and a central angle of 34 degrees 57' 37", the chord bearing N 22 degrees 41' 48" E a distance of 230.15 ft. to a point;

Thence N 5 degrees 12' 59" E a distance of 146.98 ft. to a point;

Thence S 87 degrees 21' 59" E a distance of 13.05 ft. to a point;

Thence S 87 degrees 35' 06" E a distance of 105.09 ft. to a point;

Thence N 77 degrees 10' 42" E a distance of 124.00 ft. to an iron pin found;

Thence N 34 degrees 26' 42" W a distance of 157.09 ft. to an iron pin found;

Thence N 62 degrees 59' 37" E a distance of 199.66 ft. to an iron pin previously set;

Thence N 10 degrees 53' 37" E a distance of 83.59 ft. to an iron pin previously set;

Thence S 48 degrees 10' 06" E a distance of 287.06 ft. to a point, said point being referenced by an iron pin found which bears N 76 degrees 53' 05" W a distance of 0.28 ft.

Thence S 48 degrees 27' 00" E a distance of 90.97 ft. to a point, said point being the southeasterly corner of Lot No. 8 of J.P. Parkinson Allotment;

Thence, with the westerly line of said lot, N 45 degrees 27' 46" E a distance of 265.79 ft. to a point on the southeasterly right-of-way line of St. Rt. 328;

Thence, with said right-of-way line, S 44 degrees 35' 00" E a distance of 60.29 ft. to an iron pin set;

Thence S 45 degrees 31' 31" W, passing an iron pin set at 261.87 ft., going a total distance of 322.14 ft. to a point;

Thence N 48 degrees 20' 44" W a distance of 111.82 ft. to a point;

Thence S 70 degrees 54' W a distance of 45 degrees 27' 46" E a distance of 27.46 ft. to a point;

Thence S 77 degrees 10' 42" W a distance of 207.86 ft. to a point;

Thence S 5 degrees 12' 59" W a distance of 70.71 ft. to a point;

Thence, with a curve to the right having a radius of 442.10 ft. and a central angle of 34 degrees 57' 37", the chord bearing S 22 degrees 41' 48" W a distance of 266.19 ft. to a point;

Thence N 40 degrees 10' 36" W a distance of 128.20 ft. to an iron pin set;

Thence S 72 degrees 04' 27" E a distance of 517.10 ft. to a concrete monument set;

Thence S 51 degrees 46' 17" W a distance of 125.00 ft. to an iron pin previously set on the eastern-most corner of the 2.0462 Ac. tract described in O.R. Vol. 49, Pg. 300;

Thence with the southerly boundary of said 2.0462 Ac. tract the following eight (8) courses:

- 1) With a curve to the left having a radius of 57.96 ft. and a central angle of 54 degrees 35' 22", the chord bearing S 52 degrees 42' 21" W a distance of 53.16 ft. to an iron pin previously set;
- 2) S 25 degrees 24' 28" W a distance of 47.99 ft. to an iron pin previously set;
- 3) With a curve to the right having a radius of 78.415 ft. and a central angle of 58 degrees 54' 39", the chord bearing S 54 degrees 51' 46" W a distance of 77.12 ft. to an iron pin previously set;
- 4) S 84 degrees 19' 00" W a distance of 168.23 ft. to an iron pin previously set;
- 5) With a curve to the left having a radius of 323.81 ft. and a central angle of 22 degrees 42' 07", the chord bearing S 72 degrees 57' 56" W a distance of 128.25 ft. to an iron pin previously set;
- 6) S 61 degrees 36' 53" W a distance of 15.92 ft. to an iron pin previously set;
- 7) With a curve to the right having a radius of 273.13 ft. and a central angle of 26 degrees 33' 08", the chord bearing S 74 degrees 53' 27" W a distance of 125.45 ft. to an iron pin previously set;
- 8) S 88 degrees 10' 00" W a distance of 52.26 ft. to an iron pin previously set;
- Thence S 88 degrees 10' 00" W a distance of 43.14 ft. to an iron pin previously set;

Thence S 5 degrees 02' 47" W a distance of 60.44 ft. to an iron pin previously set on the northwestern corner of the 2.753 Ac. tract described in O.R. Vol. 49, Pg. 315;

Thence with the north boundary of said 2.753 Ac. tract the following five (5) courses:

- 1) N 88 degrees 10' 00" E a distance of 102.63 ft. to an iron pin previously set;
- 2) With a curve to the left having a radius of 333.13 ft. and a central angle of 26 degrees 33' 08", the chord bearing N 74 degrees 53' 27" E a distance of 153.00 ft. to an iron pin previously set;
- 3) N 61 degrees 36' 53" E a distance of 15.92 ft. to an iron pin previously set;
- 4) With a curve to the right having a radius of 295.81 ft. and a central angle of 22 degrees 42' 07", the chord bearing N 72 degrees 57' 56" E a distance of 104.63 ft. to an iron pin previously set;
- 5) N 84 degrees 19' 00" E a distance of 79.95 ft. to the place of beginning, containing 33.4929 acres, more or less, and being subject to all valid easements.

Cited bearings are based on the bearing system of the 10,000 Ac. tract described in Vol. 210, Pg. 424.

All iron pins described as being set are 5/8" X 30" with an attached plastic identification cap.

All iron pins described as being previously set are 1/2" X 30" with an attached plastic identification cap.

All concrete monuments described as being set are 5/8" X 30" iron pins set in 6" diameter concrete.

The above description is the result of a survey made by Michael P. Berry, Ohio Registered Surveyor No. 6803, in March, 1997.

GENERAL NOTES:

- 1) ALL LOTS DEPICTED HERON ARE TO BE USED FOR RESIDENTIAL PURPOSES ONLY.
- 2) Building Setback Lines: 50.0' Front Minimum From Road R/W Line, 50.0' Rear Yard Minimum, 30.0' Side Yard Minimum.
- 3) Utility Easement Reservations: 10.0' Around Perimeter of Sub, 10.0' Either Side of all Common Lot Lines.
- 4) Driveway Culverts to be installed by the Developer/Owner at the Time of Construction as Follows: 12" MINIMUM DIAMETER 20' MINIMUM LENGTH
- 5) Driveway Culverts will be installed in Accordance with Sound Construction Procedures and are Subject to the Approval of the Hocking County Engineer's Office.
- 6) Individual Sewage Disposal Facilities and Their Locations, as well as the Location of Private Water Wells, MUST Be Approved By, as well as COMPLY With, Hocking Co. Health Department Regulations.
- 7) The Developer Will insure That Electrical Service Will be Provided in the Subdivision
- 8) 10.0' Ft. Wide Drainage Easements are reserved on Lots No. 9, 11, & 14, Being 5.0 Ft. on either side of the centerline shown on plat.
- 9) A 12.0' Ft. Wide Utility Easement (5.0 Ft. on either side of the centerline shown on plat) is reserved across Lots. No. 1 through No. 7, inclusive, to accommodate existing underground utilities.
- 10) A trust agreement for maintenance of the 0.4412 Ac. common area shown on plat has been established and is recorded in O.R. Vol. 95, Pgs. 323-325, Hocking Co. Recorder's Office.

RESTRICTIONS

The following restrictions apply to each lot in Brad-Mer Acres unless specifically modified in the deed of conveyance of the specific parcel.

INTRODUCTION, DEFINITION & CONCEPT

Brad-Mer Acres Allotment consisting of 14 Lots on the South and West side of Golf Course Road, is a planned allotment where one may live, work and play after investing in one's dream home on acres of land protected by restrictions. Features, particularly architecture and landscape, both natural and man-made, have been selectively woven into the Brad-Mer Acres infrastructure and serve to unite the community pride of its inhabitants. The primary purpose of these restrictions is to better assure that builders of single-family residential units will conform and adhere to the same high standards of design excellence. The restrictions seek to establish a design framework which the individual builder will use as guidelines for site improvement, with latitude and flexibility (on one hand) balanced against preserving the value, consistency and integrity of Brad-Mer Acres (on the other hand). The Master Design Guidelines will, hopefully, serve to guide, inform, aid and inspire to the same extent as they may prohibit, restrict, and require. While some features are mandated, the review committee may make discretionary judgments to reduce or add any requirements when it can be demonstrated that appropriate mitigating measures have been taken and that the overall spirit and intent will be preserved. However, such discretionary approval(s) shall not represent or constitute a bonding precedent since no two or more tracts or circumstances are likely to be the same.

RESTRICTIONS

1. No more than one single family dwelling house and attached garage shall be erected on said premises.
2. Said premises or any building erected thereon shall not at any time be used for the purpose of any trade, business or manufacture.
3. No intoxicating liquors or bear shall be manufactured for sale, kept for sale, or sold on said premises.
4. No structure of a temporary character, camper, mobile home, trailer, basement, tent, shack, garage or other outbuilding shall be used on any lot at any time either temporarily or permanently for dwelling or storage purposes, nor shall campers, mobile home or trailers be stored on said premises.
5. No animals, livestock, or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats and other household pets may be kept provided that they are not kept, bred, or maintained for any commercial purpose.
6. No noxious or offensive activity shall be carried on upon said premises, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the adjoining property.
7. No soil or trees shall be removed from said premises for any commercial use. Cutting of trees shall be limited to the extent necessary for clearing the foundation site for construction and landscaping.
8. No fires shall be permitted on the premises except for heating and cooking. Use of fireplaces on the premises is prohibited. The premises shall be kept clean and free of trash, garbage and debris at all times. Advertising signs, other than for sale of said premises, are prohibited.
9. Any structure on premises shall be of brick, wood or stone construction except that concrete block may be used for foundations, basement walls and fireplaces or in any other places where the same will not be exposed to view from outside.
10. Unimproved premises shall be mowed at least twice each summer. All weeds on improved premises shall be kept mowed.
11. The racing of motor vehicles such as mini-bikes, motorcycles, all terrain vehicles is prohibited on the roadways of the allotment.
12. There shall be no hunting with firearms or bow and arrow, or trapping allowed on said premises.
13. No fences shall be built on said premises more than six feet in height, and shall be of an ornamental nature and open construction.
14. The exterior construction of structures erected on the premises shall be completed within 24 months from the time construction is commenced.
15. No non-operable, wrecked or junked vehicles shall be kept or stored on said premises for a period in excess of 14 days.
16. The following restrictions shall apply relative to the construction of any building, structure, fence, wall or improvement of any kind or nature to be erected or placed on said premises.

A. All plans and specifications shall be submitted in writing to Brad-Mer Acres for consideration and approval and disapproval. Factors to be considered by Brad-Mer Acres are as follows:

1. Quality of workmanship and materials, adequacy of site dimensions, adequacy of structure design, proper facing of main elevation with respect to the street;
2. Position and location of the structures on the premises;
3. Conformity and harmony of the external design, color, type and appearance of exterior surfaces and landscaping;
4. Adequate surface and soil drainage;
5. The observance of and compliance with applicable set back lines and easement areas and the enhancement of aesthetic views and visual corridors to and from the common property.

B. The procedure for the foregoing consideration shall be as follows:

1. Brad-Mer Acres consists of Bradford Phares and Pamela Phares who shall constitute the Review Committee. Said Committee may be further supplemented by persons selected by said Bradford and Pamela Phares to act for them or with them in the review process.
2. Preliminary plans and specifications for the structures will be submitted for approval or rejection.
3. When and if the structure is approved, final plans will be submitted showing the location of the structure on the premises and shall include the location of soil and surface water drainage lines and all factors relating to the improvement including landscaping plans.
4. The Review Committee shall approve or reject the final plans and specifications within 14 days after being submitted. The Review Committee shall confer with the party submitting the plans relative to changes or alterations which may be required to preserve the integrity and harmony of the premises and the allotment.
5. The Review Committee shall incur no liability or responsibility to the final construction of the structure which may be approved, it being understood that the approval by the Review Committee is only for the purpose of approving the kind of structure and its location so as to maintain the harmony and integrity of the whole area as expressed in the purpose and concept preamble.
6. Once approval is given by the Review Committee, construction may be commenced following the plans and specifications approved. Any deviation from the approved plans and specifications shall be cleared through the Review Committee.
7. No improvements, additions or alterations shall be constructed, erected, placed or maintained on any lot which is in violation of any of the laws or ordinances of the City of Logan, Ohio, or any other applicable governmental laws, rules or regulations or these restrictions.
8. Neither the Brad-Mer nor the Review Committee appointed by Brad-Mer, employees and agents of any of them, shall be liable in damages to anyone submitting plans and specifications to any of them for approval, or to any owner of property affected by these restrictions by reason of any mistake in judgment, negligence, or nonfeasance arising out of or in connection with the approval or disapproval or failure to approve or disapprove any such plans or specifications. Every person or entity who submits plans or specifications, and every owner of such and every lot, agrees that he will not bring any action or suit against Brad-Mer or the Review Committee or persons appointed by Brad-Mer.
9. The Review Committee has the right, during construction, to inspect the structure being constructed to ascertain that the construction is in accordance with the approved final plans and specifications.
10. Brad-Mer, its successors and assigns shall have first option to purchase the premises should the owner thereof desire to sell the same. Brad-Mer shall have 10 days after written notice of any bona fide offer to purchase said premises at a given price, to accept or reject the purchase thereof. The rejection at a given price shall not preclude the owner from presenting subsequent offers at a lower price to Brad-Mer for acceptance or refusal.
11. Brad-Mer, its successors and assigns may place restrictions on premises it may hereafter sell and convey adjacent to the restricted premises embraced by these restrictions.
12. Should any of the restrictions herein contained be determined by a court to be invalid, said invalidity shall not affect the other restrictions.
13. These restrictions shall run with the land and are for the protection of all lots in the Brad-Mer Allotment and the lands adjacent thereto.

OWNER'S STATEMENT

OWNER: Bradford T. Phares
14563 Country Club Lane
Logan, Ohio 43138

DEVELOPER: Same

SURVEYOR: Michael P. Berry & Associates
35 N. Market Street
Logan, Ohio 43138

STATEMENT: Being a part of Fractional Lots No. 3, No. 4, and No. 6 of Green Twp., T-13N, R-16W, Hocking Co., Ohio, and being part of a tract transferred to Bradford T. Phares in O.R. Vol. 82, Pg. 372, all of a tract transferred to Dennis & Celeste Jennings in O.R. Vol. 49, Pg. 300, which will be known as Lot No. 2 as shown on this plat, all of a tract transferred to Thomas & Kathy Gerken in O.R. Vol. 49, Pg. 315, which will be known as Lot No. 3, on this plat, all of a tract transferred to David & Tina Dixon in O.R. Vol. 49, Pg. 293, which will be known as Lot No. 4 on this plat, and part of a tract transferred to the Hocking Hills Country Club in Vol. 209, Pg. 358, a small portion of which will become part of the dedicated roadway known as Bradford Drive, all records of which will be recorded in the Recorder's Office, said subdivision tract containing 33.4929 acres, more or less. The undersigned Dennis & Celeste Jennings owners of Lot No. 2, Thomas & Kathy Gerken, owners of Lot No. 3, David & Tina Dixon, owners of Lot No. 4, Bradford T. Phares, owner of Lot No. 1 and Lots No. 5 through No. 14 and George L. Crow, President of the Hocking Hills Country Club, do hereby certify that the attached plat correctly represents the "Brad-Mer Acres" subdivision Lots No. 1 through 14, inclusive and do hereby accept this plat of same and dedicate to public use all roads and public areas shown hereon and not heretofore dedicated. The undersigned further agree that any use or improvements made on the land shall be in conformity with all existing valid zoning, platting, health or other lawful regulations of the State of Ohio and County of Hocking for the benefit of themselves and all other subsequent owners or assignees taking title from, under or through the undersigned.

In witness whereof, Dennis & Celeste Jennings, Thomas & Kathy Gerken, David & Tina Dixon, Bradford T. Phares, and George L. Crow hereto set their hand this 2nd day of MAY, 1997.

Witnesses	Owners

STATE OF OHIO, COUNTY OF HOCKING

Before me, a Notary Public, in and for said county, personally came Bradford T. Phares, Dennis & Celeste Jennings, Thomas & Kathy Gerken, David & Tina Dixon, Bradford T. Phares, and George L. Crow, who acknowledged the signing of the foregoing instrument to be their voluntary act and deed. In witness whereof, I have hereto set my hand and affixed my official seal this 2nd day of MAY, 1997.

Notary Public

My Commission Expires LIFETIME

SURVEYOR'S STATEMENT: I hereby certify that an actual survey was made under my direct supervision of the premises shown hereon in March of 1997. All monuments shown on the above plat will be set as of the recording date shown below. Bearings shown are based on the bearing system of the 10,000 Ac. tract described in Vol. 210, Pg. 424, and are for the determination of angles only.

Professional Surveyor No. 6803

APPROVALS:

Mathematically approved this 1st day of MAY, 1997,
by

Approved this 30th day of May, 1997,
by

Approved this 14th day of May, 1997,
by

Approved this 21st day of May, 1997,
by

The Above Approvals Do Not Constitute An Acceptance of The Dedication of Any Public Road.

Transferred on tax duplicate this 2nd day of JUNE, 1997,
by

Filed for record this 2nd day of JUNE, 1997, at 10:54 A.M.
Recorded this 2nd day of JUNE, 1997, in file
Cabinet # 2 at Page 14
File No. 80897 Fee \$6.40
by

9700020897
Filed for Record in
HOCKING COUNTY, OHIO
DONNA R. LEIGH
On 06-02-1997 at 10:54 am.
PLAT B6.40
Book OR Vol. 2 Pg. 16 - 17

* Lot # 11 It is recommended that 24 inches of topsoil be added to thicken the permeable layer above the dense fragipan. The topsoil should not be compacted into place, but rather laid in place and allowed to settle for about a year. The drains under the roadway which drain onto lot #11 should be removed.

*SEE "DECLARATION OF USE" FOR COMMON AREA, OR 95, PAGE 823

2/2