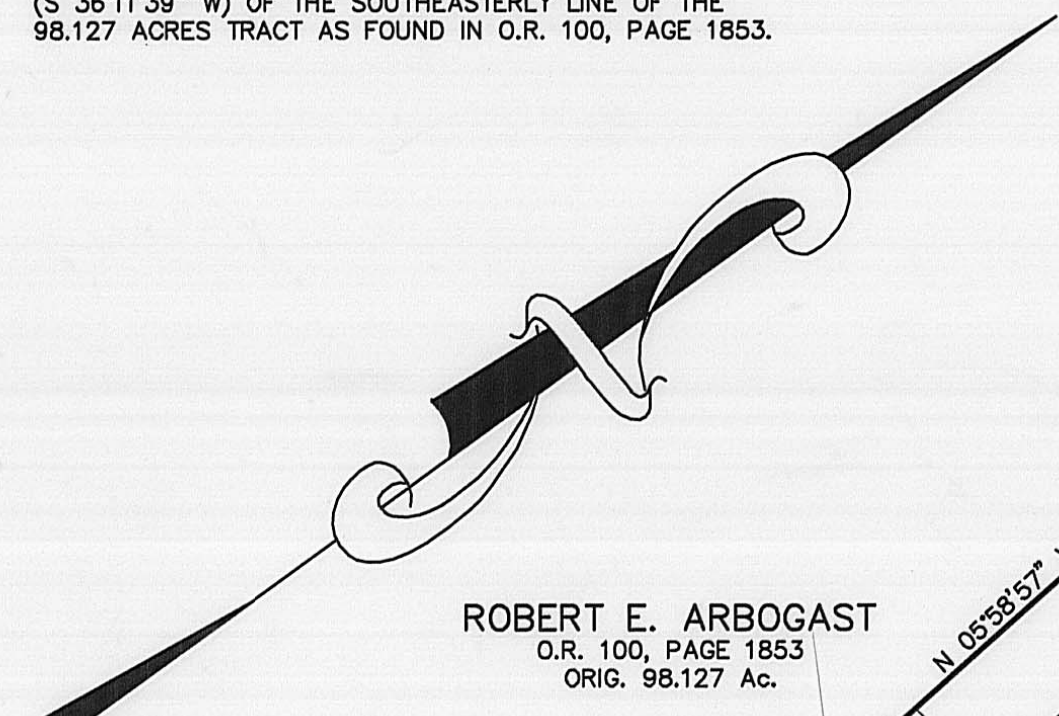


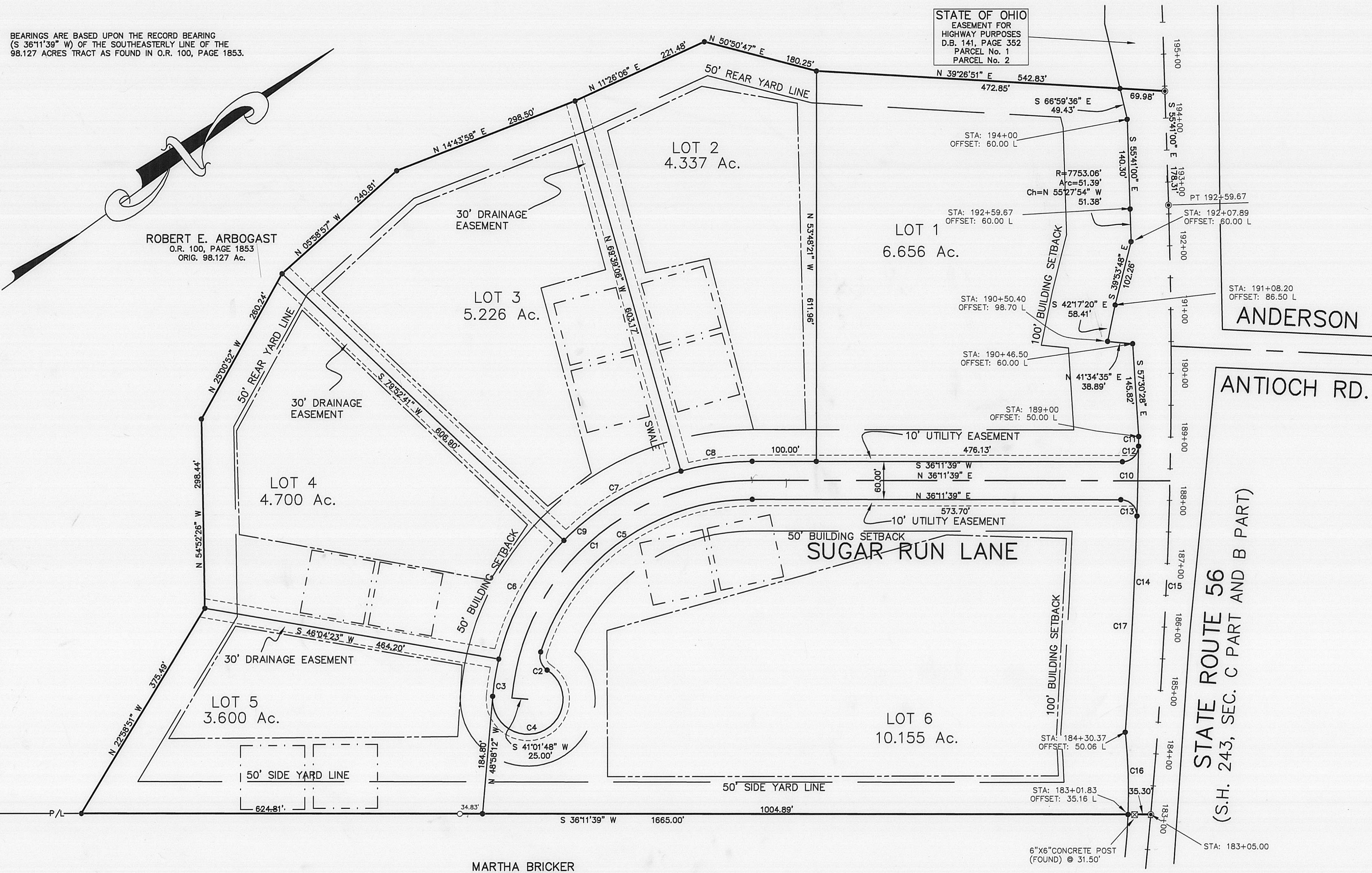
BEARINGS ARE BASED UPON THE RECORD BEARING (S 36°11'39" W) OF THE SOUTHEASTERLY LINE OF THE 98.127 ACRES TRACT AS FOUND IN O.R. 100, PAGE 1853.



ROBERT E. ARBOGAST  
O.R. 100, PAGE 1853  
ORIG. 98.127 Ac.

MARTHA BRICKER  
D.B. 223, PAGE 132  
PARCEL TWO  
108.86 Ac.

STATE OF OHIO  
EASEMENT FOR  
HIGHWAY PURPOSES  
D.B. 141, PAGE 352  
PARCEL No. 1  
PARCEL No. 2



CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	CHORD	DIRECTION	TANGENT
C1	557.40'	375.00'	85°09'51"	507.48'	S 08°23'16" E	344.61'
C2	32.50'	25.00'	74°28'47"	30.26'	S 73°29'13" E	19.00'
C3	59.45'	405.00'	08°24'39"	59.40'	S 44°45'52" E	29.78'
C4	232.07'	55.00'	241°45'25"	94.41'	N 10°09'06" E	91.98'
C5	436.20'	345.00'	72°26'28"	407.72'	S 00°01'35" E	252.69'
C6	215.15'	405.00'	30°26'13"	212.63'	S 25°20'26" E	110.18'
C7	215.15'	405.00'	30°26'13"	212.63'	S 05°05'47" W	110.18'
C8	112.24'	405.00'	15°52'45"	111.88'	S 28°15'16" W	56.48'
C9	601.99'	405.00'	85°09'51"	548.08'	S 08°23'16" E	372.18'
C10	110.38'	7763.06'	00°48'53"	110.38'	N 52°32'15" W	55.19'
C11	15.13'	7763.06'	00°06'42"	15.13'	N 53°00'03" W	7.56'
C12	38.89'	25.00'	89°08'21"	35.09'	N 08°22'31" W	24.63'
C13	40.00'	25.00'	91°40'32"	35.87'	S 82°01'55" W	25.74'
C14	466.65'	7763.06'	03°26'39"	466.58'	N 51°20'04" W	233.40'
C15	958.89'	7901.62'	06°57'11"	958.30'	N 52°12'24" W	480.04'
C16	128.78'	925.37'	07°58'26"	128.68'	N 55°49'20" W	64.50'
C17	341.14'	7763.06'	02°31'04"	341.11'	N 50°52'17" W	170.60'

AREA

AREA IN STREET:	1.758 Ac.
AREA IN ROW OF S.R. 56	1.471 Ac.
AREA IN LOTS	34,674 Ac.
TOTAL AREA:	37,903 Ac.

**DRAINAGE STATEMENT**

EASEMENTS SHOWN ON THIS PLAT ARE FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT OR REMOVAL OF WATER, STORM SEWER, SURFACE DRAINAGE, ELECTRIC, GAS, TELEPHONE OR OTHER UTILITY LINES OR SERVICES, AND FOR REMOVAL OF ANY AND ALL TREES OR OTHER OBSTRUCTIONS FOR THE USE OF SAID UTILITIES AND FOR PROVIDING INGRESS AND EGRESS TO THE PROPERTY FOR SAID PURPOSES AND ARE TO BE MAINTAINED AS SUCH FOREVER. EASEMENTS ARE RESERVED WHERE INDICATED AS SUCH ON PLAT FOR PUBLIC UTILITIES BELOW THE GROUND.

FURTHER, SAID LOTS AND OWNERS THEREOF ARE SUBJECT TO ASSESSMENTS FOR THE MAINTENANCE OF SURFACE AND SUBSURFACE DRAINAGE SYSTEMS AS APPROVED BY THE MADISON COUNTY COMMISSIONERS, IN ACCORDANCE WITH THE OHIO REVISED CODE CHAPTERS 6131 AND 6137, AS RECORDED IN COMMISSIONERS JOURNAL, PAGE \_\_\_\_\_, AT THE RATE OF \$\_\_\_\_\_ PER YEAR UNTIL THE MAINTENANCE FUND ACCUMULATES TO \$\_\_\_\_\_.

OWNERS OF LOTS SHALL SHARE THE COSTS FOR MAINTENANCE OF THE ROADSIDE DITCHES, SUBSURFACE TILES, SURFACE WATERWAYS, AND CULVERTS CROSSING UNDER ROADWAYS.

OWNERS OF LOTS WHERE SUBSURFACE TILE, AND WATERWAYS ARE ALONG THE LOT LINES SHALL SHARE THEIR PROPORTIONAL COSTS IN PORTION TO THE TOTAL LENGTH OF THE TILE.

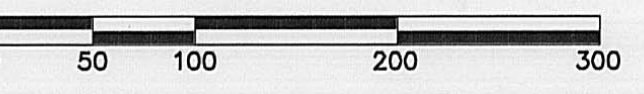
WITHIN THE EASEMENTS, AND NATURAL SWALES, NO STRUCTURE, PLANTING, FENCING CULVERT, OR OTHER MATERIAL SHALL BE PLACED OR PERMITTED TO REMAIN WHICH MAY OBSTRUCT, RETARD, OR DIVERT THE FLOW THROUGH THE WATERCOURSE.

CONSTRUCTION PLANS FOR IMPROVEMENT ARE ON FILE IN THE MADISON COUNTY ENGINEER'S OFFICE. FURTHER, THE MADISON COUNTY ENGINEER SHALL BE REQUESTED BY THE LOT OWNER'S TO INSPECT, APPROVE OR DISAPPROVE ALL CONSTRUCTION WITHIN EASEMENTS, STREET RIGHT-OF-WAY AND NATURAL WATERWAYS.

- LEGEND**
- ⊗ 6"x6" CONCRETE POST (FOUND)
  - 5/8" IRON PIN (SET)
  - 5/8" IRON PIN (FOUND)
  - ⊙ MAG NAIL (SET)
  - LIMITS OF LEACHING FIELD LOCATION
  - LIMITS OF BUILDING LOCATION

I HEREBY CERTIFY THAT I HAVE SURVEYED THE PREMISES AND PREPARED THE ATTACHED PLAT AND THAT SAID PLAT IS ACCURATE.

*Eric N. Lutz* Nov. 28, 2001  
ERIC N. LUTZ, P.S. 7232 DATE



REVISIONS


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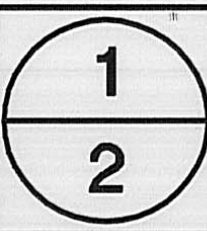
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CHECKED: \_\_\_\_\_  
DATE: \_\_\_\_\_

**McCARTY ASSOCIATES**  
Consulting Engineers-Architects-Surveyors  
104 South Main Street Washington C.H., Ohio 43160  
(740) 335-3816 fax (740) 335-5828

**SUGAR RUN FARMS SUBDIVISION**  
PLEASANT TOWNSHIP  
MADISON COUNTY, OHIO  
V.M.S. NOS. 4208 & 7883

**RECORD PLAT**

PROJECT NUMBER	E00-755
SCALE	1"=100'
HORIZ.	
VERT.	



**DECLARATION OF  
CONDITIONS, RESERVATIONS AND RESTRICTIONS  
ARBOGAST SUBDIVISION**

THIS DECLARATION, MADE ON THE DATE HEREINAFTER SET FORTH BY ROBERT E. ARBOGAST HEREINAFTER REFERRED TO AS "DECLARANT"; W I T N E S S E T H:  
WHEREAS, DECLARANT IS THE OWNER OF CERTAIN PROPERTY LOCATED IN THE TOWNSHIP OF PLEASANT, MADISON COUNTY, OHIO, ("THE PROPERTY") WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEING ALL OF LOTS 2 THROUGH 6 OF THE SUGAR RUN FARM SUBDIVISION, WHICH SHALL BE RECORDED IN VARIOUS PLAT BOOKS IN THE OFFICE OF THE RECORDER OF MADISON COUNTY, OHIO. THE DECLARANT RESERVES THE RIGHT TO EXPAND LAND COVERED BY THIS DECLARATION AT ANY TIME BY AMENDMENT RECORDED IN THE OFFICE OF THE RECORDER OF MADISON COUNTY, OHIO.

WHEREAS, THE LAND CONSTITUTING LOT 1 IS NOT INCLUDED IN THIS DECLARATION SINCE AS OF THIS FILING IT IS A COMMERCIAL LOT WHEREAS LOTS 2-6 ARE RESIDENTIAL LOTS.  
WHEREAS, DECLARANT DESIRES THAT SAID PROPERTY BE DEVELOPED IN AN ORDERLY MANNER FOR THE BENEFIT OF ALL PROPERTY OWNERS OF THE ABOVE-DESCRIBED PROPERTY.  
WHEREAS, DECLARANT HAS DETERMINED THIS MAY BEST BE DONE BY THE CONDITIONS, RESERVATIONS AND RESTRICTIONS CONTAINED HEREIN.

NOW, THEREFORE, DECLARANT HEREBY DECLARES THAT ALL OF THE PROPERTY DESCRIBED ABOVE SHALL BE HELD, SOLD AND CONVEYED SUBJECT TO THE FOLLOWING EASEMENTS, RESTRICTIONS, COVENANTS, AND CONDITIONS, WHICH ARE INTENDED FOR PROTECTING THE VALUE AND DESIRABILITY OF, AND WHICH SHALL RUN WITH THE REAL PROPERTY AND BE BINDING ON ALL PARTIES HAVING ANY RIGHT, TITLE OR INTEREST IN THE DESCRIBED PROPERTIES OR ANY PART THEREOF, THEIR HEIRS, SUCCESSORS AND ASSIGNS, AND SHALL INURE TO THE BENEFIT OF EACH OWNER THEREOF.

**ARTICLE I  
DEFINITIONS**

SECTION 1. "OWNER" OR "HOMEOWNER" SHALL MEAN AND REFER TO THE RECORD OWNER, WHETHER ONE OR MORE PERSONS OR ENTITIES, OF A FEE SIMPLE TITLE TO ANY LOT WHICH IS A PART OF THE PROPERTY, INCLUDING CONTRACT SELLERS, BUT EXCLUDING THOSE HAVING SUCH INTEREST MERELY AS SECURITY FOR THE PERFORMANCE OF AN OBLIGATION.  
SECTION 2. "PROPERTY" SHALL MEAN AND REFER TO THAT CERTAIN REAL PROPERTY HEREBEFORE DESCRIBED, AND SUCH ADDITIONS THERETO AS MAY HEREAFTER BE BROUGHT THEREIN BY THE DECLARANT. SECTION 3. "LOT" OR "HOMESITE" SHALL MEAN AND REFER TO ANY PLOT OF LAND SHOWN UPON ANY RECORDED SUBDIVISION PLAT OF THE PROPERTY.  
SECTION 4. "DECLARANT" SHALL MEAN AND REFER TO ROBERT E. ARBOGAST. IF THERE REMAINS AT LEAST ONE UNDEVELOPED LOT UPON THE DEATH OR INCAPACITATION OF ROBERT E. ARBOGAST, THEN LISA ARBOGAST-JONES OF MOUNT STERLING, OHIO, WILL ACT AS DECLARANT.  
SECTION 5. "COMMITTEE" SHALL MEAN AND REFER TO SUGAR RUN FARM ASSOCIATION AND THEIR SUCCESSORS IN OFFICE AS SET FORTH HEREAFTER.

**ARTICLE II  
RESIDENTIAL USE**

SUCH LOTS, AND EACH AND EVERY ONE THEREOF, ARE FOR RESIDENTIAL PURPOSES ONLY AND EXCLUSIVELY FOR THE CONSTRUCTION OF SINGLE FAMILY RESIDENCES AND ASSOCIATED STRUCTURES AS TO ALL LOTS. NO BUILDING SHALL BE ERECTED, ALTERED, PLACED OR PERMITTED TO REMAIN ON ANY LOT OTHER THAN ONE SINGLE-FAMILY DWELLING WITH ATTACHED GARAGE, WITH THE FOLLOWING EXCEPTION: IF A DETACHED GARAGE OR ANY OTHER STRUCTURE IS DESIRED, A REQUEST FOR THE SAME MUST BE APPROVED BY THE COMMITTEE AS SET FORTH BELOW, BUT IN NO CASE MAY A LOT BE SUBDIVIDED FOR SEPARATE BUILDING USE. NO BUILDING OR STRUCTURE INTENDED FOR OR ADAPTED TO BUSINESS PURPOSES SHALL BE ERECTED, PLACED, PERMITTED OR MAINTAINED ON SUCH PREMISES OR ON ANY PART THEREOF. THIS PROVISION IS INTENDED TO EXCLUDE ALL NON-RESIDENTIAL USES AND ALSO TO EXCLUDE ANY COMMERCIAL, MULTI-FAMILY APARTMENT, DOUBLE, DUPLEX, TWIN SINGLE, TWO-FAMILY, BOARDING HOUSE, COMMUNE, HALF-WAY HOUSE, OR OTHER NON-SINGLE FAMILY USE.

**ARTICLE III  
CONSTRUCTION REQUIREMENTS**

EACH PRIVATE DWELLING HOUSE ERECTED UPON ANY SUCH HOMESITE SHALL BE CONSTRUCTED IN ACCORDANCE WITH PLANS THAT HAVE BEEN APPROVED BY THE COMMITTEE. CONSTRUCTION TIME TO COMPLETION SHALL BE NO GREATER THAN TEN (10) MONTHS AFTER COMMENCEMENT OF EXCAVATION. COMPLETION OF DRIVEWAY FROM THE EDGE OF THE IMPROVED ROADWAY TO THE ENTRANCE TO THE GARAGE MUST BE WITHIN SIX (6) MONTHS AFTER COMPLETION OF THE HOUSE AND BE OF PERMANENT MATERIAL APPROVED BY THE COMMITTEE.

**ARTICLE IV  
APPROVAL OF PLANS**

FOR THE PURPOSE OF FURTHER INSURING THE DEVELOPMENT OF THE PROPERTY SO PLATTED AS AN AREA OF HIGH STANDARDS, THE COMMITTEE RESERVES THE POWER TO CONTROL THE BUILDINGS, STRUCTURES, AND OTHER IMPROVEMENTS PLACED ON EACH LOT, WHETHER OR NOT PROVISION THEREOF IS SPECIFICALLY STATED IN ANY CONVEYANCE OF A LOT MADE BY THE DECLARANT, THE OWNER OR OCCUPANT OF EACH AND EVERY LOT, BY ACCEPTANCE OF TITLE THERETO OR BY TAKING POSSESSION THEREOF, COVENANTS AND AGREES THAT NO BUILDING, WALL OR OTHER STRUCTURE SHALL BE PLACED UPON SUCH LOT UNLESS AND UNTIL THE PLANS AND SPECIFICATIONS THEREOF AND PLOT PLAN HAVE BEEN APPROVED IN WRITING BY THE COMMITTEE AS MATERIALS, SIZE, STYLE, HARMONY OF EXTERNAL DESIGN WITH EXISTING STRUCTURES, AND AS TO LOCATION WITH RESPECT TO TOPOGRAPHY. EACH SUCH BUILDING, WALL OR STRUCTURE SHALL BE PLACED ON THE PROPERTY ONLY IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS AND PLOT PLAN SO APPROVED. REFUSAL OF APPROVAL OF PLANS AND SPECIFICATIONS BY SUCH COMMITTEE MAY BE BASED ON ANY GROUND, INCLUDING PURELY AESTHETIC GROUNDS, WHICH, IN THE SOLE AND UNCONTROLLED DISCRETION OF THE COMMITTEE SHALL SEEM SUFFICIENT. NO ALTERATION IN THE EXTERIOR APPEARANCE OF THE BUILDINGS OR STRUCTURES SHALL BE MADE WITHOUT LIKE APPROVAL. IF NO COMMITTEE EXISTS OR IF THE COMMITTEE SHALL FAIL TO APPROVE OR DISAPPROVE THE PLANS AND SPECIFICATIONS WITHIN 30 DAYS AFTER WRITTEN REQUEST THEREOF, THEN SUCH APPROVAL SHALL NOT BE REQUIRED, PROVIDED THAT NO BUILDING OR OTHER STRUCTURE SHALL BE ERECTED WHICH VIOLATES ANY OF THE COVENANTS HEREIN CONTAINED.

**ARTICLE V  
COMMITTEE**

THE COMMITTEE SHALL CONSIST OF ONE REPRESENTATIVE OF THE OWNER(S) OF EACH LOT IN THE SUBDIVISION. EACH REPRESENTATIVE OF THE OWNER(S) OF EACH LOT SHALL HAVE ONE VOTE. AN OWNER OF MULTIPLE LOTS WILL HAVE AS MANY VOTES AS LOTS. THE COMMITTEE SHALL CONTINUE IN EXISTENCE FOR AS LONG AS ANY OF THE LOTS DO NOT HAVE A RESIDENCE CONSTRUCTED THEREON, WHICH PERIOD SHALL BE TERMED THE DEVELOPMENT PERIOD. SHOULD ALL LOTS IN SAID SUBDIVISION HAVE RESIDENTIAL DWELLING(S) CONSTRUCTED THEREON CONSISTENT WITH THESE COVENANTS, THEN IN SUCH EVENT THE COMMITTEE SHALL CONSIST OF ALL LOT OWNERS IN THE SUBDIVISION, AND A MAJORITY SHALL CONTROL.

**ARTICLE VI  
TANKS**

ONLY TANKS FOR USE IN CONNECTION WITH THE STORAGE OF HEATING FUELS FOR THE RESIDENCE MAY BE CONSTRUCTED/INSTALLED ON THE PROPERTY. SUCH TANKS SHALL BE BURIED, OR IF ABOVE GROUND, WALLED SUFFICIENTLY OR DISCREETLY WITH LANDSCAPING TO CONCEAL THEM FROM THE VIEW FROM NEIGHBORING LOTS, ROADS OR STREETS.

**ARTICLE VII  
SETBACK LINES**

NO BUILDING, STRUCTURE, OUTBUILDING OR APPURTENANCES OF ANY NATURE SHALL BE LOCATED CLOSER TO THE EDGE OF THE PLATTED STREET OR STATE ROUTE 56 THAN WHAT IS INDICATED AS SET BACK LINES ON THE APPROVED PLAT ON FILE AT THE MADISON COUNTY, OHIO RECORDER'S OFFICE. THE FRONT OF EACH RESIDENCE STRUCTURE MUST BE LOCATED WITHIN REASONABLE DISTANCE OF THE AFORESAID SETBACK LINE, COMPATIBLE WITH NEIGHBORING LOT STRUCTURES, AND MUST BE APPROVED BY THE COMMITTEE PRIOR TO CONSTRUCTION. LOCATIONS OF THE PERMITTED GARAGE, OTHER OUTBUILDINGS, OR APPURTENANCES IN RELATION TO ADJACENT LOTS SHALL BE APPROVED BY THE AFORESAID COMMITTEE.

**ARTICLE VIII  
PETS AND LIVESTOCK**

INCLUDING HORSES AND POULTRY INCLUDING HORSES AND POULTRY HOUSEHOLD PETS MAY BE KEPT ON ANY OF SUCH LOTS. HOWEVER, SUCH DOMESTIC PETS KEPT MUST BE PREVENTED FROM ROAMING AT LARGE OUTSIDE THE LOT OWNER'S PROPERTY. FARM ANIMALS ARE PERMITTED ONLY IF BEING RAISED FOR THE PURPOSE OF 4-H PROJECTS, AND THEN THESE ANIMALS MAY BE KEPT ONLY FOR THE DURATION OF THE PROJECT, THE MAXIMUM DURATION BEING ONE YEAR, AND ONLY AFTER RECEIVING THE PERMISSION OF THE COMMITTEE.

**ARTICLE IX  
GARBAGE AND RUBBISH DISPOSAL**

NO PORTION OF THE PROPERTY SHALL BE USED OR MAINTAINED AS A DUMPING GROUND FOR RUBBISH OR OTHER SIMILAR MATERIAL, AND ALL MATERIALS FROM CONSTRUCTION SHALL BE PICKED UP WEEKLY. ALL GARBAGE AND OTHER SIMILAR MATERIALS SHALL BE KEPT IN SANITARY CONTAINERS. COVERED CONTAINERS WITH GARBAGE MAY BE PLACED ROADSIDE FOR PICK-UP A MAXIMUM OF 48 (FORTY-EIGHT) HOURS PRIOR TO DESIGNATED PICK-UP TIME.

**ARTICLE X  
UTILITY LINES AND RADIO AND TELEVISION ANTENNAS**

ALL ELECTRICAL SERVICE AND TELEPHONE LINES SHALL BE PLACED UNDERGROUND AND NO OUTSIDE ELECTRICAL LINES SHALL BE PLACED OVERHEAD. NO EXPOSED OR EXTERIOR RADIO OR TELEVISION TRANSMISSION OR RECEIVING ANTENNAS OVER 25 (TWENTY-FIVE) FEET IN HEIGHT OR SATELLITE DISH TYPE ANTENNAS OVER 4 (FOUR) FEET IN DIAMETER IN ANY DIRECTION SHALL BE ERECTED, PLACED, OR MAINTAINED ON ANY PART OF THE PROPERTY, UNLESS SHIELDED FROM PUBLIC VIEW AND THE VIEW OF OWNERS OF ADJACENT LOTS.

**ARTICLE XI  
NUISANCES**

NO ACTIVITY NOXIOUS OR OFFENSIVE, WHICH CONSTITUTES A CIVIL NUISANCE, SHALL BE CREATED OR PERMITTED TO CONTINUE. NO POWER MOWERS, POWER SNOW REMOVAL EQUIPMENT OR ANY OTHER TOOLS OR EQUIPMENT MAKING UNDUE NOISE SHALL BE USED BEFORE 7:00 A.M., OR AFTER 10:00 P.M., ON ANY DAY OF THE WEEK.

**ARTICLE XII  
OUTDOOR FIRES**

NO OUTDOOR FIRES THAT VIOLATE THE REGULATIONS OF THE OHIO ENVIRONMENTAL PROTECTION AGENCY SHALL BE CREATED WITHIN OR UPON THE PROPERTIES.

**ARTICLE XIII  
SIGNS**

NO BILLBOARDS OR ADVERTISING SIGNS OF ANY CHARACTER SHALL BE ERECTED, PLACED, OR PERMITTED, OR MAINTAINED ON ANY LOT OR IMPROVEMENT EXCEPT AS HEREIN EXPRESSLY PERMITTED.  
A. DISPLAY SIGNS AND ODOOR SIGNS - GENERALLY. NO SIGN OF ANY KIND SHALL BE DISPLAYED ON ANY PORTION OF THE PROPERTY EXCEPT FOR A SINGLE SIGN NOT EXCEEDING ONE (1) SQUARE FOOT OF DISPLAY SURFACE, ON A RESIDENCE BUILDING, STATING THE NAME AND/OR ADDRESS, OR OTHER IDENTIFICATION OF THE OCCUPANT, WITHOUT ANY DESIGNATION OF THE OCCUPATION OR PROFESSION OF THE OCCUPANT.  
B. REAL ESTATE SIGNS. A SINGLE OFFERING REAL ESTATE FOR SALE OR RENT MAY BE ERECTED AND DISPLAYED UPON ANY LOT PROVIDED THAT SUCH SIGN SHALL NOT EXCEED FIVE (5) SQUARE FEET OF DISPLAY SURFACE NOR EXCEED THREE (3) FEET IN HEIGHT, NOR SHALL IT BE LOCATED CLOSER TO THE CURB THAN TWENTY-FIVE (25) FEET, NOR SHALL IT BE ILLUMINATED, NOR SHALL IT REMAIN MORE THAN TEN (10) DAYS AFTER SALE OR RENTAL. ONE SIGN INDICATING THAT THE BUILDING IS OPEN FOR INSPECTION MAY BE DISPLAYED ONLY ON THE LOT BEING SOLD, AND ONLY WHEN THE AGENT OR OWNER IS PRESENT, AND ONLY DURING THE TIME THE BUILDING IS AVAILABLE FOR INSPECTION.  
C. CONTRACTOR'S SIGNS. SIGNS ANNOUNCING THE NAMES OF CONTRACTORS, SUBCONTRACTORS AND OTHERS PARTICIPATING IN THE CONSTRUCTION OF A BUILDING ON THE PROPERTY SHALL BE PERMITTED DURING THE ACTUAL CONSTRUCTION PROVIDED THAT ONLY ONE SIGN PER LOT IS USED WHICH DOES NOT EXCEED FIVE (5) SQUARE FEET PER SIDE IN DISPLAY AREA, NOR IS HIGHER THAN THREE (3) FEET AND PROVIDED FURTHER THAT IT SHALL NOT BE PLACED ON THE LOT ANY CLOSER THAN THIRTY-FIVE (35) FEET FROM THE CENTER LINE OF THE ROADWAY.  
D. TEMPORARY SIGNS. UNLESS OTHERWISE SPECIFICALLY ADDRESSED IN THIS SECTION, SIGNS ARE TO BE DISPLAYED FOR A PERIOD OF NOT MORE THAN FORTY-EIGHT (48) HOURS, AND NOT TO BE REDISPLAYED FOR A PERIOD OF AT LEAST ONE (1) MONTH AND THEY SHALL NOT EXCEED FIVE (5) SQUARE FEET OF DISPLAY SURFACE.

**ARTICLE XIV  
GARAGE AND OUTBUILDINGS**

NO GARAGE OR OTHER OUTBUILDING SHALL BE PLACED, ERECTED, OR MAINTAINED UPON ANY PART OF SUCH PREMISES EXCEPT FOR USE IN CONNECTION WITH A RESIDENCE ALREADY CONSTRUCTED OR UNDER CONSTRUCTION AT THE TIME THAT SUCH GARAGE OR OTHER OUTBUILDING IS PLACED OR ERECTED UPON THE PROPERTY. NO GARAGE OR OUTBUILDING SHALL BE PLACED, ERECTED, MAINTAINED OR ALTERED ON ANY LOT UNTIL THE CONSTRUCTION PLANS AND SPECIFICATIONS HAVE BEEN APPROVED BY THE COMMITTEE HEREBY ESTABLISHED.

**ARTICLE XV  
OCCUPANCY**

NO PRIVATE DWELLING HOUSE ERECTED UPON ANY LOT SHALL BE OCCUPIED IN ANY MANNER WHILE IN THE COURSE OF CONSTRUCTION, NOR AT ANY TIME PRIOR TO ITS BEING FULLY COMPLETED, AS HEREIN REQUIRED, NOR SHALL ANY RESIDENCE, WHEN COMPLETED, BE IN ANY MANNER OCCUPIED UNTIL MADE TO COMPLY WITH THE APPROVED PLANS, THE REQUIREMENTS HEREIN, AND ALL OTHER COVENANTS, CONDITIONS, RESERVATIONS, AND RESTRICTIONS HEREIN SET FORTH. NO TEMPORARY HOUSE, TEMPORARY DWELLING, TEMPORARY GARAGE, TEMPORARY OUTBUILDING, TRAILER HOME, OR OTHER TEMPORARY STRUCTURE SHALL BE PLACED OR ERECTED UPON ANY LOT UNLESS APPROVED BY THE COMMITTEE HEREBY ESTABLISHED.

**ARTICLE XVI  
SPECULATIVE BUILDING**

CONSTRUCTION OF A SPECULATIVE RESIDENCE MAY NOT BE UNDERTAKEN, EXCEPT BY A RESIDENT OWNER OR AN "APPROVED BUILDER" WHO SHALL BE THE BONA FIDE PRINCIPAL EQUITY OWNER OF ANY SUCH SPECULATIVE LOT AND RESIDENCE UNDERTAKEN. A SPECULATIVE RESIDENCE IS ONE FOR WHICH THERE IS NOT A BONA FIDE CONTRACT OF SALE IN EXISTENCE, AND ONE WHICH THE OWNER OR BUILDER DOES NOT INTEND TO PERSONALLY OCCUPY.

**ARTICLE XVII  
EASEMENTS AND DRAINAGE**

DRAINAGE WAYS SHALL CONFORM TO THE REQUIREMENTS OF ALL LAWFUL PUBLIC AUTHORITIES, TO THE FULL EXTENT OF THE AUTHORITY GIVEN THEM BY LAW. FURTHER, DECLARANT MAY, AT HIS OPTION, REQUIRE MORE RESTRICTIVE DRAINAGE WAYS, IF THE SAME WOULD PROMOTE THE BEST INTEREST OF THE DEVELOPMENT. EASEMENTS FOR INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES ARE RESERVED AS SHOWN ON THE RECORDED PLAT. IN ADDITION, ALL LOTS SHALL BE SUBJECT TO A DRAINAGE EASEMENT TEN (10) FEET WIDE ALONG ALL LOT LINES, ANY LOT AREA DESIGNATED FOR THE NATURAL FLOW OF SURFACE WATER SHALL AT ALL TIMES BE KEPT FREE OF ANY OBSTRUCTION TO THE NATURAL FLOW OF SURFACE WATER, AND ANY IMPROVEMENTS MADE ON OR UNDER ANY EASEMENT BY THE PROPERTY OWNER ARE AT THE RISK OF THE PROPERTY OWNER. THIS PROVISION WILL EXPIRE WHEN ALL LOTS ARE DEVELOPED.

**ARTICLE XVIII  
COMMERCIAL VEHICLES AND BOATS**

NO COMMERCIAL VEHICLES, COMMERCIAL BUSES, TRUCKS IN EXCESS OF ONE TON, TRACTOR-TRAILERS, CONSTRUCTION OR LIKE EQUIPMENT, MOBILE HOMES, OR LARGE MOBILE TRAILERS OF ANY KIND SHALL BE PERMITTED TO BE PARKED ON ANY LOT OF THE SUBDIVISION OVERNIGHT. NO BOAT, RECREATIONAL VEHICLE, OR MOTOR HOME MAY BE STORED OR PARKED ON ANY LOT FOR MORE THAN 14 DAYS IN ANY ONE CALENDAR YEAR UNLESS IT IS OUT OF SIGHT OF OTHER LOT OWNERS OR ENCLOSED IN AN APPROVED GARAGE PARKING SPACE OR SURROUNDED WITH APPROPRIATE LANDSCAPING.

**ARTICLE XIX  
DIVISION OF LOTS**

NO LOT SHALL BE RE-SUBDIVIDED EXCEPT AS APPROVED BY THE COMMITTEE.

**ARTICLE XX  
FENCES**

BOARD FENCES SHALL BE THE PREFERRED CONSTRUCTION OF FENCES ON SAID LOTS. CONSIDERATION TO AN ALTERNATIVE CONSTRUCTION METHOD MAY BE APPROVED BY THE COMMITTEE AFTER A DETAILED DESCRIPTION OF THE ALTERNATIVE IS SUBMITTED.

**ARTICLE XXI  
GARDENS**

VEGETABLE GARDENS SHALL BE PERMITTED BUT MUST REMAIN CLEAR OF ALL EASEMENTS.

**ARTICLE XXII  
RESIGNATION OF DECLARANT**

THE DECLARANT MAY GRANT AND CONVEY ALL HIS RIGHTS AND PRIVILEGES UNDER THESE COVENANTS, CONDITIONS, RESERVATIONS, AND RESTRICTIONS TO A THIRD PARTY OR COMMITTEE UPON SUCH CONVEYANCE AND GRANT, THE THIRD PARTY SHALL HAVE AND SHALL SUCCEED TO ALL RIGHTS AND DUTIES WITH THE SAME POWERS AS IF THEY HAD BEEN NAMED AS DECLARANT HEREIN.

**ARTICLE XXIII  
SEPTIC TANKS**

HOMEOWNER SHALL MAINTAIN ANY SEPTIC TANK AND ACCOMPANYING LEACHING SYSTEM IN GOOD WORKING CONDITION AT ALL TIMES AND IN COMPLIANCE WITH ALL APPLICABLE PUBLIC REGULATIONS.

**ARTICLE XXIV  
ROADWAY**

THE CONSTRUCTION OF THE ROADWAY FROM STATE ROUTE 56 THROUGH AND SERVING ALL LOTS IN THE SUBDIVISION SHALL BE THE RESPONSIBILITY OF THE DECLARANT. HOWEVER, MAINTENANCE OF THE ROADWAY SHALL BE SHARED EQUALLY BY ALL LOT OWNERS IN THE SUBDIVISION UNLESS OR UNTIL THE ROADWAY IS DEDICATED AND ACCEPTED BY A GOVERNMENTAL AUTHORITY, I.E. COUNTY, TOWNSHIP, OR MUNICIPAL CORPORATION.

**ARTICLE XXV  
GENERAL PROVISIONS**

SECTION 1. ENFORCEMENT. DECLARANT AND ANY OWNER, SHALL HAVE THE RIGHT TO ENFORCE, BY ANY PROCEEDING AT LAW OR IN EQUITY, ALL RESTRICTIONS, CONDITIONS, COVENANTS, RESERVATIONS, LIENS AND CHARGES NOW OR HEREAFTER IMPOSED BY THE PROVISIONS OF THIS DECLARATION. HOMEOWNER SHALL BE LIABLE TO DECLARANT FOR COSTS OF ALL REPAIRS OR OTHER ACTIONS NECESSARY TO ENFORCE THE PROVISIONS OF THIS DECLARATION. FAILURE BY DECLARANT OR ANY OWNER TO ENFORCE ANY COVENANT OR RESTRICTION HEREIN CONTAINED SHALL IN NO EVENT BE DEEMED A WAIVER OF THE RIGHT TO DO SO THEREAFTER. PROVIDED, FURTHER, THAT SHOULD THE DECLARANT EMPLOY COUNSEL TO ENFORCE ANY OF THE FOREGOING COVENANTS, CONDITIONS, RESERVATIONS, OR RESTRICTIONS, OR REENTRY, BY REASON OF SUCH BREACH, ALL COSTS INCURRED IN SUCH ENFORCEMENT, INCLUDING A REASONABLE FEE FOR COUNSEL, SHALL BE PAID BY THE OWNER OF SUCH LOT OR LOTS AND THE DECLARANT SHALL HAVE A LIEN UPON SUCH LOT OR LOTS TO SECURE PAYMENT OF ALL SUCH ACCOUNTS.  
SECTION 2. SEVERABILITY. INVALIDATION OF ANY ONE OF THESE COVENANTS OR RESTRICTIONS BY JUDGMENT OR COURT ORDER SHALL IN NO WAY AFFECT ANY OF THE OTHER PROVISIONS, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.  
SECTION 3. AMENDMENT. THE COVENANTS AND RESTRICTIONS OF THIS DECLARATION SHALL RUN WITH AND BIND THE LAND AND ALL PARTIES AND PERSONS CLAIMING UNDER THEM, FOR A TERM OF THIRTY (30) YEARS FROM THE DATE THIS DECLARATION IS RECORDED, AFTER WHICH TIME THEY SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN (10) YEARS, UNLESS AN INSTRUMENT SIGNED BY A MAJORITY OF THE THEN LOT OWNERS HAS BEEN RECORDED AGREEING TO CHANGE THIS DECLARATION IN WHOLE OR IN PART. THIS DECLARATION MAY BE AMENDED DURING THE FIRST THIRTY (30) YEAR PERIOD BY AN INSTRUMENT SIGNED BY NOT LESS THAN NINETY PERCENT (90%) OF THE LOT OWNERS, AND THEREAFTER BY AN INSTRUMENT SIGNED BY A MAJORITY OF THE LOT OWNERS.

SITUATED IN V.M.S. NOS. 4208 & 7883, PLEASANT TOWNSHIP, MADISON COUNTY, OHIO, CONTAINING 37.903 ACRES AND BEING PART OF THE 98.127 ACRES TRACT AS CONVEYED TO ROBERT E. ARBOGAST AND DESCRIBED IN OFFICIAL RECORD 100, PAGE 1853, AND RECORDED IN MADISON COUNTY RECORDER'S OFFICE.

I, THE UNDERSIGNED, BEING THE SOLE OWNER AND LIEN HOLDER OF THE LANDS HEREIN PLATTED, DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF THE SAID PLAT AND TO DEDICATE STREETS, PARKS AND/OR PUBLIC GROUNDS AS SHOWN HEREON TO THE PUBLIC USE FOREVER.

EASEMENTS SHOWN ON THIS PLAT ARE FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT OR REMOVAL OF WATER, SEWER, GAS, ELECTRIC, TELEPHONE, OR OTHER UTILITY LINES OR SERVICES, STORM WATER DISPOSAL AND FOR THE EXPRESS PRIVILEGE OF REMOVING ANY AND ALL TREES OR OTHER OBSTRUCTIONS TO THE FREE USE OF SAID EASEMENTS AND FOR PROVIDING INGRESS AND EGRESS TO THE PROPERTY FOR SAID PURPOSES AND ARE TO BE MAINTAINED AS SUCH FOREVER.

IN WITNESS WHEREOF \_\_\_\_\_ DAY OF \_\_\_\_\_, 200\_\_\_\_

WITNESS: \_\_\_\_\_ SIGNED \_\_\_\_\_

STATE OF OHIO

BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY PERSONALLY CAME \_\_\_\_\_

WHO ACKNOWLEDGED THE SIGNING OF THE FORGOING INSTRUMENT TO BE THEIR VOLUNTARY ACT AND DEED FOR THE PURPOSES THEREIN EXPRESSED.

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THIS \_\_\_\_\_, 200\_\_\_\_ BY \_\_\_\_\_

MADISON COUNTY BOARD OF HEALTH: I HEREBY APPROVE THIS PLAT ON THIS 12<sup>th</sup> DAY OF February, 2002.

Dante Duml  
CHAIRMAN

MADISON COUNTY REGIONAL PLANNING COMMISSION: THIS PLAT WAS APPROVED BY THE MADISON COUNTY REGIONAL PLANNING COMMISSION ON THIS 12<sup>th</sup> DAY OF February, 2002.

Robert Jones  
CHAIRMAN

MADISON COUNTY ZONING COMMISSION: WE THE MADISON COUNTY ZONING COMMISSION DO HEREBY ACCEPT THIS PLAT ON THIS 12<sup>th</sup> DAY OF February, 2002.

Doreen M. Hough  
ZONING INSPECTOR

COUNTY ENGINEER: I HEREBY APPROVE THIS PLAT ON THIS 14 DAY OF FEBRUARY, 2002.

Jeffrey  
MADISON COUNTY ENGINEER

WE, THE BOARD OF COUNTY COMMISSIONERS OF MADISON COUNTY, OHIO DO APPROVE THIS PLAT ON THIS 25 DAY OF Feb., 2002.

COMMISSIONERS: Robert P. Hackett  
Clint R. Sunder  
Daniel D. Whome

COUNTY AUDITOR: TRANSFERRED THIS 27<sup>th</sup> DAY OF February, 2002.

By James J. Buren COUNTY AUDITOR Jim Williamson DEPUTY

RECEIVED ON THIS 27<sup>th</sup> DAY OF FEBRUARY, 2002, AT 7:58 A.M.

RECORDED THIS 27<sup>th</sup> DAY OF FEBRUARY, 2002, AT 7:58 M.

IN PLAT BOOK B-211, PAGE + B-212  
FILE NO. 08-1677 + 08-1678  
FEE \$ 43.80

REVISIONS	DRAWN:
	DATE:
ASBUILT:	CHECKED:
	DATE:



**McCARTY ASSOCIATES**  
Consulting Engineers-Architects-Surveyors  
104 South Main Street Washington C.H., Ohio 43160  
(740) 335-3816 fax (740) 335-5828

**SUGAR RUN FARMS SUBDIVISION**

PLEASANT TOWNSHIP  
MADISON COUNTY, OHIO  
V.M.S. NOS. 4208 & 7883

**RECORD PLAT**

PROJECT NUMBER	E00-755
SCALE	HORIZ. VERT.
1"=100'	

