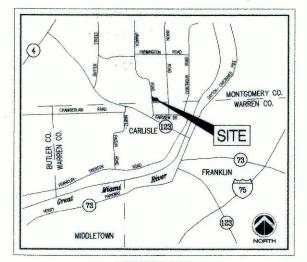
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PART OF MIAMI TOWNSHIP AND PART OF THE CITY OF CARLISLE, MONTGOMERY COUNTY, OHIO CONTAINING 11.616 ACRES IN THE CITY OF CARLISLE AND 0.591 ACRES IN MIAMI TOWNSHIP, 12,207 ACRES TOTAL.

#### ACREAGE BREAKDOWN

BUILDABLE LOTS (24) = 8.973 ACRES RIGHT-OF-WAY = 3.234 ACRES TOTAL AREA = 12.207 ACRES

PLAT-09-058571 0000



**LOCATION MAP** 

# **DESCRIPTION:**

THE WITHIN IS A PLAT OF 12.207 ACRES IN THE NORTHWEST QUARTER SECTION 28, TOWN 2 NORTH, RANGE 5 EAST, & ... ACRES OUT OF MIAMI TOWNSHIP AND 11.616 ACRES OUT OF THE CITY OF CARLISLE, MONTGOMERY COUNTY, OHIO, AND BEING OUT OF A 75.938 ACRE TRACT OF LAND AS CONVEYED TO JLG INVESTMENT CO. LLC BY I.R. DEED 09-031983

#### **DEDICATION STATEMENT:**

WE, THE UNDERSIGNED, OWNERS OF THE REAL ESTATE SHOWN AND PRESCRIBED HEREIN, DO HEREBY CERTIFY THAT WE HAVE LAID OFF PLATTED AND SUBDIVIDED, AND DO HEREBY LAY OFF, PLAT AND SUBDIVIDE, SUCH REAL ESTATE, IN ACCORDANCE WITH THE WITHIN PLAT THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS "INDIAN TRACE, SECTION ONE". ALL STREETS AND OTHER PUBLIC LANDS SHOWN AND NOT HERETOFORE DEDICATED ARE HEREBY DEDICATED TO THE PUBLIC ACCORDING TO THE LAWS IN SUCH CASES MADE AND PROVIDED AND THAT SAID LAND TO BE DEDICATED IS FREE AND UNENCUMBERED; THAT SAID STREETS SHALL BE IMPROVED BY THE SUBDIVIDER IN ACCORDANCE WITH CURRENT REQUIREMENTS OF THE CITY OF CARLISLE PLANNING AND ZONING COMMISSION; THAT ANY LOT TRANSFERRED WILL HAVE A MINIMUM WIDTH AND AREA SUBSTANTIALLY THE SAME AS SHOWN ON THE PLAT AND THAT ONLY ONE PRINCIPAL BUILDING WILL BE ERECTED THEREON; THERE ARE RESERVED FOR PUBLIC USE THE EASEMENTS AS SHOWN HEREON WHICH SHALL BE USED FOR THE CONSTRUCTION, MAINTENANCE, REPAIR, REPLACEMENT, OR REMOVAL OF WATER, SEWER, STORM DRAINAGE, GAS, ELECTRIC, TELEPHONE, OR ANY OTHER PUBLIC OR QUASI PUBLIC UTILITY LINE OR SERVICES; TOGETHER WITH THE RIGHT TO REMOVE ANY AND ALL TREES OR OTHER OBSTRUCTIONS TO THE FREE USE OF SAID UTILITIES OR SERVICES, AND WITH THE RIGHT OF INGRESS AND EGRESS OVER AND ACROSS ALL LOTS TO AND FROM SAID EASEMENTS AND THE OPERATIONS AND MAINTENANCE OF THE DETENTION POND BEING THE OWNER'S

IN WITNESS WHEREOF, THE UNDERSIGNED HAVE SET THEIR HANDS AND SEAL

JAMES L. GROSS, JR., OWNER JLG INVESTMENT CO. LLC

Mark A. Fuller

# **ACKNOWLEDGMENT**

STATE OF OHIO

BE IT REMEMBERED THAT ON THIS \_\_\_\_ DAY OF \_\_\_\_, 20\_, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE PERSONALLY CAME JAMES L. GROSS, JR. , WHO ACKNOWLEDGED THE SIGNING OF THE FOREGOING INSTRUMENT TO BE HIS VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN MENTIONED.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL ON THE DAY AND YEAR LAST AFORESAID. In and for the State of Ohio

My Commission Expires July 27, 2010 MY COMMISSION EXPIRES

# APPROVAL - PLANNING AND ZONING COMMISSION

THIS PLAT WAS APPROVED ON THIS 25 DAY OF JUNE 20, BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF

Alo Este SECRETARY

# APPROVAL - CITY COUNCIL

THIS PLAT WAS APPROVED ON THIS 11 DAY OF 100. 2007 BY THE COUNCIL OF THE CITY OF CARLISLE, OHIO.

26 Este CLERK OF COUNCIL 39-07

APPROVAL - ZONING ENFORCEMENT OFFICER THIS PLAT WAS APPROVED ON THIS 15 DAY OF JULY 2009

ZONING ENFORCEMENT OFFICER CITY OF CARLISLE, OHIO

ORDINANCE NO .:

APPROVAL - CITY ENGINEER

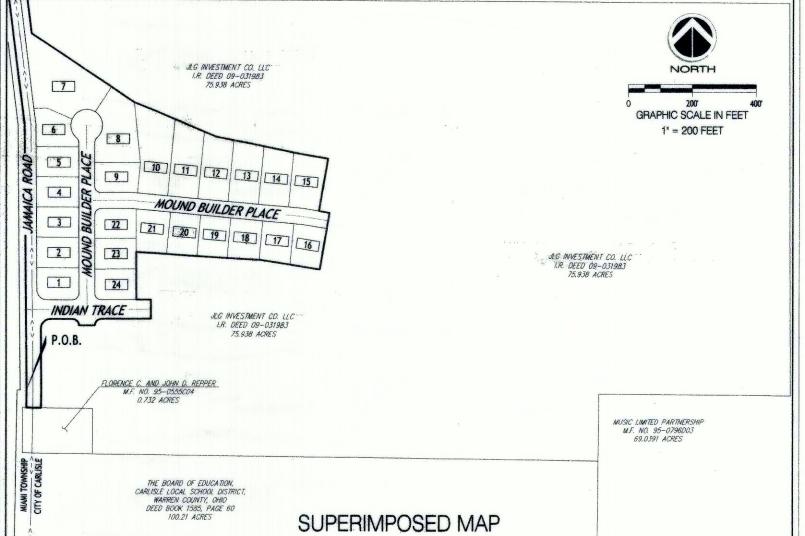
THIS PLAT WAS APPROVED ON THIS 15"DAY OF 10, 200

MUNICIPAL ENGINEER CITY OF CARLISLE, OHIO

# SURVEYOR'S CERTIFICATION

I, MARK ALAN SMITH, P.S., HEREBY CERTIFY THAT THE I AM A PROFESSIONAL SURVEYOR, LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF OHIO; THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY COMPLETED BY FLOYD BROWNE GROUP IN MAY 2007 FOR THE SUBDIVIDER; THAT ALL THE MONUMENTS SHOWN HEREON WILL BE SET UPON COMPLETION OF CONSTRUCTION OF THE IMPROVEMENTS, BUT SHALL NOT EXCEED TWO YEARS FROM THE DATE OF RECORDING OF THIS PLAT; AND THAT THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE ACCURATELY SHOWN; AND THAT ALL LOT DIMENSIONS AND AREAS CONFORM TO THE REQUIREMENTS OF THE ZONING DISTRICT IN WHICH THE

rune 25, 2009



INCHES 1 2 3

**PLAT BOOK 213 PAGE:** 

APPROVAL - MONTGOMERY COUNTY PLANNING COMMISSION

- In Joseph TUSO

APPROVED FOR DESCRIPTION:

04-0222 DEED REFERENCE

CONVEYED TO JLG INVESTMENT CO. LLC IN J.R. DEED 09-031983.

EXECUTIVE DIRECTOR APPRINGO MAY 14, 2009

ADJOINING TRACT CONVEYED TO FLORENCE C. REPPER AND JOHN D. REPPER IN DEED M.F. NO. 95-0555C04.

ADJOINING TRACT CONVEYED TO THE BOARD OF EDUCATION, CARLISLE LOCAL SCHOOL DISTRICT, WARREN COUNTY, OHIO, IN DEED BOOK, 1585 PAGE 60. ADJOINING TRACT CONVEYED TO ADELINE H. UPDYKE IN DEED M.F. NO. 90-0408E02.

ALL SANITARY SEWERS AND/OR WATER MAINS AND APPURTENANCES THERETO SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE SPECIFICATIONS OF THE CITY OF CARLISLE.

09 AUG 25 AH II: 01 TRANSFERRED

# PROTECTIVE COVENANTS AND RESTRICTIONS

"THE RESTRICTIONS AND COVENANTS HEREINAFTER SET OUT ARE TO RUN WITH THE LAND AND SHALL BE BINDING UPON ALL THE PARTIES AND ALL PERSONS OWNING LOTS IN INDIAN TRACE, SECTION ONE, OR CLAIMING UNDER THEM.

IF THE OWNERS OF SUCH LOTS OR ANY OF THEM, OR THEIR HEIRS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS AND/OR RESTRICTIONS HEREINAFTER SET OUT IT SHALL BE LAWFUL FOR ANY OTHER PERSON OWNING REAL PROPERTY SITUATED IN SUCH SUBDIVISION, TO PROSECUTE ANY PROCEEDING AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING ANY OF SUCH COVENANTS AND EITHER TO PREVENT THEM FROM DOING SO OR TO RECOVER DAMAGES FOR SUCH VIOLATION, OR BOTH.

THESE COVENANTS AND RESTRICTIONS SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL THE YEAR 2023 AND SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE FIVE (5) YEAR PERIODS PROVIDED, HOWEVER, THAT THESE RESTRICTIONS MAY BE TERMINATED OR MODIFIED IN THE YEAR 2023 OR ON THE COMMENCEMENT OF ANY SUCCESSIVE FIVE-YEAR PERIOD, BY FILING FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF MONTGOMERY COUNTY OHIO, A WRITTEN STATEMENT OF ELECTION TO TERMINATE OR MODIFY THESE RESTRICTIONS, EXECUTED AND ACKNOWLEDGED BY THE OWNERS OF A MAJORITY OF THE AREA OF THE LOTS IN THE SUBDIVISION. SUCH STATEMENT MUST BE FILED PRIOR TO THE COMMENCEMENT OF THE FIVE-YEAR PERIOD FOR WHICH THESE RESTRICTIONS WOULD OTHERWISE BE IN EFFECT.

NO LOT SHALL BE USED EXCEPT FOR RESIDENTIAL PURPOSES AT ANY TIME. NO LOT SHALL BE SUBDIVIDED TO CREATE ADDITIONAL BUILDING

#### LOTS 1 THROUGH 24

1. ONLY SINGLE FAMILY DWELLINGS SHALL BE PERMITTED, NOT TO EXCEED TWO (2) STORIES, NOT INCLUDING BASEMENT OR ATTIC SPACES. ALSO LIMITED TO ONE (1) GARAGE, EITHER ATTACHED OR DETACHED, LIMITED TO NOT LESS THAN 400 SQ. FT. OR MORE THAN 900 SQ. FT.

2. ROOF PITCH ON ALL RESIDENCES, PORCHES, PATIO COVERS, UTILITY SHEDS AND GARAGES SHALL NOT BE LESS THAN 6/12.

3. THE LIVING AREA OF THE RESIDENCE SHALL NOT BE LESS THAN 1800 SQ. FT. IN A SINGLE STORY BUILDING NOR LESS THAN 2100 SQ.

4. EACH LOT SHALL BE LANDSCAPED AND PLANTED WITHIN THREE (3) MONTHS OF OCCUPANCY WITH AT LEAST FOUR (4) HARDWOOD SHADE TREES AND FIFTEEN (15) OTHER BUSHES OR SHRUBS, EXCLUDING FLOWERS.

5. NO TRUCKS, BOATS, CAMPERS, R.V.'S, TRAILERS, TRACTORS OR EQUIPMENT STORING WORK VEHICLES, SHALL BE PARKED IN THE DRIVEWAY OR ANY OTHER UNENCLOSED COVERED PORTION OF THE LOT, EXCEPT PICKUP TRUCKS USED AS GENERAL FAMILY TRANSPORTATION. ANY REMOVABLE CAMPER SHELL, R.V. UNIT OR CAP SHALL ALSO BE STORED IN AN ENCLOSED (COVERED) AREA — I.E., GARAGE OR AUXILIARY STORAGE BUILDING.

6. NO FENCE SHALL EXCEED SIX FEET IN HEIGHT NOR BE CLOSER TO THE FRONT OF THE LOT THAN THE FRONT OF THE RESIDENCE. EXCLUDING PORCHES AND GARAGES. NO GALVANIZED, MILL FINISHED OR UNCOATED WIRE FENCE SHALL BE INSTALLED. ALL WIRE FENCE

. THERE SHALL BE NO ABOVE-GROUND SWIMMING POOLS. THERE SHALL BE NO AUXILIARY STORAGE BUILDINGS EXCEEDING 125 SQ. FT. SAID BUILDINGS SHALL BE OF APPEARANCE AND DESIGN AND MATERIALS SIMILAR TO THE CONSTRUCTION OF THE RESIDENCE ON THE SAME

8. IN THE EVENT OIL OR PROPANE (BOTTLED GAS, LP) IS THE FUEL OF CHOICE, ALL TANKS SHALL BE PLACED UNDERGROUND.

9. ONLY ONE FREE-STANDING RADIO TOWER OR TELEVISION ANTENNA WILL BE PERMITTED ON LOTS AND SHALL BE CONSTRUCTED WITHIN THREE (3) FEET OF THE BUILDING. NO TELEVISION ANTENNA OR RADIO TOWER, EITHER FREE STANDING OR ROOF CONSTRUCTION TYPE SHALL BE PERMITTED TO EXTEND MORE THAN 10 FEET ABOVE THE RIDGE LINES OF THE ROOF UPON WHICH IT IS CONSTRUCTED. ANY ROOF MOUNTED TELEVISION ANTENNA OR RADIO TOWER SHALL BE ATTACHED TO A MASONRY CHIMNEY. NO LINES, WIRES OR OTHER DEVICES FROM THE COMMUNICATION OR TRANSMISSION OF ELECTRIC CURRENT OR POWER, INCLUDING TELEPHONE, TELEVISION AND RADIO SIGNALS, SHALL BE CONSTRUCTED, PLACED OR MAINTAINED ANYWHERE IN OR UPON ANY LOT OTHER THAN WITHIN A BUILDING UNLESS THE SAME SHALL BE CONTAINED IN CONDUITS OR CABLES CONSTRUCTED, PLACED AND MAINTAINED UNDERGROUND OR CONCEALED IN OR UNDER THE BUILDING. TELEVISION DISH ANTENNAS WILL BE ALLOWED IN REAR YARD AREAS ONLY AND ACCORDING TO MUNICIPAL REGULATIONS.

10. ANY BUILDING ON THE LAND THAT IS DESTROYED PARTIALLY OR TOTALLY BY FIRE, STORM OR ANY OTHER MEANS SHALL BE REPAIRED. OR DEMOLISHED WITHIN A REASONABLE PERIOD OF TIME, AND THE LAND RESTORED TO AN ORDERLY AND ATTRACTIVE CONDITION.

11. THE INVALIDITY, VIOLATION, ABANDONMENT, OR WAIVER OF ANY ONE OR MORE OF OR ANY PART OF THE RESERVATIONS, RESTRICTIONS, OR OTHER PROVISIONS HEREOF, EITHER AS TO ALL OR ANY PART OF THE LAND, SHALL NOT AFFECT OR IMPAIR SUCH RESERVATIONS, RESTRICTIONS OR OTHER PROVISIONS HEREOF AS TO THE REMAINING PARTS OF THE LAND AND SHALL NOT AFFECT OR IMPAIR THE REMAINING RESERVATIONS, RESTRICTIONS OR OTHER IMPROVEMENTS HEREOF OR PARTS THEREOF AS TO ALL THE LAND.

12. ALL WALKWAYS TO STREET, APPROACH SIDEWALK OR DRIVEWAY MUST BE AT LEAST FIVE (5) FEET IN WIDTH

13. ALL UTILITY EASEMENTS, AS DEDICATED ON THE FACE OF THE PLAT, SHALL BE KEPT FREE OF PERMANENT STRUCTURES, TREES, SHRUBBERY, FENCES, OR OTHER INSTALLATIONS THEREON, WHETHER TEMPORARY OR PERMANENT, AND THE REMOVAL THEREOF BY A UTILITY COMPANY SHALL IN NO WAY OBLIGATE THE UTILITY COMPANY IN DAMAGES OR TO RESTORE THE OBSTRUCTION TO ITS ORIGINAL FORM.

14. ALL SIDEWALKS WITHIN THE RIGHT-OF-WAY MUST BE CONSTRUCTED WITHIN FIVE (5) YEARS FROM THE DATE OF RECORDING OF THE

15. NO LOT IN THIS SUBDIVISION MAY BE USED OR BUILT ON UNTIL A ZONING PERMIT IS OBTAINED FROM THE CITY ZONING ENFORCEMENT

16. NO BUILDING OR HOUSE CONSTRUCTED ON ANY LOT OR TRACT IN THIS SUBDIVISION SHALL BE USED OR OCCUPIED AS A DWELLING OR AS OTHERWISE PROVIDED IN THE SUBDIVISION REGULATIONS BEFORE THE DEVELOPER OR ANY SUBSEQUENT OWNER OF SUCH LOT OR TRACT SHALL INSTALL ALL IMPROVEMENTS SERVING THE LOT OR TRACT AS PROVIDED IN THE PLANS AND SPECIFICATIONS FILED WITH THE PLANNING

17. NO BUILDING OR HOUSE CONSTRUCTED ON ANY LOT IN THIS SUBDIVISION SHALL BE USED OR OCCUPIED UNTIL A CERTIFICATE OF OCCUPANCY HAS BEEN OBTAINED FROM THE CITY ZONING ENFORCEMENT OFFICER. NO LOT IN THIS SUBDIVISION SHALL BE SPLIT, SUBDIVIDED, OR COMBINED WITH ANOTHER LOT WITHOUT THE REVIEW AND APPROVAL OF THE PLANNING AND ZONING COMMISSION. ALL LOTS IN THIS SUBDIVISION SHALL BE SERVED BY PUBLIC SANITARY SEWERS.

18. NO ANIMALS, POULTRY OR LIVESTOCK SHALL BE KEPT ON SAID PREMISES EXCEPT UP TO TWO (2) DOGS OR TWO (2) CATS OR ONE (1) DOG AND ONE (1) CAT CUSTOMARILY KEPT AS PETS.

Prepared by:



Central Ohio

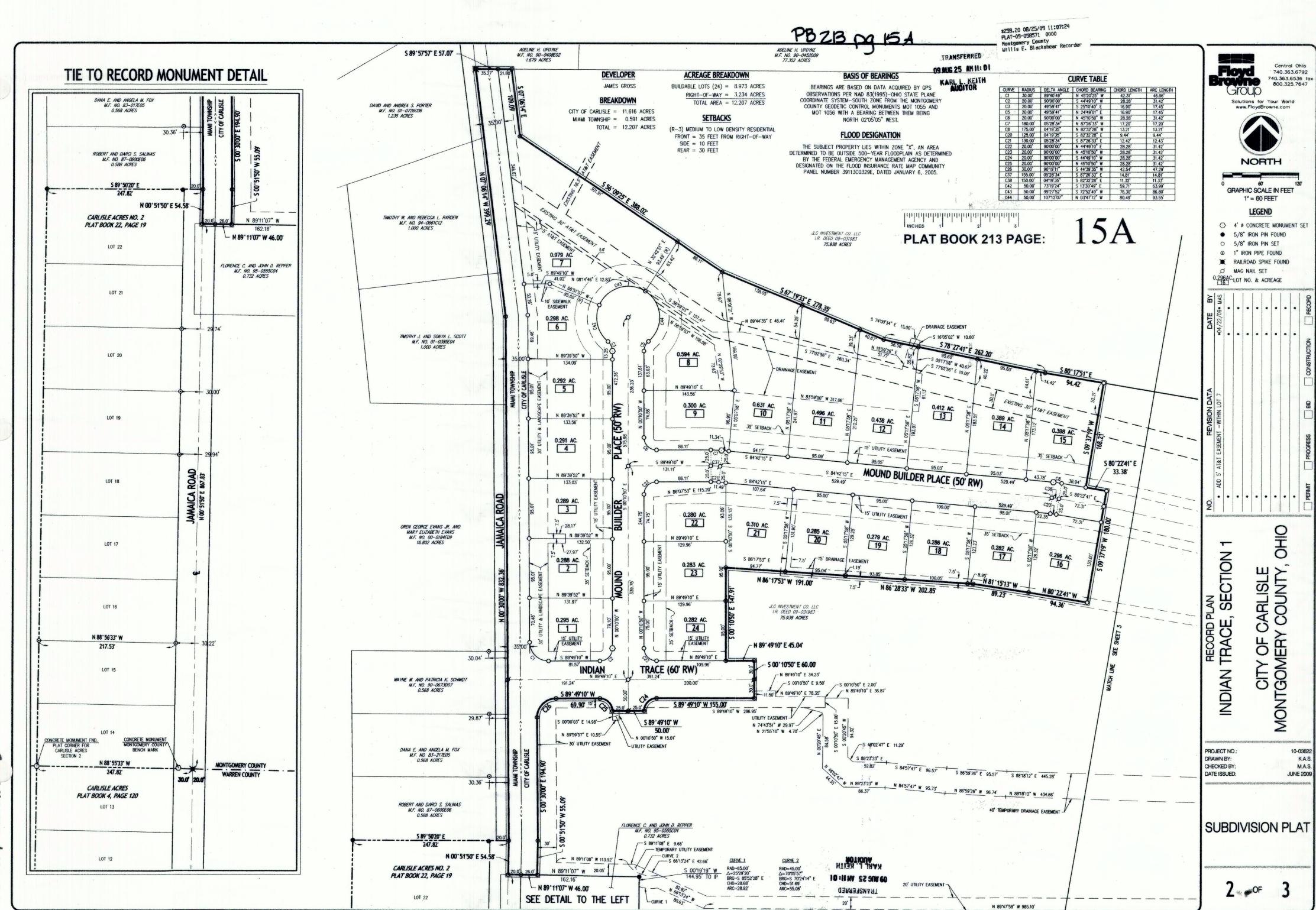
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PROJECT NO .: 10-0362 DRAWN BY: K.A.S CHECKED BY: M.A.S. DATE ISSUED: JUNE 2009

SUBDIVISION PLAT

OF



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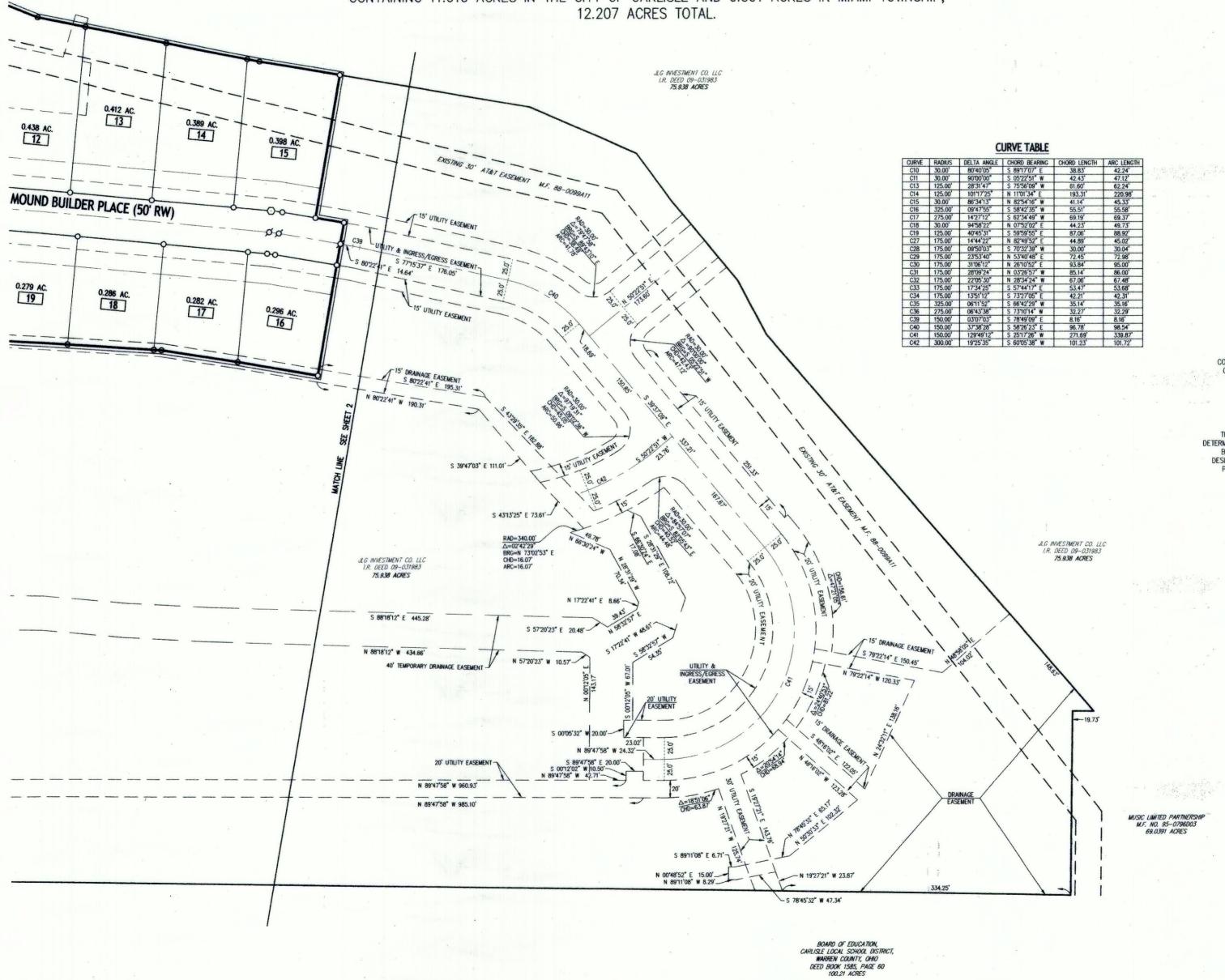
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KARL L. KEITH

\$259.20 08/25/09 11:08:05 PLAT-09-058571 0000 Montgomery County Willis E. Blackshear Recorder

RECORD PLAN
INDIAN TRACE, SECTION 1

LOCATED IN THE NORTHWEST QUARTER SECTION 28, TOWN 2 PART OF MIAMI TOWNSHIP AND PART OF THE CITY OF CARLISLE, MONTGOMERY COUNTY, OHIO CONTAINING 11.616 ACRES IN THE CITY OF CARLISLE AND 0.591 ACRES IN MIAMI TOWNSHIP,



DEVELOPER

JAMES GROSS

#### **SETBACKS**

(R-3) MEDIUM TO LOW DENSITY RESIDENTIAL FRONT = 35 FEET FROM RIGHT-OF-WAY

#### ACREAGE BREAKDOWN

BUILDABLE LOTS (24) = 8.973 ACRES RIGHT-OF-WAY = 3.234 ACRES TOTAL AREA = 12.207 ACRES

### **BREAKDOWN**

CITY OF CARLISLE = 11.616 ACRES MIAMI TOWNSHIP = 0.591 ACRES TOTAL = 12.207 ACRES

#### **BASIS OF BEARINGS**

BEARINGS ARE BASED ON DATA ACQUIRED BY GPS OBSERVATIONS PER NAD 83(1995)-OHIO STATE PLANE COORDINATE SYSTEM-SOUTH ZONE FROM THE MONTGOMERY COUNTY GEODETIC CONTROL MONUMENTS MOT 1055 AND MOT 1056 WITH A BEARING BETWEEN THEM BEING NORTH 02'05'05" WEST.

# FLOOD DESIGNATION

THE SUBJECT PROPERTY LIES WITHIN ZONE "X", AN AREA DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND DESIGNATED ON THE FLOOD INSURANCE RATE MAP COMMUNITY

Central Ohio 740.363.6792 740.363.6536 fa: 800.325.7647

Solutions for Your World



NORTH

GRAPHIC SCALE IN FEET 1" = 60 FEET

#### LEGEND

○ 4' Ø CONCRETE MONUMENT SET

- 5/8" IRON PIN FOUND O 5/8" IRON PIN SET
- 1" IRON PIPE FOUND
- RAILROAD SPIKE FOUND

Ø MAG NAIL SET 0.296AC-LOT NO. & ACREAGE

응 E, SECTION CARLISLE Y COUNTY, RECORD INDIAN TRACE CITY OF C

PROJECT NO .: DRAWN BY: CHECKED BY: DATE ISSUED:

10-03622 K.A.S. M.A.S. JUNE 2009

SUBDIVISION PLAT

OF

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