

PLANK'S DARBY VIEW ESTATES SUBDIVISION

OF 7.910 ACRES

VIRGINIA MILITARY SURVEY No. 3240

DARBY TOWNSHIP MADISON COUNTY OHIO

SCALE: 1"=50'

SEPT, 1974

SUBDIVIDER - William J. Plank
Plain City - Georgesville Road
Plain City, Ohio 43064
Rt. 2

Situated in the Township of DARBY, County of MADISON, STATE OF OHIO, Virginia Military Survey No. 3240 Being 1.275^{ac} out of a 19.50^{ac} tract (3rd tract), and 6.635^{ac} out of a 37.50^{ac} tract (1st tract) as conveyed to William J. and Fannie Plank as recorded in Deed Book 148, page 445, Madison County, Ohio records. Being 0.715^{ac} in road right of way, of which 0.430^{ac} is in existing right of way.

The undersigned William J. Plank and Fannie Plank hereby certify that the attached plat correctly represents their PLANK'S DARBY VIEW ESTATES Subdivision, a subdivision of Lots 1 to 5 inclusive, do hereby accept this plat of same and dedicate to public use as such all or parts of the roads boulevards, Cul-de-sacs, parks, planting strips, etc. shown herein and not heretofore dedicated.

The undersigned being all the owners and lien holder of the lands herein platted further agrees that any use or improvements made on this land shall be in conformity with all existing valid zoning, platting, health or other lawful rules and regulations of Madison County, Ohio for the benefit of himself and all other subsequent owners or assigns taking title from, under or through the undersigned.

The dimensions of the lots and streets are shown on the plat in feet and decimal parts thereof. 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, and for the express privilege of removing any and all trees or other obstructions to the free 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 on the plat for public utility purposes above and beneath the surface of the ground. Also a 20' Easement is granted on my adjoining property for construction and maintenance of the 6" plastic collection drain, 118' in length and the 8" shale tile drain to Darby Creek, as herein shown.

In witness whereof WILLIAM J. AND FANNIE PLANK have hereunto set their hands this 5 day of October 1974

STATE OF OHIO
COUNTY OF MADISON

Before me a Notary Public in and for said County came WILLIAM J. and FANNIE PLANK, who acknowledged the signing of the foregoing instrument to be their voluntary act and deed for the uses and purposes therein expressed.

In Witness whereof, I have set my hand and affixed my official seal this 5 day of October 1974

Witness Amell E. Pugh Signed William J. Plank
Fannie Plank

Amell E. Pugh
Notary Public
My Commission Expires March 24, 1977

Approved this 8th day of Oct. 1974 W. D. Ball
Madison County Engineer

Approved this 10th day of Oct. 1974 Tom H. Leonard
Madison County Board of Health

Approved and accepted this 15th day of OCTOBER 1974 and the roads, boulevards, etc. herein dedicated to public use are hereby accepted as such for County of Madison, State of Ohio.

Lewis S. Overton
Edmund Pennington
John L. Sanford
Madison County Commissioners

Approved this 8 day of October 1974 David C. Mat
Madison County Zoning

Approved this 6 day of October 1974 John W. ...
Madison County Planning Commission

Transferred this 16 day of October 1974 Raymond M. Weaver
Madison County Auditor

Filed for Record this ___ day of ___, 1974 at ___ M.
Recorded this ___ day of ___, 1974 in Plat Book 2 Page 202

Madison County Recorder _____ Deputy Recorder _____

I hereby certify that I have surveyed the premises and prepared the attached plat and that said plat is correct.

L. W. Probasco
Registered Surveyor No. 2496
Professional Engineer No. 5803
620 U.S. Rt. 52 S.E. LONDON, O.

SURVEYED AND PLATTED BY
HARVEY & PROBASCO, Registered Engineers & Surveyors
LONDON GROVE CITY

- RESTRICTIONS FOR PLANK'S DARBY VIEW ESTATES SUBDIVISION.
- (1) Said premises shall be used exclusively for one single family residence only.
 - (2) No dwelling house shall be erected upon said premises which shall have less than 1000 sq. ft. of living area on the first floor exclusive of garage and open porches.
 - (3) The dwelling house to be erected upon said premises shall be fully completed on the outside thereof within one year from the date the construction of said dwelling house commences.
 - (4) No building of any kind shall be used, constructed, or moved onto the premises or permitted to remain on the premises, without being placed upon a permanent foundation with footers reaching below the frost line.
 - (5) No dwelling house, building or other structure of any kind whatsoever which has been constructed or built off the premises with all or part of, the roof, walls or floors in place when delivered to the premises, shall be placed on the premises. This restriction is intended to prohibit the construction of or placing on the premises, that which is commonly referred to as a modular home, mobile home or house trailer, and intended to be used as a residence.
 - (6) No motor vehicles unusable as a means of transportation or unused as a means of transportation, shall be permitted to remain on the premises excepting on the inside of a building with at least three sides and a roof.
 - (7) Animals to be allowed, but must be contained within the area of the owners lot.

- LEGEND: Indicates Iron Pins
 Railroad Spikes
- Note:
The 20' drainage easement shall be put on maintenance in accordance with the existing Madison County Regional Planning Commission Subdivision Regulation. Mr. Plank agrees to pay the first year maintenance cost when the first lot is sold. Any other maintenance costs shall be paid by the owners of the lots.
- (8) The covenants and restrictions hereinabove enumerated are for the benefit of the grantors, their heirs and assigns, and all lot owners in the subdivision, and said restrictions and covenants shall run with the land.
 - (9) In the event that any person or persons violate or attempt to violate any of the covenants and restrictions hereinabove enumerated, the grantors, their heirs and assigns, shall have the right to prosecute any proceedings at law or in equity against such person or persons, either to enjoin such violation or to recover damages for the same.
 - (10) Invalidation of any of the covenants and restrictions hereinabove enumerated, by judgment or court order, shall not affect the validity of the remaining covenants and restrictions.

