

WILDERNESS TRAILS DEED RESTRICTIONS

The following restrictions are for the mutual benefit and protection of all of the lot owners in Wilderness Trails and adjoining lands. These are minimum standards intended to create a prestigious country neighborhood.

1. LAND USE: The Wilderness Trails development shall be limited to 25 lots for single family residence only.
2. PLAN APPROVAL: No excavations may begin or building started without the approval of the developer, Patten Land and Auction Company, or their designee. Exterior construction must be completed within one (1) year of start.
3. BUILDING LOCATIONS: All buildings must be located within the platted building lines for each lot.
4. CONSTRUCTION: Soil erosion during and after constructions must be minimized so as not to fill in the drainage tiles. Construction debris is to be cleaned up each Friday on each lot and the lot owner is to clean up and bring the road back to good repair each day.
5. OUTBUILDINGS AND FENCES: Outbuildings, fences and mailboxes must be approved by the developer or Homeowners' Association. Fences, if any, must be of a standard design, using 4 x 4 posts, 1 x 6 boards and darkbrown stain. All storage tanks must be hidden from public view. Only one standard television antenna may be in public view.
6. UTILITIES: All utilities must be underground. Ten foot utility easements must be granted where installed and will be kept within other easements wherever possible as shown on the plat.
- 7a. HOMEOWNERS' ASSOCIATION: The Homeowners' Association (a non-profit corporation) is created for the benefit of all lot owners to administer these deed restrictions. Each lot owner is a member of the Wilderness Trails Homeowners' Association. Each lot owner shall have votes equal to the number of lots owned. A two-thirds majority vote is required to pass any action.
- b. A Wilderness Trails maintenance fund has been created by the Homeowners' Association. \$25.00 per year per lot, adjusted by the consumer price index, is to be contributed to the maintenance fund by each lot owner by January 1 of each year following the year of purchase.

8. RECREATION AREA: A recreation area is set aside at the south end of Wilderness Trails. All lot owners and occasional guests may use the area. The Homeowners' Association is responsible for maintaining the area and the access. The tract will be deeded to the Homeowners' Association, subject to the terms and conditions of the Patten Environmental Trust.
9. TILE EASEMENTS: All common ground water drain tiles are protected with a minimum 20 foot easement for their repair and replacement and shall be placed within other easements wherever possible.
10. DWELLING SIZE: All residences shall have a minimum liveable floor area of 1400 square feet exclusive of garage, unfinished basement, open porches, or decks.
11. DRIVEWAYS: Driveways will be located according to the developer and be constructed across the road ditch according to the specifications of the County Engineer.
12. VEHICLE STORAGE: No trucks, commercial vehicles, farm equipment, boats, trailers, campers, automobiles, or mobile homes may be parked or stored on the premises for more than 30 days unless in a garage or other outbuilding.
13. SIGNS: Professional signs of no more than two square feet, real estate "For Sale" signs of no more than five square feet, and signs used by a builder to advertise the property during the construction and sales period, are the only signs which may be displayed to public view on any tract except those put up by the developer during the initial sales period.
14. NUISANCES: No noxious or offensive activity shall be carried on upon any tract, nor shall anything be done thereon which may be or may become an annoyance to the neighborhood. Excessively barking or ferocious dogs; and loud, motorized vehicles are considered a nuisance.
15. ANIMALS: No animals, livestock or poultry of any kind shall be raised, bred, or kept on any tract, except that dogs, cats or other household pets may be kept provided that they are not kept, bred, or maintained for any commercial purposes.
16. GARBAGE & REFUSE DISPOSAL: No portion of any property may be used as a garbage or refuse disposal area. Garbage and refuse shall not be kept except in sanitary, animal proof containers.

17. LOT MAINTENANCE: Landscaping in keeping with the development must be installed and maintained. No weeds, underbrush or other unsightly growth shall be permitted to grow or remain anywhere on any meadow lot, and no unsightly objects shall be allowed to be placed or remain anywhere on a lot. No live tree greater than six inches in diameter may be cut down unless it impedes construction or its removal adds value to the property.
18. No construction may begin or buildings started without the individual lot owner obtaining zoning, building and sewage disposal permits.
19. No buildings or sewage disposal systems shall be located on any natural water courses, road rights-of-way, or utility easements.
20. Each residence shall have an adequate and well maintained sewage disposal system approved by the Union County Board of Health. No clean water connection or water softener backwash shall be connected to the sewage disposal system. Each residence shall utilize water-saving devices and fixtures to reduce water consumption. Prior to the issuance of a sewage disposal permit, the individual lot owner or builder shall present to the Board of Health the plans for the sewage disposal system. The plans shall be prepared by a registered engineer who shall plan and design the system and inspect the system during construction. In designing the system the engineer shall consider location on the lot, elevation of the sewage disposal system, and provision for sufficient space on the lot to duplicate the system. The sewage disposal systems shall be designed in accordance with or be equivalent to the standard drawings (see Subdivision and Annexation Record) and approved by the Board of Health. The attached shall be followed during the construction of the leaching fields. The installer of the sewage disposal systems shall be licensed or approved by the Board of Health.
21. Each lot owner shall abandon his system and connect to a central sewer system when one comes available within 200 feet of his lot.
22. Maintenance of the sewage disposal systems: Each sewage disposal system shall be checked annually by an inspector approved by the Board of Health. The Wilderness Trails Homeowners Association shall contract for this inspection service directly with the inspector. The inspector shall perform the annual inspections and file a copy of the inspection report with the Homeowners Association and with the Board of Health. If the inspector discovers deficiencies in the operation of the sewage disposal systems, he shall within five (5) days notify the property owner

22. and the Board of Health in writing. The property owner shall have a period of ten (10) days to correct the deficiencies. If the property owner shall fail to comply or correct the deficiencies, the Homeowners' Association shall have the right to enter upon the lot of the defaulting property owner to perform the necessary maintenance and bill the lot owner.

23. DURATION & ENFORCEMENT: These restrictions shall be in effect until January 1, 2017. They will automatically renew for periods of ten years unless amended by two-third majority of all lot owners in the development. These restrictions shall be enforceable by action, injunction, lein or other legal proceedings and initiated by the developer, the Homeowners' Association, an individual lot owner, or the Union County Board of Health acting through the Union County Prosecutor. This enforcement shall include the ability to compel a lot owner as well as the Homeowners' Association to comply with the provisions of these restrictions. No restrictions shall be waived due to a failure to enforce them regardless of how many violations occur. Invalidation of any restriction shall not invalidate any other restriction. After 30 days written notice, the Homeowners' Association may enter private yards and correct gross violation of these deed restrictions.

24. AMENDMENT: These restrictions may be amended by the developer and a majority vote of the Homeowners' Association at any time prior to January 1, 1989. Thereafter, a two-third majority vote of the Homeowners' Association is required. Restriction numbers 1, 2, 3, 4, 6, 9, 10, 18, 19, 20, 21, 22, 23 and 24 shall not be diminished in their effect by any amendment.

BETTY J. POLING  
RECORDER, UNION CO., OHIO

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*Annex  
file*

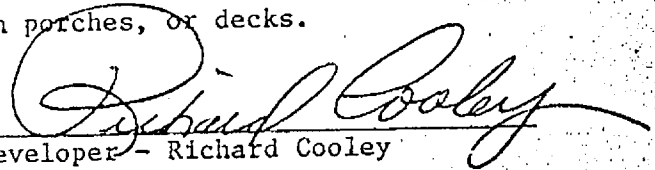
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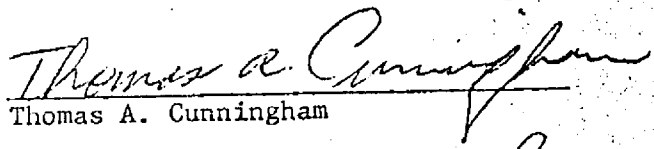
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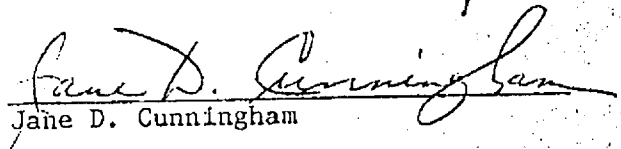
DEED RESTRICTION AMENDMENT

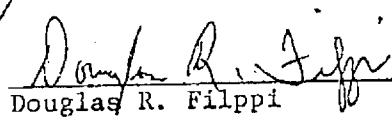
Recorded in Union County Annexation and Subdivision Record Volume 1, Page 581 are the Deed Restrictions for Wilderness Trails Subdivision. The Developer and all Landowners of said subdivision agree to a change made to Article Ten (10) of said Deed Restrictions. Article Ten (10) shall now read:

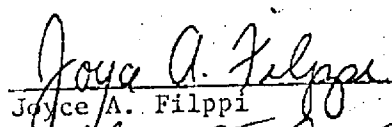
DWELLING SIZE: All one floor plan residences shall have a minimum livable floor area of 1400 square feet on the ground floor level exclusive of garage, unfinished basement, open porches, or decks. All multi level residences shall have a minimum livable floor area of 1000 square feet on the ground floor level and a total minimum livable floor area of 1400 square feet exclusive of garage, unfinished basement, open porches, or decks.

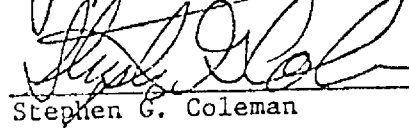
  
Developer - Richard Cooley

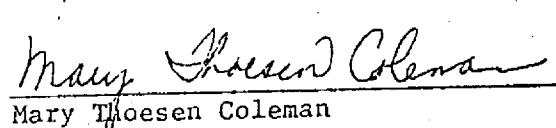
  
Thomas A. Cunningham

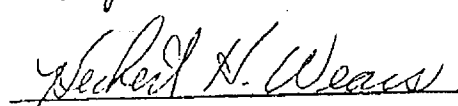
  
Jane D. Cunningham

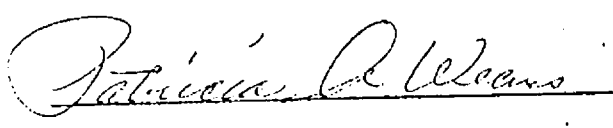
  
Douglas R. Filppi

  
Joyce A. Filppi

  
Stephen G. Coleman

  
Mary Thoesen Coleman

  
Richard H. Weas

  
Patricia A. Weas

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