

RECORD PLAN
NORTHGATE COMMERCE CENTER
SECTION THREE
 SECTION 22, T 4, R 6 E
 CITY OF TIPP CITY
 MIAMI COUNTY, OHIO
 CONTAINS
 37.170 Acres in Lots (3)
 2.751 Acres in RW
 39.921 Acres TOTAL

PLAT BOOK 22, PAGE 54 MIAMI COUNTY
 RECORDER'S RECORD OF PLATS. RECEIVED THIS 18 DAY
 OF September 2008. AT 9:29
 FILE NO. 0493001 FEE: 86.40

John Alexander
 JOHN ALEXANDER, MIAMI COUNTY RECORDER
William
 DEPUTY

PROTECTIVE COVENANTS & RESTRICTIONS

PURPOSE

It is the intent of these provisions that the Northgate Commerce Center be developed and maintained as an attractive setting for business and industry, with ample landscaped open areas, attractive high quality structures, proper and desirable uses and appropriate development of all property.

- Approval of design and location: The purchaser of any building site within the plat and their successors or assigns shall be required, before the initial construction is started, to submit for approval of the Developer a set of plans sufficiently complete to set forth the design of the project including grading, surface drainage, drainage swales, loading docks, free-standing masonry walls, signs, lighting, screening, parking lot layout, landscaping, fencing, building location, elevation, and floor plan of building. Approval of building plans will be upon acceptance of Gateway Center Development, Ltd. design requirements and covenants given, in writing, by a firm or persons qualified in both architectural and engineering (hereinafter call the Architect-Engineer) appointed by Gateway Center Development, Ltd., provided only that said Architect-Engineer may not unreasonably withhold approval provided said plans conform with these restrictions and with the general character and quality of the development of neighboring building sites within the bounds of this plat. The Architect-Engineer shall approve or disapprove, in writing, all plans within thirty (30) days of submission. In the event that such person or committee is not in existence or fails to approve or disapprove the design or location of any such plans for development of a building site and in the event said plans comply in all ways with the restrictions herein set forth, then such approval will be deemed to be waived, provided the design and location of the lots conforms and is in harmony with existing structures within this plat. At the same time as the plans above referred to are submitted for approval, there shall be delivered to the City of Tipp City, all plans and other data as required for approval by the appropriate agencies.
- All loading docks shall be placed so that trucks, vehicles, or machinery using such loading docks shall at no time project into any dedicated public street while in the process of loading or unloading.
- Landscaping (such as lawns, trees, shrubs, etc.) will be required on all non-paved grounds and maintained so as not to create traffic hazards and must be approved. Minimum landscaping expenditures required are listed herein.
- Easements shown on this plat, unless otherwise specifically designated, are for the construction, operation, maintenance, repair, replacement, or removal of water, gas, sanitary sewer, storm sewer and drainage, electric, telephone, or other utility line or services, and for the express privilege of removing any obstruction for the use of said utilities and for providing of ingress and egress over the property for such purpose.
- All utility lines such as telephone and power services shall be installed underground. All service drops and exterior lighting feeder lines shall be installed underground. All transformers shall be pad mounted or mounted below grade.
- If lot line adjustments are made within the subdivision, a ten (10) foot wide utility easement shall be established and centered along new side and rear lot lines. A twenty (20) foot building setback line shall be established on both sides of said new side and rear lot lines.
- Easements and building set back requirements are established along all interior lot lines. However, if all or parts of one or more lots are used to form a single building lot, the easement and building set back requirements shall apply to the new lot lines. At such time, the existing easement and building set back requirements pertaining to the existing lot lines shall be automatically vacated if said line no longer is used as a lot line. However, if a utility has been constructed along said existing easement, it shall remain and the easement continue unless the property owner chooses, within the approval of the utilities involved, to have said utility relocated to a new lot line at the property owner's expense.
- The goal of the Developer is to complete an industrial park which is pleasing in appearance consistent with its intended usage. In order to facilitate this goal, the following minimum standards shall apply. Review and approval of the building exterior design by the Developer shall be a part of the application procedure.
 - Exterior Wall Coverings on Buildings Constructed in the Northgate Commerce Center.

Lots 7, 11, 12, 16, and 18 - 50% of the exterior wall surface will be clad with concrete, masonry, glass, dryvit, wood, or other cementitious materials.

Lots 5, 6, 8, 9, 10, and 17 - 30% of the exterior wall surface or 100% of the front elevation, whichever is greater, shall be clad with concrete, masonry, glass, dryvit, wood, or other cementitious materials.

Lots 1, 2, 3, 13, 14, and 15 - 30% of the exterior wall surface or 100% of front elevation, whichever is greater, shall be clad with concrete, masonry, glass, dryvit, wood, or other cementitious materials.
 - Architectural metal siding when used to form special effects such as mansard roofs will be considered part of the required percentage.
 - Landscaping - Minimum Cost Expenditure per individual lot to be substantiated by bid from commercial landscaper.

\$1.00/s.f. of building up to 20,000 s.f.
 \$0.75/s.f. of building up to 50,000 s.f.
 \$0.50/s.f. of building over 50,000 s.f.

Outside Storage and equipment

No materials, supplies, or equipment or products shall be stored or permitted to remain on any portion of a parcel outside a permanent structure without the prior written approval of Gateway Center Development, LTD. Outdoor storage shall be permitted provided such storage is screened from view by a permanent screening and is confined to locations approved by Gateway Center Development, LTD.

Fences

No fences, walls, hedges, or mass planting shall exceed a height of 6 feet, nor be erected or installed or permitted to remain within 35 feet of a property line of right of way line without prior written approval of Gateway Center Development, LTD. Chain-link fences are discouraged, but may be approved by Gateway Center Development, LTD. in those instances where security of facilities is needed.

Signage

No billboard signs or other advertisement devices shall be permitted upon any part of any building or lot or any part thereof without the prior approval of Gateway Center Development, LTD. No rooftop signs shall be permitted. Free standing signs mounted on uprights shall be permitted providing they are not over 6 feet in height. All signs shall be harmonious with the texture and color of the building to which it is affixed. Wall-mounted signs on the face of a building are encouraged. Total sign area per parcel shall not exceed 80 square feet without approval of the Gateway Center Development, LTD. No wall mounted signs shall project more than 18" from the wall. A sign may be illuminated provided that no flashing, traveling, animated, or intermittent illumination shall be used and such illumination shall be confined to the area of the sign. No colored illumination other than white shall be used without prior written approval of the Gateway Center Development, LTD.

- The covenants and restrictions shall run with the land and shall be binding until January 1, 2009, at which time said covenants and restrictions shall automatically renewed for successive ten (10) year periods. The covenants and restrictions herein may be changed or discontinued at any time after January 1, 2009, by the majority of the owners of this plat.
- Invalidation of any one of these covenants and restrictions by judgment or court shall in no way affect any of the other provisions which shall remain in full force and effect.
- If any provisions of these protective covenants and restrictions are determined to be in conflict with any City of Tipp City ordinance, said ordinance shall govern.

STORM WATER DRAINAGE RESTRICTIONS

- No fixed structure or improvements of any kind, excluding grass or approved bank protection shall be erected or planted within any part of a storm water drainage easement area. This includes accessory buildings, fences, shrubs and trees.
- The owners of lots 1, 2, 7, 8, and 9, which contain open storm water drainage channels, identified as "stream easement" shall be responsible for maintaining those water courses in the operable manner to which they were designed.
- Any site development or building construction on any lot in this subdivision shall include construction of a separate on-site storm water detention basin, designed as follows, and subject to review by the Tipp City Engineer:
 - The detention basins shall have their outlet at the approximate location as shown in the schematic plan of the approved subdivision improvement drawings.
 - The maximum allowable peak runoff rate for all developed lots shall be 0.57 cfs per acre for a ten year post development storm, and shall be 1.18 cfs per acre for a one hundred year post development storm.
 - The area to be used in these calculations shall include the entire platted lot acreage.
 - Said detention basins shall be subject to restriction 1, above.
 - The lot owner shall maintain said basins in the operable manner to which they were designed.
- The City of Tipp City shall have the right, but not the responsibility, to enter upon any lot in this subdivision for maintenance purposes in the stream easement areas described in restriction 2, above, or for maintenance purposes in any storm water detention basin area constructed pursuant to restriction 3, above. Any cost incurred by the City of Tipp City for such maintenance may be assessed to the owner of said lot.
- These storm water drainage restrictions shall run with the land, and shall bind the owners, successors, and assigns unless and until a modification is agreed to and approved by the Council of the City of Tipp City.

CERTIFICATION:

TO THE BEST OF MY KNOWLEDGE, MEASUREMENTS SHOWN HEREON ARE CERTIFIED TO BE CORRECT AND MONUMENTATION SHALL BE SET AS SHOWN.

Charles R. Wirrig 8/21/2008
 CHARLES ROBERT WIRRIK, P.S. OHIO LICENSE NO. 7532



DEVELOPER

THE CITY OF TIPP CITY
 260 S. GARBER DRIVE
 TIPP CITY, OHIO 45371-0188
 (937) 667-6305

SHEET 1 OF 2

DEDICATION:

WE THE UNDERSIGNED, BEING ALL OF THE OWNERS AND THE LIEN HOLDERS OF THE LAND HEREIN PLATTED, DO HEREBY DEDICATE THE STREETS SHOWN ON THE PLAT TO THE PUBLIC USE FOREVER. EASEMENTS SHOWN OR NOTED ON THIS PLAT ARE FOR THE REMOVAL OF OPEN DITCH SURFACE WATER DRAINAGE OR OPERATION OF GAS, SEWER, WATER, 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 MAINTAINED AS SUCH FOREVER.

OWNER:

GATEWAY CENTER DEVELOPMENT, LTD.

Michael Z. Benson
 GENERAL PARTNER

SIGNED AND ACKNOWLEDGED
 IN THE PRESENCE OF
[Signature]
 WITNESS

ACKNOWLEDGEMENT:

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME A NOTARY PUBLIC IN AND FOR THE STATE OF OHIO THIS 3 DAY OF Sept 2008, BY Michael Z. Benson GENERAL PARTNER, GATEWAY CENTER DEVELOPMENT, LTD.

NOTARY PUBLIC Cynthia Coverstone
 MY COMMISSION EXPIRES May 27, 2013



MORTGAGEE:

FIFTH THIRD BANK, WESTERN OHIO

John J. Papp
 COMMERCIAL LOAN OFFICER

SIGNED AND ACKNOWLEDGED
 IN THE PRESENCE OF
[Signature]
 WITNESS

ACKNOWLEDGEMENT:

BE IT REMEMBERED THAT ON THIS 3 DAY OF Sept 2008, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY CAME Michael Z. Benson ITS COMMERCIAL LOAN OFFICER, TO ME KNOW AND ACKNOWLEDGED THE SIGNING AND EXECUTION OF THE WITHIN PLAT TO BE HIS FREE AND VOLUNTARY ACT AND DEED. IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL ON THE DAY AND DATE ABOVE WRITTEN.

Cynthia Coverstone
 NOTARY PUBLIC IN AND FOR STATE OF OHIO
 MY COMMISSION EXPIRES May 27, 2013



DESCRIPTION:

THE WITHIN PLAT IS A SUBDIVISION CONTAINING 39.921 ACRES AND BEING PART OF INLOT 2627 (4.135 Ac.) AND PART INLOT 2625 (35.773 Ac.) AND ALL OF INLOT 4021 (0.014 Ac.) IN THE CITY OF TIPP CITY, MIAMI COUNTY, OHIO AS CONVEYED TO GATEWAY CENTER DEVELOPMENT, LTD. BY DEED RECORDED IN DEED BOOK 701, PAGE 768 OF THE DEED RECORDS OF MIAMI COUNTY. INLOT 4021 - SEE REC. BK. 21, PG. 52.

TIPP CITY PLANNING BOARD:

AT A MEETING OF THE PLANNING BOARD OF TIPP CITY, OHIO, HELD THIS 8th DAY OF April 2008 THIS PLAT WAS REVIEWED AND APPROVED.

Michael Z. Benson
 CHAIRMAN

Marilyn J. Fennell
 SECRETARY

TIPP CITY COUNCIL:

AT A MEETING OF THE COUNCIL OF TIPP CITY, OHIO, HELD THIS 4th DAY OF August 2008 THIS PLAT WAS APPROVED AND ACCEPTED BY ORDINANCE NO. 28-08

Robert A. Hahn
 PRESIDENT OF COUNCIL

Misty Chesire
 CLERK OF COUNCIL

THIS INSTRUMENT PREPARED BY



NORFLEET, BROWN & PETKEWICZ INC.
 Civil Engineers & Surveyors
 228 Byers Road, Suite 301
 Miamisburg, Ohio 45342
 Ph (937)847-2313 Fax (937)847-2303

SCALE: AS SHOWN	DRAWN: J.T.P.	CHK'D:
DATE: June, 2008	JOB No.: 08-6429	

RECORD PLAN NORTHGATE COMMERCE CENTER SECTION THREE

SECTION 22, T 4, R 6 E
CITY OF TIPP CITY
MIAMI COUNTY, OHIO
CONTAINS
37.170 Acres in Lots (3)
2.751 Acres in RW
39.921 Acres TOTAL

PLAT BOOK 22, PAGE 54A MIAMI COUNTY
RECORDER'S RECORD OF PLATS. RECEIVED THIS DAY
OF 2008. AT
FILE NO. FEE:

JOHN ALEXANDER, MIAMI COUNTY RECORDER

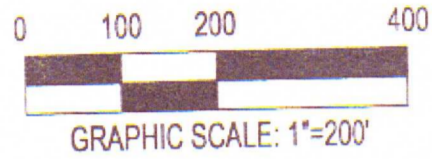
DEPUTY

APPROVED AND TRANSFERRED THIS 18th
DAY OF September, 2008.

Chris A. Peoples
MIAMI CO. AUDITOR

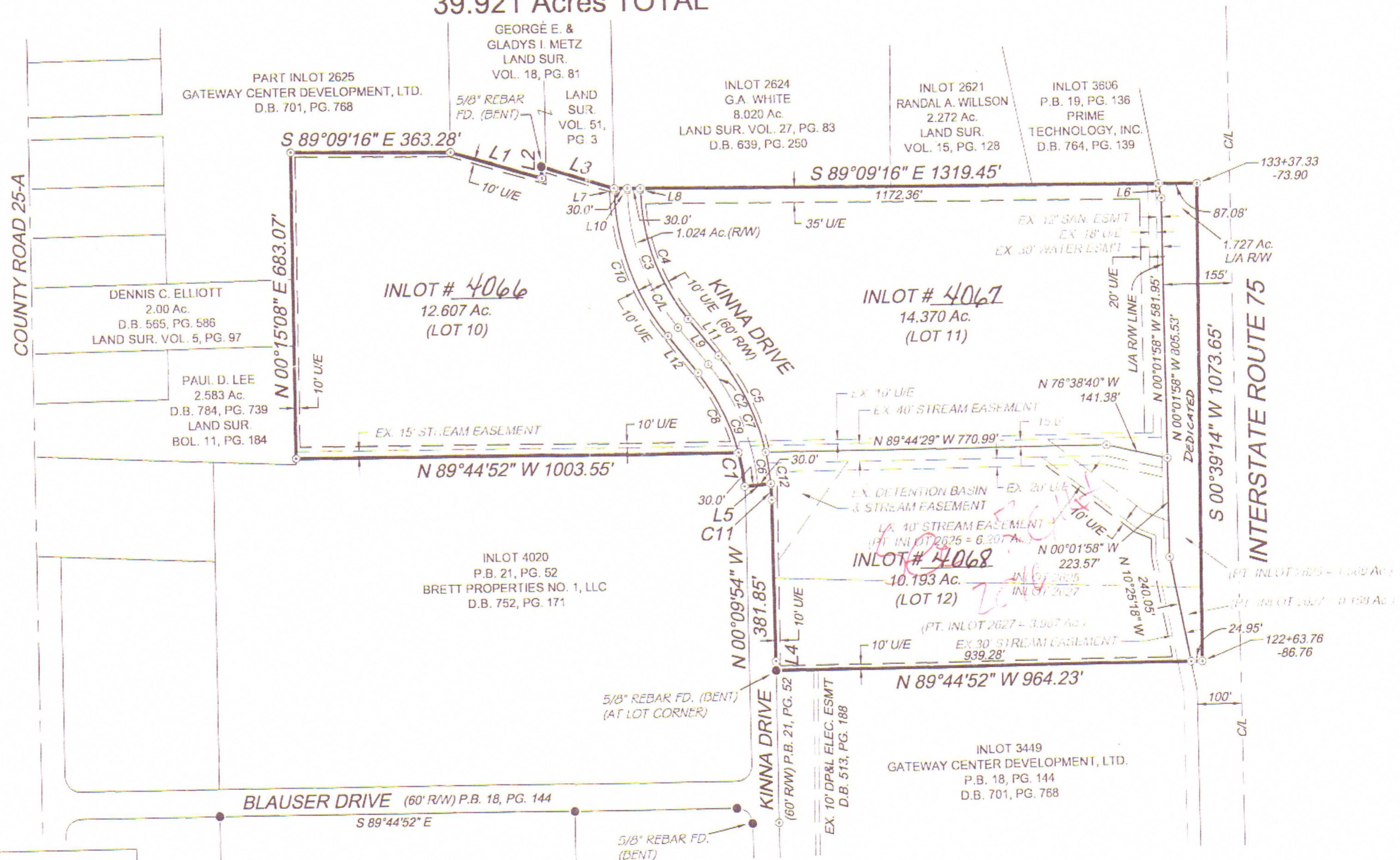
Saida Pearson
BY DEPUTY

BEARINGS ARE BASED ON THE SOUTH
RIGHT-OF-WAY LINE OF BLAUSER
DRIVE BEING S 89°44'52" E AS
RECORDED IN P.B. 18, PG. 144 OF THE
MIAMI COUNTY RECORDERS OFFICE.



LEGEND

- Indicates 5/8" iron pin with "Choice One" cap found (unless noted)
- Indicates 5/8" x 30" iron pin set capped "N.B.P."



LINE	DIRECTION	DISTANCE
L1	S 73°27'01" E	214.15'
L2	N 00°31'51" W	26.19'
L3	S 72°55'10" E	171.39'
L4	N 00°15'08" E	0.74'
L5	S 85°23'19" W	60.00'
L6	N 10°14'16" W	33.67'
L7	N 00°02'59" E	4.29'
L8	S 00°02'59" W	3.46'
L9	N 38°20'51" W	107.25'
L10	N 00°02'59" E	3.87'
L11	S 38°20'51" E	107.25'
L12	N 38°20'51" W	107.25'

CURVE NO.	RADIUS	LENGTH	DELTA ANGLE	CHORD BRG	CHORD DIST
C1	467.50'	78.49'	9°37'12"	N 08°53'46" W	78.40'
C2	497.50'	297.22'	34°13'47"	N 21°13'58" W	292.82'
C3	500.00'	335.08'	38°23'50"	S 19°08'56" E	328.84'
C4	470.00'	314.97'	38°23'50"	S 19°08'56" E	309.11'
C5	527.50'	241.62'	26°14'40"	N 25°13'31" W	239.51'
C6	527.50'	73.26'	7°57'27"	N 08°07'28" W	73.20'
C7	527.50'	314.88'	34°12'06"	N 21°14'48" W	310.23'
C8	467.50'	201.06'	24°38'30"	N 26°01'37" W	199.51'
C9	467.50'	279.55'	34°15'41"	N 21°13'01" W	275.41'
C10	530.00'	355.18'	38°23'50"	S 19°08'56" E	348.57'
C11	527.50'	36.65'	3°58'51"	N 02°09'20" W	36.64'
C12	527.50'	109.91'	11°56'18"	N 06°08'03" W	109.71'

SEE P.B. 18, PG 144 FOR EX
ESMT LOCATIONS

THIS INSTRUMENT PREPARED BY



**NORFLEET, BROWN
& PETKEWICZ INC.**
Civil Engineers & Surveyors
228 Byers Road, Suite 301
Miamisburg, Ohio 45342
Ph (937)847-2313 Fax (937)847-2303

SCALE: 1" = 200'	DRAWN: J.T.P.	CHK'D:
DATE: June, 2008	JOB No.: 08-6429	

SHEET 2 OF 2