SPINNING WOODS ESTATES

Being a Subdivision of 27.2 acres located in pt. Sec. 15 T2 R7MRs. Mad River Twp. Montgomery Co O. and Recorded in D.B. 375 Pgs 346, 347 & 348 on the Deed Records of said County.

I hereby certify that I have surveyed and staked the above tracts and all measurements certified correct, and Iron Pins set as noted

~~Scale 1 inch~~
Oct. 1946.

Ernest O. Brown
ERNEST O. BROWN
REG. CIV. ENG. & SURVEYOR
1316 EMMONS AV.
DAYTON, OHIO.

STATE OF OHIO ERNEST O. BROWN 11441 REGISTERED SURVEYOR

We, the undersigned, being all the owners and lienholders of the land herein platted, do hereby voluntarily consent to the execution of said plat and voluntarily dedicate the streets alleys and other thoroughfares shown on the plat, and not heretofore dedicated, to public use as such forever. Easements shown on the plat are for construction, operation, maintenance, repair, replacement or removal of water, sewer, gas, electric, telephone or other utility lines or services, and for the express priveledge of removing any and all trees or other obstructions to the free use of said utilities and for providing of ingress and egress to the property for said purposes and are to be maintained as such forever.

WITNESSED BY

E. R. Miller
Ruth Dilkening
E. R. Miller
Ruth Dilkening
E. R. Miller
Ruth Dilkening
E. R. Miller
Ruth Dilkening
E. R. Miller
Eli Ingraham

Ernest R. Miller
Rex S. Miller
Forest C. Moyer
Otto L. Moyer
The Equitable Life Assurance Society of the U.S.
By R. Mowbray
Helen B. Taylor Asst. Secretary

STATE of OHIO, County of Montgomery: ss
Before me, a Notary Public in and for said County personally came Ernest R. Miller and Rex S. Miller husband & wife and Forest C. Moyer and Otto L. Moyer husband & wife, and acknowledged the signing of the foregoing plat to be their voluntary act and deed.

In Witness Whereof I hereunto set my hand and Notarial Seal on this 15th day of October, 1946

E. R. Miller, Notary Public
My Commission Expires

STATE of OHIO, County of Montgomery: ss
Ernest R. Miller, being duly sworn says that the above is signed and the execution thereof is acknowledged by all parties having any interest or liens upon the realestate therein described.

Ernest R. Miller

Sworn to before me and signed in my presence by the said Ernest R. Miller this 21st day of October, 1946.

H. S. Howard
My Commission expires October 28, 1948

I hereby certify this plat to be in accordance with the CITY PLAN
Oct. 25/46
Director-Engineer
CITY PLAN BOARD

A. Each lot on this subdivision shall be sold and conveyed subject to the following restrictions and conditions and run with the land.

B. All lots in this subdivision shall be residential lots, and no dwelling costing less than $7500 shall be permitted on any lot in this subdivision. No structures shall be erected, altered, placed or permitted to remain on any lot except a one-story, one and one half story and a two-story dwelling and for each dwelling to provide garage for not more than two cars. The ground floor area of the main structure, exclusive of one-story open porches and garages, shall be not less than 850 square feet. For a one and one half and two-story dwelling the ground floor area of the main structure, exclusive of one-story open porches and garages, shall be not less than 720 square feet.

C. No building shall be located nearer to the front line or nearer to the side street line than the building set back lines shown on the recorded plat. No building on any lot shall be erected on said lots nor shall any part thereof extend nearer than 10 feet, back from the front lot line. Buildings on the corner lots shall be set back not less than 40 feet from the side street line, excepting lots No. 7, 8, 27 and 28, which shall be set back not less than 20 feet. All buildings erected for dwelling purposes shall be erected to provide a total of not less than 50 feet of side yard space, and side yard space may be divided unevenly provided no portion of any building is erected closer than 10 feet to any lot line.

D. No lot shall be hereafter subdivided into smaller portions the intent being to carry out a general plan and preserve each lot as an individual building site.

E. No nuisance or offensive trade shall be carried on upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

F. No lot or residence or other building on this plat shall be conveyed to or leased, rented or occupied by anyone other than the Caucasian race. Except that this covenant shall not prevent servants of a different race or nationality domiciled with an owner or tenant.

G. No fences or walls higher than the adjacent ground shall be erected nearer the front line of any lot than the rear line of the dwelling, except the same be of hedge growth and then not to exceed three and one-half (3½) feet in height.

H. No billboards or advertising signs shall be erected or placed on any lot except for the purpose of selling property on this subdivision. No barn, stable, or other out-buildings for housing domestic animals shall be erected upon the premises.

I. No trailer, basement, tent, shack, garage, or other outbuilding shall at any time be used as a residence temporary or permanent, nor shall any Residence of a temporary character be built or placed on any lot.

J. Utility and Storm sewer easements are shown on the plat. A perpetual easement is reserved over the rear 5 feet of each lot for utility installations and maintenance.

K. These covenants shall be enforcable by injunction and otherwise by the grantor, its successors or assigns all persons claiming under them until January 1, 1966, at which time said covenants and restrictions are automatically extended for successive 10 year periods, unless by a vote of a majority of property owners in the subdivision these covenants are amended or terminated.

L. These covenants and restrictions are to run with the land and shall be binding on all the parties and

M. Invalidation of any one of these covenants by judgment or court order shall in no way affect any of the other provisions, which shall remain in full force and effect.

N. Until such time as a sanitary sewer system shall have been constructed to serve the properties within the above described tract, septic tanks shall be installed for each dwelling erected in the area. Such sewage disposal installation shall be of the type and construction approved by the health authority with jurisdiction. No outhouse or privies shall be allowed. Each lot shall be provided with one underground septic tank. The effluent from each septic tank shall not be permitted on any lot, to discharge directly into any stagnant sewer, stream, open ditch or drain, but shall be discharged into an approved absorption bed or trenching well specifically provided for this purpose.

O. Until such time as a city water main shall have been constructed to serve the properties within the above described tract, drinking water shall be supplied from individual wells drilled for each dwelling erected in the area. Such wells shall be of the type and construction, and at location on the individual lot as to be approved in writing by the health authority with jurisdiction.

BK. X P. 44
11-6-46
11-6-46
11-50 A.M.
11-6-46
L.S.
Fee $1.00

STATE of NEW YORK
County of New York } ss.

I, HELEN YOUNGBERG, a Notary Public in and for said County, in the state aforesaid, do hereby certify that R. T. Mowbray and HELEN B. TAYLOR personally known to me to be the same persons whose names are subscribed to the foregoing instrument as VICE-VICE PRESIDENT and ASSISTANT SECRETARY respectively, of THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES, a corporation, appeared before me this day in person, and acknowledged that they signed, sealed with the corporate seal of said corporation, and delivered the said instrument as their own free and voluntary act, and as the free and voluntary act of said corporation for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 18th day of October A.D. 1946

Helen Youngberg
NOTARY PUBLIC IN THE BOROUGH OF MANHATTAN
Notary Public in the State of New York
Residing in New York County
Cert. Filed in No. 31, Reg. No. 13-B-7
Commission Expires Sept. 15, 1948

My Commission Expires MARCH 30, 1947

Approved by the Board of County Commissioners of Montgomery County, Ohio, on the 31st day of October A.D. 1946

Nov 4 1946
The foregoing plat is in accordance with a rule or regulations adopted by the City Plan Board of the City of Dayton.
Geo. H. Baker

Harry A. Dillery
H. Immanuel
J. E. Brumbaugh
J. E. Greon
COUNTY COMMISSIONERS Montgomery County Ohio
Clerk of County Commissioners

FILED NOV 6 PM 12:49
MONTGOMERY CO. OHIO
RECORDED
CLERK

Archived from 1.50

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