

B & B

CONSULTING ENGINEERS AND SURVEYORS
 P.O. BOX 336 THORNVILLE, OHIO 43076
 PH: 1-740-246-4491 FAX: 1-740-246-9201

PINE VIEW HEIGHTS SUBDIVISION

PRIVATE RIGHT-OF-WAY MAINTENANCE AGREEMENT FOR PINE VIEW HEIGHTS SUBDIVISION-TRACT 1 AND TRACT 2

WOLFHARD BAUMGARTEL, THE ORIGINAL OWNER OF TRACT 1 AND TRACT 2 WILL MAINTAIN OWNERSHIP OF THE 50' WIDE PRIVATE RIGHT-OF-WAY BASEMENT WITHIN THE AREA DELINEATED AND MONUMENTED ON THE PLAT, AND WILL BE RESPONSIBLE FOR 100% OF THE TOTAL MAINTENANCE COST.

ATHENS COUNTY WILL ONLY ACCEPT A DEDICATED PUBLIC ROADWAY AFTER IT HAS BEEN BUILT TO COUNTY STANDARDS EFFECTIVE AT THE TIME A PETITION BY THE ADJOINING PROPERTY OWNERS OR THE DEVELOPER IS PRESENTED TO THE ATHENS COUNTY COMMISSIONERS. ACCEPTANCE OF THE ROADWAY BY THE COUNTY COMMISSIONERS WILL TAKE PLACE ONLY AFTER THE ATHENS COUNTY ENGINEER HAS APPROVED THE CONSTRUCTION. THE DEDICATION OF THIS PRIVATE RIGHT OF WAY DOES NOT CONSTITUTE AN OBLIGATION ON THE PART OF ANY GOVERNMENT ENTITY TO MAINTAIN OR IMPROVE SAID PRIVATE RIGHT OF WAY.

(A) DEED REFERENCE - 5.5226 ACRE TRACT 1, 5.582 ACRE TRACT 2
 SITUATED IN THE STATE OF OHIO, COUNTY OF ATHENS, TOWNSHIP OF ~~BERBECHE~~ THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 10, RANGE 15, AND BEING A PORTION OF A PARCEL CONVEYED TO WOLFHARD BAUMGARTEL, M. D. AND EVELYN BAUMGARTEL AS FOUND IN DEED VOLUME 280, PAGE 562, AS RECORDED IN THE ATHENS COUNTY RECORDER'S OFFICE, ATHENS COUNTY, OHIO.

(B) CERTIFICATE OF OWNERSHIP (REF. A ABOVE)
 WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY DESCRIBED IN THE ABOVE CAPTION AND THAT ALL LEGALLY DUE TAXES HAVE BEEN PAID, AND THAT AS SUCH OWNERS, WE HAVE CAUSED SAID ABOVE DESCRIBED PROPERTY TO BE SURVEYED AND SUBDIVIDED AS SHOWN.

SIGNATURE _____ SIGNATURE _____
 COUNTY Athens
 STATE OF OHIO ss

(C) OWNER'S CONSENT AND DEDICATION (REF. A ABOVE)
 WE, THE UNDERSIGNED, BEING ALL THE OWNERS AND LEIN HOLDERS OF THE LANDS HEREBY PLATTED, DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF THE SAID PLAT AND DO DEDICATE THE STREETS, PARKS OR OPEN SPACE AS SHOWN HEREIN TO THE PUBLIC USE FOREVER, UNLESS SUCH AREAS ARE SPECIFICALLY MARKED "PRIVATE" ON THE FINAL PLAT. EASEMENTS SHOWN ON THIS PLAT, UNLESS DESIGNATED FOR A SPECIFIC PURPOSE, ARE FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT OR REMOVAL OF WATER, SEWER, GAS, ELECTRIC, TELEPHONE, CABLE TELEVISION, OR OTHER UTILITY LINES OR SERVICES, STORMWATER DISPOSAL, AND TO THE FREE USE OF SAID BASEMENTS OR ADJACENT STREETS AND FOR PROVIDING INGRESS AND EGRESS TO THE PROPERTY FOR SAID PURPOSES AND ARE TO BE MAINTAINED AS SUCH FOREVER. NO BUILDINGS OR OTHER STRUCTURES MAY BE BUILT WITHIN SAID BASEMENTS, NOR MAY THE BASEMENT AREA BE PHYSICALLY ALTERED SO AS TO 1.) REDUCE CLEARANCE OF EITHER OVERHEAD OR UNDERGROUND FACILITIES; 2.) IMPAIR THE LAND SUPPORT OF SAID FACILITIES; 3.) IMPAIR ABILITY TO MAINTAIN THE FACILITIES OR 4.) CREATE A HAZARD. THE UNDERSIGNED FURTHER AGREES THAT ANY USE OF IMPROVEMENTS MADE ON THIS I AND SHALL BE IN CONFORMITY WITH ALL EXISTING, VALID ZONING, PLATTING, HEALTH OR OTHER LAWFUL RULES AND REGULATIONS FOR THE BENEFIT OF HIMSELF OR HERSELF AND ALL OTHER SUBSEQUENT OWNERS OR ASSIGNS TAKING TITLE FROM, UNDER, OR THROUGH THE UNDERSIGNED. IN WITNESS THEREOF THIS 2nd DAY OF Sept, 2004

WITNESS John W. Hagan SIGNED _____
 WITNESS John W. Hagan SIGNED _____

(D) ATHENS COUNTY COMMISSIONERS APPROVAL
 RIGHT OF WAY APPROVAL FOR PRIVATE USE ACCEPTANCE OF THE DEDICATION OF THE RIGHT OF WAY DOES NOT CONSTITUTE AN OBLIGATION ON THE PART OF ANY GOVERNMENT ENTITY TO MAINTAIN AND/OR IMPROVE SAID RIGHT OF WAY. APPROVAL OF THIS PLAT FOR RECORDING DOES NOT CONSTITUTE AN ACCEPTANCE OF THE DEDICATION OF ANY PUBLIC STREET, ROAD, OR HIGHWAY DEDICATED ON SUCH PLAT. (SECTION 711 O. R. C.)

ATHENS COUNTY COMMISSIONERS
 WE HEREBY APPROVE THIS PLAT ON THIS 19 DAY OF Oct., 2004
Mark Sullivan
 ATHENS COUNTY COMMISSIONERS (PRESIDENT)

(M) ACCEPTANCE OF PUBLIC IMPROVEMENTS FOR MAINTENANCE
 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, THAT SUBDIVISION ROADWAY IMPROVEMENTS HAVE BEEN INSPECTED AND APPROVED FOR PERMANENT MAINTENANCE BY LOCAL GOVERNMENT ON THIS _____ DAY OF _____, 20____.

ATHENS COUNTY COMMISSIONERS (PRESIDENT)

(E) CERTIFICATE OF SURVEYOR
 I HEREBY CERTIFY THAT THIS MAP IS A TRUE AND COMPLETE SURVEY MADE BY ME (UNDER MY SUPERVISION) ON Aug 12, 2004 AND THAT ALL MONUMENTS AND LOT CORNER PINS ARE OR WILL BE SET AS SHOWN.

BY: John W. Hagan
 JOHN W. HAGAN, P. S. 4968

(D) CERTIFICATE OF NOTARY PUBLIC
 STATE OF OHIO S. S.
 BE IT REMEMBERED THAT ON THIS 2 DAY OF Sept, 2004 BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE PERSONALLY CAME W. Baumgartel AND _____ WHO ACKNOWLEDGED THE SIGNING AND EXECUTION OF THE FOREGOING PLAT TO BE THEIR VOLUNTARY ACT AND DEED FOR THE PURPOSE THEREIN EXPRESSED. IN TESTIMONY WHEREOF, I HAVE SET MY HAND AND NOTARY SEAL ON THE DAY AND DATE ABOVE WRITTEN.

Oct 28, 2007 NOTARY PUBLIC, STATE OF OHIO
 COMMISSION EXPIRES: _____

(F) REGIONAL PLANNING COMMISSION APPROVAL
 REGIONAL PLANNING COMMISSION
 THIS PLAT WAS APPROVED BY THE REGIONAL PLANNING COMMISSION ON THIS 14 DAY OF Oct, 2004
Bob Eisenberg
 REPRESENTATIVE TITLE

(G) COUNTY HEALTH DEPARTMENT APPROVAL
 ATHENS COUNTY HEALTH DISTRICT
 I HEREBY APPROVE THIS PLAT ON THIS 13 DAY OF Oct., 2004.
John A. Hagan M.D.
 ATHENS COUNTY BOARD OF HEALTH

(H) COUNTY ENGINEER APPROVALS
 I HEREBY APPROVE THIS PLAT ON THIS _____ DAY OF _____, 20____.
 ATHENS COUNTY ENGINEER'S OFFICE

MATHEMATICALLY APPROVED ON THIS 1st DAY OF September, 2004.
S. Klausner
 ATHENS COUNTY ENGINEER'S OFFICE

(K) COUNTY AUDITOR'S TRANSFER
 COUNTY AUDITOR
 TRANSFERRED ON THIS 7 DAY OF Mar., 2005
 BY: gh Jill A. Thomson
 COUNTY AUDITOR

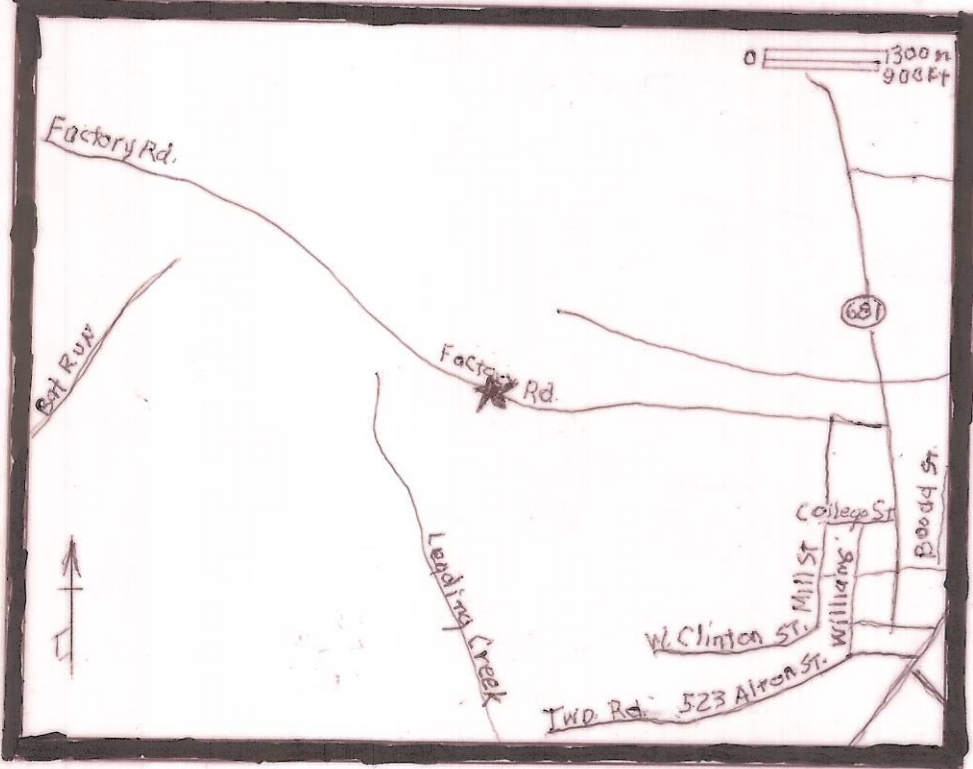
(I) TOWNSHIP TRUSTEES APPROVAL
 TOWNSHIP TRUSTEES
 WE HEREBY APPROVE THIS PLAT ON THIS _____ DAY OF Oct, 2004.
Lee
 PRESIDENT
Hans
 PRESIDENT

(L) COUNTY RECORDER
 COUNTY RECORDER
 FILE NO. 05-1409-05-1410
 RECEIVED THIS 7th DAY OF MARCH, 2005 AT 10:38am
 RECORDED THIS 7th DAY OF MARCH, 2005 AT 10:38am
 RECORDED IN PLAT BOOK NO. _____ PAGE _____ FEE _____
John A. Hagan ENV 544A+B John Michael Scott
 BY: DEPUTY COUNTY RECORDER



PINE VIEW HEIGHTS SUBDIVISION - PLAT
 SHEET 1 OF 2

LOCATION MAP



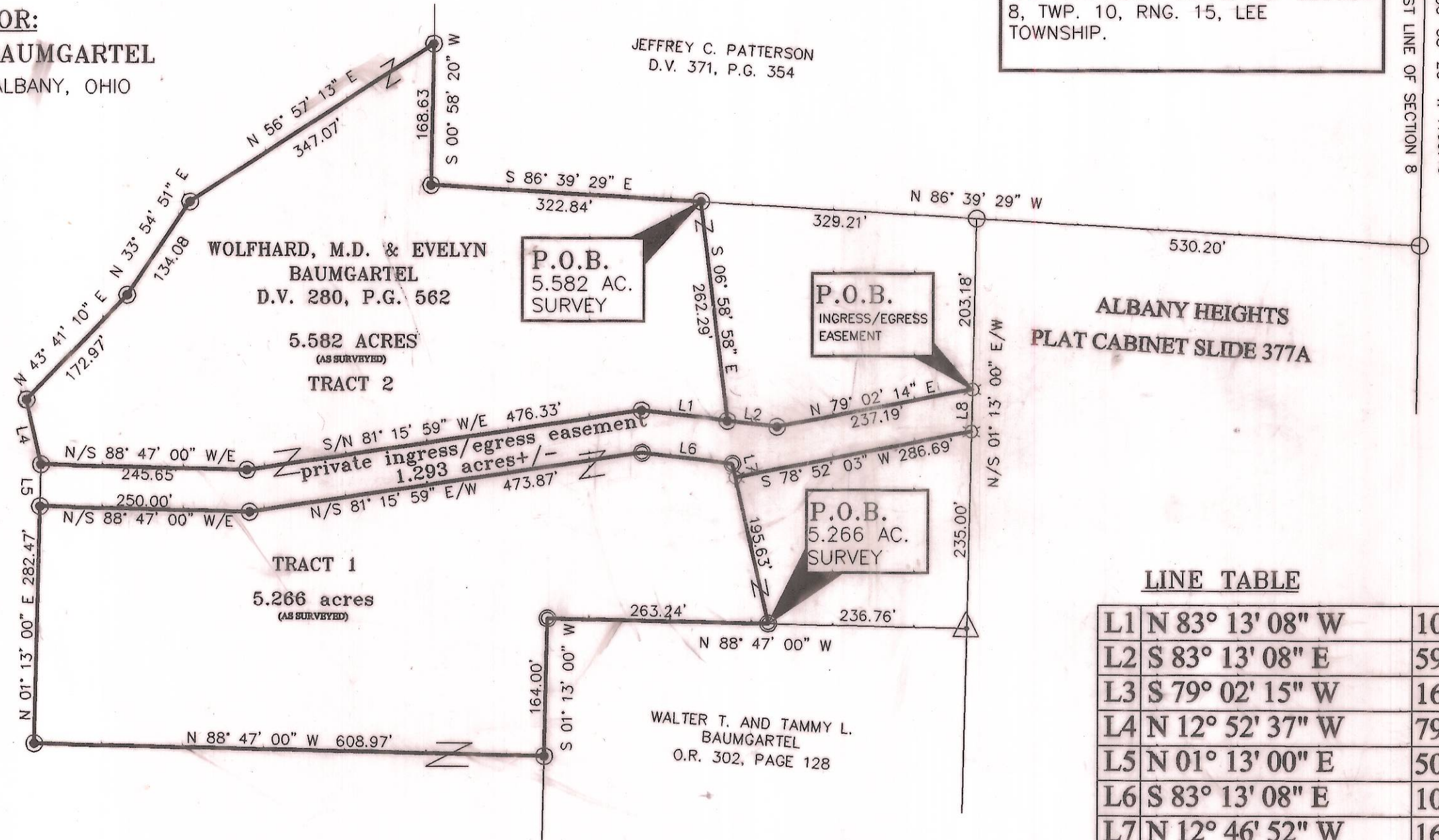
20050001409
 Filed for Record in
 ATHENS COUNTY, OHIO
 JULIA MICHAEL SCOTT
 03-07-2005 At 10:38 am.
 SMALL PLAT 43.20
 ENV 544A+B

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PINE VIEW HEIGHTS SUBDIVISION

PREPARED FOR:
WOLFHARD BAUMGARTEL
 re: ALBANY, OHIO



COMMENCING, AT A STONE FOUND AT THE NORTHEAST CORNER OF SECTION 8, TWP. 10, RNG. 15, LEE TOWNSHIP.

PROPERTY LOCATION:
 BEING A SURVEY OF A PORTION OF A PARCEL CONVEYED TO WOLFHARD BAUMGARTEL, M.D. AND EVELYN BAUMGARTEL AS FOUND IN DEED VOLUME 280, PAGE 562, AS RECORDED IN THE ATHENS COUNTY RECORDER'S OFFICE, ATHENS COUNTY, OHIO.
 SITUATED IN THE STATE OF OHIO, COUNTY OF ATHENS, TOWNSHIP OF LEE, BEING PART OF THE NORTHEAST QUARTER OF SECTION 8, TWP. 10, RNG. 15.

BASIS OF BEARING
 THE BEARINGS ON THIS PLAT ARE BASED ON THE EAST LINE OF SECTION 8 AS BEING S 00° 58' 20\"/>

NOTE: THIS SURVEY IS SUBJECT TO ALL UTILITY AND ROAD RIGHT OF WAYS OF RECORD.
 NOTE: THIS SURVEY IS SUBJECT TO ALL LEGAL FACTS THAT A FULL AND COMPLETE TITLE RESEARCH MAY REVEAL.

ALBANY HEIGHTS
 PLAT CABINET SLIDE 377A

LINE TABLE

L1	N 83° 13' 08\"/>
L2	S 83° 13' 08\"/>
L3	S 79° 02' 15\"/>
L4	N 12° 52' 37\"/>
L5	N 01° 13' 00\"/>
L6	S 83° 13' 08\"/>
L7	N 12° 46' 52\"/>
L8	S 01° 13' 00\"/>

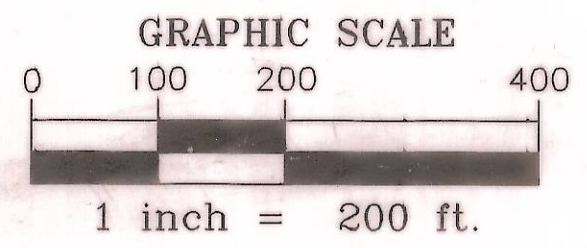
CERTIFICATION:
 I HEREBY CERTIFY THAT AN ACTUAL SURVEY WAS MADE OF THE PREMISES BY B & B ENGINEERING AND SURVEYING, IN APRIL 2004, AND THAT THIS PLAT IS CORRECT TO THE BEST OF MY KNOWLEDGE.
 NOTE: ALL IRON PINS SET ARE 5/8\"/>

DATED 8-12-04 *John W. Hagan*
 JOHN W. HAGAN P.E., P.S.
 OHIO REGISTERED SURVEYOR #4968

PINE VIEW HEIGHTS SUBDIVISION - PLAT
 SHEET 2 OF 2



- LEGEND**
- △ - IRON REBAR FOUND IN CONCRETE
 - - IRON PIN FOUND
 CAPPED "DENNIS P. HAGAN #6917"
 - - IRON PIN SET
 CAPPED "JOHN W. HAGAN #4968"
 - ☆ - POINT
 - - IRON REBAR FOUND



200500001410
 Filed for Record in
 ATHENS COUNTY, OHIO
 JULIA MICHAEL SCOTT
 03-07-2005 at 10:38 am.
 SMALL PLAT 43.20
 ENV. 544 A+B