

9700026171
OHIO TITLE
PICK UP

VOL 0632 PAGE 724

DECLARATION OF COVENANTS, EASEMENTS,
RESTRICTIONS AND ASSESSMENT LIENS
FOR
HIGHLAND LAKES EAST SECTION 4, PART 4

This is a declaration of covenants, easements, restrictions and assessment liens made this 11th
day of November, 1997, by Planned Communities Development Company, Inc., an Ohio
Corporation (hereinafter referred to as "Declarant").

Background

A. Declarant is the owner in fee simple of certain real estate, situated in the Township
of Genoa, County of Delaware and State of Ohio and

Being Lots 3716 through 3735 both inclusive of Highland Lakes East Section
4, Part 4 as the same are numbered and delineated upon the recorded plat
thereof, of record in Cabinet 2, Slides 21, 21A, 21B, Recorder's
Office, Delaware County, Ohio.

B. Declarant intends during the course of development of the real estate described in
paragraph A., which is hereafter referred to as Highland Lakes East Section 4, Part 4, to construct
and develop certain Common Improvements for the benefit of Declarant as well as owners of all of
the lots in Highland Lakes Sections 1, 2, 3, and 4; Highland Lakes East Section 1, 3, 4, 7, and 10;
Highland Lakes North Sections 1, 2, 3, and 4; and Pine Valley, Oakmont, Oakmont Section 2, Oak
Hill, Highland Lakes Estates Section 1, and all other real estate which may be added to the Master
Subdivision (as defined in Article I, Section 7 hereof) and certain other Common Improvements for
the benefit of the Declarant as well as owners of all of the lots in Highland Lakes East Section 4, Parts
2 and 4 and all other real estate which may be added to the Subdivision (as defined in Article I, Section
10 hereof).

9700026171
Filed for Record in
DELAWARE COUNTY, OHIO
KAY E. CONKLIN
On 11-14-1997 At 09:19 am.
DECLARATION 100.00
Vol. 632 Pg. 724 - 746

All gas, water, sewer, oil and other pipes for gas or liquid transmission shall be placed underground or within or under buildings or other Improvements. Nothing herein shall be deemed to forbid the erection and use of temporary power or telephone service incident to the construction of Improvements.

Section 31. Use of Other Easements. In addition to the utility easements herein designated, easements in the private streets are hereby reserved and granted to the Developer, and any utility company or governmental unit engaged in supplying one or more utility services to the Subdivision to install, lay, erect, construct, renew, operate, repair, replace, maintain or remove all and every type of gas, water, sanitary or storm sewer or other utility facilities.

Section 32. Drainage and Grading. No drainage ditches, cuts, swales, streams, impoundments, ponds, or lakes; no mounds, knobs, dams or hills, and no other physical improvements or elements of the landscape or terrain which control or determine the location or flow of surface water and drainage patterns may be destroyed, altered or modified without the prior written approval of the Developer. No Improvements to a Lot shall be made in any manner whatsoever that are inconsistent with the master grading plans established by the Developer for the Lots, as the plans now exist or may hereafter be modified from time to time, without the prior written approval of the Developer. All Lot Owners shall obtain certification from a licensed engineer after completing any Improvement that the master grading plans have been observed. Whenever, because of construction of Improvements on a Lot, or for some other reason, silt runs off of the Lot onto any adjacent property, the Owner of the Lot shall be obligated to provide a means of siltation control to prevent such run off. Roof drains, foundation drains, and other clean water connections to the sanitary sewer system are prohibited.

Section 33. Lakes and Ponds. No Owner, or any other person, shall have access to, or the right to use, any lake, pond, stream or other body of water in or adjacent to the Subdivision for boating, swimming or any other purpose.