

192121

DECLARATION OF RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS:

THAT, WHEREAS, the real property heretofore surveyed and platted as an addition under the name of COUNTRY CLUB TERRACE SUBDIVISION, Washington County, Oklahoma, has been subdivided into lots, blocks and roads or streets, the exact description of said addition being shown by the plat on file in Plat Envelope No. 190, in the office of the County Clerk of Washington County, Oklahoma.

NOW, THEREFORE, GERALD J. COX and MARY JESS COX, his wife, being the owners of the real estate described in said plat, in order to assure the proper use of said property described therein and owned by them do hereby impress upon and attach to said land therein described the following restrictions and conditions, to-wit:

1. Lot Seven (7), Block One (1), and Lot One (1), Block Five (5), may be used for apartment building or buildings and such garage and garages as shall be necessary to accomodate the occupants of the apartment or apartment buildings.
2. All other lots in said tract shall be known, described and used solely as residential lots and no structure shall be erected on any residential lot other than one single family dwelling, not to exceed two stories in height, and a garage for not more than two cars.
3. No residential lot shall be re-subdivided into smaller building lots than shown on recorded plat.
4. No building shall be erected on any residential building plot nearer than thirty (30) feet from the front lot line, nor nearer than ten (10) feet to any side line.
5. No dwelling shall be permitted to be built on any residential lot in the tract which shall contain less than Thirteen Hundred (1300) square feet of floor space, exclusive of garage and porches. Each residence shall be constructed of masonry, stucco or standard frame construction with wood siding, or material equal in quality and appearance.
6. No building shall be moved from another location to any lot in the addition hereinabove described.
7. None of the lots or tracts shown on said plat, and no building erected

thereon, shall be used or occupied by any person not of the Caucasian or American Indian race. This prohibition, however, is not intended to prevent the occupancy by persons not of the Caucasian or American Indian race while employed on the premises.

8. No noxious or offensive trade or enterprise 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. No outside toilets shall be permitted to be built upon any lot in this addition.

9. No cattle, swine, chickens or other livestock shall be permitted to be kept upon any lot in this tract.

10. No billboards or advertising signs shall be erected or maintained on any lot herein, nor shall buildings or structures be erected for advertising purposes on any lot in said tract.

11. All of the restrictions above set out shall be binding upon the purchaser of any lot described in said plat, and upon his or her respective heirs, successors and assigns and shall continue until January 1, 1973, at which time said restrictions shall be automatically extended for successive periods of ten years, unless by vote of the majority of the then owners of the lots it is agreed to change said restrictions in whole or in part.

12. Invalidation of any one of these covenants by a Judgment or Court Order shall in nowise affect any of the other provisions which shall remain in full force and effect.

The restrictions and covenants herein contained shall be annexed to and run with the land and the grantors herein or any owner of any part of the land described shall have the right to enforce said restrictions in any Court of competent jurisdiction, either by suit or injunction, to prevent the violation of such restrictions or to recover damages for violation of such restrictions.

DATED this 28th day of January, 1949.

Gerald J. Cox
Gerald J. Cox

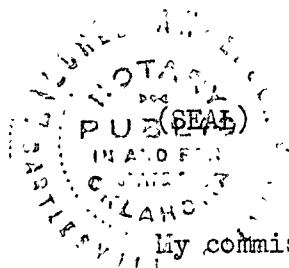
Mary Jess Cox
Mary Jess Cox

ACKNOWLEDGMENT:

STATE OF OKLAHOMA)
) SS.
COUNTY OF WASHINGTON)

Before me, the undersigned, a Notary Public in and for said County and State, on this 28th day of January, 1949, personally appeared GERALD J. COX and MARY JESS COX, his wife, to me known to be the identical persons who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and official seal the day and year last above written.



M. J. Anderson
Notary Public

My commission expires:
April 27th, 1949.

STATE OF OKLAHOMA }
Washington County } SS
This instrument was filed for record
MAR 2 1949
at 10:30 o'clock A.M.
CLYDE V. BLASIN, County Clerk
BY [Signature] DEPUTY

AMENDED DECLARATION OF RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, the real property heretofore surveyed and platted as an addition under the name of Country Club Terrace Subdivision, Washington County, Oklahoma (the "Addition"), has been divided into lots, blocks and roads or streets, and the exact description of the Addition being shown by the plat on file in plat envelope no. 190 in the office of the County Clerk of Washington County, Oklahoma, and

WHEREAS, a Declaration of Restrictions dated January 28, 1949 was recorded of record in Book 219 at Page 199 concerning use of the property located within the Addition (the "Restrictions"); and

WHEREAS, pursuant to the provisions of the Restrictions a majority of the owners of the lots of the Addition have agreed to amend the Restrictions.

NOW, THEREFORE, the owners of the real estate described in said plat and in the Addition, in order to secure the proper use of said property described therein and owned by them, do hereby impress upon and attach to said property therein and owned by them the following amended restrictions and conditions, to-wit:

1. All lots in the Addition shall be known, described and used as residential lots only and no commercial structure shall be erected. One single family dwelling not to exceed two stories in height and a garage for not less than two cars and no more than three cars may be erected.

2. From and after this date, no residential lot shall be subdivided into smaller building lots. No dwelling shall be erected on any residential building lot nearer than twenty five (25) feet from the front lot line and, no nearer than ten (10) feet to any side line.

3. No dwelling shall be permitted to be built on any residential lot in the Addition which shall contain less than 1500 square feet of floor space, exclusive of garage and porches. Each residence shall be constructed of masonry, stucco, or standard frame construction with wood siding or material equal in quality and appearance.

4. No residential dwellings shall be removed from another location to any lot in the Addition.

5. No recreational vehicles (motor homes, travel trailers, water sports vehicles, etc.) shall be allowed to park on the front drive or in a visible location on any lot of

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the Addition except for the limited purpose of loading and unloading said vehicles. In no event shall any such recreational vehicle park on the front drive or in a visible location on any lot of the Addition for more than 7 consecutive days.

6. No noxious, offensive or commercial enterprise shall be carried on upon any lot nor shall anything be done therein which may be or become an annoyance or nuisance to the residents of the Additions.

7. No cattle, swine, chickens or other livestock shall be permitted to be kept on any lot in the Addition. No billboards or advertising signs shall be erected or maintained on any lot herein or shall any buildings, or structures be erected for advertising purposes on any lot in the Addition.

8. No fencing shall be installed forward of the front wall of the dwelling in the Addition.

9. No additional entrances/exits shall be added to the Addition other than the present west entrance/exit.

10. All of the Restrictions above shall be binding upon the owners of the lots in the Addition and upon their respective heirs, successors and assigns and shall continue until March 1, 2013 at which time said Restrictions shall automatically extend for successive periods of ten years each, unless by vote of a majority of the owners of the lots in the Addition it is agreed to change said Restrictions in whole or in part. Each lot owner, whether in a sole name, trust ownership or joint tenancy or tenants in common, and whether owning one lot or more than one lot, shall be entitled to one (1) vote.

11. Invalidation of any one or more of these Restrictions by a judgment or court order shall in no way effect any of the other provisions which remain in full force and effect.

12. In no event should these Restrictions require any existing structure in the Addition to be modified in any way. Any new construction on existing lots in the Addition shall comply with the Restrictions set forth herein.

13. The Restrictions and covenants contained herein shall be annexed to and run with the land and the grantors herein or any owner or any part of the land described in the Addition shall have the right to enforce said Restrictions in any court of competent jurisdiction, either by suit or injunction, to prevent the violation of such Restrictions or to recover damages for violation of such Restrictions.

Dated this 13th day of February, 2003.

OWNERS OF BLOCK 1, LOTS 1
AND 2; HUSBAND AND WIFE

Charles L. Daniel
Charles L. Daniel

Linda L. Daniel
Linda L. Daniel

OWNERS OF BLOCK 1, LOTS 3
AND PART OF LOT 4; HUSBAND
AND WIFE

Bart W. Workman
Bart W. Workman

Jennifer D. Workman
Jennifer D. Workman

OWNERS OF BLOCK 1, PART OF
LOT 4, LOT 5 AND LOT 6 LESS
THE N11'; EACH SINGLE PERSONS

Mark A. Peters
Mark A. Peters

Ann Peters
Ann Peters

OWNERS OF BLOCK 1, NORTH
11' OF LOT 6, ALL OF LOT 7;
HUSBAND AND WIFE

William Joseph Hardin

Frances E. Hardin

OWNERS OF BLOCK 3, LOT 5
HUSBAND AND WIFE

Paul D. Heath
Paul D. Heath

Chantal Lorene Heath
Chantal Lorene Heath

OWNER OF BLOCK 3, LOT 6
A SINGLE PERSON

Joshua C. Daniel
Joshua C. Daniel

OWNERS OF BLOCK 4, LOT 1
HUSBAND AND WIFE

Kenneth E. May
Kenneth E. May

Gayle K. May
Gayle K. May

OWNER OF BLOCK 4, LOT 2
A SINGLE PERSON

Paul White
Paul White

OWNER OF BLOCK 4, LOT 3
GWEN C. KIRWIN TRUST

BY Gwen C. Kirwin

OWNER OF BLOCK 5, LOT 1
MARY THEODOSEA SILAS TRUST

BY M. Theodora Silas, Trustee

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OWNER OF BLOCK 2, LOTS 1 AND 2
OKLAHOMA WESLEYAN UNIVERSITY

By _____

OWNER OF BLOCK 2, LOT 3
A SINGLE PERSON

Elizabeth D. Akright
Elizabeth D. Akright

OWNERS OF BLOCK 2, LOT 4

EVE & JOHN MAHAN, TRUSTEES
OF THE EVE MAHAN TRUST

By Eve Mahan

OWNERS OF BLOCK 2, LOT 5
HUSBAND AND WIFE

Gregory D. Dalton
Gregory D. Dalton

Laura A. Dalton
Laura A. Dalton

OWNER OF BLOCK 2, LOT 6
A SINGLE PERSON

Stephen R. Shaffer
Stephen R. Shaffer

OWNER OF BLOCK 2, LOT 7
A SINGLE PERSON

LOUISE FISCHBECK BY
Louise Fischbeck P.A.
Louise Fischbeck

BK 0993 PG 0972

OWNER OF BLOCK 2, LOT 8
A SINGLE PERSON

WENDELL A. FISCHBECK BY

Wendell A. Fischbeck
Wendell A. Fischbeck

OWNER OF BLOCK 2, LOT 9
A SINGLE PERSON

Harry Compton
Harry Compton

OWNER OF BLOCK 3, LOT 1
A SINGLE PERSON

Mary C. Collins
Mary C. Collins

OWNERS OF BLOCK 3, LOT 2
HUSBAND AND WIFE

Kenneth R. Yost
Kenneth R. Yost

Sandra K. Yost
Sandra K. Yost

OWNERS OF BLOCK 3, LOT 3.

DR. BOB C. JAMES AND F. YVONNE
JAMES, CO-TRUSTEES OF JAMES
FAMILY REVOCABLE LIVING TRUST

BY Dr Bob C James

OWNER OF BLOCK 3, LOT 4
A SINGLE PERSON

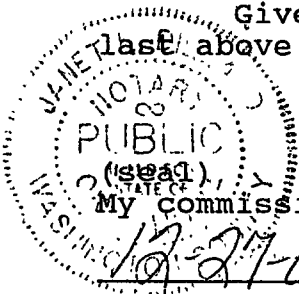
John E. Dunn
John E. Dunn

STATE OF OKLAHOMA
COUNTY OF WASHINGTON

)
) ss.
)

Before me, the undersigned, a notary public, in and for said County and State, on this 27th day of February, 2003, personally appeared each of the above signatory parties, in their individual capacity, or in their capacity as Trustee of the above designated Trusts, to me known to be the identical persons who executed the within and foregoing instrument in their individual capacity and in the marital status as above set forth, or in the capacity of Trustee, and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office the day and year last above written.



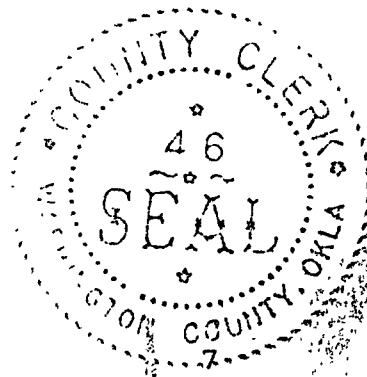
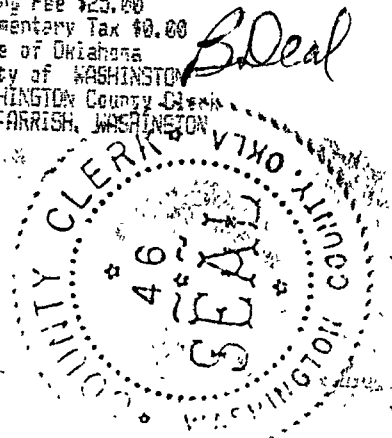
[Signature]
Notary Public
Commission No. 00019994

My commission expires:

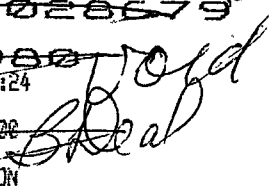
12-27-04

P.O. Box 1064
Bartlesville, Ok 74005

Doc # 2003028679
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DATE 03/03/03 15:45:24
Filing Fee \$25.00
Documentary Tax \$0.00
State of Oklahoma
County of WASHINGTON
WASHINGTON County Clerk
M. FARRISH, WASHINGTON



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State of Oklahoma
County of WASHINGTON
WASHINGTON County Clerk
M. FARRISH, WASHINGTON



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