

RESTRICTIONS, RESERVATIONS AND COVENANTS ON AND PERTAINING  
TO PHIL-ACRES 5th ADDITION, WASHINGTON COUNTY, OKLAHOMA,

KNOW ALL MEN BY THESE PRESENTS:

THAT, WHEREAS, the undersigned, Marcus D. Call and Ostia F. Call, as the owners, have caused to be surveyed and platted as a subdivision of Washington County, Oklahoma, under the name of Phil-Acres 5th Addition, the following described real estate in said County, to-wit:

The North Half ( $N\frac{1}{2}$ ) of the Southeast Quarter ( $SE\frac{1}{4}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) of the Southwest Quarter ( $SW\frac{1}{4}$ ) of Section Twenty-one (21), Township Twenty-six (26) North, Range Thirteen (13) East;

and have caused the same to be subdivided into lots, blocks, streets, avenues, drives and public ways and have dedicated the same to the public use, subject to the following restrictions, reservations and covenants:

NOW, THEREFORE, said owners declare that the land shown on said plat above referred to is hereby and shall be conveyed subject to the following restrictions, reservations and covenants:

1. Use:

All lots in this addition shall, for a period of twenty years from the 1st day of September, 1958, be used exclusively for residential purposes. One family residences only may be erected and only one such residence upon each lot. Each residence erected in said addition shall be connected to a sanitary sewer line or septic tank and no outdoor toilet facilities shall be permitted.

2. Floor Space and Construction:

Each residence shall contain at least 1,000 square feet of floor space, exclusive of porches, terraces or attached garages; and each residence shall be constructed of either brick or stone veneer. No building shall be removed from another location to any lot in this addition.

3. Frontage and set back:

Each residence shall front and present a good frontage on the street which the lot fronts, and any residence that may be erected upon a corner lot in said addition shall have a presentable frontage on both streets. No residence or outbuilding or part thereof shall be erected closer to the street or streets than the building line limit indicated in the official plat of this addition. No fence or wall shall be extended farther to the front of the lot than the building set back line shown on the plat.

4. Free Space:

No residence or any projected part thereof, such as porches, chimneys or bay windows shall be placed closer to any side lot than 5 feet.

5. Easements Reserved in Lots:

The undersigned reserve the right to locate, construct, erect and maintain, or cause to be located, constructed, erected and maintained in and on the areas indicated on the plat as "Easements", sewer and other pipe line, conduits, poles and wires and any other method of conducting or performing any public or quasi-public utility function above or beneath the surface of the ground, with the right of access at any time to the same for the purpose of repair and maintenance.

6. Billboards, Signs and Other miscellaneous structures:

No billboards or advertising signs shall be erected or maintained upon any lots in this addition, nor shall any building or structures be erected thereon for advertising purposes. No permanent provision shall be

made for the housing of poultry, cows, horses or other livestock on any lot, nor shall any livestock be kept and maintained on said premises.

7. Duration:

All of the restrictions herein set forth shall continue and be binding upon the undersigned and upon their heirs, successors and assigns for a period of twenty years from the date of dedication and shall be automatically extended thereafter for successive periods of ten years; provided, however, that the owners of the fee simple title to the lots having more than fifty per cent of the front feet of the lots shown on the plat may release all of the lots hereby restricted from any one or more of said restrictions, and may release any lot from any restriction created by a deed from the undersigned, at the end of the first twenty years period or any successive ten year period thereafter, by executing and acknowledging an appropriate agreement or agreements in writing for such purpose and filing the same for record in the office of the County Clerk of Washington County, Oklahoma, at least three years prior to the expiration of the first twenty years period, or any ten years period thereafter.

8. Right to enforce:

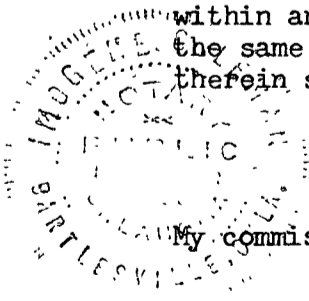
The restrictions herein set forth shall run with the land and bind the present owners, their heirs, successors and assigns and all parties claiming by, through or under them shall be taken to hold, agree and covenant with the owners of said lots, their heirs, successors and assigns, to conform to and observe said restrictions as to the use of said lot and the construction of improvements thereon, but no restriction herein set forth shall be personally binding upon any corporation, person or persons, except in respect to breaches committed during its, his or their seisin of or title to said land, and the owner or owners of any of said land shall have the right to sue for and obtain an injunction prohibitive or mandatory, to prevent the breach or to enforce the observance of the restrictions above set forth in addition to ordinary legal actions for damages, and failure of the undersigned or the owner or owners of any other lot or lots shown on this plat to enforce any of the restrictions herein set forth at the time of its violation shall in no event be deemed to be a waiver of the right to do so thereafter.

Dated this 1st day of September, 1958.

Marcus D. Call  
Ostia F. Call

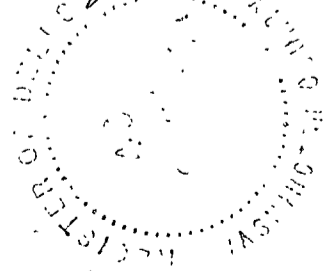
STATE OF OKLAHOMA )  
                                  ) SS  
WASHINGTON COUNTY)

Before me, a Notary Public, in and for said County and State on this 1st day of September, 1958, personally appeared Marcus D. Call and Ostia F. Call, 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.



Imagine Calemas  
Notary Public

My commission expires May 27, 1962.



STATE OF OKLAHOMA ) SS  
Washington County )  
This instrument was filed for record

SEP 13 1958  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M  
O. E. CREWS, County Clerk  
BY \_\_\_\_\_ Deputy