

ABSTRACT OF DECLARATION OF RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS:

THAT, WHEREAS, THE REAL PROPERTY HEREINAFTER DESCRIBED HAS HERETOFORE BEEN SURVEYED AND PLATTED AS A RESIDENTIAL SUBDIVISION UNDER THE NAME OF "POTTER'S SECOND ADDITION", WASHINGTON COUNTY, OKLAHOMA, AND AS SUCH, HAS BEEN SUBDIVIDED INTO LOTS, BLOCKS, STREETS AND EASEMENTS, AS SHOWN BY THE PLAT ON FILE IN THE OFFICE OF THE COUNTY CLERK OF WASHINGTON COUNTY, OKLAHOMA, SAID LANDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PART OF THE SOUTHEAST QUARTER (SE/4) OF THE SOUTHEAST QUARTER (SE/4) OF SECTION TWENTY (20), TOWNSHIP TWENTY-SIX (26) NORTH, RANGE THIRTEEN (13) EAST, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTH HALF (S/2) OF THE SOUTHEAST QUARTER (SE/4) OF THE SOUTHEAST QUARTER (SE/4) OF SAID SECTION; THENCE NORTH $0^{\circ} 20'$ WEST ALONG THE WEST LINE OF SAID SE SE A DISTANCE OF 150.0 FEET; THENCE EAST 591.4 FEET TO THE WEST LINE OF NOVA AVENUE; THENCE SOUTH ALONG SAID WEST LINE A DISTANCE OF 130.0 FEET TO A POINT OF CURVE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 131.51 FEET, A DISTANCE OF 81.32 FEET; THENCE SOUTH $35^{\circ} 26'$ WEST A DISTANCE OF 127.4 FEET; THENCE EAST 61.3 FEET; THENCE SOUTH $35^{\circ} 26'$ WEST A DISTANCE OF 100.1 FEET TO A POINT OF CURVE TO THE LEFT, HAVING A RADIUS OF 169.67 FEET; THENCE ALONG SAID CURVE A DISTANCE OF 105.42 FEET TO A POINT OF TANGENT; THENCE SOUTH A DISTANCE OF 119.5 FEET; THENCE SOUTH $89^{\circ} 55'$ WEST A DISTANCE OF 142.1 FEET; THENCE NORTH 10.0 FEET; THENCE SOUTH $89^{\circ} 55'$ WEST A DISTANCE OF 106.3 FEET; THENCE SOUTH A DISTANCE OF 1.3 FEET; THENCE SOUTH $89^{\circ} 55'$ WEST A DISTANCE OF 208.7 FEET TO THE WEST LINE OF THE SE SE OF SAID SECTION; THENCE NORTH $0^{\circ} 20'$ WEST ALONG SAID WEST LINE A DISTANCE OF 451.3 FEET TO THE POINT OF BEGINNING;

NOW, THEREFORE, THE UNDERSIGNED, ROLAND POTTER, JR. AND VELMA L. POTTER, HUSBAND AND WIFE, THE OWNERS OF ALL OF SAID LANDS, IN ORDER TO ASSURE THE PROPER USE OF SAID REAL PROPERTY, DO HEREBY IMPRESS UPON AND ATTACH TO SAID LANDS THE FOLLOWING RESTRICTIONS, CONDITIONS AND COMENANTS, TO-WIT:

I.

NO LOT SHALL BE USED EXCEPT FOR RESIDENCE PURPOSES. NO BUILDING SHALL BE ERECTED, ALTERED, PLACED OR PERMITTED TO REMAIN ON ANY LOT OTHER THAN ONE DETACHED SINGLE FAMILY DWELLING, NOT TO EXCEED ONE STORY IN HEIGHT, AND A PRIVATE GARAGE. NO HOUSE, GARAGE OR OTHER BUILDING SHALL BE MOVED INTO THIS SUBDIVISION. NO LOT IN THIS SUBDIVISION MAY BE RE-SUBDIVIDED.

II.

NO RESIDENCE SHALL BE CONSTRUCTED UPON ANY OF THE LOTS THAT SHALL CONTAIN LESS THAN 1,200 SQUARE FEET OF USEABLE FLOOR SPACE, EXCLUSIVE OF BREEZEWAYS, PORCHES, ATTACHED GARAGES, WALKS AND DRIVEWAYS. EACH RESIDENCE SHALL BE CONSTRUCTED OF BRICK, BRICK VENEER, STONE OR STONE VENEER, (CONCRETE BLOCKS NOT ACCEPTABLE) WITH WOOD SIDING PERMITTED IN PORCH AREAS AND GABLES.

III.

NO BUILDING SHALL BE ERECTED ON ANY LOT NEARER TO THE FRONT LOT LINE, OR NEARER TO THE SIDE STREET LINE THAN THE MINIMUM BUILDING SETBACK LINES SHOWN ON THE RECORDED PLAT. IN ANY EVENT, NO BUILDING SHALL BE LOCATED ON ANY LOT NEARER THAN TWENTY-FIVE (25) FEET TO THE FRONT LOT LINE OR NEARER THAN TEN (10) FEET TO ANY SIDE STREET LINE. NO BUILDING SHALL BE LOCATED NEARER THAN TEN (10) FEET TO AN INTERIOR LOT LINE.

NO BUILDING SHALL BE LOCATED ON ANY INTERIOR LOT NEARER THAN TWENTY-FIVE (25) FEET TO THE REAR LOT LINE. FOR THE PURPOSE OF THIS COVENANT, EAVES, STEPS AND PORCHES SHALL NOT BE CONSIDERED AS A PART OF A BUILDING; PROVIDED, HOWEVER, THAT THIS SHALL NOT BE CONSTRUED TO PERMIT ANY PORTION OF A BUILDING ON A LOT TO ENCROACH UPON ANOTHER LOT.

IV.

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 "EASEMENT", SEWER AND OTHER PIPE LINE CONDUITS, POLES AND WIRES

AND ANY OTHER METHOD OF CONSTRUCTING 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. ALL CULVERTS UNDER DRIVEWAYS MUST BE OF SUFFICIENT SIZE TO ALLOW PROPER DRAINAGE.

V.

NO NOXIOUS OR OFFENSIVE ACTIVITY SHALL BE CARRIED ON UPON ANY LOT, NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE OR MAY BECOME AN ANNOYANCE OR A NUISANCE TO THE NEIGHBORHOOD; AND NO BUILDING SHALL BE ERECTED UPON ANY OF THE LOTS IN THIS SUBDIVISION WHICH BUILDING IS DESIGNED OR UTILIZED TO HOUSE POULTRY, COWS, HORSES, PIGS, RABBITS OR OTHER ANIMALS, NOR SHALL ANY SUCH POULTRY, COWS, HORSES, PIGS, RABBITS OR OTHER ANIMALS BE KEPT OR MAINTAINED UPON THE PREMISES.

VI.

NO STRUCTURE OF A TEMPORARY CHARACTER, TRAILER, BASEMENT, TENT, SHACK, GARAGE, BARN OR OTHER OUTBUILDING SHALL BE ERECTED FOR USE ON ANY LOT AT ANY TIME AS A RESIDENCE, EITHER TEMPORARILY OR PERMANENTLY.

VII.

NO BILLBOARDS OR ADVERTISING SIGNS OR STRUCTURES SHALL BE ERECTED OR MAINTAINED UPON ANY LOT IN SAID SUBDIVISION, EXCEPT ONLY A "FOR RENT" OR "FOR SALE" SIGN, OF WHICH ONE SIGN NOT EXCEEDING 20 INCHES BY 30 INCHES, MAY BE PLACED UPON ANY LOT OR STRUCTURE LOCATED THEREON.

VIII.

NO GARAGE OR OTHER BUILDING ERECTED WITHIN THE SAID SUBDIVISION SHALL BE USED FOR RESIDENTIAL PURPOSES OTHER THAN FOR SUCH USE BY SERVANTS OF THE OCCUPANTS OF THE PRINCIPAL DWELLING ON SAID LOT.

IX.

NO SEPTIC TANK OR SUBSURFACE SEWAGE DISPOSAL SYSTEM SHALL BE CONSTRUCTED ON ANY LOT OR TRACT IN SAID SUB-

DIVISION UNLESS THE SAME BE IN SUBSTANTIAL COMPLIANCE WITH THE SPECIFICATIONS OF THE BUREAU OF ENVIRONMENTAL SANITATION OF THE OKLAHOMA STATE SANITATION DEPARTMENT.

X.

THESE COVENANTS ARE TO RUN WITH THE LAND AND SHALL BE BINDING UPON ALL PARTIES AND ALL PERSONS CLAIMING UNDER THEM FOR A PERIOD OF TWENTY-FIVE (25) YEARS FROM THE DATE THESE COVENANTS ARE RECORDED, AFTER WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN (10) YEARS UNLESS AN INSTRUMENT SIGNED BY A MAJORITY OF THE THEN OWNERS OF THE LOTS HAS BEEN RECORDED, AGREEING TO CHANGE SAID COVENANTS IN WHOLE OR IN PART.

ENFORCEMENT SHALL BE BY PROCEEDINGS AT LAW OR IN EQUITY AGAINST ANY PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY COVENANT EITHER TO RESTRAIN VIOLATION OR TO RECOVER DAMAGES.

INVALIDATION OF ANY ONE OF THESE COVENANTS BY JUDGMENT OR COURT ORDER SHALL IN NO WISE AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, WE, THE UNDERSIGNED, OWNERS OF THE HEREINABOVE DESCRIBED REAL-PROPERTY, HAVE HEREUNTO SET OUR HANDS AS OF THIS 12th DAY OF March, 1962.


ROLAND POTTER, JR.


VELMA L. POTTER

