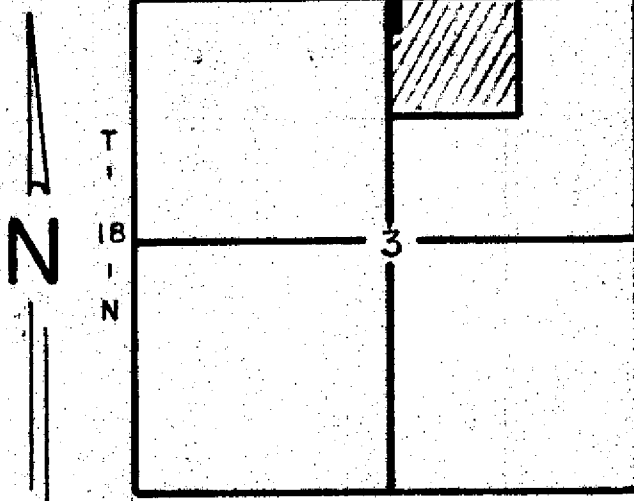


ADAMS CREEK ESTATES 4TH

A SUBDIVISION OF LOT 2 LESS THE NORTH 424.75' OF THE WEST 110' OF SECTION 3 TOWNSHIP 18 NORTH, RANGE 15 EAST, WAGONER COUNTY, STATE OF OKLAHOMA

DEED OF DEDICATION AND RESTRICTIVE COVENANTS



SCALE 1"=100'

Plat Book 7 Page 23
FILED IN WAGONER COUNTY
OFFICE OF THE COUNTY CLERK AND RECORDER
JAN 19 1977
AT 11:45 A.M.
JACK C. COX, County Clerk
By *Bill Cox Jr.*

KNOW ALL MEN BY THESE PRESENTS:

That, William J. McCalister and Carol S. McCalister is the Owners of the following described property, situated in Wagoner County, State of Oklahoma. A Tract of land described as Lot 2 Less the North 424.75 feet of the West 110 feet of Section 3, Township 18 North, Range 15 East, Wagoner County, State of Oklahoma.

WHEREAS, The Owners has caused the above described property to be surveyed, platted and staked into lots and streets in conformity with accompanying plat which they hereby adopt as the plat of the above described land as "ADAMS CREEK 4TH" an Addition to Wagoner County, State of Oklahoma.

AND, the undersigned OWNERS hereby dedicate for the public use the streets as shown and designated on the accompanying plat for the several purposes of constructing, maintaining, operating, repairing, removing and replacing any and all public utilities, including storm and sanitary sewers, telephone lines, electric power lines and transformers, gas lines and water lines together with all fittings and equipment for each such facility, including the poles, wires, conduits, pipes, valves, meters and other appurtenances thereto, with the right of ingress and egress upon said easements for the uses and purposes aforesaid, together with similar rights in each and all the streets shown on said plat; PROVIDED HOWEVER, that the undersigned OWNERS hereby reserve the right to construct, maintain, operate, lay and relay water and sewer lines together with the right to ingress and egress for such construction, maintenance, operation, laying and relaying over, across, and along all the public streets shown on said plat, and over across and along all strips of land included within the easements shown thereon, both for the purpose of furnishing water and/or sewer service to the area included in said plat, and to any other areas.

AND the undersigned OWNERS for the purpose of providing an orderly development of the entire tract, and for the further purpose of insuring adequate restrictions and covenants, and for the mutual benefit of the undersigned OWNERS, its successors and assigns, and the adjacent OWNERS abutting the tract, their successors and assigns, do hereby impose the following restrictions, limitations and reservations which shall be binding upon all subsequent purchasers.

PROTECTIVE COVENANTS AND RESTRICTIONS

- Overhead pole lines for the supply of electric service may be located as necessary throughout said addition. Street light poles or standards may be served by underground cable and elsewhere throughout said addition all supply lines shall be located underground, in the easement-ways reserved for general utility services and streets, shown on the attached plat. Service pedestals and transformers, as sources of supply at secondary voltages, may also be located in said easement-ways.
- Underground service cables to all houses which may be located on all lots in said Addition may be run from the nearest service pedestal or transformer to the point of usage determined by the location and construction of such house as may be located upon each said lot; provided that upon the installation of such a service cable to a particular house, the supplier of electric service shall thereafter be deemed to have a definitive, permanent, effective and exclusive right-of-way easement on said lot, covering a five-foot strip extending 2.5 feet on each side of such service cable, extending from the service pedestal or transformer to the service entrance on said house.
- The supplier of electric service, through its proper agents and employees shall at all times have right of access to all such easement-ways shown on said plat, or provided for in this Deed of Dedication for the purpose of installing, maintaining, removing or replacing any portion of said underground electric facilities so installed by it.
- The owner of each lot shall be responsible for the protection of the underground electric facilities located on his property and shall prevent the alteration of grade or any construction activity which may interfere with said electric facilities. The Company will be responsible for ordinary maintenance of underground electric facilities, but the owner will pay for damage or relocation of such facilities caused or necessitated by acts of the owner or his agents or contractors.
- The foregoing covenants concerning underground electric facilities shall be forceable by the supplier of electric service, and the owner of each lot agrees to be bound hereby.
- All permanent structures must be new construction.
- All homesites in the tract shall be known and described as single family residential homesites. No structure shall be created, altered, placed or permitted to remain on any homesite which exceeds two stories in height and all residences must have a private garage for not less than two cars attached to the residence. Any detached structures to be built on homesite such as storage building, covered entertainment areas, etc. shall conform to the basic design and appearance of the dwelling thereon. Carports, in addition to a two-car garage will be permitted only if attached to the residence.
- The exterior of all structure erected on any homesite shall be constructed of a minimum of 60% stone or brick.
- No noxious or offensive trade or activity shall be carried on upon any homesite nor shall anything be done thereon that may be or may become an annoyance or a nuisance to the neighborhood.
- No animals, livestock, or poultry of anykind shall be raised, bred, or kept on any homesite, except dogs, cats or other household pets may be kept provided that they are not kept, bred or maintained for any commercial purpose.
- No sign of any kind shall be displayed to the public view on any lot except one professional sign of not more than one square foot, one sign of not more than five square feet advertising the property for sale or rent, or signs, used by a builder to advertise the property during the construction and sales period.
- No trailer, basement, tent, shack, garage, barn or other outbuildings type structure shall be moved onto any homesite in this residential development. No temporary structures will be permitted.
- No homesite will be used for the storage of materials for a period of greater than 20 days prior to the start of construction. All homesites shall be maintained in a neat and orderly condition at all times.
- No fences of any kind shall be placed beyond the front building line of the residence. No fencing shall be higher than six feet.
- All entrances from streets shall have drain tile, size approved by developer or County Commissioner of Wagoner County.
- All individual sewer systems to be constructed according to County and State Health Department requirements.
- There will be no less than 1600 square feet of liveable floor area in the residence, exclusive of garage, porch and patio areas.
- All Structures shall be located a minimum distance of 10 feet from any side lot line, and 30 feet from front lot lines.

BY *William J. McCalister*
William J. McCalister
Carol S. McCalister
Carol S. McCalister

STATE OF OKLAHOMA
COUNTY OF *Tulsa*

Before me, the undersigned, a Notary public, in and for said County and State, on the *18th* day of *January*, 1977 personally appeared William J. McCalister and Carol S. McCalister to be known to be identical persons who subscribed the name of the parties thereto to the foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed and as the free and voluntary act and deed of such, for the uses and purposes therein set forth.

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

My Commission Expires *6/26/78*

Bill Cox Jr.
Notary Public

CERTIFICATE OF SURVEY

I Bill Cox Jr., of Tulsa County, State of Oklahoma and a Professional Surveyor, do hereby certify that I have made a survey of the above described property, to-wit:

Bill Cox Jr.
Bill Cox Jr. #523
Registered Land Surveyor

TREASURER CERTIFICATION

I, hereby certify that the 1976 and back taxes have been paid on the above described property, according to the 1976 tax roll.

The Oklahoma State Department of Health certifies that this plat is approved for the construction of *sewage disposal system*

(public or individual)
WAGONER Ernest Allen R. P. S. Date *1-18-77*
Wagoner County Health Department

