

CLEARVIEW ACRES SECOND ADDITION

A SUBDIVISION OF A PART OF THE
NORTHWEST QUARTER

SECTION 21, T-18-N, R-15-E, WAGONER COUNTY, OKLAHOMA

OWNERS: BOB G CUNDIFF AND PATSY A. CUNDIFF
ROBERT E SINGLETON AND NITA SINGLETON

CERTIFICATE OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS

THAT BOB G CUNDIFF, PATSY A. CUNDIFF, ROBERT E SINGLETON AND NITA SINGLETON ARE OWNERS OF THE FOLLOWING DESCRIBED PROPERTY TO-WIT:

THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION TWENTY ONE, TOWNSHIP EIGHTEEN NORTH, RANGE FIFTEEN EAST (E2 SW4 NW4 SECT 21 T18N R15E) WAGONER COUNTY, STATE OF OKLAHOMA,

THAT WE, THE OWNERS OF THE ABOVE DESCRIBED PROPERTY, HAVE CAUSED THE SAME TO BE SURVEYED, STAKED AND PLATED INTO LOTS, STREETS AND UTILITY EASEMENTS, HAVE CAUSED THE SAME TO BE NAMED AND DESIGNATED AS "CLEARVIEW ACRES-SECOND ADDITION", A SUBDIVISION IN WAGONER COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, AND WE HEREBY DEDICATE FOR THE PUBLIC USE, WHEREVER THE STREETS ARE SHOWN ON THE ATTACHED PLAT, AND DO HEREBY GUARANTEE CLEAR TITLE TO ALL LANDS SO DEDICATED, AND FOR THE PURPOSE OF PROVIDING AN ORDERLY DEVELOPMENT OF THE ENTIRE TRACT AND FOR THE PURPOSE OF PROVIDING ADEQUATE RESTRICTIVE COVENANTS FOR THE MUTUAL BENEFIT TO OURSELVES AND OUR SUCCESSORS IN TITLE, TO THE SUBDIVISIONS OF SAID TRACT, HEREINAFTER REFERRED TO AS LOTS, DO HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND CREATE THE FOLLOWING EASEMENTS TO WHICH IT SHALL BE INCUMBERED TO OUR SUCCESSORS TO ADHERE.

THESE COVENANTS

ARE TO RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING UNDER THEM, UNTIL DECEMBER 31, 1968, AT WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN YEARS, UNLESS BY A VOTE OF THE THEN MAJORITY OF OWNERS OF THE LOTS, IT IS AGREED TO CHANGE SAID COVENANTS, IN WHOLE OR IN PART

IF THE PARTIES HERETO, OR ANY OF THEIR HEIRS OR ASSIGNS, SHALL VIOLATE OR ATTEMPT TO VIOLATE ANY OF THE COVENANTS HEREIN, IT SHALL BE LAWFUL FOR ANY OTHER PERSON OR PERSONS OWNING ANY REAL ESTATE SITUATED IN SAID DEVELOPMENT OR SUBDIVISION TO PROSECUTE ANY PROCEEDINGS AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, AND EITHER TO PREVENT HIM OR THEM FROM DOING SO OR TO RECOVER DAMAGES OR OTHER DUES FOR SUCH VIOLATION. INVALIDATION OF ANY OF THESE COVENANTS BY JUDGEMENT OR COURT ORDER SHALL IN NO WISE AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT

(1) ALL PLANS AND SPECIFICATIONS MUST BE SUBMITTED TO THE DEVELOPER OR HIS DULY AUTHORIZED REPRESENTATIVE FOR WRITTEN APPROVAL PRIOR TO STARTING CONSTRUCTION. ALL PERMANENT STRUCTURES MUST BE NEW CONSTRUCTION.

(2) ALL HOMESITES IN THE TRACT SHALL BE KNOWN AND DESCRIBED AS SINGLE FAMILY RESIDENTIAL HOMESITES. NO STRUCTURE SHALL BE ERRECTED, 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 AT TACHED TO THE RESIDENCE. ANY DETACHED STRUCTURES TO BE BUILT ON THE HOMESITE SUCH AS STORAGE BUILDINGS, COVERED ENTERTAINMENT AREAS, ETC. SHALL CONFORM TO THE BASIC DESIGN OF THE DWELLING THEREON, AND THE PLANS FOR SUCH STRUCTURES MUST BE SUBMITTED TO THE DEVELOPER FOR APPROVAL PRIOR TO STARTING CONSTRUCTION. CARPORTS IN ADDITION TO A TWO CAR GARAGE WILL BE PERMITTED ONLY IF ATTACHED TO THE RESIDENCE.

(3) THE EXTERIOR OF ALL STRUCTURES ERRECTED ON ANY HOMESITE SHALL BE CONSTRUCTED OF A MINIMUM OF SIXTY FIVE PERCENT STONE OR BRICK.

(4) 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.

(5) NO ANIMALS, LIVESTOCK OR POULTRY OF ANY KIND SHALL BE RAISED, BRED, OR KEPT ON ANY HOMESITE, EXCEPT DOGS, CATS, OR OTHER HOUSEHOLD PETS MAY BE KEPT PROVIDED THEY ARE NOT KEPT, BRED, OR MAINTAINED FOR ANY COMMERCIAL PURPOSE.

(6) NO SIGN OF ANY KIND SHALL BE DISPLAYED THE PUBLIC VIEW ON ANY LOT EXCEPT ONE PROFESSIONAL SIGN OF NOT MORE THAN ONE SQUARE FEET, 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.

(7) NO TRAILER, BASEMENT, TENT, SHACK, GARAGE, BARN OR OTHER OUT-BUILDING TYPE STRUCTURE SHALL BE MOVED ONTO ANY HOMESITE IN THIS RESIDENTIAL DEVELOPMENT. NO TEMPORARY STRUCTURES WILL BE PERMITTED.

(8) NO HOMESITE WILL BE USED FOR THE STORAGE OF MATERIALS FOR A PERIOD GREATER THAN THIRTY DAYS PRIOR TO THE START OF CONSTRUCTION AND THE CONSTRUCTION SHALL BE COMPLETED WITHIN NINE MONTHS. ALL HOMESITES SHALL BE MAINTAINED IN A NEAT AND ORDERLY CONDITION AT ALL TIMES.

(9) THE UNDESIGNED OWNERS FURTHER DEDICATE TO THE PUBLIC USE FOREVER, THE EASEMENTS AND RIGHTS-OF-WAY AS SHOWN AND DESIGNATED ON THE PLAT FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING ANY AND ALL PUBLIC UTILITIES INCLUDING STORM AND SANITARY SEWERS, TELEPHONE LINES, ELECTRIC POWER LINES, TRANSFORMERS, GAS LINES AND WATER LINES, TOGETHER WITH ALL FITTINGS AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER APPURTENANCES THERETO, WITH THE RIGHT OF INGRESS AND EGRESS UPON SAID EASEMENTS AND RIGHTS-OF-WAY FOR THE USES AND PURPOSES AFORESAID, TOGETHER WITH SIMILAR RIGHTS IN EACH AND ALL OF THE STREETS SHOWN ON SAID PLAT; PROVIDED, HOWEVER THAT THE UNDESIGNED OWNERS HEREBY RESERVE THE RIGHTS TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RELAY WATER LINES AND SEWER LINES TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING AND RELAYING, OVER, ACROSS AND ALONG ALL OF THE PUBLIC STREETS, ALLEYS AND EASEMENTS SHOWN ON SAID PLAT, AND/OR SEWER SERVICES TO THE AREA INCLUDED IN SAID PLAT AND TO ANY OTHER AREA.

(10) NO FENCES OF ANY KIND SHALL BE PLACED BEYOND THE FRONT BUILDING LINE OF THE RESIDENCE. NO FENCING SHALL BE HIGHER THAN SIX FEET.

(11) ALL ENTRANCES FROM STREETS SHALL HAVE DRAIN TILE, SIZE APPROVED BY THE DEVELOPER OR COUNTY COMMISSIONER OF WAGONER CO

(12) ALL INDIVIDUAL SEWER SYSTEMS TO BE CONSTRUCTED ACCORDING COUNTY AND STATE HEALTH DEPARTMENT REQUIREMENTS

(13) ON LOTS 2,3,4,5,6,7 AND 8 OF BLOCK 5, AND ALL OF BLOCK 6, THERE SHALL BE NO LESS THAN 1200 SQ. FT. OF FLOOR SPACE IN THE RESIDENCE, EXCLUDING GARAGES.

(14) LOT 1, BLOCK 5 IS SPECIFICALLY EXCLUDED FROM ALL RESTRICTIONS.

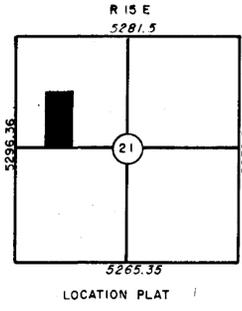
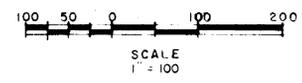
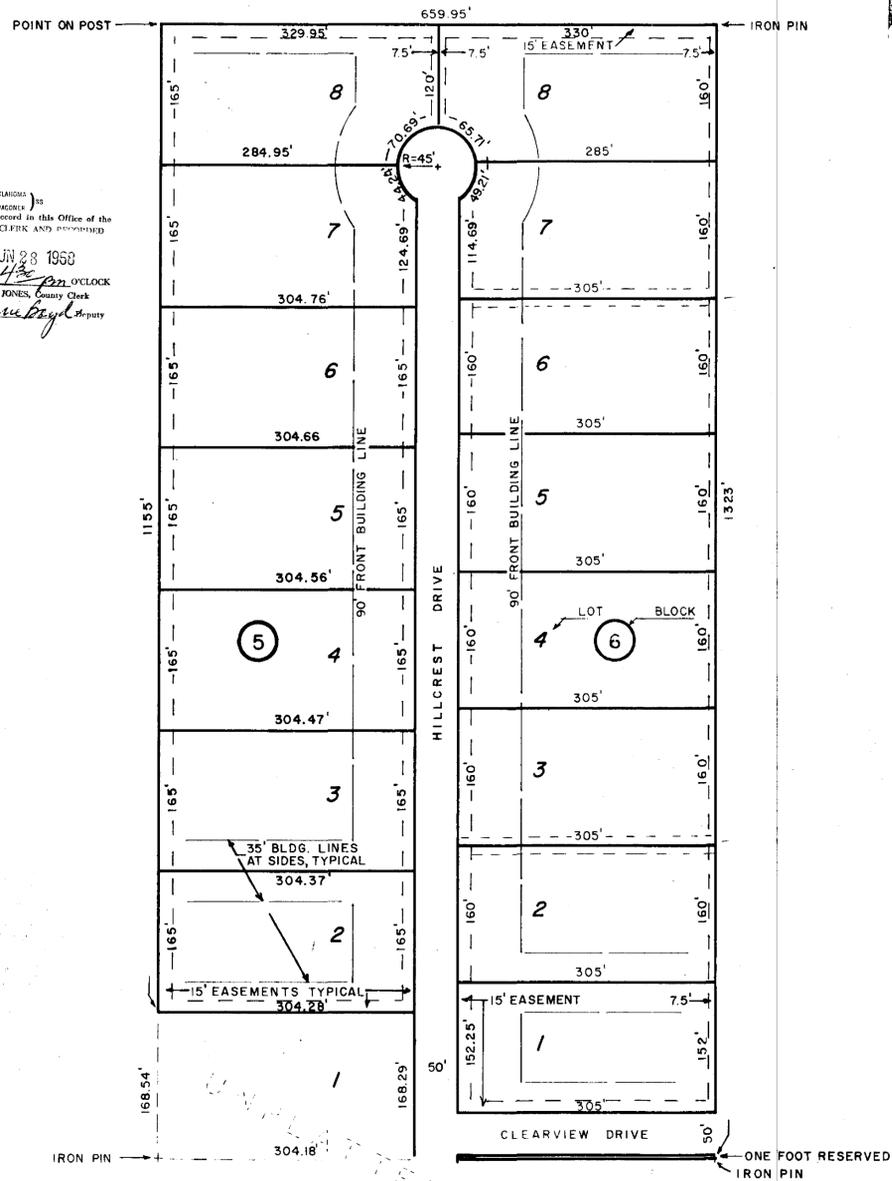
(15) THE FRONT BUILDING LINE FOR ALL LOTS SHALL BE 90 FEET FROM THE FRONT PROPERTY LINE. SIDE YARD BUILDING LINES SHALL BE 35 FEET FROM THE PROPERTY LINE. DIMENSIONS EXPRESSED ARE MINIMUM SET BACK. FRONT SET BACK MORE THAN 90' MUST BE APPROVED BY THE DEVELOPER.

(16) ALL HOUSES SHALL FACE EAST OR WEST.

STATE OF OKLAHOMA)
COUNTY OF WAGONER)
Filed for Record in this Office of the
COUNTY CLERK AND RECORDED

JUN 28 1968

AT 4:30 PM O'CLOCK
JACK C. JONES, County Clerk
By *M. M. Boyd* Deputy



I hereby certify that all 1967 and back taxes are paid on above property.
6/28/68 *P. Miller* Co. Treas.

IN WITNESS WHEREOF, SAID BOB G CUNDIFF, PATSY A. CUNDIFF, ROBERT E SINGLETON AND NITA SINGLETON HAVE CAUSED THESE PRESENTS TO BE EXECUTED THIS _____ DAY OF _____, 1968, AT BROKEN ARROW, OKLAHOMA

Bob G. Cundiff *Patsy A. Cundiff* *Robert E. Singleton* *Nita Singleton*
BOB G CUNDIFF PATSY A. CUNDIFF ROBERT E. SINGLETON NITA SINGLETON

STATE OF OKLAHOMA)
COUNTY OF TULSA)
BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE COUNTY OF TULSA AND THE STATE OF OKLAHOMA, ON THIS 28 DAY OF June, 1968, PERSONALLY APPEARED BOB G CUNDIFF, PATSY A. CUNDIFF, ROBERT E SINGLETON AND NITA SINGLETON, TO ME KNOWN TO BE THE IDENTICAL PERSONS WHO SUBSCRIBED TO THE FOREGOING INSTRUMENT & AS ITS OWNERS ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME AS THEIR FREE AND VOLUNTARY ACTS & DEEDS FOR THE USES AND PURPOSES THEREIN SET FORTH
MY COMMISSION EXPIRES 5-31-70

James L. Bucklett
NOTARY PUBLIC

