

# MIDWAY ACRES

A SUBDIVISION

Of a portion of the Southwest Quarter, of the Northwest Quarter of Section 26, T-18-N, R-15-E, Wagoner County, Oklahoma.

Plat Book 3 Page 3

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

JUN 1 1961

At \_\_\_\_\_ o'clock  
JACK C. JONES, County Clerk  
By Manuel Boyd, County

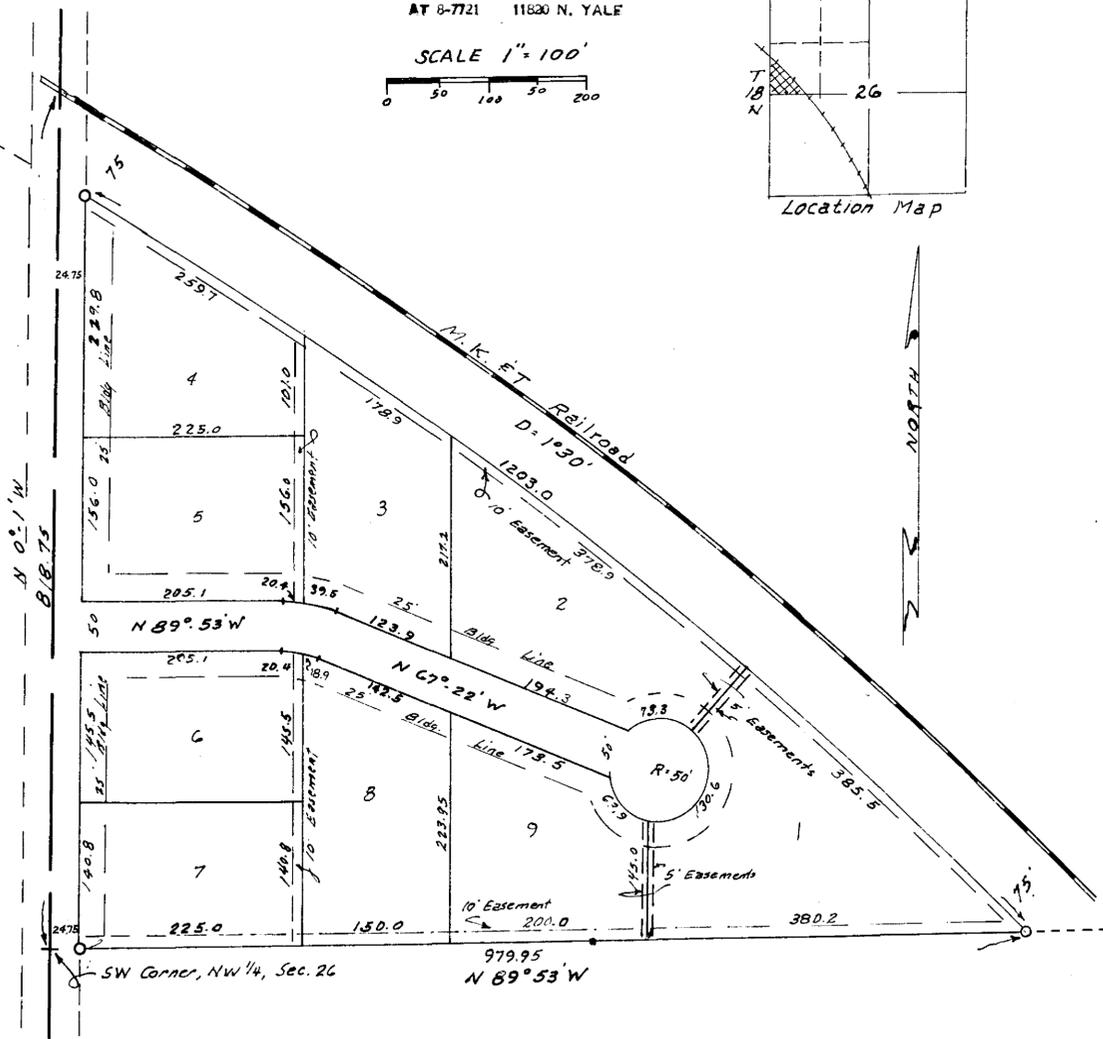
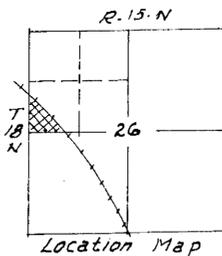
Owner & Subdivider  
Hubert VanHooser

May 18, 1961

SHIBLEY-LANE  
ENGINEERING CO.

MAIL BOX 103, ROUTE 1  
SPERRY, OKLAHOMA  
AT 8-7721 11830 N. YALE

SCALE 1" = 100'



## MIDWAY ACRES

A SUBDIVISION TO WAGONER COUNTY OKLAHOMA  
Being a Subdivision of that part of the Southwest Quarter (SW $\frac{1}{4}$ ), of the Northwest Quarter (NW $\frac{1}{4}$ ), lying South and West of the Missouri Kansas and Texas Railroad Right of Way, in Section Twenty Six (26), Township 18 North, Range 15 East of the Indian Base and Meridian, Wagoner County, State of Oklahoma.

KNOW ALL MEN BY THESE PRESENTS;

That I, Hubert VanHooser, a resident of Tulsa County, Oklahoma, and the owner of the following described real estate, to-wit; -----

All of that part of the Southwest Quarter (SW $\frac{1}{4}$ ), of the Northwest Quarter (NW $\frac{1}{4}$ ), lying South and West of the Missouri Kansas and Texas Railroad Right of Way, in Section Twenty Six (26), Township 18 North, Range 15 East of the Indian Base and Meridian, Wagoner County, State of Oklahoma.

Have caused the same to be surveyed, staked and platted into Lots, Streets and utility easements, have caused the same to be named and designated as MIDWAY ACRES a Subdivision to Wagoner County, State of Oklahoma according to the recorded plat thereof, and I hereby dedicate to the public use, wherever the Streets and Avenues are shown on the above plat, and do hereby guarantee clear title to all land 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 of our selves 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 incumbent to our successors to adhere.

### PROTECTIVE COVENANTS

These covenants are to run with the land and shall be binding on all parties or persons claiming under them until January 1, 1986, at which time the said covenants shall be automatically extended for successive periods of ten years, unless by a vote of the then owners of the Lots, it is agreed to change said covenants in whole or in part.

If the parties hereto, or any of them, or their heirs or assigns, shall violate any of the provisions herein, it shall be lawful for any other person or persons, owning any real estate in said development of the subdivision to prosecute 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 so doing or recover damages or other dues for such violation.

In validation of any of these covenants by Judgement or Court Order shall in no way affect any of the other provisions, which shall remain in full force and effect.

1. All Lots in the tract shall be known and designated as Residential Lots.
2. No buildings shall be located nearer to the front line nor nearer to the side street line, than the building lines shown on the Plat, No building shall be located nearer than five feet to the side Lot lines.
3. No noxious trade or activity shall be carried on upon any Lot, nor shall anything be done thereon which may be or may become an annoyance a nuisance to the neighborhood.
4. No basement, tent, shack, garage, barn or other out buildings erected in this tract shall at any time be used as a permanent residence, nor shall any structure of a temporary nature or character be used as a temporary residence for a period of more than six months.
5. No dwelling shall be permitted on any Residential Lot in the tract, the ground floor area of the main structure of which, exclusive of one story porches and garages is less than Seven Hundred Fifty (750) square feet in the case of a one story structure.
6. The undersigned, 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 removing, replacing, any and all public utilities including the storm and sanitary sewers, telephone lines, electric lines and 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 UNDERSIGNED OWNER HEREBY reserve the right 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 and along all of the public streets, alleys and easements shown in said Plat, and or sewer service to the area included in said Plat, and to any other areas.

WITNESS my hand this 1st day of June 1961

STATE OF OKLAHOMA )  
                                  ) SS  
COUNTY OF TULSA. )

Hubert VanHooser  
Hubert VanHooser

### ACKNOWLEDGMENT

Before me, the undersigned, a Notary Public in and for said State on this 1st day of June 1961 personally appeared Hubert VanHooser, to me known to be the identical person who subscribed to the foregoing instrument, and he acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes as therein stated.

IN WITNESS WHEREOF: I have hereunto set my hand and seal this day and year last written.

My Commission Expires April 24, 1963

Manuel Boyd  
Notary Public.

### CERTIFICATE

I, M. C. Shibley, the undersigned, a Registered Professional Engineer in the State of Oklahoma, and a Land Surveyor, do hereby certify that I have carefully and accurately surveyed and staked into Lots, Blocks, and Streets, the property described above, the same to be known and designated as MIDWAY ACRES, a Subdivision in Wagoner County, Oklahoma, that iron pins have been placed on all Lot corners, and that the above Plat is to the best of my knowledge and belief a true representation of said Survey.

WITNESS: my hand and seal this 31st day of May 1961

M.C. Shibley--Reg. Prof. Engineer

STATE OF OKLAHOMA )  
                                  ) SS  
COUNTY OF TULSA. )

### ACKNOWLEDGMENT

Before me, the undersigned, a Notary Public in and for State on this 31st day of May 1961, personally appeared M. C. Shibley, to me known to be the identical person who executed the within and foregoing instrument, and he acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes as therein.

IN WITNESS WHEREOF: I have hereunto set my hand and seal this day and year last written.

My Commission Expires: March 24, 1965

A. E. Lane--Notary Public

### TAX CERTIFICATE

I, P. Miller, the undersigned, County Treasurer, within and for the County of Wagoner, State of Oklahoma, do hereby certify that all taxes assessed against the above described real estate have been paid and that a sufficient amount of money has been escrowed in the office of the County Treasurer, of Wagoner County, State of Oklahoma, to cover taxes assessed or to be assessed for the year 1961.

WITNESS: my hand and seal this 1st day of June 1961

P. Miller  
County Treasurer--Wagoner County, Oklahoma