

A PORTION OF P.U.D. NO. ONE

# POST OAK

AN ADDITION TO THE CITY OF COWETA  
LOCATED IN PART OF THE SE/4 OF THE NW/4,  
SECTION 19, T-17-N, R-16-E, WAGONER COUNTY, OKLAHOMA.

Plot Cabinet 3-4084

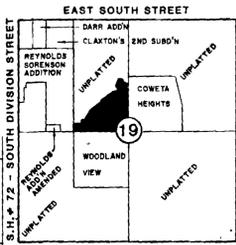
N.E. CORNER OF THE NW/4 OF  
SECTION 19, T-17-N, R-16-E.



SCALE IN FEET  
0 50 100 200 300

SCALE: 1"=100'

R-16-E



LOCATION MAP

50 LOTS  
23.05 ACRES  
(1.39 ACRES RESERVE "A")

OWNER:  
THOMAS R. STONE, III  
RURAL ROUTE 2  
COWETA, OKLAHOMA 74428  
PHONE: (918) 483-8381

1983

Platting Authority

### C. PROPERTY OWNERS' ASSOCIATION

1. FORMATION OF OWNERS' ASSOCIATION: THE OWNERS HAVE FORMED OR SHALL CAUSE TO BE FORMED THE "POST OAK" HOMEOWNERS' ASSOCIATION, INC. (HEREINAFTER REFERRED TO AS THE ASSOCIATION), A NON-PROFIT ENTITY ESTABLISHED PURSUANT TO THE BUSINESS CORPORATION ACT OF THE STATE OF OKLAHOMA AND FORMED FOR THE GENERAL PURPOSES OF MAINTAINING THE COMMON AREAS AND ENHANCING THE VALUE, DESIRABILITY AND ATTRACTIVENESS OF THE "POST OAK" AND "POST OAK SECOND" SUBDIVISIONS.
2. MEMBERSHIP: EVERY PERSON OR ENTITY WHO IS A RECORD OWNER OF THE FEE INTEREST IN A LOT SHALL BE A MEMBER OF THE ASSOCIATION, AND MEMBERSHIP SHALL BE APPURTENANT TO AND MAY NOT BE SEPARATED FROM THE OWNERSHIP OF A LOT. THE ACCEPTANCE OF A DEED TO A LOT SHALL CONSTITUTE ACCEPTANCE OF THE ASSOCIATION AS OF THE DATE OF INDORSEMENT, OR AS OF THE DATE OF RECORDING OF THE DEED, WHICHEVER OCCURS LAST.
3. COVENANT FOR ASSESSMENTS: THE OWNERS, AND EACH SUBSEQUENT OWNER, OF A LOT, BY ACCEPTANCE OF A DEED THEREOF, IS DEEMED TO COVENANT AND AGREE TO PAY TO THE ASSOCIATION AN ANNUAL ASSESSMENT AS ESTABLISHED BY THE BOARD OF DIRECTORS, NOT TO EXCEED \$20.00 PER MONTH PER LOT OWNED. ANNUAL ASSESSMENTS EXCEEDING THE AMOUNT ABOVE SET FORTH SHALL REQUIRE THE ASSENT OF 75% OF THE LOT OWNERS WITHIN THE SUBDIVISION. ANNUAL ASSESSMENTS TOGETHER WITH 10% INTEREST, COSTS AND REASONABLE ATTORNEY'S FEES SHALL BE A CONTINUING LIEN ON THE LOT AND THE PERSONAL OBLIGATION OF THE OWNERSHIP OF THE LOT AT THE TIME OF THE ASSESSMENT. THE LIEN OF THE ASSESSMENTS PROVIDED FOR HEREIN SHALL BE SUBORDINATE TO THE LIEN OF ANY FIRST MORTGAGE.
4. CERTAIN RIGHTS OF THE ASSOCIATION: WITHOUT LIMITATION OF SUCH OTHER POWERS AND RIGHTS AS THE ASSOCIATION MAY HAVE, THE ASSOCIATION SHALL BE DEEMED A BENEFICIARY, TO THE SAME EXTENT AS A LOT OWNER, OF THE VARIOUS COVENANTS WITHIN THIS DOCUMENT CONTAINED AND SHALL HAVE THE RIGHT TO ENFORCE SAID COVENANTS AND AGREEMENTS.

THE COVENANTS AND RESTRICTIONS SET FORTH IN SECTION "A" AND "C" HEREIN SHALL BE COVENANTS WHICH SHALL RUN WITH THE LAND AND SHALL BE BINDING UPON AND ENFORCEABLE BY THE UNDERSIGNED OWNERS, THEIR SUCCESSORS, GRANTEEES, LESSEES AND ASSIGNS AND ALL PERSONS CLAIMING UNDER THEM AND BY THE CITY OF COWETA, OKLAHOMA, UNTIL NOVEMBER 1, 2002, AT WHICH TIME SAID COVENANTS AND RESTRICTIONS SHALL BE EXTENDED FOR SUCCESSIVE PERIODS OF TEN (10) YEARS, UNLESS BY A VOTE OF THE OWNERS OF A MAJORITY OF THE LAND WITHIN "POST OAK", IT IS AGREED, WITH APPROVAL OF THE CITY OF COWETA, OKLAHOMA, TO TERMINATE SUCH COVENANTS IN WHOLE OR IN PART; PROVIDED HOWEVER, SUCH COVENANTS AND RESTRICTIONS MAY BE AMENDED OR MODIFIED AT ANY TIME BY A VOTE OF THE OWNERS OF A MAJORITY OF THE LAND WITHIN "POST OAK" WITH THE APPROVAL OF THE CITY OF COWETA, OKLAHOMA.

IN THE EVENT THE UNDERSIGNED OWNERS, OR ANY OF THEIR SUCCESSORS, GRANTEEES, LESSEES OR ASSIGNS, OR ANY PERSON CLAIMING UNDER THEM, SHALL VIOLATE OR BREACH ANY OF THE COVENANTS AND RESTRICTIONS SET FORTH HEREIN OR IMPOSED HEREBY, ANY PERSON OR PERSONS OWNING A LOT OR PARCEL WITHIN "POST OAK", OR THE CITY OF COWETA, OKLAHOMA, SHALL HAVE THE RIGHT TO MAINTAIN AN ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS ATTEMPTING TO VIOLATE ANY OF SUCH COVENANTS OR RESTRICTIONS TO PREVENT VIOLATION OR TO RECOVER DAMAGES FOR THE VIOLATION THEREOF. INVALIDATION OF ANY OF THE COVENANTS OR RESTRICTIONS SET FORTH HEREIN BY JUDGMENT OR OTHER ACTION SHALL NOT AFFECT THE VALIDITY OF OTHER COVENANTS OR RESTRICTIONS WHICH REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, THOMAS R. STONE, III AND SHARON D. STONE, HUSBAND AND WIFE, HAVE CAUSED THIS CERTIFICATE AND DEED OF DEDICATION TO BE EXECUTED THIS 12th DAY OF September, 1984

THOMAS R. STONE, III

*Thomas R. Stone III*  
BY: THOMAS R. STONE, III

SHARON D. STONE

*Sharon D. Stone*  
BY: SHARON D. STONE

STATE OF Oklahoma  
COUNTY OF Wagoner

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, ON THIS 12th DAY OF September, 1984, PERSONALLY APPEARED THOMAS R. STONE, III AND SHARON D. STONE, TO ME KNOWN TO BE THE IDENTICAL PERSONS WHO SUBSCRIBED THE NAMES OF THE MAKER THEREOF TO THE 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.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THE DAY AND YEAR LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES:  
21 November 1984

CERTIFICATE OF SURVEY

WE, TULSA ENGINEERING & PLANNING ASSOCIATES, INC., OF TULSA, OKLAHOMA, HEREBY CERTIFY THAT WE HAVE, AT THE INSTANCE OF THE OWNER DESIGNATED ABOVE, MADE THE ABOVE DESCRIBED SURVEY, AND THAT THE ACCOMPANYING PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY.

SIGNED AND SEALED THIS 12th DAY OF SEPTEMBER, 1984.

TULSA ENGINEERING & PLANNING ASSOCIATES, INC.

*Paul E. Gundersen*  
BY: PAUL E. GUNDENSEN  
Registered Land Surveyor

STATE OF OKLAHOMA )  
COUNTY OF TULSA ) SS

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, ON THIS 12th DAY OF SEPTEMBER, 1984, PERSONALLY APPEARED PAUL E. GUNDENSEN, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO EXECUTED THE WITHIN AND FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED AND AS THE FREE AND VOLUNTARY ACT AND DEED OF TULSA ENGINEERING & PLANNING ASSOCIATES, INC., FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THE DAY AND YEAR LAST ABOVE WRITTEN.

*Penelope D. Swartz*  
NOTARY PUBLIC

MY COMMISSION EXPIRES:  
March 15, 1988

APPROVED: CITY OF COWETA

*Mayor Harry Tracy*

*City Clerk*

ADDITION  
SORENSON  
REYNOLDS  
UNPLATTED

CERTIFICATE OF DEDICATION  
OF  
POST OAK

KNOW ALL MEN BY THESE PRESENTS:  
THAT THOMAS R. STONE, III AND SHARON D. STONE, HUSBAND AND WIFE, ARE THE OWNERS OF REAL PROPERTY DESCRIBED AS FOLLOWS:  
A PART OF THE SE/4 OF THE NW/4 OF SECTION 19, T-17-N, R-16-E, WAGONER COUNTY, OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE NORTHEAST CORNER OF THE NW/4 OF SECTION 19, T-17-N, R-16-E, WAGONER COUNTY, OKLAHOMA; THENCE S-0°04'22"-E A DISTANCE OF 1,457.46 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S-0°04'22"-E A DISTANCE OF 1,184.37 FEET TO A POINT; THENCE N-89°58'08"-W A DISTANCE OF 1,322.45 FEET TO A POINT; THENCE N-0°02'53"-W A DISTANCE OF 202.50 FEET TO A POINT; THENCE S-90°00'00"-E A DISTANCE OF 180.05 FEET TO A POINT; THENCE N-36°25'50"-E A DISTANCE OF 117.27 FEET TO A POINT; THENCE N-29°50'22"-E A DISTANCE OF 254.97 FEET TO A POINT; THENCE N-49°46'03"-E A DISTANCE OF 224.26 FEET TO A POINT; THENCE N-30°51'30"-E A DISTANCE OF 116.29 FEET TO A POINT; THENCE N-54°36'21"-E A DISTANCE OF 334.27 FEET TO A POINT; THENCE N-76°00'34"-E A DISTANCE OF 114.66 FEET TO A POINT; THENCE N-30°00'00"-W A DISTANCE OF 205.00 FEET TO A POINT; THENCE S-90°00'00"-E A DISTANCE OF 145.00 FEET TO A POINT; THENCE S-30°00'00"-E A DISTANCE OF 50.00 FEET TO A POINT; THENCE S-70°00'00"-E A DISTANCE OF 85.21 FEET TO A POINT; THENCE S-89°55'38"-E A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1,801,229.77 SQUARE FEET OR 22.985 ACRES MORE OR LESS.  
AND HAVE CAUSED THE SAME TO BE SURVEYED, PLATTED AND SUBDIVIDED INTO LOTS AND BLOCKS AND STREETS AS SHOWN BY THE ACCOMPANYING PLAT AND SURVEY THEREOF, WHICH PLAT IS MADE A PART HEREOF, AND HAVE GIVEN SAID PLAT THE NAME OF "POST OAK", AN ADDITION TO THE CITY OF COWETA, WAGONER COUNTY, STATE OF OKLAHOMA.  
NOW, THEREFORE, THE UNDERSIGNED OWNERS DO HEREBY DEDICATE FOR PUBLIC USE THE STREETS AND ALLEYS SHOWN ON THE ACCOMPANYING PLAT AND DO FURTHER DEDICATE FOR PUBLIC USE FOREVER, THE EASEMENTS AND RIGHTS-OF-WAY AS SHOWN FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, AND 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, AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS AND EQUIPMENT FOR EACH OF SUCH FACILITIES, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS AND ANY OTHER APPURTENANCES THERETO WITH THE RIGHT OF INGRESS AND EGRESS UPON AND TO 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 THEY HEREBY RESERVE THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RE-LAY WATER AND SEWER LINES TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER, ACROSS AND ALONG ALL STRIPS OF LAND INCLUDED WITHIN THE EASEMENTS SHOWN ON THE PLAT, BOTH FOR THE FURNISHING OF WATER AND/OR SEWER SERVICES TO THE AREA INCLUDED IN SAID PLAT AND TO ANY OTHER AREAS. FURTHER PROVIDING THAT THE UNDERSIGNED OWNERS HEREBY RESERVE THE RIGHT TO CONSTRUCT, MAINTAIN, REPAIR AND REPLACE FENCES, ROADWAYS, PRIVATE AND MUTUAL ACCESS EASEMENTS, LAND SCAPING, PARKING, AND DRIVEWAYS WITHIN THOSE PORTIONS OF THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT.  
NOW, THEREFORE, THE UNDERSIGNED OWNERS DEDICATE FOR PUBLIC USE THE STREETS AS SHOWN ON SAID PLAT AND DO HEREBY GUARANTEE CLEAR TITLE TO ALL OF THE LAND THAT IS SO DEDICATED.  
NOW, THEREFORE, THOMAS R. STONE, III AND SHARON D. STONE, BEING THE OWNERS OF ALL THE PROPERTY HEREINABOVE DESCRIBED, FOR THE PURPOSE OF PROVIDING FOR THE ORDERLY DEVELOPMENT OF "POST OAK" AND FOR THE PURPOSE OF INSURING ADEQUATE COVENANTS AND RESTRICTIONS FOR THE MUTUAL BENEFIT OF "POST OAK" RESIDENTS, THEIR SUCCESSORS AND ASSIGNS, AND THE CITY OF COWETA, OKLAHOMA DO HEREBY IMPOSE UPON THE PROPERTY WITHIN "POST OAK", AS HEREINAFORE DESCRIBED, THE FOLLOWING COVENANTS AND RESTRICTIONS WHICH SHALL RUN WITH THE LAND AND WHICH SHALL BE ENFORCEABLE BY THE OWNER OR OWNERS OF ANY PROPERTY WITHIN "POST OAK", OR ANY PART THEREOF, AND BY THE CITY OF COWETA, OKLAHOMA TO WIT:

6. ALL EXPOSED FOUNDATIONS SHALL BE OF BRICK OR STONE. NO CONCRETE BLOCKS, PUINED CONCRETE OR ANY OTHER FOUNDATION WILL BE EXPOSED. NO STEM WALLS WILL BE EXPOSED. A MINIMUM OF 30% OF THE EXTERIOR WALL SURFACE OF ANY RESIDENCE SHALL BE OF BRICK OR STONE CONSTRUCTION.
  7. NO FENCE, WHETHER ORNAMENTAL OR OTHERWISE, SHALL BE CONSTRUCTED OR ALLOWED TO REMAIN IN FRONT OF THE MINIMUM BUILDING SET-BACK LINE OR BE GREATER THAN SIX (6) FEET IN HEIGHT, EXCEPT FOR PHOTOCOPY SCREENING ADJACENT TO PATIOS WHICH MAY BE SEVEN (7) FEET IN HEIGHT.
  8. TRUCKS WITH TONNAGE IN EXCESS OF 3/4 TON SHALL NOT BE PERMITTED TO PARK IN THE STREETS, AND NO VEHICLE OF ANY SIZE, WHICH NORMALLY TRANSPORTS INFLAMMABLE, EXPLOSIVE, OR HEALTH HAZARDOUS CARGO, MAY BE KEPT IN THIS SUBDIVISION AT ANY TIME. NO CAMPERS OR OTHER RECREATIONAL VEHICLES SHALL BE PARKED ON OR ANY CLOSER TO THE STREET THAN THE FRONT OF THE RESIDENCE FOR A PERIOD WHICH EXCEEDS FORTY-EIGHT (48) HOURS. ALL INOPERATIVE VEHICLES SHALL BE KEPT IN AN ENCLOSED GARAGE AND SHALL NOT BE PARKED IN THE FRONT YARD OR IN THE STREET.
  9. NO STRUCTURE OF A TEMPORARY CHARACTER, TRAILER, BASEMENT, TENT, SHACK, GARAGE, BARN, OR OTHER OUTBUILDING SHALL BE USED ON ANY LOT AT ANY TIME AS A RESIDENCE EITHER TEMPORARILY OR PERMANENTLY.
  10. NO BUILDING MATERIAL OF ANY KIND OR CHARACTER SHALL BE PLACED OR STORED UPON ANY LOT FOR A PERIOD GREATER THAN THIRTY (30) DAYS PRIOR TO THE START OF ANY CONSTRUCTION, AND AT NO TIME SHALL SUCH MATERIAL BE PLACED OUTSIDE THE BOUNDARIES OF THE LOT OWNER'S OWNERSHIP. THE CONSTRUCTION PERIOD OF ANY RESIDENCE, GARAGE, CARPORT, OR ACCESSORY BUILDING SHALL BE COMPLETED WITHIN NINE (9) MONTHS. DURING THE CONSTRUCTION PERIOD, EACH BUILDING SITE SHALL BE KEPT OPENLY AND IT SHALL BE THE RESPONSIBILITY OF THE LOT OWNER TO ENSURE THAT ALL RUBBISH AND CONSTRUCTION LITTER IS CONTAINED AND PROPERLY DISPOSED OF.
  11. NO SIGN OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT EXCEPT ONE PROFESSIONAL SIGN OF NOT MORE THAN FIVE (5) SQ. FT. ADVERTISING THE PROPERTY FOR SALE, TRADE OR LOAN, EXCEPT THOSE SIGNS USED BY A BUILDER OF NOT MORE THAN THIRTY (30) SQ. FT. TO ADVERTISE PROPERTY DURING THE CONSTRUCTION AND SALES PERIOD AND THOSE USED BY THE DEVELOPER.
  12. NO ANIMALS, LIVESTOCK, OR POULTRY OF ANY KIND SHALL BE RAISED, BRED OR KEPT ON ANY LOT, EXCEPT THAT DOGS, CATS, OR OTHER HOUSEHOLD PETS MAY BE KEPT, PROVIDED THAT THEY ARE NOT KEPT, BRED OR MAINTAINED FOR ANY COMMERCIAL PURPOSE.
  13. NO TRASH, ASHES, OR ANY OTHER REFUSE, SHALL BE PLACED IN THE OPEN IN THE SUBDIVISION, OR ALONG ANY STREET THEREIN OR ADJACENT THERETO, NOR SHALL ANY TRASH OR REFUSE RECEPTACLE BE CONSTRUCTED OR PLACED IN SUCH A MANNER THAT IT CAN BE SEEN FROM THE STREET OR ADJACENT PROPERTIES. ANY SUCH RECEPTACLE SHALL BE COVERED IN SUCH A MANNER TO PREVENT THE ESCAPE OF NOXIOUS ODORS AND PREVENT ENTRANCE AND/OR EXIT OF INSECT OR ANIMAL LIFE. GRASS, WEEDS AND VEGETATION ON EACH LOT SOLD SHALL BE KEPT MOWN AT REGULAR INTERVALS SO AS TO MAINTAIN THE SAME IN A NEAT AND ATTRACTIVE MANNER. TREES, SHRUBS, VINES, OR PLANTS WHICH DIE SHALL BE REMOVED FROM THE PROPERTY.
- B. IN CONNECTION WITH THE INSTALLATION OF UNDERGROUND ELECTRIC AND COMMUNICATIONS SERVICE, THE TRACT IS SUBJECT TO THE FOLLOWING PROVISIONS, TO WIT:
1. OVERHEAD POLE LINES FOR THE SUPPLY OF ELECTRIC AND COMMUNICATIONS SERVICE MAY BE LOCATED ALONG THE WEST, SOUTH AND EAST BOUNDARIES OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY THE UNDERGROUND CABLE AND ELSEWHERE THROUGHOUT SAID ADDITION ALL SUPPLY LINES MAY BE LOCATED UNDERGROUND IN THE EASEMENT-WAYS RESERVED FOR GENERAL UTILITY SERVICES AND STREETS, SHOWN ON THE ACCOMPANYING PLAT. SERVICE PEDIESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VILLAGES, MAY ALSO BE LOCATED IN SAID EASEMENT-WAYS.
  2. UNDERGROUND SERVICE CABLES TO ALL STRUCTURES WHICH MAY BE LOCATED ON THE LOT IN SAID ADDITION MAY BE RUN FROM THE NEAREST SERVICE PEDIESTAL OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE AS MAY BE LOCATED UPON EACH SAID LOT; PROVIDED THAT UPON THE INSTALLATION OF SUCH A SERVICE CABLE TO A PARTICULAR STRUCTURE, THE SUPPLIERS OF ELECTRIC AND COMMUNICATIONS SERVICES 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 PEDIESTAL OR TRANSFORMER TO THE SERVICE ENTRANCE ON SAID STRUCTURE.
  3. THE SUPPLIERS OF ELECTRIC AND COMMUNICATIONS SERVICES, THROUGH THEIR PROPERTY 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 CERTIFICATE OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF SAID UNDERGROUND ELECTRIC AND COMMUNICATIONS FACILITIES SO INSTALLED BY THEM.
  4. THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND ELECTRIC AND COMMUNICATION FACILITIES LOCATED ON HIS PROPERTY AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID ELECTRIC AND COMMUNICATION FACILITIES. THE COMPANIES WILL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND ELECTRIC AND COMMUNICATION FACILITIES BUT THE OWNER WILL PAY FOR DAMAGE OR RELIQUATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS.
  5. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH "B" CONCERNING UNDERGROUND ELECTRIC AND COMMUNICATIONS FACILITIES SHALL BE ENFORCEABLE BY THE SUPPLIERS OF ELECTRIC AND COMMUNICATIONS SERVICES, AND THE OWNER OF EACH LOT AGREES TO BE BOUND HEREBY.

### A. PRIVATE RESTRICTIONS

1. ALL LOTS SHALL BE USED FOR RESIDENTIAL USE ONLY. UNLY LOTS 1 & 2, BLOCK 1 MAY BE DIVIDED INTO TWO (2) OR MORE SEPARATE LOTS FOR THE PURPOSE OF ACCOMMODATING TWO (2) OR MORE SEPARATE OWNERS AND/OR DWELLINGS.
2. ALL SINGLE FAMILY RESIDENCES OF ONE STORY IN HEIGHT SHALL HAVE A MINIMUM OF 1,400 SQUARE FEET OF LIVING AREA. ALL SINGLE FAMILY RESIDENCES OF ONE AND ONE-HALF STORY OR TWO STORY, SHALL HAVE A MINIMUM OF 800 SQUARE FEET ON THE FIRST FLOOR, WITH A MINIMUM OF 1,400 SQUARE FEET ON BOTH FLOORS. ALL SQUARE FOOTAGE REQUIREMENTS ARE EXCLUSIVE OF GARAGES AND PORCHES AND ARE FIGURED ON MEASUREMENTS OVER MASONRY OF THE LIVING AREA. ALL RESIDENCES SHALL HAVE AT LEAST A TWO CAR GARAGE.
3. NO BUILDING OR PART THEREOF, EXCEPT OPEN PORCHES AND TERRACES, SHALL BE CONSTRUCTED AND MAINTAINED ON ANY LOT NEARER TO THE FRONT PROPERTY LINE THAN THE BUILDING LINE SHOWN ON THE RECORDED PLAT OF SAID ADDITION, AND NO RESIDENCE, GARAGE, CARPORT, OR ACCESSORY BUILDING SHALL BE BUILT NEARER THAN TEN (10) FEET TO ANY SIDE LOT LINE ON ONE SIDE AND TEN (10) FEET ON THE OTHER SIDE, THIS REQUIREMENT A COMBINED TOTAL OF TWENTY (20) FEET BETWEEN ANY STRUCTURE AND BOTH SIDE LOT LINES. WHERE SIDE LOT EASEMENTS ARE SHOWN GREATER THAN THE FOREGOING, NO ENCROACHMENT SHALL BE ALLOWED ON THE EASEMENT.
4. NO STRUCTURE PREVIOUSLY USED OR ERRECTED SHALL BE MOVED ONTO ANY LOT.
5. NO PREFABRICATED, PRE-ASSEMBLED OR MODULAR DWELLINGS OR STRUCTURES SHALL BE PLACED, ERRECTED OR PERMITTED TO REMAIN IN SAID ADDITION, EXCEPT ONE ACCESSORY BUILDING NOT TO EXCEED 120 SQ. FT. AND 8 FEET IN HEIGHT, IN ADDITION TO THE REQUIRED GARAGE IN ITEM 2 ABOVE WHICH MUST BE OF THE SAME GENERAL ARCHITECTURAL CHARACTER AND CONSTRUCTION AS THE MAIN RESIDENCE IF NOT ATTACHED.