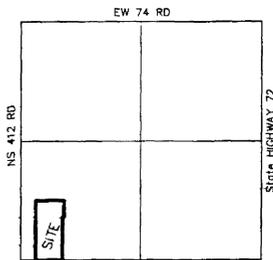


# SOMMER ESTATES

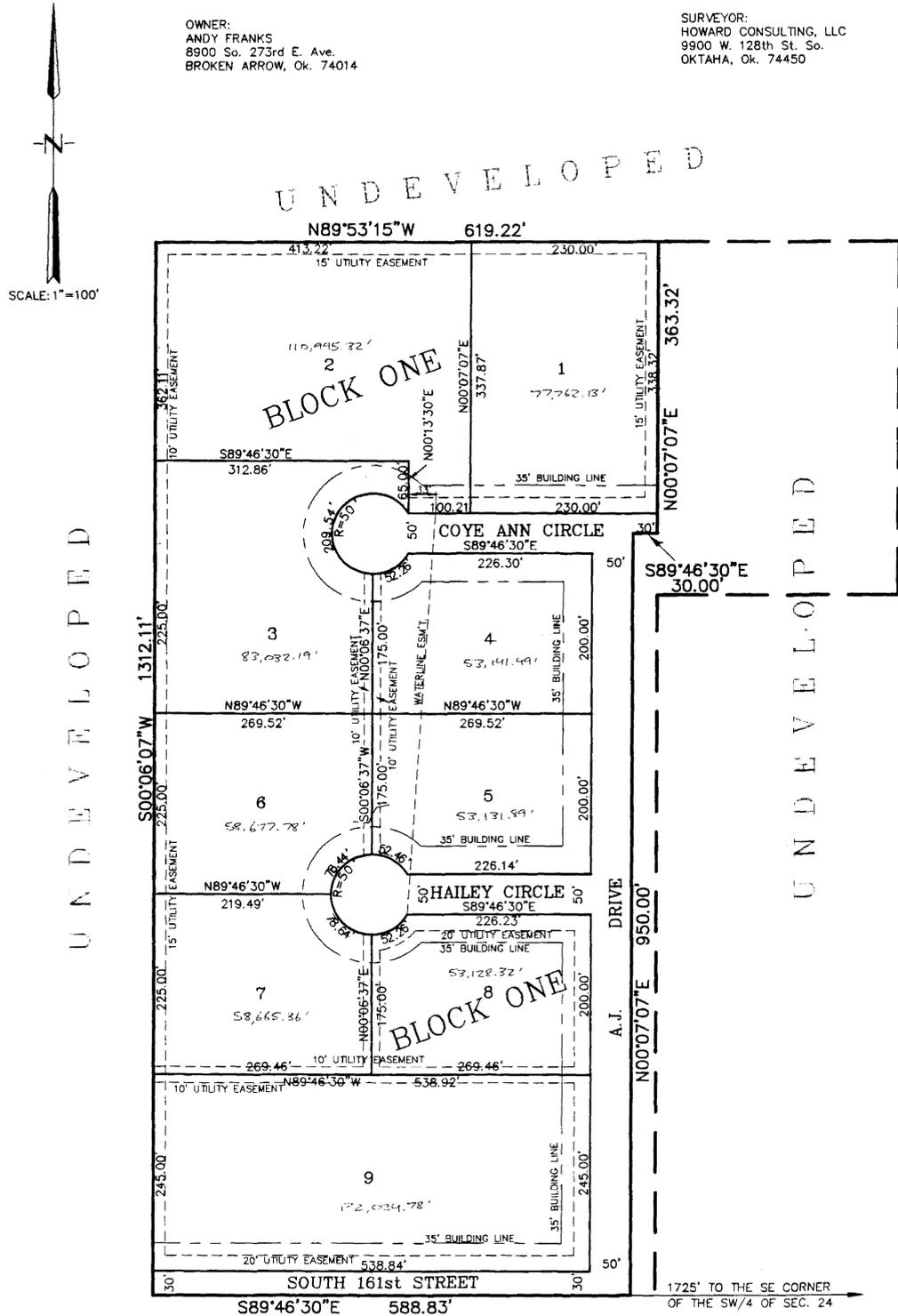
A SUBDIVISION LOCATED IN THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 24, T-17-N, R-15-E, WAGONER COUNTY, OKLAHOMA

OWNER:  
ANDY FRANKS  
8900 So. 273rd E. Ave.  
BROKEN ARROW, Ok. 74014

SURVEYOR:  
HOWARD CONSULTING, LLC  
9900 W. 128th St. So.  
OKTAHA, Ok. 74450



LOCATION MAP  
Section 24, T-17-N, R-15-E  
WAGONER COUNTY, OKLAHOMA



KNOW ALL MEN BY THESE PRESENTS:

That Andy Franks, Steve Langford and Donna Langford are the owners of the following described real estate in Wagoner County, State of Oklahoma:

A tract of land located in the SW/4 of the SW/4 of Section 24, T-17-N, R-15-E, Wagoner County, Oklahoma more particularly described as follows:  
Beginning at a point in the South line of said Section 24, said point being N-89°46'30"-W a distance of 1725.00 ft. from the SE corner of the SW/4 of said Section 24; thence N-0°07'07"-E a distance of 950.00 ft.; thence S-89°46'30"-E a distance of 30.00 ft.; thence N-0°07'07"-E a distance of 363.32 ft. to the North line of the said SW/4 of the SW/4; thence N-89°53'15"-W along said North line a distance of 519.22 ft. to the East line of the W/2 of the W/2 of the SW/4 of said Section 24; thence S-0°06'07"-W along said East line a distance of 1312.11 ft. to the South line of said Section 24; thence S-89°46'30"-E along said South line a distance of 588.83 ft. to the point of beginning. This described tract of land contains 18.00 acres more or less.

WHEREAS, the said owners have caused the above described property to be surveyed, platted and staked in conformity with the plat thereon which they hereby adopt as the plat of the above described land as SOMMER ESTATES, a subdivision in Wagoner County, Oklahoma.

NOW, THEREFORE, the undersigned owners do hereby dedicate for public use the streets shown on the accompanying plat, and do further dedicate the easements shown on the accompanying plat for the purposes of constructing, maintaining, operating, repairing, removing and replacing any and all telephones lines, electric lines and transformers, cable television lines, gas and water lines, together with all fittings and equipment with the right of ingress and egress to and upon said easements and rights-of-way, for the uses and purposes aforesaid. No building, structure, or other above or below ground obstruction that will interfere with the purposes aforesaid, will be placed, erected, installed or permitted upon the easements or rights-of-way as shown.

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 THEIR SUCCESSORS AND ASSIGNS, AND THE ADJACENT TRACT OWNERS, DO HEREBY IMPOSE THE FOLLOWING RESTRICTIONS, LIMITATIONS AND RESERVATIONS WHICH SHALL BE BINDING UPON ALL SUBSEQUENT PURCHASERS.

### PROTECTIVE COVENANTS AND RESTRICTIONS:

- Except to houses on lots which may be served from overhead electric lines, the underground service cables to all houses which may be located on all lots in said addition may run from the nearest service pedestal or transformer to the point of usage determined by the construction of such house as may be located on each lot at the cost of the lot owner; 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, 2.5 ft. on each side of the service cable, extending from the service pedestal or transformer to the service entrance of said house.
- No building material of any kind or character shall be placed or stored upon any lot for a period greater than thirty days prior to the start of any construction, and at no time shall such material be placed outside the boundaries of the lot owners ownership. The construction period of any residence, garage, or accessory building shall be completed within nine months. During the construction period, each building site shall be kept orderly and it shall be the responsibility of the lot owner to ensure that all rubbish and construction litter be contained and properly disposed of.
- No prefabricated, pre-assembled or modular dwelling or structure previously erected or used shall be moved onto any lot. No trailer, basement, tent, shack, garage, barn or other outbuilding type of structure shall be moved onto any lot in this development, no temporary structures will be permitted, no mobile trailer, bus, tent, shack, garage, barn or other outbuilding shall ever be used as temporary or permanent dwelling or living space, or residence, this includes, trailer and mobile homes.
- No noxious or offensive trade or activity shall be carried on upon any lot in the development nor shall anything be done thereon that may be or may become an annoyance or a nuisance to the neighborhood.
- All out buildings shall be of like construction as the main building and on cement floors only.
- No sign of any kind shall be displayed to the public view on any lot except one professional sign of not more than 5 square feet advertising the property for sale or advertising the property during the construction period.
- No business for the sale of products or services shall be conducted on property other than the sale of the property itself at any time.
- All residences must meet the requirements of the Oklahoma Department of Environmental Quality for sewage disposal.
- No more than one residence shall be erected on any lot now shown on the plat.
- All house plans and building plans must be approved by the developers.
- No lot shall ever be used as a storage yard or re-building area for salvages, used or race cars, or stock cars.
- Trucks with tonnage in excess of 34 tons shall not be permitted to park in the streets and no vehicle of any size which normally transports inflammatory, explosive, or health hazardous cargo, may be kept in this development at any time. No vehicle shall be permitted to be parked or reposed in a front yard and not longer than 5 days in a back yard unless inside of a building, then only for personal use and not for business or resale. No campers or other recreational vehicles shall be parked on the street or in the front yard for more than 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.
- No trash or any other refuse, shall be placed in the open on the lot, or along any street therein or adjacent thereof, nor shall any trash or refuse container 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 shall be kept mowed 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.
- No animals or livestock except dogs or cats will be permitted. Only two each of dogs and cats will be permitted and shall not be kept, bred or maintained for commercial purposes.

In Witness Whereof, Andy Franks, Steve Langford and Donna Langford being the sole owners of Sommer Estates platted hereof, hereby approve the foregoing deed of dedication, covenants and restrictions this 17th day of April, 2000.

Andy Franks  
Steve Langford  
Donna Langford  
Shelley Franks

STATE OF OKLAHOMA  
COUNTY OF WAGONER

Before me, the undersigned, a notary public in and for said County and State, on this 17th day of April, 2000, personally appeared to me known to be the identical persons who subscribed the name of the maker thereof to the foregoing instrument as the owners and acknowledged to me that they executed the same as their free voluntary act and deed for the uses and purposes therein set forth.

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

July 28, 2001  
My Commission Expires

### CERTIFICATE OF COUNTY TREASURER

I, James H. Sells, County Treasurer of Wagoner County, Oklahoma do hereby certify that I have examined the records pertaining to Ad Valorem taxes on the tract described in this Plat and find that all the Ad Valorem taxes have been paid to and including April, 2000.  
Dated this 17th day of April, 2000.

### WAGONER METROPOLITAN AREA PLANNING COMMISSION

I, Brenda K. Kellner, Director of the Wagoner Metropolitan Area Planning Commission, do hereby certify that said Commission duly approved the plat Sommer Estates on this 17th day of April, 2000.

### ACCEPTANCE OF DEDICATION OF BOARD OF COMMISSIONERS

Be it resolved by the Board of Commissioners of Wagoner County, Oklahoma, that the dedication shown on the attached Plat is hereby accepted.  
Adopted by the Board of County Commissioners of Wagoner County, Oklahoma, this 17th day of April, 2000.

Attest:  
James Fields  
County Clerk

### DEPARTMENT OF ENVIRONMENTAL QUALITY

I certify that I have approved the application and plan for a plat of a residential development which is on file at the Wagoner office of the Department of Environmental Quality, and hereby approve this plat for the use of a public water system and individual private sewage systems.

Date: 4-7-00  
Chad Keller  
Senior Environmental Specialist, D.E.Q.

I, Charles K. Howard, a Registered Professional Land Surveyor in the State of Oklahoma, certify that this plat of survey meets the Oklahoma minimum standards for the practice of land surveying as adopted by the Oklahoma State Board of Registration for Professional Engineers and Land Surveyors and is a true representation of the survey made on the ground.



STATE OF OKLAHOMA  
COUNTY OF WAGONER

The foregoing certificate of survey was acknowledged before me on this 16th day of April, 2000.

My Commission Expires

July 28, 2001

Shelley Franks  
Notary Public