

TURKEY SPRINGS FOURTH

NORTHEAST CORNER
SOUTHEAST QUARTER
SECTION 36

TURKEY SPRINGS THIRD AMENDED

A SUBDIVISION OF A PART OF THE E 1/2 SE 1/4 OF SECTION 36, TOWNSHIP 19 NORTH, RANGE 15 EAST, WAGONER COUNTY, STATE OF OKLAHOMA

CERTIFICATE OF DEDICATION FOR TURKEY SPRINGS THIRD AMENDED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, PLANTATION PROPERTIES, INC., an Oklahoma Corporation, is the owner of Lots One (1) through Six (6), Block Two (2), TURKEY SPRINGS THIRD ADDITION to Wagoner County, Oklahoma, and PLANTATION PROPERTIES, INC., is the owner of an adjoining unplatted tract of land described as:

BEGINNING at a point 785.00 Feet North of the Southeast Corner of Section 36, Township 19 North, Range 15 East of the Indian Base and Meridian, Wagoner County, Oklahoma; thence North 0° 11' 39" West on the East Section line a distance of 1,848.99 Feet to the Northeast Corner of the Southeast quarter (SE 1/4); thence North 89° 57' 40" West a distance of 679.42 Feet; thence due South a distance of 937.14 Feet; thence due East a distance of 190.00 Feet; thence due South 557.39 Feet; thence due West a distance of 175.00 Feet; thence due South a distance of 202.45 Feet; thence due East a distance of 75.00 Feet; thence due South a distance of 152.45 Feet; thence due East a distance of 270.86 Feet; thence due South a distance of 50.00 Feet; thence due East a distance of 150.00 Feet; thence due North a distance of 50.00 Feet; thence due East a distance of 175.00 Feet to the Point of Beginning, containing 26.33 Acres, more or less.

THAT PLANTATION PROPERTIES, INC., in order to provide for a more orderly development of TURKEY SPRINGS THIRD ADDITION and the above described unplatted property, have caused the same to be resurveyed, restaked and replatted into TURKEY SPRINGS THIRD AMENDED, being an Amended Plat and Certificate of Dedication of the Plat and Certification of Dedication of TURKEY SPRINGS THIRD ADDITION, heretofore filed in the Office of the County Clerk of Wagoner County on the 13th Day of February, 1980, at Plat Cabinet Number One, Page 24-A.

AND the undersigned OWNER hereby dedicates 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 any other appurtenances thereto, with the right of ingress and egress to and upon said easements for the use and purposes aforesaid, together with similar rights in each and all the streets shown on said Plat; PROVIDED, HOWEVER, that the undersigned OWNER hereby reserves the right to construct, maintain, operate, lay and relay water and sewer lines together with the right of 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 with the easements shown thereon, both for the purposes of furnishing water and/or sewer service to the area included on said Plat.

AND, the undersigned OWNER 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 OWNER, its 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 poles for the supply of electric service may be located where necessary in the streets and utility easements of this Addition. Street light poles or standards may be served overhead or by underground cable and elsewhere throughout said Addition all supply lines may be located on poles or underground, in the easement-ways reserved for general utility services and in the 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 services, pedestal or transformer to the point of usage determined by the location and construction of such houses as may be located upon each said lot, provided that upon the installation of such 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 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 enforceable by the supplier of electric service, and the owner of each lot agrees to be bound hereby.
- All structures shall be new construction.
- All homesites in the tract shall be known and described as single family residential homesites. No structures shall be erected, 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 the homesites shall be constructed on a site plan, and shall conform to the basic design of the dwelling thereon. Carports in addition to a two-car garage will be permitted only if attached to the residence.
- The exterior walls of the structures erected on any homesite shall be constructed of a minimum of 30% stone, brick or masonry.
- No noxious or offensive trade or activity shall be carried on upon any homesite, nor shall anything be done thereon that may become an annoyance or a nuisance to the neighborhood.
- 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 purposes; EXCEPT that not more than one (1) horse may be maintained and kept on Lots 4, 5, 6, 7, 8, 9, 10 and 11, Block 1, TURKEY SPRINGS THIRD AMENDED.
- 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, metal storage building, garage, barn or other outbuilding-type structure shall be moved onto any homesite in this residential development. No temporary structure will be permitted.
- No homesite will be used for the storage of materials for a period of greater than 30 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 the street shall have drain tile size approved by the developer or County Commissioner of Wagoner County.
- There will be no less than 2,000 Square Feet of livable floor area in the residence, exclusive of garage, porch and patio areas.
- All structures shall be located a minimum distance of 15.0 Feet from any side lot line.
- Lot 2, Block 1, and TURKEY SPRINGS PARK may be used for amenities such as pool, tennis court, clubhouse or playground and other uses incidental thereto.
- One lot in the Addition may be used by PLANTATION PROPERTIES, INC. as a sales office, either in a house or in a temporary structure as long as any lot remains unsold in the Addition.
- Lot 2, Block 1, and TURKEY SPRINGS PARK will be conveyed by the developer to TURKEY SPRINGS HOMEOWNER'S ASSOCIATION, INC.

21. Membership in HOMEOWNER'S ASSOCIATION:
(a) Any owner of any lot within said Subdivision shall become a member of TURKEY SPRINGS HOMEOWNER'S ASSOCIATION, INC., by purchasing a lot within said Subdivision, and membership therein shall be thereafter appurtenant to the ownership of said lot. One cannot be transferred without the other. Voting within TURKEY SPRINGS HOMEOWNER'S ASSOCIATION, INC. will be on the basis of one vote per dwelling unit owner, and assessment shall be made on a "per dwelling unit" basis. Each and every lot owner shall have an easement to use facilities of the ASSOCIATION of which said lot owner is a member or of the TURKEY SPRINGS HOMEOWNER'S ASSOCIATION, INC., subject, however, to the rules and regulations thereof. Membership in the ASSOCIATION shall be subject to assessments for the actual cost of maintenance, repairing and upkeep of the common areas and facilities as designated, in the development plan for TURKEY SPRINGS THIRD ADDITION. Annual assessments for maintenance, repair, upkeep shall be a lien upon any lot of any owner in said Subdivision, and shall be subject to enforcement, as provided in the By-Laws of the ASSOCIATION. The Articles of Incorporation, By-Laws and Rules and Regulations may be examined at the offices of PLANTATION PROPERTIES, INC., 25699 East 71st Street, Broken Arrow, Oklahoma, temporarily, and copies will be given to each original lot owner.

(b) The owner of any lot, by acceptance of a Deed therefor, shall be deemed to have accepted membership in TURKEY SPRINGS HOMEOWNER'S ASSOCIATION, INC., agreed to abide by the rules and regulations of the ASSOCIATION concerning the use of the facilities, open spaces and recreation areas; and agreed to pay assessments made for the recreation areas, and agreed to pay assessments made for the maintenance, repair and upkeep of the common areas of the ASSOCIATION.

(c) Maintenance assessments by TURKEY SPRINGS HOMEOWNER'S ASSOCIATION, INC., shall be a lien on the lot assessed, but shall be subordinate to any first mortgage made in good faith and for value.

WITNESS our hands this 28 Day of June, 1983, at Tulsa, Tulsa County, Oklahoma.

Wilton W. Works
WILTON W. WORKS, President

Mary L. Smith
MARY L. SMITH, Secretary

STATE OF OKLAHOMA)
COUNTY OF TULSA) ss

Before me, the undersigned, a Notary Public, in and for said County and State, on this 28 Day of June, personally appeared WILTON W. WORKS, President, and MARY L. SMITH, Secretary, of PLANTATION PROPERTIES, INC., to me known to be the identical persons who subscribed their names 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, and that they executed the same as the free and voluntary act and deed of such Corporation, for the uses and purposes therein set forth.

My Commission Expires: 3-7-86

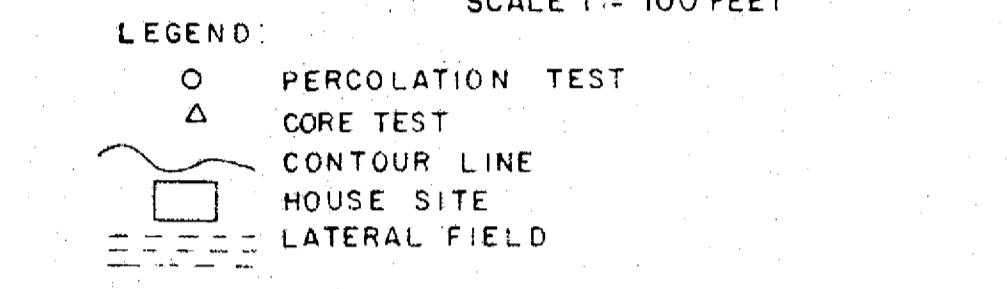
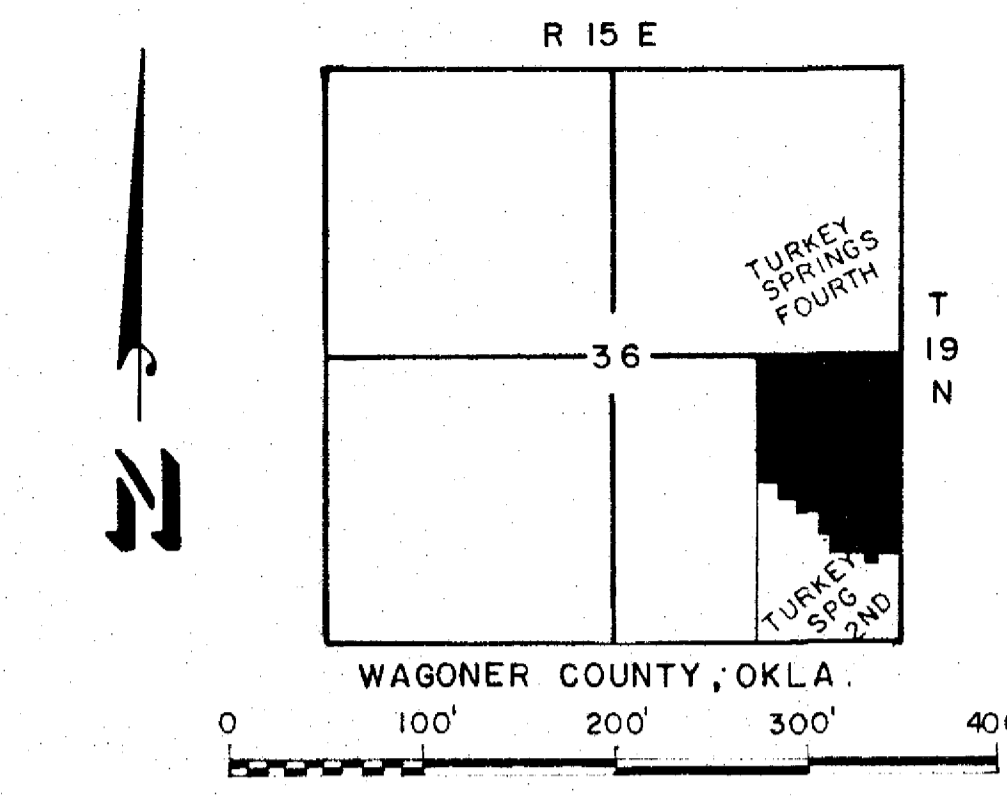
Sharon L. Miller
Sharon L. Miller, Notary Public

SURVEYOR'S CERTIFICATE:

I, LE ROY FARLEY, a Registered Land Surveyor in Wagoner County, State of Oklahoma, do hereby certify that I have carefully and accurately surveyed and staked into lots, blocks and streets, the Real Estate and premises dedicated as TURKEY SPRINGS THIRD AMENDED, in Wagoner County, Oklahoma, and that the attached Plat is a true and correct representation of said survey showing the length, width and depth of all lots and blocks, and the names, widths, boundaries and extensions of all the streets.

IN WITNESS WHEREOF, I set my hand and official seal this 28 Day of June, 1983.

Le Roy Farley
Le Roy Farley, Registered Land Surveyor No. 1075



OWNER:
PLANTATION PROPERTIES INC.
TULSA, OKLAHOMA

SURVEYOR:
LE ROY FARLEY
CATOOSA, OKLAHOMA
918-266-6322

OKLAHOMA
FILED OR RECORDED
1983 JUL 21 PM 2:38
HERRY FIELDS
COUNTY CLERK
Tulsa, Oklahoma
2-4388

OKLAHOMA STATE HEALTH DEPARTMENT CERTIFICATE
The Oklahoma State Health Department hereby certifies that this Plat is approved for the construction of individual sewage disposal systems.
SIGNED: *Donnie J. Head, R.P.S.* DATED: 7-6, 1983.
WAGONER COUNTY HEALTH DEPARTMENT

CERTIFICATE OF COUNTY TREASURER
I hereby certify that the 1983 and all prior taxes have been paid on this described property.
SIGNED: *Debra Carter by Dr. J. S. Jedd* DATED: July 21, 1983.
WAGONER COUNTY TREASURER

APPROVED
THIS
28th DAY OF July, 1983
Le Roy Farley
CHAIRMAN
BOARD COUNTY COMMISSIONERS

Approved
WAGONER METROPOLITAN
AREA PLANNING
COMMISSION
DATE SIGNED: *7/28/83*
CHAIRMAN
Co-Chairman

