File Cabinet #1
#3A

STATE OF OKLAHOMA
COUNTY OF WAGONER
Filed for Record in the Office of the
COUNTY CLERK AND
AUG 24 1978
AT 9:00 O'CLOCK
JACK C. JONES, County Clerk
By Marie Bay

WESTLAND ACRES III

A RESUBDIVISION OF BLOCKS 12, 13 & 14 OF WESTLAND ACRES SUBDIVISION WAGONER, OKLAHOMA

AREA OF APPLICATION

FULLY-PROTECTED RESIDENTAL AREA. The residental covenants in their entirety shall apply to the Westland Acres III, a resubdivision of Blocks 12, 13, and 14 of Westland Acres Subdivision, N/2 SW/4 and part of the SE/4 SW/4, Section 9, Township 17 North, Range 18 East, Wagoner County, Oklahoma.

LAND USE AND BUILDING TYPE. No lot shall be used except for residential purposes. No building shall be erected, altered, placed or permitted to remain on any lot other than one detached single-family dwelling not to exceed two stories in height.

DWELLING SIZE. The floor area of the main structure, exclusive of open porches and garages, shall not be less than

Blocks 12, 13, 14 ----------1,000 sq. ft.

BUILDING LOCATION. No building shall be located, erected, or altered on any lot nearer to the front or side street than the building set-back line shown on the recorded plat. No building shall be located nearer than the following to an interior lot line.

RE-LOCATION OF BUILDINGS. Construction of new buildings only shall be permitted, it being the intent of this covenant to prohibit the moving of any existing building on to a lot and re-modeling or converting same into a dwelling unit in this subdivision.

STREETS. All streets shall be concrete or hot mix asphalt with concrete curb and gutter.

LOT WIDTH. No dwelling shall be erected or placed on any lot having a width or square-foot area less than that shown on recorded plat.

DRIVEWAYS. Shall be concrete or hot mix asphalt.

FENCES. No fence shall be constructed or allowed to remain in front of the minimum building set-back line.

TRANSPORT VEHICLES. No vehicle of any size which normally transports inflamatory or explosive cargo may be kept in this subdivision at any time.

NUISANCES. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

TEMPORARY STRUCTURES. No structure of 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.

WATER SUPPLY. No individual water-supply system shall be permitted on any lot.

SIGNS. 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.

EASMENTS. All easments and alleys for the installations and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat and it is further provided that no shrubbery, fence or other obstruction shall be placed in any easment or alleyway, and that full right of ingress and egress shall be had at all times over any dedicated easment for the installation, operation, maintenance, repair or removal of any utility together with the right to remove any obstruction that may be placed in such easment that would constitute interference with the use, maintenance, operation or installation of such utility.

LIVESTOCK AND POULTRY. 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 htey are not kept, bred or maintained for any commercial purposes.

GARBAGE AND REFUSE DISPOSAL. No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.

SIGHT DISTANCE AT INTERSECTIONS. No fence, wall, hedge or shrub planting which obstructs sight lines at elevations between 2 and 6 feet above the roadways shall be placed or permitted to remain on any corner lot within the triangular area formed by the street property lines and a line connecting them at points 25 feet from the intersection of street lines, or in the case of a rounded property corner from the intersection of the street property line extended. The same sight line limitations shall apply on any lot within 10 feet from the intersectionof a street property line with the edge of a driveway or alley pavement. No tree shall be permitted to remain within such distances of such intersections unless foliage line is maintained at sufficient height to prevent obstruction of such sight lines.

SEWAGE DISPOSAL. No individual sewerage disposal system shall be permitted on any lot, if city sewer is available. If a home is constructed without city sewer and at a later date city sewer becomes available - It is mandatory the home be placed on the city sewer within 90 days.

TERM. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of twenty five years from the date these covenants are recorded, after which time said covenants shall automatically be extended for sucessive periods of 10 years unless an instrument signed by a majority of the then owners of the lots has been recorded, agreeing to change said covenants in whole or in part.

OWNER'S CERTIFICATE AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS: The River Basin Development Corporation does hereby certify that it is the owner, holding all rights, title or interest in the land shown on the Plat hereon of Westland Acres III, a resubdivision of Blocks 12, 13, and 14 of Westland Acres Subdivision, located in the N/2 of the SW/4, described as follows: Beginning at the NW Cor NW/4 SW/4 proceed easterly S89° 41' 33" E a distance of 883.11 feet to a point on the centerline of the drainage channel which is the point of beginning, thence S89° 41' 33" E a distance of 906.83 feet, thence South S25° 37' 46" a distance of 36.00 feet, to a point located on the centerline of the main drainage channel, thence Southwesterly along the centerline of said channel having a radius of 250.0 feet a distance of 280.87 feet, thence South S0° 00' 00" W a distance of 291.67 feet, thence Southwesterly along the centerline of the main drainage channel on a 250.00 foot radius a distance of 288.86 feet, thence S66° 12' 07" W along the centerline of the main drainage channel a distance of 886.73 feet, thence Southwesterly along the centerline of the main drainage channel on a radius of 575.00 feet a distance of 89.82 feet to a point where the centerline of main drainage channel intersects the centerline of the drainage channel from the North, thence N 0° 27' 09" W along the centerline of drainage channel from the North a distance of 916.39 feet to a point, thence N 44° 54' 10" E a distance of 377.10 feet to the point of beginning, all lying in Section 9, Township 17 North, Range 18 East of the Indian Meridian, Wagoner County, Oklahoma and that the Plat represents a correct survey of said property made with the consent of the Corporation, and that all the Streets, Alleys, and Utility Reserves shown on said Plat are hereby dedicated to the public. A clear title of all land so dedicated is hereby granted forever.

Signed in Wagoner, Oklahoma, this 8th day of August, 1978

RIVER BASIN DEVELOPMENT CORPORATION

Attest: Charles E. Lusk

By Ferold G. Arend

COUNTY TREASURER'S CERTIFICATE

I, Ruby Roberts, Do hereby certify that I am the duly elected, qualified and acting County Treasurer, Wagoner County, State of Oklahoma; that the taxes are paid for the year of 1977 and prior years on the land shown on the plat hereon of the Westland Acres III, to the City of Wagoner, Oklahoma; ~~and that the required Surety security has been deposited in the office of the County Treasurer guaranteeing payment of the current years taxes.~~

Ruby Roberts
County Treasurer
8/24/78

CITY PLANNING COMMISSION APPROVAL

I, Richard L. Ford, Chairman of the City Planning Commission, Wagoner, Oklahoma, do hereby certify that the said Commission duly approved the Plat hereon of the Westland Acres III, a resubdivision of Blocks 12, 13, and 14 Westland Acres Subdivision, to the City of Wagoner, Oklahoma, on the 8th day of August 1978.

Secretary

Chairman

SURVEYOR'S CERTIFICATE

I, Jimmie Dale Nickle, a registered land surveyor, do hereby certify that the Plat hereon correctly represents a Survey made under my supervision on the 8th day of Aug, 1978 and that all monumnets shown hereon actually exist and their positions are correctly shown.

Jimmie Dale Nickle
Reg. Land Surveyor No. 78

Acknowledged in Statutory form on August 8th 1978 by Jimmie Dale Nickle, and _____ before Kathryn Sritten Notary Public, Wagoner County, Oklahoma (Seal). My commission expires May 28, 1980

ACCEPTANCE OF DEDICATION BY CITY COUNCIL

BE IT RESOLVED by the Mayor and City Council of the City of Wagoner, Oklahoma that the dedications shown on the Plat hereon of Westland Acres III, a resubdivision of Blocks 12, 13, and 14 Westland Acres Subdivision, to the City of Wagoner, Oklahoma are hereby accepted. Adopted by the Mayor and City Council, City of Wagoner, Oklahoma, this 8th day of August 1978.

(Seal) Norma Jean Long
Norma Long
City Clerk

Kenneth Peters
Mayor

STATE OF OKLAHOMA)
COUNTY OF WAGONER) ss:

On this 8th day of August, A. D. 1978, before me the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Ferold G. Arend to me known to be the identical person who signed the name of the maker thereof to the within and foregoing instrument as its President 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 said corporation, for the uses and purposes therein set forth.

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

Barbara A. Vaught
Notary Public

My Commission Expires:
Jan. 28, 1981