

DEED OF DEDICATION  
AND  
RESTRICTIVE COVENANTS  
FOR  
WOODLAND HILLS II

A SUBDIVISION OF ALL THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE/4 SW/4), LESS AND EXCEPT THE SOUTH 255 +/- OF THE EAST 636 +/- THEREOF, AND THE SOUTH HALF (S/2) OF LOT 7 LYING SOUTH OF WOODLAND HILLS ADDITION IN SECTION SIX (6), TOWNSHIP EIGHTEEN (18) NORTH, RANGE SIXTEEN (16) EAST OF THE INDIAN BASE AND MERIDIAN, WAGONER COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SECTION SIX (6) A DISTANCE OF 636.67 FEET WEST OF THE THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE/4 SW/4), THENCE SOUTH 89 DEGREES 59'02" WEST AND ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER (SW/4) FOR 2036.26 FEET TO THE SOUTHWEST CORNER THEREOF, THENCE NORTH 0 DEGREES 02'21" EAST ALONG THE WEST LINE THEREOF FOR 662.20 FEET, THENCE NORTH 89 DEGREES 59'23" EAST FOR 1350.00 FEET, THENCE NORTH 0 DEGREES 11'40" EAST FOR 662.07 FEET, THENCE SOUTH 89 DEGREES 58'58" EAST FOR 1323.94 FEET, THENCE SOUTH 0 DEGREES 12'14" WEST FOR 1068.01 FEET, THENCE NORTH 89 DEGREES 58'58" WEST FOR 636.68 FEET, THENCE SOUTH 0 DEGREES 12'06" W FOR 255.73 FEET TO THE POINT OF BEGINNING, CONTAINING 57.0 ACRES MORE OR LESS.

KNOW ALL MEN BY THESE PRESENTS:

THAT WESTERN REALTY COMPANY, AN OKLAHOMA CORPORATION IS THE OWNER AND DEVELOPER OF THE ABOVE DESCRIBED REAL PROPERTY AND HAS CAUSED THE SAME TO BE SURVEYED, STAKED AND PLATTED INTO LOTS, BLOCKS, STREETS, AND HAS CAUSED THE SAME TO BE DESIGNATED AND NAMED WOODLAND HILLS II, AN ADDITION IN WAGONER COUNTY, STATE OF OKLAHOMA, AND SAID CORPORATION DOES HEREBY DEDICATE TO THE PUBLIC USE, ALL OF THE STREETS AS SHOWN ON THE ATTACHED PLAT, THAT THE EASEMENTS SHOWN ON SAID PLAT WERE CREATED FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES, THAT THE UNDERSIGNED OWNER DOES HEREBY GUARANTY A CLEAR TITLE TO ALL LAND SO DEDICATED, FROM OURSELVES, OUR HEIRS AND ASSIGNS FOREVER, AND FOR THE PURPOSE OF PROVIDING ADEQUATE RESTRICTIVE COVENANTS FOR THE MUTUAL BENEFIT OF SAID OWNER AND THEIR SUCCESSORS IN TITLE TO THE SUBDIVISION OF SAID TRACT, WE DO HEREBY IMPOSE THE RESTRICTIVE COVENANTS AS HEREINAFTER SET OUT.

1. THESE COVENANTS ARE TO RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING BY, THROUGH AND UNDER THEM UNTIL THE 1st DAY OF DECEMBER 2005, AT WHICH TIME SAID COVENANTS SHALL AUTOMATICALLY BE EXTENDED FOR SUCCESSIVE PERIODS OF TEN (10) YEARS AND BY MAJORITY OF THE THEN OWNERS OF LOTS IN SAID SUBDIVISION, IT IS AGREED, TO CHANGE SAID COVENANTS IN WHOLE OR IN PART.

2. IF THE OWNERS HEREOF OR THEIR ASSIGNS SHALL VIOLATE OR ATTEMPT TO VIOLATE ANY OF THE COVENANTS HEREIN, IT SHALL BE LAWFUL FOR ANY OTHER PERSON OR PERSONS OWNING ANY REAL ESTATE SITUATED IN SAID SUBDIVISION TO PROSECUTE ANY PROCEEDINGS AT LAW OR IN EQUITY AGAINST THE PARTIES OR PERSONS OR PERSON VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANTS AND EITHER TO PREVENT HIM OR THEM FROM SO DOING OR TO RECOVER DAMAGES OR OTHER DUES FOR SUCH VIOLATIONS. INVALIDATION OF ANY ONE OF THE COVENANTS BY JUDGEMENT OR COURT ORDER SHALL IN NO WAY AFFECT ANY OF THE OTHER PROVISIONS OF SAID RESTRICTIVE COVENANTS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

3. ALL LOTS IN SAID SUBDIVISION SHALL BE DESCRIBED AS RESIDENTIAL LOTS AND SHALL BE USED FOR RESIDENTIAL PURPOSES ONLY. NO STRUCTURE SHALL BE ERRECTED, ALTERED, PLACED OR PERMITTED TO REMAIN ON ANY RESIDENTIAL BUILDING LOT OTHER THAN A SINGLE FAMILY DWELLING AND A PRIVATE GARAGE FOR TWO (2) CARS OR MORE. ALL BUILDING EXTERIOR WALLS SHALL HAVE EITHER SIXTY-FIVE PER CENT (65%) OF THE EXTERIOR WALL CONSTRUCTED OF MASONRY, UNLESS CONSTRUCTION USING LESS THAN SIXTY-FIVE PER CENT (65%) OF EXTERIOR WALLS OF MASONRY, IS APPROVED IN WRITING BY THE DEVELOPER. ANY OUT BUILDINGS LOCATED ON ANY BUILDING LOT SHALL CONFORM TO THE ARCHITECTURE OF THE MAIN DWELLING STRUCTURE.

4. NO BUILDING, EXCLUSIVE OF OPEN PORCHES SHALL BE LOCATED NEARER TO THE FRONT LOT LINE NOR NEARER TO THE SIDE STREET LINE THAN THE BUILDING LINES SHOWN ON THE RECORDED PLAT. NO BUILDING SHALL BE CONSTRUCTED NEARER THAN FIFTEEN (15) FEET TO ANY SIDE LOT LINE.

5. FLOOR AREA REQUIREMENTS: ALL SQUARE FOOTAGE REQUIREMENTS ARE EXCLUSIVE OF OPEN PORCHES AND GARAGES. ALL DWELLING STRUCTURES OF SINGLE STORY CONSTRUCTION SHALL HAVE NOT LESS THAN TWO THOUSAND ONE HUNDRED (2100) SQUARE FEET OF

FLOOR SPACE UNLESS A LESSER AMOUNT IS APPROVED BY THE DEVELOPER. ALL DWELLING STRUCTURES OF ONE AND ONE-HALF STORIES SHALL HAVE AT LEAST TWO THOUSAND FIVE HUNDRED SQUARE FEET OF FLOOR SPACE OVER ALL.

6. NO FENCE SHALL BE ERRECTED ON ANY LOT FORWARD OF THE BUILDING LINE WITHOUT PERMISSION OF THE DEVELOPER AND NO FENCE SHALL BE MORE THAN SIX (6) FEET IN HEIGHT.

7. LIMITS OF NO ACCESS (LNA) AS SHOWN ON THE FILED SUBDIVISION PLAT FOR THE PURPOSE OF THE ORDERLY DEVELOPMENT OF WOODLAND HILLS II SHALL BE OBSERVED UNLESS MODIFIED IN WRITING BY THE DEVELOPER.

8. EASEMENTS FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES ARE RESERVED AS SHOWN ON THE RECORDED PLAT. WITHIN THESE EASEMENTS, NO STRUCTURES, PLANTING, OR OTHER MATERIAL SHALL BE PLACED OR PERMITTED TO REMAIN WHICH MAY DAMAGE OR INTERFERE WITH THE INSTALLATION AND MAINTENANCE OF UTILITIES. ALL DRAINAGE CHANNELS SHALL BE MAINTAINED IN THEIR PRESENT LOCATION AND NO CONSTRUCTION SHALL BE MADE ON ANY LOT OR STREET TO INTERFERE WITH THE NATURAL FLOW OF WATER WITHIN THESE DRAINAGEWAYS. THE EASEMENT AREA OF EACH LOT AND ALL IMPROVEMENTS IN IT SHALL BE MAINTAINED CONTINUOUSLY BY THE OWNER OF THE LOT EXCEPT FOR THOSE IMPROVEMENTS FOR WHICH A PUBLIC AUTHORITY OR UTILITY COMPANY IS RESPONSIBLE.

9. 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 OTHER LOTS IN SAID SUBDIVISION.

10. NO STRUCTURE OF A TEMPORARY CHARACTER, TRAILER, BASEMENT, TENT, SHACK, GARAGE, BARN OR OTHER OUT BUILDINGS OR PREVIOUSLY USED STRUCTURE MAY BE USED ON ANY LOT AS A RESIDENCE, EITHER TEMPORARILY OR PERMANENTLY.

11. NO SIGN OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT EXCEPT ONE (1) PROFESSIONAL SIGN OF NOT MORE THAN ONE (1) SQUARE FOOT OR ONE (1) SIGN OF NOT MORE THAN FIVE (5) SQUARE FEET ADVERTISING THE SALE OR RENT OF SAID PROPERTY OR SIGNS USED BY THE BUILDER TO ADVERTISE THE PROPERTY DURING THE CONSTRUCTION AND SALES PERIOD OF ANY DWELLING STRUCTURE.

12. NO ANIMALS, LIVESTOCK OR POULTRY OF ANY KIND SHALL BE RAISED, BRED OR KEPT ON ANY LOT EXCEPT FOR DOGS, CATS AND OTHER HOUSEHOLD PETS, PROVIDED THAT THEY ARE NOT KEPT, BRED OR MAINTAINED FOR COMMERCIAL PURPOSES.

13. NO LOT SHALL BE USED OR MAINTAINED AS A DUMPING GROUND FOR RUBBISH, TRASH, GARBAGE OR OTHER WASTE, NOR SHALL ANY LOT BE USED FOR STORAGE OF AUTOMOBILES, TRAILERS, RECREATIONAL VEHICLES OR ANY OTHER UNSIGHTLY OBJECT. ALL WASTE SHALL BE KEPT IN SANITARY CONTAINERS WHILE AWAITING PICK UP OR TRANSPORTATION TO PROPERLY ESTABLISHED LAND FILLS OR DISPOSAL SITES.

14. ALL SEWAGE DISPOSAL SYSTEMS SHALL CONSTRUCTED, EQUIPPED, AND MAINTAINED IN ACCORDANCE WITH THE STANDARDS, REQUIREMENTS AND RECOMMENDATIONS OF THE OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ). THE UNDERSIGNED OWNER(S) FURTHER DEDICATE TO THE PUBLIC USE FOREVER, THE EASEMENTS AND RIGHTS OF WAY AS SHOWN AND DESIGNATED ON SAID RECORDED PLAT AND STATED IN THESE COVENANTS FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, AND REPLACING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM AND SANITARY SEWERS, TELEPHONE LINES, ELECTRIC POWER LINES, TRANSFORMERS, GAS LINES AND WATER LINES, AND TELEVISION CABLE LINES, TOGETHER WITH ALL FITTINGS AND EQUIPMENT FOR EACH OF SAID FACILITIES AND FOR ANY OTHER APPURTENANCES THERETO, WITH EGRESS AND INGRESS 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.

15. ALL RESIDENTIAL LOTS IN WOODLAND HILLS II SHALL BE LIMITED TO ONE (1) DRIVEWAY OPENING ON THE STREET THAT FRONTS THE DWELLING STRUCTURE. CIRCULAR DRIVES THAT REQUIRE TWO (2) OPENINGS MUST BE APPROVED BY THE DEVELOPER IN WRITING BEFORE CONSTRUCTION.

16. DEVELOPER DESIRES THAT THE SUPPLY OF ELECTRICITY THROUGHOUT SAID ADDITION BE PROVIDED TO THE FULLEST EXTENT PRACTICABLE, BY FACILITIES LOCATED UNDERGROUND RATHER THAN OVERHEAD, AND FOR THE PURPOSE OF FACILITATING SUCH INSTALLATION, DEVELOPER AGREES TO INCLUDE THE FOLLOWING PROVISIONS IN THE DEED OF DEDICATION, CREATING SAID PLAT AND SUBDIVISION, TO-WIT:

DEQ Approved 2-22-96  
Nobel Bank

(a) OVERHEAD POLE LINES MAY BE LOCATED ALONG THE EXTERIOR BOUNDARIES OF SAID SUBDIVISION WHERE NECESSARY AND WITH THE APPROVAL OF THE DEVELOPER. STREET LIGHT POLES OR STANDARDS WILL BE SERVED BY UNDERGROUND CABLE. ALL SUPPLY LINES SHALL BE LOCATED UNDERGROUND IN THE EASEMENT-WAYS RESERVED FOR GENERAL UTILITY SERVICES AND 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.

(b) UNDERGROUND SERVICE CABLES TO ALL HOUSES WHICH MAY BE LOCATED ON LOTS IN SAID ADDITION MAY RUN FROM THE NEAREST SERVICE 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 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 ON SAID LOT, COVERING A FIVE (5) FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF SUCH SERVICE CABLE, EXTENDING FROM THE SERVICE PEDESTAL OR TRANSFORMER TO THE SERVICE ENTRANCE OF SAID HOUSE.

(c) 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 PURPOSES OF INSTALLATION, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF SAID UNDERGROUND FACILITIES SO INSTALLED BY IT.

(d) 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 MAINTAINANCE OF UNDERGROUND 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.

(e) THE FOREGOING COVENANTS CONCERNING UNDERGROUND FACILITIES SHALL BE ENFORCEABLE BY THE SUPPLIER OF ELECTRIC SERVICE, AND THE OWNER OF EACH LOT AGREES TO BE BOUND HEREBY.

17. NO LOT SHALL HAVE MORE THAN ONE (1) SINGLE FAMILY DWELLING UNIT.

18. NO LOT SHALL BE USED FOR OUTSIDE STORAGE.

19. ARCHITECTURAL PLAN REVIEW: NO EXTERIOR IMPROVEMENTS SHALL BE ERRECTED, PLACED OR ALTERED ON ANY LOT IN THIS ADDITION UNTIL BUILDING PLANS AND SPECIFICATIONS, GRADING AND DRAINAGE AND SITE PLANS, EXTERIOR COLOR SCHEME AND MATERIAL THEREOF SHALL HAVE BEEN APPROVED IN WRITING BY WESTERN REALTY OR ITS DESIGNEE.

EXECUTED THIS 15th DAY OF January 1996

WESTERN REALTY COMPANY, AN OKLAHOMA CORPORATION

Alma D. Massey PRESIDENT  
Illa J. Massey SECRETARY (SEAL)

COUNTY OF Tulsa

STATE OF Oklahoma

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY, AND STATE, ON THIS 15th DAY OF January, 1996.

PERSONALLY APPEARED Elmo D. Massey TO ME KNOWN TO BE THE IDENTICAL PERSON THAT EXECUTED THE ABOVE INSTRUMENT ON BEHALF OF THE ABOVE NAMED CORPORATION, AND ACKNOWLEDGED THAT HE DID SO AS HIS FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN SET FORTH.

WITNESS MY HAND AND SEAL THE DAY AND YEAR LAST ABOVE WRITTEN.

Notary Public Seal

MY COMMISSION EXPIRES 7-29-96

CERTIFICATE OF SURVEY

I, JACK D RAMSEY, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA DO HEREBY STATE THAT I DID AT THE INSTANCE OF THE ABOVE NAMED OWNER SURVEY THE ABOVE DESCRIBED TRACT OF LAND AND PREPARE THE ATTACHED SUBDIVISION PLAT AND DEED OF DEDICATION OF WOODLAND HILLS II, AN ADDITION IN WAGONER COUNTY, STATE OF OKLAHOMA

WITNESS MY HAND AND SEAL THIS 15th DAY OF January 1996

Jack D. Ramsey  
JACK D RAMSEY R.P.L.S. 387  
OKLAHOMA CERTIFICATE OF AUTHORIZATION NUMBER 2112

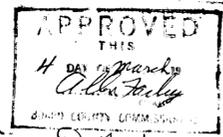
COUNTY OF Tulsa

STATE OF OKLAHOMA

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JACK D RAMSEY, TO ME KNOWN TO BE THE IDENTICAL PERSON THAT SUBSCRIBED HIS SIGNATURE TO THE ABOVE INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE DID SO AS HIS FREE AND VOLUNTARY ACT AND DEED ON THE DAY AND YEAR LAST ABOVE WRITTEN.

WITNESS MY HAND AND SEAL  
Notary Public Seal

MY COMMISSION EXPIRES OCTOBER 25, 1997



Attest: Jerry Fields, County Clerk

