

MISCELLANEOUS RECORD No. 65

122366

Combined

AMENDED DEED OF DEDICATION, CONTAINING RESTRICTIONS.
ROSEDALE ADDITION TO BARTLESVILLE, OKLAHOMA.

KNOW ALL MEN BY THESE PRESENTS: That the undersigned H. E. WILKINS, joined by his wife ELSIE WILKINS, of Bartlesville, Oklahoma, the owner of following described lands in Washington County, Oklahoma, to-wit:

A tract of land in NORTHWEST Quarter (NW $\frac{1}{4}$) of the SOUTH-EAST Quarter (SE $\frac{1}{4}$) of SECTION THIRTEEN (13), TOWNSHIP TWENTY-SIX (26) North, RANGE TWELVE (12) East, described as follows to-wit: Beginning at a point which is 180.0 feet SOUTH and 147.7' EAST of the center of said SECTION 13; thence SOUTH 89°-57'.36' EAST a distance of 406.19 feet; thence SOUTH 0°-01.29' EAST a distance of 200.0 feet; thence NORTH 89°-59.06' EAST a distance of 152.92 feet; thence SOUTH 0°-00.05' WEST a distance of 200.00 feet; thence S 89°-52.20' E a distance of 402.06 feet; thence S 0°-11.90' EAST a distance of 741.04 feet; thence NORTH 89°-48.74' WEST a distance of 348.80 feet; thence N 0°-09.28' EAST a distance of 40 feet; thence North 89°-48.74' WEST a distance of 615.09 feet; thence North a distance of 1099.12 feet to the point of beginning.

has caused the same to be surveyed and platted into lots and blocks, streets, and roadways as shown on the official plat thereof prepared by Holway Engineering Company to which this deed of dedication is attached and made a part thereof, certified by J. H. WHEATLEY JR., surveyor same to be hereafter known as ROSEDALE Addition to Bartlesville, Oklahoma:

The undersigned hereby dedicates to the public the said streets, roadways and triangle parks as shown on the official plat thereof; also an easement or right of way as indicated as "easement" on said official plat for the purpose of constructing, maintaining, operating, repairing or removing sanitary sewers, and other sewer facilities telephone poles, and wires, electric power lines, gas lines, water lines and other similar public facilities, either by erecting or installing poles, wires, conduits, pipes, or any and all other facilities for the proper maintenance of public utilities to serve the inhabitants of ROSEDALE Addition, with the right of ingress or egress upon said right of way for the purposes aforesaid.

I, FURTHER DECLARE that the land shown on said plat above referred to, is held and shall be conveyed subject to the following stipulations and restrictions as to the use thereof, to-wit:

1. No lot in this addition shall, within a period of thirty years from the 6th day of JUNE 1929, be used for any except residential purposes, and only one one-family residence may be erected thereon, the use of said lot for business purposes being expressly prohibited.

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2. No residence shall be built upon any lot in blocks numbered 1, 2, 3, 4, and 5 of this addition that shall cost less than \$5,000.00, inclusive of the cost of other subsidiary buildings and improvements thereon.

No residence shall be built upon any lot in block number 6 of this addition that shall cost less than \$4,000.00, inclusive of the cost of other subsidiary buildings and improvements thereon.

No building shall be moved from another location onto any lot in this addition.

3. No residence or parts thereof except open porches, shall be erected closer to the street or streets than the building line limit indicated on the official plat of this addition, and the said residence shall front the street on which the lot fronts.

4. All outbuildings shall correspond in architecture to the residence to which they are appurtenant.

5. No residence or any projecting part thereof, such as cornices, porches, chimneys, bay windows or stairlands shall be placed closer to any side lot line than five (5) feet.

6. Any residence that may be erected upon a corner lot in this addition shall have a presentable frontage on both streets.

7. No lot in this addition shall ever be sold or rented or be occupied by any person of African descent, commonly called negroes, except that negro servants may occupy a servant's house or quarters located on said lot when employed by the occupant of the residence as his servants.

8. No bill boards or advertising sign shall be erected or maintained on any lot in this addition nor shall any building or structures be erected thereon for advertising purposes.

9. No garage or other outbuilding erected upon any lot in this addition shall be used for temporary residence purposes.

10. The digging or drilling for oil, gas or other minerals on any lot in this addition, or the producing of oil, gas or other minerals from any lot in this addition, is forever prohibited.

11. All of the restrictions above mentioned shall be binding upon the purchaser of any portion of this addition and upon his or her respective heirs, successors and assigns for a period of thirty (30) years from JUNE 6th, 1929 and shall be automatically continued thereafter for periods of twenty (20) years each, unless at least five (5) years prior to the expiration of the first thirty (30) year period, or any subsequent twenty (20) year period, the owners of a majority of the net acreage of the land restricted in the entire said ROSEDALE Addition to Bartlesville, Oklahoma, exclusive of streets and avenues shall execute and acknowledge an agreement or agreements in writing releasing the said property from any or all of the above restrictions, and shall file the same for record in the office of the County Clerk of Washington County, Oklahoma.

I FURTHER DECLARE that these restrictions are covenants and shall be annexed to and run with the land, and either the grantors herein or any owner of real estate in ROSEDALE Addition to Bartlesville, Oklahoma, shall have the right to enforce said restrictions in any court of competent jurisdiction either by suit or injunction, to prevent the violation of such restrictions or to recover damages for a violation of such restrictions.

IN TESTIMONY WHEREOF the said parties have hereunto set their hands this 10th day of MAY, 1930.

H. E. WILKINS

ELSIE WILKINS

STATE OF OKLAHOMA

SS.

COUNTY OF WASHINGTON

Before me, M. S. PRICE, a Notary Public, in and for said County and State on this 10th day of MAY, 1930, personally appeared H. E. WILKINS and ELSIE WILKINS, his wife, to me known as the identical persons who executed the within and 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.

WITNESS my hand and official seal the day and year last above written.

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M. B. PRICE, Notary Public

My commission expires JUNE 16, 1930.

(Seal of M. B. PRICE, Notary Public, Washington Co., Okla.)

Filed for Record MAY 13, 1930 at 9 o'clock A. M.

W. K. Blachly, County Clerk

By L. M. Chancy, Deputy.
