

* * * * *

180868

COMPARED

DEDICATION OF BRIM ADDITION

KNOW ALL MEN BY THESE PRESENTS That we, the undersigned FRANK C. BRIM and HAZEL A. BRIM, husband and wife, the owners of the following described land situated in Washington County, State of Oklahoma, to-wit:

The NORTH HALF of the NORTHWEST QUARTER of
the SOUTHWEST QUARTER of the NORTHEAST QUARTER
of SECTION 11 in TOWNSHIP 26 NORTH, RANGE 12 EAST

have caused said land to be surveyed and subdivided into lots, blocks and streets, as shown on the above and foregoing plat, and we do hereby dedicate unto the perpetual use of the public the streets indicated in said above and foregoing plat of said land, said land so subdivided to be known as BRIM ADDITION to Bartlesville, Oklahoma.

And we hereby declare that said above described land shown on said plat is held and shall be conveyed subject to the following stipulations and restrictions as to the use thereof.

RESTRICTIONS AND RESERVATIONS

1. All buildings erected or placed in said addition must be located at least 25 FEET away from the front lot line of the lot on which situated.
2. Not more than one residence shall be placed on or erected on any one lot, and each such residence building shall be a one-family residence.
3. Each residence house, exclusive of garage and other outbuildings, erected or placed on any lot shall have a minimum value or minimum erection cost of \$1000.00. No box or box car type construction shall be permitted.
4. LOTS 12, 23 and 24 in BLOCK 1 may be used for either or both residential or business purposes.
5. No noxious or offensive trade shall be carried on, on any of the lots restricted to residential use only, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.
6. No race or nationality other than the Caucasian race or American Indian shall use, own or occupy any lot or building on any lot.
7. No tent or shack or other structure of a similar nature shall be erected or placed or maintained on the property at any time, and no tent, shack or barn or other structure of a similar nature shall at any time be used as a residence, temporary or permanent. The use of a house trailer as a temporary residence during the construction of a permanent residence on any

STATE OF OKLAHOMA }
Washington County }SS

This instrument was filed for record

OCT 28 1948

at 11 o'clock A.M.

CLYDE V. REARDON, County Clerk

BY J. Dunn DEPUTYDEDICATION OF BRIM ADDITION

KNOW ALL MEN BY THESE PRESENTS That we, the undersigned Frank C.

Brim and Hazel A. Brim, husband and wife, the owners of the following described land situated in Washington County, State of Oklahoma, to-wit:

The North Half of the Northwest Quarter of
the Southwest Quarter of the Northeast
Quarter of Section 11 in Township 26 North,
Range 12 East,

have caused said land to be surveyed and subdivided into lots, blocks and streets, as shown on the above and foregoing plat, and we do hereby dedicate unto the perpetual use of the public the streets indicated in said above and foregoing plat of said land, said land so subdivided to be known as Brim Addition to Bartlesville, Oklahoma.

And we hereby declare that said above described land shown on said plat is held and shall be conveyed subject to the following stipulations and restrictions as to the use thereof:

RESTRICTIONS AND RESERVATIONS

1. All buildings erected or placed in said addition must be located at least 25 feet away from the front lot line of the lot on which situated.
2. Not more than one residence shall be placed on or erected on any one lot, and each such residence building shall be a one-family residence.
3. Each residence house, exclusive of garage and other outbuildings, erected or placed on any lot shall have a minimum value or minimum erection cost of \$1000.00. No box or box car type construction shall be permitted.
4. Lots 13, 23 and 24 in Block 1 may be used for either or both residential or business purposes.
5. No noxious or offensive trade shall be carried on, on any of the lots restricted to residential use only, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.
6. No race or nationality other than the Caucasian race or American Indian shall use, own or occupy any lot or building on any lot.
7. No tent or shack or other structure of a similar nature shall be erected or placed or maintained on the property at any time, and no tent, shack or barn or other structure of a similar nature shall at any time be used as a

residence, temporary or permanent. The use of a house trailer as a temporary residence during the construction of a permanent residence on any lot shall be permissible for a period not exceeding one year.

8. An easement is hereby reserved for utility installation and maintenance on the areas as indicated for easements on the plat of said addition.

9. All of the restrictions above set out shall be binding upon the present owners and upon the purchaser of any portion of said addition and upon their heirs, assigns and legal representatives, but shall be subject to change at any time by agreement in writing between the owners of a majority of the area of said addition. Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

10. The restrictions and covenants herein contained shall be annexed to and run with the land, and the grantors herein or any owner of any part of said addition shall have the right to enforce said restrictions in any court of competent jurisdiction, either by suit or injunction, to prevent, or to compel a discontinuance of, the violation of such restrictions, or to recover damages for a violation of such restrictions.

IN WITNESS WHEREOF We have hereunto set our hands this 14th day of January, 1947.

Frank C. Brim
Frank C. Brim

Hazel A. Brim
Hazel A. Brim

237215

AGREEMENT MODIFYING RESTRICTIONS AND RESERVATIONS

KNOW ALL MEN BY THESE PRESENTS:

THAT WHEREAS, under date of January 14, 1947, Frank C. Brim and Hazel A. Brim made and executed a Dedication of Brim Addition to Bartlesville, Oklahoma, which Dedication contained certain restrictions and reservations as to the use of the various lots and tracts in said addition, and which Dedication was on January 27, 1947, filed for record in the office of the County Clerk of Washington County, Oklahoma, in Book 190, at Page 301, and was again filed for record in said office on October 28, 1948, and recorded in Book 214, at Page 132; which Dedication provides that the restrictions and reservations contained therein be subject to change at any time by agreement in writing between the owners of a majority of the area of said addition;

AND WHEREAS, the following persons are the owners of a majority of the area of said Brim Addition, namely:

OWNER:	LOTS OWNED: BLOCK ONE:
Jimmie Duncan and Norma Jean Duncan, his wife	Lots 1 and 2
Joseph Mabry and Barbara Mabry, his wife	Lot 3
Yeoman Scott, a widower	Lot 4
Opal Wade, a widow	Lot 5
Gordon Development Company, Inc., a Corporation	Lots 6 and 7
Edward Egan and Betty Egan, his wife	Lots 8 and 9
Grover Burch and Hazel M. Burch, his wife	Lot 10
James B. Kirby and Evelyn Kirby, his wife	Lot 11
Dean Whaling and Dorothy Whaling, his wife	Lot 12
John McAnaw and Earnestine McAnaw, his wife	Lots 14 and 15
Florence I. Williams, a widow	Lot 16
Fred O. Benne and Jeanette Benne, his wife	Lot 17
Mary Moore, a widow	Lot 19
Effie Mills, a widow	Lot 20
Alberta Coda and Glennis Coda, both single women	Lot 21
Clint L. Rhamy and Wanda L. Rhamy, his wife	Lot 22
Charles R. Gorman and Susie Gorman, his wife	Lots 23 and 24

and desire to modify said restrictions and reservations above mentioned to the extent and only to the extent of permitting the erection, construction and maintenance of a Church Building and appurtenances on Lots 1, 2 and 3, in Block 1, of said Brim Addition, and the conducting thereon of the ordinary and customary functions of a church for religious worship, including the activities and functions ordinarily engaged in by churches and religious organizations;

10, the acts, for value in consideration passing between all of the parties above named, the receipt of which considerations is hereby acknowledged, the parties hereto hereby contract and agree as follows:

The restrictions and reservations contained in the dedication of said addition to Bartlesville, Oklahoma, shall be, and hereby are modified and changed to the extent, and only to the extent, that the erection, construction and maintenance of a church and appurtenant buildings and structures, and the conducting therein and thereon of religious worship, and the functions ordinarily engaged in by churches and religious organizations, shall be, and is, permitted on Lots 1, 2 and 3, in Block 1, of said addition to Bartlesville, Oklahoma; it being expressly stipulated and agreed that all of said restrictions and reservations contained in said dedication aforesaid and affecting said said addition shall, as to all of the lots and tracts in said addition, be and remain in full force and effect, except as hereinabove specifically changed.

WITNESS OUR HANDS this 10th day of November, A. D. 1951.

Jimmie Duncan
Jimmie Duncan
Joseph Mabry by contract for deed
Joseph Mabry
Yeoman Scott
Yeoman Scott
Opal Wade
Opal Wade

Norma Jean Duncan
Norma Jean Duncan
Barbara Mabry
Barbara Mabry

Edward Egan
Edward Egan

Edward Egan
Edward Egan

Grover Burch
Grover Burch
James H. Kirby by contract for deed
James H. Kirby

Hazel Burch
Hazel Burch
Sylvia Kirby
Sylvia Kirby

Dean Whaling
Dean Whaling

Dorothy Whaling
Dorothy Whaling

John McAnaw
John McAnaw

Earnestine McAnaw
Earnestine McAnaw

Florence I. Williams
Florence I. Williams

Florence I. Williams
Florence I. Williams

Fred W. Renne
Fred W. Renne

Jeanette Renne
Jeanette Renne

Effie Mills
Effie Mills

Effie Mills
Effie Mills

Mary Moore
Mary Moore

Mary Moore
Mary Moore

Alberta Coda
Alberta Coda

Glennis Coda
Glennis Coda

Clint I. Thamy
Clint I. Thamy

Clint I. Thamy
Clint I. Thamy

Charles W. Forman
Charles W. Forman

Thelma Forman
Thelma Forman



GORDON DEVELOPMENT COMPANY, INC., a Corporation,

By: *Donald Gordon*
President

ATTEST:
Marie Alberta Gordon
Secretary

(Corporate Seal)

STATE OF OKLAHOMA,)
) SS:
COUNTY OF WASHINGTON,)

Before me, the undersigned, a Notary Public in and for said County and State, on this 10th day of November, 1951, personally appeared Jimmie Duncan and Norma Jean Duncan, his wife, Joseph Mabry and Barbara Mabry, his wife, Yeoman Scott, a widower, Opal Wade, a widow, Edward Egan and Betty Egan, his wife, Grover Burch and Hazel M. Burch, his wife, Dean Whaling and Dorothy Whaling, his wife, John McAnaw and Earnestine McAnaw, his wife, Florence I. Williams, a widow, Fred O. Benne and Jeanette Benne, his wife, Mary Moore, a widow, Effie Mills, a widow, Alberta Coda and Glennis Coda, both single women, Clint L. Rhamy and Wanda L. Rhamy, his wife, and Charles R. Gorman and Susie Gorman, his wife, to me known to be 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.

E. E. Heyl
Notary Public

(Seal)

My commission expires: March 4, 1955

STATE OF ~~KANSAS~~ ^{OKLAHOMA},)
) SS:
COUNTY OF ~~SENECA~~ ^{WASHINGTON},)

Before me, the undersigned, a Notary Public in and for said County and State, on this 30th day of November, 1951, personally appeared James B. Kirby and Evelyn Kirby, his wife, to me known to be 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.

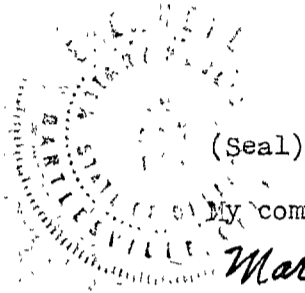
J. D. Lane
Notary Public

(Seal)

My commission expires:

STATE OF OKLAHOMA,)
) SS:
COUNTY OF WASHINGTON,)

Before me, the undersigned, a Notary Public in and for said County and State, on this 10th day of November, 1951, personally appeared Donald Gordon, to me known to be the identical person who subscribed the name of the maker to the 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 such Corporation, for the uses and purposes therein set forth.



(Seal)

E. E. Heyl

Notary Public

My commission expires:

March 2, 1955

STATE OF OKLAHOMA
Washington County
This instrument was filed for record
DEC 17 1951
250 P
COUNTY CLERK
R. Rahn
DEPUTY