

222927

DECLARATION OF RESTRICTIONS

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KNOW ALL MEN BY THESE PRESENTS:

That I, J. Frank Church, a single man, am the owner of Tract 21, and the North 220 Feet of Tract 20, in Washington Highlands, Washington County, Oklahoma, and that I have caused said lands to be re-surveyed and re-platted into lots, streets and roadways, in conformity with the Plat thereof filed simultaneously herewith in the office of the County Clerk of Washington County, Oklahoma, prepared by Allen C. Walker, Surveyor, and designated as:

"J. FRANK CHURCH'S  
RE-PLAT  
OF

TRACT 21, and the NORTH 220 Feet of TRACT  
20, IN WASHINGTON HIGHLANDS, WASHINGTON  
COUNTY, OKLAHOMA"

On said Plat the undersigned has dedicated, and hereby dedicates, to the public the said streets and roadways as shown by such plat, and also the easements for water, sanitary sewer, and utility purposes, as on said plat indicated, the same to be used for the purpose of constructing, maintaining, operating, repairing, re-placing, or removing of sanitary sewers, and other sewer facilities, telephone poles, wires, lines and cables, electric power lines, gas lines, water lines, and other similar public facilities, either by erecting or installing poles, wires, conduits, pipes, meters, or any and all other facilities for the proper maintenance of public utilities to service the inhabitants of said tract hereby re-platted, with the right of ingress, egress, and regress upon said easements or any of them for the purposes aforesaid.

I further declare that the lands included in such re-plat and re-survey, and each and all of the lots therein, shall be and are subject to all the covenants, agreements and restrictions contained in those certain warranty deeds from John M. Holliman and Prudie S. Holliman, his wife, to C. E. Bailey, one dated July 20, 1929, and recorded in Deed Record 68, at Page 140, in the office of the County Clerk of Washington County, Oklahoma, and conveying Tract 21 of Washington Highlands, a Sub-division in Washington County, Oklahoma, and one dated April 20, 1932, recorded in Book 113, at Page 267, in the office of said County Clerk, and conveying the North 220 Feet of Tract 20, in said Washington Highlands; and I further declare that said several lots contained in said re-plat and re-survey are, and shall be held, and shall be conveyed, subject to the following additional stipulations and restrictions as to the use thereof:

1. No lot contained in said re-plat and re-survey, or shown thereon, shall within a period of thirty years from the 30th day of June, 1954, be used for any purpose except residential purposes, and only one one-family residence may be erected on any lot, and not to exceed one and one-half stories in height, together with garages and appurtenant buildings, the use of each of said lots for business purposes being specifically prohibited.

2. No building shall be erected on any lot at a less distance than forty feet from Jefferson Road as shown on said plat, nor at a less distance than thirty feet from the street designated on said plat as "Church Court," nor shall any such residence building on any lot be at a less distance than five feet from the side lot lines.

3. No one story dwelling shall be permitted to be built on any lot which shall contain less than 1500 square feet of usable floor space, exclusive of open porches and attached garages, nor less than 1000 square feet of usable floor space on the first floor, as to a one and one-half story residence, exclusive of open porches and attached garages.

4. Each residence shall be constructed of brick or stone, or brick, stone, or stucco veneer, or of material equal in quality and appearance, and in no event shall the exterior walls of any residence or appurtenant buildings be constructed of wood or any composition material or asbestos shingles.

5. No building shall be moved from another location to any lot in said sub-division.

6. No animal or fowl shall be permitted to be kept upon any lot in said sub-division, except household pets.

7. No bill board or advertising sign shall be erected or maintained on any lot in this sub-division, nor shall any building or structure for advertising purposes be erected on any lot.

8. No garage or other outbuilding erected upon any lot shall be used for temporary residence purposes.

9. No noxious or offensive odors, and no loud, boisterous, or unusual noises, which would or might annoy occupants of other lots in said sub-division or the lands adjacent thereto, shall be maintained or permitted on any lot.

10. No outside toilet shall be permitted to be built upon any lot in this sub-division, and all sewerage, waste water, and refuse, shall be disposed of by adequate septic tanks or sanitary sewers, and all garbage, trash and waste shall be disposed of in such manner as not to be objectionable to the owners of, or residents on, the property adjacent to, or in the vicinity of each such lot.

11. The digging or drilling for oil, gas, or other minerals on any lot in this sub-division, or the producing of oil, gas, or other minerals from any lot therein, is forever prohibited.

All of the restrictions above set out shall be binding upon the purchaser of any lot described in the annexed plat, and upon his, her or their heirs, executors, administrators, devisees and assigns, and each such restriction shall continue until June 30, 1984, at which time said restrictions shall be automatically extended for successive periods of ten years unless by vote of the majority of the then owners of the lots in such sub-division, it is agreed to change said restrictions in whole or in part; provided, however, that any individual restriction above set out may be changed or modified by unanimous agreement of the owners and occupants of all of the lots in said sub-division.

Invalidation of any one of these covenants by a judgment of a Court of competent jurisdiction, shall in no wise affect any of the other restrictive covenants above set forth, and each and all of said remaining covenants and restrictions shall remain in full force and effect.

The restrictions and covenants herein contained shall be annexed to and run with the land, and the grantor herein or any owner of any part of the land described shall have the right to enforce each such restriction in any Court of competent jurisdiction, either by suit or by injunction, to prevent the violation of such restriction or restrictions, or to recover damages for violation thereof.

DATED this 30th day of June, A. D. 1954.

J. Frank Church  
J. Frank Church

STATE OF OKLAHOMA )  
WASHINGTON COUNTY ) SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 30th day of June, 1954, personally appeared J. Frank Church, a single man, to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that he executed the same as his free and voluntary act and deed, for the uses and purposes therein set forth.

NO. 40 & 8. 1954

(Seal)

Edwin M. Kule  
Notary Public

My commission expires August 10, 1957

CERTIFICATE OF APPROVAL

This is to certify that at a meeting of the Regional Planning Commission of the City of Bartlesville, Oklahoma, and the City Planning Commission for the City of Bartlesville, Oklahoma, held on the 30th day of June, A. D. 1954, the within and hereto attached Plat and Dedication of the Re-Plat of Tract 21, and the North 220 Feet of Tract 20, in Washington Highlands, Washington County, Oklahoma, as sub-divided by J. Frank Church, was approved by a majority of the Members of said Commissions.

DATED this 30th day of June, A. D. 1954.

ATTEST:

W. K. Jones  
Secretary

REGIONAL PLANNING COMMISSION OF THE CITY OF BARTLESVILLE, OKLAHOMA

By Dan T. Steel  
Chairman

J. E. McCormick  
by DPFAst. City Engineer

Owen Lueders  
Chairman of the Board of County Commissioners of Washington County, Oklahoma

Alvin V. Vaskin  
County Engineer of Washington County, Oklahoma

Chris Hubbs  
Member

W. Platt  
Member

Bill W. Jones  
Member

W. C. Harnett  
Member Mayor

STATE OF OKLAHOMA }  
Washington County } SS  
This instrument was filed for record  
JUL 12 1954  
at 9:10 o'clock A.M.  
CLYDE V. BEASOR, County Clerk  
BY Clyde V. Beasor DEPUTY