

RESTRICTIONS OF CASTOE HEIGHTS SECOND SUBDIVISION

WHEREAS Fred E. Trippett and Faye C. Trippett, his wife, and R. T. Montgomery and Kate A. Montgomery his wife and Everett Myers and Irene Myers his wife and Sherman E. Boling and Mildred C. Boling, his wife and Home Savings and Loan Association and Effie B. Simmons are the owners of the following described land situated in Washington County, State of Oklahoma, to-wit: E $\frac{1}{2}$  of SW $\frac{1}{4}$  of NE $\frac{1}{4}$  of SW $\frac{1}{4}$  and SE $\frac{1}{4}$  of NW $\frac{1}{4}$ , of NE $\frac{1}{4}$  of SW $\frac{1}{4}$  Sec. 4-26N-13E, and

WHEREAS all of said aboved named owners have caused said tracts of land to be subdivided into lots, blocks and streets or roads as shown on the above and foregoing plat,

NOW, THEREFORE, said named owners and as to their respective interests do hereby dedicate unto the perpetual use of the public, the streets or roads indicated in said foregoing plat of said land, said land so subdivided to be known as CASTOE HEIGHTS SECOND SUBDIVISION, in Washington County, State of Oklahoma.

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

Restrictions and Reservations

1. The lots described in said plat shall be known and used only as one family residential lots and no residence shall be erected thereon to exceed one and one-half stories in height; may have one or two car garage, either attached or detached. Each residence erected in said subdivision shall be connected to sanitary sewer lines or to a septic tank and no outdoor toilet shall be permitted.
2. No building shall be located nearer to the front lot line than the building set back lines shown on the recorded plat; and the front of any lot shall be deemed to be the shortest end thereof which faces on any street or road. No building shall be located nearer than 5 feet to any side lot line except that the side line restrictions shall not apply to a detached garage or other out-building located 60 feet or more from the front lot line.
3. The lots as shown on said plat shall not be subdivided. One story dwelling houses erected thereon shall have not less than 750 square feet of floor area exclusive of garages and porches. One and one-half story houses shall have a minimum ground floor area of 500 square feet. No structures shall be erected on any lots except structures built of standard milled lumber or superior materials such as stucco, brick, rock, tile or concrete. All residential structures constructed on any lots shall be erected by skilled craftsmen, regularly engaged in the craft or trade employed by them in the erection of such structures. All outside buildings must conform in design to the main house on the lot where located.
4. No noxious or offensive trade shall be carried on, on any of said property, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood. No business building of any type shall be erected thereon nor shall any commercial business be carried on at anytime. No person shall be permitted to keep livestock, chickens or other domestic fowl upon the premises.

STATE OF OKLAHOMA  
 COUNTY OF WASHINGTON  
 I, Notary Public,  
 do hereby certify that the foregoing is a true and correct copy of the original as recorded in my office on  
 10 40 1935  
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- 5. No trailer, basement, tent, shack, garage, barn or other outbuilding erected on said property shall at any time be used as a residence, temporary or permanent, nor shall any garage apartment be constructed or occupied by any person or persons upon said property.
- 6. No structure of any type shall be moved from another location and placed permanently on any lot in said subdivision.
- 7. An easement is hereby reserved for utility installation and maintenance on the areas as indicated for easements on the plat of said subdivision.
- 8. 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 subdivision 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.
- 9. All lots in said subdivision shall be held or conveyed subject to any rights of way or easements heretofore granted across said tract and to any oil and gas leases or mineral reservations in effect at the time of conveyance.

IN WITNESS WHEREOF, the said parties above named have hereunto set their hands, this 25 day of October, 1955.

|   |                          |
|---|--------------------------|
| <u>Fred E. Trippett</u>                                     | <u>Everett Myers</u>     |
| <u>Faye C. Trippett</u>                                     | <u>Irene Myers</u>       |
| <u>R. T. Montgomery</u>                                     | <u>Sherman E. Boling</u> |
| <u>Kate A. Montgomery</u>                                   | <u>Mildred C. Boling</u> |
| HOME SAVINGS AND LOAN ASSOCIATION<br><u>By A. R. Carter</u> | <u>Effie B. Simmons</u>  |

STATE OF OYLAHONA )  
COUNTY OF WASHINGTON ) SS.

Before me a Notary Public in and for said County and State, on this 25 day of October 1955 personally appeared Fred E. Trippett and Faye C. Trippett his wife; R. T. Montgomery and Kate A. Montgomery, his wife; Everett Myers and Irene Myers, his wife; Sherman E. Boling and Mildred C. Boling, his wife, A. R. CARTER for Home Savings and Loan Association; and Effie B. Simmons to me known to be the identical persons who executed the within and foregoing instrument and acknowledged to me th t they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

Paul Servage  
Notary Public

My Commission expires January 2 1958