

CGS-2-LWTM

**DEED OF DEDICATION AND RESTRICTIVE COVENANTS
KNOW ALL MEN BY THESE PRESENTS:**

JIMMY D. ROBERTS, MEMBER/MANAGER OF BLACK DOG PROPERTIES, L.L.C., AN OKLAHOMA LIMITED LIABILITY CORPORATION, HEREIN REFERRED TO AS "OWNER" BEING THE SOLE OWNER OF FOLLOWING DESCRIBED REAL ESTATE SITUATED IN WASHINGTON COUNTY, STATE OF OKLAHOMA, TO WIT:

THE NORTH HALF (N/2) OF THE SOUTH HALF (S/2) OF THE NORTH WEST QUARTER (NW/4), SECTION TWENTY TWO (SEC. 22), TOWNSHIP TWENTY FOUR NORTH (T-24-N), RANGE THIRTEEN EAST (R-13-E) INDIAN BASE AND MERIDIAN, WASHINGTON COUNTY, STATE OF OKLAHOMA, AND CONTAINING 39,909 ACRES MORE OR LESS.

LESS AND EXCEPT A TRACT OF REAL ESTATE RECORDED IN DEED RECORD 56, PAGE 523, IN WASHINGTON COUNTY, OKLAHOMA, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 1/2 FEET EAST OF THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 22, TOWNSHIP 24 NORTH, RANGE 13 EAST; THENCE EAST 13.7 FEET; THENCE IN A SOUTHERLY DIRECTION TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 22, 34.4 FEET EAST OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 FEET; THENCE IN A NORTHERLY DIRECTION PARALLEL TO THE SECOND LINE TO THE POINT OF BEGINNING, CONTAINING 48/100 ACRES, MORE OR LESS.

* APPARENT INTENT TO BE SECTION LINE
SAID PROPERTY SUBJECT TO ANY EASEMENTS AND/OR RIGHT-OF-WAYS OF RECORD.
PLAT CONTAINS 30 LOTS IN BLOCK 1, AND CONTAINS 39,909 ACRES MORE OR LESS.

AND HAS CAUSED THE SAME TO BE SURVEYED, STAKED AND PLATTED INTO LOTS, BLOCKS AND STREETS IN CONFORMANCE WITH THE PLAT HEREIN CONTAINED, AND HAS CAUSED THE SAME TO BE NAMED "FOXFIELD II" THE OWNER HEREBY GUARANTEES TITLE TO EASEMENTS AND RIGHTS OF WAY SHOWN ON THE PLAT FOR THE PUBLIC, FOR PUBLIC USE FOR WATER, TELEPHONE, CABLE TELEVISION, GAS, ELECTRIC, POWER LINES, AND TRANSPORTATION PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING OR REPLACING SUCH UTILITIES AND UNDERMINES TOGETHER WITH ALL FITTINGS AND EQUIPMENT FOR EACH OF SUCH UTILITIES AND ANY OTHER APURTENANCES THERETO WITH THE RIGHT OF INGRESS AND EGRESS TO AND UPON SAID EASEMENTS AND RIGHTS-OF-WAY FOR THE USES AND PURPOSES THEREOF.

**SECTION 1
STREETS, RIGHTS-OF-WAY, EASEMENTS AND UTILITIES**

GENERAL RIGHTS-OF-WAY AND UTILITY EASEMENTS
THE OWNER DOES HEREBY DEDICATE FOR PUBLIC USE FOREVER THE STREETS, RIGHTS-OF-WAY UTILITY EASEMENTS AND RESERVES AS DESIGNATED AND SHOWN ON THE ACCOMPANYING PLAT FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING ANY AND ALL PUBLIC UTILITIES, INCLUDING, SANITARY SEWER, TELEPHONE LINES, CABLE TELEVISION LINES, ELECTRIC POWER LINES AND TRANSPORTATION LINES, AND WATER LINES, TOGETHER WITH ALL FITTINGS AND EQUIPMENT FOR EACH OF SUCH UTILITIES INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS, AND ANY OTHER APPURTENANCES THERETO, WITH RIGHT OF INGRESS AND EGRESS TO SAID EASEMENTS FOR THE USE OF AND PURPOSES FORESAID PROVIDED.

HOWEVER, THAT THE UNDERSIGNED OWNER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RELAY WATER LINES, AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER, ACROSS AND ALONG ALL OF THE EASEMENT AREAS INCLUDED WITH THE PLAT; PAVEMENTS OF LANDSCAPE REPAIR WITHIN RESTRICTED AND SANITARY SEWERS, TELEPHONE LINES, CABLE TELEVISION LINES, ELECTRIC POWER LINES, WATER LINE, SANITARY SEWER LINE, UTILITY EASEMENTS, OR RESERVE AREAS AS A RESULT OF WATER OR SEWER LINE OR OTHER UTILITY REPAIRS DUE TO BREAKS AND FAILURES SHALL BE BORNE BY THE OWNER OF THE LOTS, NO BUILDING, STRUCTURES, OR OTHER ABOVE OR BELOW GROUND OBSTRUCTIONS, THAT WILL INTERFERE WITH THE FORESAID SHALL BE PLACED, ERECTED, INSTALLED OR PERMITTED UPON THE EASEMENTS OR RIGHTS-OF-WAY AS SHOWN.

**SECTION 1
COVENANTS AND RESTRICTIONS**

WHEREAS, THE OWNER DESIRES TO ESTABLISH RESTRICTIONS FOR THE PURPOSE OF PROVIDING FOR AN ORDERLY DEVELOPMENT AND TO INSURE ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE OWNER, ITS SUCCESSORS AND ASSIGNS.

THEREFORE, THE OWNER DOES HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS, WHICH SHALL BE COVENANTS RUNNING WITH THE LAND, AND SHALL BE BINDING UPON THE OWNER, HIS SUCCESSORS AND ASSIGNS:

A. USE OF LAND
1. ALL LOTS SHALL BE KNOWN AND DESCRIBED AS RESIDENTIAL LOTS AND SHALL BE USED FOR SINGLE FAMILY RESIDENCES ONLY.

AMENDED "FOXFIELD II"
WASHINGTON COUNTY, STATE OF OKLAHOMA
TOTAL ACRES: 39,909 ACRES
TOTAL LOTS: 30 LOTS

B. SINGLE FAMILY RESTRICTIONS

1. REQUIRED YARDS

A) NO BUILDING SHALL BE ERRECTED OR MAINTAINED NEARER TO THE FRONT OR REAR LOT LINES THAN THE BUILDING SETBACK LINES SHOWN ON THE ACCOMPANYING PLAT.
B) ALL LOTS DESIGNATED FOR SINGLE FAMILY USE SHALL HAVE ONE SIDE YARD OF NOT LESS THAN 20 FEET AND ONE SIDE YARD OF NOT LESS THAN 8 FEET.

2. AREA-OF-SINGLE FAMILY DWELLINGS

A) DWELLING FLOOR AREA, SQUARE FEET
ALL SINGLE FAMILY DWELLINGS TO BE A MINIMUM OF 1300 SQUARE FEET.
B) DWELLING SHALL BE NEW CONSTRUCTED HOUSES OR NEW DOUBLE WIDE MANUFACTURED HOMES MEETING CODE WITH PERMANENT FOUNDATION AND MASONRY (BRICK AND/OR ROCK) SKIRTING. ALL TRAILER WHEELS AND TRAILER TONGUES SHALL BE REMOVED.

3. NOXIOUS ACTIVITY

NO NOXIOUS OR OFFENSIVE TRADE OR ACTIVITY SHALL BE CARRIED ON UPON ANY LOT, NOR SHALL ANY TRASH, ASHES OR OTHER REFUSE BE THROWN, PLACED OR DUMPED UPON ANY VACANT LOT, NOR SHALL ANYTHING EVER BE DONE WHICH MAY BE OR BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.

4. EXISTING STRUCTURE

A) NO SINGLE-WIDE MOBILE HOMES OR PREVIOUSLY USED HOMES OF ANY KIND MAY BE MOVED ONTO OR PLACED ON ANY LOT.
B) NEWLY CONSTRUCTED BARN AND OUTBUILDINGS WILL BE ALLOWED.

5. TEMPORARY STRUCTURE

NO TRAILER, TENT, SHACK, GARAGE, BARN OR OUTBUILDING SHALL BE AT ANY TIME USED FOR HUMAN HABITATION, TEMPORARY OR PERMANENTLY, NOR SHALL ANY STRUCTURE OF A TEMPORARY NATURE IS USED FOR HUMAN HABITATION.

6. VEHICLE STORAGE AND PARKING

NO INOPERABLE VEHICLE SHALL BE STORED ON ANY LOT AND NO TRAILER, MOTOR HOME, BOAT TRAILER, OR TRAVEL TRAILER, OR ANY VEHICLES (ALL TERRAIN VEHICLES) SHALL BE LOCATED, PARKED OR STORED WITHIN A FRONT YARD FOR LONG TERM STORAGE. PASSENGER VEHICLES ON THE SURFACED DRIVEWAY.

7. SEVERABILITY

INVALIDATION OF ANY RESTRICTION SET FORTH HEREIN OR ANY PART THEREOF BY AN ORDER, JUDGMENT, OR DECREE OF ANY COURT, OR OTHERWISE, SHALL NOT INVALIDATE OR AFFECT ANY OF THE OTHER RESTRICTIONS OR ANY PART THEREOF AS SET FORTH HEREIN, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

THESE RESTRICTIONS SHALL RUN WITH THE LAND AND SHALL BE BINDING UPON ALL PERSONS CLAIMING UNDER THEM UNTIL DECEMBER 15, 2024, AT WHICH TIME, THEY SHALL AUTOMATICALLY BE EXTENDED FOR SUCCESSIVE PERIODS OF TEN YEARS UNLESS REVOKED BY A MAJORITY OF THE PROPERTY OWNERS. IF ONE OF THE PARTIES HERETO, OR ANY OF THEM, OR THEIR HEIRS OR ASSIGNS, SHALL VIOLATE OR ATTEMPT TO VIOLATE ANY OF THE PROVISIONS HEREIN, IT SHALL BE LAWFUL FOR ANY OTHER PERSON WHO HAS ANY INTEREST IN SAID LAND OR IN EQUITY AGAINST PERSON OR PERSONS PROSECUTING ANY PROCEEDINGS AT LAW OR IN EQUITY AGAINST PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH RESTRICTIONS AND EITHER PRESENT HIM FROM SO DOING OR RECOVER DAMAGES OR OTHER DUES FROM SUCH VIOLATION.

9. NO BUSINESS, TRADE OR COMMERCIAL ACTIVITY SHALL BE CARRIED ON UPON ANY RESIDENTIAL LOT.

10. MODULAR HOMES

A MODULAR HOME MAY BE PLACED IN AN AG, AT OR R DISTRICT IN ACCORDANCE WITH OTHER PROVISIONS OF THESE REGULATIONS AND THE FOLLOWING REQUIREMENTS:

THE MODULAR HOME SHALL BE PLACED ON A PERMANENT MASONRY FOUNDATION WALL, UNDER ALL EXTERIOR WALLS, ENCLOSED, EXCEPT FOR NECESSARY OPENINGS FOR ACCESS AND VENTILATION, NOT TO EXCEED 10 PERCENT OF THE FOUNDATION WALL.

THE COMPLETED UNIT SHALL HAVE A WIDTH (LEAST DIMENSION) OF TWENTY (20) FEET OR OVER THE MAIN BODY OF THE UNIT MUST BE AT LEAST FORTY (40) FEET IN LENGTH.

THE EXTERIOR FINISH SHALL BE OF A FLAT VARIETY, NOT CREATING EXCESSIVE REFLECTION.

ANY FENCING SHALL BE CONSISTENT WITH A RESIDENTIAL ATMOSPHERE AND OF NEW CONSTRUCTION. ALL YARD FENCES, ABUTTING AND PARALLEL TO STREETS SHALL BE OF A DECORATIVE NATURE, SUCH AS WOOD, BRICK, STONE, STUCCO OR WROUGHT IRON.

INDIVIDUAL SEWAGE DISPOSAL SYSTEMS ON EACH LOT MUST CONFORM TO MINIMUM DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) REGULATIONS AND SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE RECOMMENDATIONS DESCRIBED AS A RESULT OF PERCOLATION TEST.

NO MORE THAN ONE (1) LARGE ANIMAL PER ACRE SHALL BE RAISED, BREED OR KEPT ON ANY LOT EXCEPT FOR A TOTAL OF THREE (3) HOUSEHOLD PETS, AND THE YOUNG OF SUCH PETS, PROVIDED THAT NO MORE THAN THREE (3) ADULT DOGS SHALL BE MAINTAINED ON ANY LOT. ALL ANIMALS MUST BE FENCED IN OR KEPT ON A LEASH. NO ANIMAL SHALL BE PERMITTED ON ANY LOT, WHICH DOES NOT CONTAIN A DWELLING TO BE USED AS A RESIDENCE.

ALL LOTS IN "FOXFIELD II" SHALL BE SUBJECT TO A LIEU FOR DUES AND ASSESSMENTS IMPOSED BY THE FOXFIELD II PROPERTY OWNERS ASSOCIATION, INC. ANY AND ALL DUES AND DUES OR ASSESSMENTS MAY BE FORECLOSED AS ANY OTHER LIEN ON REAL ESTATE. THE LIEU SHALL ALSO INCLUDE THE COST OF ANY FEES THEY ARE IMPOSED. IF DUES AND FEES ARE NOT PAID WITHIN THIRTY (30) DAYS AFTER THEY ARE IMPOSED.

OWNER AND DEVELOPER
JIMMY D. ROBERTS
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BLACK DOG PROPERTIES, L.L.C.
SKATOOK, OKLAHOMA 74070
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HOME: 918-396-3608

SURVEYOR
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ENGINEER
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County of WASHINGTON
WASHINGTON County Clerk
H. PARRISH



FINAL PLAT
AMENDED "FOXFIELD II"
WASHINGTON COUNTY, OKLAHOMA
AMENDED PLAT ISSUED: APRIL 11, 2005

PLAT NO. SHEET 2 OF 3

BK 11028 PG 1175

AMENDED 'FOXFIELD II'
THE N/2 OF THE S/2 OF SECTION 22, TOWNSHIP 24 NORTH, RANGE 13 EAST,
WASHINGTON COUNTY, STATE OF OKLAHOMA

TOTAL ACREAGE: 38.808 ACRES
TOTAL LOTS: 30 LOTS

CONSENT OF OWNERS TO PLATTING OF SUBDIVISION
IN WITNESS WHEREOF, BEING THE OWNERS(S) IN FEE SIMPLE TITLE OF ALL REAL PROPERTY DESCRIBED ON THIS PLAT AND BEING THE DULY AUTHORIZED OFFICERS OF BLACK DOG PROPERTIES, L.L.C., AN OKLAHOMA LIMITED LIABILITY CORPORATION, DOES HEREBY CONSENT TO THE PLATTING OF SAID REAL PROPERTY AS FOLLOWS:
AND HAVE EXECUTED THIS INSTRUMENT THIS 7th DAY OF April 2005

BLACK DOG, LLC
AN OKLAHOMA LIMITED LIABILITY CORPORATION

BY Jimmy D. Roberts
JIMMY D. ROBERTS, MEMBER/MANAGER

STATE OF OKLAHOMA)
COUNTY OF OSAGE) SS

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY OF April, 2005, PERSONALLY APPEARED JIMMY D. ROBERTS, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THE NAME OF THE FOREGOING INSTRUMENT AS ITS MEMBER/MANAGER 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.

GIVEN UNDER MY HAND AND SEAL THE DAY AND YEAR FIRST ABOVE WRITTEN.

April 01 2007 Phillip A. Mastay
NOTARY PUBLIC

CERTIFICATE OF SURVEY
I, A. B. WATSON, JR., A REGISTERED PROFESSIONAL LAND SURVEYOR, IN THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBMITTED, AND PLAYED THE TRACT OF LAND ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED HEREIN AS 'FOXFIELD II' A SUBDIVISION IN WASHINGTON COUNTY, STATE OF OKLAHOMA, IS A TRUE REPRESENTATION OF THE SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED PRACTICES AND METHODS OF THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING.

Phillip A. Mastay
A. B. WATSON, JR., R.L.S. NO. 1057
WATSON SURVEYING CO., INC.
SKIATOOK, OKLAHOMA 74070
PHONE: 918-396-3214
C.A. NO. 1058 EXP. 06-30-05

STATE OF OKLAHOMA)
COUNTY OF OSAGE) SS

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY OF April, 2005, PERSONALLY APPEARED JIMMY D. ROBERTS, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO EXECUTED THE 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.

GIVEN UNDER MY HAND AND SEAL THE DAY AND YEAR LAST ABOVE WRITTEN.

April 01 2007 Phillip A. Mastay
NOTARY PUBLIC

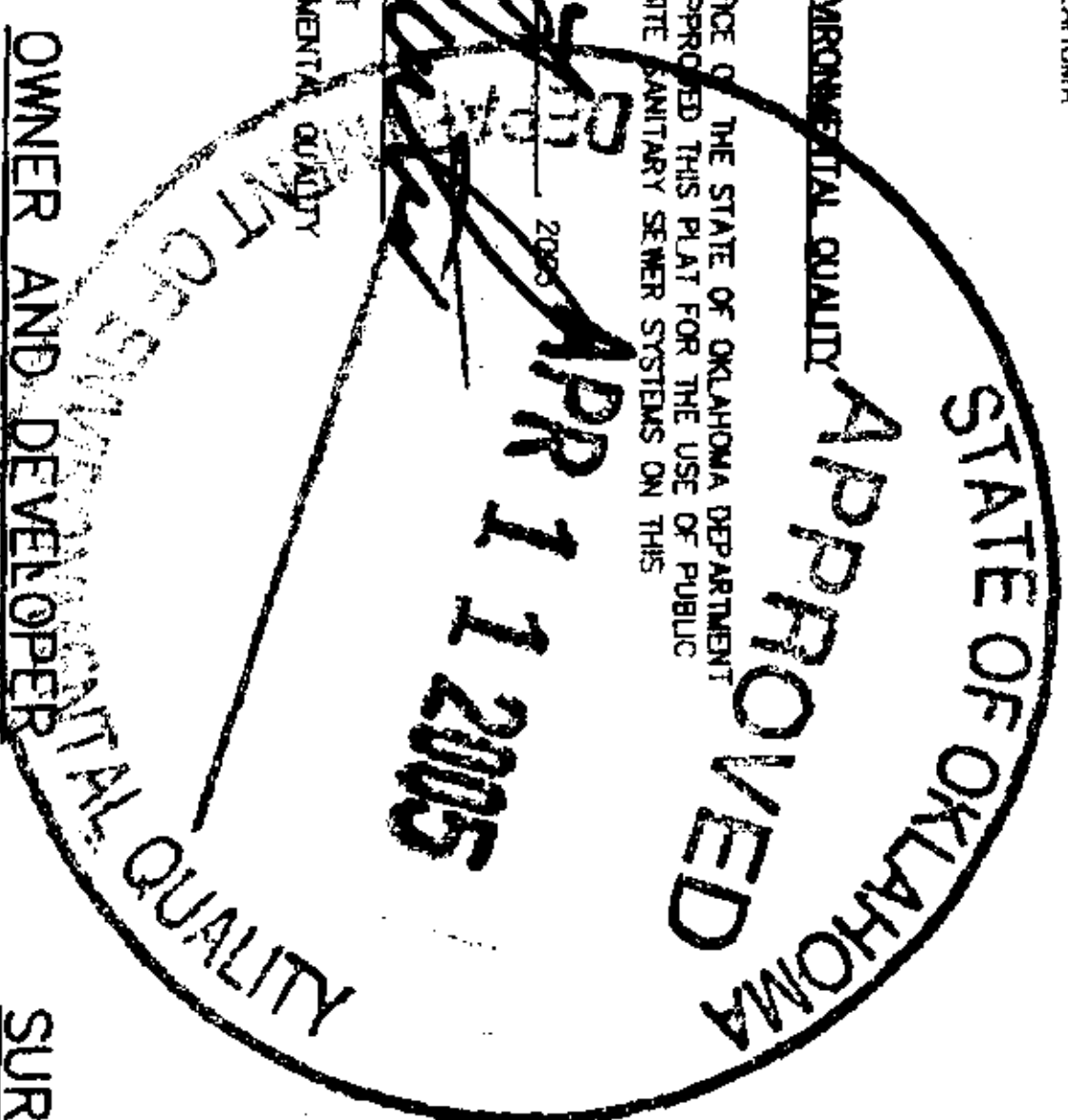
CERTIFICATION OF APPROVAL - FINAL PLAT
ACCEPTANCE OF DEDICATION BY
BOARD OF COMMISSIONERS, WASHINGTON COUNTY, STATE OF OKLAHOMA
BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF WASHINGTON COUNTY, STATE OF OKLAHOMA, THAT THE DEDICATIONS SHOWN ON THE ATTACHED PLAT OF 'FOXFIELD II' IS PRIVATELY MAINTAINED AND OPERATED BY THE ROAD IN 'FOXFIELD II' SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF SAID ROAD.
ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY, STATE OF OKLAHOMA, THIS 4th DAY OF April 2005.

Steve Adelman Stina Q. Hender
LINDA D. HENDER, COUNTY COMMISSIONER
DISTRICT NUMBER 2
WASHINGTON COUNTY, STATE OF OKLAHOMA

James Sheitz Marvin Lewis
JAMES SHEITZ, COUNTY COMMISSIONER
DISTRICT NUMBER 3
WASHINGTON COUNTY, STATE OF OKLAHOMA

CERTIFICATION OF APPROVAL
OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

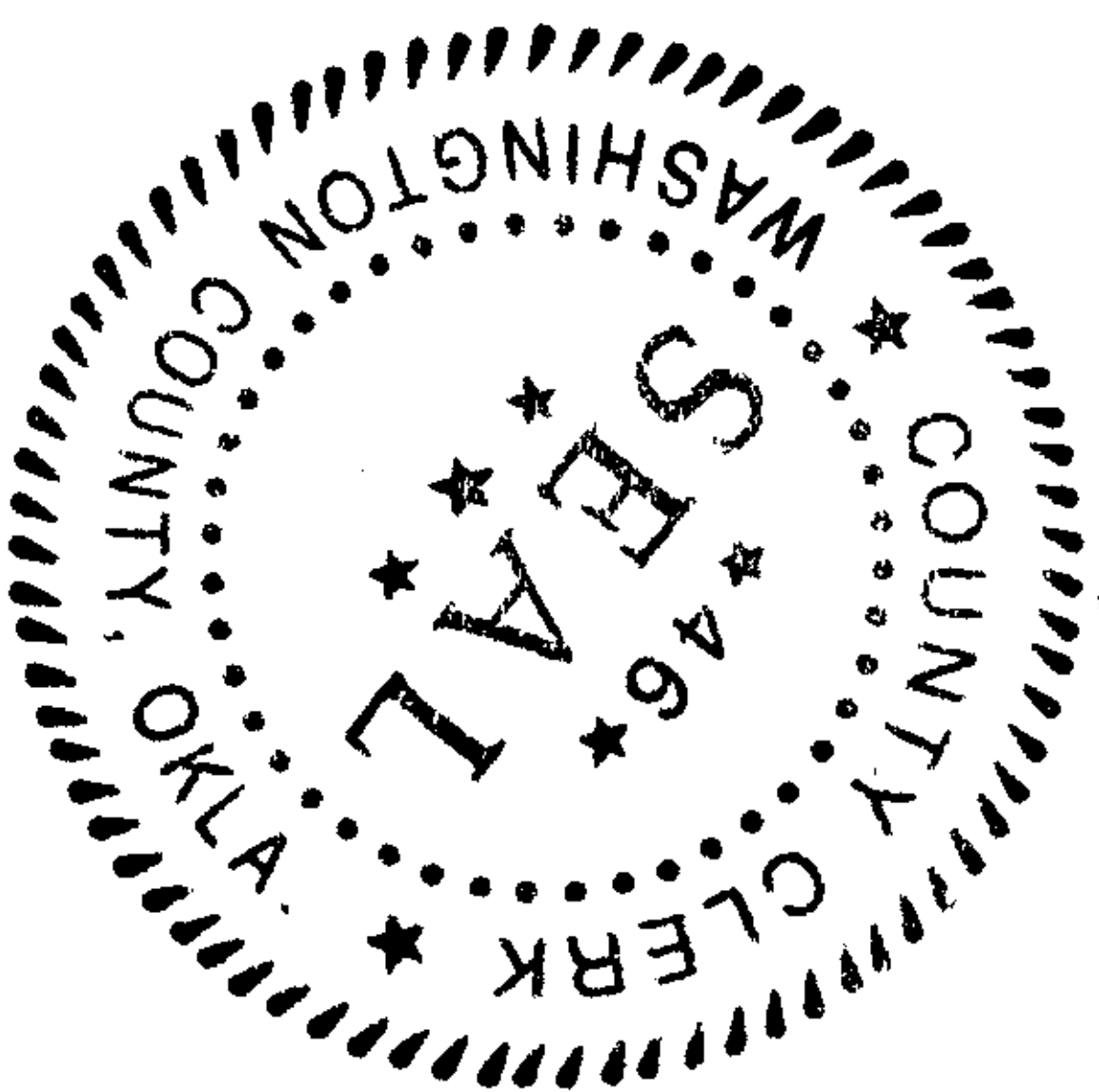
THE OFFICE OF THE STATE OF OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY HAS APPROVED THIS PLAT FOR THE USE OF PUBLIC POTABLE WATER SYSTEMS AND ON-SITE SANITARY SEWER SYSTEMS ON THE DATE OF APR 1 1 2005



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BK1028PG1176

FINAL PLAT
AMENDED 'FOXFIELD II'
WASHINGTON COUNTY, OKLAHOMA
AMENDED PLAT ISSUED: APRIL 11, 2005