



RESTRICTIONS AND RULES

OF

SMOKERISE

AN ADDITION TO WASHINGTON COUNTY, OKLAHOMA

WHEREAS JDD LAND AND CATTLE COMPANY, LLC, hereinafter known as "Declarant" is the owner of the following described land situate in Washington County, Oklahoma, more particularly described as follows, to-wit:

See Attached Exhibit "A"

WHEREAS, Declarant has caused said lands to be divided into tracts (collectively known as "Smokerise") in order to develop said land into an organized residential development; and

WHEREAS, it is the intention of Declarant that certain Restrictive Covenants and rules be imposed upon the above-described land.

NOW THEREFORE, pursuant to the terms and conditions stated herein, the following Restrictive Covenants and Rules are hereby imposed on the land above-described:

1. Only single family, residential homes and associated buildings (as restricted below) may be built on any tract within Smokerise. No manufactured or mobile homes allowed.
2. Minimum size of any home built on a tract within Smokerise shall be 2500 square feet of living space.
3. Any outbuildings, detached garages, sheds, or similar buildings shall have the same design and be made up of similar basic materials as the residence on the same tract.
4. No visible business activity shall be permitted. Business activity is permitted within the home so long as the activity does not involve regular visitation by clients/customers, and so long as the business activity does not interfere with the use of common areas, threaten the security or safety of or disrupt the quiet enjoyment of any permitted activity of the fellow owners of property and guests within Smokerise.
5. No door to door solicitation is permitted.
6. No structures, temporary or permanent, shall be placed any nearer than 30 feet from the property lines of each tract or within 30 feet of any platted easement.

Provided as a courtesy by Southern Abstract Company

BK 1181 PG 1724

7. All recreational vehicles, boats, RVs, tractors or similar implements must be stored inside a garage or outbuilding.
8. Once acquired by parties other than Declarant, no tract may be subdivided into smaller tracts.
9. No livestock is allowed on any tracts, except a reasonable number of dogs, cats or other usual and common household pets may be permitted on each tract, provided that any dog shall be kept on a leash or otherwise confined in a manner acceptable to the Declarant, its successors and/or assigns.
10. Within Smokerise there are certain common areas that certain owners of land within Smokerise shall have ability to access for ingress/egress and permitted usage therein. Maintenance costs, including road maintenance, shall be shared equally by all owners of tracts within Smokerise that are contiguous to such road. Any scheduled maintenance of the common areas shall be presented to all relevant owners within Smokerise and shall not be commenced unless 75% of all such owners of Smokerise agree that such maintenance is necessary to common enjoyment of Smokerise by such owners.
11. Each owner of a tract within Smokerise shall have one (1) vote per tract no matter if ownership in that tract is vested in one individual or multiple individuals or entities. (one tract = one vote)
12. Declarant reserves the right to amend the plat and add additional tracts for future development.


Unless terminated as provided herein, these Restrictions and Rules shall have a perpetual duration, unless otherwise provided by Oklahoma law, and shall be binding on all owners of tracts within Smokerise. Delivery and acceptance of any property within Smokerise constitutes an agreement by the record owners to be bound by these Restrictions and Rules.

These Restrictions and Rules may be amended, modified, terminated or have a variance granted by a majority vote of all tract owners within Smokerise – voting as provided for in paragraph 11 hereinabove. Any amendment, modification or termination of these Restrictions and Rules shall be done so in writing and filed of record in the office of the Washington County Clerk, Bartlesville, Oklahoma.

These restrictions may be enforced by the undersigned, its successors and or assigns.

Executed this 25th day of August, 2020.

JDD LAND AND CATTLE, LLC


MANAGER

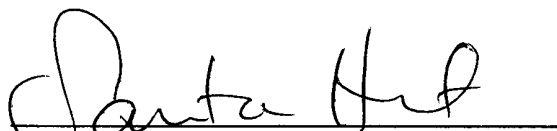
BK 181PG1726

STATE OF OKLAHOMA)
) SS
COUNTY OF WASHINGTON)

Before me, a notary public in and for said county and state, on this 25 day of AUGUST, 2020, personally appeared David M. Delahay as Manager of JDD LAND AND CATTLE, LLC, to me known to be the identical person who subscribed the name of the maker thereof to this instrument and acknowledged to me that he executed the same as his free and voluntary act and deed, and the free and voluntary act and deed of such company for the uses and purposes therein set forth.

(SEAL)

SAMANTHA HUNT
NOTARY PUBLIC - STATE OF OKLAHOMA
MY COMMISSION EXPIRES MAR 07, 2021
COMMISSION #17002240


Notary Public

Commission Expires: 03/07/2021

394375 W. 2400 RD
BARTLESVILLE OK 74006

Exhibit "A"

To the restrictions and rules of SMOKRISE an addition to Washington County, Oklahoma

A TRACT OF LAND IN THE SOUTHWEST QUARTER (SW/4) OF SECTION 5, TOWNSHIP 25 NORTH, RANGE 13 EAST OF THE INDIAN MERIDIAN, WASHINGTON COUNTY, OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SW/4; THENCE N00°51'27"W ALONG THE WEST LINE OF SAID SW/4 A DISTANCE OF 1079.86 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN BOOK 1137, PAGE 3873 AT THE WASHINGTON COUNTY CLERK'S OFFICE; THENCE LEAVING SAID WEST LINE, N88°52'01"E ALONG THE SOUTH LINE OF SAID TRACT OF LAND DESCRIBED IN BOOK 1137, PAGE 3873 A DISTANCE OF 499.69 FEET TO THE SOUTHEAST CORNER OF SAID TRACT OF LAND DESCRIBED IN BOOK 1137, PAGE 3873; THENCE N00°51'27"W ALONG THE EAST LINE OF SAID TRACT OF LAND DESCRIBED IN BOOK 1137, PAGE 3873 A DISTANCE OF 466.69 FEET TO THE NORTHEAST CORNER OF SAID TRACT OF LAND DESCRIBED IN BOOK 1137, PAGE 3873 AND ALSO BEING A POINT ON THE SOUTH LINE OF A TRACT OF LAND DESCRIBED IN BOOK 1171, PAGE 1678 AT THE WASHINGTON COUNTY CLERK'S OFFICE; THENCE N88°52'01"E ALONG THE SOUTH LINE OF SAID TRACT OF LAND DESCRIBED IN BOOK 1171, PAGE 1678 A DISTANCE OF 26.06 FEET TO THE SOUTHEAST CORNER OF SAID TRACT OF LAND DESCRIBED IN BOOK 1171, PAGE 1678; THENCE N00°51'27"W ALONG THE EAST LINE OF SAID TRACT OF LAND DESCRIBED IN BOOK 1171, PAGE 1678 A DISTANCE OF 264.00 FEET TO THE NORTHEAST CORNER OF SAID TRACT OF LAND DESCRIBED IN BOOK 1171, PAGE 1678 AND ALSO BEING A POINT ON THE SOUTH LINE OF A TRACT OF LAND DESCRIBED IN BOOK 1028, PAGE 769 AT THE WASHINGTON COUNTY CLERK'S OFFICE; THENCE N88°52'01"E ALONG THE SOUTH LINE OF SAID TRACT OF LAND DESCRIBED IN BOOK 1028, PAGE 769 A DISTANCE OF 792.86 FEET TO THE SOUTHEAST CORNER OF SAID TRACT OF LAND DESCRIBED IN BOOK 1028, PAGE 769; THENCE S73°21'54"E A DISTANCE OF 995.96 FEET; THENCE S00°21'21"E A DISTANCE OF 113.76 FEET; THENCE S04°26'47"W A DISTANCE OF 789.10 FEET; THENCE S32°07'15"E A DISTANCE OF 557.02 FEET; THENCE S01°05'27"E A DISTANCE OF 131.80 FEET TO A POINT ON THE SOUTH LINE OF SAID SW/4, SAID POINT BEING S88°54'33"W A DISTANCE OF 153.01 FEET FROM THE SOUTHEAST CORNER OF SAID SW/4; THENCE S88°54'33"W ALONG SAID SOUTH LINE A DISTANCE OF 506.29 FEET TO THE SOUTHEAST CORNER OF THE E/2 SW/4 SE/4 SW/4 OF SAID SECTION 5; THENCE N00°51'27"W ALONG THE EAST LINE OF SAID E/2 SW/4 SE/4 SW/4 A DISTANCE OF 659.37 FEET TO THE NORTHEAST CORNER OF SAID E/2 SW/4 SE/4 SW/4; THENCE S88°53'42"W ALONG THE NORTH LINE OF SAID E/2 SW/4 SE/4 SW/4 A DISTANCE OF 329.65 FEET TO THE NORTHWEST CORNER OF SAID E/2 SW/4 SE/4 SW/4; THENCE S00°51'27"E ALONG THE WEST LINE OF SAID E/2 SW/4 SE/4 SW/4 A DISTANCE OF 659.29 FEET TO THE SOUTHWEST CORNER OF SAID E/2 SW/4 SE/4 SW/4 AND ALSO BEING A POINT ON THE SOUTH LINE OF SAID SW/4; THENCE S88°54'33"W ALONG SAID SOUTH LINE A DISTANCE OF 1648.26 FEET TO THE POINT OF BEGINNING, CONTAINING 78.24 ACRES, MORE OR LESS.

BK 1181 PG 1727