

first



3

**PROTECTIVE COVENANTS
OF**

Tracts "B", "C", "D", "E", "F", and "G" all located in the Southwest Quarter (SW/4) of Section Twenty-three (23), Township Twenty-three (23) North, Range Eight (8) West I.M., Garfield County as shown on the Survey attached hereto as Exhibit "1"

SAID TRACTS DESCRIBED ABOVE WILL BE REFERRED TO AS THE
TRACTS IN THE REMAINDER OF THIS DOCUMENT

FOR THE PURPOSE of providing for the orderly development of the Tracts listed above in Garfield County, Oklahoma, and for the further purpose of providing adequate restrictive covenants for the mutual benefit of themselves and their successors in title to the Tracts; David Alan Hudgins and Kimberley Renaye Hudgins, being the sole owners of all of the Tracts hereby impose the following restrictions and reservations, to which it shall be incumbent upon their successors to adhere. Any person or persons, corporation or corporations, partnership or partnerships, hereafter becoming the owner or owners, either directly or through a subsequent transfer, or in any manner whatsoever, of any of the Tracts shall take, hold, and convey the same subject to the following restrictions, to wit:

1. All tracts within the said tracts shall be known and designated primarily as residential building plots. No structures shall be erected, altered, placed, or permitted to remain on any tract other than single family dwellings, not to exceed two (2) stories in height with a private garage and other outbuildings incidental to residential use of the plot. All structures shall be built on slab or basement foundations.
2. All Tracts must be kept free from trash, rubbish, excess weeds immediately surrounding a residence, salvage automobiles, machinery, or other unsightly materials. This restriction also applies to the purchaser of any tract being purchased on a time-payment contract for deed. Any owner of any Tract has the power to have the same cut, cleaned up, and removed, and charge the actual cost thereof to the owner of the Tract.
3. No owner shall allow tractors over 60 H.P. trailer houses, trailers, except for horse trailer, boat, or fifth-wheel trailer for personal use, or other vehicles larger than what is commonly referred to as pick-up truck size, to be parked on or about premises, unless garaged, except during the construction period. With the exception of vehicles loading and unloading, no commercial type vehicle shall be parked in the area unless garaged. No owner of any Tract in the said tracts shall allow any vehicle or machinery to remain on or about his premises when the same is what is commonly referred to as junk, salvage, or major farm equipment.
4. After construction has begun upon any Tract herein, it must be completed within a twenty-four (24) month period from date of beginning.
5. Any and all sewage disposal systems upon any Tract herein must be installed and maintained in accordance with any existing laws of the State of Oklahoma and the State Health Department or any other municipality of government which might apply hereto.

16-
10-
5

6. No commercial business, including home occupations, trade, or activity, shall be carried on upon residential tract unless such use is in addition to residential purposes (no commercial-only use of a Tract). The term "commercial business" shall include short-term leasing or renting of structures.
7. Horses, cattle, lamas, calves, goats or sheep may be kept provided there is a maximum of only ten (10) total animals kept at any one time, per 10 acres. Pigs may be kept provided there is a maximum of only five (5) total pigs kept at any one time, per ten (10) acres. No other livestock shall be raised, bred, or kept on any residential tract. No noxious or offensive activity shall be carried on upon any tract, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.
8. No structure of a temporary character, trailer, basement, tent, shack, garage, barn, or other outbuildings shall be erected on any parcel at any time as a residence, either temporarily or permanently. The owner of a Tract may place a recreational vehicle, RV, or travel trailer for living during construction of a residence which shall not exceed twenty-four (24) months.
9. No mobile homes will be allowed.
10. No existing structure shall be moved onto any tract and all construction shall be of new material, except that it may be permissible to utilize used brick for architectural effects, and used material on the interior, where it is used strictly for decorative purposes or to carry out other architectural effects.
11. The main floor of any structure, exclusive of open porches and garages and other outbuildings, shall not be less than 1,800 square feet. All story-and-one-half and two-story structures shall have a minimum of main floor area of 1,600 square feet and 200 square feet upstairs.
12. No dwelling shall be erected or placed on any Tract that does not meet the minimum construction requirements of the then current Federal Housing Administration regulations applying to Enid, Oklahoma.
13. No residence or outbuilding on the property shall be permitted on the easements reserved for utilities or drainage, or where utilities are actually located.
14. All private roadways which adjoin or intersect the public roads within the said tracts must be constructed of at least gravel material or better from the point of intersection to termination. Roadways must be fully maintained and remain in good visible condition.
15. The ingress and egress roads (as granted through separate Easement filed of record) serving Tracts "E", "F", and "G" shall be privately owned. All owners ("C", "D", "E", "F", and "G") therein shall have the general right of access on, over, and through such roads. The owners of all Tracts shall have the responsibility of maintaining the private roads which shall serve all of the tracts in common, maintaining the areas adjacent to such roads in an attractive condition, maintaining drainage areas, mowing weeds and removing debris. The expense thereof shall

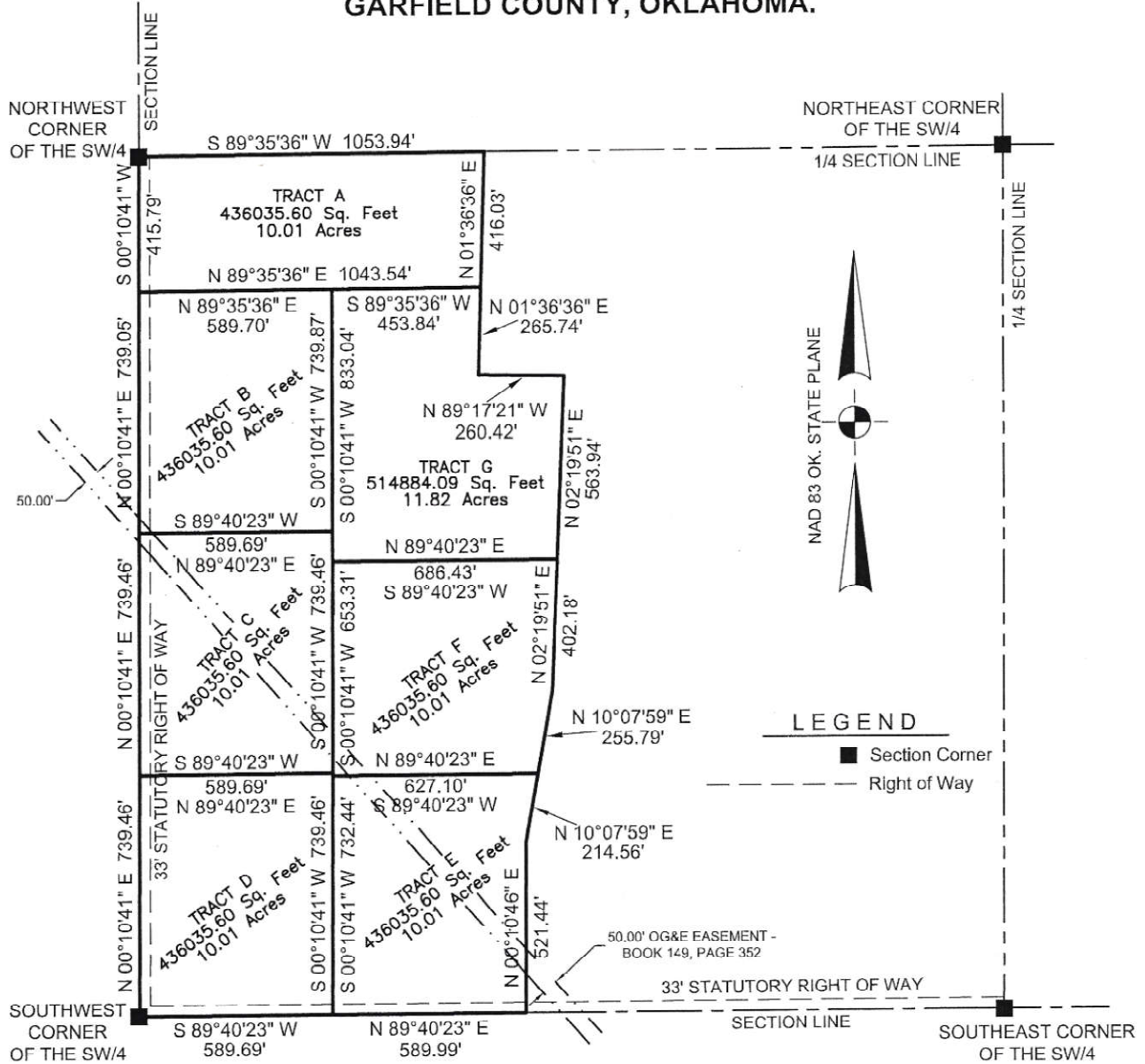
be borne by the tract owners on a pro rata basis with each tract bearing a fraction of said expenses derived by using a fraction with the numerator of one (1) and the denominator equaling the total number of tracts that have access onto such private roads. Tract owners shall assess costs to individual Tract owners for said individual tract owner's pro-rata share of expenses. All amounts assessed hereunder in payment of such maintenance shall be and will become a lien upon each respective owner's land tract until paid and may be enforceable by an act of law or equity. Tract owners will be solely responsible to repair any damage done to roads by machinery or equipment used on their building site.

16. No overhead electric conductors or service lines shall ever be erected or maintained upon any tract, and no owner or occupant of any tract shall demand or require the furnishing of electric service through or from overhead wire facilities so long as electric service is available from underground distribution system. The restrictive covenant may be enforced by the owner of any tract or by the electric supplier. Additionally, should any cost be required by the electric supplier in order to provide service to a particular tract it will be the obligation of that tract owner to pay such cost.
17. There shall not be placed upon or permitted to remain upon any of the tracts any advertisements, displays, signs, or billboards of any nature, except that the owner of any such tract may erect thereon a temporary "For Sale" sign.
18. No person shall cause the incineration of household trash, garbage or other waste and the same shall not be permitted in the said tracts. Each resident shall provide a trash or garbage container, the same to be of wood or metal construction and to contain a removable can with lid.
19. If a contract is not made by the future owners for the removal of trash and garbage from the said tracts, each owner is responsible for the orderly and timely removal of the same.
20. Motorized two-wheel, three-wheel, or four-wheel vehicles, commonly known as motorcycles, mini-bikes, dune buggies, go-carts or other similar vehicles, are restricted to be used on owned individual tracts and are not to be used on dedicated public easements or bridal paths. No race tracks shall be constructed or formed on any Tract. Absolutely no dirt bike tracks will be allowed. Tract owners should use discretion with such vehicles and not create a neighborhood nuisance.
21. No building material of any kind or character shall be placed or stored upon the property until the owner is ready to commence improvements, and then such material shall be placed within the property lines of the tract upon which the improvements are to be erected and shall not be placed in the streets or on the easements.
22. These covenants are to run with the land unless an instrument signed by the then owners of more than fifty percent (50%) of the tracts which are within the tracts, agree to change said covenants in whole or in part and shall be binding on all parties and all persons claiming under them until May 31, 2033, at which time said covenants shall be automatically extended for

EXHIBIT 1

Bk:2627 Pg:183
LORIE LEGERE-GARFIELD COUNTY CLERK
 State of Oklahoma *

**A PLAT OF TRACTS IN THE
 SW/4 OF SECTION 23, T 23 N, R 8 W.I.M.,
 GARFIELD COUNTY, OKLAHOMA.**



PLAT FOR: DAVID HUDGINS
 13402 S 123RD EAST PL
 BROKEN ARROW, OK 74011

580-256-6757
ON POINT
Land Survey
 1918 MAIN STREET
 WOODWARD, OKLAHOMA 73801
 OKLA. CA #7719, EXP. 06/30/2023

THIS IS NOT A SURVEY. PLAT ONLY.

REVISIONS:	DRAWN BY: K.M.B.	JOB 098-23	DATE OF PLAT 03-08-2023	SCALE 1"=500'	SHEET 1 OF 2
email:mike@onpointsurveyok.com web:www.onpointlandsurveyok.com					