

OWNER'S CERTIFICATE AND RESTRICTIONS OF
ROLLING HILLS 12TH ADDITION
BARTLESVILLE, WASHINGTON COUNTY, OKLAHOMA

Coast
P.O. Box 4040
Bartlesville, OK
74005

KNOW ALL MEN BY THESE PRESENTS:

THAT COAST CONSTRUCTION CO., AN OKLAHOMA CORPORATION, DOES HEREBY CERTIFY THAT IT IS THE OWNER OF THE FOLLOWING DESCRIBED REAL ESTATE LOCATED IN WASHINGTON COUNTY, OKLAHOMA, TO WIT:

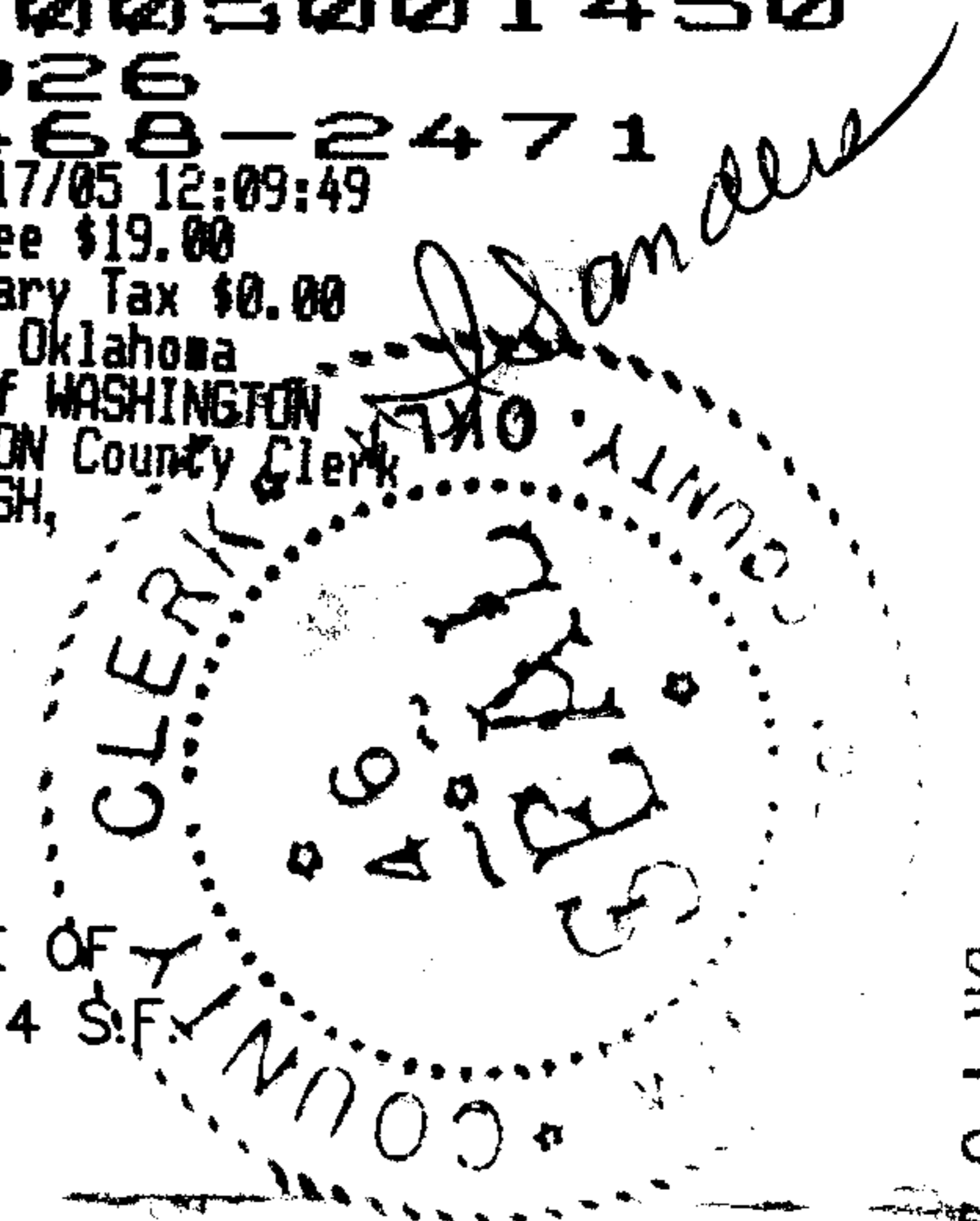
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A TRACT OF LAND IN THE NW/4 OF SECTION 21, TOWNSHIP 26 NORTH, RANGE 13 EAST, WASHINGTON COUNTY, OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SAID NW/4; THENCE N 88°57'35" E, ALONG THE WEST LINE OF SAID NW/4, A DISTANCE OF 1315.96 FEET TO THE POINT OF BEGINNING:

THENCE N 01°19'15"W A DISTANCE OF 335.19';
THENCE N 88°43'11" E A DISTANCE OF 27.96';
THENCE S 83°16'21"E A DISTANCE OF 535.21';
THENCE S 01°04'25" E A DISTANCE OF 20.00';
THENCE N 89°06'05" E A DISTANCE OF 50.00';
THENCE S 88°04'25" E A DISTANCE OF 99.93';
THENCE S 00°20'19" E A DISTANCE OF 70.35';
THENCE S 89°53'42" E A DISTANCE OF 309.13';
THENCE N 01°17'04" W A DISTANCE OF 303.21';
THENCE N 88°46'38" E A DISTANCE OF 174.62';
THENCE N 01°13'22" W A DISTANCE OF 49.46';
THENCE N 88°46'38" E A DISTANCE OF 125.48';
THENCE S 01°21'07" E A DISTANCE OF 514.78';
THENCE S 88°57'36" W ALONG THE SOUTH LINE OF NW/4 A DISTANCE OF 1316.08' TO THE POINT OF BEGINNING CONTAINING 9.05 ACRES 394,114 S.F. MORE OR LESS.

Doc # 2005001450
Bk 1026
Pg 2468-2471
DATE 02/17/05 12:09:49
Filing Fee \$19.00
Documentary Tax \$0.00
State of Oklahoma
County of WASHINGTON
WASHINGTON County Clerk
M. PARRISH,



BK 1026 PG 2468

WHICH REAL ESTATE HAS BEEN SURVEYED AND PLATTED IN LOTS AND BLOCKS UNDER THE NAME OF "ROLLING HILLS 12TH ADDITION".

FOR THE PURPOSE OF PROVIDING AN ORDERLY DEVELOPMENT OF ALL THE LOTS AND BLOCKS INCLUDED IN THE ABOVE DESCRIBED PLAT AND FOR THE PURPOSE OF PROVIDING ADEQUATE RESTRICTIVE COVENANTS FOR THE BENEFIT OF THE OWNERS AND THEIR SUCCESSORS IN TITLE TO THE AFORESAID LOTS, THE OWNERS DO HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND RESERVATIONS ON ALL OF THE SAID ROLLING HILLS 12TH ADDITION (THE "ADDITION"), TO WHICH IT SHALL BE INCUMBENT UPON ITS SUCCESSORS IN TITLE TO ADHERE AND ANY PERSON OR PERSONS CORPORATION OR CORPORATIONS, HEREAFTER BECOMING THE OWNER OR OWNERS, EITHER DIRECTLY OR THROUGH ANY SUBSEQUENT TRANSFER OR IN ANY MANNER WHATSOEVER, OF ANY LOT OR LOTS INCLUDED IN THE ADDITION, SHALL TAKE, HOLD AND CONVEY THE SAME SUBJECT TO THE FOLLOWING RESTRICTIONS AND RESERVATIONS, TO-WIT:

1. ALL LOTS IN THE ADDITION SHALL BE USED EXCLUSIVELY FOR RESIDENTIAL PURPOSES. NO RESIDENCE OR OTHER STRUCTURE SHALL BE USED EITHER IN WHOLE OR IN PART AS A PROFESSIONAL OFFICE, SHOP, SCHOOL, OR STUDIO OR FOR THE CONDUCT OF ANY BUSINESS OR TRADE.
2. NO STRUCTURE SHALL BE ERECTED, PLACED OR PERMITTED TO REMAIN ON ANY LOT OTHER THAN ONE (1) SINGLE FAMILY RESIDENCE AND BUILDING APPURTENANT THERETO, SUCH AS A GARAGE, SERVANT'S QUARTERS, CHILDREN'S PLAYHOUSE SWIMMING POOL AND BATH HOUSE, AND GARDEN SHELTER. NO HOUSE, GARAGE OR ANY OTHER BUILDING SHALL BE MOVED INTO THE ADDITION.

3. NO RESIDENCE SHALL BE CONSTRUCTED CONTAINING LESS THAN 2,000 SQUARE FEET OF USAGE SPACE, EXCLUSIVE OF BREEZE-WAYS, PORCHES, ATTACHED GARAGES, WALKS, DRIVEWAYS, SWIMMING POOLS AND BATH HOUSES. EACH RESIDENCE SHALL BE CONSTRUCTED IN MAIN OF BRICK, BRICK VENEER, STONE, STONE VENEER OR WOOD SIDING (CONCRETE BLOCK NOT ACCEPTABLE).
4. IN ORDER TO ASSURE THAT STRUCTURES CONSTRUCTED WITHIN THE ADDITION SHALL CONFORM AND HARMONIZE IN DESIGN WITH RESPECT TO TOPOGRAPHY AND FINISHED GROUND ELEVATION, PRIOR TO THE EXPIRATION OF TEN (10) YEARS FROM THE DATE HEREOF, NO BUILDING SHALL BE ERECTED, PLACED OR MATERIALLY ALTERED UNTIL THE BUILDING PLANS, SPECIFICATIONS, AND PLOT PLAN SHOWING THE LOCATION OF THE BUILDINGS SHALL HAVE BEEN APPROVED IN WRITING BY COAST CONSTRUCTION CO., WHICH APPROVAL SHALL BE INDICATED BY A CERTIFICATE SIGNED AND ACKNOWLEDGED BY AN OFFICER OF SAID COMPANY.
5. NO BUILDING SHALL BE ERECTED ON ANY LOT NEARER TO THE FRONT LOT LINE, SIDE STREET LINE, INTERIOR LOT LINES OR REAR LOT LINE THAN THE MINIMUM BUILDING SET BACK AS SET FORTH IN THE ZONING REGULATIONS FOR THE BARTLESVILLE METROPOLITAN AREA PLANNING COMMISSION, ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BARTLESVILLE, AUGUST 1, 1966 AND AMENDMENTS THERETO.
6. ANY LOT THAT ABUTS MORE THAN ONE STREET SHALL BE DEEMED TO FRONT ON EITHER STREET ABUTTED, AND ANY RESIDENCE ERECTED UPON SUCH A LOT SHALL HAVE A PRESENTABLE FRONTAGE ON EACH SIDE ABUTTING STREET.
7. NO NOXIOUS OR OFFENSIVE ACTIVITY SHALL BE CARRIED ON UPON ANY LOT, NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BECOME AN ANNOYANCE OR A NUISANCE TO THE NEIGHBORHOOD, AND NO BUILDING SHALL BE ERECTED UPON ANY OF THE LOTS IN THIS SUB-DIVISION WHICH IS DESIGNATED OR UTILIZED TO HOUSE POULTRY, COWS, HORSES, RABBITS, OR OTHER LIVESTOCK BE KEPT OR MAINTAINED UPON THE PREMISES.
8. NO BASEMENT, TENT, SHACK, TRAILER, GARAGE, BARN OR OTHER STRUCTURE OF A TEMPORARY CHARACTER SHALL BE ERECTED FOR USE, UTILIZED OR OCCUPIED AS A RESIDENCE.
9. NO BILLBOARDS OR ADVERTISING SIGNS OR STRUCTURES SHALL BE ERECTED OR MAINTAINED UPON ANY LOT IN THE ADDITION, EXCEPT ONLY FOR A "FOR RENT" OR "FOR SALE" SIGN, OF WHICH ON SIGN NO EXCEEDING 24" X 36" IN SIZE.
10. ROOF MATERIALS SHALL BE WOOD, SLATE, TILE OR HEAVY COMPOSITION. COMPOSITION ROOF MATERIALS SHALL BE ASPHALT OR FIBERGLASS MATERIAL WITH A WEIGHT OF #300 OR MORE PER SQUARE, AND SHALL BE SIMULATED SHAKE IN APPEARANCE. (STANDARD COMPOSITION SHINGLES NOT ACCEPTABLE).
11. NO FENCE, WHETHER ORNAMENTAL OR OTHERWISE, SHALL BE ERECTED ON ANY LOT NEARER TO THE FRONT PROPERTY LINE THAN THE FRONT BUILDING LINE.
12. THE OWNER RESERVES THE RIGHT TO LOCATE, CONSTRUCT, ERECT AND MAINTAIN OR CAUSE TO BE LOCATED, CONSTRUCTED, ERECTED AND MAINTAINED IN AND ON THE AREAS INDICATED ON THE PLAT AS "EASEMENT", SEWER AND OTHER UTILITY PIPELINES, CONDUITS, POLES, WIRES AND OTHER SIMILAR INSTRUMENTALITIES CAPABLE OF PERFORMING PUBLIC OR QUASI-PUBLIC UTILITY FUNCTIONS, BOTH ABOVE OR BENEATH THE SURFACE OF THE GROUND, WITH THE RIGHT OF ACCESS AT ANY TIME TO THE SAME FOR PURPOSE OF INSTALLATION, REPAIR, MAINTENANCE AND REMOVAL.

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13. AREAS DESIGNATED ON THE PLAT OF THE ADDITION AS "RESTRICTIVE DRAINAGE EASEMENT" (RD/E) ARE HEREBY ESTABLISHED BY GRANT OF THE OWNER AS A PERPETUAL RESTRICTIVE EASEMENT FOR THE PURPOSE OF PERMITTING THE FLOW, CONVEYANCE AND DISCHARGE OF STORM WATER RUNOFF FROM THE VARIOUS LOTS WITHIN THE ADDITION AND FROM PROPERTIES OUTSIDE THE ADDITION. DRAINAGE FACILITIES CONSTRUCTED IN SAID RESTRICTIVE DRAINAGE EASEMENT SHALL BE IN ACCORDANCE WITH STANDARDS PRESCRIBED BY THE CITY OF BARTLESVILLE AND PLANS AND SPECIFICATIONS APPROVED BY THE CITY ENGINEER OF THE CITY OF BARTLESVILLE. THE RESTRICTIVE DRAINAGE EASEMENT SHALL BE MAINTAINED BY THE LOT OWNER UPON WHICH SAID EASEMENTS ARE LOCATED AT HIS COST IN ACCORDANCE WITH STANDARDS PRESCRIBED BY THE CITY OF BARTLESVILLE. IN THE EVENT A LOT OWNER SHALL FAIL TO ADEQUATELY AND PROPERLY MAINTAIN SAID EASEMENT, THE CITY OF BARTLESVILLE, MAY ENTER UPON SAID EASEMENT AND PERFORM SAID MAINTENANCE, AND THE COST OF PERFORMING SAID MAINTENANCE SHALL BE PAID BY SAID LOT OWNER. IN THE EVENT SAID LOT OWNER FAILS TO PAY THE COST OF MAINTENANCE WITHIN THIRTY (30) DAYS AFTER COMPLETION OF SAME, SAID COST SHALL BE A LIEN AGAINST THE DEFAULTING OWNER'S LOT(S) WHICH MAY BE FORECLOSED BY THE CITY OF BARTLESVILLE

NO FENCE, WALL, PLATING, BUILDING OR OTHER OBSTRUCTION SHALL BE PLACED OR MAINTAINED IN SAID RESTRICTIVE DRAINAGE EASEMENT WITHOUT APPROVAL OF THE CITY ENGINEER OF THE CITY OF BARTLESVILLE, AND THERE SHALL BE NO ALTERATIONS OF THE GRADES OR CONTOURS IN SAID EASEMENTS WITHOUT THE APPROVAL OF SAID CITY ENGINEER.

SAID EASEMENTS OR ANY PART THEREOF MAY BE TERMINATED, RELEASED AND CANCELED UPON RESOLUTION DULY ADOPTED BY THE BARTLESVILLE BOARD OF COMMISSIONERS.

14. OWNER DESIRES THAT THE SUPPLY OF ELECTRICITY THROUGHOUT SAID ADDITION BE PROVIDED, TO THE FULLEST EXTENT DEEMED PRACTICABLE BY FACILITIES LOCATED UNDERGROUND RATHER THAN OVERHEAD, AND FOR THE PURPOSE OF FACILITIES LOCATED UNDERGROUND RATHER THAN OVERHEAD, AND FOR THE PURPOSE OF FACILITATING SUCH INSTALLATION, OWNER AGREES TO INCLUDE THE FOLLOWING PROVISIONS IN THE DEED OF DEDICATION CREATING SAID PLAT AND SUBDIVISION TO WIT:

A) STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY UNDERGROUND CABLE AND ELSEWHERE THROUGHOUT SAID ADDITION ALL SUPPLY LINES SHALL BE LOCATED UNDERGROUND, IN THE EASEMENT-WAY RESERVED FOR GENERAL UTILITY SERVICES AND STREET, SHOWN ON THE ATTACHED PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN SAID EASEMENT-WAYS.

B) UNDERGROUND SERVICE CABLES TO ALL HOUSES WHICH MAY BE LOCATED ON ALL LOTS IN SAID ADDITION MAY BE RUN FROM THE NEAREST SERVICE PEDESTAL OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH HOUSE AS MY BE LOCATED UPON EACH SAID LOT; PROVIDED THAT UPON THE INSTALLATION OF SUCH A SERVICE CABLE TO A PARTICULAR HOUSE, THE SUPPLIER OF ELECTRIC SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECT AND EXCLUSIVE RIGHT-OF-WAY EASEMENT ON SAID LOT, COVERING A FIVE-FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF SUCH SERVICE CABLE, EXTENDING FROM THE SERVICE PEDESTAL OF TRANSFORMER TO THE SERVICE ENTRANCE ON SAID HOUSE.

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- C) THE SUPPLIER OF ELECTRIC SERVICE, THROUGH ITS PROPER AGENTS AND EMPLOYEES SHALL AT ALL TIME HAVE RIGHT OF ACCESS TO ALL SUCH EASEMENT-WAYS SHOWN ON SAID PLAT, OR PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF SAID UNDERGROUND ELECTRIC FACILITIES SO INSTALLED BY IT.
 - D) THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND ELECTRIC FACILITIES LOCATED ON HIS PROPERTY AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID ELECTRIC FACILITIES. THE COMPANY WILL BE RESPONSIBLE FOR ANY ORDINARY MAINTENANCE OF UNDERGROUND ELECTRIC FACILITIES, BUT THE OWNER WILL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS.
 - E) THE FOREGOING COVENANTS CONCERNING UNDERGROUND ELECTRIC FACILITIES SHALL BE ENFORCEABLE BY THE SUPPLIER OF ELECTRIC SERVICE AND THE OWNER OF EACH LOT AGREES TO BE BOUND HEREBY.
15. THE INITIAL PURCHASER OF EACH LOT CONTAINED IN THE ADDITION SHALL BE RESPONSIBLE FOR AND SHALL BEAR THE COST AND EXPENSE OF SIDEWALKS AS MAY BE REQUIRED BY THE CITY OF BARTLESVILLE, OKLAHOMA.

16. THESE COVENANTS AND RESTRICTIONS SHALL RUN WITH THE LAND, AND SHALL BE BINDING UPON ALL PERSONS OWNING LOTS IN THE ADDITION FOR A PERIOD OF TWENTY (20) YEARS FROM THE DATE THESE COVENANTS ARE RECORDED, AFTER WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN (10) YEARS EACH. THE RESTRICTIONS CONTAINED HEREIN (WITH THE EXCEPTION OF PARAGRAPHS 12, 13, AND 14) MY BE MODIFIED, AMENDED AND/OR WAIVED BY AN INSTRUMENT WHICH IS SIGNED BY A MAJORITY OF THE THEN OWNERS OF THE LOTS AGREEING TO SUCH MODIFICATION, AMENDMENT AND/OR WAIVER.

ENFORCEMENT SHALL BE BY PROCEEDINGS AT LAW OR IN EQUITY AGAINST ANY PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY COVENANT EITHER TO RETRAIN VIOLATION OR TO RECOVER DAMAGES.

INVALIDATION OF ANY ONE OF THESE COVENANTS BY JUDGMENT OR COURT ORDER SHALL IN NO WISE AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

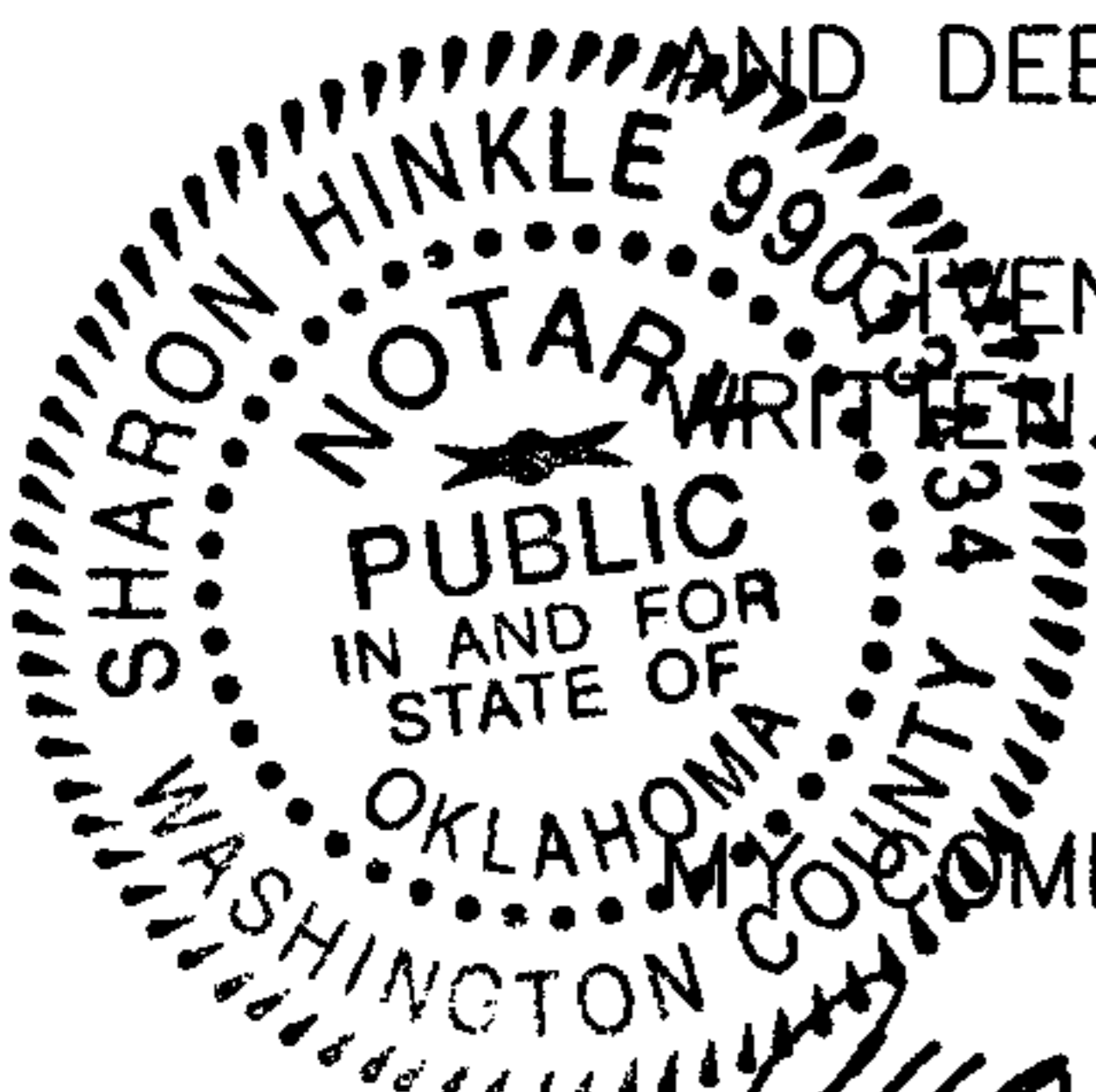
COAST CONSTRUCTION CO.
AN OKLAHOMA CORPORATION

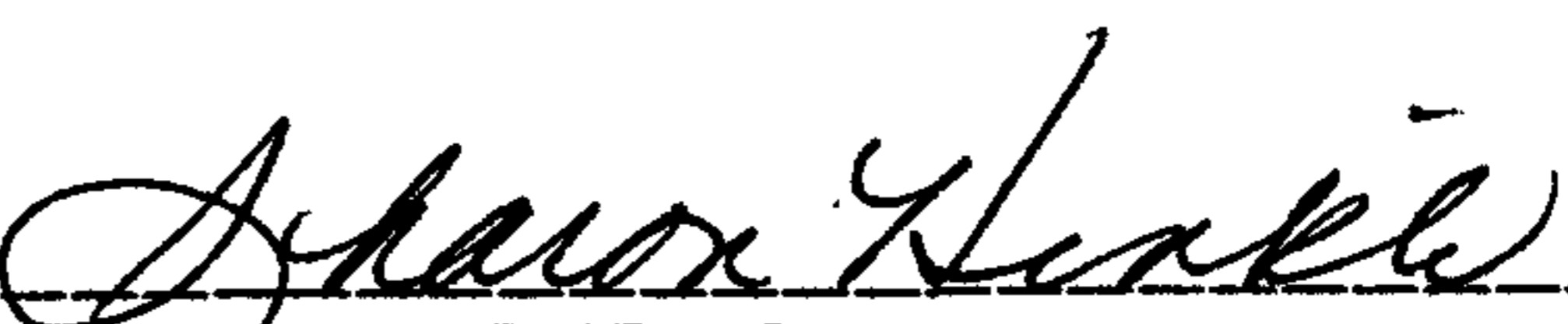

GERALD L. COAST, PRESIDENT

COUNTY OF Washington
SS.
STATE OF OKLAHOMA)

ON THIS 17th DAY OF February, 2005 ~~2004~~, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED GERALD L. COAST, PRESIDENT OF COAST CONSTRUCTION CO., AN OKLAHOMA CORPORATION, TO ME KNOWN TO BE THE IDENTICAL PERSONS WHO SIGNED THE NAME OF THE MAKER THEREOF TO THE WITHIN AND FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED.

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




NOTARY PUBLIC

Aug. 13, 2007

BK 1026PG2471