

- 2.01 ARCHITECTURAL CONTROL COMMITTEE.** During the period of time that the developer owns at least one (1) Tract on the property the Developer shall designate and appoint an ARCHITECTURAL CONTROL COMMITTEE, consisting of not less than three (3) persons, which shall serve at the pleasure of the DEVELOPER. After the DEVELOPER no longer owns any TRACT or relinquishes in writing its right to appoint the members of the ARCHITECTURAL CONTROL COMMITTEE, the ARCHITECTURAL CONTROL COMMITTEE shall be appointed by and shall serve at the pleasure of the BOARD.

- 2.02 APPROVAL OF PLANS AND SPECIFICATIONS.** The ARCHITECTURAL CONTROL COMMITTEE must review and approve in writing all the following projects of the Property
- (a.) Construction of any and all single family residences, buildings, fences, and other improvements on any tract.
  - (b.) Any exterior addition, change, or alteration in any single family residences, buildings, fences or other improvements on any TRACT.
  - (c.) Any landscaping or grading of any TRACT or TRACTS.
- 2.03 APPLICATION FOR APPROVAL.** To obtain approval to do any of the work described in Paragraph 2.02, an OWNER must submit an application to the ARCHITECTURAL CONTROL COMMITTEE, showing the plans and specifications for the proposed work. Such plans and specifications shall detail the nature, shape, height, materials, colors, and location of all of the proposed work.
- 2.04 STANDARD FOR REVIEW.** The ARCHITECTURAL CONTROL COMMITTEE shall review applications for proposed work in order to (1) ensure conformity of the proposal with these covenants, conditions, and Restrictions and (2) ensure harmony of external design in relation to surrounding structures and topography. An application can be rejected for providing insufficient information. The ARCHITECTURAL CONTROL COMMITTEE shall have a broad, discretionary authority to interpret and apply these standards. In rejecting an application, the ARCHITECTURAL CONTROL COMMITTEE shall detail the reason for rejection.
- 2.05 FAILURE OF COMMITTEE TO ACT.** If the ARCHITECTURAL CONTROL COMMITTEE fails either to approve or reject an application for proposed work within sixty (60) days after submission, then such application shall be deemed to have been disapproved.

### **ARTICLE 3.**

#### **EXTERIOR MAINTENANCE**

- 3.01 FAILURE TO MAINTAIN.** If an OWNER of any TRACT fails to maintain a TRACT in a neat and orderly manner, The DEVELOPER or the ARCHITECTURAL CONTROL COMMITTEE shall have the right, through its agents and employees, to enter the TRACT in order to repair, maintain, and restore the TRACT, including landscaping, and the exterior of any buildings and other improvements located on the TRACT, all at the expense of the OWNER.

## **ARTICLE 4.**

### **USE RESTRICTIONS AND ARCHITECTURAL STANDARDS**

- 4.01 SINGLE FAMILY RESIDENTIAL USE ONLY.** All TRACTS IN Blocks 1 thru 4 shall consist of not less than 1.25 acres, and all TRACTS shall be used for single family residential purposes only. Single family use consists of use as a dwelling by one or more natural persons who are not related by marriage or kinship or by not more than four (4) natural persons who are related by marriage or kinship. However, DEVELOPER, shall have the right, during the construction and sales period, to construct and use facilities as may be reasonably necessary or convenient for its business purpose of constructing and selling single family residences on the PROPERTY, including, but not limited to offices and storage areas. Any other person engaged in the construction and/or sale of single family residences on the PROPERTY shall have the right to use facilities as may be reasonably necessary or convenient for the purpose of constructing and selling single family residences on the PROPERTY, provided that such person obtain the express written consent of the DEVELOPER.
- 4.02 TYPE OF BUILDING PERMITTED.** No building shall be erected, altered, or permitted on any TRACT other than one detached single family dwelling not to exceed two stories in height, with a private side or rear entry garage for at least two (2) automobiles. However, carport buildings may be allowed if they are constructed with construction materials similar to those used in the construction of the single family residence located on the said TRACT and are located behind the single family residence.
- 4.03 CONSTRUCTION MATERIALS, MINIMUM FLOOR AREA, EXTERIOR WALLS AND GENERAL REQUIREMENTS.** Only new construction materials shall be used in constructing any structure on a TRACT, unless the ARCHITECTURAL CONTROL COMMITTEE shall expressly approve in writing the proposed use of used construction materials. All residences constructed on a TRACT contained in BLOCK 1 must have not less than TWO THOUSAND TWO HUNDRED (2200) square feet, BLOCK 2, TWO THOUSAND (2000) square feet, and BLOCK 3 AND 4, SEVENTEEN HUNDRED (1700) square feet, exclusive of open or screened porches, terraces, patios, driveways, carports, and garages. The exterior walls of any single family residence shall consist of not less than ninety percent (90%) masonry construction. Concrete siding products either in plank or sheet form shall not be considered masonry. All chimneys must be one hundred percent (100%) masonry construction. All roofs shall contain a 6/12 pitch. All single family residences must be fully constructed before any other out buildings of any kind are constructed on the TRACTS. All exterior and interior construction of the primary single family residence shall be

completed not later than twelve (12) months following the commencement of construction unless the ARCHITECTURAL CONTROL COMMITTEE shall expressly approve in writing an extension of said time period.

- 4.04 SETBACKS.** No single family residence or structure shall be located on any TRACT nearer to the front property than seventy five (75 ) feet , nearer any back property line than fifty (50) feet, and nearer any side property line than twenty- five (25) feet, except as otherwise approved by the ARCHITECTURAL CONTROL COMMITTEE. If two or more TRACTS, or portions of two or more TRACTS, are consolidated into a building site in conformity with PARAGRAPH 4.0, these building setback requirements shall apply to the resulting building site as if it were one original , platted TRACT.
- 4.05 RE-SUBDIVISION OR CONSOLIDATION.** No TRACT shall be subdivided or split in any way. However, any person owning two or more adjoining TRACTS, may consolidate those TRACTS into a single building site and construct a single family residence thereon.
- 4.06 NUISANCES.** No noxious or offensive activity shall be conducted or permitted on any TRACT or upon the COMMON PROPERTIES, nor shall anything be done thereon that may be or may become an annoyance or nuisance to the neighborhood or to other OWNERS.
- 4.07 PROHIBITED RESIDENTIAL USES.** No structure not approved for single family residential use by the ARCHITECTURAL CONTROL COMMITTEE, including, but not limited to, trailers, mobile homes, motor homes, basements, tents, shacks, garages, and other outbuildings and accessory structures, shall be located on or used on any TRACT at any time as a single family residence residence, either temporary or permanently.
- 4.08 SIGNS.** No signs of any type shall be allowed on any TRACT except one sign of not more than five square feet advertising the property for sale or rent. However, DEVELOPER, as well as any other person engaged in the construction and sale of residences on the PROPERTY shall have the right, during the construction and sales period, to construct and maintain signs advertising the construction and sale.
- 4.09 OIL DEVELOPMENT AND MINING PROHIBITED.** Other than one domestic water well per TRACT, for personal use, no other well drilling, development, or refining, and no mineral quarrying or mining operations of any kind shall be permitted on any TRACT. No oil well, tank, tunnel, mineral excavation, or shaft shall be permitted on any TRACT. No derrick or other structure designed for use in boring for oil, natural gas, or other minerals shall be erected, maintained, or permitted on any TRACT. Natural gas will

be available. Therefore no type of propane storage facility shall be permitted.

- 4.10 GARBAGE AND REFUSE STORAGE AND DISPOSAL.** All tracts shall at all times be kept in a healthful, sanitary, and attractive condition. No TRACT shall be used or maintained as a dumping ground or garbage, trash, junk, or other waste matter. All trash, Garbage, or waste matter shall be kept in adequate containers constructed of metal, plastic, or masonry materials, with tightly fitting lids, which shall be maintained in a clean and sanitary condition and screened from public view. No TRACT shall be used for open storage of any materials whatsoever, which storage is visible from the street, except new building materials used in the construction of improvements erected on any TRACT may be placed upon such TRACT at the time construction is commenced any may be maintained thereon for a reasonable time, so long as the construction progresses without unreasonable delay, until completion of the improvements, after which these materials shall either be removed from the TRACT, or stored in a suitable enclosure on the TRACT. The ASSOCIATION shall have the right and obligation to determine whether garbage disposal in the Subdivision shall be through public authority or through private garbage disposal in the SUBDIVISION shall be through public authority or through private garbage service. No garbage, trash debris, or other waste matter of any kind shall be burned on any TRACT.
- 4.11 SEWAGE DISPOSAL.** All sewage disposal systems must comply with the then existing standards and regulation of the State of Oklahoma. No sewage disposal system shall be permitted on any TRACT unless a permit has been issued by the local health department authority and the express written consent of the ARCHITECTURAL CONTROL COMMITTEE.
- 4.12 WATER SUPPLY.** No water is being provided by the DEVELOPER. No individual water supply system shall be permitted on any TRACT unless the system is located, constructed, and equipped in accordance with the requirements of the ARCHITECTURAL CONTROL COMMITTEE.
- 4.13 ANIMALS.** No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any TRACT, except that (1) a reasonable number of dogs, cats or other household pets may be kept. In addition, no commercial kennel shall be located on any TRACT, and no birds, swine, etc., shall be located on any TRACT.
- 4.14 FENCES.** All fences must be constructed of masonry, pipe, pipe and cable, PVC or a combination thereof. All fencing shall be approved by the ARCHITECTURAL CONTROL COMMITTEE.



- 4.15 TRUCKS, BUSES, AND TRAILERS .** No truck or bus ( except a passenger van for personal use) or trailer shall be left parked in the street in front of any TRACT, except construction and repair equipment used by the DEVELOPER or a contractor while a single family residence or residences are being built or repaired in the immediate vicinity. No truck or bus (except a passenger van for personal use) or boat or trailer shall be parked on the driveway or any portion of the TRACT in such a manner as to be visible from the street, and no used or unusable vehicles of any kind shall be stored on the PROPERTY.
- 4.16 PROHIBITED ACTIVITIES.** No professional, business, or commercial activity requiring additional structure or increasing the amount of normal traffic of any kind shall be conducted on any TRACT.
- 4.17 WOOD-BURNING STOVES AND FIREPLACES.** No fireplace or wood - burning stove shall be installed or used on any TRACT unless it meets the Requirements, standards, and recommendations of all federal, state or local environment or air pollution control authorities.
- 4.18 POLES, MASTS, ANTENNAS, BARNs, UNATTACHED, CARPORTS AND GARAGES, AND OTHER OUTBUILDINGS.** No poles, masts, antennas, satellite dishes of any type, except normal standard size, and height for reception of television without the written consent of the ARCHITECTURAL CONTROL COMMITTEE. No hay barns, unattached carports or garages, or other outbuildings shall be installed or constructed on any TRACT unless the express written consent of the ARCHITECTURAL CONTROL COMMITTEE shall have first been obtained.
- 4.19 WATER SOFTENERS AND AIR CONDITIONING EQUIPMENT.** No water softener shall be installed or used that discharges effluent brine into the sewage system. The location, type, and screening of water softeners and air conditioning units shall be first approved in writing by the ARCHITECTURAL CONTROL COMMITTEE.
- 4.20 TRACT MAINTENANCE.** The owners or occupants of all TRACTS shall at all times keep all weeds and grass thereon cut in a sanitary, healthful, and attractive manner and shall in no event use any TRACT for storage of materials and equipment, except for normal single family residential requirements or incident to construction of improvements thereon.
- 4.21 DRAINAGE/ROAD DITCHES.** No owner may block any drainage ditch or road ditches.

## **ARTICLE 5.**

### **EASEMENTS**

I-2005-010579 Book 3751 Pg 136  
07/21/2006 11:31 am Pg 0129-0137  
Fee: \$ 29.00 Doc: \$ 0.00  
Sharon Shoemaker - Grady County Clerk  
State of Oklahoma

- 5.01 RESERVATION OF EASEMENTS.** A fifteen (15) foot easement for the installation and maintenance of utilities and drainage facilities is reserved from the front, side, and back property lines on each TRACT. No shrubbery, fence, or other obstruction shall be placed in any easement or alleyway. No utility company, water district, political subdivision, or other authorized entity using these easements shall be liable for any damage done by them or the assigns, agents, employees, or servants, to shrubbery, trees, flowers, or to other property of the OWNER situated in the easement. Right of use for ingress and egress shall be available at all times over any dedicated easement or alleyway for purposes of installing, operating, maintaining, repairing, or removing any utility or any obstruction placed in such easement or alleyway that would interfere with the installation, maintenance, operation, or removal of such utility.

## **ARTICLE 6.**

### **ASSOCIATION**

- 6.01 CREATION.** The Owners shall constitute the ASSOCIATION. Each OWNER of a TRACT, including DEVELOPER, shall automatically be a member of the ASSOCIATION. ASSOCIATION membership shall be appurtenant to ownership of a TRACT. Ownership of a TRACT is the sole criterion for membership in the ASSOCIATION.
- 6.02 TRANSFER OF MEMBERSHIP.** ASSOCIATION membership can be transferred to the grantee of a conveyance of a TRACT in fee. Membership shall not be assigned or transferred in any other way. Any attempt to make a prohibited transfer shall be void.
- 6.03 MANAGEMENT OF THE ASSOCIATION.** The ASSOCIATION shall be an unincorporated Oklahoma nonprofit association. The ASSOCIATION shall be managed by the BOARD, pursuant to the procedures set forth herein and in the ASSOCIATION'S Bylaws.
- 6.04 MEMBERSHIP VOTING, ELECTIONS, AND MEETINGS.** Each OWNER shall have one vote per TRACT. There shall be at least one meeting of the membership each year. At that meeting, the OWNERS shall elect a BOARD consisting of not more than five (5) directors, vote on any other matters the BOARD chooses to place before the membership, and discuss any matter of ASSOCIATION business that the BOARD or any OWNER wishes to bring before the entire membership.

**6.05 DUTIES AND POWERS OF THE BOARD. Through the BOARD, the ASSOCIATION shall have the following powers and duties.**

- (a) To adopt reasonable rules and regulations to implement this Declaration and the ASSOCIATION'S bylaws.**
- (b) To enforce this DECLARATION, the Bylaws, its rules and regulations.**
- (c) To elect officers of the Board.**
- (d) To select members of the ARCHITECTURAL CONTROL COMMITTEE when that power is transferred by the DEVELOPER to the BOARD.**
- (e) To delegate its power to committees, officers or employees.**
- (f) To prepare a balance sheet and operating income statement for the ASSOCIATION and deliver a report to the membership at its annual meeting.**
- (g) To establish and collect reasonable assessments to defray expenses attributed to the ASSOCIATION's duties, to be levied against each OWNER, excluding the DEVELOPER and its successors and assigns.**
- (h) To establish and collect reasonable assessments for capital improvements or other purposes, to be levied against each OWNER, excluding the DEVELOPER and its successors and assigns.**
- (i) To file liens against OWNERS because of nonpayment of assessments duly levied and to foreclose on those liens.**
- (j) To receive complaints regarding violations of the Declaration, the Bylaws, or the rules and regulation.**
- (k) To hold hearings to determine whether to discipline OWNERS who Violate this Declaration, The Bylaws, or the rules and regulations.**
- (l) To give reasonable notice to all OWNERS of all annual meetings of the membership and all discipline hearings.**
- (m) To hold regular meetings of the BOARD at least annually.**



6.08 DIRECTIVE AND POWERS OF THE ARCHITECTURAL CONTROL COMMITTEE. The ARCHITECTURAL CONTROL COMMITTEE shall have the powers and authority granted herein to the ARCHITECTURAL CONTROL COMMITTEE.

## ARTICLE 7

### GENERAL PROVISIONS

1-2005-010579 Book 3751 Pg: 137  
07/21/2005 11:31 am Pg 0128-0137  
Fee: \$ 29.00 Doc: \$ 0.00  
Sharon Shoemaker - Grady County Clerk  
State of Oklahoma

7.01 ENFORCEMENT. The DEVELOPER, or the ASSOCIATION, or any OWNER shall have the right to enforce, by any proceed at law or in equity, All restrictions, conditions, and reservations imposed by this Declaration. Failure to enforce any covenant or restriction shall not be deemed a waiver of the right of enforcement either with respect to the violation in question or any other violation. All waivers must be in writing and signed by the party to be bound.

7.02 SEVERABILITY. Invalidity of any one of these covenants or restrictions by judgment or court order shall in no way affect any other

Jesse Miles Date 6-28-05  
Westover Hills LLC  
Jesse Miles

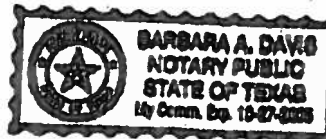
STATE OF TEXAS  
COUNTY OF Tarrant

I hereby acknowledge that the statements contained in the foregoing are true and correct.

Sworn to and subscribed before me this 28 day of June 2005

My commission expires  
10-27-2005

Barbara A. Davis  
Notary Public in and for the State of Texas



**WESTOVER HILLS SUBDIVISION  
BLANCHARD, OKLAHOMA  
DECLARATION OF COVENANTS, CONDITIONS  
ADDENDUM NUMBER ONE**

I-2005-013081 Book 3765 Pg. 461  
09/01/2005 8:00 am Pg 0461-0461  
Fee: \$ 13.00 Doc: \$ 0.00  
Sharon Shoemaker - Grady County Clerk  
State of Oklahoma

**ARTICLE NO.**

**4.02 CONSTRUCTION MATERIALS, MINIMUM FLOOR AREA, ESTEIOR  
WALLS AND GENERAL REQUIREMENTS.**

**SHALL BE AMENDED TO READ: All roofs shall contain a 8/12 pitch**

**4.03 SETBACKS.**

**SHALL BE AMENDED TO READ: No single family residence or structure  
shall be located on any TRACT nearer to the front property line than fifty  
(50) feet.**

**4.09 OIL DEVELOPMENT AND MINING PROHIBITED.**

**SHALL BE AMENDED TO TO READ: Natural gas will be available .  
Therefore no type of propane facility shall be permitted nor will the use of  
GEO THERMAL HEATING**



  
Westover Hills LLC  
Jesse Miles

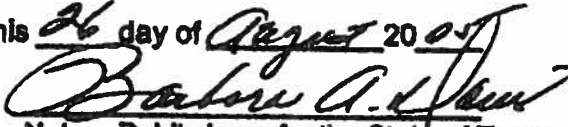
STATE OF TEXAS  
COUNTY OF Garret

I hereby acknowledge that the statements contained in the foregoing are true and correct.

Sworn to and subscribed before me this 26 day of August 2007

My commission expires

10-27-2005

  
Notary Public in an for the State of Texas

