

DECLARATION OF CONDITIONS, COVENANTS AND RESTRICTIONS
FOR *THE WOODS AT HIGHGARDEN* TO THE CITY
OF EDMOND, OKLAHOMA COUNTY, OKLAHOMA

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State of Oklahoma
County of Oklahoma
Oklahoma County Clerk
David B. Hooten



The Oklahoma City Abstract & Title Co.
1000 W. 15th Street
Edmond, OK 73013

File # 2007971

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This Declaration is made this 6th day of August, 2020, by Anthracite Investments, LLC.

RECITALS

WHEREAS, Anthracite Investments, LLC., hereafter referred to as the "Declarant", are the owners of certain land and improvements (THE WOODS AT HIGHGARDEN) in Oklahoma County, Oklahoma, which property is more fully described on the attached "Exhibit A", incorporated herein and made a part hereof; and

WHEREAS, the Subject Property has been platted into Lots for separate ownership, subject to these Declarations, which plat has been filed for record on the 5th day of August, 2020, in the County Clerks office of Oklahoma County at Plat Book 79, pages 83-84; and

WHEREAS, Declarant desires to submit the Subject Property and the improvements to be constructed thereon to Oklahoma's Real Estate Development Act (Title 60 O.S. 1971, § 851 et seq, as amended); and

WHEREAS, the Declarant was also the owner of an adjacent tract of land previously platted and filed of record in the County Clerks office of Oklahoma County as HIGH GARDEN PHASE I, said plat being filed of record on the 16th day of May, 2018, at Plat Book 76, pages 83, and the Owners Certificate and Restrictions ("Owners Restrictions") for the HIGH GARDEN PHASE I being filed on May 31, 2018, at Book 13749 pages 1473-1487, and Amendment to the Declarations for Highgarden Phase I filed on May 2nd 2019 in Book 14030 on page 675, records of the County Clerk's office of Oklahoma County.

NOW, THEREFORE, except as specifically stated herein, Declarant does hereby adopt the terms, conditions and provisions set out and contained in the Owners Restrictions filed on May 31, 2018, at Book 13749 pages 1473-1487, as if the terms of the Owners Restrictions are fully set forth herein and does hereby declare that the Subject Property described on Exhibit "A" hereto is subject to those Owners Restrictions, which restrictions, use limitations, obligations, and provisions thereof shall be deemed to run with the land described on Exhibit "A" and shall be for the use and benefit to the Declarant, their successors and assigns and to any person or entity acquiring or owning an interest in the Subject Property and improvements, or any portion thereof, its grantees, successors, heirs, personal representatives, devisees and assigns.

The exceptions are as follows:

- A. Minimum square feet will be 1,500 square feet.

- B. Section 5(a) of the original covenants list residence must have a minimum of 75% masonry product (brick, stone, stucco) constructed around the structure. This amendment shall allow for 70% masonry.
- C. Section 5(b) of the original covenants roofs shall have a minimum pitch of 9/12. This amendment shall allow for minimum pitch of 6/12.
- D. Section 5(e) of the original covenants list each completed house must have at least 2 trees measuring 2 inches in diameter each, planted in the front yard. This amendment shall allow for 1 tree per lot and 2 trees for corner lots.

The adoption of the Declarations described hereinabove shall specifically include and apply to membership in the HIGH GARDEN HOA, INC., (an Oklahoma nonprofit corporation), the mandatory homeowners association created to govern the benefits and duties of ownership of a Lot in The Woods at Highgarden.

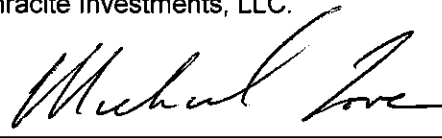
IN WITNESS WHEREOF, the undersigned, being the owners of all of the Lots in The Woods at Highgarden have executed these presents the 6th day of August, 2020.

PROPERTY OWNED

All of the Lots and Blocks

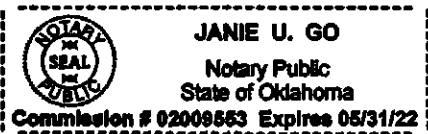
DECLARANT

Anthracite Investments, LLC.

By: 
Michael Love

STATE OF OKLAHOMA)
) ss.
COUNTY OF OKLAHOMA)

This instrument was acknowledged before me on 6th of August 2020, by Michael Love as Manager of Anthracite Investments, LLC.



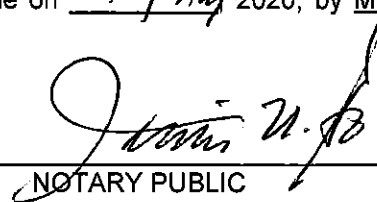

NOTARY PUBLIC

EXHIBIT "A"
LEGAL DESCRIPTION
THE WOODS AT HIGHGARDEN

PROPERTY DESCRIPTION

A tract of land being a part of the Northwest Quarter (NW/4) of Section Twelve (12), Township Fourteen (14) North, Range Two (2) West of the Indian Meridian, Edmond, Oklahoma County, Oklahoma, being more particularly described as follows:

Beginning at the Northwest (NW) Corner of said Northwest Quarter (NW/4), said point being the POINT OF BEGINNING;

THENCE North 89°21'05" East, along and with the North line of said Northwest Quarter (NW/4), a distance of 820.55 feet;

THENCE South 00°38'55" East, departing said North line, a distance of 70.00 feet;

THENCE South 45°38'55" East, a distance of 35.36 feet;

THENCE South 00°38'55" East, a distance of 70.00 feet;

THENCE South 44°21'05" West, a distance of 35.36 feet;

THENCE North 89°21'05" East, a distance of 25.00 feet;

THENCE South 00°38'55" East, a distance of 50.00 feet;

THENCE South 89°21'05" West, a distance of 12.50 feet;

THENCE South 45°38'55" East, a distance of 35.36 feet;

THENCE South 00°38'55" East, a distance of 358.26 feet;

THENCE on a curve to the left having a radius of 175.00 feet, a chord bearing of South 20°14'15" East, a chord length of 117.34 feet and an arc length of 119.66 feet;

THENCE on a reverse curve to the right having a radius of 200.00 feet, a chord bearing of South 15°38'49" East, a chord length of 163.84 feet and an arc length of 168.80 feet;

THENCE on a compound curve to the right having a radius of 425.00 feet, a chord bearing of South 26°53'46" West, a chord length of 267.79 feet and an arc length of 272.43 feet to a point on the North line of HIGHGARDEN PHASE 1 recorded in Book PL76, Page 83;

THENCE along and with the North line of said HIGHGARDEN PHASE 1 the following three (3) calls:

1. North 44°44'23" West, a distance of 188.44 feet;

2. South 45°15'37" West, a distance of 837.23 feet;

3. South 89°35'14" West, a distance of 90.00 feet to a point on the West line of said Northwest Quarter (NW/4);

THENCE North 00°24'46" West, along and with the West line of said Northwest Quarter (NW/4), a distance of 1,576.35 feet to the POINT OF BEGINNING.

Containing 1,112,305 square feet or 25.5350 acres, more or less.

Basis of Bearing: Grid North as established by state plane datum (Oklahoma State Plane North Zone NAD83). The West line of the Northwest Quarter (NW/4) of Section Twelve (12), Township Fourteen (14) North, Range Two (2) West having a bearing of North 00°24'46" West.