

2022051201075182 B: 15154 P: 1419  
05/12/2022 03:18:56 PM Pgs: 7  
Fee: \$30.00  
David B. Hooten, County Clerk  
Oklahoma County - State of Oklahoma



DECLARATION OF CONDITIONS, COVENANTS AND RESTRICTIONS  
FOR HIGHGARDEN PHASE 3 TO THE CITY  
OF EDMOND, OKLAHOMA COUNTY, OKLAHOMA

The Oklahoma City Abstract & Title Co.  
1000 W. 15th Street  
Edmond, OK 73013  
File # 2203892

DECLARATION OF CONDITIONS, COVENANTS AND RESTRICTIONS  
FOR HIGHGARDEN PHASE 3  
TO THE CITY OF EDMOND, OKLAHOMA COUNTY, OKLAHOMA

This Declaration is made this 21st day of April, 2022, by Anthracite Investments, LLC.

RECITALS

WHEREAS, Anthracite Investments, LLC., hereafter referred to as the "Declarant", are the owners of certain land and improvements (HIGHGARDEN PHASE 3) 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 20th day of April, 2022, in the County Clerks office of Oklahoma County at Plat Book 81, page 61; 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 2<sup>nd</sup> 2019 in Book 14030 on page 675, records of the County Clerk's office of Oklahoma County. 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 THE WOODS AT HIGHGARDEN, said plat being filed of record on the 11th day of August, 2020, at Plat Book 14438, page 1619.

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 2,000 square feet.
- B. Section 5(b) of the original covenants roofs shall have a minimum pitch of 9/12.

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 Highgarden Phase 3.

IN WITNESS WHEREOF, the undersigned, being the owners of all of the Lots in Highgarden Phase 3 have executed these presents the 21st day of April, 2022.

PROPERTY OWNED

All of the Lots and Blocks

DECLARANT

Anthracite Investments, LLC.

By:

Michael Love  
Michael Love

STATE OF OKLAHOMA     )  
  ) ss.  
COUNTY OF OKLAHOMA    )

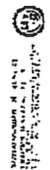
This instrument was acknowledged before me on May 12, 2022, by Michael Love as Manager of Anthracite Investments, LLC.

Joni Coffey  
NOTARY PUBLIC



EXHIBIT "A"  
LEGAL DESCRIPTION  
HIGHGARDEN PHASE 3

Exhibit "A"



**FINAL PLAT**  
of  
**HIGHGARDEN PHASE 3**  
BEING A PART OF THE RHW, SEC. 12, T14N, R2W, 13M,  
AN ADDITION TO THE CITY OF EDMOND, OKLAHOMA COUNTY, OKLAHOMA

**OWNER'S CERTIFICATE AND DECLARATION**

The undersigned, **MICHAEL L. MULLIS**, the owner of the above described land, do hereby certify that the same is as shown on the plat hereon attached, and that the same is not subject to any lien or other encumbrance, except as shown on the plat hereon attached. I hereby warrant that the same is not subject to any lien or other encumbrance, except as shown on the plat hereon attached. I hereby warrant that the same is not subject to any lien or other encumbrance, except as shown on the plat hereon attached.

**CITY CLERK**  
CITY OF EDMOND, OKLAHOMA  
**J. J. [Signature]**  
City Clerk

**CITY ENGINEER**  
CITY OF EDMOND, OKLAHOMA  
**[Signature]**  
City Engineer

**COUNTY CLERK**  
OKLAHOMA COUNTY, OKLAHOMA  
**[Signature]**  
County Clerk

**RECORDS AND INSTRUMENTS**  
CITY OF EDMOND, OKLAHOMA  
**[Signature]**  
Records and Instruments

**RECORDS AND INSTRUMENTS**  
OKLAHOMA COUNTY, OKLAHOMA  
**[Signature]**  
Records and Instruments

**CITY CLERK**  
CITY OF EDMOND, OKLAHOMA  
**[Signature]**  
City Clerk

**CITY ENGINEER**  
CITY OF EDMOND, OKLAHOMA  
**[Signature]**  
City Engineer

**COUNTY CLERK**  
OKLAHOMA COUNTY, OKLAHOMA  
**[Signature]**  
County Clerk

**RECORDS AND INSTRUMENTS**  
CITY OF EDMOND, OKLAHOMA  
**[Signature]**  
Records and Instruments

**RECORDS AND INSTRUMENTS**  
OKLAHOMA COUNTY, OKLAHOMA  
**[Signature]**  
Records and Instruments



FINAL PLAT  
of  
HIGHGARDEN PHASE 3  
CITY OF EDMOND, OKLAHOMA





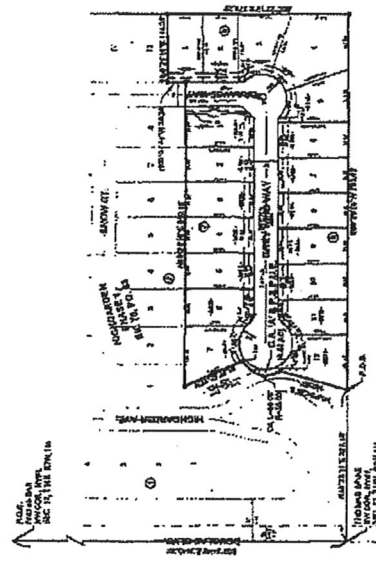
**FINAL PLAT**  
of  
**HIGHGARDEN PHASE 3**  
BEING A PART OF THE NW64, SEC 12, T14N, R24W, L.M.  
AN ADDITION TO THE CITY OF EDMOND, OKLAHOMA COUNTY, OKLAHOMA

**Line Table**

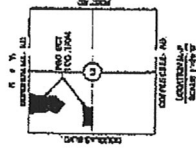
Line #	Length	Bearing	Distance
1	33.37	S 10° 00' 00" W	33.37
2	33.37	S 89° 59' 59" E	33.37
3	33.37	S 89° 59' 59" E	33.37
4	33.37	S 10° 00' 00" W	33.37
5	33.37	S 10° 00' 00" W	33.37
6	33.37	S 89° 59' 59" E	33.37
7	33.37	S 89° 59' 59" E	33.37
8	33.37	S 10° 00' 00" W	33.37
9	33.37	S 10° 00' 00" W	33.37
10	33.37	S 89° 59' 59" E	33.37
11	33.37	S 89° 59' 59" E	33.37
12	33.37	S 10° 00' 00" W	33.37
13	33.37	S 10° 00' 00" W	33.37
14	33.37	S 89° 59' 59" E	33.37
15	33.37	S 89° 59' 59" E	33.37
16	33.37	S 10° 00' 00" W	33.37
17	33.37	S 10° 00' 00" W	33.37
18	33.37	S 89° 59' 59" E	33.37
19	33.37	S 89° 59' 59" E	33.37
20	33.37	S 10° 00' 00" W	33.37
21	33.37	S 10° 00' 00" W	33.37
22	33.37	S 89° 59' 59" E	33.37
23	33.37	S 89° 59' 59" E	33.37
24	33.37	S 10° 00' 00" W	33.37
25	33.37	S 10° 00' 00" W	33.37
26	33.37	S 89° 59' 59" E	33.37
27	33.37	S 89° 59' 59" E	33.37
28	33.37	S 10° 00' 00" W	33.37
29	33.37	S 10° 00' 00" W	33.37
30	33.37	S 89° 59' 59" E	33.37
31	33.37	S 89° 59' 59" E	33.37
32	33.37	S 10° 00' 00" W	33.37
33	33.37	S 10° 00' 00" W	33.37
34	33.37	S 89° 59' 59" E	33.37
35	33.37	S 89° 59' 59" E	33.37
36	33.37	S 10° 00' 00" W	33.37
37	33.37	S 10° 00' 00" W	33.37
38	33.37	S 89° 59' 59" E	33.37
39	33.37	S 89° 59' 59" E	33.37
40	33.37	S 10° 00' 00" W	33.37
41	33.37	S 10° 00' 00" W	33.37
42	33.37	S 89° 59' 59" E	33.37
43	33.37	S 89° 59' 59" E	33.37
44	33.37	S 10° 00' 00" W	33.37
45	33.37	S 10° 00' 00" W	33.37
46	33.37	S 89° 59' 59" E	33.37
47	33.37	S 89° 59' 59" E	33.37
48	33.37	S 10° 00' 00" W	33.37
49	33.37	S 10° 00' 00" W	33.37
50	33.37	S 89° 59' 59" E	33.37
51	33.37	S 89° 59' 59" E	33.37
52	33.37	S 10° 00' 00" W	33.37
53	33.37	S 10° 00' 00" W	33.37
54	33.37	S 89° 59' 59" E	33.37
55	33.37	S 89° 59' 59" E	33.37
56	33.37	S 10° 00' 00" W	33.37
57	33.37	S 10° 00' 00" W	33.37
58	33.37	S 89° 59' 59" E	33.37
59	33.37	S 89° 59' 59" E	33.37
60	33.37	S 10° 00' 00" W	33.37
61	33.37	S 10° 00' 00" W	33.37
62	33.37	S 89° 59' 59" E	33.37
63	33.37	S 89° 59' 59" E	33.37
64	33.37	S 10° 00' 00" W	33.37
65	33.37	S 10° 00' 00" W	33.37
66	33.37	S 89° 59' 59" E	33.37
67	33.37	S 89° 59' 59" E	33.37
68	33.37	S 10° 00' 00" W	33.37
69	33.37	S 10° 00' 00" W	33.37
70	33.37	S 89° 59' 59" E	33.37
71	33.37	S 89° 59' 59" E	33.37
72	33.37	S 10° 00' 00" W	33.37
73	33.37	S 10° 00' 00" W	33.37
74	33.37	S 89° 59' 59" E	33.37
75	33.37	S 89° 59' 59" E	33.37
76	33.37	S 10° 00' 00" W	33.37
77	33.37	S 10° 00' 00" W	33.37
78	33.37	S 89° 59' 59" E	33.37
79	33.37	S 89° 59' 59" E	33.37
80	33.37	S 10° 00' 00" W	33.37
81	33.37	S 10° 00' 00" W	33.37
82	33.37	S 89° 59' 59" E	33.37
83	33.37	S 89° 59' 59" E	33.37
84	33.37	S 10° 00' 00" W	33.37
85	33.37	S 10° 00' 00" W	33.37
86	33.37	S 89° 59' 59" E	33.37
87	33.37	S 89° 59' 59" E	33.37
88	33.37	S 10° 00' 00" W	33.37
89	33.37	S 10° 00' 00" W	33.37
90	33.37	S 89° 59' 59" E	33.37
91	33.37	S 89° 59' 59" E	33.37
92	33.37	S 10° 00' 00" W	33.37
93	33.37	S 10° 00' 00" W	33.37
94	33.37	S 89° 59' 59" E	33.37
95	33.37	S 89° 59' 59" E	33.37
96	33.37	S 10° 00' 00" W	33.37
97	33.37	S 10° 00' 00" W	33.37
98	33.37	S 89° 59' 59" E	33.37
99	33.37	S 89° 59' 59" E	33.37
100	33.37	S 10° 00' 00" W	33.37

**Curve Table**

Curve #	Length	Radius	Chord Length	Chord Distance	Delta
1	71.12	1000	71.12	71.12	90° 00' 00"
2	71.12	1000	71.12	71.12	90° 00' 00"
3	71.12	1000	71.12	71.12	90° 00' 00"
4	71.12	1000	71.12	71.12	90° 00' 00"
5	71.12	1000	71.12	71.12	90° 00' 00"
6	71.12	1000	71.12	71.12	90° 00' 00"
7	71.12	1000	71.12	71.12	90° 00' 00"
8	71.12	1000	71.12	71.12	90° 00' 00"
9	71.12	1000	71.12	71.12	90° 00' 00"
10	71.12	1000	71.12	71.12	90° 00' 00"
11	71.12	1000	71.12	71.12	90° 00' 00"
12	71.12	1000	71.12	71.12	90° 00' 00"
13	71.12	1000	71.12	71.12	90° 00' 00"
14	71.12	1000	71.12	71.12	90° 00' 00"
15	71.12	1000	71.12	71.12	90° 00' 00"
16	71.12	1000	71.12	71.12	90° 00' 00"
17	71.12	1000	71.12	71.12	90° 00' 00"
18	71.12	1000	71.12	71.12	90° 00' 00"
19	71.12	1000	71.12	71.12	90° 00' 00"
20	71.12	1000	71.12	71.12	90° 00' 00"
21	71.12	1000	71.12	71.12	90° 00' 00"
22	71.12	1000	71.12	71.12	90° 00' 00"
23	71.12	1000	71.12	71.12	90° 00' 00"
24	71.12	1000	71.12	71.12	90° 00' 00"
25	71.12	1000	71.12	71.12	90° 00' 00"
26	71.12	1000	71.12	71.12	90° 00' 00"
27	71.12	1000	71.12	71.12	90° 00' 00"
28	71.12	1000	71.12	71.12	90° 00' 00"
29	71.12	1000	71.12	71.12	90° 00' 00"
30	71.12	1000	71.12	71.12	90° 00' 00"
31	71.12	1000	71.12	71.12	90° 00' 00"
32	71.12	1000	71.12	71.12	90° 00' 00"
33	71.12	1000	71.12	71.12	90° 00' 00"
34	71.12	1000	71.12	71.12	90° 00' 00"
35	71.12	1000	71.12	71.12	90° 00' 00"
36	71.12	1000	71.12	71.12	90° 00' 00"
37	71.12	1000	71.12	71.12	90° 00' 00"
38	71.12	1000	71.12	71.12	90° 00' 00"
39	71.12	1000	71.12	71.12	90° 00' 00"
40	71.12	1000	71.12	71.12	90° 00' 00"
41	71.12	1000	71.12	71.12	90° 00' 00"
42	71.12	1000	71.12	71.12	90° 00' 00"
43	71.12	1000	71.12	71.12	90° 00' 00"
44	71.12	1000	71.12	71.12	90° 00' 00"
45	71.12	1000	71.12	71.12	90° 00' 00"
46	71.12	1000	71.12	71.12	90° 00' 00"
47	71.12	1000	71.12	71.12	90° 00' 00"
48	71.12	1000	71.12	71.12	90° 00' 00"
49	71.12	1000	71.12	71.12	90° 00' 00"
50	71.12	1000	71.12	71.12	90° 00' 00"
51	71.12	1000	71.12	71.12	90° 00' 00"
52	71.12	1000	71.12	71.12	90° 00' 00"
53	71.12	1000	71.12	71.12	90° 00' 00"
54	71.12	1000	71.12	71.12	90° 00' 00"
55	71.12	1000	71.12	71.12	90° 00' 00"
56	71.12	1000	71.12	71.12	90° 00' 00"
57	71.12	1000	71.12	71.12	90° 00' 00"
58	71.12	1000	71.12	71.12	90° 00' 00"
59	71.12	1000	71.12	71.12	90° 00' 00"
60	71.12	1000	71.12	71.12	90° 00' 00"



NOTICE: All dimensions shall be in feet and inches, and where necessary, shall be rounded to the nearest hundredth of an inch. The minimum lot area shall be 10,000 square feet. The minimum lot width shall be 100 feet. The minimum lot depth shall be 100 feet. The minimum lot area shall be 10,000 square feet. The minimum lot width shall be 100 feet. The minimum lot depth shall be 100 feet.



**LEGEND**

THIS PLAT IS SUBJECT TO THE OKLAHOMA AUTOMATIC EASEMENT ACT (O.A.E.A.) AND THE OKLAHOMA EASEMENT ACT (O.E.A.). THE O.A.E.A. PROVIDES THAT THE EASEMENT SHALL BE DEEMED TO EXIST UNLESS IT IS EXPLICITLY EXCEPTED FROM THE DEED INSTRUMENT. THE O.E.A. PROVIDES THAT THE EASEMENT SHALL BE DEEMED TO EXIST UNLESS IT IS EXPLICITLY EXCEPTED FROM THE DEED INSTRUMENT.

**NOTES**

- All dimensions shall be in feet and inches, and where necessary, shall be rounded to the nearest hundredth of an inch.
- The minimum lot area shall be 10,000 square feet. The minimum lot width shall be 100 feet. The minimum lot depth shall be 100 feet.
- All areas, measurements, maps, etc. are shown but shall be subject to the provisions of the Oklahoma Easement Act.



FINAL PLAT  
of  
**HIGHGARDEN PHASE 3**  
J&A  
10101 S Broadway  
Edmond, Oklahoma 73119  
Phone: 405.223.8888  
Fax: 405.223.8889  
www.jandajr.com