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 04/10/2014 10:20:13 AM
 Bk:RE12507 Pg:100 Pgs:3 DECL
 State of Oklahoma
 County of Oklahoma
 Oklahoma County Clerk
 Carolynn Caudill

DECLARATION OF CONDITIONS, COVENANTS AND RESTRICTIONS FOR STONEBRIAR ADDITION SECTION FIVE TO THE CITY OF OKLAHOMA CITY, OKLAHOMA COUNTY, OKLAHOMA

This Declaration is made this 7th day of April, 2014, by Stonebriar Development, LLC, an Oklahoma Limited Liability Company, owner of the land and improvements ("Subject Property") described herein on Exhibit "A" which is attached hereto and incorporated herein.

RECITALS

WHEREAS, Stonebriar Development, LLC, hereafter referred to as the "Declarant", is the owner of the Subject Property located in Oklahoma County, Oklahoma and described herein on the attached "Exhibit A"; 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 1st day of April, 2014, in the County Clerk's office of Oklahoma County, Oklahoma, at Plat Book 71, page 60; 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 into separate Lots as the Stonebriar Addition, said plat being filed of record in Plat Book 63, page 14, Oklahoma County Clerks office for Oklahoma County, Oklahoma, and the Covenants, Conditions and Restrictions for Stonebriar Addition being filed on November 29, 2005, at Book 9935, page 581, records of the County Clerks office of Oklahoma County, Oklahoma.

WHEREAS, an Amendment to the ORIGINAL DECLARATIONS ("AMENDMENT") was filed on August 8, 2006 and recorded at Book 10203, Page 1712, records of the County Clerks office of Oklahoma County for the purpose of defining permitted fences on certain Lots in Stonebriar, which amendment does not affect the Lots dedicated herein in Stonebriar Addition Section Five; and

NOW, THEREFORE, except as specifically stated herein, Declarant does hereby adopt the terms, conditions and provisions set out and contained in the Declaration of Covenants, Conditions and Restrictions for the Stonebriar Addition (the "ORIGINAL DECLARATIONS"), as amended in the AMENDMENT filed thereto, which ORIGINAL DECLARATIONS for the Stonebriar Addition are filed at Book 9935, page 581, as if the terms of the ORIGINAL DECLARATIONS and AMENDMENT are fully set forth herein and does hereby declare that the Subject Property described on Exhibit "A" hereto and the plat of Stonebriar Addition Section Five is subject to those ORIGINAL DECLARATIONS, 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, its 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 adoption of the Declarations described hereinabove shall specifically include and apply to membership in the Stonebriar HOA, Inc., the mandatory homeowners association created to govern the benefits and duties of ownership of a Lot in the Subject Property.

The exceptions and modifications to the ORIGINAL DECLARATIONS for the Lots in Stonebriar Addition Section Five are as follows, to-wit:

EDITING NOTE – Language in the original document that is stricken with this Declaration is shown with a strikeout. Example – ~~strikeout~~. Language that is added to the original document is shown in italics with an underline. Example – underline.

- 1. Article III, Section 3.3 Minimum Square Footage is hereby modified as follows:

Unless otherwise stated herein, no residence shall contain less than Two Thousand One Hundred (2,100) ~~One Thousand Eight Hundred (1,800)~~ square feet of living area. The first floor of any two story residence must contain a minimum of One Thousand Two Hundred (1,000 1,200) square feet of living area.

Stewart Abstract & Title
 701 N. Broadway, Suite 300
 Oklahoma City, OK 73102
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2. Article III, Section 3.8 Fences is hereby amended to read as follows, to-wit:

3.8 Fences. All fences shall be of wood, brick, rock or wrought iron construction and may not exceed 72 inches in height. All fences must be maintained in good condition with no visible holes or loose or missing pickets. Wood fences must be the dog-eared style of top, no pointed end pickets are allowed. Fences erected on the following described lots may not be more than 48 inches in height by the time said fence reaches the back of the lot line which is adjacent to the platted Common Areas. The fence must start reducing at least sixteen (16') feet prior to the rear lot line and should gradually reduce in height until down to 48 inches. On the back lot line the fence must be metal or wrought iron not to exceed 48 inches in height, to-wit:

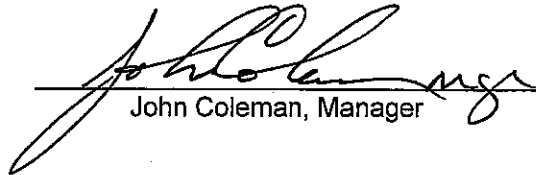
- Lots 6 through 11, inclusive, Block 10;
- Lots 1 through 7, inclusive, Block 9; and
- Lots 1 through 5, inclusive, Block 8;

3. There are no other changes to Original Declarations.

IN WITNESS WHEREOF, the undersigned, being the Declarant and Owner of all of the Lots in Stonebriar Addition Section FIVE has executed these presents the 8th day of April, 2014.

DECLARANT:

STONEBRIAR DEVELOPMENT, LLC; an Oklahoma Limited Liability Company




John Coleman, Manager

STATE OF OKLAHOMA)
) ss.
COUNTY OF OKLAHOMA)

The foregoing instrument was acknowledged before me this 8th day of April, 2014, by John Coleman as Manager of Stonebriar Development, LLC, an Oklahoma Limited Liability Company, on behalf of the company.





NOTARY PUBLIC

My Commission Expires:

7/17/17
SEAL

EXHIBIT "A"
STONEBRIAR ADDITION SECTION FIVE

All of the Lots in Stonebriar Addition Section Five as described on the Plat of Stonebriar Addition Section Five recorded on April 1, 2014 at Book 71, page 60, records of the Oklahoma County Clerks office, which plat contains the following metes and bounds legal description, to-wit:

A tract of land situate within a portion of the Southwest Quarter (SW/4) of Section Twenty-one (21), Township Fourteen North (T14N), Range Three West (R3W), of the Indian Meridian (I.M.), in Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows:

Commencing at the Southeast Corner of said SW/4; thence N00°07'14"E a distance of 565.00 feet to the POINT OF BEGINNING; thence along the Northerly and Easterly lines of STONEBRIAR ADDITION SECTION ONE, SECTION THREE and SECTION FOUR, according to the recorded plats thereof, the following Six (6) courses:

- 1) S89°49'03"W a distance of 362.07 feet; thence
- 2) N72°18'41"W a distance of 334.23 feet; thence
- 3) N45°31'01"W a distance of 188.22 feet to a point on a curve to the left; thence
- 4) 25.65 feet along the arc of said curve having a radius of 345.00 feet, subtended by a chord of 25.64 feet which bears N47°38'48"W; thence
- 5) N45°46'20" W a distance of 390.54 feet; thence
- 6) N35°59'37"W a distance of 530.10 feet; thence
N54°00'23"E a distance of 290.00 feet; thence
N35°59'37"W a distance of 48.29 feet; thence
N54°00'23"E a distance of 50.00 feet; thence
N89°32'26"E a distance of 836.52 feet; thence
S00°27'34"E a distance of 295.93 feet; thence
S16°54'47"W a distance of 92.07 feet; thence
S48°51'39"W a distance of 18.98 feet; thence
S36°42'01"E a distance of 180.09 feet; thence
S53°17'59"W a distance of 15.85 feet; thence
S36°42'01"E a distance of 115.00 feet; thence
S89°52'46"E a distance of 218.12 feet to a point on said East line of the SW/4; thence
S00°07'14"W along said East line a distance of 553.40 feet to the POINT OF BEGINNING.

Said tract contains 1,076,146 Square Feet or 24.705 Acres, more or less.

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Filing Fee: \$17.00

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