

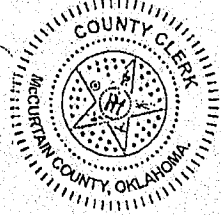
OWNER'S CERTIFICATE, DEDICATION AND RESERVATIONS
REVISED 13 JANUARY 2017

STATE OF OKLAHOMA)

SS

MCCURTAIN COUNTY)

1-2001-554523 Book 0955 Pg 846
01/13/2017 12:56 pm Pg 0846-0850
Fee: \$ 21.00 Doc: \$ 0.00
Karen Bryan - McCurtain County Clerk
State of Oklahoma



KNOW ALL MEN BY THESE PRESENTS:

That the owners of **Timber Creek Trails South, Phase I and individual tracts therein**, located in McCurtain County, State of Oklahoma, described in the attached Exhibit A do agree to the covenants below.

Choctaw Mountain, L.L.C., hereby certifies that it has caused the same to be surveyed into 83 tracts under the name of **Timber Creek Trails South, Phase I**, and the owners of said tracts do hereby dedicate to public use, subject to the conditions and restrictions hereinafter named, all of the roads upon said plat. We further dedicate and reserve the utility easements shown on the plat for the installation and maintenance of utilities. All land so dedicated to public use, is free and clear of all encumbrances.

PROTECTIVE COVENANTS

1. All tracts shall be used solely for residential purposes and nightly rentals.
2. Homes must be no less than 1200 sq. ft. Porches and decks may be included.
3. No structures shall be erected, altered, placed or permitted to remain on any residential building plot other than one (1) detached single family dwelling and a private garage and other outbuildings incidental to residential use of the building.
4. No outside cabin construction or land clearing on Saturday and Sunday within 1000 feet of inhabited or rented cabins.
5. All structures shall be sightly, of neat construction and of character to enhance the value of the property.
6. Easements for installation and maintenance of utilities and drainage-facilities are herein reserved and within these easements, no structure, planting, or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities, or which may cause the

Ret Charles Wilson
788 Swift Loop
Broken Bow OK

direction of flow of drainage channels in the easements, or which may obstruct or retard the flow of water through drainage channels in the easements. The easement area of each tract and all improvements in it shall be maintained continuously by the owner of the tract, except for those improvements for which a public authority or utility company is responsible.

7. No detached garage or other outbuilding shall be permitted in the easements herein reserved.
8. No animals, livestock or poultry of any kind shall be raised, bred, or kept on any site except that dogs, cats or other household pets may be kept, provided they are not kept, bred or maintained for any commercial purposes, and further provided that said animals do not become nuisances to the surrounding property owners.
9. No sign of any kind shall be displayed to the public view on any residential tract except one professional sign of not more than one (1) square foot, one sign or not more than five (5) square feet advertising the property for sale, or signs used by a builder during the construction and sales period.
10. No debris, junk or unsightly accumulation of materials shall be allowed to remain on the premises.
11. No tract shall be used for outside storage; any materials stored on premises must be kept in an enclosure, complete with roof and sides.
12. No automobile or automobiles may be parked on said premises unless such automobile is on inflated tires and in mechanical operating condition.
13. The owner may park a motor home, camper trailer, upon the building plot owned by said owner during the construction period, provided said construction period cannot exceed six (6) months.
14. No fences shall be constructed or placed upon the premises.
15. If the parties hereto, or any of them or their heirs or assigns shall violate any of the covenants herein, it shall be lawful for any other person or persons owning any real property situated in **Timber Creek Trails South, Phases I** to prosecute any proceedings at law or in equity against the person or persons to recover damages or other dues for such violation.

16. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them unless an instrument signed by the owners of a majority of the tracts has been recorded, agreeing to change said covenants in whole or in part.
17. Invalidation of any of these covenants by judgment or court order shall in no wise effect any of the other provisions, which shall remain in full force and effect.
18. Roof pitch and colors are to be consistent within the development and are subject to approval. Approval shall not be unreasonable be withheld.
19. All buildings must be constructed with natural/natural looking materials such as wood, simulated wood, stone, cultured stone. Buildings constructed with brick, stucco or any other man made materials are not permitted.
20. There shall be no construction of any kind in the creek.
21. There shall be no commercial businesses outside of cabin rental.
22. There shall be only one (1) cabin per acre unless approved by the developer. Cabins shall not be placed within 40 feet of any lot boundary unless approved. Building placement is subject to approval by Choctaw Mountain prior to construction.
23. There shall be no metal buildings on the premises.
24. There shall be a Home Owners Association fee up to \$200.00 per year for completed cabins. Once the Home Association is formed, the annual fee will be determined by vote and due process by the Association.
25. House signage shall be limited to 6 square feet and shall be mounted on posts no higher than 5 feet off the ground. Signage shall not be mounted on trees.
26. Lots 2, 3 & 4 may be used for commercial use at the sole discretion of the developer.

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**CHOCTAW MOUNTAIN, L.L.C.
TIMBER CREEK TRAILS SOUTH, PHASE I**

By: Charles R Wilson
CHARLES WILSON
Member Partner

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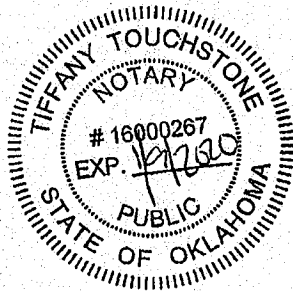
Before me, the undersigned notary public, in and for the County of McCurtain, State of Oklahoma, on this 13th day of January 2017, personally appeared the owners of said properties.

Given my hand and seal the day and year last above written.

Tiffany Touchstone
NOTARY PUBLIC

My Commission Expires: 1/9/2020

My Commission Number 16000267



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01/13/2017 12:56 pm Pg 0846-0850

Fee: \$ 21.00 Doc: \$ 0.00

Karen Bryan - McCurtain County Clerk
State of Oklahoma

"Exhibit A"

PROPERTY DESCRIPTION

All that part of Section 27, Township 4 South, Range 24 East of the Indian Base and Meridian, McCurtain County, Oklahoma, described as follows:
Commencing at the Northwest corner of the Southwest 1/4 of said Section 27;
THENCE: S00°33'17"E, with the West line of said SW1/4 of said Section 27, 659.30 feet to the Southwest corner of the N1/2 of the N1/2 of the S1/2 of said Section 27;
THENCE: N89°51'38"E, with the South line of said N1/2 N1/2 S1/2, 221.75 feet to the POINT OF BEGINNING for the herein described tract, said point being on the Southerly side of, Weyerhaeuser Road No. 52000;
THENCE: Northeasterly, generally 20.00 feet Southerly of and parallel to the South edge of said Road the following:
N62°06'40"E, 148.24 feet; N47°33'56"E, 216.18 feet; N40°02'50"E, 107.43 feet;
N34°57'27"E, 200.14 feet; N43°11'50"E, 98.10 feet; N61°45'50"E, 132.76 feet;
N77°40'17"E, 312.29 feet; N70°47'30"E, 85.26 feet; N58°24'13"E, 126.72 feet;
N44°07'20"E, 167.97 feet; N35°24'28"E, 551.09 feet; N43°05'31"E, 197.82 feet;
N37°48'01"E, 215.64 feet; N44°39'13"E, 124.77 feet; N58°04'36"E, 128.91 feet;
N65°50'17"E, 223.84 feet; N50°23'26"E, 161.48 feet; N45°55'44"E, 163.13 feet;
N58°05'51"E, 272.32 feet to a point on the existing West Right of Way line of U.S. Highway No. 259;
THENCE: S35°40'34"E, with said Right of Way line, 1946.59 feet to a point on the North line of said N1/2 N1/2 S1/2 of Section 27;
THENCE: S89°51'15"W, with the North line of said N1/2 N1/2 S1/2, 30.72 feet;
THENCE: S35°40'34"E, continuing with said Right of Way line, 586.87 feet; to an angle point;
THENCE: S24°22'45"E, 199.76 feet to a point on the South line of said N1/2 N1/2 S1/2;
THENCE: S89°51'38"W, with the South line of said N1/2 N1/2 S1/2, 4258.97 feet to the PLACE OF BEGINNING, containing 110.833 acres of land more or less.

Basis of bearings of property description is the North line of Section 27, T4S, R24E, (N89°53'26"E)

This property description was prepared on September 21, 2012, by Wayne T. Maye, Licensed Professional Land Surveyor No. 834, when the original Boundary Survey was performed by me.

SURVEYORS CERTIFICATE

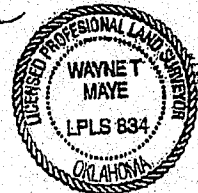
I, Wayne T. Maye, Licensed Professional Land Surveyor, hereby certifies that this plat correctly represents a Survey and plat made by me or under my supervision, that all monuments shown hereon actually exist and their location, size, type, and material are correctly shown, and this plat of survey meets the Oklahoma Minimum Standards for the practice of Land Surveying as adopted by the Oklahoma State Board of Registration for Professional Engineers and Land Surveyors.

June 19, 2013

DATE OF LAST VISIT

Wayne T. Maye, PLS
Okla. Reg. No. 834
6/21/13

DATE OF SIGNATURE



BEARINGS BASED ON THE NORTH LINE OF SECTION 27, T4S, R24E.
BBL AS N89°53'26"E, ACCORDING TO A FOREST SERVICE PLAT.

THERE IS A 33.00 FEET STATUTORY ACCESS EASEMENT FOR ROADWAY PURPOSES, 16.50' EACH SIDE OF AND PARALLEL TO ALL SECTION LINES.

SET 1/2" IRON PIN W/ CAP AT ALL EXTERIOR BOUNDARY AND TRACT CORNERS UNLESS OTHERWISE NOTED.

CALLS ALONG CREEK N BLOCK 1

L-1 N58°09'55"E 22.07'	L-2 N58°09'55"E 111.97'	L-3 N25°58'04"E 40.41'	L-4 N67°38'11"E 75.43'	L-5 N0°17'52"W 64.42'	L-6 N57°03'11"E 176.02'
L-7 N57°03'11"E 78.62'	L-8 N89°35'41"E 124.56'	L-9 S42°52'50"E 63.32'	L-10 S87°41'04"E 105.35'	L-11 S64°32'09"E 108.03'	L-12 S86°23'28"E 34.42'
L-13 S88°23'26"E 77.10'	L-14 N86°23'28"W 42.68'	L-15 S88°23'14"E 36.43'	L-16 N57°40'21"E 40.63'	L-17 S58°07'28"E 79.02'	L-18 N71°18'36"E 32.73'
L-19 S58°07'28"E 93.51'	L-20 S58°07'28"E 172.55'	L-21 N71°18'36"E 46.31'	L-22 N71°18'36"E 79.04'	L-23 S43°52'01"W 40.68'	L-24 N43°52'01"E 88.20'
L-25 N43°52'01"E 108.88'	L-26 N78°19'25"E 121.59'	L-27 S82°23'09"E 43.27'	L-28 S82°23'09"E 101.48'	L-29 S82°23'09"E 101.48'	L-30 S82°23'09"E 101.48'

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