

FIRST AMENDED RESTRICTIONS

OF

SURREY HILLS ADDITION NO. 5

Being a part of the Northeast Quarter (NE $\frac{1}{4}$) of Section Twenty-one (21), Township Thirteen (13) North, Range Five (5) West, and the Northwest Quarter (NW $\frac{1}{4}$) of Section Twenty-two (22), Township Thirteen (13) North, Range Five (5) West of the I.M., Canadian County, Oklahoma

KNOW ALL MEN BY THESE PRESENTS:

THAT, the undersigned, do hereby certify that they are severally, and not jointly, the Owners of, and the only person or persons, firm or firms, corporation or corporations, who have any right, title or interest in and to any of the Lots, Blocks, Streets, and Easements embraced and included in SURREY HILLS ADDITION NO. 5, to Oklahoma City, Canadian County, Oklahoma, according to the Plat recorded in Book 4 of Plats at Page 43, of the records of Canadian County, State of Oklahoma, and that title to the individual Lots, Blocks, and Areas in said Addition is now vested in the undersigned, each of the undersigned owners owning the Lot or Lots, Block or Blocks, Area or Acres, indicated alongside each Owner's respective name, as hereinbelow set forth.

WHEREAS, prior to this date, the then Owner of all Lots, Blocks, and Areas located in SURREY HILLS ADDITION NO. 5, to Oklahoma City, Canadian County, Oklahoma above described, executed an instrument entitled "Owners Certificate and Restrictions to SURREY HILLS ADDITION NO. 5, dated the 21st day of December, 1971, and filed for record on the 23rd day of December, 1971, at 10:30 A.M., in Book 493 at page 581 of the records of Canadian County, State of Oklahoma, setting forth plat restrictions applicable to said SURREY HILLS ADDITION NO. 5; and

WHEREAS, it is now the intention and desire of all of the following named present Owners to amend a part of the restrictions set forth in the above described Owners Certificate and Restrictions to SURREY HILLS ADDITION NO. 5, dated the 21st day of December, 1971, in the manner specifically set forth hereinafter.

NOW, THEREFORE, the undersigned individuals, firms and corporations, do hereby amend the above described restrictions as follows:

FIRST: That the portion of the original Owners Certificate and Restrictions to SURREY HILLS ADDITION NO. 5, in Oklahoma City, Canadian County, Oklahoma, recorded in Book 493 at page 581 of the records of Canadian County, Oklahoma, (identified therein as the third and fourth sentences in the paragraph or section entitled USE OF LAND) on Page Two of said restrictions, and set forth as follows:

"USE OF LAND

Block 25 shall be used for multifamily residential purposes only.

Block 23 may be used for commercial purposes only.

be, and each and every part of said third and fourth sentences in the paragraph or section entitled, USE OF LAND, on Page Two of said restrictions,

[Handwritten Signature]
Recorded
[Handwritten Signature]
PR. Read
Margin
Grantor *[Handwritten Signature]*
Grantee *[Handwritten Signature]*

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are hereby entirely stricken out, cancelled, vacated, and entirely nullified, and the following is herewith substituted for said cancelled third and fourth sentences in said paragraph or section, and in lieu thereof, and as a specific amendment of said original third and fourth sentences in the paragraph or section entitled USE OF LAND, on Page Two of said restrictions, so that same shall hereafter be as follows:

"USE OF LAND

* * * * *

Block 25 shall be used for single-family residential purposes, or multifamily residential purposes.

Block 22 may be used for residential purposes, including multifamily residential purposes or for commercial purposes.

"

* * * * *

SECOND: That the portion of the original Owners Certificate and Restrictions to SURREY HILLS ADDITION NO. 5, in Oklahoma City, Canadian County, Oklahoma, recorded in Book 493 st page 581 of the records of Canadian County, Oklahoma, identified therein as paragraph or section entitled, COMMERCIAL FACILITIES, on Page Six of said Restrictions, and set forth as follows:

"COMMERCIAL FACILITIES

Block 22 is designated for commercial use. No commercial building shall be erected or maintained on said block nearer to the front street than the front building limit line of said block on which said buildings may be erected, as shown on said plat."

be, and each and every part of said paragraph or section entitled, COMMERCIAL FACILITIES, on Page Six of said restrictions, is hereby entirely stricken out, cancelled, vacated and entirely nullified and the following paragraph or section is herewith substituted for said cancelled paragraph or section, and in lieu thereof, and as a specific amendment of said original paragraph or section entitled COMMERCIAL FACILITIES on Page Six of said restrictions so that same shall hereafter be as follows:

"COMMERCIAL FACILITIES

"Block 22 is designated for residential purposes, including multifamily residential purposes, or for commercial purposes. No commercial or residential building shall be erected or maintained on said block nearer to the front street than the front building limit line of said block on which said buildings may be erected, as shown on said plat."

IN WITNESS WHEREOF, the undersigned individuals, firms and corporations have caused this instrument to be executed at Oklahoma City, Oklahoma, on this 7th day of November, 1972.

<u>LOT</u>	<u>BLOCK</u>	
2	27	- <u>Melvin E. Butler</u> <u>Willie B. Butler</u> Melvin E. Butler and Willie B. Butler, husband & wife
4	27	- <u>Melvin E. Butler</u> <u>Willie B. Butler</u> Melvin E. Butler and Willie B. Butler, husband & wife
5	27	- <u>Melvin E. Butler</u> <u>Willie B. Butler</u> Melvin E. Butler and Willie B. Butler, husband & wife
10	27	- <u>Frank D. Evans</u> <u>Jo Anne Evans</u> Frank D. Evans and Jo Anne Evans, husband and wife

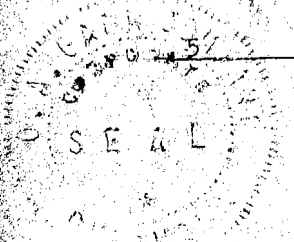
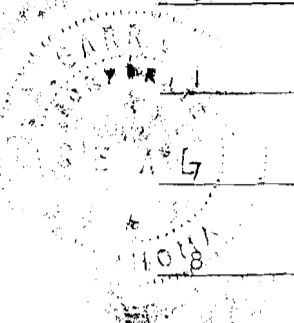
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LOT BLOCK

27	Robert J. Martin Elva M. Martin	Robert J. Martin Elva M. Martin
28	ATTEST: William Kay, Asst. Secretary K & K Construction Corp., By Charles R. Kay, Vice-President	Charles R. Kay William Kay
28	Melvin E. Butler Willie B. Butler	Melvin E. Butler Willie B. Butler
28	Melvin E. Butler Willie B. Butler	Melvin E. Butler Willie B. Butler
28	Melvin E. Butler Willie B. Butler	Melvin E. Butler Willie B. Butler
28	Tom C. Carleton Eileen L. Carleton	Tom C. Carleton Eileen L. Carleton
28	Leslie Belinski Cliffa Jean Belinski	Leslie Belinski Cliffa Jean Belinski
28	ATTEST: Martha Kay, Secretary O. A. Garr Company, a corporation, By O. A. Garr, III, President	O. A. Garr III Martha Kay
29	Melvin E. Butler Willie B. Butler	Melvin E. Butler Willie B. Butler
29	Melvin E. Butler Willie B. Butler	Melvin E. Butler Willie B. Butler
29	Melvin E. Butler Willie B. Butler	Melvin E. Butler Willie B. Butler
29	ATTEST: Ronald Thayer, Asst. Sec. Plains Construction Company, a corporation, By Robert G. Boren, Pres	Robert G. Boren Ronald Thayer
29	Robert J. Smyth Sharon K. Smyth	Robert J. Smyth Sharon K. Smyth
29	Melvin E. Butler Willie B. Butler	Melvin E. Butler Willie B. Butler
29	Melvin E. Butler Willie B. Butler	Melvin E. Butler Willie B. Butler
29	ATTEST: Ronald Thayer, Asst. Sec. Plains Construction Company, a corporation, By Robert G. Boren, Pres	Robert G. Boren Ronald Thayer
29	Leonard M. Madden Helen M. Madden	Leonard M. Madden Helen M. Madden
30	Samuel W. Davis Carol J. Davis	Samuel W. Davis Carol J. Davis
30	D. C. DeLana Janice L. DeLana	D. C. DeLana Janice L. DeLana
30	ATTEST: Connie L. Harbin, Secretary Accord Living, Inc., By Melvin H. Harbin, President	Melvin H. Harbin Connie L. Harbin
30	John G. Udenstock Linda Udenstock	John G. Udenstock Linda Udenstock

LOT BLOCK

8	30	<i>Danny Stevenson</i> - <i>Glenda A. Stevenson</i> Danny Stevenson Glenda A. Stevenson
1	31	<i>Calvin W. Bivings</i> - <i>Carol A. Bivings</i> Calvin W. Bivings Carol A. Bivings
6	31	<i>O. A. Garr III</i> - <i>Martha Kay Garr</i> Secretary O. A. Garr Company, a corporation, By O. A. Garr, III, President
10	31	<i>John H. Ford</i> - <i>Karen Lynn Ford</i> John H. Ford Karen Lynn Ford
11	31	<i>William J. Landsberger</i> - <i>Patricia Ann Landsberger</i> William J. Landsberger Patricia Ann Landsberger
14	31	<i>John E. Null</i> - <i>Welda D. Null</i> John E. Null Welda D. Null
15	31	<i>Robert J. Smyth</i> - <i>Secretary</i> Robert J. Smyth Homes, Inc., By Robert J. Smyth, President
1	32	<i>L. V. Graham</i> - <i>Roxie D. Graham</i> L. V. Graham and Roxie D. Graham, husband and wife, DBA Graham Construction Company
2	32	<i>L. V. Graham</i> - <i>Roxie D. Graham</i> L. V. Graham and Roxie D. Graham, husband and wife, DBA Graham Construction Company
2	33	<i>Dale Brown, Pres.</i> - <i>Secretary</i> Dale Brown Bldg. Co., a corporation, By Dale Brown, President
3	33	<i>Dale Brown, Pres.</i> - <i>Secretary</i> Dale Brown Bldg. Co., a corporation, By Dale Brown, President
4	33	<i>Dale Brown, Pres.</i> - <i>Secretary</i> Dale Brown Bldg. Co., a corporation, By Dale Brown, President
5	33	<i>Robert J. Smyth</i> - <i>President</i> - <i>Secretary</i> Robert J. Smyth Homes, Inc., By Robert J. Smyth, President
6	33	<i>O. A. Garr III</i> - <i>Martha Kay Garr</i> O. A. Garr, III Martha Kay Garr
7	33	<i>Robert G. Boren</i> - <i>Jay Ann Boren</i> Robert G. Boren Jay Ann Boren
8	33	<i>Jack Barlow</i> - <i>Lawrence-Barlow LTD.</i> Lawrence-Barlow, Ltd., a corporation, By Jack Barlow, President
9	33	<i>Robert G. Boren</i> - <i>Jay Ann Boren</i> Robert G. Boren Jay Ann Boren
11	33	<i>Clarence E. Warner</i> - <i>Ona C. Warner</i> Clarence E. Warner Ona C. Warner
12	33	<i>Robert G. Boren, Pres.</i> - <i>Ronald T. Craig, Asst. Secretary</i> Plains Construction Company, a corporation, By Robert G. Boren, Pres.
13	33	<i>Robert G. Boren, Pres.</i> - <i>Ronald T. Craig, Asst. Secretary</i> Plains Construction Company, a corporation, By Robert G. Boren, Pres.
14	33	<i>Robert G. Boren, Pres.</i> - <i>Ronald T. Craig, Asst. Secretary</i> Plains Construction Company, a corporation, By Robert G. Boren, Pres.
15	34	<i>O. A. Garr III</i> - <i>Martha Kay Garr</i> Secretary O. A. Garr Company, a corporation, By O. A. Garr, III, President



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LOT BLOCK

7 34

O. A. Garr III - President Martha Kay Garr Secretary
O. A. Garr Company, a corporation, By O. A. Garr, III, President

10 34

O. A. Garr III - President Martha Kay Garr Secretary
O. A. Garr Company, a corporation, By O. A. Garr, III, President

14 29

Ray Vanderslice ATTEST: Judy K. Cox Secretary
Ray Construction, Inc., By Ray Vanderslice, President

ALSO:
2-?

- All of Blocks 22, 24 and 25;
- Lots 1, 3, 6, 7, 8, 9, 12 and 13, Block 27;
- Lots 1, 5 and 7, Block 28;
- A, 5 and 9, Block 29;
- Lots 3, 4 and 6, Block 30;
- 2, 3, 4, 5, 6, 9, 10, 12, 13, 16 and 17, Block 31;
- Lots 3, 4, 5 and 6, Block 32;
- Lots 1, 10, 15, 16 and 17, Block 33; and
- Lots 1, 2, 3, 4, 6, 8, 9 and 11, Block 34

ATTEST: [Signature]
Secretary

Surrey Hills Development Co., Inc.,
By [Signature]
Leo E. Ford, President

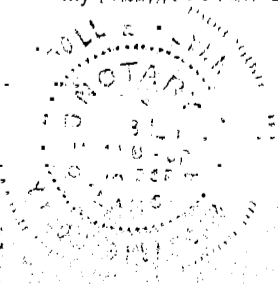
State of Oklahoma)
County of Canadian) ss:

Before me, the undersigned, a Notary Public, in and for said County and State on this 7th day of November, 1972, personally appeared Melvin E. Butler and Willie B. Butler, husband and wife, Frank D. Evans and Jo Anne Evens, husband and wife, Robert J. Martin and Elva M. Martin, husband and wife, Tom C. Carleton and Eileen L. Carleton, husband and wife, Leslie Belinski and Cliffla Jean Belinski, husband and wife, Robert J. Smyth and Sharon K. Smyth, husband and wife, Jack D. Hinton and Glenda L. Hinton, husband and wife, Leonard M. Madden and Helen M. Madden, husband and wife, Samuel W. Davis and Carol J. Davis, husband and wife, D. C. DeLana and Janice L. DeLana, husband and wife, John G. Udenstock and Linda Kay Udenstock, husband and wife, Danny R. Stevenson and Glenda A. Stevenson, husband and wife, Calvin W. Bivings and Carol A. Bivings, husband and wife, John H. Ford and Karen Lynn Ford, husband and wife, William J. Landsberger and Patricia Ann Landsberger, husband and wife, John E. Null and Wilda D. Null, husband and wife, O. A. Garr, III and Marliha Kay Garr, husband and wife, Robert G. Boren and Jay Ann Boren, husband and wife, Clarence E. Warner and Ona C. Warner, husband and wife, to me known to be the identical persons who executed The within and foregoing instrument, and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office the day and year last above written,

My Commission Expires: August 18, 1973

[Signature]
Notary Public



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Page Six

State of Oklahoma)
) ss:
County of Canadian)

Before me, the undersigned, a Notary Public in and for said County and State, on this 7th day of November, 1972, personally appeared L. V. Graham and Roxie D. Graham, husband and wife, doing business as Graham Construction Company, to me known to be the identical persons who executed the within and foregoing instrument, and acknowledged that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

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

My Commission Expires August 18, 1973

Nellie Flynn
Notary Public

State of Oklahoma)
) ss:
County of Canadian)

Before me, the undersigned, a Notary Public in and for said County and State, on this 7th day of November, 1972, personally appeared Charles R. Kay, to me known to be the identical person who subscribed the name of K & K CONSTRUCTION CORP. to the foregoing instrument as its Vice President, and acknowledged to me that he executed the same as his free and voluntary act and deed and as the free and voluntary act and deed of such corporation, for the uses and purposes therein set forth.

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

My Commission Expires August 18, 1973

Nellie Flynn
Notary Public

State of Oklahoma)
) ss:
County of Canadian)

Before me, the undersigned, a Notary Public in and for said County and State, on this 7th day of November, 1972, personally appeared O. A. Garr, III, to me known to be the identical person who subscribed the name of O. A. GARR COMPANY to the foregoing instrument as its President and acknowledged to me that he executed the same as his free and voluntary act and deed and as the free and voluntary act and deed of such corporation, for the uses and purposes therein set forth.

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

My Commission Expires August 18, 1973

Nellie Flynn
Notary Public

State of Oklahoma)
) ss:
County of Canadian)

Before me, the undersigned, a Notary Public in and for said County and State, on this 7th day of November, 1972, personally appeared Robert G. Boren, to me known to be the identical person who subscribed the name of PLAINS CONSTRUCTION COMPANY to the foregoing instrument as its President and acknowledged to me that he executed the same as his free and voluntary act and deed and as the free and voluntary act and deed of such corporation, for the uses and purposes therein set forth.

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

My Commission Expires August 18, 1973

Nellie Flynn
Notary Public

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State of Oklahoma)
) ss:
County of Canadian)

Before me, the undersigned, a Notary Public in and for said County and State, on this 7th day of November, 1972, personally appeared Melvin H. Harbin, to me known to be the identical person who subscribed the name of ACCENT LIVING, INC. to the foregoing instrument as its President and acknowledged to me that he executed the same as his free and voluntary act and deed and as the free and voluntary act and deed of such corporation, for the uses and purposes therein set forth.

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

My Commission Expires August 18, 1973

Dollie Flynn
Notary Public

State of Oklahoma)
) ss:
County of Canadian)

Before me, the undersigned, a Notary Public in and for said County and State, on this 7th day of November, 1972, personally appeared Robert J. Smyth, to me known to be the identical person who subscribed the name ROBERT J. SMYTH HOMES, INC., to the foregoing instrument as its President and acknowledged to me that he executed the same as his free and voluntary act and deed and as the free and voluntary act and deed of such corporation, for the uses and purposes therein set forth.

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

My Commission Expires August 18, 1973

Dollie Flynn
Notary Public

State of Oklahoma)
) ss:
County of Canadian)

Before me, the undersigned, a Notary Public in and for said County and State, on this 7th day of November, 1972, personally appeared Dale Brown, to me known to be the identical person who subscribed the name DALE BROWN BLDG. CO. to the foregoing instrument as its President and acknowledged to me that he executed the same as his free and voluntary act and deed and as the free and voluntary act and deed of such corporation, for the uses and purposes therein set forth.

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

My Commission Expires August 18, 1973

Dollie Flynn
Notary Public

State of Oklahoma)
) ss:
County of Canadian)

Before me, the undersigned, a Notary Public in and for said County and State, on this 7th day of November, 1972, personally appeared Jack Barlow, to me known to be the identical person who subscribed the name of LAWRENCE-BARLOW, Ltd. to the foregoing instrument as its President and acknowledged to me that he executed the same as his free and voluntary act and deed and as the free and voluntary act and deed of such corporation, for the uses and purposes therein set forth.

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

My Commission Expires August 18, 1973

Dollie Flynn
Notary Public

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State of Oklahoma)
) ss:
County of Canadian)

Before me, the undersigned, a Notary Public in and for said County and State, on this 7th day of November, 1972, personally appeared Ray Vanderlicke, to me known to be the identical person who subscribed the name of L RAY CONSTRUCTION, INC., to the foregoing instrument as its President and acknowledged to me that he executed the same as his free and voluntary act and deed and as the free and voluntary act and deed of such corporation, for the uses and therein set forth

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

Rollie Flynn
Notary Public

My Commission Expires August 18, 1973

State of Oklahoma)
Canadian County } SS
Filed for record Nov. 8 1972
at 3:24 P.M. and recorded in
Book 522 Page 679
Fee \$ 7.10
FRANCES C. BREMSETH
COUNTY CLERK
By Mary Patterson Deputy

BONDED ABTRACTER'S CERTIFICATE

STATE OF OKLAHOMA)
) SS
COUNTY OF CANADIAN)

The undersigned, a duly qualified and bonded abstractor, in and for said County and State, hereby certifies that, according to the records of said County, title to all of the land, lots, blocks, streets and easements included in the plat of Surrey Hills Addition Number 5, recorded in Book 4 of Plats at Page 43, Canadian County, Oklahoma, appears to be vested in the persons, firms, and corporations whose names appear in and who have executed first amended restrictions of Surrey Hills Addition Number 5 dated November 7, 1972 to which this certificate is affixed.

Executed this 7th day of November, 1972.

ATTEST:
Marilyn Merveldt
Marilyn Merveldt, Assistant Secretary

CANADIAN VALLEY ABSTRACT COMPANY
By *Malcolm L. Garrett*
Malcolm L. Garrett, Vice President

STATE OF OKLAHOMA)
) SS
COUNTY OF CANADIAN)

Before me, the undersigned, a Notary Public in and for said County and State, on this 7th day of November, 1972, personally appeared Malcolm L. Garrett, Vice-President, to me known to be the identical person who subscribed the name of Canadian Valley Abstract Company, to the foregoing instrument as its Vice President and acknowledged to me that he executed the same as his free and voluntary act and deed and as the free and voluntary act and deed of such corporation, for the uses and purposes therein set forth.

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

TERM EXPIRES:
1-8-73

Frances C. Bremseth
County Clerk