

1398-261

15564

STATE OF OKLAHOMA

June 16, 1986

COUNTY OF OKMULGEE

AMENDMENT TO DEED OF DEDICATION AND
PROTECTIVE COVENANTS OF SPANISH PEAKS
A SUBDIVISION IN OKMULGEE COUNTY, OKLAHOMA

In consideration of the Deed of Dedication and Protective Covenants that were filed of record on July 10, 1978, in Book 1145 at Page 438 thru 440 dedicating the following described real property as Spanish Peaks, a subdivision in Okmulgee County, Oklahoma, to-wit:

A Subdivision situated in Sections 3 and 4, T 15 N, R 13 E, Okmulgee County, Oklahoma, being more particularly described as follows: Beginning at the NE Corner of Sec. 4; thence S 0° 16' 54" E for 1329.61 feet; thence S 89° 42' 01" E for 1317.23 feet; thence S 0° 18' 11" E for 3482.59 feet; thence N 89° 56' 05.9" W for 3957.63 feet; thence N 0° 10' 47" E for 4840.57 feet; thence S 89° 26' 20" E for 2650.19 feet to the point of beginning and containing 398.68 acres more or less.

By approval of this document evidenced by the execution and recordation of a ballot of approval by two-thirds of the property owners holding title to lots in Spanish Peaks Addition at the date of the election certified by a licensed Abstractor in Okmulgee County the conditions and restrictions are amended as follows:

(A single line through any provision indicates that provision is stricken by this Amendment and any provision which is underlined in this document is added to the Conditions and Restrictions by this Amendment.

CONDITIONS AND RESTRICTIONS

Spanish Peaks Properties being desirous of establishing a compatible system of development of said property, and preserving the character thereof as a residential addition, does hereby declare and establish the following restrictions, conditions and protective covenants. Same are hereby made for the use and benefit of each and every person acquiring title or interest in said property, and any person accepting conveyance thereof, either directly or remotely. All properties in this subdivision are subject to these conditions, restrictions and protective covenants and these covenants, conditions and restrictions are to run with the land, and shall be binding on all parties and all persons claiming under them until January 1, 1998, at which time the same shall be automatically extended for successive periods of twenty years. It shall be possible, by vote of two-thirds of the property owners to change them in whole or in part at any time changes are deemed necessary. (The owners of each lot shall be given one vote per lot owned regardless of the number of owners and any person or firm owning more than one lot shall have one vote for each lot owned. By way of example, if X and Y, own one lot together as co-tenants then they shall be entitled to one total vote. If ABC, Inc. should own five lots then ABC shall be given five votes).

If the parties hereto, or any of them, or their heirs or assigns, shall violate or attempt to violate any of the

covenants, conditions and restrictions herein, it shall be lawful for any other person or persons owning any real property situated in said subdivision to prosecute any proceedings at law or in equity against the person or persons violating the same, and either prevent him or them from doing so, or to recover damages or other dues for such damage.

Invalidation of any one of these covenants, restrictions or conditions shall in no way wise affect any of the other provisions which shall remain in full force and effect.

BUILDING AND PROTECTIVE COVENANTS:

1. No structure shall be located nearer to the front property line than the building line so designated on the attached plat. Furthermore, no structure shall be closer than thirty (30') feet from the side or rear property line. Variances from property line set-backs so designated may be granted by the developer if the topography of the land so necessitates.

2. All lots shall be designated as single family building lots with the exception of Reserve A & B. ~~No structures may be built in excess of 2-1/2 stories and must contain a minimum of 1600 sq. ft. exclusive of porches, patios and garages. Building plans must be submitted to the Developer or his designee for approval and such approval may not be unreasonably withheld.~~

~~3. All dwellings shall have attached garages suitable for accommodating a minimum of two standard size automobiles.~~

~~4. All exposed foundations shall be of brick or stone. No concrete block, poured concrete or any other foundation will be exposed. No stem walls will be exposed.~~

3. 5. All fences constructed from the street to the building line shall be of an ornamental nature.

4. 6. No trailer, tent, shack, garage, barn or other outbuilding erected in this subdivision shall at any time be used as a residence, temporarily or permanently, nor shall any structures of a temporary character be used as a residence. No mobile home or outbuilding, new or used, shall be moved into this subdivision.

5. No manufactured home shall be permitted without proper tie down and skirting.

~~7. All lots must remain the size herein dedicated and may not be further subdivided.~~

6. 8. Animals, except swine, are permitted, however no owner shall be permitted to keep large livestock such as horses or cows on lots less than 2 acres. ~~On lots in excess of 2 acres, one head of large livestock per acre will be permitted.~~ Hunting shall not be permitted on any parcel.

7. 9. No lot shall be used as a dumping ground for rubbish, trash, garbage, old cars, or other wastes. All waste shall be kept in sanitary containers. Building materials may be stored for a period for 30 days prior to the start of construction. Construction shall be completed in 9 months.

8. 10. No business, trade, or commercial activity shall be carried on upon any residential lot with the exception of a

sales office of the developer. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

9. 11- No mining, quarrying, tunneling or drilling for any substance except water within or below ~~above~~ the property shall be permitted.

10. 12- No sign of any kind shall be displayed to the public view on any lot except one sign of not more than five square feet advertising the sale or rental of said property, or signs used by a builder or the developer to advertise the property during the construction and sales period.

11. 13- All sewage systems must be located, constructed and equipped in accordance with the State of Oklahoma Department of Health and the Okmulgee County Health Department.

12. 14- All driveways crossing road drainage ditches must be built with not less than 12" diameter concrete drainage pipe.

13. 15- Valley Vista Drive is an entrance road and no driveways may intersect with it.

EASEMENTS:

14. 16- Within the utility easements, no structures, plantings or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of these utilities. The drainage areas and/or channels shall be maintained in their present location and no construction shall be made to interfere with the natural flow of water within these channels.

15. 17- All utility easements so designated on the attached plat may be designated by the developer as bridle trails. In all cases a bridle trail easement shall be secondary to both utility and drainage easements.

16. 18- Each owner of a lot shall be entitled to the use and enjoyment of the bridle trails designated by the developer. Owners of parcels shall not construct barbed wire fences or other fencing with protruding wire at the top along any bridle trail. Other types of fences may be used along the bridle trails if desired by the owner of the adjacent parcel, but such fencing is not required. No property owner can block a bridle trail with any type of obstruction.

15564

267

BALLOTDate AUGUST 26, 1986

I(We), SPANISH PEAKS PROPERTIES, owners of record of Lot, SEE BELOW
Block of Spanish Peaks, a platted subdivision
 filed in Book 1145, pp. 438-442, July 10, 1978, Okmulgee
 County, State of Oklahoma, do vote:

XXXX for acceptance _____ against acceptance

of the proposed "Amended Deed of Dedication and Protective
 Covenants", dated June 16, 1986.

Owner of Record

Owner of Record

SPANISH PEAKS PROPERTIES/SPANISH PEAKS DEVELOPMENT
CORP. GENERAL MANAGING PARTNER

ACKNOWLEDGEMENT

STATE OF _____)
) ss:
 COUNTY OF _____)

Before me, the undersigned, a Notary Public in and for
 said County and State, on this 26th day of
August, 1986, personally appeared Michael E. C.
Spain and _____, to me known to
 be the identical person(s) who executed the within and
 foregoing instrument, and acknowledged to me that he
 executed the same as his 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.



Joan M. Wint
 Notary Public

My Commission Expires:

October 29, 1987

* Each individual lot is entitled to one vote. Should you
 be record owner of more than one lot, please indicate
 additional lot and block numbers.

BLOCK 1: LOTS 2,3,5,6,8,9,11,12,13,14,15,16,17. BLOCK 2: LOT 4
 BLOCK 3: LOT 2,3,4,5,6,7,8,9,10,11,12. BLOCK 4: LOT 4,5,6,7,8,9,10,11,12,13,14
 BLOCK 5: LOT 1,2,3,4,7,8,9,10,12,13,14. BLOCK 6: LOT 2,7. BLOCK 7: LOT 1,2,3
 BLOCK 8: LOT 2,3,4. BLOCK 9: LOT 1,2,4,5,7,8.

268

15564

BALLOTDate July 11, 1986

I (We), Richard E. Oroski and Emily C. Oroski, owners of record of Lot
4, Block 1 of Spanish Peaks, a platted subdivision
 filed in Book 1145, pp. 438-442, July 10, 1978, Okmulgee
 County, State of Oklahoma, do vote*:

☒ for acceptance _____ against acceptance

of the proposed "Amended Deed of Dedication and Protective
 Covenants", dated June 16, 1986.

Richard E. Oroski
 Owner of Record

Emily C. Oroski
 Owner of Record

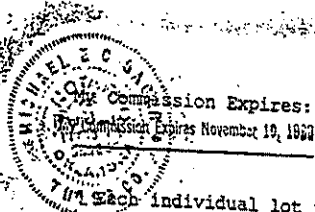
ACKNOWLEDGEMENTSTATE OF OklahomaCOUNTY OF JULSA

) ss:

Before me, the undersigned, a Notary Public in and for
 said County and State, on this 11th day of
July, 1986, personally appeared Richard E. Oroski
 and Emily C. Oroski, to me known to
 be the identical person(s) 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.

Michael E. C. S. S.
 Notary Public



* Each individual lot is entitled to one vote. Should you
 be record owner of more than one lot, please indicate
 additional lot and block numbers.

15564

BALLOT

269

Date July 11, 86

I (We), L.D. Olski & Michael Olski, owners of record of Lot 17, Block 1 of Spanish Peaks, a platted subdivision filed in Book 1145, pp. 438-442, July 10, 1978, Okmulgee County, State of Oklahoma, do vote*:

☒ for acceptance ☐ against acceptance

of the proposed "Amended Deed of Dedication and Protective Covenants", dated June 16, 1986.

L.D. Olski
Owner of Record

Michael Olski
Owner of Record

ACKNOWLEDGEMENT

STATE OF Oklahoma)
COUNTY OF Tulsa) ss:

Before me, the undersigned, a Notary Public in and for said County and State, on this 11th day of July, 1986, personally appeared L.D. Olski and Michael Olski, to me known to be the identical person(s) 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.

Michael E. G.
Notary Public

My Commission Expires:
November 12, 1988

Each individual lot is entitled to one vote. Should you be record owner of more than one lot, please indicate additional lot and block numbers.

270

15564

BALLOTDate 8-27-86

I(We), MICHAEL E. G. SAGER, owners of record of Lot
 19620, Block 1 of Spanish Peaks, a platted subdivision
 filed in Book 1145, pp. 438-442, July 10, 1978, Okmulgee
 County, State of Oklahoma, do vote*:

XXXXX for acceptance _____ against acceptance

of the proposed "Amended Deed of Dedication and Protective
 Covenants", dated June 16, 1986.

Owner of Record

Owner of Record

ACKNOWLEDGEMENT

STATE OF Oklahoma)
 COUNTY OF Tulsa) ss:

Before me, the undersigned, a Notary Public in and for
 said County and State, on this 27 day of
August, 1986, personally appeared Michael E. G.
Sager and _____, to me known to
 be the identical person(s) who executed the within and
 foregoing instrument, and acknowledged to me that he
 executed the same as his 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.

Jean M. Wint
 Notary Public

My Commission Expires:

October 29, 1987

* Each individual lot is entitled to one vote. Should you
 be record owner of more than one lot, please indicate
 additional lot and block numbers.

15561

BALLOT

271

Date 7-31-86

I (We), John A. Dieball, owners of record of Lot
21, Block 1 of Spanish Peaks, a platted subdivision
 filed in Book 1145, pp. 438-442, July 10, 1978, Okmulgee
 County, State of Oklahoma, do vote*:

☒ for acceptance ☐ against acceptance

of the proposed "Amended Deed of Dedication and Protective
 Covenants", dated June 16, 1986.

John A. Dieball
 Owner of Record

Owner of Record

ACKNOWLEDGEMENT

STATE OF CALIFORNIA)
) ss:
 COUNTY OF LOS ANGELES)

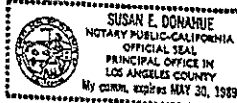
Before me, the undersigned, a Notary Public in and for
 said County and State, on this 31st day of
July, 1986, personally appeared John A. Dieball
 and _____, to me known to
 be the identical person(s) who executed the within and
 foregoing instrument, and acknowledged to me that he
 executed the same as a 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.

Susan E. Donahue
 Notary Public

My Commission Expires:

May 30, 1989



* Each individual lot is entitled to one vote. Should you
 be record owner of more than one lot, please indicate
 additional lot and block numbers.

272

15564

BALLOTDate 8/14/86

I(We) Shirley & Lawrence Mantell, owners of record of Lot
22, Block 1 of Spanish Peaks, a platted subdivision
 filed in Book 1145, pp. 438-442, July 10, 1978, Okmulgee
 County, State of Oklahoma, do vote*:

☒ for acceptance ☐ against acceptance

of the proposed "Amended Deed of Dedication and Protective
 Covenants", dated June 16, 1986.

Lawrence Mantell
 Owner of Record

Shirley A. Mantell
 Owner of Record

ACKNOWLEDGEMENTSTATE OF Calif.COUNTY OF L.A.

) ss:

Before me, the undersigned, a Notary Public in and for
 said County and State, on this 6 day of
August, 1986, personally appeared Lawrence A. Mantell
and Shirley A. Mantell, to me known to
 be the identical person(s) 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.

Joni Mann
 Notary Public

My Commission Expires:

Sept. 19, 1986

* Each individual lot is entitled to one vote. Should you
 be record owner of more than one lot, please indicate
 additional lot and block numbers.

15564
BALLOT

273

Date 6-30-86

I(We), Mary Lynn Lovell, owners of record of Lot
23, Block 24, of Spanish Peaks, a platted subdivision
filed in Book 1145, pp. 438-442, July 10, 1978, Okmulgee
County, State of Oklahoma, do vote*:

☒ for acceptance ☐ against acceptance

of the proposed "Amended Deed of Dedication and Protective
Covenants", dated June 16, 1986.

Mary Lynn Lovell
Owner of Record

Owner of Record

ACKNOWLEDGEMENT

STATE OF Oklahoma)
COUNTY OF Tulsa) ss:

Before me, the undersigned, a Notary Public in and for
said County and State, on this 30th day of
JUNE, 1986, personally appeared Mary Lynn Lovell
and _____, to me known to
be the identical person(s) who executed the within and
foregoing instrument, and acknowledged to me that she
executed the same as her 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.

Mary Lynn Lovell
Notary Public

My Commission Expires:
November 18, 1988

* Each individual lot is entitled to one vote. Should you
be record owner of more than one lot, please indicate
additional lot and block numbers.

274 15564

BALLOT

Date Aug 9, 1986

I(We), SIDNEY A. COPLOW, owners of record of Lot 3, Block 2 of Spanish Peaks, a platted subdivision filed in Book 1145, pp. 438-442, July 10, 1978, Okmulgee County, State of Oklahoma, do vote:

X for acceptance against acceptance
of the proposed "Amended Deed of Dedication and Protective Covenants", dated June 16, 1986.

Sidney A. Coplow
Owner of Record

Owner of Record

ACKNOWLEDGEMENT

STATE OF Tulsa)
COUNTY OF Oklahoma) ss:

Before me, the undersigned, a Notary Public in and for said County and State, on this 9th day of Aug, 1986, personally appeared SIDNEY A. COPLOW and , to me known to be the identical person(s) who executed the within and foregoing instrument, and acknowledged to me that he executed the same as his 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.

Michael E. S.
Notary Public

My Commission Expires:

November 13, 1988

Each individual lot is entitled to one vote. Should you be record owner of more than one lot, please indicate additional lot and block numbers.

15564

BALLOT

275

Date September 25, 1986

D.A.L. Management Corp Defined
Benefit Pension Trust, owners of record of Lot
1, Block 3 of Spanish Peaks, a platted subdivision
 filed in Book 1145, pp. 438-442, July 10, 1978, Okmulgee
 County, State of Oklahoma, do vote*:

XXX for acceptance _____ against acceptance

of the proposed "Amended Deed of Dedication and Protective
 Covenants", dated June 16, 1986.

D.A.L. MANAGEMENT CORP., Defined Benefit Pension Trust

By: Daniel J. Fioroni, Trustee
 Owner of Record _____ Owner of Record _____

ACKNOWLEDGEMENT

STATE OF OklahomaCOUNTY OF Oklahoma

} ss:

Before me, the undersigned, a Notary Public in and for
 said County and State, on this 25th day of
September, 1986, personally appeared Daniel J. Fioroni
 and _____, to me known to
 be the identical person(s) who executed the within and
 foregoing instrument, and acknowledged to me that he
 executed the same as his 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.

Karen Davis Not
 Notary Public

My Commission Expires: _____

NOTARY PUBLIC
 OKLAHOMA

* Each individual lot is entitled to one vote. Should you
 be record owner of more than one lot, please indicate
 additional lot and block numbers.

276

15564

BALLOTDate September 9, 1986

I(We), P. & J. G. O'SULLIVAN, owners of record of Lot 6, BLOCK 2 and LOT 1, Block 4 of Spanish Peaks, a platted subdivision filed in Book 1145, pp. 438-442, July 10, 1978, Okmulgee County, State of Oklahoma, do vote*:

XXXXXX for acceptance _____ against acceptance

of the proposed "Amended Deed of Dedication and Protective Covenants", dated June 16, 1986.

P. O'Sullivan
Owner of Record

J. G. O'Sullivan
Owner of Record

ACKNOWLEDGEMENT

STATE OF CALIFORNIA)
) SS:
COUNTY OF LOS ANGELES)

Before me, the undersigned; a Notary Public in and for said County and State, on this 9th day of September, 1986, personally appeared P. O'SULLIVAN and J. G. O'SULLIVAN, to me known to be the identical person(s) 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.

Lyman D. Covell
Notary Public

My Commission Expires:

08/29/87



* Each individual lot is entitled to one vote. Should you be record owner of more than one lot, please indicate additional lot and block numbers.

15564

BALLOT

277

Date September 10, 1986

I(We), Works, Lentz & Pottorf, Inc., owners of record of Lot
4, Block 6 of Spanish Peaks, a platted subdivision
 filed in Book 1145, pp. 438-442, July 10, 1978, Okmulgee
 County, State of Oklahoma, do vote*:

☒ for acceptance ☐ against acceptance

the proposed "Amended Deed of Dedication and Protective
 Covenants", dated June 16, 1986.

WORKS, LENTZ & POTTORF, INC.

By: Wilton H. Works, President
 Owner of Record

Secretary

ACKNOWLEDGEMENT

STATE OF OKLAHOMA)
) ss:
 COUNTY OF TULSA)

Before me, the undersigned, a Notary Public in and for
 said County and State, on this 10 day of
September, 1986, personally appeared Wilton H. Works
President of and WORKS, LENTZ & POTTORF, INC., to me known to
 be the identical person(s) who executed the within and
 foregoing instrument, and acknowledged to me that he
 executed the same as his 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.

Charles R. Russell
 Notary Public

My Commission Expires:

* Each individual lot is entitled to one vote. Should you
 be record owner of more than one lot, please indicate
 additional lot and block numbers.

278

15564

BALLOTDate July 11, 1986

I(We), DAVID & MARLA OTOSKI, owners of record of Lot
3, Block 6 of Spanish Peaks, a platted subdivision
 filed in Book 1145, pp. 438-442, July 10, 1978, Okmulgee
 County, State of Oklahoma, do vote*:

☒ for acceptance ☐ against acceptance

of the proposed "Amended Deed of Dedication and Protective
 Covenants", dated June 16, 1986.

David Otoski
 Owner of Record

Marla Otoski
 Owner of Record

ACKNOWLEDGEMENT

STATE OF Oklahoma)
) ss:
 COUNTY OF Tulsa)

Before me, the undersigned, a Notary Public in and for
 said County and State, on this 11th day of
July, 1986, personally appeared DAVID OTOSKI
 and MARLA OTOSKI, to me known to
 be the identical person(s) 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.

Michael E. C. Sago
 Notary Public

My Commission Expires:
 November 19, 1988

Each individual lot is entitled to one vote. Should you
 be record owner of more than one lot, please indicate
 additional lot and block numbers.

15564

BALLOT

279

Date 6-30-86

I(We), Mary E. Lynd, owners of record of Lot 7, Block 7 of Spanish Peaks, a platted subdivision filed in Book 1145, pp. 438-442, July 10, 1978, Okmulgee County, State of Oklahoma, do vote*:

☒ for acceptance ☐ against acceptance.

of the proposed "Amended Deed of Dedication and Protective Covenants", dated June 16, 1986.

Mary E. Lynd
Owner of Record

Owner of Record

ACKNOWLEDGEMENT

STATE OF Oklahoma)
COUNTY OF Tulsa) ss:

Before me, the undersigned, a Notary Public in and for said County and State, on this 30th day of June, 1986, personally appeared MARY E. LYND and _____, to me known to be the identical person(s) who executed the within and foregoing instrument, and acknowledged to me that she executed the same as her 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.

Michelle C. S. S.
Notary Public

My Commission Expires:
November 19, 1988

* Each individual lot is entitled to one vote. Should you be record owner of more than one lot, please indicate additional lot and block numbers.

15564

BALLOTDate Aug 1, 1986

I (We), GARY JAKOT SODERSTROM owners of record of Lot 8, Block 7 of Spanish Peaks, a platted subdivision filed in Book 1145, pp. 438-442, July 10, 1978, Okmulgee County, State of Oklahoma, do vote*:

☒ for acceptance ☐ against acceptance

of the proposed "Amended Deed of Dedication and Protective Covenants", dated June 16, 1986.

GARY JAKOT SODERSTROM
Owner of Record

GARY JAKOT SODERSTROM
Owner of Record

ACKNOWLEDGEMENTSTATE OF OklahomaCOUNTY OF Tulsa

) ss:

Before me, the undersigned, a Notary Public in and for said County and State, on this 1st day of Aug, 1986, personally appeared GARY SODERSTROM and JAKOT SODERSTROM, to me known to be the identical person(s) 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.

Notary Public

My Commission Expires:

My Commission Expires November 19, 1988

* Each individual lot is entitled to one vote. Should you be record owner of more than one lot, please indicate additional lot and block numbers.

15564

BALLOT

281

Date 9-8-86

I (we), Helen Thompson, owners of record of Lot
10, Block 7 of Spanish Peaks, a platted subdivision
 filed in Book 1145, pp. 438-442, July 10, 1978, Okmulgee
 County, State of Oklahoma, do vote*:

X for acceptance _____ against acceptance

of the proposed "Amended Deed of Dedication and Protective
 Covenants", dated June 16, 1986.

Owner of Record

X Helen M. (Thompson) Thompson
 Owner of Record

ACKNOWLEDGEMENT

STATE OF Oklahoma }
 COUNTY OF Wagoner } ss:

Before me, the undersigned, a Notary Public in and for
 said County and State, on this 14th day of
October, 1986, personally appeared Helen M. (Thompson) Thompson
 and _____, to me known to
 be the identical person(s) who executed the within and
 foregoing instrument, and acknowledged to me that she
 executed the same as her 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.

Carla J. Jarn
 Notary Public

My Commission Expires:

October 10, 1989

*Each individual lot is entitled to one vote. Should you
 be record owner of more than one lot, please indicate
 additional lot and block numbers.

15364

BALLOTDate September 15, 1986

I(We), BIG FIVE LANDS, Limited, owners of record of Lots 11 & 15, Bk 5,
Lot 13, Block 7 ** of Spanish Peaks, a platted subdivision
 filed in Book 1145, pp. 438-442, July 10, 1978, Okmulgee
 County, State of Oklahoma, do vote*: ** and Lot 2, Block 4

XXX for acceptance

_____ against acceptance.

of the proposed "Amended Deed of Dedication and Protective
 Covenants", dated June 16, 1986.

BIG FIVE LANDS, LIMITED, An Oklahoma Limited Partnership
 By: Kenneth Dunn, General Partner

Owner of Record

Owner of Record

ACKNOWLEDGEMENTSTATE OF OklahomaCOUNTY OF Oklahoma

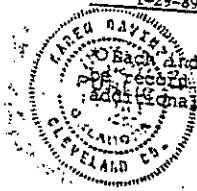
) ss:

Before me, the undersigned, a Notary Public in and for
 said County and State, on this 15th day of
September, 1986, personally appeared Daniel J. Pieroni
 and _____, to me known to
 be the identical person(s) who executed the within and
 foregoing instrument, and acknowledged to me that he
 executed the same as his 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.

Kenneth Dunn
 Notary Public

My Commission Expires:

1-29-89

Each individual lot is entitled to one vote. Should you
 be record owner of more than one lot, please indicate
 additional lot and block numbers.

1556-1

283

BALLOTDate 10-14-86

I (We), James A. Idury, owners of record of Lot
14, Block 7 of Spanish Peaks, a platted subdivision
 filed in Book 1145, pp. 438-442, July 10, 1978, Okmulgee
 County, State of Oklahoma, do vote*:

X for acceptance _____ against acceptance

of the proposed "Amended Deed of Dedication and Protective
 Covenants", dated June 16, 1986.

Owner of Record

Owner of Record

ACKNOWLEDGEMENT

STATE OF Oklahoma }
 COUNTY OF Wagoner } ss:

Before me, the undersigned, a Notary Public in and for
 said County and State, on this 14th day of
October, 1986, personally appeared James A
Idury and _____, to me known to
 be the identical person(s) who executed the within and
 foregoing instrument, and acknowledged to me that he
 executed the same as his 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.

Notary Public

My Commission Expires:

June 19, 1989

* Each individual lot is entitled to one vote. Should you
 be record owner of more than one lot, please indicate
 additional lot and block numbers.

281

15564

BALLOT

Date 7-25-86

I(We), DAVID F. ROSE, owners of record of Lot
6, Block 7 of Spanish Peaks, a platted subdivision
filed in Book 1145, pp. 438-442, July 10, 1978, Okmulgee
County, State of Oklahoma, do vote*:

☒ for acceptance ☐ against acceptance

of the proposed "Amended Deed of Dedication and Protective
Covenants", dated June 16, 1986.

David F. Rose
Owner of Record

Owner of Record

ACKNOWLEDGEMENT

STATE OF Oklahoma

COUNTY OF Tulsa

) ss:
)

Before me, the undersigned, a Notary Public in and for
said County and State, on this 25 day of
July, 1986, personally appeared David F. Rose
and _____, to me known to
be the identical person(s) who executed the within and
foregoing instrument, and acknowledged to me that he
executed the same as _____ 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.

Ruth D. Noel
Notary Public

My Commission Expires:

August 22, 1987

* Each individual lot is entitled to one vote. Should you
be record owner of more than one lot, please indicate
additional lot and block numbers.

15564

BALLOT

285

Date 9-11-86

I(We), Wayne and Debra Garden, owners of record of Lot 6, Block 8 of Spanish Peaks, a platted subdivision filed in Book 1145, pp. 438-442, July 10, 1978, Okmulgee County, State of Oklahoma, do vote*:

☒ for acceptance ☐ against acceptance

of the proposed "Amended Deed of Dedication and Protective Covenants", dated June 16, 1986.

Wayne L. Garden
Owner of Record

Debra L. Garden
Owner of Record

ACKNOWLEDGEMENT

STATE OF OKLACOUNTY OF Tulsa

) ss:

Before me, the undersigned, a Notary Public in and for said County and State, on this 11th day of August, 1986, personally appeared WAYNE L. GARDEN and DEBRA L. GARDEN, to me known to be the identical person(s) 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.

Mary Lee Dwyer
Notary Public

My Commission Expires:

March 21, 1988

* Each individual lot is entitled to one vote. Should you be record owner of more than one lot, please indicate additional lot and block numbers.

286 15564

BALLOT

Date August 30th

I(We), Stanley T. Synar, owners of record of Lot 3, Block 9 of Spanish Peaks, a platted subdivision filed in Book 1145, pp. 438-442, July 10, 1978, Okmulgee County, State of Oklahoma, do vote*:

x for acceptance _____ against acceptance

of the proposed "Amended Deed of Dedication and Protective Covenants", dated June 16, 1986.

Owner of Record _____

Stanley T. Synar
Owner of Record

ACKNOWLEDGEMENT

STATE OF Okla)
COUNTY OF Tulsa) ss:

Before me, the undersigned, a Notary Public in and for said County and State, on this 30th day of August, 1986, personally appeared Stanley T. Synar and _____, to me known to be the identical person(s) who executed the within and foregoing instrument, and acknowledged to me that He executed the same as His 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.

Marilyn J. Brown
Marilyn J. Brown
Notary Public

My Commission Expires: _____

Each individual lot is entitled to one vote. Should you be record owner of more than one lot, please indicate additional lot and block numbers.

THE
[Illegible text]

[Illegible text]

[Illegible text]

[Illegible text]

[Illegible text]

[Illegible text]



[Illegible text]

288 15564
Oklmulgee Land Title Co.

ABSTRACTS - TITLE GUARANTY
SEVENTH AND SEMINOLE
OKMULGEE, OKLAHOMA 74447

DONNIE BLACK
MANAGER/VICE PRESIDENT

PHONE 918 755-1424
P. O. BOX 878

SPECIAL CERTIFICATE

STATE OF OKLAHOMA)
COUNTY OF OKMULGEE) ss:

THE UNDERSIGNED, A LAWFULLY BONDED ABTRACTER OF TITLES, DOES
HEREBY CERTIFY THAT LISTED BELOW IS A LIST OF THE CURRENT PROPERTY
OWNERS AS REFLECTED IN THE LAST DEED FILED OF RECORD AND TAKEN FROM
THE TRACT INDEXES IN OUR OFFICE AS TO ALL OF "SPANISH PEAKS, A SUB-
DIVISION IN OKMULGEE COUNTY, STATE OF OKLAHOMA", to-wit:

BLOCK 1:

Spanish Peaks Properties
Lots 2, 3, 5, 6, 8, 9, 11, 12, 13, 14, 15, 16 and 17.

Paul M. Smith and Donna M. Smith
Lot 1.

Richard E. Otoski and Emily Otoski
Lot 4.

L. W. Otoski and Michael Otoski
Lot 10.

Earl Brown and Mary Brown
Lot 18.

Michael E. C. Sager
Lots 19 and 20.

John A. Dieball, Trustee of John A. Dieball Revocable Inter Vivos Trust
Lot 21.

Lawrence A. Mantell and Shirley A. Mantell
Lot 22.

Mary Lynd Loveall
Lots 23 and 24.

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288

15564

Oklmulgee Land Title Co.

ABSTRACTS - TITLE GUARANTY
SEVENTH AND SEMINOLE
OKMULGEE, OKLAHOMA 74447

DONNIE BLACK
MANAGER-VICE PRESIDENT

PHONE 918 756-1434
P. O. BOX 578

SPECIAL CERTIFICATE

STATE OF OKLAHOMA)
COUNTY OF OKMULGEE) SS:

THE UNDERSIGNED, A LAWFULLY BONDED ABSTRACTER OF TITLES, DOES
HEREBY CERTIFY THAT LISTED BELOW IS A LIST OF THE CURRENT PROPERTY
OWNERS AS REFLECTED IN THE LAST DEED FILED OF RECORD AND TAKEN FROM
THE TRACT INDEXES IN OUR OFFICE AS TO ALL OF "SPANISH PEAKS, A SUB-
DIVISION IN OKMULGEE COUNTY, STATE OF OKLAHOMA", to-wit:

BLOCK 1:

Spanish Peaks Properties
Lots 2, 3, 5, 6, 8, 9, 11, 12, 13, 14, 15, 16 and 17.

Paul M. Smith and Donna M. Smith
Lot 1.

Richard E. Otoski and Emily Otoski
Lot 4.

L. W. Otoski and Michael Otoski
Lot 10.

Earl Brown and Mary Brown
Lot 18.

Michael E. C. Sager
Lots 19 and 20.

John A. Dieball, Trustee of John A. Dieball Revocable Inter Vivos Trust
Lot 21.

Lawrence A. Mantell and Shirley A. Mantell
Lot 22.

Mary Lynd Loveall
Lots 23 and 24.

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BLOCK 2:

Spanish Peaks Properties
Lot 4.

Margaret Shell
Lot 1.

John F. Sharp
Lot 2.

Sidney A. Copilow
Lot 3.

Andre A. Macarian and Eileen A. Macarian
Lot 5.

P. & J.G. O'Sullivan
Lot 6.

BLOCK 3:

Spanish Peaks Properties
Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12.

D.A.L. Corp., Defined Benefit Pension Trust
Lot 1.

BLOCK 4:

Spanish Peaks Properties
Lots 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14.

P. & J. G. O'Sullivan
Lot 1.

Big Five Lands, Ltd.
Lot 2.

BLOCK 5:

Spanish Peaks Properties
Lots 1, 2, 3, 4, 7, 8, 9, 10, 12, 13 and 14.

Rickey L. Leston and Michele K. Leston
Lot 5.

Robby A. Coday and Patsy Coday
Lot 6.

Big Five Lands, Ltd.
Lots 11 and 15.

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BLOCK 6:

Spanish Peaks Properties
Lots 2 and 7.

Don L. Tunnell
Lot 1.

David W. Otoski and Marka Otoski
Lot 3.

Works, Lentz and Pottorf, Inc.
Lot 4.

Gene Hom and Kathy Hom
Lot 5.

Vida Henry
Lot 6.

BLOCK 7:

Spanish Peaks Properties
Lots 1, 2 and 3.

Albert Friedlander and Marsha Friedlander
Lot 4.

William L. Beaty and Ruth Beaty
Lots 5 and 6.

Mary E. Lynd
Lot 7.

Gary C. Soderstrom and Janet C. Soderstrom
Lot 8.

Trustee of Roy L. Clark
Lot 9.

Henry W. (Hank) Thompson
Lot 10.

Noel F. Morgan and Nancy K. Morgan; James P. Kelly and Anne K. Kelly
Lot 11.

Richard L. Johnson and Len A. Witt
Lot 12.

Big Five Lands, Ltd.
Lot 13.

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BLOCK 7:James A. Halsey
Lot 14.Mehdi S. Ghader Ghadr
Lot 15.David F. Rose
Lot 16.Andre A. Macarian and Eileen A. Macarian
Lot 17.BLOCK 8:Spanish Peaks Properties
Lots 2, 3 and 4.Kent Westedt and Nancy Sue Westedt
Lot 1.Russell E. Browrigg and Susie M. Brownrigg
Lot 5.Wayne L. Garden and Debra Garden
Lot 6.Edward J. Gibeau and Vivian J. Gibeau
Lot 7.Jill M. Black
Lot 8.BLOCK 9:Spanish Peaks Properties
Lots 1, 2, 4, 5, 7 and 8.Stanley T. Synar
Lot 3.Clifford F. Edds
Lot 6.STATE OF OKLAHOMA }
COUNTY OF OKMULGEE }
Filed for Record in the office of the
County Clerk at AM 2:10 PM12-9-86 and recorded in
Record No. 1398 Page 264-291MARTHA FULLER, County Clerk
Thera Lyle DeputyDated at Okmulgee, Oklahoma, this 9th day of December, 1986 at
7:59 o'clock A.M.

OKMULGEE LAND TITLE COMPANY

By *Donna D. Dail*
Vice-President

Return to: Spanish Peaks Dev. Corp. Box 250, Jenks, Okla. 74037