

*Amended*  
**SADDLEGAP RANCH ESTATES - WEST**  
A platted Subdivision of Latimer County, Oklahoma

**RESTRICTIVE COVENANTS**

For the purpose of providing an orderly development of Saddlegap Ranch Estates - West, a platted subdivision in (legal description) See Exhibit "A" of Section 23 & 24, Township 3 North, Range 18 East, Latimer County, Oklahoma, we hereby impose the following covenants and restrictions for the mutual benefit of the property owners:

**DEFINITIONS**

For purposes of this declaration, certain words and terms are hereby defined:

1. **Accessory Building:** Separate building or buildings located on the same tract and which are incidental to the dwelling.
2. **Building Area:** That portion of a tract within which the construction and maintenance of a dwelling and accessory buildings are permitted.
3. **Dwelling:** The main building on a tract to be designed for and used exclusively for a residence and to be occupied exclusively by a single family.
4. **Ground Floor Area:** That portion of a dwelling which is built over a basement or foundation above surrounding grade, but not over any other portion of the dwelling.
5. **Tract:** Shall be any portion of the property located in Section(s) 23 & 24, Township 3 North, Range 18 East, Latimer County, Oklahoma, numbered 1 through 104 as shown on the plat of the subdivision known as SADDLEGAP RANCH ESTATES - WEST.

**COVENANTS**

- I. **ALLOWABLE STRUCTURES:** No structure shall be erected, altered, placed or permitted to remain on any tract other than one detached single family dwelling, a private garage

(for not more than 3 vehicles) which shall be for the sole use of the occupants of the dwelling to which it is appurtenant (either attached to or detached from the dwelling), and the usual accessory buildings incidental to the residential use of the tract.

II. ARCHITECTURAL CONTROL COMMITTEE:

A. Committee Membership: The Architectural Control Committee (hereafter "A.C.C.") shall be composed of three (3) members.

Prior to January 31, 2008, the A.C.C. shall be composed of Randy Fuqua, Danny Wilson, and Hal Harper or such replacement members as shall be designated by Saddlegap L.L.C.

Subsequent to January 31, 2008, the A.C.C. shall be composed of 3 members elected annually by a majority of the owners of the tracts (1 vote per platted tract) in the subdivision. The term for each election shall be one year. Each such elected member must be an owner of one or more tracts in the subdivision. The annual election of the A.C.C. members shall be held on the last Friday of January of each year beginning in 2008. The then existing committee shall be responsible for mailing written notice of the election to all owners of tracts in the Subdivision, not less than thirty (30) days prior to the election. Such notices shall be mailed to each tract owner at the address reflected on the records in the Latimer County Treasurer's office.

A majority of the committee may designate a representative to make its report. In the event of the death, resignation, or ineligibility of any member of the committee, the remaining members shall designate a successor for the balance of that member's term.

B. Powers: It is the purpose of Architectural Control Committee to promote the residential development of Saddlegap Ranch Estates - West and to enhance property values; therefore, the A.C.C. shall have the right and power to reject approval of plans submitted if they do not benefit and enhance the residential development of the area; such approval, however, shall not be unreasonably withheld. Failure of the A.C.C. to either approve or disapprove plans within 30 days after submission shall be deemed to be approval of the plans as submitted.

C. Procedures:

1. Submissions to A.C.C.: All plans and specifications may be presented to the A.C.C. members in person, or shall be mailed to the A.C.C. at the following address:

23852 County Rd 1530 Loop, Ada, OK 74820

The address for mailings to the A.C.C. and the names and addresses of the ACC members shall be updated as and with each membership change thereto and at least annually, by filing a copy of such notice of changes with the Latimer County Clerk and, further, by mailing a copy of such notice to each owner of record of tract(s) within the subdivision at their address shown on the records of the Latimer County Treasurer.

2. Building Plats, etc.: No building, dwelling, fence or other structure or excavation shall be erected, constructed, altered or maintained upon, under or above or moved upon, nor shall the removal of any existing trees from any tract or part of said subdivision be made, unless the plans and specifications thereof, showing the proposed construction, removal, nature, kind, shape, height, material and color scheme thereof, and building elevations, and a plot plan showing lot lines, boundaries of the tract, distance from the boundaries of the tract to the buildings and the grading plan of the tract shall have been submitted to and approved in writing by the A.C.C., and until a copy of such plans and specifications, plat plan and grading plan as finally approved is deposited for permanent record with the A.C.C.

3. Vegetation: No live trees having trunk diameter in excess of 8 inches at five (5) feet above the ground, shall be cut down or removed unless necessary for construction of buildings, driveways, yards, gardens or for safety purposes. Requests for such additions or removal of vegetation on any tract should be presented in writing to the A.C.C. showing proposed location of such planting or removal in relation to the surrounding tracts and should be proposed so as to minimize effect on adjacent properties.

4. Approval by A.C.C.: The A.C.C. shall, upon request, and after satisfactory