I-2015-008503 Book 2479 Pg 534
06/16/2015 3:36 pm Pg 0534-0534
Fee $ 30.00 Doc: $ 0.00
Robin Anderson - Rogers County Clerk
State of Oklahoma

FINAL PLAT
DEER RUN AT STONE CANYON
PHASE I

AN ADDITION TO ROGERS COUNTY, STATE OF OKLAHOMA, LOCATED IN A PART OF SECTION 1, T-20-N, R-14-E & SECTION 36 T-21-N, R-14-E, I.B.&M., ROGERS COUNTY, STATE OF OKLAHOMA

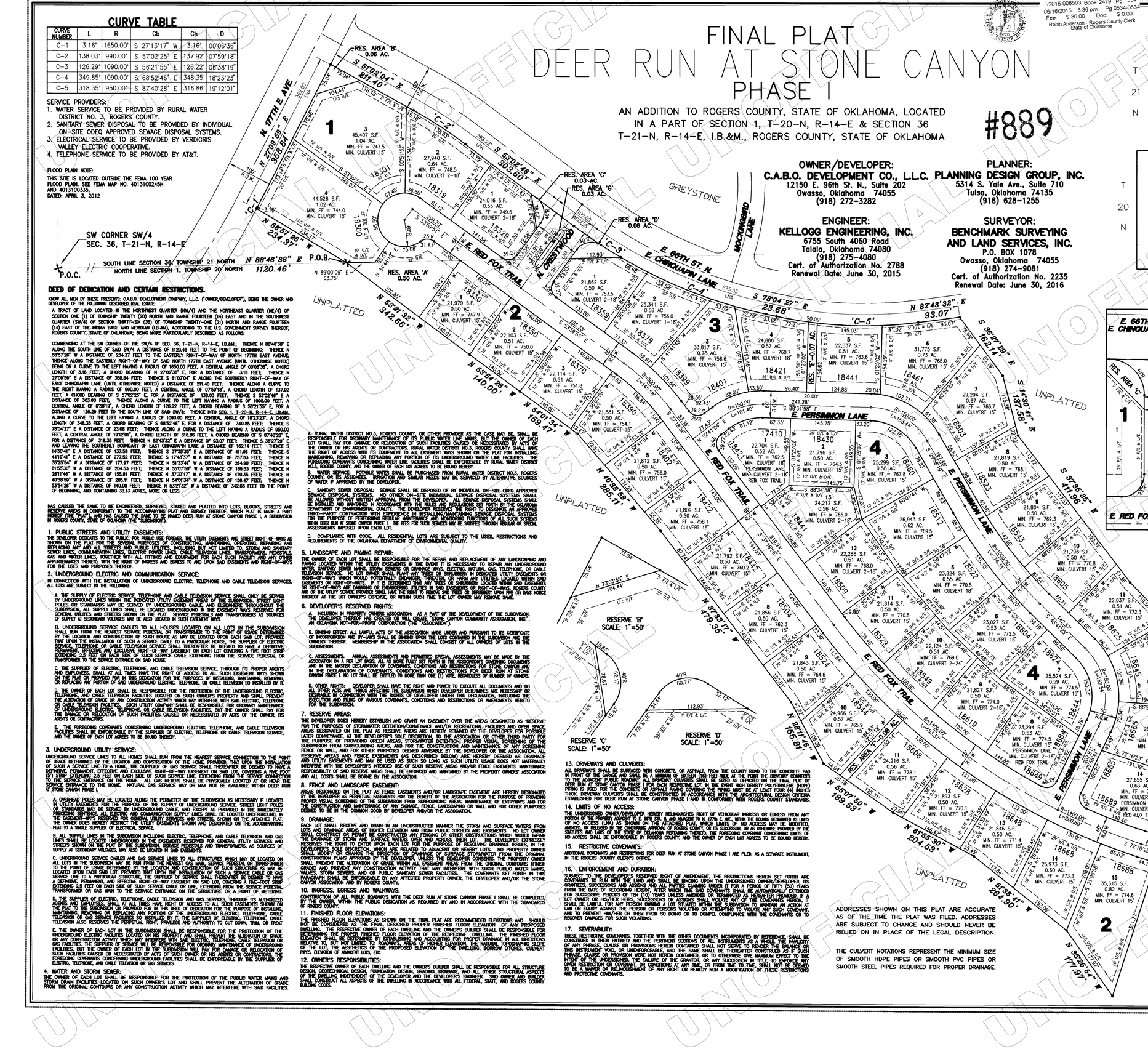
#889

CURVE TABLE

CURVE NUMBER	L	R	Cb	Ch	D
C-1	3.16'	1650.00'	S 27°13'17" W	3.16'	00°06'36"
C-2	138.03'	990.00'	S 57°02'25" E	137.92'	07°59'18"
C-3	126.29'	1090.00'	S 56°21'55" E	126.22'	06°38'19"
C-4	349.85'	1090.00'	S 68°52'46" E	348.35'	18°23'23"
C-5	318.35'	950.00'	S 87°40'28" E	316.86'	19°12'01"

SERVICE PROVIDERS:
1. WATER SERVICE TO BE PROVIDED BY RURAL WATER DISTRICT NO. 3, ROGERS COUNTY.
2. SANITARY SEWER DISPOSAL TO BE PROVIDED BY INDIVIDUAL ON-SITE ODEO APPROVED SEWAGE DISPOSAL SYSTEMS.
3. ELECTRICAL SERVICE TO BE PROVIDED BY VERDIGRIS VALLEY ELECTRIC COOPERATIVE.
4. TELEPHONE SERVICE TO BE PROVIDED BY AT&T.

FLOOD PLAIN NOTE:
THIS SITE IS LOCATED OUTSIDE THE FEMA 100 YEAR FLOOD PLAIN. SEE FEMA MAP NO. 40131C0245H AND 40131C0335L DATED: APRIL 3, 2012



DEED OF DEDICATION AND CERTAIN RESTRICTIONS.

KNOW ALL MEN BY THESE PRESENTS: C.A.B.O. DEVELOPMENT COMPANY, L.L.C. ("OWNER/DEVELOPER"), BEING THE OWNER AND DEVELOPER OF THE FOLLOWING DESCRIBED REAL ESTATE:

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER (NW/4) AND THE NORTHEAST QUARTER (NE/4) OF SECTION ONE (1) OF TOWNSHIP TWENTY (20) NORTH AND RANGE FOURTEEN (14) EAST AND IN THE SOUTHWEST QUARTER (SW/4) OF SECTION THIRTY-SIX (36) OF TOWNSHIP TWENTY-ONE (21) NORTH AND RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN (I.B.&M.), ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, ROGERS COUNTY, STATE OF OKLAHOMA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SW CORNER OF THE SW/4 OF SEC. 36, T-21-N, R-14-E, I.B.&M.; THENCE N 88°46'38" E ALONG THE SOUTH LINE OF SAID SW/4 A DISTANCE OF 1120.46 FEET TO THE POINT OF BEGINNING; THENCE N 59°57'28" W A DISTANCE OF 234.37 FEET TO THE EASTERLY RIGHT-OF-WAY OF NORTH 177TH EAST AVENUE; THENCE ALONG THE EASTERLY RIGHT-OF-WAY OF SAID NORTH 177TH EAST AVENUE (UNTIL OTHERWISE NOTED) BEING ON A CURVE TO THE LEFT HAVING A RADIUS OF 1650.00 FEET, A CENTRAL ANGLE OF 00°06'36", A CHORD LENGTH OF 3.16 FEET, A CHORD BEARING OF N 27°02'28" E, FOR A DISTANCE OF 3.16 FEET; THENCE N 27°09'59" E A DISTANCE OF 358.84 FEET; THENCE S 61°02'04" E ALONG THE SOUTHERLY RIGHT-OF-WAY OF EAST CHINQUAPIN LANE (UNTIL OTHERWISE NOTED) A DISTANCE OF 211.40 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 990.00 FEET, A CENTRAL ANGLE OF 07°59'18", A CHORD LENGTH OF 137.92 FEET, A CHORD BEARING OF S 57°02'25" E, FOR A DISTANCE OF 138.03 FEET; THENCE S 53°02'46" E A DISTANCE OF 303.60 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1090.00 FEET, A CENTRAL ANGLE OF 25°08'19", A CHORD LENGTH OF 126.22 FEET, A CHORD BEARING OF S 56°21'55" E, FOR A DISTANCE OF 126.29 FEET TO THE SOUTH LINE OF SAID SW/4; THENCE INTO SEC. 1, T-20-N, R-14-E, I.B.&M. ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1090.00 FEET, A CENTRAL ANGLE OF 18°23'23", A CHORD LENGTH OF 348.35 FEET, A CHORD BEARING OF S 68°52'46" E, FOR A DISTANCE OF 349.85 FEET; THENCE S 78°04'27" E A DISTANCE OF 23.68 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 950.00 FEET, A CENTRAL ANGLE OF 19°12'01", A CHORD LENGTH OF 316.86 FEET, A CHORD BEARING OF S 87°40'28" E, FOR A DISTANCE OF 318.35 FEET; THENCE N 82°43'32" E A DISTANCE OF 93.07 FEET; THENCE S 36°27'09" E AND LEAVING THE SOUTHERLY BOUNDARY OF EAST CHINQUAPIN LANE A DISTANCE OF 162.14 FEET; THENCE S 14°01'41" E A DISTANCE OF 137.58 FEET; THENCE S 37°35'35" E A DISTANCE OF 411.96 FEET; THENCE S 44°19'41" E A DISTANCE OF 277.52 FEET; THENCE S 17°43'27" W A DISTANCE OF 757.63 FEET; THENCE N 39°25'54" W A DISTANCE OF 177.97 FEET; THENCE N 51°33'41" W A DISTANCE OF 284.90 FEET; THENCE N 61°53'30" W A DISTANCE OF 204.53 FEET; THENCE N 55°07'50" W A DISTANCE OF 189.53 FEET; THENCE N 37°33'17" W A DISTANCE OF 479.35 FEET; THENCE N 40°38'59" W A DISTANCE OF 285.11 FEET; THENCE N 54°01'34" W A DISTANCE OF 159.47 FEET; THENCE N 53°54'26" W A DISTANCE OF 140.00 FEET; THENCE N 53°21'32" W A DISTANCE OF 342.86 FEET TO THE POINT OF BEGINNING, AND CONTAINING 33.13 ACRES, MORE OR LESS.

HAS CAUSED THE SAME TO BE ENGINEERED, SURVEYED, STAKED AND PLATTED INTO LOTS, BLOCKS, STREETS AND RESERVES IN CONFORMITY TO THIS ACCOMPANYING PLAT AND SURVEY THEREOF, WHICH PLAT IS MADE A PART HEREOF (THE "PLAT"), AND HAS CAUSED THE SAME TO BE NAMED DEER RUN AT STONE CANYON PHASE I, A SUBDIVISION IN ROGERS COUNTY, STATE OF OKLAHOMA (THE "SUBDIVISION").

1. PUBLIC STREETS AND UTILITY EASEMENTS:
THE DEVELOPER DEDICATES TO THE PUBLIC, FOR PUBLIC USE FOREVER, THE UTILITY EASEMENTS AND STREET RIGHT-OF-WAYS AS SHOWN ON THE PLAT FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING AND REPLACING ANY AND ALL STREETS AND PUBLIC UTILITY FACILITIES LOCATED THEREIN, INCLUDING STORM AND SANITARY SEWER LINES, COMMUNICATION LINES, ELECTRIC POWER LINES, CABLE TELEVISION LINES, TRANSFORMERS, PEDESTALS, GAS AND WATER LINES, TOGETHER WITH ALL FITTINGS AND EQUIPMENT FOR EACH SUCH FACILITY AND APPURTENANCES THERETO, WITH THE RIGHT OF INGRESS AND EGRESS TO AND UPON SAID EASEMENTS AND RIGHT-OF-WAYS FOR THE USES AND PURPOSES THEREOF.

2. UNDERGROUND ELECTRIC AND COMMUNICATION SERVICE:
IN CONNECTION WITH THE INSTALLATION OF UNDERGROUND ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES, ALL LOTS ARE SUBJECT TO THE FOLLOWING:

A. THE SUPPLY OF ELECTRIC SERVICE, TELEPHONE AND CABLE TELEVISION SERVICE SHALL ONLY BE SERVED BY UNDERGROUND LINES WITHIN THE DEDICATED UTILITY EASEMENT AREAS OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY UNDERGROUND CABLE, AND ELSEWHERE THROUGHOUT THE SUBDIVISION, ALL SUPPLY LINES SHALL BE LOCATED UNDERGROUND IN THE DEDICATED EASEMENTS RESERVED FOR OTHER GENERAL UTILITIES AND STREETS SHOWN ON THE PLAT. SERVICE PEDESTALS AND TRANSFORMERS AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES MAY ALSO BE LOCATED IN SUCH EASEMENTS.

B. UNDERGROUND SERVICE CABLES TO ALL HOUSES LOCATED ON ALL LOTS IN THE SUBDIVISION SHALL RUN FROM THE NEAREST SERVICE PEDESTAL OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH HOUSE, PROVIDED, THAT UPON THE INSTALLATION OF SUCH A SERVICE CABLE TO A PARTICULAR HOUSE, THE SUPPLIER OF ELECTRIC SERVICE, TELEPHONE AND CABLE TELEVISION SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE AND EXCLUSIVE RIGHT-OF-WAY EASEMENT ON EACH LOT COVERING A FIVE FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF SUCH SERVICE CABLE EXTENDING FROM THE SERVICE PEDESTAL OR TRANSFORMER TO THE SERVICE ENTRANCE ON SAID HOUSE.

C. THE SUPPLIER OF ELECTRIC, TELEPHONE, AND CABLE TELEVISION SERVICE, THROUGH ITS PROPER AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL SUCH EASEMENT WAYS SHOWN ON THE PLAT OR PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSES OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF SAID UNDERGROUND ELECTRIC, TELEPHONE, OR CABLE TELEVISION SO INSTALLED BY IT.

D. THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, AND CABLE TELEVISION FACILITIES LOCATED ON HIS OWNER'S PROPERTY AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID ELECTRIC, TELEPHONE OR CABLE TELEVISION FACILITIES. SUCH UTILITY COMPANY SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND ELECTRIC, TELEPHONE, OR CABLE TELEVISION FACILITIES, BUT THE OWNER SHALL PAY FOR THE DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, ITS AGENTS OR CONTRACTORS.

E. THE FOREGOING COVENANTS CONCERNING UNDERGROUND ELECTRIC, TELEPHONE, AND CABLE TELEVISION FACILITIES SHALL BE ENFORCEABLE BY THE SUPPLIER OF ELECTRIC, TELEPHONE OR CABLE TELEVISION SERVICE, AND THE OWNER OF EACH LOT AGREES TO BE BOUND HEREBY.

3. UNDERGROUND UTILITY SERVICE:
UNDERGROUND SERVICE LINES TO ALL HOMES SHALL RUN FROM THE NEAREST SERVICE CONNECTION TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF THE HOME, PROVIDED, THAT UPON THE INSTALLATION OF SUCH A SERVICE LINE TO A HOME, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE AND EXCLUSIVE RIGHT-OF-WAY EASEMENT ON SAID LOT, COVERING A FIVE FOOT (5') STRIP EXTENDING 2.5 FEET ON EACH SIDE OF SUCH SERVICE LINE, EXTENDING FROM THE SERVICE CONNECTION TO THE SERVICE ENTRANCE TO THE HOME. NATURAL GAS SERVICE MAY OR MAY NOT BE AVAILABLE WITHIN DEER RUN AT STONE CANYON PHASE I.

A. OVERHEAD POLES MAY BE LOCATED ALONG THE PERIMETER OF THE SUBDIVISION AS NECESSARY IF LOCATED IN UTILITY EASEMENTS FOR THE PURPOSE OF THE SUPPLY OF UNDERGROUND SERVICE. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY UNDERGROUND CABLE, AND ELSEWHERE AS SHOWN ON THE PRELIMINARY PLAT OF THE IMMEDIATELY PRECEDING SUBSTANCE, ALL ELECTRIC AND COMMUNICATION SUPPLY LINES SHALL BE LOCATED UNDERGROUND. THE EASEMENT WAYS RESERVED FOR GENERAL UTILITY SERVICES AND STREETS, SHOWN ON THE ATTACHED PLAT. THE OWNER DOES HEREBY DEDICATE THAT THE UTILITY EASEMENTS SHOWN AND DEDICATED ON THE ACCOMPANYING PLAT TO A SINGLE SUPPLIER OF ELECTRICAL SERVICE.

B. SUPPLY LINES IN THE SUBDIVISION INCLUDING ELECTRIC, TELEPHONE AND CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN THE EASEMENTS RESERVED FOR GENERAL UTILITY SERVICES AND STREETS SHOWN ON THE PLAT OF THE SUBDIVISION. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN SAID EASEMENTS.

C. UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WHICH MAY BE LOCATED ON ALL LOTS IN THE SUBDIVISION MAY BE RUN FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE AS MAY BE LOCATED UPON EACH SAID LOT; PROVIDED THAT UPON THE INSTALLATION OF SUCH A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, AND EFFECTIVE RIGHT-OF-WAY EASEMENT ON SAID LOT, COVERING A FIVE-FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF SUCH SERVICE CABLE OR LINE, EXTENDING FROM THE SERVICE PEDESTAL OR TRANSFORMER OR GAS MAIN TO THE SERVICE ENTRANCE ON THE STRUCTURE OR A POINT OF METERING.

D. THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICES, THROUGH ITS AUTHORIZED AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL SUCH EASEMENTS SHOWN ON THE PLAT TO THE SUBDIVISION OR PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE FACILITIES SO INSTALLED BY IT. THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION ALSO RESERVES THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY: TO CUT DOWN, TRIM, OR TREAT

E. THE OWNER OF EACH LOT IN THE SUBDIVISION SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND ELECTRIC FACILITIES LOCATED ON HIS PROPERTY AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. THE SUPPLIER OF SERVICE WILL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER OF EACH LOT IN THE SUBDIVISION WILL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF HIS AGENTS OR CONTRACTORS SHOWN ON THE FOREGOING COVENANTS CONCERNING UNDERGROUND FACILITIES SHALL BE ENFORCEABLE BY THE SUPPLIER OF ELECTRIC, TELEPHONE AND CABLE TELEVISION OR GAS SERVICES.

4. WATER AND STORM SEWER:
THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS AND STORM DRAIN FACILITIES LOCATED ON SUCH OWNER'S LOT AND SHALL PREVENT THE ALTERATION OF GRADE FROM THE ORIGINAL CONTOURS OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID FACILITIES.

A. RURAL WATER DISTRICT NO.3, ROGERS COUNTY, OR OTHER PROVIDER AS THE CASE MAY BE, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF ITS PUBLIC WATER LINE MAINS, BUT THE OWNER OF EACH LOT SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS. RURAL WATER DISTRICT NO.3, ROGERS COUNTY SHALL HAVE THE RIGHT OF ACCESS WITH ITS EQUIPMENT TO ALL EASEMENT WAYS SHOWN ON THE PLAT FOR INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF ITS UNDERGROUND WATER LINE FACILITIES. THE FOREGOING COVENANTS CONCERNING WATER LINE FACILITIES SHALL BE ENFORCEABLE BY RURAL WATER DISTRICT NO.3, ROGERS COUNTY, AND THE OWNER OF EACH LOT AGREES TO BE BOUND HEREBY.

B. WATER SERVICE: POTABLE WATER SHALL BE PURCHASED FROM RURAL WATER DISTRICT NO.3, ROGERS COUNTY, OR ITS ASSIGNEES. IRRIGATION AND SIMILAR NEEDS MAY BE SERVICED BY ALTERNATIVE SOURCES OF WATER IF APPROVED BY THE DEVELOPER.

C. SANITARY SEWER DISPOSAL: SEWAGE SHALL BE DISPOSED OF BY INDIVIDUAL ON-SITE ODEO APPROVED SEWAGE DISPOSAL SYSTEMS. NO OTHER ON-SITE INDIVIDUAL SEWAGE DISPOSAL SYSTEMS SHALL BE ALLOWED WITHOUT WRITTEN APPROVAL FROM THE DEVELOPER. ALL SEWAGE DISPOSAL SYSTEMS SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE RULES AND REGULATIONS SET FORTH BY THE OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY. THE DEVELOPER RESERVES THE RIGHT TO DESIGNATE AN APPROVED THIRD-PARTY CONTRACTOR WITH EXPERIENCE IN INSTALLING/MAINTAINING SEWAGE DISPOSAL SYSTEMS FOR THE PURPOSES OF PERFORMING REGULAR MAINTENANCE AND MONITORING FUNCTIONS OF ALL SUCH SYSTEMS WITHIN DEER RUN AT STONE CANYON PHASE I. THE FEES FOR SUCH SERVICES MAY BE DISTRIBUTED THROUGH REGULAR OR SPECIAL ASSESSMENTS IMPOSED UPON EACH LOT.

D. COMPLIANCE WITH CODE: ALL RESIDENTIAL LOTS ARE SUBJECT TO THE USES, RESTRICTIONS AND REQUIREMENTS OF THE OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY.

5. LANDSCAPE AND PAVING REPAIR:
THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR THE REPAIR AND REPLACEMENT OF ANY LANDSCAPING AND PAVING LOCATED WITHIN THE UTILITY EASEMENTS IN THE EVENT IT IS NECESSARY TO REPAIR ANY UNDERGROUND WATER, SANITARY SEWER MAINS, STORM SEWERS OR DRAINAGE WAYS, ELECTRIC, NATURAL GAS, TELEPHONE, OR CABLE TELEVISION SERVICE. NO LOT OWNER SHALL PLANT ANY TREES OR SHRUBBERY IN DEDICATED UTILITY EASEMENTS OR RIGHT-OF-WAYS WHICH WOULD POTENTIALLY ENDANGER, THREATEN, OR HARM ANY UTILITIES LOCATED WITHIN SAID EASEMENTS OR RIGHT-OF-WAYS. IF IT IS DETERMINED THAT ANY TREES OR SHRUBBERY LOCATED WITHIN SAID EASEMENTS OR RIGHT-OF-WAYS ARE DAMAGING OR ENDANGERING UTILITIES IN SAID EASEMENTS OR RIGHT-OF-WAYS, ROGERS COUNTY AND/OR THE UTILITY COMPANY INVOLVED SHALL HAVE THE RIGHT TO REMOVE SAID TREES OR SHRUBBERY UPON THE FIVE (5) DAYS WRITTEN NOTICE THEREOF AT THE LOT OWNER'S EXPENSE, OR WITHIN SUCH TIME THE LOT OWNER MAY REMOVE SAME.

6. DEVELOPER'S RESERVED RIGHTS:
A. INCLUSION IN PROPERTY OWNERS ASSOCIATION: AS A PART OF THE DEVELOPMENT OF THE SUBDIVISION, THE DEVELOPER HEREBY HAS CREATED, OR WILL CREATE "DEER RUN AT STONE CANYON COMMUNITY ASSOCIATION, INC.", AN OKLAHOMA NOT-FOR-PROFIT CORPORATION (THE "ASSOCIATION").

B. BINDING EFFECT: ALL LAWFUL ACTS OF THE ASSOCIATION MADE UNDER AND PURSUANT TO ITS CERTIFICATE OF INCORPORATION AND BY-LAWS SHALL BE BINDING UPON THE LOTS CONTAINED IN THE SUBDIVISION AND THE OWNERS THEREOF. MEMBERSHIP IN THE ASSOCIATION SHALL CONSIST OF ALL OWNERS OF LOTS IN THE SUBDIVISION.

C. ASSESSMENTS: ANNUAL ASSESSMENTS AND PERMITTED SPECIAL ASSESSMENTS MAY BE MADE BY THE ASSOCIATION ON A PER LOT BASIS, ALL AS MORE FULLY SET FORTH IN THE ASSOCIATION'S ARTICLES AND BY-LAWS AND IN THE MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR STONE CANYON AND IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR DEER RUN AT STONE CANYON PHASE I. NO LOT SHALL BE ENTITLED TO MORE THAN ONE (1) VOTE, REGARDLESS OF NUMBER OF OWNERS.

D. OTHER RIGHTS: DEVELOPER SHALL HAVE THE RIGHT AND POWER TO EXECUTE ALL DOCUMENTS AND DO ALL OTHER ACTS AND THINGS AFFECTING THE SUBDIVISION WHICH DEVELOPER DETERMINES ARE NECESSARY OR DESIRABLE IN CONNECTION WITH THE SUBDIVISION AND WHICH DO NOT PREVENT USE OF ANY LOT FOR DWELLING PURPOSES AND FILING OF VARIOUS COVENANTS, CONDITIONS AND RESTRICTIONS OR AMENDMENTS HERETO FOR THE SUBDIVISION.

7. RESERVE AREAS:
THE DEVELOPER DOES HEREBY ESTABLISH AND GRANT AN EASEMENT OVER THE AREAS DESIGNATED AS "RESERVE" FOR THE PURPOSES OF STORMWATER DETENTION/CONVEYANCE AND/OR RECREATIONAL FACILITIES AND OPEN SPACE. AREAS DESIGNATED ON THE PLAT AS RESERVE AREAS ARE HEREBY RETAINED BY THE DEVELOPER FOR HIMSELF OR HIS LATER CONVEYANCE, AT THE DEVELOPER'S SOLE DISCRETION, TO THE ASSOCIATION OR OTHER THIRD PARTY FOR THE PURPOSE OF PROVIDING GREEN AREAS, STORMWATER DETENTION, PROPER VISUAL SCREENING OF THE SUBDIVISION FROM SURROUNDING AREAS, AND FOR THE CONSTRUCTION AND MAINTENANCE OF ANY SCREENING FENCE OR WALL, AND FOR OTHER PURPOSES DEEMED ADVISABLE BY THE DEVELOPER OR THE ASSOCIATION. ALL RESERVE AREAS AND FENCE EASEMENTS (AS DESCRIBED BELOW) ARE HEREBY DEDICATED AS DRAINAGE AND UTILITY EASEMENTS AND MAY BE USED AS SUCH SO LONG AS SUCH UTILITY USAGE DOES NOT MATERIALLY INTERFERE WITH THE USE AND ENJOYMENT OF THE SUBDIVISION. THE CONSTRUCTION AND/OR PERPETUAL MAINTENANCE RESPONSIBILITY OF SAID RESERVE AREAS SHALL BE ENFORCED AND MAINTAINED BY THE PROPERTY OWNERS' ASSOCIATION AND ALL COSTS SHALL BE BORNE BY THE ASSOCIATION.

8. FENCE AND LANDSCAPE EASEMENT:
AREAS DESIGNATED ON THE PLAT AS FENCE EASEMENTS AND/OR LANDSCAPE EASEMENT ARE HEREBY DESIGNATED BY THE DEVELOPER AS PERPETUAL EASEMENTS FOR THE BENEFIT OF THE ASSOCIATION FOR THE PURPOSE OF PROVIDING PROPER VISUAL SCREENING OF THE SUBDIVISION FROM SURROUNDING AREAS, MAINTENANCE OF ENTRYWAYS AND FOR THE CONSTRUCTION AND MAINTENANCE OF ANY SCREENING FENCE OR WALL AND FOR OTHER PURPOSES DEEMED TO BE IN THE COMMON GOOD BY DEVELOPER AND/OR THE ASSOCIATION.

9. DRAINAGE:
EACH LOT SHALL RECEIVE AND DRAIN IN AN UNOBSTRUCTED MANNER THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM PUBLIC STREETS AND EASEMENTS. NO LOT OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS THEIR LOT. THE DEVELOPER EXPRESSLY RESERVES TO ITSELF AND TO THE ASSOCIATION THE RIGHT TO REVIEW ALL DRAINAGE ISSUES, IN THE DEVELOPER'S SOLE DISCRETION, WHICH ARE RELATED TO ADJACENT OR NEARBY LOTS. NO PROPERTY OWNER SHALL ALTER OR MODIFY FOR CHANGE THE DIRECTION OF DRAINAGE OF SURFACE STORMWATER FROM THE ORIGINAL CONSTRUCTION PLANS APPROVED BY THE DEVELOPER, UNLESS THE DEVELOPER CONSENTS THE PROPERTY OWNER SHALL PREVENT THE ALTERATION OF GRADE WITHIN ALL EASEMENT AREAS FROM THE ORIGINAL CONTOURS (FINISH GRADE) EXISTING AT THE TIME OF THE INITIAL CONSTRUCTION ACTIVITY THAT MAY INTERFERE WITH SUCH PUBLIC WATER MAINS, VALVES, STORM SEWERS, AND OR PUBLIC SANITARY SEWER FACILITIES. THE COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY ANY AFFECTED PROPERTY OWNER, THE DEVELOPER AND/OR THE STONE CANYON ASSOCIATION AND BY ROGERS COUNTY.

10. INGRESS, EGRESS AND WALKWAYS:
CONSTRUCTION OF ALL PUBLIC ROADWAYS WITH THE DEER RUN AT STONE CANYON PHASE I SHALL BE COMPLETED, BY THE OWNER, TO THE PUBLIC DEDICATION AS REQUIRED BY AND IN ACCORDAN