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Maressa Treat, County Clerk
Oklahoma County - State of Oklahoma



DECLARATION OF CONDITIONS, COVENANTS AND RESTRICTIONS
FOR *HIGHGARDEN PHASE 4* TO THE CITY
OF EDMOND, OKLAHOMA COUNTY, OKLAHOMA

DECLARATION OF CONDITIONS, COVENANTS AND RESTRICTIONS
FOR HIGHGARDEN PHASE 4
TO THE CITY OF EDMOND, OKLAHOMA COUNTY, OKLAHOMA

This Declaration is made this 1st day of June, 2025, by Anthracite Investments, LLC.

RECITALS

WHEREAS, Anthracite Investments, LLC., hereafter referred to as the "Declarant", are the owners of certain land and improvements (HIGHGARDEN PHASE 4) in Oklahoma County, Oklahoma, which property is more fully described on the attached "Exhibit A", incorporated herein and made a part hereof; and

WHEREAS, the Subject Property has been platted into Lots for separate ownership, subject to these Declarations, which plat has been filed for record on the 1st of July, 2025, in the County Clerks office of Oklahoma County at Plat Book 84, page 76; and

WHEREAS, Declarant desires to submit the Subject Property and the improvements to be constructed thereon to Oklahoma's Real Estate Development Act (Title 60 O.S. 1971, ' ' 851 et seq, as amended); and

WHEREAS, the Declarant was also the owner of an adjacent tract of land previously platted and filed of record in the County Clerks office of Oklahoma County as HIGH GARDEN PHASE I, said plat being filed of record on the 16th day of May, 2018, at Plat Book 76, pages 83, and the Owners Certificate and Restrictions ("Owners Restrictions") for the HIGH GARDEN PHASE I being filed on May 31, 2018, at Book 13749 pages 1473-1487, and Amendment to the Declarations for Highgarden Phase I filed on May 2nd 2019 in Book 14030 on page 675, records of the County Clerk's office of Oklahoma County. WHEREAS, the Declarant was also the owner of an adjacent tract of land previously platted and filed of record in the County Clerks office of Oklahoma County as THE WOODS AT HIGHGARDEN, said plat being filed of record on the 11th day of August, 2020, at Plat Book 14438, page 1619. Whereas, the Declarant was also the owner of an adjacent tract of land previously plotted and filed of record in the county clerks office of Oklahoma County as High Garden Phase 3, said plat being filed of record on March 20, 2022 at Plat Book 81 page 61, and the Owners Certificate and Restrictions for Highgarden Phase 3 being filed on May 20, 2022 in book 15134 pages 141R-1426.

NOW, THEREFORE, except as specifically stated herein, Declarant does hereby adopt the terms, conditions and provisions set out and contained in the Owners Restrictions filed on May 31, 2018, at Book 13749 pages 1473-1487, as if the terms of the Owners Restrictions are fully set forth herein and does hereby declare that the Subject Property described on Exhibit "A" hereto is subject to those Owners Restrictions, which restrictions, use limitations, obligations, and provisions thereof shall be deemed to run with the land described on Exhibit "A" and shall be for the use and benefit to the Declarant, their successors and assigns and to any person or entity acquiring or owning an interest in the Subject Property and improvements, or any portion thereof, its grantees, successors, heirs, personal representatives, devisees and assigns.

The exceptions are as follows:

- A. **Restrictions on Renting/Leasing to Third Parties.** Unless otherwise provided, as required by the operation of law, or as may be required by any so called secondary mortgage market source for the purposes of obtaining purchase money financing for a Lot, no Lot may be rented, leased, let or licensed for less than twelve (12) consecutive months subsequent to the filing date of this Declaration. Except for Declarant and Approved Builders, no one Owner may lease more than one Lot at a time within the Addition. Only the entirety of a Lot and its improvements may be leased at a time by one single-family. Sub-leasing shall be prohibited. This Section shall not apply to a purchase money lender taking title to a Lot due to foreclosure. All leases shall be in writing and a copy provided to the Association immediately upon execution. The Association may adopt reasonable rules governing leasing, including reasonable administration, processing, and review fees to be paid to the Association.
- B. Fences shall start no closer than 5 feet from the corner of the house.
- C. Regular lawn mowing during the growing season, including weed free lawns and flower beds.

The adoption of the Declarations described hereinabove shall specifically include and apply to membership in the HIGH GARDEN HOA, INC., an Oklahoma nonprofit corporation), the mandatory homeowners association created to govern the benefits and duties of ownership of a Lot in Highgarden Phase 4.

IN WITNESS WHEREOF, the undersigned, being the owners of all of the Lots in Highgarden Phase 4 have executed these presents the 1st day of June, 2025.

PROPERTY OWNED

All of the Lots and Blocks

DECLARANT

Anthracite Investments, LLC.

By:

Michael Love
Michael Love

STATE OF OKLAHOMA)
) ss.
COUNTY OF OKLAHOMA)

This instrument was acknowledged before me on July 29, 2025, by Michael Love as Manager of Anthracite Investments, LLC.

Laura M. Furnish
NOTARY PUBLIC



The Oklahoma City Abstract & Title Co.
1000 W. 15th Street
Edmond, OK 73013
File # 2905688

EXHIBIT "A"
LEGAL DESCRIPTION
HIGHGARDEN PHASE 4

