

RESERVATIONS, RESTRICTIONS AND EASEMENTS RUNNING WITH LAND

THE UNDERSIGNED, OAK HILLS, INC., being the owner of Lots 1 through 8, Block 7; and Lots 1 through 6, Block 8, Oak Hills Add. No. 3, located in the South Half of the Southwest Quarter (SW 1/4) of Section 13, Township 93 North, Range 57 West of the 5th P.M., Yankton County, South Dakota, according to the Plat thereof recorded in the office of the Register of Deeds of said County, in Book 54, Page 11A & 11B, hereby makes the following reservations, restrictions and easements running with the above lots, and all conveyances hereafter made shall be subject thereto, and the Grantees therein shall agree thereto as follows:

1. There shall not be erected or maintained on said property any structure of any kind other than a single-family dwelling and suitable accessory buildings or ground improvements. The property is to be used for private, non-commercial, residential purposes only, and for no other or different purpose.
2. Easements and rights-of-way are hereby expressly reserved for the creation, construction and maintenance of utilities, such as gas, water, telephone, telegraph, electricity, sewers and storm drains, public, quasi-public and private, as well as for public, private or quasi-public utility or function deemed necessary and/or expedient by Oak Hills, Inc., its successors and assigns for the public health and welfare. Such easements and rights-of-way shall be confined to a strip of land 6 feet wide along all property lines of the lot or lots conveyed.
3. Plans and specifications for and location of all dwellings, accessory buildings, and systems for sewerage disposal, water supply and sanitation must be submitted to Oak Hills, Inc., its duly authorized agent or successors and assigns, for written approval prior to the commencement of any construction.
4. No sign of any kind shall be exhibited in any way on or above the property without written approval of Oak Hills, Inc., its duly authorized agent or successors and assigns.
5. No fence or hedge shall be erected or maintained on the property which shall unreasonably restrict or block the view from any adjoining lot.
6. No husbandry of either animals or fowl shall be conducted or maintained on the property, provided, however, that house pets shall be excluded from this restriction.
7. No mobile home or house trailer shall be allowed on this property.
8. All dwellings shall contain a minimum of 1,000 square feet of living area. The above shall be binding on the Grantees and Purchasers of said real estate, their successors and assigns forever, and may be enforced by the undersigned, their successors and assigns, by suit for forfeiture of all property, or by such action to remedy the violation thereof and recovery of the expenses from the owners of said property.

Dated October 4, 1960.

Oak Hills, Inc.

By A.J. Rhian
Its President

ATTEST:
James E. Doyle
Its Secretary

Corporate Seal

STATE OF SOUTH DAKOTA)
 :SS
COUNTY OF YANKTON,)

On this 4th day of October, 1960, before me, the undersigned officer, personally appeared A. J. Rhian and James E. Doyle, who acknowledged themselves to be the President and Secretary of Oak Hills, Inc., a corporation, and that they as President and Secretary being authorized so to do, executed the foregoing instrument for the purpose therein contained by signing the name of the corporation by themselves as President and Secretary.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Harold C. Doyle
Notary Public

My Commission expires:
September 1, 1966.
(Seal)

STATE OF SOUTH DAKOTA)
County Of Yankton) ss
Office of Register of Deeds
Filed for Record Oct. 4, 1960 at 2:30 o'clock P.M., and Recorded in Book 216 on Page 571.

Gerda L. Madson - Register of Deeds

Kay Brown, Dep.

Fee 1.00

ASSIGNMENT OF POWERS

WHEREAS, certain blocks and lots in Oak Hills, Inc. are subject to Reservations, Restrictions and Easements as recorded in the Register of Deeds Office, Yankton County, South Dakota, and

WHEREAS, there are at this time several single family dwellings located within Oak Hills and it now being more desirable that the lot owners of Oak Hills exercise the control and enforce the application of such Reservations, Restrictions and Easements, and

WHEREAS, Oak Hills, Inc. desires to dissolve such corporation and transfer the powers contained in such Reservations, Restrictions and Easements to Oak Hills Landowners, Inc., and

WHEREAS, Oak Hills, Inc. has authorized the president of such corporation to execute this Assignment of Powers to Oak Hills Landowners, Inc., and

WHEREAS, Oak Hills Landowners, Inc. has authorized its president to consent to the transfer of such powers to it, now, therefore, it is agreed

I.

That Oak Hills, Inc. hereby assigns all of its right, title and interest in and to the powers granted to Oak Hills, Inc. by virtue of Reservations, Restrictions and Easements as recorded in the Register of Deeds Office, Yankton County, South Dakota, as follows:

Blocks 1, 2 and 3 (all lots)	Book 213, Page 412
Block 4 (Lots 2 through 8)	
Block 5 (Lots 1 through 12)	Book 216, Page 412
Block 6 (Lots 1 through 4)	
Block 7 (Lots 1 through 8)	
Block 8 (Lots 1 through 6)	Book 216, Page 571
(Lots 8 through 20)	
Block 9 (Lots 1 through 8)	Book 219, Page 492-493
Block 10 (Lots 1 through 17)	Book 298, Page 502; Amended, Book 300, Page 301
Lot C1A and Lot C1B	Book 233, Page 561-562
Lot D	Book 233, Page 350-351

to Oak Hills Landowners, Inc. with sole and specific reference to paragraphs 2, 3 and 4 of such Reservations, Restrictions and Easements which paragraphs are as follows:

2. Easements and rights of way are hereby expressly reserved for the creation, construction and maintenance of utilities; such as gas, water, telephone, telegraph, electricity, sewers and storm drains, public, quasi-public and private as well as for public, private or quasi-public utility or function deemed necessary and/or expedient by Oak Hills, Inc., its successors and assigns for the public health and welfare. Such easements and rights-of-way shall be confined to a strip of land 3 feet wide along the rear and side lines of the lot(s) conveyed.

3. Plans and specifications for and location of all dwellings, accessory buildings, and systems for sewerage disposal, water supply and sanitation must be submitted to Oak Hills, Inc., its duly authorized agent or successors and assigns for written approval prior to the commencement of any construction.

4. No sign of any kind shall be exhibited in any way on or above the property without written approval of Oak Hills, Inc., its duly authorized agent or successors and assigns.


and to exercise such powers as set forth and applicable to the real property as hereinbefore described.

II.

That Oak Hills Landowners, Inc. hereby agrees and consents to exercise the powers as set forth in such paragraphs 2, 3 and 4 under the Reservations, Restrictions and Easements as recorded against the above described real property as hereinbefore described with such power to be exercised by its duly authorized agent or successors and assigns on and after the date of this Assignment.

Dated this 10th day of June, 1987.

OAK HILLS, INC.


James E. Doyle
President

OAK HILLS LANDOWNERS, INC.


Stanley G. Ray
President

STATE OF SOUTH DAKOTA)
: SS
COUNTY OF YANKTON)

On this the 10th day of June, 1987, before me,
_____, the undersigned officer,
personally appeared James E. Doyle, who acknowledged himself to be the
President of Oak Hills, Inc., a corporation, and that he, as such
President being authorized so to do, executed the foregoing instrument
for the purposes therein contained, by signing the name of the
corporation by himself as President.

In witness whereof I hereunto set my hand and official seal.

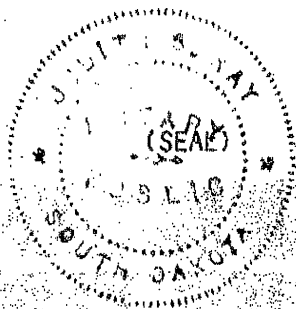


Dixie L. Griffith
Dixie L. Griffith
Notary Public
My commission exp.: 8/10/88

STATE OF SOUTH DAKOTA)
: SS
COUNTY OF YANKTON)

On this the 10th day of June, 1987, before me,
Judith S. Ray, the undersigned officer,
personally appeared Stanley G. Ray, who acknowledged himself to be the
President of Oak Hills Landowners, Inc., a corporation, and that he, as
such President being authorized so to do, executed the foregoing
Instrument for the purposes therein contained, by signing the name of
the corporation by himself as President.

In witness whereof I hereunto set my hand and official seal.



Judith S. Ray
Judith S. Ray
Notary Public
My commission exp.: 2/20/93

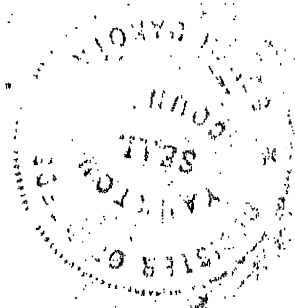
STATE OF SOUTH DAKOTA
COUNTY OF YANKTON

1987 JUN 10 PM 3:19

IN BOOK 332 361
Lynette Peterson
REGISTER OF DEEDS

\$7.00 chg.

Atty: Doyle & Kennedy
Box 37 Yankton



Filed _____ Seal _____
Num _____ Alpha _____
Margin _____ Tm _____
Ord _____ Chg. _____

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