

ENROLLED SENATE
BILL NO. 84

By: Wright of the Senate

and

Vaughn of the House

An Act relating to cities and towns; allowing amendment to restrictive covenants under certain circumstances; requiring notice under certain circumstances; specifying voting power of parcels in real estate additions; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 42-106.1 of Title 11, unless there is created a duplication in numbering, reads as follows:

A. Any restrictive covenant on property contained in a residential addition may be amended if:

1. The restrictive covenant has been in existence for at least ten (10) years and the amendment is approved by the owners of at least seventy percent (70%) of the parcels contained in the addition or the amount specified in the restrictive covenant, whichever is less; or

2. The restrictive covenant has been in existence for at least fifteen (15) years and the amendment is approved by the owners of at least sixty percent (60%) of the parcels contained in the addition or the amount specified in the restrictive covenant, whichever is less.

B. Where a preliminary plat has been filed for a residential addition, the requirements of paragraphs 1 and 2 of subsection A of this section shall include all the parcels contained in the preliminary plat.

C. In the absence of a provision providing for the amendment of the restrictive covenants of a residential addition the requirements of paragraphs 1 and 2 of subsection A of this section shall apply. A thirty-day notice of any meeting called to amend the restrictive covenants shall be provided to the owners of every parcel contained in the addition. Each parcel shall be entitled to one vote.

SECTION 2. This act shall become effective November 1, 1995.

Passed the Senate the 25th day of April, 1995.

President of the Senate

Passed the House of Representatives the 17th day of April, 1995.

Speaker of the House of
Representatives