

**TULSA METROPOLITAN AREA PLANNING COMMISSION**

175 East 2nd St, Suite 480 - Tulsa, OK 74103 - (918) 596-7526 - tulsaplanning.org

Submit applications to [planning@cityoftulsa.org](mailto:planning@cityoftulsa.org)

**SUBDIVISION PLAT**                       **MINOR SUBDIVISION PLAT**

**APPLICATION INFORMATION**

RECEIVED BY: \_\_\_\_\_ DATE FILED: \_\_\_\_\_ **PLAT NAME:** 41st & Lynn

SUBDIVISION PLAT SCHEDULE		REFERENCE CASES	
PUBLIC AGENCY REVIEW:	2/8/2024	ZONING/PUD/CO CASE:	
		TMAPC DATE:	
TMAPC:	2/21/2024	BOA CASE:	
		BOA DATE:	

**SUBJECT PROPERTY INFORMATION**

ADDRESS OR DESCRIPTIVE LOCATION: E. 41st Street and Lynn Lane Road                      TRACT SIZE: 15.42 ± acres

LEGAL DESCRIPTION: see attached legal

PRESENT USE: unoccupied development      PRESENT ZONING: RS-4      T-R-S: 19-14-26      COUNCIL DISTRICT: 6

WATER SUPPLY: City of Tulsa Water Dept                      SANITARY SEWER: City of Tulsa Sanitary Sewer Dept.

ELECTRIC: Public Service Co. of Okla      GAS: Okla Natural Gas Co      PHONE: AT&T      TV: Cox Comm.      SCHOOL DISTRICT: Broken Arrow Sch Dist. 3

**INFORMATION ABOUT YOUR PROPOSAL**

PROPOSED USE: Residential Subdivision

PROPOSED ZONING: RS-4                      LOTS PROPOSED: 53                      BLOCKS PROPOSED: 3

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
NAME <u>Chad Brixey - Brixey Engineering &amp; Land Surveying</u>	NAME <u>LLOK41, LLC</u>
ADDRESS <u>PO Box 6180</u>	ADDRESS <u>202 SE 6th Street, Suite 201</u>
CITY, ST, ZIP <u>Fort Smith, AR 72906</u>	CITY, ST, ZIP <u>Bentonville, AR 72712</u>
DAYTIME PHONE <u>479-646-6394</u>	DAYTIME PHONE <u>479-806-6772</u>
EMAIL <u>chad@brixeyeng.com</u>	EMAIL <u>john@baxterfi.com</u>

**I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT.**  
SIGNATURE & DATE: Chad Brixey 01/24/2024

DOES OWNER CONSENT TO THIS APPLICATION?  YES  NO

WHAT IS APPLICANT'S RELATIONSHIP TO OWNER? Civil Engineer

APPLICATION FEES (Make checks payable to City of Tulsa)		PRELIMINARY PLAT DISPOSITION
PRELIMINARY PLAT FEE:	\$1,200	TMAPC ACTION: <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED
FINAL PLAT FEE:	\$900	DATE/VOTE:
MINOR PLAT FEE:	\$650	CONDITIONS:
TOTAL AMOUNT DUE:	\$	
RECEIPT NUMBER:		

Application fees in whole or part will not be refunded after notification has been given.

**SUBMITTAL REQUIREMENTS:**

Checklists for all submittals are available at [tulsaplanning.org](http://tulsaplanning.org).

**Preliminary Plats** – Application, Checklist, 4 folded full-size copies & PDF of plat, deed of dedication, and Conceptual Improvement Plan

**Draft Final Plats** – 4 folded full-size copies & PDF

**Final Plats for Signatures** – 8-10 rolled full-size copies, fully executed by owner, surveyor, and engineer

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**SUBDIVISION PRE-APPLICATION REVIEW**

**PROJECT INFORMATION**

Subdivision Location: E. 41st Street and Lynn Lane Road IDP 87682-2021  
Acreage: 15.42 Number of Lots: 53 Project Name: 41st & Lynn  
Owner of Property: LLOK41, LLC  
Person Requesting Review: Chad Brixey - Brixey Engineering & Land Surveying Date: 1/24/2024

**COMPREHENSIVE PLAN STATUS**

LAND USE DESIGNATION: Neighborhood Center

The property  CONFORMS [ ] DOES NOT CONFORM to the Major Street and Highway Plan.

**ZONING AND PLATTING**

The property is currently zoned RS-4

The proposed use of Residential Subdivision  WOULD or [ ] WOULD NOT conform to the zoning district classification.

Minimum lot size required: ~~6000 sf~~ 5500 sf

Is the property is located within an approved development plan?  YES [ ] NO

If yes, does the project conform to all development standards?  YES [ ] NO

Is there a Rezoning or Board of Adjustment case pending on the site? [ ] YES  NO Case number: \_\_\_\_\_

When are the anticipated TMAPC and City Council, or Board of Adjustment meeting dates? \_\_\_\_\_

**INFRASTRUCTURE NEEDS**

A brief summary of major infrastructure to be provided and by whom:

Streets \_\_\_\_\_

All major infrastructure has been installed, As-built plans have been submitted and approved under IDP 87682-2021

Water \_\_\_\_\_

Sewer \_\_\_\_\_

Storm Water/Drainage \_\_\_\_\_

Park and Trail Dedications \_\_\_\_\_

**Please consider the items in this Pre-Application Review carefully.**

This conceptual pre-development review is not intended to be all-inclusive, but rather to address the major development criteria, which should be thoroughly studied as development plans progress. Relevant Federal and State Statutes, as well as TMAPC Subdivision Regulations, Design Criteria, Zoning Codes, and other relevant local codes and policies should be reviewed and incorporated into future plans.

Contact the Tulsa Planning Office if you have questions about the development process in the City Tulsa:  
918-596-5726, [planning@cityoftulsa.org](mailto:planning@cityoftulsa.org).

## **SUBDIVISION PLAT PROCESS**

### **MEETING SCHEDULE**

**Public Agency Review (PAR) Date (Preliminary plats): Thursday, \_\_\_\_\_ 1:30 p.m.**

**Large Conference Room, 8th Floor, INCOG, 2 West 2nd Street**

**Tulsa Metropolitan Area Planning Commission (TMAPC) Date (Preliminary plats): Wednesday, \_\_\_\_\_ 1:30 p.m.**

**Tulsa City Council Room, 2nd Level, One Technology Center, 175 East 2nd Street**

### **PRELIMINARY PLAT PROCESS**

1. Applicant submits preliminary plat/covenants, conceptual improvements plan, completed application, and fees. Plat is scheduled for PAR meeting and TMAPC public hearing.
2. Staff distributes preliminary plat to PAR members for review.
3. Applicant, staff, and PAR members meet to review requirements for approval of preliminary plat.
4. TMAPC holds public hearing to consider approval of preliminary plat. Approval of a preliminary plat expires after one year.

### **FINAL PLAT PROCESS**

1. Applicant prepares "draft final" plat in accordance with all TMAPC and PAR requirements of preliminary plat approval. Staff will review and stamp "Draft Final" and digitally stamp "Draft Final" PDF submittal.
2. If revisions are made after the first "draft final" plat submittal, new plats shall be submitted and clearly identify all revisions on the face of the plat and in the covenants by either clouding or shading. There shall be a clear identifying mark (usually a small triangle) containing a revision number attached to each clouded or shaded item and a table of revision numbers and revision dates. In addition, a brief description of the nature of the revision should be included in the table.
3. Applicant distributes "draft final" for release as follows: 1 copy - TMAPC staff; 2 copies - Development Services; PDF – Utility Providers
4. Release letters are required from the following: City of Tulsa Development Services OR County Engineer, water and sanitary sewer service providers; City Legal Department (if property is within the city limits of Tulsa); electric, gas, telephone and TV utility service providers. Release letters shall indicate the latest revision date for which the plat is being released.
5. Revisions submitted subsequent to being released shall be reviewed and released again. TMAPC staff must have the latest final plat incorporating all of the revisions before placing on the agenda for approval by the Planning Commission.
6. Staff will schedule "draft final" plat for TMAPC approval after we receive all release letters and have confirmed that the release letters pertain to the latest revised version of the plat. Submittals required per Section 3.6.5 of the Subdivision Regulations must be received before the Final Plat is considered by TMAPC.
7. TMAPC considers approval of final plat.
8. Applicant submits final recordable documents with original notarized signatures to TMAPC staff.
9. Staff obtains signatures from TMAPC, City Attorney, City Engineering, Mayor and City Council.
10. Staff returns final signed documents to applicant for filing with the County Clerk. Final documents must be filed within one year of TMAPC final plat approval. One filed paper copy and the 2 required electronic discs are delivered to staff.



PRELIMINARY PLAT

# 41st & Lynn

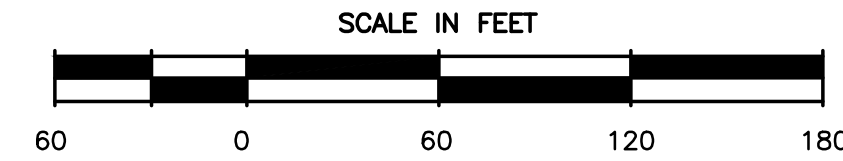
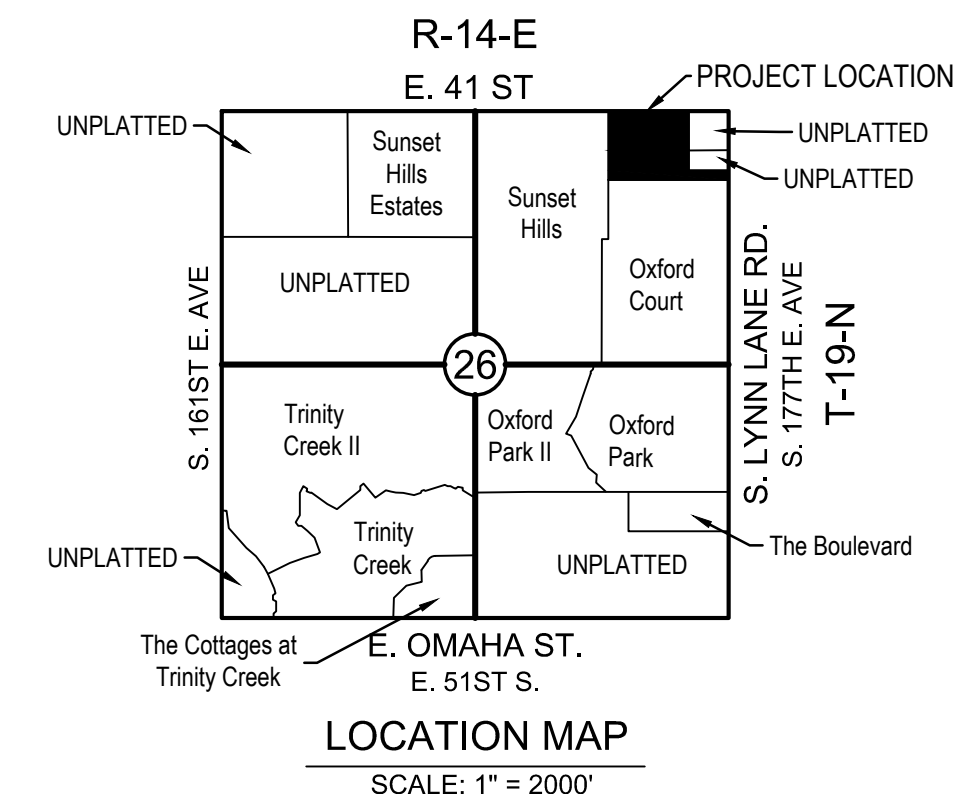
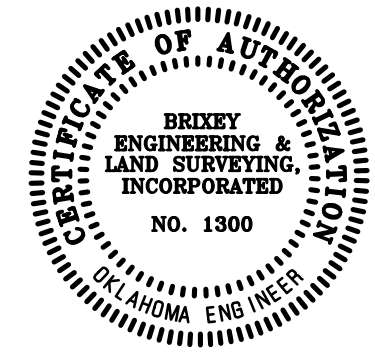
A SUBDIVISION IN THE NORTHEAST QUARTER (NE/4) OF SECTION TWENTY-SIX (26), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

**OWNER/DEVELOPER**

LLOK41, LLC  
 John Baxter, Manager  
 202 SE 6th Street, Suite 201  
 Bentonville, AR 72712  
 PHONE: 479.806.6772  
 EMAIL: JOHN@BAXTERFI.COM

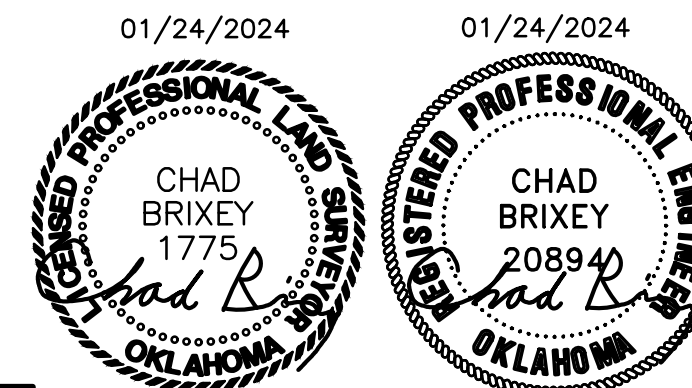
**ENGINEER/LAND SURVEYOR**

BRIXEY ENGINEERING & LAND SURVEYING, INC.  
 CERTIFICATE OF AUTHORIZATION NO. 1300, EXP. JUNE 30, 2024  
 PO BOX 6180  
 FORT SMITH, ARKANSAS 72906  
 PHONE: 479.646.6394  
 FAX: 479.646.6721  
 EMAIL: chad@brixyeng.com



**SUBDIVISION STATISTICS**

SUBDIVISION CONTAINS 53 LOTS IN 3 BLOCKS  
 BLOCK 1, 17 LOTS (2.63 ACRES)  
 BLOCK 2, 9 LOTS (1.43 ACRES)  
 BLOCK 3, 27 LOTS (5.26 ACRES)  
 RESERVE AREA, 1 TRACT (3.13 ACRES)  
 STREET RIGHTS OF WAY (2.99 ACRES)



**FLOODPLAIN**  
 ALL OF THE PROPERTY IS CONTAINED IN FEMA ZONE X (UNSHADED) (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS SHOWN ON FIRM PANEL "40143C0385M" DATED SEPTEMBER 30, 2016.

**CURVE TABLE**

ARC LENGTH	CHORD DIRECTION	CHORD LENGTH	RADIUS
C1	39.27 S 46°19'05" E	35.36	25.00
C2	39.27 N 43°40'55" E	35.36	25.00
C3	13.29 S 13°54'55" W	13.14	25.00
C4	131.71 S 46°19'05" E	96.80	50.00
C5	13.29 N 73°26'56" E	13.14	25.00
C6	39.27 N 46°19'05" W	35.36	25.00
C7	39.27 S 46°19'05" E	35.36	25.00
C8	39.27 N 43°40'55" E	35.36	25.00
C9	13.29 S 76°05'05" E	13.14	25.00
C10	131.71 S 43°40'55" W	96.80	50.00
C11	13.29 N 16°33'04" W	13.14	25.00
C12	39.27 S 43°40'55" W	35.36	25.00
C13	39.00 N 23°39'50" W	38.02	50.00
C14	39.00 S 21°01'41" W	38.02	50.00

**SUBDIVISION DATA**

**GEODETIC CONTROL POINT**  
 5/8" REBAR- 1 1/2" ALUMINUM CAP-FLUSH-SET IN CONCRETE STAMPED "91"- SET N.W. OF THE INTERSECTION OF E 41ST AND S 193RD E AVE.  
 ELEV=674.50' (NAVD 88)  
 NORTHING 409791.798 EASTING 2629621.632  
 LAT 36°06'17.32" LONG. 95°45'42.40" NAD83

**BASIS OF BEARINGS**  
 VERTICAL DATUM BASED UPON NAVD 88  
 HORIZONTAL DATUM BASED UPON NAD 83 (1993) OKLAHOMA STATE PLANE COORDINATE SYSTEM  
 NORTH ZONE 3501 CONVERGENCE 01°19'15.169"  
 USING S 01°19'49" E AS THE EAST LINE OF THE NE/4, SECTION 26, TOWNSHIP 19 NORTH, RANGE 14 EAST, INDIAN BASE AND MERIDIAN, TULSA COUNTY, OKLAHOMA

**ADDRESSES**  
 ADDRESSES SHOWN IN PARENTHESIS ON THIS PLAT WERE ACCURATE AT THE TIME THIS PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF LEGAL DESCRIPTION.



**CONTACTS**

**MUNICIPAL AUTHORITY**  
 CITY OF TULSA  
 175 EAST 2ND STREET, SUITE 690  
 TULSA, OK 74103

**UTILITY**

OKLAHOMA NATURAL GAS COMPANY PUBLIC SERVICE COMPANY OF OKLAHOMA  
 2319 W. EDISON ST. TULSA, OK 74127  
 918-834-8000

AT&T COX COMMUNICATIONS  
 1403 S. LEWIS TULSA, OK 74104  
 918-712-1803

212 E. 6TH ST. TULSA, OK 74119  
 1-888-216-3523

11811 EAST 51ST STREET TULSA, OK 74145  
 918-286-4658

**SURVEY POINT LEGEND**

EXISTING REBAR ●  
 SET REBAR ○

**FINAL PLAT ENDORSEMENT OF APPROVAL**

Tulsa Metropolitan Area Planning Commission  
 Approval Date: \_\_\_\_\_  
 TMAPC/INCOG

CITY ENGINEER  
 Council of the City of Tulsa, Oklahoma  
 Approval Date: \_\_\_\_\_  
 CHAIR

MAYOR  
 ATTEST: CITY CLERK

CITY ATTORNEY

The approval of this Final Plat will expire one year from the date of City Council approval if not filed in the Office of the County Clerk before that date.

**LEGEND**

BOUNDARY \_\_\_\_\_

LOT LINE \_\_\_\_\_

RIGHT OF WAY \_\_\_\_\_ R/W

ACCESS EASEMENT \_\_\_\_\_

EASEMENT LINE \_\_\_\_\_

R/W or R.O.W. = RIGHT OF WAY

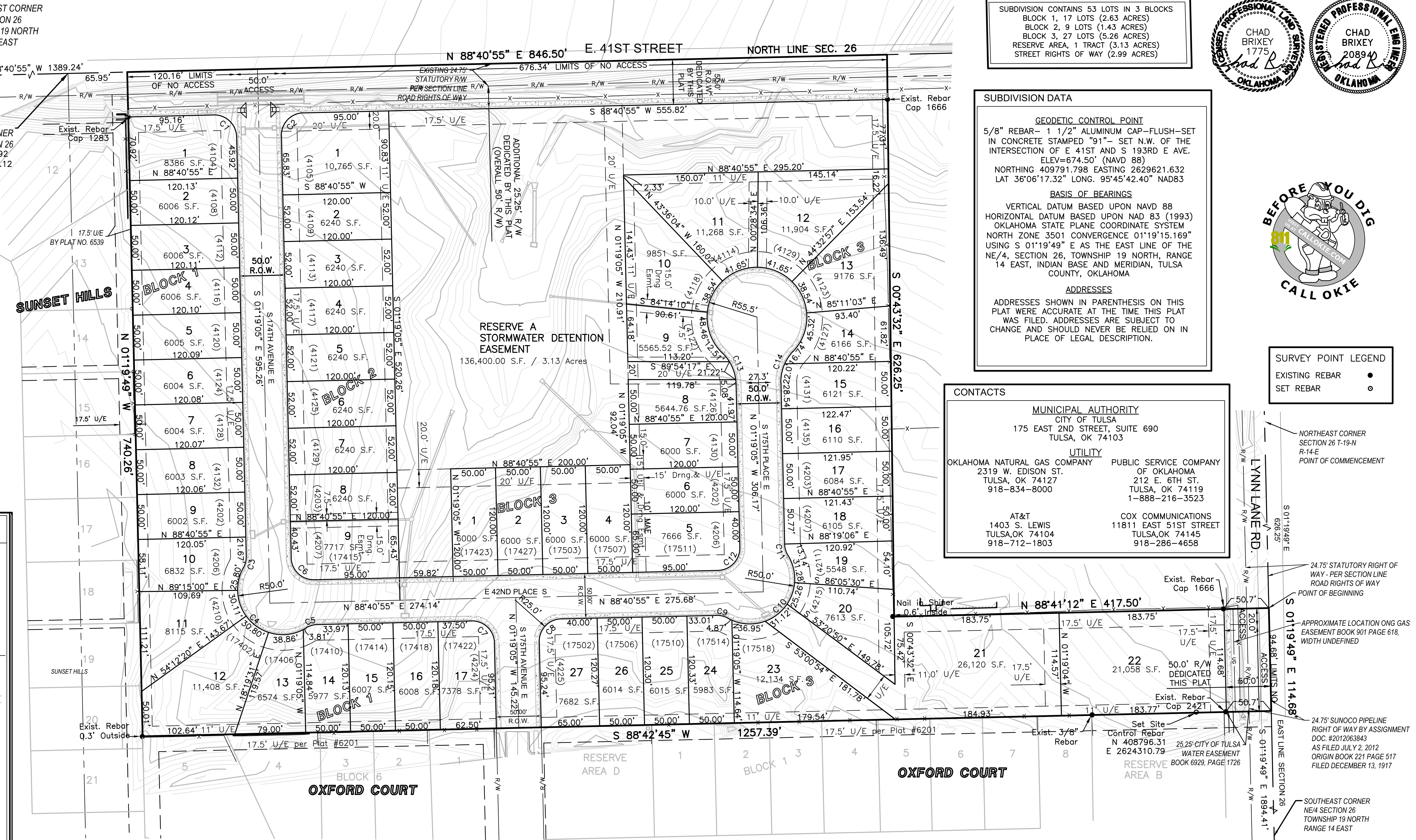
MAE = MUTUAL ACCESS EASEMENT

U/E = UTILITY EASEMENT

Drng. Esmt. = DRAINAGE EASEMENT

NORTHWEST CORNER NE/4 SECTION 26 TOWNSHIP 19 NORTH RANGE 14 EAST  
 S 88°40'55" W 1389.24'  
 N = 409507.92  
 E = 2623054.12

NORTHWEST CORNER NE/4 SECTION 26  
 N = 409507.92  
 E = 2623054.12



NORTHEAST CORNER SECTION 26 T-19-N R-14-E  
 POINT OF COMMENCEMENT

24.75' STATUTORY RIGHT OF WAY - PER SECTION LINE ROAD RIGHTS OF WAY  
 POINT OF BEGINNING

APPROXIMATE LOCATION ONG GAS EASEMENT BOOK 901 PAGE 618, WIDTH UNDEFINED

24.75' SUNOCO PIPELINE RIGHT OF WAY BY ASSIGNMENT DOC #2012063843 AS FILED JULY 2, 2012 ORIGIN BOOK 221 PAGE 517 FILED DECEMBER 13, 1917

SOUTHEAST CORNER NE/4 SECTION 26 TOWNSHIP 19 NORTH RANGE 14 EAST



# 41st & Lynn

A SUBDIVISION IN THE NORTHEAST QUARTER (NE/4) OF SECTION TWENTY-SIX (26), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

### OWNER/DEVELOPER

LLOK41, LLC  
John Baxter, Manager  
202 SE 6th Street, Suite 201  
Benlonville, AR 72712  
PHONE: 479.806.6772  
EMAIL: JOHN@BAXTERFI.COM

### ENGINEER/LAND SURVEYOR

BRIXEY ENGINEERING & LAND SURVEYING, INC.  
CERTIFICATE OF AUTHORIZATION NO. 1300, EXP. JUNE, 30, 2024  
P O BOX 6180  
FORT SMITH AR 72906  
PHONE 479.646.6394  
FAX 479.646.6721  
EMAIL chad@brixeyeng.com

#### KNOW ALL MEN BY THESE PRESENTS:

LLOK41, LLC, AN ARKANSAS LIMITED LIABILITY COMPANY, HERINAFTER REFERRED TO AS THE "OWNER", IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT:

A TRACT OF LAND IN THE NORTHEAST QUARTER (NE/4) OF SECTION TWENTY-SIX (26), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER (NE/4); THENCE SOUTH 01°19'49" EAST ALONG THE EAST LINE THEREOF, A DISTANCE OF 626.25 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 01°19'49" EAST ALONG SAID EAST LINE, A DISTANCE OF 114.68 FEET; THENCE SOUTH 88°42'45" WEST, A DISTANCE OF 1257.39 FEET; THENCE NORTH 01°19'49" WEST, A DISTANCE OF 740.26 FEET TO THE NORTH LINE OF SAID NORTHEAST QUARTER (NE/4); THENCE NORTH 88°40'56" EAST ALONG SAID NORTH LINE, A DISTANCE OF 846.50 FEET; THENCE SOUTH 00°43'32" EAST, A DISTANCE OF 626.25 FEET; THENCE NORTH 88°41'12" EAST, A DISTANCE OF 417.50 FEET TO THE POINT OF BEGINNING, CONTAINING 671,834 SQUARE FEET OR 15.42 ACRES.

LEGAL DESCRIPTION BASIS OF BEARINGS IS THE OKLAHOMA STATE PLANE COORDINATE SYSTEM (ZONE 3501 NORTH) WITH THE EAST LINE OF SECTION TWENTY-SIX BEING SOUTH 01°19'49" EAST.

AND HAS CAUSED THE ABOVE DESCRIBED TRACT OF LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO 53 LOTS IN 3 BLOCKS AND 1 RESERVE, IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS "41ST & LYNN", A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA (HEREINAFTER REFERRED TO AS "41ST & LYNN" OR THE "SUBDIVISION").

THE OWNER DOES HEREBY MAKE THE FOLLOWING DEDICATIONS AND GRANTS AND AGREES TO BE BOUND BY THE FOLLOWING PROTECTIVE COVENANTS AND RESTRICTIONS FOR THE SUBDIVISION OF THE ABOVE DESCRIBED LAND WHICH SHALL BE DESIGNATED AND REFERRED TO HEREIN AS "41ST & LYNN".

#### SECTION I. PUBLIC STREETS, EASEMENTS AND UTILITIES

##### A. PUBLIC STREETS AND GENERAL UTILITY EASEMENTS

THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC THE STREETS DEPICTED ON THE ACCOMPANYING PLAT AND DOES FURTHER DEDICATE TO THE PUBLIC THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT AS "UTE" OR "UTILITY EASEMENT", FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS, SANITARY SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS, MANHOLES AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER APPURTENANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES AFORESAID, PROVIDED HOWEVER, THE OWNER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND REPAIR OR REPLACE WATER LINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING, REPAIRING AND RE-LAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER SERVICE AND SEWER SERVICE TO THE AREA INCLUDED IN THE PLAT. THE OWNER HEREBY IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING AND CUSTOMARY SCREENING FENCES THAT DO NOT CONSTITUTE AN OBSTRUCTION.

##### B. UTILITY SERVICE

- OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED WITHIN THE PERIMETER EASEMENTS OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY OVERHEAD LINE OR UNDERGROUND CABLE, AND ELSEWHERE THROUGHOUT THE SUBDIVISION, ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN AREAS DEDICATED FOR GENERAL UTILITY SERVICES AND IN THE RIGHTS-OF-WAY OF THE PUBLIC STREETS AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN GENERAL UTILITY EASEMENTS.
- UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WITHIN THE SUBDIVISION MAY BE EXTENDED FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE UPON THE LOT, PROVIDED UPON INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE AND NON-EXCLUSIVE EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.
- THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICE, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR OTHERWISE 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 FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.
- THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON THE OWNERS LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. EACH SUPPLIER OF THESE SERVICES SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE LOT OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OWNER OR THE LOT OWNER'S AGENTS OR CONTRACTORS.
- THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY EACH SUPPLIER OF THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE AND THE OWNER OF ANY LOT AGREES TO BE BOUND BY THESE COVENANTS.

##### C. WATER, SANITARY SEWER, AND STORM SEWER SERVICE

- THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS LOCATED ON THEIR LOT.
- WITHIN THE UTILITY EASEMENTS AND DRAINAGE EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE FROM THE CONTOURS EXISTING UPON THE COMPLETION OF INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER OR ANY CONSTRUCTION ACTIVITY WHICH IN THE JUDGEMENT OF THE CITY OF TULSA WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS OR STORM SEWERS SHALL BE PROHIBITED.
- THE CITY OF TULSA, OKLAHOMA OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS, BUT THE OWNER OF THE LOT SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OWNER OR THE LOT OWNER'S AGENTS OR CONTRACTORS.

- THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS AND DRAINAGE EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF UNDERGROUND WATER, SANITARY SEWER, OR STORM SEWER FACILITIES.
- THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH I.C SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA OR ITS SUCCESSORS, AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

##### D. GAS SERVICE

- THE SUPPLIER OF GAS SERVICE THROUGH ITS AGENTS AND EMPLOYEES SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR AS OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, REMOVING, REPAIRING, OR REPLACING ANY PORTION OF THE FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE.
- THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED WITHIN THE LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY OTHER CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH GAS SERVICE, THE SUPPLIER OF GAS SERVICE SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF ITS FACILITIES, BUT THE LOT OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OWNER, OR THE LOT OWNER'S AGENTS OR CONTRACTORS.
- THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND BY THESE COVENANTS.

##### E. SURFACE DRAINAGE

EACH LOT WITHIN "41ST & LYNN" SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION. 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 THE OWNER'S LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF TULSA.

##### F. PAVING AND LANDSCAPING WITHIN EASEMENTS

THE OWNER OF ANY LOT DEPICTED ON THE ACCOMPANYING PLAT SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO LANDSCAPING AND PAVING OCCASIONED BY INSTALLATION OR NECESSARY MAINTENANCE OF UNDERGROUND WATER, SANITARY SEWER, STORM SEWER, NATURAL GAS, COMMUNICATION, CABLE TELEVISION OR ELECTRIC FACILITIES WITHIN THE EASEMENT AREAS DEPICTED UPON THE ACCOMPANYING PLAT, PROVIDED THE CITY OF TULSA, OR ITS SUCCESSORS, OR THE SUPPLIER OF THE UTILITY SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

##### G. CERTIFICATE OF OCCUPANCY RESTRICTIONS

NO CERTIFICATE OF OCCUPANCY FOR A BUILDING WITHIN THE SUBDIVISION SHALL BE ISSUED BY THE CITY OF TULSA, OKLAHOMA UNTIL CONSTRUCTION OF THE REQUIRED INFRASTRUCTURE (STREETS, WATER, SANITARY SEWER, STORM SEWER SYSTEMS AND SIDEWALKS ALONG E. 41ST STREET, LYNN LANE ROAD AND RESERVE A) SERVING THE ENTIRE SUBDIVISION HAS BEEN COMPLETED AND ACCEPTED BY THE CITY. NOTWITHSTANDING THE FOREGOING, THE CITY MAY AUTHORIZE THE ISSUANCE OF A TEMPORARY CERTIFICATE OF OCCUPANCY IF, IN THE CITY'S SOLE DISCRETION, THE CIRCUMSTANCES SUPPORT THE ISSUANCE. FURTHER NOTWITHSTANDING THE FOREGOING, THE CITY MAY AUTHORIZE THE PHASING OF THE CONSTRUCTION OF INFRASTRUCTURE WITHIN THE SUBDIVISION, AND IF PHASING IS AUTHORIZED, A CERTIFICATE OF OCCUPANCY FOR A BUILDING WITHIN AN AUTHORIZED PHASE MAY ISSUE UPON THE COMPLETION AND ACCEPTANCE OF THE INFRASTRUCTURE SERVING THE PARTICULAR PHASE. BUILDING CONSTRUCTION OCCURRING PRIOR TO THE CITY'S ACCEPTANCE OF THE INFRASTRUCTURE SHALL BE AT THE RISK OF THE OWNER OF THE LOT, NOTWITHSTANDING THE ISSUANCE OF A BUILDING PERMIT OR OF A TEMPORARY CERTIFICATE OF OCCUPANCY.

##### H. LIMITS OF NO ACCESS

THE OWNER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO E. 41ST STREET OR LYNN LANE ROAD WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" ON THE ACCOMPANYING PLAT, WHICH LIMITS OF NO ACCESS MAY BE AMENDED OR RELEASED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSOR, WITH THE APPROVAL OF THE CITY OF TULSA, OKLAHOMA, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA PERTAINING THERETO, AND THE LIMITS OF NO ACCESS ESTABLISHED ABOVE SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA.

##### I. RESERVE A - STORMWATER DETENTION EASEMENT

- THE USE OF "RESERVE A" SHALL BE LIMITED TO USE FOR STORMWATER DETENTION, UTILITIES WITHIN UTILITY EASEMENTS AS PROVIDED, OPEN SPACE, AND PERMITTED FENCING, AND LANDSCAPING. "RESERVE A" IS RESERVED FOR SUBSEQUENT CONVEYANCE TO THE PROPERTY OWNERS' ASSOCIATION TO BE FORMED PURSUANT TO SECTION II HEREOF. MAINTENANCE OF "RESERVE A" WILL BE THE RESPONSIBILITY OF THE OWNER UNTIL CONVEYANCE TO THE PROPERTY OWNERS' ASSOCIATION.
- THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC A PERPETUAL EASEMENT ON, OVER AND ACROSS THE PROPERTY DESIGNATED AND SHOWN ON THE ACCOMPANYING PLAT AS "RESERVE A" STORMWATER DETENTION EASEMENT" FOR THE PURPOSES OF PERMITTING THE FLOW, CONVEYANCE, RETENTION, DETENTION AND DISCHARGE OF STORMWATER RUNOFF FROM THE VARIOUS LOTS WITHIN THE SUBDIVISION AND FROM PROPERTIES NOT INCLUDED WITHIN THE SUBDIVISION.
- DETENTION, RETENTION AND OTHER DRAINAGE FACILITIES LOCATED WITHIN THE STORMWATER DETENTION EASEMENT SHALL BE CONSTRUCTED IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY THE CITY OF TULSA, OKLAHOMA.
- NO FENCE, WALL, BUILDING, OR OTHER OBSTRUCTION MAY BE PLACED OR MAINTAINED IN THE STORMWATER DETENTION EASEMENT NOR SHALL THERE BE ANY ALTERATION OF GRADE IN SAID EASEMENT UNLESS APPROVED BY THE CITY OF TULSA, OKLAHOMA.
- DETENTION, RETENTION, AND OTHER DRAINAGE FACILITIES SHALL BE MAINTAINED BY THE PROPERTY OWNERS' ASSOCIATION, TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED DRAINAGE, RETENTION, AND DETENTION FUNCTIONS INCLUDING REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION. DETENTION FACILITIES SHALL BE MAINTAINED BY THE PROPERTY OWNERS' ASSOCIATION IN ACCORDANCE WITH THE FOLLOWING MINIMUM STANDARDS:
  - GRASS AREAS SHALL BE MOWED (IN SEASON) AT REGULAR INTERVALS OF FOUR WEEKS, OR LESS.
  - CONCRETE APPURTENANCES SHALL BE MAINTAINED IN GOOD CONDITION AND REPLACED IF DAMAGED.
  - THE DETENTION EASEMENT SHALL BE KEPT FREE OF DEBRIS.
  - CLEANING OF SILTATION AND VEGETATION FROM CONCRETE CHANNELS SHALL BE PERFORMED TWICE YEARLY.
- LANDSCAPING, APPROVED BY THE CITY OF TULSA, OKLAHOMA, SHALL BE ALLOWED WITHIN THE DETENTION EASEMENT.
- IN THE EVENT THE PROPERTY OWNERS' ASSOCIATION SHOULD FAIL TO PROPERLY MAINTAIN THE

DETENTION, RETENTION, AND OTHER DRAINAGE FACILITIES OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION, OR THE ALTERATION OF GRADE WITHIN THE DETENTION EASEMENT, THE CITY OF TULSA, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER AND PERFORM MAINTENANCE NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT ANY ALTERATION OF GRADE, AND THE COSTS THEREOF SHALL BE PAID BY THE PROPERTY OWNERS' ASSOCIATION. IN THE EVENT THE PROPERTY OWNERS' ASSOCIATION FAILS TO PAY THE COST OF MAINTENANCE AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, THE CITY OF TULSA, OKLAHOMA, MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS IN THE LAND RECORDS OF THE TULSA COUNTY CLERK, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST THE LOTS IN THE SUBDIVISION, PROVIDED THE LIEN AGAINST EACH LOT SHALL NOT EXCEED 1/3rd OF THE COSTS. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF TULSA, OKLAHOMA.

##### J. SIDEWALKS

SIDEWALKS SHALL BE CONSTRUCTED AND MAINTAINED ALONG STREETS DESIGNATED BY AND IN ACCORDANCE WITH THE TULSA METROPOLITAN AREA SUBDIVISION AND DEVELOPMENT REGULATIONS AND THE ORDINANCES OF THE CITY OF TULSA, OKLAHOMA, AND ALL SUCH SIDEWALKS ALONG 41ST STREET, LYNN LANE AND RESERVE A SHALL BE CONSTRUCTED BY THE OWNER PRIOR TO THE ISSUANCE OF THE FIRST OCCUPANCY PERMIT FOR ANY BUILDING WITHIN THE SUBDIVISION. ELSEWHERE WITHIN THE SUBDIVISION, THE LOT OWNER SHALL CONSTRUCT THE SIDEWALK WITHIN AND ALONG THE RIGHT OF WAY ABUTTING ITS LOT PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE RESIDENCE WITHIN THE LOT. SIDEWALKS SHALL BE CONSTRUCTED IN CONFORMANCE WITH CITY OF TULSA ENGINEERING DESIGN STANDARDS.

##### K. DRAINAGE EASEMENT

- THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC PERPETUAL EASEMENTS ON, OVER, AND ACROSS THOSE AREAS DEPICTED ON THE ACCOMPANYING PLAT AS "DRAINAGE EASEMENT" FOR THE PURPOSES OF PERMITTING THE OVERLAND FLOW, CONVEYANCE, AND DISCHARGE OF STORMWATER RUNOFF FROM THE VARIOUS LOTS WITHIN THE SUBDIVISION AND FROM PROPERTIES OUTSIDE THE SUBDIVISION AND FOR THE PURPOSES OF CONSTRUCTING, MAINTAINING, REPAIRING, REMOVING AND REPLACING STORM SEWERS, AND ANY APPURTENANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE DRAINAGE EASEMENTS FOR THE USES AND PURPOSES STATED.
- DRAINAGE FACILITIES LOCATED WITHIN DRAINAGE EASEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS.
- NO FENCE, WALL, BUILDING OR OTHER OBSTRUCTION SHALL BE PLACED OR MAINTAINED IN DRAINAGE EASEMENTS NOR SHALL THERE BE ANY ALTERATION OF GRADE IN THE EASEMENT AREAS UNLESS APPROVED BY THE CITY OF TULSA, OKLAHOMA, PROVIDED THE PLANTING OF TURF SHALL NOT REQUIRE THE APPROVAL OF THE CITY.
- THE ABOVE GROUND AREA OF ANY DRAINAGE EASEMENT SHALL BE MAINTAINED BY THE OWNER OF THE LOT WITHIN WHICH THE EASEMENT IS LOCATED, AND MAINTENANCE SHALL BE IN ACCORDANCE WITH STANDARDS PRESCRIBED BY THE CITY OF TULSA, OKLAHOMA. IN THE EVENT THE LOT OWNER FAILS TO PROPERLY MAINTAIN THE DRAINAGE EASEMENT OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN A DRAINAGE EASEMENT, OR THE ALTERATION OF THE GRADE THEREIN, THE CITY OF TULSA, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER THE EASEMENT AND PERFORM MAINTENANCE NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT ANY ALTERATION OF GRADE, AND THE COSTS THEREOF SHALL BE PAID BY THE LOT OWNER. IN THE EVENT THE LOT OWNER FAILS TO PAY THE COST OF MAINTENANCE AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, THE CITY OF TULSA, OKLAHOMA, MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST THE LOT. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF TULSA, OKLAHOMA.

#### SECTION II. PROPERTY OWNERS ASSOCIATION

##### A. FORMATION OF PROPERTY OWNERS ASSOCIATION

THE OWNER HAS FORMED OR SHALL CAUSE TO BE FORMED AN ASSOCIATION OF THE OWNERS OF THE RESIDENTIAL LOTS WITHIN "41ST & LYNN" IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA, FOR THE GENERAL PURPOSE OF MAINTAINING THE COMMON AREAS OF THE SUBDIVISION, INCLUDING BUT NOT LIMITED TO RESERVE A - STORMWATER DETENTION EASEMENT AND MUTUAL ACCESS EASEMENT FOR THE FURTHER PURPOSES OF ENHANCING THE VALUE, DESIRABILITY AND ATTRACTIVENESS OF "41ST & LYNN". THE DETAILS OF ASSOCIATION MEMBERSHIP, INCLUDING ASSESSMENTS SHALL BE ESTABLISHED BY A DECLARATION RECORDED OR TO BE RECORDED IN THE OFFICE OF THE COUNTY CLERK, TULSA COUNTY, OKLAHOMA.

##### B. MANDATORY MEMBERSHIP

EACH RECORD OWNER OF A RESIDENTIAL LOT WITHIN "41ST & LYNN" SHALL BE A MEMBER OF THE ASSOCIATION. MEMBERSHIP IN THE ASSOCIATION SHALL BE APPURTENANT TO AND MAY NOT BE SEPARATED FROM THE OWNERSHIP OF THE RESIDENTIAL LOT.

##### C. ASSESSMENT

EACH RECORD OWNER OF A RESIDENTIAL LOT WITHIN "41ST & LYNN" SHALL BE SUBJECT TO ASSESSMENT BY THE ASSOCIATION FOR THE PURPOSES OF IMPROVEMENT AND MAINTENANCE OF THE STORMWATER DETENTION FACILITIES AND OTHER COMMON AREAS OF THE SUBDIVISION.

#### SECTION III. ENFORCEMENT, DURATION, AMENDMENT, AND SEVERABILITY

##### A. ENFORCEMENT

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I, PUBLIC STREETS, EASEMENTS AND UTILITIES, ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO AND WHETHER OR NOT THEREIN SO STATED, THE COVENANTS WITHIN SECTION I SHALL INURE TO THE BENEFIT OF, AND BE ENFORCEABLE BY CITY OF TULSA, OKLAHOMA. IF THE UNDERSIGNED OWNER OR ITS SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION I, IT SHALL BE LAWFUL FOR ANY PERSON OR PERSONS OWNING ANY LOT SITUATED WITHIN THE SUBDIVISION, OR CITY OF TULSA TO MAINTAIN ANY ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT HIM OR THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT OR TO RECOVER DAMAGES. IN ANY JUDICIAL ACTION BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED IN THIS DEED OF DEDICATION THE DEFENSE THAT THE PARTY INITIATING THE EQUITABLE PROCEEDING HAS AN ADEQUATE REMEDY AT LAW IS HEREBY WAIVED.

##### B. DURATION

THESE RESTRICTIONS SHALL REMAIN IN FULL FORCE AND EFFECT FOR 25 YEARS AND SHALL AUTOMATICALLY BE CONTINUED THEREAFTER FOR SUCCESSIVE PERIODS OF 10 YEARS, UNLESS TERMINATED OR AMENDED AS HERINAFTER PROVIDED.

##### C. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I, PUBLIC STREETS, EASEMENTS AND UTILITIES, MAY BE AMENDED OR TERMINATED AT ANY TIME BY WRITTEN INSTRUMENTS SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LOT TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS AND THE CITY OF TULSA, OKLAHOMA.

##### D. SEVERABILITY

INVALIDATION OF ANY RESTRICTION SET FORTH HEREIN, OR ANY PART THEREOF, BY AN ORDER, JUDGMENT, OR DECREE OF ANY COURT, OR OTHERWISE, SHALL NOT INVALIDATE OR AFFECT ANY OF THE OTHER RESTRICTIONS OF ANY PART THEREOF AS SET FORTH HEREIN, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF: LLOK41, LLC., HAS EXECUTED THIS INSTRUMENT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

LLOK41, LLC.

BY: \_\_\_\_\_  
John Baxter, Manager of LLOK41, LLC

STATE OF \_\_\_\_\_ )

  )SS

COUNTY OF \_\_\_\_\_ )

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024, BY JOHN BAXTER AS MANAGER OF, LLOK41, LLC.

NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_

COMMISSION NUMBER: \_\_\_\_\_

CERTIFICATE OF ENGINEERING ACCURACY

I, CHAD BRIXEY, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT I HAVE SUBDIVIDED AND PLATTED THE ABOVE TRACT DESIGNATED AS "41ST & LYNN" A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA. THE ABOVE REFERENCED PLAT HAS BEEN DESIGNED TO BE IN CONFORMANCE WITH THE STANDARDS, REQUIREMENTS AND PROVISIONS OF THE APPLICABLE AGENCY OR DEPARTMENT AND THESE REGULATIONS.

01/24/2024

*Chad Brixey*  
CHAD BRIXEY  
REGISTERED PROFESSIONAL ENGINEER  
OKLAHOMA NO. 20894



CERTIFICATE OF SURVEY

I, CHAD N. BRIXEY, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT I HAVE SURVEYED, SUBDIVIDED AND PLATTED THE ABOVE TRACT DESIGNATED AS "41ST AND LYNN" A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA. THE ABOVE PLAT IS AN ACCURATE REPRESENTATION OF SAID SURVEY AND MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

01/24/2024

*Chad Brixey*  
CHAD N. BRIXEY  
LICENSED PROFESSIONAL LAND SURVEYOR  
OKLAHOMA NO. 1775

