

**TULSA METROPOLITAN AREA PLANNING COMMISSION**

INCOG - 2 West 2nd Street, Suite 800 - Tulsa, Oklahoma 74103 - (918) 584-7526 - FAX (918) 583-1024

tulsaplanning.org

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

**APPLICATION INFORMATION**

RECEIVED BY: DS    DATE FILED: 3/24/23    PLAT NAME: Airport Commerce Center

**CITY**    **COUNTY**

REFERRAL CITIES: \_\_\_\_\_

SUBDIVISION PLAT SCHEDULE		REFERENCE CASES	
PUBLIC AGENCY REVIEW:	<u>4/20/2023</u>	ZONING/PUD/CO CASE:	<u>Z-7708</u>
		TMAPC DATE:	<u>4/19/2023</u>
TMAPC:	<u>5/3/2023</u>	BOA CASE:	
		BOA DATE:	

**SUBJECT PROPERTY INFORMATION**

ADDRESS OR DESCRIPTIVE LOCATION: SE Corner of Apache and N. Yale Ave.    TRACT SIZE: 6.84 ± acres

LEGAL DESCRIPTION: Lots Two (2), Three (3), and the North Half (N/2) of Lot Four (4), and the East 635.5 feet of the South Half (S/2) of Lot Four (4), and the East 635.5 feet of Lot Five (5), all in Block Three (3), S. R. LEWIS ADDITION to the Town of Dawson, now an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof

PRESENT USE: Vacant    PRESENT ZONING: CG, OL, RS-3    T-R-S: 20-13-27    COUNCIL DISTRICT: 3    CO COMM DISTRICT: 1

WATER SUPPLY: City of Tulsa    SANITARY SEWER: City of Tulsa

ELECTRIC: PSO    GAS: ONG    PHONE: ATT    TV: Cox    SCHOOL DISTRICT: Tulsa

**INFORMATION ABOUT YOUR PROPOSAL**

PROPOSED USE: Office Complex with small warehouses

PROPOSED ZONING: CG    LOTS PROPOSED: 10    BLOCKS PROPOSED: 1

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
NAME <u>Deborah K. Palinskee, PD, CFM</u>	NAME <u>Tulsa Commerce Center / Raymond Lord</u>
ADDRESS <u>6660 S Sheridan Road, Ste 210</u>	ADDRESS <u>5553 S Peoria Ave, Unit 101</u>
CITY, ST, ZIP <u>Tulsa, OK 74133</u>	CITY, ST, ZIP <u>Tulsa, OK 74015</u>
DAYTIME PHONE <u>918-665-3600</u>	DAYTIME PHONE <u>918-850-1779</u>
EMAIL <u>dpalinskee@sw-assoc.com</u>	EMAIL <u>rlord@svn.com</u>

I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT.

SIGNATURE & DATE: Deborah K Palinskee 3/21/2023

DOES OWNER CONSENT TO THIS APPLICATION  YES  NO

WHAT IS APPLICANT'S RELATIONSHIP TO OWNER? Engineer

APPLICATION FEES (Make checks payable to INCOG)		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: SE Corner of Apache and N. Yale Ave

Acreage: 6.54 AC Number of Lots: 10 Project Name: Airport Commerce Center

Owner of Property: Tulsa Commerce Center, LLC

Person Requesting Review: Deborah K. Palinskee, PE, CFM Date: 03/21/2023

**COMPREHENSIVE PLAN STATUS**

LAND USE DESIGNATION: Neighborhood Center GROWTH OR STABILITY DESIGNATION: Area of Growth

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

**ZONING AND PLATTING**

The property is currently zoned CG, OL, RS-3 changing to CG

The proposed use of Office complex and small warehouses  WOULD or  WOULD NOT conform to the zoning district classification.

Minimum lot size required: N/A

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: Z-7708

When are the anticipated TMAPC and City Council, or Board of Adjustment meeting dates? 04/19/2023

**INFRASTRUCTURE NEEDS**

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

Streets A street will be provided by the developer

Water A 6 inch water line will be provided by the developer

Sewer A 8 inch sanitary sewer line will be provided by the developer.

Storm Water/Drainage A stormwater detention pond and storm sewer system will be provided by the developer

Park and Trail Dedications None will be provided.

**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.

Please contact the Subdivision Coordinator at any time at 584-7526 if you have questions about the development process in the Tulsa Metropolitan Area.

## **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**

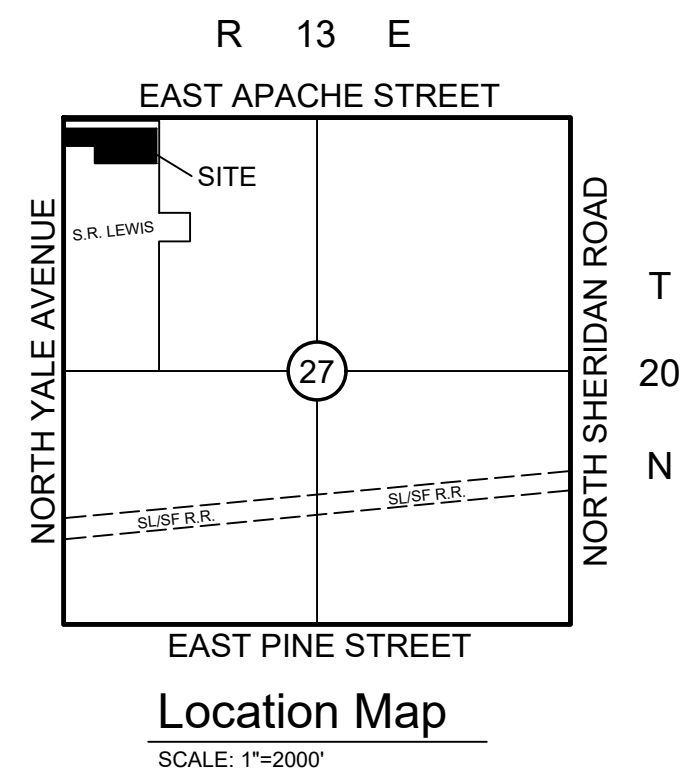
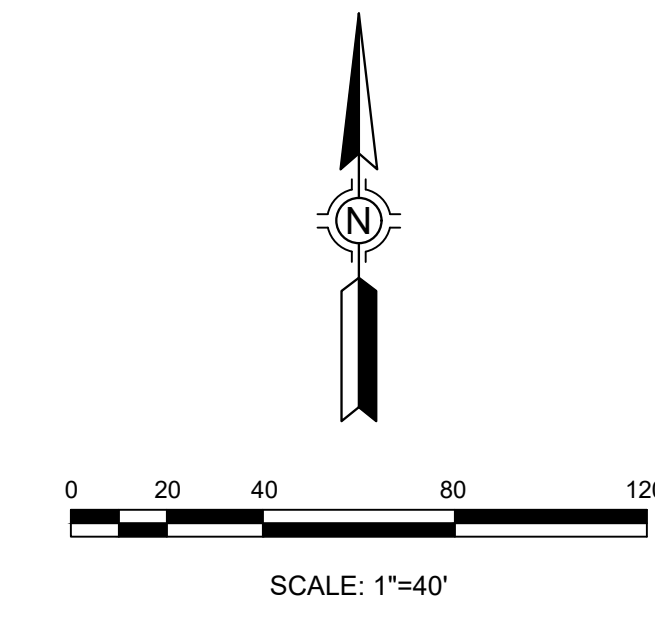
1. Applicant prepares "draft final" plat in accordance with all TMAPC and PAR requirements of preliminary plat approval. Staff will review and stamp "Draft Final" and digitally stamp "Draft Final" PDF submittal.
2. If revisions are made after the first "draft final" plat submittal, new plats shall be 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 for plats in City of Tulsa. For plats in unincorporated Tulsa County, staff obtains signatures from TMAPC and County Engineer.
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.

Owner:  
 Raymond Lord  
 5553 S. Peoria Ave.  
 Tulsa OK, 74105  
 Phone: (918) 850-1779  
 Contact: Raymond Lord  
 Email: rlord@svn.com

# Preliminary Plat Airport Commerce Center

PART OF LOTS 2 THROUGH 5 (INCLUSIVE), BLOCK 3, S.R. LEWIS ADDITION,  
 IN PART OF SECTION 27, TOWNSHIP 20 NORTH, RANGE 13 EAST  
 CITY OF TULSA, TULSA COUNTY, OKLAHOMA

Engineer/Surveyor:  
 Sisemore & Associates, Inc.  
 Certificate of Authorization No. 2412 Exp. June 30, 2023  
 6660 S. Sheridan Rd, Ste. 210  
 Tulsa, Oklahoma 74133  
 Phone: (918) 665-3600  
 Email: dpalinske@sw-assoc.com



**Subdivision Statistics:**  
 SUBDIVISION CONTAINS TEN (10) LOTS IN ONE (1) BLOCK AND ONE (1) RESERVE AREA  
 RESERVE AREA "A" CONTAINS 0.70 ACRES (30,329 SF)  
 SUBDIVISION CONTAINS 6.54 TOTAL ACRES (285,039 SF)

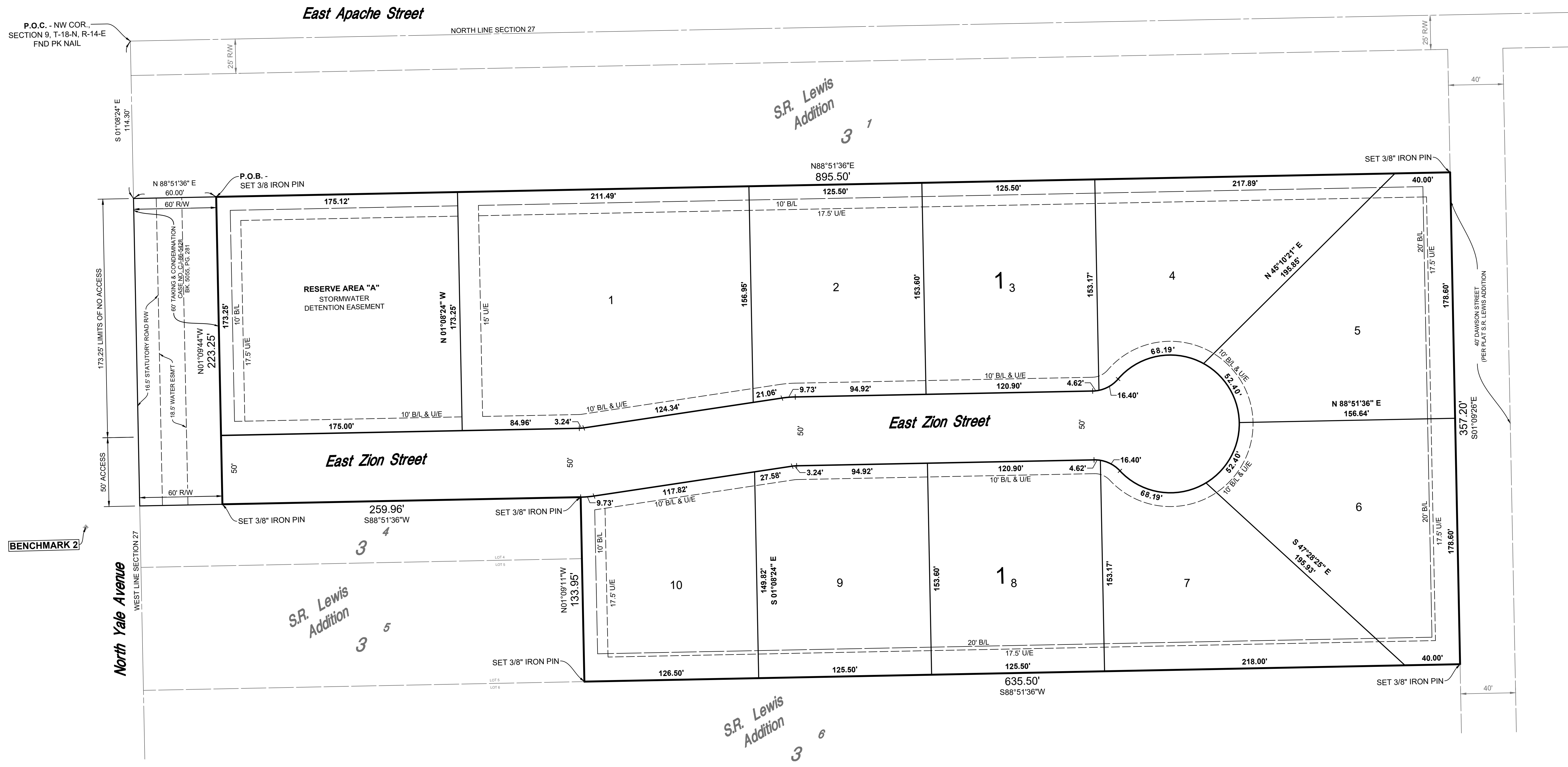
- Legend:**
- U/E = UTILITY EASEMENT
  - B/L = BUILDING SETBACK LINE
  - M/D/E = MUTUAL DRAINAGE EASEMENT
  - O/D/E = OVERLAND DRAINAGE EASEMENT
  - S/D/E = STORM SEWER EASEMENT
  - S/S/E = SANITARY SEWER EASEMENT
  - L/E = LANDSCAPE EASEMENT
  - R/W = RIGHT-OF-WAY
  - ACC = ACCESS
  - LNA = LIMITS OF NO ACCESS
  - P.O.B. = POINT OF BEGINNING
  - P.O.C. = POINT OF COMMENCEMENT
  - FND = FOUND
  - IP = IRON PIN
  - CB = CHORD BEARING
  - CL = CHORD LENGTH
  - L = LENGTH
  - R = RADIUS
  - BK. = BOOK
  - PG. = PAGE
  - SEC. = SECTION

**Monumentation:**  
 3/8" IRON PINS TO BE SET AT ALL LOT CORNERS UNLESS OTHERWISE NOTED.

**Basis of Bearing:**  
 BEARINGS SHOWN HEREON ARE BASED ON THE NAD 83 OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE 3501

**Benchmark:**  
 CHISELED SQUARE IN CONCRETE LOCATED NORTH SIDE OF E. APACHE STREET, 5.92' NORTH OF CURB, NORTHEAST OF THE NORTHEAST PROPERTY CORNER.  
 NAVD 1988 DATUM  
 ELEVATION=640.82

**Benchmark 2:**  
 RAILROAD SPIKE IN PP, WEST SIDE YALE AVENUE, 99.50' WEST AND 14.66' SOUTH OF THE SOUTHWEST PROPERTY CORNER.  
 NAVD 1988 DATUM  
 ELEVATION=659.42



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# Preliminary Plat Airport Commerce Center

PART OF LOTS 2 THROUGH 5 (INCLUSIVE), BLOCK 3, S.R. LEWIS ADDITION,  
IN PART OF SECTION 27, TOWNSHIP 20 NORTH, RANGE 13 EAST  
CITY OF TULSA, TULSA COUNTY, OKLAHOMA

## Deed of Dedication Airport Commerce Center

KNOW ALL MEN BY THESE PRESENTS:

TULSA COMMERCE CENTER, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HEREINAFTER REFERRED TO AS THE "OWNER", IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT:

LOTS TWO (2), THREE (3), AND THE NORTH HALF (N/2) OF LOT FOUR (4), AND THE EAST 635.5 FEET OF THE SOUTH HALF (S/2) OF LOT FOUR (4), AND THE EAST 635.5 FEET OF LOT FIVE (5), ALL IN BLOCK THREE (3), S.R. LEWIS ADDITION TO THE TOWN OF DAWSON, NOW AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

## SECTION I. EASEMENTS AND UTILITIES

### A. UTILITY EASEMENTS

THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT AS "U/E" 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, 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 RE-LAY WATER LINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING AND RELAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES 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 THAT INTERFERES WITH THE ABOVE SET FORTH USES AND PURPOSES OF AN EASEMENT 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 AND WALLS THAT DO NOT CONSTITUTE AN OBSTRUCTION.

### B. UNDERGROUND SERVICE

- THROUGHOUT THE SUBDIVISION STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY UNDERGROUND CABLE. ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION, AND GAS LINES SHALL BE LOCATED UNDERGROUND (WITH THE EXCEPTION OF SUCH LINENWORK WITHIN THE NORTHERLY SIX FOOT UTILITY EASEMENT OF THE SUBDIVISION PLAT) IN THE EASEMENTWAYS 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 EASEMENTWAYS.
- UNDERGROUND SERVICES CABLES AND GAS LINES TO ALL STRUCTURES WHICH MAY BE LOCATED WITHIN 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 THE LOT, PROVIDED THAT UPON THE 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 EXCLUSIVE RIGHT-OF-WAY EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR GAS MAIN EXTENDING FROM THE SERVICE PEDESTAL, GAS MAIN, OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.
- THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICES, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL EASEMENTWAYS 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 THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON HIS LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE, CABLE TELEVISION, OR GAS FACILITIES. THE SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS.
- THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE ELECTRIC, TELEPHONE, CABLE TELEVISION, OR GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

### C. GAS SERVICE

- THE SUPPLIER OF GAS SERVICE THROUGH ITS AGENTS AND EMPLOYEES SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL SUCH EASEMENTS SHOWN ON THE PLAT OR AS 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 THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED IN THEIR LOT AND SHALL PREVENT THE ALTERATION, GRADE, OR ANY OTHER CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE GAS SERVICE. THE SUPPLIER OF THE GAS SERVICE SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF SAID FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, OR ITS AGENTS OR CONTRACTORS.
- THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

### D. WATER MAINS, SANITARY SEWERS, AND STORM SEWER SERVICES

- THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS IN THIS ADDITION.
- WITHIN THE UTILITY EASEMENT AREAS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER MAIN, OR ANY CONSTRUCTION ACTIVITY WHICH WOULD, IN THE JUDGMENT OF THE CITY OF TULSA, INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS AND 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 SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, HIS AGENTS OR CONTRACTORS.
- THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THE 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 SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

### E. SURFACE DRAINAGE

EACH LOT DEPICTED ON THE PLAT OF AIRPORT COMMERCE CENTER, SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM STREETS AND EASEMENTS. NO LOT OWNER(S) 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 ANY LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF TULSA, OKLAHOMA.

### F. PAVING AND LANDSCAPING WITHIN EASEMENT

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

## SECTION III. PRIVATE COVENANTS

FOR THE PURPOSE OF PROVIDING AN ORDERLY DEVELOPMENT OF AIRPORT COMMERCE CENTER AND FOR MAINTAINING CONFORMITY OF THE IMPROVEMENTS THEREIN, THE FOLLOWING RESTRICTIONS AND COVENANTS ARE HEREBY IMPOSED UPON THE USE AND OCCUPANCY OF THE LOTS WITHIN THE SUBDIVISION:

### A. ARCHITECTURAL COMMITTEE

OWNER HEREBY FORMS AN ARCHITECTURAL COMMITTEE ("ARCHITECTURAL COMMITTEE") THAT SHALL: (I) APPROVE ALL PLANS FOR ANY STRUCTURE TO BE BUILT ON ANY LOT; AND (II) BE RESPONSIBLE FOR INTERPRETING THE DEVELOPMENT AND CONSTRUCTION STANDARDS CONTAINED HEREIN.

THE ARCHITECTURAL COMMITTEE SHALL CONSIST OF NOT LESS THAN ONE (1) NOR MORE THAN THREE (3) MEMBERS TO BE APPOINTED BY OWNER UNTIL OWNER, IN ITS SOLE DISCRETION, ASSIGNS AND TRANSFERS THE RESPONSIBILITY FOR THE APPOINTMENT OF THE ARCHITECTURAL COMMITTEE TO THE ASSOCIATION TO BE FORMED PURSUANT TO SECTION IV BELOW.

NO NEW BUILDING OR IMPROVEMENTS MAY BE COMMENCED ON ANY LOT IN THE SUBDIVISION WITHOUT THE WRITTEN APPROVAL OF THE ARCHITECTURAL COMMITTEE. THE ARCHITECTURAL PLANS TO BE SUBMITTED AND APPROVED IN ACCORDANCE HEREWITH SHALL INCLUDE, AT A MINIMUM, THE FOLLOWING WITH REGARD TO EACH IMPROVEMENT OR EXTERIOR REMODEL TO BE CONSTRUCTED OR SITUATED UPON ANY LOT IN THE SUBDIVISION:

- AN ACCURATE SITE PLAN; AND
- AN ACCURATE FLOOR PLAN; AND
- ALL EXTERIOR ELEVATIONS; AND
- THE COMPOSITION OF ALL ROOFING AND EXTERNAL BUILDING MATERIALS.

### B. DEVELOPMENT AND CONSTRUCTION STANDARDS

- NO WHITE CHAT WALKS OR DRIVEWAYS WILL BE PERMITTED. MATERIALS MAY BE BRICK, CONCRETE OR ASPHALT.
- THE CONTENT AND MATERIALS OF THE ROOF ON ANY BUILDING IN THE SUBDIVISION MUST BE APPROVED, IN WRITING, BY THE ARCHITECTURAL COMMITTEE.
- ALL EXPOSED FOUNDATIONS SHALL BE OF BRICK OR STONE. NO CONCRETE BLOCKS, POURED CONCRETE OR ANY OTHER FOUNDATION WILL BE EXPOSED. NO STEM WALLS WILL BE EXPOSED.
- ANY FENCES WILL BE CONSTRUCTED OF BRICK, STONE, BRICK AND STONE, BRICK AND FRAME, STONE AND FRAME, SPLIT RAILS, WROUGHT IRON AND FRAME. NO CHAIN LINK FENCES WILL BE ALLOWED FOR ANY REASON. NO FENCES MORE THAN SIX FEET (6') IN HEIGHT WILL BE PERMITTED ON ANY LOT. (EXCEPT FOR PRIVACY SCREENING ADJACENT TO PATIOS WHICH MAY BE SEVEN FEET (7') IN HEIGHT).
- NO EXTERIOR ANTENNAS, INCLUDING, BUT NOT LIMITED TO, TELEVISION AND "CB" RADIO, SHALL BE ERECTED ANYWHERE IN THE SUBDIVISION WITHOUT THE EXPRESS APPROVAL OF THE ARCHITECTURAL COMMITTEE. ANY OTHER TYPE OF ELECTRONIC RECEPTION DEVICE (EXCEPT TELEVISION SATELLITE DISHES NOT EXCEEDING TWENTY-FOUR INCHES (24") IN DIAMETER, WHICH ARE PERMITTED), MUST BE APPROVED BY THE ARCHITECTURAL COMMITTEE.
- NO BUILDING, FENCE, WALL OR ANY TYPE OF STRUCTURE SHALL BE PLACED, BUILT, COMMENCED, ERECTED, OR MAINTAINED, OR ALTERED UNTIL THE SPECIFICATIONS, LOT PLAN, DRAINAGE AND GRADING PLANS AND OTHER NECESSARY INFORMATION SHALL HAVE BEEN SUBMITTED AND APPROVED IN WRITING BY THE ARCHITECTURAL COMMITTEE. IN PASSING SUCH PLANS, SPECIFICATIONS, LOT PLANS, DRAINAGE AND GRADING PLANS, THE ARCHITECTURAL COMMITTEE MAY TAKE INTO CONSIDERATION THE SUITABILITY OF THE PROPOSED BUILDING OR OTHER STRUCTURES, AND OF THE MATERIAL OF WHICH IT IS TO BE BUILT, TO THE SITE UPON WHICH IT IS PROPOSED TO ERECT THE SAME, AND THE HARMONY THEREOF WITH THE SURROUNDINGS AND THE EFFECT OF THE BUILDING OR OTHER STRUCTURES AS PLANNED ON THE VIEW FROM THE ADJACENT OR NEIGHBORING LOT.
- NO LOT WILL BE USED FOR THE STORAGE OF MATERIALS FOR A PERIOD OF GREATER THAN THIRTY (30) DAYS PRIOR TO THE START OF CONSTRUCTION, AND THEN THE CONSTRUCTION SHALL BE COMPLETED WITHIN NINE (9) MONTHS. ALL LOTS SHALL BE MAINTAINED IN A NEAT AND ORDERLY CONDITION AT ALL TIMES.
- NO CAMPERS, BOATS, TRAILERS, OR OTHER RECREATIONAL VEHICLES SHALL BE PARKED IN THE SUBDIVISION FOR A PERIOD TO EXCEED TWENTY-FOUR (24) HOURS IN ANY THIRTY (30) DAY PERIOD.
- NO INOPERATIVE VEHICLE OR MACHINERY SHALL BE STORED ON ANY LOT, AND EACH LOT SHALL BE MAINTAINED FREE OF RUBBISH, TRASH, OR OTHER DEBRIS AND SHALL BE CUT, TRIMMED OR MOWED TO PREVENT GROWTH OF WEEDS OR TALL GRASS.
- THE OWNER OF EACH LOT SHALL MAINTAIN THE SURFACE DRAINAGE, EITHER NATURAL OR ARTIFICIAL, OVER AND ACROSS THEIR LOT.
- NOTWITHSTANDING ANYTHING TO THE CONTRARY HEREIN, THE OWNER OF EACH LOT IN SUBDIVISION SHALL HAVE THE RIGHT TO DESIGNATE FOUR (4) PARKING SPACES FOR THE EXCLUSIVE USE OF SAID LOT OWNER.

## SECTION IV. PROPERTY OWNERS' ASSOCIATION

### A. FORMATION OF PROPERTY OWNERS' ASSOCIATION

THE OWNER HAS FORMED OR SHALL CAUSE TO BE FORMED AN ASSOCIATION OF THE OWNERS (HEREINAFTER REFERRED TO AS THE "PROPERTY OWNERS' ASSOCIATION") TO BE ESTABLISHED IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA, AND TO BE FORMED FOR THE GENERAL PURPOSES OF MAINTAINING THE COMMON AREAS OF THE SUBDIVISION.

### B. MEMBERSHIP

EVERY PERSON OR ENTITY WHO IS A RECORD OWNER OF THE FEE INTEREST OF A LOT WITHIN AIRPORT COMMERCE CENTER SHALL BE A MEMBER OF THE PROPERTY OWNERS' ASSOCIATION. MEMBERSHIP SHALL BE APPURTENANT TO AND MAY NOT BE SEPARATED FROM THE OWNERSHIP OF A LOT.

### C. ASSESSMENT

EACH RECORD OWNER OF A LOT SHALL BE SUBJECT TO ASSESSMENT BY THE PROPERTY OWNERS' ASSOCIATION FOR THE PURPOSES OF IMPROVEMENT AND MAINTENANCE OF THE PRIVATE DRIVE, PERIMETER SCREENING FENCING AND OTHER COMMON AREAS.

## SECTION V. 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, EASEMENTS AND UTILITIES, ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO, AND ADDITIONALLY THE COVENANTS WITHIN SECTION I, WHETHER OR NOT SPECIFICALLY THEREIN SO STATED, SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA. THE COVENANTS IN SECTION II, PLANNED UNIT DEVELOPMENT RESTRICTIONS ARE ESTABLISHED PURSUANT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE TULSA ZONING CODE AND SHALL INURE TO THE BENEFIT OF THE OWNERS OF LOTS WITHIN THE SUBDIVISION AND TO THE CITY OF TULSA. IF THE UNDERSIGNED OWNER OR ITS SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION II, IT SHALL BE LAWFUL FOR ANY PERSON OR PERSONS OWNING ANY LOT SITUATED WITHIN THE SUBDIVISION, OR THE CITY OF TULSA TO MAINTAIN ANY ACTION AT LAW OR 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.

### B. DURATION

THESE RESTRICTIONS, TO THE EXTENT PERMITTED BY APPLICABLE LAW, SHALL BE PERPETUAL BUT IN ANY EVENT SHALL BE IN FORCE AND EFFECT FOR A TERM OF NOT LESS THAN THIRTY (30) YEARS FROM THE DATE OF THE RECORDING OF THIS DEED OF DEDICATION UNLESS TERMINATED OR AMENDED HEREINAFTER PROVIDED.

### C. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I, EASEMENTS AND UTILITIES MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS WITH THE APPROVAL OF THE CITY OF TULSA, OKLAHOMA. THE COVENANTS CONTAINED WITHIN SECTION II, PLANNED UNIT DEVELOPMENT RESTRICTIONS MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNERS OF A MAJORITY OF THE LAND WITHIN THE SUBDIVISION AND WITH CONCURRENCE OF THE CITY OF TULSA. THE COVENANTS AND RESTRICTIONS CONTAINED WITHIN SECTION II, PRIVATE COVENANTS, MAY BE AMENDED (OR VOTED) AT ANY TIME AS LONG AS OWNER OWNS ANY RIGHT, TITLE OR INTEREST IN A SINGLE LOT IN THE ADDITION.

### 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 OR ANY PART THEREOF AS SET FORTH HEREIN, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, THE UNDERSIGNED OWNER HAS EXECUTED THIS DEED OF DEDICATION.

TULSA COMMERCE CENTER LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY

BY: \_\_\_\_\_  
RAYMOND LORD, BY: TULSA COMMERCE CENTER LLC

STATE OF OKLAHOMA )  
 ) ss.  
COUNTY OF TULSA )

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023, PERSONALLY APPEARED \_\_\_\_\_ TO ME, AS ITS MANAGER, THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED, AND AS THE FREE AND VOLUNTARY ACT AND DEED OF SAID LIMITED LIABILITY COMPANY, FOR THE USES AND PURPOSE THEREIN SET FORTH.

NOTARY PUBLIC

MY COMMISSION EXPIRES:

COMMISSION NUMBER:

## CERTIFICATE OF SURVEY

I, SHAWN A. COLLINS, OF SISEMORE & ASSOCIATES, INC., A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND DESCRIBED HEREON, AND THAT THE ACCOMPANYING PLAT DESIGNATED HEREIN AS "FOUNDATIONS CHURCH", A SUBDIVISION IN THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, IS A TRUE REPRESENTATION OF THE SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED PRACTICES, AND MEETS OR EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED.



SHAWN A. COLLINS  
LICENSED PROFESSIONAL LAND SURVEYOR  
OKLAHOMA NO. 1788

STATE OF OKLAHOMA )  
 ) ss.  
COUNTY OF TULSA )

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, PERSONALLY APPEARED SHAWN A. COLLINS, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSE THEREIN SET FORTH.

NOTARY PUBLIC

MY COMMISSION EXPIRES:

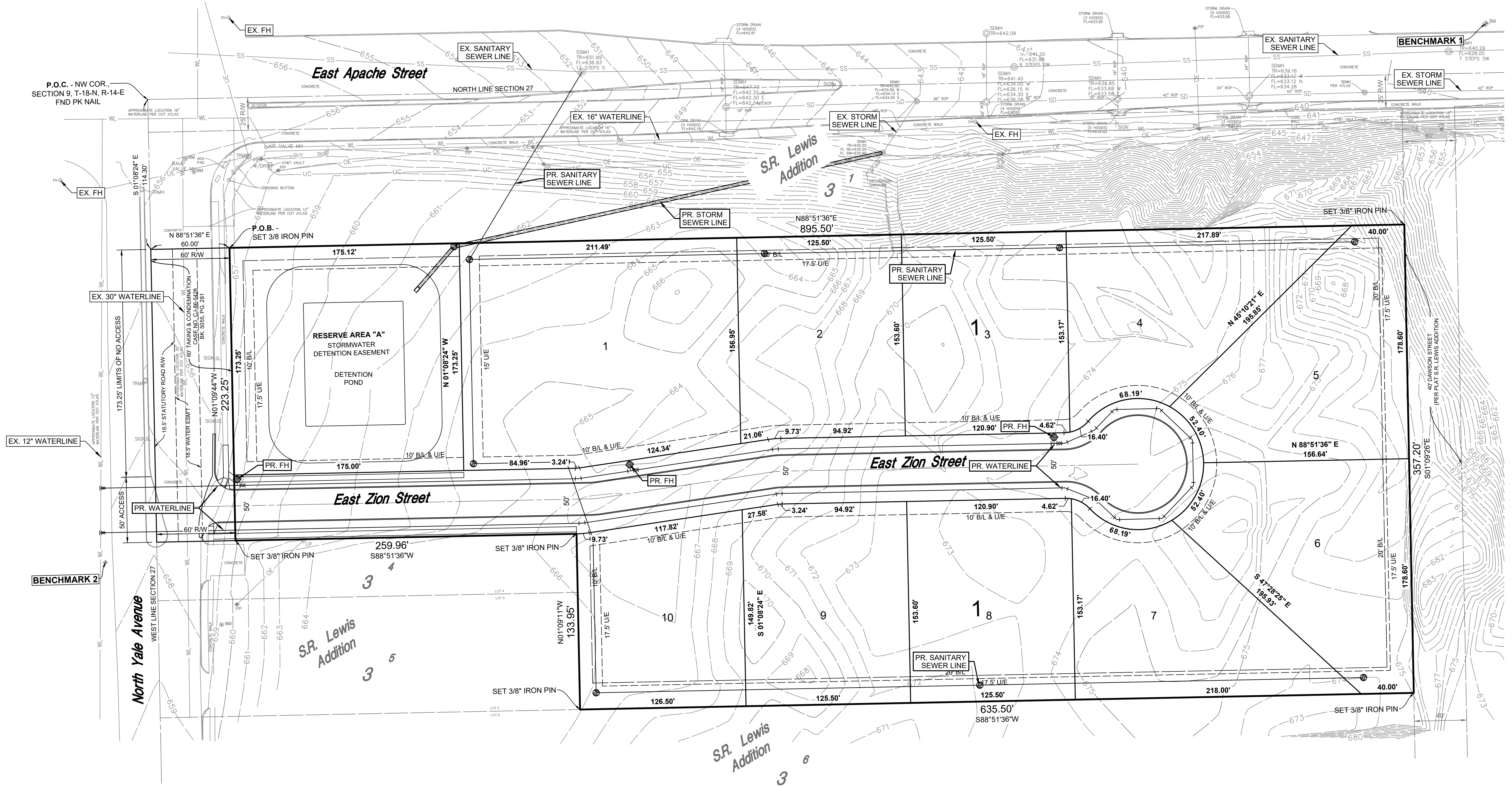
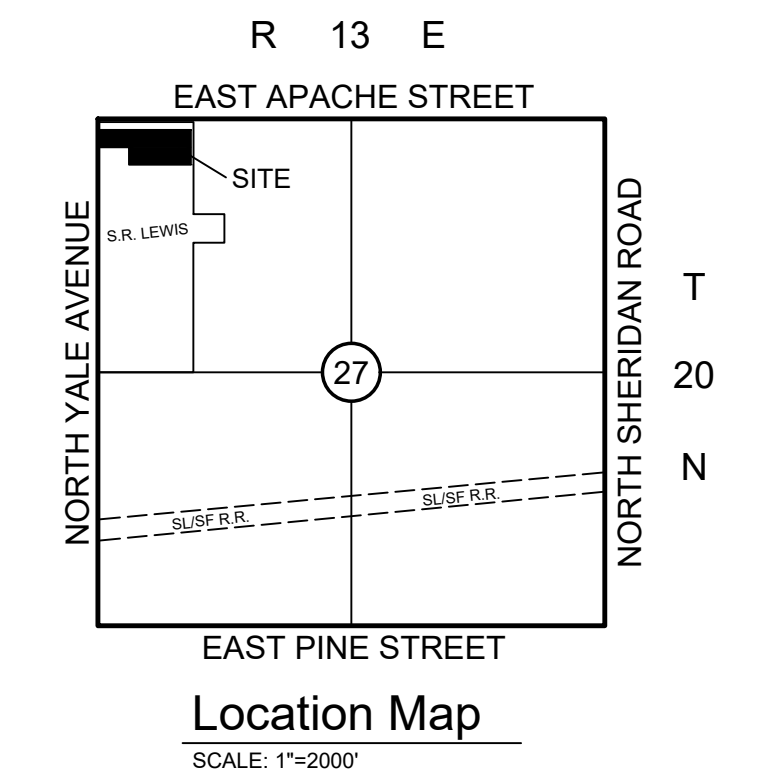
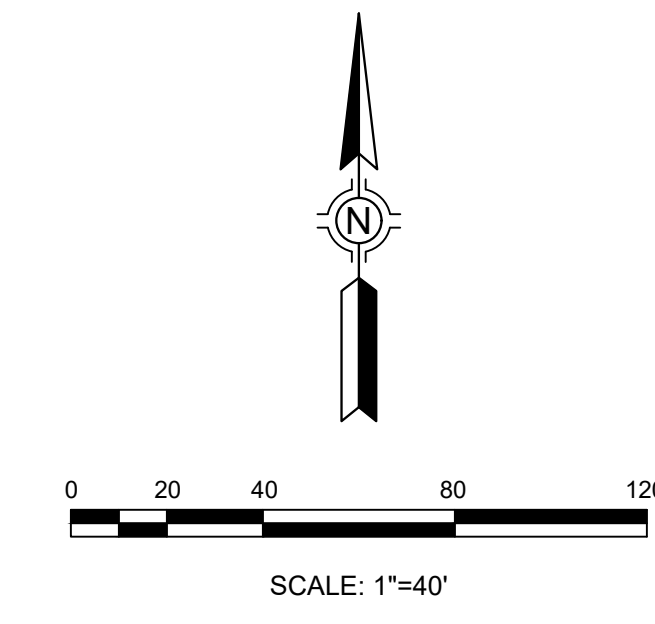
COMMISSION NUMBER:

Owner:  
 Raymond Lord  
 5553 S. Peoria Ave.  
 Tulsa OK, 74105  
 Phone: (918) 850-1779  
 Contact: Raymond Lord  
 Email: rlord@svn.com

# Conceptual Utility Plan Airport Commerce Center

PART OF LOTS 2 THROUGH 5 (INCLUSIVE), BLOCK 3, S.R. LEWIS ADDITION,  
 IN PART OF SECTION 27, TOWNSHIP 20 NORTH, RANGE 13 EAST  
 CITY OF TULSA, TULSA COUNTY, OKLAHOMA

Engineer/Surveyor:  
 Sisemore & Associates, Inc.  
 Certificate of Authorization No. 2412 Exp. June 30, 2023  
 6660 S. Sheridan Rd, Ste. 210  
 Tulsa, Oklahoma 74133  
 Phone: (918) 665-3600  
 Email: dpalinske@sw-assoc.com



**Subdivision Statistics:**  
 SUBDIVISION CONTAINS TEN (10) LOTS IN ONE (1) BLOCK AND ONE (1) RESERVE AREA  
 RESERVE AREA "A" CONTAINS 0.70 ACRES (30,329 SF)  
 SUBDIVISION CONTAINS 6.54 TOTAL ACRES (285,039 SF)

- Legend:**
- UE = UTILITY EASEMENT
  - B/L = BUILDING SETBACK LINE
  - M/D/E = MUTUAL DRAINAGE EASEMENT
  - O/D/E = OVERLAND DRAINAGE EASEMENT
  - S/D/E = STORM SEWER EASEMENT
  - S/S/E = SANITARY SEWER EASEMENT
  - L/E = LANDSCAPE EASEMENT
  - R/W = RIGHT-OF-WAY
  - ACC = ACCESS
  - LNA = LIMITS OF NO ACCESS
  - P.O.B. = POINT OF BEGINNING
  - P.O.C. = POINT OF COMMENCEMENT
  - FND = FOUND
  - IP = IRON PIN
  - CB = CHORD BEARING
  - CL = CHORD LENGTH
  - L = LENGTH
  - R = RADIIUS
  - BK. = BOOK
  - PG. = PAGE
  - SEC. = SECTION

**Monumentation:**  
 3/8" IRON PINS TO BE SET AT ALL LOT CORNERS UNLESS OTHERWISE NOTED.

**Basis of Bearing:**  
 BEARINGS SHOWN HEREON ARE BASED ON THE NAD 83 OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE 3501

**Benchmark 1:**  
 CHISELED SQUARE IN CONCRETE LOCATED NORTH SIDE OF E. APACHE STREET, 5.92' NORTH OF CURB, NORTHEAST OF THE NORTHEAST PROPERTY CORNER.  
 NAVD 1988 DATUM  
 ELEVATION=640.82

**Benchmark 2:**  
 RAILROAD SPIKE IN PP, WEST SIDE YALE AVENUE, 99.50' WEST AND 14.68' SOUTH OF THE SOUTHWEST PROPERTY CORNER.  
 NAVD 1988 DATUM  
 ELEVATION=659.42

**REFERENCE DRAWING ONLY  
 (SITE PLAN WITH UTILITIES  
 AND TOPOGRAPHY)**