

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

CS PUVF?

APPLICATION INFORMATION

RECEIVED BY: KD DATE FILED: 10/9/23 PLAT NAME: Berryhill 41

[] CITY [] COUNTY REFERRAL CITIES: _____

| SUBDIVISION PLAT SCHEDULE | | REFERENCE CASES | |
|---------------------------|--|---------------------|--|
| PUBLIC AGENCY REVIEW: | | ZONING/PUD/CO CASE: | |
| | | TMAPC DATE: | |
| TMAPC: | | BOA CASE: | |
| | | BOA DATE: | |

SUBJECT PROPERTY INFORMATION

ADDRESS OR DESCRIPTIVE LOCATION: 6035 W. 40th OK 74107 TRACT SIZE: 1.81 ± acres

LEGAL DESCRIPTION: See attached survey

PRESENT USE: Church PRESENT ZONING: CS T-R-S: _____ COUNCIL DISTRICT: _____ CO COMM DISTRICT: _____

WATER SUPPLY: _____ SANITARY SEWER: _____

ELECTRIC: _____ GAS: _____ PHONE: _____ TV: _____ SCHOOL DISTRICT: _____

INFORMATION ABOUT YOUR PROPOSAL

PROPOSED USE: Strip center

PROPOSED ZONING: CS LOTS PROPOSED: Commercial Dev. BLOCKS PROPOSED: _____

| APPLICANT INFORMATION | PROPERTY OWNER INFORMATION |
|--|--|
| NAME <u>Berryhill Baptist Church</u> | NAME <u>Berryhill Baptist</u> |
| ADDRESS <u>6035 W. 40th</u> | ADDRESS <u>6035 W. 40th</u> |
| CITY, ST, ZIP <u>Tulsa OK 74107</u> | CITY, ST, ZIP <u>Tulsa OK 74107</u> |
| DAYTIME PHONE <u>918-671-2035</u> | DAYTIME PHONE <u>918-671-2035</u> |
| EMAIL <u>Wayne@cherokeehose.com</u> | EMAIL <u>Wayne@cherokeehose.com</u> |

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

SIGNATURE & DATE: Wayne Dorr Renca Morgan

DOES OWNER CONSENT TO THIS APPLICATION YES [] NO

WHAT IS APPLICANT'S RELATIONSHIP TO OWNER? Church Trustee

| APPLICATION FEES (Make checks payable to INCOG) | | PRELIMINARY PLAT DISPOSITION |
|---|------------------|---------------------------------------|
| PRELIMINARY PLAT FEE: | \$1,200 | TMAPC ACTION: [] APPROVED [] DENIED |
| FINAL PLAT FEE: | \$900 | DATE/VOTE: |
| MINOR PLAT FEE: | \$650 | CONDITIONS: |
| TOTAL AMOUNT DUE: | \$ <u>650.00</u> | |
| RECEIPT NUMBER: <u>235862</u> | | |

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.

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: 6035 W. 40th St. Tulsa, OK 74107
Acreage: 1.81 Number of Lots: 1 Project Name: Berryhill 41
Owner of Property: Berryhill Baptist Inc.
Person Requesting Review: Wayne Davidson Date: 2/20/24

COMPREHENSIVE PLAN STATUS

LAND USE DESIGNATION: Commercial GROWTH OR STABILITY DESIGNATION: DK

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

ZONING AND PLATTING

The property is currently zoned CS
The proposed use of Commercial WOULD or [] WOULD NOT conform to the zoning district classification.
Minimum lot size required: DK
Is the property 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? 3/7/24 3/20/24

INFRASTRUCTURE NEEDS

TAC TMAPC

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

Streets no one
Water City of Tulsa
Sewer currently has septic/aerobic system
Storm Water/Drainage DK
Park and Trail Dedications None

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.

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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.

| | | | |
|-------------|-----|-------------|------------|
| DRAFTED BY: | JMH | DRAFTED ON: | 02/09/2024 |
| CHECKED BY: | ARJ | JOB NUMBER: | 12670.20 |

PRELIMINARY PLAT OF BERRYHILL 41

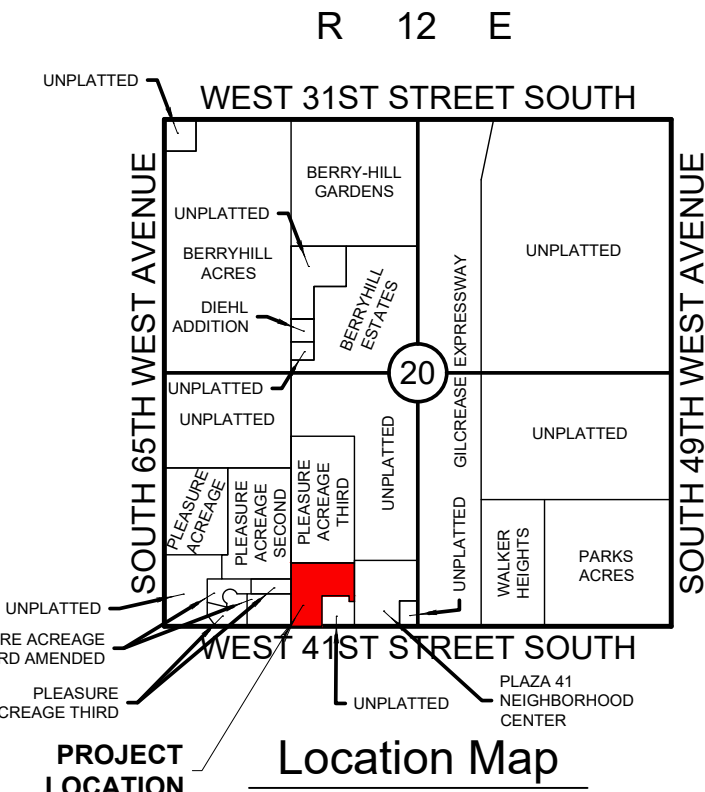
A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION TWENTY (20), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA.

OWNER

BERRYHILL BAPTIST CHURCH
6035 W. 40TH STREET SOUTH
TULSA, OKLAHOMA 74107

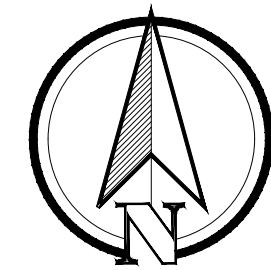
Surveyor

ATLAS LAND OFFICE, INC
202 SOUTH MAIN STREET
WAGONER, OKLAHOMA 74467
PHONE: (918) 485-9987
EMAIL: survey@atlaslandoffice.com
C.A. # 8060 EXPIRES: 6-30-2024



BEFORE YOU DIG
CONTACT OKLAHOMA
ONE-CALL
1-800-522-6543

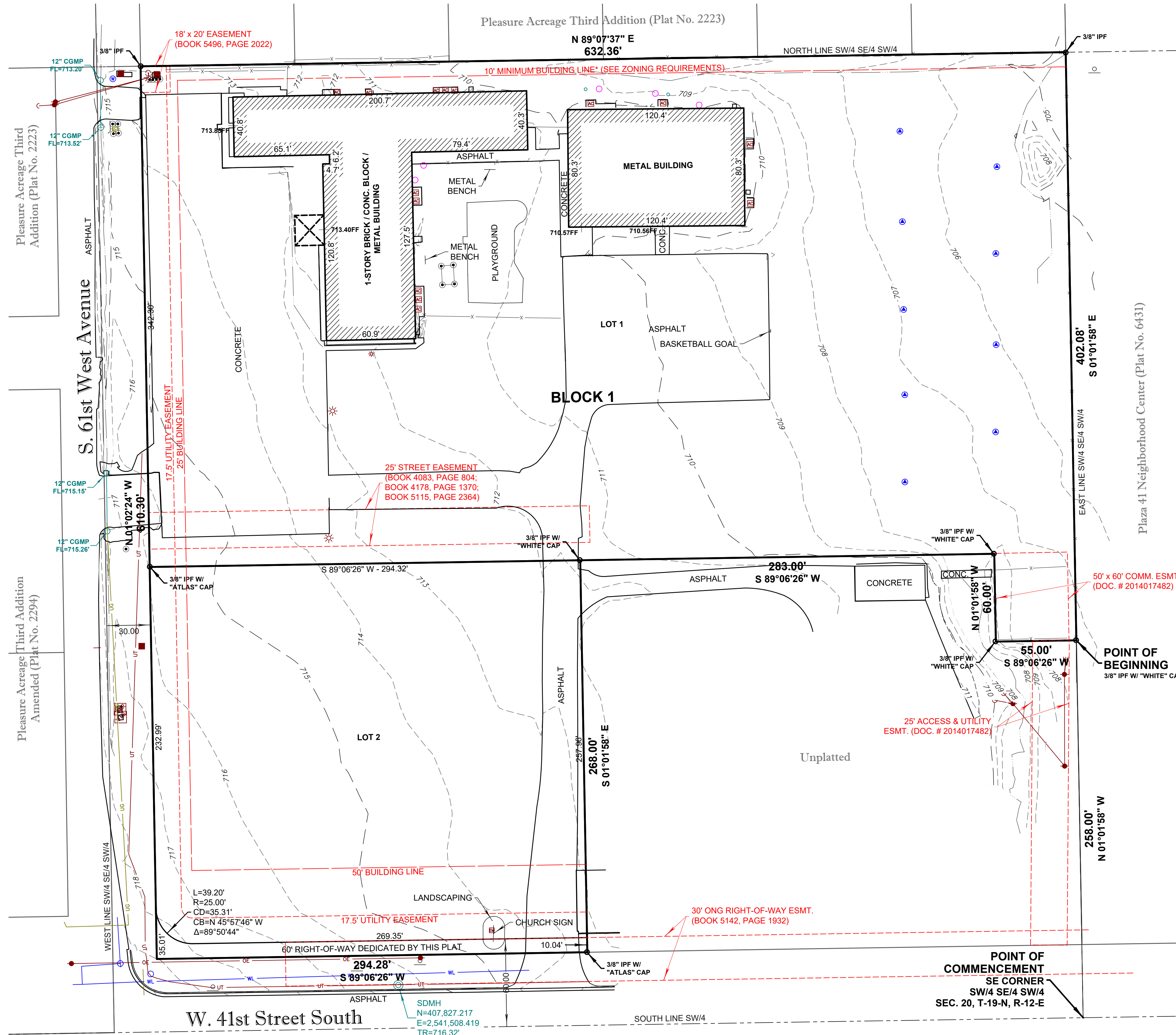
EXISTING UNDERGROUND
LINES HAVE BEEN SHOWN
TO THE EXTENT KNOWN



Scale: 1" = 80'
0 40 80 160

Legend

| | | | |
|--|--|--|------------------------------|
| | 3/8" IRON PIN FOUND (UNLESS OTHERWISE NOTED) | | UTILITY MANHOLE |
| | 3/8" IPS W/ PINK "ATLAS 8060" CAP (UNLESS OTHERWISE NOTED) | | WATER METER |
| | AIR CONDITIONER UNIT | | WATER VALVE |
| | BENCHMARK | | BOREHOLE |
| | BUSH | | CGMP CORRUGATED METAL PIPE |
| | CABLE/TV PEDESTAL | | CGPP CORRUGATED PLASTIC PIPE |
| | DOWN SPOUT | | CHXF CHISELED 'X' FOUND |
| | DOWN GUY | | CHXS CHISELED 'X' SET |
| | ELECTRIC METER | | IPF IRON PIN FOUND |
| | ELECTRIC PEDESTAL-RISER | | IPS IRON PIN SET |
| | FIRE HYDRANT | | PKF PK NAIL FOUND |
| | FLAG POLE | | PKS PK NAIL SET |
| | GAS METER | | POB POINT OF BEGINNING |
| | GAS RISER | | POC POINT OF COMMENCEMENT |
| | GAS VALVE | | RCP REINFORCED CONCRETE PIPE |
| | GROUND LIGHT | | SAT SATELLITE DISH |
| | GUARD POST | | TG TOP OF GRATE |
| | IRRIGATION CONTROL VALVE | | TR TOP OF RIM |
| | LIGHT POLE | | TT TERMITE TRAP |
| | MAILBOX | | BUILDING SETBACK LINE |
| | POWER POLE | | EASEMENT |
| | SANITARY SEWER CLEANOUT | | FENCE LINE |
| | SANITARY SEWER LAMPHOLE | | OC OVERHEAD CABLE |
| | SANITARY SEWER MANHOLE | | OE OVERHEAD ELECTRIC |
| | SIGN | | OT OVERHEAD TELEPHONE |
| | SPRINKLER HEAD | | OH OVERHEAD UTILITIES MISC. |
| | STORM DRAIN INLET | | SS SANITARY SEWER |
| | STORM DRAIN MANHOLE | | SD STORM DRAIN |
| | TELEPHONE PEDESTAL | | UC UNDERGROUND CABLE |
| | TRAFFIC SIGNAL LIGHT POLE | | UE UNDERGROUND ELECTRIC |
| | TRAFFIC SIGNAL MANHOLE | | UG UNDERGROUND GAS LINE |
| | TRANSFORMER | | UT UNDERGROUND TELEPHONE |
| | | | WL WATERLINE |



SUBDIVISION STATISTICS

SUBDIVISION CONTAINS TWO (2) LOTS
GROSS SUBDIVISION AREA: 298,550.61 SF / 6.85 ACRES

ADDRESSES

ADDRESSES LISTED ARE AS PROVIDED AND, TO THE KNOWLEDGE OF THE SURVEYOR, CORRECT AT THE TIME OF PLATTING.

BLOCK 1:

LOT 1: 6035 W. 40TH STREET SOUTH, TULSA, OK 74107
LOT 2: TO BE DETERMINED

BASIS OF BEARINGS

BEARINGS ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM (3501 OK N), NORTH AMERICAN DATUM 1983 (NAD83), USING THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW/4 SE/4 SW/4) AS N 01°01'58" E.

MONUMENTATION

ALL CORNERS SHOWN HEREON ARE A FOUND 3/8" X 18" IRON PIN, UNLESS OTHERWISE NOTED.

ZONING REQUIREMENTS--PLANNED DEVELOPMENT

CS - COMMERCIAL SHOPPING CENTER DISTRICT:

| | |
|---|----------|
| FRONTAGE (MIN. FT.): | |
| • ARTERIAL & FREEWAY SERVICE ROAD: | 150 FEET |
| • NOT AN ARTERIAL: | 50 FEET |
| • FLOOR AREA RATIO (MAXIMUM): | 50 FEET |
| SETBACK FROM CENTERLINE OF ABUTTING STREET (MIN. FT.): | |
| • ARTERIAL & FREEWAY SERVICE ROAD: | 50 FEET |
| • NOT AN ARTERIAL: | 25 FEET |
| SETBACK FROM ABUTTING R DISTRICT BOUNDARY LINES (MIN. FT.): | 10 FEET* |
| BUILDING HEIGHT (MAX. FT.): | NA |

* PLUS 2 FEET OF SETBACK FOR EACH 1 FOOT BUILDING HEIGHT EXCEEDING 15 FEET, IF THE ABUTTING PROPERTY IS WITHIN AN RE, RS OR RD DISTRICT.

FLOODPLAIN DATA

ACCORDING TO THE U.S. DEPARTMENT OF HOMELAND SECURITY FIRM, PANEL NUMBER 40143C0331L, EFFECTIVE DATE OCTOBER 16, 2012. THE SUBJECT PROPERTY IS LOCATED IN UNSHADED ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

NOTES

UNDERGROUND UTILITIES SHOWN ARE BASED ON MARKINGS PROVIDED BY OTHERS IN RESPONSE TO THE OKLAHOMA ONE-CALL TICKET SUBMITTED BY THIS FIRM, AND ARE, TO THE KNOWLEDGE OF THE SURVEYOR, AN ACCURATE REPRESENTATION OF ON-SITE UNDERGROUND UTILITIES AT THE TIME OF PLATTING. BEFORE YOU DIG, CONTACT OKLAHOMA ONE-CALL AT 1-800-522-6543.

PRELIMINARY PLAT OF BERRYHILL 41

A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION TWENTY (20), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA.

DEED OF DEDICATION

KNOW ALL ME BY THESE PRESENTS: THAT BERRYHILL BAPTIST CHURCH, HEREINAFTER REFERRED TO AS DEVELOPER, IS THE OWNER OF THE REAL PROPERTY SITUATED IN TULSA COUNTY, STATE OF OKLAHOMA, DESCRIBED AS FOLLOWS:

A PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SW/4 SE/4 SW/4) OF SECTION TWENTY (20), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SW/4 SE/4 SW/4) OF SECTION TWENTY (20), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF; THENCE N 01°01'37" W, ALONG THE EAST LINE OF SAID SW/4 SE/4 SW/4, A DISTANCE OF 258.00 FEET, TO THE POINT OF BEGINNING; THENCE S 89°06'47" W, A DISTANCE OF 55.00 FEET; THENCE N 01°01'37" W, A DISTANCE OF 60.00 FEET; THENCE S 89°06'47" W, A DISTANCE OF 283.00 FEET; THENCE S 01°01'37" E, A DISTANCE OF 268.00 FEET; THENCE S 89°06'47" W, A DISTANCE OF 294.28 FEET; THENCE N 01°02'03" W, A DISTANCE OF 610.30 FEET, TO A POINT ON THE NORTH LINE OF SAID SW/4 SE/4 SW/4; THENCE N 89°07'58" E, ALONG SAID NORTH LINE, A DISTANCE OF 632.36 FEET, TO THE NORTHEAST CORNER OF SAID SW/4 SE/4 SW/4; THENCE S 01°01'37" E, ALONG THE EAST LINE OF SAID SW/4 SE/4 SW/4, A DISTANCE OF 402.08 FEET, TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINING 298,550.61 SQUARE FEET / 6.85 ACRES.

THIS LEGAL DESCRIPTION WAS CREATED ON FEBRUARY 8, 2024, BY ALBERT R. JONES, III, OK PLS #1580, WITH THE BASIS OF BEARING BEING N 01°01'58" E ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SW/4 SE/4 SW/4) OF SECTION TWENTY (20), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

THE DEVELOPER HAS CAUSED THE SAME TO BE ENGINEERED, SURVEYED, STAKED AND PLATTED INTO LOTS, BLOCKS AND PARCELS IN CONFORMITY TO THE ACCOMPANYING PLAT AND SURVEY THEREOF, WHICH IS HEREBY ADOPTED AS THE PLAT OF THE ABOVE DESCRIBED LAND, UNDER THE NAME OF "BERRYHILL 41", AN ADDITION TO TULSA COUNTY, STATE OF OKLAHOMA ("THE SUBDIVISION").

NOW THEREFORE FOR THE PURPOSE OF PROVIDING FOR THE ORDERLY DEVELOPMENT OF THE SUBDIVISION AND FOR THE PURPOSE OF PROVIDING FOR ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE DEVELOPER, ITS SUCCESSORS, GRANTEES AND ASSIGNS, THE DEVELOPER DOES HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND WHICH SHALL BE ENFORCEABLE BY THE DEVELOPER AND THE BENEFICIARIES OF THE COVENANTS SET FORTH BELOW AS TO SUCH RESTRICTIONS.

SECTION I: STREETS, EASEMENTS, AND UTILITIES

A. STREETS AND UTILITY EASEMENTS

THE OWNER/DEVELOPER DOES HEREBY DEDICATE FOR PUBLIC USE THE STREETS DEPICTED ON THE ACCOMPANYING PLAT AND DOES FURTHER DEDICATE FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT AS "UIE" OR "UTILITY EASEMENT", FOR OWNER/DEVELOPER AND ALL UTILITY SERVICES WITH FRANCHISE RIGHTS WITHIN TULSA COUNTY FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM 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 RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES AFORESAID; PROVIDED HOWEVER, THE OWNER/DEVELOPER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RE-LAY ALL UTILITY LINES, INCLUDING WATER LINES, EXCLUDING GAS LINES AND GAS SERVICE LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING AND RE-LAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER SERVICE AND ALL UTILITY SERVICES, EXCLUDING NATURAL GAS, TO THE AREA INCLUDED IN THE PLAT AND ELSEWHERE, AS MAY BE REQUIRED. THE OWNER/DEVELOPER HEREIN IMPOSES A RESTRICTIVE COVENANT, WHICH SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY TULSA COUNTY, 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, CUSTOMARY SCREENING FENCES AND WALLS THAT DO NOT CONSTITUTE AN OBSTRUCTION.

B. UNDERGROUND SERVICE

- OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED ALONG THE EASTERN PERIMETER EASEMENTS OF 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 IN THE EASEMENT WAYS DEDICATED FOR GENERAL UTILITY SERVICES AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE EASEMENT WAYS.
- UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WHICH ARE 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 NON-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 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 SERVICES, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL EASEMENT WAYS 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. EACH SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER OF THE LOT SHALL PAY FOR DAMAGE OR 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 EACH SUPPLIER OF THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

C. WATER, SANITARY SEWER AND STORM SEWER

IN CONNECTION WITH THE PROVISIONS OF WATER AND STORM SEWER SERVICE, ALL LOTS ARE SUBJECT TO THE FOLLOWING:

- THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE WATER MAINS AND THE PUBLIC STORM SEWER FACILITIES LOCATED ON HIS LOT AND WITHIN THE DEPICTED UTILITY EASEMENT AREAS. THE OWNER SHALL PREVENT THE ALTERATION OF GRADE IN EXCESS OF THREE (3) INCHES FROM THE ORIGINAL CONTOURS OR FROM ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID FACILITIES. SAID ALTERATION OF GRADE RESTRICTIONS SHALL BE LIMITED TO THE EASEMENT AREAS.

- CITY OF TULSA, ITS SUCCESSORS OR ASSIGNS, WILL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF WATER MAINS AND TULSA COUNTY, STATE OF OKLAHOMA OR ITS SUCCESSORS WILL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC STORM SEWER FACILITIES, BUT THE OWNER WILL PAY DAMAGE FOR RELOCATION OF SUCH FACILITIES NECESSITATED BY THE ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS.

- CITY OF TULSA, ITS SUCCESSORS OR ASSIGNS, SHALL HAVE THE RIGHT TO ACCESS WITH ITS EQUIPMENT ALL EASEMENT WAYS SHOWN ON THE PLAT FOR INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF ITS UNDERGROUND WATER FACILITIES. THE FOREGOING COVENANTS CONCERNING WATER FACILITIES SHALL BE ENFORCEABLE BY CITY OF TULSA AND THE OWNER OF EACH LOT AGREES TO BE BOUND HEREBY.

- TULSA COUNTY, STATE OF OKLAHOMA, ITS SUCCESSORS OR ASSIGNS, SHALL HAVE THE RIGHT TO ACCESS WITH ITS EQUIPMENT ALL EASEMENT WAYS SHOWN ON THE PLAT FOR INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF ITS UNDERGROUND PUBLIC STORM SEWER FACILITIES. THE FOREGOING COVENANTS CONCERNING PUBLIC STORM SEWER FACILITIES SHALL BE ENFORCEABLE BY TULSA COUNTY, STATE OF OKLAHOMA AND THE OWNER OF EACH LOT AGREES TO BE BOUND HEREBY.

- SANITARY SEWER DISPOSAL: SEWERAGE SHALL BE DISPOSED OF BY INDIVIDUAL ON-SITE OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY (ODEQ) APPROVED AEROBIC SEWAGE DISPOSAL SYSTEMS. NO OTHER ONSITE SEWAGE DISPOSAL SYSTEMS SHALL BE ALLOWED WITHOUT WRITTEN APPROVAL FROM THE DEVELOPER. ALL SEWAGE DISPOSAL SYSTEMS SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE RULES AND REGULATIONS SET FORTH BY THE OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY.

D. LANDSCAPE AND PAVING REPAIR

- THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR THE REPAIR AND REPLACEMENT OF ANY LANDSCAPING AND PAVING WITHIN THE UTILITY EASEMENTS ON HIS LOT IN THE EVENT IT IS NECESSARY TO REPAIR ANY UNDERGROUND WATER, ELECTRIC, NATURAL GAS, CABLE TELEVISION, OR TELEPHONE SERVICE.

- NO LOT OWNER SHALL PLANT ANY TREES OR SHRUBBERY IN DEDICATED UTILITY EASEMENTS OR RIGHT-OF-WAY WHICH WOULD POTENTIALLY ENDANGER, THREATEN OR HARM ANY WATER UTILITIES LOCATED WITHIN SAID EASEMENTS OR RIGHTS-OF-WAY. IF IT IS DETERMINED THAT ANY TREES OR SHRUBBERY LOCATED WITHIN SAID EASEMENTS OR RIGHTS-OF-WAY ARE DAMAGING OR ENDANGERING UTILITIES IN SAID EASEMENTS OR RIGHTS-OF-WAY, CITY OF TULSA SHALL HAVE THE RIGHT TO REMOVE SAID TREES OR SHRUBBERY UPON FIVE (5) DAYS NOTICE THEREOF AT THE LOT OWNER'S EXPENSE, OR WITHIN SUCH TIME THE LOT OWNER MAY REMOVE SAME.

IN WITNESS WHEREOF, BERRYHILL BAPTIST CHURCH, DEVELOPER, HAS EXECUTED THIS INSTRUMENT THIS ___ DAY OF _____, 2024.

BERRYHILL BAPTIST CHURCH, DEVELOPER

BY: _____
BERRYHILL BAPTIST CHURCH, DEVELOPER

STATE OF OKLAHOMA)
COUNTY OF TULSA) SS.

BEFORE ME, THE UNDERSIGNED, NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, ON THIS ____ DAY OF _____, 2024, PERSONALLY APPEARED JERRY GORDON, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO EXECUTED THE FOREGOING DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AS MANAGING MEMBER OF BERRYHILL BAPTIST CHURCH, DEVELOPER, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED, AND AS THE FREE AND VOLUNTARY ACT AND DEED OF SAID COMPANY, FOR THE USES AND PURPOSES THEREIN SET FORTH.

WITNESS MY HAND AND SEAL THE DAY AND YEAR ABOVE WRITTEN.

NOTARY PUBLIC

MY COMMISSION EXPIRES

MY COMMISSION NUMBER

CERTIFICATE OF SURVEY

I, ALBERT JONES III, OF ATLAS LAND OFFICE, INC., A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA UNDER CERTIFICATE OF AUTHORIZATION #8080, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED HEREIN AS "BERRYHILL 41", A SUBDIVISION IN 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 MINIMUM TECHNICAL STANDARDS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

ALBERT JONES III
LICENSED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1580



STATE OF OKLAHOMA)
COUNTY OF TULSA) SS.

BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS ____ DAY OF _____, 2024, PERSONALLY APPEARED ALBERT JONES III, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME AS A LICENSED LAND SURVEYOR TO THE FOREGOING CERTIFICATE OF SURVEY AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT

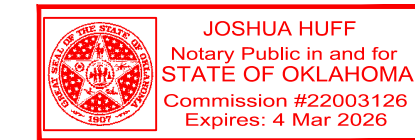
AND DEED FOR THE USES AND PURPOSES THEREIN SET FORTH.

WITNESS MY HAND AND SEAL THE DAY AND YEAR ABOVE WRITTEN.

NOTARY PUBLIC

MY COMMISSION EXPIRES

MY COMMISSION NUMBER



CERTIFICATE OF OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

THE TULSA OFFICE OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY HAS APPROVED THIS PLAT FOR THE USE OF PUBLIC WATER SYSTEMS AND INDIVIDUAL ON-SITE, SEWER SYSTEMS ON THE ____ DAY OF _____, 2024.

MICHAEL CHAD KELLER
SR. ENVIRONMENTAL PROGRAM SPECIALIST IV
DEPARTMENT OF ENVIRONMENTAL QUALITY

INCOG

Two West 2nd Street #800
 Tulsa, OK 74103-3116
 (918)584-7526 Fax: (918)583-1024
 www.incog.org

Receipt No. 235882

RECEIPT

Customer Name ROY WAYNE DAVIDSON

Date: 10/09/23

Fees below vary to each individual case

| Qty | Description | Number | Unit Price | TOTAL |
|-----------------------|--|---------------|------------|------------------|
| TMAPC RECEIPTS | | | | |
| | Zoning Letter | Zoning Letter | \$ 75.00 | |
| | Zoning Letter - w/in a PUD | | 150.00 | |
| | Zoning - County | Zoning | 1,000.00 | |
| | PUD - County | | 1,500.00 | |
| | TMAPC Agenda Fee | | 50.00 | |
| | Detail Site Plan | Plan Review | 250.00 | |
| | Landscape Plan | | 150.00 | |
| | Sign Plan (up to 2 signs) | | 200.00 | |
| | Additional Signs (\$50.00 each) | | 50.00 | |
| | Minor Revision to Site/Landscape Plans | | 50.00 | |
| | Minor Amendment - PUD | | 250.00 | |
| | Major Amendment - PUD | | 1,500.00 | |
| | Abandonment of a PUD | | 500.00 | |
| 1 | Minor Subdivisions Berryhill 41 | Subdivisions | 650.00 | 650.00 |
| | Plat - Preliminary | | 1,200.00 | |
| | Plat - Final | | 900.00 | |
| | Development Regulations Compliance | | 500.00 | |
| | Exempt Land Division Application | Other | 100.00 | |
| | Plat - Reinstatement / Extension | | 100.00 | |
| | Access Change | | 100.00 | |
| | Lot Splits | Lots | 150.00 | |
| | Lot Line Adjustments | | 150.00 | |
| | Tulsa County Board of Adjustment | BOA | | |
| | Comprehensive Plan Amendment | CPA | 250.00 | |
| | TOTAL TMAPC RECEIPTS - Tulsa County | | | \$ 650.00 |
| | TOTAL INCOG RECEIPTS | | | \$ - |
| | TOTAL DUE | | | \$ 650.00 |

| | |
|---|----------------------------|
| Payment Details | |
| <input checked="" type="radio"/> Check No. <u>1358</u> | <input type="radio"/> Cash |
| <input type="radio"/> MC | <input type="radio"/> VISA |
| <input type="radio"/> Fees Waived | |
| CREDIT CARD STATEMENTS WILL LIST CHARGE AS: INDIAN NATIONS COUNCIL OF GOVERNMENTS | |

Credit Card Charge
 5% credit card fee \$0.00
 TOTAL AMOUNT PAID \$0.00
 Receipt taken by: T. Horne