

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: 4/6/23 PLAT NAME: BLACK WALL STREET SQUARE

CITY **COUNTY** REFERRAL CITIES: _____

SUBDIVISION PLAT SCHEDULE		REFERENCE CASES	
PUBLIC AGENCY REVIEW:	<u>4/20/23</u>	ZONING/PUD/CO CASE:	<u>Z-7712</u>
		TMAPC DATE:	
TMAPC:	<u>5/03/23</u>	BOA CASE:	
		BOA DATE:	

SUBJECT PROPERTY INFORMATION

ADDRESS OR DESCRIPTIVE LOCATION: NEC MARTIN LUTHER KING, JR. BLVD. & EAST READING ST. TRACT SIZE: 1.75 ac ± acres
(76,308.72 sf)

LEGAL DESCRIPTION: Survey attached

BLOCK THREE (3) DICKASON GOODMAN ADDITION

PRESENT USE: VACANT PRESENT ZONING: RS-4 T-R-S: 20-25-12 COUNCIL DISTRICT: 1 CO COMM DISTRICT: 01

WATER SUPPLY: COT (Z-7712 PENDING RM-0) SANITARY SEWER: COT

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

INFORMATION ABOUT YOUR PROPOSAL

PROPOSED USE: Townhouse Development

25 lot residential townhouses with private drives, amenities and a homeowner's association

PROPOSED ZONING: RM-0 LOTS PROPOSED: 25 BLOCKS PROPOSED: 1

APPLICANT INFORMATION		PROPERTY OWNER INFORMATION	
NAME	<u>Mike Thedford</u>	NAME	<u>HABITAT HOUSING INC</u>
ADDRESS	<u>123 N. MLK, Jr. Blvd</u>	ADDRESS	<u>6235 E 13TH ST</u>
CITY, ST, ZIP	<u>Tulsa, OK 74103</u>	CITY, ST, ZIP	<u>TULSA, OK 74112</u>
DAYTIME PHONE	<u>918.584.5858</u>	DAYTIME PHONE	
EMAIL	<u>mike.thedford@wallace.design</u>	EMAIL	
I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT.			
SIGNATURE & DATE:	<u>[Signature]</u>		<u>4/6/23</u>

DOES OWNER CONSENT TO THIS APPLICATION YES NO

WHAT IS APPLICANT'S RELATIONSHIP TO OWNER? Consultant/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: <u>235565</u>	\$1,200	

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

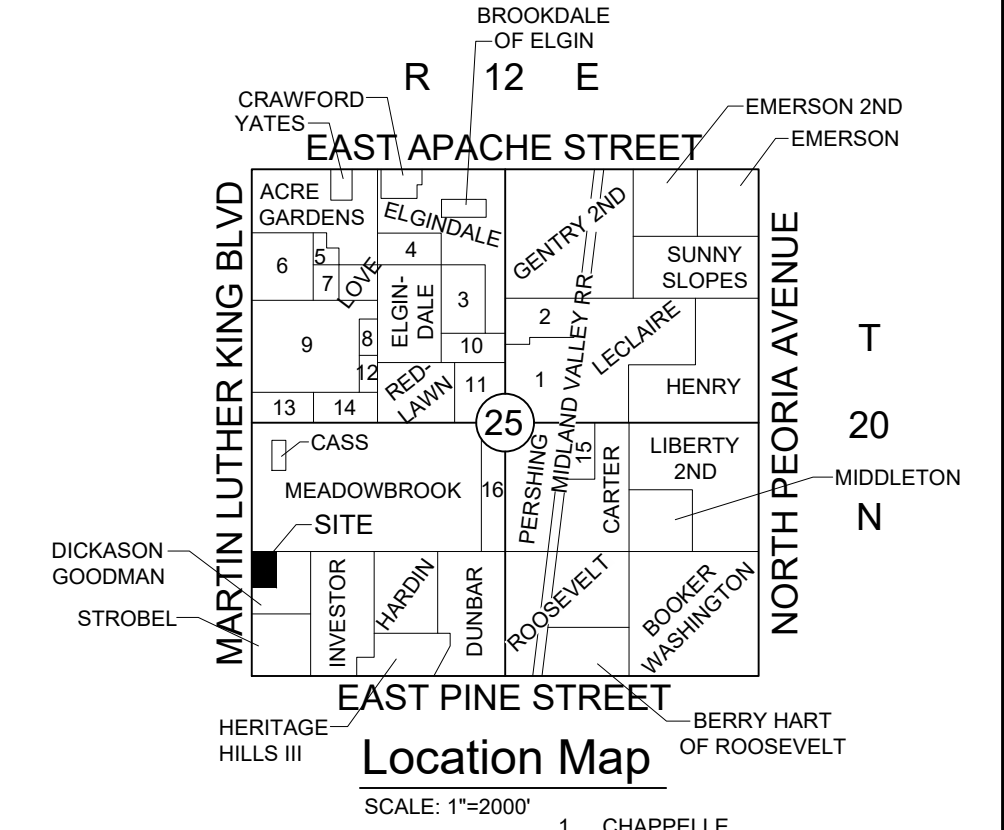
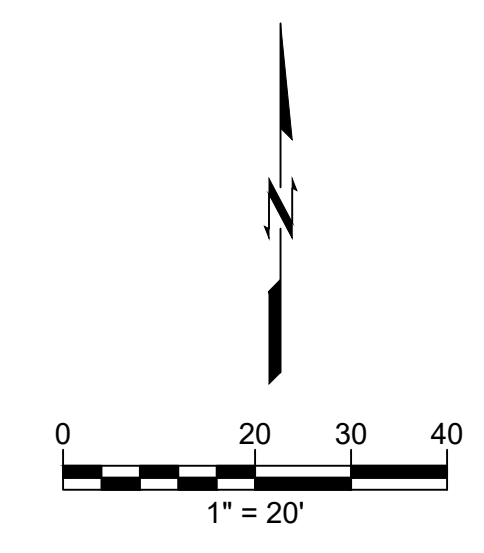
Draft Final Plats – 4 folded full-size copies & PDF

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

PRELIMINARY PLAT

BLACK WALL STREET SQUARE

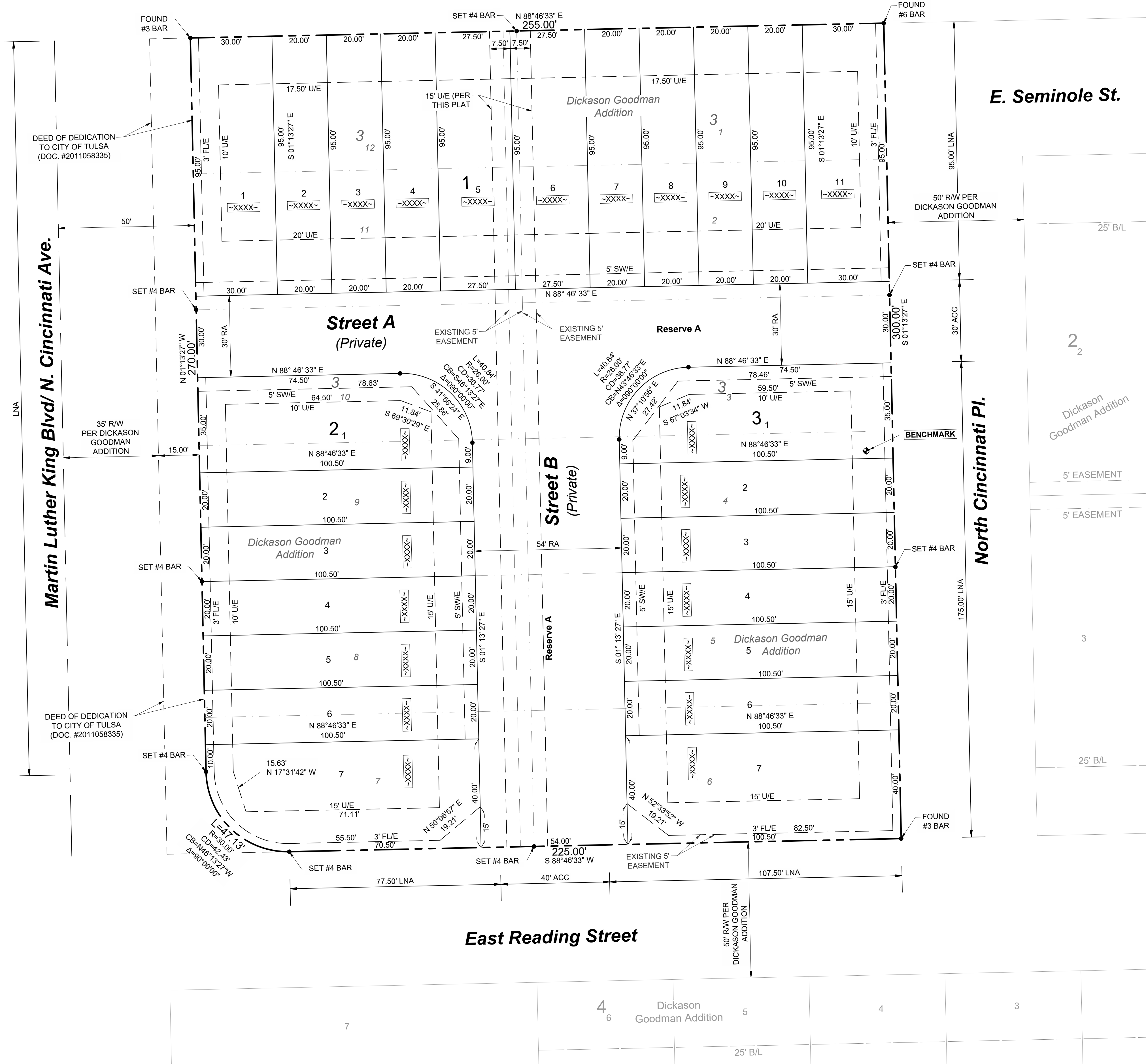
A REPLAT OF LOTS ONE (1) THRU TWELVE (12), BLOCK THREE (3), DICKASON GOODMAN ADDITION, ALL IN SECTION TWENTY-FIVE (25), TOWNSHIP TWENTY (20) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA.



Lot Area Table (Block 1)		
Lot #	Area	(Acre)
1	2,850.00	0.07
2	1,900.00	0.04
3	1,900.00	0.04
4	1,900.00	0.04
5	2,612.50	0.06
6	2,612.50	0.06
7	1,900.00	0.04
8	1,900.00	0.04
9	1,900.00	0.04
10	1,900.00	0.04
11	2,850.00	0.07

Lot Area Table (Block 2)		
Lot #	Area	(Acre)
1	3,372.43	0.08
2	2,010.00	0.05
3	2,010.00	0.05
4	2,010.00	0.05
5	2,010.00	0.05
6	2,010.00	0.05
7	3,826.86	0.09

Lot Area Table (Block 3)		
Lot #	Area	(Acre)
1	3,372.43	0.08
2	2,010.00	0.05
3	2,010.00	0.05
4	2,010.00	0.05
5	2,010.00	0.05
6	2,010.00	0.05
7	4,020.00	0.09



OWNER:
Habitat Housing, Inc.
 6235 East 13th Street
 Tulsa, Oklahoma, 74112
 CONTACT: _____

ENGINEER:
Wallace Design Collective, PC
 123 North Martin Luther King Jr Blvd.
 Tulsa, Oklahoma, 74103
 Phone: (918) 584-5858
 OK CA NO. 1460, EXPIRES 6/30/2023
 A. NICOLE WATTS, P.E., NO. 21511
 nicole.watts@wallace.design

SURVEYOR:
Lemke Land Surveying
 7060 South Yale Avenue
 Tulsa, Oklahoma, 74136
 Phone: (918) 895-9383
 OK CA NO. 6975, EXPIRES 6/30/2023
 BEAU WINFREY, PLS 1766
 bwinfrey@parkhill.com

LEGEND
 B/L = BUILDING SETBACK
 ACC = ACCESS
 LNA = LIMITS OF NO ACCESS
 RA = RESERVE AREA
 R/W = RIGHT-OF-WAY
 FL/E = FENCE & LANDSCAPE EASEMENT
 SW/E = SIDEWALK EASEMENT
 U/E = UTILITY EASEMENT
 P.O.B. = POINT OF BEGINNING
 P.O.C. = POINT OF COMMENCEMENT

~XXXX~ ADDRESS

SUBDIVISION STATISTICS
 SUBDIVISION CONTAINS TWENTY-FIVE (25) LOTS IN THREE (3) BLOCKS AND ONE (1) RESERVE AREA
 RESERVE AREA A CONTAINS 17,390 SF (0.40 ACRES)
 SUBDIVISION CONTAINS 76,307 SF (1.75 ACRES)

MONUMENTATION
 FOUND/SET AS NOTED

BENCHMARK
 #4 BAR WILEMKE CONTROL CAP
 NORTHING=435715.60
 EASTING=2560912
 ELEV=681.31

BASIS OF BEARINGS
 HORIZONTAL DATUM BASED UPON OKLAHOMA STATE PLANE COORDINATE SYSTEM NAD 83 (2011) NORTH ZONE 3501, WITH THE WEST LINE OF BLOCK THREE (3) DICKASON GOODMAN ADDITION BEING NORTH 01°13'27" WEST.
 VERTICAL DATUM NAVD 1988

ADDRESS NOTE
 ADDRESSES SHOWN 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.

FLOODPLAIN NOTE
 THE SUBJECT PROPERTY IS LOCATED IN UNSHADED ZONE "X" PER THE CITY OF TULSA REGULATORY AND FEMA FLOOD PLAINS PANEL NUMBER 28 WITH A REVISION DATE OF 03/09/2021. THE SUBJECT PROPERTY FALLS IN THE UNSHADED ZONE "X" PER FEMA PANEL 40143C0240L DATED 10/13/2012.

DATE OF SURVEYOR'S LAST SITE VISIT:
 3-29-2022

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 THIS DATE OF CITY COUNCIL APPROVAL IF NOT FILED IN THE OFFICE OF THE COUNTY CLERK BEFORE THAT DATE.

\\civil-server\projects\2240459 Black Wall Street Square\DWG\PRODUCTION\Plat\2240459 Preliminary Plat.dwg PLOT:4/7/23 ORIG SIZE:24"x36"

PRELIMINARY PLAT BLACK WALL STREET SQUARE

PART OF BLOCK THREE (3) DICKASON GOODMAN ADDITION, ALL IN SECTION TWENTY-FIVE (25), TOWNSHIP TWENTY (20) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA.

BLACK WALL STREET SQUARE

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

HABITAT HOUSING, INC., 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:

LOT ONE (1) AND LOT TWO (2), BLOCK THREE (3), DICKASON GOODMAN ADDITION, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY STATE OF OKLAHOMA ACCORDING TO THE RECORDED PLAT THEREOF.

LOT THREE (3) AND LOT FOUR (4), BLOCK THREE (3), DICKASON GOODMAN ADDITION, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY STATE OF OKLAHOMA ACCORDING TO THE RECORDED PLAT THEREOF.

LOT FIVE (5) AND LOT SIX (6), BLOCK THREE (3), DICKASON GOODMAN ADDITION, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY STATE OF OKLAHOMA ACCORDING TO THE RECORDED PLAT THEREOF.

LOT TWELVE (12) AND LOT ELEVEN (11), BLOCK THREE (3), DICKASON GOODMAN ADDITION, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY STATE OF OKLAHOMA ACCORDING TO THE RECORDED PLAT THEREOF. LESS AND EXCEPT THE WEST FIFTEEN FEET (15') OF SAID LOT TWELVE (12) AND LOT ELEVEN (11), FROM THE DEED OF DEDICATION TO THE CITY OF TULSA, TULSA COUNTY DOCUMENT NUMBER 2011058335.

LOT TEN (10) AND LOT NINE (9), BLOCK THREE (3), DICKASON GOODMAN ADDITION, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY STATE OF OKLAHOMA ACCORDING TO THE RECORDED PLAT THEREOF. LESS AND EXCEPT THE WEST FIFTEEN FEET (15') OF SAID LOT TEN (10) AND LOT NINE (9), FROM THE DEED OF DEDICATION TO THE CITY OF TULSA, TULSA COUNTY DOCUMENT NUMBER 2011058335.

BEGINNING AT THE SOUTHEAST CORNER OF LOT SEVEN (7), BLOCK THREE (3), DICKASON GOODMAN ADDITION; THENCE SOUTH 88°46'33" WEST ALONG THE SOUTH LINE OF SAID LOT SEVEN FOR A DISTANCE OF 90.00 FEET TO THE POINT OF CURVATURE, SAID CURVE IS TO THE RIGHT WITH A RADIUS OF 30.00 FEET AND AN ARC LENGTH OF 47.13 FEET AND A CHORD BEARING OF NORTH 46°13'23.7" WEST AND A CHORD DISTANCE OF 42.43 FEET TO THE POINT OF TANGENCY; THENCE NORTH 01°13'27" WEST ALONG THE LINE OF SAID LOT SEVEN AND LOT EIGHT FOR A DISTANCE OF 70.00 FEET TO THE NORTHWEST CORNER OF LOT EIGHT; THENCE NORTH 88°46'33" EAST ALONG THE NORTH LINE OF SAID LOT EIGHT FOR A DISTANCE OF 120.00 FEET; THENCE SOUTH 01°13'27" EAST ALONG THE EAST LINE OF SAID LOTS SEVEN AND EIGHT FOR A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING.

AND HAS CAUSED THE ABOVE DESCRIBED TRACT OF LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO 25 LOTS, 3 BLOCKS, AND 1 RESERVE, IN CONFORMITY WITH THE ACCOMPANYING PLAT AND SURVEY (HEREINAFTER THE "PLAT"), AND HAS ENTITLED AND DESIGNATED THE SUBDIVISION AS "BLACK WALL STREET SQUARE", A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA (HEREINAFTER THE "SUBDIVISION" OR "PLATTED AREA" OR "BLACK WALL STREET SQUARE").

SECTION I. EASEMENTS AND UTILITIES

A. PUBLIC UTILITY EASEMENTS

THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC THE UTILITY EASEMENTS DESIGNATED 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, 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 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 HEREIN IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON THE 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 THE UTILITY EASEMENTS 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 POLES FOR THE SUPPLY OF ELECTRIC AND COMMUNICATION SERVICE MAY BE LOCATED IN THE PERIMETER UTILITY EASEMENT OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY OVERHEAD OR UNDERGROUND CABLE, AND ELSEWHERE THROUGHOUT THE SUBDIVISION, ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN EASEMENTS DEDICATED FOR GENERAL UTILITY SERVICES AND IN RESERVE D AS DEPICTED UPON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE 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 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 SERVICES, THROUGH ITS AUTHORIZED AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE 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 SERVICE FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.
- THE LOT OWNER SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE OVERHEAD AND/OR UNDERGROUND SERVICE FACILITIES LOCATED ON THE OWNER'S LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. EACH SUPPLIER OF THESE SERVICES SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF OVERHEAD AND/OR 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.

5. THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY EACH SUPPLIER OF THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE AND THE LOT OWNER AGREES TO BE BOUND BY THESE COVENANTS.

C. WATER, SANITARY SEWER AND STORM SEWER SERVICE

- THE LOT OWNER SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS LOCATED ON THE LOT.
- WITHIN THE UTILITY EASEMENTS, STORM SEWER 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 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 AND SANITARY SEWER MAINS AND STORM SEWERS, 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 AND/OR CONTRACTORS.
- THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS, STORM SEWER EASEMENTS AND DRAINAGE EASEMENTS DEPICTED UPON 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 PUBLIC WATER, SANITARY SEWER, OR STORM SEWER FACILITIES.

5. THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA OR ITS SUCCESSORS, AND THE LOT OWNER AGREES TO BE BOUND BY THESE COVENANTS.

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 OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE.
- THE LOT OWNER 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 SERVICES 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 ITS AGENTS OR CONTRACTORS.
- THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE GAS SERVICE AND THE LOT OWNER AGREES TO BE BOUND BY THESE COVENANTS.

E. SURFACE DRAINAGE

EACH LOT SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORMWATER FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION. THE LOT OWNER SHALL NOT CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATER OVER AND ACROSS THE OWNERS' LOT. THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF TULSA, OKLAHOMA.

F. SIDEWALKS; SIDEWALK EASEMENTS

SIDEWALKS SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE TULSA METROPOLITAN AREA SUBDIVISION AND DEVELOPMENT REGULATIONS, CITY OF TULSA ORDINANCES AND CITY OF TULSA DESIGN STANDARDS. THE OWNER SHALL BE RESPONSIBLE FOR CONSTRUCTION OF A SIDEWALK WITHIN THE RIGHT OF WAY OF NORTH CINCINNATI PLACE, EAST READING STREET AND WITHIN RESERVES A PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ANY BUILDING WITHIN THE SUBDIVISION. CONTINUOUS SIDEWALKS SHALL BE CONSTRUCTED AND MAINTAINED WITHIN THE AREAS DEPICTED ON THE ACCOMPANYING PLAT AS "SIDEWALK EASEMENT" OR "SWE". PRIOR TO THE ISSUANCE OF AN OCCUPANCY PERMIT FOR THE DWELLING WITHIN A LOT, THE OWNER OF THE PARTICULAR LOT SHALL CONSTRUCT THE SIDEWALK WITHIN THE SIDEWALK EASEMENT ON THE LOT, AND SHALL THEREAFTER MAINTAIN THE SIDEWALK WITHIN THE LOT. THE SIDEWALK SHALL BE CONTINUOUS WITHIN ANY EXISTING SIDEWALKS IN ADJOINING LOTS AT THE LOT BOUNDARY, WITH THE EXCEPTION OF A SIDEWALK, NO BUILDING, STRUCTURE, FENCE, WALL OR OTHER ABOVE GROUND OBSTRUCTION SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED WITHIN SIDEWALK EASEMENT.

THE OWNER HEREBY ESTABLISHES AN EASEMENT FOR ACCESS ON, OVER AND ACROSS THE AREAS DEPICTED IN THE ACCOMPANYING PLAT AS "SIDEWALK EASEMENT" OR "SWE" FOR THE BENEFIT OF THE OWNERS OF LOTS WITHIN THE SUBDIVISION, THEIR RESPECTIVE TENANTS, AGENTS, GUESTS AND INVITEES. THE OWNER HEREBY RESERVES, FOR SUBSEQUENT CONVEYANCE TO THE HOMEOWNERS' ASSOCIATION TO BE FORMED PURSUANT TO SECTION III A PERPETUAL EASEMENT ON, OVER AND ACROSS THE LOCATION OF THE SIDEWALKS CONSTRUCTED WITHIN THE SUBDIVISION TO IMPROVE, MAINTAIN, OR REPLACE THE SIDEWALKS, AND ON, OVER AND ACROSS SUCH ADJOINING AREA AS IS NECESSARY TO ACCOMPLISH SUCH IMPROVEMENT, MAINTENANCE OR REPLACEMENT. THE HOMEOWNERS' ASSOCIATION SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO IMPROVE, MAINTAIN OR REPLACE THE SIDEWALKS CONSTRUCTED WITHIN THE SUBDIVISION

G. PAVING AND LANDSCAPING WITHIN EASEMENTS

THE LOT OWNER 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, OKLAHOMA, OR ITS SUCCESSORS, OR THE SUPPLIER OF THE UTILITY SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

H. 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 NORTH CINCINNATI PLACE, EAST READING STREET AND IN 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 A TEMPORARY CERTIFICATE OF OCCUPANCY.

I. FENCE AND LANDSCAPE EASEMENT (FILE)

THE OWNER DOES HEREBY ESTABLISH AND GRANT FENCE AND LANDSCAPE EASEMENTS ON, OVER, AND ACROSS THE AREAS DESIGNATED AS "FILE" OR "FENCE AND LANDSCAPE EASEMENT" AS SHOWN ON THE ACCOMPANYING PLAT FOR THE USE AND BENEFIT OF THE HOMEOWNER'S ASSOCIATION. THE FENCE AND LANDSCAPE EASEMENTS ARE FOR THE LIMITED PURPOSE OF CONSTRUCTING AND MAINTAINING PERIMETER DECORATIVE FENCES AND ENTRY FEATURES INCLUDING BUT NOT LIMITED TO GATES, FENCES, WALLS, IRRIGATION SYSTEMS, AND LANDSCAPING, AND FOR THE PURPOSE OF MAINTENANCE AND REPAIR THEREOF, TOGETHER WITH THE RIGHT OF ACCESS OVER, ACROSS AND ALONG SUCH EASEMENTS AND OVER, ACROSS AND ALONG LOTS WHICH CONTAIN SUCH EASEMENTS. THE RIGHTS HEREIN ESTABLISHED SHALL BE SUBORDINATE TO THE RIGHTS ESTABLISHED AND GRANTED BY UTILITY EASEMENTS ELSEWHERE DEDICATED HEREIN.

J. LIMITS OF NO ACCESS LNA

THE OWNER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO NORTH CINCINNATI PLACE, EAST READING STREET AND NORTH MARTIN LUTHER KING, JR BLVD 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.

SECTION II. RESERVES

A. RESERVE A - PRIVATE STREETS

- USE OF RESERVE A SHALL BE LIMITED TO PRIVATE STREETS, OPEN SPACE, DRAINAGE, UTILITIES, ENTRANCE SECURITY, AND DECORATIVE FENCING AND LANDSCAPING.
- STREETS LOCATED WITHIN RESERVE A AS DEPICTED ON THE ACCOMPANYING PLAT, ARE ESTABLISHED BY GRANT OF THE OWNER AS PRIVATE STREETS FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF THE RESIDENTIAL LOTS, THEIR GUESTS AND INVITEES, FOR THE PURPOSE OF PROVIDING VEHICULAR AND PEDESTRIAN ACCESS TO AND FROM THE VARIOUS RESIDENTIAL LOTS AND PUBLIC STREETS
- THE OWNER HEREBY GRANTS TO THE CITY OF TULSA, OKLAHOMA, THE UNITED POSTAL SERVICE, ANY PUBLIC UTILITY PROVIDING UTILITY SERVICE TO THE SUBDIVISION, AND TO THE REFUSE COLLECTION SERVICE WHICH PROVIDES SERVICE WITHIN THE SUBDIVISION, THE RIGHT TO ENTER AND TRAVERSE THE PRIVATE STREETS WITHIN RESERVE A AND TO OPERATE THEREON ALL SERVICE, EMERGENCY AND GOVERNMENT VEHICLES INCLUDING, BUT NOT LIMITED TO POLICE AND FIRE VEHICLES AND EQUIPMENT.
- THE OWNER, FOR ITSELF, ITS SUCCESSORS, AND THE HOMEOWNERS' ASSOCIATION TO BE FORMED PURSUANT TO SECTION III HEREOF, HEREBY COVENANTS WITH THE CITY OF TULSA, OKLAHOMA, WHICH COVENANTS SHALL RUN WITH THE LAND AND INURE TO THE BENEFIT OF THE CITY OF TULSA, OKLAHOMA, AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, TO:
 - CONSTRUCT AND MAINTAIN STREET SURFACING EXTENDING THE FULL LENGTH OF THE PRIVATE STREETS DEPICTED WITHIN RESERVE A, IN ACCORDANCE WITH THE FOLLOWING:
 - PROVIDE STREETS IN WHICH SURFACING WIDTH, CURBING, GUTTERING, GRADE, BASE AND PAVING MATERIALS, AND ALL OTHER FEATURES MEET OR EXCEED CITY OF TULSA DESIGN STANDARDS FOR A RESIDENTIAL PUBLIC STREET.
 - PROHIBIT THE ERECTION OF ANY ARCH OR SIMILAR STRUCTURE OVER THE PRIVATE STREETS WITHIN RESERVE A WHICH WOULD OBSTRUCT THE PASSAGE OF ANY GOVERNMENTAL VEHICLE OR ANY EMERGENCY VEHICLE AND PARTICULARLY ANY FIRE SUPPRESSION VEHICLE.
 - SECURE INSPECTION BY THE CITY OF TULSA, OKLAHOMA OF THE PRIVATE STREETS AND SECURE CERTIFICATION BY THE CITY OF TULSA, OKLAHOMA THAT THE PRIVATE STREETS HAVE BEEN CONSTRUCTED IN ACCORDANCE WITH THE STANDARDS ABOVE SET FORTH, OR IF THE CITY OF TULSA, OKLAHOMA DECLINES TO INSPECT THE PRIVATE STREETS, CERTIFICATION SHALL BE SECURED FROM A LICENSED PROFESSIONAL ENGINEER THAT THE PRIVATE STREETS WERE CONSTRUCTED IN ACCORDANCE WITH THE STANDARDS ABOVE SET FORTH, AND THE REQUIRED CERTIFICATION SHALL BE FILED WITH THE TULSA ENGINEERING DEPARTMENT PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR ANY LOT THAT DERIVES ITS ACCESS FROM A PRIVATE STREET.
 - THE OWNER ACKNOWLEDGES FOR ITSELF AND ITS SUCCESSORS IN TITLE THAT THE PRIVATE STREETS DEPICTED ON THE ACCOMPANYING PLAT DO NOT MEET THE CITY OF TULSA, OKLAHOMA STANDARDS AS TO WIDTH OF DEDICATED RIGHT-OF-WAY, AND FURTHER ACKNOWLEDGES THAT THE CITY OF TULSA, OKLAHOMA SHALL HAVE NO DUTY TO MAINTAIN ANY OF THE PRIVATE STREETS WITHIN THE SUBDIVISION, NOR HAVE ANY IMPLIED OBLIGATION TO ACCEPT ANY SUBSEQUENT TENDER OF DEDICATION OF ANY PRIVATE STREET WITHIN THE SUBDIVISION.

A. CONSTRUCT AND MAINTAIN STREET SURFACING EXTENDING THE FULL LENGTH OF THE PRIVATE STREETS DEPICTED WITHIN RESERVE A, IN ACCORDANCE WITH THE FOLLOWING:

- PROVIDE STREETS IN WHICH SURFACING WIDTH, CURBING, GUTTERING, GRADE, BASE AND PAVING MATERIALS, AND ALL OTHER FEATURES MEET OR EXCEED CITY OF TULSA DESIGN STANDARDS FOR A RESIDENTIAL PUBLIC STREET.
- PROHIBIT THE ERECTION OF ANY ARCH OR SIMILAR STRUCTURE OVER THE PRIVATE STREETS WITHIN RESERVE A WHICH WOULD OBSTRUCT THE PASSAGE OF ANY GOVERNMENTAL VEHICLE OR ANY EMERGENCY VEHICLE AND PARTICULARLY ANY FIRE SUPPRESSION VEHICLE.
- SECURE INSPECTION BY THE CITY OF TULSA, OKLAHOMA OF THE PRIVATE STREETS AND SECURE CERTIFICATION BY THE CITY OF TULSA, OKLAHOMA THAT THE PRIVATE STREETS HAVE BEEN CONSTRUCTED IN ACCORDANCE WITH THE STANDARDS ABOVE SET FORTH, AND THE REQUIRED CERTIFICATION SHALL BE FILED WITH THE TULSA ENGINEERING DEPARTMENT PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR ANY LOT THAT DERIVES ITS ACCESS FROM A PRIVATE STREET.
- THE OWNER ACKNOWLEDGES FOR ITSELF AND ITS SUCCESSORS IN TITLE THAT THE PRIVATE STREETS DEPICTED ON THE ACCOMPANYING PLAT DO NOT MEET THE CITY OF TULSA, OKLAHOMA STANDARDS AS TO WIDTH OF DEDICATED RIGHT-OF-WAY, AND FURTHER ACKNOWLEDGES THAT THE CITY OF TULSA, OKLAHOMA SHALL HAVE NO DUTY TO MAINTAIN ANY OF THE PRIVATE STREETS WITHIN THE SUBDIVISION, NOR HAVE ANY IMPLIED OBLIGATION TO ACCEPT ANY SUBSEQUENT TENDER OF DEDICATION OF ANY PRIVATE STREET WITHIN THE SUBDIVISION.

SECTION III. HOMEOWNERS' ASSOCIATION

A. FORMATION OF HOMEOWNERS' ASSOCIATION

THE OWNER HAS FORMED, OR SHALL CAUSE TO BE FORMED, IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA, AN ASSOCIATION OF ALL OWNERS OF LOTS IN THE BLACK WALL STREET SQUARE SUBDIVISION (THE "ASSOCIATION"), A NOT-FOR-PROFIT CORPORATE ENTITY ESTABLISHED AND FORMED FOR THE GENERAL PURPOSES OF MAINTAINING RESERVES, COMMON AREA FENCING AND LANDSCAPING, COMMON ROOFS, AND ANY OTHER PROPERTY AND FACILITIES THAT ARE FOR THE COMMON USE AND BENEFIT OF THE LOTS AS THE SAME MAY BE AGREED TO BY THE MEMBERS OF THE ASSOCIATION.

B. MEMBERSHIP

EVERY PERSON OR ENTITY WHO IS RECORD OWNER OF THE FEE INTEREST OF A LOT WITHIN THE SUBDIVISION/ACCOMPANYING PLAT SHALL BE A MEMBER OF THE ASSOCIATION. MEMBERSHIP SHALL BE APPURTENANT TO AND SHALL NOT BE SEPARATED FROM THE OWNERSHIP OF THE LOT.

C. ASSESSMENT

EACH LOT OWNER WITHIN THE SUBDIVISION/ACCOMPANYING PLAT SHALL BE SUBJECT TO ANNUAL AND SPECIAL ASSESSMENTS FOR THE PURPOSE OF IMPROVEMENT AND MAINTENANCE OF THE RESERVES, PRIVATE DRIVES, LANDSCAPING, COMMON ROOFS AND ANY OTHER PROPERTY AND FACILITIES THAT ARE FOR COMMON USE AND BENEFIT OF THE OWNERS OF THE LOTS AS THE SAME MAY BE AGREED TO BY THE MEMBERS OF THE ASSOCIATION.

D. ASSOCIATION AS BENEFICIARY

WITHOUT LIMITATION OF SUCH OTHER POWERS AND RIGHTS AS THE ASSOCIATION MAY HAVE, THE ASSOCIATION SHALL BE DEEMED A BENEFICIARY OF THE VARIOUS COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN THIS DEED OF DEDICATION TO THE SAME EXTENT AS ALL OTHER BENEFICIARIES THEREOF, INCLUDING EACH LOT OWNER WITHIN THE SUBDIVISION, THE CITY AND THE SUPPLIER OF ANY UTILITY OR OTHER SERVICE WITHIN THE SUBDIVISION, AND SHALL HAVE THE RIGHT TO ENFORCE THESE COVENANTS AND AGREEMENTS.

E. RESERVE AREAS

ALL RESERVE AREAS SHALL BE MAINTAINED BY THE OWNER UNTIL SUCH TIME AS THE HOMEOWNERS' ASSOCIATION IS FORMED AND OWNERSHIP OF SUCH RESERVE AREA IS CONVEYED TO THE ASSOCIATION FROM AND AFTER SAID DATE. THE HOMEOWNERS' ASSOCIATION SHALL BE RESPONSIBLE FOR THE OPERATION AND MAINTENANCE OF SUCH RESERVE AREAS AND ALL COSTS AND EXPENSES ASSOCIATED THERewith, INCLUDING MAINTENANCE OF VARIOUS IMPROVEMENTS AND RECREATIONAL FACILITIES.

F. INDEMNIFICATION OF OWNER AND CITY

THE HOMEOWNERS' ASSOCIATION AND ITS MEMBERS SHALL INDEMNIFY AND HOLD HARMLESS THE OWNER AND THE CITY OF TULSA, THEIR RESPECTIVE AGENTS AND REPRESENTATIVES, FROM ANY CLAIMS, LIABILITIES OR DAMAGES ARISING IN CONNECTION WITH THE OWNERSHIP AND USE OF THE FACILITIES AND IMPROVEMENTS CONSTRUCTED OR SITUATED IN THE RESERVES.

SECTION IV. OPTIONAL DEVELOPMENT PLAN RESTRICTIONS

WHEREAS, THE PROPERTY WITHIN THE SUBDIVISION WAS MADE SUBJECT TO AN OPTIONAL DEVELOPMENT PLAN IN ACCORDANCE WITH THE TERMS OF SECTION 70.040 OF THE TULSA ZONING CODE, WHICH WAS AFFIRMATIVELY RECOMMENDED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION (THE "TMAPC") ON XXXX XX, 2023 IN CASE NO. Z-7712, AND WAS APPROVED BY THE TULSA CITY COUNCIL ON XXXX XX, 2023, THE IMPLEMENTING ORDINANCE NO. XXXXX BEING ADOPTED ON XXXX XX, 2023; AND

WHEREAS, THE PROVISIONS OF THE TULSA ZONING CODE REQUIRE THE ESTABLISHMENT OF COVENANTS OF RECORD, INURING TO AND ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, SUFFICIENT TO ASSURE THE IMPLEMENTATION AND CONTINUED COMPLIANCE WITH THE APPROVED OPTIONAL DEVELOPMENT PLAN; AND PUBLIC STREETS

WHEREAS, THE OWNER DESIRES TO ESTABLISH RESTRICTIONS FOR THE PURPOSE OF PROVIDING FOR AN ORDERLY DEVELOPMENT OF THE SUBDIVISION IN ACCORDANCE WITH THE APPROVED OPTIONAL DEVELOPMENT PLAN AND TO INSURE ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF OWNER, ITS SUCCESSORS AND ASSIGNS, AND THE CITY OF TULSA, OKLAHOMA.

THEREFORE, THE OWNER DOES HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH.

USE AND DEVELOPMENT OF THE PROPERTY WITHIN THE SUBDIVISION SHALL BE SUBJECT TO THE FOLLOWING DEVELOPMENT STANDARDS:

THE OPTIONAL DEVELOPMENT PLAN STANDARDS WILL CONFORM TO THE PROVISIONS OF THE TULSA ZONING CODE FOR DEVELOPMENT IN AN RM-0 DISTRICT WITH ITS SUPPLEMENTAL REGULATIONS EXCEPT AS FURTHER REFINED BELOW. ALL USE CATEGORIES, SUBCATEGORIES OR SPECIFIC USES AND RESIDENTIAL BUILDING TYPES THAT ARE NOT LISTED IN THE FOLLOWING PERMITTED USES CATEGORIES ARE PROHIBITED.

A. PERMITTED USE CATEGORY

RESIDENTIAL
HOUSEHOLD LIVING (IF ALLOWED BELOW)
TOWNHOME
SINGLE HOUSEHOLD
DETACHED HOUSE

B. PERMITTED RESIDENTIAL BUILDING TYPES

HOUSEHOLD LIVING
TOWNHOME
SINGLE HOUSEHOLD
DETACHED HOUSE

C. SIDEWALKS

SIDEWALKS WILL BE REQUIRED AND CONSTRUCTED AS DEFINED IN THE SUBDIVISION AND DEVELOPMENT REGULATIONS FOR THE TULSA METROPOLITAN AREA. SIDEWALKS IN THE PUBLIC STREET RIGHT-OF-WAY AND ADJACENT TO PRIVATE STREETS WHERE THEY ABUT COMMON OPEN SPACE SHALL BE CONSTRUCTED PRIOR TO ISSUANCE OF ANY BUILDING PERMIT FOR RESIDENTIAL BUILDING TYPES.

D. VEHICULAR ACCESS

- VEHICULAR ACCESS WILL BE PROVIDED BY A PRIVATELY OWNED AND MAINTAINED STREET.
- PRIVATE STREETS WILL CONFORM TO THE CITY OF TULSA ENGINEERING STANDARDS FOR A MINOR RESIDENTIAL STREET.
- PRIVATE STREETS WILL CONFORM TO THE SUBDIVISION REGULATIONS FOR THE CITY OF TULSA.
- A MANDATORY HOMEOWNERS ASSOCIATION SHALL BE ESTABLISHED FOR MAINTENANCE OF THE STREET SYSTEM. THE CITY OF TULSA SHALL HAVE NO STREET MAINTENANCE OR REPAIR OBLIGATIONS OF ANY KIND.

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 AND ITS SUCCESSORS AND ASSIGNS IN TITLE. 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 THERIN SO STATED SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, IN ANY JUDICIAL ACTION BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED WITHIN 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, 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 AS HEREINAFTER PROVIDED.

C. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I. EASEMENTS AND UTILITIES AND SECTION II. RESERVES, MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND 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. THE COVENANTS CONTAINED WITHIN SECTION IV. OPTIONAL DEVELOPMENT PLAN RESTRICTIONS, MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION OR ITS SUCCESSORS.

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, HABITAT HOUSING, INC., AN OKLAHOMA CORPORATION, EXECUTED THIS INSTRUMENT THIS ___ DAY OF _____, 2023.

HABITAT HOUSING, INC.

BY: _____

NAME: _____

TITLE: PRESIDENT

ACKNOWLEDGMENT)

STATE OF OKLAHOMA) SS:

COUNTY OF TULSA)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ___ DAY OF _____, 2023.

BY _____ AS PRESIDENT OF HABITAT HOUSING, INC.

NOTARY PUBLIC _____

MY COMMISSION NO: _____

MY COMMISSION EXPIRES: _____

[SEAL]

CERTIFICATE OF SURVEY

I, _____, OF _____, LEMKE LAND SURVEYING, A LICENSED PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF OKLAHOMA, 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 "BLACK WALL STREET SQUARE", A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, IS A REPRESENTATION OF THE SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED LAND SURVEYING PRACTICES AND MEETS OR EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED.

WITNESS MY HAND AND SEAL THIS ___ DAY OF _____, 2023.

LICENSED PROFESSIONAL LAND SURVEYOR

ACKNOWLEDGMENT)

STATE OF OKLAHOMA) SS:

COUNTY OF TULSA)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ___ DAY OF _____, 2023.

BY _____ AS _____ OF LEMKE

LAND SURVEYING

NOTARY PUBLIC _____

MY COMMISSION NO: _____

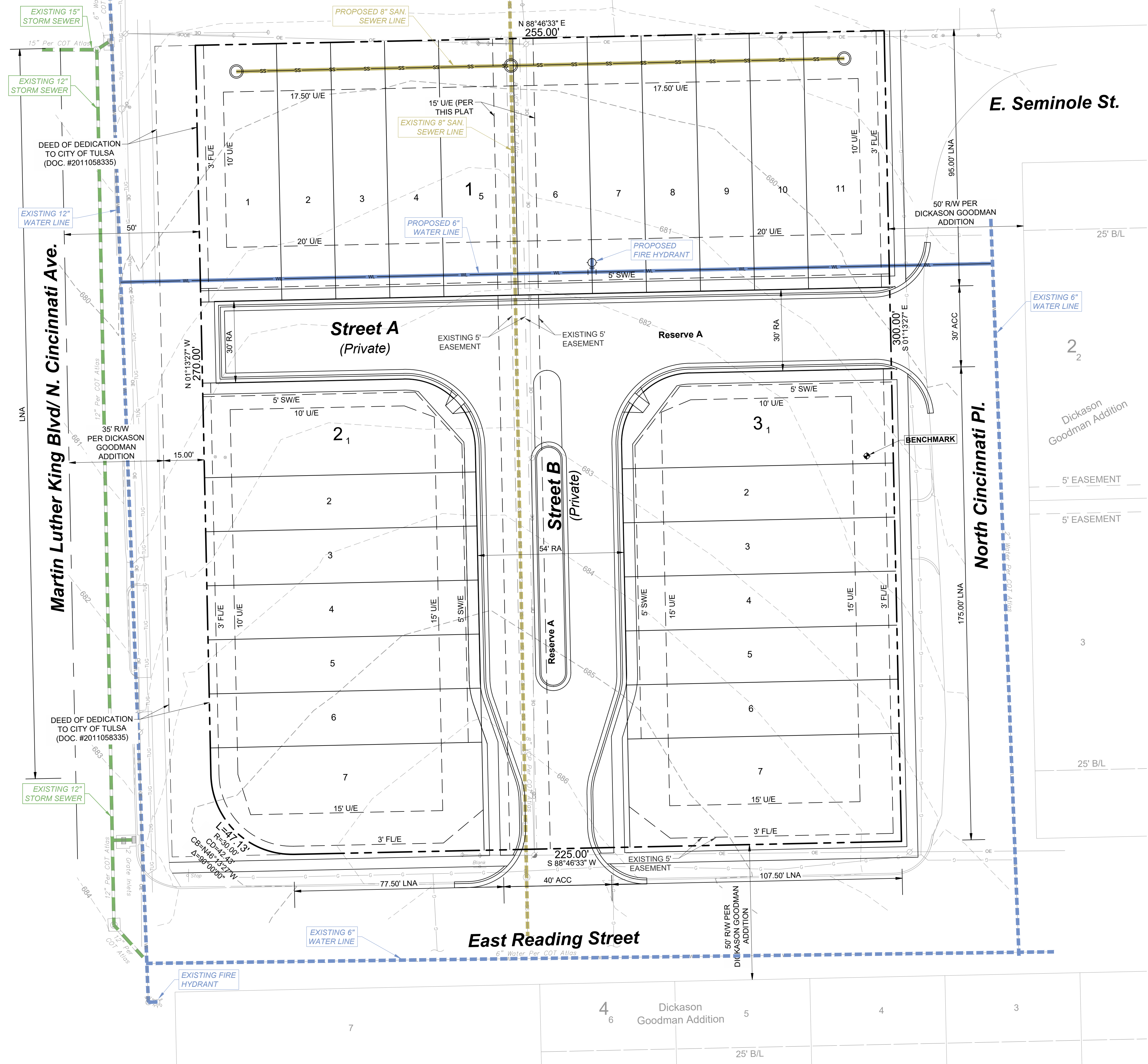
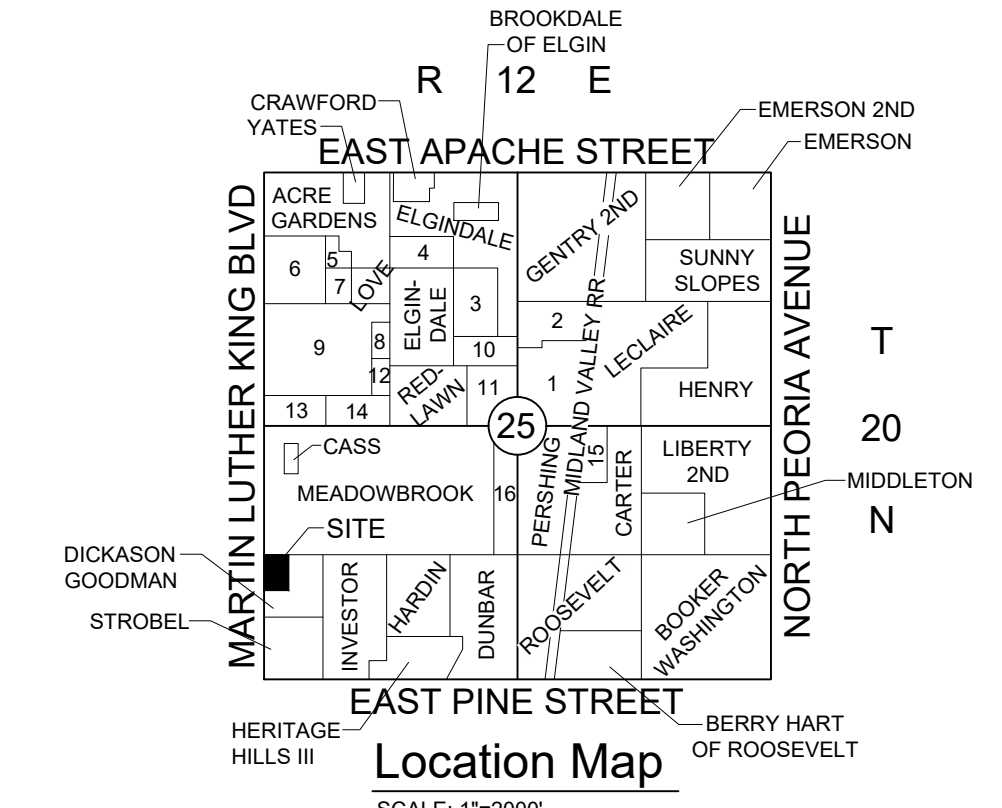
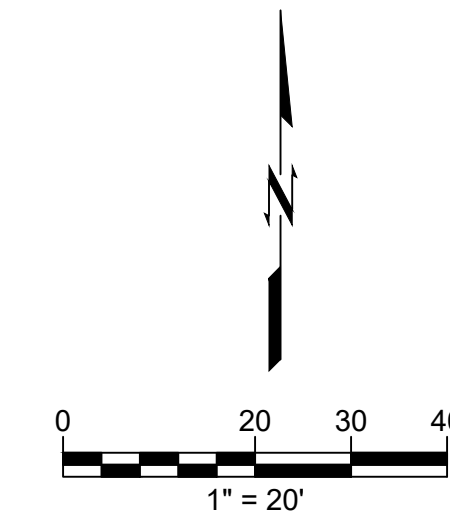
MY COMMISSION EXPIRES: _____

[SEAL]

CONCEPTUAL IMPROVEMENTS PLAN

BLACK WALL STREET SQUARE

A REPLAT OF LOTS ONE (1) THRU TWELVE (12), BLOCK THREE (3), DICKASON GOODMAN ADDITION, ALL IN SECTION TWENTY-FIVE (25), TOWNSHIP TWENTY (20) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA.



- LEGEND**
- B/L = BUILDING SETBACK
 - ACC = ACCESS
 - LNA = LIMITS OF NO ACCESS
 - R/W = RIGHT-OF-WAY
 - FL/E = FENCE & LANDSCAPE EASEMENT
 - U/E = UTILITY EASEMENT
 - S/E = SIDEWALK EASEMENT
 - EXISTING WATER
 - PROPOSED WATER
 - EXISTING SANITARY SEWER
 - PROPOSED SANITARY SEWER
 - EXISTING STORM SEWER

**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 THIS DATE OF CITY COUNCIL APPROVAL IF NOT FILED IN THE OFFICE OF THE COUNTY CLERK BEFORE THAT DATE.

I:\civil-server\projects\2240459 Black Wall Street Square\DWG\PRODUCTION\Plat\2240459 Preliminary Plat.dwg PLOT:4:17:23 ORIG SIZE:24"x36"