

TULSA METROPOLITAN AREA PLANNING COMMISSION

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

Submit applications to planning@cityoftulsa.org

SUBDIVISION PLAT **MINOR SUBDIVISION PLAT**

APPLICATION INFORMATION

RECEIVED BY: NF DATE FILED: 10/5/2023 **PLAT NAME: BROOKSIDE MARKETPLACE**

SUBDIVISION PLAT SCHEDULE		REFERENCE CASES	
PUBLIC AGENCY REVIEW:	10/19/2023	ZONING/PUD/CO CASE:	
		TMAPC DATE:	
TMAPC:	11/1/2023	BOA CASE:	
		BOA DATE:	

SUBJECT PROPERTY INFORMATION

ADDRESS OR DESCRIPTIVE LOCATION: 4143 S PEORIA TRACT SIZE: 3.47 ± acres

LEGAL DESCRIPTION: ATTACHED

PRESENT USE: MULTI-USE/VACANT PRESENT ZONING: MX3-U-U CH T-R-S: 19-13-30 COUNCIL DISTRICT: 9

WATER SUPPLY: COT SANITARY SEWER: COT

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

INFORMATION ABOUT YOUR PROPOSAL

PROPOSED USE: RESTAURANT/MULTI-USE

PROPOSED ZONING: N/A LOTS PROPOSED: 4 BLOCKS PROPOSED: 1

APPLICANT INFORMATION		PROPERTY OWNER INFORMATION	
NAME	<u>Mike Thedford</u>	NAME	<u>Tim Clark, Nordic Corp</u>
ADDRESS	<u>123 North MLK, Jr. Blvd.</u>	ADDRESS	<u>4129 South Peoria Avenue, Suite 200</u>
CITY, ST, ZIP	<u>Tulsa, OK. 74109</u>	CITY, ST, ZIP	<u>Tulsa, Oklahoma, 74105</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:  10/05/23

DOES OWNER CONSENT TO THIS APPLICATION YES NO

WHAT IS APPLICANT'S RELATIONSHIP TO OWNER? CONSULTANT

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

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: _____

Acreage: _____ Number of Lots: _____ Project Name: _____

Owner of Property: _____

Person Requesting Review: _____ Date: _____

COMPREHENSIVE PLAN STATUS

LAND USE DESIGNATION: _____

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

ZONING AND PLATTING

The property is currently zoned _____

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

Minimum lot size required: _____

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

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

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

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

INFRASTRUCTURE NEEDS

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

Streets _____

Water _____

Sewer _____

Storm Water/Drainage _____

Park and Trail Dedications _____

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

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

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

SUBDIVISION PLAT PROCESS

MEETING SCHEDULE

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

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

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

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

PRELIMINARY PLAT PROCESS

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

FINAL PLAT PROCESS

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

LEGAL DESCRIPTION

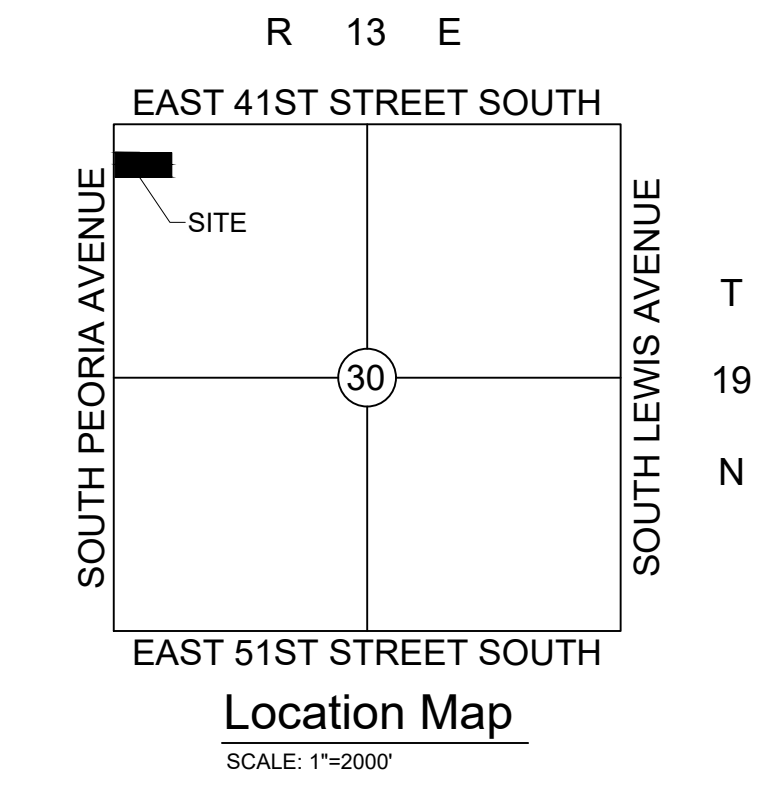
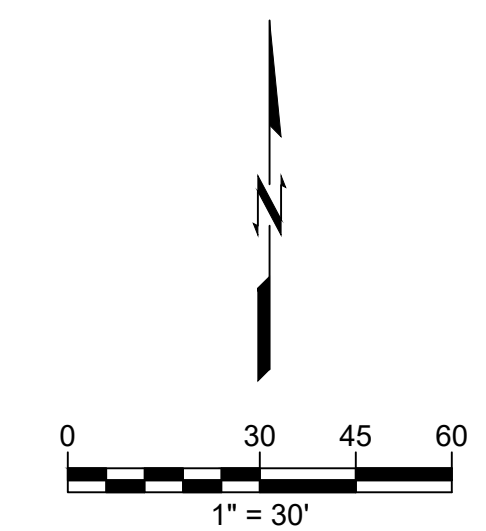
A TRACT OF LAND BEING A PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION THIRTY (30), TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION THIRTY (30), TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA; THENCE S01°17'55"E AND ALONG WEST LINE OF SAID SECTION THIRTY(30), FOR A DISTANCE OF 464.51 FEET; THENCE N89°16'08"E, FOR A DISTANCE OF 35.62 FEET TO THE POINT OF BEGINNING; THENCE N1°19'35"W, A DISTANCE OF 127.90 FEET; THENCE S89°14'46"E, A DISTANCE OF 256.87 FEET; THENCE S1°0'28"E, A DISTANCE OF 1.53 FEET; THENCE S89°7'49"E, A DISTANCE OF 332.50 FEET; THENCE S1°0'27"E, A DISTANCE OF 255.44 FEET; THENCE N88°58'49"W, A DISTANCE OF 335.00 FEET; THENCE N88°58'44"W, A DISTANCE OF 253.66 FEET; THENCE N1°0'26"W, A DISTANCE OF 131.2 FEET; TO THE POINT OF BEGINNING; SAID TRACT CONTAINING 3.47 ACRES MORE OR LESS.

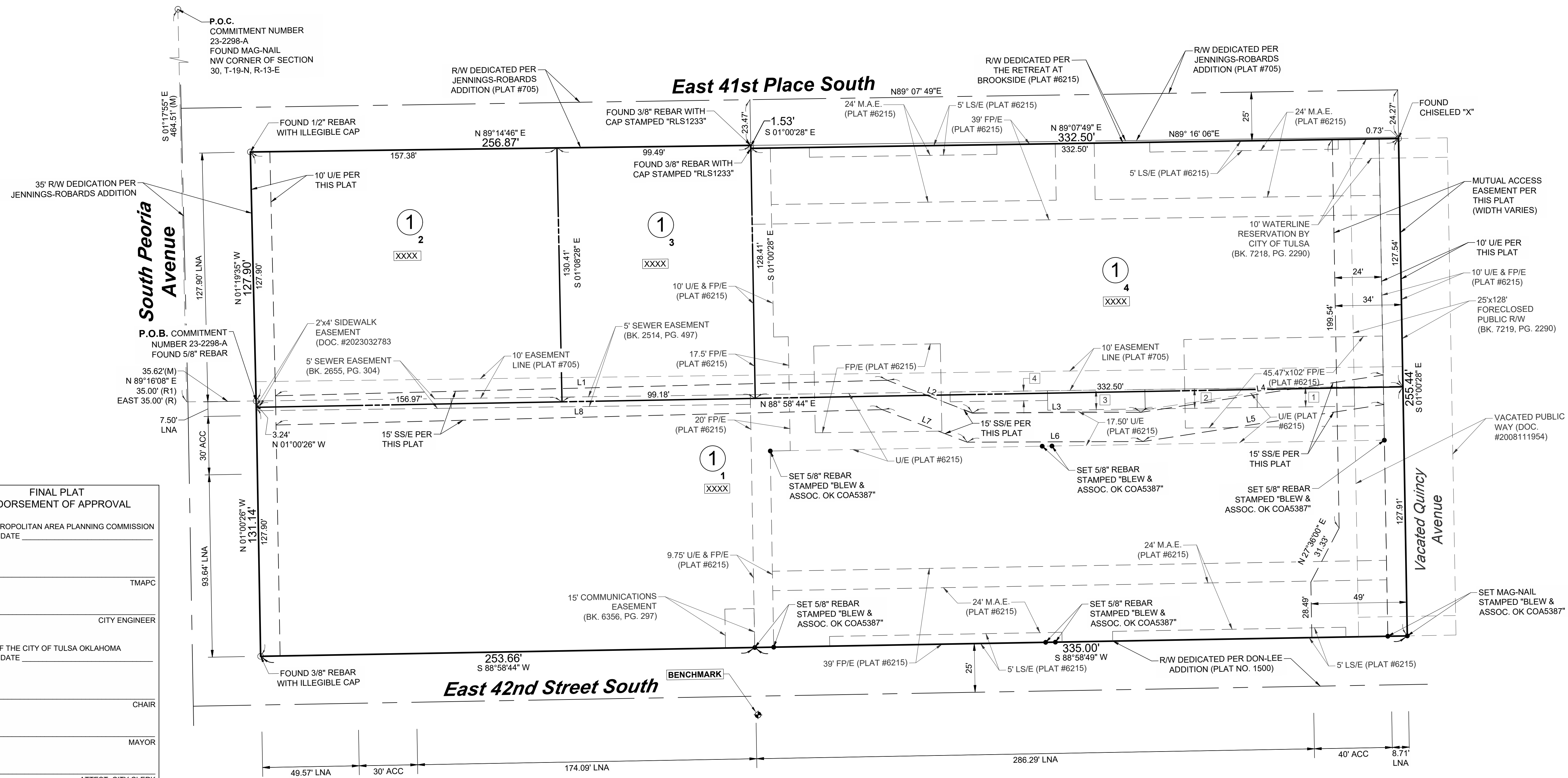
PRELIMINARY PLAT

BROOKSIDE MARKETPLACE

A REPLAT OF LOTS 1 THRU 5, BLOCK 4, JENNINGS-ROBARDS ADDITION, ALL OF THE RETREAT AT BROOKSIDE, ADDITIONS TO THE CITY OF TULSA, AND AN UNPLATTED TRACT OF LAND, ALL A PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION THIRTY (30), TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA.



OWNERS:		ENGINEER:		SURVEYOR:	
Nordic LLC 4129 South Peoria Avenue, Suite 200 Tulsa, Oklahoma, 74105 CONTACT: TIM S. CLARK SR		Nordic Corporation 4129 South Peoria Avenue, Suite 203 Tulsa, Oklahoma, 74105 CONTACT: TIM S. CLARK SR		Wallace Design Collective, PC 123 North Martin Luther King Jr Blvd. Tulsa, Oklahoma, 74103 Phone: (918) 584-5858 OK CA NO. 1460, EXPIRES 6/30/2025 A. NICOLE WATTS P.E. nicole.watts@wallace.design	
4143 LLC 4129 South Peoria Avenue, Suite 200 Tulsa, Oklahoma, 74105 CONTACT: TIM S. CLARK SR		Brookside 41, LLC 4129 South Peoria Avenue, Suite 201 Tulsa, Oklahoma, 74105 CONTACT: TIM S. CLARK SR		Blew & Associates, P.A. 3825 N. Shiloh Drive Fayetteville, Arkansas 72703 Phone: (479) 443-4506 OK CA NO 5387, EXPIRES DENVER WINCHESTER, PLS 1952 email:	



LEGEND

- B/L = BUILDING SETBACK
- BK = BOOK
- PG = PAGE
- R/W = RIGHT-OF-WAY
- SS/E = SANITARY SEWER EASEMENT
- U/E = UTILITY EASEMENT
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT

XXXX ADDRESS

① BLOCK NUMBER

② LOT NUMBER

● MONUMENT SET

○ MONUMENT FOUND

SUBDIVISION STATISTICS

SUBDIVISION CONTAINS FOUR (4) LOTS IN ONE (1) BLOCK. SUBDIVISION CONTAINS 151,327 SF (3.47 ACRES)

LOT 1 CONTAINS 75,290 SF (1.73 ACRES)

LOT 2 CONTAINS 20,554 SF (0.47 ACRES)

LOT 3 CONTAINS 12,931 SF (0.30 ACRES)

LOT 4 CONTAINS 42,552 SF (0.98 ACRES)

MONUMENTATION

MONUMENTATION FOUND/SET AS NOTED

1/2" IRON PINS TO BE SET AT MAIN BOUNDARY CORNERS.

BENCHMARK

FOUND MAG NAIL

NORTHING=407595.205

EASTING=2566745.276

ELEV=634.14

BASIS OF BEARINGS

BASIS OF BEARINGS IS OLD NORTH BASED ON THE NORTH PROPERTY LINE. THE BEARING IS DENOTED AS N 89°14'46" E PER GPS COORDINATE OBSERVATIONS OKLAHOMA STATE PLANE, NORTH ZONE NAD 83.

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

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS ENTIRELY LOCATED IN ZONE "X-SHADED" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 40143C0351L, WHICH BEARS AN EFFECTIVE DATE OF 10/16/2012 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

SURVEYOR'S LAST SITE VISIT:

XXXXXXXXXXXXXXXXXXXXXXXX

EASEMENT DOCUMENTS:

- ① 10'x50' SEWER EASEMENT BOOK 2607, PAGE 252
- ② 10'x57.5' SEWER EASEMENT BOOK 2655, PAGE 301
- ③ 10'x50' SEWER EASEMENT BOOK 2655, PAGE 302
- ④ 5'x50' SEWER EASEMENT BOOK 2655, PAGE 281

PLAT VACATION NOTE:

PLAT VACATION CURRENTLY IN PROCESS FOR RETREAT AT BROOKSIDE SOUTH (PLAT #6215)

ALL REFERENCED AND PLATTED EASEMENTS RELATING TO PLAT #6215 ARE SUBJECT TO CLOSURE WITH NO RESERVATIONS

FINAL PLAT ENDORSEMENT OF APPROVAL

TULSA METROPOLITAN AREA PLANNING COMMISSION APPROVAL DATE _____

TMAPC _____

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\2340416-42nd & Peoria\DWG\PRODUCTION\Plat\2340416 Prelim\Plat.dwg PLOT:10/15/23 ORIG SIZE:24"x38"

PRELIMINARY PLAT
BROOKSIDE MARKETPLACE
DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

FOR THE PURPOSE OF PROVIDING ADEQUATE RESTRICTIVE COVENANTS FOR THE MUTUAL BENEFIT OF OURSELVES AND SUCCESSORS IN TITLE TO THE TRACTS HEREINAFTER DESCRIBED, WE DO HEREBY IMPOSE THE FOLLOWING RESTRICTIVE COVENANTS AND RESERVATIONS, THAT SHALL BE INCUMBENT UPON ALL TRANSFERREES, GRANTEEES, AND SUCCESSORS IN TITLE OR INTEREST IN AND TO ANY OF THE FOLLOWING DESCRIBED REAL PROPERTY, TO-WIT:

NORDIC LLC, NORDIC CORPORATION, 4143 LLC AND BROOKSIDE 41 LLC IS THE COMBINED AND DESIGNATE HEREAFTER AS "OWNER" OF THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE CITY OF TULSA, TULSA COUNTY STATE OF OKLAHOMA ("JENNINGS-ROBARDS" ADDITION, "THE RETREAT AT BROOKSIDE" ADDITIONS; AND AN UNPLATTED TRACT") BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A TRACT OF LAND BEING A PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION THIRTY (30), TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

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SECTION I: PUBLIC STREETS, EASEMENTS, AND UTILITIES

A. PUBLIC STREETS AND UTILITY EASEMENTS

THE OWNER 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 "UE" 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, FIBER OPTIC, 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 RE-LAYING, 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 FUTURE LOT OWNER AND SHALL BE ENFORCEABLE BY THE "OWNER", AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, 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

- 1. OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE, BROADBAND, AND CABLE TELEVISION SERVICES MAY BE LOCATED ALONG THE NORTH, EAST AND WEST PERIMETER BOUNDARIES OF THE SUBDIVISION, IF LOCATED WITHIN A GENERAL UTILITY EASEMENT AS DEPICTED ON THE ACCOMPANYING PLAT. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY OVERHEAD LINE OR UNDERGROUND CABLE, AND ELSEWHERE THROUGHOUT THE SUBDIVISION ALL SUPPLY LINES SHALL BE LOCATED UNDERGROUND IN THE GENERAL UTILITY EASEMENTS. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE GENERAL UTILITY EASEMENTS.
- 2. UNDERGROUND SERVICE CABLES TO ALL STRUCTURES LOCATED WITHIN THE SUBDIVISION WILL BE RUN FROM THE NEAREST 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 TO A PARTICULAR STRUCTURE, THE SUPPLIER(S) OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT AND EFFECTIVE EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING FROM THE SERVICE PEDESTAL OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.
- 3. THE SUPPLIER(S) OF ELECTRIC, TELEPHONE, BROADBAND, AND CABLE TELEVISION SERVICES, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL GENERAL UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, BROADBAND, OR CABLE TELEVISION FACILITIES INSTALLED BY THE SUPPLIER(S) OF THE UTILITY SERVICE.
- 4. 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 THAT WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE, BROADBAND, AND/OR CABLE TELEVISION FACILITIES. THE SUPPLIER(S) 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 OF THE LOT OR HIS AGENTS OR CONTRACTORS.
- 5. THE FOREGOING COVENANT SET FORTH IN THE PARAGRAPH B SHALL BE ENFORCEABLE BY THE SUPPLIER(S) OF THE ELECTRIC, TELEPHONE, BROADBAND, OR CABLE TELEVISION SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

C. WATER, SANITARY SEWER AND STORM SEWER SERVICE

- 1. THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS LOCATED ON THEIR LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID PUBLIC WATER MAIN, PUBLIC SANITARY SEWER MAIN OR STORM SEWER.
- 2. WITHIN THE UTILITY EASEMENT AREAS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE IN EXCESS OF 3 FEET FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN OR STORM SEWER MAINS AND STORM SEWERS SHALL BE PROHIBITED.
- 3. THE CITY OF MUSKOGEE, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER AND SEWER MAINS, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, HIS AGENTS OR CONTRACTORS.
- 4. THE CITY OF MUSKOGEE, 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 THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF UNDERGROUND WATER OR SEWER FACILITIES.
- 5. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH C SHALL BE ENFORCEABLE BY THE CITY OF MUSKOGEE, OKLAHOMA, OR ITS SUCCESSORS AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

D. GAS SERVICE

- 1. THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED ON THE LOT.
- 2. WITHIN THE DEPICTED UTILITY EASEMENT AREAS, THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY, WHICH MAY INTERFERE WITH THE UNDERGROUND GAS FACILITIES, SHALL BE PROHIBITED.
- 3. THE SUPPLIER OF GAS SERVICE OR ITS SUCCESSORS SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF THE GAS FACILITIES, BUT THE OWNER SHALL PAY FOR THE DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, HIS AGENTS OR CONTRACTORS.
- 4. THE SUPPLIER OF GAS SERVICE OR ITS SUCCESSORS SHALL AT ALL TIMES HAVE RIGHT OF ACCESS WITH THEIR EQUIPMENT TO ALL EASEMENT-WAYS DEPICTED ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF UNDERGROUND GAS FACILITIES.
- 5. UNDERGROUND GAS SERVICE LINES TO ALL STRUCTURES WHICH MAY BE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST GAS MAIN TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OR SUCH

STRUCTURE AS MAY BE LOCATED UP ON THE LOTS, PROVIDED THAT UPON THE INSTALLATION OF A SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE PERMANENT AND EFFECTIVE EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE LINE, EXTENDING FROM THE GAS MAIN TO THE SERVICE ENTRANCE ON THE STRUCTURE.

- 6. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH D SHALL BE ENFORCEABLE BY THE SUPPLIER OF GAS SERVICE OR ITS SUCCESSORS AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

E. LIMITS OF ACCESS AND NO ACCESS

THERE SHALL BE TWO POINTS OF ACCESS INTO THE SUBDIVISION. SAID LIMITS OF ACCESS SHALL BE DEPICTED AS "ACC" AND LIMITS OF NO ACCESS AS "LNA".

F. PAVING AND LANDSCAPING WITHIN EASEMENTS

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

G. RESERVE AREAS

- 1. RESERVE AREAS "A" AND "B" - STORMWATER DETENTION

RESERVE AREAS "A" AND "B" WILL BE FOR STORM WATER DRAINAGE FACILITIES. SAID AREA WILL BE DEEDED TO AND MAINTAINED BY THE "OWNER" AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CURRENT STANDARDS AND SPECIFICATIONS OF THE CITY OF TULSA. NO WALL, FENCE, BUILDING, OR OTHER STRUCTURE SHALL BE PLACED OR MAINTAINED IN THE RESERVE AREA, WITH THE EXCEPTION OF A SUBDIVISION ENTRY SIGN, WHICH SHALL BE ALLOWED IN EITHER RESERVE AREA NEAR THE ENTRY DRIVE TO THE SUBDIVISION. THERE SHALL BE NO ALTERATION OF THE GRADE OR CONTOURS IN THE RESERVE AREA THAT IMPACTS THE FUNCTION OF THE DETENTION AREA.

- 2. RESERVE "C" - OPEN SPACE/PARK

RESERVE AREA "C" IS DESIGNATED AS A PARK AREA FOR THE USE AND ENJOYMENT OF THE RESIDENTS OF BROOKSIDE MARKETPLACE. SAID AREA SHALL BE DEEDED TO AND MAINTAINED BY THE "OWNER".

- 3. THE "OWNER" SHALL OWN RESERVE AREAS "A" AND "B" SHALL NOT CONSTRUCT NOR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH SHOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER OR IMPEDE ACCESS AND ACROSS THE RESERVES. WALKING PATHS AND OR TRIALS WILL BE PERMITTED SO LONG AS THE PLACEMENT DOES NOT IMPEDE DRAINAGE OF STORM AND SURFACE WATERS OR BLOCK ACCESS. IN THE EVENT THE "OWNER" FAILS TO PROPERLY MAINTAIN THE RESERVE OR, IN THE EVENT OF THE PLACEMENT OF ANY OBSTRUCTION WITHIN, OR THE ALTERATION TO THE GRADE, THE CITY OF TULSA MAY ENTER AND PERFORM MAINTENANCE NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT ANY ALTERATION OF GRADE, AND THE COST SHALL BE PAID BY THE "OWNER".

- 4. ALL RESERVE AREAS SHALL BE MOWED BY THE "OWNER" DURING GROWING SEASON AT INTERVALS NOT EXCEEDING 4 WEEKS.

H. STORMWATER

- 1. DRAINAGE FACILITIES CONSTRUCTED IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY THE CITY OF TULSA, OKLAHOMA.

- 2. NO LOT OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS THEIR LOT OR ANY DRAINAGE EASEMENT DESIGNATED ON THE PLAT "BROOKSIDE MARKETPLACE". THE FOREGOING COVENANTS SET FORTH IN PARAGRAPH C SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE "OWNER".

- 3. EACH LOT SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM PUBLIC STREETS AND EASEMENTS.

- a. FIRST LINE LOREM IPSUM DOLOR SIT AMET, CONSECTETUER ADIPISCING ELIT. UT NIBH. SUSPENDISSE POTENTI. UT MALESUADA, IPSUM SIT AMET FEUGIAT BIBENDUM, LIGULA NIBH TRISTIQUA IPS.
- b. SECOND LINE CONSECTETUER ADIPISCING ELIT. UT NIBH. SUSPENDISSE POTENTI. UT MALESUADA, IPSUM SIT AMET FEUGIAT BIBENDUM, LIGULA NIBH TRISTIQUA IPS.

SECTION II: HOMEOWNERS BUILDING COMMITTEE

ASSOCIATIONS AND COMMITTEES

THE "OWNER", BY AND THROUGH ITS EXECUTIVE DIRECTOR, SHALL BE DESIGNATED TO ACT ON BEHALF OF THE INTERESTS OF THE RESIDENTS OF BROOKSIDE MARKETPLACE AND ACT AS THE REVIEW BODY FOR THE PLACEMENT OF ANY STRUCTURES WITHIN BROOKSIDE MARKETPLACE.

SECTION III: ENFORCEMENT, DURATION, AMENDMENT AND SEVERABILITY

A. ENFORCEMENT AND DURATION

- 1. SHOULD THE OWNER OF ANY LOT OR LOTS IN "BROOKSIDE MARKETPLACE" VIOLATE ANY OF THE RESTRICTIVE COVENANTS OR CONDITIONS HEREIN, AND, AFTER REASONABLE NOTICE, THEREAFTER REFUSE TO CORRECT THE SAME, THEN THE "OWNER" MAY INSTITUTE LEGAL PROCEEDINGS TO ENJOIN, ABATE, OR COLLECT SUCH VIOLATION OF THE RESTRICTIONS OR COVENANTS. IF FOUND IN VIOLATION, THE VIOLATOR SHALL PAY ALL ATTORNEY'S FEES, COURT COSTS, AND OTHER EXPENSES NECESSARILY INCURRED BY THE PERSON INSTITUTING SUCH LEGAL PROCEEDINGS TO MAINTAIN AND ENFORCE THE AFORESAID RESTRICTIONS AND CONDITIONS.

- 2. THE FOREGOING COVENANTS AND RESTRICTIONS ARE TO RUN WITH THE LAND, AND SHALL BE BINDING ON ALL PERSONS, AND PARTIES CLAIMING UNDER THEM UNTIL DECEMBER 31, 2040, AT WHICH TIME THE SAID COVENANTS SHALL AUTOMATICALLY BE EXTENDED FOR SUCCESSIVE PERIODS OF TEN (10) YEARS, UNLESS THE "OWNER" HAS CONVEYED 100 PERCENT (100%) OF THE PROPERTY, OR TWENTY (20) YEARS FROM THE DATE OF THE INITIAL SALE OF A THE LAST LOT DETERMINED TO BE DEVELOPED WITHIN THIS SUBDIVISION, WHICHEVER SHALL OCCUR FIRST; AND THEN THE FOREGOING COVENANTS AND RESTRICTIONS SHALL BE EXTENDED BY A VOTE OF THE THEN EXISTING LOT OWNERS.

- 3. THE RESTRICTIONS AND COVENANTS CONTAINED HEREIN MAY BE AMENDED BY WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE "OWNER" ONCE ESTABLISHED.

- 4. IN THE EVENT THAT ANY PROVISION, CLAUSE, SENTENCE, SECTION OR OTHER PART OF THE FORGOING RESTRICTIONS AND COVENANTS IS HELD TO BE INVALID, ILLEGAL, INAPPLICABLE, UNCONSTITUTIONAL, CONTRARY TO PUBLIC POLICY, VOID OR UNENFORCEABLE IN LAW TO ANY PERSON OR CIRCUMSTANCE, THE BALANCE OF THE RESTRICTIONS AND COVENANTS SHALL NEVERTHELESS REMAIN IN FULL FORCE AND EFFECT.

CERTIFICATE OF OWNERSHIP

IN WITNESS WHERE _____, "OWNER" HAS CAUSED THIS CERTIFICATE OF DEDICATION AND RESTRICTIVE COVENANTS TO BE EXECUTED THIS _____ DAY OF _____, 2023.

BY _____

TITLE

STATE OF OKLAHOMA)

) SS

COUNTY OF TULSA)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS PERSONALLY APPEARED _____ TO ME KNOWN TO BE THE IDENTICAL PERSONS WHO SUBSCRIBED THEIR NAMES AS THE MAKERS THEREOF TO THE FOREGOING INSTRUMENT AND USES AND PURPOSE SET FOURTH THEREIN.GIVEN UNDER MY HAND AND SEAL OF THE OFFICE THE DAY AND YEAR LAST ABOVE WRITTEN.

BY _____

NOTARY PUBLIC

MY COMMISSION EXPIRES _____

MY COMMISSION NUMBER IS _____

CERTIFICATE OF SURVEY

I, R. WESLEY BENNETT, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, STAKED AND PLATTED THE TRACT OF LAND DESCRIBED ABOVE AND THAT THE ACCOMPANYING PLAT OF THE ABOVE DESIGNATED "BROOKSIDE MARKETPLACE". A SUBDIVISION IN TULSA COUNTY, STATE OF OKLAHOMA, IS A TRUE REPRESENTATION OF SAID SURVEY DATED THIS _____ DAY OF _____, 2023.

R. WESLEY BENNETT PLS #1562



STATE OF OKLAHOMA)

) SS

COUNTY OF TULSA)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS PERSONALLY APPEARED R. WESLEY BENNETT, TO ME KNOWN TO BE THE IDENTICAL PERSONS WHO SUBSCRIBED THEIR NAMES AS THE MAKERS THEREOF TO THE FOREGOING INSTRUMENT AND USES AND PURPOSE SET FOURTH THEREIN. GIVEN UNDER MY HAND AND SEAL OF THE OFFICE THE DAY AND YEAR LAST ABOVE WRITTEN.

BY _____

NOTARY PUBLIC

MY COMMISSION EXPIRES _____

MY COMMISSION NUMBER IS _____

IN WITNESS WHEREOF: THE CITY OF TULSA, AN OKLAHOMA MUNICIPAL CORPORATION, HAS EXECUTED THIS INSTRUMENT THIS _____ DAY OF _____, 2023.

THE CITY OF TULSA,
AN OKLAHOMA MUNICIPAL CORPORATION

BY: _____

G.T. Bynum, Mayor

ATTEST:

City Clerk

STATE OF OKLAHOMA)

) ss.

COUNTY OF TULSA)

Before me, a Notary Public in and for said County and State, on the _____ day of _____, 2023, personally appeared G.T. Bynum, to me known to be the identical person who executed the within and foregoing instrument as Mayor of the City of Tulsa, Oklahoma, a municipal corporation, and acknowledged to me that he executed the within and foregoing instrument as his free and voluntary act and deed and as the free and voluntary act and deed of the City of Tulsa, an Oklahoma municipal corporation, for the uses and purposes therein set forth.

Notary Public

My commission expires: _____

APPROVED:

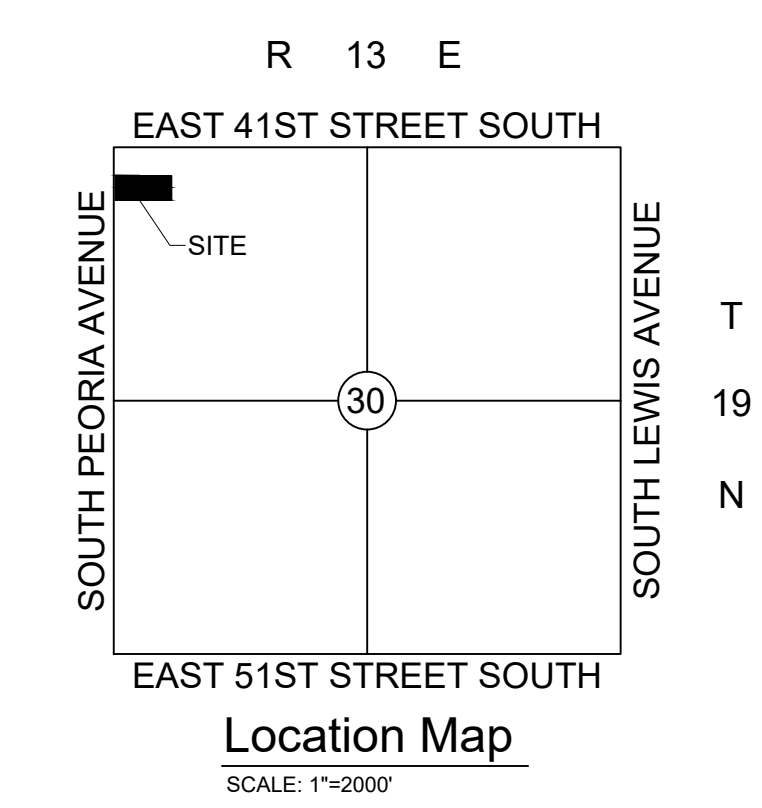
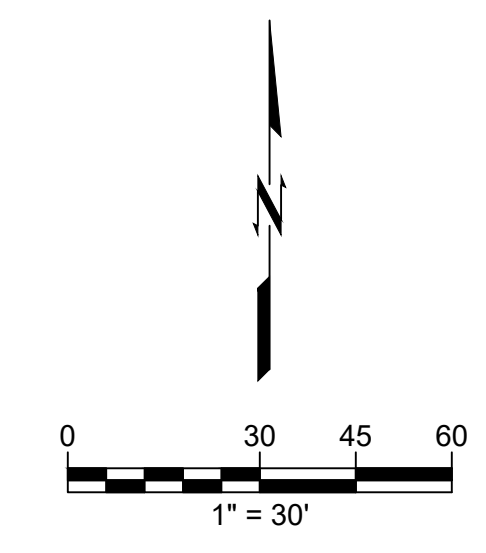
Assistant City Attorney

ORIG SIZE: 24"x36"
PLOT: 10/05/23
\\Civil-Seven\Projects\23\0416 4\2nd & Peoria\Drawings\PRODUCTION\PH\23\0416 DOO.dwg

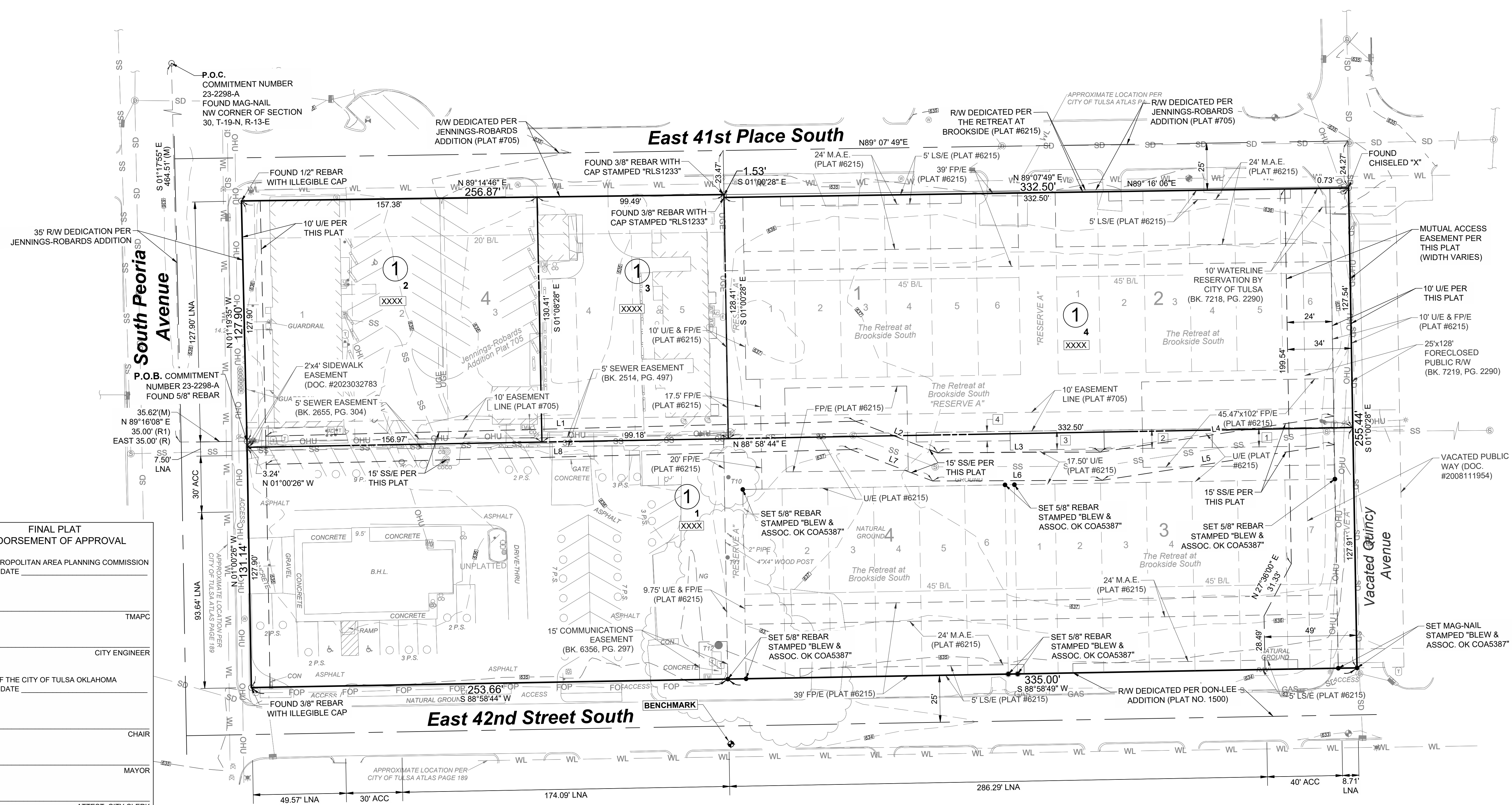
PRELIMINARY PLAT

BROOKSIDE MARKETPLACE

A REPLAT OF LOTS 1 THRU 5, BLOCK 4, JENNINGS-ROBARDS ADDITION, ALL OF THE RETREAT AT BROOKSIDE, ADDITIONS TO THE CITY OF TULSA, AND AN UNPLATTED TRACT OF LAND, ALL A PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION THIRTY (30), TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA.



OWNERS:		ENGINEER:		SURVEYOR:	
Nordic LLC 4129 South Peoria Avenue, Suite 200 Tulsa, Oklahoma, 74105 CONTACT: TIM S. CLARK SR		Nordic Corporation 4129 South Peoria Avenue, Suite 203 Tulsa, Oklahoma, 74105 CONTACT: TIM S. CLARK SR		Wallace Design Collective, PC 123 North Martin Luther King Jr Blvd. Tulsa, Oklahoma, 74103 Phone: (918) 584-5858 OK CA NO. 1460, EXPIRES 6/30/2025 A. NICOLE WATTS P.E. nicole.watts@wallace.design	
4143 LLC 4129 South Peoria Avenue, Suite 200 Tulsa, Oklahoma, 74105 CONTACT: TIM S. CLARK SR		Brookside 41, LLC 4129 South Peoria Avenue, Suite 201 Tulsa, Oklahoma, 74105 CONTACT: TIM S. CLARK SR		Blew & Associates, P.A. 3825 N. Shiloh Drive Fayetteville, Arkansas 72703 Phone: (479) 443-4506 OK CA NO. 5387, EXPIRES DENVER WINCHESTER, PLS 1952 email:	



LEGEND

- B/L = BUILDING SETBACK
- BK. = BOOK
- PG. = PAGE
- R/W = RIGHT-OF-WAY
- SS/E = SANITARY SEWER EASEMENT
- U/E = UTILITY EASEMENT
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT
- XXXX = ADDRESS
- 1 = BLOCK NUMBER
- 2 = LOT NUMBER
- = MONUMENT SET
- = MONUMENT FOUND

SUBDIVISION STATISTICS

SUBDIVISION CONTAINS FOUR (4) LOTS IN ONE (1) BLOCK. SUBDIVISION CONTAINS 151,327 SF (3.47 ACRES)

- LOT 1 CONTAINS 75,290 SF (1.73 ACRES)
- LOT 2 CONTAINS 20,554 SF (0.47 ACRES)
- LOT 3 CONTAINS 12,931 SF (0.30 ACRES)
- LOT 4 CONTAINS 42,552 SF (0.98 ACRES)

MONUMENTATION

MONUMENTATION FOUND/SET AS NOTED

1/2" IRON PINS TO BE SET AT MAIN BOUNDARY CORNERS.

BENCHMARK

FOUND MAG NAIL

NORTHING=407595.205
EASTING=2566745.276
ELEV=634.14

BASIS OF BEARINGS

BASIS OF BEARINGS IS OLD NORTH BASED ON THE NORTH PROPERTY LINE. THE BEARING IS DENOTED AS N 89°14'48" E PER GPS COORDINATE OBSERVATIONS OKLAHOMA STATE PLANE, NORTH ZONE NAD 83.

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

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS ENTIRELY LOCATED IN ZONE "X-SHADED" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 40143C0351L, WHICH BEARS AN EFFECTIVE DATE OF 10/16/2012 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

SURVEYOR'S LAST SITE VISIT:

XXXXXXXXXXXXXXXXXXXX

EASEMENT DOCUMENTS:

- 1 10x50' SEWER EASEMENT BOOK 2607, PAGE 252
- 2 10x57.5' SEWER EASEMENT BOOK 2655, PAGE 301
- 3 10x50' SEWER EASEMENT BOOK 2655, PAGE 302
- 4 5x50' SEWER EASEMENT BOOK 2655, PAGE 281

FINAL PLAT ENDORSEMENT OF APPROVAL	
TULSA METROPOLITAN AREA PLANNING COMMISSION APPROVAL DATE	
TMAPC	
CITY ENGINEER	
COUNCIL OF THE CITY OF TULSA OKLAHOMA APPROVAL DATE	
CHAIR	
MAYOR	
ATTEST: CITY CLERK	
CITY ATTORNEY	

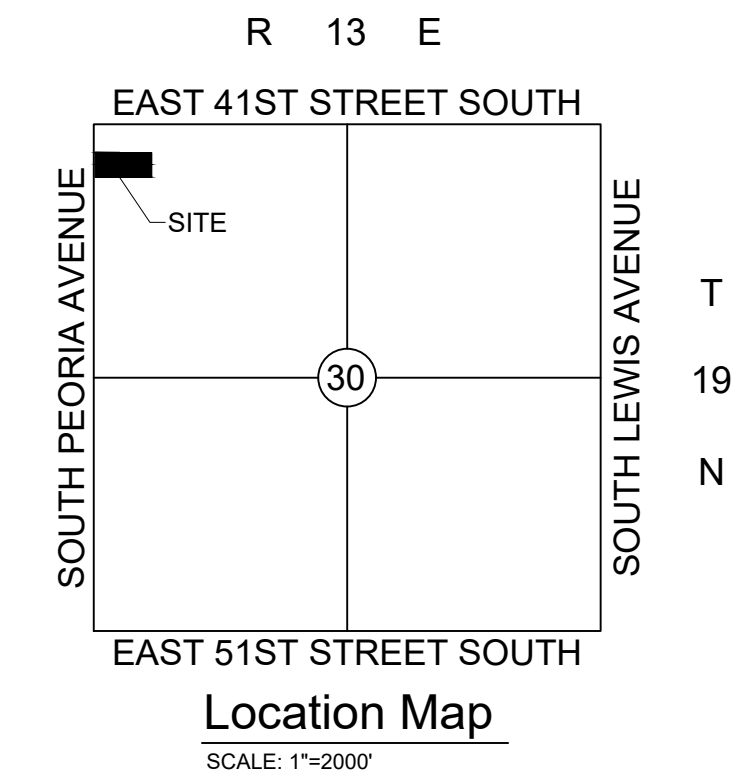
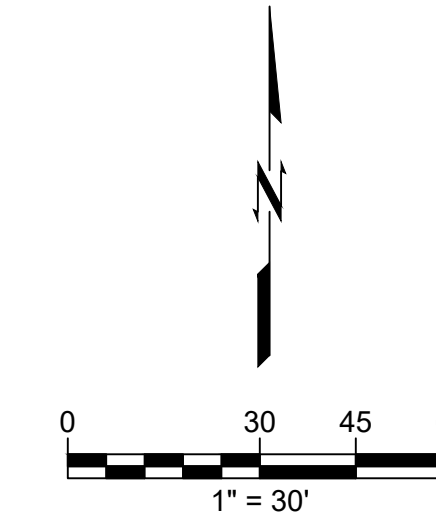
THE APPROVAL OF THIS FINAL PLAT WILL EXPIRE ONE YEAR FROM THIS DATE OF CITY COUNCIL APPROVAL IF NOT FILED IN THE OFFICE OF THE COUNTY CLERK BEFORE THAT DATE.

\\civ-server\projects\23-04-16 42nd & Peoria\Drawings\PRODUCTION\23-04-16 Preliminary Plat.dwg PLOT:10/3/23 ORIG SIZE:24"x38"

CONCEPTUAL IMPROVEMENTS PLAN

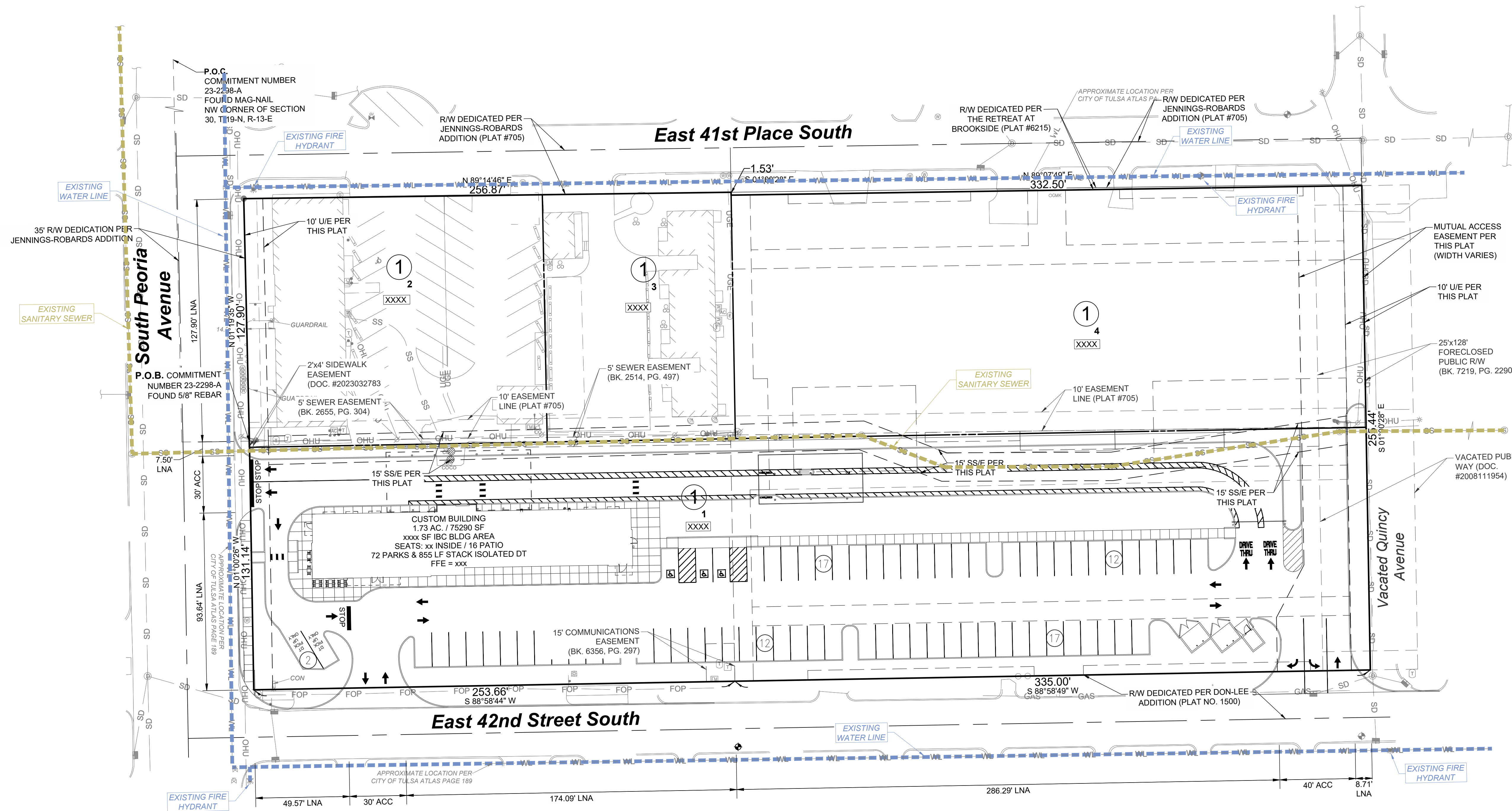
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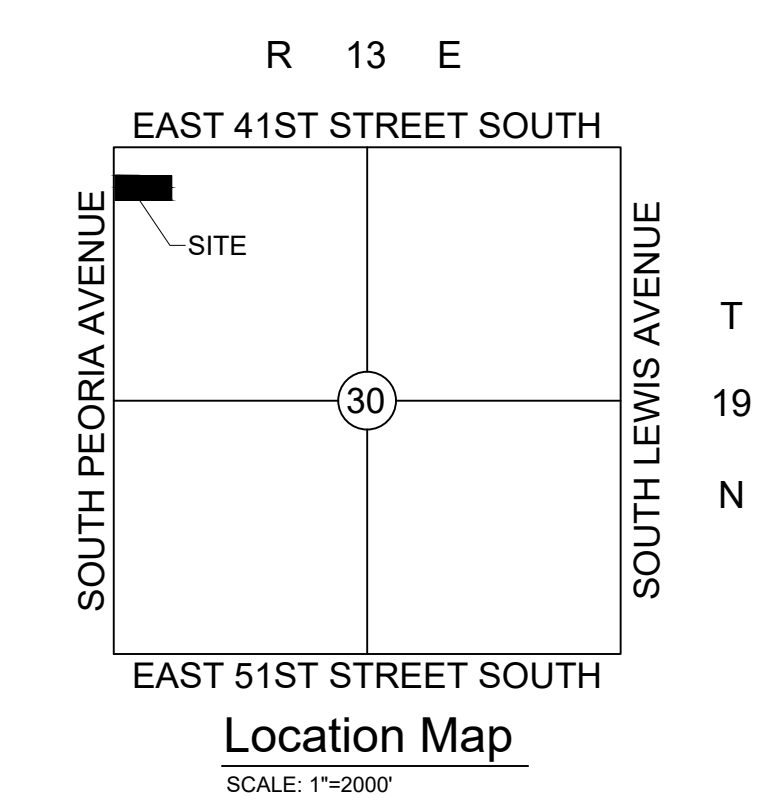
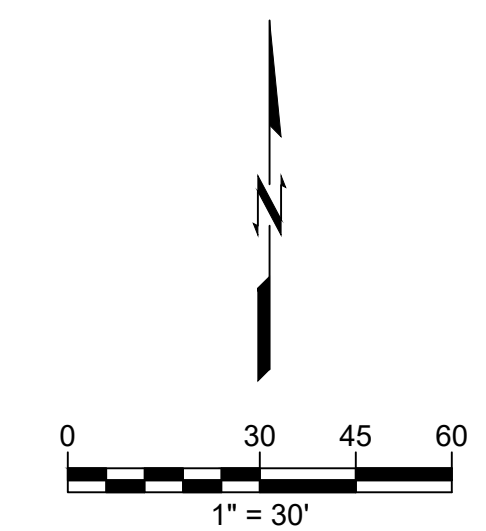


NOTE:
PROPOSED SITE LAYOUT BY OTHERS

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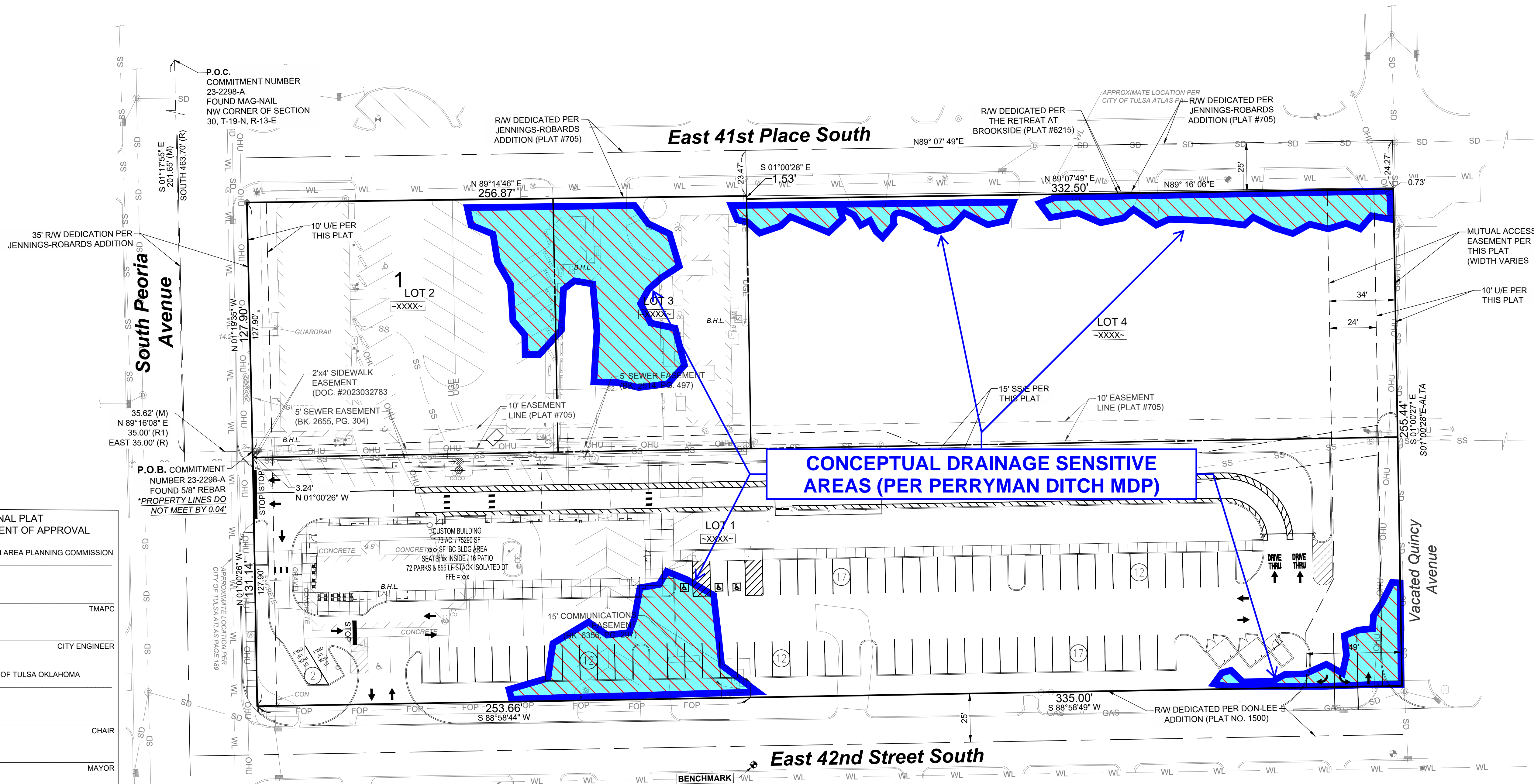
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DATE OF SURVEYOR'S LAST SITE VISIT:
 XXXXXXXXXXXX



CONCEPTUAL DRAINAGE SENSITIVE AREAS (PER PERRYMAN DITCH MDP)

FINAL PLAT ENDORSEMENT OF APPROVAL
TULSA METROPOLITAN AREA PLANNING COMMISSION APPROVAL DATE
TMAPC
CITY ENGINEER
COUNCIL OF THE CITY OF TULSA OKLAHOMA APPROVAL DATE
CHAIR
MAYOR
ATTEST: CITY CLERK
CITY ATTORNEY

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I:\civil\server\projects\2340416 42nd & Peoria\DWG\PRODUCTION\Plat2340416 Preliminary Plat.dwg
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