

**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: \_\_\_\_\_ DATE FILED: \_\_\_\_\_ PLAT NAME: Mingo 20

CITY  COUNTY                      REFERRAL CITIES: \_\_\_\_\_

SUBDIVISION PLAT SCHEDULE		REFERENCE CASES	
PUBLIC AGENCY REVIEW:	11/4/2021	ZONING/PUD/CO CASE:	
		TMAPC DATE:	
TMAPC:	11/17/2021	BOA CASE:	
		BOA DATE:	

**SUBJECT PROPERTY INFORMATION**

ADDRESS OR DESCRIPTIVE LOCATION: NW corner of N. 97th E. Ave. (Mingo Rd.) and E. 146th St. N. (Hwy 20) TRACT SIZE: 12.546 ± acres

LEGAL DESCRIPTION: See attached - Plat Covenants

PRESENT USE: Vacant                      PRESENT ZONING: CG                      T-R-S: 22-13-24                      COUNCIL DISTRICT: N/A                      CO COMM DISTRICT: 1

WATER SUPPLY: Washington County RWD No. 3                      SANITARY SEWER: ODEQ approved individual onsite sewer disposal systems

ELECTRIC: WVEC                      GAS: ONG                      PHONE: AT&T                      TV: Cox                      SCHOOL DISTRICT: Collinsville

**INFORMATION ABOUT YOUR PROPOSAL**

PROPOSED USE:  
Mini Storage and Office Building

PROPOSED ZONING: No Change                      LOTS PROPOSED: 2                      BLOCKS PROPOSED: 1

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
NAME Megan Pasco - Tanner Consulting, LLC	NAME Smalygo Properties, Inc.
ADDRESS 5323 S. Lewis Ave.	ADDRESS 123 N. 7th St.
CITY, ST, ZIP Tulsa, OK 74105	CITY, ST, ZIP Collinsville, OK 74021
DAYTIME PHONE 918-745-9929	DAYTIME PHONE 918-371-3183
EMAIL mpasco@tannerbaitshop.com	EMAIL info@smalygoproperties.com

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

SIGNATURE & DATE: *Megan Pasco*                      10-22-2021

DOES OWNER CONSENT TO THIS APPLICATION  YES  NO

WHAT IS APPLICANT'S RELATIONSHIP TO OWNER? Engineer

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

APPLICATION FEES IN WHOLE OR PART WILL NOT BE REFUNDED AFTER NOTIFICATION HAS BEEN GIVEN.

**SUBMITTAL REQUIREMENTS:**

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

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

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

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

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## SUBDIVISION PRE-APPLICATION REVIEW

### PROJECT INFORMATION

Subdivision Location: NW corner of N. 97th E. Ave. (Mingo Rd.) and E. 146th St. N. (Hwy 20)  
Acreage: 12.546 Number of Lots: 2 Project Name: Mingo 20  
Owner of Property: Smalygo Properties, Inc.  
Person Requesting Review: Megan Pasco - Tanner Consulting, LLC Date: 10/22/2021

### COMPREHENSIVE PLAN STATUS

LAND USE DESIGNATION: Commercial, Medium Density (Collinsville Comp. Plan) GROWTH OR STABILITY DESIGNATION: N/A

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

### ZONING AND PLATTING

The property is currently zoned CG  
The proposed use of mini storage and office  WOULD or  WOULD NOT conform to the zoning district classification.  
Minimum lot size required: N/A  
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? N/A

### INFRASTRUCTURE NEEDS

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

Streets Existing Tulsa County roads maintained by Tulsa County. R/W to be dedicated by plat  
Water Existing Washington County Rural Water District No. 3. waterlines on site  
Sewer ODEQ approved individual onsite sanitary sewer disposal systems  
Storm Water/Drainage Borrow ditches along county roads. Detention required by each lot owner per plat.  
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.

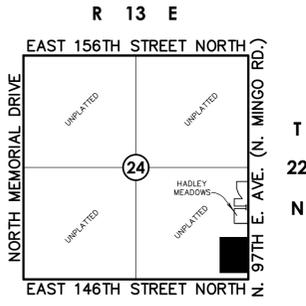
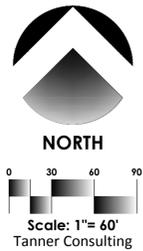
### FINAL PLAT PROCESS

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.

# Draft Final Plat

## Mingo 20

PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE/4 SE/4) OF SECTION TWENTY-FOUR (24),  
TOWNSHIP TWENTY-TWO (22) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN  
A SUBDIVISION WITHIN TULSA COUNTY, STATE OF OKLAHOMA



**Location Map**  
Scale: 1"= 2000'

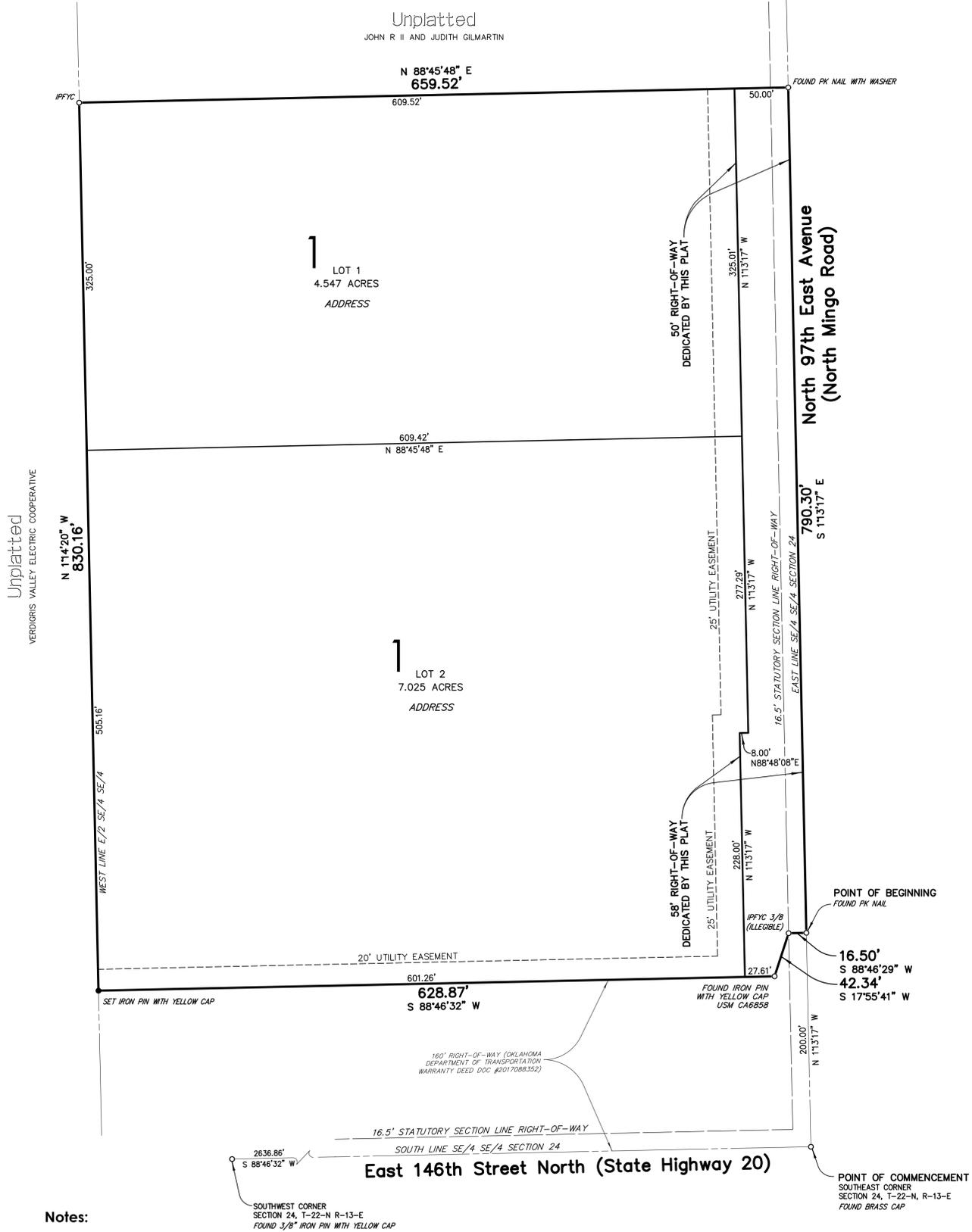
**SUBDIVISION CONTAINS:**  
TWO (2) LOTS  
IN ONE (1) BLOCK  
GROSS SUBDIVISION AREA: 12.546 ACRES

**OWNER:**  
**Smalygo Properties, Inc.**  
AN OKLAHOMA CORPORATION  
KYLE SMALYGO, PRESIDENT  
123 North 7th Street  
Collinsville, Oklahoma 74021  
Phone: (918) 371-3183

**SURVEYOR/ENGINEER:**  
**Tanner Consulting, L.L.C.**  
DAN E. TANNER, P.L.S. NO. 1435  
OK CA NO. 2661, EXPIRES 6/30/2023  
EMAIL: DAN@TANNERBAITSHOP.COM  
5323 South Lewis Avenue  
Tulsa, Oklahoma 74105  
Phone: (918) 745-9929

**LEGEND**

BK PG	BOOK & PAGE
CL	CENTERLINE
DOC	DOCUMENT
ESMT	EASEMENT
GOV'T	GOVERNMENT
IPFVC	IRON PIN SET WITH YELLOW CAP
IPFVC	IRON PIN FOUND WITH YELLOW CAP
LNA	LIMITS OF NO ACCESS
R/W	RIGHT-OF-WAY
U/E	UTILITY EASEMENT
1234	ADDRESS ASSIGNED
○	FOUND MONUMENT
●	SET MONUMENT (SEE NOTE 2)



FINAL PLAT CERTIFICATE OF APPROVAL	
Tulsa Metropolitan Area Planning Commission	
Approval Date:	_____
TMAPC/INCOG	
The approval of this Final Plat will expire one year from the date of Tulsa County Commission approval if not filed in the Office of the County Clerk before that date.	
_____	COUNTY ENGINEER

- Notes:**
- THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
  - ALL PROPERTY CORNERS ARE SET 3/8" IRON REBAR WITH YELLOW CAP STAMPED "TANNER 1435" UNLESS OTHERWISE NOTED.
  - THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3501), NORTH AMERICAN DATUM 1983 (NAD83); SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:
    - FOUND BRASS CAP AT THE SOUTHEAST CORNER OF SECTION 24;
    - FOUND 3/8" IRON PIN WITH A YELLOW CAP AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 24;
 THE BEARING BETWEEN SAID MONUMENTS BEING SOUTH 88°46'32" WEST.
  - ADDRESSES SHOWN ON THIS PLAT ARE ACCURATE AT THE TIME THE PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF THE LEGAL DESCRIPTION.
  - ACCESS AT THE TIME OF PLAT WAS PROVIDED BY EAST 146TH STREET NORTH AND NORTH 97TH EAST AVENUE, BY VIRTUE OF THIS PLAT.
  - EACH LOT WITHIN THE SUBDIVISION SHALL BE RESPONSIBLE FOR THE DESIGN, PERMITTING, CONSTRUCTION, AND MAINTENANCE OF ONSITE STORMWATER DETENTION, AS OUTLINE IN THE TULSA COUNTY ENGINEERING DESIGN STANDARDS.

DATE OF PREPARATION: October 22, 2021

# Draft Final Plat

# Mingo 20

PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE/4 SE/4) OF SECTION TWENTY-FOUR (24),  
TOWNSHIP TWENTY-TWO (22) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN  
A SUBDIVISION WITHIN TULSA COUNTY, STATE OF OKLAHOMA

## DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

THAT SMALYGO PROPERTIES, INC., AN OKLAHOMA CORPORATION, IS THE OWNER OF THE FOLLOWING DESCRIBED LAND SITUATED IN TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT:

A TRACT OF LAND THAT IS A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE/4 SE/4) OF SECTION TWENTY-FOUR (24), TOWNSHIP TWENTY-TWO (22) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SE/4 SE/4 OF SECTION 24; THENCE NORTH 1°13'17" WEST AND ALONG THE EAST LINE OF SAID SECTION, FOR A DISTANCE OF 200.00 FEET TO A POINT ON THE NORTH LINE OF OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) RIGHT-OF-WAY, AS RECORDED IN WARRANTY DEED DATED SEPTEMBER 25, 2017, AT DOCUMENT NO. 2017088352, COUNTY OF TULSA RECORDS, STATE OF OKLAHOMA, SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE FOR THE FOLLOWING THREE (3) COURSES: SOUTH 88°46'29" WEST FOR A DISTANCE OF 16.50 FEET; THENCE SOUTH 17°55'41" WEST FOR A DISTANCE OF 42.34 FEET; THENCE SOUTH 88°46'32" WEST FOR A DISTANCE OF 628.87 FEET, TO A POINT ON THE WEST LINE OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (E/2 SE/4 SE/4); THENCE NORTH 1°14'20" WEST, AND ALONG SAID WEST LINE, FOR A DISTANCE OF 830.16 FEET; THENCE NORTH 88°45'48" EAST, FOR A DISTANCE OF 659.52 FEET, TO A POINT ON SAID EAST LINE; THENCE SOUTH 1°13'17" EAST AND ALONG THE EAST LINE, FOR A DISTANCE OF 790.30 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINING 546,506 SQUARE FEET, OR 12.546 ACRES.

THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3501), NORTH AMERICAN DATUM 1983 (NAD83); SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:

- BRASS CAP FOUND AT THE SOUTHEAST CORNER OF SECTION 24;
- 3/8" IRON PIN WITH YELLOW CAP FOUND AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 24;

THE BEARING BETWEEN SAID MONUMENTS BEING SOUTH 88°46'32" WEST.

AND THAT SMALYGO PROPERTIES, INC., HEREINAFTER REFERRED TO AS "OWNER", HAS CAUSED THE ABOVE DESCRIBED LAND TO BE SURVEYED, STAKED, PLATTED, AND SUBDIVIDED INTO LOTS, BLOCKS, AND STREETS IN CONFORMITY WITH THE ACCOMPANYING PLAT AND HAS DESIGNATED THE SUBDIVISION AS "MINGO 20," A SUBDIVISION WITHIN TULSA COUNTY, OKLAHOMA.

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

### A. PUBLIC STREETS AND UTILITY EASEMENTS:

THE OWNER HEREBY DEDICATES TO THE PUBLIC THE STREET "NORTH 97TH EAST AVENUE (NORTH MINGO ROAD)" AS DEPICTED ON THE ACCOMPANYING PLAT. THE OWNER FURTHER DEDICATES TO THE PUBLIC THE UTILITY EASEMENTS DESIGNATED 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, COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, AND WATERLINES, 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 STATED, PROVIDED THE OWNER RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY, AND REPAIR OR REPLACE WATERLINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING, REPAIRING, AND REPLACING OVER, ACROSS, AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO AREAS DEPICTED ON THE PLAT. THE OWNER HEREBY IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE 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 STATED USES AND PURPOSES OF THE UTILITY EASEMENTS SHALL BE PLACED, ERECTED, INSTALLED, OR MAINTAINED, PROVIDED NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, LANDSCAPING, AND CUSTOMARY SCREENING FENCES WHICH DO NOT CONSTITUTE AN OBSTRUCTION.

### B. UTILITY SERVICE:

- OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC AND COMMUNICATION SERVICES MAY BE LOCATED WITHIN THE NORTH 97TH EAST AVENUE RIGHTS-OF-WAY AND WITHIN THE PERIMETER UTILITY EASEMENTS OF THE SUBDIVISION, ELSEWHERE THROUGHOUT THE SUBDIVISION, ALL SUPPLY LINES INCLUDING ELECTRIC, COMMUNICATION, AND GAS LINES SHALL BE LOCATED UNDERGROUND IN THE EASEMENTS DEDICATED FOR GENERAL UTILITY SERVICE AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN GENERAL UTILITY EASEMENTS.
- UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WITHIN THE SUBDIVISION MAY BE EXTENDED FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL, OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE UPON THE LOT PROVIDED, UPON INSTALLATION OF

A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE, AND NON-EXCLUSIVE EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE GAS MAIN, SERVICE PEDESTAL, OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.

- THE SUPPLIER OF ELECTRIC, COMMUNICATION, AND GAS SERVICE, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, COMMUNICATION, 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 THE OWNER'S LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, COMMUNICATION, OR GAS FACILITIES. EACH SUPPLIER OF THESE SERVICES 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 SUCH OWNER'S AGENTS OR CONTRACTORS.
- THE COVENANTS SET FORTH IN THIS SUBSECTION B. SHALL BE ENFORCEABLE BY EACH SUPPLIER OF THE ELECTRIC, COMMUNICATION, OR GAS SERVICE AND THE OWNER OF EACH LOT AGREES TO BE BOUND BY THESE COVENANTS.

### C. WATER, SANITARY SEWER, STORM SEWER, AND STORMWATER DRAINAGE SERVICES:

- THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, PUBLIC SANITARY SEWER AND PUBLIC STORM SEWER FACILITIES (IF AND WHEN INSTALLED), AND PUBLIC STORMWATER DRAINAGE FACILITIES LOCATED ON THE OWNER'S LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID MAINS OR FACILITIES.
- WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, PUBLIC SANITARY SEWER OR PUBLIC STORM SEWER FACILITY (IF AND WHEN INSTALLED), OR PUBLIC STORMWATER DRAINAGE FACILITY, OR ANY CONSTRUCTION ACTIVITY WHICH, IN THE JUDGMENT OF WASHINGTON COUNTY RURAL WATER DISTRICT NO. 3 OR OTHER PUBLIC WATER, SANITARY SEWER, OR STORM SEWER SERVICE PROVIDER, WOULD INTERFERE WITH SUCH MAINS OR FACILITIES, SHALL BE PROHIBITED. WITHIN THE UTILITY EASEMENTS, IF THE GROUND ELEVATIONS ARE ALTERED BY THE LOT OWNER FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, PUBLIC SANITARY SEWER FACILITY OR PUBLIC STORM SEWER FACILITY, OR PUBLIC STORMWATER DRAINAGE FACILITY, ALL GROUND LEVEL APPURTENANCES, INCLUDING VALVE BOXES, FIRE HYDRANTS, AND MANHOLES, SHALL BE ADJUSTED TO THE ALTERED GROUND ELEVATIONS BY THE OWNER OF THE LOT OR, AT ITS ELECTION, WASHINGTON COUNTY RURAL WATER DISTRICT NO. 3 OR OTHER PUBLIC WATER, SANITARY SEWER, OR STORM SEWER SERVICE PROVIDER, MAY MAKE SUCH ADJUSTMENT AT SUCH OWNER'S EXPENSE.
- WASHINGTON COUNTY RURAL WATER DISTRICT NO. 3, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER MAINS AND RELATED FACILITIES, AND PUBLIC SANITARY SEWER OR STORM SEWER SERVICE PROVIDERS, OR THEIR RESPECTIVE SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF THE PUBLIC SANITARY SEWER FACILITIES AND PUBLIC STORM SEWER FACILITIES (IF AND WHEN INSTALLED) AND PUBLIC STORMWATER DRAINAGE FACILITIES, BUT THE LOT OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR SUCH OWNER'S AGENTS OR CONTRACTORS.
- WASHINGTON COUNTY RURAL WATER DISTRICT NO. 3 AND OTHER PUBLIC WATER, SANITARY SEWER, OR STORM SEWER SERVICE PROVIDERS, OR THEIR RESPECTIVE SUCCESSORS, THROUGH THEIR RESPECTIVE PROPER AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS WITH THEIR EQUIPMENT TO ALL UTILITY EASEMENTS SHOWN ON SAID PLAT, OR PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF THE PUBLIC WATER, PUBLIC SANITARY SEWER AND PUBLIC STORM SEWER (IF AND WHEN INSTALLED), AND PUBLIC STORMWATER DRAINAGE FACILITIES.
- SANITARY SEWER DISPOSAL: SEWAGE SHALL BE DISPOSED OF BY INDIVIDUAL ONSITE AEROBIC SEWAGE DISPOSAL SYSTEMS APPROVED BY THE OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY (ODEQ). NO OTHER ONSITE SEWAGE DISPOSAL SYSTEMS SHALL BE ALLOWED WITHOUT WRITTEN APPROVAL FROM THE OWNER. ALL SEWAGE DISPOSAL SYSTEMS SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE RULES AND REGULATIONS SET FORTH BY ODEQ. THE FOREGOING SHALL NOT LIMIT THE FUTURE INSTALLATION OR USE OF PUBLIC SANITARY SEWER SYSTEMS WHEN SUCH SYSTEMS BECOME AVAILABLE.
- THE FOLLOWING STORMWATER DRAINAGE FACILITIES/IMPROVEMENTS ARE THE PRIMARY RESPONSIBILITY OF EACH LOT OWNER TO MAINTAIN AND PROTECT:
  - THE BORROW DITCHES RUNNING PARALLEL TO THE STREET PAVING ALONG THE FRONTAGES OF EACH OWNER'S LOT, WHETHER THE DITCH IS WITHIN OR OUTSIDE THE STREET RIGHT-OF-WAY;
  - THE CULVERTS AND HEADWALLS AT THE DRIVEWAY ENTRANCES TO EACH OWNER'S LOT, WHETHER THE CULVERTS, HEADWALLS OR DRIVEWAYS ARE WITHIN OR OUTSIDE THE STREET RIGHT-OF-WAY;
  - OVERLAND DRAINAGE SWALES LOCATED ALONG OR NEAR THE LOT LINES OF EACH LOT OWNER'S LOT.
- EACH LOT WITHIN THE SUBDIVISION SHALL BE RESPONSIBLE FOR THE DESIGN, PERMITTING, CONSTRUCTION, AND MAINTENANCE OF ONSITE STORMWATER

RETENTION, AS OUTLINE IN THE TULSA COUNTY ENGINEERING DESIGN STANDARDS.

- THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION C. SHALL BE ENFORCEABLE BY WASHINGTON COUNTY RURAL WATER DISTRICT NO. 3 AND OTHER PUBLIC WATER, SANITARY SEWER, OR STORM SEWER SERVICE PROVIDERS, OR THEIR RESPECTIVE SUCCESSORS, AND THE OWNER AND OWNERS OF EACH LOT AGREE TO BE BOUND HEREBY.

### D. SURFACE DRAINAGE:

EACH LOT SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION. NO LOT OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM OR SURFACE WATERS OVER AND ACROSS THE LOT OR WITHIN THE BORROW DITCH DRAINAGE SYSTEM. THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION D. SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER.

### E. PAVING AND LANDSCAPING WITHIN EASEMENTS:

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

## SECTION II. ENFORCEMENT, DURATION, AMENDMENT OR TERMINATION, AND SEVERABILITY

### A. ENFORCEMENT:

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I. PUBLIC STREETS, EASEMENTS, AND UTILITIES AND SECTION II. ENFORCEMENT, DURATION, AMENDMENT OR TERMINATION, AND SEVERABILITY ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO, AND ADDITIONALLY THE COVENANTS WITHIN SECTIONS I. AND II., WHETHER OR NOT SPECIFICALLY THEREIN SO STATED, SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY TULSA COUNTY, 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. IN ANY JUDICIAL ACTION BROUGHT BY ANY OWNER OF A LOT IN SUBDIVISION, WHICH ACTION SEEKS TO ENFORCE THE COVENANTS AND/OR TO RECOVER DAMAGES FOR THE BREACH THEREOF, THE PREVAILING PARTY SHALL BE ENTITLED TO RECEIVE REASONABLE ATTORNEY'S FEES AND COSTS AND EXPENSES INCURRED IN SUCH ACTION.

### 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 OR TERMINATION:

THE COVENANTS CONTAINED WITHIN SECTION I. PUBLIC STREETS, EASEMENTS, AND UTILITIES AND SECTION II. ENFORCEMENT, DURATION, AMENDMENT OR TERMINATION, AND SEVERABILITY MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT THAT IS SIGNED AND ACKNOWLEDGED BY THE OWNERS 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 BOARD OF COUNTY COMMISSIONERS OF TULSA COUNTY, OKLAHOMA. THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING COVENANTS SHALL BE EFFECTIVE FROM AND AFTER THE DATE IT IS PROPERLY RECORDED.

### D. SEVERABILITY:

IN VAIN IF 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, SMALYGO PROPERTIES, INC., AN OKLAHOMA CORPORATION, HAS EXECUTED THIS INSTRUMENT ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2021.

SMALYGO PROPERTIES, INC.  
AN OKLAHOMA CORPORATION

BY: \_\_\_\_\_  
KYLE M. SMALYGO, PRESIDENT

STATE OF OKLAHOMA )

) SS

COUNTY OF TULSA )

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2021, PERSONALLY APPEARED KYLE M. SMALYGO, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THE NAME OF SMALYGO PROPERTIES, INC. TO THE FOREGOING INSTRUMENT, AS ITS PRESIDENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED AS TO THE FREE AND VOLUNTARY ACT AND DEED OF SMALYGO PROPERTIES, INC. FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL THE DAY AND YEAR LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES \_\_\_\_\_ NOTARY PUBLIC

## CERTIFICATE OF SURVEY

I, DAN E. TANNER, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED HEREIN AS "MINGO 20," A SUBDIVISION WITHIN TULSA COUNTY, STATE OF OKLAHOMA, IS A REPRESENTATION OF THE SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED PRACTICES AND MEETS OR EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING.

WITNESS MY HAND AND SEAL THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2021.

BY: \_\_\_\_\_  
DAN E. TANNER  
LICENSED LAND SURVEYOR  
OKLAHOMA NO. 1435



STATE OF OKLAHOMA )

) SS

COUNTY OF TULSA )

THE FOREGOING CERTIFICATE OF SURVEY WAS ACKNOWLEDGED BEFORE ME ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2021, BY DAN E. TANNER, AS A LICENSED LAND SURVEYOR.

MY COMMISSION EXPIRES \_\_\_\_\_ JENNIFER MILLER, NOTARY PUBLIC

DEPARTMENT OF ENVIRONMENTAL QUALITY APPROVAL



THE TULSA COUNTY OFFICE OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY HAS APPROVED THIS PLAT FOR THE USE OF PUBLIC WATER AND ON SITE SEWER SYSTEM ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2021.

ENVIRONMENTAL PROGRAM SPECIALIST  
DEPARTMENT OF ENVIRONMENTAL QUALITY

# Rural Water District No. 3 Washington County, Oklahoma

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17227 N. 129<sup>th</sup> E. Ave., P.O. Box 70, Collinsville, OK 74021-0070  
Ph. (918) 371-2055 • Fax (918) 371-3864 • TRS 711

October 4, 2021

Tulsa Metropolitan Planning Commission  
Subdivision Administration, INCOG  
Executive Center – 6<sup>th</sup> Floor  
201 West 5<sup>th</sup> Street  
Tulsa OK 74103  
FAX 583-1024

Attention: Diane Fernandez

Subject: Mingo 20, a subdivision in Tulsa County, being a part of the SE/4 of Section 24, T-22-N, R-13-E of the IB&M

Rural Water District #3, Washington County agrees to the release of the above-mentioned plat. The easements presently indicated on the plat of the subdivision named above satisfy the requirements of Rural Water District #3, Washington County for the designated use of the property as far as is known at this date.

Also, the Deed of Dedication contains the requested language to our satisfaction.

Further, this concurrence is not to be construed as to preempt the grant of any additional easements necessary to provide service to the property at some future date.

Rural Water District #3, Washington County requests a copy of the filed plat.

Sincerely,



Jerry Gammill  
District Manager

In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, age, disability, religion, sex, and familial status. (Not all prohibited bases apply to all programs).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C., 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD).



**Oklahoma  
Natural Gas®**

*A Division of ONE Gas*

5848 E 15<sup>th</sup> St

Tulsa, OK 74114

918-831-8371 oklahomanaturalgas.com

September 20, 2021

Kyle Smalygo  
Smalygo Properties  
123 North 7<sup>th</sup> Street  
Collinsville, OK 74021

RE: Draft Final Plat Mingo 20

**Letter of No Objection**

Dear Mr. Smalygo,

Oklahoma Natural Gas Company, a division of ONE Gas, Inc. (“ONG”) has no objection to the release of the above-mentioned plat. The easements presently indicated on the plat of Draft Final Plat Mingo 20 satisfy the requirements of Oklahoma Natural Gas for the designated use of the property as can be determined presently. Additionally, the Deed of Dedication contains the requested language to our satisfaction. Please be advised that ONG has underground/aboveground facilities in the area. If you need our facilities relocated to accommodate your excavation or construction, ONG will provide you a cost estimate.

Prior to any excavation, please contact OKIE-ONE 1-800-522-6543 a minimum of forty-eight (48) hours for approximate location of our facilities. ONG will hold the damaging party responsible for any repairs to our facilities. If any repairs are necessary, ONG is not responsible for any damage to any structures or landscaping on or in the utility easement.

Sincerely,

Chandler Eidson  
Manager of Engineering



Verdigris Valley Electric Cooperative, Inc.  
P.O. BOX 219, 8901 E. 146<sup>th</sup> St. North  
Collinsville, OK 74021  
(918) 371-2584 · FAX: (918) 371-9873

Alice Houston  
Manager

September 15, 2021

Board of Trustees:

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Vernon Lewis  
Claremore

Buddy McCarty  
Owasso

Stephen B. Riley  
Attorney

Kyle Smalygo  
Smalygo Properties, Inc.  
123 North 7<sup>th</sup> Street  
Collinsville, OK 74021

RE: Plat of **Mingo 20**  
SE/4 of Section 24, T-22-N, R-13-E, I.B.& M.  
Tulsa County, Oklahoma

Dear Kyle:

**Verdigris Valley Electric Cooperative, Inc.** hereby agrees to the release of the Plat of Mingo 20. We have reviewed the Final Plat for easements and Deed of Dedication language and have found all to be satisfactory.

Thank you,

*Keith DeLozier*  
Field Engineer  
Verdigris Valley Electric Cooperative

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