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

	(
[X] SUBDIVISION PL		R SUBDIVISION PLAT	
APPLICATION INFORMATI		NAME: Mind Diver Diego	
	HEDULE REFERENCE CASES		
		REFERENCE CASES	
SUBDIVISION PLAT SCHEDULE			
PUBLIC AGENCY REVIEW:	10/18/2023		
	11/1/0000		
TMAPC:	11/1/2023		
		BOA DATE:	
SUBJECT PROPERTY INF	ORMATION		
ADDRESS OF DESCRIPTIVE LOC	CATION: Northwest corner 121st St. S	C and Valo Avo	RACT SIZE: 13.414 acres ± acres
		5. and Tale Ave.	MOT SIZE. 15.414 acres ± acres
LEGAL DESCRIPTION: See attach	ed plat		
	PRESENT TOURIS DO		
PRESENT USE: vacant		4/CG/OL T-R-S: 18N-13E-33 COUNCIL DIS	TRICT: 8 CO COMM DISTRICT: N/A
WATER SUPPLY: City of Tulsa		SANITARY SEWER: City of Tulsa	
ELECTRIC: <u>AEP-PSO</u> GAS: <u>ON</u>		TV: Cox Communications SCHOOL DISTR	ICT: Jenks
INFORMATION ABOUT YO	OKT KOT COAL		
	al, and office development (see Option		DI OOKO PRODOSED, E
PROPOSED ZONING: No change	LOTS PROPOSED: 28		BLOCKS PROPOSED: 5
APPLICANT INFORMATION	N	PROPERTY OWNER INFOR	
NAME Tanner Consulting, LLC		NAME Gold Team Realty Group, LLC	
ADDRESS 5323 S. Lewis Ave.		ADDRESS 2502 East 21st Street, Su	ITE B
CITY, ST, ZIP Tulsa, OK 74105	^	CITY, ST, ZIP Tulsa, OK 74144	
DAYTIME PHONE (918) 745-992	**************************************	DAYTIME PHONE (918) 582-0139	
EMAIL eenyart@tannerbaitshop.c		EMAIL ATION ON THIS APPLICATION IS TRUE A	ND COPPECT
SIGNATURE & DATE:		ATION ON THIS APPLICATION IS TRUE A	IND CORRECT.
SIGNATURE & DATE.	(0/03/202)		
DOES OWNER CONSENT TO THI	S APPLICATION [X] YES [] NO		
WHAT IS APPLICANT'S RELATION	NSHIP TO OWNER? Engineer/Surve	eyor/Planner	
APPLICATION FEES (Mak	e checks payable to INCOG)	PRELIMINARY PLAT DISPO	SITION
PRELIMINARY PLAT FEE:	\$1,200	TMAPC ACTION: [] APPROVED []	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

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

SUBDIVISION PRE-APPL	ICATION RI	EVIEW	
PROJECT INFORMATION			
Subdivision Location: Northwest corn	ner 121st Street Sc	outh and South Y	ale Avenue
Acreage: 13.414 Number of	Lots: <u>28</u>	Project Name	: Wind River Plaza
Owner of Property: Gold Team Real	y Group, LLC		
Person Requesting Review: Tanner	Consulting, LLC /	Erik Enyart	Date: 10/03/2023
COMPREHENSIVE PLAN STAT	US		
LAND USE DESIGNATION: "Neighborhood	Center"	GROWTH OR	STABILITY DESIGNATION: Growth
The property [X] CONFORMS [] DO	ES NOT CONFO	RM to the Major	Street and Highway Plan.
ZONING AND PLATTING			
The property is currently zoned RS-4/	CG/OL with Optional D	Development Plan pur	rsuant to Z-7588
The proposed use of s.f. res./com./o	ffice [X] WOULD o	or[]WOULD NO	T conform to the zoning district classification.
Minimum lot size required: 7,150 SF	(single-family resi	idential / RS-4-zo	ned area)
Is the property is located within an a	pproved developm	nent plan? [X] YE	S[]NO
If yes, does the project conform to all	l development sta	ndards? [X] YES	[] NO
Is there a Rezoning or Board of Adju	stment case pend	ling on the site? [] YES [X] NO Case number:
When are the anticipated TMAPC ar	nd City Council, or	Board of Adjustn	nent meeting dates?
INFRASTRUCTURE NEEDS			
A brief summary of major infrastruction	ure to be provided	and by whom:	
Streets Existing public arterial street	s; internal private	street for Block 3	, Lot 1, and Block 4, Lot 1, and single-family
residential lots (except public street	along Lot 1, Block	1, and Lot 1, Blo	ck 2); all new streets to be provided by developer
Water City of Tulsa public water exis	ting and via exten	sions by develop	er
Sewer City of Tulsa public sanitary s	ewer existing and	via extensions b	y developer
Storm Water/Drainage City of Tulsa	public stormsewer	r existing and via	extensions by developer
Park and Trail Dadications Name			
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.

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 PROCESS

MEET	CIAIC	COL	JET	1111	
IVICEI	IIVU	201		JUJE.	

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

- 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.
- Revisions submitted subsequent to being released shall be reviewed and released again. TMAPC staff must have the latest final plat incorporating all of the revisions before placing on the agenda for approval by the Planning Commission.
- 6. Staff will schedule "draft final" plat for TMAPC approval after we receive all release letters and have confirmed that the release letters pertain to the latest revised version of the plat. Submittals required per Section 3.6.5 of the Subdivision Regulations must be received before the Final Plat is considered by TMAPC.
- 7. TMAPC considers approval of final plat.
- 8. Applicant submits final recordable documents with original notarized signatures to TMAPC staff.
- 9. Staff obtains signatures from TMAPC, City Attorney, City Engineering, Mayor and City Council for plats in City of Tulsa. For plats in unincorporated Tulsa County, staff obtains signatures from TMAPC and County Engineer.
- 10. Staff returns final signed documents to applicant for filing with the County Clerk. Final documents must be filed within one year of TMAPC final plat approval. One filed paper copy and the 2 required electronic discs are delivered to staff.

OWNER:

Gold Team Realty Group, L.L.C.
CONTACT: ALAN STAAB, MANAGER

2502 East 21st Street, Suite B

Tulsa, Oklahoma 74114

Phone: (918) 582-0139

EAST 121ST STREET SOUTH Location Map Scale: 1"= 2000' NORTH

SUBDIVISION CONTAINS:

TWENTY-EIGHT (28) LOTS IN FIVE (5) BLOCKS WITH TWO (2) RESERVE AREAS

GROSS SUBDIVISION AREA: 13.414 ACRES

LEGEND

BUILDING LINE BUILDING LINE & UTILITY EASEMENT **BOOK & PAGE** CHORD BEARING CHORD DISTANCE CENTERLINE DELTA ANGLE DOCUMENT EASEMENT FENCE EASEMENT GOVERNMENT LIMITS OF NO ACCESS OVERLAND DRAINAGE EASEMENT RES. RESERVE RIGHT-OF-WAY SQUARE FEET SIDEWALK EASEMENT UTILITY EASEMENT ADDRESS ASSIGNED

FOUND MONUMENT

SET MONUMENT (SEE NOTE 2)

Notes:

- 1. 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.
- 2. ALL PROPERTY CORNERS ARE SET 3/8" IRON REBAR WITH YELLOW CAP STAMPED "TANNER 1435" UNLESS OTHERWISE NOTED.
- 3. 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:
- (A) FOUND 3/8" IRON PIN AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 33;
- (B) FOUND BRASS CAP AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 33;
 - THE BEARING BETWEEN SAID MONUMENTS BEING NORTH 01°14'19" WEST.
- 4. ADDRESSES SHOWN ON THIS PLAT WERE PROVIDED BY THE CITY OF TULSA AND WERE 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.
- 5. ACCESS AT THE TIME OF PLAT WAS PROVIDED BY EAST 121ST STREET SOUTH AND SOUTH YALE AVENUE BY VIRTUE OF RIGHT-OF-WAY DEDICATED BY THIS PLAT AND BY EAST 119TH STREET SOUTH, BEING A PUBLIC STREET.
- 6. DATE OF LAST SURVEY VISIT: JANUARY 5, 2023

Curve Table

Cuive luble						
	CURVE	LENGTH(L)	RADIUS(R)	DELTA(Δ)	CHORDBRG(CB)	CHORDDIS(CD)
	1	47.18'	30.00'	90°05'57"	N43°48'40"E	42.46'
	2	39.30'	25.00'	90°03'55"	N43°49'41"E	35.38'
	3	39.24'	25.00'	89°56'05"	N46°10'19"W	35.34'
	4	26.25'	75.00'	20°03'04"	N8°49'16"E	26.11'
	5	69.99'	100.00'	40°06'08"	N1°12'16"W	68.57'
	6	26.25'	75.00'	20°03'04"	N11°13'48"W	26.11'
	7	39.30'	25.00'	90°03'31"	N43°49'29"E	35.37'
	8	39.24'	25.00'	89°56'29"	N46°10'31"W	35.34'

OPTIONAL DEVELOPMENT PLAN Z-7588

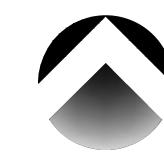
Wind River Plaza

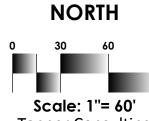
PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (E/2 SE/4 SE/4)
SECTION 33, TOWNSHIP 18 NORTH, RANGE 13 EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA

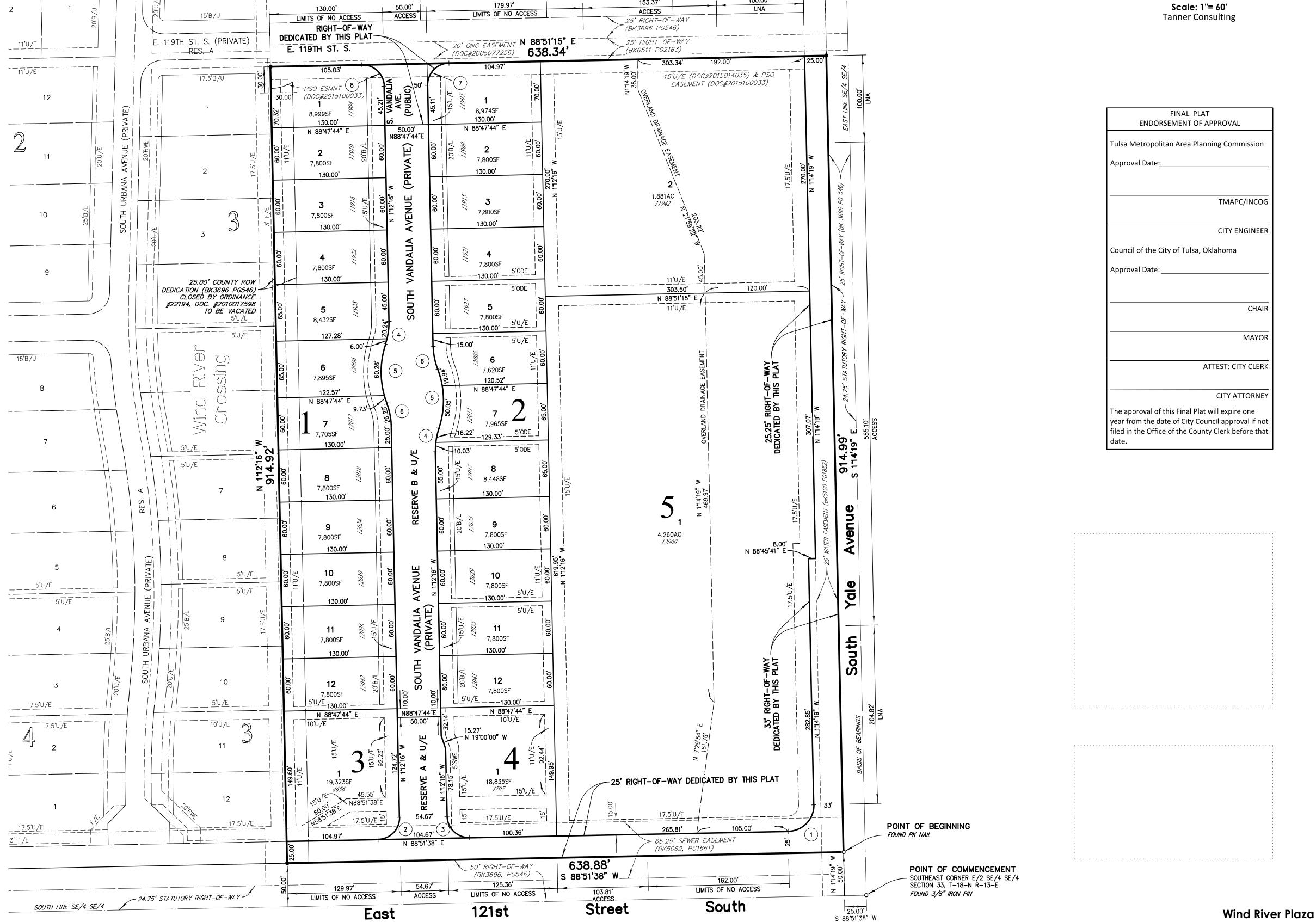
SURVEYOR/ENGINEER:

Tanner Consulting, L.L.C.

DAN E. TANNER, P.L.S. NO. 1435
OK CA NO. 2661, EXPIRES 6/30/2025
EMAIL: DAN@TANNERBAITSHOP.COM
5323 South Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918) 745-9929







Preliminary Plat

OPTIONAL DEVELOPMENT PLAN Z-7588

Wind River Plaza

PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (E/2 SE/4 SE/4) SECTION 33, TOWNSHIP 18 NORTH, RANGE 13 EAST OF THE INDIAN MERIDIAN A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA

Deed of Dedication

KNOW ALL MEN BY THESE PRESENTS:

GOLD TEAM REALTY GROUP, L.L.C., AN OKLAHOMA LIMITED LIABILITY COMPANY, HEREINAFTER REFERRED TO AS THE "OWNER", IS THE OWNER OF THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA:

A TRACT OF LAND THAT IS PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (E/2 SE/4 SE/4) OF SECTION THIRTY-THREE (33), TOWNSHIP EIGHTEEN (18) 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 E/2 SE/4 SE/4; THENCE SOUTH 88°51'38" WEST AND ALONG THE SOUTH LINE OF THE E/2 SE/4 SE/4, FOR A DISTANCE OF 25.00 FEET; THENCE NORTH 1°14'19" WEST AND PARALLEL WITH THE EAST LINE OF THE E/2 SE/4 SE/4, FOR A DISTANCE OF 50.00 FEET TO A POINT ON THE PRESENT NORTH RIGHT-OF-WAY LINE OF EAST 121ST STREET SOUTH BY VIRTUE OF DEDICATION DEED FOR PUBLIC HIGHWAY DATED THE 29TH DAY OF MARCH, 1966 AND FILED OF RECORD APRIL 4, 1966 IN BOOK 3696 ON PAGE 546 IN THE RECORDS OF THE COUNTY CLERK, TULSA COUNTY, STATE OF OKLAHOMA, SAID POINT BEING THE POINT OF BEGINNING;

THENCE SOUTH 88°51'38" WEST AND ALONG SAID NORTH RIGHT-OF-WAY LINE, FOR A DISTANCE OF 638.88 FEET TO A POINT, SAID POINT BEING THE SOUTHEAST CORNER OF "WIND RIVER CROSSING", A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 6605); THENCE NORTH 1°12'16" WEST AND ALONG THE EAST LINE OF SAID SUBDIVISION, FOR A DISTANCE OF 914.92 FEET TO A POINT ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF EAST 119TH STREET SOUTH; THENCE NORTH 88°51'15" EAST AND ALONG SAID SOUTH RIGHT-OF-WAY LINE, FOR A DISTANCE OF 638.34 TO A POINT ON THE PRESENT WEST RIGHT-OF-WAY LINE OF SOUTH YALE AVENUE; THENCE SOUTH 1°14'19" EAST AND ALONG SAID WEST RIGHT-OF-WAY LINE, FOR A DISTANCE OF 914.99 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINING 584,295 SQUARE FEET, OR 13.414 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:

- (A) FOUND 3/8" IRON PIN AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 33;
- (B) FOUND BRASS CAP AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 33;

THE BEARING BETWEEN SAID MONUMENTS BEING NORTH 1°14'19" WEST.

THE OWNER HAS CAUSED THE SAME TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO LOTS, BLOCKS, RESERVE AREAS, AND STREETS AS SHOWN BY THE ACCOMPANYING PLAT AND SURVEY THEREOF, AND WHICH PLAT IS MADE A PART HEREOF; AND THE OWNER HAS GIVEN TO SAID PLAT THE NAME OF "WIND RIVER PLAZA", A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA, (WHEREVER THE WORD "SUBDIVISION" APPEARS HEREIN THE SAME SHALL CONCLUSIVELY BE DEEMED TO MEAN "WIND RIVER PLAZA" UNLESS THE CONTEXT CLEARLY DICTATES OTHERWISE. LIKEWISE, WHEREVER THE WORD "CITY" APPEARS HEREIN THE SAME SHALL CONCLUSIVELY BE DEEMED TO MEAN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA, UNLESS THE CONTEXT CLEARLY DICTATES OTHERWISE). NOW, THEREFORE, THE OWNER, FOR THE PURPOSE OF PROVIDING FOR THE ORDERLY DEVELOPMENT OF THE SUBDIVISION, AND FOR THE PURPOSE OF INSURING ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE OWNER, ITS SUCCESSORS, GRANTEES AND ASSIGNS, THE BENEFICIARIES OF THE COVENANTS SET FORTH BELOW, DOES HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS, WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND WHICH SHALL BE ENFORCEABLE BY THE OWNER OR OWNER OF ANY PROPERTY WITHIN THE SUBDIVISION AND BY THE BENEFICIARIES OF THE COVENANTS SET FORTH BELOW AND WHICH SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH.

SECTION I. STREETS, UTILITIES, AND EASEMENTS

THE OWNER HEREBY DEDICATES TO THE PUBLIC THE STREET RIGHTS-OF-WAY FOR EAST 121ST STREET SOUTH, SOUTH YALE AVENUE, AND THAT PART OF SOUTH VANDALIA AVENUE DESIGNATED "PUBLIC", ALL 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, 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 STATED, PROVIDED THE OWNER RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY, AND REPAIR OR REPLACE WATERLINES, SANITARY SEWER MAINS, AND STORM SEWER MAINS, 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, SANITARY SEWER, AND STORM 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 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 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, CURBING, LANDSCAPING, AND CUSTOMARY SCREENING FENCES THAT DO NOT CONSTITUTE AN OBSTRUCTION.

A. UTILITY SERVICE:

1. OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE, AND COMMUNICATION SERVICES MAY BE LOCATED WITHIN THE EAST AND SOUTH PERIMETER UTILITY EASEMENTS OF THE SUBDIVISION AND WITHIN THE RIGHTS-OF-WAY OF SOUTH YALE AVENUE AND EAST 121ST STREET SOUTH AS DEDICATED BY THIS PLAT. STREET LIGHT POLES OR STANDARDS SHALL BE SERVED BY UNDERGROUND CABLE AND, EXCEPT AS PROVIDED IN THE IMMEDIATELY-PRECEDING SENTENCE, ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN 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.

2. 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 A STRUCTURE UPON THE LOT, PROVIDED THAT, 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.

3. EACH SUPPLIER OF ELECTRIC, TELEPHONE, 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, TELEPHONE, COMMUNICATION, OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE

4. THE OWNER OF ANY LOT OR RESERVE AREA SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON THE OWNER'S LOT OR RESERVE AREA AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE, COMMUNICATION. OR GAS FACILITIES. EACH SUPPLIER OF THESE SERVICES SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER OF THE LOT OR RESERVE AREA SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OF THE LOT OR RESERVE AREA OR SAID OWNER'S AGENTS OR CONTRACTORS.

THE COVENANTS SET FORTH IN THIS SUBSECTION A. SHALL BE ENFORCEABLE BY EACH SUPPLIER OF THE ELECTRIC, TELEPHONE, COMMUNICATION, OR GAS SERVICE AND THE OWNER OF ANY LOT OR RESERVE AREA AGREES TO BE BOUND BY THESE COVENANTS.

B. GAS SERVICE:

1. 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 AS OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, REMOVING, REPAIRING, OR REPLACING ANY PORTION OF THE FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE.

2. THE OWNER OF THE LOT OR RESERVE AREA SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED IN THEIR LOT OR RESERVE AREA AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY OTHER CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE GAS SERVICE. THE SUPPLIER OF THE GAS SERVICE SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF SAID FACILITIES, BUT THE OWNER OF THE LOT OR RESERVE AREA SHALL PAY FOR DAMAGE OR RELOCATION OF FACILITIES CAUSED OR NECESSITATED BY ACTS OF SUCH OWNER OR SUCH OWNER'S AGENTS OR CONTRACTORS.

3. THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION B. SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE GAS SERVICE AND THE LOT OR RESERVE AREA OWNER AGREES TO BE BOUND BY THESE COVENANTS.

C. WATER, SANITARY SEWER, AND STORM SEWER SERVICE:

1. THE OWNER OF ANY LOT OR RESERVE AREA SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS LOCATED THE OWNER'S LOT OR RESERVE AREA.

2. 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, SANITARY SEWER MAIN, OR STORM SEWER, OR ANY CONSTRUCTION ACTIVITY WHICH, IN THE JUDGMENT OF THE CITY OF TULSA, WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS, OR STORM SEWERS SHALL BE PROHIBITED.

3. THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS BUT THE OWNER OF THE LOT OR RESERVE AREA SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OR RESERVE AREA OWNER OR SAID OWNER'S AGENTS OR CONTRACTORS.

4. THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL 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 UNDERGROUND WATER, SANITARY SEWER, OR STORM SEWER FACILITIES.

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

D. OVERLAND DRAINAGE EASEMENTS:

1. THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC PERPETUAL EASEMENTS ON, OVER, AND ACROSS THOSE AREAS DESIGNATED ON THE ACCOMPANYING PLAT AS "OVERLAND DRAINAGE EASEMENT" OR "ODE" FOR THE PURPOSE OF PERMITTING THE OVERLAND FLOW, CONVEYANCE, AND DISCHARGE OF STORMWATER RUNOFF FROM VARIOUS LOTS AND RESERVE AREAS WITHIN THE SUBDIVISION AND FROM PROPERTIES OUTSIDE THE SUBDIVISION.

2. DRAINAGE FACILITIES LOCATED WITHIN OVERLAND DRAINAGE EASEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE ADOPTED STANDARDS OF THE CITY OF TULSA, OKLAHOMA, AND PLANS AND SPECIFICATIONS APPROVED BY THE CITY OF TULSA, OKLAHOMA.

3. NO FENCE, WALL, BUILDING, OR OTHER OBSTRUCTION SHALL BE PLACED OR MAINTAINED WITHIN AN OVERLAND DRAINAGE EASEMENT, NOR SHALL THERE BE ANY ALTERATION OF THE GRADE IN SUCH EASEMENTS UNLESS APPROVED BY THE CITY OF TULSA, OKLAHOMA, PROVIDED THAT THE PLANTING OF TURF SHALL NOT REQUIRE THE APPROVAL OF THE CITY OF TULSA, OKLAHOMA.

4. OVERLAND DRAINAGE EASEMENTS LOCATED WITHIN A LOT SHALL BE MAINTAINED BY THE OWNER OF THE LOT AT THE OWNER'S EXPENSE IN ACCORDANCE WITH STANDARDS PRESCRIBED BY THE CITY OF TULSA, OKLAHOMA. IN THE EVENT SUCH OWNER FAILS TO PROPERLY MAINTAIN THE EASEMENT LOCATED THEREON OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN THE EASEMENT, OR THE ALTERATION OF GRADE THEREIN, THE CITY OF TULSA, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER THE OVERLAND DRAINAGE EASEMENT AREA AND PERFORM MAINTENANCE NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT ANY ALTERATION OF GRADE, AND THE COSTS SHALL BE PAID BY THE LOT OWNER. IN THE EVENT SUCH OWNER FAILS TO PAY THE COST OF MAINTENANCE AFTER RECEIPT OF A STATEMENT OF COSTS FROM THE CITY OF TULSA, OKLAHOMA, THE CITY MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS IN THE LAND RECORDS OF THE TULSA COUNTY CLERK, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST THE LOT. A LIEN ESTABLISHED AS PROVIDED ABOVE MAY BE FORECLOSED BY THE CITY OF TULSA, OKLAHOMA.

E. SURFACE DRAINAGE:

EACH LOT AND RESERVE AREA SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS, RESERVE AREAS, AND DRAINAGE AREAS OF HIGHER ELEVATION. NO LOT OR RESERVE AREA 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 THE OWNER'S LOT OR RESERVE AREA. THE COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OR RESERVE AREA OWNER AND BY THE CITY OF TULSA, OKLAHOMA.

F. PAVING AND LANDSCAPING WITHIN EASEMENTS:

THE OWNER OF ANY LOT OR RESERVE AREA DEPICTED ON THE ACCOMPANYING PLAT 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, OR ELECTRIC FACILITIES WITHIN THE UTILITY 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.

G. SIDEWALKS:

SIDEWALKS SHALL BE CONSTRUCTED AND MAINTAINED ALONG STREETS DESIGNATED BY AND IN ACCORDANCE WITH THE TULSA METROPOLITAN AREA SUBDIVISION AND DEVELOPMENT REGULATIONS AND CITY OF TULSA ORDINANCES AND IN CONFORMANCE WITH THE CITY OF TULSA ENGINEERING DESIGN STANDARDS. THE OWNER SHALL BE RESPONSIBLE FOR CONSTRUCTION OF A SIDEWALK WITHIN THE STREET RIGHTS-OF-WAY ALONG THE NORTH LINES OF BLOCKS ONE (1) AND TWO (2) AND ALONG THE SOUTH LINES OF BLOCKS THREE (3) AND FOUR (4) PER THE CONSTRUCTION PLANS APPROVED BY THE CITY OF TULSA, OKLAHOMA. ELSEWHERE WITHIN THE SUBDIVISION, PRIOR TO THE ISSUANCE OF AN OCCUPANCY PERMIT FOR THE BUILDING WITHIN A RESIDENTIAL OR NONRESIDENTIAL LOT, THE OWNER OF THE PARTICULAR LOT SHALL CONSTRUCT, AND THEREAFTER MAINTAIN, THE SIDEWALK WITHIN THE RIGHT-OF-WAY ADJACENT TO THE LOT. SIDEWALKS SHALL BE CONTINUOUS WITH ADJOINING SIDEWALKS.

H. SIDEWALK EASEMENT:

THE OWNER HEREBY ESTABLISHES A PERPETUAL, NON-EXCLUSIVE 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, FOR THE PURPOSES OF CONSTRUCTING, MAINTAINING, AND REPLACING SIDEWALKS.

I. 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, AND STORM SEWER SYSTEMS, AND SIDEWALKS THAT THE OWNER IS OBLIGATED TO CONSTRUCT) 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 OF A TEMPORARY CERTIFICATE OF OCCUPANCY.

J. LIMITS OF NO ACCESS:

THE OWNER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO SOUTH YALE AVENUE, EAST 121ST STREET SOUTH, AND EAST 119TH STREET SOUTH WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" (L.N.A.) ON THE ACCOMPANYING PLAT, WHICH "LIMITS OF NO ACCESS" MAY BE AMENDED OR RELEASED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSOR, AND 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 ABOVE ESTABLISHED SHALL BE ENFORCEABLE BY THE CITY OF TULSA.

SECTION II. RESERVE AREAS

A. RESERVES A AND B

1. RESERVE A, AS DESIGNATED ON THE ACCOMPANYING PLAT, IS HEREBY ESTABLISHED BY GRANT OF THE OWNER AS A PRIVATE STREET FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF ALL LOTS WITHIN THE SUBDIVISION AND THEIR RESPECTIVE GUESTS AND INVITEES, AND LIKEWISE RESERVE B, AS DESIGNATED ON THE ACCOMPANYING PLAT, IS HEREBY ESTABLISHED BY GRANT OF THE OWNER AS A PRIVATE STREET FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF LOTS WITHIN BLOCKS 1 AND 2 OF THE SUBDIVISION, AND THEIR RESPECTIVE GUESTS AND INVITEES, FOR THE PURPOSE OF PROVIDING VEHICULAR AND PEDESTRIAN ACCESS TO AND FROM SAID LOTS AND THE PUBLIC STREETS, AND SHALL BE LIMITED TO USE FOR A PRIVATE STREETS AND SIDEWALKS, FOR PROVIDING DRAINAGE FACILITIES TO CONTROL STORMWATER RUNOFF, FOR UTILITIES. AND FOR PROVIDING ENTRANCE SECURITY FACILITIES. DECORATIVE FENCING, SIGNAGE, LANDSCAPING, IRRIGATION, AND LIGHTING, AND ARE RESERVED FOR SUBSEQUENT CONVEYANCE TO THE PROPERTY OWNERS' ASSOCIATION TO BE FORMED, PURSUANT TO SECTION IV. HEREOF, FOR THE PURPOSES OF THE ADMINISTRATION AND MAINTENANCE OF THE PRIVATE STREETS AND OTHER COMMON AREAS OF THE SUBDIVISION.

2. THE OWNER HEREBY GRANTS TO THE CITY OF TULSA, OKLAHOMA, THE UNITED STATES POSTAL SERVICE, ANY PUBLIC UTILITY PROVIDING UTILITY SERVICE AND ANY REFUSE COLLECTION SERVICE WHICH PROVIDES SERVICE WITHIN THE SUBDIVISION, THE RIGHT TO ENTER AND TRAVERSE THE PRIVATE STREETS WITHIN RESERVES A AND B AND TO OPERATE THEREON ALL SERVICE, EMERGENCY AND GOVERNMENT VEHICLES INCLUDING, BUT NOT LIMITED TO, POLICE, FIRE, AND EMERGENCY MEDICAL VEHICLES AND EQUIPMENT.

3. THE OWNER, FOR ITSELF AND ITS SUCCESSORS, 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:

- a. CONSTRUCT AND MAINTAIN A STREET EXTENDING THE FULL, COMBINED LENGTH OF RESERVES A AND B, AS DEPICTED ON THE ACCOMPANYING PLAT, AND MEETING OR EXCEEDING CITY OF TULSA DESIGN STANDARDS FOR A RESIDENTIAL PUBLIC STREET.
- b. PROHIBIT THE ERECTION OF ANY ARCH OR SIMILAR STRUCTURE OVER ANY PRIVATE STREET WITHIN RESERVES A OR B, AS DEPICTED ON THE ACCOMPANYING PLAT, WHICH WOULD OBSTRUCT THE PASSAGE OF ANY GOVERNMENTAL OR EMERGENCY VEHICLE AND SPECIFICALLY ANY FIRE SUPPRESSION VEHICLE.
- c. SECURE INSPECTION BY THE CITY OF TULSA, OKLAHOMA, OF THE PRIVATE STREET AND SECURE CERTIFICATION BY THE CITY OF TULSA, OKLAHOMA, THAT THE PRIVATE STREET HAS 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 METROPOLITAN AREA PLANNING COMMISSION PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR ANY LOT THAT DERIVES ITS ACCESS FROM A PRIVATE STREET.

4. THE OWNER ACKNOWLEDGES FOR ITSELF AND ITS SUCCESSORS IN TITLE THAT THE CITY OF TULSA, OKLAHOMA, SHALL HAVE NO DUTY TO MAINTAIN THE PRIVATE STREET WITHIN THE SUBDIVISION, NOR HAVE ANY IMPLIED OBLIGATION TO ACCEPT ANY SUBSEQUENT TENDER OF DEDICATION OF THE PRIVATE STREET WITHIN THE SUBDIVISION.

B. ALL RESERVE AREAS

ALL COSTS AND EXPENSES ASSOCIATED WITH ALL RESERVE AREAS, INCLUDING MAINTENANCE OF VARIOUS IMPROVEMENTS AND FACILITIES, SHALL BE THE RESPONSIBILITY OF THE OWNERS THEREOF, WHICH SHALL BE THE PROPERTY OWNERS' ASSOCIATION UPON CONVEYANCE OF THE RESERVE AREAS TO THE ASSOCIATION. THE CITY OF TULSA SHALL NOT BE LIABLE FOR ANY DAMAGE OR REMOVAL OF ANY LANDSCAPING OR IRRIGATION SYSTEMS IN ANY RESERVE AREA.

2. EACH LOT AND RESERVE AREA OWNER OR RESIDENT AND/OR MEMBER OF THE PROPERTY OWNERS' ASSOCIATION AGREES TO HOLD HARMLESS THE OWNERS AND THE CITY OF TULSA, AND THEIR RESPECTIVE AGENTS AND REPRESENTATIVES, FROM ALL CLAIMS, DEMANDS, LIABILITIES, OR DAMAGES ARISING IN CONNECTION WITH THE OWNERSHIP OR USE OF THE FACILITIES AND IMPROVEMENTS CONSTRUCTED OR SITUATED IN THE RESERVE AREAS AND FURTHER AGREES THAT NEITHER THE CITY OF TULSA NOR THE OWNER SHALL BE LIABLE TO THE LOT OR RESERVE AREA OWNER OR RESIDENT AND/OR MEMBER OF THE PROPERTY OWNERS' ASSOCIATION OR ANY GUEST, VISITOR OR INVITEE THEREOF FOR ANY DAMAGE TO PERSON OR PROPERTY CAUSED BY ACTION, OMISSION OR NEGLIGENCE OF ANY LOT OR RESERVE AREA OWNER OR RESIDENT AND/OR MEMBER OF THE ASSOCIATION OR ANY GUEST, VISITOR, OR INVITEE THEREOF.

SECTION III. OPTIONAL DEVELOPMENT PLAN RESTRICTIONS

WHEREAS, WHEREAS, WIND RIVER PLAZA WAS SUBMITTED, IN CONCERT WITH REZONING APPLICATION Z-7588, AS AN "OPTIONAL DEVELOPMENT PLAN" AS PROVIDED WITHIN SECTION 70.040, TITLE 42, TULSA REVISED ORDINANCES (THE TULSA ZONING CODE) IN EXISTENCE AS OF NOVEMBER 5, 2020 (APPLICATION FILING DATE), AND

WHEREAS THE OPTIONAL DEVELOPMENT PLAN WAS AFFIRMATIVELY RECOMMENDED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION ON JANUARY 20, 2021, AND WAS REVISED AND APPROVED BY THE COUNCIL OF THE CITY OF TULSA, OKLAHOMA, ON FEBRUARY 24, 2021, THE IMPLEMENTING ORDINANCE, NO. 24578, BEING ADOPTED BY THE COUNCIL ON MARCH 10, 2021, AND

WHEREAS, THE CITY OF TULSA REQUIRES THE ESTABLISHMENT OF COVENANTS OF RECORD INURING TO AND ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, SUFFICIENT TO INSURE CONTINUED COMPLIANCE WITH THE APPROVED OPTIONAL DEVELOPMENT

WHEREAS, THE OWNER DESIRES TO ESTABLISH RESTRICTIONS FOR THE PURPOSE OF ACHIEVING AN ORDERLY DEVELOPMENT FOR THE MUTUAL BENEFIT OF THE OWNER, THE OWNER'S SUCCESSORS IN TITLE, 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.

A. GENERAL DEVELOPMENT AND CONDITIONS:

THE DEVELOPMENT OF WIND RIVER PLAZA SHALL BE SUBJECT TO THE OPTIONAL DEVELOPMENT PLAN PROVISIONS OF THE TULSA ZONING CODE AS SUCH PROVISIONS EXISTED ON NOVEMBER 5, 2020 (APPLICATION FILING DATE), OR AS MAY BE AMENDED SUBSEQUENT TO THAT DATE.

B. DEVELOPMENT STANDARDS (ALL LOTS):

THE LOTS WITHIN WIND RIVER PLAZA (HEREINAFTER REFERRED TO AS THE "LOTS") SHALL BE SUBJECT TO THE PROVISIONS OF THE TULSA ZONING CODE FOR DEVELOPMENT IN THE RS-4, CG, AND OL ZONING DISTRICTS AND THEIR RESPECTIVE SUPPLEMENTAL REGULATIONS AND ACCESSORY USE PROVISIONS, AS THE LOTS ARE SPECIFICALLY ZONED, EXCEPT AS FURTHER REFINED BELOW. ALL USE CATEGORIES, BUILDING TYPES, SUBCATEGORIES, OR SPECIFIC USES OUTSIDE OF THE PERMITTED USES DEFINED BELOW ARE PROHIBITED.

C. DEVELOPMENT STANDARDS (ALL LOTS WITHIN BLOCKS 1 AND 2):

ALL LOT AND BUILDING REGULATIONS IN THE CITY OF TULSA ZONING CODE FOR RS-4 ZONING UNLESS AMENDED HEREIN BELOW.

PERMITTED USES:

RESIDENTIAL USE CATEGORY

HOUSEHOLD LIVING (LIMITED TO BUILDING TYPE IDENTIFIED BELOW) SINGLE HOUSEHOLD

2. PERMITTED RESIDENTIAL BUILDING TYPES: **RESIDENTIAL USE CATEGORY**

HOUSEHOLD LIVING SUBCATEGORY

SINGLE HOUSEHOLD SPECIFIC BUILDING TYPES **DETACHED HOUSE** PATIO HOUSE

MINIMUM LOT WIDTH:

55 FEET

Wind River Plaza DATE OF PREPARATION: October 2, 2023

Preliminary Plat

OPTIONAL DEVELOPMENT PLAN Z-7588

Wind River Plaza

PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (E/2 SE/4 SE/4) SECTION 33, TOWNSHIP 18 NORTH, RANGE 13 EAST OF THE INDIAN MERIDIAN A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA

Deed of Dedication (Continued)

MINIMUM LOT AREA: 7,150 SQUARE FEET

MINIMUM SIDE YARD SETBACKS:

AS SET FORTH IN THE CITY OF TULSA ZONING CODE FOR RS-4. PROVIDED THAT SIDE YARDS SEPARATED FROM A STREET BY A RESERVE AREA SHALL MEET THE SETBACKS OF A CORNER LOT.

STREETS:

STREETS MAY BE PUBLIC OR PRIVATE AND GATED.

PRIVATE STREETS AND GATE SYSTEMS SHALL CONFORM TO THE STANDARDS OUTLINED FOR MINOR RESIDENTIAL STREETS IN THE TULSA SUBDIVISION AND DEVELOPMENT REGULATIONS EFFECTIVE MAY 10, 2018 EXCEPT AS THOSE STANDARDS MAY HAVE BEEN AMENDED AT THE TIME THE SUBDIVISION PLAT IS SUBMITTED FOR CONSIDERATION BY THE TULSA METROPOLITAN AREA PLANNING

ANY GATE ASSEMBLY ON A PRIVATE STREET MUST RECEIVE A BUILDING PERMIT FROM THE CITY OF TULSA BUILDING PERMIT OFFICE PRIOR TO CONSTRUCTION. PRIOR TO ISSUANCE OF A BUILDING PERMIT, THE TULSA PLANNING OFFICE SHALL APPROVE THE SITE PLAN BUT WILL NOT APPROVE THE SITE PLAN UNTIL RECEIPT OF A LETTER APPROVAL FROM RELEVANT DEPARTMENTS IN THE CITY OF TULSA.

D. DEVELOPMENT STANDARDS (ALL OF BLOCKS 3 AND 4 AND LOT 1 OF BLOCK 5):

ALL LOT AND BUILDING REGULATIONS IN THE CITY OF TULSA ZONING CODE FOR CG **ZONING UNLESS AMENDED HEREIN BELOW**

1. PERMITTED USES:

RESIDENTIAL USE CATEGORY:

HOUSEHOLD LIVING (ONLY IF ALLOWED IN THE BUILDING TYPE SECTION

SINGLE HOUSEHOLD

TWO HOUSEHOLDS ON A SINGLE LOT

THREE OR MORE HOUSEHOLDS ON A SINGLE LOT

PUBLIC, CIVIC AND INSTITUTIONAL USE CATEGORY:

PARKS AND RECREATION BUT LIMITED TO A PRIVATELY OWNED AND

MAINTAINED PARK COMMERCIAL USE CATEGORY:

DAY CARE

ASSEMBLY AND ENTERTAINMENT

SMALL INDOOR ASSEMBLY AND ENTERTAINMENT (UP TO 250-PERSON

CAPACITY) BROADCAST OR RECORDING STUDIO

FOOD TRUCK COURT

FOOD TRUCKS SHALL NOT BE POWERED BY GAS GENERATORS. ELECTRICAL CONNECTIONS WILL BE PROVIDED FOR EACH FOOD TRUCK SPACE.

COMMERCIAL SERVICE

BUSINESS SUPPORT SERVICE

PERSONAL IMPROVEMENT SERVICE

FINANCIAL SERVICES, EXCLUDING PERSONAL CREDIT ESTABLISHMENTS

LODGING BED & BREAKFAST

> SHORT TERM RENTAL AS AN ACCESSORY USE TO MIXED-USE AND VERTICAL MIXED-USE BUILDINGS, SUBJECT TO ALL SUPPLEMENTAL

REGULATIONS IDENTIFIED IN THE ZONING CODE. OFFICE

BUSINESS OR PROFESSIONAL OFFICE

MEDICAL, DENTAL, AND HEALTH PRACTITIONER OFFICES **RESTAURANTS AND BARS**

RESTAURANT

BAR (NOTE: THIS USE REQUIRES SPECIAL EXCEPTION APPROVAL IF ALCOHOLIC BEVERAGES ARE SOLD OR SERVED, AND THE SUBJECT LOT IS LOCATED WITHIN 150 FEET OF ANY RESIDENTIAL ZONING DISTRICT OTHER THAN R-ZONED STREET RIGHT OF WAY)

RETAIL SALES

CONSUMER SHOPPING GOODS

CONVENIENCE GOODS

GROCERY STORE STUDIO, ARTIST, OR INSTRUCTIONAL SERVICE AGRICULTURAL USE CATEGORY:

FARM, MARKET OR COMMUNITY SUPPORTED GARDEN OTHER USE CATEGORY:

DRIVE-THROUGH FACILITY (AS A COMPONENT OF AN ALLOWED PRINCIPAL

2. BUILDING TYPE REGULATIONS FOR HOUSEHOLD LIVING:

RESIDENTIAL USE CATEGORY

HOUSEHOLD LIVING SUBCATEGORY

ONE HOUSEHOLD ON A SINGLE LOT I SPECIFIC BUILDING TYPE MIXED-USE BUILDING VERTICAL MIXED-USE BUILDING

TWO HOUSEHOLDS ON A SINGLE LOT I SPECIFIC BUILDING TYPE MIXED-USE BUILDING

VERTICAL MIXED-USE BUILDING

THREE OR MORE HOUSEHOLDS ON A SINGLE LOT I SPECIFIC BUILDING TYPE

MIXED-USE BUILDING VERTICAL MIXED-USE BUILDING

3. MAXIMUM FLOOR AREA RATIO (FAR):

0.75

STREETS MAY BE PUBLIC OR PRIVATE AND GATED.

PRIVATE STREETS AND GATE SYSTEMS SHALL CONFORM TO THE STANDARDS OUTLINED FOR MINOR RESIDENTIAL STREETS IN THE TULSA SUBDIVISION AND DEVELOPMENT REGULATIONS EFFECTIVE MAY 10, 2018 EXCEPT AS THOSE STANDARDS MAY HAVE BEEN AMENDED AT THE TIME THE SUBDIVISION PLAT IS SUBMITTED FOR CONSIDERATION BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION.

ANY GATE ASSEMBLY ON A PRIVATE STREET MUST RECEIVE A BUILDING PERMIT FROM THE CITY OF TULSA BUILDING PERMIT OFFICE PRIOR TO CONSTRUCTION. PRIOR TO ISSUANCE OF A BUILDING PERMIT THE TULSA PLANNING OFFICE SHALL APPROVE THE SITE PLAN BUT WILL NOT APPROVE THE SITE PLAN UNTIL RECEIPT OF A LETTER APPROVAL FROM RELEVANT DEPARTMENTS IN THE CITY OF TULSA.

SIGNS:

GROUND SIGNAGE IN THE WEST 310 FEET OF THE COMMERCIAL TRACT SHALL BE MONUMENT STYLE SIGNAGE AND LIMITED TO 12 FEET IN HEIGHT. IN THIS AREA DYNAMIC DISPLAY SIGNAGE OF ANY KIND IS PROHIBITED. ILLUMINATED OR DYNAMIC DISPLAY WALL SIGNAGE IS PROHIBITED ON THE WEST WALL OF ANY BUILDING.

6. SECOND STORY RESTRICTIONS:

WITHIN THE WEST 310', BUILDING HEIGHT IS RESTRICTED TO 35 FT AND TWO (2) STORIES. AND SECOND-STORY WINDOWS FACING SINGLE-FAMILY RESIDENTIAL LOTS ARE RESTRICTED TO TRANSOM WINDOWS AT LEAST SIX (6) FEET ABOVE THE SECOND-STORY FLOOR.

E. DEVELOPMENT STANDARDS (LOT 2 OF BLOCK 5):

ALL LOT AND BUILDING REGULATIONS IN THE CITY OF TULSA ZONING CODE FOR OL ZONING UNLESS AMENDED HEREIN BELOW.

1. PERMITTED USES:

RESIDENTIAL USE CATEGORY: MIXED-USE BUILDING VERTICAL MIXED-USE BUILDING

COMMERCIAL USE CATEGORY:

RECORDING STUDIO FINANCIAL SERVICES, EXCLUDING PERSONAL CREDIT ESTABLISHMENTS

SHORT-TERM RENTAL AS AN ACCESSORY USE TO MIXED-USE AND VERTICAL MIXED-USE BUILDINGS, SUBJECT TO ALL REQUIREMENTS

BUSINESS OR PROFESSIONAL OFFICE

MEDICAL, DENTAL, AND HEALTH PRACTITIONER OFFICES STUDIO, ARTIST OR INSTRUCTIONAL SERVICE

2. BUILDING TYPE REGULATIONS FOR HOUSEHOLD LIVING

RESIDENTIAL USE CATEGORY

HOUSEHOLD LIVING SUBCATEGORY

ONE HOUSEHOLD ON A SINGLE LOT, ONLY AS ALLOWED BY THE FOLLOWING SPECIFIC BUILDING TYPE

MIXED-USE BUILDING **VERTICAL MIXED-USE BUILDING**

TWO HOUSEHOLDS ON A SINGLE LOT, ONLY AS ALLOWED BY THE FOLLOWING SPECIFIC BUILDING TYPES MIXED-USE BUILDING

VERTICAL MIXED-USE BUILDING

THREE OR MORE HOUSEHOLDS ON A SINGLE LOT, ONLY AS ALLOWED BY THE FOLLOWING SPECIFIC BUILDING TYPES.

MIXED-USE BUILDING

VERTICAL MIXED-USE BUILDING

MAXIMUM FLOOR AREA RATIO (FAR):

4. STREETS:

STREETS MAY BE PUBLIC OR PRIVATE AND GATED.

PRIVATE STREETS AND GATE SYSTEMS SHALL CONFORM TO THE STANDARDS OUTLINED FOR MINOR RESIDENTIAL STREETS IN THE TULSA SUBDIVISION AND DEVELOPMENT REGULATIONS EFFECTIVE MAY 10, 2018 EXCEPT AS THOSE STANDARDS MAY HAVE BEEN AMENDED AT THE TIME THE SUBDIVISION PLAT IS SUBMITTED FOR CONSIDERATION BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION.

ANY GATE ASSEMBLY ON A PRIVATE STREET MUST RECEIVE A BUILDING PERMIT FROM THE CITY OF TULSA BUILDING PERMIT OFFICE PRIOR TO CONSTRUCTION. PRIOR TO ISSUANCE OF A BUILDING PERMIT THE TULSA PLANNING OFFICE SHALL APPROVE THE SITE PLAN BUT WILL NOT APPROVE THE SITE PLAN UNTIL RECEIPT OF A LETTER APPROVAL FROM RELEVANT DEPARTMENTS IN THE CITY OF TULSA.

SIGNAGE LIMITATIONS:

ALL FREESTANDING OR GROUND SIGNAGE SHALL BE MONUMENT STYLE SIGNAGE AND SHALL NOT EXCEED 25 FEET IN HEIGHT.

SECOND STORY RESTRICTIONS:

BUILDING HEIGHT IS RESTRICTED TO 35 FT AND TWO (2) STORIES. SECOND STORY WINDOWS FACING A RESIDENTIAL ZONED DISTRICT OR EAST 119TH STREET SHALL ALSO BE LIMITED TO TRANSOM WINDOWS AT LEAST SIX (6) FEET ABOVE THE SECOND-STORY FLOOR.

SECTION IV. PROPERTY OWNERS' ASSOCIATION

A. FORMATION OF PROPERTY OWNERS' 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 WITHIN THE SUBDIVISION (THE "ASSOCIATION"), A NOT-FOR-PROFIT CORPORATE ENTITY ESTABLISHED AND FORMED FOR THE GENERAL PURPOSES OF MAINTAINING RESERVE AREAS 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. PRIVATE RESTRICTIONS AND COVENANTS

FOR THE BENEFIT OF THE ASSOCIATION AND OF ALL OWNERS WITHIN THE SUBDIVISION. THE OWNER SHALL ESTABLISH AN ARCHITECTURAL REVIEW COMMITTEE AND VARIOUS PRIVATE RESTRICTIONS AND COVENANTS FOR THE PURPOSE OF PROVIDING ORDERLY DEVELOPMENT OF THE SUBDIVISION AND CONFORMITY AND COMPATIBILITY OF IMPROVEMENTS THEREIN. SAID PRIVATE RESTRICTIONS AND COVENANTS MAY PROVIDE FOR THE DIVISION AND ALLOCATION OF MAINTENANCE RESPONSIBILITIES FOR THE PRIVATE STREETS WITHIN THE RESERVE AREAS AND OTHER COMMON AREAS OF THE SUBDIVISION, SHALL BE FILED OF RECORD WITH THE TULSA COUNTY CLERK, SHALL BE APPLICABLE TO THE LOTS WITHIN THE SUBDIVISION, SHALL BE COVENANTS RUNNING WITH THE LAND AND BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE ENFORCEABLE AS FURTHER STATED IN SAID FILED DOCUMENT.

C. MEMBERSHIP

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

D. ASSESSMENT

EACH LOT OWNER SHALL BE SUBJECT TO ANNUAL AND SPECIAL ASSESSMENTS BY THE ASSOCIATION FOR THE PURPOSE OF IMPROVEMENT AND MAINTENANCE OF RESERVE AREAS AND ANY OTHER PROPERTY AND FACILITIES THAT, FROM TIME TO TIME, ARE FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF THE LOTS AS THE SAME MAY BE AGREED TO BY THE MEMBERS OF THE ASSOCIATION.

E. ASSOCIATION TO BE 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. 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.

SECTION V. 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. STREETS, UTILITIES, AND EASEMENTS AND SECTION II. RESERVE AREAS 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 THE CITY OF TULSA, OKLAHOMA. THE COVENANTS CONTAINED IN SECTION III. OPTIONAL DEVELOPMENT PLAN RESTRICTIONS ARE ESTABLISHED PURSUANT TO THE OPTIONAL DEVELOPMENT PLAN PROVISIONS OF THE TULSA ZONING CODE IN EXISTENCE AS OF NOVEMBER 5, 2020 (APPLICATION FILING DATE) AND SHALL INURE TO THE BENEFIT OF THE CITY OF TULSA, OKLAHOMA, ANY OWNER OF A LOT AND THE PROPERTY OWNERS' ASSOCIATION. IF THE UNDERSIGNED OWNER, OR ITS SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION III., IT SHALL BE LAWFUL FOR THE CITY OF TULSA, ANY OWNER OF A LOT, OR THE PROPERTY OWNERS' ASSOCIATION TO MAINTAIN ANY ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT SUCH PERSON OR PERSONS FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT. THE COVENANTS CONTAINED IN SECTION IV. PROPERTY OWNERS' ASSOCIATION SHALL INURE TO THE BENEFIT OF ANY OWNER OF A LOT AND THE PROPERTY OWNERS' ASSOCIATION. IF THE UNDERSIGNED OWNER, OR ITS SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION IV., IT SHALL BE LAWFUL FOR ANY OWNER OF A LOT OR THE PROPERTY OWNERS' ASSOCIATION TO MAINTAIN ANY ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT SUCH PERSON OR PERSONS FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT. 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 OR THE PROPERTY OWNERS' ASSOCIATION, WHICH ACTION SEEKS TO ENFORCE THE COVENANTS CONTAINED IN SECTIONS III. OR IV. AND/OR TO RECOVER DAMAGES FOR THE BREACH THEREOF. THE PREVAILING PARTY SHALL BE ENTITLED TO RECEIVE REASONABLE ATTORNEY 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. STREETS, UTILITIES, AND EASEMENTS AND SECTION II. RESERVE AREAS 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 III. OPTIONAL DEVELOPMENT PLAN RESTRICTIONS MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT 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 CITY COUNCIL OF THE CITY OF TULSA, OKLAHOMA. NOTWITHSTANDING THE FOREGOING, WITH THE EXCEPTION OF SUBSECTION D, PARAGRAPH 6. (SECOND STORY RESTRICTIONS) AND SUBSECTION E, PARAGRAPH 6. (SECOND STORY RESTRICTIONS), THE COVENANTS CONTAINED WITHIN SECTION III. SHALL BE DEEMED AMENDED (WITHOUT NECESSITY OF EXECUTION OF AN AMENDING DOCUMENT) UPON APPROVAL OF A MINOR AMENDMENT TO THE OPTIONAL DEVELOPMENT PLAN BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS, AND RECORDING OF A CERTIFIED COPY OF THE MINUTES OF THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR SUCCESSORS WITH THE TULSA COUNTY CLERK. THE COVENANTS CONTAINED WITHIN ANY OTHER SECTION OF THIS DEED OF DEDICATION MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER DURING SUCH PERIOD THAT THE OWNER IS THE RECORD OWNER OF AT LEAST 1 LOT, OR ALTERNATIVELY, BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNERS OF AT LEAST 60% OF THE LOTS WITHIN THE SUBDIVISION. IN THE EVENT OF ANY CONFLICT BETWEEN AN AMENDMENT OR TERMINATION PROPERLY EXECUTED BY THE OWNER (DURING ITS OWNERSHIP OF AT LEAST 1 LOT) AND ANY AMENDMENT OR TERMINATION PROPERLY EXECUTED BY THE OWNERS OF AT LEAST 60% OF THE LOTS, THE INSTRUMENT EXECUTED BY THE OWNER SHALL PREVAIL. THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING COVENANTS AND RESTRICTIONS SHALL BE EFFECTIVE FROM AND AFTER THE DATE IT IS PROPERLY RECORDED.

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, GOLD TEAM REALTY GROUP, L.L.C., AN OKLAHOMA LIMITED LIABILITY COMPANY HAS EXECUTED THIS INSTRUMENT ON THIS _____ DAY OF

> GOLD TEAM REALTY GROUP, L.L.C. AN OKLAHOMA LIMITED LIABILITY COMPANY

ALAN STAAB, MANAGER STATE OF OKLAHOMA)

) SS COUNTY OF TULSA

MY COMMISSION EXPIRES

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY OF , 2023, PERSONALLY APPEARED ALAN STAAB, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THE NAME GOLD TEAM REALTY GROUP, L.L.C. TO THE FOREGOING INSTRUMENT, AS ITS MANAGER, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED AND AS THE FREE AND VOLUNTARY ACT AND DEED OF SUCH COMPANY FOR THE USES AND PURPOSES THEREIN SET FORTH.

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

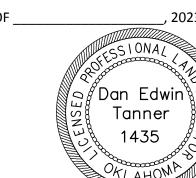
03/08/2024

CERTIFICATE OF SURVEY

JENNIFER MILLER, NOTARY PUBLIC

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 HEREIN DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED HEREIN AS "WIND RIVER PLAZA", A SUBDIVISION WITHIN THE CITY OF TULSA. TULSA COUNTY. STATE OF OKLAHOMA. IS A TRUE REPRESENTATION OF A SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED PRACTICES, AND MEETS OR EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING.

DAY OF WITNESS MY HAND AND SEAL THIS



EXP 03/08/2024

DAN E. TANNER

OKLAHOMA NO. 1435

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 , 2023, PERSONALLY APPEARED TO ME DAN E. TANNER KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME AS LICENSED PROFESSIONAL LAND SURVEYOR TO THE FOREGOING CERTIFICATE, AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSES THEREIN SET FORTH.

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

12002299 EXP 03/08/2024

LICENSED PROFESSIONAL LAND SURVEYOR

03/08/2024

MY COMMISSION EXPIRES

JENNIFER MILLER, NOTARY PUBLIC

Wind River Plaza SHEET 3 OF 3