

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
**Meeting No. 2899**

**October 4, 2023, 1:00 PM**  
**175 East 2nd Street, 2nd Level, One Technology Center**  
**Tulsa City Council Chamber**

**INTRODUCTION AND NOTICE TO THE PUBLIC**

At this meeting the TMAPC, in accordance with and pursuant to applicable TMAPC Policies and Procedures, will review, consider, discuss, and may take action on, approve, recommend for approval, amend or modify, recommend for approval with modifications, deny, reject, recommend for denial, or defer action on any item listed on the agenda.

Call to Order:

**REPORTS:**

**Chairman's Report:**

**Work session Report:**

**Director's Report:**

Review and possible approval, approval with modifications, denial, or deferral of the following:

1. Minutes of September 20, 2023 Meeting No. 2898

**PUBLIC HEARING-REZONING**

Review and possible recommendation of approval, approval with modifications, denial, or deferral of the following:

2. **CZ-544** (County) Location: North of the Northwest corner of North Memorial Drive and East 166th Street North requesting a rezoning from **AG to AG-R.(Staff requests a continuance to October 18, 2023)**
3. **Z-7733 Abdul Alhlou** (CD 3) Location: North of the northeast corner of 11<sup>th</sup> Street South and South 129<sup>th</sup> East Avenue requesting rezoning from **CS and RS-2 to CG with an optional development plan** (Continued from August 2 2023, August 16, 2023 and September 20, 2023)

## **PUBLIC HEARING-PLATS**

Review and possible approval, approval with modifications, denial, or deferral of the following:

4. **Jack Wills** (CD 7) Preliminary Plat, Location: North of the northwest corner of East 67<sup>th</sup> Street South and South 105<sup>th</sup> East Avenue (Continued from September 20, 2023) **(Staff requests a continuance to November 1, 2023)**
5. **Northwest Passage I** (CD 1) Preliminary Plat, Location: East of the northeast corner of North Gilcrease Museum Road and Apache Street North
6. **Forrest Warehouse and Distribution Center** (CD 3) Preliminary Plat, Location: East of the southeast corner of East Pine Street and North Mingo Road
7. **Phoenix at 36N** (CD 1) Preliminary Plat and Modification of the Subdivision and Development Regulations to remove requirement for performance guarantees, Location: Southeast corner of East 36<sup>th</sup> Street North and North Peoria Avenue (Related to Phoenix at 36N Request for Authorization of Accelerated Release of Building Permits)
8. **Phoenix at 36N** (CD 1) Request for Authorization of Accelerated Release of Building Permits, Location: Southeast corner of East 36<sup>th</sup> Street North and North Peoria Avenue (Related to Phoenix at 36N Preliminary Plat)

## **OTHER BUSINESS**

9. Proposed 2024 TMAPC Meeting Dates

## **10. Commissioners' Comments**

## **ADJOURN**

CD = Council District

**NOTE:** If you require special accommodation pursuant to the Americans with Disabilities Act, please notify the Tulsa Planning Office at 918-596-7526. Exhibits, petitions, pictures, etc., presented to the Planning Commission may be received and deposited in case files to be maintained by the Tulsa Planning Office. All electronic devices must be silenced during the Planning Commission meeting.

Visit our website at [tulsaplanning.org](http://tulsaplanning.org)

email address: [planning@cityoftulsa.org](mailto:planning@cityoftulsa.org)

**TMAPC Mission Statement:** The Mission of the Tulsa Metropolitan Area Planning Commission (TMAPC) is to provide unbiased advice to the City Council and the County Commissioners on development and zoning matters, to provide a public forum that fosters public participation and transparency in land development and planning, to adopt and maintain a comprehensive plan for the metropolitan area, and to provide other planning, zoning and land division services that promote the harmonious development of the Tulsa Metropolitan Area and enhance and preserve the quality of life for the region's current and future residents.





**From:** [Hoyt, Jay](#)  
**To:** [Sawyer, Kim](#)  
**Subject:** CZ-544 - Request for Continuance  
**Date:** Monday, September 25, 2023 1:26:06 PM  
**Attachments:** [County TMAPC Agenda Items - October 4.docx](#)

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Kim,

Due to an error in the notifications for this case, staff requests a continuance to the October 18<sup>th</sup> agenda.

Thank you,



**Jay Hoyt**  
Land Development Planner  
2 W. 2nd St., 8th Floor | Tulsa, OK 74103  
918.579.9476  
[jhoyt@incog.org](mailto:jhoyt@incog.org)

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Tulsa Metropolitan Area  
Planning Commission

**Case Number: Z-7733**

(Related to CPA-109)

**Hearing Date: October 4<sup>th</sup>, 2023**

(Continued from September 20<sup>th</sup>, 2023)

**Case Report Prepared by:**

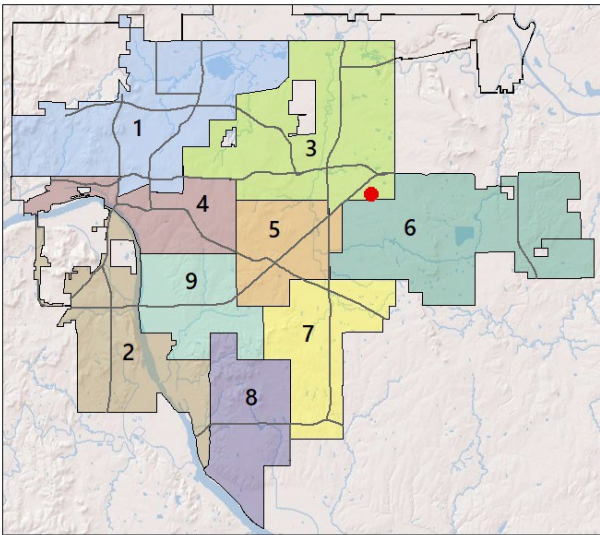
Austin Chapman

**Owner and Applicant Information:**

*Applicant:* Abdul Alhlou

*Property Owner:* Mitchell Trotter III

**Location Map:**  
**(shown with City Council Districts)**



**Applicant Proposal:**

*Present Use:* Vacant

*Proposed Use:* Truck Terminal Warehouse/ Storage

*Concept summary:* Rezone the site from CS and RS-2 to CG with an optional development plan on the northern portion to accommodate a Trucking Terminal/ Warehousing and Storage Uses.

*Tract Size:* 6.81 ± acres

*Location:* North of the NE/c of E. 11th St. S. and S. 129th E. Ave.

**Zoning:**

*Existing Zoning:* CS and RS-2

*Proposed Zoning:* CG with an optional development plan

**Comprehensive Plan:**

*Existing Land Use:* Neighborhood & Multiple Use

*Proposed Land Use:* Multiple Use (CPA-109)

**Staff Recommendation:**

Staff recommends **denial** of CG with an optional development plan but recommends **approval** of CS without an optional development plan.

**Staff Data:**

TRS: 9404

CZM: 39

**City Council District: 3**

*Councilor Name:* Crista Patrick

**County Commission District: 1**

*Commissioner Name:* Stan Salee

## SECTION I: Z-7733

**DEVELOPMENT CONCEPT:** The overall site totals 6.81 acres. The site is located north of the northeast corner of East 11<sup>th</sup> Street and 129th E. Ave. The property is in the southwest quarter of the of Section 4, Township 19 North, Range 14 East, in Tulsa County, Oklahoma.

\*The original application submitted included two development areas as shown in the exhibits provided by the applicant. What is referred to as Area A has been removed from the application and what is referred to as Area B remains.

### **EXHIBITS:**

- Case map
- Aerial (small scale)
- Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map
- Applicant Exhibits

### **DETAILED STAFF RECOMMENDATION:**

Staff finds that the requested CG zoning to allow a Truck Terminal, Warehouse and Storage uses would not be compatible with recommendations in the Comprehensive Plan and Plan 66. Staff finds that CS zoning is supported by those documents and by the proposed change of the Comprehensive Plan to Multiple Use land use designation. The proposed Trucking and Transportation Terminal, Warehousing and Storage uses proposed by the applicant could be allowed by Special Exception inside the CS Zoning district but would not be allowed by right.

Staff recommends **Denial** of CG with an optional development plan but recommends **Approval** of CS without an optional development plan.

## **SECTION II: Z-7733 OPTIONAL DEVELOPMENT PLAN STANDARDS FOR CG** (*Recommended for Denial*):

All uses categories, subcategories, or specific uses and residential building types that are not listed in the following permitted uses categories are prohibited.

Those uses marked with a \* require a Special Exception approved in accordance with Sec. 70.120 of the City of Tulsa Zoning Code.

### **PERMITTED USES: PERMITTED USE CATEGORIES:**

#### RESIDENTIAL (IF IN ALLOWED BUILDING TYPE LISTED BELOW)

- Household Living
  - Single household
  - Two households on a single lot
  - Three or more households on a single lot
- Group Living
  - Assisted living facility
  - Community group home
  - Convent/monastery/novitiate
  - Elderly/retirement center
  - Life care retirement center

- Residential treatment center\*
- Rooming/boarding house
- Shelter, emergency and protective\*
- Transitional living center\*

#### PUBLIC, CIVIC, AND INSTITUTIONAL

- College or University
- Day Care
- Fraternal Organization\*
- Governmental Service or Similar Functions\*
- Hospital
- Library or Cultural Exhibit
- Natural Resource Preservation
- Parks and Recreation
- Postal Services\*
- Religious Assembly
- Safety Service
- School
- Utilities and Public Service Facility
  - Minor
  - Major\*
- Wireless Communication Facility
  - Freestanding tower
  - Building or tower-mounted antenna

#### COMMERCIAL

- Animal service
  - Boarding or Shelter
  - Grooming
  - Veterinary
- Assembly and Entertainment
  - Indoor
    - Small (Up to 250-person capacity)\* (Special Exception only required if serving alcohol within 150-feet of a residential district)
    - Large (Greater than 250-person capacity) \*
- Broadcast or Recording Studio
- Commercial Service
  - Building service
  - Business support service
  - Consumer maintenance/repair service
  - Personal improvement service
  - Research service\*
- Financial Services
- Funeral or Mortuary Service
- Lodging
  - Bed & Breakfast
  - Short-term rental
  - Hotel/motel
- Office
  - Business or professional office
  - Medical, dental or health practitioner office
  - Plasma Center

- Parking, Non-accessory
- Restaurants and Bars
  - Restaurant
  - Bar \* (Special Exception only required if serving alcohol within 150-feet of a residential district)
  - Brewpub\*
- Retail Sales
  - Building supplies and equipment
  - Consumer shopping goods
  - Convenience goods
  - Grocery Store
  - Small Box Discount Store
  - Medical Marijuana Dispensary
- Studio, Artist or Instructional Service
- Trade School
- Vehicle Sales and Service
  - Fueling station

#### WHOLESALE, DISTRIBUTION AND STORAGE

- Equip. & Materials Storage, Outdoor
- Trucking and Transportation Terminal
- Warehouse
- Wholesale Sales and Distribution

#### INDUSTRIAL

- Low-impact Manufacturing & Industry\*

#### AGRICULTURAL

- Community Garden
- Farm, Market- or Community supported

#### OTHER

- Drive-in or Drive-through Facility (as a component of an allowed principal use)

#### PERMITTED RESIDENTIAL BUILDING TYPES

- Household living
  - Single household
    - Detached House\*
    - Townhouse
    - Patio House\*
    - Mixed-Use building
    - Vertical mixed-use building
  - Two households on a single lot
    - Mixed-use building
    - Vertical-mixed use building
  - Three or more households on a single lot
    - Multi-unit House\*
    - Apartment/Condo
    - Mixed-use building
    - Vertical-mixed use building

**MINIMUM LOT WIDTH:** 280-feet

**MINIMUM LOT AREA:** 250,000 square feet

**MAXIMUM NUMBER LOTS:** 4

**MAXIMUM BUILDING HEIGHT:** 35-feet

**MINIMUM BUILDING SETBACKS (from the lot line):**

From South 129 <sup>th</sup> E. Ave.	50-feet
Rear Yard	20-feet
Side Yard	20 feet

### **SECTION III: Supporting Documentation**

#### **RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

***Staff Summary:*** The Land Use Designation amendment on this site from Neighborhood/Multiple Use to Multiple (CPA-109) was recommended for approval by TMAPC on 8/16/2023. The Multiple Use land use coupled with the recommendation of Plan 66 would not support the rezoning of this property to support of trucking/ transportation terminal and warehousing and storage uses.

#### **Land Use Vision:**

##### **Existing:**

##### **Multiple Use/ Neighborhood**

Neighborhoods are “Mostly Residential Uses” which includes detached, missing middle, and multi-dwelling unit housing types. Churches, schools, and other low-intensity uses that support residents’ daily needs are often acceptable, particularly for properties abutting Multiple Use, Local Center, or Regional Center land use areas. Multi-dwelling unit housing that takes access off of an arterial is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access off of a lower-order street separated from the arterial, then it would be considered Neighborhood.

##### **Proposed in CPA-109:**

##### **Multiple Use**

Multiple Use areas are “Mostly Commercial or Retail Uses” which include restaurants, shops, services, and smaller format employment uses. This land use designation is most common in areas of the city from earlier development patterns, with Local Centers being more commonplace in newer parts of the city. For single properties that are commercial but surrounded by Neighborhood, Multiple Use is the preferred designation.

#### **Transportation Vision:**

The property began to develop during the Late Automobile Era (1950-present):

In the late 1950s and early 1960s the suburbs grew at a tremendous rate in the Tulsa metropolitan area. It was at this time that surrounding communities, such as Broken Arrow, began to grow at a rapid pace. At this time, the City of Tulsa annexed more than 100 square miles, and neighborhood subdivisions began to proliferate from the core of the city toward the suburban communities.

***Major Street and Highway Plan:***

Both S. 129<sup>th</sup> and E. 11<sup>th</sup> Street are Secondary Arterials, and the ultimate right-of-way has been acquired on both streets.

***Trail System Master Plan Considerations:*** None.

**Small Area Plan: Plan 66 (December 2020)**

**The purpose of Plan 66 is as follows:**

Highlight the historic significance of Route 66 in Tulsa by identifying elements that contribute to its past, present, and future legacy. Acknowledge past successes from project implementation along the corridor and promote future investment. Improve opportunities for visitors and Tulsa residents of all ages to explore along the Route. Develop strategies for supporting established businesses while encouraging further growth, and contribute to a diverse, sustainable economy. Support Route 66's potential to create a thriving tourism industry. Create recommendations for the built environment to assist with branding, marketing, mobility, public perception, preservation, and new conditions.

Included on the plan is Strategy 2.1 which is to encourage pedestrian-oriented development by implementing elements of the City's Complete Streets Policy and existing planning documents. The proposed development as outlined in the optional development plan would be in contradiction to the following actions:

- Action 2.1.1 Encourage development built up to the right-of-way to mirror historical built form and promote parking behind buildings.
- Action 2.1.2 Enhance the Route through higher density, infill, and mixed-use development.
- Action 2.1.3 Redevelop vacant or underutilized lots into green spaces and public use spaces where appropriate.
- Action 2.1.8 Adopt design standards for vehicle sales and service businesses.

The majority of the development would be limited to the Trucking and Transportation/ Warehousing use that is designed with little consideration for pedestrian infrastructure or for a mix of uses that would be built at or near the right-of-way.

**Special District Considerations:**

The southern portion of this site lies within the Route 66 Overlay. The purpose and intent of the Route 66 Overlay is to establish zoning regulations and incentives intended to ensure the enhancement, development, and revitalization of the authentic Route 66 through the promotion of historic and historically inspired signage, especially neon, along and adjacent to the two alignments of Route 66 in



Tulsa. The regulations are generally intended to guide the character of both public and private development as it occurs along Route 66.

**Historic Preservation Overlay:** None.

**DESCRIPTION OF EXISTING CONDITIONS:**

**Staff Summary:** The property is a vacant lot that sits near the intersection of two arterial streets. The subject property is surrounded by a variety of uses, some of which are conforming to the current zoning code. The subject property site is roughly a half mile from Interstate 44.

**Environmental Considerations:** None currently.

**Streets:**

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
E. 11 <sup>th</sup> St.	Secondary Arterial	100-feet	2
129 <sup>th</sup> E. Ave.	Secondary Arterial	100-feet	4

**Utilities:**

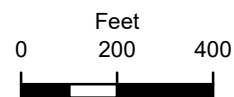
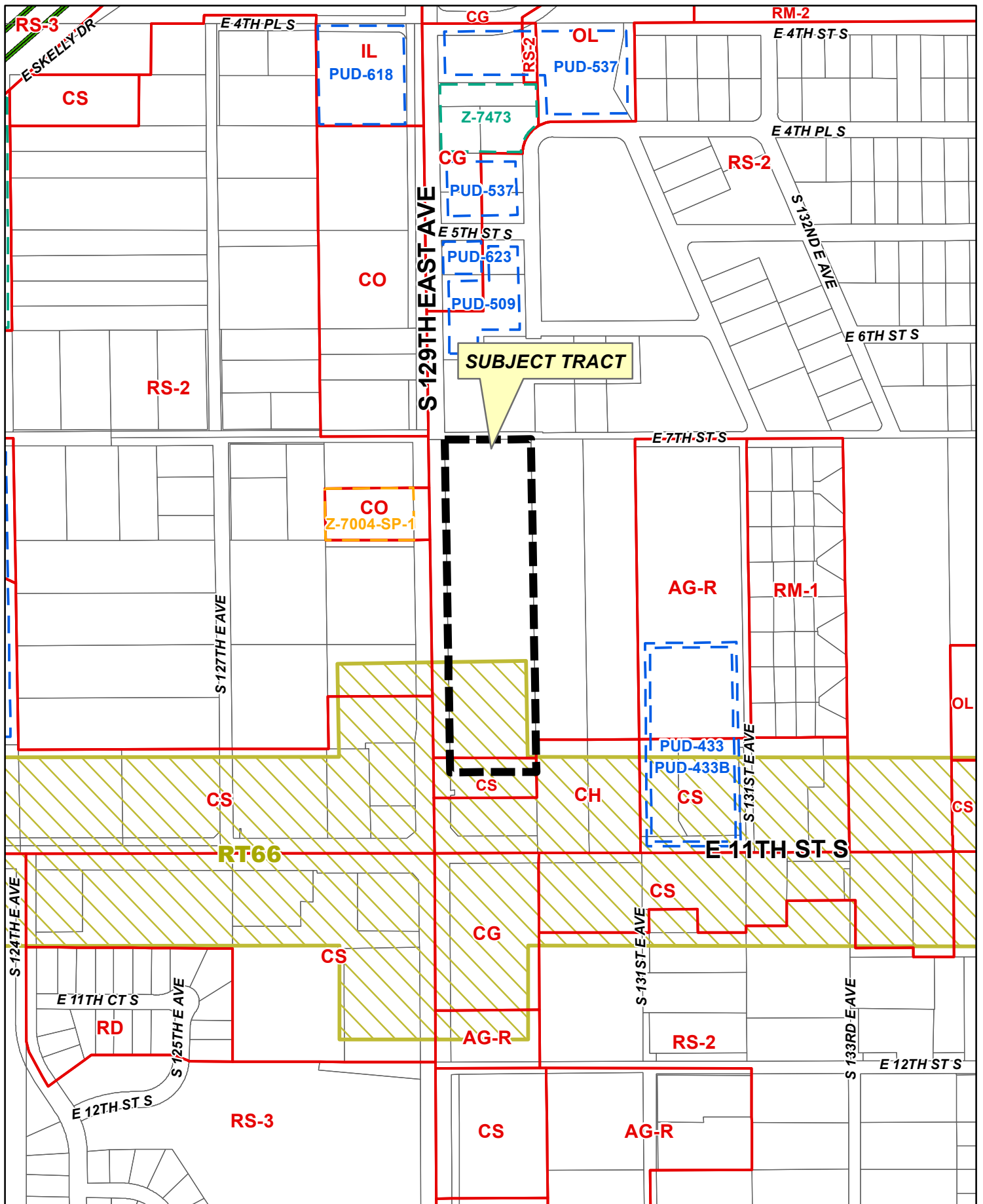
The subject tract has municipal water and sewer available, through there is not sewer running the length of the property. Additional infrastructure may be needed along 129<sup>th</sup> East Avenue to support the proposed development.

**Surrounding Properties:**

Location	Existing Zoning	Existing Land Use Designation	Existing Use
North	RS-2	Neighborhood	Church
West	RS-2, CO, CS	Employment/ Multiple Use	Residential, HVAC Business, Landscaping Business, Vehicle Sales
South	CS	Multiple Use	Vacant
East	RS-2, CH	Neighborhood/ Multiple Use	Vacant

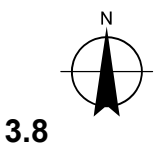
**Relevant Zoning History:**

**ZONING ORDINANCE:** Ordinance number 11817 dated June 26, 1970, established RS-2 and CS zoning for the subject property.

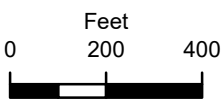


**Z-7733**

19-14 04







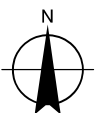
Subject  
Tract

**Z-7733**

19-14 04

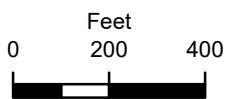
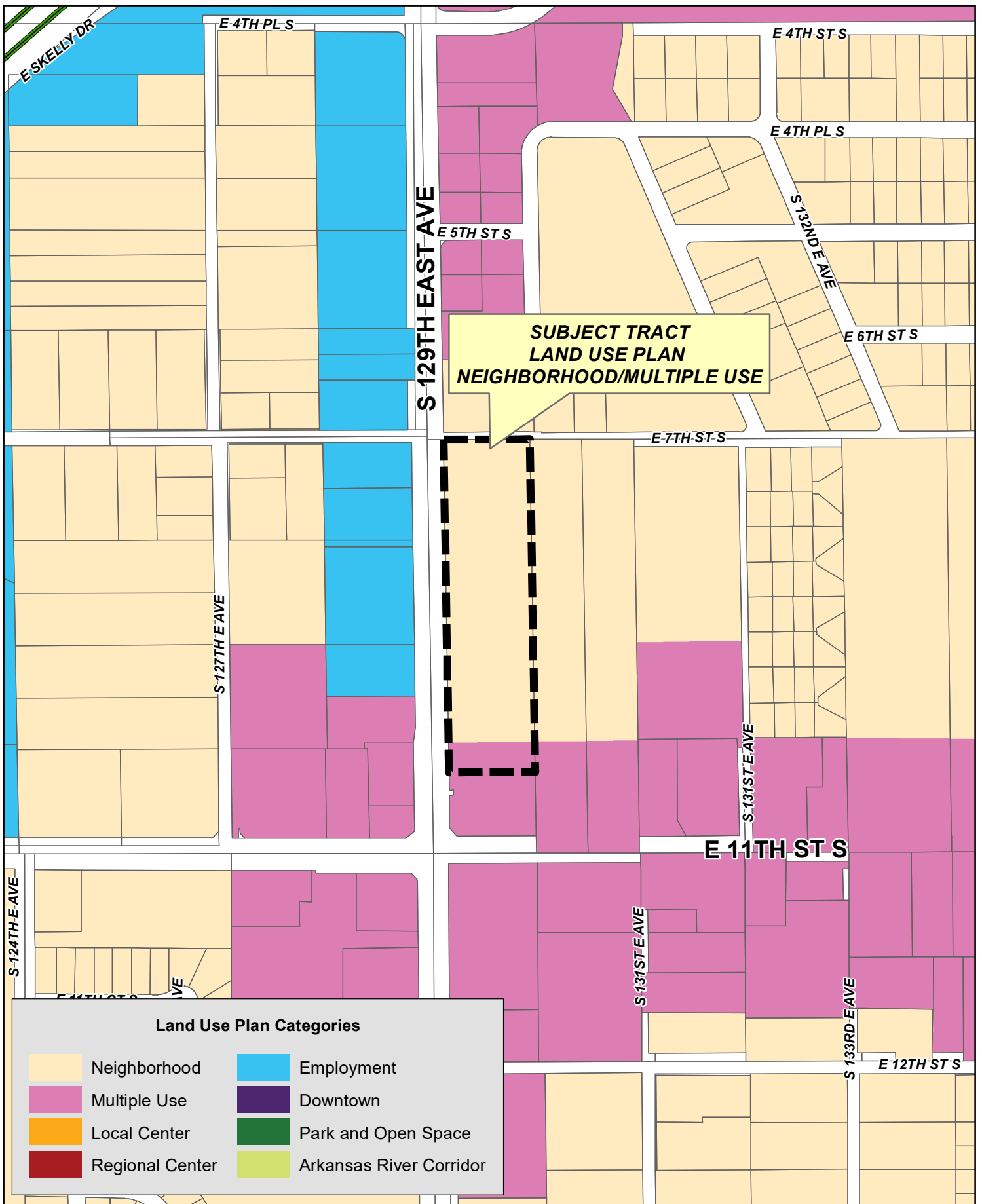
Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: 2021



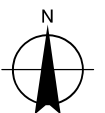
**3.9**





**Z-7733**

19-14 04



# **129<sup>th</sup> TRUCK TERMINAL**

**Section 4, T-19-N, R-14-E**

**City of Tulsa**

**Tulsa County Oklahoma**

**DEVELOPMENT PLAN CONCEPT**

**June 1, 2023**

**JR Donelson, Inc.**

**12820 S. Memorial Dr., Office 100**

**Bixby, Oklahoma 74008**

**Email: [jrdon@tulsacoxmail.com](mailto:jrdon@tulsacoxmail.com)**

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## **129TH TRUCK TERMINAL**

### **DEVELOPMENT CONCEPT**

#### ***Introduction.***

129TH TRUCK TERMINAL is a mixed use project planned for two development areas. The overall site totals 8.09 acres. The Site is located at the northeast corner of East 11<sup>th</sup> Street and 129<sup>th</sup> E. Ave.. The property is in the southwest quarter of the of Section 4, Township 19 North, Range 14 East, in Tulsa County, Oklahoma. See Exhibit A, which is a Concept Illustration of the Site, including a Location Map insert.

As illustrated by the Concept Site Plan for 129TH TRUCK TERMINAL the proposed Development Plan Concept consists of two development areas. A 1.27 acre parcel designed for a retail building will be developed in what is referred to as Development Area A. A 6.81 acre Truck Terminal, Warehouse and Storage will be built in Development Area B. Legal descriptions are provided as follows: Exhibit B-1 (Overall PUD Site Legal Description); Exhibit B-2 (Development Area A Legal Description, with Area Depiction; Exhibit B-3 (Development Area B Legal Description, with Area Depiction).

#### ***Zoning.***

The Site currently is zoned both RS-2 and CS. Attached as Exhibit C is a map illustrating the existing zoning of the site area. The request is for rezoning of the site as follows:

- Development Area A – CS Zoning District.
- Development Area B – CG Zoning District.
- 

Exhibit A contains the Site Plan and encourages the use of planned unit developments to ensure maximum use of the land in accord with the natural and man-made features of the area. Features of the area and of the property itself should allow for both commercial and truck terminal/warehouse/storage.

#### ***Features of the area and of the Site.***

The property to the south of this tract of land is zoned CS. Land to the east of this site is zoned RS-2. The I-244 exit/on ramps are less than one mile to the north. The adjacent businesses are as follows: an auction house to the west, as well as commercial businesses and vacant land to the east, and commercial businesses to the north, which include a tract of land selling 18 wheeler tractor trailer rigs.

There are no residential subdivisions to the east in the RS-2 zoned property.

Development of the Site is compatible with existing zoning and uses of land surrounding the Site.

***Viability and Compatibility.***

The Comprehensive Plan designates the site as CS (Commercial Shopping) and RS-2 (Residential). All of the zoning and uses proposed for the Site will require an amendment to the City of Tulsa Comprehensive Plan. Compatibility of the development plan with the existing and planned properties surrounding the site further is achieved by the development standards explained in the text that follows.

***Public Utilities***

There is an existing 12 inch water line on the east side of South 129<sup>th</sup> E. Ave. and along the south side of East 11<sup>th</sup> Street South. Development Area A is served by the public sanitary sewer along the north side of East 11<sup>th</sup> Street South. The south portion of Development Area B shown in Exhibit A will be served by the existing sanitary sewer along the west side of South 129<sup>th</sup> E. Ave. Storm sewer is existing on So. 129<sup>th</sup> E. Ave.



## 129TH TRUCK TERMINAL

### DEVELOPMENT STANDARDS

#### Area A (Commercial Use - CS)

##### LAND AREA:

Gross:	1.27 acres	55,321 square feet*
Net:	1.27 acres	55,321 square feet*

##### PERMITTED USES (to be allowed by right):

MINIMUM FRONTAGE 250 feet

MAXIMUM BUILDING FLOOR AREA (using .40 FAR): 22,128 square feet

.40 Floor Area Ratio per the City of Tulsa Zoning Code

MAXIMUM BUILDING HEIGHT: 1-Story

Architectural elements and business logos may exceed maximum building height with Detailed Site Plan approval.

##### OFF-STREET PARKING:

As required by the applicable Use Unit of the City of Tulsa Zoning Code.

##### MINIMUM BUILDING SETBACKS:

From the centerline of East 11 <sup>th</sup> Street	100 feet
From the east boundary of the PUD	20 feet
From the north boundary of Development Area A	20 feet
From the centerline of So. 129 <sup>th</sup> E. Ave.	100feet

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\* The internal boundaries of Development Area A may be adjusted by a minor amendment to the 129TH TRUCK TERMINAL Development Plan approved by the Tulsa Metropolitan Area Planning Commission.

## LANDSCAPED AREA AND SCREENING

- (1) A Preliminary Landscape and Screening Concept Plan depicted on Exhibit H.
- (2) All landscaping and screening shall meet or exceed the requirements of the Tulsa Zoning Code, or as approved by the INCOG staff. Appropriate screening shall be provided between the development area and the residential areas to the west and to the north. All landscaping and screening shall be approved administratively.
- (3) A detail landscape plan for the development area shall be administratively approved prior to issuance of a building permit. A landscape architect registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening fences have been installed in accordance with the approved landscape plan for the lot, prior to issuance of an occupancy permit. The landscape materials required under the approved plan shall be maintained and replaced as needed, as a continuing condition of the granting of an occupancy permit.

## SIGNS:

- 1) Signage shall comply with the City of Tulsa Zoning Code.
- 2) No sign permits shall be issued for erection of a sign on a lot within the project until a detail sign plan for that lot has been administratively approved as being in compliance with the approved development plan standards.

## LIGHTING:

- (1) Flashing signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs with movement shall be prohibited.
- (2) Lighting used to illuminate the development area shall be so arranged as to shield and direct the light away from adjacent residential areas. Shielding of such light shall be designed so as to prevent the light-producing element or reflector of the light fixture from being visible to a person standing in the adjacent residential areas or residential street right-of-way. No light standard or building-mounted light shall exceed 20 feet or the height which complies with the standard stated in the preceding sentence, whichever is lower.

#### TRASH, MECHANICAL AND EQUIPMENT AREAS:

- (1) There shall be no storage of recyclable materials, trash or similar material outside a screened receptacle. All trash, mechanical and equipment areas, including building mounted, shall be screened from public view in such a manner that the areas cannot be seen by persons standing at ground level.
- (2) No trucks or trailers shall be parked in the development area except while they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for permanent storage in the development area.

## 129TH TRUCK TERMINAL

### DEVELOPMENT STANDARDS

#### Area B (Trucking and Transportation Terminal)

##### LAND AREA:

• Gross:	6.81 acres	296,643 square feet
• Net	6.81 acres	296,643 square feet

##### PERMITTED USES: Trucking and Transportation Terminal

MINIMUM LOT WIDTH 280 feet

MINIMUM LOT AREA 250,000 square feet

MAXIMUM NUMBER LOTS 4

MAXIMUM BUILDING HEIGHT: 35 feet

##### MINIMUM BUILDING SETBACKS (from the lot line):

• Centerline 129 <sup>th</sup> E. Ave. Yard	50 feet
• Rear Yard	20 feet
• Side Yards (each)	20 feet



## TOPOGRAPHY, DRAINAGE AND UTILITIES

- (1) *Topography.* Exhibit E shows the topography for 129TH TRUCK TERMINAL.
- (2) *Drainage.* 129TH TRUCK TERMINAL, is situated in FEMA Flood Zone 'X'. (NOTE: CONFIRM) On-site stormwater detention and drainage will be provided, as depicted on Exhibit F, or otherwise as required by the City of Tulsa Department of Stormwater Management, during the platting process.

The Department of Public Works or a Professional Engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required storm water drainage structures and detention areas serving a lot have been installed in accordance with the approved plans prior to issuance of an Occupancy Permit on that lot.

During construction on the property, the owners of the lots in the development areas will provide adequate and reasonable erosion control, and, after construction, they will provide and maintain vegetative, landscaped ground cover so that soil does not erode from the property across the south and west boundaries of the property onto the adjoining residential lots.

- (3) *Utilities.* An existing 12-inch water line is located in the east right of way of So. 129<sup>th</sup> E. Ave. and along the south right of way of E. 11<sup>th</sup> Street South, as depicted on Exhibit E. An existing 8 inch sanitary sewer main is located, as depicted on the north right of way of E. 11<sup>th</sup> Street South and the west side of South 129<sup>th</sup> E. Ave. Gas, electric, telephone and cable television services are available to 129TH TRUCK TERMINAL..

## ACCESS, CIRCULATION AND PARKING

As shown on Exhibit G (Access and Traffic Circulation Plan), access to Development Areas A, B are provided from East 11<sup>th</sup> Street and So. 129<sup>th</sup> E. Ave.. There shall be a maximum of two access points to East 11<sup>th</sup> Street and four access points to So. 129<sup>th</sup> E. Ave.

Pedestrian Access and Circulation Plan.

All curbs and paving materials used shall be of a quality and thickness which meets City of Tulsa standards.

## LANDSCAPING, SCREENING AND SIGNS

A preliminary landscape concept plan is depicted on Exhibit H. The plan includes the depiction of all required landscaping and screening, a table identifying the amount of required open space and landscaping for the development areas, depiction of sign locations and a table showing the number and size of business signs.

## RESTRICTIVE COVENANTS; ENFORCEMENT

Restrictive covenants will be adopted and recorded for the Development Areas. Owners of the respective lots will be required by the covenants to keep and maintain the lots in a clean and professional manner (the "maintenance covenant"). The Maintenance Covenant will be enforced by the owners' association for each development area.

## PERMIT PREREQUISITES

No zoning clearance permit shall be issued for a development area within the Development Plan until a detail site plan for the development area, which includes all buildings, parking, screening fences and landscape areas, has been administratively reviewed and approved as being in compliance with the development plan standards.

No building permit can be issued until the requirements of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the restrictive covenants the development plan and making the City beneficiary to said covenants that relate to said conditions.

## SCHEDULE OF DEVELOPMENT

Development Area A is planned for 5/1/2024 Development Area B is planned for 1/1/2024.

## EXHIBITS

- Exhibit A: Concept Site Plan.
- Exhibit B: Site Plan with Development Areas Outlined.
- Exhibit B-1: Overall Site Legal Description.
- Exhibit B-2: Development Area A Legal Description, with Area Depiction.
- Exhibit B-3: Development Area B Legal Description, with Area Depiction.
- Exhibit C: Existing Zoning and Land Use.
- Exhibit D: Proposed Underlying Zoning.

Exhibit E: Site Plan with Existing Topography and Utilities.

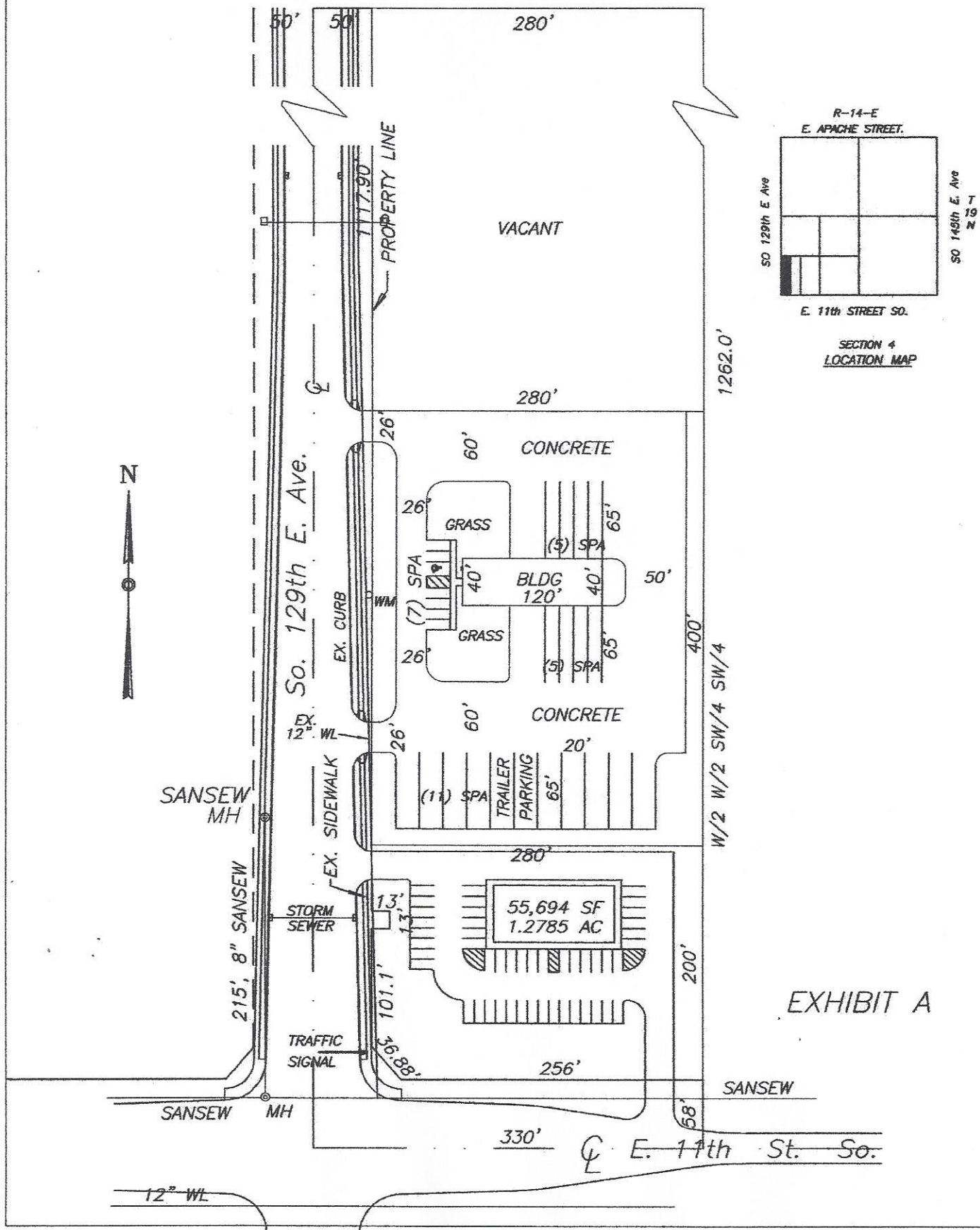
Exhibit F: Drainage Concept

Exhibit G: Access and Traffic Circulation Plan

Exhibit H: Preliminary Landscape Concept Plan.



# CONCEPT SITE PLAN





# DEVELOPMENT AREAS

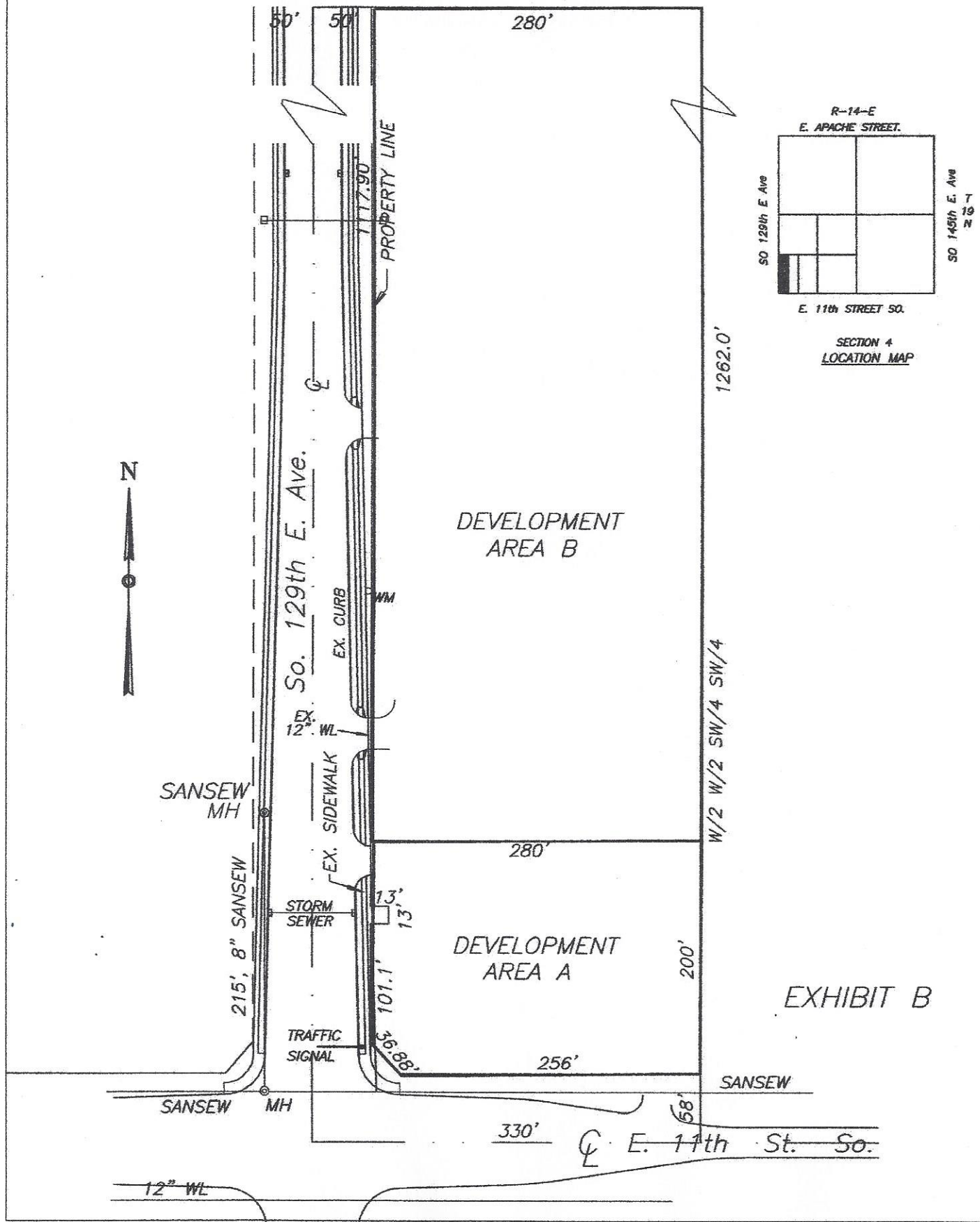
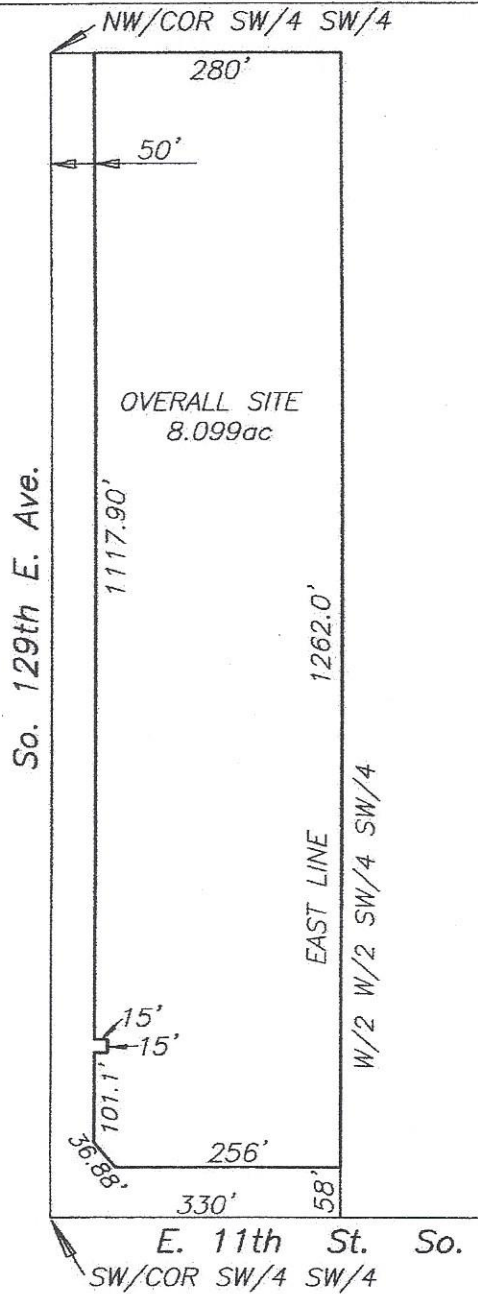


EXHIBIT B

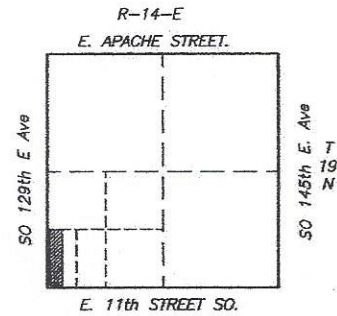
# EXHIBIT B-1 OVERALL SITE



SCALE: 1" = 200'

## LEGEND

SW/4	SOUTHWEST QUARTER
W/2	WEST HALF
S/2	SOUTH HALF
ac	ACRES
NW/COR	NORTHWEST CORNER



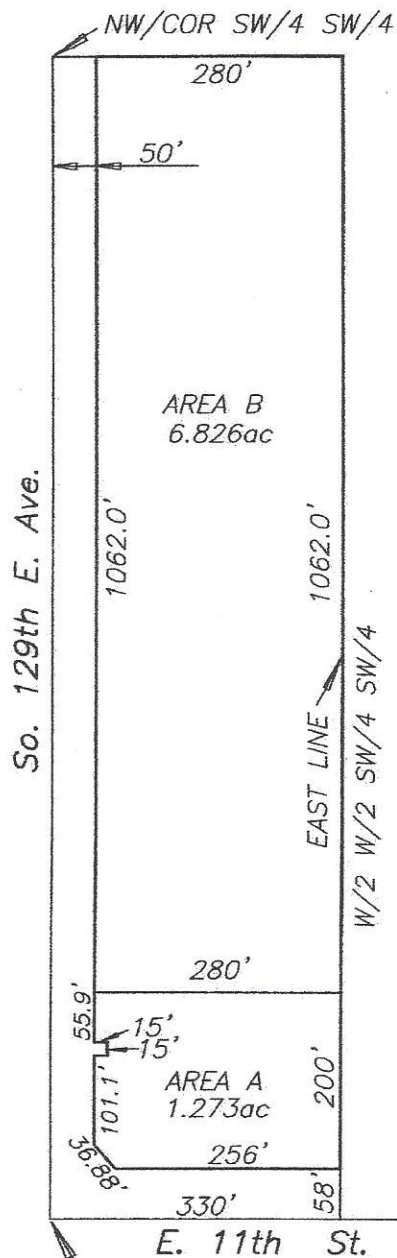
## SECTION 4 LOCATION MAP

E. 11th St. So.  
SW/COR SW/4 SW/4

## LEGAL DESCRIPTION

THE W/2 W/2 SW/4 SW/4 LESS THE FOLLOWING, BEGINNING AT THE SOUTHWEST CORNER OF THE SW/4, THENCE NORTH TO THE NORTHWEST CORNER OF THE SW/4 SW/4; THENCE EAST 50 FEET, THENCE SOUTH TO A POINT 202.10 FEET NORTH AND 50 FEET EAST OF THE SOUTHWEST CORNER OF THE SW/4; THENCE EAST 15 FEET, THENCE SOUTH 15 FEET, THENCE WEST 15 FEET; THENCE SOUTH 101.10 FEET TO A POINT 86 FEET NORTH AND 50 FEET EAST OF THE SOUTHWEST CORNER OF THE SW/4; THENCE SOUTHEASTERLY 36.38 FEET TO A POINT 74 FEET EAST AND 58 FEET NORTH OF THE SOUTHWEST CORNER OF THE SW/4; THENCE EAST TO THE EAST LINE OF THE W/2 W/2 SW/4 SW/4; THENCE SOUTH 58 FEET; WEST TO THE POINT OF BEGINNING, SECTION 14, T-19-N, R-14-E, TULSA COUNTY, OKLAHOMA.

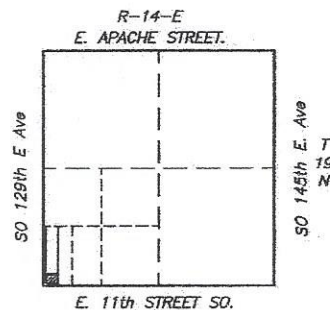
## EXHIBIT B-2 DEVELOPMENT AREA A



SCALE: 1" = 200'

### LEGEND

SW/4	SOUTHWEST QUARTER
W/2	WEST HALF
S/2	SOUTH HALF
ac	ACRES
NW/COR	NORTHWEST CORNER



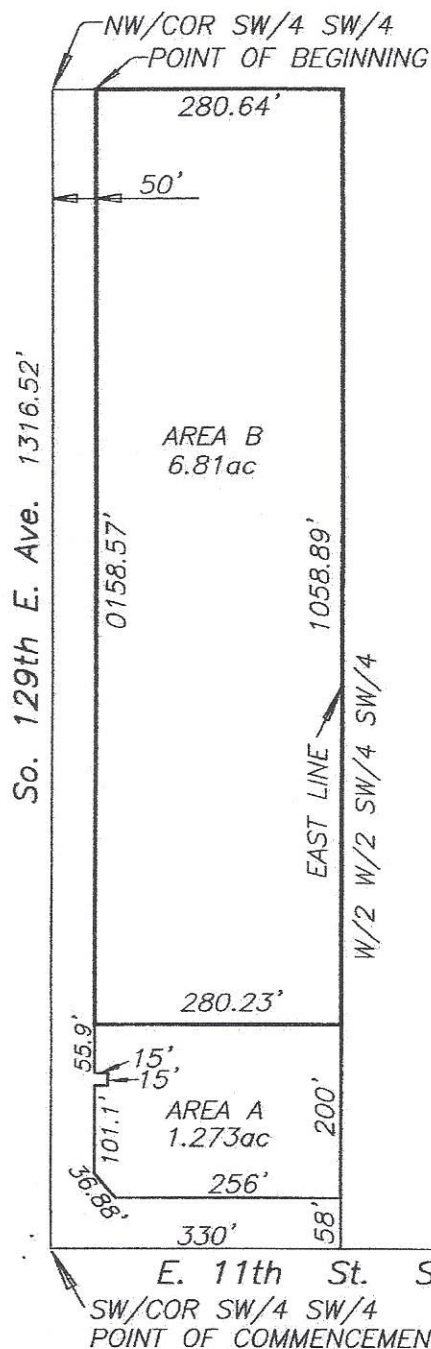
### SECTION 4 LOCATION MAP

### LEGAL DESCRIPTION

SW/COR SW/4 SW/4 THE SOUTH 200 FEET OF THE FOLLOWING DESCRIBED PROPERTY;  
THE W/2 W/2 SW/4 SW/4 LESS THE FOLLOWING, BEGINNING AT THE SOUTHWEST CORNER OF  
THE SW/4, THENCE NORTH TO THE NORTHWEST CORNER OF THE SW/4 SW/4; THENCE EAST  
50 FEET, THENCE SOUTH TO A POINT 202.10 FEET NORTH AND 50 FEET EAST OF THE  
SOUTHWEST CORNER OF THE SW/4; THENCE EAST 15 FEET, THENCE SOUTH 15 FEET, THENCE  
WEST 15 FEET; THENCE SOUTH 101.10 FEET TO A POINT 86 FEET NORTH AND 50 FEET EAST  
OF THE SOUTHWEST CORNER OF THE SW/4; THENCE SOUTHEASTERLY 36.38 FEET TO A POINT  
74 FEET EAST AND 58 FEET NORTH OF THE SOUTHWEST CORNER OF THE SW/4; THENCE  
EAST TO THE EAST LINE OF THE W/2 W/2 SW/4 SW/4; THENCE SOUTH 58 FEET; WEST  
TO THE POINT OF BEGINNING, SECTION 14, T-19-N, R-14-E, TULSA COUNTY, OKLAHOMA.



# EXHIBIT B-3



SCALE: 1" = 200'

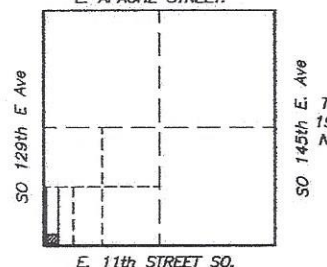
## LEGEND

SW/4	SOUTHWEST QUARTER
W/2	WEST HALF
S/2	SOUTH HALF
ac	ACRES
NW/COR	NORTHWEST CORNER

## LEGAL DESCRIPTION

A TRACT OF LAND THAT IS PART OF THE WEST HALF OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (W/2 W/2 SW/4 SW/4) OF SECTION FOUR (4), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN IN TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER; THENCE N 01°35'36" W, ALONG THE WESTERLY LINE OF SAID SW/4, FOR 1316.52 FEET TO THE NORTHWEST CORNER OF SAID W/2 W/2 SW/4 SW/4; THENCE N 88°36'27" E, ALONG THE NORTHERLY LINE OF SAID SW/4 SW/4 FOR 50.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE N 88°36'27" E, CONTINUING ALONG SAID NORTHERLY LINE, FOR 280.64 FEET TO A POINT ON THE EASTERLY LINE OF SAID W/2 W/2 SW/4 SW/4; THENCE S 01°34'15" E, ALONG SAID EASTERLY LINE, FOR 1,058.89 FEET; THENCE S 88°40'21" W FOR 280.23 FEET; THENCE N 01°35'36" W, PARALLEL WITH THE WESTERLY LINE OF SAID SW/4, FOR 1058.57 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

R-14-E  
E. APACHE STREET.



## SECTION 4

## LOCATION MAP

# EXISTING ZONING

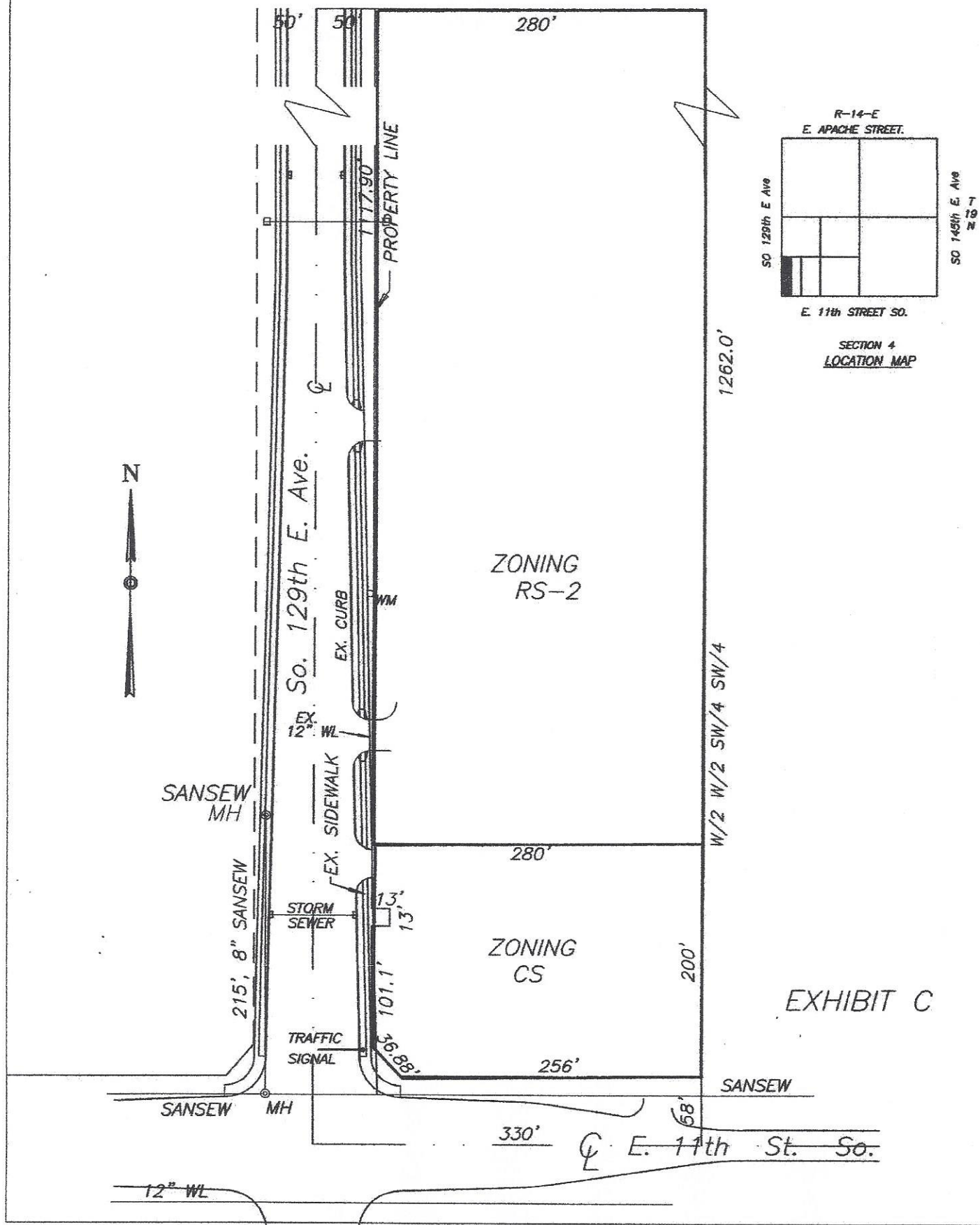
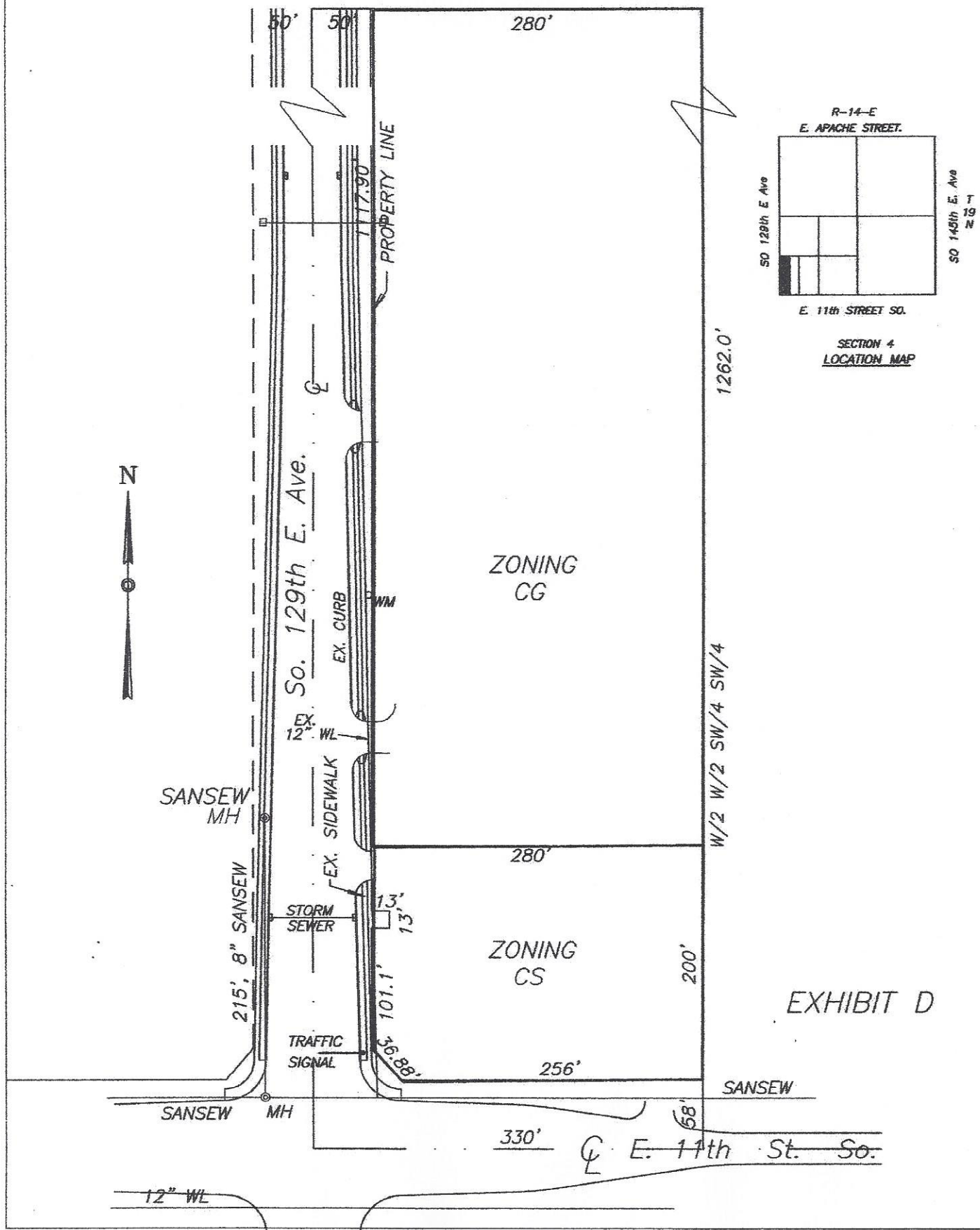


EXHIBIT C

# PROPOSED ZONING





# SITE PLAN W/ TOPOGRAPHY

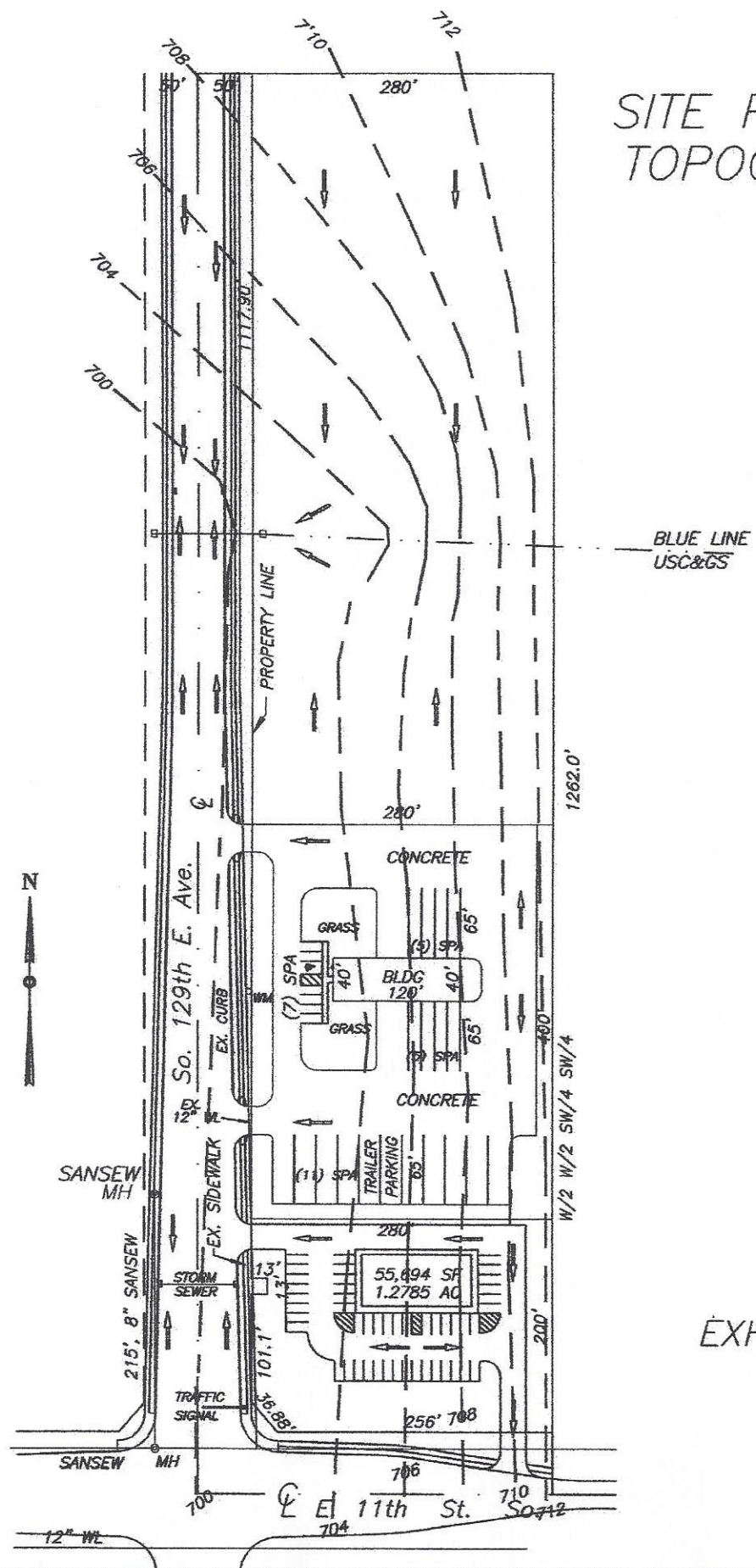
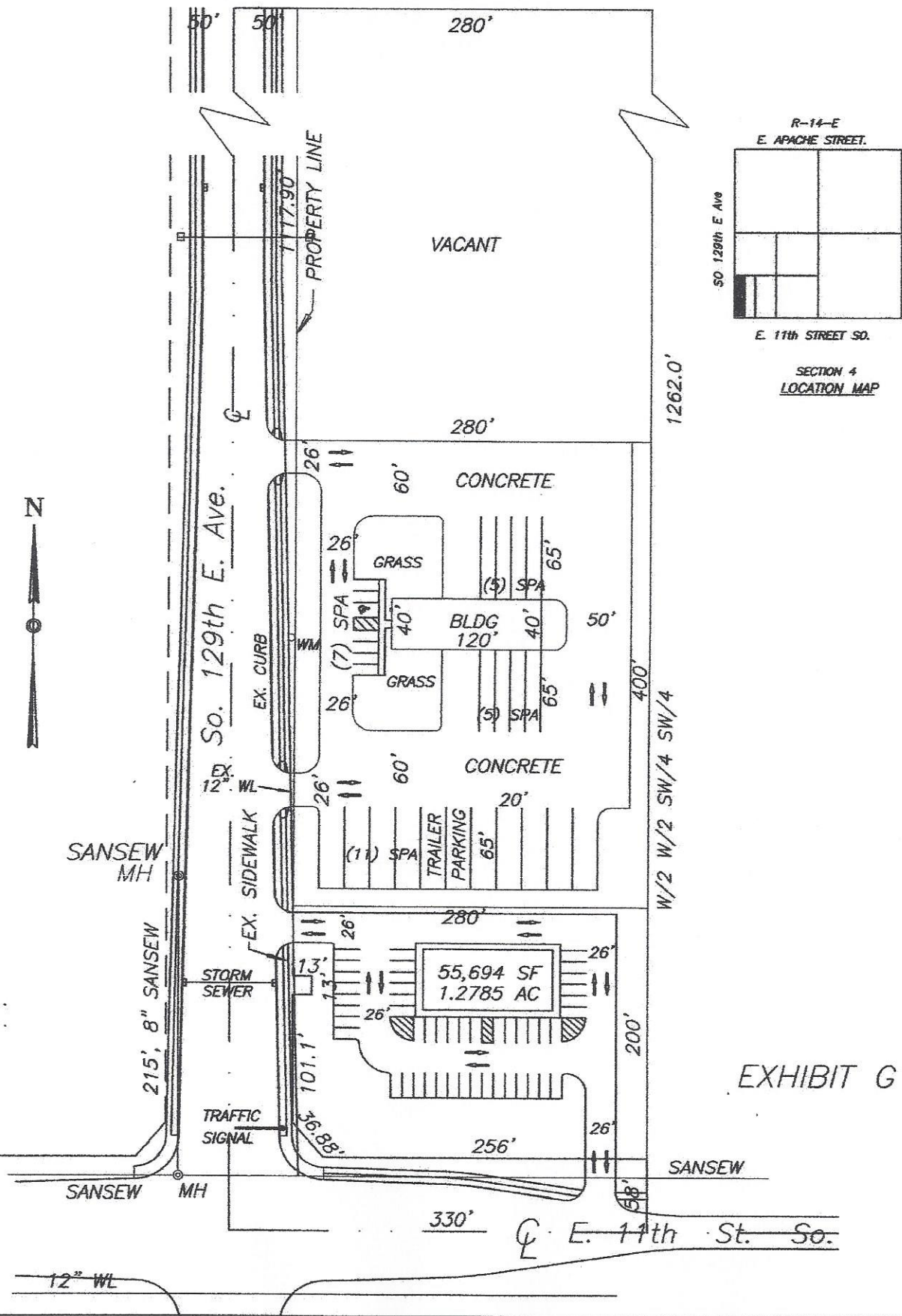


EXHIBIT E

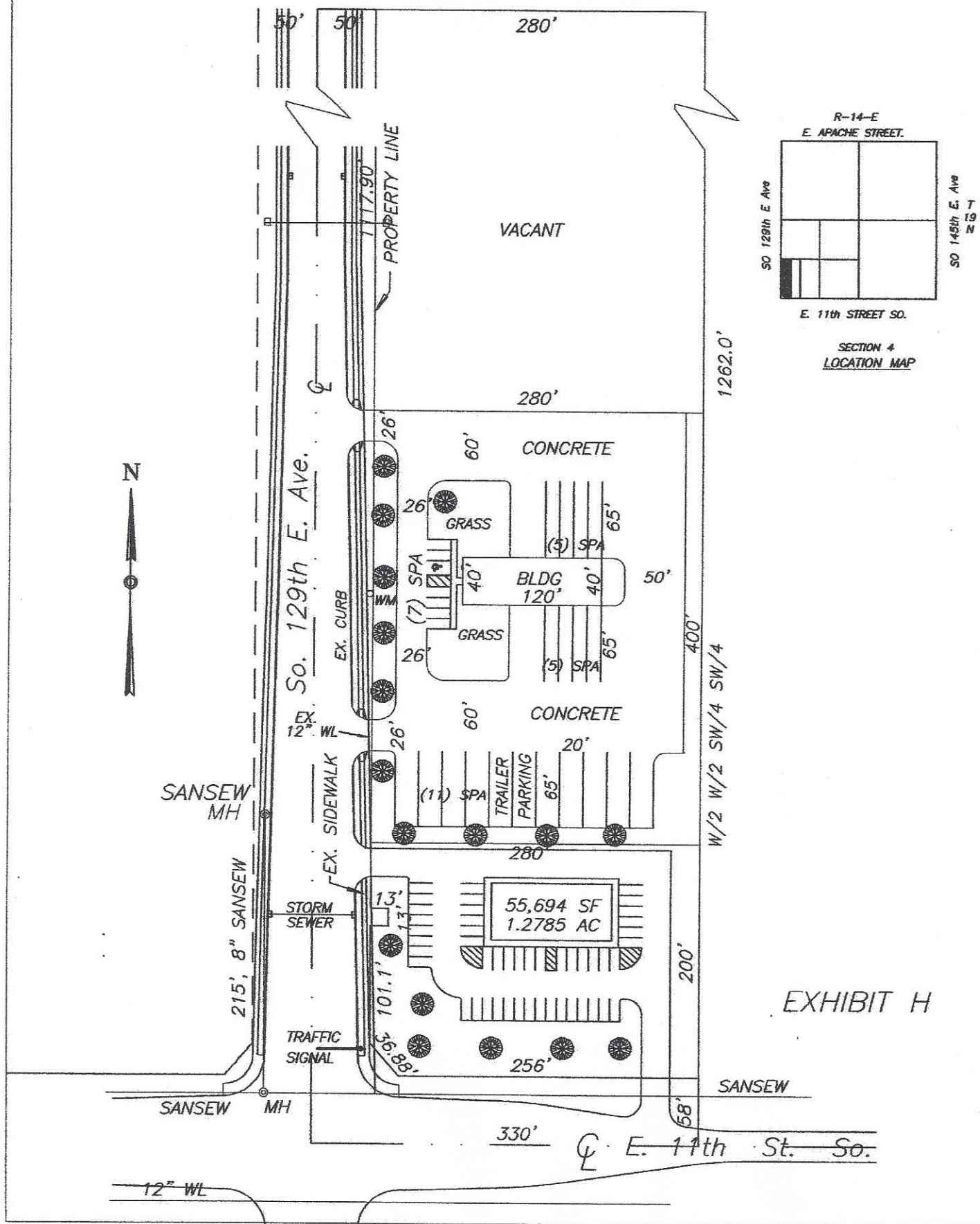
[illegible]

### 3.30





# PRELIMINARY LANDSCAPE CONCEPT PLAN



**From:** [Foster, Nathan](#)  
**To:** [Sawyer, Kim](#)  
**Subject:** Jack Wills Preliminary Plat - Continuance Request  
**Date:** Tuesday, September 26, 2023 2:56:02 PM

---

Kim,

Staff is requesting a continuance on the Jack Wills Preliminary Plat until November 1, 2023.

The applicant has submitted an associated zoning application that is scheduled for that date. We would like to discuss the items together.

Thanks,

**Nathan Foster | Principal Planner**

**Tulsa Planning Office**

Department of City Experience

175 E. 2nd Street, Suite 480

Tulsa, OK 74103-3216

**T:** 918-596-7609

**E:** [nathanfoster@cityoftulsa.org](mailto:nathanfoster@cityoftulsa.org)

[www.tulsaplanning.org](http://www.tulsaplanning.org)



**Case:** Northwest Passage I

**Hearing Date:** October 4, 2023

**Case Report Prepared by:**

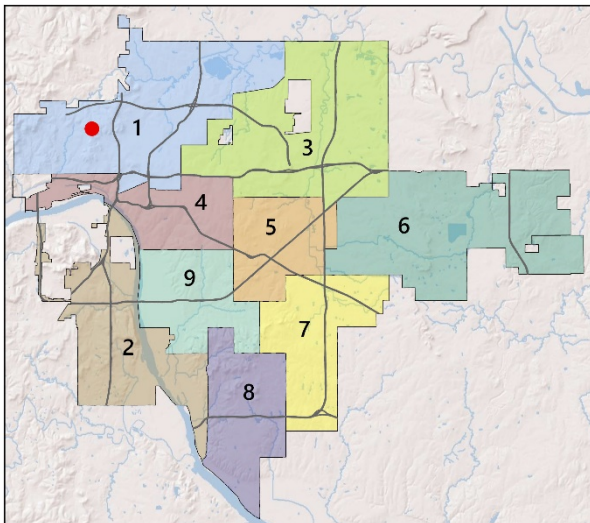
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* TEP, Jack Taber

*Owner:* DR Horton, Brian Doyle

**Location Map:**  
(shown with City Council districts)



**Applicant Proposal:**

Preliminary Plat

101 lots, 9 blocks, on 27.5 ± acres

*Location:* East of the northeast corner of North Gilcrease Museum Road and Apache Street North

**Zoning:** RS-3, PUD-624-A

**Staff Recommendation:**

Staff recommends **approval** of the preliminary plat

**City Council District:** 1

*Councilor Name:* Vanessa Hall-Harper

**County Commission District:** Osage District 3

*Commissioner Name:* Charlie Cartwright

## PRELIMINARY SUBDIVISION PLAT

### Northwest Passage I - (CD 1)

East of the northeast corner of North Gilcrease Museum Road and Apache Street North

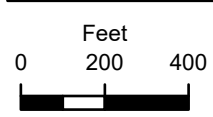
This plat consists of 101 lots, 9 blocks on 27.5 ± acres.

The Technical Advisory Committee (TAC) met on September 21, 2023 and provided the following conditions:

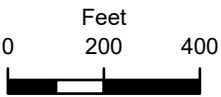
1. **Zoning:** The property is zoned RS-3 with a Planned Unit Development (PUD-624-A). Final subdivision plans are required to comply with the standards adopted in PUD-624-A. PUD number must remain on the face of the plat and applicable standards must be included in the deed of dedication.
2. **Addressing:** City of Tulsa addresses and street names must be assigned and affixed to the face of the final plat along with the address disclaimer.
3. **Transportation & Traffic:** Sidewalks and appropriate ADA compliant ramps are required along all street frontages. Right-of-way permits will be required for driveways connecting to public streets. IDP approval is required prior to final plat approval. Label and dimension all street right-of-way included in the plat or adjacent to the plat with either recording information or "dedicated by plat". Right-of-way dedications are required to comply with major street and highway plan. Provide a connection to the unplatted property in the center of the subdivision to establish connectivity for potential future development. Reconfigure West 26<sup>th</sup> Place North to eliminate Reserve C. Stub streets are required to comply with Section 5-060.5 of the Subdivision Regulations including notes on the face of the plat and signage installed to indicate future connections. Any stub streets exceeding 150 feet in length will be required to provide approved turnarounds.
4. **Sewer/Water:** Label and dimension all required or existing easements. Any required offsite easements are required to be recorded and recording information must be provided on the final plat. IDP approval is required for all sewer and water extensions prior to approval of the final plat.
5. **Engineering Graphics:** Submit subdivision control data sheet with final plat. Remove contours from final plat. Under the basis of bearing information, include the coordinate system used. Provide a bearing angle shown on the face of the plat. Graphically show all pins found or set that are associated with the plat.
6. **Stormwater, Drainage, & Floodplain:** IDP approval for storm sewer improvements is required prior to final plat approval. Label and dimension all required or existing easements. Any required offsite easements are required to be recorded and recording information must be provided on the final plat.
7. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and all other requirements of the Subdivision and Development Regulations. City of Tulsa release letter is required prior to final plat approval.







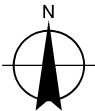


Subject  
Tract

# Northwest Passage I

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2021





**Land Use Plan Categories**

Arkansas River Corridor

Downtown

Employment

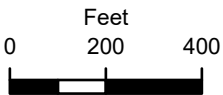
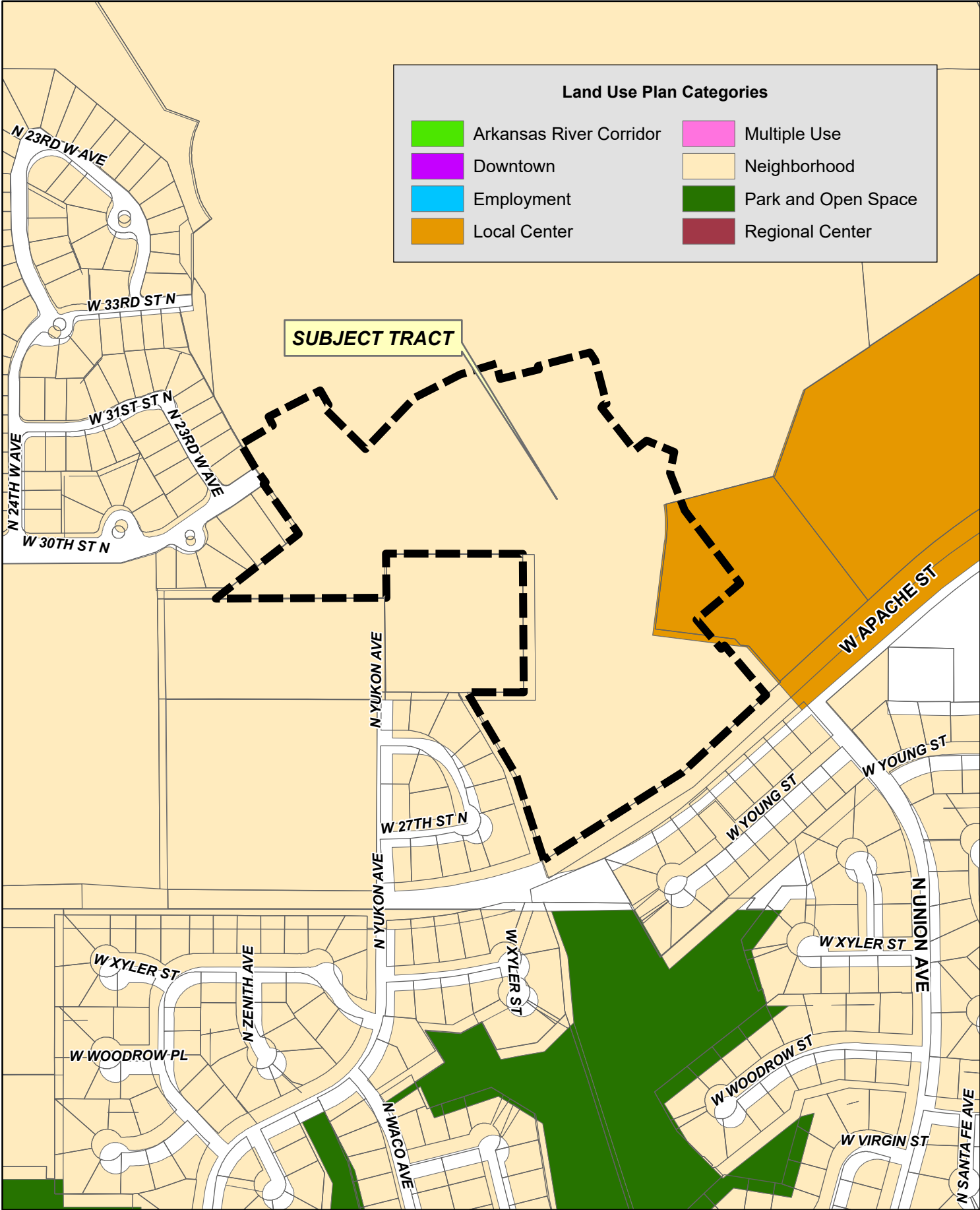
Local Center

Multiple Use

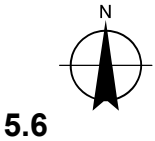
Neighborhood

Park and Open Space

Regional Center



Northwest Passage I

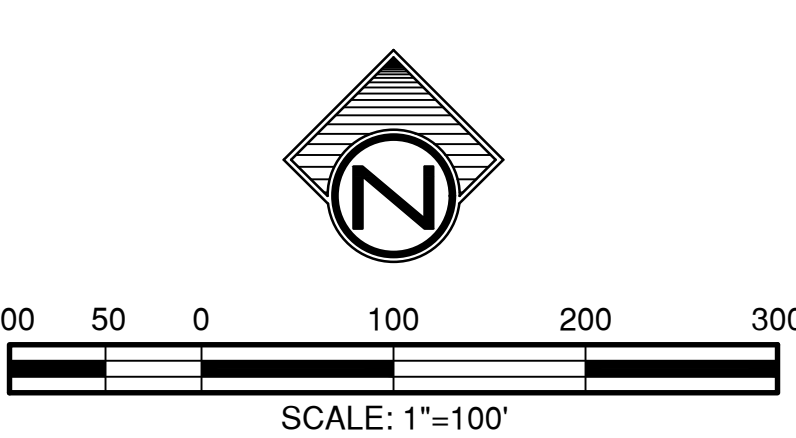
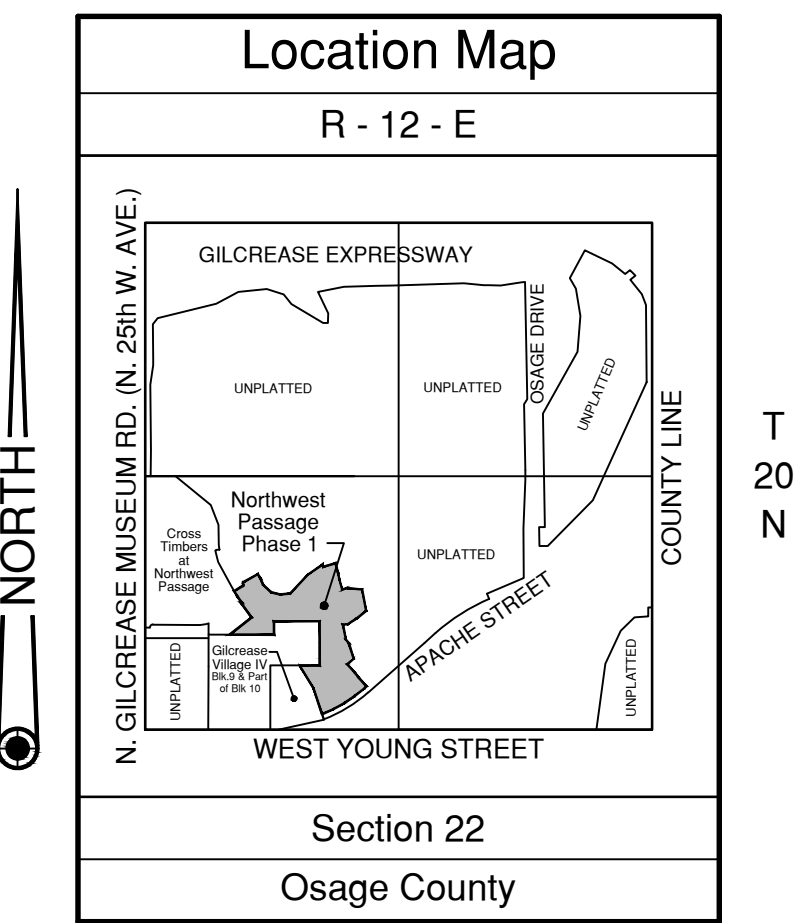




STATE OF OKLAHOMA } ss.  
COUNTY OF OSAGE  
I, Robin Slack, Osage County Clerk, in and for the County and State above named, do hereby certify that the foregoing is a true and correct copy of a like instrument now on file in my office.  
Dated the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_  
Robin Slack, Osage County Clerk

ENGINEER / SURVEYOR  
Tulsa Engineering & Planning Associates, Inc.  
an Oklahoma corporation  
9810 East 42nd Street, Suite 100  
Tulsa, Oklahoma 74146  
918.252.9621  
Russell K. Fischer, P.E.  
r.fischer@tulsaengineering.com  
CERTIFICATE OF AUTHORIZATION NO. 531  
RENEWAL DATE: JUNE 30, 2025

OWNER / DEVELOPER  
D.R. Horton - Texas, LTD.,  
A Texas Limited Partnership  
3863 South 103rd East Avenue  
Tulsa, Oklahoma 74146  
Phone: 918.906.2448



# Preliminary Plat PUD No. 624 Northwest Passage I

A subdivision in the City of Tulsa, being a part of the SW/4  
Section 22, Township 20 North, Range 12 East of the Indian Base and Meridian,  
Osage County, State of Oklahoma

Curve Table					
No.	Delta	Radius	Length	Chord Bearing	Chord Length
C1	04°06'08"	425.00'	30.43'	N 29°14'55" W	30.42'
C2	01°00'27"	370.00'	17.06'	S 43°18'16" W	17.06'
C3	04°10'43"	275.00'	20.06'	S 52°58'19" W	20.05'
C4	20°22'11"	146.172	519.67'	S 59°09'39" W	516.94'
C5	90°00'00"	25.00'	39.27'	N 86°01'27" W	35.36'
C6	10°56'42"	1325.00'	253.11'	S 54°26'54" W	252.72'
C7	259°01'14"	60.00'	271.25'	N 09°25'52" E	92.58'
C8	81°31'10"	25.00'	35.57'	S 81°49'06" E	32.64'
C9	05°09'50"	1275.00'	114.91'	N 54°50'24" E	114.87'
C10	93°16'56"	25.00'	40.70'	N 05°37'01" E	36.35'
C11	13°43'44"	625.00'	149.76'	N 34°03'35" W	149.40'
C12	86°01'43"	25.00'	37.54'	N 70°18'34" W	34.11'
C13	56°05'04"	25.00'	24.47'	S 38°38'02" W	23.51'
C14	275°14'47"	50.00'	240.20'	N 31°47'06" W	67.40'
C15	39°09'43"	25.00'	17.09'	N 86°15'26" E	16.76'
C16	88°47'36"	25.00'	38.74'	N 22°16'47" E	34.98'
C17	22°45'56"	375.00'	149.00'	N 10°44'03" W	148.02'
C18	30°08'09"	25.00'	13.15'	N 14°25'10" W	13.00'
C19	131°26'55"	50.00'	114.71'	N 36°14'13" E	91.16'
C20	29°55'35"	25.00'	13.06'	N 66°59'53" E	12.91'
C21	90°00'00"	25.00'	39.27'	N 27°02'06" E	35.36'
C22	12°37'27"	570.00'	125.59'	N 24°16'38" W	125.34'
C23	95°15'50"	25.00'	41.57'	N 78°13'16" W	36.94'
C24	36°17'46"	235.00'	148.87'	S 72°17'42" W	146.39'
C25	14°59'39"	325.00'	85.05'	N 82°03'35" W	84.81'
C26	81°47'12"	25.00'	35.69'	S 64°32'38" W	32.73'
C27	10°02'38"	325.00'	56.97'	S 28°40'21" W	56.90'
C28	96°06'21"	25.00'	15.75'	S 15°36'29" W	15.49'
C29	283°18'45"	60.00'	296.68'	N 40°45'19" W	74.45'
C30	73°42'01"	25.00'	32.16'	N 64°03'03" E	29.99'
C31	03°33'01"	275.00'	17.04'	N 25°25'32" E	17.04'
C32	81°47'12"	25.00'	35.69'	N 17°14'35" W	32.73'
C33	19°33'12"	325.00'	110.91'	N 48°21'35" W	110.38'
C34	87°17'01"	25.00'	38.08'	N 82°13'29" W	34.51'
C35	00°47'37"	1030.00'	14.27'	S 54°31'49" W	14.27'
C36	00°29'14"	970.00'	8.25'	N 54°41'01" E	8.25'
C37	91°28'40"	25.00'	39.91'	N 08°42'04" E	35.91'
C38	95°44'17"	425.00'	42.56'	N 34°10'07" W	42.56'
C39	09°30'46"	375.00'	62.26'	S 31°50'11" E	62.19'
C40	95°02'09"	25.00'	41.47'	S 84°06'39" E	36.87'
C41	04°33'46"	970.00'	77.25'	N 46°05'23" E	77.23'
C42	04°53'10"	1030.00'	67.84'	S 46°15'27" W	67.81'
C43	87°17'01"	25.00'	38.08'	S 05°03'32" W	34.51'
C44	50°58'26"	275.00'	244.66'	S 64°04'12" E	236.67'
C45	90°00'00"	25.00'	39.27'	N 45°26'35" E	35.36'
C46	09°11'16"	235.00'	37.59'	N 05°12'13" E	37.64'
C47	26°33'57"	25.00'	26.43'	N 20°30'08" W	25.21'
C48	155°05'54"	50.00'	135.26'	N 26°34'21" E	97.63'
C49	60°33'57"	25.00'	26.43'	N 73°47'49" E	25.21'
C50	29°14'07"	235.00'	119.91'	N 58°07'54" E	118.61'
C51	88°06'26"	25.00'	38.44'	N 28°41'44" E	252.37'
C52	15°25'35"	370.00'	99.62'	S 23°04'16" E	99.32'
C53	98°19'59"	25.00'	42.91'	S 79°57'03" E	37.98'
C54	92°32'32"	25.00'	40.38'	S 04°36'41" W	36.13'
C55	23°41'41"	630.00'	260.54'	S 29°48'45" E	258.68'
C56	73°03'59"	25.00'	31.88'	S 54°29'53" E	29.76'
C57	146°07'57"	50.00'	127.52'	S 17°57'54" E	95.66'
C58	73°03'59"	25.00'	31.88'	N 83°40'5" W	29.76'
C59	23°03'33"	320.00'	128.79'	S 29°29'41" E	127.92'
C60	90°00'00"	25.00'	39.27'	S 86°01'27" E	35.36'
C61	90°00'00"	25.00'	39.27'	N 03°58'33" E	35.36'
C62	180°00'00"	9.00'	28.27'	S 48°58'33" W	18.00'
C63	180°00'00"	9.00'	28.27'	N 48°58'33" E	18.00'
C64	90°00'00"	25.00'	39.27'	S 03°58'33" W	35.36'
C65	90°00'00"	25.00'	39.27'	N 86°01'27" W	35.36'
C66	17°42'02"	575.00'	177.64'	N 32°10'26" W	176.93'
C67	23°46'00"	32500'	134.81'	N 11°26'25" W	133.85'
C68	71°35'31"	25.00'	31.24'	N 36°14'20" E	29.25'
C69	90°00'00"	25.00'	39.37'	S 62°57'54" E	35.36'
C70	23°03'33"	380.00'	152.93'	S 29°29'41" E	151.90'
C71	95°48'24"	25.00'	41.80'	S 6°14'37" W	37.10'
C72	36°17'46"	185.00'	117.91'	S 72°17'42" W	115.25'
C73	90°00'00"	25.00'	39.27'	N 44°33'25" W	35.36'
C74	72°18'23"	185.00'	233.47'	N 36°35'46" E	218.28'
C75	83°41'28"	25.00'	36.52'	S 65°24'18" E	33.36'
C76	18°06'01"	430.00'	135.84'	S 32°36'35" E	135.28'
C77	90°00'00"	30.00'	47.12'	S 03°58'33" W	33.36'
C78	90°00'00"	30.00'	47.12'	N 86°01'27" W	33.36'

Lot Areas		
Lot	Area (S.F.)	Lot
1	8,448	1
2	8,470	2
3	8,393	3
4	7,598	4
5	8,402	5
6	9,061	6
7	14,291	7
8	15,350	8
9	9,061	9
10	12,711	10
11	7,109	11
12	8,110	12
13	6,712	13
14	7,049	14
15	6,998	15
16	8,408	16
17	12,925	17
18	18,794	18
19	11,111	19
20	8,051	20
21	7,953	21
22	7,350	22
23	12,772	23
24	8,230	24
25	6,780	25
26	6,790	26
27	7,210	27
28	8,574	28
29	7,319	29
30	7,230	30
31	6,633	31
32	7,079	32
33	6,900	33
34	6,900	34
35	6,901	35
36	6,901	36
37	6,901	37
38	6,902	38
39	6,902	39
40	7,053	40
41	9,323	41
42	10,666	42
43	11,513	43
44	10,492	44
45	19,393	45
46	8,643	46
47	10,428	47
48	9,507	48
49	9,070	49
50	7,468	50
51	11,013	51

Line Table		
No.	Bearing	Distance
L1	S 41°01'27" E	117.00'
L2	N 41°01'27" W	117.00'
L3	S 59°55'15" W	28.29'
L4	N 41°01'27" E	26.63'
L5	N 21°40'07" E	4.73'
L6	S 54°08'49" W	18.42'
L7	S 23°39'02" W	17.70'
L8	S 80°40'02" E	11.81'
L9	N 23°39'02" E	17.70'
L10	N 38°34'59" W	26.15'
L11	N 00°26'35" E	38.39'
L12	N 50°56'06" W	11.74'
L13	S 75°55'12" E	11.74'
L14	S 50°52'57" W	41.24'
L15	N 88°58'07" E	6.09'
L16	S 55°06'04" W	6.09'
L17	S 41°01'27" E	9.31'
L18	N 41°01'27" E	9.31'
L19	N 41°01'27" W	28.68'
L20	N 00°26'35" E	13.62'
L21	S 54°08'49" W	18.42'
L22	N 00°26'35" E	38.39'
L23	N 89°33'25" W	17.50'

**Floodplain Note**  
The subject property is located within an area designated as Zone X (Area of Minimal Flood Hazard) by the Federal Emergency Management Agency (FEMA), on Flood Insurance Rate Map No. 40113C1234K, with an effective date of April 2, 2008, for Community No. 400146, City of Tulsa in Osage County, State of Oklahoma, which is the current Flood Insurance Rate Map for the community in which said premises is situated. Subject property is also not contained within a Regulatory Floodplain per Panel No. 28 of the Tulsa Regulatory and FEMA Floodplain maps, dated August 9, 2021.

CERTIFICATE  
I, \_\_\_\_\_ hereby  
certify that all real estate taxes involved in this plat have  
been paid as reflected by the current tax rolls. Security as required  
has been provided in the amount of \$ \_\_\_\_\_  
per receipt no. \_\_\_\_\_ to applied to 20 \_\_\_\_\_ taxes.  
This certificate is NOT to be construed as payment of 20 \_\_\_\_\_  
taxes in full but is given in order that this plat may be filed on record.  
20 \_\_\_\_\_ taxes could exceed the amount of the security deposit.  
Dated \_\_\_\_\_ 20 \_\_\_\_\_  
by \_\_\_\_\_  
County Treasurer Osage County, Oklahoma

**Legend**  
L.N.A. = Limits of No Access  
Res. = Reserve  
U/E = Utility Easement

**Surveyor's Note**  
Date of Last Field Visit: September 29, 2022

**Monument Notes**  
A 3/8" x 18" deformed bar with a yellow plastic cap stamped "CA531" to be set at all plat boundary corners, prior to recordation unless noted otherwise.  
A 3/8" x 18" deformed bar with a yellow plastic cap stamped "CA531" to be set at all lot corners after completion of improvements, unless noted otherwise.  
A 3/8" x 18" deformed bar with a yellow plastic cap stamped "CA531" to be set at all street centerline intersections, points of curve, points of tangent, points of compound curve, points of reverse curve, centers of cul-de-sacs and centers of eyebrows, after completion of improvements.

**Basis of Bearings**  
The non-astronomic bearings shown hereon are based on an assumed bearing of S 89°37'46" E along the South line of the SW/4 of Section 22, T-20-N, R-12-E of the Indian Base and Meridian, Osage County, State of Oklahoma, according to the U.S. Government Survey thereof.

**Benchmarks**  
Offsite Benchmark  
ADS 2016-25  
A 5/8" Rebar - 3" aluminum cap - flush, stamped 2016-25, set in concrete post 36" in ground approximately 40' west and 550' south of intersection of West 36th Street North and Martin Luther King Jr. Boulevard  
Northing: 444,526.27'  
Easting: 2,560,398.67'  
Elevation: 681.40'  
Site Benchmark  
Top of a 3/8" Steel Pin with a Plastic Cap Stamped "TEP CA531" at the Northwest Corner of Lot 1, Block 1, Cross Timbers at Northwest Passage, Plat No. 169.  
Northing: 439,294.36'  
Easting: 2,553,455.47'  
Elevation: 836.39'  
Horizontal Datum: Oklahoma State Plane Coordinate System-North Zone  
Vertical Datum: North American Vertical Datum of 1988

**Backflow Preventer Valve**  
If the actual finished floor elevation is lower than one (1) foot above the upstream sanitary sewer manhole top of rim elevation, it shall be the builder's responsibility to install a backflow preventer valve near the building. The builder is responsible to comply with all city ordinances regarding the installation of any required backflow preventer valve.

**Lot Addresses**  
Addresses shown on this plat were accurate at the time this plat was filed. Addresses are subject to change and should never be relied upon in place of the legal description.

**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 the date of City Council approval if not filed in the Office of the County Clerk before that date.



Northwest Passage I

DEED OF DEDICATION AND RESTRICTIVE COVENANTS  
P.U.D. No. 624-A

KNOW ALL MEN BY THESE PRESENTS:

D.R. HORTON-TEXAS, LTD., a Texas limited partnership, hereinafter referred to as the "Owner/Developer", is the owner of the following described land in the City of Tulsa, Osage County, State of Oklahoma, to wit:

A tract of land contained within the Southwest Quarter (SW/4) of Section Twenty-Two (22), Township Twenty (20) North, Range Twelve (12) East of the Indian Base and Meridian, Osage County, State of Oklahoma, according to the US Government Survey thereof, being more particularly described as follows:

Commencing at the southwest corner of said Southwest Quarter (SW/4);

Thence S 89°37'46" E, along the south line of said Southwest Quarter (SW/4), a distance of 1843.44 feet;

Thence N 00°00'00" E a distance of 157.32 feet to the "Point of Beginning", said point being on the northerly Right-of-Way line of West Apache Street, said point also being at the southeast corner of "Gilcrease Hills Village IV, Block 9 and part of Block 10", Plat No. 2A, Pages 101-102, as filed in the office of the Osage County Clerk;

Thence N 17°48'29" W, along the easterly line of said Plat No. 2A, a distance of 280.96 feet;

Thence N 30°44'43" W, continuing along said easterly line, a distance of 269.94 feet;

Thence N 06°32'52" W, continuing along said easterly line, a distance of 9.66 feet to the northeast corner thereof;

Thence S 89°33'25" E a distance of 204.65 feet;

Thence N 00°26'35" E a distance of 460.00 feet;

Thence N 89°33'44" W a distance of 475.00 feet;

Thence S 00°26'35" W a distance of 139.93 feet;

Thence N 89°27'11" W a distance of 460.03 feet to the south-southeast corner of "Cross Timbers at Northwest Passage", Plat No. 169, as filed in the office of the Osage County Clerk;

Thence along the southeasterly and northeasterly lines of said Plat No. 169, the following five (5) courses:

N 52°17'58" E a distance of 287.65 feet;

N 35°04'22" W a distance of 192.32 feet;

N 54°55'38" E a distance of 7.68 feet;

N 35°04'22" W a distance of 60.00 feet;

N 30°43'51" W a distance of 76.41 feet;

Thence N 58°42'01" E a distance of 117.97 feet;

Thence along a non-tangent curve to the right with a central angle of 04°06'08", a radius of 425.00 feet, an arc length of 30.43 feet, a chord bearing of N 29°14'55" W and a chord length of 30.42 feet;

Thence N 61°55'17" E a distance of 184.09 feet;

Thence S 30°27'25" E a distance of 52.33 feet;

Thence S 42°48'03" W a distance of 11.79 feet;

Thence along a tangent curve to the right with a central angle of 01°00'27", a radius of 970.00 feet, an arc length of 17.06 feet, a chord bearing of S 43°18'16" W and a chord length of 17.06 feet;

Thence S 46°05'24" E a distance of 181.07 feet;

Thence N 42°34'28" E a distance of 223.67 feet;

Thence N 62°29'17" E a distance of 163.13 feet;

Thence N 72°12'35" E a distance of 119.33 feet;

Thence S 15°21'29" E a distance of 49.44 feet;

Thence N 74°38'31" E a distance of 125.00 feet;

Thence N 15°21'29" W a distance of 10.89 feet;

Thence N 74°38'31" E a distance of 169.47 feet;

Thence S 35°46'16" E a distance of 30.19 feet;

Thence S 15°21'29" E a distance of 141.28 feet;

Thence along a non-tangent curve to the left with a central angle of 04°10'43", a radius of 275.00 feet, an arc length of 20.06 feet, a chord bearing of S 52°58'19" W and a chord length of 20.05 feet;

Thence S 50°52'57" W a distance of 17.61 feet;

Thence S 39°07'03" E a distance of 170.48 feet;

Thence N 51°30'00" E a distance of 47.85 feet;

Thence S 69°20'13" E a distance of 94.54 feet;

Thence S 09°59'31" W a distance of 68.34 feet;

Thence S 21°55'22" E a distance of 126.62 feet;

Thence S 38°17'02" E a distance of 288.82 feet;

Thence S 48°58'33" W a distance of 178.77 feet;

Thence S 41°01'27" E a distance of 120.00 feet;

Thence N 48°58'33" E a distance of 15.00 feet;

Thence S 41°01'27" E a distance of 185.00 feet to a point on the northerly Right-of-Way line of said West Apache Street;

Thence S 48°58'33" W, along said northerly line, a distance of 387.54 feet;

Thence continuing along said northerly line, along a tangent curve to the right with a central angle of 20°22'11", a radius of 1461.72 feet, an arc length of 519.67 feet, a chord bearing of S 59°09'39" W and a chord length of 516.94 feet to the "Point of Beginning".

Said tract contains 1,198,131 square feet or 27.5053 acres.

The non-astronomical basis of bearings contained herein is the south line of the Southwest Quarter (SW/4) of Section Twenty-Two (22), Township Twenty (20) North, Range Twelve (12) East of the Indian Base and Meridian, Osage County, State of Oklahoma, according to the US Government Survey thereof, being S 89°37'46" E.

The non-astronomic bearings for said tract are based on an assumed bearing of N 00°38'12" E along the West line of the SW/4 of Section 22, T-20-N, R-12-E of the Indian Meridian, Osage County, State of Oklahoma, according to the Official U.S. Government Survey thereof.

and has caused the above described lands to be surveyed, staked, platted and subdivided into lots, blocks and reserve areas, in conformity with the accompanying plat, and has designated the subdivision as Northwest Passage I, a Subdivision in the City of Tulsa, Osage County, Oklahoma.

SECTION I. EASEMENTS AND UTILITES

1.1 Utility Easements

The Owner/Developer does hereby dedicate to the public the utility easements designated as "U/E" or "Utility Easement" as depicted on the accompanying plat of Northwest Passage I (the "Plat"), 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 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/Developer hereby reserves the right to construct, maintain, operate, lay, re-lay and replace water lines and sewer lines, together with the right of ingress and egress for such construction, maintenance, operation, laying, re-laying 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 the area included in the Plat. The Owner/Developer herein imposes a restrictive covenant, which covenant shall be binding on the Owner/Developer and all subsequent owners of lots within the Subdivision (each lot owner referred to herein as the "owner") and shall be enforceable by the City of Tulsa, Oklahoma, and by the supplier of any affected utility service, that within the utility easements depicted on the accompanying Plat no building, structure or other above or below ground obstruction that interferes with the above set forth uses and purposes of an easement shall be placed, erected, installed or maintained, provided however, nothing herein shall be deemed to prohibit drives, parking areas, curbing, landscaping and customary screening fences that do not constitute an obstruction.

1.2. Underground Service

1.2.1 Overhead lines for the supply of electric, telephone and cable television services may be located within the perimeter easements of the subdivision. Streetlight poles or standards may be served by overhead line or underground cable and elsewhere throughout the subdivision, all supply lines including electric, telephone, cable television and gas lines shall be located underground in the easements dedicated for utility services and in the rights-of-way of the public streets as depicted on the accompanying plat. Service pedestals and transformers, as sources of supply at secondary voltages, may also be located in the utility easements.

1.2.2 Underground service cables and gas service lines to all structures which may be located within the subdivision may be run from the nearest gas main, service pedestal or transformer to the point of usage determined by the location and construction of such structure as may be located upon the lot. Provided that upon the installation of a service cable or gas service line to a particular structure, the supplier of service shall thereafter be deemed to have a definitive, permanent, effective and non-exclusive 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.

1.2.3 The suppliers of electric, telephone, cable television, and gas services, 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, cable television, or gas facilities installed by the supplier of the utility service.

1.2.4 The owner of the lot shall be responsible for the protection of the underground service facilities located on the lot and shall prevent the alteration of grade or any construction activity which would interfere with the electric, telephone, cable television, or gas facilities. Each supplier of service shall be responsible for ordinary maintenance of underground facilities, but the lot owner shall pay for damage or relocation of such facilities caused or necessitated by acts of the lot owner or the lot owner's agents or contractors.

1.2.5 The foregoing covenants set forth in this subsection 1.2. shall be enforceable by each supplier of the electric, telephone, cable television, or gas service and the owner of the lot agrees to be bound hereby.

1.3 Water, Sanitary Sewer, and Storm Sewer Services

1.3.1 The owner of any lot shall be responsible for the protection of the public water mains, sanitary sewer mains, and storm sewers located on the owner's lot.

1.3.2 Within the Utility Easement areas 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 that would, in the judgment of the City of Tulsa, interfere with public water mains,

sanitary sewer mains, or storm sewers shall be prohibited.

1.3.3 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 each lot shall pay for damage or relocation of such facilities located on the owner's lot caused or necessitated by the acts of the owner, or the owner's agents or contractors.

1.3.4 The City of Tulsa, 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, sanitary sewer, or storm sewer facilities.

1.3.5 The foregoing covenants concerning water, sanitary sewer and storm sewer services shall be enforceable by the City of Tulsa, Oklahoma, or its successors and each owner agrees to be bound thereby.

1.4 Gas Service

1.4.1 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 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.

1.4.2 The owner of the lot shall be responsible for the protection of the underground gas facilities located in the owner's lot and shall prevent the alteration, 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 lot owner shall pay for damage or relocation of facilities caused or necessitated by acts of the lot owner or its agents or contractors.

1.4.3 The foregoing covenants set forth in this subsection shall be enforceable by the supplier of the gas service and the owner of the lot agrees to be bound hereby.

1.5 Surface Drainage

Each lot shall receive and drain in an unobstructed manner the storm and surface waters from drainage areas of higher elevation. No lot owner shall construct or permit to be constructed any fencing or other obstructions that would impair the drainage of storm and surface waters over and across the owner's lot. The foregoing covenants set forth in this paragraph 1.5 shall be enforceable by any affected lot owner or by the City of Tulsa.

1.6 Paving and Landscaping Within Easements

The owner of the lot shall be responsible for repair of damage to the landscaping and paving occasioned by the installation or necessary maintenance of the underground water, sewer, storm water, gas, communication, cable television, or electric facilities within the easements depicted on the accompanying plat, provided however, that the City of Tulsa or the supplier of the utility service shall use reasonable care in the performance of such activities.

1.7 Limits of No Access

The undersigned Owner/Developer hereby relinquishes rights of vehicular ingress or egress from any portion of the property adjacent to Apache Street 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" established shall be enforceable by the City of Tulsa.

1.8 Sidewalks

Sidewalks shall be constructed and maintained along streets designated by and in accordance with the Tulsa Metropolitan Area Subdivision and Development Regulations and in accordance with City Ordinances. Sidewalks shall be constructed in conformance with the adopted standards of the City of Tulsa, Oklahoma. The Owner/Developer shall be required to construct sidewalks within reserve areas and common areas prior to the issuance of the first occupancy permit for any building within the subdivision. Where sidewalks are not required to be constructed by the

Owner/Developer, the owner of the lot shall construct the required sidewalk.

1.9 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 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. 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.

1.10 Reserve Areas

Reserve "A", "B" and "C" shall be used for utilities, open spaces, signage, and fencing as may be permitted by the City, irrigation, landscaping, and landscaping walls as may be permitted by the City and is reserved for subsequent conveyance to the Homeowners' Association to be formed pursuant to Section IV of this Deed of Dedication. The Homeowners' Association shall be responsible for all maintenance of Reserve "A", "B", and "C".

SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS, Northwest Passage I was submitted as part of a Planned Unit Development No. 624-A pursuant to the City of Tulsa Zoning Code.

WHEREAS, PUD 624-A was affirmatively recommended by the Tulsa Metropolitan Area Planning Commission on August 21, 2013 and was approved by the Tulsa City Council on October 17, 2013, the implementing ordinance No.22978, being adopted by the Council on October 24, 2013, and published on November 5, 2013.

WHEREAS, the Planned Unit Development provisions of the Tulsa Zoning Code require the establishment of covenants of record, inuring to and enforceable by the City of Tulsa, Oklahoma, sufficient to assure the implementation and continued compliance with the approved Planned Unit Development; and

WHEREAS, the Owner/Developer desires to establish restrictions for the purpose of providing for an orderly development and to insure adequate restrictions for the mutual benefit of the Owner/Developer, its successors and assigns, and the City of Tulsa, Oklahoma.

THEREFORE, the Owner/Developer does hereby impose the following restrictions and covenants, which shall be covenants running with the land and shall be binding upon the Owner/Developer, its successors and assigns, and shall be enforceable as hereinafter set forth.

Use and development of the property within the subdivision shall be subject to the following development standards.

2.1 Permitted Uses: Detached single-family residences and customary accessory uses (Use Unit 6).

2.2 Minimum Lot Width: 50 SF

2.3 Minimum Lot Size: 5,500 SF

2.4 Minimum Building Setbacks:

2.4.1 Front Yard 20 feet

2.4.2 Rear Yard 15 feet

2.4.3 Side Yards 5 ft./5ft. or 0 ft./10ft. \*

2.4.4 Corner Lot Side Yard 15 feet

2.5 Maximum Building Height: 35 feet

2.6 Minimum Livability Space per Lot:\*\* 2,000 SF

Northwest Passage I

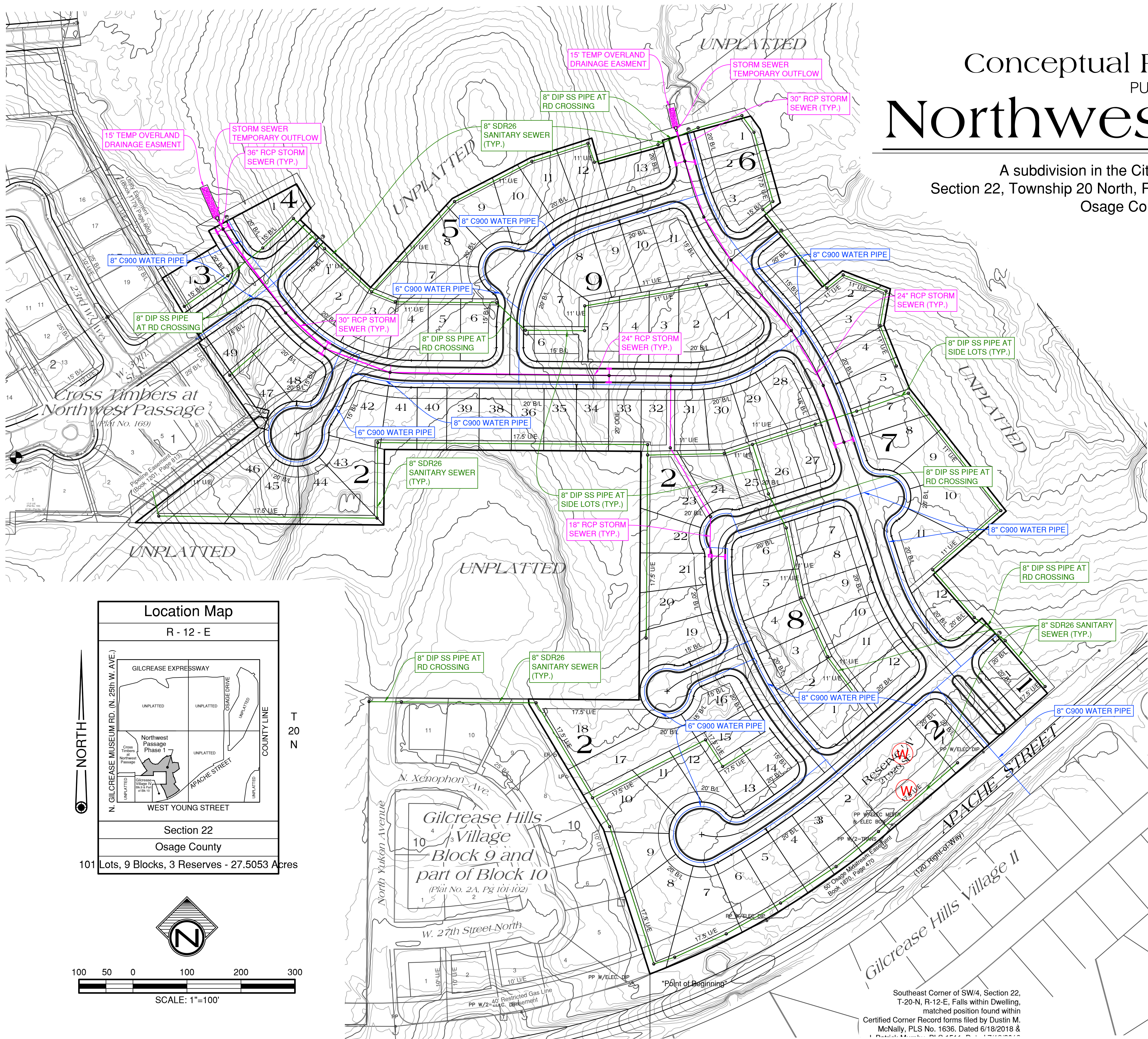
Date of Preparation: September 7, 2023

Sheet 2 of 3



2.7 Other Buk and Area Requirements: As established within a RS-4 District		seven (7) feet six (6) inches in height, except that in the computation of second or upper story living area, the height shall be seven (7) feet six (6) inches for at least one half (½) of the required living area, and any area of less than five (5) feet in height shall be excluded.		the street. Other types of fencing constructed of wrought iron, brick, or stone may be permitted if pre-approved by the Architectural Committee.	
* Individual developments will have Side Yards of either 5 ft./5 ft. or 0 ft./10 ft., not a combination the two will be allowed unless approved at the Detail Site Plan/Platting stage.		3.2.4 Waiver. The Architectural Committee may waive, in the particular instance, upon written request, the floor area requirements set out in Paragraphs 1 and 2 of this Subsection 3.2.		3.14 <u>Antennas</u>	
** "Livability Space" was defined by the City of Tulsa Zoning Code in effect when PUD 624-A was adopted as open space not allocated to off street parking or paved access to off-street parking areas. Unenclosed parking areas or paved access to parking areas within the rear yard were counted as livability space. Livability Space per Lot may take into account and utilize common open space to satisfy this requirement, if necessary.		3.3 <u>Garages</u>		3.14.1 Exterior television, "CB" Radio or other type antenna, including satellite dishes, shall be prohibited with the following exception. Small satellite dishes that do not exceed 20" in diameter shall be allowed so long as the dish is installed on the back of the dwelling and is not visible from any street within the Subdivision.	
SECTION III. PRIVATE BUILDING AND USE RESTRICTIONS		Each dwelling shall have an attached garage providing space for a minimum of two automobiles on each lot. Garages shall be enclosed and carports are prohibited. Glass in garage doors is prohibited.		3.14.2 Waiver. The Architectural Committee may waive, in the particular instance, upon written request, the foregoing restriction.	
WHEREAS, the Owner/Developer desires to establish restrictions for the purpose of providing for the orderly development of the Subdivision and conformity and compatibility of improvements therein.		3.4 <u>Foundations</u>		3.15 <u>Lot Maintenance</u>	
THEREFORE, the Owner/Developer does hereby impose the following restrictions and covenants, which shall be covenants running with the land, and shall be binding upon the Owner/Developer, its successors, grantees and assigns, and shall be enforceable as hereinafter set forth.		Any exposed foundation shall be of brick, stone or stucco. No stem wall shall be exposed.		No inoperative vehicle or machinery shall be stored on any lot and each lot shall be maintained in a neat and orderly condition free of rubbish, trash and other debris and shall be cut, trimmed or mowed to prevent growth of weeds or tall grass.	
3.1 <u>Architectural Committee - Plan Review</u>		3.5 <u>Masonry</u>		3.16 <u>Recreational Vehicles</u>	
3.1.1 No building, fence, wall or free standing mailbox shall be erected, placed or altered on any lot in the Subdivision until the plans and specifications have been approved in writing by the Owner/Developer, or its authorized representatives or successors, which are hereinafter referred to as the "Architectural Committee". For each building, the required plans and specifications shall be submitted in duplicate and include a site plan, floor plan, exterior elevations, drainage and grading plans, exterior materials and color scheme. In the event the Architectural Committee fails to approve or disapprove plans and specifications submitted to it as herein required within 10 days after submission, or in the event no suit to enjoin the erection of the building or structure or the making of an alteration has been commenced prior to the 30th day following completion thereof, approval of the Architectural Committee shall not be required and this covenant shall be deemed to have been fully complied with.		3.5.1 The first story exterior walls of the dwelling erected on any lot shall be 75% brick, stone, or stucco on the front and sides (excluding windows and doors). Siding may be installed only on the rear of the home.		Boats, trailers, campers, motor homes and similar recreational vehicles and equipment shall not be stored on any lot except within an enclosed garage.	
3.1.2 The Architectural Committee's purpose is to promote good design and compatibility within the Subdivision and in its review of plans or determination of any waiver as hereinafter authorized may take into consideration the nature and character of the proposed building or structure, the materials of which it is to be built, the availability of alternative materials, the site upon which it is proposed to be erected and the harmony thereof with the surrounding area. The Architectural Committee shall not be liable for any approval, disapproval or failure to approve hereunder and its approval of building plans shall not constitute a warranty or responsibility for building methods, materials, procedures, structural design, grading or drainage or code violations. The approval or failure to approve building plans shall not be deemed a waiver of any restriction. Nothing herein contained shall be deemed to prevent any of the owners from prosecuting any legal action relating to improvements within the Subdivision that they would otherwise be entitled to prosecute.		3.5.2 Waiver. The Architectural Committee may waive, in the particular instance, upon written request, the requirements set out in Paragraph 1 of this Subsection 3.5.		3.17 <u>Inoperative Vehicles</u>	
3.1.3 The powers and duties of the Architectural Committee may be transferred to the Homeowners' Association provided for in Section IV of this Deed of Dedication by written assignment to the Homeowners' Association by the Architectural Committee, and thereafter the foregoing powers and duties shall be exercised by the Board of Directors of the Homeowners' Association.		3.6 <u>Windows</u>		No inoperative vehicle shall be stored on any lot except within an enclosed garage.	
3.1.4 The Architectural Committee reserves the right in its sole discretion and without joinder of any owners at any time so long as one of the above committee members is the owner of any lot or part thereof to amend, revise or abolish any one or more of the above covenants and restrictions by instrument duly executed and acknowledged by the Architectural Committee and filed in the land records of the Osage County Clerk, State of Oklahoma.		Aluminum windows having a mill finish are prohibited.		3.18 <u>Clotheslines</u>	
3.2 <u>Floor Area of Dwelling</u>		3.7 <u>Roof Pitch</u>		Exposed clothesline poles or other outside drying apparatus are prohibited.	
3.2.1 Single Story. A single story dwelling shall have at least 1,600 square feet of finished heated living area;		3.7.1 No dwelling shall have a roof pitch of less than 6/12 over 75% of the horizontal area covered by the roof and no roof shall have a pitch of less than 3/12.		3.19 <u>Trash Containers</u>	
3.2.2 Two Story and Story-and-a-Half. If a dwelling has two levels or stories immediately above and below each other measured vertically and all such levels or stories are above the finished exterior grade of such dwelling, then such dwelling shall have at least 1,200 square feet of finished heated living area on the first story or level and shall have a total of the various levels or stories of at least 2,000 square feet of finished heated living area.		3.7.2 Waiver. The Architectural Committee may waive, in the particular instance, upon written request, the foregoing restrictions to permit a dwelling having a flat roof over more than 25% of the horizontal area covered by roof; PROVIDED the waiver, to be effective, must be in writing, dated, and executed by the committee.		Trash containers, except during periods of collection, shall be stored out of view from abutting streets. No exposed garbage cans, trash can or any trash burning apparatus or structure shall be placed on any lot.	
3.2.3 Computation of Living Area. The computation of living area shall not include any basement, garage, or attic area used for storage. All living area measurements shall be taken horizontally at the top plate level to the face of the outside wall. Required living area must average at least		3.8 <u>Roofing Materials</u>		3.20 <u>Mailboxes</u>	
		Roofing shall be self-sealing composition roofing shingles (not less than 230-lb. (25 year) and weathered wood in color), provided however, in the event that such roofing should hereinafter not be reasonably available, alternative roofing of comparable quality shall be permitted upon the determination of the Architectural Committee that the proposed alternative is of comparable or better quality and of a design and color that is compatible with the roofing first above described.		As long as a rural type mailbox is in use in the Subdivision, all mailbox pedestals shall conform in design to specifications for the Subdivision to be established by the Architectural Committee. The mailbox shall be positioned so that the front face is approximately 6 inches in from the base of the curb and 6 feet from the "inside edge" of the driveway. "Inside edge" shall mean the edge of the driveway that borders the largest continuous lot area. The top of the mailbox shall be 42 inches from street level.	
		3.9 <u>Rooftop Protrusions</u>		3.21 <u>Animals</u>	
		Metal rooftop protrusions on the residence shall be painted to match the roof color selections (weathered wood).		No animals, livestock or poultry of any kind may be maintained, bred, sold or kept except that two dogs, two cats or other household pets may be kept provided that they are not used for commercial purposes.	
		3.10 <u>On-site Construction</u>		3.22 <u>Noxious Activity</u>	
		No existing or off-site built structure shall be moved onto or placed on any lot.		No activity of a noxious or offensive nature shall be carried out or allowed by any resident for any purpose upon any lot, nor shall any commercial or trade activity take place or be allowed thereon that might be or might become an annoyance or nuisance to the neighborhood.	
		3.11 <u>Outbuildings</u>		3.23 <u>Signage</u>	
		3.11.1 Outbuildings are prohibited.		No sign of any kind shall be displayed to the public view on any lot except one sign of not more than 6 square feet advertising the property for sale or rent or signs used by a builder to advertise the property during the construction and sales period.	
		3.11.2 Waiver. The Architectural Committee may waive, in the particular instance, upon written request, the foregoing restriction.		3.24 <u>Materials and Storage</u>	
		3.12 <u>Swimming Pools</u>		No lot shall be used for the storage of materials for a period of greater than 30 days prior to the start of construction and the construction shall be completed within 9 months thereafter. Each lot shall be maintained in a neat and orderly condition.	
		3.13 <u>Fencing</u>		3.25 <u>Temporary Trash Receptacle</u>	
		Fencing shall be in accordance with the City of Tulsa Zoning Code. Interior fencing or walls shall not extend beyond the building lines of the lot and, if a residence is built behind the front building line of a lot, no fence may extend beyond that point nearest the street at each end corner of the residence, provided however, on corner lots fencing may extend to the side yard lot line. All fencing shall be 6" privacy fencing constructed of standard wood. Chain link, barbed wire, mesh and other metal fencing are prohibited. No fence shall exceed 6 feet in height. Fences facing the street and installed in side yards between homes shall be aligned with existing fences on adjoining lots where possible. The side of the fence with exposed horizontal runners shall not face		A temporary trash receptacle is required on each lot during the construction period of the house. The trash receptacle shall be maintained by the lot owner and shall be emptied as needed.	
				SECTION IV. HOMEOWNERS' ASSOCIATION	
				4.1 <u>Formation of Homeowners' Association</u>	
				The Owner/Developer has formed the Northwest Passage Homeowners' Association, Inc. (hereinafter referred to as the "Association"), a non-profit	
				corporate entity established in accordance with the statutes of the State of Oklahoma, and formed for the general purposes of maintaining the common areas and enhancing the value, desirability and attractiveness of the Subdivision.	
				4.2 <u>Membership</u>	
				Every person or entity who is a record owner of the fee interest of a lot shall be a member of the Association, and membership shall be appurtenant to and may not be separated from the ownership of a lot. The acceptance of a deed to a lot shall constitute acceptance of membership to the Association as of the date of recording of the deed.	
				4.3 <u>Covenant for Assessments</u>	
				The Owner/Developer and each subsequent owner of a lot, by acceptance of a deed therefore, is deemed to covenant and agree to pay to the Association assessments to be established by the Board of Directors in accordance with a declaration to be executed and recorded by the Owner/Developer prior to the conveyance of a lot within the Subdivision. An assessment shall be a lien on the lot against which it is made, but the lien shall be subordinate to the lien of any first mortgage.	
				4.4 <u>Enforcement Rights of the Association</u>	
				Without limitation of such other powers and rights as the Association may have, the Association shall be deemed a beneficiary, to the same extent as a lot owner, of the various covenants set forth within this document, and shall have the right to enforce the covenants to the same extent as a lot owner.	
				SECTION V. ENFORCEMENT, DURATION, AMENDMENT AND SEVERABILITY	
				5.1 <u>Enforcement</u>	
				The restrictions herein set forth are covenants to run with the land and shall be binding upon the Owner/Developer, its successors and assigns. Within the provisions of Section I. Easements and Utilities are set forth certain covenants and the enforcement rights pertaining thereto, and additionally the covenants within Section I, whether or not specifically therein so stated, shall inure to the benefit of and shall be enforceable by the City of Tulsa. The covenants contained in Section II. Planned Unit Development Restrictions are established pursuant to the provisions of the Tulsa Zoning Code and shall inure to the benefit of the City of Tulsa, the owners of lots within the Subdivision, and shall inure to the benefit of the Homeowners' Association provided for in Section IV. If the undersigned Owner/Developer, or its successors or assigns, shall violate any of the covenants within Section II., it shall be lawful for any person or persons owning any lot situated within the Subdivision or the Homeowners' Association, or the City of Tulsa to maintain any action at law or in equity against the person or persons violating or attempting to violate any such covenant, to prevent him or them from so doing or to compel compliance with the covenant or to recover damages. In any judicial action brought by the Homeowners' Association or any lot owner, which action seeks to enforce the covenants or restrictions set forth within Section II., or to recover damages for the breach thereof, the prevailing party shall be entitled to receive its reasonable attorney fees and costs and expenses incurred in such action. 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.	
				5.2 <u>Duration</u>	
				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.	
				5.3 <u>Amendment</u>	
				The covenants contained within Section I. Easements and Utilities may be amended or terminated at any time by a written instrument signed and acknowledged by the owner of the lot or lots to which the amendment or termination is to be applicable and by the Tulsa Metropolitan Area Planning Commission ("TMAPC"), or its successors with the approval of the City of Tulsa, Oklahoma. The covenants contained within Section II. Planned Unit Development Restrictions may be amended or terminated at any time by a written instrument signed and acknowledged by TMAPC, or its successors, and by the owners of more than 75% of the lots within the Subdivision. The provisions of any such instrument amending or terminating the covenants shall be effective from and after the date it is properly recorded.	
				5.4 <u>Severability</u>	
				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 of any part thereof as set forth herein, which shall remain in full force and effect.	
				IN WITNESS WHEREOF, D.R. HORTON - TEXAS, LTD., has executed this instrument this _____ day of _____, 2023.	
				D.R. HORTON-TEXAS, LTD., a Texas limited partnership	
				By: _____ Meadows I, Ltd., a Delaware Corporation its General Partner Leslie Jemison, Division President	
				State of _____ ) ) s.s. County of _____ )	
				This instrument was acknowledged before me this ____ day of _____, 2023 by Leslie Jemison as Division President of Meadows I, Ltd., a Delaware Corporation.	
				Notary Public My Commission No. _____ Expires _____	
				CERTIFICATE OF SURVEY	
				I, Bobby D. Long, of Tulsa Engineering & Planning Associates, Inc., a Professional Land Surveyor registered in the State of Oklahoma, hereby certify that I have carefully and accurately surveyed, subdivided, and platted the tract of land described above, and that the accompanying plat designated herein as "NORTHWEST PASSAGE I", a subdivision in the City of Tulsa, Osage County, State of Oklahoma, is a representation of the survey made on the ground using generally accepted land surveying practices and meets or exceeds the Oklahoma Minimum Standards for the Practice of Land Surveying as adopted.	
				Executed this _____ day of _____, 2023.	
				Bobby D. Long Professional Land Surveyor Oklahoma No. 1886	
					
				State of Oklahoma ) ) ss. County of Tulsa )	
				The foregoing Certificate of Survey was acknowledged before me this _____ day of _____, 2023, by Bobby D. Long.	
				Jack Taber, Notary Public My commission No. is 12005192 My commission expires May 31, 2024	
				Northwest Passage I Date of Preparation: September 7, 2023 Sheet 3 of 3	





# Conceptual Public Utility Plan

PUD No. 624

# Northwest Passage I

A subdivision in the City of Tulsa, being a part of the SW/4  
Section 22, Township 20 North, Range 12 East of the Indian Base and Meridian,  
Osage County, State of Oklahoma

**Floodplain Note**

The subject property is located within an area designated as Zone X (Area of Minimal Flood Hazard) by the Federal Emergency Management Agency (FEMA), on Flood Insurance Rate Map No. 40113C1234K, with an effective date of April 2, 2008, for Community No. 400146, City of Tulsa in Osage County, State of Oklahoma, which is the current Flood Insurance Rate Map for the community in which said premises is situated. Subject property is also not contained within a Regulatory Floodplain per Panel No. 28 of the Tulsa Regulatory and FEMA Floodplain maps, dated August 9, 2021.

STATE OF OKLAHOMA } ss.  
COUNTY OF OSAGE  
I, Robin Slack, Osage County Clerk, in and  
for the County and State above named, do  
hereby certify that the foregoing is a true  
and correct copy of a like instrument now  
on file in my office.  
Dated the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
Robin Slack, Osage County Clerk  
\_\_\_\_\_  
Deputy

**OWNER / DEVELOPER**

D.R. Horton - Texas, LTD.,  
A Texas Limited Partnership  
  
3863 South 103rd East Avenue  
Tulsa, Oklahoma 74146  
Phone: 918.906.2448

**ENGINEER / SURVEYOR**

Tulsa Engineering & Planning Associates, Inc.  
an Oklahoma corporation  
9810 East 42nd Street, Suite 100  
Tulsa, Oklahoma 74146  
  
918.252.9621  
Russell K. Fischer, P.E.  
r.fischer@tulsaengineering.com  
CERTIFICATE OF AUTHORIZATION NO. 531  
RENEWAL DATE: JUNE 30, 2025

**CERTIFICATE**

I, \_\_\_\_\_ hereby  
certify that all real estate taxes involved in this plat have  
been paid as reflected by the current tax rolls. Security as required  
has been provided in the amount of \$ \_\_\_\_\_  
per receipt no. \_\_\_\_\_ to applied to 20\_\_\_\_ taxes.  
This certificate is NOT to be construed as payment of 20\_\_\_\_  
taxes in full but is given in order that this plat may be filed on record.  
20\_\_\_\_ taxes could exceed the amount of the security deposit.  
Dated \_\_\_\_\_, 20\_\_\_\_

by \_\_\_\_\_  
County Treasurer Osage County, Oklahoma

**Legend**

Res. = Reserve  
L.N.A. = Limits of No Access U/E = Utility Easement

**Surveyor's Note**

Date of Last Field Visit: September 29, 2022

**Monument Notes**

A 3/8" x 18" deformed bar with a yellow plastic cap stamped "CA531" to be set at all plat boundary corners, prior to recordation unless noted otherwise.  
A 3/8" x 18" deformed bar with a yellow plastic cap stamped "CA531" to be set at all lot corners after completion of improvements, unless noted otherwise.  
A 3/8"x18" deformed bar with a yellow plastic cap stamped "CA531" to be set at all street centerline intersections, points of curve, points of tangent, points of compound curve, points of reverse curve, centers of cul-de-sacs and centers of eyebrows, after completion of improvements.

**Basis of Bearings**

The non-astronomic bearings shown hereon are based on an assumed bearing of S 89°37'46" E along the South line of the SW/4 of Section 22, T-20-N, R-12-E of the Indian Base and Meridian, Osage County, State of Oklahoma, according to the U.S. Government Survey thereof.

**Benchmarks**

Offsite Benchmark  
ADS 2016-25  
A 5/8" Rebar - 3" aluminum cap - flush, stamped 2016-25, set in concrete post 36" in ground approximately 40' west and 550' south of intersection of West 36th Street North and Martin Luther King Jr. Boulevard  
Northing: 444,526.27'  
Easting: 2,560,398.67'  
Elevation: 681.40'  
  
Site Benchmark  
Top of a 3/8" Steel Pin with a Plastic Cap Stamped "TEP CA531" at the Northwest Corner of Lot 1, Block 1, Cross Timbers at Northwest Passage, Plat No. 169.  
Northing: 439,294.36'  
Easting: 2,553,455.47'  
Elevation: 836.39'  
  
Horizontal Datum: Oklahoma State Plane Coordinate System-North Zone  
Vertical Datum: North American Vertical Datum of 1988

**Backflow Preventer Valve**

If the actual finished floor elevation is lower than one (1) foot above the upstream sanitary sewer manhole top of rim elevation, it shall be the builder's responsibility to install a backflow preventer valve near the building. The builder is responsible to comply with all city ordinances regarding the installation of any required backflow preventer valve.

**Lot Addresses**

Addresses shown on this plat were accurate at the time this plat was filed. Addresses are subject to change and should never be relied upon in place of the legal description.

**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 the date of City Council approval. If not filed in the Office of the County Clerk before that date.





9810 East 42<sup>nd</sup> Street, Suite 100 / Tulsa, Oklahoma 74146  
 O: 918-252-9621 F: 918-340-5999  
 www.tulsaengineering.com

September 7, 2023

Re: 21-125 NWP Phase 1 Closure Report

Bearing	Distance	Delta	Radius	Arc Length	Chord Bearing	Chord Length
N 17°48'29" W	280.96					
N 30°44'43" W	269.94					
N 06°32'52" W	9.66					
S 89°33'25" E	204.65					
N 00°26'35" E	460.00					
N 89°33'44" W	475.00					
S 00°26'35" W	139.93					
N 89°27'11" W	460.03					
N 52°17'58" E	287.65					
N 35°04'22" W	192.32					
N 54°55'38" E	7.68					
N 35°04'22" W	60.00					
N 30°43'51" W	76.41					
N 58°42'01" E	117.97					
		4°06'08"	425.00	30.43	N 29°14'55" W	30.42
N 61°55'17" E	184.09					
S 30°27'25" E	52.33					
S 42°48'03" W	11.79					
		1°00'27"	970.00	17.06	S 43°18'16" W	17.06
S 46°05'24" E	181.07					
N 42°34'28" E	223.67					
N 62°29'17" E	163.13					
N 72°12'35" E	119.33					
S 15°21'29" E	49.44					
N 74°38'31" E	125.00					
N 15°21'29" W	10.89					
N 74°38'31" E	169.47					
S 35°46'16" E	30.19					
S 15°21'29" E	141.28					
		4°10'43"	275.00	20.06	S 52°58'19" W	20.05
S 50°52'57" W	17.61					
S 39°07'03" E	170.48					
N 51°30'00" E	47.85					
S 69°20'13" E	94.54					
S 09°59'31" W	68.34					
S 21°55'22" E	126.62					
S 38°17'02" E	288.82					
S 48°58'33" W	178.77					



9810 East 42<sup>nd</sup> Street, Suite 100 / Tulsa, Oklahoma 74146  
O: 918-252-9621 F: 918-340-5999  
www.tulsaengineering.com

Bearing	Distance	Delta	Radius	Arc Length	Chord Bearing	Chord Length
S 41°01'27" E	120.00					
N 48°58'33" E	15.00					
S 41°01'27" E	185.00					
S 48°58'33" W	387.54					
		20°22'11"	1461.72	519.67	S 59°09'39" W	516.94
Total	6204.45			587.21		

Closure Error Distance > 0.0000

Closure Ratio > 1:∞

Total Distance > 6791.66

Area: 1,198,131 sq ft, 27.5053 acres

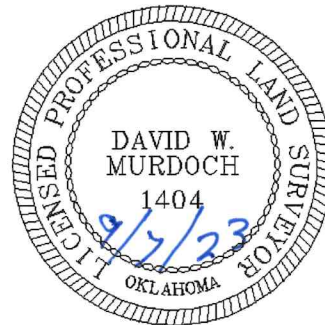
#### CERTIFICATE:

I, David W. Murdoch, of Tulsa Engineering & Planning Associates, Inc. and a Professional Land Surveyor registered in the State of Oklahoma, hereby certify that the foregoing "Closure Report" meets or exceeds the "Minimum Standards" as adopted by the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors.

David W. Murdoch, P.L.S. No. 1404

E-mail: d.murdoch@tulsaengineering.com

Telephone: (918) 252-9621





**Case:** Forrest Warehouse & Distribution Center

**Hearing Date:** October 4, 2023

**Case Report Prepared by:**

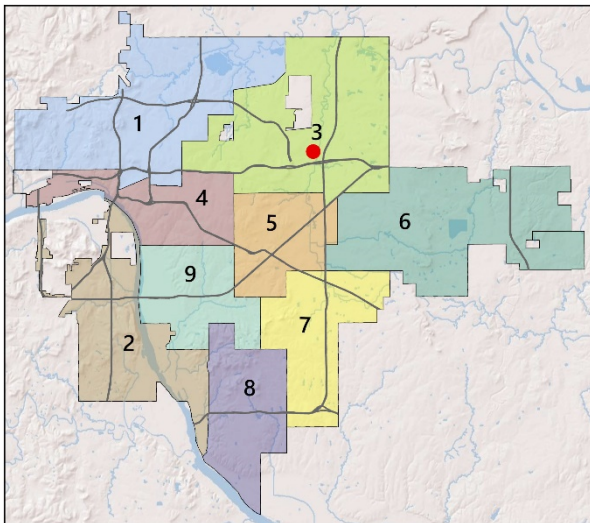
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Mark Capron, Wallace Design

*Owner:* Amber Forrest LLC

**Location Map:**  
(shown with City Council districts)



**Applicant Proposal:**

Preliminary Plat

3 lots, 2 blocks, on 32.4 ± acres

*Location:* East of the southeast corner of East Pine Street and North Mingo Road

**Zoning:** IL

**Staff Recommendation:**

Staff recommends **approval** of the preliminary plat

**City Council District:** 3

*Councilor Name:* Crista Patrick

**County Commission District:** 2

*Commissioner Name:* Karen Keith

## **PRELIMINARY SUBDIVISION PLAT**

### **Forrest Warehouse & Distribution Center - (CD 3)**

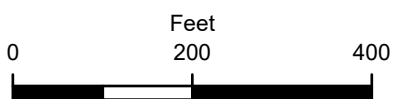
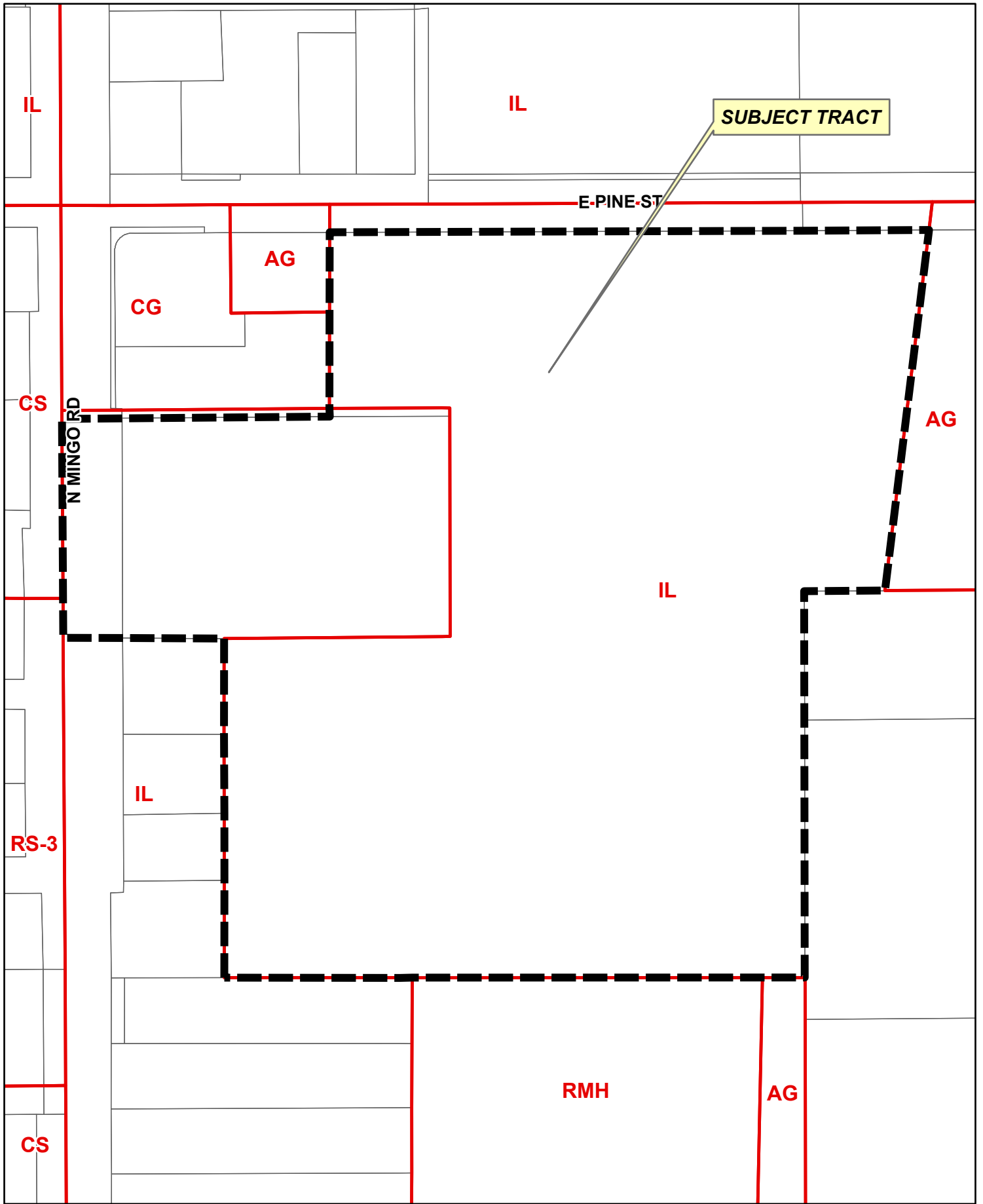
East of the southeast corner of East Pine Street and North Mingo Road

This plat consists of 3 lots, 2 blocks on 32.4 ± acres.

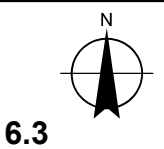
The Technical Advisory Committee (TAC) met on September 21, 2023 and provided the following conditions:

1. **Zoning:** The property is zoned IL (Industrial – Light). The proposed lots conform to the requirements of the IL district.
2. **Addressing:** City of Tulsa addresses and street names must be assigned and affixed to the face of the final plat along with the address disclaimer.
3. **Transportation & Traffic:** Sidewalks and appropriate ADA compliant ramps are required along all street frontages. Right-of-way permits will be required for driveways connecting to public streets. IDP approval is required prior to final plat approval. Label and dimension all street right-of-way included in the plat or adjacent to the plat with either recording information or “dedicated by plat”. Right-of-way dedications are required to comply with major street and highway plan. Street names must be added to face of plat.
4. **Sewer/Water:** Label and dimension all required or existing easements. Any required offsite easements are required to be recorded and recording information must be provided on the final plat. IDP approval is required for all sewer and water extensions prior to approval of the final plat.
5. **Engineering Graphics:** Submit subdivision control data sheet with final plat. Remove contours from final plat. Update location map to include only platted property boundaries and label all other areas as unplatted. Under the basis of bearing heading, provide a bearing angle shown on the face of the plat. Graphically label the point of beginning on the face of the plat. Provide the date of the last site visit by the surveyor.
6. **Stormwater, Drainage, & Floodplain:** Floodplain areas are present on the proposed lots. Development within floodplain areas will be required to follow all floodplain development ordinances. Add floodplain line types to legend. IDP approval for storm sewer improvements is required prior to final plat approval. Label and dimension all required or existing easements. Any required offsite easements are required to be recorded and recording information must be provided on the final plat.
7. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and all other requirements of the Subdivision and Development Regulations. City of Tulsa release letter is required prior to final plat approval.



***Forrest Warehouse and  
Distribution Center***

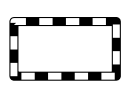
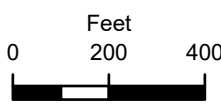






E PINE ST

N MINGO RD

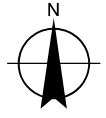


Subject Tract

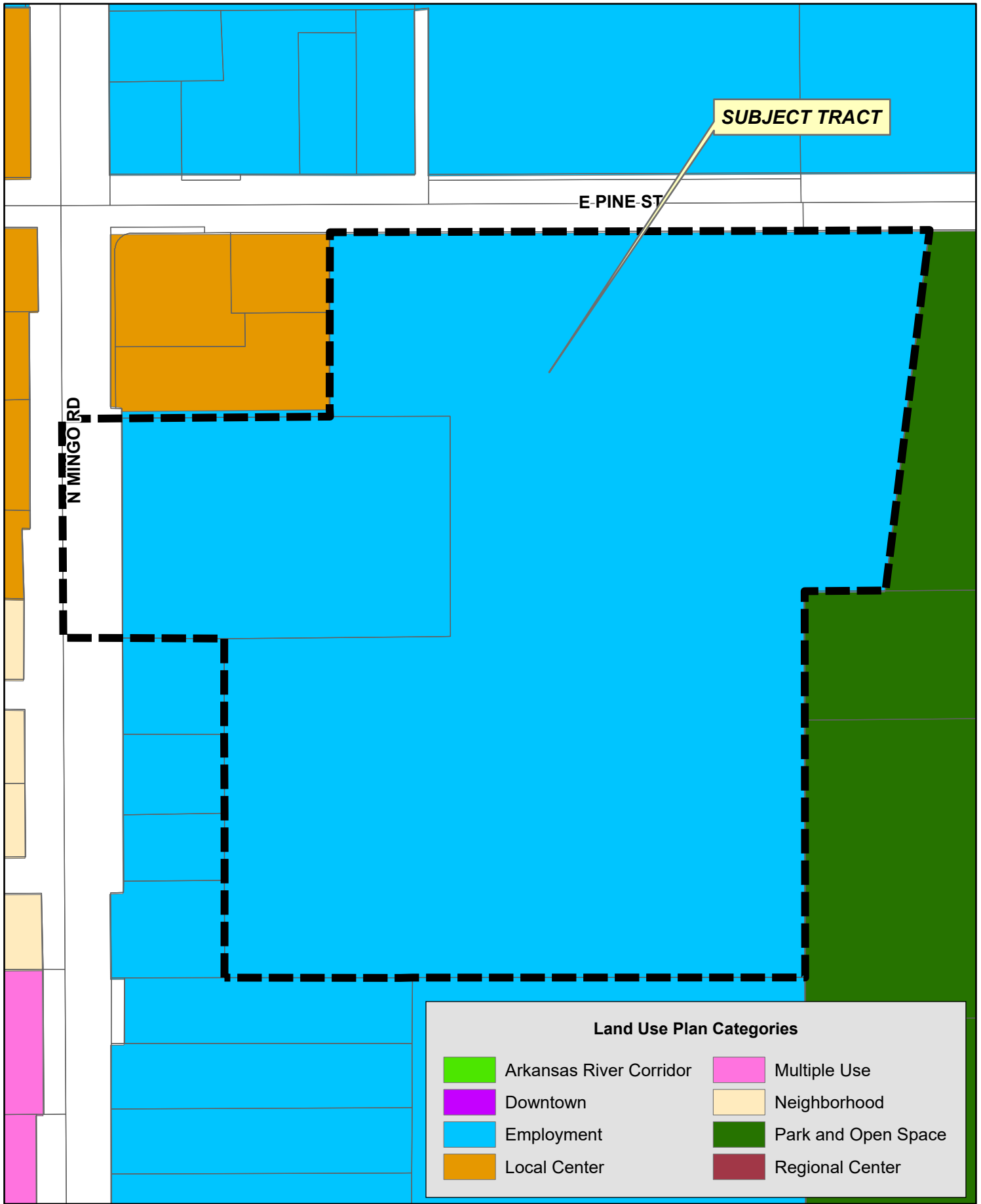
**Forrest Warehouse and Distribution Center**

*Note: Graphic overlays may not precisely align with physical features on the ground.*

Aerial Photo Date: 2021

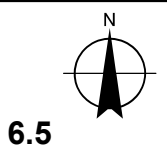






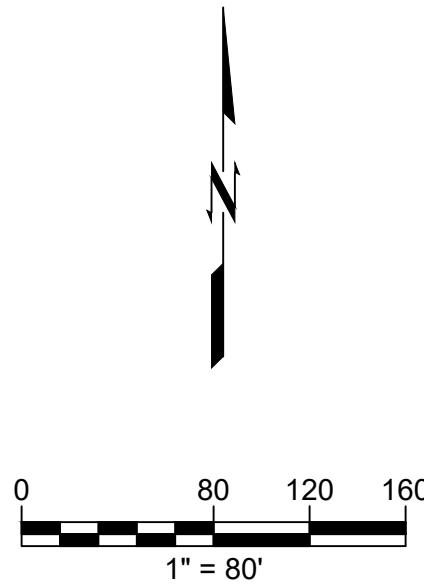
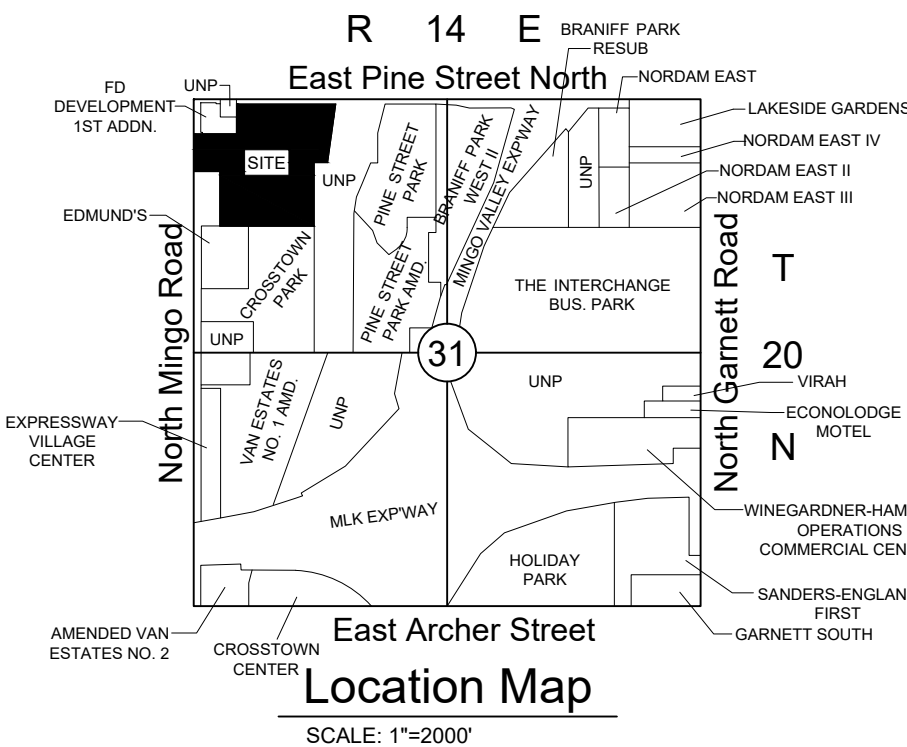
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## ***Forrest Warehouse and Distribution Center***



# FORREST WAREHOUSE & DISTRIBUTION CENTER

PART OF GOVERNMENT LOT ONE (1) AND PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION THIRTY-ONE (31), TOWNSHIP TWENTY (20) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA.



**OWNER:**  
Amber Forrest, LLC  
2108 North 129th East Avenue  
Tulsa, Oklahoma, 74116  
Phone: (918) 582-8800  
ATTENTION: DALE FORREST  
DaleF@theforrestgroup.com

**ENGINEER:**  
Wallace Design Collective, PC  
123 North Martin Luther King Jr Blvd.  
Tulsa, Oklahoma, 74103  
Phone: (918) 584-5858  
OK CA NO. 1460, EXPIRES 6/30/2025  
A. NICOLE WATTS, P.E.  
nicole.watts@wallace.design

**SURVEYOR:**  
White Surveying Company  
9936 East 55th Place  
Tulsa, Oklahoma, 74146  
Phone: (918) 663-6924  
OK CA NO. 1098, EXPIRES 6/30/2025  
JOHN L. LIBBY JR., PLS 1806  
john@whitesurvey.com

**LEGEND**  
B/L = BUILDING SETBACK  
ACC = ACCESS  
LNA = LIMITS OF NO ACCESS  
R/W = RIGHT-OF-WAY  
SD/E = STORM SEWER EASEMENT  
SS/E = SANITARY SEWER EASEMENT  
U/E = UTILITY EASEMENT  
P.O.B. = POINT OF BEGINNING  
P.O.C. = POINT OF COMMENCEMENT  
XXXX = ADDRESS

**SUBDIVISION STATISTICS**  
SUBDIVISION CONTAINS THREE (3) LOTS IN TWO (2) BLOCKS.  
SUBDIVISION CONTAINS 1,411,187 SF (32.40 ACRES)  
LOT 1, BLOCK 1 CONTAINS 367,425 SF (8.43 ACRES)  
LOT 1, BLOCK 2 CONTAINS 361,710 SF (8.30 ACRES)  
LOT 2, BLOCK 2 CONTAINS 568,954 SF (13.06 ACRES)  
R/W DEDICATED BY PLAT CONTAINS 23,571 SF (0.54 ACRES)

**MONUMENTATION**  
3/8" IRON PINS TO BE SET AT ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED.

**BENCHMARK**  
TOP CENTER OF SANITARY SEWER MANHOLE  
NORTHING=434482.30  
EASTING=2598725.60  
ELEV=610.50

**BASIS OF BEARINGS**  
HORIZONTAL DATUM BASED UPON OKLAHOMA STATE PLANE COORDINATE SYSTEM NAD 83 (2011) NORTH ZONE 3501.  
VERTICAL DATUM NAVD 1988

**ADDRESS NOTE**  
ADDRESSES SHOWN ON THIS PLAT WERE ACCURATE AT THE TIME THIS PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF LEGAL DESCRIPTION.

**FLOODPLAIN NOTE**  
PORTIONS OF THE SUBJECT TRACT LIE WITHIN ZONE X UNSHADED DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN"; ZONE X SHADED DEFINED AS "AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD." AND ZONE AE DEFINED AS "SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD. BASE FLOOD ELEVATIONS DETERMINED." ALL AS SHOWN ON FIRM MAP PANEL NUMBER 40143C0261L WITH AN EFFECTIVE DATE OF 10/16/2012.

**DATE OF SURVEYOR'S LAST SITE VISIT:**  
XXXXXXXXXX

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.	

CURVE TABLE					
CURVE #	LENGTH (L)	RADIUS (R)	DELTA (Δ)	CHORD BEARING (CB)	CHORD DISTANCE (CD)
C1	59.72'	38.00'	90°02'36"	N 43°44'14" E	53.76'
C2	17.30'	28.00'	35°23'53"	S 18°59'01" E	17.02'
C3	145.97'	52.00'	160°50'22"	S 43°44'14" W	102.55'
C4	17.30'	28.00'	35°23'53"	N 73°32'32" W	17.02'
C5	106.00'	100.00'	60°44'10"	N 29°16'24" E	101.11'
C6	53.50'	50.00'	61°18'25"	N 28°59'17" E	50.98'

LINE TABLE		
LINE #	LENGTH	BEARING
L1	24.89'	N 01°15'00" W
L2	8.00'	S 88°48'22" W
L3	104.30'	N 59°38'29" E
L4	269.29'	N 88°42'56" E
L5	29.95'	N 70°43'59" E
L6	28.36'	S 70°43'59" W
L7	270.87'	S 88°42'56" W



\\civl-server\projects\1840112 Forrest warehouse and distribution facility\DWG\Production\Plat\1840112 DDD.dwg PLOT:9/7/23 ORIG:SIZE:24"x36"

PRELIMINARY PLAT

FORREST WAREHOUSE & DISTRIBUTION CENTER

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

AMBER FORREST, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY (HEREINAFTER REFERRED TO AS THE "OWNER"), IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT:

A TRACT OF LAND BEING PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW4 NW4) OF SECTION THIRTY-ONE (31), TOWNSHIP TWENTY (20) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA:

BEGINNING AT A POINT IN THE WEST BOUNDARY LINE OF SECTION THIRTY-ONE (31), TOWNSHIP TWENTY (20) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID POINT BEING 567.96 FEET NORTH OF THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW4 NW4); THENCE EAST A DISTANCE OF 658 FEET; THENCE NORTH A DISTANCE OF 390 FEET; THENCE WEST A DISTANCE OF 658 FEET; THENCE SOUTH A DISTANCE OF 390 FEET TO THE POINT OF BEGINNING.

AND

PART OF GOVERNMENT LOT ONE (1), BEGINNING 270 FEET EAST OF THE SOUTHWEST CORNER OF LOT ONE (1), THENCE NORTH 567.96 FEET, EAST 388 FEET, NORTH 390 FEET, WEST 213.66 FEET, NORTH 309.34 FEET, EAST 820.34 FEET, SOUTH 1267.30 FEET, WEST 994.68 FEET TO THE POINT OF BEGINNING, AND THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NW4 NE4 NW4), LESS BEGINNING AT THE NORTHEAST CORNER OF THE NW4 NE4 NW4, THENCE SOUTH 660 FEET, WEST 520 FEET, NORTHEASTERLY 668.1 FEET, EAST 430 FEET TO THE POINT OF BEGINNING, AND LESS THE NORTH 50 FEET THEREOF FOR ROADWAY RIGHT-OF-WAY, SECTION THIRTY-ONE (31), TOWNSHIP TWENTY (20) NORTH, RANGE FOURTEEN (14) EAST, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF.

THE OWNER HAS CAUSED THE ABOVE DESCRIBED TRACT OF LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO 3 LOTS, AND 2 BLOCKS (HEREIN AFTER THE "LOTS") IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS "FORREST WAREHOUSE & DISTRIBUTION CENTER" A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA (HEREINAFTER THE "SUBDIVISION").

SECTION I. STREETS, EASEMENTS AND UTILITIES

A. PUBLIC STREETS AND GENERAL UTILITY EASEMENTS

THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC THE STREET RIGHTS-OF-WAY AS DEPICTED ON THE ACCOMPANYING PLAT. ADDITIONALLY, THE OWNER DOES HEREBY DEDICATE 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 AFORESAID, PROVIDED HOWEVER, THE OWNER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND REPAIR OR RE-LAY WATER LINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING, REPAIRING AND RELAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/ OR SEWER SERVICES TO THE AREA INCLUDED IN THE PLAT. THE OWNER HEREIN IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON THE OWNER AND ITS SUCCESSORS AND ASSIGNS (TOGETHER, THE "LOT OWNER"), AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION THAT INTERFERES WITH THE ABOVE SET FORTH USES AND PURPOSES OF AN EASEMENT SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING AND CUSTOMARY SCREENING FENCES THAT DO NOT CONSTITUTE AN OBSTRUCTION.

B. UTILITY SERVICE

1. OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE, AND CABLE TELEVISION SERVICE MAY BE LOCATED IN THE PERIMETER UTILITY EASEMENTS AND THE IN THE PERIMETER RIGHTS-OF-WAY OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY OVERHEAD OR UNDERGROUND CABLE, AND ELSEWHERE THROUGHOUT THE SUBDIVISION, ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN EASEMENTS DEDICATED FOR GENERAL UTILITY SERVICES AND IN THE RIGHTS-OF-WAY OF THE PUBLIC STREETS AS DEPICTED UPON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE GENERAL UTILITY EASEMENTS.

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

3. THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICES, THROUGH ITS AUTHORIZED AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.

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

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

C. WATER, SANITARY SEWER, AND STORM SEWER SERVICE

1. THE LOT OWNER SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS LOCATED IN THE SUBDIVISION.

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, OKLAHOMA, WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS SHALL BE PROHIBITED.

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

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

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

D. GAS SERVICE

1. THE SUPPLIER OF GAS SERVICE THROUGH ITS AGENTS AND EMPLOYEES SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL THE UTILITY EASEMENTS SHOWN ON THE PLAT OR AS OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, REPAIRING OR REPLACING ANY PORTION OF THE FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE.

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

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

E. SURFACE DRAINAGE

EACH LOT SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORMWATER FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION. 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 THE OWNER'S LOT. THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF TULSA, OKLAHOMA.

F. PAVING AND LANDSCAPING WITHIN EASEMENTS

THE LOT OWNER SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO LANDSCAPING AND PAVING OCCASIONED BY INSTALLATION OR NECESSARY PLACEMENTS, REPLACEMENTS, OR MAINTENANCE OF WATER, SEWER, STORM SEWER, NATURAL GAS, COMMUNICATION, CABLE TELEVISION, OR ELECTRIC FACILITIES WITHIN THE EASEMENT AREAS DEPICTED UPON THE ACCOMPANYING PLAT, 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. LIMITS OF NO ACCESS

THE LOT OWNER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO EAST PINE STREET AND NORTH MINGO ROAD WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" ON THE ACCOMPANYING PLAT, WHICH LIMITS OF NO ACCESS MAY BE AMENDED OR RELEASED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSOR, WITH THE APPROVAL OF THE CITY OF TULSA, OKLAHOMA, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA PERTAINING THERETO, AND THE LIMITS OF NO ACCESS ESTABLISHED ABOVE SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA.

H. SIDEWALKS

SIDEWALKS SHALL BE CONSTRUCTED AND MAINTAINED ALONG STREETS DESIGNATED BY AND IN ACCORDANCE WITH THE TULSA METROPOLITAN AREA SUBDIVISION AND DEVELOPMENT REGULATIONS AND THE ORDINANCES OF THE CITY OF TULSA, OKLAHOMA AND ALL SUCH SIDEWALKS SHALL BE CONSTRUCTED BY THE OWNER PRIOR TO THE FIRST ISSUANCE OF THE FIRST OCCUPANCY PERMIT FOR ANY BUILDING WITHIN THE SUBDIVISION. SIDEWALKS SHALL BE CONSTRUCTED IN CONFORMANCE WITH THE CITY OF TULSA ENGINEERING DESIGN STANDARDS.

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, STORM SEWER SYSTEMS AND SIDEWALKS) SERVING THE ENTIRE SUBDIVISION HAS BEEN COMPLETED AND ACCEPTED BY THE CITY OF TULSA, OKLAHOMA. NOTWITHSTANDING THE FOREGOING, THE CITY OF TULSA, OKLAHOMA MAY AUTHORIZE THE ISSUANCE OF A TEMPORARY CERTIFICATE OF OCCUPANCY IF, IN THE CITY OF TULSA'S SOLE DISCRETION, THE CIRCUMSTANCES SUPPORT THE ISSUANCE. FURTHER, NOTWITHSTANDING THE FOREGOING, THE CITY OF TULSA, OKLAHOMA 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 OF TULSA, OKLAHOMA'S ACCEPTANCE OF THE INFRASTRUCTURE SHALL BE AT THE RISK OF THE LOT OWNER, NOTWITHSTANDING THE ISSUANCE OF A BUILDING PERMIT OR OF A TEMPORARY CERTIFICATE OF OCCUPANCY.

J. 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" FOR THE PURPOSE OF PERMITTING THE OVERLAND FLOW, CONVEYANCE, AND DISCHARGE OF STORMWATER RUNOFF FROM VARIOUS LOTS 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 DEPARTMENT OF PUBLIC WORKS OF 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 THE EASEMENTS UNLESS APPROVED BY THE DEPARTMENT OF PUBLIC WORKS OF THE CITY OF TULSA, OKLAHOMA, PROVIDED THAT THE PLANTING OF TURF SHALL NOT REQUIRE THE APPROVAL OF THE DEPARTMENT OF PUBLIC WORKS 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 THE OWNER OF THE LOT FAILS TO PROPERLY MAINTAIN THE EASEMENTS LOCATED THEREON OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN SUCH EASEMENTS, OR THE ALTERATION OF GRADE THEREIN, THE CITY OF TULSA, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER THE EASEMENTS 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 THE LOT 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.

K. STORM SEWER EASEMENT

1. THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC A PERPETUAL EASEMENT ON, OVER, AND ACROSS THOSE AREAS DEPICTED ON THE ACCOMPANYING PLAT AS "STORM SEWER EASEMENT" OR "SDE" FOR THE PURPOSE OF CONSTRUCTING, MAINTAINING, REPAIRING, REMOVING AND REPLACING STORM SEWERS, TOGETHER WITH ALL FITTINGS, INCLUDING THE PIPES, MANHOLES, AND EQUIPMENT AND OTHER APPURTENANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE STORM SEWER EASEMENT FOR THE USES AND PURPOSES STATED.

2. NO FENCE, WALL, BUILDING OR OTHER OBSTRUCTION SHALL BE PLACED OR MAINTAINED IN STORM SEWER EASEMENT NOR SHALL THERE BE ANY ALTERATION OF GRADE IN THE EASEMENT AREAS UNLESS APPROVED BY THE CITY OF TULSA, OKLAHOMA.

L. SANITARY SEWER EASEMENT

THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC PERPETUAL EASEMENTS ON, OVER, AND ACROSS THOSE AREAS DEPICTED ON THE ACCOMPANYING PLAT AS "SANITARY SEWER EASEMENT" FOR THE PURPOSES OF CONSTRUCTION, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING SANITARY SEWER LINES TOGETHER WITH ALL FITTINGS INCLUDING THE PIPES, MANHOLES, LAHMOLES AND EQUIPMENT AND OTHER APPURTENANCES THERETO TOGETHER WITH RIGHTS OF INGRESS AND EGRESS TO AND UPON THE EASEMENTS FOR THE USES AND PURPOSES STATED.

SECTION II. ENFORCEMENT, DURATION, AMENDMENT, AND SEVERABILITY

A. ENFORCEMENT

THE COVENANTS 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, EASEMENTS AND UTILITIES) ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO, AND ADDITIONALLY, THE COVENANTS WITHIN SECTION I, WHETHER OR NOT SPECIFICALLY THEREIN SO STATED, SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA. IF THE UNDERSIGNED OWNER OR ITS SUCCESSORS OR ASSIGNS SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTIONS I, IT SHALL BE LAWFUL FOR ANY PERSON OR PERSONS OWNING ANY LOT SITUATED WITHIN THE SUBDIVISION, OR THE CITY OF TULSA, TO MAINTAIN ANY ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT HIM OR THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT OR TO RECOVER DAMAGES. IN ANY JUDICIAL ACTION BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED WITHIN THIS DEED OF DEDICATION, THE DEFENSE THAT THE PARTY INITIATING THE EQUITABLE PROCEEDING HAS AN ADEQUATE REMEDY AT LAW IS HEREBY WAIVED.

B. DURATION

THESE COVENANTS AND RESTRICTIONS SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL TERMINATED OR AMENDED AS HEREINAFTER PROVIDED.

C. AMENDMENT OR TERMINATION

THE COVENANTS CONTAINED HEREIN MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER AND APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION AND THE CITY OF TULSA. ANY SUCH AMENDMENT SHALL BECOME EFFECTIVE WHEN RECORDED IN THE RECORDS OF THE TULSA COUNTY CLERK.

D. SEVERABILITY

INVALIDATION OF ANY COVENANT 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: AMBER FORREST, LLC, HAS EXECUTED THIS INSTRUMENT THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

AMBER FORREST, LLC

BY: \_\_\_\_\_  
AMBER FORREST, MEMBER

ACKNOWLEDGMENT

STATE OF OKLAHOMA )  
) SS:  
COUNTY OF TULSA )

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023, BY AMBER FORREST AS MEMBER OF AMBER FORREST, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY.

NOTARY PUBLIC

MY COMMISSION NO:

MY COMMISSION EXPIRES:

[SEAL]

CERTIFICATE OF SURVEY

I, JOHN L. LIBBY JR., A LICENSED LAND SURVEYOR REGISTERED IN THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED HEREIN AS FOODHOME, A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, IS A REPRESENTATION OF THE SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED LAND SURVEYING PRACTICES AND MEETS OR EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED.

WITNESS MY HAND AND SEAL THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

JOHN L. LIBBY JR.  
LICENSED PROFESSIONAL LAND SURVEYOR  
OKLAHOMA #1806

ACKNOWLEDGMENT

STATE OF OKLAHOMA )  
) SS:  
COUNTY OF TULSA )

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023, BY JOHN L. LIBBY JR.

NOTARY PUBLIC

MY COMMISSION NO: # \_\_\_\_\_  
MY COMMISSION EXPIRES: \_\_\_\_\_

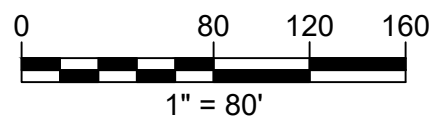
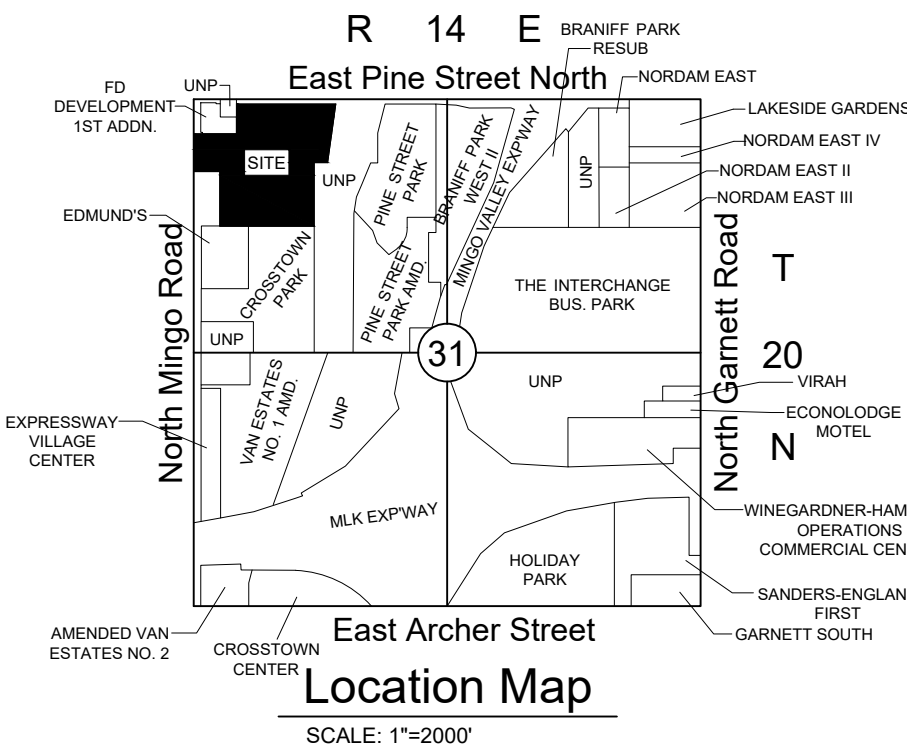
[SEAL]



CONCEPTUAL IMPROVEMENTS PLAN

# FORREST WAREHOUSE & DISTRIBUTION CENTER

PART OF GOVERNMENT LOT ONE (1) AND PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION THIRTY-ONE (31), TOWNSHIP TWENTY (20) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA.



**OWNER:**  
Amber Forrest, LLC  
2108 North 129th East Avenue  
Tulsa, Oklahoma, 74116  
Phone: (918) 582-8800  
ATTENTION: DALE FORREST  
DaleF@theforrestgroup.com

**ENGINEER:**  
Wallace Design Collective, PC  
123 North Martin Luther King Jr Blvd.  
Tulsa, Oklahoma, 74103  
Phone: (918) 584-5858  
OK CA NO. 1460, EXPIRES 6/30/2025  
A. NICOLE WATTS, P.E.  
nicole.watts@wallace.design

**SURVEYOR:**  
White Surveying Company  
9936 East 55th Place  
Tulsa, Oklahoma, 74146  
Phone: (918) 663-6924  
OK CA NO. 1098, EXPIRES 6/30/2025  
JOHN L. LIBBY JR., PLS 1806  
john@whitesurvey.com

- LEGEND**
- B/L = BUILDING SETBACK
  - ACC = ACCESS
  - LNA = LIMITS OF NO ACCESS
  - R/W = RIGHT-OF-WAY
  - SD/E = STORM SEWER EASEMENT
  - SS/E = SANITARY SEWER EASEMENT
  - U/E = UTILITY EASEMENT
  - EXISTING WATER
  - PROPOSED WATER
  - EXISTING SANITARY SEWER
  - PROPOSED SANITARY SEWER
  - PROPOSED STORM SEWER



**Case: Phoenix at 36N** (Related to Phoenix at 36N Authorization for Accelerated Release of Building Permits)

**Hearing Date: October 4, 2023**

**Case Report Prepared by:**

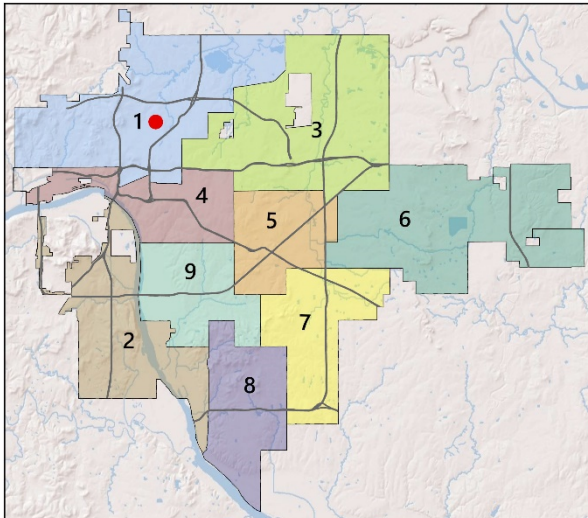
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Mark Capron, Wallace Design

*Owner:* Housing Authority of the City of Tulsa

**Location Map:**  
(shown with City Council districts)



**Applicant Proposal:**

Preliminary Plat and Modification of the Subdivision & Development Regulations to remove requirement for performance guarantees

1 lot, 1 block, on 3.62 ± acres

*Location:* Southeast corner of East 36<sup>th</sup> Street North and North Peoria Avenue

**Zoning:** MX1-U-U

**Staff Recommendation:**

Staff recommends **approval** of the preliminary plat

**City Council District: 1**

*Councilor Name:* Vanessa Hall-Harper

**County Commission District: 1**

*Commissioner Name:* Stan Sallee



## PRELIMINARY SUBDIVISION PLAT

### **Phoenix at 36N** - (CD 1)

Southeast corner of East 36<sup>th</sup> Street North and North Peoria Avenue

1 lot, 1 block, on 3.62 ± acres

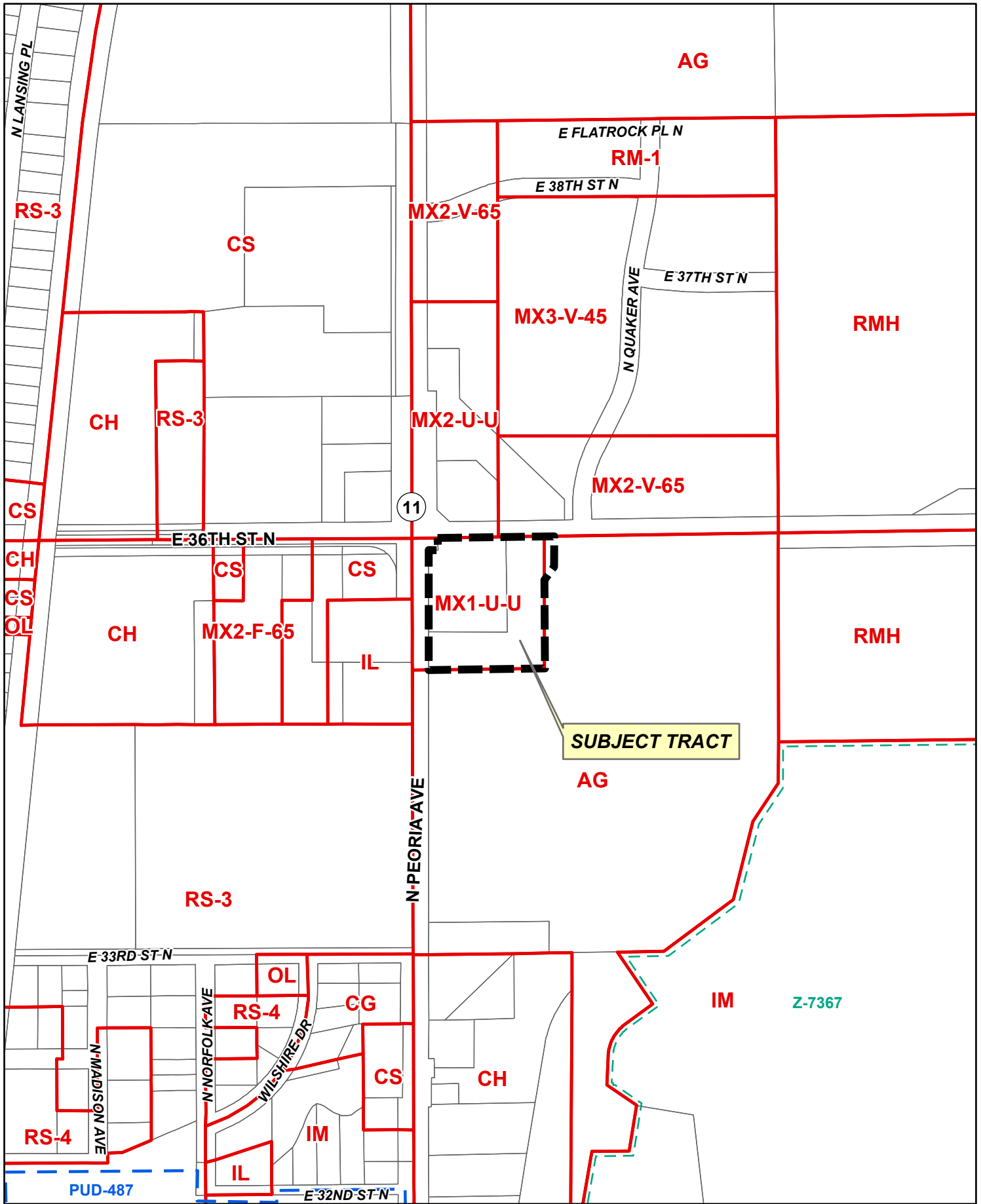
The Technical Advisory Committee (TAC) met on September 21, 2021 and provided the following conditions:

1. **Zoning:** The property is zoned MX1-U-U. Proposed lot conforms to the requirements of the zoning district.
2. **Addressing:** City of Tulsa will assign addresses to the lot. The assigned address is required to be affixed to the face of the final plat prior to approval.
3. **Transportation & Traffic:** Sidewalks and appropriate ADA compliant ramps are required along all street frontages. Right-of-way permits will be required for driveways connecting to public streets. Label and dimension all street right-of-way included in the plat or adjacent to the plat with either recording information or “dedicated by plat”. Right-of-way dedications are required to comply with major street and highway plan.
4. **Sewer/Water:** Sewer extension is being constructed through a capital project with public funds. Publicly funded infrastructure must have final plans for infrastructure prepared prior to final plat approval and filing to ensure accuracy of all easements/ROW. Any offsite easements required for this project will be required to be recorded and shown on the face of the plat.
5. **Engineering Graphics:** Submit a subdivision control data sheet with final plat. Show all platted properties in the location map and label all other property as unplatted. Provide the date of the last site visit by the surveyor on the face of the plat. Add contact information for the engineer. Under the basis of bearing heading include the coordinate system used. Provide a bearing angle preferably shown on the face of the plat.
6. **Stormwater, Drainage, & Floodplain:** Publicly funded infrastructure must have final plans for infrastructure prepared prior to final plat approval and filing to ensure accuracy of all easements/ROW. Any offsite easements required for this project will be required to be recorded and shown on the face of the plat.
7. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

### **Modification to the Subdivision & Development Regulations:**

The applicant has requested a modification to Section 10-110.6-C of the *Subdivision and Development Regulations* which would require the developer to submit a financial guarantee to the City of Tulsa for outstanding infrastructure improvements required for the project. The public infrastructure supporting this project is being done through a publicly funded capital improvement project. Because the infrastructure is already being funded by the City, the performance guarantee would not be necessary. Staff supports the request for modification.

Staff recommends **APPROVAL** of the preliminary subdivision plat and the modification to the Subdivision & Development Regulations subject to the conditions provided by TAC and all other requirements of the Subdivisions Regulations. City of Tulsa release letter is required prior to final plat approval.



Phoenix at 36N





0 200 400 Feet



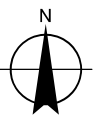
Subject Tract

# Phoenix at 36N

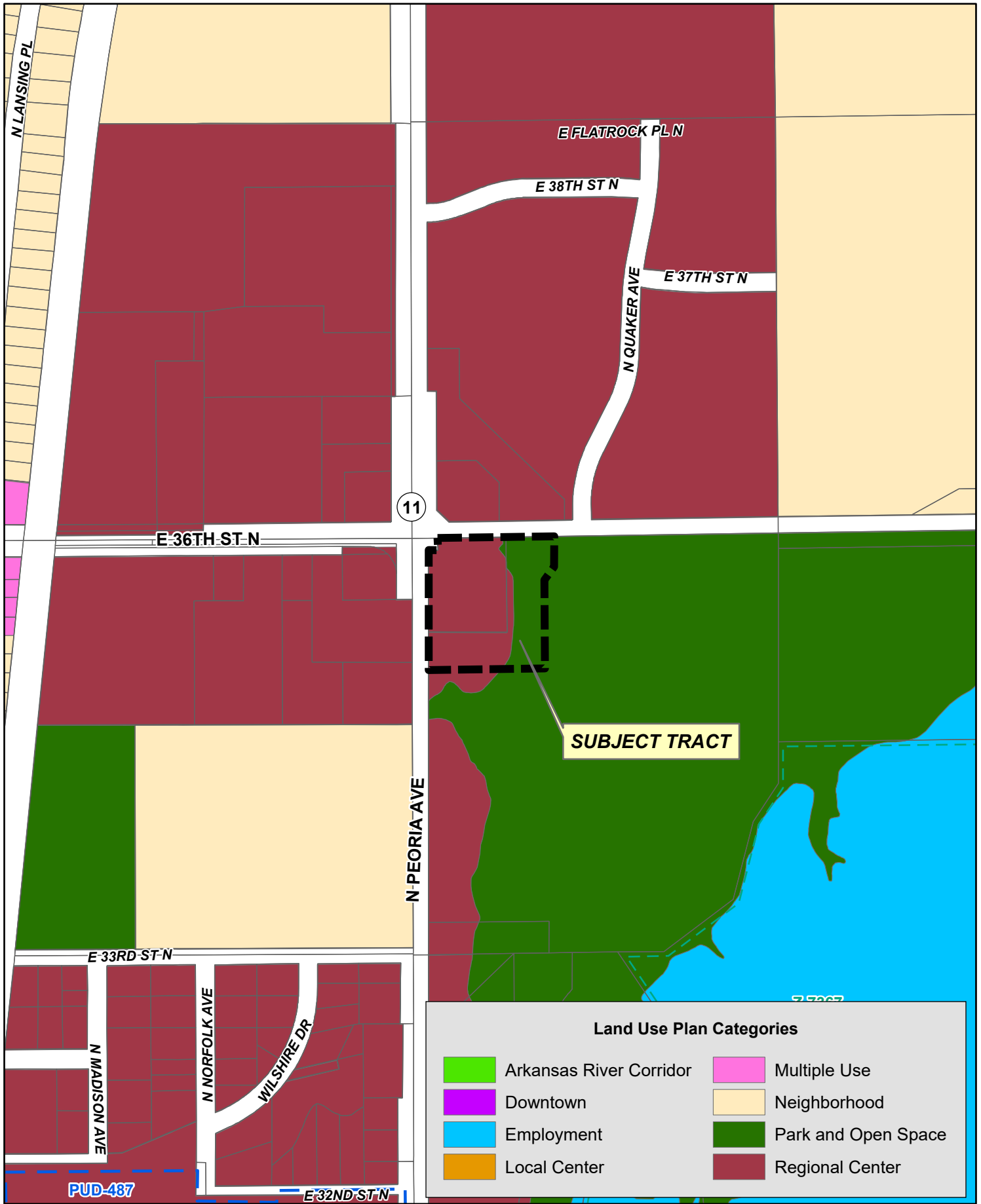
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2021

7.5







# Phoenix at 36N

\\civl-server\projects\2340001 Comanche Park CIP\Drawg\PRODUCTION\PlotPhase 1\2340001 Preliminary Plat.dwg PLOT:9/7/23 ORIG SIZE:24"x36"

PRELIMINARY PLAT

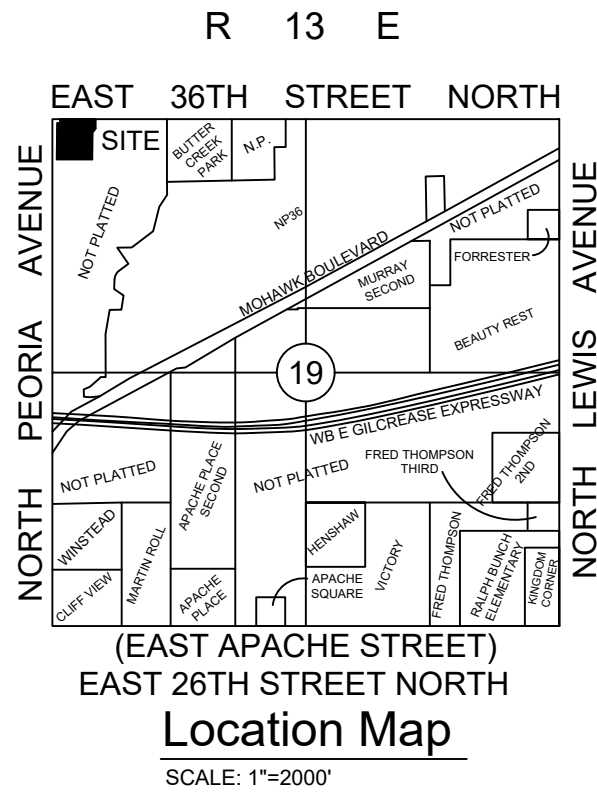
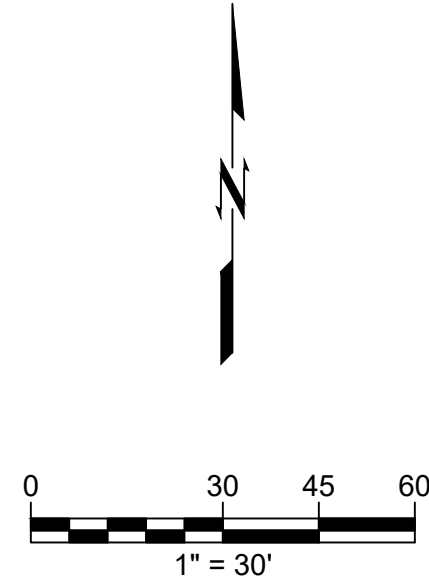
PHOENIX AT 36N-PHASE I

PART OF GOVERNMENT LOT 1 OF SECTION NINETEEN (19), TOWNSHIP TWENTY (20) NORTH, RANGE THIRTEEN (13) EAST  
OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

**OWNER:**  
Housing Authority of the City of Tulsa  
415 West Independence Street  
Tulsa, Oklahoma, 74120  
ATTN: CITY CLERK, SUITE 206  
PHONE: (918) 581-5722

**ENGINEER:**  
Wallace Design Collective, PC  
123 North Martin Luther King Jr Blvd.  
Tulsa, Oklahoma, 74103  
Phone: (918) 584-5858  
OK CA NO. 1460, EXPIRES 6/30/2025  
JORDAN RODICH P.E.  
jordan.rodich@wallace.design

**SURVEYOR:**  
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  
R. WESLEY BENNETT, PLS 1562  
wes.bennett@wallace.design



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N

**LEGEND**

ACC = ACCESS  
LNA = LIMITS OF NO ACCESS  
R/W = RIGHT-OF-WAY  
U/E = UTILITY EASEMENT  
RWL/E = RESTRICTED WATER LINE EASEMENT  
P.O.B. = POINT OF BEGINNING  
P.O.C. = POINT OF COMMENCEMENT  
-XXXX- ADDRESS

**SUBDIVISION STATISTICS**

SUBDIVISION CONTAINS ONE (1) LOT IN ONE (1) BLOCK.  
SUBDIVISION CONTAINS 157,848 SF (3.62 ACRES)  
LOT 1 CONTAINS 135,636 SF (3.11 ACRES)  
R/W DEDICATED BY PLAT CONTAINS 22,212 SF (0.51 ACRES)

**MONUMENTATION**

3/8" IRON PINS TO BE SET AT ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED.

**BENCHMARK**

CHISELED BOX ON TOP OF CURB IN E. 36TH NORTH R/W  
NORTHING=445251.86  
EASTING=2566123.92  
ELEV=630.81

**BASIS OF BEARINGS**

HORIZONTAL DATUM BASED UPON OKLAHOMA STATE PLANE COORDINATE SYSTEM NAD 83 (2011) NORTH ZONE 3501. VERTICAL DATUM NAVD 1988 BASED ON THE CITY OF TULSA CONTROL POINT TA51- A 2" ALUMINUM CAP SET IN CONCRETE  
NORTHING=445267.160  
EASTING=2564568.628  
ELEV=653.01

**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.

**SITE NOTE**

PUBLIC RIGHT OF WAY OR EXISTING EASEMENTS:  
PERMANENT RIGHT-OF-WAY ACQUIRED BY CONDEMNATION BY THE BOARD OF COUNTY COMMISSIONERS OF TULSA COUNTY IN TULSA COUNTY DISTRICT COURT CASE NO. 111676 (BOOK 519, PAGE 397); CONVEYANCE TO THE STATE OF OKLAHOMA VIA EASEMENT (BOOK 3717, PAGE 308)

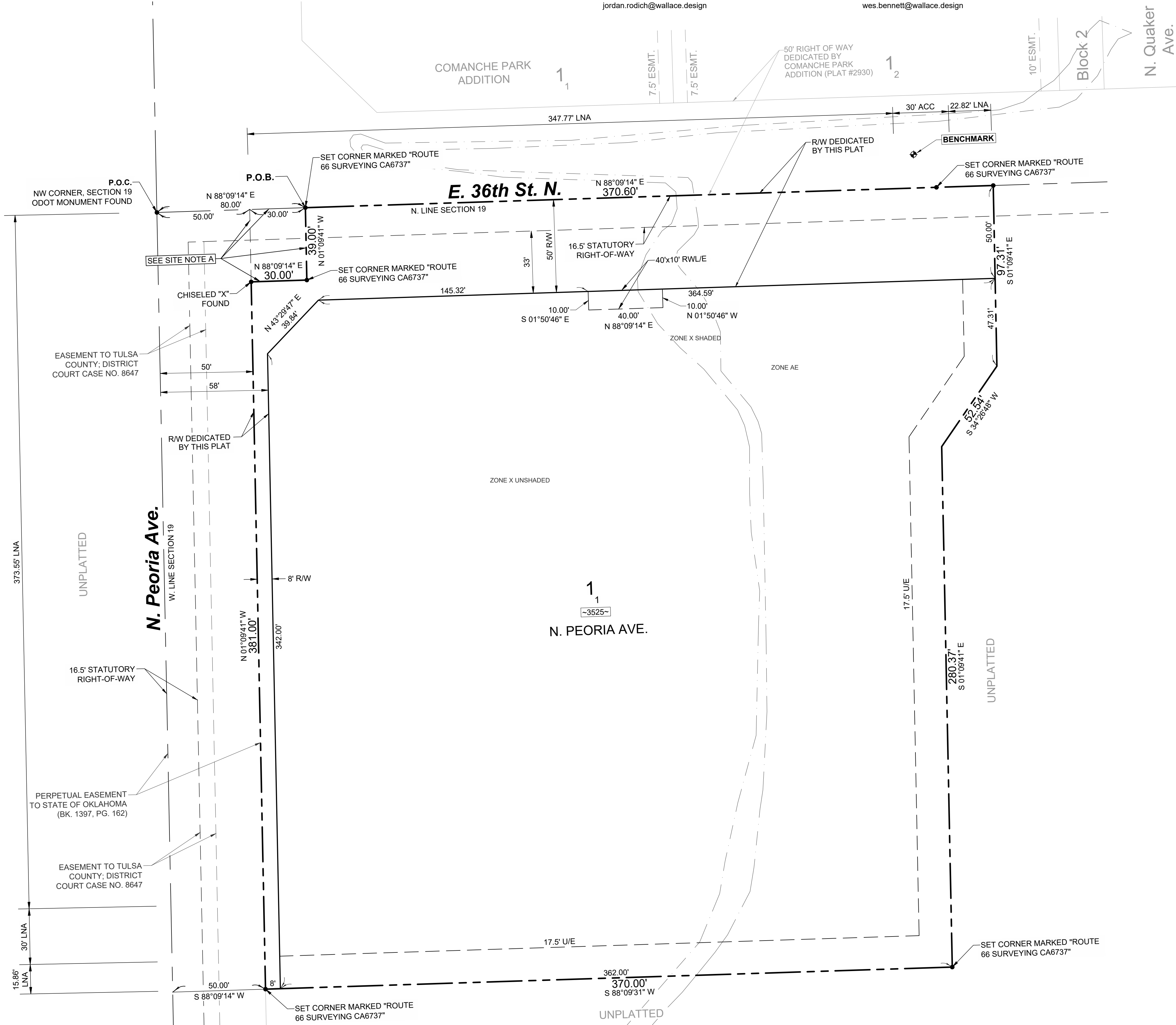
**FLOODPLAIN NOTE**

COT REGULATORY FLOODPLAIN: PANEL 36 (SHADED)  
CITY REGULATORY ELEVATION: 623.3 NAVD 1988

FEMA: PANEL 40143C0228L (ZONE AE)  
BASE FLOOD ELEVATION 622.9' NAVD 1988

**DATE OF SURVEYOR'S LAST SITE VISIT:**  
XXXXXXXXXX

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.	



\\civl-server\projects\2340001 Comanche Park CIP\Drawg\PRODUCTION\PlanPhase 1\23404001 DOD.dwg PLOT:9/7/23 ORIG SIZE:24"x36"

PRELIMINARY PLAT

PHOENIX AT 36N-PHASE I

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

THAT THE HOUSING AUTHORITY OF THE CITY OF TULSA A PUBLIC BODY CORPORATE AND POLITIC, ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF OKLAHOMA ("THA"), IS THE OWNER OF THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT:

A TRACT OF LAND LYING IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW/4, NW/4) OF SECTION NINETEEN (19), TOWNSHIP TWENTY (20) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO-WIT:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION NINETEEN (19);

THENCE; N88°09'14"E FOR A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING;

THENCE; N88°09'14"E FOR A DISTANCE OF 370.60 FEET;

THENCE S01°09'41"E FOR A DISTANCE OF 97.31 FEET;

THENCE S34°26'48"W FOR A DISTANCE OF 52.54 FEET;

THENCE S01°09'41"E FOR A DISTANCE OF 280.37 FEET;

THENCE S88°09'31"W FOR A DISTANCE OF 370.00 FEET TO A POINT ON THE WEST SECTION LINE OF SAID SECTION NINETEEN (19)

THENCE N01°09'41"W AND ALONG THE WEST SECTION LINE OF SAID SECTION NINETEEN (19) FOR A DISTANCE OF 381.00 FEET:

THENCE N88°09'14"E FOR A DISTANCE OF 30.00 FEET;

THENCE N01°09'41"E FOR A DISTANCE OF 39.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINING 3.62 ACRES, MORE OR LESS.

THE OWNERS HAVE CAUSED THE SUBJECT PROPERTY TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO TWO LOTS IN ONE BLOCK, CONFORMITY WITH THE ACCOMPANYING PLAT AND HAVE DESIGNATED THE SUBDIVISION AS "PHOENIX AT 36N-PHASE I", HEREINAFTER REFERRED TO AS THE "SUBDIVISION", A SUBDIVISION IN THE CITY OF TULSA, STATE OF OKLAHOMA.

SECTION I. PUBLIC STREETS, EASEMENTS AND UTILITIES

A. PUBLIC STREETS AND UTILITY EASEMENTS

THE OWNERS HEREBY DEDICATE TO THE PUBLIC, THOSE PORTIONS OF STREET RIGHTS - OF -WAY OF NORTH PEORIA AVENUE AND EAST 36" STREET NORTH, AS DEPICTED ON THE ACCOMPANYING PLAT AND FURTHER DEDICATE TO THE PUBLIC THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT AS "U / E " OR "UTILITY EASEMENT" FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS ,SANITARY SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS, MANHOLES AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER APPURTENANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES STATED, PROVIDED EACH OF THE OWNERS RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND REPAIR OR REPLACE WATER LINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING, REPAIRING AND RE-LAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, WITHIN THE PROPERTY OWNED BY THE PARTICULAR OWNER, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO AREAS DEPICTED ON THE PLAT. THE OWNERS HEREIN IMPOSE 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.

B. UTILITY SERVICE

- OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED ALONG THE EAST SIDE OF NORTH PEORIA AVENUE AND THE SOUTH SIDE, EAST 36" STREET NORTH BOUNDARY, OF THE SUBDIVISION AS NECESSARY IF LOCATED IN AN EASEMENT AS DEPICTED ON THE ACCOMPANYING PLAT. STREET LIGHT POLES OR STANDARDS SHALL BE SERVED BY UNDERGROUND CABLES, AND ELSEWHERE THROUGHOUT THE SUBDIVISION, ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE , CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN EASEMENTS DEDICATED FOR GENERAL UTILITY SERVICES AND IN THE RIGHTS - OF-WAY OF THE PUBLIC STREETS 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 THAT UPON THE INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE AND NON-EXCLUSIVE EASEMENT ON THE LOT , COVERING A 5 FOOT STR I P EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.
- THE SUPPLIER OF ELECTRIC, TELEPHONE CABLE TELEVISION AND GAS 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 CABLE TELEVISION OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.

- THE OWNER OF ANY 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, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. EACH SUPPLIER OF THESE SERVICES SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE LOT OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OWNER OR THE LOT OWNER 'S AGENTS OR CONTRACTORS.

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

C. WATER, SANITARY SEWER, AND STORM SEWER SERVICE

- THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS LOCATED ON THE OWNER 'S LOT.
- WITHIN UTILITY EASEMENTS AND SANITARY SEWER EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE FROM THE CONTOURS EXISTING UPON THE COMPLETION 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, AND STORM SEWERS SHALL BE PROHIBITED.
- THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER SYSTEMS, SANITARY SEWER MAINS, AND STORM SEWERS BUT THE LOT OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OWNER OR THE LOT OWNER'S AGENTS AND / OR CONTRACTORS.
- THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS AND SANITARY SEWER 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.
- THE COVENANTS SET FORTH IN THIS SUBJECT I ON SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, AND THE OWNER OF THE LOT AGREES TO BE BOUND BY THESE COVENANTS.

D. GAS SERVICE

- THE SUPPLIER OF GAS SERVICE THROUGH ITS AGENTS AND EMPLOYEES SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR 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.

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

- THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND BY THESE COVENANTS.
- E. 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 AND SURFACE WATERS OVER AND ACROSS THE LOT. THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY CITY OF TULSA, OKLAHOMA.

F. SIDEWALKS

SIDEWALKS SHALL BE CONSTRUCTED AND MAINTAINED BY THE OWNERS ALONG STREETS DESIGNATED BY AND IN ACCORDANCE WITH THE TULSA METROPOLITAN AREA SUBDIVISION AND DEVELOPMENT REGULATIONS AND ORDINANCES OF THE CITY OF TULSA. SIDEWALKS SHALL BE CONSTRUCTED IN CONFORMANCE WITH THE STANDARDS OF THE CITY OF TULSA, OKLAHOMA. SIDEWALKS SHALL BE CONSTRUCTED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ANY BUILDING WITHIN THE SUBDIVISION.

G. PAVING AND LANDSCAPING WITHIN EASEMENTS

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

H. CERTIFICATE OF OCCUPANCY

NO CERTIFICATE OF OCCUPANCY FOR A BUILDING WITHIN THE SUBDIVISION SHALL BE ISSUED BY THE CITY OF TULSA, OKLAHOMA UNTIL CONSTRUCTION OF THE REQUIRED INFRASTRUCTURE (STREETS, WATER, SANITARY SEWER, STORM SEWER SYSTEMS AND SIDEWALKS) 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.

I. LIMITS OF NO ACCESS

THE OWNERS HEREBY RELINQUISH RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY NORTH PEORIA AVENUE AND EAST 36" STREET NORTH WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" ON THE ACCOMPANYING PLAT, WHICH LIMITS OF NO ACCESS MAY BE AMENDED OR RELEASED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSOR, WITH THE APPROVAL OF THE CITY OF TULSA, OKLAHOMA, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA PERTAINING THERETO, AND THE LIMITS OF NO ACCESS ESTABLISHED ABOVE SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA.

J. RESTRICTED WATERLINE EASEMENT

THE OWNER HEREBY DEDICATES TO THE PUBLIC PERPETUAL EASEMENTS ON, OVER AND ACROSS THOSE AREAS DESIGNATED ON THE ACCOMPANYING PLAT AS "RESTRICTED WATERLINE EASEMENT" FOR THE PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING WATER LINES, TOGETHER WITH FITTINGS INCLUDING THE PIPES, VALVES, METERS AND EQUIPMENT AND OTHER APPURTENANCES THERETO, TOGETHER WITH RIGHTS OF INGRESS AND EGRESS TO AND UPON THE EASEMENTS FOR THE USES AND PURPOSES AFORESAID.

SECTION II. - ENFORCEMENT, DURATION, AMENDMENT AND SEVERABILITY

A. ENFORCEMENT

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNERS, THEIR RESPECTIVE GRANTEEES, SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I, PUBLIC STREETS, EASEMENTS AND UTILITIES, ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO AND WHETHER OR NOT THEREIN SO STATED THE COVENANTS WITHIN SECTION I SHALL INURE TO THE BENEFIT OF AND BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA. IF EITHER OF THE UNDERSIGNED OWNERS, OR ANY OF THEIR RESPECTIVE GRANTEEES SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION I, THE SUPPLIER OF UTILITY SERVICE OR CITY OF TULSA, OKLAHOMA MAY BRING AN ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT TO PREVENT HIM OR THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT OR TO RECOVER DAMAGES. IN ANY JUDICIAL ACTION BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED WITHIN THIS DEED OF DEDICATION, THE DEFENSE THAT THE PARTY INITIATING THE EQUITABLE PROCEEDING HAS AN ADEQUATE REMEDY AT LAW IS HEREBY WAIVED.

B. DURATION

THESE RESTRICTIONS, TO THE EXTENT PERMITTED BY APPLICABLE LAW, SHALL BE PERPETUAL BUT IN ANY EVENT SHALL BE IN FORCE AND EFFECT FOR A TERM OF NOT LESS THAN THIRTY (30) YEARS FROM THE DATE OF THE RECORDING OF THIS DEED OF DEDICATION UNLESS TERMINATED OR AMENDED AS HEREINAFTER PROVIDED.

C. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I , PUBLIC STREETS, EASEMENTS AND UTILITIES, MAY BE AMENDED OR TERMINATED AT ANY TIME BY 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 CITY OF TULSA, OKLAHOMA. THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING THE RESTRICTIONS OR COVENANTS SHALL BE EFFECTIVE UPON AND AFTER THE INSTRUMENT IS RECORDED IN THE OFFICE OF THE TULSA COUNTY CLERK.

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 HEREOF AS SET FORTH HEREIN, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, THE HOUSING AUTHORITY OF THE CITY OF TULSA HAS EXECUTED THIS INSTRUMENT THIS \_\_\_\_DAY OF \_\_\_\_\_, 2023.

HOUSING AUTHORITY OF THE CITY OF TULSA

BY: \_\_\_\_\_

AARON DARDEN, PRESIDENT / CEO

ACKNOWLEDGMENT

STATE OF OKLAHOMA )

) SS:

COUNTY OF TULSA )

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS \_\_\_\_DAY OF \_\_\_\_\_, 2023, BY AARON DARDEN, AS PRESIDENT/ CEO OF THE HOUSING AUTHORITY OF THE CITY OF TULSA.

NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_

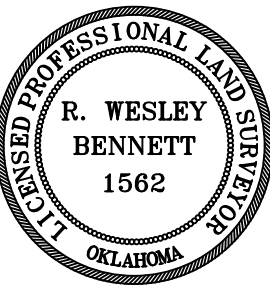
MY COMMISSION NUMBER: \_\_\_\_\_

[SEAL]

CERTIFICATE OF SURVEY

I, R. WESLEY BENNETT, OF WALLACE DESIGN COLLECTIVE, PC, A LICENSED PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED HEREIN AS COMANCHE PARK-PHASE I, A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, IS A REPRESENTATION OF THE SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED LAND SURVEYING PRACTICES AND MEETS OR EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED.

WITNESS MY HAND AND SEAL THIS \_\_\_\_DAY OF \_\_\_\_\_, 2023.



R. WESLEY BENNETT  
LICENSED PROFESSIONAL LAND SURVEYOR

ACKNOWLEDGMENT

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 R. WESLEY BENNETT, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME AS A LICENSED LAND SURVEYOR TO THE FOREGOING CERTIFICATE OF SURVEY AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN SET FORTH.

NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_

MY COMMISSION NUMBER: \_\_\_\_\_

[SEAL]



CONCEPTUAL IMPROVEMENTS PLAN

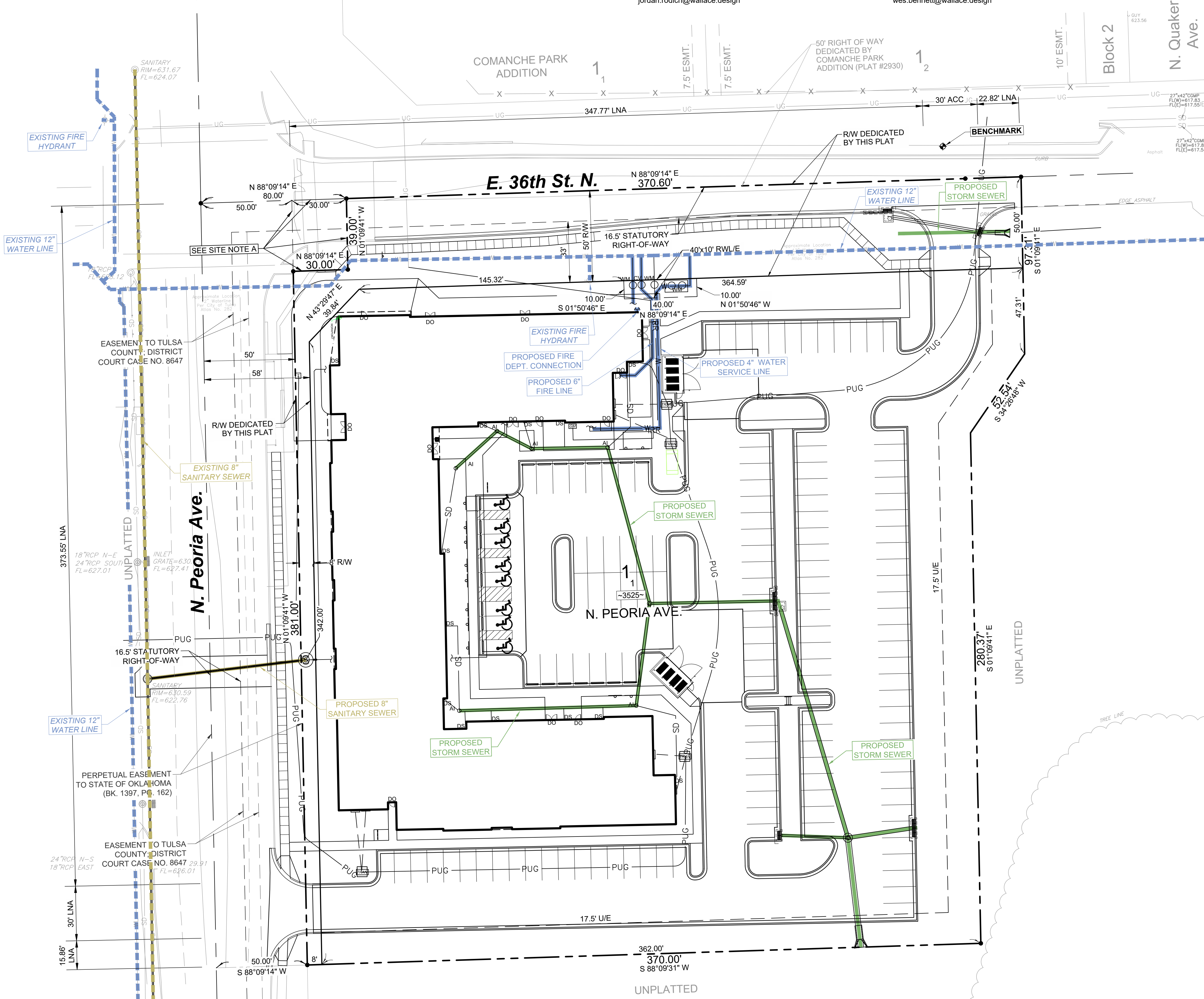
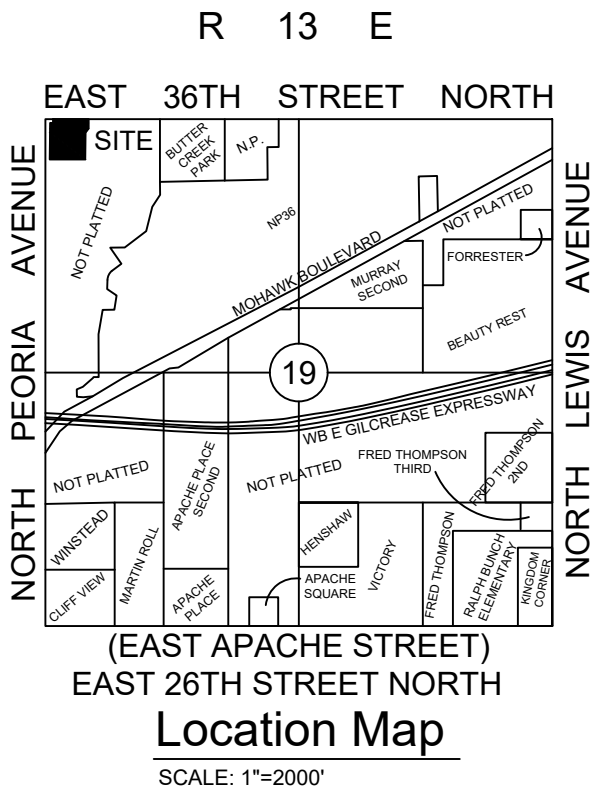
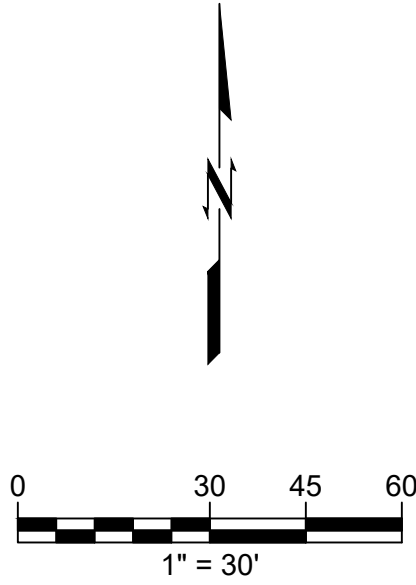
PHOENIX AT 36N-PHASE I

PART OF GOVERNMENT LOT 1 OF SECTION NINETEEN (19), TOWNSHIP TWENTY (20) NORTH, RANGE THIRTEEN (13) EAST  
OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

**OWNER:**  
Housing Authority of the City of Tulsa  
415 West Independence Street  
Tulsa, Oklahoma, 74120  
ATTN: CITY CLERK, SUITE 206  
PHONE: (918) 581-5722

**ENGINEER:**  
Wallace Design Collective, PC  
123 North Martin Luther King Jr Blvd.  
Tulsa, Oklahoma, 74103  
Phone: (918) 584-5858  
OK CA NO. 1460, EXPIRES 6/30/2025  
JORDAN RODICH P.E.  
jordan.rodich@wallace.design

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**Case: Phoenix at 36N - Request for Authorization of Accelerated Release of Building Permits**  
(Related to Phoenix at 36N Preliminary Plat)

**Hearing Date: October 4, 2023**

**Case Report Prepared by:**

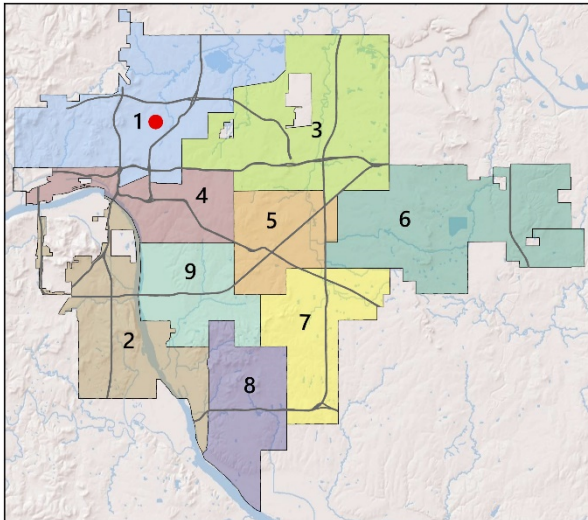
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Mark Capron, Wallace Design

*Owner:* Housing Authority of the City of Tulsa

**Location Map:**  
(shown with City Council districts)



**Applicant Proposal:**

Request for Authorization of Accelerated Release of Building Permits

1 lot, 1 block, on 3.62 ± acres

*Location:* Southeast corner of East 36<sup>th</sup> Street North and North Peoria Avenue

**Zoning:** MX1-U-U

**Staff Recommendation:**

Staff recommends **approval** of the request to authorize accelerated release of building permits

**City Council District: 1**

*Councilor Name:* Vanessa Hall-Harper

**County Commission District: 1**

*Commissioner Name:* Stan Sallee

## ACCELERATED RELEASE OF BUILDING PERMIT

### Phoenix at 36N - (CD 1)

Southeast corner of East 36<sup>th</sup> Street North and North Peoria Avenue

The applicant has requested that the Planning Commission authorize the City of Tulsa to issue building permits prior to the filing of a final plat. The *Subdivision & Development Regulations* require the approval of a preliminary plat prior to authorization for an accelerated release of building permits.

This project is being managed by the Tulsa Housing Authority in partnership with the City of Tulsa and the U.S. Department of Housing and Urban Development along with other private partners. The site was awarded a federal CHOICE neighborhood grant through HUD that seeks to revitalize areas through the creation of affordable, walkable, and safe neighborhoods. The project is also receiving low-income housing tax credits. The required infrastructure projects will be coordinated and installed by the City of Tulsa.

The associated grant and awarded tax credits with this project require construction to begin on a specific timeline where delays could create issues. The applicant has requested to defer the requirement for the plat to be filed to the certificate of occupancy to prevent delays on building permits.

The attached email from Jeff Hall, Vice President of The Housing Authority of the City of Tulsa, provides further details on the financing and timelines.

The Technical Advisory Committee met on Thursday, September 21, 2023, and no objections were raised to the authorization of an accelerated release of building permits.

If approved, this authorization only removes the requirement that the final plat be filed prior to building permits being issued. All other codes and requirements of the City of Tulsa remain in place.

Staff recommend **approval** of the accelerated release of a building permit. Approval of the Phoenix at 36N preliminary plat is required.

**From:** [Jeff Hall](#)  
**To:** [Foster, Nathan](#)  
**Cc:** [Mark Capron](#)  
**Subject:** Phoenix at 36N - Preliminary Plat with Request for Accelerated Release  
**Date:** Thursday, September 21, 2023 4:00:14 PM

---

Nathan,

Thank you for providing me the opportunity to provide supplemental information with our application for preliminary plat. As stated in that application, we seek approval to waive bonding requirements and for the accelerated release of permits.

Phoenix at 36N is the first of seven phases of the redevelopment of the former Comanche Park public housing property, to be called 36N. In 2022, in partnership with the City of Tulsa as co-applicant, Tulsa Housing Authority applied for and was awarded a \$50M HUD Choice Neighborhoods grant to replace the 271 severely distressed units at Comanche Park with 545 mixed-income apartments in a variety of building types. Within the 545 new units, 271 units will be subsidized and held for first right to return for the former Comanche Park residents. Due to the need to completely redevelopment the associated public infrastructure necessary to make this development a reality, the City of Tulsa, as a component of the Choice Neighborhoods applications, committed funding for infrastructure improvements, to be completed as CIP contracts associated with each phase. The Choice Grant does stipulate that all 545 units must be built by September 2028.

For Phoenix at 36N, and ultimately for all phases, our request for accelerated release of permits is driven by our two primary financing tools for the development, both of which are heavily utilized for all seven phases – Choice Neighborhoods Grant Funding and Federal Low Income Housing Tax Credits (issued by the Oklahoma Housing and Finance Agency). The Choice Grant, in order to remain in compliance with the \$50M funding, requires we initiate construction on the initial phase of development within 15 months of grant award, or no later than March 2024. Furthermore, the Low-Income Housing Tax Credits set aside for Phoenix at 36N require the entire phase to be placed in service by the end of 2025. For subsequent phases, the Low-Income Housing Tax Credits mandate that we are applying for those credits every January and June and initiating construction within 9 months of that application. To meet that no later than construction start date, and comply with the placed in-service date requirements, we must submit for building permits no later than November 2023 for Phoenix at 36N. With the related infrastructure work being carried out via CIP and a separate City-procured contract, while we are working in close coordination with Engineering Services, it does present considerable timing constraints to ensure all design is in place and the final plat is recorded in advance of our necessary timeline for building permits.

The THA team is incredibly appreciative of the Commission for granting a similar request at River West, where even in 2023 the ability to receive permits and initiate construction prior to final plat was paramount in meeting our federal timing requirements. It cannot be understated that the success of that development, and similarly the need for this development, is tied to our ability to initiate construction, with permits, while the final plat process finalizes.

Please don't hesitate to let me know of any questions. If recommended for the October 4<sup>th</sup> meeting

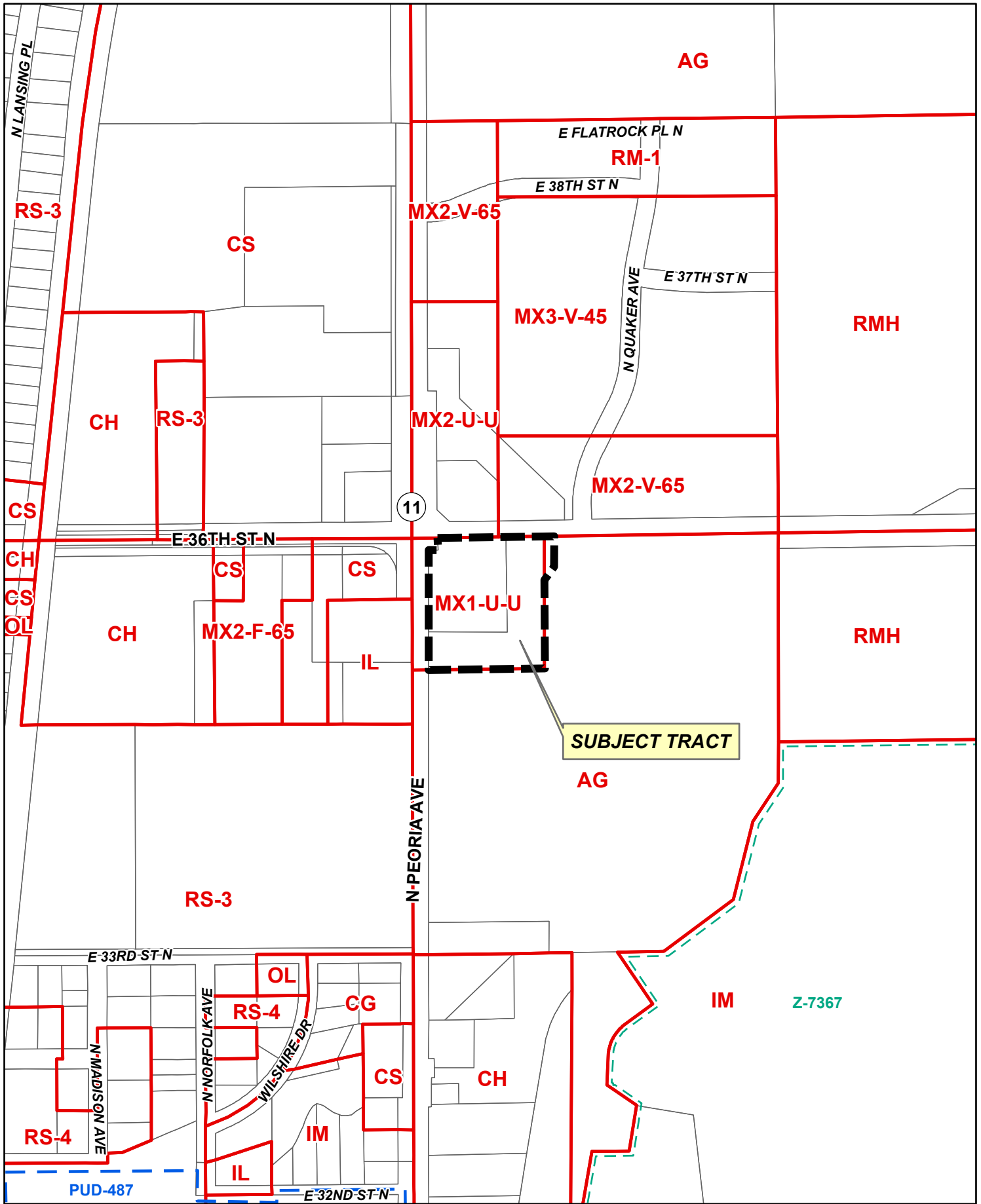


agenda, I will be in attendance to assist with any further comments or rationale for our request.

Jeff

Jeffery D. Hall  
Vice President, Development Services  
The Housing Authority of the City of Tulsa  
415 E Independence  
Tulsa, OK 74106  
Email: [Jeff.Hall@tulsahousing.org](mailto:Jeff.Hall@tulsahousing.org)  
Office: 918-581-5911  
Mobile: 918-361-3831

**CAUTION:** This email originated from outside of the organization. Do not reply, forward, click links, or open attachments unless you recognize the sender and know the content is safe. Please report using the Phish Alert button in the Outlook Desktop Client if this message contains potentially unsafe content.



# Phoenix at 36N





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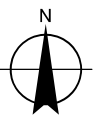
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# Phoenix at 36N

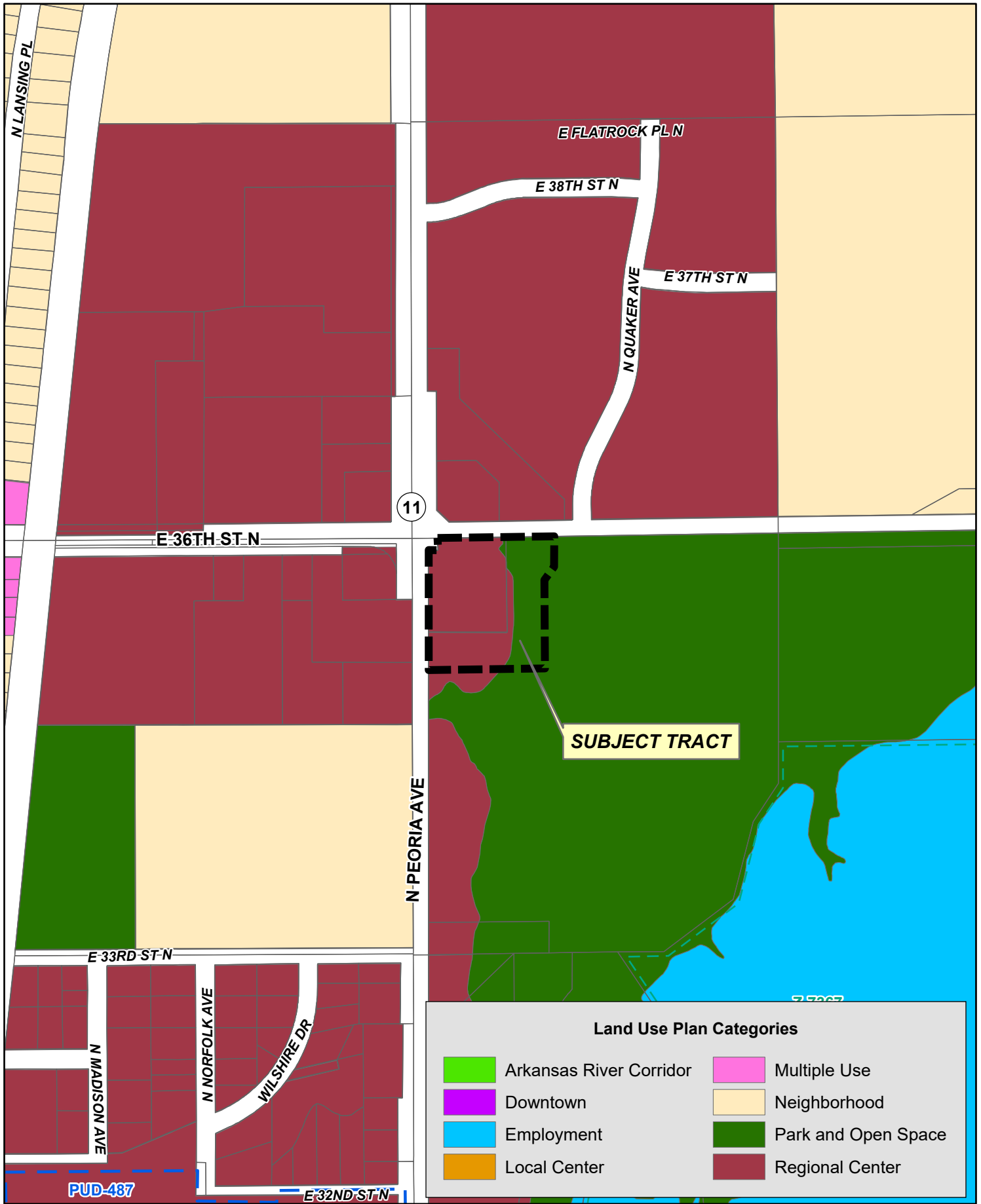
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2021

8.6







# Phoenix at 36N

CONCEPTUAL IMPROVEMENTS PLAN

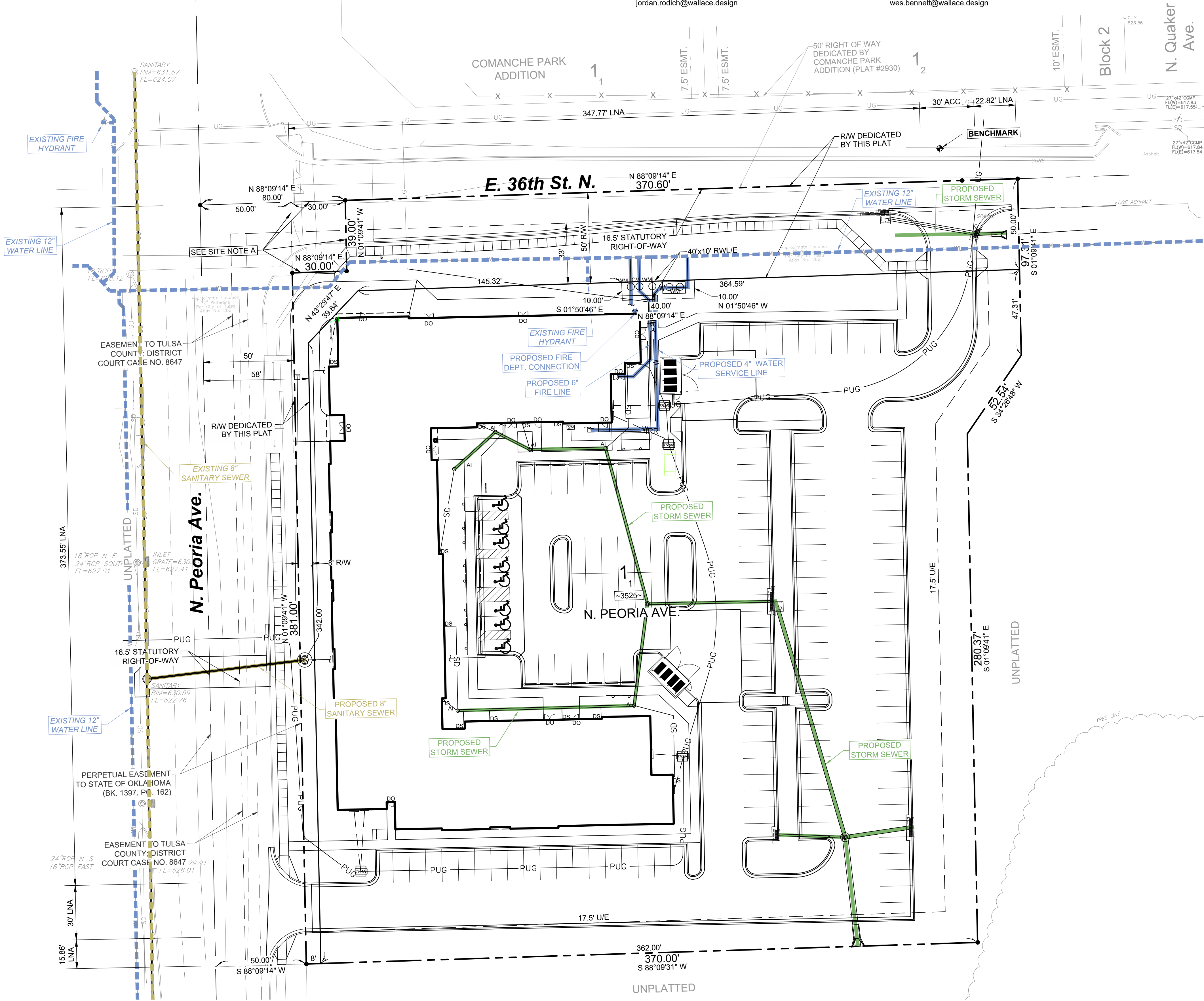
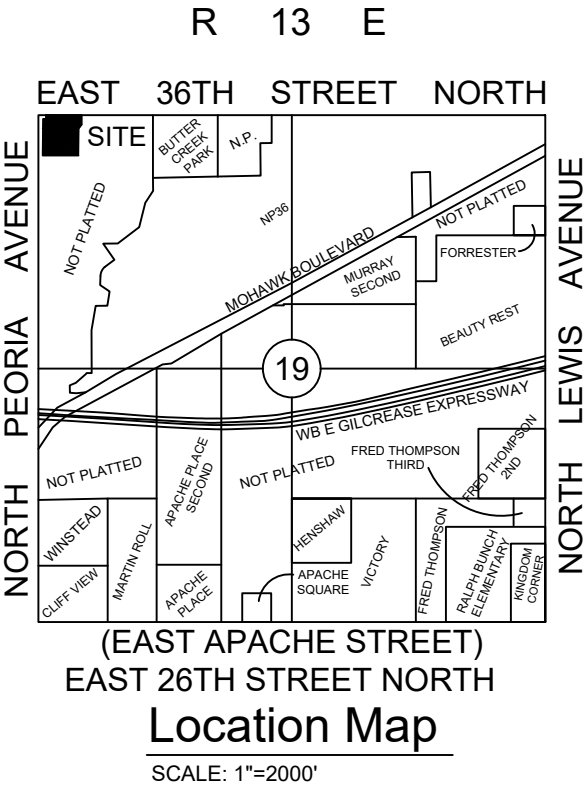
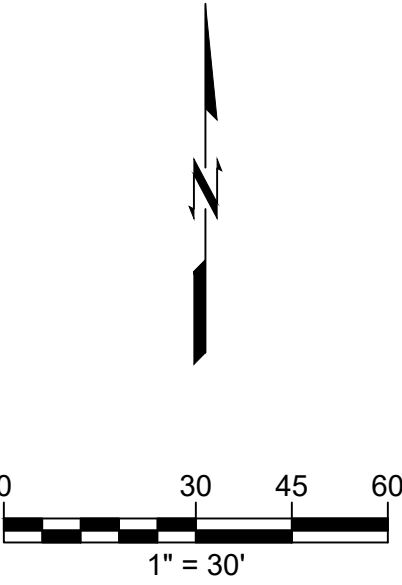
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# 2024 PROPOSED SCHEDULE

## Tulsa Metropolitan Area Planning Commission (TMAPC)

Regular meetings of the TMAPC are held on the first and third Wednesday of each month at 1:00 p.m. in the One Technology Center, 175 E. 2nd Street, City Council Chambers, 2nd Level, Tulsa, Oklahoma.

Work sessions of the TMAPC are held, as necessary, typically prior to regular TMAPC business in the One Technology Center, 175 E. 2nd Street, in a room location to be announced at the time an agenda is posted.

JANUARY	FEBRUARY	MARCH
3	7	6
17	21	20
APRIL	MAY	JUNE
3	1	5
17	15	26*
JULY	AUGUST	SEPTEMBER
July 3-No Meeting	7	4
17	21	18
OCTOBER	NOVEMBER	DECEMBER
2	6	4
16	20	18

\*Moved to 4<sup>th</sup> Wednesday due to Juneteenth holiday

9/26/2023



