



**Tulsa Metropolitan Area
Planning Commission**

Preliminary Plat Staff Report

Hearing Date: December 4, 2024
Prepared by: Austin Chapman
achapman@cityoftulsa.org
918-596-7597

Owner and Applicant Information

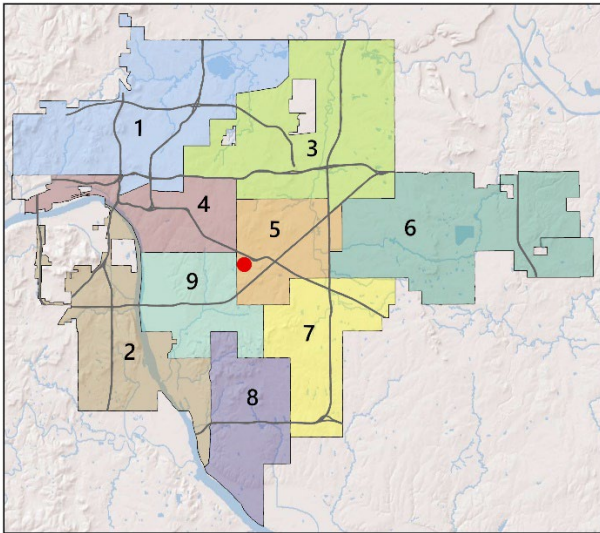
Applicant: Ryan McCarty, Select Design
Property Owner: Highland Park Neighborhood, LLC

Property Location

Northeast corner of East 36th Street South and South Braden Avenue

Location within the City of Tulsa

(shown with City Council districts)



Elected Representatives

City Council: District 5, Karen Gilbert
County Commission: District 3, Kelly Dunkerley

Public Notice Required

Mailed Notice to adjacent property owners a minimum of 10 days in advance

Staff Recommendation

Staff recommends approval subject to conditions.

Request Summary

Platting a new subdivision named Highland Park Villas.
Tract Size: ±2.91 acres

Zoning

Existing Zoning: Residential – Single-Family 2 (RS-2)
Existing Overlays: None
Proposed Zoning: Residential- Single-Family 4 (RS-4) with an optional development plan approved in case Z-7759 and effective December 17th, 2024.

Use

Current Use: Single-Family Residential (3 detached houses)
Proposed Use: Single-Family Residential (12 detached houses)

Comprehensive Plan Considerations

Land Use

Land Use Plan: Neighborhood
Small Area Plans: None
Development Era: Early Automobile

Transportation

Major Street & Highway Plan:
East 36th Street South – Residential Collector
planitulsa Street Type: N/A
Transit: N/A
Existing Bike/Ped Facilities: 36th Street Linkage - Sharrow
Planned Bike/Ped Facilities: N/A

Environment

Flood Area: N/A
Tree Canopy Coverage: 10-20%
Parks & Open Space: Highland Park, directly across South Braden

Detailed Staff Recommendation

The plat consists of 1 lots, 12 blocks, ±2.91 acres. Staff recommends **approval** of the preliminary subdivision plat subject to the following conditions provided by the Technical Advisory Committee (TAC) and all other requirements of the Subdivisions Regulations, finding that the proposed preliminary subdivision plat complies with all applicable regulations. A City of Tulsa release letter is required prior to final plat approval. TAC Conditions:

Zoning: Property was approved for rezoning in Z-7759 from RS-2 to RS-4 with a development plan which will be effective on December 17th, 2024. The proposed lots must meet the standards imposed by the development plan and the standards or the development plan must be memorialized in the deed of dedication of the plat.

Engineering Graphics

- Submit subdivision control data sheet with the final plat.
- Remove contours on the final plat submittal.
- Provide the individual lot addresses on the face of the plat.
- In the Location Map add missing platted properties in section 22. Label all other land as "unplatted".
- Provide individual street names on the face of the plat.
- In the plat subtitle add after Yorkshire Estates the following. Resub of Lots 2, 3, and 4, Blk 3, All of Blocks 4-13. This is per filed plat number 1129 in Tulsa County.
- Provide graphically on the face of the plat all proposed street names.
- Provide the vertical datum used for the Basis of Bearings.

Addressing

- Include the following addresses on the plat pdf:
- Block 1
- Lot 1: 5106 E 35TH PL S
- Lot 2: 5110 E 35TH PL S
- Lot 3: 5114 E 35TH PL S
- Lot 4: 5118 E 35TH PL S
- Lot 5: 5122 E 35TH PL S
- Lot 6: 5128 E 35TH PL S
- Lot 7: 5132 E 35TH PL S
- Lot 8: 5136 E 35TH PL S
- Lot 9: 5129 E 35TH PL S
- Lot 10: 5125 E 35TH PL S
- Lot 11: 5119 E 35TH PL S
- Lot 12: 5115 E 35TH PL S
- Reserve B: 5109 E 35TH PL S
- The Street running west to east will be E 35TH PL S.

Subdivision and Development Regulations Article 5: Design and Improvements

Required Infrastructure and Public Improvements (5-020)

- Infrastructure improvements required will include a water main extension, sanitary sewer extension, private stormwater detention, public storm sewer, roads, drives, & sidewalks with ADA compliance. Infrastructure improvements must be permitted through the IDP process. A permit application has not yet been received. A pre-development meeting can be scheduled if detailed comments from city staff are needed prior to application.

Streets (transportation) (5-060)

- No Comments.

Streets (fire) (5-060)

- Please meet IFC 2018 Appendix D D103.5 for fire apparatus access road gates.

Sidewalks (5-070)

- No comments.
- Sidewalks are required adjacent to the internal streets of the subdivision.
- Sidewalks adjacent to common areas will need to be constructed by the developer with the other IDP/Public Infrastructure improvements.

Protection From Flooding and Other Natural Hazards (Floodplain) (5-090)

- Site includes no floodplain per FIRM Panel 40143C0356M or City of Tulsa atlas panel 48.

Stormwater Management (5-100)

- Stormwater detention design and new public storm sewer will be reviewed through the IDP Permit process.

Sewage Disposal (5-130)

- No comments.

Water (5-140) lines

- No comments.

Easements (5-150)

- There may need to be a 17.5' perimeter easement along the north side of 36th Street. The applicant has requested this requirement be removed to accommodate the landscaping required by the Optional development Plan. Final decision on the need for the easement to be determined by Development Services.

Deed of Dedication:

- Legal to comment after submittal of Final Plat.

Comprehensive Plan Considerations**Land Use Plan**

The subject property is designated as 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 an arterial is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access from a lower-order street separated from the arterial, then it would be considered Neighborhood.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning/Overlay</u>	<u>Existing Land Use Designation</u>	<u>Existing Use</u>
North	RS-2	Neighborhood	Single-Family Residential
East	RS-2	Neighborhood	Single-Family Residential
South	RM-1/RD/RS-2/RS-3/PUD-410	Multiple Use/Neighborhood	School/Residential
West	RS-2	Park and Open Space	Highland Park

Small Area Plans

The subject properties are not located within an adopted small area plan.

Development Era

The subject property is in an area developed during the Early Automobile Era (1930s-50s), which retained a high degree of the connectivity from neighborhood streets to the arterial network, with mostly commercial, office, industrial, and other active uses along major streets and a mix of housing options and neighborhood-based uses like schools, churches, and libraries in the interior sections. Priorities in these areas include walkability, bikeability, access to public transit, historic preservation, housing type variety, mixed-use development, commercial revitalization, compatibility of scale for neighborhood development, and transitions between commercial corridors and residential areas.

Transportation

Major Street & Highway Plan: East 36th Street South is designated as a residential collector which will require an ultimate right-of-way width of 60 feet.

Comprehensive Plan Street Designation: N/A

Transit: N/A

Existing Bike/Ped Facilities: East 36th Street Linkage – Sharrow

Planned Bike/Ped Facilities: N/A

Environmental Considerations

Flood Area: The subject properties do not contain regulatory floodplain.

Tree Canopy Coverage: Tree canopy in the area is 10-20%. Preserving the limited existing canopy should be encouraged, as well as measures to increase the canopy through landscaping. Street-lining trees in particular should be encouraged to spread the benefit of the tree canopy to the pedestrian realm.

Parks & Open Space: Highland Park is adjacent to the subject property to the west. If approved, the development should make considerations for pedestrian access from the development to the park across the street.

Exhibits

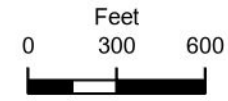
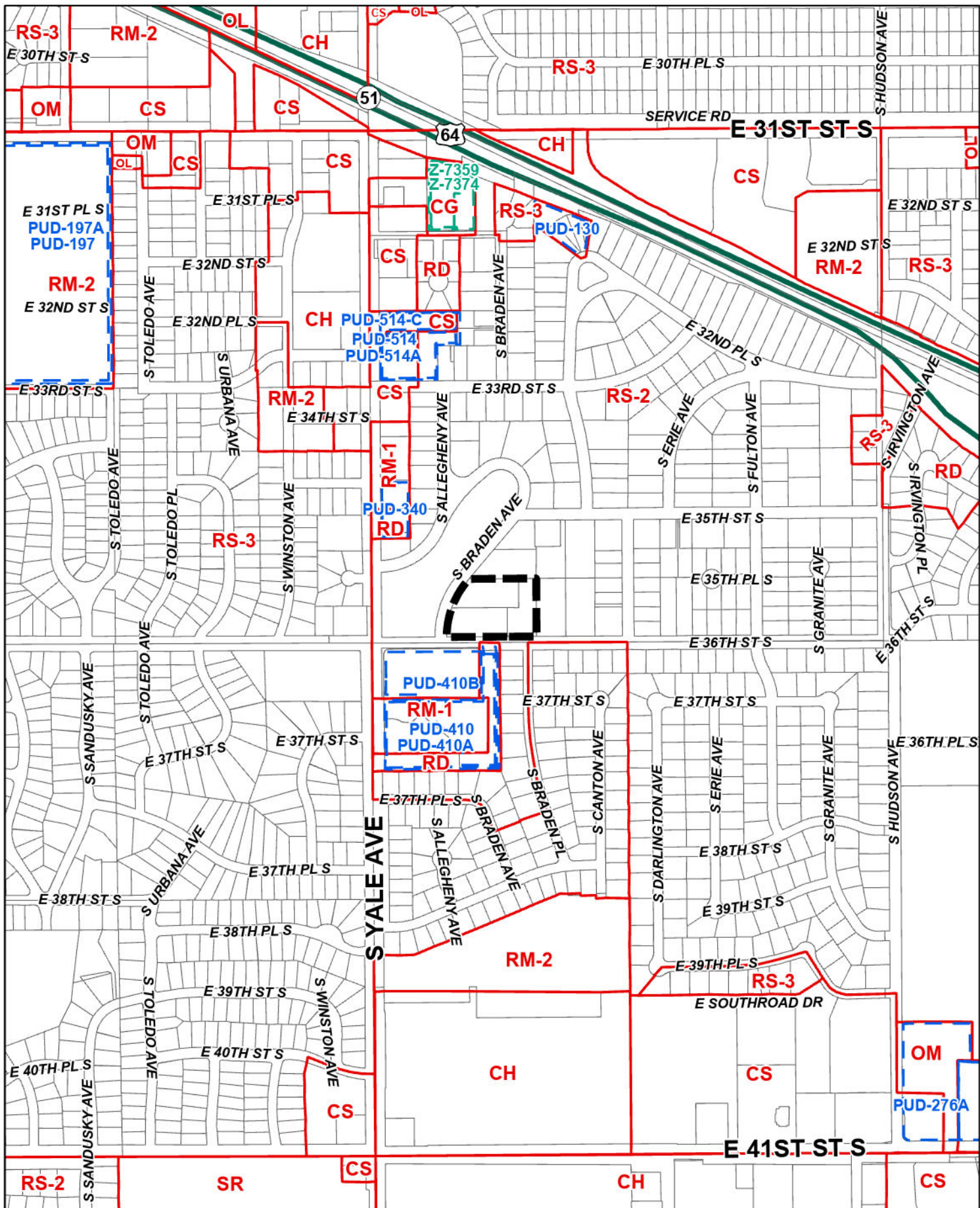
Case map

Aerial (small scale)

Aerial (large scale)

Tulsa Comprehensive Plan Land Use Map

Preliminary Plat

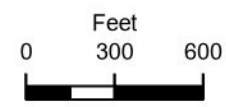
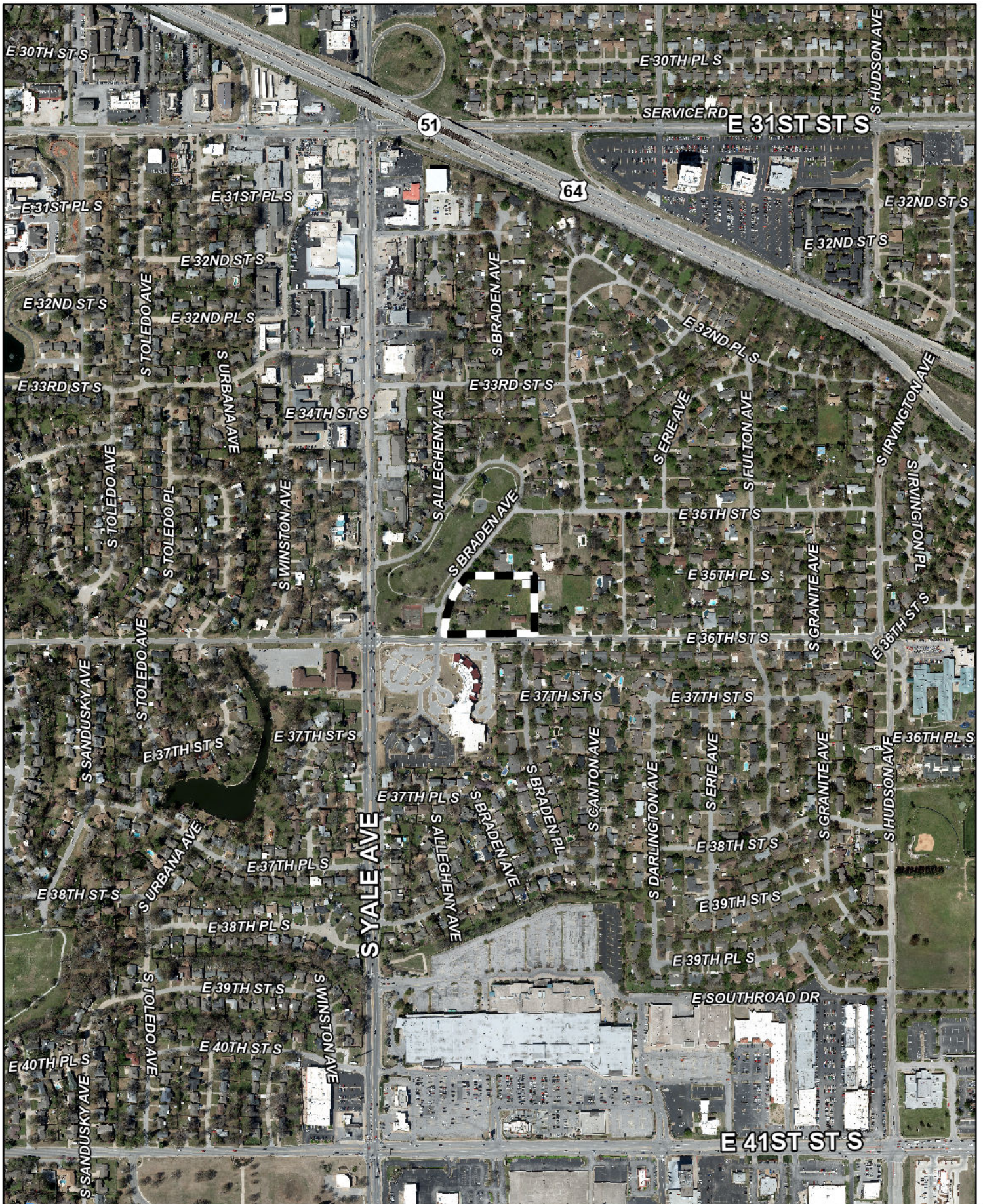


 Subject Tract

HIGHLAND PARK VILLAS

19-13 22





 Subject Tract

HIGHLAND PARK VILLAS

19-13 22

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

Aerial Photo Date: 2022



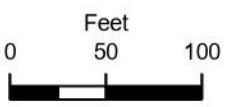


S ALLEGHENY AVE

S BRADEN AVE

E 36TH ST S

S BRADEN PL



 Subject Tract

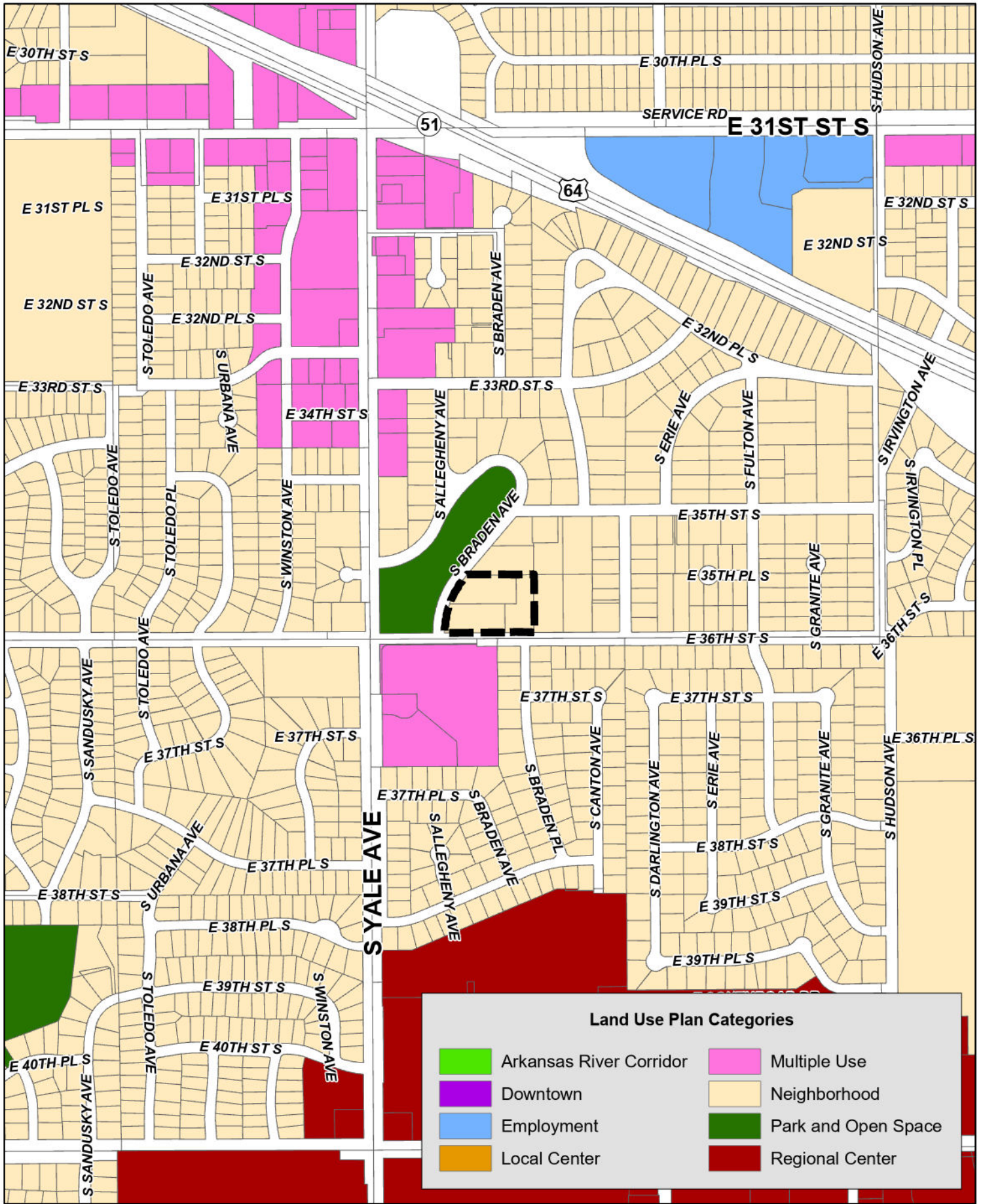
HIGHLAND PARK VILLAS









19-13 22

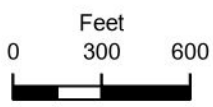
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2022





Land Use Plan Categories			
	Arkansas River Corridor		Multiple Use
	Downtown		Neighborhood
	Employment		Park and Open Space
	Local Center		Regional Center



 Subject Tract

HIGHLAND PARK VILLAS

19-13 22



Subdivision Statistics

SUBDIVISION CONTAINS TWELVE (12) LOTS IN ONE (1) BLOCK AND TWO (2) RESERVE AREAS

GROSS LAND AREA: 126,908.7 SF OR 2.91 ACRES

Basis of Bearings

BEARINGS ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, (3501 OK N), NORTH AMERICAN DATUM 1983 (NAD83), USING THE SOUTH LINE OF BLOCK TEN (10) OF YORKSHIRE ESTATES AS S 88°24'08" W.

Monumentation

ALL CORNERS SHOWN HEREON WERE SET USING A 3/8" x 18" STEEL PIN WITH A GREEN PLASTIC CAP STAMPED "FRITZ CA5848".

Floodplain Data

THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP, CITY OF TULSA, OKLAHOMA, COMMUNITY PANEL NO. 40143C0356M - MAY 2, 2012, INDICATES THE PROPERTY TO BE WITHIN UNSHADED ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AND THE PROPERTY IS NOT AFFECTED BY THE CITY OF TULSA REGULATORY FLOODPLAIN.

Benchmark

ADS CONTROL STATION #39 - ELEVATION: 766.088' (NAVD88)

Addresses

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

Legend

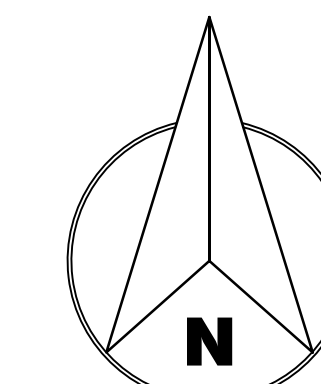
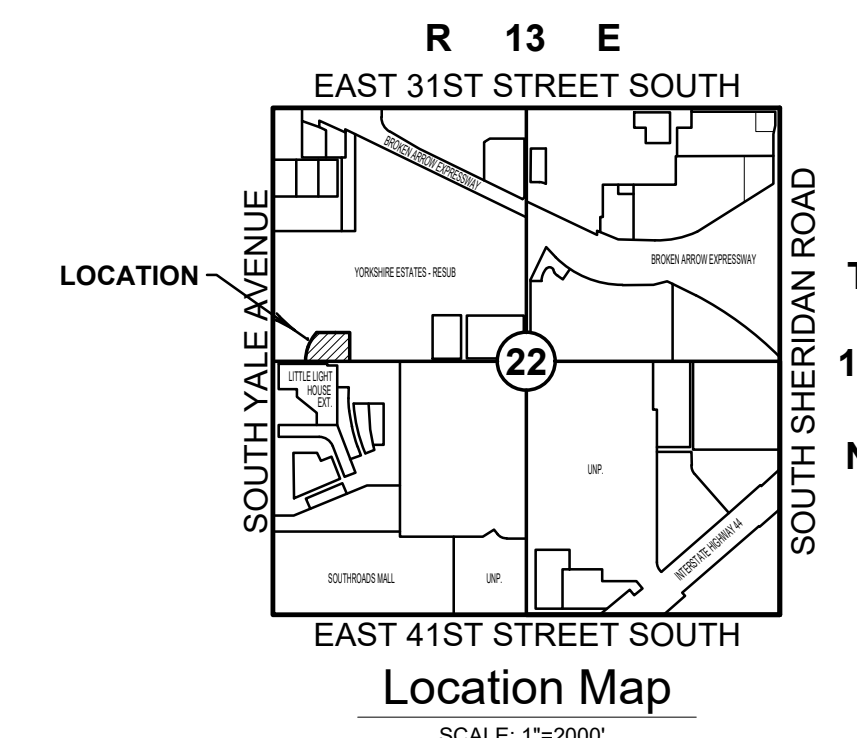
- B/L -- BUILDING SETBACK LINE
- F/L/E -- FENCE AND LANDSCAPING EASEMENT
- IPF -- IRON PIN FOUND
- IPS -- IRON PIN SET
- L.N.A. -- LIMITS OF NO ACCESS
- OD/E -- OVERLAND DRAINAGE EASEMENT
- U/E -- UTILITY EASEMENT
- 1234 -- STREET ADDRESS

PRELIMINARY PLAT

ODP # Z-7759

Highland Park Villas

A SUBDIVISION IN THE CITY OF TULSA, BEING A RE-PLAT OF A PART OF LOTS FIVE (5), SIX (6) AND SEVEN (7), BLOCK TEN (10), YORKSHIRE ESTATES, TULSA COUNTY, STATE OF OKLAHOMA.

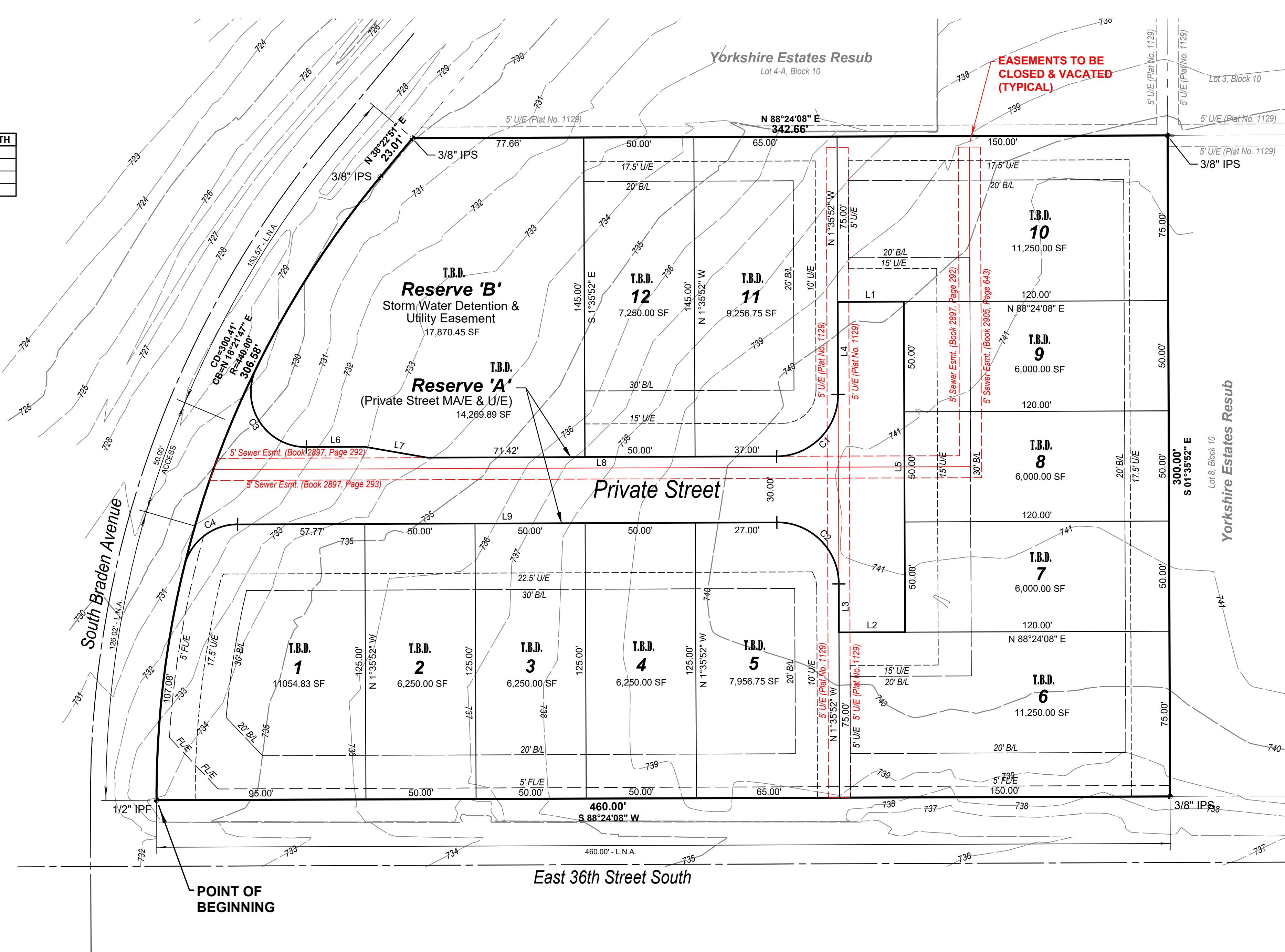


Curve Table

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	43.98'	28.00'	90°00'00"	N 43°24'08" E	39.60'
C2	43.98'	28.00'	90°00'00"	N 46°35'52" W	39.60'
C3	50.82'	25.00'	116°28'24"	S 33°21'40" E	42.51'
C4	33.19'	25.00'	76°03'24"	S 50°22'26" W	30.80'

Line Table

LINE	BEARING	DISTANCE
L1	N 88°24'08" E	30.00'
L2	N 88°24'08" E	30.00'
L3	N 01°35'52" W	22.00'
L4	N 01°35'52" W	42.00'
L5	N 01°35'52" W	150.00'
L6	S 88°24'08" W	26.71'
L7	N 81°35'52" W	28.79'
L8	S 88°24'08" W	158.42'
L9	S 88°24'08" W	244.77'



Owner / Developer

TEKTON HOMES, LLC
7107 SOUTH YALE AVENUE, SUITE 295
TULSA, OKLAHOMA 74136
PHONE: (918) 808-1679
MITCH STEPHENS

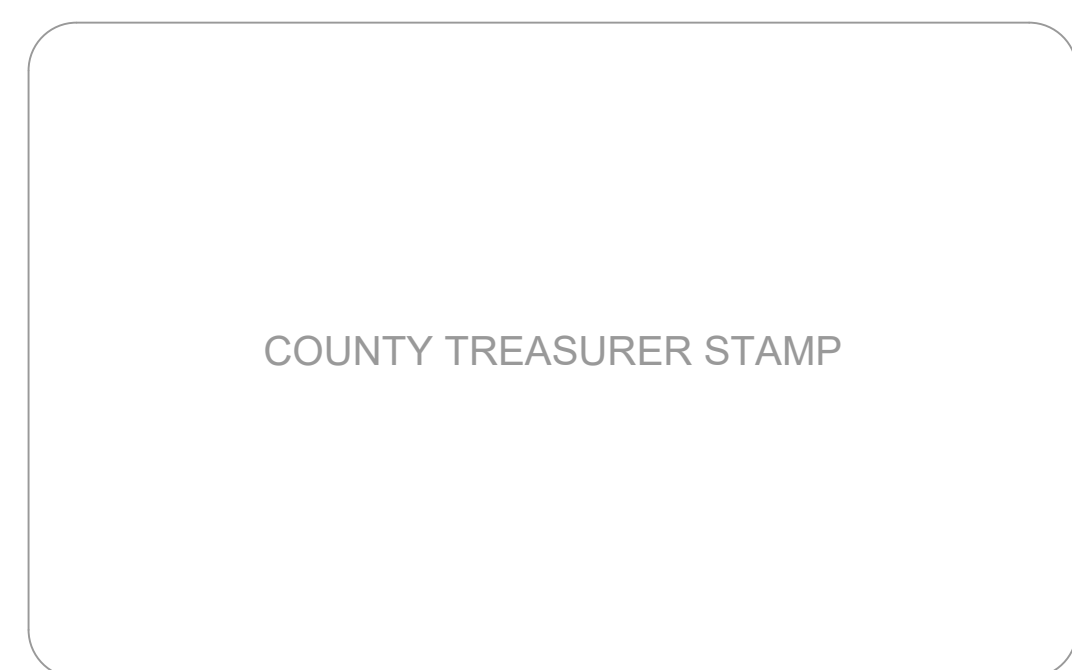
Surveyor

FRITZ LAND SURVEYING, LLC
524 EAST MAIN STREET
JENKS, OKLAHOMA 74037
PHONE: (918) 528-5121
EMAIL: fritzlandsurveying@gmail.com
C.A. # 5848 EXPIRES: 6-30-2026

Engineer

ENGINEERED BY DESIGN, PLLC
10700 MYERS LANE
CHOCTAW, OKLAHOMA 73020
PHONE: (405) 234-0980
EMAIL: ahale@engineeredbydesign.pro
C.A. # 7655 EXPIRES 6-30-2026

FINAL PLAT ENDORSEMENT OF APPROVAL	
TULSA METROPOLITAN AREA PLANNING COMMISSION	
APPROVAL DATE _____	
_____ TMAPC/INCOG	
_____ CITY ENGINEER	
COUNCIL OF THE CITY OF TULSA, OKLAHOMA	
APPROVAL DATE _____	
_____ CHAIR	
_____ MAYOR	
_____ ATTEST: CITY CLERK	
_____ CITY ATTORNEY	
<p>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.</p>	



DATE OF LAST SITE VISIT: JANUARY 18, 2024

HIGHLAND PARK VILLAS

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

TEKTON HOMES, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HEREINAFTER REFERRED TO AS THE "OWNER/DEVELOPER" IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, TO WIT:

A TRACT OF LAND THAT IS LOTS FIVE (5), SIX (6) AND SEVEN (7), BLOCK TEN (10), A RESUBDIVISION OF YORKSHIRE ESTATES, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 1129, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 6, BLOCK 10; THENCE NORTHEASTERLY ALONG THE WEST LINE OF SAID LOTS 5 AND 6 ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 440.00 FEET, AN ARC LENGTH OF 306.58 FEET, A CHORD BEARING OF NORTH 18°21'47" EAST AND A CHORD LENGTH OF 300.41 FEET; THENCE CONTINUING NORTH 38°22'51" EAST ALONG SAID WEST LINE A DISTANCE OF 23.01 FEET TO THE NORTHWEST CORNER OF SAID LOT 5; THENCE NORTH 88°24'08" EAST ALONG THE NORTH LINE OF SAID LOTS 5 AND 7 A DISTANCE OF 342.66 FEET TO THE NORTHEAST CORNER OF SAID LOT 7; THENCE SOUTH 01°35'52" EAST ALONG THE EAST LINE THEREOF A DISTANCE OF 300.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 7; THENCE SOUTH 88°24'08" WEST ALONG THE SOUTH LINE OF SAID LOTS 6 AND 7 A DISTANCE OF 460.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 126,908.7 SQ. FEET OR 2.91 ACRES.

BEARINGS ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, (3501 OK N), NORTH AMERICAN DATUM 1983 (NAD83).

THE OWNER/DEVELOPER HAS CAUSED THE ABOVE DESCRIBED LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO LOTS, BLOCKS AND RESERVE AREAS, IN CONFORMITY WITH THE ACCOMPANYING PLAT AND SURVEY (HEREINAFTER THE "PLAT") AND HAS ENTITLED AND DESIGNATED THE SUBDIVISION AS "HIGHLAND PARK VILLAS", A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA (HEREINAFTER "HIGHLAND PARK VILLAS" OR THE "SUBDIVISION").

Section I. Easements and Utilities

A. UTILITY EASEMENTS

THE OWNER/DEVELOPER DOES HEREBY DEDICATE TO THE PUBLIC THE UTILITY EASEMENTS 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 AFORESAID, PROVIDED HOWEVER, THE SUPPLIER OF UTILITY SERVICES HEREBY 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, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO THE AREA INCLUDED IN THE PLAT. THE OWNER/DEVELOPER HEREBY IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION THAT INTERFERES WITH THE ABOVE SET FORTH USES AND PURPOSES OF THE UTILITY 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

- OVERHEAD POLES AND LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE OR CABLE TELEVISION SERVICE MAY BE LOCATED WITHIN THE PERIMETER EASEMENTS OF THE SUBDIVISION. ELSEWHERE THROUGHOUT THE SUBDIVISION, ALL SUPPLY LINES, INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICE, SHALL BE LOCATED UNDERGROUND, IN THE UTILITY EASEMENTS AND IN THE RIGHTS OF WAY OF THE PUBLIC STREETS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE UTILITY EASEMENTS.
- 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 SUCH 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 SERVICE PEDESTAL, TRANSFORMER OR GAS MAIN TO THE SERVICE ENTRANCE ON THE STRUCTURE.
- THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICES, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE 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. THE SUPPLIER OF SERVICE WILL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER OF THE LOT WILL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR ITS AGENTS OR CONTRACTORS.
- THE FOREGOING COVENANTS IN THIS SUBSECTION B SHALL BE ENFORCEABLE BY THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION, OR GAS SERVICES, AND THE OWNER OF THE LOT AGREES TO BE BOUND THEREBY.

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 THE UTILITY EASEMENT AND RESTRICTED WATERLINE EASEMENT AREAS 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 JUDGEMENT OF THE CITY OF TULSA WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS OR 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 OWNER OF THE LOT SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OF THE LOT, OR BY ACTS OF THE 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 RESTRICTED WATERLINE 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 FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION C SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

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. LIMITS OF NO ACCESS

THE UNDERSIGNED OWNER/DEVELOPER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO SOUTH 89TH EAST AVENUE AND EAST 2ND STREET SOUTH WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" (L.N.A.) ON THE ACCOMPANYING PLAT, WHICH "LIMITS OF NO ACCESS" MAY BE AMENDED OR RELEASED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSOR, AND WITH THE APPROVAL OF THE CITY OF TULSA, OKLAHOMA, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA PERTAINING THERETO, AND THE LIMITS OF NO ACCESS ABOVE ESTABLISHED SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA.

F. PAVING AND LANDSCAPING WITHIN EASEMENTS

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

G. 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.

H. CERTIFICATE OF OCCUPANCY RESTRICTIONS

NO CERTIFICATE OF OCCUPANCY FOR A BUILDING WITHIN THE SUBDIVISION SHALL BE ISSUED BY THE CITY OF TULSA, OKLAHOMA UNTIL CONSTRUCTION OF THE REQUIRED INFRASTRUCTURE (STREETS, WATER, SANITARY SEWER, STORM SEWER SYSTEMS AND SIDEWALKS ALONG E. 2ND ST., S. 89TH E. AVE. AND RESERVE 'A') SERVING THE ENTIRE SUBDIVISION HAS BEEN COMPLETED AND ACCEPTED BY THE CITY. NOTWITHSTANDING THE FOREGOING, THE CITY MAY AUTHORIZE THE ISSUANCE OF A TEMPORARY CERTIFICATE OF OCCUPANCY IF, IN THE CITY'S SOLE DISCRETION, THE CIRCUMSTANCES SUPPORT THE ISSUANCE. FURTHER NOTWITHSTANDING THE FOREGOING, THE CITY MAY AUTHORIZE THE PHASING OF THE CONSTRUCTION OF INFRASTRUCTURE WITHIN THE SUBDIVISION, AND IF PHASING IS AUTHORIZED, A CERTIFICATE OF OCCUPANCY FOR A BUILDING WITHIN AN AUTHORIZED PHASE MAY ISSUE UPON THE COMPLETION AND ACCEPTANCE OF THE INFRASTRUCTURE SERVING THE PARTICULAR PHASE. BUILDING CONSTRUCTION OCCURRING PRIOR TO THE CITY'S ACCEPTANCE OF THE INFRASTRUCTURE SHALL BE AT THE RISK OF THE OWNER OF THE LOT, NOTWITHSTANDING THE ISSUANCE OF A BUILDING PERMIT OR OF A TEMPORARY CERTIFICATE OF OCCUPANCY.

I. STORMWATER DETENTION EASEMENT

- THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC A PERPETUAL EASEMENT ON, OVER, AND ACROSS THE PROPERTY DESIGNATED AND SHOWN ON THE ACCOMPANYING PLAT FOR THE PURPOSES OF PERMITTING THE FLOW, CONVEYANCE, RETENTION, DETENTION AND DISCHARGE OF STORMWATER RUNOFF FROM THE VARIOUS LOTS WITHIN THE SUBDIVISION AND FROM PROPERTIES NOT INCLUDED WITHIN THE SUBDIVISION.
- DETENTION, RETENTION AND OTHER DRAINAGE FACILITIES LOCATED WITHIN THE RESERVE SHALL BE CONSTRUCTED IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY THE CITY OF TULSA, OKLAHOMA.
- NO FENCE, WALL, BUILDING, OR OTHER OBSTRUCTION SHALL BE PLACED OR MAINTAINED IN THE RESERVE NOR SHALL THERE BE ANY ALTERATION OF GRADE IN SAID RESERVE UNLESS APPROVED BY THE CITY OF TULSA, OKLAHOMA.
- DETENTION, RETENTION, AND OTHER DRAINAGE FACILITIES SHALL BE MAINTAINED BY THE PROPERTY OWNER'S ASSOCIATION TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED DRAINAGE, RETENTION, AND DETENTION FUNCTIONS INCLUDING REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION AND THE ASSOCIATION SHALL PROVIDE CUSTOMARY GROUNDS MAINTENANCE WITHIN THE RESERVE IN ACCORDANCE WITH THE FOLLOWING MINIMUM STANDARDS:
 - GRASS AREAS SHALL BE MOWED (IN SEASON) AT REGULAR INTERVALS OF FOUR WEEKS, OR LESS.
 - CONCRETE APPURTENANCES SHALL BE MAINTAINED IN GOOD CONDITION AND REPLACED IF DAMAGED.
 - THE RESERVE SHALL BE KEPT FREE OF DEBRIS.
 - CLEANING OF SILTATION AND VEGETATION FROM CONCRETE CHANNELS SHALL BE PERFORMED TWICE YEARLY.
- LANDSCAPING, APPROVED BY THE CITY OF TULSA, OKLAHOMA, SHALL BE ALLOWED WITHIN THE RESERVE.
- IN THE EVENT THE PROPERTY OWNER'S ASSOCIATION SHOULD FAIL TO PROPERLY MAINTAIN THE DETENTION, RETENTION, AND OTHER DRAINAGE FACILITIES OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN, OR THE ALTERATION OF GRADE WITHIN THE RESERVE, THE CITY OF TULSA, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER AND PERFORM MAINTENANCE NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT ANY ALTERATION OF GRADE, AND THE COSTS THEREOF SHALL BE PAID BY THE ASSOCIATION. IN THE EVENT THE ASSOCIATION FAILS TO PAY THE COSTS OF MAINTENANCE AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, THE CITY OF TULSA, OKLAHOMA, 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 EACH LOT WITHIN THE SUBDIVISION, PROVIDED, THE LIEN AGAINST EACH LOT SHALL BE LIMITED TO 1/19TH OF THE COSTS. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF TULSA, OKLAHOMA.

J. FENCE AND LANDSCAPE EASEMENT

THE OWNER/DEVELOPER HEREIN RESERVES FOR SUBSEQUENT CONVEYANCE TO THE HIGHLAND PARK VILLAS HOMEOWNERS' ASSOCIATION A PERPETUAL EASEMENT TO MAINTAIN PERIMETER SUBDIVISION FENCING AND LANDSCAPING TO BE CONSTRUCTED WITHIN THE FENCE AND LANDSCAPE EASEMENT DEPICTED ON THE ACCOMPANYING PLAT AS 'FL/E'.

K. 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. SIDEWALKS SHALL BE CONSTRUCTED IN CONFORMANCE WITH CITY OF TULSA ENGINEERING DESIGN STANDARDS. THE OWNER/DEVELOPER SHALL CONSTRUCT THE SIDEWALKS ALONG SOUTH BRADEN AVENUE PRIOR TO THE ISSUANCE OF THE FIRST OCCUPANCY PERMIT FOR ANY BUILDING WITHIN THE SUBDIVISION.

L. RESERVE 'A'

RESERVE 'A' IS HEREBY DEDICATED FOR THE PURPOSE OF ESTABLISHING AND MAINTAINING A MUTUAL ACCESS EASEMENT, UTILITY EASEMENT, OPEN SPACE, RECREATION, LANDSCAPING, SCREENING FENCES AND WALLS, ENTRY FEATURES INCLUDING GATES AND KEYPAD ENTRY, AND SUBDIVISION IDENTIFICATION SIGNS FOR THE USE, BENEFIT AND ENJOYMENT OF THE LOT OWNERS.

THE MUTUAL ACCESS EASEMENT, DEPICTED ON THE ACCOMPANYING PLAT, IS HEREBY ESTABLISHED FOR THE PURPOSES OF PERMITTING VEHICULAR AND PEDESTRIAN ACCESS TO AND FROM ALL STREETS AND AREAS ADJACENT TO AND CONTAINED WITHIN THE SUBDIVISION, SUCH EASEMENTS SHALL BE FOR THE MUTUAL USE AND BENEFIT OF EACH AFFECTED LOT OWNER, THEIR GUESTS, AND INVITEES, AND SHALL BE APPURTENANT TO EACH AFFECTED LOT OWNER, PROVIDED GOVERNMENTAL AGENCIES AND THE SUPPLIERS OF UTILITY SERVICES SHALL HAVE THE REASONABLE USE OF SUCH EASEMENTS INCIDENTAL TO THE PROVISION OF SERVICES TO THE LOTS WITHIN THE SUBDIVISION.

THESE AREAS ARE ALSO RESERVED FOR CONVEYANCE TO THE HIGHLAND PARK VILLAS PROPERTY OWNERS' ASSOCIATION FOR THE PURPOSE OF THE ADMINISTRATION AND MAINTENANCE THEREOF.

THE HEREIN DESCRIBED STREETS SHALL BE CONSTRUCTED AND MAINTAINED BY THE OWNER/DEVELOPER UNTIL SUCH TIME AS THE RESERVES THEREIN LAY THE STREET AND OTHER IMPROVEMENTS ARE CONVEYED TO THE DULY ESTABLISHED HIGHLAND PARK VILLAS PROPERTY OWNERS' ASSOCIATION. THEREAFTER, THE STREETS SHALL BE MAINTAINED BY THE HIGHLAND PARK VILLAS PROPERTY OWNERS' ASSOCIATION, AS SET FORTH IN SECTION III HEREOF.

M. RESERVE 'B'

RESERVE 'B' IS HEREBY DEDICATED FOR THE PURPOSE OF ESTABLISHING AND MAINTAINING A STORM WATER DETENTION EASEMENT, UTILITY EASEMENT, LANDSCAPING, OPEN SPACE AND RECREATION, AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO THE HIGHLAND PARK VILLAS PROPERTY OWNERS' ASSOCIATION, FOR THEIR USE AND MAINTENANCE, AS SET FORTH WITHIN SECTION III HEREOF.

Section II. Optional Development Plan Standards

PROPERTY INCLUDED WITHIN THE Z-7759 DEVELOPMENT PLAN SHALL BE DEVELOPED IN ACCORDANCE WITH THE RS-4 ZONING DISTRICT WITH THE ADDITIONAL PROVISIONS OUTLINED HEREIN.

Z-7759 SHALL ONLY PERMIT THE USES IDENTIFIED BELOW, ALONG WITH CUSTOMARY ACCESSORY USES, AND SUBJECT TO THE SUPPLEMENTAL REGULATIONS OF THE TULSA ZONING CODE. USES NOT LISTED BELOW ARE PROHIBITED. USES IDENTIFIED BELOW ARE PERMITTED BY RIGHT.

PERMITTED USE CATEGORIES, SUBCATEGORIES, AND SPECIFIC USES:

RESIDENTIAL USE CATEGORY
HOUSEHOLD LIVING SUBCATEGORY
SINGLE HOUSEHOLD
DETACHED HOUSES

SHORT-TERM RENTALS ARE EXPRESSLY PROHIBITED WITHIN Z-7759.

ACCESSORY USES:

ACCESSORY DWELLING UNITS, ADUs, ARE PROHIBITED WITHIN Z-7759.

LOT REGULATIONS:

THE AREA INCLUDED IN Z-7759 IS LIMITED TO A MAXIMUM NUMBER OF 12 LOTS.

MINIMUM LOT AREA: 5,500 SQUARE FEET

MAXIMUM LOT AREA: 12,000 SQUARE FEET

FENCING AND SCREENING REQUIREMENTS:

NORTH BOUNDARY OF THE DEVELOPMENT PLAN:

A WROUGHT IRON FENCE AT 6 FEET IN HEIGHT WILL EXTEND FROM THE NORTHWEST PROPERTY CORNER 77 FEET TO THE EAST ALONG OR INSIDE THE COMMON LOT LINE ADJACENT TO THE PROPOSED DETENTION FACILITY SHOWN ON THE ATTACHED CONCEPTUAL IMPROVEMENT PLAN. THE FENCE WILL BE SUPPORTED BY MASONRY PILLARS AT INTERVALS OF 20 FEET. BEGINNING AT 77 FEET EAST OF THE NORTHWEST PROPERTY CORNER, A TWO-SIDED (PICKETS ON BOTH SIDES OF THE SUPPORTING STRUCTURE) WOODEN FENCE AT 8 FEET IN HEIGHT WILL BE INSTALLED ALONG THE COMMON LOT LINE.

EAST BOUNDARY OF THE DEVELOPMENT PLAN:

A TWO-SIDED (PICKETS ON BOTH SIDES OF THE SUPPORTING STRUCTURE) WOODEN FENCE AT 8 FEET IN HEIGHT WILL BE INSTALLED ALONG OR INSIDE THE COMMON LOT LINE. THE FENCE WILL BE SUPPORTED BY MASONRY PILLARS AT INTERVALS OF 20 FEET. BEGINNING AT A POINT 80 FEET FROM THE RIGHT-OF-WAY OF EAST 36TH STREET SOUTH, THE FENCE WILL BEGIN TO TAPER DOWN TO A HEIGHT OF 6 FEET. THE FENCE WILL BE 6 FEET IN HEIGHT WHEN IT INTERSECTS THE RIGHT-OF-WAY OF EAST 36TH STREET SOUTH.

SOUTH BOUNDARY OF THE DEVELOPMENT PLAN (EAST 36TH STREET SOUTH):

A WOODEN FENCE AT 6 FEET IN HEIGHT WILL BE INSTALLED ALONG OR INSIDE THE LOT LINE ADJACENT TO THE EAST 36TH STREET SOUTH RIGHT-OF-WAY. THE FENCE WILL BE SUPPORTED BY MASONRY PILLARS AT INTERVALS OF 20 FEET. AT THE SOUTHWEST CORNER OF THE PROPERTY, THE FENCE WILL BE INSTALLED AT AN ANGLE TO CONNECT TO THE FENCE ALONG SOUTH BRADEN AVENUE.

WEST BOUNDARY OF THE DEVELOPMENT PLAN (SOUTH BRADEN AVENUE):

A WROUGHT IRON FENCE AT 6 FEET IN HEIGHT WILL BE INSTALLED ALONG OR INSIDE THE RIGHT-OF-WAY OF SOUTH BRADEN AVENUE. THE FENCE WILL BE SUPPORTED BY MASONRY PILLARS AT INTERVALS OF 20 FEET, EXCLUDING AREAS DESIGNATED FOR ACCESS TO SOUTH BRADEN AVENUE.

LANDSCAPING REQUIREMENTS:

A MINIMUM OF 25 EVERGREEN TREES MUST BE PLANTED SOUTH OF THE REQUIRED FENCE ALONG EAST 36TH STREET SOUTH. SHRUBS WILL BE PLANTED ALONG THE EXTENT OF THE FENCE BETWEEN THE FENCE AND THE EAST 36TH STREET SOUTH RIGHT-OF-WAY. A MINIMUM OF 16 EVERGREEN TREES MUST BE PLANTED WEST OF THE FENCE ALONG SOUTH BRADEN AVENUE. WITHIN THE FENCE AND SURROUNDING THE PROPOSED DETENTION FACILITY AT THE NORTHWEST CORNER OF THE PROPERTY, A MINIMUM OF 6 OAK TREES AND 6 OTHER LARGE SPECIES TREES MUST BE PLANTED. REQUIRED TREES MUST BE SELECTED FROM THE RECOMMENDED TREE LIST PUBLISHED BY THE CITY OF TULSA. ALL LANDSCAPING IS REQUIRED TO COMPLY WITH THE INSTALLATION, IRRIGATION AND MAINTENANCE REQUIREMENTS OF SECTION 65.090 OF THE TULSA ZONING CODE.

ADMINISTRATION AND PLAN APPROVAL REQUIREMENTS:

AT THE TIME OF PRELIMINARY PLAT SUBMITTAL FOR THE PROPERTY WITHIN Z-7759, THE DEVELOPER MUST PROVIDE A DETAIL LANDSCAPE AND FENCING PLAN THAT COMPLIES WITH THE REQUIREMENTS OF THIS OPTIONAL DEVELOPMENT PLAN. THE DEVELOPER MUST ALSO SUBMIT A DETAILED SITE PLAN FOR GATED ENTRY FEATURES THAT COMPLIES WITH SECTION 5.060.8 OF THE TULSA SUBDIVISION AND DEVELOPMENT REGULATIONS.

STREETS:

LOTS LOCATED IN Z-7759 MAY BE SERVED BY PRIVATE STREETS. PRIVATE STREETS ARE REQUIRED TO BE REVIEWED BY THE CITY OF TULSA FOR CONFORMANCE WITH ALL DESIGN AND CONSTRUCTION STANDARDS PER THE SUBDIVISION & DEVELOPMENT REGULATIONS.

Section III. Property Owners' Association

A. FORMATION OF PROPERTY OWNERS' ASSOCIATION

A PROPERTY OWNERS' ASSOCIATION, KNOWN AS 'HIGHLAND PARK VILLAS ASSOCIATION', AN OKLAHOMA NOT-FOR-PROFIT CORPORATION, HAS BEEN OR SHALL BE ESTABLISHED PURSUANT TO 60 O.S. 1991, § 851, ET SEQ., TO MAINTAIN THE RESERVE AREAS IN THE SUBDIVISION AND FOR SUCH OTHER PURPOSES AS SHALL BE DEEMED ADVISABLE. ALL LAWFUL ACTS, IF ANY, OF HIGHLAND PARK VILLAS ASSOCIATION (THE 'ASSOCIATION'), MADE UNDER AND PURSUANT TO ITS CERTIFICATE OF INCORPORATION AND BY-LAWS SHALL BE BINDING UPON THE LOTS CONTAINED IN THE ADDITION AND THE OWNERS THEREOF. MEMBERSHIP IN THE ASSOCIATION SHALL CONSIST OF ALL OWNERS OF LOTS IN THE ADDITION AND ALL OWNERS OF SUCH ADDITIONAL PROPERTY DESIGNATED BY THE OWNER/ DEVELOPER.

B. MEMBERSHIP

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

C. ASSESSMENT

EACH RECORD OWNER OF A LOT SHALL BE SUBJECT TO ASSESSMENT BY THE PROPERTY OWNERS' ASSOCIATION FOR THE PURPOSES OF IMPROVEMENT AND MAINTENANCE OF THE STORM WATER DETENTION FACILITIES, RESERVE AREAS AND OTHER COMMON AREAS, ALL AS MORE PARTICULARLY PROVIDED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF HIGHLAND PARK VILLAS AND THE BYLAWS OF THE ASSOCIATION.

Section IV. Enforcement, Duration, Amendment and Severability

A. ENFORCEMENT

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER/DEVELOPER, ITS SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I, EASEMENTS AND UTILITIES AND SECTION II, OPTIONAL DEVELOPMENT PLAN STANDARDS ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO, AND ADDITIONALLY THE COVENANTS WITHIN SECTION I AND SECTION II, WHETHER OR NOT SPECIFICALLY THEREIN SO STATED, SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA. IN ANY JUDICIAL ACTION BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED WITHIN THIS DEED OF DEDICATION, THE DEFENSE THAT THE PARTY INITIATING THE EQUITABLE PROCEEDING HAS AN ADEQUATE REMEDY AT LAW IS HEREBY WAIVED.

B. DURATION

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

C. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I, EASEMENTS AND UTILITIES AND SECTION II, OPTIONAL DEVELOPMENT PLAN STANDARDS MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS, AND THE CITY OF TULSA, OKLAHOMA. THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING ANY COVENANTS HEREIN SHALL BE EFFECTIVE FROM AND AFTER THE DATE IT IS RECORDED WITH 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 THEREOF AS SET FORTH HEREIN, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, THE OWNER/DEVELOPER HAS EXECUTED THIS INSTRUMENT THIS ___ DAY OF _____, 2025.

TEKTON HOMES, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY

BY: _____
MITCH STEPHENS, MANAGING MEMBER

STATE OF OKLAHOMA)
) SS.
COUNTY OF TULSA)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ___ DAY OF _____, 2025, BY MITCH STEPHENS AS MANAGING MEMBER OF TEKTON HOMES, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____
MY COMMISSION NUMBER: _____

Certificate of Survey

I, ANDY FRITZ, OF FRITZ LAND SURVEYING, LLC, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA UNDER CERTIFICATE OF AUTHORIZATION #5848, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED HEREIN AS "HIGHLAND PARK VILLAS", A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, IS A TRUE REPRESENTATION OF THE SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED PRACTICES, AND MEETS OR EXCEEDS THE MINIMUM TECHNICAL STANDARDS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

ANDY FRITZ
LICENSED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1694



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 _____, 2025, PERSONALLY APPEARED ANDY FRITZ, 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.

WITNESS MY HAND AND SEAL THE DAY AND YEAR ABOVE WRITTEN.

JENNIFER FRITZ

MY COMMISSION EXPIRES: 6/23/2026
MY COMMISSION NUMBER: 14005589

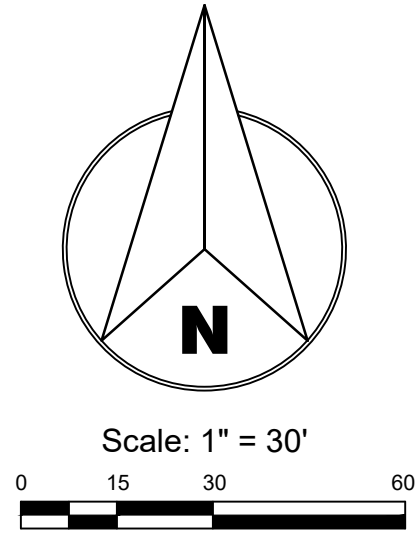
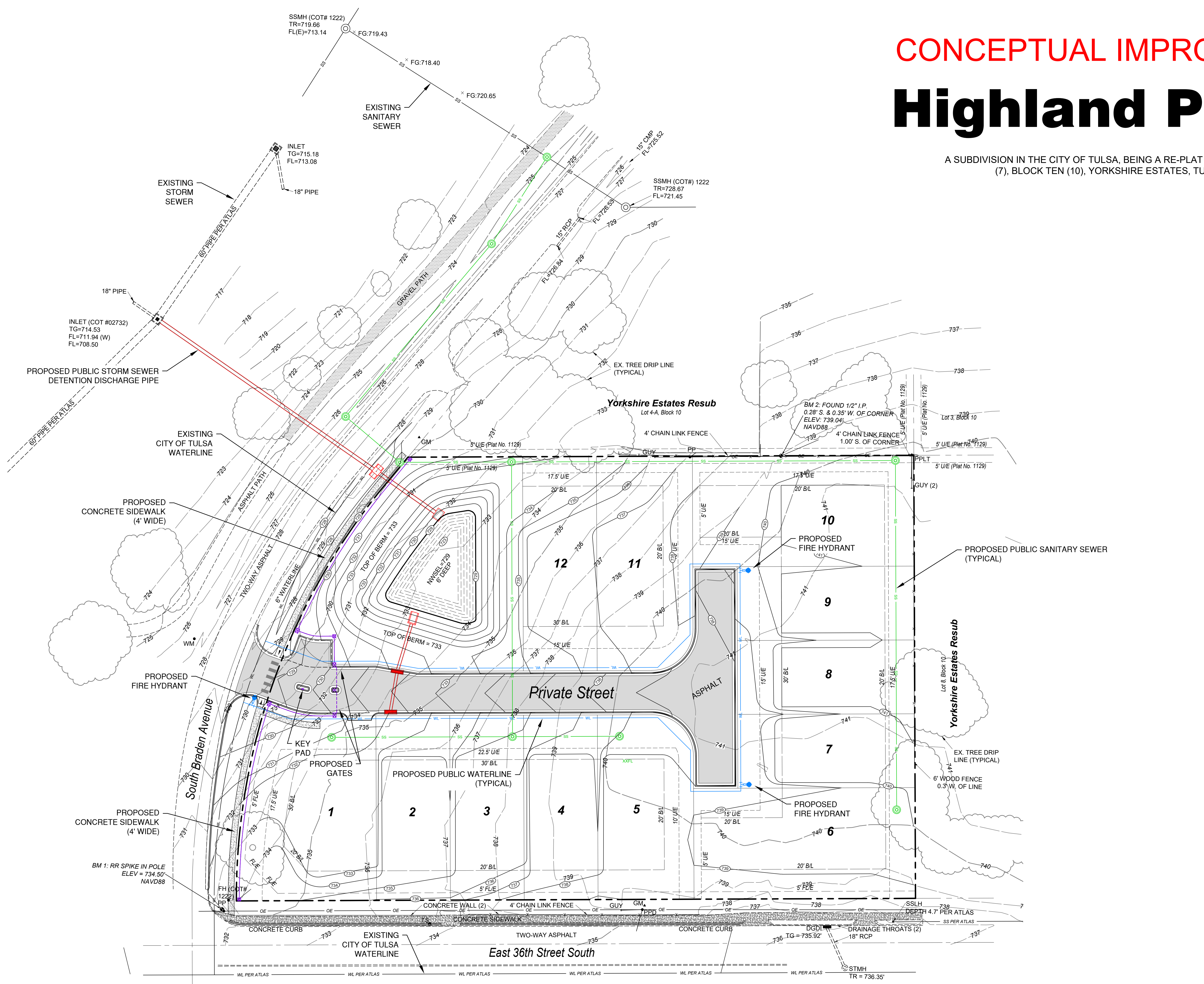


PRELIMINARY PLAT

CONCEPTUAL IMPROVEMENTS PLAN

Highland Park Villas

A SUBDIVISION IN THE CITY OF TULSA, BEING A RE-PLAT OF A PART OF LOTS FIVE (5), SIX (6) AND SEVEN (7), BLOCK TEN (10), YORKSHIRE ESTATES, TULSA COUNTY, STATE OF OKLAHOMA.



Owner / Developer
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 MR. MITCH STEPHENS

Surveyor
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 C.A. # 5848 EXPIRES: 6-30-2024

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