



Tulsa Metropolitan Area
Planning Commission

Case : Magnolia Heights (Related to CZ-503 & PUD-857)

Hearing Date: August 5, 2020

Case Report Prepared by:

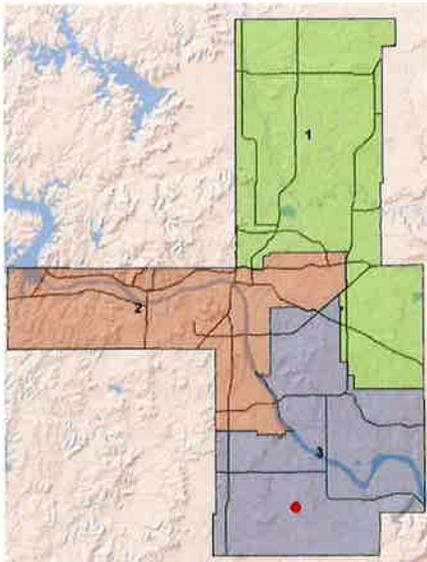
Nathan Foster

Owner and Applicant Information:

Applicant: Ryan McCarty, Select Design

Owner: Four Cedars Development Group, LLC

Location Map:
(shown with County Commission districts)



Applicant Proposal:

Preliminary Plat

Location: North of the northwest corner of East 181st Street South and South Yale Avenue

64 lots, 6 blocks, 50 ± acres

Single-Family Residential

Zoning:

Current: AG (Agriculture)

Proposed: RE (Residential – Estate), PUD-857

Staff Recommendation:

Staff recommends **approval** of the preliminary plat

County Commission District: 3

Commissioner Name: Ron Peters

EXHIBITS: Site Map, Aerial, Land Use, Growth & Stability, Preliminary Plat, Conceptual Improvements

7.1

PRELIMINARY SUBDIVISION PLAT

Magnolia Heights - (County)

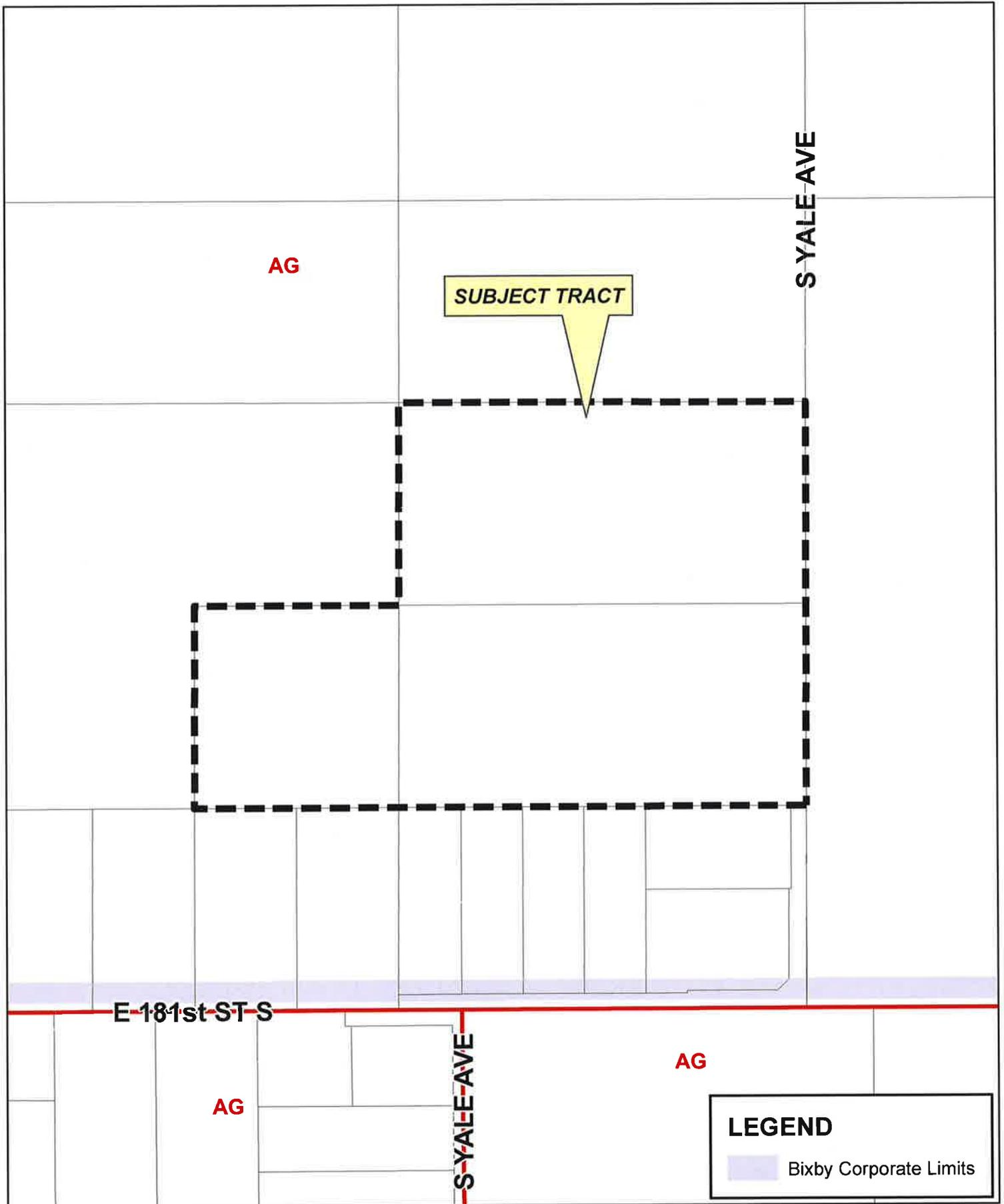
North of the northwest corner of East 181st Street South and South Yale Avenue

This plat consists of 64 lots in 6 blocks on 50 ± acres.

The Technical Advisory Committee (TAC) met on July 16, 2020 and provided the following conditions:

1. **Zoning:** Pending application for rezoning to RE (Residential-Estate) with a Planned Unit Development (PUD-857) must be approved and effective prior to the approval of a final plat.
2. **Addressing:** Addresses and street names must be assigned and affixed to the face of the final plat.
3. **Transportation & Traffic:** New public streets are required to comply with all standards of Tulsa County. Plans must be approved by County Engineer and streets must be installed prior to final plat approval. Stub streets are required to the north and west to accommodate future connections to development.
4. **Sewer:** Oklahoma Department of Environmental Quality approval is required for on-site sewage disposal.
5. **Water:** Water line plans must be approved by Okmulgee County Rural Water District #6 and a release must be provided for final plat approval.
6. **Engineering Graphics:** Submit a subdivision control data sheet with final plat submittal. Update surveyor CA number and renewal date. Update location map to reflect only platted property boundaries. Label all other areas as unplatted. Under basis of bearing information, include coordinate system used. Provide a bearing angle preferably shown on the face of the plat. Graphically show all pins found or set associated with this plat. Ensure accuracy of written legal description.
7. **Stormwater, Drainage, & Floodplain:** Drainage plans must comply with all Tulsa County drainage standards. Review and approval by the County Engineer is required prior to final plat approval.
8. **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. Tulsa County release is required prior to final plat approval.



AG

SUBJECT TRACT

S YALE AVE

E 181st ST S

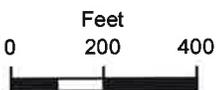
S YALE AVE

AG

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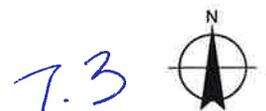
LEGEND

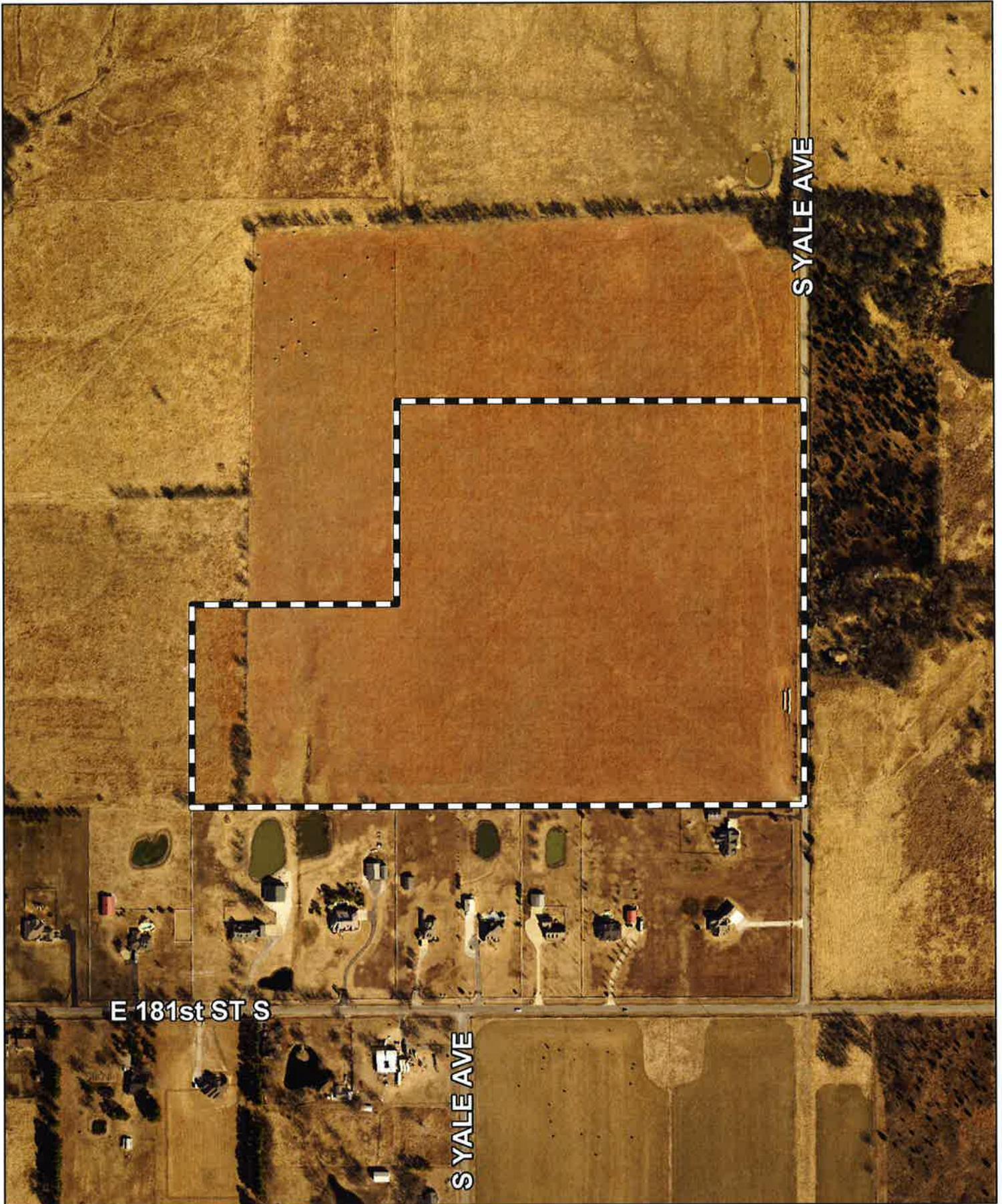
 Bixby Corporate Limits



**MAGNOLIA
HEIGHTS**

17-13 33

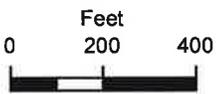




SYALE AVE

E 181st ST S

SYALE AVE



Subject Tract

MAGNOLIA HEIGHTS

17-13 33

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

Aerial Photo Date: February 2018

7.4



Subdivision Statistics

SUBDIVISION CONTAINS SIXTY FIVE (65) LOTS IN SEVEN (7) BLOCKS AND FOUR (4) RESERVE AREAS

GROSS SUBDIVISION AREA

3,177,007.19 SQ. FT. OR 73.00 ACRES

Basis of Bearings

OKLAHOMA STATE PLANE COORDINATE SYSTEM, OK NORTH ZONE 5001, MADS, USING THE EAST LINE OF THE SE/4 OF SECTION 33, T17N, R13E AS NORTH 01°02'25" WEST

Monumentation

ALL CORNERS SHOWN HEREON WERE SET USING A 3/8" x 1/8" STEEL PIN WITH A GREEN PLASTIC CAP STAMPED "FRITZ CASAR"

Benchmark

ON-SITE NGS CIVIL SOLUTIONS REPORT (NAVD 1988)

Address

ADDRESS SHOWN ON THIS PLAN IS ACCURATE AT THE TIME THE PLAN WAS FILED. ADDRESS IS SUBJECT TO CHANGE AND SHOULD BE RELIED ON IN PLACE OF THE LEGAL DESCRIPTION.

Floodplain Data

WE HAVE EXAMINED A MAP BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP, TULSA COUNTY, OKLAHOMA UNINCORPORATED AREAS, COMMUNITY PANEL NO. 4045AC004L, OCTOBER 18, 2012, WHICH INDICATES THE SUBJECT PROPERTY TO BE WITHIN UNSHADED ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN)

Legend

- BL BUILDING SETBACK LINE
- LN A LIMITS OF NO ACCESS
- ODE OVERLAND DRAINAGE EASEMENT
- ROW RIGHT OF WAY
- UE UTILITY EASEMENT
- 26M STREET ADDRESS

Driveway Culvert Summary Table

DRIVEWAY LOCATION	PIPE SIZE	DRIVEWAY LOCATION	PIPE SIZE
1	15" RCP OR HP	1	15" RCP OR HP
2	15" RCP OR HP	2	15" RCP OR HP
3	15" RCP OR HP	3	15" RCP OR HP
4	15" RCP OR HP	4	15" RCP OR HP
5	15" RCP OR HP	5	15" RCP OR HP
6	15" RCP OR HP	6	15" RCP OR HP
7	15" RCP OR HP	7	15" RCP OR HP
8	15" RCP OR HP	8	15" RCP OR HP
9	15" RCP OR HP	9	15" RCP OR HP
10	15" RCP OR HP	10	15" RCP OR HP
11	15" RCP OR HP	11	15" RCP OR HP
12	15" RCP OR HP	12	15" RCP OR HP
13	15" RCP OR HP	13	15" RCP OR HP
14	15" RCP OR HP	14	15" RCP OR HP
15	24" RCP OR HP	1	15" RCP OR HP
16	24" RCP OR HP	2	15" RCP OR HP
17	24" RCP OR HP	3	15" RCP OR HP
18	24" RCP OR HP	4	15" RCP OR HP
19	24" RCP OR HP	5	15" RCP OR HP
20	24" RCP OR HP	6	15" RCP OR HP
21	18" RCP OR HP	7	15" RCP OR HP
22	18" RCP OR HP	8	15" RCP OR HP
23	18" RCP OR HP	9	15" RCP OR HP
24	18" RCP OR HP	10	15" RCP OR HP
25	18" RCP OR HP	11	15" RCP OR HP
26	NOT RECD	12	15" RCP OR HP
27	15" RCP OR HP	13	15" RCP OR HP
28	15" RCP OR HP	14	15" RCP OR HP
29	24" RCP OR HP	15	15" RCP OR HP
30	18" RCP OR HP	16	15" RCP OR HP
31	18" RCP OR HP	17	NOT RECD
32	NOT RECD	18	15" RCP OR HP
33	15" RCP OR HP	19	15" RCP OR HP

RCP = REINFORCED CONCRETE PIPE
HP = HIGH-DENSITY POLYPROPYLENE
MINIMUM PIPE SLOPE = 0.15%

THIS SUBDIVISION IS DESIGNED IN ACCORDANCE WITH OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY (ODEQ) REQUIREMENTS FOR MINIMUM LOT SIZE FOR INDIVIDUAL SEPTIC SYSTEMS FOR EACH LOT

Curve Table

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	54.56	180.00	90.000000°	N 48°22'25" W	49.50
C2	174.48	1333.02	6.220215°	N 75°48'22" E	173.20
C3	41.87	152.02	15.324140°	S 87°32'27" W	41.44
C4	66.37	86.57	38.241226°	N 33°14'41" E	65.97
C5	112.82	86.57	7.220215°	S 89°02'52" W	112.14
C6	181.57	1429.81	6.224818°	N 68°30'52" E	181.29
C7	39.16	20.50	81.295547°	S 46°38'25" E	38.72
C8	31.15	132.02	26.118121°	N 74°18'21" E	130.60
C9	38.58	21.00	60.263116°	N 48°22'11" W	38.38
C10	58.11	146.00	26.482171°	S 11°35'41" E	57.79
C11	142.31	328.68	23.501857°	N 69°32'31" E	139.18
C12	24.18	21.00	55.221828°	N 29°47'42" E	23.25
C13	263.14	82.00	219.582162°	S 21°58'29" E	277.96
C14	18.88	21.00	41.021237°	S 37°54'54" E	18.78
C15	174.01	329.68	25.201918°	N 69°02'11" W	174.31
C16	58.32	150.00	22.482171°	S 11°26'41" E	58.12
C17	38.27	21.00	80.220215°	N 43°02'52" E	37.86
C18	47.11	180.00	24.015052°	N 78°56'02" E	46.82
C19	49.58	32.00	114.915052°	N 58°32'22" W	58.72
C20	54.56	32.00	60.263116°	N 43°02'52" E	54.36
C21	181.68	1470.00	6.220215°	S 87°48'22" E	181.25
C22	312.94	2130.00	8.222431°	N 88°42'34" W	312.68
C23	22.72	150.00	14.582171°	S 74°42'34" E	22.44
C24	249.82	433.20	32.562026°	S 01°26'24" E	248.48
C25	108.32	281.88	22.502316°	N 04°33'18" E	107.72
C26	19.12	21.00	43.501237°	S 18°09'22" W	18.72
C27	36.37	703.00	4.582171°	S 84.48202° E	36.12
C28	46.20	188.48	13.582026°	N 81°48'20" W	46.00
C29	119.58	329.68	13.262211°	S 74.4234° E	118.18
C30	37.14	21.00	80.011842°	N 47°01'20" W	36.82
C31	53.87	21.00	52.262151°	S 26.49202° W	53.55
C32	43.20	248.48	14.262348°	N 62°54'42" E	43.04
C33	274.72	424.67	37.142166°	N 36.25202° E	273.82
C34	180.68	788.68	13.222266°	N 74.6234° W	180.26
C35	146.88	1500.00	7.322156°	S 89°21'38" W	146.87
C36	128.40	482.47	14.482348°	S 74.4234° E	127.00
C37	137.72	1000.00	7.522156°	S 89.2138° W	137.61
C38	84.52	482.47	10.011842°	N 72°32'21" E	84.41
C39	155.18	188.12	48.022348°	N 89.25202° E	154.82
C40	37.52	21.00	83.582026°	N 47.42302° W	37.10
C41	127.72	800.00	12.115488°	S 85.2478° E	127.50
C42	178.80	180.00	62.041054°	S 49.2021° E	177.00
C43	21.88	21.00	48.424233°	S 22.2221° E	21.00
C44	21.88	21.00	48.424233°	S 28.1818° E	21.00
C45	292.54	482.47	37.222348°	N 89.25202° E	291.88
C46	30.61	32.00	83.242082°	N 47.20268° E	30.42
C47	156.11	800.00	9.582348°	S 10.22268° W	155.88
C48	381.78	188.12	10.011842°	S 49.2021° E	381.57
C49	294.20	475.00	34.782348°	N 87.48233° E	293.98
C50	213.26	1429.81	6.222847°	S 85.2478° E	213.10
C51	50.72	180.00	82.241171°	N 48.28141° E	50.58
C52	26.18	21.00	57.414820°	N 37.4722° W	26.12
C53	74.82	237.88	17.581330°	N 58.0224° E	74.31
C54	298.44	484.20	37.581448°	S 85.00233° W	297.87
C55	43.26	21.00	89.044424°	N 10.241188° E	43.00
C56	133.82	2130.00	3.282026°	S 85°17'10" W	133.81
C57	136.26	428.10	18.124931°	N 69.3932° E	135.50
C58	112.40	102.00	64.741104°	S 49.2021° E	112.08
C59	303.84	342.00	32.142112°	S 00°48'47" E	303.80
C60	213.26	132.00	118.482152°	S 40.23441° W	213.10
C61	300.10	302.00	54.762348°	N 87.48233° E	300.10
C62	543.21	2070.00	13.502236°	S 87°58'24" W	542.69
C63	291.83	82.00	278.402143°	S 78.5148° W	291.79
C64	102.18	1468.81	19.261828°	S 86.3818° E	102.12

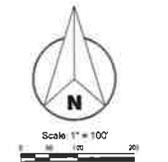
CZ-503 / PUD-857

Magnolia Heights

A SUBDIVISION IN TULSA COUNTY, STATE OF OKLAHOMA, BEING A PART OF THE SE/4 OF SECTION THIRTY-THREE (33), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF.

Line Table

LINE	BEARING	DISTANCE
L1	S 81°02'25" E	145.17
L2	N 88°37'25" E	60.79
L3	N 01°02'25" W	113.61
L4	N 88°42'25" E	133.01
L5	S 01°02'25" E	107.61
L6	N 01°02'25" W	102.81
L7	N 88°42'25" E	132.66
L8	S 88°37'25" W	61.81
L9	N 01°02'25" E	796.09
L10	N 88°37'25" E	60.79
L11	S 81°02'25" W	177.77
L12	S 88°18'03" W	124.88
L13	N 04°23'58" W	31.38
L14	S 81°02'25" W	177.77
L15	S 88°18'03" W	119.87
L16	N 04°23'58" W	10.72
L17	S 81°02'25" E	186.26



Owner / Developer
FOUR CEDARS DEVELOPMENT GROUP, LLC
1378 EAST 181ST STREET SOUTH
MOUNDS, OK 74047
PHONE: (918) 830-7998
MR. JERRY GORDON

Surveyor
FRITZ LAND SURVEYING, LLC
3019 WEST 91ST STREET
TULSA, OKLAHOMA 74132
PHONE: (918) 231-0575
EMAIL: fritzlandsurveyng@gmail.com
C.A. # 5648 EXPIRES 6-30-2022

Engineer
ENGINEERED BY DESIGN, PLLC
P.O. BOX 15567
DEL CITY, OKLAHOMA 73155
PHONE: (405) 234-0980
ahaic@engineeredbydesign.pro
C.A. # 7655 EXPIRES 6-30-2022

FINAL PLAT CERTIFICATE OF APPROVAL

I HEREBY CERTIFY THAT THIS PLAT WAS APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION ON _____

TMAPINGCOG OFFICIAL

THIS APPROVAL IS VOID IF THIS PLAT IS NOT FILED IN THE OFFICE OF THE COUNTY CLERK ON OR BEFORE _____

COUNTY ENGINEER

REVISIED PRELIMINARY PLAT

COUNTY ENGINEER STAMP



DATE PREPARED: July 8, 2022

7.5

DEED OF DEDICATION - MAGNOLIA HEIGHTS

KNOW ALL MEN BY THESE PRESENTS:

FOUR CEDARS DEVELOPMENT GROUP, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HEREINAFTER REFERRED TO AS THE "OWNER/DEVELOPER" IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN TULSA COUNTY, STATE OF OKLAHOMA:

A TRACT OF LAND THAT IS THE EAST HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER 61/2 NW 34M 52N AND THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (N/2 SE/4 SE/4) AND THE SOUTHWEST HALF OF THE NORTH-EAST QUARTER OF THE SOUTHEAST QUARTER 61/2 NW/4 SE/4 OF SECTION THIRTY-THREE (23), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTIETH (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE 52/4 OF SAID SECTION 33, THENCE NORTH 01°02'29" WEST ALONG THE EAST LINE THEREOF 858.96 FEET TO THE POINT OF BEGINNING, THENCE SOUTH 86°45'39" WEST 1822.33 FEET, THENCE NORTH 01°03'34" WEST 659.39 FEET, THENCE NORTH 88°40'21" EAST 180.95 FEET, THENCE NORTH 01°03'11" WEST 659.25 FEET, THENCE NORTH 88°40'21" EAST 1321.64 FEET TO THE EAST LINE OF THE SE/4 OF SECTION 33, THENCE SOUTH 01°02'29" EAST ALONG SAID EAST LINE 1317.65 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 2,177.897 18 SQUARE FEET OR 50.00 ACRES

BEARINGS ARE BASED ON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, OK NORTH ZONE 3501, NAD83, USING THE EAST LINE OF THE SE/4 OF SECTION 33, T17N, R13E AS NORTH 01°02'29" WEST.

THE DEVELOPER HAS CAUSED THE SUBDIVISION PARCEL TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO LOTS, BLOCKS, RESERVE AREAS AND PUBLIC STREETS, IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS MAGNOLIA HEIGHTS, A SUBDIVISION IN TULSA COUNTY, STATE OF OKLAHOMA.

SECTION I. STREETS, EASEMENTS AND UTILITIES

A. STREETS AND UTILITY EASEMENTS

THE UNDERSIGNED OWNER DEDICATED TO THE PUBLIC USE FOREVER, STREET RIGHT-OF-WAY AS SHOWN AND DESIGNATED ON THE ACCOMPANYING PLAT AND DOES FURTHER DEDICATE TO THE PUBLIC USE FOREVER THE EASEMENTS AS SHOWN AND DESIGNATED ON THE ACCOMPANYING PLAT FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REMOVING AND REPLACING ALL PUBLIC UTILITIES, INCLUDING TELEPHONE AND SANITARY SEWER, TELEPHONE, CABLE TELEVISION, POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION LINES, TOGETHER WITH ALL ACCESSORIES TO EACH OF SUCH FACILITIES, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS AND ANY OTHER APPURTENANCES THERETO WITH THE RIGHT OF INGRESS AND EGRESS TO SAID EASEMENTS AND RIGHTS-OF-WAY FOR THE USES AND PURPOSES AFORESAID, AND NO DRIVEWAY OR OTHER ABOVE GROUND OBSTRUCTION THAT WILL INTERFERE WITH THE PURPOSES AFORESAID, WILL BE PLACED, ERRECTED, INSTALLED OR PERMITTED UPON THE EASEMENTS OR RIGHTS-OF-WAY AS SHOWN, PROVIDED HOWEVER, THAT THE OWNERS RESERVE THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RELAY WATER LINES TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS TO, OVER, ACROSS AND UNDER ALL STREETS AND UTILITY EASEMENTS SHOWN ON SAID PLAT, BOTH FOR THE FURNISHING OF WATER SERVICES TO THE AREA INCLUDED IN SAID PLAT, AND NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, SIGNS, LANDSCAPING, AND CUSTOMARY SCREENING FENCES AND WALLS.

B. UNDERGROUND SERVICE

1. OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED ALONG THE EASTERN PERIMETER EASEMENTS OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY UNDERGROUND CABLE. ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN THE EASEMENT WAYS DEDICATED FOR GENERAL UTILITY SERVICES AS DESCRIBED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE EASEMENT WAYS.

2. UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WHICH ARE 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 RIGHT-OF-WAY EASEMENT ON THE LOT, COVERING A 5'0" 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 AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL EASEMENT WAYS 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.

4. THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON HIS LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY 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 OWNER OF THE LOT SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS.

5. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH 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 HERETO.

C. WATER, SANITARY SEWER AND STORM SEWER

IN CONNECTION WITH THE PROVISIONS OF WATER AND STORM SEWER SERVICE, ALL LOTS ARE SUBJECT TO THE FOLLOWING:

1. THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE WATER MAINS AND THE PUBLIC STORM SEWER FACILITIES LOCATED ON HIS LOT AND WITHIN THE DEDICATED UTILITY EASEMENT AREAS. THE OWNER SHALL PREVENT THE ALTERATION OF GRADE IN EXCESS OF THREE (3) INCHES FROM THE ORIGINAL CONTOUR OR FROM ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID FACILITIES. SAID ALTERATION OF GRADE RESTRICTIONS SHALL BE LIMITED TO THE EASEMENT AREAS.

2. OKMULGEE COUNTY RURAL WATER DISTRICT NO. 8 OR ITS SUCCESSORS OR ASSIGNS, WILL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF WATER MAINS AND TULSA COUNTY, STATE OF OKLAHOMA OR ITS SUCCESSORS WILL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC STORM SEWER FACILITIES, BUT THE OWNER WILL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS.

3. OKMULGEE COUNTY RURAL WATER DISTRICT NO. 8, ITS SUCCESSORS OR ASSIGNS, SHALL HAVE THE RIGHT TO ACCESS WITH ITS EQUIPMENT ALL EASEMENT WAYS SHOWN ON THE PLAT FOR INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF ITS UNDERGROUND WATER FACILITIES. THE FOREGOING COVENANTS CONCERNING WATER FACILITIES SHALL BE ENFORCEABLE BY OKMULGEE COUNTY RURAL WATER DISTRICT NO. 8 AND THE OWNER OF EACH LOT AGREES TO BE BOUND HERETO.

4. TULSA COUNTY, STATE OF OKLAHOMA, ITS SUCCESSORS OR ASSIGNS, SHALL HAVE THE RIGHT TO ACCESS WITH ITS EQUIPMENT ALL EASEMENT WAYS SHOWN ON THE PLAT FOR INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF ITS UNDERGROUND PUBLIC STORM SEWER FACILITIES. THE FOREGOING COVENANTS CONCERNING PUBLIC STORM SEWER FACILITIES SHALL BE ENFORCEABLE BY TULSA COUNTY, STATE OF OKLAHOMA AND THE OWNER OF EACH LOT AGREES TO BE BOUND HERETO.

5. SANITARY SEWER DISPOSAL, SEWERAGE SHALL BE DISPOSED OF BY INDIVIDUAL ON-SITE OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY (ODEQ) APPROVED AEROBIC SEWER DISPOSAL SYSTEMS. NO OTHER ON-SITE SEWER DISPOSAL SYSTEMS SHALL BE ALLOWED WITHOUT WRITTEN APPROVAL FROM THE AEROBIC SEWER DISPOSAL SYSTEMS SHALL BE ALLOWED AND MAINTAINED IN ACCORDANCE WITH THE RULES AND REGULATIONS SET FORTH BY THE OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY.

D. LANDSCAPING AND PAVING REPAIR

1. THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR THE REPAIR AND REPLACEMENT OF ANY LANDSCAPING AND PAVING WITHIN THE UTILITY EASEMENTS ON HIS LOT. IN THE EVENT IT IS NECESSARY TO REPAIR ANY UNDERGROUND WATER, ELECTRIC, NATURAL GAS, CABLE TELEVISION, OR TELEPHONE SERVICE.

2. NO LOT OWNER SHALL PLANT ANY TREES OR SHRUBBERY IN DEDICATED UTILITY EASEMENTS OR RIGHT-OF-WAY WHICH WOULD POTENTIALLY

ENDANGER, THREATEN OR HARM ANY WATER UTILITIES LOCATED WITHIN SAID EASEMENTS OR RIGHTS-OF-WAY. IF IT IS DETERMINED THAT ANY TREES OR SHRUBBERY LOCATED WITHIN SAID EASEMENTS OR RIGHTS-OF-WAY ARE DAMAGING OR ENDANGERING UTILITIES IN SAID EASEMENTS OR RIGHTS-OF-WAY, OKMULGEE COUNTY RURAL WATER DISTRICT NO. 8 SHALL HAVE THE RIGHT TO REMOVE SAID TREES OR SHRUBBERY UPON FIVE (5) DAYS NOTICE THEREOF AT THE LOT OWNERS EXPENSE, OR WITHIN SUCH TIME THE LOT OWNER MAY REMOVE SAME.

E. RESERVE AREAS "A" & "B"

RESERVE AREAS "A" AND "B" ARE HEREBY DEDICATED FOR THE PURPOSE OF ESTABLISHING AND MAINTAINING DETENTION FACILITIES, UTILITY EASEMENT, OPEN SPACE, LANDSCAPING, SUBDIVISION IDENTIFICATION SIGNS, SCREENING FENCES AND WALLS, ENTRY FEATURES AND RECREATION, AND ARE RESERVED FOR SUBSEQUENT CONVEYANCE TO THE MAGNOLIA HEIGHTS PROPERTY OWNERS ASSOCIATION, FOR THEIR USE AND MAINTENANCE, AS SET FORTH WITHIN SECTION IV HEREOF.

F. RESERVE AREA "C"

RESERVE AREA "C" IS HEREBY DEDICATED FOR THE PURPOSE OF ESTABLISHING AND MAINTAINING DETENTION FACILITIES, OVERLAND DRAINAGE EASEMENT, OPEN SPACE, LANDSCAPING AND RECREATION, AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO THE MAGNOLIA HEIGHTS PROPERTY OWNERS ASSOCIATION, FOR THEIR USE AND MAINTENANCE, AS SET FORTH WITHIN SECTION IV HEREOF.

G. RESERVE AREA "D"

RESERVE AREA "D" IS HEREBY DEDICATED FOR THE PURPOSE OF ESTABLISHING AND MAINTAINING OVERLAND DRAINAGE EASEMENT, OPEN SPACE AND RECREATION, AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO THE MAGNOLIA HEIGHTS PROPERTY OWNERS ASSOCIATION, FOR THEIR USE AND MAINTENANCE AS SET FORTH WITHIN SECTION IV HEREOF.

H. OVERLAND DRAINAGE EASEMENTS:

1. THE OWNER/DEVELOPER 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 STORM WATER RUNOFF FROM 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 TULSA COUNTY, STATE OF OKLAHOMA, AND PLANS AND SPECIFICATIONS APPROVED BY TULSA COUNTY, STATE OF 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 TULSA COUNTY, STATE OF OKLAHOMA, PROVIDED THAT THE PLANTING OF TURF SHALL NOT REQUIRE THE APPROVAL OF TULSA COUNTY, STATE OF 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 TULSA COUNTY, STATE OF 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, TULSA COUNTY, STATE OF 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 TULSA COUNTY, STATE OF OKLAHOMA, THE COUNTY 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 TULSA COUNTY, STATE OF OKLAHOMA.

I. STORM WATER DETENTION EASEMENTS:

1. THE OWNER/DEVELOPER DOES HEREBY GRANT AND ESTABLISH A PERPETUAL EASEMENT ON, OVER AND ACROSS RESERVE AREAS "A", "B" AND "C" (HEREINAFTER REFERRED TO AS THE "DETENTION EASEMENT AREAS") FOR THE PURPOSES OF PERMITTING THE FLOW, CONVEYANCE, DETENTION AND DISCHARGE OF STORM WATER RUNOFF FROM THE VARIOUS LOTS WITHIN THE SUBDIVISION.

2. DETENTION AND OTHER DRAINAGE FACILITIES CONSTRUCTED WITHIN THE DETENTION EASEMENT AREAS SHALL BE IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY TULSA COUNTY, STATE OF OKLAHOMA.

3. DETENTION AND OTHER DRAINAGE FACILITIES SHALL BE MAINTAINED BY THE MAGNOLIA HEIGHTS PROPERTY OWNERS ASSOCIATION (TO BE FORMED PURSUANT TO SECTION IV) TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED DRAINAGE AND DETENTION FUNCTIONS INCLUDING REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION. THE PROPERTY OWNERS ASSOCIATION SHALL PROVIDE ROUTINE AND CUSTOMARY GROUNDS MAINTENANCE WITHIN THE DETENTION EASEMENT AREAS WHICH SHALL BE IN ACCORDANCE WITH THE FOLLOWING STANDARDS:

- a. THE DETENTION EASEMENT AREAS SHALL BE KEPT FREE OF LITTER.
b. THE DETENTION EASEMENT AREAS SHALL BE MOWED DURING THE GROWING SEASON AT INTERVALS NOT EXCEEDING 4 WEEKS.

4. IN THE EVENT THE PROPERTY OWNERS ASSOCIATION SHOULD FAIL TO PROPERLY MAINTAIN THE DETENTION EASEMENT AREAS AS ABOVE PROVIDED, TULSA COUNTY, STATE OF OKLAHOMA OR ITS DESIGNATED CONTRACTOR MAY ENTER THE DETENTION EASEMENT AREAS AND PERFORM SUCH MAINTENANCE AND THE COST THEREOF SHALL BE PAID BY THE PROPERTY OWNERS ASSOCIATION.

5. IN THE EVENT THE PROPERTY OWNERS ASSOCIATION, AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, FAILS TO PAY THE COST OF MAINTENANCE AS ABOVE SET FORTH, TULSA COUNTY, STATE OF OKLAHOMA MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST EACH RESIDENTIAL LOT WITHIN THE SUBDIVISION, PROVIDED HOWEVER, THE LIEN AGAINST EACH RESIDENTIAL LOT SHALL BE LIMITED TO ITS PROPORTIONATE SHARE OF THE COSTS.

6. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY TULSA COUNTY, STATE OF OKLAHOMA.

J. FENCE AND LANDSCAPE EASEMENTS:

THE OWNER/DEVELOPER DOES HEREBY DEDICATE A PERPETUAL EASEMENT ON, OVER, AND ACROSS THOSE AREAS DESIGNATED ON THE ACCOMPANYING PLAT AS "FENCE AND LANDSCAPE EASEMENT" FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, REPAIRING, REMOVING AND REPLACING ALL FENCES AND ANY OTHER APPURTENANCES THERETO WITH THE RIGHT OF INGRESS AND EGRESS TO SAID EASEMENTS AND RIGHTS-OF-WAY FOR THE USES AND PURPOSES AFORESAID.

K. LIMITS OF NO ACCESS:

THE UNDERSIGNED OWNER/DEVELOPER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS 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 TULSA COUNTY, STATE OF OKLAHOMA. LIMITS OF NO ACCESS SHALL BE ENFORCEABLE BY TULSA COUNTY, STATE OF OKLAHOMA.

SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS "MAGNOLIA HEIGHTS" WAS SUBMITTED AS PART OF A PLANNED UNIT DEVELOPMENT (C2-303) PUD-857, AS PROVIDED WITHIN SECTIONS _____ THROUGH _____ OF THE TULSA COUNTY ZONING CODE, _____ 2020, (HEREINAFTER THE "TULSA COUNTY ZONING CODE"); AND

WHEREAS C2-303/PUD-857 WAS AFFIRMATIVELY RECOMMENDED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION ON _____ 2020 AND APPROVED BY THE TULSA COUNTY BOARD OF COUNTY COMMISSIONERS ON _____ 2020; AND

WHEREAS, THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE TULSA COUNTY ZONING CODE REQUIRE THE ESTABLISHMENT OF COVENANTS OF RECORD, INVOLVING TO AND ENFORCEABLE BY TULSA COUNTY, STATE OF OKLAHOMA, SUFFICIENT TO ASSURE THE IMPLEMENTATION AND CONTINUED COMPLYMENT WITH THE APPROVED PLANNED UNIT DEVELOPMENT AND AMENDMENTS THERETO; AND

WHEREAS THE OWNERS ESTABLISHED RESTRICTIONS FOR THE PURPOSE OF PROVIDING FOR AN ORDERLY DEVELOPMENT AND TO INSURE ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE OWNER, ITS SUCCESSORS AND ASSIGNS, AND TULSA COUNTY, STATE OF OKLAHOMA, AND

THEREFORE, THE OWNERS DO HEREBY IMPOSE RESTRICTIONS AND COVENANTS TO ALL LOTS CONTAINED WITHIN THIS SUBDIVISION PLAT (MAGNOLIA HEIGHTS), AND WHICH COVENANTS SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH:

GROSS LAND AREA: 50.00 ACRES

MAGNOLIA HEIGHTS NEIGHBORHOOD P U D DEVELOPMENT STANDARDS INCLUDES ALL LOTS LOCATED WITHIN MAGNOLIA HEIGHTS

PERMITTED USES:

ALL USES ALLOWED BY RIGHT IN THE RE ZONING DISTRICT SPECIFICALLY USE UNIT 6; SINGLE FAMILY DWELLINGS AND CUSTOMARY FACILITIES AND AMENITIES.

MINIMUM LOT WIDTH (AT BUILDING SETBACK LINE): 110 FEET **

** LOTS WITH CURB OR SAC PROFILES MAY HAVE A MINIMUM WIDTH OF 30 FEET AT THE RIGHT-OF-WAY LINE BUT SHALL BE MEET THE MINIMUM REQUIREMENTS FOR LOT AREA AS SPECIFIED IN THIS PLAT.

MINIMUM LOT AREA: 22,500 SQUARE FEET

MAXIMUM STRUCTURE HEIGHT: 20 FEET

MINIMUM OFF-STREET PARKING: 1/2 (2) ENCLOSED OFF-STREET PARKING SPACES PER DWELLING UNIT

FRONT YARD BUILDING SETBACK: 35 FEET

REAR YARD: 25 FEET

SIDE YARD: 15 FEET

NO RESIDENCE SHALL BE BUILT NEARER THAN FIFTEEN (15) FEET TO ANY SIDE LOT ON ONE SIDE, AND FIFTEEN (15) FEET ON THE OTHER SIDE, THUS REQUIRING A COMBINED TOTAL OF AT LEAST THIRTY (30) FEET BETWEEN RESIDENCES. WHERE SIDE LOT EASEMENTS ARE SHOWN GREATER THAN THE FOREGOING, NO ENCROACHMENT SHALL BE ALLOWED ON THE EASEMENT.

ALL OTHER YARDS ABUTTING AN ARTERIAL STREET: 85 FEET FROM THE CENTERLINE OF SOUTH YALE AVENUE

MINIMUM DWELLING SIZE: 2,500 SQUARE FEET OF FINISHED HEATED LIVING AREA

SECTION III. RESTRICTIONS AND COVENANTS

A. DWELLINGS

UNLESS WAIVED BY THE DEVELOPER IN WRITING, THE FOLLOWING STANDARDS SHALL APPLY TO ALL DWELLINGS IN THE SUBDIVISION:

1. MASONRY ALL DWELLINGS SHALL HAVE AT LEAST FIFTY PERCENT (50%) OF THE EXTERIOR WALLS THEREOF COMPOSED OF BRICK OR STONE TO THE FIRST FLOOR PLATE LINE. PROVIDED, HOWEVER, THAT THE AREA OF ALL WINDOWS, COVERED PORCH AND DOORS LOCATED IN THE EXTERIOR WALLS SHALL BE EXCLUDED IN THE DETERMINATION OF THE AREA OF SAID EXTERIOR WALLS. IN PARTICULAR CASES, THE DEVELOPER RESERVES THE RIGHT TO PERMIT "TRIM" BRICK OR SIMILAR EXTERIOR CONSTRUCTION MATERIAL IN LIEU OF BRICK OR STONE.

2. GARAGES: ALL DWELLINGS SHALL HAVE ATTACHED GARAGES SUITABLE FOR ACCOMMODATING A MINIMUM OF TWO (2) STANDARD SIZE AUTOMOBILES. ALL GARAGES SHALL BE ACCESSIBLE BY AN OVERHEAD GARAGE DOOR. CARPORTS SHALL NOT BE PERMITTED.

3. PATIO COVERS: ALL PATIO COVERS SHALL BE AN INTEGRAL PART OF THE RESIDENCE SUCH THAT THEY ARE CONTAINED WITHIN THE ROOF LINE AND SHALL BE CONSTRUCTED WITH THE SAME DESIGN, SINGLE COLOR AND MATERIALS AS THE RESIDENCE.

4. DRIVEWAYS AND CULVERTS: ALL DRIVEWAYS INTO A LOT FROM ANY STREET SHALL BE CONSTRUCTED OF CONCRETE AND SHALL BE NOT LESS THAN TWENTY (20) FEET IN WIDTH. ALL DRIVEWAYS SHALL CONTAIN A DRAINAGE CULVERT OF AT LEAST FIFTEEN (15) INCHES, AS DETERMINED BY TULSA COUNTY, STATE OF OKLAHOMA, IN DIAMETER AND LARGER IF NECESSARY. A MASONRY HEADWALL SHALL BE CONSTRUCTED TWELVE (12) FEET IN LENGTH AND EIGHTEEN (18) INCHES IN HEIGHT, CENTERED ON THE DRAINAGE PIPE WHICH IS IN THE BAR DITCH. UNDER THE DRIVEWAY NEXT TO THE STREET, A DRAWING WALL BE DISTRIBUTED BY THE ARCHITECTURAL COMMITTEE AND EACH STRUCTURE WILL BE BUILT ACCORDING TO THE DRAWING.

5. MAILBOXES: ALL MAILBOXES SHALL BE METAL AND SELECTED BY THE ARCHITECTURAL REVIEW COMMITTEE.

6. ROOF PITCH AND MATERIALS: THE ROOF OF THE DWELLING SHALL HAVE A PITCH OF AT LEAST 10:12 AND A PITCH OF 4:12 SHALL BE ALLOWED OVER PORCHES AND PATIOS. ROOF MATERIALS SHALL BE THIRTY (30) YEAR BLACK BLOCK HERITAGE OR AN EQUAL COMPOSITION SHINGLES.

7. SODDING AND LANDSCAPING: UPON COMPLETION OF CONSTRUCTION OF ANY RESIDENCE, THE OWNER SHALL BE RESPONSIBLE FOR CAREFULLY RE-ESTABLISHING THE FINAL GRADE OF THE BAR DITCH TO PERMIT THE FREE FLOW OF STORMWATER. THE BAR DITCH SHALL BE FULLY SODDED UP TO THE EDGE OF THE STREET SURFACE MATERIAL. THE FRONT YARD OF EACH LOT MUST BE FULLY SODDED. CORNER LOTS, HOWEVER, MUST BE FULLY SODDED UP TO THE EDGE OF THE STREET SURFACE ALONG THE EAR DITCH ON BOTH SIDES OF THE LOT AND SHALL BE FULLY SODDED ON FRONT YARD, BACK AND SIDE YARDS. EACH LOT SHALL HAVE A PROFESSIONAL LANDSCAPE PACKAGE, INCLUDING ONE (1) TREE A MINIMUM OF TWO (2) INCHES IN CALIPER, INSTALLED IN THE FRONT YARD UPON COMPLETION OF THE CONSTRUCTION OF ANY RESIDENCE.

B. ARCHITECTURAL COMMITTEE - PLAN REVIEW

1. NO BUILDING, FENCE, WALL OR LANDSCAPING SHALL BE ERECTED, PLACED OR ALTERED ON ANY RESIDENTIAL LOT IN THIS SUBDIVISION UNTIL THE BUILDING PLANS, LANDSCAPING PLANS, AND SPECIFICATIONS FOR ALL HOUSES TO BE BUILT, AND LANDSCAPING TO BE INSTALLED, ARE ON FILE WITH MAGNOLIA HEIGHTS ARCHITECTURAL COMMITTEE. INITIALLY TO BE FOUR CEDARS DEVELOPMENT GROUP, LLC MEMBERS OR THEIR DULY AUTHORIZED REPRESENTATIVE, REPRESENTATIVES OR SUCCESSORS. IN THE EVENT OF THE DEATH OR RESIGNATION OF ANY MEMBER OF MAGNOLIA HEIGHTS ARCHITECTURAL COMMITTEE, THE REMAINING MEMBERS OR MEMBERS SHALL HAVE FULL AUTHORITY TO APPROVE OR DISAPPROVE SUCH PLANS, SPECIFICATIONS, COLOR SCHEME, MATERIALS AND PLOT PLAN, OR TO DESIGNATE A REPRESENTATIVE OR REPRESENTATIVES WITH THE LIKE AUTHORITY, AND SAID REMAINING MEMBER OR MEMBERS SHALL HAVE AUTHORITY TO FILL ANY VACANCY OR VACANCIES CREATED BY THE DEATH OR RESIGNATION OF ANY OF THE AFORESAID MEMBERS AND SAID NEWLY APPOINTED MEMBER SHALL HAVE THE SAME AUTHORITY HEREAFTER AS THEIR PREDECESSORS, AS ABOVE SET FORTH. ANY CHANGES TO PLANS ON FILE WITH THE ARCHITECTURAL COMMITTEE OR ANY ADDITIONAL NEW PLANS WILL NEED WRITTEN APPROVAL BEFORE CONSTRUCTION MAY BEGIN.

2. THE ARCHITECTURAL COMMITTEE'S PURPOSE IS TO PROMOTE GOOD DESIGN AND COMPATIBILITY WITHIN THE SUBDIVISION AND IN ITS REVIEW OF BUILDING OR LANDSCAPING PLANS FOR DETERMINATION OF ANY WAIVER AS HERINAFTER 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 HEREAFTER, 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, DISAPPROVAL OR FAILURE TO APPROVE OF ANY BUILDING PLANS SHALL NOT BE DEEMED A WAIVER OF ANY RESTRICTION, UNLESS THE ARCHITECTURAL COMMITTEE IS HERINAFTER AUTHORIZED TO GRANT THE PARTICULAR WAIVER.

THE POWERS AND DUTIES OF THE ARCHITECTURAL COMMITTEE OR ITS DESIGNATED REPRESENTATIVE SHALL CEASE WHEN ONE-HUNDRED PERCENT (100%) OF THE HOUSES ON THE RESIDENTIAL LOTS HAVE BEEN BUILT. THEREAFTER, THE POWERS AND DUTIES OF THE ARCHITECTURAL COMMITTEE SHALL BE EXERCISED BY THE HOMEOWNERS ASSOCIATION HEREAFTER PROVIDED FOR.

PRELIMINARY PLAT

C2-303/PUD-857
MAGNOLIA HEIGHTS
SUBDIVISION
Sheet 2 of 2

Date Prepared: June 11, 2020

Handwritten signature/initials.

C. FENCES

FENCES SITUATED UPON RESIDENTIAL LOTS SHALL COMPLY WITH THE FOLLOWING:

- 1. NO FENCING SHALL EXTEND BEYOND THE BUILDING LINE OF ANY RESIDENCE. IF A RESIDENCE IS BUILT BEHIND THE FRONT BUILDING LINE OF A RESIDENTIAL LOT, A FENCE MAY NOT EXTEND BEYOND THAT POINT NEAREST THE STREET AT EACH END CORNER.
- 2. FENCES SHALL BE SIX (6) FEET IN HEIGHT AND WOOD PRIVACY FENCE, UNLESS ADJACENT TO A RESERVE AREA, WHERE FENCES SHALL BE FOUR (4) FEET IN HEIGHT AND A SPLIT-RAIL STYLE WITH BLACK VINYL CHAIN LINK.
- 3. ALL FENCING ADJACENT TO A RESERVE AREA MUST BE CONSISTENT. ANY VARIANCE MUST BE APPROVED BY THE ARCHITECTURAL COMMITTEE.

D. OUTBUILDINGS

ALL PLANS FOR TOOL SHEDS, HOBBY ROOMS, OR OTHER OUTBUILDINGS SHALL BE APPROVED BY THE ARCHITECTURAL COMMITTEE. IN WRITING, PRIOR TO CONSTRUCTION, SHALL CONFORM TO THE BASIC ARCHITECTURAL STYLING OF THE DWELLING, INCLUDING MASONRY REQUIREMENTS. ALL SUCH OUTBUILDINGS SHALL BE SHINGLED WITH THE SAME COLOR AND TYPE OF SHINGLE AS THE DWELLING. NO GARAGE OR OUTBUILDING ON ANY LOT SHALL BE USED AS A RESIDENCE OR LIVING QUARTERS. FURTHER, NO DETACHED STRUCTURE OR BUILDING FOR PURELY ORNAMENTAL OR OTHER PURPOSES SHALL BE ERRECTED ON ANY PART OF ANY LOT WITHOUT THE PRIOR WRITTEN CONSENT OF THE ARCHITECTURAL COMMITTEE.

E. ANTENNAE

ALL OUTDOOR VIDEO RECEPTION ANTENNAS AND DISHES MUST BE MOUNTED IN AN AREA LOCATED TO THE REAR OR SIDE OF THE HOME WITH THE INTENT OF OBSCURING THE ANTENNA FROM THE STREET VIEW. ALL VIDEO RECEPTION ANTENNAS MUST MEET THE GUIDELINES OF FCC 47 C.F.R. SUBSECTION 1.400 (TOWER RULE) OR SUBSEQUENT RULES. DIRECT TO HOME SATELLITE DISH(S) MUST BE 1 METER (39.37) OR LESS IN DIAMETER PER THIS RULE. NO TELEVISION, RADIO OR OTHER ANTENNAE OR RECEPTION DEVICES THAT DOES NOT MEET THE ABOVE RULE, SHALL BE CONSTRUCTED OR MAINTAINED ON ANY LOT OR RESIDENCE WITHOUT THE WRITTEN APPROVAL OF THE DEVELOPER OR BOARD OF THE PROPERTY OWNERS' ASSOCIATION.

F. LOT USE

LOTS SHALL BE USED ONLY FOR RESIDENTIAL, SINGLE-FAMILY PURPOSES. NO RESIDENTIAL LOT SHALL BE USED FOR ANY BUSINESS, COMMERCIAL OR MANUFACTURING PURPOSE, PROVIDED, HOWEVER, THE DEVELOPER MAY PERMIT A MODEL HOME OR SIMILAR SALES OFFICE TO BE IMPLEMENTED AND MAINTAINED BY A BUILDER FOR A FIXED TIME PERIOD, AT THE DEVELOPERS SOLE DISCRETION. NO RESIDENTIAL LOT MAY BE SUBDIVIDED TO ACCOMMODATE TWO OR MORE SEPARATE OWNERS OR DWELLINGS. NO STRUCTURE SHALL BE PLACED, ALTERED, ERRECTED OR PERMITTED TO REMAIN ON ANY RESIDENTIAL LOT WHICH EXCEEDS TWO (2) STORIES IN HEIGHT, NO DWELLING NOT MEETING A SPECIFIC BUILDING CODE IDENTIFIED BY THE DEVELOPER MAY BE MOVED ONTO A RESIDENTIAL LOT. NO STRUCTURE OF A TEMPORARY CHARACTER MAY BE USED AS A RESIDENCE. NO MOBILE HOME SHALL BE MOVED INTO OR BE PRESENT IN MAGNOLIA HEIGHTS, EXCEPT THAT THE DEVELOPER OR ITS DESIGNEES MAY USE SUCH A MOBILE HOME AS A TEMPORARY SALES OFFICE.

G. NOISE / NUISANCE

NO NOISY OR OFFENSIVE ACTIVITY OF ANY SORT SHALL BE PERMITTED NOR SHALL ANYTHING BE DONE ON ANY RESIDENTIAL LOT WHICH MAY BE OR MAY BECOME AN ANNOYANCE OR NUISANCE TO THE SUBDIVISION. NO EXTERIOR SPEAKER, HORN, WHISTLE, BELL, OR OTHER SOUND DEVICE, EXCEPT SECURITY AND FIRE DEVICES, USED EXCLUSIVELY FOR SECURITY AND FIRE PURPOSES, SHALL BE LOCATED, USED OR PLACED ON A RESIDENTIAL LOT. ACTIVITIES EXPRESSLY PROHIBITED ON RESIDENTIAL LOTS ARE THOSE WHICH MAY BE OFFENSIVE BY REASON OF COOKING, FLAMES, DUST, SMOKE, NOISE, VIBRATION, OR POLLUTION, OR WHICH ARE HAZARDOUS BY REASON OF EXCESSIVE DANGER, FIRE, OR EXPLOSION.

H. ANIMALS

NO ANIMALS, LIVESTOCK OR POULTRY OF ANY KIND SHALL BE KEPT ON ANY RESIDENTIAL LOT EXCEPT FOR DOMESTICATED HOUSEHOLD PETS PROVIDED, HOWEVER, THAT NO MORE THAN THREE (3) ADULT DOGS SHALL BE MAINTAINED ON ANY RESIDENTIAL LOT. EXCESSIVE BARKING BY ANY DOG SHALL, IN THE SOLE OPINION OF THE DEVELOPER OR THE MAJORITY OF THE BOARD OF DIRECTORS OF THE MAGNOLIA HEIGHTS ASSOCIATION, BE DEEMED A NUISANCE AND IMMEDIATELY SUBJECT THE DOG TO IMPOUND AND THE OWNER THEREOF TO A FINE IN AN AMOUNT LEVIED BY THE ASSOCIATION'S BOARD OF DIRECTORS. THE AMOUNT OF SUCH FINE SHALL BECOME A LIEN UPON THE OWNER'S LOT AND GOVERNED BY SECTION IV, PARAGRAPH 2 HEREOF. ANIMALS SHALL NOT BE KEPT, BREED OR MAINTAINED FOR ANY COMMERCIAL PURPOSES AND SHALL NOT BE PERMITTED ON ANY LOT WHICH DOES NOT CONTAIN A DWELLING BEING USED AS A RESIDENCE. NO KENNELS ARE PERMITTED. ALL ANIMALS MUST BE FENCED IN OR KEPT ON A LEASH. ANIMAL SHELTERS SHALL BE SCREENED FROM VIEW FROM ANY STREET UNLESS BUILT IN CONFORMITY TO THE REQUIREMENT FOR OUTBUILDINGS HEREIN. ANIMALS SHALL NOT BE PERMITTED TO ROAM ON THE RESERVE AREAS, AND AT THE OPTION OF THE DEVELOPER OR THE ASSOCIATION, STEPS MAY BE TAKEN TO CONTROL, ANY ANIMALS NOT UNDER THE IMMEDIATE CONTROL OF THEIR OWNERS, INCLUDING THE RIGHT TO IMPOUND SUCH ANIMALS AND TO CHARGE FEES FOR THEIR RETURN.

I. LOT MAINTENANCE

ALL RESIDENTIAL LOTS SHALL BE KEPT AT ALL TIMES IN A NEAT, ATTRACTIVE, HEALTHFUL AND SANITARY CONDITION, AND THE OWNER OR OCCUPANT OF ALL RESIDENTIAL LOTS SHALL KEEP ALL WEEDS AND GRASS THEREON CUT AND SHALL, IN NO EVENT, USE ANY RESIDENTIAL LOT FOR STORAGE OF MATERIALS OR EQUIPMENT EXCEPT FOR NORMAL RESIDENTIAL REQUIREMENTS OR INCIDENT TO CONSTRUCTION OF IMPROVEMENTS THEREON AS HEREIN PERMITTED, OR PERMIT THE ACCUMULATION OF GARBAGE, TRASH OR RUBBISH OF ANY KIND THEREON. ALL YARD EQUIPMENT OR STORAGE PILES SHALL BE KEPT SCREENED FROM VIEW OF NEIGHBORING LOTS, STREETS OR OTHER PROPERTY.

J. WIND GENERATORS AND SOLAR COLLECTORS

NO WIND GENERATORS OR SOLAR COLLECTORS SHALL BE INSTALLED WITHOUT THE PRIOR WRITTEN APPROVAL OF THE DEVELOPER.

K. CLOTHESLINES

THE DRYING OF CLOTHES IN PUBLIC VIEWS IS PROHIBITED.

L. AIR CONDITIONING REQUIREMENTS

NO WINDOW OR WALL-TYPE AIR CONDITIONING UNITS SHALL BE PERMITTED.

M. STORAGE

NO OUTSIDE STORAGE OR KEEPING OF BUILDING MATERIALS, TRACTORS, MOWERS, EQUIPMENT, IMPLEMENTS OR SALVAGE SHALL BE PERMITTED. BUILDING MATERIALS MAY BE STORED FOR A PERIOD OF THIRTY (30) DAYS PRIOR TO THE START OF CONSTRUCTION. CONSTRUCTION SHALL BE COMPLETED WITHIN NINE (9) MONTHS AFTER THE POURING OF THE FOOTING.

N. VEHICLES AND MOTORCYCLES

EXCEPT AS PROVIDED HEREIN, NO VEHICLE, MOTORCYCLE, MOTOR BIKE, CAMPER, POP-UP OR OTHER TRAILER INCLUDING, WITHOUT LIMITATION, BOOSENECKS AND LIVESTOCK TRAILERS AND CAR HAULERS, BOAT, ALL TERRAIN VEHICLE (ATV) OR RECREATIONAL VEHICLE (RV), OR SIMILAR VEHICLE OR EQUIPMENT, WHETHER OR NOT OPERABLE COLLECTIVELY, REFERRED TO AS "VEHICLES," SHALL BE KEPT, PARKED, STOOD OR STORED ON ANY LOT, DRIVEWAY, STREET OR COMMON AREA, EXCEPT IN A GARAGE OR A DETACHED BUILDING THAT THE DEVELOPER OR ASSOCIATION HAS APPROVED IN WRITING. OPEN OR "FLAT" BED UTILITY TRAILERS OF THREE FEET (3') OR LESS WHICH ARE USED FOR THE LIMITED PURPOSE OF HAULING YARD DEBRIS OR LAWN EQUIPMENT ARE ALLOWED TO BE PARKED AND/OR STORED BEHIND THE MAIN RESIDENTIAL STRUCTURE ON ANY LOT PROVIDED SAID TRAILER IS PLACED ON A CONCRETE PAD. VEHICLES HOWEVER, SHALL NOT BE KEPT, PARKED, STOOD OR STORED IN THE YARD OF ANY LOT OR COMMON AREA FOR ANY REASON. VEHICLES SHALL NOT BE KEPT, PARKED, STOOD OR STORED IN ANY STREET. REGULAR PASSENGER VEHICLES, SUCH AS AUTOMOBILES, PASSENGER VANS, SUVs, AND COMMERCIAL VEHICLES OF 34 TON OR LESS ARE PERMITTED TO BE PARKED IN THE DRIVEWAY, PROVIDED SUCH VEHICLES ARE TO BE PARKED OVERNIGHT AND STORED INSIDE A CLOSED GARAGE AS SET FORTH HEREIN. COMMERCIAL VEHICLES OVER 34 TON ARE NOT PERMITTED. FURTHER, BOATS, TRAILERS AND RVs MAY BE PARKED TEMPORARILY FOR A PERIOD NOT EXCEEDING 72 CONSECUTIVE HOURS PER WEEK ON THE DRIVEWAY OF A LOT FOR PURPOSES OF LOADING, UNLOADING, OR WASHING SAID BOAT, TRAILER OR RV.

O. SIGNS

NO SIGN OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY RESIDENTIAL LOT, EXCEPT ONE SIGN OF NOT MORE THAN FIVE (5) SQUARE FEET ADVERTISING THE SALE OR RENT OF SAID PROPERTY, OR SIGNS OF THE SAME SIZE LIMITATION USED FOR THE PURPOSE OF CAMPAIGNING FOR A RESULT IN ANY POLITICAL ELECTION, UNLESS APPROVED IN WRITING BY THE DEVELOPER, THE DEVELOPER, OR ITS DESIGNEES. MAY DISPLAY SUCH SIGNS AS THE DEVELOPER, IN ITS SOLE DISCRETION, DEEMS NECESSARY FOR THE PROMOTION, SALES AND/OR RENTAL OF PROPERTY OWNED BY THE DEVELOPER OR ITS DESIGNEES.

P. WASTE

NO RESIDENTIAL LOT SHALL BE USED OR MAINTAINED AS A DUMPING GROUND FOR RUBBISH, TRASH, GARBAGE OR OTHER WASTES. NO BURNING OF TRASH SHALL BE PERMITTED. ALL WASTE SHALL BE KEPT IN SANITARY CONTAINERS AND ALL EQUIPMENT FOR STORAGE OR DISPOSAL OF SUCH MATERIAL AND ALL RESIDENTIAL LOTS SHALL BE KEPT IN A CLEAN, NEAT AND ORDERLY MANNER. ALL RESIDENTIAL LOTS AND ALL BASEMENTS THEREON SHALL BE KEPT CLEAN, NEAT AND MOWED TO THE STREET. ALL RESIDENTIAL WASTE CONTAINERS MUST BE REMOVED FROM THE CURBSIDE AND SCREENED FROM ROADWAY VIEW WITHIN 24 HOURS AFTER REFUSE COLLECTION VEHICLES EMPTY THE CONTAINERS.

Q. COMPLIANCE WITH CODE

ALL RESIDENTIAL LOTS ARE SUBJECT TO THE USE, RESTRICTIONS AND REQUIREMENTS OF TULSA COUNTY, STATE OF OKLAHOMA.

R. ABOVE GROUND POOL

NO ABOVE GROUND POOL, TEMPORARY OR PERMANENT, SHALL BE ALLOWED ON ANY LOT WITHIN MAGNOLIA HEIGHTS. FOR PURPOSES OF THIS PROHIBITION, "ABOVE GROUND POOLS" SHALL INCLUDE ANY POOL WHICH SITS ON OR IS DUG INTO THE SURFACE OF THE LOT OF LESS THAN SIX FEET (6') BELOW SURFACE LEVEL.

S. STEM WALLS

ALL EXPOSED FOUNDATION OR STEM WALLS SHALL BE OF BRICK OR STONE, NO CONCRETE BLOCKS, POURED CONCRETE OR ANY OTHER FOUNDATION SHALL BE EXPOSED. NO STEM WALLS SHALL BE EXPOSED.

SECTION IV. PROPERTY OWNERS' ASSOCIATION

A. FORMATION OF PROPERTY OWNERS' ASSOCIATION. A PROPERTY OWNERS' ASSOCIATION KNOWN AS "MAGNOLIA HEIGHTS ASSOCIATION," AN OKLAHOMA NOT-FOR-PROFIT CORPORATION, HAS BEEN OR SHALL BE ESTABLISHED PURSUANT TO 40 O.S. 1991, § 851, ET SEQ., TO MAINTAIN THE RESERVE AREAS IN THE SUBDIVISION AND FOR SUCH OTHER PURPOSES AS SHALL BE DETERMINED ADVISABLE. ALL LAWFUL ACTS, IF ANY, OF MAGNOLIA HEIGHTS ASSOCIATION, THE ASSOCIATION, ITS SUCCESSORS OR ASSIGNS OR OWNERS OF ANY LOTS WITHIN MAGNOLIA HEIGHTS 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 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 MAGNOLIA HEIGHTS AND THE BYLAWS OF THE ASSOCIATION.

SECTION V. 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 SUCCESSORS AND ASSIGNS WITHIN THE PROVISIONS OF SECTION I, STREETS, EASEMENTS AND UTILITIES, AND SECTION II, PLANNED UNIT DEVELOPMENT RESTRICTIONS, ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THEREIN, AND ADDITIONALLY THE COVENANTS WITHIN SECTION I AND I WHETHER OR NOT SPECIFICALLY THEREIN SO STATED, SHALL INURE TO THE BENEFIT OF THE OWNERS OF THE LOTS WITHIN MAGNOLIA HEIGHTS AND TULSA COUNTY, STATE OF OKLAHOMA AND SHALL BE ENFORCEABLE BY TULSA COUNTY, STATE OF OKLAHOMA. IF THE UNDERSIGNED OWNER/DEVELOPER, OR ITS SUCCESSORS OR ASSIGNS OR OWNERS OF ANY LOTS WITHIN MAGNOLIA HEIGHTS SHALL VIOLATE ANY OF THE COVENANTS HEREIN, IT SHALL BE LAWFUL FOR TULSA COUNTY, STATE OF OKLAHOMA, ANY OWNER OF A LOT OR A PROPERTY OWNERS ASSOCIATION FORMED FOR THIS SUBDIVISION 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. IN ANY JUDICIAL ACTION BROUGHT BY A PROPERTY OWNERS ASSOCIATION OR AN OWNER OF A LOT WHICH ACTION SEEKS TO ENFORCE THE COVENANTS OR RESTRICTIONS SET FORTH HEREIN OR TO RECOVER DAMAGES FOR THE BREACH THEREOF, THE PREVAILING PARTY SHALL BE ENTITLED TO RECOVER REASONABLE ATTORNEY FEES AND COSTS AND EXPENSES INCURRED IN SUCH ACTION.

B. DURATION

THESE RESTRICTIONS, TO THE EXTENT PERMITTED BY APPLICABLE LAW, SHALL BE PERPETUAL AND 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 HEREINAFTER PROVIDED.

C. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I, STREETS, EASEMENTS AND UTILITIES 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 TULSA COUNTY, STATE OF OKLAHOMA, OR THE DEVELOPER OR ASSOCIATION. THE RESTRICTIONS WITHIN SECTION II, PLANNED UNIT DEVELOPMENT RESTRICTIONS, MAY BE AMENDED AT ANY TIME WITH 75 PERCENT AGREEMENT OF ALL LOT OWNERS AND APPROVAL BY TULSA COUNTY, STATE OF OKLAHOMA. THE COVENANTS WITHIN SECTION III, RESTRICTIONS AND COVENANTS, AND SECTION IV, PROPERTY OWNERS ASSOCIATION, MAY BE AMENDED OR TERMINATED AT ANY TIME WITH 75 PERCENT AGREEMENT OF ALL LOT OWNERS. THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING COVENANTS SHALL BE EFFECTIVE FROM AND AFTER THE DATE IT IS PROPERLY RECORDED.

D. SEVERABILITY

INVALIDATION OF ANY RESTRICTION SET FORTH HEREIN OR ANY PART THEREOF, BY AN ORDER, JUDGMENT, OR DECREE OF ANY COURT, OR OTHERWISE, SHALL NOT INVALIDATE OR AFFECT ANY OF THE OTHER RESTRICTIONS OR ANY PART THEREOF AS SET FORTH HEREIN, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, FOUR CEDARS DEVELOPMENT GROUP, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HAS EXECUTED THIS INSTRUMENT THIS _____ DAY OF _____, 2020.

FOUR CEDARS DEVELOPMENT GROUP, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY

BY _____
JERRY GORDON, MANAGING MEMBER

STATE OF OKLAHOMA)
) SS
COUNTY OF TULSA)

BEFORE ME, THE UNDERSIGNED, NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, ON THIS _____ DAY OF _____, 2020, PERSONALLY APPEARED JERRY GORDON, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO EXECUTED THE FOREGOING DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AS MANAGING MEMBER OF FOUR CEDARS DEVELOPMENT GROUP, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED, AND AS THE FREE AND VOLUNTARY ACT AND DEED OF SAID COMPANY. FOR THE USES AND PURPOSES THEREIN SET FORTH.

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

J. ASHLEY MCCARTY
MY COMMISSION EXPIRES: 03/30/2022
MY COMMISSION NUMBER: 18200059



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 #6846, 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 "MAGNOLIA HEIGHTS," A SUBDIVISION IN 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 _____, 2020, 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 THEY EXECUTED THE SAME AS THEIR FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN SET FORTH.

JENNIFER FRITZ
MY COMMISSION EXPIRES: 02/29/2022
MY COMMISSION NUMBER: 14000568



CERTIFICATE OF THE OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

THE TULSA OFFICE OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY HAS APPROVED THIS PLAT FOR THE USE OF PUBLIC WATER SYSTEMS AND INDIVIDUAL ON-SITE SEWER SYSTEMS ON THE _____ DAY OF _____, 2020.

MCMAH, CHAD KELLER
SE, ENVIRONMENTAL PROGRAM SPECIALIST IV
DEPARTMENT OF ENVIRONMENTAL QUALITY

PRELIMINARY PLAT

02-2023-119-05-887
Magnolia Heights
Sheet 1 of 2

Date Prepared: June 15, 2020

627