



**Tulsa Metropolitan Area  
Planning Commission**

**Preliminary Plat Staff Report**

**Hearing Date:** March 19, 2025  
**Prepared by:** Austin Chapman  
achapman@cityoftulsa.org  
918-596-7597

**Owner and Applicant Information**

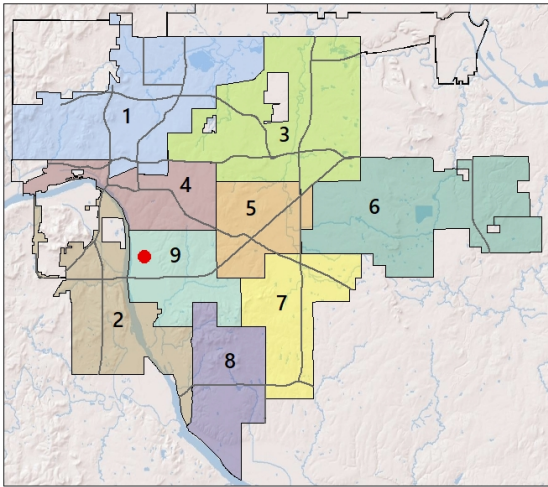
Applicant: Tim Clark  
Property Owner: Brookside 41, LLC

**Property Location**

East of the southeast corner of East 41st Place  
South and South Peoria Avenue

**Location within the City of Tulsa**

*(shown with City Council districts)*



**Elected Representatives**

City Council: District 9, Carol Bush  
County Commission: District 2, Lonnie Sims

**Public Notice Required**

None.

**Staff Recommendation**

Staff recommends approval.

**Request Summary**

Vacation of the Retreat at Brookside South Subdivision Plat. Property is currently being re-platted as the Brookside Market Place.

Tract Size: ±1.97 acres

**Zoning**

Existing Zoning: CH  
Existing Overlays: ODP number 7781

**Use**

Current Use: Vacant  
Proposed Use: Commercial

**VACATION OF PLAT  
AND TERMINATION OF DEED OF DEDICATION,  
THE RETREAT AT BROOKSIDE SOUTH, PLAT NO. 6215**

THIS VACATION OF PLAT AND TERMINATION OF DEED OF DEDICATION, THE RETREAT AT BROOKSIDE SOUTH, PLAT NO. 6215 (the "Instrument") is made this 11<sup>th</sup> day of March, 2025, by **BROOKSIDE 41, L.L.C.**, an Oklahoma limited liability company (the "Owner"), in accordance with 11 O.S. 2001 Section 42-106.

**RECITALS:**

- A. The Plat of **THE RETREAT AT BROOKSIDE SOUTH**, a resubdivision in the City of Tulsa, Tulsa County, Oklahoma, ("Plat No. 6215") and accompanying Deed of Dedication ("Deed of Dedication") was recorded in the office of the Tulsa County Clerk on the 3<sup>rd</sup> day of July, 2008, a copy of said Plat No. 6215 being attached hereto as **Exhibit "A"** and incorporated herein by this reference; and
- B. The undersigned Owner owns one hundred percent (100%) of the lots in Plat No. 6215; and
- C. The Owner desires to vacate Plat No. 6215 in all respects, and without exception or reservation;
- D. By City of Tulsa Ordinance No. 23858 dated February 18, 2018, P.U.D. 744 related to Plat No. 6215 was previously abandoned.
- E. Plat No. 6215 should be vacated in all respects and the restrictions imposed thereby (if any) released as provided below because all of the land that is subject to the Plat No. 6215 will be replatted together with several adjoining tracts of land and which shall be subject to the Plat (and related Deed of Dedication) of "**BROOKSIDE MARKETPLACE**", dated the \_\_\_ day of \_\_\_\_\_, 2025, and to be recorded in the office of the Tulsa County Clerk concurrent with the recording of this Instrument, as Plat No. \_\_\_\_\_ (the "**BM Plat**"). A final copy of the BM Plat is attached hereto as **Exhibit "B"** and is incorporated herein by this reference.

**VACATION OF PLAT AND TERMINATION  
OF THE DEED OF DEDICATION:**

NOW, THEREFORE, pursuant to 11 O.S. 2001 Section 42-106, and subject to the conditions, reservations and other matters set forth herein, the undersigned property Owner does hereby vacate Plat No. 6215 of THE RETREAT AT BROOKSIDE SOUTH in its entirety and

terminate the provisions of the Deed of Dedication as follows, and as affecting any of the following described property:

**All of THE RETREAT AT BROOKSIDE SOUTH, a resubdivision of Lots 6-11, Block 4, and Part of Vacated Quincy Avenue, Jennings-Robards Addition, and Part of the Northwest Quarter (NW/4) of the Northwest Quarter (NW/4) of Section Thirty (30), Township Nineteen (19) North, Range Thirteen (13) East, City of Tulsa, Tulsa County, Oklahoma, according to the Recorded Plat No. 6215 (the "Property").**

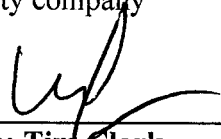
1. **Vacation of Plat No. 6215.** The Owner hereby vacates Plat No. 6215 in its entirety (including, but not limited to all of the building lines, setback lines, lot lines, limits of no access, reserve areas, platted easements of any and all nature, including utility and floodplain easements as shown thereon); **PROVIDED**, this instrument shall in no way affect the rights of the public in and to the right of way of East 41<sup>st</sup> Place South or the right of way of East 42<sup>nd</sup> Street South, with the same to remain in full force and effect.

2. **Termination of Deed of Dedication.** As authorized by Section IV. C. of the Deed of Dedication, the Owner hereby terminates all covenants, restrictions, easements, homeowner association provisions, detention areas, building setback lines and all other matters contained therein, in whole.

Attached hereto as **EXHIBIT "C"** and incorporated by reference is the Ownership Affidavit of Tulsa Abstract and Title Company showing the ownership of the lot(s) that comprise THE RETREAT AT BROOKSIDE SOUTH.

This vacation shall be effective as of the latter of: (i) the date of its approval by the City of Tulsa; or (ii) the date of the recording of the BM Plat.

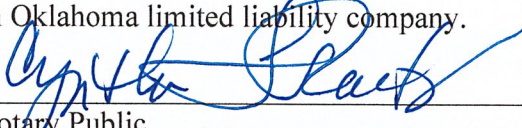
**BROOKSIDE 41, L.L.C.,** an Oklahoma limited liability company

By:   
Name: **Tim Clark**  
Its: **Manager**

STATE OF OKLAHOMA )  
 ) ss.  
COUNTY OF TULSA )

This instrument was acknowledged before me this 11<sup>th</sup> day of March, 2025 by Tim Clark as Manager of Brookside 41, L.L.C., an Oklahoma limited liability company.

(Seal)  
My commission expires:  
2-12-2029

  
\_\_\_\_\_  
Notary Public  
Commission # 13001421



On this \_\_\_\_\_ day of \_\_\_\_\_, 2025, the Tulsa Metropolitan Area Planning Commission expressly acknowledges, consents and approves the vacation in its entirety of THE RETREAT OF BROOKSIDE SOUTH resubdivision plat, Plat No. 6215, and to the termination of the Deed of Dedication accompanying the Plat No. 6215.

\_\_\_\_\_  
Chairman of the TMPAC

On this \_\_\_\_\_ day of \_\_\_\_\_, 2025, the City of Tulsa expressly acknowledges, consents and approves the vacation in its entirety of THE RETREAT OF BROOKSIDE SOUTH resubdivision plat, Plat No. 6215 and to the termination of the Deed of Dedication accompanying the Plat No. 6215.

\_\_\_\_\_  
Chairman of the Council

Approved this \_\_\_\_ day of \_\_\_\_\_, 2025,

By: \_\_\_\_\_  
Mayor

(Seal)  
ATTEST:

City Clerk

APPROVED:

\_\_\_\_\_  
City Attorney

**EXHIBIT "A"**  
**COPY OF PLAT NO. 6215**  
**(The Retreat at Brookside South)**



This map/plot is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

TARA GRANT CHALK, BARLENE WILSON  
 Registered Professional Surveyors  
 License No. 193118 License No. 104440  
 P.O. Box 2000  
 Tulsa, Oklahoma 74101



Lot	Area	Acres	Lot Area (sq. ft.)
1	1.125	0.0258	1000
2	1.125	0.0258	1000
3	1.125	0.0258	1000
4	1.125	0.0258	1000
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100	1.125	0.0258	1000

STATE OF OKLAHOMA  
 COUNTY OF TULSA  
 I, the undersigned, being a duly qualified and licensed Surveyor in and for the State of Oklahoma, do hereby certify that the foregoing is a true and correct copy of the original plat as the same appears in my files.  
 TARA GRANT CHALK  
 BARLENE WILSON  
 Registered Professional Surveyors  
 License No. 193118 License No. 104440  
 P.O. Box 2000  
 Tulsa, Oklahoma 74101

RECEIVED  
 MAY 23 2008  
 Tulsa County Clerk's Office

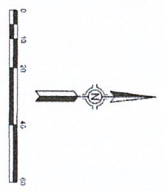
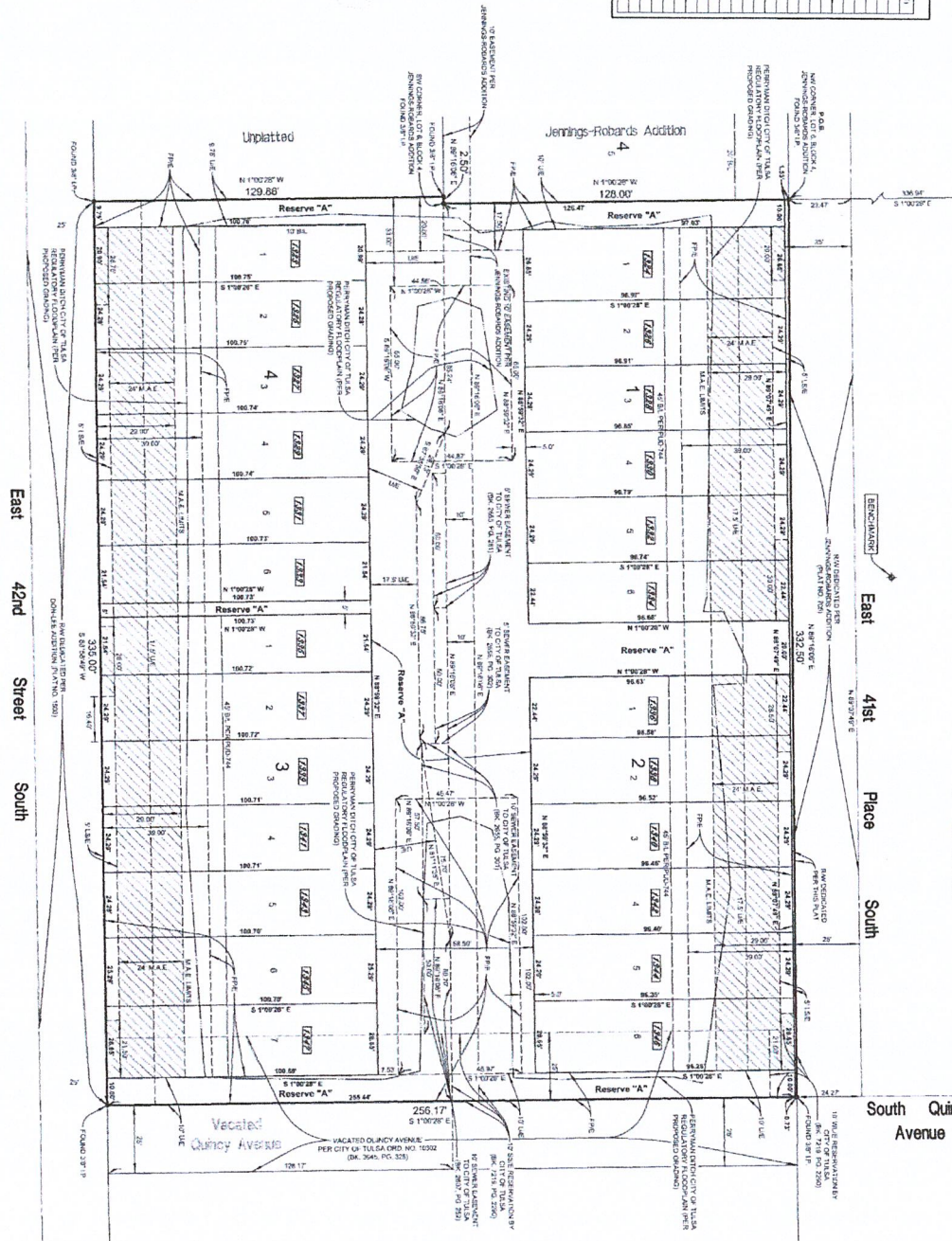
PLAT NO.  
**6215**

# The Retreat at Brookside South

**Owner/Developer:**  
 Brookside 41, LLC  
 2400 West 41st Street, Suite 100  
 Tulsa, Oklahoma 74135  
 Phone: (918) 745-6500  
 Contact: Mr. Grant Hinch

**Engineer/Surveyor:**  
 Sisemore Weisz & Associates, Inc.  
 411 West 19th Street, Suite 100  
 Tulsa, Oklahoma 74103  
 Phone: (918) 665-5000  
 E-mail: gweisz@swsassoc.com

P.U.D. NO. 744



**CERTIFICATE**  
 I hereby certify that the plat herein shown is a true and correct copy of the original plat as the same appears in my files.  
 TARA GRANT CHALK  
 BARLENE WILSON  
 Registered Professional Surveyors  
 License No. 193118 License No. 104440  
 P.O. Box 2000  
 Tulsa, Oklahoma 74101



**NOTICE:**  
 1. APPROVED FOR RECORDATION BY THE TULSA COUNTY CLERK'S OFFICE ON MAY 23, 2008.  
 2. THE TULSA COUNTY CLERK'S OFFICE HAS REVIEWED THIS PLAT FOR RECORDATION PURPOSES ONLY AND DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.  
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**CONTRIBUTION:**  
 THE TULSA COUNTY CLERK'S OFFICE HAS REVIEWED THIS PLAT FOR RECORDATION PURPOSES ONLY AND DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

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**EXHIBIT "B"**  
**COPY OF THE FINAL AND UNRECORDED PLAT OF**  
**BROOKSIDE MARKETPLACE**

# BROOKSIDE MARKETPLACE

A REPLAT OF LOTS 1 THRU 5, BLOCK 4, JENNINGS-ROGARDS ADDITION, ALL OF THE RETREAT AT BROOKSIDE SOUTH, ADDITIONS TO THE CITY OF TULSA, AND AN UNPLATTED TRACT OF LAND, ALL A PART OF THE NORTH-WEST QUARTER (NW¼) OF SECTION THIRTY (30), TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA.

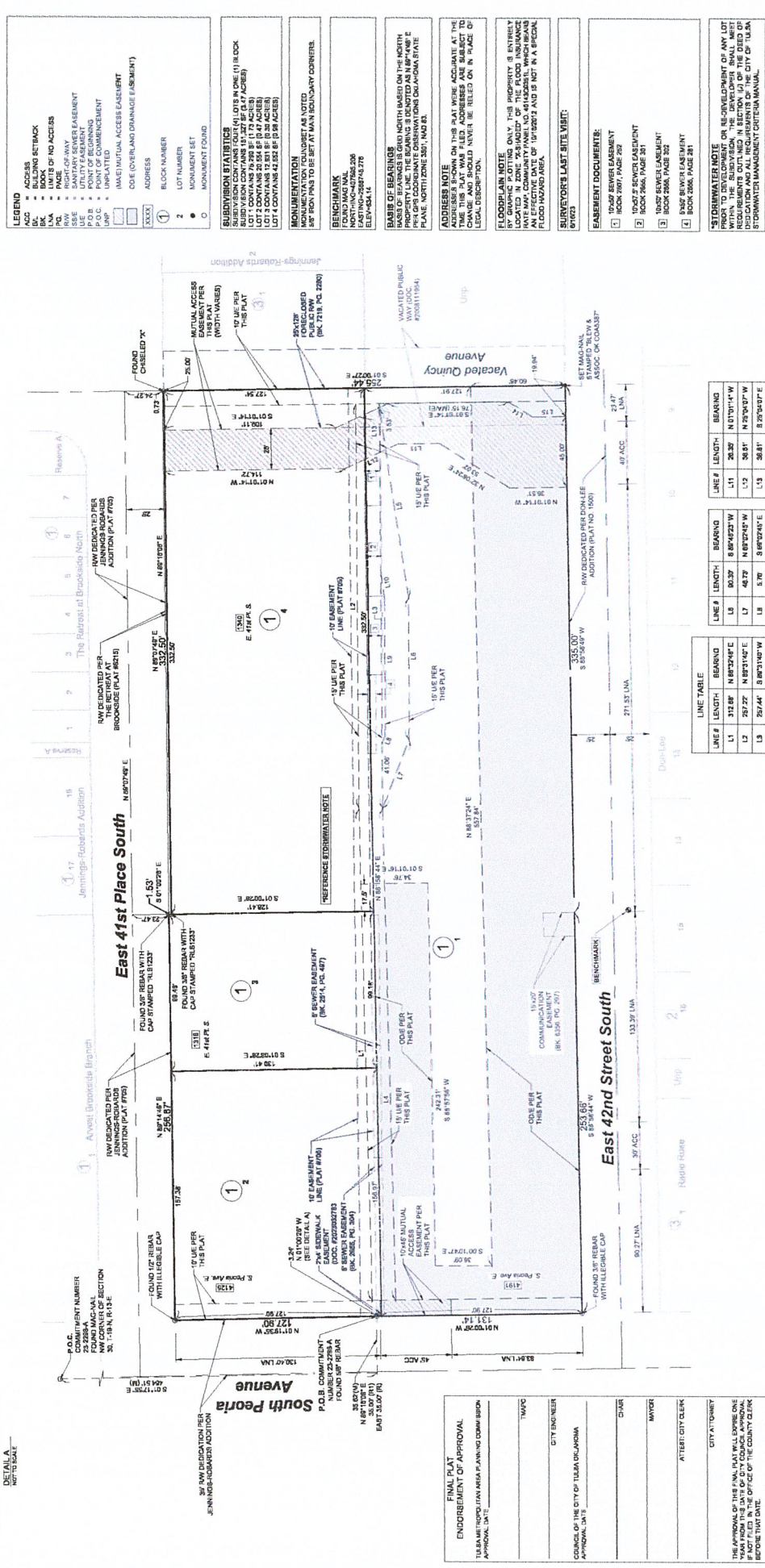
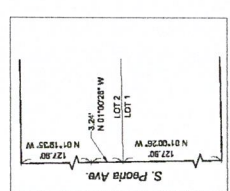
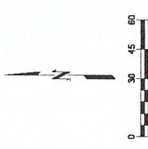
**ENGINEER:**  
Wallace Design Collective, PC  
123 North Martin Luther King Jr Blvd.  
Tulsa, Oklahoma, 74105  
OK CAD. NO. 1549, EXP. 03/29/2025  
CONTACT: TULSA@WDC.COM

**ENGINEER:**  
Blew & Associates, P.A.  
3825 N. Shiloh Drive  
Poydenville, Arkansas 72703  
Tulsa, Oklahoma 74105  
OK CAD. NO. 1507, EXP. 03/29/2025  
CONTACT: INFO@BLEWPA.COM

**OWNERS:**  
Nordic LLC  
Brookside 41, LLC  
4128 South Pecora Avenue, Suite 201  
Tulsa, Oklahoma, 74105  
CONTACT: TULSA@NORDIC.COM

**OWNERS:**  
Ika Nordic Corporation  
4128 South Pecora Avenue, Suite 200  
Tulsa, Oklahoma, 74105  
CONTACT: TULSA@NORDIC.COM

**OWNERS:**  
4143 LLC  
4128 South Pecora Avenue, Suite 200  
Tulsa, Oklahoma, 74105  
CONTACT: TULSA@NORDIC.COM



LINE #	LENGTH	BEARING	LINE #	LENGTH	BEARING	LINE #	LENGTH	BEARING
L1	318.07'	N 89°29'48" E	L8	80.33'	S 89°46'22" W	L11	20.33'	N 87°01'44" W
L2	797.22'	N 89°29'48" E	L9	48.79'	N 89°29'48" E	L12	58.81'	N 29°00'07" E
L3	797.44'	N 89°29'48" E	L10	5.70'	S 89°29'48" E	L13	26.81'	S 29°00'07" E
L4	311.23'	S 89°29'48" W	L11	66.33'	N 89°46'22" E	L14	19.25'	S 33°13'32" W
L5	121.36'	S 81°15'32" E	L12	17.42'	N 81°15'32" E	L15	21.54'	S 01°05'18" E

FINAL PLAT	ENDORSEMENT OF APPROVAL	TWVC	CITY ENGINEER	CIVIL	MAJOR	ATTEST CITY CLERK
TULSA METROPOLITAN AREA PLANNING COMMISSION						
APPROVAL DATE:						

THE APPROVAL OF THIS FINAL PLAT WILL BE ONE IF NOT FILED IN THE OFFICE OF THE COUNTY CLERK BEFORE THAT DATE.



# BROOKSIDE MARKETPLACE

A REPLAT OF LOTS 1, THRU 5, BLOCK 4, JENNINGS-ROBARDS ADDITION, ALL OF THE RETREAT AT BROOKSIDE SOUTH, ADDITIONS TO THE CITY OF TULSA, AND UNPLATTED TRACT OF LAND, ALL A PART OF THE NORTHWEST QUARTER (NW4) OF SECTION THIRTY (30), TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA.

## DEED OF DEDICATION

CERTIFICATE OF BURNET  
IN WITNESS WHEREOF, I HAVE SIGNED MY NAME AND SEAL AS A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DATE PERSONALLY APPEARED TO ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, AND I HAVE PLACED THE  
TO THE FOREGOING INSTRUMENT AND USES AND PURPOSE SET FORTH THEREIN, GIVEN UNDER MY HAND AND SEAL OF THE  
OFFICE OF THE DAY AND YEAR LAST ABOVE WRITTEN.

BY \_\_\_\_\_  
NOTARY PUBLIC

STATE OF ARKANSAS )  
COUNTY OF MADISON ) 25

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DATE PERSONALLY APPEARED  
TO ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, AND I HAVE PLACED THE  
TO THE FOREGOING INSTRUMENT AND USES AND PURPOSE SET FORTH THEREIN, GIVEN UNDER MY HAND AND SEAL OF THE  
OFFICE OF THE DAY AND YEAR LAST ABOVE WRITTEN.

BY \_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES \_\_\_\_\_  
MY COMMISSION NUMBER IS \_\_\_\_\_

## CERTIFICATE OF OWNERSHIP - BROOKSIDE, LLC

IN WITNESS WHEREOF, I, \_\_\_\_\_, AN OKLAHOMA LIMITED LIABILITY COMPANY, FORMERLY KNOWN AS BROOKSIDE CORPORATION,  
OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_, STATE OF OKLAHOMA, HEREBY CERTIFY THAT THE DEED OF DEDICATION TO BE RECORDED THIS \_\_\_\_\_ DAY  
OF \_\_\_\_\_, 2025.

BY \_\_\_\_\_  
MANAGER

STATE OF OKLAHOMA )  
COUNTY OF TULSA ) 189

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DATE PERSONALLY APPEARED  
TO ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, AND I HAVE PLACED THE  
TO THE FOREGOING INSTRUMENT AND USES AND PURPOSE SET FORTH THEREIN, GIVEN UNDER MY HAND AND SEAL OF THE  
OFFICE OF THE DAY AND YEAR LAST ABOVE WRITTEN.

BY \_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES \_\_\_\_\_  
MY COMMISSION NUMBER IS \_\_\_\_\_

## CERTIFICATE OF OWNERSHIP - AUSA, LLC

IN WITNESS WHEREOF, I, \_\_\_\_\_, AN OKLAHOMA LIMITED LIABILITY COMPANY, FORMERLY KNOWN AS AUSA, LLC,  
OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_, STATE OF OKLAHOMA, HEREBY CERTIFY THAT THE DEED OF DEDICATION TO BE RECORDED THIS \_\_\_\_\_ DAY  
OF \_\_\_\_\_, 2025.

BY \_\_\_\_\_  
MANAGER

STATE OF OKLAHOMA )  
COUNTY OF TULSA ) 189

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DATE PERSONALLY APPEARED  
TO ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, AND I HAVE PLACED THE  
TO THE FOREGOING INSTRUMENT AND USES AND PURPOSE SET FORTH THEREIN, GIVEN UNDER MY HAND AND SEAL OF THE  
OFFICE OF THE DAY AND YEAR LAST ABOVE WRITTEN.

BY \_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES \_\_\_\_\_  
MY COMMISSION NUMBER IS \_\_\_\_\_

## CERTIFICATE OF OWNERSHIP - BROOKSIDE 41, LLC

IN WITNESS WHEREOF, I, \_\_\_\_\_, AN OKLAHOMA LIMITED LIABILITY COMPANY, FORMERLY KNOWN AS BROOKSIDE 41, LLC,  
OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_, STATE OF OKLAHOMA, HEREBY CERTIFY THAT THE DEED OF DEDICATION TO BE RECORDED THIS \_\_\_\_\_ DAY  
OF \_\_\_\_\_, 2025.

BY \_\_\_\_\_  
MANAGER

STATE OF OKLAHOMA )  
COUNTY OF TULSA ) 185

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DATE PERSONALLY APPEARED  
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TO THE FOREGOING INSTRUMENT AND USES AND PURPOSE SET FORTH THEREIN, GIVEN UNDER MY HAND AND SEAL OF THE  
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BY \_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES \_\_\_\_\_  
MY COMMISSION NUMBER IS \_\_\_\_\_



**EXHIBIT "C"**  
**OWNERSHIP AFFIDAVIT OF TULSA ABSTRACT AND TITLE COMPANY**  
**THE RETREAT AT BROOKSIDE SOUTH**



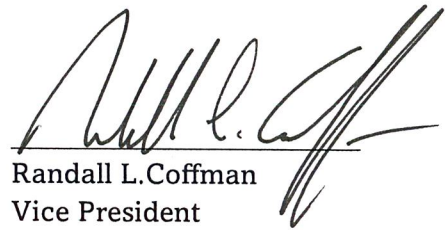
CJ-2008-5488, FINAL JOURNAL ENTRY  
OF JUDGMENT, filed October 31, 2008,  
Doc #2008111954.

LEGAL:

All of THE RETREAT AT BROOKSIDE  
SOUTH, a Resubdivision of Lots 6-11,  
Block 4, and Part of Vacated Quincy  
Avenue, JENNINGS-ROBARDS  
ADDITION, and Part of Section Thirty  
(30), Township Nineteen (19) North, Range  
Thirteen (13) East, City of Tulsa, Tulsa  
County, State of Oklahoma, according to  
the Recorded Plat No. 6215.

As of February 13, 2025 at 7:59 A.M.

In Witness, Whereof We have hereunto set our hand and seal at office in the City of  
Tulsa, Tulsa County, State of Oklahoma, this 25<sup>th</sup> day of February, 2025.

  
Randall L. Coffman  
Vice President

Certificate Number: 518667





**LEGAL DESCRIPTION CONTINUED**

## TRACT A:

Lot Eight (8), Block Four (4), JENNINGS-ROBARDS ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof.

## TRACT B:

That part of the Northwest Quarter of the Northwest Quarter (NW/4 NW/4) of Section Thirty (30), Township Nineteen (19) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof, more particularly described as follows, to-wit:

BEGINNING 463.7 feet South of the North boundary line of the NW/4 NW/4 of said Section 30, and 392.5 feet East of the West line of said NW/4; thence South 20 feet; thence East 50 feet; thence North 20 feet; thence West 50 feet to the POINT OF BEGINNING, being the North 20 feet of lot formerly designated Lot 3, Block 1, Radio Rose Addition to the City of Tulsa.



Tulsa County Clerk - EARLENE WILSON

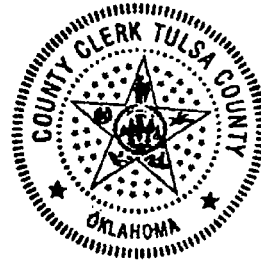
Doc # 2007018066 Pages 3

Receipt # 909699 02/20/07 15:58:16

Fee 17.00



RE-RECORD CORRECTED  
WARRANTY DEED



Tulsa County Clerk - EARLENE WILSON  
Doc # 2007010920 Pages 2  
Receipt # 906442. 01/31/07 15:00:28  
Fee 15.00 Stamps 195.00



\*000906442014\*

*#1005  
Chm, OK. 1/15/07*

CORRECTED DOC STAMPS \$195.00  
**WARRANTY DEED**  
OKLAHOMA STATUTORY FORM

THIS INDENTURE, made this 30 day of January A.D., 2007, between MYRON D. QUAPAW a single person

of Tulsa County, State of Oklahoma, party of the first part, and BROOKSIDE 41, L.L.C., an Oklahoma limited liability company party of the second part.

WITNESSETH, That in consideration of the sum of TEN AND 00/100 DOLLARS, the receipt of which is hereby acknowledged, said party of the first part does, by these presents, grant, bargain, sell and convey unto said party of the second part, its successors and assigns, all of the following described real estate, situated in the County of Tulsa, State of Oklahoma, to-wit:

TRACT A:

Lot Ten (10), Block Four (4), JENNINGS-ROBARDS ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof.

TRACT B:

Part of the Northwest Quarter of the Northwest Quarter (NW/4 NW/4) of Section Thirty (Continued)

TO HAVE AND TO HOLD THE SAME, together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining forever. And said party of the first part, his heirs and assigns, do hereby covenant, promise and agree to and with said party of the second part, at the delivery of these presents that he is lawfully seized in his own right of an absolute and indefeasible estate of inheritance in fee simple, of and in, all and singular the above granted and described premises, with the appurtenances; that the same are free, clear, and discharged and unencumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and encumbrances, of whatever nature, EXCEPT,

THIS DEED IS BEING RE-RECORDED TO CORRECTLY REFLECT THE ENTITY OF THE GRANTEE.

and that said party of the first part will WARRANT AND FOREVER DEFEND the same unto said party of the second part, its successors and assigns, against said party of the first part, their heirs and assigns, and all and every person or persons whomsoever, lawfully claiming or to claim the same.

IN WITNESS WHEREOF, the said party of the first part hereto have hereunto set his hand the day and year first above written.

*VR* Guaranty Abstract Company  
P.O. BOX 3046  
TULSA, OKLAHOMA 74101



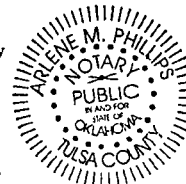
*Myron D. Quapaw*  
MYRON D. QUAPAW

STATE OF OKLAHOMA }  
COUNTY OF TULSA } ss.

This instrument was acknowledged before me on this 30 day of January 2007, by MYRON D. QUAPAW a single person

My commission expires:  
11/18/07

*Earlene M. Phillips*  
Notary Public



Commission No.: 99018630  
wd-os

*@ 6372439*

Filed by GUARANTY ABSTRACT COMPANY and  
*Earlene E-175723*

## LEGAL DESCRIPTION CONTINUED

(30), Township Nineteen (19) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof, being more particularly described as follows, to-wit:

COMMENCING at a point 594.7 feet South and 492.5 feet East of the Northwest corner of said Section 30, Township 19 North, Range 13 East, which point is also on the North boundary line of 42nd Street and 492.5 feet East of the center of Peoria Avenue and is the Point of Beginning; thence East along the North line of 42nd Street, 57.5 feet; thence North parallel with the East line of Peoria Avenue, 131 feet; thence West parallel with the North line of 42nd Street, 57.5 feet; thence South parallel with the East line of Peoria Avenue, 131 feet to the POINT OF BEGINNING, being the same property described as Lot Five (5) and the West 7.5 feet of Lot Six (6), Block One (1), RADIO ROSE ADDITION to the City of Tulsa, which Plat has heretofore been vacated.

Tulsa County Clerk - EARLENE WILSON  
Doc # 2007022046 Pages 1  
Receipt # 911592 03/01/07 16:25:13  
Fee 13.00 Stamps 180.00



1325 East 42nd Street  
Tulsa, OK 74105

DOC STAMPS \$180.00

**WARRANTY DEED**  
OKLAHOMA STATUTORY FORM

THIS INDENTURE, made this 28 day of February A.D., 2007, between  
KAREN K. FRENCH, a single person

of Tulsa County, State of Oklahoma, party of the first part, and  
BROOKSIDE 41, L.L.C., an Oklahoma limited liability company

party of the second part.

WITNESSETH, That in consideration of the sum of TEN AND 00/100 DOLLARS, the receipt of which  
is hereby acknowledged, said party of the first part does, by these presents, grant, bargain, sell and convey unto  
said party of the second part, its successors and assigns, all of the following described real  
estate, situated in the County of Tulsa, State of Oklahoma, to-wit:

Guaranty Abstract Company  
P.O. BOX 3048  
TULSA, OKLAHOMA 74101

That part of the Northwest Quarter of the Northwest Quarter (NW/4 NW/4) of Section  
Thirty (30), Township Nineteen (19) North, Range Thirteen (13) East of the Indian  
Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government  
Survey thereof, described as follows, to-wit:

BEGINNING at a point 463.7 feet South and 392.5 feet East of the Northwest Corner of  
said Section Thirty (30), thence South 131 feet; thence East 50 feet; thence North  
131 feet; thence West 50 feet to the POINT OF BEGINNING. (FORMERLY Lot Three (3),  
Block One (1), RADIO ROSE ADDITION, LESS the North 20 feet thereof.)

\$12.00

TO HAVE AND TO HOLD THE SAME, together with all and singular the tenements, hereditaments  
and appurtenances thereto belonging or in any wise appertaining forever. And said party of the first, part,  
her heirs and assigns, do es hereby covenant, promise and agree to and with said party of the second  
part, at the delivery of these presents that she lawfully seized in her own right of an  
absolute and indefeasible estate of inheritance in fee simple, of and in, all and singular the above granted and  
described premises, with the appurtenances; that the same are free, clear, and discharged and unencumbered  
of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and  
encumbrances, of whatever nature, EXCEPT,

and that said party of the first part will WARRANT AND FOREVER DEFEND the same unto said party of  
the second part, its successors and assigns, against said party of the first part, her heirs  
and assigns, and all and every person or persons whomsoever, lawfully claiming or to claim the same.

IN WITNESS WHEREOF, the said party of the first part hereto has hereunto set her hand  
the day and year first above written.



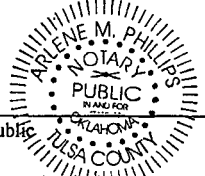
*Karen K. French*  
\_\_\_\_\_  
Karen K. French

STATE OF OKLAHOMA }  
COUNTY OF Tulsa } ss.

This instrument was acknowledged before me on this 28 day of February  
2007, by KAREN K. FRENCH, a single person

My commission expires:  
November 18, 2007

*Arlene M. Phillips*  
\_\_\_\_\_  
Arlene M. Phillips  
Notary Public



Commission No.: 9908230  
wd-os

Filed by GUARANTY ABSTRACT COMPANY and  
returned to *Arlene E-177977-A*





## LEGAL DESCRIPTION

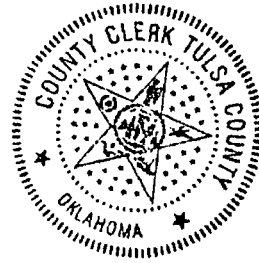
Part of the Northwest Quarter of the Northwest Quarter (NW/4 NW/4) of Section Thirty (30), Township Nineteen (19) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, more particularly described as follows, to-wit:

BEGINNING 463.7 feet South and 442.5 feet East of the Northwest Corner of the Northwest Quarter of the Northwest Quarter (NW/4 NW/4); THENCE South 131 feet; THENCE East 50 feet; THENCE North 131 feet; THENCE West 50 feet to the POINT OF BEGINNING. Tract is the same property as Lot Four (4), Block One (1), of the ORIGINAL PLAT OF RADIO ROSE ADDITION to the City of Tulsa, Tulsa County, Oklahoma, which plat has heretofore been vacated.

Tulsa County Clerk - EARLENE WILSON  
Doc # 2007045977 Pages 2  
Receipt # 921975 04/30/07 15:35:43  
Fee 15.00



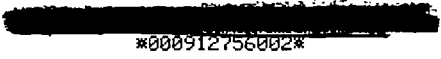
a



✓ TULSA ABSTRACT & TITLE CO.  
612 S. DENVER AVE.  
TULSA, OK 74119

2

Tulsa County Clerk - EARLENE WILSON  
Doc# 2007025009 Pages 1  
Receipt# 912756 03/08/07 15:31:35  
Fee 13.00 Stamps 153.00  
Mailing Address: 4111 S. DARLINGTON #1200 TULSA, OK 74135



*Corrected*  
**General Warranty Deed**  
(Corporate Statutory Form)

THIS INDENTURE, Made this 1<sup>ST</sup> of MARCH, 2007 Between STRICKER, INC., a corporation, organized under the laws of the County of Tulsa, State of Oklahoma, party of the first part, and BROOKSIDE 41. LLC, party of the second part.

WITNESSETH: That in consideration of the sum of Ten and no/100---(\$10.00)---Dollars, the receipt of which is hereby acknowledged, said party of the first part does, by these presents grant, bargain, sell and convey unto said party of the second part the entire fee simple title, its successors, heirs, executors or administrators, all of the following described real estate, situated in the County of Tulsa, State of Oklahoma, to-wit:

2

Lots Six (6) and Seven (7), Block Four (4), JENNINGS-ROBARDS ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof. SURFACE ONLY.


TO HAVE AND TO HOLD THE SAME, together with all and singular the tenements, hereditaments and appurtenances thereto belongings or in any wise appertaining forever.

*Refiled to show rotary seal*

And said party of the first part, its successors or assigns, does hereby covenant, promise and agree to and with said party of the second part at the delivery of these presents it is lawfully seized in its own right of an absolute and infeasible estate of inheritance in fee simple, of and in all singular the above granted and described premises, with the appurtenances; that the same are free, clear, and discharged and unencumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and encumbrances of whatsoever nature and kind, EXCEPT: NONE

and that said Corporation will WARRANT and FOREVER DEFEND the same unto said party of the second part its successors, heirs, executors or administrators, against said party of the first part, their successors or assigns, and all and every person or persons whomsoever, lawfully claiming or to claim the same.

IN WITNESS WHEREOF; The said party of the first part hereto has caused these presents to be signed in its name by its president, the year and day first above written.

By   
NICK ENTERLINE, PRESIDENT



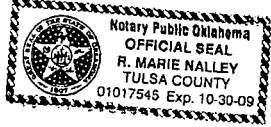
STATE OF OKLAHOMA )  
                                  ) ss.  
County of TULSA        )

Before me, the undersigned, a Notary Public, in and for said County and State, on this 1<sup>ST</sup> day of MARCH, 2007 personally appeared NICK ENTERLINE of STRICKER, INC., to me known to be the identical person who subscribed the name of the maker thereof to the foregoing as its PRESIDENT and acknowledged to me that he executed the same as his free and voluntary act and deed of such corporation, for the uses and purposes therein set forth.

Given under my hand and seal of office the day and year above written.

NS My commission expires:  
10.30.09

  
Notary Public



~~TULSA ABSTRACT & TITLE CO.~~  
~~612 S. DENVER AVE.~~  
~~TULSA, OK 74119~~

*10-30-09 TULSA*

Tulsa County Clerk - EARLENE WILSON  
Doc # 2007079691 Pages 2  
Receipt # 935350 07/18/07 09:27:08  
Fee 15.00 Stamps 210.00



DOC STAMPS \$210.00

Property Address: 1349 E. 42ND STREET TULSA, OK 74105  
Mailing Address: 4129 S. Peoria, Ste. 201, Tulsa, OK 74105

RETURN TO: *JJ2505*  
BUFFALO LAND - CLOSING DEPT.  
2230 E. 73rd ST. #425  
TULSA, OK 74136

INDIVIDUAL  
**WARRANTY DEED**  
(Oklahoma Statutory Form)

That MARY M. LALEY, A SINGLE PERSON Party of the first part, in consideration of the sum of TEN & NO/100----- and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto **BROOKSIDE 41, LLC** party of the second part, the following described real property and premises situate in TULSA County, State of Oklahoma, to-wit:

SEE ATTACHED LEGAL DESCRIPTION EXHIBIT "A"

together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto the said party of the second part, his/her heirs and assigns forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature.

EXCEPT covenants, conditions, easements, restrictions and mineral conveyances of record.

Signed and delivered this 07/16/07.

*Mary M. Laley*  
\_\_\_\_\_  
MARY M. LALEY



INDIVIDUAL ACKNOWLEDGMENT-OKLAHOMA FORM

STATE OF OKLAHOMA, County of TULSA, SS.

Before me, a Notary Public, in and for said County and State, on this 07/16/07, personally appeared MARY M. LALEY to me known to be the identical person(s) who executed the within and foregoing instrument, and acknowledged to me that she executed the same as her free and voluntary act and deed for the purposes therein set forth.

Given under my hand and seal the day and year last above written.

My commission expires:

*Kelly C. Taylor*  
\_\_\_\_\_  
Notary Public



EXHIBIT "A"

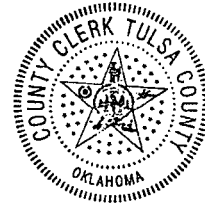
A TRACT OF LAND IN SECTION THIRTY (30), TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:  
BEGINNING 594.7 FEET SOUTH AND 550 FEET EAST OF THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW/4 NW/4) OF SECTION THIRTY (30), TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTEEN (13) EAST, WHICH POINT IS ALSO THE NORTH BOUNDARY LINE OF 42ND STREET, 550 FEET EAST OF THE CENTER LINE OF PEORIA AVENUE; THENCE NORTH ALONG A LINE PARALLEL WITH THE EAST LINE OF QUINCY AVENUE, A DISTANCE OF 131 FEET;. THENCE EAST ON A LINE PARALLEL WITH THE NORTH LINE OF SAID 42ND STREET A DISTANCE OF 50 FEET; THENCE SOUTH ALONG A LINE PARALLEL WITH THE EAST LINE OF QUINCY AVENUE A DISTANCE OF 131 FEET; THENCE WEST ALONG THE NORTH BOUNDARY LINE OF 42ND STREET A DISTANCE OF 50 FEET TO THE POINT OF BEGINNING.



Tulsa County Clerk - EARLENE WILSON  
Doc # 2007121287 Pages 2  
Receipt # 953110 10/29/07 14:39:05  
Fee 15.00 Stamps 277.50



Doc Stamps \$277.50 Tax ID# File # RC23072  
FRISCO TITLE CORPORATION  
Property Address: 1344 EAST 41ST PLACE, TULSA, OK 74105  
Mailing Address: 4111 S. Darlington, Ste 1200 Tulsa, OK 74135



**GENERAL WARRANTY DEED**  
(OKLAHOMA STATUTORY FORM)

THIS INDENTURE, Made this 24th day of October, 2007  
between RAGAN-SIPES REAL ESTATE, LLC.

FRISCO TITLE CORPORATION, of TULSA County,  
in the State of Oklahoma, party(ies) of the first part, hereinafter called party grantor (whether  
one or more) and BROOKSIDE 41, L.L.C.

FRISCO TITLE CORPORATION, party of the second part,  
party grantee.

WITNESSETH: That in consideration of the sum of \_\_\_\_\_  
~~\_\_\_\_\_ Ten dollars and no/100's \_\_\_\_\_ (\$10.00) \_\_\_\_\_ Dollars,~~  
receipt of which is hereby acknowledged, said party grantor does, by these presents, grant  
bargain, sell and convey unto said party grantee, its heirs and assigns, all the following  
described real estate situated in the County of TULSA, State of Oklahoma, to-wit:

Lot Eleven (11), Block Four (4) and the West 25 feet of vacated South Quincy Avenue  
adjacent on the East, JENNINGS-ROBARDS ADDITION to the City of Tulsa, Tulsa  
County, State of Oklahoma, according to the Recorded Plat thereof.

FRISCO TITLE CORPORATION  
4554 SOUTH HARVARD  
TULSA, OK 74135

TO HAVE AND TO HOLD the same together with all and singular the tenements,  
hereditaments and appurtenances thereto belonging or in any wise appertaining forever.  
And said party grantor RAGAN-SIPES REAL ESTATE, LLC.

FRISCO TITLE CORPORATION, his heirs, successors,  
grantees, executors, and administrators, does hereby covenant, promise and agree to and with  
said party grantee, at the delivery of these presents that he is lawfully seized  
in his own right of an absolute and indefeasible estate of inheritance in fee simple, of  
and in all and singular the above granted and described premises, with the appurtenances; that  
the same are free, clear and discharged and unencumbered of and from all former and other

2

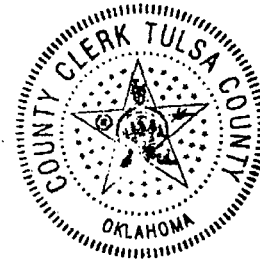


Tulsa County Clerk - EARLENE WILSON  
Doc # 2007125535 Pages 3  
Receipt # 954961 11/08/07 14:03:42  
Fee 17.00



**AFTER RECORDING MAIL TO:**

Guaranty Abstract Company  
P.O. Box 3048  
Tulsa, Ok 74101



**DO NOT REMOVE THIS PAGE**  
**THIS IS PART OF YOUR RECORDED DOCUMENT**

17.00

**TITLE OF DOCUMENT:**

Being Refined to include legal description

**THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING  
INFORMATION.**

GUARANTY ABSTRACT COMPANY  
P.O. BOX 3048  
TULSA, OKLAHOMA 74101

Filed by GUARANTY ABSTRACT COMPANY and  
returned to Earlene E177789



**LEGAL DESCRIPTION CONTINUED**

Part of the Northwest Quarter of the Northwest Quarter (NW/4 NW/4) of Section Thirty (30), Township Nineteen (19) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof, being more particularly described as follows, to-wit:

BEGINNING on the North line of 42nd Street at a point 290 feet East measured along the North line of said 42nd Street East from the center of Peoria Avenue, both streets as located by Plat and Dedication of Radio Rose Addition filed May 6th, 1925, under Plat No. 733 in the Office of the County Clerk of Tulsa County, State of Oklahoma; thence North 131 feet; thence East 102.5 feet; thence South 131 feet to the intersection of the North line of 42nd Street; thence West along the North line of said 42nd Street, 102.5 feet to the POINT OF BEGINNING.



IN THE DISTRICT COURT OF TULSA COUNTY  
STATE OF OKLAHOMA

DISTRICT COURT  
**FILED**

OCT 30 2008

SALLY HOWE SMITH, COURT CLERK  
STATE OF OKLA: TULSA COUNTY

BROOKSIDE 41, L.L.C.	)
	)
Plaintiff,	)
	)
v.	)
	)
CITY OF TULSA, OKLAHOMA,	)
a municipal corporation; BOARD OF	)
COUNTY COMMISSIONERS	)
OF TULSA COUNTY, OKLAHOMA;	)
PUBLIC SERVICE COMPANY OF	)
OKLAHOMA; OKLAHOMA NATURAL	)
GAS COMPANY, a division of	)
ONEOK, Inc., a corporation;	)
SOUTHWESTERN BELL TELEPHONE	)
COMPANY; AT&T CORP.; and	)
COXCOM, INC.,	)
	)
Defendants.	)

Case No. CJ-2008-5488  
(Judge Sellers)

**FINAL JOURNAL ENTRY OF JUDGMENT**

This matter is before the Court on this 25<sup>TH</sup> day of September, 2008, for consideration of the Plaintiff's Petition to Judicially Vacate Public Way. The plaintiff appears by its counsel, Roger K. Eldredge of Norman Wohlgemuth Chandler & Dowdell. Southwestern Bell Telephone Company, ("SWBT"), appears by its counsel, Mary C. Coulson and John W. Gray, Jr.. No one else appears at this hearing. After considering the Court file, and the plaintiff's evidence, arguments and statements, the Court finds as follows:

ROGER K. ELDRIDGE  
2900 MID-CONTINENT TOWER  
TULSA, OKLAHOMA 74103-4023  
(918) 583-7571

1. This action is brought pursuant to Okla. Stat. tit. 11, § 42-111 to judicially vacate and foreclose the City of Tulsa's right to reopen the Public Way (the "Public Way") more specifically described in the attached Exhibit A, which is located generally within The Retreat at Brookside South, a Subdivision of the City of Tulsa, Tulsa County, State of Oklahoma.

2. The defendants have each been served with a copy of the Petition, a Summons and the Order and Notice Regarding Hearing on Petition to Judicially Vacate Public Way.

3. Notice of the hearing has also been mailed to the surrounding property owners and published as required by law.

4. As a result of the foregoing, this Court has jurisdiction hereof and venue is proper.

5. All of the defendants except for the SWBT have either disclaimed any interest in the Public Way or are in default. No one has filed any objection to the relief requested by the plaintiff except for SWBT. However, that objection has been resolved based upon certain easement rights reserved in favor of SWBT as more specifically described below.

6. The plaintiff is the owner in fee simple title and in actual, peaceable possession of the real property described in the attached Exhibit B (the "Plaintiff's Property"), which is affected by the Public Way.

7. Pursuant to the provisions of the ordinance attached as Exhibit D to the Petition (the "Ordinance"), which was duly enacted and published as required by law, the Public Way was closed by the City of Tulsa.

8. The proceedings by the City of Tulsa, Oklahoma in adopting the Ordinance closing the Public Way were in all respects proper, in accordance with the ordinances of the City of Tulsa, Oklahoma, the laws of the State of Oklahoma, and such Ordinance effectively closed the Public Way.

9. By enactment of the Ordinance, the City of Tulsa, Oklahoma, determined that the Public Way is no longer required for public purposes, and that it was necessary, expedient and in the public interest, and for the health, welfare and best interests of the citizens of the City of Tulsa, Oklahoma, that the Public Way should be closed, discontinued and abandoned.

10. Pursuant to the provisions of Okla. Stat. tit. 11, § 42-111, the plaintiff is entitled to a determination by this Court that the City's absolute right to reopen the Public Way should be foreclosed; that the Public Way is not used or required for county or municipal purposes; nor is the Public Way used or required by the holder or holders of any franchise or other special right or privilege granted by ordinance or legislative enactment, provided that certain easement rights are reserved in favor of SWBT as more specifically described below; and that the rights of the owners of any adjacent real property, and of the public, will not be injuriously affected.

11. Pursuant to Okla. Stat. tit. 11, §§ 42-101 through 42-115, the plaintiff is entitled to a determination by this Court that upon vacation of the Public Way, the plaintiff is vested with the complete fee simple title and in and to that portion of the Public Way located within the Plaintiff's Property, subject to certain easement rights reserved in favor of SWBT as more specifically described below.

ACCORDINGLY, IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:



A. Subject to the provisions of Paragraph E below, the Public Way is hereby judicially vacated.

B. Subject to the provisions of Paragraphs E below, the City's absolute right to reopen the Public Way is hereby foreclosed.

C. Subject to the provisions of Paragraphs E below, the rights of all of the defendants in the Public Way are hereby foreclosed and terminated.

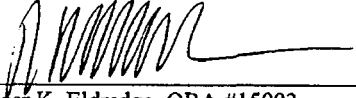
D. Subject to the provisions of Paragraphs E below, the plaintiff is vested with the complete fee simple title and in and to that portion of the Public Way located within the Plaintiff's Property, free and clear of any claims arising under the Public Way.

E. SWBT shall retain and continue to have a perpetual, non-exclusive utility easement, with the right of ingress and egress thereto, to continue to enter upon, maintain, operate, repair and reconstruct its currently existing telephone and communication facilities and continue to operate and provide telephone and communication service in, upon, under and across the Public Way, provided that such reserved easement rights shall be fully or partially released by SWBT, as appropriate, upon the relocation of such facilities and the execution and recordation of the appropriate easement agreement by the plaintiff and/or its successors.

Dated this 21<sup>st</sup> day of October, 2008.

  
\_\_\_\_\_  
Judge of the District Court

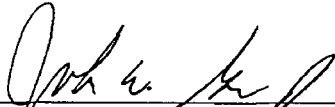
APPROVED AS TO FORM AND CONTENT:



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Roger K. Eldredge, OBA #15003  
Norman Wohlgemuth Chandler & Dowdell  
2900 Mid-Continent Tower  
Tulsa, Oklahoma 74103-4023  
(918) 583-7571

ATTORNEYS FOR PLAINTIFFS



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Mary C. Coulson, OBA #14701  
John W. Gray, Jr., OBA #12680  
405 North Broadway, Room 203  
Oklahoma City, Oklahoma 73102  
(405) 291-6483

ATTORNEYS FOR SOUTHWESTERN  
BELL TELEPHONE COMPANY

Exhibit A  
Public Way

THE FOLLOWING DESCRIBED PUBLIC WAY TO THE EXTENT THAT IT IS LOCATED WITHIN THE PROPERTY PLATTED AS THE RETREAT AT BROOKSIDE SOUTH, A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF:

THAT PART OF QUINCY AVENUE LYING BETWEEN THE SOUTH LINE OF 41<sup>ST</sup> PLACE AND THE NORTH LINE OF 42<sup>ND</sup> STREET AND BETWEEN THE EAST LINE OF BLOCK 4, JENNINGS-ROBARDS ADDITION AND ITS SOUTHERLY PRODUCTION TO THE NORTH LINE OF 42<sup>ND</sup> STREET AND THE WEST LINE OF BLOCK 3, OF SAID ADDITION, AND ITS SOUTHERLY PRODUCTION TO THE NORTH LINE OF 42<sup>ND</sup> STREET, ALL IN ACCORDANCE WITH THE DULY RECORDED PLAT THEREOF.

