



Tulsa Metropolitan Area
Planning Commission

Case : The Reserve at Magnolia (Related to CZ-521)

Hearing Date: October 20, 2021

Case Report Prepared by:

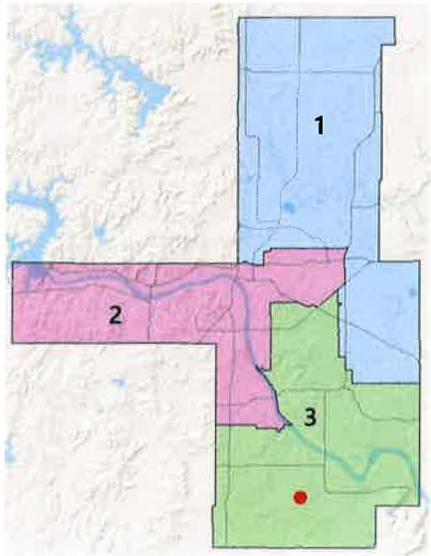
Nathan Foster

Owner and Applicant Information:

Applicant: Select Design, Ryan McCarty

Owner: Pine Springs Development Group, LLC

Location Map:
(shown with County Commission Districts)



Applicant Proposal:

Preliminary Plat

12 lots, 3 blocks, 25.71 ± acres

Location: South of the southeast corner of East 171st Street South and South Yale Avenue

Zoning:

Current: AG (Agriculture)

Proposed: RE (Residential – Estate)

Staff Recommendation:

Staff recommends **approval** of the preliminary plat

County Commission District: 3

Commissioner Name: Ron Peters

EXHIBITS: Site Map, Aerial, Tulsa County Land Use Plan, Preliminary Plat, Conceptual Improvements Plan

9.1

PRELIMINARY PLAT

The Reserve at Magnolia – (Tulsa County)

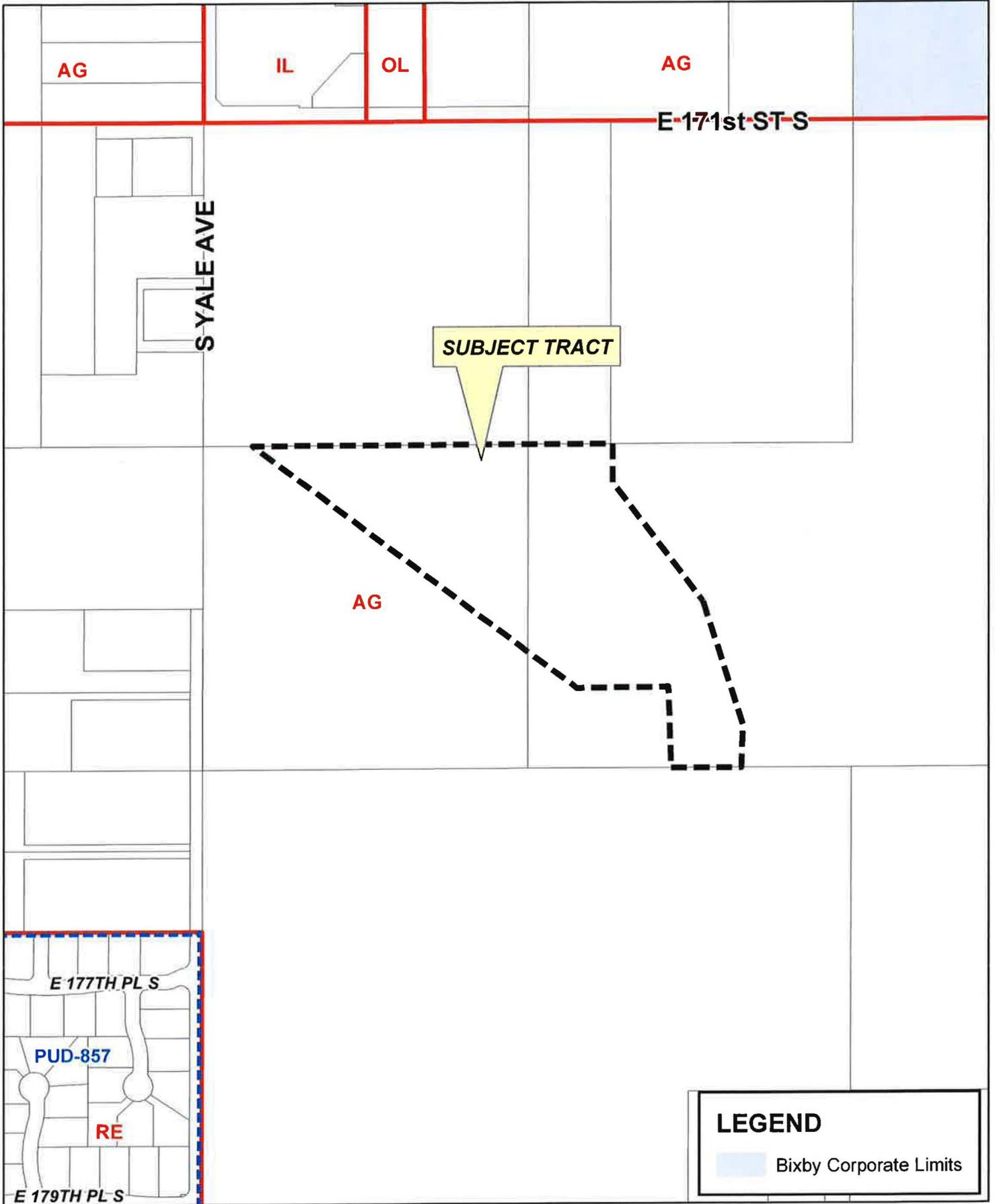
South of the southeast corner of East 171st Street South and South Yale Avenue

This plat consists of 12 lots, 3 blocks on 25.71 ± acres.

The Technical Advisory Committee (TAC) met on October 7, 2021 and provided the following comments:

1. **Zoning:** The subject tract is currently zoned AG (Agriculture). The concurrent proposal for rezoning (CZ-521) to RE is required to be approved and effective prior to final plat approval to ensure conformance with all applicable zoning requirements.
2. **Addressing:** Final address assignments by INCOG must be shown on the face of the final plat.
3. **County Engineering:** Public street construction requires approval and acceptance by Tulsa County prior to final plat approval. Plans for stormwater and drainage are required to be approved and completed prior to final plat approval.
4. **Sewer/Water:** On-site sewage disposal must be approved by the Oklahoma Department of Environmental Quality. Water service to be provided by Okmulgee County Rural Water District 6. Water line extensions must be completed, and final plat must be released by the rural water district.
5. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** Release letters are required from all utilities serving the site. Provide certificate of records from Oklahoma Corporation Commission related to oil & gas activity on the site.

Staff recommends **APPROVAL** of the preliminary plat subject to the conditions provided by TAC and the requirements of the Subdivisions Regulations.



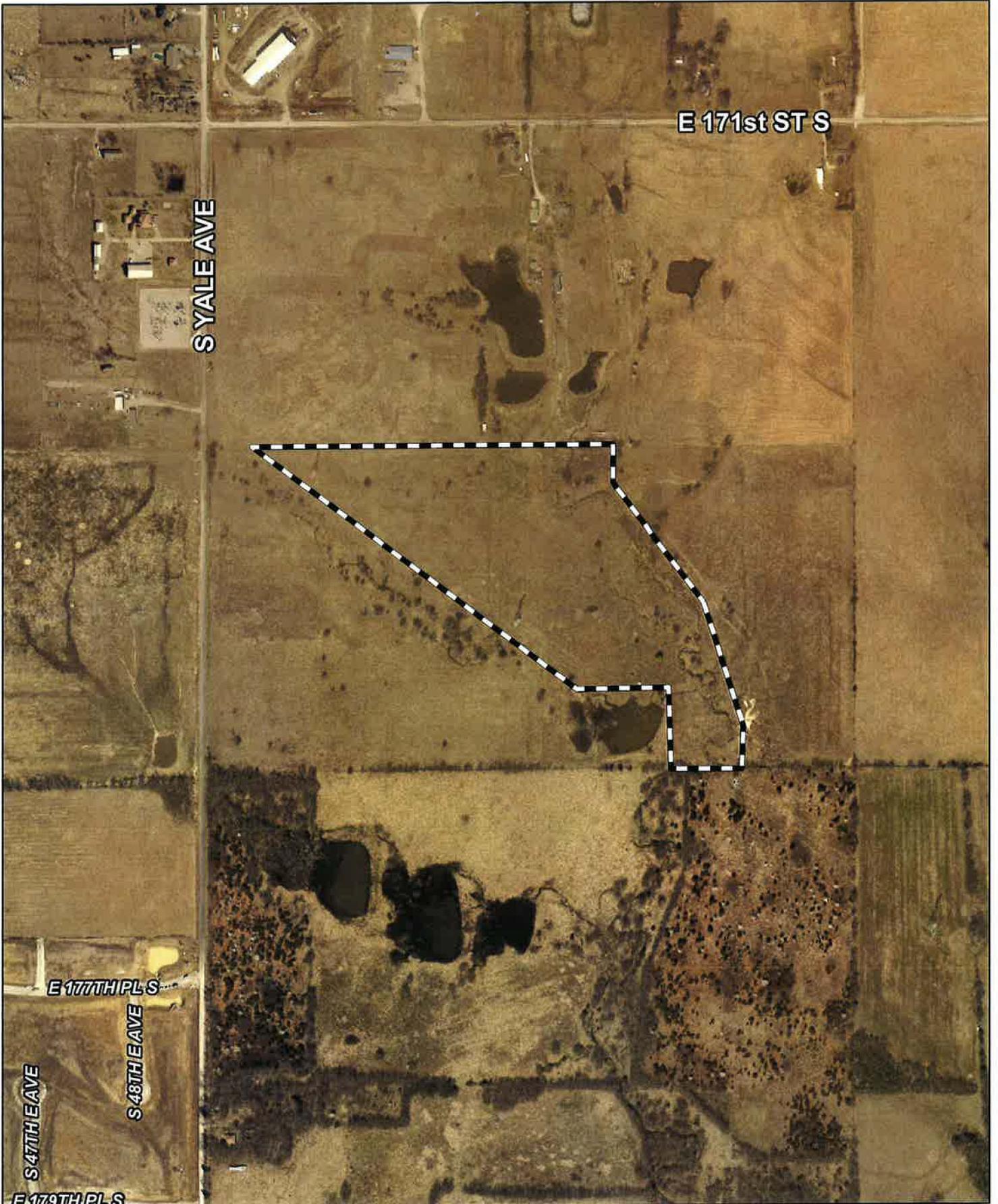
**THE RESERVE
AT MAGNOLIA**

17-13 34

LEGEND

Bixby Corporate Limits

9.3



E 171st ST S

S YALE AVE

E 177TH PLS S

S 47TH E AVE

S 48TH E AVE

E 179TH PLS S



Subject Tract

THE RESERVE AT MAGNOLIA

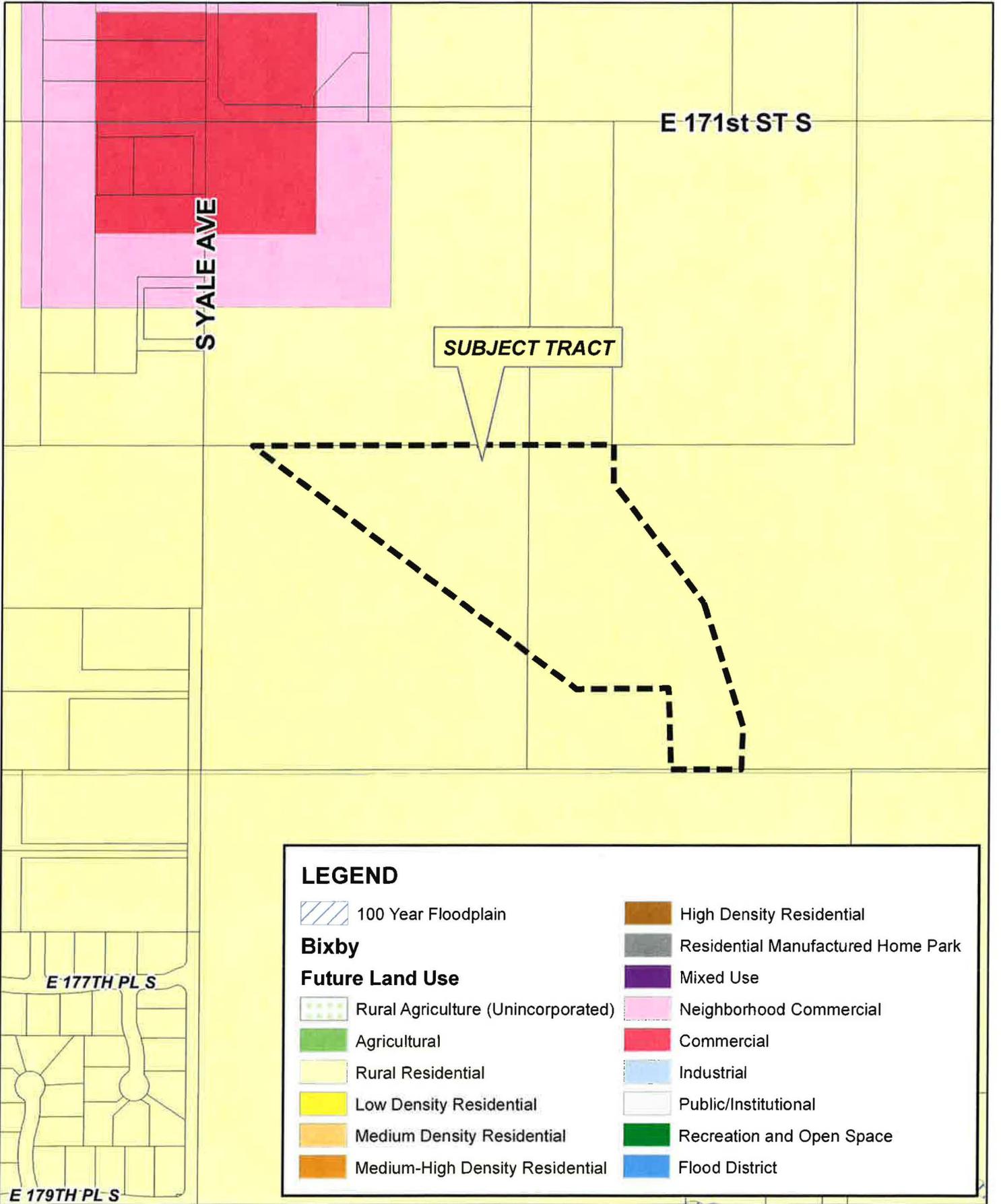
17-13 34

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

Aerial Photo Date: 2020/2021

9.4





**THE RESERVE
AT MAGNOLIA**

17-13 34

9.5 

Subdivision Statistics

SUBDIVISION CONTAINS TWELVE (12) LOTS IN THREE (3) BLOCKS AND TWO (2) RESERVE AREAS
 GROSS SUBDIVISION AREA
 1.125,382.38 SF OR 25.71 ACRES

Basis of Bearings

OKLAHOMA STATE PLANE COORDINATE SYSTEM, OK NORTH ZONE 3501, NAD83, USING THE EAST LINE OF THE SE/4 OF SECTION 33, T17N, R13E AS SOUTH 01°02'25" EAST.

Monumentation

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

Benchmark

ON-SITE NOS OPUS SOLUTIONS REPORT (NAVD 1985)

Address

ADDRESS SHOWN ON THIS PLAT IS ACCURATE AT THE TIME THE PLAT WAS FILED. ADDRESS IS SUBJECT TO CHANGE AND SHOULD NEVER 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 40143C045L, OCTOBER 16, 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
- IP IRON PIN SET
- IP (REFER TO MONUMENTATION NOTE)
- ODE OVERLAND DRAINAGE EASEMENT
- ROW RIGHT OF WAY
- SF SQUARE FEET
- UE UTILITY EASEMENT
- DAW STREET ADDRESS

Driveway Culvert Summary Table

DRIVEWAY LOCATION	RCF & HP STORM PIPE SIZE
BLOCK 1	1
	2
	3
	4
	5
BLOCK 2	1
	2
	3
BLOCK 3	1
	2

RCF - REINFORCED CONCRETE PIPE
 HP - HIGH-DENSITY POLYETHYLENE
 MINIMUM PIPE SLOPE - 1/32%

The Reserve at Magnolia

A SUBDIVISION IN TULSA COUNTY, STATE OF OKLAHOMA, BEING A PART OF THE NW/4 OF SECTION THIRTY-FOUR (34), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTYEEN (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 88°45'41" W	75.75
L2	S 28°40'41" W	119.92
L3	N 34°49'22" W	815.17
L4	S 25°10'28" W	70.00
L5	N 95°12'29" E	10.00
L6	S 54°49'22" E	815.17
L7	N 88°45'41" E	119.92
L8	N 88°45'41" E	55.87

Curve Table

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	23.04'	25.00'	92°49'12.58"	S 82°29'10" W	22.24'
C2	121.88'	88.00'	150°17'46.28"	S 81°45'41" W	108.14'
C3	23.04'	25.00'	92°49'12.58"	N 84°49'22" W	22.24'
C4	160.24'	200.00'	30°24'46.58"	N 73°20'58" W	160.87'
C5	314.88'	200.00'	60°29'33.56"	S 80°12'28" W	312.84'
C6	488.41'	300.00'	80°20'03.00"	N 40°12'28" E	387.70'
C7	127.11'	200.00'	30°24'46.58"	S 73°20'58" E	124.88'
C8	23.04'	25.00'	92°49'12.58"	N 84°49'22" E	22.24'
C9	121.88'	88.00'	150°17'46.28"	N 88°45'41" E	105.18'
C10	23.04'	25.00'	92°49'12.58"	S 84°49'22" E	22.24'



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

PRELIMINARY PLAT

FINAL PLAT CERTIFICATE OF APPROVAL

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

 TMAP/CANCO OFFICIAL

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

 COUNTY ENGINEER

Owner / Developer

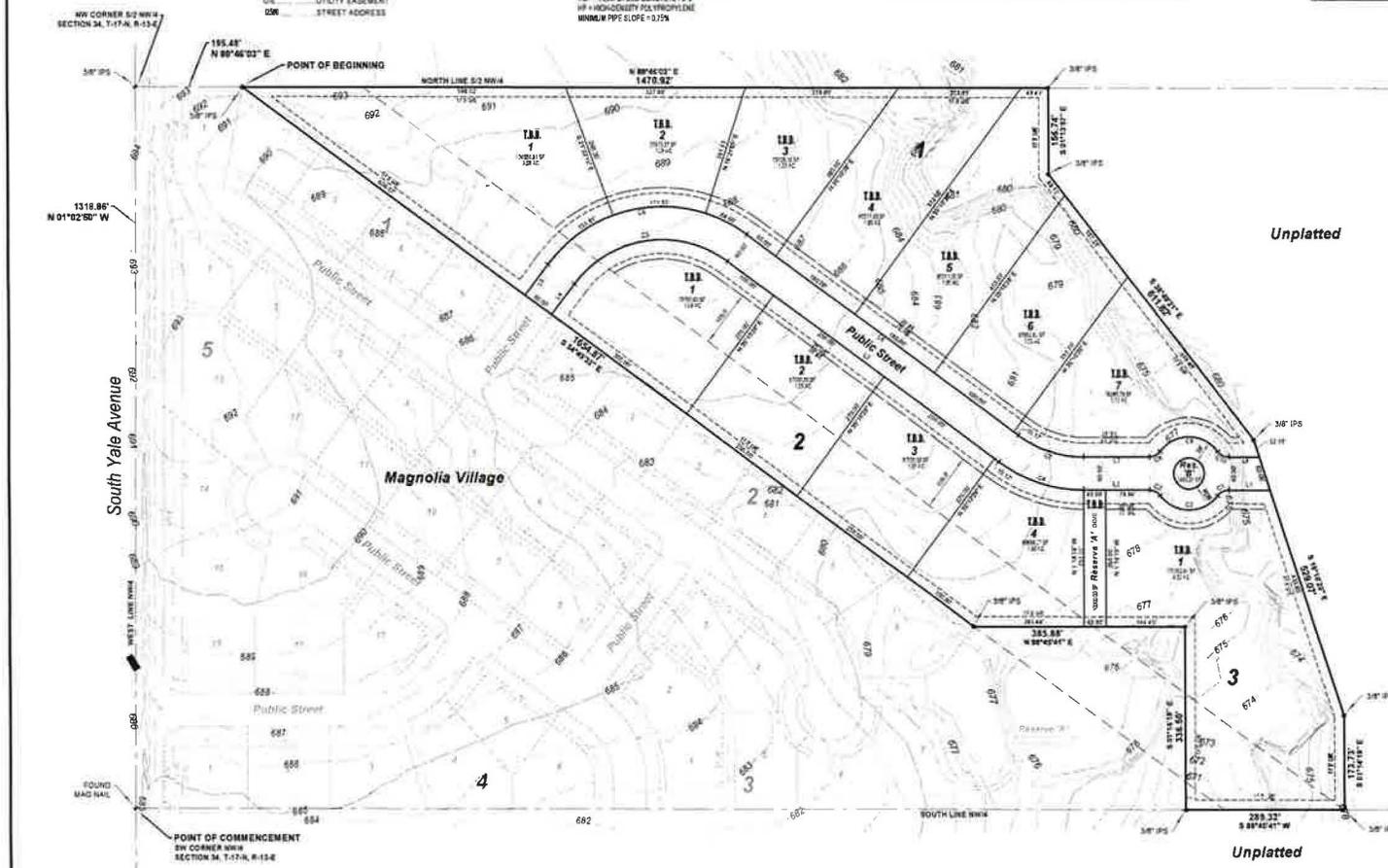
PINE SPRINGS DEVELOPMENT GROUP, LLC
 1878 EAST 141ST STREET SOUTH
 MOUND, OK 74042
 PHONE: (918) 835-7998
 MR. JERRY GORDON

Surveyor

TRITZ LAND SURVEYING, LLC
 2017 WEST 31ST STREET
 TULSA, OKLAHOMA 74132
 PHONE: (918) 231-0575
 tritzlandsurveying@gmail.com
 C.A. # 7638 EXPIRES 6-30-2022

Engineer

ENGINEERED BY DESIGN, PLLC
 P.O. BOX 15867
 DEL CITY, OKLAHOMA 73155
 PHONE: (405) 234-6980
 eb@engbydesign.com
 C.A. # 7638 EXPIRES 6-30-2022



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**THE RESERVE AT MAGNOLIA
DEED OF DEDICATION & RESTRICTIVE COVENANTS**

KNOWN ALL MEN BY THESE PRESENTS

PINE SPRINGS 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 PART OF THE SOUTH HALF OF THE NORTHWEST QUARTER (S/2 NW/4) OF SECTION THIRTY-FOUR (34), 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 NW/4 OF SAID SECTION 34, THENCE NORTH 01°02'55" WEST ALONG THE WEST LINE THEREOF 1318.69 FEET TO THE NORTHWEST CORNER OF THE S/2 NW/4 OF SAID SECTION 34, THENCE NORTH 88°40'51" EAST ALONG THE NORTH LINE OF THE S/2 NW/4 OF SAID SECTION 34 A DISTANCE OF 193.48 FEET TO THE POINT OF BEGINNING, THENCE CONTINUING NORTH 88°40'51" EAST 140.92 FEET, THENCE SOUTH 01°13'57" EAST 156.74 FEET, THENCE SOUTH 30°46'21" EAST 81.62 FEET, THENCE SOUTH 19°18'20" EAST 539.07 FEET, THENCE SOUTH 01°14'16" EAST 173.73 FEET TO A POINT ON THE SOUTH LINE OF THE S/2 NW/4 OF SAID SECTION 34, THENCE SOUTH 88°45'41" WEST ALONG SAID SOUTH LINE 289.32 FEET, THENCE NORTH 01°14'16" WEST 356.02 FEET, THENCE SOUTH 88°44'1" WEST 325.85 FEET, THENCE NORTH 84°46'52" WEST A DISTANCE OF 1654.87 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 1.120 062 4 30 FEET OR 25.71 ACRES

BEARINGS ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM (3501 001 01, NORTH AMERICAN DATUM 1983 (NAD83))

THE OWNER/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 "THE RESERVE AT MAGNOLIA," A SUBDIVISION IN TULSA COUNTY, STATE OF OKLAHOMA.

SECTION I. STREETS, EASEMENTS AND UTILITIES

A. STREETS AND UTILITY EASEMENTS

THE OWNER/DEVELOPER DOES HEREBY DEDICATE FOR PUBLIC USE THE STREETS DEPICTED ON THE ACCOMPANYING PLAT AND DOES FURTHER DEDICATE FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT AS "UTILITY EASEMENT" FOR OWNER/DEVELOPER AND ALL UTILITY SERVICES WITH FRANCHISE RIGHTS FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER APPURTENANCES THERETO WITH RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES AFORESAID, PROVIDED HOWEVER, THE OWNER/DEVELOPER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RE-LAY ALL UTILITY LINES, INCLUDING WATER LINES, EXCLUDING GAS LINES AND GAS SERVICE LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING AND RE-LAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSES OF FURNISHING WATER SERVICE AND ALL UTILITY SERVICES, EXCLUDING NATURAL GAS, TO THE AREA INCLUDED IN THE PLAT AND ELSEWHERE AS MAY BE REQUIRED. THE OWNER/DEVELOPER HEREBY IMPOSES A RESTRICTIVE COVENANT WHICH SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY TULSA COUNTY, OKLAHOMA AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING, CUSTOMARY SCREENING FENCES AND WALLS THAT DO NOT CONSTITUTE AN OBSTRUCTION.

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 DEPICTED 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-FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.

3. THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICES, THROUGH ITS 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 PURPOSES 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 AND 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 HEREBY.

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 DEPICTED 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. 6, 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 DAMAGE FOR RELOCATION OF SUCH FACILITIES NECESSITATED BY THE ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS.

3. OKMULGEE COUNTY RURAL WATER DISTRICT NO. 6, 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. 6 AND THE OWNER OF EACH LOT AGREES TO BE BOUND HEREBY.

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 HEREBY.

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

D. LANDSCAPE AND PAVING REPAIR

1. THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR THE REPAIR AND REPLACEMENT OF ANY LANDSCAPING AND PAVINGS 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 SUCH EASEMENTS OR RIGHTS-OF-WAY, OKMULGEE COUNTY RURAL WATER DISTRICT NO. 6 SHALL HAVE THE RIGHT TO REMOVE SAID TREES OR SHRUBBERY UPON FIVE (5) DAYS NOTICE THEREOF AT THE LOT OWNER'S EXPENSE, OR WITHIN SUCH TIME THE LOT OWNER MAY REMOVE SAME.

E. RESERVE AREA "A"

RESERVE AREA "A" IS HEREBY DEDICATED FOR THE PURPOSE OF ESTABLISHING AND MAINTAINING AN OVERLAND DRAINAGE EASEMENT, OPEN SPACE, SIDEWALK, LANDSCAPING AND RECREATION AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO THE MAGNOLIA VILLAGE HOMEOWNERS' ASSOCIATION FOR THEIR USE AND MAINTENANCE AS SET FORTH WITHIN SECTION I HEREOF.

F. RESERVE AREA "B"

RESERVE AREA "B" IS HEREBY DEDICATED FOR THE PURPOSE OF ESTABLISHING AND MAINTAINING OPEN SPACE AND LANDSCAPING AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO THE MAGNOLIA VILLAGE HOMEOWNERS' ASSOCIATION, FOR THEIR USE AND MAINTENANCE AS SET FORTH WITHIN SECTION I HEREOF.

G. 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 PURPOSES 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.

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.

SECTION II. HOMEOWNERS' ASSOCIATION

A. FORMATION OF HOMEOWNERS' ASSOCIATION

THE OWNER/DEVELOPER HAS FORMED OR SHALL CAUSE TO BE FORMED THE ASSOCIATION OF THE OWNERS OF THE RESIDENTIAL LOTS WITHIN THE RESERVE AT MAGNOLIA TO BE FORMED IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA, AND TO BE FORMED FOR THE GENERAL PURPOSE OF MAINTAINING THE COMMON AREAS OF THE SUBDIVISION, INCLUDING BUT WITHOUT LIMITATION, RESERVE A AND B FOR THE FURTHER PURPOSES OF ENHANCING THE VALUE, DESIRABILITY AND ATTRACTIVENESS OF THE RESERVE AT MAGNOLIA. THE DETAILS OF THE ASSOCIATION MEMBERSHIP, INCLUDING ASSESSMENTS SHALL BE ESTABLISHED BY A DECLARATION RECORDED OR TO BE RECORDED IN THE OFFICE OF THE TULSA COUNTY CLERK, TULSA COUNTY, STATE OF OKLAHOMA.

B. MANDATORY MEMBERSHIP

EACH RECORD OWNER OF A RESIDENTIAL LOT WITHIN THE RESERVE AT MAGNOLIA SHALL BE A MEMBER OF THE ASSOCIATION. MEMBERSHIP IN THE ASSOCIATION SHALL BE APPURTENANT TO AND MAY NOT BE SEPARATED FROM THE OWNERSHIP OF THE RESIDENTIAL LOT.

C. ASSESSMENT

EACH RECORD OWNER OF A RESIDENTIAL LOT WITHIN THE RESERVE AT MAGNOLIA SHALL BE SUBJECT TO ASSESSMENT BY THE ASSOCIATION FOR THE PURPOSES OF IMPROVEMENT AND MAINTENANCE OF COMMON AREAS OF THE SUBDIVISION.

SECTION III. 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. ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO, AND WHETHER OR NOT THEREIN SO STATED, THE COVENANTS WITHIN SECTION I, SHALL INURE TO THE BENEFIT OF, AND BE ENFORCEABLE BY TULSA COUNTY, STATE OF OKLAHOMA, IF THE UNDERSIGNED OWNER/DEVELOPER, OR ITS SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION I. IT SHALL BE LAWFUL FOR ANY PERSON OR PERSONS OWNING ANY LOT OR LOTS WITHIN THE SUBDIVISION TO BRING AN ACTION IN EQUITY AGAINST THE PERSON OR PERSONS WHOSE ACTS OR OMISSIONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT HIM OR THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT OR TO RECOVER DAMAGES IN ANY JUDICIAL ACTION IS BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED IN THIS DEED OF DEDICATION. THE DEFENSE THAT THE PARTY INITIATING THE ENFORCEABLE PROCEEDINGS HAS AN ADEQUATE REMEDY AT LAW IS HEREBY WAIVED.

B. DURATION

THESE RESTRICTIONS SHALL REMAIN IN FULL FORCE AND EFFECT FOR 25 YEARS AND SHALL AUTOMATICALLY BE CONTINUED THEREAFTER FOR SUCCESSIVE PERIODS OF 10 YEARS, UNLESS TERMINATED OR AMENDED AS 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 LOT WHICH AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS AND TULSA COUNTY, STATE OF OKLAHOMA.

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, PINE SPRINGS DEVELOPMENT GROUP, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HAS EXECUTED THIS INSTRUMENT THIS ____ DAY OF _____, 2021.

PINE SPRINGS DEVELOPMENT GROUP, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY

BY: JERRY GORDON, MANAGING MEMBER

STATE OF OKLAHOMA |
COUNTY OF TULSA |

BEFORE ME, THE UNDERSIGNED, NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE ON THIS ____ TH DAY OF _____, 2021, 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 PINE SPRINGS 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:

S. ASHLEY MCCARTY

MY COMMISSION EXPIRES: 01/31/2022
MY COMMISSION NUMBER: 1609008



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 #5844, 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 "THE RESERVE AT MAGNOLIA," 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. 1634



STATE OF OKLAHOMA |
COUNTY OF TULSA |

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE ON THIS ____ DAY OF _____, 2021, PERSONALLY APPEARED ANDY FRITZ, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME AS A LICENSED LAND SURVEYOR TO THE FOREGOING CERTIFICATE OF SURVEY AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN SET FORTH.

WITNESS BY HAND AND SEAL THE DAY AND YEAR ABOVE WRITTEN:

JENNIFER FRITZ

MY COMMISSION EXPIRES: 02/10/2022
MY COMMISSION NUMBER: 1400588



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 _____, 2021.

MICHAEL CHAD KELLER
SR. ENVIRONMENTAL PROGRAM SPECIALIST IV
DEPARTMENT OF ENVIRONMENTAL QUALITY

**PRELIMINARY
PLAT**

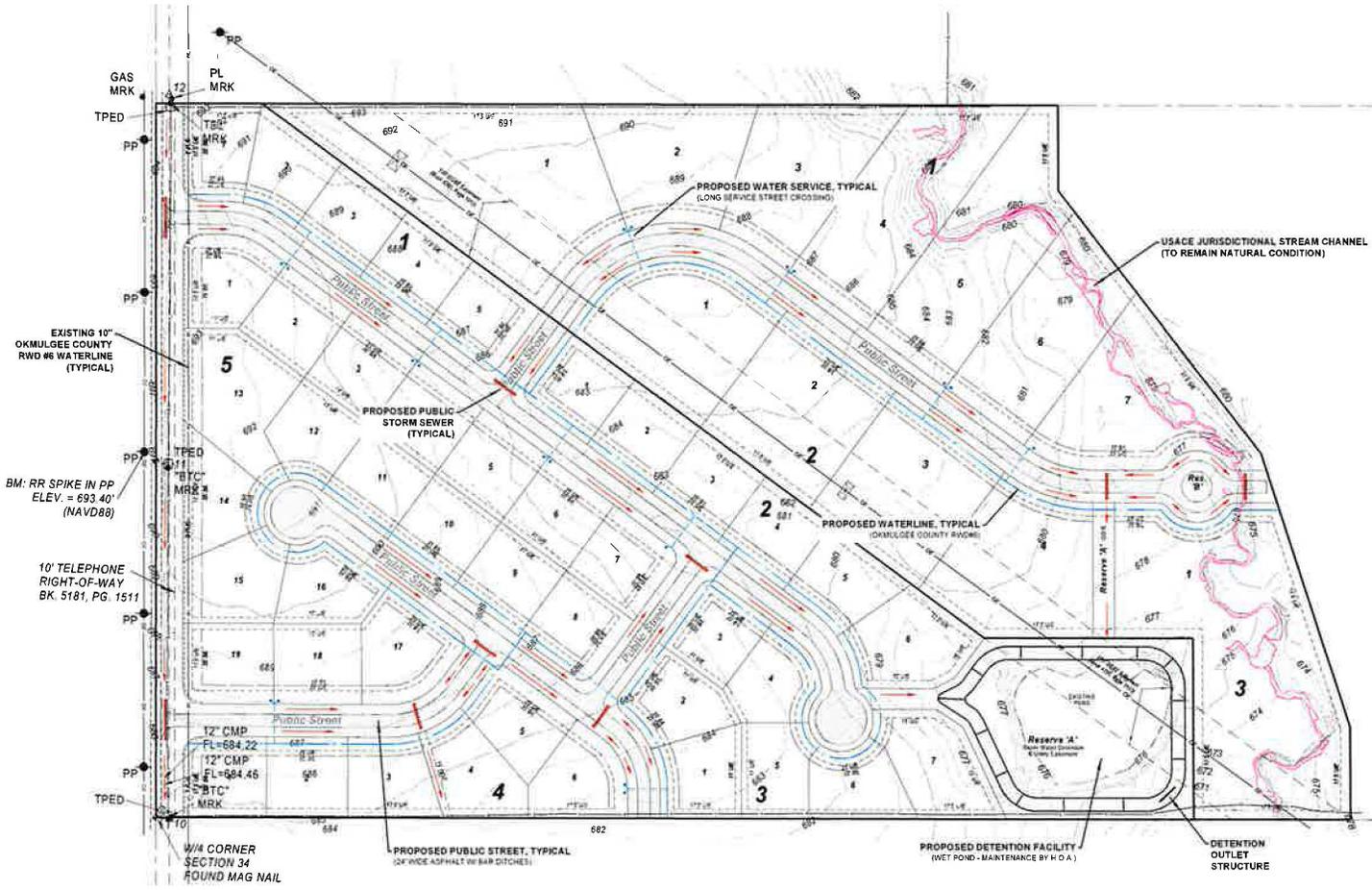
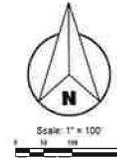
THIS SUBDIVISION IS DESIGNED IN ACCORDANCE WITH OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY (ODEQ) REQUIREMENTS FOR MINIMUM LOT SIZE FOR INDIVIDUAL SEPTIC SYSTEMS FOR EACH LOT

CONCEPTUAL IMPROVEMENTS PLAN

Magnolia Village

The Reserve at Magnolia

A SUBDIVISION IN TULSA COUNTY, STATE OF OKLAHOMA, BEING A PART OF THE NW/4 OF SECTION THIRTY-FOUR (34), 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.



Owner / Developer
 PINE SPRINGS DEVELOPMENT GROUP, LLC
 1376 EAST 181ST STREET SOUTH
 MOORE, OKLAHOMA 73041
 PHONE (518) 830-7955
 MR. JERRY DORRSON

Surveyor
 FRITZ LAND SURVEYING, LLC
 201 WEST 91ST STREET
 TULSA, OKLAHOMA 74132
 PHONE (918) 231-0575
 fritzlandsurveying@gmail.com
 C.A. # 5848 EXPIRES 6-30-2022

Engineer
 ENGINEERED BY DESIGN, PLLC
 P.O. BOX 15557
 DEL CITY, OKLAHOMA 73155
 PHONE (405) 334-0880
 ebdesign@engineeredbydesign.pro
 C.A. # 7955 EXPIRES 6-30-2022

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