



Tulsa Metropolitan Area
Planning Commission

Case : The Estates at the River IV-VI

Hearing Date: September 2, 2020

Case Report Prepared by:

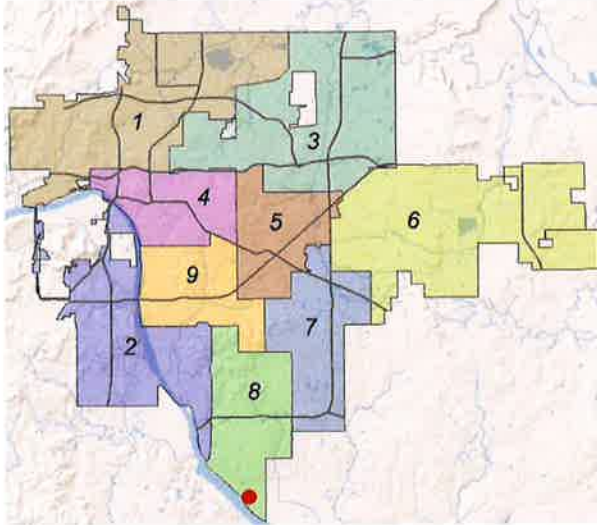
Nathan Foster

Owner and Applicant Information:

Applicant: Tanner Consulting, LLC

Owner: EATR, LLC

Location Map:
(Shown with City Council districts)



Applicant Proposal:

Preliminary Plat

124 lots, 13 blocks, 44.82 ± acres

Location: South of the southwest corner of East 121st Street South and South Hudson Avenue

Zoning: RS-3 / PUD-803

Staff Recommendation:

Staff recommends **approval** of the preliminary plat

City Council District: 8

Councilor Name: Phil Lakin

County Commission District: 3

Commissioner Name: Ron Peters

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

6.1

PRELIMINARY SUBDIVISION PLAT

The Estates at the River IV-VI - (CD 8)

South of the southwest corner of East 121st Street South and South Hudson Avenue

This plat consists of 124 lots, 13 blocks, 44.82 ± acres done in [3 phases as follows:](#)

[Phase IV – August 2021](#)

[Phase V – August 2022](#)

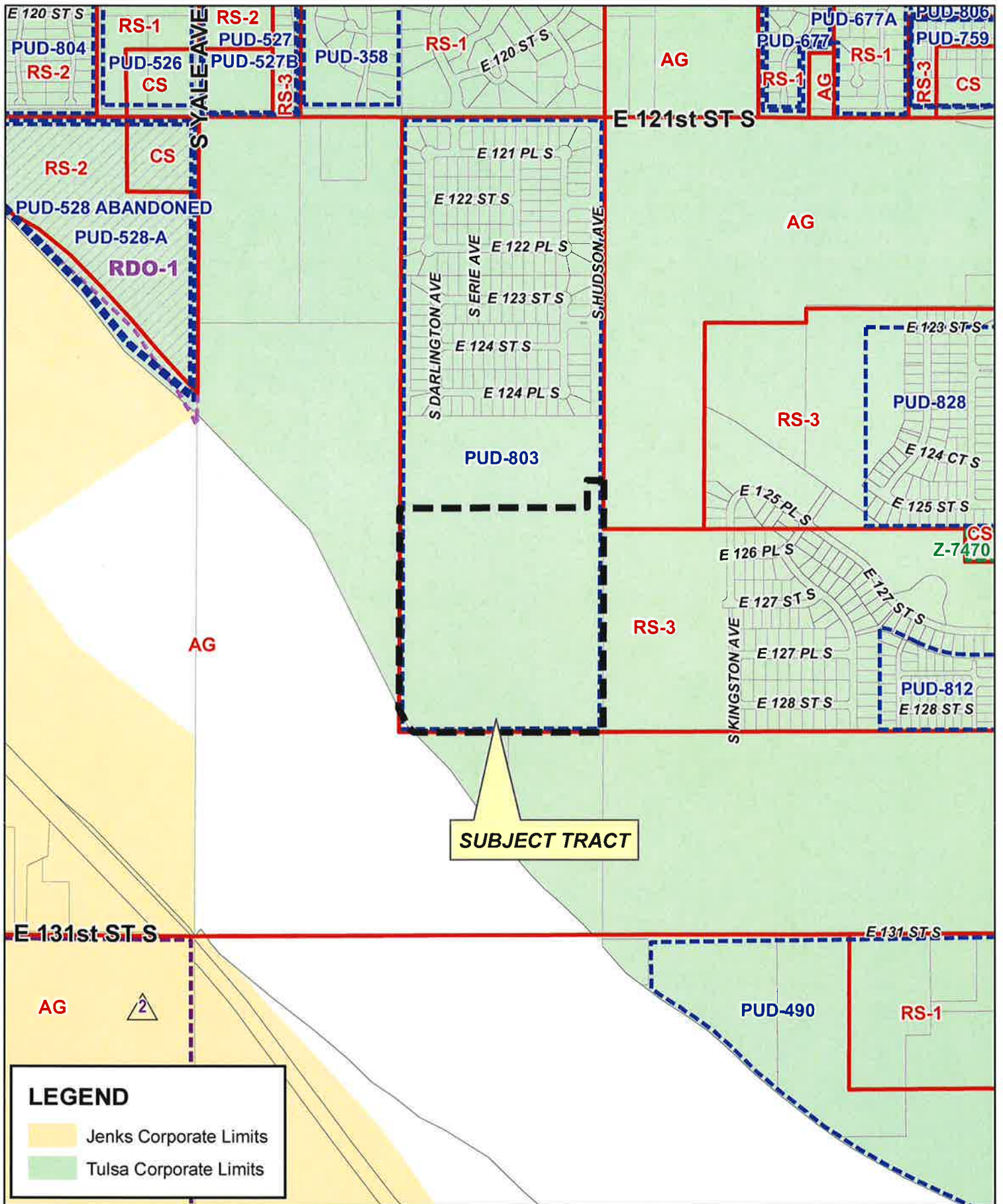
[Phase VI – August 2023](#)

The Technical Advisory Committee (TAC) met on August 20, 2020 and provided the following conditions:

- 1. Zoning:** The property is zoned RS-3 with an adopted Planned Unit Development (PUD-803). As shown, the lots do not conform to the PUD standards. Approval of the lots as shown is contingent on the approval of the associated minor amendment (PUD-803-7). Lots conform to the proposed standards of the minor amendment. Prior to final plat approval, applicant must submit conceptual layout for the private trail system and connections to the planned future trail system located in Reserve B as required by the PUD. Plans will be reviewed to ensure public access through the development to the trail system.
- 2. Addressing:** Provide lot address graphically on the face of the final plat along with standard address disclaimer. City of Tulsa will assign addresses.
- 3. Transportation & Traffic:** Approval of entry gates and drive configuration required by Development Services and Tulsa Planning Office prior to final plat approval. Temporary turnarounds will be required between phases where streets do not connect. Add trail easement language to deed of dedication.
- 4. Sewer:** Sanitary sewer extensions must be approved through the IDP process prior to final plat approval. Provide recording information for any U/E not being dedicated by the plat.
- 5. Water:** Water main extensions must be approved through the IDP process prior to final plat approval.
- 6. Engineering Graphics:** Submit a subdivision data control sheet with final plat submittal. Graphically show all pins found or set associated with this plat. Add legend entries for found/set property pins. Platted subdivisions at the time of final plat approval must be shown in the location map. All other property should be labeled unplatted. Label plat location as “Site” or “Project Location”.
- 7. Fire:** Gated entry features must be reviewed and approved by the Fire Marshal prior to final plat approval.

8. **Stormwater, Drainage, & Floodplain:** Regulatory floodplain boundaries must be shown on the face of the plat based on contours and base flood elevations. Development in floodplain areas is subject to additional regulations and will be required to comply with all standards.
9. **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 the requirements of the Subdivisions Regulations.

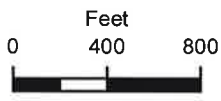


SUBJECT TRACT

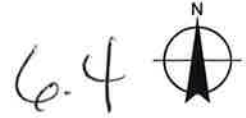
LEGEND

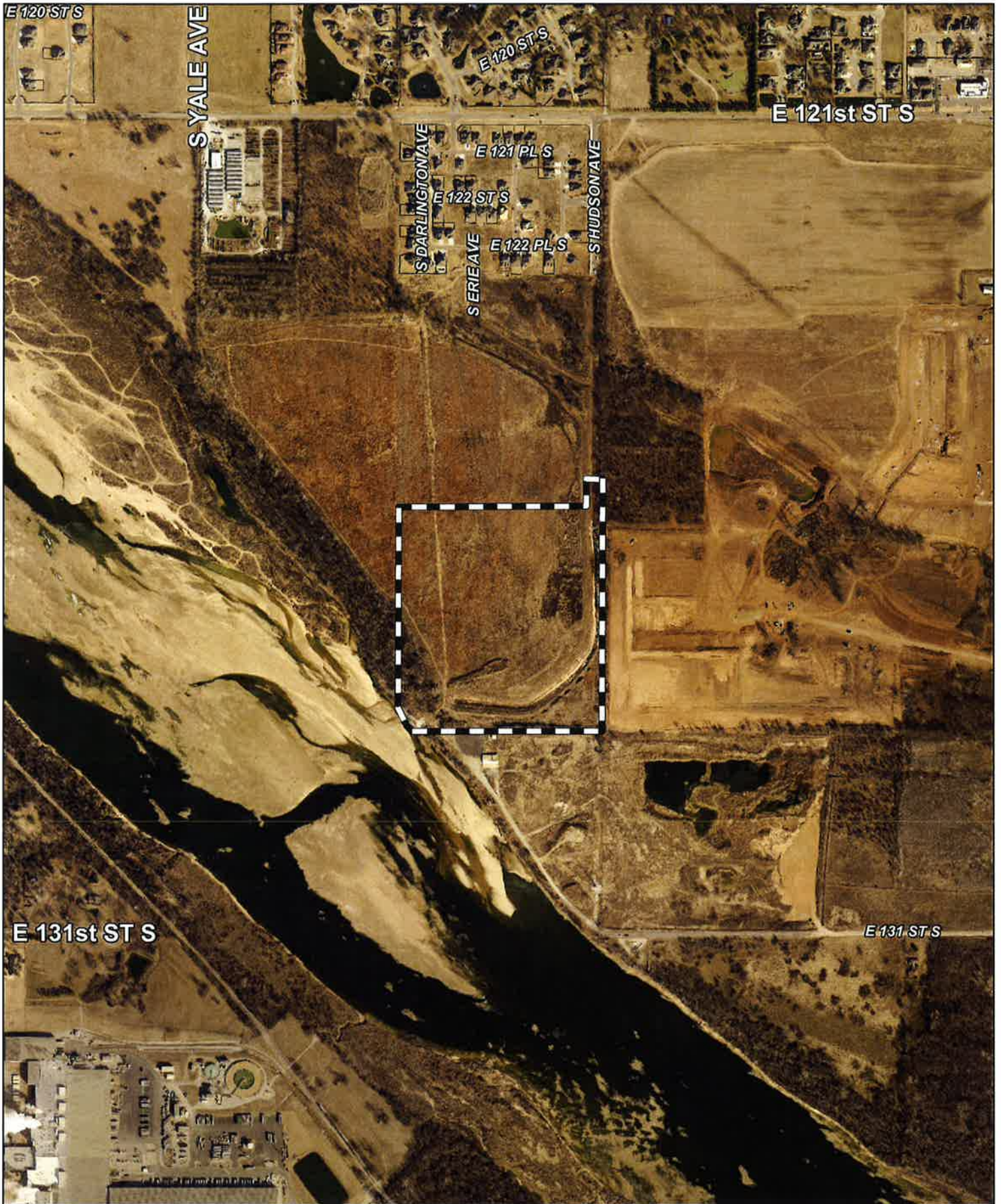
- Jenks Corporate Limits
- Tulsa Corporate Limits

THE ESTATES AT THE RIVER IV-VI



17-13 03





E 120 ST S

S YALE AVE

E 120 ST S

E 121st ST S

S DARLINGTON AVE

E 121 PL S

S HUDSON AVE

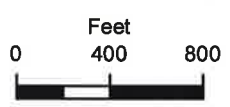
E 122 ST S

E 122 PL S

S ERIE AVE

E 131st ST S

E 131 ST S



Subject Tract

THE ESTATES AT THE RIVER IV-VI

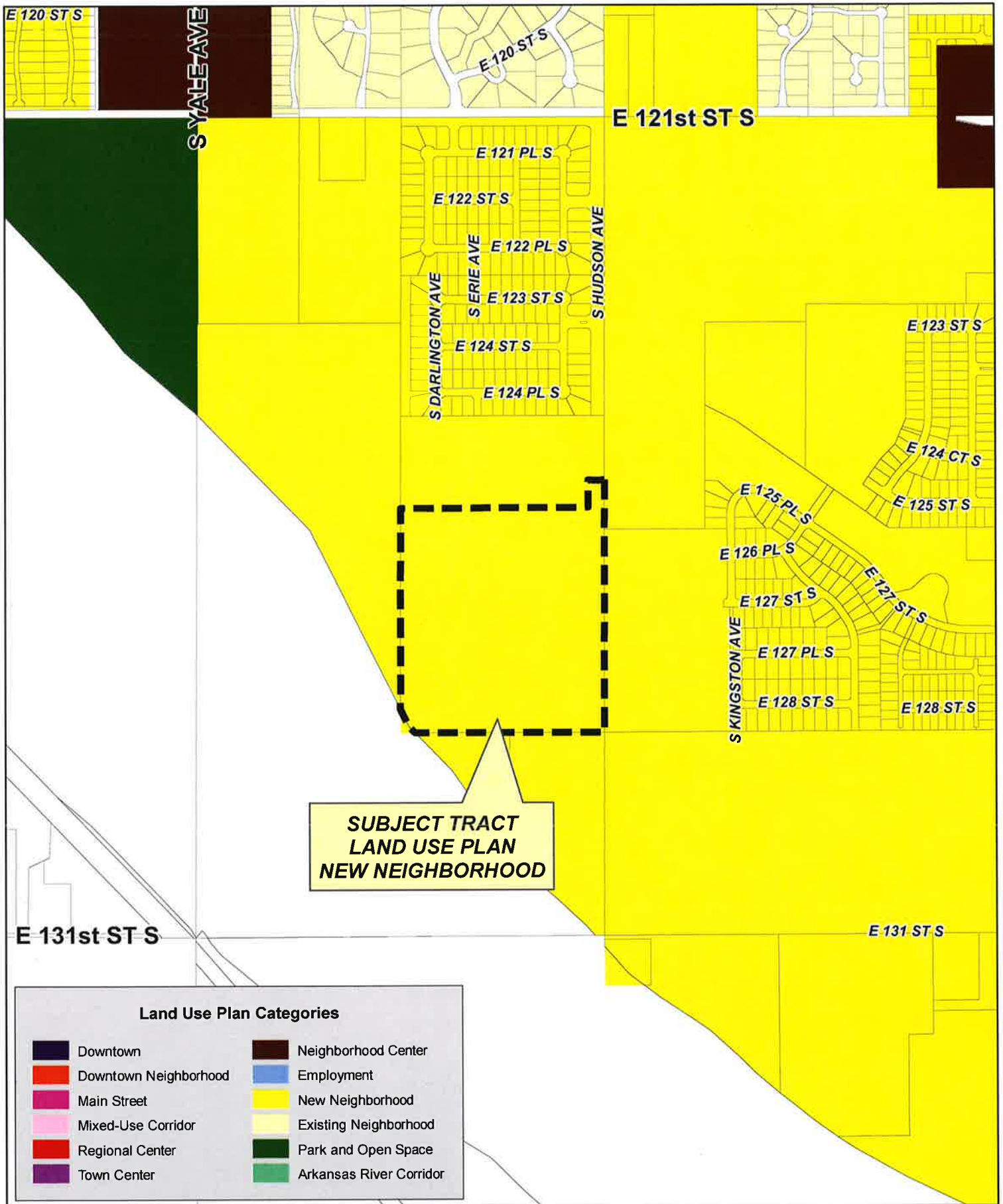
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018

17-13 03



G.S



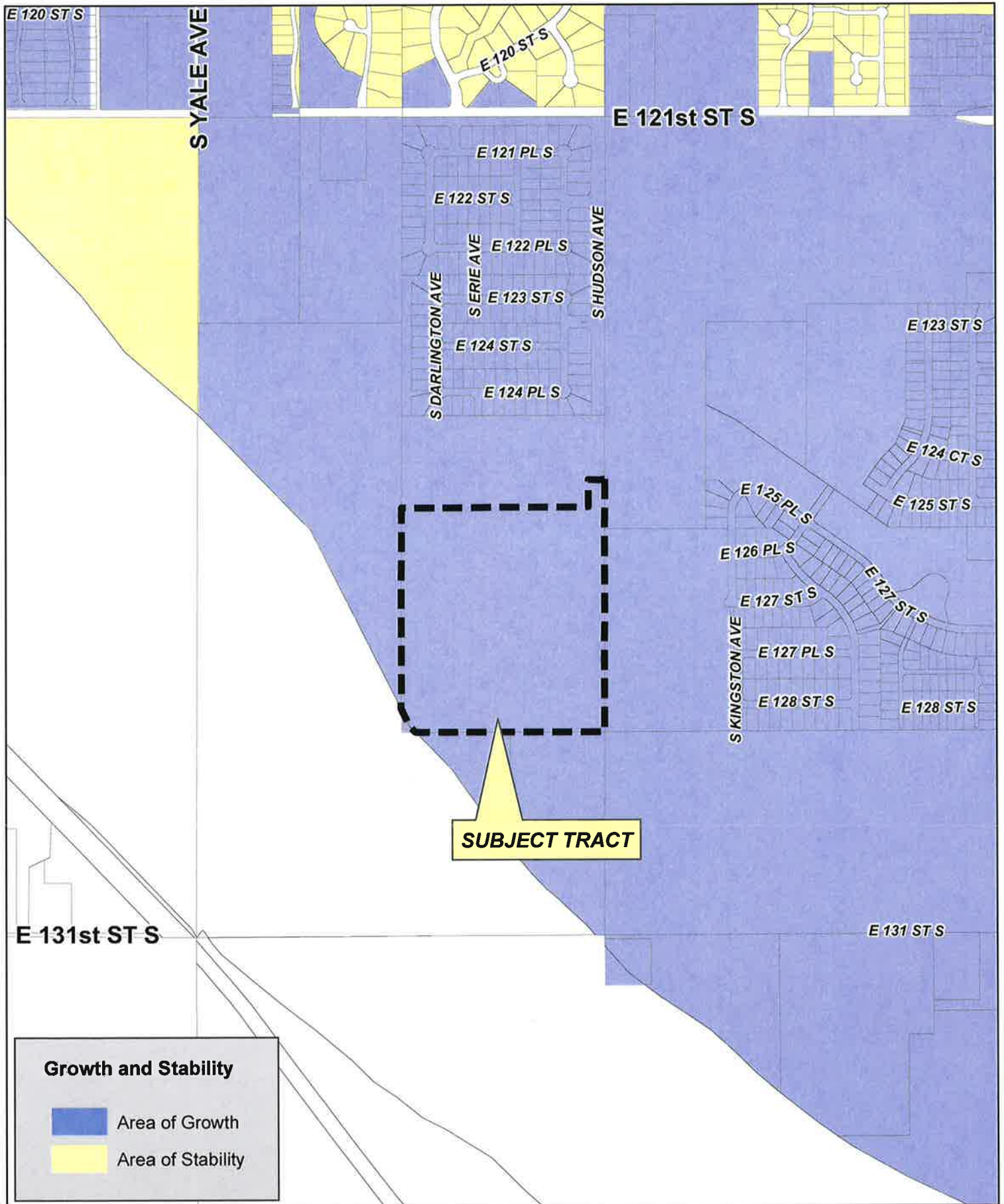
**SUBJECT TRACT
LAND USE PLAN
NEW NEIGHBORHOOD**

**THE ESTATES AT
THE RIVER IV-VI**



17-13 03

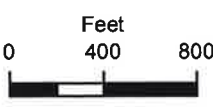




SUBJECT TRACT

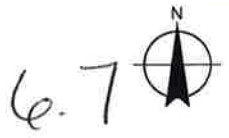
Growth and Stability

- Area of Growth
- Area of Stability



THE ESTATES AT THE RIVER IV-VI

17-13 03



Preliminary Plat

PUD-803-6

THE ESTATES AT THE RIVER IV-VI

PART OF THE SOUTHEAST QUARTER NORTHWEST QUARTER (SE/4 NW/4) AND ALL OF GOVERNMENT LOT SIX (6) OF SECTION THREE (3) TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

OWNER:
EATR LLC

AN OKLAHOMA LIMITED LIABILITY COMPANY
CONTACT: BRIAN GREEN
EMAIL: BGREEN@EATR.COM
17211 South 4170 Road
Claremore, Oklahoma 74017
Phone: (918) 342-0840

SURVEYOR/ENGINEER:
Tanner Consulting, L.L.C.

DANE E. TANNER, P.L.S. NO. 1433
OK LA NO. 2861, EXPIRES 6/30/2021
EMAIL: DAN@TANNERCONSULTING.COM
5333 South Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918) 745-9929



FINAL PLAT
ENDORSEMENT OF APPROVAL

Tulsa Metropolitan Area Planning Commission

Approval Date: _____

TMAPC/COGC

CITY ENGINEER

Council of the City of Tulsa, Oklahoma

Approval Date: _____

CHAIRMAN

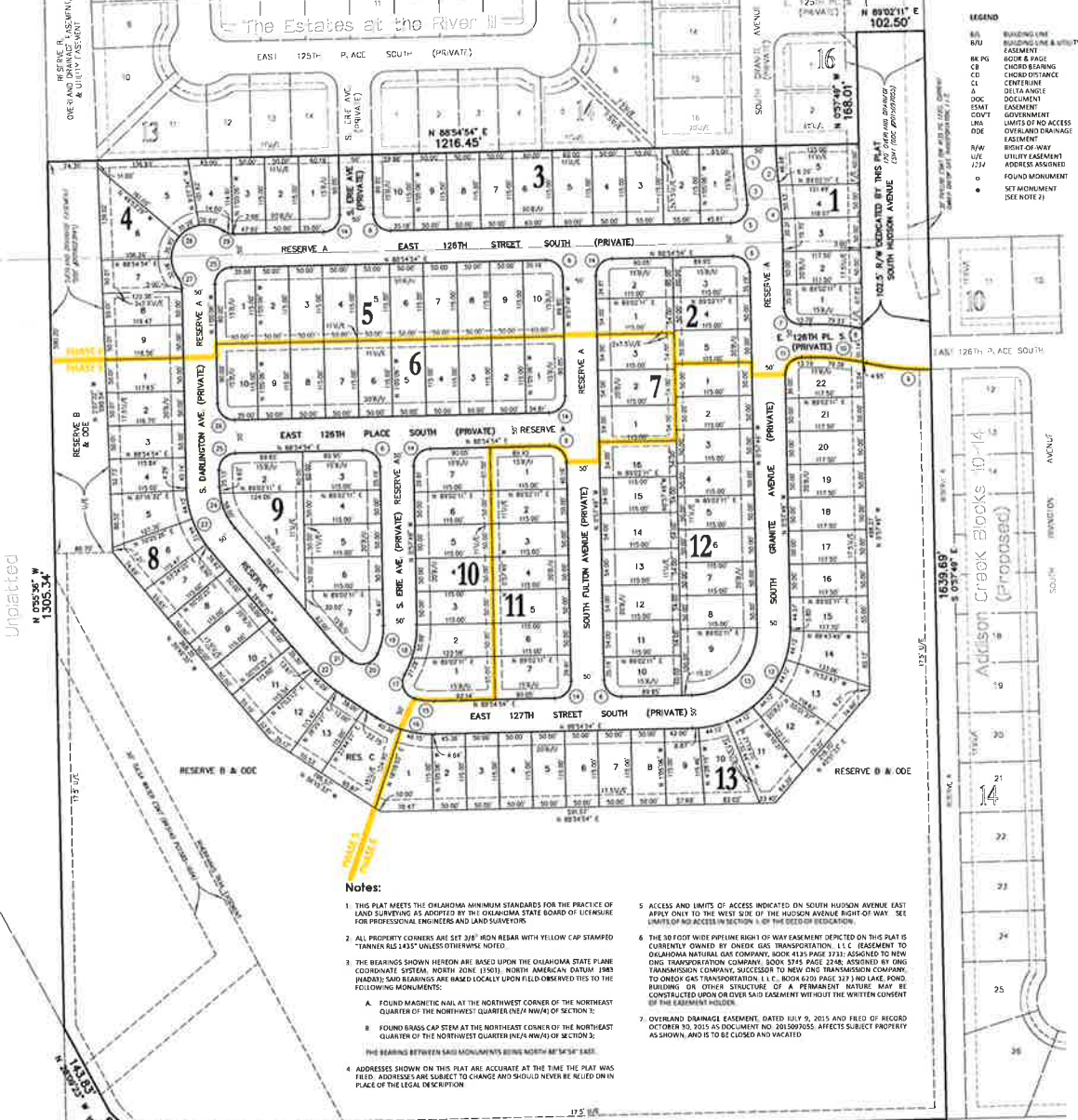
MAYOR

ATTST: CITY CLERK

CITY ATTORNEY

The approval of this final Plat will expire one year from the date of City Council approval if not filed in the Office of the County Clerk before that date.

Location Map
Source: P1 2002



LEGEND

- BB BUILDING FOOT
- R/U BUILDING LINE & UTILITY EASEMENT
- PK PGS BOUND & PACE
- CD CHORD BEARING
- CD CHORD DISTANCE
- CL CENTERLINE
- DA DELTA ANGLE
- DOC DOCUMENT
- EMT EASEMENT
- GOVT GOVERNMENT
- UMS LIMITED ACCESS
- OVD OVERLAND DRAINAGE EASEMENT
- R/W RIGHT-OF-WAY
- U/E UTILITY EASEMENT
- A ADDRESS ASSESSMENT
- o FOUND MONUMENT
- SET MONUMENT (SEE NOTE #)

Notes:

- THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF ENGINEERS FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
- ALL PROPERTY CORNERS ARE SET 3/8" IRON REBAR WITH YELLOW CAP STAMPED "TANNER ALS 2433" UNLESS OTHERWISE NOTED.
- THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (NAD83), NORTH AMERICAN DATUM 1983 (NAD83); SAID BEARINGS ARE BASED LOCALLY UPON FIELD OBSERVED TIES TO THE FOLLOWING MONUMENTS:
 - A. FOUND MAGNETIC NAIL AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE/4 NW/4) OF SECTION 3;
 - B. FOUND BRASS CAP STEM AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE/4 NW/4) OF SECTION 3;
 THE BEARINGS BETWEEN SAID MONUMENTS BEING NORTH 86°54'18" WEST.
- ADDRESSES SHOWN ON THIS PLAT ARE ACCURATE AT THE TIME THIS PLAT WAS FILED; ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF THE LEGAL DESCRIPTION.
- ACCESS AND LIMITS OF ACCESS INDICATED ON SOUTH HUDSON AVENUE EAST APPLY ONLY TO THE WEST SIDE OF THE HUDSON AVENUE RIGHT-OF-WAY. SEE LIMITS OF ACCESS IN SECTION 4 OF THIS DEED OF REEDICATION.
- THE 30 FOOT WIDE PIPELINE RIGHT-OF-WAY EASEMENT DEPICTED ON THIS PLAT IS CURRENTLY OWNED BY ONEOK GAS TRANSPORTATION, L.L.C. (EASEMENT TO OKLAHOMA NATURAL GAS COMPANY, BOOK 4135 PAGE 221); ASSIGNED TO NEW DRG TRANSPORTATION COMPANY, BOOK 3745 PAGE 224E, ASSIGNED BY DRG TRANSPORTATION COMPANY, SUCCESSOR TO NEW DRG TRANSPORTATION COMPANY, TO ONEOK GAS TRANSPORTATION, L.L.C. (BOOK 6730) PAGE 323. NO LAKE POND BUILDING OR OTHER STRUCTURE OF A PERMANENT NATURE MAY BE CONSTRUCTED UPON OR OVER SAID EASEMENT WITHOUT THE WRITTEN CONSENT OF THE EASEMENT HOLDER.
- OVERLAND DRAINAGE EASEMENT, DATED JULY 9, 2015 AND FILED OF RECORD OCTOBER 10, 2015 AS DOCUMENT NO. 2015090555, AFFECTS SUBJECT PROPERTY AS SHOWN, AND IS TO BE CLOSED AND VACATED.

Curve Table

CURVE	LENGTH	ADIUS	DELTA	CHORD BEARING	CHORD DISTANCE	CURVE	LENGTH	ADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
1	58.80'	500.00'	67°02'42"	N4°00'00"W	58.80'	18	91.17'	150.00'	34°49'51"	N7°40'00"W	91.17'
2	33.54'	500.00'	67°02'42"	N4°00'00"W	33.54'	19	45.14'	25.00'	103°14'00"	N2°54'57"W	79.28'
3	29.74'	760.17'	274°32'	N5°58'33"W	29.74'	20	78.26'	150.00'	34°49'51"	N7°40'00"W	77.28'
4	86.72'	600.00'	67°02'42"	N4°00'00"W	86.72'	21	103.00'	45.14'	103°14'00"	N2°54'57"W	44.78'
5	40.62'	25.00'	93°44'13"	N4°00'00"W	36.50'	22	45.17'	25.00'	103°08'48"	N7°54'13"E	39.40'
6	39.33'	25.00'	90°07'13"	N4°00'00"W	35.39'	23	39.37'	200.00'	111°14'47"	N4°57'59"W	39.37'
7	39.37'	25.00'	90°07'00"	N4°57'59"W	35.39'	24	71.70'	200.00'	105°53'51"	N4°00'00"W	71.44'
8	79.23'	400.00'	117°09'31"	N4°57'59"W	79.10'	25	101.43'	150.00'	34°49'51"	N7°40'00"W	99.50'
9	98.61'	400.00'	147°07'30"	N4°57'59"W	98.36'	26	97.62'	100.00'	38°44'30"	N4°57'59"W	96.34'
10	84.34'	350.00'	117°04'11"	N4°57'59"W	84.14'	27	38.27'	15.00'	90°00'00"	N4°57'59"W	38.36'
11	39.37'	25.00'	90°07'00"	N4°57'59"W	35.36'	28	39.27'	35.00'	90°00'00"	N4°57'59"W	35.36'
12	235.30'	150.00'	89°52'49"	N4°57'59"W	211.61'	29	160.89'	25.00'	36°52'12"	N4°57'59"W	158.81'
13	154.87'	100.00'	89°52'49"	N4°57'59"W	141.27'	30	141.89'	50.00'	103°14'00"	N4°57'59"W	98.89'
14	39.32'	25.00'	89°52'49"	N4°57'59"W	35.33'	31	16.00'	25.00'	36°52'12"	N7°59'00"W	15.81'
15	28.49'	100.00'	10°19'06"	N4°57'59"W	28.37'						

6.8

Preliminary Plat

PUD-803-6

THE ESTATES AT THE RIVER IV-VI

PART OF THE SOUTHEAST QUARTER, NORTHWEST QUARTER (SE/4 NW/4) AND
TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

Deed of Dedication

KNOW ALL MEN BY THESE PRESENTS:

THAT EATL LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HEREINAFTER REFERRED TO AS THE "OWNER", IS THE OWNER OF THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA:

A PLAT OF LAND THAT IS A PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SE/4 NW/4) AND ALL OF GOVERNMENT LOT 36 (6) OF SECTION THREE (3), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING ON THE EAST LINE OF SAID SE/4 NW/4 AT THE SOUTHWEST CORNER OF THE LOTS AT THE RIVER IV, A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 6840); THENCE SOUTH 97°57'48" EAST AND ALONG SAID EAST LINE OF SAID SE/4 NW/4 FOR A DISTANCE OF 493.21 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 97°57'48" EAST AND ALONG SAID EAST LINE OF SAID SE/4 NW/4 AND ALONG THE EAST LINE OF SAID GOVERNMENT LOT 36 FOR A DISTANCE OF 268.69 FEET TO A POINT, SAID POINT BEING THE SOUTH-EAST CORNER OF 6; THENCE SOUTH 88°32'38" WEST AND ALONG THE SOUTH LINE OF LOT 6, FOR A DISTANCE OF 123.33 FEET TO A POINT ON THE EAST MEASURER LINE OF THE ARKANSAS RIVER; THENCE NORTH 45°39'23" WEST AND ALONG SAID MEASURER LINE, FOR A DISTANCE OF 52.93 FEET; THENCE NORTH 38°09'23" WEST AND CONTINUING ALONG THE MEASURER LINE, FOR A DISTANCE OF 143.82 FEET TO A POINT ON THE WEST LINE OF LOT 6; THENCE NORTH 29°53'30" WEST AND ALONG THE WEST LINE OF LOT 6 AND THE WEST LINE OF THE SE/4 NW/4, FOR A DISTANCE OF 336.54 FEET TO A POINT; THENCE NORTH 88°32'38" EAST FOR A DISTANCE OF 126.48 FEET TO A POINT; THENCE NORTH 07°30'49" WEST FOR A DISTANCE OF 168.01 FEET TO A POINT; THENCE NORTH 87°02'31" EAST FOR A DISTANCE OF 108.50 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINING 1,202.353 SQUARE FEET OR 44,820 SQUARE FEET.

THE BEARING SHOWS HEREON IS BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3001), NORTH AMERICAN DATUM 1983 (NAD83); SAID BEARINGS ARE BASED LOCALLY UPON THE OBSERVATIONS LISTED TO THE FOLLOWING POINTS:

A. FOUND MAGNETIC NORTH OF THE NORTHWEST CORNER OF THE NORTH-EAST QUARTER OF THE NORTHWEST QUARTERS (NE/4 NW/4) OF SECTION 3;

B. ROUND BRASS CAP STAIN AT THE NORTH-EAST CORNER OF THE NORTH-EAST QUARTER OF THE NORTHWEST QUARTERS (NE/4 NW/4) OF SECTION 3.

THE BEARING BEING SAID INSTRUMENTS BEING NORTH 87°54'31" EAST.

THE OWNER HAS CAUSED TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO LOTS, BLOCKS, RESERVE AREAS, AND STREETS AS SHOWN BY THE ACCOMPANYING PLAT AND SAVED THEREON AND WHICH PLAN IS MADE A PART HEREOF; AND THE OWNER HAS GIVEN TO SAID PLAT THE NAME OF "THE ESTATES AT THE RIVER IV-VI" AND THE CITY OF TULSA, OKLAHOMA, IN THE DEED OF DEDICATION. WHEREVER THE WORD "SUBDIVISION" APPEARS HEREIN THE SAME SHALL CONCLUSIVELY BE DEEMED TO MEAN THE ESTATES AT THE RIVER IV-VI, TULSA COUNTY, OKLAHOMA. WHEREVER THE WORD "LOT" APPEARS HEREIN THE SAME SHALL CONCLUSIVELY BE DEEMED TO MEAN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA, UNLESS THE CONTEXT CLEARLY DICTATES OTHERWISE. NOW, THEREFORE, THE OWNER, FOR THE PURPOSE OF PROVIDING FOR THE ORDERLY DEVELOPMENT OF THE SUBDIVISION, AND FOR THE PURPOSE OF RESERVING ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE OWNER, ITS SUCCESSORS, OFFICERS AND AGENTS; THE BENEFICIARIES OF THE COVENANTS SET FORTH BELOW; DOES HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS, WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND WHICH SHALL BE ENFORCEABLE BY THE OWNER, THE OWNER OF ANY PROPERTY WITHIN THE SUBDIVISION, AND BY THE BENEFICIARIES OF THE COVENANTS SET FORTH BELOW, AND WHICH SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH:

SECTION I. STREETS AND UTILITY EASEMENTS

THE OWNER HEREBY DEDICATES TO THE PUBLIC THE SOUTH HUDSON AVENUE RIGHT-OF-WAY DEPICTED ON THE ACCOMPANYING PLAT. THE OWNER FURTHER DEDICATES TO THE PUBLIC THE UTILITY EASEMENTS DESIGNATED AS "USE" OR "UTILITY EASEMENT" FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS, SANITARY SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSMISSION LINES, WATER LINES, AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE TAPES, WIRES, CONDUITS, PIPES, VALVES, METERS, MANHOLES, AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER ACCESSORIES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITIES EASEMENTS FOR THE USES AND PURPOSES STATED, PROVIDED THE OWNER ASSUMES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY, AND REPAIR OR REPLACE WATER LINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS, FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING, REPAIRING AND REPLACING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO AREAS DEPICTED ON THE PLAT. THE OWNER HEREBY IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON EACH LOT AND RESERVE AREA OWNED OR SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, AND BY THE SUPPLIER OF ANY AFFETED UTILITY SERVICE, THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT NO BUILDING, STRUCTURE, OR OTHER ABOVE OR BELOW GRADE OBSTRUCTION THAT INTERFERES WITH THE USES AND PURPOSES OF THE UTILITY EASEMENTS SHALL BE PLACED, INSTALLED, OR MAINTAINED; PROVIDED THAT WHEN SUCH SHALL BE DEEMED TO PROHIBIT DRIVE, PARKING AREAS, CURBING, LANDSCAPING, AND CUSTOMARY SORENTENANCES WHICH DO NOT CONSTITUTE AN OBSTRUCTION.

1.1 UTILITY SERVICES

- 1.1.1 OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE, AND COMMUNICATION SERVICES MAY BE LOCATED WITHIN THE SOUTH HUDSON AVENUE RIGHT-OF-WAY WITHIN THE STREET RIGHTS-OF-WAY AND UTILITY EASEMENTS DESIGNATED FOR GENERAL UTILITY SERVICE AS DEPICTED ON THE ACCOMPANYING PLAT. STREET LIGHT POLES OR STAMPS MAY BE SERVED ONLY BY UNDERGROUND CABLE AND, THEREAFTER, AS PROVIDED IN THE IMMEDIATELY-PRECEDING SENTENCE. ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND ANY UNDERGROUND FACILITIES, AND THE UTILITIES OF NO ACCESS AND/OR RIGHTS OF WAY OF THE PUBLIC STREETS, SERVICE PREDESTALS AND TRANSFORMERS, AS SOURCES OF SURVEY REQUISITE INFORMATION MAY ALSO BE LOCATED IN THE UTILITY EASEMENTS.
- 1.1.2 UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WITHIN THE SUBDIVISION MAY BE EXTENDED FROM THE NEAREST GAS MAIN, SERVICE PREDESTAL OR TRANSFORMER TO THE POINT OF LOCATION AND CONNECTION OF SUCH FACILITIES UNDER OR ABOVE GROUND, INCLUDING LOT OR RESERVE AREA, PROVIDED THAT, UPON INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EXCLUSIVE, AND NON-EXCLUSIVE EASEMENT ON THE LOT OR RESERVE AREA, COVERING A 3 FOOT STRIP EXTENDING 3 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE GAS MAIN OR SERVICE PREDESTAL OR TRANSFORMER TO THE SERVICE ENTRANCE TO THE STRUCTURE.
- 1.1.3 THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICE, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THIS PLAT OR OTHERWISE DESIGNATED FOR THE PURPOSE OF INSTALLING, MAINTAINING, MAINTENANCE, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.

DATE OF PREPARATION: August 6, 2020

- 1.1.4 THE OWNER OF ANY LOT OR RESERVE AREA SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON THE OWNERS LOT OR RESERVE AREA AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE, CABLE TELEVISION, OR GAS FACILITIES. EACH SUPPLIER OF THESE SERVICES SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER OF THE LOT OR RESERVE AREA SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OR RESERVE AREA OWNER OR SUCH OWNERS AGENTS OR CONTRACTORS.
 - 1.1.5 THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY EACH SUPPLIER OF THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE AND EACH LOT AND RESERVE AREA OWNER AGREES TO BE BOUND HEREBY.
- 1.2 GAS SERVICE
 - 1.2.1 THE SUPPLIER OF GAS SERVICE THROUGH ITS AGENTS AND EMPLOYEES SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THIS PLAT OR AS OTHERWISE PROVIDED FOR IN THE DEED OF DEDICATION FOR THE PURPOSES OF INSTALLING, REPAIRING, REPLACING, OR REPLACING ANY PORTION OF THE FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE.
 - 1.2.2 THE OWNER OF THE LOT OR RESERVE AREA SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED IN THEIR LOT OR RESERVE AREA AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY OTHER CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE GAS SERVICE. THE SUPPLIER OF THE GAS SERVICE SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF SAID FACILITIES, BUT THE OWNER OF THE LOT OR RESERVE AREA SHALL PAY FOR DAMAGE OR RELOCATION OF FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OR RESERVE AREA OWNER OR SUCH OWNERS AGENTS OR CONTRACTORS.
 - 1.2.3 THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE GAS SERVICE AND EACH LOT AND RESERVE AREA OWNER AGREES TO BE BOUND HEREBY.

- 1.3 WATER, SANITARY SEWER, AND STORM SEWER SERVICE
 - 1.3.1 EACH LOT AND RESERVE AREA OWNER SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS LOCATED SUCH LOT OR RESERVE AREA.
 - 1.3.2 WITHIN THE UTILITY EASEMENTS AND OVERLAND DRAINAGE EASEMENTS, DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE FROM THE CONTIGUOUS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER OR ANY CONSTRUCTION ACTIVITY WHICH, IN THE JUDGMENT OF THE CITY OF TULSA, WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS OR STORM SEWERS SHALL BE PROHIBITED.
 - 1.3.3 THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS, BUT THE OWNER OF THE LOT OR RESERVE AREA SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OR RESERVE AREA OWNER OR SUCH OWNERS AGENTS OR CONTRACTORS.
 - 1.3.4 THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS AND OVERLAND DRAINAGE EASEMENTS, DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF UNDERGROUND WATER, SANITARY SEWER, OR STORM SEWER FACILITIES.
 - 1.3.5 THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, AND THE OWNER OF EACH LOT AND RESERVE AREA AGREES TO BE BOUND HEREBY.

- 1.4 SURFACE DRAINAGE
 - 1.4.1 EACH LOT AND RESERVE AREA SHALL RECEIVE AND DRAIN, IN AN UNSTRUCTURED MANNER, THE STORM WATER FROM LOTS, RESERVE AREAS, AND DRAINAGE AREAS OF HIGHER ELEVATION, NO LOT OR RESERVE AREA OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SEWER WATERS OVER OR ACROSS THE OWNERS LOT OR RESERVE AREA. THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY AN AFFECTED LOT OR RESERVE AREA OWNER AND BY THE CITY OF TULSA, OKLAHOMA.

- 1.5 PAVING AND LANDSCAPING WITHIN EASEMENTS
 - 1.5.1 THE OWNER OF ANY LOT OR RESERVE AREA DEPICTED ON THE ACCOMPANYING PLAT SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO LANDSCAPING AND PAVING OCCASIONED BY INSTALLATION OF NECESSARY UTILITY EASEMENTS, UNDERGROUND WATER, SANITARY SEWER, STORM SEWER, NATURAL GAS, COMMUNICATION, CABLE TELEVISION, OR ELECTRIC FACILITIES WITHIN THE EASEMENT AREAS DEPICTED UPON THE ACCOMPANYING PLAT, PROVIDED THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, OR THE SUPPLIER OF THE UTILITY SERVICE SHALL TAKE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

- 1.6 LIMITS OF NO ACCESS
 - 1.6.1 THE OWNER HEREBY RENOUNCES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO SOUTH HUDSON AVENUE WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" IN A.D. ON THE ACCOMPANYING PLAT, WHICH "LIMITS OF NO ACCESS" MAY BE AMENDED OR REVOKED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION OR ITS SUCCESSOR AND WITH THE APPROVAL OF THE CITY OF TULSA, OKLAHOMA, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA PERTAINING THERETO, AND THE LIMITS OF NO ACCESS AS PROVIDED BY THE OWNER, BE ENFORCEABLE BY THE CITY OF TULSA. ACCESS AND LIMITS OF ACCESS INDICATED ON SOUTH HUDSON AVENUE APPLY ONLY TO THE WEST SIDE OF THE RIGHT-OF-WAY. PROPERTIES ADJOINING THE EAST BOUNDARY OF THE SOUTH HUDSON AVENUE OWNER THAT THE LOT, ALL SIDEWALKS, LIMITS OF ACCESS POINTS DURING THE PLAT AND ENGINEERING DESIGN PROCESS FOR THAT PROPERTY.

- 1.7 SIDEWALKS
 - 1.7.1 SIDEWALKS BE CONSTRUCTED AND MAINTAINED ALONG ALL STREETS IN ACCORDANCE WITH THE TULSA METROPOLITAN AREA SUBDIVISION AND DEVELOPMENT REGULATIONS AND CITY OF TULSA ORDINANCES. SIDEWALKS ALONG THE WEST SIDE OF SOUTH HUDSON AVENUE AND ALONG THE PORTION OF RESERVE 6 AND 8 RESULTING FROM THE INTERSECTION PRIVATE STREETS SHALL BE CONSTRUCTED BY THE OWNERS. SIDEWALKS ALONG STREETS WITHIN THE INTERIOR OF THE SUBDIVISION, WHERE NOT CONSTRUCTED BY THE CITY OF TULSA, SHALL BE CONSTRUCTED BY THE LOT OR RESERVE AREA OWNER IN CONFORMANCE WITH THE DESIGN STANDARDS OF THE CITY OF TULSA, OKLAHOMA.

- 1.8 CERTIFICATE OF OCCUPANCY/PERMITS
 - 1.8.1 THE CITY OF TULSA, OKLAHOMA, SHALL BE RESPONSIBLE FOR THE ISSUANCE OF A TEMPORARY CERTIFICATE OF OCCUPANCY FOR A BUILDING WITHIN THE SUBDIVISION SHALL BE ISSUED BY THE CITY OF TULSA, OKLAHOMA, UPON COMPLETION OF THE REQUIRED INFRASTRUCTURE (STREETS, WATER, SANITARY SEWER, STORM SEWER SYSTEMS, AND SIDEWALKS) ALONG THE WEST SIDE OF S. HUDSON AVENUE AND ALONG THE PORTION OF RESERVE 6 INCLUDING THE INTERSECTION PRIVATE STREET) SERVING THE ENTIRE SUBDIVISION HAS BEEN COMPLETED AND ACCEPTED BY THE CITY.
 - NOTWITHSTANDING THE FOREGOING, THE CITY MAY AUTHORIZE THE ISSUANCE OF A TEMPORARY CERTIFICATE OF OCCUPANCY IN, IN THE CITY'S SOLE DISCRETION, THE CIRCUMSTANCES SUPPORT THE ISSUANCE, FURTHER NOTWITHSTANDING, THE FOREGOING, THE CITY MAY AUTHORIZE THE PHASING OF THE CONSTRUCTION OF INFRASTRUCTURE WITHIN THE SUBDIVISION, AND IF PHASING IS AUTHORIZED, A CERTIFICATE OF OCCUPANCY FOR A BUILDING WITH AN AUTHORIZED PHASE MAY ISSUE UPON THE COMPLETION AND ACCEPTANCE OF THE INFRASTRUCTURE SERVING THE PARTICULAR PHASE. BUILDING CONSTRUCTION OCCURRING PRIOR TO THE CITY'S ACCEPTANCE OF THE INFRASTRUCTURE SHALL BE AT THE RISK OF THE OWNER OF THE LOT, NOTWITHSTANDING THE ISSUANCE OF A BUILDING PERMIT OR OF A TEMPORARY CERTIFICATE OF OCCUPANCY.

- 1.9 OVERLAND DRAINAGE EASEMENTS
 - 1.9.1 THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC PERPETUAL EASEMENTS OVER, OVER AND ACROSS RESERVE 6, DESIGNATED ON AN ACCOMPANYING PLAT AS "OVERLAND DRAINAGE EASEMENT" OR "ODE" FOR THE PURPOSES OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER RUNOFF FROM VARIOUS LOTS AND RESERVE AREAS WITHIN THE SUBDIVISION, AND FROM PROPERTIES OUTSIDE THE SUBDIVISION.
 - 1.9.2 DRAINAGE FACILITIES DEPICTED WITHIN OVERLAND DRAINAGE EASEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE ACCEPTED STANDARDS OF THE CITY OF TULSA, OKLAHOMA, AND PLANS AND SPECIFICATIONS APPROVED BY THE CITY OF TULSA, OKLAHOMA.
 - 1.9.3 NO FENCE, WALL, BUILDING, OR OTHER OBSTRUCTION SHALL BE PLACED OR MAINTAINED WITHIN AN OVERLAND DRAINAGE EASEMENT WITHIN RESERVE 6 UNLESS THERE IS ANY ALTERATION OF THE GRADE IN SUCH EASEMENTS UNLESS APPROVED BY THE CITY OF TULSA, OKLAHOMA, PROVIDED THAT THE PLANTING OF TREES SHALL NOT REQUIRE THE APPROVAL OF THE CITY OF TULSA, OKLAHOMA.
 - 1.9.4 THE OVERLAND DRAINAGE EASEMENT LOCATED WITHIN RESERVE 8 SHALL BE MAINTAINED BY THE PROPERTY OWNERS ASSOCIATION REFERRED TO IN SECTION IV. HEREIN (THE "ASSOCIATION"), AT THE EXPENSE OF THE PROPERTY OWNERS OR ITS DESIGNATED CONTRACTOR. IN THE EVENT THE ASSOCIATION FAILS TO PROPERLY MAINTAIN THE EASEMENT LOCATED THEREIN OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN THE EASEMENT OR THE ALTERATION OF GRADE THEREIN, THE CITY OF TULSA, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER THE OVERLAND DRAINAGE EASEMENT 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 ASSOCIATION. IN THE EVENT THE ASSOCIATION FAILS TO PAY THE COSTS OF MAINTENANCE AFTER RECEIPT OF A STATEMENT OF COSTS FROM THE CITY OF TULSA, OKLAHOMA, THE CITY MAY FILE A RECORD OF THE STATEMENT OF COSTS IN THE LAND RECORDS OF THE TULSA COUNTY CLERK, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST EACH LOT IN THE SUBDIVISION, PROVIDED THAT THE LIEN AGAINST EACH LOT SHALL BE EQUAL TO ITS PRO RATA SHARE OF THE COSTS, A LIEN ESTABLISHED AS PROVIDED ABOVE MAY BE FORECLOSED BY THE CITY OF TULSA, OKLAHOMA.

- 1.10 FENCE EASEMENTS
 - 1.10.1 THE OWNER DOES HEREBY ESTABLISH AND GRANT TO THE PROPERTY OWNERS ASSOCIATION THE FENCE EASEMENTS OVER AND UPON THE AREAS DESIGNATED AS "FENCE" ON THE ACCOMPANYING PLAT FOR THE USE AND BENEFIT OF THE OWNER OF LOTS WITHIN THE SUBDIVISION AND OF THE ASSOCIATION. THE FENCE EASEMENTS ARE FOR THE LIMITED PURPOSE OF CONSTRUCTING AND MAINTAINING PERIMETER DECORATIVE FENCES AND ENTRY FEATURES INCLUDING, BUT NOT LIMITED TO: FENCES, WALLS, IRRIGATION SYSTEMS, LIGHTING, SIGNAGE, AND LANDSCAPING, AND FOR THE MAINTENANCE AND REPAIR THEREOF, TOGETHER WITH THE RIGHT OF ACCESS OVER, OVER AND ACROSS SUCH EASEMENTS AND OVER, ACROSS AND ALONG LOTS IN THE SUBDIVISION WHICH CONTAINS SUCH EASEMENTS. THE RIGHTS HEREBY ESTABLISHED AND GRANTED SHALL BE ENFORCEABLE TO THE HIGHEST EXTENT POSSIBLE BY UTILITY EASEMENTS OTHERWISE DESIGNATED HEREIN.

SECTION II. RESERVE AREAS; MOVING OF GAS PIPELINE EASEMENT AREA

- 2.1 RESERVE A.
 - 2.1.1 RESERVE A, AS DESIGNATED ON THE ACCOMPANYING PLAT, IS HEREBY ESTABLISHED BY GRANT OF THE OWNER AS A PRIVATE STREET FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF THE RESIDENTIAL LOTS WITHIN THE SUBDIVISION, THEIR GUESTS AND INVITEES, FOR THE PURPOSE OF PROVIDING VEHICULAR AND PEDESTRIAN ACCESS TO AND FROM THE LOTS IN THE SUBDIVISION AND THE PUBLIC STREETS AND SHALL BE PERMITTED TO USE FOR THE PURPOSES OF EMERGENCY VEHICLES AND OTHER PURPOSES. THE CITY OF TULSA, OKLAHOMA, SHALL BE PERMITTED TO CONSTRUCT, REPAIR, MAINTAIN, OPERATE, AND REPLACE PUBLIC UTILITIES, EMERGENCY AND GOVERNMENT VEHICLES INCLUDING, BUT NOT LIMITED TO, POLICE, FIRE, AND EMERGENCY VEHICLES AND OTHER PURPOSES.
 - 2.1.2 THE OWNER, FOR ITSELF AND ITS SUCCESSORS, HEREBY COVENANTS WITH THE CITY OF TULSA, OKLAHOMA, WHICH COVENANTS SHALL RUN WITH THE LAND AND INURE TO THE BENEFIT OF THE CITY OF TULSA, OKLAHOMA, THAT THE CITY OF TULSA, OKLAHOMA, SHALL BE PERMITTED TO CONSTRUCT, REPAIR, MAINTAIN, OPERATE, AND REPLACE PUBLIC UTILITIES, EMERGENCY AND GOVERNMENT VEHICLES INCLUDING, BUT NOT LIMITED TO, POLICE, FIRE, AND EMERGENCY VEHICLES AND OTHER PURPOSES.

- 2.2 CONTRACT AND MAINTAIN STREETS EXTENDING THE FULL LENGTH OF RESERVE A, AS DEPICTED ON THE ACCOMPANYING PLAT, AND MEETING OR EXCEEDING CITY OF TULSA DESIGN STANDARDS FOR ALL STREETS.
 - 2.2.1 PROHIBIT THE ERECTION OF ANY ARCH OR SIMILAR STRUCTURE OVER ANY PRIVATE STREET WITHIN RESERVE A, AS DEPICTED ON THE ACCOMPANYING PLAT, WHICH WOULD OBSTRUCT THE PASSAGE OF ANY GOVERNMENTAL OR EMERGENCY VEHICLE AND/OR OBSTRUCT THE PASSAGE OF ANY SUPERVISION VEHICLE.
 - 2.2.2 SECURE INSPECTION BY THE CITY OF TULSA, OKLAHOMA, OF THE PRIVATE STREETS AND SECURE CLOSURE OF PRIVATE STREETS SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNERS. CONSTRUCTION IN ACCORDANCE WITH THE STANDARDS ABOVE SET FORTH OR BY THE CITY OF TULSA, OKLAHOMA, TO INSPECT THE PRIVATE STREETS, CERTIFICATION SHALL BE REQUIRED FROM A REGISTERED PROFESSIONAL ENGINEER THAT THE PRIVATE STREETS WERE CONSTRUCTED IN ACCORDANCE WITH THE STANDARDS ABOVE SET FORTH, AND THE REQUIRED CERTIFICATION SHALL BE FILED WITH THE CITY OF TULSA, OKLAHOMA, PLANNING COMMISSION PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR ANY LOT THAT DERIVES ITS ACCESS FROM A PRIVATE STREET.

REGISTERED PROFESSIONAL ENGINEER THAT THE PRIVATE STREETS WERE CONSTRUCTED IN ACCORDANCE WITH THE STANDARDS ABOVE SET FORTH, AND THE REQUIRED CERTIFICATION SHALL BE FILED WITH THE TULSA METROPOLITAN AREA PLANNING COMMISSION PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR ANY LOT THAT DERIVES ITS ACCESS FROM A PRIVATE STREET.

2.1.1 THE OWNER ACKNOWLEDGES FOR ITSELF AND ITS SUCCESSORS BY FILE THAT THE CITY OF TULSA, OKLAHOMA SHALL HAVE NO DUTY TO MAINTAIN ANY OF THE PRIVATE STREETS WITHIN THE SUBDIVISION, NOR HAVE ANY IMPLIED OBLIGATION TO ACCEPT ANY SUBSEQUENT TENDER OF DEDICATION OF ANY PRIVATE STREET WITHIN THE SUBDIVISION.

2.2 RESERVE 6 AND 8 SHALL BE FOR THE COMMON USE AND ENJOYMENT OF THE PROPERTY OWNERS ASSOCIATION. REFERENCES TO IN SECTION IV, HEREIN, RESERVE 6 SHALL BE LIMITED TO USE FOR SIDEWALKS AND LANDSCAPING, OPEN SPACE, LANDSCAPING, UTILITIES AND PRIVATE RECREATIONAL FACILITIES AS MAY BE PERMITTED BY THE CITY OF TULSA, OKLAHOMA. RESERVE 8 HEREIN ALSO DESIGNATED AS AN OVERLAND DRAINAGE EASEMENT AND AS A UTILITY EASEMENT. RESERVE 8 SHALL BE LIMITED TO USE FOR OFF-STREET PARKING, ACCESS TO RESERVE 6 ONLY SPACE, LANDSCAPING, UTILITIES AND PRIVATE RECREATIONAL FACILITIES AS MAY BE PERMITTED BY THE CITY OF TULSA, OKLAHOMA. RESERVE 6 AND 8 ARE RESERVED FOR SUBSEQUENT CONVEYANCE TO THE PROPERTY OWNERS ASSOCIATION, WHEREUPON, THE ASSOCIATION SHALL ASSUME MAINTENANCE AS REQUIRED HEREIN.

2.3 ALL RESERVE AREAS

- 2.3.1 ALL COSTS AND EXPENSES ASSOCIATED WITH ALL RESERVE AREAS, INCLUDING MAINTENANCE OF VARIOUS IMPROVEMENTS AND RECREATIONAL FACILITIES, SHALL BE THE RESPONSIBILITY OF THE OWNERS THEREOF, WHICH SHALL BE THE PROPERTY OWNERS ASSOCIATION UPON CONVEYANCE OF THE RESERVE AREAS TO THE ASSOCIATION. THE CITY OF TULSA SHALL NOT BE LIABLE FOR ANY DAMAGE OR REMOVAL OF ANY LANDSCAPING OR IRRIGATION SYSTEMS IN AN RESERVE AREA.
- 2.3.2 IN THE EVENT THE RESERVE AREA OWNER FAILS TO MAINTAIN THE RESERVE AREA AND SUBSEQUENTLY FAILS TO PAY THE COSTS OF SAID MAINTENANCE AFTER COMPLETION OF THE MAINTENANCE BY AND RECEIPT OF A STATEMENT OF COSTS FROM THE CITY OF TULSA, OKLAHOMA, THE CITY MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST EACH OF THE LOTS WITHIN THE SUBDIVISION, WHICH LIEN MAY BE FORECLOSED BY THE CITY OF TULSA, OKLAHOMA.
- 2.3.3 EACH LOT AND RESERVE AREA OWNER OR RESIDENT AN/OR MEMBER OF THE PROPERTY OWNERS ASSOCIATION SHALL HOLD HARMLESS THE OWNERS AND THE CITY OF TULSA, AND THEIR RESPECTIVE AGENTS AND REPRESENTATIVES, FROM ALL DAMAGES, LOSSES, LIABILITIES, OR DAMAGES ARISING IN CONNECTION WITH THE OWNERS' OR USE OF THE FACILITIES AND IMPROVEMENTS CONSTRUCTED OR INSTALLED IN THE RESERVE AREAS AND FURTHER AGREES THAT WITHIN THE CITY OF TULSA, NON THE OWNER SHALL BE LIABLE TO THE LOT OR RESERVE AREA OWNER OR RESIDENT AN/OR MEMBER OF THE PROPERTY OWNERS ASSOCIATION FOR LOSS OF OR INTERFERENCE WITH ENERGY FOR ANY DAMAGE TO PERSON OR PROPERTY CAUSED BY ACTION, OMISSION OR NEGLIGENCE OF ANY LOT OR RESERVE AREA OWNER OR RESIDENT AN/OR MEMBER OF THE ASSOCIATION OR ANY GUEST, VISITOR, OR INVITEE THEREOF.

2.4 MOVING OF GAS PIPELINE EASEMENT AREA.

- 2.4.1 THE PROPERTY OWNERS ASSOCIATION, REFERRED TO IN SECTION IV, HEREIN, SHALL BE RESPONSIBLE FOR MOVING, ON A REGULAR BASIS, THE AREA OF THE 30 FT. PIPELINE EASEMENT (BOOK 4335 PAGE 1733) CURRENTLY LOCATED IN RESERVE 4, AS DESIGNATED HEREON.

SECTION III. PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS, THE ESTATES AT THE RIVER IV-VI HAS SUBMITTED AS A PLANNED UNIT DEVELOPMENT (DESIGNATED AS PUD NO. 803) AS PROVIDED WITHIN SECTIONS 1209-1210 OF TITLE 48, TULSA REVISED ORDINANCES (TULSA ZONING CODE), AND

WHEREAS, PUD NO. 803 WAS AFFIRMATIVELY RECOMMENDED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION ON NOVEMBER 20, 2018, AND ADOPTED BY THE COUNCIL OF THE CITY OF TULSA, OKLAHOMA, ON JANUARY 9, 2019 AND

WHEREAS, PUD MINOR AMENDMENT NO. 803-A WAS APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION ON MARCH 4, 2020 AND

WHEREAS, PUD MINOR AMENDMENT NO. 803-B WAS APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION ON FEBRUARY 11, 2018 AND

WHEREAS, PUD MINOR AMENDMENT NO. 803-C WAS APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION ON SEPTEMBER 8, 2020 AND

WHEREAS, THE ESTATES AT THE RIVER IV-VI COMPREHENSIVE 4,820 ACRES OF THE 121,329 ACRES INCLUDED IN PUD NO. 803, AND OF THE 90,132 ACRES INCLUDED IN PUD MINOR AMENDMENTS NO. 803-A AND 803-C, AND ALL OF THE 802 ACRES INCLUDED IN PUD MINOR AMENDMENT NO. 803-D.

WHEREAS, THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE TULSA ZONING CODE REQUIRE THE ESTABLISHMENT OF COVENANTS OF RECORD BURNING TO AND ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, SUFFICIENT TO INSURE CONFORMANCE WITH THE APPROVED PLANNING UNIT DEVELOPMENT, AND

WHEREAS, THE OWNERS DESIRE TO ESTABLISH RESTRICTIONS FOR THE PURPOSE OF ACHIEVING AN ORDERLY DEVELOPMENT FOR THE MUTUAL BENEFIT OF THE OWNER, THE OWNER'S SUCCESSORS IN TITLE AND THE CITY OF TULSA, OKLAHOMA;

THEREFORE, THE OWNERS DO HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND WHICH SHALL BE BINDING UPON THE OWNER, ITS SUCCESSORS AND AGENTS, AND SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH.

DEVELOPMENT STANDARDS (PUD NO. 803-A)	
GRASSLAND AREA:	1,192.233 SF OR 44,820 SQUARE FEET
NET LAND AREA:	1,198.133 SF OR 45,282 SQUARE FEET
PERMITTED USES:	
USES PERMITTED AS A MATTER OF RIGHT IN RES. B, ZONING DISTRICT IN THE CITY OF TULSA ZONING CODE, INCLUDING LANDSCAPING, REPAIRING AND RECYCLING EXTRACTS AND RECREATIONAL FACILITIES AND USES CUSTOMARILY ACCESSIBLE TO PERMITTED USES.	
MINIMUM NUMBER OF LOTS: 130	
MINIMUM LOT WIDTH: 1	20 FEET
MINIMUM LOT AREA PER UNIT:	5,300 SF
MINIMUM LIABILITY SPACE PER LOT: 1	3,200 SF
MINIMUM BUILDING SETBACKS (1):	
FRONT YARD:	30 FT
REAR YARD:	15 FT
SIDE YARD:	5 FT
SIDE YARD ADJACENT TO PUBLIC STREET:	15 FT
GARAGE FACING SIDE STREET:	10 FT

The Estates at the River IV-VI
SHEET 2 OF 3

6-9

Preliminary Plat
PUD-803-6

THE ESTATES AT THE RIVER IV-VI

PART OF THE SOUTHEAST QUARTER NORTHWEST QUARTER (SE1/4 NW1/4) AND ALL OF GOVERNMENT LOT SIX (6) OF SECTION THREE (3) TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

DEED OF DEDICATION (CONTINUED)

SECTION III. PLANNED UNIT DEVELOPMENT RESTRICTIONS (CONTINUED)

MAXIMUM BUILDING HEIGHT: 40 FEET
ARCHITECTURAL FEATURES MAY EXTEND A MAXIMUM OF FIVE (5) FEET ABOVE THE MAXIMUM PERMITTED BUILDING HEIGHT.
10' MINIMUM SHALL BE MAINTAINED ON THE TULSA ZONING CODE PER BUILDING.
CONSIDERATION FOR THE REDUCTION IN LIABILITY SPACE...
MINIMUM DRIVEWAY WIDTH: WITHIN STREET RIGHT-OF-WAY 26 FT WITHIN STREET SETBACK 20 FT
OFF STREET PARKING: MINIMUM TWO (2) ENCLOSED OFF-STREET PARKING SPACES PER DOWNSIDE LANE.
MINIMUM TWO (2) ENCLOSED OFF-STREET PARKING SPACES PER DOWNSIDE LANE.
SCREENING: A SIX (6) FOOT TALL MASONRY WALL SHALL BE CONSTRUCTED WITH A MINIMUM COLUMN HEIGHT OF 8' ALONG THE STREET FRONTAGE...
SECTION IV. PROPERTY OWNERS' ASSOCIATION
4.1. FORMATION OF PROPERTY OWNERS' ASSOCIATION: THE OWNER SHALL CAUSE TO BE FORMED THE ESTATES AT THE RIVER PROPERTY OWNERS' ASSOCIATION...
4.2. MEMBERSHIP: EVERY PERSON OR ENTITY WHO IS A RECORD OWNER OF THE FEE INTEREST OF A LOT SHALL BE A MEMBER OF THE ASSOCIATION...
4.3. ASSIGNMENT: EACH LOT OWNER SHALL BE SUBJECT TO ANNUAL AND SPECIAL ASSESSMENTS BY THE ASSOCIATION...
4.4. ASSOCIATION TO BE BENEFICIARY: WITHOUT LIMITATION OF SUCH OTHER POWERS AND RIGHTS AS THE ASSOCIATION MAY HAVE...

SECTION V. PRIVATE RESTRICTIONS

THE OWNER HEREBY GRANTS THE FOLLOWING RESTRICTIONS AND COVENANTS FOR THE PURPOSE OF PROVIDING FOR THE ORDERLY DEVELOPMENT OF THE SUBDIVISION AND CONFORMITY AND COMPATIBILITY OF IMPROVEMENTS THEREIN...
5.1. ARCHITECTURAL COMMITTEE - PLAN REVIEW: 5.1.1. PLAN REVIEW: NO BUILDING, STRUCTURE, FENCE, WALL, PAVING, SWIMMING POOL, EXTERIOR LIGHTING, EXTERIOR ANTENNAE, OR FREE STANDING WALL, BOB SHALL BE ERECTED, PLACED OR ALTERED INCLUDING EXTERIOR PAINTING ON ANY LOT, AND NO SIDEWALK SHALL BE CONSTRUCTED...
5.1.2. ARCHITECTURAL COMMITTEE - PLAN REVIEW: 5.1.2.1. PLAN REVIEW: NO BUILDING, STRUCTURE, FENCE, WALL, PAVING, SWIMMING POOL, EXTERIOR LIGHTING, EXTERIOR ANTENNAE, OR FREE STANDING WALL, BOB SHALL BE ERECTED, PLACED OR ALTERED INCLUDING EXTERIOR PAINTING ON ANY LOT, AND NO SIDEWALK SHALL BE CONSTRUCTED...
5.1.3. ARCHITECTURAL COMMITTEE - PLAN REVIEW: 5.1.3.1. PLAN REVIEW: NO BUILDING, STRUCTURE, FENCE, WALL, PAVING, SWIMMING POOL, EXTERIOR LIGHTING, EXTERIOR ANTENNAE, OR FREE STANDING WALL, BOB SHALL BE ERECTED, PLACED OR ALTERED INCLUDING EXTERIOR PAINTING ON ANY LOT, AND NO SIDEWALK SHALL BE CONSTRUCTED...

5.1.2. COMMITTEE PURPOSE: THE ARCHITECTURAL COMMITTEE'S PURPOSE IS TO PROMOTE GOOD DESIGN AND COMPATIBILITY WITHIN THE SUBDIVISION AND, IN ITS REVIEW OF PLANS OR DETERMINATION OF ANY WAIVER AS HEREINAFTER AUTHORIZED, IT MAY TAKE INTO CONSIDERATION THE NATURE AND CHARACTER OF THE PROPOSED BUILDING OR STRUCTURE...
5.1.3. THE POWERS AND DUTIES OF THE ARCHITECTURAL COMMITTEE SHALL BE TRANSFERRED TO THE PROPERTY OWNERS' ASSOCIATION UPON WRITTEN ASSIGNMENT TO THE APPLICABLE PROPERTY OWNERS' ASSOCIATION BY THE OWNER AND THE REPEATER THE FOREGOING TOWERS AND DUTIES SHALL BE EXERCISED BY THE BOARD OF DIRECTORS OF THE PROPERTY OWNERS' ASSOCIATION.

5.2. FLOOR AREA: SINGLE STORY DWELLINGS SHALL HAVE A MINIMUM OF 2,100 SQUARE FEET OF FINISHED HEATED LIVING AREA. ONE AND A HALF (1 1/2) OR TWO (2) STORY DWELLINGS SHALL HAVE A MINIMUM OF 2,700 SQUARE FEET OF FINISHED HEATED LIVING AREA...
5.3. GARAGES: EACH DWELLING SHALL HAVE AN ATTACHED ENCLOSED GARAGE PROVIDING SPACE FOR A MINIMUM OF TWO (2) AUTOMOBILES. CARPORTS ARE PROHIBITED. GLASS IN VEHICULAR ENTRY DOORS IS PROHIBITED.

5.4. FOUNDATIONS: THE EXTERIOR SURFACE OF ANY EXPOSED FOUNDATION, INCLUDING STEM WALLS, SHALL BE OF BRICK, STONE, OR STUCCO.

5.5. MAINTENANCE: A MINIMUM OF 100% OF THE EXTERIOR SURFACE OF EXTERIOR WALLS (INCLUDING WINDOWS AND DOORS) OF THE FIRST STORY SHALL BE OF BRICK, NATURAL ROCK OR STUCCO. WALLS OF ANY EXTERIOR WALL PROHIBITED. THE ARCHITECTURAL COMMITTEE MAY, IN THE PARTICULAR INSTANCE AND UPON WRITTEN REQUEST, APPROVE A WAIVER OF THE RESTRICTIONS SET FORTH IN THIS SUBSECTION.

5.6. WINDOWS: NO MILL FINISHED WINDOWS SHALL BE PERMITTED ON ANY HOME IN THE SUBDIVISION; HOWEVER, THE ARCHITECTURAL COMMITTEE MAY IN THE PARTICULAR INSTANCE AND UPON WRITTEN REQUEST APPROVE A WAIVER OF THE RESTRICTION SET FORTH IN THIS SUBSECTION.

5.7. ROOF FINISHING: EXPOSED ROOF FINISHING, VENT PIPES AND CHIMNEY COVERS SHALL BE PAINTED.

5.8. ROOF PITCH: NO DWELLING SHALL HAVE A ROOF PITCH OF LESS THAN 6/12, PROVIDED HOWEVER, THE ARCHITECTURAL COMMITTEE MAY, IN THE PARTICULAR INSTANCE AND UPON WRITTEN REQUEST, APPROVE A WAIVER OF THIS RESTRICTION TO PERMIT A DWELLING HAVING A FLAT ROOF AREA EQUAL TO NO MORE THAN TWENTY PERCENT (20%) OF THE AREA COVERED BY ALL ROOF SURFACES.

5.9. ROOFING MATERIALS: ROOFS SHALL BE COMPOSITION SHINGLE ROOF - HERETOFORE PROVIDED HOWEVER, IF FEDERAL, STATE, OR LOCAL LAWS PROHIBIT SUCH ROOFING OR SUBSTANTIALLY IMPAIR THE ENFORCEMENT OF THIS RESTRICTION OR IF HERETOFORE PROVIDED IS NOT REASONABLY AVAILABLE, THE ARCHITECTURAL COMMITTEE MAY APPROVE FOR THE SUBDIVISION SPECIFICATIONS FOR ALTERNATIVE ROOFING THAT IS HEAVY DUTY ORGANIC OR INORGANIC COMPOSITION SHINGLE AND WHICH SIMULATES A WEATHERED WOOD LOOK.

5.10. ON-SITE CONSTRUCTION: NO EXISTING OR OFF-SITE BUILT DWELLING MAY BE MOVED ONTO OR PLACED ON ANY LOT.

5.11. OUTBUILDINGS: OUTBUILDINGS ARE PROHIBITED. PROVIDED HOWEVER, THE ARCHITECTURAL COMMITTEE MAY IN THE PARTICULAR INSTANCE AND UPON WRITTEN REQUEST APPROVE A WAIVER OF THE RESTRICTIONS SET FORTH IN THIS SUBSECTION.

5.12. SWIMMING POOLS: ABOVE GROUND SWIMMING POOLS ARE PROHIBITED.

5.13. FENCING OR WALLS WITHIN THE LOT: FENCING OR WALLS WITHIN THE LOT SHALL NOT EXTEND BEYOND THE FRONT BOUNDING LINE OF THE LOT, AND IF A DWELLING IS SITUATED BEYOND THE FRONT BOUNDING LINE OF A LOT, NO FENCE OR WALL MAY EXTEND BEYOND THAT POINT NEAREST THE STREET AT EACH END CORNER OF THE DWELLING WITHIN CORNER LOTS. FENCING OR WALLS IN THE SIDE YARD ADJOINING THE STREET SHALL BE SET BACK A MINIMUM OF SIX FEET FROM THE SIDE LOT LINE. ELSEWHERE, FENCES OR WALLS WITHIN THE LOT SHALL BE OF WOOD, BRICK, STUCCO, NATURAL STONE OR UNPAINTED IRON, CHAIN LINK, BARBED WIRE, MESHED OR OTHER METAL.

FENCING IS SPECIFICALLY PROHIBITED, NO FENCE OR WALL WITHIN THE LOT SHALL EXCEED 30 FEET IN HEIGHT. THE ARCHITECTURAL COMMITTEE MAY, IN THE PARTICULAR INSTANCE AND UPON WRITTEN REQUEST, APPROVE A WAIVER OF THE FOREGOING RESTRICTIONS. NOTWITHSTANDING THE ABOVE, NOTHING WITHIN THIS PARAGRAPH SHALL BE DEEMED A RESTRICTION UPON FENCING OR WALLS CONSTRUCTED WITHIN THE AREAS DEPICTED UPON THE ACCOMPANYING PLAT AS "TERRACE TERRACES" OR "VIA".

5.14. ANTENNAS: EXTERIOR TELEVISION, "CBI" RADIO OR OTHER TYPES OF ANTENNA SHALL BE PROHIBITED, PROVIDED HOWEVER, SATELLITE DISHES OR SIMILAR OUTSIDE ELECTRONIC RECEIVING DEVICES NOT EXCEEDING 20 INCHES IN DIAMETER MAY BE AFFIXED TO A REAR BUILDING WALL OR CORNER IF BELOW THE EAVE AND NOT VISIBLE FROM THE STREET VIEW OF THE DWELLING, AND THE SPECIFIC LOCATION OF THE SAME IS APPROVED BY THE ARCHITECTURAL COMMITTEE. THE ARCHITECTURAL COMMITTEE MAY, IN THE PARTICULAR INSTANCE AND UPON WRITTEN REQUEST, APPROVE A WAIVER OF THE FOREGOING RESTRICTIONS.

5.15. LOT MAINTENANCE: NO INOPERATIVE VEHICLE OR MOTORCYCLE SHALL BE STORED ON ANY LOT, AND EACH LOT SHALL BE MAINTAINED IN A NEAT AND ORDERLY MANNER. EXCESSIVE GRASS, WEEDS, OR OTHER VEGETATION SHALL BE CUT, TRIMMED OR MOVED TO PREVENT UNDESIRABLE GROWTH OF WEEDS OR TALL GRASS.

5.16. RECREATIONAL VEHICLES AND EQUIPMENT: NO BOATS, RECREATIONAL TRAILERS, PERSONAL WATER CRAFT, CAMPER, MOTOR HOMES, OR OTHER RECREATIONAL VEHICULAR EQUIPMENT SHALL BE STORED, PLACED, OR PARKEED ON ANY STREET WITHIN THE SUBDIVISION OR ON ANY LOT, EXCEPT WITHIN AN ENCLOSED GARAGE.

5.17. TRAILERS, MACHINERY AND EQUIPMENT: COMMERCIAL VEHICLES: NO TRAILERS, MACHINERY OR EQUIPMENT, OR COMMERCIAL VEHICLES, SHALL BE STORED, PLACED OR PARKEED ON ANY STREET WITHIN THE SUBDIVISION OR ON ANY LOT EXCEPT WITHIN AN ENCLOSED GARAGE. PROVIDED HOWEVER, NOTHING HEREIN SHALL PROHIBIT THE PARKING OF VEHICLES, TRAILERS, MACHINERY OR EQUIPMENT WHEN BEING UTILIZED IN CONNECTION WITH SERVICES PERTAINING TO A RESIDENCE IN THE SUBDIVISION. FURTHER PROVIDED THAT NOTHING HEREIN SHALL PROHIBIT THE PARKING OF LIGHT TRUCKS WITHOUT COMMERCIAL LICENSE (MAXIMUM 3/4 TON).

5.18. CLOTHESLINES AND TRASH RECIPIERS: EXTERIOR CLOTHESLINE POLES OR OTHER OUTDOOR DRYING APPARATUS ARE PROHIBITED. GARAGE GATE AND OTHER TRASH RECIPIERS SHALL BE OUT OF VIEW FROM ANY ADJOINING STREET OR FROM ANY ADJOINING LOT EXCEPT DURING REASONABLE TIMES NECESSARY TO PERMIT CURBSIDE PICKUP.

5.19. MAILBOXES: AS LONG AS A RURAL-TYPE MAILBOX IS IN USE IN THE SUBDIVISION FOR U.S. POSTAL SERVICE, ALL MAILBOX POSTBOXES SHALL CONFORM IN DESIGN TO SPECIFICATIONS ESTABLISHED BY THE ARCHITECTURAL COMMITTEE. THE MAILBOX SHALL BE POSITIONED SO THAT THE FRONT FACE IS APPROXIMATELY SIX (6) INCHES IN FROM THE BASE OF THE CURB AND SIX (6) FEET FROM THE "BACK EDGE" OF THE DRIVEWAY. "BACK EDGE" SHALL MEAN THE EDGE OF THE DRIVEWAY WHICH BORDERS THE LARGEST CONTIGUOUS LOT AREA. THE TOP OF THE MAILBOX SHALL BE FORTY TWO (42) INCHES FROM STREET LEVEL.

5.20. GARAGE/VAULT SALES: GARAGE/VAULT SALES WILL BE ALLOWED TWICE EACH CALENDAR YEAR. THE DATES THEREOF SHALL BE SET BY THE BOARD OF DIRECTORS OF THE ASSOCIATION.

SECTION VI. ENFORCEMENT, DURATION, AMENDMENT OR TERMINATION, AND SEVERABILITY

6.1. ENFORCEMENT: THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER AND ITS SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I, STREETS AND UTILITIES EASEMENTS AND SECTION 4, HEREIN, REGARDING MOVING OF GAS PIPING EASTWARD AREA, ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THEREIN, AND ADDITIONALLY THE COVENANTS WITHIN SECTIONS I AND 1, WHETHER OR NOT SPECIFICALLY THEREIN SO STATED, SHALL RUN TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA. THE COVENANTS CONTAINED IN SECTION III, PLANNED UNIT DEVELOPMENT RESTRICTIONS ARE ESTABLISHED PURSUANT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE TULSA ZONING CODE AND SHALL RUN TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA. ANY OWNER OF A LOT IN THE SUBDIVISION, AND THE ASSOCIATION, THE COVENANTS CONTAINED IN SECTION III, PROPERTY OWNERS' ASSOCIATION AND SECTION IV, PRIVATE RESTRICTIONS SHALL RUN TO THE BENEFIT OF ALL LOT OWNERS WITHIN THE ESTATES AT THE RIVER IV/VI AND THE ASSOCIATION. IF THE UNDERSIGNED OWNER, OR ITS SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTIONS IV, V, OR VI, IT SHALL BE UNLAWFUL FOR ANY OWNER OF A LOT IN THE SUBDIVISION OR THE ASSOCIATION TO MAINTAIN ANY ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VOLUNTARILY OR INVOLUNTARILY TO COMPLY WITH SUCH COVENANT TO PREVENT SUCH PERSON OR PERSONS FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT. IN ANY JUDICIAL ACTION BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED WITHIN THIS DEED OF DEDICATION, THE DEFENSE THAT THE PARTY INITIATING THE EQUITABLE PROCEEDINGS HAS AN ADEQUATE REMEDY AT LAW IS HEREBY WAIVED IN ANY JUDICIAL ACTION BROUGHT BY AN OWNER OF A LOT IN THE SUBDIVISION OR THE ASSOCIATION, WHICH ACTION INTENDS TO ENFORCE THE COVENANTS AND/OR TO RECOVER DAMAGES FOR THE BREACH THEREOF. THE PREVIOUS PARAGRAPH SHALL BE ENFORCEABLE TO RECOVER REASONABLE ATTORNEY FEES AND COSTS AND EXPENSES INCURRED IN SUCH ACTION.

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

6.3. AMENDMENT OR TERMINATION: THE COVENANTS CONTAINED WITHIN SECTIONS I, STREETS AND UTILITIES EASEMENTS AND 4, HEREIN, ARE AMENDED OR TERMINATED BY ANY INSTRUMENT BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNERS OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS, AND THE CITY OF TULSA, OKLAHOMA. THE COVENANTS CONTAINED WITHIN SECTION III, PLANNED UNIT DEVELOPMENT RESTRICTIONS MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS. NOTWITHSTANDING THE FOREGOING, THE COVENANTS CONTAINED WITHIN SECTION III, SHALL BE DEEMED AMENDED (WITHOUT NECESSITY OF EXECUTION OF AN AMENDING DOCUMENT) UPON APPROVAL OF A MINOR AMENDMENT TO PUD NO. 101 BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS, AND RECORDS OF A CERTIFIED COPY OF THE AMENDS OF THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS, WITH THE TULSA COUNTY CLERK. THE COVENANTS CONTAINED WITHIN ANY OTHER SECTION OF THIS DEED OF DEDICATION MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER DURING SUCH PERIOD THAT THE OWNER IS THE RECORD OWNER OF AT LEAST 1 LOT. ALTERNATIVELY, THE COVENANTS AND RESTRICTIONS MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNERS OF AT LEAST 60% OF THE LOTS WITHIN THE SUBDIVISION. IN THE EVENT OF ANY CONFLICT BETWEEN AN AMENDMENT OR TERMINATION PROPERLY EXECUTED BY THE OWNERS (DURING HIS OWNERSHIP OF AT LEAST 1 LOT) AND ANY AMENDMENT OR TERMINATION PROPERLY EXECUTED BY THE OWNERS OF AT LEAST 60% OF THE LOTS, THE INSTRUMENT EXECUTED BY THE OWNERS SHALL PREVAIL. THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING COVENANTS AND RESTRICTIONS SHALL BE EFFECTIVE FROM AND AFTER THE DATE IT IS PROPERLY RECORDED.

6.4. SEVERABILITY: INVALIDATION OF ANY RESTRICTION SET FORTH HEREIN, OR ANY PART THEREOF, BY A COURT, 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, BETH LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HAS EXECUTED THIS INSTRUMENT ON THIS _____ DAY OF _____, 2021.
BETH LLC
AN OKLAHOMA LIMITED LIABILITY COMPANY.
BRIAN GREEN, MANAGER OF LLC
STATE OF OKLAHOMA)
) SSS
COUNTY OF TULSA)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THE _____ DAY OF _____, 2021, PERSONALLY APPEARED BRIAN GREEN TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SIGNED THE NAME OF BETH LLC TO THE FOREGOING INSTRUMENT, AS ITS MANAGER 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 BETH LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, FOR THE USES AND PURPOSES THEREIN SET FORTH THE DAY AND YEAR LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES: JENNIFER MILLER, NOTARY PUBLIC
CERTIFICATE OF SURVEY

I, DAN E. TANNER, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND HEREIN DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED HEREIN AS THE ESTATES AT THE RIVER IV/VI, A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, IS A TRUE REPRESENTATION OF A SURVEY MADE ON THE GROUND USING ACCEPTED PRACTICES, AND MEETS OR EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING.

WITNESS MY HAND AND SEAL THIS _____ DAY OF _____, 2021.
Dan E. Tanner
Dan E. Tanner
1435

BY: DAN E. TANNER
LICENSED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1435
STATE OF OKLAHOMA)
) SSS
COUNTY OF TULSA)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THE _____ DAY OF _____, 2021, PERSONALLY APPEARED TO ME DAN E. TANNER KNOWN TO BE THE IDENTICAL PERSON WHO SIGNED HIS NAME AS LICENSED PROFESSIONAL LAND SURVEYOR TO THE FOREGOING CERTIFICATE, AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSES THEREIN SET FORTH THE DAY AND YEAR LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES: JENNIFER MILLER, NOTARY PUBLIC

6.10

Conceptual Utility Plan

PUD-803-6

THE ESTATES AT THE RIVER IV-VI

PART OF THE SOUTHEAST QUARTER NORTHWEST QUARTER (SE/4 NW/4) AND ALL OF GOVERNMENT LOT SIX (6) OF SECTION THREE (3) TOWNSHIP SEVENTEEN (17) NORTH RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

OWNER:
EATR LLC
AN OKLAHOMA LIMITED LIABILITY COMPANY
CONTACT: BRIAN GREEN
EMAIL: BRIAN@EATR.COM
17211 South 4170 Road
Claremore, Oklahoma 74017
Phone: (918) 342-0840

SURVEYOR/ENGINEER:
Tanner Consulting, L.L.C.
DAN E. TANNER, P.L.S. NO. 1493
OK CA NO. 2041, EXPIRES 6/30/2023
EMAIL: DAN@TANNERCONSULTING.COM
5323 South Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918) 745-9929

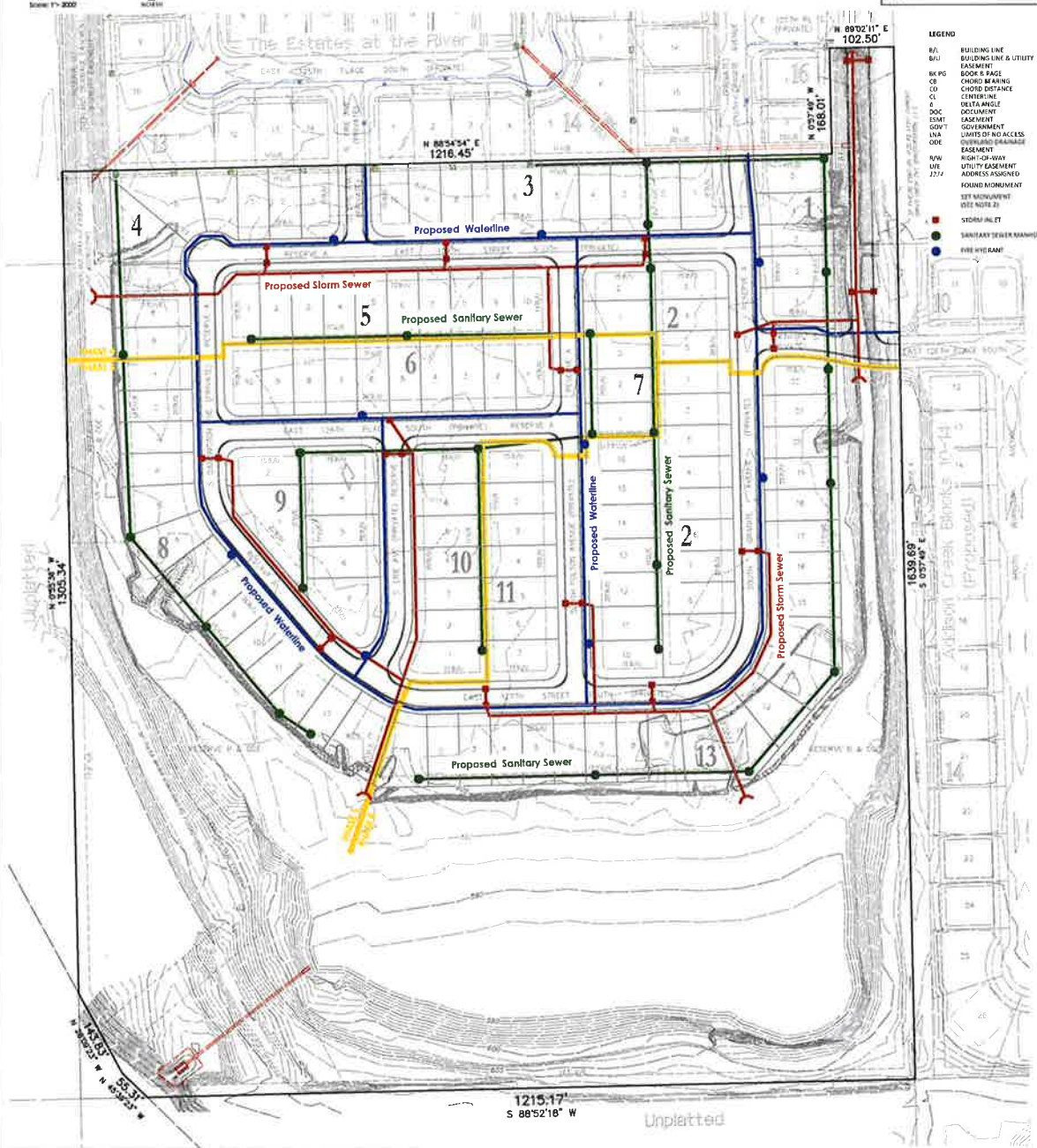


SUBDIVISION CONTAINS:
ONE HUNDRED TWENTY FOUR (24) LOTS
IN THIRTEEN (13) BLOCKS
WITH THREE (3) RESERVES
GROSS SUBDIVISION AREA: 48.822 ACRES



Location Map
Scale: 1" = 2000'

FINAL PLAT ENDORSEMENT OF APPROVAL	
Tulsa Metropolitan Area Planning Commission	
Approval Date:	
TMAP/CINGDOG	
CITY ENGINEER	
Council of the City of Tulsa, Oklahoma	
Approval Date:	
CHAIRMAN	
MAYOR	
ATTY: CITY CLERK	
CITY ATTORNEY	
The approval of this Final Plat will expire one year from the date of City Council approval if not filed in the Office of the City Clerk before that date.	



LEGEND

B/L	BUILDING LINE
B/LU	BUILDING LINE & UTILITY EASEMENT
BP PG	BOOK & PAGE
CS	CHORD BEARING
CD	CHORD DISTANCE
CL	CENTERLINE
DA	DELTA ANGLE
DOC	DOCUMENT
ESMT	EASEMENT
GOVT	GOVERNMENT
LNK	LIMIT OF ROAD ACCESS
ODE	OVERLAP/DRAINAGE EASEMENT
R/W	RIGHT-OF-WAY
UE	UTILITY EASEMENT
Z/L	ADDRESS ASSIGNED
FOUND MONUMENT	
STP	STP MONUMENT
WSP	WSP MONUMENT
STORM	STORM MANHOLE
SS	SEWER/STORM MANHOLE
EW	ELECTRIC METER

6.11

