Tulsa Metropolitan Area Planning Commission	<u>Case:</u> Wind River Plaza (2023) <u>Hearing Date</u> : November 1, 2023
Case Report Prepared by: Austin Chapman	Owner and Applicant Information: <i>Applicant</i> : Tanner Consulting, LLC <i>Owner</i> : Gold Team Realty Group LLC
<image/>	Applicant Proposal: Preliminary Plat 28 lots, 5 blocks, 13.41 + acres <i>Location</i> : Northwest corner of East 121st Street South and South Yale Avenue
<b>Zoning</b> : RS-4/CG/OL w/ Optional Development Plan (Z-7588)	Staff Recommendation: Staff recommends <b>approval</b> of the preliminary plat
	<u>City Council District:</u> 8 <i>Councilor Name</i> : Phil Lakin <u>County Commission District:</u> 3 <i>Commissioner Name:</i> Kelly Dunkerley

#### PRELIMINARY SUBDIVISION PLAT

#### Wind River Plaza (2023) - (CD 8)

Northwest corner of East 121st Street South and South Yale Avenue. This plat consists of 28 lots, 5 blocks, 13.41 + acres

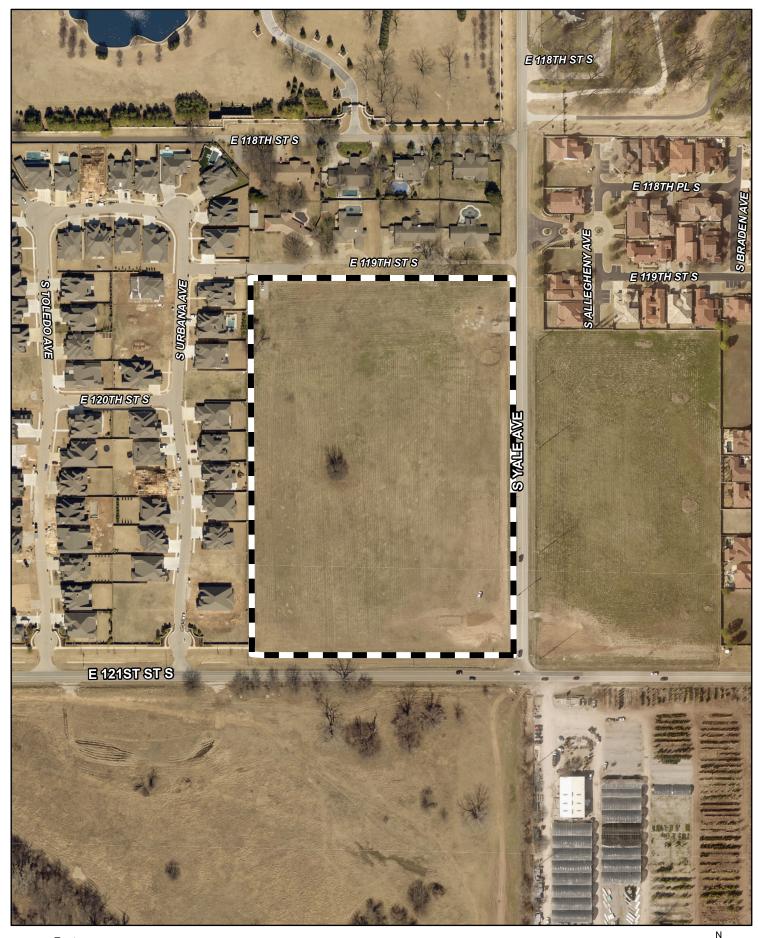
The Technical Advisory Committee (TAC) met on October 19<sup>th</sup>, 2023 and provided the following conditions:

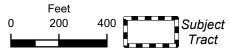
- 1. **Zoning:** Proposed lots conform to the RS-4 Zoning District and the development standards of Z-7588.
- 2. Addressing: Addresses have been provided, City of Tulsa addresses and street names must be affixed to the face of the final plat along with the address disclaimer.

#### 3. Transportation & Traffic:

- Corner clip is needed at the intersection of E 119th ST S & S Yale Ave of 25'.
- Right-of-way dedication should conform to the requirement of the Major Street and Highway Plan.
  Proposed access points must be approved by Traffic Engineering. Align limits of no access with conditions of Traffic Engineering.
- Sidewalks are required along all public streets and must be ADA compliant.
- 4. Sewer/Water: None.
- 5. Engineering Graphics: No comments.
- 6. Stormwater, Drainage, & Floodplain: Per FEMA FIRM panel, the site is fully in Zone X "Areas of Other Flood Hazard" in the 0.2% Annual Chance flood plain but contains no Zone A 100-year Floodplains. Most of the site pre-development is in the Tulsa Regulatory 100-year Floodplain, but a plan for modification has been developed and approved.
- 7. 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.
- 8. Infrastructure and Public Improvements: IDP's for required infrastructure must be approved before the release of the final plat.

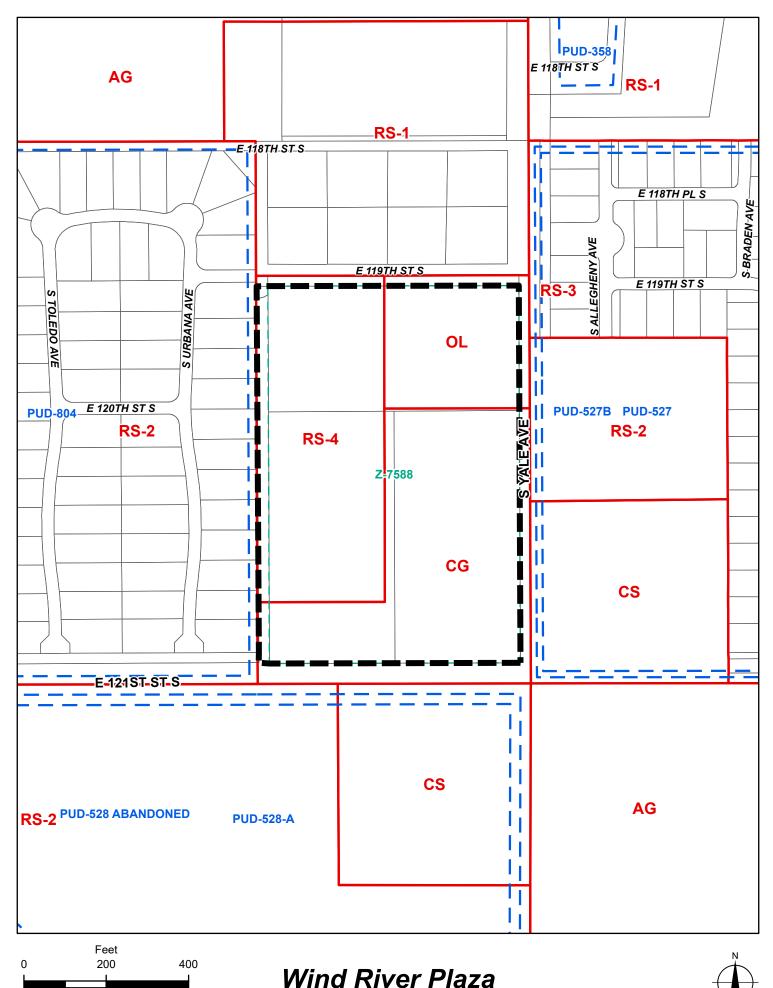
Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and all other requirements of the Subdivision and Development Regulations. City of Tulsa release letter is required prior to final plat approval.



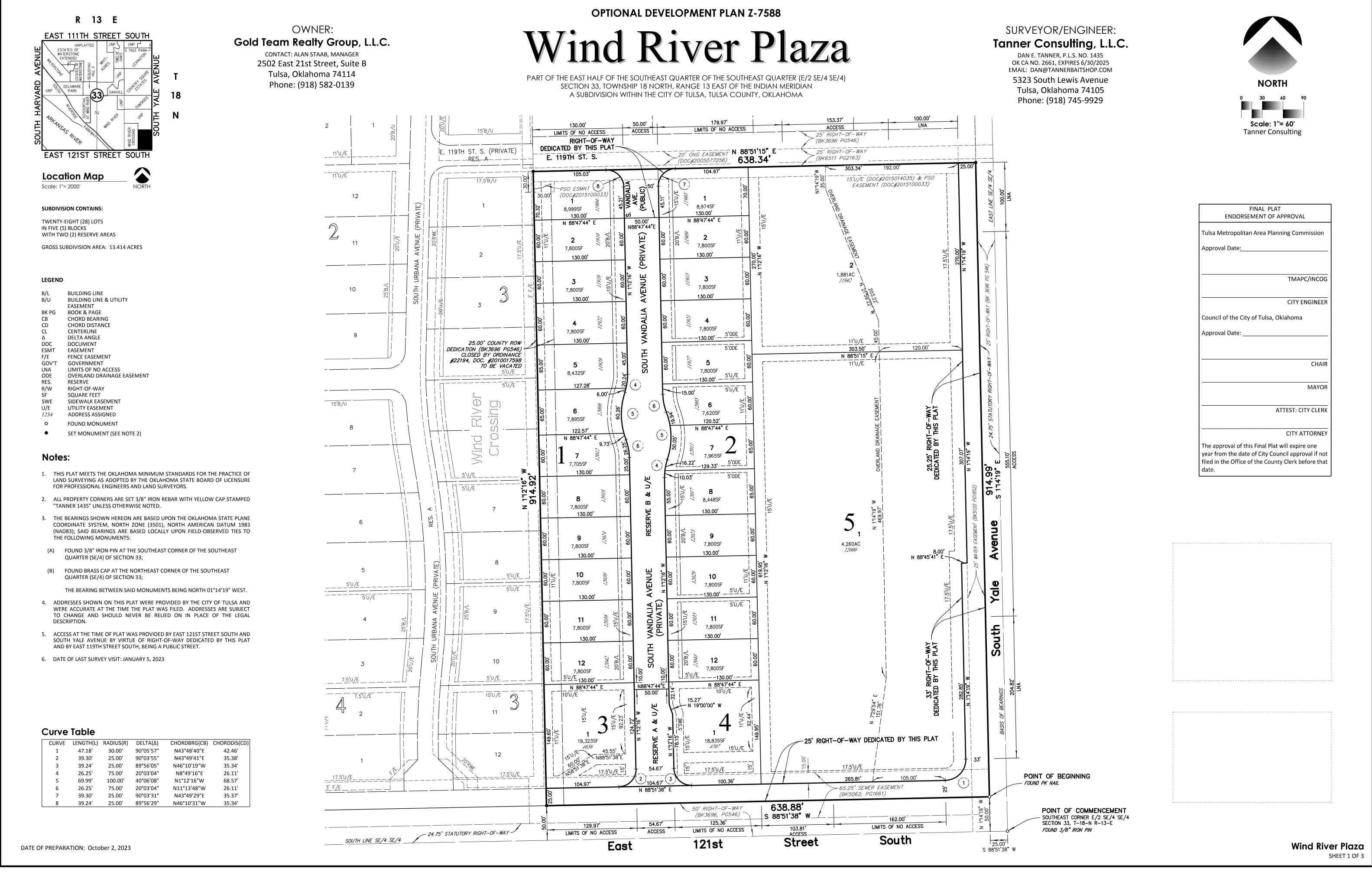


Wind River Plaza

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







## Deed of Dedication

KNOW ALL MEN BY THESE PRESENTS:

GOLD TEAM REALTY GROUP, L.L.C., 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 TRACT OF LAND THAT IS PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (E/2 SE/4 SE/4) OF SECTION THIRTY-THREE (33), TOWNSHIP EIGHTEEN (18) 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 AT THE SOUTHEAST CORNER OF SAID E/2 SE/4 SE/4; THENCE SOUTH 88°51'38" WEST AND ALONG THE SOUTH LINE OF THE E/2 SE/4 SE/4, FOR A DISTANCE OF 25.00 FEET; THENCE NORTH 1°14'19" WEST AND PARALLEL WITH THE EAST LINE OF THE E/2 SE/4 SE/4, FOR A DISTANCE OF 50.00 FEET TO A POINT ON THE PRESENT NORTH RIGHT-OF-WAY LINE OF EAST 121ST STREET SOUTH BY VIRTUE OF DEDICATION DEED FOR PUBLIC HIGHWAY DATED THE 29TH DAY OF MARCH, 1966 AND FILED OF RECORD APRIL 4, 1966 IN BOOK 3696 ON PAGE 546 IN THE RECORDS OF THE COUNTY CLERK, TULSA COUNTY, STATE OF OKLAHOMA, SAID POINT BEING THE POINT OF BEGINNING;

THENCE SOUTH 88°51'38" WEST AND ALONG SAID NORTH RIGHT-OF-WAY LINE, FOR A DISTANCE OF 638.88 FEET TO A POINT, SAID POINT BEING THE SOUTHEAST CORNER OF "WIND RIVER CROSSING", A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 6605); THENCE NORTH 1°12'16" WEST AND ALONG THE EAST LINE OF SAID SUBDIVISION, FOR A DISTANCE OF 914.92 FEET TO A POINT ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF EAST 119TH STREET SOUTH; THENCE NORTH 88°51'15" EAST AND ALONG SAID SOUTH RIGHT-OF-WAY LINE, FOR A DISTANCE OF 638.34 TO A POINT ON THE PRESENT WEST RIGHT-OF-WAY LINE OF SOUTH YALE AVENUE; THENCE SOUTH 1°14'19" EAST AND ALONG SAID WEST RIGHT-OF-WAY LINE, FOR A DISTANCE OF 914.99 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINING 584,295 SQUARE FEET, OR 13.414 ACRES.

THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3501), NORTH AMERICAN DATUM 1983 (NAD83); SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:

- (A) FOUND 3/8" IRON PIN AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 33;
- (B) FOUND BRASS CAP AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 33;
- THE BEARING BETWEEN SAID MONUMENTS BEING NORTH 1°14'19" WEST.

THE OWNER HAS CAUSED THE SAME TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO LOTS, BLOCKS, RESERVE AREAS, AND STREETS AS SHOWN BY THE ACCOMPANYING PLAT AND SURVEY THEREOF, AND WHICH PLAT IS MADE A PART HEREOF; AND THE OWNER HAS GIVEN TO SAID PLAT THE NAME OF "WIND RIVER PLAZA", A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA, (WHEREVER THE WORD "SUBDIVISION" APPEARS HEREIN THE SAME SHALL CONCLUSIVELY BE DEEMED TO MEAN "WIND RIVER PLAZA" UNLESS THE CONTEXT CLEARLY DICTATES OTHERWISE. LIKEWISE, WHEREVER THE WORD "CITY" 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 INSURING ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE OWNER, ITS SUCCESSORS, GRANTEES AND ASSIGNS, 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 OR 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, UTILITIES, AND EASEMENTS

THE OWNER HEREBY DEDICATES TO THE PUBLIC THE STREET RIGHTS-OF-WAY FOR EAST 121ST STREET SOUTH, SOUTH YALE AVENUE, AND THAT PART OF SOUTH VANDALIA AVENUE DESIGNATED "PUBLIC", ALL AS DEPICTED ON THE ACCOMPANYING PLAT. THE OWNER FURTHER DEDICATES TO THE PUBLIC THE UTILITY EASEMENTS DESIGNATED AS "U/E" OR "UTILITY EASEMENT" FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS, SANITARY SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS, MANHOLES, AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER APPURTENANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES STATED, PROVIDED THE OWNER RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY, AND REPAIR OR REPLACE WATERLINES, SANITARY SEWER MAINS, AND STORM SEWER MAINS, 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, SANITARY SEWER, AND STORM SEWER SERVICES TO AREAS DEPICTED ON THE PLAT. THE OWNER HEREBY IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE THAT, WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, NO BUILDING, STRUCTURE, OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION THAT INTERFERES WITH STATED USES AND PURPOSES OF THE UTILITY EASEMENTS SHALL BE PLACED, ERECTED, INSTALLED, OR MAINTAINED, PROVIDED NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING, AND CUSTOMARY SCREENING FENCES THAT DO NOT CONSTITUTE AN OBSTRUCTION.

A. UTILITY SERVICE:

1. OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE, AND COMMUNICATION SERVICES MAY BE LOCATED WITHIN THE EAST AND SOUTH PERIMETER UTILITY EASEMENTS OF THE SUBDIVISION AND WITHIN THE RIGHTS-OF-WAY OF SOUTH YALE AVENUE AND EAST 121ST STREET SOUTH AS DEDICATED BY THIS PLAT. STREET LIGHT POLES OR STANDARDS SHALL BE SERVED BY UNDERGROUND CABLE AND, EXCEPT AS PROVIDED IN THE IMMEDIATELY-PRECEDING SENTENCE, ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN EASEMENTS DEDICATED FOR GENERAL UTILITY SERVICE AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN GENERAL UTILITY EASEMENTS.

2. UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WITHIN THE SUBDIVISION MAY BE EXTENDED FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL, OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF A STRUCTURE UPON THE LOT, 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, EFFECTIVE, AND NON-EXCLUSIVE EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE GAS MAIN, SERVICE PEDESTAL, OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.

3. EACH SUPPLIER OF ELECTRIC, TELEPHONE, COMMUNICATION, AND GAS SERVICE, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, COMMUNICATION, OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.

4. THE OWNER OF ANY LOT OR RESERVE AREA SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON THE OWNER'S LOT OR RESERVE AREA AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE, COMMUNICATION. 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 OWNER OF THE LOT OR RESERVE AREA OR SAID OWNER'S AGENTS OR CONTRACTORS.

THE COVENANTS SET FORTH IN THIS SUBSECTION A. SHALL BE ENFORCEABLE BY EACH SUPPLIER OF THE ELECTRIC. TELEPHONE, COMMUNICATION, OR GAS SERVICE AND THE OWNER OF ANY LOT OR RESERVE AREA AGREES TO BE BOUND BY THESE COVENANTS.

#### B. GAS SERVICE:

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 THE PLAT OR AS OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, REMOVING, REPAIRING, OR REPLACING ANY PORTION OF THE FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE.

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 SUCH OWNER OR SUCH OWNER'S AGENTS OR CONTRACTORS.

3. THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION B. SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE GAS SERVICE AND THE LOT OR RESERVE AREA OWNER AGREES TO BE BOUND BY THESE COVENANTS.

C. WATER, SANITARY SEWER, AND STORM SEWER SERVICE:

1. THE OWNER OF ANY LOT OR RESERVE AREA SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS LOCATED THE OWNER'S LOT OR RESERVE AREA.

2. WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT. THE ALTERATION OF GRADE FROM THE CONTOURS 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.

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 SAID OWNER'S AGENTS OR CONTRACTORS.

4. THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT. OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF UNDERGROUND WATER, SANITARY SEWER, OR STORM SEWER FACILITIES.

## Preliminary Plat

## **OPTIONAL DEVELOPMENT PLAN Z-7588**

# Wind River Plaza

PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (E/2 SE/4 SE/4) SECTION 33, TOWNSHIP 18 NORTH, RANGE 13 EAST OF THE INDIAN MERIDIAN A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA

5. THE FOREGOING COVENANTS SET FORTH IN SUBSECTION C. SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, AND THE OWNER OF EACH LOT OR RESERVE AREA AGREES TO BE BOUND BY THESE COVENANTS.

#### D. OVERLAND DRAINAGE EASEMENTS:

1. THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC PERPETUAL EASEMENTS ON, OVER, AND ACROSS THOSE AREAS DESIGNATED ON THE ACCOMPANYING PLAT AS "OVERLAND DRAINAGE EASEMENT" OR "ODE" FOR THE PURPOSE OF PERMITTING THE OVERLAND FLOW, CONVEYANCE, AND DISCHARGE OF STORMWATER RUNOFF FROM VARIOUS LOTS AND RESERVE AREAS 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 THE CITY OF TULSA, OKLAHOMA, AND PLANS AND SPECIFICATIONS APPROVED BY THE CITY OF TULSA, OKLAHOMA.

3. NO FENCE, WALL, BUILDING, OR OTHER OBSTRUCTION SHALL BE PLACED OR MAINTAINED WITHIN AN OVERLAND DRAINAGE EASEMENT, NOR SHALL THERE BE ANY ALTERATION OF THE GRADE IN SUCH EASEMENTS UNLESS APPROVED BY THE CITY OF TULSA, OKLAHOMA, PROVIDED THAT THE PLANTING OF TURF SHALL NOT REQUIRE THE APPROVAL OF THE CITY OF TULSA, 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 THE CITY OF TULSA, OKLAHOMA. IN THE EVENT SUCH OWNER FAILS TO PROPERLY MAINTAIN THE EASEMENT LOCATED THEREON 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 AREA 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 SUCH OWNER FAILS TO PAY THE COST OF MAINTENANCE AFTER 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 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 THE CITY OF TULSA, OKLAHOMA.

#### E. SURFACE DRAINAGE:

EACH LOT AND RESERVE AREA SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS 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 SURFACE WATERS OVER AND ACROSS THE OWNER'S LOT OR RESERVE AREA. THE COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OR RESERVE AREA OWNER AND BY THE CITY OF TULSA. OKLAHOMA.

#### F. PAVING AND LANDSCAPING WITHIN EASEMENTS:

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 OR NECESSARY MAINTENANCE OF UNDERGROUND WATER, SANITARY SEWER, STORM SEWER, NATURAL GAS, COMMUNICATION, OR ELECTRIC FACILITIES WITHIN THE UTILITY EASEMENT AREAS DEPICTED UPON THE ACCOMPANYING PLAT, PROVIDED THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, OR THE SUPPLIER OF THE UTILITY SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

#### G. SIDEWALKS:

SIDEWALKS SHALL BE CONSTRUCTED AND MAINTAINED ALONG STREETS DESIGNATED BY AND IN ACCORDANCE WITH THE TULSA METROPOLITAN AREA SUBDIVISION AND DEVELOPMENT REGULATIONS AND CITY OF TULSA ORDINANCES AND IN CONFORMANCE WITH THE CITY OF TULSA ENGINEERING DESIGN STANDARDS. THE OWNER SHALL BE RESPONSIBLE FOR CONSTRUCTION OF A SIDEWALK WITHIN THE STREET RIGHTS-OF-WAY ALONG THE NORTH LINES OF BLOCKS ONE (1) AND TWO (2) AND ALONG THE SOUTH LINES OF BLOCKS THREE (3) AND FOUR (4) PER THE CONSTRUCTION PLANS APPROVED BY THE CITY OF TULSA, OKLAHOMA. ELSEWHERE WITHIN THE SUBDIVISION, PRIOR TO THE ISSUANCE OF AN OCCUPANCY PERMIT FOR THE BUILDING WITHIN A RESIDENTIAL OR NONRESIDENTIAL LOT, THE OWNER OF THE PARTICULAR LOT SHALL CONSTRUCT, AND THEREAFTER MAINTAIN, THE SIDEWALK WITHIN THE RIGHT-OF-WAY ADJACENT TO THE LOT. SIDEWALKS SHALL BE CONTINUOUS WITH ADJOINING SIDEWALKS.

#### H. SIDEWALK EASEMENT:

THE OWNER HEREBY ESTABLISHES A PERPETUAL, NON-EXCLUSIVE EASEMENT FOR ACCESS ON, OVER, AND ACROSS THE AREAS DEPICTED IN THE ACCOMPANYING PLAT AS "SIDEWALK EASEMENT" OR "SWE" FOR THE BENEFIT OF THE OWNERS OF LOTS WITHIN THE SUBDIVISION, THEIR RESPECTIVE TENANTS, AGENTS, GUESTS, AND INVITEES, FOR THE PURPOSES OF CONSTRUCTING, MAINTAINING, AND REPLACING SIDEWALKS.

#### I. CERTIFICATE OF OCCUPANCY RESTRICTIONS:

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

#### J. LIMITS OF NO ACCESS:

THE OWNER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO SOUTH YALE AVENUE, EAST 121ST STREET SOUTH, AND EAST 119TH STREET SOUTH WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" (L.N.A.) ON THE ACCOMPANYING PLAT, WHICH "LIMITS OF NO ACCESS" MAY BE AMENDED OR RELEASED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSOR, AND WITH THE APPROVAL OF THE CITY OF TULSA, OKLAHOMA, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA PERTAINING THERETO, AND THE LIMITS OF NO ACCESS ABOVE ESTABLISHED SHALL BE ENFORCEABLE BY THE CITY OF TULSA.

#### SECTION II. RESERVE AREAS

#### A. RESERVES A AND B

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 ALL LOTS WITHIN THE SUBDIVISION AND THEIR RESPECTIVE GUESTS AND INVITEES, AND LIKEWISE RESERVE B, 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 LOTS WITHIN BLOCKS 1 AND 2 OF THE SUBDIVISION, AND THEIR RESPECTIVE GUESTS AND INVITEES, FOR THE PURPOSE OF PROVIDING VEHICULAR AND PEDESTRIAN ACCESS TO AND FROM SAID LOTS AND THE PUBLIC STREETS, AND SHALL BE LIMITED TO USE FOR A PRIVATE STREETS AND SIDEWALKS, FOR PROVIDING DRAINAGE FACILITIES TO CONTROL STORMWATER RUNOFF. FOR UTILITIES. AND FOR PROVIDING ENTRANCE SECURITY FACILITIES. DECORATIVE FENCING, SIGNAGE, LANDSCAPING, IRRIGATION, AND LIGHTING, AND ARE RESERVED FOR SUBSEQUENT CONVEYANCE TO THE PROPERTY OWNERS' ASSOCIATION TO BE FORMED. PURSUANT TO SECTION IV. HEREOF, FOR THE PURPOSES OF THE ADMINISTRATION AND MAINTENANCE OF THE PRIVATE STREETS AND OTHER COMMON AREAS OF THE SUBDIVISION.

2. THE OWNER HEREBY GRANTS TO THE CITY OF TULSA. OKLAHOMA. THE UNITED STATES POSTAL SERVICE, ANY PUBLIC UTILITY PROVIDING UTILITY SERVICE AND ANY REFUSE COLLECTION SERVICE WHICH PROVIDES SERVICE WITHIN THE SUBDIVISION, THE RIGHT TO ENTER AND TRAVERSE THE PRIVATE STREETS WITHIN RESERVES A AND B AND TO OPERATE THEREON ALL SERVICE, EMERGENCY AND GOVERNMENT VEHICLES INCLUDING, BUT NOT LIMITED TO, POLICE, FIRE, AND EMERGENCY MEDICAL VEHICLES AND EQUIPMENT.

3. 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, AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, TO:

- PUBLIC STREET.
- b. PROHIBIT THE ERECTION OF ANY ARCH OR SIMILAR STRUCTURE OVER ANY SUPPRESSION VEHICLE.
- c. SECURE INSPECTION BY THE CITY OF TULSA, OKLAHOMA, OF THE PRIVATE STREET FOR ANY LOT THAT DERIVES ITS ACCESS FROM A PRIVATE STREET.

4. THE OWNER ACKNOWLEDGES FOR ITSELF AND ITS SUCCESSORS IN TITLE THAT THE CITY OF TULSA, OKLAHOMA, SHALL HAVE NO DUTY TO MAINTAIN THE PRIVATE STREET

WITHIN THE SUBDIVISION, NOR HAVE ANY IMPLIED OBLIGATION TO ACCEPT ANY SUBSEQUENT TENDER OF DEDICATION OF THE PRIVATE STREET WITHIN THE SUBDIVISION.

#### B. ALL RESERVE AREAS

ALL COSTS AND EXPENSES ASSOCIATED WITH ALL RESERVE AREAS, INCLUDING MAINTENANCE OF VARIOUS IMPROVEMENTS AND 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 ANY RESERVE AREA.

2. EACH LOT AND RESERVE AREA OWNER OR RESIDENT AND/OR MEMBER OF THE PROPERTY OWNERS' ASSOCIATION AGREES TO HOLD HARMLESS THE OWNERS AND THE CITY OF TULSA, AND THEIR RESPECTIVE AGENTS AND REPRESENTATIVES, FROM ALL CLAIMS, DEMANDS, LIABILITIES, OR DAMAGES ARISING IN CONNECTION WITH THE OWNERSHIP OR USE OF THE FACILITIES AND IMPROVEMENTS CONSTRUCTED OR SITUATED IN THE RESERVE AREAS AND FURTHER AGREES THAT NEITHER THE CITY OF TULSA NOR THE OWNER SHALL BE LIABLE TO THE LOT OR RESERVE AREA OWNER OR RESIDENT AND/OR MEMBER OF THE PROPERTY OWNERS' ASSOCIATION OR ANY GUEST, VISITOR OR INVITEE THEREOF FOR ANY DAMAGE TO PERSON OR PROPERTY CAUSED BY ACTION, OMISSION OR NEGLIGENCE OF ANY LOT OR RESERVE AREA OWNER OR RESIDENT AND/OR MEMBER OF THE ASSOCIATION OR ANY GUEST, VISITOR, OR INVITEE THEREOF.

#### SECTION III. OPTIONAL DEVELOPMENT PLAN RESTRICTIONS

WHEREAS, WHEREAS, WIND RIVER PLAZA WAS SUBMITTED, IN CONCERT WITH REZONING APPLICATION Z-7588, AS AN "OPTIONAL DEVELOPMENT PLAN" AS PROVIDED WITHIN SECTION 70.040, TITLE 42, TULSA REVISED ORDINANCES (THE TULSA ZONING CODE) IN EXISTENCE AS OF NOVEMBER 5, 2020 (APPLICATION FILING DATE), AND

WHEREAS THE OPTIONAL DEVELOPMENT PLAN WAS AFFIRMATIVELY RECOMMENDED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION ON JANUARY 20, 2021, AND WAS REVISED AND APPROVED BY THE COUNCIL OF THE CITY OF TULSA, OKLAHOMA, ON FEBRUARY 24, 2021, THE IMPLEMENTING ORDINANCE, NO. 24578, BEING ADOPTED BY THE COUNCIL ON MARCH 10, 2021, AND

WHEREAS, THE CITY OF TULSA REQUIRES THE ESTABLISHMENT OF COVENANTS OF RECORD INURING TO AND ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, SUFFICIENT TO INSURE CONTINUED COMPLIANCE WITH THE APPROVED OPTIONAL DEVELOPMENT PLAN. AND

WHEREAS, THE OWNER DESIRES 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 OWNER DOES HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE OWNER. ITS SUCCESSORS AND ASSIGNS. AND SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH.

#### A. GENERAL DEVELOPMENT AND CONDITIONS:

THE DEVELOPMENT OF WIND RIVER PLAZA SHALL BE SUBJECT TO THE OPTIONAL DEVELOPMENT PLAN PROVISIONS OF THE TULSA ZONING CODE AS SUCH PROVISIONS EXISTED ON NOVEMBER 5, 2020 (APPLICATION FILING DATE), OR AS MAY BE AMENDED SUBSEQUENT TO THAT DATE.

#### B. DEVELOPMENT STANDARDS (ALL LOTS):

THE LOTS WITHIN WIND RIVER PLAZA (HEREINAFTER REFERRED TO AS THE "LOTS") SHALL BE SUBJECT TO THE PROVISIONS OF THE TULSA ZONING CODE FOR DEVELOPMENT IN THE RS-4, CG, AND OL ZONING DISTRICTS AND THEIR RESPECTIVE SUPPLEMENTAL REGULATIONS AND ACCESSORY USE PROVISIONS, AS THE LOTS ARE SPECIFICALLY ZONED. EXCEPT AS FURTHER REFINED BELOW. ALL USE CATEGORIES, BUILDING TYPES, SUBCATEGORIES, OR SPECIFIC USES OUTSIDE OF THE PERMITTED USES DEFINED BELOW ARE PROHIBITED.

#### C. DEVELOPMENT STANDARDS (ALL LOTS WITHIN BLOCKS 1 AND 2):

ALL LOT AND BUILDING REGULATIONS IN THE CITY OF TULSA ZONING CODE FOR RS-4 ZONING UNLESS AMENDED HEREIN BELOW.

#### PERMITTED USES:

#### **RESIDENTIAL USE CATEGORY** HOUSEHOLD LIVING (LIMITED TO BUILDING TYPE IDENTIFIED BELOW) SINGLE HOUSEHOLD

- 2. PERMITTED RESIDENTIAL BUILDING TYPES:
  - **RESIDENTIAL USE CATEGORY** 
    - HOUSEHOLD LIVING SUBCATEGORY
      - SINGLE HOUSEHOLD SPECIFIC BUILDING TYPES DETACHED HOUSE
    - PATIO HOUSE
- MINIMUM LOT WIDTH: 55 FEET

## Wind River Plaza SHEET 2 OF 3

a. CONSTRUCT AND MAINTAIN A STREET EXTENDING THE FULL, COMBINED LENGTH OF RESERVES A AND B, AS DEPICTED ON THE ACCOMPANYING PLAT, AND MEETING OR EXCEEDING CITY OF TULSA DESIGN STANDARDS FOR A RESIDENTIAL

PRIVATE STREET WITHIN RESERVES A OR B, AS DEPICTED ON THE ACCOMPANYING PLAT, WHICH WOULD OBSTRUCT THE PASSAGE OF ANY GOVERNMENTAL OR EMERGENCY VEHICLE AND SPECIFICALLY ANY FIRE

AND SECURE CERTIFICATION BY THE CITY OF TULSA, OKLAHOMA, THAT THE PRIVATE STREET HAS BEEN CONSTRUCTED IN ACCORDANCE WITH THE STANDARDS ABOVE SET FORTH, OR IF THE CITY OF TULSA, OKLAHOMA, DECLINES TO INSPECT THE PRIVATE STREETS, CERTIFICATION SHALL BE SECURED FROM A LICENSED 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

## Deed of Dedication (Continued)

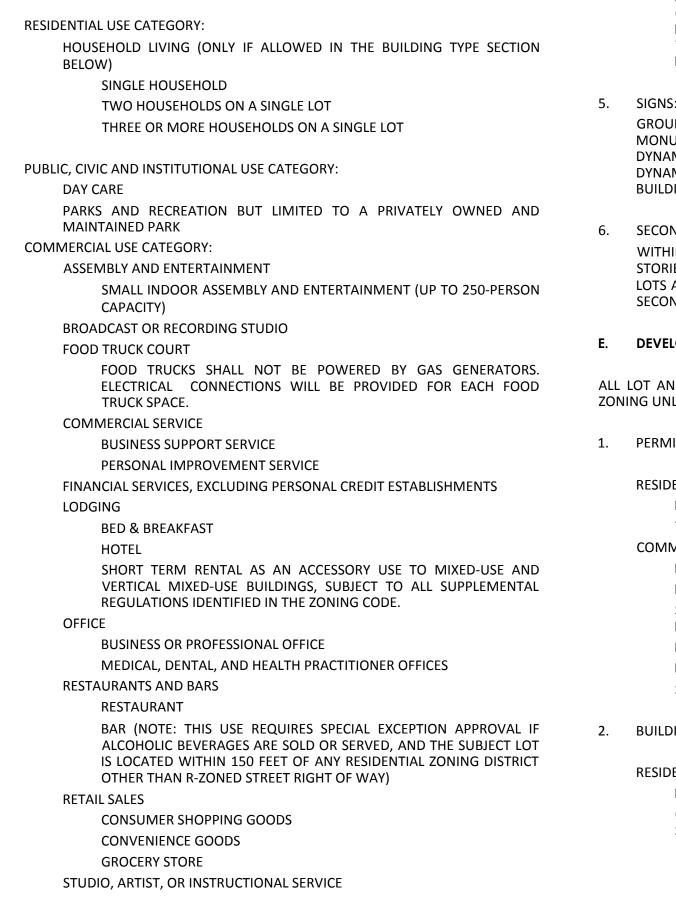
## 4. MINIMUM LOT AREA:

- 7,150 SQUARE FEET
- 5. MINIMUM SIDE YARD SETBACKS:
  - AS SET FORTH IN THE CITY OF TULSA ZONING CODE FOR RS-4, PROVIDED THAT SIDE YARDS SEPARATED FROM A STREET BY A RESERVE AREA SHALL MEET THE SETBACKS OF A CORNER LOT
- 6. STREETS:
  - STREETS MAY BE PUBLIC OR PRIVATE AND GATED.
    - PRIVATE STREETS AND GATE SYSTEMS SHALL CONFORM TO THE STANDARDS OUTLINED FOR MINOR RESIDENTIAL STREETS IN THE TULSA SUBDIVISION AND DEVELOPMENT REGULATIONS EFFECTIVE MAY 10, 2018 EXCEPT AS THOSE STANDARDS MAY HAVE BEEN AMENDED AT THE TIME THE SUBDIVISION PLAT IS SUBMITTED FOR CONSIDERATION BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION.
    - ANY GATE ASSEMBLY ON A PRIVATE STREET MUST RECEIVE A BUILDING PERMIT FROM THE CITY OF TULSA BUILDING PERMIT OFFICE PRIOR TO CONSTRUCTION. PRIOR TO ISSUANCE OF A BUILDING PERMIT, THE TULSA PLANNING OFFICE SHALL APPROVE THE SITE PLAN BUT WILL NOT APPROVE THE SITE PLAN UNTIL RECEIPT OF A LETTER APPROVAL FROM RELEVANT DEPARTMENTS IN THE CITY OF TULSA.

D. DEVELOPMENT STANDARDS (ALL OF BLOCKS 3 AND 4 AND LOT 1 OF BLOCK 5):

ALL LOT AND BUILDING REGULATIONS IN THE CITY OF TULSA ZONING CODE FOR CG ZONING UNLESS AMENDED HEREIN BELOW.

## 1. PERMITTED USES:



DATE OF PREPARATION: October 2, 2023

- AGRICULTURAL USE CATEGORY: FARM, MARKET OR COMMUNITY SU OTHER USE CATEGORY:
- DRIVE-THROUGH FACILITY (AS A CC USE)
- 2. BUILDING TYPE REGULATIONS FOR HOUSE **RESIDENTIAL USE CATEGORY** 
  - HOUSEHOLD LIVING SUBCATE ONE HOUSEHOLD ON A MIXED-USE BUILD VERTICAL MIXED-TWO HOUSEHOLDS ON MIXED-USE BUILD VERTICAL MIXED-
    - THREE OR MORE HOU BUILDING TYPE MIXED-USE BUILD
      - VERTICAL MIXED-
- 3. MAXIMUM FLOOR AREA RATIO (FAR): 0.75
- 4. STREETS:
  - STREETS MAY BE PUBLIC OR PRIVATE AND PRIVATE STREETS AND GATE SYSTEM OUTLINED FOR MINOR RESIDENTIA AND DEVELOPMENT REGULATIONS THOSE STANDARDS MAY HAVE SUBDIVISION PLAT IS SUBMITTED METROPOLITAN AREA PLANNING CO ANY GATE ASSEMBLY ON A PRIVA PERMIT FROM THE CITY OF TULS CONSTRUCTION. PRIOR TO ISSUAN PLANNING OFFICE SHALL APPROVE THE SITE PLAN UNTIL RECEIPT OF DEPARTMENTS IN THE CITY OF TULS

SIGNS: GROUND SIGNAGE IN THE WEST 310 FEET MONUMENT STYLE SIGNAGE AND LIMITE DYNAMIC DISPLAY SIGNAGE OF ANY K DYNAMIC DISPLAY WALL SIGNAGE IS PRO BUILDING.

- 6. SECOND STORY RESTRICTIONS: WITHIN THE WEST 310', BUILDING HEIGH STORIES, AND SECOND-STORY WINDOW LOTS ARE RESTRICTED TO TRANSOM WINI SECOND-STORY FLOOR.
- E. DEVELOPMENT STANDARDS (LOT 2 OF BLO

ALL LOT AND BUILDING REGULATIONS IN THE ZONING UNLESS AMENDED HEREIN BELOW.

1. PERMITTED USES:

**RESIDENTIAL USE CATEGORY:** MIXED-USE BUILDING VERTICAL MIXED-USE BUILDING COMMERCIAL USE CATEGORY: RECORDING STUDIO FINANCIAL SERVICES, EXCLUDING PE SHORT-TERM RENTAL AS AN ACCESS MIXED-USE BUILDINGS, SUBJECT TO BUSINESS OR PROFESSIONAL OFFICE MEDICAL, DENTAL, AND HEALTH PRA STUDIO, ARTIST OR INSTRUCTIONAL

2. BUILDING TYPE REGULATIONS FOR HOUSE

RESIDENTIAL USE CATEGORY HOUSEHOLD LIVING SUBCATEGORY ONE HOUSEHOLD ON A SINGLE LOT, SPECIFIC BUILDING TYPE MIXED-USE BUILDING

VERTICAL MIXED-USE BUILDIN

# Preliminary Plat

## **OPTIONAL DEVELOPMENT PLAN Z-7588**

Wind River Plaza

PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (E/2 SE/4 SE/4) SECTION 33, TOWNSHIP 18 NORTH, RANGE 13 EAST OF THE INDIAN MERIDIAN A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA

IPPORTED GARDEN OMPONENT OF AN ALLOWED PRINCIPAL	TWO HOUSEHOLDS ON A SINGLE LOT, ONLY AS ALLOWED BY THE FOLLOWING SPECIFIC BUILDING TYPES MIXED-USE BUILDING VERTICAL MIXED-USE BUILDING	COVENANTS, CONDITIONS AND RESTRIC TO THE SAME EXTENT AS ALL OTHER OWNER, THE CITY AND THE SUPPLIER C SUBDIVISION, AND SHALL HAVE THE AGREEMENTS.
	THREE OR MORE HOUSEHOLDS ON A SINGLE LOT, ONLY AS ALLOWED BY THE FOLLOWING SPECIFIC BUILDING TYPES. MIXED-USE BUILDING	
HOLD LIVING:	VERTICAL MIXED-USE BUILDING	SECTION V. ENFORCEMEN TERMINATION
SINGLE LOT I SPECIFIC BUILDING TYPE	<ol> <li>MAXIMUM FLOOR AREA RATIO (FAR):</li> <li>0.40</li> </ol>	A. ENFORCEMENT
-USE BUILDING A SINGLE LOT I SPECIFIC BUILDING TYPE DING -USE BUILDING JSEHOLDS ON A SINGLE LOT I SPECIFIC DING -USE BUILDING	4. STREETS: STREETS MAY BE PUBLIC OR PRIVATE AND GATED. PRIVATE STREETS AND GATE SYSTEMS SHALL CONFORM TO THE STANDARDS OUTLINED FOR MINOR RESIDENTIAL STREETS IN THE TULSA SUBDIVISION AND DEVELOPMENT REGULATIONS EFFECTIVE MAY 10, 2018 EXCEPT AS THOSE STANDARDS MAY HAVE BEEN AMENDED AT THE TIME THE SUBDIVISION PLAT IS SUBMITTED FOR CONSIDERATION BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION. ANY GATE ASSEMBLY ON A PRIVATE STREET MUST RECEIVE A BUILDING PERMIT FROM THE CITY OF TULSA BUILDING PERMIT OFFICE PRIOR TO CONSTRUCTION. PRIOR TO ISSUANCE OF A BUILDING PERMIT THE TULSA PLANNING OFFICE SHALL APPROVE THE SITE PLAN BUT WILL NOT APPROVE THE SITE PLAN UNTIL RECEIPT OF A LETTER APPROVAL FROM RELEVANT DEPARTMENTS IN THE CITY OF TULSA.	THE RESTRICTIONS HEREIN SET FORTH SHALL BE BINDING UPON THE OWNER PROVISIONS OF SECTION I. <u>STREETS</u> , <u>RESERVE AREAS</u> ARE SET FORTH CERTAI PERTAINING THERETO, AND ADDITIONAL WHETHER OR NOT SPECIFICALLY THERE AND SHALL BE ENFORCEABLE BY THE CONTAINED IN SECTION III. <u>OPTION</u> ESTABLISHED PURSUANT TO THE OPTIC TULSA ZONING CODE IN EXISTENCE AS DATE) AND SHALL INURE TO THE BEN OWNER OF A LOT AND THE PROPERTY OWNER, OR ITS SUCCESSORS OR ASSIG WITHIN SECTION III., IT SHALL BE LAWF LOT, OR THE PROPERTY OWNERS' ASSOC
GATED. MS SHALL CONFORM TO THE STANDARDS AL STREETS IN THE TULSA SUBDIVISION S EFFECTIVE MAY 10, 2018 EXCEPT AS BEEN AMENDED AT THE TIME THE	<ol> <li>SIGNAGE LIMITATIONS: ALL FREESTANDING OR GROUND SIGNAGE SHALL BE MONUMENT STYLE SIGNAGE AND SHALL NOT EXCEED 25 FEET IN HEIGHT.</li> </ol>	EQUITY AGAINST THE PERSON OR PERSO SUCH COVENANT, TO PREVENT SUCH COMPEL COMPLIANCE WITH THE COVE IV. PROPERTY OWNERS' ASSOCIATION S A LOT AND THE PROPERTY OWNERS' ASS SUCCESSORS OR ASSIGNS, SHALL VIOLATION
D FOR CONSIDERATION BY THE TULSA DMMISSION. ATE STREET MUST RECEIVE A BUILDING GA BUILDING PERMIT OFFICE PRIOR TO NCE OF A BUILDING PERMIT THE TULSA THE SITE PLAN BUT WILL NOT APPROVE A LETTER APPROVAL FROM RELEVANT GA.	<ol> <li>SECOND STORY RESTRICTIONS:</li> <li>BUILDING HEIGHT IS RESTRICTED TO 35 FT AND TWO (2) STORIES. SECOND STORY WINDOWS FACING A RESIDENTIAL ZONED DISTRICT OR EAST 119TH STREET SHALL ALSO BE LIMITED TO TRANSOM WINDOWS AT LEAST SIX (6) FEET ABOVE THE SECOND-STORY FLOOR.</li> </ol>	IT SHALL BE LAWFUL FOR ANY OWN ASSOCIATION TO MAINTAIN ANY ACTIC OR PERSONS VIOLATING OR ATTEMP PREVENT SUCH PERSON OR PERSONS I WITH THE COVENANT. IN ANY JUDICIAL ESTABLISHED WITHIN THIS DEED OF INITIATING THE EQUITABLE PROCEEDING WAIVED. IN ANY JUDICIAL ACTION B
	SECTION IV. PROPERTY OWNERS' ASSOCIATION	PROPERTY OWNERS' ASSOCIATION, WHI CONTAINED IN SECTIONS III. OR IV. AN
T OF THE COMMERCIAL TRACT SHALL BE ED TO 12 FEET IN HEIGHT. IN THIS AREA KIND IS PROHIBITED. ILLUMINATED OR COHIBITED ON THE WEST WALL OF ANY	A. FORMATION OF PROPERTY OWNERS' ASSOCIATION THE OWNER HAS FORMED OR SHALL CAUSE TO BE FORMED, IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA, AN ASSOCIATION OF ALL OWNERS OF LOTS WITHIN THE SUBDIVISION (THE "ASSOCIATION"), A NOT-FOR-PROFIT CORPORATE ENTITY	THEREOF, THE PREVAILING PARTY SI ATTORNEY FEES AND COSTS AND EXPENS B. DURATION
IT IS RESTRICTED TO 35 FT AND TWO (2) /S FACING SINGLE-FAMILY RESIDENTIAL IDOWS AT LEAST SIX (6) FEET ABOVE THE	ESTABLISHED AND FORMED FOR THE GENERAL PURPOSES OF MAINTAINING RESERVE AREAS AND ANY OTHER PROPERTY AND FACILITIES THAT ARE FOR THE COMMON USE AND BENEFIT OF THE LOTS AS THE SAME MAY BE AGREED TO BY THE MEMBERS OF THE ASSOCIATION.	THESE RESTRICTIONS, TO THE EXTEN PERPETUAL BUT IN ANY EVENT SHALL BE THAN THIRTY (30) YEARS FROM THE DEDICATION UNLESS TERMINATED OR AI
	B. PRIVATE RESTRICTIONS AND COVENANTS	C. AMENDMENT OR TERMINATION
D <b>CK 5):</b> E CITY OF TULSA ZONING CODE FOR OL	FOR THE BENEFIT OF THE ASSOCIATION AND OF ALL OWNERS WITHIN THE SUBDIVISION, THE OWNER SHALL ESTABLISH AN ARCHITECTURAL REVIEW COMMITTEE AND VARIOUS PRIVATE RESTRICTIONS AND COVENANTS FOR THE PURPOSE OF PROVIDING ORDERLY DEVELOPMENT OF THE SUBDIVISION AND CONFORMITY AND COMPATIBILITY OF IMPROVEMENTS THEREIN. SAID PRIVATE RESTRICTIONS AND COVENANTS MAY PROVIDE FOR THE DIVISION AND ALLOCATION OF MAINTENANCE RESPONSIBILITIES FOR THE PRIVATE STREETS WITHIN THE RESERVE AREAS AND OTHER COMMON AREAS OF THE SUBDIVISION, SHALL BE FILED OF RECORD WITH THE TULSA COUNTY CLERK, SHALL BE APPLICABLE TO THE LOTS WITHIN THE SUBDIVISION, SHALL BE COVENANTS RUNNING WITH THE LAND AND BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE ENFORCEABLE AS FURTHER STATED IN SAID FILED DOCUMENT.	THE COVENANTS CONTAINED WITHIN S AND SECTION II. RESERVE AREAS MAY B WRITTEN INSTRUMENT SIGNED AND AC WHICH THE AMENDMENT OR TERMINA THE TULSA METROPOLITAN AREA PLAN THE CITY OF TULSA, OKLAHOMA. THE OPTIONAL DEVELOPMENT PLAN RESTRI ANY TIME BY A WRITTEN INSTRUMENT OF THE LAND TO WHICH THE AMENDMI APPROVED BY THE TULSA METROPOL SUCCESSORS, AND THE CITY COUN NOTWITHSTANDING THE FOREGOING, PARAGRAPH 6. (SECOND STORY RESTRI
	C. MEMBERSHIP	(SECOND STORY RESTRICTIONS), THE CO BE DEEMED AMENDED (WITHOUT N
ERSONAL CREDIT ESTABLISHMENTS SSORY USE TO MIXED-USE AND VERTICAL ALL REQUIREMENTS	EVERY PERSON OR ENTITY WHO IS A RECORD OWNER OF THE FEE INTEREST OF A LOT SHALL BE A MEMBER OF THE ASSOCIATION. MEMBERSHIP SHALL BE APPURTENANT TO AND SHALL NOT BE SEPARATED FROM THE OWNERSHIP OF A LOT.	DOCUMENT) UPON APPROVAL OF DEVELOPMENT PLAN BY THE TULSA ME ITS SUCCESSORS, AND RECORDING OF A METROPOLITAN AREA PLANNING CON
ACTITIONER OFFICES SERVICE	D. ASSESSMENT	COUNTY CLERK. THE COVENANTS CON DEED OF DEDICATION MAY BE AMENDE INSTRUMENT SIGNED AND ACKNOWLED
HOLD LIVING	EACH LOT OWNER SHALL BE SUBJECT TO ANNUAL AND SPECIAL ASSESSMENTS BY THE ASSOCIATION FOR THE PURPOSE OF IMPROVEMENT AND MAINTENANCE OF RESERVE AREAS AND ANY OTHER PROPERTY AND FACILITIES THAT, FROM TIME TO TIME, ARE FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF THE LOTS AS THE SAME MAY BE AGREED TO BY THE MEMBERS OF THE ASSOCIATION.	THE OWNER IS THE RECORD OWNER WRITTEN INSTRUMENT SIGNED AND ACH OF THE LOTS WITHIN THE SUBDIVISION AMENDMENT OR TERMINATION PROP OWNERSHIP OF AT LEAST 1 LOT) AND EXECUTED BY THE OWNERS OF AT LEAST
, ONLY AS ALLOWED BY THE FOLLOWING	E. ASSOCIATION TO BE BENEFICIARY	BY THE OWNER SHALL PREVAIL. THE PF TERMINATING COVENANTS AND RESTR THE DATE IT IS PROPERLY RECORDED.
٨G	WITHOUT LIMITATION OF SUCH OTHER POWERS AND RIGHTS AS THE ASSOCIATION MAY HAVE, THE ASSOCIATION SHALL BE DEEMED A BENEFICIARY OF THE VARIOUS	

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, GOLD TEAM REALTY GROUP, L.L.C., AN OKLAHOMA LIMITED LIABILITY COMPANY HAS EXECUTED THIS INSTRUMENT ON THIS \_\_\_\_\_ DAY OF \_\_\_*,* 2023.

BY:

GOLD TEAM REALTY GROUP, L.L.C. AN OKLAHOMA LIMITED LIABILITY COMPANY

ALAN STAAB, MANAGER

STATE OF OKLAHOMA

) SS COUNTY OF TULSA

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY OF , 2023, PERSONALLY APPEARED ALAN STAAB, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THE NAME GOLD TEAM REALTY GROUP, L.L.C. 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 SUCH COMPANY FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL THE DAY AND YEAR LAST ABOVE WRITTEN.,



03/08/2024 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 "WIND RIVER PLAZA". A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, IS A TRUE REPRESENTATION OF A SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED PRACTICES, AND MEETS OR EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING.

WITNESS MY HAND AND SEAL THIS _		, 2023. SSI ONAL SSI ONAL Dan Edwin SC Tanner 1435 Of LAHOMA		
	BY:			
	DAN E. TANNER LICENSED PROFESSIONA			
	OKLAHOMA NO. 1435			
·- ··· ··· · ·				
STATE OF OKLAHOMA )				
) SS COUNTY OF TULSA )				
BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY OF, 2023, PERSONALLY APPEARED TO ME DAN E. TANNER KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED 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.				
GIVEN UNDER MY HAND AND SEAL T	HE DAY AND YEAR LAST .	ABOVE WRITTEN		
03/08/2024		Min OF OKLANIN		
MY COMMISSION EXPIRES	JENNIFER MILLER, NOT	AKY PUBLIC		

RICTIONS CONTAINED IN THIS DEED OF DEDICATION R BENEFICIARIES THEREOF, INCLUDING EACH LOT R OF ANY UTILITY OR OTHER SERVICE WITHIN THE E RIGHT TO ENFORCE THESE COVENANTS AND

ENT, DURATION, AMENDMENT OR ON, AND SEVERABILITY

H ARE COVENANTS TO RUN WITH THE LAND AND NER, ITS SUCCESSORS AND ASSIGNS. WITHIN THE UTILITIES, AND EASEMENTS AND SECTION II. AIN COVENANTS AND THE ENFORCEMENT RIGHTS VALLY THE COVENANTS WITHIN SECTIONS I. AND II., REIN SO STATED, SHALL INURE TO THE BENEFIT OF HE CITY OF TULSA, OKLAHOMA. THE COVENANTS ONAL DEVELOPMENT PLAN RESTRICTIONS ARE TIONAL DEVELOPMENT PLAN PROVISIONS OF THE AS OF NOVEMBER 5, 2020 (APPLICATION FILING ENEFIT OF THE CITY OF TULSA, OKLAHOMA, ANY TY OWNERS' ASSOCIATION. IF THE UNDERSIGNED SIGNS, SHALL VIOLATE ANY OF THE COVENANTS WFUL FOR THE CITY OF TULSA, ANY OWNER OF A OCIATION TO MAINTAIN ANY ACTION AT LAW OR IN SONS VIOLATING OR ATTEMPTING TO VIOLATE ANY CH PERSON OR PERSONS FROM SO DOING OR TO /ENANT. THE COVENANTS CONTAINED IN SECTION SHALL INURE TO THE BENEFIT OF ANY OWNER OF ASSOCIATION. IF THE UNDERSIGNED OWNER, OR ITS LATE ANY OF THE COVENANTS WITHIN SECTION IV. WNER OF A LOT OR THE PROPERTY OWNERS' TION AT LAW OR IN EQUITY AGAINST THE PERSON MPTING TO VIOLATE ANY SUCH COVENANT, TO S FROM SO DOING OR TO COMPEL COMPLIANCE AL ACTION BROUGHT TO ENFORCE THE COVENANTS F DEDICATION, THE DEFENSE THAT THE PARTY NG HAS AN ADEQUATE REMEDY AT LAW. IS HEREBY BROUGHT BY ANY OWNER OF A LOT OR THE HICH ACTION SEEKS TO ENFORCE THE COVENANTS AND/OR TO RECOVER DAMAGES FOR THE BREACH SHALL BE ENTITLED TO RECEIVE REASONABLE NSES INCURRED IN SUCH ACTION.

NT PERMITTED BY APPLICABLE LAW, SHALL BE BE IN FORCE AND EFFECT FOR A TERM OF NOT LESS HE DATE OF THE RECORDING OF THIS DEED OF AMENDED AS HEREINAFTER PROVIDED.

N SECTION I. STREETS, UTILITIES, AND EASEMENTS ' BE AMENDED OR TERMINATED AT ANY TIME BY A ACKNOWLEDGED BY THE OWNER OF THE LAND TO INATION IS TO BE APPLICABLE AND APPROVED BY ANNING COMMISSION, OR ITS SUCCESSORS, AND THE COVENANTS CONTAINED WITHIN SECTION III. RICTIONS MAY BE AMENDED OR TERMINATED AT IT SIGNED AND ACKNOWLEDGED BY THE OWNERS MENT OR TERMINATION IS TO BE APPLICABLE AND POLITAN AREA PLANNING COMMISSION, OR ITS UNCIL OF THE CITY OF TULSA, OKLAHOMA. NG, WITH THE EXCEPTION OF SUBSECTION D, STRICTIONS) AND SUBSECTION E, PARAGRAPH 6. COVENANTS CONTAINED WITHIN SECTION III. SHALL NECESSITY OF EXECUTION OF AN AMENDING A MINOR AMENDMENT TO THE OPTIONAL METROPOLITAN AREA PLANNING COMMISSION, OR A CERTIFIED COPY OF THE MINUTES OF THE TULSA OMMISSION, OR SUCCESSORS WITH THE TULSA ONTAINED WITHIN ANY OTHER SECTION OF THIS DED OR TERMINATED AT ANY TIME BY A WRITTEN EDGED BY THE OWNER DURING SUCH PERIOD THAT ER OF AT LEAST 1 LOT, OR ALTERNATIVELY, BY A ACKNOWLEDGED BY THE OWNERS OF AT LEAST 60% ON. IN THE EVENT OF ANY CONFLICT BETWEEN AN OPERLY EXECUTED BY THE OWNER (DURING ITS ND ANY AMENDMENT OR TERMINATION PROPERLY AST 60% OF THE LOTS, THE INSTRUMENT EXECUTED PROVISIONS OF ANY INSTRUMENT AMENDING OR TRICTIONS SHALL BE EFFECTIVE FROM AND AFTER

SHEET 3 OF 3

Wind River Plaza