



Tulsa Metropolitan Area  
Planning Commission

Case : QuikTrip No. 0039

Hearing Date: June 17, 2020

Case Report Prepared by:

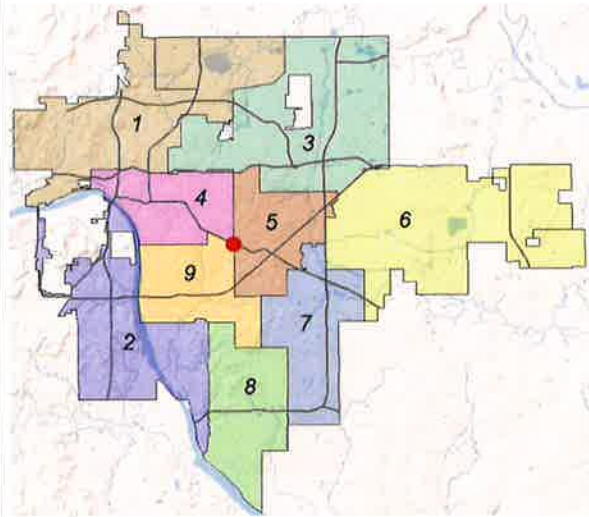
Nathan Foster

Owner and Applicant Information:

*Applicant:* Alan Betchan, AAB Engineering

*Owner:* QuikTrip Corporation

Location Map:  
(shown with City Council districts)



Applicant Proposal:

Preliminary Plat

*1 lot, 1 block, 1.33 ± acres*

*Location:* Southwest corner of East 31<sup>st</sup> Street  
South and South Yale Avenue

Zoning: CS (Commercial – Shopping)

Staff Recommendation:

Staff recommends **approval** of the preliminary subdivision plat

City Council District: 9

*Councilor Name:* Ben Kimbro

County Commission District: 3

*Commissioner Name:* Ron Peters

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

16.1

## PRELIMINARY SUBDIVISION PLAT

### QuikTrip No. 0039 - (CD 9)

Southwest corner of East 31<sup>st</sup> Street South and South Yale Avenue

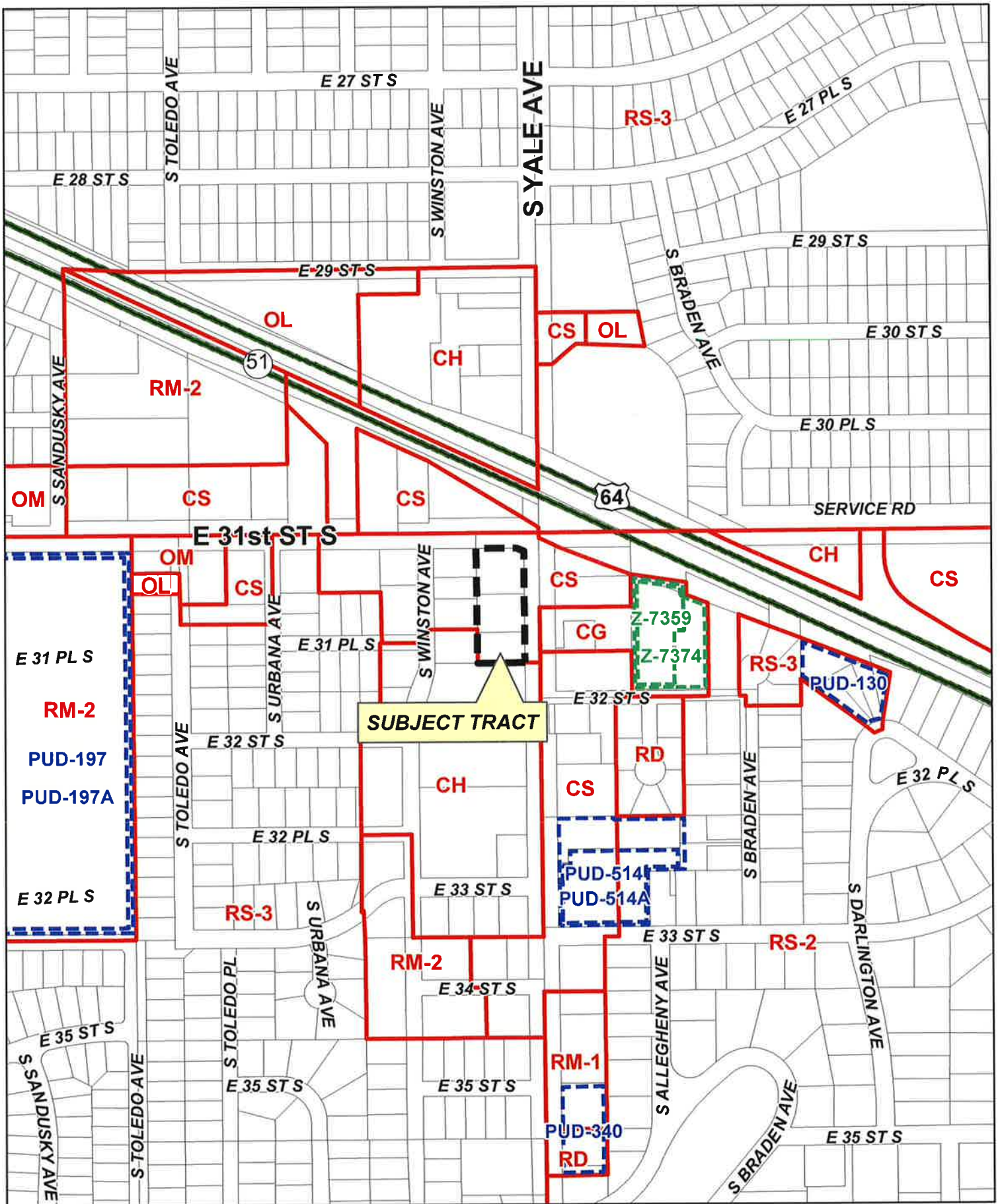
This plat consists of 1 lot, 1 block on 1.33 ± acres.

The Technical Advisory Committee (TAC) met on June 4, 2020 and provided the following conditions:

1. **Zoning:** The property is zoned CS (Commercial – Shopping). The proposed lot conforms to the requirements of the CS district.
2. **Addressing:** City of Tulsa addresses and street names must be assigned and affixed to the face of the final plat.
3. **Transportation & Traffic:** Provide approval for final access configuration by City of Tulsa Traffic Engineer. Reduce limits of access to align with width of approved drives. Label all adjacent right-of-way with dimension and recording information. Sidewalks required along adjacent street right-of-way.
4. **Sewer/Water:** Easements must be provided as required to cover existing/proposed public infrastructure. All easements are required to be labeled and dimensioned on the face of the final plat. Any required IDP must obtain approval prior to final plat approval.
6. **Engineering Graphics:** Submit subdivision data control sheet with final plat submittal. Provide graphically on the face of the plat a written scale above the scale bar. Update location map with all platted subdivision boundaries and label all other property “unplatted”. Graphically show all pins found or set associated with this plat.
7. **Stormwater, Drainage, & Floodplain:** There is existing floodplain on the subject property that must be accurately delineated on the face of the plat and, if required, contained within an overland drainage easement. Floodplain shall be plotted based on actual flood elevations and contours and labeled appropriately. All drainage must be contained within appropriate easements. Provide easements for any existing storm sewer located on-site.
8. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

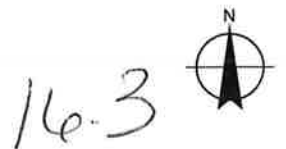
Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and all other requirements of the Subdivision and Development Regulations. City of Tulsa release letter including Development Services, City Legal, and Engineering Services is required prior to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

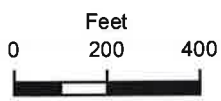
162



**QUIKTRIP  
NO.0039**

19-13 21





 Subject Tract

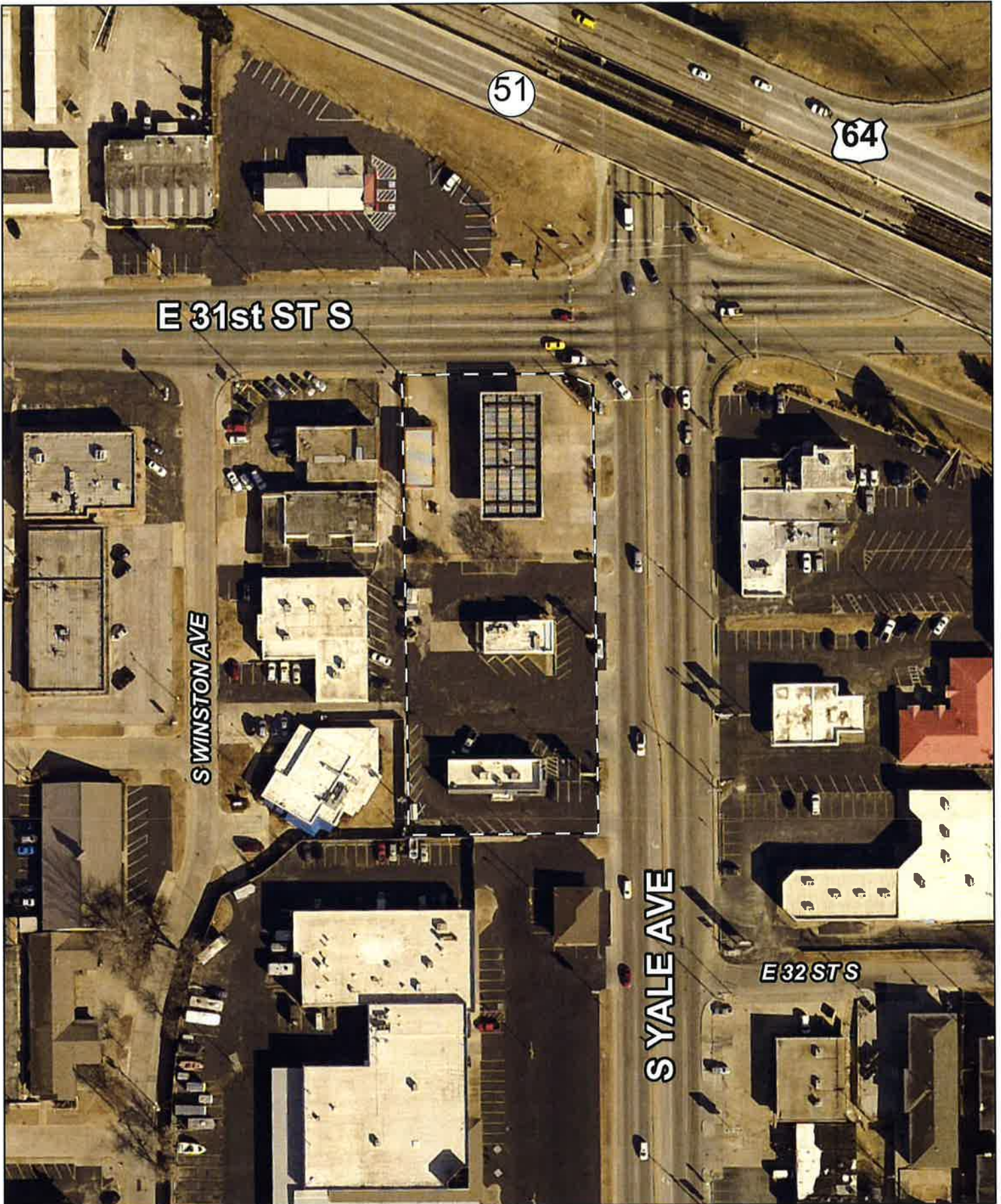
**QUIKTRIP  
NO.0039**

19-13 21

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

Aerial Photo Date: February 2018





51

64

E 31st ST S

S WINSTON AVE

S YALE AVE

E 32 ST S



Subject Tract

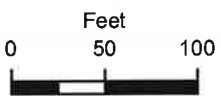
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NO.0039**

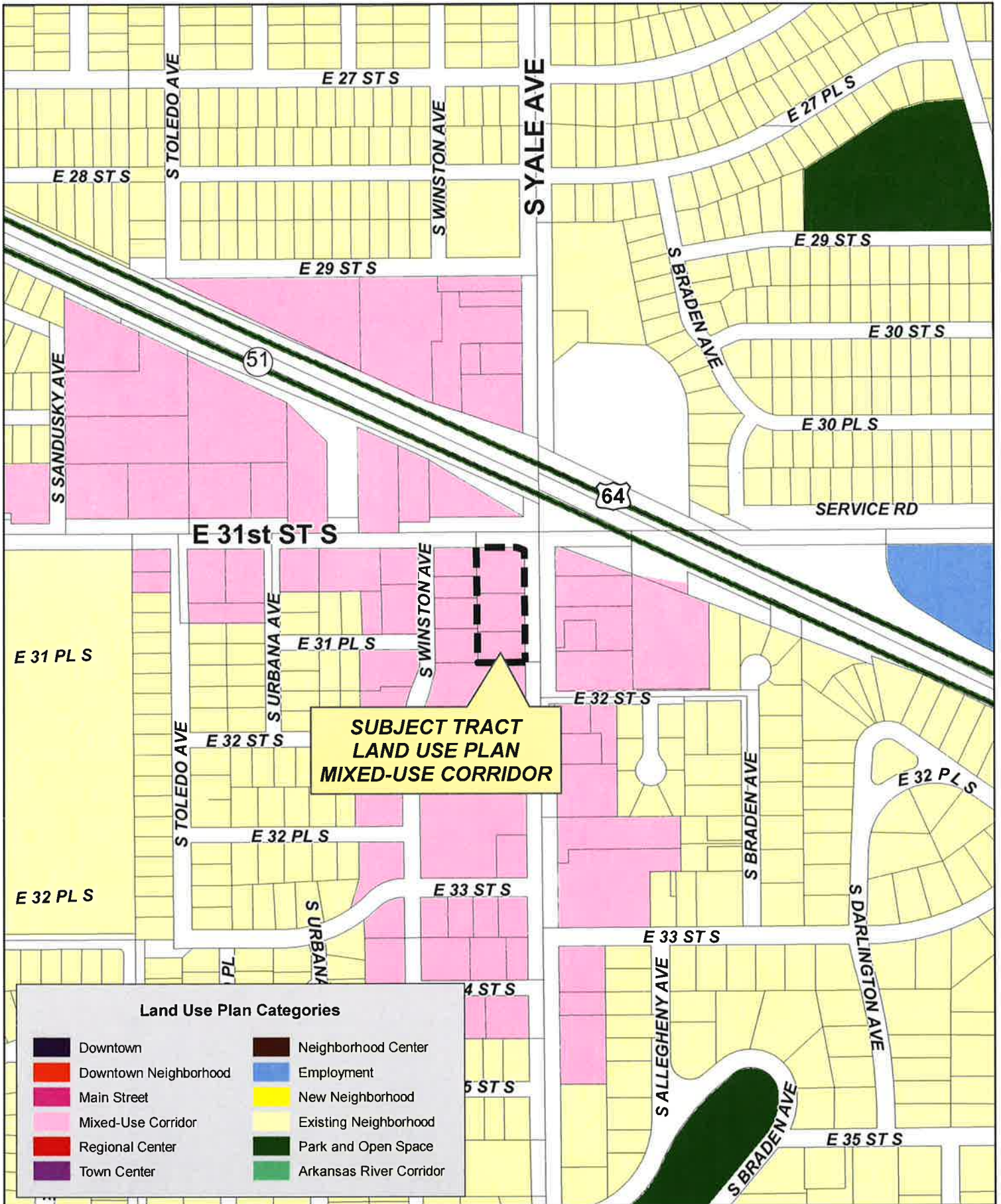
19-13 21

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

Aerial Photo Date: February 2018

16.5

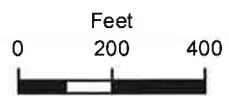




**SUBJECT TRACT  
LAND USE PLAN  
MIXED-USE CORRIDOR**

**Land Use Plan Categories**

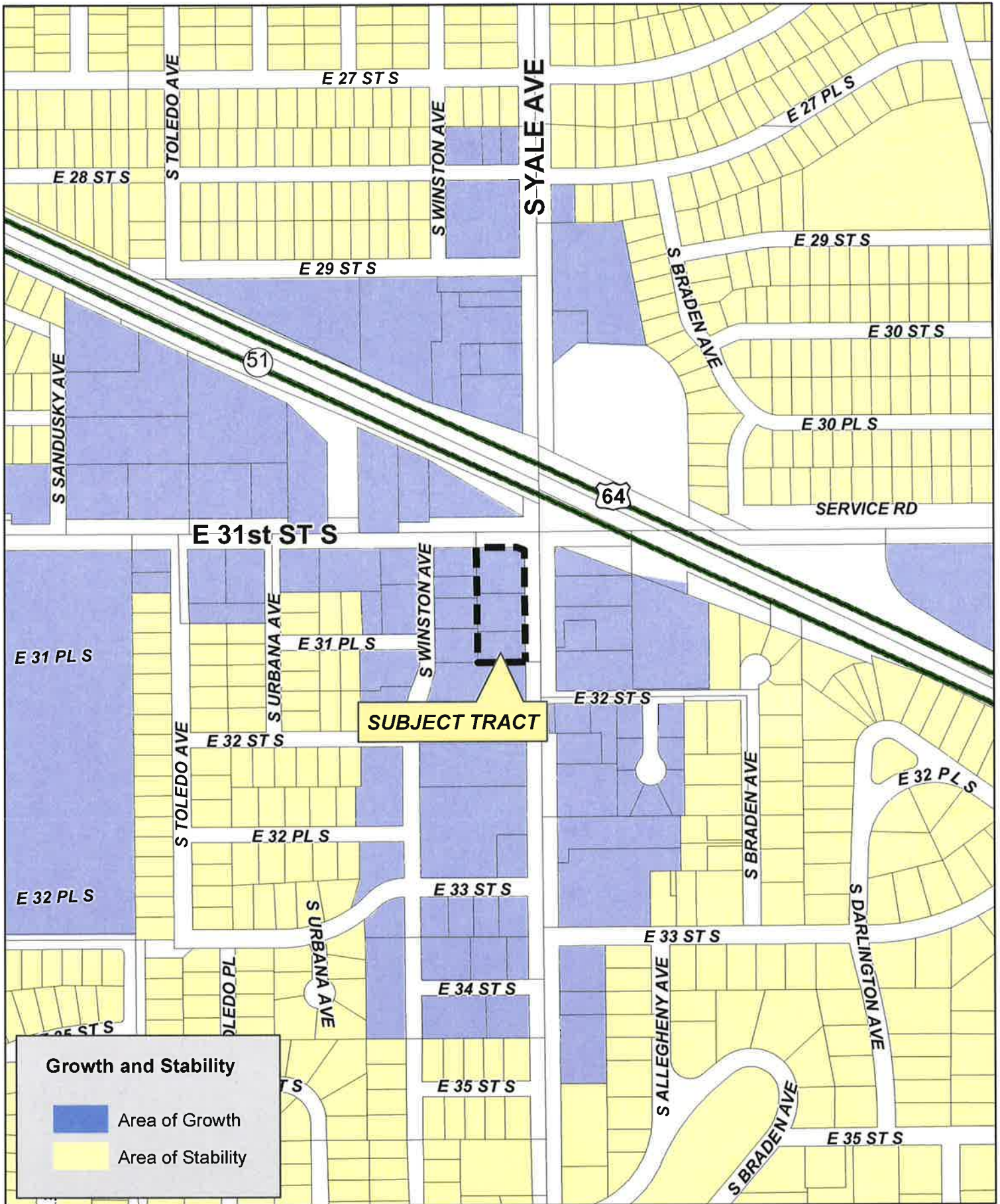
- |   |   |
|---|---|
|  Downtown              |  Neighborhood Center     |
|  Downtown Neighborhood |  Employment              |
|  Main Street           |  New Neighborhood        |
|  Mixed-Use Corridor    |  Existing Neighborhood   |
|  Regional Center       |  Park and Open Space     |
|  Town Center           |  Arkansas River Corridor |



**QUIKTRIP  
NO.0039**

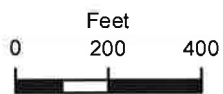
19-13 21





**Growth and Stability**

- Area of Growth
- Area of Stability



**QUIKTRIP  
NO.0039**

19-13 21



# Preliminary Plat QuikTrip No. 0039

A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 21,  
TOWNSHIP 19 NORTH, RANGE 13 WEST, IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA



**OWNER/DEVELOPER:**  
**QUIKTRIP CORPORATION**  
AN OKLAHOMA CORPORATION  
4706 S. 129TH E. AVE.  
TULSA, OKLAHOMA 74134  
PHONE: (918) 618-7147  
CONTACT: DANIEL CHAMBERS  
EMAIL: DANIEL.CHAMBERS@QUIKTRIP.COM

**ENGINEER/SURVEYOR:**  
**AAB ENGINEERING, LLC**  
CERTIFICATE OF AUTHORIZATION NO. 2018042885, EXP. 12/31/2020  
P.O. BOX 2136  
SAND SPRINGS, OKLAHOMA 74063  
PHONE: (918) 514-4283  
EMAIL: ALAN@AABENG.COM  
CONTACT: ALAN BETCHAN

LEGEND	
BL	BUILDING LINE
LNA	LIMITS OF NO ACCESS
LE	LIMITS OF UTILITY EASEMENT
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
S.W.C.	SOUTHWEST CORNER
S.E.C.	SOUTH EAST CORNER
IPF	IRON PIN FOUND
IPF	IRON PIN SET WITH CAP 6318
ROW	RIGHT OF WAY
DWO	GENERAL WARRANTY DEED
	PROPOSED RIGHT OF WAY

**FLOODPLAIN**  
A PORTION OF THIS PROPERTY LIES IN TULSA REGULATORY FLOODPLAINS, AS SHOWN BY THE CITY OF TULSA, TULSA REGULATORY FLOODPLAINS PANEL NUMBER 87.

**FINAL PLAT  
ENDORSEMENT OF APPROVAL**

Tulsa Metropolitan Area Planning Commission

Approval Date: \_\_\_\_\_

TMAP/INCOG

CITY ENGINEER

Council of the City of Tulsa, Oklahoma

Approval Date: \_\_\_\_\_

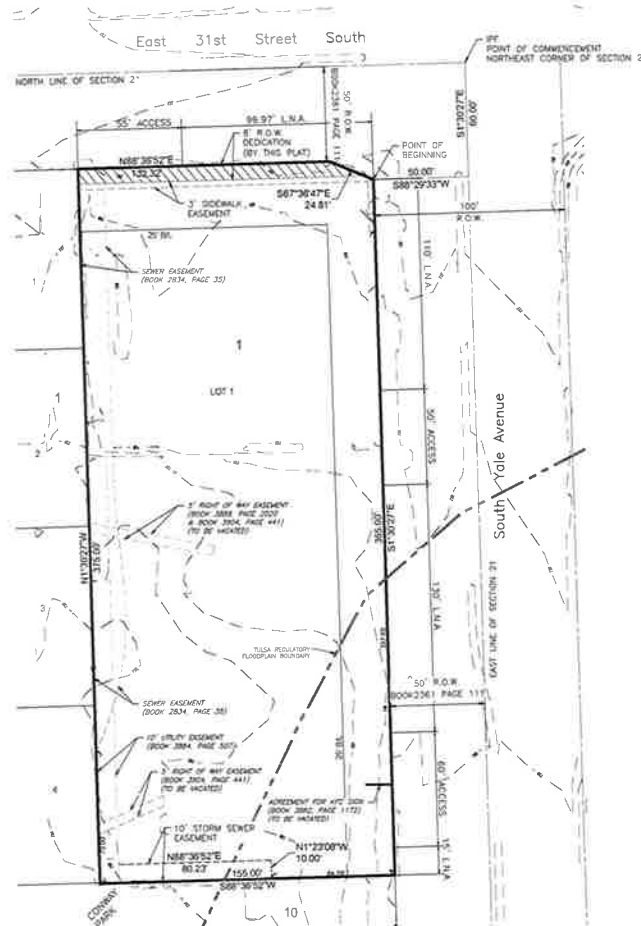
CHAIRMAN

MAYOR

ATTEST CITY CLERK

CITY ATTORNEY

The approval of the 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.



**SUBDIVISION STATISTICS**  
SUBDIVISION CONTAINS ONE (1) LOT AND ONE (1) BLOCK

**SITE DATA**

**BENCHMARK**  
CHISELED BOX ON SET IN CENTER MEDIAN APPROXIMATELY 45 EAST AND 38 SOUTH OF NORTHEAST PROPERTY CORNER (ELEVATION 1010.97 NAVD 83)

**BASIS OF BEARINGS**  
BASIS OF BEARINGS IS THE GRID BEARINGS OF THE OKLAHOMA STATE PLANE COORDINATE SYSTEM (ZONE 3501 NORTH). THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 21 BEING S01°00'23"E.

**LAND AREA**  
58.0718 ± ACRES ±

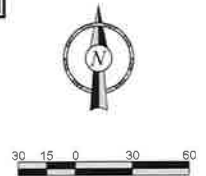
**ADDRESSES**  
ADDRESSES SHOWN ON THIS PLAT WERE ACCURATE AT THE TIME THIS PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF LEGAL DESCRIPTION.

**CONTACTS**

**MUNICIPAL AUTHORITY**  
CITY OF TULSA  
175 EAST 2ND STREET, SUITE 600  
TULSA, OK 74103

**UTILITY CONTACTS**

<b>OKLAHOMA NATURAL GAS COMPANY</b> 2319 W. EDISON ST. TULSA, OK 74127 918-534-8000	<b>PUBLIC SERVICE COMPANY OF OKLAHOMA</b> 212 E 6TH ST TULSA, OK 74119 1-888-218-3523
<b>AT&amp;T</b> 5303 E. 71ST STREET TULSA, OK 74128 918-586-8422	<b>COX COMMUNICATIONS</b> 11611 EAST 51ST STREET TULSA, OK 74145 918-286-4558



110.8

# Preliminary Plat

# QuikTrip No. 0039

A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 21  
TOWNSHIP 19 NORTH, RANGE 13 EAST IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

**OWNER/DEVELOPER:**  
**QUIKTRIP CORPORATION**  
AN OKLAHOMA CORPORATION  
4706 S. 129TH E. AVE.  
TULSA, OKLAHOMA 74134  
PHONE: (918) 516-7147  
CONTACT: DANIEL CHAMBERS  
EMAIL: DANIEL.CHAMBERS@QUIKTRIP.COM

**ENGINEER/SURVEYOR:**  
**AAB ENGINEERING, LLC**  
CERTIFICATE OF AUTHORIZATION NO. 2018042885, EXP. 12/31/2020  
P.O. BOX 2156  
SAND SPRINGS, OKLAHOMA 74063  
PHONE: (918) 514-4283  
EMAIL: ALAN@AABENGINEERING.COM  
CONTACT: ALAN BETCHAN

**Deed of Dedication**

**QuikTrip No. 0039**

**KNOW ALL BY THESE PRESENTS:**

QUIKTRIP CORPORATION, AN OKLAHOMA CORPORATION, IS THE OWNER OF THE PROPERTY AS DEPICTED ON THE ATTACHED PLAT AND IS HEREBY REFERRED TO AS THE "OWNER," SAID PROPERTY BEING MORE FULLY DESCRIBED AS FOLLOWS:

A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (E8N N8E NE4) OF SECTION TWENTY-ONE (21), TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, OKLAHOMA BEING MORE FULLY DESCRIBED AS FOLLOWS COMMENCING AT THE NORTH-EAST CORNER OF SAID SECTION TWENTY-ONE (21), THENCE SOUTH 01°50'27" EAST ALONG THE EAST LINE OF SAID SECTION TWENTY-ONE (21), A DISTANCE OF 90.00 FEET; THENCE SOUTH 89°28'33" WEST, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 01°50'27" EAST, A DISTANCE OF 366.00 FEET; THENCE SOUTH 89°28'33" WEST, A DISTANCE OF 156.00 FEET; THENCE NORTH 01°50'27" WEST, A DISTANCE OF 374.00 FEET; THENCE NORTH 89°28'33" EAST, PARALLEL WITH AND 50.00 FEET SOUTH OF THE NORTH LINE OF SAID SECTION TWENTY-ONE (21), A DISTANCE OF 132.32 FEET; THENCE SOUTH 87°38'47" EAST, A DISTANCE OF 24.91 FEET TO THE POINT OF BEGINNING, CONTAINING 58,011.73 SQUARE FEET OR 1.33 ACRES.

THE OWNER HAS CAUSED THE ABOVE DESCRIBED TRACT OF LAND TO BE SURVEYED, STAKED, PLATTED AND COMBINED INTO ONE (1) LOT, ONE (1) BLOCK, IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS "QUIKTRIP NO. 0039", A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA (HEREINAFTER REFERRED TO AS "QUIKTRIP NO. 0039" OR THE "SUBDIVISION").

**SECTION II PUBLIC STREETS AND UTILITIES**

**A. UTILITY EASEMENTS**

1. THE OWNER HEREBY 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 THERE TO, 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 WATER LINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING, REPAIRING AND RELAYING 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 DEFINED 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 WHICH DO NOT CONSTITUTE AN OBSTRUCTION.

2. THE DEDICATION OF STREET RIGHTS-OF-WAY, UTILITY EASEMENTS, OTHER EASEMENTS TO THE PUBLIC, CONTAINED IN THIS SECTION I, SHALL NOT TAKE EFFECT UNTIL A SEPARATE INSTRUMENT TITLED "FORMAL ACCEPTANCE" OR A SIMILAR INSTRUMENT, FORMALLY ACCEPTING THE DEDICATIONS AND INFRASTRUCTURE IS RECORDED BY THE CITY OF TULSA ON BEHALF OF PUBLIC IN THE LAND RECORDS OF THE TULSA COUNTY CLERK'S OFFICE. HOWEVER, THE RIGHTS AND USES OUTLINED HEREIN, NECESSARY FOR THE INSTALLATION BY PRIVATE OWNERS OF THEIR FACILITIES (I.E. ELECTRIC, GAS, TELEPHONE AND COMMUNICATION, ETC.) EXCLUSIVE OF THOSE DEDICATED TO THE CITY OF TULSA OR THE PUBLIC, SHALL BE IN EFFECT TO ALLOW ACCESS FOR SURVEYING, EXCAVATING, CONSTRUCTION, OPERATING, AND MAINTAINING SUCH FACILITIES UNTIL THE CITY FILES ITS FORMAL ACCEPTANCE AND THESE RIGHTS AND USES ARE SUBSTITUTED BY DEDICATION TO THE PUBLIC AND ACCEPTANCE BY THE CITY.

**B. WATER, SANITARY SEWERS, AND STORM SEWER SERVICE**

1. THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS LOCATED ON THE LOT.

2. WITHIN UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE FROM THE CONTOURS SHOWN UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER OR ANY CONSTRUCTION, INCLUDING THE INSTALLATION OF ANY CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER SYSTEMS, SANITARY SEWER MAINS, AND STORM SEWERS BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, OR THE OWNER'S AGENTS AND/OR CONTRACTORS.

3. 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.

4. THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, AND THE OWNER OF EACH LOT AGREES TO BE BOUND BY THESE COVENANTS.

**C. DRAINAGE AND LANDSCAPING WITHIN EASEMENTS**

THE OWNER OF ANY LOT 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, CABLE TELEVISION OR ELECTRIC FACILITIES WITHIN THE EASEMENT AREAS SHOWN 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.

**D. UTILITY SERVICE**

1. OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED WITHIN THE EASEMENTS ABUTTING STREET RIGHT-OF-WAY, STREET LIGHT POLES OR STANDARDS MAY BE SERVING BY OVERHEAD LINE OR UNDERGROUND CABLE, AND ELSEWHERE THROUGHOUT THE SUBDIVISION. ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN EASEMENTS DEDICATED FOR GENERAL UTILITY SERVICES AND IN THE RIGHTS-OF-WAY OF THE PUBLIC STREETS AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDS/STAIRS 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 THE LOT, PROVIDED 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 DEFENSIVE, 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. 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 THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.

4. THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON THE OWNERS LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. EACH SUPPLIER OF THESE SERVICES SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR THE OWNER'S AGENTS OR CONTRACTORS.

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

**E. 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 ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED WITHIN THE LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY OTHER CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH GAS SERVICE. THE SUPPLIER OF GAS SERVICE SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF ITS FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, OR THE OWNER'S AGENTS OR CONTRACTORS.

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

**F. LIMITS OF NO ACCESS**

THE OWNER HEREBY RELINQUISH RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO EAST 31ST STREET SOUTH AND SOUTH YALE AVENUE ROAD WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" OR "LUNA" ON THE ACCOMPANYING PLAT, WHICH LIMITS OF NO ACCESS MAY BE AMENDED OR RELEASED BY THE TULSA PLANNING COMMISSION, OR ITS SUCCESSOR, WITH THE APPROVAL OF THE CITY OF TULSA, OKLAHOMA, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA PERTAINING THERE TO, AND THE LIMITS OF NO ACCESS ESTABLISHED ABOVE SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA.

**G. SURFACE DRAINAGE**

EACH LOT WITHIN THE SUBDIVISION SHALL RECEIVE AND DRAIN, IN AN UNRESTRICTED MANNER, THE STORM AND SURFACE WATERS FROM LOT OF HIGHER ELEVATION, NO LOT OWNERS 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 OWNERS LOT. THE FOLLOWING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF TULSA, OKLAHOMA.

**H. SIDEWALKS**

SIDEWALKS SHALL BE CONSTRUCTED AND MAINTAINED ALONG STREETS DESIGNATED BY AND IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF TULSA, OKLAHOMA, AND ALL SUCH SIDEWALKS SHALL BE CONSTRUCTED BY THE OWNER PRIOR TO THE ISSUANCE OF THE OCCUPANCY PERMIT FOR ANY BUILDING WITHIN THE SUBDIVISION. THE OWNER SHALL CONSTRUCT SIDEWALKS IN CONFORMANCE WITH THE STANDARDS OF THE CITY OF TULSA ENGINEERING DESIGN STANDARDS.

**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, STORM SEWER SYSTEMS AND SIDEWALKS) SERVING THE ENTIRE SUBDIVISION HAS BEEN COMPLETED AND ACCEPTED BY THE CITY OF TULSA, OKLAHOMA. 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.

**SECTION II ENFORCEMENT, DURATION, AMENDMENT, AND SEVERABILITY**

**A. ENFORCEMENT**

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS WITHIN THE PROVISIONS OF SECTION I, UTILITIES, ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERE TO AND WHETHER OR NOT THEREIN SO STATED, THE COVENANTS WITHIN SECTION I SHALL INURE TO THE BENEFIT OF, AND BE ENFORCEABLE BY, THE CITY OF TULSA, OKLAHOMA, IF ANY JUDICIAL ACTION IS BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED IN THIS DEED OF DEDICATION THE DEFENSE THAT THE PARTY INITIATING THE QUOTABLE PROCEEDINGS HAS AN ADEQUATE REMEDY AT LAW IS HEREBY WAIVED.

**B. DURATION**

THESE RESTRICTIONS SHALL REMAIN IN FULL FORCE AND EFFECT FOR 25 YEARS AND SHALL AUTOMATICALLY BE CONTINUED THEREAFTER FOR SUCCESSIVE PERIODS OF 10 YEARS EACH, UNLESS TERMINATED OR AMENDED AS HEREINAFTER PROVIDED.

**C. AMENDMENT**

THE COVENANTS CONTAINED WITHIN SECTION I, PUBLIC STREETS AND UTILITIES, MAY BE AMENDED OR TERMINATED AT ANY TIME WHETHER BEFORE OR AFTER THE LOT(S) SPECIFIED IN SUBSECTION B, BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LOT TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE TULSA PLANNING COMMISSION, OR ITS SUCCESSORS AND THE CITY OF TULSA, OKLAHOMA.

**D. SEVERABILITY**

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

IN WITNESS WHEREOF, THE OWNER HAS EXECUTED THIS INSTRUMENT THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.

QUIKTRIP CORPORATION, AN OKLAHOMA CORPORATION

BY: \_\_\_\_\_  
CHAD STANFORD  
VICE PRESIDENT OF REAL ESTATE

STATE OF OKLAHOMA )  
                                  ) SS  
COUNTY OF TULSA )

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020, BY QUIKTRIP CORPORATION, AN OKLAHOMA CORPORATION:

NOTARY PUBLIC  
COMMISSION NUMBER: \_\_\_\_\_  
EXPIRES: \_\_\_\_\_

CERTIFICATE OF SURVEY

I, JAY P. BEISEL, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT I HAVE SURVEYED, SUBDIVIDED, AND PLATTED THE ABOVE TRACT DESIGNATED AS "QUIKTRIP NO. 0039", A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, THE ABOVE PLAT IS AN ACCURATE REPRESENTATION OF SAID SURVEY.

JAY P. BEISEL  
REGISTERED PROFESSIONAL LAND SURVEYOR  
OKLAHOMA NO. 1318



STATE OF OKLAHOMA )  
                                  ) SS  
COUNTY OF TULSA )

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020, PERSONALLY APPEARED JAY P. BEISEL TO ME TO KNOW TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSES THEREIN SET FORTH.

NOTARY PUBLIC  
COMMISSION NUMBER: 1901877  
EXPIRES: NOV 25, 2023



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