



P.O. BOX 850 | COWETA, OKLAHOMA 74429 | PH. (918) 486-2189 | FAX (918) 486-5366 | www.cityofcoweta-ok.gov

**AGENDA - REGULAR MEETING
COWETA PLANNING COMMISSION
COWETA CITY HALL, 310 S. BROADWAY
MONDAY, MARCH 21, 2022, 6:00 PM**

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
 - Melanie Lander ____
 - Jessica Morris ____
 - Kathy Sloat-Ahlstrom ____
 - Carter Mathews ____
 - Joanna Jones ____

- IV. CONSENT
(All matters under the "Consent Calendar" are considered by the Planning Commission to be routine and will be enacted by one motion. Any Commissioner may, however, remove an item from consent by request.)

- 1. MINUTES OF THE REGULAR MEETING
APPROVAL OF THE MINUTES OF THE COWETA PLANNING COMMISSION REGULAR MEETING, HELD ON FEBRUARY 22, 2022.

Documents:

[220222 MINUTES OF THE PLANNING COMMISSION.PDF](#)

V. PUBLIC HEARINGS

- 1. PUBLIC HEARING - FINAL PLAT - THE WOODS I
PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A REQUEST FOR FINAL PLAT APPROVAL OF THE WOODS I, PART OF PUD NO. R 13-02, A SUBDIVISION OF APPROXIMATELY 53.601 ACRES, MORE OR LESS, WITH 106 LOTS THAT INCLUDES RS-2 (RESIDENTIAL SINGLE FAMILY) AND RM-1 (RESIDENTIAL MULTI FAMILY) ZONING, LOCATED IN SECTION 36, TOWNSHIP 18 NORTH, RANGE 15 EAST OF THE INDIAN BASE AND MERIDIAN, WAGONER COUNTY, STATE OF OKLAHOMA.

Documents:

[THE WOODS PHASE 1 BLOCKS 1-5 FINAL PLAT.PDF](#)

- 2. PUBLIC HEARING - FINAL PLAT - THE WOODS, PHASE II
PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A REQUEST FOR FINAL PLAT APPROVAL OF THE WOODS II, PART OF PUD NO. R 13-02, A SUBDIVISION OF APPROXIMATELY 18.695 ACRES, MORE OR LESS, WITH 58 LOTS THAT INCLUDES RS-2 (RESIDENTIAL SINGLE FAMILY) AND RM-1 (RESIDENTIAL MULTI FAMILY) ZONING, LOCATED IN SECTION 36, TOWNSHIP 18 NORTH, RANGE 15 EAST OF THE INDIAN BASE AND MERIDIAN,

WAGONER COUNTY, STATE OF OKLAHOMA.

Documents:

[THE WOODS II BLOCKS 6-9 FINAL PLAT.PDF](#)

3. PUBLIC HEARING - VACATION OF REPLAT OF FINAL PLAT
PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A REQUEST FOR THE VACATION OF THE REPLAT OF THE FINAL PLAT OF WAGONER COUNTY INDUSTRIAL PARK I, A SUBDIVISION INDUSTRIAL PARK OF APPROXIMATELY 29.93 ACRES, MORE OR LESS, WITH 12 LOTS, LOCATED IN SECTION 19, TOWNSHIP 17 NORTH, RANGE 16 EAST OF THE INDIAN BASE AND MERIDIAN, WAGONER COUNTY, STATE OF OKLAHOMA.

Documents:

[3-9-22 LETTER TO CITY OF COWETA W-VACATION OF PLAT \(WCEDA\) \(00396379XDCC36\).PDF](#)
[WAGONERCOUNTYINDUSTRIALPARKI ZONING AND LOCATION MAP.PDF](#)
[WAGONERCOUNTYINDUSTRIALPARKI AERIAL VIEW MAP.PDF](#)
[WAGONER COUNTY INDUSTRIAL PARK I FINAL PLAT.PDF](#)

VI. OLD BUSINESS

1. FINAL PLAT - THE WOODS, PHASE I
DISCUSSION AND POSSIBLE ACTION ON A RECOMMENDATION OF APPROVAL, APPROVAL WITH CONDITIONS, OR DENIAL TO THE COWETA CITY COUNCIL ON A REQUEST FOR FINAL PLAT APPROVAL OF THE WOODS I, PART OF PUD NO. R 13-02, A SUBDIVISION OF APPROXIMATELY 53.601 ACRES, MORE OR LESS, WITH 106 LOTS THAT INCLUDES RS-2 (RESIDENTIAL SINGLE-FAMILY) AND RM-1 (RESIDENTIAL MULTI-FAMILY) ZONING, LOCATED IN SECTION 36, TOWNSHIP 18 NORTH, RANGE 15 EAST OF THE INDIAN BASE AND MERIDIAN, WAGONER COUNTY, STATE OF OKLAHOMA.

Documents:

[220321 STAFF REPORT FINAL PLAT WOODS I.PDF](#)
[THE WOODS PHASE 1 BLOCKS 1-5 FINAL PLAT.PDF](#)

2. FINAL PLAT - THE WOODS, PHASE II
DISCUSSION AND POSSIBLE ACTION ON A RECOMMENDATION OF APPROVAL, APPROVAL WITH CONDITIONS, OR DENIAL TO THE COWETA CITY COUNCIL ON A REQUEST FOR FINAL PLAT APPROVAL OF THE WOODS II, PART OF PUD NO. R 13-02, A SUBDIVISION OF APPROXIMATELY 18.695 ACRES, MORE OR LESS, WITH 58 LOTS THAT INCLUDES RS-2 (RESIDENTIAL SINGLE-FAMILY) AND RM-1 (RESIDENTIAL MULTI-FAMILY) ZONING, LOCATED IN SECTION 36, TOWNSHIP 18 NORTH, RANGE 15 EAST OF THE INDIAN BASE AND MERIDIAN, WAGONER COUNTY, STATE OF OKLAHOMA.

Documents:

[220321 STAFF REPORT FINAL PLAT WOODS II.PDF](#)
[THE WOODS II BLOCKS 6-9 FINAL PLAT.PDF](#)

3. VACATION OF REPLAT OF FINAL PLAT
DISCUSSION AND POSSIBLE ACTION ON A RECOMMENDATION OF APPROVAL, APPROVAL WITH CONDITIONS, OR DENIAL TO THE COWETA CITY COUNCIL ON A REQUEST FOR THE VACATION OF THE REPLAT OF THE FINAL PLAT OF WAGONER COUNTY INDUSTRIAL PARK I, A SUBDIVISION INDUSTRIAL PARK OF APPROXIMATELY 29.93 ACRES, MORE OR LESS, WITH 12 LOTS, LOCATED IN SECTION 19, TOWNSHIP 17 NORTH, RANGE 16 EAST OF THE INDIAN BASE AND MERIDIAN, WAGONER COUNTY, STATE OF OKLAHOMA.

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[WAGONERCOUNTYINDUSTRIALPARKI ZONING AND LOCATION MAP.PDF](#)

4. DISCUSSION OF PLANNING TOPICS

DISCUSSION ON THE PROCESS AND ROLES FOR PLANNING COMMISSION AND BOARD OF
ADJUSTMENT, APPROACH TO CONSIDERATION OF APPLICATION, AND THE LIMITS OF
RECOMMENDATION POWERS. (MARK SEIBOLD, COMMUNITY DEVELOPMENT DIRECTOR)

VII. NEW BUSINESS

VIII. ADJOURNMENT

**IF YOU REQUIRE A SPECIAL ACCOMMODATION PURSUANT TO THE AMERICANS WITH DISABILITIES ACT, PLEASE
NOTIFY CITY HALL BY 9:00 A.M. ON THE DATE OF THE MEETING.**



**MINUTES
COWETA PLANNING COMMISSION
COWETA CITY HALL 310 S. BROADWAY
MONDAY, FEBRUARY 22, 2022, 6:00 PM**

I. CALL TO ORDER

Planning Commissioner Melanie Lander called the meeting to order at 6:07 p.m.

II. ROLL CALL

Carter Mathews	Present
Kathy Sloat-Ahlstrom	Absent
Jessica Morris	Absent
Joanna Jones	Present
Melanie Lander	Present

Planning Commissioner Melanie Lander requested that the roll be called, and a quorum was declared to be present.

III. CONSENT

1. Consideration of the minutes of the regular meeting of January 17, 2022.

Motion was made by Commissioner Joanna Jones to approve Consent Agenda. That motion was seconded by Commissioner Carter Mathews.

Motion passed by a vote of 3-0 with the following votes cast:

Carter Mathews	Yes – to approve
Kathy Sloat-Ahlstrom	Not Present
Jessica Morris	Not Present
Joanna Jones	Yes – to approve
Melanie Lander	Yes – to approve

IV. PUBLIC HEARINGS

1. Public Hearing – CZ 22-01

Public hearing to receive public comment on CZ 22-01, an application for a rezone of property from Agriculture (AG) to Residential Single Family (RS-2) located in the Southwest Quarter of the Northwest Quarter (SW/4 NW/4) of Section 1, Township 17 North, Range 15 East of the Indian Base and Meridian, Wagoner County, State of Oklahoma, near the intersection of South 273rd East Avenue and East 125th Place South.

Commissioner Melanie Lander read the agenda item. The applicant, Mr. Ron Spradlin, was present for this meeting. The floor was opened for public comment. There were no comments from those in attendance. The public hearing for this item was closed.

2. Public Hearing – CZ 22-02 SUP

Public hearing to receive public comment on an application to establish a Specific Use Permit (SUP) CZ 22-02 SUP for an Educational Technical Training School on property zoned Agriculture (AG) located in Section 17, Township 17 North, Range 16 East of the Indian Base

and Meridian, Wagoner County, State of Oklahoma at 31350 East State Highway 51, Coweta, Oklahoma.

Commissioner Melanie Lander read the agenda item. The applicant, Mr. Duane Mass, was present for this meeting. He came forward and presented information on the SUP request. The floor was opened for public comment. There were no comments from those in attendance. The public hearing for this item was closed.

3. Public Hearing – PUD-02 Amendment

Public hearing to receive public comment on an application for a Planned Unit Development, PUD-02, amendment on property consisting of approximately 64.84 acres, more or less, located north and west of the intersection of East 121st Street South and State Highway 51, in Section 35, Township 18 North, Range 15 East of the Indian Base and Meridian, Wagoner County, State of Oklahoma.

Commissioner Melanie Lander read the agenda item. The applicants were present for this meeting. Mr. Erik Enyart, representative for applicant Tanner Consulting, addressed the public and the Commissioners regarding the PUD amendment. He highlighted the changes that had been made to the PUD, referencing the conditions put forth by the Planning Commission at the November 2021 Special meeting.

The floor was opened for public comment. Two citizens came forward during this time to address the applicant and the Commissioners. Their concerns/questions included:

- Neighborhood access points and possible increase in traffic in subdivisions near the development.
- Whether or not there would be an access point to development off of Highway 51 near RCB Bank.

The citizen questions and concerns were addressed by City Staff, Commissioners and Mr. Enyart. There were no further comments from those in attendance. The public hearing for this item was closed.

V. **OLD BUSINESS**

1. CZ 22-01

Discussion and possible action on a recommendation of approval, approval with conditions, or denial to the Coweta City Council on CZ 22-01, an application for a rezone of property from Agriculture (AG) to Residential Single Family (RS-2) located in the Southwest Quarter of the Northwest Quarter (SW/4 NW/4) of Section 1, Township 17 North, Range 15 East of the Indian Base and Meridian, Wagoner County, State of Oklahoma, near the intersection of South 273rd East Avenue and East 125th Place South.

Commissioner Melanie Lander read the agenda item. City Planner, Tom E. Young, Jr., discussed the Staff Report.

Commissioner Melanie Lander asked the applicant if the builder that built the houses in Phase I of Spradlin Estates will be building the houses in Phase II. Mrs. Spradlin answered yes, Bobby Green of BGreen Homes would be building the houses in Phase II, also. Ms. Lander also asked if there were any conditions regarding the rezone request. City Planner, Mr. Young, answered that there were no conditions recommended by Staff for this rezone.

Commissioner Carter Mathews asked if all legal standards required for the rezone had been met. City Planner, Mr. Young, answered that all state and city requirements for the rezone had been met.

Motion was made by Commissioner Carter Mathews to send a recommendation of approval of CZ 22-01 to the Coweta City Council. That motion was seconded by Commissioner Joanna Jones.

Motion passed by a vote of 3-0 with the following votes cast:

Carter Mathews	Yes – to approve
Kathy Sloat-Ahlstrom	Not Present
Jessica Morris	Not Present
Joanna Jones	Yes – to approve
Melanie Lander	Yes – to approve

2. CZ 22-02

Discussion and possible action on a recommendation of approval, approval with conditions, or denial to the Coweta City Council on an application to establish a Specific Use Permit (SUP) CZ 22-02 SUP for an Educational Technical Training School on property zoned Agriculture (AG) located in Section 17, Township 17 North, Range 16 East of the Indian Base and Meridian, Wagoner County, State of Oklahoma at 31350 East State Highway 51, Coweta, Oklahoma.

Commissioner Melanie Lander read the agenda item. City Planner, Tom E. Young, Jr., discussed the Staff Report.

There was not any discussion or questions on this item from the Commissioners. Motion was made by Commissioner Joanna Jones to send a recommendation of approval of CZ 22-02 SUP to the Coweta City Council. That motion was seconded by Commissioner Carter Mathews.

Motion passed by a vote of 3-0 with the following votes cast:

Carter Mathews	Yes – to approve
Kathy Sloat-Ahlstrom	Not Present
Jessica Morris	Not Present
Joanna Jones	Yes – to approve
Melanie Lander	Yes – to approve

3. PUD-02 Amendment

Discussion and possible action on a recommendation of approval, approval with conditions, or denial to the Coweta City Council on an application for a Planned Unit Development, PUD-02, amendment on property consisting of approximately 64.84 acres, more or less, located north and west of the intersection of East 121st Street South and State Highway 51, in Section 35, Township 18 North, Range 15 East of the Indian Base and Meridian, Wagoner County, State of Oklahoma.

Commissioner Melanie Lander read the agenda item. City Planner, Tom E. Young, Jr., discussed the Staff Report.

Commissioner Joanna Jones, referencing the concern voiced by a citizen during the Public Hearing portion for this item, asked for clarification on the subdivision access barriers that were discussed at the November 2021 Special meeting regarding this PUD. Mr. Erik Enyart noted the provision that has been added to the PUD that all existing connection point will have emergency-only access gates, as approved by the Coweta Fire Marshal.

Commissioner Carter Mathews asked if the four conditions put forth by the Planning Commission at the November 2021 Special meeting have been met. City Planner, Mr. Young, answered that all conditions have been met on this PUD amendment.

Motion was made by Commissioner Carter Mathews to send a recommendation of approval of PUD-02 Amendment to the Coweta City Council. That motion was seconded by Commissioner Joanna Jones.

Motion passed by a vote of 3-0 with the following votes cast:

Carter Mathews	Yes – to approve
Kathy Sloat-Ahlstrom	Not Present
Jessica Morris	Not Present
Joanna Jones	Yes – to approve
Melanie Lander	Yes – to approve

4. Discussion of Planning Topics

This item has been continued to the next meeting.

VI. NEW BUSINESS

VII. ADJOURNMENT

Planning Commissioner Melanie Lander moved that the Coweta Planning Commission meeting be adjourned. There were no objections. The meeting was adjourned at 6:32 p.m.

Approved:

Chairman

Secretary

Date

Curve Table

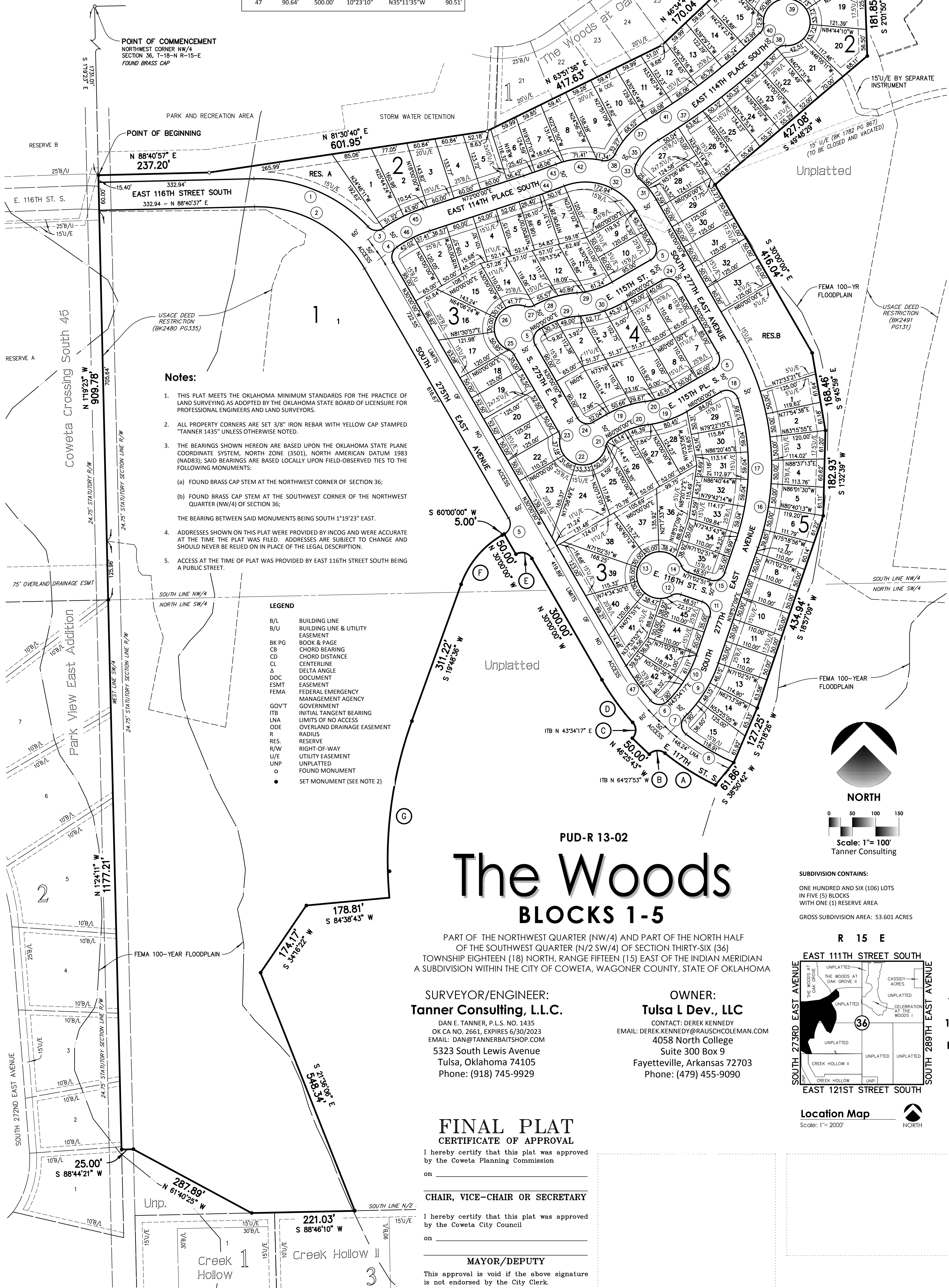
CURVE	LENGTH(L)	RADIUS(R)	DELTA(A)	CHORD(BRG)(CB)	CHORDDIS(CD)
1	272.90'	325.00'	48°06'37"	N67°16'04"W	264.95'
2	283.63'	265.00'	61°19'23"	N60°39'41"W	270.28'
3	35.59'	25.00'	81°33'25"	N83°59'28"W	32.66'
4	37.28'	25.00'	85°26'56"	N12°43'28"E	33.92'
5	39.27'	25.00'	90°00'00"	N15°00'00"E	35.36'
6	41.91'	25.00'	96°02'32"	N88°24'27"W	37.17'
7	41.91'	25.00'	96°02'32"	N42°26'59"W	37.17'
8	118.91'	500.00'	38°45'34"	N71°51'02"W	331.83'
9	128.90'	300.00'	24°37'09"	N31°15'43"E	127.92'
10	107.42'	250.00'	24°37'09"	N31°15'43"E	106.60'
11	39.27'	25.00'	90°00'00"	N26°02'51"W	35.36'
12	21.03'	25.00'	48°11'23"	N84°51'27"E	20.41'
13	241.19'	50.00'	276°22'46"	N18°57'09"E	66.67'
14	21.03'	25.00'	48°11'23"	N46°57'10"W	20.41'
15	39.27'	25.00'	90°00'00"	N63°57'09"E	35.36'
16	457.09'	535.00'	48°57'09"	N5°31'26"W	443.32'
17	308.09'	485.00'	36°23'47"	N0°45'15"E	302.94'
18	44.75'	25.00'	102°33'21"	N68°43'19"W	39.01'
19	88.29'	225.00'	22°28'55"	N71°14'28"E	87.72'
20	68.67'	175.00'	22°28'55"	N71°14'28"E	68.23'
21	21.03'	25.00'	48°11'23"	N35°54'19"E	20.41'

Curve Table

22	152.77'	50.00'	175°03'34"	N80°39'36"W	99.91'
23	16.09'	25.00'	36°52'12"	N11°33'54"W	15.81'
24	39.27'	25.00'	90°00'00"	N75°00'00"W	35.36'
25	16.09'	25.00'	36°52'12"	N48°26'06"W	15.81'
26	152.84'	50.00'	175°03'34"	N20°41'55"E	99.91'
27	20.45'	25.00'	46°51'28"	N84°50'18"E	19.88'
28	96.46'	225.00'	24°33'49"	N73°41'29"E	95.72'
29	79.33'	175.00'	25°58'23"	N72°59'12"E	78.65'
30	102.00'	225.00'	25°58'23"	N72°59'12"E	101.13'
31	58.90'	175.00'	19°17'04"	N39°38'32"W	58.62'
32	177.23'	125.00'	81°14'15"	N70°37'08"W	162.76'
33	32.95'	25.00'	75°31'21"	N11°31'23"W	30.62'
35	71.99'	125.00'	32°59'54"	N42°44'14"E	71.00'
37	100.79'	175.00'	32°59'54"	N42°44'14"E	99.40'
38	32.95'	25.00'	75°31'21"	N63°59'58"E	30.62'
39	241.17'	50.00'	276°21'24"	N45°33'24"W	66.68'
40	21.57'	25.00'	49°26'02"	N20°58'55"E	20.91'
41	307.16'	1300.00'	13°32'15"	N52°28'04"E	306.44'
42	100.79'	175.00'	32°59'54"	N85°15'41"E	99.40'
43	73.46'	1300.00'	3°14'15"	N70°22'52"E	73.45'
44	76.28'	1350.00'	3°14'15"	N70°22'52"E	76.27'
45	95.12'	325.00'	16°46'11"	N63°36'55"E	94.78'
46	79.44'	275.00'	16°33'04"	N63°43'28"E	79.16'
47	90.64'	500.00'	10°23'10"	N35°11'35"W	90.51'

Boundary Curve Table

CURVE	LENGTH(L)	RADIUS(R)	DELTA(A)	CHORD(BRG)(CB)	CHORDDIS(CD)
A	128.36'	560.00'	13°07'59"	N67°53'53"W	128.08'
B	37.13'	25.00'	85°05'49"	S86°07'12"W	33.81'
C	37.13'	25.00'	85°05'49"	N1°01'23"E	33.81'
D	112.65'	560.00'	11°31'32"	N35°45'46"W	112.46'
E	39.27'	25.00'	90°00'00"	N75°00'00"W	35.36'
F	140.29'	200.00'	40°11'24"	S39°54'18"W	137.43'
G	384.31'	875.00'	25°09'53"	N7°13'40"E	381.22'



Draft Final Plat
PUD-R 13-02

The Woods
BLOCKS 1-5

PART OF THE NORTHWEST QUARTER (NW/4) AND PART OF THE NORTH HALF
OF THE SOUTHWEST QUARTER (N/2 SW/4) OF SECTION THIRTY-SIX (36)
TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF COWETA, WAGONER COUNTY, STATE OF OKLAHOMA

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

THAT TULSA L DEV., LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HEREINAFTER REFERRED TO AS THE "OWNER" AND/OR "DECLARANT," IS THE OWNER OF THE FOLLOWING REAL PROPERTY SITUATED IN THE CITY OF COWETA, WAGONER COUNTY, STATE OF OKLAHOMA, TO-WIT:

A TRACT OF LAND THAT IS PART OF THE NORTHWEST QUARTER (NW/4) AND PART OF THE NORTH HALF OF THE SOUTHWEST QUARTER (N/2 SW/4) OF SECTION THIRTY-SIX (36), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN MERIDIAN, COUNTY OF WAGONER, STATE OF OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NW/4; THENCE SOUTH 1°19'23" EAST AND ALONG THE WEST LINE OF THE NW/4, FOR A DISTANCE OF 1731.01 FEET TO A POINT, SAID POINT BEING THE SOUTHWEST CORNER OF "THE WOODS AT OAK GROVE," A SUBDIVISION IN WAGONER COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (BOOK PLC4 PAGE 392), COUNTY OF WAGONER RECORDS, AND BEING THE POINT OF BEGINNING;

THENCE ALONG THE SOUTH LINE OF SAID "THE WOODS AT OAK GROVE" SUBDIVISION FOR THE FOLLOWING FOUR (4) COURSES: NORTH 88°40'57" EAST FOR A DISTANCE OF 237.20 FEET; THENCE NORTH 81°30'40" EAST FOR A DISTANCE OF 601.95 FEET; THENCE NORTH 63°51'36" EAST FOR A DISTANCE OF 417.63 FEET; THENCE NORTH 46°34'40" EAST FOR A DISTANCE OF 170.04 FEET TO THE MOST SOUTHERN SOUTHEAST CORNER OF "THE WOODS AT OAK GROVE II," A SUBDIVISION IN WAGONER COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, FILED IN BOOK 1334 AT PAGE 888, COUNTY OF WAGONER RECORDS; THENCE NORTH 46°34'38" EAST AND ALONG THE SOUTH LINE OF SAID "THE WOODS AT OAK GROVE II" SUBDIVISION, FOR A DISTANCE OF 253.75 FEET; THENCE ALONG A 25.00 FOOT RADIUS CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 85°05'49", A CHORD BEARING AND DISTANCE OF SOUTH 86°07'12" WEST FOR 33.81 FEET, FOR AN ARC DISTANCE OF 37.13 FEET; THENCE NORTH 46°25'43" WEST FOR A DISTANCE OF 50.00 FEET; THENCE NORTHEASTERLY ALONG A 25.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, HAVING AN INITIAL TANGENT BEARING OF NORTH 43°34'17" EAST, A CENTRAL ANGLE OF 85°05'49", A CHORD BEARING AND DISTANCE OF NORTH 1°01'23" EAST FOR 33.81 FEET, FOR AN ARC DISTANCE OF 37.13 FEET TO A POINT OF REVERSE CURVATURE;

THENCE ALONG A 560.00 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 11°31'32", A CHORD BEARING AND DISTANCE OF NORTH 35°45'46" WEST FOR 112.46 FEET, FOR AN ARC DISTANCE OF 112.65 FEET TO A POINT OF TANGENCY; THENCE NORTH 30°00'00" WEST FOR A DISTANCE OF 300.00 FEET TO A POINT OF CURVATURE; THENCE ALONG A 25.00 FOOT RADIUS CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 90°00'00", A CHORD BEARING AND DISTANCE OF NORTH 75°00'00" WEST FOR 35.36 FEET, FOR AN ARC DISTANCE OF 39.27 FEET;

THENCE NORTH 30°00'00" WEST FOR A DISTANCE OF 50.00 FEET; THENCE SOUTH 60°00'00" WEST FOR A DISTANCE OF 5.00 FEET TO A POINT OF CURVATURE; THENCE ALONG A 200.00 FOOT RADIUS CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 40°11'24", A CHORD BEARING AND DISTANCE OF SOUTH 39°54'18" WEST FOR 137.43 FEET, FOR AN ARC DISTANCE OF 140.29 FEET TO A POINT OF TANGENCY; THENCE SOUTH 19°48'36" WEST FOR A DISTANCE OF 311.22 FEET TO A POINT OF CURVATURE; THENCE ALONG A 875.00 FOOT RADIUS CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 25°09'53", A CHORD BEARING AND DISTANCE OF SOUTH 7°13'40" WEST FOR 381.22 FEET, FOR AN ARC DISTANCE OF 384.31 FEET; THENCE SOUTH 84°38'43" WEST FOR A DISTANCE OF 178.81 FEET; THENCE SOUTH 34°16'22" WEST FOR A DISTANCE OF 174.17 FEET; THENCE SOUTH 21°36'06" EAST FOR A DISTANCE OF 548.34 FEET TO A POINT ON THE SOUTH LINE OF SAID N/2 SW/4; THENCE SOUTH 88°46'10" WEST ALONG SAID SOUTH LINE AND ALONG THE NORTH LINE OF "CREEK HOLLOW II," AN ADDITION IN WAGONER COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, AS FILED IN BOOK 6, PAGE 34, WAGONER COUNTY RECORDS, FOR A DISTANCE OF 221.03 FEET; THENCE NORTH 61°40'25" WEST FOR A DISTANCE OF 287.89 FEET; THENCE SOUTH 88°44'21" WEST FOR A DISTANCE OF 25.00 FEET TO A POINT ON THE WEST LINE OF THE N/2 SW/4; THENCE NORTH 1°24'11" WEST AND ALONG SAID WEST LINE OF THE N/2 SW/4, FOR A DISTANCE OF 1177.21 FEET TO A POINT, SAID POINT BEING THE NORTHWEST CORNER THEREOF; THENCE NORTH 1°19'23" WEST AND ALONG THE WEST LINE OF SAID NW/4, FOR A DISTANCE OF 909.78 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINING 2,334,875 SQUARE FEET, OR 53.601 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 BRASS CAP STEM AT THE NORTHWEST CORNER OF SECTION 36;
B) FOUND BRASS CAP STEM AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SECTION 36;

THE BEARING BETWEEN SAID MONUMENTS BEING SOUTH 1°19'23" EAST.

AND THE OWNER HAS CAUSED THE ABOVE-DESCRIBED LAND TO BE SURVEYED, STAKED, PLATTED, DEDICATED, ACCESS RIGHTS RESERVED, AND SUBDIVIDED INTO ONE HUNDRED SIX (106) LOTS IN FIVE (5) BLOCKS ALONG WITH THE RESERVE AREAS, COMMON AREAS, AND STREETS IN CONFORMITY WITH THE ACCOMPANYING PLAT AND SURVEY ("THE PLAT") AND HAS DESIGNATED THE SUBDIVISION AS "THE WOODS BLOCKS 1-5," A SUBDIVISION WITHIN THE CITY OF COWETA, WAGONER COUNTY, OKLAHOMA ("SUBDIVISION"). THE OWNER HEREBY SUBJECTS THE LAND DESCRIBED ABOVE TO THE PROVISIONS, COVENANTS, AND RESTRICTIONS SET FORTH HEREIN WHICH SHALL RUN WITH THE LAND AND BE BINDING ON EVERY LOT AND RESERVE AREA AND EVERY OWNER THEREOF FOR THE PERIOD AS HEREAFTER DEFINED.

SECTION I. PUBLIC STREETS, EASEMENTS, AND UTILITIES

A. PUBLIC STREETS AND UTILITY EASEMENTS

THE OWNER DOES HEREBY DEDICATE FOR PUBLIC USE THE STREET RIGHTS-OF-WAY DEPICTED ON THE ACCOMPANYING PLAT AND DOES FURTHER DEDICATE FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT 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, COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, AND WATERLINES, TOGETHER WITH ALL VALVES, METERS, AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND OTHER APPURTENANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES AFORESAID, TOGETHER WITH SIMILAR EASEMENT RIGHTS IN THE PUBLIC STREETS, PROVIDED HOWEVER, THAT THE OWNER HEREBY RESERVES THE RIGHT TO CONSTRUCT AND MAINTAIN WATERLINES AND SEWERLINES WITHIN THE UTILITY EASEMENTS FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICE TO AREAS WITHIN OR OUTSIDE THE PLAT AND THE OWNER FURTHER RESERVES THE RIGHT TO CONSTRUCT AND MAINTAIN WITHIN THE UTILITY EASEMENTS PROPERLY-PERMITTED PARKING AREAS, LANDSCAPING, SCREENING FENCES AND WALLS, AND OTHER NON-OBSTRUCTING IMPROVEMENTS.

B. WATER, SANITARY SEWER, AND STORM SEWER SERVICE

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 ON THE LOT OR RESERVE AREA.
2. WITHIN THE DEPICTED UTILITY EASEMENT AREAS, THE ALTERATION OF GRADE IN EXCESS OF THREE (3) FEET FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER, SHALL BE PROHIBITED. WITHIN THE UTILITY EASEMENTS, IF THE GROUND ELEVATIONS ARE ALTERED BY THE LOT OR RESERVE AREA OWNER FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER, ALL GROUND LEVEL APPURTENANCES, INCLUDING VALVE BOXES, FIRE HYDRANTS, AND MANHOLES SHALL BE ADJUSTED TO THE ALTERED GROUND ELEVATIONS BY THE OWNER OF THE LOT OR RESERVE AREA OR, AT ITS ELECTION, THE CITY OF COWETA, OKLAHOMA, MAY MAKE SUCH ADJUSTMENT AT SUCH OWNER'S EXPENSE.

3. WAGONER COUNTY RURAL WATER DISTRICT NO. 5 OR ITS SUCCESSORS SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER FACILITIES, AND THE CITY OF COWETA OR ITS SUCCESSORS SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF SANITARY SEWER AND STORM SEWER FACILITIES, BUT THE LOT OR RESERVE AREA OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF SAID OWNER OR SAID OWNER'S AGENTS OR CONTRACTORS.

4. WAGONER COUNTY RURAL WATER DISTRICT NO. 5 AND THE CITY OF COWETA, OR THEIR RESPECTIVE SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS WITH THEIR EQUIPMENT TO ALL UTILITY EASEMENTS DEPICTED ON THE 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.

5. THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION B. SHALL BE ENFORCEABLE BY THE CITY OF COWETA AND WAGONER COUNTY RURAL WATER DISTRICT NO. 5, OR THEIR RESPECTIVE SUCCESSORS, AND EACH LOT AND RESERVE AREA OWNER AGREES TO BE BOUND HEREBY.

C. UNDERGROUND SERVICE

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

2. UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WHICH MAY BE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL, OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE AS MAY BE LOCATED UPON THE LOT. PROVIDED THAT, UPON THE INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE, AND NON-EXCLUSIVE RIGHT-OF-WAY EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE GAS MAIN, SERVICE PEDESTAL, OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.

3. THE SUPPLIER OF ELECTRIC, COMMUNICATION, AND GAS SERVICES, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS WITH ITS EQUIPMENT 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 ELECTRIC, COMMUNICATION, OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.

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

5. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH C. SHALL BE ENFORCEABLE BY EACH SUPPLIER OF THE ELECTRIC, COMMUNICATION, OR GAS SERVICE AND EACH LOT AND RESERVE AREA OWNER AGREES TO BE BOUND HEREBY.

D. PAVING AND LANDSCAPING WITHIN EASEMENTS

THE OWNER OF THE LOT OR RESERVE AREA SHALL BE RESPONSIBLE FOR REPAIR OF DAMAGE TO LANDSCAPING AND PAVING RESULTING FROM THE ACTIONS OF THE CITY OF COWETA OR THE SUPPLIER OF UTILITY SERVICES, IN PERFORMING NECESSARY INSTALLATION OF OR MAINTENANCE TO THE UNDERGROUND WATER, SANITARY SEWER, STORM SEWER, GAS, COMMUNICATION, OR ELECTRIC FACILITIES WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT; PROVIDED, HOWEVER, THAT THE CITY OF COWETA, OR THE SUPPLIER OF THE UTILITY SERVICE, SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

E. SURFACE DRAINAGE

EACH LOT AND RESERVE AREA WITHIN THE SUBDIVISION SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS, RESERVE AREAS, AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM ADJACENT STREETS AND EASEMENTS. 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 SAID OWNER'S LOT OR RESERVE AREA. THE COVENANTS SET FORTH IN THIS SUBSECTION E. SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OR RESERVE AREA OWNER AND THE CITY OF COWETA, OKLAHOMA.

F. RESERVE AREAS

1. RESERVES A AND B, AS DEPICTED UPON THE ACCOMPANYING PLAT, ARE ESTABLISHED FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF RESIDENTIAL LOTS WITHIN THE SUBDIVISION AND ARE HEREBY RESERVED FOR SUBSEQUENT CONVEYANCE TO THE HOME OWNERS ASSOCIATION AS SET FORTH IN SECTION III. HEREIN.

2. RESERVES A AND B ARE RESERVED FOR PRIVATE RECREATION AND OPEN SPACE INCLUDING, BUT NOT NECESSARILY LIMITED TO: PRIVATE PARKS, SIDEWALKS AND TRAILS, LANDSCAPING, IRRIGATION, SIGNAGE, ENTRY FEATURES, LIGHTING, FENCING, AND OTHER USES AS MAY BE PERMITTED BY THE CITY OF COWETA, FOR STORMWATER DRAINAGE, AND FOR UTILITIES.

3. ALL COSTS AND EXPENSES ASSOCIATED WITH RESERVES A AND B, INCLUDING MAINTENANCE OF VARIOUS IMPROVEMENTS AND RECREATIONAL FACILITIES, SHALL BE THE RESPONSIBILITY OF THE OWNER THEREOF, WHICH SHALL BE THE HOME OWNERS ASSOCIATION, AS PROVIDED IN SECTION III. HEREIN, UPON CONVEYANCE OF RESERVES A AND B TO THE ASSOCIATION. THE CITY OF COWETA SHALL NOT BE LIABLE FOR ANY DAMAGE OR REMOVAL OF ANY LANDSCAPING OR IRRIGATION SYSTEMS IN RESERVES A OR B.

4. IN THE EVENT THE OWNER OF ANY RESERVE AREA FAILS TO PROPERLY MAINTAIN THE RESERVE AREA, THE CITY OF COWETA, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR, MAY ENTER THE RESERVE AREA AND PERFORM MAINTENANCE NECESSARY, AND THE COSTS THEREOF SHALL BE PAID BY THE OWNER THEREOF, WHICH SHALL BE THE HOME OWNERS ASSOCIATION, AS SET FORTH IN SECTION III. HEREIN, UPON CONVEYANCE OF RESERVES A AND B TO THE ASSOCIATION. IN THE EVENT ANY RESERVE AREA OWNER FAILS TO TIMELY PAY THE COST OF SAID MAINTENANCE, AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, THE CITY OF COWETA, OKLAHOMA, MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS, AND THEREAFTER SUCH COSTS OF MAINTENANCE SHALL BECOME A LIEN ON THE RESERVE AREA, WHICH LIEN MAY BE FORECLOSED BY THE CITY OF COWETA, OKLAHOMA, OR THE CITY OF COWETA PUBLIC WORKS AUTHORITY MAY ADD SUCH BILLING PRORATED UPON THE RESIDENTIAL LOT OWNER'S WATER BILL, WHICH METHOD OF COLLECTION SHALL BE DETERMINED BY THE CITY OF COWETA.

5. EACH LOT AND RESERVE AREA OWNER OR RESIDENT AGREES TO HOLD HARMLESS THE OWNER AND THE CITY OF COWETA, OKLAHOMA, 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 COWETA NOR THE OWNER SHALL BE LIABLE TO THE LOT OR RESERVE AREA OWNER OR RESIDENT 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 OR ANY GUEST, VISITOR, OR INVITEE THEREOF.

G. OVERLAND DRAINAGE EASEMENTS

1. THE OWNER/DEVELOPER DOES HEREBY ESTABLISH AND 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 AND UNDERGROUND 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 BY THE OWNER IN ACCORDANCE WITH THE ADOPTED STANDARDS OF THE CITY OF COWETA, OKLAHOMA, AND PLANS AND SPECIFICATIONS APPROVED BY THE CITY OF COWETA, 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 THE EASEMENT UNLESS APPROVED BY THE DEPARTMENT OF PUBLIC WORKS OF THE CITY OF COWETA, OKLAHOMA, PROVIDED THAT, WHERE COINCIDENT WITH UTILITY EASEMENTS, NON-OBSTRUCTING ABOVE-GROUND UTILITY APPURTENANCES SHALL BE PERMITTED. ALL LANDSCAPING, EXCEPT THE PLANTING OF TURF, SHALL REQUIRE THE APPROVAL OF THE CITY OF COWETA, OKLAHOMA.

4. DRAINAGE FACILITIES CONSTRUCTED WITHIN OVERLAND DRAINAGE EASEMENTS SHALL BE MAINTAINED BY THE LOT OR RESERVE AREA OWNER CONTAINING SUCH EASEMENT, AT SUCH OWNER'S EXPENSE, TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED STORMWATER DRAINAGE FUNCTIONS, INCLUDING REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION. CUSTOMARY GROUNDS MAINTENANCE SHALL BE PERFORMED AS PRESCRIBED BY THE CITY OF COWETA, OKLAHOMA, OR, ABSENT SUCH PRESCRIPTIONS, IN ACCORDANCE WITH THE FOLLOWING MINIMUM STANDARDS:

- a. GRASS AREAS SHALL BE MOWED (IN SEASON) AT REGULAR INTERVALS OF FOUR (4) WEEKS, OR LESS.
- b. CONCRETE APPURTENANCES SHALL BE MAINTAINED IN GOOD CONDITION AND REPLACED IF DAMAGED.
- c. DRAINAGE FACILITIES SHALL BE KEPT FREE OF DEBRIS.
- d. CLEANSING OF SILTATION AND VEGETATION FROM CONCRETE CHANNELS SHALL BE PERFORMED TWICE YEARLY.

5. IN THE EVENT THE LOT OR RESERVE AREA OWNER SUBJECT TO THE OVERLAND DRAINAGE EASEMENT FAILS TO PROPERLY MAINTAIN THE EASEMENT AREAS LOCATED THEREON OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN SUCH EASEMENTS, THE ALTERATION OF GRADE THEREIN, OR THE ALLOWANCE OF THE

ACCUMULATION OF SILTATION, THE CITY OF COWETA, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR, MAY ENTER THE EASEMENT AREA AND PERFORM MAINTENANCE NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR SILTATION OR CORRECT ANY ALTERATION OF GRADE, AND THE COSTS SHALL BE PAID BY THE LOT OR RESERVE AREA OWNER. IN THE EVENT SUCH OWNER FAILS TO PAY THE COST OF MAINTENANCE AFTER RECEIPT OF A STATEMENT OF COSTS FROM THE CITY OF COWETA, OKLAHOMA, THE CITY MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS IN THE RECORDS OF THE WAGONER COUNTY CLERK, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST THE LOT OR RESERVE AREA OWNER, WHICH LIEN MAY BE FORECLOSED BY THE CITY OF COWETA, OKLAHOMA, OR THE CITY OF COWETA PUBLIC WORKS AUTHORITY MAY ADD SUCH BILLING PRORATED UPON THE LOT OR RESERVE AREA OWNER'S WATER BILL, WHICH METHOD OF COLLECTION SHALL BE DETERMINED BY THE CITY OF COWETA.

H. LIMITS OF NO ACCESS

THE OWNER HEREBY RELINQUISHES RIGHT OF INGRESS AND EGRESS TO THE ABOVE DESCRIBED PROPERTY WITHIN THE BOUNDS DESIGNATED ON THE ACCOMPANYING PLAT AS "LIMITS OF NO ACCESS" ("LINA") EXCEPT AS MAY HEREAFTER BE RELEASED, ALTERED, OR AMENDED BY THE LOT OR RESERVE AREA OWNER AND COWETA PLANNING COMMISSION, OR ITS SUCCESSORS, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA, PERTAINING THERETO. THE FORGOING COVENANT CONCERNING "LIMITS OF NO ACCESS" SHALL BE ENFORCEABLE BY THE CITY OF COWETA, OR ITS SUCCESSORS, AND THE OWNER OF EACH LOT OR RESERVE AREA AGREES TO BE BOUND HEREBY.

SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS, THE PROPERTY COMPRISING "THE WOODS BLOCKS 1-5" WAS SUBMITTED AS PART OF A PLANNED UNIT DEVELOPMENT (PUD) NO. PUD-R 13-02 ("COWETA CROSSING") AS PROVIDED WITHIN CHAPTER 16 OF THE COWETA, OKLAHOMA ZONING CODE, AND

WHEREAS, PUD NO. PUD-R 13-02 WAS AFFIRMATIVELY RECOMMENDED BY THE CITY OF COWETA PLANNING COMMISSION ON FEBRUARY 24, 2014, AND APPROVED BY THE COWETA CITY COUNCIL ON MARCH 3, 2014 WITH IMPLEMENTING ORDINANCE (ORDINANCE NO. 744) APPROVED MARCH 3, 2014, WITH EMERGENCY CLAUSE ATTACHED, MAKING THE ORDINANCE EFFECTIVE IMMEDIATELY, AND

WHEREAS, THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE COWETA ZONING CODE REQUIRE THE ESTABLISHMENT OF COVENANTS OF RECORD INURING TO AND ENFORCEABLE BY THE CITY OF COWETA, SUFFICIENT TO INSURE THE IMPLEMENTATION AND CONTINUED COMPLIANCE WITH THE APPROVED PLANNED UNIT DEVELOPMENT AND ANY AMENDMENTS THERETO, AND

WHEREAS, THE OWNER DESIRES TO AND DOES HEREBY ESTABLISH THE FOLLOWING RESTRICTIONS FOR THE PURPOSE OF PROVIDING FOR THE ORDERLY DEVELOPMENT OF THE SUBDIVISION AND ALL PROPERTY THEREIN AND TO INSURE ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE OWNER, ITS SUCCESSORS AND ASSIGNS, ALL FUTURE LOT OWNERS, AND THE CITY OF COWETA, OKLAHOMA.

NOW, 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

1. DEVELOPMENT IN ACCORDANCE WITH PUD THE SUBDIVISION SHALL BE DEVELOPED AND USED IN SUBSTANTIAL ACCORDANCE WITH THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF PUD NO. PUD-R 13-02, AS APPROVED BY THE CITY OF COWETA, OR IN SUBSTANTIAL ACCORDANCE WITH SUCH MODIFICATIONS OR AMENDMENTS OF THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF PUD-R 13-02 AS MAY BE SUBSEQUENTLY APPROVED.

2. APPLICABLE ORDINANCE THE DEVELOPMENT OF THE SUBDIVISION SHALL BE SUBJECT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE CITY OF COWETA ZONING CODE AS SUCH PROVISIONS EXISTED ON MARCH 3, 2014.

B. DEVELOPMENT STANDARDS FOR PUD-R 13-02 DEVELOPMENT AREA B

(RESIDENTIAL SINGLE-FAMILY- SCHOOL SITE- MUNICIPAL COMMUNITY CENTER, GOLF COURSE/ DRIVING RANGE) (ALL OF "THE WOODS BLOCKS 1-5" EXCEPT RESERVE A AND EXCEPT LOT 1, BLOCK 1, BUT INCLUDING A SOUTHERLY PORTION OF LOT 1, BLOCK 1, CONTAINING APPROXIMATELY 7.292 ACRES, ALL AS LEGALLY DESCRIBED IN PUD)

LAND AREA:*
GROSS: 276.735 ACRES 12,054,576 SQUARE FEET
NET: 276.735 ACRES 12,054,576 SQUARE FEET

* LAND AREA CALCULATIONS MAY DIFFER BETWEEN ORIGINAL PUD (QUOTED HERE) AND THIS PLAT. DEVELOPMENT AREA B OF ORIGINAL PUD INCLUDED AREAS NOT A PART OF THIS PLAT.

PERMITTED USES (TO BE ALLOWED BY RIGHT): THOSE PERMITTED PRINCIPAL USES, PERMITTED ACCESSORY USES AND USES PERMITTED BY SPECIAL EXCEPTION IN THE RS ZONING DISTRICT, IN ACCORDANCE WITH SECTIONS 410, 420, 430, 440 IN THE ZONING CODE. PROVIDED, BARS, TAVERNS, NIGHT CLUBS AND ADULT ENTERTAINMENT ESTABLISHMENTS SHALL BE PROHIBITED, EXCEPT THAT ANY RESTAURANT OR EATING ESTABLISHMENT CONSTRUCTED ON THE SITE SHALL BE PERMITTED TO SERVE ALCOHOLIC BEVERAGES AND HAVE A SEPARATE BAR AREA AS PART OF THE ESTABLISHMENT, SUBJECT TO COMPLIANCE WITH STATE LAW REGULATING THE SALE OF ALCOHOLIC BEVERAGES.

THE MINIMUM YARD REQUIREMENTS FOR RS-2 WILL APPLY TO ALL SINGLE FAMILY RESIDENTIAL ZONED LOTS. AT THE TIME OF THE FILING OF THIS PLAT, THE SAME ARE:

FRONT: 25 FEET (NO HOUSES WILL FRONT 121ST STREET SOUTH)
REAR: 20 FEET
REAR: 25 FEET (BACKING TO 121ST STREET SOUTH)
SIDE (INTERIOR): 5 FEET
SIDE (STREET): 15 FEET
SIDE (STREET): 20 FEET (ALONG 121ST STREET SOUTH)
MAXIMUM BUILDING HEIGHT: THREE STORY*
45 FEET IN HEIGHT

**(THREE STORY HEIGHT MAY VARY DEPENDING ON TYPE OF FINISH.)

MINIMUM LOT AREA 5,000 SQUARE FEET
MINIMUM LOT WIDTH 50 FEET

Draft Final Plat
PUD-R 13-02

The Woods
BLOCKS 1-5

PART OF THE NORTHWEST QUARTER (NW/4) AND PART OF THE NORTH HALF
OF THE SOUTHWEST QUARTER (N/2 SW/4) OF SECTION THIRTY-SIX (36)
TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF COWETA, WAGONER COUNTY, STATE OF OKLAHOMA

C. DEVELOPMENT STANDARDS FOR PUD-R 13-02 DEVELOPMENT AREA C
(RESIDENTIAL MULTI-FAMILY) (RESERVE A AND LOT 1, BLOCK 1, EXCEPTING A SOUTHERLY
PORTION OF LOT 1, BLOCK 1, CONTAINING APPROXIMATELY 7.292 ACRES, ALL AS
LEGALLY DESCRIBED IN PUD)

LAND AREA:*
FRONT: 23.3 ACRES 1,014,948 SQUARE FEET
NET: 23.3 ACRES 1,014,948 SQUARE FEET
* LAND AREA CALCULATIONS MAY DIFFER BETWEEN ORIGINAL PUD (QUOTED HERE)
AND THIS PLAT.

PERMITTED USES (TO BE ALLOWED BY RIGHT IN THE RM-1 ZONING DISTRICT): THOSE
PERMITTED PRINCIPAL USES, PERMITTED ACCESSORY USES AND USES PERMITTED BY
SPECIAL EXCEPTION IN THE RM-1 ZONING DISTRICT, IN ACCORDANCE WITH SECTIONS
610, 620, 630, 640 IN THE ZONING CODE. PROVIDED, BARS, TAVERNS, NIGHT CLUBS AND
ADULT ENTERTAINMENT ESTABLISHMENTS SHALL BE PROHIBITED, EXCEPT THAT ANY
RESTAURANT OR EATING ESTABLISHMENT CONSTRUCTED ON THE SITE SHALL BE
PERMITTED TO SERVE ALCOHOLIC BEVERAGES AND HAVE A SEPARATE BAR AREA AS PART
OF THE ESTABLISHMENT, SUBJECT TO COMPLIANCE WITH STATE LAW REGULATING THE
SALE OF ALCOHOLIC BEVERAGES.

MINIMUM YARD REQUIREMENTS PER SECTION 600 OF THE ZONING CODE. AT THE
TIME OF THE FILING OF THIS PLAT, THE SAME ARE:

FRONT: 25 FEET FROM EXISTING OR PLANNED RIGHT-OF-WAY (NO
FRONTAGE ON 121ST STREET SOUTH)
REAR: 20 FEET (PRINCIPAL BUILDING)
REAR: 10 FEET (GARAGE APARTMENTS AND DETACHED ACCESSORY
BUILDINGS)
REAR: 5 FEET FROM UTILITY EASEMENT (IF GREATER THAN FROM
REAR LOT LINE; GARAGE APARTMENTS AND DETACHED
ACCESSORY BUILDINGS ONLY)
SIDE (INTERIOR): 5 FEET***
SIDE (STREET): 15 FEET FROM EXISTING OR PLANNED RIGHT-OF-WAY (NO
FRONTAGE ON 121ST STREET SOUTH)

***FOR PRINCIPAL STRUCTURES OTHER THAN SINGLE- AND TWO-FAMILY DWELLINGS,
AN ADDITIONAL 10-FOOT SETBACK SHALL APPLY FOR EACH STORY ABOVE ONE (1).

D. DEVELOPMENT STANDARDS FOR ALL PROPERTY

1. LANDSCAPED AREA AND SCREENING ALL DEVELOPMENT AND CONSTRUCTION
SHALL COMPLY WITH CHAPTER 24 OF THE ZONING CODE.

2. SIGNS SIGNAGE SHALL COMPLY WITH CHAPTER 18 OF THE ZONING CODE, WITH
THE MAXIMUM SURFACE AREA OF A TEMPORARY OR PERMANENT SIGN SIZE BEING 192
SQUARE FEET.

NO SIGN PERMITS SHALL BE ISSUED FOR ERECTION OF A SIGN WITHIN THE PUD
UNTIL A DETAIL SIGN PLAN FOR THE PROPERTY HAS BEEN SUBMITTED TO THE CITY OF
COWETA OFFICIAL (WHO HAS AUTHORITY TO ISSUE SIGN PERMITS) AND APPROVED AS
BEING IN COMPLIANCE WITH THE APPROVED PUD DEVELOPMENT STANDARDS.

EACH AND EVERY SIGN WILL BE ARCHITECTURALLY PLEASING AND WELL
LANDSCAPED.

3. LIGHTING FLASHING SIGNS, CHANGEABLE COPY SIGNS, RUNNING LIGHT OR
TWINKLE SIGNS, ANIMATED SIGNS, REVOLVING OR ROTATING SIGNS WITH MOVEMENT
SHALL BE PROHIBITED, EXCEPT AS MAY BE PERMITTED BY THE COWETA ZONING CODE AS
PART OF THE APPROVED DETAIL SIGN PLAN.

LIGHTING USED TO ILLUMINATE THE DEVELOPMENT AREA SHALL BE SO
ARRANGED AS TO SHIELD AND DIRECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL
AREAS AND RESIDENTIAL USES WITHIN THE PUD. NO LIGHT STANDARD OR
BUILDING-MOUNTED LIGHT SHALL EXCEED FIVE STORIES IN HEIGHT.

4. TRASH, MECHANICAL AND EQUIPMENT AREAS THERE SHALL BE NO STORAGE OF
RECYCLEABLE MATERIALS, TRASH OR SIMILAR MATERIAL OUTSIDE A SCREENED
RECEPTACLE. ALL TRASH, MECHANICAL AND EQUIPMENT AREAS, INCLUDING BUILDING
MOUNTED, SHALL BE SCREENED FROM PUBLIC VIEW IN SUCH A MANNER THAT THE
AREAS CANNOT BE SEEN FROM A PUBLIC STREET.

5. TOPOGRAPHY, DRAINAGE AND UTILITIES DRAINAGE. ALL STORM WATER
DRAINAGE STRUCTURES SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH
ALL APPLICABLE CITY OF COWETA ORDINANCES AND REGULATIONS.

A PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF OKLAHOMA SHALL
CERTIFY TO THE APPROPRIATE CITY OFFICIAL THAT ALL REQUIRED STORMWATER
DRAINAGE STRUCTURES SERVING THE SITE HAVE BEEN INSTALLED IN ACCORDANCE WITH
THE APPROVED PLANS PRIOR TO ISSUANCE OF AN OCCUPANCY PERMIT ON THAT
PROPERTY.

DURING CONSTRUCTION ON THE PROPERTY, THE OWNER WILL PROVIDE
ADEQUATE AND REASONABLE EROSION CONTROL, AND, AFTER CONSTRUCTION, THEY
WILL PROVIDE AND MAINTAIN VEGETATIVE, LANDSCAPED GROUND COVER SO THAT SOIL
DOES NOT ERODE ON OR FROM THE PROPERTY.

6. ACCESS, CIRCULATION AND PARKING ACCESS, TRAFFIC CIRCULATION AND
PARKING AREAS ARE DEPICTED ON EXHIBIT F OF THE PUD. SOME OF THE DRIVES AND
PARKING AREAS WITHIN THE PUD MAY BE PRIVATELY OWNED AND MAINTAINED. PUBLIC
STREETS THROUGH DEVELOPMENT AREA B WILL BE PUBLICLY OWNED AND MAINTAINED.
MUTUAL ACCESS BETWEEN AND ACROSS INDIVIDUAL PROPERTIES AND MUTUAL
PARKING PRIVILEGES WITHIN THE PUD SHALL BE PROVIDED BY A MUTUAL ACCESS
AGREEMENT TO BE RECORDED IN OFFICE OF THE WAGONER COUNTY CLERK BY THE
OWNER/DEVELOPER.

PEDESTRIAN ACCESS AND CIRCULATION SHALL BE DEPICTED ON THE DETAILED
SITE PLAN DRAWING AND/OR LANDSCAPE PLAN REQUIRED BY THE CITY OF COWETA. AS
STATED ABOVE, ALL MUTUAL ACCESS DRIVES IN THE PUD MAY BE PRIVATE DRIVES,
WHICH SHALL BE CONSTRUCTED IN ACCORDANCE WITH ALL APPLICABLE CITY OF
COWETA CODES, REGULATIONS AND STANDARDS.

SECTION III. HOME OWNERS ASSOCIATION

B. FORMATION OF HOME OWNERS ASSOCIATION; ADDITIONAL LANDS

THE OWNER HAS FORMED OR SHALL CAUSE TO BE FORMED A HOME OWNERS
ASSOCIATION ("HOA") TO GOVERN THE SUBDIVISION. THE HOA SHALL BE ESTABLISHED
IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA AND BYLAWS
PREPARED BY OWNER OR ITS ASSIGNEE, FOR THE GENERAL PURPOSES OF MAINTAINING
THE COMMON AREAS, INCLUDING WITHOUT LIMITATION ALL RESERVE AREAS, AND
ENHANCING THE VALUE, DESIRABILITY AND ATTRACTIVENESS OF THE SUBDIVISION AND
ANY ADDITIONS THERETO. OWNER SHALL BE ENTITLED TO APPOINT THE BOARD OF
DIRECTORS FOR THE HOA AS PROVIDED IN THE BYLAWS. IT IS CONTEMPLATED THAT
ADDITIONAL LANDS/PHASES ADJOINING THE SUBDIVISION, AND SUBSEQUENTLY PLATTED
FOR SINGLE FAMILY RESIDENTIAL PURPOSES, MAY BE ANNEXED BY THE OWNER (OR ITS

ASSIGNEE OR AN AFFILIATED CORPORATE OWNER) TO THE SUBDIVISION AND
GEOGRAPHIC JURISDICTION AND BYLAWS OF THE HOA, WHICH MAY BE ACCOMPLISHED
BY THE OWNER (OR ITS ASSIGNEE OR AN AFFILIATED CORPORATE OWNER) BY FILING A
SUPPLEMENTAL DECLARATION HERETO, OR BY NOTING SUCH ANNEXATION ON A
SEPARATE DEED OF DEDICATION FOR THE ADDITIONAL LANDS/PHASES TO BE ANNEXED
HERETO, OR OTHER INSTRUMENT ADDING SUCH ADDITIONAL LANDS/PHASES TO THE
SUBDIVISION AND THE JURISDICTION OF THE HOA, IN WHICH CASE ANY SUCH
LANDS/PHASES AND THE SUBSEQUENT OWNERS THEREOF SHALL BE UNDER THE
JURISDICTION OF THE HOA AND ALL RULES PERTAINING THERETO.

C. MEMBERSHIP

EVERY PERSON OR ENTITY WHO ACCEPTS A DEED FOR A LOT IN THE SUBDIVISION AND IS
A RECORD OWNER OF THE FEE INTEREST OF A LOT IN THE SUBDIVISION SHALL BE A
MEMBER OF THE HOA AND SUBJECT TO ITS BYLAWS AND RULES. MEMBERSHIP SHALL BE
APPURTENANT TO AND SHALL NOT BE SEPARATED FROM OWNERSHIP OF A LOT.

D. ASSESSMENTS

EACH OWNER OF A LOT WITHIN THE SUBDIVISION, EXCEPT OWNER/DECLARANT, BY
ACCEPTANCE OF A DEED THEREFOR, IS DEEMED TO COVENANT AND AGREE TO PAY TO
THE HOA CERTAIN ASSESSMENTS TO BE ESTABLISHED BY THE BOARD OF DIRECTORS IN
ACCORDANCE WITH THESE COVENANTS AND AS AMENDED AND THE BYLAWS OF THE
HOA, TO BE EXECUTED BY THE OWNER FOR THE MAINTENANCE AND IMPROVEMENT OF
THE COMMON AREAS OWNED OR MAINTAINED BY THE HOA AND FOR OTHER PURPOSES
WHICH BENEFIT THE SUBDIVISION AND THE OWNERS OF LOTS THEREIN, AND ANY
UNPAID SUCH ASSESSMENTS SHALL BE A LIEN ON THE LOT AGAINST WHICH IT IS MADE,
BUT THE LIEN SHALL BE SUBORDINATE TO THE LIEN OF ANY FIRST MORTGAGE.

E. MAINTENANCE OF COMMON AREAS

THE HOA SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL COMMON AREAS AS
DEPICTED ON THE PLAT, OR AS DESCRIBED IN THESE COVENANTS, AND AS AMENDED,
WHICH MAY INCLUDE BUT NOT BE LIMITED TO ENTRYWAYS, DRAINAGE AND
DETENTION/RETENTION FACILITIES, PERIMETER FENCING, AND OTHER COMMON AREAS
AND RESERVE AREAS AS DEPICTED ON THE PLAT, OR DESCRIBED IN THESE COVENANTS,
AND AS AMENDED.

F. LIMITATION ON LIABILITY

THE HOA SHALL BE ENTITLED TO ALL PROTECTIONS AFFORDED UNDER OKLAHOMA'S
GENERAL CORPORATION ACT AND ANY OTHER LAWS PROVIDING PROTECTION TO
OWNER'S ASSOCIATIONS. NEITHER ANY MEMBER NOR OWNER, NOR THE DIRECTORS
AND OFFICERS OF THE HOA SHALL BE PERSONALLY LIABLE FOR DEBTS CONTRACTED FOR
OR OTHERWISE INCURRED BY THE HOA OR FOR ANY TORTS COMMITTED BY OR ON
BEHALF OF THE HOA OR OTHERWISE. NEITHER THE OWNER, THE HOA, ITS DIRECTORS,
OFFICERS, AGENTS OR EMPLOYEES SHALL BE LIABLE FOR ANY INCIDENTAL OR
CONSEQUENTIAL DAMAGES, FOR FAILURE TO INSPECT ANY PREMISES, IMPROVEMENTS
OR PORTION THEREOF, OR FOR FAILURE TO REPAIR OR MAINTAIN THE SAME.

SECTION IV. RESTRICTIVE COVENANTS

THE SUBDIVISION (AND EACH LOT SITUATED THEREIN) SHALL BE CONSTRUCTED,
DEVELOPED, OCCUPIED AND USED AS FOLLOWS.

A. NO DIVISION OF LOTS

NO LOT MAY BE DIVIDED OR SPLIT.

B. RESIDENTIAL LOTS

ALL LOTS WITHIN THE SUBDIVISION SHALL BE USED, KNOWN AND DESCRIBED AS
RESIDENTIAL LOTS. ONLY ONE SINGLE FAMILY RESIDENTIAL DWELLING SHALL BE
PERMITTED ON EACH LOT. IN ADDITION, ONLY CUSTOMARY AND USUAL NECESSARY
STRUCTURES MAY BE CONSTRUCTED ON EACH LOT AS MAY BE PERMITTED BY THE CITY.
NO BUILDING OR STRUCTURE INTENDED FOR OR ADAPTED TO BUSINESS PURPOSES
SHALL BE ERRECTED, PLACED, PERMITTED OR MAINTAINED ON ANY LOT. THIS COVENANT
SHALL BE CONSTRUED AS PROHIBITING THE ENGAGING IN OR PRACTICE OF ANY
COMMERCE, INDUSTRY, BUSINESS, TRADE OR PROFESSION WITHIN THE SUBDIVISION
AND/OR WITHIN ANY LOT. THE RESTRICTIONS ON USE HEREIN CONTAINED SHALL BE
CUMULATIVE OF AND IN ADDITION TO SUCH RESTRICTIONS ON USAGE AS MAY FROM
TIME TO TIME BE APPLICABLE UNDER AND PURSUANT TO THE STATUTES, RULES,
REGULATIONS AND ORDINANCES OF THE CITY OR ANY OTHER GOVERNMENTAL
AUTHORITY OR POLITICAL SUBDIVISION HAVING JURISDICTION OVER THE SUBDIVISION.

C. RESIDENTIAL PURPOSES

BY ACQUISITION OF ANY LOT WITHIN THE SUBDIVISION, EACH OWNER (EXCLUDING
BONA FIDE HOME BUILDERS) COVENANTS WITH AND REPRESENTS TO THE DECLARANT
AND TO THE ASSOCIATION THAT THE LOT IS BEING SPECIFICALLY ACQUIRED FOR THE
SPECIFIC AND SINGULAR PURPOSE OF CONSTRUCTING AND USING A SINGLE FAMILY
RESIDENTIAL DWELLING THEREON, OR AS A RESIDENCE FOR SUCH OWNER AND/OR
OWNER'S IMMEDIATE FAMILY MEMBERS.

D. SUBMISSION OF PLANS

IN ORDER TO MAINTAIN A BEAUTIFUL AND PLEASING SETTING IN THE SUBDIVISION TWO
(2) SETS OF BUILDING AND SITE IMPROVEMENT PLANS AND SPECIFICATIONS MUST BE
SUBMITTED TO THE ARCHITECTURAL CONTROL COMMITTEE ("COMMITTEE") FOR ITS
APPROVAL PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. THE COMMITTEE SHALL
ACT TO ENFORCE THE REQUIREMENTS OF THESE COVENANTS IN A REASONABLE
MANNER. THE COMMITTEE HAS THE AUTHORITY TO MAINTAIN THE ARCHITECTURAL
CONFORMITY OF THE SUBDIVISION, AND IN CONSIDERATION THEREOF SHALL DETERMINE
THAT THE PROPOSED CONSTRUCTION SHALL NOT DETRACT FROM THE DEVELOPMENT
AND SHALL ENHANCE THE PURPOSE OF THE DEVELOPMENT TO PROVIDE A BEAUTIFUL
AND PLEASING SETTING IN THE SUBDIVISION. THE COMMITTEE SHALL CONSIDER SUCH
MATTERS AS THE PROPOSED SQUARE FOOTAGE, LOCATION, MATERIALS, EXTERIOR STYLE
AND LANDSCAPING, ETC. THE COMMITTEE MAY ADOPT RULES OR BYLAWS EXPLAINING
THE MECHANICS OF ITS OPERATION AND PROVIDING FOR A TWENTY-ONE (21) DAY
MAXIMUM TIME WITHIN WHICH PLANS MUST BE REVIEWED AND APPROVED OR
DISAPPROVED AFTER SUBMISSION, AND IF NOT APPROVED OR DISAPPROVED IN THAT
PERIOD, THAT THE SAME SHALL BE CONSIDERED AS AUTOMATICALLY APPROVED. THE
BOARD MAY ALSO EXERCISE THE DUTIES OF THE COMMITTEE IN THE EVENT THE BOARD
DEEMS IT NECESSARY AND EFFICIENT TO DO SO.

E. ARCHITECTURAL REQUIREMENTS

1. EACH DWELLING SHALL FRONT A DEDICATED PUBLIC STREET.
2. NO BUILDING SHALL BE LOCATED CLOSER TO THE STREET THAN THE MINIMUM
BUILDING OR SET-BACK LINES SHOWN ON THE RECORDED PLAT.
3. ALL RESIDENCES SHALL HAVE ROOF SHINGLES THAT ARE GREY OR BLACK IN
COLOR, PREFERABLY WEATHERWOOD. DEVIATION FROM THIS COLOR REQUIRES
APPROVAL FROM THE ARC.

F. ADDITIONS TO EXISTING STRUCTURES

ALL ADDITIONS SHALL CONFORM TO THE BASIC STYLING AND MATERIALS OF THE
DWELLING ON ANY LOT. ALL ADDITIONS SHALL FALL WITHIN THE BUILDING SET-BACKS
ON SAID LOT AND SHALL NOT BE PLACED OVER ANY DRAINAGE OR UTILITY EASEMENT.
ALL IMPROVEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE TO APPLICABLE CITY
CODES, RULES AND REGULATIONS. ANY ADDITIONS CONTEMPLATED BY THE HOME
OWNER OR LOT OWNER MUST SUBMIT PLANS PRIOR TO CONSTRUCTION TO THE
COMMITTEE FOR APPROVAL. THE COMMITTEE HAS COMPLETE AND SOLE DISCRETION TO
APPROVE, MODIFY, DENY OR CHANGE ANY REQUEST FOR AN ADDITION TO AN EXISTING
STRUCTURE.

G. GARAGE AND DETACHED STRUCTURES AND STORAGE BUILDINGS

ALL RESIDENCES CONSTRUCTED IN THE SUBDIVISION SHALL HAVE A MINIMUM OF TWO
(2) OFF-STREET PARKING SPACES, TO INCLUDE A PRIVATE GARAGE TO ACCOMMODATE A
MINIMUM OF ONE (1) AUTOMOBILE AND A PARKING PAD FOR ONE (1) ADDITIONAL
AUTOMOBILE. NO CARPORTS ARE ALLOWED ON THE SIDE, REAR OR FRONT YARDS OF
ANY LOTS. EACH GARAGE SHALL BE FULLY ENCLOSED AND CONTAIN A FULL-LENGTH
OVERHEAD STYLE DOOR. ALL GARAGE DOORS ARE TO BE KEPT CLOSED WHEN NOT
ENTERING OR EXITING THE GARAGE. ANY DETACHED STRUCTURE TO BE BUILT ON A LOT,
SUCH AS A COVERED ENTERTAINMENT AREA, GUEST HOUSE, POOL HOUSE, STORAGE
BUILDING, OR OTHER STRUCTURE, SHALL CONFORM TO THE BASIC STYLING AND
MATERIALS OF THE RESIDENTIAL DWELLING. ANY DETACHED STRUCTURE
CONTEMPLATED FOR CONSTRUCTION BY ANY HOME OWNER OR LOT OWNER MUST,
PRIOR TO CONSTRUCTION, SUBMIT ACCEPTABLE PLANS TO THE COMMITTEE FOR
APPROVAL. THE COMMITTEE HAS COMPLETE AND SOLE DISCRETION TO APPROVE,
MODIFY, DENY OR CHANGE ANY REQUEST FOR AN ADDITION TO ANY EXISTING
STRUCTURE.

H. TEMPORARY STRUCTURES

NO TRAILER, MOBILE HOME, TENT, CONSTRUCTION SHACK, OR OTHER OUTBUILDING
SHALL BE ERRECTED ON ANY LOT IN THE SUBDIVISION EXCEPT FOR TEMPORARY USE BY
CONSTRUCTION CONTRACTORS FOR A REASONABLE PERIOD OF TIME.

I. FENCES

NO FENCE SHALL BE CONSTRUCTED ON ANY SAID LOT IN THE AREA BETWEEN THE FRONT
BUILDING LINE OF ANY DWELLING AND THE FRONT LOT LINE OF ANY SAID LOT. NO FENCE
ON A CORNER LOT SHALL BE CONSTRUCTED BEYOND THE SIDE SET-BACK LINE TOWARD
THE STREET EXCEPT FOR THE COMMUNITY ENTRY. FURTHER, THE PLACEMENT/LOCATION
OF ANY PERIMETER FENCING AROUND THE SUBDIVISION AS INITIALLY INSTALLED BY THE
DECLARANT AND/OR ORIGINAL DEVELOPER MAY NOT BE ADJUSTED, RELOCATED OR
MOVED WITHOUT THE PRIOR CONSENT OF THE COMMITTEE AND/OR THE BOARD. ANY
PRIVACY FENCE SHALL BE CONSTRUCTED SO THAT THE FRAMING SHALL BE TOWARD THE
INSIDE OF THE OWNER'S LOT. ALL FENCES MUST BE INSTALLED BY A PROFESSIONAL
INSTALLER AND SHALL BE SIX FOOT (6') WOOD PRIVACY FENCING WITH VERTICAL
BOARDS (NOT HORIZONTAL) AND NO CHAIN-LINK FENCES, WIRE, HOG WIRE, OR OTHER
SIMILAR MATERIALS SHALL BE PERMITTED. PRIOR TO INSTALLATION, THE FENCE DESIGN
AND NAME OF THE INSTALLER MUST BE APPROVED BY THE COMMITTEE.

J. MAILBOXES

ALL MAILBOXES SHALL BE APPROVED BY THE UNITED STATES POSTAL SERVICE. THE TYPE
OF CONSTRUCTION SHALL BE CONSISTENT WITH THE DESIGN ESTABLISHED BY THE
DEVELOPER. COMMUNITY MAILBOX IS AN APPROVED ALTERNATIVE SUBJECT TO
APPROVAL OF THE UNITED STATES POSTAL SERVICE.

K. SIGNS

NO SIGN OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT EXCEPT
ONE PROFESSIONAL SIGN ADVERTISING THE PROPERTY FOR SALE, RESALE OR RENT, OR
SIGNS USED BY BUILDER OR AGENT TO ADVERTISE THE PROPERTY DURING THE
CONSTRUCTION AND SALE OF A DWELLING THEREON. IN NO EVENT SHALL ANY SUCH
SIGN STAND MORE THAN SEVEN (7) FEET ABOVE GROUND LEVEL, NOR BE MORE THAN
FIVE (5) SQUARE FEET IN SIZE, NOR BE LIGHTED AT NIGHT. THESE SIGNAGE RESTRICTIONS
AND REQUIREMENTS SHALL NOT APPLY TO DECLARANT.

L. PARKED VEHICLES

ALL VEHICLES PARKED IN THE FRONT OF THE FRONT BUILDING LINE MUST BE PARKED ON
THE DRIVEWAY. NO INOPERATIVE VEHICLES OF ANY NATURE SHALL BE PERMITTED TO
REMAIN ON ANY LOT OR LOTS FOR A PERIOD IN EXCESS OF ONE (1) DAY. IT IS THE
INTENTION OF THE DECLARANT THAT, EXCEPT ON SPECIAL OCCASIONS SUCH AS
HOLIDAYS OR EVENTS AT AN OWNER'S RESIDENCE THAT ALL PARKING SHALL BE IN
DRIVEWAYS AND NOT ON A STREET OR ON ANY YARD. ACCORDINGLY, NO VEHICLE SHALL
BE PARKED ON THE STREET FOR MORE THAN TWO (2) CONSECUTIVE DAYS AND SHALL
NOT BE PARKED OVERNIGHT ON A STREET. ANY VIOLATION OF THIS SECTION MAY
RESULT IN A TOWING OF THE VEHICLE AT THE OWNER'S EXPENSE PER MUNICIPAL
REGULATIONS. NO VEHICLE MAINTENANCE SHALL BE PERFORMED ON THE STREETS OR IN
THE FRONT YARDS OR ON PARKING PADS OF ANY LOT.

M. APPEARANCE OF LOT

ALL OWNERS SHALL BE REQUIRED TO KEEP THEIR LOT IN A CLEAN AND SANITARY
CONDITION WHETHER OR NOT THEY HAVE CONSTRUCTED A RESIDENCE ON THE LOT. ALL
OPEN AREAS ON LOTS SHALL BE KEPT MOWED TO A HEIGHT OF NOT MORE THAN SIX (6)
INCHES. NO PLAYGROUNDS, SWING SETS, TRAMPOLINES, SWIMMING POOLS, PICNIC
TABLES, OR OTHER SIMILAR EQUIPMENT IS ALLOWED IN THE FRONT YARDS OF ANY LOT.
THE BOARD AND COMMITTEE MAY PROMULGATE RULES AND REGULATIONS REGARDING
THE MAINTENANCE OF LOTS AND ADEQUATE ENFORCEMENT MECHANISMS IN THE
EVENT A LOT IS NOT PROPERLY MAINTAINED. UPON FAILURE OF THE OWNER TO
MAINTAIN OR LANDSCAPE THE GROUNDS OF ANY LOT IN ACCORDANCE WITH THE
PROVISIONS ABOVE, THE ASSOCIATION MAY, UPON 15 DAYS' WRITTEN NOTICE TO THE
OWNER, CAUSE THE GRASS, WEEDS AND VEGETATION TO BE CUT. THE COST OF ANY
MAINTENANCE REQUIRED UNDER THIS SECTION AND ANY ENFORCEMENT COSTS SHALL
BE ASSESSED TO THE OWNER, AND SHALL CONSTITUTE A LIEN UPON THE LOT, AND MAY
BE COLLECTED IN ACCORDANCE WITH SECTION IV.C.

N. RECREATIONAL VEHICLES AND ACCESSORIES

NO BOATS, TRAILERS, RECREATIONAL VEHICLES, AND VEHICLES USED FOR RECREATIONAL
PURPOSES ARE ALLOWED IN THE SUBDIVISION UNLESS THEY WILL FIT ENTIRELY INTO A
PRIVATE GARAGE.

O. STORAGE AND CONSTRUCTION MATERIALS

CONSTRUCTION MATERIALS MAY ONLY BE STORED ON A LOT FOR THIRTY (30) DAYS
PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. THEREAFTER, CONSTRUCTION IS
TO BE COMPLETED WITHIN A REASONABLE PERIOD OF TIME. THE DECLARANT SHALL BE
ALLOWED TO STORE MATERIALS ON A LOT IN AN ORDERLY FASHION AS LONG AS MAY BE
REASONABLY NECESSARY.

P. GARBAGE/DUMPING

DUMPING IS PROHIBITED IN THE SUBDIVISION. ALL TRASH, GARBAGE OR OTHER WASTE
SHALL BE KEPT IN SANITARY CONTAINERS THAT SHALL BE LOCATED AT THE REAR OF EACH
RESIDENTIAL UNIT OR ENCLOSED GARAGES AND MUST BE OUT OF SIGHT FROM THE
STREET. ALL LOTS SHALL BE MAINTAINED IN A NEAT AND ORDERLY CONDITION AT ALL
TIMES.

Q. MODEL HOME AND CONSTRUCTION FACILITIES

MODEL HOMES FOR THE PURPOSES OF HOME SALES ARE PERMITTED BY THE
DECLARANT. THE GARAGE OF MODEL HOMES MAY BE USED AS SALES OFFICES, ONE
TRAILER OR TEMPORARY BUILDING MAY BE LOCATED ON A RESIDENTIAL LOT BY THE
DECLARANT AND USED AS A CONSTRUCTION OFFICE UNTIL THE SUBDIVISION REACHES
ONE-HUNDRED PERCENT (100%) OCCUPANCY.

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

A. ENFORCEMENT

THE COVENANTS AND RESTRICTIONS SET FORTH HEREIN SHALL INURE TO THE BENEFIT OF
AND SHALL BE ENFORCEABLE BY THE CITY, THE HOA, THE OWNER, AND ANY OWNER OF A
LOT, AND IN ANY JUDICIAL ACTION BROUGHT TO ENFORCE THE COVENANTS
ESTABLISHED HEREIN, A PARTY MAY SEEK ALL APPROPRIATE REMEDIES AT LAW,
INCLUDING INJUNCTIVE RELIEF, TO ENFORCE THE COVENANTS SET FORTH HEREIN.
FAILURE TO DO SO SHALL NOT BE DEEMED A WAIVER OF ANY TERMS HEREOF OR OF THE
RIGHT TO SEEK ACTION AGAINST FUTURE NONCOMPLIANCE. REASONABLE REGULATIONS
CONCERNING THE PROPERTY AND COMMON AREAS MAY BE MADE AND AMENDED
FROM TIME TO TIME BY THE OWNER AND/OR ASSOCIATION. NO NOXIOUS OR OFFENSIVE
ACTIVITY SHALL BE CARRIED ON IN, UPON, OR AROUND ANY RESIDENCE OR LOT OR IN OR
UPON ANY COMMON AREA, NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE
OR BECOME AN ANNOYANCE OR A NUISANCE TO OTHER OWNERS OR IN ANY WAY
INTERFERE WITH THE QUIET ENJOYMENT OF SUCH OWNERS.

B. DURATION

THESE COVENANTS SHALL RUN WITH THE LAND AND SHALL BE BINDING UPON THE
OWNER AND ALL SUBSEQUENT OWNERS AND PERSONS CLAIMING UNDER THEM WITHIN
THE SUBDIVISION UNTIL JANUARY 1, 2042, AFTER WHICH TIME SAID COVENANTS SHALL
BE DEEMED AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN (10) YEARS
UNLESS OTHERWISE AMENDED OR TERMINATED AS PROVIDED HEREIN.

C. AMENDMENT OR TERMINATION

THE COVENANTS CONTAINED WITHIN SECTIONS I. AND II. MAY BE AMENDED OR
TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED
BY THE OWNER AND APPROVED BY THE CITY.

EXCEPT FOR SECTIONS I. AND II. AS STATED ABOVE, OWNER OR ITS ASSIGNEE MAY
SUPPLEMENT OR AMEND ANY OF THESE COVENANTS STATED HEREIN AT ANY TIME IN
WHOLE OR IN PART BY EXECUTING AND RECORDING AN INSTRUMENT WITH THE COUNTY
CLERK. ALTERNATIVELY, THESE COVENANTS MAY BE AMENDED AT ANY TIME BY A
WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNERS OF SIXTY (60%)
OF THE LOTS (SUBJECT TO OWNER CONSENT). THE PROVISIONS OF ANY INSTRUMENT
SUPPLEMENTING OR AMENDING THESE COVENANTS SHALL BE EFFECTIVE FROM AND
AFTER THE DATE IT IS RECORDED IN THE RECORDS OF THE COUNTY CLERK.

D. SEVERABILITY

INVALIDATION OF ANY COVENANT OR RESTRICTION SET FORTH HEREIN, OR ANY PART
THEREOF, BY ANY COURT OR OTHERWISE SHALL NOT INVALIDATE OR AFFECT ANY OF THE
OTHER COVENANTS OR RESTRICTIONS HEREIN.

IN WITNESS WHEREOF, TULSA L DEV., LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY,
HAS EXECUTED THIS INSTRUMENT ON THIS ____ DAY OF _____, 2022.

TULSA L DEV., LLC
AN OKLAHOMA LIMITED LIABILITY COMPANY

BY
STEPHEN LIEUX, MANAGER

ACKNOWLEDGMENT

STATE OF _____)
COUNTY OF _____) SS

ON THIS ____ DAY OF _____, 2022, BEFORE ME, A NOTARY PUBLIC
WITHIN AND FOR THE AFORESAID COUNTY AND STATE, DULY COMMISSIONED AND
ACTING, APPEARED STEPHEN LIEUX, TO ME PERSONALLY WELL KNOWN AS, OR PROVEN
TO BE, THE PERSON WHOSE NAME APPEARS UPON THE WITHIN AND FOREGOING
DOCUMENT AND STATED THAT HE WAS THE MANAGER OF TULSA L DEV., LLC, AN
OKLAHOMA LIMITED LIABILITY COMPANY, AND WAS DULY AUTHORIZED TO EXECUTE THE
FOREGOING CONVEYANCE FOR AND ON ITS BEHALF, AND HE RESPECTIVELY
ACKNOWLEDGED TO ME THAT HE HAD EXECUTED THE SAME FOR THE CONSIDERATION
AND PURPOSES THEREIN MENTIONED AND SET FORTH, AND I DO SO CERTIFY.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL OF OFFICE
AS SUCH NOTARY PUBLIC AT THE COUNTY AND STATE AFORESAID ON THIS ____ DAY
OF _____, 2022.

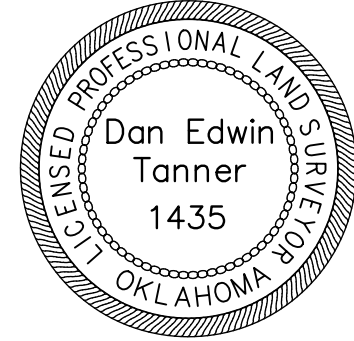
MY COMMISSION EXPIRES

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 AS "THE WOODS BLOCKS 1-5", A SUBDIVISION
WITHIN THE CITY OF COWETA, WAGONER 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 ____ DAY OF _____, 2022.



BY:
DAN E. TANNER
LICENSED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1435

STATE OF OKLAHOMA)
COUNTY OF TULSA)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY
AND STATE, ON THIS ____ DAY OF _____, 2022, PERSONALLY
APPEARED TO ME DAN E. TANNER KNOWN TO BE THE IDENTICAL PERSON WHO
SUBSCRIBED HIS NAME TO THE FOREGOING CERTIFICATE AS LICENSED PROFESSIONAL
LAND SURVEYOR, AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND
PURPOSES THEREIN SET FORTH.

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

MY COMMISSION EXPIRES

NOTARY PUBLIC

R 15 E

PUD-R 13-02

The Woods BLOCKS 6-9

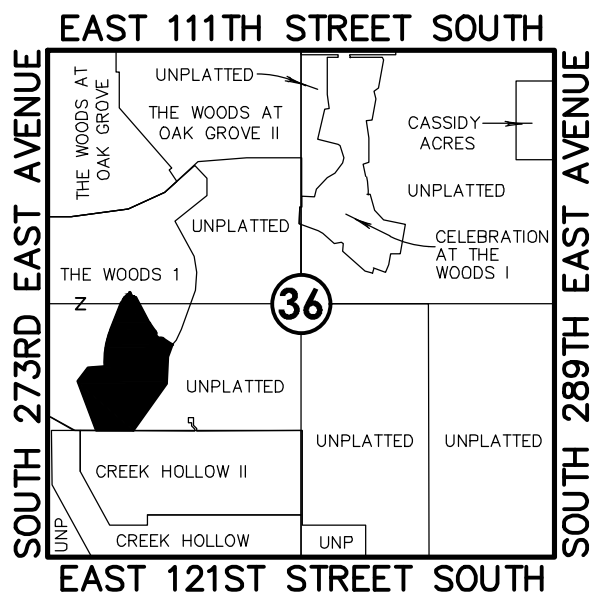
PART OF THE NORTHWEST QUARTER (NW/4) AND PART OF THE NORTH HALF
OF THE SOUTHWEST QUARTER (N/2 SW/4) OF SECTION THIRTY-SIX (36)
TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF COWETA, WAGONER COUNTY, STATE OF OKLAHOMA

OWNER:
Tulsa L Dev., LLC

CONTACT: DEREK KENNEDY
EMAIL: DEREK.KENNEDY@RAUSCHCOLEMAN.COM
4058 North College
Suite 300 Box 9
Fayetteville, Arkansas 72703
Phone: (479) 455-9090

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

DAN E. TANNER, P.L.S. NO. 1435
OK CA NO. 2661, EXPIRES 6/30/2023
EMAIL: DAN@TANNERBAITSHOP.COM
5323 South Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918) 745-9929



Location Map
Scale: 1"= 2000'



SUBDIVISION CONTAINS:

FIFTY-EIGHT (58) LOTS
IN FOUR (4) BLOCKS
WITH ONE (1) RESERVES

GROSS SUBDIVISION AREA: 18.695 ACRES

Curve Table

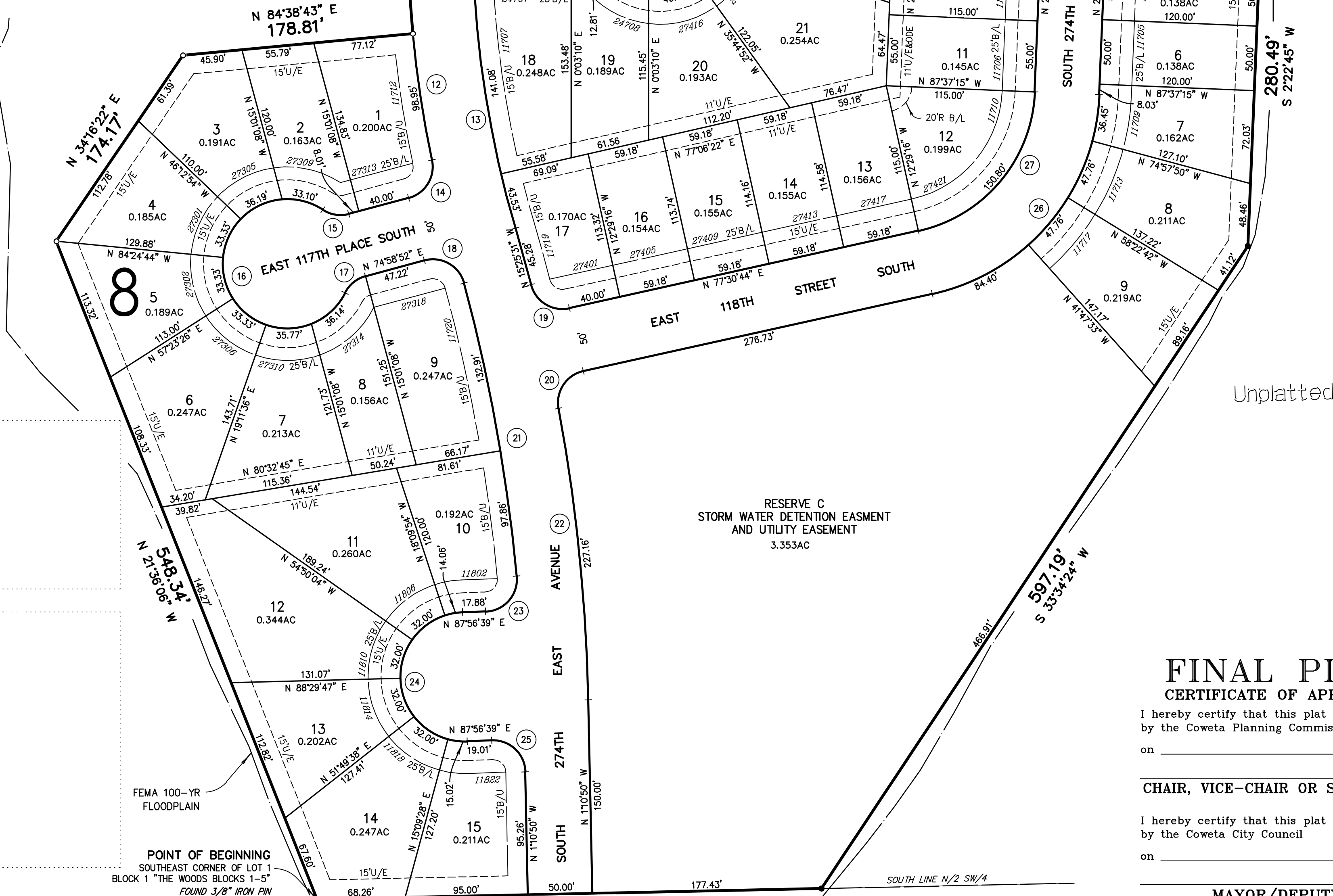
CURVE	LENGTH(L)	RADIUS(R)	DELTA(A)	CHORDBRG(CB)	CHORDDIS(CD)
1	105.22'	150.00'	40°11'24"	N39°54'18"E	103.07'
2	39.27'	25.00'	90°00'01"	N25°11'24"W	35.36'
3	85.75'	122.24'	40°11'25"	N50°05'42"W	84.00'
4	50.68'	72.24'	40°11'26"	N50°05'43"W	49.64'
5	39.27'	25.00'	89°59'58"	N64°48'35"E	35.36'
6	232.89'	825.00'	16°10'26"	N11°43'23"E	232.11'
7	40.83'	25.00'	93°35'00"	N43°09'20"W	36.44'
8	21.03'	25.00'	48°11'23"	N65°57'29"E	20.41'
9	241.19'	50.00'	276°22'46"	N0°03'10"E	66.67'
10	21.03'	25.00'	48°11'23"	N65°51'08"W	20.41'
11	40.83'	25.00'	93°35'00"	N43°15'40"E	36.44'
12	98.95'	875.00'	6°28'46"	N8°35'40"W	98.90'
13	184.61'	825.00'	12°49'17"	N9°56'28"W	184.23'
14	37.88'	25.00'	86°48'55"	N31°34'25"E	34.36'
15	21.03'	25.00'	48°11'23"	N80°55'26"W	20.41'
16	241.19'	50.00'	276°22'46"	N15°01'08"W	66.67'
17	21.03'	25.00'	48°11'23"	N50°53'11"E	20.41'
18	39.24'	25.00'	89°55'26"	N60°03'25"W	35.33'
19	38.39'	25.00'	87°59'21"	N58°29'36"W	34.73'
20	38.39'	25.00'	87°59'21"	N33°31'03"E	34.73'
21	230.77'	1350.00'	9°47'39"	N10°11'52"W	230.49'
22	227.16'	1400.00'	9°17'48"	N5°49'44"W	226.91'
23	40.69'	25.00'	93°14'42"	N41°19'18"E	36.34'
24	157.08'	50.00'	180°00'00"	N2°03'21"W	100.00'
25	39.65'	25.00'	90°52'32"	N46°37'05"W	35.62'
26	216.37'	165.00'	75°07'59"	N39°56'44"E	201.20'
27	150.80'	115.00'	75°07'59"	N39°56'44"E	140.23'
28	138.24'	162.26'	48°48'55"	N22°01'15"W	134.10'
29	135.75'	212.26'	36°38'37"	N15°56'28"W	133.45'
30	33.96'	25.00'	77°50'04"	N4°39'15"E	31.41'
31	41.18'	25.00'	94°22'41"	N89°14'22"W	36.68'
32	143.02'	680.00'	12°03'02"	N36°01'31"W	142.76'
33	209.32'	730.00'	16°25'43"	N38°12'51"W	208.60'

Boundary Curve Table

CURVE	LENGTH(L)	RADIUS(R)	DELTA(A)	CHORDBRG(CB)	CHORDDIS(CD)
A	384.31'	875.00'	25°09'53"	N7°13'40"E	381.22'
B	140.29'	200.00'	40°11'24"	N39°54'18"E	137.43'
C	39.27'	25.00'	90°00'00"	S75°00'00"E	35.36'
D	112.65'	560.00'	11°31'32"	N35°45'46"W	112.46'
E	37.13'	25.00'	85°05'49"	S11°01'23"W	33.81'
F	37.13'	25.00'	85°05'49"	N86°07'12"E	33.81'
G	128.36'	560.00'	13°07'59"	S57°53'53"E	128.08'

Notes:

- THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
- ALL PROPERTY CORNERS ARE SET 3/8" IRON REBAR WITH YELLOW CAP STAMPED "TANNER 1435" UNLESS OTHERWISE NOTED.
- 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 BRASS CAP STEM AT THE NORTHWEST CORNER OF SECTION 36;
(b) FOUND BRASS CAP STEM AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SECTION 36;
THE BEARING BETWEEN SAID MONUMENTS BEING SOUTH 1°19'23" EAST.
- ADDRESSES SHOWN ON THIS PLAT WERE PROVIDED BY THE CITY OF COWETA AND WERE ACCURATE AT THE TIME THE PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF THE LEGAL DESCRIPTION.
- ACCESS AT THE TIME OF PLAT WAS PROVIDED BY SOUTH 275TH EAST AVENUE, SOUTH 274TH EAST AVENUE, BOTH BEING A PUBLIC STREET



FINAL PLAT CERTIFICATE OF APPROVAL

I hereby certify that this plat was approved
by the Coweta Planning Commission
on _____

CHAIR, VICE-CHAIR OR SECRETARY

I hereby certify that this plat was approved
by the Coweta City Council
on _____

MAYOR/DEPUTY

This approval is void if the above signature
is not endorsed by the City Clerk.

CITY CLERK/DEPUTY

Draft Final Plat

PUD-R 13-02

The Woods
BLOCKS 6-9

PART OF THE NORTHWEST QUARTER (NW/4) AND PART OF THE NORTH HALF
OF THE SOUTHWEST QUARTER (N/2 SW/4) OF SECTION THIRTY-SIX (36)
TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF COWETA, WAGONER COUNTY, STATE OF OKLAHOMA

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

THAT TULSA L DEV., LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HEREINAFTER REFERRED TO AS THE “OWNER” AND/OR “DECLARANT,” IS THE OWNER OF THE FOLLOWING REAL PROPERTY SITUATED IN THE CITY OF COWETA, WAGONER COUNTY, STATE OF OKLAHOMA, TO-WIT:

A TRACT OF LAND THAT IS PART OF THE NORTHWEST QUARTER (NW/4) AND PART OF THE NORTH HALF OF THE SOUTHWEST QUARTER (N/2 SW/4) OF SECTION THIRTY-SIX (36), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN MERIDIAN, COUNTY OF WAGONER, STATE OF OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID N/2 SW/4, SAID POINT BEING THE SOUTHEAST CORNER OF LOT ONE (1), BLOCK ONE (1), “THE WOODS BLOCKS 1-5”, A SUBDIVISION WITHIN THE CITY OF COWETA, WAGONER COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE PLAT THEREOF; THENCE ALONG THE SOUTHERLY AND EASTERLY LINE OF SAID “THE WOODS BLOCKS 1-5” FOR THE FOLLOWING FIFTEEN (15) COURSES:

NORTH 21°36'06" WEST FOR A DISTANCE OF 548.34 FEET; THENCE NORTH 34°16'22" EAST FOR A DISTANCE OF 174.17 FEET; THENCE NORTH 84°38'43" EAST FOR A DISTANCE OF 178.81 FEET; THENCE NORTHEASTERLY ALONG AN 875.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, HAVING AN INITIAL TANGENT BEARING OF NORTH 5°21'17" WEST, A CENTRAL ANGLE OF 25°09'53", WITH A CHORD BEARING AND DISTANCE OF NORTH 7°13'40" EAST FOR 381.22 FEET, FOR AN ARC DISTANCE OF 384.31 FEET TO A POINT OF TANGENCY; THENCE NORTH 19°48'36" EAST FOR A DISTANCE OF 311.22 FEET TO A POINT OF CURVATURE; THENCE ALONG A 200.00 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 40°11'24", WITH A CHORD BEARING AND DISTANCE OF NORTH 39°54'18" EAST FOR 137.43 FEET, FOR AN ARC DISTANCE OF 140.29 FEET TO A POINT OF TANGENCY; THENCE NORTH 60°00'00" EAST FOR A DISTANCE OF 5.00 FEET;

THENCE SOUTH 30°00'00" EAST FOR A DISTANCE OF 50.00 FEET; THENCE SOUTHEASTERLY ALONG A 25.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, HAVING AN INITIAL TANGENT BEARING OF NORTH 60°00'00" EAST, A CENTRAL ANGLE OF 90°00'00", WITH A CHORD BEARING AND DISTANCE OF SOUTH 75°00'00" EAST FOR 35.36 FEET, FOR AN ARC DISTANCE OF 39.27 FEET TO A POINT OF TANGENCY; THENCE SOUTH 30°00'00" EAST FOR A DISTANCE OF 300.00 FEET TO A POINT OF CURVATURE; THENCE ALONG A 560.00 FOOT RADIUS CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 11°31'32", WITH A CHORD BEARING AND DISTANCE OF SOUTH 35°45'46" EAST FOR 112.46 FEET, FOR AN ARC DISTANCE OF 112.65 FEET TO A POINT OF REVERSE CURVATURE; THENCE ALONG A 25.00 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 85°05'49", WITH A CHORD BEARING AND DISTANCE OF SOUTH 1°01'23" WEST FOR 33.81 FEET, FOR AN ARC DISTANCE OF 37.13 FEET; THENCE SOUTH 46°25'43" EAST FOR A DISTANCE OF 50.00 FEET; THENCE NORTHEASTERLY ALONG A 25.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, HAVING AN INITIAL TANGENT BEARING OF NORTH 43°34'17" EAST, A CENTRAL ANGLE OF 85°05'49", WITH A CHORD BEARING AND DISTANCE OF NORTH 86°07'12" EAST FOR 33.81 FEET, FOR AN ARC DISTANCE OF 37.13 FEET TO A POINT OF REVERSE CURVATURE; THENCE ALONG A 560.00 FOOT RADIUS CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 13°07'59", WITH A CHORD BEARING AND DISTANCE OF SOUTH 57°53'53" EAST FOR 128.08 FEET, FOR AN ARC DISTANCE OF 128.36 FEET;

THENCE SOUTH 17°50'00" WEST FOR A DISTANCE OF 131.94 FEET; THENCE SOUTH 2°22'45" WEST FOR A DISTANCE OF 280.49 FEET; THENCE SOUTH 33°34'24" WEST FOR A DISTANCE OF 597.19 FEET TO A POINT ON THE SOUTH LINE OF SAID N/2 SW/4; THENCE SOUTH 88°46'10" WEST ALONG SAID SOUTH LINE, FOR A DISTANCE OF 390.69 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINING 814.367 SQUARE FEET OR 18.695 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 BRASS CAP STEM AT THE NORTHWEST CORNER OF SECTION 36;
- B) FOUND BRASS CAP STEM AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SECTION 36;

THE BEARING BETWEEN SAID MONUMENTS BEING SOUTH 1°19'23" EAST.

AND THE OWNER HAS CAUSED THE ABOVE-DESCRIBED LAND TO BE SURVEYED, STAKED, PLATTED, DEDICATED, ACCESS RIGHTS RESERVED, AND SUBDIVIDED INTO SIXTY (60) LOTS IN FOUR (4) BLOCKS ALONG WITH THE RESERVE AREAS, COMMON AREAS, AND STREETS IN CONFORMITY WITH THE ACCOMPANYING PLAT AND SURVEY (“THE PLAT”) AND HAS DESIGNATED THE SUBDIVISION AS “THE WOODS BLOCKS 6-9,” A SUBDIVISION WITHIN THE CITY OF COWETA, WAGONER COUNTY, OKLAHOMA (“SUBDIVISION”). THE OWNER HEREBY SUBJECTS THE LAND DESCRIBED ABOVE TO THE PROVISIONS, COVENANTS, AND RESTRICTIONS SET FORTH HEREIN WHICH SHALL RUN WITH THE LAND AND BE BINDING ON EVERY LOT AND RESERVE AREA AND EVERY OWNER THEREOF FOR THE PERIOD AS HEREAFTER DEFINED.

SECTION I. PUBLIC STREETS, EASEMENTS, AND UTILITIES

A. PUBLIC STREETS AND UTILITY EASEMENTS

THE OWNER DOES HEREBY DEDICATE FOR PUBLIC USE THE STREET RIGHTS-OF-WAY DEPICTED ON THE ACCOMPANYING PLAT AND DOES FURTHER DEDICATE FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT 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, COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, AND WATERLINES, TOGETHER WITH ALL VALVES, METERS, AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND OTHER APPURTENANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES AFORESAID, TOGETHER WITH SIMILAR EASEMENT RIGHTS IN THE PUBLIC STREETS, PROVIDED HOWEVER, THAT THE OWNER HEREBY RESERVES THE RIGHT TO CONSTRUCT AND MAINTAIN WATERLINES AND SEWERLINES WITHIN THE UTILITY EASEMENTS FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICE TO AREAS WITHIN OR OUTSIDE THE PLAT AND THE OWNER FURTHER RESERVES THE RIGHT TO CONSTRUCT AND MAINTAIN WITHIN THE UTILITY EASEMENTS PROPERLY-PERMITTED PARKING AREAS, LANDSCAPING, SCREENING FENCES AND WALLS, AND OTHER NON-OBSTRUCTING IMPROVEMENTS.

B. WATER, SANITARY SEWER, AND STORM SEWER SERVICE

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 ON THE LOT OR RESERVE AREA.

2. WITHIN THE DEPICTED UTILITY EASEMENT AREAS, THE ALTERATION OF GRADE IN EXCESS OF THREE (3) FEET 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 MAY INTERFERE WITH PUBLIC WATER, SANITARY SEWER MAIN, OR STORM SEWERS, SHALL BE PROHIBITED. WITHIN THE UTILITY EASEMENTS, IF THE GROUND ELEVATIONS ARE ALTERED BY THE LOT OR RESERVE AREA OWNER FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER, ALL GROUND LEVEL APPURTENANCES, INCLUDING VALVE BOXES, FIRE HYDRANTS, AND MANHOLES SHALL BE ADJUSTED TO THE ALTERED GROUND ELEVATIONS BY THE OWNER OF THE LOT OR RESERVE AREA OR, AT ITS ELECTION, THE CITY OF COWETA, OKLAHOMA, MAY MAKE SUCH ADJUSTMENT AT SUCH OWNER'S EXPENSE.

3. WAGONER COUNTY RURAL WATER DISTRICT NO. 5 OR ITS SUCCESSORS SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER FACILITIES, AND THE CITY OF COWETA OR ITS SUCCESSORS SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF SANITARY SEWER AND STORM SEWER FACILITIES, BUT THE LOT OR RESERVE AREA OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF SAID OWNER OR SAID OWNER'S AGENTS OR CONTRACTORS.

4. WAGONER COUNTY RURAL WATER DISTRICT NO. 5 AND THE CITY OF COWETA, OR THEIR RESPECTIVE SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS WITH THEIR EQUIPMENT TO ALL UTILITY EASEMENTS DEPICTED ON THE 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.

5. THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION B. SHALL BE ENFORCEABLE BY THE CITY OF COWETA AND WAGONER COUNTY RURAL WATER DISTRICT NO. 5, OR THEIR RESPECTIVE SUCCESSORS, AND EACH LOT AND RESERVE AREA OWNER AGREES TO BE BOUND HEREBY.

C. UNDERGROUND SERVICE

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

2. UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WHICH MAY BE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL, OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE AS MAY BE LOCATED UPON THE LOT. PROVIDED THAT, UPON THE INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE, AND NON-EXCLUSIVE RIGHT-OF-WAY EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE GAS MAIN, SERVICE PEDESTAL, OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.

3. THE SUPPLIER OF ELECTRIC, COMMUNICATION, AND GAS SERVICES, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS WITH ITS EQUIPMENT 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 ELECTRIC, COMMUNICATION, OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.

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

5. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH C. SHALL BE ENFORCEABLE BY EACH SUPPLIER OF THE ELECTRIC, COMMUNICATION, OR GAS SERVICE AND EACH LOT AND RESERVE AREA OWNER AGREES TO BE BOUND HEREBY.

D. PAVING AND LANDSCAPING WITHIN EASEMENTS

THE OWNER OF THE LOT OR RESERVE AREA SHALL BE RESPONSIBLE FOR REPAIR OF DAMAGE TO LANDSCAPING AND PAVING RESULTING FROM THE ACTIONS OF THE CITY OF COWETA OR THE SUPPLIER OF UTILITY SERVICES, IN PERFORMING NECESSARY INSTALLATION OF OR MAINTENANCE TO THE UNDERGROUND WATER, SANITARY SEWER, STORM SEWER, GAS, COMMUNICATION, OR ELECTRIC FACILITIES WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT; PROVIDED, HOWEVER, THAT THE CITY OF COWETA, OR THE SUPPLIER OF THE UTILITY SERVICE, SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

E. SURFACE DRAINAGE

EACH LOT AND RESERVE AREA WITHIN THE SUBDIVISION SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS, RESERVE AREAS, AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM ADJACENT STREETS AND EASEMENTS. 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 SAID OWNER'S LOT OR RESERVE AREA. THE COVENANTS SET FORTH IN THIS SUBSECTION E. SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OR RESERVE AREA OWNER AND THE CITY OF COWETA, OKLAHOMA.

F. RESERVE AREAS

1. RESERVE C, AS DEPICTED UPON THE ACCOMPANYING PLAT, IS ESTABLISHED BY THE OWNER FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF RESIDENTIAL LOTS WITHIN THE SUBDIVISION AND IS HEREBY RESERVED FOR SUBSEQUENT CONVEYANCE TO THE HOME OWNERS ASSOCIATION AS SET FORTH IN SECTION III. HEREIN.

2. RESERVE C IS RESERVED FOR STORMWATER DETENTION AND PRIVATE RECREATION AND OPEN SPACE INCLUDING, BUT NOT NECESSARILY LIMITED TO: PRIVATE PARKS, SIDEWALKS AND TRAILS, LANDSCAPING, IRRIGATION, SIGNAGE, ENTRY FEATURES, LIGHTING, FENCING, AND OTHER USES AS MAY BE PERMITTED BY THE CITY OF COWETA, AND FOR UTILITIES.

3. THE OWNER/DECLARANT DOES HEREBY ESTABLISH AND GRANT TO THE PUBLIC A PERPETUAL EASEMENT ON, OVER, AND ACROSS RESERVE C, DESIGNATED ON THE ACCOMPANYING PLAT AS “STORM WATER DETENTION EASEMENT”; FOR THE PURPOSES OF PERMITTING THE FLOW, CONVEYANCE, DETENTION, RETENTION, AND DISCHARGE OF STORMWATER RUNOFF FROM THE VARIOUS AREAS WITHIN THE SUBDIVISION.

4. STORMWATER DETENTION AND OTHER DRAINAGE FACILITIES WITHIN THE STORM WATER DETENTION EASEMENT SHALL BE CONSTRUCTED IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY THE CITY OF COWETA, OKLAHOMA.

5. STORMWATER DETENTION AND OTHER DRAINAGE FACILITIES CONSTRUCTED WITHIN THE STORM WATER DETENTION EASEMENT SHALL BE MAINTAINED BY THE HOME OWNERS ASSOCIATION (TO BE FORMED PURSUANT TO SECTION III. HEREOF) TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED DRAINAGE AND DETENTION FUNCTIONS, INCLUDING REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION, AND THE HOME OWNERS ASSOCIATION SHALL PROVIDE ROUTINE AND CUSTOMARY GROUNDS MAINTENANCE WITHIN THE STORM WATER DETENTION EASEMENT WHICH SHALL BE IN ACCORDANCE WITH THE FOLLOWING STANDARDS:

- a. THE EASEMENT AREA SHALL BE KEPT FREE OF LITTER.
- b. THE EASEMENT AREA SHALL BE MOWED DURING THE GROWING SEASON AS PER CITY CODE OR THE SCHEDULE APPROVED WITH THE DETENTION DESIGN PLANS.
- c. IN THE EVENT OF THE HOMEOWNERS' ASSOCIATION SHOULD FAIL TO PROPERLY MAINTAIN THE EASEMENT AREA AS ABOVE PROVIDED, THE CITY OF COWETA, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER THE EASEMENT AREA AND PERFORM SUCH MAINTENANCE, AND THE COST THEREOF SHALL BE PAID BY THE RESERVE C OWNER, WHICH SHALL BE THE HOME OWNERS ASSOCIATION, AS SET FORTH IN SECTION III. HEREIN, UPON CONVEYANCE OF RESERVE C TO THE ASSOCIATION.
- d. IN THE EVENT THE RESERVE C OWNER, AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, FAILS TO PAY THE COST OF MAINTENANCE AS ABOVE SET FORTH, THE CITY OF COWETA, OKLAHOMA, MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS AND THEREAFTER THE COSTS SHALL BECOME A LIEN ON RESERVE C, WHICH LIEN MAY BE FORECLOSED BY THE CITY OF COWETA, OKLAHOMA, OR THE CITY OF COWETA PUBLIC WORKS AUTHORITY MAY ADD SUCH BILLING PRORATED UPON THE WATER BILL OF EACH LOT WITHIN THE SUBDIVISION, WHICH METHOD OF COLLECTION SHALL BE DETERMINED BY THE CITY OF COWETA.

7. ALL COSTS AND EXPENSES ASSOCIATED WITH RESERVE C, INCLUDING MAINTENANCE OF VARIOUS IMPROVEMENTS AND RECREATIONAL FACILITIES, SHALL BE THE RESPONSIBILITY OF THE OWNER THEREOF, WHICH SHALL BE THE HOME OWNERS ASSOCIATION, AS PROVIDED IN SECTION III. HEREIN, UPON CONVEYANCE OF RESERVE C TO THE ASSOCIATION, THE CITY OF COWETA SHALL NOT BE LIABLE FOR ANY DAMAGE OR REMOVAL OF ANY LANDSCAPING OR IRRIGATION SYSTEMS IN RESERVE C.

8. EACH LOT AND RESERVE AREA OWNER OR RESIDENT AGREES TO HOLD HARMLESS THE OWNER AND THE CITY OF COWETA, OKLAHOMA, 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 COWETA NOR THE OWNER SHALL BE LIABLE TO THE LOT OR RESERVE AREA OWNER OR RESIDENT 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 OR ANY GUEST, VISITOR, OR INVITEE THEREOF.

G. OVERLAND DRAINAGE EASEMENTS

1. THE OWNER/DECLARANT DOES HEREBY ESTABLISH AND 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 AND UNDERGROUND 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 BY THE OWNER IN ACCORDANCE WITH THE ADOPTED STANDARDS OF THE CITY OF COWETA, OKLAHOMA, AND PLANS AND SPECIFICATIONS APPROVED BY THE CITY OF COWETA, 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 THE EASEMENT UNLESS APPROVED BY THE DEPARTMENT OF PUBLIC WORKS OF THE CITY OF COWETA, OKLAHOMA, PROVIDED THAT, WHERE COINCIDENT WITH UTILITY EASEMENTS, NON-OBSTRUCTING ABOVE-GROUND UTILITY APPURTENANCES SHALL BE PERMITTED. ALL LANDSCAPING, EXCEPT THE PLANTING OF TURF, SHALL REQUIRE THE APPROVAL OF THE CITY OF COWETA, OKLAHOMA.

4. DRAINAGE FACILITIES CONSTRUCTED WITHIN OVERLAND DRAINAGE EASEMENTS SHALL BE MAINTAINED BY THE LOT OR RESERVE AREA OWNER CONTAINING SUCH EASEMENT, AT SUCH OWNER'S EXPENSE, TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED STORMWATER DRAINAGE FUNCTIONS, INCLUDING REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION. CUSTOMARY GROUNDS MAINTENANCE SHALL BE PERFORMED AS PRESCRIBED BY THE CITY OF COWETA, OKLAHOMA, OR, ABSENT SUCH PRESCRIPTIONS, IN ACCORDANCE WITH THE FOLLOWING MINIMUM STANDARDS:

- a. GRASS AREAS SHALL BE MOWED (IN SEASON) AT REGULAR INTERVALS OF FOUR (4) WEEKS, OR LESS.
- b. CONCRETE APPURTENANCES SHALL BE MAINTAINED IN GOOD CONDITION AND REPLACED IF DAMAGED.
- c. DRAINAGE FACILITIES SHALL BE KEPT FREE OF DEBRIS.
- d. CLEANING OF SILTATION AND VEGETATION FROM CONCRETE CHANNELS SHALL BE PERFORMED TWICE YEARLY.

5. IN THE EVENT THE LOT OR RESERVE AREA OWNER SUBJECT TO THE OVERLAND DRAINAGE EASEMENT FAILS TO PROPERLY MAINTAIN THE EASEMENT AREAS LOCATED THEREON OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN SUCH EASEMENTS, THE ALTERATION OF GRADE THEREIN, OR THE ALLOWANCE OF THE ACCUMULATION OF SILTATION, THE CITY OF COWETA, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR, MAY ENTER THE EASEMENT AREA AND PERFORM MAINTENANCE NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR SILTATION OR CORRECT ANY ALTERATION OF GRADE, AND THE COSTS SHALL BE PAID BY THE LOT OR RESERVE AREA OWNER. IN THE EVENT SUCH OWNER FAILS TO PAY THE COST OF MAINTENANCE AFTER RECEIPT OF A STATEMENT OF COSTS FROM THE CITY OF COWETA, OKLAHOMA, THE CITY MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS IN THE RECORDS OF THE WAGONER COUNTY CLERK, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST THE LOT OR RESERVE AREA OWNER, WHICH LIEN MAY BE FORECLOSED BY THE CITY OF COWETA, OKLAHOMA, OR THE CITY OF COWETA PUBLIC WORKS AUTHORITY MAY ADD SUCH BILLING PRORATED UPON THE LOT OR RESERVE AREA OWNER'S WATER BILL, WHICH METHOD OF COLLECTION SHALL BE DETERMINED BY THE CITY OF COWETA.

H. LIMITS OF NO ACCESS

THE OWNER HEREBY RELINQUISHES RIGHT OF INGRESS AND EGRESS TO THE ABOVE DESCRIBED PROPERTY WITHIN THE BOUNDS DESIGNATED ON THE ACCOMPANYING PLAT AS “LIMITS OF NO ACCESS” (“LNA”) EXCEPT AS MAY HEREAFTER BE RELEASED, ALTERED, OR AMENDED BY THE LOT OR RESERVE AREA OWNER AND COWETA PLANNING COMMISSION, OR ITS SUCCESSORS, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA, PERTAINING THERETO. THE FOREGOING COVENANT CONCERNING “LIMITS OF NO ACCESS” SHALL BE ENFORCEABLE BY THE CITY OF COWETA, OR ITS SUCCESSORS, AND THE OWNER OF EACH LOT OR RESERVE AREA AGREES TO BE BOUND HEREBY.

SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS, THE PROPERTY COMPRISING “THE WOODS BLOCKS 6-9” WAS SUBMITTED AS PART OF A PLANNED UNIT DEVELOPMENT (PUD) NO. PUD-R 13-02 (“COWETA CROSSING”) AS PROVIDED WITHIN CHAPTER 16 OF THE COWETA, OKLAHOMA ZONING CODE, AND

WHEREAS, PUD NO. PUD-R 13-02 WAS AFFIRMATIVELY RECOMMENDED BY THE CITY OF COWETA PLANNING COMMISSION ON FEBRUARY 24, 2014, AND APPROVED BY THE COWETA CITY COUNCIL ON MARCH 3, 2014 WITH IMPLEMENTING ORDINANCE (ORDINANCE NO. 744) APPROVED MARCH 3, 2014, WITH EMERGENCY CLAUSE ATTACHED, MAKING THE ORDINANCE EFFECTIVE IMMEDIATELY, AND

WHEREAS, THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE COWETA ZONING CODE REQUIRE THE ESTABLISHMENT OF COVENANTS OF RECORD INURING TO AND ENFORCEABLE BY THE CITY OF COWETA, SUFFICIENT TO INSURE THE IMPLEMENTATION AND CONTINUED COMPLIANCE WITH THE APPROVED PLANNED UNIT DEVELOPMENT AND ANY AMENDMENTS THERETO, AND

WHEREAS, THE OWNER DESIRES TO AND DOES HEREBY ESTABLISH THE FOLLOWING RESTRICTIONS FOR THE PURPOSE OF PROVIDING FOR THE ORDERLY DEVELOPMENT OF THE SUBDIVISION AND ALL PROPERTY THEREIN AND TO INSURE ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE OWNER, ITS SUCCESSORS AND ASSIGNS, ALL FUTURE LOT OWNERS, AND THE CITY OF COWETA, OKLAHOMA.

NOW, 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 HERINAFTER SET FORTH.

A. GENERAL

1. DEVELOPMENT IN ACCORDANCE WITH PUD THE SUBDIVISION SHALL BE DEVELOPED AND USED IN SUBSTANTIAL ACCORDANCE WITH THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF PUD NO. PUD-R 13-02, AS APPROVED BY THE CITY OF COWETA, OR IN SUBSTANTIAL ACCORDANCE WITH SUCH MODIFICATIONS OR AMENDMENTS OF THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF PUD-R 13-02 AS MAY BE SUBSEQUENTLY APPROVED.

2. APPLICABLE ORDINANCE THE DEVELOPMENT OF THE SUBDIVISION SHALL BE SUBJECT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE CITY OF COWETA ZONING CODE AS SUCH PROVISIONS EXISTED ON MARCH 3, 2014.

B. DEVELOPMENT STANDARDS FOR PUD-R 13-02 DEVELOPMENT AREA B

(RESIDENTIAL SINGLE-FAMILY- SCHOOL SITE- MUNICIPAL COMMUNITY CENTER, GOLF COURSE/ DRIVING RANGE) (ALL OF “THE WOODS BLOCKS 6-9” EXCEPT A PORTION OF SOUTH 274TH EAST AVENUE WHICH IS LOCATED WITHIN DEVELOPMENT AREA A, ALL AS LEGALLY DESCRIBED IN PUD)

LAND AREA:*
GROSS: 276.735 ACRES 12,054,576 SQUARE FEET
NET: 276.735 ACRES 12,054,576 SQUARE FEET
* LAND AREA CALCULATIONS MAY DIFFER BETWEEN ORIGINAL PUD (QUOTED HERE) AND THIS PLAT. DEVELOPMENT AREA B OF ORIGINAL PUD INCLUDED AREAS NOT A PART OF THIS PLAT.

PERMITTED USES (TO BE ALLOWED BY RIGHT): THOSE PERMITTED PRINCIPAL USES, PERMITTED ACCESSORY USES AND USES PERMITTED BY SPECIAL EXCEPTION IN THE RS ZONING DISTRICT, IN ACCORDANCE WITH SECTIONS 410, 420, 430, 440 IN THE ZONING CODE. PROVIDED, BARS, TAVERNS, NIGHT CLUBS AND ADULT ENTERTAINMENT ESTABLISHMENTS SHALL BE PROHIBITED, EXCEPT THAT ANY RESTAURANT OR EATING ESTABLISHMENT CONSTRUCTED ON THE SITE SHALL BE PERMITTED TO SERVE ALCOHOLIC BEVERAGES AND HAVE A SEPARATE BAR AREA AS PART OF THE ESTABLISHMENT, SUBJECT TO COMPLIANCE WITH STATE LAW REGULATING THE SALE OF ALCOHOLIC BEVERAGES.

THE MINIMUM YARD REQUIREMENTS FOR RS-2 WILL APPLY TO ALL SINGLE FAMILY RESIDENTIAL ZONED LOTS. AT THE TIME OF THE FILING OF THIS PLAT, THE SAME ARE:

FRONT: 25 FEET (NO HOUSES WILL FRONT 121ST STREET SOUTH)
REAR: 20 FEET
REAR: 25 FEET (BACKING TO 121ST STREET SOUTH)
SIDE (INTERIOR): 5 FEET
SIDE (STREET): 15 FEET
SIDE (STREET): 20 FEET (ALONG 121ST STREET SOUTH)

MAXIMUM BUILDING HEIGHT: THREE STORY**
45 FEET IN HEIGHT
**(THREE STORY HEIGHT MAY VARY DEPENDING ON TYPE OF FINISH.)

MINIMUM LOT AREA 5,000 SQUARE FEET
MINIMUM LOT WIDTH 50 FEET

Draft Final Plat

PUD-R 13-02

The Woods
BLOCKS 6-9

PART OF THE NORTHWEST QUARTER (NW/4) AND PART OF THE NORTH HALF
OF THE SOUTHWEST QUARTER (N/2 SW/4) OF SECTION THIRTY-SIX (36)
TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF COWETA, WAGONER COUNTY, STATE OF OKLAHOMA

SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS (CONTINUED)

C. LANDSCAPED AREA AND SCREENING

ALL DEVELOPMENT AND CONSTRUCTION SHALL COMPLY WITH CHAPTER 24 OF THE ZONING CODE.

SIGNS SIGNAGE SHALL COMPLY WITH CHAPTER 18 OF THE ZONING CODE, WITH THE MAXIMUM SURFACE AREA OF A TEMPORARY OR PERMANENT SIGN SIZE BEING 192 SQUARE FEET.

NO SIGN PERMITS SHALL BE ISSUED FOR ERECTION OF A SIGN WITHIN THE PUD UNTIL A DETAIL SIGN PLAN FOR THE PROPERTY HAS BEEN SUBMITTED TO THE CITY OF COWETA OFFICIAL (WHO HAS AUTHORITY TO ISSUE SIGN PERMITS) AND APPROVED AS BEING IN COMPLIANCE WITH THE APPROVED PUD DEVELOPMENT STANDARDS.

EACH AND EVERY SIGN WILL BE ARCHITECTURALLY PLEASING AND WELL LANDSCAPED.

LIGHTING FLASHING SIGNS, CHANGEABLE COPY SIGNS, RUNNING LIGHT OR TWINKLE SIGNS, ANIMATED SIGNS, REVOLVING OR ROTATING SIGNS WITH MOVEMENT SHALL BE PROHIBITED, EXCEPT AS MAY BE PERMITTED BY THE COWETA ZONING CODE AS PART OF THE APPROVED DETAIL SIGN PLAN.

LIGHTING USED TO ILLUMINATE THE DEVELOPMENT AREA SHALL BE SO ARRANGED AS TO SHIELD AND DIRECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL AREAS AND RESIDENTIAL USES WITHIN THE PUD. NO LIGHT STANDARD OR BUILDING-MOUNTED LIGHT SHALL EXCEED FIVE STORIES IN HEIGHT.

TRASH, MECHANICAL AND EQUIPMENT AREAS THERE SHALL BE NO STORAGE OF RECYCLEABLE MATERIALS, TRASH OR SIMILAR MATERIAL OUTSIDE A SCREENED RECEPTACLE. ALL TRASH, MECHANICAL AND EQUIPMENT AREAS, INCLUDING BUILDING MOUNTED, SHALL BE SCREENED FROM PUBLIC VIEW IN SUCH A MANNER THAT THE AREAS CANNOT BE SEEN FROM A PUBLIC STREET.

TOPOGRAPHY, DRAINAGE AND UTILITIES DRAINAGE. ALL STORM WATER DRAINAGE STRUCTURES SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH ALL APPLICABLE CITY OF COWETA ORDINANCES AND REGULATIONS.

A PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF OKLAHOMA SHALL CERTIFY TO THE APPROPRIATE CITY OFFICIAL THAT ALL REQUIRED STORMWATER DRAINAGE STRUCTURES SERVING THE SITE HAVE BEEN INSTALLED IN ACCORDANCE WITH THE APPROVED PLANS PRIOR TO ISSUANCE OF AN OCCUPANCY PERMIT ON THAT PROPERTY.

DURING CONSTRUCTION ON THE PROPERTY, THE OWNER WILL PROVIDE ADEQUATE AND REASONABLE EROSION CONTROL, AND, AFTER CONSTRUCTION, THEY WILL PROVIDE AND MAINTAIN VEGETATIVE, LANDSCAPED GROUND COVER SO THAT SOIL DOES NOT ERODE ON OR FROM THE PROPERTY.

ACCESS, CIRCULATION AND PARKING ACCESS, TRAFFIC CIRCULATION AND PARKING AREAS ARE DEPICED ON EXHIBIT F OF THE PUD. SOME OF THE DRIVES AND PARKING AREAS WITHIN THE PUD MAY BE PRIVATELY OWNED AND MAINTAINED. PUBLIC STREETS THROUGH DEVELOPMENT AREA B WILL BE PUBLICLY OWNED AND MAINTAINED. MUTUAL ACCESS BETWEEN AND ACROSS INDIVIDUAL PROPERTIES AND MUTUAL PARKING PRIVILEGES WITHIN THE PUD SHALL BE PROVIDED BY A MUTUAL ACCESS AGREEMENT TO BE RECORDED IN OFFICE OF THE WAGONER COUNTY CLERK BY THE OWNER/DEVELOPER.

PEDESTRIAN ACCESS AND CIRCULATION SHALL BE DEPICTED ON THE DETAILED SITE PLAN DRAWING AND/OR LANDSCAPE PLAN REQUIRED BY THE CITY OF COWETA. AS STATED ABOVE, ALL MUTUAL ACCESS DRIVES IN THE PUD MAY BE PRIVATE DRIVES, WHICH SHALL BE CONSTRUCTED IN ACCORDANCE WITH ALL APPLICABLE CITY OF COWETA CODES, REGULATIONS AND STANDARDS.

SECTION III. HOME OWNERS ASSOCIATION

A. FORMATION OF HOME OWNERS ASSOCIATION; ADDITIONAL LANDS

THE OWNER HAS FORMED OR SHALL CAUSE TO BE FORMED A HOME OWNERS ASSOCIATION ("HOA") TO GOVERN THE SUBDIVISION. THE HOA SHALL BE ESTABLISHED IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA AND BYLAWS PREPARED BY OWNER OR ITS ASSIGNEE, FOR THE GENERAL PURPOSES OF MAINTAINING THE COMMON AREAS, INCLUDING WITHOUT LIMITATION ALL RESERVE AREAS, AND ENHANCING THE VALUE, DESIRABILITY AND ATTRACTIVENESS OF THE SUBDIVISION AND ANY ADDITIONS THERETO. OWNER SHALL BE ENTITLED TO APPOINT THE BOARD OF DIRECTORS FOR THE HOA AS PROVIDED IN THE BYLAWS. IT IS CONTEMPLATED THAT ADDITIONAL LANDS/PHASES ADJOINING THE SUBDIVISION, AND SUBSEQUENTLY PLATTED FOR SINGLE FAMILY RESIDENTIAL PURPOSES, MAY BE ANNEXED BY THE OWNER (OR ITS ASSIGNEE OR AN AFFILIATED CORPORATE OWNER) TO THE SUBDIVISION AND GEOGRAPHIC JURISDICTION AND BYLAWS OF THE HOA, WHICH MAY BE ACCOMPLISHED BY THE OWNER (OR ITS ASSIGNEE OR AN AFFILIATED CORPORATE OWNER) BY FILING A SUPPLEMENTAL DECLARATION HERETO, OR BY NOTING SUCH ANNEXATION ON A SEPARATE DEED OF DEDICATION FOR THE ADDITIONAL LANDS/PHASES TO BE ANNEXED HERETO, OR OTHER INSTRUMENT ADDING SUCH ADDITIONAL LANDS/PHASES TO THE SUBDIVISION AND THE JURISDICTION OF THE HOA, IN WHICH CASE ANY SUCH LANDS/PHASES AND THE SUBSEQUENT OWNERS THEREOF SHALL BE UNDER THE JURISDICTION OF THE HOA AND ALL RULES PERTAINING THERETO, AND, IN ACCORDANCE THERewith, OWNER DOES HEREBY NOTE AND ANNEX THE PROPERTY DESCRIBED HEREIN TO THE ORIGINAL/PREVIOUSLY ESTABLISHED SUBDIVISION AND GEOGRAPHIC JURISDICTION AND BYLAWS OF THE HOA.

B. MEMBERSHIP

EVERY PERSON OR ENTITY WHO ACCEPTS A DEED FOR A LOT IN THE SUBDIVISION AND IS A RECORD OWNER OF THE FEE INTEREST OF A LOT IN THE SUBDIVISION SHALL BE A MEMBER OF THE HOA AND SUBJECT TO ITS BYLAWS AND RULES. MEMBERSHIP SHALL BE APPURTENANT TO AND SHALL NOT BE SEPARATED FROM OWNERSHIP OF A LOT.

C. ASSESSMENTS

EACH OWNER OF A LOT WITHIN THE SUBDIVISION, EXCEPT OWNER/DECLARANT, BY ACCEPTANCE OF A DEED THEREFOR, IS DEEMED TO COVENANT AND AGREE TO PAY TO THE HOA CERTAIN ASSESSMENTS TO BE ESTABLISHED BY THE BOARD OF DIRECTORS IN ACCORDANCE WITH THESE COVENANTS AND AS AMENDED AND THE BYLAWS OF THE HOA, TO BE EXECUTED BY THE OWNER FOR THE MAINTENANCE AND IMPROVEMENT OF THE COMMON AREAS OWNED OR MAINTAINED BY THE HOA AND FOR OTHER PURPOSES WHICH BENEFIT THE SUBDIVISION AND THE OWNERS OF LOTS THEREIN, AND ANY UNPAID SUCH ASSESSMENTS SHALL BE A LIEN ON THE LOT AGAINST WHICH IT IS MADE, BUT THE LIEN SHALL BE SUBORDINATE TO THE LIEN OF ANY FIRST MORTGAGE.

D. MAINTENANCE OF COMMON AREAS

THE HOA SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL COMMON AREAS AS DEPICTED ON THE PLAT, OR AS DESCRIBED IN THESE COVENANTS, AND AS AMENDED, WHICH MAY INCLUDE BUT NOT BE LIMITED TO ENTRYWAYS, DRAINAGE AND DETENTION/RETENTION FACILITIES, PERIMETER FENCING, AND OTHER COMMON AREAS AND RESERVE AREAS AS DEPICTED ON THE PLAT, OR DESCRIBED IN THESE COVENANTS, AND AS AMENDED.

E. LIMITATION ON LIABILITY

THE HOA SHALL BE ENTITLED TO ALL PROTECTIONS AFFORDED UNDER OKLAHOMA'S GENERAL CORPORATION ACT AND ANY OTHER LAWS PROVIDING PROTECTION TO OWNER'S ASSOCIATIONS. NEITHER ANY MEMBER NOR OWNER, NOR THE DIRECTORS AND OFFICERS OF THE HOA SHALL BE PERSONALLY LIABLE FOR DEBTS CONTRACTED FOR OR OTHERWISE INCURRED BY THE HOA OR FOR ANY TORTS COMMITTED BY OR ON BEHALF OF THE HOA OR OTHERWISE. NEITHER THE OWNER, THE HOA, ITS DIRECTORS, OFFICERS, AGENTS OR EMPLOYEES SHALL BE LIABLE FOR ANY INCIDENTAL OR CONSEQUENTIAL DAMAGES, FOR FAILURE TO INSPECT ANY PREMISES, IMPROVEMENTS OR PORTION THEREOF, OR FOR FAILURE TO REPAIR OR MAINTAIN THE SAME.

SECTION IV. RESTRICTIVE COVENANTS

THE SUBDIVISION (AND EACH LOT SITUATED THEREIN) SHALL BE CONSTRUCTED, DEVELOPED, OCCUPIED AND USED AS FOLLOWS.

A. NO DIVISION OF LOTS

NO LOT MAY BE DIVIDED OR SPLIT.

B. RESIDENTIAL LOTS

ALL LOTS WITHIN THE SUBDIVISION SHALL BE USED, KNOWN AND DESCRIBED AS RESIDENTIAL LOTS. ONLY ONE SINGLE FAMILY RESIDENTIAL DWELLING SHALL BE PERMITTED ON EACH LOT. IN ADDITION, ONLY CUSTOMARY AND USUAL NECESSARY STRUCTURES MAY BE CONSTRUCTED ON EACH LOT AS MAY BE PERMITTED BY THE CITY. NO BUILDING OR STRUCTURE INTENDED FOR OR ADAPTED TO BUSINESS PURPOSES SHALL BE ERECTED, PLACED, PERMITTED OR MAINTAINED ON ANY LOT. THIS COVENANT SHALL BE CONSTRUED AS PROHIBITING THE ENGAGING IN OR PRACTICE OF ANY COMMERCE, INDUSTRY, BUSINESS, TRADE OR PROFESSION WITHIN THE SUBDIVISION AND/OR WITHIN ANY LOT. THE RESTRICTIONS ON USE HEREIN CONTAINED SHALL BE CUMULATIVE OF AND IN ADDITION TO SUCH RESTRICTIONS ON USAGE AS MAY FROM TIME TO TIME BE APPLICABLE UNDER AND PURSUANT TO THE STATUTES, RULES, REGULATIONS AND ORDINANCES OF THE CITY OR ANY OTHER GOVERNMENTAL AUTHORITY OR POLITICAL SUBDIVISION HAVING JURISDICTION OVER THE SUBDIVISION.

C. RESIDENTIAL PURPOSES

BY ACQUISITION OF ANY LOT WITHIN THE SUBDIVISION, EACH OWNER (EXCLUDING BONA FIDE HOME BUILDERS) COVENANTS WITH AND REPRESENTS TO THE DECLARANT AND TO THE ASSOCIATION THAT THE LOT IS BEING SPECIFICALLY ACQUIRED FOR THE SPECIFIC AND SINGULAR PURPOSE OF CONSTRUCTING AND USING A SINGLE FAMILY RESIDENTIAL DWELLING THEREON, OR AS A RESIDENCE FOR SUCH OWNER AND/OR OWNER'S IMMEDIATE FAMILY MEMBERS.

D. SUBMISSION OF PLANS

IN ORDER TO MAINTAIN A BEAUTIFUL AND PLEASING SETTING IN THE SUBDIVISION TWO (2) SETS OF BUILDING AND SITE IMPROVEMENT PLANS AND SPECIFICATIONS MUST BE SUBMITTED TO THE ARCHITECTURAL CONTROL COMMITTEE ("COMMITTEE") FOR ITS APPROVAL PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. THE COMMITTEE SHALL ACT TO ENFORCE THE REQUIREMENTS OF THESE COVENANTS IN A REASONABLE MANNER. THE COMMITTEE HAS THE AUTHORITY TO MAINTAIN THE ARCHITECTURAL CONFORMITY OF THE SUBDIVISION, AND IN CONSIDERATION THEREOF SHALL DETERMINE THAT THE PROPOSED CONSTRUCTION SHALL NOT DETRACT FROM THE DEVELOPMENT AND SHALL ENHANCE THE PURPOSE OF THE DEVELOPMENT TO PROVIDE A BEAUTIFUL AND PLEASING SETTING IN THE SUBDIVISION. THE COMMITTEE SHALL CONSIDER SUCH MATTERS AS THE PROPOSED SQUARE FOOTAGE, LOCATION, MATERIALS, EXTERIOR STYLE AND LANDSCAPING, ETC. THE COMMITTEE MAY ADOPT RULES OR BYLAWS EXPLAINING THE MECHANICS OF ITS OPERATION AND PROVIDING FOR A TWENTY-ONE (21) DAY MAXIMUM TIME WITHIN WHICH PLANS MUST BE REVIEWED AND APPROVED OR DISAPPROVED AFTER SUBMISSION, AND IF NOT APPROVED OR DISAPPROVED IN THAT PERIOD, THAT THE SAME SHALL BE CONSIDERED AS AUTOMATICALLY APPROVED. THE BOARD MAY ALSO EXERCISE THE DUTIES OF THE COMMITTEE IN THE EVENT THE BOARD DEEMS IT NECESSARY AND EFFICIENT TO DO SO.

E. ARCHITECTURAL REQUIREMENTS

1. EACH DWELLING SHALL FRONT A DEDICATED PUBLIC STREET.
2. NO BUILDING SHALL BE LOCATED CLOSER TO THE STREET THAN THE MINIMUM BUILDING OR SET-BACK LINES SHOWN ON THE RECORDED PLAT.
3. ALL RESIDENCES SHALL HAVE ROOF SHINGLES THAT ARE GREY OR BLACK IN COLOR, PREFERABLY WEATHERWOOD. DEVIATION FROM THIS COLOR REQUIRES APPROVAL FROM THE ARC.

F. ADDITIONS TO EXISTING STRUCTURES

ALL ADDITIONS SHALL CONFORM TO THE BASIC STYLING AND MATERIALS OF THE DWELLING ON ANY LOT. ALL ADDITIONS SHALL FALL WITHIN THE BUILDING SET-BACKS ON SAID LOT AND SHALL NOT BE PLACED OVER ANY DRAINAGE OR UTILITY EASEMENT. ALL IMPROVEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE TO APPLICABLE CITY CODES, RULES AND REGULATIONS. ANY ADDITIONS CONTEMPLATED BY THE HOME OWNER OR LOT OWNER MUST SUBMIT PLANS PRIOR TO CONSTRUCTION TO THE COMMITTEE FOR APPROVAL. THE COMMITTEE HAS COMPLETE AND SOLE DISCRETION TO APPROVE, MODIFY, DENY OR CHANGE ANY REQUEST FOR AN ADDITION TO AN EXISTING STRUCTURE.

G. GARAGE AND DETACHED STRUCTURES AND STORAGE BUILDINGS

ALL RESIDENCES CONSTRUCTED IN THE SUBDIVISION SHALL HAVE A MINIMUM OF TWO (2) OFF-STREET PARKING SPACES, TO INCLUDE A PRIVATE GARAGE TO ACCOMMODATE A MINIMUM OF ONE (1) AUTOMOBILE AND A PARKING PAD FOR ONE (1) ADDITIONAL AUTOMOBILE. NO CARPORTS ARE ALLOWED ON THE SIDE, REAR OR FRONT YARDS OF ANY LOTS. EACH GARAGE SHALL BE FULLY ENCLOSED AND CONTAIN A FULL-LENGTH OVERHEAD STYLE DOOR. ALL GARAGE DOORS ARE TO BE KEPT CLOSED WHEN NOT ENTERING OR EXITING THE GARAGE. ANY DETACHED STRUCTURE TO BE BUILT ON A LOT, SUCH AS A COVERED ENTERTAINMENT AREA, GUEST HOUSE, POOL HOUSE, STORAGE BUILDING, OR OTHER STRUCTURE, SHALL CONFORM TO THE BASIC STYLING AND MATERIALS OF THE RESIDENTIAL DWELLING. ANY DETACHED STRUCTURE CONTEMPLATED FOR CONSTRUCTION BY ANY HOME OWNER OR LOT OWNER MUST, PRIOR TO CONSTRUCTION, SUBMIT ACCEPTABLE PLANS TO THE COMMITTEE FOR APPROVAL. THE COMMITTEE HAS COMPLETE AND SOLE DISCRETION TO APPROVE, MODIFY, DENY OR CHANGE ANY REQUEST FOR AN ADDITION TO ANY EXISTING STRUCTURE.

H. TEMPORARY STRUCTURES

NO TRAILER, MOBILE HOME, TENT, CONSTRUCTION SHACK, OR OTHER OUTBUILDING SHALL BE ERECTED ON ANY LOT IN THE SUBDIVISION EXCEPT FOR TEMPORARY USE BY CONSTRUCTION CONTRACTORS FOR A REASONABLE PERIOD OF TIME.

I. FENCES

NO FENCE SHALL BE CONSTRUCTED ON ANY SAID LOT IN THE AREA BETWEEN THE FRONT BUILDING LINE OF ANY DWELLING AND THE FRONT LOT LINE OF ANY SAID LOT. NO FENCE ON A CORNER LOT SHALL BE CONSTRUCTED BEYOND THE SIDE SET-BACK LINE TOWARD THE STREET EXCEPT FOR THE COMMUNITY ENTRY. FURTHER, THE PLACEMENT/LOCATION OF ANY PERIMETER FENCING AROUND THE SUBDIVISION AS INITIALLY INSTALLED BY THE DECLARANT AND/OR ORIGINAL DEVELOPER MAY NOT BE ADJUSTED, RELOCATED OR MOVED WITHOUT THE PRIOR CONSENT OF THE COMMITTEE AND/OR THE BOARD. ANY PRIVACY FENCE SHALL BE CONSTRUCTED SO THAT THE FRAMING SHALL BE TOWARD THE INSIDE OF THE OWNER'S LOT. ALL FENCES MUST BE INSTALLED BY A PROFESSIONAL INSTALLER AND SHALL BE SIX FOOT (6') WOOD PRIVACY FENCING WITH VERTICAL BOARDS (NOT HORIZONTAL) AND NO CHAIN-LINK FENCES, WIRE, HOG WIRE, OR OTHER SIMILAR MATERIALS SHALL BE PERMITTED. PRIOR TO INSTALLATION, THE FENCE DESIGN AND NAME OF THE INSTALLER MUST BE APPROVED BY THE COMMITTEE.

J. MAILBOXES

ALL MAILBOXES SHALL BE APPROVED BY THE UNITED STATES POSTAL SERVICE. THE TYPE OF CONSTRUCTION SHALL BE CONSISTENT WITH THE DESIGN ESTABLISHED BY THE DEVELOPER. COMMUNITY MAILBOX IS AN APPROVED ALTERNATIVE SUBJECT TO APPROVAL OF THE UNITED STATES POSTAL SERVICE.

K. SIGNS

NO SIGN OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT EXCEPT ONE PROFESSIONAL SIGN ADVERTISING THE PROPERTY FOR SALE, RESALE OR RENT, OR SIGNS USED BY BUILDER OR AGENT TO ADVERTISE THE PROPERTY DURING THE CONSTRUCTION AND SALE OF A DWELLING THEREON. IN NO EVENT SHALL ANY SUCH SIGN STAND MORE THAN SEVEN (7) FEET ABOVE GROUND LEVEL, NOR BE MORE THAN FIVE (5) SQUARE FEET IN SIZE, NOR BE LIGHTED AT NIGHT. THESE SIGNAGE RESTRICTIONS AND REQUIREMENTS SHALL NOT APPLY TO DECLARANT.

L. PARKED VEHICLES

ALL VEHICLES PARKED IN THE FRONT OF THE FRONT BUILDING LINE MUST BE PARKED ON THE DRIVEWAY. NO INOPERATIVE VEHICLES OF ANY NATURE SHALL BE PERMITTED TO REMAIN ON ANY LOT OR LOTS FOR A PERIOD IN EXCESS OF ONE (1) DAY. IT IS THE INTENTION OF THE DECLARANT THAT, EXCEPT ON SPECIAL OCCASIONS SUCH AS HOLIDAYS OR EVENTS AT AN OWNER'S RESIDENCE THAT ALL PARKING SHALL BE IN DRIVEWAYS AND NOT ON A STREET OR ON ANY YARD. ACCORDINGLY, NO VEHICLE SHALL BE PARKED ON THE STREET FOR MORE THAN TWO (2) CONSECUTIVE DAYS AND SHALL NOT BE PARKED OVERNIGHT ON A STREET. ANY VIOLATION OF THIS SECTION MAY RESULT IN A TOWING OF THE VEHICLE AT THE OWNER'S EXPENSE PER MUNICIPAL REGULATIONS. NO VEHICLE MAINTENANCE SHALL BE PERFORMED ON THE STREETS OR IN THE FRONT YARDS OR ON PARKING PADS OF ANY LOT.

M. APPEARANCE OF LOT

ALL OWNERS SHALL BE REQUIRED TO KEEP THEIR LOT IN A CLEAN AND SANITARY CONDITION WHETHER OR NOT THEY HAVE CONSTRUCTED A RESIDENCE ON THE LOT. ALL OPEN AREAS ON LOTS SHALL BE KEPT MOWED TO A HEIGHT OF NOT MORE THAN SIX (6) INCHES. NO PLAYGROUNDS, SWING SETS, TRAMPOLINES, SWIMMING POOLS, PICNIC TABLES, OR OTHER SIMILAR EQUIPMENT IS ALLOWED IN THE FRONT YARDS OF ANY LOT. THE BOARD AND COMMITTEE MAY PROMULGATE RULES AND REGULATIONS REGARDING THE MAINTENANCE OF LOTS AND ADEQUATE ENFORCEMENT MECHANISMS IN THE EVENT A LOT IS NOT PROPERLY MAINTAINED. UPON FAILURE OF THE OWNER TO MAINTAIN OR LANDSCAPE THE GROUNDS OF ANY LOT IN ACCORDANCE WITH THE PROVISIONS ABOVE, THE ASSOCIATION MAY, UPON 15 DAYS WRITTEN NOTICE TO THE

OWNER, CAUSE THE GRASS, WEEDS AND VEGETATION TO BE CUT. THE COST OF ANY MAINTENANCE REQUIRED UNDER THIS SECTION AND ANY ENFORCEMENT COSTS SHALL BE ASSESSED TO THE OWNER, AND SHALL CONSTITUTE A LIEN UPON THE LOT, AND MAY BE COLLECTED IN ACCORDANCE WITH SECTION IV.C.

N. RECREATIONAL VEHICLES AND ACCESSORIES

NO BOATS, TRAILERS, RECREATIONAL VEHICLES, AND VEHICLES USED FOR RECREATIONAL PURPOSES ARE ALLOWED IN THE SUBDIVISION UNLESS THEY WILL FIT ENTIRELY INTO A PRIVATE GARAGE.

O. STORAGE AND CONSTRUCTION MATERIALS

CONSTRUCTION MATERIALS MAY ONLY BE STORED ON A LOT FOR THIRTY (30) DAYS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. THEREAFTER, CONSTRUCTION IS TO BE COMPLETED WITHIN A REASONABLE PERIOD OF TIME. THE DECLARANT SHALL BE ALLOWED TO STORE MATERIALS ON A LOT IN AN ORDERLY FASHION AS LONG AS MAY BE REASONABLY NECESSARY.

P. GARBAGE/DUMPING

DUMPING IS PROHIBITED IN THE SUBDIVISION. ALL TRASH, GARBAGE OR OTHER WASTE SHALL BE KEPT IN SANITARY CONTAINERS THAT SHALL BE LOCATED AT THE REAR OF EACH RESIDENTIAL UNIT OR ENCLOSED GARAGES AND MUST BE OUT OF SIGHT FROM THE STREET. ALL LOTS SHALL BE MAINTAINED IN A NEAT AND ORDERLY CONDITION AT ALL TIMES.

Q. MODEL HOME AND CONSTRUCTION FACILITIES

MODEL HOMES FOR THE PURPOSES OF HOME SALES ARE PERMITTED BY THE DECLARANT. THE GARAGE OF MODEL HOMES MAY BE USED AS SALES OFFICES, ONE TRAILER OR TEMPORARY BUILDING MAY BE LOCATED ON A RESIDENTIAL LOT BY THE DECLARANT AND USED AS A CONSTRUCTION OFFICE UNTIL THE SUBDIVISION REACHES ONE-HUNDRED PERCENT (100%) OCCUPANCY.

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

A. ENFORCEMENT

THE COVENANTS AND RESTRICTIONS SET FORTH HEREIN SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY, THE HOA, THE OWNER, AND ANY OWNER OF A LOT, AND IN ANY JUDICIAL ACTION BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED HEREIN, A PARTY MAY SEEK ALL APPROPRIATE REMEDIES AT LAW, INCLUDING INJUNCTIVE RELIEF, TO ENFORCE THE COVENANTS SET FORTH HEREIN. FAILURE TO DO SO SHALL NOT BE DEEMED A WAIVER OF ANY TERMS HEREOF OR OF THE RIGHT TO SEEK ACTION AGAINST FUTURE NONCOMPLIANCE. REASONABLE REGULATIONS CONCERNING THE PROPERTY AND COMMON AREAS MAY BE MADE AND AMENDED FROM TIME TO TIME BY THE OWNER AND/OR ASSOCIATION. NO NOXIOUS OR OFFENSIVE ACTIVITY SHALL BE CARRIED ON IN, UPON, OR AROUND ANY RESIDENCE OR LOT OR IN OR UPON ANY COMMON AREA, NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE OR BECOME AN ANNOYANCE OR A NUISANCE TO OTHER OWNERS OR IN ANY WAY INTERFERE WITH THE QUIET ENJOYMENT OF SUCH OWNERS.

B. DURATION

THESE COVENANTS SHALL RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER AND ALL SUBSEQUENT OWNERS AND PERSONS CLAIMING UNDER THEM WITHIN THE SUBDIVISION UNTIL JANUARY 1, 2042, AFTER WHICH TIME SAID COVENANTS SHALL BE DEEMED AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN (10) YEARS UNLESS OTHERWISE AMENDED OR TERMINATED AS PROVIDED HEREIN.

C. AMENDMENT OR TERMINATION

THE COVENANTS CONTAINED WITHIN SECTIONS I. AND II. MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER AND APPROVED BY THE CITY.

EXCEPT FOR SECTIONS I. AND II. AS STATED ABOVE, OWNER OR ITS ASSIGNEE MAY SUPPLEMENT OR AMEND ANY OF THESE COVENANTS STATED HEREIN AT ANY TIME IN WHOLE OR IN PART BY EXECUTING AND RECORDING AN INSTRUMENT WITH THE COUNTY CLERK. ALTERNATIVELY, THESE COVENANTS MAY BE AMENDED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNERS OF SIXTY (60%) OF THE LOTS (SUBJECT TO OWNER CONSENT). THE PROVISIONS OF ANY INSTRUMENT SUPPLEMENTING OR AMENDING THESE COVENANTS SHALL BE EFFECTIVE FROM AND AFTER THE DATE IT IS RECORDED IN THE RECORDS OF THE COUNTY CLERK.

D. SEVERABILITY

INVALIDATION OF ANY COVENANT OR RESTRICTION SET FORTH HEREIN, OR ANY PART THEREOF, BY ANY COURT OR OTHERWISE SHALL NOT INVALIDATE OR AFFECT ANY OF THE OTHER COVENANTS OR RESTRICTIONS HEREIN.

IN WITNESS WHEREOF, TULSA L DEV., LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HAS EXECUTED THIS INSTRUMENT ON THIS _____ DAY OF _____, 2022.

TULSA L DEV., LLC
AN OKLAHOMA LIMITED LIABILITY COMPANY

BY
STEPHEN LIEUX, MANAGER

ACKNOWLEDGMENT

STATE OF _____)
COUNTY OF _____) SS

ON THIS _____ DAY OF _____, 2022, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR THE AFORESAID COUNTY AND STATE, DULY COMMISSIONED AND ACTING, APPEARED STEPHEN LIEUX, TO ME PERSONALLY WELL KNOWN AS, OR PROVEN TO BE, THE PERSON WHOSE NAME APPEARS UPON THE WITHIN AND FOREGOING DOCUMENT AND STATED THAT HE WAS THE MANAGER OF TULSA L DEV., LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, AND WAS DULY AUTHORIZED TO EXECUTE THE FOREGOING CONVEYANCE FOR AND ON ITS BEHALF, AND HE RESPECTIVELY ACKNOWLEDGED TO ME THAT HE HAD EXECUTED THE SAME FOR THE CONSIDERATION AND PURPOSES THEREIN MENTIONED AND SET FORTH, AND I DO SO CERTIFY.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL OF OFFICE AS SUCH NOTARY PUBLIC AT THE COUNTY AND STATE AFORESAID ON THIS _____ DAY OF _____, 2022.

MY COMMISSION EXPIRES _____ 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 AS "THE WOODS BLOCKS 6-9", A SUBDIVISION WITHIN THE CITY OF COWETA, WAGONER 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 _____ DAY OF _____, 2022.



BY:
DAN E. TANNER
LICENSED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1435

STATE OF OKLAHOMA)
COUNTY OF TULSA)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS _____ DAY OF _____, 2022, PERSONALLY APPEARED TO ME DAN E. TANNER KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME TO THE FOREGOING CERTIFICATE AS LICENSED PROFESSIONAL LAND SURVEYOR, AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSES THEREIN SET FORTH.

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

MY COMMISSION EXPIRES _____ NOTARY PUBLIC

WILLIAM L. EAGLETON, IV
DIRECT DIAL (918) 581-5511
BEAGLETON@PRAYWALKER.COM

March 9, 2022

City of Coweta
Attn: Evette Young, Mayor
P.O. Box 850
Coweta, OK 74429

RE: Vacation of Plat – Wagoner County Industrial Park I (“Property”)

Dear Ms. Young:

Our firm represents Wagoner County Economic Development Authority (“WCEDA”), owner of the subject Property.

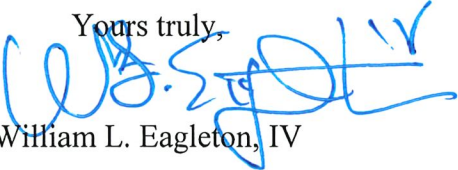
Pursuant to Title 11, Section 42-106 which provides for the vacation of a plat without District Court action where all of the owners of lots within the platted subdivision join in the vacation, enclosed are the following:

1. Vacation of Plat executed by WCEDA; and
2. Certification of Owner prepared by Wagoner County Abstract Company, L.L.C.

Please place this matter on the City Council agenda as soon as possible. If you have any questions or concerns, please contact the undersigned.

Your assistance with this matter is appreciated.

Yours truly,


William L. Eagleton, IV

WLE:gjm
Encl.

cc: Tom Young (via email)
Ronald D. Cates, City Attorney (via email)
Rhonda Withers (via email)

{00395733.DOCX / 1}

VACATION OF PLAT
(Wagoner County Industrial Park I)

STATE OF OKLAHOMA)
) ss.
COUNTY OF WAGONER)

KNOW ALL MEN BY THESE PRESENTS: That pursuant to 11 O.S. 842-106, et seq., the undersigned Rhonda Withers, Chairman of the Wagoner County Economic Development Authority (“WCEDA”) hereby states as follows:

1. WCEDA is the sole owner of all the lots and blocks contained in Wagoner County Industrial Park I, a subdivision in Section 19, Township 17 North, Range 16 East of the Indian Base and Meridian, Wagoner County, Oklahoma, included in the re-plat and dedication of protective covenants of said addition filed in Plat Cabinet 5 at Page 405-B and recorded August 14, 2008 in Book 1772 at Page 485 in the Office of the County Clerk of Wagoner County, Oklahoma (“Plat”).

2. WCEDA does hereby revoke, cancel, annul and forever vacate the Plat and Declaration of Protective Covenants of Wagoner County Industrial Park I, including the easements and roadways contained on the Plat.

3. No lots in Wagoner County Industrial Park I have been sold and WCEDA is the sole owner of all lots contained within the Wagoner County Industrial Park I Plat being vacated.

4. Pursuant to 11 O.S. 842-107, attached hereto as Exhibit “A” is a metes and bounds legal description of the area being vacated. No part of Wagoner County Industrial Park I will remain platted.

Witness my hand and seal this 15th day of ~~November~~ ^{February, 2022}, 2021.

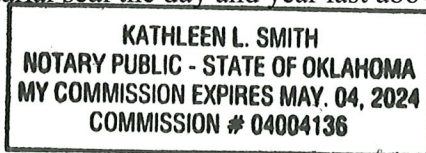
WAGONER COUNTY ECONOMIC
DEVELOPMENT AUTHORITY

By: *Rhonda Withers*
Rhonda Withers, Chairman

STATE OF OKLAHOMA)
) ss.
COUNTY OF WAGONER)

Before me, the undersigned, a Notary Public in and for said County and State, on this 15th day of ~~November~~ ^{Feb. 2022}, personally appeared Rhonda Withers, Chairman of the Wagoner County Economic Development Authority, to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that she/he executed the same as her/his free and voluntary act and deed for the uses and purposes therein set forth

IN WITNESS WHEREOF, I have hereunto set my official signature and affixed my notarial seal the day and year last above written.



Kathleen L Smith
Notary Public 2/15/2022

[SEAL]
My Commission Expires:
5/4/2024

CERTIFICATE OF CITY OF COWETA CITY COUNCIL

The Vacation of the Plat of Wagoner County Industrial Park I, a Subdivision of the City of Coweta, filed in Plat Cabinet 5 at Page 405-B and recorded August 14, 2008 in Book 1772 at Page 485 in the Office of the County Clerk of Wagoner County, Oklahoma, was approved in open meeting by the City Council of the City of Coweta this _____ day of _____, 2022.

Evette Young, Mayor

ATTEST:

Julie Casteen, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Ronald D. Cates, City Attorney

EXHIBIT "A"

LEGAL DESCRIPTION

A PORTION OF THE EAST HALF OF THE NORTHEAST QUARTER (E/2, NE/4) OF SECTION NINETEEN (19), TOWNSHIP SEVENTEEN (17) NORTH, RANGE SIXTEEN (16) EAST, OF THE INDIAN BASE AND MERIDIAN, CITY OF COWETA, COUNTY OF WAGONER, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER (NE/4); THENCE S00°12'43"W ALONG THE EAST LINE OF SAID NORTHEAST QUARTER (NE/4), A DISTANCE OF 1,344.59 FEET, TO THE POINT OF BEGINNING; THENCE N89°52'54"W A DISTANCE OF 370.00 FEET; THENCE N44°57'52"W A DISTANCE OF 28.85 FEET, TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID NORTHEAST QUARTER (NE/4, NE/4); THENCE N89°59'57"W, ALONG SAID SOUTH LINE, A DISTANCE OF 571.83 FEET; THENCE S16°34'22"E A DISTANCE OF 324.66 FEET; THENCE S73°25'33"W A DISTANCE OF 298.28 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE S16°31'13"E ALONG SAID EASTERLY RIGHT-OF-WAY, A DISTANCE OF 988.24 FEET, TO A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER (NE/4); THENCE S88°59'33"E ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER (NE/4), A DISTANCE OF 878.60 FEET, TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER (NE/4); THENCE N00°12'48"E, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER (NE/4), A DISTANCE OF 1,300.83 FEET, TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 1,303,928.21 SQUARE FEET/29.93 ACRES

Wagoner County Abstract Company, L.L.C.

(Established in 1907)

~~~~~ Abstracts - Title Insurance - Escrows ~~~~~

219 East Cherokee

Wagoner, Oklahoma 74467

Phone: (918) 485-2215  
FAX: (918) 485-9162

P.O. Box 188  
Wagoner, OK 74467

FILE NO. OR-22-002

STATE OF OKLAHOMA,  
COUNTY OF WAGONER, SS

Wagoner County Abstract Company, being a duly and lawfully bonded abstractor in and for said County and State, hereby states:

It appears from the public records of Wagoner County, State of Oklahoma, that the property owners of the following described land are as follows:

A tract of land in the E½ of NE¼ of Section 19, Township 17 North, Range 16 East of the Indian Base and Meridian, Wagoner County, State of Oklahoma, more particularly described as follows, to-wit: Commencing at the Northeast corner of said NE¼; thence S00°12'43"W along the East line of said NE¼ a distance of 1344.59 feet to the point of beginning; thence N89°52'54"W a distance of 370.00 feet; thence N44°57'52"W a distance of 29.85 feet to a point on the South line of the NE¼ of said NE¼; thence N89°59'57"W along said South line a distance of 571.83 feet; thence S16°34'22"E a distance of 324.66 feet; thence S73°25'33"W a distance of 298.26 feet to a point on the Easterly right of way line of the Union Pacific Railroad; thence S16°31'13"E along said Easterly right of way a distance of 966.24 feet to a point on the South line of said NE¼; thence S89°59'33"E along the South line of said NE¼ distance of 876.60 feet to the Southeast corner of said NE¼; thence N00°12'46"E along the East line of said NE¼ a distance of 1300.83 feet to the point of beginning. ALSO KNOWN AS Wagoner County Industrial Park I.

are:

LEGAL DESCRIPTION

All of Blocks 1 and 2, inclusive

NAMES & ADDRESSES

Wagoner County Economic  
Development Authority  
P. O. Box 487, Coweta, OK 74429

DATED this 28<sup>th</sup> day of February, 2022 at 5:01 p.m.

WAGONER COUNTY ABSTRACT COMPANY, L.L.C.  
(Certificate of Authority No. 32)

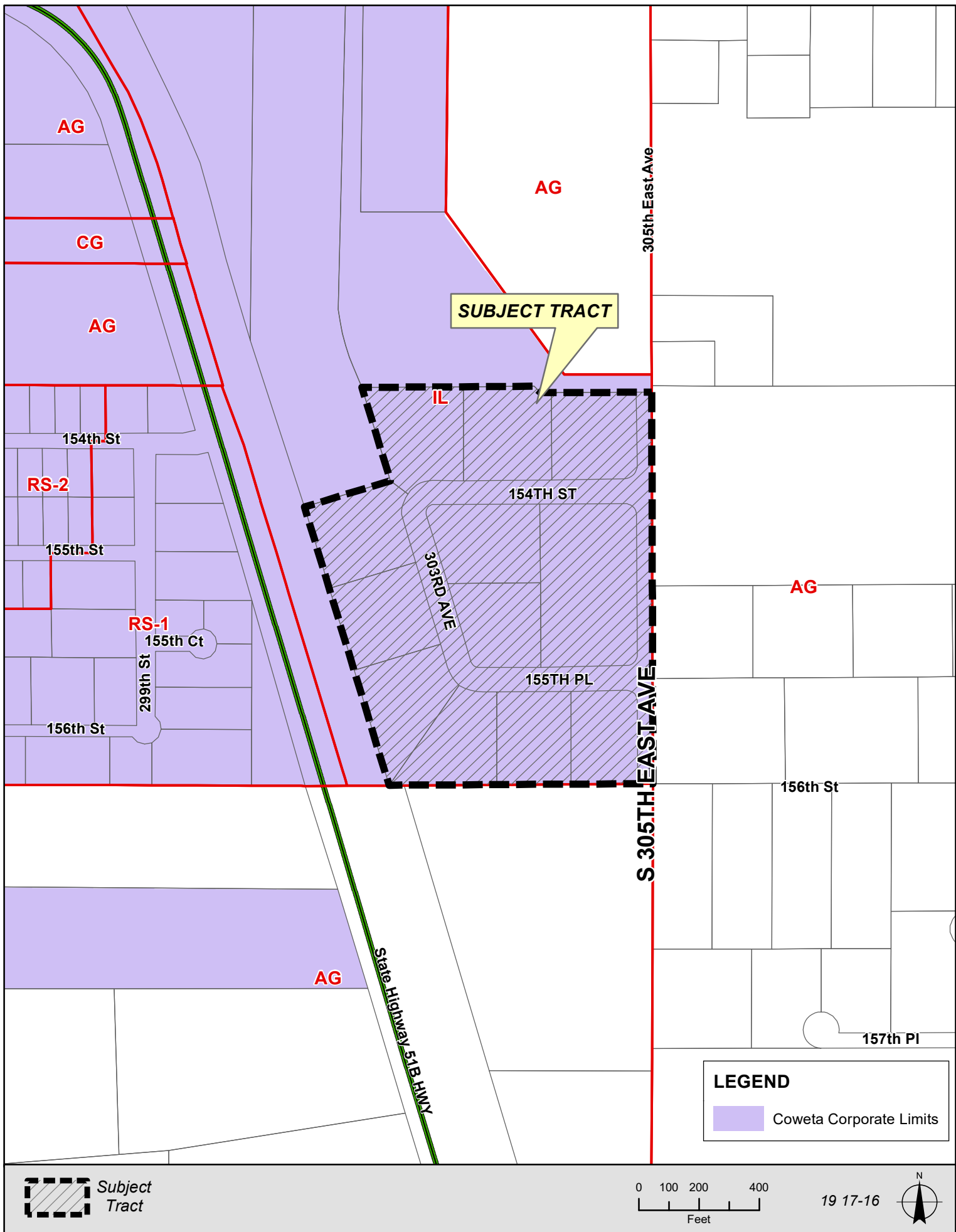
(seal)

By: Berjean Droom  
Abstractor No. 2012

SUBSCRIBED AND SWORN to before me this 28<sup>th</sup> day of February, 2022.

KIM WITTEN  
NOTARY PUBLIC - STATE OF OKLAHOMA  
MY COMMISSION EXPIRES JAN. 04, 2025  
COMMISSION # 00018819

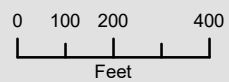
Kim Witten  
NOTARY PUBLIC







Subject  
Tract



19 17-16



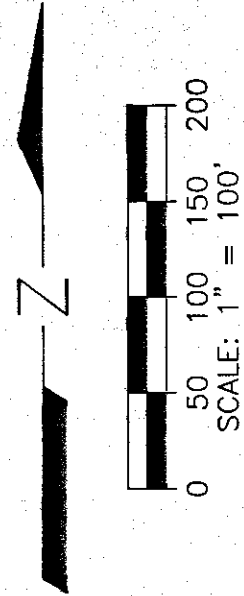


LEGAL DESCRIPTION

A PORTION OF THE EAST HALF OF THE NORTHEAST QUARTER (E/2, NE/4) OF SECTION NINETEEN (19), TOWNSHIP SEVENTEEN (17) NORTH, RANGE SIXTEEN (16) EAST, OF THE INDIAN BASE AND MERIDIAN, CITY OF COWETA, COUNTY OF WAGONER, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER (NE/4); THENCE S00°12'43"W ALONG THE EAST LINE OF SAID NORTHEAST QUARTER (NE/4), A DISTANCE OF 1,344.59 FEET; TO THE POINT OF BEGINNING; THENCE N89°52'54"W A DISTANCE OF 370.00 FEET; THENCE N44°57'52"W A DISTANCE OF 29.85 FEET, TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID NORTHEAST QUARTER (NE/4, NE/4); THENCE N89°59'57"W, ALONG SAID SOUTH LINE, A DISTANCE OF 571.83 FEET; THENCE S16°34'22"E, A DISTANCE OF 324.66 FEET; THENCE S73°25'33"W, A DISTANCE OF 298.26 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE S16°31'13"E ALONG SAID EASTERLY RIGHT-OF-WAY, A DISTANCE OF 966.24 FEET, TO A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER (NE/4); THENCE S89°59'33"E ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER (NE/4), A DISTANCE OF 876.60 FEET, TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER (NE/4); THENCE N00°12'46"E, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER (NE/4), A DISTANCE OF 1,300.83 FEET, TO THE POINT OF BEGINNING.

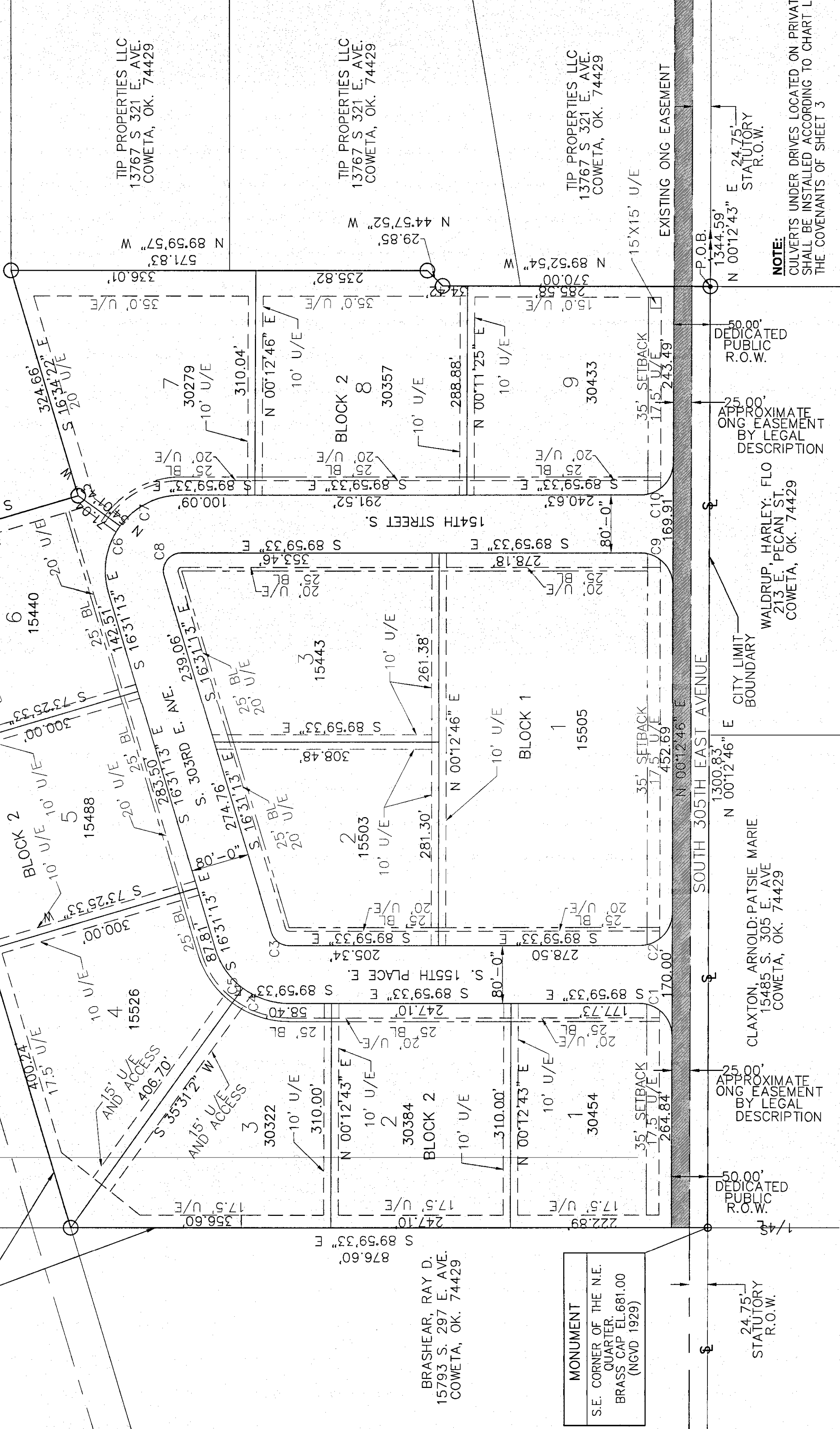
SAID TRACT CONTAINS 1,303,928.21 SQUARE FEET/29.93 ACRES



EXISTING 6'-0" WIDE CULVERT TALL

COOLING PRODUCTS INC.  
P.O. BOX 470523  
TULSA, OK. 74147

CITY LIMIT BOUNDARY



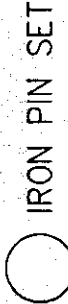
| CURVE DATA TABLE |        |         |           |           |        |        |
|------------------|--------|---------|-----------|-----------|--------|--------|
| CURVE NO.        | LENGTH | RADIUS  | DELTA     | CURVE NO. | LENGTH | RADIUS |
| C-1              | 70.85' | 45.00'  | 90°12'19" | C-8       | 46.48' | 25.00' |
| C-2              | 70.52' | 45.00'  | 89°47'41" | C-9       | 70.85' | 45.00' |
| C-3              | 32.06' | 25.00'  | 73°28'20" | C-10      | 70.52' | 45.00' |
| C-4              | 67.67' | 105.00' | 36°55'27" |           |        |        |
| C-5              | 66.98' | 105.00' | 36°32'53" |           |        |        |
| C-6              | 96.76' | 105.00' | 52°47'56" |           |        |        |
| C-7              | 98.46' | 105.00' | 53°43'44" |           |        |        |

RESEARCH OF APPROPRIATE RECORDS INDICATES THAT NO OIL, GAS, WATER WELLS AND/OR FRESH SPRINGS HAVE BEEN LOCATED ON THIS PROPERTY

ENTIRE PROPERTY IS LOCATED OUTSIDE OF ANY FEMA REGULATORY FLOODPLAIN

RESEARCH OF APPROPRIATE AGENCIES INDICATES THAT NO WETLANDS, ENDANGERED SPECIES, HISTORICAL AND/OR ARCHAEOLOGICAL SITES ARE ASSOCIATED WITH THIS PROPERTY

LEGEND:



IRON PIN SET

Certified True Copy  
CAROLYN KUSLER, COUNTY CLERK  
Wagoner County, Okla.

By: *[Signature]*  
County

# FINAL PLAT

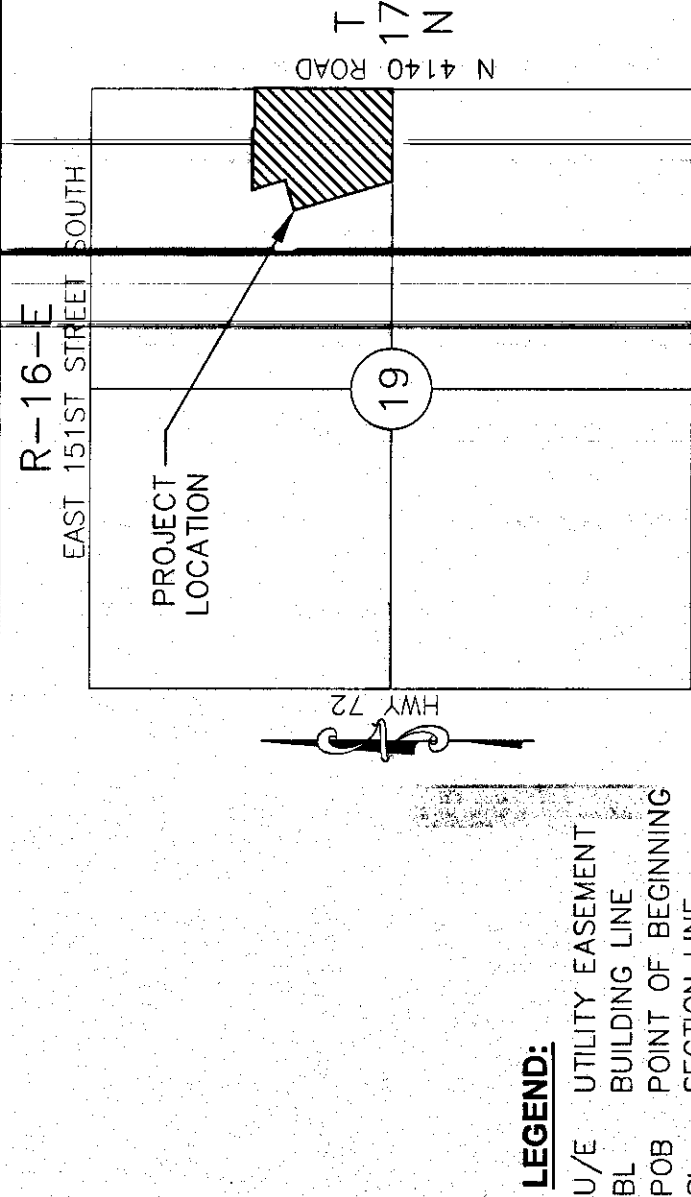
## WAGONER COUNTRY INDUSTRIAL PARK I

### WAGONER COUNTY, OKLAHOMA

#### JULY 2008

**DEVELOPER:**  
WAGONER COUNTY ECONOMIC DEVELOPMENT AUTHORITY  
30058 E. 147TH STREET SOUTH  
COWETA, OK  
(918) 466-4589

**SURVEYOR:**  
HUDDLESTON LAND SURVEYING, INC.  
P.O. BOX 496  
VINITA, OK. 74301  
PH (918) 451-1925  
FAX (918) 256-6543



#### OWNERS CERTIFICATE & DEDICATION

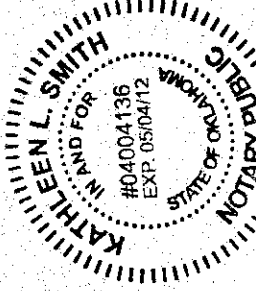
We, the undersigned Wagoner County, do hereby certify that we are the owners of and the only person having any right, title, or interest in the land shown on the annexed plat of:

A PORTION OF THE EAST HALF OF THE NORTHEAST QUARTER (E/2, NE/4) OF SECTION NINETEEN (19), TOWNSHIP SEVENTEEN (17) NORTH, RANGE SIXTEEN (16) EAST, OF THE INDIAN BASE AND MERIDIAN, CITY OF COWETA, COUNTY OF WAGONER, STATE OF OKLAHOMA.

and that the plat represents a correct survey of the above described property made with our consent, and that we hereby dedicate to the public use all the streets as shown on said annexed plat; that the easement as shown on the annexed plat is created for the installation and maintenance of public utilities; that we hereby guarantee a clear title to all lands so dedicated from ourselves, our heirs, or assigns forever and have caused the same to be released from all encumbrances so the title is clear, except as shown in the abstractor's certificate.

STATE OF OKLAHOMA )

COUNTY OF WAGONER )



Before me, the undersigned Notary Public, in and for said county and state on this 12<sup>th</sup> day of August, 2008, personally appeared Jim Hargrave, Tom Vincent, Jerry Hargrave, to me known to be the identical person who subscribed his name as the maker thereof to the foregoing instrument as the OWNER and acknowledges 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 corporation for the uses and purposes given under my hand and seal the day and year last above written, therein set

My commission expires: May 4, 2012

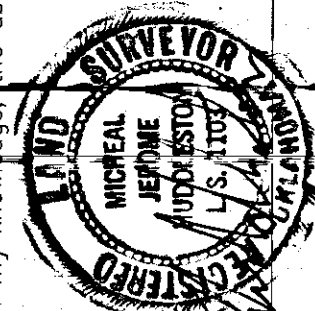
#### CERTIFICATE OF SURVEY

I, Michael J. Huddleston, a Registered Land Surveyor, in the State of Oklahoma, hereby certify that I have surveyed, subdivided and platted the above tract designated as Wagoner County Industrial Park I, a subdivision in the City of Coweta, Wagoner County, Oklahoma. To the best of my knowledge, the above plat is an accurate representation of said survey. Witness my hand and seal this 5<sup>th</sup> day of August, 2008.

Oklahoma Registered Land Surveyor # 1103 CA# 1613 (CA) Expires 6-30-2009

STATE OF OKLAHOMA )

COUNTY OF WAGONER )

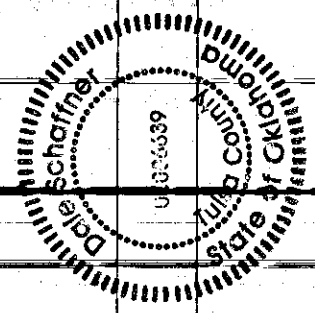


Surveyor

Before me, the undersigned Notary Public, in and for said county and state on this 5<sup>th</sup> day of August, 2008, personally appeared Jim Hargrave to me known to be the identical person who subscribed his name as the maker thereof to the foregoing instrument as the SURVEYOR and acknowledges 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 corporation for the uses and purposes given under my hand and seal the day and year last above written.

My commission expires: JUNE 30, 2009

Dale Schell  
Notary Public



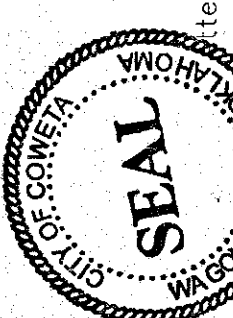
#### CERTIFICATE OF COWETA PLANNING COMMISSION

I, Dale Schell, Chairman of the Coweta Planning Commission, do certify that the proposed industrial park Wagoner County Industrial Park I has been processed through the Coweta Planning Commission with approval for acceptance.

Chairman

#### CERTIFICATE OF APPROVAL

I hereby certify that this plat was approved by the Coweta Council on JUNE 2, 2008



This approval is void if the above signature is not endorsed by the City Clerk

City Clerk

#### CERTIFICATE OF WAGONER COUNTY CLERK

Carolyn Kusler, the County Clerk of Wagoner County do here now state the shown plat of Wagoner County Industrial Park I has been filed into Wagoner County Records.



#### CERTIFICATE OF WAGONER COUNTY TREASURER

I, Gloria Marshall, the duly elected and qualified County Treasurer of Wagoner County, Oklahoma, do hereby certify that there are no unpaid taxes up to and including the year 2007 on the above described property known as Wagoner County Industrial Park I a part of the East half of the Northeast Quarter of Section 19, Township 17 North, Range 16 East, City of Coweta, Wagoner County, State of Oklahoma, and required the security has been deposited in the office of the County Treasurer guaranteeing payment of current years taxes.

Witness my hand this 15<sup>th</sup> day of August, 2008.



SHEET 1 OF 1



POST OFFICE BOX 850 • COWETA, OKLAHOMA 74429 • PH. (918) 486-2189 • FAX (918) 486-5366 • [www.cityofcoweta-ok.gov](http://www.cityofcoweta-ok.gov)

## Memorandum

To: Honorable Chairman, Members of the Planning Commission  
From: Mark Seibold, Community Development Director  
Re: Final Plat The Woods Phase I Blocks 1-5  
Date: 03-21-2022

---

### **BACKGROUND**

#### *Applicant*

The applicant, Tulsa L Dev., LLC, Developer; Tanner Consulting, L.L.C., Surveyor/Engineer; for Final Plat approval of The Woods Phase I Blocks 1-5, a subdivision of approximately 53.601 acres more or less with 106 lots.

#### *Case Facts*

- The property is located in located in Section 36, Township 18 North, Range 15 East, of the Indian Base and Meridian, Wagoner County, State of Oklahoma.
- The property is zoned Part of Planned Unit Development PUD No. R 13-02, with RS-2 Residential Single Family and RM-1 Residential Multi-Family zoning.
- The property legal description: Part of the Northwest Quarter (NW/4 and Part of the North Half of the Southwest Quarter (N/2 SW/4 of Section Thirty-Six (36), Township Eighteen (18) North, Range Fifteen (15) East, of the Indian Base and Meridian, A Subdivision within the City of Coweta, Wagoner County, State of Oklahoma.

A public hearing was held on the 21<sup>st</sup> day of December 2020, by the Coweta Planning Commission for the preliminary plat, The Woods Phase I. At the Monday December 21, 2020, Planning Commission meeting, the Planning Commission approved the preliminary Plat, The Woods Phase I Blocks 1-5 with the condition that the developer meet the comments from the Technical Advisory Committee and the City Engineer. By a vote of 4-0.

#### *Pertinent Code*

##### SECTION 2.4.3 PLANNING COMMISSION ACTION:

- The Planning Commission shall act upon the final plat after it has been submitted for final approval unless a stipulation for additional time is agreed to by the developer. If the final plat is disapproved, grounds for the refusal shall be stated in writing, a copy of which shall be transmitted to the applicant.

### **PLANNING COMMISSION ACTION**

The Planning Commission can approve, conditionally approve, or disapprove the final plat. If the final plat is approved with conditions, the Planning Commission may require the subdivider to submit a revised final plat. The subdivider shall be advised of any amendments required by the Planning

Commission to comply with these regulations. If the final plat is disapproved, the reasons for that action shall be stated.

Staff recommends approval of the Final Plat The Woods Phase I Blocks 1-5 with the condition that the developer meet the comments from the Technical Advisory Committee and the City Engineer.

#### **ATTACHMENTS**

1. Final Plat, The Woods Phase I Blocks 1-5



SHEET 1 OF 3



Draft Final Plat  
PUD-R 13-02

The Woods  
BLOCKS 1-5

PART OF THE NORTHWEST QUARTER (NW/4) AND PART OF THE NORTH HALF  
OF THE SOUTHWEST QUARTER (N/2 SW/4) OF SECTION THIRTY-SIX (36)  
TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN MERIDIAN  
A SUBDIVISION WITHIN THE CITY OF COWETA, WAGONER COUNTY, STATE OF OKLAHOMA

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

THAT TULSA L DEV., LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HEREINAFTER REFERRED TO AS THE "OWNER" AND/OR "DECLARANT," IS THE OWNER OF THE FOLLOWING REAL PROPERTY SITUATED IN THE CITY OF COWETA, WAGONER COUNTY, STATE OF OKLAHOMA, TO-WIT:

A TRACT OF LAND THAT IS PART OF THE NORTHWEST QUARTER (NW/4) AND PART OF THE NORTH HALF OF THE SOUTHWEST QUARTER (N/2 SW/4) OF SECTION THIRTY-SIX (36), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN MERIDIAN, COUNTY OF WAGONER, STATE OF OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NW/4; THENCE SOUTH 1°19'23" EAST AND ALONG THE WEST LINE OF THE NW/4, FOR A DISTANCE OF 1731.01 FEET TO A POINT, SAID POINT BEING THE SOUTHWEST CORNER OF "THE WOODS AT OAK GROVE," A SUBDIVISION IN WAGONER COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (BOOK PLC4 PAGE 392), COUNTY OF WAGONER RECORDS, AND BEING THE POINT OF BEGINNING;

THENCE ALONG THE SOUTH LINE OF SAID "THE WOODS AT OAK GROVE" SUBDIVISION FOR THE FOLLOWING FOUR (4) COURSES: NORTH 88°40'57" EAST FOR A DISTANCE OF 237.20 FEET; THENCE NORTH 81°30'40" EAST FOR A DISTANCE OF 601.95 FEET; THENCE NORTH 63°51'36" EAST FOR A DISTANCE OF 417.63 FEET; THENCE NORTH 46°34'40" EAST FOR A DISTANCE OF 170.04 FEET TO THE MOST SOUTHERN SOUTHEAST CORNER OF "THE WOODS AT OAK GROVE II," A SUBDIVISION IN WAGONER COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, FILED IN BOOK 1334 AT PAGE 888, COUNTY OF WAGONER RECORDS; THENCE NORTH 46°34'38" EAST AND ALONG THE SOUTH LINE OF SAID "THE WOODS AT OAK GROVE II" SUBDIVISION, FOR A DISTANCE OF 253.75 FEET; THENCE ALONG A 25.00 FOOT RADIUS CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 85°05'49", A CHORD BEARING AND DISTANCE OF SOUTH 86°07'12" WEST FOR 33.81 FEET, FOR AN ARC DISTANCE OF 37.13 FEET; THENCE NORTH 46°25'43" WEST FOR A DISTANCE OF 50.00 FEET; THENCE NORTHEASTERLY ALONG A 25.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, HAVING AN INITIAL TANGENT BEARING OF NORTH 43°34'17" EAST, A CENTRAL ANGLE OF 85°05'49", A CHORD BEARING AND DISTANCE OF NORTH 1°01'23" EAST FOR 33.81 FEET, FOR AN ARC DISTANCE OF 37.13 FEET TO A POINT OF REVERSE CURVATURE;

THENCE ALONG A 560.00 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 11°31'32", A CHORD BEARING AND DISTANCE OF NORTH 35°45'46" WEST FOR 112.46 FEET, FOR AN ARC DISTANCE OF 112.65 FEET TO A POINT OF TANGENCY; THENCE NORTH 30°00'00" WEST FOR A DISTANCE OF 300.00 FEET TO A POINT OF CURVATURE; THENCE ALONG A 25.00 FOOT RADIUS CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 90°00'00", A CHORD BEARING AND DISTANCE OF NORTH 75°00'00" WEST FOR 35.36 FEET, FOR AN ARC DISTANCE OF 39.27 FEET;

THENCE NORTH 30°00'00" WEST FOR A DISTANCE OF 50.00 FEET; THENCE SOUTH 60°00'00" WEST FOR A DISTANCE OF 5.00 FEET TO A POINT OF CURVATURE; THENCE ALONG A 200.00 FOOT RADIUS CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 40°11'24", A CHORD BEARING AND DISTANCE OF SOUTH 39°54'18" WEST FOR 137.43 FEET, FOR AN ARC DISTANCE OF 140.29 FEET TO A POINT OF TANGENCY; THENCE SOUTH 19°48'36" WEST FOR A DISTANCE OF 311.22 FEET TO A POINT OF CURVATURE; THENCE ALONG A 875.00 FOOT RADIUS CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 25°09'53", A CHORD BEARING AND DISTANCE OF SOUTH 7°13'40" WEST FOR 381.22 FEET, FOR AN ARC DISTANCE OF 384.31 FEET; THENCE SOUTH 84°38'43" WEST FOR A DISTANCE OF 178.81 FEET; THENCE SOUTH 34°16'22" WEST FOR A DISTANCE OF 174.17 FEET; THENCE SOUTH 21°36'06" EAST FOR A DISTANCE OF 548.34 FEET TO A POINT ON THE SOUTH LINE OF SAID N/2 SW/4; THENCE SOUTH 88°46'10" WEST ALONG SAID SOUTH LINE AND ALONG THE NORTH LINE OF "CREEK HOLLOW II," AN ADDITION IN WAGONER COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, AS FILED IN BOOK 6, PAGE 34, WAGONER COUNTY RECORDS, FOR A DISTANCE OF 221.03 FEET; THENCE NORTH 61°40'25" WEST FOR A DISTANCE OF 287.89 FEET; THENCE SOUTH 88°44'21" WEST FOR A DISTANCE OF 25.00 FEET TO A POINT ON THE WEST LINE OF THE N/2 SW/4; THENCE NORTH 1°24'11" WEST AND ALONG SAID WEST LINE OF THE N/2 SW/4, FOR A DISTANCE OF 1177.21 FEET TO A POINT, SAID POINT BEING THE NORTHWEST CORNER THEREOF; THENCE NORTH 1°19'23" WEST AND ALONG THE WEST LINE OF SAID NW/4, FOR A DISTANCE OF 909.78 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINING 2,334,875 SQUARE FEET, OR 53.601 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 BRASS CAP STEM AT THE NORTHWEST CORNER OF SECTION 36;  
B) FOUND BRASS CAP STEM AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SECTION 36;

THE BEARING BETWEEN SAID MONUMENTS BEING SOUTH 1°19'23" EAST.

AND THE OWNER HAS CAUSED THE ABOVE-DESCRIBED LAND TO BE SURVEYED, STAKED, PLATTED, DEDICATED, ACCESS RIGHTS RESERVED, AND SUBDIVIDED INTO ONE HUNDRED SIX (106) LOTS IN FIVE (5) BLOCKS ALONG WITH THE RESERVE AREAS, COMMON AREAS, AND STREETS IN CONFORMITY WITH THE ACCOMPANYING PLAT AND SURVEY ("THE PLAT") AND HAS DESIGNATED THE SUBDIVISION AS "THE WOODS BLOCKS 1-5," A SUBDIVISION WITHIN THE CITY OF COWETA, WAGONER COUNTY, OKLAHOMA ("SUBDIVISION"). THE OWNER HEREBY SUBJECTS THE LAND DESCRIBED ABOVE TO THE PROVISIONS, COVENANTS, AND RESTRICTIONS SET FORTH HEREIN WHICH SHALL RUN WITH THE LAND AND BE BINDING ON EVERY LOT AND RESERVE AREA AND EVERY OWNER THEREOF FOR THE PERIOD AS HEREAFTER DEFINED.

SECTION I. PUBLIC STREETS, EASEMENTS, AND UTILITIES

A. PUBLIC STREETS AND UTILITY EASEMENTS

THE OWNER DOES HEREBY DEDICATE FOR PUBLIC USE THE STREET RIGHTS-OF-WAY DEPICTED ON THE ACCOMPANYING PLAT AND DOES FURTHER DEDICATE FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT 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, COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, AND WATERLINES, TOGETHER WITH ALL VALVES, METERS, AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND OTHER APPURTENANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES AFORESAID, TOGETHER WITH SIMILAR EASEMENT RIGHTS IN THE PUBLIC STREETS, PROVIDED HOWEVER, THAT THE OWNER HEREBY RESERVES THE RIGHT TO CONSTRUCT AND MAINTAIN WATERLINES AND SEWERLINES WITHIN THE UTILITY EASEMENTS FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICE TO AREAS WITHIN OR OUTSIDE THE PLAT AND THE OWNER FURTHER RESERVES THE RIGHT TO CONSTRUCT AND MAINTAIN WITHIN THE UTILITY EASEMENTS PROPERLY-PERMITTED PARKING AREAS, LANDSCAPING, SCREENING FENCES AND WALLS, AND OTHER NON-OBSTRUCTING IMPROVEMENTS.

B. WATER, SANITARY SEWER, AND STORM SEWER SERVICE

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 ON THE LOT OR RESERVE AREA.
2. WITHIN THE DEPICTED UTILITY EASEMENT AREAS, THE ALTERATION OF GRADE IN EXCESS OF THREE (3) FEET FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER, SHALL BE PROHIBITED. WITHIN THE UTILITY EASEMENTS, IF THE GROUND ELEVATIONS ARE ALTERED BY THE LOT OR RESERVE AREA OWNER FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER, ALL GROUND LEVEL APPURTENANCES, INCLUDING VALVE BOXES, FIRE HYDRANTS, AND MANHOLES SHALL BE ADJUSTED TO THE ALTERED GROUND ELEVATIONS BY THE OWNER OF THE LOT OR RESERVE AREA OR, AT ITS ELECTION, THE CITY OF COWETA, OKLAHOMA, MAY MAKE SUCH ADJUSTMENT AT SUCH OWNER'S EXPENSE.

3. WAGONER COUNTY RURAL WATER DISTRICT NO. 5 OR ITS SUCCESSORS SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER FACILITIES, AND THE CITY OF COWETA OR ITS SUCCESSORS SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF SANITARY SEWER AND STORM SEWER FACILITIES, BUT THE LOT OR RESERVE AREA OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF SAID OWNER OR SAID OWNER'S AGENTS OR CONTRACTORS.

4. WAGONER COUNTY RURAL WATER DISTRICT NO. 5 AND THE CITY OF COWETA, OR THEIR RESPECTIVE SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS WITH THEIR EQUIPMENT TO ALL UTILITY EASEMENTS DEPICTED ON THE 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.

5. THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION B. SHALL BE ENFORCEABLE BY THE CITY OF COWETA AND WAGONER COUNTY RURAL WATER DISTRICT NO. 5, OR THEIR RESPECTIVE SUCCESSORS, AND EACH LOT AND RESERVE AREA OWNER AGREES TO BE BOUND HEREBY.

C. UNDERGROUND SERVICE

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

2. UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WHICH MAY BE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL, OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE AS MAY BE LOCATED UPON THE LOT. PROVIDED THAT, UPON THE INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE, AND NON-EXCLUSIVE RIGHT-OF-WAY EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE GAS MAIN, SERVICE PEDESTAL, OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.

3. THE SUPPLIER OF ELECTRIC, COMMUNICATION, AND GAS SERVICES, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS WITH ITS EQUIPMENT 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 ELECTRIC, COMMUNICATION, OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.

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

5. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH C. SHALL BE ENFORCEABLE BY EACH SUPPLIER OF THE ELECTRIC, COMMUNICATION, OR GAS SERVICE AND EACH LOT AND RESERVE AREA OWNER AGREES TO BE BOUND HEREBY.

D. PAVING AND LANDSCAPING WITHIN EASEMENTS

THE OWNER OF THE LOT OR RESERVE AREA SHALL BE RESPONSIBLE FOR REPAIR OF DAMAGE TO LANDSCAPING AND PAVING RESULTING FROM THE ACTIONS OF THE CITY OF COWETA OR THE SUPPLIER OF UTILITY SERVICES, IN PERFORMING NECESSARY INSTALLATION OF OR MAINTENANCE TO THE UNDERGROUND WATER, SANITARY SEWER, STORM SEWER, GAS, COMMUNICATION, OR ELECTRIC FACILITIES WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT; PROVIDED, HOWEVER, THAT THE CITY OF COWETA, OR THE SUPPLIER OF THE UTILITY SERVICE, SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

E. SURFACE DRAINAGE

EACH LOT AND RESERVE AREA WITHIN THE SUBDIVISION SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS, RESERVE AREAS, AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM ADJACENT STREETS AND EASEMENTS. 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 SAID OWNER'S LOT OR RESERVE AREA. THE COVENANTS SET FORTH IN THIS SUBSECTION E. SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OR RESERVE AREA OWNER AND THE CITY OF COWETA, OKLAHOMA.

F. RESERVE AREAS

1. RESERVES A AND B, AS DEPICTED UPON THE ACCOMPANYING PLAT, ARE ESTABLISHED FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF RESIDENTIAL LOTS WITHIN THE SUBDIVISION AND ARE HEREBY RESERVED FOR SUBSEQUENT CONVEYANCE TO THE HOME OWNERS ASSOCIATION AS SET FORTH IN SECTION III. HEREIN.

2. RESERVES A AND B ARE RESERVED FOR PRIVATE RECREATION AND OPEN SPACE INCLUDING, BUT NOT NECESSARILY LIMITED TO: PRIVATE PARKS, SIDEWALKS AND TRAILS, LANDSCAPING, IRRIGATION, SIGNAGE, ENTRY FEATURES, LIGHTING, FENCING, AND OTHER USES AS MAY BE PERMITTED BY THE CITY OF COWETA, FOR STORMWATER DRAINAGE, AND FOR UTILITIES.

3. ALL COSTS AND EXPENSES ASSOCIATED WITH RESERVES A AND B, INCLUDING MAINTENANCE OF VARIOUS IMPROVEMENTS AND RECREATIONAL FACILITIES, SHALL BE THE RESPONSIBILITY OF THE OWNER THEREOF, WHICH SHALL BE THE HOME OWNERS ASSOCIATION, AS PROVIDED IN SECTION III. HEREIN, UPON CONVEYANCE OF RESERVES A AND B TO THE ASSOCIATION. THE CITY OF COWETA SHALL NOT BE LIABLE FOR ANY DAMAGE OR REMOVAL OF ANY LANDSCAPING OR IRRIGATION SYSTEMS IN RESERVES A OR B.

4. IN THE EVENT THE OWNER OF ANY RESERVE AREA FAILS TO PROPERLY MAINTAIN THE RESERVE AREA, THE CITY OF COWETA, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR, MAY ENTER THE RESERVE AREA AND PERFORM MAINTENANCE NECESSARY, AND THE COSTS THEREOF SHALL BE PAID BY THE OWNER THEREOF, WHICH SHALL BE THE HOME OWNERS ASSOCIATION, AS SET FORTH IN SECTION III. HEREIN, UPON CONVEYANCE OF RESERVES A AND B TO THE ASSOCIATION. IN THE EVENT ANY RESERVE AREA OWNER FAILS TO TIMELY PAY THE COST OF SAID MAINTENANCE, AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, THE CITY OF COWETA, OKLAHOMA, MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS, AND THEREAFTER SUCH COSTS OF MAINTENANCE SHALL BECOME A LIEN ON THE RESERVE AREA, WHICH LIEN MAY BE FORECLOSED BY THE CITY OF COWETA, OKLAHOMA, OR THE CITY OF COWETA PUBLIC WORKS AUTHORITY MAY ADD SUCH BILLING PRORATED UPON THE RESIDENTIAL LOT OWNER'S WATER BILL, WHICH METHOD OF COLLECTION SHALL BE DETERMINED BY THE CITY OF COWETA.

5. EACH LOT AND RESERVE AREA OWNER OR RESIDENT AGREES TO HOLD HARMLESS THE OWNER AND THE CITY OF COWETA, OKLAHOMA, 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 COWETA NOR THE OWNER SHALL BE LIABLE TO THE LOT OR RESERVE AREA OWNER OR RESIDENT 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 OR ANY GUEST, VISITOR, OR INVITEE THEREOF.

G. OVERLAND DRAINAGE EASEMENTS

1. THE OWNER/DEVELOPER DOES HEREBY ESTABLISH AND 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 AND UNDERGROUND 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 BY THE OWNER IN ACCORDANCE WITH THE ADOPTED STANDARDS OF THE CITY OF COWETA, OKLAHOMA, AND PLANS AND SPECIFICATIONS APPROVED BY THE CITY OF COWETA, 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 THE EASEMENT UNLESS APPROVED BY THE DEPARTMENT OF PUBLIC WORKS OF THE CITY OF COWETA, OKLAHOMA, PROVIDED THAT, WHERE COINCIDENT WITH UTILITY EASEMENTS, NON-OBSTRUCTING ABOVE-GROUND UTILITY APPURTENANCES SHALL BE PERMITTED. ALL LANDSCAPING, EXCEPT THE PLANTING OF TURF, SHALL REQUIRE THE APPROVAL OF THE CITY OF COWETA, OKLAHOMA.

4. DRAINAGE FACILITIES CONSTRUCTED WITHIN OVERLAND DRAINAGE EASEMENTS SHALL BE MAINTAINED BY THE LOT OR RESERVE AREA OWNER CONTAINING SUCH EASEMENT, AT SUCH OWNER'S EXPENSE, TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED STORMWATER DRAINAGE FUNCTIONS, INCLUDING REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION. CUSTOMARY GROUNDS MAINTENANCE SHALL BE PERFORMED AS PRESCRIBED BY THE CITY OF COWETA, OKLAHOMA, OR, ABSENT SUCH PRESCRIPTIONS, IN ACCORDANCE WITH THE FOLLOWING MINIMUM STANDARDS:

- a. GRASS AREAS SHALL BE MOWED (IN SEASON) AT REGULAR INTERVALS OF FOUR (4) WEEKS, OR LESS.
- b. CONCRETE APPURTENANCES SHALL BE MAINTAINED IN GOOD CONDITION AND REPLACED IF DAMAGED.
- c. DRAINAGE FACILITIES SHALL BE KEPT FREE OF DEBRIS.
- d. CLEANSING OF SILTATION AND VEGETATION FROM CONCRETE CHANNELS SHALL BE PERFORMED TWICE YEARLY.

5. IN THE EVENT THE LOT OR RESERVE AREA OWNER SUBJECT TO THE OVERLAND DRAINAGE EASEMENT FAILS TO PROPERLY MAINTAIN THE EASEMENT AREAS LOCATED THEREON OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN SUCH EASEMENTS, THE ALTERATION OF GRADE THEREIN, OR THE ALLOWANCE OF THE

ACCUMULATION OF SILTATION, THE CITY OF COWETA, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR, MAY ENTER THE EASEMENT AREA AND PERFORM MAINTENANCE NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR SILTATION OR CORRECT ANY ALTERATION OF GRADE, AND THE COSTS SHALL BE PAID BY THE LOT OR RESERVE AREA OWNER. IN THE EVENT SUCH OWNER FAILS TO PAY THE COST OF MAINTENANCE AFTER RECEIPT OF A STATEMENT OF COSTS FROM THE CITY OF COWETA, OKLAHOMA, THE CITY MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS IN THE RECORDS OF THE WAGONER COUNTY CLERK, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST THE LOT OR RESERVE AREA OWNER, WHICH LIEN MAY BE FORECLOSED BY THE CITY OF COWETA, OKLAHOMA, OR THE CITY OF COWETA PUBLIC WORKS AUTHORITY MAY ADD SUCH BILLING PRORATED UPON THE LOT OR RESERVE AREA OWNER'S WATER BILL, WHICH METHOD OF COLLECTION SHALL BE DETERMINED BY THE CITY OF COWETA.

H. LIMITS OF NO ACCESS

THE OWNER HEREBY RELINQUISHES RIGHT OF INGRESS AND EGRESS TO THE ABOVE DESCRIBED PROPERTY WITHIN THE BOUNDS DESIGNATED ON THE ACCOMPANYING PLAT AS "LIMITS OF NO ACCESS" ("LINA") EXCEPT AS MAY HEREAFTER BE RELEASED, ALTERED, OR AMENDED BY THE LOT OR RESERVE AREA OWNER AND COWETA PLANNING COMMISSION, OR ITS SUCCESSORS, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA, PERTAINING THERETO. THE FORGOING COVENANT CONCERNING "LIMITS OF NO ACCESS" SHALL BE ENFORCEABLE BY THE CITY OF COWETA, OR ITS SUCCESSORS, AND THE OWNER OF EACH LOT OR RESERVE AREA AGREES TO BE BOUND HEREBY.

SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS, THE PROPERTY COMPRISING "THE WOODS BLOCKS 1-5" WAS SUBMITTED AS PART OF A PLANNED UNIT DEVELOPMENT (PUD) NO. PUD-R 13-02 ("COWETA CROSSING") AS PROVIDED WITHIN CHAPTER 16 OF THE COWETA, OKLAHOMA ZONING CODE, AND

WHEREAS, PUD NO. PUD-R 13-02 WAS AFFIRMATIVELY RECOMMENDED BY THE CITY OF COWETA PLANNING COMMISSION ON FEBRUARY 24, 2014, AND APPROVED BY THE COWETA CITY COUNCIL ON MARCH 3, 2014 WITH IMPLEMENTING ORDINANCE (ORDINANCE NO. 744) APPROVED MARCH 3, 2014, WITH EMERGENCY CLAUSE ATTACHED, MAKING THE ORDINANCE EFFECTIVE IMMEDIATELY, AND

WHEREAS, THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE COWETA ZONING CODE REQUIRE THE ESTABLISHMENT OF COVENANTS OF RECORD INURING TO AND ENFORCEABLE BY THE CITY OF COWETA, SUFFICIENT TO INSURE THE IMPLEMENTATION AND CONTINUED COMPLIANCE WITH THE APPROVED PLANNED UNIT DEVELOPMENT AND ANY AMENDMENTS THERETO, AND

WHEREAS, THE OWNER DESIRES TO AND DOES HEREBY ESTABLISH THE FOLLOWING RESTRICTIONS FOR THE PURPOSE OF PROVIDING FOR THE ORDERLY DEVELOPMENT OF THE SUBDIVISION AND ALL PROPERTY THEREIN AND TO INSURE ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE OWNER, ITS SUCCESSORS AND ASSIGNS, ALL FUTURE LOT OWNERS, AND THE CITY OF COWETA, OKLAHOMA.

NOW, 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

1. DEVELOPMENT IN ACCORDANCE WITH PUD THE SUBDIVISION SHALL BE DEVELOPED AND USED IN SUBSTANTIAL ACCORDANCE WITH THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF PUD NO. PUD-R 13-02, AS APPROVED BY THE CITY OF COWETA, OR IN SUBSTANTIAL ACCORDANCE WITH SUCH MODIFICATIONS OR AMENDMENTS OF THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF PUD-R 13-02 AS MAY BE SUBSEQUENTLY APPROVED.

2. APPLICABLE ORDINANCE THE DEVELOPMENT OF THE SUBDIVISION SHALL BE SUBJECT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE CITY OF COWETA ZONING CODE AS SUCH PROVISIONS EXISTED ON MARCH 3, 2014.

B. DEVELOPMENT STANDARDS FOR PUD-R 13-02 DEVELOPMENT AREA B

(RESIDENTIAL SINGLE-FAMILY- SCHOOL SITE- MUNICIPAL COMMUNITY CENTER, GOLF COURSE/ DRIVING RANGE) (ALL OF "THE WOODS BLOCKS 1-5" EXCEPT RESERVE A AND EXCEPT LOT 1, BLOCK 1, BUT INCLUDING A SOUTHERLY PORTION OF LOT 1, BLOCK 1, CONTAINING APPROXIMATELY 7.292 ACRES, ALL AS LEGALLY DESCRIBED IN PUD)

LAND AREA:\*  
GROSS: 276.735 ACRES 12,054,576 SQUARE FEET  
NET: 276.735 ACRES 12,054,576 SQUARE FEET

\* LAND AREA CALCULATIONS MAY DIFFER BETWEEN ORIGINAL PUD (QUOTED HERE) AND THIS PLAT. DEVELOPMENT AREA B OF ORIGINAL PUD INCLUDED AREAS NOT A PART OF THIS PLAT.

PERMITTED USES (TO BE ALLOWED BY RIGHT): THOSE PERMITTED PRINCIPAL USES, PERMITTED ACCESSORY USES AND USES PERMITTED BY SPECIAL EXCEPTION IN THE RS ZONING DISTRICT, IN ACCORDANCE WITH SECTIONS 410, 420, 430, 440 IN THE ZONING CODE. PROVIDED, BARS, TAVERNS, NIGHT CLUBS AND ADULT ENTERTAINMENT ESTABLISHMENTS SHALL BE PROHIBITED, EXCEPT THAT ANY RESTAURANT OR EATING ESTABLISHMENT CONSTRUCTED ON THE SITE SHALL BE PERMITTED TO SERVE ALCOHOLIC BEVERAGES AND HAVE A SEPARATE BAR AREA AS PART OF THE ESTABLISHMENT, SUBJECT TO COMPLIANCE WITH STATE LAW REGULATING THE SALE OF ALCOHOLIC BEVERAGES.

THE MINIMUM YARD REQUIREMENTS FOR RS-2 WILL APPLY TO ALL SINGLE FAMILY RESIDENTIAL ZONED LOTS. AT THE TIME OF THE FILING OF THIS PLAT, THE SAME ARE:

FRONT: 25 FEET (NO HOUSES WILL FRONT 121ST STREET SOUTH)  
REAR: 20 FEET  
REAR: 25 FEET (BACKING TO 121ST STREET SOUTH)  
SIDE (INTERIOR): 5 FEET  
SIDE (STREET): 15 FEET  
SIDE (STREET): 20 FEET (ALONG 121ST STREET SOUTH)  
MAXIMUM BUILDING HEIGHT: THREE STORY\*  
45 FEET IN HEIGHT

\*\*(THREE STORY HEIGHT MAY VARY DEPENDING ON TYPE OF FINISH.)

MINIMUM LOT AREA 5,000 SQUARE FEET  
MINIMUM LOT WIDTH 50 FEET



Draft Final Plat  
PUD-R 13-02

The Woods  
BLOCKS 1-5

PART OF THE NORTHWEST QUARTER (NW/4) AND PART OF THE NORTH HALF  
OF THE SOUTHWEST QUARTER (N/2 SW/4) OF SECTION THIRTY-SIX (36)  
TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN MERIDIAN  
A SUBDIVISION WITHIN THE CITY OF COWETA, WAGONER COUNTY, STATE OF OKLAHOMA

C. DEVELOPMENT STANDARDS FOR PUD-R 13-02 DEVELOPMENT AREA C  
(RESIDENTIAL MULTI-FAMILY) (RESERVE A AND LOT 1, BLOCK 1, EXCEPTING A SOUTHERLY  
PORTION OF LOT 1, BLOCK 1, CONTAINING APPROXIMATELY 7.292 ACRES, ALL AS  
LEGALLY DESCRIBED IN PUD)

LAND AREA:\*  
FRONT: 23.3 ACRES 1,014,948 SQUARE FEET  
NET: 23.3 ACRES 1,014,948 SQUARE FEET  
\* LAND AREA CALCULATIONS MAY DIFFER BETWEEN ORIGINAL PUD (QUOTED HERE)  
AND THIS PLAT.

PERMITTED USES (TO BE ALLOWED BY RIGHT IN THE RM-1 ZONING DISTRICT): THOSE  
PERMITTED PRINCIPAL USES, PERMITTED ACCESSORY USES AND USES PERMITTED BY  
SPECIAL EXCEPTION IN THE RM-1 ZONING DISTRICT, IN ACCORDANCE WITH SECTIONS  
610, 620, 630, 640 IN THE ZONING CODE. PROVIDED, BARS, TAVERNS, NIGHT CLUBS AND  
ADULT ENTERTAINMENT ESTABLISHMENTS SHALL BE PROHIBITED, EXCEPT THAT ANY  
RESTAURANT OR EATING ESTABLISHMENT CONSTRUCTED ON THE SITE SHALL BE  
PERMITTED TO SERVE ALCOHOLIC BEVERAGES AND HAVE A SEPARATE BAR AREA AS PART  
OF THE ESTABLISHMENT, SUBJECT TO COMPLIANCE WITH STATE LAW REGULATING THE  
SALE OF ALCOHOLIC BEVERAGES.

MINIMUM YARD REQUIREMENTS PER SECTION 600 OF THE ZONING CODE. AT THE  
TIME OF THE FILING OF THIS PLAT, THE SAME ARE:

FRONT: 25 FEET FROM EXISTING OR PLANNED RIGHT-OF-WAY (NO  
FRONTAGE ON 121ST STREET SOUTH)  
REAR: 20 FEET (PRINCIPAL BUILDING)  
REAR: 10 FEET (GARAGE APARTMENTS AND DETACHED ACCESSORY  
BUILDINGS)  
REAR: 5 FEET FROM UTILITY EASEMENT (IF GREATER THAN FROM  
REAR LOT LINE; GARAGE APARTMENTS AND DETACHED  
ACCESSORY BUILDINGS ONLY)  
SIDE (INTERIOR): 5 FEET\*\*\*  
SIDE (STREET): 15 FEET FROM EXISTING OR PLANNED RIGHT-OF-WAY (NO  
FRONTAGE ON 121ST STREET SOUTH)

\*\*\*FOR PRINCIPAL STRUCTURES OTHER THAN SINGLE- AND TWO-FAMILY DWELLINGS,  
AN ADDITIONAL 10-FOOT SETBACK SHALL APPLY FOR EACH STORY ABOVE ONE (1).

D. DEVELOPMENT STANDARDS FOR ALL PROPERTY

1. LANDSCAPED AREA AND SCREENING ALL DEVELOPMENT AND CONSTRUCTION  
SHALL COMPLY WITH CHAPTER 24 OF THE ZONING CODE.

2. SIGNS SIGNAGE SHALL COMPLY WITH CHAPTER 18 OF THE ZONING CODE, WITH  
THE MAXIMUM SURFACE AREA OF A TEMPORARY OR PERMANENT SIGN SIZE BEING 192  
SQUARE FEET.

NO SIGN PERMITS SHALL BE ISSUED FOR ERECTION OF A SIGN WITHIN THE PUD  
UNTIL A DETAIL SIGN PLAN FOR THE PROPERTY HAS BEEN SUBMITTED TO THE CITY OF  
COWETA OFFICIAL (WHO HAS AUTHORITY TO ISSUE SIGN PERMITS) AND APPROVED AS  
BEING IN COMPLIANCE WITH THE APPROVED PUD DEVELOPMENT STANDARDS.

EACH AND EVERY SIGN WILL BE ARCHITECTURALLY PLEASING AND WELL  
LANDSCAPED.

3. LIGHTING FLASHING SIGNS, CHANGEABLE COPY SIGNS, RUNNING LIGHT OR  
TWINKLE SIGNS, ANIMATED SIGNS, REVOLVING OR ROTATING SIGNS WITH MOVEMENT  
SHALL BE PROHIBITED, EXCEPT AS MAY BE PERMITTED BY THE COWETA ZONING CODE AS  
PART OF THE APPROVED DETAIL SIGN PLAN.

LIGHTING USED TO ILLUMINATE THE DEVELOPMENT AREA SHALL BE SO  
ARRANGED AS TO SHIELD AND DIRECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL  
AREAS AND RESIDENTIAL USES WITHIN THE PUD. NO LIGHT STANDARD OR  
BUILDING-MOUNTED LIGHT SHALL EXCEED FIVE STORIES IN HEIGHT.

4. TRASH, MECHANICAL AND EQUIPMENT AREAS THERE SHALL BE NO STORAGE OF  
RECYCLEABLE MATERIALS, TRASH OR SIMILAR MATERIAL OUTSIDE A SCREENED  
RECEPTACLE. ALL TRASH, MECHANICAL AND EQUIPMENT AREAS, INCLUDING BUILDING  
MOUNTED, SHALL BE SCREENED FROM PUBLIC VIEW IN SUCH A MANNER THAT THE  
AREAS CANNOT BE SEEN FROM A PUBLIC STREET.

5. TOPOGRAPHY, DRAINAGE AND UTILITIES DRAINAGE. ALL STORM WATER  
DRAINAGE STRUCTURES SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH  
ALL APPLICABLE CITY OF COWETA ORDINANCES AND REGULATIONS.

A PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF OKLAHOMA SHALL  
CERTIFY TO THE APPROPRIATE CITY OFFICIAL THAT ALL REQUIRED STORMWATER  
DRAINAGE STRUCTURES SERVING THE SITE HAVE BEEN INSTALLED IN ACCORDANCE WITH  
THE APPROVED PLANS PRIOR TO ISSUANCE OF AN OCCUPANCY PERMIT ON THAT  
PROPERTY.

DURING CONSTRUCTION ON THE PROPERTY, THE OWNER WILL PROVIDE  
ADEQUATE AND REASONABLE EROSION CONTROL, AND, AFTER CONSTRUCTION, THEY  
WILL PROVIDE AND MAINTAIN VEGETATIVE, LANDSCAPED GROUND COVER SO THAT SOIL  
DOES NOT ERODE ON OR FROM THE PROPERTY.

6. ACCESS, CIRCULATION AND PARKING ACCESS, TRAFFIC CIRCULATION AND  
PARKING AREAS ARE DEPICTED ON EXHIBIT F OF THE PUD. SOME OF THE DRIVES AND  
PARKING AREAS WITHIN THE PUD MAY BE PRIVATELY OWNED AND MAINTAINED. PUBLIC  
STREETS THROUGH DEVELOPMENT AREA B WILL BE PUBLICLY OWNED AND MAINTAINED.  
MUTUAL ACCESS BETWEEN AND ACROSS INDIVIDUAL PROPERTIES AND MUTUAL  
PARKING PRIVILEGES WITHIN THE PUD SHALL BE PROVIDED BY A MUTUAL ACCESS  
AGREEMENT TO BE RECORDED IN OFFICE OF THE WAGONER COUNTY CLERK BY THE  
OWNER/DEVELOPER.

PEDESTRIAN ACCESS AND CIRCULATION SHALL BE DEPICTED ON THE DETAILED  
SITE PLAN DRAWING AND/OR LANDSCAPE PLAN REQUIRED BY THE CITY OF COWETA. AS  
STATED ABOVE, ALL MUTUAL ACCESS DRIVES IN THE PUD MAY BE PRIVATE DRIVES,  
WHICH SHALL BE CONSTRUCTED IN ACCORDANCE WITH ALL APPLICABLE CITY OF  
COWETA CODES, REGULATIONS AND STANDARDS.

SECTION III. HOME OWNERS ASSOCIATION

B. FORMATION OF HOME OWNERS ASSOCIATION; ADDITIONAL LANDS

THE OWNER HAS FORMED OR SHALL CAUSE TO BE FORMED A HOME OWNERS  
ASSOCIATION ("HOA") TO GOVERN THE SUBDIVISION. THE HOA SHALL BE ESTABLISHED  
IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA AND BYLAWS  
PREPARED BY OWNER OR ITS ASSIGNEE, FOR THE GENERAL PURPOSES OF MAINTAINING  
THE COMMON AREAS, INCLUDING WITHOUT LIMITATION ALL RESERVE AREAS, AND  
ENHANCING THE VALUE, DESIRABILITY AND ATTRACTIVENESS OF THE SUBDIVISION AND  
ANY ADDITIONS THERETO. OWNER SHALL BE ENTITLED TO APPOINT THE BOARD OF  
DIRECTORS FOR THE HOA AS PROVIDED IN THE BYLAWS. IT IS CONTEMPLATED THAT  
ADDITIONAL LANDS/PHASES ADJOINING THE SUBDIVISION, AND SUBSEQUENTLY PLATTED  
FOR SINGLE FAMILY RESIDENTIAL PURPOSES, MAY BE ANNEXED BY THE OWNER (OR ITS

ASSIGNEE OR AN AFFILIATED CORPORATE OWNER) TO THE SUBDIVISION AND  
GEOGRAPHIC JURISDICTION AND BYLAWS OF THE HOA, WHICH MAY BE ACCOMPLISHED  
BY THE OWNER (OR ITS ASSIGNEE OR AN AFFILIATED CORPORATE OWNER) BY FILING A  
SUPPLEMENTAL DECLARATION HERETO, OR BY NOTING SUCH ANNEXATION ON A  
SEPARATE DEED OF DEDICATION FOR THE ADDITIONAL LANDS/PHASES TO BE ANNEXED  
HERETO, OR OTHER INSTRUMENT ADDING SUCH ADDITIONAL LANDS/PHASES TO THE  
SUBDIVISION AND THE JURISDICTION OF THE HOA, IN WHICH CASE ANY SUCH  
LANDS/PHASES AND THE SUBSEQUENT OWNERS THEREOF SHALL BE UNDER THE  
JURISDICTION OF THE HOA AND ALL RULES PERTAINING THERETO.

C. MEMBERSHIP

EVERY PERSON OR ENTITY WHO ACCEPTS A DEED FOR A LOT IN THE SUBDIVISION AND IS  
A RECORD OWNER OF THE FEE INTEREST OF A LOT IN THE SUBDIVISION SHALL BE A  
MEMBER OF THE HOA AND SUBJECT TO ITS BYLAWS AND RULES. MEMBERSHIP SHALL BE  
APPURTENANT TO AND SHALL NOT BE SEPARATED FROM OWNERSHIP OF A LOT.

D. ASSESSMENTS

EACH OWNER OF A LOT WITHIN THE SUBDIVISION, EXCEPT OWNER/DECLARANT, BY  
ACCEPTANCE OF A DEED THEREFOR, IS DEEMED TO COVENANT AND AGREE TO PAY TO  
THE HOA CERTAIN ASSESSMENTS TO BE ESTABLISHED BY THE BOARD OF DIRECTORS IN  
ACCORDANCE WITH THESE COVENANTS AND AS AMENDED AND THE BYLAWS OF THE  
HOA, TO BE EXECUTED BY THE OWNER FOR THE MAINTENANCE AND IMPROVEMENT OF  
THE COMMON AREAS OWNED OR MAINTAINED BY THE HOA AND FOR OTHER PURPOSES  
WHICH BENEFIT THE SUBDIVISION AND THE OWNERS OF LOTS THEREIN, AND ANY  
UNPAID SUCH ASSESSMENTS SHALL BE A LIEN ON THE LOT AGAINST WHICH IT IS MADE,  
BUT THE LIEN SHALL BE SUBORDINATE TO THE LIEN OF ANY FIRST MORTGAGE.

E. MAINTENANCE OF COMMON AREAS

THE HOA SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL COMMON AREAS AS  
DEPICTED ON THE PLAT, OR AS DESCRIBED IN THESE COVENANTS, AND AS AMENDED,  
WHICH MAY INCLUDE BUT NOT BE LIMITED TO ENTRYWAYS, DRAINAGE AND  
DETENTION/RETENTION FACILITIES, PERIMETER FENCING, AND OTHER COMMON AREAS  
AND RESERVE AREAS AS DEPICTED ON THE PLAT, OR DESCRIBED IN THESE COVENANTS,  
AND AS AMENDED.

F. LIMITATION ON LIABILITY

THE HOA SHALL BE ENTITLED TO ALL PROTECTIONS AFFORDED UNDER OKLAHOMA'S  
GENERAL CORPORATION ACT AND ANY OTHER LAWS PROVIDING PROTECTION TO  
OWNER'S ASSOCIATIONS. NEITHER ANY MEMBER NOR OWNER, NOR THE DIRECTORS  
AND OFFICERS OF THE HOA SHALL BE PERSONALLY LIABLE FOR DEBTS CONTRACTED FOR  
OR OTHERWISE INCURRED BY THE HOA OR FOR ANY TORTS COMMITTED BY OR ON  
BEHALF OF THE HOA OR OTHERWISE. NEITHER THE OWNER, THE HOA, ITS DIRECTORS,  
OFFICERS, AGENTS OR EMPLOYEES SHALL BE LIABLE FOR ANY INCIDENTAL OR  
CONSEQUENTIAL DAMAGES, FOR FAILURE TO INSPECT ANY PREMISES, IMPROVEMENTS  
OR PORTION THEREOF, OR FOR FAILURE TO REPAIR OR MAINTAIN THE SAME.

SECTION IV. RESTRICTIVE COVENANTS

THE SUBDIVISION (AND EACH LOT SITUATED THEREIN) SHALL BE CONSTRUCTED,  
DEVELOPED, OCCUPIED AND USED AS FOLLOWS.

A. NO DIVISION OF LOTS

NO LOT MAY BE DIVIDED OR SPLIT.

B. RESIDENTIAL LOTS

ALL LOTS WITHIN THE SUBDIVISION SHALL BE USED, KNOWN AND DESCRIBED AS  
RESIDENTIAL LOTS. ONLY ONE SINGLE FAMILY RESIDENTIAL DWELLING SHALL BE  
PERMITTED ON EACH LOT. IN ADDITION, ONLY CUSTOMARY AND USUAL NECESSARY  
STRUCTURES MAY BE CONSTRUCTED ON EACH LOT AS MAY BE PERMITTED BY THE CITY.  
NO BUILDING OR STRUCTURE INTENDED FOR OR ADAPTED TO BUSINESS PURPOSES  
SHALL BE ERRECTED, PLACED, PERMITTED OR MAINTAINED ON ANY LOT. THIS COVENANT  
SHALL BE CONSTRUED AS PROHIBITING THE ENGAGING IN OR PRACTICE OF ANY  
COMMERCE, INDUSTRY, BUSINESS, TRADE OR PROFESSION WITHIN THE SUBDIVISION  
AND/OR WITHIN ANY LOT. THE RESTRICTIONS ON USE HEREIN CONTAINED SHALL BE  
CUMULATIVE OF AND IN ADDITION TO SUCH RESTRICTIONS ON USAGE AS MAY FROM  
TIME TO TIME BE APPLICABLE UNDER AND PURSUANT TO THE STATUTES, RULES,  
REGULATIONS AND ORDINANCES OF THE CITY OR ANY OTHER GOVERNMENTAL  
AUTHORITY OR POLITICAL SUBDIVISION HAVING JURISDICTION OVER THE SUBDIVISION.

C. RESIDENTIAL PURPOSES

BY ACQUISITION OF ANY LOT WITHIN THE SUBDIVISION, EACH OWNER (EXCLUDING  
BONA FIDE HOME BUILDERS) COVENANTS WITH AND REPRESENTS TO THE DECLARANT  
AND TO THE ASSOCIATION THAT THE LOT IS BEING SPECIFICALLY ACQUIRED FOR THE  
SPECIFIC AND SINGULAR PURPOSE OF CONSTRUCTING AND USING A SINGLE FAMILY  
RESIDENTIAL DWELLING THEREON, OR AS A RESIDENCE FOR SUCH OWNER AND/OR  
OWNER'S IMMEDIATE FAMILY MEMBERS.

D. SUBMISSION OF PLANS

IN ORDER TO MAINTAIN A BEAUTIFUL AND PLEASING SETTING IN THE SUBDIVISION TWO  
(2) SETS OF BUILDING AND SITE IMPROVEMENT PLANS AND SPECIFICATIONS MUST BE  
SUBMITTED TO THE ARCHITECTURAL CONTROL COMMITTEE ("COMMITTEE") FOR ITS  
APPROVAL PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. THE COMMITTEE SHALL  
ACT TO ENFORCE THE REQUIREMENTS OF THESE COVENANTS IN A REASONABLE  
MANNER. THE COMMITTEE HAS THE AUTHORITY TO MAINTAIN THE ARCHITECTURAL  
CONFORMITY OF THE SUBDIVISION, AND IN CONSIDERATION THEREOF SHALL DETERMINE  
THAT THE PROPOSED CONSTRUCTION SHALL NOT DETRACT FROM THE DEVELOPMENT  
AND SHALL ENHANCE THE PURPOSE OF THE DEVELOPMENT TO PROVIDE A BEAUTIFUL  
AND PLEASING SETTING IN THE SUBDIVISION. THE COMMITTEE SHALL CONSIDER SUCH  
MATTERS AS THE PROPOSED SQUARE FOOTAGE, LOCATION, MATERIALS, EXTERIOR STYLE  
AND LANDSCAPING, ETC. THE COMMITTEE MAY ADOPT RULES OR BYLAWS EXPLAINING  
THE MECHANICS OF ITS OPERATION AND PROVIDING FOR A TWENTY-ONE (21) DAY  
MAXIMUM TIME WITHIN WHICH PLANS MUST BE REVIEWED AND APPROVED OR  
DISAPPROVED AFTER SUBMISSION, AND IF NOT APPROVED OR DISAPPROVED IN THAT  
PERIOD, THAT THE SAME SHALL BE CONSIDERED AS AUTOMATICALLY APPROVED. THE  
BOARD MAY ALSO EXERCISE THE DUTIES OF THE COMMITTEE IN THE EVENT THE BOARD  
DEEMS IT NECESSARY AND EFFICIENT TO DO SO.

E. ARCHITECTURAL REQUIREMENTS

1. EACH DWELLING SHALL FRONT A DEDICATED PUBLIC STREET.  
2. NO BUILDING SHALL BE LOCATED CLOSER TO THE STREET THAN THE MINIMUM  
BUILDING OR SET-BACK LINES SHOWN ON THE RECORDED PLAT.  
3. ALL RESIDENCES SHALL HAVE ROOF SHINGLES THAT ARE GREY OR BLACK IN  
COLOR, PREFERABLY WEATHERWOOD. DEVIATION FROM THIS COLOR REQUIRES  
APPROVAL FROM THE ARC.

F. ADDITIONS TO EXISTING STRUCTURES

ALL ADDITIONS SHALL CONFORM TO THE BASIC STYLING AND MATERIALS OF THE  
DWELLING ON ANY LOT. ALL ADDITIONS SHALL FALL WITHIN THE BUILDING SET-BACKS  
ON SAID LOT AND SHALL NOT BE PLACED OVER ANY DRAINAGE OR UTILITY EASEMENT.  
ALL IMPROVEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE TO APPLICABLE CITY  
CODES, RULES AND REGULATIONS. ANY ADDITIONS CONTEMPLATED BY THE HOME  
OWNER OR LOT OWNER MUST SUBMIT PLANS PRIOR TO CONSTRUCTION TO THE  
COMMITTEE FOR APPROVAL. THE COMMITTEE HAS COMPLETE AND SOLE DISCRETION TO  
APPROVE, MODIFY, DENY OR CHANGE ANY REQUEST FOR AN ADDITION TO AN EXISTING  
STRUCTURE.

G. GARAGE AND DETACHED STRUCTURES AND STORAGE BUILDINGS

ALL RESIDENCES CONSTRUCTED IN THE SUBDIVISION SHALL HAVE A MINIMUM OF TWO  
(2) OFF-STREET PARKING SPACES, TO INCLUDE A PRIVATE GARAGE TO ACCOMMODATE A  
MINIMUM OF ONE (1) AUTOMOBILE AND A PARKING PAD FOR ONE (1) ADDITIONAL  
AUTOMOBILE. NO CARPORTS ARE ALLOWED ON THE SIDE, REAR OR FRONT YARDS OF  
ANY LOTS. EACH GARAGE SHALL BE FULLY ENCLOSED AND CONTAIN A FULL-LENGTH  
OVERHEAD STYLE DOOR. ALL GARAGE DOORS ARE TO BE KEPT CLOSED WHEN NOT  
ENTERING OR EXITING THE GARAGE. ANY DETACHED STRUCTURE TO BE BUILT ON A LOT,  
SUCH AS A COVERED ENTERTAINMENT AREA, GUEST HOUSE, POOL HOUSE, STORAGE  
BUILDING, OR OTHER STRUCTURE, SHALL CONFORM TO THE BASIC STYLING AND  
MATERIALS OF THE RESIDENTIAL DWELLING. ANY DETACHED STRUCTURE  
CONTEMPLATED FOR CONSTRUCTION BY ANY HOME OWNER OR LOT OWNER MUST,  
PRIOR TO CONSTRUCTION, SUBMIT ACCEPTABLE PLANS TO THE COMMITTEE FOR  
APPROVAL. THE COMMITTEE HAS COMPLETE AND SOLE DISCRETION TO APPROVE,  
MODIFY, DENY OR CHANGE ANY REQUEST FOR AN ADDITION TO ANY EXISTING  
STRUCTURE.

H. TEMPORARY STRUCTURES

NO TRAILER, MOBILE HOME, TENT, CONSTRUCTION SHACK, OR OTHER OUTBUILDING  
SHALL BE ERRECTED ON ANY LOT IN THE SUBDIVISION EXCEPT FOR TEMPORARY USE BY  
CONSTRUCTION CONTRACTORS FOR A REASONABLE PERIOD OF TIME.

I. FENCES

NO FENCE SHALL BE CONSTRUCTED ON ANY SAID LOT IN THE AREA BETWEEN THE FRONT  
BUILDING LINE OF ANY DWELLING AND THE FRONT LOT LINE OF ANY SAID LOT. NO FENCE  
ON A CORNER LOT SHALL BE CONSTRUCTED BEYOND THE SIDE SET-BACK LINE TOWARD  
THE STREET EXCEPT FOR THE COMMUNITY ENTRY. FURTHER, THE PLACEMENT/LOCATION  
OF ANY PERIMETER FENCING AROUND THE SUBDIVISION AS INITIALLY INSTALLED BY THE  
DECLARANT AND/OR ORIGINAL DEVELOPER MAY NOT BE ADJUSTED, RELOCATED OR  
MOVED WITHOUT THE PRIOR CONSENT OF THE COMMITTEE AND/OR THE BOARD. ANY  
PRIVACY FENCE SHALL BE CONSTRUCTED SO THAT THE FRAMING SHALL BE TOWARD THE  
INSIDE OF THE OWNER'S LOT. ALL FENCES MUST BE INSTALLED BY A PROFESSIONAL  
INSTALLER AND SHALL BE SIX FOOT (6') WOOD PRIVACY FENCING WITH VERTICAL  
BOARDS (NOT HORIZONTAL) AND NO CHAIN-LINK FENCES, WIRE, HOG WIRE, OR OTHER  
SIMILAR MATERIALS SHALL BE PERMITTED. PRIOR TO INSTALLATION, THE FENCE DESIGN  
AND NAME OF THE INSTALLER MUST BE APPROVED BY THE COMMITTEE.

J. MAILBOXES

ALL MAILBOXES SHALL BE APPROVED BY THE UNITED STATES POSTAL SERVICE. THE TYPE  
OF CONSTRUCTION SHALL BE CONSISTENT WITH THE DESIGN ESTABLISHED BY THE  
DEVELOPER. COMMUNITY MAILBOX IS AN APPROVED ALTERNATIVE SUBJECT TO  
APPROVAL OF THE UNITED STATES POSTAL SERVICE.

K. SIGNS

NO SIGN OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT EXCEPT  
ONE PROFESSIONAL SIGN ADVERTISING THE PROPERTY FOR SALE, RESALE OR RENT, OR  
SIGNS USED BY BUILDER OR AGENT TO ADVERTISE THE PROPERTY DURING THE  
CONSTRUCTION AND SALE OF A DWELLING THEREON. IN NO EVENT SHALL ANY SUCH  
SIGN STAND MORE THAN SEVEN (7) FEET ABOVE GROUND LEVEL, NOR BE MORE THAN  
FIVE (5) SQUARE FEET IN SIZE, NOR BE LIGHTED AT NIGHT. THESE SIGNAGE RESTRICTIONS  
AND REQUIREMENTS SHALL NOT APPLY TO DECLARANT.

L. PARKED VEHICLES

ALL VEHICLES PARKED IN THE FRONT OF THE FRONT BUILDING LINE MUST BE PARKED ON  
THE DRIVEWAY. NO INOPERATIVE VEHICLES OF ANY NATURE SHALL BE PERMITTED TO  
REMAIN ON ANY LOT OR LOTS FOR A PERIOD IN EXCESS OF ONE (1) DAY. IT IS THE  
INTENTION OF THE DECLARANT THAT, EXCEPT ON SPECIAL OCCASIONS SUCH AS  
HOLIDAYS OR EVENTS AT AN OWNER'S RESIDENCE THAT ALL PARKING SHALL BE IN  
DRIVEWAYS AND NOT ON A STREET OR ON ANY YARD. ACCORDINGLY, NO VEHICLE SHALL  
BE PARKED ON THE STREET FOR MORE THAN TWO (2) CONSECUTIVE DAYS AND SHALL  
NOT BE PARKED OVERNIGHT ON A STREET. ANY VIOLATION OF THIS SECTION MAY  
RESULT IN A TOWING OF THE VEHICLE AT THE OWNER'S EXPENSE PER MUNICIPAL  
REGULATIONS. NO VEHICLE MAINTENANCE SHALL BE PERFORMED ON THE STREETS OR IN  
THE FRONT YARDS OR ON PARKING PADS OF ANY LOT.

M. APPEARANCE OF LOT

ALL OWNERS SHALL BE REQUIRED TO KEEP THEIR LOT IN A CLEAN AND SANITARY  
CONDITION WHETHER OR NOT THEY HAVE CONSTRUCTED A RESIDENCE ON THE LOT. ALL  
OPEN AREAS ON LOTS SHALL BE KEPT MOWED TO A HEIGHT OF NOT MORE THAN SIX (6)  
INCHES. NO PLAYGROUNDS, SWING SETS, TRAMPOLINES, SWIMMING POOLS, PICNIC  
TABLES, OR OTHER SIMILAR EQUIPMENT IS ALLOWED IN THE FRONT YARDS OF ANY LOT.  
THE BOARD AND COMMITTEE MAY PROMULGATE RULES AND REGULATIONS REGARDING  
THE MAINTENANCE OF LOTS AND ADEQUATE ENFORCEMENT MECHANISMS IN THE  
EVENT A LOT IS NOT PROPERLY MAINTAINED. UPON FAILURE OF THE OWNER TO  
MAINTAIN OR LANDSCAPE THE GROUNDS OF ANY LOT IN ACCORDANCE WITH THE  
PROVISIONS ABOVE, THE ASSOCIATION MAY, UPON 15 DAY'S WRITTEN NOTICE TO THE  
OWNER, CAUSE THE GRASS, WEEDS AND VEGETATION TO BE CUT. THE COST OF ANY  
MAINTENANCE REQUIRED UNDER THIS SECTION AND ANY ENFORCEMENT COSTS SHALL  
BE ASSESSED TO THE OWNER, AND SHALL CONSTITUTE A LIEN UPON THE LOT, AND MAY  
BE COLLECTED IN ACCORDANCE WITH SECTION IV.C.

N. RECREATIONAL VEHICLES AND ACCESSORIES

NO BOATS, TRAILERS, RECREATIONAL VEHICLES, AND VEHICLES USED FOR RECREATIONAL  
PURPOSES ARE ALLOWED IN THE SUBDIVISION UNLESS THEY WILL FIT ENTIRELY INTO A  
PRIVATE GARAGE.

O. STORAGE AND CONSTRUCTION MATERIALS

CONSTRUCTION MATERIALS MAY ONLY BE STORED ON A LOT FOR THIRTY (30) DAYS  
PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. THEREAFTER, CONSTRUCTION IS  
TO BE COMPLETED WITHIN A REASONABLE PERIOD OF TIME. THE DECLARANT SHALL BE  
ALLOWED TO STORE MATERIALS ON A LOT IN AN ORDERLY FASHION AS LONG AS MAY BE  
REASONABLY NECESSARY.

P. GARBAGE/DUMPING

DUMPING IS PROHIBITED IN THE SUBDIVISION. ALL TRASH, GARBAGE OR OTHER WASTE  
SHALL BE KEPT IN SANITARY CONTAINERS THAT SHALL BE LOCATED AT THE REAR OF EACH  
RESIDENTIAL UNIT OR ENCLOSED GARAGES AND MUST BE OUT OF SIGHT FROM THE  
STREET. ALL LOTS SHALL BE MAINTAINED IN A NEAT AND ORDERLY CONDITION AT ALL  
TIMES.

Q. MODEL HOME AND CONSTRUCTION FACILITIES

MODEL HOMES FOR THE PURPOSES OF HOME SALES ARE PERMITTED BY THE  
DECLARANT. THE GARAGE OF MODEL HOMES MAY BE USED AS SALES OFFICES, ONE  
TRAILER OR TEMPORARY BUILDING MAY BE LOCATED ON A RESIDENTIAL LOT BY THE  
DECLARANT AND USED AS A CONSTRUCTION OFFICE UNTIL THE SUBDIVISION REACHES  
ONE-HUNDRED PERCENT (100%) OCCUPANCY.

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

A. ENFORCEMENT

THE COVENANTS AND RESTRICTIONS SET FORTH HEREIN SHALL INURE TO THE BENEFIT OF  
AND SHALL BE ENFORCEABLE BY THE CITY, THE HOA, THE OWNER, AND ANY OWNER OF A  
LOT, AND IN ANY JUDICIAL ACTION BROUGHT TO ENFORCE THE COVENANTS  
ESTABLISHED HEREIN, A PARTY MAY SEEK ALL APPROPRIATE REMEDIES AT LAW,  
INCLUDING INJUNCTIVE RELIEF, TO ENFORCE THE COVENANTS SET FORTH HEREIN.  
FAILURE TO DO SO SHALL NOT BE DEEMED A WAIVER OF ANY TERMS HEREOF OR OF THE  
RIGHT TO SEEK ACTION AGAINST FUTURE NONCOMPLIANCE. REASONABLE REGULATIONS  
CONCERNING THE PROPERTY AND COMMON AREAS MAY BE MADE AND AMENDED  
FROM TIME TO TIME BY THE OWNER AND/OR ASSOCIATION. NO NOXIOUS OR OFFENSIVE  
ACTIVITY SHALL BE CARRIED ON IN, UPON, OR AROUND ANY RESIDENCE OR LOT OR IN OR  
UPON ANY COMMON AREA, NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE  
OR BECOME AN ANNOYANCE OR A NUISANCE TO OTHER OWNERS OR IN ANY WAY  
INTERFERE WITH THE QUIET ENJOYMENT OF SUCH OWNERS.

B. DURATION

THESE COVENANTS SHALL RUN WITH THE LAND AND SHALL BE BINDING UPON THE  
OWNER AND ALL SUBSEQUENT OWNERS AND PERSONS CLAIMING UNDER THEM WITHIN  
THE SUBDIVISION UNTIL JANUARY 1, 2042, AFTER WHICH TIME SAID COVENANTS SHALL  
BE DEEMED AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN (10) YEARS  
UNLESS OTHERWISE AMENDED OR TERMINATED AS PROVIDED HEREIN.

C. AMENDMENT OR TERMINATION

THE COVENANTS CONTAINED WITHIN SECTIONS I. AND II. MAY BE AMENDED OR  
TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED  
BY THE OWNER AND APPROVED BY THE CITY.

EXCEPT FOR SECTIONS I. AND II. AS STATED ABOVE, OWNER OR ITS ASSIGNEE MAY  
SUPPLEMENT OR AMEND ANY OF THESE COVENANTS STATED HEREIN AT ANY TIME IN  
WHOLE OR IN PART BY EXECUTING AND RECORDING AN INSTRUMENT WITH THE COUNTY  
CLERK. ALTERNATIVELY, THESE COVENANTS MAY BE AMENDED AT ANY TIME BY A  
WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNERS OF SIXTY (60%)  
OF THE LOTS (SUBJECT TO OWNER CONSENT). THE PROVISIONS OF ANY INSTRUMENT  
SUPPLEMENTING OR AMENDING THESE COVENANTS SHALL BE EFFECTIVE FROM AND  
AFTER THE DATE IT IS RECORDED IN THE RECORDS OF THE COUNTY CLERK.

D. SEVERABILITY

INVALIDATION OF ANY COVENANT OR RESTRICTION SET FORTH HEREIN, OR ANY PART  
THEREOF, BY ANY COURT OR OTHERWISE SHALL NOT INVALIDATE OR AFFECT ANY OF THE  
OTHER COVENANTS OR RESTRICTIONS HEREIN.

IN WITNESS WHEREOF, TULSA L DEV., LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY,  
HAS EXECUTED THIS INSTRUMENT ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

TULSA L DEV., LLC  
AN OKLAHOMA LIMITED LIABILITY COMPANY

BY  
STEPHEN LIEUX, MANAGER

ACKNOWLEDGMENT

STATE OF \_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ ) SS

ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022, BEFORE ME, A NOTARY PUBLIC  
WITHIN AND FOR THE AFORESAID COUNTY AND STATE, DULY COMMISSIONED AND  
ACTING, APPEARED STEPHEN LIEUX, TO ME PERSONALLY WELL KNOWN AS, OR PROVEN  
TO BE, THE PERSON WHOSE NAME APPEARS UPON THE WITHIN AND FOREGOING  
DOCUMENT AND STATED THAT HE WAS THE MANAGER OF TULSA L DEV., LLC, AN  
OKLAHOMA LIMITED LIABILITY COMPANY, AND WAS DULY AUTHORIZED TO EXECUTE THE  
FOREGOING CONVEYANCE FOR AND ON ITS BEHALF, AND HE RESPECTIVELY  
ACKNOWLEDGED TO ME THAT HE HAD EXECUTED THE SAME FOR THE CONSIDERATION  
AND PURPOSES THEREIN MENTIONED AND SET FORTH, AND I DO SO CERTIFY.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL OF OFFICE  
AS SUCH NOTARY PUBLIC AT THE COUNTY AND STATE AFORESAID ON THIS \_\_\_\_ DAY  
OF \_\_\_\_\_, 2022.

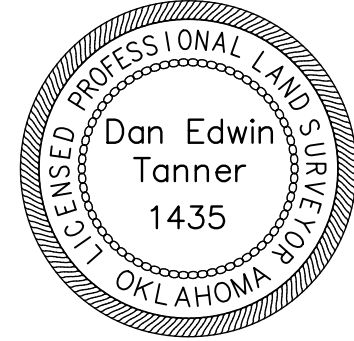
MY COMMISSION EXPIRES

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 AS "THE WOODS BLOCKS 1-5", A SUBDIVISION  
WITHIN THE CITY OF COWETA, WAGONER 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 \_\_\_\_ DAY OF \_\_\_\_\_, 2022.



BY:  
DAN E. TANNER  
LICENSED PROFESSIONAL LAND SURVEYOR  
OKLAHOMA NO. 1435

STATE OF OKLAHOMA )

COUNTY OF TULSA ) SS

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY  
AND STATE, ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022, PERSONALLY  
APPEARED TO ME DAN E. TANNER KNOWN TO BE THE IDENTICAL PERSON WHO  
SUBSCRIBED HIS NAME TO THE FOREGOING CERTIFICATE AS LICENSED PROFESSIONAL  
LAND SURVEYOR, AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND  
PURPOSES THEREIN SET FORTH.

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

MY COMMISSION EXPIRES

NOTARY PUBLIC





POST OFFICE BOX 850 • COWETA, OKLAHOMA 74429 • PH. (918) 486-2189 • FAX (918) 486-5366 • [www.cityofcoweta-ok.gov](http://www.cityofcoweta-ok.gov)

## Memorandum

To: Honorable Chairman, Members of the Planning Commission  
From: Mark Seibold, Community Development Director  
Re: Final Plat The Woods Phase II Blocks 6-9  
Date: 03-21-2022

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### **BACKGROUND**

#### Applicant

The applicant, Tulsa L Dev., LLC, Developer; Tanner Consulting, L.L.C., Surveyor/Engineer; for Final Plat approval of The Woods Phase II Blocks 6-9, a subdivision of approximately 18.695 acres more or less with 58 lots.

#### Case Facts

- The property is located in located in Section 36, Township 18 North, Range 15 East, of the Indian Base and Meridian, Wagoner County, State of Oklahoma.
- The property is zoned Part of Planned Unit Development PUD No. R 13-02, with RS-2 Residential Single Family and RM-1 Residential Multi-Family zoning.
- The property legal description: Part of the Northwest Quarter (NW/4 and Part of the North Half of the Southwest Quarter (N/2 SW/4 of Section Thirty-Six (36), Township Eighteen (18) North, Range Fifteen (15) East, of the Indian Base and Meridian, A Subdivision within the City of Coweta, Wagoner County, State of Oklahoma.

A public hearing was held on the 17<sup>th</sup> day of May 2021, by the Coweta Planning Commission for the preliminary plat, The Woods Phase II. At the Monday May 17, 2021, Planning Commission meeting, the Planning Commission approved the preliminary Plat, The Woods Phase II Blocks 6-9 with the condition that the developer meet the comments from the Technical Advisory Committee and the City Engineer. By a vote of 4-0.

#### Pertinent Code

##### SECTION 2.4.3 PLANNING COMMISSION ACTION:

- The Planning Commission shall act upon the final plat after it has been submitted for final approval unless a stipulation for additional time is agreed to by the developer. If the final plat is disapproved, grounds for the refusal shall be stated in writing, a copy of which shall be transmitted to the applicant.

### **PLANNING COMMISSION ACTION**

The Planning Commission can approve, conditionally approve, or disapprove the final plat. If the final plat is approved with conditions, the Planning Commission may require the subdivider to submit a revised final plat. The subdivider shall be advised of any amendments required by the Planning

Commission to comply with these regulations. If the final plat is disapproved, the reasons for that action shall be stated.

Staff recommends approval of the Final Plat The Woods Phase II Blocks 6-9 with the condition that the developer meet the comments from the Technical Advisory Committee and the City Engineer.

#### **ATTACHMENTS**

1. Final Plat, The Woods Phase II Blocks 6-9

R 15 E

PUD-R 13-02

# The Woods BLOCKS 6-9

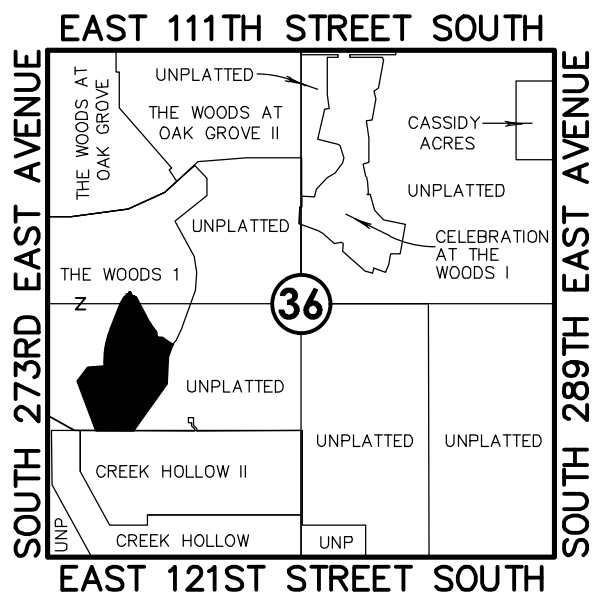
PART OF THE NORTHWEST QUARTER (NW/4) AND PART OF THE NORTH HALF  
OF THE SOUTHWEST QUARTER (N/2 SW/4) OF SECTION THIRTY-SIX (36)  
TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN MERIDIAN  
A SUBDIVISION WITHIN THE CITY OF COWETA, WAGONER COUNTY, STATE OF OKLAHOMA

OWNER:  
**Tulsa L Dev., LLC**

CONTACT: DEREK KENNEDY  
EMAIL: DEREK.KENNEDY@RAUSCHCOLEMAN.COM  
4058 North College  
Suite 300 Box 9  
Fayetteville, Arkansas 72703  
Phone: (479) 455-9090

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

DAN E. TANNER, P.L.S. NO. 1435  
OK CA NO. 2661, EXPIRES 6/30/2023  
EMAIL: DAN@TANNERBAITSHOP.COM  
5323 South Lewis Avenue  
Tulsa, Oklahoma 74105  
Phone: (918) 745-9929



**Location Map**  
Scale: 1"= 2000'



SUBDIVISION CONTAINS:

FIFTY-EIGHT (58) LOTS  
IN FOUR (4) BLOCKS  
WITH ONE (1) RESERVES

GROSS SUBDIVISION AREA: 18.695 ACRES

## Curve Table

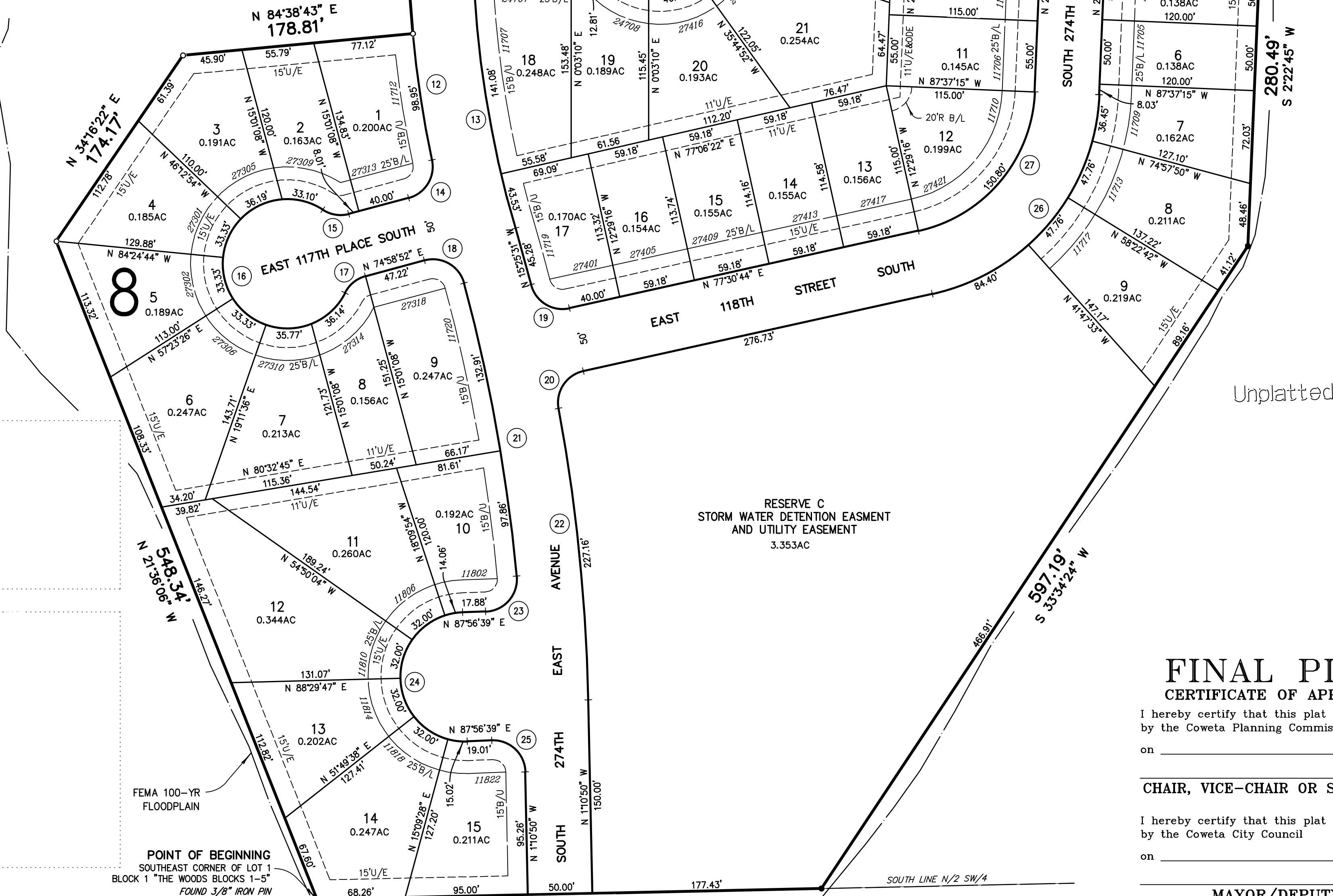
| CURVE | LENGTH(L) | RADIUS(R) | DELTA(A)   | CHORDBRG(CB) | CHORDDIS(CD) |
|-------|-----------|-----------|------------|--------------|--------------|
| 1     | 105.22'   | 150.00'   | 40°11'24"  | N39°54'18"E  | 103.07'      |
| 2     | 39.27'    | 25.00'    | 90°00'01"  | N25°11'24"W  | 35.36'       |
| 3     | 85.75'    | 122.24'   | 40°11'25"  | N50°05'42"W  | 84.00'       |
| 4     | 50.68'    | 72.24'    | 40°11'26"  | N50°05'43"W  | 49.64'       |
| 5     | 39.27'    | 25.00'    | 89°59'58"  | N64°48'35"E  | 35.36'       |
| 6     | 232.89'   | 825.00'   | 16°10'26"  | N11°43'23"E  | 232.11'      |
| 7     | 40.83'    | 25.00'    | 93°35'00"  | N43°09'20"W  | 36.44'       |
| 8     | 21.03'    | 25.00'    | 48°11'23"  | N65°57'29"E  | 20.41'       |
| 9     | 241.19'   | 50.00'    | 276°22'46" | N0°03'10"E   | 66.67'       |
| 10    | 21.03'    | 25.00'    | 48°11'23"  | N65°51'08"W  | 20.41'       |
| 11    | 40.83'    | 25.00'    | 93°35'00"  | N43°15'40"E  | 36.44'       |
| 12    | 98.95'    | 875.00'   | 6°28'46"   | N8°35'40"W   | 98.90'       |
| 13    | 184.61'   | 825.00'   | 12°49'17"  | N9°56'28"W   | 184.23'      |
| 14    | 37.88'    | 25.00'    | 86°48'55"  | N31°34'25"E  | 34.36'       |
| 15    | 21.03'    | 25.00'    | 48°11'23"  | N80°55'26"W  | 20.41'       |
| 16    | 241.19'   | 50.00'    | 276°22'46" | N15°01'08"W  | 66.67'       |
| 17    | 21.03'    | 25.00'    | 48°11'23"  | N50°53'11"E  | 20.41'       |
| 18    | 39.24'    | 25.00'    | 89°55'26"  | N60°03'25"W  | 35.33'       |
| 19    | 38.39'    | 25.00'    | 87°59'21"  | N58°29'36"W  | 34.73'       |
| 20    | 38.39'    | 25.00'    | 87°59'21"  | N33°31'03"E  | 34.73'       |
| 21    | 230.77'   | 1350.00'  | 9°47'39"   | N10°11'52"W  | 230.49'      |
| 22    | 227.16'   | 1400.00'  | 9°17'48"   | N5°49'44"W   | 226.91'      |
| 23    | 40.69'    | 25.00'    | 93°14'42"  | N41°19'18"E  | 36.34'       |
| 24    | 157.08'   | 50.00'    | 180°00'00" | N2°03'21"W   | 100.00'      |
| 25    | 39.65'    | 25.00'    | 90°52'32"  | N46°37'05"W  | 35.62'       |
| 26    | 216.37'   | 165.00'   | 75°07'59"  | N39°56'44"E  | 201.20'      |
| 27    | 150.80'   | 115.00'   | 75°07'59"  | N39°56'44"E  | 140.23'      |
| 28    | 138.24'   | 162.26'   | 48°48'55"  | N22°01'15"W  | 134.10'      |
| 29    | 135.75'   | 212.26'   | 36°38'37"  | N15°56'28"W  | 133.45'      |
| 30    | 33.96'    | 25.00'    | 77°50'04"  | N4°39'15"E   | 31.41'       |
| 31    | 41.18'    | 25.00'    | 94°22'41"  | N89°14'22"W  | 36.68'       |
| 32    | 143.02'   | 680.00'   | 12°03'02"  | N36°01'31"W  | 142.76'      |
| 33    | 209.32'   | 730.00'   | 16°25'43"  | N38°12'51"W  | 208.60'      |

## Boundary Curve Table

| CURVE | LENGTH(L) | RADIUS(R) | DELTA(A)  | CHORDBRG(CB) | CHORDDIS(CD) |
|-------|-----------|-----------|-----------|--------------|--------------|
| A     | 384.31'   | 875.00'   | 25°09'53" | N7°13'40"E   | 381.22'      |
| B     | 140.29'   | 200.00'   | 40°11'24" | N39°54'18"E  | 137.43'      |
| C     | 39.27'    | 25.00'    | 90°00'00" | S75°00'00"E  | 35.36'       |
| D     | 112.65'   | 560.00'   | 11°31'32" | N35°45'46"W  | 112.46'      |
| E     | 37.13'    | 25.00'    | 85°05'49" | S11°01'23"W  | 33.81'       |
| F     | 37.13'    | 25.00'    | 85°05'49" | N86°07'12"E  | 33.81'       |
| G     | 128.36'   | 560.00'   | 13°07'59" | S57°53'53"E  | 128.08'      |

## Notes:

- THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
- ALL PROPERTY CORNERS ARE SET 3/8" IRON REBAR WITH YELLOW CAP STAMPED "TANNER 1435" UNLESS OTHERWISE NOTED.
- 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 BRASS CAP STEM AT THE NORTHWEST CORNER OF SECTION 36;  
(b) FOUND BRASS CAP STEM AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SECTION 36;  
THE BEARING BETWEEN SAID MONUMENTS BEING SOUTH 1°19'23" EAST.
- ADDRESSES SHOWN ON THIS PLAT WERE PROVIDED BY THE CITY OF COWETA AND WERE ACCURATE AT THE TIME THE PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF THE LEGAL DESCRIPTION.
- ACCESS AT THE TIME OF PLAT WAS PROVIDED BY SOUTH 275TH EAST AVENUE, SOUTH 274TH EAST AVENUE, BOTH BEING A PUBLIC STREET



## FINAL PLAT CERTIFICATE OF APPROVAL

I hereby certify that this plat was approved by the Coweta Planning Commission on \_\_\_\_\_

CHAIR, VICE-CHAIR OR SECRETARY

I hereby certify that this plat was approved by the Coweta City Council on \_\_\_\_\_

MAYOR/DEPUTY

This approval is void if the above signature is not endorsed by the City Clerk.

CITY CLERK/DEPUTY



Draft Final Plat

PUD-R 13-02

The Woods  
BLOCKS 6-9

PART OF THE NORTHWEST QUARTER (NW/4) AND PART OF THE NORTH HALF  
OF THE SOUTHWEST QUARTER (N/2 SW/4) OF SECTION THIRTY-SIX (36)  
TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN MERIDIAN  
A SUBDIVISION WITHIN THE CITY OF COWETA, WAGONER COUNTY, STATE OF OKLAHOMA

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

THAT TULSA L DEV., LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HEREINAFTER REFERRED TO AS THE “OWNER” AND/OR “DECLARANT,” IS THE OWNER OF THE FOLLOWING REAL PROPERTY SITUATED IN THE CITY OF COWETA, WAGONER COUNTY, STATE OF OKLAHOMA, TO-WIT:

A TRACT OF LAND THAT IS PART OF THE NORTHWEST QUARTER (NW/4) AND PART OF THE NORTH HALF OF THE SOUTHWEST QUARTER (N/2 SW/4) OF SECTION THIRTY-SIX (36), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN MERIDIAN, COUNTY OF WAGONER, STATE OF OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID N/2 SW/4, SAID POINT BEING THE SOUTHEAST CORNER OF LOT ONE (1), BLOCK ONE (1), “THE WOODS BLOCKS 1-5”, A SUBDIVISION WITHIN THE CITY OF COWETA, WAGONER COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE PLAT THEREOF; THENCE ALONG THE SOUTHERLY AND EASTERLY LINE OF SAID “THE WOODS BLOCKS 1-5” FOR THE FOLLOWING FIFTEEN (15) COURSES:

NORTH 21°36'06" WEST FOR A DISTANCE OF 548.34 FEET; THENCE NORTH 34°16'22" EAST FOR A DISTANCE OF 174.17 FEET; THENCE NORTH 84°38'43" EAST FOR A DISTANCE OF 178.81 FEET; THENCE NORTHEASTERLY ALONG AN 875.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, HAVING AN INITIAL TANGENT BEARING OF NORTH 5°21'17" WEST, A CENTRAL ANGLE OF 25°09'53", WITH A CHORD BEARING AND DISTANCE OF NORTH 7°13'40" EAST FOR 381.22 FEET, FOR AN ARC DISTANCE OF 384.31 FEET TO A POINT OF TANGENCY; THENCE NORTH 19°48'36" EAST FOR A DISTANCE OF 311.22 FEET TO A POINT OF CURVATURE; THENCE ALONG A 200.00 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 40°11'24", WITH A CHORD BEARING AND DISTANCE OF NORTH 39°54'18" EAST FOR 137.43 FEET, FOR AN ARC DISTANCE OF 140.29 FEET TO A POINT OF TANGENCY; THENCE NORTH 60°00'00" EAST FOR A DISTANCE OF 5.00 FEET;

THENCE SOUTH 30°00'00" EAST FOR A DISTANCE OF 50.00 FEET; THENCE SOUTHEASTERLY ALONG A 25.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, HAVING AN INITIAL TANGENT BEARING OF NORTH 60°00'00" EAST, A CENTRAL ANGLE OF 90°00'00", WITH A CHORD BEARING AND DISTANCE OF SOUTH 75°00'00" EAST FOR 35.36 FEET, FOR AN ARC DISTANCE OF 39.27 FEET TO A POINT OF TANGENCY; THENCE SOUTH 30°00'00" EAST FOR A DISTANCE OF 300.00 FEET TO A POINT OF CURVATURE; THENCE ALONG A 560.00 FOOT RADIUS CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 11°31'32", WITH A CHORD BEARING AND DISTANCE OF SOUTH 35°45'46" EAST FOR 112.46 FEET, FOR AN ARC DISTANCE OF 112.65 FEET TO A POINT OF REVERSE CURVATURE; THENCE ALONG A 25.00 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 85°05'49", WITH A CHORD BEARING AND DISTANCE OF SOUTH 1°01'23" WEST FOR 33.81 FEET, FOR AN ARC DISTANCE OF 37.13 FEET; THENCE SOUTH 46°25'43" EAST FOR A DISTANCE OF 50.00 FEET; THENCE NORTHEASTERLY ALONG A 25.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, HAVING AN INITIAL TANGENT BEARING OF NORTH 43°34'17" EAST, A CENTRAL ANGLE OF 85°05'49", WITH A CHORD BEARING AND DISTANCE OF NORTH 86°07'12" EAST FOR 33.81 FEET, FOR AN ARC DISTANCE OF 37.13 FEET TO A POINT OF REVERSE CURVATURE; THENCE ALONG A 560.00 FOOT RADIUS CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 13°07'59", WITH A CHORD BEARING AND DISTANCE OF SOUTH 57°53'53" EAST FOR 128.08 FEET, FOR AN ARC DISTANCE OF 128.36 FEET;

THENCE SOUTH 17°50'00" WEST FOR A DISTANCE OF 131.94 FEET; THENCE SOUTH 2°22'45" WEST FOR A DISTANCE OF 280.49 FEET; THENCE SOUTH 33°34'24" WEST FOR A DISTANCE OF 597.19 FEET TO A POINT ON THE SOUTH LINE OF SAID N/2 SW/4; THENCE SOUTH 88°46'10" WEST ALONG SAID SOUTH LINE, FOR A DISTANCE OF 390.69 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINING 814.367 SQUARE FEET OR 18.695 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 BRASS CAP STEM AT THE NORTHWEST CORNER OF SECTION 36;
- B) FOUND BRASS CAP STEM AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SECTION 36;

THE BEARING BETWEEN SAID MONUMENTS BEING SOUTH 1°19'23" EAST.

AND THE OWNER HAS CAUSED THE ABOVE-DESCRIBED LAND TO BE SURVEYED, STAKED, PLATTED, DEDICATED, ACCESS RIGHTS RESERVED, AND SUBDIVIDED INTO SIXTY (60) LOTS IN FOUR (4) BLOCKS ALONG WITH THE RESERVE AREAS, COMMON AREAS, AND STREETS IN CONFORMITY WITH THE ACCOMPANYING PLAT AND SURVEY (“THE PLAT”) AND HAS DESIGNATED THE SUBDIVISION AS “THE WOODS BLOCKS 6-9,” A SUBDIVISION WITHIN THE CITY OF COWETA, WAGONER COUNTY, OKLAHOMA (“SUBDIVISION”). THE OWNER HEREBY SUBJECTS THE LAND DESCRIBED ABOVE TO THE PROVISIONS, COVENANTS, AND RESTRICTIONS SET FORTH HEREIN WHICH SHALL RUN WITH THE LAND AND BE BINDING ON EVERY LOT AND RESERVE AREA AND EVERY OWNER THEREOF FOR THE PERIOD AS HEREAFTER DEFINED.

SECTION I. PUBLIC STREETS, EASEMENTS, AND UTILITIES

A. PUBLIC STREETS AND UTILITY EASEMENTS

THE OWNER DOES HEREBY DEDICATE FOR PUBLIC USE THE STREET RIGHTS-OF-WAY DEPICTED ON THE ACCOMPANYING PLAT AND DOES FURTHER DEDICATE FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT 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, COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, AND WATERLINES, TOGETHER WITH ALL VALVES, METERS, AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND OTHER APPURTENANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES AFORESAID, TOGETHER WITH SIMILAR EASEMENT RIGHTS IN THE PUBLIC STREETS, PROVIDED HOWEVER, THAT THE OWNER HEREBY RESERVES THE RIGHT TO CONSTRUCT AND MAINTAIN WATERLINES AND SEWERLINES WITHIN THE UTILITY EASEMENTS FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICE TO AREAS WITHIN OR OUTSIDE THE PLAT AND THE OWNER FURTHER RESERVES THE RIGHT TO CONSTRUCT AND MAINTAIN WITHIN THE UTILITY EASEMENTS PROPERLY-PERMITTED PARKING AREAS, LANDSCAPING, SCREENING FENCES AND WALLS, AND OTHER NON-OBSTRUCTING IMPROVEMENTS.

B. WATER, SANITARY SEWER, AND STORM SEWER SERVICE

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 ON THE LOT OR RESERVE AREA.

2. WITHIN THE DEPICTED UTILITY EASEMENT AREAS, THE ALTERATION OF GRADE IN EXCESS OF THREE (3) FEET 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 MAY INTERFERE WITH PUBLIC WATER, SANITARY SEWER MAIN, OR STORM SEWERS, SHALL BE PROHIBITED. WITHIN THE UTILITY EASEMENTS, IF THE GROUND ELEVATIONS ARE ALTERED BY THE LOT OR RESERVE AREA OWNER FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER, ALL GROUND LEVEL APPURTENANCES, INCLUDING VALVE BOXES, FIRE HYDRANTS, AND MANHOLES SHALL BE ADJUSTED TO THE ALTERED GROUND ELEVATIONS BY THE OWNER OF THE LOT OR RESERVE AREA OR, AT ITS ELECTION, THE CITY OF COWETA, OKLAHOMA, MAY MAKE SUCH ADJUSTMENT AT SUCH OWNER'S EXPENSE.

3. WAGONER COUNTY RURAL WATER DISTRICT NO. 5 OR ITS SUCCESSORS SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER FACILITIES, AND THE CITY OF COWETA OR ITS SUCCESSORS SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF SANITARY SEWER AND STORM SEWER FACILITIES, BUT THE LOT OR RESERVE AREA OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF SAID OWNER OR SAID OWNER'S AGENTS OR CONTRACTORS.

4. WAGONER COUNTY RURAL WATER DISTRICT NO. 5 AND THE CITY OF COWETA, OR THEIR RESPECTIVE SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS WITH THEIR EQUIPMENT TO ALL UTILITY EASEMENTS DEPICTED ON THE 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.

5. THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION B. SHALL BE ENFORCEABLE BY THE CITY OF COWETA AND WAGONER COUNTY RURAL WATER DISTRICT NO. 5, OR THEIR RESPECTIVE SUCCESSORS, AND EACH LOT AND RESERVE AREA OWNER AGREES TO BE BOUND HEREBY.

C. UNDERGROUND SERVICE

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

2. UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WHICH MAY BE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL, OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE AS MAY BE LOCATED UPON THE LOT. PROVIDED THAT, UPON THE INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE, AND NON-EXCLUSIVE RIGHT-OF-WAY EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE GAS MAIN, SERVICE PEDESTAL, OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.

3. THE SUPPLIER OF ELECTRIC, COMMUNICATION, AND GAS SERVICES, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS WITH ITS EQUIPMENT 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 ELECTRIC, COMMUNICATION, OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.

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

5. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH C. SHALL BE ENFORCEABLE BY EACH SUPPLIER OF THE ELECTRIC, COMMUNICATION, OR GAS SERVICE AND EACH LOT AND RESERVE AREA OWNER AGREES TO BE BOUND HEREBY.

D. PAVING AND LANDSCAPING WITHIN EASEMENTS

THE OWNER OF THE LOT OR RESERVE AREA SHALL BE RESPONSIBLE FOR REPAIR OF DAMAGE TO LANDSCAPING AND PAVING RESULTING FROM THE ACTIONS OF THE CITY OF COWETA OR THE SUPPLIER OF UTILITY SERVICES, IN PERFORMING NECESSARY INSTALLATION OF OR MAINTENANCE TO THE UNDERGROUND WATER, SANITARY SEWER, STORM SEWER, GAS, COMMUNICATION, OR ELECTRIC FACILITIES WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT; PROVIDED, HOWEVER, THAT THE CITY OF COWETA, OR THE SUPPLIER OF THE UTILITY SERVICE, SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

E. SURFACE DRAINAGE

EACH LOT AND RESERVE AREA WITHIN THE SUBDIVISION SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS, RESERVE AREAS, AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM ADJACENT STREETS AND EASEMENTS. 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 SAID OWNER'S LOT OR RESERVE AREA. THE COVENANTS SET FORTH IN THIS SUBSECTION E. SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OR RESERVE AREA OWNER AND THE CITY OF COWETA, OKLAHOMA.

F. RESERVE AREAS

1. RESERVE C, AS DEPICTED UPON THE ACCOMPANYING PLAT, IS ESTABLISHED BY THE OWNER FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF RESIDENTIAL LOTS WITHIN THE SUBDIVISION AND IS HEREBY RESERVED FOR SUBSEQUENT CONVEYANCE TO THE HOME OWNERS ASSOCIATION AS SET FORTH IN SECTION III. HEREIN.

2. RESERVE C IS RESERVED FOR STORMWATER DETENTION AND PRIVATE RECREATION AND OPEN SPACE INCLUDING, BUT NOT NECESSARILY LIMITED TO: PRIVATE PARKS, SIDEWALKS AND TRAILS, LANDSCAPING, IRRIGATION, SIGNAGE, ENTRY FEATURES, LIGHTING, FENCING, AND OTHER USES AS MAY BE PERMITTED BY THE CITY OF COWETA, AND FOR UTILITIES.

3. THE OWNER/DECLARANT DOES HEREBY ESTABLISH AND GRANT TO THE PUBLIC A PERPETUAL EASEMENT ON, OVER, AND ACROSS RESERVE C, DESIGNATED ON THE ACCOMPANYING PLAT AS “STORM WATER DETENTION EASEMENT”; FOR THE PURPOSES OF PERMITTING THE FLOW, CONVEYANCE, DETENTION, RETENTION, AND DISCHARGE OF STORMWATER RUNOFF FROM THE VARIOUS AREAS WITHIN THE SUBDIVISION.

4. STORMWATER DETENTION AND OTHER DRAINAGE FACILITIES WITHIN THE STORM WATER DETENTION EASEMENT SHALL BE CONSTRUCTED IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY THE CITY OF COWETA, OKLAHOMA.

5. STORMWATER DETENTION AND OTHER DRAINAGE FACILITIES CONSTRUCTED WITHIN THE STORM WATER DETENTION EASEMENT SHALL BE MAINTAINED BY THE HOME OWNERS ASSOCIATION (TO BE FORMED PURSUANT TO SECTION III. HEREOF) TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED DRAINAGE AND DETENTION FUNCTIONS, INCLUDING REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION, AND THE HOME OWNERS ASSOCIATION SHALL PROVIDE ROUTINE AND CUSTOMARY GROUNDS MAINTENANCE WITHIN THE STORM WATER DETENTION EASEMENT WHICH SHALL BE IN ACCORDANCE WITH THE FOLLOWING STANDARDS:

- a. THE EASEMENT AREA SHALL BE KEPT FREE OF LITTER.
- b. THE EASEMENT AREA SHALL BE MOWED DURING THE GROWING SEASON AS PER CITY CODE OR THE SCHEDULE APPROVED WITH THE DETENTION DESIGN PLANS.
- c. IN THE EVENT OF THE HOMEOWNERS' ASSOCIATION SHOULD FAIL TO PROPERLY MAINTAIN THE EASEMENT AREA AS ABOVE PROVIDED, THE CITY OF COWETA, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER THE EASEMENT AREA AND PERFORM SUCH MAINTENANCE, AND THE COST THEREOF SHALL BE PAID BY THE RESERVE C OWNER, WHICH SHALL BE THE HOME OWNERS ASSOCIATION, AS SET FORTH IN SECTION III. HEREIN, UPON CONVEYANCE OF RESERVE C TO THE ASSOCIATION.
- d. IN THE EVENT THE RESERVE C OWNER, AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, FAILS TO PAY THE COST OF MAINTENANCE AS ABOVE SET FORTH, THE CITY OF COWETA, OKLAHOMA, MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS AND THEREAFTER THE COSTS SHALL BECOME A LIEN ON RESERVE C, WHICH LIEN MAY BE FORECLOSED BY THE CITY OF COWETA, OKLAHOMA, OR THE CITY OF COWETA PUBLIC WORKS AUTHORITY MAY ADD SUCH BILLING PRORATED UPON THE WATER BILL OF EACH LOT WITHIN THE SUBDIVISION, WHICH METHOD OF COLLECTION SHALL BE DETERMINED BY THE CITY OF COWETA.

7. ALL COSTS AND EXPENSES ASSOCIATED WITH RESERVE C, INCLUDING MAINTENANCE OF VARIOUS IMPROVEMENTS AND RECREATIONAL FACILITIES, SHALL BE THE RESPONSIBILITY OF THE OWNER THEREOF, WHICH SHALL BE THE HOME OWNERS ASSOCIATION, AS PROVIDED IN SECTION III. HEREIN, UPON CONVEYANCE OF RESERVE C TO THE ASSOCIATION, THE CITY OF COWETA SHALL NOT BE LIABLE FOR ANY DAMAGE OR REMOVAL OF ANY LANDSCAPING OR IRRIGATION SYSTEMS IN RESERVE C.

8. EACH LOT AND RESERVE AREA OWNER OR RESIDENT AGREES TO HOLD HARMLESS THE OWNER AND THE CITY OF COWETA, OKLAHOMA, 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 COWETA NOR THE OWNER SHALL BE LIABLE TO THE LOT OR RESERVE AREA OWNER OR RESIDENT 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 OR ANY GUEST, VISITOR, OR INVITEE THEREOF.

G. OVERLAND DRAINAGE EASEMENTS

1. THE OWNER/DECLARANT DOES HEREBY ESTABLISH AND 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 AND UNDERGROUND 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 BY THE OWNER IN ACCORDANCE WITH THE ADOPTED STANDARDS OF THE CITY OF COWETA, OKLAHOMA, AND PLANS AND SPECIFICATIONS APPROVED BY THE CITY OF COWETA, 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 THE EASEMENT UNLESS APPROVED BY THE DEPARTMENT OF PUBLIC WORKS OF THE CITY OF COWETA, OKLAHOMA, PROVIDED THAT, WHERE COINCIDENT WITH UTILITY EASEMENTS, NON-OBSTRUCTING ABOVE-GROUND UTILITY APPURTENANCES SHALL BE PERMITTED. ALL LANDSCAPING, EXCEPT THE PLANTING OF TURF, SHALL REQUIRE THE APPROVAL OF THE CITY OF COWETA, OKLAHOMA.

4. DRAINAGE FACILITIES CONSTRUCTED WITHIN OVERLAND DRAINAGE EASEMENTS SHALL BE MAINTAINED BY THE LOT OR RESERVE AREA OWNER CONTAINING SUCH EASEMENT, AT SUCH OWNER'S EXPENSE, TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED STORMWATER DRAINAGE FUNCTIONS, INCLUDING REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION. CUSTOMARY GROUNDS MAINTENANCE SHALL BE PERFORMED AS PRESCRIBED BY THE CITY OF COWETA, OKLAHOMA, OR, ABSENT SUCH PRESCRIPTIONS, IN ACCORDANCE WITH THE FOLLOWING MINIMUM STANDARDS:

- a. GRASS AREAS SHALL BE MOWED (IN SEASON) AT REGULAR INTERVALS OF FOUR (4) WEEKS, OR LESS.
- b. CONCRETE APPURTENANCES SHALL BE MAINTAINED IN GOOD CONDITION AND REPLACED IF DAMAGED.
- c. DRAINAGE FACILITIES SHALL BE KEPT FREE OF DEBRIS.
- d. CLEANING OF SILTATION AND VEGETATION FROM CONCRETE CHANNELS SHALL BE PERFORMED TWICE YEARLY.

5. IN THE EVENT THE LOT OR RESERVE AREA OWNER SUBJECT TO THE OVERLAND DRAINAGE EASEMENT FAILS TO PROPERLY MAINTAIN THE EASEMENT AREAS LOCATED THEREON OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN SUCH EASEMENTS, THE ALTERATION OF GRADE THEREIN, OR THE ALLOWANCE OF THE ACCUMULATION OF SILTATION, THE CITY OF COWETA, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR, MAY ENTER THE EASEMENT AREA AND PERFORM MAINTENANCE NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR SILTATION OR CORRECT ANY ALTERATION OF GRADE, AND THE COSTS SHALL BE PAID BY THE LOT OR RESERVE AREA OWNER. IN THE EVENT SUCH OWNER FAILS TO PAY THE COST OF MAINTENANCE AFTER RECEIPT OF A STATEMENT OF COSTS FROM THE CITY OF COWETA, OKLAHOMA, THE CITY MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS IN THE RECORDS OF THE WAGONER COUNTY CLERK, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST THE LOT OR RESERVE AREA OWNER, WHICH LIEN MAY BE FORECLOSED BY THE CITY OF COWETA, OKLAHOMA, OR THE CITY OF COWETA PUBLIC WORKS AUTHORITY MAY ADD SUCH BILLING PRORATED UPON THE LOT OR RESERVE AREA OWNER'S WATER BILL, WHICH METHOD OF COLLECTION SHALL BE DETERMINED BY THE CITY OF COWETA.

H. LIMITS OF NO ACCESS

THE OWNER HEREBY RELINQUISHES RIGHT OF INGRESS AND EGRESS TO THE ABOVE DESCRIBED PROPERTY WITHIN THE BOUNDS DESIGNATED ON THE ACCOMPANYING PLAT AS “LIMITS OF NO ACCESS” (“LNA”) EXCEPT AS MAY HEREAFTER BE RELEASED, ALTERED, OR AMENDED BY THE LOT OR RESERVE AREA OWNER AND COWETA PLANNING COMMISSION, OR ITS SUCCESSORS, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA, PERTAINING THERETO. THE FOREGOING COVENANT CONCERNING “LIMITS OF NO ACCESS” SHALL BE ENFORCEABLE BY THE CITY OF COWETA, OR ITS SUCCESSORS, AND THE OWNER OF EACH LOT OR RESERVE AREA AGREES TO BE BOUND HEREBY.

SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS, THE PROPERTY COMPRISING “THE WOODS BLOCKS 6-9” WAS SUBMITTED AS PART OF A PLANNED UNIT DEVELOPMENT (PUD) NO. PUD-R 13-02 (“COWETA CROSSING”) AS PROVIDED WITHIN CHAPTER 16 OF THE COWETA, OKLAHOMA ZONING CODE, AND

WHEREAS, PUD NO. PUD-R 13-02 WAS AFFIRMATIVELY RECOMMENDED BY THE CITY OF COWETA PLANNING COMMISSION ON FEBRUARY 24, 2014, AND APPROVED BY THE COWETA CITY COUNCIL ON MARCH 3, 2014 WITH IMPLEMENTING ORDINANCE (ORDINANCE NO. 744) APPROVED MARCH 3, 2014, WITH EMERGENCY CLAUSE ATTACHED, MAKING THE ORDINANCE EFFECTIVE IMMEDIATELY, AND

WHEREAS, THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE COWETA ZONING CODE REQUIRE THE ESTABLISHMENT OF COVENANTS OF RECORD INURING TO AND ENFORCEABLE BY THE CITY OF COWETA, SUFFICIENT TO INSURE THE IMPLEMENTATION AND CONTINUED COMPLIANCE WITH THE APPROVED PLANNED UNIT DEVELOPMENT AND ANY AMENDMENTS THERETO, AND

WHEREAS, THE OWNER DESIRES TO AND DOES HEREBY ESTABLISH THE FOLLOWING RESTRICTIONS FOR THE PURPOSE OF PROVIDING FOR THE ORDERLY DEVELOPMENT OF THE SUBDIVISION AND ALL PROPERTY THEREIN AND TO INSURE ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE OWNER, ITS SUCCESSORS AND ASSIGNS, ALL FUTURE LOT OWNERS, AND THE CITY OF COWETA, OKLAHOMA.

NOW, 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 HERINAFTER SET FORTH.

A. GENERAL

1. DEVELOPMENT IN ACCORDANCE WITH PUD THE SUBDIVISION SHALL BE DEVELOPED AND USED IN SUBSTANTIAL ACCORDANCE WITH THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF PUD NO. PUD-R 13-02, AS APPROVED BY THE CITY OF COWETA, OR IN SUBSTANTIAL ACCORDANCE WITH SUCH MODIFICATIONS OR AMENDMENTS OF THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF PUD-R 13-02 AS MAY BE SUBSEQUENTLY APPROVED.

2. APPLICABLE ORDINANCE THE DEVELOPMENT OF THE SUBDIVISION SHALL BE SUBJECT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE CITY OF COWETA ZONING CODE AS SUCH PROVISIONS EXISTED ON MARCH 3, 2014.

B. DEVELOPMENT STANDARDS FOR PUD-R 13-02 DEVELOPMENT AREA B

(RESIDENTIAL SINGLE-FAMILY- SCHOOL SITE- MUNICIPAL COMMUNITY CENTER, GOLF COURSE/ DRIVING RANGE) (ALL OF “THE WOODS BLOCKS 6-9” EXCEPT A PORTION OF SOUTH 274TH EAST AVENUE WHICH IS LOCATED WITHIN DEVELOPMENT AREA A, ALL AS LEGALLY DESCRIBED IN PUD)

LAND AREA:\*  
GROSS: 276.735 ACRES 12,054,576 SQUARE FEET  
NET: 276.735 ACRES 12,054,576 SQUARE FEET  
\* LAND AREA CALCULATIONS MAY DIFFER BETWEEN ORIGINAL PUD (QUOTED HERE) AND THIS PLAT. DEVELOPMENT AREA B OF ORIGINAL PUD INCLUDED AREAS NOT A PART OF THIS PLAT.

PERMITTED USES (TO BE ALLOWED BY RIGHT): THOSE PERMITTED PRINCIPAL USES, PERMITTED ACCESSORY USES AND USES PERMITTED BY SPECIAL EXCEPTION IN THE RS ZONING DISTRICT, IN ACCORDANCE WITH SECTIONS 410, 420, 430, 440 IN THE ZONING CODE. PROVIDED, BARS, TAVERNS, NIGHT CLUBS AND ADULT ENTERTAINMENT ESTABLISHMENTS SHALL BE PROHIBITED, EXCEPT THAT ANY RESTAURANT OR EATING ESTABLISHMENT CONSTRUCTED ON THE SITE SHALL BE PERMITTED TO SERVE ALCOHOLIC BEVERAGES AND HAVE A SEPARATE BAR AREA AS PART OF THE ESTABLISHMENT, SUBJECT TO COMPLIANCE WITH STATE LAW REGULATING THE SALE OF ALCOHOLIC BEVERAGES.

THE MINIMUM YARD REQUIREMENTS FOR RS-2 WILL APPLY TO ALL SINGLE FAMILY RESIDENTIAL ZONED LOTS. AT THE TIME OF THE FILING OF THIS PLAT, THE SAME ARE:

FRONT: 25 FEET (NO HOUSES WILL FRONT 121ST STREET SOUTH)  
REAR: 20 FEET  
REAR: 25 FEET (BACKING TO 121ST STREET SOUTH)  
SIDE (INTERIOR): 5 FEET  
SIDE (STREET): 15 FEET  
SIDE (STREET): 20 FEET (ALONG 121ST STREET SOUTH)

MAXIMUM BUILDING HEIGHT: THREE STORY\*\*  
45 FEET IN HEIGHT  
\*\*(THREE STORY HEIGHT MAY VARY DEPENDING ON TYPE OF FINISH.)

MINIMUM LOT AREA 5,000 SQUARE FEET  
MINIMUM LOT WIDTH 50 FEET



Draft Final Plat

PUD-R 13-02

The Woods  
BLOCKS 6-9

PART OF THE NORTHWEST QUARTER (NW/4) AND PART OF THE NORTH HALF  
OF THE SOUTHWEST QUARTER (N/2 SW/4) OF SECTION THIRTY-SIX (36)  
TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN MERIDIAN  
A SUBDIVISION WITHIN THE CITY OF COWETA, WAGONER COUNTY, STATE OF OKLAHOMA

SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS (CONTINUED)

C. LANDSCAPED AREA AND SCREENING

ALL DEVELOPMENT AND CONSTRUCTION SHALL COMPLY WITH CHAPTER 24 OF THE ZONING CODE.

SIGNS SIGNAGE SHALL COMPLY WITH CHAPTER 18 OF THE ZONING CODE, WITH THE MAXIMUM SURFACE AREA OF A TEMPORARY OR PERMANENT SIGN SIZE BEING 192 SQUARE FEET.

NO SIGN PERMITS SHALL BE ISSUED FOR ERECTION OF A SIGN WITHIN THE PUD UNTIL A DETAIL SIGN PLAN FOR THE PROPERTY HAS BEEN SUBMITTED TO THE CITY OF COWETA OFFICIAL (WHO HAS AUTHORITY TO ISSUE SIGN PERMITS) AND APPROVED AS BEING IN COMPLIANCE WITH THE APPROVED PUD DEVELOPMENT STANDARDS.

EACH AND EVERY SIGN WILL BE ARCHITECTURALLY PLEASING AND WELL LANDSCAPED.

LIGHTING FLASHING SIGNS, CHANGEABLE COPY SIGNS, RUNNING LIGHT OR TWINKLE SIGNS, ANIMATED SIGNS, REVOLVING OR ROTATING SIGNS WITH MOVEMENT SHALL BE PROHIBITED, EXCEPT AS MAY BE PERMITTED BY THE COWETA ZONING CODE AS PART OF THE APPROVED DETAIL SIGN PLAN.

LIGHTING USED TO ILLUMINATE THE DEVELOPMENT AREA SHALL BE SO ARRANGED AS TO SHIELD AND DIRECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL AREAS AND RESIDENTIAL USES WITHIN THE PUD. NO LIGHT STANDARD OR BUILDING-MOUNTED LIGHT SHALL EXCEED FIVE STORIES IN HEIGHT.

TRASH, MECHANICAL AND EQUIPMENT AREAS THERE SHALL BE NO STORAGE OF RECYCLEABLE MATERIALS, TRASH OR SIMILAR MATERIAL OUTSIDE A SCREENED RECEPTACLE. ALL TRASH, MECHANICAL AND EQUIPMENT AREAS, INCLUDING BUILDING MOUNTED, SHALL BE SCREENED FROM PUBLIC VIEW IN SUCH A MANNER THAT THE AREAS CANNOT BE SEEN FROM A PUBLIC STREET.

TOPOGRAPHY, DRAINAGE AND UTILITIES DRAINAGE. ALL STORM WATER DRAINAGE STRUCTURES SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH ALL APPLICABLE CITY OF COWETA ORDINANCES AND REGULATIONS.

A PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF OKLAHOMA SHALL CERTIFY TO THE APPROPRIATE CITY OFFICIAL THAT ALL REQUIRED STORMWATER DRAINAGE STRUCTURES SERVING THE SITE HAVE BEEN INSTALLED IN ACCORDANCE WITH THE APPROVED PLANS PRIOR TO ISSUANCE OF AN OCCUPANCY PERMIT ON THAT PROPERTY.

DURING CONSTRUCTION ON THE PROPERTY, THE OWNER WILL PROVIDE ADEQUATE AND REASONABLE EROSION CONTROL, AND, AFTER CONSTRUCTION, THEY WILL PROVIDE AND MAINTAIN VEGETATIVE, LANDSCAPED GROUND COVER SO THAT SOIL DOES NOT ERODE ON OR FROM THE PROPERTY.

ACCESS, CIRCULATION AND PARKING ACCESS, TRAFFIC CIRCULATION AND PARKING AREAS ARE DEPICED ON EXHIBIT F OF THE PUD. SOME OF THE DRIVES AND PARKING AREAS WITHIN THE PUD MAY BE PRIVATELY OWNED AND MAINTAINED. PUBLIC STREETS THROUGH DEVELOPMENT AREA B WILL BE PUBLICLY OWNED AND MAINTAINED. MUTUAL ACCESS BETWEEN AND ACROSS INDIVIDUAL PROPERTIES AND MUTUAL PARKING PRIVILEGES WITHIN THE PUD SHALL BE PROVIDED BY A MUTUAL ACCESS AGREEMENT TO BE RECORDED IN OFFICE OF THE WAGONER COUNTY CLERK BY THE OWNER/DEVELOPER.

PEDESTRIAN ACCESS AND CIRCULATION SHALL BE DEPICTED ON THE DETAILED SITE PLAN DRAWING AND/OR LANDSCAPE PLAN REQUIRED BY THE CITY OF COWETA. AS STATED ABOVE, ALL MUTUAL ACCESS DRIVES IN THE PUD MAY BE PRIVATE DRIVES, WHICH SHALL BE CONSTRUCTED IN ACCORDANCE WITH ALL APPLICABLE CITY OF COWETA CODES, REGULATIONS AND STANDARDS.

SECTION III. HOME OWNERS ASSOCIATION

A. FORMATION OF HOME OWNERS ASSOCIATION; ADDITIONAL LANDS

THE OWNER HAS FORMED OR SHALL CAUSE TO BE FORMED A HOME OWNERS ASSOCIATION ("HOA") TO GOVERN THE SUBDIVISION. THE HOA SHALL BE ESTABLISHED IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA AND BYLAWS PREPARED BY OWNER OR ITS ASSIGNEE, FOR THE GENERAL PURPOSES OF MAINTAINING THE COMMON AREAS, INCLUDING WITHOUT LIMITATION ALL RESERVE AREAS, AND ENHANCING THE VALUE, DESIRABILITY AND ATTRACTIVENESS OF THE SUBDIVISION AND ANY ADDITIONS THERETO. OWNER SHALL BE ENTITLED TO APPOINT THE BOARD OF DIRECTORS FOR THE HOA AS PROVIDED IN THE BYLAWS. IT IS CONTEMPLATED THAT ADDITIONAL LANDS/PHASES ADJOINING THE SUBDIVISION, AND SUBSEQUENTLY PLATTED FOR SINGLE FAMILY RESIDENTIAL PURPOSES, MAY BE ANNEXED BY THE OWNER (OR ITS ASSIGNEE OR AN AFFILIATED CORPORATE OWNER) TO THE SUBDIVISION AND GEOGRAPHIC JURISDICTION AND BYLAWS OF THE HOA, WHICH MAY BE ACCOMPLISHED BY THE OWNER (OR ITS ASSIGNEE OR AN AFFILIATED CORPORATE OWNER) BY FILING A SUPPLEMENTAL DECLARATION HERETO, OR BY NOTING SUCH ANNEXATION ON A SEPARATE DEED OF DEDICATION FOR THE ADDITIONAL LANDS/PHASES TO BE ANNEXED HERETO, OR OTHER INSTRUMENT ADDING SUCH ADDITIONAL LANDS/PHASES TO THE SUBDIVISION AND THE JURISDICTION OF THE HOA, IN WHICH CASE ANY SUCH LANDS/PHASES AND THE SUBSEQUENT OWNERS THEREOF SHALL BE UNDER THE JURISDICTION OF THE HOA AND ALL RULES PERTAINING THERETO, AND, IN ACCORDANCE THERewith, OWNER DOES HEREBY NOTE AND ANNEX THE PROPERTY DESCRIBED HEREIN TO THE ORIGINAL/PREVIOUSLY ESTABLISHED SUBDIVISION AND GEOGRAPHIC JURISDICTION AND BYLAWS OF THE HOA.

B. MEMBERSHIP

EVERY PERSON OR ENTITY WHO ACCEPTS A DEED FOR A LOT IN THE SUBDIVISION AND IS A RECORD OWNER OF THE FEE INTEREST OF A LOT IN THE SUBDIVISION SHALL BE A MEMBER OF THE HOA AND SUBJECT TO ITS BYLAWS AND RULES. MEMBERSHIP SHALL BE APPURTENANT TO AND SHALL NOT BE SEPARATED FROM OWNERSHIP OF A LOT.

C. ASSESSMENTS

EACH OWNER OF A LOT WITHIN THE SUBDIVISION, EXCEPT OWNER/DECLARANT, BY ACCEPTANCE OF A DEED THEREFOR, IS DEEMED TO COVENANT AND AGREE TO PAY TO THE HOA CERTAIN ASSESSMENTS TO BE ESTABLISHED BY THE BOARD OF DIRECTORS IN ACCORDANCE WITH THESE COVENANTS AND AS AMENDED AND THE BYLAWS OF THE HOA, TO BE EXECUTED BY THE OWNER FOR THE MAINTENANCE AND IMPROVEMENT OF THE COMMON AREAS OWNED OR MAINTAINED BY THE HOA AND FOR OTHER PURPOSES WHICH BENEFIT THE SUBDIVISION AND THE OWNERS OF LOTS THEREIN, AND ANY UNPAID SUCH ASSESSMENTS SHALL BE A LIEN ON THE LOT AGAINST WHICH IT IS MADE, BUT THE LIEN SHALL BE SUBORDINATE TO THE LIEN OF ANY FIRST MORTGAGE.

D. MAINTENANCE OF COMMON AREAS

THE HOA SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL COMMON AREAS AS DEPICTED ON THE PLAT, OR AS DESCRIBED IN THESE COVENANTS, AND AS AMENDED, WHICH MAY INCLUDE BUT NOT BE LIMITED TO ENTRYWAYS, DRAINAGE AND DETENTION/RETENTION FACILITIES, PERIMETER FENCING, AND OTHER COMMON AREAS AND RESERVE AREAS AS DEPICTED ON THE PLAT, OR DESCRIBED IN THESE COVENANTS, AND AS AMENDED.

E. LIMITATION ON LIABILITY

THE HOA SHALL BE ENTITLED TO ALL PROTECTIONS AFFORDED UNDER OKLAHOMA'S GENERAL CORPORATION ACT AND ANY OTHER LAWS PROVIDING PROTECTION TO OWNER'S ASSOCIATIONS. NEITHER ANY MEMBER NOR OWNER, NOR THE DIRECTORS AND OFFICERS OF THE HOA SHALL BE PERSONALLY LIABLE FOR DEBTS CONTRACTED FOR OR OTHERWISE INCURRED BY THE HOA OR FOR ANY TORTS COMMITTED BY OR ON BEHALF OF THE HOA OR OTHERWISE. NEITHER THE OWNER, THE HOA, ITS DIRECTORS, OFFICERS, AGENTS OR EMPLOYEES SHALL BE LIABLE FOR ANY INCIDENTAL OR CONSEQUENTIAL DAMAGES, FOR FAILURE TO INSPECT ANY PREMISES, IMPROVEMENTS OR PORTION THEREOF, OR FOR FAILURE TO REPAIR OR MAINTAIN THE SAME.

SECTION IV. RESTRICTIVE COVENANTS

THE SUBDIVISION (AND EACH LOT SITUATED THEREIN) SHALL BE CONSTRUCTED, DEVELOPED, OCCUPIED AND USED AS FOLLOWS.

A. NO DIVISION OF LOTS

NO LOT MAY BE DIVIDED OR SPLIT.

B. RESIDENTIAL LOTS

ALL LOTS WITHIN THE SUBDIVISION SHALL BE USED, KNOWN AND DESCRIBED AS RESIDENTIAL LOTS. ONLY ONE SINGLE FAMILY RESIDENTIAL DWELLING SHALL BE PERMITTED ON EACH LOT. IN ADDITION, ONLY CUSTOMARY AND USUAL NECESSARY STRUCTURES MAY BE CONSTRUCTED ON EACH LOT AS MAY BE PERMITTED BY THE CITY. NO BUILDING OR STRUCTURE INTENDED FOR OR ADAPTED TO BUSINESS PURPOSES SHALL BE ERECTED, PLACED, PERMITTED OR MAINTAINED ON ANY LOT. THIS COVENANT SHALL BE CONSTRUED AS PROHIBITING THE ENGAGING IN OR PRACTICE OF ANY COMMERCE, INDUSTRY, BUSINESS, TRADE OR PROFESSION WITHIN THE SUBDIVISION AND/OR WITHIN ANY LOT. THE RESTRICTIONS ON USE HEREIN CONTAINED SHALL BE CUMULATIVE OF AND IN ADDITION TO SUCH RESTRICTIONS ON USAGE AS MAY FROM TIME TO TIME BE APPLICABLE UNDER AND PURSUANT TO THE STATUTES, RULES, REGULATIONS AND ORDINANCES OF THE CITY OR ANY OTHER GOVERNMENTAL AUTHORITY OR POLITICAL SUBDIVISION HAVING JURISDICTION OVER THE SUBDIVISION.

C. RESIDENTIAL PURPOSES

BY ACQUISITION OF ANY LOT WITHIN THE SUBDIVISION, EACH OWNER (EXCLUDING BONA FIDE HOME BUILDERS) COVENANTS WITH AND REPRESENTS TO THE DECLARANT AND TO THE ASSOCIATION THAT THE LOT IS BEING SPECIFICALLY ACQUIRED FOR THE SPECIFIC AND SINGULAR PURPOSE OF CONSTRUCTING AND USING A SINGLE FAMILY RESIDENTIAL DWELLING THEREON, OR AS A RESIDENCE FOR SUCH OWNER AND/OR OWNER'S IMMEDIATE FAMILY MEMBERS.

D. SUBMISSION OF PLANS

IN ORDER TO MAINTAIN A BEAUTIFUL AND PLEASING SETTING IN THE SUBDIVISION TWO (2) SETS OF BUILDING AND SITE IMPROVEMENT PLANS AND SPECIFICATIONS MUST BE SUBMITTED TO THE ARCHITECTURAL CONTROL COMMITTEE ("COMMITTEE") FOR ITS APPROVAL PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. THE COMMITTEE SHALL ACT TO ENFORCE THE REQUIREMENTS OF THESE COVENANTS IN A REASONABLE MANNER. THE COMMITTEE HAS THE AUTHORITY TO MAINTAIN THE ARCHITECTURAL CONFORMITY OF THE SUBDIVISION, AND IN CONSIDERATION THEREOF SHALL DETERMINE THAT THE PROPOSED CONSTRUCTION SHALL NOT DETRACT FROM THE DEVELOPMENT AND SHALL ENHANCE THE PURPOSE OF THE DEVELOPMENT TO PROVIDE A BEAUTIFUL AND PLEASING SETTING IN THE SUBDIVISION. THE COMMITTEE SHALL CONSIDER SUCH MATTERS AS THE PROPOSED SQUARE FOOTAGE, LOCATION, MATERIALS, EXTERIOR STYLE AND LANDSCAPING, ETC. THE COMMITTEE MAY ADOPT RULES OR BYLAWS EXPLAINING THE MECHANICS OF ITS OPERATION AND PROVIDING FOR A TWENTY-ONE (21) DAY MAXIMUM TIME WITHIN WHICH PLANS MUST BE REVIEWED AND APPROVED OR DISAPPROVED AFTER SUBMISSION, AND IF NOT APPROVED OR DISAPPROVED IN THAT PERIOD, THAT THE SAME SHALL BE CONSIDERED AS AUTOMATICALLY APPROVED. THE BOARD MAY ALSO EXERCISE THE DUTIES OF THE COMMITTEE IN THE EVENT THE BOARD DEEMS IT NECESSARY AND EFFICIENT TO DO SO.

E. ARCHITECTURAL REQUIREMENTS

1. EACH DWELLING SHALL FRONT A DEDICATED PUBLIC STREET.  
2. NO BUILDING SHALL BE LOCATED CLOSER TO THE STREET THAN THE MINIMUM BUILDING OR SET-BACK LINES SHOWN ON THE RECORDED PLAT.  
3. ALL RESIDENCES SHALL HAVE ROOF SHINGLES THAT ARE GREY OR BLACK IN COLOR, PREFERABLY WEATHERWOOD. DEVIATION FROM THIS COLOR REQUIRES APPROVAL FROM THE ARC.

F. ADDITIONS TO EXISTING STRUCTURES

ALL ADDITIONS SHALL CONFORM TO THE BASIC STYLING AND MATERIALS OF THE DWELLING ON ANY LOT. ALL ADDITIONS SHALL FALL WITHIN THE BUILDING SET-BACKS ON SAID LOT AND SHALL NOT BE PLACED OVER ANY DRAINAGE OR UTILITY EASEMENT. ALL IMPROVEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE TO APPLICABLE CITY CODES, RULES AND REGULATIONS. ANY ADDITIONS CONTEMPLATED BY THE HOME OWNER OR LOT OWNER MUST SUBMIT PLANS PRIOR TO CONSTRUCTION TO THE COMMITTEE FOR APPROVAL. THE COMMITTEE HAS COMPLETE AND SOLE DISCRETION TO APPROVE, MODIFY, DENY OR CHANGE ANY REQUEST FOR AN ADDITION TO AN EXISTING STRUCTURE.

G. GARAGE AND DETACHED STRUCTURES AND STORAGE BUILDINGS

ALL RESIDENCES CONSTRUCTED IN THE SUBDIVISION SHALL HAVE A MINIMUM OF TWO (2) OFF-STREET PARKING SPACES, TO INCLUDE A PRIVATE GARAGE TO ACCOMMODATE A MINIMUM OF ONE (1) AUTOMOBILE AND A PARKING PAD FOR ONE (1) ADDITIONAL AUTOMOBILE. NO CARPORTS ARE ALLOWED ON THE SIDE, REAR OR FRONT YARDS OF ANY LOTS. EACH GARAGE SHALL BE FULLY ENCLOSED AND CONTAIN A FULL-LENGTH OVERHEAD STYLE DOOR. ALL GARAGE DOORS ARE TO BE KEPT CLOSED WHEN NOT ENTERING OR EXITING THE GARAGE. ANY DETACHED STRUCTURE TO BE BUILT ON A LOT, SUCH AS A COVERED ENTERTAINMENT AREA, GUEST HOUSE, POOL HOUSE, STORAGE BUILDING, OR OTHER STRUCTURE, SHALL CONFORM TO THE BASIC STYLING AND MATERIALS OF THE RESIDENTIAL DWELLING. ANY DETACHED STRUCTURE CONTEMPLATED FOR CONSTRUCTION BY ANY HOME OWNER OR LOT OWNER MUST, PRIOR TO CONSTRUCTION, SUBMIT ACCEPTABLE PLANS TO THE COMMITTEE FOR APPROVAL. THE COMMITTEE HAS COMPLETE AND SOLE DISCRETION TO APPROVE, MODIFY, DENY OR CHANGE ANY REQUEST FOR AN ADDITION TO ANY EXISTING STRUCTURE.

H. TEMPORARY STRUCTURES

NO TRAILER, MOBILE HOME, TENT, CONSTRUCTION SHACK, OR OTHER OUTBUILDING SHALL BE ERECTED ON ANY LOT IN THE SUBDIVISION EXCEPT FOR TEMPORARY USE BY CONSTRUCTION CONTRACTORS FOR A REASONABLE PERIOD OF TIME.

I. FENCES

NO FENCE SHALL BE CONSTRUCTED ON ANY SAID LOT IN THE AREA BETWEEN THE FRONT BUILDING LINE OF ANY DWELLING AND THE FRONT LOT LINE OF ANY SAID LOT. NO FENCE ON A CORNER LOT SHALL BE CONSTRUCTED BEYOND THE SIDE SET-BACK LINE TOWARD THE STREET EXCEPT FOR THE COMMUNITY ENTRY. FURTHER, THE PLACEMENT/LOCATION OF ANY PERIMETER FENCING AROUND THE SUBDIVISION AS INITIALLY INSTALLED BY THE DECLARANT AND/OR ORIGINAL DEVELOPER MAY NOT BE ADJUSTED, RELOCATED OR MOVED WITHOUT THE PRIOR CONSENT OF THE COMMITTEE AND/OR THE BOARD. ANY PRIVACY FENCE SHALL BE CONSTRUCTED SO THAT THE FRAMING SHALL BE TOWARD THE INSIDE OF THE OWNER'S LOT. ALL FENCES MUST BE INSTALLED BY A PROFESSIONAL INSTALLER AND SHALL BE SIX FOOT (6') WOOD PRIVACY FENCING WITH VERTICAL BOARDS (NOT HORIZONTAL) AND NO CHAIN-LINK FENCES, WIRE, HOG WIRE, OR OTHER SIMILAR MATERIALS SHALL BE PERMITTED. PRIOR TO INSTALLATION, THE FENCE DESIGN AND NAME OF THE INSTALLER MUST BE APPROVED BY THE COMMITTEE.

J. MAILBOXES

ALL MAILBOXES SHALL BE APPROVED BY THE UNITED STATES POSTAL SERVICE. THE TYPE OF CONSTRUCTION SHALL BE CONSISTENT WITH THE DESIGN ESTABLISHED BY THE DEVELOPER. COMMUNITY MAILBOX IS AN APPROVED ALTERNATIVE SUBJECT TO APPROVAL OF THE UNITED STATES POSTAL SERVICE.

K. SIGNS

NO SIGN OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT EXCEPT ONE PROFESSIONAL SIGN ADVERTISING THE PROPERTY FOR SALE, RESALE OR RENT, OR SIGNS USED BY BUILDER OR AGENT TO ADVERTISE THE PROPERTY DURING THE CONSTRUCTION AND SALE OF A DWELLING THEREON. IN NO EVENT SHALL ANY SUCH SIGN STAND MORE THAN SEVEN (7) FEET ABOVE GROUND LEVEL, NOR BE MORE THAN FIVE (5) SQUARE FEET IN SIZE, NOR BE LIGHTED AT NIGHT. THESE SIGNAGE RESTRICTIONS AND REQUIREMENTS SHALL NOT APPLY TO DECLARANT.

L. PARKED VEHICLES

ALL VEHICLES PARKED IN THE FRONT OF THE FRONT BUILDING LINE MUST BE PARKED ON THE DRIVEWAY. NO INOPERATIVE VEHICLES OF ANY NATURE SHALL BE PERMITTED TO REMAIN ON ANY LOT OR LOTS FOR A PERIOD IN EXCESS OF ONE (1) DAY. IT IS THE INTENTION OF THE DECLARANT THAT, EXCEPT ON SPECIAL OCCASIONS SUCH AS HOLIDAYS OR EVENTS AT AN OWNER'S RESIDENCE THAT ALL PARKING SHALL BE IN DRIVEWAYS AND NOT ON A STREET OR ON ANY YARD. ACCORDINGLY, NO VEHICLE SHALL BE PARKED ON THE STREET FOR MORE THAN TWO (2) CONSECUTIVE DAYS AND SHALL NOT BE PARKED OVERNIGHT ON A STREET. ANY VIOLATION OF THIS SECTION MAY RESULT IN A TOWING OF THE VEHICLE AT THE OWNER'S EXPENSE PER MUNICIPAL REGULATIONS. NO VEHICLE MAINTENANCE SHALL BE PERFORMED ON THE STREETS OR IN THE FRONT YARDS OR ON PARKING PADS OF ANY LOT.

M. APPEARANCE OF LOT

ALL OWNERS SHALL BE REQUIRED TO KEEP THEIR LOT IN A CLEAN AND SANITARY CONDITION WHETHER OR NOT THEY HAVE CONSTRUCTED A RESIDENCE ON THE LOT. ALL OPEN AREAS ON LOTS SHALL BE KEPT MOWED TO A HEIGHT OF NOT MORE THAN SIX (6) INCHES. NO PLAYGROUNDS, SWING SETS, TRAMPOLINES, SWIMMING POOLS, PICNIC TABLES, OR OTHER SIMILAR EQUIPMENT IS ALLOWED IN THE FRONT YARDS OF ANY LOT. THE BOARD AND COMMITTEE MAY PROMULGATE RULES AND REGULATIONS REGARDING THE MAINTENANCE OF LOTS AND ADEQUATE ENFORCEMENT MECHANISMS IN THE EVENT A LOT IS NOT PROPERLY MAINTAINED. UPON FAILURE OF THE OWNER TO MAINTAIN OR LANDSCAPE THE GROUNDS OF ANY LOT IN ACCORDANCE WITH THE PROVISIONS ABOVE, THE ASSOCIATION MAY, UPON 15 DAYS WRITTEN NOTICE TO THE

OWNER, CAUSE THE GRASS, WEEDS AND VEGETATION TO BE CUT. THE COST OF ANY MAINTENANCE REQUIRED UNDER THIS SECTION AND ANY ENFORCEMENT COSTS SHALL BE ASSESSED TO THE OWNER, AND SHALL CONSTITUTE A LIEN UPON THE LOT, AND MAY BE COLLECTED IN ACCORDANCE WITH SECTION IV.C.

N. RECREATIONAL VEHICLES AND ACCESSORIES

NO BOATS, TRAILERS, RECREATIONAL VEHICLES, AND VEHICLES USED FOR RECREATIONAL PURPOSES ARE ALLOWED IN THE SUBDIVISION UNLESS THEY WILL FIT ENTIRELY INTO A PRIVATE GARAGE.

O. STORAGE AND CONSTRUCTION MATERIALS

CONSTRUCTION MATERIALS MAY ONLY BE STORED ON A LOT FOR THIRTY (30) DAYS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. THEREAFTER, CONSTRUCTION IS TO BE COMPLETED WITHIN A REASONABLE PERIOD OF TIME. THE DECLARANT SHALL BE ALLOWED TO STORE MATERIALS ON A LOT IN AN ORDERLY FASHION AS LONG AS MAY BE REASONABLY NECESSARY.

P. GARBAGE/DUMPING

DUMPING IS PROHIBITED IN THE SUBDIVISION. ALL TRASH, GARBAGE OR OTHER WASTE SHALL BE KEPT IN SANITARY CONTAINERS THAT SHALL BE LOCATED AT THE REAR OF EACH RESIDENTIAL UNIT OR ENCLOSED GARAGES AND MUST BE OUT OF SIGHT FROM THE STREET. ALL LOTS SHALL BE MAINTAINED IN A NEAT AND ORDERLY CONDITION AT ALL TIMES.

Q. MODEL HOME AND CONSTRUCTION FACILITIES

MODEL HOMES FOR THE PURPOSES OF HOME SALES ARE PERMITTED BY THE DECLARANT. THE GARAGE OF MODEL HOMES MAY BE USED AS SALES OFFICES, ONE TRAILER OR TEMPORARY BUILDING MAY BE LOCATED ON A RESIDENTIAL LOT BY THE DECLARANT AND USED AS A CONSTRUCTION OFFICE UNTIL THE SUBDIVISION REACHES ONE-HUNDRED PERCENT (100%) OCCUPANCY.

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

A. ENFORCEMENT

THE COVENANTS AND RESTRICTIONS SET FORTH HEREIN SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY, THE HOA, THE OWNER, AND ANY OWNER OF A LOT, AND IN ANY JUDICIAL ACTION BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED HEREIN, A PARTY MAY SEEK ALL APPROPRIATE REMEDIES AT LAW, INCLUDING INJUNCTIVE RELIEF, TO ENFORCE THE COVENANTS SET FORTH HEREIN. FAILURE TO DO SO SHALL NOT BE DEEMED A WAIVER OF ANY TERMS HEREOF OR OF THE RIGHT TO SEEK ACTION AGAINST FUTURE NONCOMPLIANCE. REASONABLE REGULATIONS CONCERNING THE PROPERTY AND COMMON AREAS MAY BE MADE AND AMENDED FROM TIME TO TIME BY THE OWNER AND/OR ASSOCIATION. NO NOXIOUS OR OFFENSIVE ACTIVITY SHALL BE CARRIED ON IN, UPON, OR AROUND ANY RESIDENCE OR LOT OR IN OR UPON ANY COMMON AREA, NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE OR BECOME AN ANNOYANCE OR A NUISANCE TO OTHER OWNERS OR IN ANY WAY INTERFERE WITH THE QUIET ENJOYMENT OF SUCH OWNERS.

B. DURATION

THESE COVENANTS SHALL RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER AND ALL SUBSEQUENT OWNERS AND PERSONS CLAIMING UNDER THEM WITHIN THE SUBDIVISION UNTIL JANUARY 1, 2042, AFTER WHICH TIME SAID COVENANTS SHALL BE DEEMED AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN (10) YEARS UNLESS OTHERWISE AMENDED OR TERMINATED AS PROVIDED HEREIN.

C. AMENDMENT OR TERMINATION

THE COVENANTS CONTAINED WITHIN SECTIONS I. AND II. MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER AND APPROVED BY THE CITY.

EXCEPT FOR SECTIONS I. AND II. AS STATED ABOVE, OWNER OR ITS ASSIGNEE MAY SUPPLEMENT OR AMEND ANY OF THESE COVENANTS STATED HEREIN AT ANY TIME IN WHOLE OR IN PART BY EXECUTING AND RECORDING AN INSTRUMENT WITH THE COUNTY CLERK. ALTERNATIVELY, THESE COVENANTS MAY BE AMENDED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNERS OF SIXTY (60%) OF THE LOTS (SUBJECT TO OWNER CONSENT). THE PROVISIONS OF ANY INSTRUMENT SUPPLEMENTING OR AMENDING THESE COVENANTS SHALL BE EFFECTIVE FROM AND AFTER THE DATE IT IS RECORDED IN THE RECORDS OF THE COUNTY CLERK.

D. SEVERABILITY

INVALIDATION OF ANY COVENANT OR RESTRICTION SET FORTH HEREIN, OR ANY PART THEREOF, BY ANY COURT OR OTHERWISE SHALL NOT INVALIDATE OR AFFECT ANY OF THE OTHER COVENANTS OR RESTRICTIONS HEREIN.

IN WITNESS WHEREOF, TULSA L DEV., LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HAS EXECUTED THIS INSTRUMENT ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

TULSA L DEV., LLC  
AN OKLAHOMA LIMITED LIABILITY COMPANY

BY  
STEPHEN LIEUX, MANAGER

ACKNOWLEDGMENT

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) SS

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR THE AFORESAID COUNTY AND STATE, DULY COMMISSIONED AND ACTING, APPEARED STEPHEN LIEUX, TO ME PERSONALLY WELL KNOWN AS, OR PROVEN TO BE, THE PERSON WHOSE NAME APPEARS UPON THE WITHIN AND FOREGOING DOCUMENT AND STATED THAT HE WAS THE MANAGER OF TULSA L DEV., LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, AND WAS DULY AUTHORIZED TO EXECUTE THE FOREGOING CONVEYANCE FOR AND ON ITS BEHALF, AND HE RESPECTIVELY ACKNOWLEDGED TO ME THAT HE HAD EXECUTED THE SAME FOR THE CONSIDERATION AND PURPOSES THEREIN MENTIONED AND SET FORTH, AND I DO SO CERTIFY.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL OF OFFICE AS SUCH NOTARY PUBLIC AT THE COUNTY AND STATE AFORESAID ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

MY COMMISSION EXPIRES \_\_\_\_\_ 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 AS "THE WOODS BLOCKS 6-9", A SUBDIVISION WITHIN THE CITY OF COWETA, WAGONER 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 \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.



BY:  
DAN E. TANNER  
LICENSED PROFESSIONAL LAND SURVEYOR  
OKLAHOMA NO. 1435

STATE OF OKLAHOMA )  
COUNTY OF TULSA )

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, PERSONALLY APPEARED TO ME DAN E. TANNER KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME TO THE FOREGOING CERTIFICATE AS LICENSED PROFESSIONAL LAND SURVEYOR, AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSES THEREIN SET FORTH.

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

MY COMMISSION EXPIRES \_\_\_\_\_ NOTARY PUBLIC





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## Memorandum

To: Honorable Chairman and Members of the Planning Commission  
From: Mark Seibold, Community Development Director  
Re: Vacation of the Re-Plat of Final Plat Wagoner County Industrial Park I  
Date: 03-21-2022

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### BACKGROUND

#### Applicant

The Applicant, the Wagoner County Economic Development Authority, is seeking approval from the City of Coweta of its proposed vacation of the Re-Plat of the Final Plat Wagoner County Industrial Park I, a subdivision industrial park of approximately 29.93 acres, more or less, with 12 lots located in Section 19, Township 17 North, Range 16 East, of the Indian Base and Meridian, Wagoner County, State of Oklahoma.

#### Case Facts

- The property is located on South 305th East Avenue and bounded on the west by the Missouri-Kansas-Texas Railroad, between East 151st Street South and East 161st Street South.
- The property is zoned IL Light Industrial.
- The legal description of the property is: A portion of the East Half of the Northeast Quarter (E/2, NE/4) of Section Nineteen (19), Township Seventeen (17) North, Range Sixteen (16) East of the Indian Meridian, City of Coweta, County of Wagoner, State of Oklahoma, more particularly described as follows:

Commencing at the Northeast corner of said Northeast Quarter (NE/4); thence S00°12'43" W along the East line of Said Northeast Quarter (NE/4) a distance of 1,344.59 feet to the point of beginning; thence N89°52'54"W a distance of 370.00 feet; thence N44°57'52"W a distance of 29.85 feet to a point on the South line of the Northeast Quarter of said Northeast Quarter (NE/4) (NE/4); thence N89°59'57"W, along said South line a distance of 571.83 feet; thence S16°34'22"E a distance of 324.66 feet; thence S73°25'33"W a distance of 298.26 feet to a point on the Easterly right-of-way line of the Union Pacific Railroad; thence S16°31'13"E along said Easterly right-of way a distance of 968.24 feet to a point on the South line of said Northeast Quarter (NE/4); thence S89°59'33"E along said South line of said Northeast Quarter (NE/4); a distance of 876.60 feet to the Southeast corner of said Northeast Quarter (NE/4); thence N00°12'46"E along said East line of said Northeast Quarter (NE/4) a distance of 1,300.83 feet, to the Point of Beginning. Said Tract Contains 1,303,928.21 Square Feet/29.93 Acres.

- The final plat of the Wagoner County Industrial Park I was reviewed by the Planning Commission on September 24, 2007. At the September 24, 2007 Meeting, the Planning



Commission recommended that the final plat be approved by the City Council. On October 1, 2007 the final plat was approved by the City Council.

- The amendment of the final plat of the Wagoner County Industrial Park I was reviewed by the Planning Commission on May 27, 2008. At the May 27, 2008 Meeting, the Planning Commission recommended that the final plat be approved by the City Council. On June 2, 2008 the amendment to the final plat was approved by the City Council.

#### Applicable Statute

§11-42-106. Vacation of plat by written agreement of owners.

- A. Any plat of a municipality or addition thereto or any subdivision of land may be vacated by the owners thereof at any time before the sale of any lots therein by a written instrument declaring the same to be vacated, duly executed, acknowledged, or proved and recorded in the same office with the plat to be vacated. The executing and recording of the written instrument, bearing the approval or consent of the municipality in which the plat is situated, shall operate to destroy the force and effect of the recording of the plat so vacated, and to divest all public rights in the public ways, commons, and public grounds laid out as described in the plat.

The Coweta Planning Commission is to hold a public hearing on the Application at the March 21, 2022 Planning Commission meeting. It is anticipated that at such meeting the Planning Commission will make a recommendation to the City Council. This vacation, when approved by the City Council and recorded in the land records of Wagoner County, State of Oklahoma by or on behalf of the Applicant, shall in all respects be final.

#### **STAFF RECOMMENDATION**

Staff recommends approval of the Vacation of the Re-Plat of Final Plat Wagoner County Industrial Park I.

#### **ATTACHMENTS**

1. Aerial View Map
2. Zoning Map
3. Vacation of Plat Document
4. Re-Plat of Final Plat Wagoner County Industrial Park I

WILLIAM L. EAGLETON, IV  
DIRECT DIAL (918) 581-5511  
BEAGLETON@PRAYWALKER.COM

March 9, 2022

City of Coweta  
Attn: Evette Young, Mayor  
P.O. Box 850  
Coweta, OK 74429

RE: Vacation of Plat – Wagoner County Industrial Park I (“Property”)

Dear Ms. Young:

Our firm represents Wagoner County Economic Development Authority (“WCEDA”), owner of the subject Property.

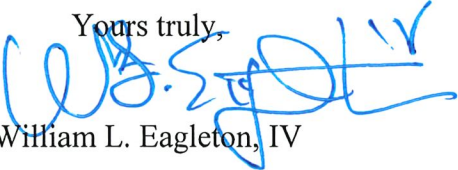
Pursuant to Title 11, Section 42-106 which provides for the vacation of a plat without District Court action where all of the owners of lots within the platted subdivision join in the vacation, enclosed are the following:

1. Vacation of Plat executed by WCEDA; and
2. Certification of Owner prepared by Wagoner County Abstract Company, L.L.C.

Please place this matter on the City Council agenda as soon as possible. If you have any questions or concerns, please contact the undersigned.

Your assistance with this matter is appreciated.

Yours truly,

  
William L. Eagleton, IV

WLE:gjm  
Encl.

cc: Tom Young (via email)  
Ronald D. Cates, City Attorney (via email)  
Rhonda Withers (via email)

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**VACATION OF PLAT**  
(Wagoner County Industrial Park I)

STATE OF OKLAHOMA    )  
                                  ) ss.  
COUNTY OF WAGONER    )

KNOW ALL MEN BY THESE PRESENTS: That pursuant to 11 O.S. §42-106, et seq., the undersigned Rhonda Withers, Chairman of the Wagoner County Economic Development Authority (“WCEDA”) hereby states as follows:

1. WCEDA is the sole owner of all the lots and blocks contained in Wagoner County Industrial Park I, a subdivision in Section 19, Township 17 North, Range 16 East of the Indian Base and Meridian, Wagoner County, Oklahoma, included in the re-plat and dedication of protective covenants of said addition filed in Plat Cabinet 5 at Page 405-B and recorded August 14, 2008 in Book 1772 at Page 485 in the Office of the County Clerk of Wagoner County, Oklahoma (“Plat”).

2. WCEDA does hereby revoke, cancel, annul and forever vacate the Plat and Declaration of Protective Covenants of Wagoner County Industrial Park I, including the easements and roadways contained on the Plat.

3. No lots in Wagoner County Industrial Park I have been sold and WCEDA is the sole owner of all lots contained within the Wagoner County Industrial Park I Plat being vacated.

4. Pursuant to 11 O.S. §42-107, attached hereto as Exhibit “A” is a metes and bounds legal description of the area being vacated. No part of Wagoner County Industrial Park I will remain platted.



Witness my hand and seal this 15<sup>th</sup> day of ~~November~~ <sup>February, 2022</sup>, 2021.

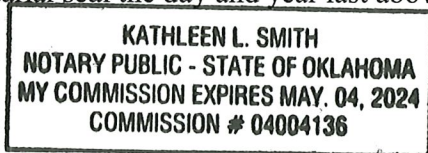
WAGONER COUNTY ECONOMIC  
DEVELOPMENT AUTHORITY

By: *Rhonda Withers*  
Rhonda Withers, Chairman

STATE OF OKLAHOMA    )  
                                          ) ss.  
COUNTY OF WAGONER    )

Before me, the undersigned, a Notary Public in and for said County and State, on this 15<sup>th</sup> day of ~~November~~ <sup>Feb. 2022</sup>, personally appeared Rhonda Withers, Chairman of the Wagoner County Economic Development Authority, to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that she/he executed the same as her/his free and voluntary act and deed for the uses and purposes therein set forth

IN WITNESS WHEREOF, I have hereunto set my official signature and affixed my notarial seal the day and year last above written.



*Kathleen L Smith*  
Notary Public      2/15/2022

[SEAL]  
My Commission Expires:  
5/4/2024

**CERTIFICATE OF CITY OF COWETA CITY COUNCIL**

The Vacation of the Plat of Wagoner County Industrial Park I, a Subdivision of the City of Coweta, filed in Plat Cabinet 5 at Page 405-B and recorded August 14, 2008 in Book 1772 at Page 485 in the Office of the County Clerk of Wagoner County, Oklahoma, was approved in open meeting by the City Council of the City of Coweta this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Evette Young, Mayor

ATTEST:

\_\_\_\_\_  
Julie Casteen, City Clerk

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Ronald D. Cates, City Attorney

EXHIBIT "A"

LEGAL DESCRIPTION

A PORTION OF THE EAST HALF OF THE NORTHEAST QUARTER (E/2, NE/4) OF SECTION NINETEEN (19), TOWNSHIP SEVENTEEN (17) NORTH, RANGE SIXTEEN (16) EAST, OF THE INDIAN BASE AND MERIDIAN, CITY OF COWETA, COUNTY OF WAGONER, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER (NE/4); THENCE S00°12'43"W ALONG THE EAST LINE OF SAID NORTHEAST QUARTER (NE/4), A DISTANCE OF 1,344.59 FEET, TO THE POINT OF BEGINNING; THENCE N89°52'54"W A DISTANCE OF 370.00 FEET; THENCE N44°57'52"W A DISTANCE OF 28.85 FEET, TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID NORTHEAST QUARTER (NE/4, NE/4); THENCE N89°59'57"W, ALONG SAID SOUTH LINE, A DISTANCE OF 571.83 FEET; THENCE S16°34'22"E A DISTANCE OF 324.66 FEET; THENCE S73°25'33"W A DISTANCE OF 298.28 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE S16°31'13"E ALONG SAID EASTERLY RIGHT-OF-WAY, A DISTANCE OF 988.24 FEET, TO A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER (NE/4); THENCE S88°59'33"E ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER (NE/4), A DISTANCE OF 878.60 FEET, TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER (NE/4); THENCE N00°12'48"E, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER (NE/4), A DISTANCE OF 1,300.83 FEET, TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 1,303,928.21 SQUARE FEET/29.93 ACRES



# Wagoner County Abstract Company, L.L.C.

(Established in 1907)

~~~~~ Abstracts - Title Insurance - Escrows ~~~~~

219 East Cherokee

Wagoner, Oklahoma 74467

Phone: (918) 485-2215
FAX: (918) 485-9162

P.O. Box 188
Wagoner, OK 74467

FILE NO. OR-22-002

STATE OF OKLAHOMA,
COUNTY OF WAGONER, SS

Wagoner County Abstract Company, being a duly and lawfully bonded abstractor in and for said County and State, hereby states:

It appears from the public records of Wagoner County, State of Oklahoma, that the property owners of the following described land are as follows:

A tract of land in the E½ of NE¼ of Section 19, Township 17 North, Range 16 East of the Indian Base and Meridian, Wagoner County, State of Oklahoma, more particularly described as follows, to-wit: Commencing at the Northeast corner of said NE¼; thence S00°12'43"W along the East line of said NE¼ a distance of 1344.59 feet to the point of beginning; thence N89°52'54"W a distance of 370.00 feet; thence N44°57'52"W a distance of 29.85 feet to a point on the South line of the NE¼ of said NE¼; thence N89°59'57"W along said South line a distance of 571.83 feet; thence S16°34'22"E a distance of 324.66 feet; thence S73°25'33"W a distance of 298.26 feet to a point on the Easterly right of way line of the Union Pacific Railroad; thence S16°31'13"E along said Easterly right of way a distance of 966.24 feet to a point on the South line of said NE¼; thence S89°59'33"E along the South line of said NE¼ distance of 876.60 feet to the Southeast corner of said NE¼; thence N00°12'46"E along the East line of said NE¼ a distance of 1300.83 feet to the point of beginning. ALSO KNOWN AS Wagoner County Industrial Park I.

are:

LEGAL DESCRIPTION

NAMES & ADDRESSES

All of Blocks 1 and 2, inclusive

Wagoner County Economic
Development Authority
P. O. Box 487, Coweta, OK 74429

DATED this 28th day of February, 2022 at 5:01 p.m.

WAGONER COUNTY ABSTRACT COMPANY, L.L.C.
(Certificate of Authority No. 32)

(seal)

By: Berjean Droom
Abstractor No. 2012

SUBSCRIBED AND SWORN to before me this 28th day of February, 2022.

KIM WITTEN
NOTARY PUBLIC - STATE OF OKLAHOMA
MY COMMISSION EXPIRES JAN. 04, 2025
COMMISSION # 00018819

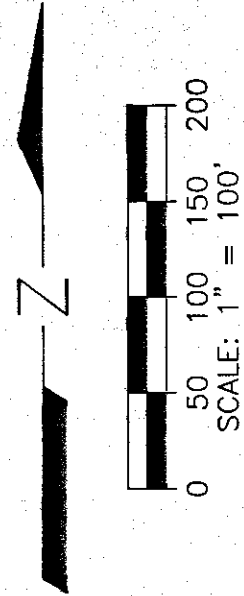
Kim Witten
NOTARY PUBLIC

LEGAL DESCRIPTION

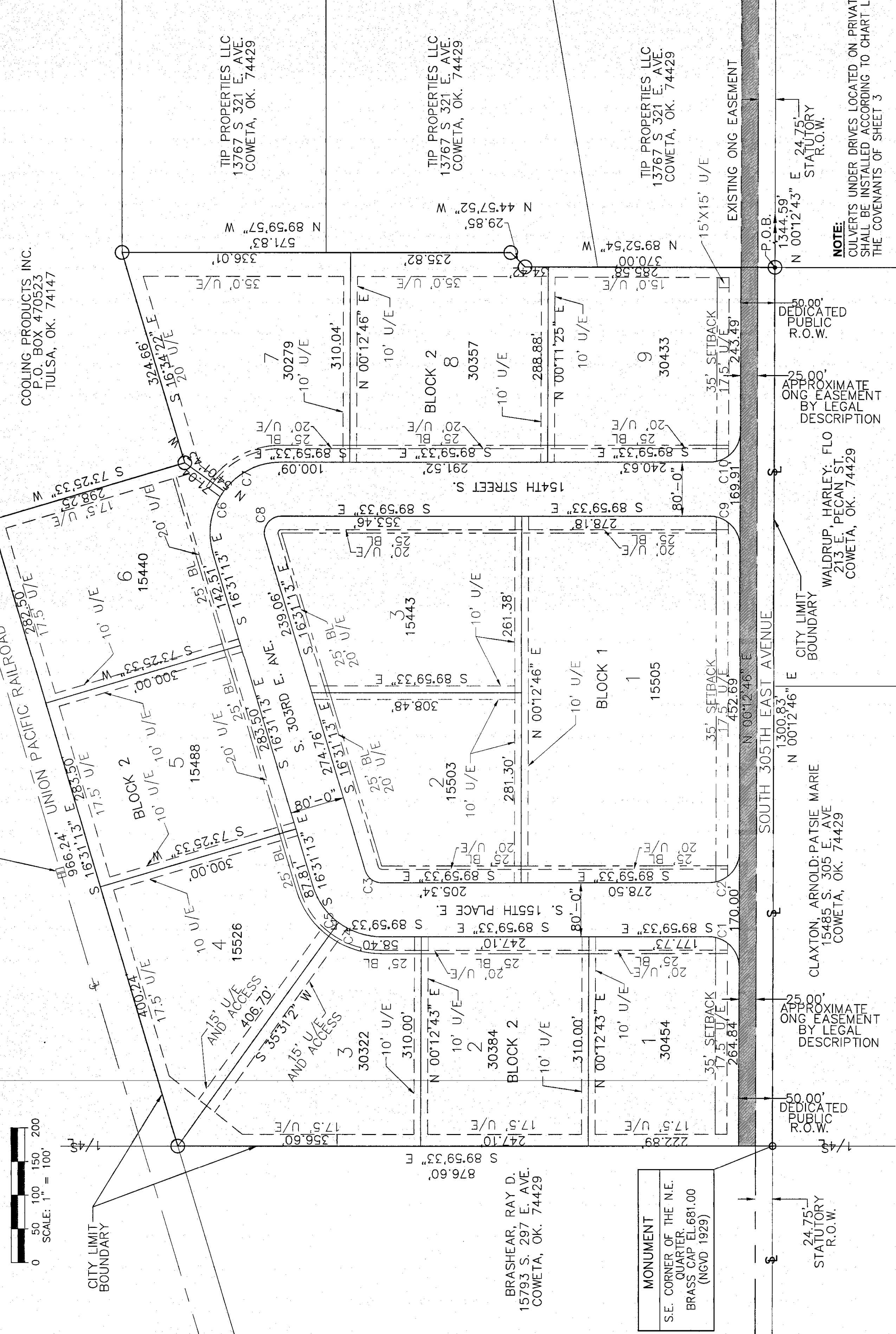
A PORTION OF THE EAST HALF OF THE NORTHEAST QUARTER (E/2, NE/4) OF SECTION NINETEEN (19), TOWNSHIP SEVENTEEN (17) NORTH, RANGE SIXTEEN (16) EAST, OF THE INDIAN BASE AND MERIDIAN, CITY OF COWETA, COUNTY OF WAGONER, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER (NE/4); THENCE S00°12'43"W ALONG THE EAST LINE OF SAID NORTHEAST QUARTER (NE/4), A DISTANCE OF 1,344.59 FEET; TO THE POINT OF BEGINNING; THENCE N89°52'54"W A DISTANCE OF 370.00 FEET; THENCE N44°57'52"W A DISTANCE OF 29.85 FEET, TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID NORTHEAST QUARTER (NE/4, NE/4); THENCE N89°59'57"W, ALONG SAID SOUTH LINE, A DISTANCE OF 571.83 FEET; THENCE S16°34'22"E, A DISTANCE OF 324.66 FEET; THENCE S73°25'33"W, A DISTANCE OF 298.26 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE S16°31'13"E ALONG SAID EASTERLY RIGHT-OF-WAY, A DISTANCE OF 966.24 FEET, TO A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER (NE/4); THENCE S89°59'33"E ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER (NE/4), A DISTANCE OF 876.60 FEET, TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER (NE/4); THENCE N00°12'46"E, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER (NE/4), A DISTANCE OF 1,300.83 FEET, TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 1,303,928.21 SQUARE FEET/29.93 ACRES



EXISTING 6'-0" WIDE CULVERT TALL



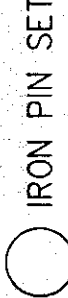
| CURVE DATA TABLE | | | | | | |
|------------------|--------|---------|-----------|-----------|--------|--------|
| CURVE NO. | LENGTH | RADIUS | DELTA | CURVE NO. | LENGTH | RADIUS |
| C-1 | 70.85' | 45.00' | 90°12'19" | C-8 | 46.48' | 25.00' |
| C-2 | 70.52' | 45.00' | 89°47'41" | C-9 | 70.85' | 45.00' |
| C-3 | 32.06' | 25.00' | 73°28'20" | C-10 | 70.52' | 45.00' |
| C-4 | 67.67' | 105.00' | 36°55'27" | | | |
| C-5 | 66.98' | 105.00' | 36°32'53" | | | |
| C-6 | 96.76' | 105.00' | 52°47'56" | | | |
| C-7 | 98.46' | 105.00' | 53°43'44" | | | |

RESEARCH OF APPROPRIATE RECORDS INDICATES THAT NO OIL, GAS, WATER WELLS AND/OR FRESH SPRINGS HAVE BEEN LOCATED ON THIS PROPERTY

ENTIRE PROPERTY IS LOCATED OUTSIDE OF ANY FEMA REGULATORY FLOODPLAIN

RESEARCH OF APPROPRIATE AGENCIES INDICATES THAT NO WETLANDS, ENDANGERED SPECIES, HISTORICAL AND/OR ARCHAEOLOGICAL SITES ARE ASSOCIATED WITH THIS PROPERTY

LEGEND:



Certified True Copy

CAROLYN KUSLER, COUNTY CLERK

Wagoner County, Okla.

By: *[Signature]*

FINAL PLAT

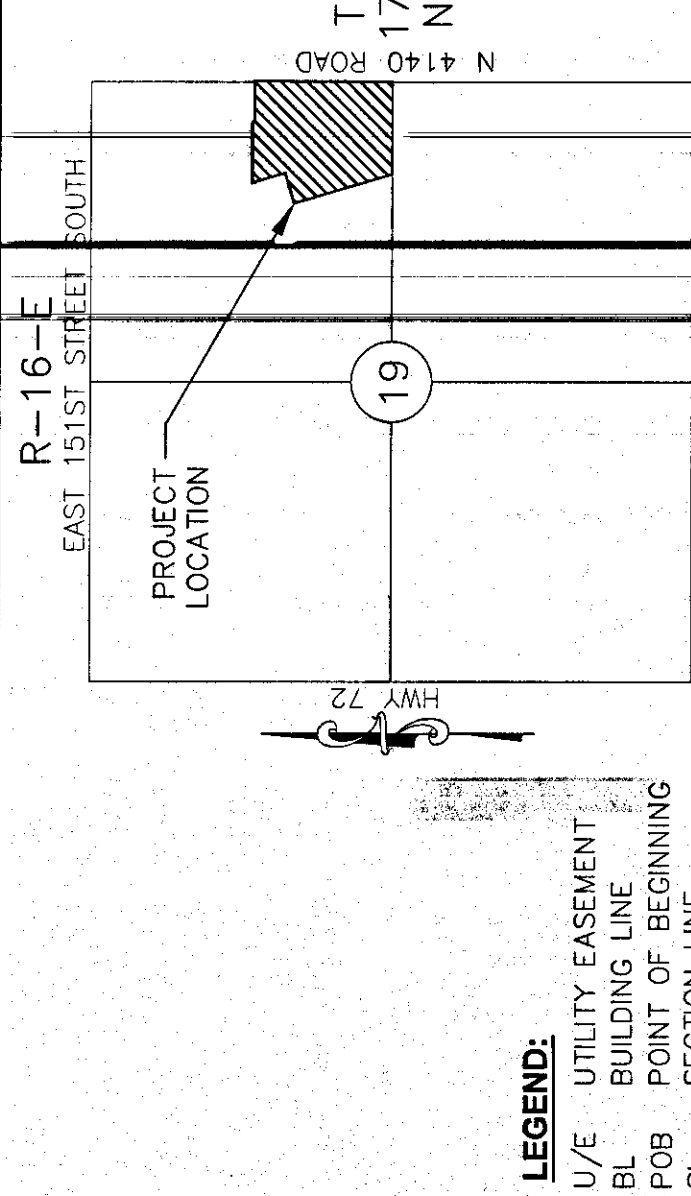
WAGONER COUNTRY INDUSTRIAL PARK I

WAGONER COUNTY, OKLAHOMA

JULY 2008

DEVELOPER:
WAGONER COUNTY ECONOMIC DEVELOPMENT AUTHORITY
30058 E. 147TH STREET SOUTH
COWETA, OK
(918) 466-4589

SURVEYOR:
HUDDLESTON LAND SURVEYING, INC.
P.O. BOX 496
VINITA, OK. 74301
PH (918) 451-1925
FAX (918) 256-6543



LEGEND:
U/E UTILITY EASEMENT
BL BUILDING LINE
POB POINT OF BEGINNING
SL SECTION LINE

OWNERS CERTIFICATE & DEDICATION

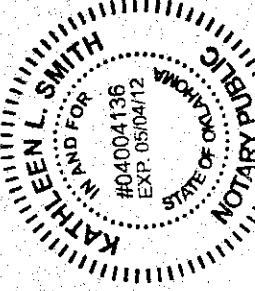
We, the undersigned Wagoner County, do hereby certify that we are the owners of and the only person having any right, title, or interest in the land shown on the annexed plat of:

A PORTION OF THE EAST HALF OF THE NORTHEAST QUARTER (E/2, NE/4) OF SECTION NINETEEN (19), TOWNSHIP SEVENTEEN (17) NORTH, RANGE SIXTEEN (16) EAST, OF THE INDIAN BASE AND MERIDIAN, CITY OF COWETA, COUNTY OF WAGONER, STATE OF OKLAHOMA.

and that the plat represents a correct survey of the above described property made with our consent, and that we hereby dedicate to the public use all the streets as shown on said annexed plat; that the easement as shown on the annexed plat are created for the installation and maintenance of public utilities; that we hereby guarantee a clear title to all lands so dedicated from ourselves, our heirs, or assigns forever and have caused the same to be released from all encumbrances so the title is clear, except as shown in the abstractor's certificate.

STATE OF OKLAHOMA)

COUNTY OF WAGONER)



Before me, the undersigned Notary Public, in and for said county and state on this 12th day of August, 2008, personally appeared Jim Hargrave, Tom Vincent, Jerry Hargrave, to me known to be the identical person who subscribed his name as the maker thereof to the foregoing instrument as the OWNER and acknowledges 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 corporation for the uses and purposes given under my hand and seal the day and year last above written, therein set

My commission expires: May 4, 2012

CERTIFICATE OF SURVEY

I, Michael J. Huddleston, a Registered Land Surveyor, in the State of Oklahoma, hereby certify that I have surveyed, subdivided and platted the above tract designated as Wagoner County Industrial Park I, a subdivision in the City of Coweta, Wagoner County, Oklahoma. To the best of my knowledge, the above plat is an accurate representation of said survey. Witness my hand and seal this 5 day of August, 2008.

Oklahoma Registered Land Surveyor # 1103 CA# 1613 (CA) Expires 6-30-2009

STATE OF OKLAHOMA)

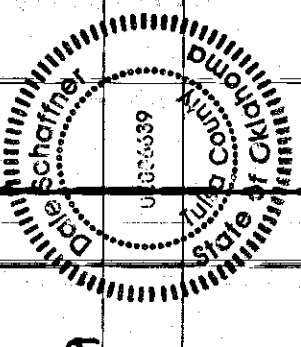
COUNTY OF WAGONER)



Before me, the undersigned Notary Public, in and for said county and state on this 5 day of August, 2008, personally appeared Jim Huddleston to me known to be the identical person who subscribed his name as the maker thereof to the foregoing instrument as the SURVEYOR and acknowledges 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 corporation for the uses and purposes given under my hand and seal the day and year last above written.

My commission expires: JUNE 30, 2009

Dale Schell
Notary Public



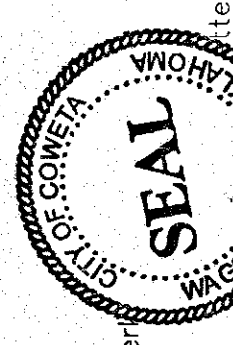
CERTIFICATE OF COWETA PLANNING COMMISSION

I, Dale Schell, Chairman of the Coweta Planning Commission, do certify that the proposed industrial park Wagoner County Industrial Park I has been processed through the Coweta Planning Commission with approval for acceptance.

CERTIFICATE OF APPROVAL

I hereby certify that this plat was approved by the Coweta Council on JUNE 2, 2008

This approval is void if the above signature is not endorsed by the City Clerk



City Clerk

CERTIFICATE OF WAGONER COUNTY CLERK

I, Carolyn M. Kusler, the County Clerk of Wagoner County do here now state the shown plat of Wagoner County Industrial Park I has been filed into Wagoner County Records.



CERTIFICATE OF WAGONER COUNTY TREASURER

I, Gloria Marshall, the duly elected and qualified County Treasurer of Wagoner County, Oklahoma, do hereby certify that there are no unpaid taxes up to and including the year 2007 on the above described property known as Wagoner County Industrial Park I a part of the East half of the Northeast Quarter of Section 19, Township 17 North, Range 16 East, City of Coweta, Wagoner County, State of Oklahoma, and required the security has been deposited in the office of the County Treasurer guaranteeing payment of current years taxes.

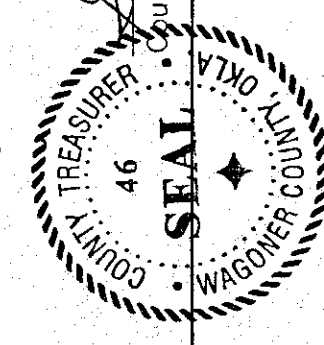
Witness my hand this 15th day of August, 2008.

Certified True Copy

CAROLYN KUSLER, COUNTY CLERK

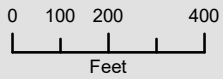
Wagoner County, Okla.

By: *[Signature]*





Subject
Tract



19 17-16



