



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, SEPTEMBER 16, 2024, 6:00 PM**

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL - PLANNING COMMISSION
 - Jessica Morris ____
 - Tena Metcalf ____
 - Jennifer Curtis ____
 - Vacant ____
 - Vacant ____

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 JULY 15, 2024.

Documents:

[2024-07-15 PC MEETING MINUTES.DOCX](#)

V. PUBLIC HEARINGS

1. PUBLIC HEARING-CZ 24-06 REZONE

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON CZ 24-06, A REQUEST TO CHANGE THE ZONING OF THE FOLLOWING DESCRIBED PROPERTY FROM (RS-3) RESIDENTIAL SINGLE FAMILY TO (RM-1) RESIDENTIAL MULTI-FAMILY. LOTS 8, 9, AND 10, IN BLOCK 24, TOWN OF NEW COWETA, WAGONER COUNTY, STATE OF OKLAHOMA, LOCATED AT 117 WEST OAK STREET, IN SECTION 18, TOWNSHIP 17 NORTH, RANGE 16 EAST OF THE INDIAN BASE AND MERIDIAN.

Documents:

[240916 CZ 24-06 PC STAFFREP.DOCX](#)
[CZ 24-06 AERIAL VIEW MAP.PDF](#)
[CZ 24-06 LOCATION MAP.PDF](#)
[CZ 24-06 ZONING MAP.PDF](#)

2. PUBLIC HEARING-CZ 24-07 REZONE

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON CZ 24-07, A REQUEST TO CHANGE THE ZONING OF THE FOLLOWING DESCRIBED PROPERTY FROM (AG) AGRICULTURE HOME TO (RS-2) RESIDENTIAL SINGLE FAMILY. A TRACT OF LAND IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW/4 NW/4) OF SECTION ONE (1), TOWNSHIP SEVENTEEN (17) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN BASE AND MERIDIAN, WAGONER COUNTY, STATE OF OKLAHOMA, LOCATED AT SOUTH 273RD EAST AVENUE AND EAST 125TH

PLACE.

Documents:

[240916 CZ 24-07 PC STAFFREP.DOCX](#)
[CZ 24-07 LOCATION MAP.PDF](#)
[CZ-24-07 AERIAL VIEW MAP.PDF](#)
[CZ-24-07 ZONING MAP.PDF](#)

3. FINAL PLAT - LANCASTER PARK PHASE I - PUBLIC HEARING

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A REQUEST FOR FINAL PLAT APPROVAL OF LANCASTER PARK PHASE I, A SUBDIVISION OF APPROXIMATELY 21.55 ACRES MORE OR LESS WITH 68 LOTS. LOCATED IN SECTION 26, TOWNSHIP 18 NORTH, RANGE 15 EAST, OF THE INDIAN BASE AND MERIDIAN, WAGONER COUNTY, STATE OF OKLAHOMA. PUD-R 19-01), WITH (RS-3 RESIDENTIAL SINGLE FAMILY), RM-1 RESIDENTIAL MULTI-FAMILY AND CG COMMERCIAL GENERAL ZONING.

Documents:

[240916 PC STAFF REPORT FINAL PLAT TY.DOCX](#)
[2040267 LANCASTER PH I PLAT.PDF](#)
[FLOODPLAIN MAP.PDF](#)
[ZONING MAP.PDF](#)

VI. ADMINISTRATION

1. CZ 24-06 REZONE

DISCUSSION AND POSSIBLE ACTION ON A RECOMMENDATION OF APPROVAL, APPROVAL WITH CONDITIONS, OR DENIAL TO THE COWETA CITY COUNCIL ON CZ 24-06, A REQUEST TO CHANGE THE ZONING OF THE FOLLOWING DESCRIBED PROPERTY FROM (RS-3) RESIDENTIAL SINGLE FAMILY TO (RM-1) RESIDENTIAL MULTI-FAMILY. LOTS 8, 9, AND 10, IN BLOCK 24, TOWN OF NEW COWETA, WAGONER COUNTY, STATE OF OKLAHOMA, LOCATED AT 117 WEST OAK STREET, IN SECTION 18, TOWNSHIP 17 NORTH, RANGE 16 EAST OF THE INDIAN BASE AND MERIDIAN.

Documents:

[240916 CZ 24-06 PC STAFFREP.DOCX](#)
[CZ 24-06 AERIAL VIEW MAP.PDF](#)
[CZ 24-06 LOCATION MAP.PDF](#)
[CZ 24-06 ZONING MAP.PDF](#)

2. CZ 24-07 REZONE

DISCUSSION AND POSSIBLE ACTION ON A RECOMMENDATION OF APPROVAL, APPROVAL WITH CONDITIONS, OR DENIAL TO THE COWETA CITY COUNCIL ON CZ 24-07, A REQUEST TO CHANGE THE ZONING OF THE FOLLOWING DESCRIBED PROPERTY FROM (AG) AGRICULTURE HOME TO (RS-2) RESIDENTIAL SINGLE FAMILY. A TRACT OF LAND IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW/4 NW/4) OF SECTION ONE (1), TOWNSHIP SEVENTEEN (17) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN BASE AND MERIDIAN, WAGONER COUNTY, STATE OF OKLAHOMA, LOCATED AT SOUTH 273RD EAST AVENUE AND EAST 125TH PLACE.

Documents:

[CZ 24-07 LOCATION MAP.PDF](#)
[CZ-24-07 AERIAL VIEW MAP.PDF](#)
[CZ-24-07 ZONING MAP.PDF](#)
[240916 CZ 24-07 PC STAFFREP.DOCX](#)

3. FINAL PLAT - LANCASTER PARK 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 LANCASTER PARK PHASE I, A SUBDIVISION OF APPROXIMATELY 21.55 ACRES MORE OR LESS WITH 68 LOTS. LOCATED IN SECTION 26, TOWNSHIP 18 NORTH, RANGE 15 EAST, OF THE INDIAN BASE AND MERIDIAN, WAGONER COUNTY, STATE OF

OKLAHOMA. PUD-R 19-01), WITH (RS-3 RESIDENTIAL SINGLE FAMILY), RM-1 RESIDENTIAL MULTI-FAMILY AND CG COMMERCIAL GENERAL ZONING.

Documents:

[240916 PC STAFF REPORT FINAL PLAT TY.DOCX](#)
[2040267 LANCASTER PH I PLAT.PDF](#)
[FLOODPLAIN MAP.PDF](#)
[ZONING MAP.PDF](#)

VII. 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.



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**REGULAR MEETING - MEETING MINUTES
COWETA PLANNING COMMISSION
COWETA CITY HALL, 310 S. BROADWAY, COWETA, OKLAHOMA**

MONDAY, JULY 15, 2024, 6:00 PM

COMMISSIONERS PRESENT: Jessica Morris, Tena Metcalf, Jennifer Curtis.

COMMISSIONERS ABSENT:

I. PLEDGE OF ALLEGIANCE

II. CALL TO ORDER

The meeting was called to order by chairperson Jessica Morris at 6:00 p.m.

III. ROLL CALL

Roll call taken. Planning Commission members were present as shown above.

IV. CONSENT

Consideration of the minutes of the regular meeting held on May 20, 2024.

Jessica Morris makes a motion to approve the minutes. Jennifer Curtis seconded the motion.

Aye: Jessica Morris
Tena Metcalf
Jennifer Curtis

V. PUBLIC HEARINGS

Jessica Morris opens the public hearing.

Public Hearing - Planned Unit Development (PUD) PUD-R 24-01

Public Hearing to Receive Public Comment on a request for Approval of a Residential Planned Unit Development, PUD-R 24-01, on property currently zoned For Residential Single-Family Use (RS-2), consisting of Approximately 19.91 Acres More or Less, in Coweta Oklahoma located on the West side of 305th East Avenue, between East 151st and East 161st Street South, Coweta, Ok, in Section 19, Township 17 North, Range 16 East of The Indian Base and Meridian, Wagoner County, State Of Oklahoma.

No comments. Jessica Morris closes the public hearing.

VI. ADMINISTRATION

Planned Unit Development (PUD) PUD-R 24-01

Discussion and Possible Action on a requested Planning Commission Recommendation to the Coweta City Council for Approval, Approval with Conditions, or Denial of an Application for a Planned Unit Development, Residential (PUD-R), PUD-R 24-01, on Property currently zoned for Residential Single Family Use (RS-2), Consisting of Approximately 19.91 Acres More or Less, in Coweta Oklahoma located on the West side of 305th East Avenue, between East 151st and East 161st Street South, Coweta, Ok, in Section 19, Township 17 North, Range 16 East of the Indian Base and Meridian, Wagoner County, State Of Oklahoma.

Comments: Jesscia Morris asked questions concerning the PUD, Tom Young explained the four variance requests with Carolyn Back discussing the purpose of the variances. After comments from the applicant, Olsson Inc, Austin Mayes and Jake Salyer, there were no further questions.

Jesscia Morris made a motion for a recommendation to approve, Tena Metcalf seconded the motion.

Aye: Jessica Morris
Tena Metcalf
Jennifer Curtis

VII. ADJOURNMENT

The meeting was adjourned by Jessica Morris at 6:25 p.m.

X

Date: _____

Chairperson

X

Date: _____

Secretary



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Memorandum

To: Honorable Chairman, Members of the Planning Commission
From: Tom E Young Jr, City Planner
Re: Case Number: CZ 24-06
Date: 09-16-2024

BACKGROUND

Applicant

Withco Properties, LLC, for the property owner, are seeking to amend the zoning map. The request is to rezone from a Residential Single Family (RS-3) district to a medium density Residential Multi-Family (RM-1) district.

Case Facts

- The property is located at 117 West Oak Street, in Section 18, Township 17 North, Range 16 East of the Indian Base and Meridian.
- The property is currently zoned (RS-3) Residential Single Family.
- Surrounding land use is Residential Single-Family (RS-3), Office and Institutional (O), and General Commercial (CG)

The City of Coweta Comprehensive Plan and Proposed Land Use 2020-2030 Map designate this lot for low-intensity residential use.

Existing Land Use	Existing Zoning
RS-3 Residential Single Family	RS-3
Surrounding Land Use	Surrounding Zoning
North: Residential	RS-3
East: General Commercial	CG
South: Residential	RS-3
West: Residential	RS-3

- Legal description: Lots 8, 9, and 10, in Block 24, Town of New Coweta, Wagoner County, State of Oklahoma.

Pertinent Zoning Code

12-3C-1-1 City Policy

It is the policy of the City that in the consideration of proposed amendments to this title:

Amendments will be adopted to recognize changes in the comprehensive plan, to correct error, or to recognize changed or changing conditions in a particular area or in the jurisdictional area generally.

- A rezoning request must determine whether the proposed land use, if implemented, would be compatible with the surrounding area in the manner contemplated by the Comprehensive Plan.
- Staff finds this rezone request not to be in accordance with the objectives of the City of Coweta Comprehensive Plan, Proposed Land Use 2020-2030 Map. An RM-1 (Residential Multi-Family) district used as a transition between the Low Intensity area and adjacent higher intensity areas would be an example of multifamily district that could be held in accordance with the Low Intensity Plan category. Further, if implemented, the zoning change would be compatible with the surrounding area in the manner contemplated by the Comprehensive Plan. Specifically, its current zoning, location abutting General Commercial (CG) zoning are factors which were considered.

Should the Planning Commission approve this rezone request, a revision to the current (2020-2030) Coweta Comprehensive Plan Land Use Map will be required, from Residential Low to Residential Medium Density on the (2020-2030) Coweta Comprehensive Plan Land Use Map.

12-3C-2-3 Planning Commission Action

1. After notice and public hearing, the Planning Commission shall vote to:
 1. Recommend to the City Council that the application be approved as submitted, or as amended, or be approved subject to modification; or
 2. Recommend to the City Council that the application be denied.

PLANNING COMMISSION ACTION

The Planning Commission can make a recommendation of approval, approval with conditions, or denial of the rezone request to the Coweta City Council. Staff recommends the Planning Commission make a recommendation of approval to the Coweta City Council, of the rezone request from (RS-3) Residential Single-Family district to the Residential Multi-Family (RM-1) district.

ATTACHMENTS

1. Location Map
2. Zoning Map
3. Aerial View Map

CZ 24-06 REZONE FROM RS-3 RESIDENTIAL SINGLE FAMILY TO RM-1 RESIDENTIAL MULTI- FAMILY



SUBJECT PROPERTY

BIRCH

BROADWAY

STATE HIGHWAY 51

EUFAULA

16E17N18

OAK

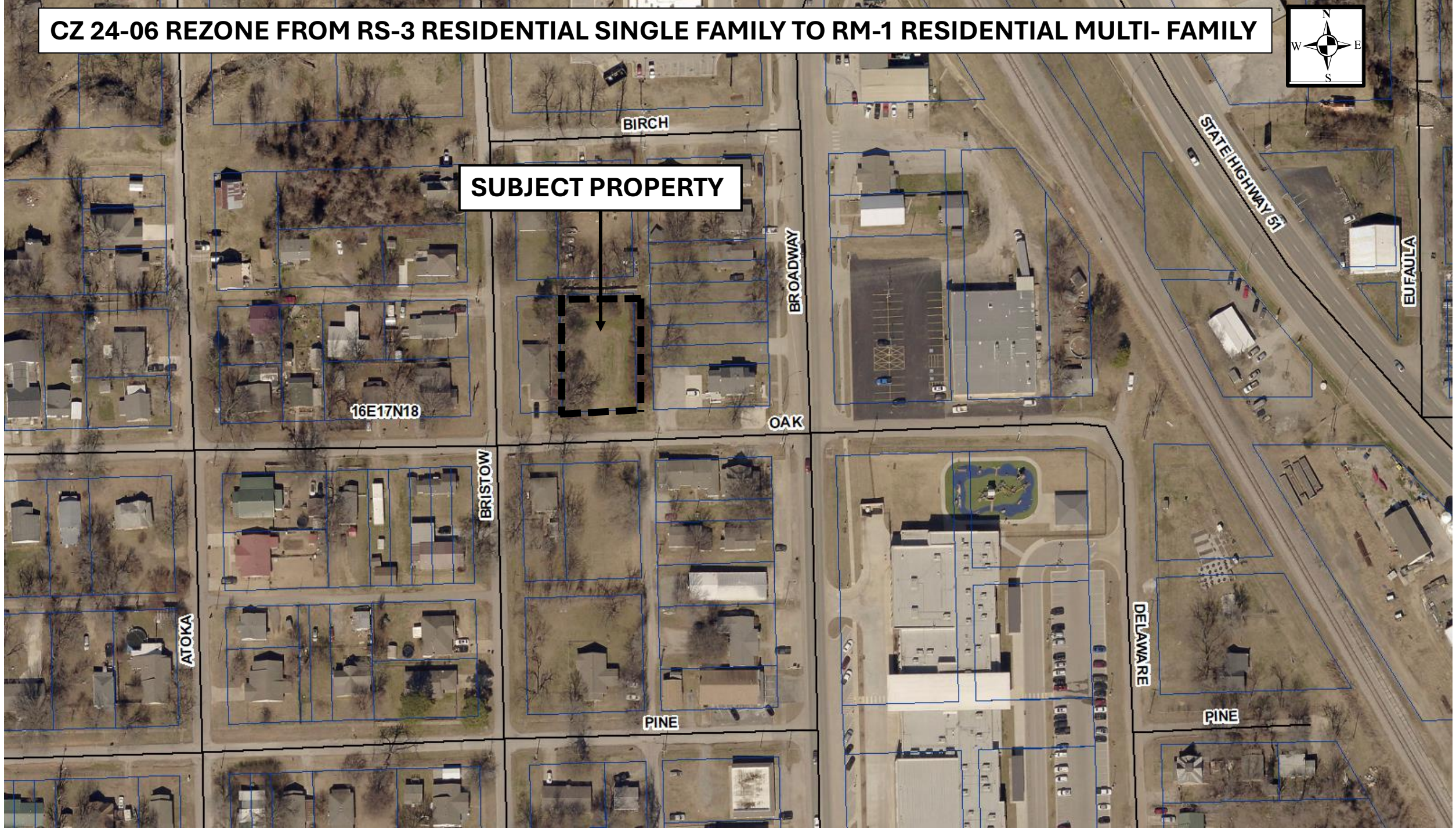
BRISTOW

ATOKA

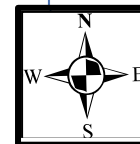
PINE

DELAWARE

PINE



CZ 24-06 REZONE FROM RS-3 RESIDENTIAL SINGLE FAMILY TO RM-1 RESIDENTIAL MULTI- FAMILY



SUBJECT PROPERTY

BIRCH

BROADWAY

STATE HIGHWAY 51

EUFULA

16E17N18

OAK

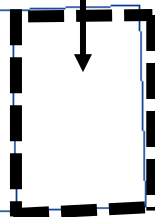
BRISTOW

ATOKA

PINE

DELAWARE

PINE



CZ 24-06 REZONE FROM RS-3 RESIDENTIAL SINGLE FAMILY TO RM-1 RESIDENTIAL MULTI- FAMILY



SUBJECT PROPERTY

BIRCH

STATE HIGHWAY 51

RS-3

EUFAULA

CG

BROADWAY

OAK

RS-3

16E17N18

BRISTOW

ATOKA

PINE

DELAWARE

PINE

Legend

ZONE_TYPE

- CG – GENERAL COMMERCIAL
- CH – HIGH INTENSITY COMMERCIAL
- O – OFFICE AND INSTITUTIONAL
- RS-3 RESIDENTIAL SINGLE FAMILY



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Memorandum

To: Honorable Chairman, Members of the Planning Commission
From: Tom E Young Jr, City Planner
Re: Case Number: CZ 24-07
Date: 09-16-2024

BACKGROUND

Applicant

Abundant Rain Ministries, Inc., is seeking to amend the zoning map, the request is to rezone from the (AG) Agriculture to (RS-2) Residential Single Family district. This rezoning will allow for the development and construction of Spradlin Estates Phase II a Residential Single Family Subdivision.

Case Facts

- The property is located in Section 1, Township 17 North, Range 15 East at South 273rd East Avenue and East 125th Place South.
- The property is zoned Agriculture (AG).
- The property legal description: A tract of land situated in the SW1/4 NW1/4 of Section 1, Township 17 North, Range 15 East of the Indian Base and Meridian, Wagoner County, State of Oklahoma, more particularly described as follows: commencing at the SW corner of the SW1/4 NW1/4 of said Section 1, thence due north along the west line thereof a distance of 250.00 feet; thence N89°45'53"E parallel to the south line of the NW1/4 a distance of 496.75 feet to the point of beginning; thence S7°21'15"E a distance of 251.94 feet; thence N89°45'53"E a distance of 505.79 feet; thence N12°00'16"W a distance of 74.91 feet; thence N29°58'52"W a distance of 125.00 feet; thence N40°20'49"W a distance of 89.09 feet; thence S89°45'53"W a distance of 402.32 feet to the Point of Beginning. Containing 2.70 acres, more or less.

The City of Coweta Comprehensive Plan and Proposed Land Use 2020-2030 Map designate this lot for low-intensity residential use.

Existing Land Use	Existing Zoning
Agricultural	AG
Surrounding Land Use	Surrounding Zoning
North: Agricultural	AG
East: Agricultural	AG
South: Residential	RS-2
West: Agricultural	AG

Pertinent Zoning Code

12-3C-1-1 City Policy

It is the policy of the City that in the consideration of proposed amendments to this title:

Amendments will be adopted to recognize changes in the comprehensive plan, to correct error, or to recognize changed or changing conditions in a particular area or in the jurisdictional area generally.

- A rezoning request must determine whether the proposed land use, if implemented, would be compatible with the surrounding area in the manner contemplated by the Comprehensive Plan.
- Staff finds that this request is in compliance with the objectives of the City of Coweta Comprehensive Plan, Proposed Land Use 2020-2030 Map. If implemented, would be compatible with the surrounding area in the manner contemplated by the Comprehensive Plan.

12-3C-2-3 Planning Commission Action

1. After notice and public hearing, the Planning Commission shall vote to:
 1. Recommend to the City Council that the application be approved as submitted, or as amended, or be approved subject to modification; or
 2. Recommend to the City Council that the application be denied.

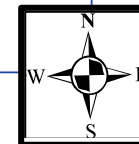
PLANNING COMMISSION ACTION

The Planning Commission can make a recommendation of approval, approval with conditions, or denial of the rezone request to the Coweta City Council. Staff recommends the Planning Commission make a recommendation of approval to the Coweta City Council, of the rezone request from (AG) Agriculture to (RS-2) Residential Single Family district.

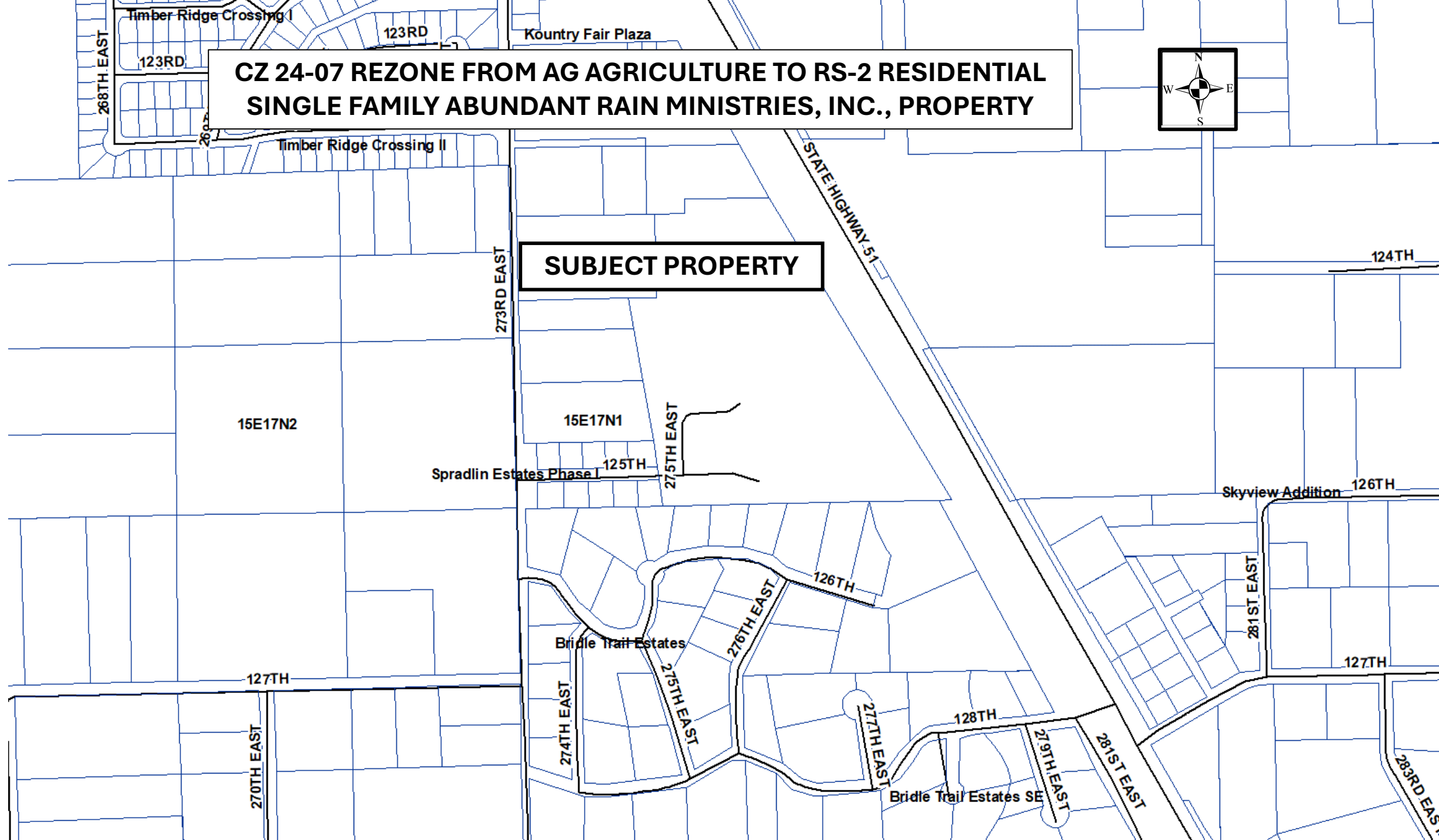
ATTACHMENTS

1. Location Map
2. Zoning Map
3. Aerial View Map

**CZ 24-07 REZONE FROM AG AGRICULTURE TO RS-2 RESIDENTIAL
SINGLE FAMILY ABUNDANT RAIN MINISTRIES, INC., PROPERTY**



SUBJECT PROPERTY





Note: Graphic overlays may
not precisely align with physical
features on the ground.
Aerial Photo Date: 2023



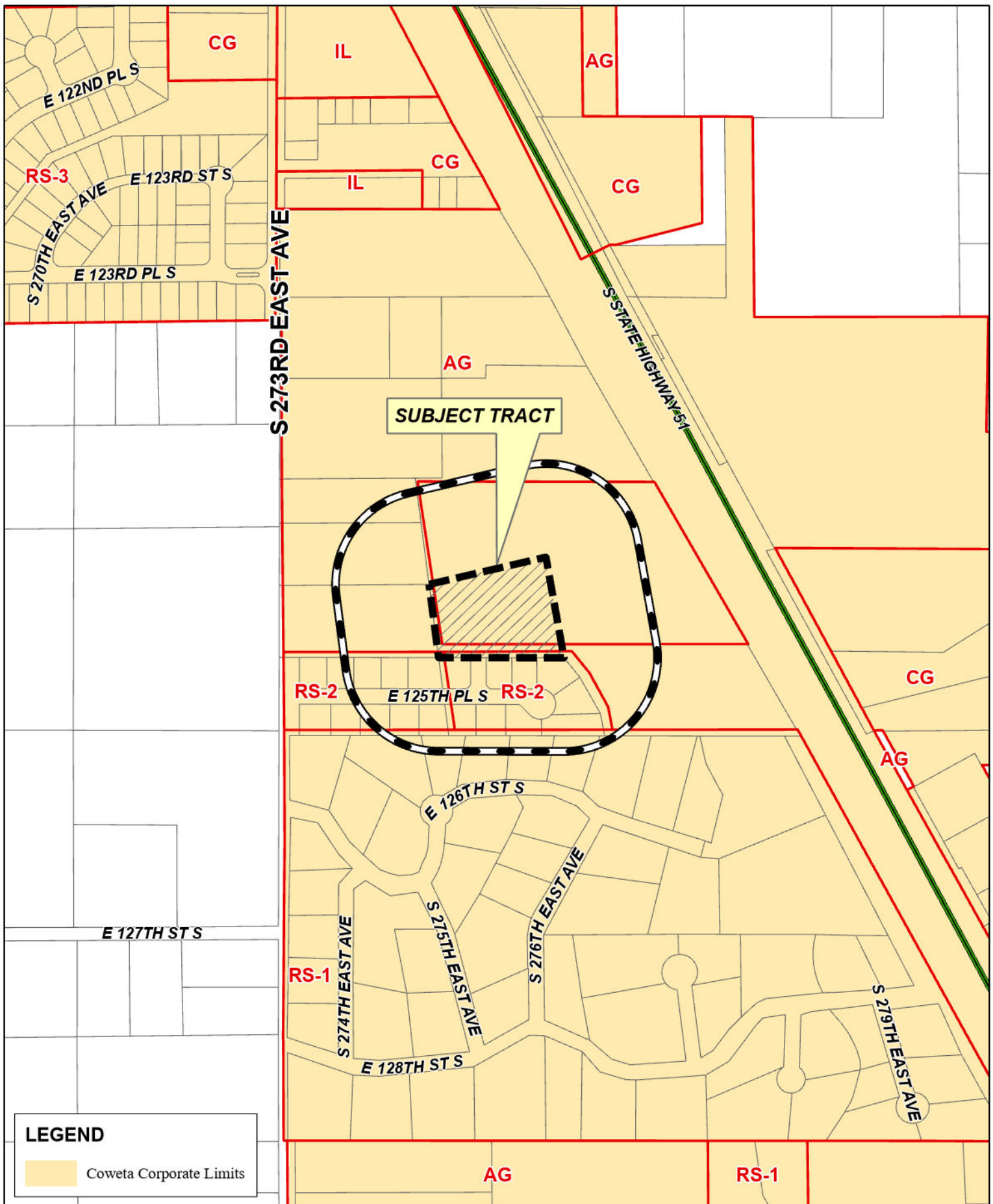
Subject
Tract

CZ 24-07

0 100 200 400
Feet

01 17-15



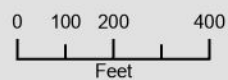


300' Radius



Subject Tract

CZ 24-07



01 17-15





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Memorandum

To: Honorable Chairman, Members of the Planning Commission
From: Tom E Young Jr, City Planner
Re: Final Plat - Lancaster Park Phase I
Date: 09-16-2024

BACKGROUND

The applicants, Glenwood Homes, L.P. (Developer) and Wallace Design Collective request approval of the final plat for Lancaster Park Phase I, a subdivision of approximately 21.55 acres, more or less, with 68 lots.

Case Facts

- The property is located in located in Section 26, Township 18 North, Range 15 East, of the Indian Base and Meridian, Wagoner County, State of Oklahoma.
- The property is zoned via a Planned Unit Development (ID: PUD No. PUD-R 19-01), with high-intensity Residential Single-Family (RS-3), Residential Multi-Family (RM-1), and Commercial General (CG) zoning districts.
- The property legal description: A tract of land located in the SE/4 of Section 26, Township 18 North, Range 15 East of the Indian Base and Meridian, City of Coweta, Wagoner County, State of Oklahoma, more particularly described as follows: Beginning at the Southeast Corner of Section 26; thence S88°49'39"W along the South Section Line for a distance of 711.99 feet, thence N01°28'10"W a distance of 385.40 feet to the beginning of a curve, said curve turning to the right through an angle of 05°59'18" having a radius of 75.00' feet for a length of 7.84 feet, and whose long chord bears N01°31'29"E for a distance of 7.84 feet, thence N04°31'08"E for a distance of 104.56 feet to the beginning of a curve, said curve turning to the left through an angle of 05°59'18" having a radius of 125.00 feet for a length of 13.06 feet, and whose long chord bears N01°31'29"E for a distance of 13.06 feet, thence N01°28'10"W for a distance of 125.04 feet, thence N89°00'17"E a distance of 110.00 feet, thence N01°28'10"W a distance of 670.00 feet, thence N89°00'17"E a distance of 0.41 feet, thence N00°59'43"W a distance of 50.00 feet, thence N01°28'10"W for a distance of 110.00 feet, thence N89°00'17"E a distance of 430.00 feet, thence S01°28'10"E a distance of 2.28 feet, thence N89°00'17"E a distance of 160.00 feet, thence S01°28'10"E a distance of 1,460.92 feet to the Point of Beginning; said tract containing 938,669.89 square feet (21.55 acres), more or less.

Utilities/Site Area: A Technical Advisory Committee meeting was held on September 6, 2024. The subdivision will be served by Rural Water District No. 4 for Water and the City of Coweta for Sanitary Sewer. Windstream/Kinetic, ONG, PSO and Cox were a part of the Technical Advisory Committee had one comment and request from PSO advised the following easements on the final plat:

- 5' on the North side of Block 1 lot 10

- 5' on the South side of Block 1 lot 9
- 5' on the North side of Block 4 lot 8
- 17.5' B/L & U/E on the west side of Block 4 lots 1-13

Pertinent Code

TITLE 13 – Subdivisions

CHAPTER 13-4-4 Final Plat:

- C. 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 may make a recommendation to City Council to approve or deny the Final Plat. The Planning Commission may continue the case and require the subdivider to submit a revised final plat before making recommendation to City Council for approval. 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 the Planning Commission make a recommendation to the City Council for approval of the Final Plat - Lancaster Park Phase I.

ATTACHMENTS

1. Final Plat - Lancaster Park Phase I.

FINAL PLAT

LANCASTER PARK - PHASE 1

PUD #R19-01

A SUBDIVISION IN THE CITY OF COWETA, OKLAHOMA,
BEING A SUBDIVISION OF A PART OF THE SE/4 OF SECTION TWENTY-SIX (26),
TOWNSHIP 18 NORTH, RANGE 15 EAST OF THE INDIAN BASE AND MERIDIAN

ZONING REQUIREMENTS

TYPICAL BUILDING SETBACKS

- SIDE LOT: 5 FEET
- FRONT SETBACK: 25 FEET
- REAR SETBACK: 15 FEET

NOTES

- THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
- ADDRESSES SHOWN ON THIS PLAT ARE 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.
- ALL SIDE LOT BUILDING SETBACKS SHALL BE 5 FEET UNLESS OTHERWISE NOTED.

FLOOD ZONE NOTE

THE PROPERTY DESCRIBED HAS BEEN EXAMINED BY A MAP OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP, TULSA COUNTY, OKLAHOMA, MAP NO. 40145C0120H, MAP REVISED: APRIL 17, 2012, WHICH SHOWS A PORTION OF THE PROPERTY DESCRIBED HEREON AS LOCATED IN ZONE (A) WHICH IS CLASSIFIED AS AREAS DETERMINED AS SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD WITH NO BASE FLOOD ELEVATION DETERMINED.

BASIS OF BEARINGS

THE BASIS OF BEARING IS BASED ON THE SOUTH LINE OF SECTION 26, T-18-N, R-15-E, AS BEING N88°49'39"E.

SITE DATA

EXISTING ZONING: RS-3
PUD: R19-01
TOTAL ACREAGE: 21.55 ACRES (938,669.89 SQUARE FEET)
NUMBER OF BLOCKS: 5
NUMBER OF LOTS: 68
RESERVE AREAS: 1

UTILITY SERVICE PROVIDERS

WATER - WAGONER COUNTY RURAL WATER DISTRICT NO. 4
SEWER - CITY OF COWETA
ELECTRIC - PUBLIC SERVICE COMPANY OF OKLAHOMA
TELEPHONE - WINDSTREAM COMMUNICATIONS
GAS - OKLAHOMA NATURAL GAS
CABLE - COX COMMUNICATION

MONUMENTATION

ALL CORNERS TO BE SET WITH A 3/8" IRON PIN WITH YELLOW CAP UNLESS OTHERWISE NOTED.

LINE LEGEND

- PROPOSED BOUNDARY
- PROPOSED RIGHT-OF-WAY
- PROPOSED LOT LINE
- PROPOSED BUILDING LINE
- PROPOSED EASEMENT LINE
- PROPOSED CENTER LINE

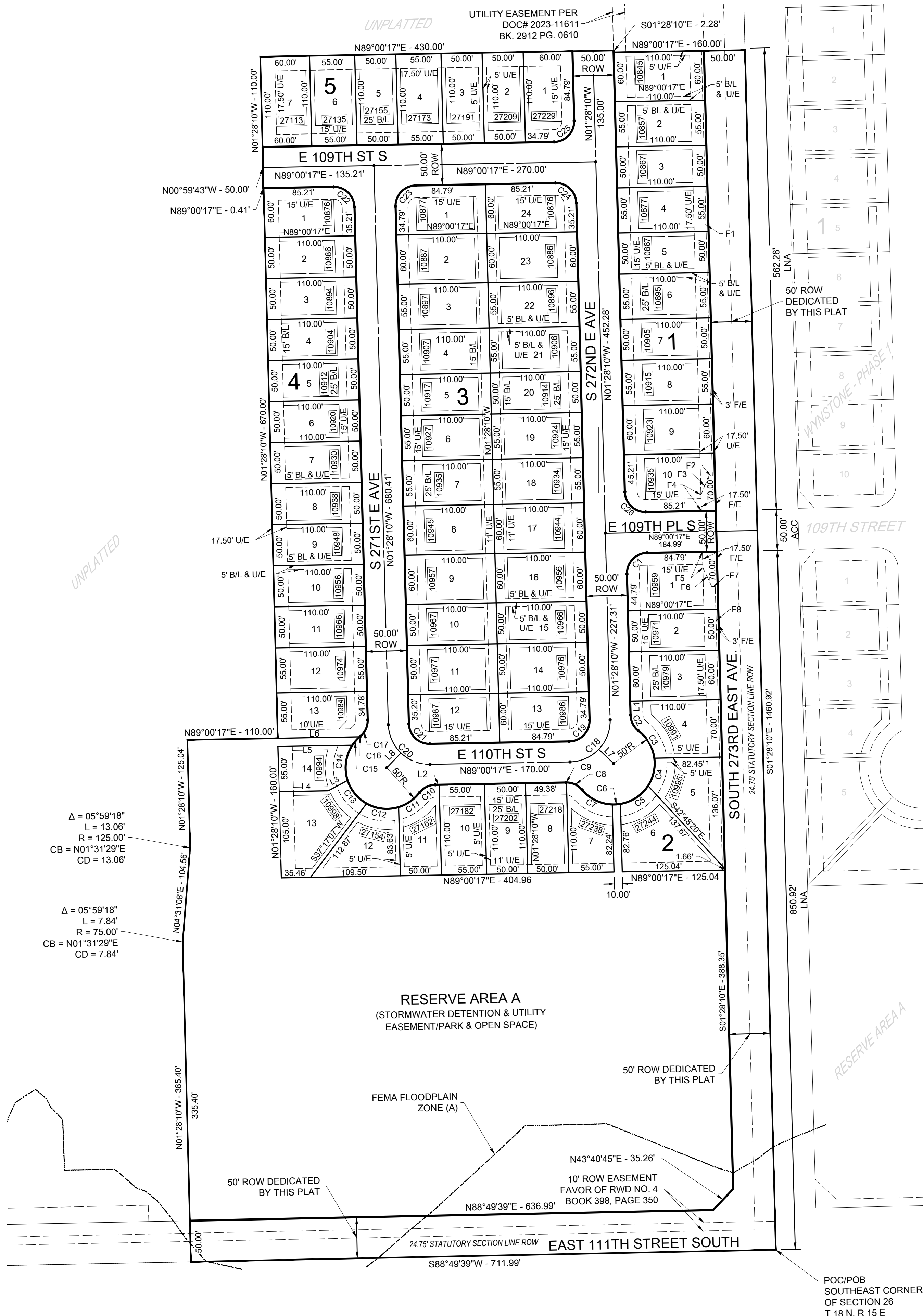
ABBREVIATIONS

ACC ACCESS
B/L BUILDING LINE
BK PG BOOK & PAGE
F/E FENCE EASEMENT
LNA LIMITS OF NO ACCESS
POB POINT OF BEGINNING
ROW RIGHT-OF-WAY
U/E UTILITY EASEMENT

LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE SE/4 OF SECTION 26, TOWNSHIP 18 NORTH, RANGE 15 EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF COWETA, WAGONER COUNTY, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 26; THENCE S88°49'39"W ALONG THE SOUTH SECTION LINE FOR A DISTANCE OF 711.99 FEET, THENCE N01°28'10"W A DISTANCE OF 385.40 FEET TO THE BEGINNING OF A CURVE, SAID CURVE TURNING TO THE RIGHT THROUGH AN ANGLE OF 05°59'18" HAVING A RADIUS OF 75.00' FEET FOR A LENGTH OF 7.84 FEET, AND WHOSE LONG CHORD BEARS N01°31'29"E FOR A DISTANCE OF 7.84 FEET, THENCE N04°31'08"E FOR A DISTANCE OF 104.56 FEET TO THE BEGINNING OF A CURVE, SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 05°59'18" HAVING A RADIUS OF 125.04 FEET FOR A LENGTH OF 13.06 FEET, AND WHOSE LONG CHORD BEARS N01°31'29"E FOR A DISTANCE OF 13.06 FEET, THENCE N01°28'10"W FOR A DISTANCE OF 125.04 FEET, THENCE N89°00'17"E A DISTANCE OF 110.00 FEET, THENCE N01°28'10"W A DISTANCE OF 670.00 FEET, THENCE N89°00'17"E A DISTANCE OF 0.41 FEET, THENCE N00°59'43"W A DISTANCE OF 50.00 FEET, THENCE N01°28'10"W FOR A DISTANCE OF 110.00 FEET, THENCE N89°00'17"E A DISTANCE OF 430.00 FEET, THENCE S01°28'10"E A DISTANCE OF 2.28 FEET, THENCE N89°00'17"E A DISTANCE OF 160.00 FEET, THENCE S01°28'10"E A DISTANCE OF 1,460.92 FEET TO THE POINT OF BEGINNING; SAID TRACT CONTAINING 938,669.89 SQUARE FEET (21.55 ACRES), MORE OR LESS.



LINE AND CURVE TABLE

Line #/Curve #	Length	Direction	Radius	Chord Length	Δ
C1	39.48	N43°46'04"E	25'	35.50	90°28'27"
C2	22.26	N26°58'34"W	25'	21.53	51°00'49"
C3	39.38	N29°55'05"W	50'	38.37	45°07'48"
C4	35.16	N12°47'31"E	50'	34.44	40°17'24"
C5	41.35	N56°37'40"E	50'	40.18	47°22'54"
C6	10.03	N86°03'46"E	50'	10.01	11°29'19"
C7	42.07	S64°05'14"E	50'	40.84	48°12'40"
C8	21.64	S64°46'28"E	25'	20.97	49°35'09"
C9	0.62	N89°43'07"E	25'	0.62	1°25'40"
C10	22.45	S63°16'59"W	25'	21.70	51°26'37"
C11	31.11	N55°23'13"E	50'	30.61	35°39'06"
C12	40.28	S83°42'33"E	50'	39.20	46°09'23"
C13	37.33	S39°14'29"E	50'	36.47	42°46'44"
C14	44.73	S7°46'44"W	50'	43.26	51°15'42"
C15	13.53	S41°09'44"W	50'	13.49	15°30'17"
C16	0.92	S49°26'40"W	50'	0.92	1°03'35"
C17	22.45	N24°15'09"E	25'	21.70	51°26'37"
C18	78.95	N43°46'04"E	50'	71.00	90°28'27"
C19	39.48	N43°46'04"E	25'	35.50	90°28'27"
C20	78.13	S46°13'56"E	50'	70.42	89°31'33"
C21	39.06	S46°13'56"E	25'	35.21	89°31'33"
C22	39.06	N46°13'56"W	25'	35.21	89°31'33"
C23	39.48	S43°46'04"W	25'	35.50	90°28'27"
C24	39.06	N46°13'56"W	25'	35.21	89°31'33"
C25	39.48	S43°46'04"W	25'	35.50	90°28'27"
C26	39.06	N46°13'56"W	25'	35.21	89°31'33"
L1	17.06	N01°28'10"W			
L2	4.74	N89°00'17"E			
L3	26.84	S61°51'12"W			
L4	59.79	S89°00'17"W			
L5	90.73	S89°00'17"W			
L6	99.86	S89°00'17"W			
L7	25.00	N46°13'56"W			
L8	25.00	N43°46'04"E			

Fence Line Easement

LINE NO.	BEARING	DISTANCE
F1	S01°28'10"E	517.84'
F2	S89°00'17"W	4.15'
F3	S23°26'56"W	24.58'
F4	S01°28'10"E	19.79'
F5	S01°28'10"E	19.13'
F6	S25°26'21"E	25.31'
F7	N89°00'17"E	4.22'
F8	S01°28'10"E	345.56'

WE, THE UNDERSIGNED, HEREBY CERTIFY THAT THE PLAT DESIGNATED HEREIN AS 'LANCASTER PARK - PHASE 1' HAS BEEN PREPARED IN ACCORDANCE WITH THE REGULATIONS AND REQUIREMENTS OF THE CITY OF COWETA, OKLAHOMA, AS RELATED TO SAID REGULATIONS AND REQUIREMENTS THAT ARE SPECIFICALLY REQUIRED OF THE OWNER, OR OF THE ENGINEER, OR OF THE SURVEYOR.

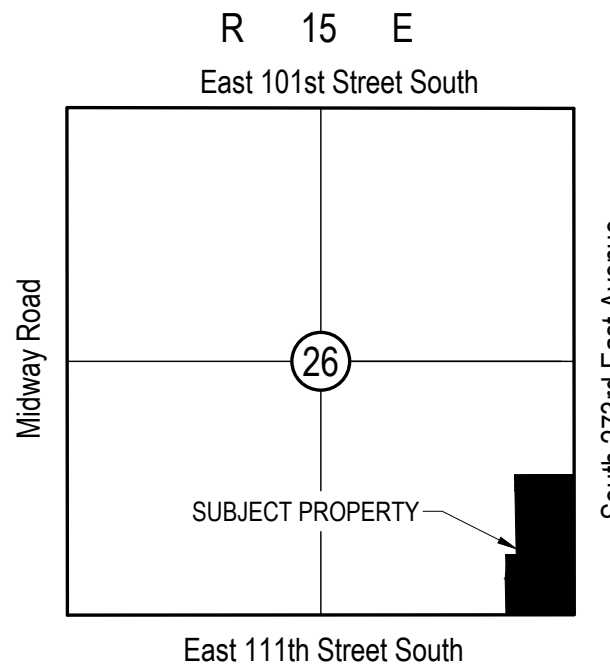
HAMID VALAD KHANI, MANAGING MEMBER
GLENWOOD HOMES, L.P.
AN OKLAHOMA LIMITED PARTNERSHIP

A. NICOLE WATTS
OKLAHOMA REGISTERED PROFESSIONAL ENGINEER #21511
WALLACE DESIGN COLLECTIVE, PC
C.A. #1460, EXP. 6-30-2025

R. WESLEY BENNETT
OKLAHOMA REGISTERED LAND SURVEYOR #1562
WALLACE DESIGN COLLECTIVE, PC
C.A. #1460, EXP. 6-30-2025

Location Map

Scale: 1"= 2000'

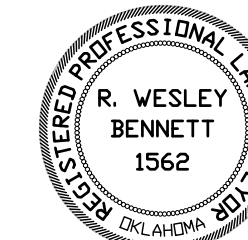
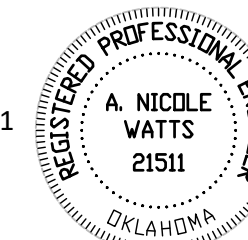


OWNER:

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R. WESLEY BENNETT, RPLS 1562
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LANCASTER PARK - PHASE 1

SHEET 1 OF 3

DATE OF PREPARATION: AUGUST 16, 2024

FINAL PLAT

LANCASTER PARK - PHASE 1

PUD #R19-01

A SUBDIVISION IN THE CITY OF COWETA, OKLAHOMA,
BEING A SUBDIVISION OF A PART OF THE SE/4 OF SECTION TWENTY-SIX (26),
TOWNSHIP 18 NORTH, RANGE 15 EAST OF THE INDIAN BASE AND MERIDIAN

DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

THAT GLEN WOOD HOMES, LP, AN OKLAHOMA LIMITED PARTNERSHIP, HEREINAFTER SOMETIMES CALLED "OWNER", IS THE OWNER IN FEE SIMPLE OF THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE CITY OF COWETA, STATE OF OKLAHOMA, TO WIT:

A TRACT OF LAND LOCATED IN THE SE/4 OF SECTION 26, TOWNSHIP 18 NORTH, RANGE 15 EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF COWETA, WAGONER COUNTY, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 26; THENCE S88°49'39"W ALONG THE SOUTH SECTION LINE FOR A DISTANCE OF 711.99 FEET, THENCE N01°28'10"W A DISTANCE OF 385.40 FEET TO THE BEGINNING OF A CURVE, SAID CURVE TURNING TO THE RIGHT THROUGH AN ANGLE OF 05°59'18" HAVING A RADIUS OF 75.00' FEET FOR A LENGTH OF 7.84 FEET, AND WHOSE LONG CHORD BEARS N01°31'29"E FOR A DISTANCE OF 7.84 FEET, THENCE N04°31'08"E FOR A DISTANCE OF 104.56 FEET TO THE BEGINNING OF A CURVE, SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 05°59'18" HAVING A RADIUS OF 125.00 FEET FOR A LENGTH OF 13.06 FEET, AND WHOSE LONG CHORD BEARS N01°31'29"E FOR A DISTANCE OF 13.06 FEET, THENCE N01°28'10"W FOR A DISTANCE OF 125.04 FEET, THENCE N89°00'17"E A DISTANCE OF 110.00 FEET, THENCE N01°28'10"W A DISTANCE OF 670.00 FEET, THENCE N89°00'17"E A DISTANCE OF 0.41 FEET, THENCE N00°59'43"W A DISTANCE OF 50.00 FEET, THENCE N01°28'10"W FOR A DISTANCE OF 110.00 FEET, THENCE N89°00'17"E A DISTANCE OF 430.00 FEET, THENCE S01°28'10"E A DISTANCE OF 2.28 FEET, THENCE N89°00'17"E A DISTANCE OF 160.00 FEET, THENCE S01°28'10"E A DISTANCE OF 1,460.92 FEET TO THE POINT OF BEGINNING; SAID TRACT CONTAINING 938.669.89 SQUARE FEET (21.55 ACRES), MORE OR LESS.

SECTION I. STREETS, EASEMENTS AND UTILITIES

1.1 GENERAL UTILITY EASEMENTS

THE OWNER/DEVELOPER HEREBY DEDICATES TO THE PUBLIC 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, TELEPHONE AND COMMUNICATION LINES, ELECTRIC AND POWER LINES, AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER APPURTENANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENT FOR THE USES AND PURPOSES AFORESAID, PROVIDED FORTHER, THE OWNER/DEVELOPER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RE-LAY WATER LINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING AND RELAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENT DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO THE AREA INCLUDED IN THE PLAT. THE OWNER/DEVELOPER HEREIN IMPOSES A RESTRICTIVE COVENANT WHICH SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF COWETA, OKLAHOMA AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE. SAID COVENANT STATES THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, NO BUILDINGS, STRUCTURE OR OTHER ABOVE OR BELOW-GROUND OBSTRUCTION MAY INTERFERE WITH THE USES AND PURPOSES OF THE EASEMENT. SAID COVENANT DOES PROHIBIT OBSTRUCTIONS WITHIN THE EASEMENTS HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING AND CUSTOMARY SCREENING FENCES AND WALLS THAT DO NOT CONSTITUTE AN OBSTRUCTION.

1.2 UNDERGROUND SERVICES

1.2.1 OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED WITHIN THE WEST AND SOUTH PERIMETER EASEMENT OF THE SUBDIVISION. ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN THE EASEMENT WAYS DEDICATED FOR GENERAL UTILITY SERVICES AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE UTILITY EASEMENTS. STREET LIGHT POLES OR STANDARDS MUST BE SERVED BY UNDERGROUND CABLE THROUGHOUT THE SUBDIVISION.

1.2.2 UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WHICH ARE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE AS MAY BE LOCATED UPON THE LOT, PROVIDED THAT UPON THE INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE AND NON-EXCLUSIVE 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.

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

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

1.2.5 THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY EACH SUPPLIER OF THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

1.3 WATER, SANITARY SEWER AND STORM SEWER SERVICE

1.3.1 THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWER MAINS LOCATED ON THEIR LOT.

1.3.2 WITHIN THE UTILITY EASEMENT AREAS DEPICTED ON THE ACCOMPANYING PLAT THE ALTERATION OF GRADE IN EXCESS OF A FOOT 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 WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS SHALL BE PROHIBITED.

1.3.3 THE CITY OF COWETA, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC STORM SEWER FACILITIES BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, THEIR AGENTS OR CONTRACTORS.

A. RIGHT TO ACCESS: THE CITY OF COWETA, OKLAHOMA, OR THEIR SUCCESSORS, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO GENERAL UTILITY EASEMENTS AND DRAINAGE EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF STORM SEWER FACILITIES.

1.3.4 CITY OF COWETA, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF SANITARY SEWER MAINS AND WAGONER COUNTY RURAL WATER DISTRICT NO. 4, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF WATER MAINS BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, THEIR AGENTS OR CONTRACTORS.

A. RIGHT TO ACCESS - THE CITY OF COWETA AND WAGONER COUNTY RURAL WATER DISTRICT NO. 4, OR THEIR SUCCESSORS, SHALL AT ALL TIME HAVE THE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF UNDERGROUND WATER AND SANITARY SEWER FACILITIES.

B. EXCLUSIVITY - EASEMENTS DENOTED ON THE ACCOMPANYING PLAT AS "RW4D EASEMENT" OR "RW4D R/W EASE" ARE FOR THE EXCLUSIVE USE BY WAGONER COUNTY RURAL WATER DISTRICT NO. 4 AND ARE DEDICATED FOR THE SOLE PURPOSE OF PROVIDING WATER AND SHALL BE FOR THE EXCLUSIVE USE AND BENEFIT OF RURAL WATER DISTRICT NO. 4, ITS SUCCESSORS AND ASSIGNS.

C. WHERE WATERLINES FALL WITHIN THE UTILITY EASEMENT, THAT PORTION OF THE UTILITY EASEMENT IS FOR THE USE OF WAGONER COUNTY RURAL WATER DISTRICT NO. 4, OKLAHOMA, OR ITS SUCCESSORS.

D. WHERE SANITARY SEWER LINES FALL WITHIN THE UTILITY EASEMENT, THAT PORTION OF THE UTILITY EASEMENT IS FOR THE USE OF CITY OF COWETA, OKLAHOMA, OR ITS SUCCESSORS.

1.3.5 THE FOREGOING COVENANTS SET FORTH IN THIS SECTION 1.3 SHALL BE ENFORCEABLE BY CITY OF COWETA, OKLAHOMA, OR ITS SUCCESSORS, AND WAGONER COUNTY RURAL WATER DISTRICT NO. 4, OR ITS SUCCESSORS, AND THE OWNER OF EACH LOT AGREES TO BE BOUND HEREBY.

1.4 SURFACE DRAINAGE

EACH LOT SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM PUBLIC STREETS AND EASEMENTS. NO LOT 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 THEIR LOT. FENCING IS PERMITTED SUCH THAT THE CONSTRUCTION OF SUCH DOES NOT RESTRICT OR CONFINE THE FLOW OF SURFACE WATER. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND/OR BY CITY OF COWETA, OKLAHOMA.

1.5 GAS SERVICE

1.5.1 THE SUPPLIER OF GAS SERVICE THROUGH ITS AGENTS AND EMPLOYEES SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR AS PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, REMOVING, REPAIRING, OR REPLACING ANY PORTION OF THE FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE.

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

1.5.3 THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

1.6 PAVING AND LANDSCAPING WITHIN EASEMENTS

1.6.1 NO LOT OWNER SHALL PLANT ANY TREES OR SHRUBBERY IN DEDICATED UTILITY EASEMENTS OR RIGHTS-OF-WAY WHICH WOULD POTENTIALLY ENDANGER, THREATEN OR HARM ANY UTILITIES LOCATED WITHIN SAID EASEMENTS OR RIGHTS-OF-WAY.

1.6.2 THE GOVERNMENT WILL REMOVE OBSTRUCTIONS FROM THE RIGHT-OF-WAY THAT ARE DEEMED TO BE A DANGER TO PUBLIC SAFETY WITHOUT NOTICE.

1.6.3 THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR LANDSCAPING AND PAVING DAMAGED OR REMOVED BY THE NECESSARY INSTALLATION OF OR MAINTENANCE FOR THE UNDERGROUND WATER, SEWER, STORM SEWER, GAS, COMMUNICATION, CABLE TELEVISION, OR ELECTRIC FACILITIES WITHIN THE EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT. IT SHALL BE NOTED THAT CITY OF COWETA, OKLAHOMA, WAGONER COUNTY RURAL WATER DISTRICT NO. 4, OR THE SUPPLIER OF THE UTILITY SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

1.7 SIDEWALKS

1.7.1 SIDEWALKS SHALL BE CONSTRUCTED AND MAINTAINED BY THE OWNER OF THE ABUTTING LOT AT SUCH OWNER'S EXPENSE. THE SIDEWALK ABUTTING A LOT SHALL BE COMPLETED ACCORDING TO CITY OF COWETA'S SPECIFICATIONS PRIOR TO INITIAL OCCUPANCY OF THE STRUCTURE OF THE ABUTTING LOT.

1.7.2 THIS RESTRICTIVE COVENANT MAY BE ENFORCED BY ANY OWNER OF A LOT IN THE SUBDIVISION, THE HOMEOWNERS ASSOCIATION OR THE CITY OF COWETA.

1.8 FENCE AND LANDSCAPE EASEMENT

1.8.1 THE OWNER HEREBY ESTABLISHES AND RESERVES FOR SUBSEQUENT CONVEYANCE TO THE HOMEOWNER'S ASSOCIATION AN EXCLUSIVE PERPETUAL EASEMENT TO ERECT AND MAINTAIN FENCING, WALLS AND LANDSCAPING WITHIN THE EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT AS 'FENCE & LANDSCAPE EASEMENT' OR 'FLE'.

SECTION II. RESERVE AREA

2.1 RESERVE AREA 'A'

2.1.1 THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC A PERPETUAL EASEMENT ON, OVER AND ACROSS THE PROPERTY DESIGNATED AND SHOWN ON THE ACCOMPANYING PLAT AS RESERVE AREA 'A' FOR THE PURPOSES OF PERMITTING THE FLOW, CONVEYANCE, RETENTION, DETENTION AND DISCHARGE OF STORMWATER RUNOFF FROM THE VARIOUS LOTS WITHIN THE SUBDIVISION AND FROM PROPERTIES NOT INCLUDED WITHIN THE SUBDIVISION. RESERVE AREA 'A' SHALL ALSO BE USED FOR PLAYGROUND EQUIPMENT, WALKING TRAILS AND OTHER RECREATIONAL ACTIVITIES RESERVED FOR USE BY HOMEOWNERS AND THEIR INVITED GUESTS ONLY.

2.1.2 DETENTION, RETENTION AND OTHER DRAINAGE FACILITIES LOCATED WITHIN THE RESERVE SHALL BE CONSTRUCTED IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY CITY OF COWETA, OKLAHOMA.

2.1.3 ALL PARKING AREAS AND RECREATIONAL FACILITIES SHALL BE OWNED AND MAINTAINED BY THE LANCASTER PARK HOMEOWNERS' ASSOCIATION.

2.1.4 DETENTION, RETENTION AND OTHER DRAINAGE FACILITIES SHALL BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED DRAINAGE, RETENTION AND DETENTION FUNCTIONS INCLUDING REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION AND THE ASSOCIATION SHALL PROVIDE CUSTOMARY GROUNDS MAINTENANCE WITHIN THE RESERVE IN ACCORDANCE WITH THE FOLLOWING MINIMUM STANDARDS:

A. GRASS AREAS SHALL BE MOWED (IN SEASON) AT REGULAR INTERVALS OF FOUR WEEKS, OR LESS.

B. CONCRETE APPURTENANCES SHALL BE MAINTAINED IN GOOD CONDITION AND REPLACED IF DAMAGED.

C. THE RESERVE SHALL BE KEPT FREE OF DEBRIS.

D. CLEANING OF SILTATION AND VEGETATION FROM CONCRETE CHANNELS SHALL BE PERFORMED TWICE YEARLY.

2.1.5 LANDSCAPING SHALL BE ALLOWED WITHIN THE RESERVE.

2.1.6 IN THE EVENT THE HOMEOWNER'S ASSOCIATION SHOULD FAIL TO PROPERLY MAINTAIN THE DETENTION, RETENTION, AND OTHER DRAINAGE FACILITIES OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN, OR THE ALTERATION OF GRADE, WITHIN THE RESERVE, CITY OF COWETA, OR ITS DESIGNATED CONTRACTOR MAY ENTER AND PERFORM MAINTENANCE NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT ANY ALTERATION OF GRADE, AND THE COSTS THEREOF SHALL BE PAID BY THE ASSOCIATION. IN THE EVENT THE ASSOCIATION FAILS TO PAY THE COSTS OF MAINTENANCE AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, THE CITY OF COWETA MAY FILE OF RECORD A COPY OF STATEMENT OF COSTS IN THE LAND RECORDS OF THE WAGONER COUNTY CLERK, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST EACH LOT WITHIN THE SUBDIVISION, PROVIDED, THE LIEN AGAINST EACH LOT SHALL NOT EXCEED THAT LOT'S PRO RATA PORTION OF THE COSTS. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY WAGONER COUNTY.

2.1.7 RESERVE AREA 'A' SHALL BE UTILIZED FOR STORMWATER DETENTION EASEMENT, UTILITY EASEMENT, PARK AND OPEN SPACE USES.

SECTION III. PRIVATE RESTRICTIONS AND COVENANTS

WHEREAS, THE OWNER/DEVELOPER DESIRES TO ESTABLISH RESTRICTIONS FOR THE PURPOSE OF PROVIDING FOR THE ORDERLY DEVELOPMENT OF THE SUBDIVISION AND CONFORMITY AND COMPATIBILITY OF IMPROVEMENTS THEREIN.

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

3.1 ARCHITECTURAL COMMITTEE - PLAN REVIEW

3.1.1 PLAN REVIEW. NO BUILDING, STRUCTURE, FENCE, WALL, PAVING, HARDSCAPE, LANDSCAPING, SWIMMING POOL, EXTERIOR LIGHTING, EXTERIOR ANTENNAE, EXTERIOR WINDOWS, EXTERIOR DOORS, EXTERIOR FINISH (INCLUDING EXTERIOR PAINTING AND COLORS AND WINDOW COVERINGS VISIBLE FROM THE EXTERIOR), GARBAGE RECEPTACLE ENCLOSURE, OR FREE STANDING MAIL BOX SHALL AT ANY TIME BE ERRECTED, PLACED OR ALTERED ON ANY LOT UNTIL THE PLANS AND SPECIFICATIONS HAVE BEEN APPROVED IN WRITING BY THE OWNER OR ITS AUTHORIZED REPRESENTATIVES OR SUCCESSORS, WHICH ARE HEREINAFTER REFERRED TO AS THE "ARCHITECTURAL COMMITTEE". FOR EACH BUILDING, THE REQUIRED PLANS AND SPECIFICATIONS SHALL BE SUBMITTED IN DUPLICATE AND INCLUDE A SITE PLAN; A FLOOR PLAN; EXTERIOR ELEVATIONS, INCLUDING DESIGNATION OF EXTERIOR MATERIALS, COLOR SCHEME AND LIGHTING; A LANDSCAPE PLAN, INCLUDING LANDSCAPE HARDSCAPE AND LIGHTING; AND DRAINAGE AND GRADING PLANS. APPROVAL OF PLANS IS AT THE SOLE DISCRETION OF THE ARCHITECTURAL COMMITTEE EXERCISED IN ACCORDANCE WITH THE PURPOSES OF THE COMMITTEE HEREINAFTER SET FORTH. IN THE EVENT THE ARCHITECTURAL COMMITTEE FAILS TO APPROVE OR DISAPPROVE PLANS AND SPECIFICATIONS SUBMITTED TO IT AS HEREIN REQUIRED WITHIN TWENTY (20) DAYS

AFTER SUBMISSION, THE PLANS SO SUBMITTED SHALL BE DEEMED APPROVED. THE DEVELOPMENT AND USE OF THE SUBJECT LOT SHALL THEREAFTER BE IN SUBSTANTIAL COMPLIANCE WITH THE APPROVED PLANS OR APPROVED AMENDMENTS THERETO. IN THE EVENT NO SUIT TO ENJOIN THE ERECTION OF THE BUILDING OR STRUCTURE OR THE MAKING OF AN ALTERATION HAS BEEN COMMENCED PRIOR TO THE 30TH DAY FOLLOWING COMPLETION THEREOF, APPROVAL OF THE ARCHITECTURAL COMMITTEE SHALL NOT BE REQUIRED AND THIS COVENANT SHALL BE DEEMED TO HAVE BEEN FULLY COMPLIED WITH, NOTWITHSTANDING THE FOREGOING, THE APPROVAL OR FAILURE TO APPROVE BUILDING PLANS SHALL NOT BE DEEMED A WAIVER OF ANY RESTRICTION.

3.1.2 COMMITTEE PURPOSE. THE ARCHITECTURAL COMMITTEE'S PURPOSE IS TO PROMOTE GOOD DESIGN AND COMPATIBILITY WITHIN THE SUBDIVISION AND IN IS REVIEW OF PLANS OR DETERMINATION OF ANY WAIVER AS HEREINAFTER AUTHORIZED MAY TAKE INTO CONSIDERATION THE NATURE AND CHARACTER OF THE PROPOSED BUILDING OR STRUCTURE, THE MATERIALS OF WHICH IT IS TO BE BUILT, THE AVAILABILITY OF ALTERNATIVE MATERIALS, THE COLOR SCHEME, THE SITE UPON WHICH IT IS PROPOSED TO BE ERECTED AND THE HARMONY THEREOF WITH THE SURROUNDING AREA. THE ARCHITECTURAL COMMITTEE SHALL NOT BE LIABLE FOR ANY APPROVAL, DISAPPROVAL OR FAILURE TO APPROVE HEREUNDER, AND ITS APPROVAL OF BUILDING PLANS SHALL NOT CONSTITUTE A WARRANTY OR RESPONSIBILITY FOR BUILDING METHODS, MATERIALS, PROCEDURES, STRUCTURAL DESIGN, GRADING OR DRAINAGE OR CODE VIOLATIONS. THE APPROVAL OR FAILURE TO APPROVE BUILDING PLANS SHALL NOT BE DEEMED A WAIVER OF ANY RESTRICTION. NOTHING HEREIN CONTAINED SHALL BE DEEMED TO PREVENT ANY LOT OWNER IN THE SUBDIVISION FROM PROSECUTING ANY LEGAL ACTION RELATING TO IMPROVEMENTS WITHIN THE SUBDIVISION WHICH THEY THEY WOULD OTHERWISE BE ENTITLED TO PROSECUTE.

3.1.3 TRANSFER OF DUTIES. THE OWNER MAY ASSIGN THE POWERS AND DUTIES OF THE ARCHITECTURAL COMMITTEE TO THE HOMEOWNERS' ASSOCIATION AT ANY TIME, AT THE DISCRETION OF THE OWNER, BY A WRITTEN INSTRUMENT. UNLESS ASSIGNED TO IT IN WRITING BY THE ARCHITECTURAL COMMITTEE PRIOR TO SUCH TIME, THE POWERS AND DUTIES OF THE ARCHITECTURAL COMMITTEE SHALL BE DEEMED TRANSFERRED TO THE HOMEOWNERS' ASSOCIATION AT SUCH TIME AS THE OWNER (OR ITS SUCCESSOR BY ASSIGNMENT) OWNS NO LOTS OR RESERVES, AND THEREAFTER THE FOREGOING POWERS AND DUTIES SHALL BE EXERCISED BY THE BOARD OF DIRECTORS OF THE HOMEOWNERS' ASSOCIATION.

3.2 LOT RESTRICTIONS

THE LOTS SHALL BE SUBJECT TO THE FOLLOWING RESTRICTIONS AND LIMITATIONS.

3.2.1 USE

THE USE OF THE LOTS SHALL BE LIMITED TO DETACHED SINGLE FAMILY RESIDENCES AND CUSTOMARY ACCESSORY USES.

3.2.2 FLOOR AREA

A SINGLE STORY DWELLING SHALL HAVE A MINIMUM OF 1,100 SQUARE FEET OF LIVING FLOOR AREA. THE COMPUTATION OF LIVING AREA SHALL EXCLUDE BASEMENTS, ATTICS, GARAGES, OPEN SPACE AND BREEZEWAYS.

3.2.3 ORIENTATION OF DWELLINGS

THE ORIENTATION OF THE DWELLING WITHIN A LOT (DIRECTION FACED BY FRONT OF THE DWELLING) SHALL BE SUBJECT TO THE APPROVAL OF THE ARCHITECTURAL COMMITTEE.

3.2.4 GARAGES

WITHIN EACH LOT THERE SHALL BE PROVIDED A MINIMUM OF TWO (2) PARKING SPACES WITHIN AN ATTACHED GARAGE. GARAGES SHALL BE ENCLOSED, AND CARPORTS ARE PROHIBITED. RAISED PANEL GARAGE DOORS SHALL BE CONSTRUCTED AND GLASS IN GARAGE DOORS IS PROHIBITED.

3.2.5 FOUNDATIONS

ANY EXPOSED FOUNDATION SHALL BE OF BRICK, STONE OR STUCCO. NO STEM WALL SHALL BE EXPOSED.

3.2.6 EXTERIOR WALLS

THE EXTERIOR SURFACE OF THE FIRST STORY OF A DWELLING, EXCEPTING WINDOWS AND DOORS, SHALL BE A MINIMUM OF 50% BRICK, STONE OR STUCCO. NO STEEL, ALUMINUM, VINYL OR PLASTIC SIDING SHALL BE PERMITTED. THE ARCHITECTURAL COMMITTEE MAY, IN THE PARTICULAR INSTANCE AND UPON WRITTEN REQUEST, WAIVE THE REQUIREMENTS OF THIS PARAGRAPH.

3.2.7 WINDOWS

WINDOWS SHALL BE VINYL, WOOD, OR VINYL CLAD WOOD. ALUMINUM WINDOWS ARE PROHIBITED.

3.2.8 ROOF PITCH

NO DWELLING SHALL HAVE A ROOF PITCH OF NOT LESS THAN 6/12.

3.2.9 ROOFING MATERIALS

ROOFING FOR A DWELLING SHALL BE COMPOSITION SHINGLES HAVING A MINIMUM THIRTY-YEAR LIFE RATING AND SHALL BE WOOD GRAINED IN APPEARANCE SUCH AS TAMKO HERITAGE 30 YEAR SIMULATED WEATHERED WOOD SHINGLES. PROVIDED, HOWEVER, THAT IF SUCH ROOFING SHOULD NOT BE REASONABLY AVAILABLE, ALTERNATIVE ROOFING APPROVED BY THE ARCHITECTURAL COMMITTEE SHALL BE PERMITTED UPON DETERMINATION OF THE ARCHITECTURAL COMMITTEE THAT THE ALTERNATIVE IS OF EQUAL OR SUPERIOR QUALITY AND OF A DESIGN AND COLOR COMPATIBLE WITH THE ROOFING MATERIAL ABOVE SPECIFIED. IN NO EVENT SHALL WOOD SHINGLES BE PERMITTED. ROOF FLASHING AND VALLEYS SHALL BE BRONZE OR COPPER OR SHALL BE PAINTED TO MATCH THE ROOF OF THE DWELLING. SHEET METAL, ALUMINUM VENTS, FLUE LINER TERMINALS, CHIMNEY CAPS OR OTHER ROOFTOP PROTRUSIONS SHALL BE PAINTED TO MATCH THE ROOF OF THE DWELLING. ROOF MOUNTED EQUIPMENT, INCLUDING BUT NOT LIMITED TO MECHANICAL EQUIPMENT, AIR CONDITIONS AND SOLAR EQUIPMENT IS PROHIBITED.

3.2.10 CHIMNEYS

THE EXTERIOR SURFACE OF CHIMNEYS SHALL BE SUBJECT TO THE APPROVAL OF THE ARCHITECTURAL COMMITTEE. CHIMNEYS SHALL HAVE A DECORATIVE SHROUD OR CAP, AND ALL CHIMNEY SHROUDS AND CAPS ARE SUBJECT TO THE APPROVAL OF THE ARCHITECTURAL COMMITTEE.

3.2.11 DRIVEWAYS

DRIVEWAYS SHALL BE CONCRETE AND SHALL BE THE SAME COLOR AS THE SIDEWALKS AND CURBS WITHIN THE SUBDIVISION, PROVIDED HOWEVER, THE ARCHITECTURAL COMMITTEE MAY, IN THE PARTICULAR INSTANCE, UPON WRITTEN REQUEST, WAIVE THIS RESTRICTION.

3.2.12 FENCING

FENCING OR WALLS WITHIN A LOT ARE SUBJECT TO THE APPROVAL OF THE ARCHITECTURAL COMMITTEE. FENCING OR WALLS WITHIN A LOT SHALL NOT EXTEND BEYOND THE FRONT BUILDING LINE DEPICTED WITHIN THE ACCOMPANYING PLAT. IF A DWELLING IS BUILT BEHIND THE FRONT BUILDING LINE, NO FENCE MAY EXTEND BEYOND THAT POINT NEAREST THE STREET AT EACH CORNER OF THE FRONT BUILDING WALL OF THE DWELLING. ALL FENCES SHALL BE PRIVACY FENCES CONSTRUCTED OF WOOD OR MASONRY AND SHALL BE 6 FEET IN HEIGHT, PROVIDED HOWEVER, THAT THE ARCHITECTURAL COMMITTEE MAY IN THE PARTICULAR INSTANCE, AND UPON WRITTEN REQUEST, WAIVE THE REQUIREMENTS OF THIS PARAGRAPH. ALL FENCE TYPES PROPOSED FOR LOCATION ADJACENT TO RESERVES AND GREEN BELTS SHALL BE 4 FOOT RANCH RAIL STYLE FENCE.

3.2.13 LANDSCAPING OF LOTS; IRRIGATION SYSTEMS

LANDSCAPING WITHIN A LOT IS SUBJECT TO THE APPROVAL OF THE ARCHITECTURAL COMMITTEE. PRIOR TO THE OCCUPANCY OF A DWELLING, THE OWNER OF THE LOT SHALL HAVE PROFESSIONALLY LANDSCAPED THE FRONT (AND SIDE OF DWELLING ON CORNER LOTS). ENTIRE BACK YARD SHALL BE SODDED.

3.2.14 ON-SITE CONSTRUCTION

NO DWELLING OR BUILDING BUILT OFF-SITE SHALL BE MOVED TO, OR PLACED ON, ANY LOT.

3.2.15 OUTBUILDINGS

OUTBUILDINGS ARE PROHIBITED, PROVIDED HOWEVER, THE ARCHITECTURAL COMMITTEE MAY, IN THE PARTICULAR INSTANCE, WAIVE THIS RESTRICTION.

3.2.16 SWIMMING POOLS

ABOVE GROUND SWIMMING POOLS ARE PROHIBITED.

3.2.17 ANTENNAS

EXTERIOR TELEVISION, RADIO OR OTHER TYPE ANTENNAS INCLUDING SATELLITE DISHES SHALL BE PROHIBITED, PROVIDED, HOWEVER THAT ONE SATELLITE DISH NOT EXCEEDING TWO (2) FEET IN DIAMETER, AND IN A LOCATION NOT VISIBLE FROM A PUBLIC OR PRIVATE STREET, SHALL BE PERMITTED WITHIN A LOT.

3.2.18 LOT MAINTENANCE

NO INOPERATIVE VEHICLE OR MACHINERY SHALL BE STORED ON ANY LOT AND EACH LOT SHALL BE MAINTAINED IN A NEAT AND ORDERLY CONDITION FREE OF RUBBISH, TRASH AND OTHER DEBRIS AND SHALL BE CUT, TRIMMED OR MOWED TO PREVENT GROWTH OF WEEDS OR TALL GRASS.

3.2.19 RECREATIONAL VEHICLES AND EQUIPMENT

NO BOATS, RECREATIONAL TRAILERS, PERSONAL WATER CRAFT, CAMPERS, MOTOR HOMES OR OTHER RECREATIONAL VEHICLES SHALL BE STORED OR PLACED OR PARKING ON ANY STREET WITHIN THE SUBDIVISION OR ON ANY LOT, EXCEPT WITHIN AN ENCLOSED GARAGE.

3.2.20 TRAILERS, MACHINERY AND EQUIPMENT; COMMERCIAL VEHICLES

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

3.2.21 ALL-TERRAIN VEHICLES AND UNLICENSED MOTOR VEHICLES

NO ALL-TERRAIN VEHICLES (ATVS) OR UNLICENSED MOTOR VEHICLES SHALL BE OPERATED WITHIN THE SUBDIVISION.

3.2.22 BASKETBALL GOALS

NO BASKETBALL GOALS SHALL BE VISIBLE FROM A PUBLIC OR PRIVATE STREET.

3.2.23 ON-STREET PARKING PROHIBITED

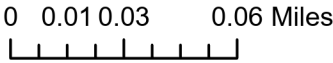
ON-STREET PARKING BY OWNERS OF LOTS OR THEIR TENANTS IS PROHIBITED, PROVIDED THAT THE HOMEOWNERS' ASSOCIATION MAY PERMIT, BY RULES AND REGULATIONS, ON-STREET PARKING DURING OCCASIONAL EVENTS WITHIN THE SUBDIVISION.

3.2.24 CLOTHESLINES AND GARBAGE RECETACLES

CLOTHESLINE POLES OR OTHER OUTSIDE DRYING APPARATUS ARE PROHIBITED, AND NO EXPOSED GARBAGE CAN, TRASH CAN OR ANY TRASH BURNING APPARATUS OR STRUCTURE SHALL BE PLACED ON ANY LOT. ALL TRASH CONTAINERS SHALL BE STORED OUT OF PUBLIC VIEW EXCEPT FOR A 12-HOUR PERIOD DURING COLLECTION.

3.2.25 MAILBOXES

MAILBOXES SHALL BE CONSTRUCTED OF BRICK AND A UNIFORM DESIGN TO BE SELECTED BY THE ARCHITECTURAL COMMITTEE AND SHALL BE PLACED AT A HEIGHT AND LOCATION WITHIN THE LOT TO BE DESIGNATED BY THE ARCHITECTURAL COMMITTEE.



 Case Location

Flood Zone

-  500-Year FP
-  100-Year FP - Unanalyzed
-  100-Year FP
-  Floodway

Lancaster Park Phase I

Floodplain Map



-  Subdivision Location
- Zoning Type**
-  CG
 -  IH
 -  RS-3

Lancaster Park Phase I Zoning Map

0 0.01 0.03 0.05 Miles




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Memorandum

To: Honorable Chairman, Members of the Planning Commission
From: Tom E Young Jr, City Planner
Re: Case Number: CZ 24-06
Date: 09-16-2024

BACKGROUND

Applicant

Withco Properties, LLC, for the property owner, are seeking to amend the zoning map. The request is to rezone from a Residential Single Family (RS-3) district to a medium density Residential Multi-Family (RM-1) district.

Case Facts

- The property is located at 117 West Oak Street, in Section 18, Township 17 North, Range 16 East of the Indian Base and Meridian.
- The property is currently zoned (RS-3) Residential Single Family.
- Surrounding land use is Residential Single-Family (RS-3), Office and Institutional (O), and General Commercial (CG)

The City of Coweta Comprehensive Plan and Proposed Land Use 2020-2030 Map designate this lot for low-intensity residential use.

Existing Land Use	Existing Zoning
RS-3 Residential Single Family	RS-3
Surrounding Land Use	Surrounding Zoning
North: Residential	RS-3
East: General Commercial	CG
South: Residential	RS-3
West: Residential	RS-3

- Legal description: Lots 8, 9, and 10, in Block 24, Town of New Coweta, Wagoner County, State of Oklahoma.

Pertinent Zoning Code

12-3C-1-1 City Policy

It is the policy of the City that in the consideration of proposed amendments to this title:

Amendments will be adopted to recognize changes in the comprehensive plan, to correct error, or to recognize changed or changing conditions in a particular area or in the jurisdictional area generally.

- A rezoning request must determine whether the proposed land use, if implemented, would be compatible with the surrounding area in the manner contemplated by the Comprehensive Plan.
- Staff finds this rezone request not to be in accordance with the objectives of the City of Coweta Comprehensive Plan, Proposed Land Use 2020-2030 Map. An RM-1 (Residential Multi-Family) district used as a transition between the Low Intensity area and adjacent higher intensity areas would be an example of multifamily district that could be held in accordance with the Low Intensity Plan category. Further, if implemented, the zoning change would be compatible with the surrounding area in the manner contemplated by the Comprehensive Plan. Specifically, its current zoning, location abutting General Commercial (CG) zoning are factors which were considered.

Should the Planning Commission approve this rezone request, a revision to the current (2020-2030) Coweta Comprehensive Plan Land Use Map will be required, from Residential Low to Residential Medium Density on the (2020-2030) Coweta Comprehensive Plan Land Use Map.

12-3C-2-3 Planning Commission Action

1. After notice and public hearing, the Planning Commission shall vote to:
 1. Recommend to the City Council that the application be approved as submitted, or as amended, or be approved subject to modification; or
 2. Recommend to the City Council that the application be denied.

PLANNING COMMISSION ACTION

The Planning Commission can make a recommendation of approval, approval with conditions, or denial of the rezone request to the Coweta City Council. Staff recommends the Planning Commission make a recommendation of approval to the Coweta City Council, of the rezone request from (RS-3) Residential Single-Family district to the Residential Multi-Family (RM-1) district.

ATTACHMENTS

1. Location Map
2. Zoning Map
3. Aerial View Map

CZ 24-06 REZONE FROM RS-3 RESIDENTIAL SINGLE FAMILY TO RM-1 RESIDENTIAL MULTI- FAMILY



SUBJECT PROPERTY

BIRCH

BROADWAY

STATE HIGHWAY 51

EUFAULA

16E17N18

OAK

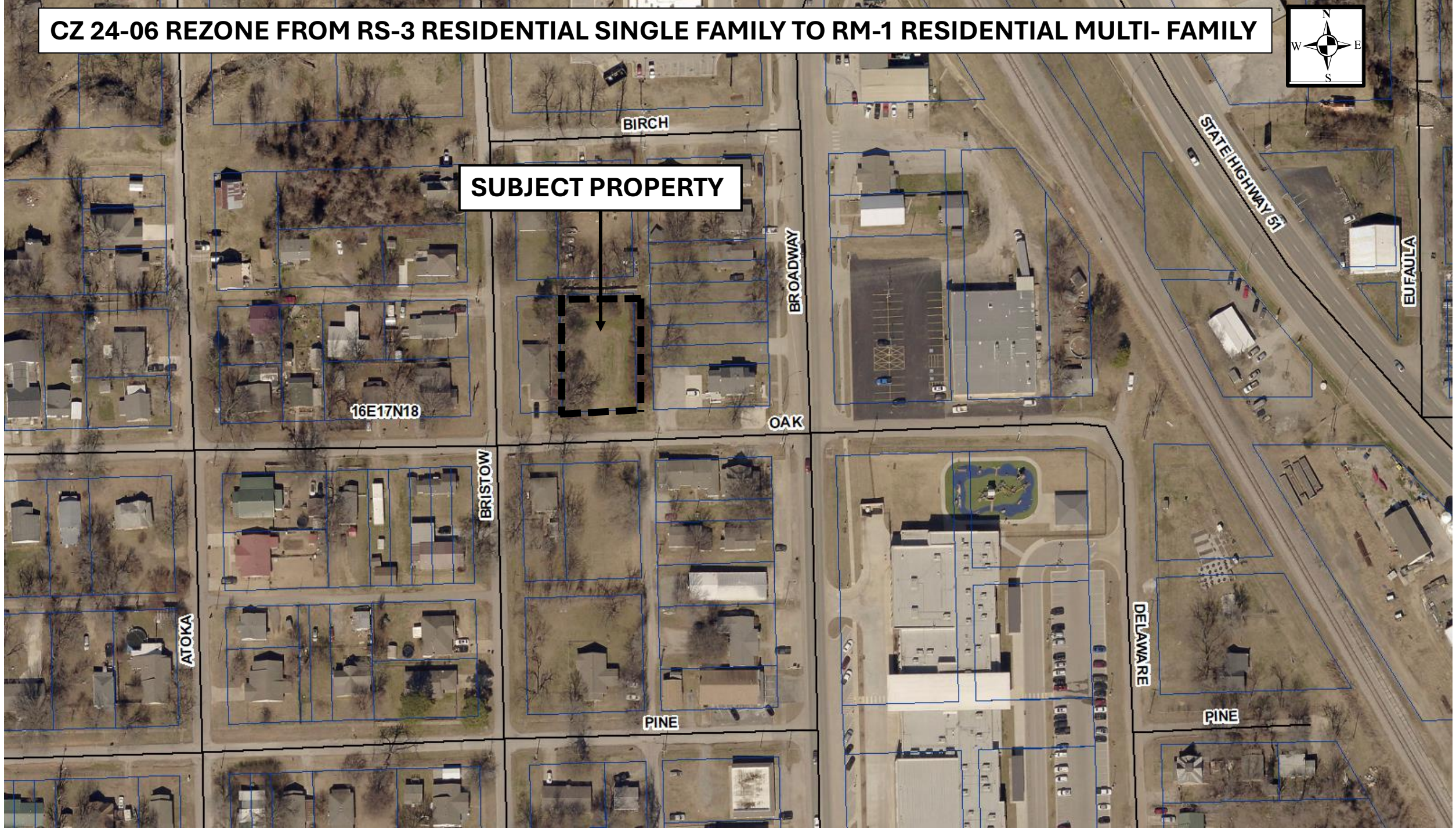
BRISTOW

ATOKA

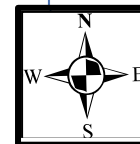
PINE

DELAWARE

PINE



CZ 24-06 REZONE FROM RS-3 RESIDENTIAL SINGLE FAMILY TO RM-1 RESIDENTIAL MULTI- FAMILY



SUBJECT PROPERTY

BIRCH

BROADWAY

STATE HIGHWAY 51

EUFaula

16E17N18

OAK

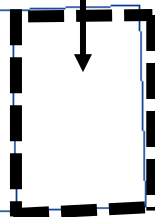
BRISTOW

ATOKA

PINE

DELAWARE

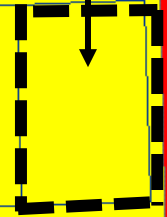
PINE



CZ 24-06 REZONE FROM RS-3 RESIDENTIAL SINGLE FAMILY TO RM-1 RESIDENTIAL MULTI- FAMILY



SUBJECT PROPERTY



BIRCH

BROADWAY

STATE HIGHWAY 51

EUFAULA

16E17N18

RS-3

OAK

BRISTOW

ATOKA

DELAWARE

PINE

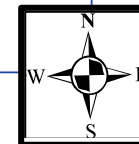
PINE

Legend

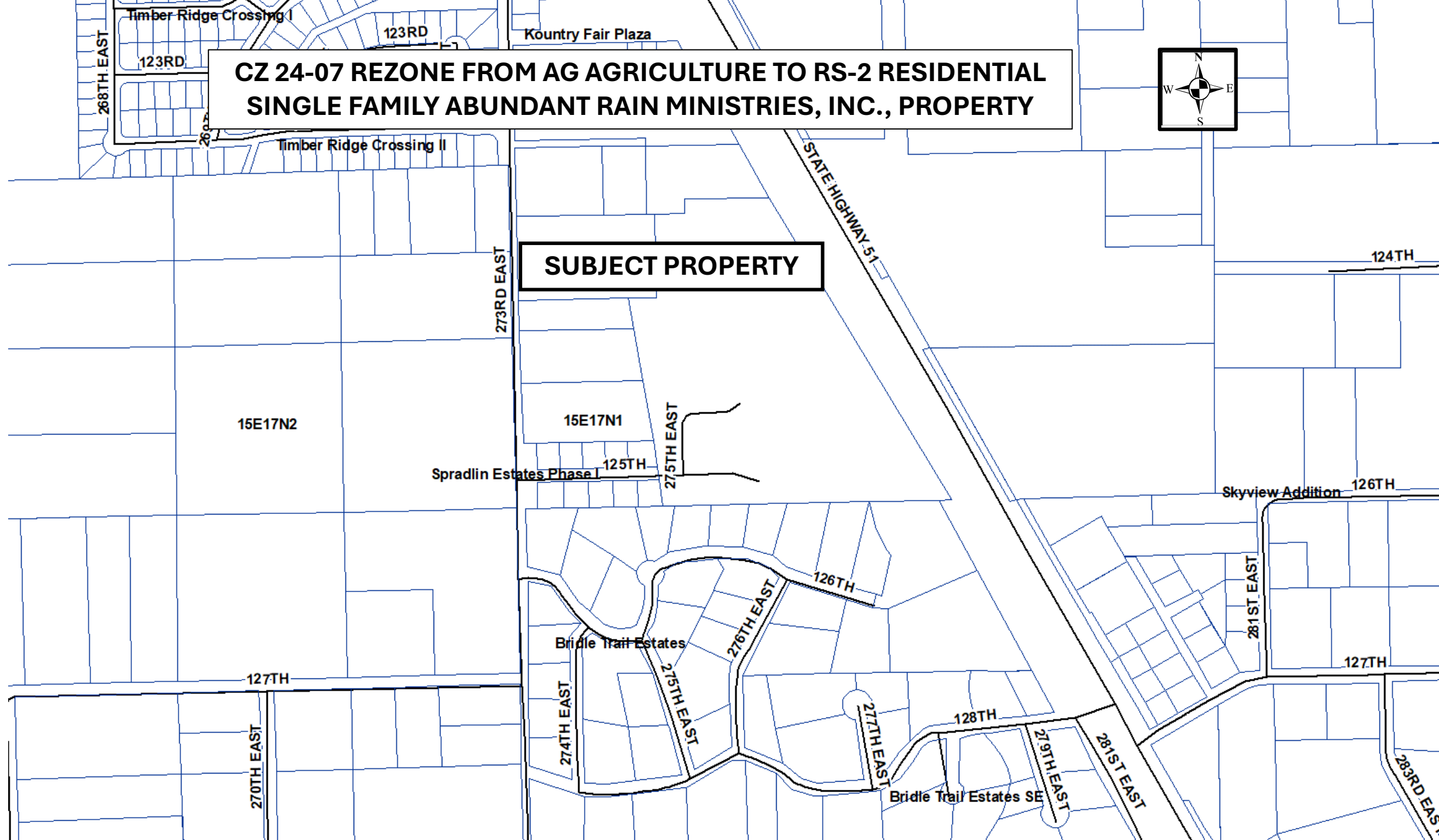
ZONE_TYPE

- CG – GENERAL COMMERCIAL
- CH – HIGH INTENSITY COMMERCIAL
- O – OFFICE AND INSTITUTIONAL
- RS-3 RESIDENTIAL SINGLE FAMILY

**CZ 24-07 REZONE FROM AG AGRICULTURE TO RS-2 RESIDENTIAL
SINGLE FAMILY ABUNDANT RAIN MINISTRIES, INC., PROPERTY**



SUBJECT PROPERTY





Note: Graphic overlays may
not precisely align with physical
features on the ground.
Aerial Photo Date: 2023



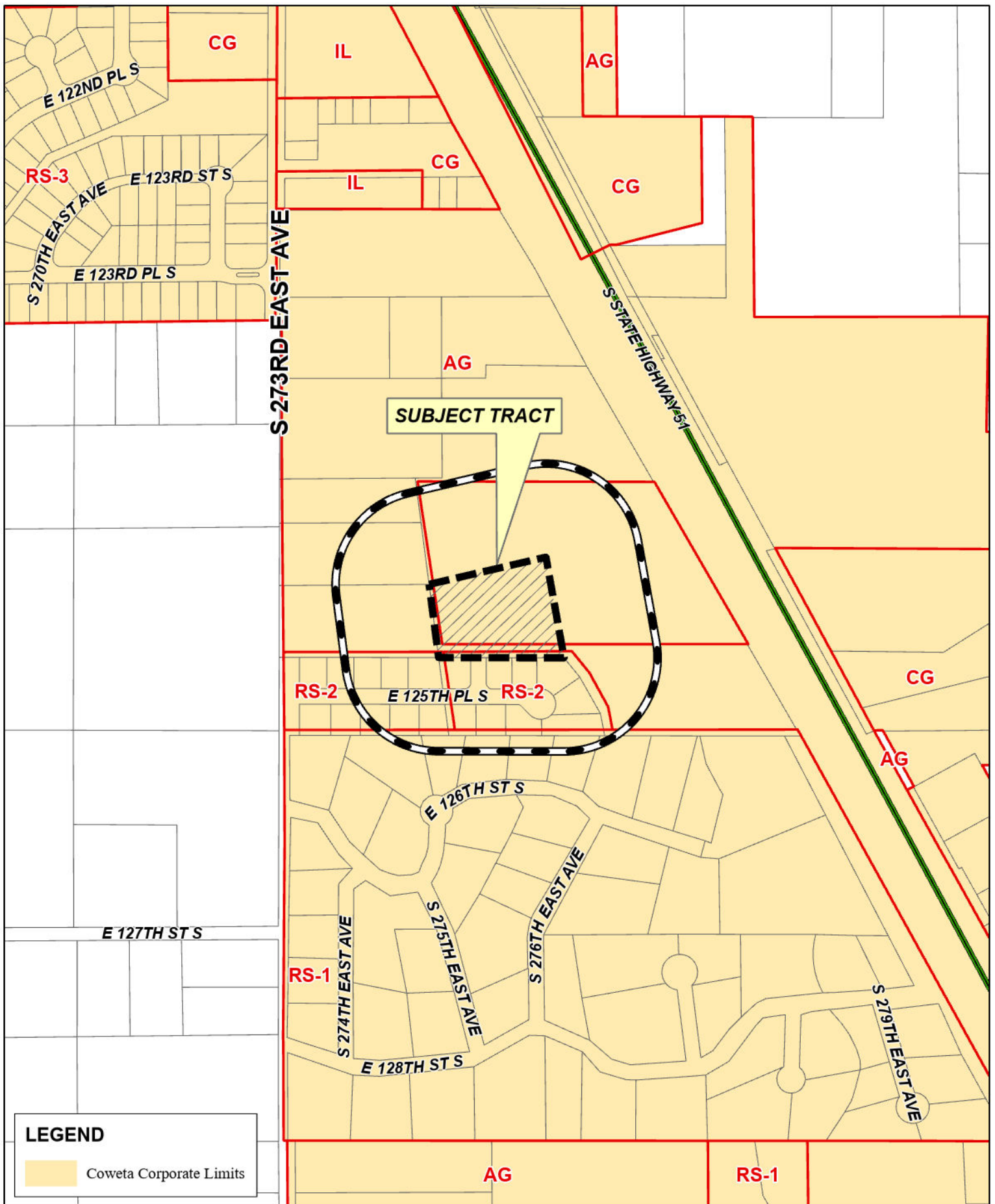
Subject
Tract

CZ 24-07

0 100 200 400
Feet

01 17-15







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Memorandum

To: Honorable Chairman, Members of the Planning Commission
From: Tom E Young Jr, City Planner
Re: Case Number: CZ 24-07
Date: 09-16-2024

BACKGROUND

Applicant

Abundant Rain Ministries, Inc., is seeking to amend the zoning map, the request is to rezone from the (AG) Agriculture to (RS-2) Residential Single Family district. This rezoning will allow for the development and construction of Spradlin Estates Phase II a Residential Single Family Subdivision.

Case Facts

- The property is located in Section 1, Township 17 North, Range 15 East at South 273rd East Avenue and East 125th Place South.
- The property is zoned Agriculture (AG).
- The property legal description: A tract of land situated in the SW1/4 NW1/4 of Section 1, Township 17 North, Range 15 East of the Indian Base and Meridian, Wagoner County, State of Oklahoma, more particularly described as follows: commencing at the SW corner of the SW1/4 NW1/4 of said Section 1, thence due north along the west line thereof a distance of 250.00 feet; thence N89°45'53"E parallel to the south line of the NW1/4 a distance of 496.75 feet to the point of beginning; thence S7°21'15"E a distance of 251.94 feet; thence N89°45'53"E a distance of 505.79 feet; thence N12°00'16"W a distance of 74.91 feet; thence N29°58'52"W a distance of 125.00 feet; thence N40°20'49"W a distance of 89.09 feet; thence S89°45'53"W a distance of 402.32 feet to the Point of Beginning. Containing 2.70 acres, more or less.

The City of Coweta Comprehensive Plan and Proposed Land Use 2020-2030 Map designate this lot for low-intensity residential use.

Existing Land Use	Existing Zoning
Agricultural	AG
Surrounding Land Use	Surrounding Zoning
North: Agricultural	AG
East: Agricultural	AG
South: Residential	RS-2
West: Agricultural	AG

Pertinent Zoning Code

12-3C-1-1 City Policy

It is the policy of the City that in the consideration of proposed amendments to this title:

Amendments will be adopted to recognize changes in the comprehensive plan, to correct error, or to recognize changed or changing conditions in a particular area or in the jurisdictional area generally.

- A rezoning request must determine whether the proposed land use, if implemented, would be compatible with the surrounding area in the manner contemplated by the Comprehensive Plan.
- Staff finds that this request is in compliance with the objectives of the City of Coweta Comprehensive Plan, Proposed Land Use 2020-2030 Map. If implemented, would be compatible with the surrounding area in the manner contemplated by the Comprehensive Plan.

12-3C-2-3 Planning Commission Action

1. After notice and public hearing, the Planning Commission shall vote to:
 1. Recommend to the City Council that the application be approved as submitted, or as amended, or be approved subject to modification; or
 2. Recommend to the City Council that the application be denied.

PLANNING COMMISSION ACTION

The Planning Commission can make a recommendation of approval, approval with conditions, or denial of the rezone request to the Coweta City Council. Staff recommends the Planning Commission make a recommendation of approval to the Coweta City Council, of the rezone request from (AG) Agriculture to (RS-2) Residential Single Family district.

ATTACHMENTS

1. Location Map
2. Zoning Map
3. Aerial View Map



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Memorandum

To: Honorable Chairman, Members of the Planning Commission
From: Tom E Young Jr, City Planner
Re: Final Plat - Lancaster Park Phase I
Date: 09-16-2024

BACKGROUND

The applicants, Glenwood Homes, L.P. (Developer) and Wallace Design Collective request approval of the final plat for Lancaster Park Phase I, a subdivision of approximately 21.55 acres, more or less, with 68 lots.

Case Facts

- The property is located in located in Section 26, Township 18 North, Range 15 East, of the Indian Base and Meridian, Wagoner County, State of Oklahoma.
- The property is zoned via a Planned Unit Development (ID: PUD No. PUD-R 19-01), with high-intensity Residential Single-Family (RS-3), Residential Multi-Family (RM-1), and Commercial General (CG) zoning districts.
- The property legal description: A tract of land located in the SE/4 of Section 26, Township 18 North, Range 15 East of the Indian Base and Meridian, City of Coweta, Wagoner County, State of Oklahoma, more particularly described as follows: Beginning at the Southeast Corner of Section 26; thence S88°49'39"W along the South Section Line for a distance of 711.99 feet, thence N01°28'10"W a distance of 385.40 feet to the beginning of a curve, said curve turning to the right through an angle of 05°59'18" having a radius of 75.00' feet for a length of 7.84 feet, and whose long chord bears N01°31'29"E for a distance of 7.84 feet, thence N04°31'08"E for a distance of 104.56 feet to the beginning of a curve, said curve turning to the left through an angle of 05°59'18" having a radius of 125.00 feet for a length of 13.06 feet, and whose long chord bears N01°31'29"E for a distance of 13.06 feet, thence N01°28'10"W for a distance of 125.04 feet, thence N89°00'17"E a distance of 110.00 feet, thence N01°28'10"W a distance of 670.00 feet, thence N89°00'17"E a distance of 0.41 feet, thence N00°59'43"W a distance of 50.00 feet, thence N01°28'10"W for a distance of 110.00 feet, thence N89°00'17"E a distance of 430.00 feet, thence S01°28'10"E a distance of 2.28 feet, thence N89°00'17"E a distance of 160.00 feet, thence S01°28'10"E a distance of 1,460.92 feet to the Point of Beginning; said tract containing 938,669.89 square feet (21.55 acres), more or less.

Utilities/Site Area: A Technical Advisory Committee meeting was held on September 6, 2024. The subdivision will be served by Rural Water District No. 4 for Water and the City of Coweta for Sanitary Sewer. Windstream/Kinetic, ONG, PSO and Cox were a part of the Technical Advisory Committee had one comment and request from PSO advised the following easements on the final plat:

- 5' on the North side of Block 1 lot 10

- 5' on the South side of Block 1 lot 9
- 5' on the North side of Block 4 lot 8
- 17.5' B/L & U/E on the west side of Block 4 lots 1-13

Pertinent Code

TITLE 13 – Subdivisions

CHAPTER 13-4-4 Final Plat:

- C. 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 may make a recommendation to City Council to approve or deny the Final Plat. The Planning Commission may continue the case and require the subdivider to submit a revised final plat before making recommendation to City Council for approval. 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 the Planning Commission make a recommendation to the City Council for approval of the Final Plat - Lancaster Park Phase I.

ATTACHMENTS

1. Final Plat - Lancaster Park Phase I.

FINAL PLAT

LANCASTER PARK - PHASE 1

PUD #R19-01

A SUBDIVISION IN THE CITY OF COWETA, OKLAHOMA,
BEING A SUBDIVISION OF A PART OF THE SE/4 OF SECTION TWENTY-SIX (26),
TOWNSHIP 18 NORTH, RANGE 15 EAST OF THE INDIAN BASE AND MERIDIAN

ZONING REQUIREMENTS

TYPICAL BUILDING SETBACKS

- SIDE LOT: 5 FEET
- FRONT SETBACK: 25 FEET
- REAR SETBACK: 15 FEET

NOTES

- THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
- ADDRESSES SHOWN ON THIS PLAT ARE 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.
- ALL SIDE LOT BUILDING SETBACKS SHALL BE 5 FEET UNLESS OTHERWISE NOTED.

FLOOD ZONE NOTE

THE PROPERTY DESCRIBED HAS BEEN EXAMINED BY A MAP OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP, TULSA COUNTY, OKLAHOMA, MAP NO. 40145C0120H, MAP REVISED: APRIL 17, 2012, WHICH SHOWS A PORTION OF THE PROPERTY DESCRIBED HEREON AS LOCATED IN ZONE (A) WHICH IS CLASSIFIED AS AREAS DETERMINED AS SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD WITH NO BASE FLOOD ELEVATION DETERMINED.

BASIS OF BEARINGS

THE BASIS OF BEARING IS BASED ON THE SOUTH LINE OF SECTION 26, T-18-N, R-15-E, AS BEING N88°49'39"E.

SITE DATA

EXISTING ZONING: RS-3
PUD: R19-01
TOTAL ACREAGE: 21.55 ACRES (938,669.89 SQUARE FEET)
NUMBER OF BLOCKS: 5
NUMBER OF LOTS: 68
RESERVE AREAS: 1

UTILITY SERVICE PROVIDERS

WATER - WAGONER COUNTY RURAL WATER DISTRICT NO. 4
SEWER - CITY OF COWETA
ELECTRIC - PUBLIC SERVICE COMPANY OF OKLAHOMA
TELEPHONE - WINDSTREAM COMMUNICATIONS
GAS - OKLAHOMA NATURAL GAS
CABLE - COX COMMUNICATION

MONUMENTATION

ALL CORNERS TO BE SET WITH A 3/8" IRON PIN WITH YELLOW CAP UNLESS OTHERWISE NOTED.

LINE LEGEND

PROPOSED BOUNDARY
PROPOSED RIGHT-OF-WAY
PROPOSED LOT LINE
PROPOSED BUILDING LINE
PROPOSED EASEMENT LINE
PROPOSED CENTER LINE

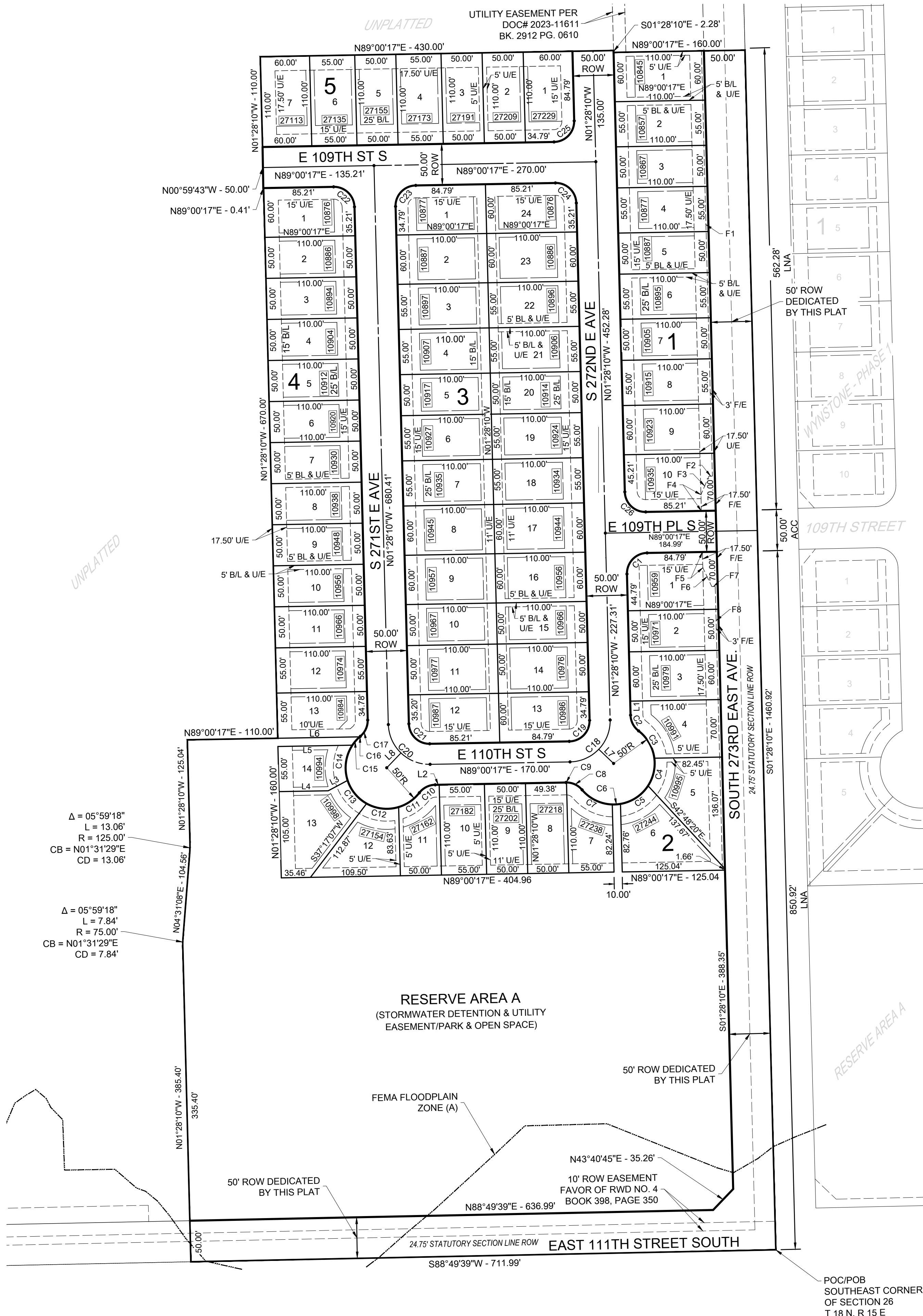
ABBREVIATIONS

ACC ACCESS
B/L BUILDING LINE
BK PG BOOK & PAGE
F/E FENCE EASEMENT
LNA LIMITS OF NO ACCESS
POB POINT OF BEGINNING
ROW RIGHT-OF-WAY
U/E UTILITY EASEMENT

LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE SE/4 OF SECTION 26, TOWNSHIP 18 NORTH, RANGE 15 EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF COWETA, WAGONER COUNTY, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 26; THENCE S88°49'39"W ALONG THE SOUTH SECTION LINE FOR A DISTANCE OF 711.99 FEET, THENCE N01°28'10"W A DISTANCE OF 385.40 FEET TO THE BEGINNING OF A CURVE, SAID CURVE TURNING TO THE RIGHT THROUGH AN ANGLE OF 05°59'18" HAVING A RADIUS OF 75.00' FEET FOR A LENGTH OF 7.84 FEET, AND WHOSE LONG CHORD BEARS N01°31'29"E FOR A DISTANCE OF 7.84 FEET, THENCE N04°31'08"E FOR A DISTANCE OF 104.56 FEET TO THE BEGINNING OF A CURVE, SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 05°59'18" HAVING A RADIUS OF 125.04 FEET FOR A LENGTH OF 13.06 FEET, AND WHOSE LONG CHORD BEARS N01°31'29"E FOR A DISTANCE OF 13.06 FEET, THENCE N01°28'10"W FOR A DISTANCE OF 125.04 FEET, THENCE N89°00'17"E A DISTANCE OF 110.00 FEET, THENCE N01°28'10"W A DISTANCE OF 670.00 FEET, THENCE N89°00'17"E A DISTANCE OF 0.41 FEET, THENCE N00°59'43"W A DISTANCE OF 50.00 FEET, THENCE N01°28'10"W FOR A DISTANCE OF 110.00 FEET, THENCE N89°00'17"E A DISTANCE OF 430.00 FEET, THENCE S01°28'10"E A DISTANCE OF 2.28 FEET, THENCE N89°00'17"E A DISTANCE OF 160.00 FEET, THENCE S01°28'10"E A DISTANCE OF 1,460.92 FEET TO THE POINT OF BEGINNING; SAID TRACT CONTAINING 938,669.89 SQUARE FEET (21.55 ACRES), MORE OR LESS.



LINE AND CURVE TABLE

Line #/Curve #	Length	Direction	Radius	Chord Length	Δ
C1	39.48	N43°46'04"E	25'	35.50	90°28'27"
C2	22.26	N26°58'34"W	25'	21.53	51°00'49"
C3	39.38	N29°55'05"W	50'	38.37	45°07'48"
C4	35.16	N12°47'31"E	50'	34.44	40°17'24"
C5	41.35	N56°37'40"E	50'	40.18	47°22'54"
C6	10.03	N86°03'46"E	50'	10.01	11°29'19"
C7	42.07	S64°05'14"E	50'	40.84	48°12'40"
C8	21.64	S64°46'28"E	25'	20.97	49°35'09"
C9	0.62	N89°43'07"E	25'	0.62	1°25'40"
C10	22.45	S63°16'59"W	25'	21.70	51°26'37"
C11	31.11	N55°23'13"E	50'	30.61	35°39'06"
C12	40.28	S83°42'33"E	50'	39.20	46°09'23"
C13	37.33	S39°14'29"E	50'	36.47	42°46'44"
C14	44.73	S7°46'44"W	50'	43.26	51°15'42"
C15	13.53	S41°09'44"W	50'	13.49	15°30'17"
C16	0.92	S49°26'40"W	50'	0.92	1°03'35"
C17	22.45	N24°15'09"E	25'	21.70	51°26'37"
C18	78.95	N43°46'04"E	50'	71.00	90°28'27"
C19	39.48	N43°46'04"E	25'	35.50	90°28'27"
C20	78.13	S46°13'56"E	50'	70.42	89°31'33"
C21	39.06	S46°13'56"E	25'	35.21	89°31'33"
C22	39.06	N46°13'56"W	25'	35.21	89°31'33"
C23	39.48	S43°46'04"W	25'	35.50	90°28'27"
C24	39.06	N46°13'56"W	25'	35.21	89°31'33"
C25	39.48	S43°46'04"W	25'	35.50	90°28'27"
C26	39.06	N46°13'56"W	25'	35.21	89°31'33"
L1	17.06	N01°28'10"W			
L2	4.74	N89°00'17"E			
L3	26.84	S61°51'12"W			
L4	59.79	S89°00'17"W			
L5	90.73	S89°00'17"W			
L6	99.86	S89°00'17"W			
L7	25.00	N46°13'56"W			
L8	25.00	N43°46'04"E			

Fence Line Easement

LINE NO.	BEARING	DISTANCE
F1	S01°28'10"E	517.84'
F2	S89°00'17"W	4.15'
F3	S23°26'56"W	24.58'
F4	S01°28'10"E	19.79'
F5	S01°28'10"E	19.13'
F6	S25°26'21"E	25.31'
F7	N89°00'17"E	4.22'
F8	S01°28'10"E	345.56'

WE, THE UNDERSIGNED, HEREBY CERTIFY THAT THE PLAT DESIGNATED HEREIN AS 'LANCASTER PARK - PHASE 1' HAS BEEN PREPARED IN ACCORDANCE WITH THE REGULATIONS AND REQUIREMENTS OF THE CITY OF COWETA, OKLAHOMA, AS RELATED TO SAID REGULATIONS AND REQUIREMENTS THAT ARE SPECIFICALLY REQUIRED OF THE OWNER, OR OF THE ENGINEER, OR OF THE SURVEYOR.

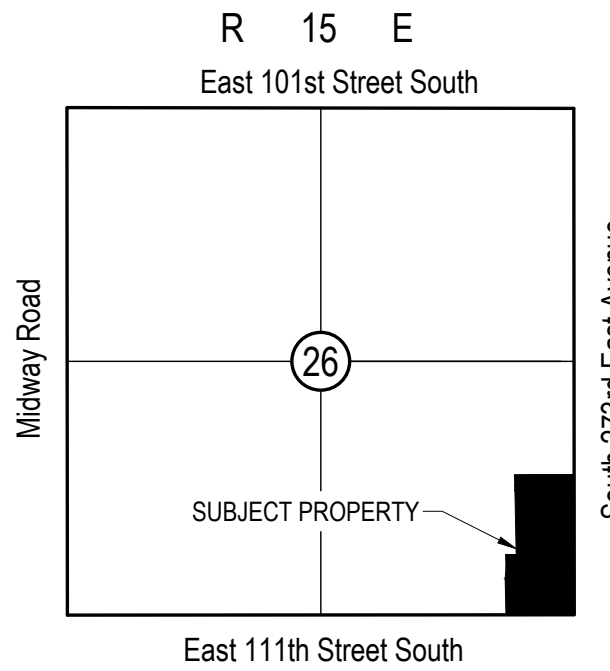
HAMID VALAD KHANI, MANAGING MEMBER
GLENWOOD HOMES, L.P.
AN OKLAHOMA LIMITED PARTNERSHIP

A. NICOLE WATTS
OKLAHOMA REGISTERED PROFESSIONAL ENGINEER #21511
WALLACE DESIGN COLLECTIVE, PC
C.A. #1460, EXP. 6-30-2025

R. WESLEY BENNETT
OKLAHOMA REGISTERED LAND SURVEYOR #1562
WALLACE DESIGN COLLECTIVE, PC
C.A. #1460, EXP. 6-30-2025

Location Map

Scale: 1"= 2000'

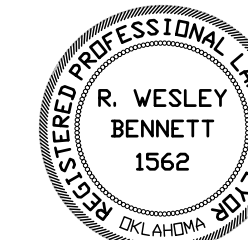
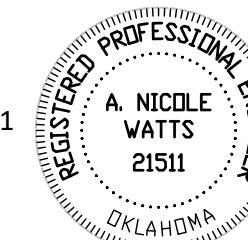


OWNER:

Glenwood Homes, L.P.
5705 E. 71st St. South, Suite 220
Tulsa, Oklahoma 74146
Phone: (918) 949-9268
valad@homecreations.com

ENGINEER/SURVEYOR:

Wallace Design Collective, P.C.
123 North Martin Luther King Jr Blvd.
Tulsa, Oklahoma, 74103
Phone: (918) 584-5858
A. NICOLE WATTS, P.E. NO. 21511
OK CA NO. 1460, EXPIRES 6/30/2025
nicole.watts@wallace.design
R. WESLEY BENNETT, RPLS 1562
wes.bennett@wallace.design



FINAL PLAT

LANCASTER PARK - PHASE 1

PUD #R19-01

A SUBDIVISION IN THE CITY OF COWETA, OKLAHOMA,
BEING A SUBDIVISION OF A PART OF THE SE/4 OF SECTION TWENTY-SIX (26),
TOWNSHIP 18 NORTH, RANGE 15 EAST OF THE INDIAN BASE AND MERIDIAN

DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

THAT GLEN WOOD HOMES, LP, AN OKLAHOMA LIMITED PARTNERSHIP, HEREINAFTER SOMETIMES CALLED "OWNER", IS THE OWNER IN FEE SIMPLE OF THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE CITY OF COWETA, STATE OF OKLAHOMA, TO WIT:

A TRACT OF LAND LOCATED IN THE SE/4 OF SECTION 26, TOWNSHIP 18 NORTH, RANGE 15 EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF COWETA, WAGONER COUNTY, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 26; THENCE S88°49'39"W ALONG THE SOUTH SECTION LINE FOR A DISTANCE OF 711.99 FEET, THENCE N01°28'10"W A DISTANCE OF 385.40 FEET TO THE BEGINNING OF A CURVE, SAID CURVE TURNING TO THE RIGHT THROUGH AN ANGLE OF 05°59'18" HAVING A RADIUS OF 75.00' FEET FOR A LENGTH OF 7.84 FEET, AND WHOSE LONG CHORD BEARS N01°31'29"E FOR A DISTANCE OF 7.84 FEET, THENCE N04°31'08"E FOR A DISTANCE OF 104.56 FEET TO THE BEGINNING OF A CURVE, SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 05°59'18" HAVING A RADIUS OF 125.00 FEET FOR A LENGTH OF 13.06 FEET, AND WHOSE LONG CHORD BEARS N01°31'29"E FOR A DISTANCE OF 13.06 FEET, THENCE N01°28'10"W FOR A DISTANCE OF 125.04 FEET, THENCE N89°00'17"E A DISTANCE OF 110.00 FEET, THENCE N01°28'10"W A DISTANCE OF 670.00 FEET, THENCE N89°00'17"E A DISTANCE OF 0.41 FEET, THENCE N00°59'43"W A DISTANCE OF 50.00 FEET, THENCE N01°28'10"W FOR A DISTANCE OF 110.00 FEET, THENCE N89°00'17"E A DISTANCE OF 430.00 FEET, THENCE S01°28'10"E A DISTANCE OF 2.28 FEET, THENCE N89°00'17"E A DISTANCE OF 160.00 FEET, THENCE S01°28'10"E A DISTANCE OF 1,460.92 FEET TO THE POINT OF BEGINNING; SAID TRACT CONTAINING 938.669.89 SQUARE FEET (21.55 ACRES), MORE OR LESS.

SECTION I. STREETS, EASEMENTS AND UTILITIES

1.1 GENERAL UTILITY EASEMENTS

THE OWNER/DEVELOPER HEREBY DEDICATES TO THE PUBLIC 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, TELEPHONE AND COMMUNICATION LINES, ELECTRIC AND POWER LINES, AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER APPURTENANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENT FOR THE USES AND PURPOSES AFORESAID, PROVIDED FORTHEVER, THE OWNER/DEVELOPER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RE-LAY WATER LINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING AND RELAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENT DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO THE AREA INCLUDED IN THE PLAT. THE OWNER/DEVELOPER HEREIN IMPOSES A RESTRICTIVE COVENANT WHICH SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF COWETA, OKLAHOMA AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE. SAID COVENANT STATES THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, NO BUILDINGS, STRUCTURE OR OTHER ABOVE OR BELOW-GROUND OBSTRUCTION MAY INTERFERE WITH THE USES AND PURPOSES OF THE EASEMENT. SAID COVENANT DOES PROHIBIT OBSTRUCTIONS WITHIN THE EASEMENTS HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING AND CUSTOMARY SCREENING FENCES AND WALLS THAT DO NOT CONSTITUTE AN OBSTRUCTION.

1.2 UNDERGROUND SERVICES

1.2.1 OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED WITHIN THE WEST AND SOUTH PERIMETER EASEMENT OF THE SUBDIVISION. ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN THE EASEMENT WAYS DEDICATED FOR GENERAL UTILITY SERVICES AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE UTILITY EASEMENTS. STREET LIGHT POLES OR STANDARDS MUST BE SERVED BY UNDERGROUND CABLE THROUGHOUT THE SUBDIVISION.

1.2.2 UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WHICH ARE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE AS MAY BE LOCATED UPON THE LOT, PROVIDED THAT UPON THE INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE AND NON-EXCLUSIVE 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.

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

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

1.2.5 THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY EACH SUPPLIER OF THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

1.3 WATER, SANITARY SEWER AND STORM SEWER SERVICE

1.3.1 THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWER MAINS LOCATED ON THEIR LOT.

1.3.2 WITHIN THE UTILITY EASEMENT AREAS DEPICTED ON THE ACCOMPANYING PLAT THE ALTERATION OF GRADE IN EXCESS OF A FOOT 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 WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS SHALL BE PROHIBITED.

1.3.3 THE CITY OF COWETA, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC STORM SEWER FACILITIES BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, THEIR AGENTS OR CONTRACTORS.

A. RIGHT TO ACCESS: THE CITY OF COWETA, OKLAHOMA, OR THEIR SUCCESSORS, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO GENERAL UTILITY EASEMENTS AND DRAINAGE EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF STORM SEWER FACILITIES.

1.3.4 CITY OF COWETA, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF SANITARY SEWER MAINS AND WAGONER COUNTY RURAL WATER DISTRICT NO. 4, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF WATER MAINS BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, THEIR AGENTS OR CONTRACTORS.

A. RIGHT TO ACCESS - THE CITY OF COWETA AND WAGONER COUNTY RURAL WATER DISTRICT NO. 4, OR THEIR SUCCESSORS, SHALL AT ALL TIME HAVE THE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF UNDERGROUND WATER AND SANITARY SEWER FACILITIES.

B. EXCLUSIVITY - EASEMENTS DENOTED ON THE ACCOMPANYING PLAT AS "RW4D EASEMENT" OR "RW4D R/W EASE" ARE FOR THE EXCLUSIVE USE BY WAGONER COUNTY RURAL WATER DISTRICT NO. 4 AND ARE DEDICATED FOR THE SOLE PURPOSE OF PROVIDING WATER AND SHALL BE FOR THE EXCLUSIVE USE AND BENEFIT OF RURAL WATER DISTRICT NO. 4, ITS SUCCESSORS AND ASSIGNS.

C. WHERE WATERLINES FALL WITHIN THE UTILITY EASEMENT, THAT PORTION OF THE UTILITY EASEMENT IS FOR THE USE OF WAGONER COUNTY RURAL WATER DISTRICT NO. 4, OKLAHOMA, OR ITS SUCCESSORS.

D. WHERE SANITARY SEWER LINES FALL WITHIN THE UTILITY EASEMENT, THAT PORTION OF THE UTILITY EASEMENT IS FOR THE USE OF CITY OF COWETA, OKLAHOMA, OR ITS SUCCESSORS.

1.3.5 THE FOREGOING COVENANTS SET FORTH IN THIS SECTION 1.3 SHALL BE ENFORCEABLE BY CITY OF COWETA, OKLAHOMA, OR ITS SUCCESSORS, AND WAGONER COUNTY RURAL WATER DISTRICT NO. 4, OR ITS SUCCESSORS, AND THE OWNER OF EACH LOT AGREES TO BE BOUND HEREBY.

1.4 SURFACE DRAINAGE

EACH LOT SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM PUBLIC STREETS AND EASEMENTS. NO LOT 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 THEIR LOT. FENCING IS PERMITTED SUCH THAT THE CONSTRUCTION OF SUCH DOES NOT RESTRICT OR CONFINE THE FLOW OF SURFACE WATER. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND/OR BY CITY OF COWETA, OKLAHOMA.

1.5 GAS SERVICE

1.5.1 THE SUPPLIER OF GAS SERVICE THROUGH ITS AGENTS AND EMPLOYEES SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR AS PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, REMOVING, REPAIRING, OR REPLACING ANY PORTION OF THE FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE.

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

1.5.3 THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

1.6 PAVING AND LANDSCAPING WITHIN EASEMENTS

1.6.1 NO LOT OWNER SHALL PLANT ANY TREES OR SHRUBBERY IN DEDICATED UTILITY EASEMENTS OR RIGHTS-OF-WAY WHICH WOULD POTENTIALLY ENDANGER, THREATEN OR HARM ANY UTILITIES LOCATED WITHIN SAID EASEMENTS OR RIGHTS-OF-WAY.

1.6.2 THE GOVERNMENT WILL REMOVE OBSTRUCTIONS FROM THE RIGHT-OF-WAY THAT ARE DEEMED TO BE A DANGER TO PUBLIC SAFETY WITHOUT NOTICE.

1.6.3 THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR LANDSCAPING AND PAVING DAMAGED OR REMOVED BY THE NECESSARY INSTALLATION OF OR MAINTENANCE FOR THE UNDERGROUND WATER, SEWER, STORM SEWER, GAS, COMMUNICATION, CABLE TELEVISION, OR ELECTRIC FACILITIES WITHIN THE EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT. IT SHALL BE NOTED THAT CITY OF COWETA, OKLAHOMA, WAGONER COUNTY RURAL WATER DISTRICT NO. 4, OR THE SUPPLIER OF THE UTILITY SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

1.7 SIDEWALKS

1.7.1 SIDEWALKS SHALL BE CONSTRUCTED AND MAINTAINED BY THE OWNER OF THE ABUTTING LOT AT SUCH OWNER'S EXPENSE. THE SIDEWALK ABUTTING A LOT SHALL BE COMPLETED ACCORDING TO CITY OF COWETA'S SPECIFICATIONS PRIOR TO INITIAL OCCUPANCY OF THE STRUCTURE OF THE ABUTTING LOT.

1.7.2 THIS RESTRICTIVE COVENANT MAY BE ENFORCED BY ANY OWNER OF A LOT IN THE SUBDIVISION, THE HOMEOWNERS ASSOCIATION OR THE CITY OF COWETA.

1.8 FENCE AND LANDSCAPE EASEMENT

1.8.1 THE OWNER HEREBY ESTABLISHES AND RESERVES FOR SUBSEQUENT CONVEYANCE TO THE HOMEOWNER'S ASSOCIATION AN EXCLUSIVE PERPETUAL EASEMENT TO ERECT AND MAINTAIN FENCING, WALLS AND LANDSCAPING WITHIN THE EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT AS 'FENCE & LANDSCAPE EASEMENT' OR 'FLE'.

SECTION II. RESERVE AREA

2.1 RESERVE AREA 'A'

2.1.1 THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC A PERPETUAL EASEMENT ON, OVER AND ACROSS THE PROPERTY DESIGNATED AND SHOWN ON THE ACCOMPANYING PLAT AS RESERVE AREA 'A' FOR THE PURPOSES OF PERMITTING THE FLOW, CONVEYANCE, RETENTION, DETENTION AND DISCHARGE OF STORMWATER RUNOFF FROM THE VARIOUS LOTS WITHIN THE SUBDIVISION AND FROM PROPERTIES NOT INCLUDED WITHIN THE SUBDIVISION. RESERVE AREA 'A' SHALL ALSO BE USED FOR PLAYGROUND EQUIPMENT, WALKING TRAILS AND OTHER RECREATIONAL ACTIVITIES RESERVED FOR USE BY HOMEOWNERS AND THEIR INVITED GUESTS ONLY.

2.1.2 DETENTION, RETENTION AND OTHER DRAINAGE FACILITIES LOCATED WITHIN THE RESERVE SHALL BE CONSTRUCTED IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY CITY OF COWETA, OKLAHOMA.

2.1.3 ALL PARKING AREAS AND RECREATIONAL FACILITIES SHALL BE OWNED AND MAINTAINED BY THE LANCASTER PARK HOMEOWNERS' ASSOCIATION.

2.1.4 DETENTION, RETENTION AND OTHER DRAINAGE FACILITIES SHALL BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED DRAINAGE, RETENTION AND DETENTION FUNCTIONS INCLUDING REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION AND THE ASSOCIATION SHALL PROVIDE CUSTOMARY GROUNDS MAINTENANCE WITHIN THE RESERVE IN ACCORDANCE WITH THE FOLLOWING MINIMUM STANDARDS:

A. GRASS AREAS SHALL BE MOWED (IN SEASON) AT REGULAR INTERVALS OF FOUR WEEKS, OR LESS.

B. CONCRETE APPURTENANCES SHALL BE MAINTAINED IN GOOD CONDITION AND REPLACED IF DAMAGED.

C. THE RESERVE SHALL BE KEPT FREE OF DEBRIS.

D. CLEANING OF SILTATION AND VEGETATION FROM CONCRETE CHANNELS SHALL BE PERFORMED TWICE YEARLY.

2.1.5 LANDSCAPING SHALL BE ALLOWED WITHIN THE RESERVE.

2.1.6 IN THE EVENT THE HOMEOWNER'S ASSOCIATION SHOULD FAIL TO PROPERLY MAINTAIN THE DETENTION, RETENTION, AND OTHER DRAINAGE FACILITIES OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN, OR THE ALTERATION OF GRADE, WITHIN THE RESERVE, CITY OF COWETA, OR ITS DESIGNATED CONTRACTOR MAY ENTER AND PERFORM MAINTENANCE NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT ANY ALTERATION OF GRADE, AND THE COSTS THEREOF SHALL BE PAID BY THE ASSOCIATION. IN THE EVENT THE ASSOCIATION FAILS TO PAY THE COSTS OF MAINTENANCE AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, THE CITY OF COWETA MAY FILE OF RECORD A COPY OF STATEMENT OF COSTS IN THE LAND RECORDS OF THE WAGONER COUNTY CLERK, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST EACH LOT WITHIN THE SUBDIVISION, PROVIDED, THE LIEN AGAINST EACH LOT SHALL NOT EXCEED THAT LOT'S PRO RATA PORTION OF THE COSTS. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY WAGONER COUNTY.

2.1.7 RESERVE AREA 'A' SHALL BE UTILIZED FOR STORMWATER DETENTION EASEMENT, UTILITY EASEMENT, PARK AND OPEN SPACE USES.

SECTION III. PRIVATE RESTRICTIONS AND COVENANTS

WHEREAS, THE OWNER/DEVELOPER DESIRES TO ESTABLISH RESTRICTIONS FOR THE PURPOSE OF PROVIDING FOR THE ORDERLY DEVELOPMENT OF THE SUBDIVISION AND CONFORMITY AND COMPATIBILITY OF IMPROVEMENTS THEREIN.

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

3.1 ARCHITECTURAL COMMITTEE - PLAN REVIEW

3.1.1 PLAN REVIEW. NO BUILDING, STRUCTURE, FENCE, WALL, PAVING, HARDSCAPE, LANDSCAPING, SWIMMING POOL, EXTERIOR LIGHTING, EXTERIOR ANTENNAE, EXTERIOR WINDOWS, EXTERIOR DOORS, EXTERIOR FINISH (INCLUDING EXTERIOR PAINTING AND COLORS AND WINDOW COVERINGS VISIBLE FROM THE EXTERIOR), GARBAGE RECEPTACLE ENCLOSURE, OR FREE STANDING MAIL BOX SHALL AT ANY TIME BE ERRECTED, PLACED OR ALTERED ON ANY LOT UNTIL THE PLANS AND SPECIFICATIONS HAVE BEEN APPROVED IN WRITING BY THE OWNER OR ITS AUTHORIZED REPRESENTATIVES OR SUCCESSORS, WHICH ARE HEREINAFTER REFERRED TO AS THE "ARCHITECTURAL COMMITTEE". FOR EACH BUILDING, THE REQUIRED PLANS AND SPECIFICATIONS SHALL BE SUBMITTED IN DUPLICATE AND INCLUDE A SITE PLAN; A FLOOR PLAN; EXTERIOR ELEVATIONS, INCLUDING DESIGNATION OF EXTERIOR MATERIALS, COLOR SCHEME AND LIGHTING; A LANDSCAPE PLAN, INCLUDING LANDSCAPE HARDSCAPE AND LIGHTING; AND DRAINAGE AND GRADING PLANS. APPROVAL OF PLANS IS AT THE SOLE DISCRETION OF THE ARCHITECTURAL COMMITTEE EXERCISED IN ACCORDANCE WITH THE PURPOSES OF THE COMMITTEE HEREINAFTER SET FORTH. IN THE EVENT THE ARCHITECTURAL COMMITTEE FAILS TO APPROVE OR DISAPPROVE PLANS AND SPECIFICATIONS SUBMITTED TO IT AS HEREIN REQUIRED WITHIN TWENTY (20) DAYS

AFTER SUBMISSION, THE PLANS SO SUBMITTED SHALL BE DEEMED APPROVED. THE DEVELOPMENT AND USE OF THE SUBJECT LOT SHALL THEREAFTER BE IN SUBSTANTIAL COMPLIANCE WITH THE APPROVED PLANS OR APPROVED AMENDMENTS THERETO. IN THE EVENT NO SUIT TO ENJOIN THE ERECTION OF THE BUILDING OR STRUCTURE OR THE MAKING OF AN ALTERATION HAS BEEN COMMENCED PRIOR TO THE 30TH DAY FOLLOWING COMPLETION THEREOF, APPROVAL OF THE ARCHITECTURAL COMMITTEE SHALL NOT BE REQUIRED AND THIS COVENANT SHALL BE DEEMED TO HAVE BEEN FULLY COMPLIED WITH, NOTWITHSTANDING THE FOREGOING, THE APPROVAL OR FAILURE TO APPROVE BUILDING PLANS SHALL NOT BE DEEMED A WAIVER OF ANY RESTRICTION.

3.1.2 COMMITTEE PURPOSE. THE ARCHITECTURAL COMMITTEE'S PURPOSE IS TO PROMOTE GOOD DESIGN AND COMPATIBILITY WITHIN THE SUBDIVISION AND IN IS REVIEW OF PLANS OR DETERMINATION OF ANY WAIVER AS HEREINAFTER AUTHORIZED MAY TAKE INTO CONSIDERATION THE NATURE AND CHARACTER OF THE PROPOSED BUILDING OR STRUCTURE, THE MATERIALS OF WHICH IT IS TO BE BUILT, THE AVAILABILITY OF ALTERNATIVE MATERIALS, THE COLOR SCHEME, THE SITE UPON WHICH IT IS PROPOSED TO BE ERECTED AND THE HARMONY THEREOF WITH THE SURROUNDING AREA. THE ARCHITECTURAL COMMITTEE SHALL NOT BE LIABLE FOR ANY APPROVAL, DISAPPROVAL OR FAILURE TO APPROVE HEREUNDER, AND ITS APPROVAL OF BUILDING PLANS SHALL NOT CONSTITUTE A WARRANTY OR RESPONSIBILITY FOR BUILDING METHODS, MATERIALS, PROCEDURES, STRUCTURAL DESIGN, GRADING OR DRAINAGE OR CODE VIOLATIONS. THE APPROVAL OR FAILURE TO APPROVE BUILDING PLANS SHALL NOT BE DEEMED A WAIVER OF ANY RESTRICTION. NOTHING HEREIN CONTAINED SHALL BE DEEMED TO PREVENT ANY LOT OWNER IN THE SUBDIVISION FROM PROSECUTING ANY LEGAL ACTION RELATING TO IMPROVEMENTS WITHIN THE SUBDIVISION WHICH THEY THEY WOULD OTHERWISE BE ENTITLED TO PROSECUTE.

3.1.3 TRANSFER OF DUTIES. THE OWNER MAY ASSIGN THE POWERS AND DUTIES OF THE ARCHITECTURAL COMMITTEE TO THE HOMEOWNERS' ASSOCIATION AT ANY TIME, AT THE DISCRETION OF THE OWNER, BY A WRITTEN INSTRUMENT. UNLESS ASSIGNED TO IT IN WRITING BY THE ARCHITECTURAL COMMITTEE PRIOR TO SUCH TIME, THE POWERS AND DUTIES OF THE ARCHITECTURAL COMMITTEE SHALL BE DEEMED TRANSFERRED TO THE HOMEOWNERS' ASSOCIATION AT SUCH TIME AS THE OWNER (OR ITS SUCCESSOR BY ASSIGNMENT) OWNS NO LOTS OR RESERVES, AND THEREAFTER THE FOREGOING POWERS AND DUTIES SHALL BE EXERCISED BY THE BOARD OF DIRECTORS OF THE HOMEOWNERS' ASSOCIATION.

3.2 LOT RESTRICTIONS

THE LOTS SHALL BE SUBJECT TO THE FOLLOWING RESTRICTIONS AND LIMITATIONS.

3.2.1 USE

THE USE OF THE LOTS SHALL BE LIMITED TO DETACHED SINGLE FAMILY RESIDENCES AND CUSTOMARY ACCESSORY USES.

3.2.2 FLOOR AREA

A SINGLE STORY DWELLING SHALL HAVE A MINIMUM OF 1,100 SQUARE FEET OF LIVING FLOOR AREA. THE COMPUTATION OF LIVING AREA SHALL EXCLUDE BASEMENTS, ATTICS, GARAGES, OPEN SPACE AND BREEZEWAYS.

3.2.3 ORIENTATION OF DWELLINGS

THE ORIENTATION OF THE DWELLING WITHIN A LOT (DIRECTION FACED BY FRONT OF THE DWELLING) SHALL BE SUBJECT TO THE APPROVAL OF THE ARCHITECTURAL COMMITTEE.

3.2.4 GARAGES

WITHIN EACH LOT THERE SHALL BE PROVIDED A MINIMUM OF TWO (2) PARKING SPACES WITHIN AN ATTACHED GARAGE. GARAGES SHALL BE ENCLOSED, AND CARPORTS ARE PROHIBITED. RAISED PANEL GARAGE DOORS SHALL BE CONSTRUCTED AND GLASS IN GARAGE DOORS IS PROHIBITED.

3.2.5 FOUNDATIONS

ANY EXPOSED FOUNDATION SHALL BE OF BRICK, STONE OR STUCCO. NO STEM WALL SHALL BE EXPOSED.

3.2.6 EXTERIOR WALLS

THE EXTERIOR SURFACE OF THE FIRST STORY OF A DWELLING, EXCEPTING WINDOWS AND DOORS, SHALL BE A MINIMUM OF 50% BRICK, STONE OR STUCCO. NO STEEL, ALUMINUM, VINYL OR PLASTIC SIDING SHALL BE PERMITTED. THE ARCHITECTURAL COMMITTEE MAY, IN THE PARTICULAR INSTANCE AND UPON WRITTEN REQUEST, WAIVE THE REQUIREMENTS OF THIS PARAGRAPH.

3.2.7 WINDOWS

WINDOWS SHALL BE VINYL, WOOD, OR VINYL CLAD WOOD. ALUMINUM WINDOWS ARE PROHIBITED.

3.2.8 ROOF PITCH

NO DWELLING SHALL HAVE A ROOF PITCH OF NOT LESS THAN 6/12.

3.2.9 ROOFING MATERIALS

ROOFING FOR A DWELLING SHALL BE COMPOSITION SHINGLES HAVING A MINIMUM THIRTY-YEAR LIFE RATING AND SHALL BE WOOD GRAINED IN APPEARANCE SUCH AS TAMKO HERITAGE 30 YEAR SIMULATED WEATHERED WOOD SHINGLES. PROVIDED, HOWEVER, THAT IF SUCH ROOFING SHOULD NOT BE REASONABLY AVAILABLE, ALTERNATIVE ROOFING APPROVED BY THE ARCHITECTURAL COMMITTEE SHALL BE PERMITTED UPON DETERMINATION OF THE ARCHITECTURAL COMMITTEE THAT THE ALTERNATIVE IS OF EQUAL OR SUPERIOR QUALITY AND OF A DESIGN AND COLOR COMPATIBLE WITH THE ROOFING MATERIAL ABOVE SPECIFIED. IN NO EVENT SHALL WOOD SHINGLES BE PERMITTED. ROOF FLASHING AND VALLEYS SHALL BE BRONZE OR COPPER OR SHALL BE PAINTED TO MATCH THE ROOF OF THE DWELLING. SHEET METAL, ALUMINUM VENTS, FLUE LINER TERMINALS, CHIMNEY CAPS OR OTHER ROOFTOP PROTRUSIONS SHALL BE PAINTED TO MATCH THE ROOF OF THE DWELLING. ROOF MOUNTED EQUIPMENT, INCLUDING BUT NOT LIMITED TO MECHANICAL EQUIPMENT, AIR CONDITIONS AND SOLAR EQUIPMENT IS PROHIBITED.

3.2.10 CHIMNEYS

THE EXTERIOR SURFACE OF CHIMNEYS SHALL BE SUBJECT TO THE APPROVAL OF THE ARCHITECTURAL COMMITTEE. CHIMNEYS SHALL HAVE A DECORATIVE SHROUD OR CAP, AND ALL CHIMNEY SHROUDS AND CAPS ARE SUBJECT TO THE APPROVAL OF THE ARCHITECTURAL COMMITTEE.

3.2.11 DRIVEWAYS

DRIVEWAYS SHALL BE CONCRETE AND SHALL BE THE SAME COLOR AS THE SIDEWALKS AND CURBS WITHIN THE SUBDIVISION, PROVIDED HOWEVER, THE ARCHITECTURAL COMMITTEE MAY, IN THE PARTICULAR INSTANCE, UPON WRITTEN REQUEST, WAIVE THIS RESTRICTION.

3.2.12 FENCING

FENCING OR WALLS WITHIN A LOT ARE SUBJECT TO THE APPROVAL OF THE ARCHITECTURAL COMMITTEE. FENCING OR WALLS WITHIN A LOT SHALL NOT EXTEND BEYOND THE FRONT BUILDING LINE DEPICTED WITHIN THE ACCOMPANYING PLAT. IF A DWELLING IS BUILT BEHIND THE FRONT BUILDING LINE, NO FENCE MAY EXTEND BEYOND THAT POINT NEAREST THE STREET AT EACH CORNER OF THE FRONT BUILDING WALL OF THE DWELLING. ALL FENCES SHALL BE PRIVACY FENCES CONSTRUCTED OF WOOD OR MASONRY AND SHALL BE 6 FEET IN HEIGHT, PROVIDED HOWEVER, THAT THE ARCHITECTURAL COMMITTEE MAY IN THE PARTICULAR INSTANCE, AND UPON WRITTEN REQUEST, WAIVE THE REQUIREMENTS OF THIS PARAGRAPH. ALL FENCE TYPES PROPOSED FOR LOCATION ADJACENT TO RESERVES AND GREEN BELTS SHALL BE 4 FOOT RANCH RAIL STYLE FENCE.

3.2.13 LANDSCAPING OF LOTS; IRRIGATION SYSTEMS

LANDSCAPING WITHIN A LOT IS SUBJECT TO THE APPROVAL OF THE ARCHITECTURAL COMMITTEE. PRIOR TO THE OCCUPANCY OF A DWELLING, THE OWNER OF THE LOT SHALL HAVE PROFESSIONALLY LANDSCAPED THE FRONT (AND SIDE OF DWELLING ON CORNER LOTS). ENTIRE BACK YARD SHALL BE SODDED.

3.2.14 ON-SITE CONSTRUCTION

NO DWELLING OR BUILDING BUILT OFF-SITE SHALL BE MOVED TO, OR PLACED ON, ANY LOT.

3.2.15 OUTBUILDINGS

OUTBUILDINGS ARE PROHIBITED, PROVIDED HOWEVER, THE ARCHITECTURAL COMMITTEE MAY, IN THE PARTICULAR INSTANCE, WAIVE THIS RESTRICTION.

3.2.16 SWIMMING POOLS

ABOVE GROUND SWIMMING POOLS ARE PROHIBITED.

3.2.17 ANTENNAS

EXTERIOR TELEVISION, RADIO OR OTHER TYPE ANTENNAS INCLUDING SATELLITE DISHES SHALL BE PROHIBITED, PROVIDED, HOWEVER THAT ONE SATELLITE DISH NOT EXCEEDING TWO (2) FEET IN DIAMETER, AND IN A LOCATION NOT VISIBLE FROM A PUBLIC OR PRIVATE STREET, SHALL BE PERMITTED WITHIN A LOT.

3.2.18 LOT MAINTENANCE

NO INOPERATIVE VEHICLE OR MACHINERY SHALL BE STORED ON ANY LOT AND EACH LOT SHALL BE MAINTAINED IN A NEAT AND ORDERLY CONDITION FREE OF RUBBISH, TRASH AND OTHER DEBRIS AND SHALL BE CUT, TRIMMED OR MOWED TO PREVENT GROWTH OF WEEDS OR TALL GRASS.

3.2.19 RECREATIONAL VEHICLES AND EQUIPMENT

NO BOATS, RECREATIONAL TRAILERS, PERSONAL WATER CRAFT, CAMPERS, MOTOR HOMES OR OTHER RECREATIONAL VEHICLES OR EQUIPMENT SHALL BE STORED, PLACED OR PARKING ON ANY STREET WITHIN THE SUBDIVISION OR ON ANY LOT, EXCEPT WITHIN AN ENCLOSED GARAGE.

3.2.20 TRAILERS, MACHINERY AND EQUIPMENT; COMMERCIAL VEHICLES

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

3.2.21 ALL-TERRAIN VEHICLES AND UNLICENSED MOTOR VEHICLES

NO ALL-TERRAIN VEHICLES (ATVS) OR UNLICENSED MOTOR VEHICLES SHALL BE OPERATED WITHIN THE SUBDIVISION.

3.2.22 BASKETBALL GOALS

NO BASKETBALL GOALS SHALL BE VISIBLE FROM A PUBLIC OR PRIVATE STREET.

3.2.23 ON-STREET PARKING PROHIBITED

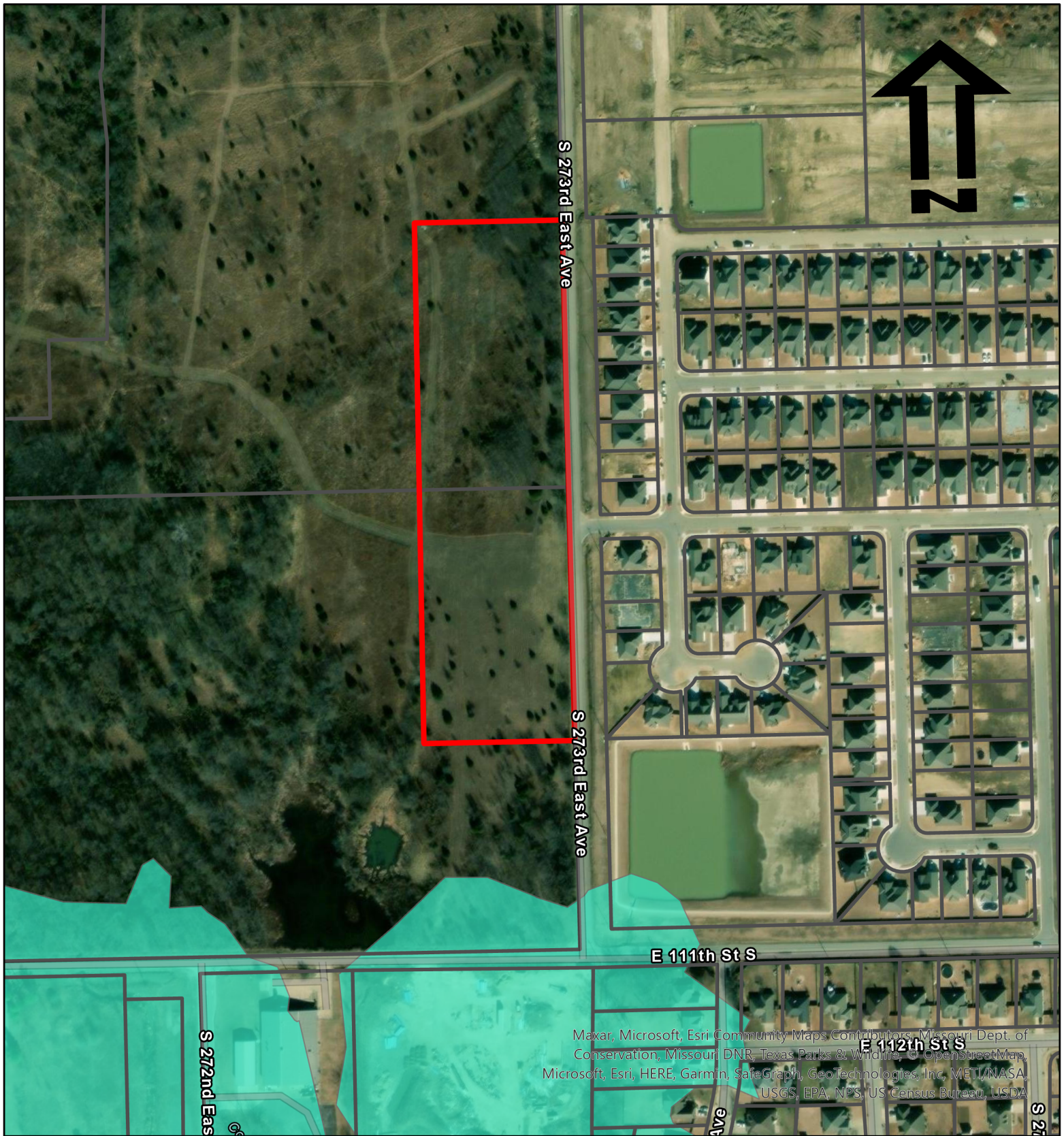
ON-STREET PARKING BY OWNERS OF LOTS OR THEIR TENANTS IS PROHIBITED, PROVIDED THAT THE HOMEOWNERS' ASSOCIATION MAY PERMIT, BY RULES AND REGULATIONS, ON-STREET PARKING DURING OCCASIONAL EVENTS WITHIN THE SUBDIVISION.

3.2.24 CLOTHESLINES AND GARBAGE RECETACLES

CLOTHESLINE POLES OR OTHER OUTSIDE DRYING APPARATUS ARE PROHIBITED, AND NO EXPOSED GARBAGE CAN, TRASH CAN OR ANY TRASH BURNING APPARATUS OR STRUCTURE SHALL BE PLACED ON ANY LOT. ALL TRASH CONTAINERS SHALL BE STORED OUT OF PUBLIC VIEW EXCEPT FOR A 12-HOUR PERIOD DURING COLLECTION.

3.2.25 MAILBOXES

MAILBOXES SHALL BE CONSTRUCTED OF BRICK AND A UNIFORM DESIGN TO BE SELECTED BY THE ARCHITECTURAL COMMITTEE AND SHALL BE PLACED AT A HEIGHT AND LOCATION WITHIN THE LOT TO BE DESIGNATED BY THE ARCHITECTURAL COMMITTEE.



 Case Location

Flood Zone

-  500-Year FP
-  100-Year FP - Unanalyzed
-  100-Year FP
-  Floodway

Lancaster Park Phase I Floodplain Map

