



P.O. BOX 850  
COWETA, OK 74429  
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[www.cityofcoweta-ok.gov](http://www.cityofcoweta-ok.gov)

**AGENDA - REGULAR MEETING  
COWETA PLANNING COMMISSION  
COWETA CITY HALL, 310 S. BROADWAY  
MONDAY, APRIL 21, 2025 6:00 PM**

**MEETING PROCEDURE:** Comments on all scheduled agenda items will be heard immediately following the presentation by staff or the petitioner. Please wait until you are recognized by the Chair and keep your comments as brief as possible. Individuals addressing the Commissioners must identify themselves by name prior to making any comments. The Commission will consider, discuss, and may take action on, approve, adopt, amend, reject, deny, table, or not take action on any item listed on this agenda after comments from staff and the Commission have been heard.

**I. CALL TO ORDER**

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

Jessica Morris \_\_\_\_ Jennifer Curtis \_\_\_\_ Donald Vieth \_\_\_\_ Vacant \_\_\_\_

**IV. CONSENT**

(All matters under the "Consent Calendar" are considered by the 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 REGULAR MEETING**

Approval of the minutes of the Coweta Planning Commission Meeting held on January 20, 2025. *Anita Lee, Community Development Administrative Assistant*

**V. PUBLIC HEARING(S)**

**1. CZ 25-02 SUP, SPECIFIC USE PERMIT FOR CREMATORY**

Public hearing to receive public comment on CZ 25-02 SUP, a request from Judy L. Brown, the property owner and applicant for Brown Family Funeral Home, to establish a Specific Use Permit for a Crematory on the property located at 210 South Broadway, Coweta, Oklahoma.

*Carolyn Back, Community Development Director*

**2. BOWMAN PARTIAL ALLEY CLOSURE LOCATED IN NEW COWETA**

Public Hearing to receive public comment on a request from Brady Ghaniabadi, Civil Engineer for the applicant, to close a portion of a vacant 20-foot-wide alleyway located in Lots eight (8), nine (9), ten (10), eleven (11), twelve (12), thirteen (13), and fourteen (14), Block thirty-four (34) laying south of South State Highway 51, New Coweta, in Section 18 Township 17 North, Range 16 East of the Indian Base and Meridan, City of Coweta, Wagoner County, Oklahoma.

*Carolyn Back, Community Development Director*

3. **BOWMAN OF COWETA - PRELIMINARY PLAT**

Public Hearing to receive public comment on a request by Boman Investment Properties, LLC and Cut Land Development, LLC, Engineer, for Preliminary Plat approval for Bowman of Coweta, a proposed subdivision within the City of Coweta, with approximately 0.442 acres more or less with 1 lot. Located in section 18, Township 17 North, Range 16 East, of the Indian and Base Meridan, Wagoner County, State of Oklahoma. This land is zoned General Commercial (CG).

*Carolyn Back, Community Development Director*

4. **BOWMAN OF COWETA - FINAL PLAT**

Public Hearing to receive public comment on the Bowman of Coweta Final Plat, a subdivision within the City of Coweta, of approximately 0.442 acres with One Lot and One Block. Located in Section 18, Township 17 North, Range 16 East, of the Indian Base and Meridan, Wagoner County, State of Oklahoma. The land is zoned General Commercial (CG).

*Carolyn Back, Community Development Director*

5. **TIGER TRAILS - PRELIMINARY PLAT**

Public Hearing to receive public comment on a request by Tulsa L Dev., LLC, Developer; Tanner Consulting, LLC, Surveyor/Engineer; for Preliminary Plat approval for Tiger Trails Phase I Blocks 1-8, a proposed subdivision within the City of Coweta, as part of a Planned Unit Development (PUD-R 24-03). The proposed subdivision is approximately 22.436 acres with 97 lots. Located in Section 34, Township 18 North, Range 15 East, of the Indian Base and Meridian, Wagoner County, State of Oklahoma. The land is zoned Residential Single-Family (RS-3).

*Carolyn Back, Community Development Director*

VI. ADMINISTRATION

1. **CZ 25-02 SUP, SPECIFIC USE PERMIT FOR CREMATORY**

Discuss and consider action on CZ 25-02 SUP, a request from Judy L. Brown, the property owner and applicant for Brown Family Funeral Home, to establish a Specific Use Permit for a crematory on the property located at 210 South Broadway, Coweta.

*Carolyn Back, Community Development Director*

2. **BOWMAN PARTIAL ALLEY CLOSURE LOCATED IN NEW COWETA**

Discuss and consider action on a request from Brady Ghaniabadi, Civil Engineer for the applicant, to vacate a portion of a 20-foot-wide vacant alleyway located in Lots eight (8), nine (9), ten (10), eleven (11), twelve (12), thirteen (13), and fourteen (14), Block thirty-four (34) laying south of South State Highway 51, New Coweta, in Section 18 Township 17 North, Range 16 East of the Indian Base and Meridan, City of Coweta, Wagoner County, Oklahoma.

*Carolyn Back, Community Development Director*

3. **BOWMAN OF COWETA - PRELIMINARY PLAT**

Discuss and consider action on a request by Bowman Investments Properties, LLC, Developer; Brady Ghaniabadi, Civil Engineer, for Preliminary Plat approval for Bowman of Coweta, a proposed subdivision within the City of Coweta, with approximately 0.442 acres

One Lot, One Block. Located in Section 18, Township 17 North, Range 16 East, of the Indian and Base Meridan, Wagoner County, State of Oklahoma. This land is zoned General Commercial (CG).

*Carolyn Back, Community Development Director*

4. **BOWMAN OF COWETA - FINAL PLAT**

Discuss and consider action on a request for final plat approval of Bowman of Coweta, a subdivision within the City of Coweta, of approximately 0.442 acres One Lot and One Block. Located in Section 18, Township 17 North, Range 16 East, of the Indian Base and Meridan, Wagoner County, State of Oklahoma. The land is zoned General Commercial (CG).

*Carolyn Back, Community Development Director*

5. **TIGER TRAILS - PRELIMINARY PLAT**

Discuss and consider action on a request by Tulsa L Dev.,LLC, Developer; Tanner Consulting, LLC, Surveyor/Engineer; for Preliminary Plat approval for Tiger Trails Phase I Blocks 1-8, a proposed subdivision within the City of Coweta, as part of Planned Unit Development (PUD-R 24-03). The proposed subdivision is approximately 22.436 acres with 97 lots. Located in Section 34, Township 18 North, Range 15 East, of the Indian Base and Meridian, Wagoner County, State of Oklahoma. The land is zoned Residential Single-Family (RS-3).

*Carolyn Back, Community Development Director*

6. **KELLY CROSSING - SKETCH PLAN**

Review conceptual Sketch Plan submitted for Kelly Crossing, a proposed subdivision within the City of Coweta, as part of Planned Unit Development (PUD-R 24-02). The proposed subdivision is approximately 79.445 acres with 421 lots. Located in Section 33, Township 18 North, Range 15 East, of the Indian and Base Meridian, Wagoner County, State of Oklahoma. The land is zoned Residential Single-Family (RS-3).

*Carolyn Back, Community Development Director*

7. **COWETA'S FOOD TRUCK PARK**

Discuss the design and implementation of a Food Truck Park for the City of Coweta.

*Carolyn Back, Community Development Director*

8. **COWETA'S COMMUNITY GARDENS**

Discuss the design and implementation of a Community Garden for the City of Coweta.

*Carolyn Back, Community Development Director*

VII. ADJOURNMENT

IF YOU REQUIRE A SPECIAL ACCOMMODATION PURSUANT TO THE AMERICANS WITH DISABILITIES ACT, PLEASE NOTIFY CITY HALL AT LEAST 24 HOURS BEFORE THE MEETING.



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**REGULAR MEETING - MEETING MINUTES  
COWETA PLANNING COMMISSION  
COWETA CITY HALL, 310 S. BROADWAY, COWETA, OKLAHOMA  
MONDAY, JANUARY 20, 2025, 6:00 PM**

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

**COMMISSIONERS ABSENT:** None

**I. PLEDGE OF ALLEGIANCE**

**II. CALL TO ORDER**

The meeting was called to order by Chairperson Jessica Morris at 6:04 PM following a Board of Adjustment adjournment.

**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 December 16, 2024.

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

Aye: Jennifer Curtis  
Jessica Morris

Abstain: Tena Metcalf

**V. PUBLIC HEARINGS**

Jessica Morris opened the public hearing.

**1. CZ 25-01 SUP, SPECIFIC USE PERMIT FOR CREMATORY**

Public hearing to receive public comment on a request by Bell Land Use, LLC, agent for the applicant Schaudt Funeral Service, requesting a Specific Use Permit for a Crematory use in the CG zoning district. Location: 27907 South State Highway 51, Section 1, Township 17 North, Range 15 East of the Indian Base and Meridian. Carolyn Back, Community Development Director.



No Comments

## 2. FINAL PLAT - WYNSTONE PHASE IV

Public hearing to receive public comment on a request for Final Plat approval of Wynstone Phase 4, a subdivision of approximately 21.28 acres, more or less, with 80 lots, zoned Residential Single-Family (RS-3). Situated in Section 25, Township 18 North, Range 15 East, of the Indian Base Meridian, City of Coweta, Wagoner County, State of Oklahoma. Carolyn Back, Community Development Director.

No Comments

Jessica Morris closed the public hearing.

## VI. ADMINISTRATION

### 1. CZ 25-01 SUP, SPECIFIC USE PERMIT FOR CREMATORY

Discuss and consider action on a request by Bell Land Use, LLC, agent for the applicant Schaudt Funeral Service, requesting a Specific Use Permit for a Crematory use in the CG zoning district. Location: 27907 South State Highway 51, Section 1, Township 17 North, Range 15 East of the Indian Base and Meridian. Carolyn Back, Community Development Director.

Discussion: Commissioner Jessica Morris asked if the project was going to be a traditional funeral home with a crematory. Applicant Robert Bell answered, "yes".

#### MOTION:

Jennifer Curtis made a motion to APPROVE CZ-25-01 Specific Use Permit (SUP) for a high temperature Crematory Use, (no Chemical Crematory use allowed), located at 27907 South State Highway 51. Tena Metcalf seconded the motion.

Aye: Jennifer Curtis  
Tena Metcalf  
Jessica Morris

## 2. FINAL PLAT - WYNSTONE PHASE IV

Discuss and consider action on a request for Final Plat approval of Wynstone Phase 4, a subdivision of approximately 21.28 acres, more or less, with 80 lots, zoned Residential Single-Family (RS-3). Situated in Section 25, Township 18 North, Range 15 East, of the Indian Base Meridian, City of Coweta, Wagoner County, State of Oklahoma. Carolyn Back, Community Development Director.

Discussion: Commission Members discussed the plat should include designated areas for parks, recreation, trails, and park benches. Commissioners stated the developer does not need to be the one to build it, just have those areas designated on the final plat.

**MOTION:**

Jessica Morris made a motion to APPROVE with CONDITIONS:

1. Deed of Dedication, removal of 2.2.3 and adding language to plat to describe reserve area B as a park.

Aye: Jessica Morris  
Jennifer Curtis  
Tena Metcalf

**2. SKETCH PLAN - TIGER TRAILS**

Review Conceptual Sketch Plan submitted for Tiger Trails, a proposed subdivision within the City of Coweta, as part of Planned Unit Development, PUD-R 24-03. The proposed subdivision is approximately 79.838 acres, more or less, with 322 lots. Located in Section 34, Township 18 North, Range 15 East, of the Indian Base and Meridian, City of Coweta, Wagoner County, State of Oklahoma. This land zoned Residential Single-Family (RS-3) with PUD-R 24-03. Carolyn Back, Community Development Director.

Discussion: Megan Pasco with Tanner Consulting asked the Commission for feedback on what they would like to see in Phase 1 of Tiger Trails subdivision. Commission Members discussed amenities every age group would be able to use, a covered pavilion, fishing in wet retention areas, as well as language in the Deed of Dedication explaining how the Homeowners Association can utilize reserve areas A and C.

**VII. ADJOURNMENT**

The meeting was adjourned by Chairperson Jessica Morris at 6:30 PM.

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**X**

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**Date:** \_\_\_\_\_

Chairperson

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**X**

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**Date:** \_\_\_\_\_

Secretary





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## Memorandum

To: Honorable Chair and Planning Commissioners

From: Carolyn Back, Community Development Director

Re: **CZ 25-02 SUP, SPECIFIC USE PERMIT FOR CREMATORY**

Date: April 21, 2025

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### BACKGROUND

The applicant and property owner of Brown Family Funeral Home, Judy L. Brown, is requesting a Specific Use Permit, CZ 25-02 SUP, for a Crematory use in the High Intensity Commercial (CH) - Downtown (DT) zoning district. See the attached document for the CFS-2300 Cremation Chamber from Cremation Systems.

Location: 210 South Broadway

Legal Description: Section 18, Township 17 North, Range 16 East, Lots 16, 17, 18, 19, 20, Block 57, New Coweta, Wagoner County, State of Oklahoma.

Zoning: The property is zoned High Intensity Commercial (CH) and is within the Downtown District (DT).

Comprehensive Plan Map Intensity Designation: Commercial High

#### Adjacent Zoning:

North: High Intensity Commercial (CH)

East: High Intensity Commercial (CH)

South: High Intensity Commercial (CH)

West: Office (O)

High Intensity Commercial (CH) zoned properties allow any use permitted in the General Commercial (CG) zoning classification, including uses by right for Funeral Homes. A crematory use requires a Specific Use Permit (SUP) within this zoning classification.

### Downtown District (DT)

#### 12-9D-3 Permitted Accessory Uses And Structures

Any accessory use or structure permitted in the respective CG General Commercial and

CH High Intensity Commercial Districts that exist within the defined DT district.

**12-9B-5 Uses Permitted By Specific Use Permit**

The following uses may be permitted as specific uses through the Planning Commission and by the City Council in accordance with the provisions contained in CCC 12-3D:

G. Community services, cultural and recreational facilities.

1. Description. Community services, cultural and recreational facilities which are needed in residential areas to serve the residents or need a residential environment, but which are or can be objectionable to nearby residential uses. These uses are permitted by specific use permits.

2. Included uses.

x. Crematory.

**ARTICLE 12-3E SPECIFIC USE PERMITS**

**12-3E-1 Introduction**

1. The City Council may, after a public hearing and recommendation by the Planning Commission and after conducting a public hearing as is required in accordance with the provisions of this article, authorize for specific parcels of land the issuance of a specific use permit.

2. The uses listed in CCC 12-3D-3 are so clarified because of the size of the land they require, or the specialized nature of the use, or they may more intensely dominate the area in which they are located or their effects on the general public are broader in scope than other types of uses permitted in the district.

**DISCUSSION**

1. At the October 26, 2015, Regular Planning Commission meeting, the Planning Commission recommended conditional approval of Specific Use Permit CZ 15-07 SUP, to allow the use of the property as a Crematory, by a vote of 5-0, subject to the following conditions:

(1) provide City Staff with copies of all applicable environmental, health and safety permits by all relevant federal, state and local authorities,

(2) provide an amended floor plan showing where chemicals and potentially flammable and hazardous materials are stored and used on the premises, in relation to the location of the crematory;

(3) obtain the applicable mechanical, electrical, and/or plumbing permits from the City of Coweta Building Official; and

(4) provide notice to the Coweta Fire Department prior to start-up of crematory operations, and also, at the option of the Fire Department, provide to the Fire Department any safety data sheets on substances used and/or stored on the premises, prior to start-up of crematory operations.

2. At the November 2, 2015 Regular City Council meeting, the City Council approved with conditions a request from James and Judy Brown (owners of Wright-Brown Funeral Home) Specific Use Permit for a Crematory CZ 15-07 SUP, in the existing location of Wright-Brown Funeral Home, by a vote of 5-0.

*Due to the two (2) year time limit with no work beginning, CZ 15-07 SUP expired on November 2, 2017.*

3. At the May 18, 2020 Regular Planning Commission meeting, the Planning Commission

recommended conditional approval of Specific Use Permit CZ 20-05 SUP Crematory for CZ 15-07 to establish a Specific Use Permit for a Crematory in the existing location of Brown Family Funeral Home located at 210 South Broadway, to allow the use of the property as a Crematory, by a vote of 4-0.

4. At the June 1, 2020 Regular City Council meeting, the City Council approved with conditions a request from James and Judy Brown (owners of Wright-Brown Funeral Home) Specific Use Permit for a Crematory CZ 20-05 SUP Crematory (CZ 15-07 SUP), in the existing location of Brown Family Funeral Home, by a vote of 4-0.

Due to the two (2) year time limit with no work beginning, CZ 20-05 SUP expired on June 1, 2022.

If inclined to recommend the Coweta City Council approve the Specific Use Permit for a crematory use, staff requests the Planning Commission suggest the following condition of approval: No Chemical Cremation process is allowed. A Chemical Cremation process carries a very high Biochemical Oxygen Demand (BOD) and has been known to carry significant impacts on Sanitary Sewer plants.

Staff also has concerns about the location of the chamber within their current Funeral Home location and the large exhaust pipe required to pull the heat out of the cremation chamber. This is within the Downtown Zoning District and staff would like to see how this large exhaust stack is going to look coming out of a flat roof. How tall will it be? What will the screening chimney look like from all angles of the property? Will the heat be noticeable so low to ground level?

## **STAFF RECOMMENDATION**

## **ATTACHMENTS**

1. CZ 25-02 SUP Site Plan
2. CZ 25-02 SUP Aerial View Map
3. CZ 25-02 SUP Location Map
4. CZ 25-02 SUP Zoning Map
5. CFS-2300 Cremation Chamber
6. Planning Commission Meeting Minutes 10.26.2015
7. City Council Meeting Minutes 11.2.2015
8. Planning Commission Meeting Minutes 5.18.2020
9. City Council Meeting Minutes 6.1.2020
10. BROWN FUNERAL HOME ANSWERS

# SITE PLAN

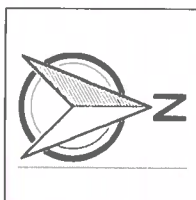
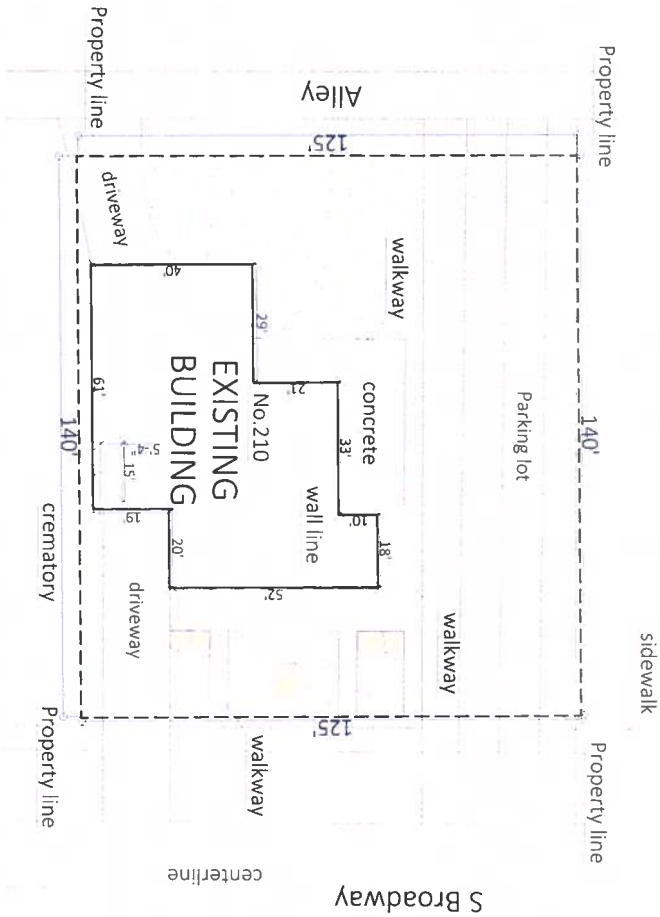
210 S Broadway

Coweta, OK 74429

Parcel ID: 0200002-057016-000000

Lot area: 0.40 Acres

Paper Size: 11"x17"



scale 1"=30'

### Disclaimer

This is not a legal Survey, nor is it intended to be or replace one.

These measurements are approximate and are for illustrative purposes only.

This work product represents only generalised location of features, objects or boundaries and should not be relied upon as being highly authoritative for the precise location of any feature, objects or boundary.



# CZ 25-02 SPECIFIC USE PERMIT



Subject Property Brown Family Funeral Home

CYPRESS

16E17N18

ATOKA

First Christian Church

BROADWAY

DELAWARE

Wagoner County DAV Building

Broadway Apartments

PECAN

Coweta City Hall

EUFAULA



# CZ 25-02 SPECIFIC USE PERMIT



**Subject Property Brown Family Funeral Home**

16E17N18

Bristow

Broadway

Delaware

**First  
Christian  
Church**

**Broadway Apartments**

Pecan

**Coweta City Hall**

# CZ 25-02 SPECIFIC USE PERMIT



Subject Property Brown Family Funeral Home

Bristow

Broadway

Delaware

First Christian Church

16E17N18

Broadway Apartments

Coweta City Hall

CG

RS-3

RS-3

Pecan

# CFS-2300 Cremation Chamber

from *Cremation Systems*

## CFS-2300 Features Include:

- Automatic operation
- High efficiency refractory lining
- Recessed hot hearth design accommodates large cases, 750 lbs
- Cremation status can be sent via email
- Quick Change hearth tile system
- Emission monitoring
- Front loading and retrieval through extra-wide door
- 150lbs per hour cremation burn rate
- Touch-screen digital controls
- PC-based data acquisition and storage
- Meets all applicable NFPA and UL standards
- Engineered for installation through an 8' door opening
- Includes Fire Marshal monitoring system
- Tek Marshal internet retort diagnostics, optional

## CFS-2300 Cremation Chamber

*Made in Illinois!*

*The CFS-2300 has a composite refractory lining, and extra-wide 42" door opening.*



## General Dimensions:

Height: 7' 7½"  
Width: 5' 3" without control panel  
6' 5½" with control panel  
Length: 15¼"  
Hearth area: 42" wide x 89" deep  
Door opening: 42" wide x 25" high

## Utility Requirements:

Natural gas: 1000 Btu/cu ft  
2350 CFH at 7" w.c. minimum  
Propane: 2500 Btu/cu ft  
940 CFH at 11" w.c. minimum  
Electrical: 208/240 VAC, 1 phase, 40 amp

Refer to General Specification HS01



## Cremation Systems

*is pleased to offer  
the CFS-2300  
cremation chamber  
with **Fire Marshal**  
monitoring system.*



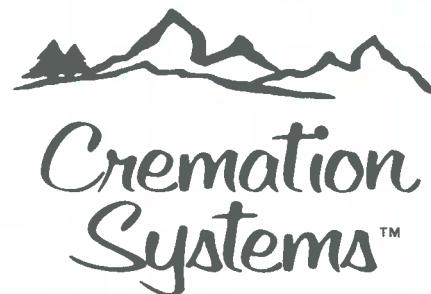
*Optional with  
the CFS-2300:  
**Tek Marshal**  
internet retort  
diagnostics.*



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South Holland, IL 60473

708-339-6810  
Fax: 708-339-0517  
[www.cremsys.com](http://www.cremsys.com)

© 2020, Cremation Systems

# CFS-2300 Cremation Chamber from *Cremation Systems*

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## Features and Benefits

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- One-step, automatic operation:** The CFS-2300 utilizes advanced "Set Point Programming" to control temperature for a completely automatic cremation cycle.
- High efficiency refractory lining:** The CFS-2300 utilizes a combination of premium firebrick, pre-cast refractory shapes and ceramic fiber insulation for a light weight, energy efficient lining.
- Quick Change hearth tiles:** The CFS-2300 Quick Change hearth is a pre-cast refractory tile system. Quick Change tiles are in stock, minimizing cremator down time by allowing for one-day hearth repair and easy sub-hearth access.
- Automatic pollution monitoring:** The CFS-2300 opacity sensor monitors emissions, ensuring EPA requirements are met.
- Touch-screen digital controls:** Case data stored on a flash drive can be automatically sent to any PC or smart phone via email.
- Remote access via the Internet:** Remote access of cremator conditions via the internet for off-site monitoring and alarm notification.
- The CFS-2300:**
- Extra-wide door opening for easy loading and retrieval
  - Low overall height and weight for ease of installation
  - Door system features a single air-cooled viewing port, spring-loaded/self-locking door latch to ensure safety, and hydraulic cylinders for door movement.
  - Control panel may be left or right side mounted, or provided separate for remote installation.
  - Meets or exceeds all applicable NFPA and UL standards.
- Fire Marshal:** The Fire Marshal monitoring system comes standard with the CFS-2300. Refer to Fire Marshal data sheet for additional information.
- Tek Marshal:** Internet retort diagnostic product to identify blown fuses, tripped relays, and dirty smoke meters, without a service tech visit.

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Cremation Systems is a division of Armil CFS, Inc., manufacturer of high temperature process equipment since 1968. Armil CFS utilizes the finest combustion and control components, refractory and insulating materials to provide premium, high efficiency, low maintenance cremation equipment.

Members of:



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[www.cremsys.com](http://www.cremsys.com)



**MINUTES**  
**CITY OF COWETA PLANNING COMMISSION**  
**REGULAR MEETING 6:30 PM MONDAY, OCTOBER 26, 2015**  
**COWETA CITY HALL 310 S. BROADWAY, COWETA, OK 74429**

**1. Call To Order**

Commissioner Carter Mathews called the Regular Meeting to order at 6:30 p.m.

**2. Pledge of Allegiance**

**3. Roll Call**

|                 |         |
|-----------------|---------|
| Carter Mathews  | Present |
| Wade Harrington | Present |
| Connie Aston    | Present |
| Timothy Kelley  | Present |
| Melanie Lander  | Present |

Commissioner Carter Mathews requested that the roll be called and a quorum was declared to be present.

**3. Discussion and Consideration of the Minutes of the Regular Meeting of August 24, 2015**

Motion by Commissioner Wade Harrington and a second by Commissioner Timothy Kelley to approve the Minutes of the Planning Commission Regular Meeting of August 24, 2015 meeting. The motion was approved by a vote of 5-0.

|                 |                  |
|-----------------|------------------|
| Carter Mathews  | Yes – to approve |
| Wade Harrington | Yes – to approve |
| Connie Aston    | Yes – to approve |
| Timothy Kelley  | Yes – to approve |
| Melanie Lander  | Yes – to approve |

**4. Public Hearing Items**

- A.** Discuss and consider possible action, including approval, approval with conditions, or denial of CZ 15-07 SUP, a request by James and Judy Brown, owners of Wright-Brown Funeral Home, for a Specific Use Permit for a Crematory in the existing location of Wright-Brown Funeral Home, 210 South Broadway, Lots 16 thru 20, Block 57, New Coweta, Wagoner County, State of Oklahoma, according to the duly approved Plat thereof, in Section 18, Township 17 North, Range 16 East. The property is located in the (DT) Downtown - (CH) High Intensity General Commercial zoning districts.

According to the zoning code, a Specific Use Permit is required for a Crematory in the city.

Community Development Director, Greg Collins, and City Planner, Tom E Young Jr., presented this agenda item. Mr. Collins presented the Staff Report, displayed an aerial view location map, and summarized the case.

Mr. Logan Brown of Wright-Brown Funeral Home, 210 S. Broadway, Coweta, Oklahoma 74429, and Ms. Debbie Garrison of Crematory Manufacturing & Service (CMS), 6802 S. 65<sup>th</sup> W. Ave., Tulsa, OK 74131, were present, to present the request for a Specific Use Permit for a Crematory in the existing location of Wright-Brown Funeral Home, 210 South Broadway.

Chairman Carter Mathews gave the Applicants the opportunity to speak on their application and make themselves available to answer any questions.

During Applicant's presentation and also in response to Commission and Staff questions, the Applicant stated and presented the following information:

- Ms. Debbie Garrison of Crematory Manufacturing & Service (CMS), manufacturer of the proposed crematory, presented on behalf of Mr. Logan Brown.
- She stated that when operated correctly, there are no visible air emissions from the crematory unit.
- There are no odors and no visible emissions from the unit or its stack as long as the door is closed during operation. The stack emits heat. In response to questioning, Ms. Garrison stated there were no complaints of odor with regard to her company's crematories.
- The common chemical constituent of concern from cremation is Mercury (from tooth fillings), but this comprises less than 0.00001% of cremated remains and it is not emitted from the stack. Cremated remains are 47.5% phosphates and 25.3% calcium. According to a booklet, Tempero Ignis, written by the manufacturer, the remaining constituents include sulfates, potassium, sodium, chloride, silica, aluminum oxide, magnesium, iron oxide, zinc, titanium, barium, antimony, chromium, copper, manganese, lead, tin, vanadium, and beryllium. Incidence of mercury in remains is expected to be further reduced in the future because dentists have phased out the use of mercury in dental fillings.
- There is an initial, primary combustion in a main chamber, and then a secondary combustion in a secondary chamber, to combust remaining gases and small particulates. The secondary chamber also has a vortex action in it so that any remaining particulates fall to the bottom of the unit rather than get emitted through the stack.
- The booklet written by the manufacturer on the cremation process is found at the manufacturer's website, at: <http://www.crematorymanufacturing.com/tempero-ignis/>
- The funeral home must file a permit for the crematory with the Oklahoma Department of Environmental Quality.

- The manufacturer must conduct stack tests on its manufactured units on a periodic basis every few years. There are no mandated stack tests by government at the funeral home site itself. Professional associations might require a stack test in response to a complaint, if asked.
- The unit is Underwriters Laboratory (UL) listed. Temperatures inside the unit can reach as high as 2,000 degrees. The unit has refractory brick inside it capable of withstanding 2,300 to 2,600 degrees. The outside surface of the unit reaches about 100 degrees, described as the temperature of a car on a hot day. The surface of the stack reaches about 180 degrees. The unit would be natural gas fired. The gas is not high pressure, and is measured in inches of water/water column units, not pounds per square inch (psi). The unit is a new unit, not used, and would be built specific to the particular customer's site.
- Mr. Logan Brown stated that he would be certified to operate the unit. A trade or professional association certifies crematory operators, not a government agency.
- Ms. Garrison estimated the expected number of cremations to be 40 to 50 per year, about one cremation per week. Mr. Brown stated that he expected to perform 30 to 40 cremations per year. Each cremation would take about two (2) hours or less. The cremations would occur in the evening hours.
- Regarding crematories outside Tulsa, in smaller communities comparable to Coweta, Ms. Garrison was aware of a crematory in Sapulpa, but that crematory was not in a downtown location or near a residential area. Ms. Garrison was asked if there were other cases of crematories being located in or near downtowns or residential areas. Ms. Garrison stated that she was not certain, and would like to submit follow up information on that question.

With regard to parking, Community Development Director, Mr. Collins stated the applicants are not proposing an expansion of the square footage of their existing building. They are proposing the installation of a new piece of equipment, the crematory, in the existing garage area of their existing building. Their site plan/floor plan is included as an attachment to this staff report.

Mr. Collins stated this new use of the property is not expected to generate new vehicular traffic above what is already currently being generated by their current funeral home operations. Mr. Collins stated for these reasons, Staff is not requiring an expansion of parking space.

Chairman Carter Mathews asked if anyone in the audience wished to speak on the proposal. No attendees spoke in opposition to the request, and there were no other speakers regarding the request. Hearing no speakers, Commissioner Mathews closed the hearing and the Commissioners discussed the case, and completed their discussion.

A **Motion** was made by Wade Harrington, seconded by Timothy Kelley, to recommend to City Council, conditional approval of CZ 15-07 SUP, a request by James and Judy Brown, owners of Wright-Brown Funeral Home, for a Specific Use Permit for a Crematory in the existing location of Wright-Brown Funeral Home, 210 South Broadway, Lots 16 thru 20, Block 57, New Coweta, subject to the following conditions:

- (1) Applicant shall provide City Staff with copies of all applicable environmental, health and safety permits by all relevant federal, state and local authorities;



- (2) Applicant shall provide City Staff an amended floor plan showing where chemicals and potentially flammable and hazardous materials are stored and used on the premises, in relation to the location of the crematory;
- (3) Applicant shall obtain the applicable mechanical, electrical, and/or plumbing permits from the City of Coweta Building Official;
- (4) Applicant shall provide notice to the Coweta Fire Department prior to the initial start up of crematory operations, and also, at the option of the Fire Department, provide to the Fire Department any safety data sheets on substances used and/or stored on the premises, prior to initial start up of crematory operations;
- (5) The crematory shall be operated only by an operator certified by the applicable professional association or regulatory body providing such certifications.

This motion was approved by a vote of 5-0, as follows:

|                 |                  |
|-----------------|------------------|
| Carter Mathews  | Yes – to approve |
| Wade Harrington | Yes – to approve |
| Connie Aston    | Yes – to approve |
| Timothy Kelley  | Yes – to approve |
| Melanie Lander  | Yes – to approve |

Chairman Mathews asked Staff to introduce the next agenda item and Staff did so.

- B.** Discuss and consider possible action, including approval, approval with conditions, or denial of a request by Woods Management Enterprises, LLC, Developer, and JR Donelson, Inc., engineering firm, for a variance from minimum pavement width requirements in the Subdivision Regulations, in certain areas of the Coweta Crossing North20 subdivision and proposed South45 subdivision, (Planned Unit Development PUD-R 13-02), with underlying zoning of Commercial General, located on the east side of State Highway 51 and south of East 111<sup>th</sup> Street South, in the N/2 of the NE/4 of Section 35, Township 18 North, Range 15 East of the Indian Base and Meridian, Wagoner County, State of Oklahoma.

In general terms, this land's location is between Walmart and the Meadow Brook Shopping Center, along the southern edge of the Walmart property, and it extends east and north between Walmart and LMI Aerospace.

Mr. J.R. Donelson, of the firm, JR Donelson, Inc., was present, to present the request for a variance from minimum pavement width requirements in the Subdivision Regulations, in certain areas of the Coweta Crossing North20 subdivision.

Community Development Director, Greg Collins, and City Planner, Tom E Young Jr., presented this agenda item. Mr. Collins presented the Staff Report, and displayed an aerial view location map, and the summarized the case as described below.

Mr. Collins stated that the Applicant requests that the future E. 113<sup>th</sup> Street South / S. 272<sup>nd</sup> E. Avenue (currently the drive leading from State Highway 51 to Walmart, which would be extended east and curve north to connect to E. 111<sup>th</sup> E. Ave.) have a minimum pavement width of 30 feet.

Mr. Collins gave a brief procedural history, of the plat request from the developer, and referred Commissioners to the Staff Report.

Mr. Collins stated that the Applicant's request for a 26-foot pavement width, shown in the plans, for Coweta Crossing North20, and Coweta Crossing South45 has been withdrawn. The Applicant was now requesting a pavement width of 30 feet.

Mr. Collins stated that Applicant is currently authorized to pave E. 113<sup>th</sup> St. S. with a minimum width of **36 feet**, and Staff construed this condition of a 36 foot pavement width to also include S. 272<sup>nd</sup> E. Avenue.

Applicant had presented the following factors to show that this project is surrounded by unusual conditions, to such an extent, that the strict application of the 36-foot pavement width condition results in substantial hardship or inequity.

Mr. Collins stated that Staff agrees that these factors support a grant of a variance to allow a minimum pavement width of 30 feet for E. 113<sup>th</sup> St. S. / S. 272<sup>nd</sup> E. Ave. instead of 36 feet:

- 1) The Applicant's requested 30-foot width for E. 113<sup>th</sup> St. / S. 272<sup>nd</sup> E. Ave. is consistent with the existing driveway pavement width that connects Walmart to State Highway 51.
- 2) A 36-foot pavement width may pave over the top of public water lines being installed along the south and east sides of E. 113<sup>th</sup> St. S. / S. 272<sup>nd</sup> E. Ave., and may also encroach on concrete storm water drainage boxes and infrastructure.

Staff has a current policy of trying to avoid or minimize paving on top of utilities, so that it is less expensive and less disruptive to traffic to repair those utilities in the future.

- 3) Storm water flow, that is, topography, and slope of the land, determines the location of the concrete storm water drainage culvert boxes. In turn, the storm water boxes determine the location of the potable water line and road pavement.

Water lines were planned to fit in between the pavement edge, and the concrete storm water drainage culvert boxes along the south side of E. 113 St. S.

Much of the storm water infrastructure for the North20 is now installed.

Water line conduits enabling the water lines to pass underneath the concrete storm water drainage boxes have already been installed and would be difficult to move at this point.

Storm water inlets have already been cut on top of the concrete storm water boxes. Extending the cut further to accommodate a wider road presents an engineering challenge for that portion of the road (the bend as E. 113<sup>th</sup> St. S. curves north to become S. 272<sup>nd</sup> E. Ave.) that crosses over the double box running in a north-south direction.

The location of the storm water boxes, the pavement, and the water line are seen in the plans entitled "Paving Plan" and "Water Line Plan" attached to the Staff Report.

- 4) **Space constraints north and south of E. 113<sup>th</sup> St. S.** The storm water boxes south of E. 113<sup>th</sup> St. S., the utility easement south of E. 113<sup>th</sup> St. S., and the Walmart

property lines and Walmart's storm water detention pond north of E. 113<sup>th</sup> St. S., all limit the developer's ability to add road width in either direction.

Adding any additional feet of pavement on the north side of E. 113<sup>th</sup> St. S. could encroach on Walmart property and its storm water detention pond.

Adding 10 additional feet of pavement width to the previously requested 26 feet along the south side of E. 113<sup>th</sup> St. S (to achieve the full 36-foot width) could encroach on storm water concrete culvert and other utilities that could be installed in the utility easement. This would violate Staff's desired policy of minimizing pavement on top of utilities.

Adding 10 additional feet of pavement width to the previously requested 26 feet along the east side of S. 272<sup>nd</sup> E. Ave., and shifting water line location further to the east to stay out from under pavement, would make it challenging to connect that portion of the water line, to the water line running along the south side of E. 113<sup>th</sup> St. S., unless that water line (and easement) was shifted further south.

However, shifting the utility easement along E. 113<sup>th</sup> St. S. further to the south would reduce the buildable area of the lots and make them less developable.

- 5) By contrast, adding only 4 additional feet of pavement width to the previously requested 26 feet, along the south side of E. 113<sup>th</sup> St. S and the east side of S. 272<sup>nd</sup> E. Ave. (to achieve a 30-foot road width) will minimize the risk of encroaching on potable water line, and storm water boxes, and other utilities.
- 6) City Engineer recommends approval of the variance to allow a 30-foot wide pavement width for E. 113<sup>th</sup> St. S. / S. 272<sup>nd</sup> E. Ave., in light of his observations and points discussed above. This will allow the water line to be constructed outside of the pavement, and will still provide for a wider street width than a normal residential street (26 feet) for the traveling public.

**Variance/Modification Standard, Section 1.8, Satisfied.** Mr. Collins stated that Staff believes that the factors described above satisfy the standard for granting a variance/modification from the Subdivision Regulations. That Section 1.8 states:

*"Whenever the tract to be subdivided is of **such unusual size or shape or is surrounded by such development or unusual conditions that the strict application of the requirements contained in these Regulations result in substantial hardship or inequity**, the Planning Commission may vary or modify, except as otherwise indicated such requirements of design but not of procedure or improvements so that the subdivider may develop his property in a 'reasonable manner but so that **at the same time, the public welfare and interests of the City are protected and the general intent and spirit of these regulations are preserved**. Such modification may be granted upon written request of the subdivider stating the reason for each modification may be waived by **three-fourths (3/4) vote of the quorum** of the Planning Commission, subject to the acceptance of the plat and the dedications thereon by the City Council. A variance of the Zoning Code must be granted by the Coweta Board of Adjustment."*

Mr. Collins stated that Staff recommended approval of the variance/modification request, with the condition that the aprons connecting the streets to both State Highway 51 and E. 111<sup>th</sup> Street South be three-lane and striped. Mr. Collins concluded his remarks.

Chairman Carter Mathews gave Mr. J.R. Donelson, of the firm, JR Donelson, Inc., the opportunity to speak on the application and make himself available to answer questions.

The Chairman asked if any member of the audience wished to speak on the matter. Hearing none, the Commissioners discussed the case and completed their discussion.

A Motion was made by Timothy Kelley, seconded by Connie Aston, to recommend to City Council, approval of the variance to allow a 30-foot wide pavement width for E. 113<sup>th</sup> St. S. / S. 272<sup>nd</sup> E. Ave., with the condition that the apron connecting S. 272<sup>nd</sup> E. Avenue to E. 111<sup>th</sup> St. S. be three-lane and striped (matching the existing three-lane drive aprons on the neighboring Walmart property), and that the existing three-lane drive apron connecting E. 113<sup>th</sup> St. S. to Highway 51 also be three-lane and striped.

This motion was approved by a vote of 5-0, as follows:

|                 |                  |
|-----------------|------------------|
| Carter Mathews  | Yes – to approve |
| Wade Harrington | Yes – to approve |
| Connie Aston    | Yes – to approve |
| Timothy Kelley  | Yes – to approve |
| Melanie Lander  | Yes – to approve |

**6. New Business**

**NONE**

**7. Adjournment**

Motion by Commissioner Melanie Lander, seconded by Commissioner Connie Aston, to adjourn the meeting. The motion was approved, 5-0, by the following vote:

|                 |                  |
|-----------------|------------------|
| Carter Mathews  | Yes – to approve |
| Wade Harrington | Yes – to approve |
| Connie Aston    | Yes – to approve |
| Timothy Kelley  | Yes – to approve |
| Melanie Lander  | Yes – to approve |

The meeting adjourned at 7:30 PM.

Approved:

\_\_\_\_\_  
**Chairman**

\_\_\_\_\_  
**Secretary**

\_\_\_\_\_  
**Date**

MINUTES OF THE COWETA CITY COUNCIL REGULAR MEETING  
NOVEMBER 2, 2015  
7:00 P.M.

The members of the Coweta City Council met in regular session on Monday, November 2, 2015, at 7:00 p.m. in the Coweta City Hall, 310 South Broadway, Coweta, Oklahoma.

COUNCILMEMBERS PRESENT: Robert Morton, Billy Embrey, Evette Morris, Steve Sinclair, Steve Garman.

COUNCIL MEMBERS ABSENT: None.

STAFF PRESENT: Steve Whitlock, David Weatherford, Joyce Terry, Tom Tillotson, Brittany Long, Jeffrey Beltran, Rob Werley, Paula Emmons, Greg Collins, Tom Young, Chip Cohrs, Hal Bumgarner, Mike Bell.

- I. The meeting was called to order by Mayor Morton.
- II. Pledge of Allegiance given.
- III. Roll call taken. Councilmembers present and absent as shown above.
- IV. GENERAL CITY COUNCIL COMMENTS

Mayor Morton thanked everyone for coming to the meeting. He also stated that we are proud of the band and all of their accomplishments.

V. CONSENT

Motion by Steve Garman, second by Billy Embrey, to approve consent calendar items:

1. Minutes of the Coweta City Council regular meeting held on October 5, 2015.
2. October 2015 payroll figures for the General Fund in the amount of \$229,034.33 and \$138.47 for the Self-Insurance Fund.
3. Declaration of surplus on one (1) 1997 Chevrolet pickup (VIN# 1GCEK14W5VZ7748) and authorization for the City Manager to dispose of accordingly.
4. Authorization for Mayor to sign Resolution No. 2015-17, a resolution providing a supplemental appropriation to the General Fund, Street & Alley Fund, and Library Fund.

Minutes of the Coweta City Council Regular Meeting held on November 2, 2015

5. Approved providing notice that a public hearing will be held before the Coweta City Council at 7:00 p.m. on Monday, December 7, 2015, at Coweta City Hall located at 310 South Broadway, Coweta, Oklahoma. The purpose of the hearing is related to a Service Plan and proposed annexation of the following property: a parcel of land known as the Koweta Cemetery described as: the North 270 feet of the South 527.1 feet of the West 610 feet of the Southeast (SE1/4) quarter of Section 19, Township 17 North, Range 16 East, Wagoner County Oklahoma.
6. Approved a request from the Coweta Chamber of Commerce to close Broadway, from Chestnut to Pecan, on December 5, 2015, between the hours of 4:00 p.m. and 8:00 p.m. for the annual Christmas parade.

Aye: Steve Garman  
Steve Sinclair  
Evette Morris  
Billy Embrey  
Robert Morton

VI. OLD BUSINESS

Consideration was given to a motion authorizing the Mayor to sign a proclamation declaring November 10, 2015, as "Coweta High School Tiger Pride Marching Band Day" in Coweta, Oklahoma.

Motion by Robert Morton, second by Steve Garman, to authorize the Mayor to sign a proclamation declaring November 10, 2015, as "Coweta High School Tiger Pride Marching Band Day" in Coweta, Oklahoma.

Aye: Steve Garman  
Steve Sinclair  
Evette Morris  
Billy Embrey  
Robert Morton

Minutes of the Coweta City Council Regular Meeting held on November 2, 2015

Discussion of possible action on the appointment of Jeffrey Beltran as the City Treasurer for the City of Coweta.

Motion by Robert Morton, second by Steve Sinclair, to appoint Jeffrey Beltran as the City Treasurer for the City of Coweta.

Aye: Steve Garman  
Steve Sinclair  
Evette Morris  
Billy Embrey  
Robert Morton

Discussion of possible action on an approval of a declaration of surplus on one (1) Toshiba laptop (S/N 76487-OEM-0011903-00111 and City Inventory Tag #000118) and one (1) iPad (S/N DMPKM5GVF189 and City Inventory Tag #000124) and presentation of equipment to Joyce Terry as compensation for her dedication and long-time service to the City of Coweta.

Motion by Robert Morton, second by Billy Embrey, to approve the surplus one (1) Toshiba laptop (S/N 76487-OEM-0011903-00111 and City Inventory Tag #000118) and one (1) iPad (S/N DMPKM5GVF189 and City Inventory Tag #000124) and presented the equipment to Joyce Terry as compensation for her dedication and long-time service to the City of Coweta.

Aye: Steve Garman  
Steve Sinclair  
Evette Morris  
Billy Embrey  
Robert Morton

Discussion of possible action to approve, with conditions, a request by James and Judy Brown (owners of Wright-Brown Funeral Home), for a Specific Use Permit for a Crematory (CZ 15-07 SUP) in the existing location of Wright-Brown Funeral Home, located at 210 South Broadway, Lots 16 thru 20, Block 57, New Coweta, Wagoner County, State of Oklahoma, according to the duly approved Plat thereof, in Section 18, Township 17 North, Range 16 East.

Logan Brown from Wright-Brown Funeral Home and Debbie Garrison of Crematory Manufacturing & Service answered various questions regarding the unit and the operating plans. It was said that there will be no visible indications that the unit was being used and no smell will be emitted.



Minutes of the Coweta City Council Regular Meeting held on November 2, 2015

Motion by Steve Garman, second by Steve Sinclair, to approve, with conditions, a request by James and Judy Brown (owners of Wright-Brown Funeral Home), for a Specific Use Permit for a Crematory (CZ 15-07 SUP) in the existing location of Wright-Brown Funeral Home, located at 210 South Broadway, Lots 16 thru 20, Block 57, New Coweta, Wagoner County, State of Oklahoma, according to the duly approved Plat thereof, in Section 18, Township 17 North, Range 16 East.

Aye: Steve Garman  
Steve Sinclair  
Evette Morris  
Billy Embrey  
Robert Morton

Vice-Mayor Billy Embrey stepped out of the meeting due to a conflict of interest at 7:26 p.m.

Discussion of possible action to approve, with conditions, a request by Woods Management Enterprises, LLC, (Developer), and JR Donelson, Inc., (Engineer), for a variance from the minimum pavement width requirements listed in the Subdivision Regulations, in certain areas of the Coweta Crossing North20 subdivision (Planned Unit Development PUD-R 13-02), with underlying zoning of Commercial General, located on the east side of State Highway 51 and south of East 111th Street South, in the N/2 of the NE/4 of Section 35, Township 18 North, Range 15 East of the Indian Base and Meridian, Wagoner County, State of Oklahoma.

Motion by Steve Sinclair, second by Robert Morton, to approve, with conditions, a request by Woods Management Enterprises, LLC, (Developer), and JR Donelson, Inc., (Engineer), for a variance from the minimum pavement width requirements listed in the Subdivision Regulations, in certain areas of the Coweta Crossing North20 subdivision (Planned Unit Development PUD-R 13-02), with underlying zoning of Commercial General, located on the east side of State Highway 51 and south of East 111th Street South, in the N/2 of the NE/4 of Section 35, Township 18 North, Range 15 East of the Indian Base and Meridian, Wagoner County, State of Oklahoma.

Aye: Steve Garman  
Steve Sinclair  
Evette Morris  
Robert Morton

Minutes of the Coweta City Council Regular Meeting held on November 2, 2015

Discussion of possible action on the acknowledgment of Oklahoma Department of Environmental Quality (DEQ) Permit No. WL000073150778 for the construction of 2,092 linear feet of eight (8) inch PVC water line and all appurtenances to serve the Coweta Crossing South 45 development, City of Coweta, Wagoner County, Oklahoma.

Motion by Steve Garman, second by Robert Morton, to acknowledge the Oklahoma Department of Environmental Quality (DEQ) Permit No. WL000073150778 for the construction of 2,092 linear feet of eight (8) inch PVC water line and all appurtenances to serve the Coweta Crossing South 45 development, City of Coweta, Wagoner County, Oklahoma.

Aye: Steve Garman  
Steve Sinclair  
Evette Morris  
Robert Morton

Discussion of possible action on the acknowledgment of Oklahoma Department of Environmental Quality (DEQ) Permit No. SL000073150779 for the construction of 1,640 linear feet of eight (8) inch PVC sewer line and all appurtenances to serve the Coweta Crossing South 45 development, City of Coweta, Wagoner County, Oklahoma.

Motion by Robert Morton, second by Steve Garman, to acknowledge the Oklahoma Department of Environmental Quality (DEQ) Permit No. SL000073150779 for the construction of 1,640 linear feet of eight (8) inch PVC sewer line and all appurtenances to serve the Coweta Crossing South 45 development, City of Coweta, Wagoner County, Oklahoma.

Aye: Steve Garman  
Steve Sinclair  
Evette Morris  
Robert Morton

Vice-Mayor Billy Embrey rejoined the meeting at 7:31 p.m.

VII. NEW BUSINESS

Consideration was giving to a motion authorizing the Mayor to sign an Interlocal Agreement with Wagoner County in regards to mutually-owned street repairs.

Motion by Billy Embrey, second by Steve Sinclair, to authorize the Mayor to sign an Interlocal Agreement with Wagoner County in regards to mutually-owned street repairs.

Minutes of the Coweta City Council Regular Meeting held on November 2, 2015

Aye: Steve Garman  
Steve Sinclair  
Evette Morris  
Billy Embrey  
Robert Morton

After the adjournment of the Coweta Public Works Authority Regular Meeting, at 7:38 p.m., motion by Billy Embrey, second by Steve Sinclair, to enter into Executive Session.

Aye: Steve Garman  
Steve Sinclair  
Evette Morris  
Billy Embrey  
Robert Morton

VIII. EXECUTIVE SESSION

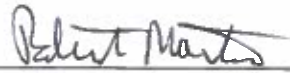
Discussions pertaining to economic development, in accordance with O.S. 25 §307(C)(10).

Mayor Morton announced that Council was back in open session at 8:09 p.m.

IX. ADJOURNMENT

Mayor Morton adjourned the meeting at 8:09 p.m.



  
Robert Morton, Mayor

  
Brittany Long, City Clerk



**MINUTES  
COWETA PLANNING COMMISSION  
COWETA CITY HALL 310 S. BROADWAY  
MONDAY, MAY 18, 2020, 6:30 PM**

**I. CALL TO ORDER**

Chairperson Melanie Lander called the meeting to order at 6:32 p.m.

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

|                   |         |
|-------------------|---------|
| Carter Mathews    | Present |
| Kathleen Robinson | Present |
| Jessica Morris    | Absent  |
| Joanna Jones      | Present |
| Melanie Lander    | Present |

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

**IV. CONSENT**

**1. Consideration of the minutes of the regular meeting of April 27, 2020.**

Motion was made by Commissioner Carter Mathews and seconded by Commissioner Kathleen Robinson to approve Consent Agenda.

Motion passed by a vote of 4-0 with the following votes cast:

|                   |                  |
|-------------------|------------------|
| Carter Mathews    | Yes – to approve |
| Kathleen Robinson | Yes – to approve |
| Jessica Morris    | Absent           |
| Joanna Jones      | Yes – to approve |
| Melanie Lander    | Yes – to approve |

**V. PUBLIC HEARINGS**

**1. Public Hearing CZ 20-05**

Public hearing to accept public comment on CZ 20-05 SUP for approval of Wright-Brown Funeral Home's request for a Specific Use Permit for a crematory in the existing location of Wright-Brown Funeral Home at 210 S. Broadway, Lots 16 through 20, Block 57, New Coweta, Wagoner County, Oklahoma, according to the duly approved plat thereof in Section 18, Township 17 North, Range 16 East.

Chairperson Melanie Lander opened the floor for public comment. There were no citizens present for this public hearing. The public hearing was closed.

**2. Public Hearing Comprehensive Plan Update**

Public hearing to accept public comment regarding the update to the City of Coweta Comprehensive Plan.

Staff requests this public hearing be continued to the June 22, 2020 Planning Commission meeting.

Motion was made by Commissioner Carter Mathews and seconded by Commissioner Melanie Lander to continue this public hearing to the June 22, 2020 Planning Commission meeting.

Motion passed by a vote of 4-0 with the following votes cast:

|                   |                  |
|-------------------|------------------|
| Carter Mathews    | Yes – to approve |
| Kathleen Robinson | Yes – to approve |
| Jessica Morris    | Absent           |
| Joanna Jones      | Yes – to approve |
| Melanie Lander    | Yes – to approve |

## VI. OLD BUSINESS

1. Discussion and possible action on a recommendation of approval, approval with conditions, or denial to the Coweta City Council for Wright-Brown Funeral Home's application for a Specific Use Permit for a crematory in the existing location of Wright-Brown Funeral Home at 210 S. Broadway, Lots 16 through 20, Block 57, New Coweta, Wagoner County, Oklahoma, according to the duly approved plat thereof in Section 18, Township 17 North, Range 16 East.

Commissioner Carter Mathews asked, regarding the conditions listed in the Staff Report, when the required documents and permits would be provided. Mr. Logan Brown, of Wright-Brown Funeral Home, responded by saying that the Specific Use Permit was the first step and if it is approved, all conditions listed in the Staff Report will be met.

Community Development Director, Carolyn Back, also addressed Mr. Logan Brown by providing some clarification regarding the conditions listed in the Staff Report.

Commissioner Carter Mathews made a motion to send a recommendation of approval with conditions to the Coweta City Council. Commissioner Kathleen Robinson seconded that motion.

Motion passed by a vote of 4-0 with the following votes cast:

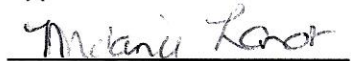
|                   |                  |
|-------------------|------------------|
| Carter Mathews    | Yes – to approve |
| Kathleen Robinson | Yes – to approve |
| Jessica Morris    | Absent           |
| Joanna Jones      | Yes – to approve |
| Melanie Lander    | Yes – to approve |

## VII. NEW BUSINESS

## VIII. ADJOURNMENT

Chairperson Melanie Lander moved that the Coweta Planning Commission meeting be adjourned. There were no objections. The meeting was adjourned at 6:38 p.m.

Approved:

  
Chairman

  
Date

  
Secretary

**MINUTES OF THE COWETA CITY COUNCIL REGULAR MEETING  
JUNE 1, 2020 6:00 P.M.**

The members of the Coweta City Council met in regular session on Monday, June 1, 2020 at 6:16 p.m. in the Coweta City Hall, 310 S Broadway, Coweta, Oklahoma following the joint special meeting with the City Council, the Coweta Public Works Authority and the Coweta Industrial Development Authority

**COUNCILMEMBERS PRESENT:** Evette Morris, Harold Chance, Naomi Hogue, Logan Brown, Randy Woodward.

**COUNCILMEMBERS ABSENT:** None.

**I. CALL TO ORDER**

The meeting was called to order by Mayor Morris.

**II. ROLL CALL**

Roll call taken. Councilmembers were present as shown above.

**III. GENERAL CITY COUNCIL COMMENTS**

City Manager Roger Kolman described the progress made on the City Hall Roofing project.

**IV. CONSENT**

Motion by Harold Chance, second by Naomi Hogue to approve the consent calendar items:

1. Minutes of the Coweta City Council Regular Meeting held on May 4, 2020.
2. Approval for Julie Casteen, acting as Coweta City Clerk/Treasurer to request direct payments from the State of Oklahoma from the Coronavirus Relief Fund as created in the CARES Act.
3. Declared Surplus on the following items and authorized the City Manager to dispose of accordingly:
  - a. 2003 Dodge Durango
  - b. 2001 Jeep Cherokee
  - c. Various computers, printers, monitors and miscellaneous computer equipment
  - d. Martin Yale Folding Machine
  - e. Brother ML300 Typewriter
  - f. Three Smart Boards
  - g. Four LCD Projectors and Mounts
  - h. Security Camera System and Mounting Bars
  - i. Audio-Visual Equipment

Aye: Harold Chance  
Naomi Hogue



**MINUTES OF THE COWETA CITY COUNCIL REGULAR MEETING  
JUNE 1, 2020 6:00 P.M.**

Logan Brown  
Randy Woodward  
Evette Morris

**V. OLD BUSINESS**

**1. 2020 Street Overlay Projects**

Public Works Director Wes Richer discussed streets identified for the next mill/overlay project, including streets in the Woods subdivision and County Village subdivision. Mr. Richter requested approval to put the projects out for bid.

Motion by Harold Chance, second by Randy Woodward to approve the street overlay projects for bid.

Aye: Harold Chance  
Randy Woodward  
Evette Morris  
Naomi Hogue  
Logan Brown

**2. Ordinance 834 Amending Part 14**

City Manager Roger Kolman described a proposed amendment to Section 14-117 of the existing City Code to add language from Ordinance 700, which was left out of the 2012 recodification project in error. The amendment requires owners of property abutting roadways to maintain landscaping and drainage facilities that abut the right of way.

Motion by Harold Chance, second by Logan Brown to adopt Ordinance 834, an ordinance of the City of Coweta, Oklahoma Relating to Part 14 Streets and Public Works of the City Code of Ordinances by amending Section 14-117 Drainage Ditches, Obstacles Impeding Drainage in Streets, Notice, Correction; providing for severability; repealing all Ordinances or Parts of Ordinances in conflict; and declaring an emergency.

Aye: Harold Chance  
Logan Brown  
Randy Woodward  
Evette Morris  
Naomi Hogue

**3. Declaration of an Emergency Ordinance 834**

Discussion was held regarding possible action declaring an emergency for Ordinance No. 834, making it effective immediately upon publication.

Motion by Harold Chance, second by Randy Woodward, to declare an emergency for

**MINUTES OF THE COWETA CITY COUNCIL REGULAR MEETING  
JUNE 1, 2020 6:00 P.M.**

Ordinance No. 834, making it effective immediately upon publication.

Aye: Harold Chance  
Randy Woodward  
Evette Morris  
Naomi Hogue  
Logan Brown

**4. Resolution 2020-18**

Roger Kolman discussed the current State of Civil Emergency and the proposed amendments as outlined in Resolution 2020-18. The resolution allows for the re-opening of City facilities and local businesses, adopting by reference the “Open Up and Recover Safely Plan” put forth by the State of Oklahoma. The term of Resolution 2020-18 is tied to the termination of the state of emergency as declared by the Governor of the state of Oklahoma.

Motion by Harold Chance, second by Randy Woodward to adopt Resolution 2020-18, a resolution of the City Council of the City of Coweta, Oklahoma declaring that a State of Civil Emergency currently exists.

Aye: Harold Chance  
Randy Woodward  
Evette Morris  
Naomi Hogue  
Logan Brown

**5. COVID-19 Assistance Program**

Roger Kolman presented information on proposed grant programs to assist local businesses and citizens recovering from the COVID-19 pandemic.

Motion by Logan Brown, second by Randy Woodward, to direct the City Manager to develop grant programs to assist local businesses and citizens in recovering from the COVID-19 pandemic.

Aye: Logan Brown  
Randy Woodward  
Evette Morris  
Harold Chance  
Naomi Hogue

**6. Resolution 2020-17 Regarding Budget Amendments FY19-20.**

Julie Casteen, Assistant City Manager, described amendment needed to the FY2019-2020 budget for unanticipated revenues and expenditures.



**MINUTES OF THE COWETA CITY COUNCIL REGULAR MEETING  
JUNE 1, 2020 6:00 P.M.**

Motion by Harold Chance, second by Randy Woodward, to adopt Resolution 2020-17, a resolution of the City Council of the City of Coweta, Oklahoma adopting amendments to the annual revenues and appropriations for the budget of the City of Coweta, Oklahoma, for fiscal year ending June 30, 2020.

Aye: Harold Chance  
Randy Woodward  
Evette Morris  
Naomi Hogue  
Logan Brown

**7. Resolution 2020-14 on FY2020-2021 Budget Adoption.**

Julie Casteen recommended approval of the proposed budget as presented at the public hearing.

Motion by Evette Morris, second by Randy Woodward, to adopt Resolution 2020-14, a resolution of the City Council of the City of Coweta, Oklahoma adopting the budget for the General Fund, Street and Alley Fund, Cemetery Fund, Library Fund, Rural Fire Fund, Self Insurance Fund, E911 Fund and Capital Improvement Fund for Fiscal Year beginning July 1, 2020 and ending June 30, 2021, and providing for the investment of said funds.

Aye: Evette Morris  
Randy Woodward  
Harold Chance  
Naomi Hogue  
Logan Brown

**8. CZ-20-05 SUP – Specific Use Permit**

Councilmember Logan Brown recused himself from the meeting at 6:32 p.m. due to a conflict of interest. Carolyn Back, Community Development Director, presented information on an application by Brown Family Funeral Home for a Specific Use Permit for a crematory. The Coweta Planning Commission recommended approval at its April 17, 2020 meeting with four conditions; staff also recommended an additional condition to install a Knox box for public safety access in the event of an emergency.

Motion by Harold Chance, second by Naomi Hogue, to approve a Specific Use Permit for a crematory in the existing location at 210 South Broadway, Lots 16 through 20, Block 57, New Coweta, Wagoner County, Oklahoma according to the duly approved plat thereof, in Section 18, Township 17 North, Range 16 East with the discussed conditions.

Aye: Harold Chance  
Naomi Hogue

**MINUTES OF THE COWETA CITY COUNCIL REGULAR MEETING  
JUNE 1, 2020 6:00 P.M.**

Evette Morris  
Randy Woodward

**VII. NEW BUSINESS**

There was no new business.

**VIII. ADJOURNMENT**

Mayor Morris adjourned the meeting at 6:34 p.m.



Evette Morris  
Evette Morris, Mayor

Julie Casteen  
Julie Casteen, City Clerk

1. What is your maintenance/inspection schedule?

A full system Preventative maintenance inspection and tune up will be done by the OEM (Original Equipment Manufacturer) annually.

2. What are your required Federal and State inspection schedules?

There are no federal inspections. The Oklahoma Funeral Board does random inspections annually.

3. Do you incorporate time restrictions on when Crematory may be running?

No

4. Please explain the emission control explained on the Manufacturing sheet?

Below is a detailed description of the cremation process in the CFS-2300. **Emission info in BOLD.**

- Cremation is the process in which human (or animal/pet) remains are reduced to bone fragments. This process is accomplished by dehydrating the body and the consumption of the body from combustion.
- To begin the process, the case is entered into the main chamber. This is where the cremation of the case occurs. The main burner in the front of the retort heats the main chamber, which flows into the afterburner chamber.
- Beneath the main chamber is the afterburner chamber. The gasified remains from the main chamber flow into this secondary chamber. This is where the organic matter is combusted. There is also an additional burner in this chamber, which consumes the combustibles produced in the main chamber.
- **The additional afterburner and afterburner chamber is what eliminates smoke, odors, and other harmful emissions.**
- **We have numerous thermocouples in strategic locations to monitor the temperature inside the machine throughout this process. The machine is programmed to shut off the burners and add air if the temperature gets too hot.**
- **We also have an opacity sensor on our stacks that monitors the smoke being emitted. If it senses too much, then the machine will increase the air flow to control emissions.**
- As previously mentioned, our CFS2300 Human retort has a burn rate of 125-150 lbs per hour. Once the cremation process is completed, the chamber is cooled by air injection from the burners, and the bone fragment remains can be removed and processed.

5. What is the life span of the unit?

Cremation equipment is a long-term investment. If the retort is properly maintained (annual inspections, refractory maintenance, etc.) the retort can and will last 20+ years.



6. Are there annual inspections by the local Fire Department?

Not required

7. Any MSDS (Material safety data sheets) for the crematory to distribute to my Fire Department?

No

8. How old is this model? Installed as new? How many units?

Our CFS-2300 model will be installed as brand-new equipment.

One

9. Will you have outdoor display of monuments, columbarium for sale?

Yes

10.

11. Oklahoma Funeral board is the governing body for OK, correct?

Yes

12. It appears there is inspection and sign off of crematory by a licensed funeral director. I've found conflicting information that there is a yearly inspection when renewing license but wasn't able to confirm.

The Oklahoma Funeral Board does random inspections annually.

13. I could never find any place on the OK state website that had the official rules that are referenced in several areas of various websites. It's possible I missed it; but I think it would be helpful for all to see the Federal rules that must be followed

The Federal EPA considers cremation equipment a minor source, there are no regulations. The Funeral Home and Crematory are State Regulated. See attached or reference link below.

Rules of the Oklahoma Funeral Board are listed in  
Title 235. – Oklahoma Funeral Board  
Subchapter 14. Crematories

<https://oklahoma.gov/content/dam/ok/en/funeral/documents/rules-and-statutes/OFB%20RULES%202023%20.pdf>

14. I'm assuming there will need to be protocols established for the Fire dept on how to put out a crematory fire, if necessary, the amount of BTUs of gas that is used is a lot, just

thinking about overall safety for everyone.

Our system is equipped with Fire Marshal – which continuously monitors the temperature in the stacks for any fire conditions. If temperatures begin to reach higher levels, it will completely shut the retort down to avoid a fire.

15. When looking into the crematory, it did show that there was an option to have annual evaluation and maintenance on the system for an additional cost, will this be something the business be investing in?

Yes. A full system Preventative maintenance inspection and tune up will be done by the OEM (Original Equipment Manufacturer) annually.

16. The Black Smoke, I was digging in deeper on this and found that additional causes of black smoke or smoke are due to incorrect temperatures for the secondary chamber and the reburn is not combusting properly, therefore black smoke. If the equipment is cleaned, maintained, serviced regularly, and operating accordingly "black smoke" should be very minimal.

This is correct – if the retort is operating correctly, there will be no visible emissions or odors that are emitted.

17. Also, it is reported that there is mercury being released into the air when it burns, from fillings (most dentistry has stopped using “silver” fillings around 2009, but there are still some dentists that offer them as low-cost options). I was initially thinking this would be a moot point, but since it is still being used there is some concern. Since there is a creek and stream, over time could there be concerns of impacting the water and soil?

Mercury is only found in amalgam dental fillings - which are increasingly becoming more and more rare. Nowadays, most dentists will replace fillings that contain mercury. If a case is cremated that contains a mercury filling, the amount is so small it is extremely unlikely to cause any health concerns. For a comparison – most household lightbulbs contain mercury, as well as tuna and other consumable fish.

18. How often are the crematories replaced, every 10 years or is it based upon hours of use, just curious.

Cremation equipment is a long-term investment. If the retort is properly maintained (annual inspections, refractory maintenance, etc.) the retort can and will last 20+ years.

19. Is there any concern about wastewater from this business, embalming fluids, etc.? Again, don't want to crash our system and have bigger problems at hand.

There is no wastewater that is required to operate a crematory.



P.O. BOX 850  
COWETA, OK 74429  
PH. (918) 486-2189  
FAX (918) 486-5366  
[www.cityofcoweta-ok.gov](http://www.cityofcoweta-ok.gov)

## Memorandum

To: Honorable Chair and Planning Commissioners

From: Carolyn Back, Community Development Director

Re: **BOWMAN PARTIAL ALLEY CLOSURE LOCATED IN NEW COWETA**

Date: April 21, 2025

---

### BACKGROUND

Public Hearing to receive public comment on a request from Brady Ghaniabadi, Civil Engineer for the applicant, to close a portion of a vacant 20-foot-wide alleyway located in Lots eight (8), nine (9), ten (10), eleven (11), twelve (12), thirteen (13), and fourteen (14), Block thirty-four (34) laying south of South State Highway 51, New Coweta, in Section 18 Township 17 North, Range 16 East of the Indian Base and Meridan, City of Coweta, Wagoner County, Oklahoma.

These parcels are odd-shaped due to the curve of Highway 51 and the original 25-foot-wide lots from the original town platting. The current zoning is Commercial General (CG) and these small lots are not conducive to typical commercial development, unless combined with other lots that sometimes, as in this instance, have alleys that were platted but never utilized.

To comply with notice requirements, the City held a no-meet Technical Advisory Committee meeting to give notice to all utility companies which may have a vested interest in the area. All utility purveyors were contacted and staff confirmed with them no utilities were in the alley and none of the purveyors were in opposition to the partial closing of the alley. PSO advised that the customer will need to work with PSO to establish a new point of service for the new facility, the cost of any facility re-location will be at the cost of the requester.

The purpose of the partial alley closure request is for new commercial construction.

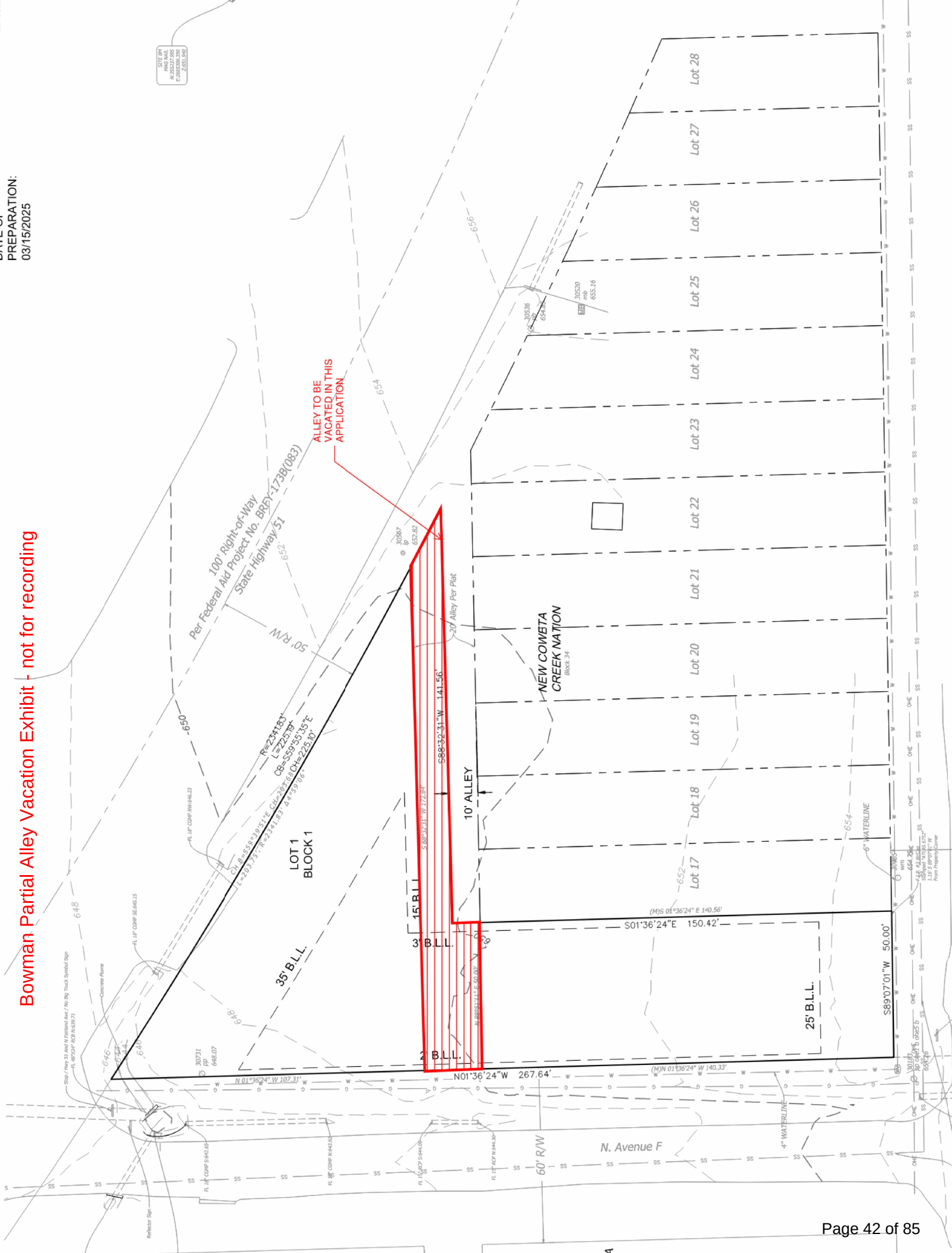
### STAFF RECOMMENDATION

**ATTACHMENTS**

1. Bowman Alley Vacation
2. Location Map
3. Aerial View Map
4. Zoning Map



~~Bowman Partial Alley Vacation Exhibit - not for recording~~



# VACATION ALLEYWAY



Subject Property

16E17N18

FAIRLAND

STATE HIGHWAY 51

GUTHRIE

CHESTNUT

EUFULA

GUTHRIE



# VACATION ALLEYWAY



Subject Property

STATE HIGHWAY 51

FAIRLAND

16E17N18

CHESTNUT

EUFAULA

GUTHRIE

# VACATION ALLEYWAY



Subject Property

FAIRLAND

STATE HIGHWAY 51

CG

CHESTNUT

GUTHRIE

GUTHRIE

16E17N18

**Legend**

**ZONE\_TYPE**

- AG – AGRICULTURE DISTRICT
- CG – GENERAL COMMERCIAL
- RS-2 RESIDENTIAL SINGLE FAMILY
- RS-3 RESIDENTIAL SINGLE FAMILY





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## Memorandum

To: Honorable Chair and Planning Commissioners  
From: Carolyn Back, Community Development Director  
Re: **BOWMAN OF COWETA - PRELIMINARY PLAT**  
Date: April 21, 2025

---

### BACKGROUND

Bowman Investment Properties, LLC, is represented by Brady Ghaniabadi, Civil Engineer, for the proposed Preliminary Plat approval of Bowman of Coweta, a subdivision of approximately 0.442 acres One Lot and One Block.

Location: Section 18, Township 17 North, Range 16 East, of the Indian Base and Meridian, Wagoner County, State of Oklahoma.

Zoning: General Commercial (CG).

Legal Description: Lots Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), and Fourteen (14), Fifteen (15), and Sixteen (16), Block Thirty-Four (34), New Coweta.

#### Utilities/Site Area:

Water: City of Coweta

Sewer: City of Coweta

Gas: ONG

Power: AEP/PSO

Phone/Internet: Kinetic/Windstream

Phone/Internet: COX Communications

Technical Advisory Committee meeting was held on April 10, 2025. No comments were received.

TITLE 13 – Subdivisions

CHAPTER 13-4-3 Preliminary Plat:

E. Review of Preliminary Plat.

5. The Planning Commission shall hold a public hearing on the preliminary plat.

The Planning Commission reviews the preliminary plat for conformity with the subdivision regulations and comprehensive land use plan of the City and for compliance with all applicable additional requirements of all governmental authorities and agencies, and with all applicable regulations of public utilities.

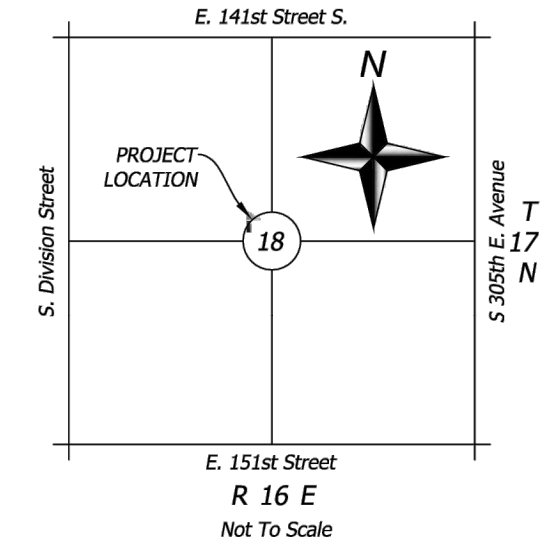
#### **STAFF RECOMMENDATION**

#### **ATTACHMENTS**

1. BOWMAN TO COWETA- PRELIMINARY PLAT



A REPLAT OF LOTS 8, 9, 10, 11, 12, 13, 14, 15, & 16 BLOCK 34 OF NEW COWETA CITY  
A Part of the Northwest Quarter (NW/4) of Section Eighteen (18), Township Seventeen (17) North, Range Sixteen (16) East of the  
Indian Meridian, in Coweta, Wagoner County, Oklahoma.



SHEET  
C2.0



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## Memorandum

To: Honorable Chair and Planning Commissioners  
From: Carolyn Back, Community Development Director  
Re: **BOWMAN OF COWETA - FINAL PLAT**  
Date: April 21, 2025

---

### BACKGROUND

The applicant, Bowman Investment Properties, LLC, is represented by Brady Ghaniabadi, Civil Engineer for the applicant, for the Bowman of Coweta Final Plat, a subdivision of approximately 0.442 acres with One Lot, One Block.

Location: Section 18, Township 17 North, Range 16 East, of the Indian Base and Meridian, Wagoner County, State of Oklahoma.

Zoning: General Commercial (CG).

Legal Description: Lots Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), and Fourteen (14), Fifteen (15), and Sixteen (16), Block Thirty-Four (34), New Coweta.

#### Utilities/Site Area:

Water: City of Coweta

Sewer: City of Coweta

Gas: ONG

Power: AEP/PSO

Phone/Internet: Kinetic/Windstream

Phone/Internet: COX Communications

Technical Advisory Committee (TAC) meeting was held on April 10, 2025. No comments were received.

#### Pertinent Code

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

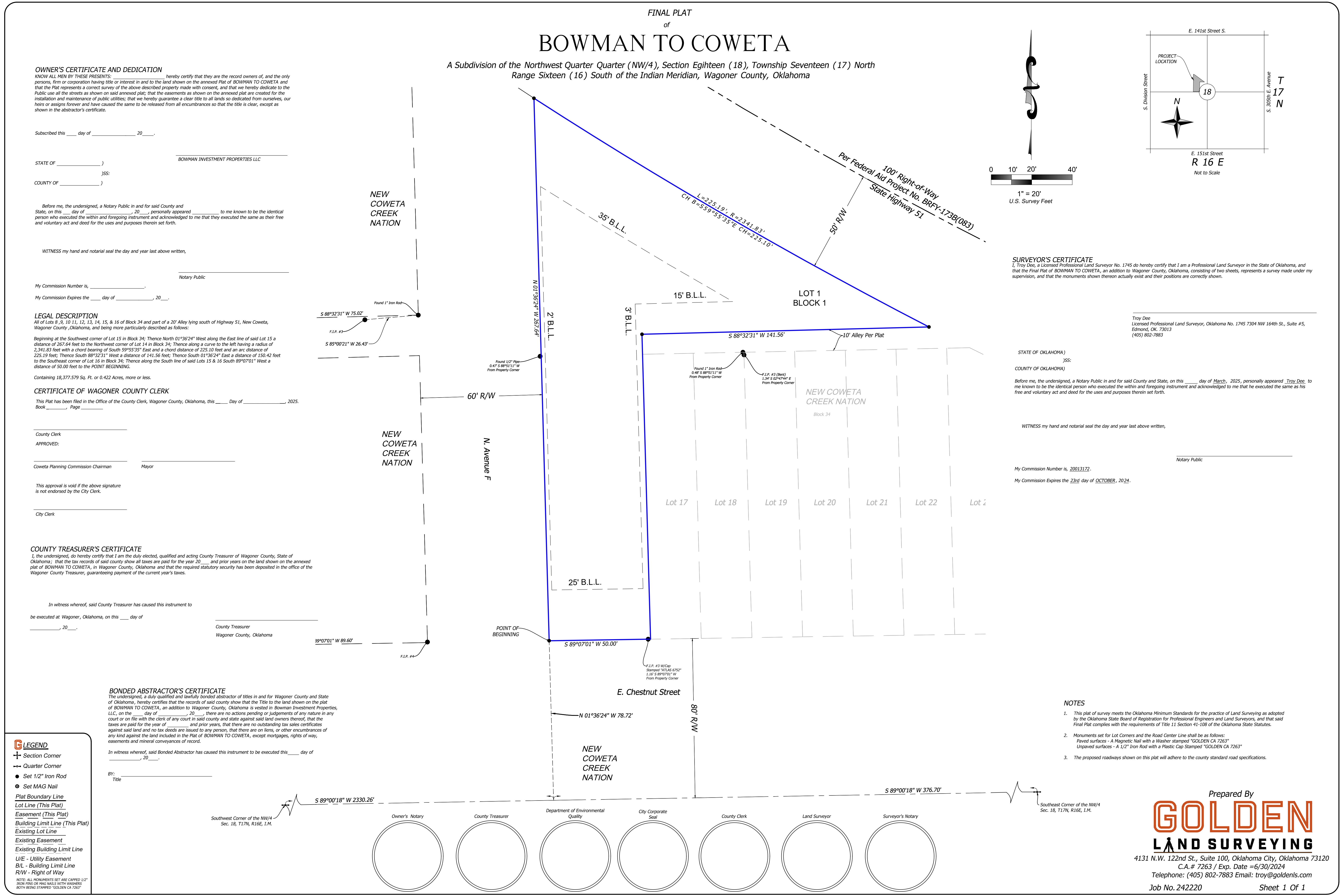
developer. If the final plat is disapproved, grounds for the refusal shall be stated in writing, a copy of which shall be transmitted to the applicant.

#### **STAFF RECOMMENDATION**

#### **ATTACHMENTS**

1. BOWMAN TO COWETA FINAL PLAT-032025









P.O. BOX 850  
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PH. (918) 486-2189  
FAX (918) 486-5366  
[www.cityofcoweta-ok.gov](http://www.cityofcoweta-ok.gov)

## Memorandum

To: Honorable Chair and Planning Commissioners  
From: Carolyn Back, Community Development Director  
Re: **TIGER TRAILS - PRELIMINARY PLAT**  
Date: April 21, 2025

---

### BACKGROUND

The applicant, Tulsa L Dev., LLC, Developer; Tanner Consulting, L.L.C., Surveyor/Engineer; for Preliminary Plat approval of Tiger Trails Phase 1 (Blocks 1-8), a subdivision of approximately 79.838 acres (more or less) with 322 lots.

Location: Section 34, Township 18 North, Range 15 East, of the Indian Base and Meridian, Wagoner County, State of Oklahoma.

PUD No.: PUD-R 24-03, with Residential Single-Family (RS-3) zoning.

Legal Description: The South Half (S/2) of the Northwest Quarter (NW/4) of Section Thirty-Four (34), Township Eighteen (18) North, Range Fifteen (15) East of the Indian Base and Meridian, Wagoner County, State of Oklahoma.

#### Utilities/Site Area:

Sewer: Rural Water District #4

Water: Rural Water District #4

Gas: ONG

Power: AEP/PSO

Internet/Phone: Windstream/Kinetic

Internet/Phone: Cox

All Utility Purveyors were notified and a Technical Advisory Committee (TAC) meeting was held on April 11, 2025.

TAC Comments received were:

Coweta Fire Marshal Jeff Waller asked about the second entrance/exit at South 244th East Avenue, where there is currently a detached garage sitting in the middle of the Wagoner

County maintained road.

**TITLE 13 – Subdivisions**

**CHAPTER 13-4-3 Preliminary Plat:**

**E. Review of Preliminary Plat.**

5. The Planning Commission shall hold a public hearing on the preliminary plat.

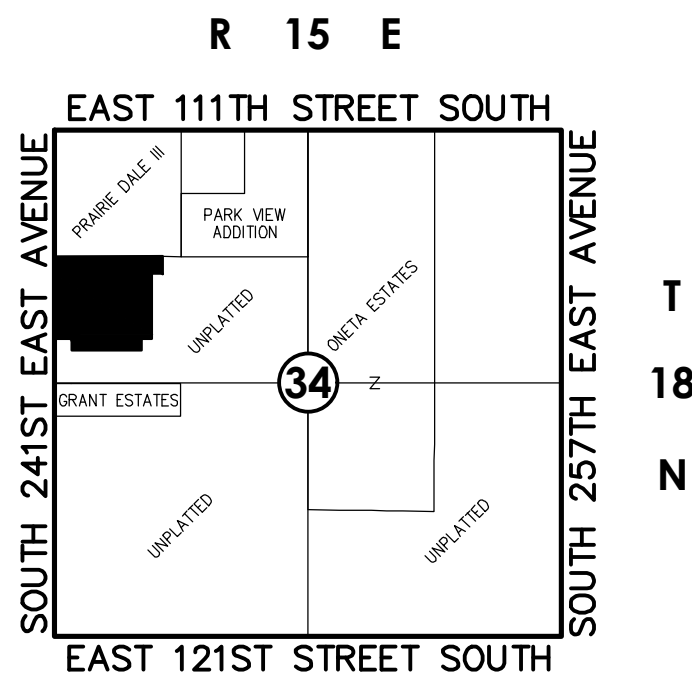
The Planning Commission reviews the preliminary plat for conformity with the subdivision regulations and comprehensive land use plan of the City and for compliance with all applicable additional requirements of all governmental authorities and agencies, and with all applicable regulations of public utilities.

**STAFF RECOMMENDATION**

**ATTACHMENTS**

1. Tiger Trails Blocks 1-8\_Preliminary Plat





Location Map

Scale: 1"= 2000'



SUBDIVISION CONTAINS:

NINETY-SEVEN (97) LOTS  
IN EIGHT (8) BLOCKS  
WITH ONE (1) RESERVE AREA

GROSS SUBDIVISION AREA: 22.436 ACRES

OWNER:  
**Tulsa I Dev., LLC**  
CONTACT: JUSTIN COX  
EMAIL: JUSTIN.COX@LENNAR.COM  
4058 North College  
Suite 300 Box 9  
Fayetteville, Arkansas 72703  
Phone: (479) 455-9090

Preliminary Plat

PUD-R 24.03

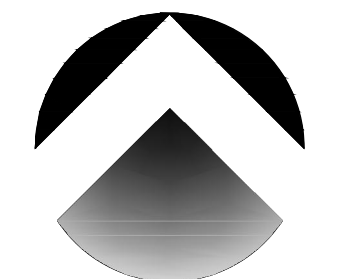
# Tiger Trails

## Blocks 1-8

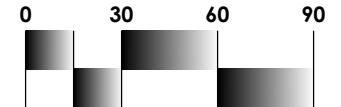
PART OF THE SOUTH HALF OF THE NORTHWEST QUARTER (S/2 NW/4) OF SECTION THIRTY-FOUR (34),  
TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN MERIDIAN  
A SUBDIVISION WITHIN THE CITY OF COWETA, WAGONER COUNTY, STATE OF OKLAHOMA

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

DAN E. TANNER, P.L.S. NO. 1435  
OK CA NO. 2661, EXPIRES 6/30/2025  
EMAIL: DAN@TANNERBAITSHOP.COM  
5323 South Lewis Avenue  
Tulsa, Oklahoma 74105  
Phone: (918) 745-9929



NORTH



Scale: 1"= 60'  
Tanner Consulting

LEGEND

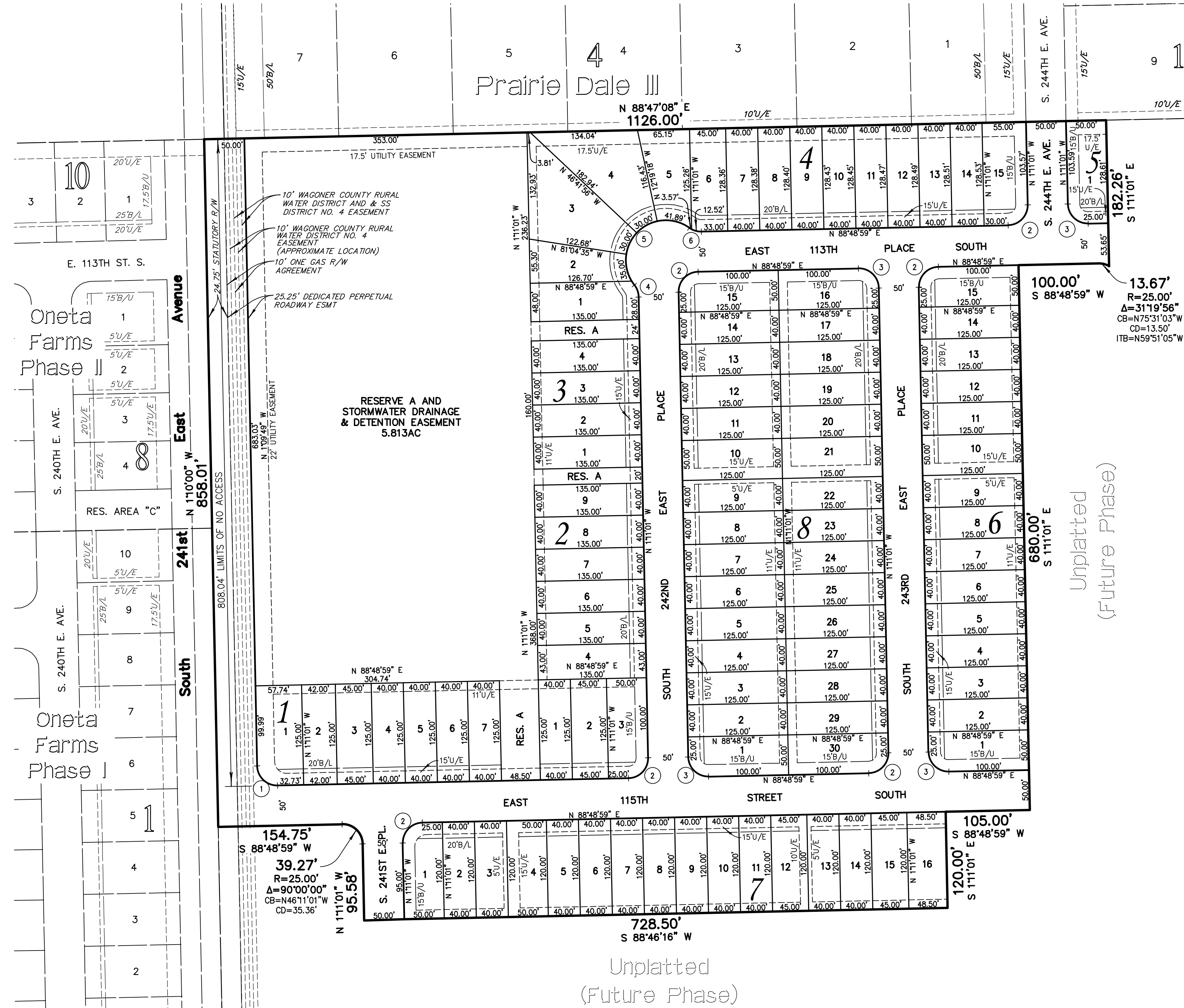
|       |                                  |
|-------|----------------------------------|
| B/L   | BUILDING LINE                    |
| B/U   | BUILDING LINE & UTILITY EASEMENT |
| BK PG | BOOK & PAGE                      |
| CB    | CHORD BEARING                    |
| CD    | CHORD DISTANCE                   |
| CL    | CENTERLINE                       |
| A     | DELTA ANGLE                      |
| DOC   | DOCUMENT                         |
| ESMT  | EASEMENT                         |
| GOV'T | GOVERNMENT                       |
| LNA   | LIMITS OF NO ACCESS              |
| ODE   | OVERLAND DRAINAGE EASEMENT       |
| RES.  | RESERVE                          |
| R/W   | RIGHT-OF-WAY                     |
| U/E   | UTILITY EASEMENT                 |
| 123/4 | ADDRESS ASSIGNED                 |
| o     | FOUND MONUMENT                   |
| •     | SET MONUMENT (SEE NOTE 2)        |

Notes:

- THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
- ALL PROPERTY CORNERS ARE SET 3/8" IRON REBAR WITH YELLOW CAP STAMPED "TANNER 1435" OR "TANNER CA2661" UNLESS OTHERWISE NOTED.
- THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3501), NORTH AMERICAN DATUM 1983 (NAD83); SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:
  - MAGNETIC NAIL FOUND AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SECTION 34;
  - MAGNETIC NAIL FOUND AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SECTION 34;THE BEARING BETWEEN SAID MONUMENTS BEING NORTH 1°10'10" WEST.
- ADDRESSES SHOWN ON THIS PLAT WERE PROVIDED BY THE CITY OF COWETA AND WERE ACCURATE AT THE TIME THE PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF THE LEGAL DESCRIPTION.
- ACCESS AT THE TIME OF PLAT WAS PROVIDED BY SOUTH 241ST EAST AVENUE, BY VIRTUE OF RIGHT-OF-WAY DEDICATED BY THIS PLAT, AND BY SOUTH 244TH EAST AVENUE, BEING A PUBLIC STREET.

Curve Table

| CURVE | LENGTH(L) | RADIUS(R) | DELTA(A)   | CHORDBRG(CB) | CHORDDIS(CD) |
|-------|-----------|-----------|------------|--------------|--------------|
| 1     | 39'       | 25'       | 90°01'01"  | N46°10'30"W  | 35'          |
| 2     | 39'       | 25'       | 90°00'00"  | N43°48'59"E  | 35'          |
| 3     | 39'       | 25'       | 90°00'00"  | N46°11'01"W  | 35'          |
| 4     | 16'       | 25'       | 36°52'12"  | N19°37'06"W  | 16'          |
| 5     | 143'      | 50'       | 163°44'23" | N43°48'59"E  | 99'          |
| 6     | 16'       | 25'       | 36°52'12"  | N72°44'55"W  | 16'          |



DATE OF PREPARATION: March 21, 2025

Tiger Trails Blocks 1-8  
SHEET 1 OF 3



Preliminary Plat  
PUD-R 24.03

Tiger Trails  
Blocks 1-8

PART OF THE SOUTH HALF OF THE NORTHWEST QUARTER (S/2 NW/4) OF SECTION THIRTY-FOUR (34),  
TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN MERIDIAN  
A SUBDIVISION WITHIN THE CITY OF COWETA, WAGONER COUNTY, STATE OF OKLAHOMA

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL PERSONS BY THESE PRESENTS:

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

A TRACT OF LAND THAT IS A PART OF THE SOUTH HALF OF THE NORTHWEST QUARTER (S/2 NW/4) OF SECTION THIRTY-FOUR (34), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN MERIDIAN, WAGONER COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE SOUTHWEST CORNER OF SAID S/2 NW/4, THENCE NORTH 1°10'00" WEST AND ALONG THE WEST LINE OF THE S/2 NW/4, FOR A DISTANCE OF 460.00 FEET TO THE POINT OF BEGINNING;  
THENCE CONTINUING NORTH 1°10'00" WEST AND ALONG SAID WEST LINE, FOR A DISTANCE OF 858.01 FEET TO A POINT, SAID POINT BEING THE SOUTHWEST CORNER OF "PRAIRIE DALE III", A SUBDIVISION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 34, AN ADDITION IN WAGONER COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF RECORDED IN PLAT BOOK 5 AT PAGE 29, COUNTY OF WAGONER RECORDS; THENCE NORTH 88°47'08" EAST AND ALONG THE SOUTH LINE OF SAID "PRAIRIE DALE III", FOR A DISTANCE OF 1126.00 FEET; THENCE SOUTH 1°11'01" EAST FOR A DISTANCE OF 182.26 FEET; THENCE ALONG A 25.00 FOOT RADIUS, NON-TANGENT CURVE TO THE LEFT, HAVING AN INITIAL TANGENT BEARING OF NORTH 59°51'05" WEST, A CENTRAL ANGLE OF 31°19'56", A CHORD BEARING AND DISTANCE OF NORTH 75°31'03" WEST FOR 13.50 FEET, FOR AN ARC DISTANCE OF 13.67 FEET; THENCE SOUTH 88°48'59" WEST FOR A DISTANCE OF 100.00 FEET; THENCE SOUTH 1°11'01" EAST FOR A DISTANCE OF 680.00 FEET; THENCE SOUTH 88°48'59" WEST FOR A DISTANCE OF 105.00 FEET; THENCE SOUTH 1°11'01" EAST FOR A DISTANCE OF 120.00 FEET; THENCE SOUTH 88°46'16" WEST FOR A DISTANCE OF 728.50 FEET; THENCE NORTH 1°11'01" WEST FOR A DISTANCE OF 95.58 FEET TO A POINT OF CURVATURE; THENCE ALONG A 25.00 FOOT RADIUS CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 90°00'00", A CHORD BEARING AND DISTANCE OF NORTH 46°11'01" WEST FOR 35.36 FEET, FOR AN ARC DISTANCE OF 39.27 FEET TO A POINT OF TANGENCY; THENCE SOUTH 88°48'59" WEST FOR A DISTANCE OF 154.75 FEET TO THE POINT OF BEGINNING;  
SAID TRACT CONTAINING 977,310 SQUARE FEET, OR 22.436 ACRES;

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

- (A) MAGNETIC NAIL FOUND AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SECTION 34;
- (B) MAGNETIC NAIL FOUND AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SECTION 34;

THE BEARING BETWEEN SAID MONUMENTS BEING NORTH 1°10'10" WEST.

AND THE OWNER HAS CAUSED THE ABOVE-DESCRIBED LAND TO BE SURVEYED, STAKED, PLATTED, DEDICATED, ACCESS RIGHTS RESERVED, AND SUBDIVIDED INTO NINETY-SEVEN (97) LOTS IN EIGHT (8) BLOCKS ALONG WITH THE RESERVE AREAS, COMMON AREAS, AND STREETS IN CONFORMITY WITH THE ACCOMPANYING PLAT AND SURVEY ("THE PLAT") AND HAS DESIGNATED THE SUBDIVISION AS "TIGER TRAILS BLOCKS 1-8", A SUBDIVISION WITHIN THE CITY OF COWETA, WAGONER COUNTY, OKLAHOMA ("SUBDIVISION"). THE OWNER HEREBY SUBJECTS THE LAND DESCRIBED ABOVE TO THE PROVISIONS, COVENANTS, AND RESTRICTIONS SET FORTH HEREIN WHICH SHALL RUN WITH THE LAND AND BE BINDING ON EVERY LOT AND RESERVE AREA AND EVERY OWNER THEREOF FOR THE PERIOD AS HEREINAFTER DEFINED.

SECTION I. PUBLIC STREETS, EASEMENTS, AND UTILITIES

A. PUBLIC STREETS AND UTILITY EASEMENTS

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

B. WATER, SANITARY SEWER, AND STORM SEWER SERVICE

1. EACH LOT AND RESERVE AREA OWNER SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS LOCATED ON THE LOT OR RESERVE AREA.
2. WITHIN THE DEPICTED UTILITY EASEMENT AREAS, THE ALTERATION OF GRADE IN EXCESS OF THREE (3) FEET FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER, OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER, SHALL BE PROHIBITED. WITHIN THE UTILITY EASEMENTS, IF THE GROUND ELEVATIONS ARE ALTERED BY THE LOT OR RESERVE AREA OWNER FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER, ALL GROUND LEVEL APPURTENANCES, INCLUDING VALVE BOXES, FIRE HYDRANTS, AND MANHOLES SHALL BE ADJUSTED TO THE ALTERED GROUND ELEVATIONS BY THE OWNER OF THE LOT OR RESERVE AREA OR, AT ITS ELECTION, WAGONER COUNTY RURAL WATER DISTRICT #4 OR THE CITY OF COWETA, OKLAHOMA, MAY MAKE SUCH ADJUSTMENT AT SUCH OWNER'S EXPENSE.

3. WAGONER COUNTY RURAL WATER DISTRICT #4 OR ITS SUCCESSORS SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER FACILITIES AND PUBLIC SANITARY SEWER FACILITIES, AND THE CITY OF COWETA SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC STORM SEWER FACILITIES, BUT THE LOT OR RESERVE AREA OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF SAID OWNER OR SAID OWNER'S AGENTS OR CONTRACTORS.

4. WAGONER COUNTY RURAL WATER DISTRICT #4 AND THE CITY OF COWETA, OR THEIR RESPECTIVE SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS WITH THEIR EQUIPMENT TO ALL UTILITY EASEMENTS DEPICTED ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF UNDERGROUND WATER, SANITARY SEWER, OR STORM SEWER FACILITIES.

5. THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION B. SHALL BE ENFORCEABLE BY THE CITY OF COWETA AND WAGONER COUNTY RURAL WATER DISTRICT #4, OR THEIR RESPECTIVE SUCCESSORS, AND EACH LOT AND RESERVE AREA OWNER AGREES TO BE BOUND HEREBY.

C. UNDERGROUND SERVICE

1. OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC AND COMMUNICATION SERVICES MAY BE LOCATED WITHIN THE STREET RIGHT-OF-WAY OF SOUTH 241ST EAST AVENUE AS DEDICATED BY THIS PLAT AND WITHIN PERIMETER UTILITY EASEMENTS OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY UNDERGROUND CABLE THROUGHOUT THE SUBDIVISION AND, EXCEPT AS PROVIDED IN THE IMMEDIATELY-PRECEDING SENTENCE, ALL SUPPLY LINES INCLUDING ELECTRIC, COMMUNICATION, AND GAS LINES SHALL BE LOCATED UNDERGROUND IN THE EASEMENT WAYS DEDICATED FOR GENERAL UTILITY SERVICES AND IN THE RIGHTS-OF-WAY OF THE PUBLIC STREETS AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE UTILITY EASEMENTS.
2. UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WHICH MAY BE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL, OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE AS MAY BE LOCATED UPON THE LOT. PROVIDED THAT, UPON THE INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE, AND NON-EXCLUSIVE RIGHT-OF-WAY EASEMENT ON THE LOT, COVERING A FIVE (5) FOOT STRIP EXTENDING TWO AND ONE-HALF (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, TERMINATING AT THE PLANE FORMED BY THE FINISHED EXTERIOR BUILDING WALL.
3. EACH SUPPLIER OF ELECTRIC, COMMUNICATION, AND GAS SERVICES, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS WITH ITS EQUIPMENT TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSES OF INSTALLING, MAINTAINING, REMOVING, OR

REPLACING ANY PORTION OF THE ELECTRIC, COMMUNICATION, OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.

4. THE LOT OR RESERVE AREA OWNER SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON SAID OWNER'S LOT OR RESERVE AREA AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, COMMUNICATION, OR GAS FACILITIES. EACH SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE LOT OR RESERVE AREA OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF SAID OWNER OR SAID OWNER'S AGENTS OR CONTRACTORS.
5. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH C. SHALL BE ENFORCEABLE BY EACH SUPPLIER OF THE ELECTRIC, COMMUNICATION, OR GAS SERVICE AND EACH LOT AND RESERVE AREA OWNER AGREES TO BE BOUND HEREBY.

D. PAVING AND LANDSCAPING WITHIN EASEMENTS

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

E. SURFACE DRAINAGE

EACH LOT AND RESERVE AREA WITHIN THE SUBDIVISION SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS, RESERVE AREAS, AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM ADJACENT STREETS AND EASEMENTS. NO LOT OR RESERVE AREA OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS SAID OWNER'S LOT OR RESERVE AREA. THE COVENANTS SET FORTH IN THIS SUBSECTION E. SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OR RESERVE AREA OWNER AND THE CITY OF COWETA, OKLAHOMA.

F. LIMITS OF NO ACCESS

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

G. RESERVE AREAS; STORMWATER DRAINAGE & DETENTION EASEMENTS

1. RESERVE A, AS DEPICTED UPON THE ACCOMPANYING PLAT, IS ESTABLISHED BY THE OWNER FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF RESIDENTIAL LOTS WITHIN THE SUBDIVISION AND IS HEREBY RESERVED FOR SUBSEQUENT CONVEYANCE TO THE HOME OWNERS ASSOCIATION AS SET FORTH IN SECTION III. HEREIN.
2. RESERVE A IS DESIGNATED FOR STORMWATER DRAINAGE AND DETENTION AND PRIVATE RECREATION AND OPEN SPACE INCLUDING, BUT NOT NECESSARILY LIMITED TO: PRIVATE PARKS, SIDEWALKS AND TRAILS, LANDSCAPING, IRRIGATION, SIGNAGE, ENTRY FEATURES, LIGHTING, FENCING, AND OTHER USES AS MAY BE PERMITTED BY THE CITY OF COWETA, AND FOR UTILITIES.
3. RESERVES B, D, AND E ARE DESIGNATED FOR PRIVATE RECREATION AND OPEN SPACE INCLUDING, BUT NOT NECESSARILY LIMITED TO: PRIVATE PARKS, SIDEWALKS AND TRAILS, LANDSCAPING, IRRIGATION, SIGNAGE, ENTRY FEATURES, LIGHTING, FENCING, AND OTHER USES AS MAY BE PERMITTED BY THE CITY OF COWETA, AND FOR UTILITIES.

4. THE OWNER/DECLARANT DOES HEREBY ESTABLISH AND GRANT TO THE PUBLIC A PERPETUAL EASEMENT ON, OVER, AND ACROSS THAT PORTION OF RESERVE A AS DESIGNATED ON THE ACCOMPANYING PLAT AS "STORMWATER DRAINAGE & DETENTION EASEMENT", FOR THE PURPOSES OF PERMITTING THE FLOW, CONVEYANCE, DETENTION, RETENTION, AND DISCHARGE OF STORMWATER RUNOFF FROM THE VARIOUS AREAS WITHIN THE SUBDIVISION.

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

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

- THE EASEMENT AREA SHALL BE KEPT FREE OF LITTER.

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

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

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

SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS, THE PROPERTY COMPRISING "TIGER TRAILS BLOCKS 1-8" WAS SUBMITTED AS PART OF A PLANNED UNIT DEVELOPMENT (PUD) NO. PUD-R 24.03 ("COWETA CROSSING") AS PROVIDED WITHIN CHAPTER 16 OF THE ZONING CODE OF THE CITY OF COWETA, OKLAHOMA, AND

WHEREAS, PUD NO. PUD-R 24.03 WAS RECOMMENDED UPON BY THE CITY OF COWETA PLANNING COMMISSION ON DECEMBER 16, 2024, AND APPROVED BY THE COWETA CITY COUNCIL ON JANUARY 6, 2025, WITH IMPLEMENTING ORDINANCE (ORDINANCE NO. 895) APPROVED JANUARY 6, 2025, WITH EMERGENCY CLAUSE ATTACHED, MAKING THE ORDINANCE EFFECTIVE IMMEDIATELY, AND

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

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

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

A. GENERAL

1. DEVELOPMENT IN ACCORDANCE WITH PUD THE SUBDIVISION SHALL BE DEVELOPED AND USED IN SUBSTANTIAL ACCORDANCE WITH THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF PUD NO. PUD-R 24.03, AS APPROVED BY THE CITY OF COWETA, OR IN SUBSTANTIAL ACCORDANCE WITH SUCH MODIFICATIONS OR AMENDMENTS OF THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF PUD-R 24.03 AS MAY BE SUBSEQUENTLY APPROVED.

2. APPLICABLE ORDINANCE THE DEVELOPMENT OF THE SUBDIVISION SHALL BE SUBJECT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE CITY OF COWETA ZONING CODE AS SUCH PROVISIONS EXISTED ON OCTOBER 02, 2024 (DATE OF APPLICATION).

B. DEVELOPMENT STANDARDS FOR PUD-R 24.03 DEVELOPMENT AREA A  
(ALL OF "TIGER TRAILS BLOCKS 1-8" IS WITHIN DEVELOPMENT AREA A)

|                         |                                                                                                                                                                                                                                                                               |           |
|-------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| GROSS LAND AREA:        | 2,422,166 SF                                                                                                                                                                                                                                                                  | 55.605 AC |
| NET LAND AREA:          | 2,422,166 SF                                                                                                                                                                                                                                                                  | 55.605 AC |
| PERMITTED USES:         | USES PERMITTED BY RIGHT IN THE RS-3 DISTRICT (EXCEPTING NEIGHBORHOOD GROUP HOMES) AND CUSTOMARY ACCESSORY USES AND STRUCTURES, PLUS PRIVATE NEIGHBORHOOD RECREATIONAL FACILITIES SUCH AS NEIGHBORHOOD PARK, PLAYGROUND, AND RECREATIONAL OPEN SPACE, AND NEIGHBORHOOD SIGNAGE |           |
| MAXIMUM NUMBER OF LOTS: |                                                                                                                                                                                                                                                                               | 315       |

|                             |                                                                                     |
|-----------------------------|-------------------------------------------------------------------------------------|
| MINIMUM LOT WIDTH*:         | 40 FT                                                                               |
| MINIMUM LOT SIZE:           | 4,400 SF                                                                            |
| MAXIMUM BUILDING HEIGHT:    | 2 STORIES AND 35 FT                                                                 |
| MINIMUM OFF-STREET PARKING: | TWO (2) ENCLOSED OR UNENCLOSED OFF-STREET PARKING SPACES REQUIRED PER DWELLING UNIT |

|                                           |                                            |
|-------------------------------------------|--------------------------------------------|
| MINIMUM YARD SETBACKS:                    |                                            |
| FRONT YARD:                               | 20 FT                                      |
| REAR YARD:                                | 15 FT                                      |
| SIDE YARD (INTERIOR):                     | 5 FT                                       |
| SIDE YARD ABUTTING A NON-ARTERIAL STREET: | 15 FT; 20 FT FOR GARAGE FACING SIDE STREET |
| ANY YARD ABUTTING AN ARTERIAL STREET:     | 20 FT                                      |

OTHER BULK AND AREA REQUIREMENTS:  
AS REQUIRED WITHIN THE RS-3 DISTRICT  
\* DEFINED AS THE AVERAGE HORIZONTAL DISTANCE BETWEEN THE SIDE LOT LINES, WHICH IS AS IT IS PRESENTLY DEFINED IN THE COWETA ZONING CODE.

C. DEVELOPMENT STANDARDS FOR PUD-R 24.03 DEVELOPMENT AREA B  
(NO PORTION OF TIGER TRAILS BLOCKS 1-8 IS LOCATED WITHIN DEVELOPMENT AREA B)

D. DEVELOPMENT STANDARDS FOR ALL DEVELOPMENT AREAS

AMENITIES: EXHIBIT B OF THE PUD REPRESENTS INITIAL CONCEPTS FOR NEIGHBORHOOD AMENITIES, WHICH SHALL BE MAINTAINED AS COMMON AREAS BY A MANDATORY PROPERTY OWNERS' ASSOCIATION TO BE FORMED BY THE DEED OF DEDICATION AND RESTRICTIVE COVENANTS OF A SUBDIVISION PLAT FOR AREAS CONTAINING SUCH COMMON AREAS. NOT LESS THAN 10% OF THE GROSS LAND AREA WILL BE PRESERVED AS COMMON OPEN SPACE FOR THE ENJOYMENT OF RESIDENTS. A LANDSCAPED ENTRANCE SHALL BE CONSTRUCTED AT THE ONETA ROAD ENTRANCE.

STREETS: ALL STREETS WITHIN THE PROPOSED DEVELOPMENT WILL BE DEDICATED TO THE PUBLIC AND WILL BE CONSTRUCTED IN ACCORDANCE WITH ALL APPLICABLE STANDARDS, EXCEPT AS PERMITTED BY THE VARIANCES REQUESTED BELOW.

FENCING: ALL FENCES WITHIN THE PROPOSED DEVELOPMENT WILL BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE COWETA ZONING CODE.

VARIANCE REQUESTS: DUE TO THE LOW-DENSITY AND DESIRED NATURAL FEELING OF DEVELOPMENT AREA B, VARIANCES FROM THE CITY OF COWETA SUBDIVISION REGULATIONS ARE REQUESTED. OTHER THAN THE VARIANCES REQUESTED, THE DEVELOPMENT WILL OTHERWISE COMPLY WITH THE CITY OF COWETA SUBDIVISION REGULATIONS.

4.3.22 PAVING WIDTH & 4.15 CURB AND GUTTER STREETS

A VARIANCE IS REQUESTED TO ALLOW OPEN DITCHES ON EITHER SIDE OF THE STREET WITHIN DEVELOPMENT AREA B IN-LIEU OF CURB AND GUTTER. ADDITIONALLY, A VARIANCE IS REQUESTED TO ALLOW 24' WIDE STREETS WITH A 2' SHOULDER ON EITHER SIDE, AS IS CUSTOMARY WITH OPEN DITCH STREETS, WITHIN DEVELOPMENT AREA B.

4.16A SIDEWALKS

A VARIANCE IS REQUESTED TO NOT REQUIRE SIDEWALKS WITHIN DEVELOPMENT AREA B DUE TO THE PROPOSED OPEN DITCHES. 2' SHOULDERS WILL BE PROVIDED ON EITHER SIDE OF THE ROAD TO ALLOW FOR WALKING. ADDITIONALLY, A TRAIL WILL BE PROVIDED WITHIN THE RESERVE AREA IN-LIEU OF SIDEWALKS.

4.9A SEWAGE DISPOSAL AND WATER SUPPLY

DUE TO A NATURAL RIDGE ON THE PROPERTY, SANITARY SEWER IS NOT ACCESSIBLE FOR DEVELOPMENT AREA B WITHOUT THE INSTALLATION OF A FORCE MAIN AND LIFT STATION. A VARIANCE IS REQUESTED TO PERMANENTLY ALLOW ONSITE SANITARY SEWER DISPOSAL SYSTEMS FOR DEVELOPMENT AREA B, PER OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY RULES AND REGULATIONS.



Preliminary Plat  
PUD-R 24.03

Tiger Trails  
Blocks 1-8

PART OF THE SOUTH HALF OF THE NORTHWEST QUARTER (S/2 NW/4) OF SECTION THIRTY-FOUR (34),  
TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN MERIDIAN  
A SUBDIVISION WITHIN THE CITY OF COWETA, WAGONER COUNTY, STATE OF OKLAHOMA

SECTION III. HOME OWNERS ASSOCIATION

A. FORMATION OF HOME OWNERS ASSOCIATION; ADDITIONAL LANDS

THE OWNER HAS FORMED OR SHALL CAUSE TO BE FORMED A HOMEOWNERS ASSOCIATION ("HOA") TO GOVERN THE SUBDIVISION. THE HOA SHALL BE ESTABLISHED IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA AND BYLAWS PREPARED BY OWNER OR ITS ASSIGNEE, FOR THE GENERAL PURPOSES OF MAINTAINING THE COMMON AREAS, INCLUDING WITHOUT LIMITATION ALL RESERVE AREAS, AND ENHANCING THE VALUE, DESIRABILITY AND ATTRACTIVENESS OF THE SUBDIVISION AND ANY ADDITIONS THERETO. OWNER/DECLARANT SHALL BE ENTITLED TO APPOINT THE BOARD OF DIRECTORS FOR THE HOA AS PROVIDED IN THE BYLAWS, A RIGHT THAT SHALL CONTINUE UNTIL THE SOONER TO OCCUR OF (1) THE DECLARANT FORMALLY TURNS OVER CONTROL TO THE ASSOCIATION, WHICH MAY BE ACCOMPLISHED BY THE DECLARANT APPOINTING REPLACEMENT DIRECTORS CONSISTING OF LOT OWNERS OTHER THAN DECLARANT (OR VIA RESIGNATION IF NO REPLACEMENT DIRECTORS ARE AVAILABLE) OR (2) THE DECLARANT (OR AN AFFILIATED SUCCESSOR THEREOF) NO LONGER HAS ANY OWNERSHIP INTEREST IN ANY LOTS. IT IS CONTEMPLATED THAT ADDITIONAL LANDS/PHASES ADJOINING THE SUBDIVISION, AND SUBSEQUENTLY PLATTED FOR SINGLE FAMILY RESIDENTIAL PURPOSES, MAY BE ANNEXED BY THE OWNER (OR ITS ASSIGNEE OR AN AFFILIATED CORPORATE OWNER) TO THE SUBDIVISION AND GEOGRAPHIC JURISDICTION AND BYLAWS OF THE HOA, WHICH MAY BE ACCOMPLISHED BY THE OWNER (OR ITS ASSIGNEE OR AN AFFILIATED CORPORATE OWNER) BY FILING A SUPPLEMENTAL DECLARATION HERETO, OR BY NOTING SUCH ANNEXATION ON A SEPARATE DEED OF DEDICATION FOR THE ADDITIONAL LANDS/PHASES TO BE ANNEXED HERETO, OR OTHER INSTRUMENT ADDING SUCH ADDITIONAL LANDS/PHASES TO THE SUBDIVISION AND THE JURISDICTION OF THE HOA, IN WHICH CASE ANY SUCH LANDS/PHASES AND THE SUBSEQUENT OWNERS THEREOF SHALL BE UNDER THE JURISDICTION OF THE HOA AND ALL RULES PERTAINING THERETO.

B. MEMBERSHIP

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

C. ASSESSMENTS

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

D. MAINTENANCE OF COMMON AREAS

THE HOA SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL COMMON AREAS AS DEPICTED ON THE PLAT, OR AS DESCRIBED IN THESE COVENANTS, AND AS AMENDED, WHICH MAY INCLUDE BUT NOT BE LIMITED TO ENTRYWAYS, STORMWATER DRAINAGE AND DETENTION/RETENTION FACILITIES, PERIMETER FENCING, AND OTHER COMMON AREAS AND RESERVE AREAS AS DEPICTED ON THE PLAT, OR DESCRIBED IN THESE COVENANTS, AND AS AMENDED. IN THE EVENT A MEMBER OR OWNER (EXCEPT FOR DECLARANT OR ITS AFFILIATES) FAILS TO FOLLOW OR OTHERWISE VIOLATES THE COVENANTS, CONDITIONS, AND/OR RESTRICTIONS CONTAINED HEREIN AFTER THE DECLARANT TURNS OVER CONTROL OF THE BOARD, THE CITY MAY EXERCISE ALL RIGHTS OF THE HOA CONTAINED HEREIN INCLUDING, BUT NOT LIMITED TO, THE RIGHT TO IMPOSE SPECIAL ASSESSMENTS AND IMPOSE LIENS AGAINST INDIVIDUAL MEMBERS/OWNERS (EXCEPT FOR DECLARANT OR ITS AFFILIATES), SUBJECT TO APPLICABLE LAW.

E. LIMITATION ON LIABILITY

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

SECTION IV. RESTRICTIVE COVENANTS

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

A. NO DIVISION OF LOTS

NO LOT MAY BE DIVIDED, SUBDIVIDED, OR OTHERWISE SPLIT.

B. RESIDENTIAL LOTS

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

C. RESIDENTIAL PURPOSES

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

D. SUBMISSION OF PLANS

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

E. ARCHITECTURAL REQUIREMENTS

- EACH DWELLING SHALL FRONT A DEDICATED PUBLIC STREET.
- NO BUILDING SHALL BE LOCATED CLOSER TO THE STREET THAN THE MINIMUM BUILDING OR SET-BACK LINES SHOWN ON THE RECORDED PLAT.
- ALL RESIDENCES SHALL HAVE ROOF SHINGLES THAT ARE LIKE THE ORIGINAL IN COLOR (GREY/CHARCOAL/BLACK). DEVIATION FROM THIS COLOR REQUIRES APPROVAL FROM THE COMMITTEE.

F. ADDITIONS TO EXISTING STRUCTURES

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

G. GARAGE AND DETACHED STRUCTURES AND STORAGE BUILDINGS

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

H. TEMPORARY STRUCTURES

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

I. FENCES

NO FENCE SHALL BE CONSTRUCTED ON ANY SAID LOT IN THE AREA BETWEEN THE FRONT BUILDING LINE OF ANY DWELLING AND THE FRONT LOT LINE OF ANY SAID LOT. NO FENCE ON A

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

J. MAILBOXES

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

K. SIGNS

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

L. PARKED VEHICLES

ALL VEHICLES PARKED IN THE FRONT OF THE FRONT BUILDING LINE MUST BE PARKED ON THE DRIVEWAY, NO INOPERATIVE VEHICLES OF ANY NATURE SHALL BE PERMITTED TO REMAIN ON ANY LOT OR LOTS FOR A PERIOD IN EXCESS OF ONE (1) DAY. EXCEPT ON SPECIAL OCCASIONS SUCH AS HOLIDAYS OR EVENTS AT AN OWNER'S RESIDENCE, AND SUBJECT TO APPLICABLE LAW, ALL PARKING SHALL BE IN DRIVEWAYS OR GARAGES AND SHALL NOT BE ON A STREET OR ON ANY YARD. ACCORDINGLY, NO VEHICLE SHALL BE PARKED OVERNIGHT ON A STREET. NO PARKING OF VEHICLES SHALL INTERFERE WITH ANY CONSTRUCTION ACTIVITIES OF THE DECLARANT OR A HOME-BUILDER DURING DEVELOPMENT OF THE SUBDIVISION OR CONSTRUCTION OF RESIDENCES THEREIN. ANY VIOLATION OF THIS SECTION MAY BE SUBJECT TO A TOWING OF THE VEHICLE AT THE OWNER'S EXPENSE PER MUNICIPAL REGULATIONS. NO VEHICLE MAINTENANCE SHALL BE PERFORMED ON THE STREETS OR IN THE FRONT YARDS OR ON PARKING PADS OF ANY LOT.

M. APPEARANCE OF LOT

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

N. RECREATIONAL VEHICLES AND ACCESSORIES

NO BOATS, TRAILERS, RECREATIONAL VEHICLES, OR VEHICLES USED FOR RECREATIONAL PURPOSES ARE ALLOWED IN THE SUBDIVISION UNLESS THEY ARE STORED IN A PRIVATE GARAGE.

O. STORAGE AND CONSTRUCTION MATERIALS

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

P. GARBAGE/DUMPING/PETS

DUMPING IS PROHIBITED IN THE SUBDIVISION. ALL TRASH, GARBAGE OR OTHER WASTE SHALL BE KEPT IN SANITARY CONTAINERS STORED BEHIND THE RESIDENCE OR WITHIN ENCLOSED GARAGES AND MUST BE OUT OF STREET VIEW EXCEPT TWELVE (12) HOURS PRIOR TO AND 12 HOURS AFTER THE NORMAL CURBSIDE PICKUP TIME. ALL LOTS SHALL BE MAINTAINED IN A NEAT AND ORDERLY CONDITION AT ALL TIMES. OWNERS SHALL KEEP ANIMALS AND PETS ON A LEASH AT ALL TIMES THAT THE ANIMAL AND/OR PET IS OUTSIDE OF THE OWNERS HOME OR FENCED IN LOT (INCLUDING WHILE ON ANY OTHER LOT OR THE COMMON AREAS). OWNERS SHALL IMMEDIATELY PICK UP AND DISPOSE OF ANY ANIMAL OR PET WASTE THAT OCCURS ON A LOT OR THE COMMON AREAS.

Q. MODEL HOME AND CONSTRUCTION FACILITIES

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

R. NUISANCES

NO NOXIOUS OR OFFENSIVE ACTIVITY SHALL BE CARRIED ON IN, UPON, OR AROUND ANY RESIDENCE OR LOT OR IN OR UPON ANY COMMON PROPERTY OR EASEMENT AREAS, NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE OR MAY BECOME AN ANNOYANCE OR A NUISANCE TO THE REMAINING OWNERS OR THEIR TENANTS OR LICENSEES OR ANY OF THEM, WHICH SHALL IN ANY WAY INTERFERE WITH THE QUIET ENJOYMENT OF SUCH OF THE OWNERS, TENANTS, OR LICENSEES OF HIS RESPECTIVE RESIDENCE OR LOT OR WHICH SHALL IN ANY WAY INCREASE THE RATE OF INSURANCE FOR THE PROPERTY.

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

A. ENFORCEMENT

THE COVENANTS AND RESTRICTIONS SET FORTH HEREIN SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY, THE HOA, THE OWNER, AND ANY OWNER OF A LOT, AND IN ANY JUDICIAL ACTION BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED HEREIN, A PARTY MAY SEEK ALL APPROPRIATE REMEDIES AT LAW, INCLUDING INJUNCTIVE RELIEF, TO ENFORCE THE COVENANTS SET FORTH HEREIN. FAILURE TO DO SO SHALL NOT BE DEEMED A WAIVER OF ANY TERMS HEREOF OR OF THE RIGHT TO SEEK ACTION AGAINST FUTURE NONCOMPLIANCE. REASONABLE REGULATIONS CONCERNING THE PROPERTY AND COMMON AREAS MAY BE MADE AND AMENDED FROM TIME TO TIME BY THE OWNER OR ASSOCIATION.

B. DURATION

THESE COVENANTS SHALL RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER AND ALL SUBSEQUENT OWNERS AND PERSONS CLAIMING UNDER THEM WITHIN THE SUBDIVISION UNTIL JANUARY 1, 2046, AFTER WHICH TIME SAID COVENANTS SHALL BE DEEMED AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN (10) YEARS UNLESS OTHERWISE AMENDED OR TERMINATED AS PROVIDED HEREIN.

C. AMENDMENT OR TERMINATION

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

D. SEVERABILITY

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

IN WITNESS WHEREOF, TULSA I DEV., LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HAS EXECUTED THIS INSTRUMENT ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.

TULSA I DEV., LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY

BY: LENNAR HOMES OF OKLAHOMA, LLC, A  
DELAWARE LIMITED LIABILITY COMPANY, ITS AGENT  
UNDER THAT CERTAIN POWER OF ATTORNEY, DATED  
EFFECTIVE FEBRUARY 21, 2025

BY: U.S. HOME, LLC,  
A DELAWARE LIMITED LIABILITY COMPANY,  
ITS GENERAL PARTNER

BY: \_\_\_\_\_

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

ACKNOWLEDGMENT

STATE OF ARKANSAS )  
) SS  
COUNTY OF WASHINGTON )

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR THE AFORESAID COUNTY AND STATE, DULY COMMISSIONED AND ACTING, APPEARED TO ME PERSONALLY WELL KNOWN AS, OR PROVEN TO BE, THE PERSON WHOSE NAME APPEARS UPON THE WITHIN AND FOREGOING DOCUMENT AND STATED THAT WAS THE \_\_\_\_\_ OF U.S. HOME, LLC, AS GENERAL PARTNER OF LENNAR HOMES OF OKLAHOMA, LLC, AS AGENT FOR TULSA I DEV., LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, AND WAS DULY AUTHORIZED TO EXECUTE THE FOREGOING CONVEYANCE FOR AND ON ITS BEHALF, AND \_\_\_\_\_ ACKNOWLEDGED TO ME THAT \_\_\_\_\_ HAD EXECUTED THE SAME FOR THE CONSIDERATION AND PURPOSES THEREIN MENTIONED AND SET FORTH, AND I DO SO CERTIFY.

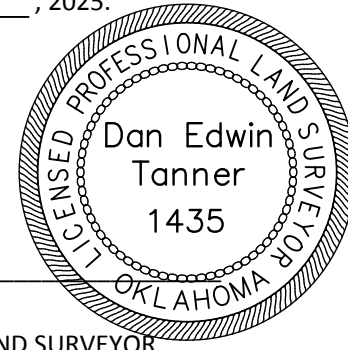
IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL OF OFFICE AS SUCH NOTARY PUBLIC AT THE COUNTY AND STATE AFORESAID ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.

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

CERTIFICATE OF SURVEY

I, DAN E. TANNER, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND HEREIN DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED AS "TIGER TRAILS BLOCKS 1-8" A SUBDIVISION WITHIN THE CITY OF COWETA, WAGONER COUNTY, STATE OF OKLAHOMA, IS A TRUE REPRESENTATION OF A SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED PRACTICES AND MEETS OR EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING.

WITNESS MY HAND AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.

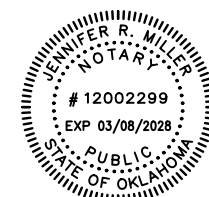


BY: \_\_\_\_\_  
DAN E. TANNER  
LICENSED PROFESSIONAL LAND SURVEYOR  
OKLAHOMA NO. 1435

STATE OF OKLAHOMA )  
) SS  
COUNTY OF TULSA )

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025, PERSONALLY APPEARED TO ME DAN E. TANNER KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME TO THE FOREGOING CERTIFICATE AS LICENSED PROFESSIONAL LAND SURVEYOR, AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSES THEREIN SET FORTH.

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



03/08/2028  
MY COMMISSION EXPIRES \_\_\_\_\_ NOTARY PUBLIC

FINAL PLAT CERTIFICATE OF APPROVAL

I HEREBY CERTIFY THAT THIS PLAT WAS APPROVED BY THE COWETA PLANNING COMMISSION.

PLANNING COMMISSION CHAIR OR VICE-CHAIR \_\_\_\_\_ APPROVAL DATE \_\_\_\_\_  
I HEREBY CERTIFY THAT THIS PLAT WAS APPROVED BY THE COWETA CITY COUNCIL.

MAYOR OR VICE-MAYOR \_\_\_\_\_ APPROVAL DATE \_\_\_\_\_  
THIS APPROVAL IS VOID IF THE ABOVE SIGNATURE IS NOT ENDORSED BY THE CITY CLERK.

CITY CLERK \_\_\_\_\_ DATE \_\_\_\_\_



P.O. BOX 850  
COWETA, OK 74429  
PH. (918) 486-2189  
FAX (918) 486-5366  
[www.cityofcoweta-ok.gov](http://www.cityofcoweta-ok.gov)

## Memorandum

To: Honorable Chair and Planning Commissioners

From: Carolyn Back, Community Development Director

Re: **CZ 25-02 SUP, SPECIFIC USE PERMIT FOR CREMATORY**

Date: April 21, 2025

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### BACKGROUND

The applicant and property owner of Brown Family Funeral Home, Judy L. Brown, is requesting a Specific Use Permit, CZ 25-02 SUP, for a Crematory use in the High Intensity Commercial (CH) - Downtown (DT) zoning district. See the attached document for the CFS-2300 Cremation Chamber from Cremation Systems.

Location: 210 South Broadway

Legal Description: Section 18, Township 17 North, Range 16 East, Lots 16, 17, 18, 19, 20, Block 57, New Coweta, Wagoner County, State of Oklahoma.

Zoning: The property is zoned High Intensity Commercial (CH) and is within the Downtown District (DT).

Comprehensive Plan Map Intensity Designation: Commercial High

#### Adjacent Zoning:

North: High Intensity Commercial (CH)

East: High Intensity Commercial (CH)

South: High Intensity Commercial (CH)

West: Office (O)

High Intensity Commercial (CH) zoned properties allow any use permitted in the General Commercial (CG) zoning classification, including uses by right for Funeral Homes. A crematory use requires a Specific Use Permit (SUP) within this zoning classification.

#### Downtown District (DT)

##### 12-9D-3 Permitted Accessory Uses And Structures

Any accessory use or structure permitted in the respective CG General Commercial and

CH High Intensity Commercial Districts that exist within the defined DT district.

#### 12-9B-5 Uses Permitted By Specific Use Permit

The following uses may be permitted as specific uses through the Planning Commission and by the City Council in accordance with the provisions contained in CCC 12-3D:

G. Community services, cultural and recreational facilities.

1. Description. Community services, cultural and recreational facilities which are needed in residential areas to serve the residents or need a residential environment, but which are or can be objectionable to nearby residential uses. These uses are permitted by specific use permits.

2. Included uses.

x. Crematory.

#### ARTICLE 12-3E SPECIFIC USE PERMITS

##### 12-3E-1 Introduction

1. The City Council may, after a public hearing and recommendation by the Planning Commission and after conducting a public hearing as is required in accordance with the provisions of this article, authorize for specific parcels of land the issuance of a specific use permit.

2. The uses listed in CCC 12-3D-3 are so clarified because of the size of the land they require, or the specialized nature of the use, or they may more intensely dominate the area in which they are located or their effects on the general public are broader in scope than other types of uses permitted in the district.

#### DISCUSSION

1. At the October 26, 2015, Regular Planning Commission meeting, the Planning Commission recommended conditional approval of Specific Use Permit CZ 15-07 SUP, to allow the use of the property as a Crematory, by a vote of 5-0, subject to the following conditions:

(1) provide City Staff with copies of all applicable environmental, health and safety permits by all relevant federal, state and local authorities,

(2) provide an amended floor plan showing where chemicals and potentially flammable and hazardous materials are stored and used on the premises, in relation to the location of the crematory;

(3) obtain the applicable mechanical, electrical, and/or plumbing permits from the City of Coweta Building Official; and

(4) provide notice to the Coweta Fire Department prior to start-up of crematory operations, and also, at the option of the Fire Department, provide to the Fire Department any safety data sheets on substances used and/or stored on the premises, prior to start-up of crematory operations.

2. At the November 2, 2015 Regular City Council meeting, the City Council approved with conditions a request from James and Judy Brown (owners of Wright-Brown Funeral Home) Specific Use Permit for a Crematory CZ 15-07 SUP, in the existing location of Wright-Brown Funeral Home, by a vote of 5-0.

*Due to the two (2) year time limit with no work beginning, CZ 15-07 SUP expired on November 2, 2017.*

3. At the May 18, 2020 Regular Planning Commission meeting, the Planning Commission

recommended conditional approval of Specific Use Permit CZ 20-05 SUP Crematory for CZ 15-07 to establish a Specific Use Permit for a Crematory in the existing location of Brown Family Funeral Home located at 210 South Broadway, to allow the use of the property as a Crematory, by a vote of 4-0.

4. At the June 1, 2020 Regular City Council meeting, the City Council approved with conditions a request from James and Judy Brown (owners of Wright-Brown Funeral Home) Specific Use Permit for a Crematory CZ 20-05 SUP Crematory (CZ 15-07 SUP), in the existing location of Brown Family Funeral Home, by a vote of 4-0.

Due to the two (2) year time limit with no work beginning, CZ 20-05 SUP expired on June 1, 2022.

If inclined to recommend the Coweta City Council approve the Specific Use Permit for a crematory use, staff requests the Planning Commission suggest the following condition of approval: No Chemical Cremation process is allowed. A Chemical Cremation process carries a very high Biochemical Oxygen Demand (BOD) and has been known to carry significant impacts on Sanitary Sewer plants.

Staff also has concerns about the location of the chamber within their current Funeral Home location and the large exhaust pipe required to pull the heat out of the cremation chamber. This is within the Downtown Zoning District and staff would like to see how this large exhaust stack is going to look coming out of a flat roof. How tall will it be? What will the screening chimney look like from all angles of the property? Will the heat be noticeable so low to ground level?

#### PLANNING COMMISSION ACTION

The Planning Commission may make a recommendation of approval, approval with conditions, or denial of the request to the Coweta City Council to grant a Specific Use Permit for a Crematory ("SUP") CZ 25-02 SUP Crematory.

#### STAFF RECOMMENDATION

Planning Commission recommend approval to City Council with conditions of applicant providing exhaust stack heights, screening images, and heat transfer data for review and approval.

#### ATTACHMENTS

None





P.O. BOX 850  
COWETA, OK 74429  
PH. (918) 486-2189  
FAX (918) 486-5366  
[www.cityofcoweta-ok.gov](http://www.cityofcoweta-ok.gov)

## Memorandum

To: Honorable Chair and Planning Commissioners

From: Carolyn Back, Community Development Director

Re: **BOWMAN PARTIAL ALLEY CLOSURE LOCATED IN NEW COWETA**

Date: April 21, 2025

---

### BACKGROUND

Discuss and consider action on a request from Brady Ghaniabadi, Civil Engineer for the applicant, to close a portion of a vacant 20-foot-wide alleyway located in Lots eight (8), nine (9), ten (10), eleven (11), twelve (12), thirteen (13), and fourteen (14), Block thirty-four (34) laying south of South State Highway 51, New Coweta, in Section 18 Township 17 North, Range 16 East of the Indian Base and Meridan, City of Coweta, Wagoner County, Oklahoma.

These parcels are odd-shaped due to the curve of Highway 51 and the original 25-foot-wide lots from the original town platting. The current zoning is Commercial General (CG) and these small lots are not conducive to typical commercial development, unless combined with other lots that sometimes, as in this instance, have alleys that were platted but never utilized.

To comply with notice requirements, the City held a no-meet Technical Advisory Committee meeting to give notice to all utility companies which may have a vested interest in the area. All utility purveyors were contacted and staff confirmed with them no utilities were in the alley and none of the purveyors were in opposition to the partial closing of the alley. PSO advised that the customer will need to work with PSO to establish a new point of service for the new facility, the cost of any facility re-location will be at the cost of the requester.

The purpose of the partial alley closure request is for new commercial construction.

### STAFF RECOMMENDATION

Planning Commission recommends City Council approval

## **ATTACHMENTS**

None



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## Memorandum

To: Honorable Chair and Planning Commissioners  
From: Carolyn Back, Community Development Director  
Re: **BOWMAN OF COWETA - PRELIMINARY PLAT**  
Date: April 21, 2025

---

### BACKGROUND

The applicant, Bowman Investments Properties, LLC, Developer; Brady Ghaniabadi, Civil Engineer; for the Preliminary Plat approval of Bowman of Coweta, a subdivision of approximately 0.442 acres with One Lot and One Block.

Location: Section 18, Township 17 North, Range 16 East, of the Indian Base and Meridian, Wagoner County, State of Oklahoma.

Zoning: General Commercial (CG).

Legal Description: Lots Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), and Fourteen (14), Fifteen (15), and Sixteen (16), Block Thirty-Four (34), New Coweta.

#### Utilities/Site Area:

Water: City of Coweta

Sewer: City of Coweta

Gas: ONG

Power: AEP/PSO

Phone/Internet: Kinetic/Windstream

Phone/Internet: COX Communications

Technical Advisory Committee meeting was held on April 10, 2025. No comments were received.

Pertinent Code Title 13 - Subdivisions

Chapter 13-4-3 Preliminary Plat

E. Review of Preliminary Plat

5. The Planning Commission shall: a. Hold a public hearing on the preliminary plat, b. The

preliminary plat shall be reviewed by the Planning Commission for conformity with the Comprehensive Land Use Plan of the City of Coweta, and for compliance with the standards requirements and principles hereinafter prescribed; and, shall be reviewed by the Planning Commission staff for compliance with all applicable additional requirements of all governmental authorities and agencies, and with all applicable regulations of public utilities.

The Planning Commission reviews the preliminary plat for conformity with the subdivision regulations and comprehensive land use plan of the City and for compliance with all applicable additional requirements of all governmental authorities and agencies, and with all applicable regulations of public utilities.

**PLANNING COMMISSION ACTION:** The Planning Commission can approve, conditionally approve, or deny the preliminary plat. If the preliminary plat is approved with conditions, the Planning Commission may require the subdivider to submit a revised preliminary plat. The subdivider shall be advised of any amendments required by the Planning Commission to comply with these regulations. If the preliminary plat is disapproved, the reasons for that action shall be stated.

#### **STAFF RECOMMENDATION**

Staff recommends approval of Bowman of Coweta with the condition that the developer meet the comments from the Technical Advisory Committee and the City Engineer.

#### **ATTACHMENTS**

None



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## Memorandum

To: Honorable Chair and Planning Commissioners  
From: Carolyn Back, Community Development Director  
Re: **BOWMAN OF COWETA - FINAL PLAT**  
Date: April 21, 2025

---

### BACKGROUND

The applicant, Bowman Investment Properties, LLC, is represented by Brady Ghaniabadi, Civil Engineer for the applicant, for the Bowman of Coweta Final Plat, a subdivision of approximately 0.442 acres with One Lot, One Block.

Location: Section 18, Township 17 North, Range 16 East, of the Indian Base and Meridian, Wagoner County, State of Oklahoma.

Zoning: General Commercial (CG).

Legal Description: Lots Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), and Fourteen (14), Fifteen (15), and Sixteen (16), Block Thirty-Four (34), New Coweta.

### Utilities/Site Area:

Water: City of Coweta

Sewer: City of Coweta

Gas: ONG

Power: AEP/PSO

Phone/Internet: Kinetic/Windstream

Phone/Internet: COX Communications

Technical Advisory Committee (TAC) meeting was held on April 10, 2025. No comments were received.

### Pertinent Code

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 can approve, conditionally approve, or disapprove the final plat. If the final plat is approved with conditions, the Planning Commission may require the subdivider to submit a revised final plat. The subdivider shall be advised of any amendments required by the Planning Commission to comply with these regulations. If the final plat is disapproved, the reasons for that action shall be stated.

**STAFF RECOMMENDATION**

Planning Commission recommends approval.

**ATTACHMENTS**

None



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## Memorandum

To: Honorable Chair and Planning Commissioners  
From: Carolyn Back, Community Development Director  
Re: **TIGER TRAILS - PRELIMINARY PLAT**  
Date: April 21, 2025

---

### BACKGROUND

The applicant, Tulsa L Dev., LLC, Developer; Tanner Consulting, L.L.C., Surveyor/Engineer; for Preliminary Plat approval of Tiger Trails Phase 1 (Blocks 1-8), a subdivision of approximately 79.838 acres (more or less) with 322 lots.

Location: Section 34, Township 18 North, Range 15 East, of the Indian Base and Meridian, Wagoner County, State of Oklahoma.

PUD No.: PUD-R 24-03, with Residential Single-Family (RS-3) zoning.

Legal Description: The South Half (S/2) of the Northwest Quarter (NW/4) of Section Thirty-Four (34), Township Eighteen (18) North, Range Fifteen (15) East of the Indian Base and Meridian, Wagoner County, State of Oklahoma.

#### Utilities/Site Area:

Sewer: Rural Water District #4

Water: Rural Water District #4

Gas: ONG

Power: AEP/PSO

Internet/Phone: Windstream/Kinetic

Internet/Phone: Cox

All Utility Purveyors were notified and a Technical Advisory Committee (TAC) meeting was held on April 11, 2025.

TAC Comments received were:

Coweta Fire Marshal Jeff Waller asked about the second entrance/exit at South 244th East Avenue, where there is currently a detached garage sitting in the middle of the Wagoner

County maintained road.

**TITLE 13 – Subdivisions**

**CHAPTER 13-4-3 Preliminary Plat:**

**E. Review of Preliminary Plat.**

5. The Planning Commission shall hold a public hearing on the preliminary plat.

The Planning Commission reviews the preliminary plat for conformity with the subdivision regulations and comprehensive land use plan of the City and for compliance with all applicable additional requirements of all governmental authorities and agencies, and with all applicable regulations of public utilities.

**PLANNING COMMISSION ACTION:** The Planning Commission can approve, conditionally approve, or deny the preliminary plat. If the preliminary plat is approved with conditions, the Planning Commission may require the subdivider to submit a revised preliminary plat. The subdivider shall be advised of any amendments required by the Planning Commission to comply with these regulations. If the preliminary plat is disapproved, the reasons for that action shall be stated.

**STAFF RECOMMENDATION**

Planning Commission recommends City Council approval.

**ATTACHMENTS**

None



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## Memorandum

To: Honorable Chair and Planning Commissioners  
From: Carolyn Back, Community Development Director  
Re: **KELLY CROSSING - SKETCH PLAN**  
Date: April 21, 2025

---

### BACKGROUND

Review Conceptual Sketch Plan submitted for Kelly Crossing, a proposed subdivision within the City of Coweta, as part of Planned Unit Development (PUD-R 24-02). The proposed subdivision is approximately 79.445 acres with 421 lots.

Located in Section 33, Township 18 North, Range 15 East, of the Indian Base and Meridian, Wagoner County, State of Oklahoma. This land is zoned Residential Single-Family (RS-3).

### Subdivision Regulations;13-4-2 Sketch Plan

#### Purpose.

The purpose of the sketch plan is to provide the subdivider, the Planning Commission, and City officials an opportunity to identify some of the potential problems concerning the land use, general design and overall approaches to installation of improvements before the preparation of more detailed platting documents. This step in the overall subdivision process is very important because it is at the initial part of the process when decisions are to be made that can have a great impact on the subdivider and the community.

It is important that all of the land to be included in the proposed subdivision shall be included in the sketch plan so that an overview of an entire area can be accomplished.

The applicant is not required to go before the planning Commission or City Council with a Sketch Plat. They are seeking input on the design thus far. A No Meet Electronic Technical Advisory Committee was held on April 11, 2025. No recommendation from the Planning Commission is required.

## **STAFF RECOMMENDATION**

## **ATTACHMENTS**

1. Kelly Crossing\_Master Preliminary Plat

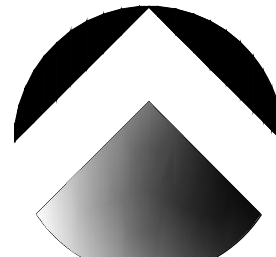


Preliminary Master Plat

PUD-R 24.02

Kelly Crossing

PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION THIRTY-THREE (33),  
TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN MERIDIAN  
A SUBDIVISION WITHIN THE CITY OF COWETA, WAGONER COUNTY, STATE OF OKLAHOMA



Scale: 1"= 100'  
Tanner Consulting

SUBDIVISION CONTAINS:  
FOUR HUNDRED TWENTY-ONE (421) LOTS  
IN THIRTY (30) BLOCKS  
WITH ELEVEN (11) RESERVE AREAS  
GROSS SUBDIVISION AREA: 79.445 ACRES

- LEGEND
- B/L BUILDING LINE
  - B/U BUILDING LINE & UTILITY
  - E/E EASEMENT
  - BK PG BOOK & PAGE
  - CB CHORD BEARING
  - CD CHORD DISTANCE
  - CL CENTERLINE
  - Δ DELTA ANGLE
  - DOC DOCUMENT
  - ESMT EASEMENT
  - GOV'T GOVERNMENT
  - LNA LIMITS OF NO ACCESS
  - ODE OVERLAND DRAINAGE EASEMENT
  - RES. RESERVE
  - R/W RIGHT-OF-WAY
  - U/E UTILITY EASEMENT
  - /234 ADDRESS ASSIGNED
  - FOUND MONUMENT
  - SET MONUMENT (SEE NOTE 2)

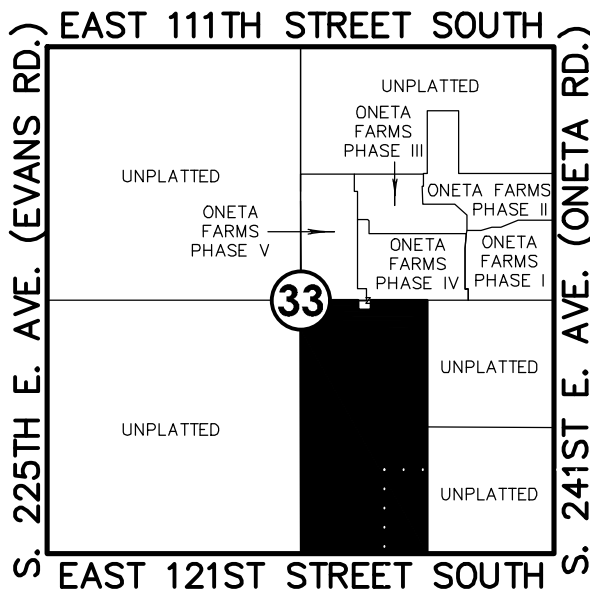
OWNER:  
**Tulsa L Dev., LLC**  
CONTACT: DEREK KENNEDY  
EMAIL: DEREK.KENNEDY@RCH.COM  
4058 North College  
Suite 300 Box 9  
Fayetteville, Arkansas 72703  
Phone: (479) 455-9090

SURVEYOR/ENGINEER:  
**Tanner Consulting, L.L.C.**  
DAN E. TANNER, P.L.S. NO. 1435  
OK CA NO. 2661, EXPIRES 6/30/2025  
EMAIL: DAN@TANNERBAITSHOP.COM  
5323 South Lewis Avenue  
Tulsa, Oklahoma 74105  
Phone: (918) 745-9929

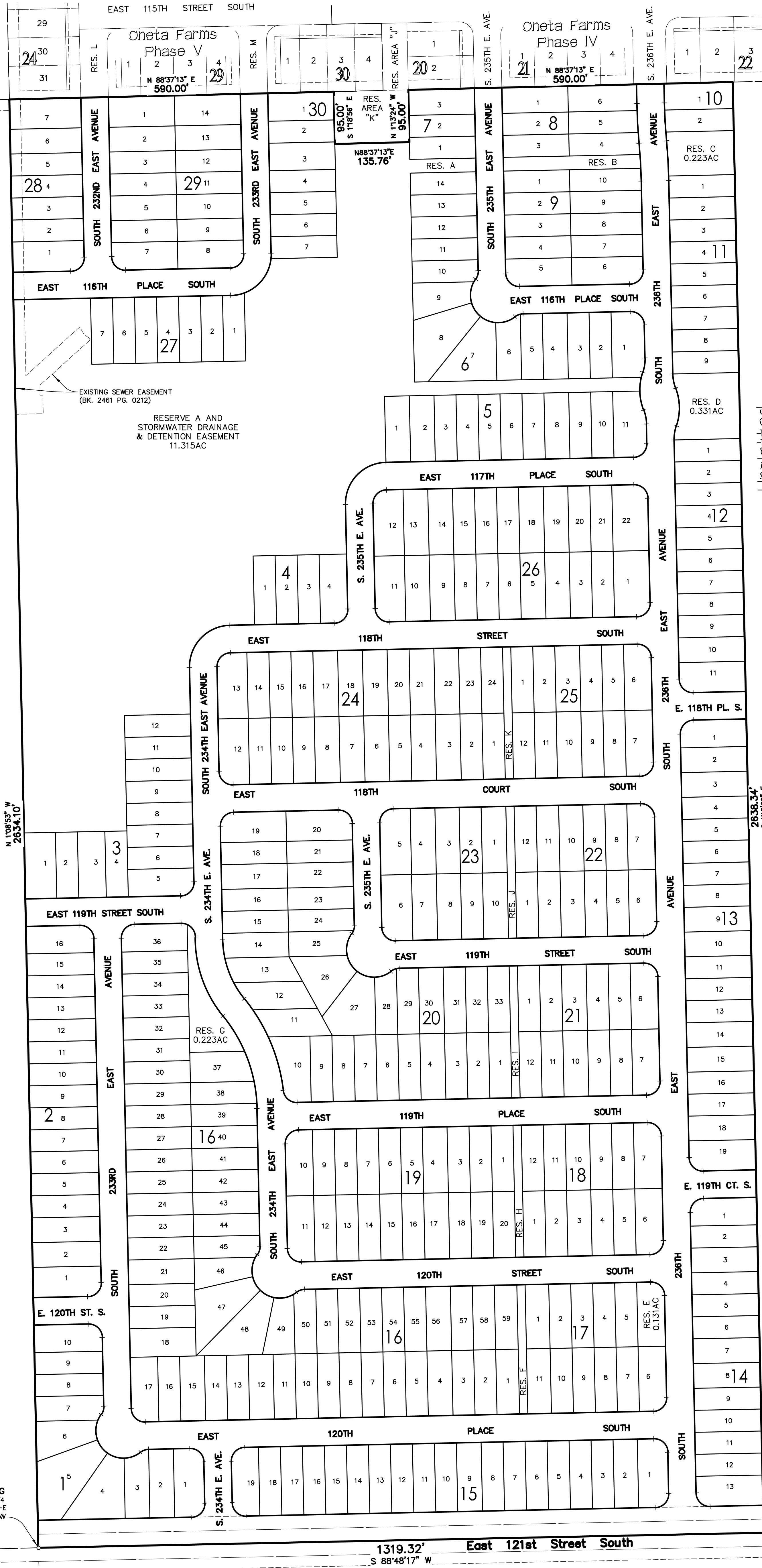
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R 15 E



Location Map  
Scale: 1"= 2000'



POINT OF BEGINNING  
SOUTHWEST CORNER SE/4  
SECTION 33, T-18-N, R-15-E  
FOUND 3/8" IRON PIN

SOUTHEAST CORNER SE/4  
SECTION 33, T-18-N, R-15-E  
FOUND MAG NAIL

SOUTH LINE SE/4  
BASIS OF BEARINGS

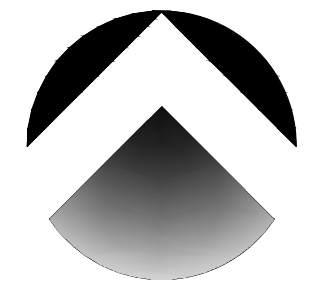


# Preliminary Master Plat

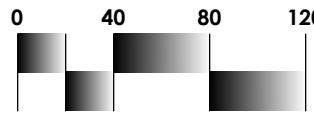
**PUD-R 24.02**

# ***Kelly Crossing***

PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION THIRTY-THREE (33),  
TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN MERIDIAN  
A SUBDIVISION WITHIN THE CITY OF COWETA, WAGONER COUNTY, STATE OF OKLAHOMA



NORTH



**Scale: 1"= 80'**  
anner Consulting

**SUBDIVISION CONTAINS**

FOUR HUNDRED TWENTY-ONE (421) LOTS  
IN THIRTY (30) BLOCKS  
WITH ELEVEN (11) RESERVE AREAS

GROSS SUBDIVISION AREA: 79.445 ACRES

**LEGEND**

|       |                                     |
|-------|-------------------------------------|
| B/L   | BUILDING LINE                       |
| B/U   | BUILDING LINE & UTILITY<br>EASEMENT |
| BK PG | BOOK & PAGE                         |
| CB    | CHORD BEARING                       |
| CD    | CHORD DISTANCE                      |
| CL    | CENTERLINE                          |
| Δ     | DELTA ANGLE                         |
| DOC   | DOCUMENT                            |
| ESMT  | EASEMENT                            |
| GOV'T | GOVERNMENT                          |
| LNA   | LIMITS OF NO ACCESS                 |
| ODE   | OVERLAND DRAINAGE EASEMENT          |
| R/S   | RESERVE                             |
| R/W   | RIGHT-OF-WAY                        |
| U/E   | UTILITY EASEMENT                    |
| 1234  | ADDRESS ASSIGNED                    |
| ○     | FOUND MONUMENT                      |
| ●     | SET MONUMENT (SEE NOTE 2)           |

OWNER:

**Tulsa L Dev., LLC**

CONTACT: DEREK KENNEDY  
EMAIL: DEREK.KENNEDY@RCH.COM  
4058 North College  
Suite 300 Box 9  
Fayetteville, Arkansas 72701  
Phone: (479) 455-9090

SURVEYOR/ENGINEER

**Tanner Consulting, L.L.C.**

DAN E. TANNER, P.L.S. NO. 1435  
OK CA NO. 2661, EXPIRES 6/30/2025  
EMAIL: DAN@TANNERBAITSHOP.COM  
5323 South Lewis Avenue  
Tulsa, Oklahoma 74105  
Phone: (918) 745-9929

**Location Map**

Scale: 1"= 200'

## Location Map

Scale: 1"= 2000'



NORTH CAROLINA STATE UNIVERSITY

### Notes:

1. THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
  2. ALL PROPERTY CORNERS ARE SET 3/8" IRON REBAR WITH YELLOW CAP STAMPED "TANNER 1435" UNLESS OTHERWISE NOTED.
  3. THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3501), NORTH AMERICAN DATUM 1983 (NAD83); SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:
    - (a) FOUND 3/8" IRON PIN AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (SE¼) OF SECTION 33;
    - (b) FOUND MAG NAIL STEM AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE¼) OF SECTION 33;
- THE BEARING BETWEEN SAID MONUMENTS BEING NORTH 88°48'19" EAST.
4. ADDRESSES SHOWN ON THIS PLAT WERE PROVIDED BY THE CITY OF COWETA AND 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.
  5. ACCESS AT THE TIME OF PLAT WAS PROVIDED BY E. 121ST S. ST. BY VIRTUE OF RIGHT-OF-WAY DEED DEDICATED BY THIS PLAT, AND BY S. 232ND E. AVE., S. 233RD E. AVE., S. 235TH E. AVE., S. 236TH E. AVE., ALL BEING PUBLIC STREETS.

## Curve Table

| CURVE | LENGTH(L) | RADIUS(R) | DELTA(DA)  | CHORDDBG(CB) | CHORDSD(CD) |
|-------|-----------|-----------|------------|--------------|-------------|
| 1     | 39.27     | 25.00     | 90°00'00"  | N43°48'17"E  | 35.36       |
| 2     | 39.27     | 25.00     | 90°00'00"  | N46°11'43"W  | 35.36       |
| 3     | 16.09     | 25.00     | 36°52'12"  | N70°22'11"W  | 15.81       |
| 4     | 142.89    | 50.00     | 163°44'23" | N46°11'43"W  | 98.99       |
| 5     | 16.09     | 25.00     | 36°52'12"  | N17°14'23"E  | 15.81       |
| 6     | 39.94     | 25.00     | 91°32'13"  | N45°25'37"W  | 35.83       |
| 7     | 117.81    | 75.00     | 90°00'00"  | N43°48'17"E  | 106.07      |
| 8     | 26.25     | 75.00     | 20°03'04"  | N11°13'15"W  | 26.11       |
| 9     | 26.25     | 75.00     | 20°03'04"  | N8°49'49"E   | 26.11       |
| 10    | 69.99     | 100.00    | 40°06'08"  | N11°14'43"W  | 68.57       |
| 11    | 68.96     | 975.00    | 4°03'08"   | N3°13'17"W   | 68.94       |
| 12    | 72.49     | 1025.00   | 4°03'08"   | N3°13'17"W   | 72.48       |
| 13    | 36.80     | 25.00     | 84°20'10"  | N49°01'38"W  | 33.57       |
| 14    | 182.39    | 275.00    | 38°00'04"  | N20°11'45"W  | 179.07      |
| 15    | 188.43    | 325.00    | 32°20'13"  | N23°01'40"W  | 181.00      |
| 16    | 115.27    | 225.00    | 39°32'17"  | N19°25'39"W  | 152.20      |
| 17    | 156.07    | 175.00    | 38°00'04"  | N20°11'45"W  | 113.95      |

NORTHWEST CORNER SE/4  
SECTION 33, T-18-N R-15-E  
FOUND NAIL

20' RWD 4 ESMT  
(BK. 2407, PG. 403)

- EXISTING SEWER EASEMENT  
(BK. 2461 PG. 0212)

RESERVE A AND  
STORMWATER DRAINAGE  
& DETENTION EASEMENT  
11.315AC

## MATCH LINE SOUTH

Unplatted

**Kelly Crossing**  
SHEET 2 OF 5

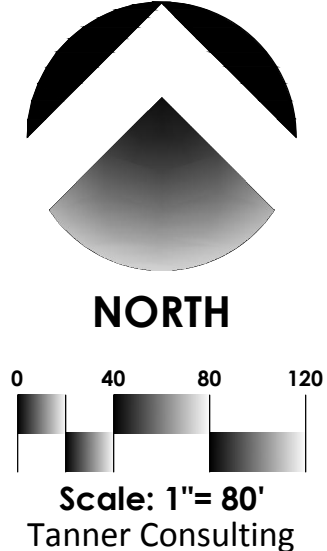
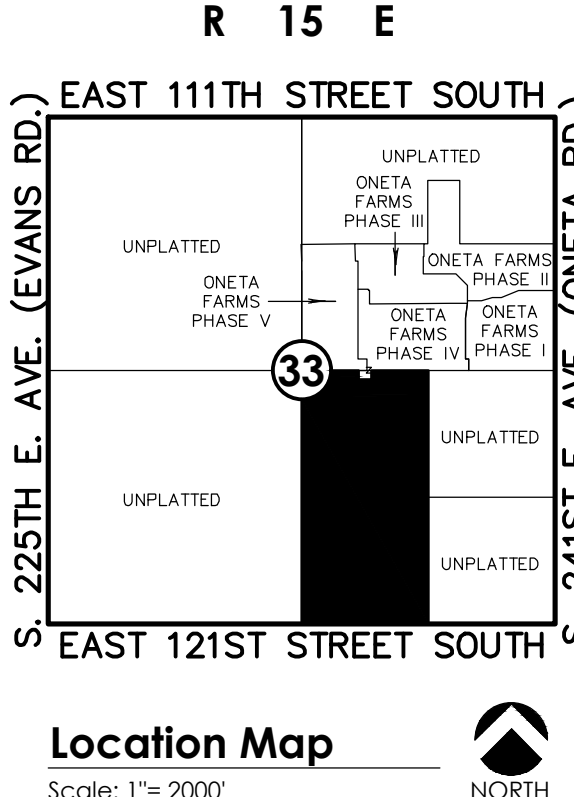


# Preliminary Master Plan

**PUD-R 24.02**

# Kelly Crossing

PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION THIRTY-THREE (33),  
TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN MERIDIAN  
A SUBDIVISION WITHIN THE CITY OF COWETA, WAGONER COUNTY, STATE OF OKLAHOMA



**SUBDIVISION CONTAINS:**

FOUR HUNDRED TWENTY-ONE (421) LOTS  
IN THIRTY (30) BLOCKS  
WITH ELEVEN (11) RESERVE AREAS

GROSS SUBDIVISION AREA: 79.445 ACRES

### LEGEND

|       |                                  |
|-------|----------------------------------|
| B/L   | BUILDING LINE                    |
| B/U   | BUILDING LINE & UTILITY EASEMENT |
| BK PG | BOOK & PAGE                      |
| CB    | CHORD BEARING                    |
| CD    | CHORD DISTANCE                   |
| CL    | CENTERLINE                       |
| DL    | DELTA ANGLE                      |
| DOC   | DOCUMENT                         |
| ESMT  | EASEMENT                         |
| GOV'T | GOVERNMENT                       |
| LNA   | LIMITS OF NO ACCESS              |
| ODE   | OVERLAND DRAINAGE EASEMENT       |
| RES.  | RESERVE                          |
| R/W   | RIGHT-OF-WAY                     |
| U/E   | UTILITY EASEMENT                 |
| 1234  | ADDRESS ASSIGNED                 |
| o     | FOUND MONUMENT                   |
| •     | SET MONUMENT (SEE NOTE 2)        |

OWNER:

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SURVEYOR/ENGINEER:  
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Tulsa, Oklahoma 74105  
Phone: (918) 745-9929

## Curve Table

| CURVE | LENGTH(L) | RADIUS(R) | DELTA(D)   | CHORDDRG(CB) | CHORDSID(CD) |
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**Kelly Crossing**  
SHEET 3 OF 5



Preliminary Master Plat

PUD-R 24.02

Kelly Crossing

PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION THIRTY-THREE (33),  
TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN MERIDIAN  
A SUBDIVISION WITHIN THE CITY OF COWETA, WAGONER COUNTY, STATE OF OKLAHOMA

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL PERSONS BY THESE PRESENTS:

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

PER WARRANTY DEED DATED THE 15TH DAY OF AUGUST, 2017 AND FILED OF RECORD IN BOOK 2379 ON PAGES 287-288 OF THE RECORDS OF THE COUNTY CLERK, WAGONER COUNTY, STATE OF OKLAHOMA:

THE W/2 OF THE SE/4 OF SECTION 33, TOWNSHIP 18 NORTH, RANGE 15 EAST OF THE INDIAN BASE AND MERIDIAN, WAGONER COUNTY, STATE OF OKLAHOMA;

LESS AND EXCEPT THAT PART PLATTED AS RESERVE AREA "K" OF "ONETA FARMS PHASE IV", A SUBDIVISION IN WAGONER COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (DOC. # 2022-14062).

AND THE OWNER HAS CAUSED THE ABOVE-DESCRIBED LAND TO BE SURVEYED, STAKED, PLATTED, DEDICATED, ACCESS RIGHTS RESERVED, AND SUBDIVIDED INTO FOUR HUNDRED TWENTY-ONE (421) LOTS IN THIRTY (30) BLOCKS ALONG WITH THE RESERVE AREAS, COMMON AREAS, AND STREETS IN CONFORMITY WITH THE ACCOMPANYING PLAT AND SURVEY ("THE PLAT") AND HAS DESIGNATED THE SUBDIVISION AS "KELLY CROSSING," A SUBDIVISION WITHIN THE CITY OF COWETA, WAGONER COUNTY, OKLAHOMA ("SUBDIVISION"). THE OWNER HEREBY SUBJECTS THE LAND DESCRIBED ABOVE TO THE PROVISIONS, COVENANTS, AND RESTRICTIONS SET FORTH HEREIN WHICH SHALL RUN WITH THE LAND AND BE BINDING ON EVERY LOT AND RESERVE AREA AND EVERY OWNER THEREOF FOR THE PERIOD AS HEREINAFTER DEFINED.

SECTION I. PUBLIC STREETS, EASEMENTS, AND UTILITIES

A. PUBLIC STREETS AND UTILITY EASEMENTS

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

B. WATER, SANITARY SEWER, AND STORM SEWER SERVICE

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

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

3. WAGONER COUNTY RURAL WATER DISTRICT #4 OR ITS SUCCESSORS SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER FACILITIES AND PUBLIC SANITARY SEWER FACILITIES, AND THE CITY OF COWETA SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC STORM SEWER FACILITIES, BUT THE LOT OR RESERVE AREA OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF SAID OWNER OR SAID OWNER'S AGENTS OR CONTRACTORS.

4. WAGONER COUNTY RURAL WATER DISTRICT #4 AND THE CITY OF COWETA, OR THEIR RESPECTIVE SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS WITH THEIR EQUIPMENT TO ALL UTILITY EASEMENTS DEPICTED ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF UNDERGROUND WATER, SANITARY SEWER, OR STORM SEWER FACILITIES.

5. THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION B. SHALL BE ENFORCEABLE BY THE CITY OF COWETA AND WAGONER COUNTY RURAL WATER DISTRICT #4, OR THEIR RESPECTIVE SUCCESSORS, AND EACH LOT AND RESERVE AREA OWNER AGREES TO BE BOUND HEREBY.

C. UNDERGROUND SERVICE

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

2. UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WHICH MAY BE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL, OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE AS MAY BE LOCATED UPON THE LOT. PROVIDED THAT, UPON THE INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE, AND NON-EXCLUSIVE RIGHT-OF-WAY EASEMENT ON THE LOT, COVERING A FIVE (5) FOOT STRIP EXTENDING TWO AND ONE-HALF (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, TERMINATING AT THE PLANE FORMED BY THE FINISHED EXTERIOR BUILDING WALL.

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

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

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

D. PAVING AND LANDSCAPING WITHIN EASEMENTS

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

E. SURFACE DRAINAGE

EACH LOT AND RESERVE AREA WITHIN THE SUBDIVISION SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS, RESERVE AREAS, AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM ADJACENT STREETS AND EASEMENTS. NO LOT OR RESERVE AREA OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS SAID OWNER'S LOT OR RESERVE AREA. THE COVENANTS SET FORTH IN THIS SUBSECTION E. SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OR RESERVE AREA OWNER AND THE CITY OF COWETA, OKLAHOMA.

F. LIMITS OF NO ACCESS

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

G. OVERLAND DRAINAGE EASEMENTS

1. THE OWNER/DECLARANT DOES HEREBY ESTABLISH AND GRANT TO THE PUBLIC PERPETUAL EASEMENTS ON, OVER, AND ACROSS THOSE AREAS DESIGNATED ON THE ACCOMPANYING PLAT AS "OVERLAND DRAINAGE EASEMENT" OR "ODE", FOR THE PURPOSES OF PERMITTING THE OVERLAND AND UNDERGROUND FLOW, CONVEYANCE, AND DISCHARGE OF STORMWATER RUNOFF FROM THE VARIOUS AREAS WITHIN THE SUBDIVISION.

2. DRAINAGE FACILITIES WITHIN THE OVERLAND DRAINAGE EASEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY THE CITY OF COWETA, OKLAHOMA.

3. NO FENCE, WALL, BUILDING, OR OTHER OBSTRUCTION SHALL BE PLACED OR MAINTAINED WITHIN AN OVERLAND DRAINAGE EASEMENT, NOR SHALL THERE BE ANY ALTERATION OF THE GRADE IN THE EASEMENT UNLESS APPROVED BY THE DEPARTMENT OF PUBLIC WORKS OF THE CITY OF COWETA, OKLAHOMA, PROVIDED THAT, WHERE COINCIDENT WITH UTILITY EASEMENTS, NON-OBSTRUCTING ABOVE-GROUND UTILITY APPURTENANCES SHALL BE PERMITTED. ALL LANDSCAPING, EXCEPT THE PLANTING OF TURF, SHALL REQUIRE THE APPROVAL OF THE CITY OF COWETA, OKLAHOMA.

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

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

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

G. RESERVE AREAS; STORMWATER DRAINAGE & DETENTION EASEMENTS

1. RESERVES A, B, C, D, E, F, G, H, I, J, AND K, AS DEPICTED UPON THE ACCOMPANYING PLAT, ARE ESTABLISHED BY THE OWNER FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF RESIDENTIAL LOTS WITHIN THE SUBDIVISION AND ARE HEREBY RESERVED FOR SUBSEQUENT CONVEYANCE TO THE HOME OWNERS ASSOCIATION AS SET FORTH IN SECTION III. HEREIN.

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

3. RESERVES E, F, G, H, I, J, AND K ARE DESIGNATED FOR PRIVATE RECREATION AND OPEN SPACE INCLUDING, BUT NOT NECESSARILY LIMITED TO: PRIVATE PARKS, SIDEWALKS AND TRAILS, LANDSCAPING, IRRIGATION, SIGNAGE, ENTRY FEATURES, LIGHTING, FENCING, AND OTHER USES AS MAY BE PERMITTED BY THE CITY OF COWETA, AND FOR UTILITIES.

4. THE OWNER/DECLARANT DOES HEREBY ESTABLISH AND GRANT TO THE PUBLIC A PERPETUAL EASEMENTS ON, OVER, AND ACROSS THOSE PORTIONS OF RESERVE A AS DESIGNATED ON THE ACCOMPANYING PLAT AS "STORMWATER DRAINAGE & DETENTION EASEMENT", FOR THE PURPOSES OF PERMITTING THE FLOW, CONVEYANCE, DETENTION, RETENTION, AND DISCHARGE OF STORMWATER RUNOFF FROM THE VARIOUS AREAS WITHIN THE SUBDIVISION.

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

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

- THE EASEMENT AREAS SHALL BE KEPT FREE OF LITTER.
- THE EASEMENT AREAS SHALL BE MOWED DURING THE GROWING SEASON AS PER CITY CODE OR THE SCHEDULE APPROVED WITH THE DETENTION DESIGN PLANS.
- IN THE EVENT OF THE HOME OWNERS ASSOCIATION SHOULD FAIL TO PROPERLY MAINTAIN AN EASEMENT AREA AS ABOVE PROVIDED, THE CITY OF COWETA,

OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER THE EASEMENT AREA AND PERFORM SUCH MAINTENANCE, AND THE COST THEREOF SHALL BE PAID BY THE AFFECTED RESERVE AREA OWNER, WHICH SHALL BE THE HOME OWNERS ASSOCIATION, AS SET FORTH IN SECTION III. HEREIN, UPON CONVEYANCE OF THE AFFECTED RESERVE AREA TO THE ASSOCIATION.

IN THE EVENT THE AFFECTED RESERVE AREA OWNER, AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, SHOULD FAIL TO PAY THE COST OF MAINTENANCE AS ABOVE SET FORTH, THE CITY OF COWETA, OKLAHOMA, MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS AND THEREAFTER THE COSTS SHALL BECOME A LIEN ON THE AFFECTED RESERVE AREA, WHICH LIEN MAY BE FORECLOSED BY THE CITY OF COWETA, OKLAHOMA, OR THE CITY OF COWETA PUBLIC WORKS AUTHORITY MAY ADD SUCH BILLING PRORATED UPON THE WATER BILL OF EACH LOT WITHIN THE SUBDIVISION, WHICH METHOD OF COLLECTION SHALL BE DETERMINED BY THE CITY OF COWETA.

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

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

SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS, THE PROPERTY COMPRISING "KELLY CROSSING" WAS SUBMITTED AS PART OF A PLANNED UNIT DEVELOPMENT (PUD) NO. PUD-R 24.02 ("COWETA CROSSING") AS PROVIDED WITHIN CHAPTER 16 OF THE ZONING CODE OF THE CITY OF COWETA, OKLAHOMA, AND

WHEREAS, PUD NO. PUD-R 24.02 WAS RECOMMENDED UPON BY THE CITY OF COWETA PLANNING COMMISSION ON DECEMBER 16, 2024, AND APPROVED BY THE COWETA CITY COUNCIL ON JANUARY 6, 2025, WITH IMPLEMENTING ORDINANCE (ORDINANCE NO. 893) APPROVED JANUARY 6, 2025, WITH EMERGENCY CLAUSE ATTACHED, MAKING THE ORDINANCE EFFECTIVE IMMEDIATELY, AND

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

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

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

A. GENERAL

1. DEVELOPMENT IN ACCORDANCE WITH PUD THE SUBDIVISION SHALL BE DEVELOPED AND USED IN SUBSTANTIAL ACCORDANCE WITH THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF PUD NO. PUD-R 24.02, AS APPROVED BY THE CITY OF COWETA, OR IN SUBSTANTIAL ACCORDANCE WITH SUCH MODIFICATIONS OR AMENDMENTS OF THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF PUD-R 24.02 AS MAY BE SUBSEQUENTLY APPROVED.

2. APPLICABLE ORDINANCE THE DEVELOPMENT OF THE SUBDIVISION SHALL BE SUBJECT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE CITY OF COWETA ZONING CODE AS SUCH PROVISIONS EXISTED ON OCTOBER 02, 2024 (DATE OF APPLICATION).

B. DEVELOPMENT STANDARDS

|                                                                                                                                                                                                                                                                                               |              |                                            |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|--------------------------------------------|
| GROSS LAND AREA:                                                                                                                                                                                                                                                                              | 3,460,605 SF | 79.445 AC                                  |
| NET LAND AREA:                                                                                                                                                                                                                                                                                | 3,460,605 SF | 79.445 AC                                  |
| PERMITTED USES: USES PERMITTED BY RIGHT IN THE RS-3 DISTRICT (EXCEPTING NEIGHBORHOOD GROUP HOMES) AND CUSTOMARY ACCESSORY USES AND STRUCTURES, PLUS PRIVATE NEIGHBORHOOD RECREATIONAL FACILITIES SUCH AS NEIGHBORHOOD PARK, PLAYGROUND, AND RECREATIONAL OPEN SPACE, AND NEIGHBORHOOD SIGNAGE |              |                                            |
| MAXIMUM NUMBER OF LOTS:                                                                                                                                                                                                                                                                       |              | 435                                        |
| MINIMUM LOT WIDTH*:                                                                                                                                                                                                                                                                           |              | 40 FT                                      |
| MINIMUM LOT SIZE:                                                                                                                                                                                                                                                                             |              | 4,400 SF                                   |
| MAXIMUM BUILDING HEIGHT:                                                                                                                                                                                                                                                                      |              | 2 STORIES AND 35 FT                        |
| MINIMUM OFF-STREET PARKING:                                                                                                                                                                                                                                                                   |              |                                            |
| TWO (2) ENCLOSED OR UNENCLOSED OFF-STREET PARKING SPACES REQUIRED PER DWELLING UNIT                                                                                                                                                                                                           |              |                                            |
| MINIMUM YARD SETBACKS:                                                                                                                                                                                                                                                                        |              |                                            |
| FRONT YARD:                                                                                                                                                                                                                                                                                   |              | 20 FT                                      |
| REAR YARD:                                                                                                                                                                                                                                                                                    |              | 15 FT                                      |
| SIDE YARD (INTERIOR):                                                                                                                                                                                                                                                                         |              | 5 FT                                       |
| SIDE YARD ABUTTING A NON-ARTERIAL STREET:                                                                                                                                                                                                                                                     |              | 15 FT; 20 FT FOR GARAGE FACING SIDE STREET |
| ANY YARD ABUTTING AN ARTERIAL STREET:                                                                                                                                                                                                                                                         |              | 20 FT                                      |
| OTHER BULK AND AREA REQUIREMENTS:                                                                                                                                                                                                                                                             |              |                                            |
| AS REQUIRED WITHIN THE RS-3 DISTRICT                                                                                                                                                                                                                                                          |              |                                            |
| * DEFINED AS THE AVERAGE HORIZONTAL DISTANCE BETWEEN THE SIDE LOT LINES, WHICH IS AS IT IS PRESENTLY DEFINED IN THE COWETA ZONING CODE.                                                                                                                                                       |              |                                            |

C. DEVELOPMENT STANDARDS FOR ALL DEVELOPMENT AREAS

AMENITIES: EXHIBIT "B" OF THE PUD REPRESENTS INITIAL CONCEPTS FOR NEIGHBORHOOD AMENITIES, WHICH SHALL BE MAINTAINED AS COMMON AREAS BY A MANDATORY PROPERTY OWNERS' ASSOCIATION TO BE FORMED BY THE DEED OF DEDICATION AND RESTRICTIVE COVENANTS OF A SUBDIVISION PLAT FOR AREAS CONTAINING SUCH COMMON AREAS. NOT LESS THAN 10% OF THE GROSS LAND AREA WILL BE PRESERVED AS COMMON OPEN SPACE FOR THE ENJOYMENT OF RESIDENTS. A LANDSCAPED ENTRANCE SHALL BE CONSTRUCTED AT THE 121ST STREET SOUTH ENTRANCE.

STREETS: ALL STREETS WITHIN THE PROPOSED DEVELOPMENT WILL BE DEDICATED TO THE PUBLIC AND WILL BE CONSTRUCTED IN ACCORDANCE WITH ALL APPLICABLE STANDARDS.

FENCING: ALL FENCES WITHIN THE PROPOSED DEVELOPMENT WILL BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE COWETA ZONING CODE.



# Preliminary Master Plat

PUD-R 24.02

# Kelly Crossing

PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION THIRTY-THREE (33),  
TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN MERIDIAN  
A SUBDIVISION WITHIN THE CITY OF COWETA, WAGONER COUNTY, STATE OF OKLAHOMA

## SECTION III. HOME OWNERS ASSOCIATION

### A. FORMATION OF HOME OWNERS ASSOCIATION; ADDITIONAL LANDS

THE OWNER HAS FORMED OR SHALL CAUSE TO BE FORMED A HOMEOWNERS ASSOCIATION ("HOA") TO GOVERN THE SUBDIVISION. THE HOA SHALL BE ESTABLISHED IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA AND BYLAWS PREPARED BY OWNER OR ITS ASSIGNEE, FOR THE GENERAL PURPOSES OF MAINTAINING THE COMMON AREAS, INCLUDING WITHOUT LIMITATION ALL RESERVE AREAS, AND ENHANCING THE VALUE, DESIRABILITY AND ATTRACTIVENESS OF THE SUBDIVISION AND ANY ADDITIONS THERETO. OWNER/DECLARANT SHALL BE ENTITLED TO APPOINT THE BOARD OF DIRECTORS FOR THE HOA AS PROVIDED IN THE BYLAWS, A RIGHT THAT SHALL CONTINUE UNTIL THE SOONER TO OCCUR OF (1) THE DECLARANT FORMALLY TURNS OVER CONTROL TO THE ASSOCIATION, WHICH MAY BE ACCOMPLISHED BY THE DECLARANT APPOINTING REPLACEMENT DIRECTORS CONSISTING OF LOT OWNERS OTHER THAN DECLARANT (OR VIA RESIGNATION IF NO REPLACEMENT DIRECTORS ARE AVAILABLE) OR (2) THE DECLARANT (OR AN AFFILIATED SUCCESSOR THEREOF) NO LONGER HAS ANY OWNERSHIP INTEREST IN ANY LOTS. IT IS CONTEMPLATED THAT ADDITIONAL LANDS/PHASES ADJOINING THE SUBDIVISION, AND SUBSEQUENTLY PLATTED FOR SINGLE FAMILY RESIDENTIAL PURPOSES, MAY BE ANNEXED BY THE OWNER (OR ITS ASSIGNEE OR AN AFFILIATED CORPORATE OWNER) TO THE SUBDIVISION AND GEOGRAPHIC JURISDICTION AND BYLAWS OF THE HOA, WHICH MAY BE ACCOMPLISHED BY THE OWNER (OR ITS ASSIGNEE OR AN AFFILIATED CORPORATE OWNER) BY FILING A SUPPLEMENTAL DECLARATION HERETO, OR BY NOTING SUCH ANNEXATION ON A SEPARATE DEED OF DEDICATION FOR THE ADDITIONAL LANDS/PHASES TO BE ANNEXED HERETO, OR OTHER INSTRUMENT ADDING SUCH ADDITIONAL LANDS/PHASES TO THE SUBDIVISION AND THE JURISDICTION OF THE HOA, IN WHICH CASE ANY SUCH LANDS/PHASES AND THE SUBSEQUENT OWNERS THEREOF SHALL BE UNDER THE JURISDICTION OF THE HOA AND ALL RULES PERTAINING THERETO.

### B. MEMBERSHIP

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

### C. ASSESSMENTS

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

### D. MAINTENANCE OF COMMON AREAS

THE HOA SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL COMMON AREAS AS DEPICTED ON THE PLAT, OR AS DESCRIBED IN THESE COVENANTS, AND AS AMENDED, WHICH MAY INCLUDE BUT NOT BE LIMITED TO ENTRWAYS, STORMWATER DRAINAGE AND DETENTION/RETENTION FACILITIES, PERIMETER FENCING, AND OTHER COMMON AREAS AND RESERVE AREAS AS DEPICTED ON THE PLAT OR DESCRIBED IN THESE COVENANTS, AND AS AMENDED. IN THE EVENT A MEMBER OR OWNER (EXCEPT FOR DECLARANT OR ITS AFFILIATES) FAILS TO FOLLOW OR OTHERWISE VIOLATES THE COVENANTS, CONDITIONS, AND/OR RESTRICTIONS CONTAINED HEREIN AFTER THE DECLARANT TURNS OVER CONTROL OF THE BOARD, THE CITY MAY EXERCISE ALL RIGHTS OF THE HOA CONTAINED HEREIN INCLUDING, BUT NOT LIMITED TO, THE RIGHT TO IMPOSE SPECIAL ASSESSMENTS AND IMPOSE LIENS AGAINST INDIVIDUAL MEMBERS/OWNERS (EXCEPT FOR DECLARANT OR ITS AFFILIATES), SUBJECT TO APPLICABLE LAW.

### E. LIMITATION ON LIABILITY

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

## SECTION IV. RESTRICTIVE COVENANTS

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

### A. NO DIVISION OF LOTS

NO LOT MAY BE DIVIDED, SUBDIVIDED, OR OTHERWISE SPLIT.

### B. RESIDENTIAL LOTS

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

### C. RESIDENTIAL PURPOSES

BY ACQUISITION OF ANY LOT WITHIN THE SUBDIVISION, EACH OWNER (EXCLUDING BONA FIDE HOME BUILDERS) COVENANTS WITH AND REPRESENTS TO THE DECLARANT AND TO THE

ASSOCIATION THAT THE LOT IS BEING SPECIFICALLY ACQUIRED FOR THE SPECIFIC AND SINGULAR PURPOSE OF CONSTRUCTING AND USING A SINGLE FAMILY RESIDENTIAL DWELLING THEREON, OR AS A RESIDENCE FOR SUCH OWNER AND/OR OWNER'S IMMEDIATE FAMILY MEMBERS.

### D. SUBMISSION OF PLANS

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

### E. ARCHITECTURAL REQUIREMENTS

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

### F. ADDITIONS TO EXISTING STRUCTURES

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

### G. GARAGE AND DETACHED STRUCTURES AND STORAGE BUILDINGS

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

### H. TEMPORARY STRUCTURES

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

### I. FENCES

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

### J. MAILBOXES

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

### K. SIGNS

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

### L. PARKED VEHICLES

ALL VEHICLES PARKED IN THE FRONT OF THE FRONT BUILDING LINE MUST BE PARKED ON THE DRIVEWAY. NO INOPERATIVE VEHICLES OF ANY NATURE SHALL BE PERMITTED TO REMAIN ON ANY LOT OR LOTS FOR A PERIOD IN EXCESS OF ONE (1) DAY, EXCEPT ON SPECIAL OCCASIONS SUCH AS HOLIDAYS OR EVENTS AT AN OWNER'S RESIDENCE, AND SUBJECT TO APPLICABLE LAW, ALL PARKING SHALL BE IN DRIVEWAYS OR GARAGES AND SHALL NOT BE ON A STREET OR ON ANY YARD. ACCORDINGLY, NO VEHICLE SHALL BE PARKED OVERNIGHT ON A STREET, NO PARKING OF VEHICLES SHALL INTERFERE WITH ANY CONSTRUCTION ACTIVITIES OF THE DECLARANT OR A HOME BUILDER DURING DEVELOPMENT OF THE SUBDIVISION OR CONSTRUCTION OF RESIDENCES THEREIN. ANY VIOLATION OF THIS SECTION MAY RESULT IN A TOWING OF THE VEHICLE AT THE OWNER'S EXPENSE PER MUNICIPAL REGULATIONS. NO VEHICLE MAINTENANCE SHALL BE PERFORMED ON THE STREETS OR IN THE FRONT YARDS OR ON PARKING PADS OF ANY LOT.

### M. APPEARANCE OF LOT

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

### N. RECREATIONAL VEHICLES AND ACCESSORIES

NO BOATS, TRAILERS, RECREATIONAL VEHICLES, OR VEHICLES USED FOR RECREATIONAL PURPOSES ARE ALLOWED IN THE SUBDIVISION UNLESS THEY ARE STORED IN A PRIVATE GARAGE.

### O. STORAGE AND CONSTRUCTION MATERIALS

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

### P. GARBAGE/DUMPING/PETS

DUMPING IS PROHIBITED IN THE SUBDIVISION. ALL TRASH, GARBAGE OR OTHER WASTE SHALL BE KEPT IN SANITARY CONTAINERS STORED BEHIND THE RESIDENCE OR WITHIN ENCLOSED GARAGES AND MUST BE OUT OF STREET VIEW EXCEPT TWELVE (12) HOURS PRIOR TO AND 12 HOURS AFTER THE NORMAL CURBSIDE PICKUP TIME. ALL LOTS SHALL BE MAINTAINED IN A NEAT AND ORDERLY CONDITION AT ALL TIMES. OWNERS SHALL KEEP ANIMALS AND PETS ON A LEASH AT ALL TIMES THAT THE ANIMAL AND/OR PET IS OUTSIDE OF THE OWNERS HOME OR FENCED IN LOT (INCLUDING WHILE ON ANY OTHER LOT OR THE COMMON AREAS). OWNERS SHALL IMMEDIATELY PICK UP AND DISPOSE OF ANY ANIMAL OR PET WASTE THAT OCCURS ON A LOT OR THE COMMON AREAS.

### Q. MODEL HOME AND CONSTRUCTION FACILITIES

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

### R. NUISANCES

NO NOXIOUS OR OFFENSIVE ACTIVITY SHALL BE CARRIED ON IN, UPON, OR AROUND ANY RESIDENCE OR LOT OR IN OR UPON ANY COMMON PROPERTY OR EASEMENT AREAS, NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE OR MAY BECOME AN ANNOYANCE OR A NUISANCE TO THE REMAINING OWNERS OR THEIR TENANTS OR LICENSEES OR ANY OF THEM, WHICH SHALL IN ANY WAY INTERFERE WITH THE QUIET ENJOYMENT OF SUCH OF THE OWNERS, TENANTS, OR LICENSEES OF HIS RESPECTIVE RESIDENCE OR LOT OR WHICH SHALL IN ANY WAY INCREASE THE RATE OF INSURANCE FOR THE PROPERTY.

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

### A. ENFORCEMENT

THE COVENANTS AND RESTRICTIONS SET FORTH HEREIN SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY, THE HOA, THE OWNER, AND ANY OWNER OF A LOT, AND IN ANY JUDICIAL ACTION BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED HEREIN, A PARTY MAY SEEK ALL APPROPRIATE REMEDIES AT LAW, INCLUDING INJUNCTIVE RELIEF, TO ENFORCE THE COVENANTS SET FORTH HEREIN. FAILURE TO DO SO SHALL NOT BE DEEMED A WAIVER OF ANY TERMS HEREOF OR OF THE RIGHT TO SEEK ACTION AGAINST FUTURE NONCOMPLIANCE. REASONABLE REGULATIONS CONCERNING THE PROPERTY AND COMMON AREAS MAY BE MADE AND AMENDED FROM TIME TO TIME BY THE OWNER OR ASSOCIATION.

### B. DURATION

THESE COVENANTS SHALL RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER AND ALL SUBSEQUENT OWNERS AND PERSONS CLAIMING UNDER THEM WITHIN THE SUBDIVISION UNTIL JANUARY 1, 2046, AFTER WHICH TIME SAID COVENANTS SHALL BE DEEMED AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN (10) YEARS UNLESS OTHERWISE AMENDED OR TERMINATED AS PROVIDED HEREIN.

### C. AMENDMENT OR TERMINATION

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

### D. SEVERABILITY

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

IN WITNESS WHEREOF, TULSA L DEV., LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HAS EXECUTED THIS INSTRUMENT ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.

TULSA L DEV., LLC  
AN OKLAHOMA LIMITED LIABILITY COMPANY

BY \_\_\_\_\_

## ACKNOWLEDGMENT

STATE OF ARKANSAS )  
 ) SS  
COUNTY OF WASHINGTON )

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR THE AFORESAID COUNTY AND STATE, DULY COMMISSIONED AND ACTING, APPEARED \_\_\_\_\_, TO ME PERSONALLY WELL KNOWN AS, OR PROVEN TO BE, THE PERSON WHOSE NAME APPEARS UPON THE WITHIN AND FOREGOING DOCUMENT AND STATED THAT \_\_\_\_\_ WAS THE MANAGER OF TULSA L DEV., LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, AND WAS DULY AUTHORIZED TO EXECUTE THE FOREGOING CONVEYANCE FOR AND ON ITS BEHALF, AND \_\_\_\_\_ ACKNOWLEDGED TO ME THAT \_\_\_\_\_ HAD EXECUTED THE SAME FOR THE CONSIDERATION AND PURPOSES THEREIN MENTIONED AND SET FORTH, AND I DO SO CERTIFY.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL OF OFFICE AS SUCH NOTARY PUBLIC AT THE COUNTY AND STATE AFORESAID ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.

MY COMMISSION EXPIRES \_\_\_\_\_

NOTARY PUBLIC

## CERTIFICATE OF SURVEY

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

WITNESS MY HAND AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.

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

STATE OF OKLAHOMA )  
 ) SS  
COUNTY OF TULSA )

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025, PERSONALLY APPEARED TO ME DAN E. TANNER KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME TO THE FOREGOING CERTIFICATE AS LICENSED PROFESSIONAL LAND SURVEYOR, AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSES THEREIN SET FORTH.

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

03/08/2028

MY COMMISSION EXPIRES \_\_\_\_\_

NOTARY PUBLIC

## FINAL PLAT CERTIFICATE OF APPROVAL

I HEREBY CERTIFY THAT THIS PLAT WAS APPROVED BY THE COWETA PLANNING COMMISSION.

PLANNING COMMISSION CHAIR OR VICE CHAIR \_\_\_\_\_ APPROVAL DATE \_\_\_\_\_  
I HEREBY CERTIFY THAT THIS PLAT WAS APPROVED BY THE COWETA CITY COUNCIL.

MAYOR OR VICE-MAYOR \_\_\_\_\_

APPROVAL DATE \_\_\_\_\_

THIS APPROVAL IS VOID IF THE ABOVE SIGNATURE IS NOT ENDORSED BY THE CITY CLERK.

CITY CLERK \_\_\_\_\_

DATE \_\_\_\_\_

DATE OF PREPARATION: February 14, 2025

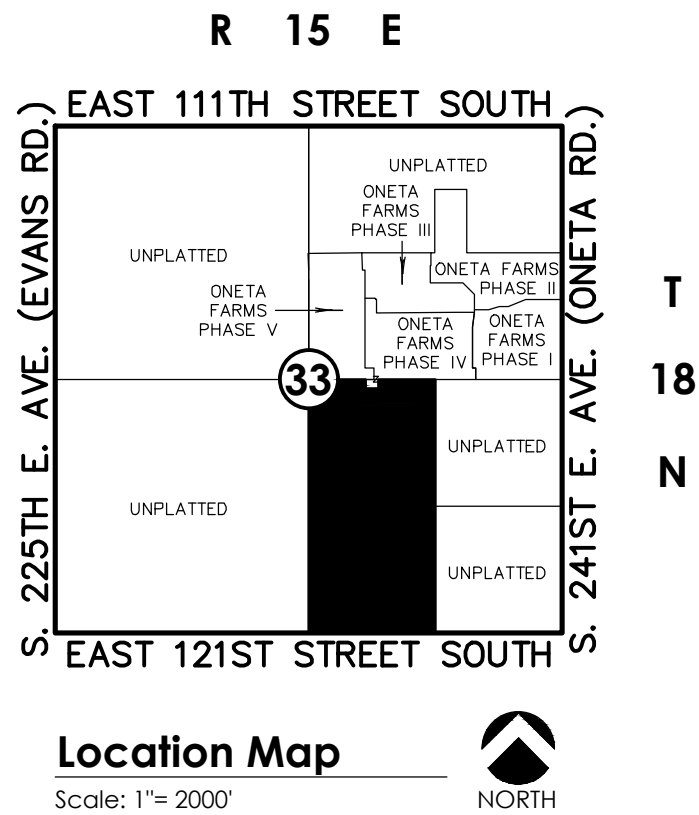


Conceptual Utility Plan

PUD-R 24.02

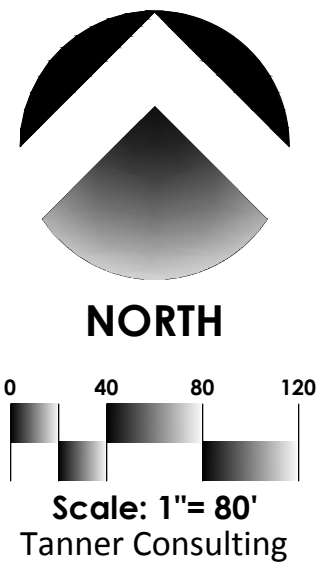
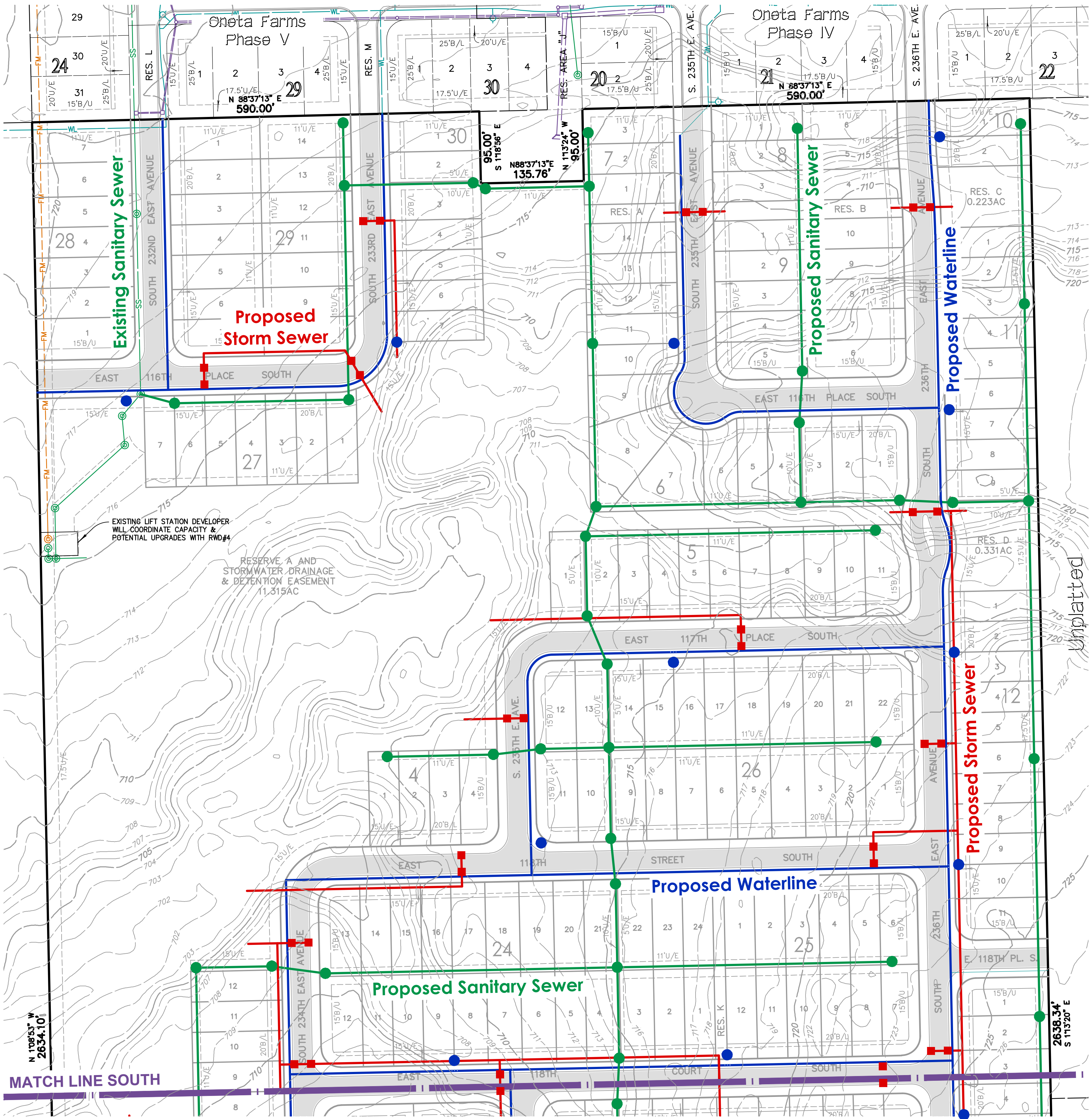
Kelly Crossing

PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION THIRTY-THREE (33),  
TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN MERIDIAN  
A SUBDIVISION WITHIN THE CITY OF COWETA, WAGONER COUNTY, STATE OF OKLAHOMA



OWNER:  
**Tulsa I Dev., LLC**  
CONTACT: DEREK KENNEDY  
EMAIL: DEREK.KENNEDY@RCH.COM  
4058 North College  
Suite 300 Box 9  
Fayetteville, Arkansas 72703  
Phone: (479) 455-9090

SURVEYOR/ENGINEER:  
**Tanner Consulting, L.L.C.**  
DAN E. TANNER, P.L.S. NO. 1435  
OK CA NO. 2661, EXPIRES 6/30/2025  
EMAIL: DAN@TANNERBAITSHOP.COM  
5323 South Lewis Avenue  
Tulsa, Oklahoma 74105  
Phone: (918) 745-9929



SUBDIVISION CONTAINS:  
FOUR HUNDRED TWENTY-ONE (421) LOTS  
IN THIRTY (30) BLOCKS  
WITH ELEVEN (11) RESERVE AREAS  
GROSS SUBDIVISION AREA: 79.445 ACRES

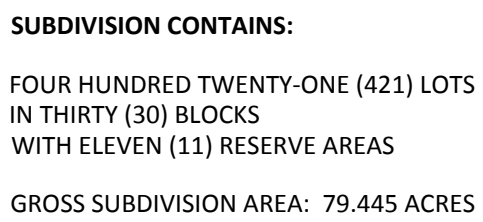
LEGEND

|       |                                  |
|-------|----------------------------------|
| B/L   | BUILDING LINE                    |
| B/U   | BUILDING LINE & UTILITY EASEMENT |
| BK PG | BOOK & PAGE                      |
| CB    | CHORD BEARING                    |
| CD    | CHORD DISTANCE                   |
| CL    | CENTERLINE                       |
| Δ     | DELTA ANGLE                      |
| DOC   | DOCUMENT                         |
| ESMT  | EASEMENT                         |
| F/E   | FENCE EASEMENT                   |
| GOV'T | GOVERNMENT                       |
| LNA   | LIMITS OF NO ACCESS              |
| PDE   | PRIVATE DRAINAGE EASEMENT        |
| RES.  | RESERVE                          |
| R/W   | RIGHT-OF-WAY                     |
| U/E   | UTILITY EASEMENT                 |
| ■     | STORM SEWER INLET                |
| ●     | FIRE HYDRANT                     |
| ●     | SEWER MANHOLE                    |



**PUD-R 24.02**

PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION THIRTY-THREE (33),  
TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN MERIDIAN  
A SUBDIVISION WITHIN THE CITY OF COWETA, WAGONER COUNTY, STATE OF OKLAHOMA



### LEGEND

|       |                                  |
|-------|----------------------------------|
| B/L   | BUILDING LINE                    |
| B/U   | BUILDING LINE & UTILITY EASEMENT |
| BK PG | BOOK & PAGE                      |
| CB    | CHORD BEARING                    |
| CD    | CHORD DISTANCE                   |
| CL    | CENTERLINE                       |
| Δ     | DELTA ANGLE                      |
| DOC   | DOCUMENT                         |
| ESMT  | EASEMENT                         |
| F/E   | FENCE EASEMENT                   |
| GOV'T | GOVERNMENT                       |
| LNA   | LIMITS OF NO ACCESS              |
| PDE   | PRIVATE DRAINAGE EASEMENT        |
| RES.  | RESERVE                          |
| R/W   | RIGHT-OF-WAY                     |
| U/E   | UTILITY EASEMENT                 |

 STORM SEWER INLET  
 FIRE HYDRANT  
 SEWER MANHOLE







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## Memorandum

To: Honorable Chair and Planning Commissioners

From: Carolyn Back, Community Development Director

Re: **COWETA'S FOOD TRUCK PARK**

Date: April 21, 2025

---

### BACKGROUND

Community Development is looking for input and ideas from the Planning Commission for a Food Truck Park for the City of Coweta. The proposed Food Truck Park would be located south of the current City Hall Building. The attached Conceptual Food Truck Park layout was designed with minimal hardscape additions to the site, while providing some additional off-street parking spaces for the Food Truck Park and downtown area as our downtown area continues to grow towards 151st Street South.

With the Council's permission to move forward, staff is seeking alternative funding mechanisms for the development of plans and writing of supporting Ordinances. We are now able to come to you for input and direction on the design and layout of the site.

Staff would like to come back at the next meeting with examples of how other jurisdictions have written their codes to guide the operation and participation in their Food Truck Parks while making it a place for the community to gather. Staff will also focus on how others keep the Food Truck Park clean and safe for all to use and enjoy.

### STAFF RECOMMENDATION

### ATTACHMENTS

1. 24347\_20250226\_Coweta\_FoodTruckPark\_SitePlan
2. 24347\_20250226\_Coweta\_FoodTruckPark\_CostEstimate



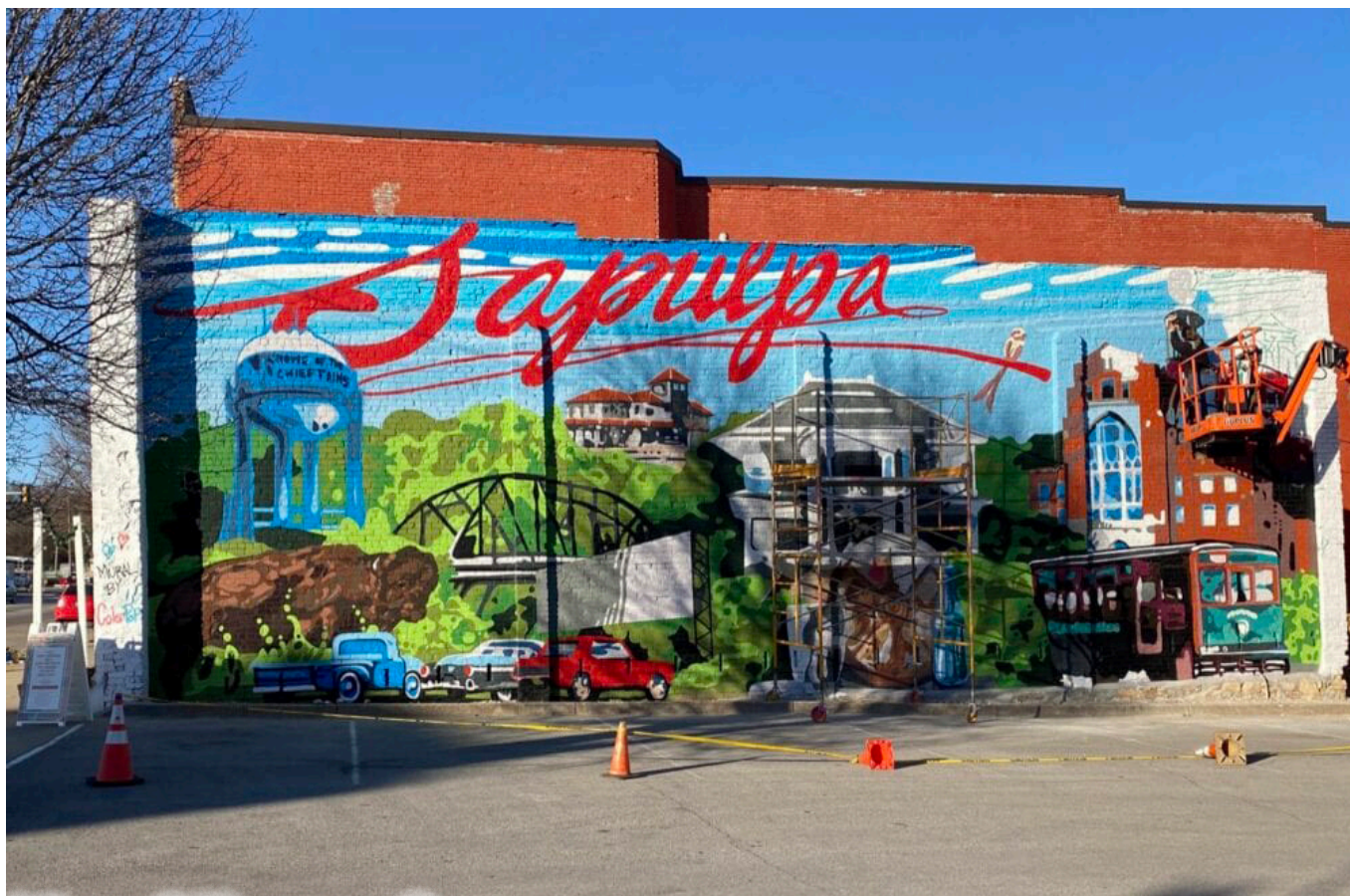




Shade Sail Example



Food Truck Parking Example



Mural Example

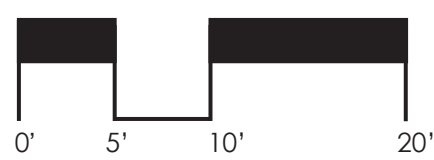


# COWETA FOOD TRUCK PARK

Project No. 24347  
26 February 2025



Scale: 1"=10'-0"





Estimate of Probable Cost  
for  
**Coweta Food Truck Park**  
02/26/2025

| Item                                           | Quantity  | Description                                                                                      | Unit Cost     | Extension         |
|------------------------------------------------|-----------|--------------------------------------------------------------------------------------------------|---------------|-------------------|
| <b>100. Demolition</b>                         |           |                                                                                                  |               |                   |
| a.                                             | 2,050 SF  | Demo existing Sidewalk                                                                           | \$ 1.25       | \$ 2,562.50       |
| b.                                             | 177 LF    | Demo existing Curb/Pavement                                                                      | \$ 10.00      | \$ 1,770.00       |
| c.                                             | 688 SF    | Demo existing Asphalt Pavement<br><i>(All Demo items includes complete removal and haul-off)</i> | \$ 4.00       | \$ 2,752.00       |
| <b>Total Base Bid</b>                          |           |                                                                                                  | <b>\$</b>     | <b>7,084.50</b>   |
| <b>200. Park &amp; Food Truck Improvements</b> |           |                                                                                                  |               |                   |
| a.                                             | 1 EA      | Mural on Building                                                                                | \$ 5,000.00   | \$ 5,000.00       |
| b.                                             | 2 EA      | Trash cans                                                                                       | \$ 1,000.00   | \$ 2,000.00       |
| c.                                             | 4 EA      | Shade Sails                                                                                      | \$ 10,000.00  | \$ 40,000.00      |
| d.                                             | 8 EA      | Picnic Tables and Mounting                                                                       | \$ 1,200.00   | \$ 9,600.00       |
| e.                                             | 6 EA      | Trees                                                                                            | \$ 350.00     | \$ 2,100.00       |
| f.                                             | 1,291 SF  | Landscape Beds                                                                                   | \$ 12.00      | \$ 15,492.00      |
| g.                                             | 14,542 SF | Bermuda Sod                                                                                      | \$ 0.38       | \$ 5,525.96       |
| h.                                             | 1 EA      | Irrigation                                                                                       | \$ 12,000.00  | \$ 12,000.00      |
| i.                                             | 1 LSUM    | Earthwork & Grading                                                                              | \$ 8,000.00   | \$ 8,000.00       |
| j.                                             | 3,362 SF  | 6" P.C. Concrete                                                                                 | \$ 9.00       | \$ 30,258.00      |
| k.                                             | 1,679 SF  | 5" Concrete Paving                                                                               | \$ 8.00       | \$ 13,432.00      |
| l.                                             | 215 EA    | On-Street Curb and Gutter                                                                        | \$ 24.00      | \$ 5,160.00       |
| <b>Total Base Bid</b>                          |           |                                                                                                  | <b>\$</b>     | <b>148,567.96</b> |
| <b>300. Parking Improvements</b>               |           |                                                                                                  |               |                   |
| a.                                             | 3 EA      | ADA Ramps and Signage                                                                            | \$ 2,500.00   | \$ 7,500.00       |
| b.                                             | 5 EA      | Trees                                                                                            | \$ 350.00     | \$ 1,750.00       |
| c.                                             | 956 SF    | Landscape Beds                                                                                   | \$ 12.00      | \$ 11,472.00      |
| d.                                             | 14,542 SF | Bermuda Sod                                                                                      | \$ 0.38       | \$ 5,525.96       |
| e.                                             | 1 EA      | Irrigation                                                                                       | \$ 3,000.00   | \$ 3,000.00       |
| f.                                             | 1 EA      | Parking Striping                                                                                 | \$ 1,200.00   | \$ 1,200.00       |
| g.                                             | 144 SF    | Masonry Seating Walls (18" HT)                                                                   | \$ 60.00      | \$ 8,640.00       |
| h.                                             | 4,019 SF  | 6" P.C. Concrete                                                                                 | \$ 9.00       | \$ 36,171.00      |
| i.                                             | 2,087 SF  | 5" Concrete Paving                                                                               | \$ 8.00       | \$ 16,696.00      |
| j.                                             | 484 EA    | On-Street Curb and Gutter                                                                        | \$ 24.00      | \$ 11,616.00      |
| <b>Total Base Bid</b>                          |           |                                                                                                  | <b>\$</b>     | <b>103,570.96</b> |
| <b>400. Storage and Shelter Facility</b>       |           |                                                                                                  |               |                   |
| a.                                             | 1 LSUM    | Water Service Line and Meter- 4-Inch PVC                                                         | \$ 2,500.00   | \$ 2,500.00       |
| b.                                             | 1 EA      | Storage and Shelter Facility                                                                     | \$ 150,000.00 | \$ 150,000.00     |
| <b>Total Base Bid</b>                          |           |                                                                                                  | <b>\$</b>     | <b>152,500.00</b> |
| <b>500. Erosion Control</b>                    |           |                                                                                                  |               |                   |
| a.                                             | 1 EA      | Stabilized Construction Entrance                                                                 | \$ 2,000.00   | \$ 2,000.00       |
| b.                                             | 580 LF    | Erosion Control Fencing                                                                          | \$ 2.00       | \$ 1,160.00       |
| c.                                             | 580 LF    | Silt Fence or Hay Bales for Erosion Stabilization                                                | \$ 2.00       | \$ 1,160.00       |
| <b>Total Base Bid</b>                          |           |                                                                                                  | <b>\$</b>     | <b>4,320.00</b>   |
| <b>Grand Total Conceptual Base Bid</b>         |           |                                                                                                  | <b>\$</b>     | <b>416,043.42</b> |





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## Memorandum

To: Honorable Chair and Planning Commissioners

From: Carolyn Back, Community Development Director

Re: **COWETA'S COMMUNITY GARDENS**

Date: April 21, 2025

---

### BACKGROUND

Community Development is looking for input and ideas from the Planning Commission for a Community Garden Area in the City of Coweta. The proposed Community Garden would be located south of the Library and Jimmy Campbell Park, on the south side of East Cypress Street. The attached Conceptual Community Garden layout was designed with minimal hardscape additions to the site, while providing some additional off-street parking spaces for the community gardens and downtown area as our downtown area continues to grow.

With the Council's permission to move forward, staff is seeking alternative funding mechanisms for the development of plans and writing of supporting Ordinances. We are now able to come to you for input and direction on the design and layout of the site. Staff would like to come back at the next meeting with examples of how other jurisdictions run their community gardens pertaining to annual leases, uses of fertilizers, pest control best practices, watering, sharing a percentage of their harvest with individuals in need, selling and bartering of their produce, harvesting of fruit from perimeter fruit trees, and keeping the community gardens clean and safe for all to use and visit.

### STAFF RECOMMENDATION

### ATTACHMENTS

1. Wagoner County American Tribune Newspaper Article
2. 24346\_20250226\_CowetaCommunityGarden\_Conceptual Masterplan
3. 24346\_20250226\_CowetaCommunityGarden\_CostEstimate





# Community garden project in planning stage

BY SHEILA STOGSDILL  
For the Wagoner County American-  
Tribune

Coweta city leaders hope a community garden project will help feed the community and bloom friendships.

Carolyn Back, community development director, said the Community Gardens Area for the City of Coweta is in its infancy stages, referring to the less than an acre plot.

“I want the community garden to help feed the community,” Back said.

Back hopes to transform a city-owned vacant grassy lot into a gar-

den paradise where people can grow vegetables and either sell or barter with others.

“I would like to see someone barter a basket of vegetables for a basket of eggs,” Back said.

People in Coweta want to grow a garden, but they don’t have the land, she said.

Back said a community garden space would be a place to grow vegetables and then give the leftover produce to a senior citizen or a young family.

“My heart is for people to love on each other and share,” Back said.

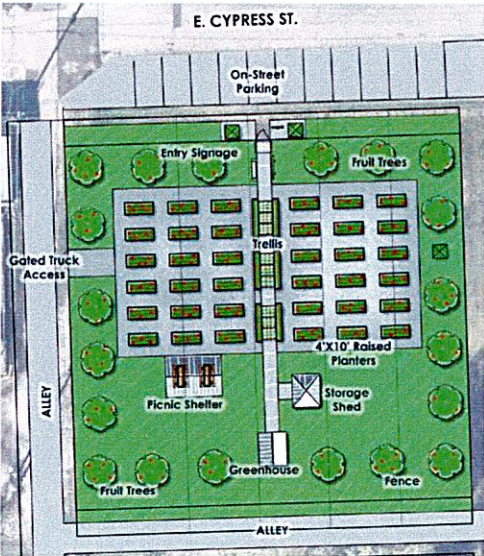
Back made her presentation for

a community garden during the March 3 Coweta city council meeting. There was no agenda item to vote on during the meeting.

“The proposal was looking for information and direction from city council members if they wanted to move with the community garden,” Back said. “The city council was thrilled with the idea. They said ‘to run with it’ and ‘go for it.’”

Since the city gave her the green light, Back said her staff will seek alternative funding and address other aspects of establishing a community

Please see **GARDEN**, Page A2



The proposed garden will be located on the south side of East Cypress Street, south of the library and Jimmy Campbell Park.

COURTESY

## Garden

From A1

garden.

The proposed garden will be located on the south side of East Cypress Street, south of the library and Jimmy Campbell Park.

Back said the community has a seed vault and other ideas include bringing in an Oklahoma State University master gardener to teach.

“We are still working on how the garden will operate, but a tentative plan is for people to lease a spot, and the city will cover the water expenses,” Back said. “Like I said, this is all tentative – things can change.”

Edible fruit trees will line the perimeter of the community garden.

She said plans are for 36 4x10-foot raised

beds and three arched trellis for hanging vegetables, like cucumbers and green beans. Back said there is also plans for a greenhouse, a storage shed and a picnic shelter.

“This is all on my dream list,” Back said. “Things could change that might change some of the design.”

The cost is estimated at around \$200,000, including building a storage shed, greenhouse, and picnic shelter and providing a paved parking lot.

Back quickly pointed out that the cost figures are preliminary, and they would seek funding to offset the price.

Back also got the green light from the council to move forward with Food Truck Park for the community. The proposed Food Truck Park would be located south of the City Hall Building.





Cattle Panel Trellis Example



Raised Planting Bed Example



Entry Signage Example

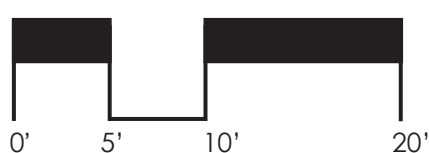


COWETA COMMUNITY GARDEN

Project No. 24346  
26 February 2025



Scale: 1"=10'-0"





Estimate of Probable Cost  
for  
**Coweta Community Garden**  
02/26/2025

| Item                                                | Quantity  | Description                                                       | Unit Cost    | Extension     |
|-----------------------------------------------------|-----------|-------------------------------------------------------------------|--------------|---------------|
| 100. Demolition                                     |           |                                                                   |              |               |
| a.                                                  | 1,720 SF  | Demo existing Asphalt Pavement                                    | \$ 4.00      | \$ 6,880.00   |
| b.                                                  | 3 EA      | Demo Trees                                                        | \$ 1,000.00  | \$ 3,000.00   |
| (Demo items includes complete removal and haul-off) |           |                                                                   |              |               |
| Total Base Bid                                      |           |                                                                   |              | \$ 9,880.00   |
| 200. Community Garden Improvements                  |           |                                                                   |              |               |
| a.                                                  | 36 EA     | Raised Planters (4'x10')                                          | \$ 400.00    | \$ 14,400.00  |
| b.                                                  | 54 CY     | Soil Import for Raised Planters                                   | \$ 15.00     | \$ 810.00     |
| c.                                                  | 2 EA      | Trash cans                                                        | \$ 1,000.00  | \$ 2,000.00   |
| d.                                                  | 1 EA      | Storage Shed                                                      | \$ 12,000.00 | \$ 12,000.00  |
| e.                                                  | 1 LSUM    | Ornamental Gate (Along Cypress St)                                | \$ 1,500.00  | \$ 1,500.00   |
| f.                                                  | 580 LF    | 6' Black Chain Link Fence                                         | \$ 22.00     | \$ 12,760.00  |
| g.                                                  | 4,381 SF  | Class A Aggregate Sidewalk (4" Depth)                             | \$ 1.00      | \$ 4,381.00   |
| h.                                                  | 1 EA      | Decorative Bench                                                  | \$ 1,000.00  | \$ 1,000.00   |
| i.                                                  | 2 EA      | Picnic Tables and Mounting                                        | \$ 1,200.00  | \$ 2,400.00   |
| j.                                                  | 1 EA      | Picnic Shelter                                                    | \$ 20,000.00 | \$ 20,000.00  |
| k.                                                  | 20 EA     | Trees                                                             | \$ 350.00    | \$ 7,000.00   |
| l.                                                  | 16,041 SF | Bermuda Sod                                                       | \$ 0.38      | \$ 6,095.58   |
| m.                                                  | 1 EA      | Irrigation                                                        | \$ 18,000.00 | \$ 18,000.00  |
| n.                                                  | 1 LSUM    | Earthwork & Grading                                               | \$ 8,000.00  | \$ 8,000.00   |
| o.                                                  | 1,117 SF  | 5" Concrete Paving                                                | \$ 8.00      | \$ 8,936.00   |
| Total Base Bid                                      |           |                                                                   |              | \$ 119,282.58 |
| 300. Parking Improvements                           |           |                                                                   |              |               |
| a.                                                  | 2 EA      | ADA Ramps and Signage                                             | \$ 2,500.00  | \$ 5,000.00   |
| b.                                                  | 1 EA      | Parking Striping                                                  | \$ 500.00    | \$ 500.00     |
| c.                                                  | 11 EA     | Parking Bumpers                                                   | \$ 150.00    | \$ 1,650.00   |
| d.                                                  | 25 LF     | 18" HDPE Pipe                                                     | \$ 55.00     | \$ 1,375.00   |
| e.                                                  | 6 EA      | 18" End Section                                                   | \$ 900.00    | \$ 5,400.00   |
| f.                                                  | 274 SY    | 4" Type "A" Asphaltic Paving Base Course                          | \$ 24.00     | \$ 6,576.00   |
| g.                                                  | 618 SY    | 4" Type "A" Asphaltic Paving Base Course (Alleyway)               | \$ 24.00     | \$ 14,832.00  |
| h.                                                  | 274 SY    | 2" Type "C" Asphaltic Paving (Insoluble)Wearing Course            | \$ 16.00     | \$ 4,384.00   |
| i.                                                  | 618 SY    | 2" Type "C" Asphaltic Paving (Insoluble)Wearing Course (Alleyway) | \$ 16.00     | \$ 9,888.00   |
| j.                                                  | 981 EA    | 5" Concrete Paving                                                | \$ 8.00      | \$ 7,848.00   |
| Total Base Bid                                      |           |                                                                   |              | \$ 57,453.00  |
| 400. Greenhouse Facility                            |           |                                                                   |              |               |
| a.                                                  | 1 LSUM    | Water Service Line and Meter- 4-Inch PVC                          | \$ 2,500.00  | \$ 2,500.00   |
| b.                                                  | 1 EA      | Greenhouse Facility                                               | \$ 25,000.00 | \$ 25,000.00  |
| Total Base Bid                                      |           |                                                                   |              | \$ 27,500.00  |
| 500. Erosion Control                                |           |                                                                   |              |               |
| a.                                                  | 1 EA      | Stabilized Construction Entrance                                  | \$ 2,000.00  | \$ 2,000.00   |
| b.                                                  | 700 LF    | Erosion Control Fencing                                           | \$ 2.00      | \$ 1,400.00   |
| c.                                                  | 700 LF    | Silt Fence or Hay Bales for Erosion Stabilization                 | \$ 2.00      | \$ 1,400.00   |
| Total Base Bid                                      |           |                                                                   |              | \$ 4,800.00   |
| Grand Total Conceptual Base Bid                     |           |                                                                   |              | \$ 218,915.58 |