

# PARK PLACE - PHASE 3 - PUD-304


AN ADDITION TO THE CITY OF BROKEN ARROW,  
WAGONER COUNTY, OKLAHOMA  
A PART OF THE SW/4, SECTION 2, T18N, R15E, I.M.

08-21-2024 P01: Is this date of preparation? If yes please note

RESTRICTED ACCESS  
THE BUILDING LINE SETBACK MAY BE REDUCED TO 20' ALONG STREET FRONTS WITH RESTRICTED ACCESS PROVIDED NO VEHICULAR ACCESS OCCURS ALONG STREET FRONTAGE. ACCESS MAY OCCUR WHERE THERE IS RESTRICTED ACCESS, BUT THE BUILDING LINE SETBACK IS INCREASED TO 25 FEET.

PHASE 3 LINE-CURVE INFO ON SHEET 2 OF 3  
PARCEL LINE-CURVE INFO ON SHEET 2 OF 3  
RESERVE AREA CURVE INFO ON SHEET 2 OF 3  
PARCEL (LOT) AREA INFO ON SHEET 2 OF 3

ALL STRUCTURES REQUIRE A BACK-FLOW PREVENTER



GRAPHIC SCALE IN FEET

80' 0 80'

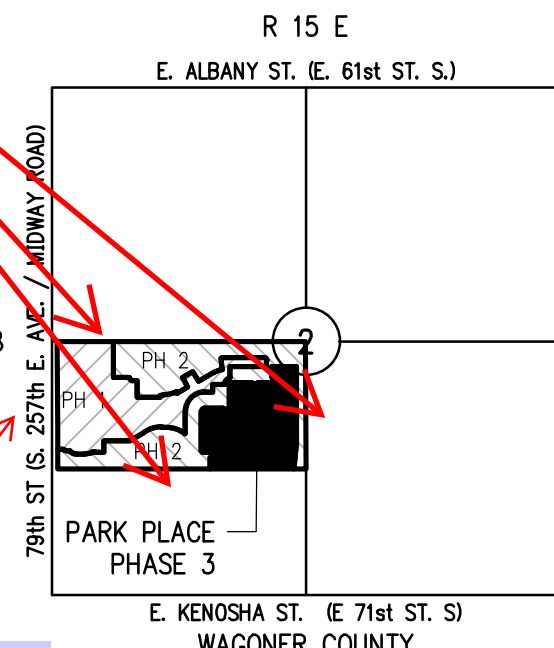
**BASIS OF BEARING**

THE WEST LINE OF THE SW/4 OF SECTION 2, T18N, R15E, I.M. N 01°17'35" W

P02: Where is RS-2? If not present remove.

E01 Surrounding plats and uplatted area are supposed to be shown

CURRENT OWNER:  
TULSA L DEV., LLC  
4058 N. COLLEGE SUITE 300  
P.O. BOX 10560  
FAYETTEVILLE, AR 72703  
479-455-9090  
ENGINEER/SURVEYOR:  
CRAFTON TULL  
220 E. 8th ST.  
TULSA, OK 74119  
PH 918.584.0347  
CERTIFICATION OF AUTHORIZATION:  
CA 973 (PE/LS) EXPIRES 6/30/2024



E02 Certification of Authorization out of date

P04: Midway Road (257th E. Ave)

P06: Please fix

P05: Oak Grove Road (273rd E. Ave)

## LINEWORK LEGEND

- RIGHT OF WAY LINE (R/W)
- EASEMENT
- SECTION LINE
- PERIMETER PROPERTY LINE
- LOT LINE
- BUILDING SET BACK
- 100 YR WATER SURFACE ELEVATION

3/8" IRON PIN W/YELLOW CAP  
STAMPED "CTA CA 973" TO BE SET AT PROPERTY CORNERS\*

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

## LEGEND

- SYMBOLS**
- U.E. UTILITY EASEMENT
  - SET IRON PIN\* (SIP)
  - T.A.E. TEMPORARY ACCESS EASEMENT
  - B/S BUILDING LINE SETBACK
  - L.A. LIMITS OF ACCESS
  - L.N.A. LIMITS OF NO ACCESS
  - R/W RIGHT OF WAY
  - FF=737.70 FINISHED FLOOR ELEVATION
  - D.E. DRAINAGE EASEMENT
  - ||||| STREET ADDRESS
  - WSE WATER SURFACE ELEVATION

## FLOODPLAIN REFERENCE

FIRM PANELS NO. 40145C0110J & 40145C0105J, DATED SEPTEMBER 30, 2016 CLASSIFIES THE PROPERTY DESCRIBED HEREON AS ZONE "X", AN AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

THE ABOVE STATEMENT IS FOR INFORMATION ONLY AND THIS SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE CITED MAP(S). IN ADDITION, THE ABOVE STATEMENT DOES NOT REPRESENT THIS SURVEYOR'S OPINION OF THE PROBABILITY OF FLOODING.

E03 This easement was dedicated with separate instrument not through PH2

E04 Better indicate the boundaries of the UE that were already dedicated

E03 This easement was dedicated with separate instrument not through PH2

E04 Better indicate the boundaries of the UE that were already dedicated

E05 Indicate the 20' easement that was dedicated.

E03 This easement was dedicated with separate instrument not through PH2

E06 clarify UE width

E04 Better indicate the boundaries of the UE that were already dedicated

E06 Clarify UE width

E07 Legal Description lists as N88 50'58"E

E08 This area was dedicated as reserve in PH2. If you want to extend road through dedication by separate instrument will need to be done for the ROW.

Stub street in excess of 150' is required to have a turnaround. See section 4.1 of the subdivision regulations.

Is this D.E. part of a Reserve? Identify maintenance of this area in the covenants.

APPROVED \_\_\_\_\_ by the City Council of the City of Broken Arrow, Oklahoma  
Mayor \_\_\_\_\_  
Attest: City Clerk \_\_\_\_\_

DATE: 08-21-2024  
DETENTION DETERMINATION NUMBER: DD-091420-37  
PR-000135-2022  
CASE NO. PT20-113  
SHEET 1 OF 3

P08: Name of subdivision

P09: PT-001717-2024

P07: Switch names



# PARK PLACE - PHASE 3 - PUD-304

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WAGONER COUNTY, OKLAHOMA

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08-21-2024

## LOT AREA INFORMATION

### BLOCK 8

LOT AREA TABLE		
LOT #	ACRES	SQ. FEET
21	0.19	8400.00
22	0.19	8265.10
23	0.26	11203.54

### BLOCK 11

LOT AREA TABLE		
LOT #	ACRES	SQ. FEET
8	0.22	9406.86
9	0.17	7200.00
10	0.17	7200.00
11	0.17	7200.00
12	0.17	7200.00
13	0.17	7200.00
14	0.22	9563.73

### BLOCK 12

LOT AREA TABLE		
LOT #	ACRES	SQ. FEET
1	0.28	11997.53
2	0.16	7122.60
3	0.17	7200.00
4	0.17	7200.00
5	0.17	7200.00
6	0.17	7200.00
7	0.17	7200.00
8	0.17	7200.00
9	0.17	7200.00
14	0.22	9563.73
15	0.17	7200.02
16	0.17	7200.02
17	0.17	7200.00
18	0.17	7200.00
19	0.17	7200.00
20	0.17	7200.00
21	0.17	7200.00
22	0.17	7200.00
23	0.17	7200.00
24	0.17	7200.00
25	0.16	7122.40
26	0.26	11357.88
27	0.24	10396.04
28	0.18	8020.85
29	0.19	8400.00
30	0.19	8400.00
31	0.19	8400.00
32	0.32	13760.35

### BLOCK 13

LOT AREA TABLE		
LOT #	ACRES	SQ. FEET
1	0.22	9406.86
2	0.17	7200.00
3	0.17	7200.00
4	0.17	7200.00
5	0.17	7200.00
6	0.17	7200.00
7	0.17	7200.00
8	0.17	7200.00
9	0.17	7200.00
10	0.17	7200.00
11	0.29	12563.77
12	0.28	12406.90
13	0.17	7200.00
14	0.17	7200.00
15	0.17	7200.00
16	0.17	7200.00
17	0.17	7200.00
18	0.17	7200.00
19	0.17	7200.00
20	0.17	7200.00
21	0.17	7200.00
22	0.22	9563.73

### BLOCK 14

LOT AREA TABLE		
LOT #	ACRES	SQ. FEET
1	0.21	9129.26
2	0.17	7197.93
3	0.17	7205.58
4	0.17	7205.58
5	0.17	7205.58
6	0.17	7205.58
7	0.17	7205.58
8	0.17	7205.58
9	0.17	7205.58
10	0.17	7205.58
11	0.19	8390.11
12	0.23	10081.48
13	0.28	12302.91
14	0.16	7154.94
15	0.21	9353.75

## PARCEL - CURVE / LINE INFORMATION

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C2	47.12'	30.00'	90°00'00"	N43° 50' 59"E	42.43'
C11	20.42'	13.00'	90°00'00"	N46° 09' 01"W	18.38'
C12	22.99'	31.47'	41°51'43"	N69° 03' 51"W	22.48'
C13	8.75'	52.00'	9°38'43"	N53° 39' 53"W	8.74'
C14	65.60'	52.00'	72°17'03"	S85° 22' 14"W	61.33'
C15	45.72'	52.00'	50°22'43"	S24° 02' 21"W	44.26'
C16	38.75'	52.00'	42°41'52"	S22° 29' 57"E	37.86'
C17	22.65'	31.00'	41°51'43"	S22° 55' 02"E	22.15'
C18	20.42'	13.00'	90°00'00"	N46° 09' 01"W	18.38'
C19	23.10'	31.00'	42°41'52"	N20° 11' 55"E	22.57'
C20	38.75'	52.00'	42°41'52"	N20° 11' 55"E	37.86'
C21	43.89'	52.00'	48°21'50"	N25° 19' 56"W	42.60'
C22	51.93'	52.00'	57°13'02"	N78° 07' 22"W	49.80'
C23	24.61'	52.00'	27°07'00"	S59° 42' 37"W	24.38'
C24	23.10'	31.00'	42°41'52"	S67° 30' 03"W	22.57'
C25	47.12'	30.00'	90°00'00"	S46° 09' 01"E	42.43'
C26	20.42'	13.00'	90°00'00"	S43° 50' 59"W	18.38'
C27	47.12'	30.00'	90°00'00"	N46° 09' 01"W	42.43'
C28	20.42'	13.00'	90°00'00"	N43° 50' 59"E	18.38'
C29	20.42'	13.00'	90°00'00"	S46° 09' 01"E	18.38'
C30	1.15'	31.00'	2°07'21"	S0° 05' 20"E	1.15'
C31	59.18'	52.00'	65°12'40"	S8° 56' 31"W	56.04'
C32	21.95'	31.00'	40°34'31"	S21° 15' 36"W	21.50'
C33	41.62'	52.00'	45°51'38"	S46° 35' 38"E	40.52'
C34	53.60'	52.00'	59°03'27"	N80° 56' 50"E	51.26'
C35	20.42'	13.00'	90°00'00"	S46° 09' 01"E	18.38'
C36	4.78'	52.00'	5°15'59"	N48° 47' 06"E	4.78'
C37	23.10'	31.00'	42°41'52"	N67° 30' 03"E	22.57'

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	42.23'	S88° 50' 59"W
L2	25.82'	N88° 50' 59"E
L3	9.17'	S1° 09' 01"E
L4	8.72'	N1° 09' 01"W
L5	16.65'	N88° 50' 59"E
L6	27.68'	S88° 50' 59"W
L7	12.08'	N4° 54' 46"E
L8	41.32'	N88° 50' 59"E

## PROPERTY DESCRIPTION - PHASE III

A TRACT OF LAND SITUATE WITHIN A PORTION OF THE NORTH HALF (N/2) OF THE SOUTHWEST QUARTER (SW/4) OF SECTION TWO (2), TOWNSHIP EIGHTEEN NORTH (T18N), RANGE FIFTEEN EAST (R15E) OF THE INDIAN MERIDIAN (I.M.) IN WAGONER COUNTY, OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID (N/2 SW/4); THENCE S01°30'07"E, 1325.36 FEET; THENCE N88°50'58"E, 1635.03 FEET TO THE POINT OF BEGINNING; THENCE N01°09'01"W, 120.00 FEET; THENCE N88°50'59"E, 28.06 FEET; THENCE N01°09'01"W, 510.00 FEET; THENCE N88°50'59"E, 107.00 FEET TO A POINT ON A CURVE TO THE RIGHT; THENCE 20.42 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 13.00 FEET, SUBTENDED BY A CHORD OF 18.38 FEET WHICH BEARS S46°09'01"E; THENCE N88°48'42"E, 50.00 FEET; THENCE N01°09'01"W, 17.97 FEET; THENCE N88°50'59"E, 120.00 FEET; THENCE N01°09'01"W, 260.00 FEET; THENCE N88°50'59"E, 107.00 FEET TO A POINT ON A CURVE TO THE RIGHT; THENCE 20.42 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 13.00 FEET, SUBTENDED BY A CHORD OF 18.38 FEET WHICH BEARS S46°09'01"E; THENCE N88°50'59"E, 50.00 FEET TO A POINT ON A CURVE TO THE RIGHT; THENCE 20.42 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 13.00 FEET, SUBTENDED BY A CHORD OF 18.38 FEET WHICH BEARS N43°50'59"E, 149.39 FEET; THENCE N01°09'01"W, 50.00 FEET TO A POINT ON A CURVE TO THE RIGHT; THENCE 20.42 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 13.00 FEET, SUBTENDED BY A CHORD OF 18.38 FEET WHICH BEARS N46°09'01"W; THENCE N01°09'01"W, 107.00 FEET; THENCE N88°50'59"E, 260.70 FEET; THENCE S01°09'01"E, 802.99 FEET; THENCE S04°54'46"W, 263.48 FEET; THENCE S88°50'59"W, 870.33 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 744,429.9 SQ. FT. OR 17.09 ACRES, MORE OR LESS. BASIS OF BEARING: S01°30'07"E FOR THE WEST LINE OF SAID (N/2 SW/4).

THIS DESCRIPTION WAS PREPARED ON 08/16/2024 UNDER THE SUPERVISION OF

JEREMY ADAM LAWSON PLS#1916 (OK),

## PHASE 3: BOUNDARY - CURVE / LINE INFORMATION

PH3 BOUNDARY: CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C220	20.42'	13.00'	90°00'00"	S46° 09' 01"E	18.38'
C221	20.42'	13.00'	90°00'00"	S46° 09' 01"E	18.38'
C222	20.42'	13.00'	90°00'00"	N43° 50' 59"E	18.38'
C223	20.42'	13.00'	90°00'00"	N46° 09' 01"W	18.38'

PH3 BOUNDARY: LINE TABLE		
LINE #	LENGTH	DIRECTION
L101	28.06'	N88° 50' 59"E
L102	50.00'	N88° 48' 42"E
L103	17.97'	N1° 09' 01"W
L104	50.00'	N88° 50' 59"E
L105	50.00'	N1° 09' 01"W

FINISHED FLOOR ELEVATIONS (FFE) SHOWN ON LOTS ARE THE MINIMUM ELEVATION FOR BUILDING PADS TO BE BUILT WHEN LOT IS SOLD AND DEVELOPED.

CURRENT OWNER:  
TULSA L DEV, LLC  
4058 N. COLLEGE SUITE 300  
P.O. BOX 10560  
FAYETTEVILLE, AR 72703  
479-455-9090  
ENGINEER/SURVEYOR:  
CRAFTON TULL  
220 E. 8th ST.  
TULSA, OK 74119  
PH 918.584.0347  
CERTIFICATION OF AUTHORIZATION:  
CA 973 (PE/LS) EXPIRES 6/30/2024

## LINEWORK LEGEND

RIGHT OF WAY LINE (R/W)  
EASEMENT  
SECTION LINE  
PERIMETER PROPERTY LINE  
LOT LINE  
BUILDING SET BACK  
100 YR WATER SURFACE ELEVATION

3/8" IRON PIN W/YELLOW CAP  
STAMPED "CTA CA 873" TO BE  
SET AT PROPERTY CORNERS\*

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

## LEGEND

### SYMBOLS

U.E. UTILITY EASEMENT  
● SET IRON PIN\* (SIP)  
T.A.E. TEMPORARY ACCESS EASEMENT  
B/S BUILDING LINE SETBACK  
L.A. LIMITS OF ACCESS  
L.N.A. LIMITS OF NO ACCESS  
R/W RIGHT OF WAY  
FFE=737.70 FINISHED FLOOR ELEVATION  
D.E. DRAINAGE EASEMENT  
1113 STREET ADDRESS  
WSE WATER SURFACE ELEVATION

APPROVED \_\_\_\_\_ by the  
City Council of the City of Broken Arrow,  
Oklahoma  
Mayor \_\_\_\_\_  
Attest: City Clerk \_\_\_\_\_

DATE: 08-21-2024  
DETENTION DETERMINATION  
NUMBER: DD-091420-37  
PR-000135-2022  
CASE NO. PT20-113  
SHEET 2 OF 3



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A PART OF THE SW/4, SECTION 2, T18N, R15E, I.M.

08-21-2024

## DEED OF DEDICATION

### PUBLIC STREETS AND GENERAL UTILITY EASEMENTS

THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC THE STREET RIGHTS-OF-WAY AS DEPICTED ON THE ACCOMPANYING PLAT. ADDITIONALLY, THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC THE UTILITY EASEMENTS DESIGNATED AS "U.E." OR "UTILITY EASEMENT", FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS, SANITARY SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS, AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER APPURTENANCES THEREON, AND THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES AFORESAID, PROVIDED HOWEVER, THE OWNER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RE-LAY WATER LINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING AND RELAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO THE AREA INCLUDED IN THE PLAT. THE OWNER HEREBY IMPOSES A RESTRICTIVE COVENANT SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF BROKEN ARROW, OKLAHOMA, AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION THAT INTERFERES WITH THE ABOVE SET FORTH USES AND PURPOSES OF AN EASEMENT SHALL BE PLACED, ERECTED, INSTALLED AND MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING AND CUSTOMARY SCREENING FENCES AND WALLS THAT DO NOT CONSTITUTE AN OBSTRUCTION. PROVIDED, THE EASEMENT DEDICATED HEREIN FOR INSTALLATION AND MAINTENANCE OF POTABLE WATER LINES SHALL BE FOR THE EXCLUSIVE USE OF WAGONER COUNTY RURAL WATER DISTRICT NO. 4. EASEMENTS DESIGNATED AS "D.E." OR "DRAINAGE EASEMENT" SHALL HAVE NO PRIVACY FENCES, BUILDINGS, HVAC EQUIPMENT, GENERATORS, PUMPS OR OTHER OBSTRUCTIONS THAT WILL BLOCK OR DIVERT THE FLOW THROUGH THE EASEMENT WILL BE ALLOWED. NO MODIFICATION MAY BE MADE TO THE GRADE OF THE SWALE THAT WILL RESULT IN BLOCKAGE OR DIVERSION OF THE FLOW THROUGH THE SWALE AND THAT THE LOT OWNER SHALL BE RESPONSIBLE FOR RESTORING THE SWALE TO A CONDITION THAT WILL ALLOW SORM WATER TO FREELY FLOW THROUGH THE DRAINAGE EASEMENT. FENCES MAY BE INSTALLED AT A NON-PAVED AND OPEN SPACE THAT ALLOW WATER TO FLOW FREELY THROUGH EASEMENT, PRIVACY FENCES SPECIFIED IN SECTION 2.1 WILL NOT BE ALLOWED AND THIS SECTION WILL NEED TO BE MODIFIED TO INCLUDE THE RESTRICTIONS FOR THE DRAINAGE EASEMENT. THE CITY HAS THE RIGHT TO RE-ESTABLISH THE SWALE THROUGH THE DRAINAGE EASEMENT WITH THE COST OF THE RESTORATION PASSED ONTO THE LOT OWNER(S) OR A LIEN PLACED ON THE LOT IF THE LOT OWNER FAILS TO REIMBURSE THE CITY FOR THE COST.

## SECTION I. STREETS AND UTILITIES

### WATER, SANITARY SEWER, AND STORM SEWER SERVICE

- THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS LOCATED ON HIS LOT.
- ALL PRIVATE SANITARY SEWER SERVICE LINES SHALL HAVE A BACK FLOW PREVENTER INSTALLED.
- WITHIN THE UTILITY EASEMENT AND DRAINAGE EASEMENT AREAS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER OR ANY CONSTRUCTION ACTIVITY THAT WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS SHALL BE PROHIBITED. THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, HIS AGENTS OR CONTRACTORS.
- THE CITY OF BROKEN ARROW, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF SANITARY SEWER MAINS, AND STORM SEWERS BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, HIS AGENTS OR CONTRACTORS.
- THE CITY OF BROKEN ARROW, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF UNDERGROUND SANITARY SEWER OR STORM SEWER FACILITIES.
- THE FOREGOING COVENANTS SET FORTH IN THE ABOVE PARAGRAPHS SHALL BE ENFORCEABLE BY THE CITY OF BROKEN ARROW, OKLAHOMA, OR ITS SUCCESSORS, AND THE OWNER OF THE LOT AGREES TO BE BOUND.
- WAGONER COUNTY RURAL WATER DISTRICT NO. 4, OR ITS SUCCESSORS, IS THE SUPPLIER FOR POTABLE WATER FOR THESE LOTS AND SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATERMANS, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATE BY ACTS OF THE OWNER, HIS AGENTS OR CONTRACTORS.
- WAGONER COUNTY RURAL WATER DISTRICT NO. 4, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL EASEMENT DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF POTABLE WATER FACILITIES.

### PAVING AND LANDSCAPING WITHIN EASEMENTS

THE OWNER OF THE LOTS SHALL BE RESPONSIBLE FOR THE REPAIR AND REPLACEMENT OF ANY LANDSCAPING AND PAVING WITHIN THE UTILITY EASEMENTS ON THE LOT, IN THE EVENT THAT IT IS NECESSARY TO REPAIR ANY UNDERGROUND WATER, SANITARY SEWER, STORM SEWER, ELECTRIC, NATURAL GAS, CABLE TELEVISION OR TELEPHONE SERVICE.

### CERTIFICATE OF OCCUPANCY RESTRICTIONS

NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED BY THE CITY UNTIL AFTER COMPLETION OF THE ENTIRE DEVELOPMENT AND ITS FORMAL ACCEPTANCE BY THE CITY. ANY AND ALL CONSTRUCTION PURSUANT TO SUCH A BUILDING PERMIT BUT PRIOR TO THE CITY'S FORMAL ACCEPTANCE OF THE ENTIRE DEVELOPMENT WILL BE AT THE CONTRACTOR/BUILDER-INVESTOR'S OWN RISK.

### UNDERGROUND SERVICE

- OVERHEAD POLES MAY BE LOCATED ALONG THE PERIMETER BOUNDARIES OF THE SUBDIVISION, AS NECESSARY, IF LOCATED IN UTILITY EASEMENTS FOR THE PURPOSE OF THE SUPPLY OF UNDERGROUND SERVICE. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY UNDERGROUND CABLE, AND EXCEPT AS PROVIDED IN THE IMMEDIATELY PRECEDING SENTENCE, ALL ELECTRIC AND COMMUNICATION SUPPLY LINES SHALL BE LOCATED UNDERGROUND, IN THE EASEMENTS RESERVED FOR GENERAL UTILITY SERVICES SHOWN ON THE ATTACHED PLAT.
- ALL SUPPLY LINES IN THE SUBDIVISION INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN THE EASEMENTS RESERVED FOR GENERAL UTILITY SERVICES SHOWN ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE SAID UTILITY EASEMENTS.
- UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WHICH MAY BE LOCATED ON ALL LOTS IN 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 EACH SAID LOT, PROVIDED THAT UPON THE INSTALLATION OF SUCH A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT AND EFFECTIVE EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE, EXTENDING FROM THE SERVICE PEDESTAL, TRANSFORMER OR GAS MAIN TO THE SERVICE ENTRANCE ON THE STRUCTURE OR A POINT OF METERING.
- THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICES, THROUGH ITS AUTHORIZED AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL SUCH EASEMENTS SHOWN ON THE PLAT OF THE SUBDIVISION OR PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE FACILITIES SO INSTALLED BY IT. THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION ALSO RESERVE THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO CUT DOWN, TRIM OR REMOVE ANY TREES AND UNDERGROWTH ON SAID EASEMENT.
- THE OWNER OF EACH LOT IN THE SUBDIVISION SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND ELECTRIC FACILITIES LOCATED ON HIS PROPERTY AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. THE SUPPLIER OF SERVICE WILL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER OF EACH LOT IN THE SUBDIVISION WILL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS. THE FOREGOING COVENANTS CONCERNING UNDERGROUND FACILITIES SHALL BE ENFORCEABLE BY THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION, OR GAS SERVICES.

### GAS SERVICE

- THE SUPPLIER OF GAS SERVICE THROUGH ITS AGENTS AND EMPLOYEES SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL SUCH EASEMENTS SHOWN ON THE PLAT OR AS PROVIDED FOR IN THIS CERTIFICATE OF DEDICATION FOR THE PURPOSE OF INSTALLING, REMOVING, REPAIRING, OR REPLACING ANY PORTION OF THE FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE.
- THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED IN THEIR LOT AND SHALL PREVENT THE ALTERATION, GRADE, OR ANY OTHER CONSTRUCTION ACTIVITY THAT WOULD INTERFERE WITH THE GAS SERVICE. THE SUPPLIER OF THE GAS SERVICE SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF SAID FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, OR ITS AGENTS OR CONTRACTORS.
- THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

## SECTION II. DEVELOPMENT

THE OWNER DESIRES TO AND DOES HEREBY ESTABLISH THE FOLLOWING RESTRICTIONS ON ALL LOTS WITHIN THE SUBDIVISION TO RUN WITH THE LAND FOR THE PURPOSE OF PROVIDING FOR AN ORDERLY DEVELOPMENT OF THE SUBDIVISION AND ALL PROPERTY THEREIN FOR THE MUTUAL BENEFIT OF THE OWNER, ITS SUCCESSORS AND ASSIGNS, ALL FUTURE LOT OWNERS AND THE CITY.

### A. GENERAL

#### 1. DEVELOPMENT IN ACCORDANCE WITH PUD 304

THE SUBDIVISION SHALL BE DEVELOPED AND USED IN SUBSTANTIAL ACCORDANCE WITH THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF PUD 304.

#### 2. APPLICABLE ORDINANCE

THE DEVELOPMENT OF THE SUBDIVISION SHALL BE SUBJECT TO THE PUD PROVISIONS OF THE CITY ZONING CODE FROM PUD 304 APPROVED BY CITY COUNCIL ON MAY 19, 2020.

### B. DEVELOPMENT STANDARDS

TOTAL LAND AREA : 80 ACRES

PERMITTED USE: HOUSEHOLD LIVING, DWELLING, SINGLE-FAMILY DETACHED, TOGETHER WITH OPEN SPACE, LANDSCAPING, UTILITIES, TRAILS, STORM WATER DETENTION, PROJECT SIGNAGE, ENTRY FEATURES, AND SIMILAR USES AND USES CUSTOMARY ACCESSORY TO THE PERMITTED USES.

MAXIMUM NUMBER OF LOTS:	250
MINIMUM LOT WIDTH:	60 FEET (A MINIMUM OF 79 LOTS WILL HAVE A LOT WIDTH OF 70 FEET)
MINIMUM LOT SIZE:	7,000 SQUARE FEET (A MINIMUM OF 79 LOTS WILL HAVE A MINIMUM LOT AREA OF 8000 S.F.)
MAXIMUM BUILDING HEIGHT:	2 STORIES (NOT TO EXCEED 35 FEET)
OFF-STREET PARKING SPACES	MINIMUM 2 ENCLOSED OFF-STREET PARKING SPACES AND 2 PARKING SPACES WITHIN STANDARD DRIVEWAY REQUIRED PER DWELLING UNIT
MINIMUM LIVABILITY SPACE:	3000 SQUARE FEET
MINIMUM YARD SETBACKS	
FRONT YARD	25 FEET
REAR YARD	20 FEET
SIDE YARD ABUTTING A STREET	25 FEET
SIDE YARD NOT ABUTTING A STREET	5 FEET
REAR YARD ABUTTING MIDWAY ROAD LANDSCAPE RESERVE	25 FEET

### LANDSCAPING, TREES, SCREENING AND FENCING:

- LANDSCAPING FOR THE PROJECT WILL EXCEED THE MINIMUM REQUIREMENTS OF SECTION 5.2 OF THE ZONING ORDINANCE. PART OF THE LANDSCAPE PLAN FOR THE PROJECT, A TEN FOOT (10 FT) WIDE LANDSCAPE EDGE/RESERVE AREA WILL BE PROVIDED BETWEEN THE EAST SIDE OF MIDWAY ROAD AND THE WESTERLY BOUNDARY FENCE OF THE PROJECT. THIS LANDSCAPE AREA WILL HAVE LARGE TREES PLANTED AT A RATIO OF ONE (1) LARGE TREE PER THIRTY FEET (30 FT) OF PROPERTY FRONTAGE. BETWEEN THE LANDSCAPE EDGE AND THE WESTERLY BOUNDARY OF THE LOTS ALONG MIDWAY ROAD, A FENCE WILL BE INSTALLED THAT COMPLIES WITH THE REQUIREMENTS OF SECTION 5.2(E) OF THE ZONING ORDINANCE. THIS FENCE WILL BE MAINTAINED BY THE PROPERTY OWNERS ASSOCIATION.
- ONE (1) LARGE SPECIES TREE WILL BE INSTALLED IN THE FRONT YARD OF ALL LOTS IN PARK PLACE. ANY TREE THAT FAILS WILL BE REPLACED BY THE PROPERTY OWNER.
- ALL TREES IN THIS PUD SHALL BE AT LEAST TWO INCHES (2 IN) IN CALIPER AT THE TIME OF INSTALLATION.
- THE CONCEPTUAL LANDSCAPE PLAN FOR THE PROJECT IS ATTACHED HERETO AS EXHIBIT "D".

### OPEN SPACE:

APPROXIMATELY 10.48 AC DEDICATED IN PHASE 1 AND APPROXIMATELY FIVE ACRES (5.01 AC) OF GREEN SPACE WILL BE RETAINED WITHIN THE PROJECT, PHASE 2. RESERVES B, C AND D. ADDITIONALLY, RESERVE C .77 ACRE (.77 AC) WILL BE DEVELOPED AS A NEIGHBORHOOD PARK. THIS PARK AREA WILL SERVE AS A GATHERING PLACE FOR THE NEIGHBORS, A PICNIC PLACE, AS WELL AS A DESTINATION FOR A PICKUP GAME OF FOOTBALL AND OTHER SPORTING ACTIVITIES. LARGE TREES WILL BE PLANTED WITHIN THIS NEIGHBORHOOD GREEN SPACE EVERY THIRTY FEET (30 FT) ALONG THE STREET AND STRATEGICALLY WITHIN THE GREEN SPACE FOR SHADE.

### PEDESTRIAN ACCESS:

SIDEWALKS WILL BE CONSTRUCTED ALONG MIDWAY ROAD AND ON BOTH SIDES OF THE INTERIOR STREETS WITHIN THE PROJECT IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS. SIDEWALKS ALONG MIDWAY ROAD AND THE RESERVE AREAS WITH STREET FRONTAGE WILL BE INSTALLED BY THE DEVELOPER. SIGNS: NEIGHBORHOOD IDENTIFICATION

### SIGNAGE

- WILL BE INSTALLED WITH THE FIRST PHASE OF THE DEVELOPMENT IN THE RESERVE AREA ALONG MIDWAY ROAD. ALL NEIGHBORHOOD SIGNAGE WILL BE OWNED AND MAINTAINED BY THE PROPERTY OWNERS ASSOCIATION.
  - CONCEPTUAL PLANS FOR THE SIGNS HAVE NOT BEEN PREPARED AT THE TIME OF THIS PUD WAS SUBMITTED; HOWEVER, SUCH SIGNAGE SHALL COMPLY WITH THE STANDARDS OF THE ZONING ORDINANCE.
- ### C. RESTRICTIVE COVENANTS

NO LOT MAY BE DIVIDED OR SPLIT, THE SUBDIVISION (AND EACH LOT SITUATED THEREIN) SHALL BE CONSTRUCTED, DEVELOPED, OCCUPIED AND USED AS FOLLOWS.

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

(b) **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.

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

### (d) 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 GREY OR BLACK IN COLOR, PREFERABLY WEATHERWOOD. DEVIATION FROM THIS COLOR REQUIRES APPROVAL FROM THE ARC
- ADDITIONS TO EXISTING STRUCTURES. ALL ADDITIONS SHALL CONFORM TO THE BASIC STYLING AND MATERIALS OF THE DWELING 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.

(f) **SURFACE DRAINAGE.** EACH LOT SHALL RECEIVE AND DRAIN IN AN UNOBSTRUCTED MANNER THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION THAN FROM PUBLIC STREETS AND EASEMENTS, AND NO LOT OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS HIS LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCED BY THE CITY OF BROKEN ARROW, OKLAHOMA, OR ITS SUCCESSORS.

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

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

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

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

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

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

(m) **APPEARANCE OF LOT.** ALL OWNERS SHALL BE REQUIRED TO KEEP THEIR LOT IN A CLEAN AND SANITARY CONDITION WHETHER OR NOT THEY HAVE CONSTRUCTED A RESIDENCE ON THE LOT. ALL OPEN AREAS ON LOTS SHALL BE KEPT MOWED TO A HEIGHT OF NOT MORE THAN SIX (6) INCHES. NO PLAYGROUNDS, SWING SETS, TRAMPOLINES, OR OTHER SIMILAR EQUIPMENT SHALL BE PLACED OR MAINTAINED IN THE FRONT YARDS OF ANY LOT. THE BOARD AND COMMITTEE MAY PROMULGATE RULES AND REGULATIONS REGARDING THE MAINTENANCE OF LOTS AND ADEQUATE ENFORCEMENT MECHANISMS IN THE EVENT A LOT IS NOT PROPERLY MAINTAINED. UPON FAILURE OF THE OWNER TO MAINTAIN OR LANDSCAPE THE GROUNDS OF ANY LOT IN ACCORDANCE WITH THE PROVISIONS ABOVE, THE ASSOCIATION MAY, UPON 15 DAY'S WRITTEN NOTICE TO THE OWNER, CAUSE THE GRASS, WEEDS AND VEGETATION TO BE CUT. THE COST OF ANY MAINTENANCE REQUIRED UNDER THIS SECTION AND ANY ENFORCEMENT COSTS SHALL BE ASSESSED TO THE OWNER, AND SHALL CONSTITUTE A LIEN UPON THE LOT, AND MAY BE COLLECTED IN ACCORDANCE WITH SECTION 3.

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

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

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

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

### D. SIDEWALKS

- SIDEWALKS WILL BE EXTENDED ALONG MIDWAY ROAD AS WELL AS THE SIDES OF ALL INTERIOR STREETS IN ACCORDANCE WITH CITY OF BROKEN ARROW SUBDIVISION REGULATIONS.
- THE DEVELOPER IS RESPONSIBLE FOR CONSTRUCTING THE SIDEWALK AND ALL ADA RAMPS ALONG ALL ARTERIAL STREETS AND ALONG THE RESERVE AREAS ADJACENT TO A STREET.
- THE SIDEWALKS ALONG ALL RESERVE AREAS AND THE ARTERIAL STREET WILL BE MAINTAINED BY THE PROPERTY OWNERS ASSOCIATION.
- THE SIDEWALKS ON EACH LOT WILL BE INSTALLED AND MAINTAINED BY THE OWNER OF THE LOT.

### E. RETAINING WALL HEIGHT

ALL RETAINING WALLS MEASURING OVER 4' IN HEIGHT FROM THE BOTTOM OF THE CONCRETE FOOTING TO THE TOP OF THE WALL NEED TO BE PROFESSIONALLY DESIGNED BY A LICENSED ENGINEER AND PERMITTED THROUGH THE CITY.

## SECTION III. HOMEOWNERS' ASSOCIATION

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

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

### B. MEMBERSHIP

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

### C. ASSESSMENTS

EACH OWNER OF A LOT, EXCEPT OWNER/DECLARANT, BY ACCEPTANCE OF A DEED THEREOF, 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 SUCH ASSESSMENTS SHALL BE A LIEN ON THE LOT AGAINST WHICH IT IS MADE, BUT THE LIEN SHALL BE SUBORDINANT TO THE LIEN OF ANY FIRST MORTGAGE.

### D. MAINTENANCE OF COMMON AREAS

THE PROPERTY OWNER, 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, DETENTION/RETENTION PONDS, PERIMETER FENCING, AND OTHER COMMON AREAS AND RESERVE AREAS 'A' & 'E' (AND PONDS WITHIN RESERVE AREAS) AS DEPICTED ON THE PLAT OR THESE COVENANTS AND AS AMENDED. CITY HAS THE AUTHORITY TO MAINTAIN THE RESERVES, ASSESS PENALTIES AND COST AND FILE LIENS AGAINST THE HOA.

### 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 OR DAMAGES 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. ENFORCEMENT, DURATION, AMENDMENT OR TERMINATION AND SEVERABILITY

### A. ENFORCEMENT

THE COVENANTS AND RESTRICTIONS HEREIN SET FORTH, AND THE GRANTS OF EASEMENTS AND RIGHTS OF WAY HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND. THE SAME SHALL BE BINDING UPON ALL OWNERS OF PROPERTY IN THE SUBDIVISION. WITHIN THE PROVISIONS OF SECTION I, STREETS AND UTILITIES, ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO, AND ADDITIONALLY THE COVENANTS WITH SECTION I, WHETHER OR NOT SPECIFICALLY THEREIN SO STATED, SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY OF BROKEN ARROW, OKLAHOMA, IN ANY JUDICIAL ACTION BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED WITHIN THIS DEED OF DEDICATION, THE DEFENSE THAT THE PARTY INITIATING THE EQUITABLE PROCEEDING HAS AN ADEQUATE REMEDY AT LAW IS HEREBY WAIVED.

### B. DURATION

THESE COVENANTS SHALL RUN WITH THE LAND AND SHALL BE BINDING UPON THE UNDERSIGNED OWNERS AND ALL PERSONS CLAIMING UNDER THEM UNTIL JANUARY 1, 2040, AFTER WHICH TIME SAID COVENANTS SHALL BE DEEMED AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF 10 YEARS.

### C. AMENDMENT OR TERMINATION

THE COVENANTS CONTAINED WITHIN SECTION I, STREETS AND UTILITIES, MAY BE AMENDED OR TERMINATED AT ANY TIME, WHETHER PRIOR TO OR AFTER JANUARY 1, 2040, BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE, AND APPROVED BY THE BROKEN ARROW PLANNING COMMISSION OR ITS SUCCESSORS AND THE CITY OF BROKEN ARROW, OKLAHOMA. OWNER MAY SUPPLEMENT OR AMEND THE COVENANTS STATED HEREIN, BUT ANY SUCH AMENDMENT MAY NOT CONFLICT WITH THE COVENANTS SET FORTH ON THIS PAGE WITHOUT THE APPROVAL OF THE BROKEN ARROW PLANNING COMMISSION OR ITS SUCCESSORS AND THE CITY OF BROKEN ARROW, OKLAHOMA. THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING THESE COVENANTS SHALL BE EFFECTIVE FROM AND AFTER THE DATE IT IS RECORDED IN THE RECORDS OF THE TULSA 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.

RESTRICTED ACCESS  
THE BUILDING LINE SETBACK MAY BE REDUCED TO 20' ALONG STREET FRONTAGES WITH RESTRICTED ACCESS PROVIDED NO VEHICULAR ACCESS OCCURS ALONG STREET FRONTAGE. ACCESS MAY OCCUR WHERE THERE IS RESTRICTED ACCESS, BUT THE BUILDING LINE SETBACK IS INCREASED TO 25 FEET.

## OWNER'S CERTIFICATE AND DEDICATION

KNOW ALL MEN BY THE PRESENTS:

TULSA L DEV., LLC, HEREINAFTER CALLED "OWNER" IS THE OWNER OF THE FOLLOWING DESCRIBED REAL ESTATE IN WAGONER COUNTY, OKLAHOMA, TO-WIT:

### LEGAL DESCRIPTION

AS DESCRIBED ON SHEET 2 OF 3

SAID TRACT OF LAND IS SUBJECT TO ANY EASEMENTS AND/OR RIGHTS-OF-WAYS OF RECORD AND THE OWNER HAS CAUSED THE ABOVE-DESCRIBED LAND TO BE SURVEYED, STAKED, PLATTED, GRANTED, DONATED, CONVEYED, DEDICATED, ACCESS RIGHTS RESERVED AND SUBDIVIDED INTO 75 LOTS IN FIVE (5) BLOCKS IN CONFORMITY WITH THE ACCOMPANYING PLAT AND SURVEY HEREINAFTER THE "PLAT") AND HAS ENTITLED AND DESIGNATED THE SUBDIVISION AS "PARK PLACE - PHASE 3", AN ADDITION IN THE CITY OF BROKEN ARROW, WAGONER COUNTY, STATE OF OKLAHOMA.

TULSA L DEV., LLC

BY \_\_\_\_\_  
STEPHEN LIEUX, MANAGER