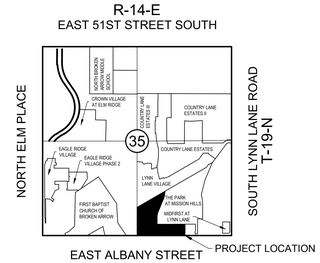
PRELIMINARY PLAT

Highland 55 at Mission Hills

PUD NO. 189 C

A PART OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 35, T-19-N, R-14-E, IBM.,
TULSA COUNTY, STATE OF OKLAHOMA

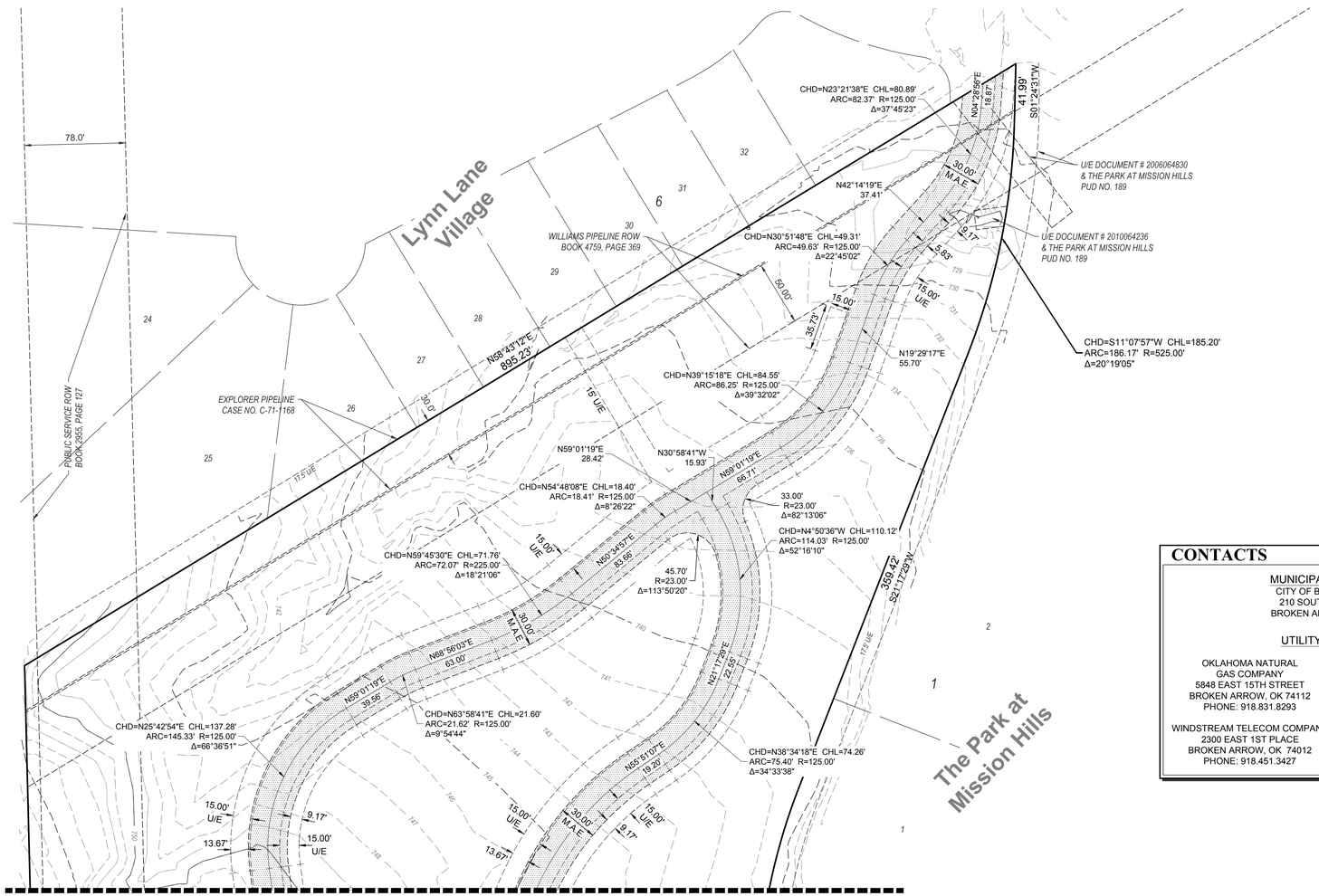
DRAWING SCALE: 1"= 50'
0 25 50 100



LOCATION MAP
SCALE: 1"=2000'

OWNER/DEVELOPER
TALLGRASS CAPITAL LLC.
1000 WEST WILSHIRE, SUITE 357
OKLAHOMA CITY, OK 73116
PHONE: 405-840-4400
ATTN: CHRIS FRANKLIN

ENGINEER/SURVEYOR
AAB ENGINEERING LLC
CERTIFICATE OF AUTHORIZATION NO. 6318, EXP. JUNE, 30, 2020
PO BOX 2136
SAND SPRINGS, OK 74063
PHONE: 918.514.4283
FAX: 918.514.4288
EMAIL: ALAN @ AABENG.COM



SUBDIVISION STATISTICS

SUBDIVISION CONTAINS ONE (1) LOT IN ONE (1) BLOCK (19.62 ACRES)

LEGEND

POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
R.O.W.	RIGHT OF WAY
CHB	CHORD BEARING
CHL	CHORD LENGTH
ARC	ARC LENGTH
R	RADIUS
Δ	DELTA
U/E	UTILITY EASEMENT
M.A.E.	MUTUAL ACCESS EASEMENT
BK	BOOK
PG	PAGE
IPF	IRON PIN FOUND
IPS	IRON PIN SET
XXXX	STREET ADDRESS
	MUTUAL ACCESS EASEMENT

CONTACTS

MUNICIPAL AUTHORITY
CITY OF BROKEN ARROW
210 SOUTH 1ST STREET
BROKEN ARROW, OK 74012

UTILITY CONTACTS

OKLAHOMA NATURAL GAS COMPANY
5848 EAST 15TH STREET
BROKEN ARROW, OK 74112
PHONE: 918.831.8293

WINDSTREAM TELECOM COMPANY
2300 EAST 1ST PLACE
BROKEN ARROW, OK 74012
PHONE: 918.451.3427

AEP / PSO
212 EAST 6TH STREET
BROKEN ARROW, OK 74119
PHONE: 918.599.2351

COX COMMUNICATIONS
11811 EAST 51ST STREET
BROKEN ARROW, OK 74145
PHONE: 918.286.4658

SUBDIVISION DATA

BENCHMARK
1 1/2" ALUMINUM CAP-FLUSH-SET STAMPED "561", SET S.E. OF 31ST STREET, AND 177TH E. AVE.
ELEV = 695.014' (NAVD 1988)

BASIS OF BEARINGS
ASSUMED BEARING OF N 01°25'57" W ALONG THE WEST LINE OF THE SE/4 OF SECTION 35, T-19-N, R-14-E TULSA COUNTY, STATE OF OKLAHOMA

LAND AREA
854,935 SF± / 19.63 ACRES±

MONUMENTATION
A 3/8" X 18" REBAR WITH A YELLOW PLASTIC CAP STAMPED "CA6318" TO BE SET AT ALL LOT CORNERS, POINTS OF CURVE, POINTS OF TANGENT, POINTS OF COMPOUND CURVE, POINTS OF REVERSE CURVE. A MAG NAIL WITH WASHER STAMPED "CA6318" TO BE SET AT ALL STREET CENTERLINE INTERSECTIONS, CENTER OF CUL-DE-SACS AND CENTER OF EYEBROWS, AFTER COMPLETION OF IMPROVEMENTS, UNLESS NOTED OTHERWISE.

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

DETENTION DETERMINATION
DETENTION DETERMINATION NUMBER: DD-_____

PLOT DATE : Mon, 20 May 2019 FILE: P:\194\55-HIGHLAND 55 DUPLEX SITE\MISSION HILLS

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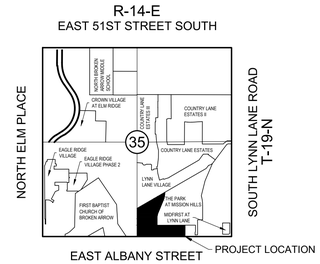

LOCATION MAP
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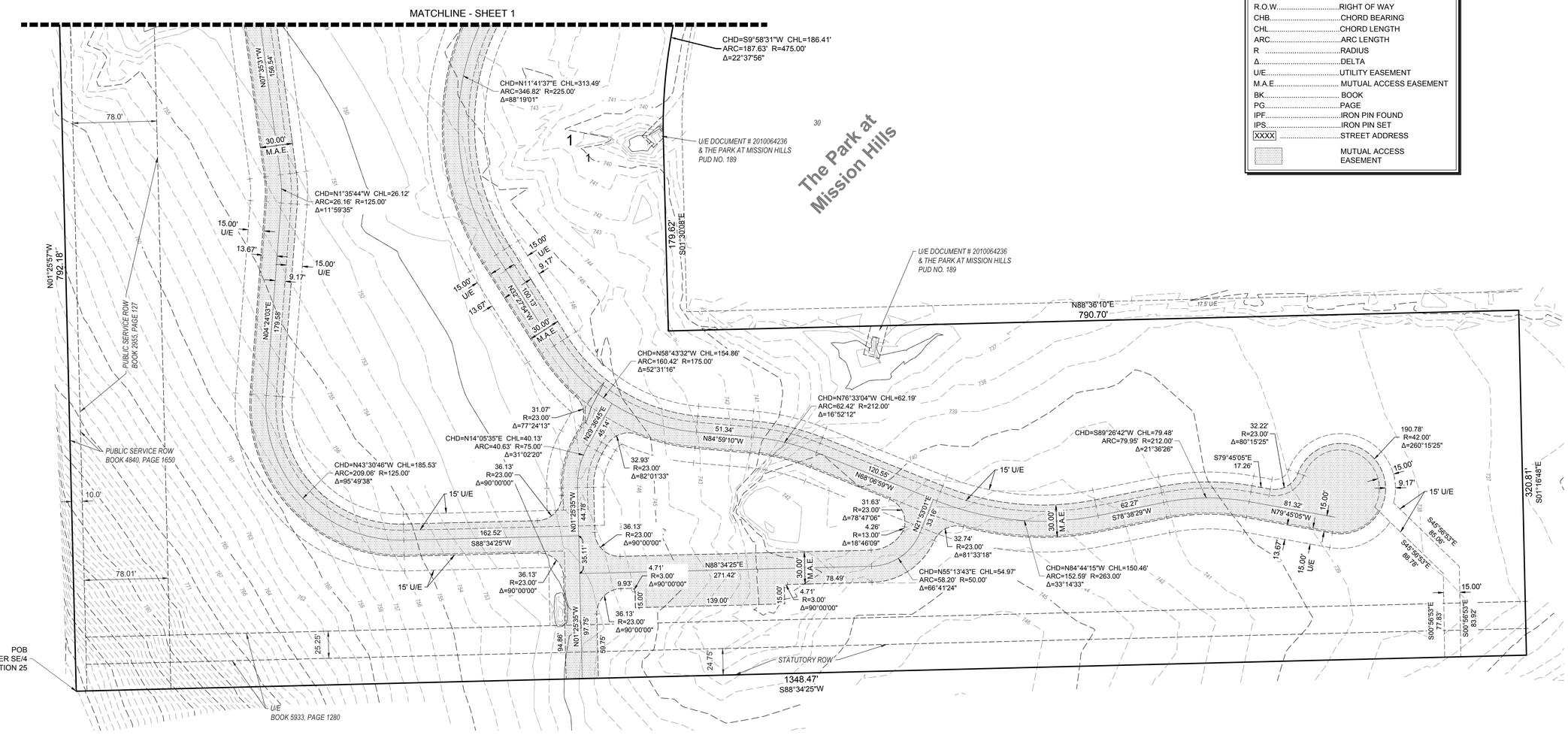

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NOW ALL MEN BY THESE PRESENTS:

TALLGRASS CAPITAL LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HEREINAFTER REFERRED TO AS THE "OWNER/DEVELOPER", IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA:

A TRACT OF LAND IN THE SOUTHEAST QUARTER (SE/4) OF SECTION THIRTY-FIVE (35), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER (SE/4); THENCE N 01°25'57" W ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER (SE/4) A DISTANCE OF 792.18 FEET TO THE SOUTHWEST CORNER OF LOT TWENTY-FIVE (25) OF BLOCK SIX (6) OF LYNN LANE VILLAGE, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE PLAT NUMBER 6031, FILED IN THE RECORDS OF THE OFFICE OF THE TULSA COUNTY CLERK; THENCE N 58°43'12" E ALONG THE SOUTHERLY LINE OF SAID LYNN LANE VILLAGE A DISTANCE OF 895.23 FEET TO THE WEST MOST CORNER OF LOT ONE (1), BLOCK ONE (1), OF SAID LYNN LANE VILLAGE, SAID POINT ALSO BEING THE WEST MOST NORTHWEST CORNER OF LOT TWO (2), OF BLOCK ONE (1), OF THE PARK AT MISSION HILLS, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE DOC #6356, FILED IN THE RECORDS OF THE OFFICE OF THE TULSA COUNTY CLERK; THENCE ALONG THE WESTERLY LINE OF BLOCK ONE (1) OF THE PARK AT MISSION HILLS FOR THE NEXT FIVE (5) COURSES AS FOLLOWS:

1) S 01°24'31" W A DISTANCE OF 41 .99 FEET;
2) ON A CURVE TO THE RIGHT WITH AN ARC LENGTH OF 186.17 FEET, A RADIUS OF 525.00 FEET, A CHORD BEARING OF S 11°07'57" W AND A CHORD LENGTH OF 185.20 FEET;
3) S 21°17'29" W A DISTANCE OF 359.42 FEET;
4) ON A CURVE TO THE LEFT WITH AN ARC LENGTH OF 187.63 FEET, A RADIUS OF 475.00 FEET, A CHORD BEARING OF S 09°58'31" W AND A CHORD LENGTH OF 186.41 FEET;
5) S 01°30'08" E A DISTANCE OF 179.62 FEET TO THE SOUTHWEST CORNER OF BLOCK ONE

(1) OF THE PARK AT MISSION HILLS;

THENCE N 88°36'10" E ALONG THE SOUTH LINE OF BLOCK ONE (1) OF THE PARK AT MISSION HILLS A DISTANCE OF 790.70 FEET; THENCE S 01°16'48" E A DISTANCE OF 320.81 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER (SE/4); THENCE S 88°34'25" W ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER (SE/4) A DISTANCE OF 1348.47 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 854,935 SQUARE FEET/19.63 ACRES MORE OR LESS.

AND HAS CAUSED THE ABOVE DESCRIBED LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO ONE (1) LOT AND ONE (1) BLOCK IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS "HIGHLANDS 55 AT MISSION HILLS" A SUBDIVISION IN THE CITY OF BROKEN ARROW, TULSA COUNTY, OKLAHOMA. (THE "SUBDIVISION")

SECTION I. EASEMENTS AND UTILITIES

A. UTILITY EASEMENTS

THE OWNER/DEVELOPER DOES HEREBY DEDICATE FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT AS "U/E" OR "UTILITY EASEMENT", FOR OWNER/DEVELOPER AND ALL UTILITY SERVICES WITH FRANCHISE RIGHTS WITHIN THE CITY OF BROKEN ARROW FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER APPURTENANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES AFORESAID, PROVIDED HOWEVER, THE OWNER/DEVELOPER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RE-LAY ALL UTILITY LINES, INCLUDING WATER LINES AND STORM SEWER, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING AND RE-LAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER SERVICE AND ALL UTILITY SERVICES TO THE AREA INCLUDED IN THE PLAT AND ELSEWHERE, AS MAY BE REQUIRED. THE OWNER/DEVELOPER HEREIN IMPOSES A RESTRICTIVE COVENANT, WHICH 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 SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING, CUSTOMARY SCREENING FENCES AND WALLS THAT DO NOT CONSTITUTE AN OBSTRUCTION.

B. UNDERGROUND SERVICE

1. OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED ALONG THE PERIMETER EASEMENTS OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY OVERHEAD LINE OR UNDERGROUND CABLE AND ELSEWHERE THROUGHOUT THE SUBDIVISION. ALL SUPPLY LINES SHALL BE LOCATED UNDERGROUND IN THE GENERAL UTILITY EASEMENTS. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE GENERAL UTILITY EASEMENTS.
2. UNDERGROUND SERVICE CABLES TO ALL STRUCTURES WHICH MAY BE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST 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 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 OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.
3. THE SUPPLIER OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL GENERAL UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE OR CABLE TELEVISION FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.
4. THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON HIS LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY THAT WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE OR CABLE TELEVISION FACILITIES. THE SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS.
5. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH B SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE ELECTRIC, TELEPHONE OR CABLE TELEVISION SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

C. WATER AND STORM SEWER SERVICE

1. THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS AND STORM SEWERS LOCATED ON THEIR LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID PUBLIC WATER MAIN OR STORM SEWER.
2. WITHIN THE UTILITY 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 OR STORM SEWER, OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH PUBLIC WATER MAINS AND STORM SEWERS SHALL BE PROHIBITED. THE CITY OF BROKEN ARROW MAY SPECIFICALLY ENFORCE THIS PROVISION.
3. THE CITY OF BROKEN ARROW, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER AND STORM SEWER, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, HIS AGENTS OR CONTRACTORS.
4. 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 WATER OR STORM SEWER FACILITIES.
5. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH C SHALL BE ENFORCEABLE BY THE CITY OF BROKEN ARROW, OKLAHOMA, OR ITS SUCCESSORS, AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

D. PAVING AND LANDSCAPING WITHIN EASEMENTS

THE OWNER OF THE LOT AFFECTED SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO LANDSCAPING AND PAVING OCCASIONED BY NECESSARY INSTALLATION OR MAINTENANCE OF UNDERGROUND WATER, STORM SEWER, NATURAL GAS, COMMUNICATION, CABLE TELEVISION OR ELECTRIC FACILITIES WITHIN THE EASEMENT AREAS DEPICTED UPON THE ACCOMPANYING PLAT, PROVIDED, HOWEVER, THE CITY OF BROKEN ARROW, OKLAHOMA, OR THE SUPPLIER OF THE UTILITY SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

E. GAS SERVICE

1. THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED ON THE LOT.
2. WITHIN THE DEPICTED UTILITY EASEMENT AREAS, THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY, WHICH MAY INTERFERE WITH THE UNDERGROUND GAS FACILITIES, SHALL BE PROHIBITED.
3. THE SUPPLIER OF GAS SERVICE OR ITS SUCCESSORS SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF THE GAS FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, HIS AGENTS OR CONTRACTORS.
4. THE SUPPLIER OF GAS SERVICE OR ITS SUCCESSORS SHALL AT ALL TIMES HAVE RIGHT OF ACCESS WITH THEIR EQUIPMENT TO ALL EASEMENT WAYS 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 GAS FACILITIES.
5. UNDERGROUND GAS SERVICE LINES TO ALL STRUCTURES WHICH MAY BE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST GAS MAIN 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 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 LINE, EXTENDING FROM THE GAS MAIN TO THE SERVICE ENTRANCE ON THE STRUCTURE.
6. THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION E SHALL BE ENFORCEABLE BY THE SUPPLIER OF GAS SERVICE OR ITS SUCCESSORS AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

F. SURFACE DRAINAGE AND LOT GRADING RESTRICTION

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

G. CERTIFICATE OF OCCUPANCY RESTRICTIONS

NO CERTIFICATE OF OCCUPANCY SHALL BE ISSUED BY THE CITY OF BROKEN ARROW UNTIL COMPLETION OF THE ENTIRE DEVELOPMENT AND ITS FORMAL ACCEPTANCE BY THE CITY OF BROKEN ARROW. ANY AND ALL CONSTRUCTION PURSUANT TO ANY BUILDING PERMIT, BUT PRIOR TO THE CITY OF BROKEN ARROW'S FORMAL ACCEPTANCE OF THE ENTIRE DEVELOPMENT, SHALL BE AT THE OWNER/DEVELOPER'S, CONTRACTOR'S/BUILDER'S OR INVESTOR'S OWN RISK.

SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS

A. PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS HIGHLAND 55 AT MISSION HILLS WAS SUBMITTED AS A PLANNED UNIT DEVELOPMENT, DESIGNATED AS PUD 189C PURSUANT TO SECTION 3, ARTICLE VII OF THE ZONING ORDINANCE OF THE CITY OF BROKEN ARROW, OKLAHOMA, (ORDINANCE NO. 1560) AS AMENDED AND EXISTED ON MAY 2, 2005 (HEREINAFTER REFERRED TO AS THE "BROKEN ARROW ZONING ORDINANCE"), WHICH PUD - 189C WAS RECOMMENDED FOR APPROVAL BY THE PLANNING COMMISSION ON OCTOBER 11th, 2018, AND WAS APPROVED BY THE COUNCIL OF THE CITY OF BROKEN ARROW, OKLAHOMA, ON NOVEMBER 5th, 2018; AND WHEREAS, THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE BROKEN ARROW ZONING CODE REQUIRE THE ESTABLISHMENT OF COVENANTS OF RECORD, INURING TO AND ENFORCEABLE BY THE CITY OF BROKEN ARROW, OKLAHOMA, SUFFICIENT TO ASSURE CONTINUED COMPLIANCE WITH THE APPROVED PLANNED UNIT DEVELOPMENT, AND WHEREAS, THE OWNER/DEVELOPER DESIRES TO ESTABLISH RESTRICTIONS FOR THE PURPOSE OF PROVIDING FOR AN ORDERLY DEVELOPMENT AND TO INURE ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE OWNER/DEVELOPER, ITS SUCCESSORS AND ASSIGNS, AND THE CITY OF BROKEN ARROW, OKLAHOMA; THEREFORE, THE OWNER/DEVELOPER DOES HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BIDING UPON THE OWNER/DEVELOPER, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH.

B. PERMITTED USES — RD RESIDENTIAL DUPLEX DISTRICT

C. GROSS RESIDENTIAL AREA — 19.63 ACRES FOR PUD-189C

D. MAXIMUM NUMBER OF DWELLING UNITS — 98

E. MINIMUM LIVABILITY SPACE PER DWELLING — 1600 SF.

F. MAXIMUM BUILDING HEIGHT — ONE STORY/35 FEET

G. OFF STREET PARKING — 2 OFF STREET PARING SPACES FOR DWELLING UNIT

H. MINIMUM BUILDING SETBACKS — 20' FROM PERIMETER TRACT; 18' FROM STRUCTURES TO PRIVATE ROADWAY SYSTEM

I. LANDSCAPING

A LANDSCAPE AREA OF AT LEAST 20 FEET WIDE WILL BE PROVIDED AROUND THE PERIMETER OF THE DEVELOPMENT. AS REQUIRED AND REGULATED BY CHAPTER 5, SECTION 5.2.B EXCEPT SECTION 5.2.1.a.iv. IS MODIFIED TO REDUCE THE NUMBER OF TREES REQUIRED PER DWELLING UNIT FROM TWO TREES TO ONE TREE PROVIDED EACH TREE SHALL HAVE A CALIPER OF 3 INCHES (ZONING ORDINANCE REQUIRES 2 INCH CALIPER). FOR ANY EXISTING TREE TO BE INCLUDED AS THE REQUIRED NUMBER OF TREES, THE SIZE, TYPE AND LOCATION OF THE TREE MUST BE SHOWN ON THE LANDSCAPE PLAN. SHRUBS ARE INCREASED AS FOLLOWS:

1. 7.5 - 3 GALLON SHRUBS ARE INSTALLED PER DWELLING UNIT (ZONING ORDINANCE REQUIRES 5 - 3 GALLON SHRUBS 50% INCREASE)
2. 5 - 1 GALLON GROUNDCOVER OR FLOWERING SHRUBS ARE INSTALLED PER DWELLING UNIT (ZONING ORDINANCE DOES NOT REQUIRE ANY GROUNDCOVER OR FLOWERING SHRUBS).

J. SCREENING

AS REQUIRED AND REGULATED BY CHAPTER 5, SECTIONS 5.2.D AND 5.2.E. AN OPAQUE FENCE, AT LEAST SIX FEET IN HEIGHT, SHALL BE INSTALLED ALONG THE SOUTH PORTIONS OF AREA B AND AREA B EXPANDED. ALONG THE NORTH, SOUTH, AND WEST BOUNDARIES, AN OPAQUE FENCE OF AT LEAST SIX FEET IN HEIGHT SHALL BE PROVIDED IF A FENCE MEETING THE REQUIREMENTS DOES NOT CURRENTLY EXIST. ALL BRACING AND METAL POSTS SHALL BE INSTALLED ON THE INSIDE PART OF THE FENCE. REQUIRED SCREENING FENCE SHALL BE MAINTAINED BY THE DEVELOPER OR OWNER OF THE DEVELOPMENT.

K. SIGNS

AS PERMITTED AND REGULATED BY CHAPTER 5, SECTION 5.7 SIGNS FOR USES PERMITTED IN AREA B. NO OFF SITE SIGNAGE SHALL OCCUR.

L. LIGHTING

AS PERMITTED AND REGULATED BY CHAPTER 5, SECTION 5.6 EXTERIOR LIGHTING FOR THE USES PERMITTED IN AREA B AND AREA B EXPANDED.

M. BUILDING FACADES

EXTERIOR BUILDING MATERIALS OF THE RESIDENTIAL DUPLEX UNITS AND AMENITY FACILITIES SHALL INCORPORATE BRICK, STUCCO,STONE OR CEMENT FIBER BOARD MATERIAL (SUCH AS HARDIE PLANK 5/16" THICKNESS OR EQUAL). AT LEAST 50% OF THE ENTIRE FACADE FOR EACH ELEVATION OF THE RESIDENTIAL UNITS WILL BE EITHER BRICK OR STONE.

N. TRAIL SYSTEM

IN LIEU OF SIDEWALK REQUIREMENTS, A TRAIL SYSTEM, SIMILAR TO ONE ILLUSTRATED ON THE CONCEPTUAL DEVELOPMENT PLAN WILL BE CONSTRUCTED. THE TRAIL SYSTEM WILL BE AT LEAST 5' IN WIDTH AND PAVED BY THE PROPERTY OWNER WITH EITHER CONCRETE OR ASPHALT. THE TRAIL WILL BE PERMANENT, AND MAINTAINED BY THE PROPERTY OWNER. THE TRAIL SYSTEM WILL DESIGNED AND SUBMITTED TO THE CITY OF BROKEN ARROW WITH THE LANDSCAPING PLANS.

O. LOT SPLITS

AREA B AND AREA B EXPANDED WILL BE DEVELOPED AS ONE CONTIGUOUS DEVELOPMENT WITH NO LOT SPLITS. FURTHERMORE NO LOT SPLITS WILL BE ALLOWED IN THE FUTURE.

SECTION III. ENFORCEMENT, DURATION, AMENDMENT AND SEVERABILITY

A. ENFORCEMENT

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER/DEVELOPER, ITS SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I. EASEMENTS AND UTILITIES ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO, AND ADDITIONALLY THE COVENANTS WITHIN 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.

B. DURATION

THESE RESTRICTIONS, TO THE EXTENT PERMITTED BY APPLICABLE LAW, SHALL BE PERPETUAL BUT IN ANY EVENT SHALL BE IN FORCE AND EFFECT FOR A TERM OF NOT LESS THAN THIRTY (30) YEARS FROM THE DATE OF THE RECORDING OF THIS DEED OF DEDICATION UNLESS TERMINATED OR AMENDED AS HEREINAFTER PROVIDED.

C. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I, EASEMENTS AND UTILITIES, MAY BE AMENDED OR TERMINATED AT ANY TIME 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, THE COVENANTS CONTAINED WITHIN SECTION II, PLANNED UNIT DEVELOPMENT RESTRICTIONS, MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE PLANNING COMMISSION OF THE CITY OF BROKEN ARROW AND STAFF, OR ITS SUCCESSORS AND BY THE OWNER/DEVELOPER WHILE AN OWNER OF AT LEAST ONE (1) LOT, AND AFTER THE OWNER/DEVELOPER HAS TRANSFERRED ALL LOTS BY THE OWNER/DEVELOPER OF A MAJORITY OF THE LOTS CONTAINED WITHIN THE SUBDIVISION.

D. SEVERABILITY

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

IN WITNESS WHEREOF: TALLGRASS CAPITAL LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HAS EXECUTED THIS INSTRUMENT THIS _____ DAY OF _____, 2019.

TALLGRASS CAPITAL LLC,
AN OKLAHOMA LIMITED LIABILITY COMPANY

BY: _____
CHRIS FRANKLIN, MANAGER

STATE OF OKLAHOMA)
) SS
COUNTY OF _____)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 2019, BY CHRIS FRANKLIN, MANAGER OF TALLGRASS CAPITAL LLC.

_____
NOTARY PUBLIC
MY COMMISSION EXPIRES: _____
COMMISSION NUMBER: _____

CERTIFICATE OF SURVEY

I, JAY P. BISSELL, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT I HAVE SURVEYED, SUBDIVIDED AND PLATTED THE ABOVE TRACT DESIGNATED AS "HIGHLANDS 55 AT MISSION HILLS" A SUBDIVISION IN THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA. THE ABOVE PLAT IS AN ACCURATE REPRESENTATION OF SAID SURVEY AND 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.

_____
JAY P. BISSELL
REGISTERED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1318

REGISTERED LAND SURVEYOR
JAY P. BISSELL
OKLAHOMA
L.S. 1318
NOT FOR CONSTRUCTION
THIS DOCUMENT IS PRELIMINARY AND DOES NOT CONSTITUTE A FINAL SIGNED AND SEALED DOCUMENT.

STATE OF OKLAHOMA)
) SS.
COUNTY OF TULSA)

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ON THIS _____ DAY OF _____, 2019, PERSONALLY APPEARED JAY P. BISSELL, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSE THEREIN SET FORTH.

_____
NOTARY PUBLIC
MY COMMISSION EXPIRES: NOVEMBER 20, 2019
COMMISSION NUMBER: 11010522

ALAN BE I CHAN
NOTARY PUBLIC
11010522
STATE OF OKLAHOMA

PLOT DATE: Mon, 20 May 2019 FILE: P:\19\4535\HIGHLAND 55 DUPLEX SITE\MISSION HILLS