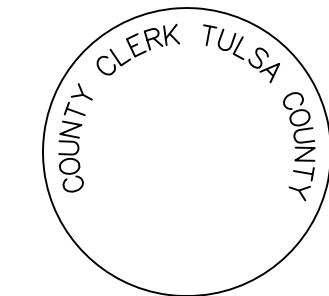


TULSA COUNTY CLERK - PAT KEY  
 DOC# \_\_\_\_\_ PAGE 1  
 RECEIPT# \_\_\_\_\_ DATE \_\_\_\_\_ TIME \_\_\_\_\_  
 FEE \_\_\_\_\_



**Owners**  
 CSD Enterprises LLC  
 Attention: Rodney James  
 3501 West Kenosha  
 Broken Arrow, Oklahoma 74012  
 Phone: 918 872 6006

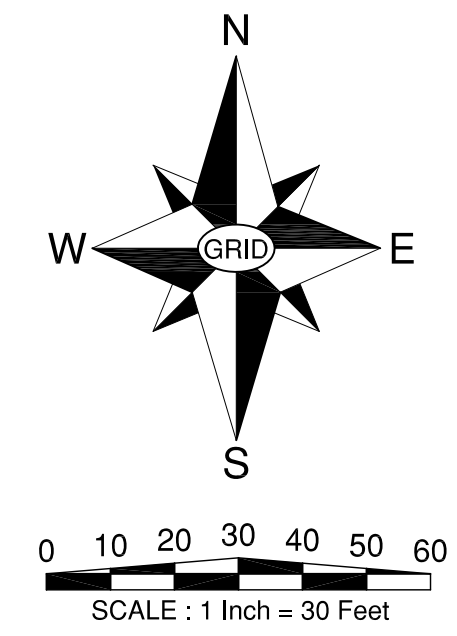
**Surveyor**  
 GEODECA LLC  
 6028 S. 66th E. Ave. Suite 101  
 Tulsa, Oklahoma 74145  
 918 949 4064  
 rmuzika@geodeca.com  
 CA # 5524 Renewal Date June 30th 2016

**Engineer**  
 Casement Engineering, LLC  
 P.O. Box 688  
 Owasso, OK 74055  
 918 740 7650  
 bcasement54@yahoo.com  
 CA # 5433 Renewal Date June 30th 2016

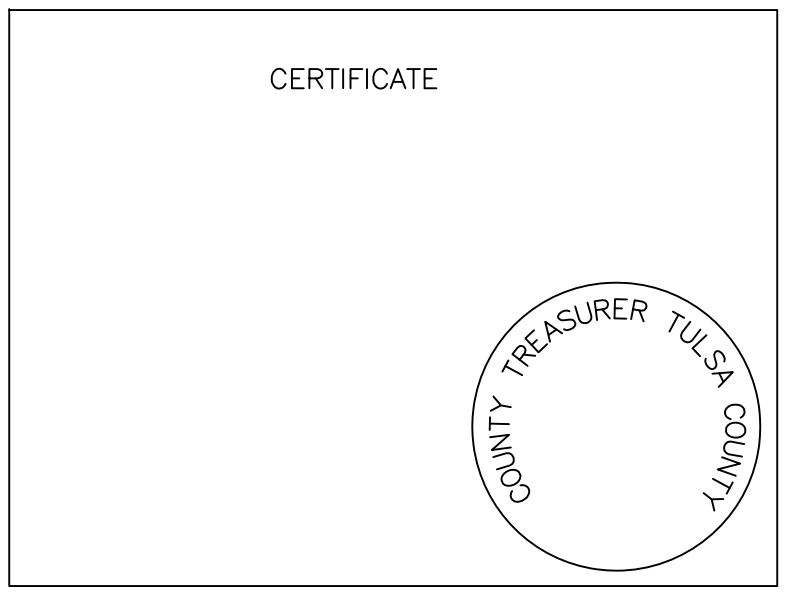
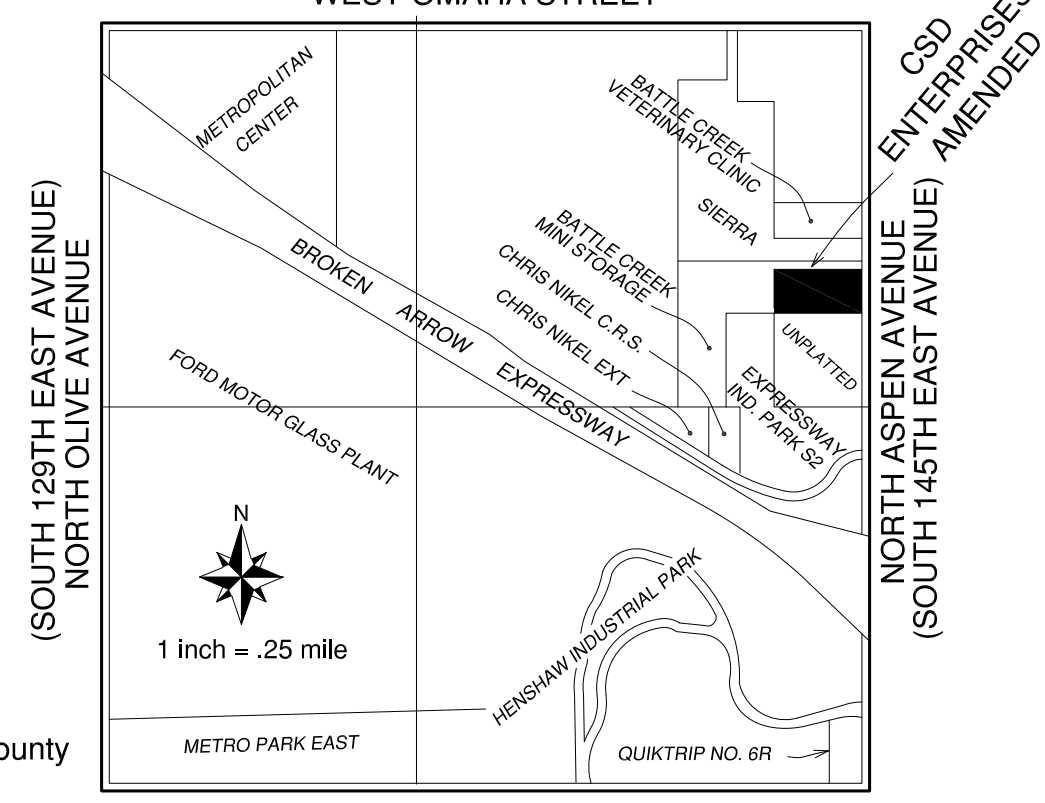
PRELIMINARY PLAT

**CSD ENTERPRISES AMENDED**

An Addition to the City of Broken Arrow  
 Being a Replat of Block 1, and Reserve A of "CSD ADDITION" and  
 a Part of Lot 1 of Block 1 of "BATTLE CREEK MINI-STORAGE" and  
 a subdivision of a Part of Northeast Quarter of Section 33,  
 Township 19 North, Range 14 East  
 Indian Meridian, Tulsa County, State of Oklahoma  
**PUD 226A**

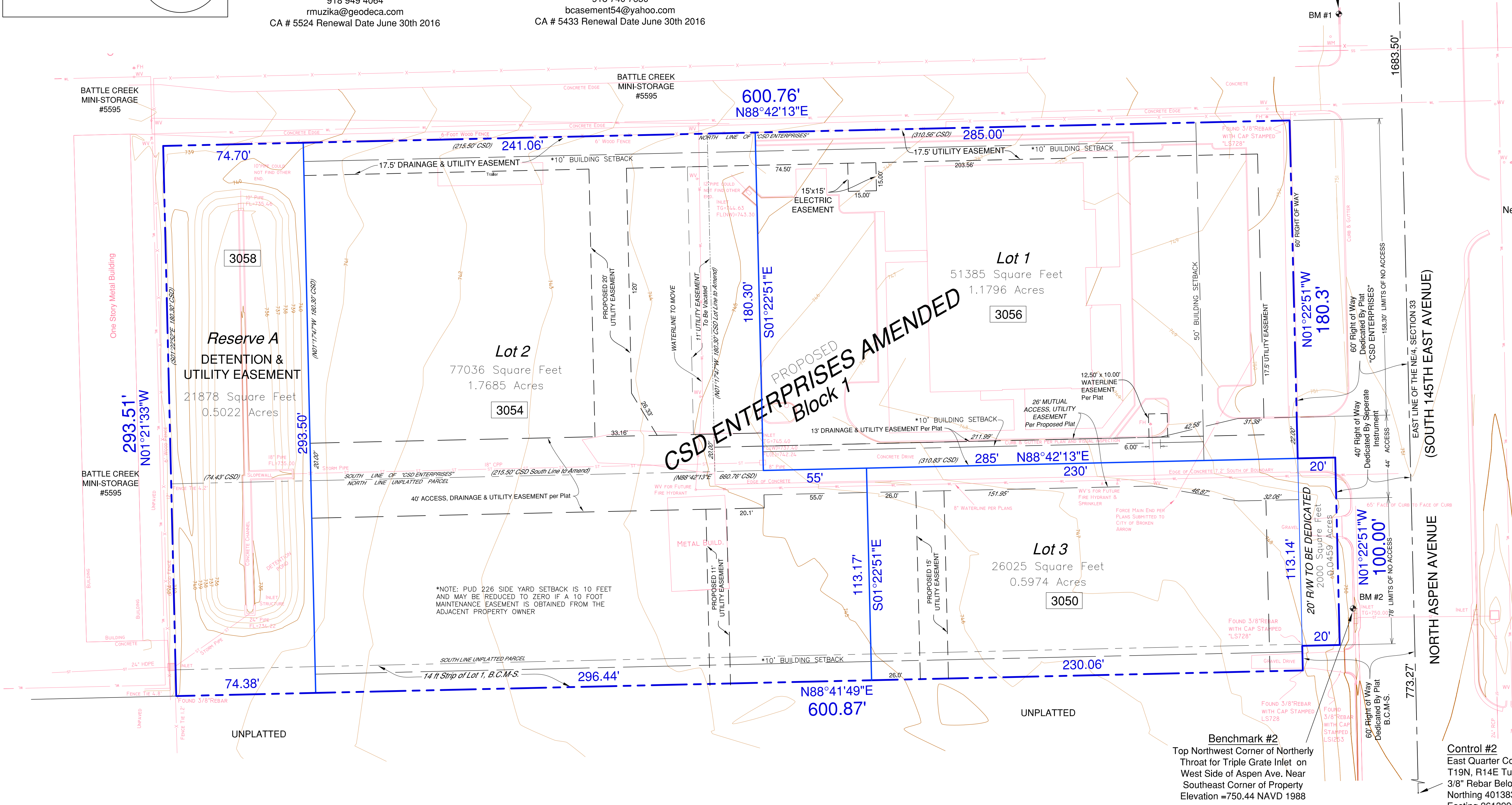


VICINITY MAP  
 SECTION 33, T-19-N, R-14-E  
 (EAST 51st STREET SOUTH)  
 WEST OMAHA STREET



**Benchmark #1**  
 Top of MAG Nail on Top of Curb 20.5'  
 North of the North Curb Return for  
 Battle Creek Mini-Storage  
 Elevation = 751.70 NAVD 1988

**Control #1**  
 Northeast Corner  
 Section 33  
 T19N, R14E Tulsa County  
 Stem of Brass Cap  
 Northing 404019.724  
 Easting 2613936.306



**Legend**

3056 = Address

Addresses shown on this plat are accurate as of the time the plat was filed. Addresses are subject to change and should never be relied on in place of a legal description.

**Statistics**

Subdivision Contains  
 3 Lots in 1 Block, 1 Reserve  
 Gross Area 178324 Square Feet or 4.0937 Acres  
 Net Developable Area (Block 1) 176324 Square Feet or 4.0478 Acres

**Flood Zone**

Subdivision within Flood Zone X (unshaded)  
 FEMA FIRM Map Number 40143C0379L  
 Revised Date October 16, 2012

**Sanitary Sewer**

Minimum Allowable FFE Without Backflow  
 Preventer Valve: 751.00'  
 Upstream Manhole Top of Rim: 750.00'  
 Backflow Preventer Valve Required: No

**Stormwater Detention Onsite**

Detention Determination No. DD-31815-06

**Monumentation**

Corners Monumented with a #3 Rebar with an Orange Plastic Cap or a Spike with Steel Washer, stamped "GEODECA CA5524" Unless Monument Found

**Basis of Bearing**

Coordinates and Bearings shown based on the Oklahoma State Plane North Grid

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

**Benchmark #2**  
 Top Northwest Corner of Northerly  
 Throat for Triple Grate Inlet on  
 West Side of Aspen Ave. Near  
 Southeast Corner of Property  
 Elevation = 750.44 NAVD 1988

**Control #2**  
 East Quarter Corner Section 33  
 T19N, R14E Tulsa County  
 3/8" Rebar Below Grade  
 Northing 401383.423  
 Easting 2613999.856

CASE NO. PT18-

DATE PREPARED January 29, 10:20 AM

PRELIMINARY PLAT

CSD ENTERPRISES AMENDED

An Addition to the City of Broken Arrow
Being a Replat of Block 1, and Reserve A of "CSD ADDITION" and
a Part of Lot 1 of Block 1 of "BATTLE CREEK MINI-STORAGE" and
a subdivision of a Part of Northeast Quarter of Section 33,
Township 19 North, Range 14 East
Indian Meridian, Tulsa County, State of Oklahoma

PUD 226A

CSD ENTERPRISES AMENDED
DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS: THAT, CSD ENTERPRISES LLC, BEING THE OWNER OF THE SURFACE REAL ESTATE AND PREMISES SITUATED IN THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, AND DESCRIBED AS FOLLOWS:

ALL OF LOT 1 & LOT 2 OF BLOCK 1 AND RESERVE A OF "CSD ENTERPRISES", PLAT #6627 AN ADDITION TO THE CITY OF BROKEN ARROW. PREVIOUSLY DESCRIBED AS THE NORTH 180.3 FEET OF THE SOUTH 294.3 FEET OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (NE/4 SE/4 NE/4) OF SECTION THIRTY-THREE (33), 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. (108317 SQUARE FEET OR 2.4866 ACRES)

ALONG WITH

THE NORTH 100 FEET OF THE SOUTH 114 FEET OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (NE/4 SE/4 NE/4) OF SECTION THIRTY-THREE (33), 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. LESS AND EXCEPT THE EAST 40.00 DEDICATED TO THE PUBLIC THEREOF. (59579 SQUARE FEET OR 1.3677 ACRES)

ALONG WITH

A 14.00 FOOT X 600.76 FOOT TRACT OF LAND THAT IS PART OF LOT ONE (1), BLOCK ONE (1), "BATTLE CREEK MINI-STORAGE", AN ADDITION TO THE CITY OF BROKEN ARROW, TULSA COUNTY, OKLAHOMA, RECORDED AS PLAT #5595 AT THE OFFICE OF THE TULSA COUNTY CLERK, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT THAT IS THE NORTHEAST CORNER OF LOT ONE (1) OF BLOCK ONE, BATTLE CREEK MINI-STORAGE, BEING ALONG THE EAST LINE THEREOF, SOUTH A DISTANCE OF 50.00 FEET; THENCE S 89°49'43" W A DISTANCE OF 600.76 FEET; THENCE S 0°00'01" E A DISTANCE OF 280.42 FEET TO THE BEGINNING POINT; THENCE FROM THE BEGINNING POINT, S 89°55'20" E A DISTANCE OF 600.76 FEET; THENCE SOUTH A DISTANCE OF 14.00 FEET; THENCE N 89°55'20" W A DISTANCE OF 600.76 FEET; THENCE N 0°00'01" W A DISTANCE OF 14.00 FEET TO THE BEGINNING POINT. (8427 SQUARE FEET OR 0.1935 ACRES)

AND HAS CAUSED THE ABOVE DESCRIBED TRACT OF LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO 3 LOTS, IN 1 BLOCK, IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS "CSD ENTERPRISES AMENDED" A SUBDIVISION IN THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA

CSD ENTERPRISES LLO DOES HEREBY GUARANTEE CLEAR TITLE TO ALL THE LAND THAT IS SO DEDICATED AND THE FOLLOWING DEVELOPMENT STANDARDS AND RESTRICTIONS SHALL APPLY.

ONLY THE USES PERMITTED AS A MATTER OF RIGHT IN THE "CH" COMMERCIAL NEIGHBORHOOD ZONING DISTRICTS ACCORDING TO THE BROKEN ARROW ZONING ORDINANCE, AND USES CUSTOMARILY ACCESSORY TO SUCH PERMITTED PRINCIPAL USES, SHALL BE PERMITTED IN CSD ENTERPRISES, PROVIDED THAT IT MAY BE AMENDED OR RELEASED BY THE BROKEN ARROW PLANNING COMMISSION, OR ITS SUCCESSOR, AND WITH THE APPROVAL OF THE CITY OF BROKEN ARROW, OKLAHOMA OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA.

SECTION I. STREETS, EASEMENTS AND UTILITIES

A. 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 "UE" 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, 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 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 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 THAT INTERFERES WITH THE ABOVE SET FORTH USES AND PURPOSES OF AN EASEMENT SHALL BE PLACED, ERRECTED, INSTALLED OR 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.

B. LIMITS OF NO ACCESS

THE UNDERSIGNED OWNER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO NORTH ASPEN AVENUE WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" (OR "LNA") ON THE ACCOMPANYING PLAT, WHICH "LIMITS OF NO ACCESS" MAY BE AMENDED OR RELEASED BY THE BROKEN ARROW PLANNING COMMISSION, OR ITS SUCCESSOR, AND WITH THE APPROVAL OF THE CITY OF BROKEN ARROW, OKLAHOMA OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA.

C. UNDERGROUND SERVICE

1. 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 EASEMENT-WAYS RESERVED FOR GENERAL UTILITY SERVICES AND STREETS, SHOWN ON THE ATTACHED PLAT.
2. ALL SUPPLY LINES IN THE SUBDIVISION INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION, COMMUNICATION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN THE EASEMENTS RESERVED FOR GENERAL UTILITY SERVICES AND STREETS SHOWN ON THE PLAT OF THE SUBDIVISION. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE SAID UTILITY EASEMENTS.
3. UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WHICH MAY BE LOCATED ON ANY 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 WIDE STRIP MEASURING 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.
4. EACH SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION, COMMUNICATION 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 CERTIFICATE/DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION, COMMUNICATION OR GAS SERVICE FACILITIES SO INSTALLED BY IT. EACH SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION, COMMUNICATION OR GAS SERVICE IS ALSO RESERVED THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO TRIM, OR TREAT ANY VEGETATION UNDERGROWTH WITHIN SAID EASEMENT.
5. THE OWNER OF EACH LOT IN THE SUBDIVISION SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND UTILITY 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, COMMUNICATION 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, COMMUNICATION OR GAS SERVICES.

D. WATER MAINS, SANITARY SEWERS, AND STORM SEWER SERVICES

1. THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS IN THIS SUBDIVISION.
2. WITHIN THE UTILITY EASEMENT AREAS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GROUND ELEVATIONS FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER MAIN, OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS, SHALL BE PROHIBITED WITHOUT THE EXPRESS WRITTEN CONSENT OF THE CITY OF BROKEN ARROW, OKLAHOMA.
3. THE CITY OF BROKEN ARROW, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWER MAINS, 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 EASEMENTWAYS DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THIS CERTIFICATE/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 PARAGRAPH SHALL BE ENFORCEABLE BY THE CITY OF BROKEN ARROW, OKLAHOMA, OR ITS SUCCESSORS, AND THE OWNER OF EACH LOT AGREES TO BE BOUND HEREBY.

E. SURFACE DRAINAGE

EACH LOT DEPICTED ON THE ACCOMPANYING PLAT SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM STREETS AND EASEMENTS. NO LOT OWNER(S) 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 ANY LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF BROKEN ARROW, OKLAHOMA.

F. STORM DETENTION FACILITIES, RESERVE "A"

RESERVE "A" IS ESTABLISHED FOR STORM WATER DETENTION FACILITIES, OPEN SPACE AND LANDSCAPE AREA. THIS AREA SHALL BE MAINTAINED BY THE PROPERTY OWNERS IN ACCORDANCE WITH CITY OF BROKEN ARROW ORDINANCES, STANDARDS AND SPECIFICATIONS.

G. PAVING AND LANDSCAPING WITHIN EASEMENT

THE OWNER OF ANY LOT AFFECTED SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO LANDSCAPING AND PAVING OCCASIONED BY NECESSARY PLACEMENTS, REPLACEMENTS OR MAINTENANCE OF WATER, SEWER, STORM SEWER, NATURAL GAS, COMMUNICATION, CABLE TELEVISION, OR ELECTRIC FACILITIES WITHIN THE UTILITY 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. INVALIDATE OR AFFECT ANY OF THE OTHER RESTRICTIONS OR ANY PART THEREOF AS SET FORTH IN THIS PLAT. THIS RESTRICTION SHALL REMAIN IN FULL FORCE AND EFFECT.

SECTION II. PLANNED UNIT DEVELOPMENT COVENANTS AND RESTRICTIONS

CSD ENTERPRISES AMENDED WAS PROCESSED AND APPROVED BY THE BROKEN ARROW PLANNING COMMISSION ("BAPC") AND THE CITY OF BROKEN ARROW, OKLAHOMA AS A "PLANNED UNIT DEVELOPMENT" DESIGNATED PUD NO. 226A. PUD NO. 226A WAS AFFIRMATIVELY RECOMMENDED BY THE BAPC ON FEBRUARY 22, 2018 AND APPROVED BY THE CITY COUNCIL OF THE CITY OF BROKEN ARROW ON FEBRUARY 20, 2018. IN ACCORDANCE WITH THE PERTINENT PROVISIONS OF THE BROKEN ARROW ZONING ORDINANCE REQUIRING THE ESTABLISHMENT OF COVENANTS OF RECORD, INURING TO AND ENFORCEABLE BY THE CITY OF BROKEN ARROW, OKLAHOMA, SUFFICIENT TO ASSURE THE IMPLEMENTATION AND CONTINUED COMPLIANCE WITH THE PLANNED UNIT DEVELOPMENT AS APPROVED BY THE CITY OF BROKEN ARROW, AND IN ORDER TO ESTABLISH RESTRICTIONS FOR THE PURPOSE OF PROVIDING FOR AN ORDERLY DEVELOPMENT AND TO ENSURE ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE OWNERS (AND ITS SUCCESSORS AND ASSIGNS) AND THE CITY OF BROKEN ARROW, THE OWNERS DOES HEREBY IMPOSE THE FOLLOWING PROTECTIVE COVENANTS AND RESTRICTIONS, WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE OWNERS AND ITS SUCCESSORS AND ASSIGNS AS THE OWNER(S) OF LOTS IN THE SUBDIVISION, AND SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH.

A. GENERAL DEVELOPMENT CONDITIONS

THE DEVELOPMENT AND USE OF CSD ENTERPRISES AMENDED SHALL BE SUBJECT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE BROKEN ARROW ZONING ORDINANCE AS THEY EXISTED ON JUNE 13, 2014. NO BUILDING PERMIT SHALL BE ISSUED FOR ANY BUILDING UNTIL A PLANNED UNIT DEVELOPMENT DETAIL SITE PLAN FOR CSD ENTERPRISES AMENDED HAS BEEN SUBMITTED AND APPROVED AS BEING IN COMPLIANCE WITH THE APPROVED PLANNED UNIT DEVELOPMENT STANDARDS.

FOR THE PURPOSE OF MAINTAINING THE RESERVE AREA, FENCES AND COMMON AREAS WITHIN THE SUBDIVISION THE OWNERS WILL FORM A BINDING AGREEMENT OR ASSOCIATION. MAINTENANCE AND CARE WILL BE AN EXPENSE PROPORTIONATELY SHARED BY EACH LOT OWNER.

B. PERMITTED USES

FOR LOT 1 AND LOT 3, ONLY THE USES PERMITTED AS A MATTER OF RIGHT IN THE "CH" COMMERCIAL HEAVY ZONING DISTRICTS ACCORDING TO THE BROKEN ARROW ZONING ORDINANCE, AND USES CUSTOMARILY ACCESSORY TO SUCH PERMITTED PRINCIPAL USES, SHALL BE PERMITTED IN CSD ENTERPRISES AMENDED EXCEPT FOR SEXUALLY ORIENTED BUSINESS, BAR/NIGHTCLUB, ALCOHOLIC BEVERAGES, MARIJUANA SALES/CULTIVATION, TATTOOING, ANIMAL SALES AND SERVICES.

FOR LOT 2, OFFICE, WAREHOUSE, AND/OR INDOOR RV STORAGE SPACE SHALL BE THE ONLY USES ALLOWED AS A MATTER OF RIGHT IN THE "IL" INDUSTRIAL LIGHT ZONING DISTRICTS ACCORDING TO THE BROKEN ARROW ZONING ORDINANCE, AND USES CUSTOMARILY ACCESSORY TO SUCH PERMITTED PRINCIPAL USES, SHALL BE PERMITTED IN CSD ENTERPRISES AMENDED EXCEPT FOR SEXUALLY ORIENTED BUSINESS, BAR/NIGHTCLUB, ALCOHOLIC BEVERAGES, MARIJUANA SALES/CULTIVATION, TATTOOING, ANIMAL SALES AND SERVICES

SUBJECT TO THE CITY OF BROKEN ARROW CODE AND THE HEALTH AND WELFARE OF THE CITIZENS OF BROKEN ARROW, OPEN STORAGE SHALL BE LIMITED TO LOT 2 OF BLOCK 1. ITEMS PROHIBITED FROM STORAGE ARE AS FOLLOWS BUT NOT LIMITED TO: ABANDONED OR INOPERABLE VEHICLES AND EQUIPMENT, TRASH, DEBRIS, LIVE ANIMALS, DISCARDED MATERIAL. NO CONTAINERS SHALL BE STORED OUTSIDE THAT ARE SUBJECT STAGNANT WATER ACCUMULATION.

C. MINIMUM BUILDING SETBACKS

BUILDINGS IN LOT 1 AND LOT 3, CSD ENTERPRISES AMENDED SHALL BE SET BACK AS FOLLOWS:

- FRONT YARD SETBACK EAST (N. ASPEN AVE. FRONTAGE) 50 FEET
INTERIOR LOTS AND SIDE YARD 0 FEET
REAR YARD (EAST SIDE OF RESERVE LINE OF BLOCK 1) 0 FEET
PERIMETER OF PUD SIDE YARDS 10 FEET

\*IF A MAINTENANCE EASEMENT IS OBTAINED FROM THE ADJACENT PROPERTY OWNER, THE BUILDING SETBACK LINE MAY BE REDUCED TO 0

D. BUILDING HEIGHTS: 3 STORY, 60 FEET

E. MAXIMUM BUILDING FLOOR AREA: NO RESTRICTION

F. BUILDING FACADE:

FOR LOT 1 AND LOT 3, THE EAST SIDE OF ALL BUILDINGS SHALL BE CONSTRUCTED OF MASONRY, CONCRETE PANELS, GLASS BLOCK, GLASS CURTAIN WALLS, EXTERIOR INSULATED FINISHED SYSTEMS (EIFS), OR STUCCO FACADES. OTHER EXTERIOR MATERIALS CAN BE CONSIDERED, PROVIDED THEY ARE SUBMITTED TO AND APPROVED BY THE PLANNING COMMISSION. THE NORTH AND SOUTH SIDE OF BUILDING FOR AT LEAST 4' HIGH SHALL BE CONSTRUCTED OF MASONRY, CONCRETE PANES, GLASS BLOCK, GLASS CURTAIN WALLS, EXTERIOR INSULATE FINISHED SYSTEMS (EIFS), OR STUCCO FACADES. OTHER EXTERIOR MATERIALS CAN BE CONSIDERED, PROVIDE THEY ARE SUBMITTED TO AND APPROVED BY THE PLANNING COMMISSION.
FOR LOT 2, THE EXTERIOR OF ALL BUILDINGS SHALL BE EITHER CONSTRUCTED OF MASONRY, CONCRETE PANELS, GLASS BLOCK, GLASS CURTAIN WALLS, EXTERIOR INSULATED FINISHED SYSTEMS (EIFS), STUCCO FACADES, OR METAL PANELS. OTHER EXTERIOR MATERIALS CAN BE CONSIDERED, PROVIDED THEY ARE SUBMITTED TO AND APPROVED BY THE PLANNING COMMISSION.

G. LANDSCAPED AREAS

EXCEPT AS OTHERWISE PROVIDED HEREIN, THE LANDSCAPING REQUIREMENTS OF THE BROKEN ARROW ZONING ORDINANCE SHALL APPLY TO THIS SUBDIVISION.

FOR LOT 1 AND LOT 3 LANDSCAPING PER CURRENT CH ZONING REQUIREMENTS EXCEPT AS NOTED.

- MINIMUM NUMBER OF TREES OR CRAPEMYRTLES PLANTED AND MAINTAINED IN LANDSCAPED AREAS:
PUD REQUIRES 10' LANDSCAPE EASEMENT
PUD REQUIRES 10 SHRUBS FOR EVERY 50 LINEAR FEET
PUD REQUIRES FOR INTERIOR LOT 1 TREE PER 12 PARKING SPACES
PUD REQUIRES FOR STREET 1 TREE PER 40 LINEAR FEET IF 2" CALIPER TREES FROM THE APPROVED LIST ARE USED,
OR 1 PER 20 LINEAL FEET WHEN GRAPE MYRTLES ARE USED.
MINIMUM LANDSCAPE AREA: 15% DEVELOPABLE

FOR LOT 2 A 5-FOOT WIDE LANDSCAPE AREA SHALL BE PROVIDED ALONG THE EAST BOUNDARY OF LOT 2. THE FIVE FOOT WIDE LANDSCAPE AREA CAN BE LOCATED IN PARTIAL OR ALL IN LOT 1, 2, AND 3. IN THIS LANDSCAPE AREA, AT LEAST ONE EVERGREEN, THREE-GALLON SHRUB SHALL BE PLANTED PER 30 LINEAR FEET THEREOF. NO OTHER LANDSCAPING IS REQUIRED IN LOT 2.

H. TRANSPORTATION ACCESS AND PARKING

MUTUAL ENTRY: A 44 FEET WIDE MUTUAL POINT OF ENTRY IS BUILT AND WILL BE AS SHOWN ON THE FACE OF PLAT FOR CSD ENTERPRISES AMENDED AND NO OTHER POINT OF ENTRY WILL BE ALLOWED WITHOUT APPROVAL OF THE PLANNING COMMISSION.

MUTUAL ACCESS EASEMENT: FOR THE EFFICIENT AND HARMONIOUS DEVELOPMENT OF THE COMBINED PARCELS A MUTUAL ACCESS EASEMENT AS SHOWN ON THE FACE OF PLAT FOR CSD ENTERPRISES AMENDED.

MUTUAL PARKING: FOR THE EFFICIENT AND HARMONIOUS DEVELOPMENT OF THE COMBINED PARCELS A MUTUAL PARKING AGREEMENT WILL BE A PART OF THE COVENANTS.

OFF-STREET PARKING REQUIREMENTS:

FOR LOT 2, 1 PARKING SPACE PER 650 SQUARE FEET OF BUILDING. FOR LOT 1 AND 3, 1 PARKING SPACE PER 400 SQUARE FEET, PER PUD 226A

I. SIGNS

ONE FREESTANDING MONUMENT SIGN SHALL BE ALLOWED TO BE PLACED PER LOT. THE SIGN SHALL NOT EXCEED 14 FEET IN HEIGHT AND 100 SQUARE FEET OF DISPLAY AREA. NO SIGN SHALL BE LOCATED IN ANY UTILITY OR ACCESS EASEMENT. ALL FREE STANDING SIGNS SHALL HAVE A MONUMENT BASE DESIGN (NO SINGLE POLE DESIGN).

J. EXTERIOR LIGHTING

ALL EXTERIOR LIGHTING SHALL BE AS PROVIDED IN THE BROKEN ARROW ZONING ORDINANCE.

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 OWNERS, AND ITS SUCCESSORS AND ASSIGNS, AS THE OWNER(S) OF THE LOTS IN CSD ENTERPRISES AMENDED, WITHIN THE PROVISIONS SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAIN THERETO, AND ADDITIONALLY THE COVENANTS WITHIN SECTIONS I AND II, WHETHER OR NOT SPECIFICALLY THEREIN SO STATED, SHALL INURE TO THE BENEFIT OF THE OWNERS OF THE LOTS WITHIN THE SUBDIVISION AND THE CITY OF BROKEN ARROW, OKLAHOMA AND SHALL BE ENFORCEABLE BY THE CITY OF BROKEN ARROW, OKLAHOMA. IF THE UNDERSIGNED OWNER OR ITS SUCCESSORS OR ASSIGNS SHALL VIOLATE ANY OF THE COVENANTS WITHIN... IT SHALL BE LAWFUL FOR THE CITY OF BROKEN ARROW TO MAINTAIN ANY ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT... TO PREVENT HIM OR THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT OR TO RECOVER DAMAGES, IF THE OWNER OR ITS SUCCESSORS OR ASSIGNS OR ANY OWNER OF ANY LOT WITHIN THE SUBDIVISION SHALL VIOLATE ANY OF THE COVENANTS HEREIN, IT SHALL BE LAWFUL FOR THE CITY OF BROKEN ARROW OR ANY OWNER OF A LOT TO MAINTAIN ANY ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT HIM OR THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT. IN ANY JUDICIAL ACTION BROUGHT BY ANY OWNER OF A LOT OR THE CITY OF BROKEN ARROW, WHICH ACTION SEEKS TO ENFORCE THE COVENANTS OR RESTRICTIONS SET FORTH HEREIN OR TO RECOVER DAMAGES FOR THE BREACH THEREOF, THE PREVAILING PARTY SHALL BE ENTITLED TO RECOVER REASONABLE ATTORNEY'S FEES AND COST AND EXPENSES INCURRED IN SUCH ACTION.

B. DURATION

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

C. AMENDMENT

THE COVENANTS CONTAINED HEREIN MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNERS OF ALL LOTS WITHIN CSD ENTERPRISES AMENDED AND BY THE BROKEN ARROW PLANNING COMMISSION, OR ITS SUCCESSOR(S), WITH THE APPROVAL OF THE CITY OF BROKEN ARROW, OKLAHOMA, AND DULY FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OR RECORDER OF DEEDS OF TULSA COUNTY, OKLAHOMA.

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, CSD ENTERPRISES, LLC, AN OKLAHOMA CORPORATION

HAS EXECUTED THIS INSTRUMENT ON

THIS \_\_\_ DAY OF \_\_\_\_, 2018.

CSD ENTERPRISES, LLC, AN OKLAHOMA CORPORATION

BY: CHARLIE DANIELS, OWNER OF CSD ENTERPRISES, LLC

STATE OF OKLAHOMA )
) SS.
COUNTY OF TULSA )

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON

THIS \_\_\_ DAY OF \_\_\_\_, 2018.

BY: CHARLIE DANIELS, OWNER OF
CSD ENTERPRISES, LLC, AN OKLAHOMA CORPORATION

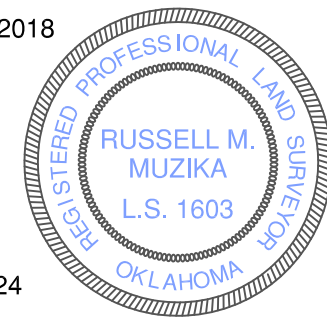
MY COMMISSION EXPIRES NOTARY PUBLIC

CERTIFICATE OF SURVEY

I, RUSSELL M. MUZKA, OF GEODECA, LLC., 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 DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED HEREIN AS "CSD ENTERPRISES AMENDED", AN ADDITION TO THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, IS A TRUE REPRESENTATION OF THE SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED PRACTICES AND MEETS OR EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING.

EXECUTED THIS \_\_\_ DAY OF \_\_\_\_, 2018

RUSSELL M. MUZKA
PROFESSIONAL LAND SURVEYOR, OKLAHOMA #1603
GEODECA LLC. CERTIFICATE OF AUTHORIZATION #5524
RENEWAL JUNE 30TH 2016



STATE OF OKLAHOMA )
) SS.
COUNTY OF TULSA )

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON

THIS \_\_\_ DAY OF \_\_\_\_, 2018.

BY RUSSELL M. MUZKA OF
GEODECA LLC, AN OKLAHOMA CORPORATION.

MY COMMISSION EXPIRES NOTARY PUBLIC

CASE NO. PT18-

DATE PREPARED January 29, 10:20 AM

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