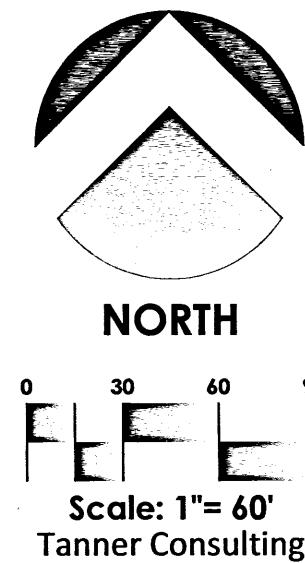




**LEGEND**

- B/L BUILDING LINE
- B/U BUILDING LINE & UTILITY EASEMENT
- BK PG BOOK & PAGE
- CB CHORD BEARING
- CD CHORD DISTANCE
- Δ DELTA ANGLE
- DOC DOCUMENT
- ESMT EASEMENT
- FF FINISHED FLOOR ELEVATION (RECOMMENDED MINIMUM)
- LNA LIMITS OF NO ACCESS
- ODE OIL AND DRAINAGE EASEMENT
- RADIUS
- R.A. RESTRICTED ACCESS RESERVE
- R/W RIGHT-OF-WAY
- SD/E STORMWATER DRAINAGE & DETENTION ESMT
- SF SIDEWALK EASEMENT
- SW/E UTILITY EASEMENT
- U/E ADDRESS ASSIGNED
- 1234 FOUND MONUMENT
- SET MONUMENT (SEE NOTE 2)



PUD-326

# Pine Valley Reserve Amended

A REPLAT OF ALL OF "PINE VALLEY RESERVE", A SUBDIVISION WITHIN THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 7148

A SUBDIVISION WITHIN THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA

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

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

**OWNER/DEVELOPER:**  
**Pine Valley Ranch LLC. and**  
**Dodson Building Group, Inc.**

CONTACT: RICK DODSON, GENERAL MANAGER/VICE-PRESIDENT  
EMAIL: DODSONBUILDER@GMAIL.COM  
5929 East 106th Place South  
Tulsa, Oklahoma 74137  
Phone: (918) 638-3003



**Location Map**  
Scale: 1" = 2000'  
NORTH

**SUBDIVISION CONTAINS:**  
SIXTY FIVE (65) LOTS  
IN FOUR (4) BLOCKS  
WITH EIGHT (8) RESERVE AREAS  
GROSS SUBDIVISION AREA: 18.494 ACRES

## Notes:

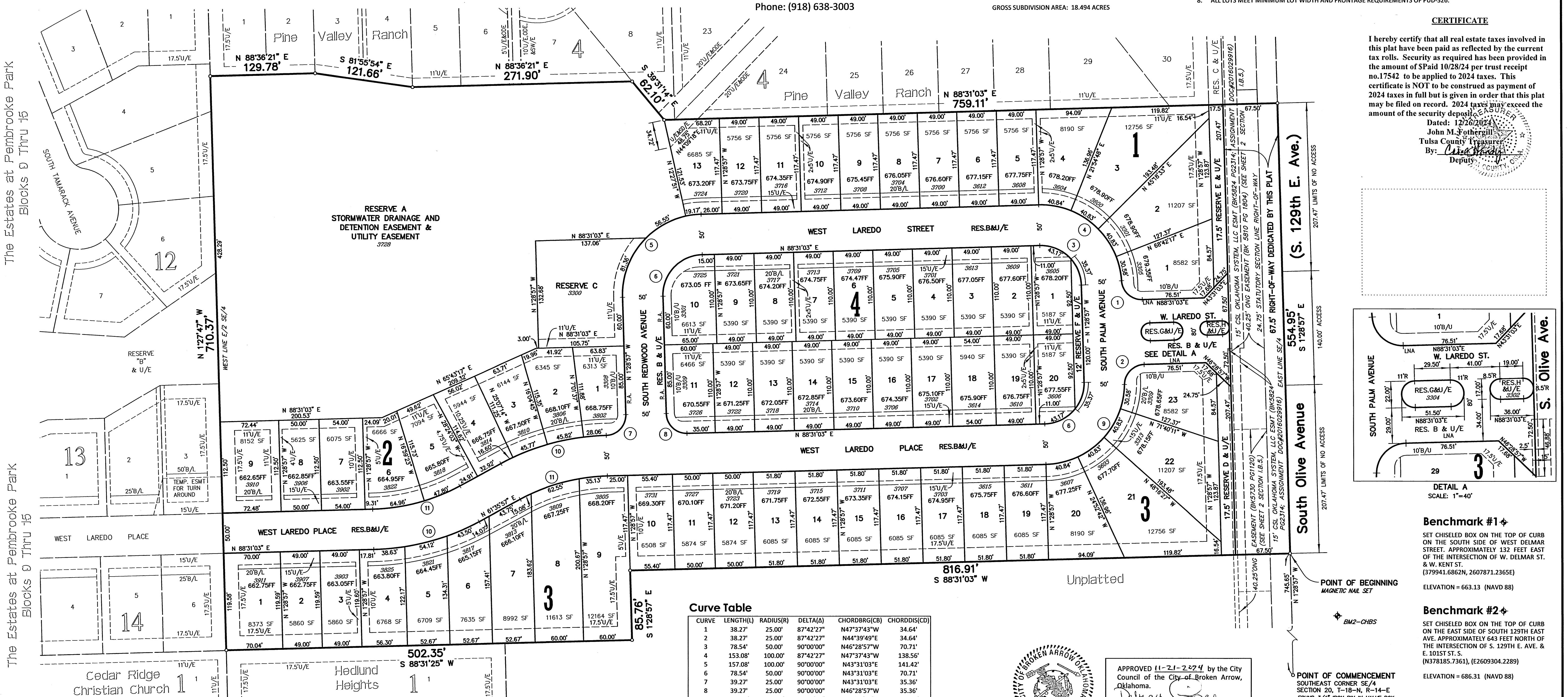
1. THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
2. ALL PROPERTY CORNERS ARE FOUND OR SET 3/8" IRON REBAR WITH YELLOW CAP STAMPED "TANNER 1435" UNLESS OTHERWISE NOTED.
3. THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3501), NORTH AMERICAN DATUM 1983 (NAD83); SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:
  - (A) FOUND 3/4" IRON PIN IN VALVE BOX AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 20;
  - (B) FOUND PK NAIL AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 20;
 THE BEARING BETWEEN SAID MONUMENTS BEING NORTH 1°28'57" WEST.
4. ADDRESSES SHOWN ON THIS PLAT WERE PROVIDED BY INCOG AND WERE ACCURATE AT THE TIME THE PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF THE LEGAL DESCRIPTION.
5. ACCESS AT THE TIME OF PLAT WAS PROVIDED BY SOUTH OLIVE AVENUE BY VIRTUE OF RIGHT-OF-WAY DEDICATED BY THIS PLAT, AND BY WEST LAREDO PLACE, BEING A PUBLIC STREET.
6. ALL OF SUBJECT PROPERTY IS LOCATED WITHIN UNSHADED ZONE X ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP, TULSA COUNTY, OKLAHOMA AND INCORPORATED AREAS, MAP NUMBER 40143C0389; REVISED DATE: OCTOBER 16, 2012.
7. THE STREET RIGHT-OF-WAY OF SOUTH OLIVE AVENUE AND ALL EASEMENTS WITHIN THIS SUBDIVISION ARE AS PER THE RECORDED PLAT OF "PINE VALLEY RESERVE", PLAT NO. 7148, AND THE SAME ARE DEDICATED OR REDEDICATED BY THIS REPLAT.
8. ALL LOTS MEET MINIMUM LOT WIDTH AND FRONTOFRONT REQUIREMENTS OF PUD-326.

## CERTIFICATE

I hereby certify that all real estate taxes involved in this plat have been paid as reflected by the current tax rolls. Security as required has been provided in the amount of \$paid 10/28/24 per trust receipt no. 17542 to be applied to 2024 taxes. This certificate is NOT to be construed as payment of 2024 taxes in full but is given in order that this plat may be filed on record. 2024 taxes may exceed the amount of the security deposit.

Dated: 12/26/2024

John M. Fotherill  
Tulsa County Treasurer  
By: *Craig Hendry*  
Deputy



PUD-326

# Pine Valley Reserve Amended

## DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

THAT PINE VALLEY RANCH LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY ("PVR"), IS THE OWNER OF THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, REPLATTED HEREBY AS THE "PVR REAL ESTATE" DESCRIBED HEREINBELLOW:

ALL OF "PINE VALLEY RESERVE", A SUBDIVISION WITHIN THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 7148), LESS AND EXCEPT: LOTS TWO (2), FIVE (5), AND SEVEN (7) OF BLOCK ONE (1); LOTS THREE (3) AND FIVE (5) OF BLOCK TWO (2); LOTS SEVENTEEN (17) AND NINETEEN (19) OF BLOCK THREE (3); AND LOTS TWO (2), FOUR (4), SEVENTEEN (17), AND NINETEEN (19) OF BLOCK FOUR (4) (THE "PVR REAL ESTATE").

AND

THAT DODSON BUILDING GROUP, INC., AN OKLAHOMA CORPORATION ("DBG"), IS THE OWNER OF THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, REPLATTED HEREBY AS LOTS TWO (2), FIVE (5), AND SEVEN (7) OF BLOCK ONE (1); LOTS THREE (3) AND FIVE (5) OF BLOCK TWO (2); LOTS SEVENTEEN (17) AND NINETEEN (19) OF BLOCK THREE (3); AND LOTS TWO (2), FOUR (4), SEVENTEEN (17), AND NINETEEN (19) OF BLOCK FOUR (4):

LOTS TWO (2), FIVE (5), AND SEVEN (7) OF BLOCK ONE (1); LOTS THREE (3) AND FIVE (5) OF BLOCK TWO (2); LOTS SEVENTEEN (17) AND NINETEEN (19) OF BLOCK THREE (3); AND LOTS TWO (2), FOUR (4), SEVENTEEN (17), AND NINETEEN (19) OF BLOCK FOUR (4), ALL WITHIN "PINE VALLEY RESERVE", A SUBDIVISION WITHIN THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 7148) (THE "DBG REAL ESTATE").

AND

THAT THE "PVR REAL ESTATE" AND THE "DBG REAL ESTATE" TOGETHER CONSTITUTE THE ENTIRETY OF THE PROPERTY REPLATTED HEREBY. "PVR" AND "DBG", HEREAFTER REFERRED TO AS "OWNERS", HAVE JOINTLY CAUSED THE "PVR REAL ESTATE" TOGETHER WITH THE "DBG REAL ESTATE" TO BE SURVEYED, STAKED, REPLATTED, AND SUBDIVIDED INTO SIXTY-FIVE (65) LOTS IN FOUR (4) BLOCKS, EIGHT (8) RESERVE AREAS, AND STREETS AS SHOWN BY THE ACCOMPANYING PLAT AND SURVEY THEREOF, AND WHICH PLAT IS MADE A PART HEREOF; AND THE OWNERS HAS AGREED TO SAY PLAT THE NAME OF "PINE VALLEY RESERVE AMENDED", A REPLAT OF ALL OF "PINE VALLEY RESERVE", A SUBDIVISION WITHIN THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 7148), A SUBDIVISION WITHIN THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, (WHEREVER THE WORD "SUBDIVISION" APPEARS HEREIN THE SAME SHALL CONCLUSIVELY BE DEEMED TO MEAN "PINE VALLEY RESERVE AMENDED" UNLESS THE CONTEXT CLEARLY DICTATES OTHERWISE. LIKEWISE, WHEREVER THE WORD "CITY" APPEARS HEREIN THE SAME SHALL CONCLUSIVELY BE DEEMED TO MEAN THE CITY OF BROKEN ARROW, TULSA COUNTY, OKLAHOMA, UNLESS THE CONTEXT CLEARLY DICTATES OTHERWISE).

NOW, THEREFORE, THE OWNERS, FOR THE PURPOSE OF PROVIDING FOR THE ORDERLY DEVELOPMENT OF THE SUBDIVISION, AND FOR THE PURPOSE OF INSURING ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE OWNERS, THEIR RESPECTIVE SUCCESSORS, GRANTEES, AND ASSIGNS, AND THE BENEFICIARIES OF THE COVENANTS SET FORTH BELOW, DO HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS, WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND WHICH SHALL BE ENFORCEABLE BY THE OWNERS, ALL LOT OWNERS WITHIN THE SUBDIVISION, AND BY THE OTHER BENEFICIARIES OF THE COVENANTS AS SET FORTH BELOW.

## SECTION I. STREETS, EASEMENTS, AND UTILITIES

### A. STREETS AND UTILITY EASEMENTS:

THE "PVR" DOES HEREBY DEDICATE FOR PUBLIC USE THE SOUTH OLIVE AVENUE STREET RIGHT-OF-WAY DEPICTED ON THE ACCOMPANYING PLAT. THE OWNERS DO FURTHER DEDICATE FOR PUBLIC USE THE UTILITY EASEMENTS, AS DEPICTED ON THE ACCOMPANYING PLAT AS "U/E" OR "UTILITY EASEMENT", FOR THE SEVERAL PURPOSES OF CONSTRUCTING, OPERATING, MAINTAINING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING, STORM SEWERS, SANITARY SEWERS, COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, AND WATERLINES, TOGETHER WITH ALL 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, TOGETHER WITH SIMILAR EASEMENT RIGHTS WITHIN THE SOUTH OLIVE AVENUE PUBLIC STREET, PROVIDED HOWEVER, THE OWNERS HEREBY RESERVE THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY, REMOVE, AND REPLACE WATERLINES, STORM SEWER LINES, AND SANITARY SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING, REMOVING, AND REPLACING OVER, ACROSS, AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER, STORM SEWER, AND SANITARY SEWER SERVICES TO THE AREA INCLUDED IN THE PLAT AND TO AREAS OUTSIDE OF THE PLAT.

THE OWNERS HEREBY IMPOSE A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON EACH LOT AND RESERVE AREA 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, OR LANDSCAPING THAT DO NOT CONSTITUTE AN OBSTRUCTION AS AFORESAID WITHIN SUCH EASEMENTS.

### B. UNDERGROUND SERVICE:

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

2. UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WHICH MAY BE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL, OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE AS MAY BE LOCATED UPON THE LOT. PROVIDED THAT, UPON THE INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE, AND NON-EXCLUSIVE RIGHT-OF-WAY EASEMENT ON THE LOT, COVERING A FIVE (5) FOOT STRIP EXTENDING TWO AND ONE-HALF (2.5) FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTINGUISHING FROM THE GAS MAIN, SERVICE PEDESTAL, OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.

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

4. EACH LOT AND RESERVE AREA OWNER SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON THE OWNER'S LOT OR RESERVE AREA AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, COMMUNICATION, OR GAS LINES. EACH SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF THEIR UTILITY FACILITIES, BUT THE LOT OR RESERVE AREA OWNER SHALL PAY FOR DAMAGE OR REPAIRS TO SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OR RESERVE AREA OWNER OR SAID OWNER'S AGENTS OR CONTRACTORS. SAID RESTRICTIONS ON ALTERATIONS OF GRADE AND LIMITATIONS ON CONSTRUCTION ACTIVITIES SHALL BE LIMITED TO UTILITY EASEMENTS AND DO NOT APPLY TO AREAS OUTSIDE OF THE UTILITY EASEMENTS DESIGNATED ON THE PLAT.

5. THE EASEMENTS CONTAINED WITHIN RIGHT OF WAY AGREEMENTS GRANTED IN FAVOR OF OKLAHOMA NATURAL GAS, FILED OF RECORD IN BOOK 5370 ON PAGE 1120 AND BOOK 5810 ON PAGE 1804 OF THE TULSA RECORDS, CONTAIN CERTAIN RESTRICTIONS AS SPECIFICALLY SET FORTH WITHIN SAID RIGHT OF WAY AGREEMENTS.

6. THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION B. CONCERNING ELECTRIC, COMMUNICATION, AND GAS SERVICES SHALL BE ENFORCEABLE BY EACH SUPPLIER OF THE ELECTRIC, COMMUNICATION, AND GAS SERVICE AND EACH LOT OR RESERVE AREA OWNER AGREES TO BE BOUND HEREBY.

### C. PUBLIC WATER, PUBLIC SANITARY SEWER, AND PUBLIC AND PRIVATE STORM SEWER SERVICES:

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

2. WITHIN THE UTILITY EASEMENT AREAS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE IN EXCESS OF THREE (3) FEET FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, PUBLIC SANITARY SEWER MAIN, OR PUBLIC OR PRIVATE STORM SEWER, OR ANY CONSTRUCTION ACTIVITY WHICH WOULD, IN THE JUDGMENT OF THE CITY OF BROKEN ARROW, INTERFERE WITH PUBLIC WATER MAINS, PUBLIC SANITARY SEWER MAINS, OR PUBLIC OR PRIVATE STORM SEWERS, SHALL BE PROHIBITED.

3. THE CITY OF BROKEN ARROW, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF PUBLIC WATER MAINS, PUBLIC SANITARY SEWER MAINS, AND PUBLIC STORM SEWERS, AND THE HOMEOWNERS' ASSOCIATION, DEFINED HEREINAFTER IN SECTION IV. (THE "ASSOCIATION"), SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF PRIVATE STORM SEWERS, BUT THE LOT OR RESERVE AREA OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OR RESERVE AREA OWNER OR SUCH OWNER'S AGENTS OR CONTRACTORS.

4. PRIVATE STORM SEWERS ARE THOSE SO IDENTIFIED ON THE CIVIL ENGINEERING CONSTRUCTION PLANS ON FILE WITH THE CITY OF BROKEN ARROW, OKLAHOMA, SHOULD THE HOMEOWNERS' ASSOCIATION FAIL TO REPAIR, REPLACE, OR PROPERLY MAINTAIN A DAMAGED OR FUNCTIONALLY IMPAIRED STORM SEWER, THE CITY OF BROKEN ARROW, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR, SHALL HAVE THE RIGHT TO PERFORM SUCH REPAIR, REPLACEMENT, OR MAINTENANCE, AND THE COSTS THEREOF SHALL BE PAID BY THE HOMEOWNERS' ASSOCIATION. IN THE EVENT THE HOMEOWNERS' ASSOCIATION SHOULD FAIL TO PAY THE COSTS OF MAINTENANCE, AFTER COMPLETION OF THE MAINTENANCE AND PROVISION OF A STATEMENT OF COSTS FROM THE CITY TO THE ASSOCIATION, THE CITY OF BROKEN ARROW, OKLAHOMA, MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS IN THE RECORDS OF THE TULSA COUNTY CLERK, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST ALL OWNERS OF LOTS WITHIN THE GEOGRAPHIC JURISDICTION OF THE HOMEOWNERS' ASSOCIATION. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF BROKEN ARROW, OKLAHOMA.

5. THE CITY OF BROKEN ARROW, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF UNDERGROUND PUBLIC WATER, PUBLIC SANITARY SEWER, OR PUBLIC OR PRIVATE STORM SEWER FACILITIES.

6. THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION C. SHALL BE ENFORCEABLE BY THE CITY OF BROKEN ARROW, OKLAHOMA, AND THE HOMEOWNERS' ASSOCIATION, OR THEIR RESPECTIVE SUCCESSORS, AND THE OWNERS AND OWNERS OF EACH LOT AND RESERVE AREA AGREE TO BE BOUND HEREBY.

### D. SURFACE DRAINAGE:

EACH LOT AND RESERVE AREA SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS, RESERVE AREAS, STREETS, AND DRAINAGE AREAS OF HIGHER ELEVATION WITHIN THE SUBDIVISION AND FROM PROPERTIES NOT INCLUDED WITHIN THE SUBDIVISION. NO LOT OR RESERVE AREA OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM OR SURFACE WATERS OVER AND ACROSS SUCH OWNER'S LOT OR RESERVE AREA. THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION D. SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OR RESERVE AREA OWNER AND BY THE HOMEOWNERS' ASSOCIATION. NO LOT OR RESERVE AREA OWNER SHALL ALLOW OR CONTRIBUTE TO THE DEGRADATION OF GROUND OR SURFACE WATER ON OR ACROSS SUCH OWNER'S LOT OR RESERVE AREA IN VIOLATION OF ENVIRONMENTAL REGULATIONS OF THE UNITED STATES, THE STATE OF OKLAHOMA, OR THE CITY OF BROKEN ARROW.

### E. PAVING AND LANDSCAPING WITHIN EASEMENTS:

THE OWNER OF THE LOT OR RESERVE AREA AFFECTED SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO LANDSCAPING OR PAVING OCCASIONED BY INSTALLATION OR NECESSARY MAINTENANCE OF UNDERGROUND WATER, SANITARY SEWER, STORM SEWER, NATURAL GAS, COMMUNICATION, 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.

### F. OTHER USES:

ALL LOT AND RESERVE AREA OWNERS HAVE THE RIGHT TO USE THE EASEMENT AREAS SITUATED WITHIN SUCH OWNER'S LOT OR RESERVE AREA IN ANY MANNER THAT WILL NOT PREVENT OR INTERFERE WITH THE EXERCISE BY THE CITY OF BROKEN ARROW OR THE PROVIDER OF UTILITY SERVICE OF THE EASEMENT RIGHTS GRANTED UNDER THIS DEDICATION.

## PUD-326

# Pine Valley Reserve Amended

A REPLAT OF ALL OF "PINE VALLEY RESERVE", A SUBDIVISION WITHIN THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 7148

## PUD-326

# Pine Valley Reserve Amended

A SUBDIVISION WITHIN THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA

4. THE CITY OF BROKEN ARROW, OKLAHOMA, SHALL NOT BE LIABLE FOR ANY DAMAGE OR REMOVAL OF ANY LANDSCAPING OR IRRIGATION SYSTEMS IN ANY RESERVE AREA.

5. IN THE EVENT ANY RESERVE AREA OWNER SHOULD FAIL TO MAINTAIN THE RESERVE AREA, THE CITY OF BROKEN ARROW, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR, MAY ENTER THE RESERVE AREA AND PERFORM SUCH MAINTENANCE AS NECESSARY TO ACHIEVE ITS INTENDED FUNCTIONS, AND THE COSTS THEREOF SHALL BE PAID BY THE OWNER OF THE RESERVE AREA. IN THE EVENT THE RESERVE AREA OWNER SHOULD FAIL TO PAY THE COST OF SAID MAINTENANCE, AFTER COMPLETION OF THE MAINTENANCE BY THE CITY OF BROKEN ARROW, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR, AND PROVISION OF A STATEMENT OF COSTS FROM THE CITY TO THE RESERVE AREA OWNER, THE CITY OF BROKEN ARROW, OKLAHOMA, MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST SUCH RESERVE AREA, WHICH LIEN MAY BE FORECLOSED BY THE CITY OF BROKEN ARROW, OKLAHOMA.

6. EACH LOT OWNER OR RESIDENT AND/OR MEMBER OF THE HOMEOWNERS' ASSOCIATION SHALL INDEMNIFY AND HOLD HARMLESS THE OWNERS AND THE CITY OF BROKEN ARROW, AND THEIR RESPECTIVE AGENTS AND REPRESENTATIVES, FROM ALL CLAIMS, DEMANDS, LIABILITIES, OR DAMAGES ARISING IN CONNECTION WITH THE OWNERSHIP OR USE OF THE FACILITIES AND IMPROVEMENTS CONSTRUCTED OR SITUATED WITHIN THE RESERVE AREAS AND FURTHER AGREES THAT NEITHER THE OWNERS NOR CITY OF BROKEN ARROW SHALL BE LIABLE TO ANY LOT OR RESERVE AREA OWNER OR RESIDENT AND/OR MEMBER OF THE HOMEOWNERS' ASSOCIATION OR ANY GUEST, VISITOR, OR INVITEE THEREOF FOR ANY DAMAGE TO PERSON OR PROPERTY CAUSED BY ACTION, OMISSION, OR NEGLIGENCE OF A LOT OR RESERVE AREA OWNER OR RESIDENT AND/OR MEMBER OF THE HOMEOWNERS' ASSOCIATION OR ANY GUEST, VISITOR, OR INVITEE THEREOF.

### B. RESERVE A:

1. RESERVE A, AS DESIGNATED ON THE ACCOMPANYING PLAT, IS HEREBY ESTABLISHED BY GRANT OF "PVR" FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF LOTS WITHIN THE SUBDIVISION AND THE OWNERS OF LOTS WITHIN THE 58.259 ACRES OF LAND ABUTTING THE NORTH AND PLATTED AS "PINE VALLEY RANCH" (RECORDED PLAT NO. 7143), THEIR RESPECTIVE GUESTS AND INVITES, IS DESIGNATED TO BE USED FOR THE PURPOSES OF STORMWATER DRAINAGE AND DETENTION, OPEN SPACE, PRIVATE PARK AND/OR OTHER NEIGHBORHOOD AMENITIES, UTILITIES, AND OTHER USES AS MAY BE PERMITTED BY THE CITY OF BROKEN ARROW, OKLAHOMA, AND IS RESERVED FOR FUTURE CONVEYANCE TO THE HOMEOWNERS' ASSOCIATION.

2. RESERVE A, WHETHER OR NOT SO DESIGNATED ON THE ACCOMPANYING PLAT, IS HEREBY DEDICATED AS A STORMWATER DRAINAGE AND DETENTION EASEMENT AND AS A UTILITY EASEMENT, PROVIDED "PVR" RETAINS THE RIGHT TO CONSTRUCT PRIVATE PARK AND/OR OTHER NEIGHBORHOOD AMENITIES AS PROVIDED HEREINABOVE.

### D. RESERVES B, G, AND H:

1. RESERVES B, G, AND H, AS DESIGNATED ON THE ACCOMPANYING PLAT, ARE HEREBY ESTABLISHED BY GRANT OF "PVR" FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF LOTS WITHIN THE SUBDIVISION, THEIR GUESTS AND INVITES, FOR THE PURPOSE OF CONSTRUCTING PRIVATE STREETS PROVIDING ACCESS TO AND FROM PUBLIC STREETS, FOR PROVIDING DRAINAGE FACILITIES TO CONTROL STORMWATER RUNOFF, FOR UTILITIES, SIDEWALKS, AND FOR PROVIDING ENTRANCE SECURITY FACILITIES, DECORATIVE FENCING OR WALLS, SIGNAGE AND ENTRY FEATURES, LANDSCAPING, IRRIGATION, AND LIGHTING, AND ARE RESERVED FOR SUBSEQUENT CONVEYANCE TO THE HOMEOWNERS' ASSOCIATION, TO BE FORMED PURSUANT TO SECTION IV. HEREFORE FOR THE PURPOSES OF THE OWNERSHIP, ADMINISTRATION, AND MAINTENANCE OF THE PRIVATE STREETS, PRIVATE STORM SEWERS, STORMWATER DRAINAGE AND DETENTION FACILITIES, AND OTHER COMMON AREAS OF THE SUBDIVISION.

2. RESERVES B, G, AND H, WHETHER OR NOT SO DESIGNATED ON THE ACCOMPANYING PLAT, ARE HEREBY ADDITIONALLY DEDICATED AS UTILITY EASEMENTS.

3. "PVR" HEREBY GRANTS TO THE CITY OF BROKEN ARROW, OKLAHOMA, AND OTHER EMERGENCY RESPONSE AND GOVERNMENTAL AGENCIES HAVING JURISDICTION, THE UNITED STATES POSTAL SERVICE AND OTHER PARCEL DELIVERY SERVICES, ANY PUBLIC OR FRANCHISE UTILITY PROVIDING UTILITY SERVICE TO THE SUBDIVISION, AND THE REFUSE COLLECTION SERVICE WHICH PROVIDES SERVICE WITHIN THE SUBDIVISION, THE RIGHT TO ENTER AND TRAVERSE THE PRIVATE STREETS WITHIN RESERVE B AND TO OPERATE THEREON ALL NECESSARY VEHICLES AND EQUIPMENT INCLUDING, BUT NOT LIMITED TO, POLICE AND FIRE VEHICLES AND EQUIPMENT.

4. "PVR", FOR ITSELF, ITS SUCCESSORS AND ASSIGNS, AND FOR THE HOMEOWNERS' ASSOCIATION TO BE FORMED PURSUANT TO SECTION IV. HEREFORE, HEREBY COVENANTS WITH THE CITY OF BROKEN ARROW, OKLAHOMA, WHICH COVENANTS SHALL RUN WITH THE LAND AND INURE TO THE BENEFIT OF THE CITY OF BROKEN ARROW, OKLAHOMA, AND SHALL BE ENFORCEABLE BY THE CITY OF BROKEN ARROW, OKLAHOMA.

• CONSTRUCT AND MAINTAIN STREETS EXTENDING THE FULL LENGTH OF THE PRIVATE STREETS WITHIN AND DEPICTED ON THE ACCOMPANYING PLAT AS RESERVE B, EXCEPT AS OTHERWISE PERMITTED BY THE CITY OF BROKEN ARROW, OKLAHOMA, AND MEETING OR EXCEEDING CITY DESIGN STANDARDS FOR A RESIDENTIAL PUBLIC STREET, NOTWITHSTANDING GATES, SECURE ENTRANCE SYSTEMS, AND RIGHT-OF-WAY WIDTHS. ALL STREET MAINTENANCE, COSTS, AND EXPENSES SHALL BE THE RESPONSIBILITY OF THE OWNER THEREOF, WHICH SHALL BE THE HOMEOWNERS' ASSOCIATION UPON CONVEYANCE OF RESERVES B, G, AND H TO THE ASSOCIATION.

• PROHIBIT THE ERECTION OF ANY ARCH OR SIMILAR STRUCTURE OVER A PRIVATE STREET DEPICTED WITHIN RESERVE B WHICH WOULD PROHIBIT ANY GOVERNMENTAL VEHICLE, SPECIFICALLY FIRE VEHICLES, FROM FREE USE OF THE PRIVATE STREET.

• SECURE INSPECTION BY THE CITY OF BROKEN ARROW, OKLAHOMA OF THE PRIVATE STREETS AND SECURE CERTIFICATION BY THE CITY OF BROKEN ARROW, OKLAHOMA, THAT THE PRIVATE STREETS HAVE BEEN CONSTRUCTED IN ACCORDANCE WITH THE STANDARDS ABOVE SET FORTH, OR IF THE CITY OF BROKEN ARROW, OKLAHOMA, DECLINES TO INSPECT THE PRIVATE STREETS, CERTIFICATION SHALL BE SECURED FROM A LICENSED PROFESSIONAL ENGINEER THAT THE PRIVATE STREETS WERE CONSTRUCTED IN ACCORDANCE WITH THE STANDARDS ABOVE SET FORTH, AND THE REQUIRED CERTIFICATION SHALL BE FILED WITH THE BROKEN ARROW ENGINEERING DE

PUD-326

# Pine Valley Reserve Amended

## DEED OF DEDICATION AND RESTRICTIVE COVENANTS (CONTINUED)

## SECTION III. PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS, PINE VALLEY RESERVE AMENDED WAS SUBMITTED AS PART OF A PLANNED UNIT DEVELOPMENT (DESIGNATED AS PUD NO. 326 "PINE VALLEY") AS PROVIDED WITHIN THE PUD PROVISIONS OF THE ZONING ORDINANCE OF THE CITY OF BROKEN ARROW, OKLAHOMA, AS THE SAME EXISTED ON DECEMBER 21, 2021; AND

WHEREAS, PUD NO. 326 WAS RECOMMENDED BY THE BROKEN ARROW PLANNING COMMISSION ON NOVEMBER 18, 2021, AND WAS APPROVED BY THE COUNCIL OF THE CITY OF BROKEN ARROW ON DECEMBER 21, 2021; AND

WHEREAS, THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE BROKEN ARROW ZONING ORDINANCE REQUIRE THE ESTABLISHMENT OF COVENANTS OF RECORD, INURING TO AND ENFORCEABLE BY THE CITY OF BROKEN ARROW, SUFFICIENT TO INSURE THE IMPLEMENTATION AND CONTINUED COMPLIANCE WITH THE APPROVED PLANNED UNIT DEVELOPMENT; AND

WHEREAS, THE OWNERS DESIRE TO ESTABLISH COVENANTS OF RECORD FOR THE PURPOSE OF PROVIDING FOR AN ORDERLY DEVELOPMENT AND TO INSURE ADEQUATE COMPLIANCE WITH PUD NO. 326 FOR THE MUTUAL BENEFIT OF THE OWNERS, THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, AND THE CITY OF BROKEN ARROW.

NOW, THEREFORE, THE OWNERS DO HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE OWNERS, THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, AND SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH.

## A. GENERAL DEVELOPMENT STANDARDS

1. THE DEVELOPMENT OF PINE VALLEY SHALL BE SUBJECT TO PUD NO. 326 AND THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE BROKEN ARROW ZONING ORDINANCE AS SUCH PROVISIONS EXISTED ON DECEMBER 21, 2021, OR AS MAY BE SUBSEQUENTLY AMENDED.

## 2. ACCESS AND CIRCULATION:

PUD-326 HAS APPROXIMATELY 1,890 FEET OF FRONTOAGE ON SOUTH OLIVE AVENUE. THREE (3) POINTS OF ACCESS TO SOUTH OLIVE AVENUE ARE CONCEPTUALLY ILLUSTRATED ON THE PUD-326 EXHIBIT B "CONCEPTUAL SITE PLAN." A MAXIMUM OF THREE (3) POINTS OF ACCESS SHALL BE ALLOWED, PROVIDED THAT ALL SUCH POINTS OF ACCESS MEET THE SEPARATION AND ALIGNMENT REQUIREMENTS OF THE BROKEN ARROW ZONING ORDINANCE. FROM THE ADJOINING PEMBROKE PARK SUBDIVISIONS, THE SUBJECT PROPERTY HAS ADDITIONAL ACCESS VIA FOUR (4) STUB STREETS, AND THIS SITE PLAN PROPOSES TO CONNECT TO ALL OF THEM. THE ADDITIONAL CONNECTIONS WILL IMPROVE ACCESSIBILITY AND PUBLIC SAFETY FOR THE ENTIRE AREA. ALTOGETHER, THE VARIOUS CONNECTIONS WILL CREATE A WALKABLE, COHESIVE NEIGHBORHOOD.

STREETS SERVING THE SINGLE-FAMILY RESIDENTIAL PUD-326 DEVELOPMENT AREA A ("PINE VALLEY RANCH") SHALL BE PUBLIC. PUD-326 DEVELOPMENT AREA B ("PINE VALLEY RESERVE AMENDED") WILL BE SERVED BY GATED, PRIVATE STREETS. ALL STREETS, PUBLIC OR PRIVATE, SHALL BE CONSTRUCTED TO MEET THE CITY OF BROKEN ARROW STANDARDS FOR PUBLIC STREETS. GATES SERVING PRIVATE STREETS OR DRIVES SHALL BE DESIGNED ACCORDING TO THE INTERNATIONAL FIRE CODE ADOPTED BY THE CITY OF BROKEN ARROW AND BE APPROVED BY THE BROKEN ARROW FIRE MARSHAL DURING THE PLATING STAGE.

THE PARK AND POND WITHIN PUD-326 DEVELOPMENT AREA B ("PINE VALLEY RESERVE AMENDED") SHALL CONTAIN OFFSTREET PARKING FOR THE CONVENIENCE OF THE RESIDENTS AND THEIR GUESTS AND VISITORS WITHIN THE GATED SUBDIVISION. ADDITIONAL VISITOR PARKING WILL BE PROVIDED IF AND AS DESIGN OPPORTUNITY PRESENTS.

STREETS AND PEDESTRIAN ACCESSWAYS, CONSISTING OF SIDEWALKS AND/OR TRAILS, WILL CONNECT BOTH NEIGHBORHOODS TO THE SURROUNDING NEIGHBORHOODS, STREETS, AND FUTURE COMMERCIAL DEVELOPMENT AREA TO THE SOUTH, AND WILL BE PLANNED DURING THE ENGINEERING DESIGN AND PLATTING PHASE.

LIMITS OF NO ACCESS (LNA) WILL BE IMPOSED BY THE FUTURE PLAT(S) ALONG THE SOUTH OLIVE AVENUE FRONTOAGE, EXCEPT AT APPROVED STREET INTERSECTION(S).

DURING THE SITE DEVELOPMENT AND HOME CONSTRUCTION PHASES, AND UNTIL 70% OF THE LOTS ARE PERMITTED FOR CONSTRUCTION, TEMPORARY CONSTRUCTION BARRIERS SHALL BE ERECTED AND MAINTAINED BY THE CONTRACTOR OR DEVELOPER ON ALL EXISTING STUB-STREETS TO WHICH THE SITE PRESENTLY HAS ACCESS, UNLESS OTHERWISE REQUIRED BY THE BROKEN ARROW FIRE MARSHAL.

## 3. SIGNAGE, LANDSCAPING, AND FENCING:

SIGNAGE, LANDSCAPING, AND FENCING: SIGNS, LANDSCAPING, AND FENCING SHALL COMPLY WITH THE APPLICABLE PROVISIONS OF THE BROKEN ARROW ZONING ORDINANCE, PROVIDED THAT FENCES ENCLOSING A FRONT YARD ("COURTYARD") SHALL BE PERMITTED UP TO FOUR (4) FEET IN HEIGHT, PROVIDED THAT NO FENCE SHALL OBSTRUCT THE SIGHT TRIANGLE AREAS AS OUTLINED IN BROKEN ARROW REGULATIONS.

NOT LESS THAN 10% OF THE NET LAND AREA SHALL BE PRESERVED AS COMMON OPEN SPACE FOR THE ENJOYMENT OF THE RESIDENTS. THE MAJORITY OF THIS AREA WILL TAKE THE FORM OF ON SITE STORMWATER DETENTION POND RESERVE AREAS, WHICH WILL INCLUDE TWO (2) OR MORE OF THE FOLLOWING: INTERCONNECTED WALKING TRAILS/SIDEWALKS, PARKS, PLAYGROUNDS, PICNIC AREAS, GAZEBO OR OTHER COVERED SHELTER, FISHING PIERS, AND AERATION FOUNTAINS. THE PARK AND POND WITHIN DEVELOPMENT AREA B ("PINE VALLEY RESERVE AMENDED") SHALL CONTAIN OFFSTREET PARKING FOR THE CONVENIENCE OF THE RESIDENTS AND VISITORS WITHIN THE GATED SUBDIVISION.

## 4. PLATTING AND SITE PLAN REQUIREMENTS:

NO BUILDING PERMIT SHALL BE ISSUED UNTIL A SUBDIVISION PLAT HAS BEEN SUBMITTED TO AND RECOMMENDED UPON BY THE BROKEN ARROW PLANNING COMMISSION AND APPROVED BY THE COUNCIL OF THE CITY OF BROKEN ARROW, AND DULY FILED OF RECORD. THE REQUIRED SUBDIVISION PLAT SHALL INCLUDE COVENANTS OF RECORD IMPLEMENTING THE DEVELOPMENT STANDARDS OF THE APPROVED PUD AND THE CITY OF BROKEN ARROW SHALL BE A BENEFICIARY THEREOF. THE PLAT WILL ALSO SERVE AS THE SITE PLAN FOR ALL RESIDENTIAL LOTS CONTAINED WITHIN THE PLAT. ANY NEIGHBORHOOD AMENITIES REQUIRING A BUILDING PERMIT SHALL SUBMIT AND RECEIVE BROKEN ARROW CITY STAFF APPROVAL OF A SITE PLAN APPLICATION.

## B. DEVELOPMENT AREA A (THE NORTHERLY 30,454 SQUARE FEET OF RESERVE A "PINE VALLEY RESERVE AMENDED")

GROSS LAND AREA: 1,776,555 SF 40.784 AC  
NET LAND AREA: 1,776,555 SF 40.784 AC

PERMITTED USES: SINGLE-FAMILY DETACHED DWELLINGS; NEIGHBORHOOD COMMUNITY PLAYFIELDS AND PARKS INCLUDING CLUBHOUSES, POOLS, AND SIMILAR NEIGHBORHOOD AMENITIES, MINOR UTILITY FACILITIES, AND USES CUSTOMARILY ACCESSORY TO USES PERMITTED HEREIN.

MAXIMUM NUMBER OF LOTS: 146  
MINIMUM LOT WIDTH: 60 FT  
MINIMUM LOT AREA: 7,000 SF  
MINIMUM LAND AREA PER DWELLING UNIT: 8,500 SF \*  
MAXIMUM BUILDING HEIGHT: 2.5 STORIES AND 35 FT \*\*  
MINIMUM OFF-STREET PARKING: TWO (2) PER DWELLING UNIT. DRIVEWAYS ARE RESTRICTED TO 25 FEET IN WIDTH AT THE FRONTOAGE LINE.  
MAXIMUM LOT COVERAGE: 60%  
MINIMUM LIVABILITY OPEN SPACE PER DU: 3,000 SF  
MINIMUM YARD SETBACKS: FRONT YARD: 20 FT

REAR YARD:  
SIDE YARD (INTERIOR):  
CORNER LOTS, OTHER STREET:  
ANY YARD WITHIN 35 FEET OF ARTERIAL STREET:  
OTHER BULK AND AREA REQUIREMENTS:

\* MINIMUM LAND AREA PER DWELLING UNIT IS SATISFIED BY THE PROPORTION OF MAXIMUM NUMBER OF DWELLING UNITS TO GROSS LAND AREA AS PROVIDED IN SECTION 4.1.E.1.B. OF THE BROKEN ARROW ZONING ORDINANCE. LOTS ARE THEREFORE NOT SUBJECT TO THIS REQUIREMENT ON AN INDIVIDUAL BASIS.

\*\* ARCHITECTURAL FEATURES MAY EXTEND A MAX. OF FIVE (5) FEET ABOVE MAXIMUM PERMITTED BUILDING HEIGHT.

\*\*\* WHERE A REAR YARD BACKS TO A SIDE YARD OF AN ADJACENT LOT, THE SIDE YARD SETBACK SHALL BE INCREASED TO THE ADJACENT LOT'S APPLICABLE FRONT SETBACK MINUS FIVE (5) FEET. ANY GARAGE FACING A STREET SHALL BE SET BACK NOT LESS THAN 20 FEET. ACCESS AND SETBACK RESTRICTIONS AS PRESENTLY OUTLINED IN BROKEN ARROW ZONING ORDINANCE TABLE 4.1-2 NOTE 3 SHALL APPLY TO [CORNER] LOTS.

## C. DEVELOPMENT AREA B (ALL OF "PINE VALLEY RESERVE AMENDED", LESS AND EXCEPT THE NORTHERLY 30,454 SQUARE FEET OF RESERVE A)

GROSS LAND AREA: 761,235 SF 17.476 AC  
NET LAND AREA: 761,235 SF 17.476 AC

PERMITTED USES: SINGLE-FAMILY DETACHED DWELLINGS; NEIGHBORHOOD COMMUNITY PLAYFIELDS AND PARKS INCLUDING CLUBHOUSES, POOLS, AND SIMILAR NEIGHBORHOOD AMENITIES, MINOR UTILITY FACILITIES, AND USES CUSTOMARILY ACCESSORY TO USES PERMITTED HEREIN.

MAXIMUM NUMBER OF LOTS: 125  
MINIMUM LOT WIDTH: 46 FT  
MINIMUM LOT AREA: 5,000 SF  
MINIMUM LAND AREA PER DWELLING UNIT: 2,200 SF \*MAXIMUM BUILDING HEIGHT: 2.5 STORIES AND 35 FT \*\*  
MINIMUM OFF-STREET PARKING: TWO (2) PER DWELLING UNIT. DRIVEWAYS ARE RESTRICTED TO 25 FEET IN WIDTH AT THE FRONTOAGE LINE.

MAXIMUM LOT COVERAGE: 50%  
MINIMUM LIVABILITY OPEN SPACE PER DU: 1,200 SF  
MINIMUM YARD SETBACKS:

FRONT YARD: 20 FT  
REAR YARD: 15 FT  
SIDE YARD (INTERIOR): 5 FT  
CORNER LOTS, OTHER STREET: 10 FT \*\*\*  
ANY YARD WITHIN 35 FEET OF ARTERIAL STREET: 35 FT FROM ARTERIAL STREET  
RIGHT-OF-WAY

OTHER BULK AND AREA REQUIREMENTS: AS REQUIRED WITHIN THE RS-3 DISTRICT

\* MINIMUM LAND AREA PER DWELLING UNIT IS SATISFIED BY THE PROPORTION OF MAXIMUM NUMBER OF DWELLING UNITS TO GROSS LAND AREA AS PROVIDED IN SECTION 4.1.E.1.B. OF THE BROKEN ARROW ZONING ORDINANCE. LOTS ARE THEREFORE NOT SUBJECT TO THIS REQUIREMENT ON AN INDIVIDUAL BASIS.

\*\* ARCHITECTURAL FEATURES MAY EXTEND A MAX. OF FIVE (5) FEET ABOVE MAXIMUM PERMITTED BUILDING HEIGHT.

\*\*\* WHERE A REAR YARD BACKS TO A SIDE YARD OF AN ADJACENT LOT, THE SIDE YARD SETBACK SHALL BE INCREASED TO THE ADJACENT LOT'S APPLICABLE FRONT SETBACK MINUS FIVE (5) FEET. ANY GARAGE FACING A STREET SHALL BE SET BACK NOT LESS THAN 20 FEET. ACCESS AND SETBACK RESTRICTIONS AS PRESENTLY OUTLINED IN BROKEN ARROW ZONING ORDINANCE TABLE 4.1-2 NOTE 3 SHALL APPLY TO [CORNER] LOTS.

## SECTION IV. HOMEOWNERS' ASSOCIATION

## A. FORMATION OF HOMEOWNERS' ASSOCIATION:

THE OWNERS HAVE FORMED OR SHALL CAUSE TO BE FORMED AN ASSOCIATION OF THE OWNERS OF ALL RESIDENTIAL LOTS WITHIN "PINE VALLEY RESERVE AMENDED" AND THAT CERTAIN 39.766 ACRES ABUTTING TO THE NORTH AND PLATTED AS "PINE VALLEY RANCH", PLAT NO. 7143, (REFERRED TO HEREIN AS THE "HOMEOWNERS' ASSOCIATION" OR "ASSOCIATION"). THE ASSOCIATION HAS BEEN OR SHALL BE ESTABLISHED IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA FOR THE GENERAL PURPOSES OF MAINTAINING ALL RESERVE AREAS AND OTHER COMMON AREAS WITHIN "PINE VALLEY RESERVE AMENDED", "PINE VALLEY RANCH", AND ANY OTHER RESIDENTIAL SUBDIVISION WHICH MAY BE SUBSEQUENTLY ANNEXED TO OR MERGED WITH THE GEOGRAPHIC JURISDICTION OF THE ASSOCIATION, MAINTAINING ANY OTHER FACILITIES THAT ARE FOR THE COMMON USE AND BENEFIT OF THE LOTS AS THE SAME MAY BE AGREED TO BY THE MEMBERS OF THE ASSOCIATION, AND OTHERWISE ENHANCING THE VALUE, DESIRABILITY, AND ATTRACTIVENESS OF SAID SUBDIVISIONS.

## B. MEMBERSHIP:

EVERY PERSON OR ENTITY WHO IS A RECORD OWNER OF THE FEE INTEREST OF A LOT WITHIN "PINE VALLEY RESERVE AMENDED" OR "PINE VALLEY RANCH" SHALL BE A MEMBER OF THE HOMEOWNERS' ASSOCIATION. MEMBERSHIP SHALL BE APPURTENANT TO AND SHALL NOT BE SEPARATED FROM THE OWNERSHIP OF A LOT. THE ACCEPTANCE OF A DEED TO A LOT SHALL CONSTITUTE ACCEPTANCE OF MEMBERSHIP TO THE HOMEOWNERS' ASSOCIATION AS OF THE DATE OF INCORPORATION, OR AS OF THE DATE OF RECORDING OF THE DEED, WHICHEVER OCCURS LAST.

## C. COVENANT FOR ASSESSMENTS:

THE OWNERS AND EACH SUBSEQUENT OWNER OF A LOT, BY ACCEPTANCE OF A DEED THERETO, ARE DEEMED TO COVENANT AND AGREE TO PAY TO THE HOMEOWNERS' ASSOCIATION AN ANNUAL ASSESSMENT WHICH SHALL PAY FOR THE MAINTENANCE OF THE MINIMUM AMOUNT NECESSARY TO ADEQUATELY MAINTAIN AND SUPPORT ALL COMMON AREAS OF INTEREST, INCLUDING, WITHOUT LIMITATION, ALL RESERVE AREAS DESIGNATED ON THE PLAT. SAID ASSESSMENTS WILL BE ESTABLISHED BY THE BOARD OF DIRECTORS IN ACCORDANCE WITH THE DECLARATION AND THE BYLAWS OF THE HOMEOWNERS' ASSOCIATION. AN UNPAID ASSESSMENT, PROPERLY FILED, SHALL BECOME A LIEN AGAINST THE LOT WHICH IT IS MADE. THE LIEN, HOWEVER, SHALL BE SUBORDINATE TO THE LIEN OF ANY FIRST MORTGAGE.

THE STORMWATER DRAINAGE AND DETENTION FACILITY WITHIN RESERVE A OF "PINE VALLEY RESERVE AMENDED" SERVES "PINE VALLEY RESERVE AMENDED" AND ALSO THAT CERTAIN 39.766 ACRES ABUTTING TO THE NORTH AND PLATTED AS "PINE VALLEY RANCH", PLAT NO. 7143. THE STORMWATER DRAINAGE AND DETENTION FACILITY, AND AMENITIES TO BE LOCATED WITHIN "PINE VALLEY RESERVE AMENDED" ARE INTENDED TO BE SHARED BETWEEN THE RESIDENTS OF BOTH SUBDIVISIONS. "PINE VALLEY RESERVE AMENDED" WILL BE SERVED BY GATED, PRIVATE STREETS. THE ASSESSMENTS MAY VARY BETWEEN "PINE VALLEY RESERVE AMENDED" AND "PINE VALLEY RANCH" AND WILL BE SPECIFIED WITHIN THE HOMEOWNERS' ASSOCIATION'S BYLAWS OR OTHER INSTRUMENT PREPARED BY THE OWNERS FOR THIS PURPOSE.

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