



City of Broken Arrow
Meeting Agenda
Planning Commission

Robert Goranson Chairman
Jason Coan Vice Chairman
Jaylee Klempa Commissioner
Jonathan Townsend Commissioner
Mindy Payne Commissioner

Thursday, February 12, 2026

5:30 PM

City of Broken Arrow
Council Chambers
220 South 1st Street
Broken Arrow, OK
74012

1. Call To Order

2. Roll Call

3. Old Business

4. Consideration of Consent Agenda

- A. [26-221](#) Approval of Planning Commission meeting minutes of January 22, 2026

Attachments: [01.22.2026 Meeting Minutes](#)

- B. [26-265](#) Approval of PT-002629-2026|PR-000089-2022, Preliminary Plat, The Enclave at Southern Hills, 20.49 acres, 3 Lots, located south of New Orleans Street (101st Street) and east of Olive Avenue (129th Avenue)

Attachments: [2 - Southern Trails on Olive CFP with Comments](#)

- C. [26-269](#) Approval of PR-001291-2024|PT-002600-2026, Conditional Final Plat, The Cedars at the Preserve II, approximately 25.91 acres, 94 Lots, PUD-310 (Planned Unit Development), located one-quarter mile south of Omaha Street (51st Street) on the east side of 37th Street (209th East Avenue)

Attachments: [The Cedars at the Preserve II CFP v1](#)
[The Cedars at the Preserve II CFP v1.1](#)
[The Cedars at the Preserve II CFP v2](#)
[PUD-310 BAZ-2056 DESIGN STATEMENT](#)
[FEMA Map](#)

5. Consideration of Items Removed from Consent Agenda

6. Public Hearings

- A. [26-183](#) Public hearing, consideration, and possible action regarding PUD-002592-2025 (Planned Unit Development), JCP Expansion, 0.64 acres, CG (Commercial General), located approximately just south of Washington Street (91st Street) and just west of Aspen Place (145th East Avenue), major amendment of PUD-50

Attachments: [2 - Case Map](#)
[3 - Aerial](#)
[4 - Design Statement](#)
[5 - Edited PUD-50](#)

7. Appeals

8. General Commission Business

- A. [26-274](#) Presentation and discussion about the 7 propositions of the 2026 General Obligation Bond package, and a separate 8th proposition to fund improvements at the public sports facilities

9. Remarks, Inquiries and Comments by Planning Commission and Staff (No Action)

10. Adjournment

NOTICE:

1. ALL MATTERS UNDER “CONSENT” ARE CONSIDERED BY THE PLANNING COMMISSION TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. HOWEVER, ANY CONSENT ITEM CAN BE REMOVED FOR DISCUSSION, UPON REQUEST.
2. IF YOU HAVE A DISABILITY AND NEED ACCOMMODATION IN ORDER TO PARTICIPATE IN THE MEETING, PLEASE CONTACT THE COMMUNITY DEVELOPMENT DEPARTMENT AT 918-259-8412, TO MAKE ARRANGEMENTS.
3. EXHIBITS, PETITIONS, PICTURES, ETC. PRESENTED TO THE PLANNING COMMISSION MAY BE RECEIVED AND DEPOSITED IN CASE FILES TO BE MAINTAINED AT BROKEN ARROW CITY HALL.
4. RINGING/SOUND ON ALL CELL PHONES AND PAGERS MUST BE TURNED OFF DURING THE PLANNING COMMISSION MEETING.

A paper copy of this agenda is available upon request.

POSTED this ____ day of _____, _____, at _____ a.m./p.m.

City Clerk



City of Broken Arrow

Request for Action

File #: 26-221, **Version:** 1

**Broken Arrow Planning Commission
02-12-2026**

To: Chairman and Commission Members
From: Community Development Department
Title:

Background: Approval of Planning Commission meeting minutes of January 22, 2026
Minutes recorded for the Broken Arrow Planning Commission meeting.

Attachments: 01 22 2026 Planning Commission Minutes

Recommendation: Approve minutes of Planning Commission meeting held January 22, 2026.

Reviewed By: Jane Wyrick

Approved By: Rocky Henkel



City of Broken Arrow

City of Broken Arrow
220 South 1st Street
Broken Arrow, OK
74012

Minutes

Planning Commission

Robert Goranson Chairman
Jason Coan Vice Chairman
Jaylee Klempa Commissioner
Jonathan Townsend Commissioner
Mindy Payne Commissioner

Thursday, January 22, 2026

5:30 p.m.

Council Chambers

1. Call to Order

Chairman Robert Goranson called the meeting to order at 5:30 p.m.

2. Roll Call

Present: 5 - Mindy Payne, Jonathan Townsend, Jaylee Klempa, Jason Coan, Robert Goranson

3. Old Business

- A. 26-196** **Consideration, discussion, and possible action regarding PUD-002550-2025 (Planned Unit Development) and BAZ-002374-2025 (Rezoning), D&B Processing, 9.15 acres, AG (Agricultural) to IL (Industrial Light)/PUD-002550-2025, abrogation of PUD-193, located one-half mile south of Washington Street (91st Street), one-half mile east of the Creek Turnpike**

Mackenzie Hackett, Staff Planner, presented Item 26-196, revisions to a request to rezone 9.15 acres from agricultural to light industrial and to replace an older PUD, located south of Washington Street and east of the Creek Turnpike. The Planning Commission had previously raised concerns about screening and fencing. The updated plan keeps the north and east fence standards the same, requires the southern frontage along Gary Street to have an eight-foot opaque metal fence with columns and a gate, and allows the existing western wire fence to remain unless a significant portion of the vegetation buffer between the site and the nearby school is removed, in which case a more substantial wall matching the street-facing style would be required. With these changes, staff stated the request aligns with the comprehensive plan and surrounding land uses and recommended approval of the rezoning and new PUD, along with abrogation of the prior PUD on the property.

The Planning Commission discussed fencing and screening details for the light industrial rezoning and the new PUD, focusing on safety and appearance along Gary Street and at the west property line near a school and the future amphitheater. Council members and the applicant clarified that the existing southern white metal panel fence could either remain—relocated farther from Gary Street to meet code—or be replaced with the redesigned fence, provided it stays uniform and landscaped. Concern about children potentially accessing the site from the west led to agreement that a minimum six-foot fence would be installed along the west property line; it could be chain link or a more opaque/solid style, giving flexibility now and in the future without locking the owner into one material. With those understandings, a motion was made to approve the request per staff recommendation with the added fencing conditions.

MOTION: A motion was made by Jaylee Klempa, seconded by Mindy Payne Move to Approve Item 26-196 PUD-002550-2025 (Planned Unit Development) and BAZ-002374-2025 (Rezoning), D&B Processing, 9.15 acres, AG (Agricultural) to IL (Industrial Light)/PUD-002550-2025, abrogation of PUD-193, located one-half mile south of Washington Street (91st Street), one-half mile east of the Creek Turnpike, with additional condition of 6' opaque or chain link fence being constructed along the west side of the property. The south fence, being the existing fence, moved back 11' or the fence design proposed in the updated PUD

The motion carried by the following vote:

Aye: 5 - Mindy Payne, Jonathan Townsend, Jaylee Klempa, Jason Coan, Robert Goranson

4. Consideration of Consent Agenda

- A. 26-184 Approval of Planning Commission meeting minutes of January 8, 2026
- B. 26-172 Approval of LOT-002611-2025, Arrow Forge Lot Split, 1 lot to 2 lots 29.98 acres, IL Zoning District, located on the south of Florence Street (111st Street) and ¼ mile east of Olive Ave (129th E Avenue)
- C. 26-173 Approval of PT-002609-2025|PR-000831-2025, Preliminary Plat Aequitas, 5.86 acres, 5 lots, A-1 (Agricultural) to CH (Commercial Heavy), IL (Industrial Light), RM (Residential Multi-Family) and FD (Floodplain) via BAZ-002280-2025 and PUD-002281-2025, located south of West Tucson Street (121st Street South) and 1/3 mile west of South Elm Place (161st East Avenue)
- D. 26-182 Approval of PT-002557-2025|PR-000893-2025, Preliminary Plat for Timber Ridge Crossing, 24.40 acres, 105 lots, A-1 (Agriculture) to RS-4 (Single-Family Residential) via BAZ-001906-2024, located nearly ½ mile south of Albany Street (61st Street), just west of 37th Street (209th E. Avenue).
- E. 26-186 Approval of PR-000895-2025|PT-002596-2025, Conditional Final Plat, Brook Chase Phase V, 18.56 acres, 86 Lots, AG (Agricultural) to RS-4 (Single Family Residential) via BAZ-2074, located one-half mile north of Washington Street (91st Street), one-half mile west of 23rd Street (193rd E. Avenue/County Line Road)
- F. 26-187 Approval of PR-000768-2024|PT-002601-2025, Conditional Final Plat, The Pines III, 15.83 acres, 67 lots, AG (Agricultural) to RS-P (Single Family Residential - Preservation) via BAZ-2041, at the southwest corner of Omaha Street (51st Street) and 37th Street (209th E. Avenue)

MOTION: A motion was made by Jason Coan, seconded by Jonathan Townsend
Move to Approve Consent Agenda

The motion carried by the following vote:

Aye: 5 - Mindy Payne, Jonathan Townsend, Jaylee Klempa, Jason Coan, Robert Goranson

5. Consideration of Items Removed from Consent Agenda

6. Public Hearings

- A. 26-189 **Public hearing, consideration, and possible action regarding PUD-002519-2025, major amendment to PUD-307, Aspen Creek Villas, 90.33 acres, Commercial Heavy (CH), located north of Tucson Street (121st Street) and approximately one quarter mile east of Olive Avenue (129th Avenue).**

Jose Jimenez, Planner II, presented Item 26-189. This item concerns a significant amendment to PUD 307 for the 90-acre Aspen Creek Villas site north of Tucson Street and east of Olive, where the land is currently unplatted and zoned commercial heavy. Because the amendment would change the underlying zoning, a separate rezoning case must be processed alongside the PUD, which has not yet occurred. As a result, both staff and the applicant requested that the case not be heard now but instead be continued, and staff recommended tabling PUD-002519-2025 to the February 26, 2026, Planning Commission meeting so the required rezoning can be considered together with the PUD.

MOTION: A motion was made by Mindy Payne, seconded by Jaylee Klempa
Move to table Item 26-189 Public hearing, consideration, and possible action regarding PUD-002519-2025, major amendment to PUD-307, Aspen Creek Villas, 90.33 acres, Commercial Heavy (CH), located north of Tucson Street (121st Street) and approximately one quarter mile east of Olive Avenue (129th Avenue), to February 26, 2026, Planning Commission meeting

The motion carried by the following vote:

Aye: 5 - Mindy Payne, Jonathan Townsend, Jaylee Klempa, Jason Coan, Robert Goranson

- B. 26-183 **Public hearing, consideration, and possible action regarding PUD-002592-2025 (Planned Unit Development), JCP Expansion, 0.64 acres, CG (Commercial General), located approximately just south of Washington Street (91st Street) and just west of Aspen Place (145th East Avenue), major amendment of PUD-50**

Jose Jimenez, Planner II, presented Item 26-183. This request is for a significant amendment to PUD 50 on a small, 0.64-acre tract at Brentwood Center just south of Washington and west of Aspen to allow an expansion of an existing building. During site plan review, staff found that the PUD’s parking ratio of 1 space per 200 square feet would require 29 spaces, while the site can physically accommodate only 12. Under current zoning code standards for office or professional uses, the requirement would be lower—about 17 spaces—but the applicant had not yet submitted a revised development outline formally addressing the parking and other changes in time for the agenda. Because of that missing documentation, staff recommended continuing PUD-002592-2025 to the February 12, 2026, Planning Commission meeting so the updated plan can be reviewed.

MOTION: A motion was made by Jaylee Klempa, seconded by Mindy Payne
Move to continue Item 26-183 Public hearing, consideration, and possible action

regarding PUD-002592-2025 (Planned Unit Development), JCP Expansion, 0.64 acres, CG (Commercial General), located approximately just south of Washington Street (91st Street) and just west of Aspen Place (145th East Avenue), major amendment of PUD-50 due to a lack of PUD design statement

The motion carried by the following vote:

Aye: 5 - Mindy Payne, Jonathan Townsend, Jaylee Klempa, Jason Coan, Robert Goranson

7. Appeals - NONE

8. General Commission Business - NONE

9. Remarks, Inquiries, and Comments by Planning Commission and Staff (No Action)

Commissioner Mindy Payne thanked Jose Jimenez, Planner II, for his help. Commissioner Jason Coan wished a safe weekend due to the incoming winter storm.

10. Adjournment

The meeting was adjourned at 5:53 p.m.

MOTION: A motion was made by Mindy Payne, seconded by Robert Goranson

Move to Adjourn

The motion carried by the following vote:

Aye: 4 - Mindy Payne, Jonathan Townsend, Jason Coan, Robert Goranson

Nay: 1- Jaylee Klempa



City of Broken Arrow

Request for Action

File #: 26-265, **Version:** 1

Broken Arrow Planning Commission 02-12-2026

To: Chairman and Commission Members
From: Community Development Department
Title:

Approval of PT-002629-2026|PR-000089-2022, Preliminary Plat, The Enclave at Southern Hills, 20.49 acres, 3 Lots, located south of New Orleans Street (101st Street) and east of Olive Avenue (129th Avenue)

Background:

Applicant: Tanner Consulting, Erik Enyart

Owner: Perkins Development Corporation, Mark Perkins

Developer: N/A

Engineer: Tanner Consulting, Kevin Norton

Location: Southeast and south of New Orleans Street (101st Street) and east of Olive Avenue (129th Avenue)

Size of Tract: 20.49 acres

Number of Lots: 3

Zoning: CM (Community Mixed-Use), RM (Residential Multi-family), & CG (Commercial General) via BAZ-000012-2022 and PUD-000126-2022

Comp Plan: Level 3 - Transition Area & Level 4 - Commercial/Employment

PT-002629-2026, the conditional final plat for The Enclave at Southern Hills proposes 3 lots totaling approximately 20.49 acres after right of way has been dedicated. This property, which is located south of New Orleans Street (101st Street) and east of Olive Avenue (129th Avenue), has been approved for rezoning from A-1 (Agricultural) to PUD-001815-2024 (Planned Unit Development) with underlying CM (Community Mixed-Use), RM (Residential Multi-family), & CG (Commercial General zoning, subject to the property being platted. This rezoning was approved in BAZ-000012-2022 and PUD-000126-2022. PUD-000216-2025 regulates landscaping for the development and PUD-001815-2024 regulates all other development and dimensional standards for this development.

The zoning districts and land use designations associated with the plat are in line with the PUD which dictates the development standards. This plat generally meets the minimum standards of the outlined in PUD-001815-2024. Primary access is shown from Olive Avenue and New Orleans Street. PUD-001815-2024 stipulates that no building permit shall be issued for any structure until a detailed site plan has been approved by the Broken Arrow Planning Commission and City Council.

According to FEMA’s National Flood Hazard Layer, no area of the property is located within the 100-year floodplain. Water and sanitary sewer are available from the City of Broken Arrow. This preliminary plat was

File #: 26-265, Version: 1

reviewed by the Technical Advisory Committee on February 3, 2026.

Attachments: Conditional Final Plat with Comments

Recommendation:

Staff recommends approval of PT-002629-2026|PR-000089-2022, Conditional Final Plat for The Enclave at Southern Trails, subject to the attached comments.

Reviewed by: Jane Wyrick

Approved by: Rocky Henkel

JAJ



NORTH



Scale: 1" = 60'
Tanner Consulting

Benchmark 1

FOUND 3/8" IRON PIN IN ASPHALT AT THE NORTHWEST CORNER OF SECTION 28 (377497.21N, 2609265.04E)

ELEVATION = 685.42' (NAVD 88)

POINT OF COMMENCEMENT
NORTHWEST CORNER NW/4 NW/4
SECTION 28, T-18-N, R-14-E
FOUND 3/8" IRON PIN (BENCHMARK 1)

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

DAN E. TANNER, P.L.S. NO. 1435
OK CA NO. 2661, EXPIRES 6/30/2027
EMAIL: DAN@TANNERCONSULTING.COM
5323 South Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918) 745-9929

Conditional Final Plat

PUD-001815-2024

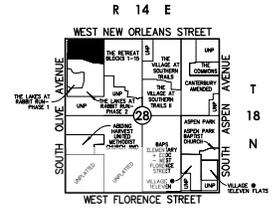
Southern Trails ON OLIVE

PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW/4 NW/4)
OF SECTION TWENTY-EIGHT (28), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA

OWNER/DEVELOPER:
Perkins Development Corporation
AN OKLAHOMA CORPORATION
MARK PERKINS - PRESIDENT
1420 South Harvard Avenue
Tulsa, OK 74112
Phone: (918) 812-8325

LEGEND

- B/A BUILDING LINE
- B/LP BOUNDARY LINE
- CB CHORD BEARING
- CD CHORD DISTANCE
- CL CENTERLINE
- Δ DELTA ANGLE
- DOC DOCUMENT
- ESWT EASEMENT
- GOVT GOVERNMENT
- LNA LIMITS OF NO ACCESS
- MAE MUTUAL ACCESS EASEMENT
- OLDE OVERLAND DRAINAGE EASEMENT
- RESL RESERVE
- R/W RIGHT-OF-WAY
- U/E UTILITY EASEMENT
- Z/A ADDRESS ASSIGNED
- FOUND MONUMENT
- SET MONUMENT (SEE NOTE 2)



Location Map

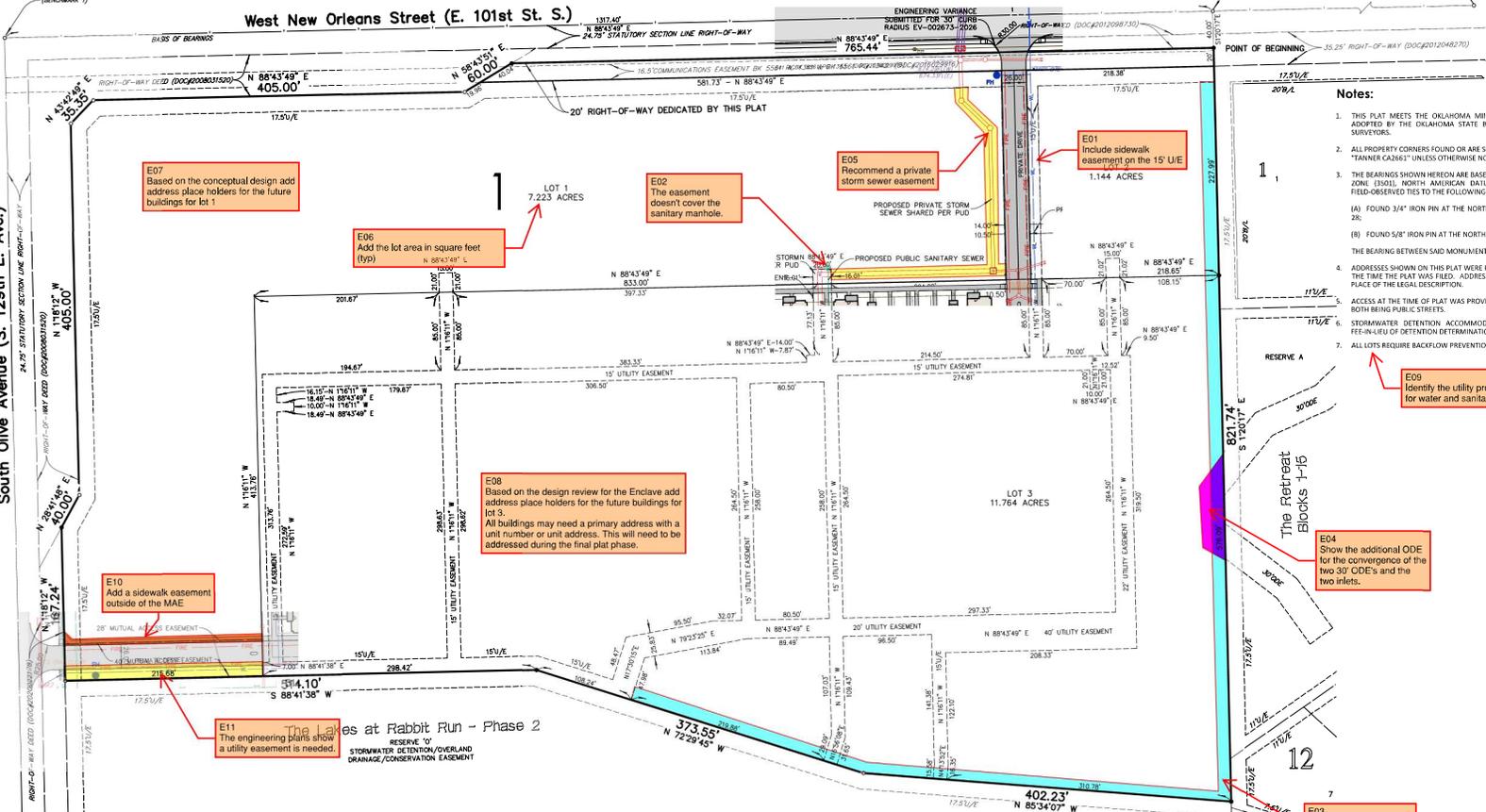
Scale: 1" = 200'

SUBDIVISION CONTAINS:

- THREE (3) LOTS
- IN ONE (1) BLOCK
- GROSS SUBDIVISION AREA: 20.89 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 FOUND OR ARE SET 3/8" IRON REBAR WITH YELLOW CAP STAMPED "TANNER 1435" OR "TANNER CA2661" UNLESS OTHERWISE NOTED.
3. THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (E801), NORTH AMERICAN DATUM 1983 (NAD83); SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:
 - (A) FOUND 3/4" IRON PIN AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SECTION 28;
 - (B) FOUND 5/8" IRON PIN AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SECTION 28;
 THE BEARING BETWEEN SAID MONUMENTS BEING NORTH 88°43'49" EAST.
4. ADDRESSES SHOWN ON THIS PLAT WERE PROVIDED BY THE CITY OF BROKEN ARROW AND WERE ACCURATE AT THE TIME THE PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELED OR IN PLACE OF THE LEGAL DESCRIPTION.
5. ACCESS AT THE TIME OF PLAT WAS PROVIDED BY WEST NEW ORLEANS STREET AND BY SOUTH OLIVE AVENUE, BOTH BEING PUBLIC STREETS.
6. STORMWATER DETENTION ACCOMMODATIONS FOR THIS SITE ARE PROVIDED IN ACCORDANCE WITH FEEL-IN-LIEU OF DETENTION DETERMINATION 805-020325-03.
7. ALL LOTS REQUIRE BACKFLOW PREVENTION PER BROKEN ARROW CITY ORDINANCE.



E07 Based on the conceptual design add address place holders for the future buildings for lot 1

E08 Add the lot area in square feet (typ)

E02 The easement doesn't cover the sanitary manhole.

E05 Recommend a private storm sewer easement

E01 Include sidewalk easement on the 15' U/E 1.144 ACRES

E08 Based on the design review for the Enclave add address place holders for the future buildings for lot 3. All buildings may need a primary address with a unit number or unit address. This will need to be addressed during the final plat phase.

E10 Add a sidewalk easement outside of the MAE

E11 The engineering plans show a utility easement is needed.

E09 Identify the utility provider for water and sanitary

E04 Show the additional ODE for the convergence of the two 30' ODE's and the two inlets.

E03 Show a perimeter 11' U/E

DATE OF PREPARATION: January 12, 2026

APPROVED _____ by the City Council of the City of Broken Arrow, Oklahoma.

Mayer _____

Attest: City Clerk

Southern Trails on Olive
PROJECT # PR-00089-2022
SHEET 1 OF 3



City of Broken Arrow

Request for Action

File #: 26-269, **Version:** 1

Broken Arrow Planning Commission 02-12-2026

To: Chairman and Commission Members
From: Community Development Department
Title:

Approval of PR-001291-2024|PT-002600-2026, Conditional Final Plat, The Cedars at the Preserve II, approximately 25.91 acres, 94 Lots, PUD-310 (Planned Unit Development), located one-quarter mile south of Omaha Street (51st Street) on the east side of 37th Street (209th East Avenue)

Background:

Applicant: Alan Betchan, AAB Engineering, LLC
Owner: 209th Street, LLC
Developer: 209th Street, LLC
Engineer: Alan Betchan, AAB Engineering, LLC
Location: One-quarter mile south of Omaha Street (51st Street) on the east side of 37th Street (209th East Avenue)
Size of Tract 25.91 acres
Number of Lots: 94
Present Zoning: PUD-310
Proposed Zoning: PUD-310
Comp Plan: Level 2 (Urban Residential) & Floodplain

PT-002600-2026, the conditional final plat for The Cedars at the Preserve II, contains 94 lots on 25.91 acres. This property, which is located one-quarter mile south of Omaha Street (51st Street) on the east side of 37th Street (209th East Avenue).

Single-family lots with a minimum 52’ lot width and a minimum lot size of 6,000 square feet make up the proposed plat under the PUD-310 Design Statement which was approved by City Council on June 16, 2020. Primary access to this development will be provided on 37th Street (209th East Avenue) with additional access off of Omaha Street (51st Street), by way of connecting streets that were constructed in Phase I of the subdivision.

According to FEMA maps, the southern portion of this property is located in the 100-year floodplain or floodway. Subdivision Regulations 3.3c8 requires all property located within a one percent (1%) (100-year) floodplain shall be placed within a reserve area. The applicant intends to file appropriate applications with FEMA. The preliminary plat was approved by Planning Commission on February 22, 2024. Applicant will resubmit the conditional final plat once determinations have been made by FEMA.

Water is serviced by Rural Water District #4 and sanitary sewer is serviced by the City of Broken Arrow. This conditional final plat was reviewed by the Technical Advisory Committee on February 3, 2026, where planning, engineering, and stormwater comments were made as on the attached plat.

Attachments: Conditional Final Plat v 1.0
 Conditional Final Plat v 1.1
 Conditional Final Plat v 2.0
 PUD-310 Design Statement
 FEMA map

Recommendation:

Staff recommends PR-001291-2024|PT-002600-2026, conditional final plat for The Cedars at the Preserve II be approved.

Reviewed by: Jane Wyrick

Approved by: Rocky Henkel

RLB

OWNER/DEVELOPER

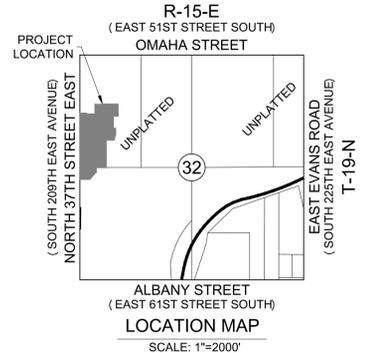
209TH STREET LLC
1420 W. KENOSHA ST.
BROKEN ARROW, OK 74012
PHONE: 918-258-6161
ATTN: GLENN SHAW

CONDITIONAL FINAL PLAT

The Cedars At The Preserve II

ENGINEER/SURVEYOR

AAB ENGINEERING LLC
CERTIFICATE OF AUTHORIZATION NO. 6318, EXP. JUNE, 30, 2026
PO BOX 2136
SAND SPRINGS, OK 74063
PHONE: 918.514.4283
FAX: 918.514.4288
EMAIL: ALAN@AABENG.COM



SUBDIVISION STATISTICS

SUBDIVISION CONTAINS ONE HUNDRED NINETEEN (119) LOTS IN SIX (6) BLOCKS AND TWO (2) RESERVE AREAS CONTAINING 27.71 ACRES

BLOCK 1	5.47 ACRES - 32 LOTS
BLOCK 2	2.47 ACRES - 14 LOTS
BLOCK 3	2.27 ACRES - 14 LOTS
BLOCK 4	3.37 ACRES - 22 LOTS
BLOCK 5	2.56 ACRES - 11 LOTS
BLOCK 6	4.31 ACRES - 26 LOTS
RESERVE A	0.02 ACRES
RESERVE B	0.33 ACRES

SITE DATA

BENCHMARK
TOP OF RAILROAD SPIKE AT NORTHWEST CORNER OF SEC. 32
T-19-N, R-15-E
ELEV. = 686.76' (NAVD '88)

BASIS OF BEARINGS
GRID BEARING BASED ON THE OKLAHOMA STATE PLAN COORDINATE SYSTEM - NORTH 3501 WITH A BEARING OF N 88°48'13" E BEING THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 32 T-19N R-15-E.

LAND AREA
1,207,028 SF / 27.71 ACRES±

MONUMENTATION
A 3/8"X 18" REBAR WITH A YELLOW PLASTIC CAP STAMPED "6318" TO BE SET AT ALL LOT CORNERS, ALL STREET CENTERLINE INTERSECTIONS, POINTS OF CURVE, POINTS OF TANGENT, POINTS OF COMPOUND CURVE, POINTS OF REVERSE CURVE, CENTER OF CUL-DE-SACS AND CENTER OF EYEBROWS, AFTER COMPLETION OF IMPROVEMENTS, UNLESS NOTED OTHERWISE.

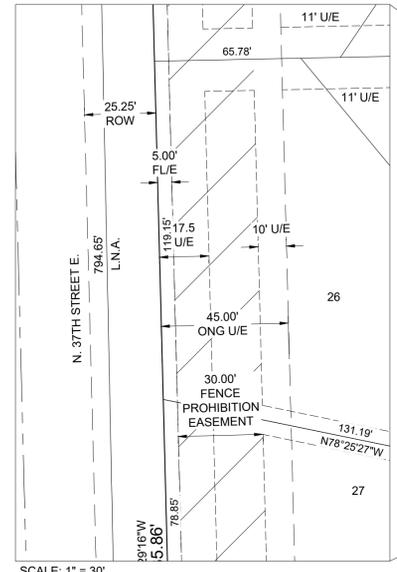
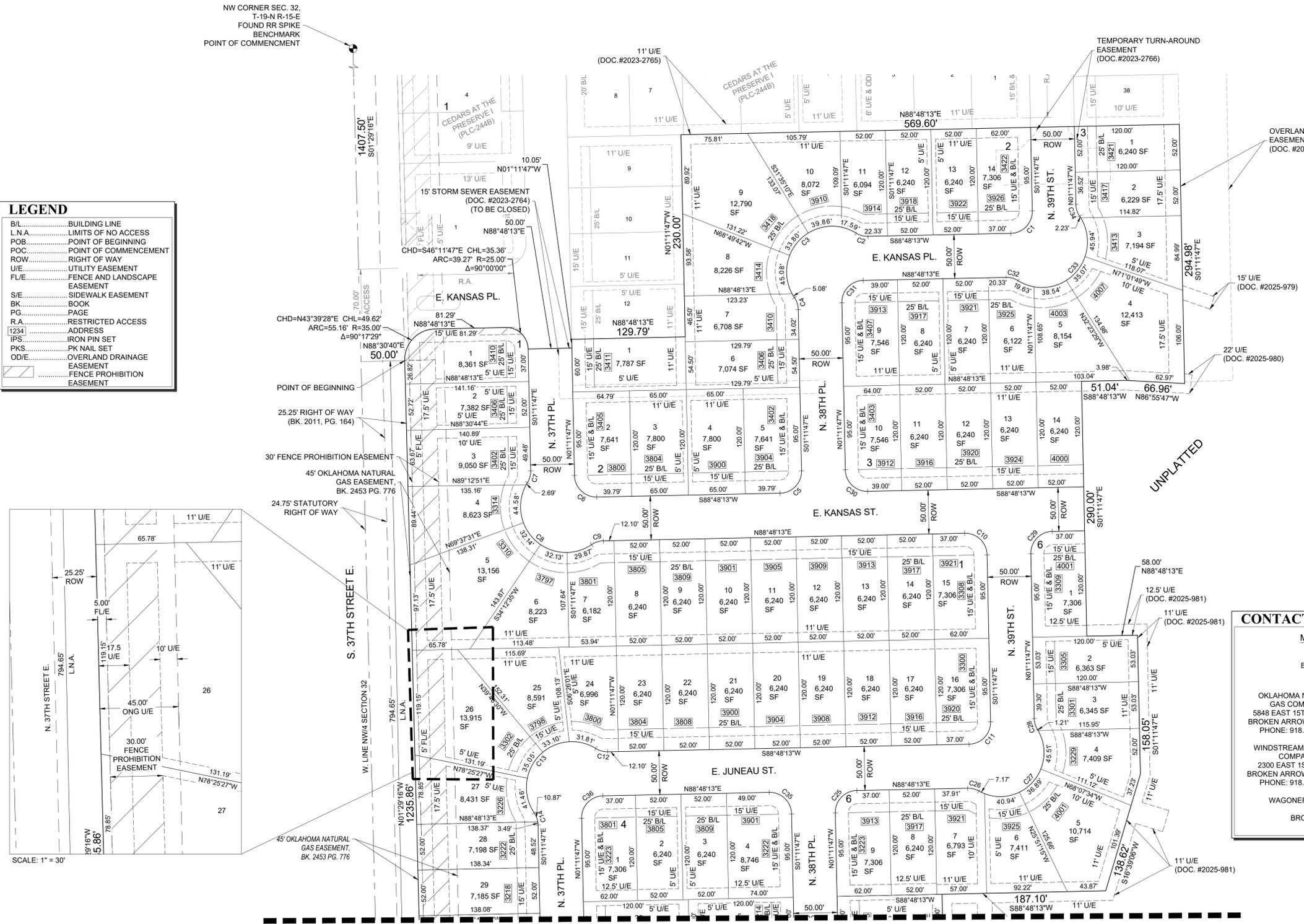
ADDRESSES
ADDRESSES SHOWN ON THIS PLAT WERE ACCURATE AT THE TIME THIS PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF LEGAL DESCRIPTION.

DETENTION DETERMINATION
DETENTION DETERMINATION NUMBER: DD-062824-35

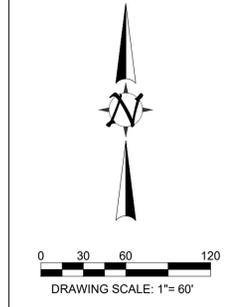
LEGEND

- B/L.....BUILDING LINE
- L.N.A.....LIMITS OF NO ACCESS
- POB.....POINT OF BEGINNING
- POC.....POINT OF COMMENCEMENT
- ROW.....RIGHT OF WAY
- U/E.....UTILITY EASEMENT
- F/L/E.....FENCE AND LANDSCAPE EASEMENT
- S/E.....SIDEWALK EASEMENT
- BK.....BOOK
- PG.....PAGE
- R.A.....RESTRICTED ACCESS
- 1234.....ADDRESS
- IPS.....IRON PIN SET
- PKS.....PK NAIL SET
- OD/E.....OVERLAND DRAINAGE EASEMENT
-FENCE PROHIBITION EASEMENT

A SUBDIVISION OF THE PART OF THE WEST HALF OF THE NORTHWEST QUARTER (W/2 NW/4) AND PART OF THE NW/4 OF THE SW/4 OF SECTION 32, TOWNSHIP 19 NORTH, RANGE 15 EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF BROKEN ARROW, WAGONER COUNTY, STATE OF OKLAHOMA. PUD-310



SCALE: 1" = 30'



FILE: P:\1919032-HE CEDARS AT THE PRESERVE II.RAW

BENCHMARK
TOP OF RAILROAD SPIKE AT NORTHWEST CORNER OF SEC. 32 T-19-N, R-15-E
ELEV. = 686.76' (NAVD '88)

CONTINUES ON PAGE 2

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	AEP / PSO 212 EAST 6TH STREET BROKEN ARROW, OK 74119 PHONE: 918.599.2351
WINDSTREAM TELECOM COMPANY 2300 EAST 1ST PLACE BROKEN ARROW, OK 74012 PHONE: 918.451.3427	COX COMMUNICATIONS 11811 EAST 51ST STREET BROKEN ARROW, OK 74145 PHONE: 918.286.4658
WAGONER COUNTY RURAL WATER DISTRICT #4 9816 S. 239TH EAST AVENUE BROKEN ARROW, OKLAHOMA 74014 918-258-2331	

APPROVED BY THE CITY COUNCIL OF THE CITY OF BROKEN ARROW, OKLAHOMA ON _____

MAYOR _____

ATTEST: CITY CLERK _____

OWNER/DEVELOPER

209TH STREET LLC
1420 W. KENOSHIA ST.
BROKEN ARROW, OK 74012
PHONE: 918-258-6161
ATTN: GLENN SHAW

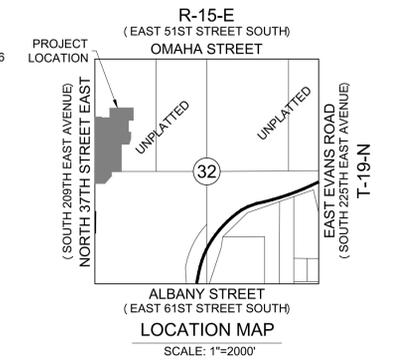
CONDITIONAL FINAL PLAT

The Cedars At The Preserve II

A SUBDIVISION OF THE PART OF THE WEST HALF OF THE NORTHWEST QUARTER (W/2 NW/4) AND PART OF THE NW/4 OF THE SW/4 OF SECTION 32, TOWNSHIP 19 NORTH, RANGE 15 EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF BROKEN ARROW, WAGONER COUNTY, STATE OF OKLAHOMA. PUD-310

ENGINEER/SURVEYOR

AAB ENGINEERING LLC
CERTIFICATE OF AUTHORIZATION NO. 6318, EXP. JUNE, 30, 2026
PO BOX 2136
SAND SPRINGS, OK 74063
PHONE: 918.514.4283
FAX: 918.514.4288
EMAIL: ALAN @ AABENG.COM



LEGEND

- B/L.....BUILDING LINE
- L.N.A.....LIMITS OF NO ACCESS
- POB.....POINT OF BEGINNING
- POC.....POINT OF COMMENCEMENT
- ROW.....RIGHT OF WAY
- U/E.....UTILITY EASEMENT
- F/L/E.....FENCE AND LANDSCAPE EASEMENT
- S/E.....SIDEWALK EASEMENT
- BK.....BOOK
- PG.....PAGE
- R.A.....RESTRICTED ACCESS
- [1234].....ADDRESS
- IPS.....IRON PIN SET
- PKS.....PK NAIL SET
- OD/E.....OVERLAND DRAINAGE EASEMENT
- [Hatched].....FENCE PROHIBITION EASEMENT

FLOODPLAIN

PORTIONS OF THIS PROPERTY ARE LOCATED WITHIN ZONE "AE" PER FIRM PANEL "40145C0105J" DATED SEPTEMBER 30, 2016.

ZONING PUD-310

FRONT YARD SETBACK.....25 FEET
REAR YARD SETBACK.....20 FEET
INTERIOR SIDE YARD SETBACK.....5 FEET

CONTACTS

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

UTILITY CONTACTS

OKLAHOMA NATURAL GAS COMPANY AEP / PSO
5849 EAST 15TH STREET BROKEN ARROW, OK 74119
PHONE: 918.831.8293 PHONE: 918.599.2351

WINDSTREAM TELECOM COMPANY COX COMMUNICATIONS
2300 EAST 1ST PLACE 11811 EAST 51ST STREET
BROKEN ARROW, OK 74145
PHONE: 918.451.3427 PHONE: 918.286.4658

WAGONER COUNTY RURAL WATER DISTRICT #4
9816 S. 239TH EAST AVENUE
BROKEN ARROW, OKLAHOMA 74014
918-259-2331

ALL PROPERTIES ARE WITHIN CURRENT MAPPED FLOODPLAIN. NO BUILDING PERMIT WILL BE ISSUED UNTIL THE LOMR HAS BEEN ACCEPTED BY FEMA

Show the minimum Pad Elevations on the properties within the floodplain.

Define the three Zone AE areas shown on the plat.
- AE Floodplain per elevation
- Zone AE Floodway by map
- FEMA Floodplain Zone AE

Curve Table					Curve Table						
Curve #	Length	Radius	Delta	CHORD LENGTH	CHORD BEARING	Curve #	Length	Radius	Delta	CHORD LENGTH	CHORD BEARING
C1	39.27	25.00	090.0000	35.36	S43°48'13"W	C20	21.41	15.00	081.7868	19.64	S42°05'23"E
C2	14.36	25.00	032.9083	14.16	N74°44'32"W	C21	39.27	25.00	090.0000	35.36	S43°48'13"W
C3	141.41	52.00	155.8166	101.69	S43°48'13"W	C22	13.29	25.00	030.4662	13.14	N75°57'48"W
C4	14.36	25.00	032.9083	14.16	S17°39'02"E	C23	131.71	50.00	150.9323	96.80	S43°48'13"W
C5	39.27	25.00	089.9999	35.36	S43°48'13"W	C24	13.29	25.00	030.4662	13.14	S16°25'46"E
C6	39.27	25.00	090.0000	35.36	N46°11'47"W	C25	39.27	25.00	090.0000	35.36	S43°48'13"W
C7	14.36	25.00	032.9083	14.16	N15°15'28"E	C26	13.29	25.00	030.4662	13.14	N75°57'48"W
C8	141.41	52.00	155.8166	101.69	N46°11'47"W	C27	131.71	50.00	150.9323	96.80	S43°48'13"W
C9	14.36	25.00	032.9083	14.16	S72°20'58"W	C28	13.29	25.00	030.4662	13.14	S16°25'46"E
C10	39.27	25.00	090.0000	35.36	N46°11'47"W	C29	39.27	25.00	090.0000	35.36	S43°48'13"W
C11	39.27	25.00	090.0000	35.36	N43°48'13"E	C30	39.27	25.00	090.0000	35.36	S46°11'47"E
C12	14.36	25.00	032.9083	14.16	S74°44'32"E	C31	39.27	25.00	090.0000	35.36	S43°48'13"W
C13	141.41	52.00	155.8166	101.69	N43°48'13"E	C32	14.36	25.00	032.9083	14.16	N74°44'32"W
C14	14.36	25.00	032.9083	14.16	N17°39'02"W	C33	141.41	52.00	155.8166	101.69	S43°48'13"W
C15	39.27	25.00	090.0000	35.36	N43°48'13"E	C34	14.36	25.00	032.9083	14.16	S17°39'02"E
C16	39.14	25.00	089.7072	35.26	S46°20'34"E	C35	39.27	25.00	090.0000	35.36	N46°11'47"W
C17	39.40	25.00	090.2928	35.45	S43°39'26"W	C36	39.27	25.00	090.0000	35.36	S43°48'13"W
C18	39.27	25.00	090.0000	35.36	N46°11'47"W	C37	39.27	25.00	090.0000	35.36	S46°11'47"E
C19	251.30	55.00	261.7868	83.15	S47°54'37"W	C38	39.27	25.00	090.0000	35.36	N43°48'13"E

APPROVED BY THE CITY COUNCIL OF THE CITY OF BROKEN ARROW, OKLAHOMA ON _____

MAYOR _____

ATTEST: CITY CLERK _____

BENCHMARK
TOP OF RAILROAD SPIKE AT NORTHWEST CORNER OF SEC. 32 T-19-N, R-15-E
ELEV. = 686.76' (NAVD '88)

CONDITIONAL FINAL PLAT

The Cedars At The Preserve II

OWNER/DEVELOPER

209TH STREET LLC
1420 W. KENOSHA ST.
BROKEN ARROW, OK 74012
PHONE: 918-258-8161
ATTN: GLENN SHAW

A SUBDIVISION OF THE PART OF THE WEST HALF OF THE NORTHWEST QUARTER (W/2 NW/4) AND PART OF THE NW/4 OF THE SW/4 OF SECTION 32, TOWNSHIP 19 NORTH, RANGE 15 EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF BROKEN ARROW, WAGONER COUNTY, STATE OF OKLAHOMA.
PUD-310

ENGINEER/SURVEYOR

AAB ENGINEERING LLC
CERTIFICATE OF AUTHORIZATION NO. 6318, EXP. JUNE. 30, 2026
PO BOX 2136
SAND SPRINGS, OK 74063
PHONE: 918.514.4283
FAX: 918.514.4288
EMAIL: ALAN@AABENG.COM

KNOW ALL MEN BY THESE PRESENTS:

209TH STREET, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HERINAFTER REFERRED TO AS THE "OWNER/DEVELOPER", IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF BROKEN ARROW, WAGONER COUNTY, STATE OF OKLAHOMA, TO-WIT:

A TRACT OF LAND SITUATED IN THE WEST HALF (W/2) OF THE NORTHWEST QUARTER (NW/4) OF SECTION THIRTY-TWO (32), TOWNSHIP NINETEEN (19) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN BASE AND MERIDIAN, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, WAGONER COUNTY, STATE OF OKLAHOMA AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION THIRTY-TWO (32), TOWNSHIP NINETEEN (19) NORTH, RANGE FIFTEEN (15) EAST, THENCE SOUTH 01°29'16" EAST ALONG THE WEST LINE OF SAID NORTHWEST QUARTER (NW/4), A DISTANCE OF 1407.50 FEET TO THE SOUTHWEST CORNER OF THE CEDARS AT THE PRESERVE I, A SUBDIVISION IN THE CITY OF BROKEN ARROW, PLAT DOC. #2023-11021 AND THE POINT OF BEGINNING; THENCE ALONG THE SOUTHERLY LINE OF SAID SUBDIVISION FOR THE NEXT NINE CALLS; THENCE NORTH 88°30'40" EAST, A DISTANCE OF 50.00 FEET TO THE EAST RIGHT OF WAY LINE OF N. 37TH ST. E.; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 35.00 FEET, A CHORD BEARING OF NORTH 43°39'28" EAST AND A CHORD DISTANCE OF 49.62 FEET, FOR AN ARC DISTANCE OF 55.16 FEET; THENCE NORTH 88°48'13" EAST, A DISTANCE OF 81.29 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, A CHORD BEARING OF SOUTH 46°11'47" EAST, A CHORD DISTANCE OF 35.36 FEET, FOR AN ARC DISTANCE OF 39.27 FEET; THENCE NORTH 88°48'13" EAST, A DISTANCE OF 50.00 FEET; THENCE NORTH 01°11'47" WEST, A DISTANCE OF 10.05 FEET; THENCE NORTH 88°48'13" EAST, A DISTANCE OF 129.79 FEET; THENCE NORTH 01°11'47" WEST, A DISTANCE OF 230.00 FEET; THENCE NORTH 88°48'13" EAST, A DISTANCE OF 569.60 FEET; THENCE SOUTH 01°11'47" EAST, A DISTANCE OF 294.98 FEET; THENCE NORTH 86°55'47" WEST, A DISTANCE OF 68.96 FEET; THENCE SOUTH 88°48'13" WEST, A DISTANCE OF 51.04 FEET; THENCE SOUTH 01°11'47" EAST, A DISTANCE OF 290.00 FEET; THENCE NORTH 88°48'13" EAST, A DISTANCE OF 58.00 FEET; THENCE SOUTH 01°11'47" EAST, A DISTANCE OF 158.05 FEET; THENCE SOUTH 16°39'06" WEST, A DISTANCE OF 138.62 FEET; THENCE SOUTH 88°48'13" WEST, A DISTANCE OF 187.10 FEET; THENCE SOUTH 01°11'47" EAST, A DISTANCE OF 663.00 FEET; THENCE SOUTH 88°48'13" WEST, A DISTANCE OF 240.04 FEET; THENCE SOUTH 01°11'47" EAST, A DISTANCE OF 104.00 FEET; THENCE SOUTH 40°19'01" WEST, A DISTANCE OF 239.91 FEET; THENCE SOUTH 88°48'13" WEST, A DISTANCE OF 194.20 FEET TO THE EAST RIGHT-OF-WAY LINE OF SOUTH 37TH STREET EAST. THENCE NORTH 01°30'00" WEST ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 330.59 FEET; THENCE NORTH 01°29'16" WEST CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 1235.86 FEET TO THE POINT OF BEGINNING. CONTAINING 1,128,701 SQUARE FEET OR 25.91 ACRES.

AND HAS CAUSED THE ABOVE DESCRIBED TRACT OF LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO 119 LOTS IN 6 BLOCKS AND 2 RESERVE AREAS EACH ONE REFERRED TO HEREIN AS A "LOT" OR COLLECTIVELY AS "LOTS" IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS "THE CEDARS AT THE PRESERVE II," A SUBDIVISION IN THE CITY OF BROKEN ARROW, WAGONER COUNTY, OKLAHOMA (HEREINAFTER REFERRED TO AS "THE CEDARS AT THE PRESERVE" OR THE "SUBDIVISION").

SECTION I. PUBLIC STREETS, EASEMENTS AND UTILITIES

A. PUBLIC STREETS AND GENERAL UTILITY EASEMENTS

THE OWNER/DEVELOPER DOES HEREBY DEDICATE FOR PUBLIC USE THE STREETS DEPICTED ON THE ACCOMPANYING PLAT AND DOES FURTHER DEDICATE FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT AS "UTL" 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, 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/DEVELOPER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RE-LAY ALL UTILITY LINES, INCLUDING WATER LINES AND SEWER LINES, EXCLUDING GAS LINES AND GAS SERVICE LINES, 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, SEWER SERVICE AND ALL UTILITY SERVICES, EXCLUDING NATURAL GAS, TO THE AREA INCLUDED IN THE PLAT AND ELSEWHERE, AS MAY BE REQUIRED. THE OWNER/DEVELOPER HERIN 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. UTILITY LINES AND SERVICE

- OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES AND OTHER COMMUNICATION 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 THROUGHOUT THE SUBDIVISION. OTHERWISE, ALL SUPPLY LINES SHALL BE LOCATED UNDERGROUND IN THE GENERAL UTILITY EASEMENTS AND IN THE RIGHTS-OF-WAY FOR PUBLIC STREETS AS DEPICTED BY THE PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE GENERAL UTILITY EASEMENTS.
- 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 DEFINITE, 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.
- THE SUPPLIER OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES AND OTHER COMMUNICATION 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, CABLE TELEVISION OR COMMUNICATION FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.
- 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, CABLE TELEVISION OR COMMUNICATION 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.
- THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH B SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR OTHER COMMUNICATION SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

C. 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 THEIR LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID PUBLIC WATER MAIN, PUBLIC SANITARY SEWER MAIN OR STORM SEWER.
- WITHIN THE UTILITY 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, STORM SEWER OR DRAINAGE WAYS, OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS SHALL BE PROHIBITED. THE CITY OF BROKEN ARROW, INTER ALIA, MAY SPECIFICALLY ENFORCE THIS PROVISION.
- WAGONER COUNTY RURAL WATER DISTRICT #4, OR ITS SUCCESSORS AS THE PROVIDER, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER 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.
- 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 SEWER FACILITIES OR STORM WATER FACILITIES. WAGONER COUNTY RURAL WATER DISTRICT #4 SHALL HAVE SUCH RIGHT OF ACCESS FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF POTABLE WATER FACILITIES. ITS SUCCESSOR UTILITY OR MUNICIPALITY PROVIDING WATER SERVICE SHALL HAVE SIMILAR RIGHT OF ACCESS.
- WHERE WATER LINES ARE INSTALLED WITHIN A UTILITY EASEMENT, THAT PORTION OF THE UTILITY EASEMENT IS FOR THE USE OF WAGONER COUNTY RURAL WATER DISTRICT #4, OKLAHOMA, OR ITS SUCCESSORS. THE UTILITY EASEMENTS DEDICATED HEREIN FOR THE PURPOSE OF PROVIDING POTABLE WATER ARE DEDICATED TO WAGONER COUNTY RURAL WATER DISTRICT #4, OR ITS SUCCESSORS OR ASSIGNS, AS THE EXCLUSIVE PROVIDER OF POTABLE WATER TO THE SUBDIVISION. SEWER, GAS, ELECTRIC, COMMUNICATION, CABLE, SOLID WASTE MANAGEMENT, AND OTHER PROVIDERS OF UTILITIES, OTHER THAN POTABLE WATER, MAY ALSO USE SAID EASEMENTS.
- THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH C SHALL BE ENFORCEABLE BY THE CITY OF BROKEN ARROW, OKLAHOMA, WAGONER COUNTY RURAL WATER DISTRICT #4, THEIR SUCCESSORS, OR ANY UTILITY PROVIDER OF SERVICES 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, SEWER, 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

- THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED ON THE LOT.
- 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.
- 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.
- 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.
- 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.
- ONG'S EASEMENT(S) RECORDED IN BOOK 835, PAGE 429, AND BOOK 835, PAGE 787, AND BOOK 2453, PAGE 776, REMAIN IN FULL FORCE AND EFFECT. ONG'S EASEMENT(S) PRE-DATE THE RIGHT-OF-WAY DEDICATION IN THIS PLAT AND MAY PROHIBIT OR LIMIT CERTAIN USES OF ONG'S RIGHT OF WAY, INCLUDING PAVING, OTHER UTILITY LINES, AND PERMANENT STRUCTURES, WITHOUT ONG'S PRIOR WRITTEN CONSENT.
- 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. RESERVE AREA A

THE USE OF RESERVE AREA A SHALL BE LIMITED TO OPEN SPACE, RECREATION, LANDSCAPING AND UTILITIES. THE RESERVE AREA SHALL SUBSEQUENTLY BE CONVEYED TO THE HOMEOWNERS' ASSOCIATION TO BE FORMED PURSUANT TO SECTION IV FOR THE PURPOSES OF THE ADMINISTRATION AND MAINTENANCE OF RESERVES AND OTHER COMMON AREAS OF THE SUBDIVISION. RESERVE AREA A IS LOCATED WITHIN AND IS A PART OF THE PUBLIC RIGHT-OF-WAY. THE OWNER/DEVELOPER OF THE CEDARS AT THE PRESERVE II IS PERMITTED TO INSTALL LANDSCAPING, LIGHTING, SIGNAGE, AND IRRIGATION SYSTEMS IN THIS AREA. IT IS ALSO EXPRESSLY UNDERSTOOD THAT THE MAINTENANCE OF THIS RESERVE AREA IS THE RESPONSIBILITY OF THE OWNER. THE CITY OF BROKEN ARROW SHALL HAVE NO LIABILITY FOR ANY DAMAGE TO, INCLUDING BUT NOT LIMITED TO SIGNAGE, LIGHTING, LANDSCAPING, OR IRRIGATION SYSTEMS WITHIN RESERVE AREA A. THE CITY OF BROKEN ARROW ALSO RESERVES THE RIGHT TO MODIFY, RECONSTRUCT, OR REMOVE THE MEDIANS IN RESERVE AREA A.

G. RESERVE AREA B

THE USE OF RESERVE AREA B DEDICATED ON THE PLAT FOR THE SUBDIVISION SHALL BE LIMITED TO USE AS OPEN SPACE, FENCING, LANDSCAPING AND FLOODPLAIN AS WELL AS UTILITY EASEMENTS AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO THE HOMEOWNERS ASSOCIATION. MAINTENANCE OF RESERVE AREA B WILL BE THE RESPONSIBILITY OF THE PROPERTY OWNER UNTIL CONVEYANCE TO THE HOMEOWNERS ASSOCIATION. FENCING SHALL MEET THE CITY OF BROKEN ARROW ZONING ORDINANCE REQUIREMENTS FOR ANY PROPOSED FENCING IN THE FLOODPLAIN AREAS.

H. RESERVE AREA C

THE USE OF RESERVE E SHALL BE LIMITED TO OPEN SPACE, RECREATIONS, LANDSCAPING, POOLS, CLUBHOUSES AND UTILITIES. ANY TRAILS CONSTRUCTED WITHIN THE RESERVE MUST MEET ADA REQUIREMENTS AND SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION. THE RESERVE AREA SHALL SUBSEQUENTLY BE CONVEYED TO THE HOMEOWNERS' ASSOCIATION TO BE FORMED PURSUANT TO SECTION III FOR THE PURPOSES OF THE ADMINISTRATION AND MAINTENANCE OF RESERVES AND OTHER COMMON AREAS OF THE SUBDIVISION.

I. 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 I SHALL BE ENFORCEABLE BY ANY AFFECTED LOT

OWNER, BY THE OWNER/DEVELOPER AND BY THE HOMEOWNERS ASSOCIATION.

J. LIMITS OF NO ACCESS

THE UNDERSIGNED OWNER/DEVELOPER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO S. 37TH STREET E. WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" (L.N.A.) ON THE ACCOMPANYING PLAT, WHICH "LIMITS OF NO ACCESS" MAY BE AMENDED OR RELEASED BY THE CITY OF BROKEN ARROW AREA PLANNING COMMISSION, OR ITS SUCCESSOR, WITH THE APPROVAL OF THE CITY OF BROKEN ARROW, OKLAHOMA, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA PERTAINING THERETO, AND THE LIMITS OF NO ACCESS ABOVE ESTABLISHED SHALL BE ENFORCEABLE BY THE CITY OF BROKEN ARROW.

K. SIDEWALKS

SIDEWALKS ARE REQUIRED ALONG STREETS DESIGNATED BY AND IN ACCORDANCE WITH SUBDIVISION REGULATIONS. THE OWNER SHALL CONSTRUCT REQUIRED SIDEWALKS WITHIN ANY RESERVE AREAS, COMMON AREAS AND ALONG ARTERIAL STREET FRONTAGES OF ABUTTING LOTS HAVING ACCESS ONTO MINOR STREETS, AS WELL AS ALL ADA RAMPS. THE DEVELOPER SHALL INSTALL ADA RAMPS AT THE TIME THE STREETS ARE CONSTRUCTED. THE HOMEOWNER WILL NEED TO CONNECT TO RAMP. WHERE SIDEWALKS ARE NOT CONSTRUCTED BY THE OWNER/DEVELOPER, THE BUILDER OF A RESIDENCE ON EACH LOT SHALL CONSTRUCT THE REQUIRED SIDEWALK. REQUIRED SIDEWALKS AND ADA RAMPS SHALL BE CONSTRUCTED IN CONFORMANCE WITH CITY OF BROKEN ARROW ENGINEERING DESIGN STANDARDS.

L. MINIMUM BUILDING SETBACKS AND YARDS

1. NO BUILDING SHALL BE LOCATED NEARER TO THE RIGHT OF WAY OF AN ADJOINING PUBLIC STREET THAN THE BUILDING LINE DEPICTED ON THE ACCOMPANYING PLAT.

2. EACH LOT SHALL MAINTAIN SIDE YARDS WHICH IN THE AGGREGATE ARE NOT LESS THAN TEN (10) FEET IN WIDTH AND NO SIDE YARD SHALL BE LESS THAN FIVE (5) FEET IN WIDTH. SIDE YARDS ABUTTING A STREET SHALL NOT BE LESS THAN FIFTEEN (15) FEET, UNLESS THE GARAGE ENTRY IS LOCATED ON SUCH SIDE, WHERE IT WILL BE NO LESS THAN TWENTY-FIVE (25) FEET.

3. THE MINIMUM REAR YARD SHALL BE TWENTY (20) FEET. CUSTOMARY ACCESSORY STRUCTURES MAY BE LOCATED IN THE REQUIRED REAR YARD, BUT NO BUILDING SHALL BE ERECTED NEARER THAN FIVE (5) FEET TO ANY LOT LINE.

4. NO BUILDING, WHETHER PRINCIPAL OR ACCESSORY, SHALL ENCROACH UPON ANY UTILITY EASEMENT AS DEPICTED ON THE ACCOMPANYING PLAT.

K. 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.

L. FENCE AND LANDSCAPE EASEMENT

THE OWNER HEREBY ESTABLISHES AND RESERVES FOR SUBSEQUENT CONVEYANCE TO THE HOMEOWNER'S ASSOCIATION AN EXCLUSIVE PERPETUAL EASEMENT TO ERECT AND MAINTAIN FENCING, WALLS AND LANDSCAPING ALONG THE WESTERN BOUNDARY OF THE SUBDIVISION WITHIN THE EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT AS "FENCE & LANDSCAPE EASEMENT" OR "F/E". SUCH RIGHTS SHALL BE CONVEYED TO THE HOME OWNERS ASSOCIATION AT A LATER DATE.

M. FENCE PROHIBITION EASEMENT

NO FENCE CONSTRUCTION IS ALLOWED WITHIN THE AREA DESIGNATED ON THE PLAT AS FENCE PROHIBITION EASEMENT. ONG HAS AN EASEMENT RECORDED IN BOOK 2453, PAGE 776 THAT PREDATES THIS PLAT AND REQUIRES THAT NO FENCES BE CONSTRUCTED WITHIN CERTAIN PORTIONS OF THAT EASEMENT TO ENSURE ONG'S USE OF THAT EASEMENT. NO FENCE SHALL BE ERECTED WITHIN THIS EASEMENT FOR ANY PURPOSES. ANY FENCE CONSTRUCTED WITHIN THIS EASEMENT WILL BE REMOVED AT LOT OWNER'S EXPENSE. IN THE EVENT THE LOT OWNER REFUSES TO REMOVE THE FENCE, ONG SHALL HAVE THE EXPLICIT RIGHT TO ENTER ONTO THE PROPERTY AND REMOVE ANY AND ALL FENCE CONTAINED WITHIN A PORTION OF THE FENCE PROHIBITION EASEMENT. THE LOT OWNER SHALL BEAR ALL COSTS ENDURED BY ONG IN THE EFFORT TO REMOVE ANY SUCH PROHIBITED FENCES.

N. OVERLAND DRAINAGE AND DETENTION EASEMENTS

- THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC PERPETUAL EASEMENTS ON, OVER, AND ACROSS THOSE AREAS DESIGNATED ON THE ACCOMPANYING PLAT AS "OVERLAND DRAINAGE EASEMENT" FOR THE PURPOSE OF PERMITTING THE OVERLAND FLOW, CONVEYANCE, AND DISCHARGE OF STORMWATER RUNOFF FROM VARIOUS LOTS WITHIN THE SUBDIVISION AND FROM PROPERTIES OUTSIDE THE SUBDIVISION.
- DRAINAGE FACILITIES LOCATED WITHIN OVERLAND DRAINAGE EASEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE ADOPTED STANDARDS OF THE CITY OF BROKEN ARROW, OKLAHOMA, AND PLANS AND SPECIFICATIONS APPROVED BY THE CITY OF BROKEN ARROW, OKLAHOMA.
- NO FENCE, WALL, BUILDING OR OTHER OBSTRUCTION SHALL BE PLACED OR MAINTAINED WITHIN AND OVERLAND DRAINAGE EASEMENT NOR SHALL THERE BE ANY ALTERATION OF THE GRADE IN THE EASEMENTS UNLESS APPROVED BY THE CITY OF BROKEN ARROW, OKLAHOMA, PROVIDED THAT THE PLANTING OF TURF OR CONSTRUCTION OF A WIRE, WROUGHT IRON, SPLIT RAIL, OR SIMILAR APPROVED FENCES SHALL NOT REQUIRE THE APPROVAL OF THE CITY OF BROKEN ARROW, OKLAHOMA. ALL FENCING IN THE ODE MUST BE APPROVED BY THE CITY STORM WATER MANAGER BEFORE INSTALLATION. ANY FENCING IN THE ODE MAY BE REMOVED BY THE CITY AT THE OWNERS EXPENSE AND THE CITY OF BROKEN ARROW IS NOT RESPONSIBLE TO REINSTALL THE FENCING. NO EQUIPMENT SUCH AS HVAC, POOL PUMPS/FILTERS, OR OTHER MECHANICAL EQUIPMENT MAY BE LOCATED IN THE EASEMENT. ANY EQUIPMENT IN THE EASEMENT MAY BE MOVED OR DISCONNECTED AT THE OWNERS EXPENSE AND THE CITY OF BROKEN ARROW IS NOT RESPONSIBLE TO RECONNECT THE EQUIPMENT.
- OVERLAND DRAINAGE EASEMENTS LOCATED WITHIN A LOT SHALL BE MAINTAINED BY THE OWNER OF THE LOT AT THE OWNER'S EXPENSE IN ACCORDANCE WITH STANDARDS PRESCRIBED BY THE CITY OF BROKEN ARROW, OKLAHOMA. IN THE EVENT THE OWNER OF THE LOT FAILS TO PROPERLY MAINTAIN THE EASEMENTS LOCATED THEREON OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN SUCH EASEMENTS, OR THE ALTERATION OF GRADE THEREIN, THE CITY OF BROKEN ARROW, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER THE EASEMENTS AND PERFORM MAINTENANCE NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT ANY ALTERATION OF GRADE, AND THE COSTS SHALL BE PAID BY THE LOT OWNER. OBSTRUCTIONS MAY INCLUDE POOL EQUIPMENT OR HVAC EQUIPMENT. IN THE EVENT THE LOT OWNER FAILS TO PAY THE COST OF MAINTENANCE AFTER RECEIPT OF A STATEMENT OF COSTS FROM THE CITY OF BROKEN ARROW, OKLAHOMA, THE CITY MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS IN THE LAND RECORDS OF THE WAGONER COUNTY CLERK, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST THE LOT. A LIEN ESTABLISHED AS PROVIDED ABOVE MAY BE FORECLOSED BY THE CITY OF BROKEN ARROW, OKLAHOMA.

ADJACENT OWNERSHIP

THE CITY OF BROKEN ARROW HAS A POLICE AND FIRE TRAINING FACILITY TO THE EAST THAT IS USED BOTH DAY AND NIGHT. IN ADDITION, THERE IS A FORMER LANDFILL LOCATED ON THE PROPERTY TO THE EAST. EACH BUILDING PERMIT ISSUED IN THIS SUBDIVISION SHALL INCLUDE A COMMENT REGARDING THE NEARBY POLICE AND FIRE TRAINING FACILITY AND FORMER LANDFILL.

SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS

THE CEDARS AT THE PRESERVE WAS SUBMITTED AS A PLANNED UNIT DEVELOPMENT, DESIGNATED AS PUD 310 PURSUANT TO SECTION 2-Y, ARTICLE A OF THE ZONING ORDINANCE OF THE CITY OF BROKEN ARROW, OKLAHOMA. (ORDINANCE NO. 2931) AS EXISTED ON APRIL 20, 2020 (HEREINAFTER REFERRED TO AS THE "BROKEN ARROW ZONING ORDINANCE"), WHICH P.U.D. NO. 310 WAS RECOMMENDED FOR APPROVAL BY THE PLANNING COMMISSION ON 6/11/2020, AND WAS APPROVED BY THE COUNCIL OF THE CITY OF BROKEN ARROW, OKLAHOMA, ON 6/16/2020. THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE CITY OF BROKEN ARROW ZONING CODE REQUIRED THE ESTABLISHMENT OF COVENANTS OF RECORD, INJURING TO AND ENFORCEABLE BY THE CITY OF BROKEN ARROW, OKLAHOMA, SUFFICIENT TO ASSURE THE IMPLEMENTATION AND CONTINUING COMPLIANCE WITH THE APPROVED PLANNED UNIT DEVELOPMENT, AND 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 BINDING UPON THE OWNER/DEVELOPER, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH. PUD 310 CONSISTS OF 4 DEVELOPMENT AREAS. ONLY DEVELOPMENT AREA B IS LOCATED WITHIN THE CEDARS AT THE PRESERVE I.

DEVELOPMENT STANDARDS (DEVELOPMENT AREA B)

A. IT SHALL BE GOVERNED BY THE BROKEN ARROW ZONING ORDINANCE AND USE AND DIMENSIONAL STANDARDS IN THE CURRENT RS-4 ZONING GUIDELINES EXCEPT AS HEREINAFTER MODIFIED:

1. PERMITTED USES	
SINGLE FAMILY DETACHED DWELLINGS	
2. GROSS RESIDENTIAL AREA	121.22 ACRES
3. MINIMUM GROSS LAND AREA PER DWELLING UNIT: (DU)	10,000 SF
4. MAXIMUM NUMBER OF DWELLING UNITS	540
5. MINIMUM LOT WIDTH	52 FEET
6. MINIMUM LOT SIZE	6,000 SF
7. MINIMUM LIVABILITY SPACE PER LOT	2,800 SF
8. MINIMUM FRONT YARD*	25 FEET
9. MINIMUM SIDE YARD	5 FEET
10. MINIMUM REAR YARD	20 FEET

*ON CORNER LOTS, ONE FRONT YARD SETBACK MAY BE REDUCED TO 15 FEET ALONG THOSE RIGHTS OF WAY THAT HAVE NO VEHICULAR ACCESS. THE JOG IN THE FRONT YARD BETWEEN THE TWO LOTS SHALL NOT EXCEED FIVE FEET.

B. STREET DESIGN AND ACCESS LIMITATIONS

ALL STREET SHALL BE CONSTRUCTED AS REQUIRED TO MEET PUBLIC STREET STANDARDS AS DESCRIBED IN THE CITY OF BROKEN ARROW ENGINEERING STANDARDS. SIDEWALKS SHALL BE CONSTRUCTED BY THE DEVELOPER ALONG 37TH STREET AND ALONG ANY RESERVE AREAS ABUTTING A STREET. NO RESIDENTIAL LOTS SHALL BE ALLOWED TO HAVE DIRECT ACCESS TO 37TH STREET. A SINGLE STUB STREET IS PROPOSED TO THE EAST FOR FUTURE DEVELOPMENT OF THE LAND SOUTH OF THE FORMER LANDFILL SITE AND WEST OF THE CREEK TURNPIKE.

C. UTILITIES

STORM SEWER AND SEWER SERVICE WILL BE PUBLICLY MAINTAINED UTILITIES PROVIDED BY THE CITY OF BROKEN ARROW AND INSTALLED BY THE DEVELOPER. WATER SERVICE WILL BE PROVIDED BY WAGONER COUNTY RURAL WATER DISTRICT NUMBER 4.

D. LANDSCAPE AND SCREENING STANDARDS

LANDSCAPING AND SCREENING WILL BE PROVIDED ALONG 37TH STREET AND SHALL CONFORM TO THE CITY OF BROKEN ARROW ZONING ORDINANCE. A LANDSCAPE AND FENCE EASEMENT OR RESERVE AREA SHALL BE PROVIDED WHERE DEVELOPMENT AREA B ABUTS THE ADJOINING ARTERIAL STREETS AND SHALL CONTAIN THE REQUIRED LANDSCAPING AND SCREENING FOR THE DEVELOPMENT. IN THE EVENT OF RESTRICTIONS REGARDING LANDSCAPING OR FENCING WITHIN EXISTING EASEMENTS ALONG THE PERIMETER OF DEVELOPMENT AREA B REQUIRED PERIMETER FENCING SHALL BE CONTAINED WITHIN A RESERVE OR LANDSCAPE AND FENCE EASEMENT THAT WILL BE MAINTAINED BY THE HOME OWNER'S ASSOCIATION.

Correct the Reference to Paragraph F. This is Paragraph I.

Correct the spelling. "... maintenance OF reserve area"

Correct the Reference to Reserve E. It should be Reserve Area C.

CONDITIONAL FINAL PLAT

The Cedars At The Preserve II

OWNER/DEVELOPER

209TH STREET LLC
1420 W. KENOSHA ST.
BROKEN ARROW, OK 74012
PHONE: 918-258-6161
ATTN: GLENN SHAW

ENGINEER/SURVEYOR

AAB ENGINEERING LLC
CERTIFICATE OF AUTHORIZATION NO. 6318, EXP. JUNE, 30, 2026
PO BOX 2136
SAND SPRINGS, OK 74063
PHONE: 918.514.4283
FAX: 918.514.4288
EMAIL: ALAN @ AABENG.COM

A SUBDIVISION OF THE PART OF THE WEST HALF OF THE NORTHWEST QUARTER (W/2 NW/4) AND PART OF THE NW/4 OF THE SW/4 OF SECTION 32, TOWNSHIP 19 NORTH, RANGE 15 EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF BROKEN ARROW, WAGONER COUNTY, STATE OF OKLAHOMA. PUD-310

SECTION III. PRIVATE RESTRICTIONS

A. ARCHITECTURAL COMMITTEE.

- 1. PLAN REVIEW. NO BUILDING, FENCE, WALL, OR EXTERIOR ANTENNA SHALL BE ERRECTED, PLACED OR ALTERED (INCLUDING EXTERIOR PAINTING) ON ANY LOT UNTIL THE PLANS AND SPECIFICATIONS HAVE BEEN APPROVED IN WRITING BY THE OWNER/DEVELOPER OR ITS AUTHORIZED REPRESENTATIVES OR SUCCESSORS, WHICH ARE HEREINAFTER REFERRED TO AS THE "ARCHITECTURAL COMMITTEE".
2. COMMITTEE PURPOSE. THE ARCHITECTURAL COMMITTEE'S PURPOSE IS TO PROMOTE GOOD DESIGN AND COMPATIBILITY WITHIN THE SUBDIVISION AND IN ITS REVIEW OF PLANS OR DETERMINATION OF ANY WAIVER AS HEREINAFTER AUTHORIZED MAY TAKE INTO CONSIDERATION THE NATURE AND CHARACTER OF THE PROPOSED BUILDING OR STRUCTURE...
3. TRANSFER OF DUTIES. THE POWERS AND DUTIES OF THE ARCHITECTURAL COMMITTEE SHALL, ON LATER OF JANUARY 1, 2030, OR THE TRANSFER OF THE OWNER/DEVELOPER OF ITS LAST LOT IN THE ADDITION BE DEEMED TRANSFERRED TO THE PRESERVE HOMEOWNERS' ASSOCIATION, INC., OWNER/DEVELOPER, OR UPON WRITTEN ASSIGNMENT TO SAID HOMEOWNERS' ASSOCIATION BY THE OWNER/DEVELOPER...

B. USE

THE USE OF THE LOTS SHALL BE LIMITED TO DETACHED SINGLE-FAMILY RESIDENCES AND CUSTOMARY ACCESSORY USES. ONLY ONE RESIDENCE SHALL BE PERMITTED UPON A LOT.

C. FLOOR AREA

- 1. A SINGLE STORY DWELLING SHALL HAVE AT LEAST 1,000 SQUARE FEET OF FINISHED HEATED LIVING AREA.
2. IF A DWELLING HAS TWO LEVELS OR STORIES IMMEDIATELY ABOVE AND BELOW EACH OTHER MEASURED VERTICALLY AND ALL SUCH LEVELS OR STORIES ARE ABOVE THE FINISHED EXTERIOR GRADE OF SUCH DWELLING, THEN SUCH DWELLING SHALL HAVE AT LEAST 1,000 SQUARE FEET OF FINISHED HEATED LIVING AREA ON THE FIRST STORY OR LEVEL AND SHALL HAVE A TOTAL OF THE VARIOUS LEVELS OR STORIES OF AT LEAST 1,400 SQUARE FEET OF FINISHED HEATED LIVING AREA.
3. THE COMPUTATION OF LIVING AREA SHALL NOT INCLUDE ANY BASEMENT, GARAGE, OR ATTIC AREA USED FOR STORAGE. ALL LIVING AREA MEASUREMENTS SHALL BE TAKEN HORIZONTALLY AT THE TOP PLATE LEVEL TO THE FACE OF THE OUTSIDE WALL...
4. THE ARCHITECTURAL COMMITTEE MAY WAIVE, IN THE PARTICULAR INSTANCE, UPON WRITTEN REQUEST, THE FLOOR AREA REQUIREMENTS SET OUT IN PARAGRAPH 1 AND 2 OF THIS SUBSECTION C.

D. MAXIMUM BUILDING HEIGHT

NO BUILDING SHALL EXCEED TWO AND ONE HALF STORIES OR THIRTY- FIVE FEET IN HEIGHT.

E. GARAGES

WITHIN EACH LOT THERE SHALL BE PROVIDED A MINIMUM OF TWO PARKING SPACES WITHIN AN ATTACHED GARAGE. GARAGES SHALL BE ENCLOSED, AND CARPORTS ARE PROHIBITED. GLASS IN GARAGE DOORS IS PROHIBITED.

F. FOUNDATIONS

ANY EXPOSED FOUNDATION SHALL BE BRICK, STONE OR STUCCO. NO STEM WALL SHALL BE EXPOSED.

G. MASONRY

THERE SHALL NOT BE ANY SPECIFIC MASONRY REQUIREMENT OTHER THAN PARAGRAPH F ABOVE.

H. WINDOWS

WITHIN A DWELLING, ALUMINUM WINDOWS HAVING A MILL FINISH ARE PROHIBITED.

I. ROOF PITCH

NO DWELLING SHALL HAVE A ROOF PITCH OF LESS THAN 6/12, EXCEPT FOR PORCHES AND PATIOS THAT IN NO EVENT SHALL HAVE A ROOF PITCH OF LESS THAN 4/12.

J. ROOFING MATERIALS

ROOFING FOR A DWELLING SHALL BE SELF-SEALING COMPOSITION SHINGLES, TAMKO HERITAGE 30 YEAR WEATHERED WOOD IN COLOR. PROVIDED, HOWEVER, THAT IF SUCH ROOFING SHOULD NOT BE REASONABLY AVAILABLE, ALTERNATIVE ROOFING APPROVED BY THE ARCHITECTURAL COMMITTEE SHALL BE PERMITTED UPON DETERMINATION OF THE ARCHITECTURAL COMMITTEE THAT THE ALTERNATIVE IS OF EQUAL OR SUPERIOR QUALITY AND OF A DESIGN AND COLOR COMPATIBLE WITH THE ROOFING MATERIAL ABOVE SPECIFIED.

K. DRIVEWAYS

DRIVEWAYS SHALL BE CONCRETE, SHALL BE THE SAME COLOR AS THE SIDEWALKS AND CURBS WITHIN THE SUBDIVISION, AND SHALL REQUIRE APPROVAL OF THE ARCHITECTURAL COMMITTEE.

L. FENCING

- 1. ALL FENCING SHALL BE IN ACCORDANCE WITH THE CITY OF BROKEN ARROW ZONING CODE. INTERIOR FENCING OR WALLS SHALL NOT EXTEND BEYOND THE BUILDING LINES OF THE LOT AND, IF A DWELLING IS BUILT BEHIND THE FRONT BUILDING LINE OF A LOT, NO FENCE MAY EXTEND BEYOND THE POINT NEAREST THE STREET AT EACH END CORNER OF THE DWELLING...
2. WITH RESPECT TO LOTS WHICH ARE CONTIGUOUS WITH LAKES, PONDS OR DETENTION FACILITIES IN RESERVE AREAS, THE SIDE YARD FENCES SHALL BE TAPERED IN HEIGHT TO FIVE FEET (5') WITHIN THIRTY FEET (30') OF THE PERIMETER FENCING THE LAKE, POND OR DETENTION AREA AND WITHIN SAID 30' AREA SHALL BE OF THE SAME SPECIFICATIONS AS THE PERIMETER FENCING DESCRIBED BELOW...

M. SEASONAL DECORATIONS

ALL SEASONAL DECORATIONS SHALL BE REMOVED NO LATER THAN THIRTY (30) CALENDAR DAYS FROM THE DAY OF THE ACTUAL HOLIDAY.

N. ON-SITE CONSTRUCTION

NO RESIDENCE OR BUILDING BUILT OFF-SITE SHALL BE MOVED TO, OR PLACED ON, ANY LOT.

O. OUTBUILDINGS

WITHIN EACH LOT, OUTBUILDINGS ARE PROHIBITED.

P. SWIMMING POOLS

ABOVE GROUND SWIMMING POOLS ARE PROHIBITED.

Q. ANTENNAS

EXTERIOR TELEVISION, "CB" RADIO OR OTHER TYPE ANTENNAS INCLUDING SATELLITE DISHES SHALL BE PROHIBITED, EXCEPT SATELLITE DISHES NOT EXCEEDING 20" IN DIAMETER MAY BE AFFIXED TO A REAR BUILDING WALL OR DORMER IF BELOW THE EAVE, OR GROUND MOUNTED WITHIN A REAR YARD IF NOT EXCEEDING 6' IN HEIGHT, AND IN EACH INSTANCE THE SATELLITE DISH SHALL NOT BE VISIBLE FROM THE STREET VIEW OF THE DWELLING.

R. LOT MAINTENANCE

NO INOPERATIVE VEHICLE OR MACHINERY SHALL BE STORED ON ANY LOT AND EACH LOT SHALL BE MAINTAINED IN A NEAT AND ORDERLY CONDITION FREE OF RUBBISH, TRASH AND OTHER DEBRIS AND SHALL BE CUT, TRIMMED OR MOWED TO PREVENT GROWTH OF WEEDS OR TALL GRASS.

S. RECREATIONAL VEHICLES

BOATS, TRAILERS, CAMPERS AND OTHER RECREATIONAL VEHICULAR EQUIPMENT SHALL NOT BE STORED ON ANY LOT EXCEPT WITHIN AN ENCLOSED GARAGE.

T. NON-RECREATIONAL TRAILERS, MACHINERY AND EQUIPMENT

NO NON-RECREATIONAL TRAILERS, MACHINERY OR EQUIPMENT SHALL BE STORED, PLACED OR PARKED ON ANY LOT, EXCEPT WITHIN AN ENCLOSED GARAGE, OR ON ANY STREET WITHIN THE SUBDIVISION; PROVIDED HOWEVER, NOTHING HEREIN SHALL PROHIBIT THE PARKING OF VEHICLES, MACHINERY AND EQUIPMENT WHEN BEING UTILIZED IN CONNECTION WITH SERVICES PERTAINING TO A RESIDENCE.

U. CLOTHESLINES AND GARBAGE RECEPTACLES

EXPOSED CLOTHESLINE POLES OR OTHER OUTSIDE DRYING APPARATUS ARE PROHIBITED, AND NO EXPOSED GARBAGE CAN, TRASH CAN OR ANY TRASH BURNING APPARATUS OR STRUCTURE SHALL BE PLACED ON ANY LOT OR ANY RESERVE AREA.

V. ANIMALS

NO ANIMALS, LIVESTOCK OR POULTRY OF ANY KIND MAY BE MAINTAINED, BRED, SOLD OR KEPT EXCEPT THAT TWO DOGS, TWO CATS AND OTHER HOUSEHOLD PETS MAY BE KEPT PROVIDED THAT THEY ARE NOT USED FOR COMMERCIAL PURPOSES.

W. NOXIOUS ACTIVITY

NO NOXIOUS OR OFFENSIVE TRADE OR ACTIVITY SHALL BE CARRIED OUT UPON ANY LOT OR UPON ANY RESERVE AREA, NOR SHALL ANYTHING BE DONE THEREON THAT MAY BE OR MAY BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.

X. SIGNAGE

NO SIGN OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT EXCEPT ONE SIGN OF NOT MORE THAN FIVE (5) SQUARE FEET ADVERTISING THE PROPERTY FOR SALE OR RENT. SIGNS USED BY THE OWNER/DEVELOPER OR A BUILDER TO ADVERTISE ANY PROPERTY WITHIN THE ADDITION DURING THE CONSTRUCTION AND LOT SALES PERIOD MAY BE UP TO TWELVE (12) SQUARE FEET. OWNER/DEVELOPER MAY MAINTAIN SIGNAGE AND PROMOTIONAL DISPLAYS FOR AS LONG AS IT OWNS A LOT IN THE ADDITION.

Y. MATERIALS AND STORAGE

NO LOT SHALL BE USED FOR THE STORAGE OF MATERIALS FOR A PERIOD OF GREATER THAN THIRTY (30) DAYS PRIOR TO THE START OF CONSTRUCTION AND THE CONSTRUCTION SHALL BE COMPLETED WITHIN SIX (6) MONTHS THEREAFTER. EACH LOT SHALL BE MAINTAINED IN A NEAT AND ORDERLY CONDITION.

Z. GARAGE SALES/YARD SALES

GARAGE SALES/YARD SALES WILL BE ALLOWED ONCE EACH CALENDAR YEAR. THE DATE WILL BE SET BY THE BOARD OF DIRECTORS OF THE PRESERVE EAST HOMEOWNER'S ASSOCIATION.

AA. TEMPORARY TRASH RECEPTACLES

A TEMPORARY TRASH RECEPTACLE IS REQUIRED ON EACH LOT DURING THE CONSTRUCTION OF ANY DWELLING IN THE SUBDIVISION. THE TEMPORARY TRASH RECEPTACLE SHALL BE MAINTAINED BY THE LOT OWNER AND SHALL BE EMPTIED ON A REGULAR BASIS OR AS NEEDED.

BB. BASKETBALL GOALS

NO BASKETBALL GOAL OR STRUCTURES ARE ALLOWED IN ANY OF THE STREET RIGHTS OF WAY.

SECTION IV. HOMEOWNERS' ASSOCIATION

A. FORMATION OF HOMEOWNERS' ASSOCIATION

THE OWNER/DEVELOPER HAS FORMED AN ASSOCIATION OF THE OWNERS OF THE LOTS WITHIN THE CEDARS AT THE PRESERVE II (HEREINAFTER AND HERETOFORE REFERRED TO AS THE "HOMEOWNERS' ASSOCIATION") TO BE ESTABLISHED IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA, FOR THE GENERAL PURPOSES OF MAINTAINING THE COMMON AREAS, INCLUDING BUT WITHOUT LIMITATION THE RESERVE AREAS AND PERIMETER FENCING, AND ENHANCING THE VALUE, DESIRABILITY AND ATTRACTIVENESS OF ALL PHASES OF THE PRESERVE.

B. MEMBERSHIP

EVERY PERSON OR ENTITY WHO IS A RECORD OWNER OF THE FEE INTEREST OF A LOT SHALL BE A MEMBER OF THE HOMEOWNERS' ASSOCIATION. MEMBERSHIP SHALL BE APPURTENANT TO AND MAY NOT BE SEPARATED FROM THE OWNERSHIP OF A LOT.

C. ASSESSMENT

EACH RECORD OWNER OF A LOT SHALL BE SUBJECT TO ASSESSMENT BY THE HOMEOWNERS' ASSOCIATION FOR THE PURPOSES OF IMPROVEMENT AND MAINTENANCE OF THE STORM WATER DETENTION FACILITIES, RESERVE AREAS AND OTHER COMMON AREAS.

SECTION V. 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, PUBLIC STREETS, 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. THE COVENANTS CONTAINED IN SECTION III, PRIVATE RESTRICTIONS, AND SECTION IV, HOMEOWNERS' ASSOCIATION, SHALL INURE TO THE BENEFIT OF ANY OWNER OF A LOT AND THE HOMEOWNERS' ASSOCIATION, IF THE OWNER OF ANY LOT SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION III, IT SHALL BE LAWFUL FOR ANY OWNER OF A LOT OR THE HOMEOWNERS' ASSOCIATION 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 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. IN ANY JUDICIAL ACTION BROUGHT BY ANY OWNER OF A LOT OR THE ASSOCIATION, WHICH ACTION SEEKS TO ENFORCE THE COVENANTS CONTAINED IN THE RESTRICTIVE COVENANTS HEREIN AND/OR TO RECOVER DAMAGES FOR THE BREACH THEREOF, THE PREVAILING PARTY SHALL BE ENTITLED TO RECEIVE REASONABLE ATTORNEY FEES AND COSTS AND EXPENSES INCURRED IN SUCH ACTION.

B. DURATION

THE RESTRICTIVE COVENANTS HEREIN, 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, PUBLIC STREETS, 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 CITY OF BROKEN ARROW PLANNING COMMISSION, OR ITS SUCCESSORS AND THE CITY OF BROKEN ARROW, OKLAHOMA, THE COVENANTS AND RESTRICTIONS CONTAINED WITHIN SECTION III, PRIVATE RESTRICTIONS, MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER/DEVELOPER DURING SUCH PERIOD THAT THE OWNER/DEVELOPER IS THE OWNER OF AT LEAST 1 LOT, OR ALTERNATIVELY THE COVENANTS AND RESTRICTIONS MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNERS OF 60% OF THE LOTS WITHIN THE SUBDIVISION. IN THE EVENT OF ANY CONFLICT BETWEEN AN AMENDMENT OR TERMINATION PROPERLY EXECUTED BY THE OWNER/DEVELOPER (DURING ITS OWNERSHIP OF AT LEAST 1 LOT) AND ANY AMENDMENT OR TERMINATION PROPERLY EXECUTED BY THE OWNERS OF AT LEAST 60% OF THE LOTS, THE INSTRUMENT EXECUTED BY THE OWNER/DEVELOPER SHALL PREVAIL DURING ITS OWNERSHIP OF AT LEAST 1 LOT. THE PROVISIONS CONTAINED WITHIN SECTION IV, HOMEOWNERS' ASSOCIATION, MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER/DEVELOPER DURING SUCH PERIOD THAT THE OWNER/DEVELOPER IS THE OWNER OF AT LEAST 1 LOT, OR ALTERNATIVELY THE COVENANTS AND RESTRICTIONS MAY BE AMENDED OR TERMINATED AT ANY TIME BY A MAJORITY VOTE OF THE MEMBERS OF THE HOMEOWNERS' ASSOCIATION AS EVIDENCED BY WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE PRESIDENT OF THE HOMEOWNERS' ASSOCIATION. IN THE EVENT OF ANY CONFLICT BETWEEN AN AMENDMENT OR TERMINATION PROPERLY EXECUTED BY THE OWNER/DEVELOPER (DURING ITS OWNERSHIP OF AT LEAST 1 LOT) AND ANY AMENDMENT OR TERMINATION EVIDENCED BY AN INSTRUMENT PROPERLY EXECUTED BY THE PRESIDENT OF THE HOMEOWNERS' ASSOCIATION, THE INSTRUMENT EXECUTED BY THE OWNER/DEVELOPER SHALL PREVAIL DURING ITS OWNERSHIP OF AT LEAST 1 LOT. THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING COVENANTS AS ABOVE SET FORTH SHALL BE EFFECTIVE FROM AND AFTER THE DATE, IT IS PROPERLY RECORDED.

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: 209TH STREET, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HAS EXECUTED THIS INSTRUMENT THIS ____ DAY OF _____, 2025.

209TH STREET, LLC,
AN OKLAHOMA LIMITED LIABILITY COMPANY

BY: _____
GLENN SHAW, MANAGER

STATE OF OKLAHOMA)
) SS
COUNTY OF WAGONER)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2025, BY GLENN SHAW, MANAGER OF 209TH STREET, LLC.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____
COMMISSION NUMBER: _____

WAGONER COUNTY TREASURER'S CERTIFICATE

I, _____, COUNTY TREASURER OF WAGONER COUNTY, OKLAHOMA, HEREBY CERTIFY THAT I HAVE EXAMINED THE RECORDS PERTAINING TO AD VALOREM TAXES ON THE TRACT DESCRIBED IN THE ACCOMPANYING PLAT AND FIND THAT ALL THE AD VALOREM TAXES HAVE BEEN PAID AND INFLICTED 2024.

DATED THIS ____ DAY OF _____, 2025.

COUNTY TREASURER

CERTIFICATE OF SURVEY

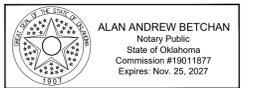
I, MIKEL L. STEWART, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT I HAVE SURVEYED, SUBDIVIDED AND PLATTED THE ABOVE TRACT DESIGNATED AS "THE CEDARS AT THE PRESERVE II" AN ADDITION TO THE CITY OF BROKEN ARROW, WAGONER COUNTY, STATE OF OKLAHOMA. THE ABOVE PLAT IS 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.

MIKEL L. STEWART
LICENSED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 2105

STATE OF OKLAHOMA)
) SS
COUNTY OF WAGONER)

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ON THIS ____ DAY OF _____, 2025, PERSONALLY APPEARED MIKEL L. STEWART, 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 25, 2027
COMMISSION NUMBER: 19011877

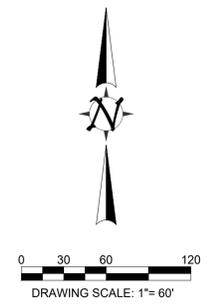


OWNER/DEVELOPER
 209TH STREET LLC
 1420 W. KENOSHIA ST.
 BROKEN ARROW, OK 74012
 PHONE: 918-258-6161
 ATTN: GLENN SHAW

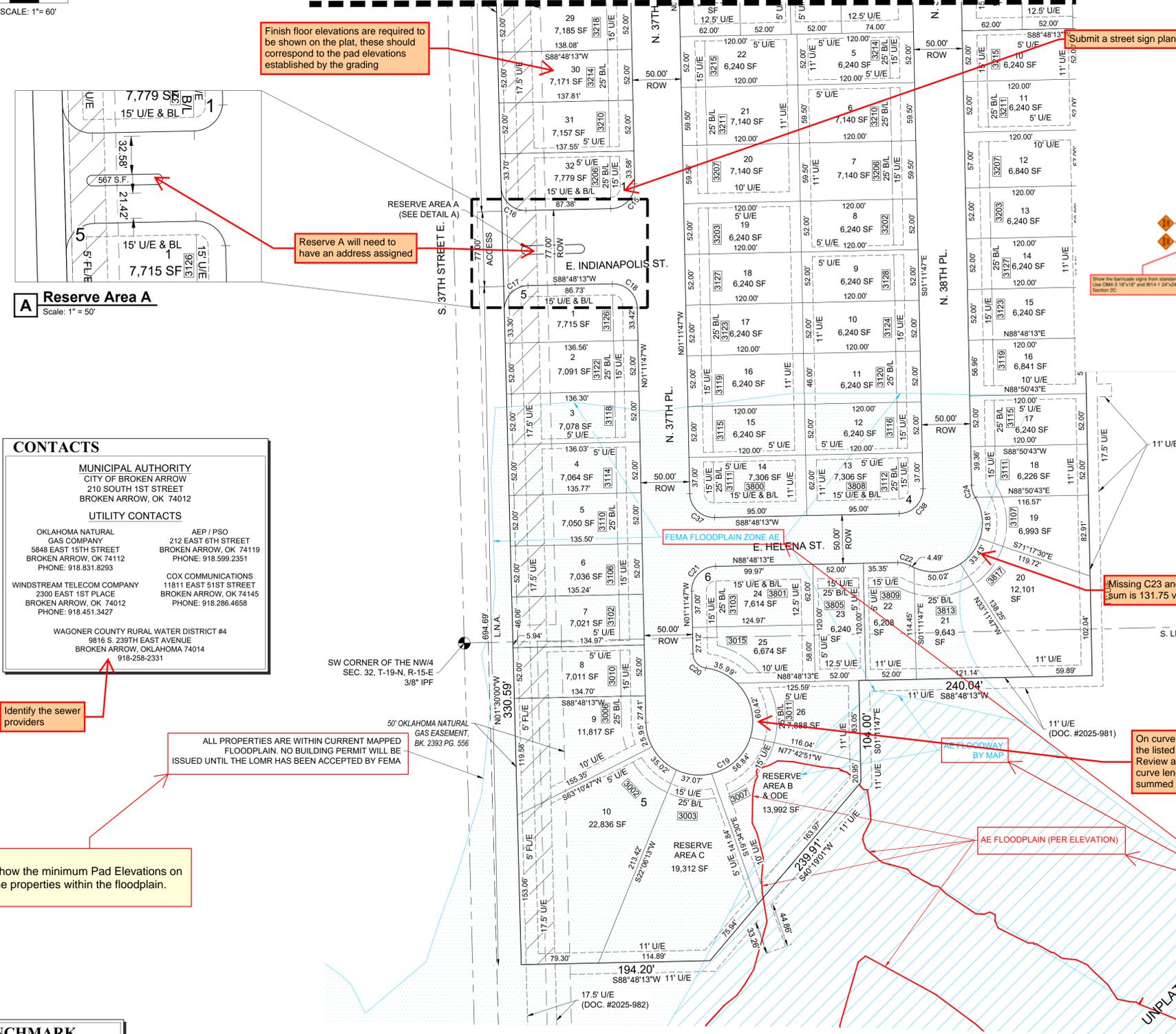
CONDITIONAL FINAL PLAT

The Cedars At The Preserve II

A SUBDIVISION OF THE PART OF THE WEST HALF OF THE NORTHWEST QUARTER
 PART OF THE NW/4 OF THE SW/4 OF SECTION 32, TOWNSHIP 19 NORTH, RANGE
 INDIAN BASE AND MERIDIAN, CITY OF BROKEN ARROW, WAGONER COUNTY,
 PUD-310



CONTINUES ON PAGE 1



Finish floor elevations are required to be shown on the plat, these should correspond to the pad elevations established by the grading

Reserve A will need to have an address assigned

Submit a street sign plan

CONTACTS

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

UTILITY CONTACTS

OKLAHOMA NATURAL GAS COMPANY 5849 EAST 15TH STREET BROKEN ARROW, OK 74112 PHONE: 918.831.8293	AEP / PSO 212 EAST 6TH STREET BROKEN ARROW, OK 74119 PHONE: 918.599.2351
WINDSTREAM TELECOM COMPANY 2300 EAST 1ST PLACE BROKEN ARROW, OK 74012 PHONE: 918.451.3427	COX COMMUNICATIONS 11811 EAST 51ST STREET BROKEN ARROW, OK 74145 PHONE: 918.286.4658

WAGONER COUNTY RURAL WATER DISTRICT #4
 9816 S. 239TH EAST AVENUE
 BROKEN ARROW, OKLAHOMA 74014
 918-258-2331

Identify the sewer providers

ALL PROPERTIES ARE WITHIN CURRENT MAPPED FLOODPLAIN. NO BUILDING PERMIT WILL BE ISSUED UNTIL THE LOMR HAS BEEN ACCEPTED BY FEMA

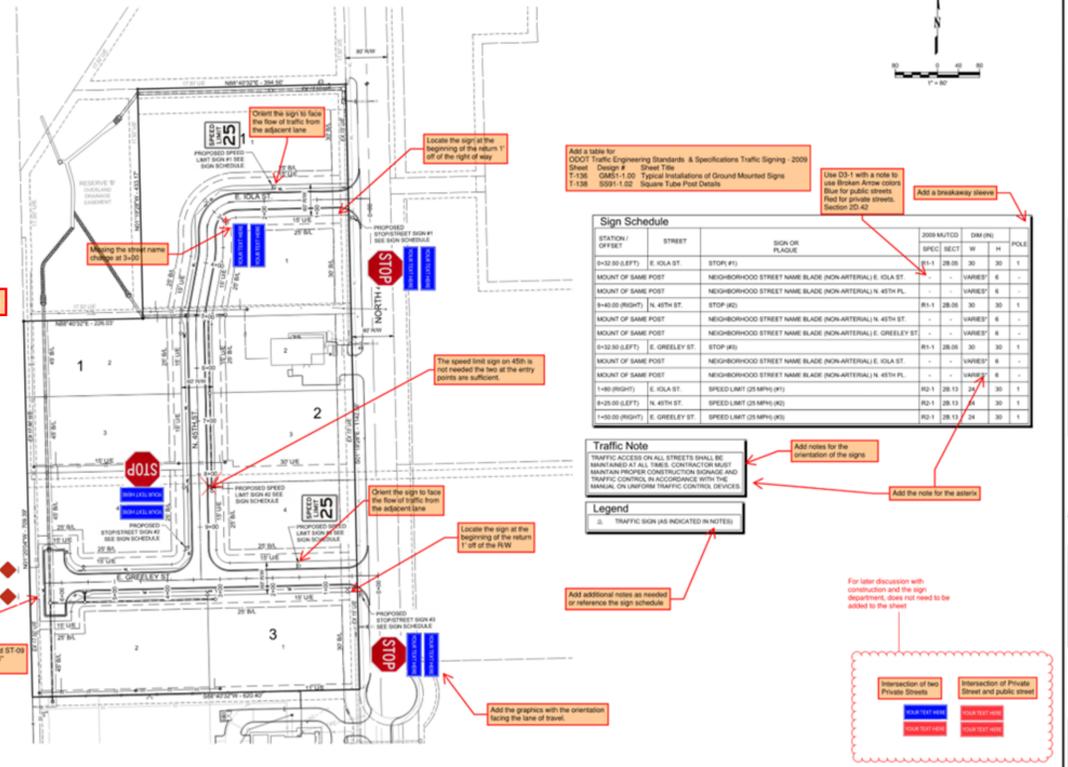
Show the minimum Pad Elevations on the properties within the floodplain.

Curve Table					Curve Table						
Curve #	Length	Radius	Delta	CHORD LENGTH	CHORD BEARING	Curve #	Length	Radius	Delta	CHORD LENGTH	CHORD BEARING
C1	39.27	25.00	090.0000	35.36	S43°48'13"W	C20	21.41	15.00	081.7868	19.64	S42°05'23"E
C2	14.36	25.00	032.9083	14.16	N74°44'32"W	C21	39.27	25.00	090.0000	35.36	S43°48'13"W
C3	141.41	52.00	155.8166	101.69	S43°48'13"W	C22	13.29	25.00	030.4662	13.14	N75°57'48"W
C4	14.36	25.00	032.9083	14.16	S17°39'02"E	C23	131.71	50.00	150.9323	96.80	S43°48'13"W
C5	39.27	25.00	089.9999	35.36	S43°48'13"W	C24	13.29	25.00	030.4662	13.14	S16°25'46"E
C6	39.27	25.00	090.0000	35.36	N46°11'47"W	C25	39.27	25.00	090.0000	35.36	S43°48'13"W
C7	14.36	25.00	032.9083	14.16	N15°15'28"E	C26	13.29	25.00	030.4662	13.14	N75°57'48"W
C8	141.41	52.00	155.8166	101.69	N46°11'47"W	C27	131.71	50.00	150.9323	96.80	S43°48'13"W
C9	14.36	25.00	032.9083	14.16	S72°20'58"W	C28	13.29	25.00	030.4662	13.14	S16°25'46"E
C10	39.27	25.00	090.0000	35.36	N46°11'47"W	C29	39.27	25.00	090.0000	35.36	S43°48'13"W
C11	39.27	25.00	090.0000	35.36	N43°48'13"E	C30	39.27	25.00	090.0000	35.36	S46°11'47"E
C12	14.36	25.00	032.9083	14.16	S74°44'32"E	C31	39.27	25.00	090.0000	35.36	S43°48'13"W
C13	141.41	52.00	155.8166	101.69	N43°48'13"E	C32	14.36	25.00	032.9083	14.16	N74°44'32"W
C14	14.36	25.00	032.9083	14.16	N17°39'02"W	C33	141.41	52.00	155.8166	101.69	S43°48'13"W
C15	39.27	25.00	090.0000	35.36	N43°48'13"E	C34	14.36	25.00	032.9083	14.16	S17°39'02"E
C16	39.14	25.00	089.7072	35.26	S46°20'34"E	C35	39.27	25.00	090.0000	35.36	N46°11'47"W
C17	39.40	25.00	090.2928	35.45	S43°39'26"W	C36	39.27	25.00	090.0000	35.36	S43°48'13"W
C18	39.27	25.00	090.0000	35.36	N46°11'47"W	C37	39.27	25.00	090.0000	35.36	S46°11'47"E
C19	251.30	55.00	261.7868	83.15	S47°54'37"W	C38	39.27	25.00	090.0000	35.36	N43°48'13"E

Missing C23 and the lots sum is 131.75 vs 131.71.

On curve C19 the lots sums and the listed length do not match. Review and verify that the other curve lengths match the summed lengths.

Define the three Zone AE areas shown on the plat.
 - AE Floodplain per elevation
 - Zone AE Floodway by map
 - FEMA Floodplain Zone AE



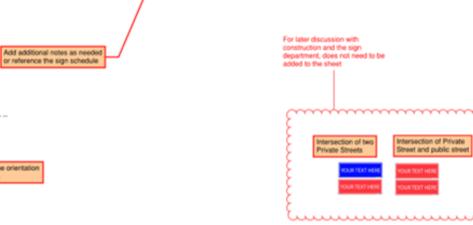
Add a table for ODOT Traffic Engineering Standards & Specifications Traffic Signing - 2009
 Sheet 404 - Street File
 T-136 OMS-1.02 Typical Installations of Ground Mounted Signs
 T-138 OMS-1.02 Square Tube Post Details

Sign Schedule

STATION / OFFSET	STREET	SIGN OR PLACARD	2009 MUTCD	DM (IN)	PLATE
0+00 (LEFT)	E. COLA ST.	STOP (R)	R1-1	28.50	30 x 30
0+00 (RIGHT)	E. COLA ST.	NEIGHBORHOOD STREET NAME BLADE (NON-ARTERIAL) E. COLA ST.	R1-1	28.50	30 x 30
0+00 (LEFT)	N. 45TH ST.	STOP (R)	R1-1	28.50	30 x 30
0+00 (RIGHT)	N. 45TH ST.	NEIGHBORHOOD STREET NAME BLADE (NON-ARTERIAL) N. 45TH ST.	R1-1	28.50	30 x 30
0+00 (LEFT)	E. GREELEY ST.	STOP (R)	R1-1	28.50	30 x 30
0+00 (RIGHT)	E. GREELEY ST.	NEIGHBORHOOD STREET NAME BLADE (NON-ARTERIAL) E. GREELEY ST.	R1-1	28.50	30 x 30
0+00 (LEFT)	E. COLA ST.	SPEED LIMIT (20 MPH) (R)	R2-1	28.13	30 x 30
0+00 (RIGHT)	E. COLA ST.	SPEED LIMIT (20 MPH) (R)	R2-1	28.13	30 x 30
0+00 (LEFT)	E. GREELEY ST.	SPEED LIMIT (20 MPH) (R)	R2-1	28.13	30 x 30
0+00 (RIGHT)	E. GREELEY ST.	SPEED LIMIT (20 MPH) (R)	R2-1	28.13	30 x 30

Traffic Note
 TRAFFIC ACCESS ON ALL STREETS SHALL BE MAINTAINED AT ALL TIMES. CONTRACTOR MUST MAINTAIN PROPER CONSTRUCTION SIGNAGE AND TRAFFIC CONTROL IN ACCORDANCE WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.

Legend
 TRAFFIC SIGN AS INDICATED IN NOTES



BENCHMARK
 TOP OF RAILROAD SPIKE AT NORTHWEST CORNER OF SEC. 32 T-19-N, R-15-E
 ELEV. = 686.76' (NAVD '88)

APPROVED BY THE CITY COUNCIL OF THE CITY OF BROKEN ARROW, OKLAHOMA ON _____

MAYOR _____

ATTEST: CITY CLERK _____

OWNER/DEVELOPER

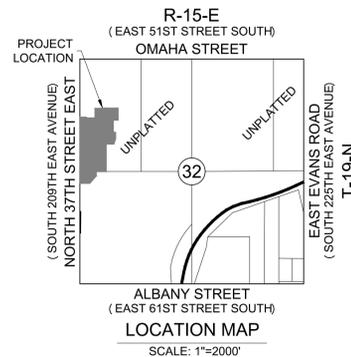
209TH STREET LLC
1420 W. KENOSHA ST.
BROKEN ARROW, OK 74012
PHONE: 918-258-6161
ATTN: GLENN SHAW

CONDITIONAL FINAL PLAT

The Cedars At The Preserve II

ENGINEER/SURVEYOR

AAB ENGINEERING LLC
CERTIFICATE OF AUTHORIZATION NO. 6318, EXP. JUNE, 30, 2026
PO BOX 2136
SAND SPRINGS, OK 74063
PHONE: 918.514.4283
FAX: 918.514.4288
EMAIL: ALAN @ AABENG.COM



SUBDIVISION STATISTICS

SUBDIVISION CONTAINS NINETY-FOUR (94) LOTS IN SIX (6) BLOCKS AND THREE (3) RESERVE AREAS CONTAINING 25.91 ACRES

BLOCK 15.44 ACRES - 32 LOTS
BLOCK 22.47 ACRES - 14 LOTS
BLOCK 32.26 ACRES - 14 LOTS
BLOCK 42.46 ACRES - 16 LOTS
BLOCK 50.34 ACRES - 2 LOTS
BLOCK 62.54 ACRES - 16 LOTS
RESERVE A5.96 ACRES
RESERVE B0.32 ACRES
RESERVE C0.01 ACRES

SITE DATA

BENCHMARK
TOP OF RAILROAD SPIKE AT NORTHWEST CORNER OF SEC. 32
T-19-N, R-15-E
ELEV. = 686.76' (NAVD '88)

BASIS OF BEARINGS
GRID BEARING BASED ON THE OKLAHOMA STATE PLAN COORDINATE SYSTEM - NORTH 3501 WITH A BEARING OF N 88°48'13" E BEING THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 32 T-19N R-15-E.

LAND AREA
1,207,028 SF / 27.71 ACRES±

MONUMENTATION
A 3/8"X 18" REBAR WITH A YELLOW PLASTIC CAP STAMPED "6318" TO BE SET AT ALL LOT CORNERS, ALL STREET CENTERLINE INTERSECTIONS, POINTS OF CURVE, POINTS OF TANGENT, POINTS OF COMPOUND CURVE, POINTS OF REVERSE CURVE, 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-062824-35

CONTACTS

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

UTILITY CONTACTS

OKLAHOMA NATURAL GAS COMPANY	AEP / PSO
5848 EAST 15TH STREET BROKEN ARROW, OK 74112 PHONE: 918.831.8293	212 EAST 6TH STREET BROKEN ARROW, OK 74119 PHONE: 918.599.2351
WINDSTREAM TELECOM COMPANY	COX COMMUNICATIONS
2300 EAST 1ST PLACE BROKEN ARROW, OK 74012 PHONE: 918.451.3427	11811 EAST 51ST STREET BROKEN ARROW, OK 74145 PHONE: 918.286.4658
WAGONER COUNTY RURAL WATER DISTRICT #4	
9816 S. 239TH EAST AVENUE BROKEN ARROW, OKLAHOMA 74014 918-258-2331	

APPROVED BY THE CITY COUNCIL OF THE CITY OF BROKEN ARROW, OKLAHOMA ON

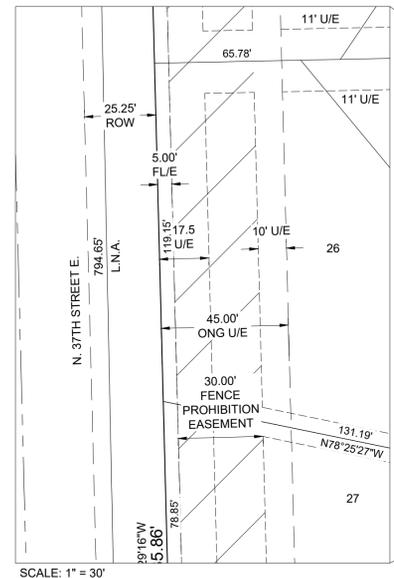
MAYOR
ATTEST: CITY CLERK

NOTE: THE CITY OF BROKEN ARROW HAS A POLICE AND FIRE TRAINING FACILITY TO THE EAST THAT IS USED BOTH DAY AND NIGHT. IN ADDITION, THERE IS A FORMER LANDFILL LOCATED ON THE PROPERTY TO THE EAST. EACH BUILDING PERMIT ISSUED IN THIS SUBDIVISION SHALL INCLUDE A COMMENT REGARDING THE NEARBY POLICE AND FIRE TRAINING FACILITY AND FORMER LANDFILL.

A SUBDIVISION OF THE PART OF THE WEST HALF OF THE NORTHWEST QUARTER (W/2 NW/4) AND PART OF THE NW/4 OF THE SW/4 OF SECTION 32, TOWNSHIP 19 NORTH, RANGE 15 EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF BROKEN ARROW, WAGONER COUNTY, STATE OF OKLAHOMA. PUD-310

LEGEND

- B/L.....BUILDING LINE
- L.N.A.....LIMITS OF NO ACCESS
- POB.....POINT OF BEGINNING
- POC.....POINT OF COMMENCEMENT
- ROW.....RIGHT OF WAY
- U/E.....UTILITY EASEMENT
- F/L/E.....FENCE AND LANDSCAPE EASEMENT
- S/E.....SIDEWALK EASEMENT
- BK.....BOOK
- PG.....PAGE
- R.A.....RESTRICTED ACCESS
- 1234.....ADDRESS
- IPS.....IRON PIN SET
- PKS.....PK NAIL SET
- OD/E.....OVERLAND DRAINAGE EASEMENT
-FENCE PROHIBITION EASEMENT



SCALE: 1" = 30'

NW CORNER SEC. 32,
T-19-N R-15-E
FOUND RR SPIKE
BENCHMARK
POINT OF COMMENCEMENT



CONTINUES ON PAGE 2

BENCHMARK

TOP OF RAILROAD SPIKE AT NORTHWEST CORNER OF SEC. 32 T-19-N, R-15-E
ELEV. = 686.76' (NAVD '88)

The Cedars at The Preserve II
Case No. PT-001291-2024
Sheet 1 of 4

OWNER/DEVELOPER

209TH STREET LLC
1420 W. KENOSHIA ST.
BROKEN ARROW, OK 74012
PHONE: 918-258-6161
ATTN: GLENN SHAW

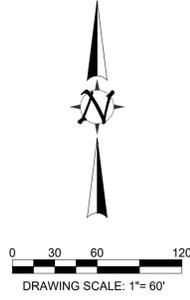
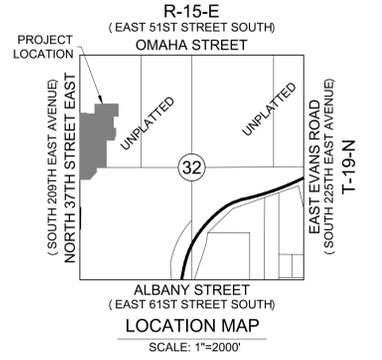
CONDITIONAL FINAL PLAT

The Cedars At The Preserve II

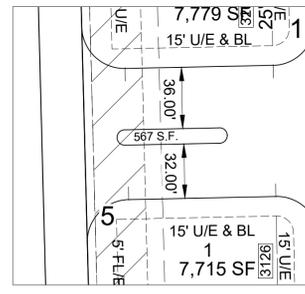
A SUBDIVISION OF THE PART OF THE WEST HALF OF THE NORTHWEST QUARTER (W/2 NW/4) AND PART OF THE NW/4 OF THE SW/4 OF SECTION 32, TOWNSHIP 19 NORTH, RANGE 15 EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF BROKEN ARROW, WAGONER COUNTY, STATE OF OKLAHOMA. PUD-310

ENGINEER/SURVEYOR

AAB ENGINEERING LLC
CERTIFICATE OF AUTHORIZATION NO. 6318, EXP. JUNE, 30, 2026
PO BOX 2136
SAND SPRINGS, OK 74063
PHONE: 918.514.4283
FAX: 918.514.4288
EMAIL: ALAN @ AABENG.COM



CONTINUES ON PAGE 1



Reserve Area A
Scale: 1" = 50'

Lots in the floodplain area may only be created once City receives determinations from FEMA for amendment or revision approval. Subdivision Regulations 3.c.8

Call out right-of-way along 37th Street (reference book and page numbers if existing).

CONTACTS

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

UTILITY CONTACTS

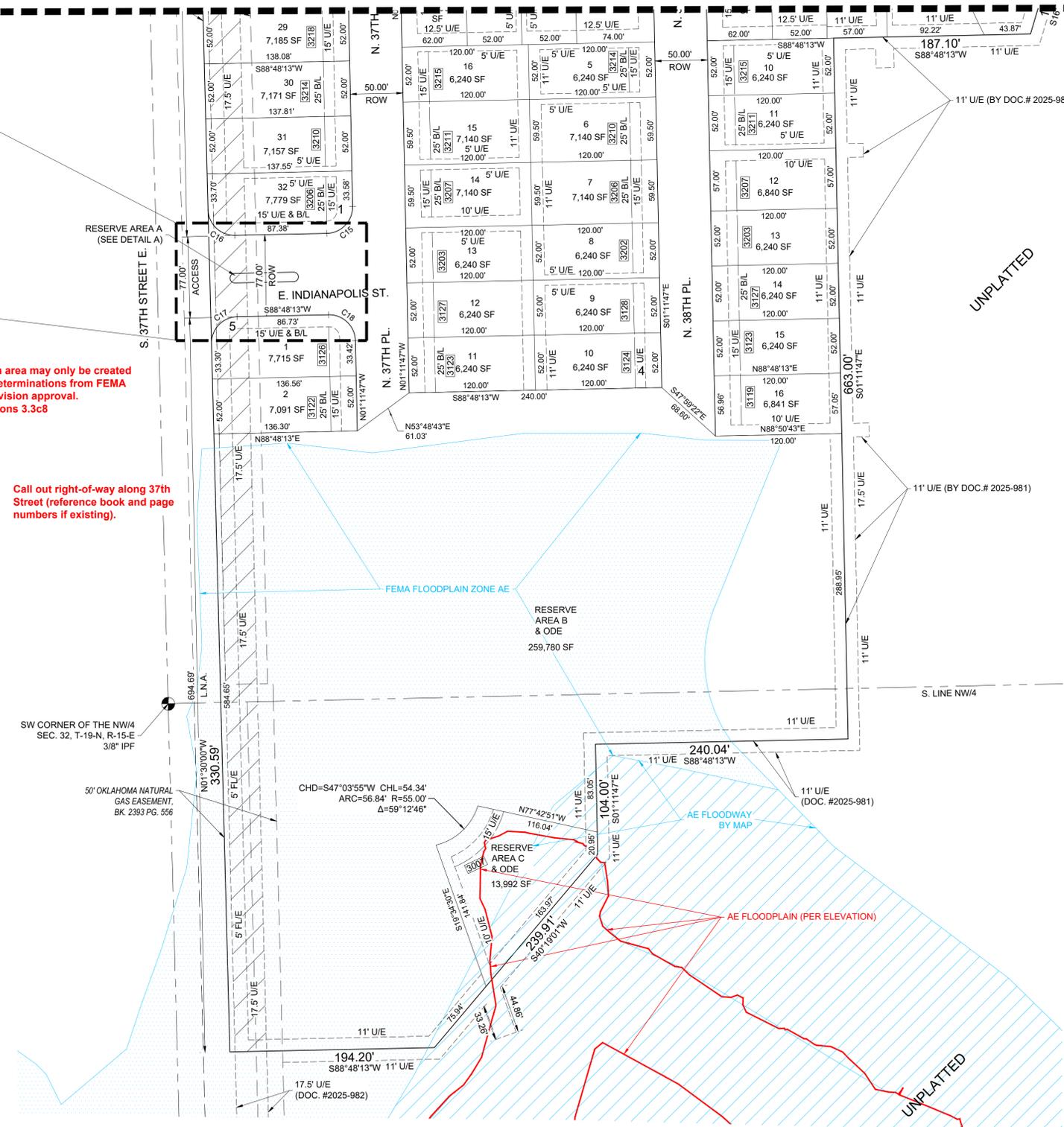
OKLAHOMA NATURAL GAS COMPANY AEP / PSO
5848 EAST 15TH STREET BROKEN ARROW, OK 74119
PHONE: 918.831.8293

WINDSTREAM TELECOM COMPANY
2300 EAST 1ST PLACE BROKEN ARROW, OK 74145
PHONE: 918.451.3427

WAGONER COUNTY RURAL WATER DISTRICT #4
9816 S. 239TH EAST AVENUE
BROKEN ARROW, OKLAHOMA 74014
918-258-2331

BENCHMARK

TOP OF RAILROAD SPIKE AT NORTHWEST CORNER OF SEC. 32 T-19-N, R-15-E
ELEV. = 686.76' (NAVD '88)



FLOODPLAIN

PORTIONS OF THIS PROPERTY ARE LOCATED WITHIN ZONE "AE" PER FIRM PANEL "40145C0105J" DATED SEPTEMBER 30, 2016.

ZONING PUD-310

FRONT YARD SETBACK.....25 FEET
REAR YARD SETBACK.....20 FEET
INTERIOR SIDE YARD SETBACK.....5 FEET

LEGEND

- B/L.....BUILDING LINE
- L.N.A.....LIMITS OF NO ACCESS
- POB.....POINT OF BEGINNING
- POC.....POINT OF COMMENCEMENT
- ROW.....RIGHT OF WAY
- U/E.....UTILITY EASEMENT
- F/L/E.....FENCE AND LANDSCAPE EASEMENT
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- BK.....BOOK
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- R.A.....RESTRICTED ACCESS
- [1234].....ADDRESS
- IPS.....IRON PIN SET
- PKS.....PK NAIL SET
- ODE.....OVERLAND DRAINAGE EASEMENT
- [Symbol].....FENCE PROHIBITION EASEMENT

Curve Table						Curve Table					
Curve #	Length	Radius	Delta	CHORD LENGTH	CHORD BEARING	Curve #	Length	Radius	Delta	CHORD LENGTH	CHORD BEARING
C1	39.27	25.00	090.0000	35.36	S43°48'13"W	C16	39.14	25.00	089.7072	35.26	S46°20'34"E
C2	14.36	25.00	032.9083	14.16	N74°44'32"W	C17	39.40	25.00	090.2928	35.45	S43°39'26"W
C3	141.41	52.00	155.8166	101.69	S43°48'13"W	C18	39.27	25.00	090.0000	35.36	N46°11'47"W
C4	14.36	25.00	032.9083	14.16	S17°39'02"E	C19	39.27	25.00	090.0000	35.36	S43°48'13"W
C5	39.27	25.00	089.9999	35.36	S43°48'13"W	C20	39.27	25.00	090.0000	35.36	N46°11'47"W
C6	39.27	25.00	090.0000	35.36	N46°11'47"W	C21	39.27	25.00	090.0000	35.36	S43°48'13"W
C7	14.36	25.00	032.9083	14.16	N15°15'28"E	C22	13.29	25.00	030.4662	13.14	N75°57'48"W
C8	141.41	52.00	155.8166	101.69	N46°11'47"W	C23	131.71	50.00	150.9323	96.80	S43°48'13"W
C9	14.36	25.00	032.9083	14.16	S72°20'58"W	C24	13.29	25.00	030.4662	13.14	S16°25'46"E
C10	39.27	25.00	090.0000	35.36	N46°11'47"W	C25	39.27	25.00	090.0000	35.36	S43°48'13"W
C11	39.27	25.00	090.0000	35.36	N43°48'13"E	C26	39.27	25.00	090.0000	35.36	S46°11'47"E
C12	14.36	25.00	032.9083	14.16	S74°44'32"E	C27	39.27	25.00	090.0000	35.36	S43°48'13"W
C13	141.41	52.00	155.8166	101.69	N43°48'13"E	C28	14.36	25.00	032.9083	14.16	N74°44'32"W
C14	14.36	25.00	032.9083	14.16	N17°39'02"W	C29	141.41	52.00	155.8166	101.69	S43°48'13"W
C15	39.27	25.00	090.0000	35.36	N43°48'13"E	C30	14.36	25.00	032.9083	14.16	S17°39'02"E

APPROVED BY THE CITY COUNCIL OF THE CITY OF BROKEN ARROW, OKLAHOMA ON _____

MAYOR _____

ATTEST: CITY CLERK _____

The Cedars at The Preserve II
Case No. PT-001291-2024
Sheet 2 of 4

CONDITIONAL FINAL PLAT

The Cedars At The Preserve II

OWNER/DEVELOPER

209TH STREET LLC
1420 W. KENOSHA ST.
BROKEN ARROW, OK 74012
PHONE: 918-258-8161
ATTN: GLENN SHAW

A SUBDIVISION OF THE PART OF THE WEST HALF OF THE NORTHWEST QUARTER (W/2 NW/4) AND PART OF THE NW/4 OF THE SW/4 OF SECTION 32, TOWNSHIP 19 NORTH, RANGE 15 EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF BROKEN ARROW, WAGONER COUNTY, STATE OF OKLAHOMA. PUD-310

ENGINEER/SURVEYOR

AAB ENGINEERING LLC
CERTIFICATE OF AUTHORIZATION NO. 6318, EXP. JUNE. 30, 2026
PO BOX 2136
SAND SPRINGS, OK 74063
PHONE: 918.514.4283
FAX: 918.514.4288
EMAIL: ALAN@AABENG.COM

KNOW ALL MEN BY THESE PRESENTS:

209TH STREET, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HERINAFTER REFERRED TO AS THE "OWNER/DEVELOPER", IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF BROKEN ARROW, WAGONER COUNTY, STATE OF OKLAHOMA, TO-WIT:

A TRACT OF LAND SITUATED IN THE WEST HALF (W/2) OF THE NORTHWEST QUARTER (NW/4) OF SECTION THIRTY-TWO (32), TOWNSHIP NINETEEN (19) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN BASE AND MERIDIAN, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, WAGONER COUNTY, STATE OF OKLAHOMA AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION THIRTY-TWO (32), TOWNSHIP NINETEEN (19) NORTH, RANGE FIFTEEN (15) EAST, THENCE SOUTH 01°29'16" EAST ALONG THE WEST LINE OF SAID NORTHWEST QUARTER (NW/4), A DISTANCE OF 1407.50 FEET TO THE SOUTHWEST CORNER OF THE CEDARS AT THE PRESERVE I, A SUBDIVISION IN THE CITY OF BROKEN ARROW, PLAT DOC. #2023-11021 AND THE POINT OF BEGINNING; THENCE ALONG THE SOUTHERLY LINE OF SAID SUBDIVISION FOR THE NEXT NINE CALLS; THENCE NORTH 88°30'40" EAST, A DISTANCE OF 50.00 FEET TO THE EAST RIGHT OF WAY LINE OF N. 37TH ST. E.; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 35.00 FEET, A CHORD BEARING OF NORTH 43°39'28" EAST AND A CHORD DISTANCE OF 49.62 FEET, FOR AN ARC DISTANCE OF 55.16 FEET; THENCE NORTH 88°48'13" EAST, A DISTANCE OF 81.29 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, A CHORD BEARING OF SOUTH 46°11'47" EAST, A CHORD DISTANCE OF 35.36 FEET, FOR AN ARC DISTANCE OF 39.27 FEET; THENCE NORTH 88°48'13" EAST, A DISTANCE OF 50.00 FEET; THENCE NORTH 01°11'47" WEST, A DISTANCE OF 10.05 FEET; THENCE NORTH 88°48'13" EAST, A DISTANCE OF 129.79 FEET; THENCE NORTH 01°11'47" WEST, A DISTANCE OF 230.00 FEET; THENCE NORTH 88°48'13" EAST, A DISTANCE OF 569.60 FEET; THENCE SOUTH 01°11'47" EAST, A DISTANCE OF 294.98 FEET; THENCE NORTH 86°55'47" WEST, A DISTANCE OF 68.96 FEET; THENCE SOUTH 88°48'13" WEST, A DISTANCE OF 51.04 FEET; THENCE SOUTH 01°11'47" EAST, A DISTANCE OF 290.00 FEET; THENCE NORTH 88°48'13" EAST, A DISTANCE OF 58.00 FEET; THENCE SOUTH 01°11'47" EAST, A DISTANCE OF 158.05 FEET; THENCE SOUTH 16°39'06" WEST, A DISTANCE OF 138.62 FEET; THENCE SOUTH 88°48'13" WEST, A DISTANCE OF 187.10 FEET; THENCE SOUTH 01°11'47" EAST, A DISTANCE OF 663.00 FEET; THENCE SOUTH 88°48'13" WEST, A DISTANCE OF 240.04 FEET; THENCE SOUTH 01°11'47" EAST, A DISTANCE OF 104.00 FEET; THENCE SOUTH 40°19'01" WEST, A DISTANCE OF 239.91 FEET; THENCE SOUTH 88°48'13" WEST, A DISTANCE OF 194.20 FEET TO THE EAST RIGHT-OF-WAY LINE OF SOUTH 37TH STREET EAST. THENCE NORTH 01°30'00" WEST ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 330.59 FEET; THENCE NORTH 01°29'16" WEST CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 1235.86 FEET TO THE POINT OF BEGINNING. CONTAINING 1,128,701 SQUARE FEET OR 25.91 ACRES.

AND HAS CAUSED THE ABOVE DESCRIBED TRACT OF LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO 94 LOTS IN 6 BLOCKS AND 3 RESERVE AREAS EACH ONE REFERRED TO HEREIN AS A "LOT" OR COLLECTIVELY AS "LOTS", IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS "THE CEDARS AT THE PRESERVE II", A SUBDIVISION IN THE CITY OF BROKEN ARROW, WAGONER COUNTY, OKLAHOMA (HEREINAFTER REFERRED TO AS "THE CEDARS AT THE PRESERVE" OR THE "SUBDIVISION").

SECTION I. PUBLIC STREETS, EASEMENTS AND UTILITIES

A. PUBLIC STREETS AND GENERAL UTILITY EASEMENTS

THE OWNER/DEVELOPER DOES HEREBY DEDICATE FOR PUBLIC USE THE STREETS DEPICTED ON THE ACCOMPANYING PLAT AND DOES FURTHER DEDICATE FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT AS "UTL" 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, 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/DEVELOPER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RE-LAY ALL UTILITY LINES, INCLUDING WATER LINES AND SEWER LINES, EXCLUDING GAS LINES AND GAS SERVICE LINES, 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, SEWER SERVICE AND ALL UTILITY SERVICES, EXCLUDING NATURAL GAS, TO THE AREA INCLUDED IN THE PLAT AND ELSEWHERE, AS MAY BE REQUIRED. THE OWNER/DEVELOPER HERIN 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. UTILITY LINES AND SERVICE

- 1. OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES AND OTHER COMMUNICATION 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 THROUGHOUT THE SUBDIVISION. OTHERWISE, ALL SUPPLY LINES SHALL BE LOCATED UNDERGROUND IN THE GENERAL UTILITY EASEMENTS AND IN THE RIGHTS-OF-WAY FOR PUBLIC STREETS AS DEPICTED BY THE PLAT. 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 DEFINITE, 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 AND OTHER COMMUNICATION 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, CABLE TELEVISION OR COMMUNICATION 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, CABLE TELEVISION OR COMMUNICATION 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, CABLE TELEVISION OR OTHER COMMUNICATION SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

C. WATER, SANITARY SEWER AND STORM SEWER SERVICE

- 1. THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER 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, PUBLIC SANITARY SEWER MAIN OR STORM SEWER.
2. WITHIN THE UTILITY 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, STORM SEWER OR DRAINAGEWAYS, OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS SHALL BE PROHIBITED. THE CITY OF BROKEN ARROW, INTER ALIA, MAY SPECIFICALLY ENFORCE THIS PROVISION.
3. WAGONER COUNTY RURAL WATER DISTRICT #4, OR ITS SUCCESSORS AS THE PROVIDER, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER 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 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 SEWER FACILITIES OR STORM WATER FACILITIES. WAGONER COUNTY RURAL WATER DISTRICT #4 SHALL HAVE SUCH RIGHT OF ACCESS FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF POTABLE WATER FACILITIES. ITS SUCCESSOR UTILITY OR MUNICIPALITY PROVIDING WATER SERVICE SHALL HAVE SIMILAR RIGHT OF ACCESS.
5. WHERE WATER LINES ARE INSTALLED WITHIN A UTILITY EASEMENT, THAT PORTION OF THE UTILITY EASEMENT IS FOR THE USE OF WAGONER COUNTY RURAL WATER DISTRICT #4, OKLAHOMA, OR ITS SUCCESSORS. THE UTILITY EASEMENTS DEDICATED HEREIN FOR THE PURPOSE OF PROVIDING POTABLE WATER ARE DEDICATED TO WAGONER COUNTY RURAL WATER DISTRICT #4, OR ITS SUCCESSORS OR ASSIGNS, AS THE EXCLUSIVE PROVIDER OF POTABLE WATER TO THE SUBDIVISION. SEWER, GAS, ELECTRIC, COMMUNICATION, CABLE, SOLID WASTE MANAGEMENT, AND OTHER PROVIDERS OF UTILITIES, OTHER THAN POTABLE WATER, MAY ALSO USE SAID EASEMENTS.
6. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH C SHALL BE ENFORCEABLE BY THE CITY OF BROKEN ARROW, OKLAHOMA, WAGONER COUNTY RURAL WATER DISTRICT #4, THEIR SUCCESSORS, OR ANY UTILITY PROVIDER OF SERVICES 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, SEWER, 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. ONG'S EASEMENT(S) RECORDED IN BOOK 835, PAGE 429, AND BOOK 835, PAGE 787, AND BOOK 2453, PAGE 776, REMAIN IN FULL FORCE AND EFFECT. ONG'S EASEMENT(S) PRE-DATE THE RIGHT-OF-WAY DEDICATION IN THIS PLAT AND MAY PROHIBIT OR LIMIT CERTAIN USES OF ONG'S RIGHT OF WAY, INCLUDING PAVING, OTHER UTILITY LINES, AND PERMANENT STRUCTURES, WITHOUT ONG'S PRIOR WRITTEN CONSENT.
7. 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. RESERVE AREA A

THE USE OF RESERVE AREA A SHALL BE LIMITED TO OPEN SPACE, RECREATION, LANDSCAPING AND UTILITIES. THE RESERVE AREA SHALL SUBSEQUENTLY BE CONVEYED TO THE HOMEOWNERS' ASSOCIATION TO BE FORMED PURSUANT TO SECTION IV FOR THE PURPOSES OF THE ADMINISTRATION AND MAINTENANCE OF RESERVES AND OTHER COMMON AREAS OF THE SUBDIVISION. RESERVE AREA A IS LOCATED WITHIN AND IS A PART OF THE PUBLIC RIGHT-OF-WAY. THE OWNER/DEVELOPER OF THE CEDARS AT THE PRESERVE II IS PERMITTED TO INSTALL LANDSCAPING, LIGHTING, SIGNAGE, AND IRRIGATION SYSTEMS IN THIS AREA. IT IS ALSO EXPRESSLY UNDERSTOOD THAT THE MAINTENANCE OF THIS RESERVE AREA IS THE RESPONSIBILITY OF THE OWNER. THE CITY OF BROKEN ARROW SHALL HAVE NO LIABILITY FOR ANY DAMAGE TO, INCLUDING BUT NOT LIMITED TO SIGNAGE, LIGHTING, LANDSCAPING, OR IRRIGATION SYSTEMS WITHIN RESERVE AREA A. THE CITY OF BROKEN ARROW ALSO RESERVES THE RIGHT TO MODIFY, RECONSTRUCT, OR REMOVE THE MEDIANS IN RESERVE AREA A.

G. RESERVE AREA B

THE USE OF RESERVE AREA B DEDICATED ON THE PLAT FOR THE SUBDIVISION SHALL BE LIMITED TO USE AS OPEN SPACE, FENCING, LANDSCAPING AND FLOODPLAIN AS WELL AS UTILITY EASEMENTS AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO THE HOMEOWNERS ASSOCIATION. MAINTENANCE OR RESERVE AREA B WILL BE THE RESPONSIBILITY OF THE PROPERTY OWNER UNTIL CONVEYANCE TO THE HOMEOWNERS ASSOCIATION. FENCING SHALL MEET THE CITY OF BROKEN ARROW ZONING ORDINANCE REQUIREMENTS FOR ANY PROPOSED FENCING IN THE FLOODPLAIN AREAS.

H. RESERVE AREA C

THE USE OF RESERVE C SHALL BE LIMITED TO OPEN SPACE, RECREATIONS, LANDSCAPING, POOLS, CLUBHOUSES AND UTILITIES. ANY TRAILS CONSTRUCTED WITHIN THE RESERVE MUST MEET ADA REQUIREMENTS AND SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION. THE RESERVE AREA SHALL SUBSEQUENTLY BE CONVEYED TO THE HOMEOWNERS' ASSOCIATION TO BE FORMED PURSUANT TO SECTION III FOR THE PURPOSES OF THE ADMINISTRATION AND MAINTENANCE OF RESERVES AND OTHER COMMON AREAS OF THE SUBDIVISION.

I. 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, BY THE OWNER/DEVELOPER AND BY THE HOMEOWNERS ASSOCIATION.

J. LIMITS OF NO ACCESS

THE UNDERSIGNED OWNER/DEVELOPER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO S. 37TH STREET E. WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" (L.N.A.) ON THE ACCOMPANYING PLAT, WHICH "LIMITS OF NO ACCESS" MAY BE AMENDED OR RELEASED BY THE CITY OF BROKEN ARROW AREA PLANNING COMMISSION, OR ITS SUCCESSOR, WITH THE APPROVAL OF THE CITY OF BROKEN ARROW, OKLAHOMA, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA PERTAINING THERETO, AND THE LIMITS OF NO ACCESS ABOVE ESTABLISHED SHALL BE ENFORCEABLE BY THE CITY OF BROKEN ARROW.

K. SIDEWALKS

SIDEWALKS ARE REQUIRED ALONG STREETS DESIGNATED BY AND IN ACCORDANCE WITH SUBDIVISION REGULATIONS. THE OWNER SHALL CONSTRUCT REQUIRED SIDEWALKS WITHIN ANY RESERVE AREAS, COMMON AREAS AND ALONG ARTERIAL STREET FRONTAGES OF ABUTTING LOTS HAVING ACCESS ONTO MINOR STREETS, AS WELL AS ALL ADA RAMPS. THE DEVELOPER SHALL INSTALL ADA RAMPS AT THE TIME THE STREETS ARE CONSTRUCTED. THE HOMEOWNER WILL NEED TO CONNECT TO RAMP. WHERE SIDEWALKS ARE NOT CONSTRUCTED BY THE OWNER/DEVELOPER, THE BUILDER OF A RESIDENCE ON EACH LOT SHALL CONSTRUCT THE REQUIRED SIDEWALK. REQUIRED SIDEWALKS AND ADA RAMPS SHALL BE CONSTRUCTED IN CONFORMANCE WITH CITY OF BROKEN ARROW ENGINEERING DESIGN STANDARDS.

L. MINIMUM BUILDING SETBACKS AND YARDS

1. NO BUILDING SHALL BE LOCATED NEARER TO THE RIGHT OF WAY OF AN ADJOINING PUBLIC STREET THAN THE BUILDING LINE DEPICTED ON THE ACCOMPANYING PLAT.

2. EACH LOT SHALL MAINTAIN SIDE YARDS WHICH IN THE AGGREGATE ARE NOT LESS THAN TEN (10) FEET IN WIDTH AND NO SIDE YARD SHALL BE LESS THAN FIVE (5) FEET IN WIDTH. SIDE YARDS ABUTTING A STREET SHALL NOT BE LESS THAN FIFTEEN (15) FEET, UNLESS THE GARAGE ENTRY IS LOCATED ON SUCH SIDE, WHERE IT WILL BE NO LESS THAN TWENTY-FIVE (25) FEET.

3. THE MINIMUM REAR YARD SHALL BE TWENTY (20) FEET. CUSTOMARY ACCESSORY STRUCTURES MAY BE LOCATED IN THE REQUIRED REAR YARD, BUT NO BUILDING SHALL BE ERECTED NEARER THAN FIVE (5) FEET TO ANY LOT LINE.

4. NO BUILDING, WHETHER PRINCIPAL OR ACCESSORY, SHALL ENCROACH UPON ANY UTILITY EASEMENT AS DEPICTED ON THE ACCOMPANYING PLAT.

K. 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.

L. FENCE AND LANDSCAPE EASEMENT

THE OWNER HEREBY ESTABLISHES AND RESERVES FOR SUBSEQUENT CONVEYANCE TO THE HOMEOWNER'S ASSOCIATION AN EXCLUSIVE PERPETUAL EASEMENT TO ERECT AND MAINTAIN FENCING, WALLS AND LANDSCAPING ALONG THE WESTERN BOUNDARY OF THE SUBDIVISION WITHIN THE EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT AS "FENCE & LANDSCAPE EASEMENT" OR "F/E". SUCH RIGHTS SHALL BE CONVEYED TO THE HOME OWNERS ASSOCIATION AT A LATER DATE.

M. FENCE PROHIBITION EASEMENT

NO FENCE CONSTRUCTION IS ALLOWED WITHIN THE AREA DESIGNATED ON THE PLAT AS FENCE PROHIBITION EASEMENT. ONG HAS AN EASEMENT RECORDED IN BOOK 2453, PAGE 776 THAT PREDATES THIS PLAT AND REQUIRES THAT NO FENCES BE CONSTRUCTED WITHIN CERTAIN PORTIONS OF THAT EASEMENT TO ENSURE ONG'S USE OF THAT EASEMENT. NO FENCE SHALL BE ERECTED WITHIN THIS EASEMENT FOR ANY PURPOSES. ANY FENCE CONSTRUCTED WITHIN THIS EASEMENT WILL BE REMOVED AT LOT OWNER'S EXPENSE. IN THE EVENT THE LOT OWNER REFUSES TO REMOVE THE FENCE, ONG SHALL HAVE THE EXPLICIT RIGHT TO ENTER ONTO THE PROPERTY AND REMOVE ANY AND ALL FENCE CONTAINED WITHIN ANY PORTION OF THE FENCE PROHIBITION EASEMENT. THE LOT OWNER SHALL BEAR ALL COSTS ENDURED BY ONG IN THE EFFORT TO REMOVE ANY SUCH PROHIBITED FENCES.

N. OVERLAND DRAINAGE AND DETENTION EASEMENTS

- 1. THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC PERPETUAL EASEMENTS ON, OVER, AND ACROSS THOSE AREAS DESIGNATED ON THE ACCOMPANYING PLAT AS "OVERLAND DRAINAGE EASEMENT" FOR THE PURPOSE OF PERMITTING THE OVERLAND FLOW, CONVEYANCE, AND DISCHARGE OF STORMWATER RUNOFF FROM VARIOUS LOTS WITHIN THE SUBDIVISION AND FROM PROPERTIES OUTSIDE THE SUBDIVISION.
2. DRAINAGE FACILITIES LOCATED WITHIN OVERLAND DRAINAGE EASEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE ADOPTED STANDARDS OF THE CITY OF BROKEN ARROW, OKLAHOMA, AND PLANS AND SPECIFICATIONS APPROVED BY THE CITY OF BROKEN ARROW, OKLAHOMA.
3. NO FENCE, WALL, BUILDING OR OTHER OBSTRUCTION SHALL BE PLACED OR MAINTAINED WITHIN AND OVERLAND DRAINAGE EASEMENT NOR SHALL THERE BE ANY ALTERATION OF THE GRADE IN THE EASEMENTS UNLESS APPROVED BY THE CITY OF BROKEN ARROW, OKLAHOMA, PROVIDED THAT THE PLANTING OF TURF OR CONSTRUCTION OF A WIRE, WROUGHT IRON, SPLIT RAIL, OR SIMILAR APPROVED FENCES SHALL NOT REQUIRE THE APPROVAL OF THE CITY OF BROKEN ARROW, OKLAHOMA. ALL FENCING IN THE ODE MUST BE APPROVED BY THE CITY STORM WATER MANAGER BEFORE INSTALLATION. ANY FENCING IN THE ODE MAY BE REMOVED BY THE CITY AT THE OWNERS EXPENSE AND THE CITY OF BROKEN ARROW IS NOT RESPONSIBLE TO REINSTALL THE FENCING. NO EQUIPMENT SUCH AS HVAC, POOL PUMPS/FILTERS, OR OTHER MECHANICAL EQUIPMENT MAY BE LOCATED IN THE EASEMENT. ANY EQUIPMENT IN THE EASEMENT MAY BE MOVED OR DISCONNECTED AT THE OWNERS EXPENSE AND THE CITY OF BROKEN ARROW IS NOT RESPONSIBLE TO RECONNECT THE EQUIPMENT.
4. OVERLAND DRAINAGE EASEMENTS LOCATED WITHIN A LOT SHALL BE MAINTAINED BY THE OWNER OF THE LOT AT THE OWNER'S EXPENSE IN ACCORDANCE WITH STANDARDS PRESCRIBED BY THE CITY OF BROKEN ARROW, OKLAHOMA. IN THE EVENT THE OWNER OF THE LOT FAILS TO PROPERLY MAINTAIN THE EASEMENTS LOCATED THEREON OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN SUCH EASEMENTS, OR THE ALTERATION OF GRADE THEREIN, THE CITY OF BROKEN ARROW, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER THE EASEMENTS AND PERFORM MAINTENANCE NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT ANY ALTERATION OF GRADE, AND THE COSTS SHALL BE PAID BY THE LOT OWNER. OBSTRUCTIONS MAY INCLUDE POOL EQUIPMENT OR HVAC EQUIPMENT. IN THE EVENT THE LOT OWNER FAILS TO PAY THE COST OF MAINTENANCE AFTER RECEIPT OF A STATEMENT OF COSTS FROM THE CITY OF BROKEN ARROW, OKLAHOMA, THE CITY MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS IN THE LAND RECORDS OF THE WAGONER COUNTY CLERK, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST THE LOT. A LIEN ESTABLISHED AS PROVIDED ABOVE MAY BE FORECLOSED BY THE CITY OF BROKEN ARROW, OKLAHOMA.

O. ADJACENT OWNERSHIP

THE CITY OF BROKEN ARROW HAS A POLICE AND FIRE TRAINING FACILITY TO THE EAST THAT IS USED BOTH DAY AND NIGHT. IN ADDITION, THERE IS A FORMER LANDFILL LOCATED ON THE PROPERTY TO THE EAST. EACH BUILDING PERMIT ISSUED IN THIS SUBDIVISION SHALL INCLUDE A COMMENT REGARDING THE NEARBY POLICE AND FIRE TRAINING FACILITY AND FORMER LANDFILL.

SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS

THE CEDARS AT THE PRESERVE WAS SUBMITTED AS A PLANNED UNIT DEVELOPMENT, DESIGNATED AS PUD 310 PURSUANT TO SECTION 2-Y, ARTICLE A OF THE ZONING ORDINANCE OF THE CITY OF BROKEN ARROW, OKLAHOMA. (ORDINANCE NO. 2931) AS EXISTED ON APRIL 20, 2020 (HEREINAFTER REFERRED TO AS THE "BROKEN ARROW ZONING ORDINANCE"), WHICH P.U.D. NO. 310 WAS RECOMMENDED FOR APPROVAL BY THE PLANNING COMMISSION ON 6/11/2020, AND WAS APPROVED BY THE COUNCIL OF THE CITY OF BROKEN ARROW, OKLAHOMA, ON 6/16/2020. THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE CITY OF BROKEN ARROW ZONING CODE REQUIRED THE ESTABLISHMENT OF COVENANTS OF RECORD, INJURING TO AND ENFORCEABLE BY THE CITY OF BROKEN ARROW, OKLAHOMA, SUFFICIENT TO ASSURE THE IMPLEMENTATION AND CONTINUING COMPLIANCE WITH THE APPROVED PLANNED UNIT DEVELOPMENT, AND 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 BIDDING UPON THE OWNER/DEVELOPER, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH. PUD 310 CONSISTS OF 4 DEVELOPMENT AREAS. ONLY DEVELOPMENT AREA B IS LOCATED WITHIN THE CEDARS AT THE PRESERVE I.

DEVELOPMENT STANDARDS (DEVELOPMENT AREA B)

A. IT SHALL BE GOVERNED BY THE BROKEN ARROW ZONING ORDINANCE AND USE AND DIMENSIONAL STANDARDS IN THE CURRENT RS-4 ZONING GUIDELINES EXCEPT AS HEREINAFTER MODIFIED:

Table with 2 columns: Requirement and Value. Includes rows for PERMITTED USES (SINGLE FAMILY DETACHED DWELLINGS), GROSS RESIDENTIAL AREA (121.22 ACRES), MINIMUM GROSS LAND AREA PER DWELLING UNIT: (DU) (10,000 SF), MAXIMUM NUMBER OF DWELLING UNITS (540), MINIMUM LOT WIDTH (52 FEET), MINIMUM LOT SIZE (6,000 SF), MINIMUM LIVABILITY SPACE PER LOT (2,800 SF), MINIMUM FRONT YARD* (25 FEET), MINIMUM SIDE YARD (5 FEET), MINIMUM REAR YARD (20 FEET).

*ON CORNER LOTS, ONE FRONT YARD SETBACK MAY BE REDUCED TO 15 FEET ALONG THOSE RIGHTS OF WAY THAT HAVE NO VEHICULAR ACCESS. THE JOG IN THE FRONT YARD BETWEEN THE TWO LOTS SHALL NOT EXCEED FIVE FEET.

B. STREET DESIGN AND ACCESS LIMITATIONS

ALL STREET SHALL BE CONSTRUCTED AS REQUIRED TO MEET PUBLIC STREET STANDARDS AS DESCRIBED IN THE CITY OF BROKEN ARROW ENGINEERING STANDARDS. SIDEWALKS SHALL BE CONSTRUCTED BY THE DEVELOPER ALONG 37TH STREET AND ALONG ANY RESERVE AREAS ABUTTING A STREET. NO RESIDENTIAL LOTS SHALL BE ALLOWED TO HAVE DIRECT ACCESS TO 37TH STREET. A SINGLE STUB STREET IS PROPOSED TO THE EAST FOR FUTURE DEVELOPMENT OF THE LAND SOUTH OF THE FORMER LANDFILL SITE AND WEST OF THE CREEK TURNPIKE.

C. UTILITIES

STORM SEWER AND SEWER SERVICE WILL BE PUBLICLY MAINTAINED UTILITIES PROVIDED BY THE CITY OF BROKEN ARROW AND INSTALLED BY THE DEVELOPER. WATER SERVICE WILL BE PROVIDED BY WAGONER COUNTY RURAL WATER DISTRICT NUMBER 4.

D. LANDSCAPE AND SCREENING STANDARDS

LANDSCAPING AND SCREENING WILL BE PROVIDED ALONG 37TH STREET AND SHALL CONFORM TO THE CITY OF BROKEN ARROW ZONING ORDINANCE. A LANDSCAPE AND FENCE EASEMENT OR RESERVE AREA SHALL BE PROVIDED WHERE DEVELOPMENT AREA B ABUTS THE ADJOINING ARTERIAL STREETS AND SHALL CONTAIN THE REQUIRED LANDSCAPING AND SCREENING FOR THE DEVELOPMENT. IN THE EVENT OF RESTRICTIONS REGARDING LANDSCAPING OR FENCING WITHIN EXISTING EASEMENTS ALONG THE PERIMETER OF DEVELOPMENT AREA B REQUIRED PERIMETER FENCING SHALL BE CONTAINED WITHIN A RESERVE OR LANDSCAPE AND FENCE EASEMENT THAT WILL BE MAINTAINED BY THE HOME OWNER'S ASSOCIATION.

FILE #1918023-NE CEDARS @ THE PRESERVE - CEDARS AT THE PRESERVE - RANGE

CONDITIONAL FINAL PLAT

The Cedars At The Preserve II

OWNER/DEVELOPER

209TH STREET LLC
1420 W. KENOSHA ST.
BROKEN ARROW, OK 74012
PHONE: 918-258-6161
ATTN: GLENN SHAW

ENGINEER/SURVEYOR

AAB ENGINEERING LLC
CERTIFICATE OF AUTHORIZATION NO. 6318, EXP. JUNE, 30, 2026
PO BOX 2136
SAND SPRINGS, OK 74063
PHONE: 918.514.4283
FAX: 918.514.4288
EMAIL: ALAN @ AABENG.COM

A SUBDIVISION OF THE PART OF THE WEST HALF OF THE NORTHWEST QUARTER (W/2 NW/4) AND PART OF THE NW/4 OF THE SW/4 OF SECTION 32, TOWNSHIP 19 NORTH, RANGE 15 EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF BROKEN ARROW, WAGONER COUNTY, STATE OF OKLAHOMA. PUD-310

SECTION III. PRIVATE RESTRICTIONS

A. ARCHITECTURAL COMMITTEE

- 1. PLAN REVIEW. NO BUILDING, FENCE, WALL, OR EXTERIOR ANTENNA SHALL BE ERRECTED, PLACED OR ALTERED (INCLUDING EXTERIOR PAINTING) ON ANY LOT UNTIL THE PLANS AND SPECIFICATIONS HAVE BEEN APPROVED IN WRITING BY THE OWNER/DEVELOPER OR ITS AUTHORIZED REPRESENTATIVES OR SUCCESSORS, WHICH ARE HEREINAFTER REFERRED TO AS THE "ARCHITECTURAL COMMITTEE".
2. COMMITTEE PURPOSE. THE ARCHITECTURAL COMMITTEE'S PURPOSE IS TO PROMOTE GOOD DESIGN AND COMPATIBILITY WITHIN THE SUBDIVISION AND IN ITS REVIEW OF PLANS OR DETERMINATION OF ANY WAIVER AS HEREINAFTER AUTHORIZED MAY TAKE INTO CONSIDERATION THE NATURE AND CHARACTER OF THE PROPOSED BUILDING OR STRUCTURE...
3. TRANSFER OF DUTIES. THE POWERS AND DUTIES OF THE ARCHITECTURAL COMMITTEE SHALL, ON LATER OF JANUARY 1, 2030, OR THE TRANSFER OF THE OWNER/DEVELOPER OF ITS LAST LOT IN THE ADDITION BE DEEMED TRANSFERRED TO THE PRESERVE HOMEOWNERS' ASSOCIATION, INC., OWNER/DEVELOPER, OR UPON WRITTEN ASSIGNMENT TO SAID HOMEOWNERS' ASSOCIATION BY THE OWNER/DEVELOPER...

B. USE

THE USE OF THE LOTS SHALL BE LIMITED TO DETACHED SINGLE-FAMILY RESIDENCES AND CUSTOMARY ACCESSORY USES. ONLY ONE RESIDENCE SHALL BE PERMITTED UPON A LOT.

C. FLOOR AREA

- 1. A SINGLE STORY DWELLING SHALL HAVE AT LEAST 1,000 SQUARE FEET OF FINISHED HEATED LIVING AREA.
2. IF A DWELLING HAS TWO LEVELS OR STORIES IMMEDIATELY ABOVE AND BELOW EACH OTHER MEASURED VERTICALLY AND ALL SUCH LEVELS OR STORIES ARE ABOVE THE FINISHED EXTERIOR GRADE OF SUCH DWELLING, THEN SUCH DWELLING SHALL HAVE AT LEAST 1,000 SQUARE FEET OF FINISHED HEATED LIVING AREA ON THE FIRST STORY OR LEVEL AND SHALL HAVE A TOTAL OF THE VARIOUS LEVELS OR STORIES OF AT LEAST 1,400 SQUARE FEET OF FINISHED HEATED LIVING AREA.
3. THE COMPUTATION OF LIVING AREA SHALL NOT INCLUDE ANY BASEMENT, GARAGE, OR ATTIC AREA USED FOR STORAGE. ALL LIVING AREA MEASUREMENTS SHALL BE TAKEN HORIZONTALLY AT THE TOP PLATE LEVEL TO THE FACE OF THE OUTSIDE WALL...
4. THE ARCHITECTURAL COMMITTEE MAY WAIVE, IN THE PARTICULAR INSTANCE, UPON WRITTEN REQUEST, THE FLOOR AREA REQUIREMENTS SET OUT IN PARAGRAPH 1 AND 2 OF THIS SUBSECTION C.

D. MAXIMUM BUILDING HEIGHT

NO BUILDING SHALL EXCEED TWO AND ONE HALF STORIES OR THIRTY- FIVE FEET IN HEIGHT.

E. GARAGES

WITHIN EACH LOT THERE SHALL BE PROVIDED A MINIMUM OF TWO PARKING SPACES WITHIN AN ATTACHED GARAGE. GARAGES SHALL BE ENCLOSED, AND CARPORTS ARE PROHIBITED. GLASS IN GARAGE DOORS IS PROHIBITED.

F. FOUNDATIONS

ANY EXPOSED FOUNDATION SHALL BE BRICK, STONE OR STUCCO. NO STEM WALL SHALL BE EXPOSED.

G. MASONRY

THERE SHALL NOT BE ANY SPECIFIC MASONRY REQUIREMENT OTHER THAN PARAGRAPH F ABOVE.

H. WINDOWS

WITHIN A DWELLING, ALUMINUM WINDOWS HAVING A MILL FINISH ARE PROHIBITED.

I. ROOF PITCH

NO DWELLING SHALL HAVE A ROOF PITCH OF LESS THAN 6/12, EXCEPT FOR PORCHES AND PATIOS THAT IN NO EVENT SHALL HAVE A ROOF PITCH OF LESS THAN 4/12.

J. ROOFING MATERIALS

ROOFING FOR A DWELLING SHALL BE SELF-SEALING COMPOSITION SHINGLES, TAMKO HERITAGE 30 YEAR WEATHERED WOOD IN COLOR. PROVIDED, HOWEVER, THAT IF SUCH ROOFING SHOULD NOT BE REASONABLY AVAILABLE, ALTERNATIVE ROOFING APPROVED BY THE ARCHITECTURAL COMMITTEE SHALL BE PERMITTED UPON DETERMINATION OF THE ARCHITECTURAL COMMITTEE THAT THE ALTERNATIVE IS OF EQUAL OR SUPERIOR QUALITY AND OF A DESIGN AND COLOR COMPATIBLE WITH THE ROOFING MATERIAL ABOVE SPECIFIED.

K. DRIVEWAYS

DRIVEWAYS SHALL BE CONCRETE, SHALL BE THE SAME COLOR AS THE SIDEWALKS AND CURBS WITHIN THE SUBDIVISION, AND SHALL REQUIRE APPROVAL OF THE ARCHITECTURAL COMMITTEE.

L. FENCING

- 1. ALL FENCING SHALL BE IN ACCORDANCE WITH THE CITY OF BROKEN ARROW ZONING CODE. INTERIOR FENCING OR WALLS SHALL NOT EXTEND BEYOND THE BUILDING LINES OF THE LOT AND, IF A DWELLING IS BUILT BEHIND THE FRONT BUILDING LINE OF A LOT, NO FENCE MAY EXTEND BEYOND THE POINT NEAREST THE STREET AT EACH END...
2. WITH RESPECT TO LOTS WHICH ARE CONTIGUOUS WITH LAKES, PONDS OR DETENTION FACILITIES IN RESERVE AREAS, THE SIDE YARD FENCES SHALL BE TAPERED IN HEIGHT TO FIVE FEET (5') WITHIN THIRTY FEET (30') OF THE PERIMETER FENCING THE LAKE, POND OR DETENTION AREA AND WITHIN SAID 30' AREA SHALL BE OF THE SAME SPECIFICATIONS AS THE PERIMETER FENCING DESCRIBED BELOW...

M. SEASONAL DECORATIONS

ALL SEASONAL DECORATIONS SHALL BE REMOVED NO LATER THAN THIRTY (30) CALENDAR DAYS FROM THE DAY OF THE ACTUAL HOLIDAY.

N. ON-SITE CONSTRUCTION

NO RESIDENCE OR BUILDING BUILT OFF-SITE SHALL BE MOVED TO, OR PLACED ON, ANY LOT.

O. OUTBUILDINGS

WITHIN EACH LOT, OUTBUILDINGS ARE PROHIBITED.

P. SWIMMING POOLS

ABOVE GROUND SWIMMING POOLS ARE PROHIBITED.

Q. ANTENNAS

EXTERIOR TELEVISION, "CB" RADIO OR OTHER TYPE ANTENNAS INCLUDING SATELLITE DISHES SHALL BE PROHIBITED, EXCEPT SATELLITE DISHES NOT EXCEEDING 20" IN DIAMETER MAY BE AFFIXED TO A REAR BUILDING WALL OR DORMER IF BELOW THE EAVE, OR GROUND MOUNTED WITHIN A REAR YARD IF NOT EXCEEDING 6' IN HEIGHT, AND IN EACH INSTANCE THE SATELLITE DISH SHALL NOT BE VISIBLE FROM THE STREET VIEW OF THE DWELLING.

R. LOT MAINTENANCE

NO INOPERATIVE VEHICLE OR MACHINERY SHALL BE STORED ON ANY LOT AND EACH LOT SHALL BE MAINTAINED IN A NEAT AND ORDERLY CONDITION FREE OF RUBBISH, TRASH AND OTHER DEBRIS AND SHALL BE CUT, TRIMMED OR MOWED TO PREVENT GROWTH OF WEEDS OR TALL GRASS.

S. RECREATIONAL VEHICLES

BOATS, TRAILERS, CAMPERS AND OTHER RECREATIONAL VEHICULAR EQUIPMENT SHALL NOT BE STORED ON ANY LOT EXCEPT WITHIN AN ENCLOSED GARAGE.

T. NON-RECREATIONAL TRAILERS, MACHINERY AND EQUIPMENT

NO NON-RECREATIONAL TRAILERS, MACHINERY OR EQUIPMENT SHALL BE STORED, PLACED OR PARKED ON ANY LOT, EXCEPT WITHIN AN ENCLOSED GARAGE, OR ON ANY STREET WITHIN THE SUBDIVISION; PROVIDED HOWEVER, NOTHING HEREIN SHALL PROHIBIT THE PARKING OF VEHICLES, MACHINERY AND EQUIPMENT WHEN BEING UTILIZED IN CONNECTION WITH SERVICES PERTAINING TO A RESIDENCE.

U. CLOTHESLINES AND GARBAGE RECEPTACLES

EXPOSED CLOTHESLINE POLES OR OTHER OUTSIDE DRYING APPARATUS ARE PROHIBITED, AND NO EXPOSED GARBAGE CAN, TRASH CAN OR ANY TRASH BURNING APPARATUS OR STRUCTURE SHALL BE PLACED ON ANY LOT OR ANY RESERVE AREA.

V. ANIMALS

NO ANIMALS, LIVESTOCK OR POULTRY OF ANY KIND MAY BE MAINTAINED, BRED, SOLD OR KEPT EXCEPT THAT TWO DOGS, TWO CATS AND OTHER HOUSEHOLD PETS MAY BE KEPT PROVIDED THAT THEY ARE NOT USED FOR COMMERCIAL PURPOSES.

W. NOXIOUS ACTIVITY

NO NOXIOUS OR OFFENSIVE TRADE OR ACTIVITY SHALL BE CARRIED OUT UPON ANY LOT OR UPON ANY RESERVE AREA, NOR SHALL ANYTHING BE DONE THEREON THAT MAY BE OR MAY BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.

X. SIGNAGE

NO SIGN OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT EXCEPT ONE SIGN OF NOT MORE THAN FIVE (5) SQUARE FEET ADVERTISING THE PROPERTY FOR SALE OR RENT. SIGNS USED BY THE OWNER/DEVELOPER OR A BUILDER TO ADVERTISE ANY PROPERTY WITHIN THE ADDITION DURING THE CONSTRUCTION AND LOT SALES PERIOD MAY BE UP TO TWELVE (12) SQUARE FEET. OWNER/DEVELOPER MAY MAINTAIN SIGNAGE AND PROMOTIONAL DISPLAYS FOR AS LONG AS IT OWNS A LOT IN THE ADDITION.

Y. MATERIALS AND STORAGE

NO LOT SHALL BE USED FOR THE STORAGE OF MATERIALS FOR A PERIOD OF GREATER THAN THIRTY (30) DAYS PRIOR TO THE START OF CONSTRUCTION AND THE CONSTRUCTION SHALL BE COMPLETED WITHIN SIX (6) MONTHS THEREAFTER. EACH LOT SHALL BE MAINTAINED IN A NEAT AND ORDERLY CONDITION.

Z. GARAGE SALES/YARD SALES

GARAGE SALES/YARD SALES WILL BE ALLOWED ONCE EACH CALENDAR YEAR. THE DATE WILL BE SET BY THE BOARD OF DIRECTORS OF THE PRESERVE EAST HOMEOWNER'S ASSOCIATION.

AA. TEMPORARY TRASH RECEPTACLES

A TEMPORARY TRASH RECEPTACLE IS REQUIRED ON EACH LOT DURING THE CONSTRUCTION OF ANY DWELLING IN THE SUBDIVISION. THE TEMPORARY TRASH RECEPTACLE SHALL BE MAINTAINED BY THE LOT OWNER AND SHALL BE EMPTIED ON A REGULAR BASIS OR AS NEEDED.

BB. BASKETBALL GOALS

NO BASKETBALL GOAL OR STRUCTURES ARE ALLOWED IN ANY OF THE STREET RIGHTS OF WAY.

SECTION IV. HOMEOWNERS' ASSOCIATION

A. FORMATION OF HOMEOWNERS' ASSOCIATION

THE OWNER/DEVELOPER HAS FORMED AN ASSOCIATION OF THE OWNERS OF THE LOTS WITHIN THE CEDARS AT THE PRESERVE II (HEREINAFTER AND HERETOFORE REFERRED TO AS THE "HOMEOWNERS' ASSOCIATION") TO BE ESTABLISHED IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA, FOR THE GENERAL PURPOSES OF MAINTAINING THE COMMON AREAS, INCLUDING BUT WITHOUT LIMITATION THE RESERVE AREAS AND PERIMETER FENCING, AND ENHANCING THE VALUE, DESIRABILITY AND ATTRACTIVENESS OF ALL PHASES OF THE PRESERVE.

B. MEMBERSHIP

EVERY PERSON OR ENTITY WHO IS A RECORD OWNER OF THE FEE INTEREST OF A LOT SHALL BE A MEMBER OF THE HOMEOWNERS' ASSOCIATION. MEMBERSHIP SHALL BE APPURTENANT TO AND MAY NOT BE SEPARATED FROM THE OWNERSHIP OF A LOT.

C. ASSESSMENT

EACH RECORD OWNER OF A LOT SHALL BE SUBJECT TO ASSESSMENT BY THE HOMEOWNERS' ASSOCIATION FOR THE PURPOSES OF IMPROVEMENT AND MAINTENANCE OF THE STORM WATER DETENTION FACILITIES, RESERVE AREAS AND OTHER COMMON AREAS.

SECTION V. 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, PUBLIC STREETS, 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. THE COVENANTS CONTAINED IN SECTION III, PRIVATE RESTRICTIONS, AND SECTION IV, HOMEOWNERS' ASSOCIATION, SHALL INURE TO THE BENEFIT OF ANY OWNER OF A LOT AND THE HOMEOWNERS' ASSOCIATION, IF THE OWNER OF ANY LOT SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION III, IT SHALL BE LAWFUL FOR ANY OWNER OF A LOT OR THE HOMEOWNERS' ASSOCIATION 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 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. IN ANY JUDICIAL ACTION BROUGHT BY ANY OWNER OF A LOT OR THE ASSOCIATION, WHICH ACTION SEEKS TO ENFORCE THE COVENANTS CONTAINED IN THE RESTRICTIVE COVENANTS HEREIN AND/OR TO RECOVER DAMAGES FOR THE BREACH THEREOF, THE PREVAILING PARTY SHALL BE ENTITLED TO RECEIVE REASONABLE ATTORNEY FEES AND COSTS AND EXPENSES INCURRED IN SUCH ACTION.

B. DURATION

THE RESTRICTIVE COVENANTS HEREIN, 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, PUBLIC STREETS, 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 CITY OF BROKEN ARROW PLANNING COMMISSION, OR ITS SUCCESSORS AND THE CITY OF BROKEN ARROW, OKLAHOMA, THE COVENANTS AND RESTRICTIONS CONTAINED WITHIN SECTION III, PRIVATE RESTRICTIONS, MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER/DEVELOPER DURING SUCH PERIOD THAT THE OWNER/DEVELOPER IS THE OWNER OF AT LEAST 1 LOT, OR ALTERNATIVELY THE COVENANTS AND RESTRICTIONS MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNERS OF 60% OF THE LOTS WITHIN THE SUBDIVISION. IN THE EVENT OF ANY CONFLICT BETWEEN AN AMENDMENT OR TERMINATION PROPERLY EXECUTED BY THE OWNER/DEVELOPER (DURING ITS OWNERSHIP OF AT LEAST 1 LOT) AND ANY AMENDMENT OR TERMINATION PROPERLY EXECUTED BY THE OWNERS OF AT LEAST 60% OF THE LOTS, THE INSTRUMENT EXECUTED BY THE OWNER/DEVELOPER SHALL PREVAIL DURING ITS OWNERSHIP OF AT LEAST 1 LOT. THE PROVISIONS CONTAINED WITHIN SECTION IV, HOMEOWNERS' ASSOCIATION, MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER/DEVELOPER DURING SUCH PERIOD THAT THE OWNER/DEVELOPER IS THE OWNER OF AT LEAST 1 LOT, OR ALTERNATIVELY THE COVENANTS AND RESTRICTIONS MAY BE AMENDED OR TERMINATED AT ANY TIME BY A MAJORITY VOTE OF THE MEMBERS OF THE HOMEOWNERS' ASSOCIATION AS EVIDENCED BY WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE PRESIDENT OF THE HOMEOWNERS' ASSOCIATION. IN THE EVENT OF ANY CONFLICT BETWEEN AN AMENDMENT OR TERMINATION PROPERLY EXECUTED BY THE OWNER/DEVELOPER (DURING ITS OWNERSHIP OF AT LEAST 1 LOT) AND ANY AMENDMENT OR TERMINATION EVIDENCED BY AN INSTRUMENT PROPERLY EXECUTED BY THE PRESIDENT OF THE HOMEOWNERS' ASSOCIATION, THE INSTRUMENT EXECUTED BY THE OWNER/DEVELOPER SHALL PREVAIL DURING ITS OWNERSHIP OF AT LEAST 1 LOT. THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING COVENANTS AS ABOVE SET FORTH SHALL BE EFFECTIVE FROM AND AFTER THE DATE, IT IS PROPERLY RECORDED.

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: 209TH STREET, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HAS EXECUTED THIS INSTRUMENT THIS ___ DAY OF ___, 2026.

209TH STREET, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY

BY: GLENN SHAW, MANAGER

STATE OF OKLAHOMA)) SS COUNTY OF WAGONER)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ___ DAY OF ___, 2026, BY GLENN SHAW, MANAGER OF 209TH STREET, LLC.

NOTARY PUBLIC MY COMMISSION EXPIRES: COMMISSION NUMBER:

WAGONER COUNTY TREASURER'S CERTIFICATE

I, COUNTY TREASURER OF WAGONER COUNTY, OKLAHOMA, HEREBY CERTIFY THAT I HAVE EXAMINED THE RECORDS PERTAINING TO AD VALOREM TAXES ON THE TRACT DESCRIBED IN THE ACCOMPANYING PLAT AND FIND THAT ALL THE AD VALOREM TAXES HAVE BEEN PAID AND INCLUDING 2025.

DATED THIS ___ DAY OF ___, 2026.

COUNTY TREASURER

CERTIFICATE OF SURVEY

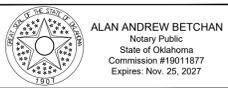
I, MIKEL L. STEWART, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT I HAVE SURVEYED, SUBDIVIDED AND PLATTED THE ABOVE TRACT DESIGNATED AS "THE CEDARS AT THE PRESERVE II" AN ADDITION TO THE CITY OF BROKEN ARROW, WAGONER COUNTY, STATE OF OKLAHOMA. THE ABOVE PLAT IS 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.

MIKEL L. STEWART LICENSED PROFESSIONAL LAND SURVEYOR OKLAHOMA NO. 2105

STATE OF OKLAHOMA)) SS COUNTY OF WAGONER)

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ON THIS ___ DAY OF ___, 2026, PERSONALLY APPEARED MIKEL L. STEWART, 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 25, 2027 COMMISSION NUMBER: 19011877



The Cedars at the Preserve

Planned Unit Development #XXX

(BAZ XXX)

Prepared
April 20, 2020

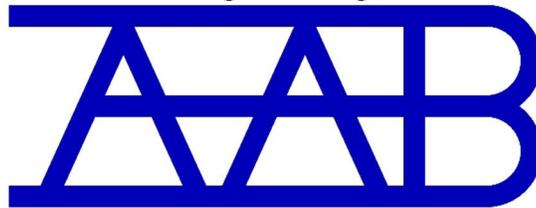
Location

The West Half of the Northwest Quarter (W/2, NW/4) of Section Thirty two (32), Township Nineteen (19) North, Range Fifteen(15) East of the Indian Base and Meridian, Wagoner County, State of Oklahoma. This PUD contains 159.1 +/- Acres.

Owner

209th Street LLC
1420 W. Kenosha St.
Broken Arrow, OK 74102

Prepared By:
AAB Engineering, LLC



Engineering • Surveying • Land Planning

PO Box 2136 Sand Springs, OK 74063
Office: (918) 514-4283 Fax: (918) 514-4288

Development Concept

PUD #XXX is an approximately 159 acre development on the southeast corner of North 37th Street (209th East Avenue) and East Omaha Street in Broken Arrow. Exhibit B depicts the project area relative to the surrounding areas. The PUD is presented along with a rezoning application for approximately 4.85 acres of the project from A-1 to CN, approximately 125.7 acres from A-1 to RS-4, and approximately 9.04 acres from A-1 to IL and approximately 19.54 acres from A-1 to FD. The balance of the property will be rezoned to FD since it will remain in the floodplain. This proposal is submitted along with a comprehensive plan amendment that brings the plan into conformance with the proposed zoning designations. The proposed comprehensive plan amendments largely mirror the pre 2019 update version of the comprehensive plan. See Exhibits C & D for the proposed comprehensive plan modifications versus the effective plan and the proposed zoning modifications versus the effective zoning. This project proposes four distinct development areas with differing goals. Exhibit E depicts the proposed development areas and Exhibit F depicts the conceptual development plan.

Development Area A-Neighborhood Commercial: We have included a commercial tract at the northwest corner of the site. This tract of land is well suited for a neighborhood commercial use and is anticipated to include various small scale commercial uses as well as a potential mini storage use.

Development Area B-Residential: The general purpose of this section of the project is to provide an affordable detached single family residential neighborhood. The developer proposes to development the property in a nature similar to the Silverleaf subdivision located northwest of the project. To meet the needs of the workforce home buyer this planned unit development requests a minimum lot width of 52'. The maximum number of lots is significantly less than the total allowed by the proposed RS-4 zoning and allows ample open space when the gross development area is considered. The property's limited accessibility and proximity to the reclaimed landfill and turnpike limit its marketability making the proposed use the most appropriate for the tract.

Development Area C-Commercial Buffering: This area of the project is immediately adjacent to the fire and police training facilities to the east of the project. This area is intended to provide a limited commercial/office use with the balance of the property being used as ministorage. This allows adequate buffering of the somewhat intense uses at the police department gun range and fire training facility from those less intense uses proposed within the single family neighborhood. It also provides a safety buffer to the housing.

Development Area D-Floodplain: This area is contained within the 100 year floodplain of Adams creek and will remain in a relatively natural state. The area may be improved with walking trails and open space amenities provided all such amenities conform to all Broken Arrow floodplain ordinances.

The public street and utility systems within the project will be constructed to public standards and dedicated to the City upon completion. This area is served with water by Wagoner County Rural Water District #4. Exhibit G depicts the conceptual infrastructure improvements for this project.

The required entrances will connect to North 37th Street and E. Omaha Street with a stubbed street to the undeveloped tract to the east. The entrances from the adjacent arterial streets will be designed in accordance with the Broken Arrow Subdivision Regulations with two outbound lanes and one inbound lane. The stub streets to the east will also conform to subdivision regulations and appropriate engineering standards in the City of Broken Arrow.

Development Area A Development Standards

The intended use for this project is to establish a neighborhood commercial area at the intersection of 37th Street and Omaha Street. Development Area A shall be developed in accordance with the use and development regulations of the CN district of the Broken Arrow Zoning Ordinance, except as hereinafter modified.

Gross Land Area	4.85 acres
Maximum Floor Area	100,000 square feet
Permitted uses:	All uses permitted by right in the CN zoning district and: <ul style="list-style-type: none">· "Drive-in" restaurants will be allowed.· Restaurants with drive thru will be allowed.· Mini-storage

All Other Uses Dimensional Standards	Per CN District Guidelines
Minimum Landscape Area	10% of Net Developable lot
Architectural Standards	

All exterior walls shall be constructed of masonry materials. All facades that face a public right of way shall be constructed of masonry materials other than EIFS. A brick or stone wainscot with EIFS or stucco used above that wainscot may be provided facades that do not face a public ROW. Metal awnings and canopies may be used.

Development Area B Development Standards

The intended use for this project is to establish affordable single family detached housing which shall be governed by the Broken Arrow Zoning Ordinance and use and dimensional standards in the current RS-4 zoning guidelines except as hereinafter modified:

Permitted uses:	Single Family Detached Dwellings
Gross Residential area	125.71 acres
Minimum gross land area per dwelling unit: (DU)	10,000 square feet
Maximum number of dwelling units	540
Minimum Lot Width	52 feet
Minimum lot size	6000 square feet
Minimum livability space per lot	2,800 square feet
Minimum Corner lot side yard abutting a public street*	15 feet on side yard*
Minimum rear yard	20 feet

- * In the event that garage access is planned from the side yard, the minimum building setback along the side yard will be 20'. Only one garage access frontage is allowed on each lot.

Development Area C Development Standards

The intended use for this are is to establish a buffering element between the fire and police training area and the proposed residential lots. Development Area C shall be developed in accordance with the use and development regulations of the CN district of the Broken Arrow Zoning Ordinance, except as hereinafter modified.

Permitted uses: All uses permitted by right in the CN or IL zoning district **Except** those uses listed as "Industrial Uses" within the zoning code unless expressly permitted below. The following uses are specifically permitted:

- "Drive-in" restaurants
- Restaurants with drive thru.
- Mini Storage

Gross Land Area	9.04 acres
Mini Storage Maximum Floor Area	150,000 square feet
All Other Uses Maximum Floor Area	100,000 square feet
Building Setbacks	
Front	50'
Rear (abutting Residential)	30'
Side (abutting Residential)	30'
Rear or Side Abutting Residential (Mini Storage Use)	10*
All Other Dimensional Standards	Per CN District Guidelines

Minimum Landscape Area

10% of Net Developable Lot shall be maintained as landscape area. A landscape buffer of not less than 10' shall be provided along any boundary abutting a residential use.

*Any ministorage buildings constructed less than 30' from a residential zoned property must be constructed of masonry materials. Exterior building shall constitute the required screening fence in these situations.

Architectural Standards

All exterior walls shall be constructed of masonry materials. All facades that face a public right of way shall be constructed of masonry materials other than EIFS. A brick or stone wainscot with EIFS or stucco used above that wainscot may be provided facades that do not face a public ROW. Metal awnings and canopies may be used.

Any portion of a ministorage facility setback less than 150' from an arterial ROW shall be constructed of full masonry materials unless it is shielded from public view by another building or a masonry screening fence of not less than 6' in height.

Any lot containing a mini storage use may exceed the 2.49 acre lot size maximum of the CN district.

Floodplain (Development Area D)

The intended use for this portion of the project will remain natural floodplain area except as allowed by the City Engineering department for infrastructure improvements.

The developer may also include improvements such as trails, picnic areas and playground areas at their discretion.

Gross Land Area

19.54 acres

Street Design and Access Limitations

All streets shall be constructed as required to meet public street standards as described in the City of Broken Arrow engineering standards. Sidewalks shall be constructed by the developer along 37th Street and Omaha St. No residential lots shall be allowed to have direct access to E. Omaha Street or 37th Street. A single stub street is proposed to the east for future development of the land south of the former landfill site and west of the Creek Turnpike.

All commercial property will encourage mutual access easements and shared access points to the arterial streets however the actual location of the driveways will be determined during the plat and/or site plan processes. If deemed appropriate by staff at the time of plat and/or site plan drives may be allowed nearer to the intersection of 37th Street and Omaha Street than 250'.

Utilities

Storm sewer and sewer service will be publicly maintained utilities provided by the City of Broken Arrow and installed by the developer. Water service will be provided by Wagoner County Rural Water District Number 4. At this time we do not anticipate a detention facility, however, if stormwater detention is required we will construct the facility in the southern portions of Development Area B. All detention and open space areas will be maintained by the homeowners association.

Franchise utilities will also serve the project with communications, natural gas, and electricity. We anticipate underground services throughout the development.

Landscape and Screening Standards

Landscaping and screening will be provided along 37th Street and Omaha Street and shall conform to the City of Broken Arrow Zoning Ordinance. A landscape and fence easement or reserve area shall be provided where Development Area B abuts the adjoining arterial streets and shall contain the required landscaping and screening for the development. All commercial lots shall be developed in accordance with the City of Broken Arrow Zoning Ordinance regarding landscape installation.

All open space reserve areas shall be owned and maintained by the property owners association unless otherwise accepted by the City of Broken Arrow for perpetual maintenance as part of the Broken Arrow Floodplain policy. All traffic islands surrounded by street right of way shall include appropriate landscaping and berms to add visual character to the community and aid in slowing traffic patterns through the project site.

Platting

Prior to issuance of a building permit for any habitable structure, the area within the PUD shall have a subdivision plat approved by the Planning Commission and City Council and filed of record at the Tulsa County Courthouse. The deed of dedication of the required subdivision plat shall include covenants of record, enforceable by the City of Broken Arrow, setting forth the development standards of the approved Planned Unit Development. If a detention facility is required, no part or portion of that facility shall be built into any utility easement, nor any street right of way.

Exhibit A

Legal Descriptions

Overall PUD Legal Description



Development Area A Legal Description

A TRACT OF LAND SITUATED IN THE WEST HALF OF THE NORTHWEST QUARTER (W/2 NW/4) OF SECTION THIRTY-TWO (32), TOWNSHIP NINETEEN (19) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN BASE AND MERIDIAN, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, WAGONER COUNTY, STATE OF OKLAHOMA AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID WEST HALF OF THE NORTHWEST QUARTER (W/2 NW/4); THENCE NORTH 88°48'13" EAST ALONG THE NORTH LINE OF SAID WEST HALF OF THE NORTHWEST QUARTER (W/2 NW/4), A DISTANCE OF 367.87 FEET; THENCE SOUTH 01°11'47" EAST, A DISTANCE OF 577.00 FEET; THENCE SOUTH 88°48'13" WEST, A DISTANCE OF 364.94 FEET TO THE WEST LINE OF SAID WEST HALF OF THE NORTHWEST QUARTER (W/2 NW/4); THENCE NORTH 01°29'16" WEST ALONG SAID WEST LINE, A DISTANCE OF 577.01 FEET TO THE POINT OF BEGINNING. CONTAINING 211,415.24 SQUARE FEET OR 4.85 ACRES.

Development Area B Legal Description

A TRACT OF LAND SITUATED IN THE SOUTHWEST QUARTER (SW/4) AND THE WEST HALF OF THE NORTHWEST QUARTER (W/2 NW/4) OF SECTION THIRTY-TWO (32), TOWNSHIP NINETEEN (19) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN BASE AND MERIDIAN, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, WAGONER COUNTY, STATE OF OKLAHOMA AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID WEST HALF OF THE NORTHWEST QUARTER (W/2 NW/4); THENCE NORTH $88^{\circ}48'13''$ EAST ALONG THE NORTH LINE OF SAID WEST HALF OF THE NORTHWEST QUARTER (W/2 NW/4), A DISTANCE OF 367.87 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH $88^{\circ}48'13''$ EAST ALONG THE NORTH LINE OF SAID WEST HALF OF THE NORTHWEST QUARTER (W/2 NW/4), A DISTANCE OF 578.25 FEET; THENCE SOUTH $01^{\circ}12'29''$ EAST, A DISTANCE OF 574.71 FEET; THENCE NORTH $88^{\circ}48'13''$ EAST, A DISTANCE OF 164.28 FEET; THENCE SOUTH $01^{\circ}11'47''$ EAST, A DISTANCE OF 580.00 FEET; THENCE SOUTH $87^{\circ}49'11''$ EAST, A DISTANCE OF 38.96 FEET; THENCE SOUTH $00^{\circ}53'45''$ EAST, A DISTANCE OF 287.71 FEET; THENCE NORTH $88^{\circ}22'18''$ EAST, A DISTANCE OF 181.02 FEET TO THE EAST LINE OF SAID WEST HALF OF THE NORTHWEST QUARTER (W/2 NW/4); THENCE SOUTH $01^{\circ}28'10''$ EAST ALONG SAID EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER (W/2 NW/4), A DISTANCE OF 1198.13 FEET TO THE NORTH LINE OF SAID SOUTHWEST QUARTER (SW/4); THENCE NORTH $88^{\circ}43'53''$ EAST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER (SW/4), A DISTANCE OF 1321.18 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER (SW/4); THENCE SOUTH $01^{\circ}26'35''$ EAST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER (SW/4); A DISTANCE OF 1259.38 FEET TO THE WESTERLY RIGHT OF WAY OF THE CREEK TURNPIKE; THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT OF WAY ON A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 2810.00 FEET, A CHORD BEARING OF SOUTH $20^{\circ}54'56''$ WEST AND A CHORD DISTANCE OF 1146.95 FEET, FOR A CURVE LENGTH OF 974.52 FEET; THENCE NORTH $45^{\circ}35'18''$ WEST, A DISTANCE OF 1103.21 FEET; THENCE NORTH $01^{\circ}11'47''$ WEST, A DISTANCE OF 597.57 FEET; THENCE SOUTH $88^{\circ}48'13''$ WEST, A DISTANCE OF 11.37 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 174.96 FEET, A CHORD BEARING OF NORTH $69^{\circ}24'23''$ WEST AND A CHORD DISTANCE OF 129.92 FEET, FOR A CURVE LENGTH OF 133.11 FEET; THENCE NORTH $47^{\circ}36'40''$ WEST, A DISTANCE OF 62.26 FEET; THENCE SOUTH $51^{\circ}28'52''$ WEST, A DISTANCE OF 121.52 FEET; THENCE NORTH $47^{\circ}37'02''$ WEST, A DISTANCE OF 1003.75 FEET; THENCE SOUTH $88^{\circ}48'13''$ WEST, A DISTANCE OF 116.48 FEET; THENCE SOUTH $01^{\circ}11'47''$ EAST, A DISTANCE OF 104.00 FEET; THENCE SOUTH $32^{\circ}20'13''$ WEST, A DISTANCE OF 215.51 FEET; THENCE SOUTH $88^{\circ}48'13''$ WEST, A DISTANCE OF 244.19 FEET TO THE WEST LINE OF SAID SOUTHWEST QUARTER (SW/4); THENCE NORTH $01^{\circ}30'04''$ WEST ALONG SAID WEST LINE OF SAID SOUTHWEST QUARTER (SW/4), A DISTANCE OF 330.52 FEET TO THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER (SW/4) AND THE SOUTHWEST CORNER OF SAID WEST HALF OF THE

NORTHWEST QUARTER (W/2 NW/4); THENCE NORTH 01°29'17" WEST ALONG THE WEST LINE OF SAID WEST HALF OF THE NORTHWEST QUARTER (W/2 NW/4), A DISTANCE OF 2066.15 FEET; THENCE NORTH 88°48'13" EAST, A DISTANCE OF 364.94 FEET; THENCE NORTH 01°11'47" WEST, A DISTANCE OF 577.00 FEET TO THE POINT OF BEGINNING. CONTAINING 5,476,043.21 SQUARE FEET OR 125.71 ACRES.

Development Area C Legal Description

A TRACT OF LAND SITUATED IN THE WEST HALF OF THE NORTHWEST QUARTER (W/2 NW/4) OF SECTION THIRTY-TWO (32), TOWNSHIP NINETEEN (19) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN BASE AND MERIDIAN, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, WAGONER COUNTY, STATE OF OKLAHOMA AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID WEST HALF OF THE NORTHWEST QUARTER (W/2 NW/4); THENCE NORTH 88°48'13" EAST ALONG THE NORTH LINE OF SAID WEST HALF OF THE NORTHWEST QUARTER (W/2 NW/4), A DISTANCE OF 946.12 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 88°48'13" EAST ALONG THE NORTH LINE OF SAID WEST HALF OF THE NORTHWEST QUARTER (W/2 NW/4), A DISTANCE OF 375.91 FEET TO THE EAST LINE OF SAID WEST HALF OF THE NORTHWEST QUARTER (W/2 NW/4), THENCE SOUTH 01°28'10" EAST ALONG SAID EAST LINE OF SAID WEST HALF OF THE NORTHWEST QUARTER (W/2 NW/4), A DISTANCE OF 1443.36 FEET; THENCE SOUTH 88°22'18" WEST, A DISTANCE OF 181.02 FEET; THENCE NORTH 00°53'45" WEST, A DISTANCE OF 287.71 FEET; THENCE NORTH 87°49'11" WEST, A DISTANCE OF 38.96 FEET; THENCE NORTH 01°11'47" WEST, A DISTANCE OF 580.00 FEET; THENCE SOUTH 88°48'13" WEST, A DISTANCE OF 164.28 FEET; THENCE NORTH 01°12'29" WEST, A DISTANCE OF 574.71 FEET TO THE POINT OF BEGINNING. CONTAINING 393,853.89 SQUARE FEET OR 9.04 ACRES.

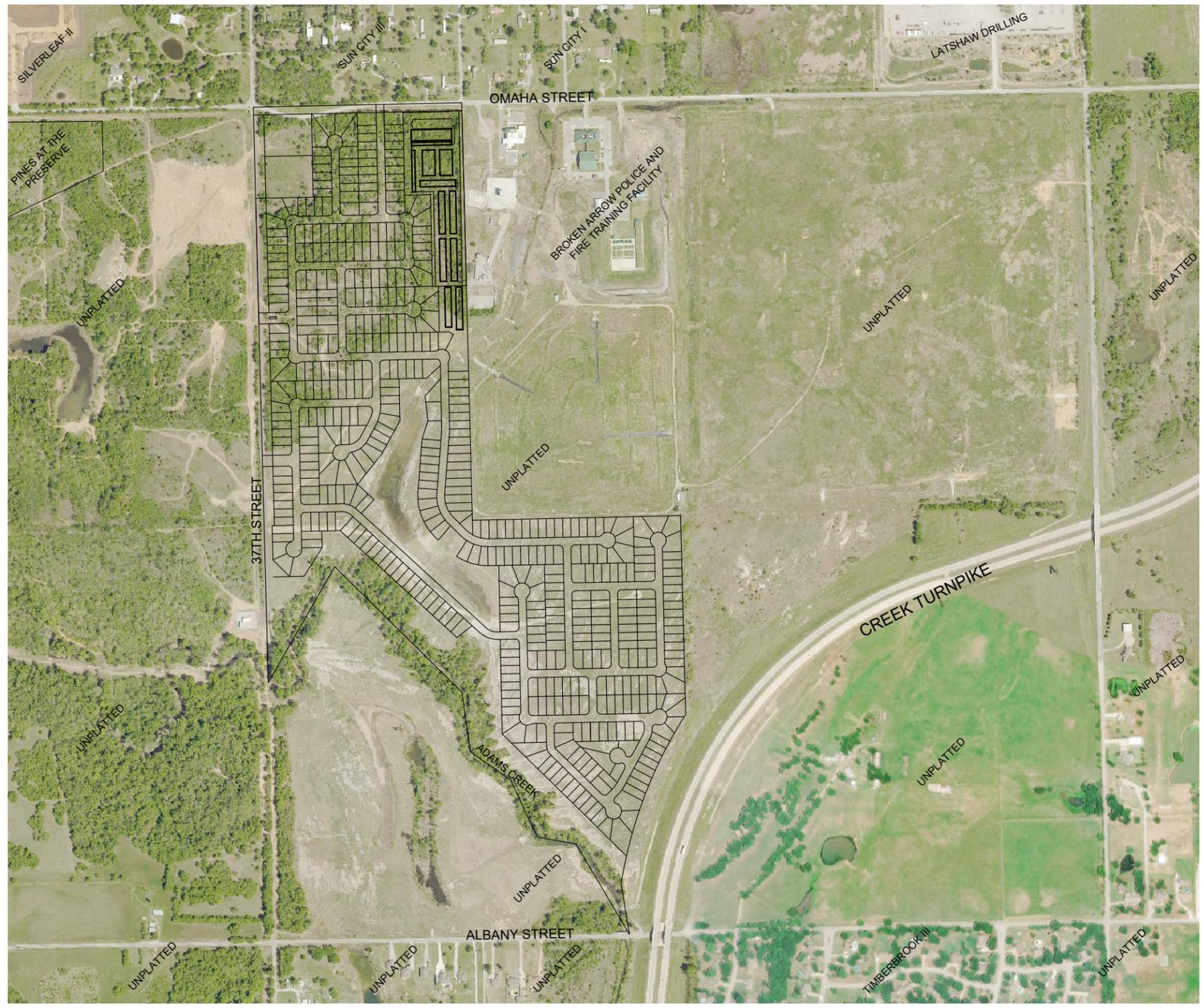
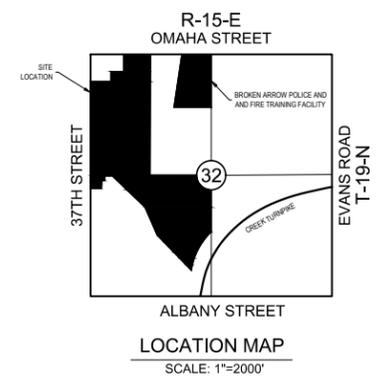
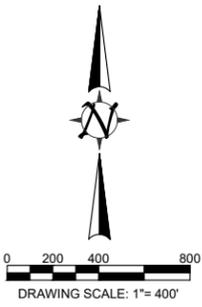
Development Area D Legal Description

A TRACT OF LAND SITUATED IN THE SOUTHWEST QUARTER (SW/4) OF SECTION THIRTY-TWO (32), TOWNSHIP NINETEEN (19) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN BASE AND MERIDIAN, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, WAGONER COUNTY, STATE OF OKLAHOMA AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER (SW/4); THENCE SOUTH $01^{\circ}30'04''$ EAST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER (SW/4), A DISTANCE OF 330.52 FEET TO THE POINT OF BEGINNING; THENCE NORTH $88^{\circ}48'13''$ EAST, A DISTANCE OF 244.19 FEET; THENCE NORTH $32^{\circ}20'13''$ EAST, A DISTANCE OF 215.51 FEET; THENCE NORTH $01^{\circ}11'47''$ WEST, A DISTANCE OF 104.00 FEET; THENCE NORTH $88^{\circ}48'13''$ EAST, A DISTANCE OF 116.48 FEET; THENCE SOUTH $47^{\circ}37'02''$ EAST, A DISTANCE OF 1003.75 FEET; THENCE NORTH $51^{\circ}28'52''$ EAST, A DISTANCE OF 121.52 FEET; THENCE SOUTH $47^{\circ}36'40''$ EAST, A DISTANCE OF 62.26 FEET; THENCE ON A CURVE TO THE LEFT HAVING A RADIUS OF 174.96 FEET, A CHORD BEARING OF SOUTH $69^{\circ}24'23''$ EAST AND A CHORD DISTANCE OF 129.92 FEET, FOR A CURVE LENGTH OF 133.11 FEET; THENCE NORTH $88^{\circ}48'13''$ EAST, A DISTANCE OF 11.37 FEET; THENCE SOUTH $01^{\circ}11'47''$ EAST, A DISTANCE OF 597.57 FEET; THENCE SOUTH $45^{\circ}35'18''$ EAST, A DISTANCE OF 1103.21 FEET TO THE WESTERLY RIGHT OF WAY OF THE CREEK TURNPIKE; THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT OF WAY, ON A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 2810.00 FEET, A CHORD BEARING OF SOUTH $10^{\circ}58'49''$ WEST AND A CHORD DISTANCE OF 180.52 FEET, FOR A CURVE LENGTH OF 180.55 FEET; THENCE SOUTH $09^{\circ}30'04''$ EAST ALONG SAID WESTERLY RIGHT OF WAY, A DISTANCE OF 322.37 FEET; THENCE NORTH $30^{\circ}41'53''$ WEST, A DISTANCE OF 663.41 FEET; THENCE NORTH $79^{\circ}38'30''$ WEST, A DISTANCE OF 250.04 FEET; THENCE NORTH $25^{\circ}10'19''$ WEST, A DISTANCE OF 397.54 FEET; THENCE NORTH $54^{\circ}55'22''$ WEST, A DISTANCE OF 312.14 FEET; THENCE NORTH $08^{\circ}14'41''$ WEST; THENCE NORTH $45^{\circ}26'06''$ WEST, A DISTANCE OF 1131.20 FEET; THENCE SOUTH $29^{\circ}55'04''$ WEST, A DISTANCE OF 844.86 FEET TO THE WEST LINE OF SAID SOUTHWEST QUARTER (SW/4); THENCE NORTH $01^{\circ}30'04''$ WEST ALONG SAID WEST LINE OF THE SOUTHWEST QUARTER (SW/4), A DISTANCE OF 666.87 FEET TO THE POINT OF BEGINNING. CONTAINING 850,975.21 SQUARE FEET OR 19.54 ACRES.

Exhibit B

Surrounding Areas
for
The Cedars at the Preserve



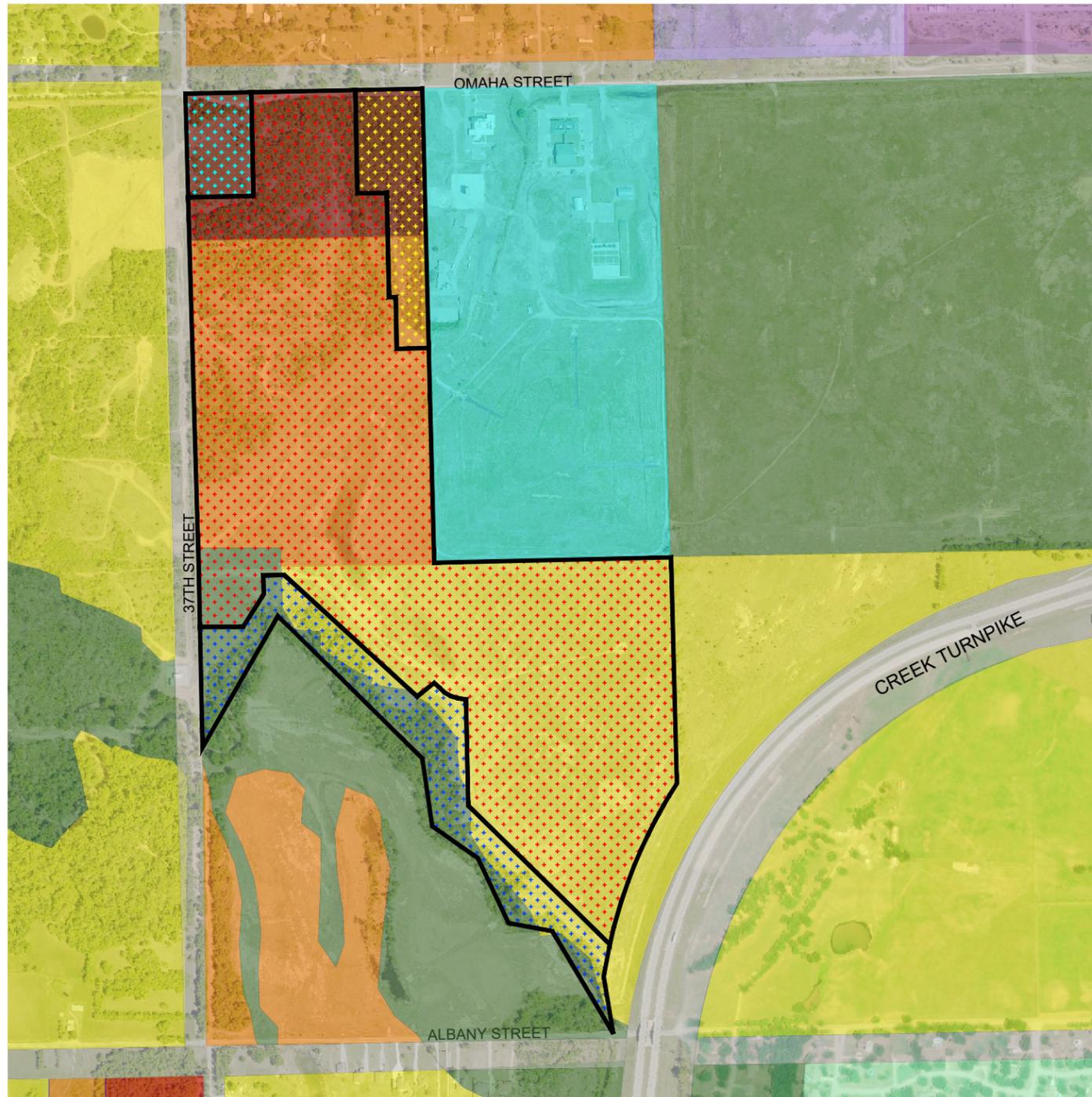
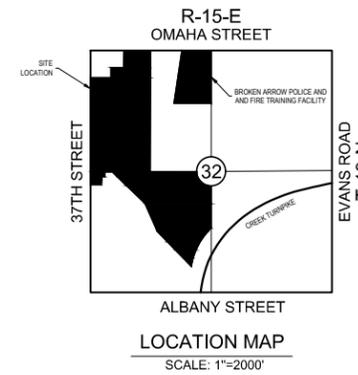
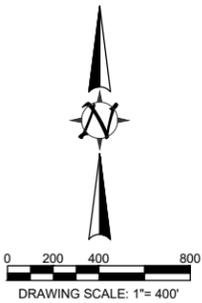
AAB Engineering, LLC

Engineering • Surveying • Land Planning

PO Box 2136 Sand Springs, OK 74063
OK CA#6318 Exp: June 30, 2020
KS CA#2292 Exp: Dec. 31, 2020
Office: (918) 514-4283 Fax: (918) 514-4288

Exhibit C

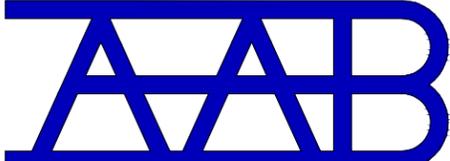
Comp Plan
for
The Cedars at the Preserve



- LEGEND**
-  PROPOSED LEVEL 7
 -  PROPOSED LEVEL 4
 -  PROPOSED LEVEL 2
 -  PROPOSED GREENWAY/ FLOODPLAIN



AAB Engineering, LLC

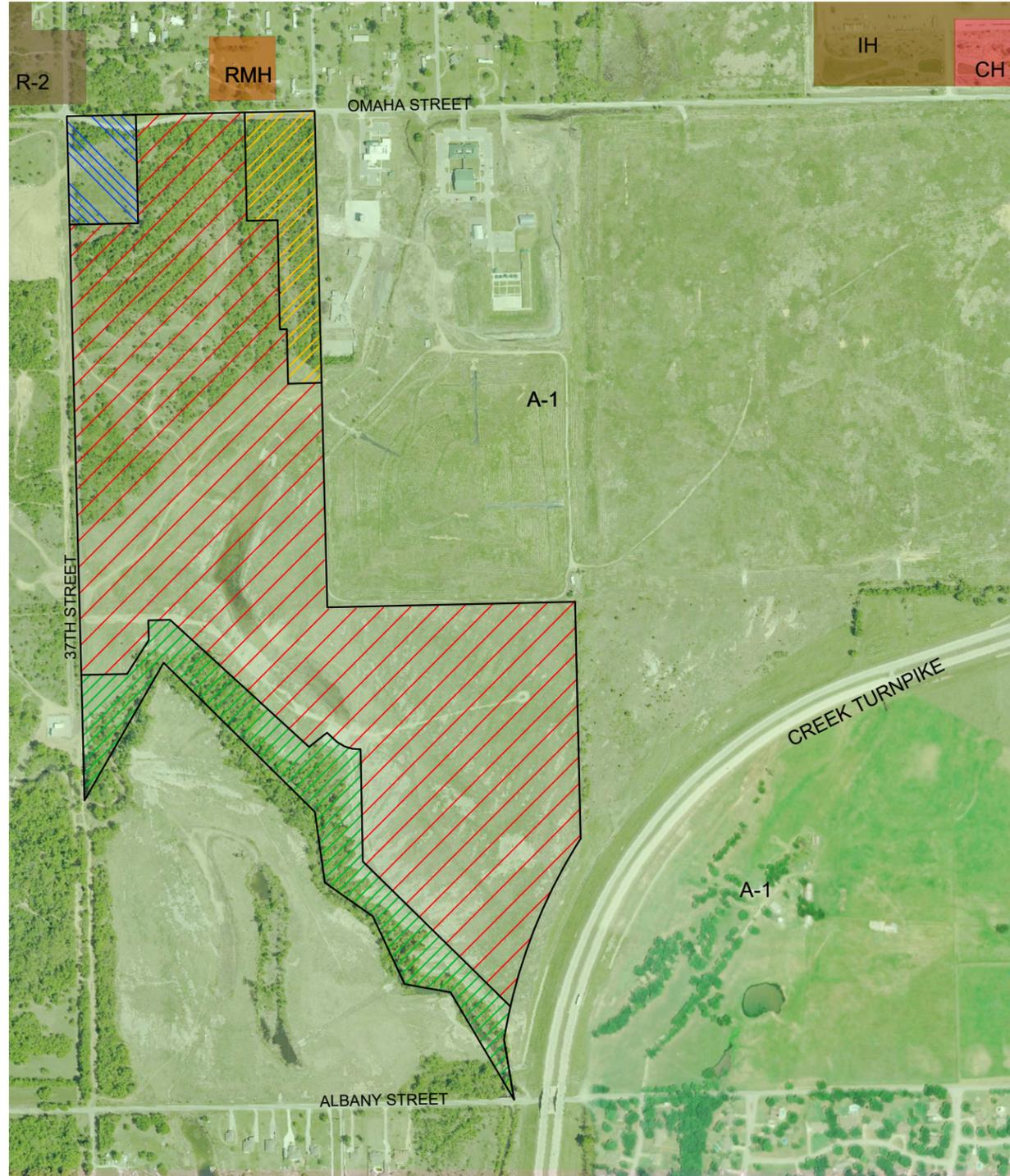
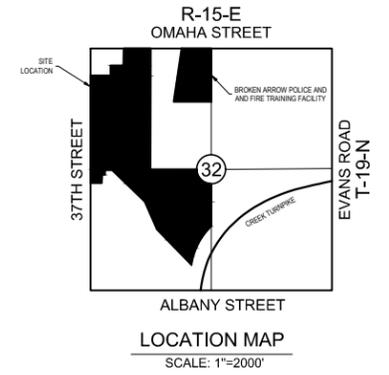
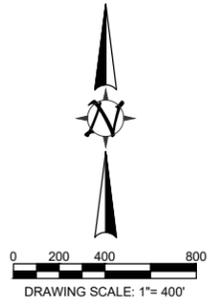


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Exhibit D

Existing & Proposed Zoning
for
The Cedars at the Preserve



LEGEND

- EXISTING ZONE A-1 (AGRICULTURE)
- EXISTING ZONE CH (COMMERCIAL HEAVY)
- EXISTING ZONE IH (INDUSTRIAL HEAVY)
- EXISTING ZONE RMH (RESIDENTIAL MOBILE HOME)
- EXISTING ZONE R-2 (RESIDENTIAL SINGLE-FAMILY)
- PROPOSED ZONE RS-4 (RESIDENTIAL SINGLE-FAMILY)
- PROPOSED ZONE CN (COMMERCIAL NEIGHBORHOOD)
- PROPOSED ZONE IL (INDUSTRIAL LIGHT)
- PROPOSED ZONE FD (FLOODPLAIN)



AAB Engineering, LLC

Engineering • Surveying • Land Planning

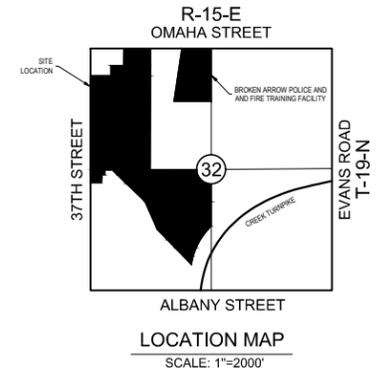
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Exhibit E

Development Areas
for
The Cedars at the Preserve



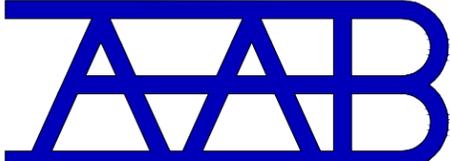
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DRAWING SCALE: 1"= 200'



- LEGEND**
-  DEVELOPMENT AREA A
 -  DEVELOPMENT AREA B
 -  DEVELOPMENT AREA C
 -  DEVELOPMENT AREA D



AAB Engineering, LLC

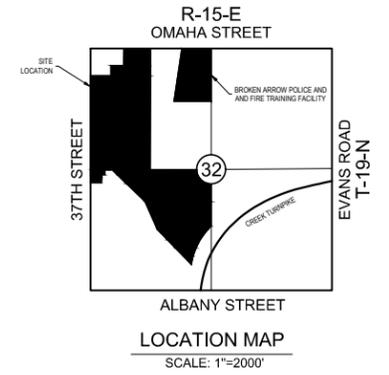
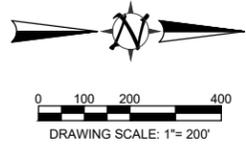


Engineering • Surveying • Land Planning

PO Box 2136 Sand Springs, OK 74063
OK CA#6318 Exp: June 30, 2020
KS CA#2292 Exp: Dec. 31, 2020
Office: (918) 514-4283 Fax: (918) 514-4288

Exhibit F

Conceptual Development Plan
for
The Cedars at the Preserve



AAB Engineering, LLC

Engineering • Surveying • Land Planning

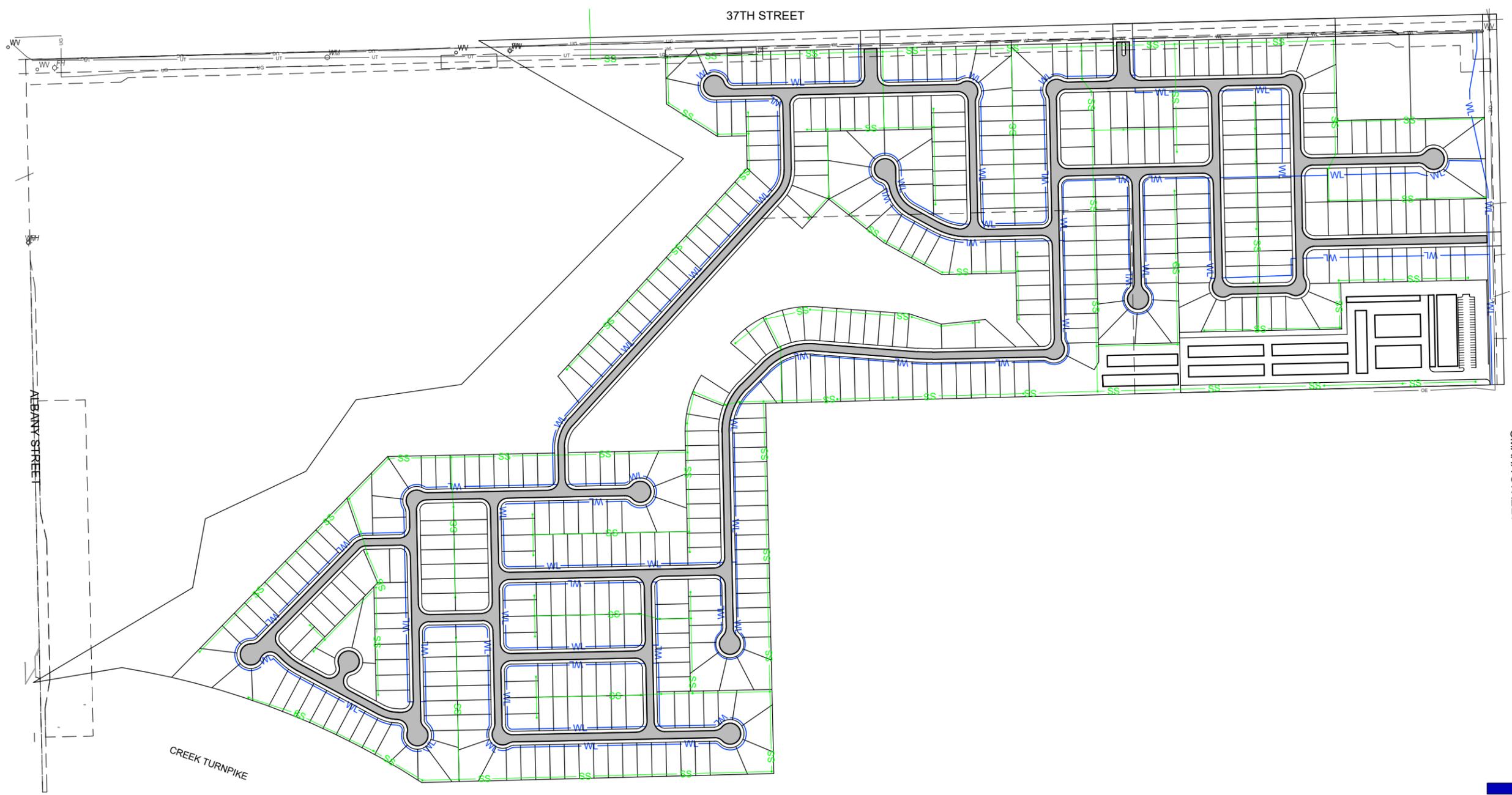
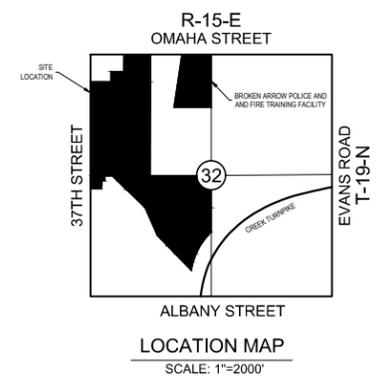
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Exhibit G Conceptual Improvement Plan for

The Cedars at the Preserve



0 100 200 400
DRAWING SCALE: 1"= 200'



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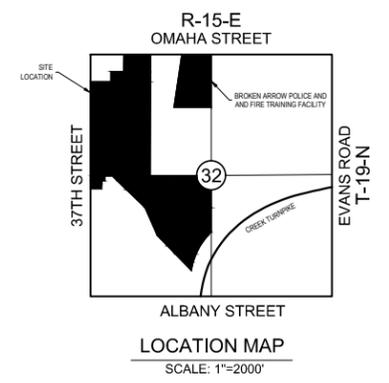
Exhibit H

Existing Topo and Aerial
for

The Cedars at the Preserve



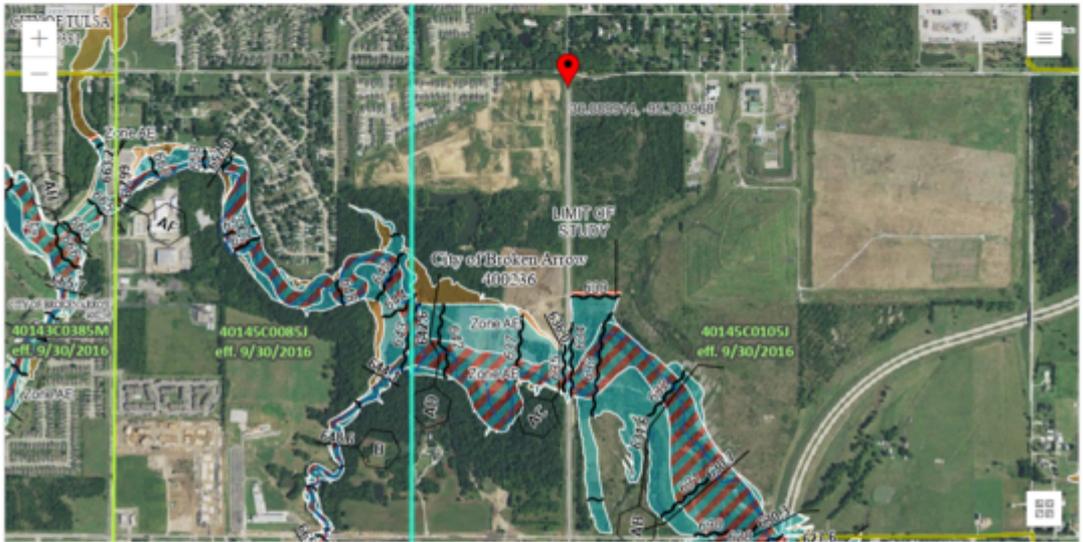
0 100 200 400
DRAWING SCALE: 1"= 200'



AAB Engineering, LLC

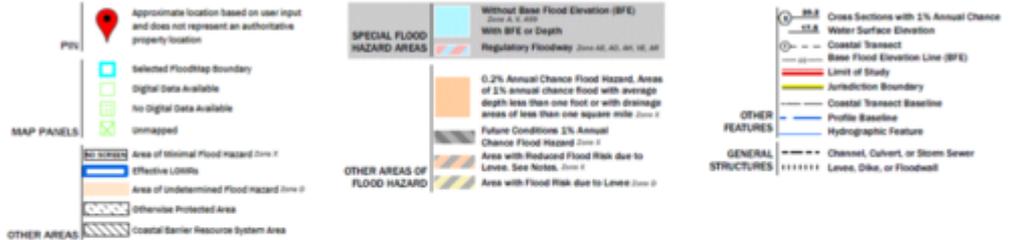
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USDA, USGS The National Map: Orthimagery. Data refreshed June, 2024.

Powered by Esri





City of Broken Arrow

Request for Action

File #: 26-183, Version: 1

**Broken Arrow Planning Commission
02-12-2026**

To: Chairman and Commission Members
From: Community Development Department
Title:

Public hearing, consideration, and possible action regarding PUD-002592-2025 (Planned Unit Development), JCP Expansion, 0.64 acres, CG (Commercial General), located approximately just south of Washington Street (91st Street) and just west of Aspen Place (145th East Avenue), major amendment of PUD-50

Background:

Applicant: Jessi Stringer, Country City, LLC.

Owner: Jonathan Pride, JCP Investments

Developer: N/A

Engineer: N/A

Location: Approximately just south of Washington Street (91st Street) and just west of Aspen Place (145th East Avenue)

Size of Tract 0.64 acres

Number of Lots: 1

Present Zoning: CG - Commercial General

Comp Plan: Level 4 - Commercial/Employment Nodes

PUD-002592-2025 (Planned Unit Development) is a major amendment to PUD-50 on 0.64 acres which is currently platted as Lot 7, Block 1 of the Brentwood Center addition. The property is located just south of Washington Street (91st Street) and just west of Aspen Place (145th East Avenue).

This amendment is intended to facilitate site plan approval of an expansion to an existing building on site. During the site plan review process a parking requirement of 1 parking space per 200 sq. ft. of building space was identified. This would have required 29 parking spaces for the existing building and proposed expansion; however, the site can only accommodate 12. Parking requirements under current code require "Office, business, or professional" uses to have 1 parking space per 350 sq. ft. which would require the existing building and proposed expansion to have 17 spaces. The applicant is requesting to change this parking ratio from 1 parking space per 200 sq. ft. of building floor area to 1 parking space per 525 sq. ft. of building.

The applicant is also requesting to remove the fire lane standards within PUD-50 in favor of modern fire lane regulations. Any fire lane or other fire safety aspect of the site plan will be reviewed and approved by the Broken Arrow Fire Marshal. There were no objections from the fire marshal to this change.

The applicant is also requesting to remove the requirement of Bradford pear trees along the rear of the property

in favor of current landscaping buffer standards. Bradford pear trees are no longer on the list of accepted trees in the current Broken Arrow landscaping regulations.

SURROUNDING LAND USES/ZONING/COMPREHENSIVE PLAN

The surrounding properties contain the following uses, along with the following development guide and zoning designations:

Location	Comprehensive Plan	Zoning	Land Use
North	Level 4 - Commercial/Employment Nodes	CN - Commercial Neighborhood	General Commercial/Retail
East	Level 4 - Commercial/Employment Nodes	CG - Commercial General/PUD-50	General Commercial/Retail
South	Level 4 - Commercial/Employment Nodes	CG - Commercial General/PUD-50	General Commercial/Retail
West	Level 2 - Urban Residential	R-3, Residential Single-Family	Single-Family Residential

According to FEMA National Flood Hazard Layer Maps, no portion of this property is located within the 100-year floodplain. Water and Sanitary Sewer are available from the City of Broken Arrow.

- Attachments:** Case Map
Aerial Photo
Design Statement
PUD-50 Edited

Recommendation:

Based on the location of the property and surrounding land uses, Staff recommends PUD-002592-2025 (Planned Unit Development) be recommended to the Broken Arrow City Council for approval.

Reviewed by: Jane Wyrick

Approved by: Rocky Henkel

JAJ



SUBJECT TRACT

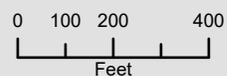


Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: 2024



Subject Tract

PUD-002592-2025



21 18-14





PUD Amendment Request

Design Statement and Amended PUD-50

PROPERTY & OWNER INFORMATION

Owner: Jonathan Pride

Representative: Jessi Stringer with Eight Point Creative, LLC.

PUD Amendment – PUD-002592-2025

Lot 7, Brentwood Center Plat

Amendment to PUD-50 (1984)

I. REQUEST

The applicant requests approval of a minor amendment to Planned Unit Development No. 50 (PUD-50) as it applies to **Lot 7 of the Brentwood Center Plat**, to allow a building expansion of approximately **1,540 square feet**.

The requested amendment is limited in scope and is intended to modernize specific development standards originally adopted in 1984, while maintaining the overall intent of the PUD and ensuring continued compatibility with surrounding properties.

II. EXISTING CONDITIONS

Lot 7 is currently developed with a one-story commercial building that has been in long-term use with a small number of employees. The site has historically functioned with minimal parking demand and limited site circulation impacts.

The existing PUD standards governing Lot 7 were established over forty years ago and include requirements that no longer align with current City of Broken Arrow standards or the operational realities of the site.

III. PROPOSED DEVELOPMENT

The applicant proposes to expand the existing building footprint by approximately **1,540 square feet**. No change in use is proposed as part of this request.

The expansion will comply with all applicable building, fire, and life-safety codes and will be reviewed through the standard site plan and permitting process following PUD approval.

IV. REQUESTED AMENDMENTS

The following amendments are requested **for Lot 7 only**:

A. Parking Ratio Amendment

The original PUD requires a minimum parking standard of one (1) parking space per 200 square feet of building area, which would require a number of parking spaces that is not feasible on Lot 7 without significantly altering site circulation, fire access, and existing development patterns.

The applicant requests approval of a revised parking ratio of:

- ***One (1) parking space per approximately 525 square feet of building area for Lot 7.***

This ratio more accurately reflects the existing and anticipated operational needs of the building and is consistent with the long-standing low-intensity use of the site.

B. Fire Lane and Side Yard Clarification

The original PUD designates side yards as fire lanes with a minimum width of 20 feet. The applicant requests clarification that:

- ***Fire access for Lot 7 shall be provided in accordance with current City of Broken Arrow Fire Department standards, rather than fixed dimensional requirements established in 1984.***

This amendment allows fire access to be reviewed and approved by the Fire Department based on current codes and best practices.

C. Landscaping and Tree Requirement Amendment

The original PUD requires the installation of Bradford Pear trees along specific property lines. The applicant requests removal of the species-specific requirement and approval of the following:

- *Landscaping for Lot 7 shall be provided in accordance with current City of Broken Arrow landscaping standards, subject to staff review and approval.*

This amendment removes an outdated and no longer recommended tree species while maintaining the intent of perimeter screening and landscaping.

V. CONSISTENCY WITH PUD INTENT

The proposed amendments do not alter the fundamental intent of PUD-50. The development will remain commercial in nature and compatible with surrounding uses.

The requested changes modernize specific standards while preserving the established development pattern, access, and overall site character envisioned under the original PUD.

VI. CONCLUSION

The applicant respectfully requests approval of the proposed amendments to PUD-50 as they apply to Lot 7, as the request is limited in scope, consistent with current City standards, and necessary to allow reasonable reinvestment in an existing commercial property.

Thank you,

A handwritten signature in black ink that reads "J. STRINGER". The signature is stylized with a large, sweeping initial "J" and a horizontal line extending to the right.

Jessi Stringer
Eight Point Creative, LLC.
Owner
405.517.9105
EightPointCreative@gmail.com
www.eightpointcreative.com

CITY PLANNING
DEPARTMENT



June 19, 1984

Joe Hanes
10915 E. 31st
Tulsa, Ok 74146

Re: PUD #50

Dear Mr. Hanes,

The Broken Arrow City Council in their meeting of June 18, 1984, conditionally approved PUD #50, a planned unit development application on a tract located south of the southwest corner of Washington (91st) and Aspen (145th).

The Council approved this application with the submitted text and the following conditions.

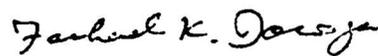
1. Ground signs to be limited in number to one per parcel along the Aspen frontage and located at least 50' from the Aspen right-of-way. All other provisions of the sign ordinance should apply. No temporary or mobile signs should be permitted in this addition other than temporary permitted signs not to exceed 60 days. All mobile signs to conform with existing sign ordinances.
2. A maximum of four access points along Aspen to be allowed. One 30' point in the northeast corner of parcel 1. One 40' point in parcel 1. One 40' point in center of parcel 2 and one 40' point between parcels 2 & 3. Acceleration-deceleration lanes to be provided, for the entire property frontage on Aspen (145th). The design of the acceleration-deceleration lanes to be addressed at the platting stage and the site plan stage.
3. Opaque site screening fences minimum 6' in height to be provided along the south and west property lines.

4. Any proposed two story structure shall be located a minimum distance of 75' from any residential zoned area. All one story structures can be permitted within a minimum 50' distance from a residential zoned area.
5. ~~A minimum parking space standard of one space per 200 sq. ft. of building area should be provided for all parcels.~~ For Lot 7 only, a minimum parking standard of one (1) parking space per approximately 525 square feet of building area shall be required.
6. Plat restrictive covenant provisions should specify that maintenance of the private street should be the responsibility of all parcel owners. The construction schedule of that street should also be specified.
7. ~~Side yards to be at least 20' wide and designated as fire lanes.~~ Side yard setbacks shall be provided in accordance with the approved site plan for Lot 7 of PUD-50. Fire access at Lot 7 shall be provided in accordance with current City of Broken Arrow Fire Department standards.
8. The property shall be replatted.
9. Final site plans for each parcel to be submitted before issuance of building permits.
10. No vehicles under major repair to be parked outside overnight.
11. ~~Bradford Pear trees (approx. 6' high) to be planted at 25' centers on the west, south and east property lines as shown in the applicants presentation to the Planning Commission.~~ Landscaping at Lot 7 shall be provided in accordance with current City of Broken Arrow landscaping standards.

Action by the Council is recorded in the minutes of the June 18, 1984 meeting.

Should you have any questions regarding this matter, please contact me.

Sincerely,



Farhad K. Daroga
City Planner

FKD/sn

cc: Jim Whitlock
Bob Acklin, Brentwood Development Inc.

PLANNED UNIT DEVELOPMENT

FOR

BRENTWOOD CENTER

PLANNED UNIT DEVELOPMENT
FOR
BRENTWOOD CENTER

DEVELOPMENT CONCEPT

Brentwood Center is a commercial development providing individual lots for different commercial uses.

Existing zoning of C-2 permits the construction of a neighborhood shopping center. The proposed zoning as shown on Exhibit "A" requires that a portion of the property be zoned C-4. This new zoning permits the operation of a retail automotive parts and supply store and auto repair. This PUD will limit the use of this C-4 zoned area to a combined auto parts and supply with attached auto repair facilities.

The location of Brentwood Center along South Aspen Avenue, just South of West Washington Street provides ready access to the arterial street system.

A landscape buffer abutted the existing residential development to the West and South together with additional required landscaping are a primary design feature of Brentwood Village. A mutual access roadway with landscaped islands required as a delineator will also provide additional esthetic appeal.

Any required sanitary sewers, water mains, storm sewers and section line street paving improvements will be constructed in accordance with the requirements of the City of Broken Arrow.

STATISTICAL SUMMARY

Area:	228,367 s.f.
Maximum Coverage:	75,361 s.f. = 32.99%
Minimum Building Line Set back along Aspen:	50 feet
Minimum Rear Building Line Set back Adjacent to the Residential Development:	<i>C-2 requirement</i> 50 feet (1 story) 75 feet (2 story)
Minimum Set back along North Property Line:	30 feet
Parking - Parking/Floor Area:	3/1

DEVELOPMENT STANDARDS

Area:

Lot 1	39,321 s.f.
Lot 2	54,354 s.f.
Lot 3	28,691 s.f.
Lot 4	27,064 s.f.
Lot 5	19,151 s.f.
Lot 6	32,467 s.f.
Lot 7	27,319 s.f.
Total	<u>228,367 s.f.</u>

Maximum Coverage*/Height

Lot 1	11,284 s.f./1 story
Lot 2	19,628 s.f./2 story
Lot 3	9,468 s.f./1 story
Lot 4	8,931 s.f./1 story
Lot 5	6,319 s.f./1 story
Lot 6	10,714 s.f./1 story
Lot 7	9,015 s.f./1 story
Total	<u>75,359 s.f.</u>

*By mutual consent of two or more lot owners, allowable coverage may be transferred between lots, except that the total maximum coverage of the affected lots may not exceed the total maximum coverage allowed for said affected lots.

Minimum Building Line

Set back Along Aspen: 50 feet

Minimum Rear Building Line

Set back Adjacent to the Residential Development: *75' on 2-story* 50 feet

Minimum Building Set back along

North Property Line: 30 feet

Minimum Side Yard Set backs:

Lot 1	15 feet
Lot 2	15 feet, 1 story; 30 feet, 2 story
Lot 3	15 feet
Lot 4	15 feet
Lot 5	15 feet
Lot 6	15 feet
Lot 7	15 feet

Minimum Set back Adjacent to the Mutual Access Roadway -

From Lot Line: 

40 feet

Parking - Parking/Floor Area:

3/1

Uses Permitted:

Lots 1, 3, 4, 5, 6 and 7

Per Section 23.3, Column C-2 of the Zoning Ordinance.

Lot 2

Combined Auto parts and supply with attached auto repair facility or Per Section 23.3, Column C-2 of the Zoning Ordinance.

Signs:

Should be behind B layout


Per Article 6, Section 15.9 for the C-1 General Commercial District. All signs along Aspen must be no closer than the East property line, no encroachment on the dedicated street will be allowed.

Landscaping - General:

Landscaping as shown on Exhibit "B" will be required. This includes an 8 feet wide landscape buffer adjacent to the residential development to the West and South, a 5 feet wide strip between drives adjacent to the mutual access roadway and an 8 feet wide strip adjacent to the East property line.

Landscaping per Lot:

In addition to the Landscaping required under "Landscaping - General", each Lot shall have the following square feet of landscaping required:

Lot 1	500 s.f.
Lot 2	430 s.f.
Lot 3	320 s.f.
Lot 4	350 s.f.
Lot 5	360 s.f.
Lot 6	600 s.f.
Lot 7	300 s.f.

This landscaping shall be located on an affected Lot so as to provide a pleasing and esthetic value to the Plot Plan Layout.

Plot Plan and Landscaping Approval:

Prior to application for a building permit, on any affected lot, _____ sets of the Plot Plan with the landscaping shown shall be submitted to the Planning Commission for approval. All plants shall be shown with both their common and scientific name.

LEGAL DESCRIPTION

All of Lot 4, Block 1 of Brentwood Village, an addition to the City of Broken Arrow, Tulsa County, Oklahoma, according to the recorded plat thereof, containing 228,367 square feet more or less.



City of Broken Arrow

Request for Action

File #: 26-274, **Version:** 1

**Broken Arrow Planning Commission
Meeting of: 2/12/2026**

Title:

Presentation and discussion about the 7 propositions of the 2026 General Obligation Bond package, and a separate 8th proposition to fund improvements at the public sports facilities

Background:

During its regular meeting on January 6, 2026, the City Council approved and called for a special election on April 7, 2026, regarding the General Obligation Bond package. The package includes propositions comprised of \$415 million in capital improvement projects related to transportation, public safety, quality of life, public facilities, stormwater, drainage, and a partnership with Tulsa City County Library. These seven propositions, if approved by voters, would have no impact on the current property tax rate in Broken Arrow.

In addition to the first seven propositions, City Council approved a vote on an eighth proposition for voters to decide on a one-half cent sales tax increase to fund much-needed improvements at the public sports facilities in Broken Arrow. If Proposition 8 is approved by voters, the new sales tax rate would be implemented on July 1, 2026, and expires on June 30, 2031, per Ordinance No. 3904. The one-half cent sales tax increase is estimated to generate \$53 million during the temporary five-year period.

These approvals of the City Council are the culmination of more than two years of planning for the General Obligation Bond package. Due to the collaborative efforts of the Council, city staff, citizens, school district, business leaders, civic organizations, community groups, youth and adult sports organizations, and others, the package is now final and ready to be shared with the community.

City staff will conduct a Public Education campaign to meet citizens across the city over the next two months. The goal is to lead a transparent and informative campaign that helps Broken Arrow residents understand the key elements and budgets for the proposed propositions, how bonds work, how they are used by municipalities, how the projects were chosen, the impact of each project on the future of the community, the voting process, and the various ways citizens will have to learn more about the projects at their convenience.

Cost: \$0

Funding Source: N/A

Requested By: Kenneth Schwab, Assistant City Manager - Operations

Approved By: City Manager's Office

Attachments:

Recommendation:

No action required.