

Kenosha Villas

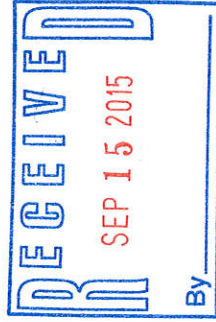
PUD 191B

AN ADDITION TO THE CITY OF BROKEN ARROW, OKLAHOMA
A PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW/4 SE/4)
OF SECTION FOUR (4), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14)
EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA

OWNER:
Ronald E. Smith,
Revocable Trust
1917 West "C" Street
Jenks, Oklahoma 74066
Phone: (918) 298-0052
Fax: (918) 298-0966
Contact: Ronald E. Smith, Trustee
email: ronessmith@rescoentrinc.com

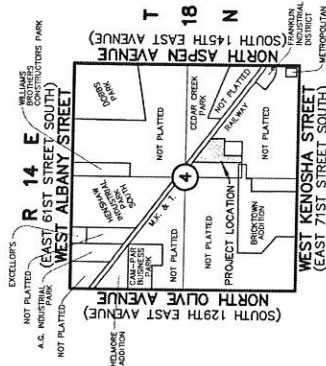
ENGINEER:
Sanders Engineering, Inc.
C.A. No. 2370, EXPIRES DATE 6/30/2017
11502 S. 66th E. Ave.
Bixby, Oklahoma 74008
Phone: (918) 296-5067
Fax: (918) 296-5068
Contact: Robert David Sanders, PE.
email: rdsand1@sbcglobal.net

SURVEYOR:
Pennco Surveying
C. A. No. 2074, EXPIRES 6/30/2017
Alan Mark Penn, L.S.
P.O. Box 657
Bristow, Oklahoma 74010
Phone: (918) 367-2942



- Legend**
- B/L = BUILDING LINE
 - U/E = UTILITY EASEMENT
 - LS/E = LANDSCAPE EDGE
 - OD/E = OVERLAND DRAINAGE EASEMENT
 - MA/E=MUTUAL ACCESS EASEMENT
 - [2670] = ADDRESS
 - PROPERTY BOUNDARY
 - DEVELOPMENT AREA BNDY
 - BLOCK/RESERVE
 - RIGHT-OF-WAY
 - LOT LINE
 - BUILDING LINE
 - EASEMENT
 - EASEMENT CENTERLINE

Location Map



SCALE: 1"=300'
SUBDIVISION CONTAINS
TWO (2) LOTS IN ONE (1) BLOCK
GROSS SUBDIVISION AREA: 11.27 ACRES

Note:

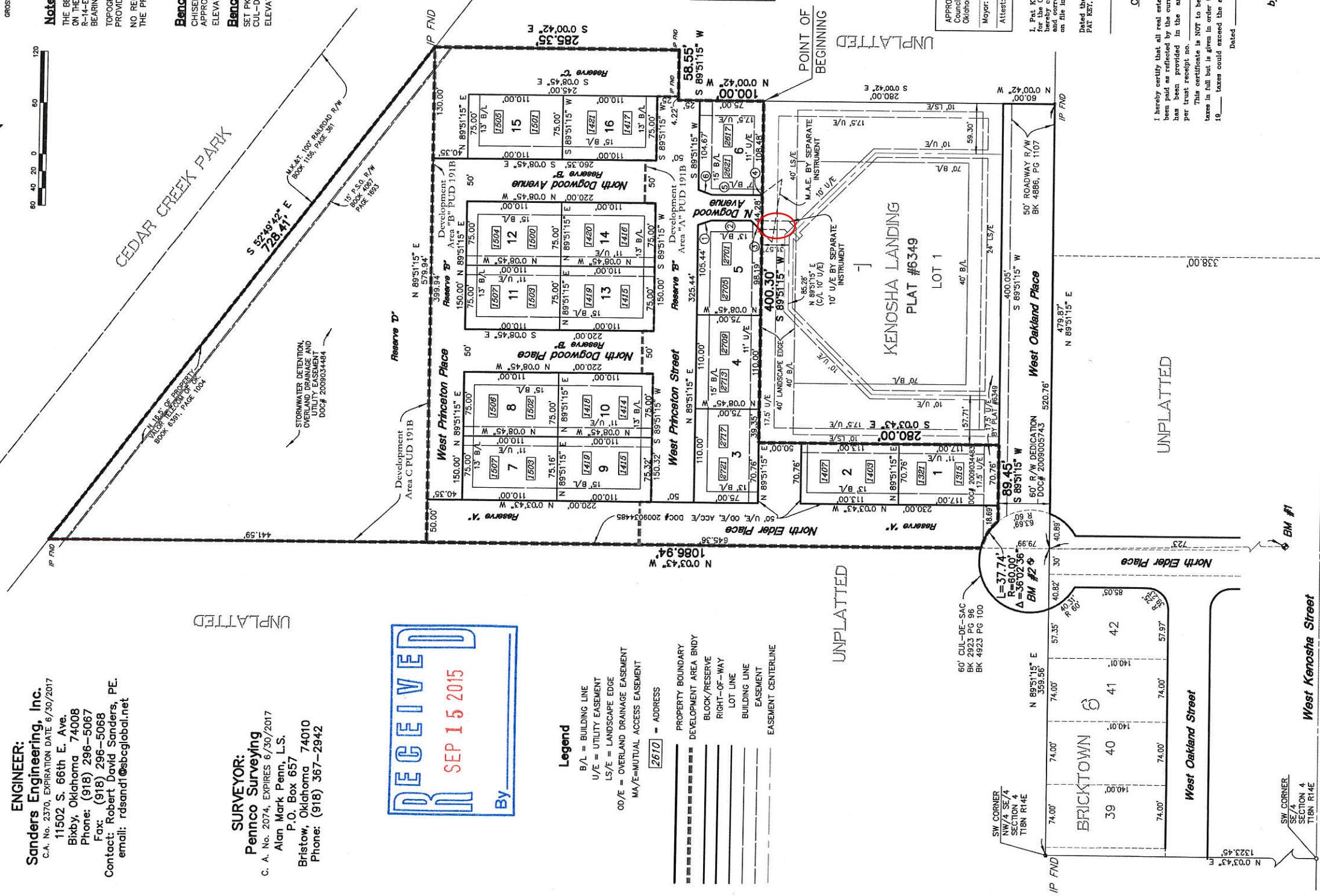
THE BEARINGS SHOWN HEREON ARE BASED ON THE EASTERN LINE OF SECTION 4, 18-N, R-14-E HAVING AN ASSUMED NON-ASTRONOMICAL BEARING OF DUE NORTH.
TOPOGRAPHY SHOWN ON THESE PLANS AS PROVIDED BY PENNCO SURVEYING.
NO REGULATORY FLOODPLAIN EXISTS ON THE PROPERTY SHOWN ON THIS PLAT.

Bench Mark #1
CHISELED SQUARE ON TOP OF CURB APPROX. 723' SOUTH OF SW CORNER ELEVATION 705.68 (NGVD 29)

Bench Mark #2
SET PK NAIL AT RADIUS POINT OF EXISTING CUL-DE-SAC ELEVATION 715.52 (NGVD 29)



CEDAR CREEK PARK



Dist.	Bearing
1. 16.92'	S 19°08'09" E
2. 46.00'	S 0°08'45" E
3. 18.22'	S 44°19'28" W
4. 2.56'	S 35°32'41" E
5. 56.94'	N 0°08'45" W
6. 16.92'	N 18°50'39" E

APPROVED
by the City
Council of the City of Broken Arrow,
Oklahoma.
Mayor: Craig Thurmond
Attest: City Clerk: Mary "Liza" Bryce

I, Pat Key, Tulsa County Clerk, in and to all whom these presents shall come, hereby certify that this above named, do and correct copy of a like instrument now on file in my office.

Dated the _____ day of _____ 20____
Pat Key, Tulsa County Clerk
Deputy

CERTIFICATE

I hereby certify that all real estate taxes involved in this plat have been paid as reflected by the current tax rolls. Security as required has been provided in the amount of \$ _____ to be applied to 18____ taxes. This certificate is NOT to be construed as payment of 18____ taxes in full but is given in order that this plat may be filed on record. 18____ taxes could exceed the amount of the security deposit.

Dated _____ 19____
Dennis Semler
Tulsa County Treasurer
by _____ Deputy

CASE NO. ETS-112
DEVELOPMENT NO.
Kenosha Villas
SHEET 1 OF 2
Date Prepared: AUGUST 18, 2015

Kenosha Villas

PUD 191B

**AN ADDITION TO THE CITY OF BROKEN ARROW, OKLAHOMA
A PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW/4 SE/4)
OF SECTION FOUR (4), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14)
EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA**

KENOSHA VILLAS DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

THAT RONALD E. SMITH, REVOCABLE TRUST, RONALD E. SMITH, TRUSTEE, HEREINAFTER REFERRED TO AS "OWNER", IS THE OWNER OF THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT:

A PART OF THE SOUTHEAST QUARTER (SE/4) OF SECTION FOUR (4), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT THE NORTHEAST CORNER OF KENOSHA LANDING, AN ADDITION TO THE CITY OF BROKEN ARROW, OKLAHOMA ACCORDING TO PLAT NO. 6348 RECORDED JULY 2, 2010; THENCE S89°51'5" W A DISTANCE OF 400.30 FEET; THENCE S00°03'43"E A DISTANCE OF 280.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY OF WEST OKLAND PLACE; THENCE S89°51'5" W ALONG SAID NORTH RIGHT-OF-WAY A DISTANCE OF 88.45 FEET; THENCE NORTHWESTERLY ON A CURVE OF 157.137148" RADIUS, CHORD LENGTH OF 37.13 FEET AT A BEARING OF N57°33'48" W, CURVE LENGTH 60.00 FEET, AND A DELTA ANGLE OF 36°02'36" FOR A CURVE LENGTH 77.77 FEET TO A POINT OF BEGINNING OF 1088.94 FEET; THENCE S00°03'43" W A DISTANCE OF 1088.94 FEET; THENCE S52°49'42"E A DISTANCE OF 728.41 FEET; THENCE S00°00'42"E A DISTANCE OF 285.35 FEET; THENCE S89°51'5" W A DISTANCE OF 58.55 FEET; THENCE S00°00'42"E A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING, AND CONTAINING 8.70 ACRES, MORE OR LESS.

THE OWNER HAS CAUSED THE ABOVE DESCRIBED LANDS TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO (1) BLOCK, SIXTEEN (16) LOTS AND FOUR (4) RESERVES, IN CONFORMITY WITH THE SAVING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS "KENOSHA VILLAS", A SUBDIVISION IN THE CITY OF BROKEN ARROW, TULSA COUNTY, OKLAHOMA.

SECTION I. STREETS, EASEMENTS AND UTILITIES

A. PUBLIC STREETS AND GENERAL UTILITY EASEMENTS

THE OWNER DOES HEREBY DEDICATE FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED THEREON, INCLUDING THE RIGHT OF UTILITY EASEMENT, REPAIRING, REPLACING, AND/OR RELOCATING, MAINTAINING, OPERATING, INCLUDING STORM SEWERS, SANITARY SEWERS, TELEPHONE, CABLE TELEVISION LINES, ELECTRIC POWER LINES, AND TRANSFORMERS, GAS LINES, WATER MAINS AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE SOLES, WIRES, CONDUITS, PIPES, VALVES, METERS AND EQUIPMENT FOR EACH OF SUCH UTILITIES AND ANY OTHER APPURTENANCES THERETO, WITH THE RIGHTS AND PURPOSES APPLICABLE THEREON. HOWEVER, THE OWNER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, REPAIR, REPLACE, RELOCATE AND SEWER LINES, TOGETHER WITH THE RIGHT OF ACCESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING AND REPAIRING, AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO THE COVENANTS INCLUDED IN THE PLAT. THE OWNER HEREBY IMPOSES A RESTRICTIVE COVENANT UPON ANY AFFECTED LOT, BROKEN ARROW, OKLAHOMA, AND SHALL BE ENFORCEABLE BY THE CITY OF BROKEN ARROW, OKLAHOMA, BY THE SUPPLIER OF ANY AFFECTED UTILITY, TELEPHONE, CABLE TELEVISION OR GAS EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT. NO PART WITHIN THE UTILITY OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION SHALL BE REMOVED, RELOCATED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING AND LANDSCAPING THAT DO NOT CONSTITUTE AN OBSTRUCTION.

B. ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICE

OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC SERVICES MAY BE LOCATED ALONG THE NORTH PERIMETER BOUNDARY OF THE SUBDIVISION AS DEPICTED WITHIN PUBLIC RIGHT-OF-WAY OR WITHIN A UTILITY EASEMENT AS DEPICTED ON THE ACCOMPANYING PLAT. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY UNDERGROUND CABLE, AND ELSEWHERE THROUGHOUT THE SUBDIVISION ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN THE EASTERN RIGHT-OF-WAY AND/OR STREETS AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE FEEDSTALS AS DEPICTED ON THE ACCOMPANYING PLAT SHALL BE LOCATED IN EASEMENT AREAS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN EASEMENT AREAS.

UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WHICH MAY BE BUILT WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST GAS MAIN WITHIN THE SUBDIVISION TO THE NEAREST POINT OF USAGE DETERMINED BY THE LOCAL GAS SUPPLIER OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCAL GAS SUPPLIER. THE LOCATION OF SUCH STRUCTURE AS MAY BE LOCATED UPON THE LOT OR PARCELS THEREON UPON THE INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE AND NON-EXCLUSIVE RIGHT OF ACCESS TO THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE GAS MAIN, SERVICE FEEDSTAL OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.

THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICES, THROUGH THE CITY OF BROKEN ARROW, OKLAHOMA, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL EASEMENT AREAS WITHIN THE SUBDIVISION FOR THE PURPOSE OF REPAIRING, REPLACING, MAINTAINING, OPERATING, RELOCATING OR REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES SO INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.

LOT OWNERS SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES, LOT OWNERS SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES WITH THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. EACH SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE TO UNDERGROUND 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 SUPPLIERS OF THE ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICE AND THE OWNERS OF THE LOTS AGREE TO BE BOUND HEREBY.

C. WATER AND SEWER SERVICE

THE LOT OWNERS SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER AND SEWER MAINS LOCATED THEREON.

WITHIN THE DEPICTED UTILITY EASEMENT AREAS, IF THE GROUND ELEVATIONS ARE ALTERED FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER OR SEWER MAIN, ALL GROUND LEVEL APPURTENANCES, TO INCLUDE: VALVE BOXES, FIRE HYDRANTS AND MANHOLES WILL BE ADJUSTED TO THE NEW GRADE BY THE OWNER OR AT THE OWNER'S EXPENSE.

THE CITY OF BROKEN ARROW, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER AND SEWER MAINS, BUT THE OWNER OR LOT OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, LOT OWNER, HIS AGENTS OR CONTRACTORS.

THE CITY OF BROKEN ARROW, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL EASEMENT AREAS 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.

THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH C SHALL BE ENFORCEABLE BY THE CITY OF BROKEN ARROW, OKLAHOMA, OR ITS SUCCESSORS, AND THE LOT OWNERS AGREE TO BE BOUND HEREBY.

D. SURFACE DRAINAGE

THE LOTS 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 OBSTRUCTION WHICH WOULD IMPAIR OR INTERFERE WITH THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS THE SUBDIVISION. COVENANTS SET FORTH IN THIS PARAGRAPH D SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF BROKEN ARROW, OKLAHOMA.

E. PAVING AND LANDSCAPING WITHIN EASEMENTS

THE OWNER OF THE LOT AFFECTED SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO LANDSCAPING CAUSED BY NECESSARY INSTALLATION OR MAINTENANCE OF UNDERGROUND WATER OR SEWER FACILITIES, TELEPHONE, CABLE TELEVISION, OR ELECTRIC FACILITIES WITHIN THE UTILITY EASEMENTS. THE OWNER SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO THE UTILITY SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

F. RESERVE "A"

1. THE OWNER HAS ESTABLISHED AND DEDICATED FOR PUBLIC USE A MUTUAL ACCESS, OVERLAND DRAINAGE AND UTILITY EASEMENT ON, OVER AND ACROSS THE PROPERTY, SHOWN ON THE ACCOMPANYING PLAT, AS RESERVE "A", FOR THE PURPOSE OF PERMITTING THE CONVEYANCE AND DISCHARGE OF STORMWATER FROM WITHIN THE SUBDIVISION; AND, FOR THE PURPOSE OF PERMITTING INGRESS AND EGRESS FOR MAINTENANCE AND PROVIDING EASEMENT FOR UTILITIES TO SERVE THE SUBDIVISION.

2. THE MAINTENANCE OF RESERVE AREA "A", AND ANY IMPROVEMENTS, INCLUDING THE PRIVATE STREETS LOCATED THEREON, SHALL BE THE RESPONSIBILITY OF THE SUBDIVISION LOT OWNERS OF RECORD. EACH OWNER'S FINANCIAL LIABILITY WILL BE LIMITED TO 1/16TH TIMES NUMBER OF LOTS OWNED.

G. RESERVE "B"

1. THE OWNER HAS ESTABLISHED AND DEDICATED FOR PUBLIC USE A MUTUAL ACCESS, OVERLAND DRAINAGE AND UTILITY EASEMENT ON, OVER AND ACROSS THE PROPERTY, SHOWN ON THE ACCOMPANYING PLAT, AS RESERVE "B", FOR THE PURPOSE OF PERMITTING THE CONVEYANCE AND DISCHARGE OF STORMWATER FROM WITHIN THE SUBDIVISION; AND, FOR THE FURTHER PURPOSE OF PERMITTING INGRESS AND EGRESS FOR MAINTENANCE AND PROVIDING EASEMENT FOR UTILITIES TO SERVE THE SUBDIVISION.

2. THE MAINTENANCE OF RESERVE AREA "B", AND ANY IMPROVEMENTS, INCLUDING THE PRIVATE STREETS LOCATED THEREON, SHALL BE THE RESPONSIBILITY OF THE SUBDIVISION LOT OWNERS OF RECORD. EACH OWNER'S FINANCIAL LIABILITY WILL BE LIMITED TO 1/16TH TIMES NUMBER OF LOTS OWNED.

H. RESERVE "C"

1. THE OWNER HAS ESTABLISHED AND DEDICATED FOR PUBLIC USE A LANDSCAPE, MUTUAL ACCESS, OVERLAND DRAINAGE AND UTILITY EASEMENT ON, OVER AND ACROSS THE PROPERTY, SHOWN ON THE ACCOMPANYING PLAT, AS RESERVE "C", FOR THE PURPOSE OF PERMITTING LANDSCAPE AND AESTHETIC IMPROVEMENTS, PURPOSE OF PERMITTING LANDSCAPE AND DISCHARGE OF STORMWATER FROM WITHIN THE SUBDIVISION; AND, PROVIDING COMMON AREA INGRESS AND EGRESS FOR MAINTENANCE AND PROVIDING EASEMENT FOR UTILITIES TO SERVE THE SUBDIVISION.

2. THE MAINTENANCE OF RESERVE AREA "C", AND ANY IMPROVEMENTS THEREON SHALL BE THE RESPONSIBILITY OF THE SUBDIVISION LOT OWNERS OF RECORD. EACH OWNER'S FINANCIAL LIABILITY WILL BE LIMITED TO 1/16TH TIMES NUMBER OF LOTS OWNED.

I. RESERVE "D" STORMWATER DETENTION FACILITY

1. THE OWNER HAS ESTABLISHED AND DEDICATED FOR PUBLIC USE A PERPETUAL STORMWATER DETENTION, OVERLAND DRAINAGE AND UTILITY EASEMENT ON, OVER AND ACROSS THE PROPERTY, SHOWN ON THE ACCOMPANYING PLAT AS RESERVE "D", FOR THE PURPOSE OF PERMITTING THE CONVEYANCE, DETENTION AND DISCHARGE OF STORMWATER FROM WITHIN THE SUBDIVISION; AND, FOR THE FURTHER PURPOSE OF PERMITTING INGRESS AND EGRESS FOR MAINTENANCE AND PROVIDING EASEMENT FOR UTILITIES TO SERVE THE SUBDIVISION.

2. THE OWNERSHIP OF RESERVE "D" SHALL REMAIN WITH RONALD E. SMITH REVOCABLE TRUST, THE SIGNATORY OF THIS PLAT, OR WITH HIS HEIRS OR ASSIGNS.

3. THE COSTS OF MAINTAINING THE STORMWATER DETENTION FACILITY LOCATED WITHIN RESERVE "D", INCLUDING THE PERFORMANCE OF ROUTINE AND CUSTOMARY GROUNDS MAINTENANCE SHALL BE THE RESPONSIBILITY OF THE OWNER(S) OF LOT 1 BLOCK 1, KENOSHA LANDING, PLAT NO. 6348, AS FUTURE OWNERS OF LOT 1 BLOCK 1, KENOSHA LANDING. SUCH MAINTENANCE SHALL INCLUDE BUT NOT BE LIMITED TO THE FOLLOWING:

- STORMWATER DETENTION FACILITY SHALL BE KEPT FREE OF LITTER.
- STORMWATER DETENTION FACILITY SHALL BE MOVED DURING THE GROWING SEASON AT INTERVALS NOT EXCEEDING FOUR (4) WEEKS.
- STORMWATER DETENTION FACILITY EMBANKMENT AND OUTLET STRUCTURE SHALL BE KEPT IN GOOD WORKING CONDITION.

SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS KENOSHA VILLAS WAS SUBMITTED AS A PLANNED UNIT DEVELOPMENT DESIGNATED AS PUD-191B, PURSUANT TO SECTION 6.4 OF THE ZONING ORDINANCE OF THE CITY OF BROKEN ARROW, OKLAHOMA, ORDINANCE NUMBER 2931 AS SAID THE CITY OF BROKEN ARROW, OKLAHOMA, ON FEBRUARY 1, 2008 OR AS AMENDED AS OF FEBRUARY 16, 2012; AND WHEREAS IT IS RECOMMENDED FOR APPROVAL BY THE BROKEN ARROW PLANNING COMMISSION ON JULY 11, 2015, AND APPROVED BY THE COUNCIL OF THE CITY OF BROKEN ARROW, OKLAHOMA ON JULY 7, 2015, SUBJECT TO THIS PLAT; AND

WHEREAS, THE OWNER DESIRES TO ESTABLISH RESTRICTIONS FOR THE PURPOSE OF ACHIEVING AN ORDERLY DEVELOPMENT FOR THE MUTUAL BENEFIT OF THE OWNER, THE OWNER'S SUCCESSORS IN TITLE AND THE CITY OF BROKEN ARROW, OKLAHOMA; AND

WHEREAS, THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE BROKEN ARROW ZONING ORDINANCE REQUIRE THE ESTABLISHMENT OF COVENANTS OF RESTRICTIONS WHICH SHALL BE ENFORCEABLE BY THE CITY OF BROKEN ARROW, OKLAHOMA, SUBJECT TO THE CITY OF BROKEN ARROW CONTINUED COMPLIANCE WITH THE APPROVED PLANNED UNIT DEVELOPMENT AND AMENDMENTS THEREIN; NOW, THEREFORE, THE OWNER DOES HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS WHICH SHALL BE COVENANTS RUNNING WITH TITLE AND SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH.

THE DEVELOPMENT OF THE PROPERTY SHALL BE SUBJECT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE BROKEN ARROW ZONING ORDINANCE AS SUCH PROVISIONS EXISTED ON FEBRUARY 1, 2008, OR AS MAY BE SUCCESSIVELY AMENDED.

A. PERMITTED USE: THE PERMITTED USE OF DEVELOPMENT AREAS "A" AND "B" WITHIN BLOCK 1, AS PERMITTED IN ZONING DISTRICT RD, IS RESTRICTED TO SINGLE-FAMILY ATTACHED/DUPLEX DWELLING UNITS.

B. DEVELOPMENT STANDARDS: THE DEVELOPMENT OF KENOSHA VILLAS SHALL BE SUBJECT TO THE PROVISIONS OF PLANNED UNIT DEVELOPMENT NO. 191B INCLUDING BUT NOT LIMITED TO THE FOLLOWING:

BLOCK 1 - DEVELOPMENT AREA "A" - LOTS 1 THROUGH 6

ZONING ORDINANCE	PUD 191B
LAND AREA:	
DWELLING UNITS:	2,143 ACRES
MINIMUM LOT AREA - SINGLE FAMILY ATTACHED/DUPLEX	12
MINIMUM LOT AREA - SINGLE FAMILY ATTACHED/DUPLEX	4000/8000 S.F.
MINIMUM LOT FRONTAGE	40/70 FEET
MINIMUM BUILDING SETBACKS:	35 FEET/2.5 STORES
FRONT UNATTACHED SIDE	25 FEET
REAR UNATTACHED SIDE	10 FEET
SIGNAGE	20 FEET
	PER ZONING ORDINANCE

BLOCK 1 - DEVELOPMENT AREA "B" - LOTS 7 THROUGH 18

ZONING ORDINANCE	PUD 191B
LAND AREA:	
DWELLING UNITS:	3,617 ACRES
MINIMUM LOT AREA - SINGLE FAMILY ATTACHED/DUPLEX	20
MINIMUM LOT AREA - SINGLE FAMILY ATTACHED/DUPLEX	4000/8000 S.F.
MINIMUM LOT FRONTAGE	40/70 FEET
MINIMUM BUILDING SETBACKS:	55/110 FEET
FRONT UNATTACHED SIDE	35 FEET/2.5 STORES
REAR UNATTACHED SIDE	15 FEET
SIGNAGE	20 FEET
	PER ZONING ORDINANCE

BLOCK 1 - DEVELOPMENT AREA "C"

LAND AREA:	2.940 ACRES
LAND USE IS RESTRICTED TO STORMWATER DETENTION, OVERLAND DRAINAGE AND UTILITY EASEMENT AS DEFINED BY DOCUMENT #200903448A.	

SECTION IV. ENFORCEMENT, DURATION, AMENDMENT AND SEVERABILITY

A. ENFORCEMENT

THE RESTRICTIONS HEREIN SET FORTH SHALL RUN WITH THE LAND AND SHALL BE BINDING ON THE OWNER, ITS SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION 6.4 OF THE ZONING ORDINANCE, THE RESTRICTIONS AND COVENANTS AND THE ENFORCEMENT THEREOF, ARE SET FORTH AND WHETHER OR NOT THEREIN SO STATED, THE COVENANTS WITHIN SECTION I, SHALL INURE TO THE BENEFIT OF AND BE ENFORCEABLE BY THE CITY OF BROKEN ARROW, OKLAHOMA.

B. DURATION

THESE RESTRICTIONS SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL 20 YEARS HAVE ELAPSED FROM THE DATE OF RECORD, AND SHALL AUTOMATICALLY BE CONTINUED THEREAFTER FOR SUCCESSIVE PERIODS OF 10 YEARS, UNLESS TERMINATED OR AMENDED AS HEREINAFTER PROVIDED.

C. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I, STREETS, EASEMENTS AND UTILITIES, MAY BE AMENDED OR TERMINATED BY WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OR ITS SUCCESSORS AND BY THE BROKEN ARROW PLANNING COMMISSION OR ITS SUCCESSORS WITH THE APPROVAL OF THE CITY OF BROKEN ARROW.

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 OF ANY PART HEREOF AS SET FORTH HEREIN, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, THE OWNER HAS EXECUTED THIS INSTRUMENT ON THIS _____ DAY OF _____ 20____

RONALD E. SMITH, REVOCABLE TRUST

RONALD E. SMITH, TRUSTEE

STATE OF OKLAHOMA)
COUNTY OF TULSA)SS

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS _____ DAY OF _____ 20____

PERSONALLY APPEARED RONALD E. SMITH, TO ME KNOWN TO BE THE IDENTICAL INSTRUMENT AS HIS TRUSTEE, AND ACKNOWLEDGED TO ME THAT SHE EXECUTED AND VOLUNTARILY ACT OF SUCH TRUST FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL THE DAY AND YEAR LAST ABOVE WRITTEN.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

CERTIFICATE OF SURVEY

I, ALAN MARK PENN, A LICENSED PROFESSIONAL LAND SURVEYOR, IN THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED AND PLATTED THE ABOVE DESCRIBED LAND AND DISCLOSED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED "KENOSHA VILLAS", A SUBDIVISION IN THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, IS A TRUE REPRESENTATION OF THE SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED PRACTICES AND MEETS OR EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING.

EXECUTED THIS _____ DAY OF _____ 20____

ALAN MARK PENN
LICENSED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1086

STATE OF OKLAHOMA)
COUNTY OF TULSA)SS

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS _____ DAY OF _____ 20____
PERSONALLY APPEARED ALAN MARK PENN, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME AS LICENSED PROFESSIONAL LAND SURVEYOR TO THE FOREGOING CERTIFICATE AS HIS FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL THE DAY AND YEAR LAST ABOVE WRITTEN.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

