



City of Broken Arrow
Meeting Agenda
Planning Commission

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

Chairperson Ricky Jones
Vice Chair Lee Whelpley
Member Fred Dorrell
Member Mark Jones
Member Pablo Aguirre

Thursday, February 28, 2019

5:00 PM

Council Chambers

AMENDED AGENDA

1. Call To Order

2. Roll Call

3. Old Business

4. Consideration of Consent Agenda

- A. [19-280](#) Approval of Planning Commission meeting minutes of February 14, 2019

Attachments: [02 14 2019 Planning Commission Minutes](#)

- B. [19-281](#) Approval of BAL-2049 (Lot Split), Broken Arrow Municipal Authority, 80.258 acres, one-half mile north of New Orleans Street (101st Street), one-half mile west of Evans Road (225th E. Avenue), south of the MK&T Railroad

Attachments: [2-Case Map](#)
[3-Aerial](#)
[4-Lot Split Survey](#)
[5-Alta Survey](#)
[6-Conceptual Site Plan](#)

- C. [19-282](#) Approval of BAL-2050 (Lot Split), Aspen Creek Elementary, 1 Lot, 78.44 acres, one-third mile west of Aspen Avenue (145th E. Avenue), north of Florence Street (111th Street)

Attachments: [2-Case Map](#)
[3-Aerial](#)
[4-Lot Split Exhibit](#)
[5-Existing Site Layout](#)

5. Consideration of Items Removed from Consent Agenda

6. Public Hearings

- A. [19-275](#) Public hearing, consideration, and possible action regarding PUD-280A (Planned Unit Development), 11.79 acres and BAZ-2023 (Rezoning), 0.43 acres, The Villages at Seven Oaks South, A-1 to RS-4/PUD-280A, located one-quarter mile east of 9th Street, south of New Orleans Street

Attachments: [2-BAZ-2023 CASE MAP](#)
[3-PUD-280A CASE MAP](#)
[4-AERIAL](#)
[5-COMPREHENSIVE PLAN](#)
[6-PUD-280A Design Statement](#)

7. Appeals

8. General Commission Business

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 DEVELOPMENT SERVICES 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.
- POSTED on _____, _____ at _____ am/pm.

City Clerk



City of Broken Arrow

Request for Action

File #: 19-280, Version: 1

Broken Arrow Planning Commission

02-28-2019

To: Chairman and Commission Members

From: Development Services Department

Title: Approval of Planning Commission meeting minutes of February 14, 2019

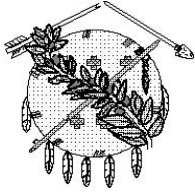
Background: Minutes recorded for the Broken Arrow Planning Commission meeting.

Attachments: Minutes of February 14, 2019

Recommendation: Approve minutes of Planning Commission meeting held February 14, 2019.

Reviewed By: Larry R. Curtis

Approved By: Michael W. Skates



City of Broken Arrow

Minutes Planning Commission

City Hall
220 S 1st Street
Broken Arrow OK
74012

Chairperson Ricky Jones
Vice Chairperson Lee Whelpley
Commission Member Fred Dorrell
Commission Member Mark Jones
Commission Member Pablo Aguirre

Thursday, February 14, 2019

Time 5:00 p.m.

Council Chambers

1. Call to Order

Chairperson Ricky Jones called the meeting to order at approximately 5:00 p.m.

2. Roll Call

Present: 3 - Fred Dorrell, Lee Whelpley, Ricky Jones
Absent: 2 - Pablo Aguirre, Mark Jones,

3. Old Business

There was no Old Business.

4. Consideration of Consent Agenda

Staff Planner Amanda Yamaguchi presented the Consent Agenda.

A. 19-197 Approval of Planning Commission meeting minutes of January 24, 2019

B. 19-194 Approval of BAL-2046, Oak Creek South Phase II Amended, Lots 12 & 13, Block 3, 0.42 acres, one-half mile north of Washington Street (91st Street), one-quarter mile east of 23rd Street (County Line Road), north of the Union Pacific Railroad
Ms. Yamaguchi indicated the applicant was in agreement with the Staff report.

C. 19-233 Approve CA 19-101, New Heart Fellowship Church - Snead, 15.53 acres, A-1/SP-172A and R-2, east of 23rd Street (County Line Road/193rd E. Avenue), one-half mile north of Florence Street (111th Street)
Ms. Yamaguchi indicated the applicant was in agreement with the Staff report.

Chairperson Ricky Jones explained the Consent Agenda consisted of routine items, minor in nature, and was approved in its entirety with a single motion and a single vote, unless an item was to be removed for discussion. He asked if there were any items to be removed from the Consent Agenda; there were none.

MOTION: A motion was made by Fred Dorrell, seconded by Lee Whelpley.

Move to approve the Consent Agenda per Staff recommendations

The motion carried by the following vote:

Aye: 3 - Fred Dorrell, Lee Whelpley, Ricky Jones

Chairperson Jones stated Item 4B and Item 4C would go before City Council on March 5, 2019 at 6:30 p.m. He explained if any individual desired to speak regarding these Items, said individual was required to fill out a Request to Appear before City Council form in advance.

5. Consideration of Items Removed from Consent Agenda

No Items were removed from the Consent Agenda. No action was needed or taken.

6. Public Hearings

A. 19-235 Public hearing, consideration, and possible action regarding PUD 286, Fire Station No. 3, 3.03 acres, 1 lot, A 1 to CG, one half mile south of Florence Street, west of 23rd Street, north of the Creek Turnpike

Plan Development Manager Larry Curtis reported this property was recommended for rezoning from Agricultural to Commercial General (CG) by Planning Commission. He explained the City asked to reduce the setback requirements for the property to accommodate the Fire Station due to the location of Blue Line Creek. He noted the proposal was also for a street along the northern portion of the property line and typically in CG zoning a dedication of 80 feet for right-of-way was required for construction of a commercial road and the City wished to reduce the right-of-way requirement from 80 feet to 50 feet. He stated these were the only two modifications requested by the City; all other regular zoning requirements would be met.

Mr. Curtis stated the Broken Arrow Engineering Department was the applicant and he was representing the applicant for the purpose of the meeting.

Chairperson Jones opened the Public Hearing for Item 6A.

Mr. William Rogers stated his address was 19304 E. 115th Street. He stated his home was close to this proposed Fire Station and he owned the 40 acres directly south of the property. He asked what the Sound Ordinance was in regard to fire sirens. He wondered if fire trucks be exiting the Fire Station at 3 a.m. with sirens blaring. He asked if there would be a traffic light installed at the Fire Station and if so, how would this light work. He asked if there would be an impact study regarding property values. He stated according to Realtor.com property values dropped if a home was located within a short distance of a Fire Station. He asked about the City’s long term plans regarding the Fire Station location. He asked if a gas station would go in next door or would the area remain residential. He asked if the property was acquired via eminent domain or mutual agreement purchase and he asked how much was paid for the property.

Ms. Kristen Kenneally stated her address was 2141 E. 31st Place, Tulsa, OK. She stated she and her family owned land near the proposed Fire Station. She asked Staff to indicate where the setbacks would be on the map. She asked about the City’s long term plan for the area.

Chairperson Jones asked if any others present wished to speak regarding Item 6A. Seeing none, he closed the Public Hearing.

Mr. Curtis stated this property and the land surrounding it was consider Level 6 in the Comprehensive Plan. He explained Level 6 allowed Light Industrial with a PUD and Commercial Zoning for employment generation and development, as well as commercial support associated with employment generation; therefore, while a QuikTrip was possible in this location, the City did not dictate where QuikTrips were located. He stated CG zoning was approved for the property. He explained the property was surrounded by agricultural zoned land which required a larger setback than commercially zoned land. He noted commercially zoned land required a 30 foot setback; the City was requesting a reduction from the agriculturally required 80 foot setback to a 30 foot commercial setback. He stated the City bought this from a property owner; it was not acquired via eminent domain. He stated the value of the land was a matter of record; however, he did not have the number on hand. He noted he would provide the information to Mr. Rogers. He stated a traffic impact analysis was required and would be performed. He noted the City intended to examine the necessity of traffic light installation at 115th in the future. He stated the City and the Planning Commission did not consider property values when determining Fire Station locations. He explained Fire Stations were required in certain areas to ensure certain travel distance times and for insurance purposes; this area was deemed the best possible area for Fire Station. He stated he would check with the Fire Chief regarding fire siren noise and would contact Mr. Rogers with the information.

Chairperson Jones displayed the map and indicated there was a significant portion of wetlands on the property. He explained this was another reason for the request for decreased setback. Mr. Curtis concurred and explained while the City technically owned all setback land, and could develop the land accordingly, the setback requirements needed to be established for possible future sale of the property. Ms. Kenneally asked for a copy of the map which indicated setback locations. Chairperson Jones responded in the affirmative; she would be provided a copy of the map following the Meeting. He thanked the Public for the questions, comments and input.

MOTION: A motion was made by Lee Whelpley, seconded by Fred Dorrell.

Move to approve Item 6A per Staff recommendation

The motion carried by the following vote:

Aye: 3 - Fred Dorrell, Lee Whelpley, Ricky Jones

Chairperson Jones stated Item 6A would go before City Council on March 5, 2019 at 6:30 p.m. He explained if any individual desired to speak regarding Item 6A, said individual was required to fill out a Request to Appear before City Council form in advance.

7. Appeals

There were no Appeals.

8. General Commission Business

There was no General Commission Business.

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

Mr. Larry Curtis announced a Home Owners Association Workshop would be held on February 16, 2019 at 10:00 a.m. at the Stoney Creek Hotel. He stated the Planning Commission and the Public were welcome to attend. He explained the Meeting would allow HOAs to learn about different legal techniques, uses of HOAs, as well as City involvement with HOAs. He noted the Police Department, Fire Department and various City Departments would be in attendance. He encouraged the Public to attend.

Special Projects Manager Farhad Daroga reported a Steering Committee Meeting regarding the Comprehensive Plan was held last week. He stated the Consultants were preparing a Final Draft which would be posted on BrokenArrowCompPlanNext.com. He announced a Public Meeting would be held March 6, 2019 at Central On Main at 6:00 p.m. during which the Consultants would review the Final Draft of the Comprehensive Plan. He stated possibly the last Steering Committee Meeting would be held Thursday March 7, 2019 at 6:00 p.m. He noted the Planning Commission was invited to the Steering Committee Meeting, as well as the Public Meeting. He indicated following the Public Meeting, the Consultants would finalize the Final Draft based upon comments received, present the Final Draft to the Planning Commission and begin the approval process, hopefully late April 2019 or early May 2019.

10. Adjournment

The meeting adjourned at approximately 5:22 p.m.

MOTION: A motion was made by Fred Dorrell, seconded by Lee Whelpley.

Move to adjourn

The motion carried by the following vote:

Aye: 3 - Fred Dorrell, Lee Whelpley, Ricky Jones



City of Broken Arrow

Request for Action

File #: 19-281, Version: 1

Broken Arrow Planning Commission

02-28-2019

To: Chairman and Commission Members

From: Development Services Department

Title:

Approval of BAL-2049 (Lot Split), Broken Arrow Municipal Authority, 80.258 acres, one-half mile north of New Orleans Street (101st Street), one-half mile west of Evans Road (225th E. Avenue), south of the MK&T Railroad

Background:

Applicant: Broken Arrow Municipal Authority

Owner: Broken Arrow Municipal Authority

Developer: Broken Arrow Public Schools

Surveyor: Sisemore Weisz & Associates, Inc.

Location: One-half mile north of New Orleans Street (101st Street), one-half mile west of Evans Road (225th E. Avenue), south of the MK&T Railroad

Size of Tract 80.258 total acres

Number of Lots: 1 (3 proposed)

Present Zoning: A-1

Comp Plan: Public/Semi Public, and Public Recreation

Lot split request BAL-2049 involves 80.258 acres of property located approximately one-half mile north of New Orleans Street (101st Street), one-half mile west of Evans Road (225th E. Avenue), south of the MK&T Railroad. The unplatted property is zoned A-1 (Agricultural).

The City of Broken Arrow (COBA) is in the process of acquiring this property that is adjacent to the existing Events Park. A site plan for an adult softball complex (ST18-137) was approved on January 9, 2019 for the south portion of the property. The north portion of the property (38.734 acres) will be transferred to Broken Arrow Public Schools (BAPS) for use as an elementary school. In exchange, COBA will acquire 54.417 acres north of Aspen Creek Elementary School after approval of that lot split (BAL-2050). The middle portion of the site is to be used as a public right-of-way.

Applicant is requesting to split this property into three lots. The north portion of the site, shown as Tract A, is a 38.734-acre tract proposed to be used for a new elementary school. The south portion of the site, shown as Tract B, is a 39.083-acre tract to be used for an adult softball complex at the Events Park. In December 2012, the property generally contained within Tract C was dedicated to the City of Broken Arrow for the E. Gary Street (E. 96th Street) street right-of-way. The bounds of Tract C are being modified with this lot split to meet

the roadway requirements for an 80-foot-wide roadway. Tracts A and B meet the frontage and size requirements of the A-1 zoning district.

A Specific Use Permit (SP-292) and Preliminary/Conditional Final Plat (PT19-100) applications are under review for an elementary school on agricultural-zoned property (on Tract A).

According to FEMA maps, none of this property is located within the 100-year floodplain; however, there is a blue line stream traversing the property from northeast to southwest. Oklahoma Natural Gas (ONG), Public Service Company of Oklahoma (PSO), Cox Communications, and Windstream have indicated that they do not have any problems with the proposed lot split.

Attachments: Case map
Aerial
Lot Split Survey
Alta Survey
Conceptual Site Plan

Recommendation:

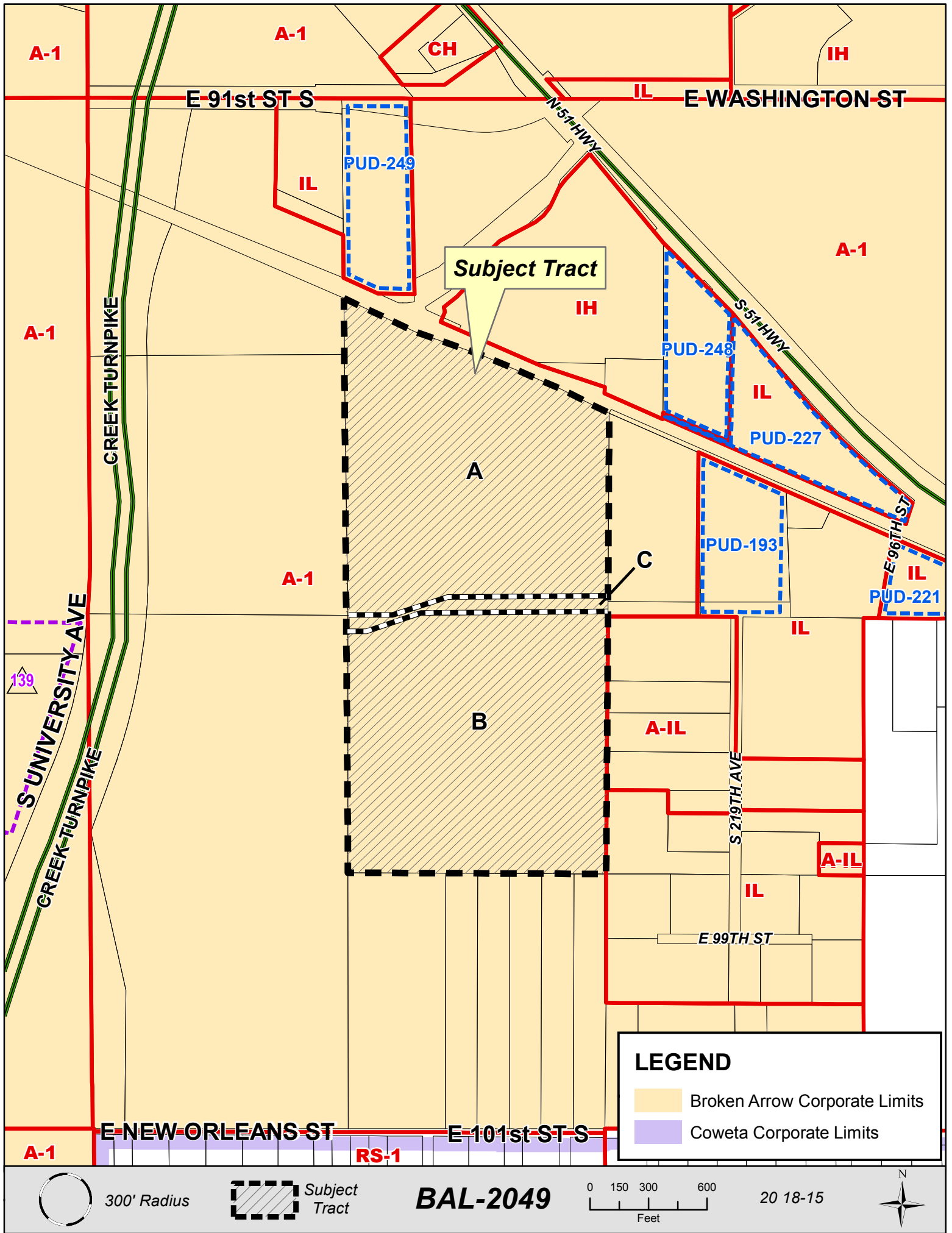
Staff recommends BAL-2049 be approved subject to the following:

1. The warranty deeds for each parcel being brought to the Plan Development Division to be stamped prior to being recorded in Wagoner County.
2. The final legal description for Tract C shall meet the requirements for an 80-foot-wide roadway.

Reviewed By: Larry R. Curtis

Approved By: Michael W. Skates

JMW





A PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE/4 NW/4) AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE/4 SW/4) OF SECTION TWENTY (20), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF BROKEN ARROW, WAGONER COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF.



**CITY OF BROKEN ARROW
PUBLIC SCHOOLS**
427 S. BOSTON AVE STE 400
TULSA, OKLAHOMA 74114

**WALLACE ENGINEERING
STRUCTURAL CONSULTANTS, INC**
200 EAST BRADY STREET
TULSA, OK 74103
(918) 584-5858
OKLAHOMA CA #1460
EXP DATE 6/30/19

BENNETT SURVEYING, INC.
210 CHOUTEAU AVENUE
CHOUTEAU, OK 74337
TEL: 918-476-7484
RPLS 1556, CA #4502
EXPIRES 6/30/2019
wade@bennettsurveying.com

SUBDIVISION CONTAINS ONE (1) LOT IN ONE (1) BLOCK AND (1) RESERVE CONTAINING 1,687,270 SQUARE FEET OR 38.734 ACRES.

3/8" IRON PINS SET AT ALL CORNER UNLESS
OTHERWISE NOTED. ELEVATIONS SHOWN HEREON
BASED ON 1988 NAVD.

BENCHMARK "BRASS CAP" AT EAST QUARTER
CORNER. NORTH 370064.20; EAST 2630573.57
ELEVATION 629.12 NAVD88

THE BEARING BASE FOR THIS SURVEY IS BASED ON
GRID BEARINGS AND THE OKLAHOMA STATE PLANE
COORDINATE SYSTEM.

MAP BY THE FEDERAL EMERGENCY MANAGEMENT
AGENCY, FLOOD INSURANCE RATE MAP, CITY OF
BROKEN ARROW, WAGONER COUNTY, OKLAHOMA
AND INCORPORATED AREAS, MAP NO. 40145C0115J,
MAP EFFECTIVE: SEPTEMBER 30, 2016, WHICH
SHOWS THE ENTIRE PORTION OF THE PROPERTY
DESCRIBED HEREON AS LOCATED IN ZONE X WHICH
IS CLASSIFIED AS AREAS DETERMINED TO BE
OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN

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

ALL WATER AND SANITARY SEWER SERVICES WILL BE SUPPLIED AND MAINTAINED BY THE CITY OF BROKEN ARROW.

STORMWATER DETENTION WILL BE PROVIDED IN ACCORDANCE WITH DETENTION DETERMINATION #DD-XXXXXXXXX.

~560~	ADDRESS
CA	CHORD ANGLE
CB	CHORD BEARING
CD	CHORD DISTANCE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
DESC.	DESCRIBED
F. M.	FIELD MEASURED

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

MAYOR: CRAIG THURMOND

ATTEST: CITY CLERK

FIRE STATION #3
PRELIMINARY PLAT
February 14, 2019
SHEET 1 OF 2

CASE NO: DEVELOPMENT NO:



City of Broken Arrow

Request for Action

File #: 19-282, Version: 1

Broken Arrow Planning Commission

02-28-2019

To: Chairman and Commission Members

From: Development Services Department

Title: Approval of BAL-2050 (Lot Split), Aspen Creek Elementary, 1 Lot, 78.44 acres, one-third mile west of Aspen Avenue (145th E. Avenue), north of Florence Street (111th Street)

Background:

Applicant: Broken Arrow Public Schools

Owner: Broken Arrow Public Schools

Developer: City of Broken Arrow

Surveyor: City of Broken Arrow

Location: One-third mile west of Aspen Avenue (145th E. Avenue), north of Florence Street (111th Street)

Size of Tract 78.44 total acres

Number of Lots: 1 (2 proposed)

Present Zoning: A-1

Comp Plan: Public/Semi Public

Lot split request BAL-2050 involves 78.444 acres of property located approximately one-third mile west of Aspen Avenue (145th E. Avenue), north of Florence Street (111th Street). The property is zoned A-1 (Agricultural) and is platted as Lot 1 Block 1 BAPS Elementary + ECDC - West Florence Street.

The southeast portion of this property is developed with the Aspen Creek Elementary School and the Aspen Creek Early Childhood Center on 24.023 acres of the site. Approximately the west 350 feet of the site and the north 1,500 feet of the site is undeveloped and totals 54.417 acres. The City of Broken Arrow (COBA) and Broken Arrow Public Schools (BAPS) are in the process of exchanging properties. The properties involved in the exchange include the property that is the subject of this lot split and the BAPS Elementary No. 16 lot split (BAL-2049). Upon approval of the lot splits, the COBA will acquire the 54.417-acre west and north portion of this site for a city park, and BAPS will acquire 38.734 acres north of E. Gary Street and the Events Park for Elementary No. 16.

Applicant is requesting to split this property into two lots. The developed southeast portion will be retained by BAPS. The north and west portion of the site, shown on the Lot Split Exhibit as 54.417 acres, is proposed to be used for a new park. Both the school and park sites will meet the frontage and size requirements of the A-1 zoning district.

According to FEMA maps, none of this property is located within the 100-year floodplain; however, a blue line stream crosses the northwest corner of the site, and there are two ponds in that general area. Oklahoma Natural Gas (ONG), Public Service Company of Oklahoma (PSO), Cox Communications, and Windstream have indicated that they do not have any problems with the proposed lot split.

Attachments: Case map
Aerial
Lot Split Exhibit
Existing Site Layout

Recommendation:

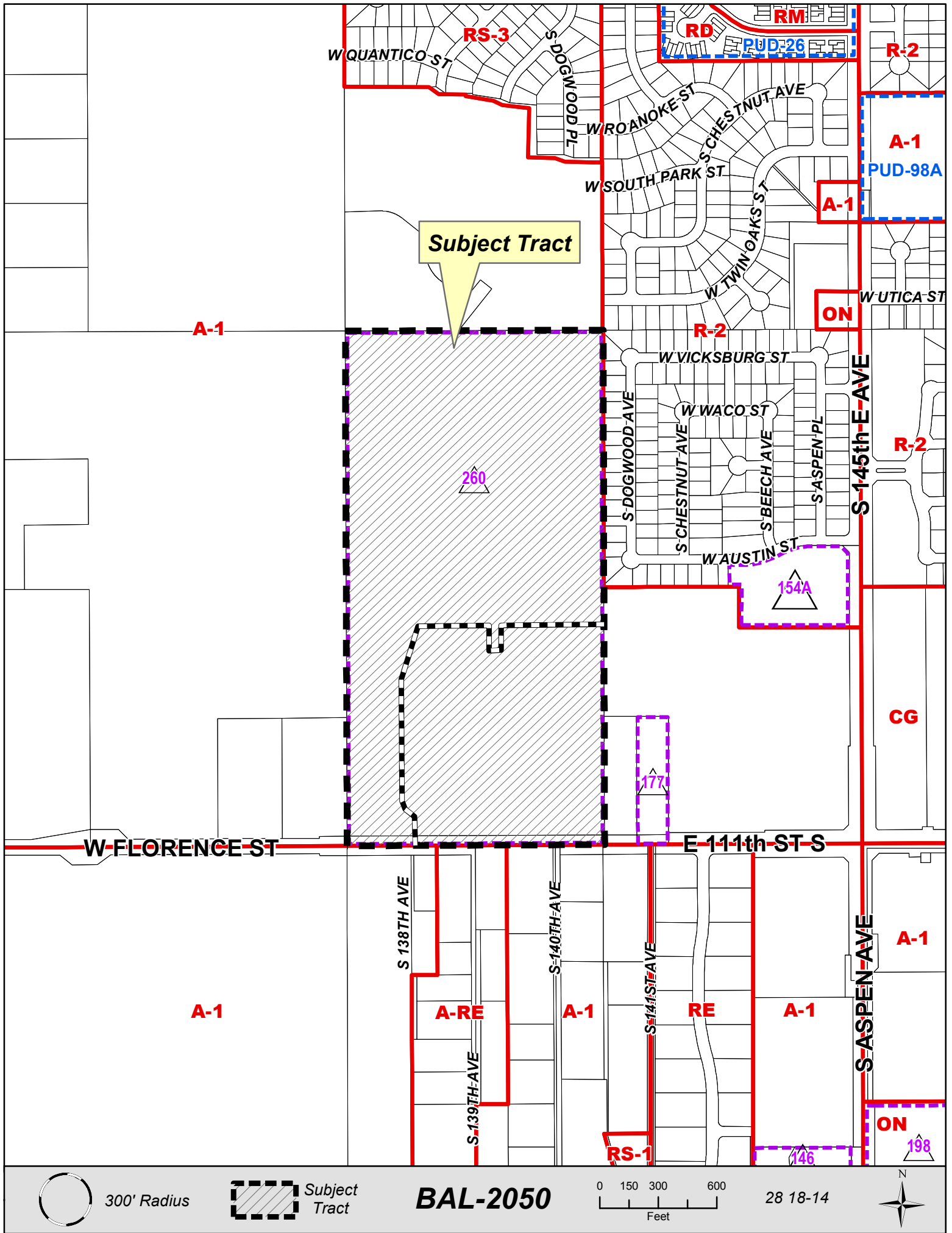
Staff recommends BAL-2050 be approved subject to the following:

1. The warranty deeds for each parcel being brought to the Plan Development Division to be stamped prior to being recorded in Tulsa County.

Reviewed By: Larry R. Curtis

Approved By: Michael W. Skates

JMW



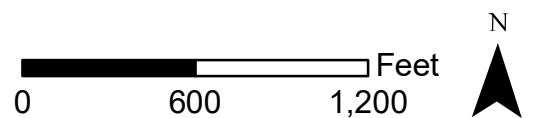


Florence Street (111st Street)

Aspen Avenue (145th E. Avenue)

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

BAL-2050
Aspen Creek Elementary Lot Split

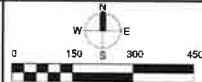




DATE	REVISIONS



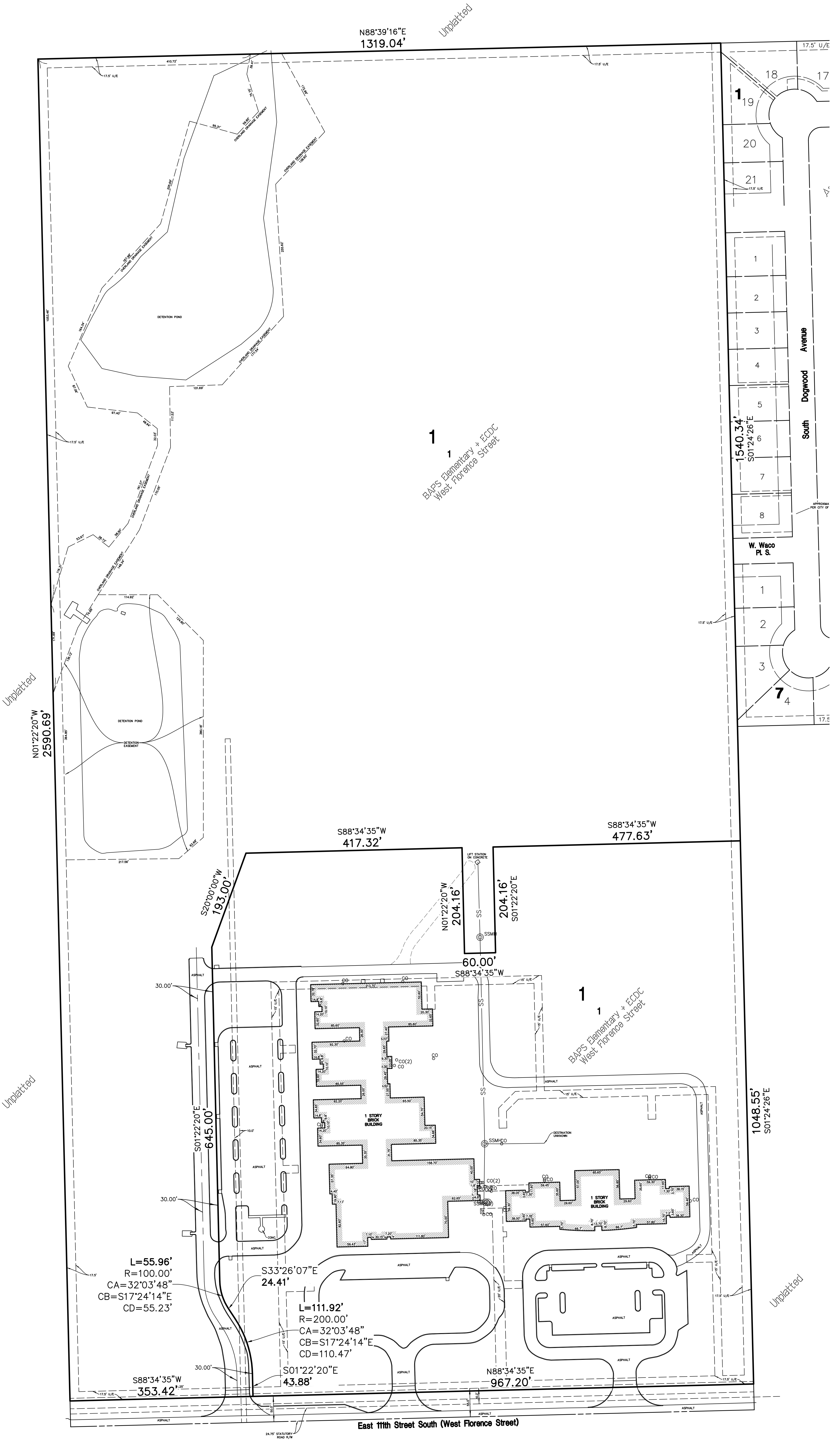
CITY OF
BROKEN ARROW
Where opportunity lives



**ASPEN CREEK
ELEMENTARY PROPERTY
2800 W. FLORENCE**

BOUNDARY/LOT SPLIT

DESIGN	DATE	DRAFTED	DATE
CCS	02/19	CCS	02/19
REVIEWED	DATE	APPROVED	DATE
TRIS	02/19	AM	02/19
SHEET OF	1	PROJECT NO	





City of Broken Arrow

Request for Action

File #: 19-275, Version: 1

Broken Arrow Planning Commission

02-28-2019

To: Chairman and Commission Members
From: Development Services Department
Title: Public hearing, consideration, and possible action regarding PUD-280A (Planned Unit Development), 11.79 acres and BAZ-2023 (Rezoning), 0.43 acres, The Villages at Seven Oaks South, A-1 to RS-4/PUD-280A, located one-quarter mile east of 9th Street, south of New Orleans Street

Background:

Applicant: AAB Engineering, LLC
Owner: Seven Oaks South, LLC
Developer: Seven Oaks South, LLC
Engineer: AAB Engineering, LLC
Location: One-quarter mile east of 9th Street, south of New Orleans Street
Size of Tract 0.43 acres (BAZ-2023) and 11.79 acres (PUD-280A)
Present Zoning: A-1 to RS-3 (via BAZ-1622)
Proposed Zoning: PUD-280A/RS-4
Comp Plan: Level 2 (Urban Residential)

Planned Unit Development (PUD) 280A and BAZ-2023 involve an 0.43 acre undeveloped tract located one-quarter mile east of 9th Street, south of New Orleans Street. Applicant is requesting that the zoning on the unplatted property be changed from A-1 to RS-3 (via BAZ-1622) to RS-4/PUD-280A. With PUD-280 and PUD-280A, the applicant is proposing to develop a privately gated neighborhood with up to 58 lots. The conceptual layout submitted with the PUD-280A shows 50 lots within the boundaries of the PUD.

This 0.43 acre tract is proposed to be added to PUD-280 which was conditionally approved by the City Council on September 4, 2018. PUD-280 was approved with the condition that primary access to the gated community be provided from 12th Place and not from the internal streets as initially submitted with PUD-280. The change in primary access required an amendment to PUD-280, as well as additional property being rezoned and included in the development. No further modifications to PUD-280 are being requested.

This subdivision will have private street, owned and maintained by a homeowners association. The primary entry to the subdivision will be from 12th Place. Emergency crash gates will provide an emergency access to and from the subdivision on Roanoke Place and at the proposed stub street to the west, East Orlando Street.

As part of the development, South 12th Place is proposed to be approximately 1,653 in length. This is an exception to the Engineering Design Criteria which states that minor residential streets are limited to 900 linear feet in length before they must connect to a major street. With PUD-280A, 12th Street is proposed to be designed with slight curves and medians. An exception to the 900 feet requirement was granted with PUD-280.

SURROUNDING LAND USES/ZONING/COMPREHENSIVE PLAN

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

Location	Development Guide	Zoning	Land Use
North	Level 2	RS-3	Aspen Ridge addition
East	Level 2	RS-3	Seven Oaks South Single-Family Subdivision
South	Level 2	RS-4 (BAZ-2010)	Seven Oaks South Single-Family Subdivision
West	Level 2	A-RE and A-1	Single-Family Homes and Undeveloped

According to the FEMA Maps, none of this property is located in the 100 year floodplain. Water and Sanitary Sewer are available from the City of Broken Arrow.

The property associated with PUD-280A and BAZ-2023 is shown in the Comprehensive Plan as Level 2. The RS-4 zoning requested with BAZ-2023 and incorporated into PUD 280A is considered to be in compliance with the Comprehensive Plan in Level 2.

Attachments: BAZ-2023 Case Map
 PUD-280A Case Map
 Aerial photo
 Comprehensive Plan
 PUD-280A Design Statement

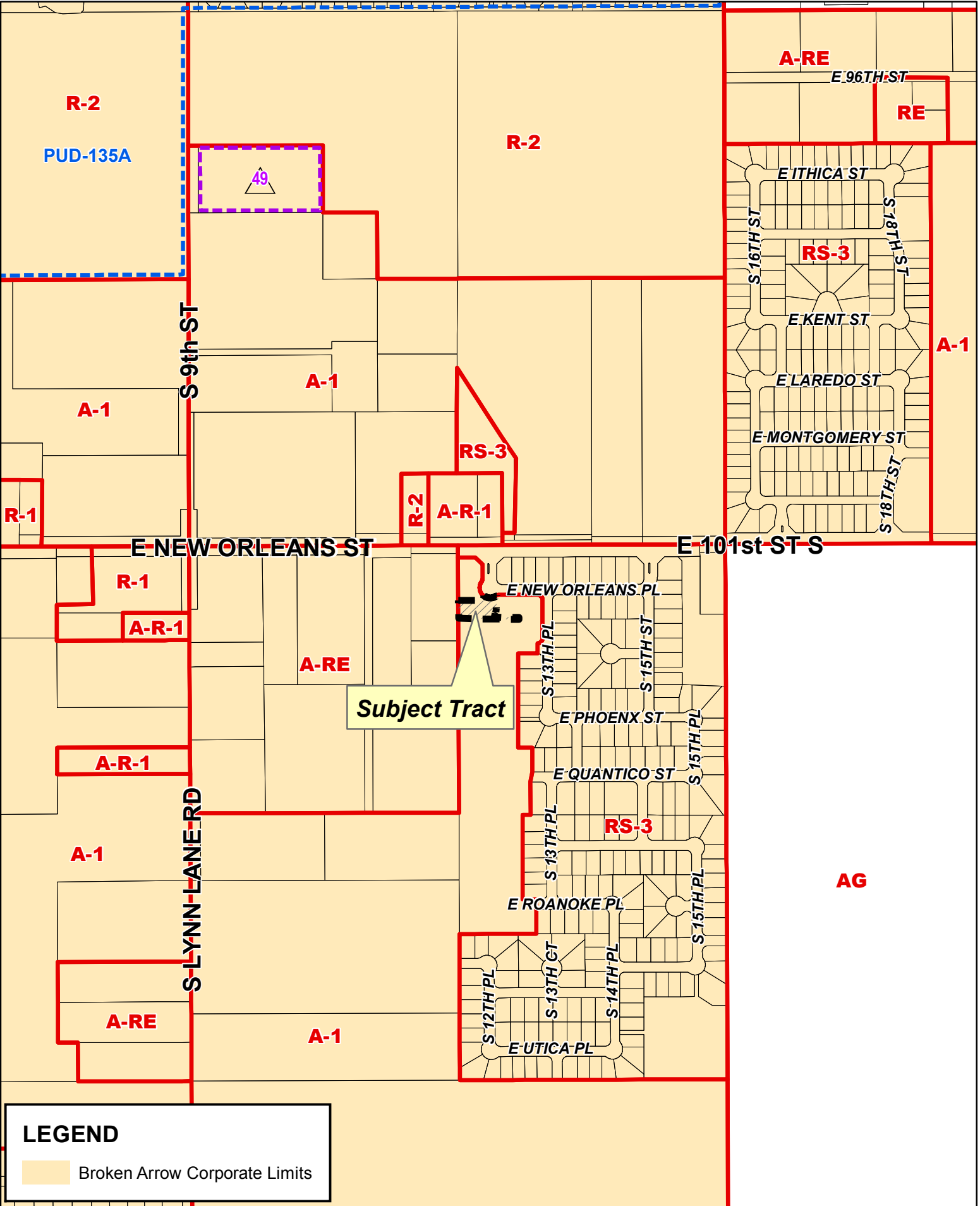
Recommendation:

Based on the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that PUD-280A and BAZ-2023 be approved, subject to the property being platted.

Reviewed By: **Larry R. Curtis**

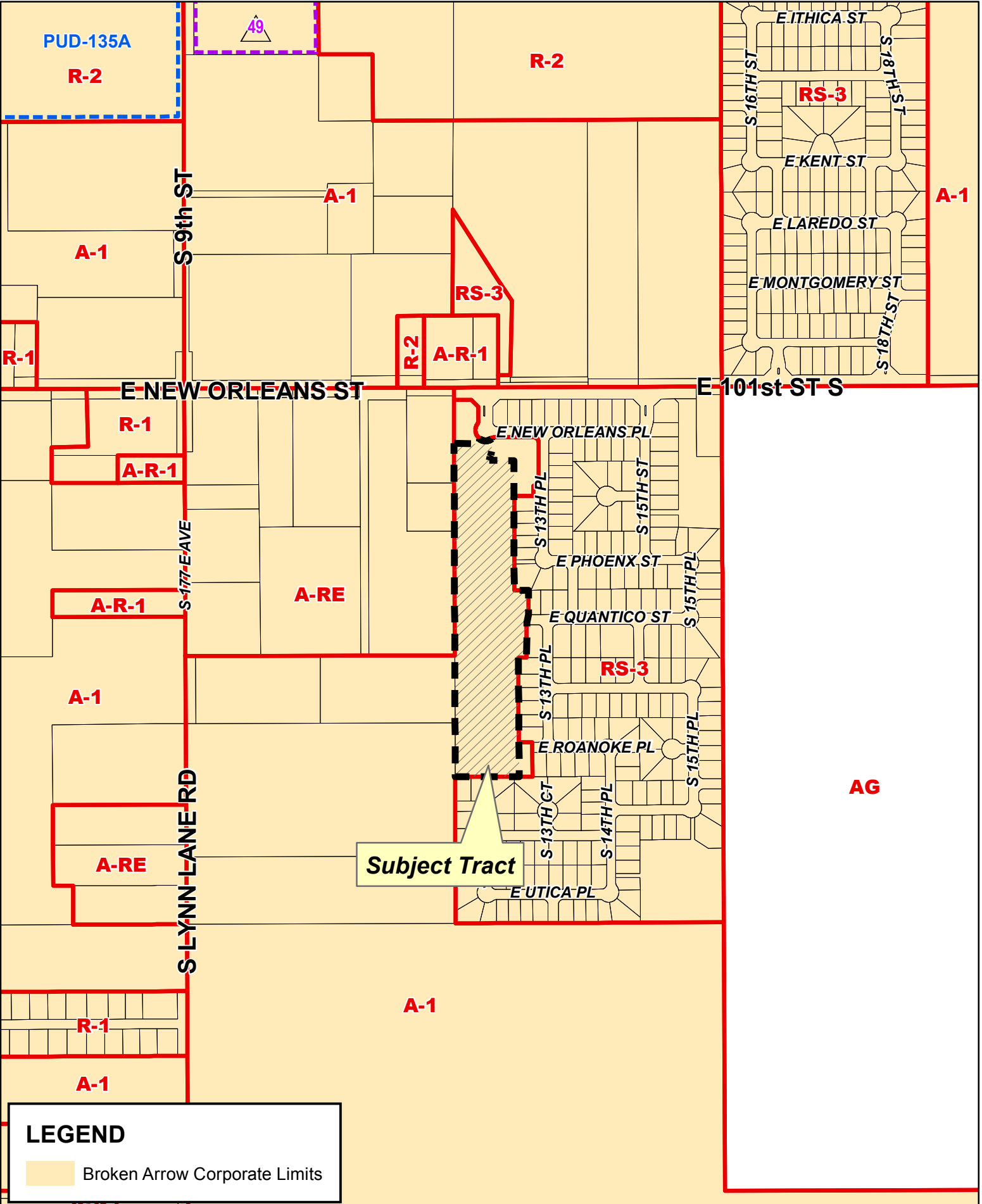
Approved By: **Michael W. Skates**

ALY

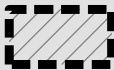


LEGEND

Broken Arrow Corporate Limits

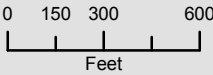


300' Radius



Subject Tract

PUD-280A



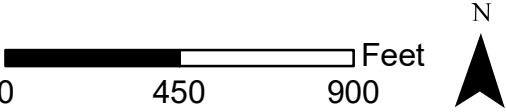
25 18-14





Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

PUD-280 & BAZ-2010
The Villages at Seven Oaks South



59

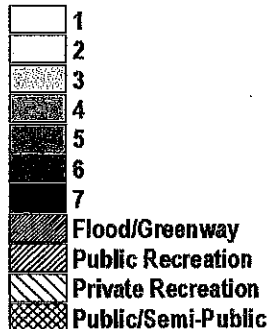
New Orleans/County Line/Florence/Lynn Lane (Section 25-18-14)

Level 4 designations are given to the northeast and southeast corners based on the LUIS model. Level 3 designations are given to the northeast and southeast corners surrounding the Level 4 areas based on the LUIS model. Level 2 designations are proposed for the remaining developable lands in the section. Floodplain areas and lack of continuity of Florence east of Lynn Lane preclude the southwest corner from Level 4 or Level 3 designations.

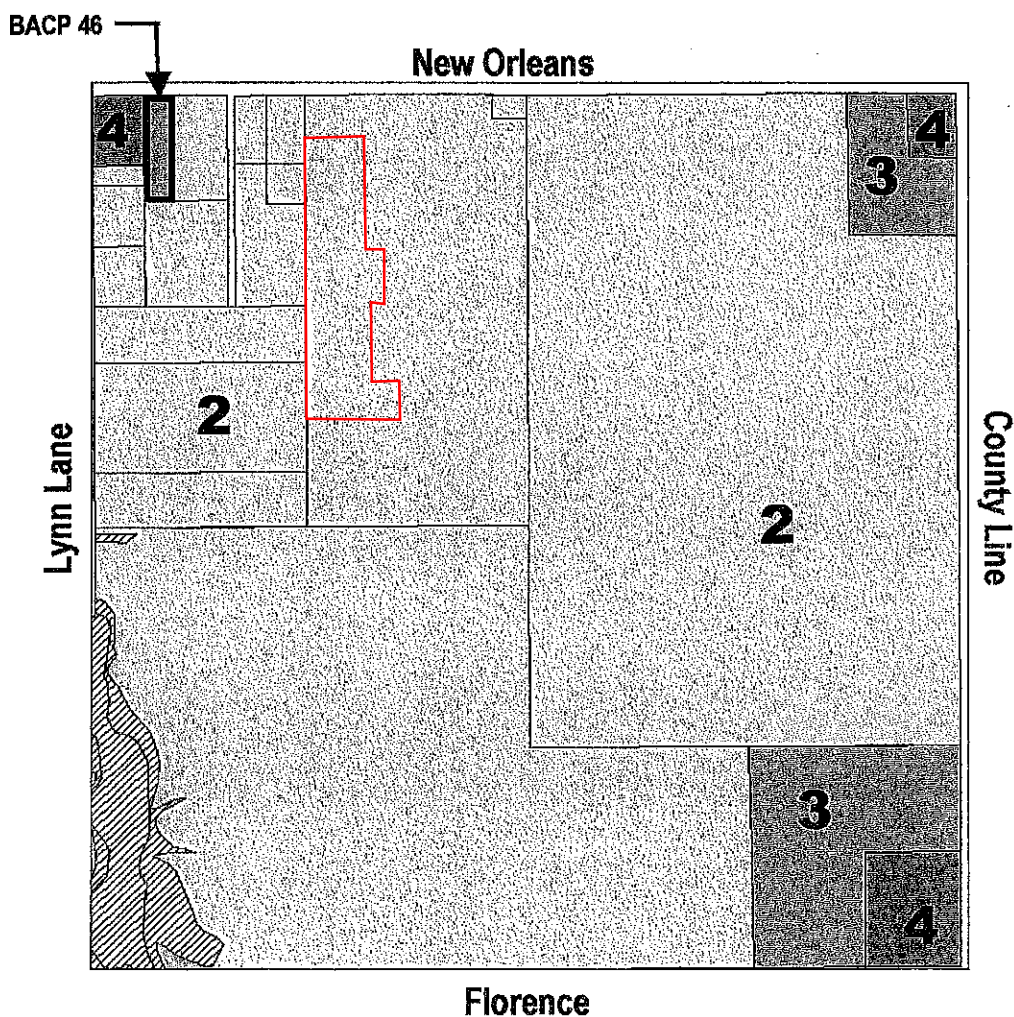
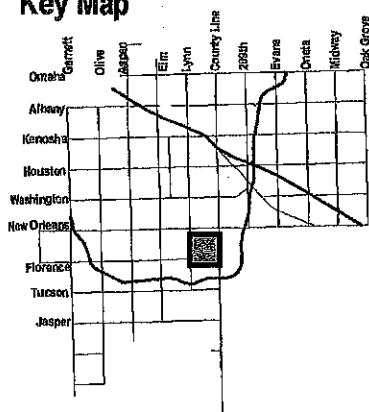
Amendments

BACP 46, which was approved by the City Council on April 21, 2003, changed the designation from Level 2 to 3.

LUIS Classification



Key Map

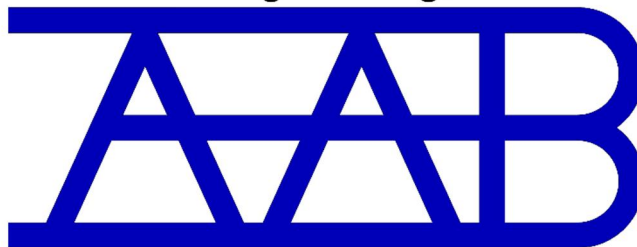


The Villages at Seven Oaks South

**Planned Unit Development No. 280A
Zoning Case BAZ-xxx
January 22, 2019**

**Owner:
Seven Oaks South, LLC
1420 W. Kenosha Avenue
Broken Arrow, OK 74012**

**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

The Villages at Seven Oaks South is a proposed gated residential community on the south side of East New Orleans Street at approximately South 12th Place in the City of Broken Arrow, Oklahoma. Exhibit 'B' & 'D' depict the areas surrounding the PUD and the conceptual development plan, respectively. The proposed development was originally anticipated to be the third phase of the Seven Oaks South subdivision which abuts the property on the east, north, and south. Over the course of the development the builders have seen an increased demand for a smaller lot within a gated community that would reduce the overall lot maintenance necessary. This location will accommodate that concept and allow the developers to capitalize on the momentum of the Seven Oaks South project. While the lots are smaller than those located in the remainder of Seven Oaks South the size and final cost of the home will be very similar.

On September 4, 2018 then Broken Arrow City Council approved PUD 280 along with BAZ-2010 which rezoned the majority of the currently proposed PUD boundary to RS-4 and applied the development standards proposed in this major amendment. A condition of that approval was that the primary access to the gated development be derived from 12th Place and not from further internal streets. This requirement requires that the boundary of the PUD be modified as currently proposed. The amended PUD contains approximately 11.79 acres and has one Development Area with three Reserve Areas as shown on Exhibit "D". The reserve areas will be designated for stormwater detention facility and open space as well as the private street access. The legal description for the PUD is shown on Exhibit "A".

Development Standards (Development Area A)

The development shall be governed by the use and development restrictions of the City of Broken Arrow Zoning Ordinance as it pertains to the RS-4 zoning district guidelines except as herein modified. The regulations match those proposed within PUD 280 with the exception of Gross Land Area and Maximum Number of Lots.

Gross Land Area	513,463 sq. ft.	11.79 ac
------------------------	-----------------	----------

Permitted Uses

Uses permitted as a matter of right by the City of Broken Arrow Zoning Code within the RS-4 district.

Minimum Lot Width	52 ft.
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Minimum Lot Area	6,200 sf.
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Maximum Number of Lots/Dwelling Units	49
--	----

Maximum Building Height District Requirements	Per the RS-4
--	--------------

Yard and Building Setbacks: District Requirements	Per the RS-4
--	--------------

Reserve Areas 'A' & 'B'

Reserve Areas 'A' & 'B' shall be established by the owner for the construction of a stormwater detention facility and open space park. Such park shall be for the sole use and enjoyment of the lot owners with Villages at Seven Oaks South and their invitees. All structures or improvements related to the detention function of the facility shall be constructed according to City of Broken Arrow standards. Reserve Areas 'A' & 'B' shall be conveyed to the Homeowner's Association which shall be responsible for the maintenance of all improvements contained within that reserve.

Private Streets-Reserve 'C'

All streets within the PUD will be privately maintained by the Homeowner's Association. All streets shall be constructed according to the City of Broken Arrow minor residential public street standard and wholly contained within Reserve 'C' with one exception. South 12th Place will be allowed to exceed the 900 maximum block length. Streets shall be designed in accordance with City of Broken Arrow Engineering Design Criteria. Streets shall be gated provided all such gates meet the access requirements of the City of Broken Arrow Fire Marshal. Reserve Areas 'C' shall be conveyed to the Homeowner's Association which shall be responsible for the maintenance of all improvements contained within that reserve.

Drainage & Utilities

The majority of the site drains to the south in accordance with the detention design for the Seven Oaks South overall project as can be seen in Exhibit F. The existing detention facility located in the center of the PUD will be reconfigured to allow the street crossing contemplated. This facility will be designed and constructed in accordance with the City of Broken Arrow Engineering Design Criteria.

An existing 6" waterline stubs into the PUD along Quantico St. and Roanoke Pl. A waterline extension will be constructed that will connect to these existing 6' waterlines thereby providing fire protection and water service to the development as required by the City of Broken Arrow.

An existing 8" sanitary sewer line is located along the eastern property line and the southwest corner of the PUD. A line will be extended off these existing lines to serve the site as required by the City of Broken Arrow.

Other utility services are currently provided to the site and will continue to be provided via underground services. See attached Exhibit "E" for the conceptual improvements plan.

Access and Circulation

All streets within the development will be private and will largely conform to the attached conceptual site plan. The primary entry to the subdivision will be derived from 12th Place as shown. Emergency crash gates will be provided at all existing stubbed streets not used for access and at the proposed future stub connection to the west. Gates will be constructed to limit public access to subdivision and provide additional security for the lot owners. All such gates will be constructed according to the requirements of the City of Broken Arrow.

Landscape and Screening

The PUD shall meet all landscape and screening requirements as set out of the City of Broken Arrow Zoning Ordinance as it pertains to the RS-4 zoning district.

Requirement to Plat

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 subdivision plat shall include covenants of record setting forth the development standards of the approved Planned Unit Development and will be enforceable by the City of Broken Arrow.

Schedule of Development

Development Construction is expected to begin in late spring or early summer 2019.

Legal Description

Exhibit A

A TRACT OF LAND SITUATED IN THE EAST HALF OF THE NORTHWEST QUARTER (E/2 NW/4) OF SECTION 25, TOWNSHIP 18 NORTH, RANGE 14 EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID EAST HALF OF THE NORTHWEST QUARTER (E/2 NW/4) OF SECTION 25, THENCE SOUTH 89°53'41" WEST ALONG THE NORTH LINE OF SAID SECTION 25, A DISTANCE OF 1325.80 FEET; THENCE SOUTH 00°08'40" EAST, A DISTANCE OF 274.97 FEET TO THE POINT OF BEGINNING. THENCE NORTH 90°00'00" EAST, A DISTANCE OF 125.97 FEET; THENCE NORTH 0°00'00" EAST, A DISTANCE OF 25.02 FEET; THENCE ON A NON-TANGENT CURVE TO THE LEFT WITH A RADIUS OF 50.00 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 89°56'51" EAST - 59.29 FEET, A DISTANCE OF 63.46 FEET; THENCE ON A CURVE TO THE RIGHT WITH A RADIUS OF 25.00 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 54°35'04" EAST - 0.87 FEET, A DISTANCE OF 0.87 FEET; THENCE SOUTH 0°00'00" EAST, A DISTANCE OF 62.00 FEET; THENCE ON A CURVE TO THE RIGHT WITH A RADIUS OF 50.00 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 10°54'03" WEST - 18.91 FEET, A DISTANCE OF 19.03 FEET; THENCE SOUTH 21°48'05" WEST, A DISTANCE OF 7.67 FEET; THENCE ON A CURVE TO THE LEFT WITH A RADIUS OF 50.11 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 11°16'28" WEST - 18.29 FEET, A DISTANCE OF 18.39 FEET; THENCE NORTH 90°00'00" EAST, A DISTANCE OF 122.10 FEET; THENCE SOUTH 00°00'00" EAST, A DISTANCE OF 645.00 FEET; THENCE NORTH 90°00'00" EAST, A DISTANCE OF 70.66 FEET; THENCE SOUTH 00°00'00" EAST, A DISTANCE OF 120.00 FEET; THENCE SOUTH 11°18'36" WEST, A DISTANCE OF 38.75 FEET; THENCE SOUTH 00°47'17" WEST, A DISTANCE OF 174.49 FEET; THENCE NORTH 89°45'35" WEST A DISTANCE OF 40.00 FEET; THENCE SOUTH 00°13'06" EAST, A DISTANCE OF 587.69 FEET; THENCE NORTH 90°00'00" WEST A DISTANCE OF 316.83 FEET; THENCE NORTH 00°08'40" WEST, A DISTANCE OF 1645.05 FEET TO THE POINT OF BEGINNING. CONTAINING 513,462.88 SQUARE FEET/11.79 ACRES.

LEGAL DESCRIPTION BASIS OF BEARINGS IS THE NORTH LINE OF THE NORTHWEST QUARTER (NW/4) OF SECTION 25 BEING SOUTH 89°53'41" WEST.

THIS LEGAL DESCRIPTION WAS PREPARED ON JANUARY 17, 2019 BY JAY P. BISSELL, OKLAHOMA LICENSED LAND SURVEYOR NO. 1318.

PLOT DATE: Mon, 21 Jan 2019 FILE: P:\1814125-VILLAGES AT SEVEN OAKS SOUTH VILLAGES AT SEVEN OAKS SOUTH PUD

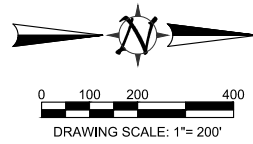
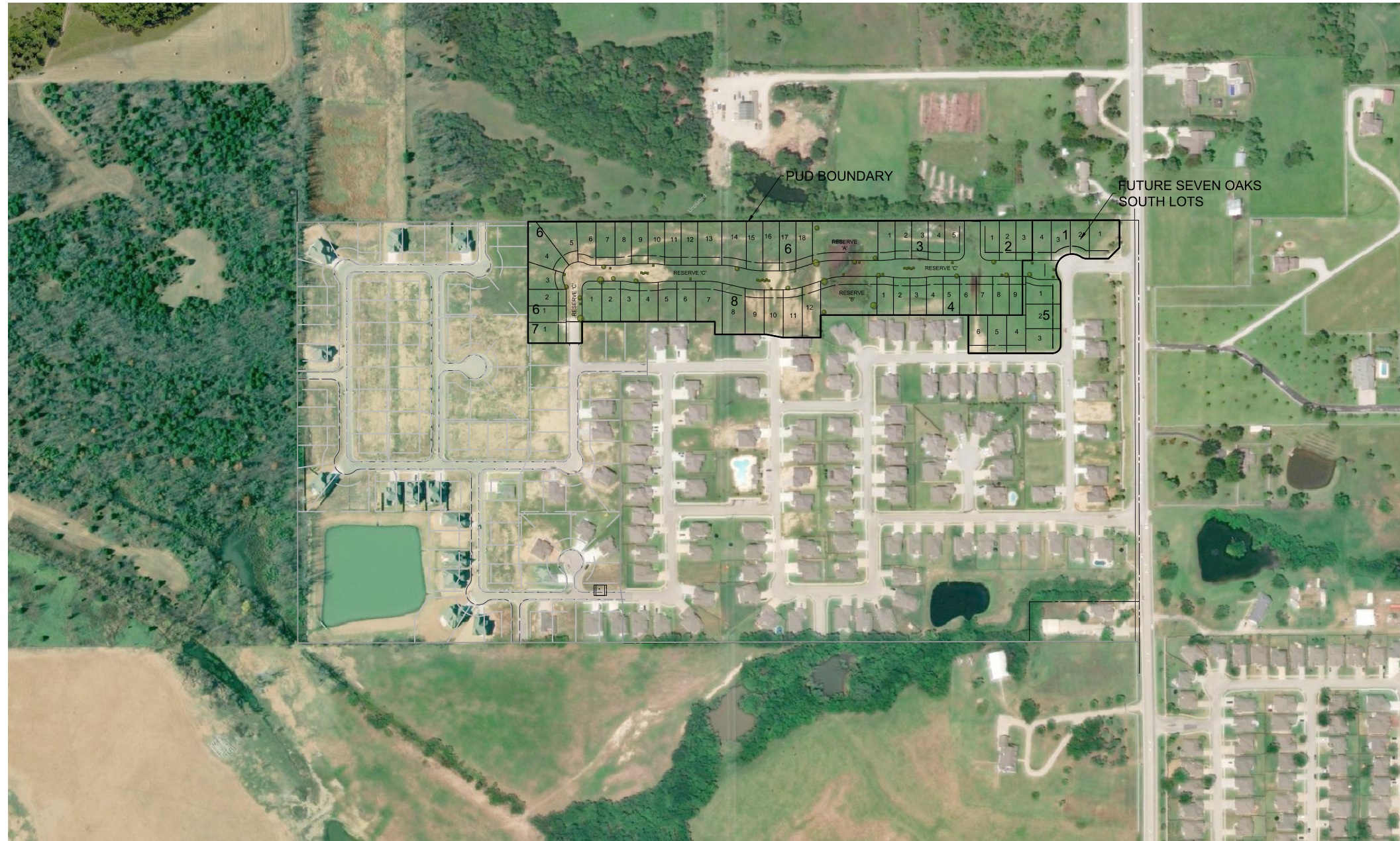
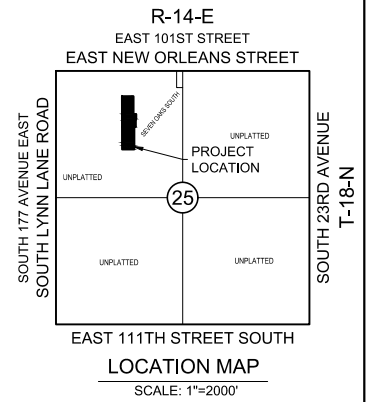


Exhibit B

Surrounding Areas
for

The Villages at Seven Oaks South



FILE: P:\18425-VILLAGES AT SEVEN OAKS SOUTH\18425-VILLAGES AT SEVEN OAKS SOUTH.PUD



AAB Engineering, LLC



Engineering • Surveying • Land Planning

P.O. 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

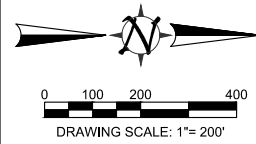
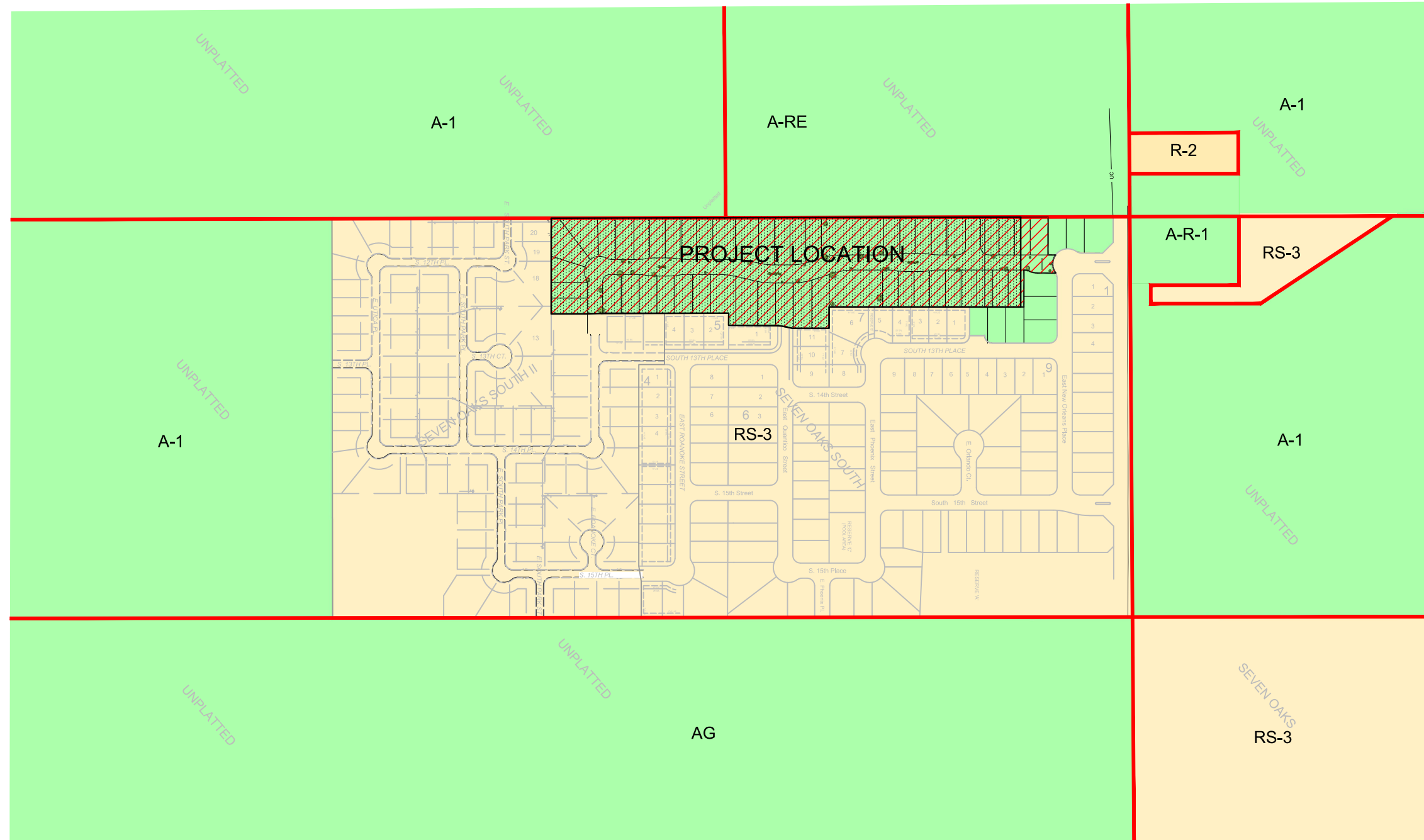
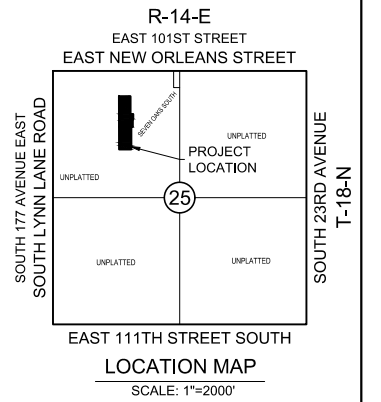


Exhibit C

Existing Zoning and Proposed Zoning
for

The Villages at Seven Oaks South



- LEGEND**
- ZONED AG (AGRICULTURE)
 - ZONED RS (RESIDENTIAL)
 - PROPOSED (RS-4 ZONING)&PUD-280
 - ORIGINAL PUD-280 & BAZ-2010



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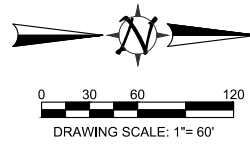
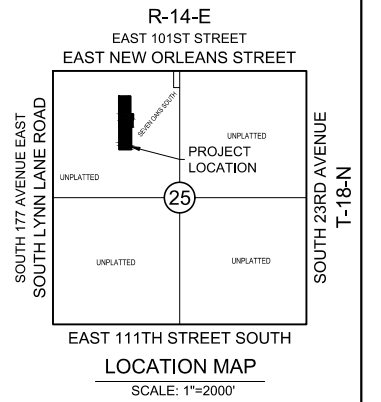
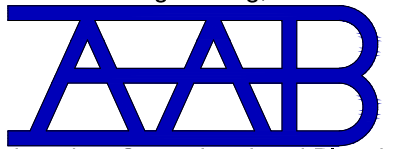


Exhibit D
Conceptual Development Plan
for

The Villages at Seven Oaks South



AAB Engineering, LLC



Engineering • Surveying • Land Planning

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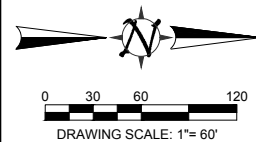
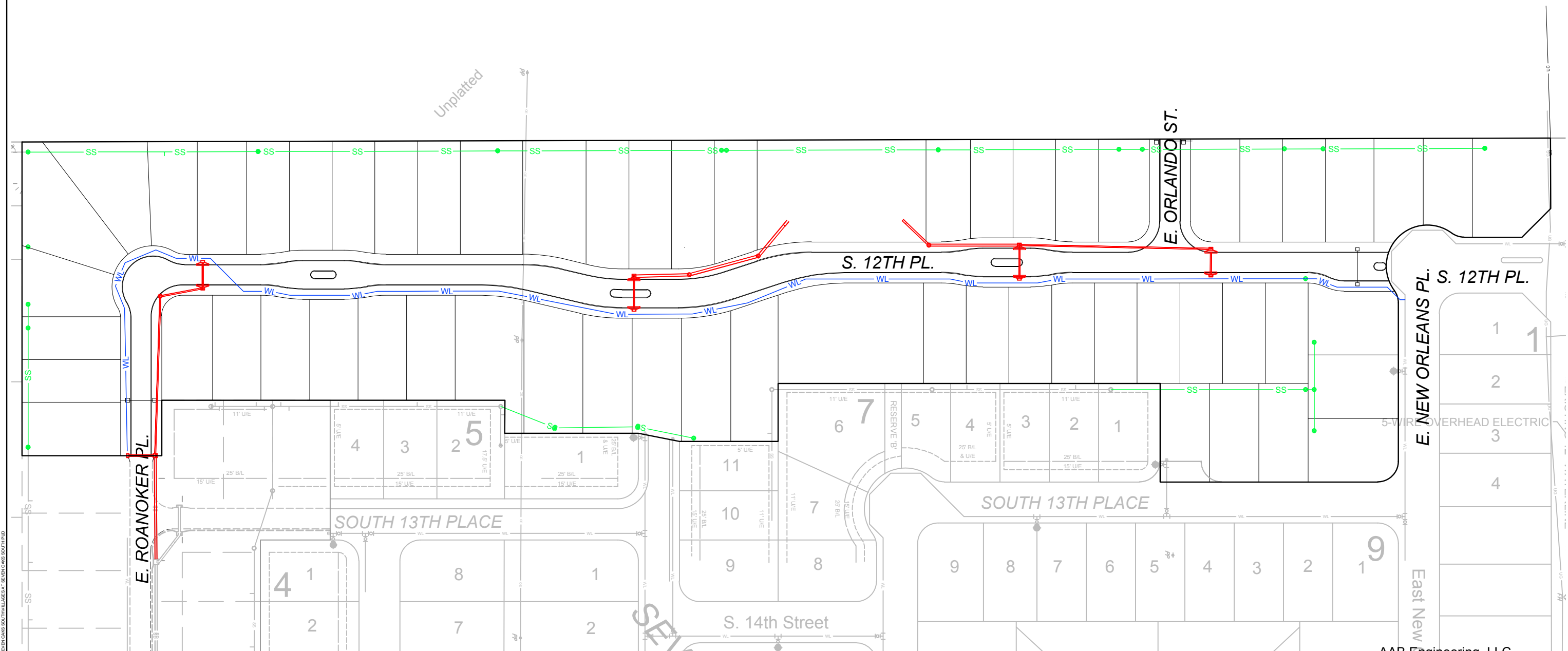
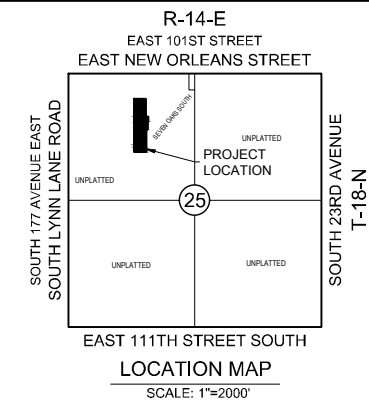


Exhibit E

Conceptual Improvements Plan
for

The Villages at Seven Oaks South



LEGEND

- WL PROPOSED WATERLINE
- SD PROPOSED STORM DRAINS
- SS PROPOSED SANITARY SEWER



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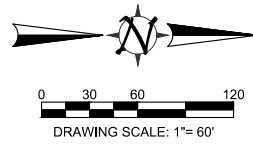
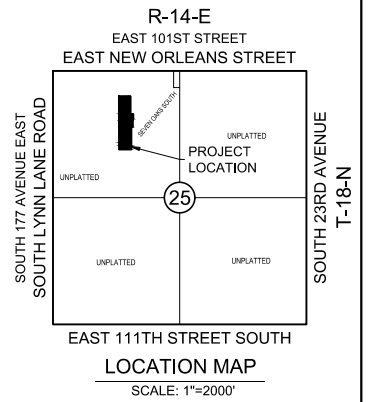


Exhibit F

Existing Topo & Aerial
for

The Villages at Seven Oaks South



AAB Engineering, LLC



Engineering • Surveying • Land Planning

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TITLE OPINION EASEMENTS AND RIGHTS-OF-WAY

1. EASEMENTS, SETBACK LINES, AND RESTRICTIONS OF SPECIAL WARRANTY DEED IN FAVOR OF WAGONER COUNTY, OKLAHOMA, DATED JANUARY 27, 1942, FILED FEBRUARY 3, 1942 AND RECORDED IN BOOK 232, PAGE 32 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: DOES NOT AFFECT SUBJECT PROPERTY.)

2. EASEMENTS, SETBACK LINES, AND RESTRICTIONS OF ORDER TO ENLARGE THE PURPOSES AND POWERS OF RURAL WATER DISTRICT NO. 4 IN WAGONER COUNTY, OKLAHOMA, DATED NOVEMBER 7, 1984, FILED NOVEMBER 7, 1984 AND RECORDED IN BOOK 662, PAGE 539 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: SUBJECT PROPERTY IS MADE PART OF THE ORDER TO ENLARGE BY VIRTUE OF BEING INCLUDED WITHIN THE LANDS DESCRIBED THEREIN.)

3. TERMS, CONDITIONS AND PROVISIONS OF RIGHT OF WAY DEED IN FAVOR OF MISSOURI, KANSAS & OKLAHOMA RAILROAD COMPANY, DATED AUGUST 11, 1902, FILED SEPTEMBER 8, 1919 AND RECORDED IN BOOK 135, PAGE 298 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: 100.00 FOOT WIDE STRIP FOR RIGHT OF WAY DEED DOES NOT AFFECT SUBJECT PROPERTY. A PORTION OF THE SOUTHERLY LINE FOR RIGHT OF WAY DEED IS THE COMMON BOUNDARY TO A NORTHERLY LINE OF SUBJECT PROPERTY. SHOWN FOR INFORMATIONAL PURPOSES.)

4. TERMS, CONDITIONS AND PROVISIONS OF RIGHT OF WAY DEED IN FAVOR OF MISSOURI, KANSAS AND OKLAHOMA RAILROAD COMPANY, DATED OCTOBER 30, 1902, FILED SEPTEMBER 8, 1919 AND RECORDED IN BOOK 135, PAGE 299 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: 25.00 FOOT WIDE STRIP FOR RIGHT OF WAY DEED DOES NOT AFFECT SUBJECT PROPERTY. A PORTION OF THE SOUTHERLY LINE FOR RIGHT OF WAY DEED IS THE COMMON BOUNDARY TO A NORTHERLY LINE OF SUBJECT PROPERTY. SHOWN FOR INFORMATIONAL PURPOSES.)

5. TERMS, CONDITIONS AND PROVISIONS OF RIGHT OF WAY EASEMENT IN FAVOR OF RURAL WATER DISTRICT NO. 4, WAGONER COUNTY, OKLAHOMA, DATED MARCH 22, 1967, FILED MAY 18, 1967 AND RECORDED IN BOOK 358, PAGE 208 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: EASEMENT NOT TO EXCEED 10.00 FEET IN WIDTH ACROSS THE SE/4 OF NW/4 AND "SHALL BE PARALLEL TO EXISTING ROAD EASEMENTS AND THE CENTERLINE SHALL NOT EXCEED --- FEET FROM THE CENTER OF THE ROAD". WE DOT KNOW OF ANY ROAD RIGHT-OF-WAYS COVERING THE SE/4 OF NW/4 AT THE TIME OF THIS INSTRUMENTS FILING. WATER FACILITIES, AS PROVIDED BY THE CITY OF BROKEN ARROW, SHOW NO WATERLINE IN THE SE/4 OF NW/4. NOTHING CAN BE PLOTTED.)

6. TERMS, CONDITIONS AND PROVISIONS OF ORDER IN FAVOR OF M.K. & T. RAILROAD COMPANY, DATED MAY 18, 1905, FILED JANUARY 17, 1912 AND RECORDED IN BOOK 89, PAGE 267 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: REFEREES APPOINTED TO DETERMINE AND APPRAISE COMPENSATION FOR LAND PROPERTY THAT IS SHOWN HEREON FOR RAILROAD.)

7. TERMS, CONDITIONS AND PROVISIONS OF DEDICATION DEED FOR RIGHT OF WAY IN FAVOR OF STATE OF OKLAHOMA, DATED OCTOBER 14, 1950, FILED NOVEMBER 24, 1950 AND RECORDED IN BOOK 256, PAGE 124 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: DOES NOT AFFECT SUBJECT PROPERTY.)

8. TERMS, CONDITIONS AND PROVISIONS OF RIGHT-OF-WAY EASEMENT IN FAVOR OF RURAL WATER DISTRICT NO. 4, WAGONER COUNTY, OKLAHOMA, DATED AUGUST 28, 1978, FILED SEPTEMBER 13, 1978 AND RECORDED IN BOOK 470, PAGE 22 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: DOES NOT AFFECT SUBJECT PROPERTY.)

9. TERMS, CONDITIONS AND PROVISIONS OF SEWER LINE EASEMENT CORPORATE IN FAVOR OF THE CITY OF BROKEN ARROW, OKLAHOMA, DATED APRIL 28, 1997, FILED MAY 21, 1997 AND RECORDED IN BOOK 853, PAGE 484 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: 20.00 FEET WIDE AND AFFECTS SUBJECT PROPERTY AS SHOWN HEREON.)

10. TERMS, CONDITIONS AND PROVISIONS OF RIGHT-OF-WAY EASEMENT IN FAVOR OF RURAL WATER AND SEWER DISTRICT NO. 4, WAGONER COUNTY, DATED DECEMBER 25, 2005, FILED FEBRUARY 6, 2006 AS DOCUMENT NO. 2006-1740 AND RECORDED IN BOOK 1557, PAGE 547 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: DOES NOT AFFECT SUBJECT PROPERTY. SHOWN HEREON FOR INFORMATIONAL PURPOSES.)

11. TERMS, CONDITIONS AND PROVISIONS OF EASEMENT DEED BY COURT ORDER IN SETTLEMENT OF LANDOWNER ACTION, STYLED CONNIE L. WEATHERS, RALPH COMPTON, AND JAN L. HUNTER-HARDEN, ON BEHALF OF THEMSELVES AND ALL OTHERS SIMILARLY SITUATED, PLAINTIFFS, VS. SPRINT COMMUNICATIONS COMPANY L.P., QWEST COMMUNICATIONS COMPANY, LLC, AND LEVEL 3 COMMUNICATIONS, LLC, DEFENDANTS, IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA, CASE NO. CIV-11-1475-W, DATED NOVEMBER 28, 2012, FILED NOVEMBER 28, 2012. (SURVEYORS NOTE: THERE ARE NO MATHEMATICAL DESCRIPTIONS FOR "EASEMENT" FOR "TELECOMMUNICATIONS CABLE SYSTEM" AS COLLECTIVELY DEFINED THEREIN AND LIMITED TO TEN (10) FEET ON EACH SIDE OF THE GRANTEE'S TELECOMMUNICATIONS CABLE SYSTEM ...AS IT EXISTED ON MARCH 22, 2012" AND THE TERMS, CONDITIONS AND PROVISIONS THEREIN. THE EXHIBIT PROVIDED, FOR AFFECTED LANDOWNERS (OUTSIDE OF RAILROAD, ETC.), MAKES REFERENCE TO GERALD M. BROTHER (FEE OWNER OF A PORTION OF SUBJECT PROPERTY) AND SITUATED IN SECTION 20, T-18-N, R-15-E, WAGONER COUNTY. WE MAKE NOTE OF SEVERAL FIBER OPTIC ROUTE MARKERS ALONG THE NORTH SIDE OF SUBJECT PROPERTY. IT CANNOT BE ENTIRELY CONSTRUCTED THAT FACILITIES EXIST THERE TODAY AND THEREFORE NOTHING CAN BE PLOTTED. EASEMENT RIGHTS MAY EXIST OVER A PORTION OF SUBJECT PROPERTY.)

Miscellaneous Notes

A. ALL UNDERGROUND UTILITIES MAY NOT BE SHOWN. CALL "OKIE" (1-800-522-6543) BEFORE DIGGING! (WE DO NOT CERTIFY TO THE EXISTENCE OR LOCATION OF UNDERGROUND UTILITIES.)

B. EXHIBIT "A" TRACT DESCRIBED HEREON AND LYING SOUTH OF EXHIBIT "B" TRACT CONTAINS 39.083 ACRES OR 1,702,458 SQUARE FEET.

EXHIBIT "A" TRACT DESCRIBED HEREON AND LYING NORTH OF EXHIBIT "B" TRACT CONTAINS 38.734 ACRES OR 1,687,270 SQUARE FEET.

EXHIBIT "B" TRACT DESCRIBED HEREON CONTAINS 2.441 ACRES OR 106,314 SQUARE FEET.

C. THE BEARING BASE FOR THIS SURVEY IS BASED ON GRID BEARINGS AND THE OKLAHOMA STATE PLANE COORDINATE SYSTEM.

D. THE PROPERTY DESCRIBED HEREON CONTAINS NO STRIPED PARKING SPACES.

E. THERE WAS NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS AT THE TIME OF SURVEY.

F. WE HAVE EXAMINED A MAP BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP OF BROKEN ARROW, CITY OF BROKEN ARROW, OKLAHOMA AND INCORPORATED AREAS, MAP NO. 40145C0115J, MAP EFFECTIVE: SEPTEMBER 30, 2016, WHICH SHOWS THE ENTIRE PORTION OF THE PROPERTY DESCRIBED HEREON AS LOCATED IN ZONE X WHICH IS CLASSIFIED AS AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN. (PER: <https://msc.fema.gov/portal>)

G. THE PROPERTY DESCRIBED HEREON HAS NO ADDRESS AT DATE OF SURVEY.

H. THERE ARE NO PROPOSED CHANGES IN STREET RIGHT-OF-WAY LINES AS MADE AVAILABLE TO THE SURVEYOR LING JURISDICTION. NO EVIDENCE OF STREET OR SIDEWALK CONSTRUCTION OR REPAIRS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK.

I. THERE WERE NO WETLANDS MARKERS OBSERVED FOR THE SUBJECT PROPERTY.

J. ELEVATIONS SHOWN HEREON BASED ON 1988 NAVD.

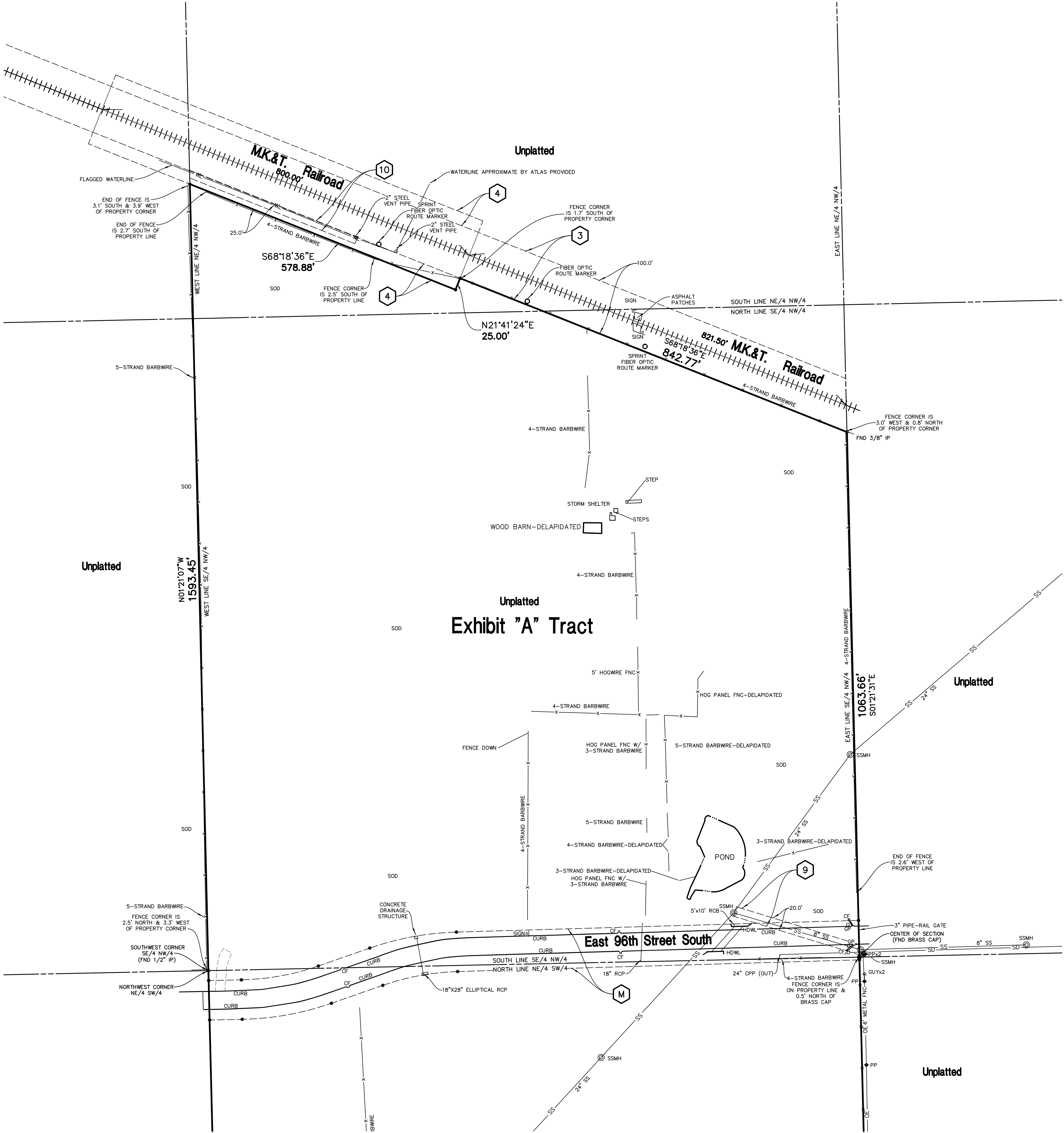
K. 3/8" IRON PINS SET AT ALL CORNER UNLESS OTHERWISE NOTED.

L. ALL EASEMENTS AND RIGHTS-OF-WAY CONTAINED IN TITLE OPINION BY KIVELL, RAYMENT AND FRANCIS, P.C., DATED JANUARY 18, 2019, ARE SHOWN OR NOTED HEREON.

M. GENERAL WARRANTY DEED FROM GERALD M. BROTHER TO CITY OF BROKEN ARROW, OKLAHOMA, A MUNICIPAL CORPORATION, DATED DECEMBER 3, 2012, FILED DECEMBER 13, 2012 AS DOCUMENT NO. 2012-15505 AND RECORDED IN BOOK 2056, PAGE 696 IN THE OFFICE OF THE WAGONER COUNTY CLERK.

Legend

ACC	ACCESS	OE	OVERHEAD ELECTRIC
A/C	AIR CONDITIONER	P.O.B.	POINT OF BEGINNING
AS	AUTO SPRINKLER	P.O.C.	POINT OF COMMENCEMENT
BLDG	BUILDING	PP	POWER POLE
B/L	BUILDING SETBACK LINE	PPT	POWER POLE W/TRANSFORMER
BW	BOTTOM OF WALL	PVC	POLYVINYL CHLORIDE PIPE
CB	CHORD BEARING	RCB	REINFORCED CONCRETE BOX
CD	CHORD DISTANCE	RCP	REINFORCED CONCRETE PIPE
CF	CONCRETE FLUME	RR	RAILROAD
COMP	CORRUGATED METAL PIPE	R/W	RIGHT-OF-WAY
CO	SEWER CLEAN-OUT	SC	SUPPORT COLUMN
CONC	CONCRETE	SD	STORM DRAIN
COT	CITY OF TULSA	SDH	STORM DRAIN MANHOLE
CPED	CABLE TELEVISION PEDESTAL	SGDI	SINGLE GRATE DROP INLET
DESC	DESCRIBED	SPHD	SPRINKLER HEAD
DGDI	DOUBLE GRATE DROP INLET	SS	SANITARY SEWER
DS	DOWNSPOUT	SSLH	SANITARY SEWER LAMPHOLE
EB	ELECTRIC BOX	SSMH	SANITARY SEWER MANHOLE
EM	ELECTRIC METER	TC	TOP OF CURB
EP	EDGE OF PAVEMENT	TG	TOP OF INLET GRATE
EPED	ELECTRIC PEDESTAL	TDGI	TRIPLE GRATE DROP INLET
ESMT	EASEMENT	TH	TOP OF HEADWALL
FH	FIRE HYDRANT	TP	TOP OF PAVING
F.M.	FIELD MEASURED	TPED	TELEPHONE PEDESTAL
FNC	FENCE	TR	TOP OF MANHOLE RIM
FND	FOUND	TSMH	TRAFFIC SIGNAL MANHOLE
FP	FLAGPOLE	TRSL	TRAFFIC SIGNAL LID
G	GUTTER	TW	TOP OF WALL
GL	GROUND LIGHT	TYP	TYPICAL
GM	GAS METER	UC	UNDERGROUND CABLE
GP	GUARD POST	UG	UNDERGROUND GAS LINE
GR	GAS RISER	UE	UNDERGROUND ELECTRIC
GUY	GUY DOWN	U/E	UTILITY EASEMENT
GUY	GAS VALVE	UNP	UNPLATTED
HOWL	CONCRETE HEADWALL	UT	UNDERGROUND TELEPHONE
ICV	IRRIGATION CONTROL VALVE	UTMH	UTILITY MANHOLE
IP	IRON PIN	WL	WATERLINE
LNA	LIMITS OF NO ACCESS	WM	WATER METER
LP	LIGHT POLE	WMH	WATER MANHOLE
MA/E	MUTUAL ACCESS EASEMENT	WV	WATER VALVE
ML	METAL LID	WS	WATER SPIGOT
OC	OVERHEAD CABLE	XFMR	TRANSFORMER



Legal Description (As Directed by Client)

EXHIBIT A TRACT DESCRIBED AS FOLLOWS: THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE/4 NW/4) AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE/4 SW/4) AND ALL THAT PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE/4 NW/4) LYING SOUTH AND WEST OF M.K. & T. RAILROAD RIGHT-OF-WAY IN SECTION TWENTY (20), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN BASE AND MERIDIAN, WAGONER COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF.

Exhibit Drawing

Part of the NW/4 & Part of the SW/4
Section 20, T-18-N, R-15-E
Wagoner County, State of Oklahoma



Sisemore Weisz & Associates, Inc.
Surveying - Civil Engineering - Land Planning
601 EAST 32ND PLACE
TULSA, OKLAHOMA 74106
PHONE: 918.685-3800
FAX: 918.685-3808
C.O. NO. 24261 (www.sisemore.com)

TITLE OPINION EASEMENTS AND RIGHTS-OF-WAY

1. EASEMENTS, SETBACK LINES, AND RESTRICTIONS OF SPECIAL WARRANTY DEED IN FAVOR OF WAGONER COUNTY, OKLAHOMA, DATED JANUARY 27, 1942, FILED FEBRUARY 3, 1942 AND RECORDED IN BOOK 232, PAGE 32 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: DOES NOT AFFECT SUBJECT PROPERTY.)

2. EASEMENTS, SETBACK LINES, AND RESTRICTIONS OF ORDER TO ENLARGE THE PURPOSES AND POWERS OF RURAL WATER DISTRICT NO. 4 IN WAGONER COUNTY, OKLAHOMA, DATED NOVEMBER 7, 1984, FILED NOVEMBER 7, 1984 AND RECORDED IN BOOK 662, PAGE 539 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: SUBJECT PROPERTY IS MADE PART OF THE ORDER TO ENLARGE BY VIRTUE OF BEING INCLUDED WITHIN THE LANDS DESCRIBED THEREIN.)

3. TERMS, CONDITIONS AND PROVISIONS OF RIGHT OF WAY DEED IN FAVOR OF MISSOURI, KANSAS & OKLAHOMA RAILROAD COMPANY, DATED AUGUST 11, 1902, FILED SEPTEMBER 8, 1919 AND RECORDED IN BOOK 135, PAGE 298 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: 100.00 FOOT WIDE STRIP FOR RIGHT OF WAY DEED DOES NOT AFFECT SUBJECT PROPERTY. A PORTION OF THE SOUTHERLY LINE FOR RIGHT OF WAY DEED IS THE COMMON BOUNDARY TO A NORTHERLY LINE OF SUBJECT PROPERTY. SHOWN FOR INFORMATIONAL PURPOSES.)

4. TERMS, CONDITIONS AND PROVISIONS OF RIGHT OF WAY DEED IN FAVOR OF MISSOURI, KANSAS AND OKLAHOMA RAILROAD COMPANY, DATED OCTOBER 30, 1902, FILED SEPTEMBER 8, 1919 AND RECORDED IN BOOK 135, PAGE 299 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: 25.00 FOOT WIDE STRIP FOR RIGHT OF WAY DEED DOES NOT AFFECT SUBJECT PROPERTY. A PORTION OF THE SOUTHERLY LINE FOR RIGHT OF WAY DEED IS THE COMMON BOUNDARY TO A NORTHERLY LINE OF SUBJECT PROPERTY. SHOWN FOR INFORMATIONAL PURPOSES.)

5. TERMS, CONDITIONS AND PROVISIONS OF RIGHT OF WAY EASEMENT IN FAVOR OF RURAL WATER DISTRICT NO. 4, WAGONER COUNTY, OKLAHOMA, DATED MARCH 22, 1967, FILED MAY 18, 1967 AND RECORDED IN BOOK 358, PAGE 208 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: EASEMENT NOT TO EXCEED 10.00 FEET IN WIDTH ACROSS THE SE/4 OF NW/4 AND "SHALL BE PARALLEL TO EXISTING ROAD EASEMENTS AND THE CENTERLINE SHALL NOT EXCEED --- FEET FROM THE CENTER OF THE ROAD". WE DOT KNOW OF ANY ROAD EASEMENTS COVERING THE SE/4 OF NW/4 AT THE TIME OF THIS INSTRUMENTS FILING. WATER FACILITIES, AS PROVIDED BY THE CITY OF BROKEN ARROW, SHOW NO WATERLINE IN THE SE/4 OF NW/4. NOTHING CAN BE PLOTTED.)

6. TERMS, CONDITIONS AND PROVISIONS OF ORDER IN FAVOR OF M.K. & T. RAILROAD COMPANY, DATED MAY 18, 1905, FILED JANUARY 17, 1912 AND RECORDED IN BOOK 89, PAGE 267 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: REFERREES APPOINTED TO DETERMINE AND APPRAISE COMPENSATION FOR LAND PROPERTY THAT IS SHOWN HEREON FOR RAILROAD.)

7. TERMS, CONDITIONS AND PROVISIONS OF DEDICATION DEED FOR RIGHT OF WAY IN FAVOR OF STATE OF OKLAHOMA, DATED OCTOBER 14, 1950, FILED NOVEMBER 24, 1950 AND RECORDED IN BOOK 256, PAGE 124 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: DOES NOT AFFECT SUBJECT PROPERTY.)

8. TERMS, CONDITIONS AND PROVISIONS OF RIGHT-OF-WAY EASEMENT IN FAVOR OF RURAL WATER DISTRICT NO. 4, WAGONER COUNTY, OKLAHOMA, DATED AUGUST 28, 1978, FILED SEPTEMBER 13, 1978 AND RECORDED IN BOOK 470, PAGE 22 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: DOES NOT AFFECT SUBJECT PROPERTY.)

9. TERMS, CONDITIONS AND PROVISIONS OF SEWER LINE EASEMENT CORPORATE IN FAVOR OF THE CITY OF BROKEN ARROW, OKLAHOMA, DATED APRIL 28, 1997, FILED MAY 21, 1997 AND RECORDED IN BOOK 953, PAGE 484 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: 20.00 FEET WIDE AND AFFECTS SUBJECT PROPERTY AS SHOWN HEREON.)

10. TERMS, CONDITIONS AND PROVISIONS OF RIGHT-OF-WAY EASEMENT IN FAVOR OF RURAL WATER AND SEWER DISTRICT NO. 4, WAGONER COUNTY, DATED DECEMBER 25, 2005, FILED FEBRUARY 6, 2006 AS DOCUMENT NO. 2006-1740 AND RECORDED IN BOOK 1557, PAGE 547 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: DOES NOT AFFECT SUBJECT PROPERTY. SHOWN HEREON FOR INFORMATIONAL PURPOSES.)

11. TERMS, CONDITIONS AND PROVISIONS OF EASEMENT DEED BY COURT ORDER IN SETTLEMENT OF LANDOWNER ACTION, STYLED CONNIE L. WEATHERS, RALPH COMPTON, AND JAN L. HUNTER-HARDEN, ON BEHALF OF THEMSELVES AND ALL OTHERS SIMILARLY SITUATED, PLAINTIFFS, VS. SPRINT COMMUNICATIONS COMPANY L.P., QWEST COMMUNICATIONS COMPANY, LLC, AND LEVEL 3 COMMUNICATIONS, LLC, DEFENDANTS, IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA, CASE NO. CIV-11-1475-W, DATED NOVEMBER 28, 2012, FILED NOVEMBER 28, 2012. (SURVEYORS NOTE: THERE ARE NO MATHEMATICAL DESCRIPTIONS FOR "EASEMENT" FOR "TELECOMMUNICATIONS CABLE SYSTEM" AS COLLECTIVELY DEFINED THEREIN AND LIMITED TO "TEN (10) FEET ON EACH SIDE OF THE GRANTEE'S TELECOMMUNICATIONS CABLE SYSTEM ...AS IT EXISTED ON MARCH 22, 2012" AND THE TERMS, CONDITIONS AND PROVISIONS THEREIN. THE EXHIBIT PROVIDED, FOR AFFECTED LANDOWNERS (OUTSIDE OF RAILROAD, ETC.), MAKES REFERENCE TO GERALD M. BROTHER (FEE OWNER OF A PORTION OF SUBJECT PROPERTY) AND SITUATED IN SECTION 20, T-18-N, R-15-E, WAGONER COUNTY. WE MAKE NOTE OF SEVERAL FIBER OPTIC ROUTE MARKERS ALONG THE NORTH SIDE OF SUBJECT PROPERTY. IT CANNOT BE ENTIRELY CONSTRUCTED THA FACILITIES EXIST THERE TODAY AND THEREFORE NOTHING CAN BE PLOTTED. EASEMENT RIGHTS MAY EXIST OVER A PORTION OF SUBJECT PROPERTY.)

Miscellaneous Notes

A. ALL UNDERGROUND UTILITIES MAY NOT BE SHOWN. CALL "OKIE" (1-800-522-6543) BEFORE DIGGING! (WE DO NOT CERTIFY TO THE EXISTENCE OR LOCATION OF UNDERGROUND UTILITIES.)

B. EXHIBIT "A" TRACT DESCRIBED HEREON AND LYING SOUTH OF EXHIBIT "B" TRACT CONTAINS 39.083 ACRES OR 1,702,458 SQUARE FEET.

EXHIBIT "A" TRACT DESCRIBED HEREON AND LYING NORTH OF EXHIBIT "B" TRACT CONTAINS 38.734 ACRES OR 1,687,270 SQUARE FEET.

EXHIBIT "B" TRACT DESCRIBED HEREON CONTAINS 2.441 ACRES OR 106,314 SQUARE FEET.

C. THE BEARING BASE FOR THIS SURVEY IS BASED ON GRID BEARINGS AND THE OKLAHOMA STATE PLANE COORDINATE SYSTEM.

D. THE PROPERTY DESCRIBED HEREON CONTAINS NO STRIPED PARKING SPACES.

E. THERE WAS NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS AT THE TIME OF SURVEY.

F. WE HAVE EXAMINED A MAP BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP, CITY OF BROKEN ARROW, WAGONER COUNTY, OKLAHOMA AND INCORPORATED AREAS, MAP NO. 40145C0115J, MAP EFFECTIVE: SEPTEMBER 30, 2016, WHICH SHOWS THE ENTIRE PORTION OF THE PROPERTY DESCRIBED HEREON AS LOCATED IN ZONE X WHICH IS CLASSIFIED AS AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN. (PER: <https://msc.fema.gov/portals>)

G. THE PROPERTY DESCRIBED HEREON HAS NO ADDRESS AT DATE OF SURVEY.

H. THERE ARE NO PROPOSED CHANGES IN STREET RIGHT-OF-WAY LINES AS MADE AVAILABLE TO THE SURVEYOR BY THE CONTROLLING JURISDICTION. NO EVIDENCE OF STREET OR SIDEWALK CONSTRUCTION OR REPAIRS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK.

I. THERE WERE NO WETLANDS MARKERS OBSERVED FOR THE SUBJECT PROPERTY.

J. ELEVATIONS SHOWN HEREON BASED ON 1988 NAVD.

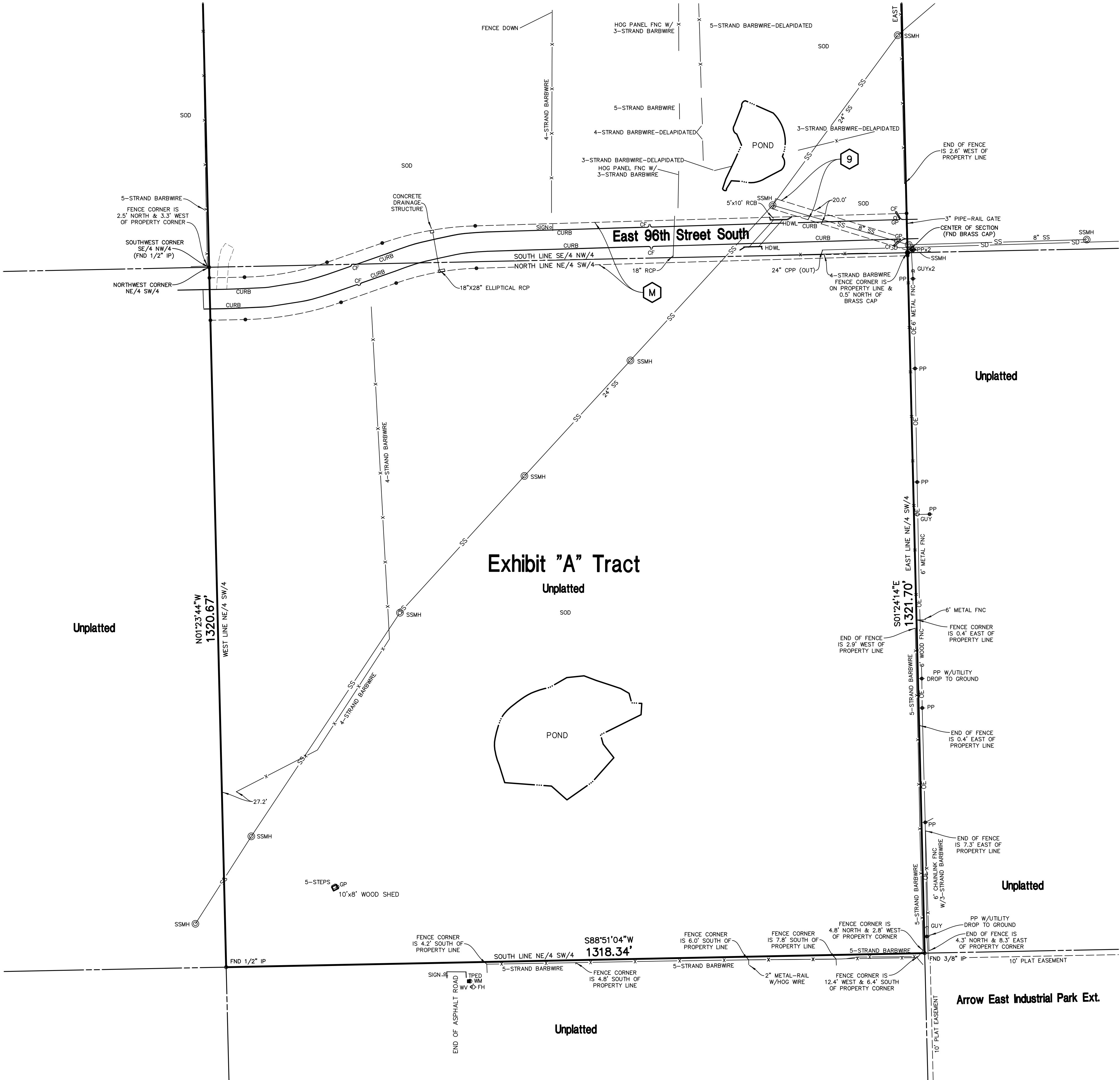
K. 3/8" IRON PINS SET AT ALL CORNER UNLESS OTHERWISE NOTED.

L. ALL EASEMENTS AND RIGHTS-OF-WAY CONTAINED IN TITLE OPINION BY KIVELL, RAYMENT AND FRANCIS, P.C., DATED JANUARY 18, 2019, ARE SHOWN OR NOTED HEREON.

M. GENERAL WARRANTY DEED FROM GERALD M. BROTHER TO CITY OF BROKEN ARROW, OKLAHOMA, A MUNICIPAL CORPORATION, DATED DECEMBER 3, 2012, FILED DECEMBER 13, 2012 AS DOCUMENT NO. 2012-15505 AND RECORDED IN BOOK 2056, PAGE 696 IN THE OFFICE OF THE WAGONER COUNTY CLERK.

Legend

ACC	ACCESS	OE	OVERHEAD ELECTRIC
A/C	AIR CONDITIONER	P.O.B.	POINT OF BEGINNING
AS	AUTO SPRINKLER	P.O.C.	POINT OF COMMENCEMENT
BLDG	BUILDING	PP	POWER POLE
B/L	BUILDING SETBACK LINE	PPT	POWER POLE W/TRANSFORMER
BW	BOTTOM OF WALL	PVC	POLYVINYL CHLORIDE PIPE
CB	CHORD BEARING	RCB	REINFORCED CONCRETE BOX
CD	CHORD DISTANCE	RCP	REINFORCED CONCRETE PIPE
CF	CONCRETE FLUME	RR	RAILROAD
COMP	CORRUGATED METAL PIPE	R/W	RIGHT-OF-WAY
CO	SEWER CLEAN-OUT	SC	SUPPORT COLUMN
CONC	CONCRETE	SD	STORM DRAIN
COT	CITY OF TULSA	SDH	SINGLE GRATE DROP INLET
CPED	CABLE TELEVISION PEDESTAL	SPHD	SPRINKLER HEAD
DESC	DESCRIBED	SS	SANITARY SEWER
DGDI	DOUBLE GRATE DROP INLET	SSLH	SANITARY SEWER LAMPHOLE
DS	DOWNSPOUT	SSMH	SANITARY SEWER MANHOLE
EB	ELECTRIC BOX	TC	TOP OF CURB
EM	ELECTRIC METER	TG	TOP OF INLET GRATE
EP	EDGE OF PAVEMENT	TDI	TRIPLE GRATE DROP INLET
EPED	ELECTRIC PEDESTAL	TH	TOP OF HEADWALL
ESMT	EASEMENT	TP	TOP OF PAVING
FH	FIRE HYDRANT	TR	TOP OF MANHOLE RIM
F.M.	FIELD MEASURED	TPED	TELEPHONE PEDESTAL
FNC	FENCE	TR	TOP OF MANHOLE RIM
FND	FOUND	TSMH	TRAFFIC SIGNAL MANHOLE
FP	FLAGPOLE	TRSL	TRAFFIC SIGNAL LID
G	GUTTER	TW	TOP OF WALL
GL	GROUND LIGHT	TYP	TYPICAL
GM	GAS METER	UC	UNDERGROUND CABLE
GP	GUARD POST	UG	UNDERGROUND GAS LINE
GR	GAS RISER	UE	UNDERGROUND ELECTRIC
GUY	GUY DOWN	U/E	UTILITY EASEMENT
GV	GAS VALVE	UNP	UNPLATTED
HOWL	CONCRETE HEADWALL	UT	UNDERGROUND TELEPHONE
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I. THERE WERE NO WETLANDS MARKERS OBSERVED FOR THE SUBJECT PROPERTY.

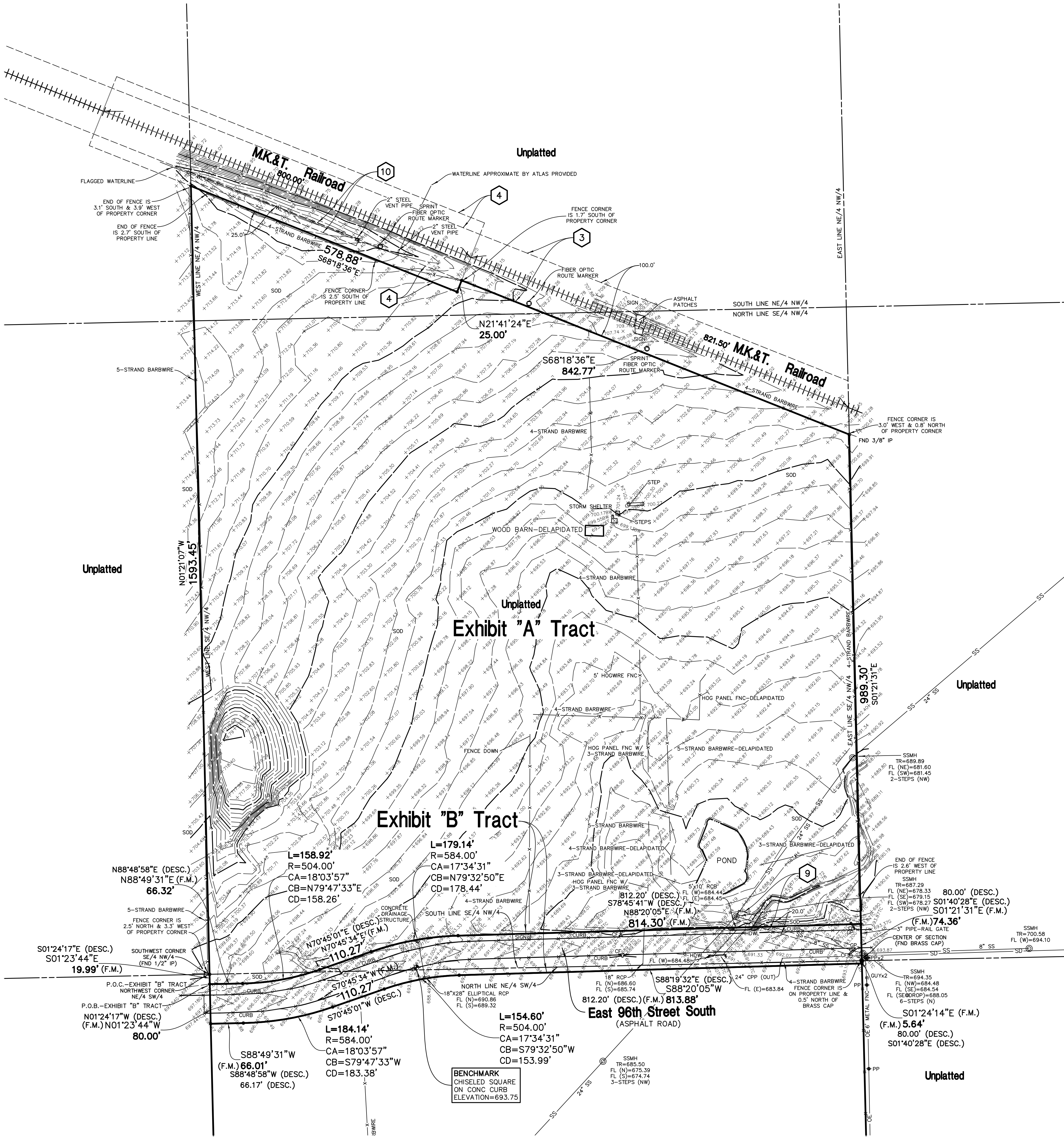
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Legend

ACC	ACCESS	OE	OVERHEAD ELECTRIC
A/C	AIR CONDITIONER	P.O.B.	POINT OF BEGINNING
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CONC	CONCRETE	SDM	STORM DRAIN
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ESMT	EASEMENT	TP	TOP OF PAVING
FM	FIRE HYDRANT	TPED	TELEPHONE PEDESTAL
FNC	FIELD MEASURED	TR	TOP OF MANHOLE RIM
FND	FOUND	TSMH	TRAFFIC SIGNAL MANHOLE
FP	FLAGPOLE	TRSL	TRAFFIC SIGNAL LID
G	GUTTER	TW	TOP OF WALL
GL	GROUND LIGHT	TY	TYPICAL
GM	GAS METER	UC	UNDERGROUND CABLE
GP	GUARD POST	UG	UNDERGROUND GAS LINE
GR	GAS RISER	UE	UNDERGROUND ELECTRIC
GUY	GUY DOWN	U/E	UTILITY EASEMENT
GV	GAS VALVE	UNP	UNPLATTED
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ML	METAL LID	WS	WATER SPIGOT
OC	OVERHEAD CABLE	XMFR	TRANSFORMER



Legal Description (From Title Opinion)

FROM SUCH EXAMINATION, WE FIND THAT THE ABSOLUTE, INDEFEASIBLE FEE SIMPLE RECORD TITLE TO THE ABOVE DESCRIBED PROPERTY WAS, AT THE DATE OF THE TITLE REPORT, VESTED IN:

GERALD M. BROTHER (REMAINDER PARCEL, SHOWN AS EXHIBIT "A") AND CITY OF BROKEN ARROW, OKLAHOMA, A MUNICIPAL CORPORATION (PARCEL A, SHOWN AS EXHIBIT "B")

BY VIRTUE OF THE FOLLOWING INSTRUMENTS:

1. QUIT CLAIM DEED FROM COMELLA J. BROTHER TO GERALD M. BROTHER, DATED MARCH 19, 2001, FILED MARCH 28, 2001 AND RECORDED IN BOOK 1131, PAGE 386 IN THE OFFICE OF THE WAGONER COUNTY CLERK, AS SHOWN ON PAGE 87 OF ABSTRACT #523500. A COPY OF SAME IS ATTACHED HERETO AND IS MARKED EXHIBIT "A".

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EXHIBIT "B" TRACT DESCRIBED AS FOLLOWS: A TRACT OF LAND THAT IS IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE/4 NW/4) AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE/4 SW/4) AND ALL THAT PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE/4 NW/4) LYING SOUTH AND WEST OF M.K. & T. RAILROAD RIGHT-OF-WAY IN SECTION TWENTY (20), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN BASE AND MERIDIAN, WAGONER COUNTY, STATE OF OKLAHOMA, THEREOF, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF WEST HALF OF THE SOUTHWEST QUARTER (W/2, SW/4) OF SAID SECTION TWENTY (20); THENCE S 1° 24' 17" E A DISTANCE OF 19.89 FEET TO THE POINT OF BEGINNING; THENCE N 88° 48' 58" E A DISTANCE OF 66.32 FEET; THENCE ALONG A CURVE TO THE LEFT WITH A CENTRAL ANGLE OF 18° 03' 57", WITH A RADIUS OF 504.00 FEET FOR A DISTANCE OF 158.92 FEET; THENCE N 70° 45' 01" E A DISTANCE OF 110.27 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH A CENTRAL ANGLE OF 17° 34' 31", WITH A RADIUS OF 584.00 FEET FOR A DISTANCE OF 179.14 FEET; THENCE S 78° 45' 41.00" W A DISTANCE OF 812.20 FEET TO A POINT ON THE EAST LINE OF SAID SOUTHWEST QUARTER; THENCE S 1° 40' 28" E A DISTANCE OF 80.00 FEET; THENCE S 88° 19' 32" W A DISTANCE OF 812.20 FEET; THENCE ALONG A CURVE TO THE LEFT WITH A CENTRAL ANGLE OF 17° 34' 31" AND A RADIUS OF 504.00 FEET FOR A DISTANCE OF 154.60 FEET; THENCE S 70° 45' 01" W A DISTANCE OF 110.27 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH A CENTRAL ANGLE OF 18° 03' 57" AND A RADIUS OF 584.00 FEET FOR A DISTANCE OF 184.14 FEET; THENCE S 88° 48' 58" W A DISTANCE OF 66.17 FEET; THENCE N 1° 24' 17" W A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING.

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Part of the NW/4 & Part of the SW/4
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Wagoner County, State of Oklahoma

Sisemore Weisz & Associates, Inc.
Surveying - Civil Engineering - Land Planning
8th East 32nd Place
Tulsa, Oklahoma 74106
C.O. No. 0261 (www.swa-inc.com)

TITLE OPINION EASEMENTS AND RIGHTS-OF-WAY

1. EASEMENTS, SETBACK LINES, AND RESTRICTIONS OF SPECIAL WARRANTY DEED IN FAVOR OF WAGONER COUNTY, OKLAHOMA, DATED JANUARY 27, 1942, FILED FEBRUARY 3, 1942 AND RECORDED IN BOOK 232, PAGE 32 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: DOES NOT AFFECT SUBJECT PROPERTY.)

2. EASEMENTS, SETBACK LINES, AND RESTRICTIONS OF ORDER TO ENLARGE THE PURPOSES AND POWERS OF RURAL WATER DISTRICT NO. 4 IN WAGONER COUNTY, OKLAHOMA, DATED NOVEMBER 7, 1984, FILED NOVEMBER 7, 1984 AND RECORDED IN BOOK 662, PAGE 539 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: SUBJECT PROPERTY IS MADE PART OF THE ORDER TO ENLARGE BY VIRTUE OF BEING INCLUDED WITHIN THE LANDS DESCRIBED THEREIN.)

3. TERMS, CONDITIONS AND PROVISIONS OF RIGHT OF WAY DEED IN FAVOR OF MISSOURI, KANSAS & OKLAHOMA RAILROAD COMPANY, DATED AUGUST 11, 1902, FILED SEPTEMBER 8, 1919 AND RECORDED IN BOOK 135, PAGE 298 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: 100.00 FOOT WIDE STRIP FOR RIGHT OF WAY DEED DOES NOT AFFECT SUBJECT PROPERTY. A PORTION OF THE SOUTHERLY LINE FOR RIGHT OF WAY DEED IS THE COMMON BOUNDARY TO A NORTHERLY LINE OF SUBJECT PROPERTY. SHOWN FOR INFORMATIONAL PURPOSES.)

4. TERMS, CONDITIONS AND PROVISIONS OF RIGHT OF WAY DEED IN FAVOR OF MISSOURI, KANSAS AND OKLAHOMA RAILROAD COMPANY, DATED OCTOBER 30, 1902, FILED SEPTEMBER 8, 1919 AND RECORDED IN BOOK 135, PAGE 299 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: 25.00 FOOT WIDE STRIP FOR RIGHT OF WAY DEED DOES NOT AFFECT SUBJECT PROPERTY. A PORTION OF THE SOUTHERLY LINE FOR RIGHT OF WAY DEED IS THE COMMON BOUNDARY TO A NORTHERLY LINE OF SUBJECT PROPERTY. SHOWN FOR INFORMATIONAL PURPOSES.)

5. TERMS, CONDITIONS AND PROVISIONS OF RIGHT OF WAY EASEMENT IN FAVOR OF RURAL WATER DISTRICT NO. 4, WAGONER COUNTY, OKLAHOMA, DATED MARCH 22, 1967, FILED MAY 18, 1967 AND RECORDED IN BOOK 358, PAGE 208 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: EASEMENT NOT EXCEED 10.00 FEET IN WIDTH ACROSS THE SE 1/4 OF NW 1/4 AND "SHALL BE PARALLEL TO EXISTING ROAD EASEMENTS AND THE CENTERLINE SHALL NOT EXCEED --- FEET FROM THE CENTER OF THE ROAD". WE DO NOT KNOW OF ANY ROAD EASEMENTS COVERING THE SE 1/4 OF NW 1/4 AT THE TIME OF THIS INSTRUMENTS FILING. WATER FACILITIES, AS PROVIDED BY THE CITY OF BROKEN ARROW, SHOW NO WATERLINE IN THE SE 1/4 OF NW 1/4. NOTHING CAN BE PLOTTED.)

6. TERMS, CONDITIONS AND PROVISIONS OF ORDER IN FAVOR OF M.K. & T. RAILROAD COMPANY, DATED MAY 18, 1905, FILED JANUARY 17, 1912 AND RECORDED IN BOOK 89, PAGE 267 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: REFERRES APPOINTED TO DETERMINE AND APPRAISE COMPENSATION FOR LAND PROPERTY THAT IS SHOWN HEREON FOR RAILROAD.)

7. TERMS, CONDITIONS AND PROVISIONS OF DEDICATION DEED FOR RIGHT OF WAY IN FAVOR OF STATE OF OKLAHOMA, DATED OCTOBER 14, 1950, FILED NOVEMBER 24, 1950 AND RECORDED IN BOOK 256, PAGE 124 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: DOES NOT AFFECT SUBJECT PROPERTY.)

8. TERMS, CONDITIONS AND PROVISIONS OF RIGHT-OF-WAY EASEMENT IN FAVOR OF RURAL WATER DISTRICT NO. 4, WAGONER COUNTY, OKLAHOMA, DATED AUGUST 28, 1978, FILED SEPTEMBER 13, 1978 AND RECORDED IN BOOK 470, PAGE 22 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: DOES NOT AFFECT SUBJECT PROPERTY.)

9. TERMS, CONDITIONS AND PROVISIONS OF SEWER LINE EASEMENT CORPORATE IN FAVOR OF THE CITY OF BROKEN ARROW, OKLAHOMA, DATED APRIL 28, 1997, FILED MAY 21, 1997 AND RECORDED IN BOOK 953, PAGE 484 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: DOES NOT AFFECT SUBJECT PROPERTY. AS SHOWN HEREON.)

10. TERMS, CONDITIONS AND PROVISIONS OF RIGHT-OF-WAY EASEMENT IN FAVOR OF RURAL WATER AND SEWER DISTRICT NO. 4, WAGONER COUNTY, OKLAHOMA, DATED DECEMBER 25, 2005, FILED FEBRUARY 6, 2006 AS DOCUMENT NO. 2006-1740 AND RECORDED IN BOOK 1557, PAGE 547 IN THE OFFICE OF THE WAGONER COUNTY CLERK. (SURVEYORS NOTE: DOES NOT AFFECT SUBJECT PROPERTY. SHOWN HEREON FOR INFORMATIONAL PURPOSES.)

11. TERMS, CONDITIONS AND PROVISIONS OF EASEMENT DEED BY COURT ORDER IN SETTLEMENT OF LANDOWNER ACTION, STYLED CONNIE L. WEATHERS, RALPH COMPTON, AND JAN L. HUNTER-HARDEN, ON BEHALF OF THEMSELVES AND ALL OTHERS SIMILARLY SITUATED, PLAINTIFFS, VS. SPRINT COMMUNICATIONS COMPANY L.P., QWEST COMMUNICATIONS COMPANY, LLC, AND LEVEL 3 COMMUNICATIONS, LLC, DEFENDANTS IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA, CASE NO. CIV-11-1475-W, DATED NOVEMBER 28, 2012, FILED NOVEMBER 28, 2012. (SURVEYORS NOTE: THERE ARE NO MATHEMATICAL DESCRIPTIONS FOR "EASEMENT" FOR "TELECOMMUNICATIONS CABLE SYSTEM" AS COLLECTIVELY DEFINED THEREIN AND LIMITED TO "TEN (10) FEET ON EACH SIDE OF THE GRANITE'S TELECOMMUNICATIONS CABLE SYSTEM ...AS IT EXISTED ON MARCH 22, 2012" AND THE TERMS, CONDITIONS AND PROVISIONS THEREIN. THE EXHIBIT PROVIDED, FOR AFFECTED LANDOWNERS (OUTSIDE OF RAILROAD, ETC.), MAKES REFERENCE TO GERALD M. BROTHER (FEE OWNER OF A PORTION OF SUBJECT PROPERTY) AND SITUATED IN SECTION 20, T-18-N, R-15-E, WAGONER COUNTY. WE MAKE NOTE OF SEVERAL FIBER OPTIC ROUTE MARKERS ALONG THE NORTH SIDE OF SUBJECT PROPERTY. IT CANNOT BE ENTIRELY FACILITIES EXIST TODAY AND THEREFORE NOTHING CAN BE PLOTTED. EASEMENT RIGHTS MAY EXIST OVER A PORTION OF SUBJECT PROPERTY.)

Miscellaneous Notes

A. ALL UNDERGROUND UTILITIES MAY NOT BE SHOWN. CALL "OKIE" (1-800-522-6543) BEFORE DIGGING! (WE DO NOT CERTIFY TO THE EXISTENCE OR LOCATION OF UNDERGROUND UTILITIES.)

B. EXHIBIT "A" TRACT DESCRIBED HEREON AND LYING SOUTH OF EXHIBIT "B" TRACT CONTAINS 39.083 ACRES OR 1,702,458 SQUARE FEET.

EXHIBIT "A" TRACT DESCRIBED HEREON AND LYING NORTH OF EXHIBIT "B" TRACT CONTAINS 38.734 ACRES OR 1,687,270 SQUARE FEET.

EXHIBIT "B" TRACT DESCRIBED HEREON CONTAINS 2.441 ACRES OR 106,314 SQUARE FEET.

C. THE BEARING BASE FOR THIS SURVEY IS BASED ON GRID BEARINGS AND THE OKLAHOMA STATE PLANE COORDINATE SYSTEM.

D. THE PROPERTY DESCRIBED HEREON CONTAINS NO STRIPED PARKING SPACES.

E. THERE WAS NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS AT THE TIME OF SURVEY.

F. WE HAVE EXAMINED A MAP BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP, CITY OF BROKEN ARROW, OKLAHOMA, AND INCORPORATED AREAS, MAP NO. 40145C0115J, MAP EFFECTIVE: SEPTEMBER 30, 2016, WHICH SHOWS THE ENTIRE PORTION OF THE PROPERTY DESCRIBED HEREON AS LOCATED IN ZONE X WHICH IS CLASSIFIED AS AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN. (PER: <https://msc.fema.gov/portal>)

G. THE PROPERTY DESCRIBED HEREON HAS NO ADDRESS AT DATE OF SURVEY.

H. THERE ARE NO PROPOSED CHANGES IN STREET RIGHT-OF-WAY LINES AS MADE AVAILABLE TO THE SURVEYOR BY THE CONTROLLING JURISDICTION. NO EVIDENCE OF STREET OR SIDEWALK CONSTRUCTION OR REPAIRS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK.

I. THERE WERE NO WETLANDS MARKERS OBSERVED FOR THE SUBJECT PROPERTY.

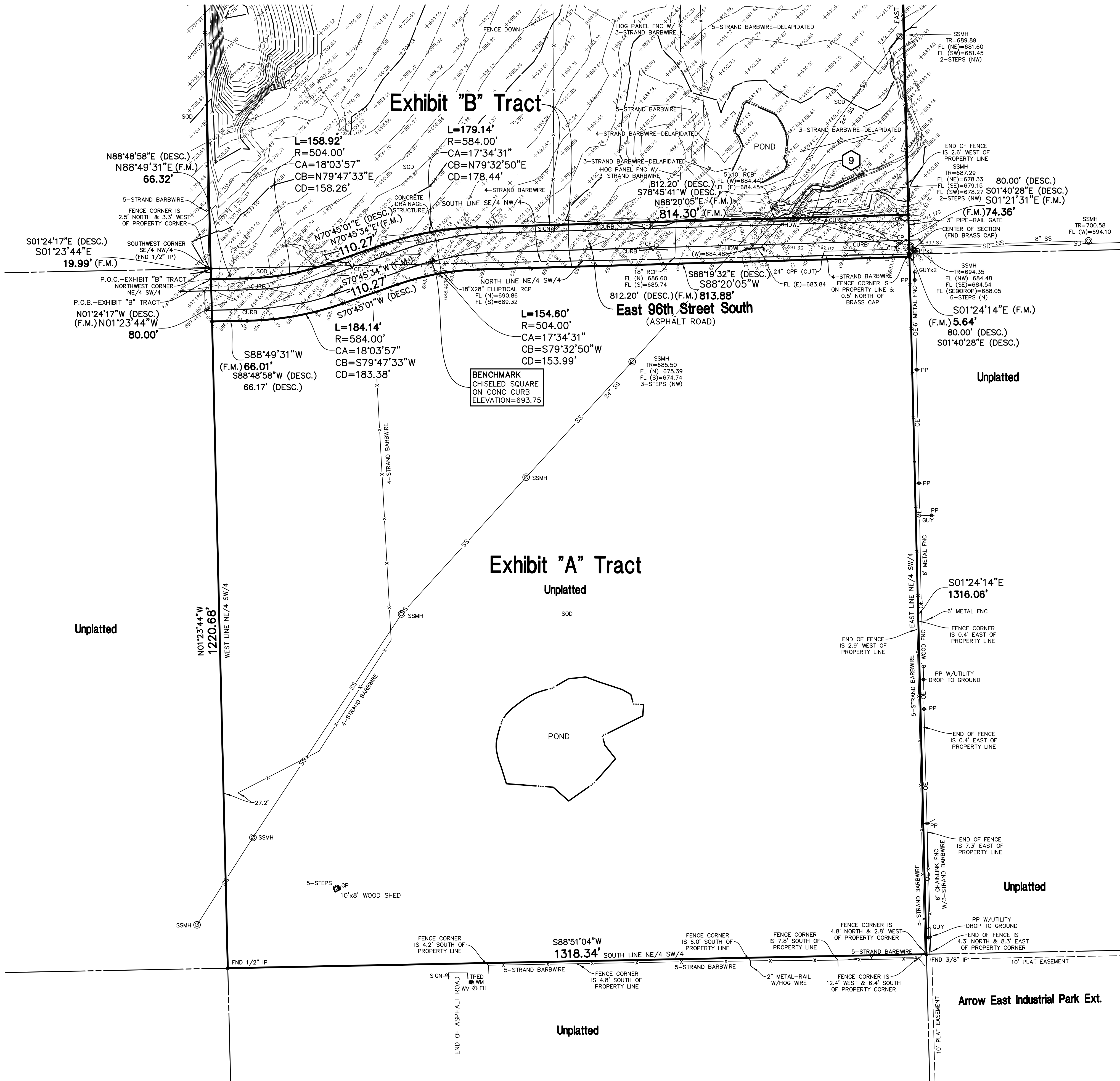
J. ELEVATIONS SHOWN HEREON BASED ON 1988 NAVD.

K. 3/8" IRON PINS SET AT ALL CORNER UNLESS OTHERWISE NOTED.

L. ALL EASEMENTS AND RIGHTS-OF-WAY CONTAINED IN TITLE OPINION BY KIVELL, RAYMENT AND FRANCIS, P.C., DATED JANUARY 18, 2019, ARE SHOWN OR NOTED HEREON.

Legend

ACC	ACCESS	OE	OVERHEAD ELECTRIC
A/C	AIR CONDITIONER	P.O.B.	POINT OF BEGINNING
AS	AUTO SPRINKLER	P.O.C.	POINT OF COMMENCEMENT
BLDG	BUILDING	PP	POWER POLE
B/L	BUILDING SETBACK LINE	PPT	POWER POLE W/ TRANSFORMER
BW	BOTTOM OF WALL	PVC	POLYVINYL CHLORIDE PIPE
CB	CHORD BEARING	RCB	REINFORCED CONCRETE BOX
CD	CHORD DISTANCE	RCP	REINFORCED CONCRETE PIPE
CF	CONCRETE FILLING	RAIL	RAILROAD
COMP	CORRUGATED METAL PIPE	R/W	RIGHT-OF-WAY
CO	SEWER CLEAN-OUT	SC	SUPPORT COLUMN
CONC	CONCRETE	SDM	STORM DRAIN
COT	CITY OF TULSA	SDGI	SINGLE GRATE DROP INLET
CPED	CABLE TELEVISION PEDESTAL	SPHD	SPRINKLER HEAD
DESC	DESCRIBED	SS	SANITARY SEWER
DGDI	DOUBLE GRATE DROP INLET	SSL	SANITARY SEWER LAMPHOLE
DS	DOWNSPOUT	SSMH	SANITARY SEWER MANHOLE
EB	ELECTRIC BOX	TC	TOP OF CURB
EM	ELECTRIC METER	TO	TOP OF INLET GRATE
EP	EDGE OF PAVEMENT	TDGI	TRIPLE GRATE DROP INLET
EPED	ELECTRIC PEDESTAL	TH	TOP OF HEADWALL
ESMT	EASEMENT	TP	TOP OF PAVING
FM	FIRE HYDRANT	TPED	TELEPHONE PEDESTAL
FNC	FENCE	TR	TOP OF MANHOLE RIM
FND	FOUND	TSMH	TRAFFIC SIGNAL MANHOLE
FP	FLAGPOLE	TRSL	TRAFFIC SIGNAL LID
G	GUTTER	TW	TOP OF WALL
GL	GROUND LIGHT	TYP	TYPICAL
GM	GAS METER	UC	UNDERGROUND CABLE
GP	GUARD POST	UG	UNDERGROUND GAS LINE
GR	GAS RISER	UE	UNDERGROUND ELECTRIC
GUY	GUY DOWN	U/E	UTILITY EASEMENT
GV	GAS VALVE	UNP	UNPLATTED
HDWL	CONCRETE HEADWALL	UT	UNDERGROUND TELEPHONE
ICV	IRRIGATION CONTROL VALVE	UTMH	UTILITY MANHOLE
IP	IRON PIN	WL	WATERLINE
LNA	LIMITS OF NO ACCESS	WM	WATER METER
LP	LIGHT POLE	WMH	WATER MANHOLE
MA/E	MUTUAL ACCESS EASEMENT	WV	WATER VALVE
ML	METAL LID	WS	WATER SPIGOT
OC	OVERHEAD CABLE	XFMR	TRANSFORMER



Legal Description (From Title Opinion)

FROM SUCH EXAMINATION, WE FIND THAT THE ABSOLUTE, INDEFEASIBLE FEE SIMPLE RECORD TITLE TO THE ABOVE DESCRIBED PROPERTY WAS, AT THE DATE OF THE TITLE REPORT, VESTED IN:

GERALD M. BROTHER (REMAINDER PARCEL, SHOWN AS EXHIBIT "A") AND CITY OF BROKEN ARROW, OKLAHOMA, A MUNICIPAL CORPORATION (PARCEL A, SHOWN AS EXHIBIT "B")

BY VIRTUE OF THE FOLLOWING INSTRUMENTS:

1. QUIT CLAIM DEED FROM COMMELLA J. BROTHER TO GERALD M. BROTHER, DATED MARCH 19, 2001, FILED MARCH 28, 2001 AND RECORDED IN BOOK 1131, PAGE 386 IN THE OFFICE OF THE WAGONER COUNTY CLERK, AS SHOWN ON PAGE 67 OF ABSTRACT #523500. A COPY OF SAME IS ATTACHED HERETO AND IS MARKED EXHIBIT "A".

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SHEET
2 OF 2



SISEMORE WEISZ & ASSOCIATES, INC.
BY:
SHAWN A. COLLINS
PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1788
EMAIL: scollins@sw-assoc.com

THIS PLAT OF SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS, AS ADOPTED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR THE STATE OF OKLAHOMA.

WITNESS MY HAND AND SEAL THIS 1ST DAY OF FEBRUARY, 2019.