

AGENDA
JENKS PLANNING COMMISSION
6:00 P.M. THURSDAY, NOVEMBER 21, 2019
COUNCIL CHAMBERS, JENKS CITY HALL
211 NORTH ELM STREET, JENKS, OKLAHOMA 74037

I. CALL TO ORDER

II. ROLL CALL

III. REQUEST TO APPROVE MINUTES OF NOVEMBER 07, 2019

Documents:

[2019.11.07 PC MINUTES.PDF](#)

IV. BUSINESS

1. ARC 19-479: Request by Jason Davis for approval of architecture, materials, color, and a sign. General Location: 324 E Aquarium Pl

Documents:

[PC STAFF REPORT \(FULL\) ARC 19-479.PDF](#)

2. Plat: Request by Ryan McCarty for approval of the Final Plat for Yorktown 50-52

Documents:

[PC STAFF REPORT \(FULL\) YORKTOWN 50-52 FINAL PLAT.PDF](#)

3. Plat: Request by Tulsa Engineering & Planning Associates, Inc., on behalf of Tulsa Premium Outlets, L.L.C., for approval of the Preliminary/Conditional Final Plat for Tulsa Premium Outlets

Documents:

[PC STAFF REPORT \(FULL\) TULSA PREMIUM OUTLETS PLAT.PDF](#)

V. OTHER BUSINESS

1. Horizon Jenks - Comprehensive Plan Project Update

VI. ADJOURNMENT

MINUTES
JENKS PLANNING COMMISSION
6:00 P.M. THURSDAY, NOVEMBER 11, 2019
COUNCIL CHAMBERS, JENKS CITY HALL, 211 NORTH ELM STREET
JENKS, OKLAHOMA

The Jenks Planning Commission was called to order at 6:00 p.m. on November 07, 2019, at Jenks City Hall by Chair Carol Minden. A roll call vote of members was taken as follows:

Present

Leon Davis
Craig Bowman
David Randolph
Travis Fulkerson
John Brown
Scott West
Chair Carol Minden

Absent

Request to approve minutes of October 24, 2019. John Brown made a motion to approve the minutes. Craig Bowman seconded the motion. A roll call vote of members was taken as follows:

YEA: Davis, Bowman, Randolph, Fulkerson, Brown, West, Minden

NAY: None

Motion carried.

Business

1. **JZ 19-645 PUD 118:** Request by Alan Betchan, AAB Engineering, for a zone change from AG to RS-3 and a Planned Unit Development for a single-family residential subdivision. **General Location:** 11358 S Elwood Ave W – **STAFF REQUESTS**
TABLING UNTIL FURTHER NOTICE

Jim Beach presented his reasoning for requesting tabling the item until further notice. Scott West made a motion to table Item 1 until further notice. David Randolph seconded the motion. A roll call vote of members was taken as follows:

YEA: Davis, Bowman, Randolph, Fulkerson, Brown, West, Minden

NAY: None

Motion carried. Item 1 tabled until further notice.

2. **JZ 19-646:** Request by Carla Hoelting Harris for a zone change from RS to CS. **General Location:** 421 W Main St

Jim Beach presented his staff report and recommended approval. Charlotte Montgomery [10612 S Fir Ave] addressed the Commission about the required parking for the building and was told that it would meet the required three (3) spaces. Travis Fulkerson made a motion to approve Item 2. Craig Bowman seconded the motion. A roll call vote of members was taken as follows:

YEA: Davis, Bowman, Randolph, Fulkerson, Brown, West, Minden

NAY: None

Motion carried.

3. Plat: Request by Mike Thedford of Wallace Engineering for approval of a Preliminary Plat for Aquarium Place Apartments. General Location 203 E Main St

Jim Beach presented his staff report and recommended approval. John Brown made a motion to table Item 3 until further notice. Scott West seconded the motion. A roll call vote of members was taken as follows:

YEA: Davis, Bowman, Randolph, Fulkerson, Brown, West, Minden

NAY: None

Motion carried. Item 3 tabled until further notice.

Other Business.

- Horizon Jenks – Comprehensive Plan project update Jim Beach presented the Planning Commission with an update about the Horizon Jenks - Comprehensive Plan.

Adjournment. David Randolph made a motion to adjourn. Craig Bowman seconded the motion. A roll call vote of members was taken as follows:

YEA: Davis, Bowman, Randolph, Fulkerson, Brown, West, Minden

NAY: None

Motion carried. The Jenks Planning Commission adjourned at 6:42 p.m.



Staff Report

To: Planning Commissioners
From: Jim Beach, City Planner
Hearing Date: November 21, 2019
Subject: ARC 19-479
Exhibits:
1. Site plans and rendering

Applicant:	Jason Davis
Action Requested:	Approval of architecture, materials, colors, fence, and sign
Location:	324 E Aquarium Pl (Ward 1)
Applicable Regulations:	Jenks Zoning Code, Chapter 16, Appearance Review Districts, Section 1660.1 Special Theme District Guidelines
Current Zoning:	CS
Lot Size:	50' x 142.6'
Surrounding Zoning and Land Uses:	CS, RS-3, RM-2, mixed residential

CRITERIA and CONSIDERATIONS FOR ACTION

1660.1 Special Theme District Guidelines.

A. General.

1. The criteria are designed to be flexible in nature but provide a cohesive theme for the defined special district. Architectural designs that were typical of the turn of the century are the theme for the special district. The overall appearance of structures within the defined district should adhere to the main theme as described below.
2. Conformance to the Historic Turn-of-the-Century Architectural Design Theme, especially Victorian or Western styles, shall be required. The site plan submitted shall conform to a flexible turn-of-the-century design theme of plus or minus 14 years surrounding the year of 1900 time period. Evaluation of the conformance to the architectural theme will be contingent upon the facade color scheme, and material selection for remodeling as well as landscape and decorative treatments proposed. An artist's rendition which is located in City Hall and which shows a streetscape of the theme, shall be conformed with as closely as possible.
3. The proposed plan shall show an overall compatibility with the design theme and streetscape. A blending of similar treatments of surrounding structures with the use of such things as period street lighting, window boxes, or pedestrian benches, is encouraged.
4. Materials selected for the proposed plan shall be compatible in appearance and texture of the overall architectural theme.
 - a. The following factors will govern the Planning Commission evaluation of a proposal in the Special Theme District:
 1. Conformance with the design theme.
 2. Compatibility with surrounding area.
 3. Circulation patterns.
 4. Landscaping and screening.
 5. Material Selection.

6. Traditional Turn-of-the-Century color schemes and combinations of those colors should be used for all exterior wall coverings. Fluorescent or luminescent colors should be prohibited, unless measures are in place to "soften" the effect on adjoining properties.
- B. Parking/Landscaping.
1. Parking.
 - a. Off-street parking areas/off-street loading areas should conform to the design, lighting, and improvements as required by the Jenks Zoning Code.
 - b. Lighting used to illuminate off-street parking areas shall be by constant light and shall be so arranged as to direct the light away from abutting properties within a Residential Zoning District.
 - c. Unenclosed off-street parking areas shall be surfaced with a dust-free all-weather material.
 - d. Parking and internal traffic circulation should be established within each separate development in a way that will result in a substantial reduction in the number of existing and new public street and private drive access points to major arterial street frontages.
 2. Antiques and Arts District Use Parking Standards.
 - a. The Theme Appearance District Boundary is also designated as the boundary for the Jenks Antiques and Arts District. To promote the conversion of older residential structures to commercial zoning for Antiques and Art District Uses such as Antiques and Art Galleries and Shops, Artist Studio, Artist supply, etc., the Theme District Guidelines shall recognize on-street parking standards for said uses.
 - b. Required Parking Spaces Per Use Unit 14 Shopping Goods and Services for Arts District Use may be satisfied utilizing both Off-Street and On-Street Parking areas utilizing the subject property or abutting Public Rights-of-way or a combination of both. The owner shall sign a hold harmless agreement to the City of Jenks recognizing that Parking Spaces created upon Public Right-of-way or partially created within the Public Right-of-way are done so as an allowed encroachment upon the Right-of-way and are subject to all City operations and maintenance requirements associated with Public Rights-of-way Uses.
 - c. All Parking Spaces or Parking Areas must be constructed in accordance with the design criteria of the City of Jenks requiring use of curbs and gutters, Portland Cement or asphalt, sidewalks, and approved by the City Engineer as to design, stormwater flow, and a proper line of sight condition. All parking areas shall be within curbed boundaries on three sides whether recognized as one space or multiple spaces.
 - d. Parking Spaces for Arts District Uses shall be allowed along the front property line of properties fronting Aquarium Place within the Theme District provided that curb lines shall be established at a point no less than 32 feet from the centerline of the roadway. New On-Street Parking areas shall not be allowed along Main and "A" Streets.
 - e. Properties abutting side streets may utilize Parallel parking spaces along the side streets and within the right-of-way provided that curb lines shall be established at a point allowing no less than ten feet from curb to existing street travel ways and each space shall be a minimum of 25 feet in length.
 - f. Parking spaces shall be allowed to utilize existing alley ways as drive aisles provided that the Parking Space is 20 feet in length from the alley Right-of-way to an established Curb line on the property.
 3. Landscaping.
 - a. Street frontages within the Theme District should provide a sense of open-space and should be buffered from the streets by landscaped drives, lawns, or parking. Preservation of existing large trees and other natural physical or scenic features should be given high priority during the initial development planning phases.
 - b. Trees and shrubbery utilized for landscaping purposes should conform to the species recommended and approved.
 - c. Locations along or near to the proposed routes of the Jenks Trail System should be encouraged to provide for pedestrian, bicycle access to the System.

- d. Commercial, Industrial, and other non-residential uses within the Theme District should provide a minimum landscaped open space as follows:

1.	Office Uses	15 percent of lot area
2.	Commercial Uses	10 percent of lot area
3.	Industrial Uses	5 percent of lot area

4. Fencing.

- a. Development and redevelopment within the Theme District should include adequate screening and buffering to avoid negative impacts on adjacent residential areas.
- b. Screening should be wooden fencing, faux wooden fences, masonry, or brick walls providing visual barriers, or combinations thereof. Screening fences shall be solid and no chain-link fences should be allowed.
- c. When the provisions of the Zoning Code or Theme District guidelines require the construction of a screening wall or fence, as a condition for the initiation and subsequent continuation of a use the screening wall or fence shall comply with the following:
 1. Should be constructed, designed, and arranged to provide visual separation of uses, irrespective of vegetation or landscaping;
 2. Should not be less than six feet in height;
 3. Should be erected within 30 days following the occupancy of the building or initiation of the use required to be screened;
 4. Should be of the type of materials compatible with the surrounding area;
 5. Screening walls or fences shall be maintained by the owner or occupant of the lot containing the use required to construct the screening.
 6. Modifications of fencing requirements that may be considered include:
 - (A) Modify or remove the screening requirement where existing physical features or approved landscaping features provide visual separation of uses;
 - (B) Extensions of time to erect a screen where properties which are to be benefited by the screening are undeveloped; and
 - (C) Remove the screening requirement where the purpose of the screening requirement cannot be achieved.

C. Signage.

1. All signs, as defined in the Jenks Zoning Code, should be designed to be compatible with and complementary to the adjacent neighborhood. All signs should be designed and erected in compliance with the Jenks City Code, Zoning Code and Sign Code without the necessity of variances. Variances of height, size, setback, and other Code requirements should not be supported within the Theme District.
2. Back lighting of signs within the Theme District shall be discouraged.
3. Ground signs or pole signs should not generally exceed 26 feet in height. A projecting sign shall not extend more than one foot above the mean roof level of the structure to which it is affixed.
4. Outdoor advertising signs and billboards shall not be allowed in the Theme District.
5. Signs that emit either a flashing light or project either spot light or concentrated beam or beacon of light in any manner are prohibited by the City of Jenks except as outlined in Section 1021.4.
6. Portable signs may be allowed in accordance with Jenks City Code provisions for one-time 30-day permit, or 14-day permit with 14-day interval between the use of portable signs, up to maximum number of five times or ten weeks per year.
7. A-Frame signs are allowed in compliance with Use Unit 21 of the Jenks Zoning Code and the Theme District Guidelines.

D. Lighting.

1. All lighting, including exterior and parking lot lighting, should be so designed to complement the building structures constructed and those located in adjacent areas.

- a. Lighting used to illuminate off-street parking areas shall be by constant light and shall be so arranged as to direct the light away from abutting properties within a Residential Zoning District.
 - b. Lighting incorporating Period lighting fixtures and conforming to the approved City street lighting studies are required.
- E. Storage and use of yards and outbuildings.
 1. Outbuildings and accessory structures should be of the same architectural style, material and color scheme as the principal building or buildings on the lot.
 2. Outside storage buildings and outside open areas, other than retail product display allowed by the Zoning Code, should be screened by visual barriers located on the rear and side portions of the site.
 3. No outside storage areas should extend beyond the building setback lines into setback areas. Outside storage or warehousing shall not be permitted as a principal use in the Theme District. No use shall be allowed which requires outside warehousing or storage of recyclable materials or products.
 4. No waste materials or refuse shall be dumped upon or permitted to remain upon any part of property outside of the building proper. Occupants shall maintain solid waste disposal service with a City of Jenks licensed hauler at all times.
 5. Trash or garbage collection areas shall be screened from streets and from abutting properties by an approved sight-proof barrier, and receptacles for such purpose when placed outside a building shall be closed type containers.
 6. Collection and disposal of all solid waste shall comply with the City of Jenks solid waste ordinance. Applicants should show proof of solid waste service and detail location and type of solid waste disposal facilities on the subject property.

BACKGROUND

This project is a significant remodel of the existing structures on the property. The material on the main building will be changed from vinyl siding to stucco and painted white. The porch will be redone to include a natural wood archway, and the front door will be replaced with a glass door. The rear porch will be redone to match the front.

A 5-foot white stucco sign, illuminated by ground lights, will be placed on the northeast part of the property. The white picket fence on the east (street) side is being replaced by a 4-foot natural wood fence. The west and south part of the property adjacent to other residential properties will have a 6-foot privacy fence. The current gazebo will be removed.

Currently, there are two 2-car garages: one concrete and one metal. Both garages will be painted white to match the aesthetics of the house, and the metal garage will have faux-brick paneling applied to the exterior.

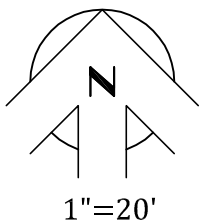
The applicant is aware that the middle support post for the north side of the carport shown on the renderings would interfere with the accessible parking space. He is working with the Jenks Building Inspector to remove it and modify the structure on that side.

STAFF EVALUATION

The Appearance Review Committee reviewed the proposal and are unanimously in favor of approval. Staff has no concerns.

RECOMMENDATION

Staff recommends approval.



INVOICE NO.: STK 19-99357
CLIENT: APEX TITLE & CLOSING SERVICES, LLC

GENERAL NOTES

THE BEARINGS SHOWN HEREON ARE BASED ON: THE OKLAHOMA STATE PLANE COORDINATE SYSTEM.

NO BUILDING LINES OR EASEMENTS ARE SHOWN ON THE RECORDED PLAT OF ORIGINAL TOWN OF JENKS.

FIELD WORK COMPLETED OCTOBER 17, 2019.

△ DENOTES SET POINT ON LOT LINE

SIGN EXAMPLE:

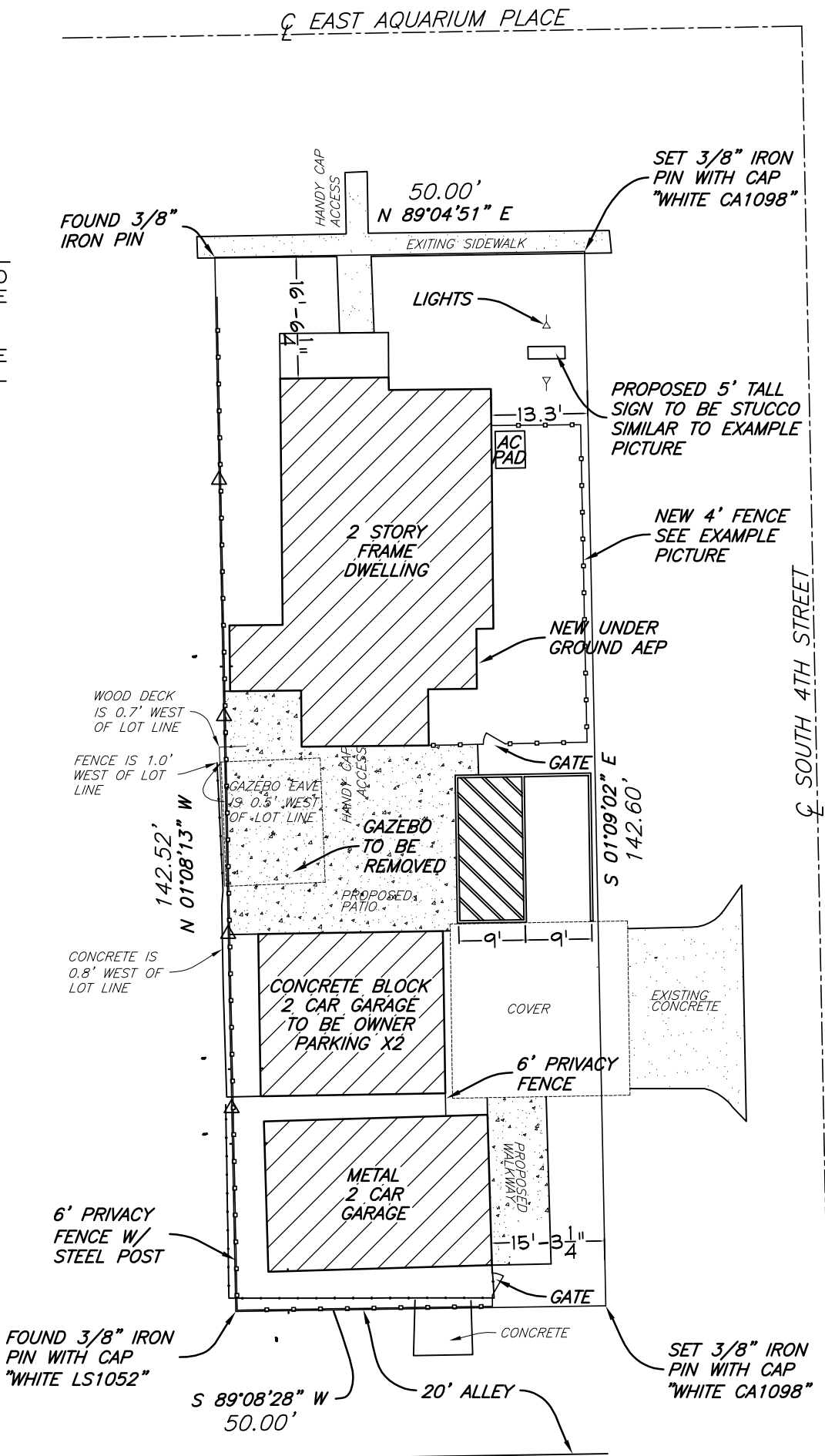


4' FENCE EXAMPLE:



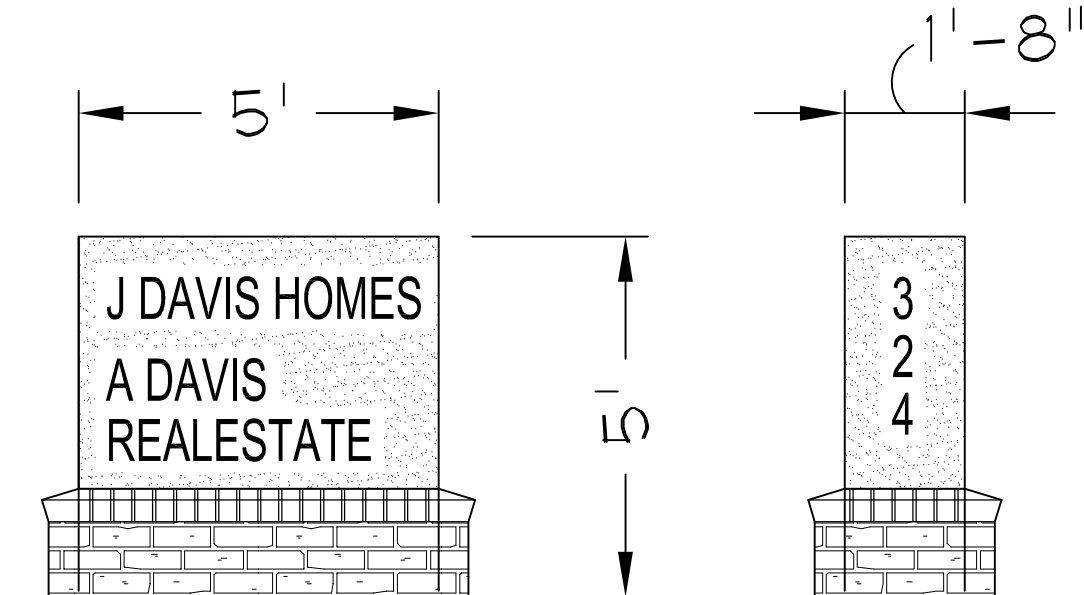
LEGEND

- FENCE
- U/E UTILITY EASEMENT
- D/E DRAINAGE EASEMENT
- M/P METERING POINT
- CB CHORD BEARING
- B/E BURIED ELECTRIC & TELEPHONE CABLE EASEMENT (APPROXIMATE LOCATION)



LEGAL DESCRIPTION:

LOTS ONE (1) AND TWO (2), BLOCK TWENTY-NINE (29), ORIGINAL TOWN OF JENKS, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, AND KNOWN AS 324 EAST AQUARIUM PLACE.



SIGN EXAMPLE SCALE: 1"=3/8"



BEFORE YOU DIG,
CALL OKIE FOR
LOCATION OF
UNDERGROUND UTILITIES.
DIAL 811



J DAVIS HOMES
A DAVIS
REALESTATE







Staff Report

To: Planning Commissioners
From: Jim Beach, City Planner
Hearing Date: November 21, 2019
Subject: **Yorktown Blocks 50-52 Conditional Final Plat**
Location: NE/c East 131st Street and South Elm Street (Ward 3)

Exhibits:

1. Subdivision Plat
2. Deed of Dedication and Restrictive Covenants
3. PUD Approval Minutes
4. Documentation of Property Access Charges

Applicant: Ryan McCarty, Select Design, for Steve Murphy, developer
Action Requested: Approval of Conditional Final Plat for "Yorktown Blocks 50-52"
Current Zoning: AG – Agriculture; RS-2/PUD 117
Tract Size: Approximately 9.14 acres
Surrounding Zoning and Land Uses: Developed portions of Yorktown are to the north and east; a vacant ten-acre parcel zoned CS is immediately south across 131st; the adjacent parcel to the west is currently zoned AG and is expected to become a commercial development; the remainder of surrounding land is zoned AG with larger vacant tracts and rural single-family properties
Applicable Regulations: **Jenks Zoning Code**, Section 260 - Platting Requirement. *For the purposes of providing a proper arrangement of streets and assuring the adequacy of open spaces for traffic, utilities, and access of emergency vehicles, commensurate with the intensification of land use customarily incident to a change of zoning, a platting requirement is established...*
Jenks Subdivision Regulations, Chapter 3 - Planning and Design Requirements describes the requirements for Blocks, Lots, Streets, Alleys, Sidewalks, Easements, and other considerations for the layout of subdivisions.

CRITERIA and CONSIDERATIONS FOR ACTION

The lots, blocks, streets, reserves, and easements created by this subdivision plat must meet the technical requirements of the Jenks Subdivision Regulations and be in accordance with the approved PUD. The PUD development standards must be included in the Deed of Dedication and Restrictive Covenants which are part of the plat.

BACKGROUND

The project will be a single-family residential subdivision known as *Remington at Yorktown*. It proposes 35 lots that are a minimum 60 feet wide. The streets are public and there are two reserves. The primary entrance to the

subdivision will be from 131st Street. A secondary emergency access to South Elm is in the northwest corner of the property and placed in Reserve A. Reserve B, is for a traffic control island in the primary entrance at 131st Street. Drainage will be to the northwest and collected in an off-site regional detention pond abutting the north side of the subdivision. Property Access Charge Assessment in the amount of \$46,609.06 must be paid before the plat will be released for recording.

STAFF EVALUATION

This conditional final plat is consistent with the approved preliminary plat and meets all the approval conditions listed below. The PUD development standards are properly recited. Minutes of PUD approval hearing are attached. Preliminary Plat conditions of approval:

1. Show width of internal street right-of-way
2. Dedicate all off-site easements labeled "by separate instrument" prior to recording final plat
3. Add 3' fence easement along entire 131st Street frontage
4. Work with planning staff to assign street names
5. Access charges must be paid before final plat will be released for recording. Developer will be advised at that time of the amount owed

If the conditional final plat is approved, the applicant will finalize the documents and present them to staff for signatures of the Mayor and City Manager. They will then be returned to the applicant to record with the Tulsa County Clerk.

RECOMMENDATION

Staff recommends approval of the conditional final plat subject to payment of the Property Access Charge Assessment in the amount of \$46,609.06 must be paid before plat will be released for recording.

Cory Box	Yes
Donna Ogez	Yes
Kaye Lynn	Yes
Craig Murray	Yes
Gary Isbell	Yes
Mayor Robert Lee	Yes

Motion carried

8. Request to approve JZ 19-642 PUD 117 from Ryan McCarty of Select Design for approval of rezoning from AG to RS-2 and Planned Unit Development General Location: NE Corner of 131st & Elm St Jim Beach presented his staff report and recommended approval with the Planning Commission conditions: **1)** All residents shall have access to all Yorktown trails, play fields, pools, or other amenities intended for all Yorktown residents; **2)** First story exterior walls of houses shall be 100% brick, stone, or stucco, except the area of windows, doors, areas adjacent to patios and under porches, and gable ends above the ceiling line of the first floor shall be excluded from the wall area determination; second story exterior wall design and materials shall be consistent with standards of other Yorktown developments; **3)** Concrete curbing along the entire length of the subdivision perimeter fencing; **4)** Perimeter fencing along 131st Street shall be completed prior to release of any occupancy permits; **5)** A subdivision plat memorializing the requirements of this PUD shall be recorded prior to release of any building permits; and **6)** Sidewalks shall be constructed in accordance with Section 3.6 of the Jenks Subdivision Regulations. Robert Bell [1011 W G St] addressed the council about the application and answered questions. Charlotte Montgomery [10612 S Fir Ave] recommended to stop using RS-2 zoning, or any other zoning, if also using a PUD for future cases. Cory Box made a motion to approve Item 8 with the previously listed conditions. Kaye Lynn seconded the motion. A roll call vote of members was taken as follows:

Cory Box	Yes
Donna Ogez	Yes
Kaye Lynn	Yes
Craig Murray	Yes
Gary Isbell	Yes
Mayor Robert Lee	Yes

Motion carried

9. Request to approve Ordinance No. 1488 relating to JZ 19-642 PUD 117 amending Ordinance Number 1287; Amending the Zoning Map of the City of Jenks, Oklahoma and Rezoning a Tract of Land From AG (Agriculture) District To RS-2 (Residential Single-Family Medium Density) District and PUD-117 (Planned Unit Development Number 117); Repealing all Ordinances or parts thereof in conflict herewith; Providing for severability; and declaring an emergency. Cory Box made a motion to approve Item 9. Donna Ogez seconded the motion. A roll call vote of members was taken as follows:

YORKTOWN HOLDING, LLC
5711 EAST 71ST STREET, SUITE 120
TULSA, OKLAHOMA 74136
PHONE: (918) 494-4004
MR. JOHN WOOLMAN

ENGINEERED BY DESIGN, PLLC
P.O. BOX 15567
DEL CITY, OKLAHOMA 73155
PHONE: (405) 234-0980
ahale@engineeredbydesign.pro
C.A. # 7655 EXPIRES 6-30-2020

FRITZ LAND SURVEYING, LLC
2017 WEST 91ST STREET
TULSA, OKLAHOMA 74132
PHONE: (918) 231-0575
EMAIL: fritzlandsurveying@gmail.com
C.A. # 5848 EXPIRES: 6-30-2020

Planned Unit Development (PUD 117)

A SUBDIVISION IN THE CITY OF JENKS, TULSA COUNTY, OKLAHOMA BEING A PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION SIX (6), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN.

Reserve 'B'

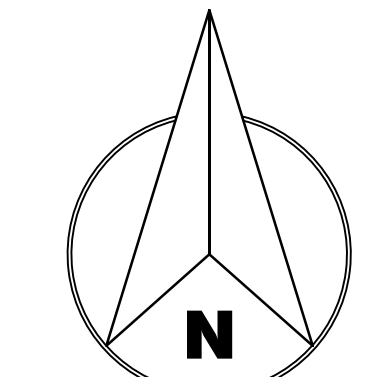
LINE	BEARING	DISTANCE
L1	N 01°08'40" W	240.01'
L2	S 88°36'47" W	199.00'
L3	S 01°08'40" E	240.01'
L4	N 88°36'47" E	199.00'
L5	N 01°08'40" W	27.15'
L6	S 01°08'40" E	27.15'
L7	S 01°08'40" E	415.17'
L8	N 01°08'40" W	230.82'
L9	N 88°36'47" E	189.82'
L10	S 88°36'47" W	192.52'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	39.38'	25.00'	90°14'33.00"	N 46°15'56" W	35.43'
C2	39.16'	25.00'	89°45'27.00"	S 43°44'04" W	35.28'
C3	39.38'	25.00'	90°14'33.00"	S 46°15'56" E	35.43'
C4	39.16'	25.00'	89°45'27.00"	N 43°44'04" E	35.28'
C5	15.41'	25.00'	35°19'29.47"	S 16°31'05" W	15.17'
C6	26.96'	138.00'	11°11'33.79"	N 14°17'55" E	26.92'
C7	47.25'	30.00'	90°14'33.00"	S 46°15'56" E	42.52'
C8	12.57'	4.00'	180°00'02.44"	N 88°51'21" E	8.00'
C9	12.57'	4.00'	180°00'00.00"	S 88°51'20" W	8.00'
C10	45.70'	30.00'	87°17'09.02"	N 44°58'12" E	41.41'
C11	43.67'	25.00'	100°05'21.30"	N 41°20'32" W	38.33'
C12	52.50'	162.00'	18°34'04.11"	S 10°36'40" W	52.21'
C13	140.40'	50.00'	160°53'31.83"	N 46°15'56" W	99.87'
C14	25.15'	25.00'	35°19'29.47"	N 70°02'02" E	15.17'
C15	15.51'	25.00'	35°32'30.30"	S 73°36'58" E	15.26'
C16	15.51'	25.00'	35°32'30.30"	S 14°54'55" W	15.26'
C17	15.41'	25.00'	35°19'29.47"	N 16°31'05" E	15.17'
C18	15.41'	25.00'	35°19'29.47"	S 70°57'02" W	15.17'
C19	140.40'	50.00'	160°53'31.83"	S 46°15'56" E	98.61'
C20	140.36'	50.00'	160°50'27.59"	S 43°44'03" W	98.61'

[illegible]

Location Map

SCALE: 1"=2000'



Scale: 1" = 50'

0 25 50 100

A horizontal graphic scale bar with alternating black and white segments. It is marked with the numbers 0, 25, 50, and 100, representing feet. The total length of the bar is 100 feet.

SUBDIVISION CONTAINS THIRTY-FIVE (35) LOTS IN
THREE (3) BLOCKS AND TWO (2) RESERVE AREAS:

BLOCK 50	15 LOTS
BLOCK 51	12 LOTS
BLOCK 52	8 LOTS

GROSS SUBDIVISION AREA:
398,340.99 SF / 9.14 ACRES

BEARINGS ARE BASED UPON THE OKLAHOMA
STATE PLANE COORDINATE SYSTEM, (3501 OK N),
NORTH AMERICAN DATUM 1983 (NAD83).

ALL CORNERS SHOWN HEREON WERE SET USING
A 3/8" x 18" STEEL PIN WITH A GREEN PLASTIC CAP
STAMPED "FRITZ CA5848".

5/8" REBAR - 1 1/2" ALUMINUM CAP-FLUSH-
STAMPED "356", SET SE OF THE INTERSECTION OF
W. 121ST ST. S. & S. ELM STREET. ELEV = 722.62'
(NAVD 1988) N=365965.22 / E=2567293.76

B/L -- BUILDING SETBACK LINE
L.N.A. -- LIMITS OF NO ACCESS
U/E -- UTILITY EASEMENT
15850 -- STREET ADDRESS

South Elm Street

Unplatted

South Cedar Street West

South Birch Street West

Manchester at Yorktown

South Ash Street

FINAL PLAT
CERTIFICATE OF APPROVAL

I HEREBY CERTIFY THAT THIS PLAT WAS APPROVED BY
THE JENKS CITY COUNCIL ON

MAYOR - VICE MAYOR ▲

THIS APPROVAL IS VOID IF THE ABOVE SIGNATURE IS
NOT ENDORSED BY THE CITY MANAGER.

CITY MANAGER

STATE OF OKLAHOMA)
) SS
COUNTY OF TULSA)

I, MICHAEL WILLIS, TARRANT COUNTY CLERK, IN A FOR THE COUNTY AND STATE ABOVE NAMED, DO HEREBY CERTIFY THAT THE FORGOING IS A TRUE AND CORRECT COPY OF A LIKE INSTRUMENT NOW ON FILE IN MY OFFICE.

DATED THE _____ DAY OF _____, 2019
MICHAEL WILLIS, TULSA COUNTY CLERK

DEPUTY

COUNTY TREASURER STAMP

PUD 117
Yorktown Blocks 50-52
Sheet 1 of 3

DATE PREPARED: 11/18/2019

Deed of Dedication

YORKTOWN BLOCKS 50-52

PUD 117

KNOW ALL MEN BY THESE PRESENTS:

YORKTOWN HOLDING, L.L.C., AN OKLAHOMA LIMITED LIABILITY COMPANY, HEREINAFTER REFERRED TO AS THE OWNER, IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF JENKS, TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT;

A TRACT OF LAND BEING A PART OF GOVERNMENT LOT SEVEN (7) IN SECTION SIX (6), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, TULSA COUNTY, STATE OF OKLAHOMA, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 7; THENCE NORTH 01°08'40" WEST ALONG THE WESTERLY LINE OF SAID GOVERNMENT LOT 7 FOR 700.01 FEET; THENCE NORTH 88°36'47" EAST AND PARALLEL WITH THE SOUTHERLY LINE OF SAID GOVERNMENT LOT 7 FOR 334.42 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE CONTINUING NORTH 88°36'47" EAST AND PARALLEL WITH THE SOUTHERLY LINE OF SAID GOVERNMENT LOT 7 FOR 599.01 FEET; THENCE SOUTH 01°08'40" EAST AND PARALLEL WITH SAID WESTERLY LINE FOR 665.01 FEET TO A POINT 35.00 FEET NORTH OF SAID SOUTHERLY LINE; THENCE SOUTH 88°36'47" WEST AND PARALLEL WITH SAID SOUTHERLY LINE FOR 599.01 FEET; THENCE NORTH 01°08'40" WEST AND PARALLEL WITH SAID WESTERLY LINE FOR 665.01 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

SAID DESCRIBED TRACT CONTAINS 398,340.99 SQUARE FEET OR 9.14 ACRES, MORE OR LESS.

BEARINGS ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, (3501 OK N), NORTH AMERICAN DATUM 1983 (NAD83).

AND HAS CAUSED THE ABOVE DESCRIBED TRACT OF LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO LOTS, BLOCKS, RESERVE AREAS, AND STREETS, IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS "YORKTOWN BLOCKS 50-52", A SUBDIVISION IN THE CITY OF JENKS, TULSA COUNTY, OKLAHOMA.

SECTION I. STREETS, EASEMENTS AND UTILITIES

A. PUBLIC STREETS AND GENERAL UTILITY EASEMENTS

THE OWNER/DEVELOPER DOES HEREBY DEDICATE TO THE PUBLIC THE STREET RIGHTS-OF-WAY AS DEPICTED ON THE ACCOMPANYING PLAT. ADDITIONALLY, THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC THE UTILITY EASEMENTS DESIGNATED AS "U/E" OR "UTILITY

EASEMENT" FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS, SANITARY SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES, AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS, AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER APPURTENANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES AFORESAID, PROVIDED HOWEVER, THE OWNER/DEVELOPER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RE-LAY WATER LINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING AND RELAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO THE AREA INCLUDED IN THE PLAT. THE OWNER/DEVELOPER HEREIN IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF JENKS, OKLAHOMA, AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION THAT INTERFERES WITH THE ABOVE SET FORTH USES AND PURPOSES OF AN EASEMENT SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING AND CUSTOMARY SCREENING FENCES AND WALLS THAT DO NOT CONSTITUTE AN OBSTRUCTION.

B. UNDERGROUND SERVICE

1. OVERHEAD POLES MAY BE LOCATED ALONG THE SOUTH PERIMETER (ALONG EAST 131ST EAST AVENUE) OF THE SUBDIVISION AS NECESSARY IF LOCATED IN UTILITY EASEMENTS FOR THE PURPOSE OF THE SUPPLY OF UNDERGROUND SERVICE. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY UNDERGROUND CABLE, AND EXCEPT AS PROVIDED IN THE IMMEDIATELY PRECEDING SENTENCE, ALL ELECTRIC AND COMMUNICATION SUPPLY LINES SHALL BE LOCATED UNDERGROUND IN THE EASEMENT-WAYS RESERVED FOR GENERAL UTILITY SERVICES AND STREETS, SHOWN ON THE ATTACHED PLAT.

2. ALL SUPPLY LINES IN THE SUBDIVISION INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN THE EASEMENTS RESERVED FOR GENERAL UTILITY SERVICES AND STREETS SHOWN ON THE PLAT OF THE SUBDIVISION. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE SAID UTILITY EASEMENTS.

3. UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WHICH MAY BE LOCATED ON ALL LOTS IN THE SUBDIVISION MAY BE RUN FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE AS MAY BE LOCATED UPON EACH SAID LOT, PROVIDED THAT UPON THE INSTALLATION OF SUCH A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT AND EFFECTIVE EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE, EXTENDING FROM THE SERVICE PEDESTAL, TRANSFORMER OR GAS MAIN TO THE SERVICE ENTRANCE ON THE STRUCTURE OR A POINT OF METERING.

4. THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICES, THROUGH ITS AUTHORIZED AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL SUCH EASEMENTS SHOWN ON THE PLAT OF THE SUBDIVISION OR PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE FACILITIES SO INSTALLED BY IT. THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION ALSO RESERVE THE PERPETUAL RIGHT, PRIVILEGE, AND AUTHORITY TO CUT DOWN, TRIM, OR TREAT ANY TREES AND UNDERGROWTH ON SAID EASEMENT.

5. THE OWNER OF EACH LOT IN THE SUBDIVISION SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND ELECTRIC FACILITIES LOCATED ON HIS PROPERTY AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. THE SUPPLIER OF SERVICE WILL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER OF EACH LOT IN THE SUBDIVISION WILL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS. THE FOREGOING COVENANTS CONCERNING UNDERGROUND FACILITIES SHALL BE ENFORCEABLE BY THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICES.

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

1. THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS IN THIS ADDITION.

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

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

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

5. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY THE CITY OF JENKS, OKLAHOMA, OR ITS SUCCESSORS, AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

D. SURFACE DRAINAGE

EACH LOT DEPICTED ON THE PLAT OF YORKTOWN BLOCKS 50-52, SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM STREETS AND EASEMENTS. NO LOT OWNER(S), SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS ANY LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF JENKS, OKLAHOMA.

E. PAVING AND LANDSCAPING WITHIN EASEMENT

THE OWNER OF THE LOT AFFECTED SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO LANDSCAPING AND PAVING OCCASIONED BY NECESSARY PLACEMENTS, REPLACEMENTS, OR MAINTENANCE OF WATER, SEWER, STORM SEWER, NATURAL GAS, COMMUNICATION, CABLE TELEVISION, OR ELECTRIC FACILITIES WITHIN THE UTILITY EASEMENT AREAS DEPICTED UPON THE ACCOMPANYING PLAT, PROVIDED HOWEVER, THE CITY OF JENKS, OKLAHOMA OR THE SUPPLIER OF THE UTILITY SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

F. OVERLAND DRAINAGE EASEMENTS

1. OVERLAND DRAINAGE EASEMENTS DESIGNATED ON THE PLAT ARE HEREBY DEDICATED TO THE CITY OF JENKS OR IT'S SUCCESSORS FOR THE PURPOSE OF MAINTAINING, CONSTRUCTING OR REPAIRING ALL DRAINAGE FACILITIES WITHIN THESE EASEMENTS MAY BE USED FOR UTILITIES ACCORDING TO THE PROVISIONS IN THE CERTIFICATE OF DEDICATION AS IT APPLIES TO EASEMENTS, EXCEPT THAT CONSTRUCTION AND USE OF UTILITIES THEREIN SHALL NOT INTERFERE WITH THE USE FOR DRAINAGE PURPOSES.

2. NO BUILDING STRUCTURE, WALL, FENCE, OR ABOVE OR BELOW GROUND OBSTRUCTIONS SHALL BE CONSTRUCTED OR PLACED WITHIN ANY DRAINAGE EASEMENT WITHOUT APPROVAL OF THE CITY OF JENKS.

3. THE OWNER OF EACH LOT UPON WHICH A DRAINAGE EASEMENT IS SITUATED SHALL BE SOLELY RESPONSIBLE FOR THE MAINTENANCE OF ANY SAID EASEMENT WHICH TRAVERSES THEIR RESPECTIVE PROPERTY.

4. IN THE EVENT OWNER SHOULD FAIL TO PROPERLY MAINTAIN THE DRAINAGE FACILITIES OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN, OR THE ALTERATION OF THE CONTOUR THEREIN, THE CITY OF JENKS OR IT'S DESIGNATED CONTRACTOR MAY ENTER AND PERFORM MAINTENANCE NECESSARY TO THE ACHIEVEMENT OF THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT BY THE OWNER,

OR THE HOMEOWNER'S ASSOCIATION. IN THE COST THEREOF SHALL BE PAID BY THE OWNER, OR THE HOMEOWNER'S ASSOCIATION. IN THE EVENT OWNER OR THE HOMEOWNER'S ASSOCIATION, AS THE CASE MAY BE, FAILS TO PAY THE COST OF MAINTENANCE AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, THE CITY OF JENKS, MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS, AND THEREAFTER FILE A LIEN AGAINST THE SUBJECT LOT, SUCH LIEN, HOWEVER, SHALL BE SUBORDINATE TO THE LIEN OF ANY FIRST MORTGAGE. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF JENKS.

G. RESERVE AREAS "A" & U/E

RESERVE AREA "A" & U/E IS HEREBY DEDICATED FOR THE PURPOSE OF ESTABLISHING AND MAINTAINING EMERGENCY ACCESS, UTILITY EASEMENT, OPEN SPACE, RECREATION, LANDSCAPING, PAVING AND GATES, AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO THE YORKTOWN MASTER HOMEOWNERS ASSOCIATION, FOR THEIR USE AND MAINTENANCE, TO BE COMPRISED OF THE OWNERS OF ALL RESIDENTIAL LOTS WITHIN THE YORKTOWN DEVELOPMENT COMMUNITY AS SET FORTH WITHIN SECTION IV HEREOF.

H. RESERVE AREA "B" & U/E

RESERVE AREA "B" IS HEREBY DEDICATED FOR THE PURPOSE OF ESTABLISHING AND MAINTAINING LANDSCAPING, UTILITY EASEMENT AND OPEN SPACE AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO THE YORKTOWN MASTER HOMEOWNERS ASSOCIATION, FOR THEIR USE AND MAINTENANCE, TO BE COMPRISED OF THE OWNERS OF ALL RESIDENTIAL LOTS WITHIN THE YORKTOWN DEVELOPMENT COMMUNITY AS SET FORTH WITHIN SECTION IV HEREOF.

I. LIMITS OF NO ACCESS

THE UNDERSIGNED OWNER/DEVELOPER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" (L.N.A.) ON THE ACCOMPANYING PLAT, WHICH "LIMITS OF NO ACCESS" MAY BE AMENDED OR RELEASED BY THE CITY OF JENKS, OKLAHOMA, OR ITS SUCCESSOR, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA. LIMITS OF NO ACCESS SHALL BE ENFORCEABLE BY THE CITY OF JENKS, OKLAHOMA.

SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS, "YORKTOWN BLOCKS 50-52" WAS SUBMITTED AS PART OF A PLANNED UNIT DEVELOPMENT (DESIGNATED AS PUD 117), AS PROVIDED WITHIN SECTIONS 900 THROUGH 950 OF THE CITY OF JENKS ZONING CODE, AS THE SAME EXISTED ON JUNE 3, 2019, (HEREINAFTER THE "JENKS ZONING CODE"), AND

WHEREAS PUD 117 WAS AFFIRMATIVELY RECOMMENDED BY THE JENKS PLANNING COMMISSION AND APPROVED BY THE JENKS CITY COUNCIL, AND

WHEREAS, THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE JENKS ZONING CODE REQUIRE THE ESTABLISHMENT OF COVENANTS OF RECORD, INURING TO AND ENFORCEABLE BY THE CITY OF JENKS, OKLAHOMA, SUFFICIENT TO ASSURE THE IMPLEMENTATION AND CONTINUED COMPLIANCE WITH THE APPROVED PLANNED UNIT DEVELOPMENT AND AMENDMENTS THERETO, AND

WHEREAS, THE OWNERS ESTABLISHED RESTRICTIONS FOR THE PURPOSE OF PROVIDING FOR AN ORDERLY DEVELOPMENT AND TO INSURE ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE OWNER, ITS SUCCESSORS AND ASSIGNS, AND THE CITY OF JENKS, OKLAHOMA, AND

THEREFORE, THE OWNERS DO HEREBY IMPOSE RESTRICTIONS AND COVENANTS TO ALL LOTS CONTAINED WITHIN THIS SUBDIVISION PLAT (YORKTOWN BLOCKS 50-52), AND WHICH COVENANTS SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH.

GROSS LAND AREA: 9.63 ACRES (419,305.99 SQUARE FEET)

EXISTING ZONING: PUD 117

YORKTOWN BLOCKS 50-52 NEIGHBORHOOD PUD DEVELOPMENT STANDARDS INCLUDES ALL LOTS LOCATED WITHIN YORKTOWN BLOCKS 50-52:

PERMITTED USES:

USE UNIT 1, AREAWIDE USES BY RIGHT

USE UNIT 6, SINGLE-FAMILY DWELLINGS, AND CUSTOMARY FACILITIES AND AMENITIES, INCLUSIVE OF COMMON SPACE AREA USES AND ACTIVITIES GENERALLY FOUND WITHIN MASTER-PLANNED RESIDENTIAL COMMUNITIES.

MINIMUM LOT WIDTH: 60 FEET

MINIMUM LOT AREA: 6,900 SQUARE FEET

MAXIMUM STRUCTURE HEIGHT:	35 FEET, WITH THE EXCEPTION OF CHIMNEYS, CUPOLAS, OR OTHER ARCHITECTURAL STRUCTURES WHICH MAY EXTEND TO A MAXIMUM HEIGHT OF 45 FEET.
MINIMUM OFF-STREET PARKING: STREET PARKING SPACES PER DWELLING UNIT	TWO (2) ENCLOSED OFF-
BUILDING SETBACK FROM ARTERIAL STREET RIGHT-OF-WAY:	35 FEET
FRONT YARD ABUTTING A PUBLIC STREET:	25 FEET
REAR YARD:	20 FEET
SIDE YARD:	5 FEET
ALL OTHER YARDS ABUTTING A PUBLIC STREET:	15 FEET, UNLESS A SIDE ENTRY GARAGE IS PROPOSED. IF A SIDE ENTRY GARAGE IS PROPOSED THE BUILDING WALL CONTAINING THE GARAGE DOOR SHALL BE SET A MINIMUM OF 25 FEET FROM THE STREET RIGHT OF WAY.

SECTION III. PRIVATE BUILDING AND USE RESTRICTIONS

WHEREAS, THE OWNERS DESIRE TO ESTABLISH ADDITIONAL RESTRICTIONS FOR "YORKTOWN BLOCKS 50-52" FOR THE PURPOSE OF PROVIDING AN ORDERLY DEVELOPMENT OF THE RESIDENTIAL NEIGHBORHOODS WITHIN YORKTOWN BLOCKS 50-52, AND TO ENSURE ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE OWNERS, ITS SUCCESSORS AND ASSIGNS.

THEREFORE, THE OWNERS DO HEREBY AND LIKEWISE IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS UPON THE LOTS WITHIN THIS SUBDIVISION PLAT (YORKTOWN BLOCKS 50-52) WHICH SHALL BE COVENANTS RUNNING WITH THE LAND, AND SHALL BE BINDING UPON THE OWNERS, THEIR SUCCESSORS AND ASSIGNS:

A. ARCHITECTURAL COMMITTEE - PLAN REVIEW

1. NO BUILDING, FENCE, WALL OR LANDSCAPING SHALL BE ERECTED, PLACED OR ALTERED ON ANY RESIDENTIAL LOT IN THIS SUBDIVISION UNTIL THE BUILDING PLANS, LANDSCAPING PLANS, AND SPECIFICATIONS FOR ALL HOUSES TO BE BUILT, AND LANDSCAPING TO BE INSTALLED, ARE ON FILE WITH THE YORKTOWN ARCHITECTURAL COMMITTEE, INITIALLY TO BE YORKTOWN HOLDING, LLC MEMBERS OR THEIR DULY AUTHORIZED REPRESENTATIVE, REPRESENTATIVES OR SUCCESSORS. IN THE EVENT OF THE DEATH OR RESIGNATION OF ANY MEMBER OF THE YORKTOWN ARCHITECTURAL COMMITTEE, THE REMAINING MEMBER OR MEMBERS SHALL HAVE FULL AUTHORITY TO APPROVE OR DISAPPROVE SUCH PLANS, SPECIFICATIONS, COLOR SCHEME, MATERIALS AND PLOT PLAN, OR TO DESIGNATE A REPRESENTATIVE OR REPRESENTATIVES WITH THE LIKE AUTHORITY, AND SAID REMAINING MEMBER OR MEMBERS SHALL HAVE AUTHORITY TO FILL ANY VACANCY OR VACANCIES CREATED BY THE DEATH OR RESIGNATION OF ANY OF THE AFORESAID MEMBERS, AND SAID NEWLY APPOINTED MEMBER SHALL HAVE THE SAME AUTHORITY HEREUNDER AS THEIR PREDECESSORS, AS ABOVE SET FORTH. ANY CHANGES TO PLANS ON FILE WITH THE ARCHITECTURAL COMMITTEE OR ANY ADDITIONAL NEW PLANS WILL NEED WRITTEN APPROVAL BEFORE CONSTRUCTION MAY BEGIN.

2. THE ARCHITECTURAL COMMITTEE'S PURPOSE IS TO PROMOTE GOOD DESIGN AND COMPATIBILITY WITHIN THE SUBDIVISION AND IN ITS REVIEW OF BUILDING OR LANDSCAPING PLANS FOR DETERMINATION OF ANY WAIVER AS HEREINAFTER AUTHORIZED MAY TAKE INTO CONSIDERATION THE NATURE AND CHARACTER OF THE PROPOSED BUILDING OR STRUCTURE, THE MATERIALS OF WHICH IT IS TO BE BUILT, THE AVAILABILITY OF ALTERNATIVE MATERIALS, THE SITE UPON WHICH IT IS PROPOSED TO BE ERECTED AND THE HARMONY THEREOF WITH THE SURROUNDING AREA. THE ARCHITECTURAL COMMITTEE SHALL NOT BE LIABLE FOR ANY APPROVAL, DISAPPROVAL OR FAILURE TO APPROVE HEREUNDER, AND ITS APPROVAL OF BUILDING PLANS SHALL NOT CONSTITUTE A WARRANTY OR RESPONSIBILITY FOR BUILDING METHODS, MATERIALS, PROCEDURES, STRUCTURAL DESIGN, GRADING OR DRAINAGE, OR CODE VIOLATIONS. THE APPROVAL, DISAPPROVAL OR FAILURE TO APPROVE OF ANY BUILDING PLANS SHALL NOT BE DEEMED A WAIVER OF ANY RESTRICTION, UNLESS THE ARCHITECTURAL COMMITTEE IS HEREINAFTER AUTHORIZED TO GRANT THE PARTICULAR WAIVER.

3. THE POWERS AND DUTIES OF THE ARCHITECTURAL COMMITTEE OR ITS DESIGNATED REPRESENTATIVE SHALL CEASE WHEN ONE-HUNDRED PERCENT (100%) OF THE HOUSES ON THE RESIDENTIAL LOTS HAVE BEEN BUILT. THEREAFTER, THE POWERS AND DUTIES OF THE ARCHITECTURAL COMMITTEE SHALL BE EXERCISED BY THE HOMEOWNERS ASSOCIATION HEREFTER PROVIDED FOR.

B. BUILDING MATERIAL REQUIREMENTS AND OTHER RESTRICTIONS APPLICABLE TO ALL RESIDENTIAL LOTS CONTAINED WITHIN YORKTOWN BLOCKS 50-52

1. STEM WALLS:

ALL EXPOSED FOUNDATION OR STEM WALLS SHALL BE OF BRICK, STONE OR STUCCO. NO CONCRETE BLOCKS, POURED CONCRETE OR ANY OTHER FOUNDATION WILL BE EXPOSED. NO STEM WALLS WILL BE EXPOSED.

2. ROOFING:

ROOFING SHALL BE A SINGULAR ROOF SELECTION AND COLOR FOR EACH RESPECTIVE NEIGHBORHOOD COMMUNITY WITHIN YORKTOWN, AND THE OWNER/DEVELOPER SHALL HAVE THE RIGHT TO SELECT A DIFFERENT ROOFING COLOR FOR EACH NEIGHBORHOOD COMMUNITY WITHIN YORKTOWN. THE MINIMUM ROOF PITCH SHALL BE AN 8/12 PITCH ON THE FORWARD FACING GABLES.

3. EXTERIOR WALLS:

THE FIRST STORY EXTERIOR WALLS OF THE DWELLINGS ERECTED ON ALL RESIDENTIAL LOTS WITHIN THE YORKTOWN BLOCKS 50-52 NEIGHBORHOOD SHALL BE ONE-HUNDRED PERCENT (100%) BRICK, STONE, OR STUCCO, PROVIDED, HOWEVER, THAT THE AREA OF ALL WINDOWS AND DOORS LOCATED IN SAID EXTERIOR WALLS AND THE AREA ADJACENT TO PATIOS AND UNDER PORCHES SHALL BE EXCLUDED IN THE DETERMINATION OF THE AREA OF EXTERIOR WALLS, AND FURTHER PROVIDED THAT WHERE A PART OF THE EXTERIOR WALL IS EXTENDED ABOVE THE INTERIOR ROOM CEILING LINE DUE TO THE CONSTRUCTION OF A GABLE TYPE ROOF, THEN THAT PORTION OF THE WALL EXTENDING ABOVE THE INTERIOR ROOM CEILING HEIGHT MAY BE CONSTRUCTED OF WOOD MATERIAL AND SHALL BE EXCLUDED FROM THE DETERMINATION OF THE AREA OF THE EXTERIOR WALLS (EXCLUSIVE OF FIREPLACE CHASE).

4. MINIMUM SQUARE FOOTAGE:

ALL SINGLE STORY DWELLINGS SHALL HAVE A MINIMUM LIVING SPACE OF AT LEAST 1,500 SQUARE FEET. DWELLINGS IN EXCESS OF A SINGLE STORY SHALL HAVE A MINIMUM LIVING SPACE OF 1,200 SQUARE FEET AT THE LOWER LEVEL. SQUARE FOOTAGE SHALL BE COMPUTED ON MEASUREMENTS OVER FRAME OF THE LIVING SPACE, EXCLUSIVE OF PORCHES, PATIOS, AND GARAGES.

5. MINIMUM LOT WIDTH:

AS DESCRIBED ABOVE UNDER SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS.

6. MINIMUM LOT AREA:

AS DESCRIBED ABOVE UNDER SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS.

7. WINDOWS:

ALL DWELLINGS WITH WINDOWS OTHER THAN WOOD OR VINYL WILL BE EITHER ANODIZED OR ELECTROSTATICALLY PAINTED. METAL WINDOW FRAMES SHALL BE CONSISTENT WITH THE EXTERIOR COLOR AND TEXTURE OF THE RESIDENCE. NO UNPAINTED ALUMINUM WILL BE PERMITTED FOR WINDOW FRAMING. WOOD FRAMES WILL BE PAINTED, SEALED OR STAINED.

8. SIDING:

NO STEEL, ALUMINUM OR PLASTIC SIDING SHALL BE PERMITTED ON ANY BUILDING ON ANY RESIDENTIAL LOT.

9. MAILBOXES:

ALL MAILBOXES SHALL BE OF A SINGULAR DESIGN FOR THE LOTS WITHIN YORKTOWN BLOCKS 50-52, AS APPROVED BY THE ARCHITECTURAL COMMITTEE. NO MAILBOX SHALL BE ERECTED ON ANY RESIDENTIAL LOT WITHOUT THE APPROVAL OF THE DESIGN BY THE ARCHITECTURAL COMMITTEE, AND SHALL CONFORM TO A DESIGN STANDARD FOR EACH COMMUNITY. A CHARGE FOR MAILBOXES WILL BE COLLECTED BY THE OWNER/DEVELOPER AT THE CLOSING OF EACH LOT.

10. WAIVER:

THE ARCHITECTURAL COMMITTEE MAY WAIVE, IN A PARTICULAR INSTANCE, THE BUILDING MATERIAL REQUIREMENTS SET OUT IN THIS SUBSECTION; PROVIDED, SUCH WAIVER TO BE EFFECTIVE MUST BE IN WRITING, DATED AND SIGNED BY A MAJORITY OF THE ARCHITECTURAL COMMITTEE.

C. NOXIOUS ACTIVITY

NO NOXIOUS OR OFFENSIVE TRADE OR ACTIVITY SHALL BE CARRIED ON UPON ANY RESIDENTIAL LOT WITHIN THIS SUBDIVISION, NOR SHALL ANY TRASH, OR OTHER REFUSE BE THROWN, PLACED OR DUMPED UPON ANY VACANT RESIDENTIAL LOT, NOR SHALL ANYTHING BE DONE WHICH MAY BE OR BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.

D. EXISTING BUILDING

NO EXISTING OR ERECTED BUILDING OF ANY SORT MAY BE MOVED ONTO OR PLACED ON AN RESIDENTIAL LOT, EXCEPT FOR CONSTRUCTION OR SALES TRAILERS WHICH MAY BE INSTALLED ON A TEMPORARY BASIS ONLY.

E. DETACHED STRUCTURES PROHIBITION

NO DETACHED ACCESSORY STRUCTURE SHALL BE ALLOWED UPON ANY LOT WITHIN THE YORKTOWN DEVELOPMENT.

F. VEHICLE STORAGE AND PARKING

NO INOPERATIVE VEHICLE SHALL BE STORED ON ANY RESIDENTIAL LOT EXCEPT WITHIN AN ENCLOSED GARAGE. NO MOTOR HOME, BOAT TRAILER, TRAVEL TRAILER OR SIMILAR RECREATIONAL VEHICLE SHALL BE LOCATED, PARKED OR STORED WITHIN A SIDE OR FRONT YARD, AND IF NOT LOCATED WITHIN AN ENCLOSED GARAGE AND SHALL BE SCREENED SUFFICIENTLY TO PREVENT ANY VIEW THEREOF FROM ANY STREET WITHIN THE OVERALL YORKTOWN DEVELOPMENT.

G. ANTENNAS

NO RADIO OR TELEVISION TOWER, AERIAL OR ANTENNA SHALL BE LOCATED ON ANY RESIDENTIAL LOT. SATELLITE DISHES SHALL BE NO LARGER THAN 18" IN DIAMETER AND BE SCREENED FROM VIEW FROM THE STREET AND ADJACENT RESIDENTIAL LOTS WITHIN THE ADDITION.

H. LANDSCAPING REQUIREMENTS

THE FRONT ELEVATION OF ALL RESIDENTIAL LOTS MUST BE PROFESSIONALLY LANDSCAPED UPON COMPLETION OF THE RESIDENCE. ALL FRONT, SIDE AND BACK YARDS MUST BE SODDED ON THE COMPLETION OF ANY RESIDENCE IN THE SUBDIVISION. ALL PROPOSED LANDSCAPING UPON EVERY LOT WITHIN THIS SUBDIVISION MUST RECEIVE APPROVAL BY THE ARCHITECTURAL COMMITTEE AS DESCRIBED UNDER SECTION III.A HEREOF.

I. LIVESTOCK AND POULTRY PROHIBITED

NO ANIMALS, LIVESTOCK OR POULTRY (INCLUDING PIGEONS) OF ANY KIND SHALL BE RAISED, BRED OR KEPT ON ANY RESIDENTIAL LOT OR PART THEREOF, EXCEPT THAT DOGS, CATS, OR OTHER HOUSEHOLD PETS MAY BE KEPT; PROVIDED, THAT THEY ARE NOT KEPT, BRED OR MAINTAINED FOR ANY COMMERCIAL PURPOSE.

J. FENCES AND WALLS

FENCES AND WALLS SITUATED UPON RESIDENTIAL LOTS SHALL COMPLY WITH THE FOLLOWING:

1. NO FENCING SHALL EXTEND BEYOND THE BUILDING LINE OF ANY RESIDENCE. IF A RESIDENCE IS BUILT BEHIND THE FRONT BUILDING LINE OF A RESIDENTIAL LOT, A FENCE MAY NOT EXTEND BEYOND THAT POINT NEAREST THE STREET AT EACH END CORNER.

2. ALL FENCES SHALL CONSIST ENTIRELY OF WOOD, BRICK, NATURAL STONE, WROUGHT IRON, OR SOME COMBINATION THEREOF. THE ARCHITECTURAL COMMITTEE MAY, BUT NOT BE OBLIGATED TO, GRANT AN EXCEPTION TO THIS PROVISION UPON WRITTEN REQUEST.

3. NO FENCE IN EXCESS OF SIX FEET (6') IN HEIGHT SHALL BE PERMITTED UNLESS OTHERWISE APPROVED BY THE ARCHITECTURAL COMMITTEE IN WRITING.

4. CONCRETE CURBING SHALL BE REQUIRED ALONG THE ENTIRE LENGTH OF THE SUBDIVISION PERIMETER FENCING.

5. LOTS 9 THROUGH 15, BLOCK 50 WITH PERIMETER FACING THE EXISTING YORKTOWN RESERVE AREA WILL BE PERMITTED TO INSTALL A 5'-0" TALL BLACK POST AND CHAIN LINK FENCE WITH A GATE. NO OTHER FENCE MATERIALS WILL BE ACCEPTABLE ON THIS PROPERTY LINE.

K. GARAGE

EACH DWELLING SHALL HAVE A GARAGE FOR AT LEAST TWO AUTOMOBILES. GLASS SHALL NOT BE PERMITTED IN GARAGE DOORS WITHOUT ARCHITECTURAL COMMITTEE APPROVAL.

L. COMMERCIAL STRUCTURES

NO BUILDING OR STRUCTURE SHALL BE PLACED, ERECTED OR USED AT ANY TIME FOR ANY BUSINESS, PROFESSIONAL, TRADE OR COMMERCIAL PURPOSE ON ANY PORTION OF ANY RESIDENTIAL LOT; PROVIDED, HOWEVER, THAT OWNER, AS THE DEVELOPER OF THE SUBDIVISION MAY MAINTAIN A SALES OFFICE IN THE SUBDIVISION FOR THE SALE OF THE SUBDIVISION LOTS AND BUILDING CONTRACTORS MAY MAINTAIN SALES OFFICES, CONSTRUCTION TRAILERS, AND MODEL HOMES IN THE SUBDIVISION FOR THE CONSTRUCTION, SALE AND DISPLAY OF HOMES LOCATED, OR TO BE LOCATED, IN THE SUBDIVISION SUBJECT TO THE CITY OF JENKS ZONING CODE REQUIREMENTS.

M. TRASH RECEPTACLES

TRASH RECEPTACLES CANNOT BE LEFT CURBSIDE FOR MORE THAN A 24 HOUR PERIOD OF TIME. ALL TRASH RECEPTACLES SHALL BE KEPT INSIDE OF A GARAGE OR SCREENED FROM VIEW FROM ALL STREETS WITHIN THE SUBDIVISION.

N. BUILDING REQUIREMENTS AND AMENDMENTS

ANY MODIFICATIONS OR AMENDMENTS TO THE BUILDING AND/OR ARCHITECTURAL REQUIREMENTS LISTED UNDER THIS SECTION (SECTION III. PRIVATE BUILDING AND USE RESTRICTIONS) SHALL ONLY BE ALLOWED WITH ARCHITECTURAL COMMITTEE APPROVAL AS DESCRIBED UNDER SECTION III.A HEREOF.

O. SWIMMING POOLS

NO SWIMMING POOL SHALL BE BUILT NEARER THAN FIVE (5) FEET TO ANY SIDE LOT LINE OR REAR YARD LOT LINE. WHERE SIDE YARD AND REAR YARD EASEMENTS ARE SHOWN GREATER THAN THE FOREGOING, NO ENCROACHMENT SHALL BE ALLOWED ON THE EASEMENT.

SECTION IV. HOMEOWNERS ASSOCIATION

A. FORMATION OF MASTER AND NEIGHBORHOOD HOMEOWNERS ASSOCIATIONS

THE OWNERS OF YORKTOWN BLOCKS 50-52 FORMED A MASTER HOMEOWNERS ASSOCIATION (YORKTOWN MASTER HOMEOWNERS ASSOCIATION) WHICH IS THE PRINCIPLE HOMEOWNERS ASSOCIATION AFFECTING AND INCLUDING EACH OWNER OF A LOT OF RECORD WITHIN ALL OF THE CURRENT AND FUTURE YORKTOWN NEIGHBORHOOD COMMUNITIES, OF WHICH SAID COMMUNITIES AND FUTURE DEVELOPMENT AREAS CONTAIN APPROXIMATELY 225 ACRES OF LAND AND ARE AS SHOWN WITHIN THE APPROVED YORKTOWN PLANNED UNIT DEVELOPMENT (PUD NO. 61). ADDITIONALLY, ALL OF THE CURRENT AND FUTURE YORKTOWN NEIGHBORHOOD COMMUNITIES SHALL ALSO BE MEMBERS OF A YORKTOWN NEIGHBORHOOD HOMEOWNERS ASSOCIATION CONSISTING OF DEFINED LOTS AND BLOCKS REPRESENTING THE INDIVIDUAL NEIGHBORHOODS WITHIN THE OVERALL YORKTOWN DEVELOPMENT COMMUNITY. THE

YORKTOWN MASTER AND NEIGHBORHOOD HOMEOWNERS ASSOCIATIONS HAVE / SHALL BE ESTABLISHED IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA, AND ARE TO BE FORMED FOR THE GENERAL PURPOSES OF MAINTAINING THE COMMON AREAS OF THE OVERALL YORKTOWN COMMUNITY, AND ENHANCING THE VALUE, DESIRABILITY AND ATTRACTIVENESS OF THE YORKTOWN COMMUNITY.

B. MEMBERSHIP

ANY OWNER OF A LOT IN THE OVERALL YORKTOWN COMMUNITY SHALL AUTOMATICALLY BECOME A MEMBER OF THE NEIGHBORHOOD HOMEOWNERS ASSOCIATION FOR THAT RESPECTIVE NEIGHBORHOOD COMMUNITY IN WHICH SUCH LOT BELONGS. EACH NEIGHBORHOOD COMMUNITY SHALL LIKEWISE AUTOMATICALLY BECOME MEMBERS OF THE YORKTOWN MASTER HOMEOWNERS ASSOCIATION (YMHA). MEMBERSHIP OF THE NEIGHBORHOOD HOMEOWNERS ASSOCIATION SHALL BE LIMITED TO THE RECORD OWNER, WHETHER ONE OR MORE PERSONS OR ENTITIES, OF A FEE SIMPLE TITLE TO A LOT SITUATED WITHIN ALL OF THE CURRENT AND FUTURE YORKTOWN NEIGHBORHOODS COMPRISING THE OVERALL YORKTOWN COMMUNITY. IN ADDITION, OWNERS OF LOTS OF RECORD WITHIN THE PRESENTLY PLATTED AND DEVELOPED NEIGHBORHOOD COMMUNITY OF "WESTON AT WAKEFIELD" AND "WESTON II AT WAKEFIELD" SHALL BE ALLOWED TO PARTICIPATE IN THE YORKTOWN MASTER HOMEOWNERS ASSOCIATION AND HAVE PRIVILEGES AND RIGHTS TO THE FULL USE AND ENJOYMENT OF THE COMMUNITY POOL AND IMPROVEMENTS LOCATED WITHIN RESERVE AREA "G" OF YORKTOWN PHASE I, AND OTHER CERTAIN YORKTOWN COMMUNITY COMMON AREAS AS TO BE SET FORTH BY THE YORKTOWN MASTER HOMEOWNERS ASSOCIATION. SUCH LOT OWNERS SHALL BE ENTITLED TO THESE PRIVILEGES ON AN INDIVIDUAL BASIS, YEARLY, BY PAYING THE ANNUAL YMHA DUES (EQUAL TO AMOUNT PAID BY YORKTOWN RESIDENTS). THE FOREGOING IS NOT INTENDED TO INCLUDE PERSONS OR ENTITIES THAT HOLD AN INTEREST MERELY AS SECURITY FOR THE PERFORMANCE OF AN OBLIGATION, OTHER THAN CONTRACT SELLERS. MEMBERSHIP SHALL BE APPURTENANT TO AND MAY NOT BE SEPARATED FROM OWNERSHIP OF ANY LOT SITUATED WITHIN THE YORKTOWN COMMUNITY OR SUCH NEIGHBORHOOD COMMUNITIES THAT MAY BE ANNEXED OR MERGED INTO THE JURISDICTION OF THE YORKTOWN MASTER HOMEOWNERS ASSOCIATION. OWNERSHIP OF A LOT SHALL BE THE SOLE QUALIFICATION OF MEMBERSHIP WITH RESPECT TO THOSE PROPERTY OWNERS IN YORKTOWN.

C. ASSESSMENT

EACH RECORD OWNER OF A RESIDENTIAL LOT WITHIN THE OVERALL YORKTOWN COMMUNITY SHALL BE SUBJECT TO ASSESSMENT BY THE YORKTOWN MASTER HOMEOWNERS ASSOCIATION THROUGH THEIR COMMUNITY MEMBERSHIP FOR THE PURPOSES OF IMPROVEMENT AND MAINTENANCE OF THE PRIMARY COMMON AREAS OF THE YORKTOWN PHASE I SUBDIVISION, WHICH CONSIST OF RESERVE AREAS "A", "B", "C" & U/E, "F" & U/E, "G", "H" & U/E, "I" & U/E, "L" & U/E, "M" & U/E, "O", "P" & U/E, AND "Q" & U/E OF YORKTOWN PHASE I; RESERVE AREAS "A" & U/E AND "B" & U/E, HENLEY AT YORKTOWN; RESERVE AREA "D" & U/E, BIRMINGHAM AT YORKTOWN; RESERVE AREAS "E" & U/E, "F" & U/E, AND "G" & U/E, MANCHESTER AT YORKTOWN; RESERVE AREA "A", BIRMINGHAM AT YORKTOWN, BLOCKS 24-30; RESERVE AREA "A", YORKTOWN, BLOCKS 31-35; RESERVE AREAS "A" & U/E, "B" & U/E, "C" & U/E AND "D" & U/E, SHELBY AT YORKTOWN, BLOCKS 36-38; RESERVE AREAS "A" & U/E AND "B" & U/E, YORKTOWN BLOCKS 39-44; RESERVE AREAS "A" & U/E, "B" & U/E, "C" & U/E AND "D" & U/E, YORKTOWN BLOCKS 45-49; RESERVE AREAS "A" & U/E, "B" & U/E, "C" & U/E, "D" (STATUTORY RIGHT OF WAY) AND "E", AND YORKTOWN BLOCKS 50-52; RESERVE AREAS "A" & U/E AND "B" & U/E. EACH RECORD OWNER OF A RESIDENTIAL LOT WITHIN THE PRESENTLY PLATTED AND DEVELOPED NEIGHBORHOOD COMMUNITY OF "WESTON AT WAKEFIELD" AND "WESTON II AT WAKEFIELD" AND WITHIN OTHER LAND AREAS LOCATED OUTSIDE OF THE YORKTOWN COMMUNITY THAT MAY BE ANNEXED OR MERGED INTO THE JURISDICTION OF THE

ASSOCIATION, WHO ELECT IN WRITING TO JOIN THE ASSOCIATION, AND HAVE SUCH PRIVILEGES AND RIGHTS TO THE FULL USE AND ENJOYMENT OF THE COMMUNITY POOL AND IMPROVEMENTS LOCATED WITHIN RESERVE AREA "G" OF YORKTOWN PHASE I, AND OTHER CERTAIN YORKTOWN COMMUNITY COMMON AREAS AS SET FORTH OR TO BE SET FORTH BY THE YORKTOWN MASTER HOMEOWNERS ASSOCIATION, SHALL BE SUBJECT TO ASSESSMENT BY THE YORKTOWN MASTER HOMEOWNERS ASSOCIATION AT THE SAME FEE ASSESSMENT RATE AS RESIDENTIAL LOT OWNERS WITHIN THE OVERALL YORKTOWN COMMUNITY.

D. REQUIRED MOWING OF VACANT LOTS

THE YORKTOWN MASTER HOMEOWNERS ASSOCIATION SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO MOW ANY VACANT LOT WITHIN THE OVERALL YORKTOWN DEVELOPMENT COMMUNITY AFTER COMPLETION OF A 10 DAY NOTICE PERIOD TO THE LOT OWNER BY THE CITY OF JENKS CODE ENFORCEMENT DEPARTMENT THAT EFFECTIVELY STATES THAT SAID LOT IS IN VIOLATION OF SECTION 13-1-13, ABATEMENT OF WEEDS AND TRASH OF THE JENKS CITY CODE. THE YORKTOWN MASTER HOMEOWNERS ASSOCIATION SHALL HAVE THE RIGHT TO ADD COSTS OF SAID MOWING TO SAID LOT OWNER'S HOMEOWNERS ASSOCIATION DUES TO BE COLLECTED IN ACCORDANCE WITH SUBSECTION IV.C OF THIS SECTION.

SECTION V. ENFORCEMENT, DURATION, AMENDMENT, AND SEVERABILITY

A. ENFORCEMENT

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNERS, THEIR SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I. STREETS, EASEMENTS AND UTILITIES, AND SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS, ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO, AND ADDITIONALLY THE COVENANTS WITHIN SECTION I AND II WHETHER OR NOT SPECIFICALLY THEREIN SO STATED, SHALL INURE TO THE BENEFIT OF THE OWNERS OF THE LOTS WITHIN YORKTOWN AND THE CITY OF JENKS AND SHALL BE ENFORCEABLE BY THE CITY OF JENKS, OKLAHOMA. IF THE UNDERSIGNED OWNER/DEVELOPER, OR ITS SUCCESSORS OR ASSIGNS OR OWNERS OF ANY LOTS WITHIN YORKTOWN SHALL VIOLATE ANY OF THE COVENANTS HEREIN, IT SHALL BE LAWFUL FOR THE CITY OF JENKS, ANY OWNER OF A LOT OR A PROPERTY OWNERS ASSOCIATION FORMED FOR THIS SUBDIVISION TO MAINTAIN ANY ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT HIM OR THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT IN ANY JUDICIAL ACTION BROUGHT BY A PROPERTY OWNERS ASSOCIATION OR AN OWNER OF A LOT WHICH ACTION SEEKS TO ENFORCE THE COVENANTS OR RESTRICTIONS SET FORTH HEREIN OR TO RECOVER DAMAGES FOR THE BREACH THEREOF, THE PREVAILING PARTY SHALL BE ENTITLED TO RECOVER REASONABLE ATTORNEYS FEES AND COSTS AND EXPENSES INCURRED IN SUCH ACTION.

B. DURATION

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

C. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I. STREETS, EASEMENTS AND UTILITIES MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE JENKS PLANNING COMMISSION, OR ITS SUCCESSORS WITH THE APPROVAL OF THE CITY OF JENKS, OKLAHOMA. THE COVENANTS WITHIN SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS, MAY BE AMENDED AT ANY TIME WITH 75 PERCENT AGREEMENT OF ALL OWNERSHIP IN YORKTOWN PHASE I, YORKTOWN PHASE I AMENDED, YORKTOWN PHASE I AMENDED II, YORKTOWN BLOCKS 10-12, AND OTHER PLATTED YORKTOWN COMMUNITIES, AS APPLICABLE, AND APPROVAL BY THE CITY OF JENKS PLANNING COMMISSION AND JENKS CITY COUNCIL. THE COVENANTS WITHIN SECTION III. PRIVATE BUILDING AND USE RESTRICTIONS, AND SECTION IV. HOMEOWNERS' ASSOCIATION, MAY BE AMENDED OR TERMINATED AT ANY TIME WITH 75 PERCENT AGREEMENT OF ALL OWNERS WITHIN THAT NEIGHBORHOOD COMMUNITY THAT DESIRES THE CHANGE. THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING COVENANTS SHALL BE EFFECTIVE FROM AND AFTER THE DATE IT IS PROPERLY RECORDED.

D. SEVERABILITY

INVALIDATION OF ANY RESTRICTION SET FORTH HEREIN OR ANY PART THEREOF, BY AN ORDER, JUDGMENT, OR DECREE OF ANY COURT, OR OTHERWISE, SHALL NOT INVALIDATE OR AFFECT ANY OF THE OTHER RESTRICTIONS OR ANY PART THEREOF AS SET FORTH HEREIN, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF: YORKTOWN HOLDING, L.L.C., AN OKLAHOMA LIMITED LIABILITY COMPANY, HAS EXECUTED THIS INSTRUMENT THIS _____ DAY OF _____, 2019.

YORKTOWN HOLDING, L.L.C.
AN OKLAHOMA LIMITED LIABILITY COMPANY

BY: _____
JOHN WOOLMAN, MANAGER

STATE OF OKLAHOMA)
) SS.
COUNTY OF TULSA)

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ON THIS _____ DAY OF _____, 2019, PERSONALLY APPEARED JOHN WOOLMAN TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THEIR NAME TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME, AS ITS MANAGER, THAT THEY EXECUTED THE SAME AS THEIR FREE AND VOLUNTARY ACT AND DEED, AND AS THE FREE AND VOLUNTARY ACT AND DEED OF SAID OKLAHOMA LIMITED LIABILITY COMPANY, FOR THE USES AND PURPOSE THEREIN SET FORTH.

STEPHANIE NAYLOR
MY COMMISSION EXPIRES: 3/2/2019
MY COMMISSION NUMBER: 15002084

CERTIFICATE OF SURVEY

I, ANDY FRITZ, OF FRITZ LAND SURVEYING, LLC, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA UNDER CERTIFICATE OF AUTHORIZATION #5848, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED HEREIN AS "YORKTOWN BLOCKS 50-52", A SUBDIVISION IN THE CITY OF JENKS, 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 MINIMUM TECHNICAL STANDARDS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

ANDY FRITZ
LICENSED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1694

STATE OF OKLAHOMA)
) SS.
COUNTY OF TULSA)

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ON THIS _____ DAY OF _____, 2019, PERSONALLY APPEARED ANDY FRITZ TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THEIR NAME TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME, AS ITS MANAGER, THAT THEY EXECUTED THE SAME AS THEIR FREE AND VOLUNTARY ACT AND DEED, AND AS THE FREE AND VOLUNTARY ACT AND DEED OF SAID OKLAHOMA LIMITED LIABILITY COMPANY, FOR THE USES AND PURPOSE THEREIN SET FORTH.

JENNIFER FRITZ
MY COMMISSION EXPIRES: 6/23/2018
MY COMMISSION NUMBER: 14005589



CITY OF JENKS
211 NORTH ELM STREET • P.O. BOX 2007
JENKS, OKLAHOMA 74037-2007
PHONE (918) 299-5883 • FAX (918) 299-4489

PROPERTY ACCESS CHARGE ASSESSMENT

Name: _____

Address: _____
Street City State Zipcode

Email: _____ Office #: _____ Cell#: _____

Property Location

Legal Description: _____

Sub-Division: Yorktown Block: 50-52 Lot: _____ Acres: _____

Comments: Thirty five (35) lots within Yorktown 50-50 which has a total acreage of 9.14 acres.

Number of Total Acres of Development: 9.14

Number of Total Lots in Development: 35

PFPI Agreement and Area of Concern: Frazier Lakes 15" SS

PFPI Access Charge per Acre: \$4,899.46

Processing Fee (\$200 per acre): \$1,828.00

Total Charge for above listed properties: \$44,781.06 + \$1,828 (processing fee) = \$46,609.06

Submitted by: _____ Date: _____

Reviewed and Approved by City Staff: _____ Date: _____



CITY OF JENKS

211 NORTH ELM STREET • P.O. BOX 2007
JENKS, OKLAHOMA 74037-2007
PHONE (918) 299-5883 • FAX (918) 299-4489

May 09, 2019

Jim Roberts
Yorktown Holdings LLC
5711 East 71st Street, Suite 120
Tulsa, Oklahoma 74136
jimhroberts@sbcglobal.net

Subject: **Access Charge Assessment for Sewer Connections – Yorktown Blocks 50-52**

This letter is to inform you of an access charge in relations to your Yorktown Block 50-52 development. A Privately Funded Public Infrastructure (PFPI) agreement was approved by the Jenks City Council on March 05, 2018. This PFPI agreement was with Frazier Lakes Estates LLC. for the construction of 15" Sanitary Sewer Main Line Extension. As the Yorktown development is to connect into the 15" sanitary sewer system via a force main along 131st Street, an access charge will be assessed for the number of acres being connected. The current access charge per the PFPI agreement is \$4,899.46 per acre. A processing fee of \$200.00 per acre has been assessed as part of the PFPI agreement stipulations. A PFPI agreement approved by Jenks City Council on May 6, 2019 for the Yorktown V (Blocks 45-49) off-site forcemain and lift station upgrades in the amount of 944.00 per acre. The amount for the Yorktown V access charge is not included in the total required access charge fee, however, this amount (\$8,628.16) is still applied to the Yorktown V PFPI agreement total recoupable amount. The Yorktown Block 50-52 Development has a total acreage per the preliminary plat of 9.14. An access charge in the amount of \$44,781.06 with a processing fee of \$1,828.00 comes to a total of \$46,609.06. If this access charge is paid after November 5, 2019, the Yorktown V access charge will increase from \$944.00 per acre to \$1,415.00 per acre. This would be applied to the total recoupable amount of the Yorktown V PFPI. Please remit payment to the City of Jenks and include the attached form.

If you have any questions concerning this matter, please feel free to contact me at 918-299-5883.

Sincerely,

Christopher Robinson, PE

Staff Civil Engineer



Staff Report

To: Planning Commissioners
From: Jim Beach, City Planner
Hearing Date: November 21, 2019
Subject: Preliminary/Final Plat - Tulsa Premium Outlets

Exhibits:

1. Subdivision Plat
2. Deed of Dedication and Restrictive Covenants
3. Record of PUD approval

Applicant:	Tulsa Engineering and Planning Associates, Inc. for River District Development, LLC
Action Requested:	Request by River District Development, LLC to approve a preliminary/final plat for Tulsa Premium Outlets
General Location:	East 101 st Place South and South 7 th Street (Ward 5)
Applicable Regulations:	Jenks Subdivision Regulations
Current Zoning:	AG/PUD-100
Lot Size:	Approximately 51.07 acres
Surrounding Zoning and Land Uses:	AG zoning and vacant land all sides

BACKGROUND

In February 2019, a basic boundary plat called "Tulsa Premium Outlets" was approved to facilitate closing the sale of the property. This current proposed preliminary/conditional final plat is the full and final plat that meets the requirements of Section 260 (platting requirement) of the Jenks Zoning Code, and the Jenks Subdivision Regulations. It dedicates all necessary right-of-way, utility and drainage easements, and documents the final covenants and PUD requirements.

STAFF EVALUATION

Planning and Engineering Staff have reviewed the plat and find that it meets the requirements of the City of Jenks and is consistent with the engineering construction documents currently under review for permitting. PUD conditions are properly included in the Deed of Dedication and Restrictive Covenants. The City Council Memo with PUD-specific requirements is attached, along with minutes from the final PUD approval hearing.

RECOMMENDATION

Staff recommends approval of the preliminary/conditional final plat.

MEMORANDUM

To: Mayor Dunkerley and City Council

From: Robert Bell, City Planner

Date: December 11, 2015

RE: JZ-580 PUD-100 (3083) Request by Simon Acquisition II, LLC. for approval of a Zone Change from an AG (Agricultural) Zoning District to a RTC (Riverfront Tourist Commercial)/Planned Unit Development Number 100 Zoning District, for Riverfront Tourist Commercial Uses on property described as:

A tract of land located in the NE/4 of Section 30, T-18-N, R-13-E of the Indian Meridian, Tulsa County, State of Oklahoma, according to the Official U.S. Government Survey thereof; being more particularly described as follows: Commencing at the northeast corner of Section 30, an ODOT Brass Cap; Thence S 00°07'09" W toward the east quarter corner of Section 30, a 5/8" Steel Pin/No Cap, a distance of 476.63 feet; Thence N 89°52'51" W a distance of 44.75 feet to the "Point of Beginning", being on the southerly Right of Way for 101st Place South as recorded in the Tulsa County Clerk's office in Book 5580, Page 1845; Thence S 00°07'09" W along a line that is 44.75 feet measured perpendicularly from the east line of the NE/4 of Section 30, a distance of 291.20 feet to a non-tangent curve to the left; Thence along a non-tangent curve to the left with a central angle of 13°05'40", a radius of 586.50 feet, an arc length of 134.04 feet, a chord bearing of S 06°39'59" W and a chord length of 133.75 feet to a point that is 60.00 feet measured perpendicularly from the east line of the NE/4 of Section 30; Thence S 00°07'09" W and tangent to the previous curve and along a line that is 60.00 feet measured perpendicularly from the east line of the NE/4 of Section 30, a distance of 196.42 feet; Thence S 89°52'51" E a distance of 12.00 feet to a point that is 48.00 feet measured perpendicularly from the east line of the NE/4 of Section 30; Thence S 00°07'09" W along a line that is 48.00 feet measured perpendicularly from the east line of the NE/4 of Section 30, a distance of 355.84 feet to a tangent curve to the right; Thence along a tangent curve to the right with a central angle of 91°03'54", a radius of 30.00 feet, an arc length of 47.68 feet, a chord bearing of S 45°39'06" W and a chord length of 42.82 feet; Thence N 88°48'57" W and tangent to the previous curve, a distance of 1796.84 feet to a tangent curve to the right; Thence along a tangent curve to the right with a central angle of 68°24'07", a radius of 383.33 feet, an arc length of 457.64 feet, a chord bearing of N 54°36'53" W and a chord length of 430.94 feet; Thence N 20°24'49" W and tangent to the previous curve, a distance of 40.66 feet to a tangent curve to the left; Thence along a tangent curve to the left with a central angle of 37°14'57", a radius of 334.67 feet, an arc length of 217.58 feet, a chord bearing of N 39°02'18" W and a chord length of 213.76 feet to a tangent reverse curve to the right; Thence along a tangent reverse curve to the right with a central angle of 34°27'55", a radius of 254.33 feet, an arc length of 152.99 feet, a chord bearing of N 40°25'49" W and a chord length of 150.69 feet;

Thence S 88°48'52" E and not tangent to the previous curve, a distance of 6.16 feet to a non-tangent curve to the right; Thence along a non-tangent curve to the right with a central angle of 80°05'40", a radius of 250.00 feet, an arc length of 349.48 feet, a chord bearing of N 46°24'31" E and a chord length of 321.71 feet; Thence N 01°04'11" E and not tangent to the previous curve, a distance of 205.63 feet to the southerly Right of Way for the Creek Turnpike as recorded in the Tulsa County Clerk's office in Book 5376, Page 441; Thence N 87°55'09" E along the southerly Right of Way for the Creek Turnpike, a distance of 411.51 feet; Thence N 78°53'59" E along the southerly Right of Way for the Creek Turnpike, a distance of 175.37 feet to the westerly Right of Way for 101st Place South as recorded in the Tulsa County Clerk's office in Book 5580, Page 1845; Thence S 00°12'35" W along the westerly Right of Way for 101st Place South, a distance of 69.39 feet; Thence S 89°47'25" E along the southerly Right of Way for 101st Place South, a distance of 1125.00 feet; Thence S 89°47'27" E along the southerly Right of Way for 101st Place South, a distance of 479.17 feet to the "Point of Beginning". Said tract contains 2,224,901 square feet or 51.0767 acres. The non-astronomic bearings for said tract are based on an assumed bearing of S 00°07'09" W along the east line of the NE/4 of Section 30, T-18-N, R-13-E of the Indian Meridian, Tulsa County, State of Oklahoma, according to the Official U.S. Government Survey thereof.

General Location: East 101st Place South Street South and South 7th Street.

The Planning Commission conducted a public hearing on JZ-580/PUD 100 a request by Simon Acquisition II, LLC. for approval of a Zone Change from an AG (Agricultural) Zoning District to a RTC (Riverfront Tourist Commercial)/Planned Unit Development Number 100 Zoning District on Thursday December 10, 2015.

The subject property is designated Development Sensitive-No Specific Land Uses by the Jenks Comprehensive Plan and is located within the Riverfront Entertainment/Tourism District as described by the Jenks Comprehensive Plan. The property is currently zoned AG (Agriculture). The applicant is requesting an RTC (Riverfront Tourist Commercial)/Planned Unit Development Number 100 Zoning District for Riverfront Tourist Commercial Uses. The requested uses may be found in accordance with only those properties located within the Riverfront Entertainment/Tourism District.

The area surrounding the subject property has been undergoing numerous changes that affect the character of the land use in the immediate vicinity. The Oklahoma Aquarium and development of the Aquarium Complex and Riverwalk has established the area along the West Bank of the Arkansas River, within the City of Jenks, as the first Riverfront activity center in the Tulsa Region. The completion of the First Oklahoma Bank Building, the Village on Main parking garage, the planned retail center and apartments within Village on Main sustain the synergy of the Riverfront Entertainment District in Jenks. The "Tulsa Premium Outlets" development is in keeping with this significant and planned venue for the City of Jenks Riverfront properties. The Development anchors the Entertainment District activities for the area south of the Creek Turnpike and is recognized along with the Oklahoma Aquarium as a major point of destination for the district. The Development Sensitive plan designation for the subject property restricts the types of uses that may be considered. The Jenks Comprehensive Plan recognized the various characteristics of the site and the proposed use is exactly the types of uses that were considered

when establishing the Riverfront Entertainment District and the implementing the Tourism Commercial District with the Jenks Zoning Code.

The proposed development concept is a retail outlet center to be called Tulsa Premium Outlets. The project is expected to comprise 401,000 square feet of gross leasable area. The building and site design will substantially conform to the submitted drawings with the PUD, provided that the architectural theme of the building and site may incorporate a style that is further contributing to the Riverfront Entertainment District, thus site design and architectural elements shall have the flexibility to conform to the intended theme. There are 2 outparcels to the development that will not be restricted to the architectural theme but will be required to be approved by the owner of the property as to the character of the structures. The overall site plan will be approved as a part of the Planned Unit Development to include the out parcels and future phases of the outlet mall. Future development of the site will be processed through the City of Jenks Appearance Review Process as far as parking, landscaping and site design.

“Tulsa Premium Outlets”, Planned Unit Development Number 100 will be developed to the standards of the RTC Zoning District except as modified by the submitted development text and proposed restrictive covenants. The area and density requirements are consistent with the standards of the RTC Zoning District. The **maximum building height within the development will be established at 90 feet.** The development will be required to maintain **parking as per the Jenks Zoning Code for the applicable Use Unit.** The design currently exceeds the requirement. **Setbacks for the development will be established at 100 feet from North property line, 20 feet from east and west property line and road frontages of outparcels, 50 feet from south property line and 10 feet from interior or lot lines.** An easement has been granted by the City of Jenks to allow the use of the 101st Street right of way located along the north boundary of the parcel for parking, trails/sidewalks, or landscaping. **The setback from the north property lines shall be from the north line of the right of way which will coincide with that portion of the property that lies west of 7th Street.** Individual office development may be established on building second floors provided that Tulsa Premium Outlet Center or operating entity will be allowed offices on first floors. In accordance with City of Jenks Arkansas River Flood Plain Development all structures must be constructed 1 foot above the 1986 record flood event. This is one foot above 306,000 cubic feet per second release from the Keystone Dam. The established elevation of the 1986 flood at the site is 616. The finished floor elevation of the structures shall be at an elevation at a minimum of 617. This elevation and associated fill comply with and satisfy the 2011 CLOMR as approved by FEMA for the development area. Development of the site will raise the property above the 100-year Floodplain.

In accordance with the PUD text, 10% of net land area is to be utilized for minimum landscaped open space. Landscape for the development will be an integral component of the character and quality of the design. Not only will the landscaping details add to the visual appeal of the development, but they will also help in spatial definition, wayfinding and effective site circulation. All landscaping details will be complementary with the architectural design of the building and the street furniture. Opportunities to provide shaded walkways and seating areas will be optimized throughout the site. Landscaping will not create any isolated areas and will instead allow clear views throughout the site. The landscape shall be in substantial conformance with the submitted PUD criteria.

Chapter 9A Section 920.3 of the Jenks Zoning Code specifies that no special exception or Specific Use Permit actions are required to establish any of the identified uses provided that the use is included within a Planned Unit Development. Uses normally approved by Special Exception or Specific Use may be permitted, provided however, that the Planning Commission and City Council shall ascertain that the affects and benefits usually derived from safeguards and conditions normally imposed upon special exceptions or Specific Use will be substantially met by the terms of the proposed Planned Unit Development. The Planned Unit Development has specified the potential for live music and other events that will be conducted as a part of the pedestrian plaza entertainment venue. The proposed development is buffered by the Creek Turnpike from the nearest residential properties to the north. To utilize amplified sound on the property no additional sound requirements are necessary. The use shall be limited to no later than 10 p.m. Sunday through Thursday and 12 a.m. Friday and Saturday. Events planned to exceed these criteria or have an expected attendance of greater than 3,000 people shall require process through the City of Jenks Special Event Committee to ensure public safety issues have been addressed.

The development's signage program will provide a visual layer between the built environment, the community, and the pedestrian. The signage will brand, inform, direct, and provide for a memorable experience. The signage placement will consider project architectural facades and unique building forms and details to enhance, complement, and create a balance in the overall building design. Signage illumination will provide a soft, even, halo-type effect. Designed with the environment in mind, this sophisticated illumination will utilize a friendly low voltage/LED standard throughout the development. Control mechanics will ensure a uniform consistency throughout the entire sign program. A variety of high-quality materials and finishes, including automotive grade paints, brushed and polished metals, textured material, and patina finishes will ensure a sense of durability and high level of design. Signs shall be limited to:

- a. Wall or canopy signs shall not exceed 20% of total exterior wall surface area;
- b. One LED project identification pylon sign, to be located along the Creek Turnpike frontage not exceeding 90 feet in height and 750 square foot of area per face;
- c. Four project identification monuments, to be located in conjunction with the entrances to the development from 7th Street, Lewis Avenue and the entrances from the new frontage road. These monuments shall not exceed 17 feet in height and 200 square feet of area per face;
- d. Project identification signs to be located on towers or other architectural features shall not exceed 200 square feet of area per face;
- e. Way-finding signs, including but not limited to auto-directions signs, parking area identification, and service court identification are limited to the size as identified in the PUD. Number of signs is not limited;
- f. Signs interior of the building entry ways are not limited and not included in allowable aggregate area of exterior signage (these signs are considered as an interior signage to the structures) but shall conform to owner architectural compatibility.

The lighting scheme at the development will complement the architectural style of the buildings and also be coordinated with the style of the street furniture, creating a consistent theme and look throughout. The following standards are identified as PUD criteria:

- a. Parking Field Illumination – Light standards shall not exceed 35 feet in height and shall be hooded and directed downward and away from the turnpike or north property boundary.
- b. Walkway Illumination – Pedestrian-scale vertical lamps will be distributed along the walkway to visually enhance the pedestrian experience and increase user safety. A Trail system connecting to the River trail system is planned for the property. The pedestrian scale lamps will also be incorporated to support the trail system where road lighting is not sufficient.
- c. Building Illumination – Wall sconces will be attached onto the vertical piers that separate retail units and also at building corners. Sconces will have a complimentary style and color to the vertical lamps. Additional building-mounted lights will emphasize architectural features. Building wall lighting can be designed from to accent the building by illumination from either the top or bottom but will be arranged to ensure that the light is not emitted towards the traffic ways.

Upon the independent sale of an outparcel, or a parcel created by lot split, an owner's association will be established. The owner's association will be outlined within the plat that outlines the responsibility for the general maintenance of the common areas of the subdivision, including Reserve Areas, Pedestrian Easements areas, common landscaping, signage, fencing areas, site entry, aesthetic features and façade treatments to include store front window signage. It is expected that the out parcels will remain in the ownership of the Tulsa Premium Outlet owner and owner association features shall only apply on the transfer of ownership. Therefore, the plat will identify that the property is subject to the International Property Maintenance Code that is enforceable by the City of Jenks upon a finding by the super majority of the Jenks City Council that the property is in violation of this code.

Upon completion of the initial platting, which will set forth the allocation of floor area, division of lot may occur be approved lot split application, in accordance with Jenks Subdivision Regulations and State Statutes. Subdivision may be subject to further approval of the City of Jenks Planning Commission as a minor amendment to the PUD establishing the floor area allocations and confirming the existence of any necessary cross parking and mutual access agreements requirements.

Conditions to the approval of the PUD 100 will be addressed in the review of the preliminary and final plat of "Tulsa Premium Outlets".

The applicant was present at the hearing. No one spoke in opposition to the case. Following the public hearing and discussion of the case, the Planning Commission voted 6-0 to recommend approval of the Zone Change an AG (Agricultural) Zoning District to a RTC (Riverfront Tourist Commercial)/Planned Unit Development Number 100 Zoning District, for Riverfront Tourist Commercial Uses for the development of "Tulsa Premium Outlets".

1. Request by Barbara Pinkerton, event organizer for Runners World Racing, to hold the Tulsa Area Triathletes Spring Fever event, a short distance triathlon, on April 17, 2016, from 6:00 a.m. until 3:00 p.m. Josh Driskell addressed Council and stated this is the first year this event will take place in Jenks. This group is well organized. There will be no street closures, but there will be some rolling blockades of intersections so bicyclists can get through. Lonnie Sims made a motion to approve. Seconded by Josh Wedman. A roll call vote of members was as follows:

Greg Bowman	Yes
Kevin Rowland	Yes
Bo Summers	Yes
Josh Wedman	Yes
Mike Sharp	Yes
Lonnie Sims	Yes
Mayor Kelly Dunkerley	Yes

Motion carried.

2. JZ-580 PUD-100 (3083) Request by Simon Acquisition II, LLC. for approval of a Zone Change from an AG (Agricultural) Zoning District to a RTC (Riverfront Tourist Commercial)/Planned Unit Development Number 100 Zoning District, for Riverfront Tourist Commercial Uses on property described as:

A tract of land located in the NE/4 of Section 30, T-18-N, R-13-E of the Indian Meridian, Tulsa County, State of Oklahoma, according to the Official U.S. Government Survey thereof; being more particularly described as follows: Commencing at the northeast corner of Section 30, an ODOT Brass Cap; Thence S 00°07'09" W toward the east quarter corner of Section 30, a 5/8" Steel Pin/No Cap, a distance of 476.63 feet; Thence N 89°52'51" W a distance of 44.75 feet to the "Point of Beginning", being on the southerly Right of Way for 101st Place South as recorded in the Tulsa County Clerk's office in Book 5580, Page 1845; Thence S 00°07'09" W along a line that is 44.75 feet measured perpendicularly from the east line of the NE/4 of Section 30, a distance of 291.20 feet to a non-tangent curve to the left; Thence along a non-tangent curve to the left with a central angle of 13°05'40", a radius of 586.50 feet, an arc length of 134.04 feet, a chord bearing of S 06°39'59" W and a chord length of 133.75 feet to a point that is 60.00 feet measured perpendicularly from the east line of the NE/4 of Section 30; Thence S 00°07'09" W and tangent to the previous curve and along a line that is 60.00 feet measured perpendicularly from the east line of the NE/4 of Section 30, a distance of 196.42 feet; Thence S 89°52'51" E a distance of 12.00 feet to a point that is 48.00 feet

measured perpendicularly from the east line of the NE/4 of Section 30; Thence S 00°07'09" W along a line that is 48.00 feet measured perpendicularly from the east line of the NE/4 of Section 30, a distance of 355.84 feet to a tangent curve to the right; Thence along a tangent curve to the right with a central angle of 91°03'54", a radius of 30.00 feet, an arc length of 47.68 feet, a chord bearing of S 45°39'06" W and a chord length of 42.82 feet; Thence N 88°48'57" W and tangent to the previous curve, a distance of 1796.84 feet to a tangent curve to the right; Thence along a tangent curve to the right with a central angle of 68°24'07", a radius of 383.33 feet, an arc length of 457.64 feet, a chord bearing of N 54°36'53" W and a chord length of 430.94 feet; Thence N 20°24'49" W and tangent to the previous curve, a distance of 40.66 feet to a tangent curve to the left; Thence along a tangent curve to the left with a central angle of 37°14'57", a radius of 334.67 feet, an arc length of 217.58 feet, a chord bearing of N 39°02'18" W and a chord length of 213.76 feet to a tangent reverse curve to the right; Thence along a tangent reverse curve to the right with a central angle of 34°27'55", a radius of 254.33 feet, an arc length of 152.99 feet, a chord bearing of N 40°25'49" W and a chord length of 150.69 feet; Thence S 88°48'52" E and not tangent to the previous curve, a distance of 6.16 feet to a non-tangent curve to the right; Thence along a non-tangent curve to the right with a central angle of 80°05'40", a radius of 250.00 feet, an arc length of 349.48 feet, a chord bearing of N 46°24'31" E and a chord length of 321.71 feet; Thence N 01°04'11" E and not tangent to the previous curve, a distance of 205.63 feet to the southerly Right of Way for the Creek Turnpike as recorded in the Tulsa County Clerk's office in Book 5376, Page 441; Thence N 87°55'09" E along the southerly Right of Way for the Creek Turnpike, a distance of 411.51 feet; Thence N 78°53'59" E along the southerly Right of Way for the Creek Turnpike, a distance of 175.37 feet to the westerly Right of Way for 101st Place South as recorded in the Tulsa County Clerk's office in Book 5580, Page 1845; Thence S 00°12'35" W along the westerly Right of Way for 101st Place South, a distance of 69.39 feet; Thence S 89°47'25" E along the southerly Right of Way for 101st Place South, a distance of 1125.00 feet; Thence S 89°47'27" E along the southerly Right of Way for 101st Place South, a distance of 479.17 feet to the "Point of Beginning". Said tract contains 2,224,901 square feet or 51.0767 acres. The non-astronomic bearings for said tract are based on an assumed bearing of S 00°07'09" W along the east line of the NE/4 of Section 30, T-18-N, R-13-E of the Indian Meridian, Tulsa County, State of Oklahoma, according to the Official U.S. Government Survey thereof.

General Location: East 101st Place South Street South and South 7th Street. Robert Bell addressed Council and stated the Planning Commission conducted a public hearing on JZ-580 on December 10. Robert Bell summarized his Staff Report, which was contained in the Agenda packet. Robert Bell then stated that the applicant was present at the public hearing, no one spoke in opposition to the case, and the Planning Commission voted 6-0 to recommend approval of the zone change. The applicant is present tonight for this

public hearing as well. Lonnie Sims asked on Page 34, third paragraph from the bottom, it says "upon completion of the initial platting which will set forth the allocation of floor area, division of (I think that should be lots) may occur be approved, and I think that should be by. I think what you're trying to say is division of lots may occur by approved lot split application, but it doesn't read like that. Robert Bell said the "e" should be "y". What that's saying is recognizing that an interior lease or rental would want to be the owner of their store, it gives them the opportunity to break that out through lot split even though it's not on a public road, it's interior development. All of the criteria there is met so they could go through a lot split process to create up to State law which is 3. Kevin Rowland asked is the criteria set forth for the signage the same as what was used on the other properties within the River District area, or Village on Main, or River Walk? Robert Bell said it's similar. They have their own design style and this really outlines what that is. This is the criteria they've asked for. Kevin Rowland said obviously if we put a sign up that says Premium Outlet Malls on this site all of the customers have already missed the exit. Is that the intent is to still put one up anyway? Robert Bell said I think this company is big enough if they needed to get signage...Kevin Rowland asked any additional signage that goes on the other side going west and so forth be on a sign application at some point? Robert Bell replied there will be no offsite signage associated with this. They may look at billboard uses in the area, but I don't know that for sure. Mike Tinker added for clarification that discussion by the client and the question posed to OTA is the possibility of major points of destinations being identified on the turnpike system. Early visits with Tim Stewart, the Executive Director, he felt like there would be no problem with that. Those could appear, but they're not being put up by the company, it would be OTA. Mike Sharp asked on Page 32 you make reference to the 2011 CLOMR and you state that this particular project is meeting the plan that was put in place in 2011, and going to a flood elevation of 617 which is a foot above 1986 which we've long used as a standard in that area. I assume this 2011 CLOMR was a bigger area than probably what their footprint is here. I assume if they're meeting the 2011 then obviously at some point in the future when the whole area has met the conditions of the 2011 CLOMR then someone will make an application to make it a LOMR. Is that your interpretation of the game plan? Robert Bell answered you're absolutely correct. Everything that's transforming on this property will be in compliance with the 2011 CLOMR that was approved by FEMA. I would say that this applicant is going beyond their property line to help facilitate that in creation of some of the drainage tracts that go along the railroad and the access for the stormwater to the Arkansas River. Not only are they going to help their own site, but they're helping the overall picture. I've checked with FEMA and they can apply for their LOMR on their site alone. I expect that to happen, because that will take their property completely out of the floodplain and do away with the flood insurance. Kevin Rowland said the turnpike stuff that's being done, we had among Councils gone back and forth where the road was going to be in this area, whether it was going to be

against the highway or what. This establishes now that we're coming in and doing a circle on the west end and then they're bringing it up to a spot down on the east end and then we're taking it underneath the highway, correct? Robert Bell replied that is correct. Mayor Kelly Dunkerley opened the floor and invited Simon representatives to make any comments they would like to. John Dionis from New Jersey representing Simon stated I'm the Senior Director of Development for Simon. We appreciate being here. Simon is a global leader in retail real estate development, management, and ownership. We are a S & P 100 company. We're excited to be here in Jenks. It's been a great pleasure working with Staff. They're very professional. We have 81 centers around the globe, Europe, Asia, and North America, and every center that we have built we continue to own. Our plan is to own them in the long term and we look forward to the opportunity to be a partner with the City of Jenks. Thank you very much. If you have any questions I'd be happy to field them now or feel free to call on me any time. Lonnie Sims said thank you for picking Jenks. We're the fastest growing city in the state of Oklahoma. This development is going to help us tremendously. It's been a labor of love for a lot of people around here for a number of years that stuck with the vision for that property. We thank our citizens for voting on the bond package in 2013, because we always felt that our roads were the missing piece to open the door to that property. John Dionis said I agree. The road package enabled this project to happen. It's the foresight of this community to put that in place to allow this to happen. Bo Summers said I look forward to a very long and successful relationship between the City of Jenks and Simon. Mayor Kelly Dunkerley said it's been a pleasure working with you. Our Staff has said many complimentary things about you and your staff and the due diligence you take on this property and looking at the entire region as well as investing in the Tulsa area. We couldn't be more excited that you chose Jenks and this site. All of the work that's been done in this city for over a decade to try to come to this point, and for you to make a decision to come here and partner with us and our communities, build on the partnerships we have with our public school system, this is a big thing for Jenks and for our area, and we commend you on the work you've done. Mayor Kelly Dunkerley closed the floor. Greg Bowman made a motion to approve JZ-580 PUD-100. Seconded by Bo Summers. A roll call vote of members was as follows:

Greg Bowman	Yes
Kevin Rowland	Yes
Bo Summers	Yes
Josh Wedman	Yes
Mike Sharp	Yes
Lonnie Sims	Yes
Mayor Kelly Dunkerley	Yes

OWNER
Tulsa Premium Outlets, L.L.C.
an Delaware limited liability company
c/o Simon Premium Outlets
60 Columbia Road
Building B, 3rd Floor
Morristown, NJ 07960
(973) 228.6111

PLANNED UNIT DEVELOPMENT No. 100

Tulsa Premium Outlets Amended

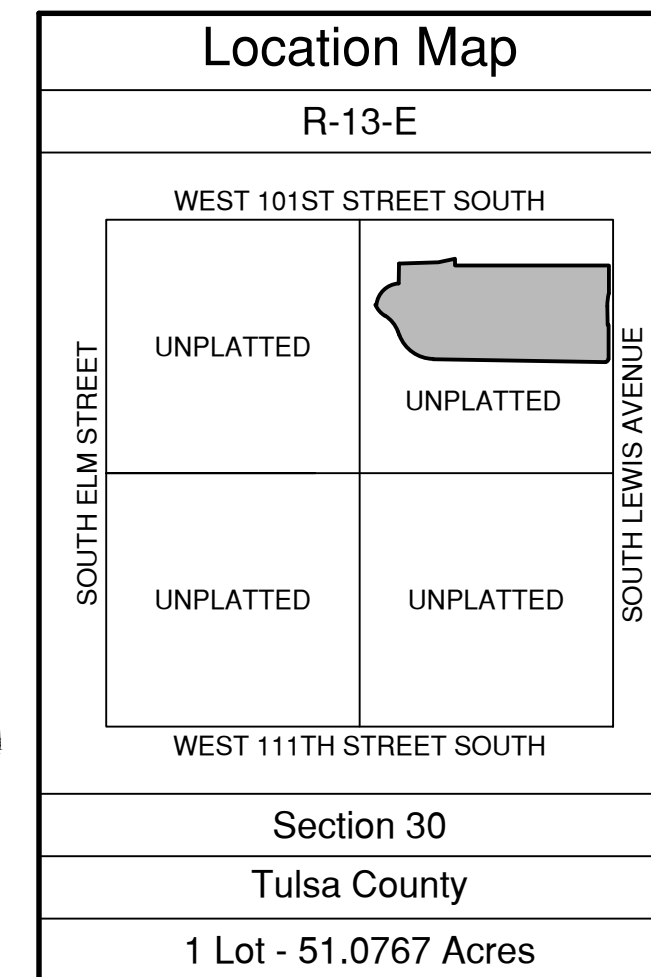
A subdivision in the City of Jenks, being part of the NE/4 of Section 30, Township 18 North,
Range 13 East of the Indian Meridian, Tulsa County, State of Oklahoma

SURVEYOR
Tulsa Engineering & Planning Associates, Inc.
an Oklahoma corporation
9820 East 41st Street, Suite 102
Tulsa, Oklahoma 74146
Phone: 918.252.9621

CERTIFICATE OF AUTHORIZATION No. 531
RENEWAL DATE: JUNE 30, 2021

"Point of Commencement"
Found 0001 Brass Cap
The Northeast Corner of Section
30, T-18-N, R-13-E, Tulsa
County, State of Oklahoma

Creek Turnpike



Legend

CB = Chord Bearing
CL = Chord Length
Doc. = Document
U/E = Utility Easement

Monument Notes

A 5/8" x 18" deformed bar with a yellow plastic cap stamped "TEP CA 531" to be set at all plat boundary corners, prior to recordation unless noted otherwise.

A 3/8" x 18" deformed bar with a yellow plastic cap stamped "TEP CA 531" to be set at all lot corners after completion of improvements, unless noted otherwise.

A 3/8" x 18" deformed bar with a yellow plastic cap stamped "TEP CA 531" to be set at all street centerline intersections, points of curve, points of tangent, points of compound curve, points of reverse curve, center of cul-de-sacs and center of eyebrows, after completion of improvements, unless noted otherwise.

Basis of Bearings

The non-astronomic bearings for this survey are based on an assumed bearing of S 00°07'09" W along the east line of the NE/4 of Section 30, T-18-N, R-13-E of the Indian Meridian, Tulsa County, State of Oklahoma, according to the Official U.S. Government Survey thereof.

Benchmark

Chiseled "X" on top of curb, on North side of Aquarium Drive (101st Street South) and in line with centerline of the tunnel under Creek Turnpike

ELEVATION = 616.37 NAVD 1988

FINAL PLAT

CERTIFICATE OF APPROVAL

I hereby certify that this plat was approved by the Jenks City Council

on _____

MAYOR - VICE MAYOR

This approval is void if the above signature is not endorsed by the City Manager.

CITY MANAGER



Tulsa Premium Outlets
Date of Preparation: October 25, 2019
Sheet 1 of 2

Found 5/8" Steel Pin w/Plastic Cap stamped "RLS 1253"
The North Quarter Corner of Section 30, T-18-N, R-13-E, Tulsa County, State of Oklahoma

The West line of the NE/4 of Section 30, T-18-N, R-13-E, Tulsa County, State of Oklahoma

Parcel CR-50 Report of Commissioners (Book 5295, Page 800)
Parcel CR-50 Report of Commissioners (Book 5376, Page 441)
Case CJ-89-3633

Parcel CR-50 Report of Commissioners (Book 5295, Page 800)
Parcel CR-50 Report of Commissioners (Book 5376, Page 441)
Case CJ-89-3633

Parcel CR-50 Report of Commissioners (Book 5295, Page 800)
Parcel CR-50 Report of Commissioners (Book 5376, Page 441)
Case CJ-89-3633
Cul Claim Deed (Book 5380, Page 1855)

50' Dedication Deed (Book 5380, Page 1855)
Parcel CR-50 Report of Commissioners (Book 5295, Page 800)
Parcel CR-50 Report of Commissioners (Book 5376, Page 441)
Case CJ-89-3633
Cul Claim Deed (Book 5380, Page 1855)

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Backflow Preventer Valve
If the actual finished floor elevation is lower than one (1) foot above the up-stream sanitary sewer manhole top of rim elevation, it shall be the builder's responsibility to install a backflow preventer valve near the building. The builder is responsible to comply with all city ordinances regarding the installation of any required backflow preventer valve.

Line Table

No.	Bearing	Distance
L1	N 89°52'51"W	44.75'

Line Table

No.	Bearing	Distance
L1	N 32°47'05"E	18.07'
L2	N 01°11'50"E	107.97'
L3	N 18°30'42"E	15.00'
L4	S 37°05'34"W	15.00'
L5	N 00°07'41"E	15.00'
L6	N 01°11'13"E	71.66'
L7	N 81°11'03"E	15.00'
L8	N 88°48'57"W	15.00'
L9	N 89°21'46"E	10.00'
L10	N 81°11'03"E	10.00'
L11	N 90°00'00"E	10.00'
L12	N 77°17'03"W	29.92'
L13	N 09°39'08"W	88.78'
L14	N 73°45'57"W	49.97'
L15	N 16°11'03"E	18.51'

No.	Bearing	Distance
L16	S 73°48'57"E	10.00'
L17	S 18°11'03"E	8.51'
L18	N 00°44'32"W	15.00'
L19	S 01°06'08"W	10.00'
L20	S 68°11'08"W	27.53'
L21	S 21°11'03"W	12.44'
L22	N 68°48'57"W	10.00'
L23	S 88°00'56"W	10.00'
L24	N 69°28'32"W	10.00'
L25	S 18°10'39"W	48.81'
L26	N 73°49'21"W	10.00'
L27	S 81°16'58"W	26.40'
L28	S 63°39'43"W	51.49'
L29	S 81°11'19"W	49.97'
L30	N 08°48'51"W	18.03'

No.	Bearing	Distance
L31	S 75°11'58"W	33.88'
L32	S 79°07'56"E	69.45'
L33	S 69°43'22"E	30.04'
L34	S 40°38'26"W	13.00'
L35	S 49°21'32"W	10.00'
L36	N 88°59'51"W	38.39'
L37	N 76°11'25"E	10.53'
L38	S 13°48'35"E	10.00'
L39	S 82°47'12"E	55.46'
L40	S 07°12'48"W	10.00'
L41	N 88°59'51"W	40.26'
L42	S 57°55'28"W	44.51'
L43	S 88°56'26"E	106.16'
L44	S 47°06'56"E	43.06'
L45	N 44°24'26"E	35.02'

No.	Bearing	Distance
L46	N 62°42'22"E	10.00'
L47	N 62°42'22"E	10.00'
L48	S 27°17'38"E	24.72'
L49	N 08°48'57"W	21.90'
L50	S 08°48'57"E	24.67'
L51	N 81°11'03"E	10.00'
L52	S 87°01'18"E	10.00'
L53	N 16°11'38"E	24.67'
L54	S 73°48'22"E	10.00'
L55	N 73°34'26"E	27.54'
L56	S 18°25'34"E	10.00'
L57	S 77°32'51"W	49.94'
L58	S 48°08'46"W	10.00'
L59	N 44°51'14"W	24.81'
L60	S 73°52'41"E	10.00'

UNPLATTED
Owner:
River District Development
Group, LLC
Deed, Doc. No. 2006127969

Curve Table

No.	Delta	Radius	Length	Chord Bearing	Chord Distance
C1	24°25'43"	125.00'	183.76'	S 60°30'50"E	182.37'
C2	24°58'43"	421.00'	183.54'	N 60°31'59"W	182.09'
C3	05°04'57"	1005.62'	89.20'	S 27°56'30"W	89.17'
C4	31°33'46"	390.94'	215.36'	S 18°10'19"W	212.65'
C5	23°10'12"	137.67'	55.67'	S 05°55'00"W	55.29'
C6	20°50'17"	127.67'	46.43'	S 06°58'16"W	46.18'
C7	08°57'56"	127.67'	19.98'	S 12°55'52"E	19.96'
C8	08°58'48"	363.33'	56.94'	S 24°54'13"E	56.89'
C9	41°49'30"	375.00'	273.74'	S 68°01'41"E	267.71'
C10	01°05'14"	248.00'	4.71'	N 43°51'49"E	4.71'
C11	17°06'37"	248.00'	74.20'	N 52°58'45"E	73.93'
C12	17°19'22"	248.00'	74.98'	S 27°31'22"E	74.70'
C13	11°26'04"	798.04'	159.26'	N 86°54'08"E	159.00'
C14	12°51'24"	798.04'	179.07'	N 80°14'04"E	178.70'
C15	99°59'42"	288.00'	502.63'	S 23°48'31"E	441.23'

No.	Delta	Radius	Length	Chord Bearing	Chord Distance
C16	79°55'59"	263.00'	366.91'	S 66°09'20"W	337.87'
C17	04°56'16"	502.00'	43.26'	N 76°20'33"W	43.32'
C18	15°00'00"	502.00'	131.42'	N 86°18'57"W	131.05'
C19	16°39'26"	288.00'	86.64'	N 65°29'14"W	86.33'
C20	68°20'51"	238.00'	283.91'	N 42°59'05"W	267.37'
C21	53°13'06"	238.00'	221.06'	N 17°47'53"E	213.20'

Scale in Feet: 1" = 100'

TULSA PREMIUM OUTLETS
AMENDED

DEED OF DEDICATION
AND
RESTRICTIVE COVENANTS

PLANNED UNIT DEVELOPMENT No. 100

KNOW ALL MEN BY THESE PRESENTS:

THAT TULSA PREMIUM OUTLETS, LLC, an Delaware limited liability company, c/o Simon Premium Outlets, hereinafter referred to as the "Owner", is the owner of the following described land in the City of Jenks, Tulsa County, State of Oklahoma, to wit:

A tract of land located in the NE/4 of Section 30, T-18-N, R-13-E of the Indian Meridian, Tulsa County, State of Oklahoma, according to the Official U.S. Government Survey thereof, being more particularly described as follows:

Commencing at the northeast corner of Section 30, an ODOT Brass Cap;

Thence S 00°07'09" W toward the east quarter corner of Section 30, a 5/8" Steel Pin/No Cap, a distance of 476.63 feet;

Thence N 89°52'51" W a distance of 44.75 feet to the "Point of Beginning", being on the southerly Right of Way for "101st Place South" as recorded in the Tulsa County Clerk's office in Book 5580, Page 1845;

Thence S 00°07'09" W along a line that is 44.75 feet measured perpendicularly from the east line of the NE/4 of Section 30, a distance of 291.20 feet to a non-tangent curve to the left;

Thence along a non-tangent curve to the left with a central angle of 13°05'40", a radius of 586.50 feet, an arc length of 134.04 feet, a chord bearing of S 06°39'59" W and a chord length of 133.75 feet to a point that is 60.00 feet measured perpendicularly from the east line of the NE/4 of Section 30;

Thence S 00°07'09" W and tangent to the previous curve and along a line that is 60.00 feet measured perpendicularly from the east line of the NE/4 of Section 30, a distance of 196.42 feet;

Thence S 89°52'51" E a distance of 12.00 feet to a point that is 48.00 feet measured perpendicularly from the east line of the NE/4 of Section 30;

Thence S 00°07'09" W along a line that is 48.00 feet measured perpendicularly from the east line of the NE/4 of Section 30, a distance of 355.84 feet to a tangent curve to the right;

Thence along a tangent curve to the right with a central angle of 91°03'54", a radius of 30.00 feet, an arc length of 47.68 feet, a chord bearing of S 45°39'06" W and a chord length of 42.82 feet;

Thence N 88°48'57" W and tangent to the previous curve, a distance of 1796.84 feet to a tangent curve to the right;

Thence along a tangent curve to the right with a central angle of 68°24'07", a radius of 383.33 feet, an arc length of 457.64 feet, a chord bearing of N 54°36'53" W and a chord length of 430.94 feet;

Thence N 20°24'49" W and tangent to the previous curve, a distance of 40.66 feet to a tangent curve to the left;

Thence along a tangent curve to the left with a central angle of 37°14'57", a radius of 334.67 feet, an arc length of 217.58 feet, a chord bearing of N 39°02'18" W and a chord length of 213.76 feet to a tangent reverse curve to the right;

Thence along a tangent reverse curve to the right with a central angle of 34°27'55", a radius of 254.33 feet, an arc length of 152.99 feet, a chord bearing of N 40°25'49" W and a chord length of 150.69 feet;

Thence S 88°48'52" E and not tangent to the previous curve, a distance of 6.16 feet to a non-tangent curve to the right;

Thence along a non-tangent curve to the right with a central angle of 80°05'40", a radius of 250.00 feet, an arc length of 349.48 feet, a chord bearing of N 46°24'31" E and a chord length of 321.71 feet;

Thence N 01°04'11" E and not tangent to the previous curve, a distance of 205.63 feet to the southerly Right of Way for the "Creek Turnpike" as recorded in the Tulsa County Clerk's office in Book 5376, Page 441;

Thence N 87°55'09" E along the southerly Right of Way for the "Creek Turnpike", a distance of 411.51 feet;

Thence N 78°53'59" E along the southerly Right of Way for the "Creek Turnpike", a distance of 175.37 feet to the westerly Right of Way for "101st Place South" as recorded in the Tulsa County Clerk's office in Book 5580, Page 1845;

Thence S 00°12'35" W along the westerly Right of Way for "101st Place South", a distance of 69.39 feet;

Thence S 89°47'25" E along the southerly Right of Way for "101st Place South", a distance of 1125.00 feet;

Thence S 89°47'27" E along the southerly Right of Way for "101st Place South", a distance of 479.17 feet to the "Point of Beginning".

Said tract contains 2,224,901 square feet or 51.0767 acres.

The non-astronomic bearings for said tract are based on an assumed bearing of S 00°07'09" W along the east line of the NE/4 of Section 30, T-18-N, R-13-E of the Indian Meridian, Tulsa County, State of Oklahoma, according to the Official U.S. Government Survey thereof.

As Owner, I hereby certify that I have caused the above described land to be surveyed, divided, mapped, dedicated and access rights reserved as presented on the plat and has designated the subdivision as "TULSA PREMIUM OUTLETS", a subdivision in the City of Jenks, Tulsa County, Oklahoma.

SECTION I. EASEMENTS AND UTILITIES

1.1 Utility Easements

The Owner does hereby dedicate for public use the utility easements as depicted on the accompanying plat as "Utility Easement", for the several purposes of constructing, maintaining, operating, repairing, replacing, and/or removing any and all public utilities, including storm sewers, sanitary sewers, telephone and communication lines, electric power lines and transformers, gas lines, water lines and cable television lines, together with all fittings, including the poles, wires, conduits, pipes, valves, meters and equipment for each of such facilities and any other appurtenances thereto, with the rights of ingress and egress to and upon the utility easements for the uses and purposes aforesaid, provided however, the Owner hereby reserves to itself, and to it's assigns, the right to use or delegate to others the right to use the designated easements and rights of way to provide any of the services set forth herein, including, but not limited to the right to construct, maintain, operate, lay and re-lay water lines and sewer lines, together with the right of ingress and egress for such construction, maintenance, operation, laying and re-laying over, across and along all of the utility easements depicted on the plat for the purpose of furnishing water and/or sewer services to the area included in the plat. The Owner herein imposes a restrictive covenant, which covenant shall be binding on the lot owner and shall be enforceable by the City of Jenks, Oklahoma, and by the supplier of any affected utility service, that within the streets and utility easements depicted on the accompanying plat no building, structure or other above or below ground obstruction that interferes with the above set forth uses and purposes of a street or easement shall be placed, erected, installed or maintained, provided however, nothing herein shall be deemed to prohibit drives, parking areas, curbing, landscaping and customary screening fences and walls.

1.2 Underground Service

1.2.1 Overhead poles may be located along the east perimeter of the subdivision along South Lewis Avenue as necessary, if located in utility easements, for the purpose of the supply of underground service. Street light poles or standards may be served by underground cable, and except as provided in the immediately preceding sentence, all electric and communication supply lines shall be located underground, in the easement-ways reserved for general utility services and streets, shown on the attached plat. The Owner does hereby restrict the utility easements shown and designated on the accompanying plat to a single supplier of electrical service.

1.2.2 All supply lines in the subdivision including electric, telephone, cable television and gas lines shall be located underground in the easements reserved for general utility services and the private street shown on the plat of the subdivision. Service pedestals and transformers, as sources of supply at secondary voltages, may also be located in said easements.

1.2.3 Underground service cables and gas service lines to all structures which may be located on all lots in the subdivision may be run from the nearest gas main, service pedestal or transformer to the point of usage determined by the location and construction of such structure as may be located upon each said lot: provided that upon the installation of such a service cable or gas service line to a particular structure, the supplier of service shall thereafter be deemed to have a definitive, permanent, and effective right-of-way easement on said lot, covering a five-foot strip extending 2.5 feet on each side of such service cable or line, extending from the service pedestal, transformer or gas main to the service entrance on the structure or a point of metering.

1.2.4 The supplier of electric, telephone, cable television and gas services, through its authorized agents and employees, shall at all times have right of access to all such easements shown on the plat to the subdivision or provided for in this deed of dedication for the purpose of installing, maintaining, removing or replacing any portion of the underground electric, telephone, cable television or gas service facilities so installed by it. The supplier of electric, telephone, cable television also reserves the perpetual right, privilege and authority to cut down, trim, or treat any trees and undergrowth on said easement.

1.2.5 The owner of each lot in the subdivision shall be responsible for the protection of the underground electric facilities located on his property and shall prevent the alteration of grade or any construction activity which may interfere with said electric, telephone, cable television or gas facilities. The supplier of service will be responsible for ordinary maintenance of underground facilities, but the owner of each lot in the subdivision will pay for damage or relocation of such facilities caused or necessitated by acts of such owner or his agents or contractors. The foregoing covenants concerning underground facilities shall be enforceable by the supplier of electric, telephone, cable television or gas service.

1.3 Water and Sewer Service

1.3.1 The owner of the lot shall be responsible for the protection of the public water mains and of the public sanitary sewer facilities located on the lot and shall prevent the alteration of grade or any construction activity which may interfere with said public water main, public sanitary sewer main, or storm sewer. Within the utility easement areas depicted on the accompanying plat, the alteration of grade from the contours existing upon the completion of the installation of a public water main or sewer main, or any construction activity which would interfere with public water and sewer mains, shall be prohibited.

1.3.2 The City of Jenks, or its successors, will be responsible for ordinary maintenance of public water main, or public sanitary sewer main, but the owner of the lot will pay for damage or relocation of such facilities cause or necessitated by acts of the owner or his agents or contractors.

1.3.3 The City of Jenks or its successors through its proper agents and employees shall at all times have right of access with their equipment to all such easement-ways shown on said plat, or provided for in this deed of dedication for the purpose of installing, maintaining, removing, or replacing any portion of said underground water and sewer facilities.

1.3.4 The foregoing covenants concerning water and sewer facilities shall be enforceable by the City of Jenks or it successors, and the owner of the lot agrees to be bound hereby.

1.4 Surface Drainage

The lot shall receive and drain, in an unobstructed manner, the storm and surface waters from adjacent lots and drainage areas of higher elevation and from public streets and easements. The lot owner shall not construct or permit to be constructed any fencing or other obstructions which would impair the drainage of storm and surface waters over and across his lot. The foregoing covenants set forth in this subsection shall be enforceable by the lot owner and by the City of Jenks, Oklahoma.

SECTION II.
PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS, TULSA PREMIUM OUTLETS was submitted as part of a planned unit development (designated as PUD No. 100) as provided within Sections 900A thru 950A of the City of Jenks Zoning Code, as the same existed on September 28, 1972, which P.U.D. No. 100 was approved by the Jenks Planning Commission on December 10, 2015 and by the Jenks City Council on December 21, 2015; and

WHEREAS, the planned unit development provisions of the Jenks Zoning Code require the establishment of covenants of record, inuring to and enforceable by the City of Jenks, Oklahoma, sufficient to assure the implementation and continued compliance with the approved planned unit development; and

WHEREAS, the Owner desires to establish restrictions for the purpose of providing for an orderly development and to insure adequate restrictions for the mutual benefit of the Owner, its successors and assigns, and the City of Jenks, Oklahoma.

THEREFORE, the Owner does hereby impose the following restrictions and covenants which shall be covenants running with the land and shall be binding upon the Owner, its successors and assigns, and shall be enforceable as hereinafter set forth.

2.1 Permitted Uses

- Use Unit 1. Area Wide Uses By Right, limited to Storm Detention Facility, Open Space Landscape Buffering, Street Signage, Thoroughfare and Utility Lines
- Use Unit 10. Off-Street Parking Areas
- Use Unit 11. Offices, Studios
- Use Unit 12. Eating places other than Drive-Ins
- Use Unit 13. Convenience Goods and Services
- Use Unit 14. Shopping Goods and Services
- Use Unit 19. Hotel, Motel and Recreation Facilities
- Use Unit 21. Business Signs, Outdoor Advertising and Billboards, limited to Business Signs advertising the project and the business and activities located thereon
- And uses customarily accessory to permitted uses*

* Outdoor Special Events - Outdoor special events may be permitted. Outdoor special events may include, but are not limited to, outdoor music, sale of alcoholic beverages, erection of tents and other activities customarily associated with festivals, sidewalk sales, charity run/walks and other similar outdoor events.

2.2 Development Standards for Lot 1, Block 1

Land Area: 51.0767 acres, (2,224,901 S.F.)

Maximum Building Floor Area:
Use units 11, 12, 13, 14 and 19 excepting hotel/motel use 600,000 SF
Use unit 19 limited to hotel/motel uses Not to exceed 10 site acres 300,000 SF

Maximum Building Coverage 30% of net lot area

Minimum Building Set Backs:

From the north line of West 101st Street Place Right-of-Way 100 feet
From the east property lines 20 feet
From the south property lines 50 feet
From the west property lines 20 feet
From interior or lot lines* 10 feet
* if subdivided

Maximum Building Height: 90 feet**
** Architectural features permitted to exceed maximum height with detailed site plan approval.

Off-Street Parking:

Per City of Jenks Zoning Code for applicable Use Unit.

Landscaping:

Minimum Landscape Area 10% of net lot area

2.3 Detailed Site Plan Review

No building permit shall be issued until a Planned Unit Development detailed site plan of the proposed improvements has been submitted to the City of Jenks and approved as being in compliance with the development concept and the development standards.

2.4 Platting

No building permit shall be issued until the development phase for which a permit is sought has been included in a subdivision plat submitted to and approved by the City of Jenks Planning Commission, the City Council, and duly filed of record. The required subdivision plat shall include covenants of record implementing the development standards of the approved Planned Unit Development conceptual site plan, and the City of Jenks shall be a beneficiary thereof.

SECTION III.
ENFORCEMENT, DURATION, AMENDMENT AND SEVERABILITY

3.1 Enforcement and Duration

The restrictions herein set forth are covenants to run with the land and shall be binding upon the undersigned Owner, its grantees, successors and assigns and all parties claiming under it for a period of twenty-five (25) years from the date of recording hereof, after which time said covenants shall be automatically extended for successive periods of ten (10) years unless amended or terminated as hereafter provided. If the undersigned Owner, or its successors or assigns shall violate any of the covenants hereon, it shall be lawful for the City of Jenks or any persons owning a lot situated within the subdivision to maintain an action at law or equity against the person or persons violating or attempting to violate any such covenant, and to prevent him/her or them from so doing or to compel compliance with the covenants or to recover damages for such violations.

4.2 Amendment

The provisions contained within Section I. Easements and Utilities may be amended or terminated at any time by a written instrument signed and acknowledged by the owner of the lot, and with the approval of the City of Jenks, Oklahoma. The covenants contained within Section II. Planned Unit Development Restrictions may be amended or terminated at any time by a written instrument from the owner of the lot and approved by the City of Jenks. The provisions of any such instrument amending or terminating covenants shall be effective from and after the date it is properly recorded.

4.3 Severability

These restrictive covenants, together with the other documents incorporated by reference, shall construed as an entity and the pertinent sections of all instruments as a whole. The invalidity of any phrase, clause or provisions herein contained shall not serve to render the balance or this instrument void, or unenforceable, and the same shall be thereafter construed as if such phrase, clause or provision were not herein contained, or to otherwise give maximum effect to the intent of the undersigned. The failure of the grantor, or any successor in title, to enforce any given restriction or covenant, or

conditions at any time, or from time to time, shall not be deemed to be a waiver or relinquishment of any right or remedy nor a modification of these restrictions and protective covenants.

4.4 Definitions

In the event of ambiguity of any word or term set forth herein, the meaning thereof shall be deemed to be defined as set forth within the City of Jenks Zoning Code as the same existed on September 28, 1972 or as subsequently amended.

IN WITNESS WHEREOF, TULSA PREMIUM OUTLETS, LLC, an Delaware limited liability company executed this instrument this ___ day of _____, 2019.

TULSA PREMIUM OUTLETS, LLC
an Delaware limited liability company

Danielle De Vita
Vice President

State of Oklahoma)
County of Tulsa) s.s.

Before me, the undersigned, a notary public in and for said County and State on this ___ day of _____, 2019, personally appeared Robert A. Burk, Authorized Manager of TULSA PREMIUM OUTLETS, LLC, an Delaware limited liability company; and he acknowledged to me that he executed the same 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.

_____, Notary Public
My commission No. is _____
My commission expires _____

CERTIFICATE OF SURVEY

I, Bobby D. Long, of Tulsa Engineering & Planning Associates, Inc., a professional land surveyor registered in the State of Oklahoma, hereby certify that I have carefully and accurately surveyed, subdivided, and platted the tract of land described above, and that the accompanying plat designated herein as "TULSA PREMIUM OUTLETS", a subdivision in the City of Jenks, Tulsa County, State of Oklahoma, is a representation of the survey made on the ground using generally accepted land surveying practices and meets or exceeds the Oklahoma Minimum Standards for the Practice of Land Surveying as adopted.

Witness my hand and seal this ___ day of _____, 2019.

Bobby D. Long
Registered Professional Land Surveyor
Oklahoma No. 1886



State of Oklahoma)
County of Tulsa) s.s.

Before me the undersigned, a notary public in and for said county and state, on this ___ day of _____, 2019, personally appeared Bobby D. Long, to me known to be the identical person who subscribed his name as Registered Professional Land Surveyor to the foregoing Certificate of Survey and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

Jack Taber, Notary Public
My commission No. is 12005192
My commission expires May 31, 2020

TULSA PREMIUM OUTLETS AMENDED
Date of Preparation: November 18, 2019 Sheet 2 of 2