

AGENDA
JENKS PLANNING COMMISSION
6:00 P.M. THURSDAY, NOVEMBER 03, 2022
JENKS CITY HALL
211 NORTH ELM STREET, JENKS, OKLAHOMA 74037

I. CALL TO ORDER

II. ROLL CALL

III. BUSINESS

Official action can only be taken on items which appear on the agenda. The Planning Commission may adopt, approve, ratify, deny, defer, recommend, amend, strike, or continue any agenda item (except for Item 1).

1. Consideration and appropriate action relating to a request for approval of the Consent Agenda. (All matters listed under "Consent" are considered by the Commission to be routine and will be enacted by one motion. Any Commissioner may, however, remove an item from the Consent Agenda by request. A motion to adopt the Consent Agenda is non-debatable.)

- 1.A. Approve minutes of the regular meeting on October 06, 2022

Documents:

[2022.10.06 PC MINUTES.PDF](#)

- 1.B. Approve JL 22-376, a request by Meghan Smith for a lot combination. General Location: 2428 W 119th St S

Documents:

1. [SR.JZ 22-376 PC11.03.22.SMITH.PDF](#)
2. [DECLARATION SAMPLE.PDF](#)
3. [EDDINGTON PLACE PLAT.PDF](#)

- 1.C. Approve JL 22-377, a request by Michael Johnston for a lot split. General Location: 13032 S Elgin

Documents:

1. [SR.JL 22-37711.03.22.JOHNSTON.PDF](#)
2. [JL 22-377.LEGAL DESCRIPTION.PDF](#)

- 1.D. Approve 2023 Planning Calendar

Documents:

[2023 PLANNING CALENDAR TABLE FORMAT - MONTHLY.PDF](#)

2. Consideration and appropriate action relating to items removed from the Consent Agenda
3. JZ 22-682, a request by Rob Prulhiere for a zone change from AG (Agriculture) to RE (Residential Estate). General Location: 187 E 116th St S

Documents:

1. [SR.JZ 22-682.11.03.22.ROB.PDF](#)
- 2A. [JZ 22-682 PUBLIC NOTICE \[187 E 116TH ST S\].PDF](#)

4. JL 22-378, a request by Rob Prulhiere for a lot split. General Location: 187 E 116th St S

Documents:

1. [SR.JL 22-378.11.03.22.ROB.PDF](#)
- 2A. [JZ 22-682 PUBLIC NOTICE \[187 E 116TH ST S\].PDF](#)
- 2B. [JL 22-378.LEGAL.ROB.PDF](#)
3. [JL 22-378 ROB.PDF](#)
4. [JL 22-378.ADDRESSING.PDF](#)

IV. OTHER BUSINESS

1. Planning Updates

V. ADJOURNMENT

MINUTES
JENKS PLANNING COMMISSION
6:00 P.M. THURSDAY, OCTOBER 06, 2022
JENKS CITY HALL, 211 NORTH ELM STREET

The Jenks Planning Commission was called to order at 6:02 p.m. on October 06, 2022, by Chair Scott West. A roll call vote of members was taken as follows:

Present

Craig Bowman
Amy Bors
John Brown
Jeffrey Beyer
David Randolph
Chair Scott West

Absent

None

Business

Official action can only be taken on items which appear on the agenda. The Planning Commission may adopt, approve, ratify, deny, defer, recommend, amend, strike, or continue any agenda item (except for Item 1).

1. Consideration and appropriate action relating to a request for approval of the Consent Agenda. (All matters listed under "Consent" are considered by the Commission to be routine and will be enacted by one motion. Any Commissioner may, however, remove an item from the Consent Agenda by request. A motion to adopt the Consent Agenda is non-debatable.)
 - 1.A. Request to approve minutes of the September 08, 2022
 - 1.B. Approve Final Plat for Jamestown. General Location: 9202 S Union Ave
 - 1.C. Approve Preliminary Plat for Rows Meadows. General Location: S of 131st, E of Harvard
 - 1.D. Approve JL 22-375: Request by the City of Jenks for a lot Split. General location: S of E Aquarium Pl, N of E 101st St S

David Randolph made a motion to approve Item 1. Craig Bowman seconded the motion. A roll call vote of members was taken as follows:

YEA: Bowman, Bors, Brown, Beyer, Randolph, West

NAY: None

Motion carried.

2. Consideration and appropriate action relating to items removed from the Consent Agenda *Withdrawn*

3. Discussion of 2023 Planning Calendar Planning Director Marcaé Hilton opened the discussion of the 2023 Planning Calendar and answered questions. The Commissioners gave their feedback.

No action was taken.

Planning Update – Planning Director Marcaé Hilton gave the Planning Update and answered questions.

Adjournment. The Jenks Planning Commission adjourned at 6:20 p.m.

Jenks | PC Staff Report



To	Planning Commission
Hearing Date	November 03, 2022
Case Number	JL 22-376 Eddington Place
Request	Lot Combination
Location	2428 W 119 TH ST. S Lots 23 and 24, Block 1, EDDINGTON PLACE
Applicant	Megan Smith

Staff Report

Preparer | Marcaé Hilton; BM

Attachments

☐ Lot Split/Combination Exhibits

Preparer

City Staff

Background Information

STAFF COMMENTARY | This lot combination is considered a minor subdivision request in the UDO. The subdivision is located north of 121st Street between Elwood and Highway 75. The family owns both parcels on the corner of West 119th Street South and South Willow Street. Their primary residence is located on lot 23, and a basketball court was built on lot 24. The family has requested to combine the lots, no future use has been shared. Staff supports the request.

PLANNING DATA

Request	Lot combination of two adjacent properties with single ownership
Intended Use	Homestead, Basketball court & other outdoor residential uses
ZONING	PUD 22/RS-2
PLAT	EDDINGTON PLACE NO. 5673 03/13/03
PARCEL 1	6062-782-353-6340 (<i>HOMESTEAD</i>)
PROP_ADD	2428 W 119 ST S
LEGAL	LT 23 BLK 1
OWNER	SMITH, HOWARD THOMAS & MEGHAN DIANNA
TR_SEC	8235
	SECTION 35
	TOWNSHIP 18
	RANGE 12
OWNER	SMITH, HOWARD THOMAS & MEGHAN DIANNA
PARCEL 2	6062-782-353-6350 (<i>EXISTING BASKETBALL COURT</i>)
PROP_ADD	(NONE TO DATE) WILL SHARE 2428 W 119 ST S
TR_SEC	8235
SECTION	35
TOWNSHIP	18
RANGE	12
LEGAL	LT 24 BLK 1
COUNCIL WARD	4

ZONING CODE | UDO LANGUAGE

Sec. 16-8-1. Purpose.

The purpose of this article is:

- (A) To establish reasonable rules and regulations governing the subdivision, development and platting of land, the preparation of plats, the location and extension of streets and highways, the installation of utilities and the provision of necessary public grounds for parks, playgrounds and public open space,
- (B) To promote and protect the public health, safety and general welfare, to conserve, protect and enhance property values and to secure the efficient use of land,
- (C) To discourage scattered development beyond existing public utilities and to facilitate the adequate provision of public improvements,
- (D) To assure the development of land for optimum use with necessary protection against deterioration and obsolescence,
- (E) To limit and control the pollution of the environment that can be caused by inadequate or incomplete urban development,
- (F) To provide common grounds of understanding and a sound working relationship between the City and the subdivider, and
- (G) To implement the goals and objectives of the Comprehensive Plan. (Ord. No. 1581, § II, 4-5-2022)

Sec. 16-8-2. General Subdivision Standards.

- (A) Land Suitability.
 - (1) General Land Suitability. Land which the Planning Commission finds to be unsuitable for subdivision or because of flooding, improper drainage and erosion, adverse topography, steep slopes, or rock formations, shall not be subdivided or developed unless adequate steps are taken by the subdivider and approved by the Planning Commission to resolve the hazards created by the unsuitable land conditions.
 - (2) Unsuitable Land for Subdivision. Land which the Planning Commission finds to be unsuitable for development within a proposed subdivision because of flooding, improper drainage and erosion, adverse topography, steep slopes, or rock formations, and not detrimental to the development of the subdivision, shall be set aside for uses as permitted by the Planning Commission.
- (B) Zoning District Compliance. No subdivision shall be approved unless it conforms to all of the requirements of this UDO. Whenever there is a discrepancy between minimum standards or dimensions noted in this article and those contained in other chapters of this UDO, building codes or other adopted regulations, codes or ordinances, the most restrictive shall apply.
- (C) Comprehensive Plan Conformance.
 - (1) All proposed subdivisions shall conform to the most recently adopted Comprehensive Plan.
 - (2) The arrangement, character, extent, width, grade, and location of all streets shall conform to all the elements of the Comprehensive Plan and shall be designed in accordance with sound planning and engineering principles as well as the improvement provisions outlined in this article.
- (3) Permanent Markers and Monuments.
 - (a) Permanent reference markers shall be placed at the intersection of the centerlines of rights-of-way. There shall be in each subdivision a minimum of two such monuments. If no two of the intersection monuments are within line-of-sight to each other, an additional marker shall be placed on right-of-way centerline so as to establish a straight line which can be seen line-of-sight from one end to the other. An additional such marker shall be placed at the center point of the turn-around in each cul-de-sac. These markers shall be in the form of a non-corrosive metal plate and each shall be stamped with a cross at the point of the intersection and the elevation to the tenth of a foot.
 - (b) Permanent reference markers shall be placed at each turning point in the boundary of the subdivision. These markers shall be a 24-inch long iron pipe or bar of at least one-half inch diameter, to be set in concrete.
 - (c) Permanent reference markers shall be placed at a minimum of two corners of each lot in an addition. The markers shall be at least 24 inches long and at least one-half inch in diameter made of iron pipe or bar and driven into unexcavated soil.
 - (d) Permanent reference markers shall be placed at the points of curvature and points of tangency of all inside and outside rights-of-way lines, and at the point of intersection of the outside line of a curve in street right-of-way. These markers shall be a 24-inch long iron pipe or bar of at least one-half inch diameter to be driven into unexcavated soil.
 - (e) The location of all permanent markers shall be shown on the face of the record plat.
- (4) Street Designations and Names....
 - (b) Street Names.
 - (I) Street names shall meet the naming convention established by the City Engineer and shall not:
 - (II) Street names within a subdivision shall have a consistent theme (i.e. tree species, names of artists, bird species). (Ord. No. 1581, § II, 4-5-2022)

Sec. 16-8-4. Subdivision Procedures.

- (A) *Types of Subdivision of Land.*
 - (1) *Lot Split.*
 - (2) *Minor Subdivisions.*
 - (a) *Lot Combination.*
 - (b) *Other Subdivision Corrections.*
 - (3) *Major Subdivisions.*
 - (a) *Preliminary Plat.*
 - (b) *Final Plat*
- (B) *General Subdivision Procedures.*
 - (1) *Application Submittal.*
 - (a) *All land subdivision applications shall be submitted to the City Planner and be accompanied by a fee as set forth in the Master Fee Schedule.*
 - (b) *After the receipt of the application, the City Planner shall review the application to determine that all required information has been submitted and notify the applicant of completeness or deficiencies.*
 - (c) *Failure to cure the deficiencies within six months from notification of such deficiencies shall be deemed abandonment of the application without further notice from the City.*
 - (d) *A pre-platting conference shall be required before the submittal of any Major Subdivision application.*
 - (2) *City Planner Report.*
 - (a) *After the determination of completeness, the subdivision application shall be reviewed by the City Planner pursuant to the criteria set forth in this article per application type.*
 - (b) *The City Planner shall meet with the Technical Advisory Committee as needed to review the subdivision application.*
 - (c) *The City Planner shall prepare and issue a report to the applicant identifying issues of concern to be addressed as well as a recommendation for approval, approval with conditions, or denial.*
 - (d) *The City Planner shall forward their report to the applicant for review.*
 - (3) *Revised Application.*
 - (a) *The applicant shall revise the application as necessary based on the issues of concern identified by the City Planner in their report.*
 - (b) *The revised application shall be accompanied by a letter explaining how all of the issues of concern have been addressed and detailing any other changes that have been made to the application.*
 - (c) *The applicant shall submit the revised application to the City Planner who shall review the revised application for the purpose of ensuring that all required information has been provided and that all issues of concern have been addressed. Once it is determined that all required information has been submitted and all issues of concern addressed, the application shall be referred to the next step in the process. If the City Planner determines that the required information and/or issues of concern have not been addressed, the City Planner shall notify the applicant of such deficiencies.*
 - (d) *Failure to cure the deficiencies within six months from notification of such deficiencies shall be deemed abandonment of the application without further notice from the City.*
 - (4) *Next Steps. Once the City Planner has determined that all required information has been submitted and all issues of concern have been addressed, the application subdivision application shall proceed to the next steps in the review process. The review procedures for lot splits are established in section 16-8-4(C), the review procedures for Minor Subdivisions are established in section 16-8-4(D), and the review procedures for Major Subdivisions are established in section 16-8-4(E).*
- (D) *Minor Subdivisions.*
 - (1) *Purpose. A Minor Subdivision is a subdivision in which any of the following conditions exist:*
 - (a) *Subdivisions resulting in more than three but less than six lots and the entire property to be subdivided is ten acres or less,*
 - (b) *Subdivision solely for the creation of public right-of-way or other public tracts,*
 - (c) *Consolidation (such as a lot combination or lot tie) of two or more lots on a filed final plat into fewer lots,*
 - (d) *Lot line or boundary adjustments to a filed final plat, or*
 - (e) *Correction of errors or omissions on a filed final plat, such as legal description errors, typographical and mapping errors, lot identification errors, and surveyor corrections.*
 - (2) *Minor Subdivision Review Criteria.*
 - (a) *Comprehensive Plan Alignment. The Minor Subdivision is consistent with the goals, objectives, and policies set forth in the Comprehensive Plan and other adopted plans and policy documents of the City.*



Figure 4 | Aerial photo

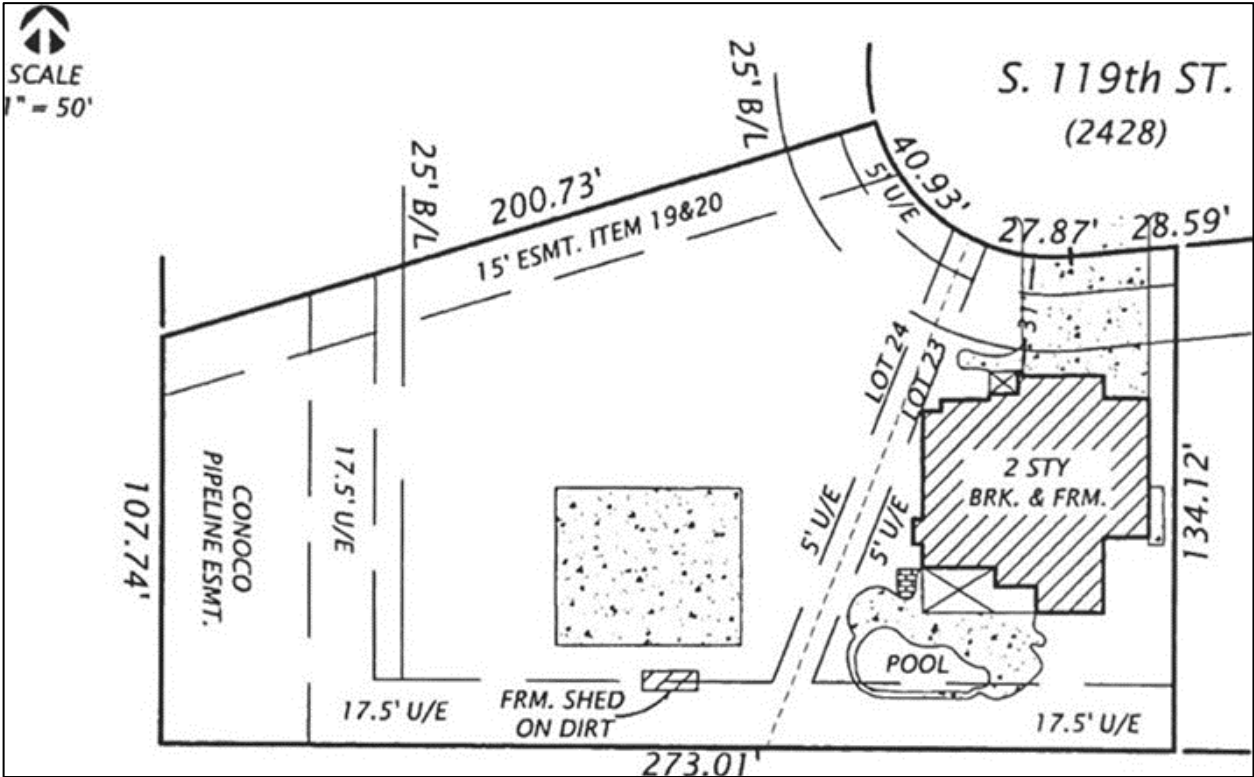


Figure 5: Site Plan of two lots

Staff Evaluation & Recommendation

Evaluation | The “Minor Subdivision” or lot combination request is consistent with the UDO and meets the intent of the Comprehensive Plan. The City has no objections to the request noting the new lot is legally conforming. Staff has not received any TAC comments against the combination. Utility Easements are not being closed at this time. The City of Jenks does not enforce private covenants, any violation of HOA covenants or other private covenants are a civil matter.

Action by the Planning Commission. The Planning Commission shall evaluate the proposed Minor Subdivision, and after consideration of the City Planner report shall *approve, approve with modifications, or deny the Minor Subdivision based on the applicable review criteria and in accordance with applicable state law.*

Recommendation | *Staff and TAC recommends conditional approval of JL 22-376 with the following conditions:*

1. Closure of easements running parallel with the lot line is a different zoning process; no structure can be built over the UE.
2. Provide Declaration of Combination (applicant has received a sample).
3. Submit Deed and/or Declaration to be stamped by City Planner before applicant files with Tulsa County.
4. Provide City Planner with copy of recorded Deeds/declaration.

LOT COMBINATION DECLARATION

STATE OF OKLAHOMA)
) SS
COUNTY OF TULSA)

Name, being the owner of all ownership interests, both legal and equitable, in the following described property, situated in Tulsa County, State of Oklahoma and more particularly described as follows, to-wit:

See attached “Attachments” for Legal Description;

hereinafter the “Combined Parcel”, declares and covenants as follows:

1. The properties in the Combined Parcel shall be considered a single lot, tract, parcel or site and shall not be sold, conveyed or mortgaged separate and apart from any of the other properties within the Combined Parcel; and
2. Any attempted sale, conveyance or mortgage of the properties within the Combined Parcel separate and apart from any of the other properties within the Combined Parcel shall be void.

The covenants of this Declaration shall run with the land within the Combined Parcel and shall be binding on all parties or successors in interest having or acquiring any right, title or interest in any part thereof.

It is further declared that the above-described properties, for regulation purposes, shall be governed by the Building and Zoning Codes of the City of Jenks, Oklahoma and the Subdivision and Development Regulations adopted by the City of Jenks.

Signed and delivered this _____ day of _____, 2022.

NAME_____

By: NAME, TITLE

ACKNOWLEDGEMENT

STATE OF OKLAHOMA)
) SS
COUNTY OF TULSA)

This instrument was acknowledged before me on this _____ day of _____,
2022, by NAME, as TITLE.

Notary Public

My Commission No. _____

My Commission Expires: _____

(SEAL)

EXHIBIT A

TRACT OF LAND LYING

together with the improvements thereon and the appurtenances thereunto belonging, LESS AND EXCEPT any interest in and to oil, gas and other minerals therein and thereunder previously reserved or conveyed of record and all rights, interests and estates of whatsoever nature incident to or growing out of said outstanding minerals, and SUBJECT TO easements, encumbrances, restrictions and other matters of record.

Legend:

ACC. = ACCESS PERMITTED
L.N.A. = LIMITS OF NO ACCESS
U/E = UTILITY EASEMENT
B/L = BUILDING SETBACK LINE
S.D.E. = STORM SEWER EASEMENT
S.S.E. = SANITARY SEWER EASEMENT
F.S.L. = FENCING, SIGNAGE, & LANDSCAPING EASEMENT
O.D.E. = OVERLAND DRAINAGE EASEMENT
R.O.W. = RIGHT-OF-WAY

Notes:

- # - BUILDING SETBACK LINE SHOWN REFERS TO MANDATORY 50' MINIMUM SEPARATION (SETBACK) FROM CENTERLINE OF PIPELINE TO ANY BUILDING STRUCTURE.
- SPECIAL FENCING REQUIREMENTS APPLY TO LOTS 1-15, BLOCK 7 AND LOTS 14-18, BLOCK 3. REFERENCE SHOULD BE MADE TO SECTION V, SPECIAL FENCING, WITHIN THE SUBDIVISION RESTRICTIVE COVENANTS.

Monumentation:

IRON PINS SET AT ALL PROPERTY CORNERS.

Basis of Bearing:

BASIS OF BEARING IS ASSUMED USING THE WEST LINE OF THE SE/4 OF SECTION 35, T-18-N, R-12-E AS N 0°00'11" E.

STATE OF OKLAHOMA }
COUNTY OF TULSA } SS

I, Earlene Wilson, Tulsa County Clerk, in and for the County and State above named, do hereby certify that the foregoing is a true and correct copy of a like instrument now on file in my office.

Dated the _____ day of _____, 20____
Earlene Wilson, Tulsa County Clerk

Deputy

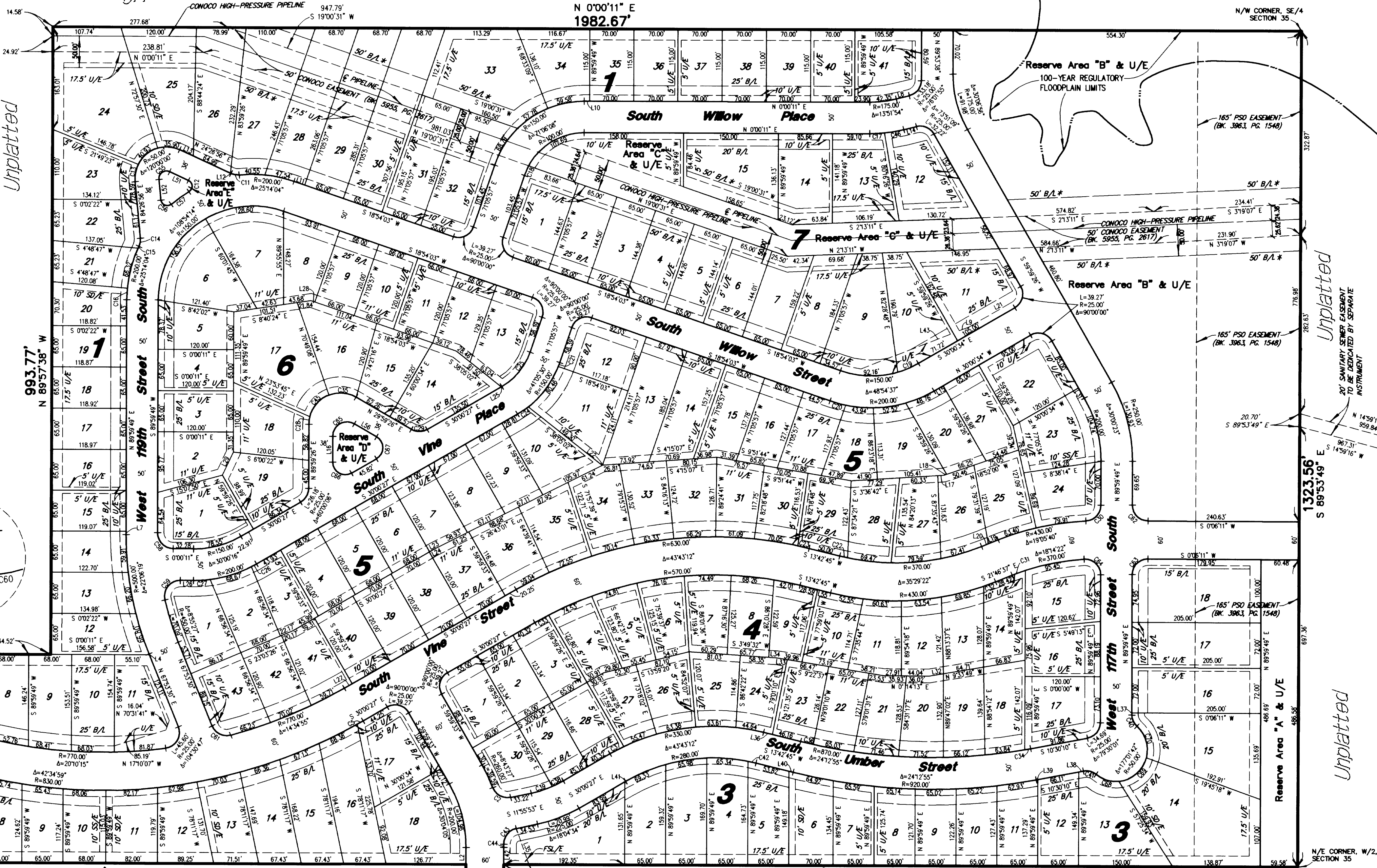
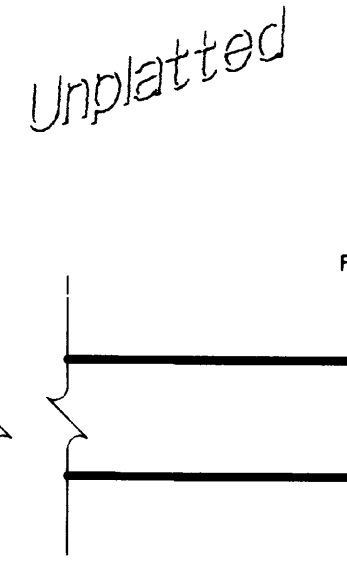
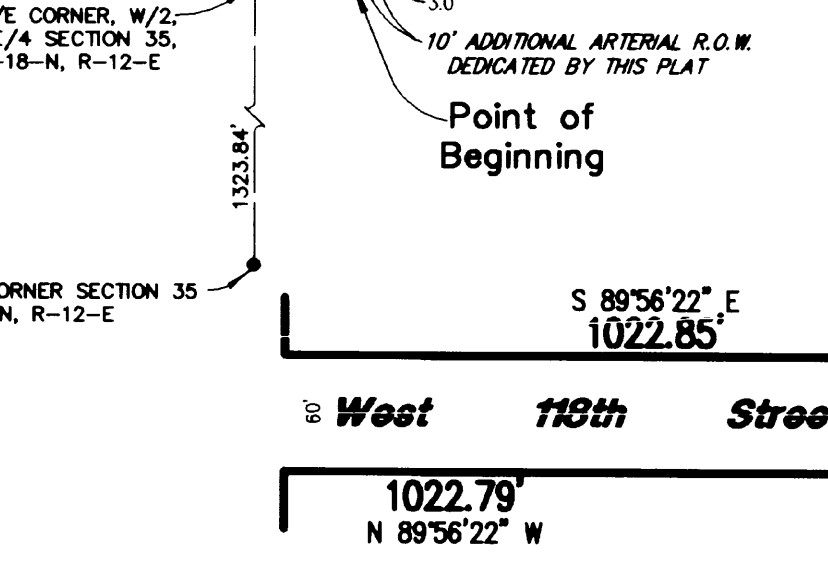
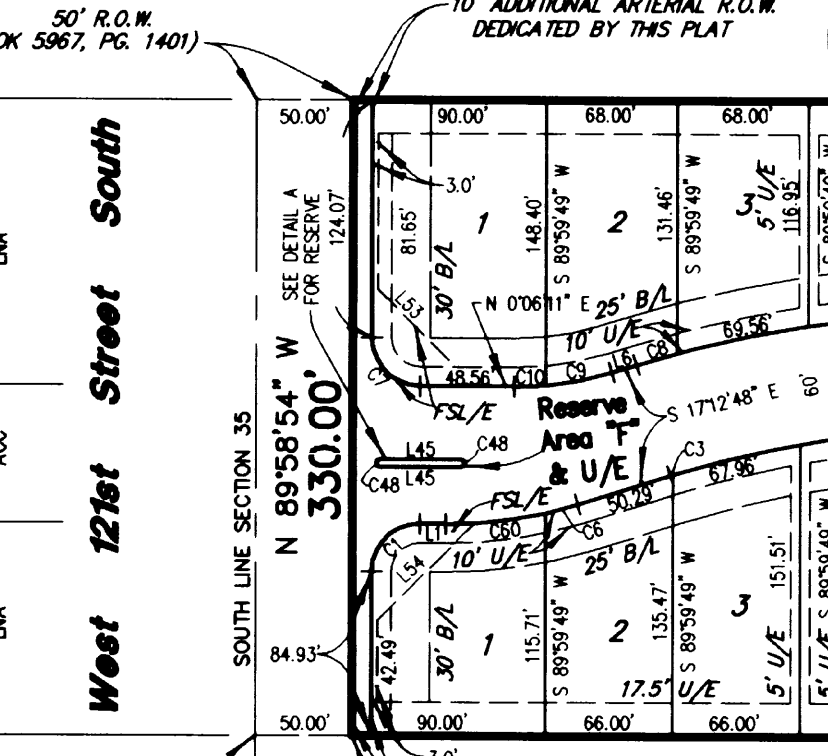
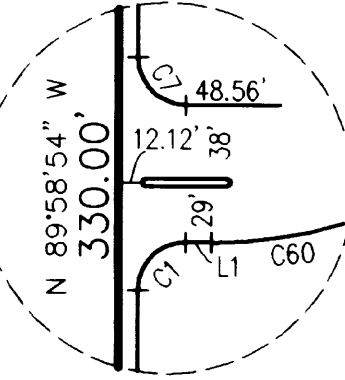
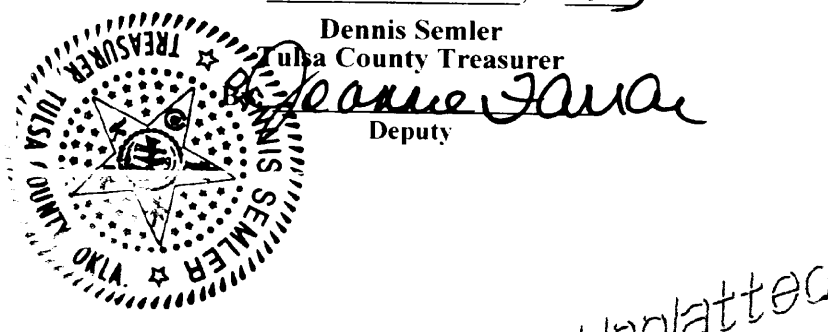
CERTIFICATE

I hereby certify that all real estate taxes involved in this plat have been paid as reflected by the current tax rolls. Security as required has been provided in the amount of \$ 1,229.00 per trust receipt no. 4316 to be applied to 20____ taxes. This certificate is NOT to be construed as payment of 20____ taxes in full but is intended in order that this plat may be filed on record. 20____ taxes may exceed the amount of the security deposit.

Dated March 13, 2003

Dennis Semler
Tulsa County Treasurer
Deputy

FINAL PLAT
CERTIFICATE OF APPROVAL
I hereby certify that this plat was approved by the Jenks City Council on August 19, 2002
MAYOR - VICE MAYOR
CITY MANAGER



Eddington Place

A SUBDIVISION OF PART OF THE SE/4 OF SECTION 35, TOWNSHIP 18 NORTH, RANGE 12 EAST, CITY OF JENKS, TULSA COUNTY, OKLAHOMA

P.U.D. NO. 22

Owner/Developer:
Jerry R. Gordon Development, Inc.
An Oklahoma Corporation
8988-L South Sheridan Road
Tulsa, Oklahoma 74133
Phone: (918) 298-4143

Engineer/Surveyor:
Sisemore Weisz & Associates, Inc.
Certificate of Authorization No. 2421 Exp. June 30, 2003
6111 E. 32nd Place
Tulsa, Oklahoma 74135
Phone: (918) 665-3600

PLAT No.
5673

SUBDIVISION CONTAINS ONE-HUNDRED EIGHTY-FOUR (184) LOTS IN SEVEN (7) BLOCKS AND SEVEN (7) RESERVE AREAS.

SUBDIVISION CONTAINS 66.799 TOTAL ACRES

RESERVE "A" & U/E CONTAINS .671 ACRES
RESERVE "B" & U/E CONTAINS 7.165 ACRES
RESERVE "C" & U/E CONTAINS 1.076 ACRES
RESERVE "D" & U/E CONTAINS .111 ACRES
RESERVE "E" & U/E CONTAINS .044 ACRES
RESERVE "F" & U/E CONTAINS .004 ACRES
RESERVE "G" & U/E CONTAINS .007 ACRES

ARTERIAL RIGHT OF WAY DEDICATED BY THIS PLAT CONTAINS 0.235 ACRES.



Scale: 1"=100'



Curve Table				
CURVE#	LENGTH (L)	RADIUS (R)	DELTA (Δ)	
C1	39.31'	25.00'	90°05'05"	
C2	35.19'	25.00'	80°38'53"	
C3	1.37'	570.00'	0°08'15"	
C4	21.93'	570.00'	21°21'17"	
C5	10.58'	830.00'	0°43'49"	
C6	17.25'	230.00'	41°7'50"	
C7	39.23'	25.00'	89°54'55"	
C8	22.06'	630.00'	2°00'23"	
C9	34.82'	170.00'	11°44'08"	
C10	16.56'	170.00'	5°34'51"	
C11	13.43'	25.00'	30°46'57"	
C12	21.81'	10.00'	124°57'00"	
C13	27.89'	50.00'	31°57'39"	
C14	13.43'	25.00'	30°46'57"	
C15	2.95'	200.00'	0°50'44"	
C16	18.81'	200.00'	5°23'21"	
C17	23.34'	225.00'	5°56'35"	
C18	16.41'	100.00'	9°24'02"	
C19	35.88'	150.00'	13°42'21"	
C20	25.50'	200.00'	7°18'22"	
C21	6.62'	150.00'	2°31'38"	
C22	12.71'	370.00'	1°58'04"	
C23	18.23'	630.00'	1°39'28"	
C24	20.50'	150.00'	7°49'54"	
C25	71.72'	100.00'	41°05'30"	
C26	9.74'	200.00'	2°47'30"	
C27	26.32'	200.00'	7°32'23"	
C28	12.31'	50.00'	14°06'19"	
C29	26.18'	25.00'	59°59'54"	
C30	38.10'	25.00'	87°19'15"	
C31	22.34'	370.00'	3°27'32"	
C32	19.78'	430.00'	2°38'07"	
C33	24.68'	570.00'	2°28'52"	
C34	9.38'	870.00'	0°37'04"	
C35	44.91'	50.00'	51°27'33"	
C36	20.35'	870.00'	1°20'24"	
C37	24.71'	330.00'	4°17'23"	
C38	19.86'	175.00'	6°30'11"	
C39	35.35'	175.00'	11°34'24"	
C40	20.23'	25.00'	46°21'36"	
C41	21.53'	25.00'	49°20'18"	
C42	13.02'	280.00'	2°39'48"	
C43	34.53'	25.00'	79°08'31"	
C44	5.14'	260.00'	1°08'02"	
C45	47.50'	50.00'	54°26'08"	
C46	31.11'	225.00'	7°55'19"	
C47	10.47'	3.33'	180°00'00"	
C48	6.28'	2.00'	180°00'00"	
C49	49.09'	170.00'	16°32'40"	
C50	67.70'	235.50'	16°28'15"	
C51	47.12'	30.00'	89°59'47"	
C52	47.82'	164.50'	16°35'13"	
C53	66.41'	230.00'	16°32'40"	
C54	47.07'	30.00'	89°53'15"	
C55	25.13'	12.00'	120°00'00"	
C56	21.81'	10.00'	124°57'00"	
C57	34.56'	200.00'	9°54'01"	
C58	39.27'	25.00'	90°00'00"	
C59	45.02'	25.00'	103°10'52"	
C60	52.26'	230.00'	13°01'08"	
C61	36.35'	25.00'	83°19'01"	
C62	39.22'	25.00'	89°53'38"	
C63	39.32'	25.00'	90°06'22"	
C64	40.81'	25.00'	93°32'04"	
C65	48.17'	23.00'	120°00'00"	
C66	41.89'	20.00'	119°59'54"	
C67	41.89'	20.00'	120°00'06"	
C68	38.94'	50.00'	44°37'07"	
C69	61.06'	50.00'	69°57'58"	
C70	54.49'	50.00'	62°26'38"	

Eddington Place

A SUBDIVISION OF PART OF THE SE/4 OF SECTION 35, TOWNSHIP 18 NORTH, RANGE 12 EAST,
CITY OF JENKS, TULSA COUNTY, OKLAHOMA

P.U.D. NO. 22

Deed of Dedication EDDINGTON PLACE

KNOW ALL MEN BY THESE PRESENTS:

JERRY R. GORDON DEVELOPMENT, INC., AN OKLAHOMA CORPORATION, HEREINAFTER REFERRED TO AS THE "OWNER / DEVELOPER", IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF JENKS, TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT:

A TRACT OF LAND THAT IS A PART OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 35, TOWNSHIP 18 NORTH, RANGE 12 EAST, OF THE INDIAN BASE AND MERIDIAN, CITY OF JENKS, TULSA COUNTY, STATE OF OKLAHOMA, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 35; THENCE NORTH 89°58'54" WEST ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 35 FOR 1323.84 FEET TO THE SOUTHEAST CORNER OF THE WEST HALF OF SAID SOUTHEAST QUARTER OF SECTION 35; THENCE NORTH 00°00'11" WEST ALONG THE EAST LINE OF SAID WEST HALF FOR 50.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE NORTH 89°58'54" WEST PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER FOR 330.00 FEET TO A POINT 50.00 FEET NORTHERLY OF THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 00°00'11" WEST FOR 610.52 FEET; THENCE NORTH 89°57'38" WEST FOR 993.77 FEET; THENCE NORTH 00°00'11" EAST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER FOR 1982.67 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 89°53'49" EAST ALONG THE NORTH LINE OF SAID WEST HALF OF THE SOUTHEAST QUARTER FOR 1323.56 FEET TO THE NORTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 35; THENCE SOUTH 00°00'11" EAST ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 35 FOR 1260.80 FEET; THENCE SOUTH 89°56'22" EAST FOR 1022.85 FEET TO A POINT OF CURVE; THENCE EASTERLY AND NORTHEASTERLY ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 170.00 FEET AND A CENTRAL ANGLE OF 16°32'40", FOR 48.09 FEET TO A POINT OF TANGENCY; THENCE NORTH 73°30'58" EAST ALONG SAID TANGENCY FOR 110.18 FEET TO A POINT OF CURVE; THENCE NORTH-EASTERLY AND EASTERLY ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 235.50 FEET AND A CENTRAL ANGLE OF 16°28'15", FOR 67.70 FEET TO A POINT OF REVERSE CURVE; THENCE EASTERLY, NORTHEASTERLY AND NORTHERLY ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 30.00 FEET AND A CENTRAL ANGLE OF 89°59'47", FOR 47.12 FEET; THENCE NORTH 89°59'26" EAST FOR 50.00 FEET TO A POINT ON THE EASTERLY LINE OF SAID SECTION 35; THENCE SOUTH 00°00'34" EAST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER FOR 138.26 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 35; THENCE NORTH 89°56'22" WEST ALONG SAID SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35 FOR 50.00 FEET; THENCE NORTH 00°00'34" WEST FOR 7.20 FEET TO A POINT OF CURVE; THENCE NORTHERLY, NORTHWESTERLY AND WESTERLY ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 30.00 FEET AND A CENTRAL ANGLE OF 89°53'15", FOR 47.07 FEET TO A POINT OF TANGENCY; THENCE NORTH 89°53'49" WEST ALONG SAID TANGENT FOR 38.25 FEET TO A POINT OF CURVE; THENCE WESTERLY AND NORTHWESTERLY ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 164.50 FEET AND A CENTRAL ANGLE OF 16°35'13", FOR 47.62 FEET TO A POINT OF TANGENCY; THENCE SOUTH 73°30'58" WEST ALONG SAID TANGENCY FOR 73.25 FEET TO A POINT OF CURVE; THENCE SOUTHWESTERLY AND WESTERLY ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 230.00 FEET AND A CENTRAL ANGLE OF 16°32'40", FOR 66.41 FEET TO A POINT OF TANGENCY; THENCE NORTH 89°56'22" WEST FOR 1022.79 FEET ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE SOUTH 00°00'11" EAST ALONG THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 35 FOR 1270.80 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND;

CONTAINING 2,909,760 SQUARE FEET OR 66.799 ACRES.

SECTION I. STREETS, EASEMENTS AND UTILITIES

A. PUBLIC STREETS AND GENERAL UTILITY EASEMENTS

THE OWNER/DEVELOPER DOES HEREBY DEDICATE TO THE PUBLIC THE STREETS AS DEPICTED ON THE ACCOMPANYING PLAT. ADDITIONALLY, THE OWNER/DEVELOPER 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

- OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED WITHIN THE PERIMETER EASEMENTS OF THE SUBDIVISION. ELSEWHERE THROUGHOUT THE SUBDIVISION STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY UNDERGROUND CABLE. ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION, AND GAS LINES SHALL BE LOCATED UNDERGROUND IN THE EASEMENTWAYS DEDICATED FOR GENERAL UTILITY SERVICES AND IN THE RIGHTS-OF-WAY OF THE PUBLIC STREETS AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES MAY ALSO BE LOCATED IN EASEMENTWAYS.
- UNDERGROUND SERVICES CABLES AND GAS LINES TO ALL STRUCTURES WHICH MAY BE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL, OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE. MAY BE LOCATED UPON THE LOT, PROVIDED THAT UPON THE INSTALLATION OF SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE AND EXCLUSIVE RIGHT-OF-WAY EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR GAS MAIN EXTENDING FROM THE SERVICE PEDESTAL, GAS MAIN, OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.
- THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICES, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL EASEMENTWAYS SHOWN ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION, OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.
- THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON HIS LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE, CABLE TELEVISION, OR GAS FACILITIES. THE SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS.
- THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE ELECTRIC, TELEPHONE, CABLE TELEVISION, OR GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

C. GAS SERVICE

- THE SUPPLIER OF GAS SERVICE THROUGH ITS AGENTS AND EMPLOYEES SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL SUCH EASEMENTS SHOWN ON THE PLAT OR AS PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, REMOVING, REPAIRING, OR REPLACING ANY PORTION OF THE FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE.
- THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED IN THEIR LOT AND SHALL PREVENT THE ALTERATION OF GRADE, OR ANY OTHER CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE GAS SERVICE. THE SUPPLIER OF THE GAS SERVICE SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF SAID FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, OR ITS AGENTS OR CONTRACTORS.
- THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

D. WATER AND SEWER SERVICE

- THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER AND SEWER MAINS LOCATED ON OWNER'S LOT.
- WITHIN THE UTILITY EASEMENT AREAS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GROUND ELEVATIONS FROM THE CONTOURS EXISTING UPON THE COMPLETION OF A PUBLIC WATER MAIN OR SEWER MAIN, OR ANY CONSTRUCTION ACTIVITY, WHICH WOULD INTERFERE WITH PUBLIC WATER, AND SEWER MAINS, SHALL BE PROHIBITED.

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

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

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

E. SURFACE DRAINAGE

EACH LOT DEPICTED ON THE PLAT OF EDDINGTON PLACE 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.

F. 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, 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.

G. FENCING, SIGNAGE, & LANDSCAPING EASEMENT

THE OWNER/DEVELOPER HEREIN RESERVES PERPETUAL EASEMENTS TO ERECT AND MAINTAIN DECORATIVE FENCING AND SIGNAGE, AS WELL AS TO INSTALL AND MAINTAIN LANDSCAPING, WITHIN THE AREAS DEPICTED ON THE ACCOMPANYING PLAT AS "FSL/E" OR "FENCING, SIGNAGE, AND LANDSCAPING EASEMENT". SUCH "FSL/E" AREAS SHALL BE RESERVED FOR SUBSEQUENT CONVEYANCE TO A HOMEOWNERS' ASSOCIATION AS SET FORTH WITHIN SECTION IV.

H. LIMITS OF NO ACCESS

THE UNDERSIGNED OWNER/DEVELOPER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO WEST 121ST STREET SOUTH WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" (L.N.A.) ON THE ACCOMPANYING PLAT, WHICH "LIMITS OF NO ACCESS" MAY BE AMENDED OR RELEASED BY THE JENKS PLANNING COMMISSION, OR ITS SUCCESSOR, AND WITH THE APPROVAL OF THE CITY OF JENKS, OKLAHOMA, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA PERTAINING THERETO.

I. STORM SEWER EASEMENT

FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF LOTS WITHIN THE SUBDIVISION AND FOR THE BENEFIT OF THE CITY OF JENKS, OKLAHOMA, THE OWNER/DEVELOPER HEREBY DEDICATES TO THE PUBLIC, AND HEREIN ESTABLISHES AND GRANTS PERPETUAL EASEMENTS ON, OVER AND ACROSS THOSE AREAS DESIGNATED ON THE ACCOMPANYING PLAT AS "SD/E" OR "STORM SEWER EASEMENT" FOR THE PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING STORM SEWERS, TOGETHER WITH ALL FITTINGS INCLUDING THE PIPES, AND OTHER APPURTENANCES THERETO TOGETHER WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE EASEMENT.

J. RESERVE AREA "A" & U/E

RESERVE AREA "A" SHALL SERVE AS RECREATIONAL OPEN SPACE FOR RESIDENTS OF EDDINGTON PLACE, AND AS AN ACCESS ROUTE FOR A PUBLIC PEDESTRIAN (NON-MOTORIZED) TRAIL TO BE CONSTRUCTED WITH DEVELOPMENT OF EDDINGTON PLACE. ALL COSTS INCURRED FOR UPKEEP AND GENERAL MAINTENANCE OF RESERVE AREA "A" SHALL BE BORNE BY THE EDDINGTON PLACE HOMEOWNERS' ASSOCIATION, AS SET FORTH WITHIN SECTION IV HEREOF. ADDITIONALLY, INSTALLATION AND MAINTENANCE OF UTILITY LINES, PEDESTALS, OR STRUCTURES WITHIN RESERVE AREA "A" IS PERMISSABLE.

K. STORM WATER DETENTION (RESERVE AREA "B" & U/E)

- FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF LOTS WITHIN THE SUBDIVISION AND FOR THE BENEFIT OF THE CITY OF JENKS, OKLAHOMA, THE OWNER/DEVELOPER DOES HEREBY ESTABLISH AND GRANT PERPETUAL EASEMENTS ON, OVER AND ACROSS RESERVE AREA "B" FOR THE PURPOSES OF PERMITTING THE FLOW, CONVEYANCE, DETENTION AND DISCHARGE OF STORM WATER RUNOFF FROM THE VARIOUS LOTS WITHIN EDDINGTON PLACE AND FROM PROPERTIES NOT INCLUDED WITHIN EDDINGTON PLACE.
- DETENTION AND OTHER DRAINAGE FACILITIES CONSTRUCTED WITHIN RESERVE AREA "B" SHALL BE IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY THE CITY OF JENKS, OKLAHOMA.
- DETENTION AND OTHER DRAINAGE FACILITIES CONSTRUCTED WITHIN RESERVE AREA "B" SHALL BE MAINTAINED BY A HOMEOWNERS' ASSOCIATION COMPRISED OF THE OWNERS OF RESIDENTIAL LOTS WITHIN EDDINGTON PLACE. MAINTENANCE SHALL BE PERFORMED TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED DRAINAGE AND DETENTION FUNCTION INCLUDING REPAIR OF EROSION AND APPURTENANCES AND REMOVAL OF DEBRIS, OBSTRUCTIONS, AND SILTATION AND PERFORMANCE OF ROUTINE AND CUSTOMARY GROUNDS MAINTENANCE WITHIN THE STORM WATER DETENTION EASEMENT AREA. MAINTENANCE SHALL BE AT THE COST OF THE APPLICABLE HOMEOWNERS' ASSOCIATION AS SET FORTH UNDER SECTION IV, AND SHALL BE IN ACCORDANCE WITH THE FOLLOWING STANDARDS:

A. THE DETENTION EASEMENT AREA SHALL BE KEPT FREE OF LITTER.

B. THE DETENTION EASEMENT AREA SHALL BE MOWED DURING THE GROWING SEASON AT INTERVALS NOT EXCEEDING 4 WEEKS.

- IN THE EVENT THE APPLICABLE HOMEOWNERS' ASSOCIATION SHOULD FAIL TO PROPERLY MAINTAIN THE DETENTION EASEMENT AREA AS ABOVE PROVIDED, THE CITY OF JENKS, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER THE DETENTION EASEMENT AREA AND PERFORM SUCH MAINTENANCE, AND THE COST THEREOF SHALL BE PAID BY THE HOMEOWNERS' ASSOCIATION.

- IN THE EVENT THE HOMEOWNERS' ASSOCIATION OBLIGATED TO MAINTAIN RESERVE AREA "B" AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, FAILS TO PAY THE COST OF MAINTENANCE APPLICABLE TO RESERVE AREA "B" AS ABOVE SET FORTH, THE CITY OF JENKS, OKLAHOMA MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS AND THEREAFTER THE LIEN SHALL BE A LIEN AGAINST EACH RESIDENTIAL LOT WITHIN BLOCKS 1-7, EDDINGTON PLACE, PROVIDED HOWEVER, THE LIEN AGAINST EACH RESIDENTIAL LOT SHALL BE LIMITED TO 1/184 OF THE COSTS. THE CITY OF JENKS OR THE JENKS PUBLIC WORKS AUTHORITY MAY THEN COLLECT SUCH COSTS BY ADDING SUCH COSTS TO RESIDENTIAL LOT OWNERS WATER BILLING FEES WITHIN EDDINGTON PLACE.

- A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF JENKS, OKLAHOMA.

- WITHIN A PORTION OF RESERVE AREA "B", A PRIVATE SWIMMING POOL, POOL HOUSE, AND RELATED RECREATIONAL FACILITIES SHALL BE CONSTRUCTED FOR THE BENEFIT OF RESIDENTS OF EDDINGTON PLACE. UPKEEP AND MAINTENANCE OF SAID SWIMMING POOL, POOL HOUSE, AND RELATED RECREATIONAL FACILITIES SHALL BE MAINTAINED BY THE OWNER / DEVELOPER UNTIL SUCH TIME AS THE EDDINGTON PLACE HOMEOWNERS' ASSOCIATION IS FORMED IN ACCORDANCE WITH SECTION IV (HOMEOWNERS' ASSOCIATION) OF THIS DOCUMENT. FROM AND AFTER SAID DATE, THE HOMEOWNERS' ASSOCIATION SHALL BE RESPONSIBLE FOR THE OPERATION AND MAINTENANCE OF SAID SWIMMING POOL, POOL HOUSE, AND RELATED RECREATIONAL FACILITIES.

- THE HOMEOWNERS' ASSOCIATION, AND ITS' MEMBERS, SHALL INDEMNIFY AND HOLD HARMLESS THE CITY OF JENKS, ITS RELATED ENTITIES, AND ITS AGENTS AND REPRESENTATIVES, FROM ANY CLAIMS, LIABILITIES OR DAMAGES ARISING IN CONNECTION WITH THE OWNERSHIP AND USE OF THE POOL AND FACILITIES CONSTRUCTED WITHIN RESERVE AREA "B".

- THE CITY OF JENKS SHALL ALSO HAVE RIGHT, BUT NOT THE OBLIGATION, TO PURCHASE SAID SWIMMING POOL, POOL HOUSE, AND RELATED RECREATIONAL FACILITIES FROM THE HOMEOWNERS' ASSOCIATION IN THE EVENT: (A) A COUNTY TREASURER CERTIFICATE OF TAX SALE BY ASSIGNMENT CERTIFICATE (THE TAX CERTIFICATE) IS ISSUED BY THE COUNTY TREASURER OF TULSA COUNTY, OKLAHOMA, AS THE RESULT OF UNPAID REAL PROPERTY TAXES COVERING RESERVE AREA "B" OF EDDINGTON PLACE; AND (B) THE CITY OF JENKS BECOMES THE OWNER OF THE TAX CERTIFICATE OR REDEEMS THE TAX CERTIFICATE ACCORDING TO OKLAHOMA LAW. THE CITY OF JENKS SHALL HAVE SIXTY (60) DAYS AFTER SATISFACTION OF THE ABOVE, TO PURCHASE THE SWIMMING POOL, POOL HOUSE, AND RELATED RECREATIONAL FACILITIES FROM THE EDDINGTON PLACE HOMEOWNERS' ASSOCIATION FOR THE SUM OF TEN DOLLARS (\$10.00). THE EDDINGTON PLACE HOMEOWNERS' ASSOCIATION SHALL DELIVER A CONVEYANCE TO THE CITY UPON RECEIPT OF SAID PURCHASE PRICE.

L. RESERVES "C", "D", AND "E" & U/E

RESERVES "C", "D" AND "E" & U/E SHALL BE LIMITED TO USE FOR DECORATIVE FENCING, LANDSCAPING, PEDESTRIAN TRAILS, UTILITIES, AND OPEN SPACE AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO A HOMEOWNERS' ASSOCIATION TO BE COMPRISED OF THE OWNERS OF THE RESIDENTIAL LOTS WITHIN EDDINGTON PLACE AS SET FORTH WITHIN IV HEREOF. NOTE: WITHIN RESERVE AREA "C", A CONOCO HIGH-PRESSURE PIPELINE IS PRESENT AND IS LOCATED AS GENERALLY SHOWN ON THE ACCOMPANYING PLAT.

M. RESERVE "F" & U/E

RESERVE "F" & U/E SHALL BE LIMITED TO USE FOR STREET MEDIAN, UTILITIES, OPEN SPACE, SIGNAGE, AESTHETIC FEATURES AND LANDSCAPING AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO A HOMEOWNERS' ASSOCIATION TO BE COMPRISED OF THE OWNERS OF THE RESIDENTIAL LOTS WITHIN EDDINGTON PLACE AS SET FORTH WITHIN SECTION IV HEREOF.

N. RESERVE "G" & U/E

RESERVE "G" & U/E SHALL BE LIMITED TO USE FOR STREET MEDIAN, UTILITIES, OPEN SPACE, SIGNAGE, AESTHETIC FEATURES AND LANDSCAPING AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO A HOMEOWNERS' ASSOCIATION TO BE COMPRISED OF THE OWNERS OF THE RESIDENTIAL LOTS WITHIN EDDINGTON PLACE AS SET FORTH WITHIN SECTION IV HEREOF.

O. RESERVES "A", "C", "D", "E", "F" AND "G" & U/E

- THE HOMEOWNERS ASSOCIATION COMPRISED OF THE OWNERS OF RESIDENTIAL LOTS WITHIN EDDINGTON PLACE SHALL PERFORM ALL MAINTENANCE ASSOCIATED WITH RESERVE AREAS "A", "C", "D", "E", "F" AND "G" & U/E TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED PURPOSE OF THE RESERVE AREA AND TO REMAIN IN COMPLIANCE WITH THE CITY CODE OF THE CITY OF JENKS.

- IN THE EVENT THE APPLICABLE HOMEOWNERS' ASSOCIATION SHOULD FAIL TO PROPERLY MAINTAIN THE RESERVE AREAS AS ABOVE PROVIDED, THE CITY OF JENKS, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER THE RESERVE AREA AND PERFORM SUCH MAINTENANCE, AND THE COST THEREOF SHALL BE PAID BY THE HOMEOWNERS' ASSOCIATION.

- IN THE EVENT THE HOMEOWNERS' ASSOCIATION OBLIGATED TO MAINTAIN RESERVE AREAS "A", "C", "D", "E", "F" AND "G" & U/E AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, FAILS TO PAY THE COST OF MAINTENANCE APPLICABLE TO RESERVE AREAS "A", "C", "D", "E", "F" AND "G" & U/E, AS ABOVE SET FORTH, THE CITY OF JENKS, OKLAHOMA MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST EACH RESIDENTIAL LOT WITHIN BLOCKS 1-7, EDDINGTON PLACE, PROVIDED HOWEVER, THE LIEN AGAINST EACH RESIDENTIAL LOT SHALL BE LIMITED TO 1/184 OF THE COSTS. THE CITY OF JENKS OR THE JENKS PUBLIC WORKS AUTHORITY MAY THEN COLLECT SUCH COSTS BY ADDING SUCH COSTS TO RESIDENTIAL LOT OWNERS WATER BILLING FEES WITHIN EDDINGTON PLACE.

- A LIEN AS ESTABLISHED ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF JENKS, OKLAHOMA.

SECTION II -- PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS, EDDINGTON PLACE WAS SUBMITTED AS A PLANNED UNIT DEVELOPMENT (DESIGNATED AS PUD NO. 22) AS PROVIDED WITHIN SECTIONS 900A THROUGH 950A OF THE CITY OF JENKS ZONING CODE, AS THE SAME EXISTED ON JANUARY 1, 2002, WHICH PUD NO. 22 WAS APPROVED BY THE JENKS PLANNING COMMISSION ON MAY 9, 2003, AND BY THE COUNCIL OF THE CITY OF JENKS ON MAY 20, 2002, AND WHEREAS, THE OWNER/DEVELOPER 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/DEVELOPER, ITS SUCCESSORS AND ASSIGNS, AND THE CITY OF JENKS, OKLAHOMA, THEREFORE, THE OWNER/DEVELOPER DOES HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE OWNER/DEVELOPER, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE ENFORCEABLE AS HEREAFTER SET FORTH.

DEVELOPMENT STANDARDS	
GROSS LAND AREA OF PUD:	66.799 ACRES
EXISTING ZONING:	RS-2, AG
PROPOSED ZONING:	RS-2, AG, PUD
MAXIMUM NUMBER OF LOTS ALLOWED WITH PUD: (BASED ON 60.761 ACRES OF RS-2 ZONING AND 6.038 ACRES AG ZONING)	245
NUMBER OF LOTS PROPOSED:	184
MINIMUM LOT SIZE:	6,900 SF
MINIMUM LOT WIDTH:	65 FEET
MINIMUM BUILDING SETBACK FROM ARTERIAL ROADWAYS:	30 FEET
MINIMUM BUILDING SETBACK FROM NON-ARTERIAL ROADWAYS:	25 FEET+
* WITH THE EXCEPTION OF LOT 15, BLOCK 7, AND LOTS 1, 14 AND 15 OF BLOCK 3, EDDINGTON PLACE, WHERE 20' FRONT BUILDING LINE SETBACKS ARE PROPOSED. ADDITIONALLY, BUILDING LINE SETBACKS OF 15' AND 25' ARE PROPOSED FOR CORNER LOTS 11, 32, & 41, BLOCK 1; LOT 17, BLOCK 2; LOT 18, BLOCK 3; LOTS 1 & 30, BLOCK 4; LOTS 1 & 43, BLOCK 5; LOTS 1 & 13, BLOCK 6; AND LOTS 1, 11 & 12, BLOCK 7 WITHIN THE SUBDIVISION. ACCESS TO GARAGES ON CORNER LOTS REFERENCED ABOVE SHALL BE PROHIBITED FROM ROADWAYS ADJACENT TO PRESCRIBED 15' BUILDING LINE SETBACKS AND HOUSES MUST FACE THE MOST RESTRICTIVE BUILDING LINE .	
MINIMUM SIDE YARDS:	5' /5' PER LOT
MINIMUM REAR YARDS:	20 FEET
MAXIMUM BUILDING HEIGHT:	35 FEET
MINIMUM OPEN SPACE & LANDSCAPED AREAS:	10% OF GROSS LAND AREA OF PUD.
MINIMUM DWELLING UNIT SIZE:	
SINGLE-STORY DWELLINGS	2,000 SF
TWO-STORY DWELLINGS	2,400 SF (MINIMUM 1,500 SF 1ST FLOOR)
MINIMUM EXTERIOR BUILDING MATERIAL REQUIREMENTS:	
THE FIRST STORY EXTERIOR WALLS OF THE DWELLING ERCTED ON ANY LOT SHALL BE 100 PERCENT 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 CHOSEN).	
OTHER ZONING BULK AND AREA REQUIREMENTS:	
PER RS-2 ZONING DISTRICT STANDARDS.	

SECTION III -- PRIVATE BUILDING AND USE RESTRICTIONS

WHEREAS, THE DEVELOPER DESIRES TO ESTABLISH RESTRICTIONS FOR THE PURPOSE OF PROVIDING FOR AN ORDERLY DEVELOPMENT OF THE SUBDIVISION AND TO INSURE ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE DEVELOPER, ITS SUCCESSORS AND ASSIGNS, THEREFORE, THE DEVELOPER DOES HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS WHICH SHALL BE COVENANTS RUNNING WITH THE LAND, AND SHALL BE BINDING UPON THE DEVELOPER, ITS SUCCESSORS AND ASSIGNS:

A. USE OF LAND

ALL LOTS SHALL BE KNOWN AND DESCRIBED AS RESIDENTIAL LOTS AND SHALL BE USED FOR SINGLE-FAMILY RESIDENCES AND ACCESSORY USES.

Eddington Place

A SUBDIVISION OF PART OF THE SE/4 OF SECTION 35, TOWNSHIP 18 NORTH, RANGE 12 EAST,
CITY OF JENKS, TULSA COUNTY, OKLAHOMA

P.U.D. NO. 22

B. ARCHITECTURAL COMMITTEE -- PLAN REVIEW

1. NO BUILDING, FENCE, OR WALL SHALL BE ERECTED, PLACED OR ALTERED ON ANY LOT IN THIS SUBDIVISION UNTIL THE BUILDING PLANS AND SPECIFICATIONS, DRAINAGE AND GRADING PLANS, EXTERIOR COLOR SCHEME AND MATERIAL THEREOF, AND PLOT PLAN, WHICH PLOT PLAN SHOWS THE LOCATION AND FACING OF SUCH BUILDING HAVE BEEN APPROVED IN WRITING BY A MAJORITY OF AN ARCHITECTURAL COMMITTEE COMPOSED OF JERRY GORDON, AND OTHER DULY AUTHORIZED REPRESENTATIVES. IN THE EVENT OF THE DEATH OR RESIGNATION OF ANY MEMBER OF THE ABOVE-NAMED COMMITTEE, THE REMAINING MEMBER OR MEMBERS SHALL HAVE FULL AUTHORITY TO APPROVE OR DISAPPROVE SUCH PLANS, SPECIFICATIONS, COLOR SCHEMES, 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. IN THE EVENT THE ARCHITECTURAL COMMITTEE FAILS TO APPROVE OR DISAPPROVE ANY SUCH PLANS, SPECIFICATIONS, COLOR SCHEME, MATERIALS AND PLOT PLANS SUBMITTED TO IT AS HEREIN REQUIRED WITH 30 DAYS AFTER SUCH SUBMISSION, OR IN THE EVENT NO SUIT TO ENJOIN THE ERECTION OF SUCH BUILDING OR THE MAKING OF SUCH ALTERATION HAS BEEN COMMENCED PRIOR TO THE COMPLETION THEREOF, SUCH APPROVAL SHALL NOT BE REQUIRED AND THIS COVENANT SHALL BE DEEMED TO HAVE BEEN FULLY COMPLIED WITH.

2. THE ARCHITECTURAL COMMITTEE'S PURPOSE IS TO PROMOTE GOOD DESIGN AND COMPATIBILITY WITHIN THE SUBDIVISION AND IN ITS REVIEW OF PLANS OR DETERMINATION OF ANY WAIVER AS HEREINAFTER AUTHORIZED, THE ARCHITECTURAL COMMITTEE 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 APPROVED, DISAPPROVED OR FAILURE TO APPROVE HEREUNDER, AND ITS APPROVAL OF BUILDING PLANS SHALL NOT CONSTITUTE A WARRANTY OR RESPONSIBILITY FOR BUILDING METHOD, 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. NOTHING HEREIN CONTAINED SHALL IN ANY WAY BE DEEMED TO PREVENT ANY OF THE OWNERS OF PROPERTY IN THIS SUBDIVISION FROM MAINTAINING ANY LEGAL ACTION RELATING TO IMPROVEMENT WITHIN THIS SUBDIVISION, WHICH THEY WOULD OTHERWISE BE ENTITLED TO MAINTAIN.

3. THE POWERS AND DUTIES OF THE COMMITTEE OR ITS DESIGNATED REPRESENTATIVE SHALL CEASE ON THE 1ST DAY OF JANUARY, 2005, OR WHEN 90% OF THE LOTS HAVE BEEN CLOSED, WHICHEVER OCCURS FIRST. THEREAFTER, THE POWERS AND DUTIES OF THE COMMITTEE SHALL BE EXERCISED BY THE HOMEOWNERS' ASSOCIATION HEREAFTER PROVIDED FOR.

C. FLOOR AREA OF DWELLINGS

1. SINGLE STORY: A SINGLE STORY DWELLING SHALL HAVE AT LEAST 2,000 SQUARE FEET OF FINISHED HEATED LIVING AREA.

2. TWO-STORY AND STORY-AND-A-HALF: IF A DWELLING HAS TWO LEVELS OR STORIES IMMEDIATELY ABOVE AND BELOW EACH OTHER MEASURED VERTICALLY AND ALL SUCH LEVELS OR STORIES ARE ABOVE THE FINISHED EXTERIOR GRADE OF SUCH DWELLING, THEN SUCH DWELLING SHALL HAVE A TOTAL OF THE VARIOUS LEVELS OR STORIES OF AT LEAST 2,400 SQUARE FEET OF FINISHED HEATED LIVING AREA, WITH THE FIRST FLOOR LEVEL CONTAINING A MINIMUM OF 1,500 SQUARE FEET.

3. COMPUTATION OF LIVING AREA: THE COMPUTATION OF LIVING AREA SHALL NOT INCLUDE ANY BASEMENT OR ATTIC AREA USED FOR STORAGE. ALL LIVING AREA MEASUREMENTS SHALL BE TAKEN HORIZONTALLY AT THE TOP PLATE LEVEL TO THE FACE OF THE OUTSIDE WALL. REQUIRED LIVING AREA MUST AVERAGE AT LEAST 7 FEET 6 INCHES IN HEIGHT, EXCEPT THAT IN THE COMBINED OR UPPER STORY LIVING AREA, THE HEIGHT SHALL BE 7 FEET 6 INCHES FOR AT LEAST ONE-HALF THE SECOND OR UPPER STORY LIVING AREA.

4. WAIVER: THE ARCHITECTURAL COMMITTEE MAY WAIVE, IN THE PARTICULAR INSTANCE, THE FLOOR AREA REQUIREMENTS SET OUT IN PARAGRAPHS 1 AND 2 FOR UP TO 5 PERCENT OF THE LOTS IN THE SUBDIVISION AND ALL WAIVERS MUST BE SUBMITTED TO THE CITY OF JENKS FOR REVIEW AND APPROVAL.

D. GARAGE

EACH DWELLING SHALL HAVE A GARAGE FOR AT LEAST TWO AUTOMOBILES.

E. BUILDING MATERIAL REQUIREMENTS

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

2. ROOFING: THE ROOF OF THE DWELLING ERECTED ON ANY LOT SHALL BE BLACK BLEND HERITAGE II OR EQUIVALENT WITH APPROVAL OF THE ARCHITECTURAL COMMITTEE. A MINIMUM OF 8/12 ROOF PITCH COVERING 75 PERCENT OF THE GROSS ROOF AREA SHALL APPLY TO ALL DWELLING UNITS; HOWEVER, A MINIMUM 4/12 ROOF PITCH SHALL BE ALLOWED OVER PORCH AND PATIO AREAS.

3. EXTERIOR WALLS: THE FIRST STORY EXTERIOR WALLS OF THE DWELLING ERECTED ON ANY LOT SHALL BE 100 PERCENT STONE, BRICK, 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 CHOSEN).

4. WINDOWS: ALL DWELLINGS WITH WINDOWS OTHER THAN WOOD WILL BE EITHER ANODIZED OR ELECTROSTATICALLY PAINTED. METAL WINDOW FRAMES WILL BE IN COLOR HARMONY 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.

5. SIDING: NO STEEL, ALUMINUM, OR PLASTIC SIDING SHALL BE PERMITTED ON ANY BUILDING.

6. CHIMNEYS: ALL CHIMNEYS VISIBLE FROM THE STREET SHALL BE BRICK STONE, OR STUCCO. CHIMNEY CAPS SHALL BE RECTANGULAR AND SHALL BE BLACK.

7. MAIL BOXES: ALL MAIL BOXES VISIBLE FROM THE STREET SHALL BE CAST ALUMINUM OR CAST IRON AND SHALL BE "FIGURE" DESIGN (ALMA).

F. COMMERCIAL STRUCTURES

NO BUILDING OR STRUCTURE SHALL BE PLACED, ERECTED OR USED FOR BUSINESS, PROFESSIONAL, TRADE, OR COMMERCIAL PURPOSES ON ANY PORTION OF ANY LOT.

G. NOXIOUS ACTIVITY

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

H. SIGNS PROHIBITED

THE CONSTRUCTION OR MAINTENANCE OF ADVERTISING SIGNS, OR OTHER ADVERTISING STRUCTURES ON ANY LOT IS PROHIBITED, EXCEPT AS FOLLOWS:

1. SIGNS ADVERTISING THE SALE OR RENTAL OF A PROPERTY ARE PERMITTED, PROVIDED THEY DO NOT EXCEED 9 SQUARE FEET IN DISPLAY SURFACE AREA.

2. DURING THE DEVELOPMENT PERIOD OF EDDINGTON PLACE, SIGNS ADVERTISING THE SUBDIVISION OR THE INITIAL OFFERING OF A LOT MAY BE LOCATED AT THE ENTRANCES TO EDDINGTON PLACE.

3. PERMANENT SIGNS IDENTIFYING THE SUBDIVISION MAY BE LOCATED AT THE ENTRANCES TO EDDINGTON PLACE.

I. EXISTING BUILDING

NO EXISTING ERECTED BUILDING OF ANY SORT MAY BE MOVED ONTO OR PLACED ON ANY LOT.

J. TEMPORARY STRUCTURES AND OUTBUILDINGS

1. NO TRAILER, TENT, GARAGE, BARN, OUTBUILDING, NOR ANY STRUCTURE OF A TEMPORARY NATURE SHALL BE AT ANY TIME USED FOR HUMAN HABITATION, TEMPORARILY OR PERMANENTLY.

2. EXCEPT FOR BUILDINGS EXISTING AT THE TIME OF FILING OF THIS PLAT, ANY BUILDING WHICH IS DETACHED FROM THE PRINCIPAL DWELLING STRUCTURE SHALL BE LIMITED TO BUILDINGS CUSTOMARILY ACCESSORY TO A SINGLE-FAMILY DWELLING, SHALL BE OF A SIMILAR ARCHITECTURAL DESIGN AS THE PRINCIPAL DWELLING, AND SHALL NOT BE ERECTED UNTIL THE SPECIFICATIONS AND DESIGN THEREOF ARE APPROVED BY THE ARCHITECTURAL COMMITTEE AS PROVIDED WITHIN SUBSECTION B OF SECTION II.

K. VEHICLE STORAGE AND PARKING

NO INOPERATIVE VEHICLE SHALL BE STORED ON ANY 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, SHALL BE SCREENED SUFFICIENTLY TO PREVENT ANY VIEW THEREOF FROM ANY STREET WITHIN EDDINGTON PLACE.

L. ANTENNAS

NO RADIO OR TELEVISION TOWER, AERIAL, OR ANTENNA SHALL BE LOCATED ON ANY LOT. SATELLITE DISHES SHALL BE SCREENED FROM VIEW FROM THE STREET.

M. INTERIOR FENCES OR WALLS

INTERIOR FENCES AND WALLS SITUATED UPON RESIDENTIAL LOTS SHALL NOT EXCEED SIX (6) FEET IN HEIGHT. NO FENCE OR WALL SHALL BE ERECTED OR MAINTAINED NEARER TO THE STREETS WITHIN THE SUBDIVISION THAN THE BUILDING SETBACK LINES DEPICTED ON THE PLAT AND SHALL NOT BE LOCATED IN FRONT OF THE RESIDENTIAL STRUCTURES. FENCES OR WALLS SHALL BE CONSTRUCTED OF WOOD, BRICK, STONE, OR STUCCO, AND NO WRE FENCES SHALL BE PERMITTED EXCEPT BLACK-VINYL COATED CYCLONE FENCING ONLY IN THOSE SPECIFIC AREAS LISTED UNDER SECTION V BELOW.

N. LANDSCAPING REQUIREMENTS

WITHIN 120 DAYS OF COMPLETION OF A HOME UPON A LOT IN EDDINGTON PLACE, THE LOT OWNER SHALL BE RESPONSIBLE FOR SODDING ALL YARD AREAS (FRONT, SIDE AND REAR YARDS) OF THE LOT. ADDITIONALLY, EACH LOT OWNER SHALL PLANT THE EQUIVALENT WORTH OF \$1,000.00 IN LANDSCAPING MATERIALS (TREES, SHRUBS, BUSHES, GROUND COVER, ETC.) WITHIN THE FRONT YARD AREA OF EACH LOT UNDER THEIR OWNERSHIP WITHIN 120 DAYS OF COMPLETION OF HOME CONSTRUCTION, EXCLUSIVE OF SODDING AS DESCRIBED ABOVE. SUCH LOT LANDSCAPING SHALL INCLUDE A MINIMUM OF TWO (2) TREES TO BE LOCATED IN THE FRONT YARD AREA OF THE LOT WHICH ARE OF AT LEAST 2" IN DIAMETER. A LANDSCAPING PLAN SHALL BE SUBMITTED TO THE ARCHITECTURAL COMMITTEE FOR APPROVAL PRIOR TO INSTALLATION OF PLANTING MATERIALS UPON A LOT.

SECTION IV. HOMEOWNERS' ASSOCIATION

A. FORMATION OF THE EDDINGTON PLACE HOMEOWNERS' ASSOCIATION

THE OWNER/DEVELOPER HAS FORMED OR SHALL CAUSE TO BE FORMED AN ASSOCIATION OF THE OWNERS OF THE RESIDENTIAL LOTS WITHIN EDDINGTON PLACE (HEREINAFTER REFERRED TO AS THE "EDDINGTON PLACE HOMEOWNERS' ASSOCIATION") TO BE ESTABLISHED IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA, AND TO BE FORMED FOR THE GENERAL PURPOSES OF MAINTAINING THE GENERAL COMMON AREAS OF THE SUBDIVISION, INCLUDING BUT WITHOUT LIMITATION RESERVE AREAS "A", "B", "C", "D", "E", "F", "G" AND "G" & U/E, AND FOR THE PURPOSES OF ENHANCING THE VALUE, DESIRABILITY AND ATTRACTIVENESS OF EDDINGTON PLACE.

B. MEMBERSHIP

EVERY PERSON OR ENTITY WHO IS A RECORDED OWNER OF THE FEE INTEREST OF A RESIDENTIAL LOT SHALL BE A MEMBER OF THE EDDINGTON PLACE HOMEOWNERS' ASSOCIATION. MEMBERSHIP, AS ABOVE SET FORTH, SHALL BE MANDATORY AND SHALL BE APPURTENANT TO AND MAY NOT BE SEPARATED FROM THE OWNERSHIP OF A LOT.

C. ASSESSMENT

EACH RECORD OWNER OF A RESIDENTIAL LOT WITHIN EDDINGTON PLACE SHALL BE SUBJECT TO A PERIODIC ASSESSMENT BY THE HOMEOWNER'S ASSOCIATION FOR THE PURPOSES OF IMPROVEMENT AND MAINTENANCE OF THE GENERAL COMMON AREAS OF THE SUBDIVISION.

SECTION V. SPECIAL FENCING.

A. ALONG THE REAR PROPERTY LINES OF LOTS 1-15 OF BLOCK 7 AND THE EASTERLY BOUNDARY OF RESERVE AREA "C" & U/E WITHIN THE SUBDIVISION, AND ALONG THE NORTH PROPERTY LINES OF LOTS 14 - 18 OF BLOCK 3, A UNIFORM FENCING STYLE AND STANDARD SHALL BE ESTABLISHED FOR THE AESTHETIC BENEFIT OF THE SUBDIVISION AS SET FORTH IN THE PARAGRAPH B BELOW.

B. FENCING CONSTRUCTION ALONG THOSE LOT LINES AND BOUNDARIES DESCRIBED IN PARAGRAPH A ABOVE SHALL BE LIMITED TO A UNIFORM HEIGHT OF FOUR (4) FEET, WITH FENCING POST AND RAILING MATERIALS TO BE LIMITED TO TOP-GRADE TREATED ROUND LANDSCAPING POST MATERIAL. FENCE WEBBING SHALL BE LIMITED TO BLACK-VINYL COATED CYCLONE FENCING MATERIAL. CONSTRUCTION OF ALL FENCING SHALL BE OF FIRST CLASS WORKMANSHIP AND UTILIZE ONLY NEW BUILDING CONSTRUCTION MATERIALS.

SECTION VI. ENFORCEMENT, DURATION, AMENDMENT, AND SEVERABILITY

A. ENFORCEMENT

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER/DEVELOPER, ITS SUCCESSORS AND ASSIGNS, WITHIN THE PROVISIONS OF SECTION I, 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 AND SHALL BE ENFORCEABLE BY THE CITY OF JENKS, OKLAHOMA. THE COVENANTS CONTAINED IN SECTION III, PRIVATE BUILDING AND USE RESTRICTIONS, SHALL INURE ONLY TO THE BENEFIT OF THE OWNERS OF THE RESIDENTIAL LOTS WITHIN THE SUBDIVISION AND THE HOMEOWNERS' ASSOCIATION PROVIDED FOR IN SECTION IV. THE COVENANTS CONTAINED IN SECTION IV, HOMEOWNERS' ASSOCIATION AND SECTION V, SPECIAL FENCING SHALL INURE ONLY TO THE BENEFIT OF THE OWNERS OF THE RESIDENTIAL LOTS WITHIN THE SUBDIVISION AND THE HOMEOWNERS' ASSOCIATION PROVIDED FOR IN SECTION IV. IF THE UNDERSIGNED OWNER/DEVELOPER, OR ITS SUCCESSORS OR ASSIGNS OR OWNERS OF ANY LOT WITHIN EDDINGTON PLACE SHALL VIOLATE ANY OF THE COVENANTS HEREIN, IT SHALL BE LAWFUL FOR THE CITY OF JENKS, ANY OWNER OF A RESIDENTIAL LOT, OR THE HOMEOWNERS' ASSOCIATION TO MAINTAIN ANY ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT HIM OR THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT, IN ANY JUDICIAL ACTION BROUGHT BY THE HOMEOWNERS' ASSOCIATION OR AN OWNER OF A RESIDENTIAL 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 EDDINGTON PLACE AND APPROVAL BY THE CITY OF JENKS PLANNING COMMISSION AND JENKS CITY COUNCIL. THE COVENANTS WITHIN SECTION III, PRIVATE BUILDING AND USE RESTRICTIONS, SECTION IV, HOMEOWNERS' ASSOCIATION AND SECTION V, SPECIAL FENCING, MAY BE AMENDED OR TERMINATED AT ANY TIME WITH 75 PERCENT AGREEMENT OF ALL OWNERSHIP IN EDDINGTON PLACE. 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: JERRY R. GORDON DEVELOPMENT, INC., AN OKLAHOMA CORPORATION, HAS EXECUTED THIS INSTRUMENT THIS 7 DAY OF March, 2003

JERRY R. GORDON DEVELOPMENT, INC.
AN OKLAHOMA CORPORATION

BY: [Signature]

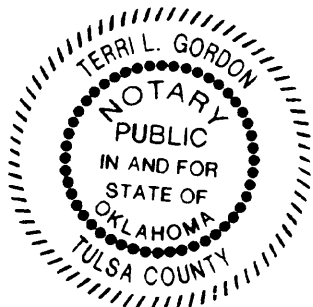
JERRY R. GORDON, PRESIDENT

STATE OF OKLAHOMA)
COUNTY OF TULSA) ss.

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ON THIS 7 DAY OF March, 2003, PERSONALLY APPEARED JERRY R. GORDON, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME, AS ITS PRESIDENT, THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED, AND AS FREE AND VOLUNTARY ACT AND DEED OF SAID CORPORATION, FOR THE USES AND PURPOSE THEREIN SET FORTH.

[Signature]
NOTARY PUBLIC # 02019483

MY COMMISSION EXPIRES:
12-24-2006



CERTIFICATE OF SURVEY

I, DEAN ROBINSON, OF SISEMORE WEISZ & ASSOCIATES, INC., A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, 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 "EDDINGTON PLACE", 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 OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED.

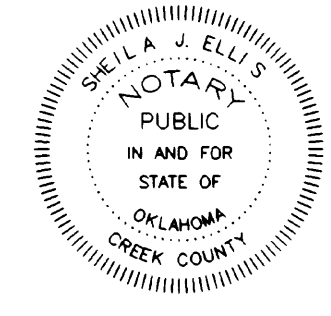


[Signature]

DEAN ROBINSON
REGISTERED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1146

STATE OF OKLAHOMA)
COUNTY OF TULSA) ss.

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE, ON THIS 7th DAY OF March, 2003, PERSONALLY APPEARED DEAN ROBINSON, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSE THEREIN SET FORTH.



[Signature]
NOTARY PUBLIC

MY COMMISSION EXPIRES:
MAY 21, 2006

COMMISSION NO. 02008834

Jenks | PC Staff Report



To	Planning Commission
Hearing Date	November 03, 2022
Case Number	JL 22-377 Johnston
Request	Lot Split
Location	North of 131 st between Elwood and Elm
Applicant	City of Jenks

Staff Report

Preparer | Marcaé Hilton; BM

Attachments

☐ Lot Split Exhibits

Preparer

City Staff

Background Information

STAFF COMMENTARY | This lot split request comes to the Planning Commission from the Johnston Family (Grantee) along with support from the Church (Grantor). The property is Zoned (AG) Agriculture and has a Specific Use Permit (SUP 54) approving a *Church Use*. Access is from S. Elgin Avenue.

PLANNING DATA

Request	Lot Split
Zoning	SUP 54 for Church Use (will receive new boundary)
Intended Use	Church and Residential
ACCT_NUM	97201720153210
OWNER	Southside Baptist Church
TR_SEC	7201
	SECTION 01
	TOWNSHIP 17
	RANGE 12
OWNER	SOUTHSIDE BAPTIST CHURCH
LEGAL	E/2 W/2 SW SE LESS E30 & S50 THEREOF FOR RD & LESS BEG 660.38E & 993.36N SWC SE TH N331.12 W330.24 S331.11 E330.23 POB SEC 1 17 12

Sec. 16-8-4. Subdivision Procedures.

(C) Lot Splits. Subdivisions containing three or fewer lots defined as "lot splits" in these regulations, may be excepted by City Council from all or part of the procedural provisions applicable for Major or Minor Subdivisions. The number of lots for purposes of determination of status as a lot split shall be counted cumulatively from the date of adoption of these regulations with respect to each parcel, provided that for the preservation of the spirit of these regulations, any and all parcels that have been similarly divided upon review of the Planning Commission under the provisions of previous subdivision regulations shall be counted into the cumulative total for the determination of eligibility for consideration of a request for treatment as a lot split.

(1) Lot Split Review Requirements.

- ☐ Lot split application is complete.
- ☐ Lot split fees paid.
- ☐ Scaled drawing of lot split(s) provided.
- ☐ Drawing shows all existing and proposed lot lines.
- ☐ Drawing shows adjacent streets and street widths.
- ☐ Drawing shows existing access limitations.
- ☐ Drawing shows a north arrow and map scale.
- ☐ Lot dimensions and area either conform with UDO requirements of Variance of zoning code requirements have been obtained by Jenks Board of Adjustment.
- ☐ Public water and/or sanitary sewer is not available (appropriate tests shall be conducted by health department of its assigns to determine the proposed lots' suitability for a private sewer disposal device).
- ☐ If the lot split results in inadequate access to utility easements, dedication of easement has been provided.
- ☐ If the lot split results in inadequate access to public street, dedication of right-of-way has been provided.

(2) Procedure.

(a) Application for Lots Splits. Applications for lots splits shall include a scaled drawing showing:

- ☐ All existing and proposed lot lines,
- ☐ All existing buildings, and
- ☐ All improvements and their distances from lot lines, adjacent streets and street widths, existing access limitations,
- ☐ A north arrow, and map scale.

(b) City Action on Lot Splits. The City Planner, upon receiving a lot split application shall visually inspect the tract being split, notify the Planning Commission of the proposed lot split, review the proposed lot split in regard to the requirements of this UDO, prepare a recommendation concerning the proposed lot split and submit the matter for Planning Commission review and approval. If the lot split is approved by the Planning Commission

and if a conveyance of interest of the created parcels is presented, the "Lot Split Approval Stamp" shall be affixed to the instrument of the transfer of interest and signed by the City Planner. Should the Planning Commission recommend that a lot split proposal be denied, the applicant may appeal to the Board of Adjustment for relief. Such appeal shall be by written petition and shall be accompanied by a fee as prescribed by ordinance.

(3) Approval Guidelines. Approval or denial of lot splits shall be based on the following conditions:

(a) Lot Characteristics.

- ☐ Lot dimensions and area shall either conform with UDO requirements or a Variance must be obtained from the Board of Adjustment.
- ☐ Where public water and/or public sanitary sewer is not available, appropriate tests shall be conducted by the health department or its assigns to determine the proposed lots suitability for a private sewage disposal device. Each proposed lot shall meet the minimum standards of the health department.

(b) Easements. Where a lot split will result in a lot having inadequate access to utility easements, dedication of easements will be required in accordance with the requirements of the Planning Commission.

(c) Access and Streets.

- ☐ Where a tract to be split is controlled by non-access provisions, no lot shall be approved where such provision will preclude access for said lot.
- ☐ The splitting of land shall provide each lot with access to a public street or highway, so that the convenience of the lot owner or user is assured.
- ☐ Where land to be split contains, within its boundaries, areas designated for street right-of-way on the Jenks City-County Major Street and Highway Plan, the split shall not be approved where street rights-of-way fail to conform to said plan except, upon a finding that:
 - (i) All utilities are in place and the additional right-of-way is not required for utility placement and,
 - (ii) The public has, by virtue of statutory easement suitable roadway dedication, right-of-way sufficient to allow the placement of pavement of a width necessary to meet the standards of the street plan for the particular street involved.



Figure 1 | Zoning map of the parcel in question

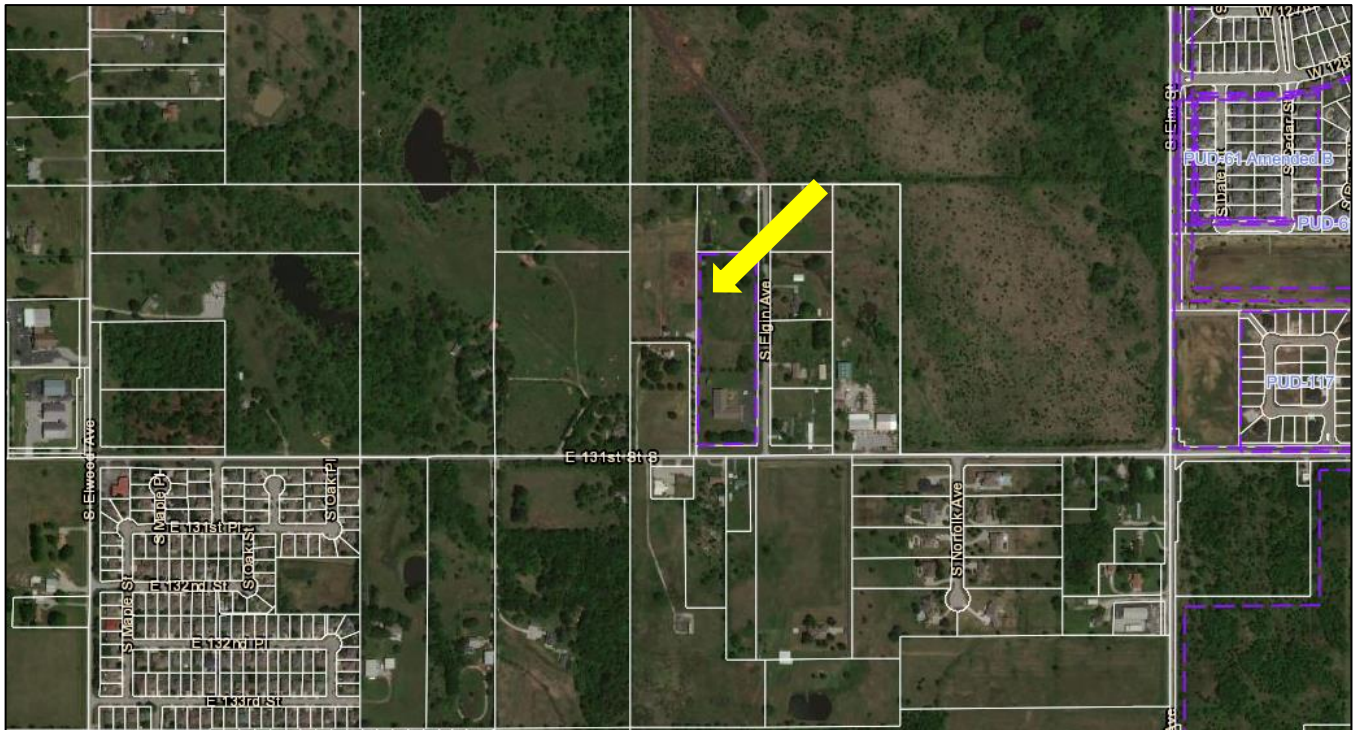


Figure 2 | Aerial photo

Staff Evaluation & Recommendation

Evaluation | The lot split request is from the Johnston family in conjunction with the Church. The City has no objections to the change noting both the new lots will be legally conforming. Staff has not received any TAC comments in support or against the split. The SUP 54 boundary will change with this lot split.

Recommendation | *Staff and TAC recommend approval of JL 22-377 with the following conditions:*

1. Submit Deeds to be stamped by City Planner before applicant files Deeds with Tulsa County.
2. Provide City Planner with copy of recorded Deeds.

COLLINS LAND SURVEYING, INC.
3340 West 151st Street South
P.O. Box 250
Kiefer, Ok 74041
Ph. 918-321-9400 Fax 321-9404

REF. NO. 22-09-064

LEGAL DESCRIPTION (TRACT 1)

A tract of land in the Southwest Quarter of the Southeast Quarter (SW/4 SE/4) of Section 1, Township 17 North, Range 12 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, more particularly described as follow to-wit: Commencing at a point S89°45'27"W a distance of 660.37 feet from the Southeast Corner of said SW/4 SE/4; thence N00°00'29" W a distance of 548.36 feet to the Point of Beginning; thence S89°44'51"W a distance of 330.19 feet; thence N00°00'58"W a distance of 445.00 feet; thence N89°44'51"E a distance of 330.23 feet; thence S00°00'29"E a distance of 445.00 feet to the Point of Beginning. Containing 3.37 acres more or less.

COLLINS LAND SURVEYING, INC.
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P.O. Box 250
Kiefer, Ok 74041
Ph. 918-321-9400 Fax 321-9404

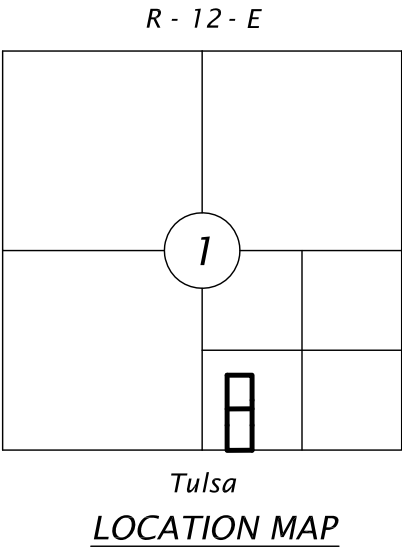
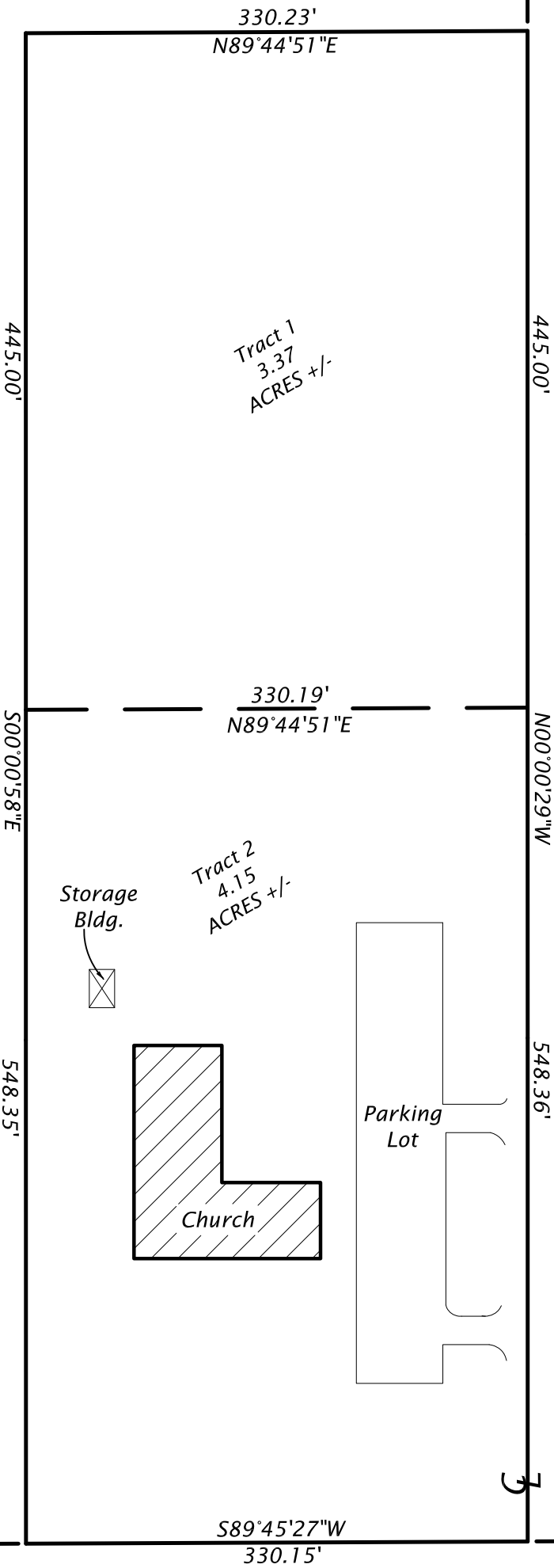
REF. NO. 22-09-064

LEGAL DESCRIPTION (TRACT 2)

A tract of land in the Southwest Quarter of the Southeast Quarter (SW/4 SE/4) of Section 1, Township 17 North, Range 12 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, more particularly described as follow to-wit: Beginning at a point S89°45'27"W a distance of 660.37 feet from the Southeast Corner of said SW/4 SE/4; thence S89°45'27"W a distance of 330.15 feet; thence N00°00'58"W a distance of 548.35 feet; thence N89°44'51"E a distance of 330.19 feet; thence S00°00'29"E a distance of 548.36 feet to the Point of Beginning. Containing 4.15 acres more or less.

See Attachment for Legal Descriptions

S. Elgin Ave.



A S Collins

COLLINS LAND SURVEYING, INC.

3340 W. 151st ST. S. - P.O. Box 250

KIEFER, OK. 74041

OFFICE (918)321-9400 FAX (918)321-9404

CA#2656 EXPIRES: 06/30/2024

Sketch of Proposed Lot Split

Performed For:

Amanda Johnston

J.O. NO. 22-09-064

DATE: 09/14/2022

2023 Jenks Planning Meetings Schedule

NOTE ON FILING APPLICATIONS:

1. File applications online at <http://jenks.com/FormCenter/Planning-Department-11/PLANNING-APPLICATIONS-63>
2. **DEADLINE: 3:00 p.m.** for applications to be RECEIVED
 - a. Applications received for after 3:00 p.m. on cutoff dates are not guaranteed to be on the scheduled agenda
3. **PAYMENT:**
 - a. Details will be emailed after application is received.
 - b. **Application may not be scheduled until fees are paid.**
4. **APPLICATION** must include:
 - a. Electronic copy in MS Word or plain text file of Legal Description of subject property.
 - b. A site plan illustration showing the nature of the request, surrounding streets, setbacks, building footprint, other structures, parking, circulation, and access.
5. **INCOMPLETE APPLICATIONS** will be returned to applicant noting missing information
 - a. Placement on the schedule is NOT guaranteed until *complete* application is received.
6. **PRE-APPLICATION CONFERENCE:** we recommend you call to schedule a meeting (918) 299-5883, prior to finalizing applications.
7. **RED** indicates unconfirmed dates

PLANNING COMMISSION (PC)				BOARD OF ADJUSTMENT (BOA)	
- Rezoning, Planned Unit Development (PUD), Specific Use Permit (SUP): PC and City Council (CC), - Right-of-Way and Easement Closures (ROW/UEC): TAC, PC, CC - Lot Splits, Lot Combinations, Preliminary Plats: TAC, PC - Plats: TAC, PC, CC				- Variances - Special Exceptions - Appeals from Decisions of Administrative Officials - Interpretations of the Zoning Code in conjunction with an Appeal - Board of Adjustment has final jurisdiction	
APPLICATION FILING CUTOFF	TAC (as Needed)	PLANNING COMMISSION	CITY COUNCIL	APPLICATION FILING CUTOFF	BOARD OF ADJUSTMENT
12/05/22 Cutoff	12/13/22 TAC	01/19 PC	02/07 CC	12/05/22 Cutoff	01/12 BOA
01/09 Cutoff	01/16 TAC	02/23 PC	03/07 CC	01/02 Cutoff	02/16 BOA
02/13 Cutoff	02/20 TAC	03/23 PC	04/04 CC	02/06 Cutoff	03/16 BOA
03/13 Cutoff	03/20 TAC	04/20 PC	05/02 CC	03/06 Cutoff	04/13 BOA
04/10 Cutoff	04/17 TAC	05/18 PC	06/06 CC	04/03 Cutoff	05/11 BOA
05/08 Cutoff	05/15 TAC	06/22 PC	TBD	05/01 Cutoff	06/15 BOA
06/12 Cutoff	06/19 TAC	07/20 PC	08/01 CC	06/05 Cutoff	07/13 BOA
07/10 Cutoff	07/17 TAC	08/17 PC	09/05 CC	07/03 Cutoff	08/10 BOA
08/14 Cutoff	08/21 TAC	09/21 PC	10/03 CC	08/07 Cutoff	09/14 BOA
09/11 Cutoff	09/18 TAC	10/26 PC	11/07 CC	09/04 Cutoff	10/12 BOA
10/09 Cutoff	10/16 TAC	11/15 PC	12/05 CC	10/02 Cutoff	11/16 BOA
11/13 Cutoff	11/20 TAC	12/15 PC	01/02/24 CC	11/06 Cutoff	12/14 BOA
12/11 Cutoff	12/18 TAC	01/18/24 PC	02/06/24 CC	12/04 Cutoff	01/11/24 BOA

To	Planning Commission
Hearing Date	November 03, 2022
Case Number	JZ 22-682 Prulhiere JL 22-377 Prulhiere
Request	Rezone from AG to RE Lot Split
Location	North of 131 st between Elwood and Elm
Applicant	Rob Prulhiere

Staff Report

Preparer | Marcaé Hilton; BM

Attachments

☐ Lot Split Exhibits

Preparer

Fritz Land Surveying

Background Information

STAFF COMMENTARY | This rezoning and lot split request is for properties owned by Mr. Prulhiere. He is in the process of selling a portion of his currently zoned AG (Agriculture) property to the adjacent neighbor to the north. Currently the northern property owner accesses his property across Mr. Prulhiere's lot at the far east side. Approving this request benefits the northern property by creating a lot with street frontage for the northern parcel, the new lot will be combined with the northern lot in the near future. The (RE) Residential Estate zoning was required to create two conforming lots. The bulk and area standards are included in the staff report.

PLANNING DATA

REQUEST	Rezoning & Lot Split
ZONING	(AG) Agriculture to (RE) Residential Estate
INTENDED USE	No change in uses
ACCT_NUM	98331833137510
OWNER	PRULHIERE, ROBERT A
TR_SEC	8331
	SECTION 31
	TOWNSHIP 18
	RANGE 13
PLAT	Unplatted Subdivision by Lot Split
LEGAL	PARENT TRACT: BEG 196N SECR SE NW TH W ON NL CO RD 390 N260 E60 N TO NL SE NW E330 S1124 TO POB LESS BEG NWC E/2 E/2 SE NW TH E330 S660 W330 N660 TO POB SEC 31 18 13
ACRES	3.81

INCOG STREET

COMMERCIAL/CBD/INDUSTRIAL COLLECTOR | 80 FEET OF ROW

Additional street ROW of 5 feet is required.

LOT SPLIT DETAILS:

TRACT "A" (TO BE COMBINED AT A LATER DATE)

- NO CHANGE IN PROPERTY STATUS
- 90,256.6 SQ. FEET
- 2.07 ACRES

TRACT "B" (REMAINS OF PARENT TRACT)

- HOMESTEAD (NO CHANGE IN PLANS TO PROPERTY)
- 76,480.3 SQ. FEET
- 1.76 ACRES

Sec. 16-8-4. Subdivision Procedures.

(C) Lot Splits. Subdivisions containing three or fewer lots defined as "lot splits" in these regulations, may be excepted by City Council from all or part of the procedural provisions applicable for Major or Minor Subdivisions. The number of lots for purposes of determination of status as a lot split shall be counted cumulatively from the date of adoption of these regulations with respect to each parcel, provided that for the preservation of the spirit of these regulations, any and all parcels that have been similarly divided upon review of the Planning Commission under the provisions of previous subdivision regulations shall be counted into the cumulative total for the determination of eligibility for consideration of a request for treatment as a lot split.

(1) Lot Split Review Requirements.

- ☐ *Lot split application is complete.*
- ☐ *Lot split fees paid.*
- ☐ *Scaled drawing of lot split(s) provided.*
- ☐ *Drawing shows all existing and proposed lot lines.*
- ☐ *Drawing shows adjacent streets and street widths.*
- ☐ *Drawing shows existing access limitations.*
- ☐ *Drawing shows a north arrow and map scale.*
- ☐ *Lot dimensions and area either conform with UDO requirements or Variance of zoning code requirements have been obtained by Jenks Board of Adjustment.*
- ☐ *Public water and/or sanitary sewer is not available (appropriate tests shall be conducted by health department of its assigns to determine the proposed lots' suitability for a private sewer disposal device).*
- ☐ *If the lot split results in inadequate access to utility easements, dedication of easement has been provided.*
- ☐ *If the lot split results in inadequate access to public street, dedication of right-of-way has been provided.*

(2) Procedure.

(a) Application for Lots Splits. Applications for lots splits shall include a scaled drawing showing:

- ☐ *All existing and proposed lot lines,*
- ☐ *All existing buildings, and*
- ☐ *All improvements and their distances from lot lines, adjacent streets and street widths, existing access limitations,*

- A north arrow, and map scale.

(b) *City Action on Lot Splits.* The City Planner, upon receiving a lot split application shall visually inspect the tract being split, notify the Planning Commission of the proposed lot split, review the proposed lot split in regard to the requirements of this UDO, prepare a recommendation concerning the proposed lot split and submit the matter for Planning Commission review and approval. If the lot split is approved by the Planning Commission and if a conveyance of interest of the created parcels is presented, the "Lot Split Approval Stamp" shall be affixed to the instrument of the transfer of interest and signed by the City Planner. Should the Planning Commission recommend that a lot split proposal be denied, the applicant may appeal to the Board of Adjustment for relief. Such appeal shall be by written petition and shall be accompanied by a fee as prescribed by ordinance.

(3) *Approval Guidelines.* Approval or denial of lot splits shall be based on the following conditions:

(a) *Lot Characteristics.*

- Lot dimensions and area shall either conform with UDO requirements or a Variance must be obtained from the Board of Adjustment.
- Where public water and/or public sanitary sewer is not available, appropriate tests shall be conducted by the health department or its assigns to determine the proposed lots suitability for a private sewage disposal device. Each proposed lot shall meet the minimum standards of the health department.

(b) *Easements.* Where a lot split will result in a lot having inadequate access to utility easements, dedication of easements will be required in accordance with the requirements of the Planning Commission.

(c) *Access and Streets.*

- Where a tract to be split is controlled by non-access provisions, no lot shall be approved where such provision will preclude access for said lot.
- The splitting of land shall provide each lot with access to a public street or highway, so that the convenience of the lot owner or user is assured.
- Where land to be split contains, within its boundaries, areas designated for street right-of-way on the Jenks City-County Major Street and Highway Plan, the split shall not be approved where street rights-of-way fail to conform to said plan except, upon a finding that:
 - (i) All utilities are in place and the additional right-of-way is not required for utility placement and,
 - (ii) The public has, by virtue of statutory easement suitable roadway dedication, right-of-way sufficient to allow the placement of pavement of a width necessary to meet the standards of the street plan for the particular street involved.

Table 16-3-1(A): Residential District Bulk and Dimensional Standards	
Standard	RE
Lot Standards (Minimum)	
Lot Area (sqft)	24,000
Lot Area/DU (sqft)	24,000
Lot Width (ft)	150
Yard Setbacks (Minimum)	
Front (ft)	35
Exterior Side (ft)	35
Interior Side (ft)	15
Rear (ft)	25
Building Standards (Maximum)	
Height (ft)	35
Impervious Surface Coverage	20%

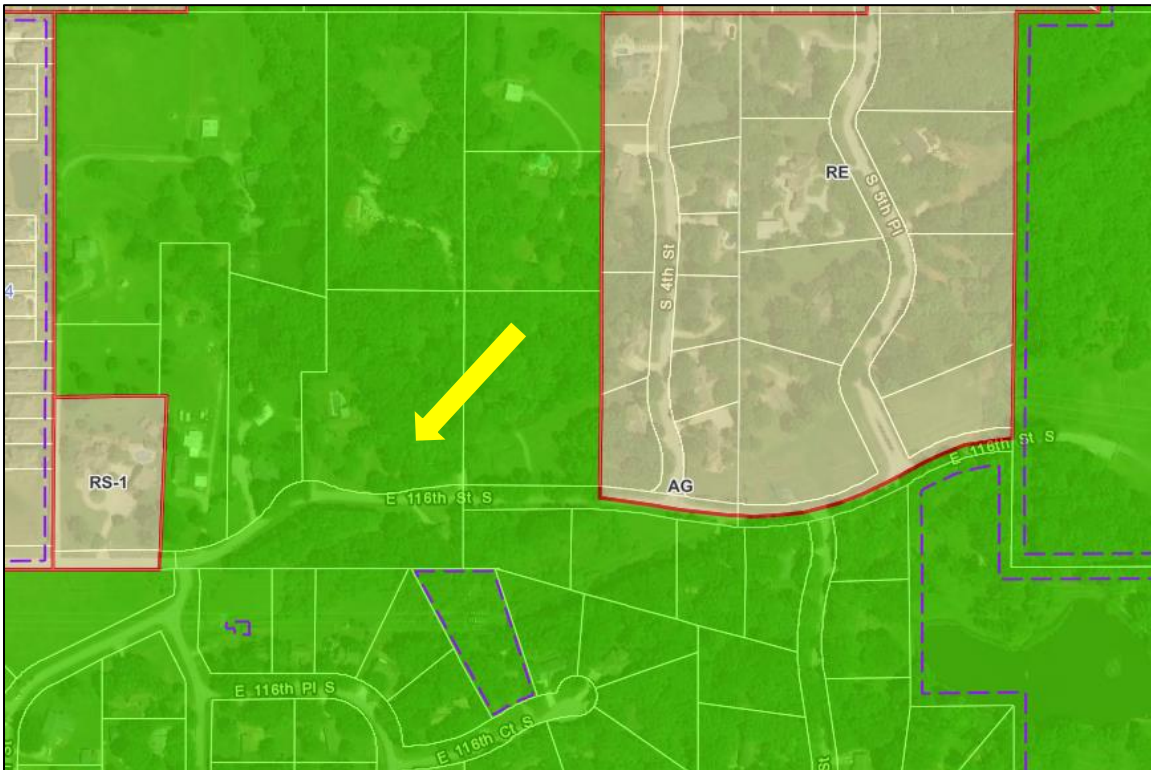


Figure 1 | Zoning map of the parcel in question

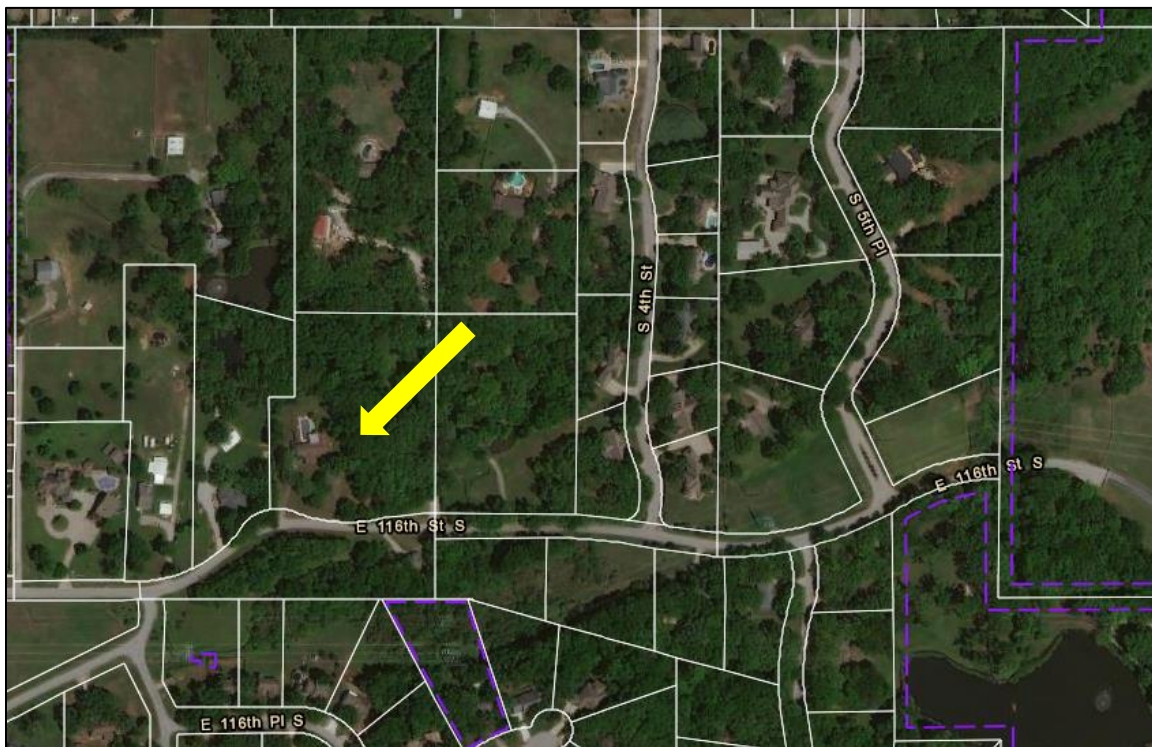


Figure 2 | Aerial photo

Evaluation | The rezoning request and lot split is from the owner of the property. Staff has worked with TAC to meet all the requirements. The lots are serviced by Creek County Rural Water District No. 2. Creek County indicated there is a dead end line on the parent tract and no further water tap will be issued without an improvement to the line. The houses in this area are not on City Sewer. The City of Jenks is requiring an additional (5) five feet of Right of Way, due to a large waterline on north side of the street.

Recommendation | *Staff and TAC recommend approval of JL 22-378 and JZ 22-682 with the following conditions:*

1. Provide the additional 5 feet of ROW to be accepted by City Council
2. Submit Deeds to be stamped by City Planner before applicant files Deeds with Tulsa County.
3. Provide City Planner with copy of recorded Deeds.



CITY OF JENKS

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

NOTICE OF A PUBLIC HEARING ON A PROPOSED ZONE CHANGE LOCATED IN THE CITY OF JENKS, OKLAHOMA

JZ 22-682

Notice is hereby given that a public hearing will be held before the Jenks Planning Commission, in Jenks City Hall, Council Chambers, 211 North Elm Street, Jenks, Oklahoma, at 6:00 p.m. on 03 November 2022, in consideration of the following:

An application to approve a Request by Rob Prulhiere for a zone change from AG (Agriculture) to RE (Residential Estate)

Legal Description: PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (E/2 SE/4 NW/4) OF SECTION 31, TOWNSHIP 18 NORTH, RANGE 13 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

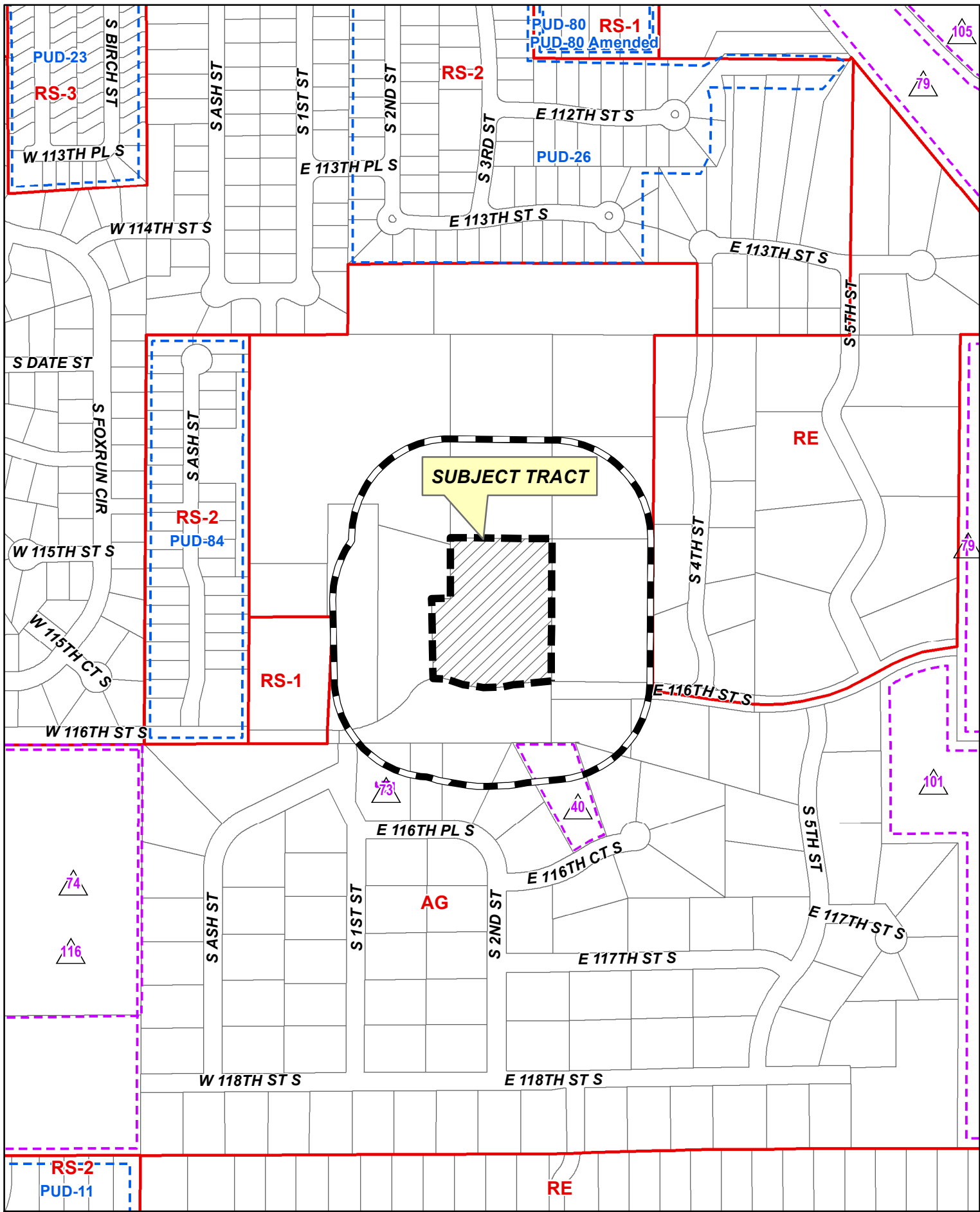
COMMENCING AT THE SOUTHEAST CORNER OF THE NW/4 OF SAID SECTION 31; THENCE NORTHERLY ALONG THE EAST LINE OF THE NW/4 OF SAID SECTION 31, 196.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°51'00" WEST AND PARALLEL TO THE SOUTH LINE OF THE NW/4 OF SAID SECTION 31, 123.50 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE TO THE RIGHT HAVING A RADIUS OF 548.00 FEET AND A CENTRAL ANGLE OF 12°00'00" 114.77 FEET TO A POINT OF TANGENCY; THENCE NORTH 78°09'00" WEST, 29.70 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE TO THE LEFT HAVING A RADIUS OF 229.70 FEET AND A CENTRAL ANGLE OF 31°15'02" 125.28 FEET TO A POINT, SAID POINT BEING 60.00 FEET WEST OF THE EAST LINE OF THE WEST HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (W/2 E/2 SE/4 NW/4) OF SAID SECTION 31, THENCE NORTHERLY AND PARALLEL TO THE EAST LINE OF THE (W/2 E/2 SE/4 NW/4) OF SAID SECTION 31, 249.66 FEET TO A POINT; THENCE EASTERLY AND PARALLEL TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 31, 60 FEET TO POINT ON THE EAST LINE OF (W/2 E/2 SE/4 NW/4) OF SECTION 31; THENCE NORTHERLY ALONG THE WEST LINE OF THE E/2 SE/4 SE/4 SW/4 OF SECTION 31, 204 FEET, MORE OR LESS, TO THE NORTHWEST CORNER THEREOF; THENCE EASTERLY ALONG THE NORTH LINE OF THE E/2 SE/4 SE/4 NW/4 OF SAID SECTION 31, 330 FEET MORE OR LESS, TO THE NORTHEAST CORNER THEREOF; THENCE SOUTHERLY ALONG THE EAST LINE OF THE NW /4 OF SAID SECTION 31 464 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

General Location: 187 E 116th St S

All persons interested in this matter may appear at these hearings and present their objections to or arguments for any of the above matters.

Dated at Jenks Oklahoma on 10 October 2022.

Marcae Hilton, Secretary
Jenks Planning Commission

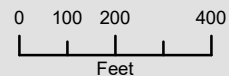


300' Radius



Subject Tract

JZ 22-682



31 18-13



To	Planning Commission
Hearing Date	November 03, 2022
Case Number	JZ 22-682 Prulhiere JL 22-377 Prulhiere
Request	Rezone from AG to RE Lot Split
Location	North of 131 st between Elwood and Elm
Applicant	Rob Prulhiere

Staff Report

Preparer | Marcaé Hilton; BM

Attachments

☐ Lot Split Exhibits

Preparer

Fritz Land Surveying

Background Information

STAFF COMMENTARY | This rezoning and lot split request is for properties owned by Mr. Prulhiere. He is in the process of selling a portion of his currently zoned AG (Agriculture) property to the adjacent neighbor to the north. Currently the northern property owner accesses his property across Mr. Prulhiere's lot at the far east side. Approving this request benefits the northern property by creating a lot with street frontage for the northern parcel, the new lot will be combined with the northern lot in the near future. The (RE) Residential Estate zoning was required to create two conforming lots. The bulk and area standards are included in the staff report.

PLANNING DATA

REQUEST	Rezoning & Lot Split
ZONING	(AG) Agriculture to (RE) Residential Estate
INTENDED USE	No change in uses
ACCT_NUM	98331833137510
OWNER	PRULHIERE, ROBERT A
TR_SEC	8331
	SECTION 31
	TOWNSHIP 18
	RANGE 13
PLAT	Unplatted Subdivision by Lot Split
LEGAL	PARENT TRACT: BEG 196N SECR SE NW TH W ON NL CO RD 390 N260 E60 N TO NL SE NW E330 S1124 TO POB LESS BEG NWC E/2 E/2 SE NW TH E330 S660 W330 N660 TO POB SEC 31 18 13
ACRES	3.81

INCOG STREET

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Additional street ROW of 5 feet is required.

LOT SPLIT DETAILS:

TRACT "A" (TO BE COMBINED AT A LATER DATE)

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TRACT "B" (REMAINS OF PARENT TRACT)

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Yard Setbacks (Minimum)	
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Exterior Side (ft)	35
Interior Side (ft)	15
Rear (ft)	25
Building Standards (Maximum)	
Height (ft)	35
Impervious Surface Coverage	20%

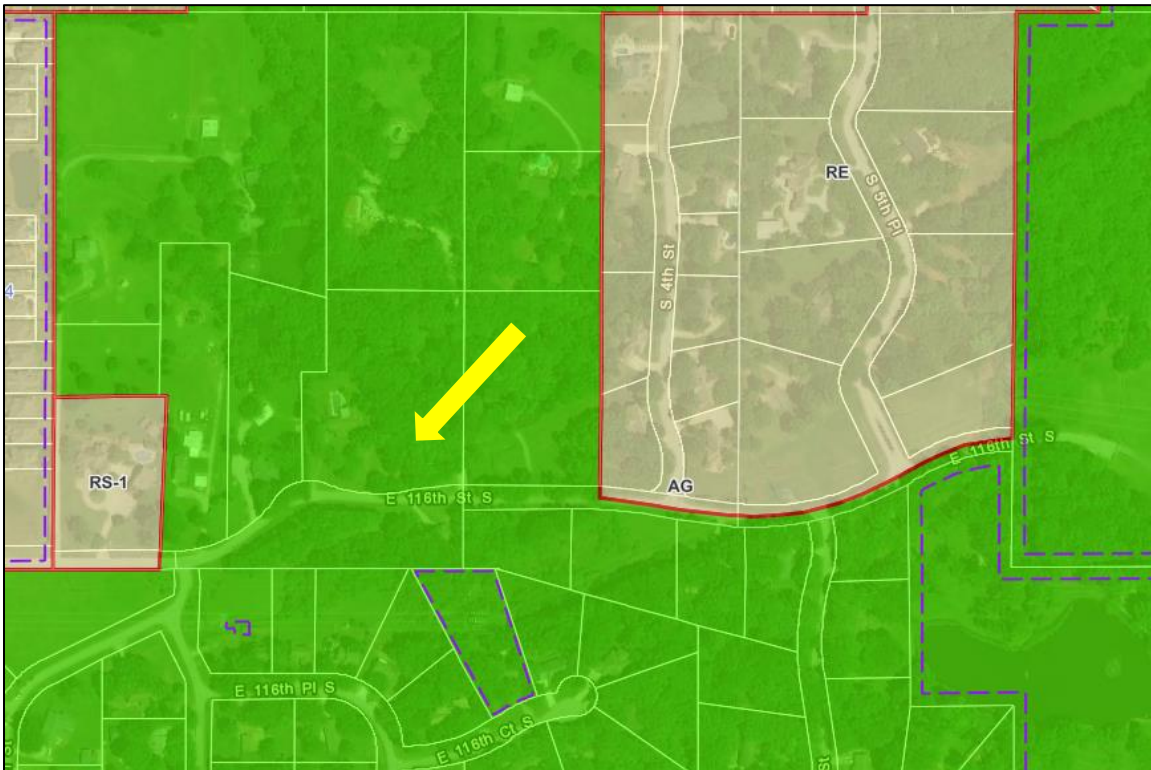


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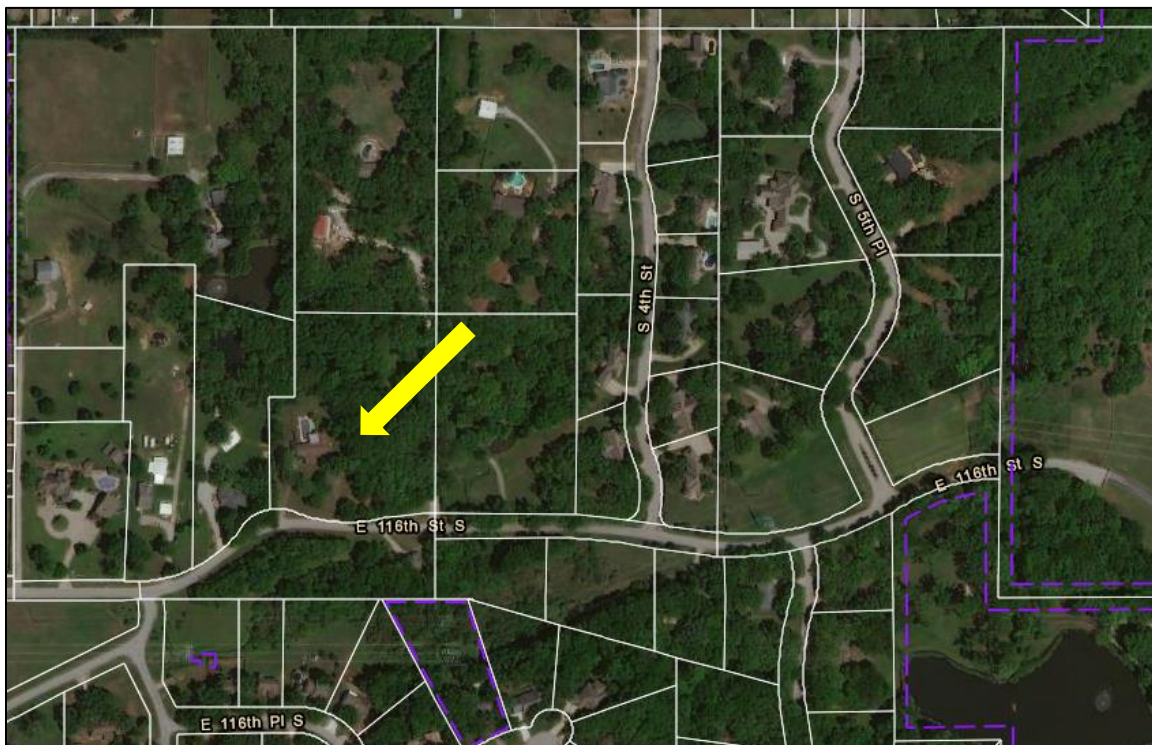


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Recommendation | *Staff and TAC recommend approval of JL 22-378 and JZ 22-682 with the following conditions:*

1. Provide the additional 5 feet of ROW to be accepted by City Council
2. Submit Deeds to be stamped by City Planner before applicant files Deeds with Tulsa County.
3. Provide City Planner with copy of recorded Deeds.



CITY OF JENKS

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

NOTICE OF A PUBLIC HEARING ON A PROPOSED ZONE CHANGE LOCATED IN THE CITY OF JENKS, OKLAHOMA

JZ 22-682

Notice is hereby given that a public hearing will be held before the Jenks Planning Commission, in Jenks City Hall, Council Chambers, 211 North Elm Street, Jenks, Oklahoma, at 6:00 p.m. on 03 November 2022, in consideration of the following:

An application to approve a Request by Rob Prulhiere for a zone change from AG (Agriculture) to RE (Residential Estate)

Legal Description: PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (E/2 SE/4 NW/4) OF SECTION 31, TOWNSHIP 18 NORTH, RANGE 13 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

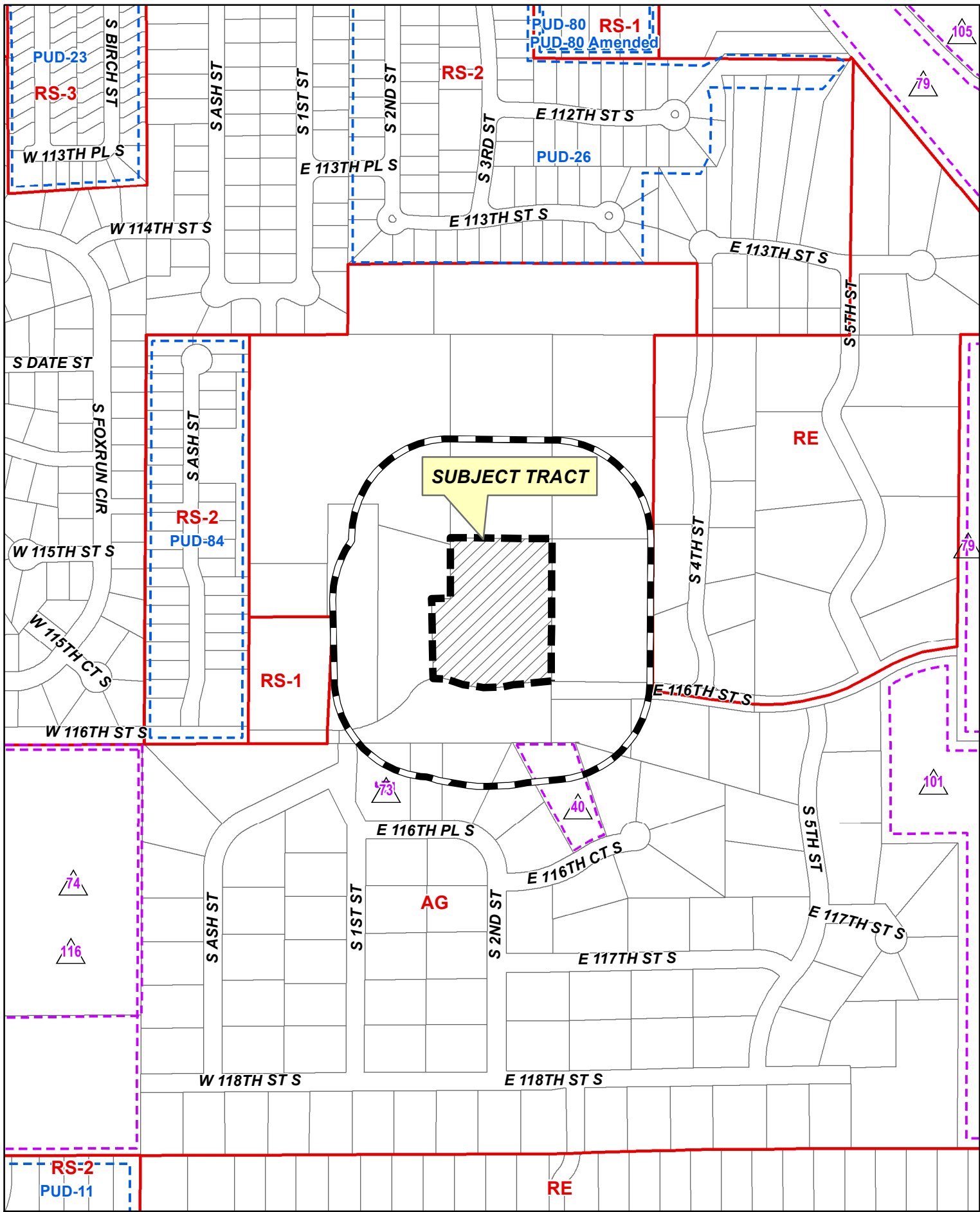
COMMENCING AT THE SOUTHEAST CORNER OF THE NW/4 OF SAID SECTION 31; THENCE NORTHERLY ALONG THE EAST LINE OF THE NW/4 OF SAID SECTION 31, 196.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°51'00" WEST AND PARALLEL TO THE SOUTH LINE OF THE NW/4 OF SAID SECTION 31, 123.50 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE TO THE RIGHT HAVING A RADIUS OF 548.00 FEET AND A CENTRAL ANGLE OF 12°00'00" 114.77 FEET TO A POINT OF TANGENCY; THENCE NORTH 78°09'00" WEST, 29.70 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE TO THE LEFT HAVING A RADIUS OF 229.70 FEET AND A CENTRAL ANGLE OF 31°15'02" 125.28 FEET TO A POINT, SAID POINT BEING 60.00 FEET WEST OF THE EAST LINE OF THE WEST HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (W/2 E/2 SE/4 NW/4) OF SAID SECTION 31, THENCE NORTHERLY AND PARALLEL TO THE EAST LINE OF THE (W/2 E/2 SE/4 NW/4) OF SAID SECTION 31, 249.66 FEET TO A POINT; THENCE EASTERLY AND PARALLEL TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 31, 60 FEET TO POINT ON THE EAST LINE OF (W/2 E/2 SE/4 NW/4) OF SECTION 31; THENCE NORTHERLY ALONG THE WEST LINE OF THE E/2 SE/4 SE/4 SW/4 OF SECTION 31, 204 FEET, MORE OR LESS, TO THE NORTHWEST CORNER THEREOF; THENCE EASTERLY ALONG THE NORTH LINE OF THE E/2 SE/4 SE/4 NW/4 OF SAID SECTION 31, 330 FEET MORE OR LESS, TO THE NORTHEAST CORNER THEREOF; THENCE SOUTHERLY ALONG THE EAST LINE OF THE NW /4 OF SAID SECTION 31 464 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

General Location: 187 E 116th St S

All persons interested in this matter may appear at these hearings and present their objections to or arguments for any of the above matters.

Dated at Jenks Oklahoma on 10 October 2022.

Marcae Hilton, Secretary
Jenks Planning Commission



LEGAL DESCRIPTION - AS PROVIDED - GWD DOC. #2014027217

PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (E/2 SE/4 NW/4) OF SECTION THIRTY-ONE (31), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SAID SECTION THIRTY-ONE (31); THENCE NORTHERLY ALONG THE EAST LINE OF THE NORTHWEST QUARTER (NW/4) OF SAID SECTION THIRTY-ONE (31), 196.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°51'00" WEST AND PARALLEL TO THE SOUTH LINE OF THE NORTHWEST QUARTER (NW/4) OF SAID SECTION THIRTY-ONE (31), 123.50 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE TO THE RIGHT HAVING A RADIUS OF 548.00 FEET AND A CENTRAL ANGLE OF 12°00'00" 114.77 FEET TO A POINT OF TANGENCY; THENCE NORTH 78°09'00" WEST, 29.70 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE TO THE LEFT HAVING A RADIUS OF 229.70 FEET AND A CENTRAL ANGLE OF 31°15'02" 125.28 FEET TO A POINT, SAID POINT BEING 60.00 FEET WEST OF THE EAST LINE OF THE WEST HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (W/2 E/2 SE/4 NW/4) OF SAID SECTION THIRTY-ONE (31), THENCE NORTHERLY AND PARALLEL TO THE EAST LINE OF THE WEST HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (W/2 E/2 SE/4 NW/4) OF SAID SECTION THIRTY-ONE (31), 249.66 FEET TO A POINT; THENCE EASTERLY AND PARALLEL TO THE SOUTH LINE OF THE NORTHWEST QUARTER (NW/4) OF SAID SECTION THIRTY-ONE (31), 60 FEET TO POINT ON THE EAST LINE OF WEST HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (W/2 E/2 SE/4 NW/4) OF SECTION THIRTY-ONE (31); THENCE NORTHERLY ALONG THE WEST LINE OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (E/2 SE/4 SE/4 SW/4) OF SAID SECTION THIRTY-ONE (31), 204 FEET, MORE OR LESS, TO THE NORTHWEST CORNER THEREOF; THENCE EASTERLY ALONG THE NORTH LINE OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (E/2 SE/4 SE/4 NW/4) OF SAID SECTION THIRTY-ONE (31), 330 FEET MORE OR LESS, TO THE NORTHEAST CORNER THEREOF; THENCE SOUTHERLY ALONG THE EAST LINE OF THE NORTHWEST QUARTER (NW/4) OF SAID SECTION THIRTY-ONE (31) 464 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION - TRACT "A" - CREATED BY THIS SURVEY

A TRACT OF LAND THAT IS PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (E/2 SE/4 NW/4) OF SECTION THIRTY-ONE (31), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NW/4 OF SAID SECTION 31;
THENCE NORTH 00°57'59" WEST ALONG THE EAST LINE THEREOF A DISTANCE OF 196.00 FEET TO THE POINT OF BEGINNING;
THENCE SOUTH 88°47'50" WEST 123.48 FEET TO A POINT OF CURVATURE;
THENCE NORTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 548.00 FEET, AN ARC LENGTH OF 26.53 FEET, A CHORD BEARING OF NORTH 89°49'53" WEST AND A CHORD LENGTH OF 26.53 FEET;
THENCE NORTH 00°57'59" WEST 288.61 FEET;
THENCE NORTH 51°32'04" WEST 130.30 FEET;
THENCE NORTH 64°49'01" WEST A DISTANCE OF 87.81 FEET TO A POINT ON THE WEST LINE OF THE E/2 SE/4 SE/4 NW/4 OF SAID SECTION 31;
THENCE NORTH 00°57'03" WEST ALONG SAID WEST LINE A DISTANCE OF 57.16 FEET;
THENCE NORTH 88°43'45" EAST 329.45 FEET TO A POINT ON THE EAST LINE OF THE NW/4 OF SAID SECTION 31;
THENCE SOUTH 00°57'59" EAST ALONG SAID EAST LINE A DISTANCE OF 468.99 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 90,256.6 SQ. FEET OR 2.07 ACRES.
BEARINGS ARE BASED UPON AN ASSUMED BEARING OF SOUTH 00°57'59" EAST USING THE EAST LINE OF NW/4.

LEGAL DESCRIPTION - TRACT "B" - CREATED BY THIS SURVEY

A TRACT OF LAND THAT IS PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (E/2 SE/4 NW/4) OF SECTION THIRTY-ONE (31), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NW/4 OF SAID SECTION 31;
THENCE NORTH 00°57'59" WEST ALONG THE EAST LINE THEREOF A DISTANCE OF 196.00 FEET;
THENCE SOUTH 88°47'50" WEST 123.48 FEET TO A POINT OF CURVATURE;
THENCE NORTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 548.00 FEET, AN ARC LENGTH OF 26.53 FEET,
A CHORD BEARING OF NORTH 89°49'53" WEST AND A CHORD LENGTH OF 26.53 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUING ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 548.00 FEET, AN ARC LENGTH OF 88.26 FEET, A CHORD BEARING OF NORTH 83°49'16" WEST AND A CHORD LENGTH OF 88.17 FEET;
THENCE NORTH 79°12'24" WEST 29.70 FEET TO A POINT OF CURVATURE;
THENCE SOUTHWESTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 229.70 FEET, AN ARC LENGTH OF 124.82 FEET,
A CHORD BEARING OF SOUTH 85°13'35" WEST AND A CHORD LENGTH OF 123.29 FEET;
THENCE NORTH 00°57'03" WEST 249.66 FEET;
THENCE NORTH 88°47'36" EAST A DISTANCE OF 60.00 FEET TO A POINT ON THE WEST LINE OF THE E/2 SE/4 SE/4 NW/4 OF SAID SECTION 31;
THENCE NORTH 00°57'03" WEST ALONG SAID WEST LINE A DISTANCE OF 151.32 FEET;
THENCE SOUTH 64°49'01" EAST 87.81 FEET;
THENCE SOUTH 51°32'04" EAST 130.30 FEET;
THENCE SOUTH 00°57'59" EAST A DISTANCE OF 288.61 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 76,480.3 SQ. FEET OR 1.76 ACRES.
BEARINGS ARE BASED UPON AN ASSUMED BEARING OF SOUTH 00°57'59" EAST USING THE EAST LINE OF NW/4.

SURVEYOR'S NOTES

PREPARED FOR: ROB PRULHIERE

PHYSICAL ADDRESS: 187 E. 116th ST. S., JENKS, TULSA COUNTY, OKLAHOMA 74037

BEARINGS ARE BASED UPON AN ASSUMED BEARING OF SOUTH 00°57'59" EAST USING THE EAST LINE OF NW/4.

EASEMENTS MAY EXIST THAT ARE NOT SHOWN.

REFER TO CURRENT ZONING FOR NEW CONSTRUCTION GUIDELINES.
SURVEYED PROPERTY IS ZONED AG.

SET 3/8" IRON PIN W/ GREEN "FRITZ CA5848" CAP OR MAG NAIL W/ "FRITZ CA5848" WASHER AT ALL CORNERS UNLESS NOTED AND SHOWN OTHERWISE HEREON.

GROSS LAND AREA: 166,737.5 SQ. FEET OR 3.83 ACRES.
GROSS LAND AREA TRACT "A": 90,256.6 SQ. FEET OR 2.07 ACRES.
GROSS LAND AREA TRACT "B": 76,480.3 SQ. FEET OR 1.76 ACRES.

WE HAVE EXAMINED A MAP BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP, CITY OF JENKS, OKLAHOMA, COMMUNITY PANEL NO. 40143C0427L - OCTOBER 16, 2012, WHICH INDICATES THE SURVEYED PROPERTY TO BE WITHIN UNSHADED ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN).

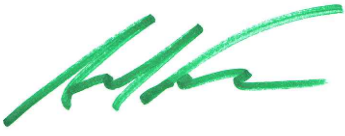
LAST SITE VISIT: APRIL 29, 2022.

ALL UTILITIES MAY NOT BE SHOWN - CALL OKIE 1-800-522-6543!

CERTIFICATE OF SURVEY

FRITZ LAND SURVEYING, LLC AND THE UNDERSIGNED PROFESSIONAL LAND SURVEYOR, UNDER CERTIFICATE OF AUTHORIZATION CA #5848, DO HEREBY STATE THAT THIS PLAT OF SURVEY IS A TRUE AND ACCURATE REPRESENTATION OF THE SURVEY MADE ON THE GROUND AND OF THE FACTS AS FOUND AT THE TIME OF THE SURVEY AND THAT THIS PLAT MEETS OR EXCEEDS THE MINIMUM TECHNICAL STANDARDS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

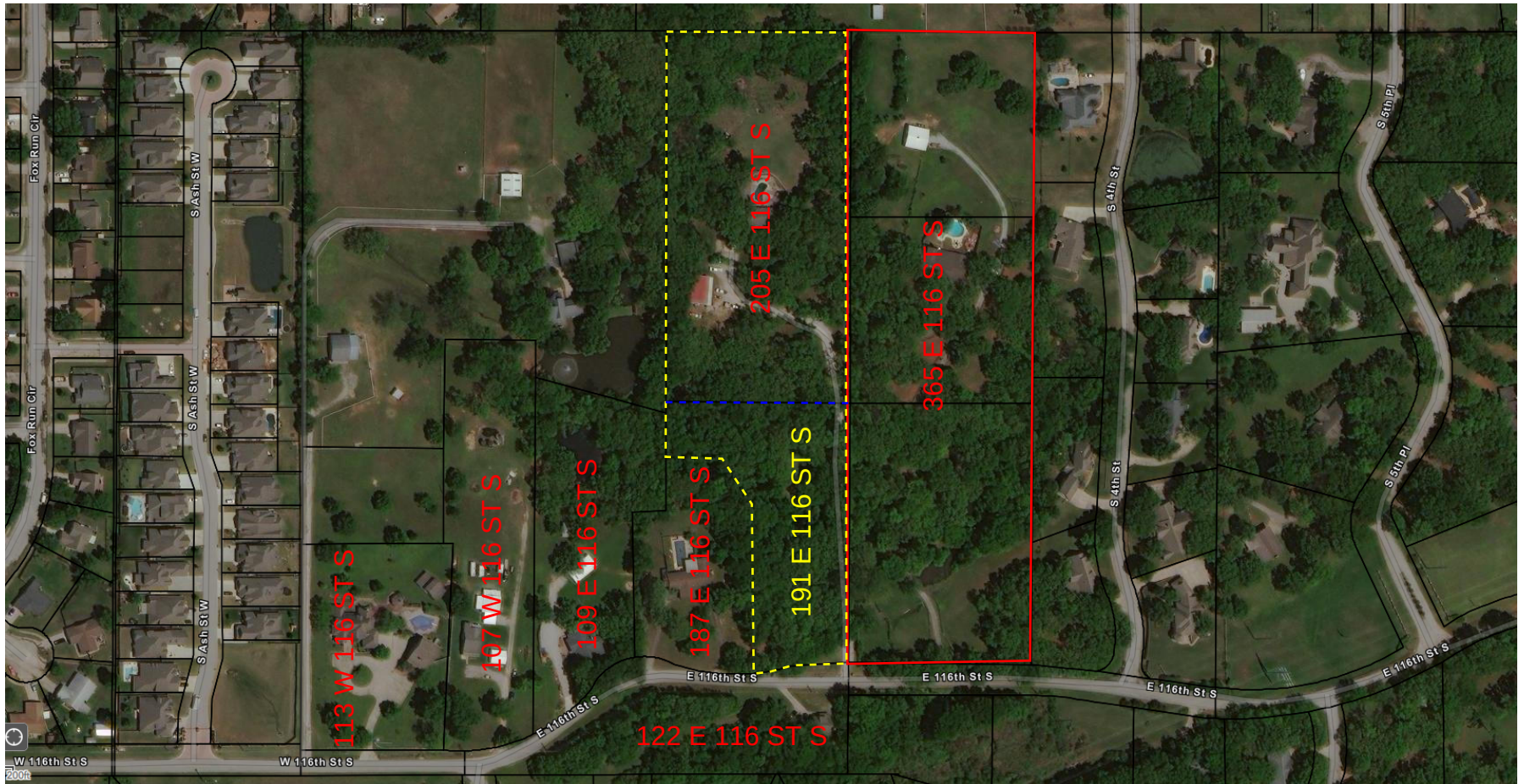
WITNESS MY HAND AND SEAL THIS 18th DAY OF OCTOBER, 2022.



ANDY FRITZ, PLS
OK LIC. 1694
CA #5848



LOT LINE ADJUSTMENT		
PART OF THE E/2 SE/4 NW/4 OF SEC.31, T18N, R13E, 187 E. 116th ST. S., JENKS, TULSA COUNTY, OKLAHOMA 74037		
SURVEY: DCH	DATE: 04.29.2022	PREPARED BY: FRITZ LAND SURVEYING, LLC 2017 W. 91ST STREET, TULSA, OK 74132 PH: 918.231.0575 FRITZLANDSURVEYING@GMAIL.COM C.A. # 5848 EXPIRES: 6-30-2022
DRAFT: RLL	DATE: 06.11.2022	
APPROVED: PLS	DATE: 10.18.2022	
SHEET 2 OF 2	PROJ. NO. 17254	



191 & 205 E 116 ST S to be combined at a future date.