RECEIVED

8:10 am, Oct 09, 2026

AMENDED AGENDA
TULSA COUNTY PLANNING COMMISSION
WEDNESDAY, OCTOBER 14, 2026, 1:30 PM

TULSA COUNTY HEADQUARTERS BUILDING
218 W. 6TH ST., ROOM 132
TULSA, OKLAHOMA 74119

I. CALL TO ORDER

II. ROLL CALL

III. REPORTS
- A. Staff Report
  1. Discussion regarding zoning code update
  2. Discussion regarding subdivision regulations update
- B. Chair's Report

IV. MINUTES
- A. Review and possible action regarding minutes from September 9, 2026 Tulsa County Planning Commission meeting.

V. UNFINISHED BUSINESS
None

VI. PUBLIC HEARING(S) - ZONING
Public hearing(s) with discussion and possible action on the following request(s) for zoning change:

A. **Case #CZ-598**
Commissioner District: 1
Location: 11702 E 116th St N, Collinsville, OK (4.75± Acres)
Applicant: Joshua Hutchinson
Current Zoning: AG (Agriculture)
Proposed Zoning: CS (Commercial Shopping)

B. **Case #CZ-599**
Commissioner District: 1
Location: 10429 N Yale Ave, Sperry, OK (39.9794± Acres)
Applicant: Billy Cox
Current Zoning: AG (Agriculture)
Proposed Zoning: RS-1 (Residential Single-Dwelling-1)

C. **Case #CZ-600**
Commissioner District: 3
Location: 15401 & 15507 S 26th Ave W, Glenpool, OK (40± Acres)
Applicant: Lance Davis
Current Zoning: AG (Agriculture)
Proposed Zoning: RS-1 (Residential Single-Dwelling-1)

D. **Case #PUD-883**
Commissioner District: 1
Location: North & West of the intersection of US Hwy 75 and E 76th St N (116± Acres)
Applicant: Lou Reynolds
Current Zoning: RE (Residential Estate)
Proposed Zoning: RE & PUD-883 (PUD for the purpose of a Battery Energy Storage System)

VII. PUBLIC HEARING(S) – PLATS
Public hearing(s) with discussion and possible action on the following request(s) for plats:

A. **Plat: Heritage Estates**
Commissioner District: 1
Location: 10429 N Yale Ave, Sperry, OK (39.97± Acres)
Applicant: Joshua Glesener
Action Requested: Preliminary Plat Approval for Residential Subdivision

B. **Plat: Red Barn Homes LLC Commercial Development**
Commissioner District: 1
Location: 11702 E 116th St N, Collinsville, OK (4.75± Acres)
Applicant: Red Barn Homes LLC
Action Requested: Preliminary Plat Approval for Building Service Use

C. **Plat: The Flats II**
Commissioner District: 1
Location: 6800-block of E 136th St N, Collinsville, OK (45.054± Acres)
Applicant: Tanner Consulting LLC c/o Eric Enyart
Action Requested: Preliminary Plat Approval for Residential Subdivision

D. **Plat: Yellowstone Estates III**
Commissioner District: 3
Location: SE Corner of 161st St S and S Lewis Ave, Bixby, OK (100.2± Acres)
Applicant: Select Design c/o Ryan McCarty
Action Requested: Preliminary Plat Approval for Residential Subdivision

VIII. NEW BUSINESS
In accordance with the Open Meeting Act, Title 25 O.S. § 311.A.10, new business is defined as any matter not known about or which could not have been reasonably foreseen prior to the time of posting the agenda.

IX. ADJOURN

TULSA COUNTY PLANNING COMMISSION
MINUTES OF REGULAR MEETING
WEDNESDAY, SEPTEMBER 9, 2026, 1:30 PM
TULSA COUNTY HEADQUARTERS BUILDING
218 W. 6TH ST., ROOM 132
TULSA, OKLAHOMA 74119

The notice and agenda of the said meeting were posted at the County Clerk's office, County Administration Building, September 02, 2026, at 4:07 p.m. as well as in the Office of INCOG, 2 West Second Street, Suite 800.

I. CALL TO ORDER: Alex Mills, Tulsa County Engineer, called the meeting to order at 1:30 pm.

II. INAUGURAL MEETING WELCOME STATEMENT – Alex Mills acknowledged that this is the first meeting for the newly formed Tulsa County Planning Commission and thanked everyone who has been involved in this process.

III. ROLL CALL – Mr. Mills noted that a quorum was present and called role. Legal representation from the District Attorney's Office was not present.

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT
Douglas Bonebrake	None	Kendal Davis INCOG Senior Planner
Jeannie Cue		Javier Rojas INCOG Planner
Troy Fugate		Sherri Tauber INCOG Recording Secretary
Bradley Girard		Alex Mills County Engineer
Matthew Inouye		Berry Britton County Engineer
Melisa Torkleson		Kerrick Edenborough County Inspections
Greg Williams		Dwayne Wilkerson INCOG Planning Services Director

IV. ELECTION OF OFFICERS

A. **Chair:** Discussion among members regarding the officers of the first Tulsa County Planning Commission. Mr. Bonebrake agreed to accept motion to serve as Chair. Mr. Fugate seconded the motion.

Yea: Bonebrake, Cue, Fugate, Girard, Inouye, Torkleson, and Williams
Nay: None
Motion Carried: 6-0-1 (Mr. Bonebrake abstained)

B. **Vice Chair:** Discussion among members regarding the election of the Vice Chair.
Mr. Bonebrake moved, seconded by Mr. Girard, to nominate Ms. Cue as Vice Chair

Yea: Bonebrake, Cue, Fugate, Girard, Inouye, Torkleson, and Williams
Nay: None

DRAFT

Motion Carried: 6-0-1 (Ms. Cue abstained)

C. **Secretary:** Discussion among members regarding the election of the Secretary.
Ms. Torkleson moved, seconded by Ms. Cue, to nominate Mr. Girard as Secretary.
Yea: Bonebrake, Cue, Fugate, Girard, Inouye, Torkleson, and Williams
Nay: None
Motion Carried: 6-0-1 (Mr. Girard abstained)

V. REPORTS

A. Staff Report

1. Introduction of Tulsa County Development Services Staff

Alex Mills introduced County engineering and inspections staff

Kendal Davis introduced INCOG planning department staff.

B. Chair's Report – No Report

VI. MINUTES

A. None. The September 9,2026 Tulsa County Planning Commission Meeting is the first regular meeting therefore no previous meeting minutes will be available.

VII. UNFINISHED BUSINESS

A. None. The September 9,2026 Tulsa County Planning Commission Meeting is the first regular meting therefore no unfinished business from previous meetings will be available.

VIII. ACTION ITEMS

A. **Policies and Procedures**: Consideration and appropriate action relating to the approval of policies and procedures (document revision from September 02, 2026) as presented by staff.
Mr. Fugate moved, seconded by Mr. Williams, to approve policies and procedures as presented by staff.
Yea: Bonebrake, Cue, Fugate, Girard, Inouye, Torkleson, and Williams
Nay: None
Motion Carried: 7-0-0

B. **2026-2027 Meeting Schedule:** Consideration and appropriate action relating to the approval of the meeting schedule as presented by staff and previously approved by the Tulsa County Board of County Commissioners and dated August, 17,2026 CMF#20261740
Mr. Inouye moved, seconded by Mr. Williams, to approve policies and procedures dated 9.6.2026 as presented by staff.
Yea: Bonebrake, Cue, Fugate, Girard, Inouye, Torkleson, and Williams
Nay: None
Motion Carried: 7-0-0

IX. PUBLIC HEARINGS ZONING CHANGE

A. **Case: CZ-597** Consideration and possible action on a request to change zoning for approximately 48.5 acres from AG to RE.

Commissioner District: District 3

Location: 15291-15288 East 181st Street South and 15354 East 181st Street South, Bixby, Oklahoma

DRAFT

Applicant: Austin Schotts

Current Zoning: RE (Residential Estate)

Proposed Zoning: AG (Agriculture)

Presentation:

- Mr. Kendal Davis (Staff) recommended approval as outlined in his staff report.
- Planning Commissioners discussed the size of the agriculture use and wanted to understand the magnitude of the intended use and its effect on the adjacent residential property owners.
- Mr. Austin Schotts confirmed that he was the applicant and property owner and indicated that he agreed with staff recommendation and outlined the small scale of the agricultural operation.

Mr. Girard moved, seconded by Mr. Fugate, **and recommended approval of CZ-597** as presented by staff to the Tulsa County Board of County Commissioners.

Yea: Bonebrake, Cue, Fugate, Girard, Inouye, Torkleson, and Williams
Nay: None
Motion Carried: 7-0-0

X. NEW BUSINESS

None

XI. ADJOURN:

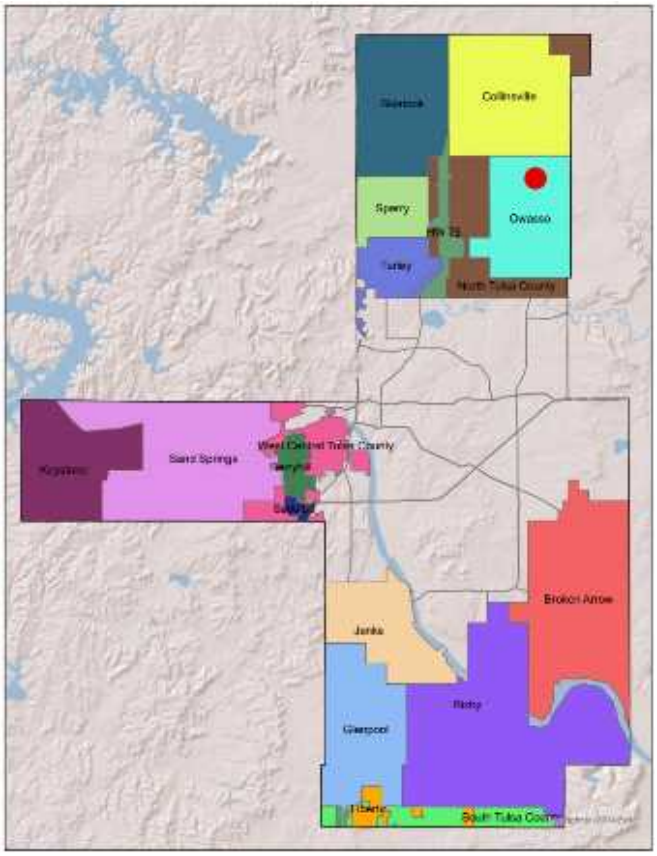
Meeting adjourned at 2:02 pm.

DRAFT

TULSA COUNTY PLANNING COMMISSION
CZ-598: STAFF REPORT
Related Case: Red Barn Homes LLC Commercial Development
Preliminary Plat
Hearing Date: October 14, 2026
Prepared by: Kendal Davis; kdavis@incog.org; 918-579-9485

Owner and Applicant Information
Applicant: Red Barn Homes LLC
Property Owner: James J. Brooks & Maryann D. Brooks
Property Location: 11702 E 116th St N, Collinsville, OK
Tract Size: 4.75 ± Acres

Location within Tulsa County
(shown with Planning Areas)



County Commission: District 1; Stan Sallee

Staff Recommendation
Staff recommends **approval of rezoning to CS.**

Request Summary
County Rezoning Approval for a Building Service Use

Zoning
Existing Zoning: AG (Agriculture)
Proposed Zoning: CS (Commercial Shopping)

Use
Current Use: Vacant
Proposed Use: Building Service (Plumbing Business)

Comprehensive Plan Considerations
Planning Area: Owasso
Land Use Plan: Commercial

Transportation
Major Street & Highway Plan: E. 116th St. N. is classified as Primary Arterial.
Transit: None
Existing Bike/Ped Facilities: Sidewalks along E 116th St N
Planned Bike/Ped Facilities: GO Plan recommended Bike Lane and Shared Use Path along E 116th St N.

Environment
Flood Area: None
Parks & Open Space: None

Staff Exhibits
- Aerial case map
- Tulsa County Comprehensive Plan case map
- Zoning case map
- Section map
- Corporate limits map

Applicant exhibits
- Survey plat with legal description

Staff Analysis

The applicant is requesting to rezone the subject property from AG (Agriculture) to CS (Commercial Shopping) to allow the property to be utilized for a plumbing business, which falls within the Business Service subcategory of the Commercial Service category within the Tulsa County Zoning Code, and which is allowed by right in a CS district.

Staff finds that the requested CS zoning is appropriate based on the size and physical characteristics of the subject property and the established development pattern of the surrounding area. The subject tract lies in a Tulsa County enclave surrounded by land within the City of Owasso, abuts a primary arteria street, and is within a quarter mile of the intersection of a the aforementioned primary arterial (E 116th St N) and a secondary arterial (N Garnett Rd). The subject tract provides sufficient acreage to accommodate the proposed activity, and the surrounding areas contain a combination of large residential tracts, undeveloped agricultural property, medium-density RS-3 residential subdivisions, and commercial zoning of the CS and CG (Commercial General: medium-intensity commercia zoning).

The requested zoning is not anticipated to introduce a development intensity that would be incompatible with the surrounding area and are generally consistent with the character exhibited by the subject property and surrounding vicinity. Outdoor storage is not allowed by right in CS zoning districts.

Comprehensive Plan Considerations

Due to the proximity of the subject tract to the City of Owasso, it needs to be noted that the City of Owasso's zoning code would not typically allow the proposed use within the proposed CS zoning. Within the City of Owasso, plumbing businesses are only allowed in an industrial zoning district. As such, it can be said that the proposed *use* is not compatible with the comprehensive plan of the City of Owasso, which, per the proximity of the city limits to the subject tract (please see exhibit Corporate Limits Map), can be interpreted as the proposed *use* not being compatible with the surrounding areas.

However, the subject tract is squarely within the unincorporated Tulsa County, and the Tulsa County zoning code allows said use in a commercial district. Moreover, the County's designation of the subject tract within the Comprehensive Land Use Plan, as adopted by reference from GrOwasso 2035 Land Use Master Plan, designates the subject parcel as Commercial, which the proposed rezoning abides by. As such, Staff finds that the *rezoning* request is compatible with the surrounding land-use and zoning patterns and is not anticipated to adversely affect nearby properties.

> **The subject property is designated as**: Commercial, as adopted by reference from the GrOwasso 2035 Land Use Master Plan.
>
> **Designation Description**: Per the Tulsa County Comprehensive Land Use Plan: "The Commercial Land Use District represents areas of retail trade and services. Typically, these areas are located around nodes of arterial street intersections or in some cases, at intersections of collectors and arterials. Commercial Districts can also be found in corridors that have an established commercial use pattern, such as the Smith Farm area, or highly visible areas, such as along US-169, SH-20, and 116th St. N. west of US-169. The Commercial District includes uses that range from small neighborhood

convenience shopping areas, single free standing buildings, big box retailers, restaurants, automotive services centers, and other similar retail uses.

Access is a key factor in the location of Commercial Districts. A site with poor access or that is difficult to get to is prone to fail; whereas a site with good and safe access will stand a better chance of survival. In general, the development of long commercial strips around the perimeters of square miles should be avoided as can present problems with access control. In all cases of commercial development, access management should be carefully controlled with design treatments such as mutual or shared access drives and cross connections easements or agreements."

Neighboring Properties:

Location	*Existing Zoning/Overlay*	*Existing Land Use Designation*	*Existing Use*
North	AG; *RS-3 (City of Owasso)*	Transitional; *Residential (City of Owasso)*	Residential; Residential *(City of Owasso)*
East	AG	Transitional	Residential, vacant
South	AG	Commercial	Vacant
West	AG	Commercial	Residential

Note: The *Transitional* land use designation, as adopted by reference from the GrOwasso 2035 Land Use Master Plan, is land that represents a transition zone from single-family residential development to non-residential development. It typically includes attached housing (such as duplexes and townhouses) and low-intensity office uses and traditionally acts as a buffer between higher intensity uses (such as commercial) and lower intensity uses (such as single-family residential).

Staff Recommendation

Staff finds that the proposed zoning map amendment is consistent with the policy and intent of the comprehensive plan. As such, staff recommends APPROVAL of the request to rezone the subject property from AG (Agriculture) to CS (Commercial Shopping).

Transportation

The subject property has access to East 116st Street North, which runs along the northern boundary of the subject tract. The proposed rezoning from AG to CS is not anticipated to result in a significant impact on the surrounding transportation network.

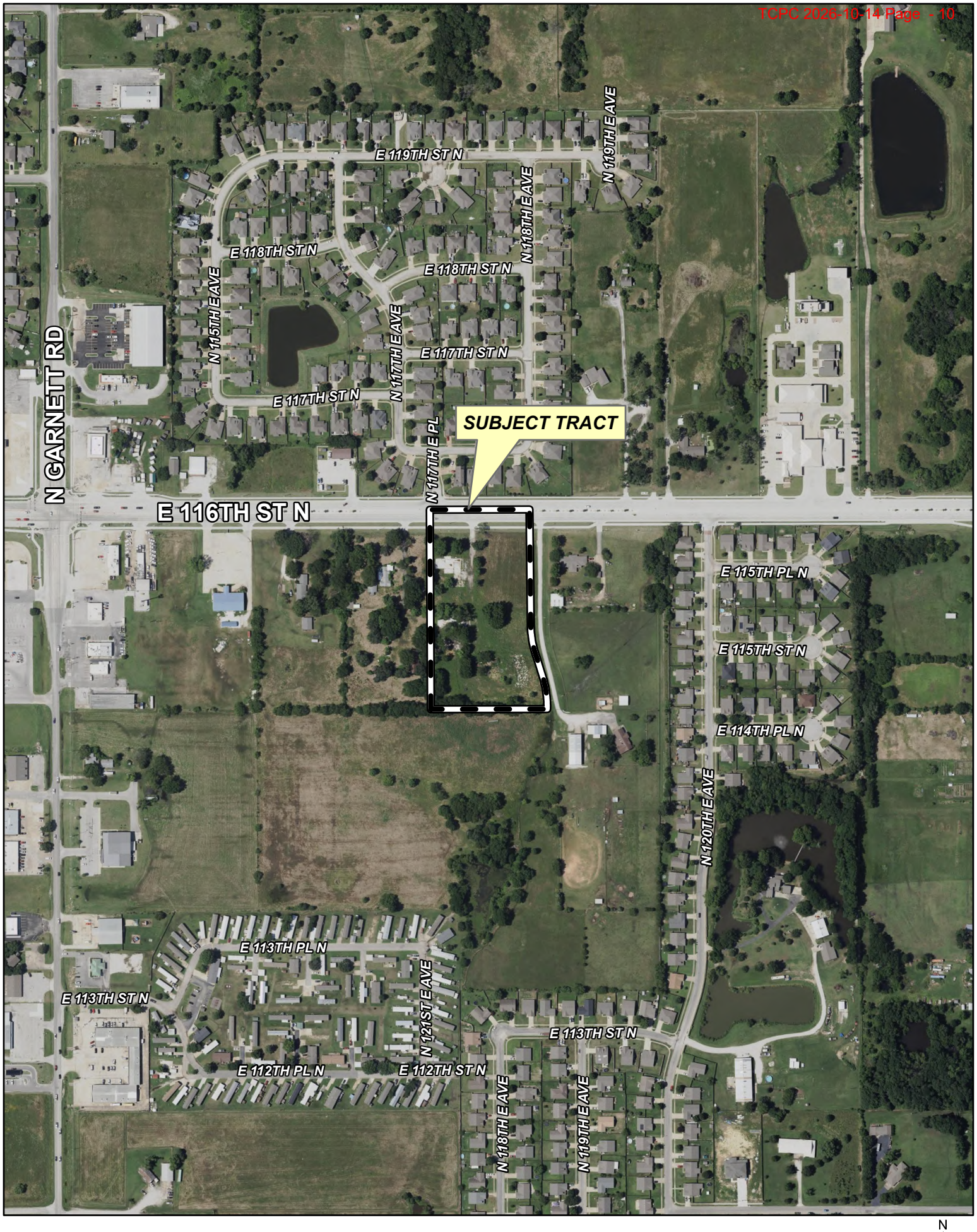
No new public streets are proposed as part of the rezoning request. Any future access improvements will comply with applicable Tulsa County access, right-of-way, and engineering requirements.

Major Street & Highway Plan: E. 116th St. N. is classified as Primary Arterial.
Transit: None
Existing Bike/Ped Facilities: Sidewalks along E 116th St N
Planned Bike/Ped Facilities: GO Plan recommended Bike Lane and Shared Use Path along E 116th St N.

Environmental Considerations
Flood Area: None
Parks & Open Space**:** None

Zoning and Board of Adjustment History
Zoning was established through the provisions of the Board of County Commissioners of the County of Tulsa with Resolution (CMF# 20241854) September 30,2024.

Applicant Neighborhood Engagement
None provided.



Feet
0 200 400

Subject Tract

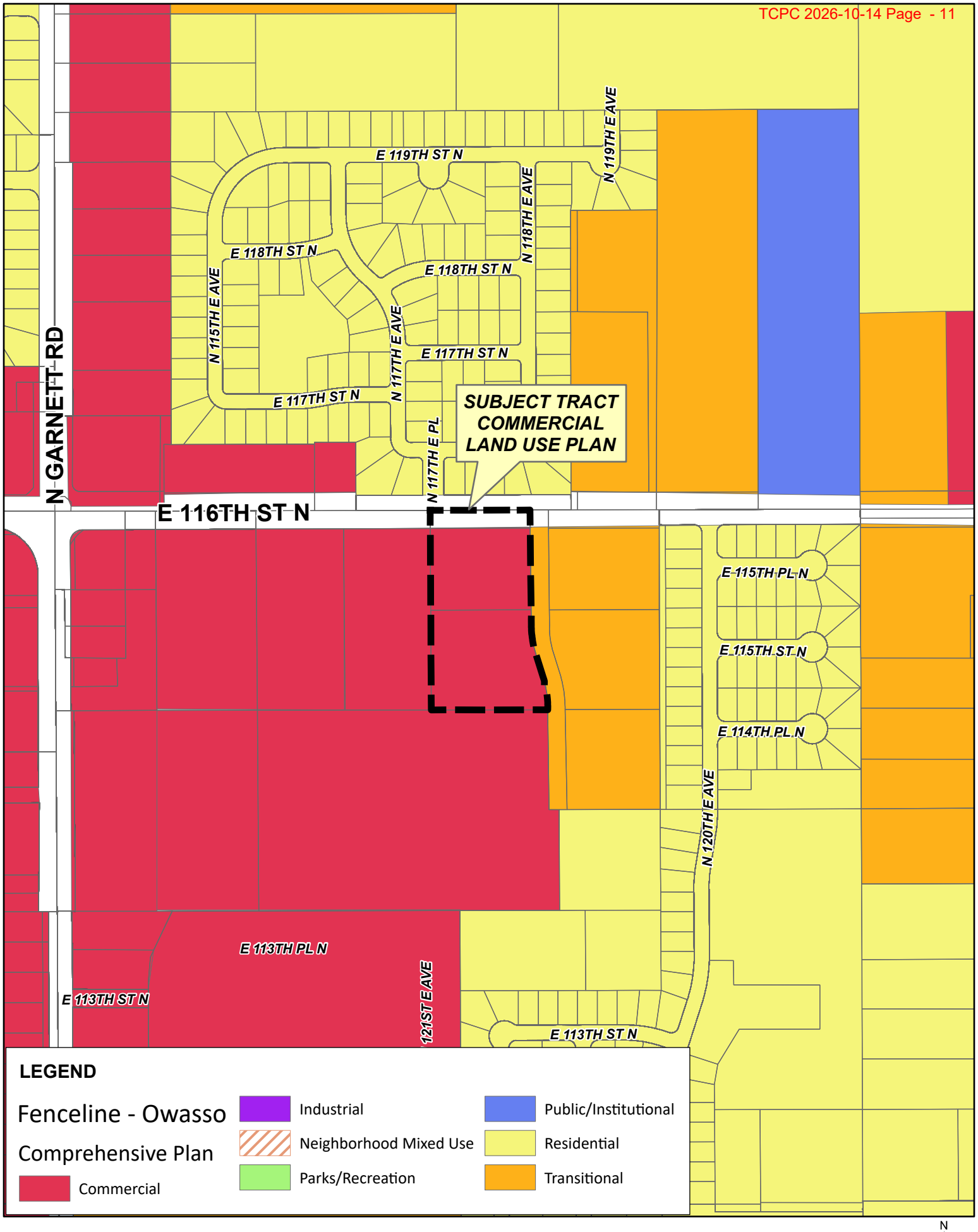
CZ-598

08 21-14

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2025

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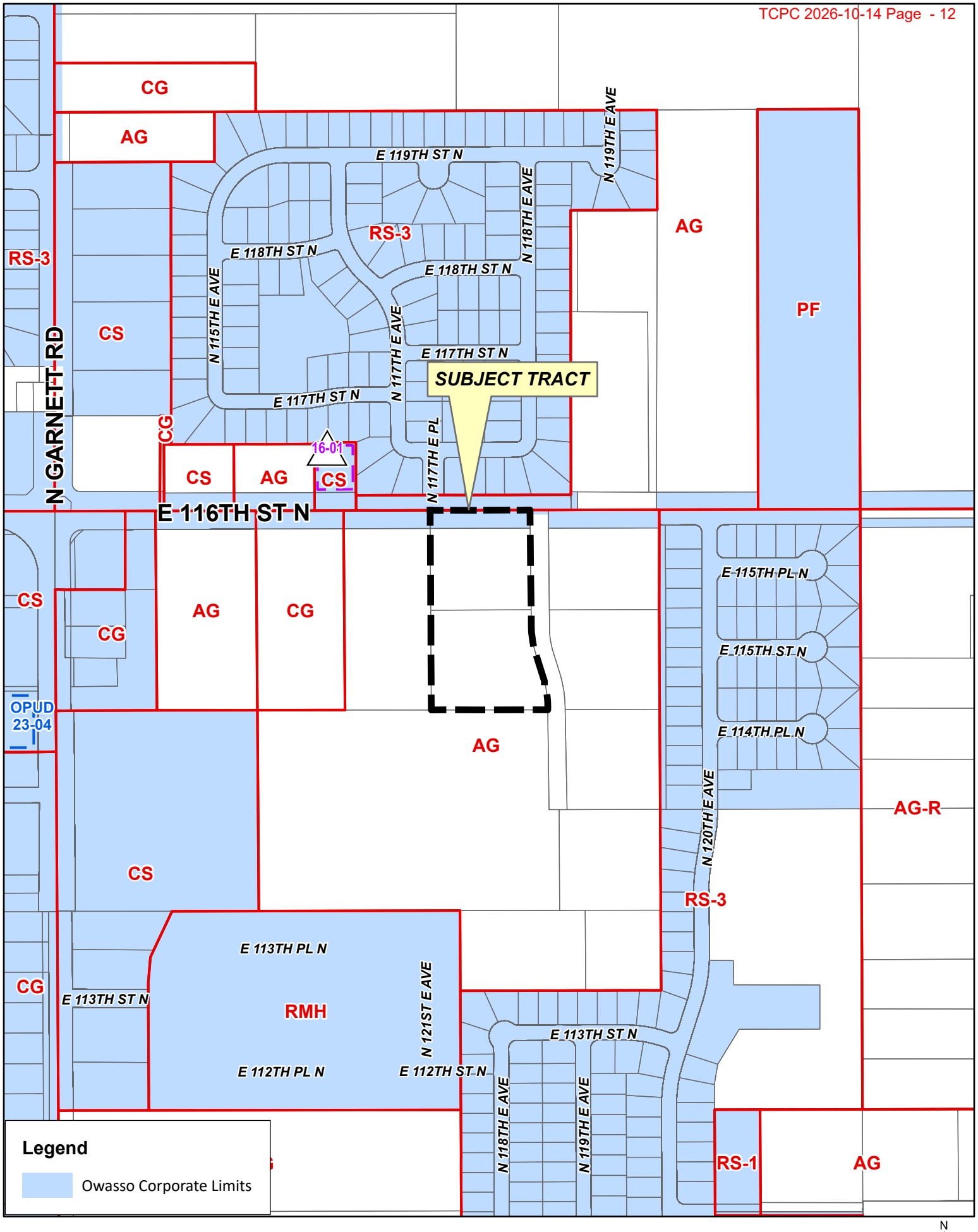


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CZ-598

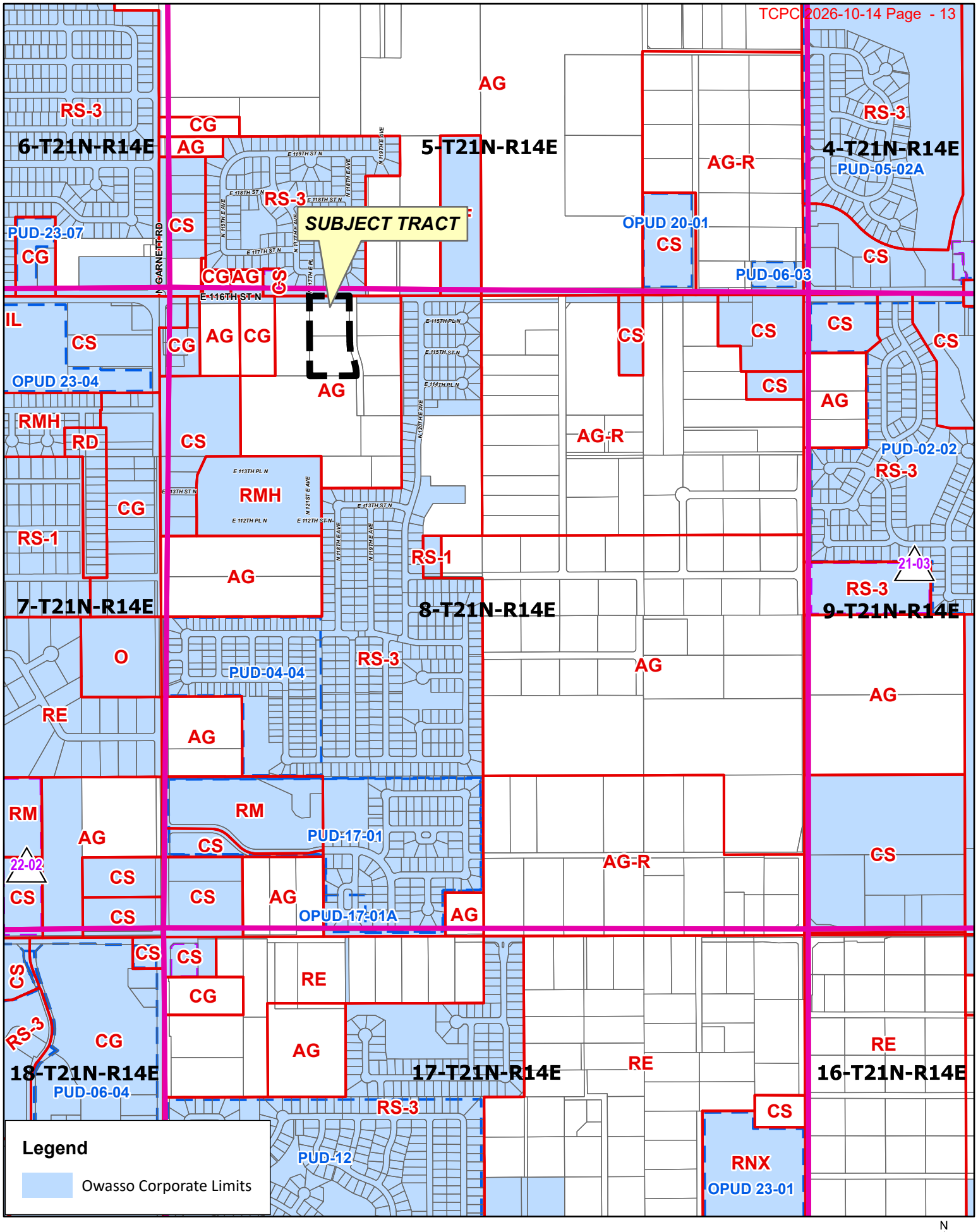
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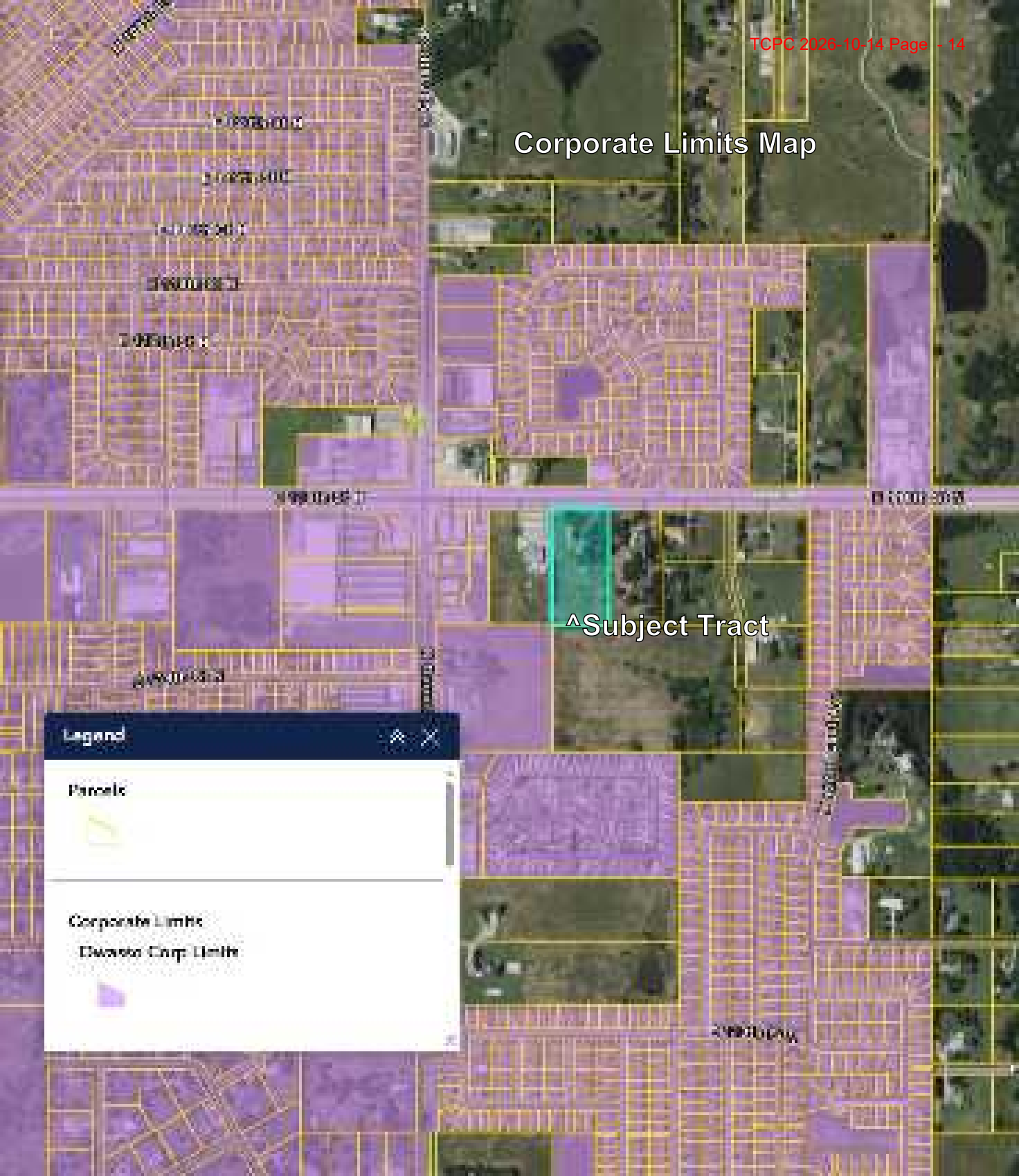
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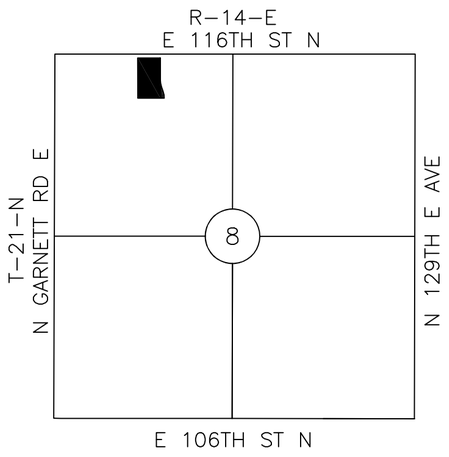
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Corporate Limits Map

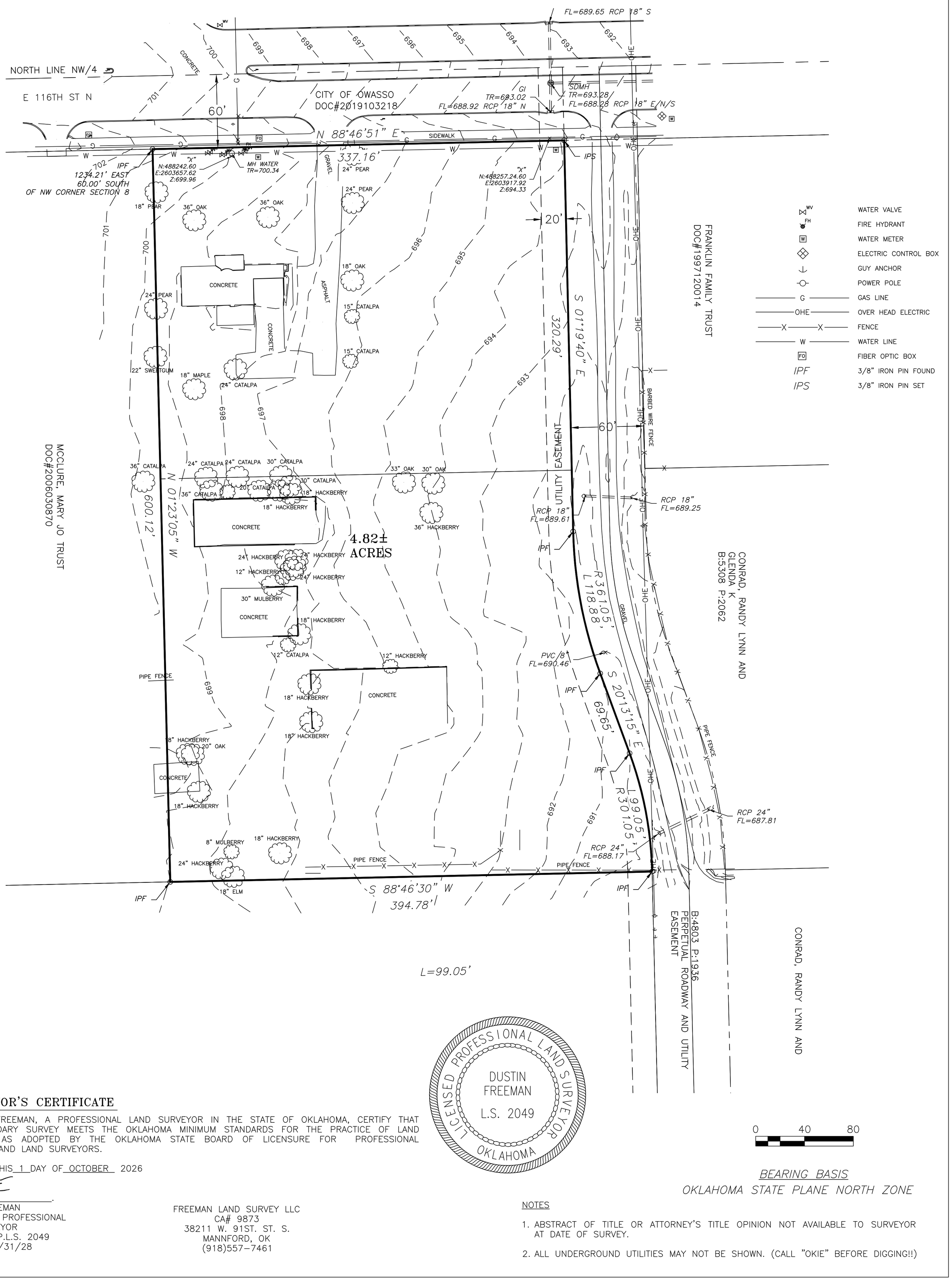




SURVEY PLAT

LEGAL DESCRIPTION

The North Half of the Northeast Quarter of the Northeast Quarter of the Northwest Quarter (N/2 NW/4 NE/4 NW/4) and the North Half of the Northeast Quarter of the Northwest Quarter of the Northwest Quarter (N/2 NE/4 NW/4 NW/4) of Section Eight (8), Township Twenty-one (21) North, Range Fourteen (14) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof, LESS AND EXCEPT the West 570.40 feet thereof, LESS AND EXCEPT, the East 360 feet thereof, and LESS AND EXCEPT a tract of land located In the Northwest Quarter (NW/4) of Section eight (8) of Township Twenty-one (21) North and Range Fourteen (14) East of the Indian Base and Meridian, according to the U.S. Government Survey thereof, Tulsa County, State of Oklahoma, being more particularly described as follows:
Commencing at the NW corner of the NW/4 of Section 8, Township 21 North, Range 14 East, Thence N88°46'46"E along the North line of said NW/4 a distance of 1234.20 feet to the Point of Beginning; Thence N88°46'56" E along said North line a distance of 337.19 feet; Thence S01°18'28"E a distance of 60.00 feet; Thence S88°46'56"W a distance of 337.11 feet; Thence N01°23'08"W a distance of 60.00 feet to the Point of Beginning,
AND
The South Half of the Northeast Quarter of the Northwest Quarter or the Northwest Quarter (S/2 NE/4 NW/4 NW/4), LESS AND EXCEPT the West 570.4 feet thereof, and that part of the Southwest Quarter of the Northwest Quarter of the Northeast Quarter of the Northwest Quarter (SW/4 NW/4 NE/4 NW4) lying West of the centerline of a roadway easement, said centerline more particularly described as follows, to-wit:
Beginning at the Southeast corner of said SW/4 NW/4 NE/4 NW/4; Thence Northerly on a curve to the left having a radius of 331.05 feet, a distance of 109.0 feet to a point; Thence N18°55'00"W a distance of 69.65 feet to a point; Thence on a curve to the right having a radius of 331.05 feet, a distance of 109.0 feet to a point; Thence N00°03'04"W a distance of 50.0 feet to a point on the North line, said point being 57.93 feet N89°58'46"W from the Northeast corner of said SW/4 NW/4 NE/4 NW/4; situated in Section Eight (8), Township Twenty-one (21) North, Range Fourteen (14) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof.



SURVEYOR'S CERTIFICATE

I, DUSTIN FREEMAN, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, CERTIFY THAT THIS BOUNDARY SURVEY MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

EXECUTED THIS 1 DAY OF OCTOBER 2026

DUSTIN FREEMAN
REGISTERED PROFESSIONAL
LAND SURVEYOR
OKLAHOMA P.L.S. 2049
EXPIRES 01/31/28

LICENSED PROFESSIONAL LAND SURVEYOR
DUSTIN FREEMAN
L.S. 2049
OKLAHOMA

FREEMAN LAND SURVEY LLC
CA# 9873
38211 W. 91ST. ST. S.
MANNFORD, OK
(918)557-7461

BEARING BASIS
OKLAHOMA STATE PLANE NORTH ZONE

NOTES

1. ABSTRACT OF TITLE OR ATTORNEY'S TITLE OPINION NOT AVAILABLE TO SURVEYOR AT DATE OF SURVEY.
2. ALL UNDERGROUND UTILITIES MAY NOT BE SHOWN. (CALL "OKIE" BEFORE DIGGING!!)

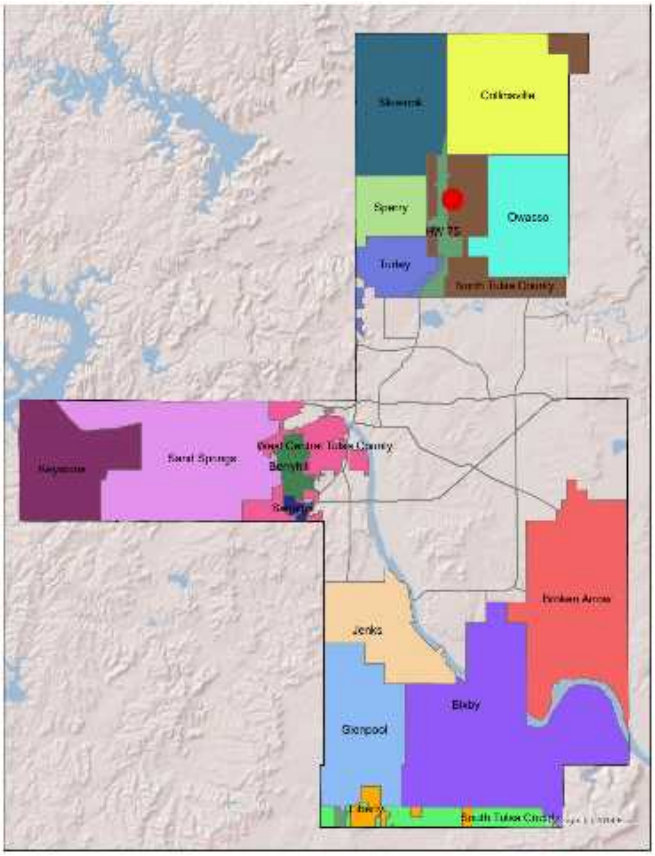
TULSA COUNTY PLANNING COMMISSION
CZ-599: STAFF REPORT
Related Case: Heritage Estates Subdivision Plat
Hearing Date: October 14, 2026
Prepared by: Kendal Davis; kdavis@incog.org; 918-579-9485

Owner and Applicant Information

Applicant: Billy Cox
Property Owner: Joshua Glesener
Property Location: 10429 N Yale Ave, Sperry, OK
Tract Size: 39.9794± Acres

Location within Tulsa County

(shown with Planning Areas)



Elected Representatives

County Commission: District 1; Stan Sallee

Staff Recommendation

Staff recommends **approval of rezoning to RS-1.**

Request Summary

County Rezoning Approval for a Residential Subdivision

Zoning

Existing Zoning: AG (Agriculture)
Proposed Zoning: RS-1 (Residential Single-Dwelling-1)

Use

Current Use: Vacant
Proposed Use: Residential

Comprehensive Plan Considerations

Planning Area: North Tulsa County
Land Use Plan: Rural Residential / Agricultural

Transportation

Major Street & Highway Plan: N Yale Ave is classified as Secondary Arterial.
Transit: None
Existing Bike/Ped Facilities: None
Planned Bike/Ped Facilities: GO Plan recommended Signed Route along E 106th St N, approximately 700ft north of the subject tract

Environmental Considerations

Flood Area: None
Parks & Open Space: None

Staff Exhibits

- Aerial case map
- Tulsa County Comprehensive Plan case map
- Zoning case map
- Section map

Applicant exhibits

- Heritage Estates Preliminary Plat
- Heritage Estates Concept Plans

Staff Analysis
The applicant is requesting to rezone the subject property from AG (Agriculture) to RS-1 (Residential Single-Dwelling01) to allow the property to be platted and developed into a residential subdivision.

Staff finds that the requested RS-1 zoning is appropriate based on the size and physical characteristics of the subject property and established development pattern of the surrounding area, given the presence of an RS-3 subdivision approximately 0.36 miles southwest of the subject tract, and an RE subdivision approximately 0.75 miles south of the subject tract. Moreover, based on the proposed subdivision plat for Heritage Estates, the planned lot sizes all meet or exceed 0.5 acres in size, meaning that the lots meet the RE (Residential Estate) zoning minimum lot area; however, many of the proposed lots do not abide by the minimum lot width of 150 feet for RE zoning, hence the request for RS-1. It must be noted that RE is the least intensive residential zoning type in the Tulsa County Zoning Code, followed by RS-1.

The subject tract abuts a secondary arterial street (N Yale Ave) and is approximately 0.15 miles south of the intersection of a the aforementioned secondary arterial and N Garnett Rd, another secondary arterial. The surrounding areas contain a combination of large residential tracts and undeveloped agricultural property. However, it must be noted that west of the subject property, immediately west of N Yale Ave, lies the Highway 75 Planning Area, which, per the Tulsa County Land Use Comprehensive Plan amendment that put it in place, has as its long-range vision the development of a more deliberately planned industrially- and commercially-oriented corridor.

Comprehensive Plan Considerations

> **The subject property is designated as**: Rural Residential / Agricultural,
>
> **Designation Description**: Per the Tulsa County Comprehensive Land Use Plan: "Land that is sparsely occupied and used primarily for farmland, agricultural uses, and single-family homes on large lots. Residential lots generally range from one-half acre or greater and may use on-site services where public utilities are not available."

The surrounding areas all fall within uses compatible with the Rural Residential / Agricultural designation. As previously mentioned, RE-zoning is the least intensive residential zoning and the one most likely to align with the Rural-Residential / Agricultural designation, but the request for RS-1 zoning maintains RE's minimum lot sizes of at least half-acre and uses the RS-1 zoning to meet the minimum lot widths shown in the plat. As such, the 'estate' large lots of RE zoning are maintained and the proposed rezoning, with the subdivision preliminary plat for Heritage Estates, is compatible with the comprehensive plan.

Neighboring Properties:

Location	*Existing Zoning/Overlay*	*Existing Land Use Designation*	*Existing Use*
North	AG	Rural Residential / Agricultural	Residential
East	AG	Rural Residential / Agricultural	Residential
South	AG	Rural Residential / Agricultural	Residential, undeveloped, ranch
West	AG	Highway 75 Planning Area	Undeveloped

Staff Recommendation
Staff finds that the proposed zoning map amendment is consistent with the policy and intent of the comprehensive plan. As such, staff recommends APPROVAL of the request to rezone the subject property from AG (Agriculture) to RS-1 (Residential Single-Dwelling-1)

Transportation
The subject property has access to N Yale Ave, which runs along the western boundary of the subject tract.

The proposed rezoning from AG to RS-1 and subsequent subdivision development are anticipated to result in a moderate impact on the surrounding transportation network, particularly given the planned use and addition of a planned 39 residential units. However, N Yale Ave, having a Secondary Arterial designation, is designated and planned as such with the possible intent for future expansion. Moreover, the Major Street and Highway Plan outlines a conceptual Residential Collector Road in the rear of the subject tract (in its eastern end), opening the possibility of development of said collector road in case of further development, thus alleviating traffic on the eastern road (N Yale Ave) and connecting directly to E 106th St N.

Any future access improvements or development of the property will be required to comply with applicable Tulsa County access, right-of-way, and engineering requirements.

Major Street & Highway Plan: N Yale Ave is classified as Secondary Arterial.
Transit: None
Existing Bike/Ped Facilities: None
Planned Bike/Ped Facilities: GO Plan recommended Signed Route along E 106th St N, approximately 700ft north of the subject tract

Environmental Considerations
Flood Area: None
Parks & Open Space: None

Zoning and Board of Adjustment History: Zoning was established through the provisions of the Board of County Commissioners of the County of Tulsa with Resolution (CMF# 20241854) September 30,2024.

Applicant Neighborhood Engagement
None provided.



Feet
0 400 800

Subject Tract

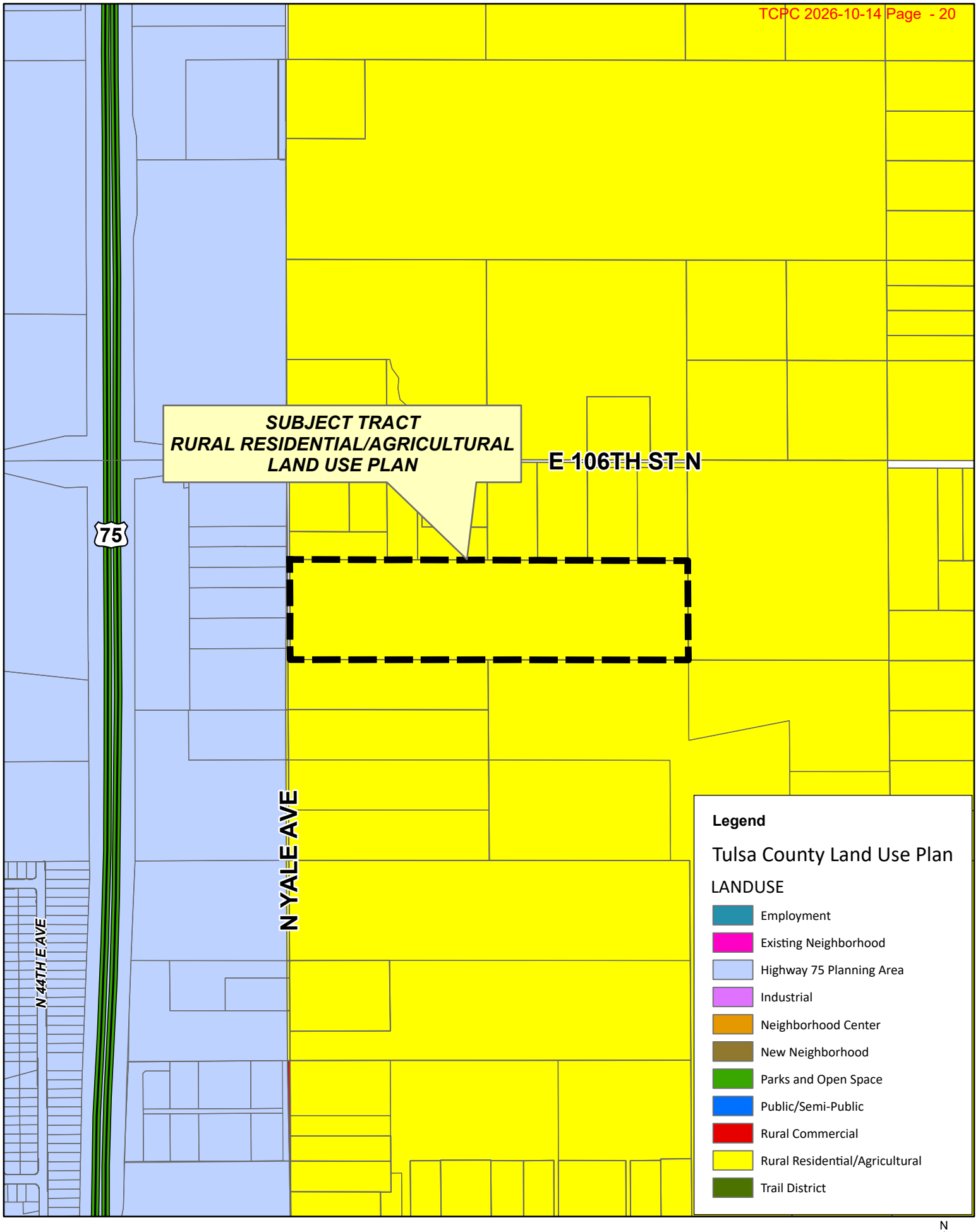
CZ-599

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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2025

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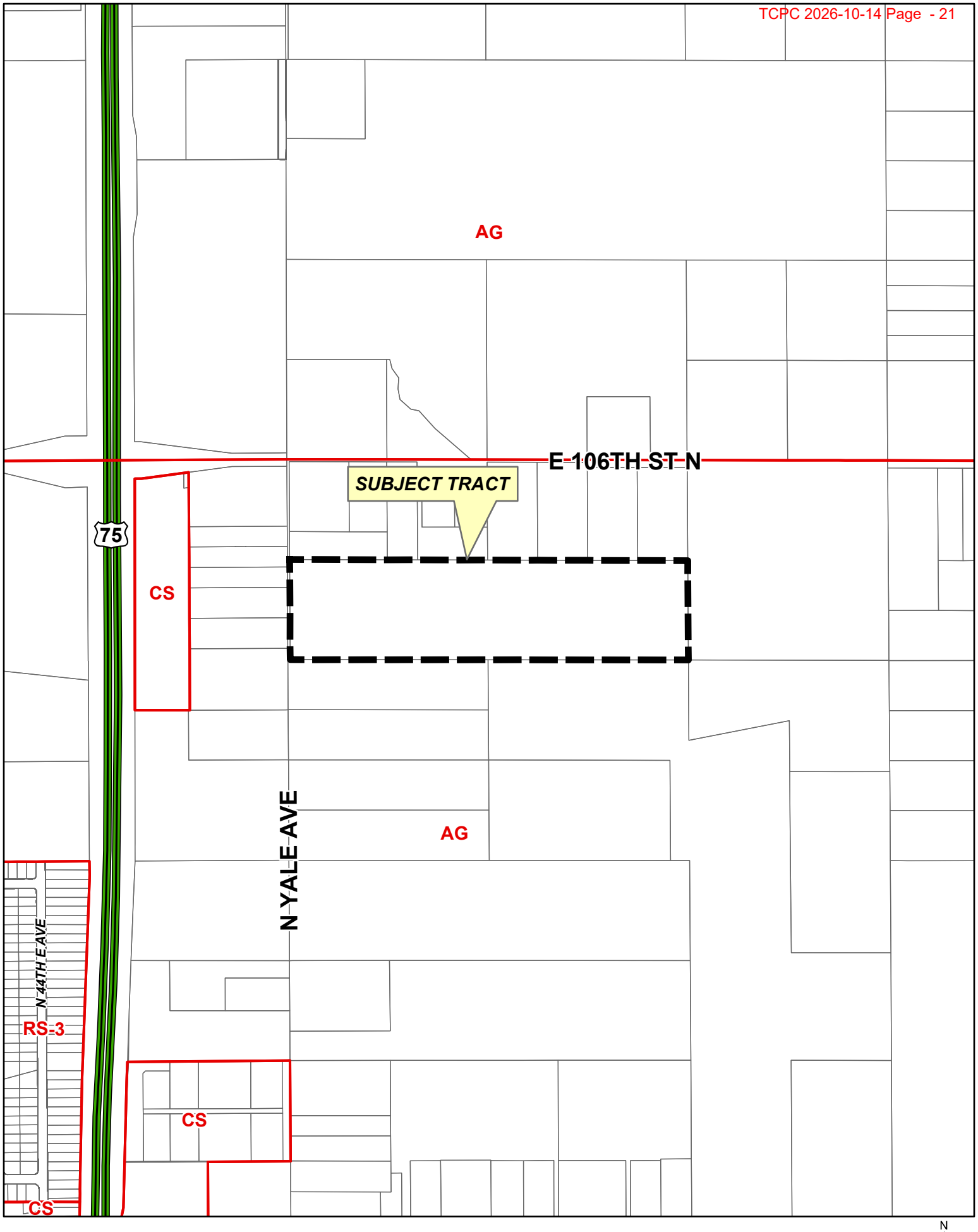


Feet
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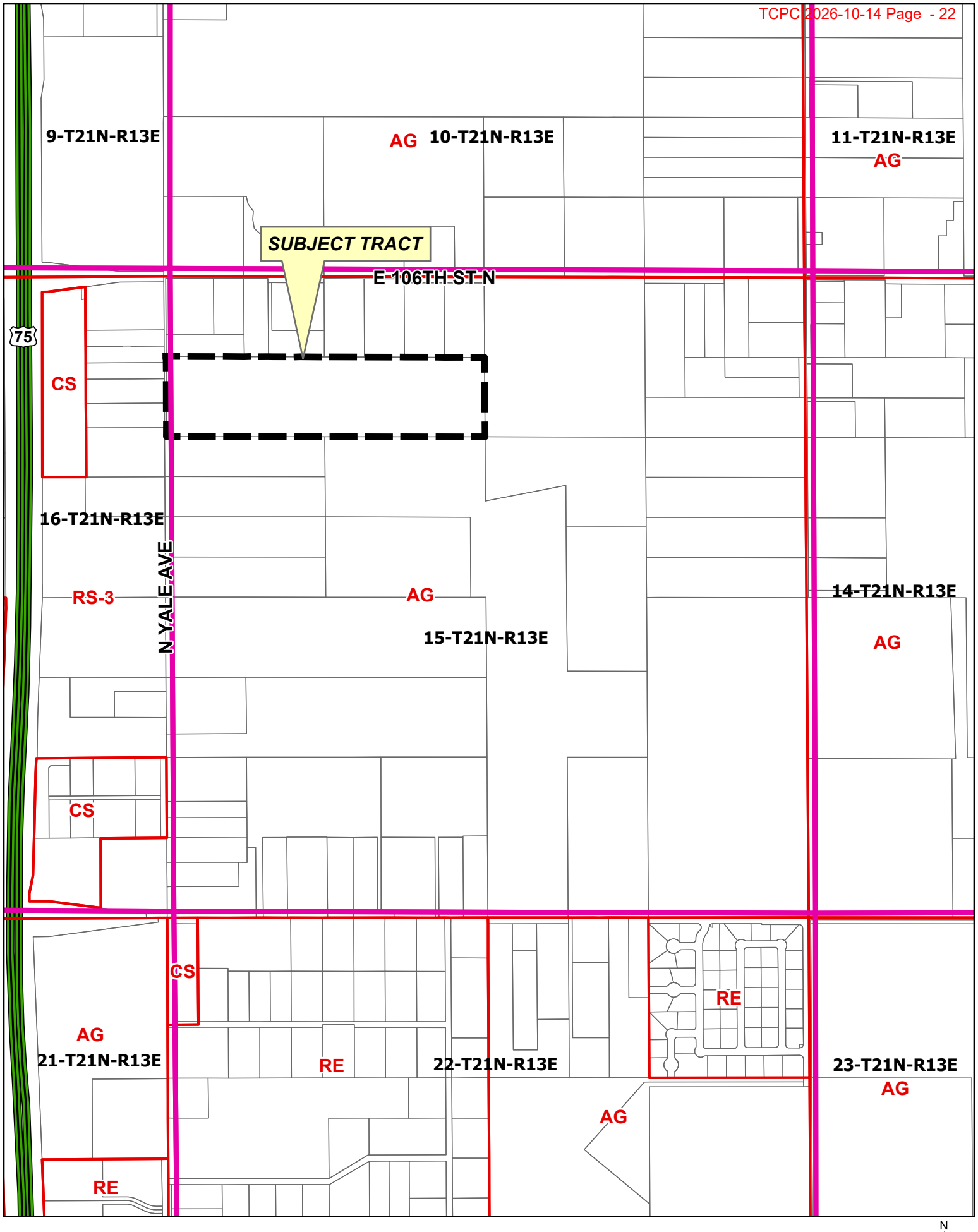


Feet
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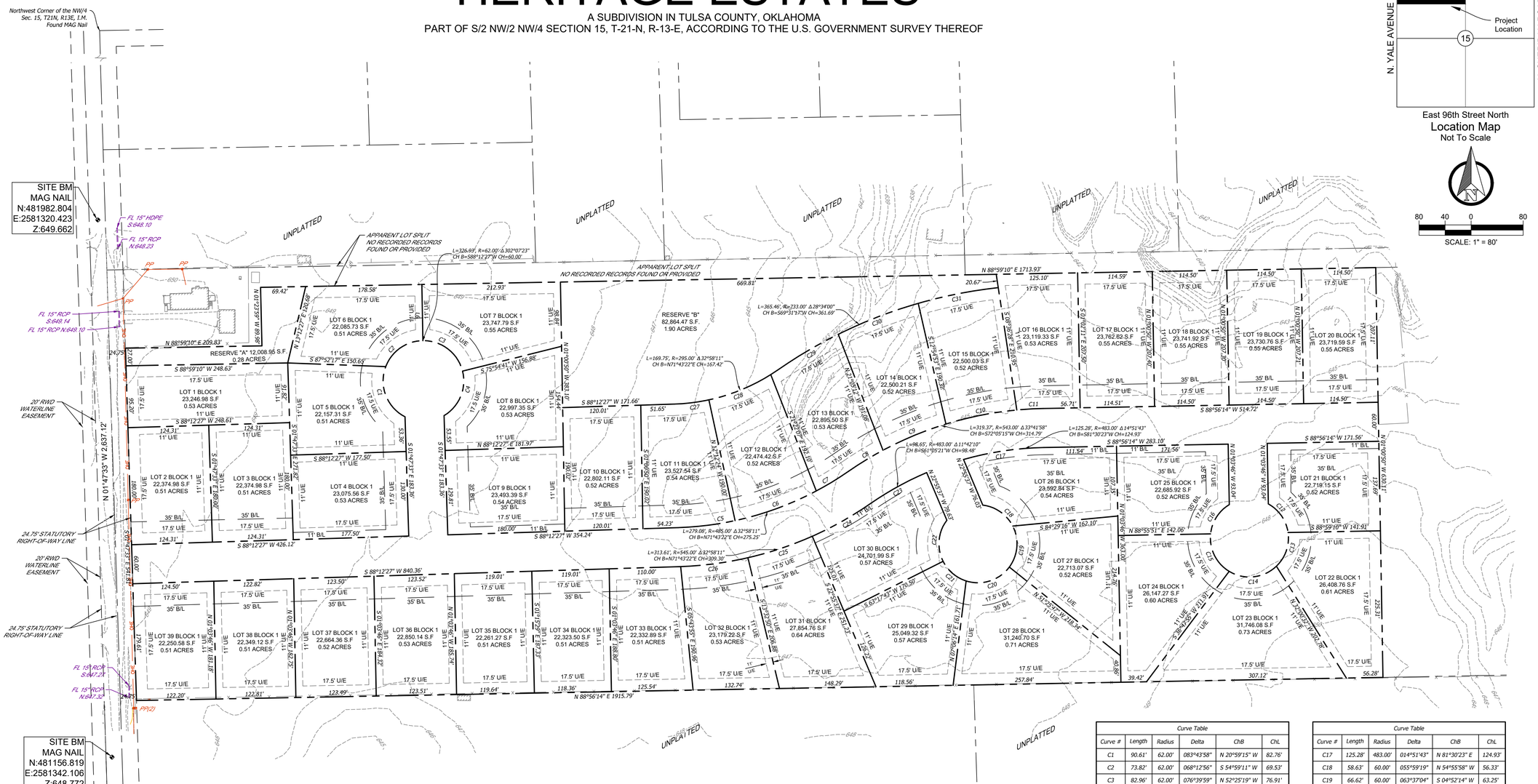
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PRELIMINARY PLAT PLAT

HERITAGE ESTATES

A SUBDIVISION IN TULSA COUNTY, OKLAHOMA
PART OF S/2 NW/2 NW/4 SECTION 15, T-21-N, R-13-E, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF



LEGEND

- SECTION CORNER
- QUARTER CORNER
- SET 1/2" IRON ROD
- SET MAG NAIL
- PLAT BOUNDARY LINE
- LOT LINE (THIS PLAT)
- EASEMENT (THIS PLAT)
- BUILDING LIMIT LINE (THIS PLAT)
- EXISTING LOT LINE
- EXISTING LOT LIMIT LINE

U/E = UTILITY EASEMENT
B/L = BUILDING SETBACK LINE
R.O.W. = RIGHT-OF-WAY
SF = SQUARE FEET

NOTE: ALL MONUMENTS SET ARE CAPPED 1/2" IRON PINS OR MAG NAILS WITH WASHERS BOTH BEING STAMPED "GOLDEN CA 7263".

SUBDIVISION CONTAINS 39 LOTS IN 1 BLOCK AND 2 RESERVE AREAS
TOTAL AREA: 23.43 ACRES

THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

THIS SUBDIVISION IS DESIGNED IN ACCORDANCE WITH OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY (ODEQ) REQUIREMENTS FOR MINIMUM LOT SIZE FOR INDIVIDUAL SEPTIC SYSTEMS FOR EACH LOT

Curve Table					
Curve #	Length	Radius	Delta	ChB	ChL
C1	90.61'	62.00'	083°43'58"	N 20°59'15" W	82.76'
C2	73.82'	62.00'	068°12'56"	S 54°59'11" W	69.53'
C3	82.96'	62.00'	076°39'59"	N 52°25'19" W	76.91'
C4	79.38'	62.00'	073°21'28"	S 22°35'25" W	74.07'
C5	88.16'	485.00'	010°24'52"	N 83°00'01" E	88.03'
C6	133.40'	485.00'	015°45'32"	S 69°54'50" W	132.98'
C7	57.53'	485.00'	006°47'47"	N 58°38'10" E	57.50'
C8	62.54'	543.00'	006°35'56"	N 58°32'14" E	62.50'
C9	104.91'	543.00'	011°04'10"	S 67°22'17" W	104.74'
C10	111.29'	543.00'	011°44'36"	N 78°46'40" E	111.10'
C11	40.64'	543.00'	004°17'16"	N 86°47'36" E	40.63'
C12	55.38'	60.00'	052°53'18"	S 34°37'07" E	53.44'
C13	56.97'	60.00'	054°23'56"	S 19°01'30" W	54.85'
C14	78.58'	60.00'	075°02'26"	S 83°44'41" W	73.09'
C15	67.94'	60.00'	064°52'54"	S 26°17'39" E	64.37'
C16	55.14'	60.00'	052°39'32"	N 32°36'29" E	53.22'

Curve Table					
Curve #	Length	Radius	Delta	ChB	ChL
C17	125.28'	483.00'	014°51'43"	N 81°30'23" E	124.93'
C18	58.63'	60.00'	055°59'19"	N 54°55'58" W	56.33'
C19	66.62'	60.00'	063°37'04"	S 04°52'14" W	63.25'
C20	74.34'	60.00'	070°59'18"	S 72°10'25" W	69.67'
C21	47.78'	60.00'	045°37'39"	N 49°31'06" W	46.53'
C22	66.79'	60.00'	063°46'39"	S 05°11'03" W	63.39'
C23	98.65'	483.00'	011°42'10"	N 61°05'21" E	98.48'
C24	102.85'	545.00'	010°48'47"	N 60°38'40" E	102.70'
C25	104.38'	545.00'	010°58'24"	N 71°32'15" E	104.22'
C26	104.38'	545.00'	010°58'24"	N 82°30'39" E	104.22'
C27	53.62'	295.00'	010°24'52"	S 83°00'01" W	53.55'
C28	103.23'	295.00'	020°02'58"	N 67°46'07" E	102.70'
C29	107.96'	733.00'	008°26'21"	S 59°27'27" W	107.87'
C30	131.95'	733.00'	010°18'49"	N 68°50'02" E	131.77'
C31	125.55'	733.00'	009°48'50"	S 78°53'52" W	125.40'

LEGAL DESCRIPTION

PART OF THE SOUTH HALF OF THE NORTH HALF OF THE NORTHWEST QUARTER (S/2 N/2 NW/4) OF SECTION FIFTEEN (15), TOWNSHIP TWENTY-ONE (21) NORTH, RANGE THIRTEEN (13) EAST, OF THE INDIAN MERIDIAN, TULSA COUNTY, OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SAID SECTION SECTION FIFTEEN (15), MARKED BY A FOUND MAG NAIL, THENCE SOUTH 1°47'00" EAST, ALONG THE WEST LINE OF SAID SECTION FIFTEEN (15), 780.98 FEET TO POINT OF BEGINNING ON THE WEST LINE OF SAID SECTION 15;

THENCE DEPARTING THE WEST LINE NORTH 88°59'10" EAST, 24.75 FEET TO THE POINT OF BEGINNING ON THE EAST LINE OF THE STATUTORY RIGHT-OF-WAY OF NORTH YALE AVENUE;

THENCE CONTINUING NORTH 88°59'10"EAST, 209.83 FEET TO A FOUND 1/2" IRON PIN WITH CAP STAMPED "WHITE CA 1098",

THENCE NORTH 01°23'59" WEST, 89.98 FEET TO A FOUND 1/2" IRON PIN WITH CAP STAMPED "WHITE CA 1098",

THENCE NORTH 89°59'10" EAST, 1,713.93 FEET TO A POINT;

THENCE SOUTH 01°00'50" WEST, ALONG THE EAST LINE OF SAID TRACT, 630.11 FEET TO POINT ON THE SOUTH LINE OF THE S/2 OF THE N/2 OF THE NW/4;

THENCE SOUTH 88°56'14" WEST, ALONG THE SOUTH LINE OF THE S/2 N/2 NW/4, 1,915.79 FEET TO A POINT ON THE EAST LINE OF THE STATUTORY RIGHT-OF-WAY OF NORTH YALE AVENUE;

THENCE NORTH 01°47'33" WEST, ALONG SAID EAST LINE OF RIGHT-OF-WAY, 541.81 FEET TO THE POINT OF BEGINNING, AND CONTAINING 1,192,523.00 SQUARE FEET, OR 27.38 ACRES, MORE OR LESS.

OWNER / DEVELOPER

TETRA DEVELOPMENT, LLC
JOSHUA GLESENER
1209 S. FRANKFORT AVE. STE. 202
TULSA, OKLAHOMA 74120
PH (918)812-3655
core.joshg@gmail.com

SURVEYOR

GOLDEN LAND SURVEYING
4131 N.W.122nd ST. SUITE 100,
OKLAHOMA CITY, OKLAHOMA 73120
PH (405) 849-6010
E-mail: troy@goldenls.com
CA No. 7263 Renewal: June 30, 2027

ENGINEER

66 ENG GROUP
5 SOUTH MAIN STREET
SAPULPA, OK 74066
PH (918) 248-1129
E-mail: bcox@66eng.com
CA No. 8853 Renewal: June 30, 2027

PRELIMINARY PLAT AUGUST 19th 202
Sheet 1 of

DEED OF DEDICATION AND DECLARATION OF RESTRICTIVE COVENANTS

CERTIFICATE OF DEDICATION AND RESTRICTIVE COVENANTS OF HERITAGE ESTATES

KNOW ALL BY THESE PRESENTS:

TETRA DEVELOPMENT, LLC, HEREINAFTER REFERRED TO AS THE "OWNER," IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT:

THE SOUTH HALF OF THE NORTH HALF OF THE NORTHWEST QUARTER (S/2 N/2 NW/4) OF SECTION FIFTEEN (15), TOWNSHIP TWENTY-ONE (21) NORTH, RANGE THIRTEEN (13) EAST, OF THE INDIAN MERIDIAN, TULSA COUNTY, OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SAID SECTION SECTION FIFTEEN (15), MARKED BY A FOUND MAG NAIL, THENCE SOUTH 01°47'00" EAST, ALONG THE WEST LINE OF SAID SECTION FIFTEEN (15), 660.15 FEET TO POINT OF BEGINNING AT THE NORTHWEST CORNER OF SOUTH HALF OF THE NORTH HALF OF THE NORTHWEST QUARTER, BEING THE NORTHWEST CORNER OF SAID 39.9794 ACRE TRACT;

THENCE DEPARTING SAID WEST LINE OF SAID SECTION 15, NORTH 89°00'20" EAST, ALONG THE NORTH LINE OF SAID 39.9794 ACRE TRACT 2,636.54 FEET TO THE NORTHEAST CORNER OF THE SOUTH HALF OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION FIFTEEN, FROM WHICH A FOUND IRON PIPE BEARS NORTH 88°34'55" EAST, 2.20 FEET;

THENCE SOUTH 01°26'33" EAST, ALONG THE EAST LINE OF SAID 39.9794 ACRE TRACT, 659.49 FEET TO A FOUND 3/8" IRON ROD MARKING THE SOUTHEAST CORNER OF SAID TRACT;

THENCE SOUTH 88°56'14" WEST, ALONG THE SOUTH LINE OF THE S/2 N/2 NW/4, 2,632.47 FEET TO A POINT ON THE WEST LINE OF SAID SECTION FIFTEEN BEING THE SOUTHWEST CORNER OF THE SOUTH HALF OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 15.

THENCE NORTH 1°47'33" WEST, ALONG SAID WEST LINE, 662.66 FEET TO THE POINT OF BEGINNING, AND CONTAINING 1,741,504.66 SQUARE FEET, OR 39.9794 ACRES, MORE OR LESS.

AND HAS CAUSED THE ABOVE DESCRIBED TRACT OF LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO 39 LOTS IN 1 BLOCK AND 2 RESERVE AREAS IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS "HERITAGE ESTATES," A SUBDIVISION IN TULSA COUNTY, OKLAHOMA (HEREINAFTER REFERRED TO AS "HERITAGE ESTATES")

THE OWNER DOES HEREBY MAKE THE FOLLOWING DEDICATIONS AND GRANTS AND AGREES TO BE BOUND BY THE FOLLOWING PROTECTIVE COVENANTS AND RESTRICTIONS FOR THE SUBDIVISION OF THE ABOVE DESCRIBED LAND WHICH SHALL BE DESIGNATED AND REFERRED TO HEREIN AS "HERITAGE ESTATES".

1. PUBLIC STREETS AND UTILITY EASEMENTS

THE OWNER HEREBY DEDICATES TO THE PUBLIC THE STREET RIGHTS-OF-WAY DEPICTED ON THE ACCOMPANYING PLAT. THE OWNER FURTHER DEDICATES 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, 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, MANHOLES 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 STATED, PROVIDED THE OWNER RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY, AND REPAIR OR REPLACE WATER LINES AND SEWER LINES, TOGETHER WITH THE RIGHT INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING, REPAIRING AND RE-LAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO AREAS DEPICTED ON THE PLAT, THE OWNER HEREIN IMPOSES A RESTRICTIVE COVENANT , WHICH COVENANT SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF SAND SPRINGS, OKLAHOMA (HEREINAFTER THE "CITY" , AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANY PLAT NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION THAT INTERFERES WITH STATED USES AND PURPOSES OF THE UTILITY EASEMENTS SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED, PROVIDED NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING AND CUSTOMARY SCREENING FENCES WHICH DO NOT CONSTITUTE AN OBSTRUCTION. NO PARKING SHALL BE ALLOWED WITHIN STREET RIGHTS-OF-WAY OF CUL-DE-SACS.

2. WATER AND STORM SEWER SERVICE

A. THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS AND STORM SEWERS LOCATED ON THE OWNER'S LOT.

B. WITHIN UTILITY EASEMENTS, RESTRICTED WATERLINE, STORM SEWER AND DRAINAGE EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, OR STORM SEWER OR ANY CONSTRUCTION ACTIVITY WHICH, IN THE JUDGEMENT OF THE CITY, WOULD INTERFERE WITH PUBLIC WATER MAINS AND STORM SEWERS SHALL BE PROHIBITED.

C. THE RURAL WATER DISTRICT, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER SYSTEMS AND STORM SEWERS BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, OR THE OWNER'S AGENTS AND/OR CONTRACTORS.

D. THE COUNTY, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS, RESTRICTED WATERLINE, STORM SEWER AND DRAINAGE EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF UNDERGROUND WATER OR STORM SEWER FACILITIES.

E. THE COVENANTS SET FORTH IN THE SUBSECTION SHALL BE ENFORCEABLE BY THE COUNTY OR ITS SUCCESSORS, AND THE OWNER OF EACH LOT AGREES TO BE BOUND BY THESE COVENANTS.

3. PAVING AND LANDSCAPING WITHIN EASEMENTS

THE OWNER OF ANY LOT DEPICTED ON THE ACCOMPANYING PLAT SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO LANDSCAPING AND PAVING OCCASIONED BY INSTALLATION OR NECESSARY MAINTENANCE OF UNDERGROUND WATER, STORM SEWER, NATURAL GAS, COMMUNICATION, CABLE TELEVISION OR ELECTRIC FACILITIES WITHIN THE EASEMENTS DEPICTED UPON THE ACCOMPANYING PLAT, PROVIDED TULSA COUNTY, OKLAHOMA, OR ITS SUCCESSORS, OR THE SUPPLIER OF THE UTILITY SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

4. UTILITY SERVICES

A. UNDERGROUND LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE, CABLE TELEVISION, AND GAS SERVICES MAY BE LOCATED WITHIN THE PERIMETER EASEMENTS OF THE SUBDIVISION. HOWEVER, OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC SERVICES MAY BE LOCATED WITHIN THE WESTERN PERIMETER EASEMENTS OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARD MAY BE SERVED BY UNDERGROUND CABLE, AND ELSEWHERE THROUGH THE SUBDIVISION, ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN EASEMENTS 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 UTILITY EASEMENTS.

B. UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WITHIN THE SUBDIVISION MAY BE EXTENDED FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE UPON THE LOT, PROVIDED, UPON INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE RESPONSIBLE FOR THE DEFINITIVE, PERMANENT, EFFECTIVE AND NON-EXCLUSIVE EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2½ FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.

C. THE RESPECTIVE SUPPLIERS OF ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICES, THROUGH THEIR AGENTS AND EMPLOYEES, SHALL AT TIMES HAVE THE RIGHT AND ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR OTHERWISE PROVIDED FOR THIS DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING AND PROTECTING UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE. THE OWNER OF ANY LOT DEPICTED ON THE ACCOMPANYING PLAT SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO LANDSCAPING AND PAVING OCCASIONED BY INSTALLATION OR NECESSARY MAINTENANCE OF UNDERGROUND WATER, STORM SEWER, NATURAL GAS, COMMUNICATION, CABLE TELEVISION OR ELECTRIC FACILITIES WITHIN THE EASEMENTS DEPICTED UPON THE ACCOMPANYING PLAT, PROVIDED THE CITY, OR ITS SUCCESSORS, OR THE SUPPLIER OF THE UTILITY SERVICES SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

D. THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF SUCH UNDERGROUND SERVICE FACILITIES LOCATED ON THE OWNER'S LOT AND SHALL PREVENT THE ALTERATION OR GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. EACH SUPPLIER OF THESE SERVICES SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR THE OWNER'S AGENTS OR CONTRACTORS.

E. THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY EACH SUPPLIER OF THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE, AND THE OWNER OF ANY LOT AGREES TO BE BOUND BY THESE COVENANTS.

5. SURFACE DRAINAGE

ALL LOTS WITHIN THE SUBDIVISION SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM PUBLIC STREETS AND EASEMENTS. THE OWNER OF EACH LOT SHALL NOT CONSTRUCT NOR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS THE OWNER'S LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY THE COUNTY.

6. SEWAGE FACILITIES (ALL LOTS)

ALL LOTS WITHIN THE SUBDIVISION SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM PUBLIC STREETS AND EASEMENTS. THE OWNER OF EACH LOT SHALL NOT CONSTRUCT NOR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS THE OWNER'S LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY THE COUNTY.

SECTION II. DEVELOPMENT AND CONSTRUCTION STANDARDS

1. ARCHITECTURAL COMMITTEE

A. COMPOSITION OF COMMITTEE

AN ARCHITECTURAL COMMITTEE COMPOSED OF THE OWNER/DEVELOPER IS HEREBY FORMED ("THE ARCHITECTURAL COMMITTEE") TO REVIEW AND APPROVE ANY STRUCTURE BUILT WITHIN HERITAGE ESTATES, TO INTERPRET THE DEVELOPMENT AND CONSTRUCTION STANDARDS CONTAINED HEREIN, AND TO PERFORM ANY OTHER DUTIES ASSIGNED TO IT HEREIN. THE OWNER/DEVELOPER MAY APPOINT AN ADDITIONAL MEMBER OR MEMBERS AND/OR DELEGATE ITS DUTIES IN WHOLE OR IN PART TO OTHER MEMBERS OR HERITAGE ESTATES HOMEOWNERS ASSOCIATION. AT SUCH TIME AS THE OWNER/DEVELOPER AND ITS APPOINTEES, IF ANY, ARE NO LONGER SERVING AS MEMBERS OF THE AGRICULTURAL COMMITTEE, THE THEN OWNERS OF A MAJORITY OF THE LAND AREA WITHIN HERITAGE ESTATES SHALL DESIGNATE 3 (THREE) OWNERS OF PROPERTY WITHIN HERITAGE ESTATES TO SERVE AS THE AGRICULTURAL COMMITTEE, AND THEREAFTER, IF ANY MEMBER OF THE AGRICULTURAL COMMITTEE SHALL RESIGN OR DIE, HE OR SHE SHALL BE REPLACED BY ANOTHER OWNER OF PROPERTY WITHIN HERITAGE ESTATES DESIGNATED BY THE THEN OWNERS OF A MAJORITY OF THE LAND AREA WITHIN HERITAGE ESTATES.

B. APPROVAL OF PLANS

NO BUILDING SHALL BE ERECTED, PLACED, OR ALTERED ON ANY PROPERTY WITHIN HERITAGE ESTATES UNTIL THE BUILDING PLANS AND SPECIFICATIONS THEREFOR, 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 THE ARCHITECTURAL COMMITTEE. THE ARCHITECTURAL COMMITTEE'S PURPOSE IS TO PROMOTE GOOD DESIGN AND COMPATIBILITY WITHIN HERITAGE ESTATES AND IN ITS REVIEW OF PLANS OR DETERMINATION OF ANY WAIVER AS HEREINAFTER AUTHORIZED MAY TAKE INTO CONSIDERATION THE NATURE AND CHARACTER OF THE PROPOSED BUILDING OR STRUCTURE, THE MATERIALS OF WHICH IT IS TO BE BUILT, THE AVAILABILITY OF ALTERNATE MATERIALS, THE SITE UPON WHICH IT IS PROPOSED TO BE ERECTED AND THE HARMONY THEREOF WITH THE SURROUNDING AREA. THE ARCHITECTURAL COMMITTEE SHALL NOT BE LIABLE FOR ANY APPROVAL, DISAPPROVAL OR FAILURE TO APPROVE HEREUNDER, AND ITS APPROVAL OF BUILDING PLANS SHALL NOT CONSTITUTE WARRANTY OR RESPONSIBILITY FOR BUILDING METHODS, MATERIALS PROCEDURES, STRUCTURAL DESIGN, GRADING OR DRAINAGE OR CODE VIOLATIONS. THE APPROVAL OR DISAPPROVAL OR FAILURE TO APPROVE OF ANY BUILDING PLANS SHALL NOT BE DEEMED A WAIVER OF ANY RESTRICTION, UNLESS THE ARCHITECTURAL COMMITTEE HAS GRANTED THE WAIVER UNDER THE PROCEDURES SET FORTH HEREIN. NOTHING HEREIN CONTAINED SHALL ANY WAY BE DEEMED TO PREVENT ANY OF THE OWNERS OF PROPERTY IN HERITAGE ESTATES WHICH THEY WOULD OTHERWISE BE ENTITLED TO MAINTAIN.

2. FLOOR AREA: ALL LOTS SHALL BE SINGLE FAMILY RESIDENTIAL LOTS ONLY. ALL HOMES SHALL HAVE A MINIMUM OF 2,100 SQUARE FEET OF LIVING AREA FOR ONE-STORY HOMES AND SHALL HAVE A MINIMUM OF 2,400 SQUARE FEET OF LIVING AREA FOR ONE-AND-A-HALF STORY AND TWO STORY HOMES, WITH A MINIMUM OF 1,600 SQUARE FEET ON THE FIRST FLOOR. THE COMPUTATION OF SQUARE FEET OF LIVING AREA SHALL EXCLUDE OPEN PORCHES, GARAGES AND BREEZEWAYS.

3. GARAGES: A GARAGE PROVIDING SPACE FOR A MINIMUM OF TWO (2) AUTOMOBILES SHALL BE PROVIDED ON EACH LOT. GARAGES SHALL BE ENCLOSED AND ATTACHED. CARPORTS ARE NOT PERMITTED.

4. DRIVEWAYS: ALL DRIVEWAY CULVERTS SHALL HAVE MASONRY OR BRICK HEADWALLS AND SHALL CONFORM TO THE STANDARD DETAIL(S) AS ESTABLISHED BY THE ARCHITECTURAL COMMITTEE. THE ARCHITECTURAL COMMITTEE MAY APPROVE UPON WRITTEN REQUEST AN EXEMPTION TO THIS PROVISION.

6. ON-SITE CONSTRUCTION: NO PREEXISTING OR OFF-SITE BUILT RESIDENCE, BUILDING AND/OR METAL BUILDING MAY BE MOVED ONTO ANY LOT.

7. FENCES:

A. NO FENCING SHALL EXTEND BEYOND THE FRONT BUILDING LINE OF ANY RESIDENCE.

B. FENCES OR OTHER OBSTRUCTIONS SHALL NOT IMPAIR THE FLOW OF STORM OR SURFACE WATER ACROSS A LOT.

9. GRADING: EACH LOT SHALL BE FINISH GRADED SO THAT IT WILL DRAIN IN AN UNOBSTRUCTED MANNER AND RESIST EROSION ONTO ADJACENT LOT(S).

10. EXTERIOR FINISH: (80%) EXTERIOR MASONRY COVERAGE ON FRONT OF HOUSE (EXCLUDING WINDOWS, DOORS AND COVERED FRONT PORCHES) SHALL BE REQUIRED (BRICK, NATURAL ROCK OR STUCCO) FROM THE BRICK LEDGE TO 9' HIGH. THE ARCHITECTURAL COMMITTEE MAY APPROVE UPON WRITTEN REQUEST AN EXCEPTION TO THIS PROVISION, WHERE A SPECIFIC ARCHITECTURAL DESIGN CONFLICTS WITH THE MASONRY STANDARD

11. SETBACKS: NO BUILDING SHALL BE LOCATED BEYOND THE MINIMUM FRONT BUILDING SETBACK LINES SHOWN ON THE RECORDED PLAT. NO BUILDING CAN BE SITUATED IN ANY EASEMENTS OR FLOOD PLAINS.

SECTION III. HOMEOWNERS' ASSOCIATION

1. FORMATION OF HOMEOWNERS' ASSOCIATION:

THE OWNER/DEVELOPER HAS FORMED OR SHALL CAUSE TO BE FORMED AN ASSOCIATION OF LOTS WITHIN HERITAGE ESTATES ("HERITAGE ESTATES 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 COMMON AREAS, INCLUDING BUT WITHOUT LIMITATION THE RESERVES DEPICTED UPON THE ACCOMPANYING PLAT AND ENHANCING THE VALUE, DESIRABILITY AND ATTRACTIVENESS OF HERITAGE ESTATES.

2. MEMBERSHIP:

EVERY PERSON OR ENTITY, SAVE AND EXCLUDING THE OWNER/DEVELOPER, WHO IS A RECORD OWNER OF THE FEE INTEREST OF A LOT SHALL BE A MEMBER OF HERITAGE ESTATES HOMEOWNERS' ASSOCIATION. MEMBERSHIP SHALL BE APPURTENANT TO AND MAY NOT BE SEPARATED FROM THE OWNERSHIP OF A LOT. THE ACCEPTANCE OF A DEED TO A LOT SHALL CONSTITUTE ACCEPTANCE OF MEMBERSHIP TO THE HOMEOWNERS' ASSOCIATION AS OF THE DATE OF INCORPORATION BY THE OWNER/DEVELOPER, OR AS THE DATE OF RECORDING THE DEED, WHICHEVER OCCURS LAST. AT ANY TIME AFTER INCORPORATION, THE OWNER/DEVELOPER MAY TRANSFER THE RESPONSIBILITIES AND CONTROL OF THE COMMON AREAS AND RESERVES OF HERITAGE ESTATES TO HERITAGE ESTATES HOMEOWNERS' ASSOCIATION. UPON SUCH TRANSFER OF CONTROL HERITAGE ESTATES HOMEOWNERS' ASSOCIATION SHALL HAVE ALL THE BENEFITS, RIGHTS, AND RESPONSIBILITIES OF HERITAGE ESTATES HOMEOWNERS' ASSOCIATION AS DESCRIBED IN SECTION IV; PROVIDED, HOWEVER, THE ARCHITECTURAL COMMITTEE SHALL REMAIN IN THE EXCLUSIVE CONTROL OF THE OWNER/BUILDER UNTIL IT IS TRANSFERRED TO HERITAGE ESTATES HOMEOWNERS' ASSOCIATION AS PROVIDED IN SECTION III(1). IT IS CONTEMPLATED THAT ADDITIONAL LANDS ADJOINING THE SUBDIVISION AND SUBSEQUENTLY PLATTED FOR SINGLE FAMILY RESIDENTIAL PURPOSES MAY BE ANNEXED BY THE OWNER/DEVELOPER INTO THE GEOGRAPHIC JURISDICTION OF HERITAGE ESTATES HOMEOWNERS' ASSOCIATION.

3. ENFORCEMENT RIGHTS OF THE ASSOCIATION:

WITHOUT LIMITATION OF SUCH OTHER POWERS AND RIGHTS AS HERITAGE ESTATES HOMEOWNERS' ASSOCIATION MAY HAVE, THE HOMEOWNERS' ASSOCIATION SHALL BE DEEMED A BENEFICIARY, TO THE SAME EXTENT AS A LOT OWNER, OF THE VARIOUS COVENANTS SET FORTH WITH THIS DEED OF DEDICATION AND SHALL HAVE THE RIGHT TO ENFORCE THE COVENANTS TO THE SAME EXTENT AS A LOT OWNER.

SECTION IV. ENFORCEMENT, DURATION, AMENDMENT AND SEVERABILITY

1. 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. THE COVENANTS SET FORTH WITHIN SECTION III, DEVELOPMENT AND CONSTRUCTION STANDARDS, SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY ANY OWNER OF PROPERTY WITHIN THE HERITAGE ESTATES. THE COVENANTS SET FORTH WITHIN AND SECTION V. ASSIGNMENT OF RIGHTS OF OWNER/DEVELOPER, SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE OWNER/DEVELOPER AND THE OWNER/DEVELOPER'S SUCCESSORS OR ASSIGNS TO WHOM THE OWNER/DEVELOPER HAS ASSIGNED THE RIGHTS OF OWNER/DEVELOPER. IF THE OWNER/DEVELOPER OR ITS SUCCESSORS OR ASSIGNS SHALL VIOLATE ANY OF THE COVENANTS CONTAINED IN SECTION III, IT SHALL BE LAWFUL FOR THE PERSON OR ENTITY WITH ENFORCEMENT RIGHTS HEREUNDER, 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 OR TO RECOVER DAMAGES. IN ANY JUDICIAL ACTION TO ENFORCE THE PROVISIONS HEREOF, THE PREVAILING PARTY MAY RECOVER REASONABLE COSTS AND ATTORNEY FEES.

2. DURATION

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

3. AMENDMENT

THE COVENANTS AND RESTRICTIONS CONTAINED WITHIN THIS DECLARATION MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER/DEVELOPER DURING SUCH PERIOD THAT THE OWNER/DEVELOPER IS THE RECORD OWNER OF ANY PROPERTY WITHIN HERITAGE ESTATES, OR ALTERNATIVELY, THE COVENANTS AND RESTRICTIONS MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNERS OF AT LEAST 60% OF THE LAND AREA WITHIN HERITAGE ESTATES. IN THE EVENT OF ANY CONFLICT BETWEEN AN AMENDMENT OR TERMINATION PROPERLY EXECUTED BY THE OWNER/DEVELOPER (DURING ITS OWNERSHIP OF ANY PROPERTY WITHIN HERITAGE ESTATES) AND ANY AMENDMENT OR TERMINATION PROPERLY EXECUTED BY THE OWNERS OF AT LEAST 60% OF THE LAND AREA WITHIN HERITAGE ESTATES, THE INSTRUMENT EXECUTED BY THE OWNER/DEVELOPER SHALL PREVAIL. THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING COVENANTS AND RESTRICTIONS SHALL BE EFFECTIVE FROM AND AFTER THE DATE IT IS PROPERLY RECORDED.

4. 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.

CERTIFICATE OF OWNERSHIP

IN WITNESS WHEREOF, TETRA DEVELOPMENT, LLC, BEING THE OWNER OF THE SUBDIVISION, HEREBY APPROVES THE FOREGOING DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS ON THIS ___ DAY OF _____, 2026.

BY: _____
JOSHUA GLESENER, PRESIDENT

STATE OF OKLAHOMA COUNTY OF _____)

BEFORE ME, THE UNDERSIGNED, NOTARY OF PUBLIC IS AND FOR SAID COUNTY AND AND STATE, ON THIS _____ DAY OF _____, 2026 PERSONALLY APPEARED TO ME, MARK GRUBBS AND TONY MEEK, KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THEIR NAME AS THE MAKER OF THE FOREGOING INSTRUMENT, AS ITS OWNER AND ACKNOWLEDGED TO ME THAT EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED AND AS THE FREE AND VOLUNTARY ACT AND DEED OF SUCH COMPANY FOR THE USES AND PURPOSES THEREIN SET FORTH.

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

MY COMMISSION EXPIRES: _____ _____
NOTARY PUBLIC

CERTIFICATE OF SURVEY

I, TROY DEE, A REGISTERED LAND SURVEYOR IN THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED AND PLATTED THE TRACT OF LAND DESCRIBED ABOVE, AND THAT SAID PLAT DESIGNATED HEREIN AS THE FINAL PLAT OF "THE HILLS OF NORTHWEST PASSAGE", A SUBDIVISION IN THE CITY OF TULSA, OSAGE COUNTY, STATE OF OKLAHOMA, IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY.

WITNESS MY HAND AND SEAL THIS _____DAY OF _____, 2025.

_____
TROY DEE
REGISTERED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 7263

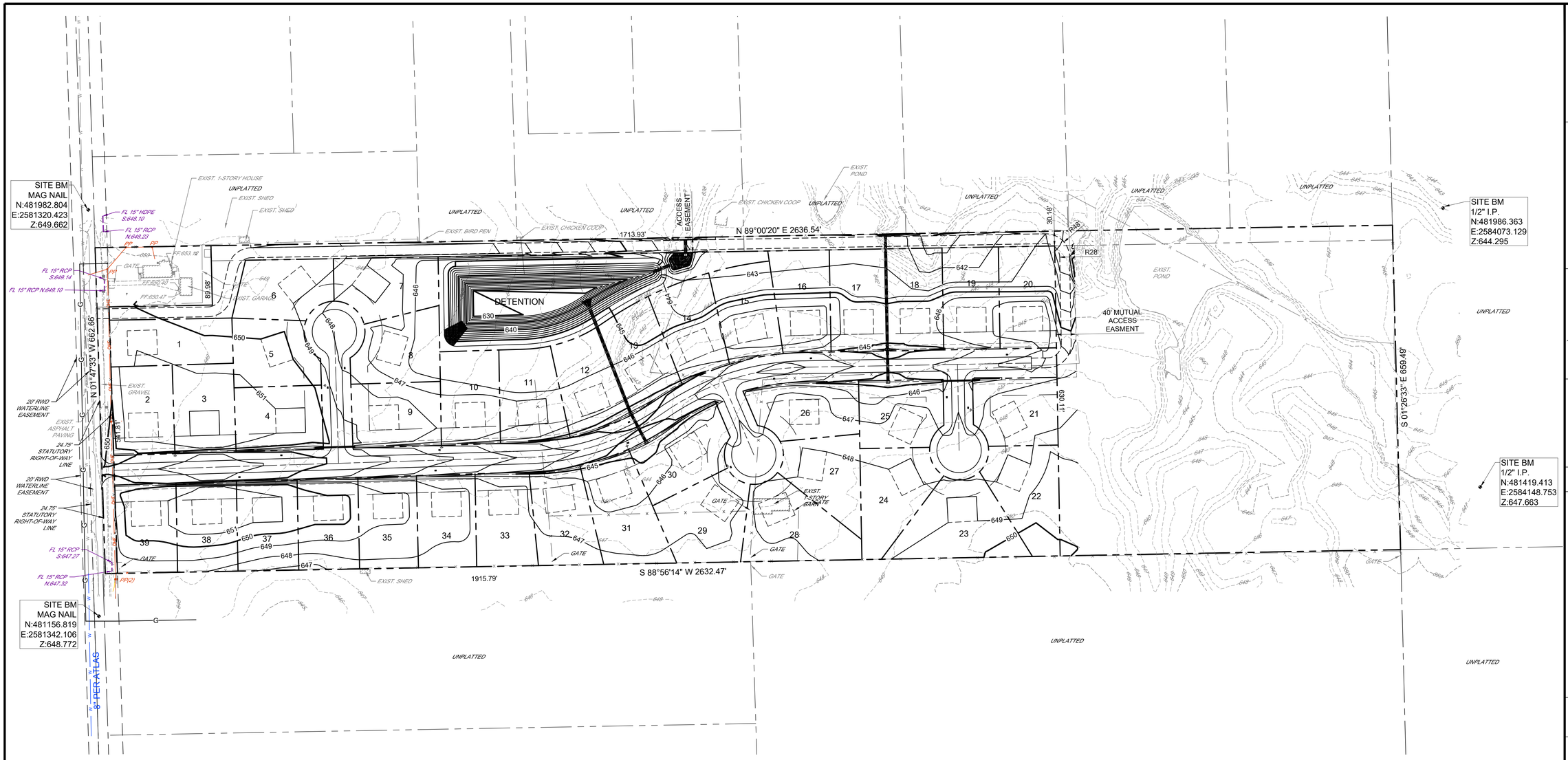
STATE OF OKLAHOMA)

COUNTY OF _____)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS _____DAY OF _____, 2026., PERSONALLY APPEARED TROY DEE TO ME KNOWN TO BE THE IDENTICAL PERSON WHO EXECUTED THE WITHIN AND FOREGOING INSTRUMENT.

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

MY COMMISSION EXPIRES: _____ _____
NOTARY PUBLIC



GRADING PLAN NOTES

1. THE CONTRACTOR SHALL CONTACT "OKIE" AT 811 OR 800-522-6543, ONE CALL SERVICE, THREE (3) WORKING DAYS BEFORE BEGINNING ANY WORK, SO EXISTING UNDERGROUND UTILITIES MAY BE LOCATED AND MARKED.
2. EARTHWORK FOR ALL BUILDING FOUNDATIONS AND SLABS SHALL BE IN ACCORDANCE WITH STRUCTURAL BUILDING PLANS AND SPECIFICATIONS.
3. THE MAXIMUM CROSS SLOPE ON ANY SIDEWALK OR RAMP SHALL BE TWO PERCENT.
4. EQUIPMENT AND MATERIALS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS AND SPECIFICATIONS.
5. UNLESS OTHERWISE SHOWN, NEW PAVING SHALL BE CONSTRUCTED TO ALLOW FOR POSITIVE DRAINAGE TO CATCH BASIN, CURB, GUTTER, AND OTHER RUNOFF COLLECTION DEVICES. NEW PAVEMENT SLOPE SHALL BE MINIMUM 0.50% FOR CONCRETE AND 1.5% FOR ASPHALT UNLESS OTHERWISE INDICATED OR DIRECTED BY THE ARCHITECT/ENGINEER.
6. ALL DISTURBED AREAS THAT ARE NOT TO BE PAVED SHALL BE SODDED UNLESS NOTED OTHERWISE. ENSURE ALL DISTURBED AREAS HAVE TOPSOIL TO A DEPTH OF FOUR TO SIX INCHES (4"-6"). REFER TO LANDSCAPE PLAN.
7. THE CONTRACTOR SHALL KEEP THE SITE CLEAN AT ALL TIMES AND CONTROL DUST RESULTING FROM THE EARTHWORK OPERATIONS. THE CONTRACTOR SHALL NOT TRACK MUD ON THE PUBLIC STREETS.
8. NEW CONTOURS DENOTE TOP OF FINISHED PAVING AND GRADED AREA AS INDICATED. ALL PROPOSED ELEVATIONS ARE TOP OF CURB, GUTTER OR FINISH GRADE AS INDICATED ON THE PLANS, UNLESS NOTED OTHERWISE.
9. PUBLIC STORM DRAIN SYSTEMS AND STRUCTURES SHALL BE CONSTRUCTED IN ACCORDANCE WITH AUTHORITY HAVING JURISDICTION STANDARD DRAWINGS AND SPECIFICATIONS.
10. THE CONTRACTOR SHALL PROTECT EXISTING UTILITIES AND SHALL NOT DAMAGE OR DISTURB ANY SERVICE. THE CONTRACTOR SHALL REPAIR, AT CONTRACTOR'S OWN EXPENSE, ANY DAMAGED UTILITIES CAUSED BY CONSTRUCTION OPERATIONS.
11. ALL PIPES, SHALL HAVE A MINIMUM COVER OF (1) FEET TO TOP OF PIPE, UNLESS NOTED OTHERWISE. MIN. COVER FOR WATER LINES IS 30".
12. ADJUST ALL VALVE BOXES AND MANHOLE COVERS TO FINISHED GRADE WHEN APPLICABLE.
13. IF FIELD GRADE ADJUSTMENTS ARE REQUIRED, THE CONTRACTOR SHALL NOTIFY THE ENGINEER.
14. MANHOLE LIDS AND SLEEVES IN PAVED AREAS SHALL BE HS-25 TRAFFIC RATED.
15. IF, AT ANY TIME THE CONTRACTOR FINDS ERROR AND/OR CONFLICTS IN THE CONTRACT DOCUMENTS, THE CONTRACTOR SHALL NOTIFY THE ARCHITECT/ENGINEER FOR CLARIFICATION PRIOR TO CONSTRUCTION.
16. CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS AND ELEVATIONS. ANY DISCREPANCY FOUND SHALL BE DISCUSSED WITH THE ENGINEER OF RECORD PRIOR TO ANY CONSTRUCTION WORK.
17. THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES, AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CONTACT THE APPROPRIATE UTILITY COMPANIES AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF EXISTING UTILITIES ON SITE OR IN RIGHT-OF-WAY. ALL UTILITIES MUST BE LOCATED PRIOR TO GRADING START.
18. ALL CUT OR FILL SLOPES SHALL BE A MAX 3:1 SLOPE OR FLATTER UNLESS OTHERWISE NOTED.
19. ALL STORM SEWER PIPE CONNECTIONS TO STRUCTURES SHALL BE GROUTED TO ASSURE CONNECTION AT STRUCTURE IS WATERTIGHT. ALL STORM SEWER STRUCTURES SHALL HAVE A SMOOTH UNIFORM POURED MORTAR INVERT FROM INVERT IN TO INVERT OUT.
20. ALL STORM SEWER MANHOLES IN PAVED AREAS SHALL BE FLUSH WITH THE PAVEMENT AND SHALL HAVE TRAFFIC BEARING RINGS AND COVERS. MANHOLES IN UNPAVED AREAS SHALL BE 3" ABOVE FINISH GRADE. LIDS SHALL BE LABELED "STORM SEWER".
21. SITE GRADING SHALL NOT PROCEED UNTIL APPROPRIATE EROSION AND SEDIMENT CONTROL MEASURES HAVE BEEN INSTALLED. THE CONTRACTOR SHALL ADHERE TO ALL TERMS AND CONDITIONS AND OUTLINED IN THE GENERAL NOTES PERMIT AND THE SWPPP FOR STORMWATER DISCHARGE ASSOCIATED WITH CONSTRUCTION ACTIVITIES.
22. THE CONTRACTOR SHALL ASSURE POSITIVE DRAINAGE AWAY FROM BUILDINGS FOR ALL NATURAL AND PAVED AREAS THROUGHOUT ALL PHASES OF CONSTRUCTION.
23. CONTRACTOR SHALL REFER TO ARCHITECT DRAWINGS FOR FOR ALL ELEMENTS OF BUILDING, APPURTENCES ATTACHED TO THE BUILDING OR ANY OTHER ITEM WITHIN 5' OF STRUCTURE. FOR UTILITY ENTRANCES TO BUILDING REFER TO MEP PLANS.
24. IF ANY EXISTING STRUCTURES TO REMAIN ARE DAMAGED DURING CONSTRUCTION, IT IS THE CONTRACTOR'S RESPONSIBILITY TO REPAIR AND/OR REPLACE THE EXISTING STRUCTURE, AS NECESSARY, TO RETURN IT TO THE EXISTING CONDITION OR BETTER. CONTRACTOR SHALL REPAIR AND RESTORE ANY AREAS DAMAGED DURING CONSTRUCTION AS HIS OWN EXPENSE.
25. NO HAZARDOUS MATERIALS SHALL BE BROUGHT ON SITE OR GENERATED AT THE SITE.

LICENSED PROFESSIONAL ENGINEER
BILLY COX 23063 OKLAHOMA
BILLY COX, P.E.
66 ENG GROUP
CA #8853, DATE 06/30/2027

66 ENG GROUP
5 SOUTH MAIN STREET,
SAPULPA, OK 74066

100 50 0 100
SCALE: 1" = 100'

OKIE 811 Know what's below. Call before you dig. 1-800-522-6543

REVISION	DATE	BY

OVERALL GRADING PLAN

HERITAGE ESTATES

N. YALE AVE
TOWN OF SPERRY - TULSA COUNTY - OKLAHOMA

DRAWN BY:	EB
APPV. BY:	BC
DATE:	07/31/2026

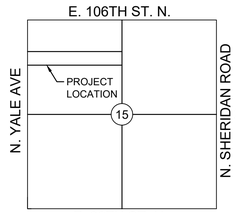
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CONSTRUCTION PLANS FOR
HERITAGE ESTATES

N. YALE AVE,
TOWN OF SPERRY, OK 74073

THE SOUTH HALF OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION FIFTEEN, TOWNSHIP TWENTY-ONE NORTH, RANGE THIRTEEN EAST OF THE INDIAN MERIDIAN.



Location Map

GENERAL NOTES

1. THE CONTRACTOR SHALL CONTACT "OKIE" AT 811 OR 800-522-6543, THREE (3) WORKING DAYS BEFORE BEGINNING ANY WORK, SO EXISTING UNDERGROUND UTILITIES MAY BE LOCATED AND MARKED.

2. IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS OF THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS. ANY CONSTRUCTION OBSERVATION BY THE ENGINEER OF THE CONTRACTOR'S PERFORMANCE IS NOT INTENDED TO INCLUDE REVIEW OF THE ADEQUACY OF THE CONTRACTOR'S SAFETY MEASURES, IN, ON OR NEAR THE CONSTRUCTION SITE.

3. THE GENERAL CONTRACTOR WILL BE HELD SOLELY RESPONSIBLE FOR AND SHALL TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES DURING THE CONSTRUCTION PHASES OF THIS PROJECT.

4. ALL SITE WORK FOR THIS PROJECT SHALL MEET OR EXCEED THE SPECIFICATIONS OF THE RELEVANT UTILITY COMPANY OR REGULATORY AUTHORITY, AND THE SPECIFICATIONS FOR THE CONSTRUCTION OF THE EXISTING IMPROVEMENTS, WHICH ARE BEING ALTERED OR REPLACED. THE CONTRACTOR SHALL CONTACT, IF DEEMED NECESSARY, THE ENGINEER FOR ADDITIONAL LANDSCAPING AND/OR IRRIGATION INFORMATION AND DETAILS REQUIRED TO COMPLETE THE WORK DETAILED IN THESE PLANS.

WARRANTY/DISCLAIMER

THE DESIGNS REPRESENTED IN THESE PLANS ARE IN ACCORDANCE WITH ESTABLISHED PRACTICES OF CIVIL ENGINEERING FOR THE DESIGN FUNCTIONS AND USES INTENDED BY THE OWNER AT THIS TIME. HOWEVER, NEITHER THE ENGINEER NOR ITS PERSONNEL CAN OR DO WARRANT THESE DESIGNS OR PLANS AS CONSTRUCTED EXCEPT IN THE SPECIFIC CASES WHERE THE ENGINEER INSPECTS AND CONTROLS THE PHYSICAL CONSTRUCTION ON A CONTEMPORARY BASIS AT THE SITE.

FLOOD CERTIFICATION

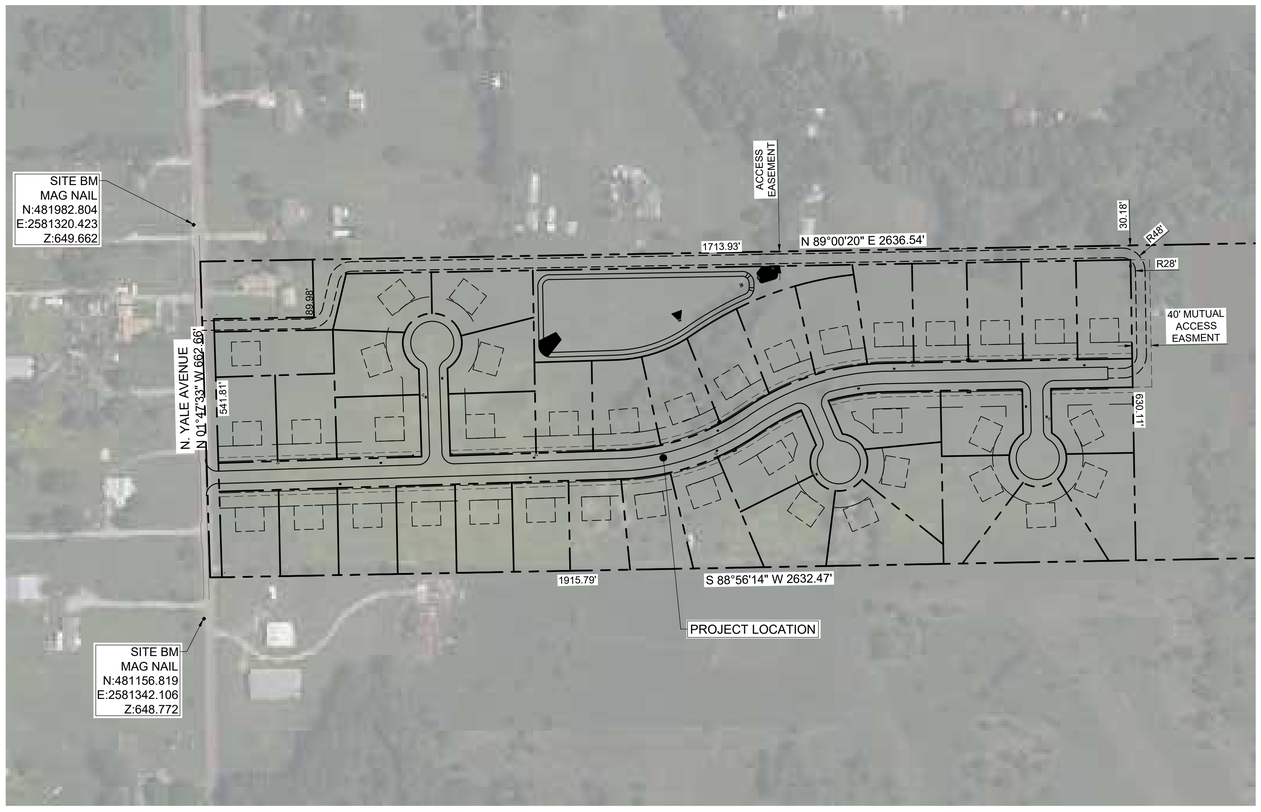
IT HAS BEEN DETERMINED UPON EXAMINATION DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION X (UNSHADED) BY FEMA, ON FLOOD INSURANCE RATE MAP NO. 40143C0120L, DATED OCTOBER 16TH, 2012.

LEGAL DESCRIPTION

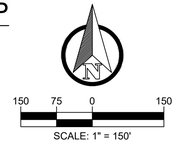
A TRACT OF LAND THE SOUTH HALF OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION FIFTEEN, TOWNSHIP TWENTY-ONE NORTH, RANGE THIRTEEN EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

ZONING

SUBJECT PROPERTY IS ZONED AG, (AGRICULTURE).



PROJECT MAP



Sheet List Table	
Sheet Number	Sheet Title
GI001	COVER SHEET
CE101	EROSION CONTROL PLAN
CE501	EROSION CONTROL DETAILS
CG101	OVERALL GRADING PLAN
CG102	ENLARGED GRADING PLAN 1
CG103	ENLARGED GRADING PLAN 2
CG104	ENLARGED POND PLAN
CP101	OVERALL PAVING PLAN
CP102	PAVING PLAN & PROFILE 1
CP103	PAVING PLAN & PROFILE 2
CP104	PAVING PLAN & PROFILE 3
CP105	PAVING PLAN & PROFILE 4
CP106	PAVING PLAN & PROFILE 5
WM01	OVERALL WATERLINE PLAN
WM02	WATERLINE PLAN AND PROFILE 1
WM03	WATERLINE PLAN AND PROFILE 3
WM04	WATERLINE PLAN AND PROFILE 2
WM05	WATERLINE PLAN AND PROFILE 4
WM06	WATERLINE PLAN AND PROFILE 5
WM07	WATERLINE PLAN AND PROFILE 6
WM08	WATERLINE PLAN AND PROFILE 7
WM09	WATERLINE PLAN AND PROFILE 8
WM10	WATERLINE PLAN AND PROFILE 9
WM11	WATERLINE PLAN AND PROFILE 10
SW101	EXISTING DRAINAGE MAP
SW102	PROPOSED DRAINAGE MAP
SW103	PROPOSED RATIONAL DRAINAGE MAP
CS501	DETAILS

UTILITY COORDINATION	
ENGINEERING SERVICES DEPARTMENT	918-596-9240
WASTEWATER DESIGN	918-596-9785
OKLAHOMA NATURAL GAS	918-527-1069
AT&T TELEPHONE	918-508-5091
AEP/PSO	918-250-7716
BTC BROADBAND	918-366-0253
WINDSTREAM	918-588-4963
COX COMMUNICATIONS	918-286-4587

OWNER / DEVELOPER
CORE DEVELOPMENT LLC
JOSHUA GLESENER
1209 S. FRANKFORT AVE STE 202
TULSA, OK 74120
(918) 812-3655
CORE.JOSHG@GMAIL.COM

SURVEYOR
GOLDEN LAND SURVEYING
4131 N.W. 122ND ST. SUITE 100
OKLAHOMA CITY, OK 73120
(405) 849-6010
TROY@GOLDENLS.COM
CA NO. 7263 RENEWAL: JUNE 30, 2026

ENGINEER
66 ENG GROUP
5 S. MAIN STREET
SAPULPA, OK 74066
(918) 248-1129
BCOX@66ENG.COM
CA NO. 8853 RENEWAL: JUNE 30, 2027

LICENSED PROFESSIONAL ENGINEER
BILLY COX
23063
OKLAHOMA
BILLY COX, P.E.
66 ENG GROUP
CA #8853, DATE 06/30/2027

66 ENG GROUP
5 SOUTH MAIN STREET,
SAPULPA, OK 74066

OKIE 811 Know what's below. Call before you dig. 1-800-522-6543

REVISION	BY	DATE

COVER SHEET

HERITAGE ESTATES
N. YALE AVE
TOWN OF SPERRY - TULSA COUNTY - OKLAHOMA

DRAWN BY:	EB
APPV. BY:	BC
DATE:	07/31/2026

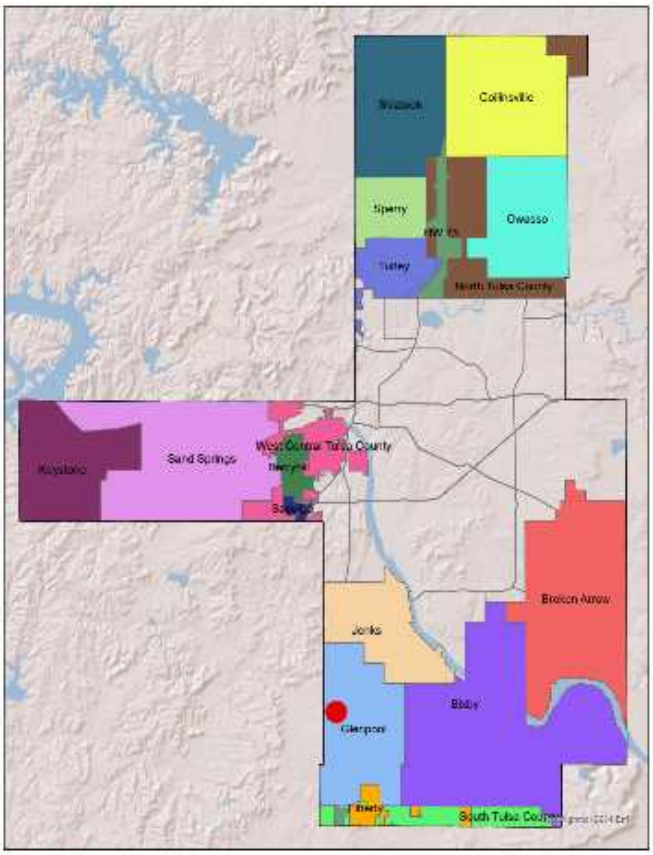
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TULSA COUNTY PLANNING COMMISSION
CZ-600: STAFF REPORT
Hearing Date: October 14, 2026
Prepared by: Kendal Davis; kdavis@incog.org; 918-579-9485

Owner and Applicant Information
Applicant: Lance Davis
Property Owner: Joshua Glesener
Property Location: 15401 & 15507 S 26 Ave W, Glenpool, OK
Tract Size: 40± Acres

Location within Tulsa County
(shown with Planning Areas)



County Commission: District 3; Kelly Dunkerley

Staff Recommendation
Staff recommends **approval of rezoning to RS-1.**

Request Summary
County Rezoning Approval for a Residential Subdivision

Zoning
Existing Zoning: AG (Agriculture)
Proposed Zoning: RS-1 (Residential Single-Dwelling-1)

Use
Current Use: Residential
Proposed Use: Residential Subdivision

Comprehensive Plan Considerations
Planning Area: Glenpool
Land Use Plan: Industrial Light

Transportation
Major Street & Highway Plan: S 26th West Ave is classified as a Residential Collector
Transit: None
Existing Bike/Ped Facilities: None
Planned Bike/Ped Facilities: Signed-route recommended by GO Plan along W 151st St S, approximately ¼ mile north of subject tract

Environmental Concerns
Flood Area: None
Parks & Open Space: None

Staff Exhibits
- Aerial case map
- Tulsa County Comprehensive Plan case map
- Zoning case map
- Section map
- Interested Parties Correspondence

Applicant exhibits
- Conceptual plan

Staff Analysis

The applicant is requesting to rezone the subject property from AG (Agriculture) to RS-1 (Residential Single-Dwelling01) to allow the property to be platted and developed into a residential subdivision.

Staff finds that the requested RS-1 zoning is appropriate based on the size and physical characteristics of the subject property and established development pattern of the surrounding area, given the presence of an RS-3 subdivision approximately 0.25 miles north the subject tract and approximately 0.3 miles east o the subject tract (east of S Union Ave).

The subject tract abuts a Residential Collector street (S 26th W Ave) and is approximately 0.25 miles south of the intersection of a the aforementioned residential collector and W 151st St S, a primary arterial. The surrounding areas contain a combination of large residential tracts and undeveloped agricultural property, as well as industrially-zoned land to its immediate east (that falls within the city limits of Glenpool) and commercially-zoned land approximately 0.25 miles north, along the intersection of S 26th W Ave and W 151st St S.

Comprehensive Plan Considerations

The subject property is designated as: Industrial Light

Designation Description: Per the Tulsa County Comprehensive Land Use Plan, for the "Industrial - Light and Medium (Industrial Medium is not in Unincorporated)" section in the Glenpool area plan, adpopted by reference from the Glenpool 2030 Plan's Comprehensive Plan Map:

"These designations accommodate uses that are intensive in terms of how "light' industrial and especially "medium" industrial activities can affect other nearby properties. This can include factors such as noise, vibration, light/glare, odor, truck traffic, and hours of operation, as well as the sheer scale and intensity of some types of industrial land use. Depending on the standards applied through development regulations, an industrial area can allow for a wide range of uses, from office/warehouse to wholesale, product assembly, and manufacturing. Some communities aim for a more aesthetic business or industrial "park" environment, with specific standards for building arrangement and orientation, building materials and design, extensive landscaping, and especially full screening of loading and outdoor activity/storage areas, if such external activity is even permitted. A campus feel may be further reinforced by private or public streetscape and design enhancements, including special signage at industrial area entries and key intersections, unified lighting design, water features, etc."

The surrounding area has land use designations tending mostly toward Rural, Industrial Light, and Glenpool's US-75 Corridor. The Rural designation is intended for land that is sparsely developed, with mainly agricultural and very low-density residential as the primary uses, and the US-75 Corridor is intended to primarily attract industrial, commercial, and office development.

In terms of existing land use, however, the area surrounding the subject tract is mainly composed of large-lot residential, as well as some industrial within Glenpool to the southeast, and going ¼ mile north into Glenpool the more dense single-dwelling residential subdivisions become prevalent. As such, and given that RS-1 is the

second-lowest intensity residential zoning in the Tulsa County Zoning Code, the proposed use is compatible with the surrounding areas.

Neighboring Properties:

Location	*Existing Zoning/Overlay*	*Existing Land Use Designation*	*Existing Use*
North	AG	Industrial Light	Residential
East	*IL, CS (City of Glenpool)*	*US 75 Corridor (City of Glenpool)*	Residential, Vacant
South	AG	Rural	Residential
West	IL	Rural, Industrial Light	Vacant

Staff Recommendation
Staff finds that the proposed zoning map amendment is consistent with the policy and intent of the comprehensive plan. Staff recommends APPROVAL of the request to rezone the subject property from AG (Agriculture) to RS-1 (Residential Single-Dwelling-1)

Transportation
The subject property has access to S 26th W Ave, a residential collector street which runs along the western boundary of the subject tract.

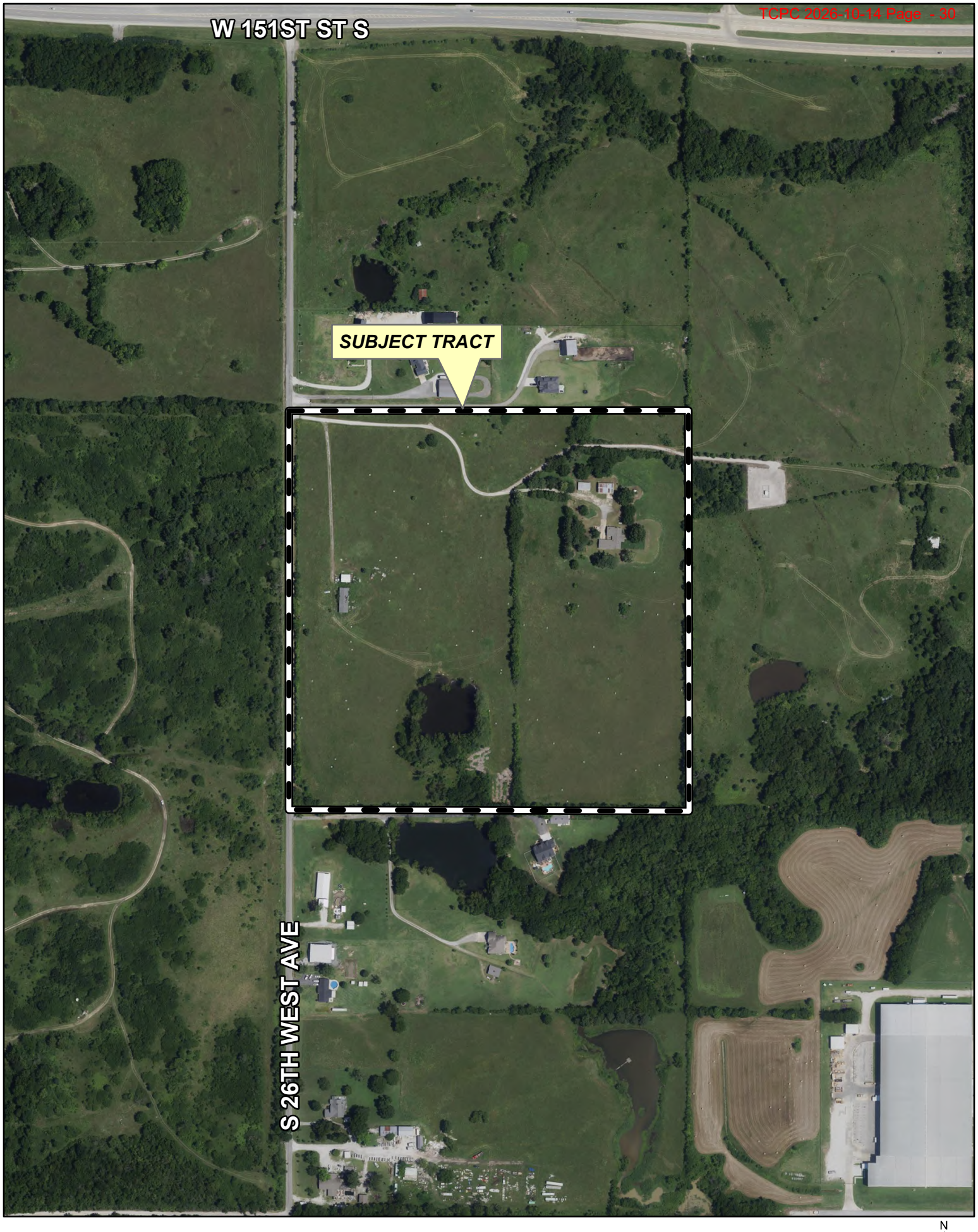
The proposed rezoning from AG to RS-1 and subsequent subdivision development are anticipated to result in a moderate impact on the surrounding transportation network. Any future access improvements or development of the property will be required to comply with applicable Tulsa County access, right-of-way, and engineering requirements.

Major Street & Highway Plan: S 26th West Ave is classified as a Residential Collector
Transit: None
Existing Bike/Ped Facilities: None
Planned Bike/Ped Facilities: Signed-route recommended by GO Plan along W 151st St S, approximately ¼ mile north of subject tract

Environment
Flood Area: None
Parks & Open Space: None

Zoning and Board of Adjustment History: Zoning was established through the provisions of the Board of County Commissioners of the County of Tulsa with Resolution (CMF# 20241854) September 30,2024.

Applicant Neighborhood Engagement
None provided.



Feet
0 200 400

Subject Tract

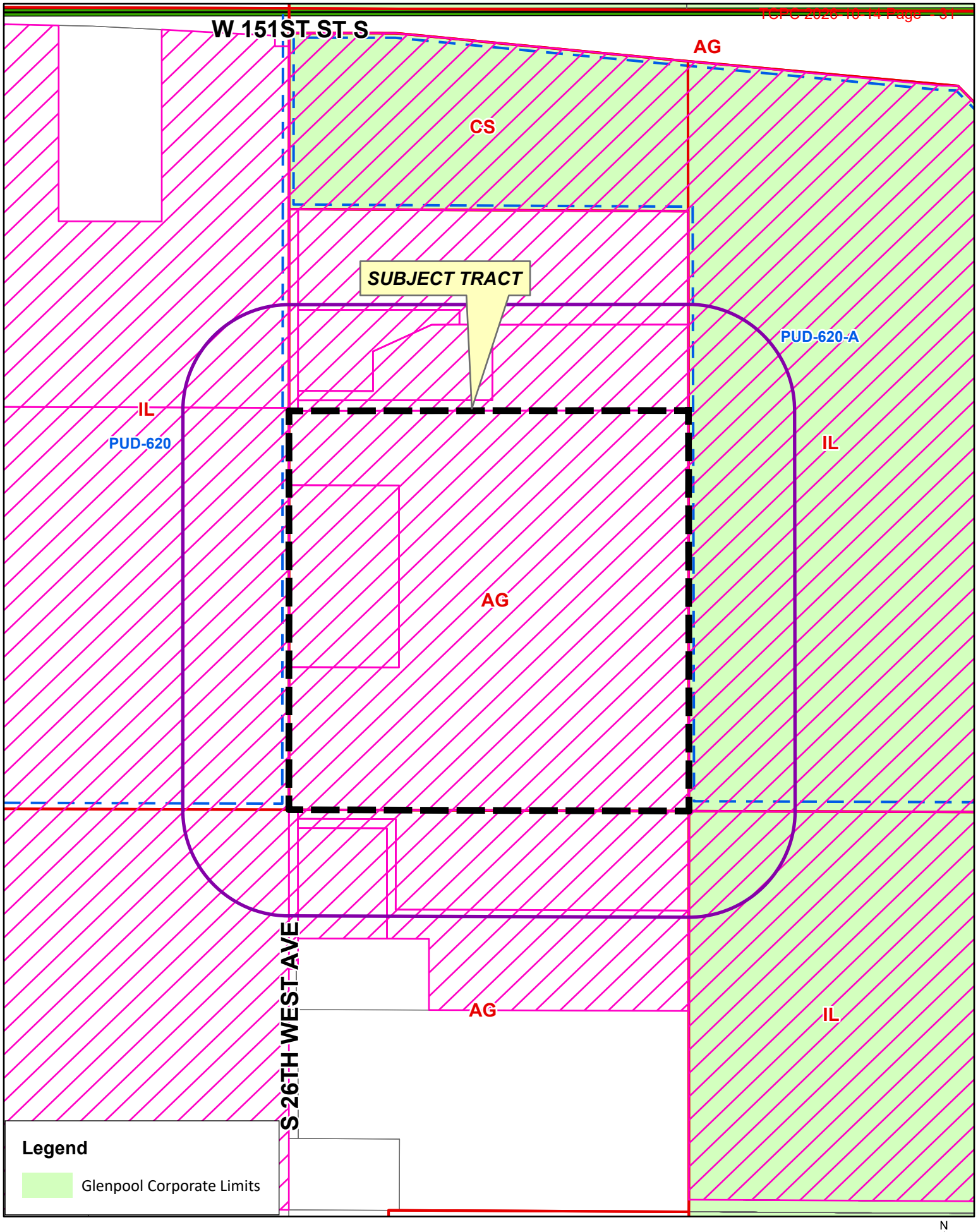
CZ-600

22 17-12

Note: Graphic overlays may not precisely align with physical features on the ground.

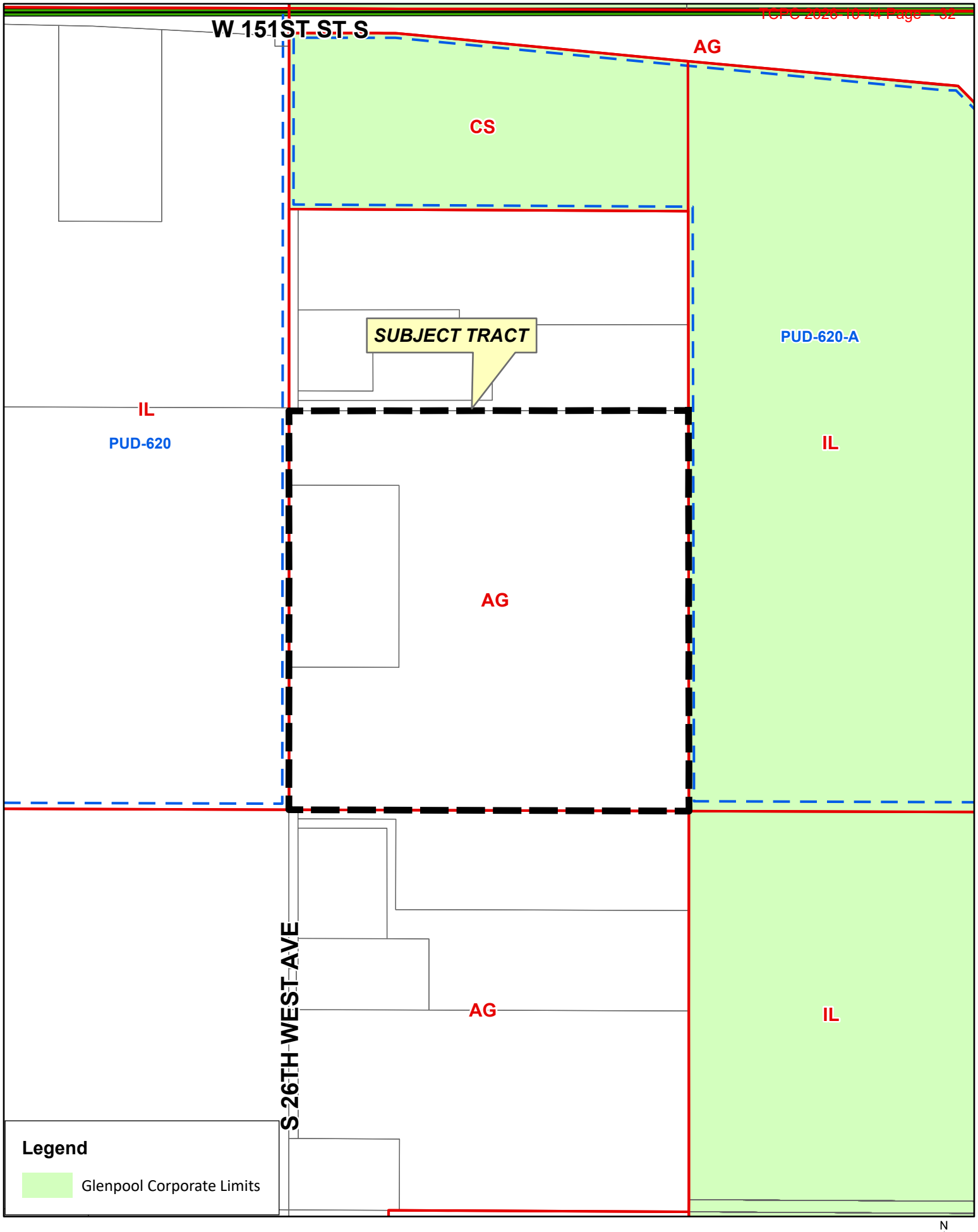
Aerial Photo Date: 2025

N



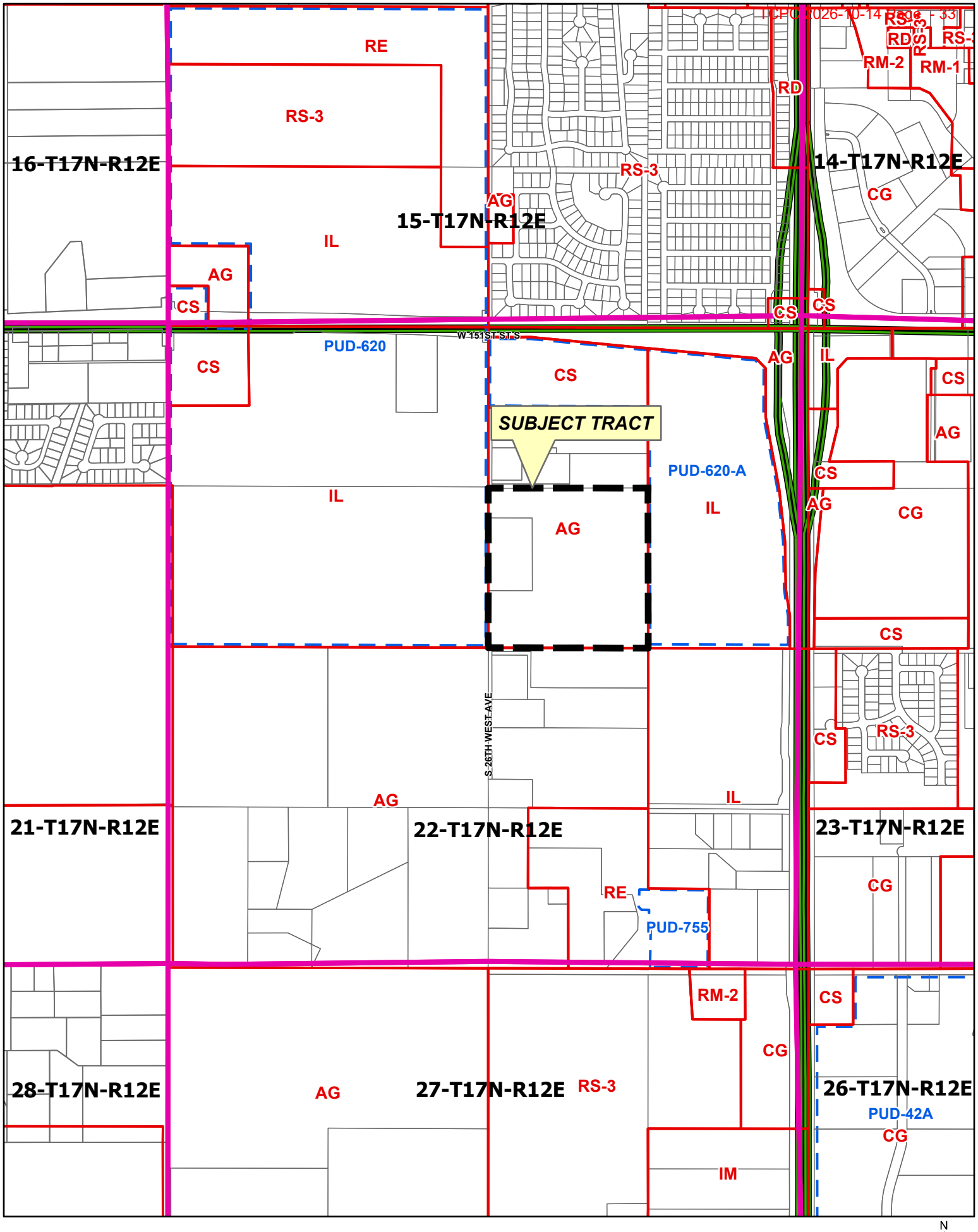
CZ-600

22 17-12



CZ-600

22 17-12



Feet
0 500 1,000

CZ-600

22 17-12

N

Outlook

Case CZ-600

From Craig, Shelly <scraig@quiktrip.com>
Date Tue 9/29/2026 4:47 PM
To esubmit <esubmit@incog.org>
Cc kdunkerley@tulsacounty.org <kdunkerley@tulsacounty.org>

TCPC
c/o INCOG
2 West 2nd St, Ste 800
Tulsa, OK 74103

RE: Case CZ-600 - Opposition to Rezoning from AG to RS-1

Tulsa County Planning Commission,
I am writing to oppose Case CZ-600, the request to rezone approximately 40 acres at 15401 S. 26th Ave. W. and 15507 S. 26th Ave. W. from Agricultural (AG) to Residential Single Family (RS-1).

My family chose to live in this area because of its rural character, agricultural surroundings, and larger acreage properties. The proposed rezoning is not compatible with the existing development pattern and would significantly change the character of our community.

Most properties in this area are three acres or larger. RS-1 zoning would allow much smaller lots and a higher density of homes than currently exists. This type of subdivision development is inconsistent with the rural environment residents have invested in and worked to preserve.

I am also concerned about the impact this development could have on local infrastructure and natural resources, including:

- Increased traffic on rural county roads not designed for higher-density development.
- Additional wear and maintenance costs on local roads.
- Stormwater runoff, drainage, and watershed impacts resulting from increased development.
- Septic system suitability, groundwater quality, and potential impacts to nearby wells and waterways.
- The loss of open space and rural character that defines our community.

I respectfully request that the Tulsa County Planning Commission deny this rezoning application.
If the Commission chooses to approve development of this property, I strongly urge that any approved lots be **no smaller than five acres each**. A five-acre minimum would be more consistent with the surrounding community and help preserve the rural character, reduce density, and lessen impacts on roads, drainage, and septic systems.

Thank you for your consideration of the concerns of the surrounding property owners and residents.

Sincerely,
Rob and Shelly Craig
15709 S 26th W Ave.
Glenpool, OK 74033

918-269-0746 (Rob)
918-269-0745 (Shelly)

September 29, 2026

TCPC
c/o INCOG
2 West 2nd St. Suite 800
Tulsa, OK 74103

esubmit@incog.org

VIA USPS and Email

Re: Case CZ-600 Rezoning from AG (Agricultural) to RS-1 (Residential Single Family)
15401 S. 26th West Ave. and 15507 S. 26th West Ave., Glenpool, Tulsa County

As residents living at 15615 S. 26th West Ave. for 23 years, we are opposed to the proposed subdivision rezoning without further information.

We received the subject Notice of Hearing regarding Case CZ-600 on September 21. I (Brenda) left messages on Tuesday, September 22 and Thursday, September 24 with questions, but my calls have not been returned. We question the inclusion of a zoning map showing the subject 40 acres with purple highlighting, indicating Industrial Light (IL), in the materials we received. Case CZ-600 indicates the subject tracts are currently Agricultural (AG). Industrial Light (IL) should not be at issue in this rezoning.

Since we have not been made privy to the plans for the subject tracts other than what we received in the notice, we have many concerns detailed below:

Concentration of building sites: We have not been informed of the detailed plan and lot sizes. Our understanding is the RS-1 minimum requirement is 1/3 acre lots. If the minimum is used by the developer, that opens a possibility of 100 building sites. We consider that high-density and inappropriate for the level of infrastructure that currently exists in the area. If the proposed plan for the subdivision is for larger lots, what assurance do we have that the plan will not be adjusted later for higher-density housing without our knowledge?

Stormwater management: The back portion of our property is in a recognized flood plain, and we are downhill from the proposed subdivision. Naturally we are concerned about

how the buildout of the subdivision will address storm runoff. During the heavy rains of May 2026, the existing natural watershed channels were well over capacity, causing backups and rising water. We are surrounded by channels on two sides and are concerned that additional runoff caused by the introduction of more hard surfaces (roads, rooftops, etc.) will have a detrimental effect.

Wastewater management: There is no existing infrastructure to manage wastewater and dispose of it through the city sewer system. The minimum lot size for RS-1 does not have enough land to accommodate lateral lines. Aerobic systems in that concentration could cause additional problems with the watershed to everyone who is downstream.

Water service: We have concerns that the existing Creek County RWD #2 line can handle the additional load without diminishing the supply to the current residents.

Traffic/Road Conditions: The proposed subdivision will create additional traffic and safety concerns. The road as it exists is too narrow and does not have the capacity to handle the construction traffic and additional traffic caused by the residents.

We, and our neighbors who live on 26th West Ave., chose to live here to enjoy rural life, and we want to maintain that quality of life as much as possible. We are more amenable to a subdivision with lot sizes of five acres or more, created under a PUD that addresses all infrastructure and environmental concerns.

Thank you.

Steven B. Dickey
Brenda Lee Dickey

Steven Bryan and Brenda Lee Dickey, Trustees
Dickey Family Revocable Trust
15615 S. 26th West Ave.
Glenpool, OK 74033

cc: Kelly Dunkerley, Tulsa County Commissioner kdunkerley@tulsacounty.org

Outlook

Case CZ-600

From Craig, Shelly <scraig@quiktrip.com>
Date Wed 10/7/2026 9:28 AM
To esubmit <esubmit@incog.org>
Cc kdunkerley@tulsacounty.org <kdunkerley@tulsacounty.org>

PETITION IN OPPOSITION TO CASE CZ-600

Proposed Rezoning from AG (Agricultural) to RS-1 (Residential Single Family)

15401 S. 26th Ave. W. & 15507 S. 26th Ave. W.

To the Tulsa County Planning Commission:

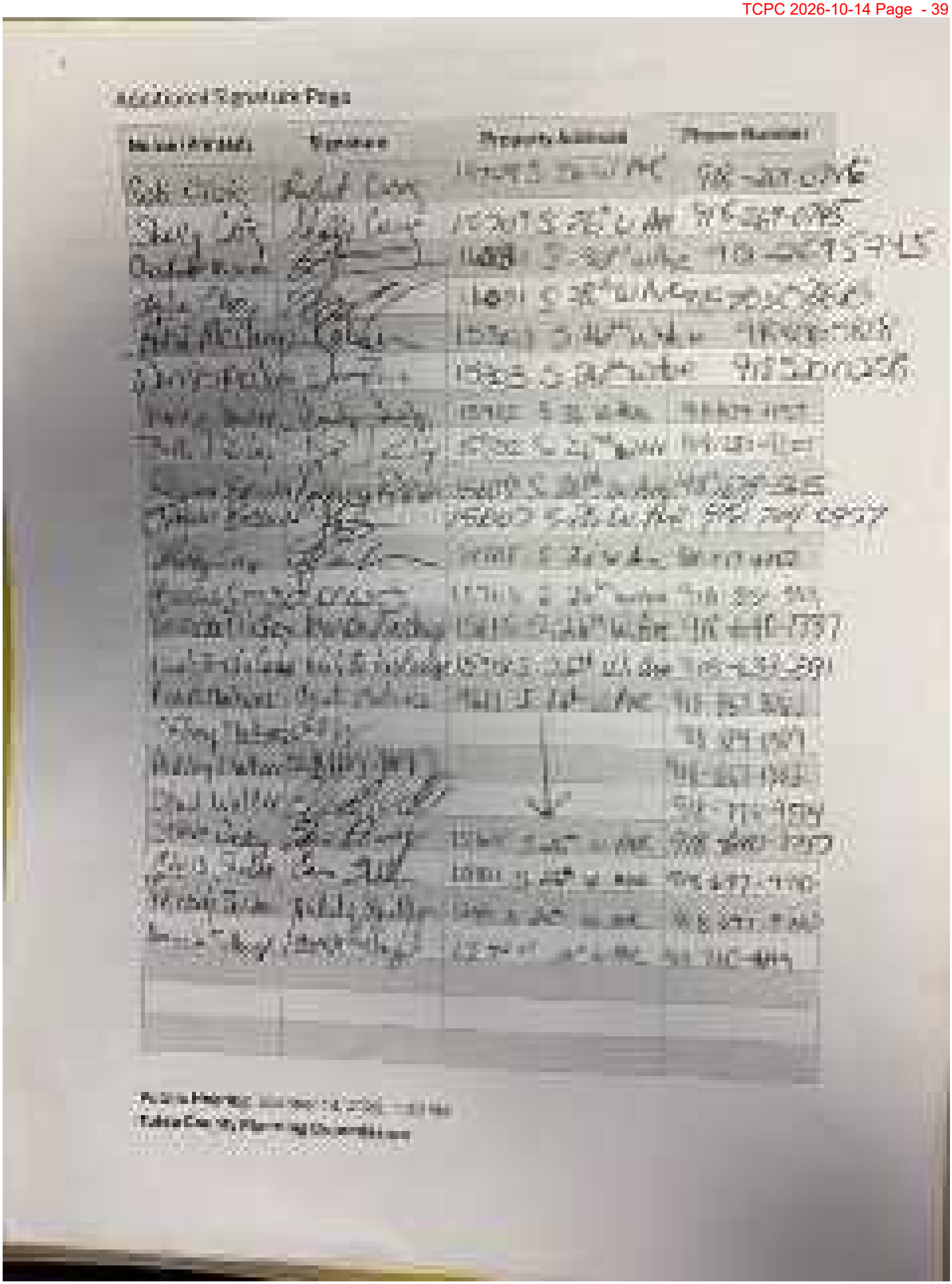
We, the undersigned residents, property owners, and stakeholders of the surrounding area, respectfully oppose **Case CZ-600**, the request to rezone approximately 40 acres from **Agricultural (AG)** to **Residential Single Family (RS-1)**.

Our concerns include, but are not limited to:

- Increased traffic on rural county roads not designed for higher-density residential development.
- Increased road maintenance and safety concerns.
- Potential impacts on drainage, stormwater runoff, and local watersheds.
- Septic system suitability and potential groundwater quality concerns.
- Loss of open space and the established rural character of our community.
- Incompatibility with the existing development pattern of larger acreage properties.
- The potential for significantly smaller lot sizes than those currently surrounding the property.

We respectfully request that the Tulsa County Planning Commission deny this rezoning application.

If development is ultimately approved, we strongly urge the Commission to require **a minimum lot size of no less than five (5) acres per residence** to better preserve the rural character of the area and reduce impacts on roads, drainage, groundwater, and neighboring properties.



Outlook

Case CZ-600

From Tiffany Martinez <tiffmart66@hotmail.com>
Date Wed 10/7/2026 10:46 AM
To esubmit <esubmit@incog.org>

October 7, 2026

TCPC

c/o INCOG

2 West 2nd St, Ste 800

Tulsa, OK 74103

RE: Case CZ-600 - Opposition to Rezoning from AG to RS-1

Tulsa County Planning Commission,

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We are also concerned about the impact this development could have on local infrastructure and natural resources, including:

· Increased traffic on rural county roads not designed for higher-density development.

· Additional wear and maintenance costs on local roads.

· Stormwater runoff, drainage, and watershed impacts resulting from increased development.

· Septic system suitability, groundwater quality, and potential impacts to nearby wells and waterways.

· The loss of open space and rural character that defines our community.

We respectfully request that the Tulsa County Planning Commission deny this rezoning application.

If the Commission chooses to approve development of this property, We strongly urge that any approved lots be no smaller than five acres each. A five-acre minimum would be more consistent with the surrounding community and help preserve the rural character, reduce density, and lessen impacts on roads, drainage, and septic systems.

Thank you for your consideration of the concerns of the surrounding property owners and residents.

Sincerely,

Frank & Tiffany Martinez

15621 S 26th W Ave.

Glenpool, OK 74033

918-851-3063 Frank

918-814-0507 Tiffany





150 75 0 150

SCALE: 1" = 150'

66ENG GROUP

5 SOUTH MAIN STREET,
SAPULPA, OK 74066

CONTACT:
OFFICE (918) 248-1129
info@66eng.com

GLENPOOL LAND

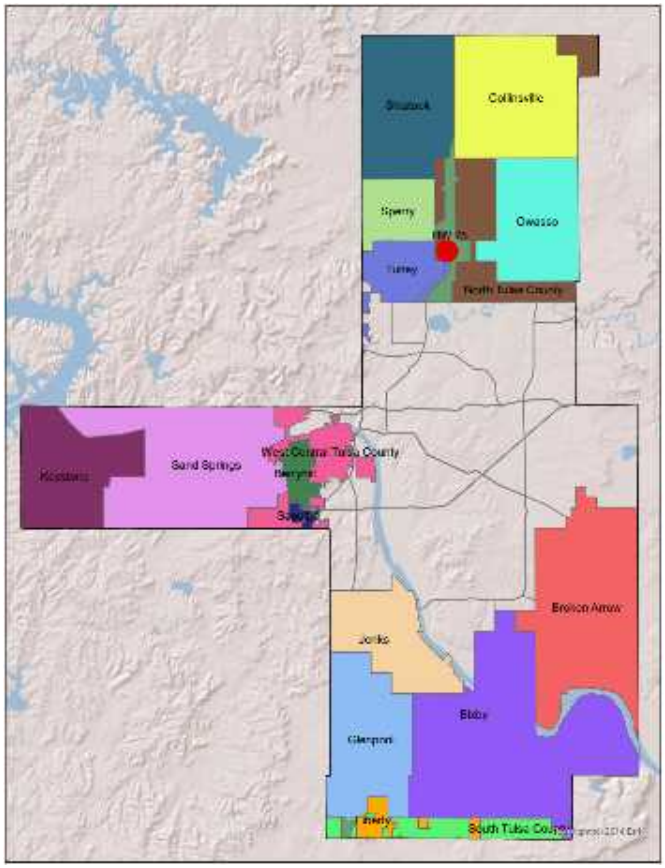
GLENPOOL, OK

CONCEPT SITE PLAN	DATE 08/21/2026

TULSA COUNTY PLANNING COMMISSION
PUD-883: STAFF REPORT AND DEVELOPMENT STANDARDS
Hearing Date: October 14, 2026
Prepared by: Kendal Davis; kdavis@incog.org; 918-579-9485

Owner and Applicant Information
Applicant: Lou Reynolds
Property Owner: Satoshi Acres LLC
Property Location: North and west of the intersection of US Highway 75 and E 76th St N
Tract Size: 116± Acres

Location within Tulsa County
(shown with Planning Areas)



Elected Representatives
County Commission: District 1: Stan Sallee

Staff Recommendation
Staff recommends **approval of rezoning to PUD-883**

Request Summary
PUD for the purpose of a Battery Energy Storage System.

Zoning
Existing Zoning: RE (Residential Estate)
Proposed Zoning: RE & PUD-883

Use
Current Use: Vacant
Proposed Use: Battery Energy Storage System (BESS)

Comprehensive Plan Considerations
Planning Area: Highway 75 Planning Area

Transportation
Major Street & Highway Plan: E 76th St N is designated as a Secondary Arterial
Transit: None
Existing & Planned Bike/Ped Facilities: None

Environmental Considerations
Flood Area: None

Staff Exhibits
- Aerial case map
- Tulsa County Comprehensive Plan case map
- Zoning case map
- Section map

Applicant Exhibits
- Exhibit A – Aerial Image
- Exhibit B – Zoning Map
- Exhibit C1-R6 – Concept Site Plan
- Exhibit D – Natural Area
- Exhibit E – Building Setbacks
- Exhibit F – Existing Topography and Soils
- Exhibit G – Existing Utilities
- Exhibits H – Legal Descriptions
- Neighborhood Engagement Sign-in sheet
- Noise Study
- Decommissioning Plan

SECTION 1: APPLICANT DEVELOPMENT CONCEPT

The proposed Cherokee Industrial Resilient Power Project (the "Project") is located on part of approximately 116 acres (the "Property") bounded by East 76th Street North on the south, US Highway 75 on the east, Country Corner Estates Second on the north, and AG zoned property on the west.

The Property is bisected by energy transmission lines that run generally through north Tulsa County.

The Project will store electrical energy from the grid and deliver it when demand rises or during power outages or other grid contingencies. The Project will act as an energy buffer, balancing supply and demand, improving grid reliability and enabling more efficient use of energy.

Applicant Exhibit "A" is an Aerial Image and shows the location of the Project.

As shown on *Applicant Exhibit "B"*, Existing Zoning, the Property is currently zoned RE – Residential Estate District. The purpose of PUD-883 is to create the regulatory framework to support a battery energy storage system. To accomplish such purpose, PUD-883 divides the Property into three (3) development areas, Development Area A, Development Area B, and Development Area C and establishes Development Standards for each such Development Area.

Development Area B establishes the Development Standards for a battery energy storage system and related uses. Within Development Area A and Development Area C, the Zoning Regulations will not be modified except to permit access by a private drive for Development Area B.

The Comprehensive Plan designates the Property to be in the Highway 75 Planning Area. The Property is zoned in the RE District and battery energy storage facilities are allowed by Special Exception in such zoning district. As such, PUD-883 is in conformity with both the Comprehensive Plan and the Zoning Code. No zoning change is necessary to support the Project or PUD-883.

This Project may have reserve areas or easements for stormwater drainage and detention, secured entrances, access drives, landscaping, open space and natural areas.

The Conceptual Site Plan for the Project is shown on *Applicant Exhibit "C"*.

The Project will have access to East 76th Street North and North Quebec Avenue; provided, however, Development Area B will only have access to North Quebec Avenue on an emergency basis. The Project perimeter will be gated and secured with a private access drive connecting all lots in the Project to public access. Lots will not require public street frontage.

Detailed Development Plans will be submitted to the County for administrative approval at the time of Detail Site Plan review.

SECTION 2: PUD-883 DEVELOPMENT STANDARDS

PUD-883 will establish standards for a mix of uses as may be allowed in an RE (Residential Estate) district and defined in the development area standards below.

Permitted Uses – Development Areas A and C

PUD-883 will conform to the supplemental standards and provisions of the Tulsa County Zoning code and only allows the use categories, subcategories and specific uses outlined below. All uses below are permitted in Development Areas A and C.

Residential

- Household living (in permitted residential building type)
  - Single Household
- Group living
  - Assisted living facility
  - Community group home
  - Convent/monastery/novitiate
  - Homeless center
  - Life care retirement center
  - Re-entry facility
  - Residential treatment center
  - Shelter, emergency and protective
  - Transitional living center

Public, Civic, and Institutional

- College or University
- Day Care
- Fraternal Organization
- Governmental Service
- Hospital
- Library or Cultural Exhibit
- Natural Resource Preservation
- Postal Service
- Religious Assembly
- Safety Service

School
Utilities and Public Service Facility, Minor

Wireless Communication Facility
Freestanding tower
Building- or tower-mounted antenna

Commercial
Lodging
Bed & breakfast
Short-term rental

Agricultural
Community garden

Residential Building Types
Detached house
Manufactured housing unit, multi-section
Manufactured housing unit, single-section

Permitted Uses – Development Area B

Public, Civic, and Institutional
Utilities and Public Service Facility, Major
Battery Energy Storage System

For purposes of PUD-883, the term "Battery Energy Storage System" or "BESS" shall mean batteries, safety monitoring equipment, access drives, stormwater detention, associated electrical infrastructure for energy storage, conversion, monitoring, interconnection, transmission, communications connections, security, and uses customarily accessory to the Permitted Uses.

Land Area

Development Area A
Gross: 55.14 +/- acres. See legal description in Applicant Exhibit H-2.

Development Area B
Gross: 39.98 +/- acres. See legal description in Applicant Exhibit H-3.

Development Area C
Gross: 18.90 +/- acres. See legal description in Applicant Exhibit H-4.

Lot and Building Regulations

Development Areas A and C

Detached houses per lot	1
Minimum frontage on a public or private street	30 feet
Minimum lot area	0.52± acres
Minimum lot width	150 feet
Minimum lot area per detached house	22500 sq. ft
Minimum open space per detached house	12000 sq. ft.
Maximum Building Height:	35 feet
Minimum Building Setbacks:	
Street (from centerline)*	
Arterial	35 feet
Other	35 feet
Side (interior)	15 feet
Rear	25 feet

*Plus one-half of the right-of-way width designated on the Major Street and Highway Plan or 25 feet if not designated on the Major Street and Highway Plan. Except when the lot abuts a cul-de-sac having a radius greater than 25 feet, minimum street setbacks must be measured from the property line.

Development Area B

(The following standards for Development Area B are applicable for non-residential uses only)

Frontage on a public or private street	0 feet
Minimum lot area	1.00± acres
Maximum Floor Area Ratio	0.20
A Battery Energy Storage System, or BESS, is not considered a building for the purpose of FAR calculations.	
Maximum Building and BESS Height:	35 feet
Architectural, mechanical or electrical elements (elements extending above the building roofline) shall be permitted up to 20 additional feet for unoccupied features. The forgoing height limitation does not apply to overhead electrical lines.	
Minimum Building Setbacks:	
From Development Area A	50 feet
From western property boundary	300 feet
From Development Area C	50 feet
From eastern property boundary	100 feet

Supplemental Standards for Development Areas A, B, and C

Natural Areas

As shown on Applicant Exhibit D, the Natural Area shall be left in its existing, natural vegetative state, except: Areas required for streets, drives, drainage, detention, security fencing, public or private utilities, or other disturbances as a result of construction or site enablement and infrastructure.

An additional Landscape Buffer will be implemented to all boundaries, as outlined below:

Within the Landscape Buffer, there shall be a minimum of one (1) evergreen tree for every twenty (20) linear feet. All evergreen trees shall be at least six (6) feet in height at the time of planting. Existing trees, whether evergreen or deciduous, within the Landscape Buffer with a caliper of at least four (4) inches shall be counted toward this requirement.

Parking

No parking space shall containing less than two hundred (200) square feet, with a minimum width or diameter of ten (10) feet.

For Any Non-Residential Buildings:

Minimum of one (1) space per thousand square feet (1,000 square feet) of building floor area.

For Any Other Use:

The parking design standards and minimum required parking will conform to the standards outlined in Chapter 10 of the Tulsa County Zoning Code, or with Detail Site Plan approval by the Land Use Administrator.

Screening

No opaque screening fencing shall be required along any of the boundaries of Development Area B due to the Natural Areas and Landscape Buffers defined herein. Details of the Setbacks, Landscape Buffers are shown on Applicant Exhibit E.

Signs

Signage shall conform to the general provisions of the Tulsa County Zoning Code and as in Section 11.060 of the Tulsa County Zoning code except where further regulated as follows.

a. Freestanding Signs:

One freestanding sign shall be allowed on each Development Area and must conform with the provisions of Section 11.060 of the Tulsa County Zoning. Ground sign will not exceed 20 feet in height.

b. Wall Signs:

Wall signs shall conform to the provisions in section 11.060 of the Tulsa Zoning Code. Dynamic display, flashing signs changeable copy signs, running light or twinkling signs, animated signs, revolving or rotating signs with movement shall be prohibited in this PUD.

Lighting

All light standards, including pole and building mounted, shall be hooded and directed downward and away from the boundaries of Development Area B. Shielding of outdoor lighting shall be designed so as to prevent the light producing element or reflector of the light fixture from being visible to a person standing at ground level in the adjacent property, and no light is emitted above the horizontal plane. Topography must be considered in such calculations to prevent light spillover onto adjacent properties with lower elevations. Luminaries shall utilize warm-spectrum LEDs with a Correlated Color Temperature (CCT) of 3000K or less, minimizing blue-light emissions.

Additionally, a Lighting Plan shall be submitted, illustrating locations of light poles and fixtures. The Lighting Plan shall be designed to ensure no light trespass beyond the boundaries of Development Area B. All Project lighting shall otherwise comply with Zoning Regulations and applicable ordinances / County resolutions.

Trash, Mechanical, and Equipment Areas

All trash areas shall be screened from public view in such a manner that the areas cannot be seen by persons standing at ground level.

Trash dumpster areas shall be screened by masonry construction and steel framed doors. The doors shall be covered with an appropriate covering containing a minimum of 90% opacity of the gate frame.

Ground-mounted mechanical equipment shall be screened from view so as not to be visible from any boundary of Development Area B by walls, fences, vegetation, or a combination thereof. Screening must be at least as tall as the tallest part of the equipment required to be screened. Vegetative screening shall be predominantly of evergreen trees.

Access, Circulation, and Parking

All drives and parking areas within the Development Area B of the PUD shall be privately owned and maintained. Development Areas A and C may be used as a private access drive to support the use o Development Area B

For Development Area C, the primary point of access shall be located along East 76th Street North. The primary access point will include a gated, secure entrance. Emergency vehicles will have access through the primary secured entrance and/or through a secondary emergency access point located along North Quebec Avenue.

Individual lots will not require street frontage or direct access to public streets, but may be connected to private access drives ultimately connecting to ingress/egress points of the overall Project. Interior access

drives may be private and designed and constructed in accordance with the design requirements of the International Fire Code (IFC) for fire apparatus access.

No Outside Storage

There shall be no outside storage of recycling material, trash or similar materials outside of a screened receptacle. Truck trailers and shipping containers shall not be used for storage. This section shall not apply to construction activities.

Site Plan Review

No Building Permit will be issued for any building within the Project until a Detail Site Plan for the lot or parcel has been submitted to the Tulsa County and administratively approved as being in compliance with the approved PUD Development Standards.

SECTION 3: RECOMMENDATION SUMMARY

The proposed Planned Unit Development establishes site-specific development standards for a Battery Energy Storage System within Development Area B. The facility will store electrical energy received from the grid and discharge that energy to support electrical demand and grid reliability. Based on these functions and project scale, staff considers the proposed use appropriately classified as Utilities and Public Service Facility, Major, within the Public, Civic and Institutional use group.

Table 6-1 of the Tulsa County Zoning Regulations identifies Utilities and Public Service Facility, Major as a use eligible for special exception approval in the RE district and all other zoning districts. Accordingly, staff does not consider a change to an industrial base zoning district necessary solely to accommodate this use. Section 14.040-B.1 provides a mechanism for establishing use and development standards through the mandatory development plan associated with a PUD.

The proposed location adjacent to US Highway 75 and the existing electrical transmission corridor provides a reasonable setting for consideration of the facility. However, nearby residential development and agricultural properties warrant specific measures addressing visual and operational impacts. The proposal confines the BESS to Development Area B and includes increased setbacks, natural areas, landscape buffers, secured access, and restrictions on lighting. Staff supports these measures as a basis for compatibility, provided they are clearly defined and implemented through the approved development standards and detailed site plan. Staff's support for the PUD is based on the proposed use, its location within the property, and enforceable development limitations. Approval should not constitute a general authorization for unrelated major utility facilities or an expansion of permitted uses throughout the remaining development areas.

Staff recommends approval subject to the following:

1. The permitted-use provisions shall expressly identify the Battery Energy Storage System and its customary accessory facilities as the major utility use authorized within Development Area B. Development Areas A and C shall remain subject to the underlying RE use regulations and applicable

approval requirements, except for modifications expressly approved for access serving Development Area B.

2. The development standards and exhibits shall consistently identify the primary access route from East 76th Street North and the emergency-only access to North Quebec Avenue serving Development Area B. Any modification of public street frontage requirements shall be expressly identified and limited to the intended BESS lots or parcels. Residential frontage requirements shall remain applicable unless separately modified through an approved process.
3. The final standards and exhibits shall clearly identify landscape buffer widths and locations, required setbacks, preservation areas, and permitted disturbances. Landscape provisions shall include maintenance and replacement requirements sufficient to preserve the intended screening.
4. Prior to issuance of applicable development or construction permits, the applicant shall obtain detailed site plan approval demonstrating compliance with the approved PUD. Required reviews shall address drainage, access, utility coordination, and applicable building and fire safety requirements. Emergency access, response provisions, and any required hazard analysis shall be reviewed by the authorities having jurisdiction.
5. Prior to detailed site plan approval, the applicant shall submit information demonstrating compliance with applicable noise requirements and identifying any necessary mitigation or equipment noise affecting nearby residential properties (see relevant Noise Study exhibit).
6. A decommissioning and site restoration plan shall be submitted for County review and approval before operation of the facility. The plan shall identify responsibility for removal of equipment and appropriate handling of batteries and associated materials following permanent cessation of use (see relevant Decommissioning Plan exhibit).

With these modifications and conditions, staff supports the proposed BESS through PUD-883 while retaining the underlying RE zoning.

SECTION 4: SUPPLEMENTAL CONSIDERATIONS

Comprehensive Land Use Plan

The subject property is designated as: Highway 75 Planning Area
Designation Description: This Designation supports a mix of retail and service establishments that cater to the needs of rural residents and agricultural operations. Given the nature of current rural settings, developments in these areas may integrate various uses. Strict separation of functions is often impractical. This category is intended to encourage a wide variety of uses supporting the region and abutting communities. It is anticipated that this planning area will include light or medium industrial activities, including wholesaling, warehousing, and distribution facilities. These uses may require large buildings and generate significant heavy truck traffic compared to other land uses.

These areas accommodate a variety of commercial and industrial activities, such as office spaces, warehousing, light manufacturing, and high-tech industries, including clean manufacturing and information technology. Some locations may also include large-scale retail establishments. Unlike mixed-use centers, employment areas have minimal residential presence and are characterized by extensive commercial activity.

These districts require direct access to major arterial roads or interstates to support transportation needs. Additionally, those with manufacturing and warehousing functions must be capable of handling high volumes of truck traffic and, in some cases, rail transport. Given these transportation demands, careful planning for design, screening, and open space buffering is essential when employment areas are situated near moderate-density residential zones.

Residential developments are not considered appropriate and incompatible for this planning area and will not be supported by the Planning Services Department.

Surrounding Properties

Location	*Existing Zoning/Overlay*	*Existing Land Use Designation*	*Existing Use*
North	RS-3	Highway 75 Planning Area	Single-family residential development within Country Corner Estates Second.
East	AG and RE, across US Highway 75	Highway 75 Planning Area	Rural residential properties and undeveloped land, with industrial development farther southeast.
South	AG, across East 76th Street North	Highway 75 Planning Area	Rural residential properties and undeveloped land.
West	AG and RE, across US Highway 75	Highway 75 Planning Area	Rural residential properties and undeveloped land, with industrial development farther southeast.

The proposed PUD-833 zoning district is consistent with the broader intent of the Highway 75 Planning Area and the Tulsa County Comprehensive Land Use Plan.

Transportation

The conceptual plan indicates primary access is anticipated from E 76th St N.

Additional traffic impacts may occur as residential growth continues in the surrounding area. Any necessary roadway improvements or dedications will be determined during the platting process, if one were to be performed.

Major Street & Highway Plan: E 76th St N is designated as a Secondary Arterial.

Transit: None

Existing Bike/Ped Facilities: None

Planned Bike/Ped Facilities: None

Topography and Soils
The Custom Soil Resource Report for Tulsa County, Oklahoma, published by the United States Department of Agriculture/Natural Resources Conservation Services provides that the Project contains a number of different soil type. Any development constraints associated with these soils and the topography will be addressed during the engineering design, permitting, and platting of the Project. Existing topography and soils are represented on Exhibit "F", Existing Topography and Soils attached hereto.

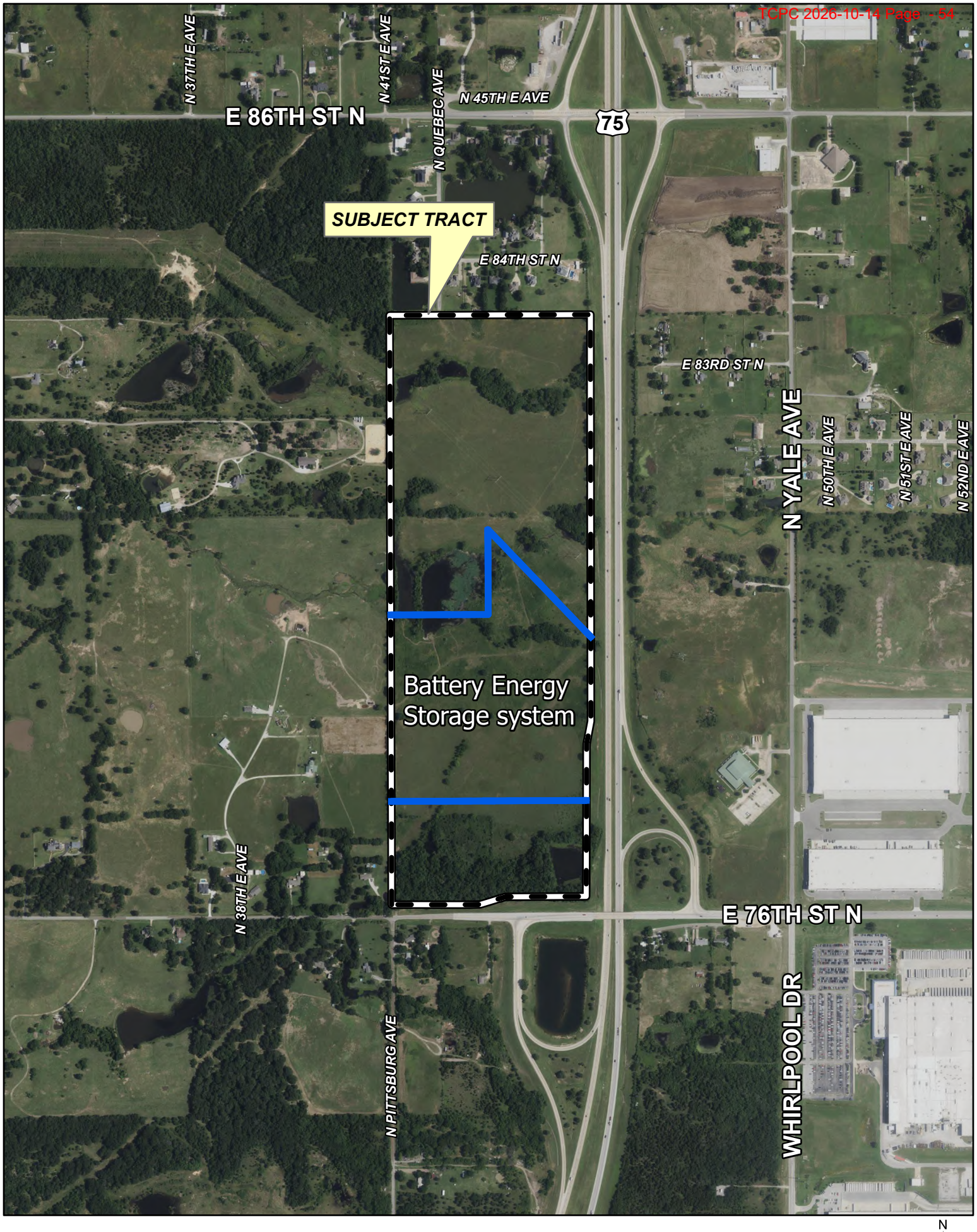
Utilities
Existing utilities in and around the site are shown on Applicant Exhibit G ("Existing Utilities"). Final utility alignments, capabilities, and service providers will be confirmed during the detailed design and permitting stages.

Environmental Considerations
Flood Area**:** None

Wetlands Considerations: The majority of the site is shown as a natural Area. Future Expansion and development is unlikely with floodplain and wetlands limitations.

Other Considerations: The property included in Development Area B is significantly impacted with active pumpjacks, wells, and large transmission lines.

Applicant Neighborhood Engagement
See 'Neighborhood Engagement Sign-in Sheet' exhibit provided by applicant.



Feet
0 400 800

Subject Tract

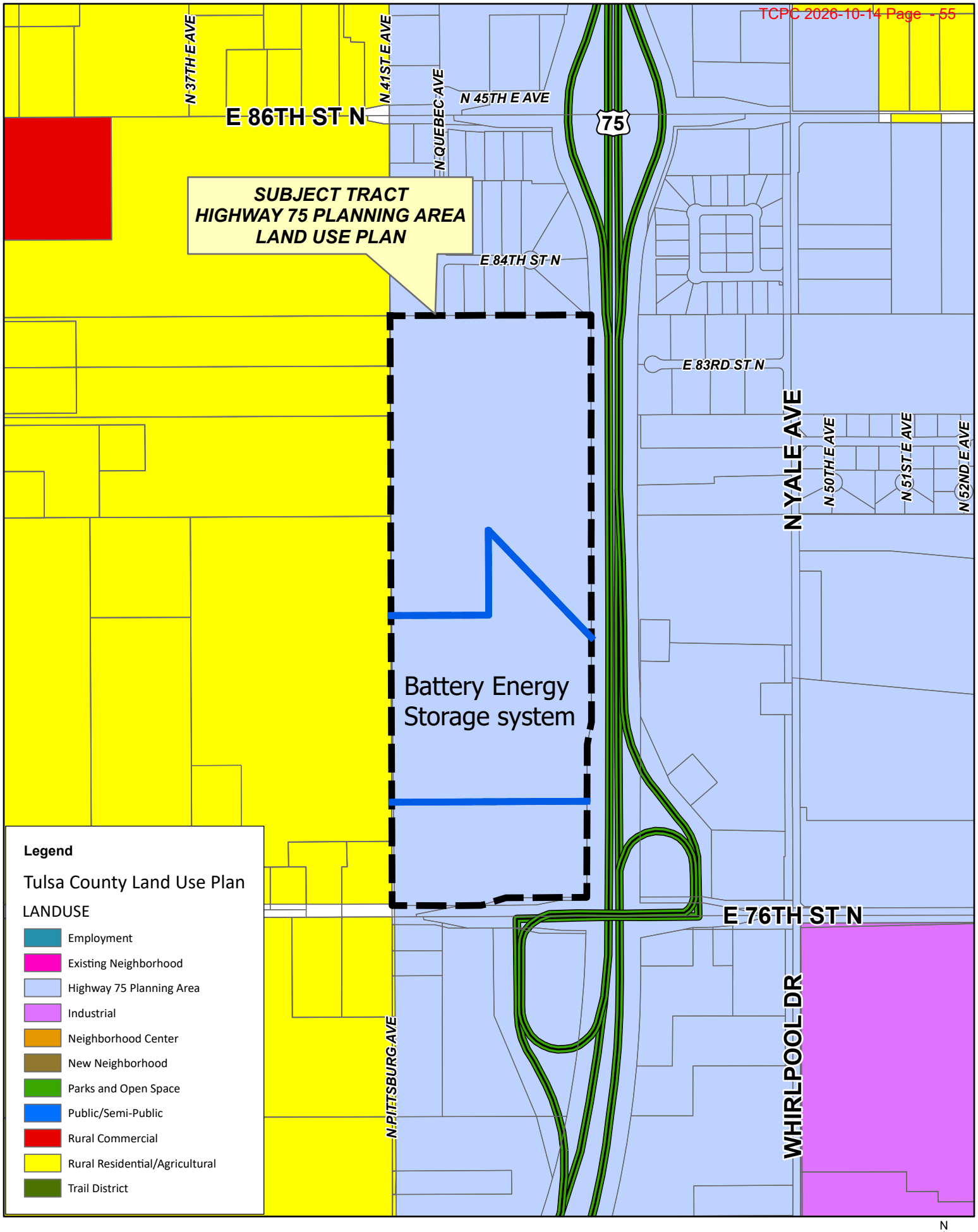
PUD-883

28 21-13

Note: Graphic overlays may not precisely align with physical features on the ground.

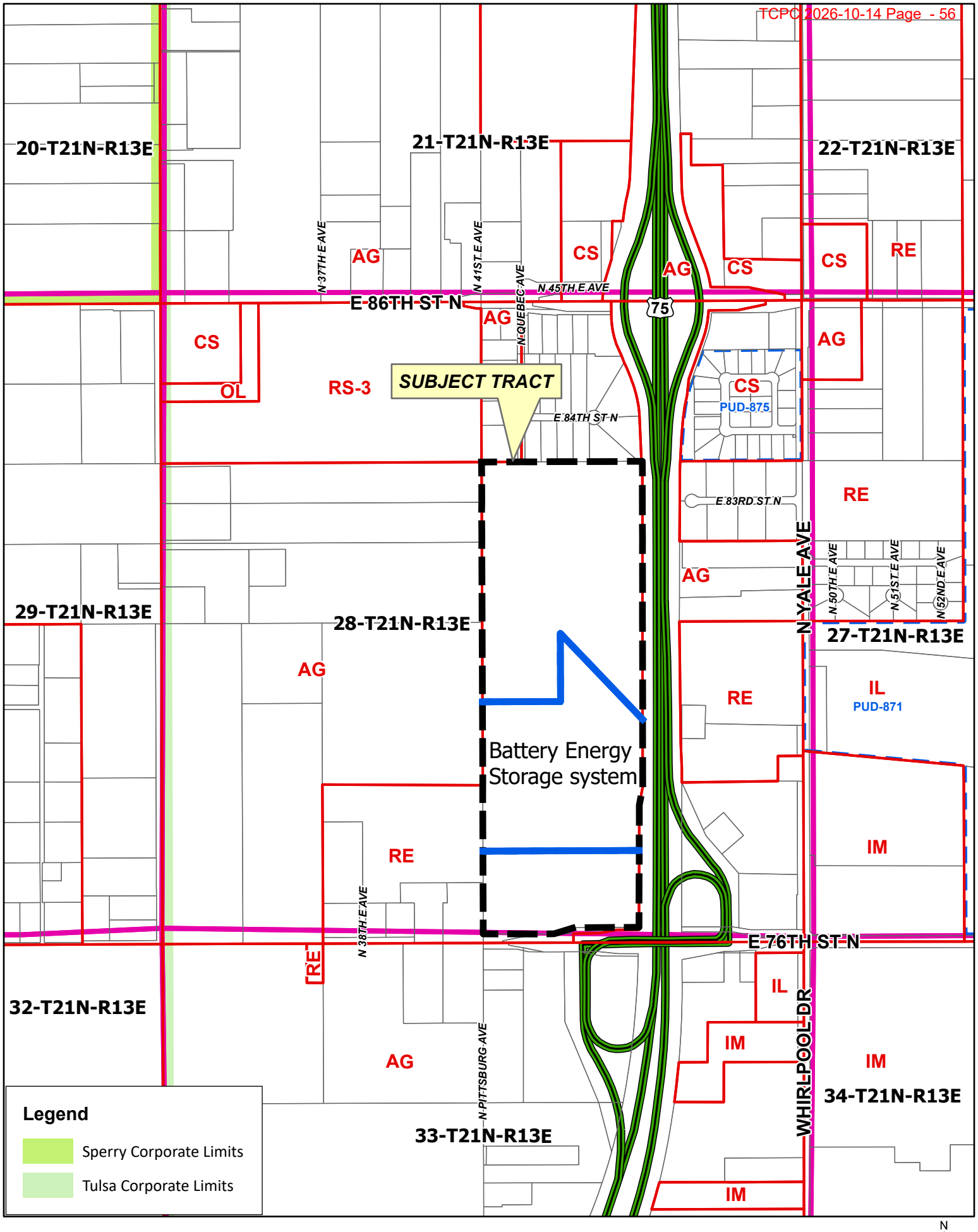
Aerial Photo Date: 2025

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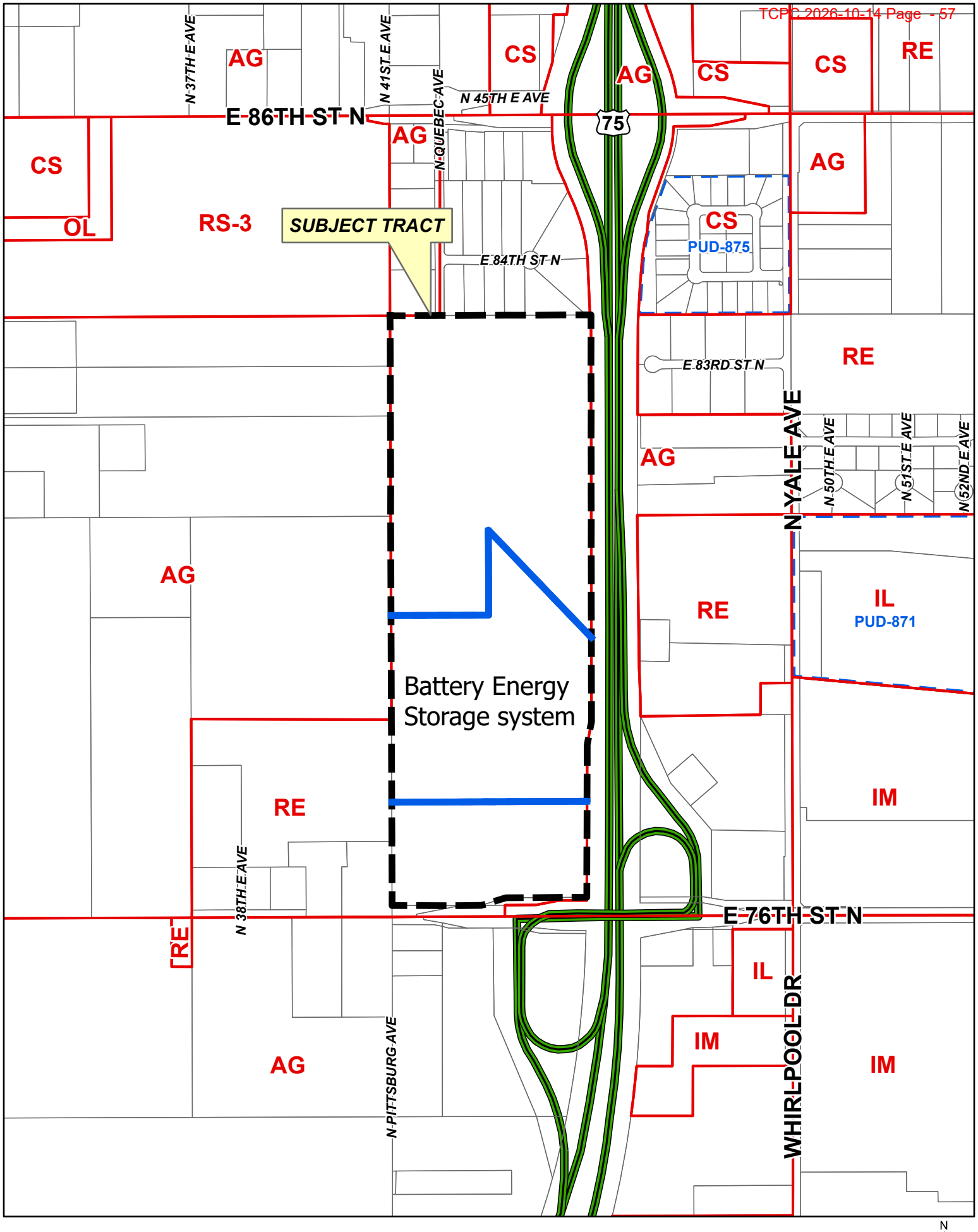
PUD-883

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PUD-883

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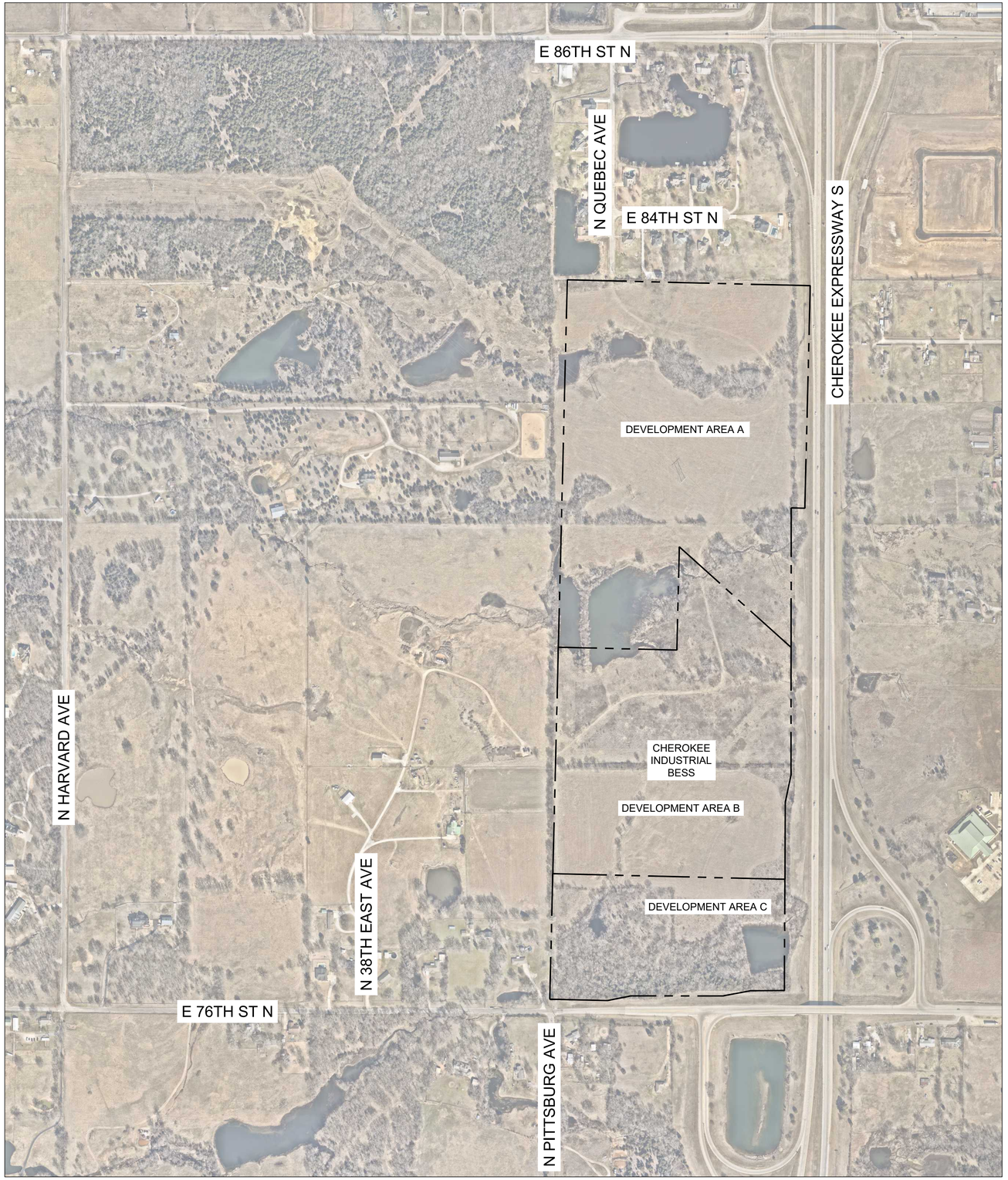


Feet
0 400 800

PUD-883

28 21-13

N



NORTH

GRAPHIC SCALE IN FEET
0 150 300 600

EXHIBIT A:
AERIAL IMAGE

CHEROKEE INDUSTRIAL BESS

TULSA COUNTY, OKLAHOMA
AUGUST 2026

Kimley»Horn
1437 S Boulder Dr
Suite 930
Tulsa, OK 74119
P 918-380-8868

NOTES:
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LEGEND

AG	AGRICULTURE
RS-3	RESIDENTIAL
RE	RESIDENTIAL SINGLE FAMILY ESTATE
CS	COMMERICIAL SHOPPING
IL	INDUSTRIAL
IM	INDUSTRIAL
OL	OFFICE LOW

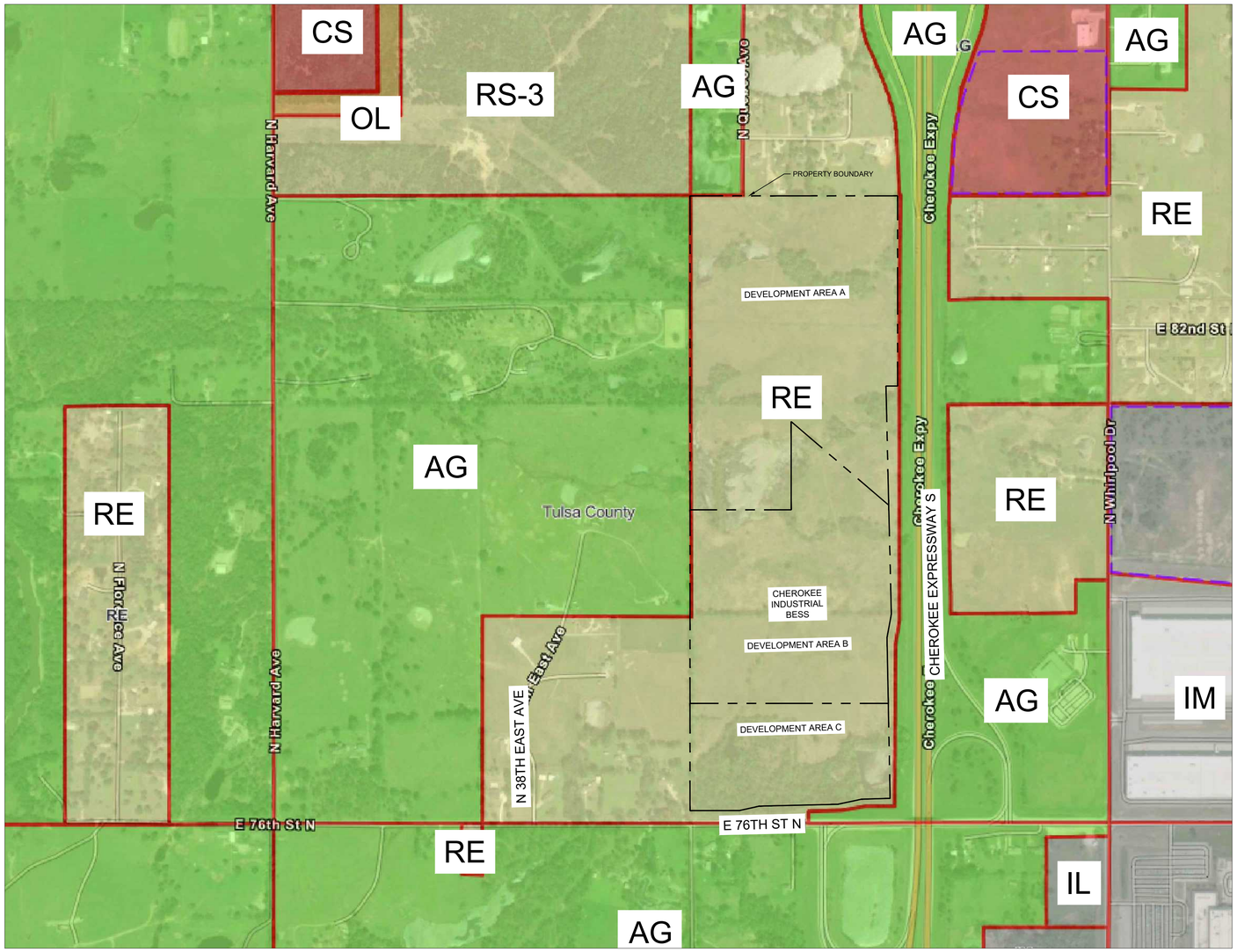


EXHIBIT B:
EXISTING ZONING MAP

NORTH

GRAPHIC SCALE IN FEET
0 200 400 800

CHEROKEE INDUSTRIAL BESS

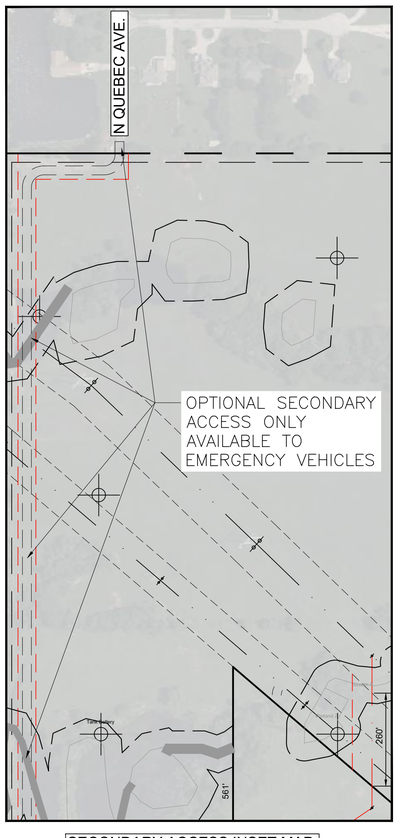
TULSA COUNTY, OKLAHOMA
AUGUST 2026

Kimley»Horn
1437 S Boulder Dr
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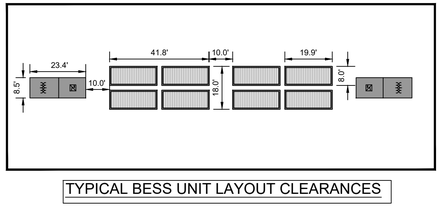


VICINITY MAP

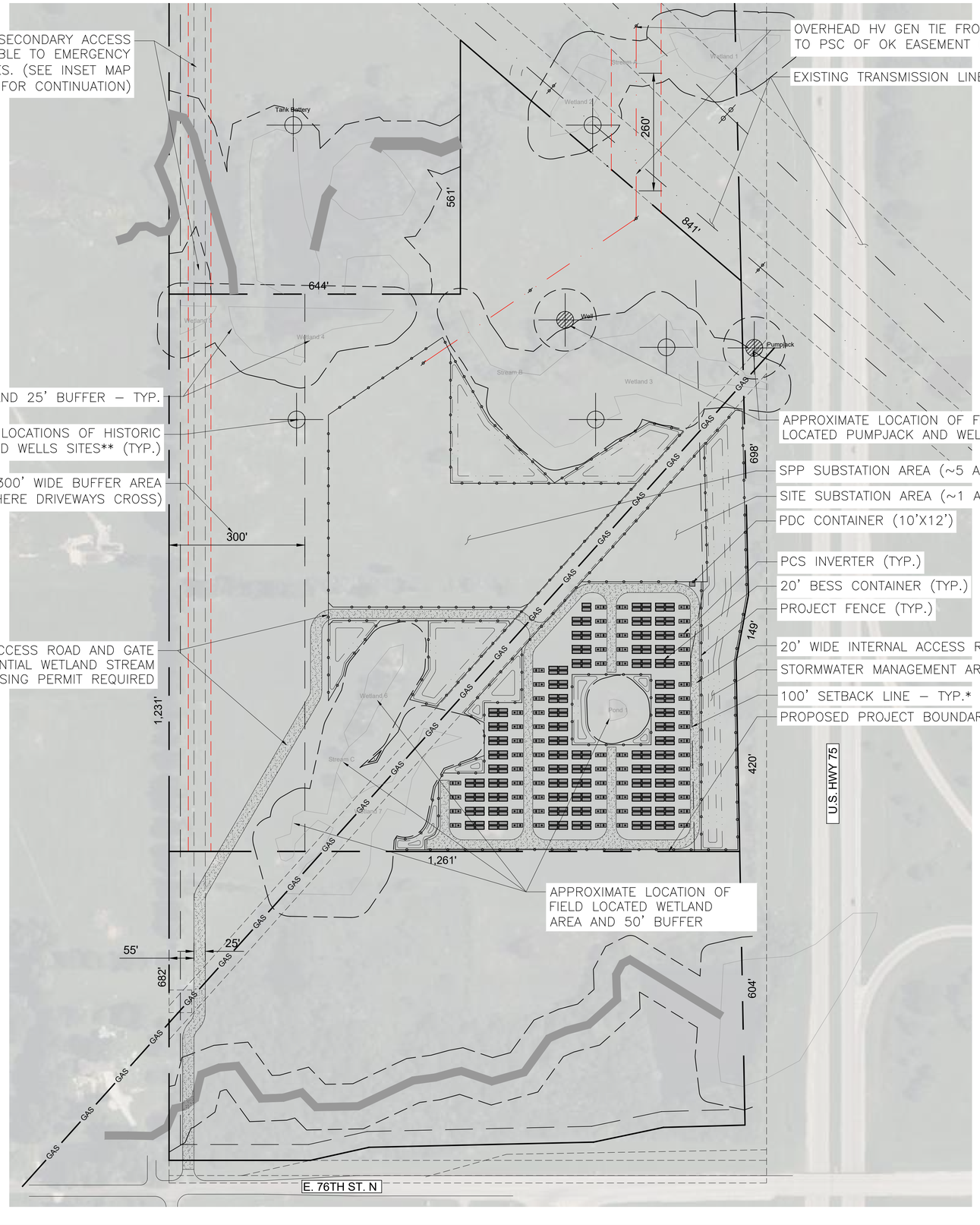


SECONDARY ACCESS INSET MAP

SCALE IN FEET
1" = 200'



TYPICAL BESS UNIT LAYOUT CLEARANCES



0' 120' 240' 360'

SCALE IN FEET
1" = 120'

BESS LAYOUT GUIDELINES:

23.4' X 8.5' PCS INVERTER SKID UNITS
19.9' X 8' BESS CONTAINERS
20' INTERNAL ROAD WIDTH
2' MIN. BETWEEN BESS CONTAINERS
10' BETWEEN CONTAINERS AND INVERTERS
2' MIN. BETWEEN EQUIPMENT AND INTERNAL ROADS
30' MIN. INTERNAL ROAD TURN RADIUS
25' MIN. SETBACK FROM PROPERTY LINES, OR PER CODE

LAYOUT CONFIGURATION BASED ON HITHIUM 6.25 MWh 4h BESS UNIT DIMENSIONS, CLEARANCES, AND SPACING. FINAL LAYOUT DESIGN TO BE IN ACCORDANCE WITH THE MANUFACTURE'S RECOMMENDATIONS FOR THE TECHNOLOGY SELECTED.

CONSULTATION WITH THE LOCAL AUTHORITY HAVING JURISDICTION (AHJ) AND FIRE DEPARTMENT PERSONNEL REGARDING APPLICABLE CODES AND REGULATIONS IS REQUIRED TO DETERMINE PROJECT SPECIFIC SITE SAFETY, ACCESS, EQUIPMENT SPACING, AND LAYOUT REQUIREMENTS, WHICH MAY INCREASE REQUIRED CLEARANCES BEYOND WHAT IS INDICATED.

SITE DATA TABLE:

SATOSHI ACRES LLC PROPERTY - PID 91328-13-28-46810

TULSA COUNTY, OK

*BUILDING SETBACKS (FROM NON-PARTICIPATING PROPERTIES, OTHER SETBACKS APPLY FOR SPECIAL EXCEPTION USES):

US HWY 75 100'

MAJOR ARTERIAL ROAD 35'

REAR 25'

SIDE 15'

EXISTING PROPERTY AREA = 116.50 AC.

FENCELINE AREA = 16.3 AC.

INCLUDES ONE ~5 AC SPP SUBSTATION AREA AND A ~1 AC SITE SUBSTATION AREA

EXCEPT WHERE NOTED AS "FIELD LOCATED", WETLANDS AND STREAMS SHOWN ARE APPROXIMATE AND ARE SCALED FROM THE NATIONAL WETLAND INVENTORY MAP. A JURISDICTIONAL DETERMINATION IS NEEDED TO DETERMINE THE ACTUAL WETLAND BOUNDARY AND ANY REQUIRED IMPACT PERMITTING.

**EXCEPT WHERE NOTED AS "FIELD LOCATED", WELL LOCATIONS SHOWN ARE SCALED FROM THE OK CORP. COMM. WELL DATA FINDER GIS VIEWER. REFER TO OCC FOR MORE INFORMATION.

PIPELINE INFORMATION IS SCALED FROM THE NPMS GIS VIEWER

TRANSMISSION LINE INFORMATION IS SCALED FROM AERIAL PHOTOGRAPHY

SITE IS WITHIN A ZONE "X", AREAS OF MINIMAL FLOODING. SITE IS NOT WITHIN A ZONE "A" (100 YR FLOOD PLAIN) PER FEMA PANEL 40143C0120L EFF 10/16/12.

PROPOSED DEVELOPMENT:

250 HITHIUM 6.25 MWh 4h BESS UNITS
63 PCS INVERTERS

REVISION:	DATE:
ISSUED FOR REVIEW	9-6-24
ADDED CONDUIT TRENCH AND GEN-TIE LENGTHS	10-11-24
REVISED TO SOUTH PROPERTY	6-2-25
WETLAND AND WELL LOCATIONS	7-8-25
SUBSTATION AND BESS LAYOUT	7-29-25
MODIFIED LAYOUT FOR HITHIUM BESS	8-7-25
MODIFIED 2ND ACCESS & NOTES	8-27-25

ANL ENGINEERING & DEVELOPMENT SERVICES
P.O. BOX 43881 VESTAVIA, AL 35243
205-320-3934, AMLENG.COM

CONCEPT SITE PLAN

SATOSHI BESS FACILITY
PARCEL ID 91328-13-28-46810
TULSA COUNTY, OK

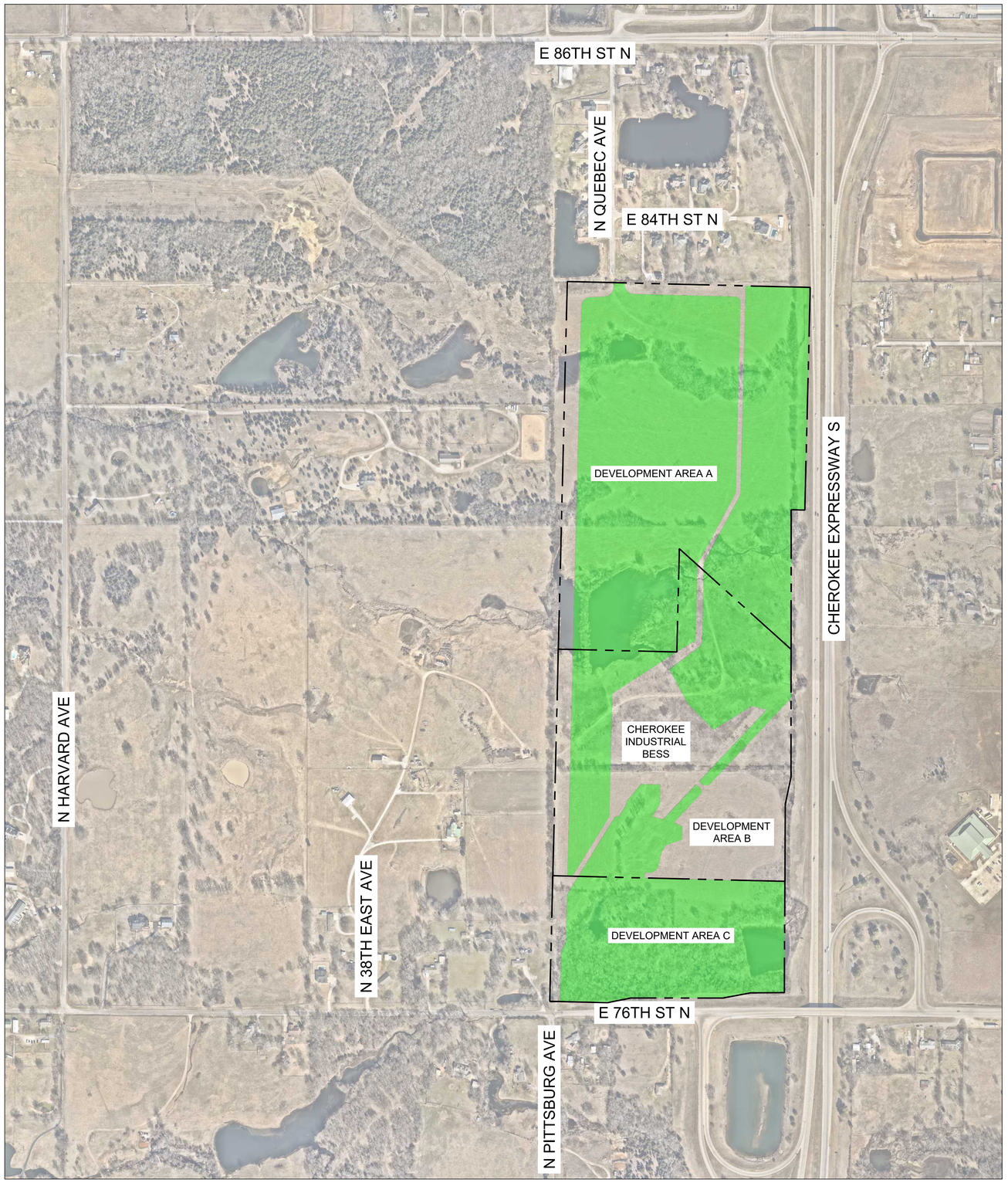
SOFOS POWER

CONCEPTUAL NOT FOR CONSTRUCTION

PROJECT NO: SOFO-SPP01
DATE: 9-6-24
DWG. NO. - REV.

C1-R6

sofos power



NATURAL AREA

NORTH

GRAPHIC SCALE IN FEET
0 150 300 600

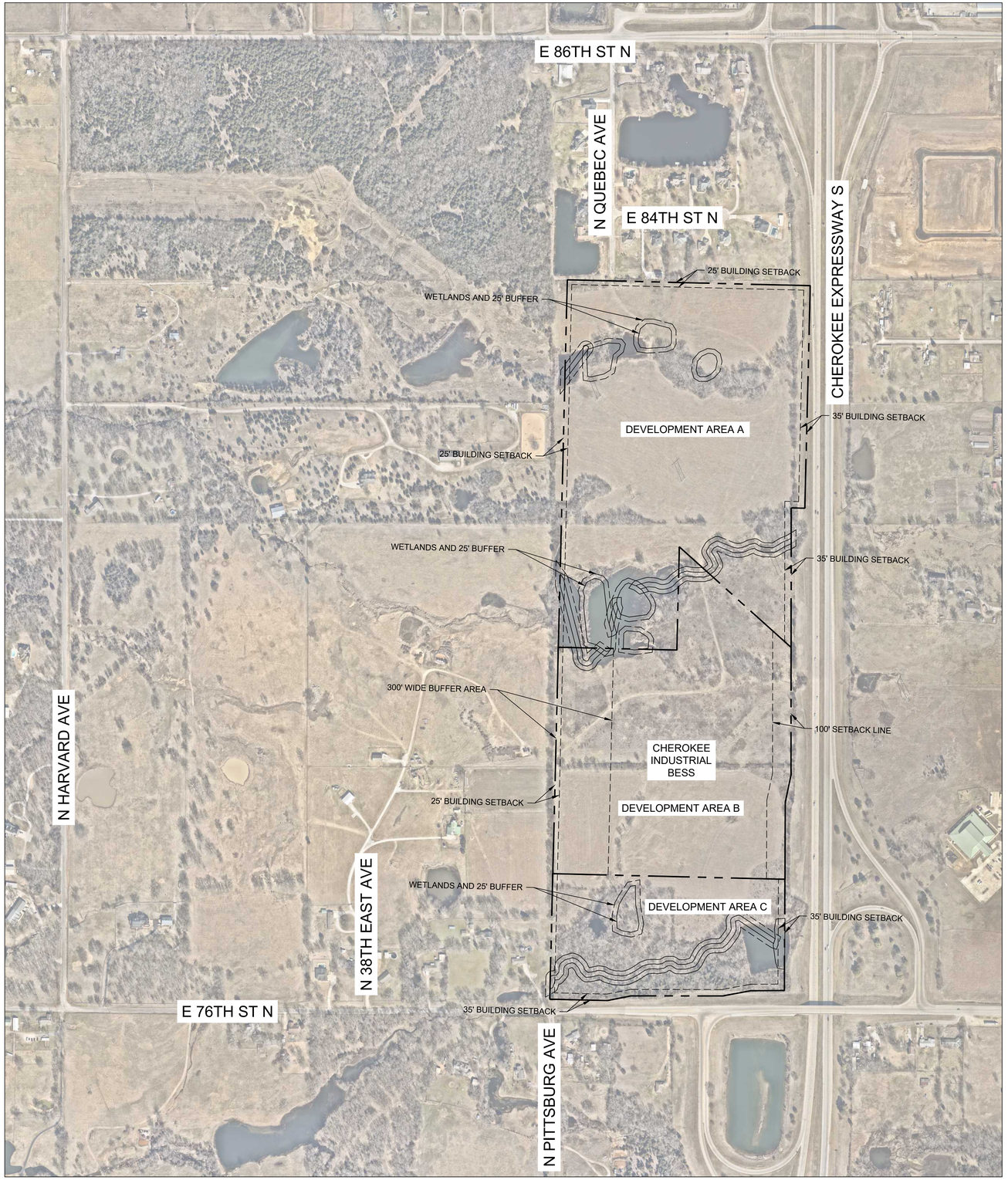
EXHIBIT D:
NATURAL AREA

CHEROKEE INDUSTRIAL BESS

TULSA COUNTY, OKLAHOMA
AUGUST 2026

Kimley»Horn
1437 S Boulder Dr
Suite 930
Tulsa, OK 74119
P 918-380-8868

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NORTH

GRAPHIC SCALE IN FEET
0 150 300 600

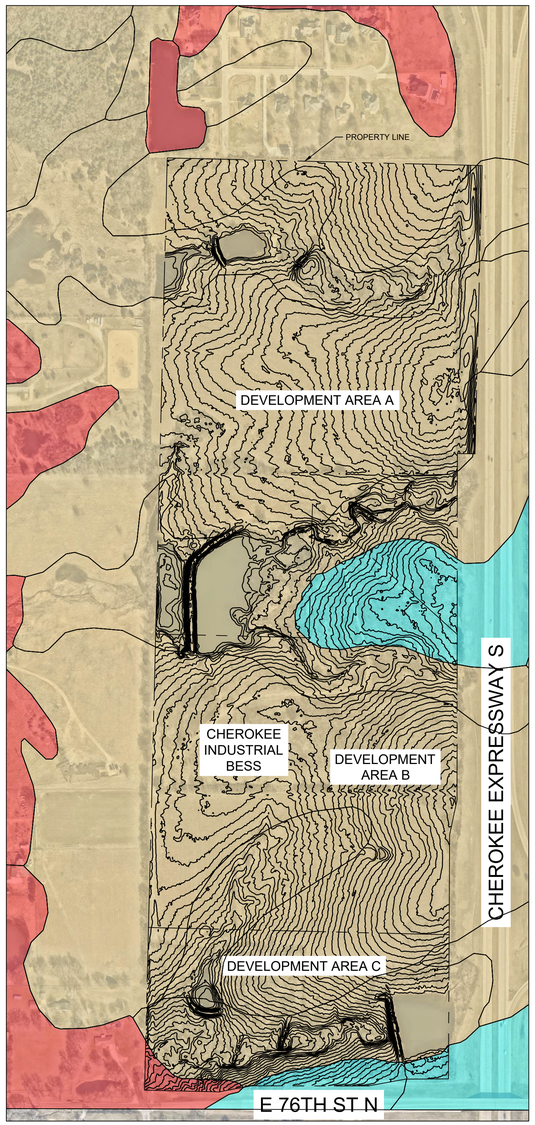
EXHIBIT E:
BUILDING SETBACKS

CHEROKEE INDUSTRIAL BESS

TULSA COUNTY, OKLAHOMA
AUGUST 2026

Kimley»Horn
1437 S Boulder Dr
Suite 930
Tulsa, OK 74119
P 918-380-8868

NOTES:
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SOIL RATING LEGEND

- D
- C/D
- C

NORTH

GRAPHIC SCALE IN FEET
0 150 300 600

EXHIBIT F:
EXISTING TOPOGRAPHY AND SOILS

CHEROKEE INDUSTRIAL BESS

TULSA COUNTY, OKLAHOMA
AUGUST 2026

Kimley»Horn
1437 S Boulder Dr
Suite 930
Tulsa, OK 74119
P 918-380-8868

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EXISTING ELECTRICAL LINE

EXISTING GAS LINE

NORTH

GRAPHIC SCALE IN FEET

0 150 300 600

EXHIBIT G:
EXISTING UTILITIES

CHEROKEE INDUSTRIAL BESS

TULSA COUNTY, OKLAHOMA
AUGUST 2026

Kimley»Horn
1437 S Boulder Dr
Suite 930
Tulsa, OK 74119
P 918-380-8868

NOTES:
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Exhibit "H-1"

Project Legal Description

The West Half of the Southeast Quarter (W/2 SE/4) and the Southwest Quarter of the Northeast Quarter (SW/4 NE/4) of Section Twenty-eight (28), Township Twenty-one (21) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, LESS AND EXCEPT that portion thereof acquired by the State of Oklahoma ex rel. Department of Highways of the State of Oklahoma.

Exhibit "H-2"

Legal Description
Development Area A

The portion of Land beginning at a point that is 1,913.76' North of the south-western most point of the Land, then following a line drawn from this point of beginning, for 1,996.90' to the North, thence a distance of 1,320.0' to the East, thence a distance of 1,209.39' to the South, thence a distance of 74.00' West, thence a distance of 758.39' South. thence a distance of 814.28' to the N-W to a point thence 861.18' to the S, thence 643.66' to the W, terminating at the point of beginning, containing 55.1 +/- acres.

Exhibit "H-3"

Legal Description
Development Area B

The portion of the Land beginning at a point that is 682.22' North of the south-western most point of the Land, then following a line drawn from this point of beginning, for 1230.88' to the North, thence a distance of 643.66' to the E, thence a distance of 561.18' to the N, thence following an existing overhead power line a distance of 814.28' to the S-E to a point that is 1,864.54' from the south-eastern corner of the Land, thence 1,260.34' to the S, thence 1260.7' to the W, terminating at the point of beginning, containing 40.0 +/- acres.

Exhibit "H-4"

Legal Description
Development Area C

All that portion of the Land that is south of a line drawn from the point of beginning that is 682.22' North of the south-western most point of the Land, thence 1,260.7' to the East, thence terminating at a point that is 604.43' North of the south-eastern most property boundary, containing 18.9 +/- acres.

sofos power

Cherokee Industrial Resilient Power Project

Wednesday, August 5, 2026
6:00 p.m. to 8:00 p.m.

Barnes Elementary School
7809 East 76th Street North
Owasso, Oklahoma

	NAME	ADDRESS	EMAIL and PHONE NUMBER
	Lou Reynolds	2727 East 21st Street, Tulsa, Oklahoma 74114	rlreynolds@ellerdetrich.com (918) 747-8900
1.	Amanda Miller		amanda.miller@kimley-horn.com 405/241·5454
2.	Garrett Black Shay Nash	4222 E. 84th St N.	918 932 7670
3.	Paul Gray	314 S. 44th W. Ave. Tulsa 74129	pgrayok@gmail.com 918-813-3129
4.	Kara Joy McKee	1242 S. Columbia Ave.	(405) 388-5885
5.	Clinton Johnson	11295 N. 131st E. Ave	(918)-752-5480

sofos power

Cherokee Industrial Resilient Power Project

Wednesday, August 5, 2026
6:00 p.m. to 8:00 p.m.

Barnes Elementary School
7809 East 76th Street North
Owasso, Oklahoma

	NAME	ADDRESS	EMAIL and PHONE NUMBER
	Lou Reynolds	2727 East 21st Street, Tulsa, Oklahoma 74114	rlreynolds@ellerdetrich.com (918) 747-8900
6.	Donna House	4204 E 84th ST N	918 798 3570
7.	Whitney Pearson		405-826-0241
8.			
9.			
10.			

November 21, 2025

Alex Fukuchi
SOFOs Power

Subject: ***Cherokee Industrial BESS – Noise Study***
Tulsa County, Oklahoma

Executive Summary

The purpose of this technical memorandum is to summarize the evaluated sound levels associated with the operational equipment to be located at the proposed Cherokee Industrial Battery Energy Storage System (BESS) facility in Tulsa County, OK. The proposed BESS facility is located approximately 1 mile west of Owasso, approximately 2 miles north of Tulsa, approximately 3 miles southeast of Sperry, and approximately 6 miles southwest of Collinsville. The site is generally located north of East 76th Street North, west of US Highway 75/Cherokee Expressway, east of North Harvard Avenue, and south of East 86th Street North, with various local residential roads in the vicinity of the project area. The BESS facility will be located on undeveloped land with residential land uses surrounding the site and industrial land uses and a place of worship east of the site. Additionally, the proposed BESS facility is located approximately one mile northwest of South Kansas & Oklahoma Railroad Company (SKOL) railroad tracks and approximately four miles northwest of Tulsa International Airport. The location of the proposed Cherokee Industrial BESS facility is shown in **Figure 1**.

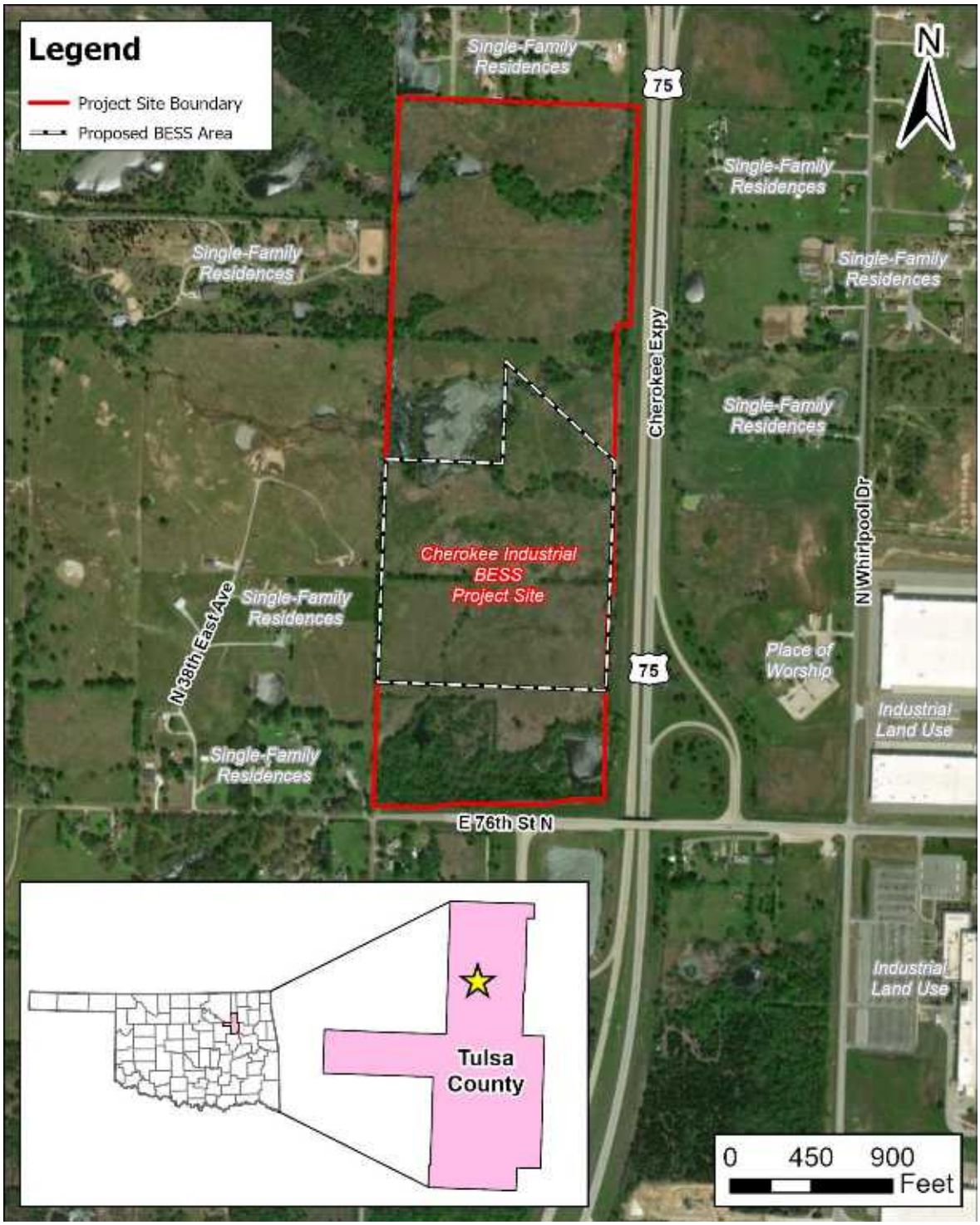
Analysis Findings

- *The Cherokee Industrial BESS facility will be located on undeveloped land with residential land uses surrounding the site, industrial land uses and a place of worship to the east of the site, and railroad tracks and an airport to the southeast. The Tulsa County Zoning Regulations do not establish numeric decibel standards for BESS facilities; therefore, a reference noise level limit of 50 dB(A) at the receiving noise-sensitive land use, which is common reference noise level for BESS facilities, was used for comparison purposes. Unmitigated equivalent operational noise levels at the closest noise sensitive receptors were estimated to be near or below approximately 49 dB(A) during peak operations; therefore, noise mitigation is not recommended at this time.*

Project Description

The proposed Cherokee Industrial BESS facility will be constructed on nearly 40 acres of approximately 117 acres of undeveloped land within an unincorporated portion of Tulsa County, OK. The proposed site will consist of a BESS area in the central portion of the site and will consist of seventy-six (76) inverters, three hundred two (302) battery cabinets, and one (1) 162 megavolt-ampere (MVA) rated transformer located within the proposed substation.

Figure 1: Site Location and Vicinity



Characteristics of Noise

Noise is generally defined as unwanted sound. It is emitted from many natural and man-made sources. Sound pressure levels are usually measured and expressed in decibels (dB). The decibel scale is logarithmic and expresses the ratio of the sound pressure unit being measured to a standard reference level. Most sounds occurring in the environment do not consist of a single frequency, but rather a broad band of differing frequencies. The intensities of each frequency add together to generate sound. Because the human ear does not respond to all frequencies equally, the method commonly used to quantify environmental noise consists of evaluating all of the frequencies of a sound according to a weighting system. It has been found that the A-weighted decibel [dB(A)] filter on a sound level meter, which includes circuits to differentially measure selected audible frequencies, best approximates the frequency response of the human ear.

The degree of disturbance from exposure to unwanted sound – noise – depends upon three factors:

1. The amount, nature, and duration of the intruding noise
2. The relationship between the intruding noise and the existing sound environment; and
3. The situation in which the disturbing noise is heard

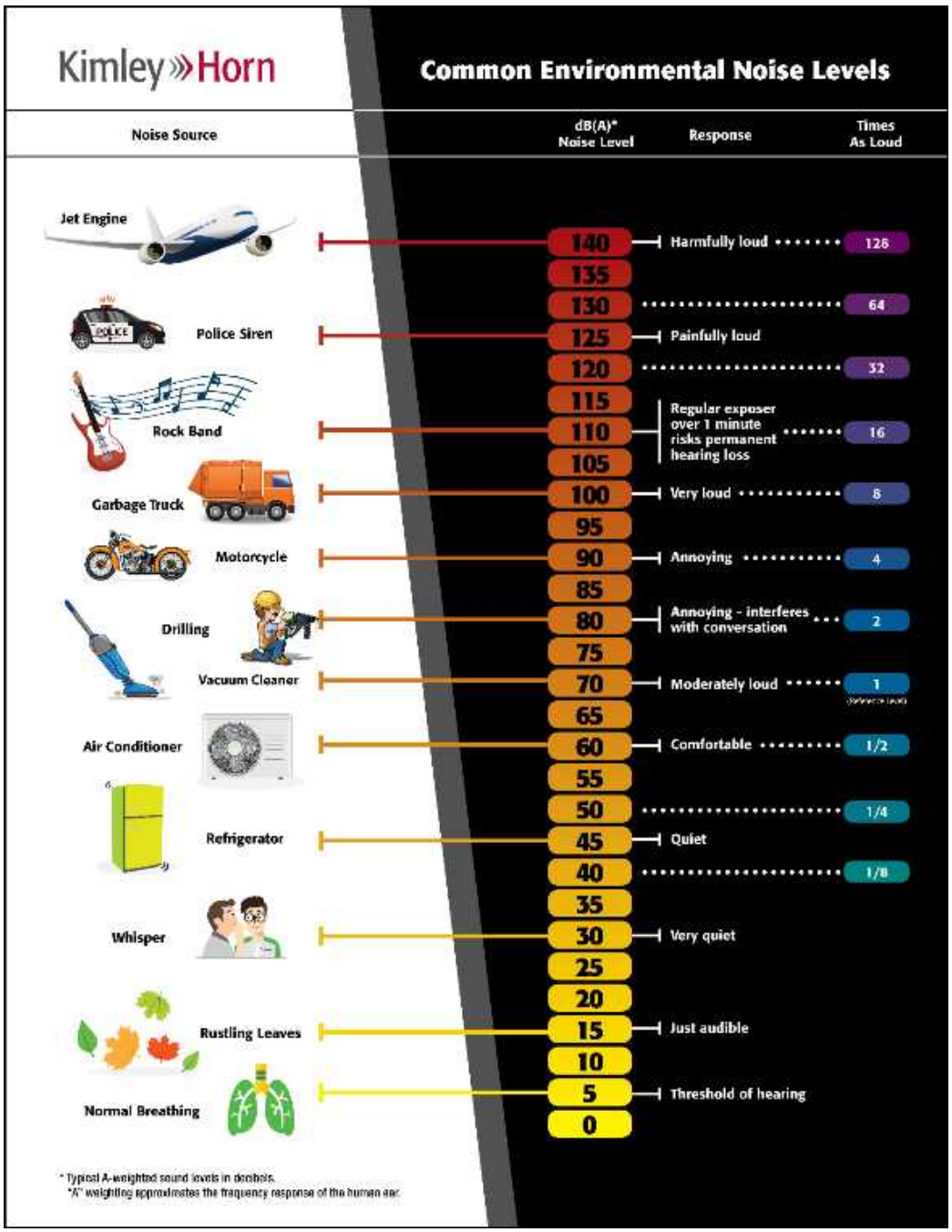
In considering the first of these factors, it is important to note that individuals have varying sensitivity to noise. Loud noises bother some people more than other people, and some individuals become increasingly upset if an unwanted noise persists. The time patterns and durations of noise(s) also affect perception as to whether or not it is offensive. For example, noises that occur during nighttime (sleeping) hours are typically considered to be more offensive than the same noises in the daytime.

With regard to the second factor, individuals tend to judge the annoyance of an unwanted noise in terms of its relationship to noise from other sources (background noise). A car horn blowing at night when background noise levels are low would generally be more objectionable than one blowing in the afternoon when background noise levels are typically higher. The response to noise stimulus is analogous to the response to turning on an interior light. During the daytime an illuminated bulb simply adds to the ambient light, but when eyes are conditioned to the dark of night, a suddenly illuminated bulb can be temporarily blinding.

The third factor – situational noise – is related to the interference of noise with activities of individuals. In a 60 dB(A) environment such as is commonly found in a large business office, normal conversation would be possible, while sleep might be difficult. Loud noises may easily interrupt activities that require a quiet setting for greater mental concentration or rest; however, the same loud noises may not interrupt activities requiring less mental focus or tranquility.

As shown in **Figure 2**, most individuals are exposed to fairly high noise levels from many sources on a regular basis. To perceive sounds of greatly varying pressure levels, human hearing has a non-linear sensitivity to sound pressure exposure. Doubling the sound pressure results in a three decibel change in the noise level; however, variations of three decibels [3 dB(A)] or less are commonly considered “barely perceptible” to normal human hearing. A five decibel [5 dB(A)] change is more readily noticeable. A ten-fold increase in the sound pressure level correlates to a 10 decibel [10 dB(A)] noise level increase; however, it is judged by most people as only sounding “twice as loud”.

Figure 2: Common Noise Levels



Over time, individuals tend to accept the noises that intrude into their lives on a regular basis. However, exposure to prolonged and/or extremely loud noise(s) can prevent use of exterior and interior spaces and has been theorized to pose health risks.

Noise Regulations

The proposed Cherokee Industrial BESS facility is located within an unincorporated portion of Tulsa County, OK. The Tulsa County Zoning Regulations do not establish numeric decibel standards for BESS facilities; therefore, a reference noise level limit of approximately 50 dB(A) at the nearest noise-sensitive land uses was used for this site, which is a common reference level for BESS facilities.

Noise Analysis

Operational sound levels from the proposed Cherokee Industrial BESS facility were evaluated using SoundPLAN. This program computes predicted sound levels at noise-sensitive areas through a series of adjustments to reference sound levels. SoundPLAN also accounts for topography, groundcover type, and intervening structures. Sound levels generated from inverters, transformers at the substation, and battery cabinets are anticipated to be the main sources of sound from the proposed BESS site.

It should be noted that noise from surrounding roadways was not modeled in this analysis, although East 76th Street North, US Highway 75/Cherokee Expressway, North Harvard Ave, East 86th Street North, and other nearby roadways are anticipated to contribute to the ambient noise environment throughout the entire day. According to the Federal Railroad Administration (FRA) Rail Crossing Inventory, approximately ten (10) train pass-by events are anticipated to occur per week from the SKOL rail line and the Tulsa Internation Airport is approximately 4 miles southeast but were not modeled in this analysis.

Inverters

Inverter equipment can generate steady, unvarying sound that may create issues when located near noise-sensitive areas. According to the current site layout, seventy-six (76) inverters will be located in the project area. Based on typical noise emission information for inverter equipment associated with BESS uses, a reference sound pressure level of 75 dB(A) at 1 meter (i.e. 3 feet) for each inverter was used. The sound from the simultaneous operation of the inverter equipment was calculated at the closest noise-sensitive receptors using SoundPLAN.

Sound generated by the inverters is not anticipated to significantly contribute to the existing environmental sound levels surrounding the site. Also, sound generated by the inverters is expected to be mitigated by providing sufficient offsets between the inverters and surrounding noise-sensitive land uses

Transformers

Transformers can also generate steady, unvarying sound that may create issues when located near noise-sensitive areas. According to the current site layout, one (1) 162 MVA rated transformer will be located on the site at the proposed substation. Based on the National Electrical Manufacturers Association (NEMA) average decibel ratings for a 162 MVA rated transformer, a reference sound pressure level of 81 dB(A) at 1 meter (i.e., 3 feet) was used. The sound from the operation of the transformer was calculated at the closest noise-sensitive receptors surrounding the project area using SoundPLAN.

Sound generated by the transformer is not anticipated to significantly contribute to the existing environmental sound levels surrounding the site. Also, sound generated by the transformer is expected to be mitigated by providing sufficient offsets between the transformer and surrounding noise-sensitive land uses.

Battery Storage Cabinets

Battery storage cabinets can also generate steady, unvarying sound that may create issues when located near noise-sensitive areas. According to the current site layout, three hundred two (302) HTHIUM energy storage systems will be located on the site in the BESS area. The battery storage cabinets will contain up to one (1) chiller. Based on noise emission information for the HTHIUM Power 6.25 MWh 4h Liquid-cooled Energy Storage System, a reference sound pressure level of 70 dB(A) at one (1) meter was used. The sound from the simultaneous operation of the battery storage cabinet chillers was calculated at the closest noise-sensitive receptors near the proposed battery storage cabinets using SoundPLAN. It was assumed that the chillers are located facing the aisles between cabinets.

Results

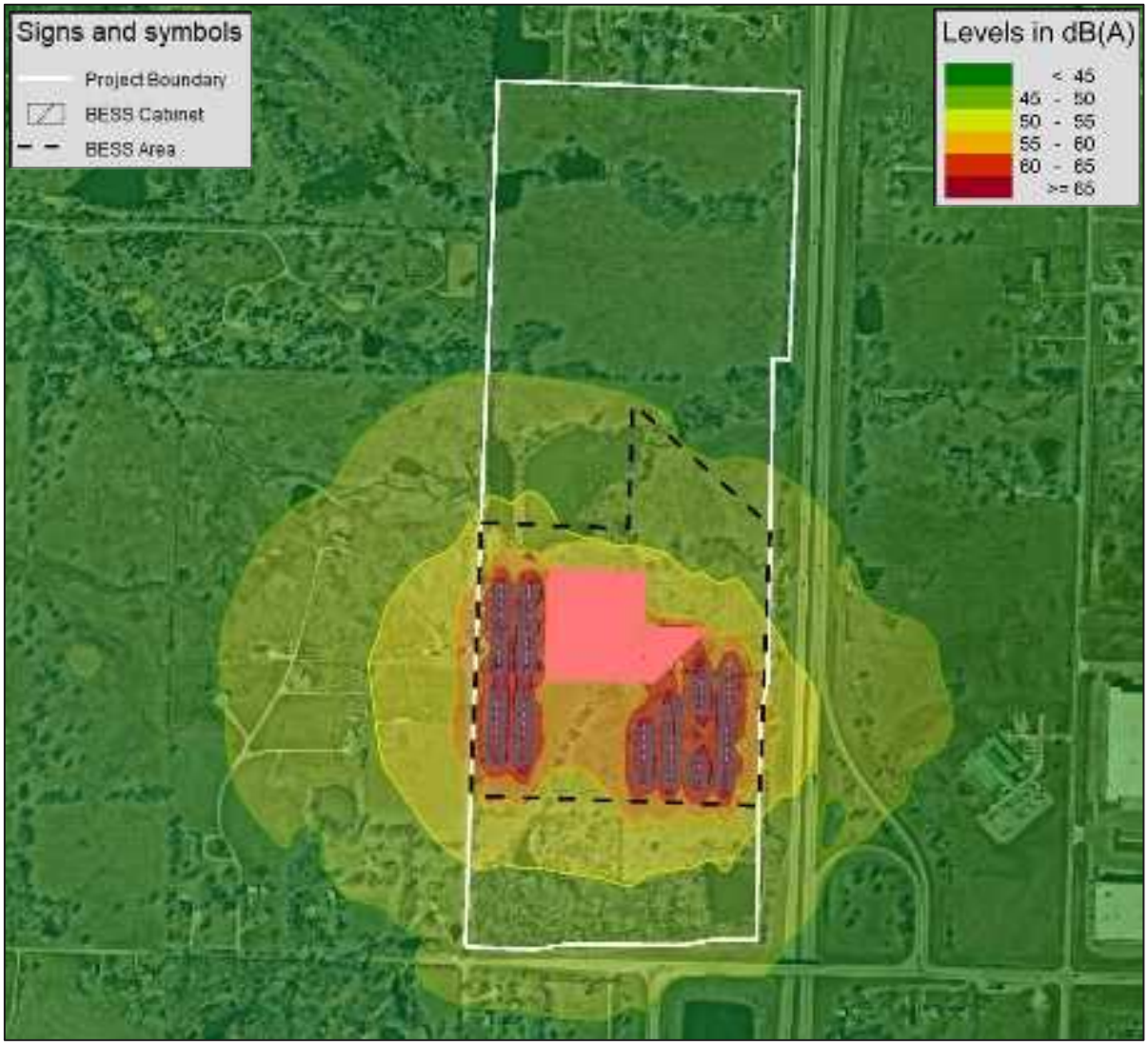
The SoundPLAN-predicted maximum equivalent operational sound levels at the closest noise-sensitive land uses are anticipated to remain near or below approximately 49 dB(A). All operational noise levels at the nearest noise-sensitive land uses are anticipated to remain below the reference noise level limit of approximately 50 dB(A); therefore, noise mitigation is not currently recommended. The anticipated operational noise contours are shown in **Figure 3**.

Conclusions

The proposed BESS project site is generally located north of East 76th Street North, west of US Highway 75/Cherokee Expressway, east of North Harvard Avenue, and south of East 86th Street North, with various local residential roads in the vicinity of the project area. The BESS facility will be located on undeveloped land with residential land uses surrounding the site and industrial land uses and a place of worship east of the site. Additionally, the proposed BESS facility is located approximately one mile northwest of SKOL railroad tracks and approximately four miles northwest of Tulsa International Airport.

After modeling and analyzing the anticipated operational noise levels at the proposed BESS facility, it was determined that operational noise levels at the nearest noise-sensitive land uses are anticipated to remain near or below approximately 49 dB(A).The SoundPLAN-predicted maximum equivalent sound levels are below the reference noise level limit of 50 dB(A); therefore, noise mitigation is not recommended at this time.

Figure 3: Anticipated Operational Noise Contours



DECOMMISSIONING PLAN

CHEROKEE BESS

Northwest of the Intersection of East 76th Street North and U.S. Highway 75

Tulsa County, OK

PREPARED FOR:

SOFOS POWER, LLC.
820 Shades Creek Pkwy, Suite 3000
Birmingham, AL 35209

PREPARED BY:

KIMLEY-HORN & ASSOCIATES, INC.
4727 Gaillardia Parkway, Suite 250
Oklahoma City, OK 73142

Prepared on: November 21, 2025

Kimley»Horn

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APPENDICES

*Appendix 1 – Engineer's Opinion of Probable Construction Cost **14***

1. INTRODUCTION

1.1 PURPOSE

This decommissioning plan is provided by Sofos Power, LLC. (or the "Project Company") and will detail the projected decommissioning demands associated with the proposed project.

The purpose of this decommissioning plan is to provide procedures and an opinion of probable construction cost for partial or full closure and removal of the BESS facility. Tulsa County requires a decommissioning plan to supplement plans submitted as part of the Planned Unit Development (PUD) application. This decommissioning plan details provisions for facility deconstruction and site restoration and shall ensure that the site will be restored to a useful, nonhazardous condition. This decommissioning plan shall take effect upon facility abandonment, discontinuation of operation, or expiration of the use permit as defined by Tulsa County.

1.2 SITE LOCATION

Sofos Power, LLC. is proposing to develop a Battery Energy Storage System (BESS) facility with a nameplate capacity of approximately 260 MW / 1040 MWh in Tulsa County, Oklahoma. The project site is located northwest of the intersection of East 76th Street North and U.S. Highway 75 in Tulsa County, Oklahoma and within tax parcel identification numbers 91328-13-28-46810 and is zoned RE, residential single-family.

Sofos Power, LLC. will design and permit the project with the authorities having jurisdiction, including Tulsa County and Oklahoma. Upon permit issuance, the Owner/Operator will manage the construction, operation, and decommissioning of the project.

1.3 ANTICIPATED SERVICE LIFE

Unless the system is purchased by the Utility Company or other entity, the facility shall be decommissioned in accordance with this Decommissioning Plan ("Plan"), restoring the site to as close to its agreed-upon post-decommissioned state as practicably possible upon expiration or termination of the Power Purchase Agreement. Cherokee Industrial BESS has an anticipated project life of 20 years, with the option to re-evaluate for continuation or decommissioning at the end of this 20-year period.

Decommissioning responsibilities shall include:

- Removal of aboveground and below ground cables, equipment, structures, fences, and foundations
- Restoration of the surface grade and soil after removal of equipment
- Revegetation of restored soil areas with native seed mixes, excluding any invasive species
- Management of materials and waste, projected costs, and a decommissioning fund agreement overview
- The time frame for the completion of site restoration work
- And all other requirements of Tulsa County

This decommissioning plan shall take effect upon any of the following conditions:

- The land lease (including the exercise of any extension options) ends and will either not be renewed or a new lease will not be entered into for the Project.
- The system does not produce power for sale for a consecutive 12 month period, except in the instance of a force majeure event in which the Project is being repaired and/or restored.
- The system is damaged and will not be repaired or replaced.
- System abandonment, discontinuation of operation, or as required by Tulsa County

1.4 DECOMISSIONING RISK OVER PROJECT LIFE

The probability of an event that would lead to abandonment or long-term interruption is extremely low during the first 15 to 20 years of the Project life. Accordingly, the risk of decommissioning the Project is extremely low during this time frame. The reasons why the risk to decommission the Project is extremely low in the early phases of the Project include, but are not limited to:

- Project owners have sophisticated financing structures that allow the lender or tax equity partner to step in and rectify the event that may lead to abandonment.

- Most critical BESS components have original equipment manufacturer (OEM) warranties with terms exceeding five years that include labor and parts. A warranty is an agreement or guarantee outlined by a manufacturer to a customer that defines performance requirements for a product or service. Warranties give customers a form of insurance if the purchased product or service does not adhere to quality standards. These warranties assure the Project owner, financing parties, and other stakeholders, that equipment will perform as expected which minimizes the risk of a decommissioning event. Average warranty lengths for critical BESS components range from 10 to 15 years, with some warranties on BESS units extending to 20 or 25+ years.

- BESS projects consist of many networked components designed to store and release electrical energy. The failure of any single component will not result in a substantial reduction of energy generation that could lead to a decommissioning event.

- BESS projects are required to maintain replacement value property damage insurance coverage and business interruption insurance coverage. Business interruption insurance covers the loss of income that a business suffers after a disaster or equipment failure.

- The replacement costs of solar components will typically decline over time, and accordingly, costs to replace failed or damaged equipment after lapsed OEM warranties will not create large financial hurdles for the Project.

- In the early stages of the Project, the resale value of the equipment is significantly higher than the decommissioning costs, resulting in a net positive (revenue).

Considering the reasons stated above, a decommissioning bond early in the life of a solar project life is not required to assure the coverage facility removal and site restoration costs.

Battery Energy Storage Systems are an increasingly popular form of grid stability and backup power around the world and are an essential energy option for the future of the planet. BESS also offers the additional benefit of being easier to build, operate, and decommission with minimal environmental risks. Recent rises

in popularity and use can be linked to lower installation and operation costs and it is expected that this pattern will continue, further reducing the risk of a decommissioning event.

1.5 DECOMMISSIONING RISKS OVER TIME

As previously noted, the probability of a decommissioning event that would lead to abandonment or long-term financial interruption is extremely low during the first 15 to 20 years of the Project life and accordingly, the financial risk to decommission the Project is also extremely low. A risk analysis approach is presented here for informational purposes only and has not been considered in the decommissioning cost estimates present in this Plan.

It is important to note that there are two aspects to consider when evaluating the risk for decommissioning the Project:

1. The risk of the need to decommission the Project as a whole (Project termination risk), and
2. The risk of failing to recuperate the cost of the decommissioning activities (decommissioning funding).

The most important concern for Tulsa County is the ability to recuperate the cost of decommissioning and restoration of the land to pre-Project conditions. The presence of a Power Purchase Agreement (PPA) in the first 20 years of the Project makes the likelihood of decommissioning very low during that time. The graph below summarizes the estimated decommissioning risk of cost recovery for the Project. The graph utilizes a “one percent” risk as the lowest risk; however, the financial value of the Project or equipment in the early years would far exceed the cost of the decommissioning and restoration activities and therefore, the graph is conservative.



The factors taken into consideration in estimating the risk include, but were not limited to:

- Years 1-5 – Minimal Project termination or financial risk due to presence of PPA with guarantee to purchase power, resale of value components, component warranties, value of facility.

- Years 5-10 – Similar consideration of previous period, except minimal increased financial risk due to the decrease in resale value of used components and rise in technological improvements of new equipment in market.

- Years 10-15 – Similar consideration of previous period, with slightly increased risk as warranties start to expire. Value of equipment is still substantial but decreasing.

- Years 15-20 – Similar consideration of previous period, warranties continue to expire; value of equipment diminishes with age and technological improvements in market.

Years 20-25 – PPA expires, Project termination and funding risks increase, value of equipment diminishes, and technological improvements in market. A rise in salvage value of removed equipment due to diminishing natural resources and improvements in the efficiency of recycling/extraction technologies will offset the cost of decommissioning.

2. PROJECT COMPONENTS

2.1 SITE WORK PREPARATION

Prior to construction, appropriate construction best management practices shall be installed. This includes, but is not limited to, construction entrance and soil stabilization, perimeter control, and other security and erosion and sediment control measures. The stockpile area shall be delineated upon the implementation of silt fence or approved equal.

2.2 PROPOSED SITE IMPROVEMENTS

The existing site is an agricultural field with a zoning designation of RE, or residential single family. There are 7 wetlands, 2 streams, and 1 pond currently present on the site, which will remain post-development. The site has gentle slopes, predominantly sloping from east to west.

The proposed site will consist of the following development activities:

- Site preparation, including removal of existing crops/vegetation and grading (as necessary). Special care will be made to protect existing trees and wetlands.

- Installation for a 260 MW/1040 MWh BESS consisting of lithium-ion batteries, storage containers, transformers and electrical cabling and associated equipment.

- Construction of a 345 kV generator intertie electrical transmission line or “gen-tie”, including transmission poles and associated electricity transmission facilities, connecting from the project site to the existing substations to the northeast and northwest.

- Construction of temporary and permanent on-site access roads for construction and maintenance activities.

- Construction of stormwater management facilities and site utilities.

2.3 BESS/ELECTRICAL EQUIPMENT

Proposed BESS and electrical equipment includes approximately 302 battery containers, 76 PCS inverters, 2 main power transformers in one site substation, and a SPP substation. Electrical equipment shall be installed on concrete pads and shall maintain clearances as required by Tulsa County, National Electric Code ("NEC"), and National Fire Protection Association ("NFPA"). To connect the battery containers to the on-site substation, approximately 4,436 linear feet of medium voltage and approximately 10,925 linear feet of low voltage wiring are proposed.

2.4 STORMWATER MANAGEMENT

Post-development stormwater runoff will be captured by proposed stormwater ponds on-site. The storm water basin will be located next to the BESS facility to capture, detain/retain, and treat runoff as well as protect the site from flooding during the project lifespan. The basin will be decommissioned with the rest of the project in addition to the site equipment. The stormwater basin will be backfilled with soil similar to existing soils in the project site.

2.5 SITE ACCESS

The project will feature internal roadways and perimeter fencing. All access roads on the site will comply with county regulations for emergency response and equipment manufacturer specifications for delivery and maintenance. During the project's lifespan, the roadways and fencing will be consistently maintained. After decommissioning, the access roads may be kept to ensure continued access to the property area

3. PROJECT DECOMMISSIONING AND RECYCLING

3.1 DECOMMISSIONING OBJECTIVES

The decommissioning plan adheres to the standards of the Battery Energy Storage System (BESS) industry and standard lease and easement agreement terms. The decommissioning process will ensure the safe execution of the following tasks:

1. Remove and clean every battery storage unit or energy storage device, transformer, balance of plant (BOP) equipment, and substation equipment constructed on the property.

2. Remove and clean all structural foundations of the battery storage facility on the property. All holes or cavities created during removal will be backfilled with the excavated soil. Foundations will be removed to a depth of three feet.

3. Remove and clean all buried cables, including power, grounding, fiber-optic, and communication cables installed on the property. Any holes or cavities created during removal will be backfilled with the excavated soil. Cables buried deeper than four feet will remain.

4. Remove all overhead power or communication lines constructed on the property. Disconnection from the utility power grid.

5. Remove all stormwater basins established on the property. All holes or cavities created during removal will be backfilled with the excavated soil.

6. Remove all fences, gates, and onsite access roads established on the property. All holes or voids created during removal will be backfilled with the excavated soil.

7. Remove all underground utilities, including water service, irrigation service, sanitary sewer, storm sewer installed on the property. Any holes or cavities created during removal will be backfilled with the excavated soil. Utilities buried deeper than three feet will remain with proper abandonment.

The decommissioning project will be approached as a single, comprehensive effort, allowing for the most cost-effective demolition methods. Various means and methods may be employed for the dismantling process, though the specific means and methods will be determined by the contractor performing the work to ensure safe dismantling of the project.

This decommissioning plan is based on current best management practices and procedures. This Plan may be subject to revision based on new standards and emergent best management practices at the time of decommissioning. Permits will be obtained as required and notification will be given to necessary stakeholders prior to decommissioning.

The Project Company is responsible for this decommissioning, provided however that the Project Company may contract with a third-party to perform the decommissioning on its behalf. Nothing in this plan relieves any obligation that the real estate property owner may have to remove the Facility as outlined in the PUD in the event the operator of the Facility does not fulfill this obligation.

3.2 TIMELINE

Once it is determined that the Project has reached the end of its usable life and decommissioning should begin, a detailed decommissioning report will be prepared. This report will coordinate the schedules and stages of decommissioning activities, record the equipment or materials removed, document the recipients of disposed or recycled materials, track changes in equipment custody, and provide a final site condition report. Preparation for decommissioning should commence before ceasing site operations, with all decommissioning activities expected to be completed within 12 months of the Project's closure.

Decommissioning of various stages can happen concurrently, but decommissioning the site will generally follow the order below.

1. BESS battery units, transformers and support equipment
2. Substation components and transmission line structures
3. Foundations
4. Underground Cables and Utilities
5. Stormwater BMPs
6. Perimeter fencing
7. Site access and internal roadways

3.3 DECOMMISSIONING TASKS

Upon determining that the Project has reached the end of its life and decommissioning can commence, the Project will be disconnected from its point of interconnection (POI) at the substation located 3.37 miles northwest of the Project site. Prior to shutting down the facility, the Battery Energy Storage System (BESS) will be discharged to below 30% state of charge, or follow more stringent requirements set by the Department of Energy or Department of Transportation at the time of decommissioning. This ensures compliance with transportation guidelines for safely transferring the lithium-ion batteries for reuse or

recycling. All equipment on-site, from the Project's substation to the BESS enclosures, will be isolated and grounded to minimize potential energy risks to personnel. The contractor responsible for decommissioning will provide all necessary equipment and ensure compliance with lockout/tagout (LOTO) procedures to minimize risks. Proper personal protective equipment (PPE) will be required for all personnel at all times.

High-value assets will be removed early in the decommissioning schedule to reduce theft risk, improve cash flow, and separate recyclable materials for maximizing scrap recovery. High-value assets include precious alloys like copper, aluminum-brass tubes, stainless steel tubes, and other valuable metals used in plant systems. This category includes transformers, transformer coils, circuit breakers, electrical cables, batteries, and inverters. The removal methods will vary based on the asset's location and nature. Smaller transformers, equipment, and cables will likely be removed and shipped to scrap yards, while large transformers and inverters will require on-site disassembly before being sent to scrap yards.

Construction and Demolition (C&D) waste will be kept separate from scrap and concrete to prevent cross-contamination of waste or recycling streams. C&D demolition crews will use equipment like excavators with material handling attachments and skid steers to remove these materials. The materials will then be consolidated and loaded into bulk containers for disposal.

3.3.1 BESS BATTERY UNITS AND SUPPORT EQUIPMENT

The Project's Battery Energy Storage System (BESS) will be the first component to be removed from the site. All personnel working on the BESS equipment must be certified and trained in decommissioning procedures according to both manufacturer requirements and federal hazardous materials regulations. The batteries within the custom-built enclosures will be isolated down to the smallest individual component recommended by the manufacturer for on-site handling and then removed and packaged for reuse or recycling. Following the removal of battery modules, any internal equipment such as heating and cooling systems, fire suppression systems, and other components will be separated for recycling. The custom-built enclosures themselves will then be disassembled and separated for recycling. When decommissioning the electrical components, the grounding circuit will, whenever possible, be the last to be removed to ensure personnel safety. Foundations for the enclosures will remain in place until all other equipment has been disassembled and removed from the site. Specialized equipment needed for this task may include a crane, forklift, and specific equipment provided by the BESS manufacturer.

3.3.2 POWER CONVERSION SKIDS

All personnel decommissioning the power conversion equipment will be trained according to the manufacturer's requirements. Electrical cabling between battery enclosures and inverter or transformer components will be removed for recycling. Electronic equipment and transformers will be separated from power conversion equipment for resale or recycling. All on-site transformers will be drained of oil before being moved offsite. Cables connecting the power conversion systems to the Project substation will also be recycled. The grounding circuit will be the last to be removed whenever possible for safety. Foundations for the power conversion systems will remain until all other equipment is disassembled and removed. Specialized equipment may include a crane and tools from the power conversion system manufacturer.

3.3.3 AUXILIARY ELECTRICAL SYSTEMS

All personnel decommissioning the auxiliary electrical equipment will be trained according to the manufacturer's requirements. Auxiliary systems may include transformers, switchboards, panelboards, fire protection equipment, and heating and cooling systems. These components, connected to the BESS power conversion system, will be removed and organized for recycling per manufacturer recommendations and relevant regulations. Additional handling requirements may be needed for certain equipment before recycling. The grounding circuit will be the last to be removed whenever possible for safety. Foundations will remain until all equipment is disassembled and removed. Specialized equipment, such as a crane and forklift, may be needed for this work.

3.3.4 ELECTRICAL CABLES AND CONDUITS

All direct buried electrical cables and conduits between equipment must be excavated and removed. The materials will be separated for recycling or C&D waste disposal. The BESS ground grid and underground electrical cables connecting to the Project substation will be removed for recycling up to the substation yard. Gravel terrain will be removed and disposed of off-site. All cavities created will be filled with soil similar to the original soil intended for agricultural development. Specialized equipment may include graders, skid steers, excavators, bulldozers, and dump trucks.

3.3.5 FOUNDATIONS

The remaining structures and foundations will be demolished up to three feet. Steel components will be separated, crushed, and recycled. Concrete will be crushed and disposed of. At the end of this task, there should be no in-ground components of the project besides site fencing (See section 3.3.7 for site perimeter fencing).

3.3.6 STORMWATER BASIN

All site stormwater basins on site will be backfilled and graded to match existing terrain. All voids created in completing this work will be filled with soil consistent to the existing conditions.

3.3.7 PERIMETER FENCING

Perimeter fencing will remain until all other assets of the project have been removed. The fencing will continue to provide site security and safety during the decommissioning process. Once the rest of the site has been cleared, fencing will be removed, and materials will be sent to recycling or waste.

3.3.8 SITE ACCESS AND DRIVES

Internal site roadways and drives will be removed and restored to the original site conditions and grades. All materials removed will be reused or recycled. All voids created during this process will be filled with soil consistent to the existing conditions. Site access roads may be preserved after the project with written approval from the owner.

3.4 RESTORATION OF SITE

The projects disturbed land will be restored to the original uses before construction. This work will follow all removal as described in Section 3.3 above. Restoration will consist of re-grading to re-establish the preexisting topography. In order to adequately restore the site to its previous condition, documentation

using pre-construction video and/or digital photography will be performed prior to construction activities. This information will be reviewed prior to preparation of decommissioning demolition documents and included in the submittal to Tulsa County. Pre-construction documentation will also consist of detailed descriptions of existing vegetative and soil conditions as well as existing topography and drainage patterns.

At the time of decommissioning, the Project Company will restore the BESS Facility to a meadow-like condition. All waste and excess materials will be disposed of in accordance with municipal, provincial and federal regulations. Waste that can be recycled under municipal programs will be recycled accordingly. Provided, however, the Project Company shall not be required to replace any structures that were removed to build the Solar Facility.

The restoration will consist of de-compaction of the topsoil by disking or tilling and re-vegetation of the property. The Project Company will provide dust control during site restoration. At the end of the project the area will be seeded and fertilized with native vegetation as needed to return the site to as close as practicable to original or initially agreed-upon condition. Landscaping and paved entrance will remain following site restoration. The future use of the land will be determined at the time of decommissioning. Deciding factors will be influenced by Tulsa County land use and comprehensive plans and regulations at such time in the future.

The developer will coordinate with the Tulsa County to monitor vegetation and drainage following restoration until permanent vegetation is established. Erosion and sediment control, re-seeding, soil stabilization, weed control and fertilization will be provided by the developer as needed until the site is stabilized and approved to be completed by the Tulsa County.

Upon completion of the site restoration, a final report of activities will be submitted to the Tulsa County documenting the process and results.

4. PROJECT DECOMMISSIONING COSTS

An engineer's opinion of probable construction cost and analysis of material salvage value were prepared as part of this decommissioning plan. Appendix A summarizes the probable costs and salvage values associated with decommissioning.

Industry standard prices in 2025 for removal costs and material salvage value were determined using RSMeans cost data supplemented with other local data. Removal cost includes materials, contractor installation/demolition, mobilization and demobilization, overhead and profit, performance bonding, contingency, and engineering plans and permitting. Resale value of equipment of significant value were calculated with straight-line depreciation of the original material cost. The following assumptions were included in our estimate:

- All costs are shown in current 2025 dollars.
- Trucking costs are based on Q4, 2025 rates.
- Site mobilization for decommissioning is assumed to initiate from Tulsa, Oklahoma.
- Project quantities are based on "Satoshi BESS – Tulsa Co OK – Concept Site Plan R5 7-29-25.pdf" dated July 29, 2025
- Waste disposal is assumed to be hauled to WM - Quarry Landfill approximately 10 miles from the site.

- Recycled material is assumed to be hauled to Frailey's Recycling, approximately 5 miles from the site. Salvage values are estimated based on iScrapapp.com November 2025 quotes for the United States.
    - Steel (fencing) could be scrapped for $0.74/linear foot
    - Inverters and transformers could be sold/re-used for $5,400/each.
    - Copper/aluminum wiring could be sold for $3.36/lb.
    - Steel (piles) could be scrapped for $0.93/each

- Cost fluctuations are expected based on market conditions prior to contract execution.
- Land value and/or sales are excluded from this estimate.

The net probable value of decommissioning was calculated as the removal value subtracted from the salvage and resale values adjusted for inflation in Year 20. The expected removal value subtotal is **$6,848,000.** The probable total salvage and resale value is **$413,000.** Approximately **$1,541,000** is assumed for soft costs and contingencies, bringing the probable net present value of decommissioning including contingencies with salvage to **$7,976,000.** Assuming an inflation rate of 2.29% for 20 years, the probable value of decommissioning is estimated to be **$12,544,000.**

Disclaimer

Kimley-Horn (“KH”) is not obligated to update these materials beyond the current date, even if the information becomes outdated or inaccurate.

The information, analysis, and opinions contained herein are based on publicly available sources, market research, financial or operational data. KH relies on provided information as current, accurate, and complete. KH has not conducted exhaustive research nor independently verified this information, and therefore does not guarantee its accuracy, completeness, or current status. The projections and conclusions presented are based on the mentioned information and reflect KH's opinions. They should not be interpreted as definitive forecasts or guaranteed outcomes, as actual conditions and pricing may vary significantly.

KH does not have control over factors such as material and equipment availability, labor availability, energy or commodity pricing, demand and usage, market conditions, technological advancements, weather, and other economic or political factors that could influence these estimates, analyses, and recommendations.

Appendix 1

Engineer's Opinion of Probable Construction Cost

Cherokee BESS
Tulsa County, OK
Decommissioning Estimate Pro Forma w/ Salvage for BESS Facility: 20 Year Removal

The Engineer has no control over the cost of labor, materials, equipment, or over the Contractor's methods of determining prices or over competitive bidding or market conditions. Opinions of probable costs provided herein are based on the information known to Engineer at this time and represent only the Engineer's judgment as a design professional familiar with the construction industry. The Engineer cannot and does not guarantee that proposals, bids, or actual construction costs will not vary from its opinions of probable costs. LS = Lump Sum, HR = Hours, EA = Each, LF = Linear Feet.

Item	Quantity	Unit	Unit Price	Total Price
Disassembly, Removal and Demolition (COST)				
Removal of BESS Batteries (Modules)	9,664	EA	$532.41	$5,145,210.24
BESS Battery Disassembly and Removal of BESS Containers and Pads	302	EA	$294.92	$89,065.84
Power Conversion System (PCS)	76	EA	$147.24	$11,190.24
Low Voltage Wiring	10,925	LF	$0.27	$2,949.75
Medium Voltage Wiring	4,436	LF	$0.49	$2,173.64
Fence (8' tall chain link)	7,980	LF	$5.91	$47,161.80
General Conditions/Mobilization	1.0	LS	$75,000.00	$75,000.00
			Sub-Total	**$5,372,751.51**
Haul-Off and Disposal (COST)				
Aggregate Base	3,899	CY	$25.00	$97,471.75
Steel Piles	3,476	EA	$5.71	$19,847.96
BESS Equipment*	1	LS	$1,170,723.44	$1,170,723.44
			Sub-Total	**$1,288,043.15**
Restoration Grade & Seed (COST)				
Topsoiling, Grading	193,500	SY	$0.49	$94,445.99
Seeding, Fertilizing, and Stabilization	193,500	SY	$0.48	$92,507.79
			Sub-Total	**$186,953.78**
Salvage Value (CREDIT)				
Transformers	76	EA	($5,400.00)	($410,400.00)
Cable Wire (copper/aluminum)	768	LB	($3.36)	($2,580.65)
Fence	7,980	LF	($0.74)	($5,937.47)
Steel Piles	3,476	EA	($0.93)	($3,232.87)
			Sub-Total	**($412,980.65)**

SUBTOTAL (w/o Salvage)	**$6,847,748.44**
10% Contingency	$684,774.84
12.5% Soft Costs	$855,968.56
Total Present Cost (w/o Salvage)	$8,388,491.84
Total Present Cost (w/ Salvage)	$7,975,511.19
2.29% Inflation/year	$4,568,086.05
TOTAL COST (YR 20)	**$12,543,597.24**

1. A negative number in the total represents that the salvage value exceeds the costs to perform the decommissioning.
2. Equipment removal costs include associated pad removal and conduit removal (or abandonment).
3. Costs based on rsmeans city cost index (cci, heavy construction 2025) for Tulsa, OK and locally provided data.
4. The engineer has no control over the cost of labor, materials, equipment, or over the contractor's methods of determining prices or over competitive bidding or market conditions. Opinions of probable costs provided herein are based on the information known to engineer at this time and represent only the engineer's judgment as a design professional familiar with the construction industry. The engineer cannot and does not guarantee that proposals, bids, or actual construction costs will not vary from its opinions of probable costs.
5. The following assumptions were made in the analysis: 48 batteries per battery container.
6. Substation decomissioning and salvage values are excluded from this estimate.
7. All structural foundations are assumed to rely on steel piles. BESS units are assumed to have 10 piles per container and PCS units are assumed to have 6 piles per container.

*See BESS trucking cost spreadsheet for detail.

Tulsa County Planning Commission
Heritage Estates: STAFF REPORT
Hearing Date: October 14, 2026
Prepared by: Kendal Davis; kdavis@incog.org; 918-579-9485

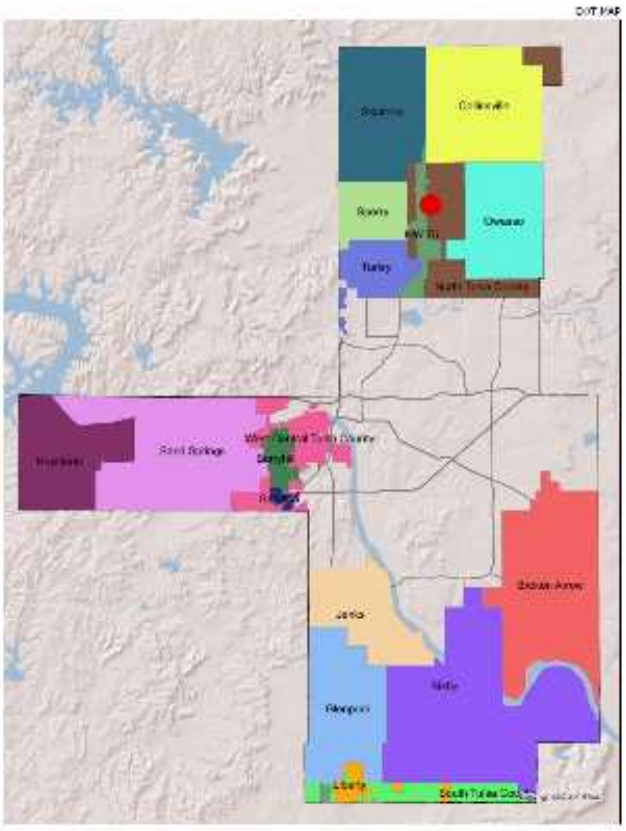
Owner and Applicant Information

Applicant: Lance Davis

Property Owner: Lance Davis

Property Location: 10429 N Yale Ave Sperry, OK
Tract Size: 39.97 ± acres

Location within Tulsa County
(shown with Planning Areas)



Elected Representatives
County Commission: District 1; Stan Sallee

Staff Recommendation
Staff recommends **approval of Preliminary Plat**

Request Summary

Preliminary Plat Approval for a Residential Subdivision.

Zoning
Existing Zoning: AG (Agricultural)
Proposed Zoning: RS-1 (Residential Single Family)

Use
Current Use: Farmland
Proposed Use: Residential Single-Family Subdivision

Comprehensive Plan Considerations

Land Use
Land Use Plan: RURAL RESIDENTIAL/AGRICULTURAL as recommended in Unincorporated Areas of Tulsa County's Comprehensive Plan.

Transportation
Major Street & Highway Plan: N. Yale Ave. is classified as Secondary Arterial

Transit: None

Existing Bike/Ped Facilities: None

Planned Bike/Ped Facilities: None

Environment
Flood Area: None

Parks & Open Space: None

Exhibits

- Aerial case map
- Tulsa County Comprehensive Plan case map
- Zoning case map
- Section map
- Heritage Estates Preliminary Plat
- Heritage Estates Conceptual Plan

Preliminary Plat

Staff Recommendation

Heritage Estates - (County)
This plat consists of 39 lots, 1 block on 39.97 ± acres.

The Technical Advisory Committee (TAC) met on 10/8/26 and provided the following comments:

1. **Zoning:** Proposed lots conform to the requirements of the district. Planning Services will provide comments prior to final plat release.

2. **Addressing:** INCOG will assign addresses. Include assigned addresses on face of the final plat and provide address disclaimer.

3. **Transportation & Traffic:** Street construction must be approved by the County Engineer and installed prior to final plat release.

4. **Sewer/Water:** Water line plans must be submitted to Rural Water District. Additional infrastructure may be needed based on water demands. All requirements of the rural water district must be met for final plat approval.

5. **Stormwater, Drainage, & Floodplain:** Plans for stormwater and drainage must be approved by the Tulsa County Engineer and improvements must be in place prior to final plat approval. Provide access to reserve area for maintenance.

6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

7. **Engineering:** Tulsa County Engineering Department release is required prior to final plat approval.

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the following:

1) Conditions provided by TAC,
2) All other requirements of the TMAPC Subdivision and Development Regulations.
3) Tulsa County Engineering Department release is required prior to final plat approval.

Staff recommends **APPROVAL** of, Heritage Estates.

Applicant neighborhood engagement process:

- None provided



Feet
0 200 400

Subject Tract

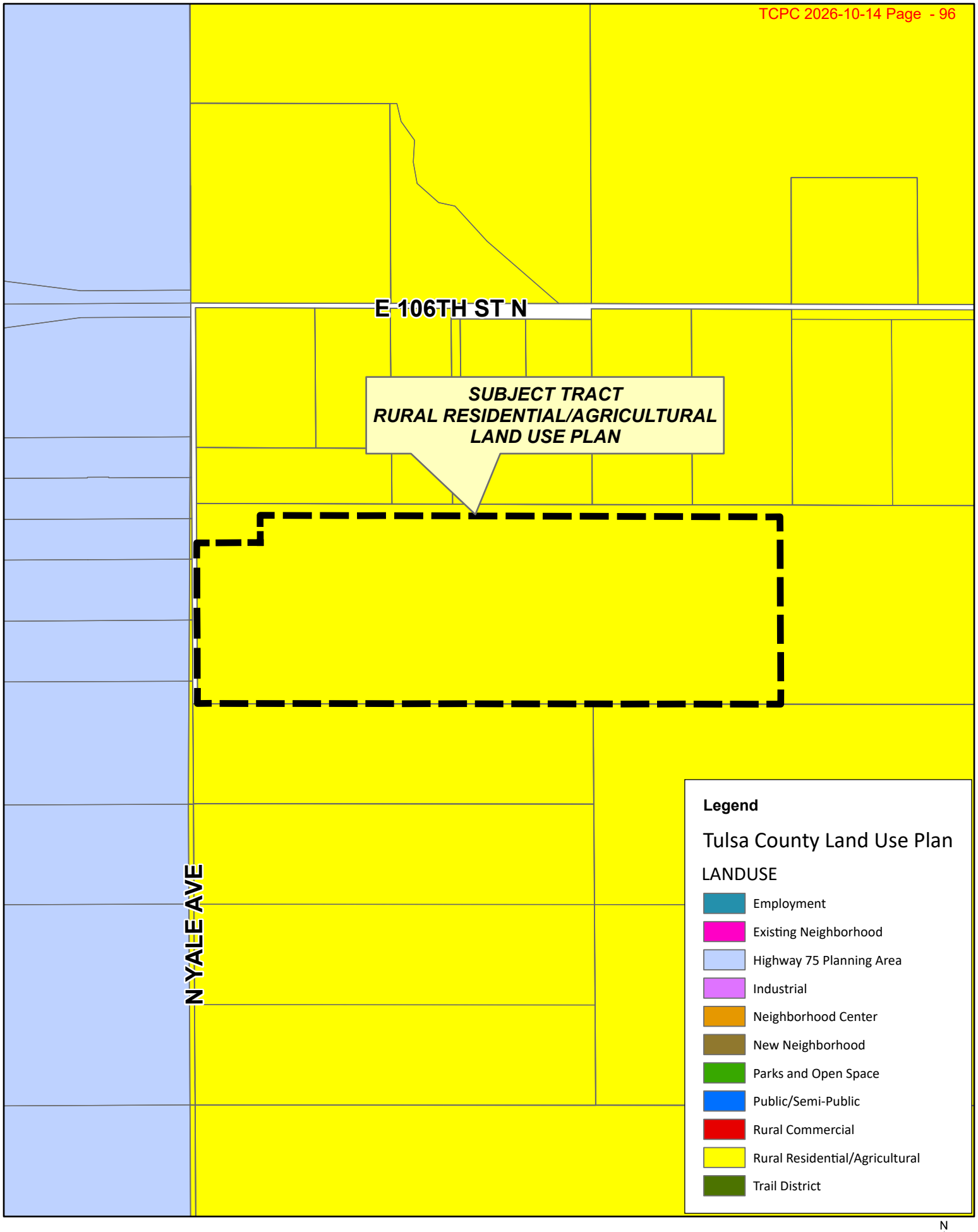
HERITAGE ESTATES

15 21-13

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2025

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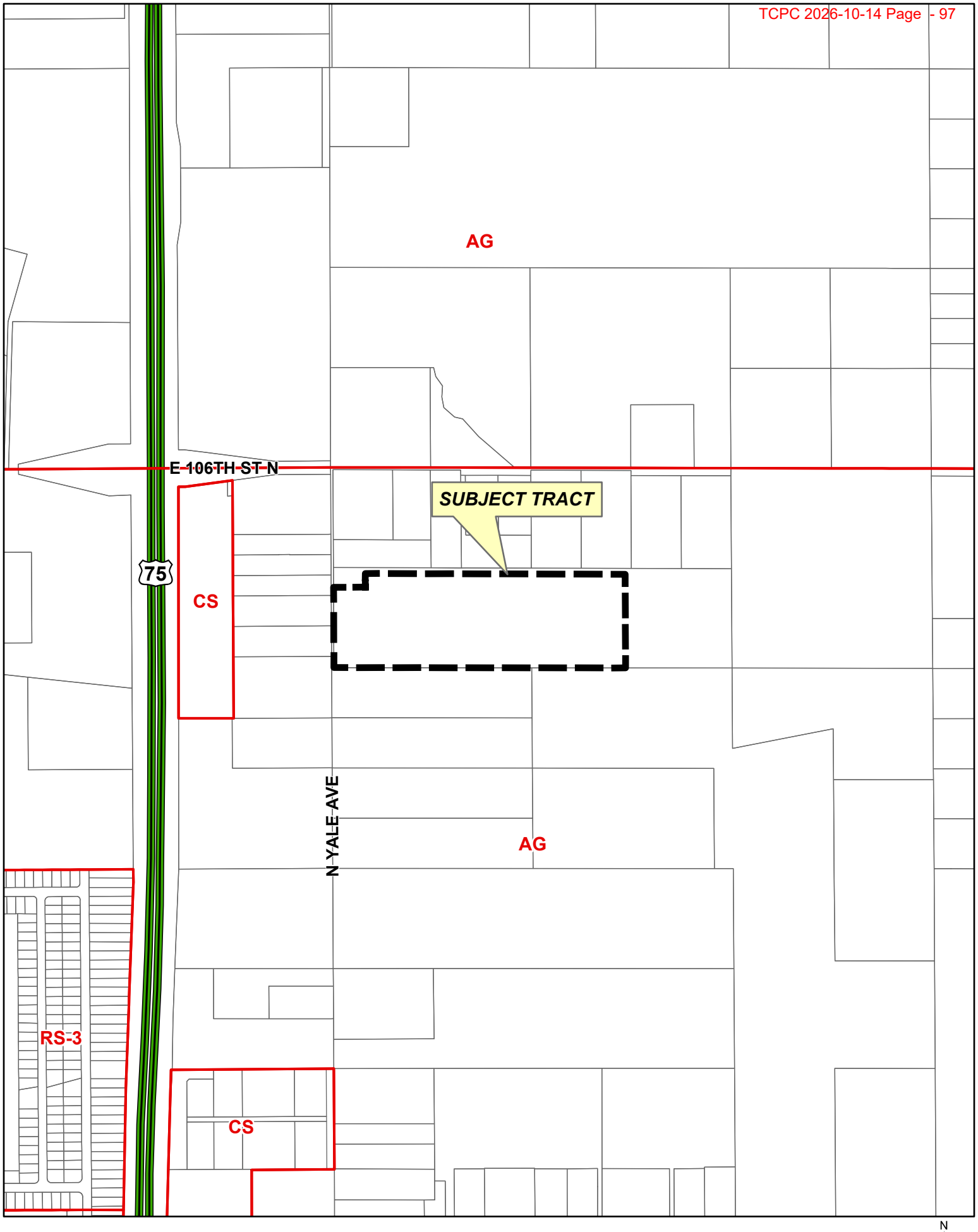


Feet
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HERITAGE ESTATES

15 21-13

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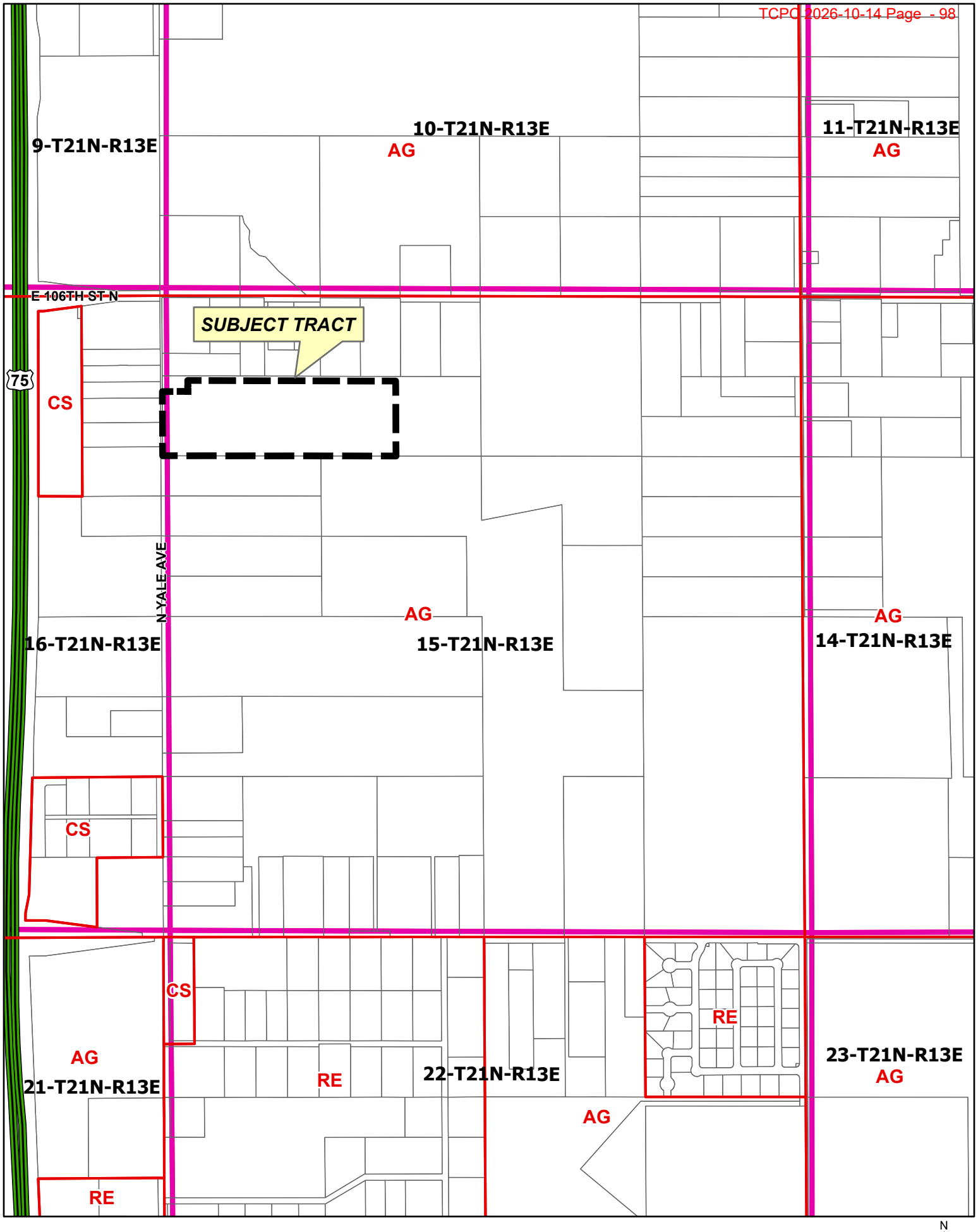


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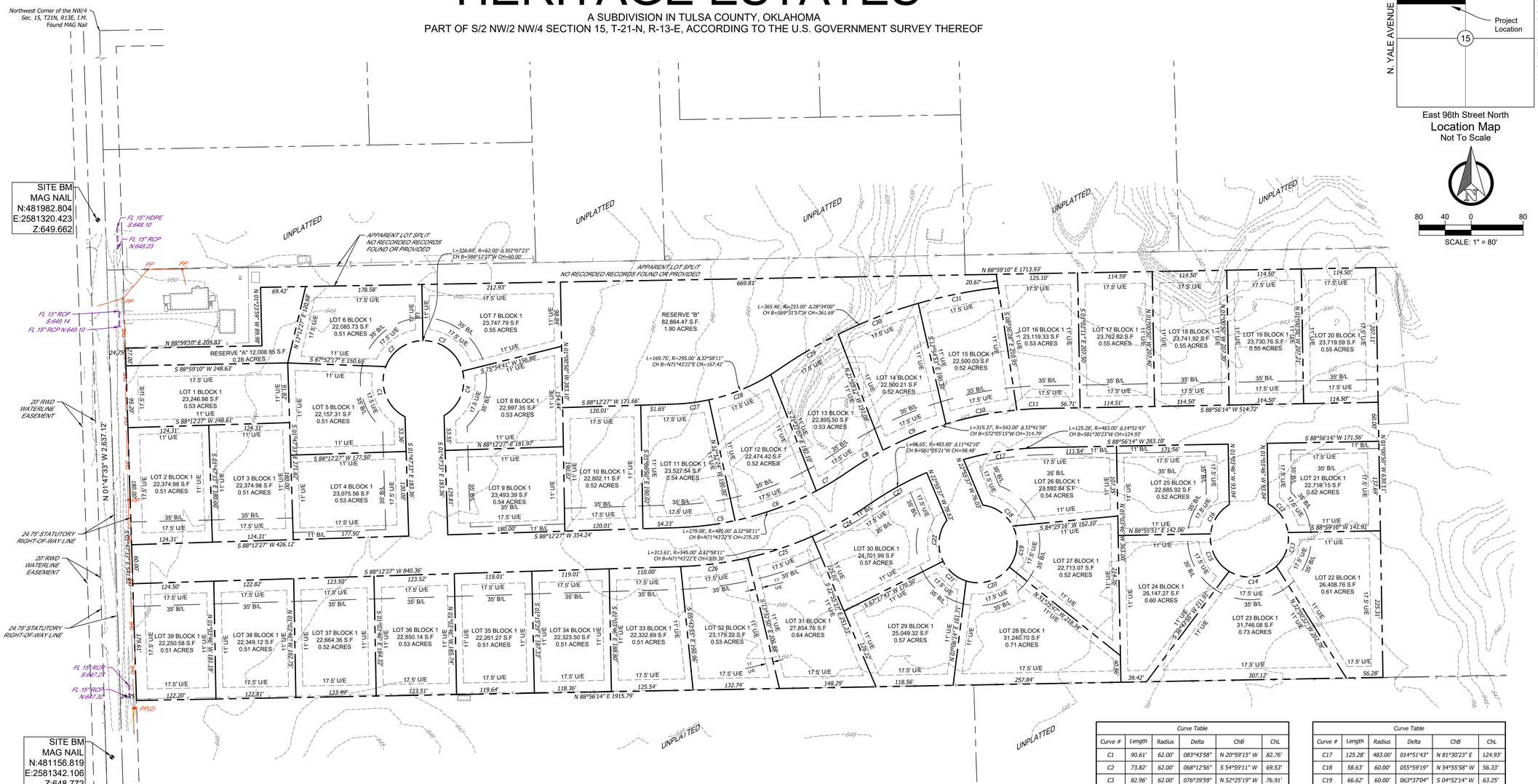
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PRELIMINARY PLAT PLAT

HERITAGE ESTATES

A SUBDIVISION IN TULSA COUNTY, OKLAHOMA
PART OF S/2 NW/2 NW/4 SECTION 15, T-21-N, R-13-E, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF



LEGEND

- SECTION CORNER
- QUARTER CORNER
- SET 1/2" IRON ROD
- SET MAG NAIL
- PLAT BOUNDARY LINE
- LOT LINE (THIS PLAT)
- EASEMENT (THIS PLAT)
- BUILDING LIMIT LINE (THIS PLAT)
- EXISTING LOT LINE
- EXISTING LOT LIMIT LINE

U/E = UTILITY EASEMENT
B/L = BUILDING SETBACK LINE
R.O.W. = RIGHT-OF-WAY
SF = SQUARE FEET

NOTE: ALL MONUMENTS SET ARE CAPPED 1/2" IRON PINS OR MAG NAILS WITH WASHERS BOTH BEING STAMPED "GOLDEN CA 7263".

SUBDIVISION CONTAINS 39 LOTS IN 1 BLOCK AND 2 RESERVE AREAS
TOTAL AREA: 23.43 ACRES

THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

Curve Table					
Curve #	Length	Radius	Delta	ChB	ChL
C1	90.61'	62.00'	083°43'58"	N 20°59'15" W	82.76'
C2	73.82'	62.00'	068°12'56"	S 54°59'11" W	69.53'
C3	82.96'	62.00'	076°39'59"	N 52°25'19" W	76.91'
C4	79.38'	62.00'	073°21'28"	S 22°35'25" W	74.07'
C5	88.16'	485.00'	010°24'52"	N 83°00'01" E	88.03'
C6	133.40'	485.00'	015°45'32"	S 69°54'50" W	132.98'
C7	57.53'	485.00'	006°47'47"	N 58°38'10" E	57.50'
C8	62.54'	543.00'	006°35'56"	N 58°32'14" E	62.50'
C9	104.91'	543.00'	011°04'10"	S 67°22'17" W	104.74'
C10	111.29'	543.00'	011°44'36"	N 78°46'40" E	111.10'
C11	40.64'	543.00'	004°17'16"	N 86°47'36" E	40.63'
C12	55.38'	60.00'	052°53'18"	S 34°37'07" E	53.44'
C13	56.97'	60.00'	054°23'56"	S 19°01'30" W	54.85'
C14	78.58'	60.00'	075°02'26"	S 83°44'41" W	73.09'
C15	67.94'	60.00'	064°52'54"	S 26°17'39" E	64.37'
C16	55.14'	60.00'	052°39'32"	N 32°36'29" E	53.22'

Curve Table					
Curve #	Length	Radius	Delta	ChB	ChL
C17	125.28'	483.00'	014°51'43"	N 81°30'23" E	124.93'
C18	58.63'	60.00'	055°59'19"	N 54°55'58" W	56.33'
C19	66.62'	60.00'	063°37'04"	S 04°52'14" W	63.25'
C20	74.34'	60.00'	070°59'18"	S 72°10'25" W	69.67'
C21	47.78'	60.00'	045°37'39"	N 49°31'06" W	46.53'
C22	66.79'	60.00'	063°46'39"	S 05°11'03" W	63.39'
C23	98.65'	483.00'	011°42'10"	N 61°05'21" E	98.48'
C24	102.85'	545.00'	010°48'47"	N 60°38'40" E	102.70'
C25	104.38'	545.00'	010°58'24"	N 71°32'15" E	104.22'
C26	104.38'	545.00'	010°58'24"	N 82°30'39" E	104.22'
C27	53.62'	295.00'	010°24'52"	S 83°00'01" W	53.55'
C28	103.23'	295.00'	020°02'58"	N 67°46'07" E	102.70'
C29	107.96'	733.00'	008°26'21"	S 59°27'27" W	107.87'
C30	131.95'	733.00'	010°18'49"	N 68°50'02" E	131.77'
C31	125.55'	733.00'	009°48'50"	S 78°53'52" W	125.40'

THIS SUBDIVISION IS DESIGNED IN ACCORDANCE WITH OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY (ODEQ) REQUIREMENTS FOR MINIMUM LOT SIZE FOR INDIVIDUAL SEPTIC SYSTEMS FOR EACH LOT

LEGAL DESCRIPTION

PART OF THE SOUTH HALF OF THE NORTH HALF OF THE NORTHWEST QUARTER (S/2 N/2 NW/4) OF SECTION FIFTEEN (15), TOWNSHIP TWENTY-ONE (21) NORTH, RANGE THIRTEEN (13) EAST, OF THE INDIAN MERIDIAN, TULSA COUNTY, OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SAID SECTION SECTION FIFTEEN (15), MARKED BY A FOUND MAG NAIL, THENCE SOUTH 1°47'00" EAST, ALONG THE WEST LINE OF SAID SECTION FIFTEEN (15), 780.98 FEET TO POINT OF BEGINNING ON THE WEST LINE OF SAID SECTION 15;

THENCE DEPARTING THE WEST LINE NORTH 88°59'10" EAST, 24.75 FEET TO THE POINT OF BEGINNING ON THE EAST LINE OF THE STATUTORY RIGHT-OF-WAY OF NORTH YALE AVENUE;

THENCE CONTINUING NORTH 88°59'10"EAST, 209.83 FEET TO A FOUND 1/2" IRON PIN WITH CAP STAMPED "WHITE CA 1098",

THENCE NORTH 01°23'59" WEST, 89.98 FEET TO A FOUND 1/2" IRON PIN WITH CAP STAMPED "WHITE CA 1098",

THENCE NORTH 89°59'10" EAST, 1,713.93 FEET TO A POINT;

THENCE SOUTH 01°00'50" WEST, ALONG THE EAST LINE OF SAID TRACT, 630.11 FEET TO POINT ON THE SOUTH LINE OF THE S/2 OF THE N/2 OF THE NW/4;

THENCE SOUTH 88°56'14" WEST, ALONG THE SOUTH LINE OF THE S/2 N/2 NW/4, 1,915.79 FEET TO A POINT ON THE EAST LINE OF THE STATUTORY RIGHT-OF-WAY OF NORTH YALE AVENUE;

THENCE NORTH 01°47'33" WEST, ALONG SAID EAST LINE OF RIGHT-OF-WAY, 541.81 FEET TO THE POINT OF BEGINNING, AND CONTAINING 1,192,523.00 SQUARE FEET, OR 27.38 ACRES, MORE OR LESS.

OWNER / DEVELOPER

TETRA DEVELOPMENT, LLC
JOSHUA GLESENER
1209 S. FRANKFORT AVE. STE. 202
TULSA, OKLAHOMA 74120
PH (918)812-3655
core.joshg@gmail.com

SURVEYOR

GOLDEN LAND SURVEYING
4131 N.W.122nd ST. SUITE 100,
OKLAHOMA CITY, OKLAHOMA 73120
PH (405) 849-6010
E-mail: troy@goldenls.com
CA No. 7263 Renewal: June 30, 2027

ENGINEER

66 ENG GROUP
5 SOUTH MAIN STREET
SAPULPA, OK 74066
PH (918) 248-1129
E-mail: bcox@66eng.com
CA No. 8853 Renewal: June 30, 2027

PRELIMINARY PLAT AUGUST 19th 202
Sheet 1 of

DEED OF DEDICATION AND DECLARATION OF RESTRICTIVE COVENANTS

CERTIFICATE OF DEDICATION AND RESTRICTIVE COVENANTS OF HERITAGE ESTATES

KNOW ALL BY THESE PRESENTS:

TETRA DEVELOPMENT, LLC, HEREINAFTER REFERRED TO AS THE "OWNER," IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT:

THE SOUTH HALF OF THE NORTH HALF OF THE NORTHWEST QUARTER (S/2 N/2 NW/4) OF SECTION FIFTEEN (15), TOWNSHIP TWENTY-ONE (21) NORTH, RANGE THIRTEEN (13) EAST, OF THE INDIAN MERIDIAN, TULSA COUNTY, OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SAID SECTION SECTION FIFTEEN (15), MARKED BY A FOUND MAG NAIL, THENCE SOUTH 01°47'00" EAST, ALONG THE WEST LINE OF SAID SECTION FIFTEEN (15), 660.15 FEET TO POINT OF BEGINNING AT THE NORTHWEST CORNER OF SOUTH HALF OF THE NORTH HALF OF THE NORTHWEST QUARTER, BEING THE NORTHWEST CORNER OF SAID 39.9794 ACRE TRACT;

THENCE DEPARTING SAID WEST LINE OF SAID SECTION 15, NORTH 89°00'20" EAST, ALONG THE NORTH LINE OF SAID 39.9794 ACRE TRACT 2,636.54 FEET TO THE NORTHEAST CORNER OF THE SOUTH HALF OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION FIFTEEN, FROM WHICH A FOUND IRON PIPE BEARS NORTH 88°34'55" EAST, 2.20 FEET;

THENCE SOUTH 01°26'33" EAST, ALONG THE EAST LINE OF SAID 39.9794 ACRE TRACT, 659.49 FEET TO A FOUND 3/8" IRON ROD MARKING THE SOUTHEAST CORNER OF SAID TRACT;

THENCE SOUTH 88°56'14" WEST, ALONG THE SOUTH LINE OF THE S/2 N/2 NW/4, 2,632.47 FEET TO A POINT ON THE WEST LINE OF SAID SECTION FIFTEEN BEING THE SOUTHWEST CORNER OF THE SOUTH HALF OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 15.

THENCE NORTH 1°47'33" WEST, ALONG SAID WEST LINE, 662.66 FEET TO THE POINT OF BEGINNING, AND CONTAINING 1,741,504.66 SQUARE FEET, OR 39.9794 ACRES, MORE OR LESS.

AND HAS CAUSED THE ABOVE DESCRIBED TRACT OF LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO 39 LOTS IN 1 BLOCK AND 2 RESERVE AREAS IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS "HERITAGE ESTATES," A SUBDIVISION IN TULSA COUNTY, OKLAHOMA (HEREINAFTER REFERRED TO AS "HERITAGE ESTATES")

THE OWNER DOES HEREBY MAKE THE FOLLOWING DEDICATIONS AND GRANTS AND AGREES TO BE BOUND BY THE FOLLOWING PROTECTIVE COVENANTS AND RESTRICTIONS FOR THE SUBDIVISION OF THE ABOVE DESCRIBED LAND WHICH SHALL BE DESIGNATED AND REFERRED TO HEREIN AS "HERITAGE ESTATES".

1. PUBLIC STREETS AND UTILITY EASEMENTS

THE OWNER HEREBY DEDICATES TO THE PUBLIC THE STREET RIGHTS-OF-WAY DEPICTED ON THE ACCOMPANYING PLAT. THE OWNER FURTHER DEDICATES 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, 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, MANHOLES 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 STATED, PROVIDED THE OWNER RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY, AND REPAIR OR REPLACE WATER LINES AND SEWER LINES, TOGETHER WITH THE RIGHT INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING, REPAIRING AND RE-LAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO AREAS DEPICTED ON THE PLAT, THE OWNER HEREIN IMPOSES A RESTRICTIVE COVENANT , WHICH COVENANT SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF SAND SPRINGS, OKLAHOMA (HEREINAFTER THE "CITY" , AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANY PLAT NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION THAT INTERFERES WITH STATED USES AND PURPOSES OF THE UTILITY EASEMENTS SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED, PROVIDED NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING AND CUSTOMARY SCREENING FENCES WHICH DO NOT CONSTITUTE AN OBSTRUCTION. NO PARKING SHALL BE ALLOWED WITHIN STREET RIGHTS-OF-WAY OF CUL-DE-SACS.

2. WATER AND STORM SEWER SERVICE

A. THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS AND STORM SEWERS LOCATED ON THE OWNER'S LOT.

B. WITHIN UTILITY EASEMENTS, RESTRICTED WATERLINE, STORM SEWER AND DRAINAGE EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, OR STORM SEWER OR ANY CONSTRUCTION ACTIVITY WHICH, IN THE JUDGEMENT OF THE CITY, WOULD INTERFERE WITH PUBLIC WATER MAINS AND STORM SEWERS SHALL BE PROHIBITED.

C. THE RURAL WATER DISTRICT, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER SYSTEMS AND STORM SEWERS BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, OR THE OWNER'S AGENTS AND/OR CONTRACTORS.

D. THE COUNTY, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS, RESTRICTED WATERLINE, STORM SEWER AND DRAINAGE EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF UNDERGROUND WATER OR STORM SEWER FACILITIES.

E. THE COVENANTS SET FORTH IN THE SUBSECTION SHALL BE ENFORCEABLE BY THE COUNTY OR ITS SUCCESSORS, AND THE OWNER OF EACH LOT AGREES TO BE BOUND BY THESE COVENANTS.

3. PAVING AND LANDSCAPING WITHIN EASEMENTS

THE OWNER OF ANY LOT DEPICTED ON THE ACCOMPANYING PLAT SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO LANDSCAPING AND PAVING OCCASIONED BY INSTALLATION OR NECESSARY MAINTENANCE OF UNDERGROUND WATER, STORM SEWER, NATURAL GAS, COMMUNICATION, CABLE TELEVISION OR ELECTRIC FACILITIES WITHIN THE EASEMENTS DEPICTED UPON THE ACCOMPANYING PLAT, PROVIDED TULSA COUNTY, OKLAHOMA, OR ITS SUCCESSORS, OR THE SUPPLIER OF THE UTILITY SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

4. UTILITY SERVICES

A. UNDERGROUND LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE, CABLE TELEVISION, AND GAS SERVICES MAY BE LOCATED WITHIN THE PERIMETER EASEMENTS OF THE SUBDIVISION. HOWEVER, OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC SERVICES MAY BE LOCATED WITHIN THE WESTERN PERIMETER EASEMENTS OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARD MAY BE SERVED BY UNDERGROUND CABLE, AND ELSEWHERE THROUGH THE SUBDIVISION, ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN EASEMENTS 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 UTILITY EASEMENTS.

B. UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WITHIN THE SUBDIVISION MAY BE EXTENDED FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE UPON THE LOT, PROVIDED, UPON INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE RESPONSIBLE FOR THE DEFINITIVE, PERMANENT, EFFECTIVE AND NON-EXCLUSIVE EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2½ FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.

C. THE RESPECTIVE SUPPLIERS OF ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICES, THROUGH THEIR AGENTS AND EMPLOYEES, SHALL AT TIMES HAVE THE RIGHT AND ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR OTHERWISE PROVIDED FOR THIS DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING AND PROTECTING UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE. THE OWNER OF ANY LOT DEPICTED ON THE ACCOMPANYING PLAT SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO LANDSCAPING AND PAVING OCCASIONED BY INSTALLATION OR NECESSARY MAINTENANCE OF UNDERGROUND WATER, STORM SEWER, NATURAL GAS, COMMUNICATION, CABLE TELEVISION OR ELECTRIC FACILITIES WITHIN THE EASEMENTS DEPICTED UPON THE ACCOMPANYING PLAT, PROVIDED THE CITY, OR ITS SUCCESSORS, OR THE SUPPLIER OF THE UTILITY SERVICES SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

D. THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF SUCH UNDERGROUND SERVICE FACILITIES LOCATED ON THE OWNER'S LOT AND SHALL PREVENT THE ALTERATION OR GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. EACH SUPPLIER OF THESE SERVICES SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR THE OWNER'S AGENTS OR CONTRACTORS.

E. THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY EACH SUPPLIER OF THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE, AND THE OWNER OF ANY LOT AGREES TO BE BOUND BY THESE COVENANTS.

5. SURFACE DRAINAGE

ALL LOTS WITHIN THE SUBDIVISION SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM PUBLIC STREETS AND EASEMENTS. THE OWNER OF EACH LOT SHALL NOT CONSTRUCT NOR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS THE OWNER'S LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY THE COUNTY.

6. SEWAGE FACILITIES (ALL LOTS)

ALL LOTS WITHIN THE SUBDIVISION SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM PUBLIC STREETS AND EASEMENTS. THE OWNER OF EACH LOT SHALL NOT CONSTRUCT NOR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS THE OWNER'S LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY THE COUNTY.

SECTION II. DEVELOPMENT AND CONSTRUCTION STANDARDS

1. ARCHITECTURAL COMMITTEE

A. COMPOSITION OF COMMITTEE

AN ARCHITECTURAL COMMITTEE COMPOSED OF THE OWNER/DEVELOPER IS HEREBY FORMED ("THE ARCHITECTURAL COMMITTEE") TO REVIEW AND APPROVE ANY STRUCTURE BUILT WITHIN HERITAGE ESTATES, TO INTERPRET THE DEVELOPMENT AND CONSTRUCTION STANDARDS CONTAINED HEREIN, AND TO PERFORM ANY OTHER DUTIES ASSIGNED TO IT HEREIN. THE OWNER/DEVELOPER MAY APPOINT AN ADDITIONAL MEMBER OR MEMBERS AND/OR DELEGATE ITS DUTIES IN WHOLE OR IN PART TO OTHER MEMBERS OR HERITAGE ESTATES HOMEOWNERS ASSOCIATION. AT SUCH TIME AS THE OWNER/DEVELOPER AND ITS APPOINTEES, IF ANY, ARE NO LONGER SERVING AS MEMBERS OF THE AGRICULTURAL COMMITTEE, THE THEN OWNERS OF A MAJORITY OF THE LAND AREA WITHIN HERITAGE ESTATES SHALL DESIGNATE 3 (THREE) OWNERS OF PROPERTY WITHIN HERITAGE ESTATES TO SERVE AS THE AGRICULTURAL COMMITTEE, AND THEREAFTER, IF ANY MEMBER OF THE AGRICULTURAL COMMITTEE SHALL RESIGN OR DIE, HE OR SHE SHALL BE REPLACED BY ANOTHER OWNER OF PROPERTY WITHIN HERITAGE ESTATES DESIGNATED BY THE THEN OWNERS OF A MAJORITY OF THE LAND AREA WITHIN HERITAGE ESTATES.

B. APPROVAL OF PLANS

NO BUILDING SHALL BE ERECTED, PLACED, OR ALTERED ON ANY PROPERTY WITHIN HERITAGE ESTATES UNTIL THE BUILDING PLANS AND SPECIFICATIONS THEREFOR, 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 THE ARCHITECTURAL COMMITTEE. THE ARCHITECTURAL COMMITTEE'S PURPOSE IS TO PROMOTE GOOD DESIGN AND COMPATIBILITY WITHIN HERITAGE ESTATES AND IN ITS REVIEW OF PLANS OR DETERMINATION OF ANY WAIVER AS HEREINAFTER AUTHORIZED MAY TAKE INTO CONSIDERATION THE NATURE AND CHARACTER OF THE PROPOSED BUILDING OR STRUCTURE, THE MATERIALS OF WHICH IT IS TO BE BUILT, THE AVAILABILITY OF ALTERNATE MATERIALS, THE SITE UPON WHICH IT IS PROPOSED TO BE ERECTED AND THE HARMONY THEREOF WITH THE SURROUNDING AREA. THE ARCHITECTURAL COMMITTEE SHALL NOT BE LIABLE FOR ANY APPROVAL, DISAPPROVAL OR FAILURE TO APPROVE HEREUNDER, AND ITS APPROVAL OF BUILDING PLANS SHALL NOT CONSTITUTE WARRANTY OR RESPONSIBILITY FOR BUILDING METHODS, MATERIALS PROCEDURES, STRUCTURAL DESIGN, GRADING OR DRAINAGE OR CODE VIOLATIONS. THE APPROVAL OR DISAPPROVAL OR FAILURE TO APPROVE OF ANY BUILDING PLANS SHALL NOT BE DEEMED A WAIVER OF ANY RESTRICTION, UNLESS THE ARCHITECTURAL COMMITTEE HAS GRANTED THE WAIVER UNDER THE PROCEDURES SET FORTH HEREIN. NOTHING HEREIN CONTAINED SHALL ANY WAY BE DEEMED TO PREVENT ANY OF THE OWNERS OF PROPERTY IN HERITAGE ESTATES WHICH THEY WOULD OTHERWISE BE ENTITLED TO MAINTAIN.

2. FLOOR AREA: ALL LOTS SHALL BE SINGLE FAMILY RESIDENTIAL LOTS ONLY. ALL HOMES SHALL HAVE A MINIMUM OF 2,100 SQUARE FEET OF LIVING AREA FOR ONE-STORY HOMES AND SHALL HAVE A MINIMUM OF 2,400 SQUARE FEET OF LIVING AREA FOR ONE-AND-A-HALF STORY AND TWO STORY HOMES, WITH A MINIMUM OF 1,600 SQUARE FEET ON THE FIRST FLOOR. THE COMPUTATION OF SQUARE FEET OF LIVING AREA SHALL EXCLUDE OPEN PORCHES, GARAGES AND BREEZEWAYS.

3. GARAGES: A GARAGE PROVIDING SPACE FOR A MINIMUM OF TWO (2) AUTOMOBILES SHALL BE PROVIDED ON EACH LOT. GARAGES SHALL BE ENCLOSED AND ATTACHED. CARPORTS ARE NOT PERMITTED.

4. DRIVEWAYS: ALL DRIVEWAY CULVERTS SHALL HAVE MASONRY OR BRICK HEADWALLS AND SHALL CONFORM TO THE STANDARD DETAIL(S) AS ESTABLISHED BY THE ARCHITECTURAL COMMITTEE. THE ARCHITECTURAL COMMITTEE MAY APPROVE UPON WRITTEN REQUEST AN EXEMPTION TO THIS PROVISION.

6. ON-SITE CONSTRUCTION: NO PREEXISTING OR OFF-SITE BUILT RESIDENCE, BUILDING AND/OR METAL BUILDING MAY BE MOVED ONTO ANY LOT.

7. FENCES:

A. NO FENCING SHALL EXTEND BEYOND THE FRONT BUILDING LINE OF ANY RESIDENCE.

B. FENCES OR OTHER OBSTRUCTIONS SHALL NOT IMPAIR THE FLOW OF STORM OR SURFACE WATER ACROSS A LOT.

9. GRADING: EACH LOT SHALL BE FINISH GRADED SO THAT IT WILL DRAIN IN AN UNOBSTRUCTED MANNER AND RESIST EROSION ONTO ADJACENT LOT(S).

10. EXTERIOR FINISH: (80%) EXTERIOR MASONRY COVERAGE ON FRONT OF HOUSE (EXCLUDING WINDOWS, DOORS AND COVERED FRONT PORCHES) SHALL BE REQUIRED (BRICK, NATURAL ROCK OR STUCCO) FROM THE BRICK LEDGE TO 9' HIGH. THE ARCHITECTURAL COMMITTEE MAY APPROVE UPON WRITTEN REQUEST AN EXCEPTION TO THIS PROVISION, WHERE A SPECIFIC ARCHITECTURAL DESIGN CONFLICTS WITH THE MASONRY STANDARD

11. SETBACKS: NO BUILDING SHALL BE LOCATED BEYOND THE MINIMUM FRONT BUILDING SETBACK LINES SHOWN ON THE RECORDED PLAT. NO BUILDING CAN BE SITUATED IN ANY EASEMENTS OR FLOOD PLAINS.

SECTION III. HOMEOWNERS' ASSOCIATION

1. FORMATION OF HOMEOWNERS' ASSOCIATION:

THE OWNER/DEVELOPER HAS FORMED OR SHALL CAUSE TO BE FORMED AN ASSOCIATION OF LOTS WITHIN HERITAGE ESTATES ("HERITAGE ESTATES 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 COMMON AREAS, INCLUDING BUT WITHOUT LIMITATION THE RESERVES DEPICTED UPON THE ACCOMPANYING PLAT AND ENHANCING THE VALUE, DESIRABILITY AND ATTRACTIVENESS OF HERITAGE ESTATES.

2. MEMBERSHIP:

EVERY PERSON OR ENTITY, SAVE AND EXCLUDING THE OWNER/DEVELOPER, WHO IS A RECORD OWNER OF THE FEE INTEREST OF A LOT SHALL BE A MEMBER OF HERITAGE ESTATES HOMEOWNERS' ASSOCIATION. MEMBERSHIP SHALL BE APPURTENANT TO AND MAY NOT BE SEPARATED FROM THE OWNERSHIP OF A LOT. THE ACCEPTANCE OF A DEED TO A LOT SHALL CONSTITUTE ACCEPTANCE OF MEMBERSHIP TO THE HOMEOWNERS' ASSOCIATION AS OF THE DATE OF INCORPORATION BY THE OWNER/DEVELOPER, OR AS THE DATE OF RECORDING THE DEED, WHICHEVER OCCURS LAST. AT ANY TIME AFTER INCORPORATION, THE OWNER/DEVELOPER MAY TRANSFER THE RESPONSIBILITIES AND CONTROL OF THE COMMON AREAS AND RESERVES OF HERITAGE ESTATES TO HERITAGE ESTATES HOMEOWNERS' ASSOCIATION. UPON SUCH TRANSFER OF CONTROL HERITAGE ESTATES HOMEOWNERS' ASSOCIATION SHALL HAVE ALL THE BENEFITS, RIGHTS, AND RESPONSIBILITIES OF HERITAGE ESTATES HOMEOWNERS' ASSOCIATION AS DESCRIBED IN SECTION IV; PROVIDED, HOWEVER, THE ARCHITECTURAL COMMITTEE SHALL REMAIN IN THE EXCLUSIVE CONTROL OF THE OWNER/BUILDER UNTIL IT IS TRANSFERRED TO HERITAGE ESTATES HOMEOWNERS' ASSOCIATION AS PROVIDED IN SECTION III(1). IT IS CONTEMPLATED THAT ADDITIONAL LANDS ADJOINING THE SUBDIVISION AND SUBSEQUENTLY PLATTED FOR SINGLE FAMILY RESIDENTIAL PURPOSES MAY BE ANNEXED BY THE OWNER/DEVELOPER INTO THE GEOGRAPHIC JURISDICTION OF HERITAGE ESTATES HOMEOWNERS' ASSOCIATION.

3. ENFORCEMENT RIGHTS OF THE ASSOCIATION:

WITHOUT LIMITATION OF SUCH OTHER POWERS AND RIGHTS AS HERITAGE ESTATES HOMEOWNERS' ASSOCIATION MAY HAVE, THE HOMEOWNERS' ASSOCIATION SHALL BE DEEMED A BENEFICIARY, TO THE SAME EXTENT AS A LOT OWNER, OF THE VARIOUS COVENANTS SET FORTH WITH THIS DEED OF DEDICATION AND SHALL HAVE THE RIGHT TO ENFORCE THE COVENANTS TO THE SAME EXTENT AS A LOT OWNER.

SECTION IV. ENFORCEMENT, DURATION, AMENDMENT AND SEVERABILITY

1. 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. THE COVENANTS SET FORTH WITHIN SECTION III, DEVELOPMENT AND CONSTRUCTION STANDARDS, SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY ANY OWNER OF PROPERTY WITHIN THE HERITAGE ESTATES. THE COVENANTS SET FORTH WITHIN AND SECTION V. ASSIGNMENT OF RIGHTS OF OWNER/DEVELOPER, SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE OWNER/DEVELOPER AND THE OWNER/DEVELOPER'S SUCCESSORS OR ASSIGNS TO WHOM THE OWNER/DEVELOPER HAS ASSIGNED THE RIGHTS OF OWNER/DEVELOPER. IF THE OWNER/DEVELOPER OR ITS SUCCESSORS OR ASSIGNS SHALL VIOLATE ANY OF THE COVENANTS CONTAINED IN SECTION III, IT SHALL BE LAWFUL FOR THE PERSON OR ENTITY WITH ENFORCEMENT RIGHTS HEREUNDER, 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 OR TO RECOVER DAMAGES. IN ANY JUDICIAL ACTION TO ENFORCE THE PROVISIONS HEREOF, THE PREVAILING PARTY MAY RECOVER REASONABLE COSTS AND ATTORNEY FEES.

2. DURATION

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

3. AMENDMENT

THE COVENANTS AND RESTRICTIONS CONTAINED WITHIN THIS DECLARATION MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER/DEVELOPER DURING SUCH PERIOD THAT THE OWNER/DEVELOPER IS THE RECORD OWNER OF ANY PROPERTY WITHIN HERITAGE ESTATES, OR ALTERNATIVELY, THE COVENANTS AND RESTRICTIONS MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNERS OF AT LEAST 60% OF THE LAND AREA WITHIN HERITAGE ESTATES. IN THE EVENT OF ANY CONFLICT BETWEEN AN AMENDMENT OR TERMINATION PROPERLY EXECUTED BY THE OWNER/DEVELOPER (DURING ITS OWNERSHIP OF ANY PROPERTY WITHIN HERITAGE ESTATES) AND ANY AMENDMENT OR TERMINATION PROPERLY EXECUTED BY THE OWNERS OF AT LEAST 60% OF THE LAND AREA WITHIN HERITAGE ESTATES, THE INSTRUMENT EXECUTED BY THE OWNER/DEVELOPER SHALL PREVAIL. THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING COVENANTS AND RESTRICTIONS SHALL BE EFFECTIVE FROM AND AFTER THE DATE IT IS PROPERLY RECORDED.

4. 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.

CERTIFICATE OF OWNERSHIP

IN WITNESS WHEREOF, TETRA DEVELOPMENT, LLC, BEING THE OWNER OF THE SUBDIVISION, HEREBY APPROVES THE FOREGOING DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS ON THIS ___ DAY OF _____, 2026.

BY: _____
JOSHUA GLESENER, PRESIDENT

STATE OF OKLAHOMA COUNTY OF _____)

BEFORE ME, THE UNDERSIGNED, NOTARY OF PUBLIC IS AND FOR SAID COUNTY AND AND STATE, ON THIS _____ DAY OF _____, 2026 PERSONALLY APPEARED TO ME, MARK GRUBBS AND TONY MEEK, KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THEIR NAME AS THE MAKER OF THE FOREGOING INSTRUMENT, AS ITS OWNER AND ACKNOWLEDGED TO ME THAT EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED AND AS THE FREE AND VOLUNTARY ACT AND DEED OF SUCH COMPANY FOR THE USES AND PURPOSES THEREIN SET FORTH.

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

MY COMMISSION EXPIRES: _____ _____
NOTARY PUBLIC

CERTIFICATE OF SURVEY

I, TROY DEE, A REGISTERED LAND SURVEYOR IN THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED AND PLATTED THE TRACT OF LAND DESCRIBED ABOVE, AND THAT SAID PLAT DESIGNATED HEREIN AS THE FINAL PLAT OF "THE HILLS OF NORTHWEST PASSAGE", A SUBDIVISION IN THE CITY OF TULSA, OSAGE COUNTY, STATE OF OKLAHOMA, IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY.

WITNESS MY HAND AND SEAL THIS _____DAY OF _____, 2025.

_____
TROY DEE
REGISTERED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 7263

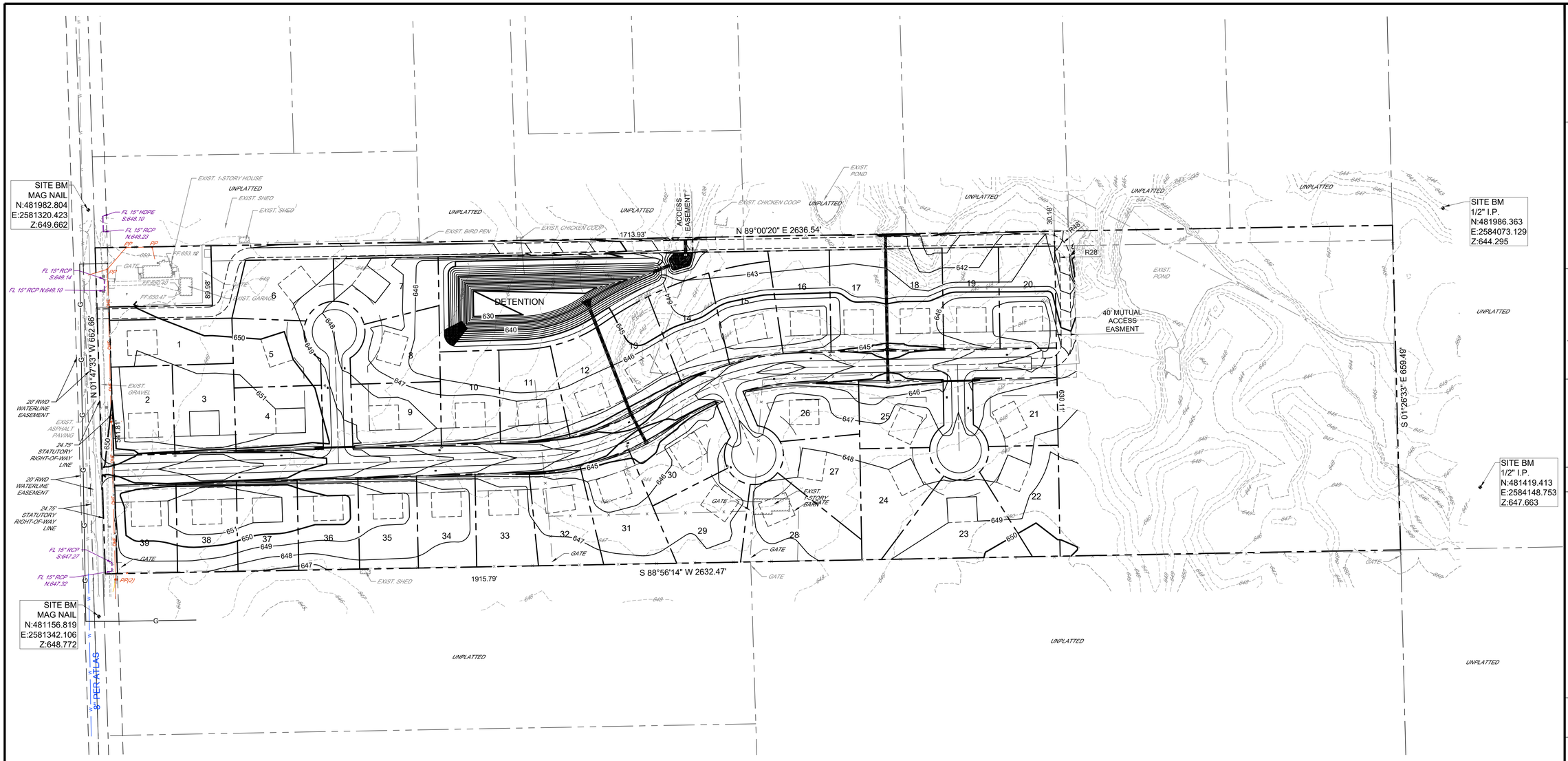
STATE OF OKLAHOMA)

COUNTY OF _____)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS _____DAY OF _____, 2026., PERSONALLY APPEARED TROY DEE TO ME KNOWN TO BE THE IDENTICAL PERSON WHO EXECUTED THE WITHIN AND FOREGOING INSTRUMENT.

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

MY COMMISSION EXPIRES: _____ _____
NOTARY PUBLIC



GRADING PLAN NOTES

1. THE CONTRACTOR SHALL CONTACT "OKIE" AT 811 OR 800-522-6543, ONE CALL SERVICE, THREE (3) WORKING DAYS BEFORE BEGINNING ANY WORK, SO EXISTING UNDERGROUND UTILITIES MAY BE LOCATED AND MARKED.
2. EARTHWORK FOR ALL BUILDING FOUNDATIONS AND SLABS SHALL BE IN ACCORDANCE WITH STRUCTURAL BUILDING PLANS AND SPECIFICATIONS.
3. THE MAXIMUM CROSS SLOPE ON ANY SIDEWALK OR RAMP SHALL BE TWO PERCENT.
4. EQUIPMENT AND MATERIALS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS AND SPECIFICATIONS.
5. UNLESS OTHERWISE SHOWN, NEW PAVING SHALL BE CONSTRUCTED TO ALLOW FOR POSITIVE DRAINAGE TO CATCH BASIN, CURB, GUTTER, AND OTHER RUNOFF COLLECTION DEVICES. NEW PAVEMENT SLOPE SHALL BE MINIMUM 0.50% FOR CONCRETE AND 1.5% FOR ASPHALT UNLESS OTHERWISE INDICATED OR DIRECTED BY THE ARCHITECT/ENGINEER.
6. ALL DISTURBED AREAS THAT ARE NOT TO BE PAVED SHALL BE SODDED UNLESS NOTED OTHERWISE. ENSURE ALL DISTURBED AREAS HAVE TOPSOIL TO A DEPTH OF FOUR TO SIX INCHES (4"-6"). REFER TO LANDSCAPE PLAN.
7. THE CONTRACTOR SHALL KEEP THE SITE CLEAN AT ALL TIMES AND CONTROL DUST RESULTING FROM THE EARTHWORK OPERATIONS. THE CONTRACTOR SHALL NOT TRACK MUD ON THE PUBLIC STREETS.
8. NEW CONTOURS DENOTE TOP OF FINISHED PAVING AND GRADED AREA AS INDICATED. ALL PROPOSED ELEVATIONS ARE TOP OF CURB, GUTTER OR FINISH GRADE AS INDICATED ON THE PLANS, UNLESS NOTED OTHERWISE.
9. PUBLIC STORM DRAIN SYSTEMS AND STRUCTURES SHALL BE CONSTRUCTED IN ACCORDANCE WITH AUTHORITY HAVING JURISDICTION STANDARD DRAWINGS AND SPECIFICATIONS.
10. THE CONTRACTOR SHALL PROTECT EXISTING UTILITIES AND SHALL NOT DAMAGE OR DISTURB ANY SERVICE. THE CONTRACTOR SHALL REPAIR, AT CONTRACTOR'S OWN EXPENSE, ANY DAMAGED UTILITIES CAUSED BY CONSTRUCTION OPERATIONS.
11. ALL PIPES, SHALL HAVE A MINIMUM COVER OF (1) FEET TO TOP OF PIPE, UNLESS NOTED OTHERWISE. MIN. COVER FOR WATER LINES IS 30".
12. ADJUST ALL VALVE BOXES AND MANHOLE COVERS TO FINISHED GRADE WHEN APPLICABLE.
13. IF FIELD GRADE ADJUSTMENTS ARE REQUIRED, THE CONTRACTOR SHALL NOTIFY THE ENGINEER.
14. MANHOLE LIDS AND SLEEVES IN PAVED AREAS SHALL BE HS-25 TRAFFIC RATED.
15. IF, AT ANY TIME THE CONTRACTOR FINDS ERROR AND/OR CONFLICTS IN THE CONTRACT DOCUMENTS, THE CONTRACTOR SHALL NOTIFY THE ARCHITECT/ENGINEER FOR CLARIFICATION PRIOR TO CONSTRUCTION.
16. CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS AND ELEVATIONS. ANY DISCREPANCY FOUND SHALL BE DISCUSSED WITH THE ENGINEER OF RECORD PRIOR TO ANY CONSTRUCTION WORK.
17. THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES, AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CONTACT THE APPROPRIATE UTILITY COMPANIES AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF EXISTING UTILITIES ON SITE OR IN RIGHT-OF-WAY. ALL UTILITIES MUST BE LOCATED PRIOR TO GRADING START.
18. ALL CUT OR FILL SLOPES SHALL BE A MAX 3:1 SLOPE OR FLATTER UNLESS OTHERWISE NOTED.
19. ALL STORM SEWER PIPE CONNECTIONS TO STRUCTURES SHALL BE GROUTED TO ASSURE CONNECTION AT STRUCTURE IS WATERTIGHT. ALL STORM SEWER STRUCTURES SHALL HAVE A SMOOTH UNIFORM POURED MORTAR INVERT FROM INVERT IN TO INVERT OUT.
20. ALL STORM SEWER MANHOLES IN PAVED AREAS SHALL BE FLUSH WITH THE PAVEMENT AND SHALL HAVE TRAFFIC BEARING RINGS AND COVERS. MANHOLES IN UNPAVED AREAS SHALL BE 3" ABOVE FINISH GRADE. LIDS SHALL BE LABELED "STORM SEWER".
21. SITE GRADING SHALL NOT PROCEED UNTIL APPROPRIATE EROSION AND SEDIMENT CONTROL MEASURES HAVE BEEN INSTALLED. THE CONTRACTOR SHALL ADHERE TO ALL TERMS AND CONDITIONS AND OUTLINED IN THE GENERAL NOTES PERMIT AND THE SWPPP FOR STORMWATER DISCHARGE ASSOCIATED WITH CONSTRUCTION ACTIVITIES.
22. THE CONTRACTOR SHALL ASSURE POSITIVE DRAINAGE AWAY FROM BUILDINGS FOR ALL NATURAL AND PAVED AREAS THROUGHOUT ALL PHASES OF CONSTRUCTION.
23. CONTRACTOR SHALL REFER TO ARCHITECT DRAWINGS FOR FOR ALL ELEMENTS OF BUILDING, APPURTENCES ATTACHED TO THE BUILDING OR ANY OTHER ITEM WITHIN 5' OF STRUCTURE. FOR UTILITY ENTRANCES TO BUILDING REFER TO MEP PLANS.
24. IF ANY EXISTING STRUCTURES TO REMAIN ARE DAMAGED DURING CONSTRUCTION, IT IS THE CONTRACTOR'S RESPONSIBILITY TO REPAIR AND/OR REPLACE THE EXISTING STRUCTURE, AS NECESSARY, TO RETURN IT TO THE EXISTING CONDITION OR BETTER. CONTRACTOR SHALL REPAIR AND RESTORE ANY AREAS DAMAGED DURING CONSTRUCTION AS HIS OWN EXPENSE.
25. NO HAZARDOUS MATERIALS SHALL BE BROUGHT ON SITE OR GENERATED AT THE SITE.

LICENSED PROFESSIONAL ENGINEER
BILLY COX 23063 OKLAHOMA
BILLY COX, P.E.
66 ENG GROUP
CA #8853, DATE 06/30/2027

66 ENG GROUP
5 SOUTH MAIN STREET,
SAPULPA, OK 74066

100 50 0 100
SCALE: 1" = 100'

OKIE 811 Know what's below. Call before you dig. 1-800-522-6543

BY	DATE	REVISION

OVERALL GRADING PLAN

HERITAGE ESTATES

N. YALE AVE
TOWN OF SPERRY - TULSA COUNTY - OKLAHOMA

DRAWN BY:	EB
APPV. BY:	BC
DATE:	07/31/2026

SHEET CG101

Printed: 8/4/2026 1:24:22 PM
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Tulsa County Planning Commission
Red Barn Homes LLC Commercial Development Related to CZ-598: Staff Report
Hearing Date: October 14, 2026
Prepared by: Kendal Davis; kdavis@incog.org; 918-579-9485

Owner and Applicant Information

Applicant: Red Barn Homes LLC

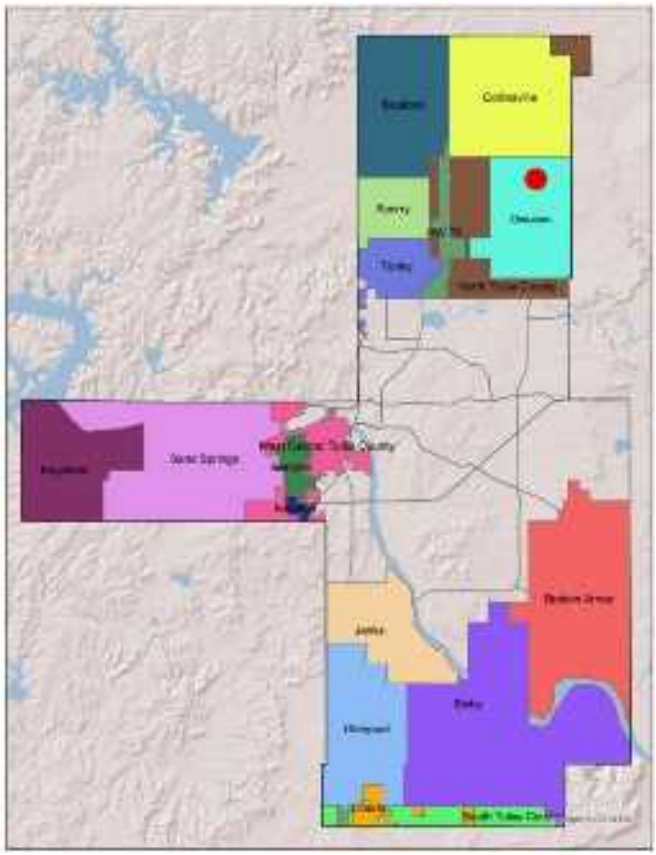
Property Owner: James J. Brooks & Maryann D. Brooks

Property Location: 11702 E. 116th St. N., Collinsville, OK

Tract Size: 4.75 ± Acres

Location within Tulsa County

(shown with Planning Areas)



Elected Representatives

County Commission: District 1; Stan Sallee

Staff Recommendation

Staff recommends **approval of Preliminary Plat**

Request Summary

Preliminary Plat Approval for Building Service Use

Zoning

Existing Zoning: AG (Agriculture)

Proposed Zoning: CS (Commercial Shopping)

Use

Current Use: Vacant

Proposed Use: Building Service (Plumbing Business)

Comprehensive Plan Considerations

Land Use

Land Use Plan: Commercial as recommended in Owasso's Comprehensive Plan Area.

Transportation

Major Street & Highway Plan: E. 116th St. N. is classified as Primary Arterial.

Transit: None

Existing Bike/Ped Facilities: Sidewalks along E 116th St N

Planned Bike/Ped Facilities: GO Plan recommended Bike Lane and Shared Use Path along E 116th St N.

Environment

Flood Area: None

Parks & Open Space: None

Exhibits

- Aerial case map
- Tulsa County Comprehensive Plan case map
- Zoning case map
- Section map
- Preliminary Plat
- Conceptual Plan

Preliminary Plat

Staff Recommendation

Red Barn Homes LLC Commercial Development - (County)
This plat consists of 1 lot, 1 blocks on 4.75 ± acres.

The Technical Advisory Committee (TAC) met on 10/8/26 provided the following comments:

1. **Zoning:** Proposed lots conforms to the requirements of the district. Planning Services will provide comments prior to final plat release.

2. **Addressing:** INCOG will assign addresses. Include assigned addresses on face of the final plat and provide address disclaimer.

3. **Transportation & Traffic:** Street construction must be approved by the County Engineer and installed prior to final plat release.

4. **Sewer/Water:** Water line plans must be submitted to Rural Water District. Additional infrastructure may be needed based on water demands. All requirements of the rural water district must be met for final plat approval.

5. **Stormwater, Drainage, & Floodplain:** Plans for stormwater and drainage must be approved by the Tulsa County Engineer and improvements must be in place prior to final plat approval. Provide access to reserve area for maintenance.

6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

7. **Engineering:** Tulsa County Engineering Department release is required prior to final plat approval.

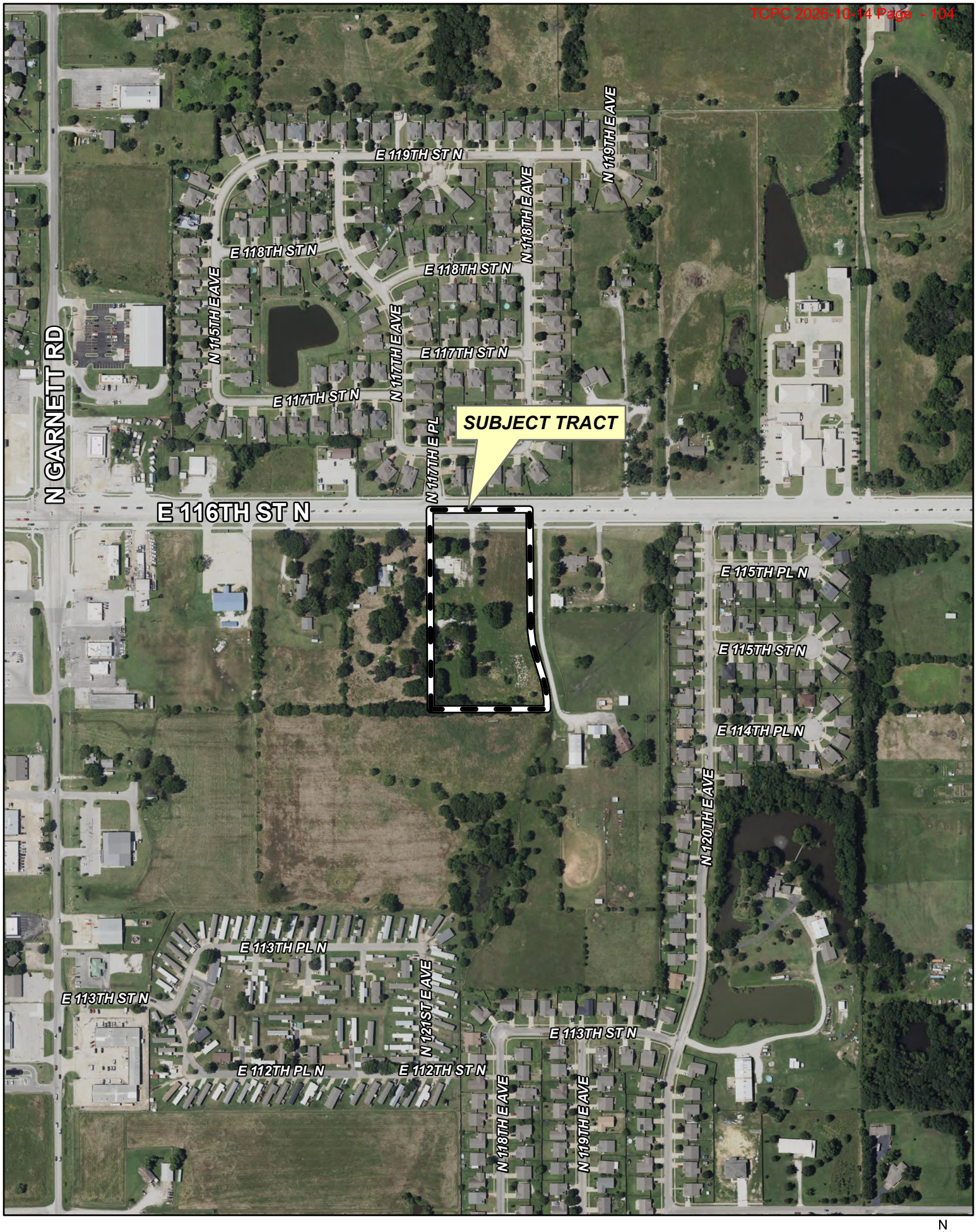
Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the following:

1) Conditions provided by TAC,
2) All other requirements of the TMAPC Subdivision and Development Regulations.
3) Tulsa County Engineering Department release is required prior to final plat approval.

Staff recommends **APPROVAL** of, Red Barn Homes LLC Commercial Development.

Applicant neighborhood engagement process:

- None provided



Feet
0 200 400

Subject Tract

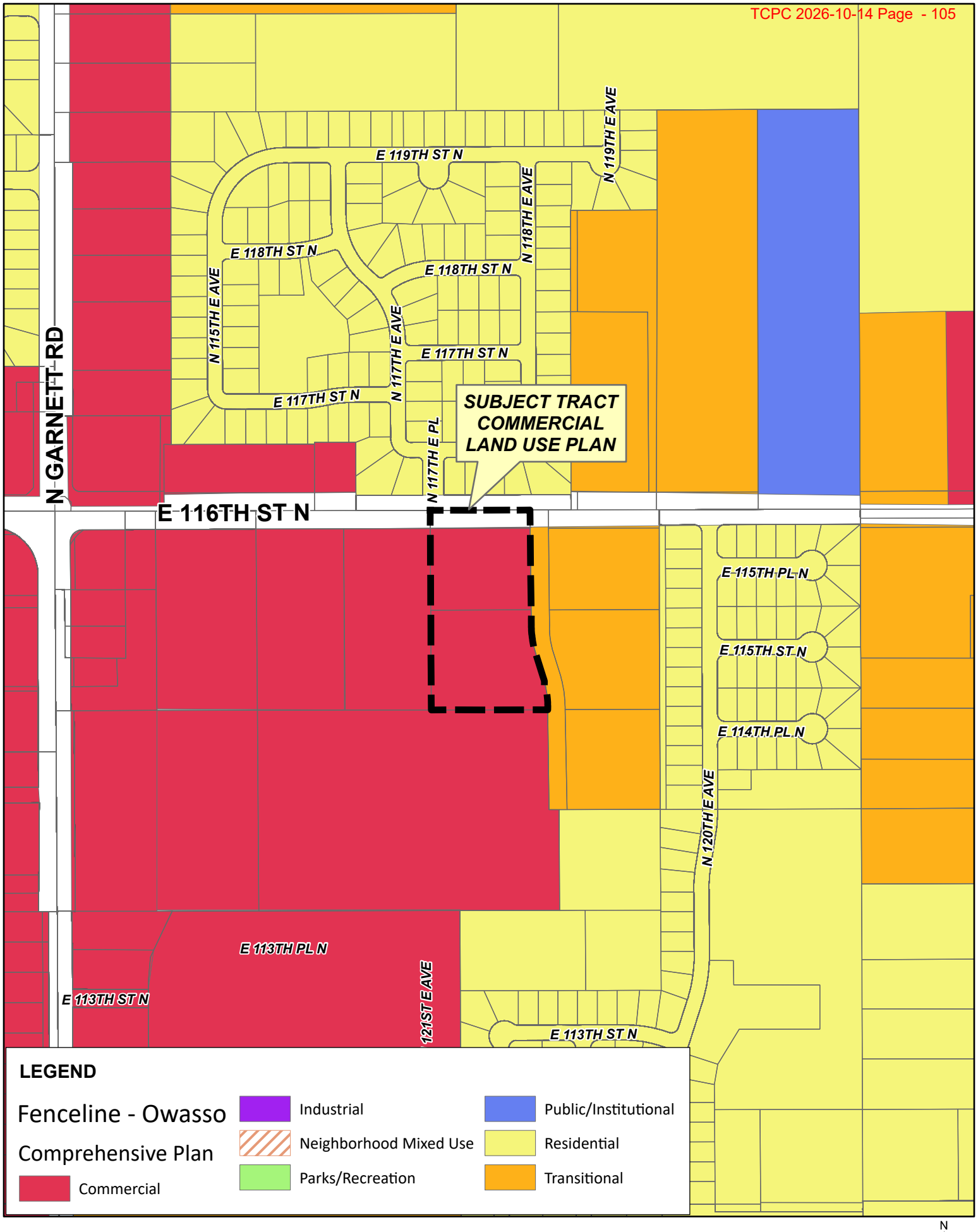
Red Barn Homes LLC

08 21-14

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2025

N

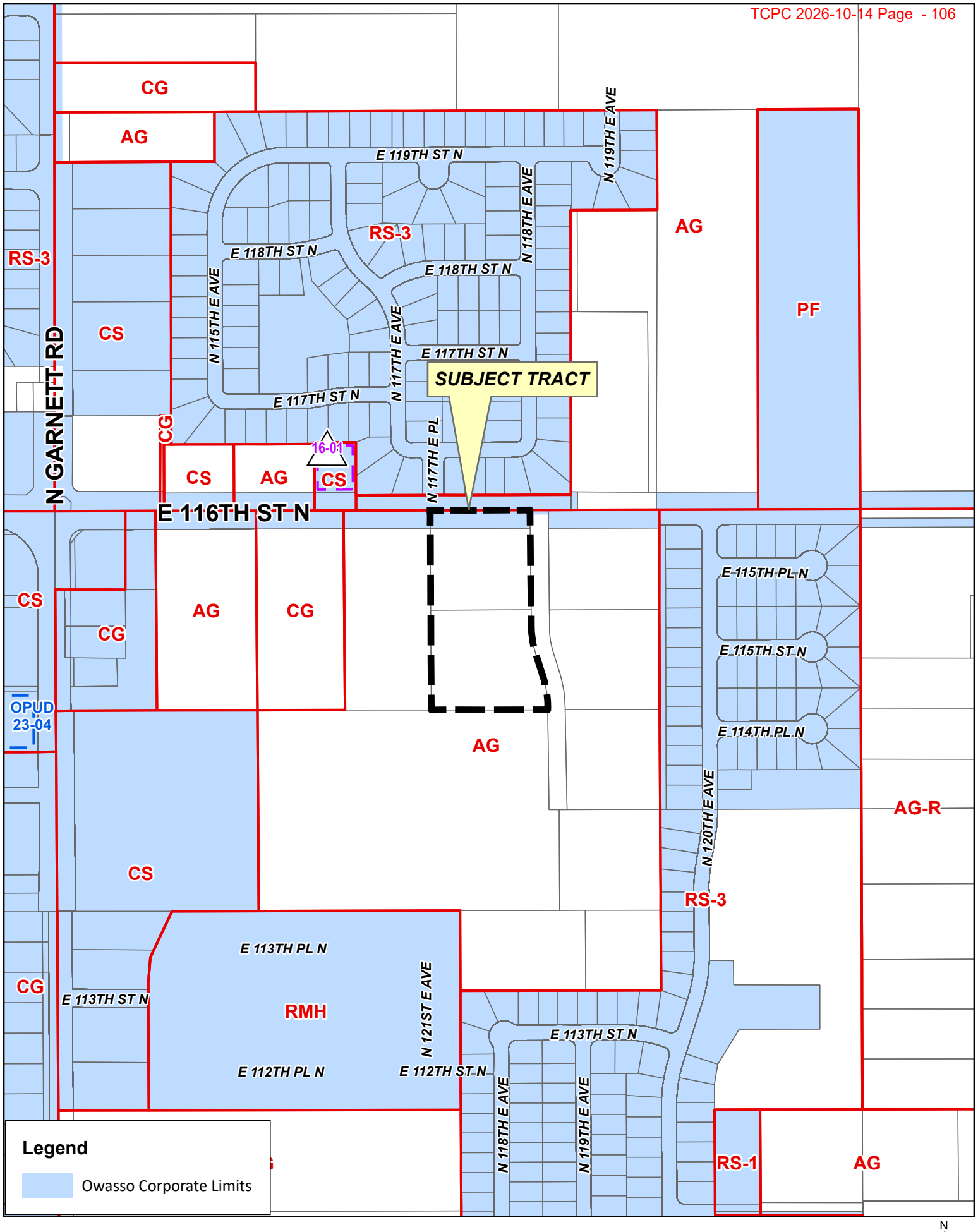


Feet
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Red Barn Homes LLC

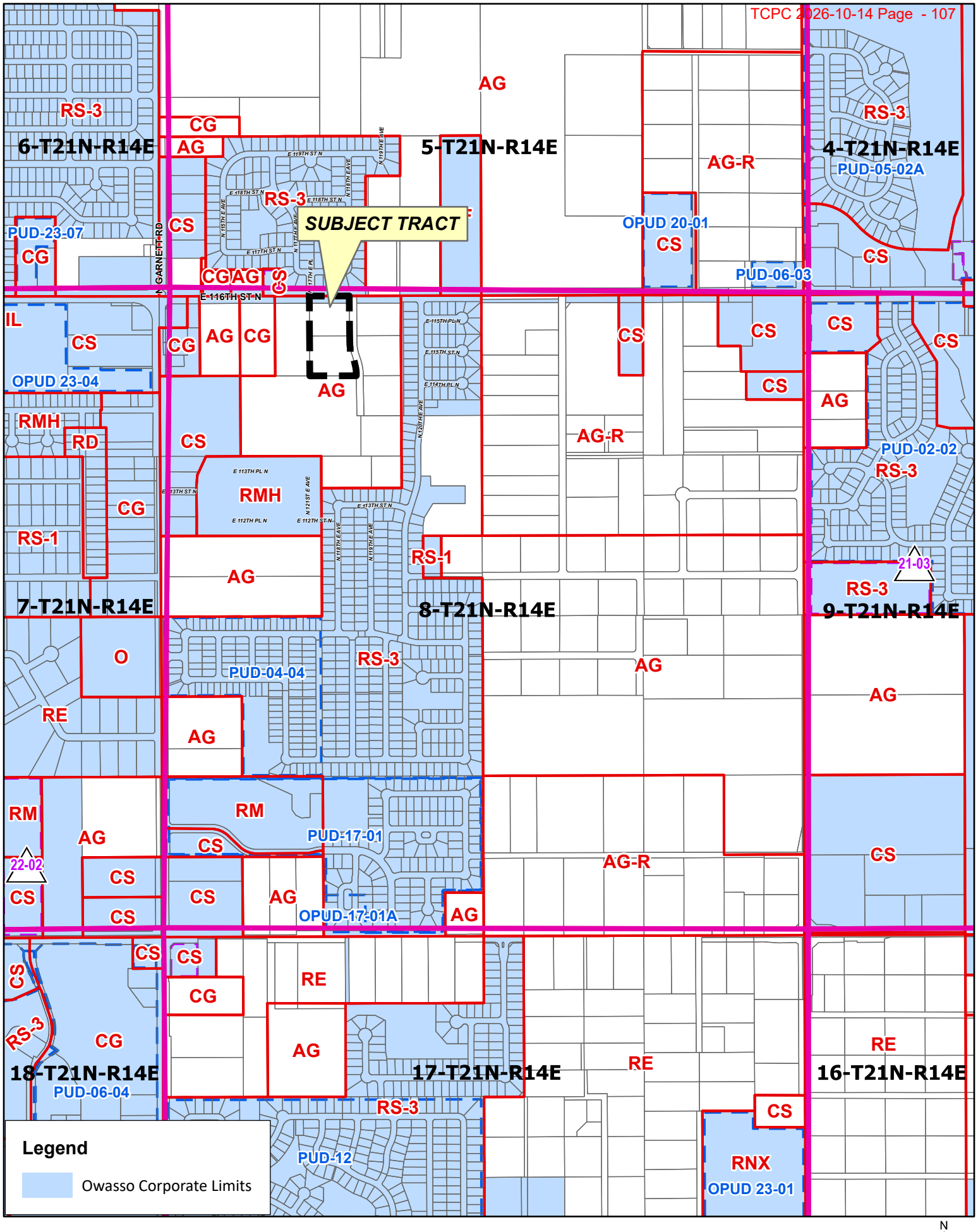
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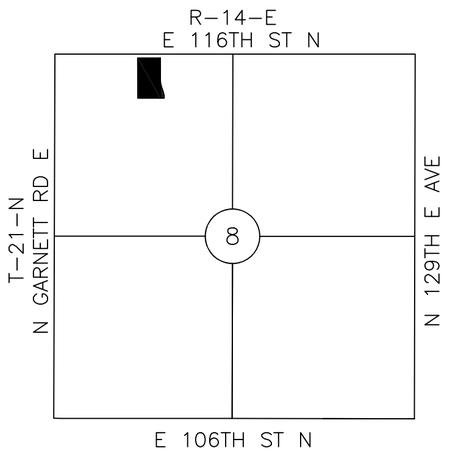
Red Barn Homes LLC

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Red Barn Homes LLC

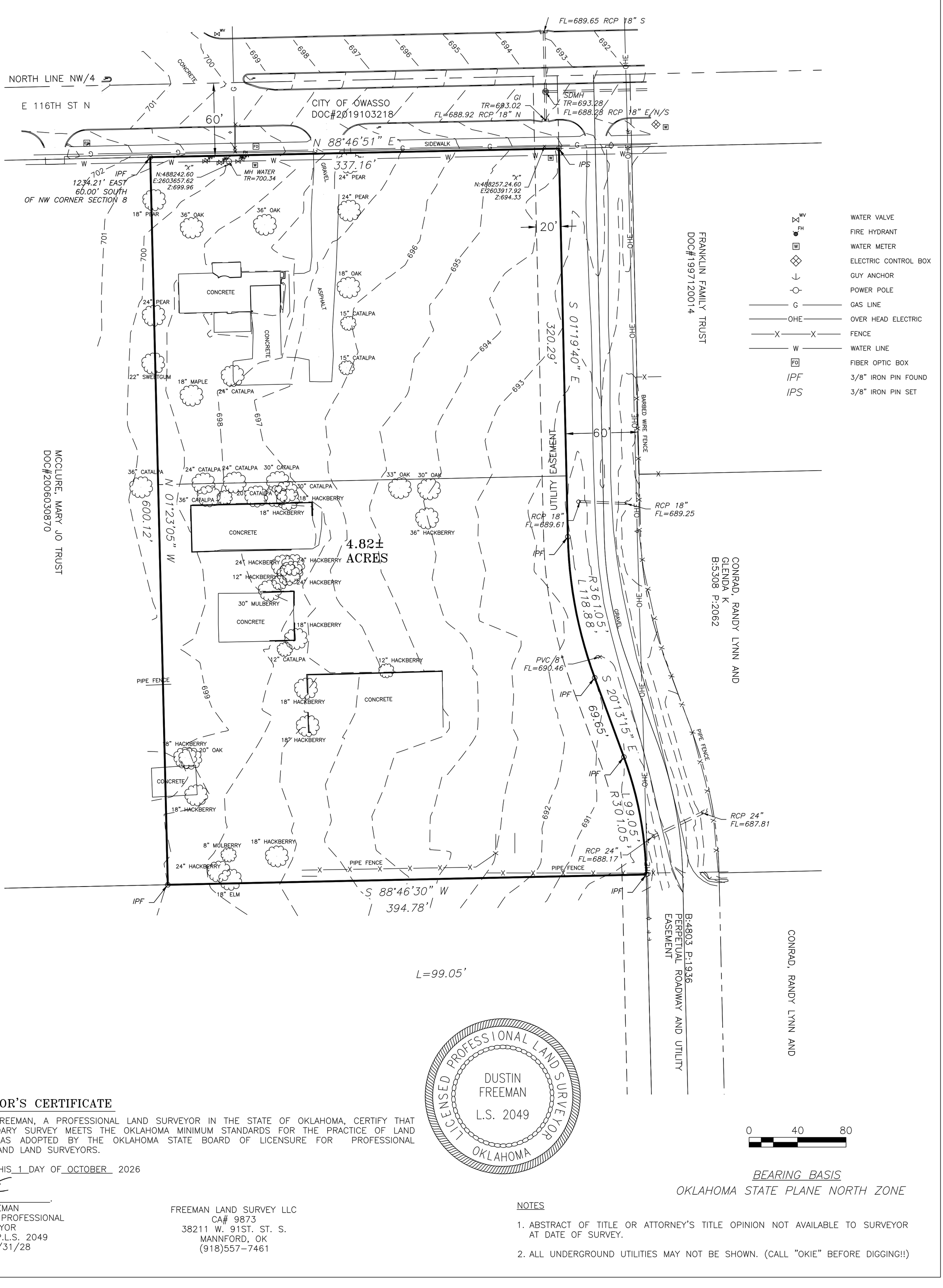
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SURVEY PLAT

LEGAL DESCRIPTION

The North Half of the Northeast Quarter of the Northeast Quarter of the Northwest Quarter (N/2 NW/4 NE/4 NW/4) and the North Half of the Northeast Quarter of the Northwest Quarter of the Northwest Quarter (N/2 NE/4 NW/4 NW/4) of Section Eight (8), Township Twenty-one (21) North, Range Fourteen (14) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof, LESS AND EXCEPT the West 570.40 feet thereof, LESS AND EXCEPT, the East 360 feet thereof, and LESS AND EXCEPT a tract of land located In the Northwest Quarter (NW/4) of Section eight (8) of Township Twenty-one (21) North and Range Fourteen (14) East of the Indian Base and Meridian, according to the U.S. Government Survey thereof, Tulsa County, State of Oklahoma, being more particularly described as follows:
Commencing at the NW corner of the NW/4 of Section 8, Township 21 North, Range 14 East, Thence N88°46'46"E along the North line of said NW/4 a distance of 1234.20 feet to the Point of Beginning; Thence N88°46'56" E along said North line a distance of 337.19 feet; Thence S01°18'28"E a distance of 60.00 feet; Thence S88°46'56"W a distance of 337.11 feet; Thence N01°23'08"W a distance of 60.00 feet to the Point of Beginning,
AND
The South Half of the Northeast Quarter of the Northwest Quarter or the Northwest Quarter (S/2 NE/4 NW/4 NW/4), LESS AND EXCEPT the West 570.4 feet thereof, and that part of the Southwest Quarter of the Northwest Quarter of the Northeast Quarter of the Northwest Quarter (SW/4 NW/4 NE/4 NW4) lying West of the centerline of a roadway easement, said centerline more particularly described as follows, to-wit:
Beginning at the Southeast corner of said SW/4 NW/4 NE/4 NW/4; Thence Northerly on a curve to the left having a radius of 331.05 feet, a distance of 109.0 feet to a point; Thence N18°55'00"W a distance of 69.65 feet to a point; Thence on a curve to the right having a radius of 331.05 feet, a distance of 109.0 feet to a point; Thence N00°03'04"W a distance of 50.0 feet to a point on the North line, said point being 57.93 feet N89°58'46"W from the Northeast corner of said SW/4 NW/4 NE/4 NW/4; situated in Section Eight (8), Township Twenty-one (21) North, Range Fourteen (14) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof.



SURVEYOR'S CERTIFICATE

I, DUSTIN FREEMAN, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, CERTIFY THAT THIS BOUNDARY SURVEY MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

EXECUTED THIS 1 DAY OF OCTOBER 2026

LICENSED PROFESSIONAL LAND SURVEYOR
DUSTIN FREEMAN
L.S. 2049
OKLAHOMA

DUSTIN FREEMAN
REGISTERED PROFESSIONAL
LAND SURVEYOR
OKLAHOMA P.L.S. 2049
EXPIRES 01/31/28

FREEMAN LAND SURVEY LLC
CA# 9873
38211 W. 91ST. ST. S.
MANNFORD, OK
(918)557-7461

BEARING BASIS
OKLAHOMA STATE PLANE NORTH ZONE

NOTES

1. ABSTRACT OF TITLE OR ATTORNEY'S TITLE OPINION NOT AVAILABLE TO SURVEYOR AT DATE OF SURVEY.
2. ALL UNDERGROUND UTILITIES MAY NOT BE SHOWN. (CALL "OKIE" BEFORE DIGGING!!)

Tulsa County Planning Commission
The Flats II: STAFF REPORT
Hearing Date: October 14, 2026
Prepared by: Kendal Davis; kdavis@incog.org; 918-579-9485

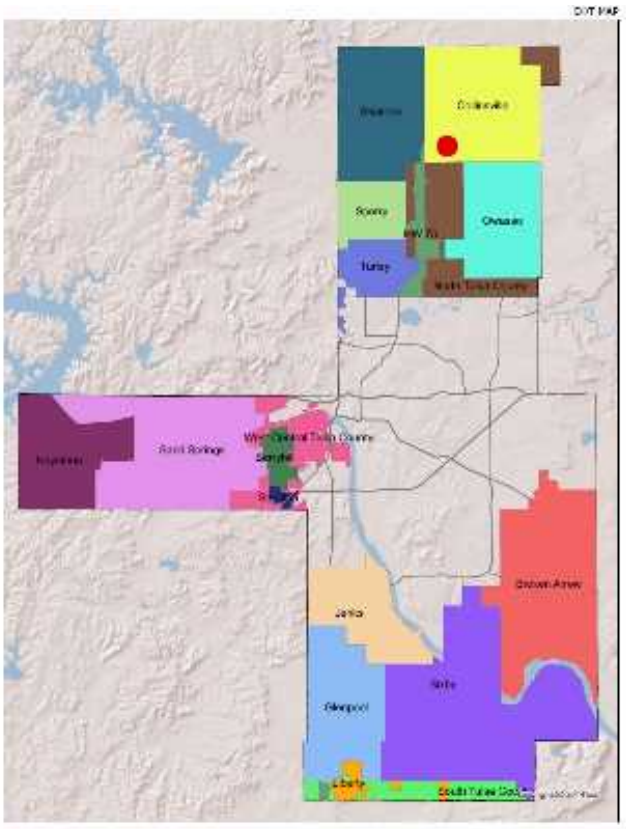
Owner and Applicant Information

Applicant: Tanner Consulting, LLC

Property Owner: Smalygo Properties, INC.

Property Location: 6800-Block of E. 136th St. N.
Tract Size: 45.054 ± acres

Location within Tulsa County
(shown with Planning Areas)



Elected Representatives

County Commission: District 1; Stan Sallee

Staff Recommendation

Staff recommends **approval of Preliminary Plat**

Request Summary

Preliminary Plat Approval for a Residential Subdivision.

Zoning

Existing Zoning: RS-3 (Residential Single Family)

Proposed Zoning: No change

Use

Current Use: Vacant

Proposed Use: Single Family Residential Subdivision

Comprehensive Plan Considerations

Land Use

Land Use Plan: RESIDENTIAL as recommended in Collinsville's Comprehensive Plan Area.

Transportation

Major Street & Highway Plan: E. 136th St. N. is classified as Secondary Arterial & N. Sheridan Rd. is classified as Secondary Arterial.

Transit: None

Existing Bike/Ped Facilities: None

Planned Bike/Ped Facilities: None

Environment

Flood Area: None

Parks & Open Space: None

Exhibits

- Aerial case map
- Tulsa County Comprehensive Plan case map
- Zoning case map
- Section map
- Preliminary Plat

Preliminary Plat

Staff Recommendation

The Flats II - (County)
This plat consists of 53 lots, 6 blocks on 45.054 ± acres.

The Technical Advisory Committee (TAC) met on 10/8/26 and provided the following comments:

1. **Zoning:** Proposed lots conforms to the requirements of the district. Planning Services will provide comments prior to final plat release.

2. **Addressing:** INCOG will assign addresses. Include assigned addresses on face of the final plat and provide address disclaimer.

3. **Transportation & Traffic:** Street construction must be approved by the County Engineer and installed prior to final plat release.

4. **Sewer/Water:** Water line plans must be submitted to Rural Water District. Additional infrastructure may be needed based on water demands. All requirements of the rural water district must be met for final plat approval.

5. **Stormwater, Drainage, & Floodplain:** Plans for stormwater and drainage must be approved by the Tulsa County Engineer and improvements must be in place prior to final plat approval. Provide access to reserve area for maintenance.

6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

7. **Engineering:** Tulsa County Engineering Department release is required prior to final plat approval.

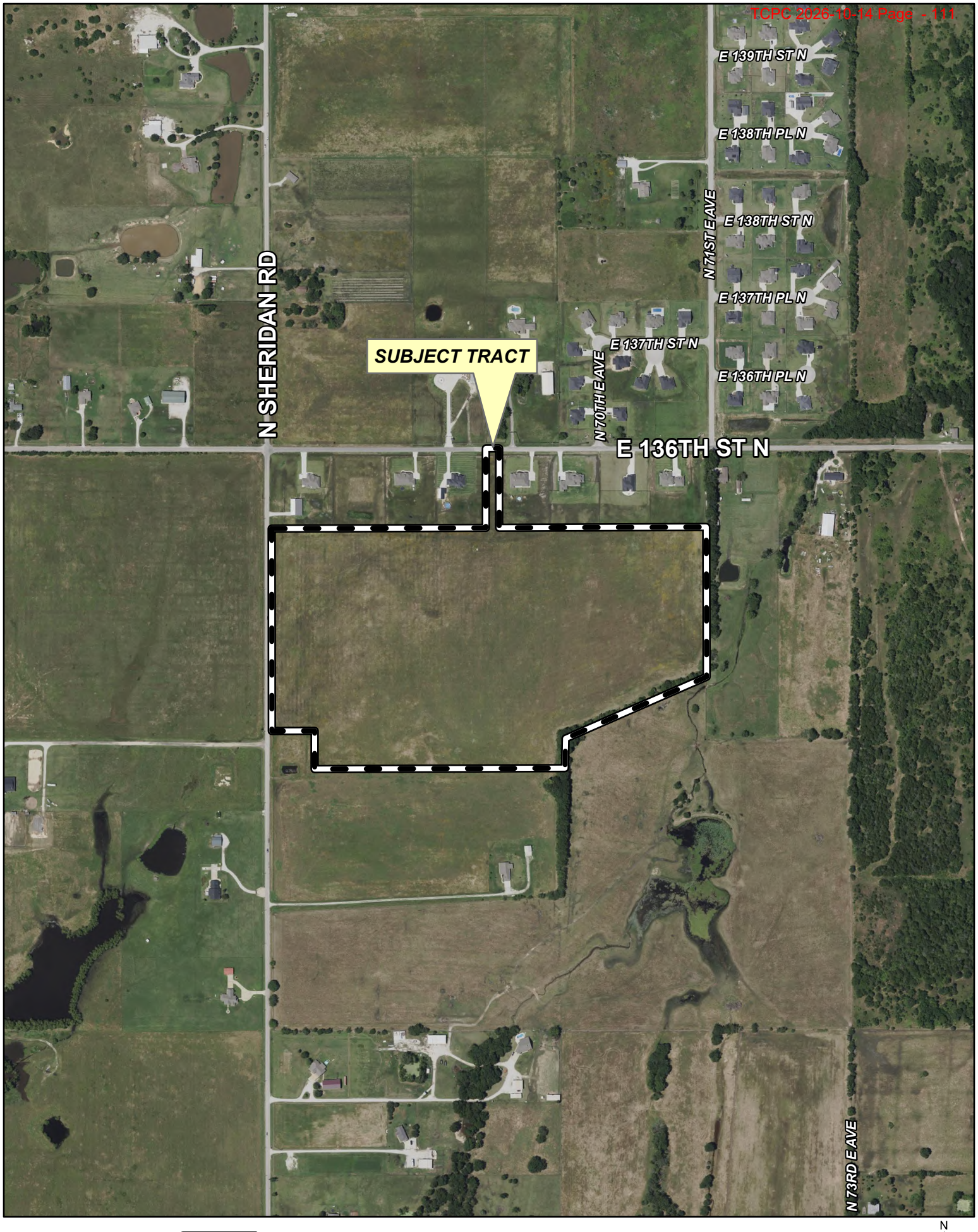
Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the following:

1) Conditions provided by TAC,
2) All other requirements of the TMAPC Subdivision and Development Regulations.
3) Tulsa County Engineering Department release is required prior to final plat approval.

Staff recommends **APPROVAL** of, The Flats II.

Applicant neighborhood engagement process:

- None provided



Feet
0 275 550

Subject Tract

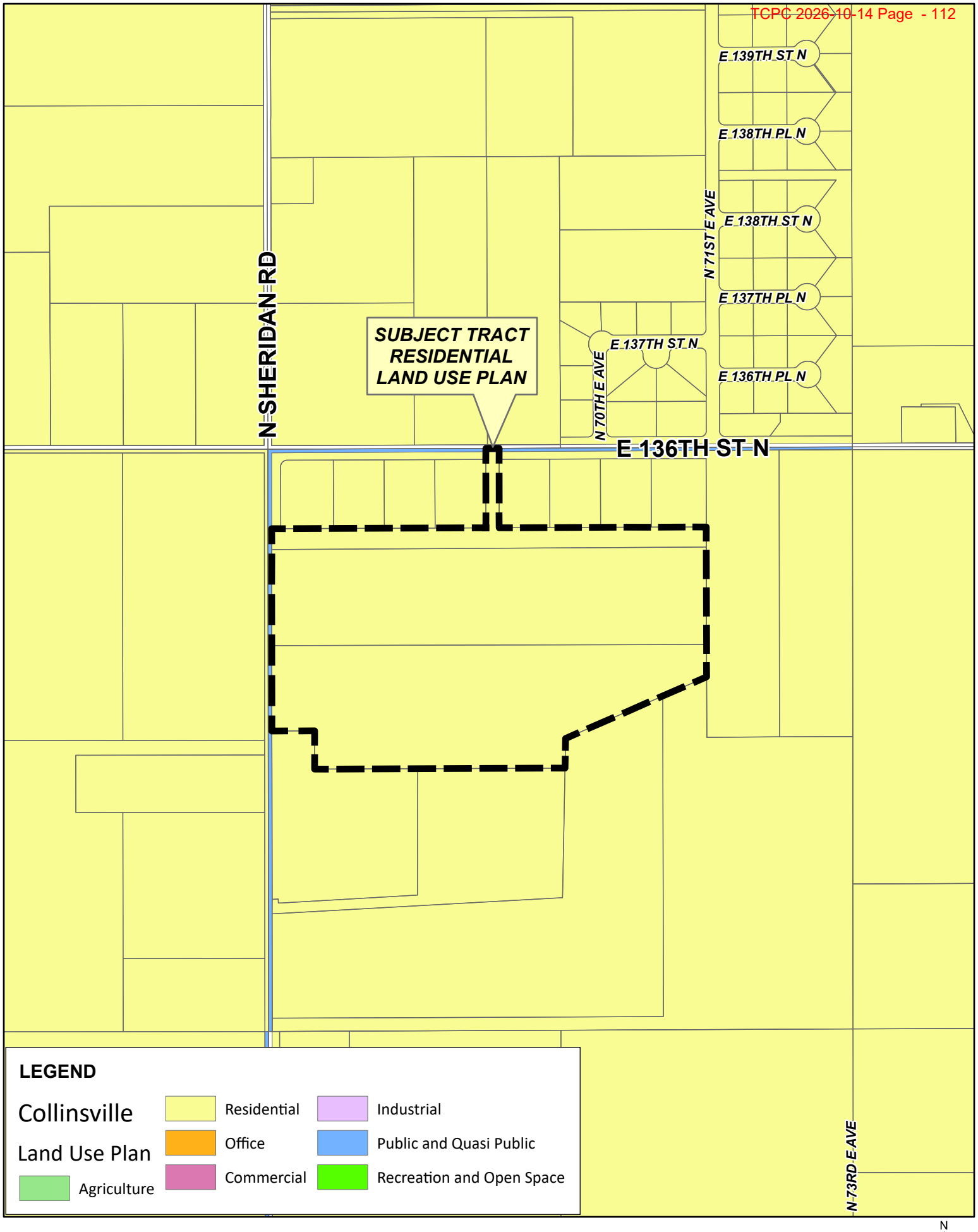
The Flats II

35 22-13

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2025

N

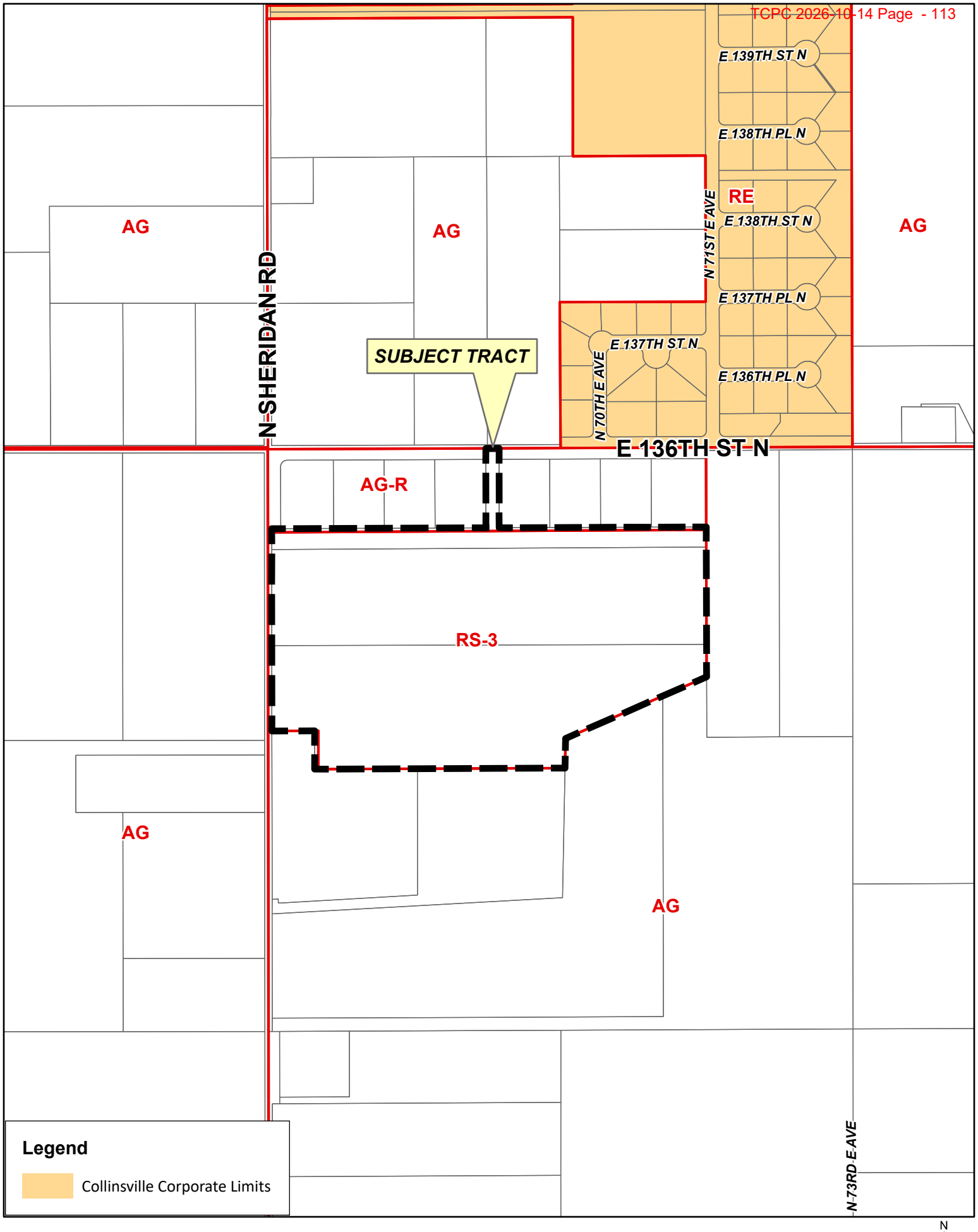


Feet
0 275 550

The Flats II

35 22-13

N

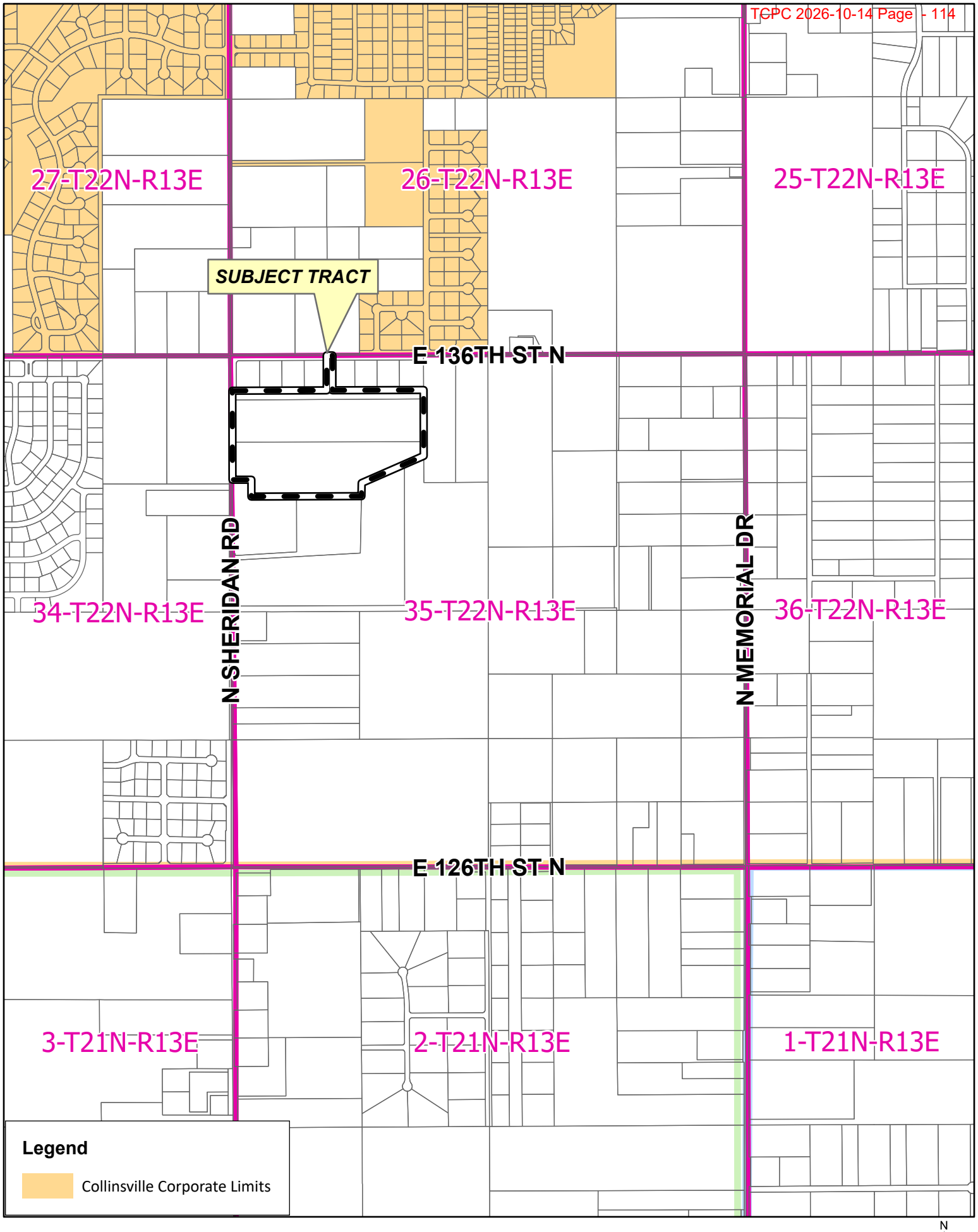


Feet
0 275 550

The Flats II

35 22-13

N



Feet
0 625 1,250

The Flats II

35 22-13

N

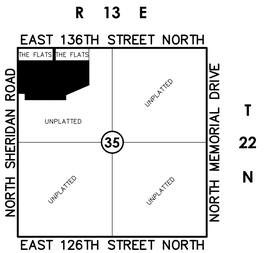
Preliminary/Draft Final Plat

The Flats II

PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION THIRTY-FIVE (35),
TOWNSHIP TWENTY-TWO (22) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN TULSA COUNTY, STATE OF OKLAHOMA

OWNER:
Smalygo Properties, Inc.
AN OKLAHOMA CORPORATION
KYLE SMALYGO, PRESIDENT
14750 North Mingo Road
Collinsville, Oklahoma 74021
Phone: (918) 371-3183

SURVEYOR/ENGINEER:
Tanner Consulting, L.L.C.
DAN E. TANNER, P.L.S. NO. 1435
OK CA NO. 2661, EXPIRES 6/30/2029
EMAIL: DAN@TANNERBAITSHOP.COM
5323 South Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918) 745-9929

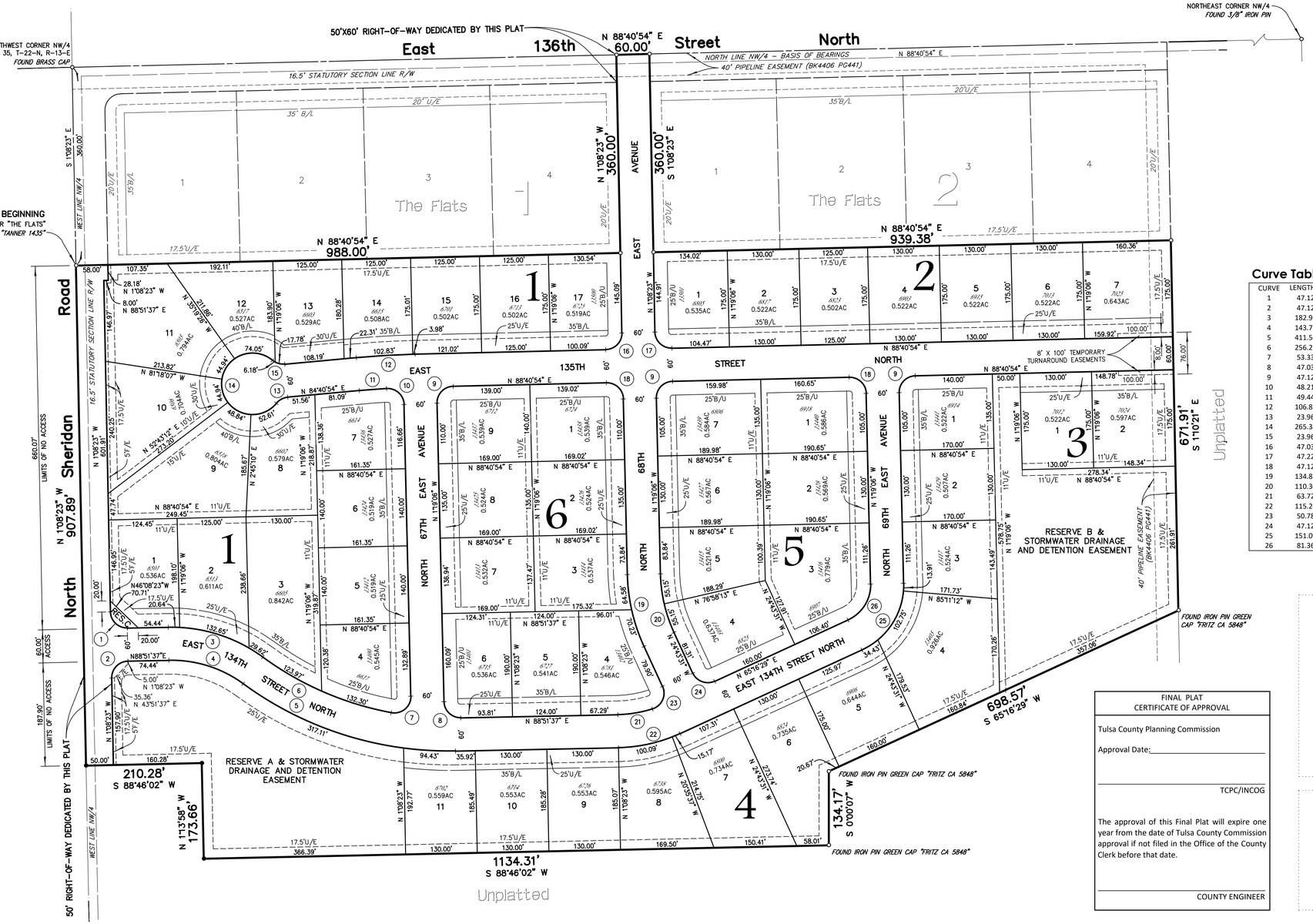


Location Map
Scale: 1"= 2000'
NORTH

SUBDIVISION CONTAINS:

FIFTY-THREE (53) LOTS
IN SIX (6) BLOCKS
WITH THREE (3) RESERVE AREAS

GROSS SUBDIVISION AREA: 45.054 ACRES



Notes:

1. THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
2. ALL PROPERTY CORNERS ARE FOUND OR SET 3/8" IRON REBAR WITH YELLOW CAP STAMPED "TANNER 1435" OR "TANNER CA2661" UNLESS OTHERWISE NOTED.
3. THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3501), NORTH AMERICAN DATUM 1983 (NAD83); SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:
   (A) BRASS CAP FOUND AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SECTION 35;
   (B) 3/8" IRON PIN FOUND AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SECTION 35;

   THE BEARING BETWEEN SAID MONUMENTS BEING NORTH 88°40'54" EAST.
4. ADDRESSES SHOWN ON THIS PLAT WERE PROVIDED BY INCOG AND WERE ACCURATE AT THE TIME THE PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF THE LEGAL DESCRIPTION.
5. ACCESS AT THE TIME OF PLAT WAS PROVIDED BY NORTH SHERIDAN ROAD AND EAST 136TH STREET NORTH BY VIRTUE OF RIGHT-OF-WAY DEDICATED BY THIS PLAT.

Avigation Notice:

NOTICE IS HEREBY GIVEN THAT OWNERS AND USERS OF AIRCRAFT OF ALL TYPES OPERATE ON A FREQUENT BASIS IN THE AIRSPACE ABOVE THIS PLAT OF LAND. SAID AIRCRAFT, WHEN OPERATED IN A LAWFUL MANNER, ARE ALLOWED FREE AND UNOBSTRUCTED PASSAGE IN THE AIRSPACE ON, UPON, OVER, ACROSS, ADJACENT TO, ABOVE AND IN THE VICINITY OF THIS PLAT OF LAND. THE LAWFUL OPERATION OF AIRCRAFT IS KNOWN TO GENERATE NOISE, VIBRATION, AND OTHER EFFECTS AS MAY BE INHERENT IN THE OPERATION OF OR FLIGHT OR PASSAGE IN AND THROUGH SAID AIRSPACE WHICH RESULT DIRECTLY OR INDIRECTLY FROM THE OPERATIONS OF AIRCRAFT OR THE AIRPORT, NOW AND IN THE FUTURE, INCLUDING BUT NOT LIMITED TO, GROUND AND FLIGHT OPERATIONS OF AIRCRAFT AT, OVER, ON OR IN THE VICINITY OF THE AIRPORT, AND REGARDLESS OF WHETHER ARRIVING, DEPARTING, MANEUVERING, OR EN ROUTE, AND IT MUST BE FURTHER RECOGNIZED THAT ALL SUCH OPERATIONS MAY INCREASE IN THE FUTURE.

NOTICE IS ALSO GIVEN THAT RULES AND REGULATIONS DEFINED IN FEDERAL AVIATION REGULATIONS (FARS), INCLUDING BUT NOT LIMITED TO FAR PART 77, MAY LIMIT THE HEIGHT OF BUILDINGS, STRUCTURES, POLES, TREES OR OTHER OBJECTS WHETHER NATURAL OR OTHERWISE, LOCATED OR TO BE LOCATED ON PROPERTY WITHIN THIS PLAT OF LAND AND MAY REQUIRE, PRIOR TO CONSTRUCTION, THE SUBMISSION OF AN APPLICATION AS MAY BE REQUIRED BY THE FEDERAL AVIATION ADMINISTRATION TO ENSURE THAT THE SAFE OPERATION OF AIRCRAFT IS NOT IMPACTED BY SAID OBJECT.

NORTH
0 50 100 150
Scale: 1"= 100'
Tanner Consulting

LEGEND

AC	ACRE
B/L	BUILDING LINE
B/U	BUILDING LINE & UTILITY EASEMENT
BK PG	BOOK & PAGE
CB	CHORD BEARING
CD	CHORD DISTANCE
Δ	DELTA ANGLE
DOC	DOCUMENT
ESMT	EASEMENT
F/E	FENCE EASEMENT
IPF	FOND IRON PIN
RES	RESERVE
R/W	RIGHT-OF-WAY
U/E	UTILITY EASEMENT
1234	ADDRESS ASSIGNED
○	FOUND MONUMENT (SEE NOTE 2)
●	SET MONUMENT (SEE NOTE 2)

Curve Table

CURVE	LENGTH(L)	RADIUS(R)	DELTA(Δ)	CHORDBRG(CB)	CHORDDIS(CD)
1	47.12'	30.00'	90°00'00"	N46°08'23"W	42.43'
2	47.12'	30.00'	90°00'00"	N43°51'37"E	42.43'
3	182.91'	280.00'	37°25'41"	N72°25'32"W	179.67'
4	143.71'	220.00'	37°25'41"	N72°25'32"W	141.17'
5	411.54'	630.00'	37°25'41"	N72°25'32"W	404.26'
6	256.27'	570.00'	25°45'34"	N66°35'29"W	254.11'
7	53.33'	30.00'	101°50'50"	N49°36'19"E	46.58'
8	47.03'	30.00'	89°49'17"	N46°13'44"W	42.36'
9	47.12'	30.00'	90°00'00"	N43°40'54"E	42.43'
10	48.21'	30.00'	92°04'23"	N47°21'17"W	43.19'
11	49.44'	1470.00'	1°55'37"	N85°38'43"E	49.44'
12	106.81'	1530.00'	4°00'00"	N86°40'54"E	106.79'
13	23.96'	30.00'	45°45'33"	N61°48'08"E	23.33'
14	265.38'	56.00'	271°31'07"	N5°19'06"W	78.14'
15	23.96'	30.00'	45°45'33"	N72°26'19"W	23.33'
16	47.03'	30.00'	89°49'17"	N43°46'16"E	42.36'
17	47.22'	30.00'	90°10'43"	N46°13'44"W	42.49'
18	47.12'	30.00'	90°00'00"	N46°19'06"W	42.43'
19	134.81'	330.00'	23°24'25"	N13°01'18"W	133.88'
20	110.30'	270.00'	23°24'25"	N13°01'18"W	109.54'
21	63.72'	220.00'	16°35'41"	N80°33'47"E	63.50'
22	115.26'	280.00'	23°35'08"	N77°04'03"E	114.45'
23	50.78'	300.00'	96°59'27"	N23°46'13"E	44.93'
24	47.12'	30.00'	90°00'00"	N69°43'31"W	42.43'
25	151.09'	130.00'	66°35'35"	N31°58'42"E	142.73'
26	81.36'	70.00'	66°35'35"	N31°58'42"E	76.86'

FINAL PLAT
CERTIFICATE OF APPROVAL

Tulsa County Planning Commission

Approval Date:_____

_____
TCPC/INCOG

The approval of this Final Plat will expire one year from the date of Tulsa County Commission approval if not filed in the Office of the County Clerk before that date.

_____
COUNTY ENGINEER

DATE OF PREPARATION: September 25, 2026

Preliminary/Draft Final Plat

The Flats II

PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION THIRTY-FIVE (35),
TOWNSHIP TWENTY-TWO (22) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN TULSA COUNTY, STATE OF OKLAHOMA

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL PERSONS BY THESE PRESENTS:

THAT SMALYGO PROPERTIES, INC., AN OKLAHOMA CORPORATION, IS THE OWNER OF THE FOLLOWING DESCRIBED LAND SITUATED IN TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT:

A TRACT OF LAND THAT IS PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION THIRTY-FIVE (35), TOWNSHIP TWENTY-TWO (22) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 360.00 FEET SOUTH 1°08'23" EAST FROM THE NORTHWEST CORNER OF SAID NW/4, SAID POINT BEING THE SOUTHWEST CORNER OF "THE FLATS", A SUBDIVISION WITHIN TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 6987);

THENCE NORTH 88°40'54" EAST AND ALONG THE SOUTH LINE OF SAID SUBDIVISION, FOR A DISTANCE OF 988.00 FEET TO A POINT, SAID POINT BEING THE SOUTHEAST CORNER OF LOT FOUR (4), BLOCK ONE (1), "THE FLATS"; THENCE NORTH 1°08'23" WEST AND ALONG THE EAST LINE OF SAID LOT 4, BLOCK 1, "THE FLATS" AND THE EXTENSION THEREOF, FOR A DISTANCE OF 360.00 FEET TO A POINT ON THE NORTH LINE OF THE NW/4; THENCE NORTH 88°40'54" EAST AND ALONG SAID NORTH LINE, FOR A DISTANCE OF 60.00 FEET; THENCE SOUTH 1°08'23" EAST AND ALONG THE WEST LINE OF LOT ONE (1), BLOCK TWO (2), "THE FLATS", AND THE EXTENSION THEREOF, FOR A DISTANCE OF 360.00 FEET TO THE SOUTHWEST CORNER SAID LOT 1 BLOCK 2; THENCE NORTH 88°40'54" EAST AND ALONG THE SOUTH LINE OF BLOCK 2, FOR A DISTANCE OF 939.38 FEET TO A POINT, SAID POINT BEING THE SOUTHEAST CORNER OF BLOCK 2; THENCE SOUTH 1°10'21" EAST FOR A DISTANCE OF 671.91 FEET; THENCE SOUTH 65°16'29" WEST FOR A DISTANCE OF 698.57 FEET; THENCE SOUTH 0°00'07" WEST FOR A DISTANCE OF 134.17 FEET; THENCE SOUTH 88°46'02" WEST FOR A DISTANCE OF 1134.31 FEET; THENCE NORTH 1°13'58" WEST FOR A DISTANCE OF 173.66 FEET; THENCE SOUTH 88°46'02" WEST FOR A DISTANCE OF 210.28 FEET TO A POINT ON SAID WEST LINE OF THE NW/4; THENCE NORTH 1°08'23" WEST AND ALONG THE WEST LINE, FOR A DISTANCE OF 907.89 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINING 1,962,547 SQUARE FEET, OR 45.054 ACRES.

THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3501), NORTH AMERICAN DATUM 1983 (NAD83); SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:

(1) BRASS CAP FOUND AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SECTION 35;

(2) 3/8" IRON PIN FOUND AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SECTION 35;

THE BEARING BETWEEN SAID MONUMENTS BEING NORTH 88°40'54" EAST.

AND THAT SMALYGO PROPERTIES, INC., HEREINAFTER REFERRED TO AS "OWNER", HAS CAUSED THE ABOVE DESCRIBED LAND TO BE SURVEYED, STAKED, PLATTED, AND SUBDIVIDED INTO LOTS, BLOCKS, RESERVE AREAS, AND STREETS IN CONFORMITY WITH THE ACCOMPANYING PLAT AND HAS DESIGNATED THE SUBDIVISION AS "THE FLATS II," A SUBDIVISION WITHIN TULSA COUNTY, OKLAHOMA.

SECTION I. PUBLIC STREETS, EASEMENTS, AND UTILITIES

A. PUBLIC STREETS AND UTILITY EASEMENTS:

THE OWNER HEREBY DEDICATES TO THE PUBLIC THE STREETS AS DEPICTED ON THE ACCOMPANYING PLAT. THE OWNER FURTHER DEDICATES TO THE PUBLIC THE UTILITY EASEMENTS DESIGNATED AS "U/E" OR "UTILITY EASEMENT" FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORMSEWERS, SANITARY SEWERS, COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, AND WATERLINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS, MANHOLES 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 STATED, TOGETHER WITH SIMILAR EASEMENT RIGHTS IN THE PUBLIC STREETS, PROVIDED THE OWNER RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY, AND REPAIR OR REPLACE WATERLINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING, REPAIRING, AND REPLACING OVER, ACROSS, AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND SEWER SERVICES TO AREAS DEPICTED ON THE PLAT. THE OWNER HEREBY IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE 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 STATED USES AND PURPOSES OF THE UTILITY EASEMENTS SHALL BE PLACED, ERECTED, INSTALLED, OR MAINTAINED, PROVIDED NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, LANDSCAPING, AND CUSTOMARY SCREENING FENCES THAT DO NOT CONSTITUTE AN OBSTRUCTION.

B. UTILITY SERVICE:

1. OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC AND COMMUNICATION SERVICES MAY BE LOCATED WITHIN THE NORTH SHERIDAN ROAD AND EAST 136TH STREET NORTH RIGHTS-OF-WAY DEDICATED BY THIS PLAT AND WITHIN THE PERIMETER UTILITY EASEMENTS OF THE SUBDIVISION. ELSEWHERE THROUGHOUT THE SUBDIVISION, ALL SUPPLY LINES INCLUDING ELECTRIC, COMMUNICATION, AND GAS LINES SHALL BE LOCATED UNDERGROUND IN THE EASEMENTS DEDICATED FOR GENERAL UTILITY SERVICE AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN GENERAL UTILITY EASEMENTS.

2. UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WITHIN THE SUBDIVISION MAY BE EXTENDED FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL, OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE UPON THE LOT PROVIDED, UPON INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE, AND NON-EXCLUSIVE EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE GAS MAIN, SERVICE PEDESTAL, OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.

3. THE SUPPLIER OF ELECTRIC, COMMUNICATION, AND GAS SERVICE, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS 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, COMMUNICATION, OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.

4. THE OWNER OF THE LOT OR RESERVE AREA SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON THE OWNER'S LOT OR RESERVE AREA AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, COMMUNICATION, OR GAS FACILITIES. EACH SUPPLIER OF THESE SERVICES SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER OF THE LOT OR RESERVE AREA SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OF THE LOT OR RESERVE AREA OR SUCH OWNER'S AGENTS OR CONTRACTORS.

5. THE COVENANTS SET FORTH IN THIS SUBSECTION B. SHALL BE ENFORCEABLE BY EACH SUPPLIER OF THE ELECTRIC, COMMUNICATION, OR GAS SERVICE AND THE OWNER OF EACH LOT AND RESERVE AREA AGREES TO BE BOUND BY THESE COVENANTS.

C. WATER, SANITARY SEWER, STORMSEWER, AND STORMWATER DRAINAGE SERVICES:

1. THE OWNER OF EACH LOT AND RESERVE AREA SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, PUBLIC SANITARY SEWER (IF AND WHEN INSTALLED), PUBLIC STORMSEWER FACILITIES, AND PUBLIC STORMWATER DRAINAGE FACILITIES LOCATED ON THE OWNER'S LOT OR RESERVE AREA AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID MAINS OR FACILITIES.

2. WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, PUBLIC SANITARY SEWER (IF AND WHEN INSTALLED), PUBLIC STORMSEWER FACILITY, OR PUBLIC STORMWATER DRAINAGE FACILITY, OR ANY CONSTRUCTION ACTIVITY WHICH, IN THE JUDGMENT OF TULSA COUNTY OR WASHINGTON COUNTY RURAL WATER DISTRICT NO. 3 OR OTHER PUBLIC SANITARY SEWER PROVIDERS, OR THEIR RESPECTIVE SUCCESSORS, WOULD INTERFERE WITH SUCH MAINS OR FACILITIES, SHALL BE PROHIBITED. WITHIN THE UTILITY EASEMENTS, IF THE GROUND ELEVATIONS ARE ALTERED BY THE LOT OR RESERVE AREA OWNER FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, PUBLIC SANITARY SEWER FACILITY, PUBLIC STORMSEWER FACILITY, OR PUBLIC STORMWATER DRAINAGE FACILITY, ALL GROUND LEVEL APPURTENANCES, INCLUDING VALVE BOXES, FIRE HYDRANTS, AND MANHOLES, SHALL BE ADJUSTED TO THE ALTERED GROUND ELEVATIONS BY THE OWNER OF THE LOT OR RESERVE AREA OR, AT ITS ELECTION, TULSA COUNTY OR WASHINGTON COUNTY RURAL WATER DISTRICT NO. 3 OR OTHER PUBLIC SANITARY SEWER OR STORMSEWER SERVICE PROVIDERS, OR THEIR RESPECTIVE SUCCESSORS, MAY MAKE SUCH ADJUSTMENT AT SUCH OWNER'S EXPENSE.

3. WASHINGTON COUNTY RURAL WATER DISTRICT NO. 3, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER MAINS AND RELATED FACILITIES, TULSA COUNTY OR ITS SUCCESSORS SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC STORMSEWER FACILITIES AND PUBLIC STORMWATER DRAINAGE FACILITIES, AND PUBLIC SANITARY SEWER SERVICE PROVIDERS, OR THEIR RESPECTIVE SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF THE PUBLIC SANITARY SEWER FACILITIES (IF AND WHEN INSTALLED), BUT THE LOT OR RESERVE AREA OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR SUCH OWNER'S AGENTS OR CONTRACTORS.

4. WASHINGTON COUNTY RURAL WATER DISTRICT NO. 3, OTHER PUBLIC SANITARY SEWER SERVICE PROVIDERS, AND TULSA COUNTY, OR THEIR RESPECTIVE SUCCESSORS, THROUGH THEIR RESPECTIVE PROPER AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS WITH THEIR EQUIPMENT TO ALL UTILITY EASEMENTS SHOWN ON SAID PLAT, OR PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF THE PUBLIC WATER, PUBLIC SANITARY SEWER (IF AND WHEN INSTALLED), PUBLIC STORMSEWER, AND PUBLIC STORMWATER DRAINAGE FACILITIES.

5. SANITARY SEWER DISPOSAL: SEWAGE SHALL BE DISPOSED OF BY INDIVIDUAL ONSITE AEROBIC SEWAGE DISPOSAL SYSTEMS APPROVED BY THE OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY (ODEQ). NO OTHER ONSITE SEWAGE DISPOSAL SYSTEMS SHALL BE ALLOWED WITHOUT WRITTEN APPROVAL FROM THE OWNER AND ODEQ. ALL SEWAGE DISPOSAL SYSTEMS SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE RULES AND REGULATIONS SET FORTH BY ODEQ. THE OWNER RESERVES THE RIGHT TO DESIGNATE AN APPROVED THIRD-PARTY CONTRACTOR WITH EXPERIENCE IN INSTALLING AND MAINTAINING INDIVIDUAL ONSITE SEWAGE DISPOSAL SYSTEMS FOR THE PURPOSE OF PERFORMING REGULAR MAINTENANCE AND MONITORING FUNCTIONS OF ALL SUCH SYSTEMS WITHIN THE SUBDIVISION. THE FOREGOING SHALL NOT LIMIT THE FUTURE INSTALLATION OR USE OF PUBLIC SANITARY SEWER SYSTEMS WHEN SUCH SYSTEMS BECOME AVAILABLE.

6. THE FOLLOWING STORMWATER DRAINAGE FACILITIES/IMPROVEMENTS ARE THE PRIMARY RESPONSIBILITY OF EACH LOT AND RESERVE AREA OWNER TO MAINTAIN AND PROTECT:
   - 6.1. THE BORROW DITCHES RUNNING PARALLEL TO THE STREET PAVING ALONG THE FRONT OF EACH OWNER'S LOT OR RESERVE AREA, WHETHER THE DITCH IS WITHIN OR OUTSIDE THE STREET RIGHT-OF-WAY;
   - 6.2. THE CULVERTS AND HEADWALLS AT THE DRIVEWAY ENTRANCES TO EACH OWNER'S LOT, WHETHER THE CULVERTS, HEADWALLS OR DRIVEWAYS ARE WITHIN OR OUTSIDE THE STREET RIGHT-OF-WAY;
   - 6.3. OVERLAND DRAINAGE SWALES LOCATED ALONG OR NEAR THE LOT LINES OF EACH LOT OWNER'S LOT.

7. THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION C. SHALL BE ENFORCEABLE BY WASHINGTON COUNTY RURAL WATER DISTRICT NO. 3, TULSA COUNTY, OTHER PUBLIC WATER, SANITARY SEWER, OR STORMSEWER SERVICE PROVIDERS, OR THEIR RESPECTIVE SUCCESSORS, AND THE OWNER AND OWNERS OF EACH LOT AND RESERVE AREA AGREE TO BE BOUND HEREBY.

D. SURFACE DRAINAGE:

EACH LOT SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION. NO LOT OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM OR SURFACE WATERS OVER AND ACROSS THE LOT OR WITHIN THE BORROW DITCH DRAINAGE SYSTEM. THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION D. SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND THE ASSOCIATION AS SET FORTH WITHIN SECTION III.

E. PAVING AND LANDSCAPING WITHIN EASEMENTS:

THE OWNER OF ANY LOT DEPICTED ON THE ACCOMPANYING PLAT SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO LANDSCAPING AND PAVING OCCASIONED BY INSTALLATION OR NECESSARY MAINTENANCE OF PUBLIC WATER, SANITARY SEWER, STORMSEWER, STORMWATER DRAINAGE, NATURAL GAS, COMMUNICATION, OR ELECTRIC FACILITIES WITHIN THE UTILITY EASEMENT AREAS DEPICTED UPON THE ACCOMPANYING PLAT, PROVIDED THAT THE SUPPLIER OF THE UTILITY OR STORMWATER DRAINAGE MAINTENANCE SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

F. LIMITS OF NO ACCESS:

THE OWNER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS AND EGRESS FROM ANY PORTION OF THE PROPERTY WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" OR "LNA" ON THE ACCOMPANYING PLAT, WHICH "LIMITS OF NO ACCESS" MAY BE AMENDED OR RELEASED BY THE TULSA COUNTY PLANNING COMMISSION, OR ITS SUCCESSOR, AND WITH THE APPROVAL OF THE TULSA COUNTY ENGINEER, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA PERTAINING THERETO, AND THE LIMITS OF NO ACCESS ABOVE ESTABLISHED SHALL BE ENFORCEABLE BY TULSA COUNTY, OKLAHOMA.

G. TEMPORARY TURNAROUND EASEMENTS:

THE OWNER DOES HEREBY ESTABLISH TEMPORARY, NONEXCLUSIVE EASEMENTS, DEPICTED AS "TEMPORARY TURNAROUND EASEMENT" ON THE ACCOMPANYING PLAT, FOR THE PURPOSES OF PERMITTING THE CONSTRUCTION AND MAINTENANCE OF A TEMPORARY STREET TURNAROUND WITH ITS ASSOCIATED ROADWAY SURFACING, PERMITTING VEHICULAR AND PEDESTRIAN ACCESS TO AND FROM ALL STREETS AND AREAS WITHIN THE SUBDIVISION ADJACENT THERETO. SUCH EASEMENTS SHALL BE FOR THE USE AND BENEFIT OF THE PUBLIC AND OF THE OWNERS OF LOTS WITHIN THE SUBDIVISION, THEIR RESPECTIVE GUESTS, INVITEES, SUCCESSORS AND ASSIGNS, AND SHALL BE APPURTENANT TO EACH AFFECTED LOT UNTIL SUCH TIME AS EAST 135TH STREET NORTH IS EXTENDED EAST. UPON SUCH EXTENSION, TULSA COUNTY, OR THE AFFECTED LOT OWNER, MAY REMOVE THE TEMPORARY TURNAROUND ROADWAY SURFACING AND RESTORE OR OTHERWISE IMPROVE THE AFFECTED AREA, AT THEIR COST AND SUBJECT TO APPLICABLE PERMITTING REQUIREMENTS.

H. FENCE EASEMENTS:

THE OWNER DOES HEREBY ESTABLISH AND GRANT, TO THE OWNERS OF THE RESIDENTIAL LOTS WITHIN THE SUBDIVISION AND FOR THEIR COMMON USE AND BENEFIT, FENCE EASEMENTS OVER AND UPON THE AREAS DESIGNATED AS "F/E" AND SHOWN ON THE ACCOMPANYING PLAT. THE FENCE EASEMENTS ARE FOR THE LIMITED PURPOSE OF CONSTRUCTING AND MAINTAINING NEIGHBORHOOD PERIMETER WALLS OR FENCES AND IMPROVEMENTS SUCH AS SUBDIVISION ENTRY FEATURES, SIGNAGE, LANDSCAPING, IRRIGATION, LIGHTING, AND THE MAINTENANCE AND REPAIR THEREOF, TOGETHER WITH THE RIGHT OF ACCESS OVER, ACROSS, AND ALONG SUCH EASEMENTS AND OVER, ACROSS, AND ALONG ALL AREAS WHICH CONTAIN SUCH EASEMENTS. WITHIN THE FENCE EASEMENT AREAS, THE HOMEOWNERS' ASSOCIATION SHALL BE RESPONSIBLE FOR MAINTENANCE OF ALL WALLS, FENCES, LANDSCAPING, AND ALL OTHER IMPROVEMENTS THEREIN AS OUTLINED HEREINABOVE. THE RIGHTS HEREIN ESTABLISHED AND GRANTED SHALL BE SUBORDINATE TO THE RIGHTS ESTABLISHED AND GRANTED BY UTILITY EASEMENTS ELSEWHERE DEDICATED HEREIN.

SECTION II. RESERVE AREAS

A. PURPOSE:

FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF LOTS WITHIN THE SUBDIVISION, AND FOR THE BENEFIT OF TULSA COUNTY, OKLAHOMA, RESERVES A, B, AND C ARE HEREBY DESIGNATED AND CREATED TO PROVIDE FOR VARIOUS PURPOSES INCLUDING STORMWATER DRAINAGE AND DETENTION, ENTRY FEATURES AND SIGNAGE, PERIMETER FENCES OR WALLS, LANDSCAPING, OPEN SPACE, PRIVATE PARK, PRIVATE RECREATION, AND OTHER USES AS DETERMINED BY THE OWNER, OR ITS SUCCESSORS, AND APPROVED BY THE TULSA COUNTY ENGINEER, AND ARE RESERVED FOR FUTURE CONVEYANCE TO THE HOMEOWNERS' ASSOCIATION.

B. STORMWATER DRAINAGE AND DETENTION EASEMENTS:

1. THE OWNER HEREBY ESTABLISHES AND GRANTS TO THE PUBLIC PERPETUAL STORMWATER DRAINAGE AND DETENTION EASEMENTS OVER AND ACROSS RESERVES A AND B, AS DEPICTED ON THE ACCOMPANYING PLAT, FOR THE PURPOSES OF PERMITTING THE FLOW, CONVEYANCE, DETENTION, RETENTION, AND DISCHARGE OF STORMWATER RUNOFF FROM THE VARIOUS LOTS AND OTHER AREAS WITHIN THE SUBDIVISION, AND FROM PROPERTIES OUTSIDE THE SUBDIVISION.

2. THE STORMWATER DRAINAGE AND DETENTION FACILITIES WITHIN RESERVES A AND B SHALL BE CONSTRUCTED IN ACCORDANCE WITH ADOPTED STANDARDS OF TULSA COUNTY, OKLAHOMA, AND PLANS AND SPECIFICATIONS APPROVED BY THE TULSA COUNTY ENGINEER.

3. EXCEPT AS SPECIFICALLY PROVIDED HEREIN, NO FENCE, WALL, BUILDING, OR OTHER OBSTRUCTION SHALL BE PLACED OR MAINTAINED IN THE STORMWATER DRAINAGE AND DETENTION EASEMENT AREAS, NOR SHALL THERE BE ANY ALTERATION OF GRADE IN SAID EASEMENT AREAS UNLESS APPROVED BY TULSA COUNTY; PROVIDED, HOWEVER, THAT THE PLANTING OF TURF OR SINGLE TRUNK TREES HAVING A CALIPER OF NOT MORE THAN TWO AND ONE-HALF (2 1/2) INCHES SHALL NOT REQUIRE THE APPROVAL OF TULSA COUNTY. FENCES, WALLS, AND LANDSCAPING INSTALLED BY SMLAYGO PROPERTIES, INC., OR BY THE HOMEOWNERS' ASSOCIATION SHALL BE PERMITTED ALONG THE PERIMETERS OF THE EASEMENT AREAS, PROVIDED THAT THE SAME DO NOT CAUSE OBSTRUCTION OF THE FLOW, CONVEYANCE, OR DISCHARGE OF STORMWATER THROUGH THE EASEMENT AREAS.

4. THE FACILITIES LOCATED WITHIN AND ALL COSTS AND EXPENSES ASSOCIATED WITH RESERVES A, B, AND C SHALL BE MAINTAINED BY THE OWNER UNTIL SUCH TIME AS RESERVES A, B, AND C ARE CONVEYED TO THE HOMEOWNERS' ASSOCIATION, WHICH ASSOCIATION SHALL THEREUPON ASSUME MAINTENANCE RESPONSIBILITIES. THE MAINTENANCE SHALL BE PERFORMED TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED STORMWATER DRAINAGE AND DETENTION FUNCTIONS, INCLUDING REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION.

5. IN THE EVENT THE OWNER OF RESERVES A, B, OR C SHOULD FAIL TO PROPERLY MAINTAIN THE RESERVE AREAS OR FACILITIES THEREIN LOCATED AS OUTLINED HEREIN, TULSA COUNTY, OKLAHOMA, OR ITS SUCCESSORS, THROUGH ITS DESIGNATED CONTRACTORS, MAY ENTER THE RESERVE AREA AND PERFORM SUCH MAINTENANCE, AND THE COST THEREOF SHALL BE PAID BY THE OWNER THEREOF. IN THE EVENT THE OWNER OF CONCERNED RESERVE A, B, OR C SHOULD THEN FAIL TO PAY THE COST OF SAID MAINTENANCE, AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, TULSA COUNTY, OKLAHOMA, OR ITS SUCCESSORS, MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS, AND THEREAFTER THE COSTS SHALL BECOME A LIEN AGAINST THE RESERVE AREA. SUCH LIEN MAY BE FORECLOSED BY TULSA COUNTY, OKLAHOMA, OR ITS SUCCESSORS.

C. INDEMNIFICATION OF OWNER AND TULSA COUNTY:

EACH LOT AND RESERVE AREA OWNER AND RESIDENT AND MEMBER OF THE HOMEOWNERS' ASSOCIATION AGREES TO INDEMNIFY AND HOLD HARMLESS TULSA COUNTY AND THE OWNER, AND THEIR RESPECTIVE AGENTS AND REPRESENTATIVES, FROM ALL CLAIMS, LIABILITIES, AND DAMAGES ARISING IN CONNECTION WITH THE OWNERSHIP AND USE OF THE FACILITIES AND IMPROVEMENTS CONSTRUCTED OR SITUATED IN ANY RESERVE AREA. FURTHER, EACH LOT AND RESERVE AREA OWNER AND RESIDENT AND ASSOCIATION MEMBER AGREES THAT NEITHER TULSA COUNTY NOR THE OWNER SHALL BE LIABLE TO THE LOT OR RESERVE AREA OWNER OR RESIDENT OR MEMBER OF THE ASSOCIATION OR ANY GUEST, VISITOR, OR INVITEE THEREOF FOR ANY DAMAGE TO PERSON OR PROPERTY CAUSED BY ACTION, OMISSION, OR NEGLIGENCE OF LOT OWNER OR RESIDENT OR MEMBER OF THE ASSOCIATION OR ANY GUEST, VISITOR, OR INVITEE THEREOF.

SECTION III. HOMEOWNERS' ASSOCIATION

A. FORMATION OF HOMEOWNERS' ASSOCIATION:

THE OWNER HAS FORMED OR SHALL CAUSE TO BE FORMED AN ASSOCIATION OF THE OWNERS OF THE RESIDENTIAL LOTS WITHIN THE "THE FLATS II" (HEREIN SOMETIMES REFERRED TO AS THE "HOMEOWNERS' ASSOCIATION" OR THE "ASSOCIATION"). THE ASSOCIATION SHALL BE ESTABLISHED IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA FOR THE GENERAL PURPOSES OF MAINTAINING THE COMMON AREAS, INCLUDING BUT WITHOUT LIMITATION ALL RESERVE AREAS, AND OTHER AREAS AND FACILITIES THAT ARE OR FROM TIME TO TIME MAY BE FOR THE COMMON USE AND BENEFIT OF OWNERS OF THE LOTS WITHIN "THE FLATS II", AS THE SAME MAY BE AGREED TO BY THE MEMBERS OF THE ASSOCIATION, AND FOR ENHANCING THE VALUE, DESIRABILITY, AND ATTRACTIVENESS OF "THE FLATS II", AND OF ANY OTHER ADJOINING RESIDENTIAL SUBDIVISION WHICH MAY SUBSEQUENTLY BE ANNEXED TO OR MERGED WITH THE GEOGRAPHIC JURISDICTION AND BYLAWS OF THE HOMEOWNERS' ASSOCIATION.

B. MEMBERSHIP:

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

C. ASSESSMENT:

EACH LOT OWNER SHALL BE SUBJECT TO ANNUAL AND SPECIAL ASSESSMENTS BY THE ASSOCIATION FOR THE PURPOSE OF IMPROVEMENT AND MAINTENANCE OF FACILITIES THAT ARE, OR FROM TIME TO TIME MAY BE FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF THE LOTS AS THE SAME MAY BE AGREED TO BY THE MEMBERS OF THE ASSOCIATION.

D. ASSOCIATION TO BE BENEFICIARY:

WITHOUT LIMITATION OF SUCH OTHER POWERS AND RIGHTS AS THE ASSOCIATION MAY HAVE, THE ASSOCIATION SHALL BE DEEMED A BENEFICIARY OF THE VARIOUS COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN THIS DEED OF DEDICATION TO THE SAME EXTENT AS ALL OTHER BENEFICIARIES THEREOF, INCLUDING EACH LOT OWNER, TULSA COUNTY, AND THE SUPPLIER OF ANY UTILITY OR OTHER SERVICE WITHIN THE SUBDIVISION, AND SHALL HAVE THE RIGHT TO ENFORCE THESE COVENANTS AND AGREEMENTS.

SECTION IV. ENFORCEMENT, DURATION, AMENDMENT OR TERMINATION, AND SEVERABILITY

A. ENFORCEMENT:

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS. WITHIN THE FOREGOING PROVISIONS ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO, AND ADDITIONALLY THE COVENANTS WITHIN THE FOREGOING PROVISIONS, REGARDLESS WHETHER SPECIFICALLY THEREIN SO STATED, SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY TULSA COUNTY, OKLAHOMA. IN ANY JUDICIAL ACTION BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED WITHIN THIS DEED OF DEDICATION, THE DEFENSE THAT THE PARTY INITIATING THE EQUITABLE PROCEEDING HAS AN ADEQUATE REMEDY AT LAW IS HEREBY WAIVED. IN ANY JUDICIAL ACTION BROUGHT BY ANY OWNER OF A LOT IN SUBDIVISION, WHICH ACTION SEEKS TO ENFORCE THE COVENANTS OR TO RECOVER DAMAGES FOR THE BREACH THEREOF, THE PREVAILING PARTY SHALL BE ENTITLED TO RECEIVE REASONABLE ATTORNEY'S FEES AND COSTS AND EXPENSES INCURRED IN SUCH ACTION.

B. DURATION:

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

C. AMENDMENT OR TERMINATION:

THE COVENANTS CONTAINED WITHIN SECTION I. PUBLIC STREETS, EASEMENTS, AND UTILITIES, SECTION II. RESERVE AREAS, AND SECTION IV. ENFORCEMENT, DURATION, AMENDMENT OR TERMINATION, AND SEVERABILITY MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT THAT IS SIGNED AND ACKNOWLEDGED BY THE OWNERS OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE TULSA COUNTY PLANNING COMMISSION, OR ITS SUCCESSORS, AND THE BOARD OF COUNTY COMMISSIONERS OF TULSA COUNTY, OKLAHOMA. THE COVENANTS CONTAINED WITHIN SECTION III. HOMEOWNERS' ASSOCIATION MAY BE AMENDED OR TERMINATED AS PROVIDED IN THE STATUTES OF THE STATE OF OKLAHOMA. 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, SMALYGO PROPERTIES, INC., AN OKLAHOMA CORPORATION, HAS EXECUTED THIS INSTRUMENT ON THIS _____ DAY OF _________ , 2026.

SMALYGO PROPERTIES, INC.
AN OKLAHOMA CORPORATION

BY: ____
KYLE M. SMALYGO, PRESIDENT

STATE OF OKLAHOMA)
) SS
COUNTY OF TULSA)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS _________DAY OF _____________________, 2026, PERSONALLY APPEARED KYLE M. SMALYGO, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THE NAME OF SMALYGO PROPERTIES, INC. TO THE FOREGOING INSTRUMENT, AS ITS PRESIDENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED AS TO THE FREE AND VOLUNTARY ACT AND DEED OF SMALYGO PROPERTIES, INC. FOR THE USES AND PURPOSES THEREIN SET FORTH.

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

_________________________ ____
MY COMMISSION EXPIRES NOTARY PUBLIC

CERTIFICATE OF SURVEY

I, DAN E. TANNER, A LICENSED 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 "THE FLATS II", A SUBDIVISION WITHIN TULSA COUNTY, STATE OF OKLAHOMA, IS A 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.

WITNESS MY HAND AND SEAL THIS ____ DAY OF ____________ , 2026.

BY: ________________________
DAN E. TANNER
LICENSED LAND SURVEYOR
OKLAHOMA NO. 1435

STATE OF OKLAHOMA)
) SS
COUNTY OF TULSA)

THE FOREGOING CERTIFICATE OF SURVEY WAS ACKNOWLEDGED BEFORE ME ON THIS _________ DAY OF ____________ , 2026, BY DAN E. TANNER, AS A LICENSED LAND SURVEYOR.

_________________________ ____
MY COMMISSION EXPIRES JENNIFER MILLER, NOTARY PUBLIC

DEPARTMENT OF ENVIRONMENTAL QUALITY APPROVAL

THE TULSA COUNTY OFFICE OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY HAS APPROVED THIS PLAT FOR THE USE OF PUBLIC WATER AND ON SITE SEWER SYSTEM ON THIS _____ DAY OF__________, 2026.

____
ENVIRONMENTAL PROGRAM SPECIALIST
DEPARTMENT OF ENVIRONMENTAL QUALITY

DATE OF PREPARATION: September 25, 2026

Tulsa County Planning Commission
Yellowstone Estates III: STAFF REPORT
Hearing Date: October 14, 2026
Prepared by: Kendal Davis; kdavis@incog.org; 918-579-9485

Owner and Applicant Information

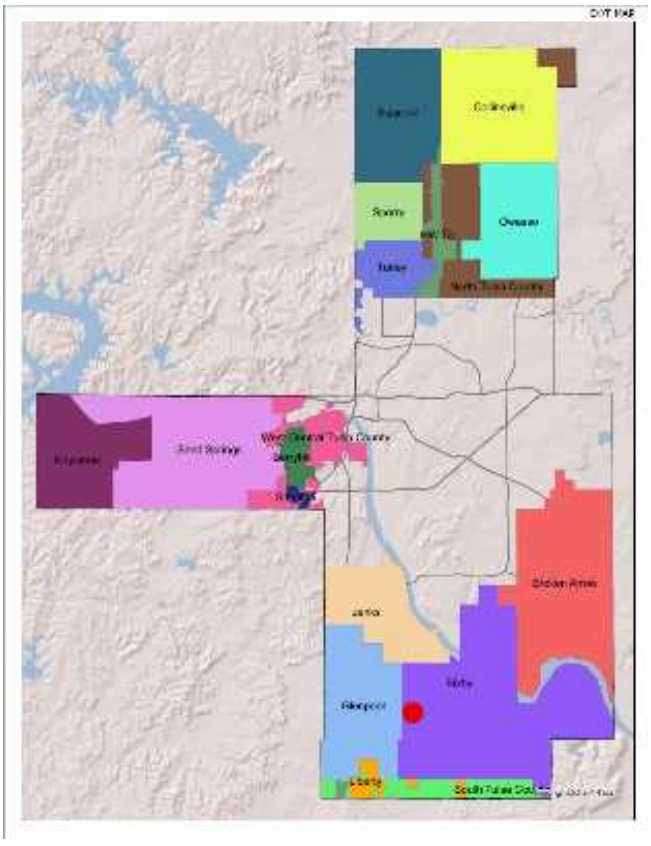
Applicant: Select Design - Ryan McCarty

Property Owner: Roller Enterprises INC.

Property Location: SE Corner of 161st and Lewis
Tract Size: 100.2 ± acres

Location within Tulsa County

(shown with Planning Areas)



Elected Representatives

County Commission: District 3; Kelly Dunkerly

Staff Recommendation

Staff recommends **approval Preliminary Plat**

Request Summary

Preliminary Plat Approval for a Residential Subdivision

Zoning

Existing Zoning: AG-R (Agricultural Residential)

Proposed Zoning: No change

Use

Current Use: Vacant

Proposed Use: Single Family Residential Subdivision

Comprehensive Plan Considerations

Land Use

Land Use Plan: LOW DENSITY RESIDENTIAL; RURAL RESIDENTIAL as recommended in Bixby's Comprehensive Plan Area.

Transportation

Major Street & Highway Plan: ***Residential Collector***
Streets extend east from South Lewis Ave. and curve south. Final alignment, right-of-way, and construction requirements will be reviewed with County Engineering during development review.

Transit: None

Existing Bike/Ped Facilities: None

Planned Bike/Ped Facilities: None

Environment

Flood Area: None

Parks & Open Space: None

Exhibits

- Aerial case map
- Tulsa County Comprehensive Plan case map
- Zoning case map
- Section map
- Conceptual Plan

Preliminary Plat

Staff Recommendation

Yellowstone Estates III - (County)
This plat consists of 23 lots, 2 blocks on 100.2 ± acres.

The Technical Advisory Committee (TAC) on 10/8/26 and provided the following comments:

1. **Zoning:** Proposed lots conforms to the requirements of the district. Planning Services will provide comments prior to final plat release.

2. **Addressing:** INCOG will assign addresses. Include assigned addresses on face of the final plat and provide address disclaimer.

3. **Transportation & Traffic:** Street construction must be approved by the County Engineer and installed prior to final plat release.

4. **Sewer/Water:** Water line plans must be submitted to Rural Water District. Additional infrastructure may be needed based on water demands. All requirements of the rural water district must be met for final plat approval.

5. **Stormwater, Drainage, & Floodplain:** Plans for stormwater and drainage must be approved by the Tulsa County Engineer and improvements must be in place prior to final plat approval. Provide access to reserve area for maintenance.

6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

7. **Engineering:** Tulsa County Engineering Department release is required prior to final plat approval.

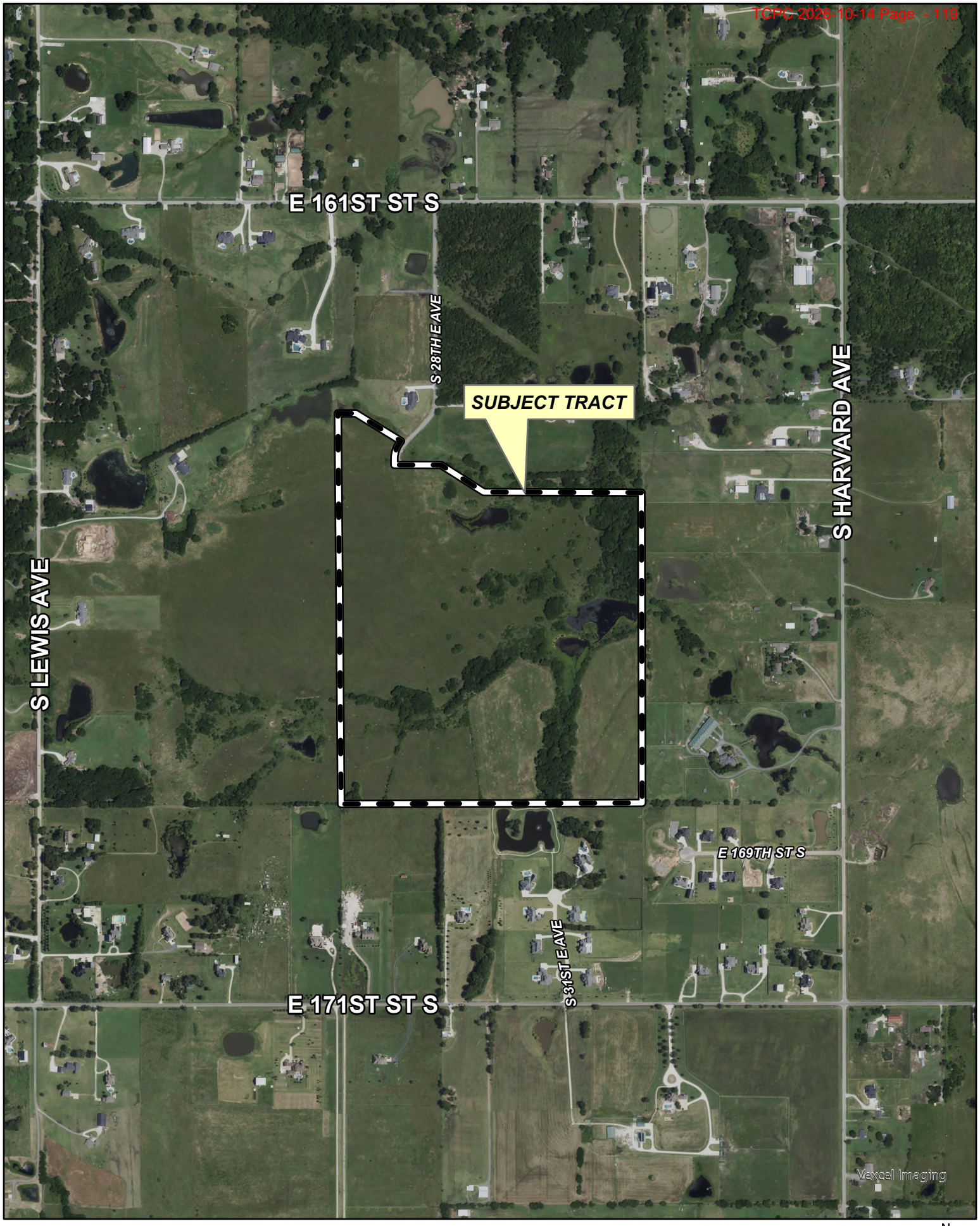
Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the following:

1) Conditions provided by TAC,
2) All other requirements of the TMAPC Subdivision and Development Regulations.
3) Tulsa County Engineering Department release is required prior to final plat approval.

Staff recommends **APPROVAL** of, **Yellowstone Estates III**.

Applicant neighborhood engagement process:

- None provided



Feet
0 400 800

Subject Tract

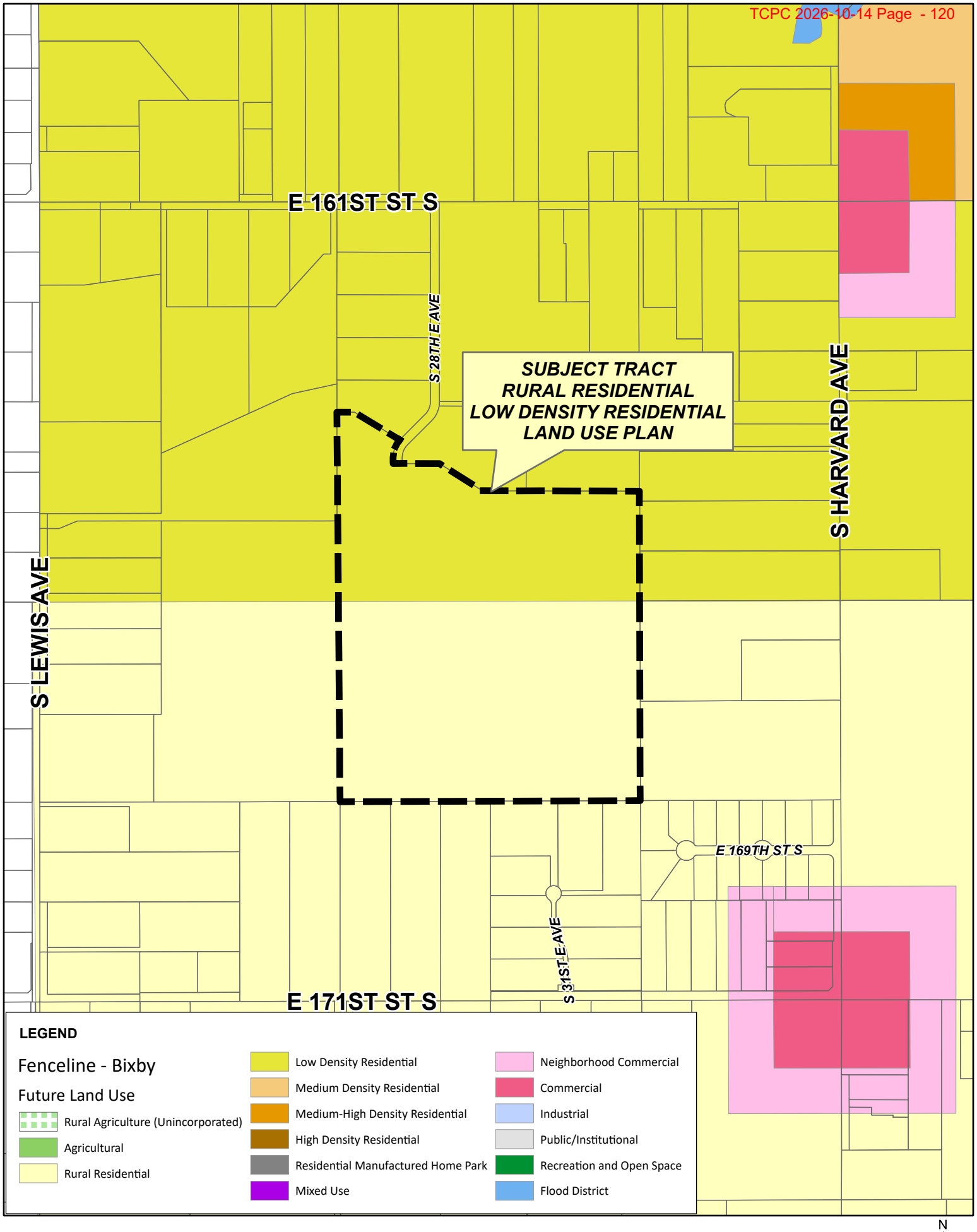
Yellowstone Estates III

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Note: Graphic overlays may not precisely align with physical features on the ground.

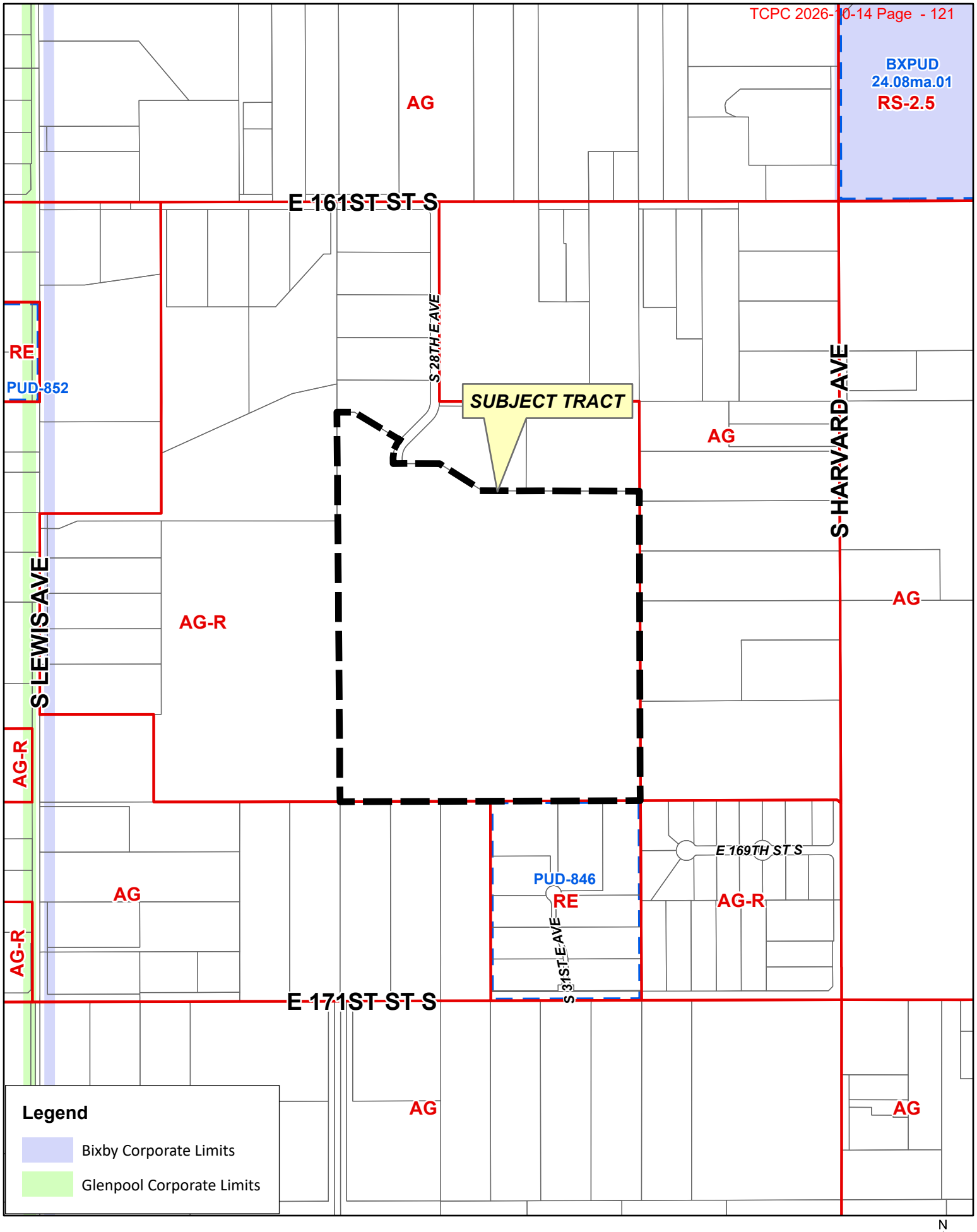
Aerial Photo Date: 2025

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Yellowstone Estates III

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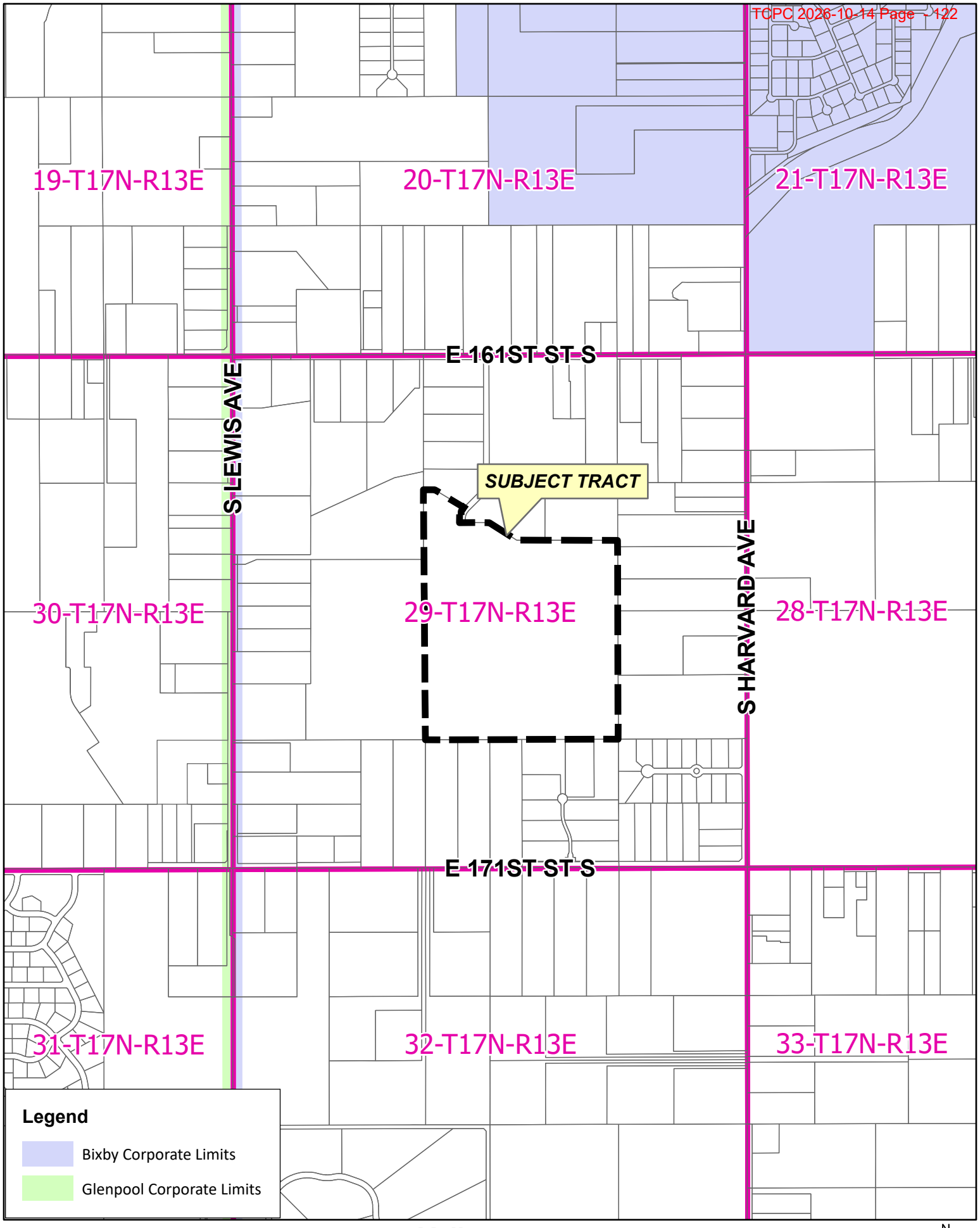


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Yellowstone Estates III

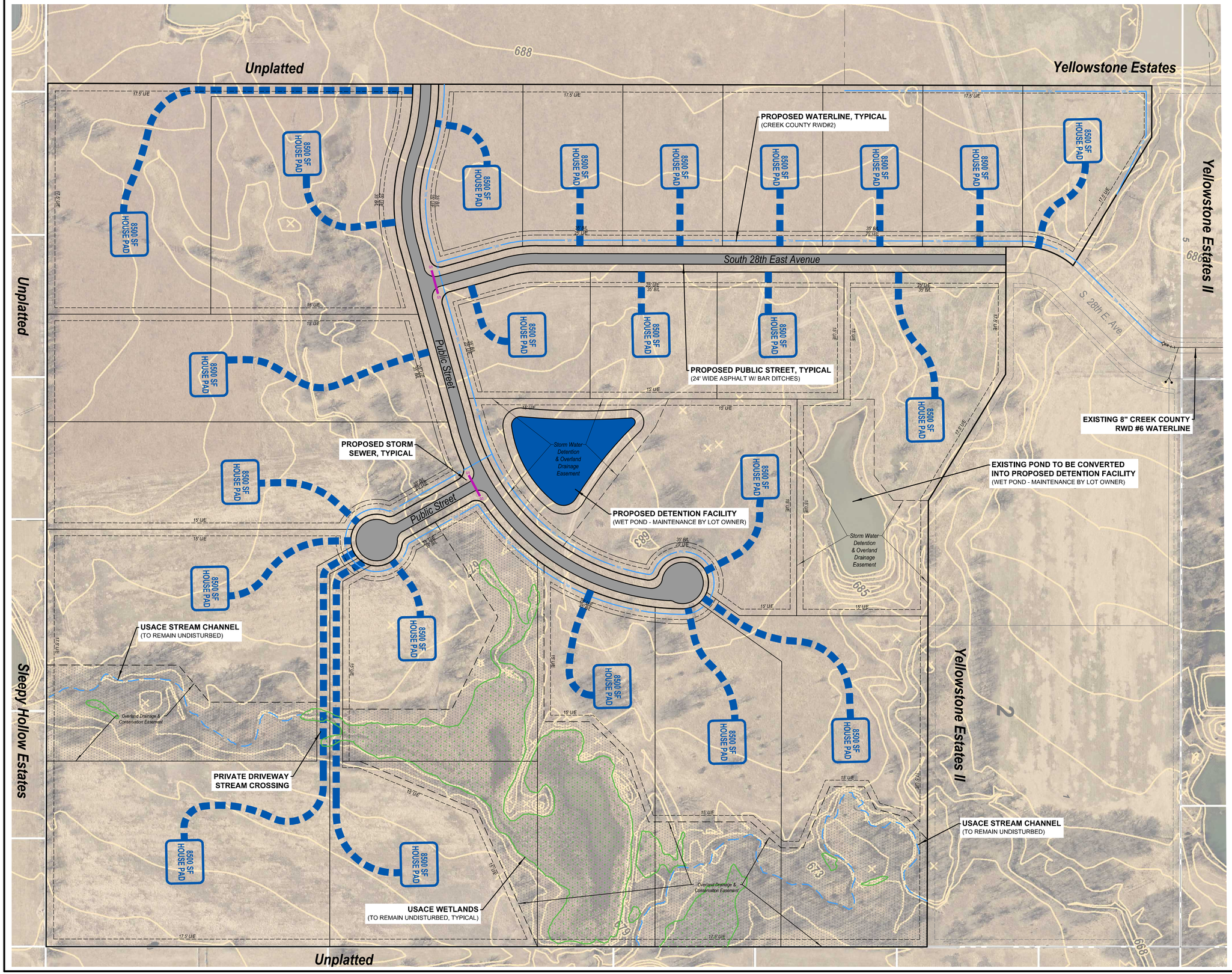
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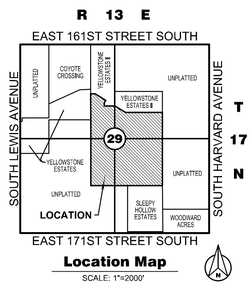
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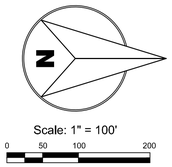


Yellowstone Estates III

29 17-13







THIS SUBDIVISION IS DESIGNED IN ACCORDANCE WITH OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY (ODEQ) REQUIREMENTS FOR MINIMUM LOT SIZE FOR INDIVIDUAL SEPTIC SYSTEMS FOR EACH LOT

Yellowstone Estates III

A SUBDIVISION IN TULSA COUNTY, STATE OF OKLAHOMA, BEING A PART OF SECTION TWENTY-NINE (29), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF.

CONCEPTUAL IMPROVEMENTS PLAN

DATE PREPARED: September 25, 2026