



Tulsa Metropolitan Area  
Planning Commission

**Case :** Crosstown Industrial No. 2

**Hearing Date:** April 17, 2019

**Case Report Prepared by:**

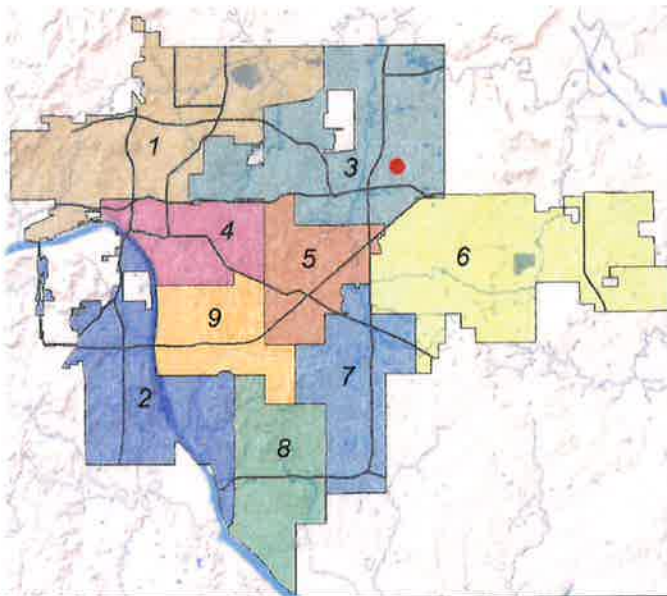
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Alan Betchan, AAB Engineering

*Owner:* Crosstown in Tulsa, LLC

**Location Map:**  
**(shown with City Council Districts)**



**Applicant Proposal:**

Reinstatement of a preliminary plat

*Location:* East of the southeast corner of  
East Pine Street and North Garnett Road

**Zoning:** IL

**Staff Recommendation:**

Staff recommends **approval** of the  
reinstatement

**City Council District:** 3

*Councilor Name:* Christa Patrick

**County Commission District:** 1

*Commissioner Name:* Stan Sallee

**EXHIBITS:**

Applicant's request, approved Crosstown Industrial No. 2 preliminary plat



**AAB Engineering, LLC**  
PO Box 2136  
Sand Springs, OK 74063  
Office: 918.514.4283 Fax: 918.514.4288

March 21, 2019

Tulsa Metropolitan Area Planning Commission  
c/o INCOG  
2 West Second Street, Suite 800  
Tulsa, OK 74103

Re: Crosstown Industrial #2 Plat Reinstatement

Commissioners,

Crosstown Industrial #2 is located on the Southwest corner of 129<sup>th</sup> East Avenue and Pine Street. The property is zoned IL. On October 10, 2016 we submitted an Application for Preliminary Plat. This preliminary plat was approved by the Tulsa Metropolitan Area Planning Commission on January 18, 2017.

Unfortunately, the time necessary to fully develop the proposed plans and the construction of necessary improvements has extended beyond the two-year limitation on the approval of the preliminary plat. A regional detention facility is currently planned in lieu of site specific detention for Crosstown Industrial #2, and will serve the ±200 acre overall development as well. The design of the regional detention facility along with a submittal to FEMA for floodplain modification has delayed the normal construction and platting process. Infrastructure Development Plans have been submitted, reviewed, revised and resubmitted for this development and are nearing approval. We are prepared to submit a draft final plat reflecting the easements necessitated by those plans and respectfully request that the preliminary plat be reinstated.

Respectfully,

A handwritten signature in black ink that reads 'Alan Betchan'.

Alan Betchan, P.E., CFM  
President  
**AAB Engineering, LLC**  
CA# 6318 Exp: June 30, 2020

PRELIMINARY PLAT  
FOR

# Crosstown Industrial No. 2

A SUBDIVISION OF A PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE1/4 NW1/4) AND A PART OF THE NORTHWEST QUARTER (NE1/4) OF SECTION 32, TOWNSHIP 20 NORTH, RANGE 14 EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA.

OWNER/DEVELOPER  
CROSTOWN IN TULSA, LLC  
320 S. BOSTON AVE, SUITE 200  
TULSA, OK  
ATTN: CHRIS BLUMGARNER

ENGINEERS/SURVEYOR  
AAB ENGINEERING LLC  
CERTIFICATE OF AUTHORIZATION NO. 6318, EXP. JUNE, 30, 2018  
PO BOX 2138  
SAND SPRINGS, OK 74063  
PHONE: 918.514.4283  
FAX: 918.514.4288  
EMAIL: ALAN@AABENG.COM



LOCATION MAP  
SCALE: 1"=2000'

SUBDIVISION STATISTICS	
BLOCK 1	30.93 ACRES - 11 LOTS
BLOCK 2	4.48 ACRES - 6 LOTS
STREET R.O.W.	1.29 ACRES
TOTAL	36.71 ACRES - 17 LOTS

LEGEND	
BL	BUILDING LINE
L.A.	LIMITS OF ACCESS
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
ROW	RIGHT OF WAY
U/E	UTILITY EASEMENT
M/AE	MUTUAL ACCESS EASEMENT
R.W.E	RESTRICTED WATERLINE EASEMENT
COE	CORNER AND DRAINAGE EASEMENT
BOOK	BOOK
PC	PAGE
IRP	IRON PIN FOUND
IPS	IRON PIN SET
XXXX	STREET ADDRESS
STAT. R.O.W.	STATUTORY RIGHT OF WAY

CONTACTS	
<b>MUNICIPAL AUTHORITY</b>	
CITY OF TULSA 175 EAST 2ND STREET, SUITE 600 TULSA, OK 74103	
<b>UTILITY CONTACTS</b>	
OKLAHOMA NATURAL GAS COMPANY 2219 W. EDSON ST TULSA, OK 74127 918.834.8000	PUBLIC SERVICE COMPANY OF OKLAHOMA 212 E. 6TH ST TULSA, OK 74119 1.800.275.5225
AT&T 5308 E. 71ST STREET TULSA, OK 74136 918.586.9422	COX COMMUNICATIONS 11811 EAST 51ST STREET TULSA, OK 74145 918.388.4594

SITE DATA	
<b>BENCHMARK</b> 5/8" REBAR 1 1/2" ALUMINUM CAP-FLUSH SET IN CONCRETE STAMPED "W", SET NORTHWEST OF THE INTERSECTION OF PINE ST. AND NORTH AVE ELEVATION = 717.76 (NAVD 88)	
<b>BASIS OF BEARINGS</b> GRID BEARINGS BASED ON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM - ZONE 5501 NORTH	
<b>LAND AREA</b> 125,076 SF ± 23.71 ACRES ±	
<b>MONUMENTATION</b> ALL CORNERS WERE SET USING 20" X 1" REBAR WITH A YELLOW PLASTIC CAP STAMPED "AAB CA 6318", UNLESS OTHERWISE NOTED.	
<b>ADDRESSES</b> ADDRESSES SHOWN ON THIS PLAT WERE ACCURATE AT THE TIME THIS PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF LEGAL DESCRIPTION.	

**FLOODPLAIN**  
PORTIONS OF THIS PROPERTY ARE LOCATED WITHIN ZONE "A1" PER FEMA PANELS "42143C0005" AND "40143C0281", DATED OCTOBER 18, 2012. PORTIONS OF THE PROPERTY ARE LOCATED IN THE CITY OF TULSA REGULATORY FLOODPLAIN.

**FINAL PLAT  
ENDORSEMENT OF APPROVAL**

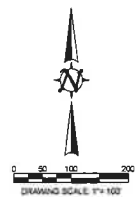
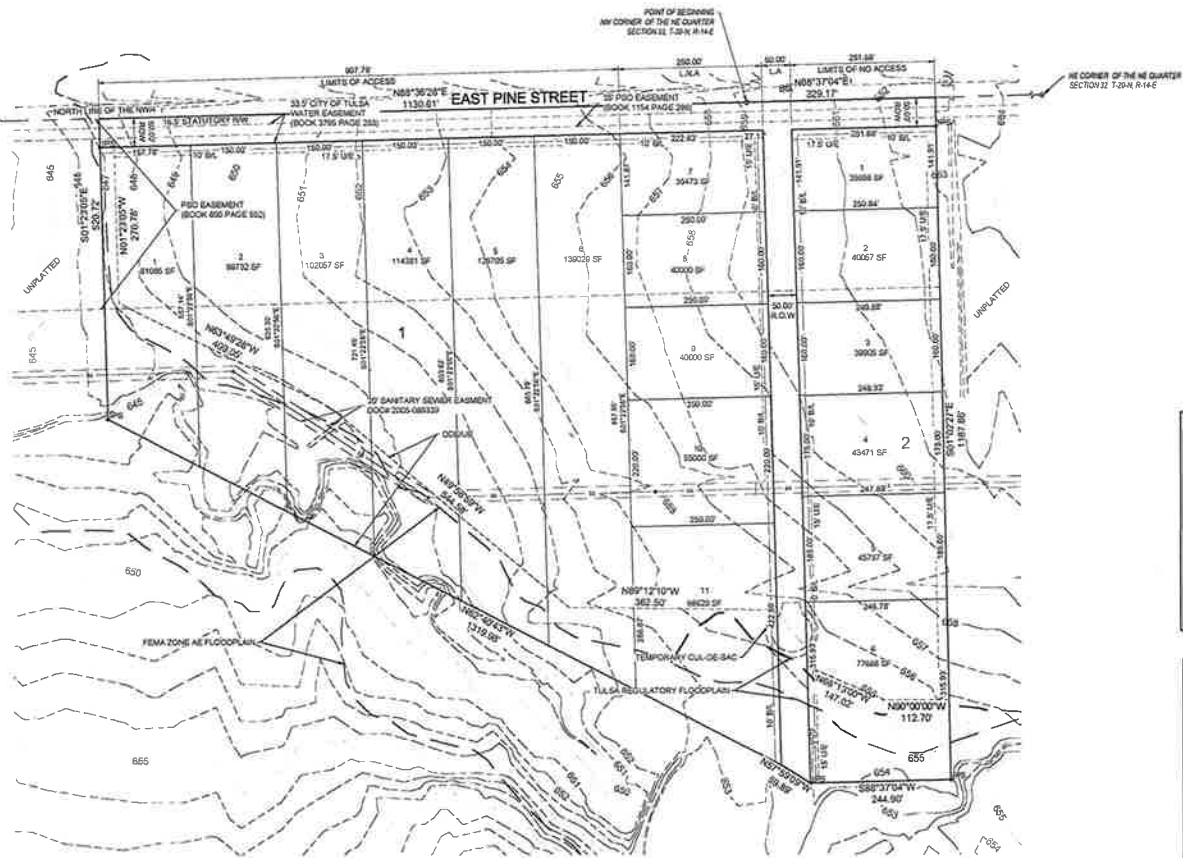
Tulsa Metropolitan Area Planning Commission  
Approval Date: \_\_\_\_\_  
\_\_\_\_\_  
TMAPCHINCOG

CITY ENGINEER  
Council of the City of Tulsa, Oklahoma  
Approval Date: \_\_\_\_\_  
\_\_\_\_\_  
CHAIRMAN

\_\_\_\_\_  
MAYOR

ATTEST: CITY CLERK  
\_\_\_\_\_  
CITY ATTORNEY

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



5.3

PRELIMINARY PLAT  
FOR

# Crosstown Industrial No. 2

A SUBDIVISION OF A PART OF THE NORTH-EAST QUARTER OF THE NORTH-WEST QUARTER (NE1/4 NW1/4) AND A PART OF THE NORTH-EAST QUARTER (NE1/4) OF SECTION 32, TOWNSHIP 20 NORTH, RANGE 14 EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA.

OWNER/DEVELOPER  
CROSSTOWN IN TULSA, LLC  
320 S. BOSTON AVE., SUITE 200  
TULSA, OK  
ATTN: CHRIS BUMGARDNER

ENGINEER/SURVEYOR  
AAB ENGINEERING LLC  
CERTIFICATE OF AUTHORIZATION NO. 6316, EXP. JUNE, 30, 2018  
PO BOX 2136  
SANDO SPRINGS, OK 74065  
PH: 918.514.4283  
FAX: 918.514.4288  
EMAIL: ALAN @ AABENG.COM

### DEED OF DEDICATION AND RESTRICTIVE COVENANTS

#### KNOW ALL MEN BY THESE PRESENTS

THAT THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT:

A TRACT OF LAND THAT IS PART OF THE NORTH-EAST QUARTER (NE1/4) AND THE NORTH-WEST QUARTER (NW1/4) OF SECTION THIRTY-TWO (32), TOWNSHIP TWENTY (20) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING AT THE NORTHWEST CORNER OF THE NORTH-EAST QUARTER (NE1/4) OF SAID SECTION THIRTY-TWO (32), THENCE NORTH 88°37'04" EAST, A DISTANCE OF 1187.88 FEET; THENCE NORTH 11°02'27" EAST, A DISTANCE OF 1187.88 FEET; THENCE SOUTH 88°37'04" WEST, A DISTANCE OF 244.90 FEET; THENCE NORTH 87°50'09" WEST, A DISTANCE OF 59.89 FEET; THENCE NORTH 62°40'43" WEST, A DISTANCE OF 181.88 FEET; THENCE NORTH 01°22'05" WEST, A DISTANCE OF 600.70 FEET TO THE NORTH LINE OF THE NORTH-WEST QUARTER (NW1/4) OF SAID SECTION THIRTY-TWO (32), THENCE NORTH 88°36'28" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 1130.91 FEET TO THE POINT OF BEGINNING.**

AND HAS CAUSED THE ABOVE DESCRIBED TRACT OF LAND TO BE SURVEYED, SPLIT, PLATTED AND SUBDIVIDED INTO 17 LOTS IN 2 BLOCKS, IN CONFORMANCE WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS "CROSSTOWN INDUSTRIAL NO. 2," A SUBDIVISION OF THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA, HEREINAFTER REFERRED TO AS "CROSSTOWN INDUSTRIAL NO. 2" OR THE "SUBDIVISION."

THE OWNER DOES HEREBY MAKE THE FOLLOWING DEDICATIONS AND GRANTS AND AGREES TO BE BOUND BY THE FOLLOWING PROTECTIVE COVENANTS AND RESTRICTIONS:

#### SECTION I. UTILITIES

**A. PUBLIC UTILITIES 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 "UE" OR "UTILITY EASEMENT" FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES INCLUDING STORM SEWERS, SANITARY SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION LINES TOGETHER WITH ALL FITTINGS, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS, MANHOLES AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER APPURTENANCES THERETO, WITH THE RIGHTS OF ACCESS 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 OF ACCESS 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 HEREBY IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION THAT INTERFERES WITH THE STATED USES AND PURPOSES OF THE UTILITY EASEMENTS SHALL BE PLACED, ERIGED, 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.

**B. WATER, SANITARY SEWER AND STORM SEWER SERVICE**  
1. THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS LOCATED ON THE OWNER'S LOT.  
2. WITHIN UTILITY EASEMENTS AND RESTRICTED WATERLINE 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, SANITARY SEWER MAIN, OR STORM SEWER OR ANY CONSTRUCTION ACTIVITY WHICH, IN THE JUDGMENT OF THE CITY OF TULSA, WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS SHALL BE PROHIBITED.  
3. THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER SYSTEMS, SANITARY SEWER MAINS, AND STORM SEWERS BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR THE OWNER'S AGENTS AND/OR CONTRACTORS.  
4. THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY AND RESTRICTED WATERLINE 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, SANITARY SEWER, OR STORM SEWER FACILITIES.  
5. THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, AND THE OWNER OF EACH LOT AGREES TO BE BOUND BY THESE COVENANTS.

**C. 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, SANITARY SEWER, STORM SEWER, NATURAL GAS, COMMUNICATION, CABLE TELEVISION OR ELECTRIC FACILITIES WITHIN THE EASEMENT AREAS DEPICTED ON THE ACCOMPANYING PLAT. PAVING OR LANDSCAPING OF SUCH AREAS SHALL BE THE RESPONSIBILITY OF THE SUPPLIER OF THE UTILITY SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

**D. CERTIFICATE OF OCCUPANCY RESTRICTIONS**  
NO CERTIFICATE OF OCCUPANCY FOR A BUILDING WITHIN THE SUBDIVISION SHALL BE ISSUED BY THE CITY OF TULSA, OKLAHOMA UNTIL CONSTRUCTION OF THE REQUIRED INFRASTRUCTURE (STREETS, WATER, SANITARY SEWER, STORM SEWER SYSTEMS AND SIDEWALKS) SERVING THE ENTIRE

SUBDIVISION HAS BEEN COMPLETED AND ACCEPTED BY THE CITY. NOTWITHSTANDING THE FOREGOING, THE CITY MAY AUTHORIZE THE ISSUANCE OF A TEMPORARY CERTIFICATE OF OCCUPANCY IF, IN THE CITY'S SOLE DISCRETION, THE CIRCUMSTANCES SUPPORT THE ISSUANCE. FURTHER NOTWITHSTANDING THE FOREGOING, THE CITY MAY AUTHORIZE THE PASSING OF THE CONSTRUCTION OF INFRASTRUCTURE WITHIN THE SUBDIVISION, AND IF PASSING IS AUTHORIZED, A CERTIFICATE OF OCCUPANCY FOR A BUILDING WITHIN AN AUTHORIZED PHASE MAY BE ISSUED UPON THE COMPLETION AND ACCEPTANCE OF THE INFRASTRUCTURE SERVING THE PARTICULAR PHASE. BUILDING CONSTRUCTION OCCURRING PRIOR TO THE CITY'S ACCEPTANCE OF THE INFRASTRUCTURE SHALL BE AT RISK OF THE OWNER OF THE LOT. NOTWITHSTANDING THE ISSUANCE OF A BUILDING PERMIT OR OF A TEMPORARY CERTIFICATE OF OCCUPANCY.

**D. UTILITY SERVICE**  
1. OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED WITHIN THE PERMITS EASEMENTS OF THE SUBDIVISION. STREET LIGHT POLES OR STANCHIONS MAY BE SERVED BY OVERHEAD LINE OR UNDERGROUND CABLE, AND ELSEWHERE THROUGHOUT 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 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 PARTICULARLY IDENTIFIED STRUCTURE, THE 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, TELEPHONE, CABLE TELEVISION 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, REPAIRING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.

4. THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON THE OWNER'S LOT AND SHALL PREVENT THE ALTERATION OF 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.

5. 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.

**E. GAS SERVICE**  
1. THE SUPPLIER OF 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 AS OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, REMOVING, REPAIRING, OR REPLACING ANY PORTION OF THE FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE.  
2. THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED WITHIN THE LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY OTHER CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH GAS SERVICE. THE SUPPLIER OF GAS SERVICE SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF ITS FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, OR THE OWNER'S AGENTS OR CONTRACTORS.  
3. THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND BY THESE COVENANTS.

**F. LIMITS OF NO ACCESS**  
THE OWNER HEREBY RELINQUISHES RIGHTS OF VEHICULAR ACCESS OR EGRESS FOR ANY PORTION OF THE PROPERTY ADJACENT TO EAST PINE STREET WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" ON THE ACCOMPANYING PLAT, WHICH LIMITS OF NO ACCESS MAY BE AMENDED OR RELEASED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS, WITH THE APPROVAL OF THE CITY OF TULSA, OKLAHOMA, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA. HERETOFORE, THE LIMITS OF NO ACCESS ESTABLISHED ABOVE SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA.

**G. SURFACE DRAINAGE**  
EACH LOT WITHIN CROSSTOWN INDUSTRIAL NO. 2 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 FENCINGS 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 ANY AFFECTED LOT OWNER AND BY THE CITY OF TULSA, OKLAHOMA.

**H. OVERLAND DRAINAGE EASEMENTS**  
1. THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC PERPETUAL EASEMENTS ON, OVER, AND ACROSS THOSE AREAS DESIGNATED ON THE ACCOMPANYING PLAT AS "OVERLAND DRAINAGE EASEMENTS" FOR THE PURPOSE OF PERMITTING THE OVERLAND FLOW, CONVEYANCE, AND DISCHARGE OF STORMWATER RUNOFF FROM VARIOUS LOTS WITHIN THE SUBDIVISION AND FROM PROPERTIES OUTSIDE THE SUBDIVISION.  
2. DRAINAGE FACILITIES LOCATED WITHIN OVERLAND DRAINAGE EASEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE ADOPTED STANDARDS OF THE CITY OF TULSA, OKLAHOMA, AND PLANS AND SPECIFICATIONS APPROVED BY THE DEPARTMENT OF PUBLIC WORKS OF THE CITY OF TULSA, OKLAHOMA.  
3. NO FENCE, WALL, BUILDING OR OTHER OBSTRUCTION SHALL BE PLACED OR MAINTAINED WITHIN AN OVERLAND DRAINAGE EASEMENT UNLESS THEREBY BY ANY ALTERATION OF THE GRADE IN THE EASEMENTS UNLESS APPROVED BY THE DEPARTMENT OF PUBLIC WORKS OF THE CITY OF TULSA, OKLAHOMA, PROVIDED THAT THE PLANTING OF TREES SHALL NOT REQUIRE THE APPROVAL OF THE

DEPARTMENT OF PUBLIC WORKS OF THE CITY OF TULSA, OKLAHOMA.  
4. OVERLAND DRAINAGE EASEMENTS LOCATED WITHIN A LOT SHALL BE MAINTAINED BY THE OWNER OF THE LOT AT THE OWNER'S EXPENSE IN ACCORDANCE WITH STANDARDS PRESCRIBED BY THE CITY OF TULSA, OKLAHOMA. IN THE EVENT THE OWNER OF THE LOT FAILS TO PROPERLY MAINTAIN THE EASEMENTS LOCATED THEREON OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN SUCH EASEMENTS, OR THE ALTERATION OF GRADE THEREIN, THE CITY OF TULSA, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER THE EASEMENTS AND PERFORM MAINTENANCE NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT ANY ALTERATION OF GRADE, AND THE COSTS SHALL BE PAID BY THE LOT OWNER. IN THE EVENT THE LOT OWNER FAILS TO PAY THE COST OF MAINTENANCE AFTER RECEIPT OF A STATEMENT OF COSTS FROM THE CITY OF TULSA, OKLAHOMA, THE CITY MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS IN THE LAND RECORDS OF THE TULSA COUNTY CLERK, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST THE LOT. A LIEN ESTABLISHED AS PROVIDED ABOVE MAY BE FORECLOSED BY THE CITY OF TULSA, OKLAHOMA.

**K. SIDEWALKS**  
SIDEWALKS SHALL BE CONSTRUCTED AND MAINTAINED ALONG STREETS DESIGNATED BY AND IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF TULSA, OKLAHOMA, AND ALL SUCH SIDEWALKS SHALL BE CONSTRUCTED BY THE OWNER PRIOR TO THE ISSUANCE OF THE FIRST OCCUPANCY PERMIT FOR ANY BUILDING WITHIN THE SUBDIVISION. THE OWNER SHALL CONSTRUCT SIDEWALKS IN CONFORMANCE WITH THE STANDARDS OF THE CITY OF TULSA ENGINEERING DESIGN STANDARDS.

#### SECTION II. ENFORCEMENT, DURATION, AMENDMENT, AND SEVERABILITY

**A. ENFORCEMENT**  
THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I UTILITIES ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO AND WHETHER OR NOT THEREIN SO STATED, THE COVENANTS WITHIN SECTION I SHALL INURE TO THE BENEFIT OF, AND BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA.

**B. DURATION**  
THESE RESTRICTIONS SHALL REMAIN IN FULL FORCE AND EFFECT FOR 25 YEARS AND SHALL AUTOMATICALLY BE CONTINUED THEREAFTER FOR SUCCESSIVE PERIODS OF 10 YEARS, UNLESS TERMINATED OR AMENDED AS HEREAFTER PROVIDED.

**C. AMENDMENT**  
THE COVENANTS CONTAINED WITHIN SECTION I UTILITIES, MAY BE AMENDED OR TERMINATED AT ANY TIME BY WRITTEN INSTRUMENTS SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS, AND THE CITY OF TULSA, OKLAHOMA.

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

IN WITNESS WHEREOF, CROSSTOWN IN TULSA, LLC, HAS EXECUTED THIS INSTRUMENT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

CROSSTOWN IN TULSA, LLC  
AN OKLAHOMA LIMITED LIABILITY COMPANY

BY \_\_\_\_\_  
CHRIS BUMGARDNER, MANAGER

STATE OF OKLAHOMA )  
COUNTY OF TULSA )

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018, BY  
CHRIS BUMGARDNER, AS MANAGER OF CROSSTOWN IN TULSA, LLC.

NOTARY PUBLIC  
MY COMMISSION EXPIRES: NOVEMBER 20, 2019  
COMMISSION NUMBER: 11010322

#### CERTIFICATE OF SURVEY

I, ERIC ROLLSTON, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT I HAVE SURVEYED, SUBDIVIDED AND PLATTED THE ABOVE TRACT DESIGNATED AS "CROSSTOWN INDUSTRIAL NO. 2" A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA. THE ABOVE PLAT IS AN ACCURATE REPRESENTATION OF SAID SURVEY.



ERIC ROLLSTON  
REGISTERED PROFESSIONAL LAND SURVEYOR  
OKLAHOMA NO. 1781

STATE OF OKLAHOMA )  
COUNTY OF TULSA )

BEFORE ME A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018, PERSONALLY APPEARED ERIC ROLLSTON TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSES THEREIN SET FORTH.

NOTARY PUBLIC  
MY COMMISSION EXPIRES: NOVEMBER 20, 2019  
COMMISSION NUMBER: 11010322



5.4

CONCEPTUAL IMPROVEMENT PLAN  
FOR

# Crosstown Industrial No. 2



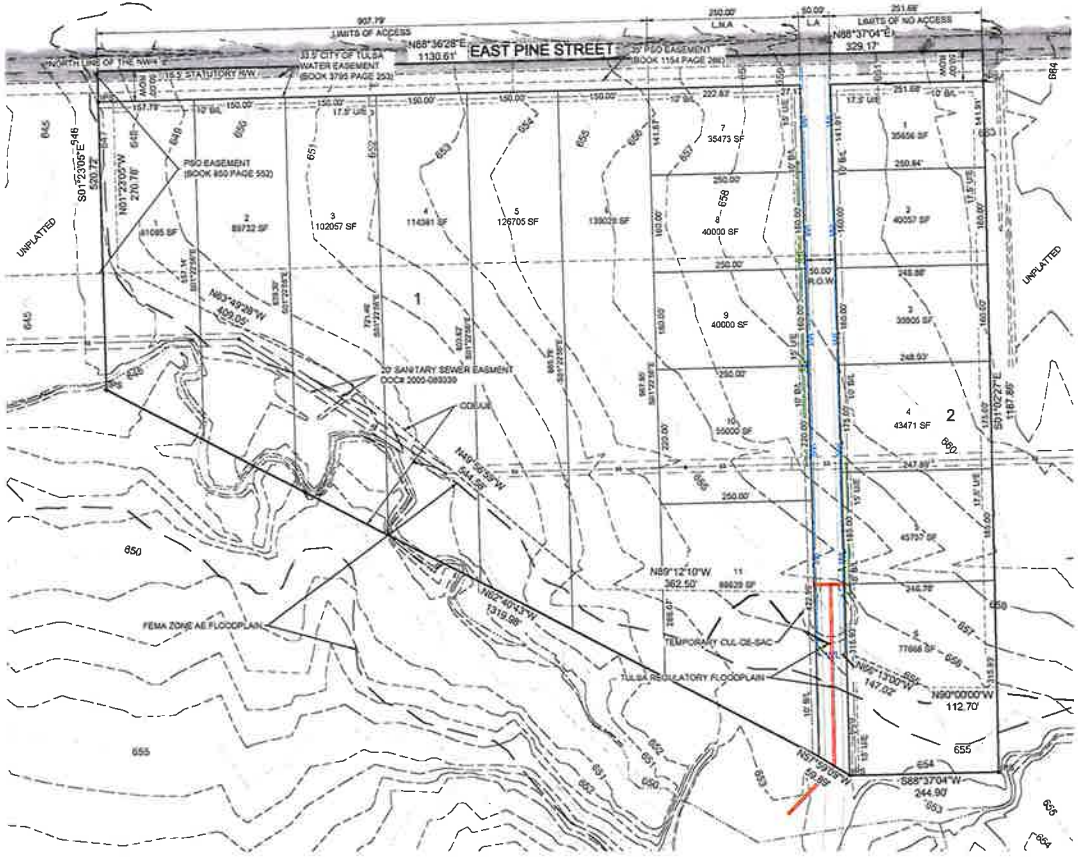
LOCATION MAP  
SCALE: 1"=200'



**ENGINEER**  
AAB ENGINEERING LLC  
PO BOX 2136  
SAND SPRINGS, OK 74063  
PHONE: 918.514.4283  
FAX: 918.514.4288

**LEGEND**

- PROPOSED STORM SEWER
- SS PROPOSED SANITARY SEWER EXTENSION
- WL PROPOSED WATERLINE



AAB Engineering, LLC  
**AAB**  
Engineering • Surveying • Land Planning  
PO Box 2136 Sand Springs, OK 74063  
OK CENSURE Exp. June 25, 2018  
IG CANCELED Exp. Dec. 31, 2018  
Office: 918.514.4283 Fax: 918.514.4288

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## PRELIMINARY SUBDIVISION PLAT

### Crosstown Industrial No. 2 - (CD 3)

East of southeast corner of East Pine Street and Garnett Road

This plat consists of 17 Lots, 2 Blocks, on 28.71 acres.

The Technical Advisory Committee (TAC) met on October 20, 2016 and provided the following conditions:

1. **Zoning:** The property is zoned IL and RS-3. The RS-3 portion of the lot has been approved for rezoning to IL (Z-7370 approved by TMAPC 12/7/16).
2. **Streets:** Provide 5 foot wide sidewalks. Access ramps must be shown on the Final Plat. Sidewalks must be located a minimum of 18 inches from property line and 2 foot behind curb. Industrial streets are required 60 feet of right-of-way per the Subdivision Regulations; current right-of-way shown at 50 feet. Cul-de-sac radius should be 60 feet in diameter and be dedicated by separate instrument.
3. **Sewer:** 10 feet of horizontal separation between sanitary sewer and the water main line must be maintained in those areas where they parallel each other.
4. **Water:** Provide a 17.5 foot utility easement along the roadway. Provide protection over the existing 12 inch water mainline along Pine Street during construction.
5. **Storm Drainage:** The need for storm sewer easements will be greater than what was provided in the single road right of way. There is offsite drainage area from the east, per atlas sheet, which will need a system to convey storm water across the site. There will need to be a storm sewer system to convey all onsite and offsite flows to the creek. The proposed storm sewer system needs to stay on-site, or placed in an easement. The text for overland easements in the covenants needs to remove all reference to "Public Works". Detention may be required hence a detention easement may also be required. **Floodplain:** Portions of the subject property are located within the Eagle Creek Floodplain. All delineated floodplain boundaries including City of Tulsa Regulatory Floodplain, FEMA Floodplain (Zone AE) and Zone A) and Floodway as well as base flood elevations (BFE) must be clearly and accurately identified on plans. Since a portion of the proposed development is greater than 5 acres and appears to be located within Zone A, a detailed floodplain study shall be required to determine the BFE's and floodway. Any development within the floodplain must meet the floodplain development requirements of the City of Tulsa Revised Ordinances, Title 11 A and Title 51 and city drainage standards. Any proposed changes to the floodplain boundaries or flood elevations will be subject to Floodplain Map Revisions.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** No comments.

7. **Other: Fire:** Fire hydrants shall be installed at 1000 feet intervals along all unimproved roads and at every 500 feet if there are any improved lots on the road.
8. **Other: GIS:** Add missing subdivisions in location map. Provide individual addresses. Graphically label each lot with unique address. Remove contours on final plat submittal. Submit a subdivision control data sheet with final plat. State/provide basis of bearing between two known points. Provide bearing angle under the Basis of Bearings heading. Provide street name for plat. Add date of preparation to the plat in either lower corner. Graphically add a north arrow for the location map in the upper right-hand corner. Label all other land "unplatted" in the location map. The bearing angle on the west side of the plat does not match the written legal description. Clarify.

**Waivers of Subdivision Regulations:**

1. Waiver of the condition that industrial streets provide 60' of right-of-way

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and the requirements of the Subdivisions Regulations. Staff recommends **DENIAL** of the requested waiver of Subdivision Regulations to permit a 50' right-of-way.

