



Tulsa Metropolitan Area Planning Commission

Case : Sleepy Hollow Estates

Hearing Date: May 16, 2018

Case Report Prepared by:

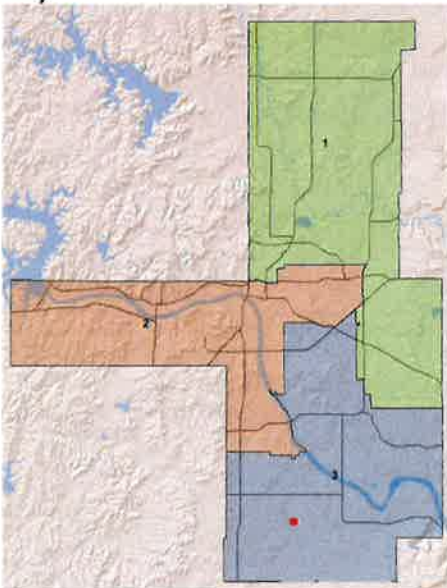
Nathan Foster

Owner and Applicant Information:

Applicant: Ryan McCarty, Select Design

Owner: Avery LLC

Location Map:
(Shown with County Commission districts)



Applicant Proposal:

Preliminary Plat

9 lots, 2 blocks, 30 ± acres

Location: West of the northwest corner of East 171st Street South and South Harvard Avenue

Zoning: RE/PUD-846

Staff Recommendation:

Staff recommends **approval** of the preliminary plat

County Commission District: 3

Commissioner Name: Ron Peters

EXHIBITS: Site Map, Aerial, Preliminary Plat Submittal, Conceptual Improvements

PRELIMINARY SUBDIVISION PLAT

Sleepy Hollow Estates - (County)

West of the northwest corner of East 171st Street South and South Harvard Avenue

This plat consists of 9 lots, 2 blocks on 30 ± acres.

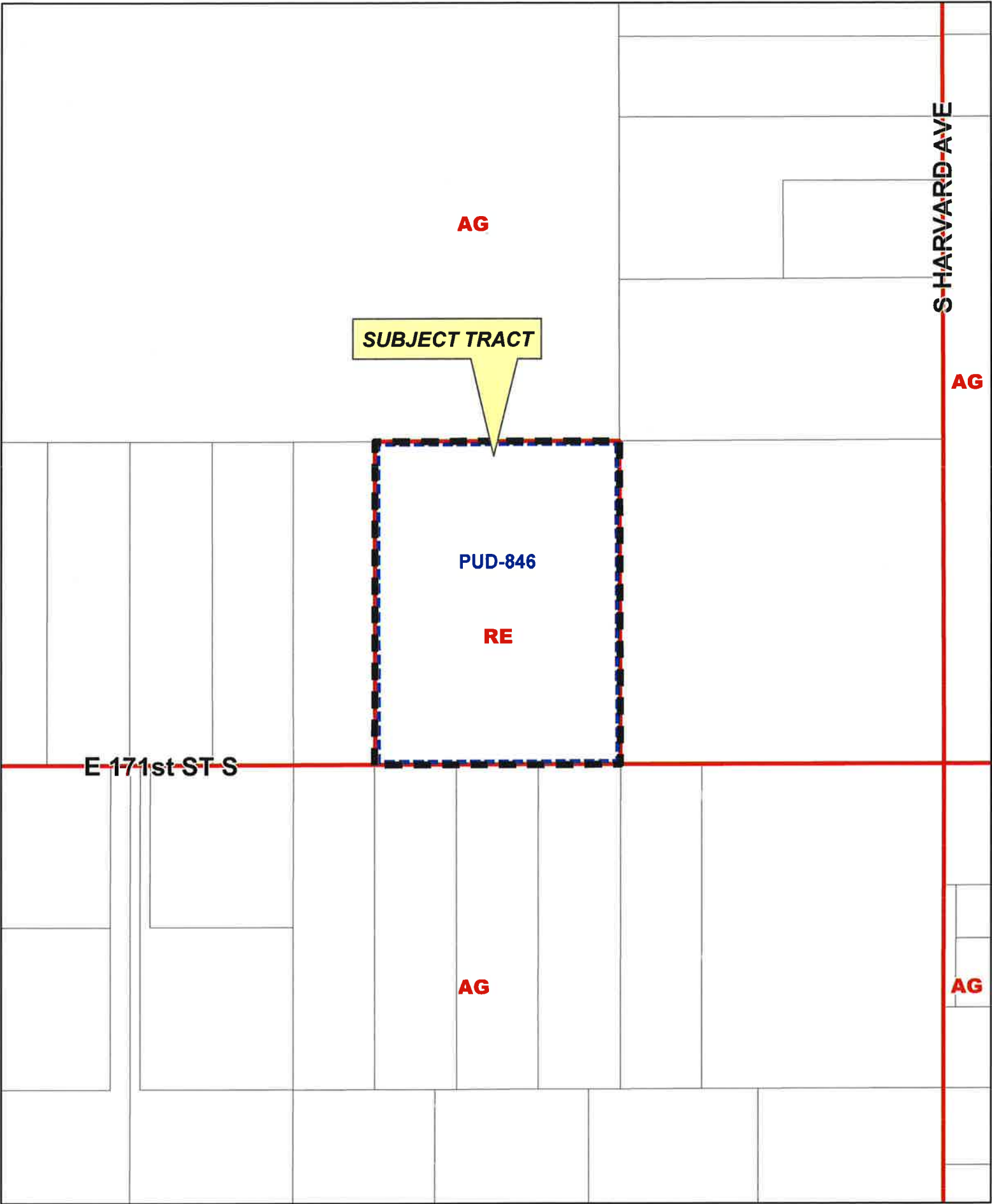
The Technical Advisory Committee (TAC) met on May 3, 2018 and provided the following conditions:

1. **Zoning:** All property contained within the subdivision is zoned RE (Residential Estate) with a Planned Unit Development (PUD-846) to permit private streets.
2. **Addressing:** Graphically label all lots with the assigned address prior to submittal of final plat.
3. **Transportation & Traffic:** Reserve B should be assigned a street name.
4. **Sewer:** Proposals for on-site sewage disposal must comply with all relevant requirements of the Oklahoma Department of Environmental Quality.
5. **Water:** Water will be served by Rural Water District #6 out of Okmulgee County. A release letter will be required prior to final plat approval.
6. **Engineering Graphics:** Submit a subdivision control data sheet with final plat. Remove contours from final plat submittal. Provide street name on the face of the plat. Graphically show all property pins found or set that are associated with the plat. Update location map to show only platted areas and label all other areas "unplatted".
7. **Fire:** No comments.
8. **Stormwater, Drainage, & Floodplain:** Drainage plans will need to be approved by the Tulsa County Engineer and necessary easements must be provided.
9. **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.

Waivers of Subdivision Regulations:

1. Applicant requests a waiver of the requirement that no lot have more than 3 side lot lines to permit Lot 4.
2. Applicant requests a waiver of the sidewalk requirement along East 171st Street South and within the subdivision.

Staff recommends **APPROVAL** of the preliminary subdivision plat and requested waivers of the Subdivision Regulations subject to the conditions provided by TAC and all other requirements of the Subdivisions Regulations.



E 171st ST S

S HARVARD AVE

AG

SUBJECT TRACT

PUD-846

RE

AG

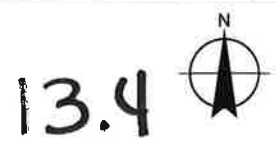
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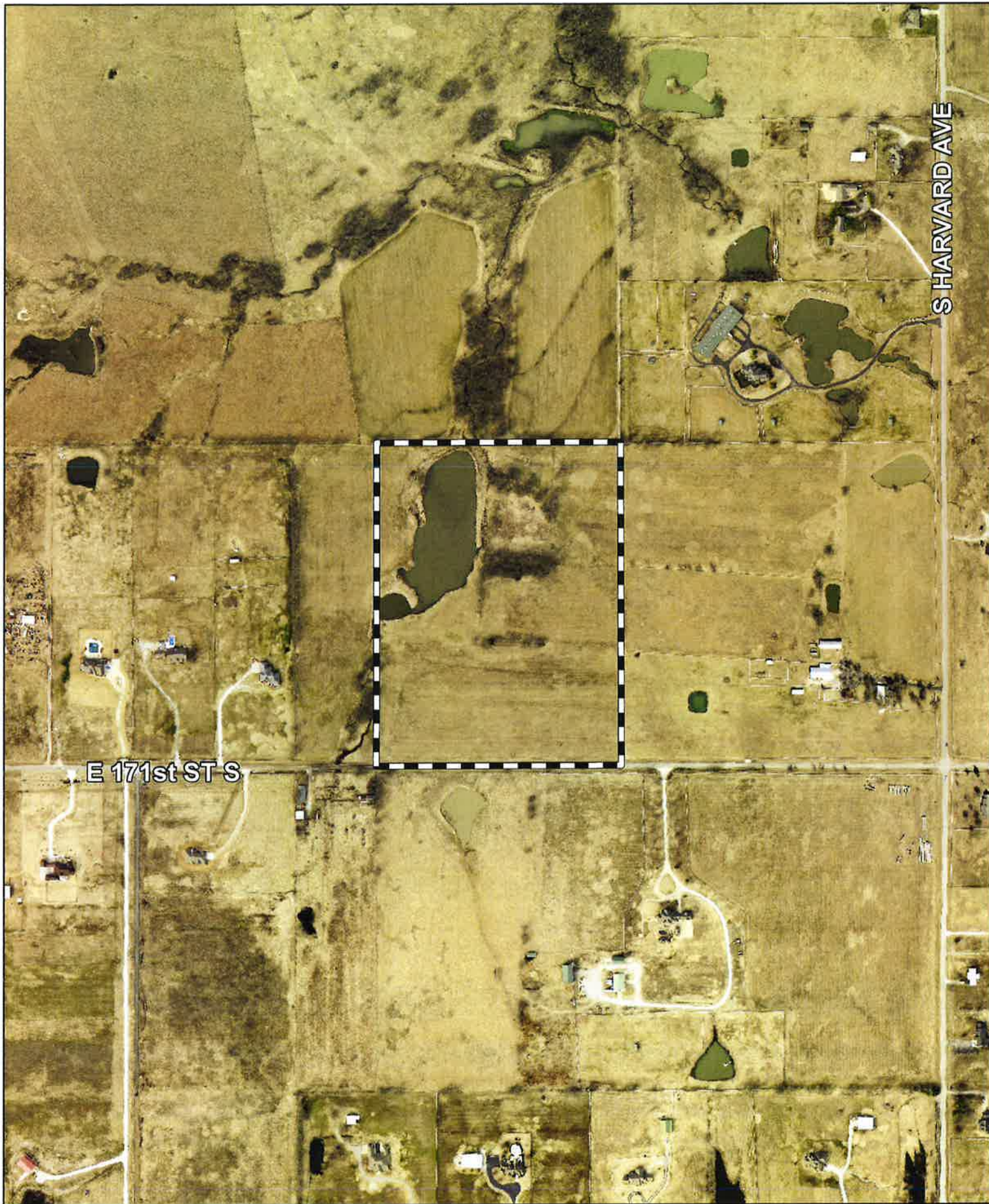
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**SLEEPY HOLLOW
ESTATES**

17-13 29





E 171st ST S

S HARVARD AVE



Subject Tract

SLEEPY HOLLOW ESTATES

17-13 29

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

Aerial Photo Date: February 2016



13.5

Planned Unit Development No. 846

Sleepy Hollow Estates

A SUBDIVISION IN TULSA COUNTY, STATE OF OKLAHOMA, BEING A PART OF THE SE/4 OF SECTION TWENTY-NINE (29), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF.

Subdivision Statistics

SUBDIVISION CONTAINS NINE (9) LOTS IN TWO (2) BLOCKS AND TWO (2) RESERVE AREAS

BLOCK 1 4 LOTS
BLOCK 2 5 LOTS

GROSS SUBDIVISION AREA
1,307.233 0 SF / 30.01 ACRES

Basis of Bearings

OKLAHOMA STATE PLANE, OK ZONE NORTH 3301, NAD83, U.S. SURVEY FEET, USING THE SOUTH LINE OF THE SE/4 OF SECTION 29, T17N, R13E AS NORTH 88°48'37" EAST

Monumentation

ALL CORNERS SHOWN HEREON WERE SET USING A 3/8" x 1/8" STEEL PIN WITH A GREEN PLASTIC CAP STAMPED "FRITZ CASAP"

Benchmark

ON-SITE NGS OPUS SOLUTIONS REPORT (NAVD 1988)

Address

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

Floodplain Data

WE HAVE EXAMINED A MAP BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP, TULSA COUNTY, OKLAHOMA AND INCORPORATED AREAS, COMMUNITY PANEL NO. 401430040L, OCTOBER 16, 2012, WHICH INDICATES THE SUBJECT PROPERTY TO BE WITHIN UNSHOED ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN)

Legend

BA BUILDING SETBACK LINE
L.N.A. LIMITS OF NO ACCESS
ODIE OVERLAND DRAINAGE EASEMENT
ROW RIGHT OF WAY
UE UTILITY EASEMENT

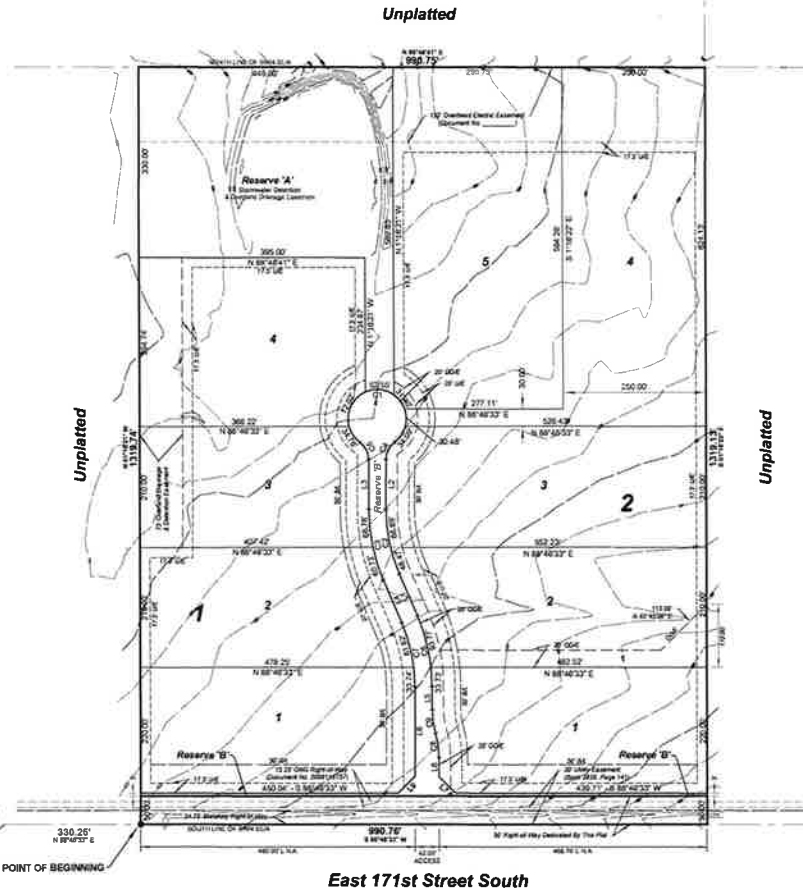
Curve Table

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	255.95	51.00	287°23'24.88"	S 88°48'22" W	80.27
C2	119.36	238.00	27°11'29.58"	S 12°48'11" E	114.57
C3	137.50	273.00	25°11'29.54"	S 12°48'11" E	139.80
C4	34.72	37.00	55°28'42.42"	S 25°28'35" W	33.47
C5	34.72	37.00	55°28'42.42"	N 25°08'48" W	33.47
C6	127.00	315.00	23°11'29.58"	N 12°48'11" W	129.80
C7	133.36	288.00	25°11'29.54"	N 12°48'11" W	134.57
C8	42.79	130.00	15°23'33.84"	N 55°23'43" W	42.84
C9	42.87	147.00	16°20'33.84"	S 59°23'43" E	41.72

Line Table

LINE	BEARING	DISTANCE
L1	S 22°24'56" E	85.14
L2	S 01°13'27" E	85.79
L3	N 01°13'27" W	85.79
L4	N 24°24'56" W	85.14
L5	S 01°13'27" E	40.87
L6	N 01°13'27" W	158.34
L7	S 48°12'27" E	41.01
L8	S 01°13'27" E	33.29
L9	S 88°47'49" W	42.43

POINT OF COMMENCEMENT
SW CORNER S604
SECTION 29, T17N, R13E



Owner / Developer

AVERY, LLC
1723 E 19TH ST S
BIXBY, OK 74008
PHONE: (918) 527-3922
MR. MATT AVERY

Surveyor

FRITZ LAND SURVEYING, LLC
3017 WEST 91ST STREET
TULSA, OKLAHOMA 74132
PHONE: (918) 231-0275
EMAIL: fritzlandsurveying@gmail.com
CA # 5848 EXPIRES 6-30-2018

Engineer

ENGINEERED BY DESIGN, PLLC
P.O. BOX 18587
DELT CITY, OKLAHOMA 73155
PHONE: (816) 809-8253
ahale@engineeredbydesign.pro
CA # 7655 EXPIRES 6-30-2018



Scale: 1" = 100'
0 50 100 200

**FINAL PLAT
ENDORSEMENT OF APPROVAL**

TULSA METROPOLITAN AREA PLANNING COMMISSION

APPROVAL DATE: _____

APPROVED BY: _____ ENGINEER

COUNCIL OF THE CITY OF TULSA, OKLAHOMA

APPROVAL DATE: _____

APPROVED BY: _____ CHAIRMAN

APPROVED BY: _____ MAYOR

APPROVED BY: _____ ATTEST CITY CLERK

APPROVED BY: _____ CITY ATTORNEY

**PRELIMINARY
PLAT**

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.

COUNTY TREASURER STAMP

13.6

SLEEPY HOLLOW ESTATES

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

WARRANTY BY THESE PRESENTS

THAT AVERY L.L. HEREINAFTER REFERRED TO AS THE "OWNER/DEVELOPER," IS THE OWNER OF THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN TULSA COUNTY, OKLAHOMA, TO WIT:

A TRACT OF LAND THAT IS THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTH-EAST QUARTER (E2 SW4 SW4) AND THE EAST HALF OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTH-EAST QUARTER (E2 SW4 SW4) OF SECTION TWENTY-NINE (20), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE IRON BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SE24 OF SAID SECTION 20, THENCE NORTH 89°49'33" EAST ALONG THE SOUTH LINE THEREOF 330.25 FEET TO THE POINT OF BEGINNING, THENCE NORTH 01°13'21" WEST 119.14 FEET, THENCE NORTH 89°49'33" EAST 80.75 FEET, THENCE SOUTH 01°16'22" EAST 129.13 FEET TO THE SOUTH LINE OF THE SE24 OF SECTION 20, THENCE SOUTH 88°49'33" WEST ALONG SAID SOUTH LINE 80.75 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 132,728.25 SQUARE FEET OR 3.07 ACRES
BASIS OF BEARING: OKLAHOMA STATE PLANE, OK. ZONE NORTH 3601, MAGN. U.S. SURVEY FEET, USING THE SOUTH LINE OF THE SE24 OF SECTION 20, T17N, R13E AS NORTH 88°49'33" EAST

AND HAS CAUSED THE ABOVE DESCRIBED LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO LOTS, BLOCKS AND RESERVE AREAS AS SHOWN ON THE ATTACHED PLAT AND SURVEY THEREOF, AND HAS DESIGNATED THE SUBDIVISION AS "SLEEPY HOLLOW ESTATES," A SUBDIVISION OF A PART OF THE E2 OF THE SW4 OF THE SE24 AND THE E2 OF THE SW4 OF THE SE24 OF SECTION 20, T.17N, R.13E, TULSA COUNTY, STATE OF OKLAHOMA, AND

SECTION I. UTILITY EASEMENTS AND RIGHTS-OF-WAY

THE OWNER/DEVELOPER DOES HEREBY DEDICATE FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT (SLEEPY HOLLOW ESTATES) FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, REPAIRING, REMOVING AND REPLACING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS, TELEPHONE LINES, CABLE TELEVISION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES AND WATER LINES, TOGETHER WITH ALL FITTINGS AND EQUIPMENT FOR EACH OF SUCH FACILITIES INCLUDING THE PIPES, CONDUITS, PIPES, VALVES, METERS AND ANY OTHER APPURTENANCES THERETO, WITH RIGHT OF INGRESS AND EGRESS TO THE EASEMENTS FOR THE USES AND PURPOSES HEREIN PROVIDED. HOWEVER, THE OWNER/DEVELOPER HEREBY RESERVES TO ITSELF, AND TO ITS AGENTS, THE RIGHT TO USE OR DELEGATE TO OTHERS THE RIGHT TO USE THE DESIGNATED EASEMENTS TO PROVIDE ANY OF THE SERVICES SET FORTH HEREIN, INCLUDING, BUT NOT LIMITED TO THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RELAY WATER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER, ACROSS OR ALONG ANY OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER SERVICE TO THE AREA INCLUDED WITHIN THE PLAT. THE OWNER/DEVELOPER HEREBY IMPOSES A RESTRICTIVE COVENANT, WHICH SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY TULSA COUNTY, OKLAHOMA AND THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ATTACHED PLAT, NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION THAT INTERFERES WITH THE ABOVE SET FORTH USES AND PURPOSES OF THE EASEMENT SHALL BE PLACED, ERRECTED, INSTALLED OR MAINTAINED, PROVIDED HOWEVER NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT UTILITY EASEMENTS, DRIVES, PARKING AREAS, CURBING, AND LANDSCAPING THAT DOES NOT CONSTITUTE AN OBSTRUCTION AS HEREIN.

A. ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICE

- 1. OVERHEAD POLE LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICE MAY BE LOCATED ALONG THE SOUTH SIDE OF THE SUBDIVISION. ALL SUPPLY LINES SHALL BE LOCATED UNDERGROUND, IN EASEMENTS DEDICATED FOR GENERAL UTILITY SERVICES AS DEPICTED ON THE ATTACHED PLAT. SERVICE PEDESTALS AND TRANSFORMERS AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE EASEMENTS.
- 2. UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL HOUSES WHICH MAY BE LOCATED ON ALL LOTS IN THE SUBDIVISION MAY BE RUN FROM THE NEAREST GAS MAIN SERVICE FEEDERAL OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND DISTRIBUTION OF SUCH HOUSES AS MAY BE LOCATED UPON THE LOT. PROVIDED THAT UPON INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR HOUSE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT AND EFFECTIVE RIGHT-OF-WAY EASEMENT ON SAID LOT, COVERING A FIVE-FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE, EXTENDING FEEDERAL OR TRANSFORMER OR GAS MAIN TO THE SERVICE ENTRANCE ON THE HOUSE.
- 3. THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION, AND GAS SERVICES THROUGH ITS AUTHORIZED AGENTS AND EMPLOYEES SHALL, AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL SUCH EASEMENTS SHOWN ON THE PLAT TO THE SUBDIVISION OR PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE FACILITIES SO CALLED BY IT.
- 4. THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND ELECTRIC FACILITIES LOCATED ON HIS PROPERTY AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. THE SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF THE UNDERGROUND FACILITIES, BUT THE OWNER OF EACH LOT IN THE SUBDIVISION SHALL BE RESPONSIBLE FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS.
- 5. THE FOREGOING COVENANTS CONCERNING UNDERGROUND ELECTRIC, TELEPHONE AND CABLE TELEVISION FACILITIES SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE ELECTRIC, TELEPHONE OR CABLE TELEVISION SERVICE, AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

B. WATER SERVICE

- 1. THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS LOCATED ON HIS LOT.
- 2. WITHIN UTILITY EASEMENTS DEPICTED ON THE ATTACHED PLAT THE ALTERATION OF GRADE FROM THE CONTOURS EXISTING UPON COMPLETION OF A PUBLIC WATER MAIN OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH A PUBLIC WATER MAIN SHALL BE PROHIBITED.
- 3. RURAL WATER DISTRICT #___, HEREINAFTER REFERRED TO AS "THE RW," OR ITS SUCCESSORS SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER MAINS, BUT THE OWNER OF THE LOT SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS.
- 4. THE RW, OR ITS SUCCESSORS SHALL, AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS DEPICTED ON THE ATTACHED PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF THE WATER FACILITIES OWNED BY IT.
- 5. THE FOREGOING COVENANTS CONCERNING THE WATER FACILITIES SHALL BE ENFORCEABLE BY THE RW, OR ITS SUCCESSORS, AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

C. GAS SERVICE

- 1. THE SUPPLIER OF GAS SERVICE SHALL, AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS DEPICTED ON THE ATTACHED PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF GAS FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE.
- 2. THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED ON HIS LOT. THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH THE UNDERGROUND GAS FACILITIES SHALL BE PROHIBITED. THE SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF THE UNDERGROUND FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OF THE LOT OR HIS AGENT OR CONTRACTORS.
- 3. THE FOREGOING COVENANTS CONCERNING UNDERGROUND GAS FACILITIES SHALL BE ENFORCEABLE BY THE SUPPLIER OF GAS SERVICE, AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

D. OVERLAND DRAINAGE EASEMENTS

- 1. OVERLAND DRAINAGE EASEMENTS DESIGNATED ON THE PLAT ARE HEREBY DEDICATED TO TULSA COUNTY OR ITS SUCCESSORS FOR THE

PURPOSE OF MAINTAINING, CONSTRUCTING OR REPAIRING ALL DRAINAGE FACILITIES WITHIN THESE EASEMENTS MAY BE USED FOR UTILITIES ACCORDING TO THE PROVISIONS IN THE CERTIFICATE OF DEDICATION AS IT APPLIES TO EASEMENTS, EXCEPT THAT CONSTRUCTION AND USE OF UTILITIES THEREIN SHALL NOT INTERFERE WITH THE USE FOR DRAINAGE PURPOSES.

- 2. NO BUILDING STRUCTURE, WALL, FENCE, OR ABOVE OR BELOW GROUND OBSTRUCTIONS SHALL BE CONSTRUCTED OR PLACED WITHIN ANY DRAINAGE EASEMENT WITHOUT APPROVAL OF TULSA COUNTY.
- 3. THE OWNER OF EACH LOT UPON WHICH A DRAINAGE EASEMENT IS SITUATED SHALL BE SOLELY RESPONSIBLE FOR THE MAINTENANCE OF ANY SICH EASEMENT WHICH TRANSVERSES THEIR RESPECTIVE PROPERTY.
- 4. IN THE EVENT OWNER SHOULD FAIL TO PROPERLY MAINTAIN THE DRAINAGE FACILITIES OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN, OR THE ALTERATION OF THE CONTOUR THEREIN, TULSA COUNTY OR ITS DESIGNATED CONTRACTOR MAY ENTER AND PERFORM MAINTENANCE NECESSARY TO THE ACHIEVEMENT OF THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT BY THE OWNER, OR THE HOMEOWNERS ASSOCIATION. IN THE COST THEREOF SHALL BE PAID BY THE OWNER, OR THE HOMEOWNERS ASSOCIATION. IN THE EVENT OWNER OR THE HOMEOWNERS ASSOCIATION AS THE CASE MAY BE, FAILS TO PAY THE COST OF MAINTENANCE AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, TULSA COUNTY MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS, AND THEREAFTER FILE A LIEN AGAINST THE SUBJECT LOT, SUCH LIEN, HOWEVER, SHALL BE SUBORDINATE TO THE LIEN OF ANY FIRST MORTGAGE. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY TULSA COUNTY.

E. SURFACE DRAINAGE

THE LOT SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM PRIVATE STREETS AND EASEMENTS. NO LOT OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS HIS LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY TULSA COUNTY, OKLAHOMA.

F. LIMITS OF NO ACCESS

- 1. THE OWNER HEREBY RELINQUISHES RIGHT OF VEHICULAR INGRESS AND EGRESS FROM THE LOTS WITHIN THE SUBDIVISION TO ADJOINING PUBLIC STREETS WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" (L.N.A.) ON THE ATTACHED PLAT, WHICH LIMITS OF NO ACCESS MAY BE RELEASED, OR AMENDED BY TULSA METROPOLITAN AREA PLANNING COMMISSION (TMARC), OR ITS SUCCESSORS WITH TULSA COUNTY APPROVAL, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA PERTAINING THERETO.
- 2. THE FOREGOING COVENANTS CONCERNING LIMITS OF NO ACCESS SHALL BE ENFORCEABLE BY TULSA COUNTY, AND THE OWNERS OF THE LOT AGREES TO BE BOUND HEREBY.

G. PAVING AND LANDSCAPING WITHIN EASEMENTS

THE OWNER OF THE LOT AFFECTED SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO LANDSCAPING AND PAVING WITHIN THE UTILITY EASEMENTS WHICH MAY RESULT FROM NECESSARY USE FOR OR MAINTENANCE AND INSTALLATION OF UNDERGROUND WATER, STORM SEWER, ELECTRICAL, NATURAL GAS, COMMUNICATIONS OR TELEPHONE FACILITIES PROVIDED, HOWEVER, TULSA COUNTY, OKLAHOMA, OR THE SUPPLIER OF THE UTILITY SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

H. PRIVATE SANITARY SEWERAGE

- 1. WITHIN THIS SUBDIVISION, SEWERAGE IS INITIALLY INTENDED TO BE DISPOSED OF BY INDIVIDUAL SEPTIC TANK DISPOSAL SYSTEMS OR ALTERNATIVE SEPTIC SYSTEMS WHICH ARE SUBJECT TO REGULATION BY THE OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY.
- 2. THE APPROVAL AND RELEASE OF THE PLAT OF THIS SUBDIVISION DOES NOT CONSTITUTE A GUARANTY OR WARRANTY THAT EACH SEPTIC TANK SYSTEM OR ALTERNATIVE SEPTIC SYSTEM WILL FUNCTION PROPERLY.
- 3. NO SEPTIC SYSTEM OR ALTERNATIVE SEPTIC SYSTEM SHALL BE INSTALLED WITHIN ANY LOT UNTIL THE PLANS THEREFOR HAVE BEEN SUBMITTED TO AND APPROVED BY THE OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY, AND A PERMIT DULY ISSUED.
- 4. IF NOT PROVIDED BY THE DEVELOPER, THE OWNER MAY OR MAY NOT BE RESPONSIBLE FOR SUPPLYING PERCOLATION TESTING INFORMATION TO THE OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY FOR APPROVAL OF SEPTIC SYSTEM ALTERATION OR SEPTIC SYSTEM INSTALLATION.
- 5. THE SEPTIC SYSTEM OR ALTERNATIVE SEPTIC SYSTEM, AND THE REARER SERVICE LINE SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE APPROVED PLANS.
- 6. THE APPROVED PLANS MUST BE SUBMITTED TO THE OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY AND SHALL INCLUDE A SEWER LINE LOCATED AND DESIGNED TO PERMIT EFFECTIVE CONNECTION TO FUTURE PUBLIC SANITARY SEWER EXTENSIONS TO THE LOT.
- 7. SUBSEQUENT TO INSTALLATION OF THE SEPTIC SYSTEM OR ALTERNATIVE SEPTIC SYSTEM, NO DRIVE, PAVING, SWIMMING POOL, LAUN SPRINKLER SYSTEM, OR BUILDING SHALL BE CONSTRUCTED OVER THE AREA OF THE LOT CONTAINING THE SEPTIC TANK, SEPTIC SYSTEM, LATERAL LINES OR ALTERNATIVE SEPTIC SYSTEM.
- 8. THE FOREGOING COVENANTS CONCERNING SEWERAGE FACILITIES SHALL BE COVENANTS RUNNING WITH THE LAND, AND SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY TULSA COUNTY, OKLAHOMA OR ITS SUCCESSORS, AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

I. USE OF RESERVE AREA 'A'

RESERVE AREA 'A' IS HEREBY DEDICATED FOR THE PURPOSE OF ESTABLISHING AND MAINTAINING DETENTION FACILITIES, OPEN SPACE, RECREATION, LANDSCAPING AND AMENITIES; FOR THE USE, BENEFIT AND ENJOYMENT OF THE LOT OWNERS OF SLEEPY HOLLOW ESTATES. THESE AREAS ARE ALSO RESERVED FOR CONVEYANCE TO THE HOMEOWNERS ASSOCIATION FOR THE PURPOSE OF THE ADMINISTRATION AND MAINTENANCE THEREOF.

J. USE OF RESERVE AREA 'B'

RESERVE AREA 'B' IS HEREBY DEDICATED FOR THE PURPOSE OF ESTABLISHING AND MAINTAINING A MUTUAL ACCESS EASEMENT, UTILITY EASEMENT, OPEN SPACE, RECREATION, LANDSCAPING, SCREENING FENCES AND WALLS, ENTRY FEATURES INCLUDING GATES AND KEYPAD ENTRY, AND SUBDIVISION IDENTIFICATION SIGNS FOR THE USE, BENEFIT AND ENJOYMENT OF THE LOT OWNERS OF SLEEPY HOLLOW ESTATES. THE MUTUAL ACCESS EASEMENT, DEPICTED ON THE ACCOMPANYING PLAT, IS HEREBY ESTABLISHED FOR THE PURPOSES OF PERMITTING VEHICULAR AND PEDESTRIAN ACCESS TO AND FROM ALL STREETS AND AREAS ADJACENT TO AND CONTAINED WITHIN THE SUBDIVISION, SUCH EASEMENTS SHALL BE FOR THE MUTUAL USE AND BENEFIT OF EACH AFFECTED LOT OWNER, THEIR GUESTS, AND VISITORS, AND SHALL BE APPLICABLE TO EACH AFFECTED LOT OWNER, PROVIDED GOVERNMENTAL AGENCIES AND THE SUPPLIERS OF UTILITY SERVICES SHALL HAVE THE REASONABLE USE OF SUCH EASEMENTS INCIDENTAL TO THE PROVISION OF SERVICES TO THE LOTS WITHIN THE SUBDIVISION. THESE AREAS ARE ALSO RESERVED FOR CONVEYANCE TO THE HOMEOWNERS ASSOCIATION FOR THE PURPOSE OF THE ADMINISTRATION AND MAINTENANCE THEREOF.

K. STORM WATER DETENTION

- 1. THE OWNER/DEVELOPER DOES HEREBY GRANT AND ESTABLISH A PERPETUAL EASEMENT ON, OVER AND ACROSS RESERVE AREA 'A' (HEREINAFTER REFERRED TO AS "THE DETENTION (EASEMENT AREA)") FOR THE PURPOSES OF PERMITTING THE FLOW, CONVEYANCE, DETENTION AND DISCHARGE OF STORM WATER RUNOFF FROM THE VARIOUS LOTS WITHIN THE SUBDIVISION.
- 2. DETENTION AND OTHER DRAINAGE FACILITIES CONSTRUCTED WITHIN THE DETENTION EASEMENT AREAS SHALL BE IN ACCORDANCE WITH STANDARDS APPROVED BY TULSA COUNTY, OKLAHOMA.
- 3. DETENTION AND OTHER DRAINAGE FACILITIES SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION (TO BE FORMED PURSUANT TO SECTION 10) TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED DRAINAGE AND DETENTION FUNCTIONS INCLUDING REPAIR OF APPURTENANCES AND RELOCATION OF THE HOMEOWNERS ASSOCIATION, INCLUDING THE UTILITY POLYLINE AND CUSTOMARY GROUNDS MAINTENANCE WITHIN THE DETENTION EASEMENT AREAS WHICH SHALL BE IN ACCORDANCE WITH THE FOLLOWING STANDARDS

AT THE DETENTION EASEMENT AREAS SHALL BE KEPT FREE OF LITTER.

- b) THE DETENTION EASEMENT AREAS SHALL BE MOVED DURING THE GROWING SEASON AT INTERVALS NOT EXCEEDING 4 WEEKS.
- 4. IN THE EVENT THE HOMEOWNERS ASSOCIATION SHOULD FAIL TO PROPERLY MAINTAIN THE DETENTION EASEMENT AREAS AS ABOVE PROVIDED, TULSA COUNTY, OKLAHOMA OR ITS DESIGNATED CONTRACTOR MAY ENTER THE DETENTION EASEMENT AREAS AND PERFORM SUCH MAINTENANCE, AND THE COST THEREOF SHALL BE PAID BY THE HOMEOWNERS ASSOCIATION.
- 5. IN THE EVENT THE HOMEOWNERS ASSOCIATION, AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, FAILS TO PAY THE COST OF MAINTENANCE AS ABOVE SET FORTH, TULSA COUNTY, OKLAHOMA MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST EACH RESIDENTIAL LOT WITHIN THE SUBDIVISION, PROVIDED HOWEVER, THE LIEN AGAINST EACH RESIDENTIAL LOT SHALL NOT EXCEED 100% OF THE COSTS.
- 6. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY TULSA COUNTY, OKLAHOMA.

SECTION II. PLANNED UNIT DEVELOPMENT

WHEREAS, SLEEPY HOLLOW ESTATES WAS SUBMITTED AS A PLANNED UNIT DEVELOPMENT (PUD NO. 849) AS PROVIDED WITHIN CHAPTER 111 OF THE ZONING ORDINANCE OF TULSA COUNTY, OKLAHOMA, (HEREINAFTER THE "ZONING ORDINANCE"), WHICH (PUD NO. 849) WAS AFFIRMATIVELY RECOMMENDED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION (TMARC) ON JULY 3, 2017, AND APPROVED BY THE TULSA COUNTY BOARD OF COMMISSIONERS ON JULY 31, 2017, AND

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

WHEREAS, THE OWNER/DEVELOPER DESIRES TO ESTABLISH RESTRICTIONS FOR THE PURPOSE OF PROVIDING FOR AN ORDERLY DEVELOPMENT AND TO ENSURE ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE OWNER/DEVELOPER, ITS SUCCESSORS AND ASSIGNS, AND TULSA COUNTY, OKLAHOMA,

THEREFORE, THE OWNER/DEVELOPER DOES HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH.

A. DEVELOPMENT IN ACCORDANCE WITH PUD NO. 849

SLEEPY HOLLOW ESTATES SHALL BE DEVELOPED AND USED IN SUBSTANTIAL ACCORDANCE WITH THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF PUD NO. 849 APPROVED BY TULSA COUNTY BOARD OF COMMISSIONERS AND THE TULSA METROPOLITAN AREA PLANNING COMMISSION (TMARC), OR IN SUBSTANTIAL ACCORDANCE WITH SUCH MODIFICATIONS OR AMENDMENTS OF THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF PUD NO. 849 AS MAY BE SUBSEQUENTLY APPROVED.

B. APPLICABLE ORDINANCE

THE DEVELOPMENT OF SLEEPY HOLLOW ESTATES SHALL BE SUBJECT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE TULSA COUNTY ZONING CODE, AS SUCH PROVISIONS EXISTED ON JULY 31, 2017.

C. USE

ALL USES ALLOWED BY RIGHT IN THE ZONING DISTRICT AND SPECIFICALLY SINGLE-FAMILY RESIDENTIAL HOMES

D. DEVELOPMENT STANDARDS

MINIMUM DWELLING UNITS	9
MINIMUM LOT WIDTH	100 FEET
MINIMUM LOT SIZE	22,500 SQUARE FEET
MAXIMUM BUILDING HEIGHT	40 FEET
MINIMUM BUILDING SETBACK:	
FROM THE CENTERLINE OF 171ST STREET	50 FEET
FROM A PRIVATE STREET	50 FEET
FROM OTHER BOUNDARIES OF THE LOT	25 FEET
FROM INTERIOR SIDE LOT LINE	25 FEET AND 25 FEET (TOTAL 50 FEET)
OTHER BULK AND AREA REQUIREMENTS	40 FEET FORTH WITHIN AN 80 FEET OFF-STREET PARKING
IDENTIFICATION SIGNS	TWO SIGNS IDENTIFYING THE SUBDIVISION AND NOT EXCEEDING 84 SQUARE FEET IN DISPLAY SURFACE AREA MAY BE AFFIXED TO THE PLANNED ENTRY WALLS
PRIVATE STREET RIGHT OF WAY	PRIVATE STREET RIGHT OF WAY SHALL NOT BE LESS THAN 30 FEET IN WIDTH AND SHALL BE LOCATED WITHIN A RESERVE AREA TO BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
SCREENING AND LANDSCAPING	A SCREENING FENCE AND LANDSCAPING SHALL BE CONSTRUCTED AND MAINTAINED ALONG 171ST STREET FRONTAGE, AND AFTER CONSTRUCTION SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

E. SITE PLAN REVIEW AND COMPLIANCE WITH APPROVED PLANS

THE APPROVED FINAL PLAT OF THE SUBDIVISION SHALL CONSTITUTE THE DETAILED SITE PLAN REQUIRED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION (TMARC). THE DEVELOPMENT AND USE OF SLEEPY HOLLOW ESTATES SHALL BE IN COMPLIANCE WITH THE APPROVED BUILDING PLANS AND SIGN PLANS, AS MAY BE LATER APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION (TMARC) OR ITS SUCCESSOR.

F. DEFINITIONS

IN THE EVENT OF AMBIGUITY OF ANY WORD OR TERM SET FORTH IN THIS SECTION II, THE MEANING THEREOF SHALL BE DEEMED TO BE DEFINED AS SET FORTH WITHIN THE TULSA COUNTY ZONING CODE AS THE SAME EXISTED ON JULY 31, 2017.

SECTION III. RESTRICTIONS AND COVENANTS

A. HOMEOWNERS ASSOCIATION

- 1. THE OWNER/DEVELOPER OF "SLEEPY HOLLOW ESTATES" SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF COMMON AREAS UNTIL THE ESTABLISHMENT OF "SLEEPY HOLLOW ESTATES" HOMEOWNERS ASSOCIATION. MEMBERSHIP IN THE ASSOCIATION, ONCE ESTABLISHED, SHALL BE MANDATORY TO EACH LOT OWNER OR PART THEREOF IN SLEEPY HOLLOW ESTATES, BUT ONLY AFTER THE INITIAL OCCUPANCY OF A HOME BUILT ON A LOT OR PART THEREOF, OR ONE (1) YEAR AFTER THE INITIAL CONVEYANCE FROM THE OWNER/DEVELOPER TO A LOT BUYER WHOEVER OCCURS FIRST. THE ASSOCIATION SHALL BE FORMED AND SHALL FUNCTION ACCORDING TO THE MEANING OF THE ARTICLES OF INCORPORATION AND THE BYLAWS. NOTICE OF THE EFFECTIVE DATE OF FORMAL ESTABLISHMENT OF THE ASSOCIATION SHALL BE FILED AT THE OFFICE OF THE COUNTY CLERK, TULSA, OKLAHOMA AND INDEXED TO THE PLAT OF SLEEPY HOLLOW ESTATES.
- 2. DUES AND ASSESSMENTS SHALL BE ESTABLISHED BY THE ASSOCIATION ACCORDING TO THE PROVISIONS OF THE ARTICLES AND BYLAWS, AND THE ASSOCIATION SHALL HAVE LEGAL REMEDY FOR THE FAILURE OF ANY LOT OWNER TO MAKE TIMELY PAYMENT OF DULY AUTHORIZED DUES OR ASSESSMENTS. DUES OF THE ASSOCIATION SHALL BE TERMED "BASE DUES" BASE DUES SHALL BE DEFINED AS THOSE NECESSARY TO CONDUCT BUSINESS AND PROVIDE FOR THE COMMON GOOD OF ALL LOT OWNERS IN SLEEPY HOLLOW ESTATES AND THEY SHALL BE EQUALLY APPLIED. MAINTENANCE OF COMMON AREAS ARE FOR THE COMMON GOOD AND THEY SHALL INCLUDE: THE ENTRYWAY FEATURE, INCLUDING TREES AND LANDSCAPING, SPRINKLER SYSTEMS IF ANY, LIGHTING, AND FINZING INCLUDING THE FENCE MAINTAINED ON EAST 171ST STREET, SOUTH ASPHALT STREETS AND STORM SEWERS LOCATED WITHIN THE MUTUAL ACCESS EASEMENT AREA, AND THE RESERVE AREA 'A' AS DESIGNATED BY THE PLAT FOR SLEEPY HOLLOW ESTATES. PAYMENT OF DUES OR ASSESSMENTS ESTABLISHED BY THE HOMEOWNERS ASSOCIATION SHALL BE MANDATORY ACCORDING TO THE ARTICLES OF INCORPORATION AND/OR BYLAWS OF THE ASSOCIATION. THE DUES SHALL BE NO MORE THAN THE MINIMUM AMOUNT NECESSARY TO MAINTAIN THE COMMON AREAS OF INTEREST TO THE ASSOCIATION, AND TO CONDUCT THE AUTHORIZED BUSINESS OF THE ASSOCIATION. EQUALITY OF DUES TO EACH LOT OWNER IS REQUIRED.

13.7

Planned Unit Development No. 846

Sleepy Hollow Estates

A SUBDIVISION IN TULSA COUNTY, STATE OF OKLAHOMA, BEING A PART OF THE SE/4 OF SECTION TWENTY-NINE (29), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF.

Owner / Developer

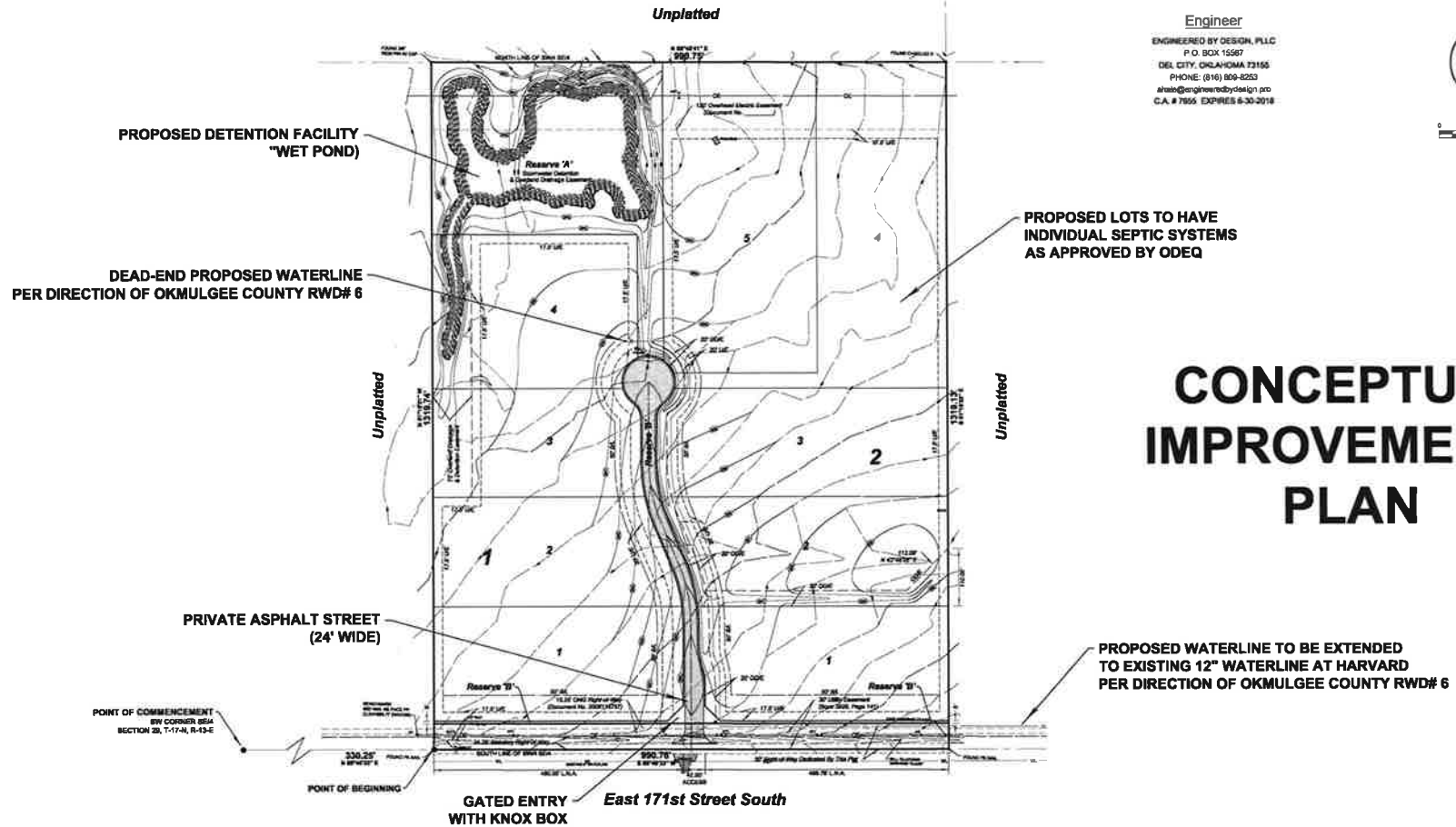
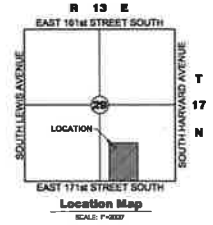
AVERY, LLC
1723 E 13TH ST S
BOKSY, OK 74006
PHONE: (918) 527-3622
MR. MATT AVERY

Surveyor

FRITZ LAND SURVEYING, LLC
2017 WEST 81ST STREET
TULSA, OKLAHOMA 74132
PHONE: (918) 231-0575
EMAIL: fritzlandsurveying@gmail.com
C.A. # 5848 EXPIRES: 6-30-2018

Engineer

ENGINEERED BY DESIGN, PLLC
P. O. BOX 15567
DEL CITY, OKLAHOMA 73155
PHONE: (918) 806-8253
ahand@enginedbydesign.com, p.c.
C.A. # 7955 EXPIRES 6-30-2018



CONCEPTUAL IMPROVEMENTS PLAN

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