

STAFF REPORT

TO: GLENPOOL CITY COUNCIL
FROM: JAMES MCHENDRY AICP, CITY PLANNER
RE: STAFF RECOMMENDATION FINAL PLAT BROOKOVER CORNER I
DATE: February 19, 2019

BACKGROUND:

AAB Engineering, LLC has submitted two Final Plat applications, for (1) "Brookover Corner I" and (2) "Brookover Corner II," covering 26.67 acres and 25.11 acres, respectively, generally located at the northeast corner of 151st St. (State Hwy 67) & U.S. Hwy 75.

Development will have access to S. Casper St. / E. 150th Place highway frontage roads and a new commercial collector street connecting the north and south ends and providing access to interior lots. The Casper St. / Broadway Street / 150th Place / State Hwy 67 intersection will be modified at the south entrance to the development. Because frontage roads are within ODOT right-of-way for Federal and State highways, applicant will secure ODOT permit(s) for street intersections and roadway modifications within the R/W.

Applicant was issued Earth Change Permit allowing site clearing and grading. Upon completion of grading, applicant will secure FEMA approval of a Letter Of Map Revision based on Fill (LOMR-F), removing elevated areas from 100-Year (1% Annual Chance) Regulatory Floodplain on official FEMA Floodplain Maps.

However, per the Applicant, the LOMR-F will not be secured until after the plat has been recorded, meaning certain building lots or portions thereof will be within the FEMA 100-Year Regulatory Floodplain at plat filing. The Applicant has stated that this sequence is preferable so LOMR-F will reflect platted legal descriptions, avoiding future misunderstandings were the LOMR-F is issued with the metes and bounds descriptions. The Glenpool Subdivision Regulations require regulatory floodplain be contained within drainage easements and/or reserve areas and has certain restrictions on platting building lots in the regulatory floodplain.

A majority of the site is to be platted as Reserve Areas to contain the post-construction 100-Year (1% Annual Chance) Regulatory Floodplain attending Coal Creek, compensatory storage areas excavated to provide fill for buildable lots, drainage channels, and onsite stormwater detention. A large drainageway crosses from the southwest corner of 151st St. / State Hwy 67 and U.S. Hwy 75 northeasterly through the interchange to the subject property and will be channelized through the site to its confluence with Coal Creek. The site ultimately drains to the northwest via Coal Creek.

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The first phase plat contains five (5) large lots and the second phase plat contains three (3) large lots. Upon platting, it is anticipated that certain individual sale tracts will be separated by Lot-Split and/or replats.

To accommodate better buildable areas, an existing sanitary sewer line will be rerouted through the development and part of a 15'-wide Utility Easement containing same will be closed. An application to close the U/E has been received and is being reviewed on the same TAC, Planning Commission, and City Council meeting agendas as the Final Plats.

ZONING:

Subject property is zoned CG Commercial General.

TAC MEETING:

Final application materials for the Brookover Corner I were reviewed by the TAC at the 01/25/2019 meeting.

- Per AAB Engineering, LLC, additional grading and site elevation required; fill to come from deepening onsite compensatory storage borrow pits
- Discussed sequencing of FEMA LOMR-F and possibility of not showing "Proposed Floodplain"
- Discussed status of U.S. Army Corps of Engineers 404 permitting

PLANNING COMMISSION

On 02/11/2019 the Planning Commission reviewed the final plat application and voted 5-0 to recommend approval of the Final Plat of **Brookover Corner I** subject to conditions of approval as listed below.

RECOMMENDATION:

Staff recommends approval of the Final Plat of **BROOKOVER CORNER I** subject to the following corrections, modifications, and Conditions of Approval:

1. Subject to TAC recommendations.
2. Subject to a Modification/Waiver per Subdivision Regulations Ordinance # 747 (SRs) Section 1236 from restrictions on platting building lots in the 100-year (1% Annual Chance) Regulatory Floodplain per SRs Sections 125A3.C.11., 125A6.C.12., 1268, and potentially others.

Staff is supportive of such a Modification/Waiver based on (1) the fact the buildable lots will have been elevated up and out of the Regulatory Floodplain by the time of plat filing and (2) the ultimate design will comply with the spirit and intent of the requirements, notwithstanding the irregular sequencing of plat filing and LOMR-F approval.

3. Please add the required Floodplain statement as required by SRs Section 125A6.C.12:

"The outer limits of the fully urbanized 100 year event (1 percent per year) floodplain are fully contained within the drainage easements and/or reserve areas as shown herein."

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The statement may be appropriately qualified to recognize the sequencing of filing the plat prior to FEMA recognition of the revised Floodplain and removal of the platted building lots from the official FEMA Floodplain Maps. The statement may be consolidated with the existing "Floodplain" note.

4. All requests for Modification/Waiver must be submitted by the Applicant in writing per SRs Section 1236.
5. Plat Face: "Proposed Floodplain" should be defined; may be addressed by the modified note per SRs Section 125A6.C.12. and/or "Floodplain" note.
6. Plat Face: 60.25' boundary dimension and associated bearing are missing.
7. Plat Face: Bearings for 340.00' dimension along the southerly line of Reserve "C" do not match.
8. Plat Face: Please label South Casper Street in situ.
9. Plat Face: Reserve "D" will likely have utilities crossing through; consider dedicating as U/E.
10. Plat Face: Reserve "B" is additionally dedicated as a U/E in the DoD/RCs but is not so labeled on the plat face.
11. Plat Face: 50' X 50' [cell tower] lease is not identified as to whose lease or the type of lease. Advisory.
12. Plat Face: "Maintenance Easement," "Drainage Easement," and "15' Pipeline Easement" should be identified as to whom the easements were granted or present holder(s) if different. Advisory.
13. Plat Face: The south line of the SW/4 continues beyond that point the likely terminus of the 1294.12' dimension from POC. Clarification may be in order.
14. Plat Face: Reserve Areas "A" and "C" are not also dedicated as Utility Easements. SRs Section 1267.B. calls for a standard 17.5'-wide Perimeter U/E unless modified or determined unnecessary by the TAC.
15. Plat Face: Subdivision Statistics summary: Reserve "D" is reported to have 0.00 acres in error.
16. Plat Face: Subdivision Statistics summary: Reserve areas are cited without quotations marks. Advisory.
17. Plat Face: Subdivision Data summary: Basis of Bearings should be North-East as shown in situ.
18. Plat Face: U/E Book 4918 Page 19, Book 4919 Page 1827, and Book 4928 Page 522 not identified as to width(s). Advisory.
19. Plat Face: 15' U/E split by Block 1, Lots 2/3 common line is potentially ambiguous (15' within Lot 2 and X' within Lot 3?). Please dimension the relative portions within each lot or clarify appropriately.
20. Plat Face: North-south Easement (for sewerline?) along the fronts of Lots 2 and 3, Block 1 should be identified as to type, width, recording citation(s), dimensions, bearings, and lot intersection ties as appropriate.

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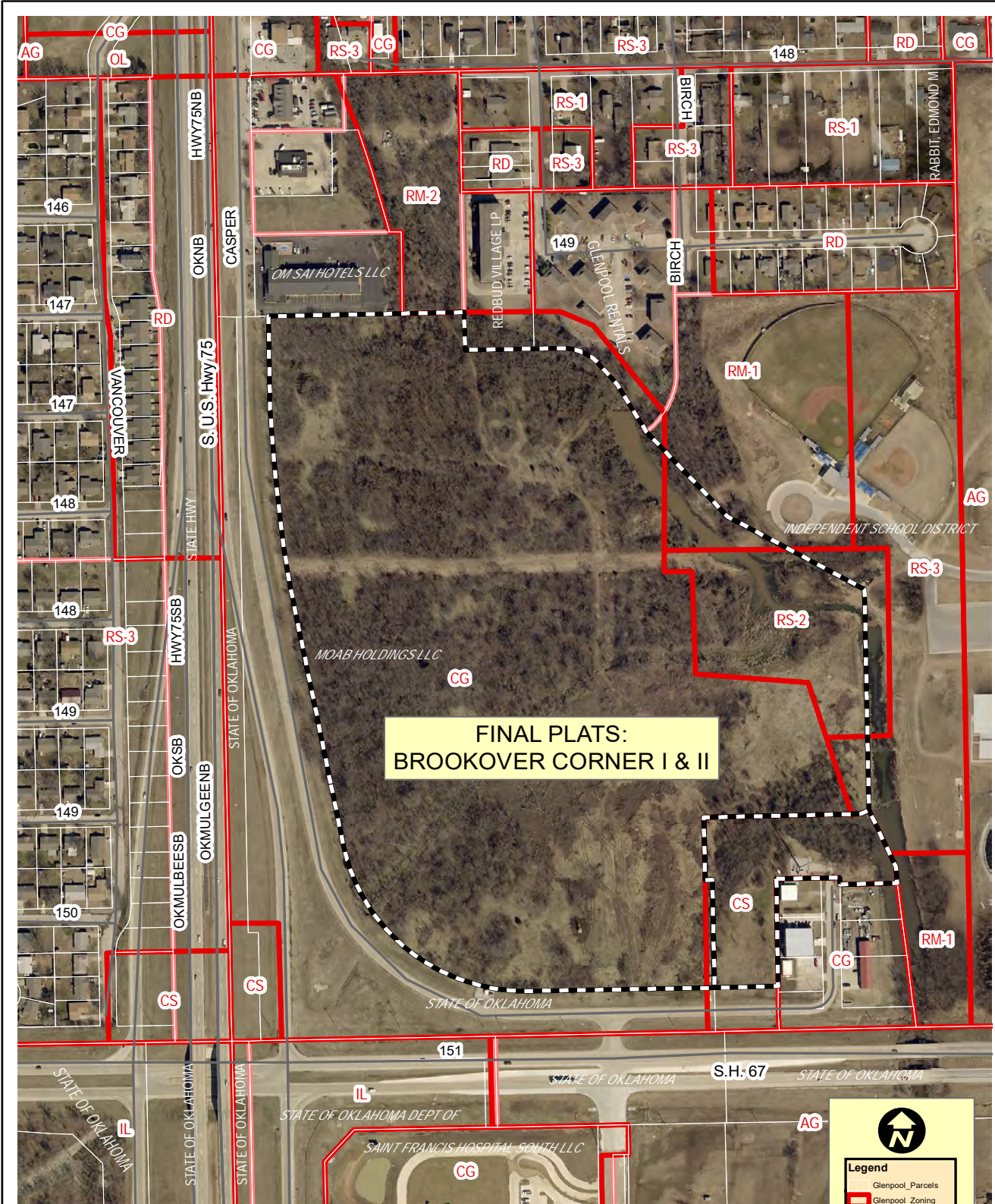
21. Plat Face: Type and width of [Utility Easement] not identified along southerly line of Block 1. Advisory.
22. Plat Face: Location Map: "West" prefixes would not be accurate for those parts east of Broadway Street/projected and "South" suffixes for 141st Street and 151st Street not required within Glenpool. Advisory.
23. Plat Face: Numerous existing and proposed (by this plat) Easements should be tied down where they intersect lotlines. Advisory.
24. Plat Face: Add Limits of No Access (LNA) if/as required by ODOT or the City of Glenpool.
25. DoD/RCs: If required, add LNA restriction language in the DoD/RCs and provide that the same may be amended or released by the Glenpool Planning Commission and the Glenpool City Council per SRs Section 12617.A.
26. DoD/RCs Preamble: "...hereinafter referred to as the "Owners"..." (plural) is inconsistently so rendered throughout DoD/RCs and is more commonly rendered "Owner."
27. DoD/RCs Section I.A.: "...The Owner herein imposes..." term "hereby" is normally expected here to effect the restrictions.
28. DoD/RCs Section I.C.7.: "...In the event the Property Owners' Association fail to pay..." should likely be "should fail" or "fails."
29. DoD/RCs Section I.D.2.: "Pole signs shall be allowed in the reserves." The [billboard], as mentioned to City Staff, should be specific as to type (e.g. "billboard" or "outdoor advertising sign") and specific to Reserve "A." Reserve "C" has no highway frontage.
30. DoD/RCs Section I.D.3.: Enforcement responsible entity should be the POA per the Community Development Director. Please modify all instances appropriately.
31. DoD/RCs Sections I.C., I.D., & I.E.: Cite Reserves "A," "B," "C," and "D" with singular quotation marks. Advisory.
32. DoD/RCs Section I.E.: Describes Reserves "B" and "C" and not "D."
33. DoD/RCs Section I.E.: Missing term "Owners" in POA.
34. DoD/RCs Section I.E.: Occurrence of "Homeowners' Association" instead of POA.
35. DoD/RCs Section I.H.4.: Formatting error.
36. DoD/RCs Section I.J.: Needs to specify developer's responsibility for constructing sidewalks along Reserve Areas.
37. DoD/RCs Section II.: Property Owners' Association language should be modified to reflect that mandatory membership, dues, and other association benefits and obligations extend to owners of tracts which may be split from platted lots.
38. DoD/RCs Section II.: Uses Arabic numerals for section headers instead of capitalized letters as used elsewhere throughout DoD/RCs.
39. DoD/RCs Section II.1.: Consider referencing pending plat of "Brookover Corner II" as concerns membership in the POA.

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40. DoD/RCs Section II.2.: Please replace term “may” with “shall” (mandatory) in the following “...Membership shall be appurtenant to and shall not be separated...”
41. DoD/RCs Section II.2.: Occurrence of “Brookover Corner I” POA.
42. DoD/RCs Section II.2.: References [DoD/RCs] Section IV. which does not exist.
43. DoD/RCs Section II.2.: References “Architectural Committee” not elsewhere formed or identified in the DoD/RCs.
44. DoD/RCs Section III.: Two (2) underlined Section I titles “Utilities” which does not match full name for same (“Public Streets and Utilities”).

ATTACHMENTS:

1. Case Map
2. Final Plat of “Brookover Corner I”

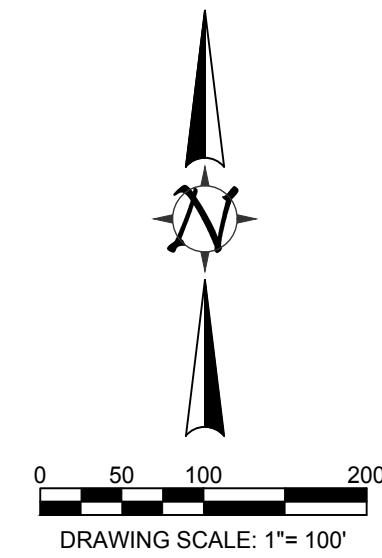


DRAFT FINAL PLAT FOR Brookover Corner I

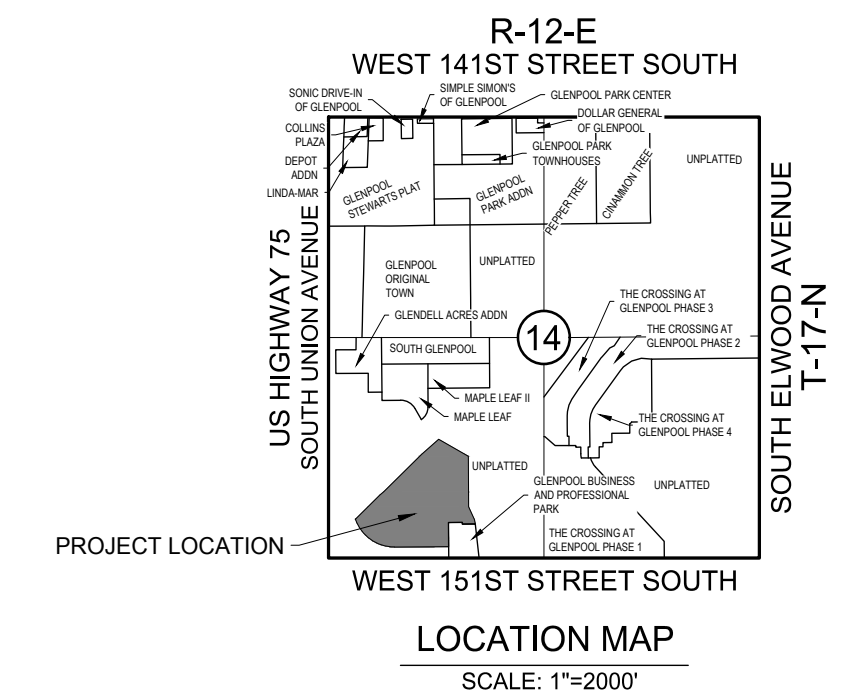
A SUBDIVISION IN THE SOUTHWEST QUARTER (SW/4) OF SECTION FOURTEEN (14),
TOWNSHIP SEVENTEEN (17) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND
MERIDIAN, CITY OF GLENPOOL, TULSA COUNTY, STATE OF OKLAHOMA.

ENGINEER/SURVEYOR
AAB ENGINEERING LLC
CERTIFICATE OF AUTHORIZATION NO. 6318, EXP. JUNE, 30, 2020
PO BOX 2136
SAND SPRINGS, OK 74063
PHONE: 918.514.4283
FAX: 918.514.4288
EMAIL: ALAN@AABENG.COM

OWNER/DEVELOPER
MOAB HOLDINGS GLENPOOL, LLC
9924 S. JAMESTOWN AVE.
TULSA, OK 74112



CURVE #	LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING
C1	33.36'	755.00'	33.35'	S46°17'24"E
C2	25.47'	695.00'	25.47'	S46°30'21"E
C3	177.06'	220.00'	172.32'	N24°29'57"W
C4	225.35'	280.00'	219.32'	N24°29'57"W
C5	15.71'	5.00'	10.00'	N88°33'27"E
C6	15.71'	5.00'	10.00'	S88°33'27"W



LEGEND

- BL..... BUILDING LINE
- POB..... POINT OF BEGINNING
- POC..... POINT OF COMMENCEMENT
- R.O.W..... RIGHT OF WAY
- U/E..... UTILITY EASEMENT
- FF..... FINISH FLOOR ELEVATION
- BK..... BOOK
- PG..... PAGE
- IPF..... IRON PIN FOUND
- IPS..... IRON PIN SET
- XXXXX..... STREET ADDRESS

SUBDIVISION STATISTICS

SUBDIVISION CONTAINS FIVE (5) LOTS IN TWO (2) BLOCKS AND FOUR (4) RESERVE AREAS.

BLOCK 1.....	6.90 ACRES - 4 LOTS
BLOCK 2.....	4.36 ACRES - 1 LOT
RESERVE A.....	1.83 ACRES
RESERVE B.....	3.01 ACRES
RESERVE C.....	9.68 ACRES
RESERVE D.....	0.00 ACRES
TOTAL.....	26.67 ACRES

SUBDIVISION DATA

BENCHMARK
RAILROAD SPIKE SET IN LIGHT POLE SOUTHEAST OF 146TH STREET AND SOUTH CASPER STREET WEST.
ELEV=699.84' (NAVD 88)

BASIS OF BEARINGS
ASSUMED BEARING OF THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION FOURTEEN (14) TOWNSHIP 17 NORTH, RANGE 12 EAST BEING N88°48'14"W

MONUMENTATION
A 3/8" X 1/8" REBAR WITH A YELLOW PLASTIC CAP STAMPED "CA6318" TO BE SET AT ALL LOT CORNERS, POINTS OF CURVE, POINTS OF TANGENT, POINTS OF COMPOUND CURVE, POINTS OF REVERSE CURVE, UNLESS NOTED OTHERWISE.

ADDRESSES
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 THE PROPERTY ARE LOCATED WITHIN ZONE AE, ZONE A, SHADED ZONE X, ZONE X AND ZONE AE FLOODWAY AREA AS SHOWN ON FIRM PANEL "4013C0409K" DATED AUGUST 3, 2009.

UTILITY CONTACTS

WATER AND SEWER CITY OF GLENPOOL 14526 S. ELWOOD GLENPOOL, OK 74033 918-322-5443	PUBLIC SERVICE COMPANY OF OKLAHOMA 212 E. 6TH ST. TULSA, OK 74119 1-888-216-3523
OKLAHOMA NATURAL GAS COMPANY 2319 W. EDISON ST. TULSA, OK 74127 918-834-8000	AT&T 800-464-7928

CERTIFICATE OF APPROVAL

CITY PLANNING COMMISSION APPROVAL

I HEREBY CERTIFY THAT THIS PLAT WAS APPROVED BY THE GLENPOOL PLANNING COMMISSION ON _____

CHAIRPERSON, VICE CHAIRPERSON OR SECRETARY

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

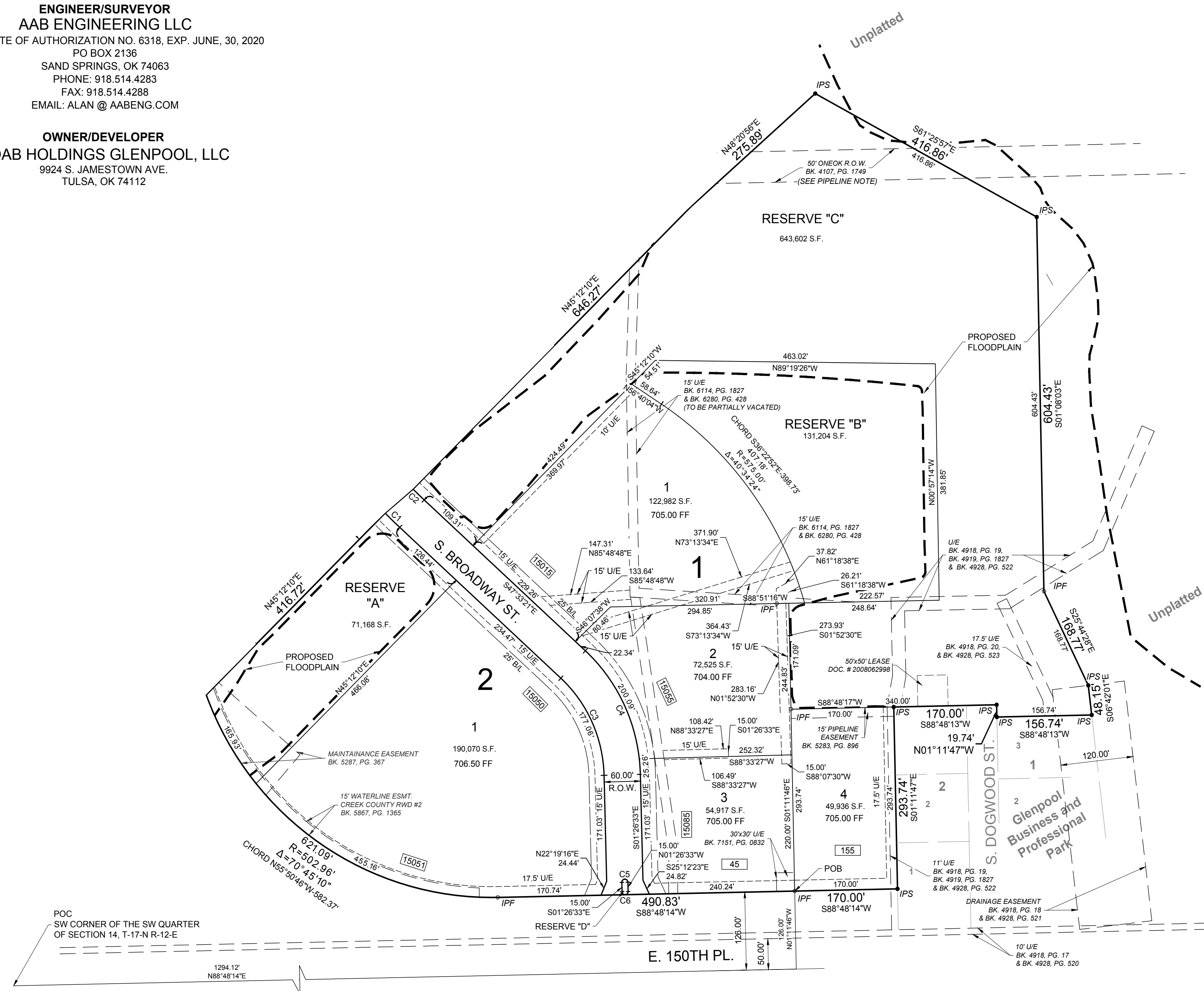
MAYOR OR VICE MAYOR

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

CITY MANAGER

PIPELINE NOTE

THE 50 FOOT WIDE PIPELINE RIGHT OF WAY EASEMENT DEPICTED ON THIS PLAT IS CURRENTLY OWNED BY ONEOK GAS TRANSPORTATION, L.L.C. BOOK 4107, PAGE 1749. NO LAKE, POND, BUILDING OR OTHER STRUCTURE OF A PERMANENT NATURE MAY BE CONSTRUCTED UPON OR OVER SAID EASEMENT WITHOUT THE WRITTEN CONSENT OF THE EASEMENT HOLDER.



DRAFT FINAL PLAT FOR **Brookover Corner I**

A SUBDIVISION IN THE SOUTHWEST QUARTER (SW/4) OF SECTION FOURTEEN (14), TOWNSHIP SEVENTEEN (17) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF GLENPOOL, TULSA COUNTY, STATE OF OKLAHOMA.

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS: MOAB HOLDINGS GLENPOOL, LLC., HEREINAFTER REFERRED TO AS THE "OWNERS", IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF GLENPOOL, TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT:

A TRACT OF LAND IN THE SOUTHWEST QUARTER (SW/4) OF SECTION FOURTEEN (14), TOWNSHIP SEVENTEEN (17) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER (SW/4); THENCE NORTH 88°48'14" EAST ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER (SW/4) A DISTANCE OF 1294.12 FEET; THENCE NORTH 01°11'46" WEST A DISTANCE OF 126.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 88°48'14" WEST ALONG THE NORTHERLY RIGHT OF WAY LINE FOR STATE HWY 67 A DISTANCE OF 490.83 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT; THENCE ALONG SAID CURVE TO THE RIGHT BEING THE EASTERLY RIGHT OF WAY FOR HIGHWAY 75 HAVING A RADIUS OF 502.96 FEET, A CENTRAL ANGLE OF 70°45'10", A CHORD BEARING AND DISTANCE OF NORTH 55°50'46" WEST FOR 582.37 FEET, FOR AN ARC LENGTH OF 621.09 FEET; THENCE NORTH 45°12'10" EAST A DISTANCE OF 416.72 FEET; THENCE NORTH 49°57'47" EAST A DISTANCE OF 60.25 FEET; THENCE NORTH 45°12'10" EAST A DISTANCE OF 646.27 FEET; THENCE NORTH 48°20'56" EAST A DISTANCE OF 275.89 FEET; THENCE SOUTH 61°25'57" EAST A DISTANCE OF 416.88 FEET; THENCE SOUTH 01°08'03" EAST A DISTANCE OF 604.43 FEET; THENCE SOUTH 25°42'28" EAST A DISTANCE OF 188.77 FEET; THENCE SOUTH 06°42'01" EAST A DISTANCE OF 48.15 FEET; THENCE SOUTH 88°48'13" WEST A DISTANCE OF 156.74 FEET; THENCE NORTH 01°11'47" WEST A DISTANCE OF 19.74 FEET; THENCE SOUTH 88°48'13" WEST 170.00 FEET; THENCE SOUTH 01°11'47" EAST A DISTANCE OF 293.74 FEET; THENCE SOUTH 88°48'14" WEST A DISTANCE OF 170.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 1,161,644 SQUARE FEET OR 26.67 ACRES, MORE OR LESS.

AND HAS CAUSED THE ABOVE DESCRIBED TRACT OF LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO 5 LOTS IN 2 BLOCKS AND 3 RESERVES, IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS "BROOKOVER CORNER I", A SUBDIVISION IN THE CITY OF GLENPOOL, TULSA COUNTY, OKLAHOMA (HEREINAFTER REFERRED TO AS "BROOKOVER CORNER I" 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 FOR THE SUBDIVISION OF THE ABOVE DESCRIBED LAND WHICH SHALL BE DESIGNATED AND REFERRED TO HEREIN AS "BROOKOVER CORNER I".

SECTION I. PUBLIC STREETS AND UTILITIES

A. 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 "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 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 OF 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 HEREBY IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF GLENPOOL, 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 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.

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 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 GLENPOOL, WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS SHALL BE PROHIBITED.
3. THE CITY OF GLENPOOL, 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 GLENPOOL, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY 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 GLENPOOL, OKLAHOMA, OR ITS SUCCESSORS, AND THE OWNER OF EACH LOT AGREES TO BE BOUND BY THESE COVENANTS.

C. RESERVE 'B' (STORMWATER DETENTION EASEMENT)

1. THE OWNERS DO HEREBY DEDICATE TO THE PROPERTY OWNERS' ASSOCIATION A PERPETUAL EASEMENT ON, OVER, AND ACROSS THE PROPERTY DESIGNATED AND SHOWN ON THE ACCOMPANYING PLAT AS RESERVE 'B' FOR THE PURPOSES OF PERMITTING THE FLOW, CONVEYANCE, RETENTION, DETENTION AND DISCHARGE OF STORMWATER RUNOFF FROM THE SUBDIVISION.
2. DETENTION, RETENTION AND OTHER DRAINAGE FACILITIES LOCATED WITHIN THE RESERVE 'B' SHALL BE CONSTRUCTED IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY THE CITY OF GLENPOOL, OKLAHOMA.
3. NO FENCE, WALL, BUILDING, OR OTHER OBSTRUCTION MAY BE PLACED OR MAINTAINED IN RESERVE 'B' NOR SHALL THERE BE ANY ALTERATION OF GRADE IN SAID EASEMENTS UNLESS APPROVED BY THE CITY OF GLENPOOL, OKLAHOMA.
4. DETENTION, RETENTION, AND OTHER DRAINAGE FACILITIES SHALL BE MAINTAINED BY THE PROPERTY OWNERS' ASSOCIATION TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED DRAINAGE, RETENTION, AND DETENTION FUNCTIONS INCLUDING REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION. DETENTION FACILITIES SHALL BE MAINTAINED BY THE PROPERTY OWNERS' ASSOCIATION IN ACCORDANCE WITH THE FOLLOWING MINIMUM STANDARDS:
a. GRASS AREAS SHALL BE MOWED (IN SEASON) AT REGULAR INTERVALS OF FOUR WEEKS, OR LESS.
b. CONCRETE APPURTENANCES SHALL BE MAINTAINED IN GOOD CONDITION AND REPLACED IF DAMAGED.
c. THE DETENTION EASEMENT SHALL BE KEPT FREE OF DEBRIS.
5. LANDSCAPING, APPROVED BY THE CITY OF GLENPOOL, OKLAHOMA, SHALL BE ALLOWED WITHIN THE RESERVE 'B'.
6. OWNERS FURTHER DEDICATE RESERVE 'B' AS UTILITY EASEMENTS FOR THE PURPOSES SET OUT IN SECTION I PARAGRAPHS A AND B.

OWNER/DEVELOPER MOAB HOLDINGS GLENPOOL, LLC 9924 S. JAMESTOWN AVE. TULSA, OK 74112

ENGINEER/SURVEYOR AAB ENGINEERING LLC CERTIFICATE OF AUTHORIZATION NO. 6318, EXP. JUNE, 30, 2020 PO BOX 2136 SAND SPRINGS, OK 74063 PHONE: 918.514.4283 FAX: 918.514.4288 EMAIL: ALAN @ AABENG.COM

SECTION III. 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 GLENPOOL, 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 HEREINAFTER 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 GLENPOOL PLANNING COMMISSION, OR ITS SUCCESSORS, AND THE CITY OF GLENPOOL, 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: MOAB HOLDINGS GLENPOOL, LLC. HAS EXECUTED THIS INSTRUMENT THIS ___ DAY OF ___, 2019.

MOAB HOLDINGS GLENPOOL, LLC.

BY: AS MANAGER OF MOAB DEVELOPMENT 1, LLC. AS MANAGER OF MOAB HOLDINGS GLENPOOL, LLC.

STATE OF OKLAHOMA))SS COUNTY OF TULSA)

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ON THIS ___ DAY OF ___, 2019, PERSONALLY APPEARED ERIC WALLER, MANAGER OF MOAB HOLDINGS GLENPOOL, LLC., TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSE THEREIN SET FORTH.

NOTARY PUBLIC MY COMMISSION EXPIRES: COMMISSION NUMBER:

CERTIFICATE OF SURVEY

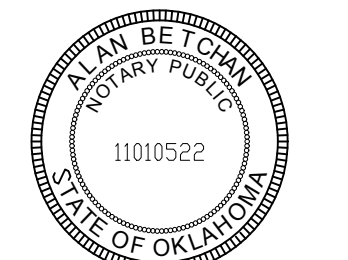
I, JAY P. BISSELL, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT I HAVE SURVEYED, SUBDIVIDED AND PLATTED THE ABOVE TRACT DESIGNATED AS "BROOKOVER CORNER I" A SUBDIVISION IN THE CITY OF GLENPOOL, TULSA COUNTY, STATE OF OKLAHOMA. THE ABOVE PLAT IS AN ACCURATE REPRESENTATION OF SAID SURVEY AND MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR THE PROFESSIONAL ENGINEERS AND LAND SURVEYORS. LAST SITE VISIT: NOVEMBER 27TH, 2018.

JAY P. BISSELL REGISTERED PROFESSIONAL LAND SURVEYOR OKLAHOMA NO. 1318

STATE OF OKLAHOMA))SS COUNTY OF TULSA)

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ON THIS ___ DAY OF ___, 2019, PERSONALLY APPEARED JAY P. BISSELL, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSE THEREIN SET FORTH.

NOTARY PUBLIC MY COMMISSION EXPIRES: NOVEMBER 20, 2019 COMMISSION NUMBER: 11010522



BROOKOVER CORNER I Sheet 2 of 2