

SITE DATA

BENCHMARK CHISELED SQUARE ON CONCRETE UTILITY POLE BASE LOCATED APPROXIMATELY 48 FEET EAST AND 277 FEET SOUTH OF THE NORTHWEST CORNER OF THE PROPERTY. ELEVATION=682.44' (NAVD 88)

BASIS OF BEARINGS OKLAHOMA STATE PLANE COORDINATE SYSTEM-OKLAHOMA NORTH ZONE 3501 U.S. SURVEY FEET (NAD83) BEARINGS BASED ON THE WEST LINE OF NORTHWEST QUARTER OF SECTION 32 BEING NORTH 01°15'29" WEST.

CERTIFICATE OF SURVEY

THIS PLAT OF SURVEY MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEER AND LAND SURVEYORS. DATE OF LAST VISIT 6-8-2018.

211,073 SF± / 4.85 ACRES±

50'R/W

(BY PLAT. #6703)

no

Street

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Tulsa County Clerk - Michael Willis Doc # 6846 Page(s): 2 Recorded 04/04/2019 04:29:01 PM Receipt # 19-17508 Fees: \$15.00



A RESUBDIVISION OF PART OF LOT ONE (1), BLOCK ONE (1), BRIGHTON GARDENS OF TULSA, A SUBDIVISION OF THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, AND PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION THIRTY-TWO (32), TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE & MERIDIAN.

S01°18'22"E

659.26'

4835 S. PEORIA AVE. PHONE: (918) 747-8612 CONTACT: PHILIP B. ALLEN

ENGINEER/SURVEYOR:

AAB ENGINEERING, LLC CERTIFICATE OF AUTHORIZATION NO. 6318, EXP. JUNE 30, 2020 P.O. BOX 2136

17.5' U/E & B/L (BY PLAT #5258)

r− 15' U/E

SET MAG NAIL W/ FLASHER

S0,1°15'29"E

SET MAG NAIL W/ FLASHER

SIDEWALK EASEMENT

STAMPED AAB CA 6318

S88°44'31"W

STAMPED AAB CÁ 6318

S47°29'28"W

- DEDICATED BY THIS PLAT

N01°15'29"W

ACCESS

12.19'

8.00'

TO BE CLOSED AND VÄCATED

LOT 2

85,028 SF

SOUTH LEWIS AVENUE

50' B/L (BY PLAT #5258) TO BE CLOSED AND VACATED

L.N.A.

50' B/L

17.5' U/E

SAND SPRINGS, OKLAHOMA 74063 PHONE: (918) 514-4283 **EMAIL: ALAN@AABENG.COM** CONTACT: ALAN BETCHAN

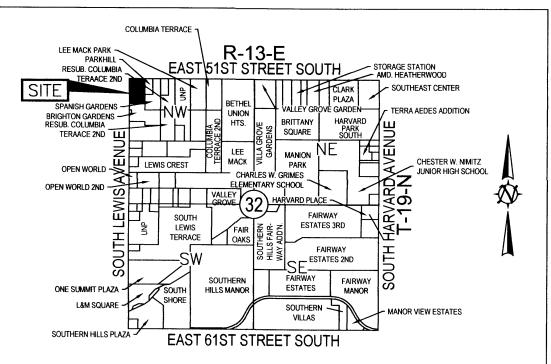
CERTIFICATE

I hereby certify that all real estate taxes involved in this plat have been paid as reflected by the current tax rolls. Security as required has been provided in the amount of \$29,756.00 per trust receipt no.15773 to be applied to 2019 taxes. This certificate is NOT to be construed as payment of 2019 taxes in full but is given in order that this plat may be filed on record. 2019 taxes may exceed the amount of the security deposit.

Dated: 04/04/2019.

-17.5' U/E & B/L (BY PLAT #5258)

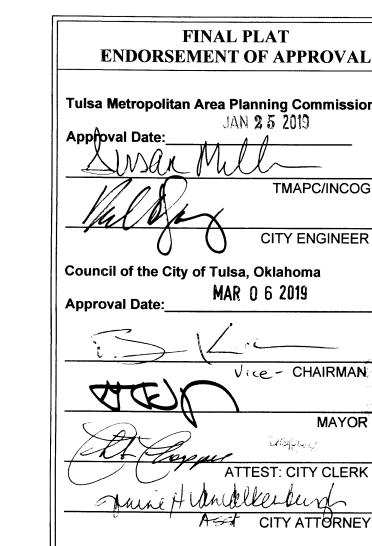
TO BE CLOSED AND VACATED



LOCATION MAP SCALE: 1"=2000'

SUBDIVISION STATISTICS

SUBDIVISION CONTAINS 2 LOTS IN 1 BLOCK BLOCK 1 AREA: 3.76 ACRES (163,601 SF)



CONTACTS

MUNICIPAL AUTHORITY

CITY OF TULSA 175 EAST 2ND STREET, SUITE 690 TULSA, OK 74103

UTILITY CONTACTS

OKLAHOMA NATURAL GAS COMPANY 2319 W. EDISON ST. TULSA, OK 74127 918-834-8000

OF OKLALHOMA 212 E. 6TH ST. TULSA, OK 74119 1-888-216-3523

5303 E. 71ST STREET TULSA,OK 74136 918-596-6422

11811 EAST 51ST STREET TULSA,OK 74145 918-286-4658

FLOODPLAIN

LOCATED WITHIN ANY PRESENTLY ESTABLISHED 100-YEAR FLOOD PLAIN, AS SHOWN BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP FOR THE COUNTY OF TULSA, OKLAHOMA, COMMUNITY PANEL NUMBER 40143C0354L EFFECTIVE

- 17.5' U/E (BY PLAT #5258) TO BE CLOSED AND VACATED

WEST LINE SECTION 32

ACCESS

OCTOBER 16, 2012.

SET MAG NAIL W/ FLASHER STAMPED AAB CA 6318

OWNER: FIKES CENTER, LLC **TULSA, OKLAHOMA 74105**

LOT 1

78,573 SF

SOUTH LEWIS AVENUE

PROPOSED SIDEWALK EASEMENT

89.48

105.06'

L.N.A.

SET MAG NAIL W/ FLASHER -STAMPED AAB CA 6318

35'

ACCESS

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.

LEGEND BUILDING LINE LIMITS OF NO ACCESS

P.O.C. P.O.B.

.UTILITY EASEMENT ...POINT OF BEGINNING ..SOUTHWEST CORNER ..SOUTH EAST CORNER ..IRON PIN FOUND .RIGHT OF WAY .. GENERAL WARRANTY DEED

P.O.B. -NORTHWEST CORNER NORTHWEST QUARTER (NW/4) SECTION 32, T-19-N, R-13-É

South Lewis Avenue

116.56

SET MAG NAIL W/ FLASHER

STAMPED AAB CA 6318

.. POINT OF COMMENCEMENT IRON PIN SET WITH CAP 6318

PUBLIC SERVICE COMPANY

COX COMMUNICATIONS

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.

THIS PROPERTY LIES IN UNSHADED ZONE "X" AND IS NOT

QuikTrip No. 0030 PREPARED: JANUARY 14, 2019 Sheet 1 of 2 A RESUBDIVISION OF PART OF LOT ONE (1), BLOCK ONE (1), BRIGHTON GARDENS OF TULSA, A SUBDIVISION OF THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, AND PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION THIRTY-TWO (32), TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE & MERIDIAN.

OWNER:

FIKES CENTER, LLC 4835 S. PEORIA AVE. TULSA,OKLAHOMA 74105 PHONE: (918) 747-8612 CONTACT: PHILIP B. ALLEN

ENGINEER/SURVEYOR:

AAB ENGINEERING, LLC
CERTIFICATE OF AUTHORIZATION NO. 6318, EXP. JUNE 30, 2020
P.O. BOX 2136
SAND SPRINGS, OKLAHOMA 74063
PHONE: (918) 514-4283
EMAIL: ALAN@AABENG.COM
CONTACT: ALAN BETCHAN

Deed of Dedication

QuikTrip No. 0030

KNOW ALL BY THESE PRESENTS:

FIKES CENTER, LLC, IS THE OWNER OF THE PROPERTY AS DEPICTED ON THE ATTACHED PLAT AND IS HEREINAFTER REFERRED TO AS THE "OWNER", SAID PROPERTY BEING MORE COMPLETELY DESCRIBED AS FOLLOWS, TO-WIT:

A TRACT OF LAND THAT IS A RESUBDIVISION OF PART OF LOT ONE (1), BLOCK ONE (1), BRIGHTON GARDENS OF TULSA, A SUBDIVISION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 5258, AND PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION THIRTY-TWO (32), TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTEEN (13) 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 DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID NW/4 OF SECTION 32; THENCE NORTH 88°35'36" EAST ALONG THE NORTHERLY LINE OF SECTION 32 FOR 330.05 FEET; THENCE SOUTH 01°18'22" EAST ALONG THE NORTHERLY EXTENSION OF AN EASTERLY LINE OF SAID LOT ONE (1), BRIGHTON GARDENS OF TULSA, THE SAME BEING THE NORTHERLY EXTENSION OF THE WESTERLY LINE OF LOT ONE (1), BLOCK ONE (1), SPANISH GARDENS ADDITION, A SUBDIVISION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING THE THE RECORDED PLAT NO. 3035, AND ALONG THE COMMON LINES THEREOF, FOR 659.26 FEET TO A CORNER OF SAID LOT ONE (1), BRIGHTON GARDENS OF TULSA, THE SAME BEING THE SOUTHWEST CORNER OF SAID LOT ONE (1), SPANISH GARDENS ADDITION; THENCE SOUTH 88°38'17" WEST ALONG A WESTERLY EXTENSION OF THE SOUTHERLY LINE OF SAID LOT ONE (1) SPANISH GARDENS ADDITION THEREOF, FOR 330.61 FEET TO A POINT ON THE WESTERLY LINE OF SECTION 32; THENCE NORTH 01°15'29" WEST ALONG SAID WESTERLY LINE FOR 659.01 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

LESS AND EXCEPT A STRIP, PIECE OR PARCEL OF LAND LYING IN PART OF THE NW1/4 NW1/4 NW1/4 OF SECTION 32, T19N, R13E, IN TULSA COUNTY OKLAHOMA. SAID PARCEL OF LAND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT WHERE THE PRESENT SOUTH RIGHT-OF-WAY LINE OF 51ST STREET SOUTH INTERSECTS THE PRESENT EAST RIGHT-OF-WAY OF LEWIS AVENUE, THENCE NORTH 88°35'36"EAST ALONG SAID PRESENT EAST RIGHT-OF-WAY LINE OF 51ST STREET SOUTH A DISTANCE OF 75.00 FEET, THENCE SOUTH 46°45'03"WEST A DISTANCE OF 45.75 FEET, THENCE SOUTH 06°06'56"WEST A DISTANCE OF 85.71 FEET, THENCE SOUTH 12°14'15"WEST A DISTANCE OF 128.55 FEET TO A POINT ON THE PRESENT EAST RIGHT-OF-WAY LINE OF LEWIS AVENUE, THENCE NORTH 01°15'29"WEST ALONG SAID PRESENT EAST RIGHT OF WAY LINE A DISTANCE OF 240.41 FEET TO POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 211,073 SQUARE FEET OR 4.846 ACRES, MORE OR LESS.

THIS PROPERTY DESCRIPTION WAS PREPARED ON MAY 8, 2018 BY JAY P. BISSELL, LICENSED PROFESSIONAL LAND SURVEYOR NO. 1318. BASIS OF BEARINGS OF PROPERTY DESCRIPTION IS THE WEST LINE OF NORTHWEST QUARTER OF SECTION 32 BEING NORTH 01°15'29" WEST.

THE OWNER HAS CAUSED THE ABOVE DESCRIBED TRACT OF LAND TO BE SURVEYED, STAKED, PLATTED AND COMBINED INTO TWO (2) LOTS, ONE (1) BLOCK, IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS "QUIKTRIP NO. 0030", A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA (HEREINAFTER REFERRED TO AS "QUIKTRIP NO. 0030" OR THE "SUBDIVISION").

SECTION I. PUBLIC STREETS AND UTILITIES

A. PUBLIC STREETS AND UTILITY EASEMENTS

1. 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, 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 HEREIN IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA (HEREINAFTER THE "CITY"), 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
- 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 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 LOT OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OWNER, OR THE LOT 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 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 UPON THE ACCOMPANYING PLAT, PROVIDED THE CITY OF THISA, OKLAHOMA, OR ITS SUCCESSORS, OR THE SUPPLIER OF THE UTILITY SERVICE SHALL USE REASONABLE CARL IN THE PERFORMANCE OF SUCH ACTIVITIES.

D. <u>UTILITY SERVICE</u>

- OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED WITHIN THE EASEMENTS ABUTTING STREET RIGHT-OF-WAY. STREET LIGHT POLES OR STANDARDS 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 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, 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, REMOVING 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 LOT OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF LOT THE OWNER OR THE LOT 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 LOT OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OWNER, OR THE LOT 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 INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO SOUTH LEWIS AVENUE AND EAST 51ST STREET SOUTH WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" OR "L.N.A." ON THE ACCOMPANYING PLAT, WHICH LIMITS OF NO ACCESS MAY BE AMENDED OR RELEASED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSOR, WITH THE APPROVAL OF THE CITY OF TULSA, OKLAHOMA, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA PERTAINING THERETO, AND THE LIMITS OF NO ACCESS ESTABLISHED ABOVE SHALL BE ENFORCEABLE BY THE CITY OF TULSA OKLAHOMA.

SURFACE DRAINAGE

LACH LOT WITHIN THE SUBDIVISION 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 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.

J. <u>SIDEWALKS</u>

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 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.

I. 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 OF TULSA, OKLAHOMA. 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 PHASING OF THE CONSTRUCTION OF INFRASTRUCTURE WITHIN THE SUBDIVISION, AND IF PHASING IS AUTHORIZED, A CERTIFICATE OF OCCUPANCY FOR A BUILDING WITHIN AN AUTHORIZED PHASE MAY ISSUE 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 THE RISK OF THE OWNER OF THE LOT, NOTWITHSTANDING THE ISSUANCE OF A BUILDING PERMIT OR OF A TEMPORARY CERTIFICATE OF OCCUPANCY.

J. SIDEWALK EASEMENT

THE OWNER HEREBY DEDICATES TO THE PUBLIC A PERPETUAL EASEMENT ON, OVER AND ACROSS THE AREA DEPICTED ON THE ACCOMPANYING PLAT AS "SIDEWALK EASEMENT" OR "S/E" FOR CONSTRUCTION, MAINTENANCE AND USE AS A PUBLIC SIDEWALK. THE OWNER SHALL CONSTRUCT AND MAINTAIN THE SIDEWALK WITHIN THE SIDEWALK EASEMENT. WITH THE EXCEPTION OF THE SIDEWALK, NO BUILDING, STRUCTURE, FENCE, WALL OR OTHER ABOVE GROUND OBSTRUCTION SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED WITHIN THE SIDEWALK EASEMENT.

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. PUBLIC STREETS AND 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. IF ANY JUDICIAL ACTION IS BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED IN THIS DEED OF DEDICATION THE DEFENSE THAT THE PARTY INITIATING THE EQUITABLE PROCEEDING HAS AN ADEQUATE REMEDY AT LAW IS HEREBY WAIVED.

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 EACH, UNLESS TERMINATED OR AMENDED AS HEREINAFTER PROVIDED.

C. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I. PUBLIC STREETS AND UTILITIES, MAY BE AMENDED OR TERMINATED AT ANY TIME WHETHER BEFORE OR AFTER THE PERIOD(S) SPECIFIED IN SUBSECTION B., BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LOT 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 OR ANY PART THEREOF AS SET FORTH HEREIN, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF: "THE OWNER" HAS EXECUTED THIS INSTRUMENT THIS 14TH DAY OF JANUARY, 2019.

FIKES CENTER, LLC

BY: MINISTER

STATE OF OKLAHOMA

)

COUNTY OF TULSA)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS 14TH DAY OF JANUARY, 2019, BY Philip B. Aller AS MANAGER OF FIKES CENTER, LLC.

Teres Scott

COMMISSION NUMBER: 0200 6670

CERTIFICATE OF SURVEY

I, JAY P. BISSELL, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT I HAVE SURVEYED, SUBDIVIDED, AND PLATTED THE ABOVE TRACT DESIGNATED AS "QUIKTRIP NO. 0030", A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA. THE ABOVE PLAT IS AN ACCURATE REPRESENTATION OF SAID SURVEY.

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 14TH DAY OF JANUARY 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
COMMISSION NUMBER: 11010522

EXPIRES: 11-20-2019



QuikTrip No. 0030
PREPARED: JANUARY 14, 2019