AG Zoning Oak Timber

Legend

50' Pipeline Easement

R=150.00'

- 41.46'

R=150.00'

Δ=12°07'44"

~ 31.75'

S 79°02'14" E

N 88°50'01" E 35' Roadway

Δ =12°07'44" Page 181)

(Book 646,

BUILDING SETBACK LINE .. FENCE AND LANDSCAPE EASEMENT ..LIMITS OF NO ACCESS ..OVERLAND DRAINAGE EASEMENT .. SQUARE FEET .. UTILITY EASEMENT

...STREET ADDRESS

...ROADWAY EASEMENT AREA

A SUBDIVISION IN CREEK COUNTY, STATE OF OKLAHOMA, BEING A PART OF THE NE/4 OF SECTION TWENTY (20), TOWNSHIP SEVENTEEN (17) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, CREEK COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF.

Surveyor

FRITZ LAND SURVEYING, LLC

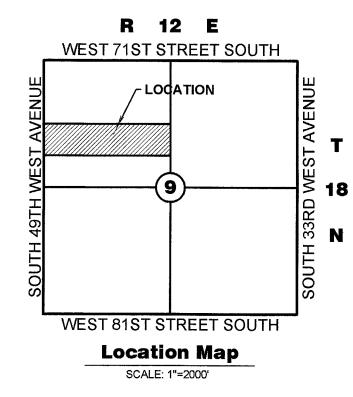
2017 WEST 91ST STREET

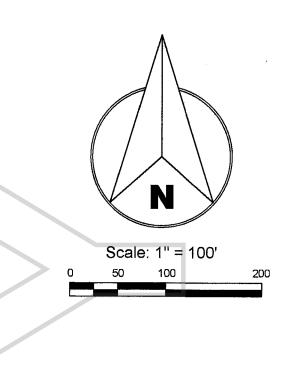
TULSA, OKLAHOMA 74132

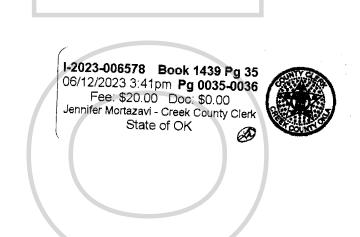
PHONE: (918) 231-0575

EMAIL: fritzlandsurveying@gmail.com C.A. # 5848 EXPIRES: 6-30-2024

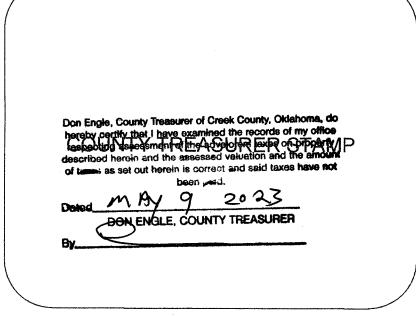
THIS SUBDIVISION IS DESIGNED IN **ACCORDANCE WITH OKLAHOMA** DEPARTMENT OF ENVIRONMENTAL QUALITY (ODEQ) REQUIREMENTS FOR MINIMUM LOT SIZE FOR INDIVIDUAL SEPTIC SYSTEMS FOR EACH LOT











Unplatted POINT OF BEGINNING

238562.48 SF

5.477 AC

17.5' U/E -

109039.15 SF 2.503 AC 109039.59 SF

Existing -

35' Roadway

Easement

(Book 401,

Page 715)

REFER TO SECTION I - SUBSECTION D.3

WITHIN THE ATTACHED RESTRICTIVE COVENANTS

50' ONG Right-of-Way -

(Book 400, Page 865)

Unplatted

Owner / Developer

B OAKS DEVELOPMENT, LLC

7311 EAST 41ST STREET, SUITE A

TULSA, OKLAHOMA 74145

PHONE: (918) 900-2221

MR. MICHAEL D. BOLICK

161836.60 SF 3.715 AC

109040.35 SF

2.503 AC

17.5' U/E 🥆

S 88°50'01" W

N 88°50'02" E 2653.04'

______489.79'______

WITHIN THE ATTACHED RESTRICTIVE COVENANTS

50' ONG Right-of-Way -(Book 400, Page 1485)

REFER TO SECTION I - SUBSECTION D.3

109040.35 SF

10' PSO Easement

(Book 370, Page 1915)

NO DIGGING, BUILDING OR DISTURBANCE ALLOWED WITHIN THE SOUTH 50' OF LOTS 9 AND 10

30' B/L -

Engineer

ENGINEERED BY DESIGN, PLLC

P.O. BOX 15567

DEL CITY, OKLAHOMA 73155

PHONE: (405) 234-0980 EMAIL: ahale@engineeredbydesign.pro

C.A. # 7655 EXPIRES 6-30-2024

Unplatted

450.00'

30' B/L

140' Pipeline Right-of-Way -

N 88°50'01" E

(120' Diameter)

Roadway & Utility Easement

40' Pipeline Right-of-Way

Unplatted

219145.13 SF

(Book 494, Page 1132)

33' Pipeline Right-of-Way -(Book 14, Page 831)

563.86'

Unplatted

Unplatted

330.00'

109040.35 SF

2.503 AC

Approximate Location -

(Book 370, Page 1915)

5' Underground Right-of-Way

Unplatted

2.503 AC

Subdivision Statistics

SUBDIVISION CONTAINS TWELVE (12) LOTS IN ONE (1) BLOCK

GROSS SUBDIVISION AREA: 1,753,238.60 SF / 40.249 AC

Basis of Bearings

OKLAHOMA STATE PLANE COORDINATE SYSTEM, OK NORTH ZONE 3501, NAD83, USING THE WEST LINE OF THE NW/4 OF SECTION 9, T18N, R12E AS NORTH 01°15'39" WEST.

Monumentation

ALL CORNERS SHOWN HEREON WERE SET USING A 3/8" x 18" STEEL PIN WITH A GREEN PLASTIC CAP STAMPED "FRITZ CA5848".

Benchmark

Proposed -

60' Roadway &

719.15'

Utility Easement

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, CREEK COUNTY, OKLAHOMA AND INCORPORATED AREAS, MAP NO. 40037C0195D - MAY 18, 2009, WHICH INDICATES THE SUBJECT PROPERTY TO BE WITHIN UNSHADED ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN).

OAK TIMBER DEED OF DEDICATION & RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

B OAKS DEVELOPMENT, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HEREINAFTER REFERRED TO AS THE "OWNER/DEVELOPER" IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN CREEK COUNTY, STATE OF OKLAHOMA:

THE NORTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER (N/2 S/2 NW/4) OF SECTION NINE (9), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, CREEK COUNTY, OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

THE OWNER/DEVELOPER HAS CAUSED THE SUBDIVISION PARCEL TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO LOTS AND BLOCKS, IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS 'OAK TIMBER', A SUBDIVISION IN CREEK COUNTY, STATE OF OKLAHOMA.

SECTION I. EASEMENTS AND UTILITIES

A. UTILITY EASEMENTS

THE OWNER/DEVELOPER DOES HEREBY DEDICATE FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT AS "U/E" OR "UTILITY EASEMENT", FOR OWNER/DEVELOPER AND ALL UTILITY SERVICES WITH FRANCHISE RIGHTS WITHIN CREEK COUNTY FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER APPURTENANCES THERETO, WITH RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES AFORESAID; PROVIDED HOWEVER, THE OWNER/DEVELOPER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RE-LAY ALL UTILITY LINES, INCLUDING WATER LINES, EXCLUDING GAS LINES AND GAS SERVICE LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING AND RE-LAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER SERVICE AND ALL UTILITY SERVICES, EXCLUDING NATURAL GAS, TO THE AREA INCLUDED IN THE PLAT AND ELSEWHERE, AS MAY BE REQUIRED. THE OWNER/DEVELOPER HEREIN IMPOSES A RESTRICTIVE COVENANT, WHICH SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY CREEK COUNTY, 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 SHALL BE PLACED ERECTED, INSTALLED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING, CUSTOMARY SCREENING FENCES AND WALLS THAT DO NOT CONSTITUTE AN OBSTRUCTION

B. UNDERGROUND SERVICE

- 1. OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED ALONG THE WESTERN AND SOUTHERN PERIMETER EASEMENTS OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY UNDERGROUND CABLE. ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN THE EASEMENT WAYS DEDICATED FOR GENERAL UTILITY SERVICES AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE EASEMENT WAYS.
- 2. UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WHICH ARE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE AS MAY BE LOCATED UPON THE LOT, PROVIDED THAT UPON THE 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 RIGHT-OF-WAY 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 SERVICES, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL EASEMENT WAYS 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 THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON HIS 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 SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, 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.
- 5. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY EACH SUPPLIER OF THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

C. WATER AND STORM SEWER

- THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS AND STORM SEWERS LOCATED ON THE OWNER'S LOT
- 2. WITHIN UTILITY EASEMENTS, RESTRICTED WATERLINE, STORM SEWER AND DRAINAGE EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN OR STORM SEWER OR ANY CONSTRUCTION ACTIVITY WHICH, IN THE JUDGMENT OF CREEK COUNTY, WOULD INTERFERE WITH PUBLIC WATER MAINS AND STORM SEWERS SHALL BE PROHIBITED.
- 3. CREEK COUNTY RURAL WATER DISTRICT NO. 2, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER SYSTEMS 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. CREEK COUNTY, STATE OF OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS, RESTRICTED WATERLINE, STORM SEWER AND DRAINAGE EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF UNDERGROUND WATER OR STORM SEWER FACILITIES.
- 5. THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY CREEK COUNTY, OKLAHOMA, OR ITS SUCCESSORS, AND THE OWNER OF EACH LOT AGREES TO BE

D. 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. OKLAHOMA NATURAL GAS'S EASEMENT RECORDED IN BOOK 400, PAGE 865 SHALL REMAIN IN FULL FORCE AND EFFECT. OKLAHOMA NATURAL GAS'S EASEMENT PRE-DATES THE RIGHT-OF-WAY DEDICATION IN THIS PLAT AND MAY PROHIBIT OR LIMIT CERTAIN USES OF OKLAHOMA NATURAL GAS'S RIGHT-OF-WAY, INCLUDING PAVING, OTHER UTILITY LINES, AND PERMANENT STRUCTURES, WITHOUT OKLAHOMA NATURAL GAS'S PRIOR WRITTEN CONSENT.
- 4. 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.

E. PAVING AND LANDSCAPING WITHIN EASEMENTS

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

F. LIMITS OF NO ACCESS

THE UNDERSIGNED OWNER/DEVELOPER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" (L.N.A.) ON THE ACCOMPANYING PLAT, WHICH "LIMITS OF NO ACCESS" MAY BE AMENDED OR RELEASED BY THE CREEK COUNTY PLANNING COMMISSION AND SHALL BE ENFORCEABLE BY CREEK COUNTY, STATE OF OKLAHOMA.

SECTION II. RESTRICTIONS AND COVENANTS

THE UNDERSIGNED OWNERS FOR THE PURPOSE OF PROVIDING AN ORDERLY DEVELOPMENT OF THE ENTIRE TRACT AND FOR THE FURTHER PURPOSE OF INSURING ADEQUATE

IMPOSE THE FOLLOWING RESTRICTIONS, LIMITATIONS AND RESERVATIONS WHICH SHALL BE BINDING UPON ALL SUBSEQUENT PURCHASERS.

- 1. THE OAK TIMBER HOMEOWNERS' ASSOCIATION, TO BE ESTABLISHED, WILL HAVE AS ITS MAIN OBJECTIVE, THE MAINTENANCE OF THE PRIVATE STREET SYSTEM, LANDSCAPED AND GATED ENTRYWAYS, COMMON AREA FENCING, CUL-DE-SAC ISLANDS AND RESERVE/PARK/OPEN SPACE AREAS. MEMBERSHIP IN THE OAK TIMBER HOMEOWNERS' ASSOCIATION WILL BE MANDATORY FOR ALL LOT OWNERS. THE OWNER AND EACH SUBSEQUENT OWNER OF A LOT, BY ACCEPTANCE OF A DEED THEREFORE, COVENANTS AND AGREES TO PAY THE DULY AUTHORIZED AND APPROVED DUES AND ASSESSMENTS TO BE ESTABLISHED BY THE BOARD OF DIRECTORS IN ACCORDANCE WITH A DECLARATION TO BE EXECUTED AND RECORDED BY THE OWNER/DEVELOPER PRIOR TO THE CONVEYANCE OF A LOT WITHIN OAK TIMBER. FAILURE TO PAY SHALL CONSTITUTE A LIEN RIGHT IN FAVOR OF THE OAK TIMBER HOMEOWNERS' ASSOCIATION.
- STRUCTURES BUILT ON ANY LOT SHOWN ON THE PLAT SHALL BE PRIMARILY FOR ONE (1) SINGLE FAMILY RESIDENCE PURPOSES OR FOR RAISING, MAINTAINING AND PASTURING HORSES OR CATTLE. NO LOT SHALL NOT BE USED FOR MULTI-FAMILY PURPOSES OR STRUCTURES. BARNS, OUTBUILDINGS, OR SHOP BUILDINGS CONFORMING TO THE REQUIREMENTS OF THESE RESTRICTIONS MAY BE PLACED PRIOR TO, OR WITHOUT THE CONSTRUCTION OF, A SINGLE-FAMILY RESIDENCE. A MAXIMUM OF ONE (1) SINGLE FAMILY RESIDENCE MAY BE CONSTRUCTED ON ANY LOT SHOWN ON THE PLAT.
- 3. NO LOT MAY BE SUBDIVIDED OR SPLIT TO A LESSER SIZE THAN ALREADY SHOWN ON THE PLAT.
- 4. NO RESIDENTIAL STRUCTURE SHALL BE ERECTED OR PLACED ON ANY LOT SHOWN ON THE PLAT WHICH HAS AN AREA OF LESS THAN TWO THOUSAND EIGHT HUNDRED (2,800) SQUARE FEET OF FINISHED, HEATED LIVING AREA EXCLUSIVE OF GARAGE, BASEMENT, PORCHES AND CARPORTS. ALL 2 STORY HOUSES MUST HAVE AT LEAST 1,800 SQUARE FEET IN THE GROUND FLOOR.
- 5. NO BUILDING SHALL BE LOCATED BEYOND THE FRONT AND SIDE-STREET SETBACKS SHOWN ON THE RECORDED PLAT:

FRONT YARD: 30 FEET REAR YARD: 25 FEET SIDE YARD" 5/10 FEET SIDE YARD ABUTTING A PRIVATE STREET: 30 FEET

- 6. NO MOBILE HOMES, MODULAR HOMES, OR MANUFACTURED HOUSING UNITS SHALL BE MAINTAINED, ALLOWED, OR PERMITTED.
- OUTBUILDINGS SUCH AS STORAGE SHEDS, PLAYHOUSES, SERVICE PERSONNEL LIVING QUARTERS, POOL HOUSES, OR OTHER PERMANENT STRUCTURES ARE PERMITTED. THEY SHALL BE COMPATIBLE IN MATERIAL AND STYLE WITH THE PRIMARY RESIDENCE AND LOCATED BEHIND ANY BUILDING LINE AND OUTSIDE OF ANY EASEMENT. ALL OUTBUILDINGS ARE TO BE CONSTRUCTED OF COLORED METAL, MASONRY, BRICK, STONE, WOOD OR STUCCO.
- 8. ALL RESIDENCES MUST MEET THE REQUIREMENTS OF THE OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY FOR SEWAGE DISPOSAL
- 9. LAW COMPLIANCE. EACH OWNER SHALL COMPLY WITH APPLICABLE FEDERAL, STATE, OR COUNTY LAWS, STATUTES, ORDINANCES, RULES, AND REGULATIONS, AND BUILDING CODES REGARDING THE CONSTRUCTION, USE, AND OCCUPANCY OF OWNER'S PROPERTY, AND THE CONSTRUCTION AND MAINTENANCE OF ANY IMPROVEMENTS THEREON. INCLUDING, BUT NOT LIMITED TO, APPLICABLE ZONING, LAND USE, AND HEALTH AND SAFETY ISSUES.
- 10. NO NOXIOUS OR OFFENSIVE TRADE OR ACTIVITY SHALL BE CARRIED ON ON ANY PART OF THE PROPERTY ABOVE DESCRIBED WHICH MAY BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.
- 11. WHERE A DETENTION FACILITY IS SITUATED ON A LOT (OR LOTS), THE LOT OWNER (OR COLLECTIVE LOT OWNERS) SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF SAID FACILITIES TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED DRAINAGE AND DETENTION FUNCTIONS INCLUDING REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION.
- 2. A NO DIG, BUILD OR DISTURBANCE RESTRICTION SHALL BE IMPOSED FOR THE SOUTH 50 FEET OF LOTS 9 AND 10, BLOCK 1, UNLESS OTHERWISE APPROVED IN WRITING BY THE MUSKOGEE CREEK NATION, OR ITS SUCCESSORS.

SECTION III. HOMEOWNERS' ASSOCIATION

A. FORMATION OF HOMEOWNERS' ASSOCIATION: A HOMEOWNERS' ASSOCIATION, KNOWN AS 'OAK TIMBER ASSOCIATION', AN OKLAHOMA NOT-FOR-PROFIT CORPORATION, HAS BEEN OR SHALL BE ESTABLISHED PURSUANT TO 60 O.S. 1991, § 851, ET SEQ., TO MAINTAIN THE PRIVATE STREET AND OTHER COMMON AREAS IN THE SUBDIVISION AND FOR SUCH OTHER PURPOSES AS SHALL BE DEEMED ADVISABLE. ALL LAWFUL ACTS, IF ANY, OF OAK TIMBER ASSOCIATION (THE 'ASSOCIATION"), MADE UNDER AND PURSUANT TO ITS CERTIFICATE OF INCORPORATION AND BY-LAWS SHALL BE BINDING UPON THE LOTS CONTAINED IN THE ADDITION AND THE OWNERS THEREOF. MEMBERSHIP IN THE ASSOCIATION SHALL CONSIST OF ALL OWNERS OF LOTS IN THE ADDITION AND ALL OWNERS OF SUCH ADDITIONAL PROPERTY DESIGNATED BY THE DEVELOPER.

MEMBERSHIP

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

C. ASSESSMENT

EACH RECORD OWNER OF A LOT SHALL BE SUBJECT TO ASSESSMENT BY THE HOMEOWNERS' ASSOCIATION FOR THE PURPOSES OF IMPROVEMENT AND MAINTENANCE OF THE PRIVATE STREET AND OTHER COMMON AREAS, ALL AS MORE PARTICULARLY PROVIDED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF OAK TIMBER AND THE BYLAWS OF THE ASSOCIATION.

SECTION IV. 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 OWNERS, THEIR SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I. EASEMENTS AND UTILITIES ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO, AND ADDITIONALLY THE COVENANTS WITHIN SECTION I, WHETHER OR NOT SPECIFICALLY THEREIN SO STATED, SHALL INURE TO THE BENEFIT OF THE OWNERS OF THE LOTS WITHIN OAK TIMBER AND CREEK COUNTY, STATE OF OKLAHOMA AND SHALL BE ENFORCEABLE BY CREEK COUNTY, STATE OF OKLAHOMA. IF THE UNDERSIGNED OWNER/DEVELOPER, OR ITS SUCCESSORS OR ASSIGNS OR OWNERS OF ANY LOTS WITHIN OAK TIMBER SHALL VIOLATE ANY OF THE COVENANTS HEREIN, IT SHALL BE LAWFUL FOR CREEK COUNTY, STATE OF OKLAHOMA, ANY OWNER OF A LOT OR A HOMEOWNERS' ASSOCIATION FORMED FOR THIS SUBDIVISION TO MAINTAIN ANY ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT HIM OR THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT IN ANY JUDICIAL ACTION BROUGHT BY A HOMEOWNERS' ASSOCIATION OR AN OWNER OF A LOT WHICH ACTION SEEKS TO ENFORCE THE COVENANTS OR RESTRICTIONS SET FORTH HEREIN OR TO RECOVER DAMAGES FOR THE BREECH THEREOF, THE PREVAILING PARTY SHALL BE ENTITLED TO RECOVER REASONABLE ATTORNEYS FEES AND COSTS AND EXPENSES INCURRED IN SUCH ACTION.

B. DURATION

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

C. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I. EASEMENTS AND UTILITIES MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY CREEK COUNTY, STATE OF OKLAHOMA, OR ITS SUCCESSORS. THE COVENANTS WITHIN SECTION II. RESTRICTIONS AND COVENANTS, AND SECTION III. HOMEOWNERS' ASSOCIATION, MAY BE AMENDED OR TERMINATED AT ANY TIME WITH 75 PERCENT AGREEMENT OF ALL LOT OWNERS. THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING COVENANTS SHALL BE EFFECTIVE FROM AND AFTER THE DATE IT IS PROPERLY RECORDED.

D. SEVERABILITY

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

IN WITNESS WHEREOF, B OAKS DEVELOPMENT, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HAS EXECUTED THIS INSTRUMENT THIS 13 DAY OF Feb. 2023.

B OAKS DEVELOPMENT, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY

RESTRICTIONS AND COVENANTS, AND FOR THE MUTUAL BENEFIT OF THE UNDERSIGNED OWNERS THEIR SUCCESSORS AND ASSIGNS, AND THE ADJACENT TRACT OWNERS, DO HEREBY

STATE OF OKLAHOMA COUNTY OF CREEK

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR THE SAID COUNTY AND STATE, ON THIS 13 DAY OF Yeld BOLICK, MANAGING MEMBER OF B OAKS DEVELOPMENT, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, 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 ON BEHALF OF B OAKS DEVELOPMENT, LLC FOR THE USES AND PURPOSES THEREIN SET FORTH.

2 Billy / Can S. ASHLEY MCCART MY COMMISSION EXPIRES: 8/13/2026 MY COMMISSION NUMBER: 18008059

Notary Public Oklaho OFFICIAL SEAL S. ASHLEY MCCARTY COMMISSION #: 18008059

CERTIFICATE OF SURVEY

I, ANDY FRITZ, OF FRITZ LAND SURVEYING, LLC, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA UNDER CERTIFICATE OF AUTHORIZATION #5848, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED HEREIN AS "OAK TIMBER", A SUBDIVISION IN CREEK COUNTY, STATE OF OKLAHOMA, IS A TRUE REPRESENTATION OF THE SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED PRACTICES, AND MEETS OR EXCEEDS THE MINIMUM TECHNICAL STANDARDS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND

LICENSED PROFESSIONAL LAND SURVEYOR OKLAHOMA NO. 1694

STATE OF OKLAHOMA COUNTY OF CREEK



BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS 14 DAY OF FCD, 2023, PERSONALLY APPEARED ANDY FRITZ, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME AS A LICENSED LAND SURVEYOR TO THE FOREGOING CERTIFICATE OF SURVEY AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME AS THEIR FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN SET FORTH.

MY COMMISSION EXPIRES: 6/23/2026 MY COMMISSION NUMBER: 14005589



CERTIFICATE OF ENGINEER

I, AARON S. HALE, A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT ALL CONSTRUCTION AND DRAINAGE PLANS FOR "OAK TIMBER". A DEVELOPMENT IN CREEK COUNTY, OKLAHOMA, HAVE BEEN PREPARED IN ACCORDANCE WITH AND MEET OR EXCEED THE STANDARDS AND REQUIREMENTS OF CREEK COUNTY, OKLAHOMA.

EXECUTED THIS Q DAY OF FEB , 2023. AARON S. HALE LICENSED PROFESSIONAL ENGINEER OKLAHOMA NO. 19309



DEPARTMENT OF ENVIRONMENTAL QUALITY CERTIFICATION

THIS DEPARTMENT OF ENVIRONMENTAL QUALITY HAS APPROVED THIS PLAT FOR THE USE OF PUBLIC WATER SYSTEMS AND ON-SITE SEWER SYSTEMS.

EXECUTED THIS 12 DAY OF JUNE MBER ROBERSON Keller ENVIRONMENTAL PROGRAM SPECIALIST DEPARTMENT OF ENVIRONMENTAL QUALITY



CREEK COUNTY PLANNING COMMISSION APPROVAL

RAHBY WOUD CHAIRMAN / SECRETARY OF THE CREEK COUNTY PLANNING COMMISSION OF CREEK COUNTY, STATE OF OKLAHOMA, HEREBY CERTIFY THAT THE SAID COMMISSION DULY APPROVED THE SUBDIVISION PLAT OF "OAK TIMBER" ON THE 15 DAY OF ________, 2023.

ACCEPTANCE OF DEDICATIONS AND EXCEPTIONS TO DEDICATIONS BY THE CREEK COUNTY BOARD OF COMMISSIONERS

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF CREEK COUNTY, OKLAHOMAYTHAS THE DEDICATIONS BUT NOT THE MAINTENANCE OF UTILITY EASEMENTS AND ROAD RIGHT-OF-WAY, SHOWN ON THE ATTACHED PLAT OF "OAK TIMBER" ARE HEREBY ACCEPTED THE MAINTENANCE OF ANY DRAINAGE EASEMENTS AND RESERVE AREAS SHALL REMAIN THE RESPONSIBILITY OF THE DEVELOPER UNTIL OR UNLESS ASSUMED BY A MANDATORY HOMERS. ASSOCIATION.

ACCEPTED THIS 15 DAY OF May CHAIRMAN, CREEK COUNTY BOARD OF COMMISSIONERS



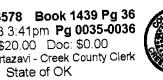
CERTIFICATE OF THE CREEK COUNTY TREASURER

I, DON EAGLE, DO HEREBY CERTIFY THAT I AM THE DULY ELECTED, QUALIFIED AND ACTING TREASURER OF CREEK COUNTY, STATE OF OKLAHOMA. THAT THE TAX RECORDS OF CREEK COUNTY SHOW ALL TAXES PAID FOR THE YEAR 2023 AND PRIOR YEARS ON THE LAND SHOWN ON THE ANNEXED PLAT OF "OAK TIMBER" IN CREEK COUNTY, OKLAHOMA, AND THAT THE REQUIRED STATUTORY SECURITY HAS BEEN DEPOSITED IN THE OFFICE OF THE CREEK COUNTY TREASURER, GUARANTEEING PAYMENT OF THE CURRENT YEAR'S TAXES; AND FURTHER FIND AND CERTIFY THAT ALL DEFERRED PAYMENTS OR UNMATURED INSTALLMENTS UPON SPECIAL ASSESSMENTS HAVE BEEN PAID IN FULL AND THAT THERE IS NO SPECIAL ASSESSMENT PROCEDURE NOW PENDING AGAINST SAID LAND.





L-2023-006578 Book 1439 Pg 36 06/12/2023 3:41pm **Pg 0035-0036** Fee: \$20.00 Doc: \$0.00 Jennifer Mortazavi - Creek County Clerk



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DATE PREPARED: February 6, 2023