

# PUD-R 16-01

# Dale Estates

A SUBDIVISION IN THE CITY OF COWETA, WAGONER COUNTY, STATE OF OKLAHOMA BEING A PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW/4 NE/4) OF SECTION TWENTY-FOUR (24), TOWNSHIP SEVENTEEN (17) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN BASE AND MERIDIAN, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

### Owner / Developer

ROY & MARGARET DALE  
P.O. BOX 278  
COWETA, OKLAHOMA 74429  
PHONE: 918-638-3143

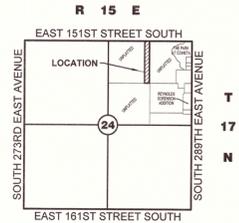
### Engineer

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C.A. # 6470 EXPIRES 6-30-2017

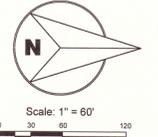
### Surveyor

ATLAS LAND OFFICE, LLC  
202 SOUTH MAIN STREET  
WAGONER, OKLAHOMA 74467  
PHONE: (918) 485-8987  
EMAIL: info@atlaslandoffice.com  
C.A. # 6752 EXPIRES 6-30-2018

- ### Sheet Legend
- Δ -- DELTA ANGLE
  - AC -- ACRE
  - B/L -- BUILDING SETBACK LINE
  - CB -- CHORD BEARING
  - CD -- CHORD DISTANCE
  - IPS -- 3/8" IRON PIN SET
  - PKS -- MAG NAIL SET
  - POB -- POINT OF BEGINNING
  - R -- RADIUS
  - ROW -- RIGHT OF WAY
  - SF -- SQUARE FEET
  - UE -- UTILITY EASEMENT



Location Map  
SCALE: 1" = 200'



### Subdivision Statistics

SUBDIVISION CONTAINS THREE (3) LOTS IN ONE (1) BLOCK AND ONE (1) RESERVE AREA  
GROSS SUBDIVISION AREA: 191,782.90 SF (4.4027 AC)

Certified True Copy  
LORI HENDRICKS, COUNTY CLERK  
By *[Signature]*  
Wagoner County Clerk

STATE OF OKLAHOMA )  
  ) SS  
COUNTY OF WAGONER )  
  
I, LORI HENDRICKS, WAGONER COUNTY CLERK, IN A FOR THE COUNTY AND STATE ABOVE NAMED, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF A LIKE INSTRUMENT NOW ON FILE IN MY OFFICE.  
  
DATED THE 2 DAY OF August, 2018  
LORI HENDRICKS, WAGONER COUNTY CLERK  
*[Signature]*  
DEPUTY

COUNTY TREASURER STAMP

### Basis of Bearings

S 01°30'38" E, ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW/4 NE/4) OF SECTION TWENTY-FOUR (24), TOWNSHIP SEVENTEEN (17) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN BASE AND MERIDIAN, WAGONER COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

### Monumentation

ALL CORNERS SHOWN HEREON WERE SET USING A 3/8" x 1/8" STEEL PIN WITH A PLASTIC CAP STAMPED "ATLAS 6752" AT ALL CORNERS, UNLESS OTHERWISE NOTED.

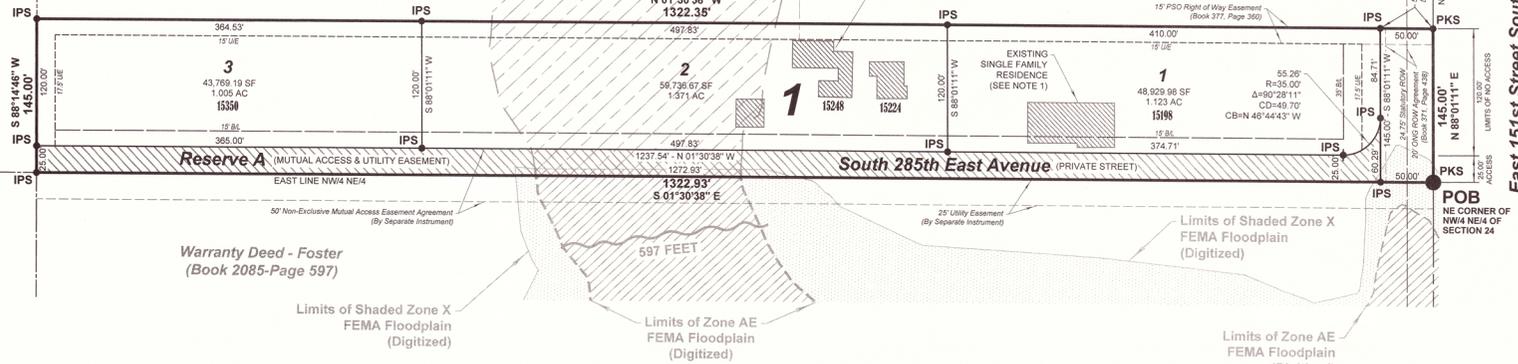
### Floodplain Data

PROPERTY IS SITUATED IN UNSHADED ZONE 'X', SHADED ZONE 'X', ZONE 'A' AND ZONE 'AE' PER FEMA FLOODPLAIN MAP NO. 4014C02060N - DATED APRIL 17, 2012. FLOODPLAIN LIMITS HAVE BEEN DIGITIZED FROM THE PUBLISHED MAP AND ARE REFLECTED ON THE ATTACHED PLAT.

### Notes

- AT THE TIME THIS PLAT WAS FILED, AN EXISTING STRUCTURE WAS LOCATED ON LOT 1 BEYOND THE MINIMUM BUILDING SETBACK LINE AS SHOWN ON THE ATTACHED PLAT. THIS STRUCTURE SHALL REMAIN IN ITS CURRENT LOCATION UNTIL DEMOLISHED AND/OR REMOVED IN THE FUTURE. AT THAT TIME, A 15-FOOT FRONT YARD SETBACK REQUIREMENT SHALL BE ENFORCEABLE BY THE CITY OF COWETA FOR ANY SUBSEQUENT BUILDING PERMITS.
- AT THE TIME THIS PLAT WAS FILED, THERE WERE TWO EXISTING RESIDENCES ON LOT 2, BLOCK 1. UNDER PUD-R 15-01, THE RESIDENCES ARE ALLOWED TO REMAIN, SO LONG AS THEY ARE UNDER COMMON OWNERSHIP. NO EXPANSION OF THE SMALLER, SERVIENT RESIDENCE SHALL BE PERMITTED, IF AND WHEN ONE OF THE RESIDENCES IS DEMOLISHED OR REMOVED, A NEW SECOND RESIDENCE CANNOT BE RE-ESTABLISHED ON THAT LOT, AND ONLY ONE RESIDENCE SHALL BE ALLOWED ON THAT LOT.
- STREET LOCATED IN RESERVE 'A' IS A PRIVATE STREET OWNED AND MAINTAINED BY THE DALE ESTATES HOMEOWNERS ASSOCIATION.
- THE STREETS AND DRIVES IN THIS SUBDIVISION, INCLUDING SOUTH 285TH EAST AVENUE, HAVE NOT BEEN DEDICATED TO THE PUBLIC, AND SHALL BE MAINTAINED BY THE PRIVATE PROPERTY OWNERS WITHIN THE SUBDIVISION, AND ALSO BY OTHER PRIVATE PROPERTY OWNERS BY MUTUAL ACCESS EASEMENT AGREEMENT. SAID STREETS SHALL ALWAYS BE OPEN TO POLICE, FIRE, AND OTHER OFFICIAL VEHICLES OF ALL STATE, FEDERAL, COUNTY AND MUNICIPAL AGENCIES. PER THE PROVISIONS OF OKLAHOMA STATE STATUTE SECTION 45-104, PRIOR TO THE SALE OF ANY PARCEL OF LAND IN THE SUBDIVISION, THE DEVELOPER SHALL POST A CONSPICUOUS SIGN AT THE ENTRANCE TO THE SUBDIVISION: "PRIVATE ROADWAY NOT MAINTAINED BY CITY OF COWETA."

### Warranty Deed - Hodges (Book 2207-Page 270)



### DALE ESTATES DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

THAT ROY & MARGARET DALE, HUSBAND AND WIFE, HEREINAFTER REFERRED TO AS THE "OWNER/DEVELOPER", ARE THE OWNERS OF THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN COWETA, OKLAHOMA, TO-WIT:

A PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW/4 NE/4) OF SECTION TWENTY-FOUR (24), TOWNSHIP SEVENTEEN (17) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN BASE AND MERIDIAN, WAGONER COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW/4 NE/4) OF SECTION TWENTY-FOUR (24), TOWNSHIP SEVENTEEN (17) NORTH, RANGE FIFTEEN (15) EAST, THENCE S 01° 30' 38" E, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW/4 NE/4), A DISTANCE OF 1322.93 FEET, TO THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW/4 NE/4), THENCE S 89° 14' 45" W, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW/4 NE/4), A DISTANCE OF 145.00 FEET, TO A POINT THAT IS 145.00 FEET WEST OF SAID EAST LINE AS MEASURED PERPENDICULARLY, THENCE N 01° 30' 38" W, PARALLEL WITH AND 145.00 FEET WEST OF SAID EAST LINE, A DISTANCE OF 1322.35 FEET, TO A POINT ON THE NORTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW/4 NE/4), THENCE N 89° 01' 11" E, ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW/4 NE/4), A DISTANCE OF 145.00 FEET, TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINING 4.4027 ACRES / 191,782.90 SQUARE FEET.

THE BASIS OF BEARINGS FOR SAID TRACT IS N 89° 01' 11" E, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW/4 NE/4) OF SECTION TWENTY-FOUR (24), TOWNSHIP SEVENTEEN (17) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN BASE AND MERIDIAN, WAGONER COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

AND HAS CAUSED THE ABOVE DESCRIBED LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO 3 LOTS AND 1 BLOCK, AS SHOWN ON THE ATTACHED PLAT AND SURVEY THEREOF, AND HAS DESIGNATED THE SUBDIVISION AS "DALE ESTATES", A SUBDIVISION OF A PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW/4 NE/4) OF SECTION 24, T-17-N, R-15-E, WAGONER COUNTY, STATE OF OKLAHOMA, AND

### SECTION I. UTILITY EASEMENTS AND RIGHTS-OF-WAY

THE OWNER/DEVELOPER DOES HEREBY DEDICATE FOR PUBLIC USE THE RIGHT-OF-WAY AND UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT (DALE ESTATES) FOR THE SEVERAL PURPOSES OF TRANSPORTATION, AND CONSTRUCTING, MAINTAINING, REPAIRING, REMOVING AND REPLACING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS, TELEPHONE LINES, CABLE TELEVISION, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES AND WATER LINES, TOGETHER WITH ALL FITTINGS AND EQUIPMENT FOR EACH OF SUCH FACILITIES INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS AND ANY OTHER APPURTENANCES THERE TO, WITH RIGHT OF INGRESS AND EGRESS TO THE EASEMENTS FOR THE USES AND PURPOSES AFORESAID; HOWEVER THAT THE OWNER/DEVELOPER HEREBY RESERVES TO ITSELF, AND TO ITS ASSIGNS, 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 THERE TO, CROSSING AND ALONG ALL 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 THE CITY OF COWETA, OKLAHOMA AND THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ATTACHED PLAT, NO BUILDING, STRUCTURE OR EASEMENT SHALL BE PLACED, ERECTED, 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 AFORESAID:

- ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICE
- OVERHEAD POLE LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICE MAY BE LOCATED ALONG THE WEST 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.
- 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 PEDESTAL OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH HOUSE 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 FROM THE SERVICE PEDESTAL OR TRANSFORMER OR GAS MAIN TO THE SERVICE ENTRANCE ON THE HOUSE.
- 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 INSTALLED BY IT.
- THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS 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 WILL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS.
- THE FOREGOING COVENANTS CONCERNING UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION, AND GAS FACILITIES SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE ELECTRIC, TELEPHONE, CABLE TELEVISION, OR GAS SERVICE, AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.
- WATER SERVICE
- THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS LOCATED ON HIS LOT.
- 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.
- THE CITY OF COWETA, 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.

- THE CITY, 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.
- THE FOREGOING COVENANTS CONCERNING THE WATER FACILITIES SHALL BE ENFORCEABLE BY THE CITY, OR ITS SUCCESSORS, AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.
- THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR COMPLIANCE WITH CITY OF COWETA ORDINANCE 883 WITH REGARD TO FIRE-FLOW REQUIREMENTS FOR BUILDINGS, WHETHER THE WATER UTILITY PROVIDER IS THE CITY OF COWETA, OR WAGONER COUNTY RURAL WATER DISTRICT NO. 5, OR SOME OTHER PROVIDER, OR THEIR RESPECTIVE SUCCESSORS.
- GAS SERVICE
  - 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.
  - 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 IS 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.
  - 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.
- 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 THE CITY OF COWETA, OKLAHOMA.
- LIMITS OF NO ACCESS
  - 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" IN A) ON THE ATTACHED PLAT, WHICH LIMITS OF NO ACCESS MAY BE RELEASED, OR AMENDED BY THE CITY OF COWETA, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA PERTAINING THERETO.
  - THE FOREGOING COVENANTS CONCERNING LIMITS OF NO ACCESS SHALL BE ENFORCEABLE BY THE CITY OF COWETA, AND THE OWNERS OF THE LOT AGREES TO BE BOUND HEREBY.

(Continued on Next Page)