

The City of Muskogee encourages participation from all its citizens in public meetings. If participation is not possible due to a disability, notify the Planning Department, in writing, at least forty-eight hours prior to the scheduled meeting and necessary accommodations will be made (ADA 28 CFR/36).

POSTING DATE: 05/05/2025

AGENDA
PLANNING AND ZONING COMMISSION
MAY 6, 2025

Official action can only be taken on items which appear on the agenda. The public body may adopt, approve, ratify, deny, defer, recommend, amend, strike, or continue any agenda item.

When more information is needed to act on an item, the public body may refer the matter to Staff or back to Committee or the recommending body.

Under certain circumstances, items are deferred to a specific date or stricken from the agenda entirely.

REGULAR SESSION - 9:00 A.M. 3RD FLOOR COUNCIL CHAMBERS, MUNICIPAL BUILDING, 229 W. OKMULGEE, MUSKOGEE, OKLAHOMA

ROLL CALL

1. Consider approval of the minutes from the Planning & Zoning Commission Meeting on April 8, 2025, or take necessary action. (Sarah Winkle)
2. Hold a public hearing to discuss and accept, and effectively closeout, a project completed under the Oklahoma Department of Commerce Community Development Block Grant for Small Cities (18265-CDBG-21), or take other necessary action. (Mike Stewart)
3. Consider approval, conditional approval, or disapproval of the Re-Plat for the MUSKOK AOS development, consisting of 4.47 acres, or take other necessary action. (Sarah Winkle)

4. Consider approval, conditional approval, or disapproval of the Preliminary and Final Plat for the York-Peak Addition, located on South York Street, and consisting of 4 acres, or take other necessary action. (Sarah Winkle)

5. Consider approval, conditional approval, or disapproval of the Preliminary and Final Plat for the Fairway Ridge development, consisting of 7.51 acres, or take other necessary action. (Sarah Winkle)

ADJOURN

Planning Commission

1.

Meeting Date: 05/06/2025

Initiator: Sarah Winkle, Deputy Director of Planning and Community Development

Information

AGENDA ITEM TITLE:

Consider approval of the minutes from the Planning & Zoning Commission Meeting on April 8, 2025, or take necessary action. (Sarah Winkle)

LEGAL DESCRIPTION:

BACKGROUND:

Consider approval of the minutes from the Planning & Zoning Commission Meeting on April 8, 2025.

RECOMMENDED STAFF ACTION:

Approve the minutes.

Fiscal Impact

Attachments

Minutes

MINUTES

OF THE PLANNING AND ZONING COMMISSION
OF THE CITY OF MUSKOGEE, OKLAHOMA
MET IN COUNCIL CHAMBERS OF CITY HALL
APRIL 8, 2025

The Planning and Zoning Commission of the City of Muskogee, Oklahoma, met in Regular Session at 9:00 a.m., on April 8, 2025, in the Council Chambers, Municipal Building, 229 W. Okmulgee Ave., Muskogee, Oklahoma.

The meeting was called to order and the roll was called as follows:

Present: Russell Sain, Chair; D'Elbie Walker, Vice Chair; Betty Blackwell, Commissioner; Judith Hoffman, Commissioner; Lori Jefferson, Commissioner

Absent: Alexis Wallace, Commissioner; Cynthia Kennedy, Commissioner

Staff Present: Sarah Winkle, Acting Director of Planning & Community Development
Schuyler Carter, Associate Planner
Corinne Storey, Secretary

- 1 Consider approval of the minutes from the Planning & Zoning Commission Meeting on March 4, 2025, or take necessary action. (Sarah Winkle)

Motion was made by Commissioner Judith Hoffman, seconded by Commissioner Betty Blackwell to approve the minutes from the Planning & Zoning Commission Meeting on March 4, 2025.

AYE: Chair Russell Sain, Commissioner Betty Blackwell, Commissioner Judith Hoffman, Commissioner Lori Jefferson

Carried - Unanimously

- 2 Hold a public hearing and consider a recommendation to the City Council on the approval of Ordinance 4253-A, a rezone request for the property located at 1507 E Okmulgee, rezoning the property from C-1 Local Commercial to R-1 Single Family, and if approved, authorizing staff to update the official city map. (Sarah Winkle)

Motion was made by Commissioner Betty Blackwell, seconded by Commissioner Lori Jefferson to recommend to the City Council on the approval of Ordinance 4253-A, a rezone request for the property located at 1507 E Okmulgee, rezoning the property from C-1 Local Commercial to R-1 Single Family.

AYE: Chair Russell Sain, Vice Chair D'Elbie Walker, Commissioner Betty Blackwell, Commissioner Judith Hoffman, Commissioner Lori Jefferson
Carried - Unanimously

- 3 Hold a public hearing and consider a recommendation to the City Council on the approval of Ordinance 4254-A, a rezone request for the property located at 3720 South Cherokee Drive, rezoning the property from R-1 Single Family to R-A Residential Agricultural, and if approved, authorizing staff to update the official city map. (Sarah Winkle)

Russell Sain opened the item to public hearing.

Dale Boots, the owner of the property, was present to speak. He stated that he had spoken to most of the neighbors and addressed many of their questions.

Russell Sain closed the item to public hearing.

Motion was made by Vice Chair D'Elbie Walker, seconded by Commissioner Lori Jefferson to recommend to the City Council on the approval of Ordinance 4254-A, a rezone request for the property located at 3720 South Cherokee Drive, rezoning the property from R-1 Single Family to R-A Residential Agricultural.

AYE: Chair Russell Sain, Vice Chair D'Elbie Walker, Commissioner Betty Blackwell, Commissioner Judith Hoffman, Commissioner Lori Jefferson
Carried - Unanimously

- 4 Consider approving a resolution determining that the Scissortail Data Center Economic Development Project Plan is in conformance with the City of Muskogee 2013 Comprehensive Plan and Future Land Use Map and recommending that the City Council approve and adopt the Project Plan, or take other necessary action. (Sarah Winkle)

Lisa Harden was present to speak on the property. Lisa is with the Center of Economic Development Law of Oklahoma City. She stated that her firm has been working with the City Council, the Port Authority and the taxing entities in respect to the development of this project plan. She provided additional context and stated that this project involves a data center campus with the potential for up to four data centers, with each being 300,000 square feet. She stated the company behind this initiative is a Fortune 100 publicly-traded US-based company with operations in all 50 states. This company is committed to making a private investment of at least one billion dollars per phase. The first phase will be developed in the near term and the future phases in the near future. She stated the project site expands approximately 419 acres in the John T Griffin Industrial Park. Phase one creates at least 50 new full-time jobs with an average salary of \$75,000 excluding benefits. She stated that once the campus is fully built it would support over 120 jobs. She informed the Committee that this project is authorized and eligible under the

Oklahoma Constitution and the Oklahoma Local Development Act, which permits the consideration of granting exemptions to this site and specifically for this data center campus. The project plan, if approved by the Council, would establish twenty-five-year tax-incentive districts that would provide a 100% ad valorem tax exemption on all new investment in the data center campus. In exchange for those exemptions, the company is committed to making payments in lieu of taxes to the taxing entities, as well as stimulus payments, and those involving a pilot payment for each data center is made to the effective taxing entities. She stated that these payments start at \$1.25 million and increase 1% annually. She clarified that over a 25-year period, which is the durations of an incentive district, pilot payments for that first data center could provide a direct revenue source to the taxing entities in excess of \$35 million and if all four data centers are developed, pilot payments are projected to exceed \$150 million. These payments would ensure that the company benefits from the incentive, but the local entity still receives a significant financial support. She added that in addition to the pilot payments, the company is committed to distributing stimulus payments for each data center constructed. She noted that these are specifically in support of education in the community. She stated that in her firm's assessment, education is at the heart of all community development and this project prioritizes educational support. She informed the committee that the stimulus payments start at \$250,000 for the first data center and increase by 1% per year. Those funds are allocated 72% to Indian Capitol Technology Center and 28% to either Hildale Public schools or Muskogee Public schools, depending on which district the data center is located in. She stated over 25 years, stimulus payments for that first data center would exceed \$7 million and, if all four data centers are developed, stimulus payments would exceed \$30 million to those entities. By investing in education, the company is investing in the future workforce in this community and ensuring local talent is prepared to take on those high-quality jobs. In addition, the company will pay franchise fees on the electric power consumption associated with the data center operations and that will generate revenue for the City, the Port Authority, and the County. In addition to that, a portion of those fees are reimbursed or paid back to the company. She stated that this is a negotiated sharing arrangement by all the parties to ensure there is recurring support for public entities but also keep the rates competitive for the company. She stated that overall the economic impact is positive. This project will bring sustainable jobs, significantly boost the local economy and will bring direct revenues from the pilot payments, stimulus payments and the franchise fees. She stated that the City will also see indirect revenues through sales and use tax during construction and higher consumer spending and potential growth from complimentary new businesses that may relocate to the area because of this project. She informed the Committee that previously the Review Committee convened by the City Council had recommended approval of the project plan and now the Planning Commission is considering the conformance of the project plan to the City's comprehensive plan. These are statutory requirements before the City Council can approve a project plan and to establish the tax incentive districts the City Council must approve the project plan and the tax incentive agreement. City Council held its first public hearing on April 3rd and a second public hearing is scheduled for April 14th. She stated the purpose of the committee's consideration today is to comply with the procedural elements and components of the Local Development Act. She stated that she just thought it would be helpful if the committee had some context and background about the project.

Lori Jefferson asked for clarification of the 100 % ad valorem, asking if Lisa Harden was meaning that they wouldn't pay any property taxes, but would in turn give 75% to ICTC

and 25% to whichever public school was in that zone?

Lisa Harden clarified that that was a component to the stimulus payments. She stated that the company has agreed to make a pilot payment in lieu of tax payment.

Lori Jefferson asked what a pilot payment was.

Lisa Harden stated that means a payment in lieu of taxes in exchange for those property tax exemptions. She explained that the company would be making an annual payment that totals \$1.25 million, and it would be dispersed to each of the taxing entities based on their levies, as if the company were paying taxes.

Lori Jefferson asked for clarification on 'taxes', asking as if they were paying ad valorem?

Lisa Harden confirmed and stated they would make the pilot payment plus the stimulus payment in exchange for the 100% exemption of ad valorem.

Lori Jefferson asked who the stimulus goes to.

Lisa Harden stated the stimulus would go to Indian Capitol Technology and either Hilldale public schools or Muskogee Public Schools.

D'Elbie Walkeer asked if the schooling district was based on how they sit on the presented map.

Lisa Harden confirmed and clarified that, if she recalls, the northern part of the property, in the current phase, is in Hilldale public schools and the southern part of the property, in the later phase, is Muskogee Public Schools. She stated Muskogee Public schools would be in the later phase.

Lori Jefferson asked how long the exemption was.

Lisa Harden stated that each incentive district is set at 25 years and there would be 3 established.

Russell Sain asked if the data centers would be located within the property.

Lisa Harden confirmed and added in 3 different phases.

The Committee discussed among themselves previous cases of ad valorem.

Lisa Harden stated the ad valorem will become a necessary component for this to happen. She stated that this company doesn't see property taxes in many other states, which are imposed here, and informed the Committee about the company's billion-dollar investment that they will make in data center development, which is mostly personal property.

Russell Sain asked if the company would be paying sales tax on their equipment.

Lisa Harden stated that during construction there will be sales and use tax. She stated that if the company had to pay personal property taxes on that investment, they would not be

able to bring this project to Muskogee and would have to look elsewhere. Hence, the negotiated structure where the company is still providing a sustainable, financially reliable, dependable annual payment to all the taxing entities in exchange for the exemption. She stated they are not exactly equal, but in the firm's assessment, the property is not generating this much taxes currently, so this is still a boost to each of them and there could be up to four data centers. She reminded the committee that these payments start at \$1.25 million and that number increases every single year, adding that it was for one data center, and it multiplies with each one that is developed.

Russell Sain asked how many jobs per data center.

Lisa Harden stated it starts at 50 for the commitment on the first center and the other three are at least 35 for a total of 125 minimum employees.

Russell Sain asked what salary they would make.

Lisa Harden replied that a \$75,000 annual salary that excludes benefits.

Motion was made by Vice Chair D'Elbie Walker, seconded by Commissioner Betty Blackwell to approve a resolution determining that the Scissortail Data Center Economic Development Project Plan is in conformance with the City of Muskogee 2013 Comprehensive Plan and Future Land Use Map and recommending that the City Council approve and adopt the Project Plan.

AYE: Chair Russell Sain, Vice Chair D'Elbie Walker, Commissioner Betty Blackwell, Commissioner Judith Hoffman, Commissioner Lori Jefferson
Carried - Unanimously

There being no further business, the meeting was adjourned at 9:22 AM.

RUSSELL SAIN, CHAIR

CORINNE STOREY, SECRETARY

Planning Commission

2.

Meeting Date: 05/06/2025

Initiator: Avery Rigney, Asst. Public Works Director

Information

AGENDA ITEM TITLE:

Hold a public hearing to discuss and accept, and effectively closeout, a project completed under the Oklahoma Department of Commerce Community Development Block Grant for Small Cities (18265-CDBG-21), or take other necessary action. (Mike Stewart)

LEGAL DESCRIPTION:

BACKGROUND:

The ODOC requires a public hearing be held to close out the CDBG Small Cities funding assistance program. The public hearing is to enable comments on specific project activities that have been completed and to provide a clear explanation of the results of the project.

This project replace a water line that runs down Elgin street from 24th to 30th streets approximately. This line was identified through the City's capital improvement plan as a candidate for replacement. The age and condition of the line are what triggered the need for replacement. This was a 6 inch line. The project concluded in January of 2025.

RECOMMENDED STAFF ACTION:

Consider approval of the item to closeout the grant.

Fiscal Impact

Attachments

notice of public hearing

Presentation

PUBLIC HEARING NOTICE

The City of Muskogee will hold a Public Hearing on:

MONDAY APRIL 28th 2025 at 9:00 A.M.

In order to discuss the closeout of the Community Development Block Grant Small Cities funding assistance program funded through the Oklahoma Department of Commerce. This project was a waterline replacement on Elgin St.

The purpose of this public hearing is to enable comments on specific project activities that have been completed and to provide a clear explanation of the results of the project.

More specific details regarding the activities and project requirements are available for review in the City Planning Department and will be provided at the public hearing on Monday May 6th, 2025. The meeting will be held in City Hall located at 229 W Okmulgee in the Council Chambers on the 3rd floor.

CBDG

Elgin St Water Line Replacement

Project Scope

- The CDBG Waterline project consisted of replacing the existing waterlines along Elgin Avenue from 25th Street to 30th Street with 1550 feet of 6-inch waterline and six (6) new fire hydrants added. The line was identified through the Capital Improvements plan and Water Model to be replaced due to the age and condition of the line. Construction was completed by Cook Consulting LLC. City Staff and the Engineer have completed a final walk-through of the project.

Total Cost

- The total construction cost of this project was \$390,014.96
- The total engineering cost of this project was \$67,448
- This was approved for final pay at the City Council meeting in February

Reasons for the project

- This line was aged, and continually needing repair. The City of Muskogee has identified water lines across the City in need of repair and this was a high priority line that fit into the budget and the current needs of the City.

Partnerships

- Cook Consulting- Contractor
- Great Plains- Inspection Service
- City of Muskogee- Funding
- Department of Commerce (CDBG)- Funding
- Cowan Group- Engineering and Design

Planning Commission

3.

Meeting Date: 05/06/2025

Initiator: Sarah Winkle, Deputy Director of Planning and Community Development

Information

AGENDA ITEM TITLE:

Consider approval, conditional approval, or disapproval of the Re-Plat for the MUSKOK AOS development, consisting of 4.47 acres, or take other necessary action. (Sarah Winkle)

LEGAL DESCRIPTION:

A PART OF FACTORY ADDITION TO THE CITY OF MUSKOGEE, BEING A SUBDIVISION OF PART OF SECTION TWENTY-THREE (23), TOWNSHIP FIFTEEN (15) NORTH, RANGE EIGHTEEN (18) EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT TWENTY (20), BLOCK FOUR (4), FACTORY ADDITION; THENCE N 88°06'47" E, ALONG THE NORTH LINE OF SAID LOT TWENTY (20), AND CONTINUING ACROSS THE VACATED 15-FOOT ALLEYWAY AND ALONG THE NORTH LINE OF LOT THIRTEEN (13), BLOCK FOUR (4), AND ALSO CONTINUING ACROSS THE 50-FOOT RIGHT-OF-WAY FOR NORTH 5TH STREET, A DISTANCE OF 329.00 FEET, TO THE WEST LINE OF BLOCK THREE (3), FACTORY ADDITION, SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT TWENTY (20), BLOCK THREE (3); THENCE S 01°53'13" E, ALONG THE WEST LINE OF SAID BLOCK THREE (3), AND CONTINUING ACROSS THE 50-FOOT RIGHT-OF-WAY FOR MARTIN STREET, A DISTANCE OF 150.00 FEET, TO THE NORTHWEST CORNER OF BLOCK SIX (6), FACTORY ADDITION, SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT THIRTY-TWO (32), BLOCK SIX (6); THENCE N 88°06'47" E, ALONG THE NORTH LINE OF SAID LOT THIRTY-TWO (32), A DISTANCE OF 35.00 FEET; THENCE S 01°53'13" E, PARALLEL AND 35.00 FEET EAST OF THE WEST LINE OF SAID BLOCK SIX (6), A DISTANCE OF 400.00 FEET, TO A POINT ON THE SOUTH LINE OF SAID BLOCK SIX (6), SAID POINT ALSO BEING ON THE SOUTH LINE OF LOT SEVENTEEN (17), BLOCK SIX (6), AND BEING 35.00 FEET EAST OF THE SOUTHWEST CORNER THEREOF; THENCE S 88°06'47" W, ALONG THE SOUTH LINE OF SAID LOT SEVENTEEN (17), BLOCK SIX (6), AND CONTINUING ACROSS THE 50-FOOT RIGHT-OF-WAY FOR NORTH 5TH STREET AND ALONG THE SOUTH LINE OF BLOCK FIVE (5), FACTORY ADDITION, A DISTANCE OF 364.00 FEET, TO THE SOUTHWEST CORNER OF SAID BLOCK FIVE (5), SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT SEVENTEEN (17), BLOCK FIVE (5); THENCE N 01°53'13" W, ALONG THE WEST LINE OF SAID BLOCK FIVE (5), CONTINUING ACROSS THE VACATED 50-FOOT RIGHT-OF-WAY FOR MARTIN STREET AND ALONG THE WEST LINE OF SAID BLOCK FOUR (4), A DISTANCE OF 550.00 FEET, TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINING 194,950.00 SQUARE FEET / 4.48 ACRES.

BACKGROUND:

The application was submitted by Stefan Tittijung on behalf of the property owners, and indicated the property is being platted for the development of the 4.47 acres. This re-plat went to the Subdivision Review Committee on April 29, 2025, and was approved.

RECOMMENDED STAFF ACTION:

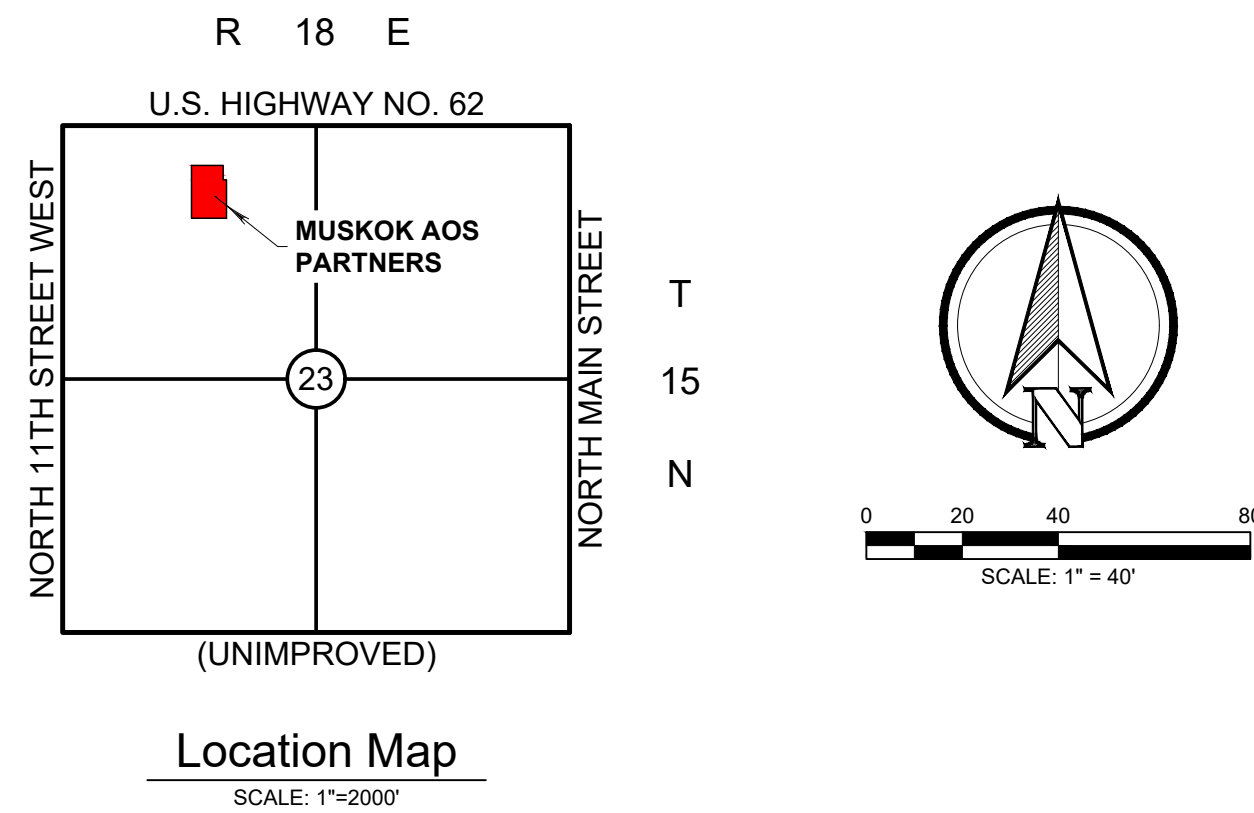
Recommend approval of the Re-Plat.

Fiscal Impact	
Attachments	
Preliminary Plat	

PRELIMINARY PLAT OF

Muskok AOS Partners

A SUBDIVISION BEING A REPLAT OF A PART OF BLOCKS FOUR (4) AND SIX (6) AND ALL OF BLOCK FIVE (5) OF FACTORY ADDITION TO THE CITY OF MUSKOGEE, ALSO KNOWN AS A PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION TWENTY-THREE (23), TOWNSHIP FIFTEEN (15) NORTH, RANGE EIGHTEEN (18) EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA.



OWNER / DEVELOPER

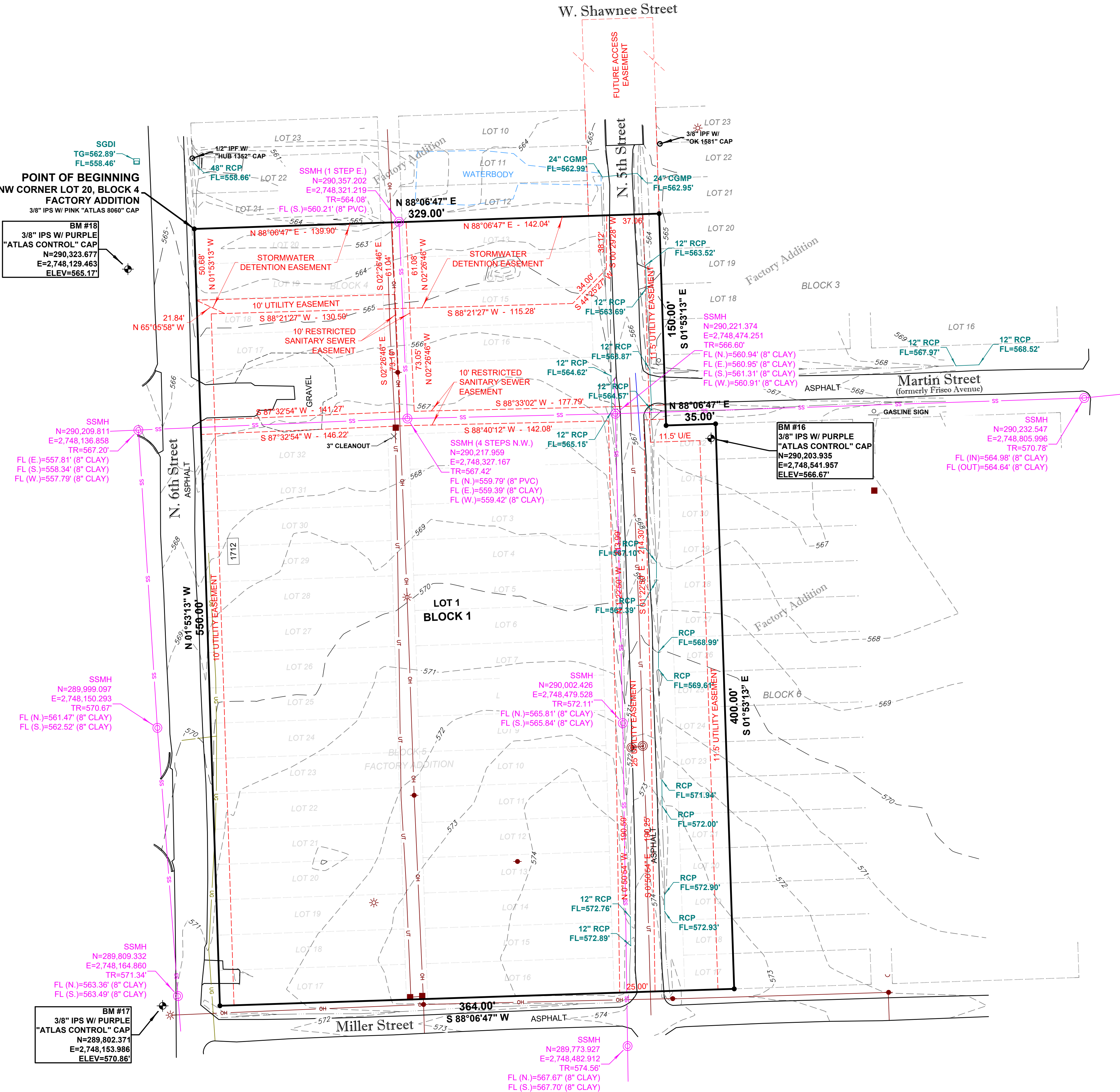
MUSKOK AOS PARTNERS, LLC
1111 METROPOLITAN AVENUE, SUITE 700
CHARLOTTE, NORTH CAROLINA 28204
PHONE: (704) 206-8300

SURVEYOR

ATLAS LAND OFFICE, INC.
202 SOUTH MAIN STREET
WAGONER, OKLAHOMA 74467
PHONE: (918) 485-9987
EMAIL: survey@atlaslandoffice.com
C.A. # 8060 EXPIRES: 6-30-2026

ENGINEER

ROUTE 66 ENGINEERING
5 SOUTH MAIN STREET
SAPULPA, OKLAHOMA 74066
PHONE: (918) 248-1129
EMAIL: john@66eng.com
C.A. # 8853 EXPIRES: 6-30-2025



LEGEND

OH - OVERHEAD
U/E - UTILITY EASEMENT
UG - UNDERGROUND GAS
UT - UNDERGROUND TELEPHONE
XXXX - ADDRESS NUMBER

SUBDIVISION STATISTICS

SUBDIVISION CONTAINS ONE (1) LOT IN ONE (1) BLOCK.
GROSS SUBDIVISION AREA: 194,950.00 SF / 4.48 ACRES

ADDRESSES

ADDRESSES LISTED ARE AS PROVIDED AND, TO THE KNOWLEDGE OF THE SURVEYOR, CORRECT AT THE TIME OF PLATTING. ADDRESSES SHOULD NEVER BE RELIED UPON IN PLACE OF LEGAL DESCRIPTION.

BASIS OF BEARINGS

BEARINGS ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM (3501 OK N), NORTH AMERICAN DATUM 1983 (NAD83), USING THE WEST LINE OF BLOCK FOUR (4) OF FACTORY ADDITION TO THE CITY OF MUSKOGEE AS N 01°53'13" W.

MONUMENTATION

ALL CORNERS SHOWN HEREON ARE A SET 3/8" X 18" IRON PIN WITH A PINK PLASTIC CAP STAMPED "ATLAS 8060" UNLESS OTHERWISE NOTED.

ZONING REQUIREMENTS

C-1 — LOCAL COMMERCIAL:
• MAX LOT COVERAGE: NONE
• FRONT SETBACK: NONE
• REAR SETBACK: NONE
• MAXIMUM BUILDING HEIGHT: 115 FEET / 10-1/2 STORIES

FLOODPLAIN DATA

ACCORDING TO THE U.S. DEPARTMENT OF HOMELAND SECURITY FIRM, PANEL NUMBER 40101C0115F, EFFECTIVE DATE FEBRUARY 4, 2011, THE SUBJECT PROPERTY IS LOCATED IN UNSHADED ZONE "X."



BEFORE YOU DIG
CONTACT OKLAHOMA
ONE-CALL
1-800-522-6543
EXISTING UNDERGROUND
LINES HAVE BEEN SHOWN
TO THE EXTENT KNOWN

PRELIMINARY PLAT OF Muskok AOS Partners

A SUBDIVISION BEING A REPLAT OF A PART OF BLOCKS FOUR (4) AND SIX (6) AND ALL OF BLOCK FIVE (5) OF FACTORY ADDITION TO THE CITY OF MUSKOGEE, ALSO KNOWN AS A PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION TWENTY-THREE (23), TOWNSHIP FIFTEEN (15) NORTH, RANGE EIGHTEEN (18) EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA.

DEED OF DEDICATION

KNOW ALL ME BY THESE PRESENTS: THAT MUSKOK AOS PARTNERS, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HEREINAFTER REFERRED TO AS DEVELOPER, IS THE OWNER OF THE REAL PROPERTY SITUATED IN MUSKOGEE COUNTY, STATE OF OKLAHOMA, DESCRIBED AS FOLLOWS:

A PART OF FACTORY ADDITION TO THE CITY OF MUSKOGEE, BEING A SUBDIVISION OF PART OF SECTION TWENTY-THREE (23), TOWNSHIP FIFTEEN (15) NORTH, RANGE EIGHTEEN (18) EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT TWENTY (20), BLOCK FOUR (4), FACTORY ADDITION; THENCE N 88°06'47" E, ALONG THE NORTH LINE OF SAID LOT TWENTY (20), AND CONTINUING ACROSS THE VACATED 15-FOOT ALLEYWAY AND ALONG THE NORTH LINE OF LOT THIRTEEN (13), BLOCK FOUR (4), AND ALSO CONTINUING ACROSS THE 50-FOOT RIGHT-OF-WAY FOR NORTH 5TH STREET, A DISTANCE OF 329.00 FEET, TO THE WEST LINE OF BLOCK THREE (3), FACTORY ADDITION, SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT TWENTY (20), BLOCK THREE (3); THENCE S 01°53'13" E, ALONG THE WEST LINE OF SAID BLOCK THREE (3), AND CONTINUING ACROSS THE 50-FOOT RIGHT-OF-WAY FOR MARTIN STREET, A DISTANCE OF 150.00 FEET, TO THE NORTHWEST CORNER OF BLOCK SIX (6), FACTORY ADDITION, SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT THIRTY-TWO (32), BLOCK SIX (6); THENCE N 88°06'47" E, ALONG THE NORTH LINE OF SAID LOT THIRTY-TWO (32), A DISTANCE OF 35.00 FEET; THENCE S 01°53'13" E, PARALLEL AND 35.00 FEET EAST OF THE WEST LINE OF SAID BLOCK SIX (6), A DISTANCE OF 400.00 FEET, TO A POINT ON THE SOUTH LINE OF SAID BLOCK SIX (6), SAID POINT ALSO BEING ON THE SOUTH LINE OF LOT SEVENTEEN (17), BLOCK SIX (6), AND BEING 35.00 FEET EAST OF THE SOUTHWEST CORNER THEREOF; THENCE S 88°06'47" W, ALONG THE SOUTH LINE OF SAID LOT SEVENTEEN (17), BLOCK SIX (6), AND CONTINUING ACROSS THE 50-FOOT RIGHT-OF-WAY FOR NORTH 5TH STREET AND ALONG THE SOUTH LINE OF BLOCK FIVE (5), FACTORY ADDITION, A DISTANCE OF 364.00 FEET, TO THE SOUTHWEST CORNER OF SAID BLOCK FIVE (5), SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT SEVENTEEN (17), BLOCK FIVE (5); THENCE N 01°53'13" W, ALONG THE WEST LINE OF SAID BLOCK FIVE (5), CONTINUING ACROSS THE VACATED 50-FOOT RIGHT-OF-WAY FOR MARTIN STREET AND ALONG THE WEST LINE OF SAID BLOCK FOUR (4), A DISTANCE OF 550.00 FEET, **TO THE POINT OF BEGINNING.**

SAID TRACT OF LAND CONTAINING 194,950.00 SQUARE FEET / 4.48 ACRES.

THIS LEGAL DESCRIPTION WAS CREATED ON FEBRUARY 17, 2025, BY ALBERT R. JONES III, OK PLS #1580, WITH THE BASIS OF BEARING BEING N 01°53'13" W ALONG THE WEST LINE OF BLOCK FOUR (4) OF SAID FACTORY ADDITION.

THE DEVELOPER HAS CAUSED THE SAME TO BE ENGINEERED, SURVEYED, STAKED AND PLATTED INTO LOTS, BLOCKS AND PARCELS IN CONFORMITY TO THE ACCOMPANYING PLAT AND SURVEY THEREOF, WHICH IS HEREBY ADOPTED AS THE PLAT OF THE ABOVE DESCRIBED LAND, UNDER THE NAME OF "MUSKOK AOS PARTNERS", AN ADDITION TO MUSKOGEE COUNTY, STATE OF OKLAHOMA ("THE SUBDIVISION").

NOW THEREFORE FOR THE PURPOSE OF PROVIDING FOR THE ORDERLY DEVELOPMENT OF THE SUBDIVISION AND FOR THE PURPOSE OF PROVIDING FOR ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE DEVELOPER, ITS SUCCESSORS, GRANTEES AND ASSIGNS, THE DEVELOPER DOES HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND WHICH SHALL BE ENFORCEABLE BY THE DEVELOPER AND THE BENEFICIARIES OF THE COVENANTS SET FORTH BELOW AS TO SUCH RESTRICTIONS.

SECTION I: EASEMENTS AND UTILITIES

1.1. GENERAL UTILITY EASEMENTS. THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC THE UTILITY EASEMENTS DESIGNATED AS "U/E" OR "UTILITY EASEMENT", FOR THE 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, 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 AFORESAID, PROVIDED HOWEVER, THE OWNER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RE-LAY WATER LINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING AND RELAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO THE AREA INCLUDED IN THE PLAT. THE OWNER HEREIN IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON THE LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF MUSKOGEE, MUSKOGEE 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 THAT INTERFERES WITH THE ABOVE SET FORTH USES AND PURPOSES OF AN EASEMENT SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING AND CUSTOMARY SCREENING FENCES AND WALLS THAT DO NOT CONSTITUTE AN OBSTRUCTION.

1.2. UNDERGROUND SERVICE.

A. OVERHEAD POLES FOR THE SUPPLY OF ELECTRIC AND COMMUNICATION SERVICE MAY BE LOCATED IN THE PERIMETER UTILITY EASEMENT AND IN THE PERIMETER RIGHTS-OF-WAY OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY OVERHEAD 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 UPON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE GENERAL UTILITY EASEMENTS.

B. UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES 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 STRUCTURE AS MAY BE LOCATED UPON EACH SAID LOT; PROVIDED THAT UPON THE INSTALLATION OF SUCH A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT AND EFFECTIVE EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE, EXTENDING FROM THE SERVICE PEDESTAL, TRANSFORMER OR GAS MAIN TO THE SERVICE ENTRANCE ON THE STRUCTURE OR A POINT OF METERING.

C. 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 OF 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 SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION ALSO RESERVES THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO CUT DOWN, TRIM, OR TREAT ANY TREES AND UNDERGROWTH ON SAID EASEMENT.

D. THE OWNER OF THE LOT IN THE SUBDIVISION SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND ELECTRIC FACILITIES LOCATED ON THE OWNER'S 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 WILL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER OF THE LOT IN THE SUBDIVISION WILL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR THEIR AGENTS OR CONTRACTORS. THE FOREGOING COVENANTS CONCERNING UNDERGROUND FACILITIES SHALL BE ENFORCEABLE BY THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION, OR GAS SERVICES.

E. THE FOREGOING COVENANTS CONCERNING UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION, INTERNET OR GAS LINES SHALL BE ENFORCEABLE BY THE SUPPLIER OF SAID SERVICE, AND THE OWNER OF EACH LOT AGREES TO BE BOUND THEREBY.

1.3. WATER MAINS, SANITARY SEWERS, AND STORM SEWER SERVICES.

A. THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS IN THIS ADDITION.

B. WITHIN THE UTILITY EASEMENT AREAS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GROUND ELEVATIONS FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER MAIN, OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS, SHALL BE PROHIBITED.

C. THE CITY OF MUSKOGEE, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWER MAINS, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, THEIR AGENTS OR CONTRACTORS.

D. THE CITY OF MUSKOGEE, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THE DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF UNDERGROUND WATER, SANITARY SEWER OR STORM SEWER FACILITIES.

E. FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY THE CITY OF MUSKOGEE, OKLAHOMA, OR ITS SUCCESSORS, AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

1.4. SURFACE DRAINAGE. EACH LOT DEPICTED ON THE PLAT OF MUSKOK AOS PARTNERS, SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM STREETS AND EASEMENTS. NO LOT OWNER(S) 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 ANY LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER.

1.5. STORMWATER DETENTION EASEMENT.

A. THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC A PERPETUAL EASEMENT FOR ACCESS FOR MAINTENANCE ON, OVER, AND ACROSS THE PROPERTY DESIGNATED AND SHOWN ON THE ACCOMPANYING PLAT AS "STORMWATER DETENTION EASEMENT" FOR THE PURPOSES OF PERMITTING THE FLOW, CONVEYANCE, RETENTION, DETENTION AND DISCHARGE OF STORMWATER RUNOFF FROM THE VARIOUS LOTS WITHIN THE SUBDIVISION.

B. DETENTION, RETENTION AND OTHER DRAINAGE FACILITIES LOCATED WITHIN THE EASEMENT SHALL BE CONSTRUCTED IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY THE CITY OF MUSKOGEE, OKLAHOMA.

C. NO FENCE, WALL, BUILDING, OR OTHER OBSTRUCTION SHALL BE PLACED OR MAINTAINED IN THE RESERVES NOR SHALL THERE BE ANY ALTERATION OF GRADE IN SAID RESERVES UNLESS APPROVED BY THE STORMWATER DEVELOPMENT DIVISION THROUGH THE ENGINEERING AND CONSTRUCTION DEPARTMENT OF THE CITY OF MUSKOGEE, OKLAHOMA.

D. DETENTION, RETENTION, AND OTHER DRAINAGE FACILITIES SHALL BE MAINTAINED BY THE LAND OWNER TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED DRAINAGE, RETENTION, AND DETENTION FUNCTIONS INCLUDING REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION AND THE ASSOCIATION SHALL PROVIDE CUSTOMARY GROUNDS MAINTENANCE WITHIN THE RESERVES IN ACCORDANCE WITH THE FOLLOWING MINIMUM STANDARDS:

- D.1. GRASS AREAS SHALL BE MOWED (IN SEASON) AT REGULAR INTERVALS OF FOUR WEEKS, OR LESS.
- D.2. CONCRETE APPURTENANCES SHALL BE MAINTAINED IN GOOD CONDITION AND REPLACED IF DAMAGED.
- D.3. THE RESERVES SHALL BE KEPT FREE OF DEBRIS.
- D.4. CLEANING OF SILTATION AND VEGETATION FROM CONCRETE CHANNELS SHALL BE PERFORMED TWICE YEARLY.

1.6. PAVING AND LANDSCAPING WITHIN EASEMENTS. THE OWNER OF THE LOT AFFECTED SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO LANDSCAPING AND PAVING OCCASIONED BY NECESSARY PLACEMENTS, REPLACEMENTS, OR MAINTENANCE OF WATER, SEWER, STORM SEWER, NATURAL GAS, COMMUNICATION, CABLE TELEVISION, OR ELECTRIC FACILITIES WITHIN THE UTILITY EASEMENT AREAS DEPICTED UPON THE ACCOMPANYING PLAT, PROVIDED HOWEVER, THE CITY OF MUSKOGEE, MUSKOGEE COUNTY, OKLAHOMA OR THE SUPPLIER OF THE UTILITY SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

SECTION II: PLANNED UNIT DEVELOPMENT REQUIREMENTS

A PLANNED UNIT DEVELOPMENT (PUD-24-0862) HAS BEEN PUT IN PLACE BY THE CITY OF MUSKOGEE, OKLAHOMA.

WHEREAS, THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE CITY OF MUSKOGEE ZONING CODE REQUIRED BY THE ESTABLISHMENT OF COVENANTS OF RECORD, INURING TO AND ENFORCEABLE BY THE CITY OF MUSKOGEE, STATE OF OKLAHOMA, SUFFICIENT TO ASSURE THE IMPLEMENTATION AND CONTINUED COMPLIANCE WITH THE APPROVED PLANNED UNIT DEVELOPMENT, AND

WHEREAS, THE OWNER DESIRES TO ESTABLISH RESTRICTIONS FOR THE PURPOSE OF PROVIDING FOR AN ORDERLY DEVELOPMENT AND TO INSURE ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE OWNER, ITS SUCCESSOR AND ASSIGNS, AND THE CITY OF MUSKOGEE, STATE OF OKLAHOMA.

THEREFORE, THE OWNER 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.

2.1. DEVELOPMENT IN ACCORDANCE WITH PUD. PUD 24-0826 SHALL BE DEVELOPED IN ACCORDANCE WITH THE MUSKOGEE ZONING ORDINANCE AND THE USE AND DEVELOPMENT REGULATIONS OF THE INDUSTRIAL LIGHT DISTRICT EXCEPT AS NOTED HEREIN.

2.2. APPLICABLE ORDINANCE. THE MUSKOK AOS PARTNERS SHALL BE SUBJECT TO THE PLANNED UNIT DEVELOPMENT (PUD 24-0826) PROVISIONS OF THE CITY OF MUSKOGEE ZONING CODE ESTABLISHED AT THE TIME OF PUD APPROVAL.

2.3. DEVELOPMENT STANDARDS. THE MUSKOK AOS PARTNERS SHALL BE SUBJECT TO THE PLANNED UNIT DEVELOPMENT (PUD 24-0826) PROVISIONS OF THE CITY OF MUSKOGEE ZONING CODE ESTABLISHED AT THE TIME OF PUD APPROVAL.

LAND AREA: 4.48 ACRES / 194,950.00 SF

ZONING CLASSIFICATION: C-1 — LOCAL COMMERCIAL

STANDARDS	CITY REQUIRED (C-1)	SUBJECT PROPERTY
MAX. LOT COVERAGE	NONE	NONE
FRONT SETBACK	NONE	NONE
REAR SETBACK	NONE	NONE
MAX. BUILDING HEIGHT	115 FEET OR 10-1/2 STORIES	115 FEET OR 10-1/2 STORIES

2.4. ACCESS AND TRAFFIC CIRCULATION. ACCESS WILL BE DERIVED FROM MARTIN STREET ALONG THE EAST PROPERTY AND FROM 6TH STREET ALONG THE WEST PROPERTY LINE.

2.5. LANDSCAPE AND SCREENING. LANDSCAPING AND SCREENING REFERENCE THE MUSKOGEE PLANNED UNIT DEVELOPMENT 24-0826. ARTICLE 5, SECTION K, LANDSCAPING AND SCREENING.

2.6. TOPOGRAPHY, UTILITIES, AND DRAINAGE. THE PROJECT DEVELOPMENT AREA OF MUSKOK AOS PARTNERS GENERALLY DRAINS TO THE NORTH. DETENTION WILL BE PROVIDED ON THE SITE. AN 8" WATER LINE IS AVAILABLE FROM THE WEST SIDE OF 6TH STREET. A 8" SANITARY SEWER LINE IS PRESENT ON THE WEST 6TH STREET.

2.7. APPLICABLE STANDARDS. IN ADDITION TO THE STANDARDS SET FORTH BY THIS PUD, DEVELOPMENT ON THIS SITE WILL MEET APPLICABLE STANDARDS OF THE UNDERLYING ZONING DISTRICT AND THE ORDINANCES OF THE CITY OF MUSKOGEE.

SECTION III: ENFORCEMENT, DURATION, AMENDMENT, AND SEVERABILITY

3.1. 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, EASEMENTS AND UTILITIES ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO. IF THE UNDERSIGNED OWNER OR ITS SUCCESSORS OR ASSIGNS SHALL VIOLATE ANY OF THE

COVENANTS WITHIN SECTION I, IT SHALL BE LAWFUL FOR ANY PERSON OR PERSONS OWNING ANY LOT SITUATED WITHIN THE SUBDIVISION, OR THE CITY OF MUSKOGEE, OKLAHOMA, OR ITS SUCCESSOR, 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 OR TO RECOVER DAMAGES.

3.2. DURATION. THESE RESTRICTIONS, TO THE EXTENT PERMITTED BY APPLICABLE LAW, SHALL BE PERPETUAL 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 AS HEREINAFTER PROVIDED.

3.3. 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 CITY OF MUSKOGEE PLANNING COMMISSION, OR ITS SUCCESSORS WITH THE APPROVAL OF THE CITY OF MUSKOGEE, MUSKOGEE COUNTY, OKLAHOMA.

3.4. 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.

PRELIMINARY PLAT OF

Muskok AOS Partners

A SUBDIVISION BEING A REPLAT OF A PART OF BLOCKS FOUR (4) AND SIX (6) AND ALL OF BLOCK FIVE (5) OF FACTORY ADDITION TO THE CITY OF MUSKOGEE, ALSO KNOWN AS A PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION TWENTY-THREE (23), TOWNSHIP FIFTEEN (15) NORTH, RANGE EIGHTEEN (18) EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA.

CERTIFICATE OF OWNERSHIP & DEDICATION

KNOW ALL MEN BY THESE PRESENTS, THAT WE, _____, HEREBY CERTIFY THAT WE ARE THE OWNER AND THE PERSON OR PERSONS HAVING ANY RIGHT, TITLE OR INTERESTS TO THE FOLLOWING DESCRIBED TRACT OF LAND, TO-WIT:

A PART OF FACTORY ADDITION TO THE CITY OF MUSKOGEE, BEING A SUBDIVISION OF PART OF SECTION TWENTY-THREE (23), TOWNSHIP FIFTEEN (15) NORTH, RANGE EIGHTEEN (18) EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT TWENTY (20), BLOCK FOUR (4), FACTORY ADDITION; THENCE N 88°06'47" E, ALONG THE NORTH LINE OF SAID LOT TWENTY (20), AND CONTINUING ACROSS THE VACATED 15-FOOT ALLEYWAY AND ALONG THE NORTH LINE OF LOT THIRTEEN (13), BLOCK FOUR (4), AND ALSO CONTINUING ACROSS THE 50-FOOT RIGHT-OF-WAY FOR NORTH 5TH STREET, A DISTANCE OF 329.00 FEET, TO THE WEST LINE OF BLOCK THREE (3), FACTORY ADDITION, SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT TWENTY (20), BLOCK THREE (3); THENCE S 01°53'13" E, ALONG THE WEST LINE OF SAID BLOCK THREE (3), AND CONTINUING ACROSS THE 50-FOOT RIGHT-OF-WAY FOR MARTIN STREET, A DISTANCE OF 150.00 FEET, TO THE NORTHWEST CORNER OF BLOCK SIX (6), FACTORY ADDITION, SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT THIRTY-TWO (32), BLOCK SIX (6); THENCE N 88°06'47" E, ALONG THE NORTH LINE OF SAID LOT THIRTY-TWO (32), A DISTANCE OF 35.00 FEET; THENCE S 01°53'13" E, PARALLEL AND 35.00 FEET EAST OF THE WEST LINE OF SAID BLOCK SIX (6), A DISTANCE OF 400.00 FEET, TO A POINT ON THE SOUTH LINE OF SAID BLOCK SIX (6), SAID POINT ALSO BEING ON THE SOUTH LINE OF LOT SEVENTEEN (17), BLOCK SIX (6), AND BEING 35.00 FEET EAST OF THE SOUTHWEST CORNER THEREOF; THENCE S 88°06'47" W, ALONG THE SOUTH LINE OF SAID LOT SEVENTEEN (17), BLOCK SIX (6), AND CONTINUING ACROSS THE 50-FOOT RIGHT-OF-WAY FOR NORTH 5TH STREET AND ALONG THE SOUTH LINE OF BLOCK FIVE (5), FACTORY ADDITION, A DISTANCE OF 364.00 FEET, TO THE SOUTHWEST CORNER OF SAID BLOCK FIVE (5), SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT SEVENTEEN (17), BLOCK FIVE (5); THENCE N 01°53'13" W, ALONG THE WEST LINE OF SAID BLOCK FIVE (5), CONTINUING ACROSS THE VACATED 50-FOOT RIGHT-OF-WAY FOR MARTIN STREET AND ALONG THE WEST LINE OF SAID BLOCK FOUR (4), A DISTANCE OF 550.00 FEET, **TO THE POINT OF BEGINNING.**

SAID TRACT OF LAND CONTAINING 194,950.00 SQUARE FEET / 4.48 ACRES.

THIS LEGAL DESCRIPTION WAS CREATED ON FEBRUARY 17, 2025, BY ALBERT R. JONES III, OK PLS #1580, WITH THE BASIS OF BEARING BEING N 01°53'13" W ALONG THE WEST LINE OF BLOCK FOUR (4) OF SAID FACTORY ADDITION.

NAME, COMPANY

DATE

STATE OF _____)
) SS
COUNTY OF _____)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS _____ DAY OF _____, 2025, PERSONALLY APPEARED _____, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO EXECUTED THE WITHIN AND FOREGOING INSTRUMENT.

GIVEN UNDER MY HAND AND SEAL THE DAY AND YEAR LAST ABOVE WRITTEN.

NOTARY PUBLIC

MY COMMISSION EXPIRES

CERTIFICATE OF SURVEY

I, ALBERT JONES III, OF ATLAS LAND OFFICE, INC., A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA UNDER CERTIFICATE OF AUTHORIZATION #8060, 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 "PEARL RIDGE ESTATES", A SUBDIVISION IN WAGONER 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 SURVEYORS.

WITNESS MY HAND AND SEAL THIS _____ DAY OF _____, 2025.

ALBERT JONES III
OKLAHOMA REGISTERED PROFESSIONAL LAND SURVEYOR #1580
ATLAS LAND OFFICE, INC.
C.A. # 8060, EXP. 6-30-2026



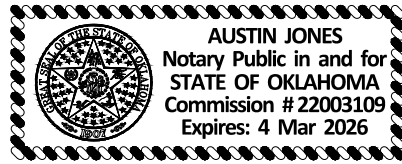
STATE OF OKLAHOMA)
) SS
COUNTY OF MUSKOGEE)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS _____ DAY OF _____, 2025, PERSONALLY APPEARED ALBERT JONES III, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO EXECUTED THE WITHIN AND FOREGOING INSTRUMENT.

GIVEN UNDER MY HAND AND SEAL THE DAY AND YEAR LAST ABOVE WRITTEN.

NOTARY PUBLIC

MY COMMISSION EXPIRES



CERTIFICATE OF MUSKOGEE COUNTY TREASURER

I HEREBY CERTIFY THAT AS TO ALL REAL ESTATE INVOLVED IN THE PLAT, ALL TAXES HAVE BEEN PAID FOR 2021 US REFLECTED BY THE CURRENT TAX ROLL AND THAT THERE ARE NO TAXES DUE FOR PRIOR YEARS, AND SECURITY HAS BEEN PROVIDED FOR 2021 TAXES NOT AS YET CERTIFIED TO ME.

MUSKOGEE COUNTY TREASURER

CERTIFICATE OF MUSKOGEE COUNTY CLERK

THIS PLAT HAS BEEN FILED IN THE OFFICE OF THE COUNTY CLERK, MUSKOGEE COUNTY, OKLAHOMA, THIS _____ DAY OF _____, 2025. BOOK _____, PAGE _____.

MUSKOGEE COUNTY CLERK

APPROVED: CITY OF MUSKOGEE
DATE: _____

Planning Commission

4.

Meeting Date: 05/06/2025

Initiator: Sarah Winkle, Deputy Director of Planning and Community Development

Information

AGENDA ITEM TITLE:

Consider approval, conditional approval, or disapproval of the Preliminary and Final Plat for the York-Peak Addition, located on South York Street, and consisting of 4 acres, or take other necessary action. (Sarah Winkle)

LEGAL DESCRIPTION:

A tract of land situated in Government Lot 6 of Section 1, T14N ,R18E of the I.B.&M., Muskogee County, State of Oklahoma; Being more particularly described by Meets and Bounds as follows: Commencing at the NE Corner of Government Lot 6, thence S01°32'57"E along the East line of Section 1 a distance of 874.00 feet; thence S87°59'08"W a distance of 56.48 feet to a point on the west right-of-way line of South York Street also being the Point of Beginning; thence S01°27'38"E along said west line a distance of 500.84 feet; thence S87°59'08"W a distance of 436.95 feet; thence N18°07'21"E a distance of 533.43 feet; thence N87°59'08"E a distance of 258.15 feet to the Point of Beginning. Containing 4.0 acres, more or less.

BACKGROUND:

The application was submitted by Charles Yandell the property owner, and indicated the property is being platted for the possible sale and development of the three (3) lots consisting of a total of 4 acres. This plat went to the Subdivision Review Committee on April 29, 2025, and was approved.

Current Zoning: R-1 Residential

Tract 1: 0.92 Acres

Tract 2: 1.08 Acres

Tract 3: 2.00 Acres

RECOMMENDED STAFF ACTION:

Recommend approval of the plat.

Fiscal Impact

Attachments

Preliminary Plat

Final Plat

Deed

Pioneer Abstract & Title Co. of Muskogee #2010070055

P.I.D.N.#

DOC STAMPS \$ 825.00

Property Address: vacant land, Muskogee, OK 74403

Mailing Address:

2601 Chandler Rd
Muskogee, OK 74403

INDIVIDUAL

WARRANTY DEED

(Oklahoma Statutory Form)

I-2010-008084 Book 4110 Pg. 312

07/23/2010 2:41 pm Pg 0312-0313

Fee: \$ 15.00 Doc: \$ 825.00

Karen Anderson - Muskogee County
State of Oklahoma

That Carroll L. Marchant and Lafonda Sue Marchant, husband and wife parties
of the first part, in consideration of the sum of TEN & NO/100----- and
other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell
and convey unto Charles Yandell and Charles Randolph parties of the second part, the following described real
property and premises situate in Muskogee County, State of Oklahoma, to-wit:

Lot 6 less the Northerly 874.00 feet thereof in Section 1, Township 14 North, Range 18 East of the
Indian Base & Meridian,
AND

A part of Lots 8 and 9 in Section 1, Township 14 North, Range 18 East of the Indian Base &
Meridian, more particularly described as follows: Beginning at a point on the East Boundary Line
of said Section 1 a distance of 880.00 feet North of the Southeast Corner of said Section 1; Thence
North 440.00 feet to the Northeast Corner of Lot 9; Thence West along the North Boundary of Lots
9 and 8 a distance of 990.00 feet to the Northeast Corner of the West 10 Acres of Lot 8; Thence
South along the East Boundary Line of the West 10 Acres of said Lot 8 a distance of 440.00 feet;
Thence East on a line parallel with the North Boundary of said Lots 8 and 9 a distance of 990.00
feet to the Point of Beginning, all in Muskogee County, State of Oklahoma.

LESS AND EXCEPT THE FOLLOWING DESCRIBED TRACT:

A strip, piece or parcel of land lying in part of the Government Lot 6 and part of Government Lot 9
in Section 1, Township 14 North, Range 18 East of the Indian Base & Meridian, Muskogee County,
State of Oklahoma, more particularly described as follows, to-wit: Beginning at a point on the East
line of said Government Lot 9 a distance of 880.00 feet North of the Southeast Corner of said
Government Lot 9; Thence West a distance of 467.84 feet; Thence N67°28'38" E a distance of 400.00
feet; Thence N20°36'48" E a distance of 165.98 feet; Thence N00°01'13" E a distance of 116.00 feet;
Thence N25°11'38" E a distance of 55.25 feet; Thence S89°58'47" E a distance of 16.50 feet to a
point on the East line of said Government Lot 6 a distance of 1289.97 feet South of the Northeast
Corner of said Government Lot 6; Thence South along the East line of said Government Lot 6 and
Government Lot 9 a distance of 470.00 feet to the Point of Beginning.

together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto the said parties of the second part, their heirs and
assigns forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other
liens and incumbrances of whatsoever nature.

EXCEPT covenants, conditions, easements, restrictions and mineral conveyances of record.

Signed and delivered this 23rd day of July, 2010.

Carroll L. Marchant
Carroll L. Marchant

Lafonda Sue Marchant
Lafonda Sue Marchant

VIEW ADDITIONAL LAND RECORDS AT
OKCOUNTYRECORDS.COM

HUD50AR

State of Oklahoma
Muskogee County
Documentary Stamps \$ 225-

INDIVIDUAL ACKNOWLEDGMENT-OKLAHOMA FORM

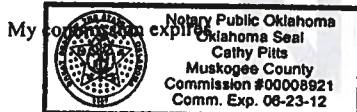
STATE OF OKLAHOMA)
),SS
County of Muskogee)

Before me, a Notary Public, in and for said County and State, on this 23rd day of July, 2010, personally appeared Carroll L. Marchant and Lafonda Sue Marchant, husband and wife, to me known to be the identical persons who executed the within and foregoing instrument, and acknowledged to me that they executed the same as their free and voluntary act and deed for the purposes therein set forth.

Given under my hand and seal the day and year last above written.



Notary Public



VIEW ADDITIONAL LAND RECORDS AT
OKCOUNTYRECORDS.COM

Meeting Date: 05/06/2025

Initiator: Sarah Winkle, Deputy Director of Planning and Community Development

Information

AGENDA ITEM TITLE:

Consider approval, conditional approval, or disapproval of the Preliminary and Final Plat for the Fairway Ridge development, consisting of 7.51 acres, or take other necessary action. (Sarah Winkle)

LEGAL DESCRIPTION:

A tract of land situated in the SE/4 of Section 11, T14N, R18E of the I.B.&M., Muskogee County, State of Oklahoma, being more particularly described by metes and bounds as follows; Commencing at the SE Corner of Section 11, thence N1°37'25"W along the East line of the SE/4 a distance of 452.99 feet to the Point of Beginning; thence S88°26'30"W distance of 40.00 feet; thence on a curve to the left with a radius of 107.19 feet an arc length of 121.63 feet and a chord which bears N77°25'02"W a distance of 115.21 feet; thence S67°33'55"W a distance of 94.29 feet; thence on a curve to the right with a radius of 65.07 feet an arc length of 96.74 feet and a chord which bears N57°26'28"W a distance of 88.08 feet; thence N12°03'37"W a distance of 41.48 feet; thence N5°19'41"W a distance of 62.97 feet; thence N9°11'14"W a distance of 33.87 feet; thence N11°18'16"W a distance of 91.51 feet; thence N6°08'35"W a distance of 203.38 feet; thence N6°59'29"W a distance of 98.72 feet; thence N8°33'47"W a distance of 69.79 feet; thence N8°13'51"W a distance of 76.01 feet; thence N4°56'10"E a distance of 72.66 feet; thence N15°54'52"E a distance of 201.92 feet; thence N21°36'59"E a distance of 166.70 feet; thence N10°02'21"E a distance of 67.24 feet; thence N26°06'20"E a distance of 192.37 feet; thence N88°22'35"E a distance of 148.52 feet to a point on the East line of the SE/4; thence S1°37'25"E along the East line of the SE/4 a distance of 439.31 feet; thence S88°22'35"W a distance of 40.00 feet to the northeast corner of Lot 1, Block 1 of Cobblestone Creek III; thence S30°51'02"W along the boundary of said addition a distance of 177.87 feet; thence S1°14'33"E along the boundary of said addition a distance of 443.58 feet; thence S81°52'40"E along the boundary of said addition a distance of 99.90 feet to the southeast corner of Lot 2, Block 1 of Cobblestone Creek III; thence N88°22'35"W a distance of 40.00 feet to a point on the East line of the SE/4; thence S1°37'25"E along said East line a distance of 321.67 feet to the Point of Beginning. Containing 8.21 acres, more or less.

BACKGROUND:

The application was submitted by Tony Robison on behalf of the property owners, and indicated the property is being platted for the sale and future development of the 7.51 acres for single-family residential homes. This plat went to the Subdivision Review Committee on April 29, 2025, and was approved.

Current Zoning: PUD

Lot 1: 1 Acre

Lot 2: 1 Acre

Lot 3: 1.92 Acres

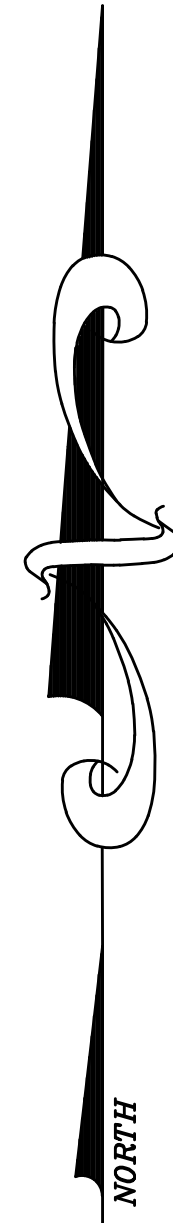
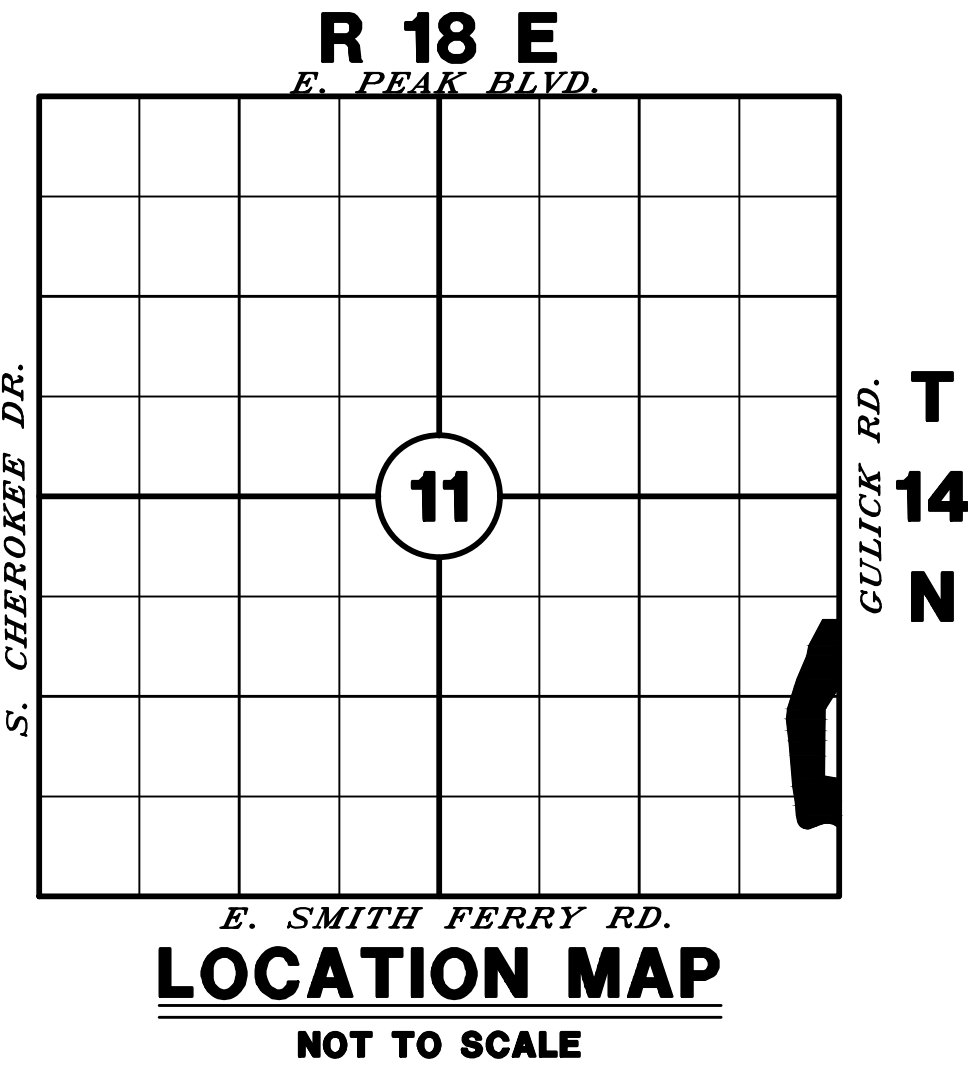
Lot 4: 1.92 Acres

Lot 5: 1.68 Acres

RECOMMENDED STAFF ACTION:

Recommend approval of the Plats.

Fiscal Impact	
Attachments	
Preliminary Plat	
Final Plat	
Deed	



PREPARED FOR:

GREG AND CHRISTY THAYER
3701 SHEFFIELD AVE.
MUSKOGEE, OK. 74434

DEVELOPMENT SUMMARY:

ZONING: R-1
TOTAL AREA OF LOTS: 7.52 ACRES

TOTAL LOTS IN THIS PHASE = 5

SETBACKS
FRONT LOT = 25'
SIDE LOT = 6'
STREET SIDE = 15'
REAR LOT = 25'

OFFSITE CONTROL

H-59
N-264364.468
E-2,752933.931
E.L. -562.586

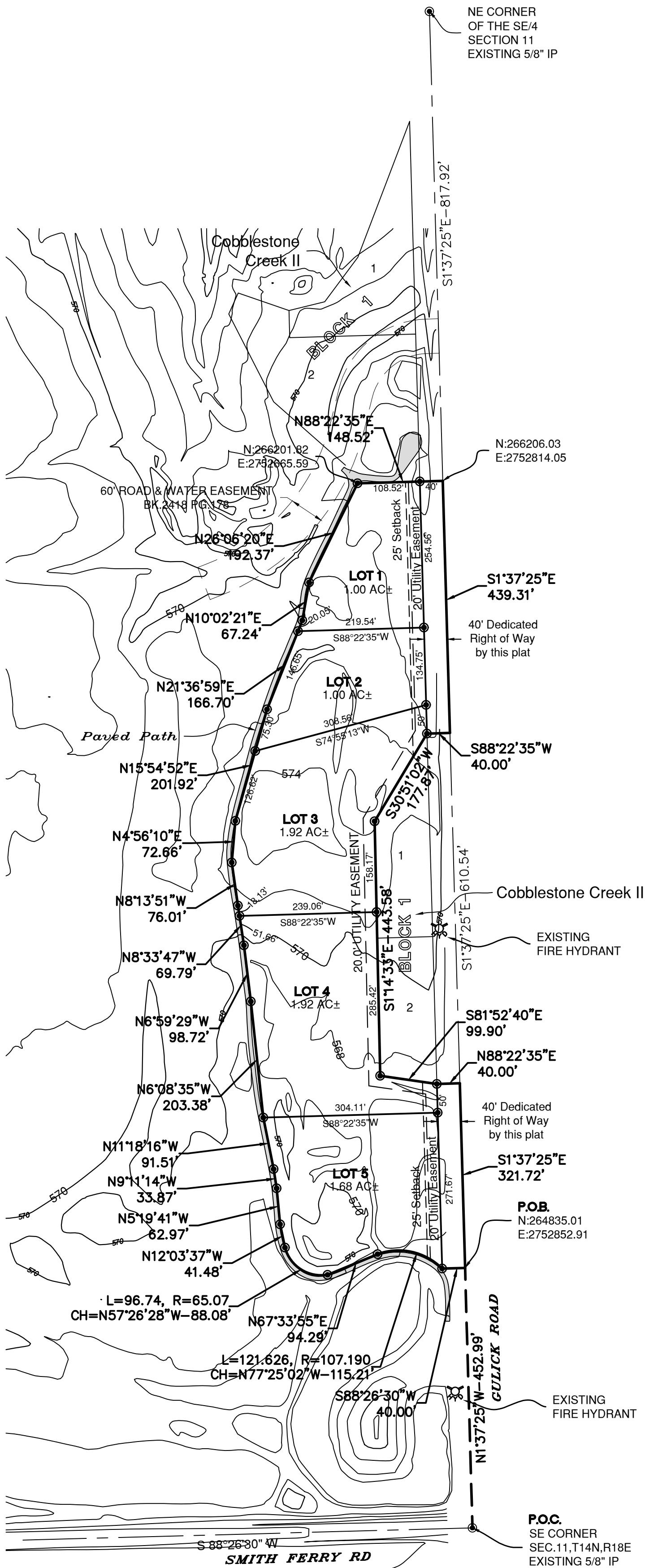
Heartland Surveying & Mapping, PLLC

CA #4849
600 Emporia St., Ste. 101
Muskogee, Oklahoma 74401
(918) 682-7796

LOT CORNERS TO HAVE 5/8" IRON PINS SET AFTER APPROVAL OF PLAT AND INSTALLATION OF ROADS AND UTILITIES.

HORIZONTAL DATUM IS BASED ON NAD 83(93) OKLAHOMA STATE PLANE COORDINATE SYSTEM, OKLAHOMA NORTH ZONE.

PRELIMINARY PLAT OF FAIRWAY RIDGE ADDITION SECTION 11, T14N, R18E, CITY OF MUSKOGEE MUSKOGEE COUNTY, STATE OF OKLAHOMA



NOTE:

CONTOURS SHOWN ARE 2 FOOT INTERVAL, PROVIDED BY THE CITY OF MUSKOGEE.

NO WATER OR SEWER IS SHOWN ON THIS CITY ATLAS .



STATE OF OKLAHOMA)
COUNTY OF MUSKOGEE)

KNOW ALL MEN BY THESE PRESENTS, Greg Thayer and Christy Thayer, hereby certify that they are the Owners of the and the persons having any right, title or interests to the following described tract of land, to-Wit:

A tract of land situated in the SE/4 of Section 11, T14N, R18E of the I.B.&M., Muskogee County, State of Oklahoma, being more particularly described by metes and bounds as follows: Commencing at the SE Corner of Section 11, thence N1°37'25"W along the East line of the SE/4 a distance of 452.99 feet to the Point of Beginning; thence S88°26'30"W distance of 40.00 feet; thence on a curve to the left with a radius of 107.19 feet an arc length of 121.63 feet and a chord which bears N77°25'02"W a distance of 115.21 feet; thence S67°33'55"W a distance of 94.29 feet; thence on a curve to the right with a radius of 65.07 feet an arc length of 96.74 feet and a chord which bears N57°26'28"W a distance of 88.08 feet; thence N12°03'37"W a distance of 41.48 feet; thence N5°19'41"W a distance of 62.97 feet; thence N9°11'14"W a distance of 33.87 feet; thence N11°18'16"W a distance of 91.51 feet; thence N6°08'35"W a distance of 203.38 feet; thence N6°59'29"W a distance of 98.72 feet; thence N8°33'47"W a distance of 69.79 feet; thence N8°13'51"W a distance of 76.01 feet; thence N4°56'10"E a distance of 72.66 feet; thence N15°54'52"E a distance of 201.92 feet; thence N21°36'59"E a distance of 166.70 feet; thence N10°02'21"E a distance of 67.24 feet; thence N26°06'20"E a distance of 192.37 feet; thence N88°22'35"E a distance of 148.52 feet to a point on the East line of the SE/4; thence S1°37'25"E along the East line of the SE/4 a distance of 439.31 feet; thence S88°22'35"W a distance of 40.00 feet to the northeast corner of Lot 1, Block 1 of Cobblestone Creek III; thence S30°51'02"W along the boundary of said addition a distance of 177.87 feet; thence S1°14'33"E along the boundary of said addition a distance of 443.58 feet; thence S81°52'40"E along the boundary of said addition a distance of 99.90 feet to the southeast corner of Lot 2, Block 1 of Cobblestone Creek III; thence N88°22'35"W a distance of 40.00 feet to a point on the East line of the SE/4; thence S1°37'25"E along said East line a distance of 321.67 feet to the Point of Beginning. Containing 8.21 acres, more or less.

We further certify that we have caused said tract of land to be platted into lots and blocks and have caused this plat to be made of said tract showing accurate dimension of lots and streets. We hereby designate said tract of land as FAIRWAY RIDGE ADDITION and dedicate to public use all streets and utility easements as shown hereon.

Greg Thayer Christy Thayer

STATE OF OKLAHOMA
COUNTY OF MUSKOGEE

Before me, the undersigned, a notary public in and for the State of Oklahoma, personally appeared Greg and Christy Thayer to me known to be the identical persons who executed the foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the purpose set forth.

WITNESS my hand and seal this ____ day of ____, 2025.

Notary Public

My Commission expires: _____

CERTIFICATE OF SURVEY

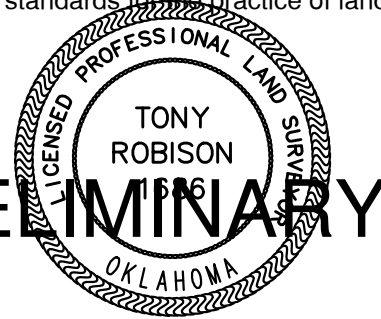
KNOW ALL MEN BY THESE PRESENTS, that I, Tony Robison, a resident of the State of Oklahoma, do hereby certify that I have carefully and accurately surveyed and platted into lots and blocks the above described property and that this plat is a true and correct representation thereof, I further certify that this plat meets the minimum standards for the practice of land surveying.

WITNESS my hand and seal this ____ day of ____, 2025.

PRELIMINARY

Tony Robison, Land Surveyor 1686

PRELIMINARY



STATE OF OKLAHOMA
COUNTY OF MUSKOGEE

Before me, the undersigned, a notary public in and for the State of Oklahoma, personally appeared Tony Robison to me known to be the identical person who executed the foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the purpose therein set forth.

WITNESS my hand and seal this ____ day of ____, 2025.

Notary Public

My Commission expires: _____

TREASURER'S CERTIFICATE

I hereby certify that as to all real estate involved in the plat, all taxes have been paid for 2025 as reflected by the current tax roll and that there are no taxes due for prior years, and security has been provided for 2025 taxes not as yet certified to me.

County Treasurer

CERTIFICATE OF COUNTY CLERK

This plat has been filed in the office of the County Clerk, Muskogee County, Oklahoma, this ____ day of ____, 2025. Book ____ , Page ____ .

County Clerk

APPROVED: City of Muskogee

Date _____

Mayor _____

City Clerk _____

FLOOD CERTIFICATION

According to the U.S. Department of Housing & Urban Development Insurance Rate Map, Panel Number 40101C0255F, Effective Date FEBRUARY 4, 2011 The subject property is located in Zone "X", Areas determined to be outside the 0.2% annual chance floodplain.

This plat is approved by the City of Muskogee to have Public Sanitary Sewer and Public Water Systems.



I-2025-001045 Book 4941 Pg 681
02/03/2025 3:38pm Pg 0681-0688
Fee: \$28.00 Doc: \$247.50
POLLY IRVING - Muskogee County Clerk
State of OK

**JOINT TENANCY
WARRANTY DEED**

PCS 08

74403
Muskogee OK

Pioneer Abstract & Title Co. of Muskogee
File Number 2430323
DOC STAMPS:
P.I.D.# 44677
Property Address: E Smith Ferry, Muskogee, 74401
Mailing Address: 3701 Shepherd Ave
Underwriter: First American Title Insurance Company
Assessor Code: 1

KNOW ALL MEN BY THESE PRESENTS:

That Dick Scott and Angela Scott, husband and wife parties of the first part. In consideration of the sum of One and no/100s dollars and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto Gregory P Thayer and Christine M Thayer as joint tenants and not as tenants in common, with the right of survivorship, the whole estate to vest in the survivor, parties of the second part, the following described real property and premises situate in Muskogee County, State of Oklahoma, to-wit:

See attached Exhibit A

together with all the improvements thereon and the appurtenances therunto belonging, and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto the said parties of the second part, as such joint tenants, and to the heirs and assigns of the survivor, forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature, EXCEPT covenants, restrictions, conditions, easements, and mineral conveyances of record, if any.

Signed and delivered this 31 day of January, 2025

Dick Scott
Dick Scott

Angela Scott
Angela Scott

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Oklahoma
COUNTY OF Muskogee SS.

Before me, a Notary Public in and for said County and State, on this 31 day of January, 2025 personally appeared Dick Scott and Angela Scott, husband and wife to me known to be the identical persons who executed the within and foregoing instrument, 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.

Given under my hand and seal the day and year last above written.

Patty A. Williams
Notary Public
PATTY A. WILLIAMS
NOTARY
#03011022
EXP. 08-20-2027
MUSKOGEE CO. OK
STATE OF OKLAHOMA

Exhibit A

A parcel of land lying in the SE/4 of Section 11, Township 14 North, Range 18 East of the Indian Meridian, Muskogee County, Oklahoma, more particularly described as follows, to-wit:

Beginning at the southeast corner of said Section 11; thence north 89°54'00" west along the south line of said Section 11 1626.21 feet to a point of curvature; thence north 00°00'00" east 111.21 feet to a point of curvature; thence on a curve to the right having a radius of 330.09 feet and a chord bearing of north 17°02'09" east an arc distance of 199.30 feet to a non-tangent line; thence south 65°59'06" east 97.70 feet; thence north 66°25'31" east 120.02 feet; thence north 47°34'55" east 266.85 feet; thence south 73°28'49" east 397.40 feet; thence south 64°53'17" east 299.59 feet; thence south 82°48'24" east 198.90 feet; thence north 25°11'09" east 190.37 feet; thence north 46°48'48" west 94.01 feet; thence north 20°56'25" west 151.12 feet; thence north 01°00'54" east 109.32 feet; thence north 05°39'16" west 507.47 feet; thence north 20°35'08" east 227.53 feet; thence north 21°13'05" east 91.18 feet; thence north 20°40'28" east 113.30 feet; thence north 33°59'16" west 75.79 feet to a point on a curve; thence on a curve to the left having a radius of 414.04 feet and a chord bearing of north 35°44'14" east an arc distance of 293.03 feet to the point of tangency; thence north 15°27'44" east 60.12 feet to a point of curvature; thence on a curve to the right having a radius of 101.42 feet, an arc distance of 131.94 feet to the point of tangency; thence north 89°59'54" east 21.23 feet to the east line of said Section 11; thence south 00°00'06" east along said east line 622.20 feet; thence south 31°07'41" west 242.30 feet; thence south 00°00'06" east 375.74 feet; thence south 59°00'23" east 146.13 feet to said east line; thence south 00°00'06" east along said east line 765.69 feet to the point of beginning, referred to as Tract A of Cobblestone Golf Course

LESS any part of Tract A which encroaches on COBBLESTONE CREEK II and

and
LESSTHE FOLLOWING: DESCRIBED TRACTS:

A tract of land situated in the east half of the NE/4 of the SE/4 of Section 11, Township 14 North, Range 18 East of the Indian Meridian, Muskogee County, Oklahoma, more particularly described as follows, to-wit: Commencing at the northeast corner of said east half of NE/4 of SE/4; thence south 01°37'25" east along the east line thereof a distance of 561.00 feet; thence south 88°22'35" west a distance of 40.00 feet to the point of beginning; thence continuing south 88°22'35" west a distance of 219.53 feet; thence north 01°37'25" west a distance of 47.28 feet; thence north 76°17'47" east a distance of 63.89 feet; thence north 36°45'34" east a distance of 96.79 feet; thence north 20°50'50" east a distance of 253.45 feet to a point 40.00 feet west of said east line of east half of NE/4 of SE/4; thence south 01°37'25" east a distance of 370.74 feet to the point of beginning

And LESS
A tract of land situated in the east half of the NE/4 of the SE/4 of Section 11, Township 14 North, Range 18 East of the Indian Meridian, Muskogee County, Oklahoma, more particularly described as follows, to-wit: Commencing at the northeast corner of said east half of NE/4 of SE/4; thence south 01°37'25" east along the east line thereof a distance of 561.00 feet; thence south 88°22'35" west a distance of 40.00 feet to the point of beginning; thence continuing south 88°22'35" west a distance of 219.53 feet; thence north 01°37'25" west a distance of 47.28 feet; thence north 71°02'23" west a distance of 93.52 feet; thence south 24°31'48" west a distance of 39.91 feet; thence south 27°05'46" east a distance of 172.11 feet; thence south 48°33'16" east a distance of 166.94 feet; thence north 18°53'55" east a distance of 197.59 feet; thence north 88°22'35" east a distance of

59.43 feet to a point of 40.00 feet west of said east line of the east half of NE/4 of SE/4; thence north 01°37'25" west a distance of 40.00 feet to the point of beginning

AND

A parcel of land lying in the north half of Section 11, Township 14 North, Range 18 East of the Indian Meridian, Muskogee County, Oklahoma, more particularly described as follows, to-wit:

Commencing at the northwest corner of said Section 11; thence south 00°09'02" east along the west line of said Section 11 878.54 feet; thence north 89°50'58" east 41.25 feet to the point of beginning; thence north 90°00'00" east 203.36 feet; thence south 52°10'37" east 437.97 feet; thence south 90°00'00" east 549.14 feet; thence south 00°04'42" east 115.69 feet; thence south 89°53'50" east 1220.00 feet; thence north 00°01'53" west 110.00 feet; thence north 78°20'10" east 294.26 feet; thence south 00°01'48" east 230.00 feet; thence south 89°53'58" east 595.44 feet; thence south 21°18'28" west 245.88 feet to a point on a curve; thence on a curve to the right having a radius of 637.94 feet, an arc distance of 22.51 feet to a non-tangent line; thence north 61°43'53" west 41.38 feet; thence north 80°15'19" west 441.60 feet; thence north 71°33'54" west 118.89 feet; thence south 83°33'18" west 94.40 feet; thence south 79°37'03" west 65.12 feet; thence south 72°27'22" west 135.55 feet to a point on a curve; thence on a curve to the left having a radius of 95.84 feet and a chord bearing of south 73°09'21" west, an arc distance of 44.63 feet to a point of compound curvature; thence on a curve to the left having a radius of 482.84 feet, an arc distance of 125.54 feet to a tangent line; thence south 44°55'10" west 185.33 feet; thence north 45°06'20" west 140.00 feet; thence south 44°53'20" west 813.96 feet; thence south 00°03'44" east 437.57 feet; thence north 89°53'59" west 452.67 feet; thence north 00°05'40" west 300.03 feet; thence north 89°53'59" west 200.00 feet; thence north 00°05'40" west 286.64 feet; thence north 69°47'37" west 209.32 feet; thence north 09°05'25" west 126.59 feet; thence north 44°01'20" west 207.21 feet; thence north 85°14'11" west 72.25 feet; thence north 53°12'46" west 138.60 feet; thence north 21°54'11" east 104.55 feet; thence north 84°35'41" west 128.20 feet to a point 41.25 feet east of the west line of said Section 11; thence north 00°09'02" west 630.89 feet to the point beginning, referred to as

Tract E of Cobblestone Golf Course

LESS AND EXCEPT the following described tract:
A tract of land located in the SW/4 of the NW/4 of Section 11, Township 14 North, Range 18 East of the Indian Meridian, Muskogee County, Oklahoma, the basis of bearing for this description being NAD 83 Oklahoma State Plane Coordinate System, North Zone, being more particularly

described as follows:

Commencing at the northwest corner of said NW/4; thence S01°47'14"E along the west line thereof a distance of 2340.66 feet; thence N88°27'46"E a distance of 671.66 feet to a point on the north line of GBC Addition and the point of beginning; thence N88°27'46"E along said north line and East of the Indian Meridian, Muskogee County, Oklahoma northeast corner of said addition a distance of 252.70 feet; thence N15°45'08"E a distance of 99.74 feet; thence on a curve to the left having a radius of 547.13 feet, an arc length of 263.52 feet, a chord bearing N03°46'57"W and a chord distance of 260.98 feet; thence S88°27'46"W a distance of 273.33 feet; thence S01°43'53"E a distance of 356.02 feet to the point of beginning

AND

LESS ANY PART OF ABOVE DESCRIPTION that encroaches on COBBLESTONE CREEK
BACK NINE, a replat of part of the SW/4 of NW/4 of Section 11, Township 14 North, Range 18 East of the Indian Meridian, Muskogee County, Oklahoma

AFFIDAVIT OF LAND OR MINERAL OWNERSHIP: INDIVIDUAL

Exhibit to Deed

OAG 2024-1 - INDIVIDUAL

STATE OF OKLAHOMA

55

COUNTY OF Muskogee
TO: THE ATTORNEY GENERAL OF THE STATE OF OKLAHOMA

Before me, the undersigned (list legal name and any aliases) (the "Affiant"), who, having been first duly sworn, deposes and states as of the date of this Affidavit:

1. I am: ☒ the person obtaining the real property identified in the Deed to which this Affidavit is attached (the "Property").
☐ the person obtaining the Property's attorney-in-fact.
☐ the person obtaining the Property's court-appointed guardian or personal representative.
2. The person obtaining the Property is: ☒ a citizen of the United States; or
☐ not a citizen of the United States, but an alien who is or shall become a bona fide resident of the State of Oklahoma.
3. The person obtaining the Property acquired title to the Property pursuant to 60 O.S. § 121, which provides in part as follows:
No alien or any person who is not a citizen of the United States or foreign government adversary shall acquire title to or own land in this state either directly or indirectly through a business entity, trust, or foreign government enterprise, except as hereinafter provided, but they shall have and enjoy in this state such rights as to personal property as are, or shall be, accorded a citizen of the United States under the laws of the nation to which such alien belongs, or by the treaties of such nation with the United States, except as the same may be affected by the provisions of Section 121 et seq. of this title or the Constitution of this state. Provided, however, the requirements of this subsection shall not apply to a business entity that is engaged in regulated interstate commerce or has a national security agreement with the Committee on Foreign Investment in the United States (CFIUS) in accordance with federal law.

6. I acknowledge and understand that 60 O.S. § 121 generally prohibits an alien or person who is not a citizen of the United States from acquiring title to or owning land in the State of Oklahoma. I further acknowledge and understand that 60 O.S. § 121 does not prohibit an alien who is or who shall become a bona fide resident of the State of Oklahoma from acquiring title to the Property acquired title to the Property in compliance with the requirements of 60 O.S. § 121 and no funding source was used in the sale or transfer of the Property in violation of 60 O.S. § 121 or any other state or federal law.
7. I acknowledge and understand that making or causing to be made a false statement in this affidavit may subject me to criminal prosecution for perjury and/or being liable for actual damages suffered or incurred by any person or other entity as a result or consequence of the making of or reliance upon such false statement.

FURTHER AFFIANT SAYETH NOT.

Affiant, individually and as authorized agent of the Entity

Date 1-31-25

The foregoing instrument was subscribed and sworn to before me this 31 day of January, 2025 by Christine M Thayer

My Commission Expires:

My Commission Number:

