

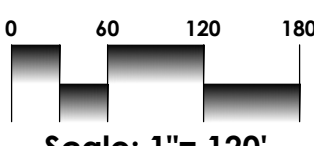
PART OF THE NORTHEAST QUARTER (NE/4) OF SECTION FIVE (5)
TOWNSHIP EIGHTEEN (18) NORTH, RANGE SIXTEEN (16) EAST, OF THE INDIAN MERIDIAN
AN ADDITION TO WAGONER COUNTY, STATE OF OKLAHOMA

SURVEYOR/ENGINEER:
Tanner Consulting, L.L.C.

DAN E. TANNER, P.L.S. NO. 1435
OK CA NO. 2661, EXPIRES 6/30/2027
EMAIL: DAN@TANNERBAITSHOP.COM
5323 South Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918) 745-9929



NORTH

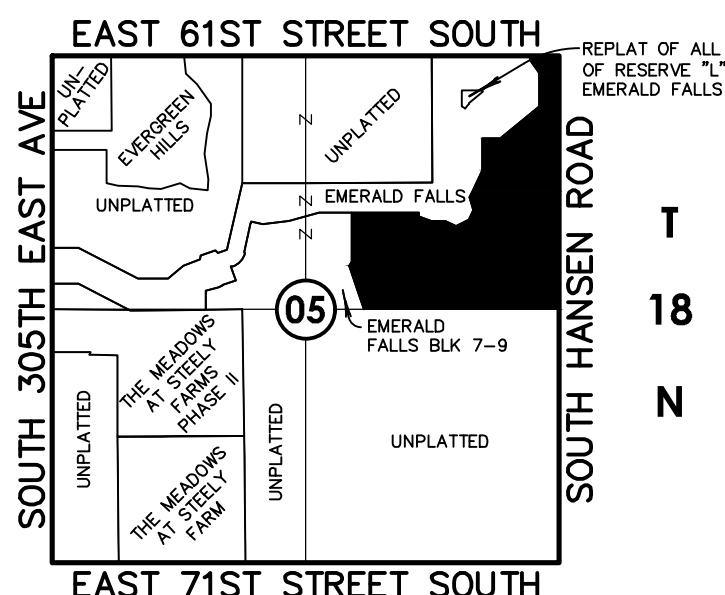


Scale: 1"= 120'
Tanner Consulting

LEGEND

B/L	BUILDING LINE
B/U	BUILDING LINE & UTILITY EASEMENT
BK PG	BOOK & PAGE
CB	CHORD BEARING
CD	CHORD DISTANCE
CL	CENTERLINE
Δ	DELTA ANGLE
DOC	DOCUMENT
ESMT	EASEMENT
GOV'T	GOVERNMENT
LNA	LIMITS OF NO ACCESS
ODE	OVERLAND DRAINAGE EASEMENT
RES.	RESERVE
R/W	RIGHT-OF-WAY
RWD	RURAL WATER DISTRICT #4 EASEMENT
U/E	UTILITY EASEMENT
1234	ADDRESS ASSIGNED
○	FOUND MONUMENT
●	SET MONUMENT (SEE NOTE 2)

R 16 E



Location Map

Scale: 1"= 2000'



SUBDIVISION CONTAINS:

FORTY-THREE (43) LOTS
IN SIX (6) BLOCKS
WITH THREE (3) RESERVES

GROSS SUBDIVISION AREA: 69.467 ACRES

CITY OF WAGONER-WAGONER COUNTY METROPOLITAN AREA ZONING ORDINANCE - BULK AND AREA USE TABLE

ZONING DISTRICT	LOT AREA, MINIMUM (SQUARE FEET)	MINIMUM LOT WIDTH (FEET)	MINIMUM STREET FRONTAGE REQUIRED (SECTION 4.7) (FEET)	MAXIMUM BUILDING HEIGHT (FEET)	ADDITIONAL HEIGHT PERMITTED [FOR EACH ADDITIONAL 1 FT OF SIDE & REAR SETBACK] (FEET)	MINIMUM FRONT YARD BUILDING LINE (FEET)	MINIMUM SIDE YARD BUILDING LINE ADJACENT TO RIGHT-OF-WAY (FEET)	MINIMUM SIDE YARD BUILDING LINE ADJACENT TO OTHER PARCELS- INTERIOR YARDS (FEET)	[MINIMUM] REAR YARD BUILDING LINE (FEET)	[BUILDING] LOT COVERAGE (PERCENT), MAXIMUM, INTERIOR LOT	NOTE PER TAINING TO CODE TABLE FOOTNOTES
RS6	21,780	120 (SEE PUD)	80 (SEE PUD)	35	N/A	35	30	7	30	PER RS22.5	NOT FOUND IN CODE

NOTE: THE ABOVE INFORMATION IS PROVIDED PER WAGONER COUNTY SUBDIVISION REGULATION, IS A REPRODUCTION OF CURRENT ZONING BULK AND AREA STANDARDS WITHIN THE RS6 ZONING DISTRICT WITH PUD IN EFFECT AT THE TIME OF PLATTING, AND IS NOT A RESTRICTIVE COVENANT OR OTHER PRIVATE RESTRICTION OF ANY KIND. ZONING AND DEVELOPMENT STANDARDS ARE SUBJECT TO CHANGE.

NOTE: THE ABOVE INFORMATION IS PROVIDED PER WAGONER COUNTY SUBDIVISION REGULATION, IS A REPRODUCTION OF CURRENT ZONING BULK AND AREA STANDARDS WITHIN THE RS6 ZONING DISTRICT WITH PUD IN EFFECT AT THE TIME OF PLATTING, AND IS NOT A RESTRICTIVE COVENANT OR OTHER PRIVATE RESTRICTION OF ANY KIND. ZONING AND DEVELOPMENT STANDARDS ARE SUBJECT TO CHANGE.

Notes:

1. THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
2. ALL PROPERTY CORNERS ARE SET 3/8" IRON REBAR WITH YELLOW CAP STAMPED "TANNER 1435" UNLESS OTHERWISE NOTED.
3. THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3501), NORTH AMERICAN DATUM 1983 (NAD83); SAID BEARINGS ARE BASED LOCATIONS UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:
 - (A) FOUND 3/8" IRON PIN AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER (NE¼) OF SECTION 5;
 - (B) FOUND 3/8" IRON PIN AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER (NE¼) OF SECTION 5;THE BEARING BETWEEN SAID MONUMENTS BEING SOUTH 1°26'57" EAST.
4. ADDRESSES SHOWN ON THIS PLAT WERE PROVIDED BY WAGONER COUNTY AND WERE ACCURATE AT THE TIME THE PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF THE LEGAL DESCRIPTION.
5. ACCESS AT THE TIME OF PLAT WAS PROVIDED BY EAST 61ST STREET SOUTH AND SOUTH HANSEN ROAD BY VIRTUE OF RIGHT-OF-WAY DEDICATED BY THIS PLAT.
6. PROPERTY IS FEMEA ZONE X (UNSHADED) MAP NUMBER 4014503130H DATED APRIL 17, 2012.

Contact List

TANNER CONSULTING, LLC
JUSTIN MORGAN
5323 SOUTH LEWIS AVENUE
TULSA, OK 74105
PHONE: (918) 745-9929

OKLAHOMA NATURAL GAS
CIARA FIDELINE
5848 EAST 15TH STREET
TULSA, OK 74112
PHONE: (918) 451-3815

WAGONER COUNTY
KACIE SANDERS
PLANNING DIRECTOR
202 N.ORTH CASAVER AVENUE
WAGONER, OK 74467
PHONE: (918) 485-7979

LAKE REGION ELECTRIC
JERRY LATTY
516 LAKE REGION ROAD P.O.BOX 127
HULBERT, OK 74441
PHONE: (918) 772-6939

WAGONER COUNTY RWD #4
 RICK LANG
 9816 S. 239TH EAST AVENUE
 BROKEN ARROW, OK 74014-2331
 PHONE: (918) 258-2331

WINDSTREAM
JOHNNIE PATTON
1814 WEST TACOMA STREET
BROKEN ARROW, OK 74012
PHONE: (918) 451-3463

ACKNOWLEDGEMENTS

WE HEREBY ACKNOWLEDGE THAT THIS PLAT
HAS BEEN PREPARED IN ACCORDANCE WITH
THE REGULATIONS AND REQUIREMENTS OF
WAGONER COUNTY, OKLAHOMA, TO THE BEST OF
OUR KNOWLEDGE.

OWNER

SURVEYOR / ENGINEER

RESERVE A
& OVERLAND DRAINAGE EASEMENT
& UTILITY EASEMENT

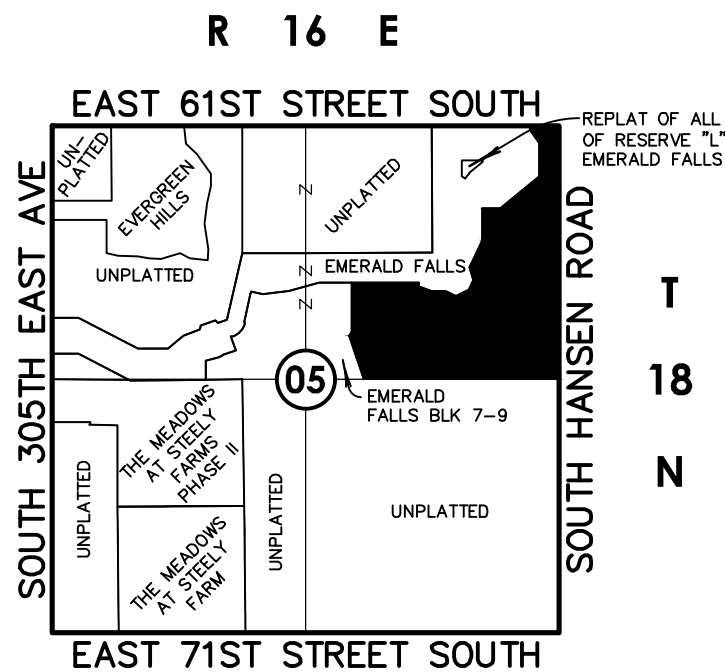
2641.42'
S 1°26'57" E

South Hansen Road

DATE OF PREPARATION: March 27, 2026

Emerald Falls Blocks 10-15
SHEET 1 OF 5

Draft Final Plat



Location Map

Scale: 1"= 2000'



SUBDIVISION CONTAINS:

FORTY-THREE (43) LOTS
IN SIX (6) BLOCKS
WITH THREE (3) RESERVES

GROSS SUBDIVISION AREA: 69.467 ACRES

Curve Table

CURVE	LENGTH(L)	RADIUS(R)	DELTA(A)	CHORDRDB(CB)	CHORDID(CD)
1	18.09	430.00	2°24'36"	N87°30'04"W	18.09
2	36.26	25.00	83°06'04"	N50°09'12"E	33.16
3	36.20	25.00	82°57'48"	N32°55'43"W	33.12
4	109.61	370.00	16°58'23"	N80°13'10"W	109.21
5	52.32	182.00	166°00'23"	N86°13'30"W	361.29
6	348.92	122.00	163°52'05"	N87°30'47"W	241.59
7	75.76	25.00	19°43'50"	N81°35'54"W	75.39
8	96.42	280.00	19°43'50"	N81°35'54"W	96.95
9	41.07	25.00	94°06'55"	N41°28'43"E	35.60
10	38.46	25.00	88°04'22"	N47°25'38"W	34.76
11	175.48	305.00	32°57'53"	N74°58'53"W	173.07
12	140.96	245.00	32°57'53"	N74°58'53"W	139.21
13	140.11	245.00	32°45'56"	N74°52'55"W	138.02
14	109.43	127.53	49°09'45"	N64°06'24"E	106.10
15	39.27	25.00	90°00'00"	N84°31'37"E	35.36
16	39.27	25.00	90°00'00"	N5°28'23"W	35.36
17	120.85	120.85	90°59'27"	N0°06'06"W	120.85
18	128.78	180.00	40°59'27"	N70°58'06"W	126.05
19	39.26	25.00	89°59'08"	N43°32'37"E	35.35
20	18.69	25.00	42°50'00"	N70°02'49"W	18.26
21	143.47	50.00	164°24'08"	N49°10'07"E	99.08
22	13.78	25.00	31°35'00"	N17°14'27"W	13.61
23	98.77	90.00	62°52'33"	N32°53'14"W	93.88
24	164.61	150.00	62°52'33"	N32°53'14"W	156.47
25	67.69	280.00	13°51'07"	N32°36'03"E	67.53
26	53.19	220.00	13°51'07"	N32°36'03"E	53.06
27	39.27	25.00	90°00'00"	N19°40'30"E	35.36
28	39.25	25.00	89°57'18"	N70°20'51"W	35.34
29	131.69	120.00	62°52'33"	N57°06'46"E	125.18
30	197.53	180.00	62°52'33"	N57°06'46"E	187.77
31	39.27	25.00	90°00'00"	N43°33'03"E	35.36
32	39.27	25.00	90°00'00"	N46°26'57"W	35.36

Driveway Culvert Table

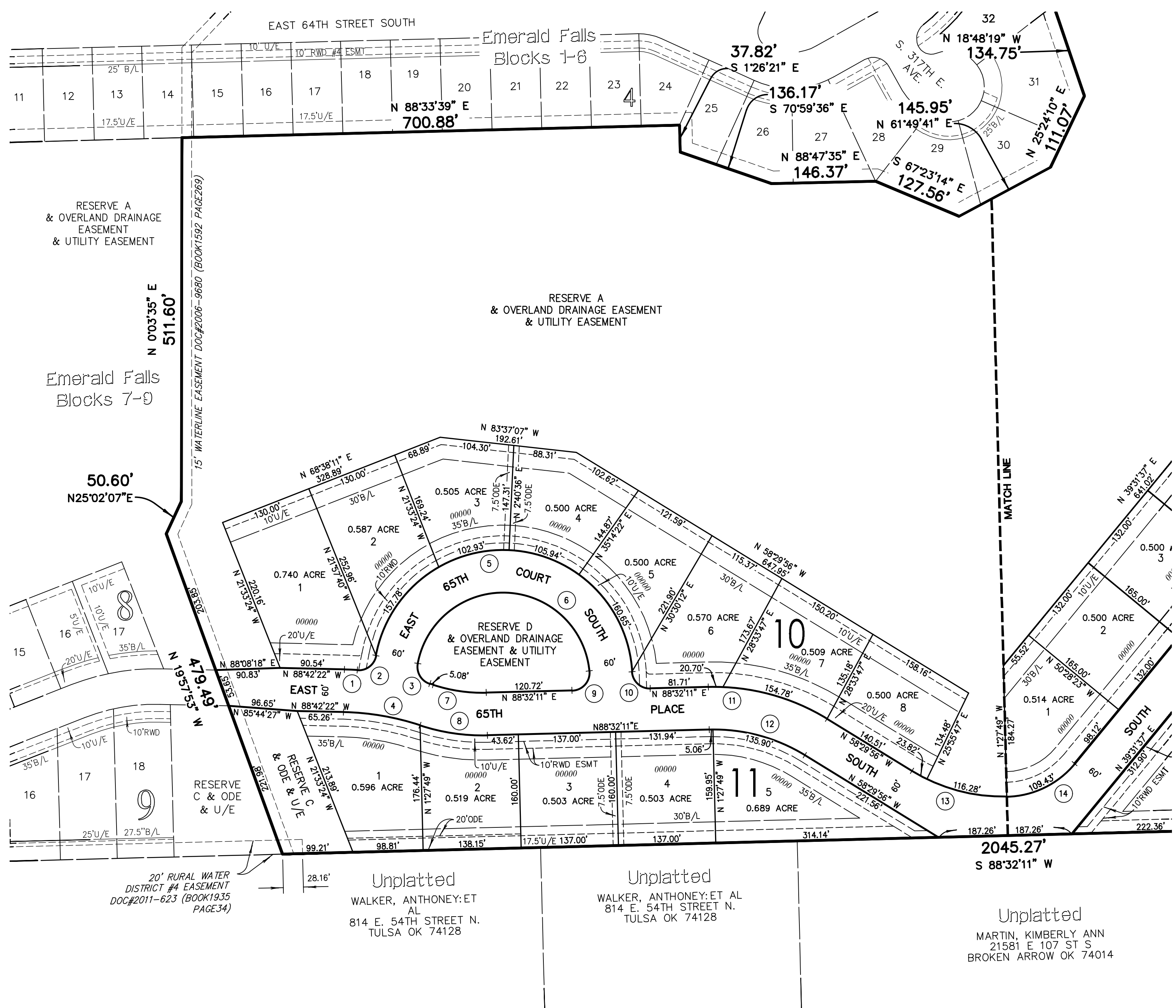
BLOCK / LOT	PIPE SIZE MINIMUM	PIPE TYPE
B10/L1	12"	RCP
B10/L2	12"	RCP
B10/L3	12"	RCP
B10/L4	15"	RCP
B10/L5	15"	RCP
B10/L6	12"	RCP
B10/L7	12"	RCP
B10/L8	12"	RCP
B11/L1	24"	RCP
B11/L2	24"	RCP
B11/L3	24"	RCP
B11/L4	12"	RCP
B11/L5	12"	RCP

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OWNER

SURVEYOR / ENGINEER



LEGEND

B/L	BUILDING LINE
B/U	BUILDING LINE & UTILITY EASEMENT
CB PG	BOOK & PAGE
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ODE	OVERLAND DRAINAGE EASEMENT
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R/W	RIGHT-OF-WAY
RWD	RURAL WATER DISTRICT #4 EASEMENT
U/E	UTILITY EASEMENT
1234	ADDRESS ASSIGNED
○	FOUND MONUMENT
●	SET MONUMENT (SEE NOTE 2)

OWNER:
**Emerald Falls Investment
Company, L.L.C.**

AN OKLAHOMA LIMITED LIABILITY COMPANY
12150 East 96th Street North
Suite 202

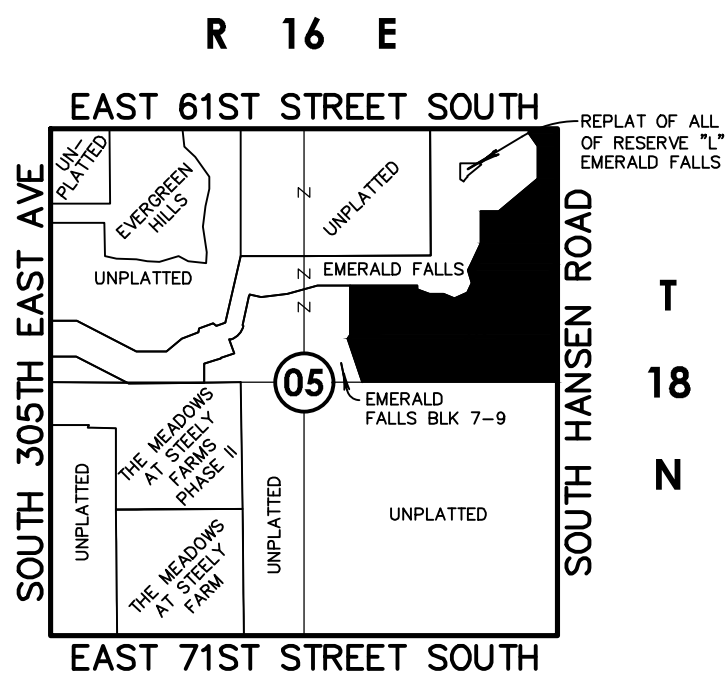
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DATE OF PREPARATION: March 27, 2026

Emerald Falls Blocks 10-15
SHEET 2 OF 5



Location Map
Scale: 1"=2000'

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FORTY-THREE (43) LOTS
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GROSS SUBDIVISION AREA: 69.462 ACRES

Curve Table

CURVE	LENGTH(L)	RADIUS(R)	DELTA(Δ)	CHORDBRG(CB)	CHORDDIS(CD)
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4	109.61'	370.00'	16°58'23"	N80°13'10"W	109.21'
5	527.32'	182.00'	166°00'23"	N86°23'38"W	361.29'
6	348.92'	122.00'	163°52'05"	N87°30'47"W	241.59'
7	75.76'	220.00'	19°43'50"	N81°35'54"W	75.39'
8	96.42'	280.00'	19°43'50"	N81°35'54"W	95.95'
9	41.07'	25.00'	94°06'55"	N41°28'43"E	36.60'
10	38.43'	25.00'	88°04'22"	N47°25'38"W	34.76'
11	175.48'	305.00'	32°57'53"	N74°58'53"W	173.07'
12	140.96'	245.00'	32°57'53"	N74°58'53"W	139.02'
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19	39.26'	25.00'	89°59'08"	N43°32'37"E	35.35'
20	18.69'	25.00'	42°50'00"	N70°02'49"W	18.26'
21	143.47'	50.00'	164°24'08"	N49°10'07"E	99.08'
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23	98.77'	90.00'	62°52'33"	N32°53'14"W	93.88'
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27	39.27'	25.00'	90°00'00"	N70°40'30"E	35.36'
28	39.25'	25.00'	89°57'18"	N19°20'51"W	35.34'
29	131.69'	120.00'	62°52'33"	N57°06'46"E	125.18'
30	197.53'	180.00'	62°52'33"	N57°06'46"E	187.77'
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SURVEYOR / ENGINEER

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Driveway Culvert Table

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B12/L4	12"	RCP
B12/L5	15"	RCP
B12/L6	15"	RCP
B12/L7	15"	RCP
B12/L8	15"	RCP
B12/L9	18"	RCP
B13/L1	12"	RCP
B13/L2	12"	RCP
B13/L3	12"	RCP
B13/L4	15"	RCP
B14/L1	18"	RCP
B14/L2-E	24"	RCP
B14/L2-S	18"	RCP
B14/L3	15"	RCP
B14/L4	15"	RCP
B14/L5	15"	RCP
B14/L6	12"	RCP
B14/L7	12"	RCP
B14/L8	15"	RCP
B14/L9	18"	RCP
B15/L10	18"	RCP
B15/L11	21"	RCP
B15/L12	21"	RCP
B15/L3-E	24"	RCP
B15/L3-N	15"	RCP
B15/L4	15"	RCP
B15/L5	12"	RCP

RESERVE A
& OVERLAND DRAINAGE EASEMENT
& UTILITY EASEMENT

LEGEND

B/L	BUILDING LINE
B/U	BUILDING LINE & UTILITY EASEMENT
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RCP	REINFORCED CONCRETE PIPE
RES.	RESERVE
R/W	RIGHT-OF-WAY
RWD	RURAL WATER DISTRICT #4 EASEMENT
U/E	UTILITY EASEMENT
1/234	ADDRESS ASSIGNED
○	FOUND MONUMENT
●	SET MONUMENT (SEE NOTE 2)

Draft Final Plat

Emerald Falls

Blocks 10-15

PART OF THE NORTHEAST QUARTER (NE/4) OF SECTION FIVE (5)
TOWNSHIP EIGHTEEN (18) NORTH, RANGE SIXTEEN (16) EAST, OF THE INDIAN MERIDIAN
AN ADDITION TO WAGONER COUNTY, STATE OF OKLAHOMA

DEED OF DEDICATION & RESTRICTIVE COVENANTS

KNOW ALL PERSONS BY THESE PRESENTS:

THAT EMERALD FALLS INVESTMENT COMPANY, L.L.C., AN OKLAHOMA LIMITED LIABILITY COMPANY, HEREINAFTER REFERRED TO AS THE "OWNER", IS THE OWNER OF THE FOLLOWING REAL PROPERTY SITUATED IN WAGONER COUNTY, STATE OF OKLAHOMA, TO-WIT:

A TRACT OF LAND THAT IS A PART OF THE NORTHEAST QUARTER (NE/4) OF SECTION FIVE (5), TOWNSHIP EIGHTEEN (18) NORTH, RANGE SIXTEEN (16) EAST OF THE INDIAN MERIDIAN, WAGONER COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID NE/4; THENCE SOUTH 1°26'57" EAST AND ALONG THE EAST LINE OF THE NE/4, FOR A DISTANCE OF 2641.42 FEET TO THE SOUTHEAST CORNER OF THE NE/4; THENCE SOUTH 88°32'11" WEST AND ALONG THE SOUTH LINE OF THE NE/4, FOR A DISTANCE OF 2045.27 FEET TO THE SOUTHEAST CORNER OF "EMERALD FALLS BLOCKS 7-9", A SUBDIVISION WITHIN WAGONER COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (BOOK 2881 PAGE 526); THENCE ALONG THE EASTERLY LINE OF SAID SUBDIVISION FOR THE FOLLOWING THREE (3) COURSES:

NORTH 19°57'53" WEST FOR A DISTANCE OF 479.49 FEET; THENCE NORTH 25°02'07" EAST FOR A DISTANCE OF 50.60 FEET; THENCE NORTH 0°03'35" EAST FOR A DISTANCE OF 511.60 FEET TO A POINT ON THE SOUTH LINE OF "EMERALD FALLS", AN ADDITION TO THE COUNTY OF WAGONER, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (BOOK 1559 PAGE 212); THENCE ALONG THE SOUTHERLY AND EASTERLY LINES OF SAID ADDITION FOR THE FOLLOWING FIFTEEN (15) COURSES:

NORTH 88°33'39" EAST FOR A DISTANCE OF 700.88 FEET; THENCE SOUTH 1°26'21" EAST FOR A DISTANCE OF 37.82 FEET; THENCE SOUTH 70°59'36" EAST FOR A DISTANCE OF 136.17 FEET; THENCE NORTH 88°47'35" EAST FOR A DISTANCE OF 146.37 FEET; THENCE SOUTH 67°23'14" EAST FOR A DISTANCE OF 127.56 FEET; THENCE NORTH 61°49'41" EAST FOR A DISTANCE OF 145.95 FEET;

THENCE NORTH 25°24'10" EAST FOR A DISTANCE OF 111.07 FEET; THENCE NORTH 18°48'19" WEST FOR A DISTANCE OF 134.75 FEET; THENCE NORTH 23°32'08" EAST FOR A DISTANCE OF 308.35 FEET; THENCE NORTH 1°25'06" WEST FOR A DISTANCE OF 335.63 FEET; THENCE NORTH 88°32'08" EAST FOR A DISTANCE OF 190.00 FEET; THENCE NORTH 49°09'38" EAST FOR A DISTANCE OF 529.80 FEET; THENCE NORTH 1°26'57" WEST FOR A DISTANCE OF 343.94 FEET; THENCE NORTH 37°36'46" WEST FOR A DISTANCE OF 160.99 FEET; THENCE NORTH 1°27'52" WEST FOR A DISTANCE OF 50.00 FEET TO A POINT ON THE NORTH LINE OF SAID NE/4;

THENCE NORTH 88°32'08" EAST AND ALONG SAID NORTH LINE, FOR A DISTANCE OF 295.00 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINING 3,025,971 SQUARE FEET OR 69.467 ACRES.

THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3501), NORTH AMERICAN DATUM 1983 (NAD83); SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:

- (1) FOUND 3/8" IRON PIN AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER (NE/4) OF SECTION 5;
- (2) FOUND 3/8" IRON PIN AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER (NE/4) OF SECTION 5;

THE BEARING BETWEEN SAID MONUMENTS BEING SOUTH 1°26'57" EAST.

AND THE OWNER HAS CAUSED THE ABOVE-DESCRIBED LAND TO BE SURVEYED, STAKED, PLATTED, DEDICATED, AND SUBDIVIDED INTO FORTY-THREE (43) LOTS IN SIX (6) BLOCKS, THREE (3) RESERVE AREAS, AND STREETS IN CONFORMITY WITH THE ACCOMPANYING PLAT AND SURVEY ("THE PLAT") AND HAS DESIGNATED THE SUBDIVISION AS "EMERALD FALLS BLOCKS 10-15", A SUBDIVISION WITHIN WAGONER COUNTY, OKLAHOMA ("SUBDIVISION"). THE OWNER HEREBY SUBJECTS THE LAND DESCRIBED ABOVE TO THE PROVISIONS, COVENANTS, AND RESTRICTIONS SET FORTH HEREIN WHICH SHALL RUN WITH THE LAND AND BE BINDING ON EVERY LOT AND RESERVE AREA OWNER WITHIN THE SUBDIVISION FOR THE PERIOD AS HEREINAFTER DEFINED.

SECTION I. PUBLIC STREETS, EASEMENTS, AND UTILITIES

A. PUBLIC STREETS AND UTILITY EASEMENTS

THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC FOR PUBLIC USE THE STREETS AS DEPICTED ON THE ACCOMPANYING PLAT AND DOES FURTHER DEDICATE TO THE PUBLIC FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT AS "U/E" OR "UTILITY EASEMENT" FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS, SANITARY SEWERS, COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, AND WATERLINES, TOGETHER WITH ALL VALVES, METERS, AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND OTHER APPURTENANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES AFORESAID, TOGETHER WITH SIMILAR EASEMENT RIGHTS WITHIN THE PUBLIC STREETS, PROVIDED HOWEVER, THAT THE OWNER HEREBY RESERVES THE RIGHT TO CONSTRUCT AND MAINTAIN WATERLINES AND SEWER LINES WITHIN THE UTILITY EASEMENTS FOR THE PURPOSE OF FURNISHING WATER AND SEWER SERVICE TO AREAS WITHIN OR OUTSIDE THE SUBDIVISION AND THE OWNER FURTHER RESERVES THE RIGHT TO CONSTRUCT AND MAINTAIN WITHIN THE UTILITY EASEMENTS PROPERLY-PERMITTED PARKING AREAS, LANDSCAPING, SCREENING FENCES AND WALLS, AND OTHER NON-OBSTRUCTING IMPROVEMENTS.

B. WATER, SANITARY SEWER, AND STORM SEWER SERVICE

1. EACH LOT AND RESERVE AREA OWNER SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS (IF AND WHEN INSTALLED), AND STORM SEWERS LOCATED ON THE LOT OR RESERVE AREA.

2. WITHIN THE DEPICTED UTILITY EASEMENT AREAS, THE ALTERATION OF GRADE FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN (IF AND WHEN INSTALLED), OR STORM SEWER, OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH PUBLIC WATER, SANITARY SEWER MAIN, OR STORM SEWERS OR STORMWATER DRAINAGE FACILITIES, INCLUDING BORROW DITCH DRAINAGE SYSTEMS, SHALL BE PROHIBITED. WITHIN THE UTILITY EASEMENTS, IF THE GROUND ELEVATIONS ARE ALTERED BY THE LOT OR RESERVE AREA OWNER FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER, ALL GROUND LEVEL APPURTENANCES, INCLUDING VALVE BOXES, FIRE HYDRANTS, AND MANHOLES, SHALL BE ADJUSTED TO THE ALTERED GROUND ELEVATIONS BY THE OWNER OF THE LOT OR RESERVE AREA OR, AT ITS ELECTION, WAGONER COUNTY, OKLAHOMA, OR THE AFFECTED UTILITY PROVIDER, MAY MAKE THE NECESSARY ADJUSTMENT AT SUCH OWNER'S EXPENSE.

3. WAGONER COUNTY RURAL WATER DISTRICT #4, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER AND (IF AND WHEN INSTALLED) PUBLIC SANITARY SEWER, AND WAGONER COUNTY, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC STORM SEWER FACILITIES, BUT THE LOT OR RESERVE AREA OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OR RESERVE AREA OWNER OR SAID OWNER'S AGENTS OR CONTRACTORS.

4. WAGONER COUNTY RURAL WATER DISTRICT #4 AND WAGONER COUNTY, OKLAHOMA, OR THEIR RESPECTIVE SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS WITH THEIR EQUIPMENT TO ALL UTILITY EASEMENTS DEPICTED ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF UNDERGROUND WATER, SANITARY SEWER (IF AND WHEN INSTALLED), AND STORM SEWER FACILITIES.

5. NO PERMANENT FENCE, PERMANENT WALL, PERMANENT BUILDING, OR PERMANENT STRUCTURE WHICH WOULD CAUSE AN OBSTRUCTION SHALL BE PLACED OR MAINTAINED IN THE UTILITY EASEMENT AREAS, AND ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH PUBLIC WATER, PUBLIC SANITARY SEWER (IF AND WHEN INSTALLED), OR PUBLIC STORM SEWER FACILITIES IS PROHIBITED.

6. THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION B. SHALL BE ENFORCEABLE BY WAGONER COUNTY RURAL WATER DISTRICT #4 AND WAGONER COUNTY, OKLAHOMA, OR THEIR RESPECTIVE SUCCESSORS, AND EACH LOT AND RESERVE AREA OWNER AGREES TO BE BOUND HEREBY.

C. INDIVIDUAL ONSITE SEWAGE DISPOSAL SYSTEMS; BORROW DITCH STREETS

1. SEWAGE SHALL BE DISPOSED OF BY INDIVIDUAL ONSITE SEWAGE DISPOSAL SYSTEMS APPROVED BY THE OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY (ODEQ). NO OTHER ONSITE SEWAGE DISPOSAL SYSTEMS SHALL BE ALLOWED WITHOUT WRITTEN APPROVAL FROM THE OWNER AND ODEQ. ALL SEWAGE DISPOSAL SYSTEMS SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE RULES AND REGULATIONS SET FORTH BY ODEQ. THE OWNER RESERVES THE RIGHT TO DESIGNATE AN APPROVED THIRD-PARTY CONTRACTOR WITH EXPERIENCE IN INSTALLING/MAINTAINING INDIVIDUAL ONSITE SEWAGE DISPOSAL SYSTEMS FOR THE PURPOSE OF PERFORMING REGULAR MAINTENANCE AND MONITORING FUNCTIONS OF ALL SUCH SYSTEMS WITHIN THE SUBDIVISION. THE FOREGOING SHALL NOT LIMIT THE FUTURE INSTALLATION OR USE OF PUBLIC SANITARY SEWER SYSTEMS WHEN SUCH SYSTEMS BECOME AVAILABLE.

2. ALL DRIVEWAYS SHALL BE SURFACED WITH CONCRETE, OR ASPHALT, FROM THE EDGE OF STREET PAVING TO THE CONCRETE PAD IN FRONT OF THE GARAGE AND SHALL BE A MINIMUM OF SIXTEEN (16) FEET WIDE AT THE POINT THE DRIVEWAY CONNECTS TO THE ADJACENT STREET PAVING. ALL DRIVEWAYS SHALL BE LOCATED AND ALL DRIVEWAY CULVERTS SHALL BE SIZED AS DEPICTED FOR EACH RESPECTIVE LOT ON THE FINAL, APPROVED CONSTRUCTION PLANS. IN THE EVENT HIGH DENSITY POLYETHYLENE (HDPE) PIPING IS USED FOR THE CULVERT, THE CONCRETE OR ASPHALT PAVING COVERING THE PIPING MUST BE AT LEAST FOUR (4) INCHES THICK. DRIVEWAY CULVERTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE ARCHITECTURAL DESIGN CRITERIA ESTABLISHED FOR THE SUBDIVISION AND IN CONFORMITY WITH WAGONER COUNTY REQUIREMENTS.

D. UNDERGROUND SERVICE

1. OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC AND COMMUNICATION SERVICES MAY BE LOCATED WITHIN THE PERIMETER UTILITY EASEMENTS OF SUBDIVISION AND WITHIN THE STREET RIGHTS-OF-WAY OF EAST 61ST STREET SOUTH AND SOUTH HANSEN ROAD AS DEDICATED BY THIS PLAT. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY UNDERGROUND CABLE THROUGHOUT THE SUBDIVISION AND, EXCEPT AS PROVIDED IN THE IMMEDIATELY-PRECEDING SENTENCE, ALL SUPPLY LINES INCLUDING ELECTRIC, COMMUNICATION, AND GAS LINES SHALL BE LOCATED UNDERGROUND IN THE EASEMENT WAYS DEDICATED FOR GENERAL UTILITY SERVICES. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE UTILITY EASEMENTS.

2. UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WHICH MAY BE 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, TERMINATING AT THE PLANE FORMED BY THE EXTERIOR WALL OF THE STRUCTURE.

3. THE SUPPLIER OF ELECTRIC, COMMUNICATION, AND GAS SERVICES, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS WITH ITS EQUIPMENT TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF THE ELECTRIC, COMMUNICATION, OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.

4. THE LOT OR RESERVE AREA OWNER SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON SAID OWNER'S LOT OR RESERVE AREA AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, COMMUNICATION, OR GAS FACILITIES. EACH SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE LOT OR RESERVE AREA OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF SAID OWNER OR SAID OWNER'S AGENTS OR CONTRACTORS.

5. THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION D. SHALL BE ENFORCEABLE BY EACH SUPPLIER OF ELECTRIC, COMMUNICATION, OR GAS SERVICE AND EACH LOT AND RESERVE AREA OWNER AGREES TO BE BOUND HEREBY.

E. OVERLAND DRAINAGE EASEMENTS

1. THE OWNER DOES HEREBY ESTABLISH AND GRANT TO WAGONER COUNTY, AND ITS SUCCESSORS, PERPETUAL OVERLAND DRAINAGE EASEMENTS OVER AND ACROSS THOSE AREAS DEPICTED ON THE ACCOMPANYING PLAT AS "OVERLAND DRAINAGE EASEMENT" OR "ODE" FOR THE PURPOSES OF PERMITTING THE OVERLAND AND UNDERGROUND FLOW, CONVEYANCE, DETENTION, RETENTION, AND DISCHARGE OF STORMWATER RUNOFF FROM THE VARIOUS LOTS AND OTHER AREAS WITHIN THE SUBDIVISION, AND FROM PROPERTIES OUTSIDE THE SUBDIVISION.

2. THE STORMWATER DRAINAGE AND DETENTION FACILITIES WITHIN OVERLAND DRAINAGE EASEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH ADOPTED STANDARDS OF WAGONER COUNTY, OKLAHOMA, PER PLANS AND SPECIFICATIONS APPROVED BY THE WAGONER COUNTY ENGINEER.

3. EXCEPT FOR PERMITTED STORMWATER DETENTION FACILITIES, NO FENCE, WALL, BUILDING, OR OTHER OBSTRUCTION SHALL BE PLACED OR MAINTAINED WITHIN OVERLAND DRAINAGE EASEMENTS, NOR SHALL THERE BE ANY ALTERATION OF GRADES OR CONTOURS WITHIN SUCH EASEMENTS UNLESS APPROVED BY THE WAGONER COUNTY ENGINEER.

4. THE STORMWATER DRAINAGE AND DETENTION FACILITIES LOCATED WITHIN OVERLAND DRAINAGE EASEMENTS, AND ALL COSTS AND EXPENSES ASSOCIATED WITH SUCH FACILITIES, SHALL BE MAINTAINED BY THE OWNER UNTIL SUCH TIME AS THE RESERVE AREA(S) CONTAINING OVERLAND DRAINAGE EASEMENTS ARE CONVEYED TO THE HOMEOWNERS' ASSOCIATION, WHICH HOMEOWNERS' ASSOCIATION SHALL THEREUPON ASSUME MAINTENANCE RESPONSIBILITIES WITHIN ALL OVERLAND DRAINAGE EASEMENTS. THE MAINTENANCE SHALL BE PERFORMED TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED STORMWATER DRAINAGE AND DETENTION FUNCTIONS, INCLUDING REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION, AND SHALL INCLUDE ROUTINE AND CUSTOMARY GROUNDS MAINTENANCE IN ACCORDANCE WITH THE FOLLOWING STANDARDS:

- 4.1. THE OVERLAND DRAINAGE EASEMENT AREA SHALL BE KEPT FREE OF LITTER.
- 4.2. THE OVERLAND DRAINAGE EASEMENT AREA SHALL BE MOWED DURING THE GROWING SEASON AS APPLICABLE PER LOCAL ORDINANCE OR REGULATION OR THE SCHEDULE APPROVED WITH THE DETENTION DESIGN PLANS.

5. IN THE EVENT THE LOT OR RESERVE AREA OWNER CONTAINING THE OVERLAND DRAINAGE EASEMENT SHOULD FAIL TO PROPERLY MAINTAIN THE EASEMENT AREAS OR FACILITIES THEREIN LOCATED AS OUTLINED HEREIN, WAGONER COUNTY, OKLAHOMA, OR ITS SUCCESSORS, THROUGH ITS DESIGNATED CONTRACTORS, MAY ENTER THE EASEMENT AREA AND PERFORM SUCH MAINTENANCE, AND THE COST THEREOF SHALL BE PAID BY THE OWNER THEREOF.

6. IN THE EVENT THE CONCERNED LOT OR RESERVE AREA OWNER SHOULD FAIL TO PAY THE COST OF SAID MAINTENANCE, AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, WAGONER COUNTY, OKLAHOMA, OR ITS SUCCESSORS, MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS, AND THEREAFTER THE COSTS SHALL BECOME A LIEN AGAINST EACH OF THE LOTS WITHIN THE SUBDIVISION. SUCH LIEN MAY BE FORECLOSED BY WAGONER COUNTY, OKLAHOMA, OR ITS SUCCESSORS.

F. PAVING AND LANDSCAPING WITHIN EASEMENTS

THE OWNER OF THE LOT OR RESERVE AREA SHALL BE RESPONSIBLE FOR REPAIR OF DAMAGE TO LANDSCAPING AND PAVING RESULTING FROM THE ACTIONS OF WAGONER COUNTY RURAL WATER DISTRICT #4, WAGONER COUNTY, OR THE SUPPLIER OF UTILITY SERVICES IN PERFORMING NECESSARY INSTALLATION OF OR MAINTENANCE TO THE UNDERGROUND WATER, SANITARY SEWER (IF AND WHEN INSTALLED), STORM SEWER, GAS, COMMUNICATION, OR ELECTRIC FACILITIES WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT; PROVIDED, HOWEVER, THAT WAGONER COUNTY RURAL WATER DISTRICT #4, WAGONER COUNTY, OR THE SUPPLIER OF THE UTILITY SERVICE, SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

G. SURFACE DRAINAGE

EXCEPT FOR PERMITTED STORMWATER DETENTION FACILITIES WITHIN RESERVE AREAS, EACH LOT AND RESERVE AREA WITHIN THE SUBDIVISION SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS, RESERVE AREAS, AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM ADJACENT STREETS AND EASEMENTS, AND NO LOT OR RESERVE AREA 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 SAID OWNER'S LOT OR RESERVE AREA OR WITHIN THE BORROW DITCH DRAINAGE SYSTEM. THE FOREGOING

COVENANTS SET FORTH IN THIS SUBSECTION G. SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER, THE HOMEOWNERS' ASSOCIATION DEFINED HEREINAFTER IN SECTION IV., AND WAGONER COUNTY, OKLAHOMA.

H. FINISHED FLOOR ELEVATIONS

THE FINISHED FLOOR ELEVATIONS AS SHOWN ON THE FINAL, APPROVED CONSTRUCTION PLANS ARE RECOMMENDED ELEVATIONS AND SHOULD NOT BE CONSIDERED AS THE FINAL, DESIGNED PROPER FINISHED FLOOR ELEVATION OF ANY PROPOSED DWELLING. THE RESPECTIVE OWNER OF EACH DWELLING AND THE OWNER'S BUILDER SHALL BE RESPONSIBLE FOR DETERMINING THE PROPER FINISHED FLOOR ELEVATION OF THE RESPECTIVE DWELLING. THE FINISHED FLOOR ELEVATION SHALL BE DETERMINED BY ESTABLISHING AND ACCOUNTING FOR PROPER DRAINAGE IN ALL DIRECTIONS RELATIVE TO, BUT NOT LIMITED TO: STREETS, AREAS OF HIGHER ELEVATION, THE NATURAL TOPOGRAPHIC SLOPE OF THE LOT, THE AESTHETICS OF THE PROPOSED ELEVATION OF THE DWELLING, BORROW DITCHES, CULVERT PIPES, ELEVATION OF ADJACENT LOTS, ETC.

I. OWNER'S RESPONSIBILITIES

THE RESPECTIVE OWNER OF EACH DWELLING AND THE OWNER'S BUILDER SHALL BE RESPONSIBLE FOR ALL STRUCTURE DESIGN, GEOTECHNICAL DESIGN, FOUNDATION DESIGN, GRADING, DRAINAGE, AND ALL OTHER STRUCTURAL ASPECTS OF THE DWELLING INDEPENDENT OF THE OWNER AND THE OWNER'S ENGINEER. SAID OWNER AND BUILDER SHALL CONSTRUCT ALL ASPECTS OF THE DWELLING IN ACCORDANCE WITH ALL FEDERAL, STATE, AND WAGONER COUNTY BUILDING CODES.

Draft Final Plat

Emerald Falls

Blocks 10-15

DEED OF DEDICATION & RESTRICTIVE COVENANTS

- SECTION II. RESERVE AREAS**
- A. PURPOSE
1. RESERVE AREAS A, C, AND D, AS DEPICTED UPON THE ACCOMPANYING PLAT, ARE ESTABLISHED FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF RESIDENTIAL LOTS WITHIN THE GEOGRAPHIC JURISDICTION OF THE EMERALD FALLS HOMEOWNERS ASSOCIATION, INC., INCLUDING, AT THIS TIME, AND WITHOUT LIMITATION, THIS SUBDIVISION, "EMERALD FALLS", "REPLAT OF ALL OF RESERVE "L" EMERALD FALLS", AND "EMERALD FALLS BLOCKS 7-9" AND ARE HEREBY RESERVED FOR SUBSEQUENT CONVEYANCE TO THE EMERALD FALLS HOMEOWNERS ASSOCIATION, INC. AS SET FORTH IN SECTION IV. HEREIN.
2. RESERVE AREAS A, C, AND D ARE RESERVED FOR STORMWATER DRAINAGE AND DETENTION AND PRIVATE RECREATION AND OPEN SPACE USES INCLUDING, BUT NOT NECESSARILY LIMITED TO: PRIVATE PARKS, SIDEWALKS AND TRAILS, LANDSCAPING, IRRIGATION, SIGNAGE, LIGHTING, FENCING, AND OTHER USES AS MAY BE PERMITTED BY WAGONER COUNTY. RESERVES A, C, AND D ARE HEREBY DEDICATED AS OVERLAND DRAINAGE EASEMENTS AND ARE HEREBY ADDITIONALLY DEDICATED AS UTILITY EASEMENTS.
- B. MAINTENANCE
1. ALL COSTS AND EXPENSES ASSOCIATED WITH ALL RESERVE AREAS, INCLUDING MAINTENANCE OF VARIOUS IMPROVEMENTS, THE STORMWATER DRAINAGE AND DETENTION FACILITIES, AND RECREATIONAL FACILITIES, SHALL BE THE RESPONSIBILITY OF THE OWNERS THEREOF, WHICH SHALL BE THE EMERALD FALLS HOMEOWNERS ASSOCIATION, INC., AS PROVIDED IN SECTION IV. HEREIN, UPON CONVEYANCE OF THE RESERVE AREAS TO THE ASSOCIATION. NEITHER WAGONER COUNTY NOR THE PROVIDER OF UTILITY SERVICE SHALL BE LIABLE FOR ANY DAMAGE OR REMOVAL OF ANY LANDSCAPING OR IRRIGATION SYSTEMS IN ANY RESERVE AREA.
2. IN THE EVENT THE OWNER OF ANY RESERVE AREA SHOULD FAIL TO PROPERLY MAINTAIN SUCH RESERVE AREA, WAGONER COUNTY, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR, MAY ENTER THE RESERVE AREA AND PERFORM MAINTENANCE NECESSARY, AND THE COSTS THEREOF SHALL BE PAID BY THE OWNER THEREOF, WHICH SHALL BE THE EMERALD FALLS HOMEOWNERS ASSOCIATION, INC., AS SET FORTH IN SECTION IV. HEREIN, UPON CONVEYANCE OF SUCH RESERVE AREA TO THE ASSOCIATION. IN THE EVENT THE OWNER OF THE RESERVE AREA SHOULD FAIL TO TIMELY PAY THE COST OF SAID MAINTENANCE, AFTER COMPLETION OF THE MAINTENANCE BY WAGONER COUNTY, OKLAHOMA, AND RECEIPT OF A STATEMENT OF COSTS, WAGONER COUNTY MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS, AND THEREAFTER SUCH COSTS OF MAINTENANCE SHALL BECOME A LIEN ON THE RESERVE AREA. A LIEN ESTABLISHED AS PROVIDED IMMEDIATELY ABOVE MAY BE FORECLOSED BY WAGONER COUNTY, OKLAHOMA.
- C. INDEMNIFICATION

EACH LOT AND RESERVE AREA OWNER OR RESIDENT AGREES TO HOLD HARMLESS THE OWNER AND WAGONER COUNTY, OKLAHOMA, AND THEIR RESPECTIVE AGENTS AND REPRESENTATIVES, FROM ALL CLAIMS, DEMANDS, LIABILITIES, OR DAMAGES ARISING IN CONNECTION WITH THE OWNERSHIP OR USE OF THE FACILITIES AND IMPROVEMENTS CONSTRUCTED OR SITUATED IN ANY RESERVE AREA AND FURTHER AGREES THAT NEITHER WAGONER COUNTY NOR THE OWNER SHALL BE LIABLE TO THE LOT OR RESERVE AREA OWNER OR RESIDENT OR ANY GUEST, VISITOR, OR INVITEE THEREOF FOR ANY DAMAGE TO PERSON OR PROPERTY CAUSED BY ACTION, OMISSION, OR NEGLIGENCE OF ANY LOT OR RESERVE AREA OWNER OR RESIDENT OR ANY GUEST, VISITOR, OR INVITEE THEREOF.

SECTION III. PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS, "EMERALD FALLS BLOCKS 10-15" IS WHOLLY CONTAINED WITHIN PART OF A REZONING APPLICATION, CASE NO. WCZ 13-05, CONTAINING 420 ACRES, RECOMMENDED FOR APPROVAL BY THE WAGONER METROPOLITAN AREA PLANNING COMMISSION ON OR ABOUT AUGUST 30, 2005 AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF WAGONER COUNTY ON OR ABOUT SEPTEMBER 6, 2005, PER MINUTES OF SAID MEETING; AND

WHEREAS, "EMERALD FALLS BLOCKS 10-15" IS WHOLLY CONTAINED WITHIN PART OF A PLANNED DEVELOPMENT ("PD"; DESIGNATED AS "THE RESORT AT EMERALD FALLS"), CONTAINING 356 ACRES, AS PROVIDED WITHIN THE PLANNED DEVELOPMENT PROVISIONS OF THE CITY OF WAGONER-WAGONER COUNTY METROPOLITAN AREA ZONING ORDINANCE OF WAGONER COUNTY, OKLAHOMA, AS THE SAME EXISTED ON DECEMBER 16, 2013; AND

WHEREAS, THE PD, AS WAGONER COUNTY REZONING CASE NO. WCZ #5-13, WAS RECOMMENDED UPON BY THE WAGONER METROPOLITAN AREA PLANNING COMMISSION ON OR AROUND NOVEMBER 26, 2013 AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF WAGONER COUNTY ON DECEMBER 16, 2013, THE APPROVAL BEING EFFECTED BY RESOLUTION NO. 2013-42 DATED DECEMBER 9, 2013 AND SIGNED DECEMBER 16, 2013; AND

WHEREAS, A MAJOR AMENDMENT TO A PART OF THE PD, CONTAINING 51.49 ACRES, WAGONER COUNTY REZONING CASE NO. WCZ #24-21, WAS RECOMMENDED UPON BY THE WAGONER METROPOLITAN AREA PLANNING COMMISSION ON JUNE 29, 2021 AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF WAGONER COUNTY ON JULY 6, 2021; THE APPROVAL BEING EFFECTED BY RESOLUTION NO. 2021-057 DATED JULY 6, 2021; AND

WHEREAS, EMERALD FALLS BLOCKS 10-15 WAS SUBMITTED AS PART OF PD NO. WCZ #24-21; AND

WHEREAS, THE OWNER DESIRES TO ESTABLISH COVENANTS OF RECORD FOR THE PURPOSE OF PROVIDING FOR AN ORDERLY DEVELOPMENT AND TO ENSURE ADEQUATE COMPLIANCE WITH THE PD FOR THE MUTUAL BENEFIT OF THE OWNER, ITS SUCCESSORS AND ASSIGNS, AND WAGONER COUNTY;

NOW, 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.

A. GENERAL DEVELOPMENT STANDARDS

THE DEVELOPMENT OF "EMERALD FALLS BLOCKS 10-15" SHALL BE SUBJECT TO WCZ #24-21 AND THE PLANNED DEVELOPMENT PROVISIONS OF THE CITY OF WAGONER-WAGONER COUNTY METROPOLITAN AREA ZONING ORDINANCE AS SUCH PROVISIONS EXISTED ON JULY 6, 2021, OR AS MAY BE SUBSEQUENTLY AMENDED.

B. DEVELOPMENT STANDARDS FOR DEVELOPMENT AREA "C" (SINGLE-FAMILY RESIDENTIAL):

GROSS LAND AREA: +/- 51.49 ACRES

PERMITTED USES:

THOSE USES PERMITTED BY RIGHT IN THE RS6 (RESIDENTIAL) ZONING DISTRICT OF THE WAGONER METROPOLITAN PLANNING AREA ZONING ORDINANCE, AND CUSTOMARY ACCESSORY USES, INCLUDING COMMON AREA AMENITIES SUCH AS PRIVATE PARKS AND RECREATIONAL FACILITIES.

MAXIMUM NUMBER OF DWELLING UNITS: 115

DEVELOPMENT STANDARDS FOR LOTS SERVED BY PUBLIC SANITARY SEWER & CURBED STREETS (NOT USED):

MINIMUM LOT AREA: 6,000 SQUARE FEET
MINIMUM LOT WIDTH*: 60 FEET
MINIMUM LOT STREET FRONTAGE: 30 FEET
MAXIMUM BUILDING HEIGHT: 35 FEET OR 2 STORIES
MINIMUM BUILDING SETBACKS:
FRONT YARDS: 25 FEET
REAR YARD: 20 FEET
SIDE YARDS:
-INTERIOR 5 FEET & 5 FEET
-BACK-TO-BACK WITH CORNER LOT 15 FEET
-NOT BACK-TO-BACK WITH CORNER LOT 20 FEET
OTHER BULK AND AREA REQUIREMENTS: PER RS6 ZONING

*CURVED STREET FRONTAGE LOTS MAY HAVE REDUCED LOT WIDTHS AND FRONTAGES PROVIDED THEY (1) MEET THE MINIMUM LOT AREA AND (2) MEET THE MINIMUM FRONTAGE REQUIREMENT AS MEASURED ALONG THE FRONT BUILDING LINE.

DEVELOPMENT STANDARDS FOR LOTS WITH PRIVATE ONSITE SEWER & BORROW DITCH STREETS (ALL LOTS WITHIN "EMERALD FALLS BLOCKS 10-15"):

MINIMUM LOT AREA: 21,780 SQUARE FEET (0.5 ACRE)
MINIMUM LOT WIDTH: 120 FEET*
MINIMUM LOT STREET FRONTAGE: 80 FEET*
MAXIMUM BUILDING HEIGHT: 35 FEET OR 2 STORIES
MINIMUM BUILDING SETBACKS:
FRONT YARDS: 35 FEET
REAR YARD: 30 FEET
SIDE YARDS:
-INTERIOR 7 FEET & 7 FEET
-CORNER LOT 30 FEET
OTHER BULK AND AREA REQUIREMENTS: PER RS22.5 ZONING

*CURVED STREET FRONTAGE LOTS MAY HAVE REDUCED LOT WIDTHS AND FRONTAGES PROVIDED THEY (1) MEET THE MINIMUM LOT AREA AND (2) MEET THE MINIMUM FRONTAGE REQUIREMENT AS MEASURED ALONG THE FRONT BUILDING LINE. WIDTHS LESS THAN 130 FEET WILL REQUIRE CURB AND GUTTER OR A WAIVER OF SUBDIVISION REGULATIONS SECTION 502.04.

SECTION IV. EMERALD FALLS HOMEOWNERS ASSOCIATION, INC.

A. FORMATION OF HOMEOWNERS ASSOCIATION; ADDITIONAL LANDS

THE EMERALD FALLS HOMEOWNERS ASSOCIATION, INC. (THE "ASSOCIATION") HAS BEEN FORMED AND SHALL BE COMPRISED BY THE OWNERS OF LOTS WITH THIS SUBDIVISION, "EMERALD FALLS", "REPLAT OF ALL OF RESERVE "L" EMERALD FALLS", AND "EMERALD FALLS BLOCKS 7-9". THE ASSOCIATION HAS BEEN ESTABLISHED IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA AND BYLAWS PREPARED FOR THE GENERAL PURPOSES OF MAINTAINING THE COMMON AREAS, INCLUDING WITHOUT LIMITATION ALL RESERVE AREAS, AS DEPICTED ON THE ACCOMPANYING PLAT, AND OTHER RESERVE AREAS WITHIN PREVIOUS PHASES OF "EMERALD FALLS", AND ENHANCING THE VALUE, DESIRABILITY AND ATTRACTIVENESS OF THIS SUBDIVISION, "EMERALD FALLS" AND ANY FUTURE ADDITIONS THERETO, "REPLAT OF ALL OF RESERVE "L" EMERALD FALLS", AND "EMERALD FALLS BLOCKS 7-9". OWNER SHALL BE ENTITLED TO APPOINT THE BOARD OF DIRECTORS FOR THE ASSOCIATION AS PROVIDED IN THE BYLAWS. IT IS CONTEMPLATED THAT ADDITIONAL LANDS/PHASES ADJOINING THE SUBDIVISION, AND SUBSEQUENTLY PLATTED FOR SINGLE FAMILY RESIDENTIAL PURPOSES, MAY BE ANNEXED BY THE OWNER OR ITS ASSIGNEE TO THE SUBDIVISION AND GEOGRAPHIC JURISDICTION AND BYLAWS OF THE ASSOCIATION, WHICH MAY BE ACCOMPLISHED BY THE OWNER OR ITS ASSIGNEE BY FILING A SUPPLEMENTAL DECLARATION HERETO, OR BY NOTING SUCH ANNEXATION ON A SEPARATE DEED OF DEDICATION FOR THE ADDITIONAL LANDS/PHASES TO BE ANNEXED HERETO, OR OTHER INSTRUMENT ADDING SUCH ADDITIONAL LANDS/PHASES TO THE SUBDIVISION AND THE JURISDICTION OF THE ASSOCIATION, IN WHICH CASE ANY SUCH LANDS/PHASES AND THE SUBSEQUENT OWNERS THEREOF SHALL BE UNDER THE JURISDICTION OF THE ASSOCIATION AND ALL RULES PERTAINING THERETO.

B. MEMBERSHIP

EVERY PERSON OR ENTITY WHO ACCEPTS A DEED FOR A LOT IN THE SUBDIVISION AND IS A RECORD OWNER OF THE FEE INTEREST OF A LOT IN THE SUBDIVISION SHALL BE A MEMBER OF THE ASSOCIATION AND BE SUBJECT TO ITS BYLAWS AND RULES. MEMBERSHIP SHALL BE APPURTENANT TO AND SHALL NOT BE SEPARATED FROM OWNERSHIP OF A LOT.

C. ASSESSMENTS

EACH OWNER OF A LOT SUBSEQUENT TO THE OWNER, BY ACCEPTANCE OF A DEED THEREFOR, IS DEEMED TO COVENANT AND AGREE TO PAY TO THE ASSOCIATION CERTAIN ASSESSMENTS TO BE ESTABLISHED BY THE BOARD OF DIRECTORS IN ACCORDANCE WITH THESE COVENANTS, AND AS AMENDED, AND THE BYLAWS OF THE ASSOCIATION, TO BE EXECUTED BY THE OWNER FOR THE MAINTENANCE AND IMPROVEMENT OF THE COMMON AREAS OWNED OR MAINTAINED BY THE ASSOCIATION, AND FOR OTHER PURPOSES WHICH BENEFIT THE SUBDIVISION AND THE OWNERS OF LOTS THEREIN. FAILURE TO PAY ANY SUCH ASSESSMENTS SHALL RESULT IN A LIEN FILED AGAINST THE LOT, BUT THE LIEN SHALL BE SUBORDINATE TO THE LIEN OF ANY FIRST MORTGAGE.

D. MAINTENANCE OF COMMON AREAS

THE ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL COMMON AREAS AS DEPICTED ON THE PLAT OR AS DESCRIBED IN THESE COVENANTS, AND AS AMENDED, WHICH MAY INCLUDE BUT NOT BE LIMITED TO STORMWATER DRAINAGE AND DETENTION FACILITIES, SIDEWALKS AND TRAILS WITHIN OR ADJACENT TO RESERVE AREAS, STREET LIGHTS, AND NEIGHBORHOOD AMENITIES WITHIN THE RESERVE AREAS AND WITHIN OTHER COMMON AREAS AS DEPICTED ON THE PLAT OR AS DESCRIBED IN THESE COVENANTS, AND AS AMENDED.

E. USE OF LAND/DEVELOPMENT STANDARDS

ALL LOTS WITHIN THE SUBDIVISION SHALL BE SUBJECT TO ANY FUTURE COVENANTS CONDITIONS, AND RESTRICTIONS AS MAY BE ESTABLISHED BY THE OWNER, OR ITS SUCCESSORS AND ASSIGNS, BY SEPARATE DOCUMENT.

SECTION V. ENFORCEMENT, DURATION, AMENDMENT OR TERMINATION, AND SEVERABILITY

A. ENFORCEMENT

THE COVENANTS AND RESTRICTIONS SET FORTH HEREIN SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY WAGONER COUNTY, THE ASSOCIATION, THE OWNER, AND ANY OWNER OF A LOT WITHIN THE SUBDIVISION. IN ANY JUDICIAL ACTION BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED HEREIN, A PARTY MAY SEEK ALL APPROPRIATE REMEDIES AT LAW, INCLUDING INJUNCTIVE RELIEF, TO ENFORCE THE COVENANTS SET FORTH HEREIN.

B. DURATION

THESE RESTRICTIONS, TO THE EXTENT PERMITTED BY APPLICABLE LAW, SHALL BE PERPETUAL BUT IN ANY EVENT 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, AFTER WHICH TIME SAID COVENANTS SHALL BE DEEMED AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN (10) YEARS UNLESS OTHERWISE AMENDED OR TERMINATED AS PROVIDED HEREIN.

C. AMENDMENT OR TERMINATION

THE COVENANTS CONTAINED WITHIN SECTIONS I., II., AND III. MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER, SO LONG AS THE OWNER OWNS AT LEAST ONE (1) LOT WITHIN THE SUBDIVISION, AND THEREAFTER BY THE ASSOCIATION, AND APPROVED BY WAGONER COUNTY. NOTWITHSTANDING THE FOREGOING, THE COVENANTS CONTAINED WITHIN SECTION III. SHALL BE DEEMED AMENDED (WITHOUT NECESSITY OF EXECUTION OF AN AMENDING DOCUMENT) UPON APPROVAL OF A MAJOR AMENDMENT OR MINOR AMENDMENT TO THE PLANNED DEVELOPMENT BY WAGONER COUNTY, AND RECORDING OF A COPY OF THE MINUTES OR OTHER RECORD OF SUCH APPROVAL WITH THE WAGONER COUNTY CLERK. EXCEPT FOR SECTIONS I., II., AND III. AS STATED ABOVE, THE OWNER, SO LONG AS THE OWNER OWNS AT LEAST ONE (1) LOT WITHIN THE SUBDIVISION, AND THEREAFTER THE ASSOCIATION, MAY SUPPLEMENT, AMEND, OR TERMINATE ANY OF THESE COVENANTS STATED HEREIN AT, ANY TIME, IN WHOLE OR IN PART, BY EXECUTING AND RECORDING AN INSTRUMENT WITH THE COUNTY CLERK. THE PROVISIONS OF ANY INSTRUMENT SUPPLEMENTING, AMENDING, OR TERMINATING THESE COVENANTS SHALL BE EFFECTIVE FROM AND AFTER THE DATE IT IS RECORDED IN THE RECORDS OF THE COUNTY CLERK.

D. SEVERABILITY

INVALIDATION OF ANY COVENANT OR RESTRICTION SET FORTH HEREIN, OR ANY PART THEREOF, BY ANY COURT OR OTHERWISE, SHALL NOT INVALIDATE OR AFFECT ANY OF THE OTHER COVENANTS OR RESTRICTIONS HEREIN.

OWNER'S CERTIFICATE

THE UNDERSIGNED DOES HEREBY CERTIFY THAT EMERALD FALLS INVESTMENT COMPANY, L.L.C. IS THE OWNER OF AND THE ONLY ENTITY HAVING ANY RIGHT, TITLE OR INTEREST IN THE LAND SHOWN ON THE PLAT OF "EMERALD FALLS BLOCKS 10-15" AND THAT THE PLAT REPRESENTS A CORRECT SURVEY OF THE ABOVE DESCRIBED PROPERTY MADE WITH MY CONSENT, AND THAT I HEREBY DEDICATE TO THE PUBLIC USE ALL STREETS AS SHOWN ON THE PLAT, THAT THE EASEMENTS AS SHOWN ON THE PLAT ARE CREATED FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES; THAT EMERALD FALLS INVESTMENT COMPANY, L.L.C. HEREBY GUARANTEES A CLEAR TITLE TO ALL LANDS SO DEDICATED FROM IT, ITS SUCCESSORS AND ASSIGNS FOREVER AND HAVE CAUSED THE SAME TO BE RELEASED FROM ALL ENCUMBRANCES SO THE TITLE IS CLEAR, EXCEPT AS SHOWN IN THE TITLE ABSTRACTOR'S CERTIFICATE.

IN WITNESS WHEREOF, EMERALD FALLS INVESTMENT COMPANY, L.L.C., AN OKLAHOMA LIMITED LIABILITY COMPANY, BEING THE OWNER OF "EMERALD FALLS BLOCKS 10-15", HAS APPROVED THE FOREGOING DEED OF DEDICATION AND FURTHER HAS EXECUTED THIS INSTRUMENT ON THIS ____ DAY OF ____, 2026.

EMERALD FALLS INVESTMENT COMPANY, L.L.C.
AN OKLAHOMA LIMITED LIABILITY COMPANY

BY: CHARNEY PROPERTIES, INC.,
AN OKLAHOMA CORPORATION, ITS MANAGER

BY: _____
DAVID E. CHARNEY, PRESIDENT

ACKNOWLEDGMENT

STATE OF OKLAHOMA)
) SS
COUNTY OF TULSA)

ON THIS ____ DAY OF ____, 2026, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR THE AFORESAID COUNTY AND STATE, DULY COMMISSIONED AND ACTING, APPEARED DAVID E. CHARNEY, TO ME PERSONALLY WELL KNOWN AS, OR PROVEN TO BE, THE PERSON WHOSE NAME APPEARS UPON THE WITHIN AND FOREGOING DOCUMENT AND STATED THAT HE WAS THE PRESIDENT OF CHARNEY PROPERTIES, INC., AN OKLAHOMA CORPORATION, AS MANAGER OF EMERALD FALLS INVESTMENT COMPANY, L.L.C., AN OKLAHOMA LIMITED LIABILITY COMPANY, AND WAS DULY AUTHORIZED TO EXECUTE THE FOREGOING CONVEYANCE FOR AND ON ITS BEHALF, AND HE RESPECTIVELY ACKNOWLEDGED TO ME THAT HE HAD EXECUTED THE SAME FOR THE CONSIDERATION AND PURPOSES THEREIN MENTIONED AND SET FORTH, AND I DO SO CERTIFY.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL OF OFFICE AS SUCH NOTARY PUBLIC AT THE COUNTY AND STATE AFORESAID ON THIS ____ DAY OF ____, 2026.

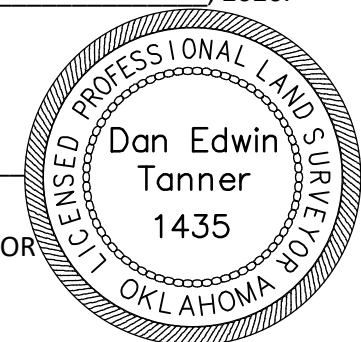
MY COMMISSION EXPIRES: _____ NOTARY PUBLIC

CERTIFICATE OF SURVEY

I, DAN E. TANNER, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, 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 "EMERALD FALLS BLOCKS 10-15", A SUBDIVISION WITHIN 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 OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING.

WITNESS MY HAND AND SEAL THIS ____ DAY OF ____, 2026.

BY: _____
DAN E. TANNER,
LICENSED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1435



STATE OF OKLAHOMA)
) SS
COUNTY OF TULSA)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS ____ DAY OF ____, 2026, PERSONALLY APPEARED DAN E. TANNER, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME AS LICENSED PROFESSIONAL LAND SURVEYOR TO THE FOREGOING CERTIFICATE, AS HIS 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.

03/08/2028
MY COMMISSION EXPIRES: _____ NOTARY PUBLIC



CERTIFICATE OF PLANNING COMMISSION APPROVAL

I, _____, CHAIR/SECRETARY OF WAGONER COUNTY, OKLAHOMA PLANNING COMMISSION, HEREBY CERTIFY THAT THE COMMISSION APPROVED THE PLAT OF "EMERALD FALLS BLOCKS 10-15" ON THE ____ DAY OF ____, 2026.

CHAIR - PLANNING COMMISSION

ACCEPTANCE OF DEDICATION BY BOARD OF COUNTY COMMISSIONERS

BE IT RESOLVED THE BOARD OF COUNTY COMMISSIONERS OF WAGONER COUNTY, OKLAHOMA, THAT THE DEDICATION SHOWN ON THE ATTACHED PLAT OF "EMERALD FALLS BLOCKS 10-15" IS HEREBY ACCEPTED AND THAT THE BOARD WILL ASSUME MAINTENANCE OF DEDICATED PUBLIC ROADS PROVIDING ALL CONSTRUCTION REQUIREMENTS ARE FULFILLED PRIOR TO THEIR ACCEPTANCE OF DEDICATED ROADS BY THE BOARD OF COUNTY COMMISSIONERS. THE COUNTY COMMISSIONERS SHALL HAVE ADEQUATE ASSURANCE BY THE DEVELOPER THAT THE ROADS WILL BE BUILT ACCORDING TO THE REQUIREMENTS. THOSE ASSURANCES SHALL INCLUDE BONDS, LETTERS OF CREDIT OR OTHER ITEMS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS.

"ROADS WILL BE MAINTAINED BY THE COUNTY".

APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF WAGONER COUNTY, OKLAHOMA THIS ____ DAY OF ____, 2026.

CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

COUNTY CLERK

DEPARTMENT OF ENVIRONMENTAL QUALITY APPROVAL

THE WAGONER COUNTY OFFICE OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY HAS APPROVED THIS PLAT FOR THE USE OF PUBLIC WATER AND ONSITE SEWER SYSTEMS ON THIS ____ DAY OF ____, 2026.

ENVIRONMENTAL PROGRAM SPECIALIST
DEPARTMENT OF ENVIRONMENTAL QUALITY