Bixby Planning Commission Agenda

City Hall, Council Chambers | 116 West Needles, Bixby, Oklahoma

Tuesday | January 18, 2022 | 6:00 PM

Call to Order

Roll Call

1. Approval Of Minutes | Regular Scheduled Planning Commission Mtg. | December 14, 2021

2. Review and forward comments to the Review Committee and City Council on the Project Plan for City of Bixby proposed Tax Increment Financing District No. 3, the "Downtown" District.

   Steve Oakley, TIF Legal Counsel

3. Review and forward comments to the Review Committee and City Council on the Project Plan for City of Bixby proposed Tax Increment Financing District No. 4, the "Sitrin Industrial Park".

   Steve Oakley, TIF Legal Counsel

4. Appoint member of Planning Commission to serve as its representative on the Review Committees.

   Steve Oakley, TIF Legal Counsel

Public Hearing

Unfinished Business

5. Neafus – Planned Unit Development BXPUD-21.12 / Rezone BXZO-21.20
   i. Applicant: Bell Land Use, LLC
   ii. General Location: 8050 E 131st Street South, Bixby, Oklahoma
   iii. Continued on December 14, 2021 due to lack of quorum

New Applications

6. Marlee Office Building – Site Plan BXSP-21.09
   i. Applicant: W Design
   ii. General Location: 7647 East 126 Street South, Bixby, Oklahoma

7. The Flats at 151 - Planned Unit Development BXPUD-21.15 / Rezone BXZO-21.23
   i. Applicant: Tanner Consulting, LLC
   ii. General Location: Northside of East 151 Street South between North Montgomery Street and North Riverview Road, Bixby, Oklahoma

8. Posey Creek 151 - Planned Unit Development BXPUD-21.14 / Rezone BXZO-21.22 / Preliminary Plat BXPT-21.20
    i. Applicant: Tanner Consulting, LLC
    ii. General Location: Northwest of the northwest corner (NW/c) of East 151 Street South & South Harvard Avenue, Bixby, Oklahoma

9. The Bungalows III at Willow Creek – Preliminary and Final Plats BXPT-21.19
    i. Applicant: Select Design
    ii. General Location: South of the southwest corner (SW/c) of East 131 Street South and South Mingo Road, Bixby, Oklahoma

10. White Hawk Conference Center and Clubhouse – Preliminary and Final Plats BXPT-21.18
    i. Applicant: Select Design
    ii. General Location: North of the northeast corner (NE/c) of East 151 Street South and South Yale Avenue, Bixby, Oklahoma

11. Rowan Grove Blocks 1-3 – Final Plat BXPT-21.06
    i. Applicant: AAB Engineering
    ii. General Location: Southeast corner (SE/c) of East 131 Street South & South Mingo Road, Bixby, Oklahoma

Old Business

New Business

Commissioner Comments

Adjournment

Carolyn Back

Posted January 14, 2021, on or before 5pm

Persons who require a special accommodation to participate in this meeting should contact Development Services, 116 West Needles Avenue, Bixby, Oklahoma, 918-366-4430, or email Donna Crawford (dcrawford@bixbyok.gov) and Carolyn Back (cback@bixbyok.gov) as far in advance as possible and preferably at least 48-hours before the date of the meeting. Persons using telecommunication devices for deaf (T.D.D.) may contact Oklahoma Relay at 1-800-722-0353 and voice calls should be made to 1-800-522-8506 to communicate via telephone with hearing telephone users and vice versa.

BIXBY PLANNING COMMISSION MINUTES

Monday | December 14, 2021 | 6:00 PM

City Hall, Council Chambers | 116 West Needles, Bixby, OK

CALL TO ORDER: 6:37PM

Roll Call was taken

MEMBERS PRESENT: Tom Holland

JR Donelson (Chair)

Lance Whisman

MEMBERS ABSENT: Steve Hobbs

Josh Nave (Vice Chair)

Other Staff Present: Carolyn Back, Development Services Director, City Planner

Bixby Leadership Intern Visitors observed proceedings

1. **Approval of Minutes | Planning Commission Mtg. November 15, 2021**

Mr. Holland made motion to approve, Seconded by Mr. Donelson

Mr. Holland – Yes

Mr. Donelson – Yes

Mr. Whisman - Yes

Motion Approved

Mr. Donelson made announcement that one of our commissioners will be recusing himself on Item #2 on the agenda so the item will to be continued to next meeting after a motion is made to continue so if anyone has signed up to speak on the item, it will not be heard tonight.

Mr. Donelson also announced all items have been posted and announced item 1 on the agenda.

1. **Rezone BXZO-21.21 | Planned Unit Development BXPUD-21.13**

8218 East 121 Street South | Restaurants at Boardwalk | Applicant: Select Design

Ms. Back presented the staff report and presented renderings submitted by applicant.

Mr. Donelson asked if applicant is in agreement with staff recommendations, Mr. McCarty responded with Yes.

Mr. Whisman asked about the increase in traffic and stacking, Ms. Back explained the applicant took this into consideration when designing the site. The entrances were realigned to relieve stacking issues.

Mr. Holland expressed concern about mini-storages.

Mr. Holland made motion to approve with staff recommendation being followed and for mini-storage to be excluded, seconded by Mr. Whisman

Mr. Donelson - Yes

Mr. Holland – Yes

Mr. Whisman – Yes

Motion Approved

Mr. Donelson asked if there was any

Old Business – None

New Business – None

Director's Report - None

Mr. Holland made motion to adjourn, seconded by Mr. Whisman

Meeting adjourned at 6:52pm

Meeting reconvened at 6:54 for purpose of motion for continuance of Item #2, Rezone and PUD for Bell Land Use.

Mr. Holland made motion to continue due to lack of quorum for item #2, seconded by Mr. Donelson. Motion to continue to January planning commission meeting approved.

Mr. Holland made motion to adjourn, seconded by Mr. Whisman.

Meeting adjourned at 6:56

City of Bixby

Tax Increment Financing District No. 3

Project Plan

Resolution No. 2022-3 Approved by City Council on January 10, 2022.

Impact on Taxing Jurisdictions:

Although the TIF will cease when $39,857,094 is collected, it is estimated that at the end of twenty-five years, that the ad valorem revenue available to the taxing jurisdictions will have increased to approximately $2,023,405 annually (See Exhibit "C"). This increase for the benefit of the taxing jurisdictions is as a result of the anticipated developments which would not occur without the formation of TIF District No. 3.

Method of Financing the Project Costs:

If the City were to prefund any qualified projects, the same would require a three-fifths (3/5) affirmative vote of the entire membership of City Council. Any prefunded expenses by the City or its Trusts shall be reimbursed prior to any other qualified expenses by third parties, unless otherwise approved by a majority of Council. Other projects will be based upon a reimbursement of qualified costs actually expended by the developers, to the extent TIF revenues are collected, and after disbursement to the various taxing entities of twenty percent (20%) of the TIF District proceeds collected by the City of Bixby.

Map Showing Existing Uses and Conditions:

Most tracts within the District are developed, but some will require change in uses.

Proposed Changes in Zoning:

It is not anticipated that there will be zoning changes except for redevelopment of existing Bixby Public School's Administrative Complex into a Mixed-Use development. Other elevated parking garages may require rezoning of tracts or approved under a Specific Use Permit.

Proposed Changes in Comprehensive Plan and Ordinances to Implement Project Plan:

The proposed uses are within the Comprehensive Plan guidelines.

Individual in Charge of Implementation of Project Plans:

Jared Cottle, Bixby City Manager, or his designee, successor, or assign.

Public Entity Authorized to Carry Out Project Plan:

The City of Bixby, Oklahoma and/or the Bixby Public Works Authority

Introduction

The City of Bixby contains areas that could develop commercially, industrially, and other mixed uses if adequate infrastructure and other public improvements were in place. Much of these areas are in part within the 100-year floodplain, making it economically cost prohibitive to develop unless water, sewer, storm water drainage, roadway extensions, floodplain modification or other improvements are first in place.

Creation of the district would provide the funding necessary to provide parking facilities and transition of the Bixby Public School's Administrative Complex to a Mixed-Use development and other improvements to serve as a catalyst for expanding employment, to reverse economic stagnation or decline, to attract major investment in the area and to preserve or enhance the tax base in the area of the district, as well as the area structures are in excess of thirty-five (35) years old which under the Oklahoma Local Development Act (Title 62 Okla. Stat. §850 et seq.) qualifies the proposed district as a "reinvestment area" and a "blighted area".

Tax Increment Districts

Under the Local Development Act, a tax increment financing district (TIF) can be formed to fund improvements. Under a TIF, the assessed valuation of the properties within the district is established by the county assessor as a base valuation. Once the district is formed and commences, then any increase in the ad valorem taxes over the base valuation may be used to fund the projects designed under the TIF development plan. All of the jurisdictions that receive ad valorem taxes would continue to receive what they had under the base valuation. Only the increases over the base in the district would go toward the funding of the TIF projects. In addition, the business personal property tax increases over the base can be used to fund the proposed projects. However, under this proposed Plan, the City of Bixby would remit twenty-percent (20%) of the ad valorem and business personal property taxes it receives for funding the TIF District to the various taxing entities in the proportionate amount that they would normally receive based upon the property tax statement each year from the Tulsa County Treasurer's office. This use of ad valorem tax increase and business personal property tax for improved improvements is only to be for a period of time deemed sufficient to fund the designated projects. By law, this could be up to twenty-five years. Under the proposed plan the District would have a life of twenty-five (25) years or until the amount of proposed funding is achieved, whichever comes first.

The advantage to the jurisdiction that relinquished the increases of ad valorem and business personal property taxes is that at the expiration of the TIF term they now will receive an increase which would not normally have occurred without the improvements for which the TIF had been created.

On February 25, 2019, after a public hearing, the Bixby City Council pursuant to Resolution No. 2019-7, established a policy and guideline for approval of a TIF District. The policy provides that:

1. The district must be a reinvestment area, historic preservation district area, or an enterprise area (state or federal) which is unproductive, undeveloped, and under-developed or a blighted area.

2. The district must improve and enhance the value of real property in the area and promote the general public interest.

3. The district must adhere to the requirement that the aggregate net assessed value of all TIF or exemption districts must not exceed 35% of the total assessed value in the City.

4. The district must adhere to the requirement that the aggregate net assessed value of all TIF or exemption districts must not exceed 25% of the total assessed value in the school district.

5. The district must adhere to the requirement that the aggregate land area of all TIF or exemption districts must not exceed 25% of the total land-area of the City.

6. The district must be developed in accordance with the City of Bixby Area Comprehensive Plan and must be in accordance with the City Zoning Code and related ordinances.

7. The district, if a private development, must receive a recommendation from the City Budget Committee as to the viability of the project utilizing the following evaluation criteria.

   A. For privately owned projects, the investment of private funds of the applicant in the project. Projects which include *25%* or more of applicants' private funds as applicants' investment in the project will be favored.

   B. Feasibility and marketing studies which demonstrate the potential for success of a particular project.

   C. Applications for projects using T1F assistance solely for public infrastructure will be favored.

   D. Projects that do not propose to utilize sales taxes will be favored.

   E. Proposals which do not use the *25* year maximum time period for repayment will be favored.

   F. Evidence and assurances that the private applicant has the financial ability to complete and operate the project.

   G. Evidence that alternative financing methods have been thoroughly explored.

8. The district plan must demonstrate the need for the public improvements to be funded for future economic gain.

9. The district plan must demonstrate that private investment, development or redevelopment or economic growth would be difficult without the public improvements proposed by use of a TIF District.

10. The district should not be created where investment, development or economic growth would otherwise occur.

11. The district must be supported by a plan document as required by law, and provided by the applicant.

12. A report of the proposed improvements, supported by a study and preliminary engineering designs including cost estimates, must be provided by the applicant for a TIF District.

13. That the formation of a TIF District be used to supplement and not supplant or replace normal public functions and services;

14. That the information of a TIF District work in conjunction with existing programs and efforts such as the Oklahoma Main Street Program, Oklahoma Enterprise Zone Act, historic preservation and other locally implemented economic development efforts;

15. That any proposed districts be delineated with particular emphasis not to have boundaries that dissect a similar area or create unfair competitive advantage;

16. That the formation of a TIF District take into consideration the need for residential and neighborhood treatment, capital improvements to neighborhood public schools, as well as commercial/industrial development;

17. That maximum effort be made to allow full public knowledge and participation in the local use of the formation of a TIF District.

18. That conservation, preservation and rehabilitation be emphasized while demolition, clearance and relocation be minimized where possible; and

19. That the use of a TIF District not be used to encourage the relocation of a nearby business to the proposed TIF District.

Although portions of the City's policy were designed to address private developers applying for a TIF district creation to assist their proposed development, the City can look to a TIF district itself to fund necessary improvements.

Pursuant to the Local Development Act, the governing body shall cause to be prepared a project plan. The Planning Commission will review the project plan and make a recommendation on the plan to the governing body. The project plan shall include the following items, if applicable, according to the type of district being formed:

1. A description of the proposed boundaries of the district and the proposed boundaries of the project area by legal description and by street or other recognizable physical feature accompanied by a sketch clearly delineating the area in detail;

2. A general description of the proposed public works or improvements, the anticipated private investments and the estimated public revenues which should accrue;

3. A list of estimated project costs including administrative expenses;

4. A general description of the methods of financing the estimated project costs, the expected sources of revenue to finance or pay project costs, and the general time when the costs or monetary obligations related thereto are to be incurred;

5. A map showing existing uses and conditions of real property in the district and a map showing proposed improvements to and proposed uses of that property;

6. Proposed changes in zoning;

7. Proposed changes in the Comprehensive plan and city ordinances if required to implement the project plan;

8. The name of the person who shall be in charge of the implementation of all of the project plans of the district with such name being forwarded to the Department of Commerce; and,

9. A designation of any public entity to be authorized to carry out all or any part of the project plan.

In addition, a review committee shall be formed consisting of a representative from City Council, a representative of the Planning Commission having jurisdiction over the proposed district, a representative from each of the taxing entities whose ad valorem taxes might be impacted by the plan, and three members of the public at large, one of whom shall be a representative of the business community in the city, and if the proposed plan objective is development principally commercial retail, such representative shall be either a retailer or a representative of a retail organization.

The review committee shall consider and make its findings and recommendations to the governing body with respect to the conditions establishing the eligibility of the proposed district and the appropriateness of the approval of the proposed plan and project. The review committee may recommend that the project plan be approved, denied, or approved subject to conditions set forth by the committee.

The Plan

Per the requirements of the Act, the following items are addressed:

Description of Boundaries:

The area to be included in the proposed district is generally that area depicted in Exhibit "A" attached, and more fully described in Exhibit "B" attached.

Proposed Public Improvements:

Upon approval of the Project Plan, the following proposed improvements and related costs as authorized by the Local Development Act need to be funded with the formation of the TIF District. Land acquisition and construction of elevated and/or surface parking and other improvements in the Downtown Core area. with an estimated cost $33,214,245.

A proposed Reconstruction of Bixby Public School's Administrative Complex into a mixed-use development may be eligible for TIF funds reimbursement of development costs.

These estimated amounts may increase or decrease depending upon actual documented expenditures. Reimbursements will be made from actual funds received during the term of the TIF District. Funds may be reimbursed that can logically be associated with these categories and are permissible items for reimbursement under the Local Development Act. Amounts listed by categories may vary from those listed. Any

dispute in regard to such eligibility shall be decided by City Council and such decision shall be final.

Public benefit enhancements may be TIF eligible as ancillary to the private investments that are statutorily qualified.

Interest expense, if funds advanced by the City or its related Trusts, associated with all above categories of financial costs shall be eligible for reimbursement.

Reimbursements to be made from ad valorem and business personal property tax proceeds actually received from property developed within the TIF District.

The developer shall provide acceptable certified documentation to the City of Bixby of the costs incurred for the above improvements for reimbursement from the TIF funds available.

Pursuant to the provisions of the Local Development Act, the Bixby City Council designates that the Bixby City Manager, or its assign, may approve minor amendments to the Project Plan as the same is defined in Title 62 Okla. Statutes §858 D.

The TIF District is contingent upon final approval of the Bixby City Council. The City of Bixby disclaims any liability in the event the TIF District, or any provision therein, is successfully challenged in a court of competent jurisdiction.

Estimated Public Revenues to Accrue:

Revenue will come from the following sources:

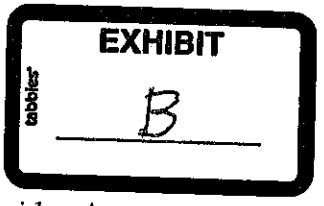
A.) The existing annual ad valorem revenue for the District is $12,299,560.

B.) Increases in the ad valorem base with the anticipated development is $75,000,000. In addition, business personal property taxes will be generated which revenues will help fund the TIF and possible reduction in life of the TIF. **Note that the TIF will cease when $39,857,094 is collected, or in 25 years whichever is first.**

C.) Attached as Exhibit "C" is computations of ad valorem revenues projected to be collected over the 25 years of life of the TIF.

D.) The cost of projected infrastructure improvements is $33,214,245, with the various taxing entities receiving 20% of the revenues or $6,642,849, leaving $33,214,245 for actual reimbursements.
Attached as Exhibit "D" is a breakdown of the revenues from the 20% for each taxing entity based upon current millage rates. Total anticipated revenue to taxing entities is $6,642,849 over life of TIF.

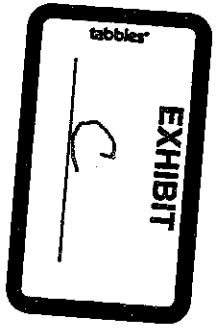

EXHIBIT
A
W TUCSON ST N
N EDISON ST W
S MEMORIAL DR E
N KIDD ST E
W NEEDLES AV N
W MCKENNON AV N
W BRECKENRIDGE AV
W DAWES AV N
N CABANIS ST W
W 6 ST S
S A AV
N ARMSTRONG ST
E 161 ST S
S B AV E
N MONTGOMERY ST E
E 6 ST S
E MCKENNON AV N
E BRECKENRIDGE AV
S MAIN ST E
E DAWES AV N
E NEEDLES AV N
N STANLEY ST E
E WASHINGTON ST N
E JEFFERSON ST N
S D AV E
S PARKER ST E
N PARKER ST E
S E AV E
N RIVERVIEW DR E

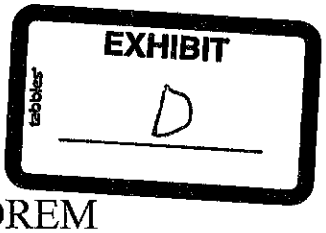


Commencing at the southeast corner of South Memorial Drive and West Breckenridge Avenue, thence east along West Breckenridge Avenue to the northeast corner of Lot 54, Block 34, Midland Addition, thence south along the east boundary of said lot to the north boundary line of the Ramsey Terrace subdivision; thence east along the north boundary line of Lot 1, Block 1, Ramsey Terrace within 30' of the northeast corner of said lot, thence south 150.36 feet to the north boundary line of Lot 1, Block 2, Ramsey Terrace; thence east to the northeast corner of said lot; thence south along the east boundary of said lot to the south side of West 5th Street South; thence east along West 5th Street South to the southeast corner of the intersection of 5th Street and South B Avenue; thence north along South B Avenue to the northwest corner of Lot 6, Block 3, Bixby- Original Town; thence east along the north boundary of Bixby-Original Town Subdivision to the northwest corner of Lot 6, Block 4, Bixby-Original Town; thence north along South Main Street East to the southeast intersection of South Main Street East and East Breckenridge Avenue; thence east along East Breckenridge Avenue to the northeast corner of Lot 2, Block 34, Midland Addition; thence northwest to the southeast corner of Lot 18, Block 28, Midland Addition; thence north along North Stanley Street East within 15' of the southeast corner of Lot 1, Block 29, Midland Addition; thence east along the alley to the southeast corner of Lot 5, Block 30, Midland Addition; thence north along the east boundary line of said lot to the northeast corner of said lot; thence west along the south side of East Dawes Avenue North to the northwest corner of Lot 4, Block 29, Midland Addition; thence northwest to the southeast corner of Lot 15, Block 18, Midland Addition; thence north along said lot to the southeast corner of Lot 9, Block 18, Midland Addition; thence west along the alley to the southwest corner of Lot 12, Block 18, Midland Addition; thence north along the west boundary of said lot to the southwest corner of Lot 17, Block 13, Midland Addition; thence west to the southwest corner of Lot 14, Block 13, Midland Addition, thence north along North Montgomery Street East to the southwest corner of Lot 14, Block 2, Privett Addition; thence north along said lot to the northeast corner of said lot; thence west along Washington Street to the northwest corner of Lot 5, Block 4, Privett Addition; thence south along said lot to the southwest corner of said lot; thence west along E 151st Street South to the northwest corner of East 151st Street South and North Armstrong; thence north 327 feet; thence west 640 feet; thence northwest 140 feet to the northeast corner of Lot 1, Block 1, Tidal Wave Addition; thence south along the west boundary of said lot to the south side of East 151st Street South; thence east along East 151st Street South to the northeast corner of Lot 1, Block 1, Memorial Commercial Center; thence south along said lot to the northwest corner of Lot 2, Block 1, Memorial Commercial Center; thence east along the north boundary of said lot to the northeast corner of said lot; thence south along the east boundary of said lot to the southeast corner of said lot; thence west along the south boundary of the Memorial Commercial Center Subdivision to South Memorial Drive East; thence south along South Memorial Drive East to the Point of Beginning.

ANTICIPATED AD VALOREM REVENUE FROM TIF 3

	BPS ADMIN REDEVELOPMENT			*MIDLAND RFP PROJECT*			*TOWN CENTER PROJECT*			*TOTAL DEVELOPMENT VALUE*
EST.	**$20,000,000**			**$25,000,000**			**$30,000,000**			**$75,000,000**
	AD VALOREM TAX REVENUE									
Year	*Prior Year Tax*	*3% Inc.*	*Current Year Tax*	*Prior Year Tax*	*3% Inc.*	*Current Year Tax*	*Prior Year Tax*	*3% Inc.*	*Current Year Tax*	*Total Current Year*
1										
2										
3										
4	$281,600.00	$8,448.00	**$290,048.00**	$352,000.00	$10,560.00	**$362,560.00**	$422,400.00	$12,672.00	**$435,072.00**	**$1,087,680.00**
5	$290,048.00	$8,701.44	**$298,749.44**	$362,560.00	$10,876.80	**$373,436.80**	$435,072.00	$13,052.16	**$448,124.16**	**$1,120,310.40**
6	$298,749.44	$8,962.48	**$307,711.92**	$373,436.80	$11,203.10	**$384,639.90**	$448,124.16	$13,443.72	**$461,567.88**	**$1,153,919.71**
7	$307,711.92	$9,231.36	**$316,943.28**	$384,639.90	$11,539.20	**$396,179.10**	$461,567.88	$13,847.04	**$475,414.92**	**$1,188,537.30**
8	$316,943.28	$9,508.30	**$326,451.58**	$396,179.10	$11,885.37	**$408,064.47**	$475,414.92	$14,262.45	**$489,677.37**	**$1,224,193.42**
9	$326,451.58	$9,793.55	**$336,245.13**	$408,064.47	$12,241.93	**$420,306.41**	$489,677.37	$14,690.32	**$504,367.69**	**$1,260,919.23**
10	$336,245.13	$10,087.35	**$346,332.48**	$420,306.41	$12,609.19	**$432,915.60**	$504,367.69	$15,131.03	**$519,498.72**	**$1,298,746.80**
11	$346,332.48	$10,389.97	**$356,722.45**	$432,915.60	$12,987.47	**$445,903.07**	$519,498.72	$15,584.96	**$535,083.68**	**$1,337,709.21**
12	$356,722.45	$10,701.67	**$367,424.13**	$445,903.07	$13,377.09	**$459,280.16**	$535,083.68	$16,052.51	**$551,136.19**	**$1,377,840.48**
13	$367,424.13	$11,022.72	**$378,446.85**	$459,280.16	$13,778.40	**$473,058.57**	$551,136.19	$16,534.09	**$567,670.28**	**$1,419,175.70**
14	$378,446.85	$11,353.41	**$389,800.26**	$473,058.57	$14,191.76	**$487,250.32**	$567,670.28	$17,030.11	**$584,700.39**	**$1,461,750.97**
15	$389,800.26	$11,694.01	**$401,494.27**	$487,250.32	$14,617.51	**$501,867.83**	$584,700.39	$17,541.01	**$602,241.40**	**$1,505,603.50**
16	$401,494.27	$12,044.83	**$413,539.09**	$501,867.83	$15,056.03	**$516,923.87**	$602,241.40	$18,067.24	**$620,308.64**	**$1,550,771.60**
17	$413,539.09	$12,406.17	**$425,945.27**	$516,923.87	$15,507.72	**$532,431.58**	$620,308.64	$18,609.26	**$638,917.90**	**$1,597,294.75**
18	$425,945.27	$12,778.36	**$438,723.62**	$532,431.58	$15,972.95	**$548,404.53**	$638,917.90	$19,167.54	**$658,085.44**	**$1,645,213.59**
19	$438,723.62	$13,161.71	**$451,885.33**	$548,404.53	$16,452.14	**$564,856.67**	$658,085.44	$19,742.56	**$677,828.00**	**$1,694,570.00**
20	$451,885.33	$13,556.56	**$465,441.89**	$564,856.67	$16,945.70	**$581,802.37**	$677,828.00	$20,334.84	**$698,162.84**	**$1,745,407.10**
21	$465,441.89	$13,963.26	**$479,405.15**	$581,802.37	$17,454.07	**$599,256.44**	$698,162.84	$20,944.89	**$719,107.73**	**$1,797,769.31**
22	$479,405.15	$14,382.15	**$493,787.30**	$599,256.44	$17,977.69	**$617,234.13**	$719,107.73	$21,573.23	**$740,680.96**	**$1,851,702.39**
23	$493,787.30	$14,813.62	**$508,600.92**	$617,234.13	$18,517.02	**$635,751.15**	$740,680.96	$22,220.43	**$762,901.39**	**$1,907,253.46**
24	$508,600.92	$15,258.03	**$523,858.95**	$635,751.15	$19,072.53	**$654,823.69**	$762,901.39	$22,887.04	**$785,788.43**	**$1,964,471.07**
25	$523,858.95	$15,715.77	**$539,574.72**	$654,823.69	$19,644.71	**$674,468.40**	$785,788.43	$23,573.65	**$809,362.08**	**$2,023,405.20**
										$33,214,245.19
	Totals	**$8,857,132.05**				**$11,071,415.06**			**$13,285,698.08**	**$33,214,245.19**





TIF No. 3 CURRENT PERCENTAGE OF AD VALOREM DISTRIBUTION AMONG TAXING ENTITIES

CITY-COUNTY HEALTH DEPT.	2.0
CITY-COUNTY LIBRARY	4.1
TULSA TECHNOLOGY CENTER	10.2
EMSA	0
TULSA COMMUNITY COLLEGE	5.5
SCHOOL LOCALY VOTED	25.5
CITY SINKING FUND	9.7
SCHOOL COUNTY WIDE BUILDING	3.9
SCHOOL COUNTY WIDE ADA	3.0
SCHOOL COUNTY WIDGE GENERAL	27.4
COUNTY GOVERNMENT	8.6
	100%

City of Bixby

Tax Increment Financing District No. 4

Project Plan

Resolution No. 2022-3 Approved by City Council on January 10, 2022.

Introduction

The City of Bixby contains areas that could develop commercially, industrially, and other mixed uses if adequate infrastructure and other public improvements were in place. Much of these areas are in part within the 100-year floodplain, making it economically cost prohibitive to develop unless water, sewer, storm water drainage, roadway extensions, floodplain modification or other improvements are first in place.

Creation of the district would provide the funding necessary to upgrade and extend water, sewer, storm drainage, roadways, environmental resolutions/mitigations, make necessary floodplain modifications and other improvements to serve as a catalyst for expanding employment, to reverse economic stagnation or decline, to attract major investment in the area and to preserve or enhance the tax base in the area of the district, which under the Oklahoma Local Development Act (Title 62 Okla. Stat. §850 et seq.) qualifies the proposed district as a "reinvestment area".

Tax Increment Districts

Under the Local Development Act, a tax increment financing district (TIF) can be formed to fund improvements. Under a TIF, the assessed valuation of the properties within the district is established by the county assessor as a base valuation. Once the district is formed and commences, then any increase in the ad valorem taxes over the base valuation may be used to fund the projects designed under the TIF development plan. All of the jurisdictions that receive ad valorem taxes would continue to receive what they had under the base valuation. Only the increases over the base in the district would go toward the funding of the TIF projects. In addition, the business personal property tax increases over the base can be used to fund the proposed projects. However, under this proposed Plan, the City of Bixby would remit twenty-percent (20%) of the ad valorem and business personal property taxes it receives for funding the TIF District to the various taxing entities in the proportionate amount that they would normally receive based upon the property tax statement each year from the Tulsa County Treasurer's office. This use of ad valorem tax increase and business personal property tax for improved improvements is only to be for a period of time deemed sufficient to fund the designated projects. By law, this could be up to twenty-five years. Under the proposed plan the District would have a life of twenty (20) years or until the amount of proposed funding is achieved, whichever comes first.

Under the provisions of 62 O.S. Sec. 856 B. 2, upon approval of a Tax Increment Financing District, the City Council can defer the commencement of the District for up to ten (10) years. However, based upon current developer interest, the commencement of the TIF District shall begin upon passage of the Ordinance establishing the same.

The advantage to the jurisdiction that relinquished the increases of ad valorem and business personal property taxes is that at the expiration of the TIF term they now will receive an increase which would not normally have occurred without the improvements for which the TIF had been created.

On February 25, 2019, after a public hearing, the Bixby City Council pursuant to Resolution No. 2019-7, established a policy and guideline for approval of a TIF District. The policy provides that:

1. The district must be a reinvestment area, historic preservation district area, or an enterprise area (state or federal) which is unproductive, undeveloped, and under-developed or a blighted area.

2. The district must improve and enhance the value of real property in the area and promote the general public interest.

3. The district must adhere to the requirement that the aggregate net assessed value of all TIF or exemption districts must not exceed 35% of the total assessed value in the City.

4. The district must adhere to the requirement that the aggregate net assessed value of all TIF or exemption districts must not exceed 25% of the total assessed value in the school district.

5. The district must adhere to the requirement that the aggregate land area of all TIF or exemption districts must not exceed 25% of the total land-area of the City.

6. The district must be developed in accordance with the City of Bixby Area Comprehensive Plan and must be in accordance with the City Zoning Code and related ordinances.

7. The district, if a private development, must receive a recommendation from the City Budget Committee as to the viability of the project utilizing the following evaluation criteria.

   A. For privately owned projects, the investment of private funds of the applicant in the project. Projects which include *25%* or more of applicants' private funds as applicants' investment in the project will be favored.

   B. Feasibility and marketing studies which demonstrate the potential for success of a particular project.

   C. Applications for projects using T1F assistance solely for public infrastructure will be favored.

   D. Projects that do not propose to utilize sales taxes will be favored.

   E. Proposals which do not use the *25* year maximum time period for repayment will be favored.

   F. Evidence and assurances that the private applicant has the financial ability to complete and operate the project.

   G. Evidence that alternative financing methods have been thoroughly explored.

8. The district plan must demonstrate the need for the public improvements to be funded for future economic gain.

9. The district plan must demonstrate that private investment, development or redevelopment or economic growth would be difficult without the public improvements proposed by use of a TIF District.

10. The district should not be created where investment, development or economic growth would otherwise occur.

11. The district must be supported by a plan document as required by law, and provided by the applicant.

12. A report of the proposed improvements, supported by a study and preliminary engineering designs including cost estimates, must be provided by the applicant for a TIF District.

13. That the formation of a TIF District be used to supplement and not supplant or replace normal public functions and services;

14. That the information of a TIF District work in conjunction with existing programs and efforts such as the Oklahoma Main Street Program, Oklahoma Enterprise Zone Act, historic preservation and other locally implemented economic development efforts;

15. That any proposed districts be delineated with particular emphasis not to have boundaries that dissect a similar area or create unfair competitive advantage;

16. That the formation of a TIF District take into consideration the need for residential and neighborhood treatment, capital improvements to neighborhood public schools, as well as commercial/industrial development;

17. That maximum effort be made to allow full public knowledge and participation in the local use of the formation of a TIF District.

18. That conservation, preservation and rehabilitation be emphasized while demolition, clearance and relocation be minimized where possible; and

19. That the use of a TIF District not be used to encourage the relocation of a nearby business to the proposed TIF District.

Although portions of the City's policy were designed to address private developers applying for a TIF district creation to assist their proposed development, the City can look to a TIF district itself to fund necessary improvements.

Pursuant to the Local Development Act, the governing body shall cause to be prepared a project plan. The Planning Commission will review the project plan and make a recommendation on the plan to the governing body. The project plan shall include the following items, if applicable, according to the type of district being formed:

1. A description of the proposed boundaries of the district and the proposed boundaries of the project area by legal description and by street or other recognizable physical feature accompanied by a sketch clearly delineating the area in detail;

2. A general description of the proposed public works or improvements, the anticipated private investments and the estimated public revenues which should accrue;

3. A list of estimated project costs including administrative expenses;

4. A general description of the methods of financing the estimated project costs, the expected sources of revenue to finance or pay project costs, and the general time when the costs or monetary obligations related thereto are to be incurred;

5. A map showing existing uses and conditions of real property in the district and a map showing proposed improvements to and proposed uses of that property;

6. Proposed changes in zoning;

7. Proposed changes in the Comprehensive plan and city ordinances if required to implement the project plan;

8. The name of the person who shall be in charge of the implementation of all of the project plans of the district with such name being forwarded to the Department of Commerce; and,

9. A designation of any public entity to be authorized to carry out all or any part of the project plan.

In addition, a review committee shall be formed consisting of a representative from City Council, a representative of the Planning Commission having jurisdiction over the proposed district, a representative from each of the taxing entities whose ad valorem taxes might be impacted by the plan, and three members of the public at large, one of whom shall be a representative of the business community in the city, and if the proposed plan objective is development principally commercial retail, such representative shall be either a retailer or a representative of a retail organization.

The review committee shall consider and make its findings and recommendations to the governing body with respect to the conditions establishing the eligibility of the proposed district and the appropriateness of the approval of the proposed plan and project. The review committee may recommend that the project plan be approved, denied, or approved subject to conditions set forth by the committee.

The Plan

Per the requirements of the Act, the following items are addressed:

Description of Boundaries:

The area to be included in the proposed district is generally that area depicted in Exhibit "A" attached, and more fully described as west of Kimberly Clark Place/ Sandusky Place, east of the Springtree and Pine Valley Additions and Bixby Public School West Campus, and south of the Kimberly Clark industrial park, and approximately 2,700 feet north of the center line of 151street South.

Exhibit "A" is also conceptual development plan for District.

Proposed Public Improvements:

Upon approval of the Project Plan, proposed and future anticipated developments are to be constructed in an industrial setting. The following proposed improvements and related costs as authorized by the Local Development Act need to be funded with the formation of the TIF District. Costs as set forth in Exhibit "B" is $4,267,176.13, plus $2,000,000 for individual site retaining walls, plus 25% inflation/interest charges of $1,566,796

The above categories are estimates of financial costs for infrastructure and related improvements required for development. These estimated amounts may increase or decrease depending upon actual documented expenditures. Reimbursements will be made from actual funds received during the term of the TIF District. Funds may be reimbursed that can logically be associated with these categories and are permissible items for reimbursement under the Local Development Act. Amounts listed by categories may vary from those listed. Any dispute in regard to such eligibility shall be decided by City Council and such decision shall be final.

Public benefit enhancements may be TIF eligible as ancillary to the private investments that are statutorily qualified.

Interest expense, if funds advanced by the City or its related Trusts, associated with all above categories of financial costs shall be eligible for reimbursement.

Reimbursements to be made from ad valorem and business personal property tax proceeds actually received from property developed within the TIF District.

The developer shall provide acceptable certified documentation to the City of Bixby of the costs incurred for the above improvements for reimbursement from the TIF funds available.

Pursuant to the provisions of the Local Development Act, the Bixby City Council designates that the Bixby City Manager, or its assign, may approve minor amendments to the Project Plan as the same is defined in Title 62 Okla. Statutes §858 D.

The TIF District is contingent upon final approval of the Bixby City Council. The City of Bixby disclaims any liability in the event the TIF District, or any provision therein, is successfully challenged in a court of competent jurisdiction.

Estimated Public Revenues to Accrue:

Revenue will come from the following sources:

A.) The valuation of the existing taxable ad valorem base of the District area is zero "0", since it is owned by the City of Bixby and is exempt from ad valorem taxes.

B.) Increases in the ad valorem base with the anticipated development is estimated at $27,500,00. That the same is estimated to generate $9,956,298 in ad valorem tax revenue over the life of the TIF, as set forth in Exhibit "C". **Note that the TIF will cease when $9,956,298 is collected, or in 25 years, whichever is first.**

C.) The cost of projected infrastructure improvements with the various taxing entities receiving additional 20% of the total revenues or $1,991,259, leaving $7,833,970 for actual reimbursements.

D.) Attached as Exhibit "D" is a listing of percentage of revenues for each taxing entity based upon current millage rates.

Total anticipated revenue to taxing entities is $1,991,259 during life of TIF.

Impact on Taxing Jurisdictions:

Although the TIF will cease when $9,956,298 is collected, it is estimated that at the end of twenty-five years, that the ad valorem revenue available to the taxing jurisdictions will have increased to approximately $641,377 annually (See Exhibit "D"). This increase benefiting the taxing jurisdictions is a result of the anticipated development which would not have occurred without the formation of TIF District No. 4.

Method of Financing the Project Costs:

If the City were to prefund any qualified projects, the same would require a three-fifths (3/5) affirmative vote of the entire membership of City Council. Any prefunded expenses by the City or its Trusts shall be reimbursed prior to any other qualified expenses by third parties, unless otherwise approved by a majority of Council. Other projects will be based upon a reimbursement of qualified costs actually expended by the developers, to the extent TIF revenues are collected, and after disbursement to the various taxing entities of twenty percent (20%) of the TIF District proceeds collected by the City of Bixby.

Map Showing Existing Uses and Conditions:

Tracts are undeveloped but zoned Industrial Light (IL).

Proposed Changes in Zoning:

The areas depicted may require zoning changes if desired to upgrade from Industrial Light to Industrial Medium.

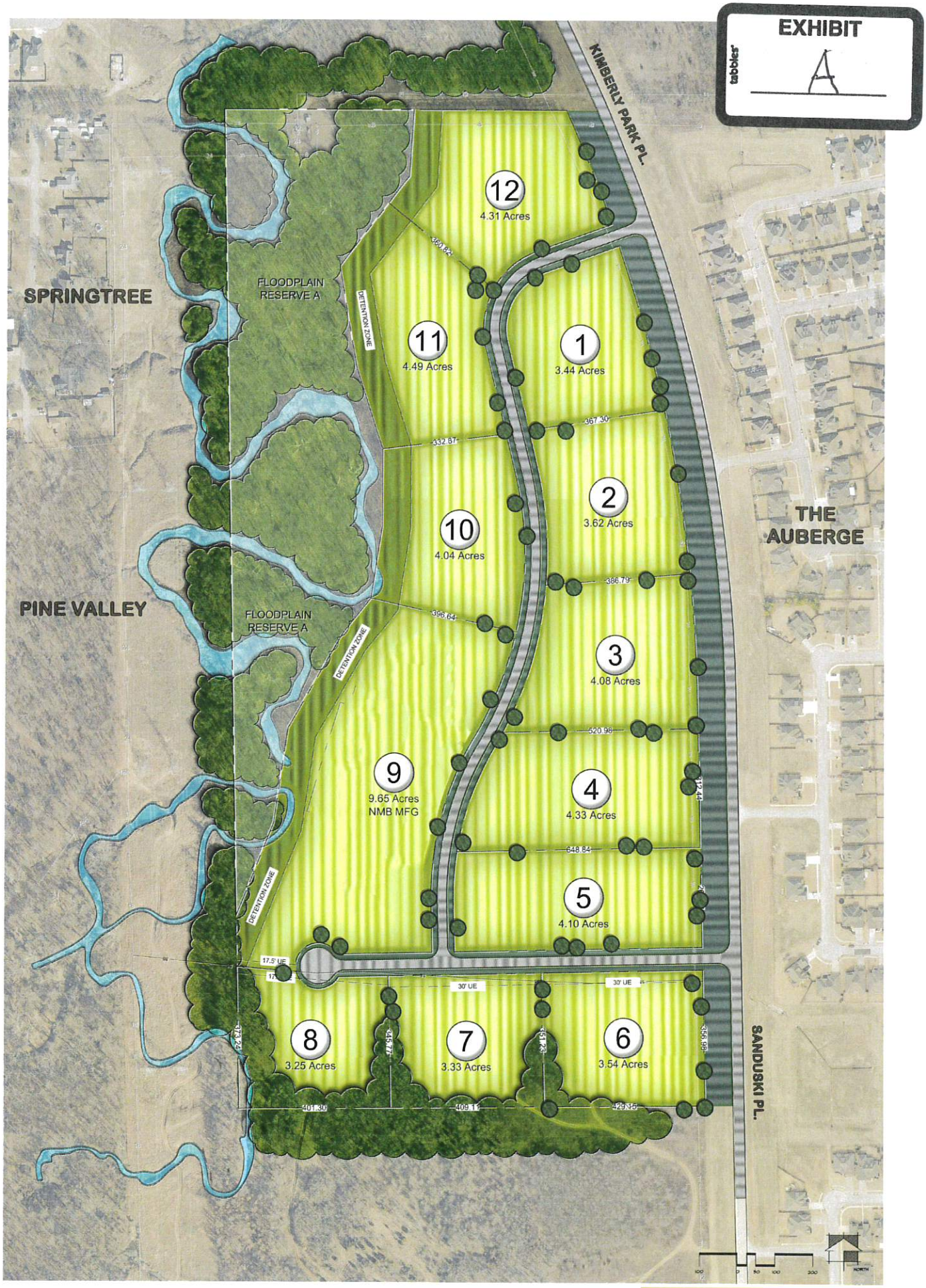
Proposed Changes in Comprehensive Plan and Ordinances to Implement Project Plan:

The project is within the Comprehensive Plan guidelines. Final approval and implementation by Ordinance will be determined by Bixby City Council.

Individual in Charge of Implementation of Project Plans:

Jared Cottle, Bixby City Manager, or his successor, designee, or assign.

Public Entity Authorized to Carry Out Project Plan:



PDG
PLANNING DESIGN GROUP

SITRIN INDUSTRIAL PARK

JAN 4TH, 2021
BIXBY, OKLAHOMA

EXHIBIT
tabbies
B

Engineers Estimate

for

Grading, Paving, Storm, Sanitary Sewer, Waterline and Erosion Control

Sitrin Industrial Park

Bixby, Oklahoma

Item	Quantity		Description	Unit Cost	Extension
				ENGINEER'S ESTIMATE	
Grading					
101.	**GENERAL SITE GRADING**				
a.	34	Acres	Clearing & Grubbing (includes tree removal)	$ 2,800.00	$ 95,200.00
b.	22,025	CY	Stripping, 5"deep, Stockpile & Replace	$ 6.00	$ 132,150.00
c.	190,000	CY	Unclassified Excavation & Site Grading	$ 6.25	$ 1,187,500.00
d.	30	Acres	Revegetation (Seeding)	$ 2,200.00	$ 66,000.00
e.	4,000	SY	Solid Slab Sod on Pond Slopes and Swales	$ 3.00	$ 12,000.00
			Total Grading Base Estimate		**$ 1,492,850.00**

Item	Quantity		Description	Unit Cost	Extension
				ENGINEER'S ESTIMATE	

Paving

201. FINE GRADING & SUBGRADE PREPARATION

(Quantities to 2 feet behind back of curb. Refer to Geotechnical Report for treatment options.)

a.	17,673	SY	Fine Grading for Paving	$ 1.50	$ 26,509.50
b.	17,673	SY	Stabilized Subgrade, 8" deep	$ 6.50	$ 114,874.50

202. PAVING, IN PLACE

a.	14,576	SY	ODOT Type "A" Asphaltic Concrete Paving, 6.5" thick	$ 24.90	$ 362,942.40
b.	14,576	SY	ODOT Type "B" Asphaltic Concrete Paving, 2.0" thick	$ 10.00	$ 145,760.00

203. CONCRETE CURB & GUTTER, IN PLACE

a.	6,557	LF	Concrete Curb and Gutter, 6" Barrier	$ 17.00	$ 111,469.00

206. PAVEMENT MISCELLANEOUS

a.	4,356	SY	Slab Sod, to 6' Behind Curb	$ 3.00	$ 13,068.00
b.	1	LS	Thermoplastic Pavement Striping	$ 15,000.00	$ 15,000.00
c.	37	EA	Adjust Surface Structures In Paving to Grade	$ 640.00	$ 23,680.00

207. CONDUIT, IN PLACE

a.	800	LF	Pipe, Grey 4" PVC Sch 40 (includes approved end-of-trench markers)	$ 18.00	$ 14,400.00

Total Paving Base Estimate **$ 827,703.40**

Item	Quantity		Description	Unit Cost	Extension
				ENGINEER'S ESTIMATE	

Storm Sewer

301.	**RIGHT-OF-WAY CLEARING AND RESTORING ****						
	a.	2,303	LF	Right-of-Way Clearing and Restoring	$	4.00	$ 9,212.00
302.	**EXCAVATION AND BACKFILL, UNCLASSIFIED**						
	a.	2,105	CY	Excavation and Backfill, Unclassified	$	5.00	$ 10,525.00
303.	**BOX, REINFORCED CONCRETE (RCB), IN PLACE ***						
	a.	250	LF	5'x5' Precast RCB, ASTM C1433	$	403.00	$ 100,750.00
304.	**PIPE, REINFORCED CONCRETE (RCP), IN PLACE ***						
	a.	528	LF	36-Inch RCP, ASTM C76, Class III, Wall B	$	107.80	$ 56,918.40
	b.	589	LF	30-Inch RCP, ASTM C76, Class III, Wall B	$	90.75	$ 53,451.75
	c.	425	LF	24-Inch RCP, ASTM C76, Class III, Wall B	$	80.85	$ 34,361.25
	d.	22	LF	18-Inch RCP, ASTM C76, Class III, Wall B	$	79.75	$ 1,754.50
	e.	177	LF	15-Inch RCP, ASTM C76, Class III, Wall B	$	69.30	$ 12,266.10
306.	**INLETS, IN PLACE**						
	(Storm contractor to provide grates, frames & curb hoods to be set by paving contractor)						
	a.	2	EA	Std. 36" Precast Concrete Drop Inlet, Design 1	$	2,000.00	$ 4,000.00
	b.	24	EA	Std. ST29-3'x6' Recessed Curb Inlet, w/ Manhole, Type 1 (10" thr	$	1,700.00	$ 40,800.00
307.	**JUNCTIONS, IN PLACE**						
	a.	10	EA	Std. 6' ID Precast Concrete Manhole	$	5,000.00	$ 50,000.00
	b.	4	EA	Std. 5' ID Precast Concrete Manhole	$	3,800.00	$ 15,200.00
308.	**OUTLETS, IN PLACE**						
	(All outlet structures include minimum 3'deep concrete toewall, unless otherwise noted)						
	a.	6	EA	ODOT One Cell Headwall for 5'x5' RCB	$	9,167.00	$ 55,002.00
	b.	1	EA	Std. 36" Concrete Slopewall	$	3,000.00	$ 3,000.00
309.	**CHANNEL, IN PLACE**						
	a.	1,100	LF	ODOT Paved Ditch, Design No 2 (6.0' wide)	$	39.00	$ 42,900.00
310.	**MISCELLANEOUS**						
	a.	80	SY	Flexamat	$	90.00	$ 7,200.00

Total Storm Sewer Base Estimate **$ 497,341.00**

Item	Quantity		Description	Unit Cost	Extension
				ENGINEER'S ESTIMATE	

Sanitary Sewer

401.	**RIGHT-OF-WAY CLEARING AND RESTORING ****					
	a.	3,953	LF	Right-of-Way Clearing and Restoring	$ 3.50	$ 13,835.50
	b.	675	LF	Demo Existing Sanitary Sewer	$ 5.00	$ 3,375.00
402.	**EXCAVATION AND BACKFILL, UNCLASSIFIED**					
	a.	2,928	CY	Excavation and Backfill, Unclassified	$ 8.00	$ 23,424.00
404.	**PIPE, POLYVINYL CHLORIDE (PVC), FOR SEWER SERVICE, IN PLACE ***					
	a.	3,953	LF	8-Inch PVC Pipe, ASTM D1784, SDR35	$ 40.00	$ 158,120.00
405.	**MANHOLE, IN PLACE**					
	a.	16	EA	Std. 4 'ID Precast Concrete Manhole	$ 2,800.00	$ 44,800.00
	b.	6	EA	Std. 4 'ID Precast Concrete Manhole with Exterior Drop	$ 5,815.00	$ 34,890.00
	c.	22	VF	Std. 4 'ID Precast Concrete Manhole, Additional Depth >6'	$ 200.00	$ 4,400.00
407.	**CONNECTION, IN PLACE**					
	a.	2	EA	Connect to Existing Manhole	$ 1,500.00	$ 3,000.00

Total Sanitary Sewer Base Estimate **$ 285,844.50**

Item	Quantity	Description	Unit Cost	Extension
			ENGINEER'S ESTIMATE	

Waterline

501. RIGHT-OF-WAY CLEARING AND RESTORING **

a.	3,344	LF	12-inch PVC, AWWA C900, Class 200 (DR14) including all fittings, fire hydrants, and trenching.	$ 83.00	$ 277,552.00

Total Waterline Base Estimate **$ 277,552.00**

Item	Quantity		Description	Unit Cost	Extension
					ENGINEER'S ESTIMATE

Erosion Control

Quantities are Estimates Only. Contractor must provide sufficient erosion control to meet ODEQ requirements.

a.	2	EA	Stabilized Construction Entrance	$ 3,425.00	$ 6,850.00
b.	26	EA	Inlet Protection Devices	$ 375.00	$ 9,750.00
c.	7	EA	Outlet Protection Devices	$ 550.00	$ 3,850.00
d.	4,000	LF	Silt Fence for Erosion Stabilization	$ 3.00	$ 12,000.00

Total Erosion Control Base Estimate **$ 32,450.00**

Total Base Estimate **$ 3,413,740.90**

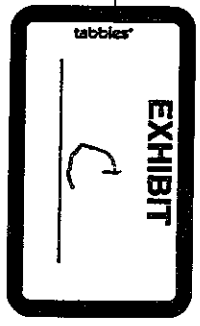
Grand Total Base with 15% Contingency **$ 3,925,802.04**

Estimated Engineering & Survey Fees **$ 341,374.09**

Grand Total Estimate **$ 4,267,176.13**

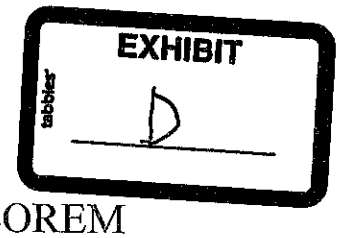
ANTICIPATED AD VALOREM TAX REVENUE FROM NEW DEVELOPMENT

	INDUSTRIAL STAGE 1			INDUSTRIAL STAGE 2			INDUSTRIAL STAGE 3			INDUSTRIAL STAGE 4			TOTAL DEVELOPMENT VALUE
	3 TRACTS			3 TRACTS			3 TRACTS			3 Tracts			
EST.	$6,875,000			$6,875,000			$6,875,000			$6,875,000			$27,500,000
	AD VALOREM TAX REVENUE												
YEAR													
1													
2													
3													
4													
5	96,800	2,904	99,704										
6	99,704	2,991	102,695										
7	102,695	3,081	105,776	96,800	2,904	99,704							
8	105,776	3,173	108,949	99,704	2,991	102,695	96,800		96,800				
9	108,949	3,268	112,218	102,695	3,081	105,776	96,800	2,904	99,704				
10	112,218	3,367	115,584	105,776	3,173	108,949	99,704	2,991	102,695				
11	115,584	3,468	119,052	108,949	3,268	112,218	102,695	3,081	105,776	96,600	2,904	99,704	
12	119,052	3,572	122,623	112,218	3,367	115,584	105,776	3,173	108,949	99,704	2,991	102,695	
13	122,623	3,679	126,302	115,584	3,468	119,052	108,949	3,268	112,218	102,695	3,081	105,776	
14	126,302	3,789	130,091	119,052	3,572	122,623	112,218	3,367	115,584	105,776	3,173	108,949	
15	130,091	3,903	133,994	122,623	3,679	126,302	115,584	3,468	119,052	108,949	3,268	112,218	
16	133,994	4,020	138,014	126,302	3,789	130,091	119,052	3,572	122,623	112,218	3,367	115,584	
17	138,014	4,140	142,154	130,091	3,903	133,994	122,623	3,679	126,302	115,584	3,468	119,052	
18	142,154	4,265	146,419	133,994	4,020	138,014	126,302	3,789	130,091	119,052	3,572	122,623	
19	146,419	4,392	150,811	138,014	4,140	142,154	130,091	3,903	133,994	122,623	3,679	126,302	
20	150,811	4,524	155,335	142,154	4,265	146,419	133,994	4,020	138,014	126,302	3,789	130,091	
21	155,335	4,660.00	159,995.00	146418.685	4,392	150,811	138,014	4,140	142,154	130,091	3,903	133,994	
22	159,995.00	4,799.00	164,794.00	150,811	4,524	155,335	142,154	4,265	146,419	133,994	4,020	138,014	
23	164,794.00	4,943.00	169,737.00	155,335	4,660	159,995	146,419	4,392	150,811	138,014	4,140	142,154	
24	169,737	5,092	174,829	159,995	4799	164794	150,811	4524	155,335.00	142,154	4,265	146,419	
25	174,829.00	5,244.00	180,073.00	164,794.00	4,943.00	169,737.00	155,335.00	4,660.00	159,995	146,419	4392	150,811	
	TOTALS	83,273	2,859,149		72,937	2,576,624		63,195	2,266,516.00		54,011	1,854,386	



TOTAL ANTICIPATED REVENUE FROM NEW DEVELOPMENT: 9,556,298.00

* The above annual increases assume a 3% ad valorem valuation increase.



TIF No. 4 CURRENT PERCENTAGE OF AD VALOREM DISTRIBUTION AMONG TAXING ENTITIES

CITY-COUNTY HEALTH DEPT.	2.0
CITY-COUNTY LIBRARY	4.1
TULSA TECHNOLOGY CENTER	10.2
EMSA	0
TULSA COMMUNITY COLLEGE	5.5
SCHOOL LOCALY VOTED	25.5
CITY SINKING FUND	9.7
SCHOOL COUNTY WIDE BUILDING	3.9
SCHOOL COUNTY WIDE ADA	3.0
SCHOOL COUNTY WIDE GENERAL	27.4
COUNTY GOVERNMENT	8.6
	100%

City of Bixby
P.O. Box 70
116 W. Needles Ave.
Bixby, OK 74008
(918) 366-4430

Staff Report

To: City of Bixby, Planning Commission

From: Carolyn Back, Development Services Director/City Planner

Date: Tuesday, December 14, 2021
(Continued to Tuesday, January 18, 2022 due to lack of quorum)

Name: Neafus Rezone and PUD

RE: Rezone (BXZO-21.20), and Planned Unit Development (BXPUD-21.12)

Location: 8050 E 131st Street
1.099 Acres (+/-)

STR: Section 11, Township 17N, Range 13E

Applicant: Bell Land Use, LLC

Staff Review

The applicant is requesting a Rezone (BXZO-21.20) from Residential Single-Family (RS-1) to Commercial General (CG) with Supplemental Zoning through (BXPUD-21.12).
AMENDED: Rezone to less intensive Commercial Shopping (CS) with Supplemental Zoning through (BXPUD-21.12).

Existing Zoning; Use:
Single-Family Residential (RS-1); Single-Family residence

Abutting Zoning; Use:
North: Residential Single-Family (RS-1); Single-Family Residence
East: Commercial General (CG); Financial Institution and C-Store with fuel
South: Agriculture (AG); Vacant
West: Residential Single-Family (RS-1); Single-Family Residence

Proposed Zoning; Use:
Commercial General (CG); not disclosed (December 14, 2021)
Commercial Shopping (CS); see PUD Permitted and Prohibited uses per downzoning their advertised request within BXPUD-21.12 dated December 15, 2021)

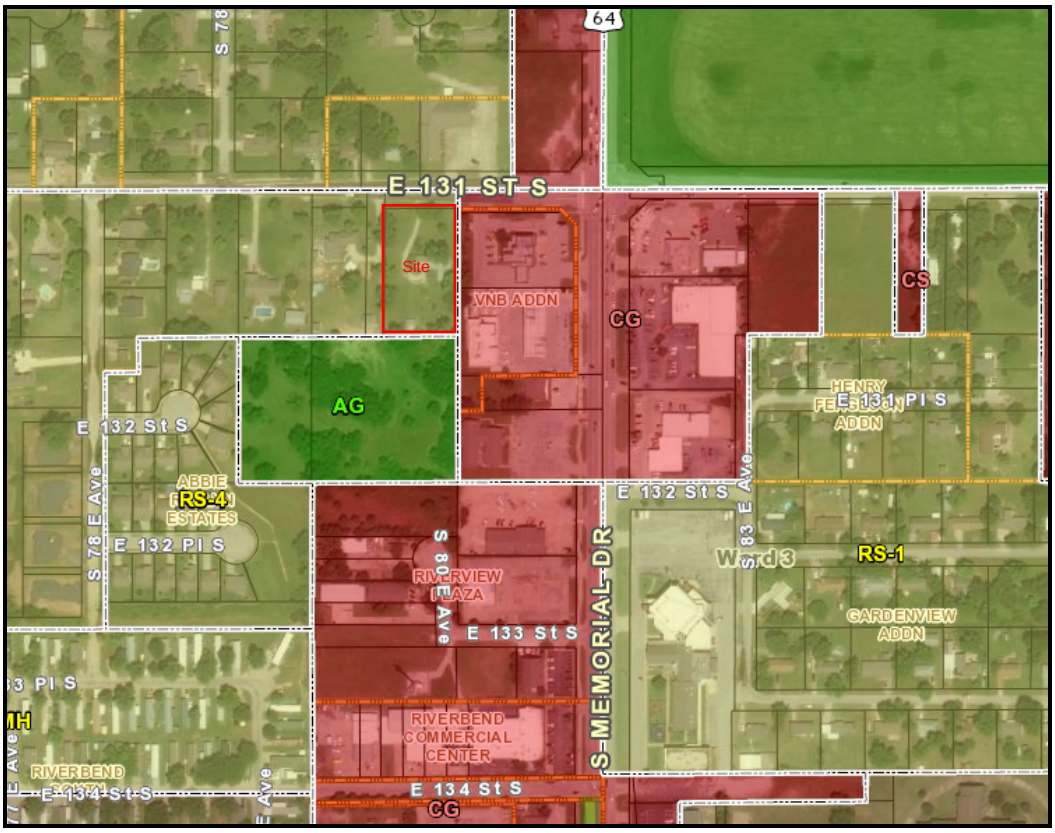


Figure 1: City of Bixby Zoning Map

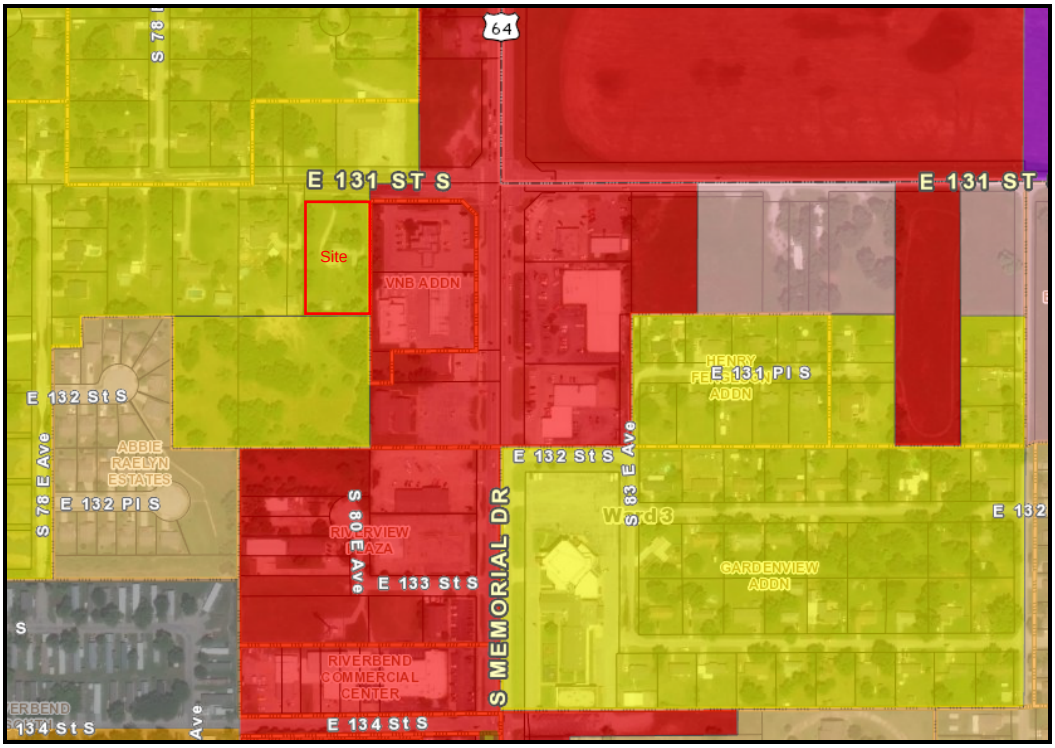


Figure 2: City of Bixby Future Land Use Map

The applicant is currently requesting a Rezone (BXZO-21.20) from Residential Single-Family (RS-1) to Commercial Shopping (CS) with supplemental zoning through a Planned Unit Development (BXPUD-21.12). They believe an increase in intensity from Low Density Residential to Commercial is best suited for the property, based on abutting commercially zoned property to the east and its location within the Corridor Appearance District.

The applicant has requested a Rezone and prepared a PUD with Development Standards aligning with Commercial Shopping (CS) "Uses by Right" with the following prohibited uses:

Prohibited Uses:

Use Unit 2 – Area Wide Special Exception Uses
Use Unit 5 – Children's Nursery
Use Unit 5 – Medical Marijuana Education Facility
Use Unit 13- Medical Marijuana Dispensary (To include transporting use)
Use Unit 23 – Medical Marijuana Warehousing and Wholesaling Facility.
Use Unit 19 – Drinking Establishment (Only) (Unless recognized as an accessory use to eating establishment as defined by the State of Oklahoma)

Sexually Oriented Business as defined in Section 11-7D-6 Bixby Zoning Code

Signage excerpt from BXPUD-21.12:

A. The development may place One (1) ground sign along East 131st Street South that incorporates the uses within the development.

B. Grounds signs and building signs associated with uses that front East 131st Street South shall follow the guidelines of the Commercial General (CG) and the Corridor Appearance District.

If approved, to further reduce potential impacts, Staff recommends One (1) Tenant ground sign for all businesses. The ground sign must be situated along East 131st Street South. No additional ground signs should be allowed for this development.

This rezone requires an update to the Comprehensive Plan, 2030 Future Land Use Map.

History:

On October 25, 2021, the applicant went before the City Council with recommendation from Planning Commission for approval of the Comprehensive Plan, 2030 Future Land Use Map amendment (BXCP 21.11).

Currently, the City Council application is pending to allow the applicant time to prepare and submit Rezone and Planned Unit Development (PUD) applications, before continuing with the Comprehensive Plan case.

Based on future development patterns along South Memorial Drive, within our Corridor Appearance District, this amendment could be considered consistent with the future development of commercial property along our 600 foot deep Corridor District. This subject property does abut the existing commercially zoned property currently operating as a bank located to the east.

This land is located within the Corridor Appearance District and if approved, will be held to those standards for future commercial development.

Corridor Appearance District
11-7G-1: PURPOSES:
There is hereby created a corridor appearance district along Memorial Drive from 101st to 171st Street South, as hereinafter defined, for the purpose of extending appearance review standards and guidelines to achieve aesthetically pleasing and environmentally sensitive development areas through alternative compliance methods, including landscaping, building material selection, structural design and color scheme provisions, sound reduction methods, improved air quality, and to provide attractive sites for nonresidential, commercial development, and industrial development to the benefit of the city's visitors and residents

11-7G-2: LOCATION:
An area six hundred feet (600') in width along and parallel to Memorial from 101st to 171st South, [pertaining to this property].

11-7G-5: DEVELOPMENT MINIMUM STANDARDS:
A. All sides of buildings facing public streets shall be full masonry to the first floor top plate, to include brick, stucco, EIFS or similar masonry like product, stone, finished concrete tilt-up panels, or some combination thereof.
B. The property owner may appeal the interpretation of the masonry standard to a specific building project or may request, in writing and with showing of sufficient good cause, that the City Council reduce or waive the requirement altogether.
C. The City Planner may refer a proposed structure to the City Council for approval if determined to be of exceptional character, iconic, or potentially offensive.

Public Comments: For the December 14, 2021 Planning Commission Hearing, there were several public comments received from: a.) One (1) abutting City of Bixby business owner and, b.) Three (3) City of Bixby residents that live in the area.

Their concerns were focused on:
- Traffic in and out of the neighborhood
- Problems that go along with the cannabis industry: security, odors, traffic, noise
- The loss of residential zoning in their neighborhood

No additional comments were received for the January 18, 2022 hearing.

Staff Comments:

Since the continuation of this project on December 14, 2021, the applicant made additional changes to the PUD and will present their modifications at the hearing. The applicant modified PUD is attached with Staff Recommendations in red font.

1. The applicant has downzoned the rezone request to Commercial Shopping (CS) from the advertised Commercial General (CG).

   The applicant listed the permitted uses as all uses allowed by right in the CS Zoning District, except as defined in the listed prohibited uses. Please refer to the PUD and Staff Comments (in red font) for prohibited uses and recommended additional uses to be added to the list.

2. Medical Marijuana uses have been deleted from BXPUD-21.12.

3. Based on neighbor concerns, for potential future amendments to this PUD, Staff recommends adding an exclusion of all medical marijuana uses within this PUD.

4. Staff has concerns for the abutting single-family uses and the difficulty it would be for the commercial use(s) to properly screen the proposed commercial impacts: noise, lighting, odors, traffic, etc., on the existing single-family residences and uses.

III. Development Standards
(Please see PUD for recommended modifications to the PUD)
(Delete ~~strikethrough~~ and add red font)

Staff Research Notes for Commissioner Point of Reference.
(Frontage and Setbacks based off of the CS District requirements)

- Frontage off of an arterial is 150 ft. in CS District
  (Lot is appx 165 ft. frontage on 131st Street)

- Setback from R District based on 35 ft. building height is 40 + 10 = 50 ft.

- 131st Street is classified as a Secondary Arterial on the (MSHP) Major Street and Highway Plan = 50 + 50 = 100 Feet

IV. Signage
(Please see PUD for recommended modifications to the PUD)
(Delete ~~strikethrough~~ and add red font)

VIII. Proposed Zoning and Comprehensive Plan
(Please see PUD for recommended modifications to the PUD)
(Delete ~~strikethrough~~ and add red font)

Staff Recommendation:

1. With the projected growth within the City of Bixby, Staff foresees the proposed rezone being amenable to various types of commercial uses, but is not confident the timing is best for the community as a whole, and more specifically, the established single-family residential uses in the immediate area that will be impacted.

2. If inclined to recommend approval with conditions, Staff recommends including all of Staff Comments in red font in the Amended (December 15, 2021) BXPUD-21.12 within their motion to City Council.

Staff Recommends Planning Commission deny the application for Rezone (BXZO-21.20) and PUD (BXPUD-21.12).

Attachments:

Exhibit A: BXPUD-21.12 by Bell Land Use, LLC, Amended December 15, 2021

8050 East 131st Street South

Bixby Oklahoma

Planned Unit Development Number BXPUD-21.12

Amended December 15, 2021

Commercial Shopping Center with restricted uses



Jim Neafus Property

Bell Land Use LLC
918-902-0462

TABLE OF CONTENTS

		Page
I.	Executive Summary	3
II.	Development Text	5
III.	Development Standards a. Permitted Uses b. Prohibited Uses c. Screening d. Landscaping e. Access f. Lighting	6
IV.	Signage	7
V.	Parking	8
VI.	Drainage and Utilities	8
VII.	Existing Zoning and Comprehensive Plan	8
VIII.	Proposed Zoning and Comprehensive Plan	8
IX.	Site Plan Review	8

Exhibit A Comprehensive Plan
Exhibit B Aerial View
Exhibit C Screening Fence beginning Point
Exhibit D Existing Zoning

I. Executive Summary

The subject property is designated as Low Intensity by the Bixby Comprehensive Plan and is under consideration to be changed to a Commercial Designation. The subject property is within an area that would be generally recognized as a five-acre Commercial node that is usually established at the intersection of section line roads. This area is further enhanced for commercial use because one of the section line roads (Memorial Avenue) is a State Highway. The commercial designation has been extended along Memorial Avenue in recognition of the volume of traffic and the conditions created that are not conducive to residential use.

The Bixby Comprehensive Plan Designates the property to the west of the Low Intensity area as Medium Residential. This situation creates a condition where a pocket of single-family residential sets between two higher density uses. This was created because the low intensity area was established to protect the two existing residential structures when the Plan was originally established in the 1970's. These properties are not a neighborhood. They are two single family residential structures setting on unplatted property that is greater than one acre each. Since the application is only addressing the Neafus tract, it is recognized that the limitations that are created to the subject property extend to the residential property to the west and the 2.5-acre tract south of the Neafus property.

The current owners of the subject tract have come to the realization that the property cannot be developed for Single Family Residential Use as currently designated by the Comprehensive Plan. The impacts to the property from the adjacent commercial uses and more so the negative impact of being so close to Memorial (Highway 67) and the 131st intersection renders the property not suitable for residential use.

The Assessor values the current structure on the subject property at $45,000. This structure has obviously outlived its usefulness and should be razed. It is unlikely that anyone at today's costs would build a new house at this location. The value is not sustainable for the cost of new housing at this location. To remodel the existing structure would not raise the value of the property to the dollars spent. A residential development of the property is not viable because of the required upgrade to the road and other infrastructure requirements, plus the residential use of the road would be considered greater negative impact to the existing developments along this road and would not support the highest and best use of all tracts that have access to the road.

This brings us to the Development Concept associated with the Zone Change Request and associated Planned Unit Development. The important consideration for the subject tract is to determine the appropriate zone for the subject property that allows highest and best use and does not create limitations on the other tracts of the Low Intensity area during future consideration. At the same time, the concept is to create development standards that protect the existing residential use until the adjacent property has been considered for Commercial Use. This can only be addressed by the establishment of a Planned Unit Development that restricts uses that have already been considered and denied by public process, identify those use that would be inappropriate for the site and established the proper development standards.

A Plan Amendment Application for a Commercial Designation has been submitted to the City Council. This application has been tabled until such time that a Zone Change to CS and a Planned Unit Development application can be processed with the Plan Amendment that addresses the previous denied applications and possible inappropriate zoning uses and with criteria to protect existing residential.

II. Development Text

The subject property is in the Corridor Appearance Review District along Memorial Drive from 101st to 171st Streets and shall be subject to the Appearance Review criteria. The Corridor Appearance review standards and guidelines are established to achieve aesthetically pleasing and environmentally sensitive development areas through alternative compliance methods, including landscaping, building material selection, structural design and color scheme provisions, sound reduction methods, improved air quality, and to provide attractive sites for non-residential, commercial development and industrial development to the benefit of the city's visitors and residents. The minimum development standards and exceptions are as follows:

A. Modified 11-7G-5 - All sides of buildings facing public streets shall be full masonry to the first-floor top plate to include brick, stucco or similar masonry like product, stone, or some combination thereof.
B. The development must submit elevations with a site plan with a required Plat as specified in the Zoning Code. The site plan review will incorporate the elevation of the building for the Corridor Appearance Review process.
C. Submittal with the site plan will be an extensive landscape plan. This plan will include protection of existing trees, if possible, and incorporate features that that aide in protecting adjacent residential use from the activities on the site.
D. An eight-foot high screening fence will be erected along the west property line from the southwest corner of the property to a point that is 50 feet from 131st Street. The defined length of the screening fence incorporates all residential structures and uses on the adjacent property to the west.
E. The City Planner may refer a proposed structure to the City Council for approval if determined to be of exceptional character, iconic, or potentially offensive.

III. Development Standards

The Property will be Zoned CS (Commercial Shopping Center)

Permitted Uses:

All uses allowed by right in the CS Zoning District except as defined below.

Prohibited Uses:

The following uses shall be prohibited by the PUD and not allowed on the Property:

Use Unit 1 – Area Wide Uses
Use Unit 2 – Area Wide Special Exception Uses
Use Unit 5 – Children's Nursery
Use Unit 5 – Medical Marijuana Education Facility
Use Unit 13- Medical Marijuana Dispensary (To include transporting use)
Use Unit 14 – Shopping Goods and Services
Use Unit 16 - Ministorage
Use Unit 23 – Medical Marijuana Warehousing and Wholesaling Facility.
Use Unit 19 – Drinking Establishment (Only) (Unless recognized as an accessory use to eating establishment (Use Unit 12) and as defined by the State of Oklahoma)
Use Unit 19 – Hotel, Motel and Recreation facilities.

ALL Sexually Oriented Business as defined in Section 11-7D-6 Bixby Zoning Code

Minimum Lot Area Per Unit:	Per CS Zone
Minimum Width	~~80~~ 150 Feet
Minimum Setback from South Property Line: (~~Commercial~~ AG Zoning)	5 Feet
Minimum Setback from East Property Line: (Commercial Zoning)	5 Feet
Minimum Setback from West property Line: (South 79 East Avenue)	~~20~~ 50 Feet
Minimum Setback from North Property Line:	~~50~~ 100 Feet
Maximum Permitted Building Height:	35 Feet

Screening:

An eight-foot screening fence shall be established on the west property line beginning 50 feet from 131st Street to the southwest corner of the tract upon development of the property for commercial use. (See exhibit C)

Landscaping:

Submittal with the required site plan will be an extensive landscape plan. The plan will comply with all requirements of the City of Bixby codes. The plan will also include protection of existing trees, if possible, and incorporate features that that aide in protecting adjacent residential use from the activities on the site.

Access:

An existing access is established to the property from 131st Street, any relocation and/or establishment of a second access from 131st Street shall be subject to review and approval of the Bixby City Engineer. An access point may be established from South 79 East Avenue within 50 feet of East 131st Street prior to the required Screening Fence with the upgrade of the area utilized of 79 East Avenue to City Standards subject to the review and approval of the Bixby City Engineer.

Lighting:

Exterior area lighting shall be limited to shielded fixtures designed to direct light downward and away from adjacent residential properties. Street and parking lot lighting shall not exceed 15 feet in height and be approved by City Engineer prior to installation.

IV. Signage

1. General requirements:

    a. The Development may ~~place~~ situate and orient one ground sign along 131st Street that ~~incorporates the uses~~ lists the businesses within the development. No additional ground signs shall be allowed within the development.

    b. The Ground sign~~s~~ and wall ~~building~~ signs associated with uses that front 131st Street shall follow the guidelines of the CS Zoning District and the Corridor Appearance District.

2. Wall or canopy signs within the development shall not exceed an aggregate display surface area of 1 square foot per each lineal foot of the building wall to which the

sign or signs are affixed. Wall and canopy signs shall be further restricted as follows:

a. All signs within the Corridor Appearance District boundary must comply with the Corridor Appearance District guidelines.

b. A wall or canopy sign shall not extend above the top of the parapet or building wall on which it is located

c. All wall and canopy signage lighting shall be shielded and directed away from distributing light pollution on the abutting residential and agricultural properties to the north, south, and west of the property.

3. During the period of construction, but not exceeding 24 months or 75% buildout, a maximum of one sign advertising the construction may be erected ~~on~~ along the 131st Street frontage of the development. This sign shall comply with the City of Bixby Sign Code for Temporary Construction Signs.

11-7D-3: Accessory Uses

B.3. Signs in the commercial districts, whether accessory or principal uses, are subject to the use conditions of Use Unit 21.

11-9-21: Use Unit 21 Business Signs and Outdoor Advertising:

C.3.c. Temporary construction signs may be located on each arterial street frontage of the development. The sign shall not exceed one-half (½) of a square foot for each linear foot of arterial street frontage; provided, however, that in no event shall the sign be restricted to less than thirty two (32) square feet nor be permitted to exceed four hundred (400) square feet of display surface area. Sign shall be removed at 75% buildout. Failure to remove signs may cause the offending party to be subject to a fine of up to two hundred dollars ($200.00) and costs, with each day of continuing violation being a separate offense.

V. Parking

Parking Spaces shall comply with the requirements of the Zoning Code for the use being installed.

VI. Drainage and Utilities

All public utilities are available to the site and shall be addressed in the required platting requirements associated with the requested zone change.

The development will be required to submit a detailed drainage plan to the City Engineer for review and approval in the platting process.

VII. Existing Zoning and Comprehensive Plan

The subject property is designated as Low Intensity by the Bixby Comprehensive Plan The Property is currently zoned RS-1 (Single Family Residential).

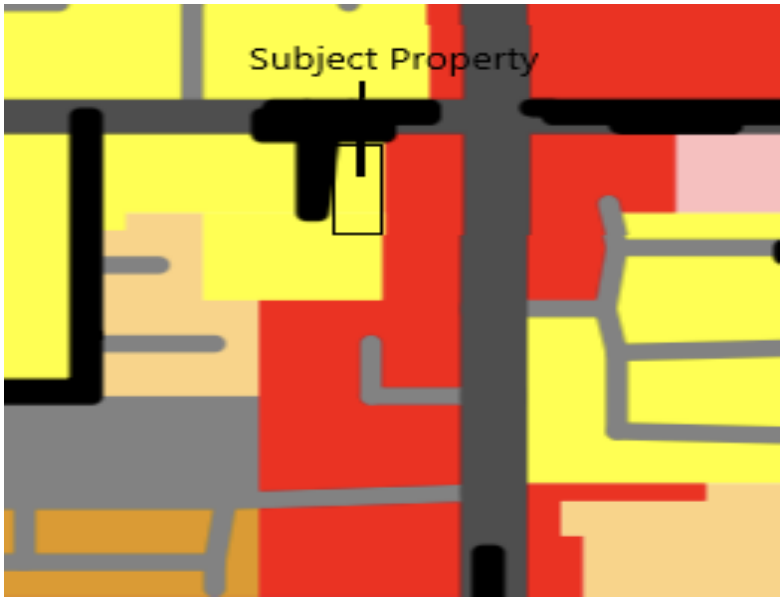
VIII. Proposed Zoning and Comprehensive Plan

A Plan Amendment Application for a Commercial Designation has been submitted to the City Council. This application has been tabled until such time that a Zone Change to ~~CG~~ CS and a Planned Unit Development application can be processed with the Plan Amendment that addresses the previous denied applications and possible inappropriate zoning uses and with criteria to protect existing residential.

IX. Site Plan Review

Approval of the PUD also requires the submittal of building elevations with a detailed site plan, and required Platting as specified in the Zoning Code. The site plan review will incorporate the elevation of the building for the Corridor Appearance Review process.

EXHIBIT 'A'
Bixby Comp Plan
Subject Area



Legend

Future Land Use	Density (du/ac.)
Rural Agriculture (Unincorporated)	0 - 0.5
Agricultural	0 - 1
Rural Residential	0 - 1.5
Low Density Residential	1.5 - 4
Medium Density Residential	4 - 6
Medium-High Density Residential	6 - 10
High Density Residential	10 +
Mixed Use	10 +
Residential Manufactured Home Park	8

Future Land Use
Neighborhood Commercial
Commercial
Industrial
Public/Institutional
Recreation and Open Space
Flood District
Water

- City Owned Parcels
- Bixby Fenceline
- Bixby City Limit
- County
- Highway
- Major Street
- Local Street
- Railroad

BIXBY 2030 our Vision. our Future.

EXHIBIT ‘B’
Aerial Photo of Site



EXHIBIT ‘C’
Screening Fence Requirement

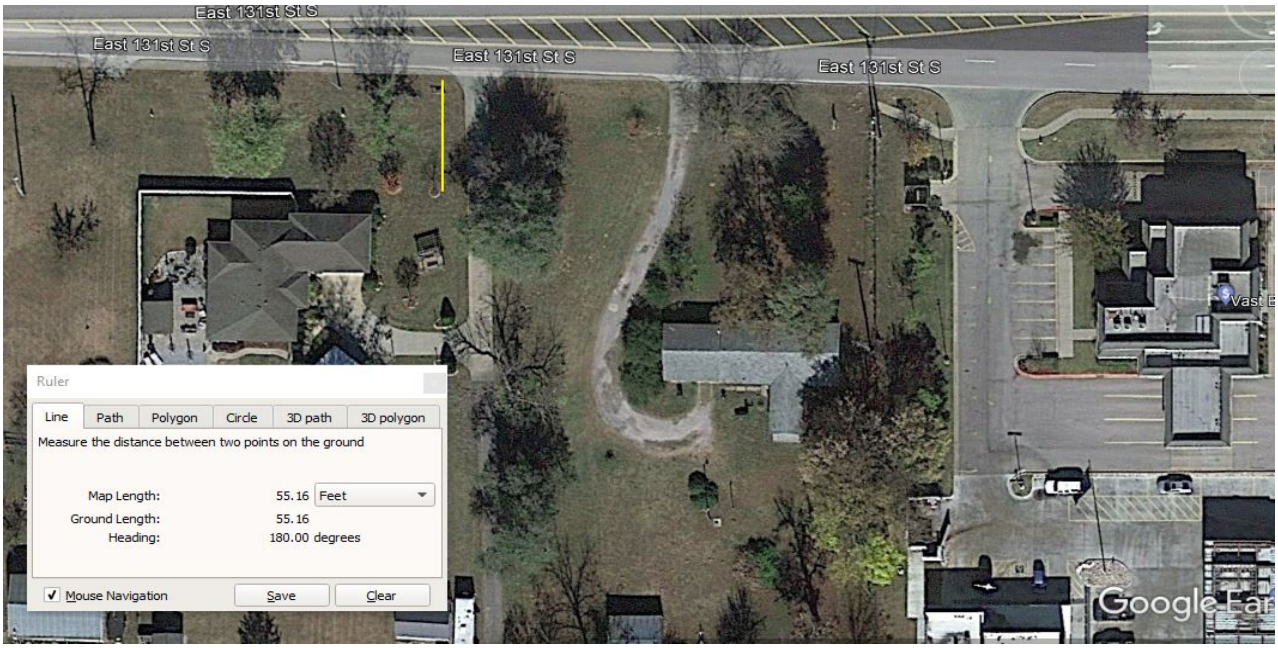
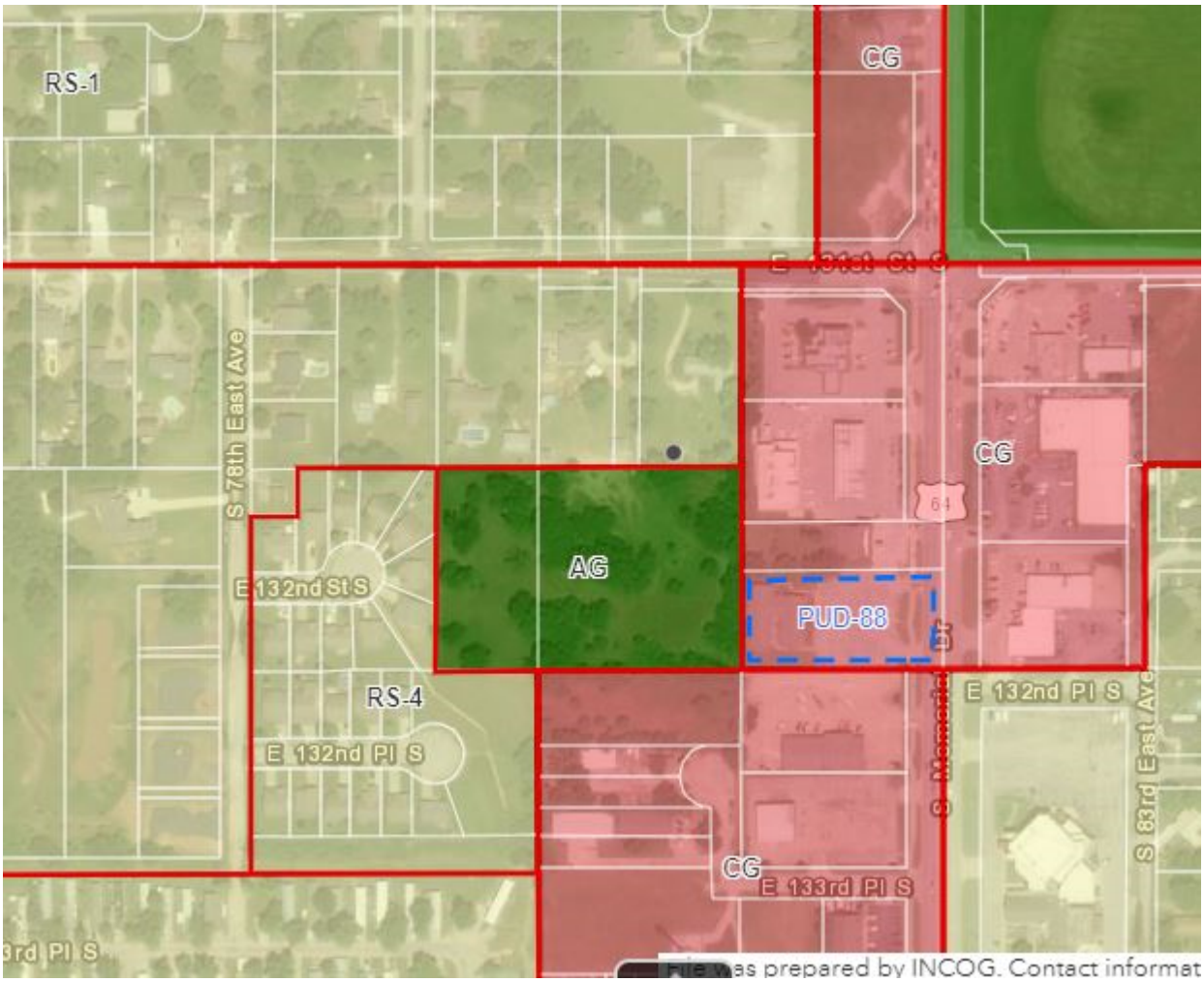


EXHIBIT ‘D’
Area Zoning



City of Bixby
P.O. Box 70
116 W. Needles Ave.
Bixby, OK 74008
(918) 366-4430

Staff Report

To: City of Bixby, Planning Commission

From: Carolyn Back, Development Services Director/City Planner

Date: Tuesday, January 18, 2022

Name: Marlee Office Building Site Plan (BXSP-21.09)
(A part of South Memorial Business Park located in Scenic Village Park PUD-76)

RE: Detailed Site Plan and Detailed Landscape Plan for an Office Use
6,139 SF - Total Building Square Footage
3,181 SF - Building Footprint

Location: South Memorial Drive and East 126th Street South, Bixby, Oklahoma 74008
South Memorial Business Park, Lot 12, Block 1

STR: Section 2, Township 17N, Range 13E

Applicant: W Design – Darshan Patel

Staff Review

This is a Detailed Site Plan and Detailed Landscape Plan review required by PUD-76 to go before the Planning Commission for approval.

PUD #76

J. Detailed Site Plan review (excerpt)

"Within development areas that do not include multifamily dwellings, no building permit shall issue until a detailed site plan (including landscaping) of the proposed improvements has been submitted and approved by the Bixby Planning Commission as being in compliance with the development concept and the development standards."

"No certificate of occupancy shall issue for a building until the landscaping of the applicable phase of development has been installed in accordance with a

landscaping plan and phasing schedule submitted to and approved by the Bixby Planning Commission."

Staff has been working with the applicant on selection of plant species on the landscape plan due to water and sanitary lines in the area. Applicant will have those modifications to staff before going to permitting.

Existing Zoning; Use:
Commercial General (CG) with supplemental zoning PUD-76; Vacant

Abutting Zoning; Use:
North: (CG) Commercial General; Vacant (PUD-76)
East: (CG) Commercial General; Vacant (PUD-76)
South: (CG) Commercial General; Vacant (PUD-76)
West: (CG) Commercial General; Vacant (PUD-76)

Proposed Use:
Office Building

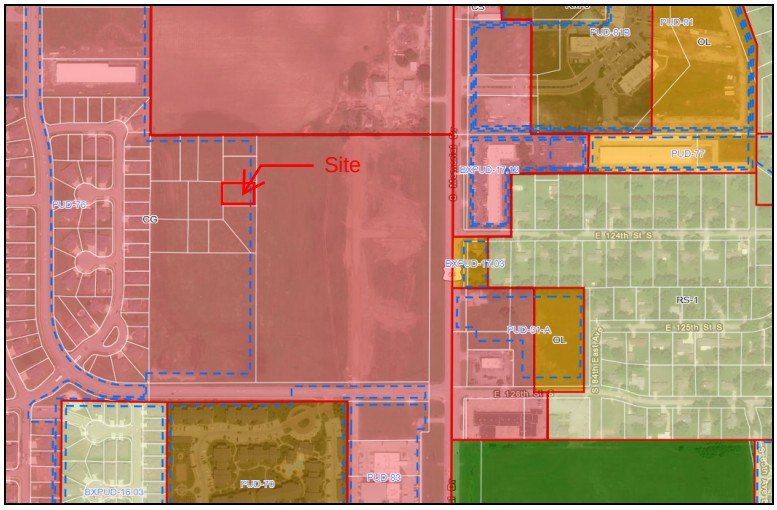


Figure 1: City of Bixby Zoning Map

Staff Comments:

1. Staff supports Planning Commission recommendation for approval of the requested Detailed Site Plan and Detailed Landscape Plan with minor modifications to the Landscape Plan as discussed with the applicant. Engineering to be addressed during permitting phase.

Figures: Figure 1: City of Bixby Zoning Map

Attachments:

Exhibit A:	Detailed Site Plan dated 01.10.2022
Exhibit B:	Detailed Landscape Plan dated 01.10.2022
Exhibit C:	PUD-76 Scenic Village Park Revised February 27, 2017
Exhibit D:	Marlee Office Building - Building 1 Elevations 01.10.2022

GENERAL NOTES

DETAILED SITE PLAN

A. ALL DIMENSIONS SHOWN ARE MEASURED FROM PROPERTY LINE, FACE OF CURB, OR FACE OF BUILDING, UNLESS NOTED OTHERWISE.
B. CONTRACTOR SHALL MAINTAIN A TWO (2) FOOT SEPARATION BETWEEN GAS LINE CONDUITS AND ALL OTHER CONDUIT LINES.
C. THE CONTRACTOR IS RESPONSIBLE FOR THE INSTALLATION OF ALL CONDUITS PRIOR TO THE THE INSTALLATION OF PAVING.
D. BUILDINGS SHOWN ON THIS PLAN ARE REPRESENTATIVE ONLY AND NOT FOR CONSTRUCTION, REFER TO ARCHITECTURAL DRAWINGS.
E. CONTRACTOR TO COORDINATE ALL UTILITY SERVICES WITH THEIR RESPECTIVE SUPPLIER.
F. ALL UTILITY SERVICE CONNECTIONS SHALL BE INSTALLED AS REQUIRED PER RESPECTIVE CITY CODES AND SPECIFICATIONS.
G. ACCESSIBLE PARKING STALL SIGNS SHALL BE CENTERED ON THEIR RESPECTIVE PARKING STALL. SIGNS SHALL BEAR THE INTERNATIONAL SYMBOL OF ACCESSIBILITY AND ONE SIGN SHALL ALSO BE LABELED VAN ACCESSIBLE. BOTTOM OF SIGNS SHALL BE A MINIMUM OF 60" AND A MAXIMUM OF 72" ABOVE THE SIDEWALK.
H. THE CONTRACTOR SHALL NOTIFY THE CITY PUBLIC WORKS DEPARTMENT AT LEAST 24 HOURS PRIOR TO THE START OF CONSTRUCTION.
I. THE CONTRACTOR IS RESPONSIBLE FOR CONSTRUCTION STAKING.
J. NO LIGHT POLE SITE LIGHTING. ALL PARKING LIGHTING IS PROVIDED FROM BUILDING MOUNTED SHIELDED LIGHTING FIXTURES.
K. PATCH AND REPAIR ANY EXISTING SITE ELEMENTS (SOIL, LANDSCAPE, PAVING, ETC.) DISTURBED DURING THE CONSTRUCTION PROCESS.
L. CONTRACTOR TO ENSURE AREAS OF NEW PAVING ALONG THE EGRESS ROUTE ADJOINING EXISTING HORIZONTAL SURFACES SHALL BE FLUSH IN NATURE WITH LESS THAN ¼" VERTICAL RISE.
M. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VISIT THE SITE PRIOR TO BIDDING TO INSPECT THE SITE AND FAMILIARIZE HIMSELF WITH EXISTING CONDITIONS AFFECTING AREAS OF NEW CONSTRUCTION. THE CONTRACTOR SHALL NOT DISPUTE OR ASSERT THAT THERE IS ANY MISUNDERSTANDING IN REGARDS TO LOCATION, EXTENT, NATURE OR AMOUNT OF WORK TO BE PERFORMED UNDER THIS CONTRACT DUE TO THE CONTRACTOR'S FAILURE TO PERFORM THESE DUTIES
N. THE CONTRACTOR IS RESPONSIBLE FOR LOCATING AND VERIFYING ALL EXISTING UNDERGROUND UTILITIES IN ALL AREAS AFFECTED BY NEW WORK PRIOR TO COMMENCEMENT OF ANY EXCAVATION. EXISTING UTILITIES SHOWN ON THE DRAWINGS ARE APPROXIMATE ROUTING LOCATIONS AS BEST DETERMINED FROM EXISTING SURVEY BUT SHOULD NOT BE CONSTRUED TO REPRESENT ALL EXISTING UTILITIES
O. FIELD VERIFY IS DEFINED AS FOLLOWS: THE GENERAL CONTRACTOR IS REQUIRED TO FIELD SURVEY THE NOTED CONDITION AND/OR DIMENSION PRIOR TO CONSTRUCTION OR PREPARATION OF SUBMITTAL SHOP DRAWINGS AND INTEGRATE FIELD SURVEY INFORMATION INTO THE CONSTRUCTION

BEFORE YOU DIG... CALL OKIE 1-800-522-6543

EXISTING UNDERGROUND LINES HAVE BEEN SHOWN TO THE EXTENT KNOWN AND PLANS HAVE BEEN SENT TO THE AFFECTED UTILITY OWNERS FOR VERIFICATION OF EXISTING LINES. BEFORE YOU DIG, CONTACT OKIE: 1-800-522-6543.

A T & T COMPANY
COX COMMUNICATIONS
OKLAHOMA NATURAL GAS COMPANY
SOUTHWESTERN BELL TELEPHONE COMPANY
AMERICAN ELECTRIC POWER (PSO)

SITE DATA: PUD 76

SOUTH MEMORIAL BUSINESS PARK: LOT 1 BLK 12
DEVELOPMENT AREA H

LAND AREA SUMMARY

LOT 12 LAND AREA	15,220 SF (.35 ACRES)
LANDSCAPE AREA REQUIRED	1,522 SF (10%)
LANDSCAPE AREA PROVIDED	4,670 SF (30.7%)

SITE DATA:

ZONING	PUD 76 & CG
FIRST FLOOR BUILDING AREA:	3,181 SF
SECOND FLOOR BUILDING AREA:	2,958 SF
BUILDING HEIGHT PERMITTED:	40'
TALLEST BUILDING HEIGHT PROPOSED:	20'-9" TO BOTTOM OF EAVE
PROPOSED FLOOR AREA RATIO:	.21

PARKING SPACE REQUIREMENT:

OFFICE / RATIO PER USE:	1/350
NUMBER OF SPACES REQUIRED:	17.5
NUMBER OF EXISTING SPACES PROVIDED:	18 (SHARED PARKING DEVELOPMENT)
ACCESSIBLE SPACES REQUIRED:	1 VAN / 1 STANDARD
ACCESSIBLE SPACES PROVIDED:	2 (ALL CLASSIFY AS VAN)

IMPERVIOUS AREA:

TOTAL SITE AREA (LOT 12)	15,220 SF (.35 AC)
EXISTING IMPERVIOUS AREA:	6,227 SF
PROPOSED IMPERVIOUS AREA:	4,246 SF
NET INCREASE:	4,246 SF

SETBACKS:

REQUIRED:

FROM NON-ARTERIAL STREET ROW:	25'
FROM RESIDENDIAL DEVELOPMENT AREA:	50'
FROM OTHER BOUNDARY:	20'

LEGAL DESCRIPTION:

LOT 1, BLOCK 12, SOUTH MEMORIAL BUSINESS PARK, CITY OF BIXBY, STATE OF OKLAHOMA

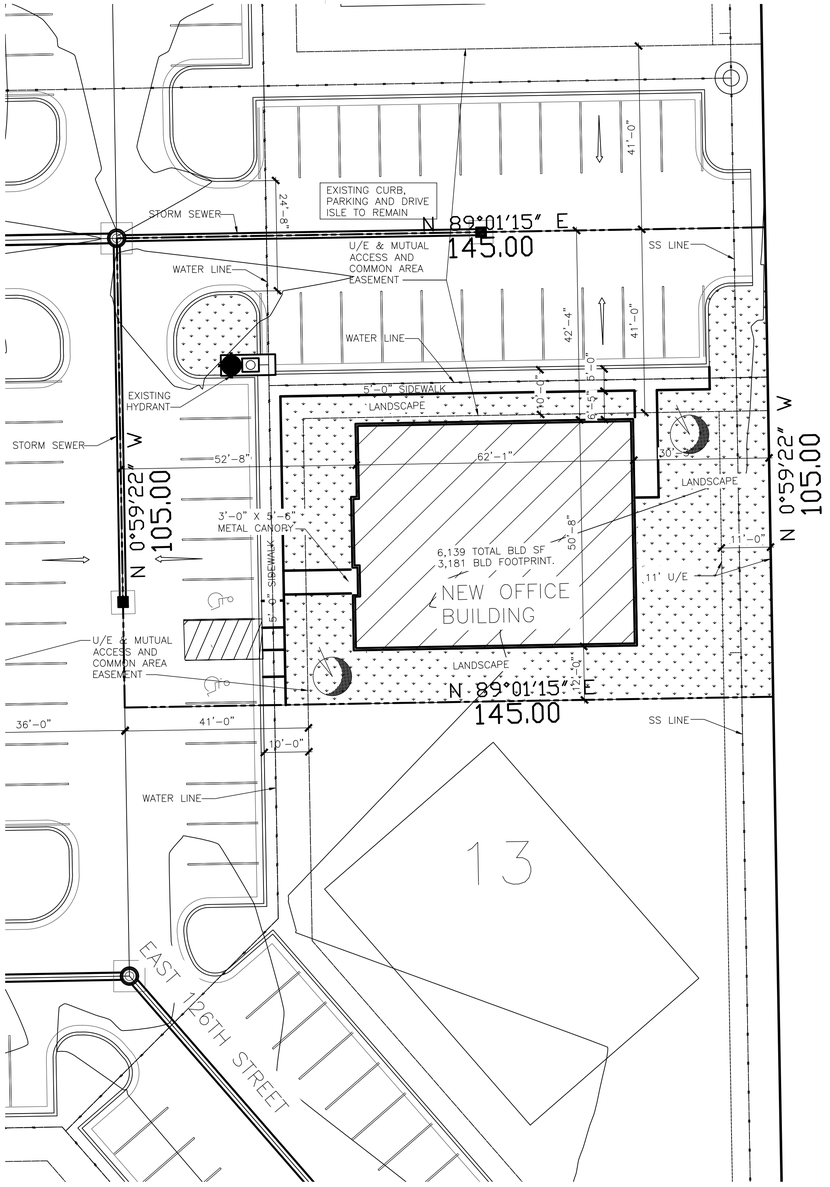
EXTERIOR LIGHTING:

NO POLE LIGHTS PROVIDED.



Location Map
Scale: 1"= 2000'
NORTH

NOTE: ALL WATER TO BE DIRECTED TO STORM SEWER BASIN. NO WATER TO MY FLOW TO ADJACENT PROPERTY TO THE EAST

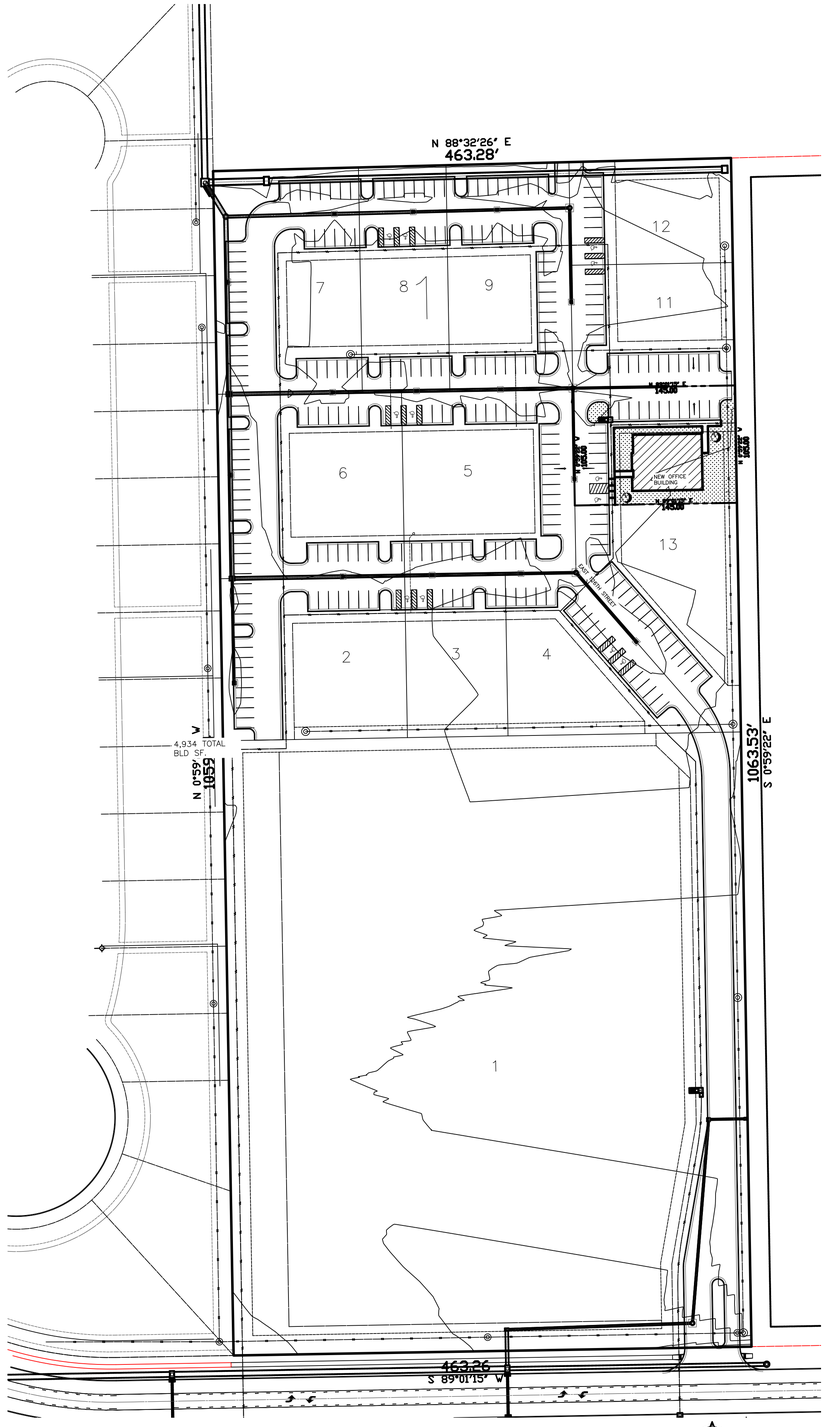


2 ENLARGED SITE PLAN

SCALE: 1/16 = 1'-0"
0 16'-0" 32'-0"
SCALE: 1/16"=1'-0"

NOTE: GC TO FIELD VERIFY EXISTING ACCESSIBLE PARKING AND AISLE GRADING SLOPE DOES NOT EXCEED 1:48 SLOPE

FOR CITY OF BIXBY SITE PLAN APPROVAL ONLY



1 OVERALL SITE PLAN

SCALE: 1/32 = 1'-0"
0 32'-0" 64'-0"
SCALE: 1/32"=1'-0"

wdesign
ARCHITECTURE & INTERIORS
608 East 3rd Street
Tulsa, OK 74120
Office: 918.794.6616
Fax: 918.794.6602
www.wdesignsite.com

SEAL:

STATE OF OKLAHOMA — WELDON JORDAN BOWMAN — No. 6042 — REGISTERED — OKLAHOMA — LICENSED ARCHITECT

1/10/2022
WELDON BOWMAN, AIA
OK LICENSE NO. 6042
CA# 02461 EXPIRES 06/30/2023

PROJECT:

MARLEE OFFICE

PROJECT # 21179

7647 EAST 126TH STREET SOUTH BIXBY, OK 74008

CONSULTANT:

REVISIONS:

ISSUE DATE:

1.10.2022

SHEET NAME:

ARCHITECTURAL SITE PLAN

SHEET #:

A101

Preliminary Not For Construction

DRAWN BY: DGP

GENERAL NOTES

LANDSCAPE PLAN

A. CALL OKIE PRIOR TO DIGGING OR TRENCHING. LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE TO EXISTING AND NE UTILITY LINE ABOVE OR BELOW GROUND AND SHALL REPAIR ANY DAMAGE CAUSED DURING LANDSCAPE OR HARDSCAPE CONSTRUCTION ACTIVITIES AT NO COST TO THE OWNER.
B. LOCATIONS OF ALL PLANT MATERIALS SHOWN ON PLANS IS APPROXIMATE AND MAY NEED TO BE FIELD ADJUSTED. OBTAIN LANDSCAPE ARCHITECTS APPROVAL PRIOR TO MAKING ANY MAJOR CHANGES. PLAN COUNTS SHOWN ABOVE ARE FOR CONVENIENCE, VERIFY ALL COUNTS ON PLANS PRIOR TO FINALIZING BID.
C. ENSURE PROPER DRAINAGE AWAY FROM BUILDING AND OUT OF PLANTING BEDS IN DIRECTION ALREADY ESTABLISHED ON SITE.
D. ALL AREAS THAT ARE DISTURBED BY CONSTRUCTION AND NOT DESIGNATED AS PLANTS SHALL BE FINE GRADED WITH ADDITIONAL TOPSOIL AND SODDED WITH SOLID SLAB BERMUDA SOD.

CITY OF BIXBY ZONING CODE

LANDSCAPE PLAN

1. LANDSCAPE REQUIREMENTS PER CHAPTER 12 OF TITLE 11 ZONING REGULATIONS.
2. PER 11-12-3 B.1 - FOR LOTS TWO AND ONE-HALF ACRES OR LESS IN SIZE, NO PARKING SPACE SHALL BE LOCATED MORE THAN 50' FROM A LANDSCAPED AREA CONTAINING AT LEAST 30 SQ FT, WITH A MINIMUM WIDTH OR DIAMETER OF 5'. A LANDSCAPED AREA BY DEFINITION MUST CONTAIN AT LEAST ONE TREE.
3. PER 11-12-3-C.2 - FOR SUREFACE PARKING AREA, ONE TREE FOR EACH 10 PARKING SPACES, WITH AT LEAST ONE TREE IN EACH REQUIRED LANDSCAPED AREA SHALL BE PRESERVED OR PLANTED. (19 SPACES = 2 TREES REQUIRED)

GENERAL NOTES

SITE PLAN

A. PATCH AND REPAIR ANY EXISTING SITE ELEMENTS (SOIL, LANDSCAPE, PAVING, ETC.) DISTURBED DURING THE CONSTRUCTION PROCESS.
B. CONTRACTOR TO ENSURE AREAS OF NEW PAVING ALONG THE EGRESS ROUTE ADJOINING EXISTING HORIZONTAL SURFACES SHALL BE FLUSH IN NATURE WITH LESS THAN ¼" VERTICAL RISE.
C. CONTRACTOR TO FURNISH WARNING BARRELS TO CONTROL ACCESS DURING CONSTRUCTION. ALL CONSTRUCTION ZONES SHOULD BE CLEARLY IDENTIFIED TO MINIMIZE PUBLIC CONFUSION.
D. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VISIT THE SITE PRIOR TO BIDDING TO INSPECT THE SITE AND FAMILIARIZE HIMSELF WITH EXISTING CONDITIONS AFFECTING AREAS OF NEW CONSTRUCTION. THE CONTRACTOR SHALL NOT DISPUTE OR ASSERT THAT THERE IS ANY MISUNDERSTANDING IN REGARDS TO LOCATION, EXTENT, NATURE OR AMOUNT OF WORK TO BE PERFORMED UNDER THIS CONTRACT DUE TO THE CONTRACTOR'S FAILURE TO PERFORM THESE DUTIES
E. THE CONTRACTOR IS RESPONSIBLE FOR LOCATING AND VERIFYING ALL EXISTING UNDERGROUND UTILITIES IN ALL AREAS AFFECTED BY NEW WORK PRIOR TO COMMENCEMENT OF ANY EXCAVATION. EXISTING UTILITIES SHOWN ON THE DRAWINGS ARE APPROXIMATE ROUTING LOCATIONS AS BEST DETERMINED FROM EXISTING SURVEY BUT SHOULD NOT BE CONSTRUED TO REPRESENT ALL EXISTING UTILITIES
F. FIELD VERIFY IS DEFINED AS FOLLOWS: THE GENERAL CONTRACTOR IS REQUIRED TO FIELD SURVEY THE NOTED CONDITION AND/OR DIMENSION PRIOR TO CONSTRUCTION OR PREPARATION OF SUBMITTAL SHOP DRAWINGS AND INTEGRATE FIELD SURVEY INFORMATION INTO THE CONSTRUCTION

BED PREPARATION AND PLANTING

LANDSCAPE PLAN

A. ELIMINATE ALL WEEDS AND GRASS IN PLANTING BED AREAS WITH ROUND-UP HERBICIDE PRIOR TO CONSTRUCTION. APPLY ACCORDING TO MANUFACTURER RECOMMENDATIONS. ALLOW 7 DAYS BEFORE DISTURBING THE SOIL. TILL AND RAKE OUT ROOTS OF BERMUDA GRASS IN DESIGNATED BED AREAS. PLANTING AREAS, NOT ADJACENT TO BUILDING, SHALL BE CULTIVATED TO A DEPTH OF 12". REMOVE ALL DEAD GRASS, WEEDS, ROOTS, ROCKS, AND OTHER DEBRIS. WORK INTO EXISTING SOIL; 6" DEPTH OF BACK TO NATURE 'NATURE'S BLEND', TO A DEPTH OF 12".
B. PLANTING AREAS ADJACENT TO BUILDING AND WALKS TO BE EXCAVATED TO A MINIMUM 1' DEPTH REMOVING AS MUCH LIMESTONE AND OTHER CONSTRUCTION DEBRIS AS POSSIBLE. IF CLAY SUBSOIL IS DISCOVERED AT THE BOTTOM OF THE EXCAVATED AREA, TIL IN PELLETIZED GYPSUM AT A RATE OF 10 LBS. PER 100 SF. AFTER INCORPORATION OF GYPSUM ADD HIGH QUALITY TOPSOIL WIT BACK TO NATURES 'NATURE'S BLEND', AT A 50/50 MIXTURE, TO SUFFICIENT GRADE. REFER TO CIVIL DRAWINGS FOR PROPOSED GRADES NEXT TO BUILDING.
C. ALL PLANTING AREAS TO BE INSTALLED WITH DEWITTS WEED BARRIER FABRIC.
D. LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR FINE GRADING AND POSITIVE DRAINAGE OF ALL PLANTING BEDS. CONTRACTOR SHALL PROVIDE HIGH QUALITY TOP SOIL, WHERE NECESSARY, TO PROVIDE PROPER DRAINAGE.
E. CONTRACTOR TO ADD OSMOCOTE 19-6-12 AT HIGHEST RATE SPECIFIED BY THE MANUFACTURER TO ALL BEDS AREAS PRIOR TO MULCHING.
F. APPLY SHREDDED CYPRESS MULCH IN PLANTING BEDS TO A DEPTH OF 3" AFTER PLANT INSTALLATION.
G. ALL SHRUBS TO BE PLANTED IN A PIT THAT IS TWICE AS WIDE AS THE ROOT BALL. PLANT SHRUBS 2" ABOVE FINISH GRADE TO ALLOW FOR PROPER DRAINAGE. REFER TO SHRUB PLANTING DETAIL FOR MORE INFORMATION.

LEGEND

	SOD / PLANTING AREA .

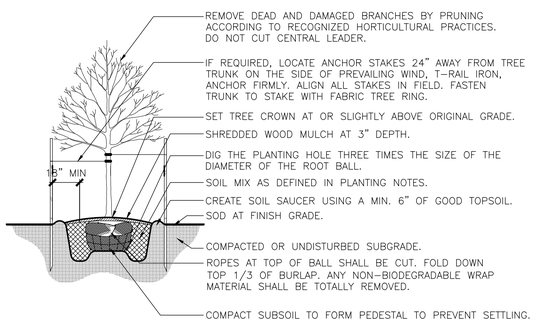


EXISTING UNDERGROUND LINES HAVE BEEN SHOWN TO THE EXTENT KNOWN AND PLANS HAVE BEEN SENT TO THE AFFECTED UTILITY OWNERS FOR VERIFICATION OF EXISTING LINES. BEFORE YOU DIG, CONTACT OKIE: 1-800-522-6543.

A T & T COMPANY
COX COMMUNICATIONS
OKLAHOMA NATURAL GAS COMPANY
SOUTHWESTERN BELL TELEPHONE COMPANY
AMERICAN ELECTRIC POWER (PSO)

3 SHRUB MASS PLANTING DETAIL

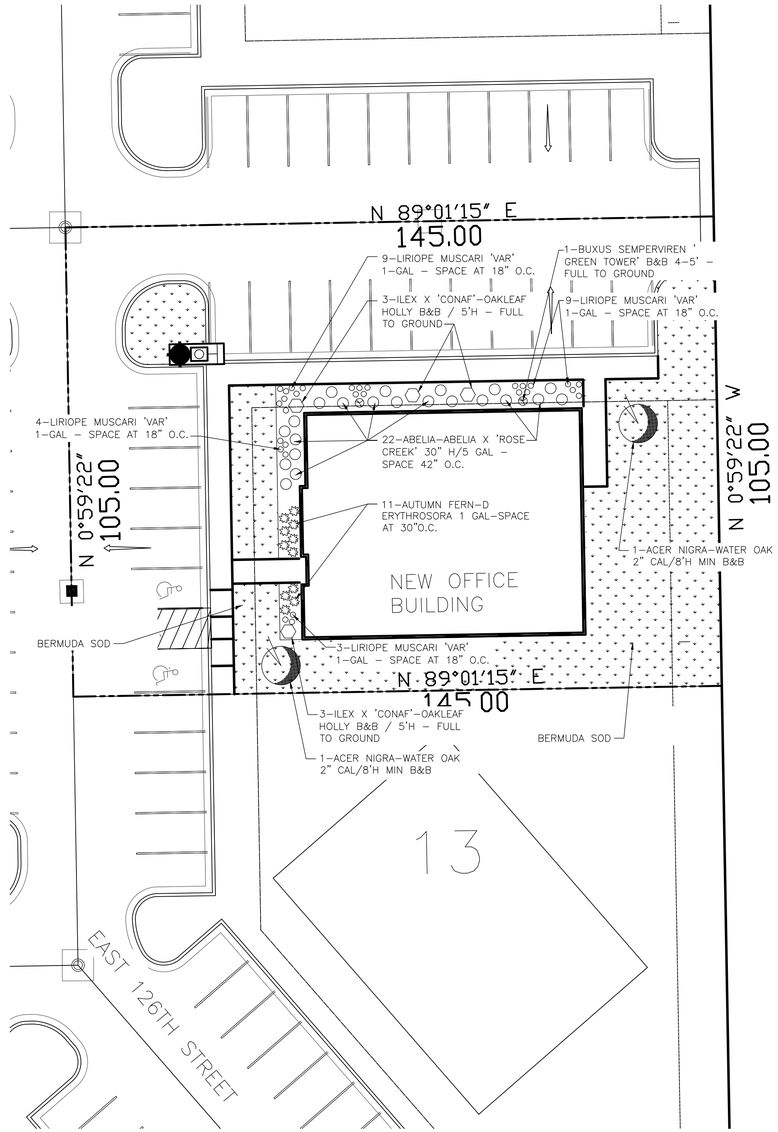
SCALE: N.T.S.



2 TREE PLANTING DETAIL

SCALE: N.T.S.

FOR CITY OF BIXBY SITE PLAN APPROVAL ONLY



1 ARCHITECTURAL LANDSCAPE PLAN

SCALE: 1/16 = 1'-0"

0 16'-0" 32'-0"

SCALE: 1/16"=1'-0"

wdesign
ARCHITECTURE & INTERIORS
608 East 3rd Street
Tulsa, OK 74120
Office: 918.794.6616
Fax: 918.794.6602
www.wdesignsite.com

SEAL:



1/10/2022
WELDON BOWMAN, AIA
OK LICENSE NO. 6042
CA# 02461 EXPIRES 06/30/2023

PROJECT:

MARLEE OFFICE

PROJECT # 21179

7647 EAST 126TH STREET SOUTH BIXBY, OK 74008

CONSULTANT:

REVISIONS:

ISSUE DATE:

1.10.2022

SHEET NAME:

LANDSCAPE PLAN

SHEET #:

L101

Preliminary Not For Construction

DRAWN BY: DGP

GENERAL NOTES

1. REFER TO SPECIFICATIONS FOR DETAILED PRODUCT INFORMATION SUCH AS SUBMITTAL REQUIREMENTS, SUBSTITUTION PROCEDURES, ACCEPTABLE MANUFACTURERS, SPECIFIC INSTALLATION REQUIREMENTS AND WARRANTY REQUIREMENTS.
2. EXTERIOR PAINT COLORS TO BE APPROVED BY OWNER PRIOR TO COMMENCEMENT OF WORK.
3. G.C. TO PROVIDE A MOCK-UP AREA ON EXTERIOR OF BUILDING FOR OWNER'S APPROVAL OF FINISHES AT EACH FINISH LOCATION.
4. ALL EXTERIOR BUILDING MATERIALS TO MATCH MANUFACTURER, MODEL AND COLOR AS SHOWN ON THE EXTERIOR FINISH SCHEDULE. A SAMPLE OF ALL SUBSTITUTIONS TO BE SUBMITTED TO THE ARCHITECT FOR APPROVAL PRIOR TO PROCUREMENT.
5. ALL EXTERIOR PAINT TO HAVE EGGSHELL SHEEN. G.C. TO VERIFY WITH OWNER PRIOR TO PROCUREMENT.
6. OWNER TO APPROVE WINDOW AND DOOR STYLES PRIOR TO PROCUREMENT.
7. G.C. TO PROVIDE GUTTER AND DOWNSPOUTS ON A DESIGN/BUILD BASIS. DOWNSPOUTS TO BE CONNECTED TO THE UNDERGROUND STORM SEWER, RE: CIVIL DRAWINGS. GUTTER AND DOWNSPOUT LOCATIONS TO BE APPROVED BY OWNER. FINISH TO BE SELECTED BY OWNER.
8. ALL ROOF FLASHING TO MATCH ADJACENT ROOFING FINISH.

KEYNOTES
ELEVATIONS

NOTE: NOT ALL KEYNOTES MAY BE USED ON THIS SHEET.

1. COMPOSITE ROOF SHINGLES OVER 7/16" SOLARBORD.
2. STANDING SEAM METAL ROOF. COLOR SELECTED BY OWNER
3. HIGH CAPACITY DOME VENT, RE: A600.
4. PRE-FINISHED GUTTER, OWNER TO SELECT PROFILE AND COLOR.
5. PRE-FINISHED DOWNSPOUT, OWNER TO SELECT PROFILE AND COLOR.
6. CEDAR WOOD EAVE BRACKETS
7. MINIMUM 7/8" THICK, 3-COAT STUCCO SYSTEM.
8. MINIMUM 7/8" THICK, 3-COAT STUCCO SYSTEM WITH COLOR AND V-GROOVES TO SIMULATE CASTSTONE
9. PROPOSED LOCATION OF STUCCO CONTROL JOINTS.
10. BRASS PLATE WITH BUILDING ADDRESS AS APPROVED BY AUTHORITY HAVING JURISDICTION AND OWNER.
11. EMERGENCY LIGHT FIXTURE, WALL MOUNT, TYP.
12. MODULAR BRICK, 7-5/8"L X 2-1/4"H X 3-5/8"D; 3/8" GROUT
13. HVAC CONDENSER LOCTION, VERIFY WITH MECHANICAL CONTRACTOR AND OWNER
14. NOT USED
15. ENTRY DOOR SYSTEM WITH TEMPERED GLAZING. SURROUNDING DOORFRAME WITH TEMPERED GLAZING SIDELITES AND TEMPERED TRANSOM.
16. MAN DOOR
17. PRE-FINSIHED ALUMINUM CANOPY SYSTEM, BY OTHERS
18. WALL PACK LIGHT FIXTURE W/ EMERGENCY BATTERY BACKUP

EXTERIOR FINISH LEGEND

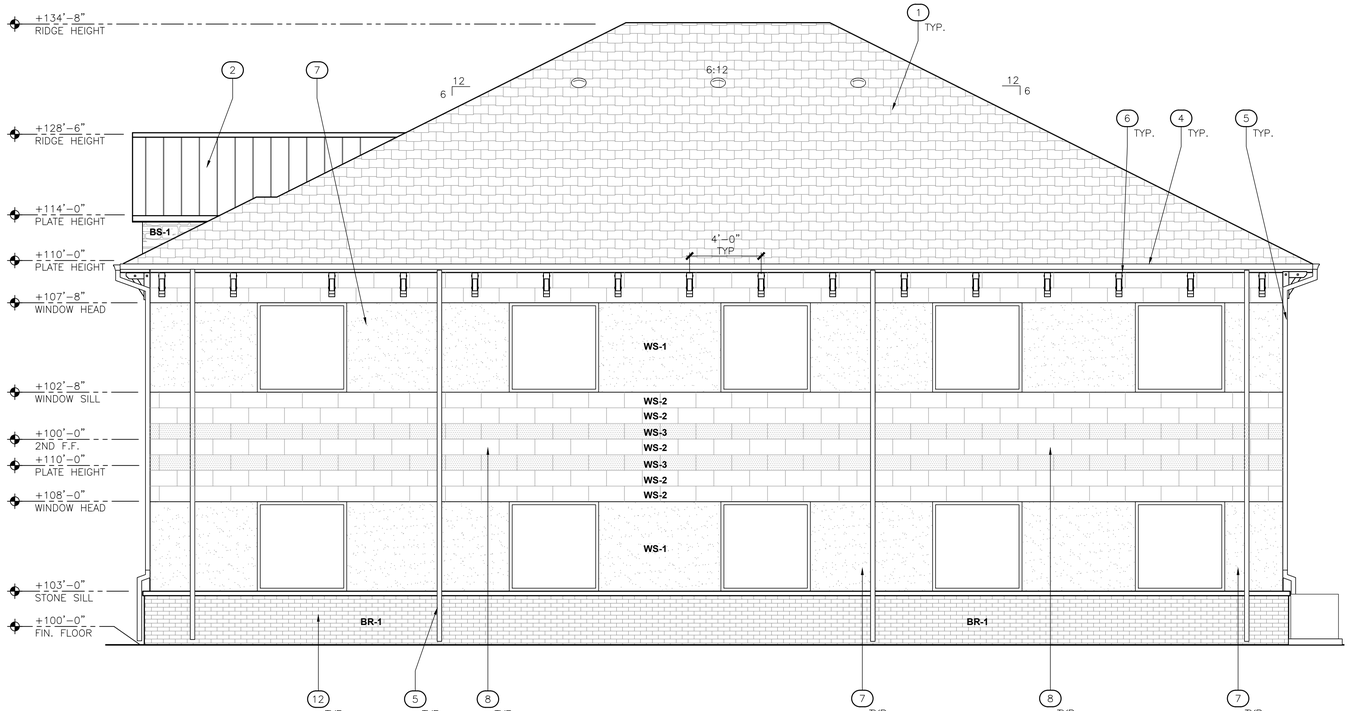
MARK	MATERIAL	COLOR	MANUF. / MODEL	REMARKS
BR-1	MODULAR BRICK	ONYX	TBD / 7-5/8"L x 2-1/4"H x 3-5/8"D	VERIFY COLOR W/ OWNER
BS-1	BUILDING STONE	BY OWNER	TBD / 6" DEPTH	VERIFY COLOR W/ OWNER
WS-1	7/8" 3-COAT STUCCO	BY OWNER	OWNER SELECTED	OWNER TO SELECT MODEL & COLOR
WS-2	7/8" 3-COAT STUCCO SIMULATE CAST STONE	LIGHT	TBD / 12"H x 24"W	VERIFY COLOR W/ OWNER
WS-3	7/8" 3-COAT STUCCO SIMULATE CAST STONE	DARK	TBD / 12"H x 24"W	VERIFY COLOR W/ OWNER

NOTE: ALL EXTERIOR GLASS TO BE 1" INSULATED; COLOR AND MODEL TO BE SELECTED BY OWNER.

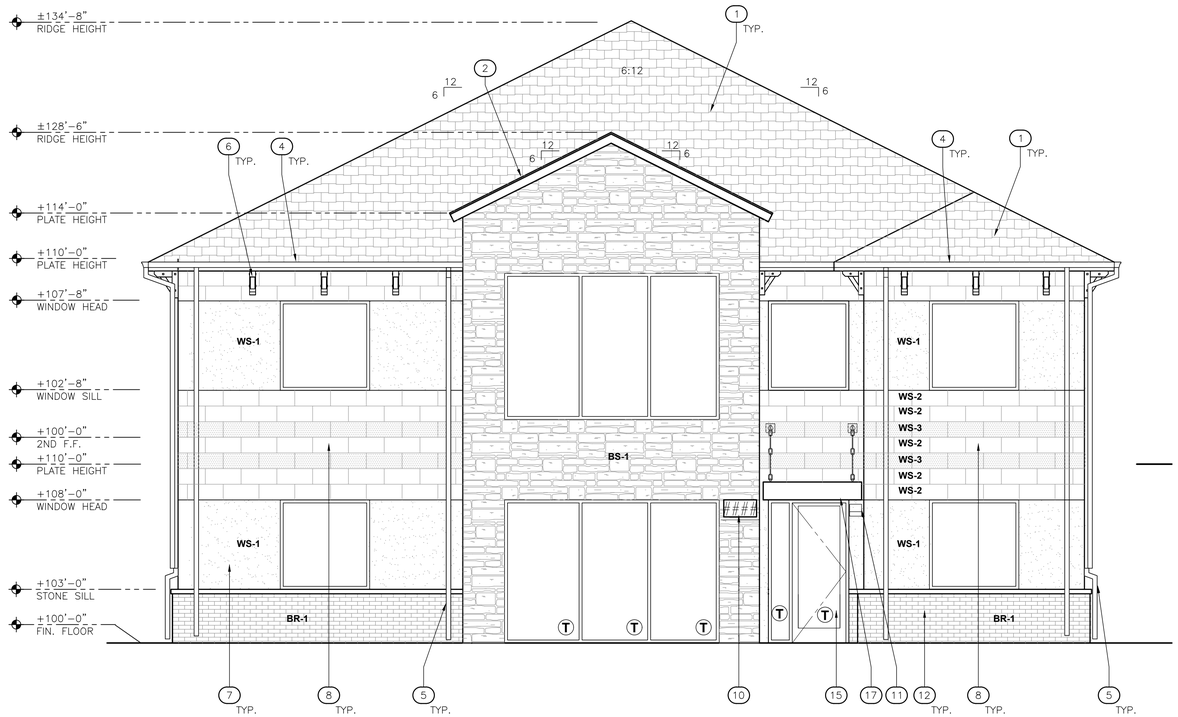
ANY AND ALL BUILDING MOUNTED PARKING LIGHTING TO BE PROVIDED BY THE BUILDER ON A DESIGN/BUILD BASIS.

THE CONTRACTOR SELECTED LIGHT FIXTURE MUST BE SHIELDED AND FULLY COMPLY WITH THE BIXBY ZONING CODE SITE LIGHTING STANDARDS.

FOR CITY OF BIXBY SITE PLAN APPROVAL ONLY



2 SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



1 WEST ELEVATION
SCALE: 1/4" = 1'-0"

wdesign
ARCHITECTURE & INTERIORS
608 East 3rd Street
Tulsa, OK 74120
Office: 918.794.6616
Fax: 918.794.6602
www.wdesignsite.com

SEAL:

STATE OF OKLAHOMA · JORDAN WELDON BOWMAN · No. 6042 · REGISTERED · OK · LICENSED ARCHITECT

1/10/2022
WELDON BOWMAN, AIA
OK LICENSE NO. 6042
CA# 02461 EXPIRES 06/30/2023

PROJECT:

MARLEE OFFICE

PROJECT # 21179

7647 EAST 126TH STREET SOUTH BIXBY, OK 74008

CONSULTANT:

REVISIONS:

ISSUE DATE:

1.10.2022

SHEET NAME:

EXTERIOR ELEVATIONS

SHEET #:

A301

Preliminary Not For Construction

DRAWN BY: DGP

GENERAL NOTES

1. REFER TO SPECIFICATIONS FOR DETAILED PRODUCT INFORMATION SUCH AS SUBMITTAL REQUIREMENTS, SUBSTITUTION PROCEDURES, ACCEPTABLE MANUFACTURERS, SPECIFIC INSTALLATION REQUIREMENTS AND WARRANTY REQUIREMENTS.
2. EXTERIOR PAINT COLORS TO BE APPROVED BY OWNER PRIOR TO COMMENCEMENT OF WORK.
3. G.C. TO PROVIDE A MOCK-UP AREA ON EXTERIOR OF BUILDING FOR OWNER'S APPROVAL OF FINISHES AT EACH FINISH LOCATION.
4. ALL EXTERIOR BUILDING MATERIALS TO MATCH MANUFACTURER, MODEL AND COLOR AS SHOWN ON THE EXTERIOR FINISH SCHEDULE. A SAMPLE OF ALL SUBSTITUTIONS TO BE SUBMITTED TO THE ARCHITECT FOR APPROVAL PRIOR TO PROCUREMENT.
5. ALL EXTERIOR PAINT TO HAVE EGGSHELL SHEEN. G.C. TO VERIFY WITH OWNER PRIOR TO PROCUREMENT.
6. OWNER TO APPROVE WINDOW AND DOOR STYLES PRIOR TO PROCUREMENT.
7. G.C. TO PROVIDE GUTTER AND DOWNSPOUTS ON A DESIGN/BUILD BASIS. DOWNSPOUTS TO BE CONNECTED TO THE UNDERGROUND STORM SEWER, RE: CIVIL DRAWINGS. GUTTER AND DOWNSPOUT LOCATIONS TO BE APPROVED BY OWNER. FINISH TO BE SELECTED BY OWNER.
8. ALL ROOF FLASHING TO MATCH ADJACENT ROOFING FINISH.

KEYNOTES
ELEVATIONS

NOTE: NOT ALL KEYNOTES MAY BE USED ON THIS SHEET.

1. COMPOSITE ROOF SHINGLES OVER 7/16" SOLARBORD.
2. STANDING SEAM METAL ROOF. COLOR SELECTED BY OWNER
3. HIGH CAPACITY DOME VENT, RE: A600.
4. PRE-FINISHED GUTTER, OWNER TO SELECT PROFILE AND COLOR.
5. PRE-FINISHED DOWNSPOUT, OWNER TO SELECT PROFILE AND COLOR.
6. CEDAR WOOD EAVE BRACKETS
7. MINIMUM 7/8" THICK, 3-COAT STUCCO SYSTEM.
8. MINIMUM 7/8" THICK, 3-COAT STUCCO SYSTEM WITH COLOR AND V-GROOVES TO SIMULATE CASTSTONE
9. PROPOSED LOCATION OF STUCCO CONTROL JOINTS.
10. BRASS PLATE WITH BUILDING ADDRESS AS APPROVED BY AUTHORITY HAVING JURISDICTION AND OWNER.
11. EMERGENCY LIGHT FIXTURE, WALL MOUNT, TYP.
12. MODULAR BRICK, 7-5/8"L X 2-1/4"H X 3-5/8"D; 3/8" GROUT
13. HVAC CONDENSER LOCTION, VERIFY WITH MECHANICAL CONTRACTOR AND OWNER
14. NOT USED
15. ENTRY DOOR SYSTEM WITH TEMPERED GLAZING. SURROUNDING DOORFRAME WITH TEMPERED GLAZING SIDELITES AND TEMPERED TRANSOM.
16. MAN DOOR
17. PRE-FINSIHED ALUMINUM CANOPY SYSTEM, BY OTHERS
18. WALL PACK LIGHT FIXTURE W/ EMERGENCY BATTERY BACKUP

EXTERIOR FINISH LEGEND

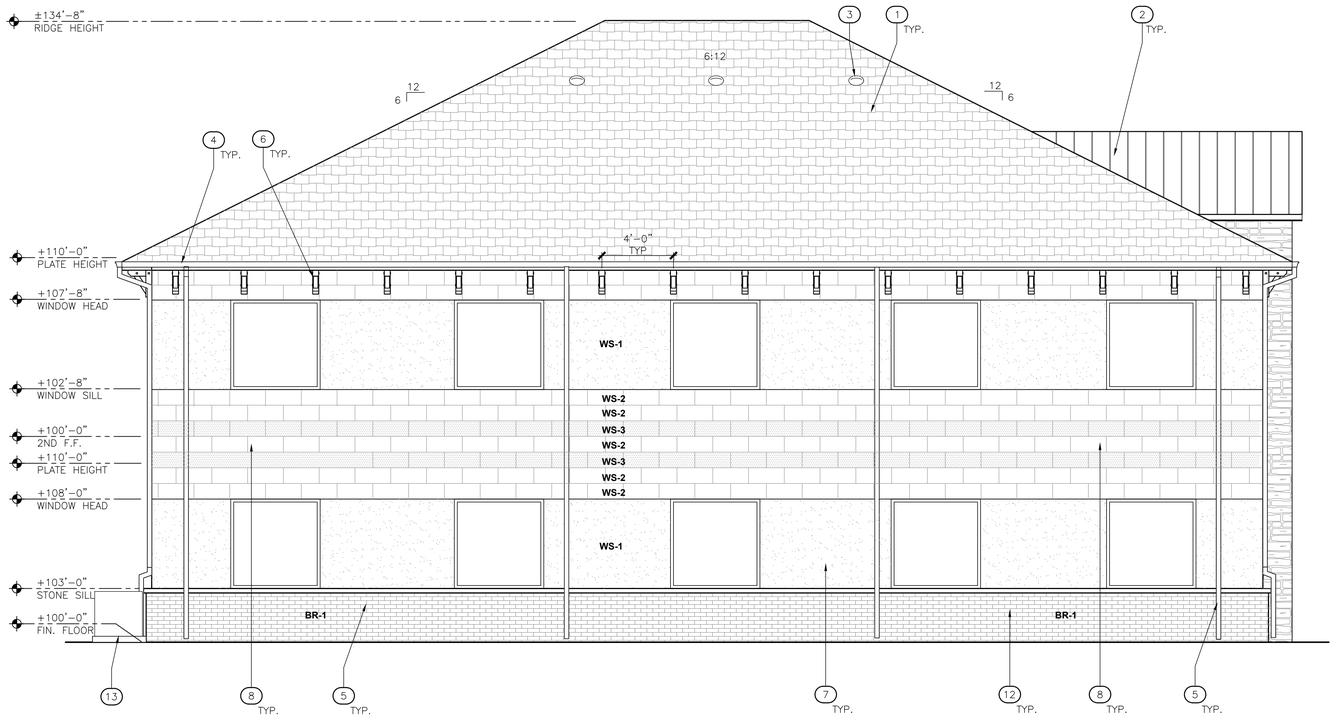
MARK	MATERIAL	COLOR	MANUF. / MODEL	REMARKS
BR-1	MODULAR BRICK	ONYX	TBD / 7-5/8"L x 2-1/4"H x 3-5/8"D	VERIFY COLOR W/ OWNER
BS-1	BUILDING STONE	BY OWNER	TBD / 6" DEPTH	VERIFY COLOR W/ OWNER
WS-1	7/8" 3-COAT STUCCO	BY OWNER	OWNER SELECTED	OWNER TO SELECT MODEL & COLOR
WS-2	7/8" 3-COAT STUCCO SIMULATE CAST STONE	LIGHT	TBD / 12"H x 24"W	VERIFY COLOR W/ OWNER
WS-3	7/8" 3-COAT STUCCO SIMULATE CAST STONE	DARK	TBD / 12"H x 24"W	VERIFY COLOR W/ OWNER

NOTE: ALL EXTERIOR GLASS TO BE 1" INSULATED; COLOR AND MODEL TO BE SELECTED BY OWNER.

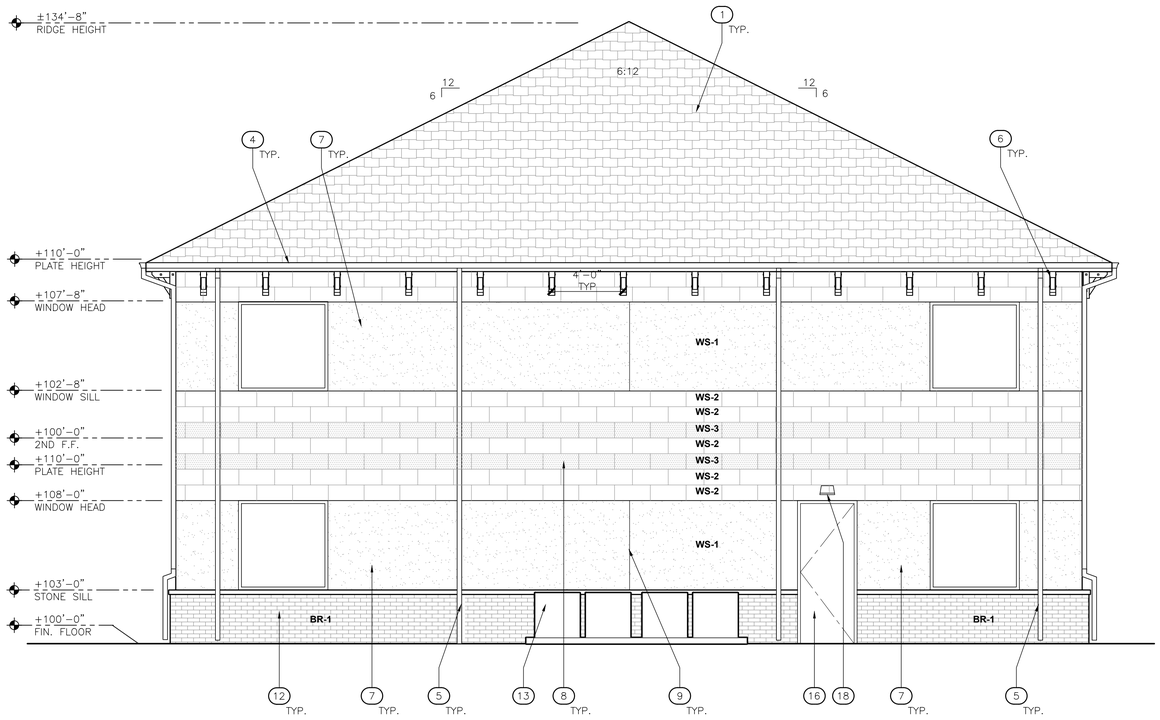
ANY AND ALL BUILDING MOUNTED PARKING LIGHTING TO BE PROVIDED BY THE BUILDER ON A DESIGN/BUILD BASIS.

THE CONTRACTOR SELECTED LIGHT FIXTURE MUST BE SHIELDED AND FULLY COMPLY WITH THE BIXBY ZONING CODE SITE LIGHTING STANDARDS.

FOR CITY OF BIXBY SITE PLAN APPROVAL ONLY



2 NORTH ELEVATION
SCALE: 1/4" = 1'-0"



1 EAST ELEVATION
SCALE: 1/4" = 1'-0"

wdesign
ARCHITECTURE & INTERIORS
608 East 3rd Street
Tulsa, OK 74120
Office: 918.794.6616
Fax: 918.794.6602
www.wdesignsite.com

SEAL:



1/10/2022
WELDON BOWMAN, AIA
OK LICENSE NO. 6042
CA# 02461 EXPIRES 06/30/2023

PROJECT:

MARLEE OFFICE

PROJECT # 21179

7647 EAST 126TH STREET SOUTH BIXBY, OK 74008

CONSULTANT:

REVISIONS:

ISSUE DATE:

1.10.2022

SHEET NAME:

EXTERIOR ELEVATIONS

SHEET #:

A302

Preliminary Not For Construction

DRAWN BY: DGP

City of Bixby
P.O. Box 70
116 W. Needles Ave.
Bixby, OK 74008
(918) 366-4430

Staff Report

To: City of Bixby, Planning Commission

From: Carolyn Back, Development Services Director/City Planner

Date: Tuesday, January 18, 2022

Name: The Flats @ 151
(Mixed-Use Development: Commercial and Multi-family Uses)

RE: Rezone (BXZO-21.23), and Planned Unit Development (BXPUD-21.15)

Location: 151st, North side of the roadway between Montgomery St. to Riverview Rd
1.799 Acres (+/-)

STR: Section 1, Township 17N, Range 13E

Applicant: Tanner Consulting, LLC

Request:
The applicant is requesting a Rezone (BXZO-21.23) from Residential (RS-3) to Commercial Shopping (CS) and (RM-3) Residential Multi-Family

Existing Zoning; Use:
Residential (RS-3); vacant
PUD-81; Residential Multi-Family campus

Abutting Zoning; Use:
North: (RS-3) Residential, neighborhood
East: (AG) Agricultural, residential
South: (RM-3) Residential, neighborhood
West: (RM-3) Residential, neighborhood

Proposed Zoning; Use:
(CS) Commercial Shopping – Retail/Office; (RM-3) Residential Multi-Family – townhouse apartments with supplemental zoning (PUD-21.15)

Staff Review

In response to a request from the Bixby City Council for development proposals for City surplus properties within the Privett Addition, The Flats @ 151 was presented to the City Council and awarded a contract to develop the subject tract.

The Flats @ 151 is a proposed mixed-use, commercial and residential multi-family development for retail and office use incorporated into townhouse apartment buildings on a 4.1-acre tract of land within the City of Bixby.

The project is located on the north side of East 151st Street South between Montgomery St. and Riverview Road.

The proposed Rezone with supplemental zoning PUD-21.15 aligns with the Comprehensive Plan and the 2030 Future Land Use Map designation of Mixed-Use.

# of Acres (Gross) 4.100 Acres (+/-)	**# of Acres (Net)** 1.799 Acres (+/-)	**Max FAR** N/A	**Max Allowed Non-residential SF** 9,266 SF
Zoning & Permitted Uses CS Uses by Right* RM-3 Uses by Right* PUD-21.15	***Prohibited Uses** Sexually Oriented Businesses (per 11-7D-6), mega events, residential treatment centers, and transitional living centers (per Use Unit 5), medical marijuana dispensaries (per Use Unit 13) Dry cleaner / laundry and uses customarily accessory to permitted uses (per Use Unit 15)	**Max Bldg Height** 3-stories 48 feet + architectural features extending to 53'	**Approx Apartment SF** 600 SF – 1,547 SF **Max Number of Dwelling Units:** 88
Applicable Use Units: • **5*** • **13*** • **15*** (See BXPUD-21.15 III. Development Standards for Permitted and Excluded Uses)	**Bulk & Area** Per PUD Development Standards; Other Requirements Per CH District (See BXPUD-21.15 III. Development Standards for additional information on requirements)	**Off-street parking - Residential** 1 space per dwelling unit	**Off-street parking - Commercial** 1 space per 300 SF nonresidential floor area



Figure 1: City of Bixby Zoning Map

Utilities: City of Bixby Water, Stormwater, and Sanitary Sewer

Engineering Comments: To be addressed at permitting

Public Comments: General inquiry phone calls received – none in opposition

Staff Comments:

1. Staff supports Planning Commission recommendation for approval.

Attachments:

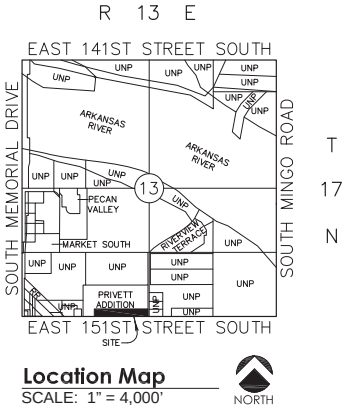
Exhibit A: BXPUD-21.15 by Tanner Consulting, December 7, 2021

The Flats @ 151

**A PLANNED UNIT DEVELOPMENT (PUD) OF APPROXIMATELY 1.799 ACRES
LOCATED ALONG THE NORTH SIDE OF E. 151ST ST. S. BETWEEN N. MONTGOMERY ST. & N. RIVERVIEW RD.,
CITY OF BIXBY, TULSA COUNTY, OKLAHOMA**







Location Map
SCALE: 1" = 4,000'
NORTH

DECEMBER 7, 2021

OWNER/DEVELOPER:
PRECISION PROJECT MANAGEMENT, INC
c/o DANIEL RUHL
9128 S BRADEN AVE, SUITE 201
TULSA, OK 74137
(918)970-6102

APPLICANT/CONSULTANT:
TANNER CONSULTING LLC
c/o ERIK ENYART
5323 S LEWIS AVE
TULSA, OK 74105
EENYART@TANNERBAITSHOP.COM

NORTH

TANNER CONSULTING LLC, CERTIFICATE OF AUTHORIZATION NO. CA 2661
5323 S LEWIS AVE, TULSA, OK 74105 | 918.745.9929

TABLE OF CONTENTS

I. PROPERTY DESCRIPTION 2

II. DEVELOPMENT CONCEPT 4

EXHIBIT LIST:

Exhibit A: Aerial Photography & Boundary Depiction 5

Exhibit B: Conceptual Site Plan 6

III. DEVELOPMENT STANDARDS: 7

IV. GENERAL PROVISIONS AND DEVELOPMENT STANDARDS 8

IV.A. Surrounding Zoning and Land Use 8

IV.B. Access and Circulation 8

IV.C. Signs 8

IV.D. Utilities and Drainage 8

IV.E. Environmental Analysis and Topography 8

IV.F. Platting and Site Plan Requirements 9

IV.G. City Department Requirements 9

IV.H. Schedule of Development 9

EXHIBIT LIST:

Exhibit C: Existing and Proposed Utilities 10

Exhibit D: Existing Topography and Soils 11

Exhibit E: FEMA Floodplain Map 12

Exhibit F: Existing Zoning Map 13

Exhibit G: Proposed Zoning Map 14

Exhibit H: Comprehensive Plan Map 15

I. PROPERTY DESCRIPTION

The Flats @ 151 consists of 1.799 acres located along the north side of East 151st Street South between North Montgomery Street and North Riverview Road in the City of Bixby, Oklahoma, and is more particularly described with the following statement:

(PART OF BLOCK 3, “PRIVETT ADDITION”)
A TRACT OF LAND THAT IS A PART OF BLOCK 3, "PRIVETT ADDITION" TO THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID BLOCK 3; THENCE SOUTH 0°52'15" EAST AND ALONG THE EAST LINE OF SAID BLOCK 3 FOR A DISTANCE OF 76.83 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF EAST 151ST STREET SOUTH, AS DESCRIBED IN QUIT CLAIM DEED, RECORDED MAY 18, 2010, AT DOCUMENT NUMBER 2010041880, COUNTY OF TULSA, STATE OF OKLAHOMA RECORDS; THENCE SOUTH 88°22'07" WEST ALONG SAID RIGHT OF WAY AS DESCRIBED IN QUIT CLAIM DEEDS, RECORDED MAY 18, 2010, AT DOCUMENTS 2010041876, 2010041877, 2010041878, 2010041879, & 2010041880, COUNTY OF TULSA, STATE OF OKLAHOMA RECORDS, FOR A DISTANCE OF 350.02 FEET TO A POINT ON THE WEST LINE OF SAID BLOCK 3, THENCE NORTH 0°52'15" WEST AND ALONG SAID WEST LINE FOR A DISTANCE OF 78.69 FEET TO A POINT AT THE NORTHWEST CORNER OF SAID BLOCK 3; THENCE NORTH 88°40'25" EAST AND ALONG THE NORTH LINE OF SAID BLOCK 3 FOR A DISTANCE OF 350.00 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINS 27,216 SQUARE FEET OR 0.625 ACRES.

AND ALSO:

(PART OF BLOCK 2, “PRIVETT ADDITION”)
A TRACT OF LAND THAT IS A PART OF BLOCK 2, "PRIVETT ADDITION" TO THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID BLOCK 2; THENCE SOUTH 0°52'15" EAST AND ALONG THE EAST LINE OF SAID BLOCK 2 FOR A DISTANCE OF 74.66 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF EAST 151ST STREET SOUTH; THENCE SOUTH 88°22'07" WEST, AND ALONG SAID RIGHT OF WAY, FOR A DISTANCE OF 350.03 FEET TO A POINT ON THE WEST LINE OF SAID BLOCK 2, THENCE NORTH 0°52'15" WEST AND ALONG SAID WEST LINE FOR A DISTANCE OF 76.52 FEET TO A POINT AT THE NORTHWEST CORNER OF SAID BLOCK 2; THENCE NORTH 88°40'25" EAST AND ALONG THE NORTH LINE OF SAID BLOCK 2 FOR A DISTANCE OF 350.01 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINS 26,456 SQUARE FEET OR 0.607 ACRES.

AND ALSO:

(PART OF BLOCK 1, “PRIVETT ADDITION”)
A TRACT OF LAND THAT IS A PART OF BLOCK 1, "PRIVETT ADDITION" TO THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID BLOCK 1; THENCE SOUTH 0°52'15" EAST AND ALONG THE EAST LINE OF SAID BLOCK 1 FOR A DISTANCE OF 72.56 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF EAST 151ST STREET SOUTH; THENCE SOUTH

88°22'07" WEST, AND ALONG SAID RIGHT OF WAY, FOR A DISTANCE OF 336.43 FEET TO A POINT ON THE WEST LINE OF SAID BLOCK 1, THENCE NORTH 0°52'15" WEST AND ALONG SAID WEST LINE FOR A DISTANCE OF 74.35 FEET TO A POINT AT THE NORTHWEST CORNER OF SAID BLOCK 1; THENCE NORTH 88°40'25" EAST AND ALONG THE NORTH LINE OF SAID BLOCK 1 FOR A DISTANCE OF 336.41 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINS 24,710 SQUARE FEET OR 0.567 ACRES.

The above described property will hereinafter be referred to as the “Site” or “Subject Property” and is depicted on Exhibit A, “Aerial Photography & Boundary Depiction.”

II. DEVELOPMENT CONCEPT

The Flats @ 151 is a mixed use Planned Unit Development (PUD) of 1.799 acres located along the north side of East 151st Street South between North Montgomery Street and North Riverview Road in the City of Bixby, Oklahoma. A true mixed use development, The Flats @ 151 will provide approximately 74,247 square feet of multiple residential units with retail / office spaces on the corners of each block. The site has close proximity to downtown and the design is intended to complement the downtown look and feel.

The site consists of excess land acquired and cleared by the City of Bixby for the widening and improvement of East 151st Street South in the late-2000s. After the ultimate right-of-way was established, the excess land was determined appropriate for redevelopment. The City of Bixby prepared a Request for Proposals in 2012 and distributed it at various times since, but no proposals were approved. In 2021, two (2) proposals were submitted, and The Flats @ 151 proposal was approved by the Bixby City Council on March 08, 2021, and an agreement was entered into and approved by the City Council April 26, 2021 and fully executed May 03, 2021. Pursuant to the agreement, this PUD and a companion rezoning application have been prepared and submitted.

The mixed use development will add various sized residential units ranging from 600 square feet to 1,547 square feet with options for 1 bedroom, 2 bedroom or 3 bedroom units along with outdoor patios and balconies. As planned, the use of the wood / composite panel siding in conjunction with a light colored stucco and adjacent brick façades bring a warm feeling to the development. Standing seam metal sloped roofs and low-slope membrane roofs complete the design aesthetic. The various materials, roofs, balconies, patios and unit locations produce a dynamic look and will enhance the visual appeal of the City's streetscape.

As outlined in the Bixby Zoning Code, this PUD is intended to provide a unified treatment of the development possibilities of the project site, to permit innovative land development while maintaining appropriate limitation on the character and intensity of use and assuring compatibility with adjoining and proximate properties, to permit flexibility within the development to best utilize the unique physical features of the subject property, to provide and preserve meaningful open space, and to achieve a continuity of function and design within the development.

The site is presently zoned RS-3 Single-Family Residential District with supplemental zoning Downtown Design District Overlay District. A companion application is being filed to rezone the site to RM-3 Residential Multi-Family High Density District and CS Commercial Shopping Center District (BXZO-____). Proposed zoning is reflected on Exhibit G of this PUD.

The City of Bixby 2018 Comprehensive Plan 2030 Future Land Use map provides that the requested underlying RM-3 and CS zoning districts and the densities as proposed by this PUD are in accordance with the "Mixed Use" future land use designation. Exhibit H is an excerpt of the current Future Land Use map including the site.

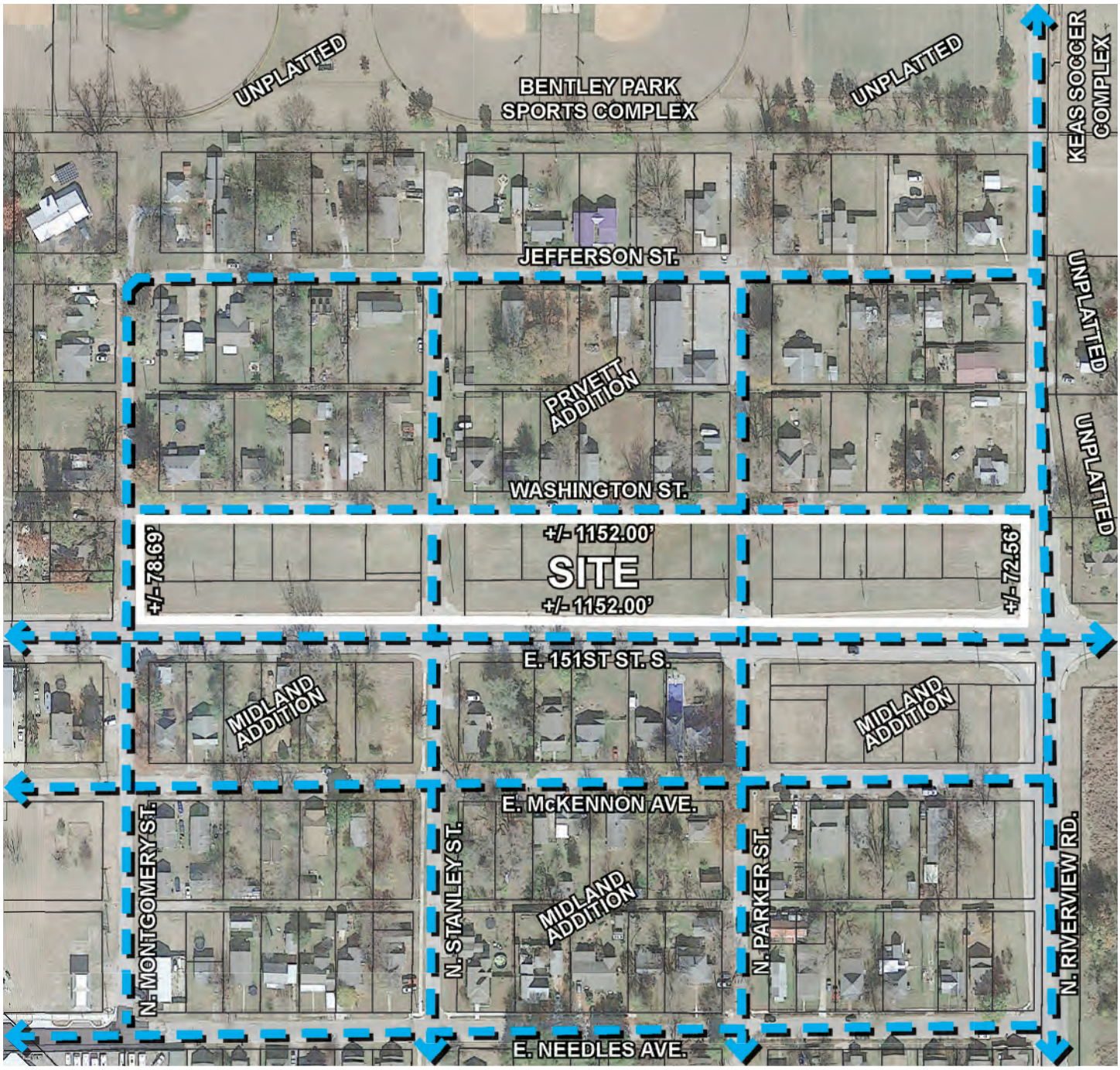
The PUD will allow the most efficient use of the land which is harmonious with the surrounding land uses, as represented on Exhibit A, "Aerial Photography & Boundary Depiction." Although subject to change, the initial design is reflected on Exhibit B "Conceptual Site Plan." The PUD shall be developed in accordance with the use and development regulations of the City of Bixby Zoning Code, except as otherwise specified herein.

Although Zoning Code Sections 11-7I-5.A.1., 11-7D-5.A., and 11-7B-4.A.1 Table 2 would permit almost 92 dwelling units with the proposed RM-3 and CS zoning districts, this PUD will restrict the development to 88 dwelling units. In addition to lowering the density otherwise permitted, this PUD will impose higher development standards than if developed with straight zoning.

The Flats @ 151

EXHIBIT A

AERIAL PHOTOGRAPHY & BOUNDARY DEPICTION
WITH ADJACENT DEVELOPMENTS LABELED



*** REFER TO SURVEY FOR EXACT BOUNDARY**

TANNER CONSULTING LLC, CERTIFICATE OF AUTHORIZATION NO. CA 2661
5323 S LEWIS AVE, TULSA, OK 74105 | 918.745.9929

NOT TO SCALE

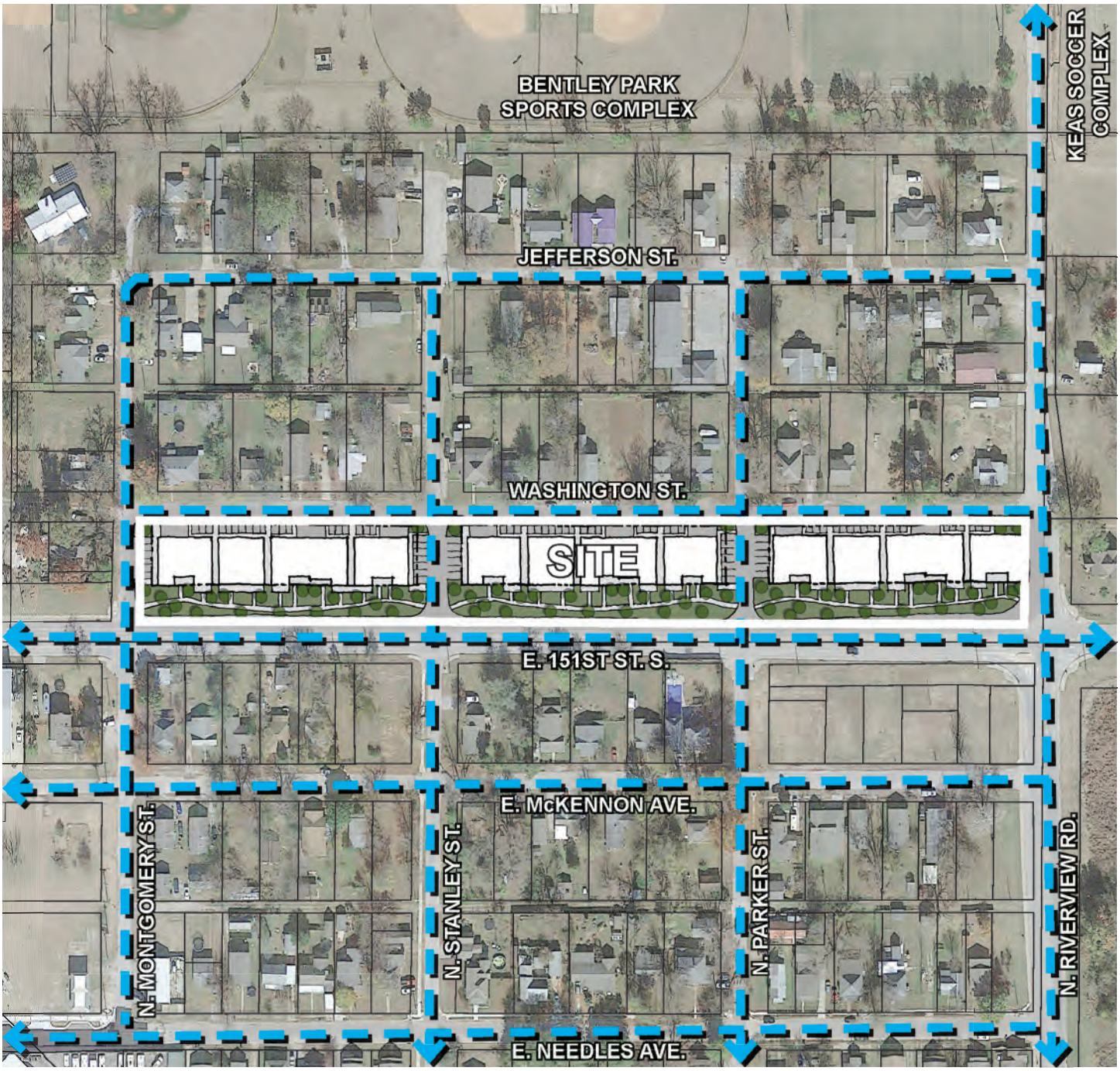
NORTH

The Flats @ 151

EXHIBIT B

CONCEPTUAL SITE PLAN

CONCEPTUAL LAYOUT DATED NOVEMBER 29, 2021



TANNER CONSULTING LLC, CERTIFICATE OF AUTHORIZATION NO. CA 2661
5323 S LEWIS AVE, TULSA, OK 74105 | 918.745.9929

NOT TO SCALE

NORTH

III. DEVELOPMENT STANDARDS

Gross Land Area:	178,604 SF	4.100 AC
Net Land Area:	78,383 SF	1.799 AC
Permitted Uses: All uses permitted by right within the RM-3 and CS districts (except as specified below); dry cleaning/laundry within Use Unit 15; and uses customarily accessory to permitted uses. Vertically-mixed use buildings are specifically permitted. Excluded uses: All uses classified as "sexually oriented" within the City of Bixby Zoning Code (Section 11-7D-6), mega events, residential treatment centers, and transitional living centers within Use Unit 5, and medical marijuana dispensaries within Use Unit 13.		
Maximum Floor Area Ratio:	N/A	
Maximum Nonresidential Building Floor Area:	9,266 SF	
Maximum Number of Dwelling Units:	88	
Minimum Lot Width †:	20 FT	
Minimum Lot Size:	1,450 SF	
Minimum Land Area per Dwelling Unit:	2,015 SF *	
Maximum Building Height:	3 Stories and 48 FT **	
Off-street Parking:	Minimum one (1) enclosed or unenclosed off-street parking space required per dwelling unit and 1 per 300 SF nonresidential building floor area (any occupancy). No maximum parking limitation.	
Minimum Livability Space:	N/A ***	
Minimum Yard Setbacks:		
Front Yard:	0 FT	
Rear Yard:	0 FT	
Side Yard (Interior):	0 FT	
Side Yard Abutting a Street:	0 FT	
Other Development Standards and Bulk and Area Requirements:	As required within the CH District	

* *Minimum land area per dwelling unit is satisfied by the proportion of maximum number of lots to gross land area as provided in Zoning Code Section 11-7I-5.A.1. Lots are therefore not subject to this requirement on an individual basis.*

** *Architectural features may extend a max. of five (5) feet above maximum permitted building height.*

*** *Livability space is satisfied by the large street lawn along 151st St. S., the "pocket park" to be constructed in N. Parker St., patios, balconies, and additional landscaped open space within and adjoining the site.*

† *Defined as the average horizontal distance between the side lot lines, which is as it is presently defined in the Bixby Zoning Code.*

IV. GENERAL PROVISIONS AND DEVELOPMENT STANDARDS

IV.A. SURROUNDING ZONING AND LAND USE: The site is presently zoned RS-3 with supplemental zoning Downtown Design Overlay District and is vacant. The surrounding area is primarily zoned RS-3, AG, IL, IM, and CH, with RT, RS-4, and RD zoning in the vicinity. To the north and south are single-family residential homes and vacant lots in Privett Addition and Midland Addition primarily zoned RS-3. To the east across Riverview Rd. are rural residential and vacant tracts zoned AG. Commercial and industrial uses are located to the west and are zoned a mixture of CH, IL, and IM. The Bentley Park Sports Complex is to the north and northeast zoned IL and AG.

IV.B. ACCESS AND CIRCULATION: The site has frontage along East 151st Street South but is designed to have primary access from the rear via East Washington Street. As a part of the approved proposal and agreement, the developer will design and build paving, storm sewer, and drainage improvements to East Washington Street. To facilitate commercial viability for the businesses to be located in the building endcaps, access from East 151st Street South will be afforded via North Montgomery Street, North Stanley Street, and North Parker Street, all of which will remain open. Parking will be constructed within the rights-of-ways of these streets similar to storefront parking in downtown Bixby, and partially within the East Washington Street right-of-way. No parking is planned along North Riverview Road. By this PUD, required off-street parking shall be permitted within the rights-of-way as shown on Exhibit B, and parking lot setbacks and landscaped strips are thus not applicable. It is anticipated that street improvements will be necessary while constructing parking along the internal streets.

New sidewalks are planned along North Montgomery Street, North Stanley Street, North Parker Street, and North Riverview Road, as shown on Exhibit B. Sidewalks shall be a minimum of four (4) feet in width, shall be ADA compliant, and shall be approved by the City Engineer.

IV.C. SIGNS: Signage shall comply with standards for same as provided in the Bixby Zoning Code.

IV.D. UTILITIES AND DRAINAGE: The Flats @ 151 is fully served by public water, sanitary sewer, and all other necessary utilities. The site is flat and drains to adjacent streets. To facilitate drainage, stormsewers will be extended to connect to the large stormsewer along East 151st Street South, and will be coordinated with the improvements to East Washington Street.

Existing and proposed utilities are shown on Exhibit C of this PUD.

IV.E. ENVIRONMENTAL ANALYSIS AND TOPOGRAPHY: The subject property is flat and drains to adjacent streets.

As represented on Exhibit E “FEMA Floodplain Map,” the entire site is within Shaded Zone X, the 500-year (0.2% Annual Chance) Floodplain.

The Soil Survey of Tulsa County, Oklahoma was used to help identify soils types and possible constraints to development. The site entirely contains Choska Very Fine Sandy Loam, 0-1% slopes. Development constraints associated with this soil type, and any other environmental constraint(s), will be addressed in the engineering design phase of the project. Soil types and typography are shown on Exhibit D of this PUD.

IV.F. PLATTING AND SITE PLAN REQUIREMENTS: No building permit shall be issued until a subdivision plat has been submitted to and recommended upon by the Bixby Planning Commission and approved by the Council of the City of Bixby, and duly filed of record. The required subdivision plat shall include covenants of record implementing the development standards of the approved PUD and the City of Bixby shall be a beneficiary thereof.

Site development, including layout, parking, and building façades, shall substantially conform to the site plan and building elevations included within the approved proposal, or any design modifications as may be permitted by the City of Bixby.

Balconies, building-mounted lighting, eaves, signage, and other architectural projections shall be permitted to overhang the rights-of-way, and patios and similar architectural projects, lighting, landscaping, irrigation, and similar improvements shall be permitted to encroach the rights-of-way, subject to a license agreement if and as may be required by the City of Bixby. Due to the urban aesthetic desired, trees, shrubs, and/or groundcover plantings shall be permitted within planters and pots, onsite and within adjacent rights-of-way, in lieu of landscaping trees and landscaped strips as otherwise required by the Zoning Code.

IV.G. CITY DEPARTMENT REQUIREMENTS: Standard requirements of the City of Bixby Fire Marshal, City Engineer, and City Attorney shall be met.

IV.H. SCHEDULE OF DEVELOPMENT: Engineering design is anticipated to commence in early 2021. Development will commence upon approval of civil engineering plans, permitting, and site and building plans and building permits. Buildings may be phased.

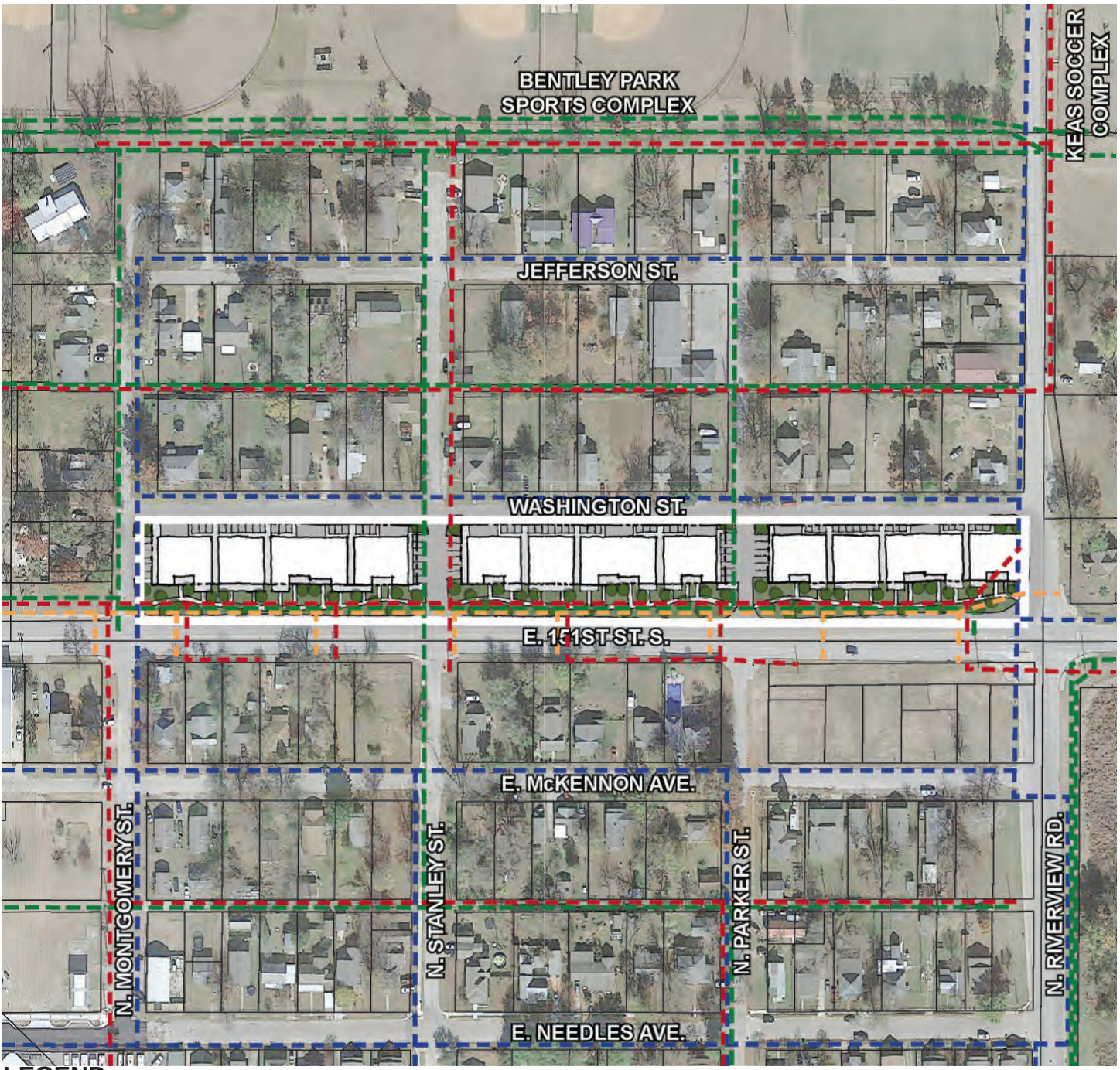
The Flats @ 151

EXHIBIT C

EXISTING AND PROPOSED UTILITIES

CONCEPTUAL LAYOUT SHOWN AS OF NOVEMBER 29, 2021

EXISTING UTILITIES PER FIELD SURVEY DATA



LEGEND

- EXISTING WATERLINE
- EXISTING SANITARY SEWER SYSTEM
- EXISTING STORM SEWER SYSTEM
- EXISTING OVERHEAD ELECTRIC

TANNER CONSULTING LLC, CERTIFICATE OF AUTHORIZATION NO. CA 2661
5323 S LEWIS AVE, TULSA, OK 74105 | 918.745.9929

NOT TO SCALE

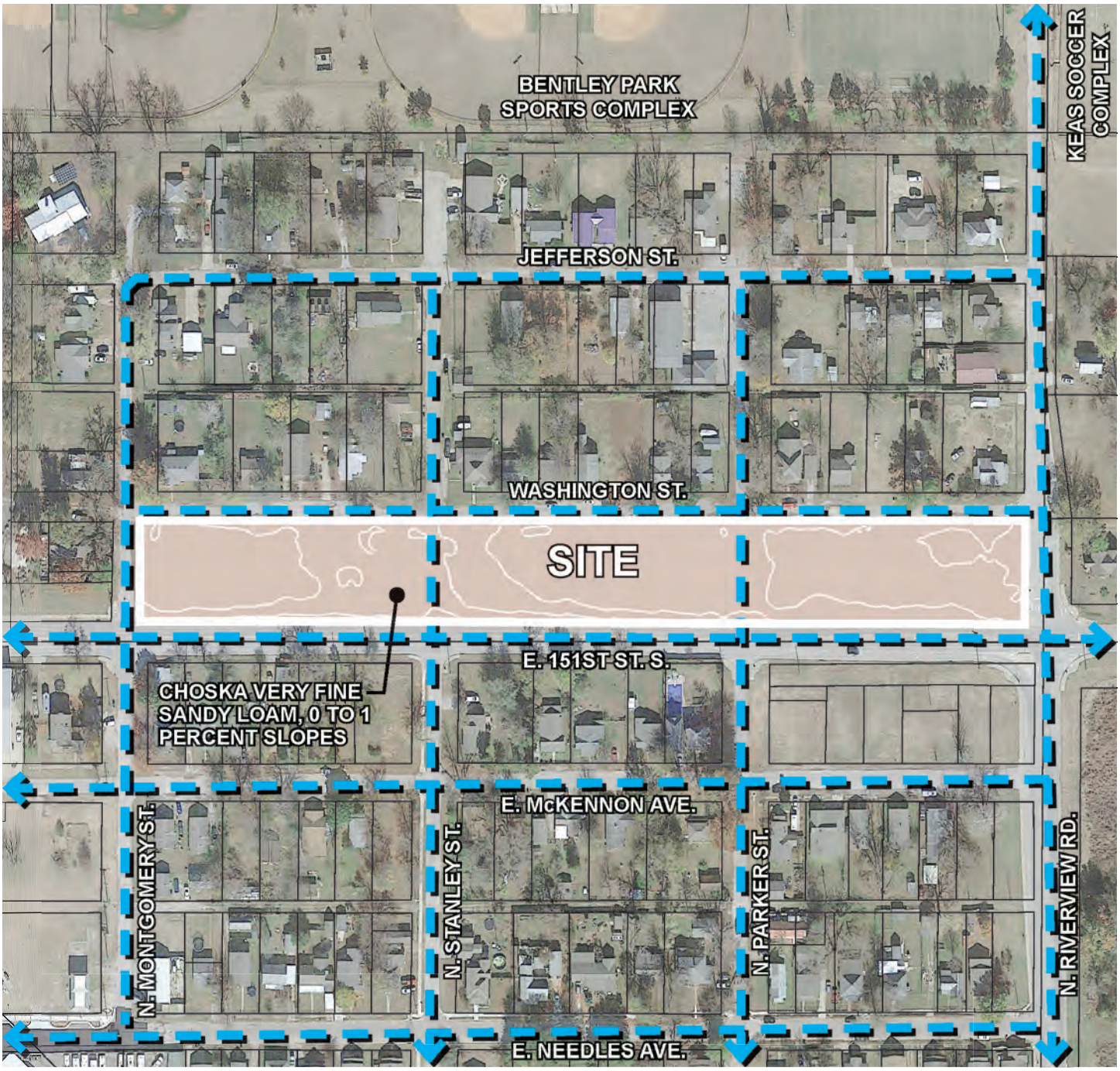
NORTH

The Flats @ 151

EXHIBIT D

EXISTING TOPOGRAPHY AND SOILS

SOIL DATA FROM USDA WEB SOIL SURVEY, ACCESSED NOVEMBER 29, 2021
TOPOGRAPHIC DATA FROM USGS GIS AND IS APPROXIMATE ONLY



TANNER CONSULTING LLC, CERTIFICATE OF AUTHORIZATION NO. CA 2661
5323 S LEWIS AVE, TULSA, OK 74105 | 918.745.9929

NOT TO SCALE

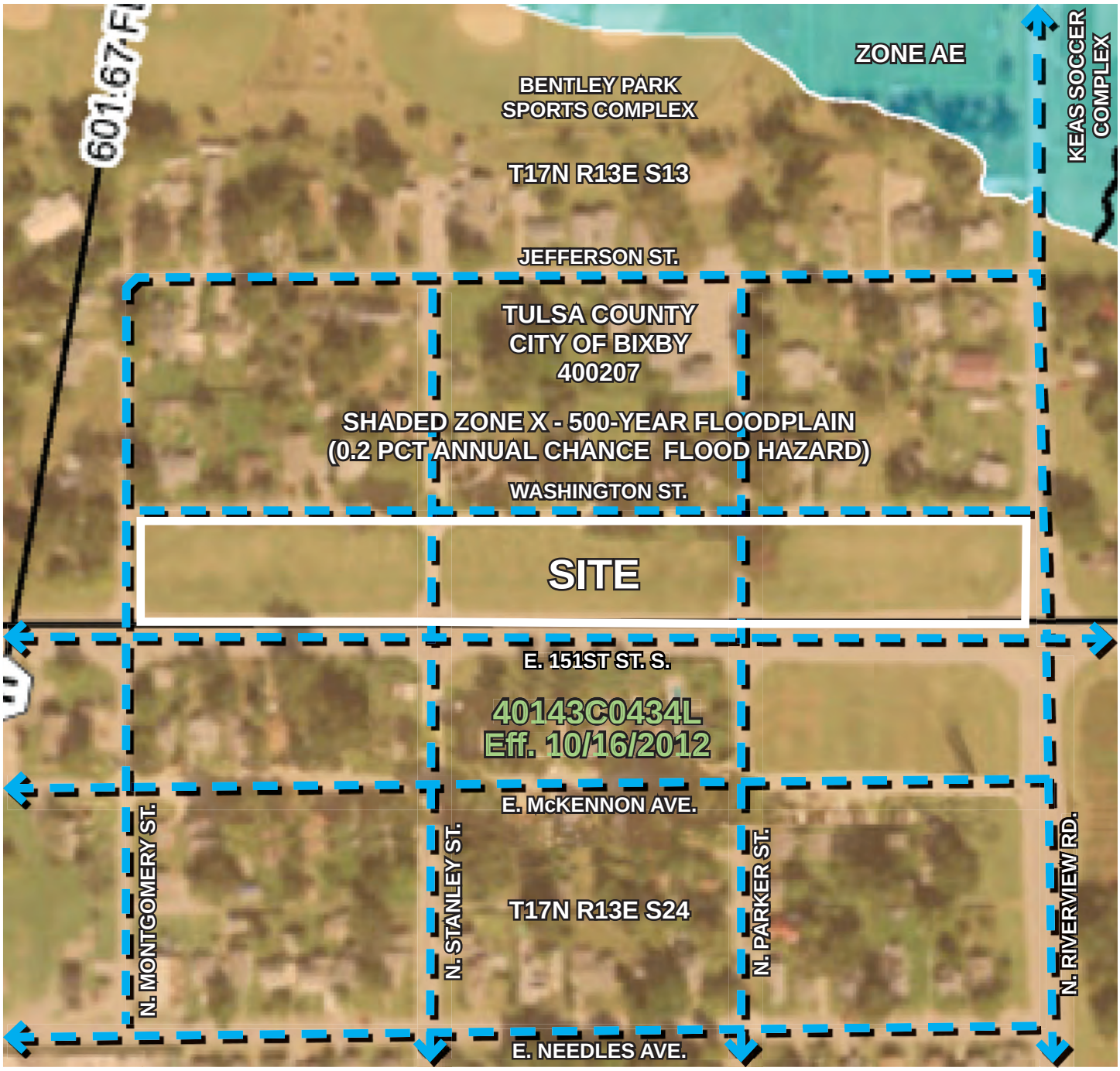
NORTH

The Flats @ 151

EXHIBIT E

FEMA FLOODPLAIN MAP

FLOODPLAIN DATA REFLECTS FEMA FIRM PANEL NO. 40143C0434L,
EFFECTIVE 10/16/2012



TANNER CONSULTING LLC, CERTIFICATE OF AUTHORIZATION NO. CA 2661
5323 S LEWIS AVE, TULSA, OK 74105 | 918.745.9929

NOT TO SCALE

NORTH

The Flats @ 151

EXHIBIT F

EXISTING ZONING MAP

DATA OBTAINED FROM TULSA INCOG ZONING MAP, ACCESSED NOVEMBER 29, 2021



TANNER CONSULTING LLC, CERTIFICATE OF AUTHORIZATION NO. CA 2661
5323 S LEWIS AVE, TULSA, OK 74105 | 918.745.9929

NOT TO SCALE

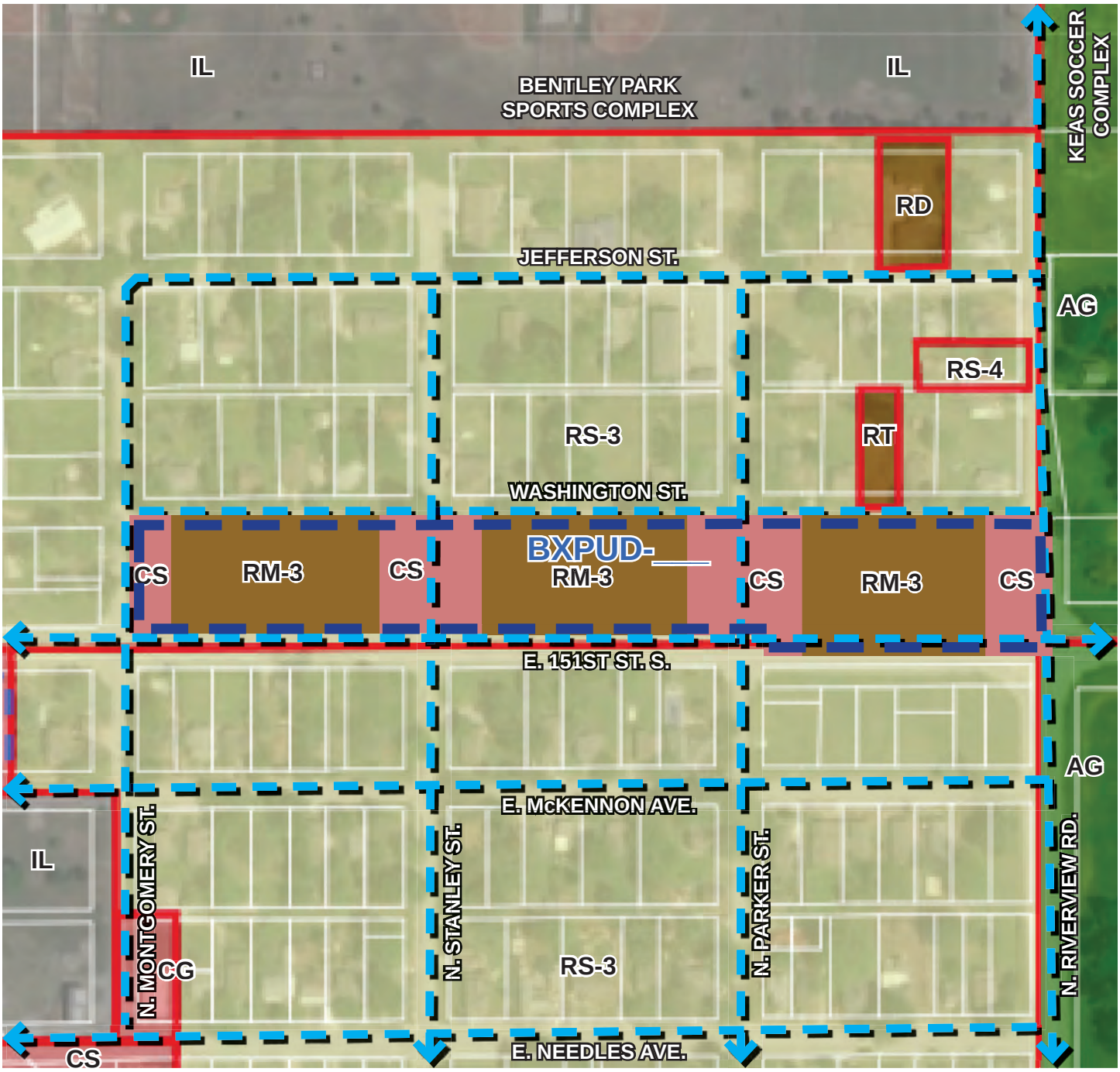
NORTH

The Flats @ 151

EXHIBIT G

PROPOSED ZONING MAP

DATA OBTAINED FROM TULSA INCOG ZONING MAP, ACCESSED NOVEMBER 29, 2021 & MODIFIED



TANNER CONSULTING LLC, CERTIFICATE OF AUTHORIZATION NO. CA 2661
5323 S LEWIS AVE, TULSA, OK 74105 | 918.745.9929

NOT TO SCALE

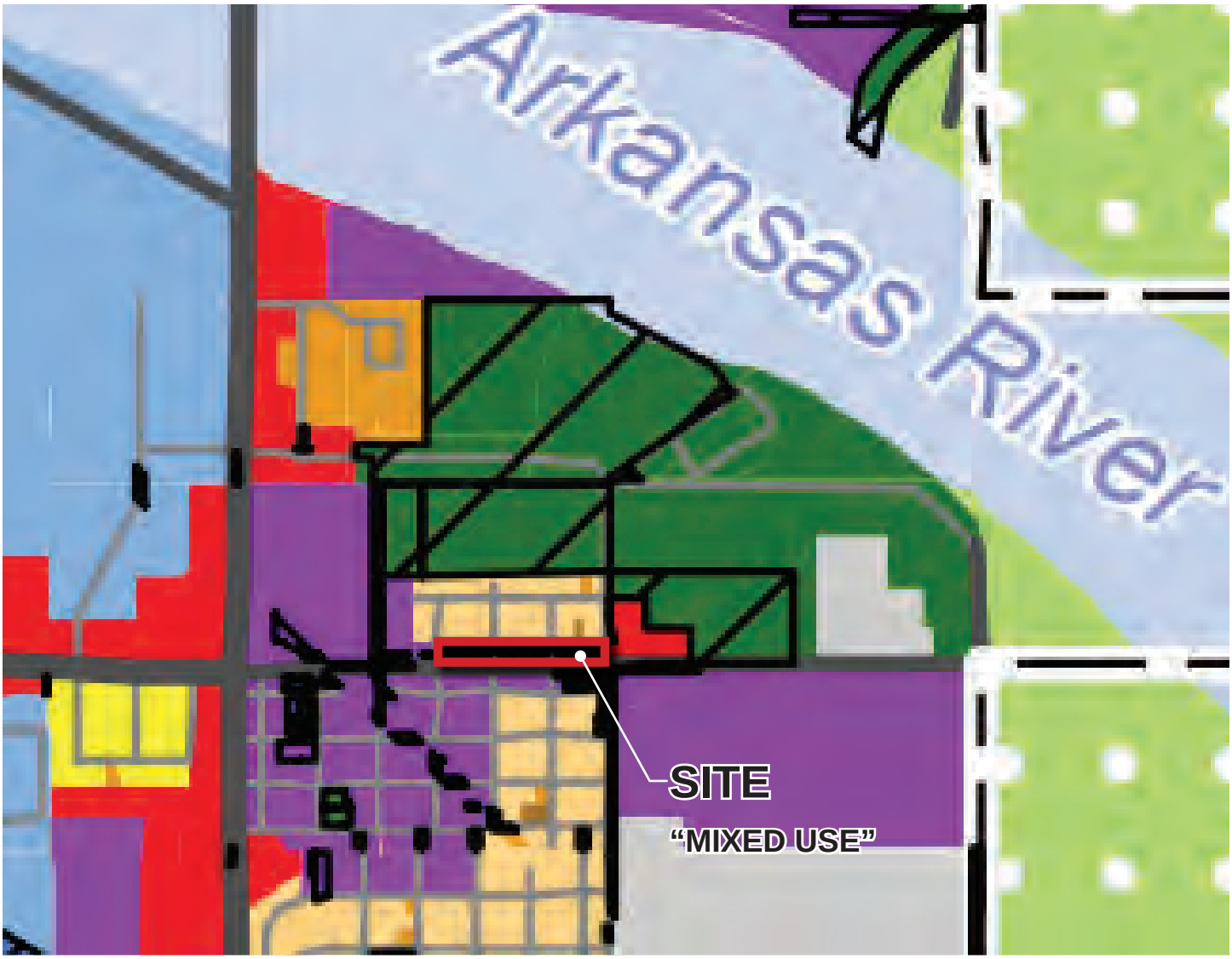
NORTH

The Flats @ 151

EXHIBIT H

FUTURE LAND USE AND DEVELOPMENT PLAN

CITY OF BIXBY 2018 COMPREHENSIVE PLAN, 2030 FUTURE LAND USE MAP (PAGE 2-4)



Legend

Future Land Use	Density (du/ac.)
Rural Agriculture (Unincorporated)	0 - 0.5
Agricultural	0 - 1
Rural Residential	0 - 1.5
Low Density Residential	1.5 - 4
Medium Density Residential	4 - 6
Medium-High Density Residential	6 - 10
High Density Residential	10 +
Mixed Use	10 +
Residential Manufactured Home Park	8

Future Land Use
Neighborhood Commercial
Commercial
Industrial
Public/Institutional
Recreation and Open Space
Flood District
Water

City Owned Parcels
Bixby Fenceline
Bixby City Limit
County
Highway
Major Street
Local Street
Railroad

Water Body
Stream / River

TANNER CONSULTING LLC, CERTIFICATE OF AUTHORIZATION NO. CA 2661
5323 S LEWIS AVE, TULSA, OK 74105 | 918.745.9929

NOT TO SCALE

NORTH

City of Bixby
P.O. Box 70
116 W. Needles Ave.
Bixby, OK 74008
(918) 366-4430

Staff Report

To: City of Bixby, Planning Commission

From: Carolyn Back, Development Services Director/City Planner

Date: Tuesday, January 18, 2022

Name: Posey Creek 151
(Residential Development)

RE: Rezone (BXZO-21.22),
Planned Unit Development (BXPUD-21.14)
Preliminary Plat (BXPT 21.20)

Location: Harvard Ave. and 147th Place South
73.849 Acres (+/-)

STR: Section 17, Township 17N, Range 13E

Applicant: Tanner Consulting

Request:
The applicant is requesting a Rezone (BXZO-21.22) from Agricultural (AG) to Residential (RS-3) with Supplemental Zoning through (BXPUD-21.14) and a Preliminary Plat (BXPT-21.20).

Existing Zoning; Use:
Residential (RS-3); central portion of existing site
Agricultural (AG); eastern and western portions of the site

Abutting Zoning; Use:
North: (RS-2) Residential; Presley Heights
(RS-3) Residential; Harvard Ponds
East: (AG) Agricultural; Rural Residential
South: (RS-3) Residential; Undeveloped
(AG) Agricultural; Rural Residential
West: (AG) Agricultural; Rural Residential

Proposed Zoning; Use:
(RS-3) Residential, Single Family with supplemental zoning (PUD-21.14)

Staff Review

Posey Creek at 151 is a proposed residential development following up on the Harvard Ponds and Presley Heights projects.

The project is located on the west side of Harvard Ave. at 147th Place, connecting to Harvard Ponds and Presley on the north.

The proposed Rezone with supplemental zoning PUD-21.14 aligns with the Comprehensive Plan and the 2030 Future Land Use Map designation of Residential.

Development Area A - Restaurant / Brew Pub:

# of Acres (Gross) 73.929 Acres (+/-)	**# of Acres (Net)** 73.849 Acres (+/-)	**Max # Lots** 197	**Min. Lot Width** 65 ft, with up to 20% of lots at 60 ft wide
Zoning & Permitted Uses RS-3 Uses by Right PUD-21.14	**Bulk & Area** Per RS-3 requirements	**Max Bldg Height** 2-stories And 35 feet	**Min Lot SF** 6,900 SF
Use Unit 5 Common Area facilities – parks, playgrounds, open space	**Use Unit 6** Detached Single Family dwellings	**1st Floor Exterior** 100% Masonry	**Min. Dwelling SF** 1,700

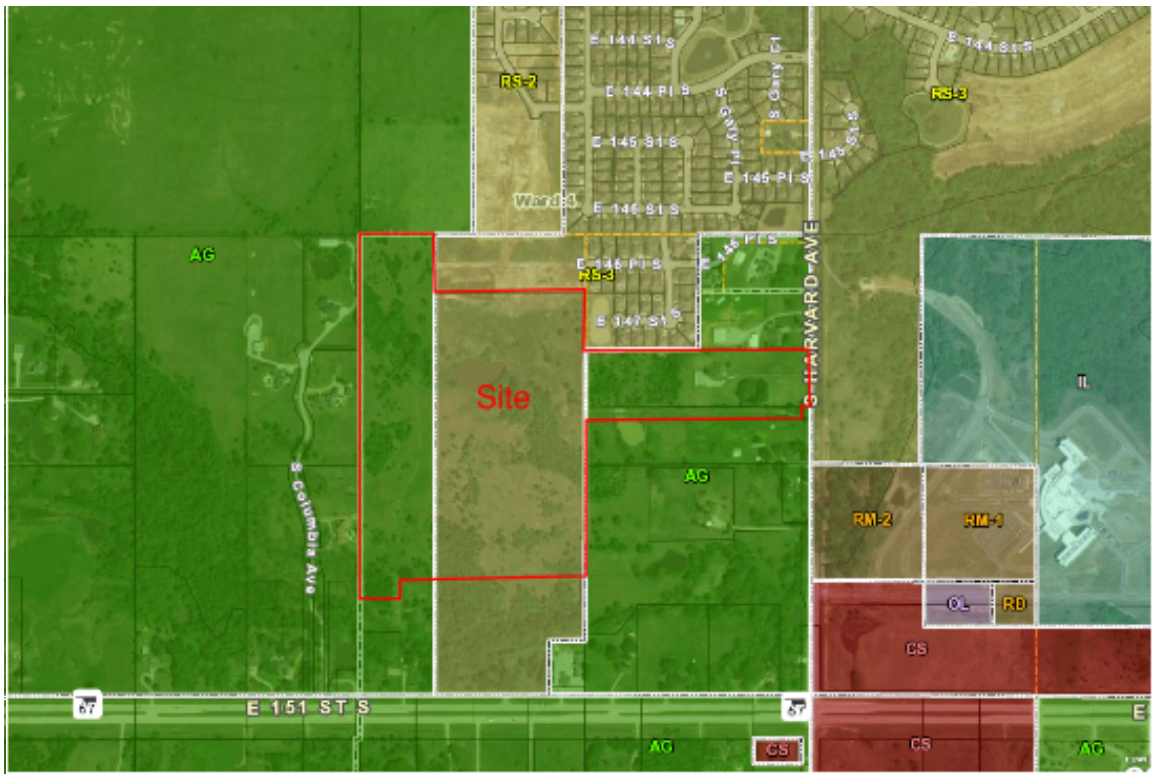


Figure 1: City of Bixby Zoning Map

Utilities: City of Bixby Water, Stormwater, and Sanitary Sewer

Engineering Comments: To be addressed at permitting

Public Comments: No public comments received

Staff Comments:

1. Staff supports Planning Commission recommendation for approval.

Attachments:

Exhibit A: BXPUD-21.14 by Tanner Consulting, December 7, 2021
Exhibit B: BXPT-21.20, Preliminary Plat by Tanner Consulting, January 10, 2022

CITY OF BIXBY

P.O. Box 70
116 W. Needles Ave.
BIXBY, OK 74008
(918) 366-4430
(918) 366-6373 (fax)

Development Services – Engineering Memo

To: Erik Enyart, Tanner Consulting

From: Justin Dowd, Assistant City Engineer

CC: Bea Aamodt, Public Works Director
Carolyn Back, Development Services Director
Donna Crawford, Assistant City Planner
File

Date: January 5, 2022

Re: **BXPT-21.20 Posey Creek 151 – Preliminary Plat**

Conceptual Utilities Plan Comments:

1. Show existing and designed utilities.
2. Place sanitary sewer along the west side of Harvard in the dedicated utility easement where possible to ensure the sanitary sewer is outside the pavement area when/if Harvard is widened.
3. Is the sanitary sewer along Harvard in an offsite utility easement or the statutory right-of-way?
4. How is/what water is draining into Pond 4?
5. An off-site utility easement is needed for the waterline connection to 151st.
6. Clean-up waterline/storm sewer crossings in cul-de-sac of Block 7.
7. How does water from Pond 1 get to Pond 2?
8. How does water from Pond 2 discharge? Through the culvert under College Ave? This culvert appears to be directing water at Lot 1, Block 6.
9. Sanitary Sewer bends must be 90 deg. or greater; re: Lot 16, Block 8 | Lot 2, Block 9 | Lot 2, Block 10
10. Per Fire Marshal, 1,000 GPM fire flow will be required for approval for final acceptance.

Preliminary Plat Comments:

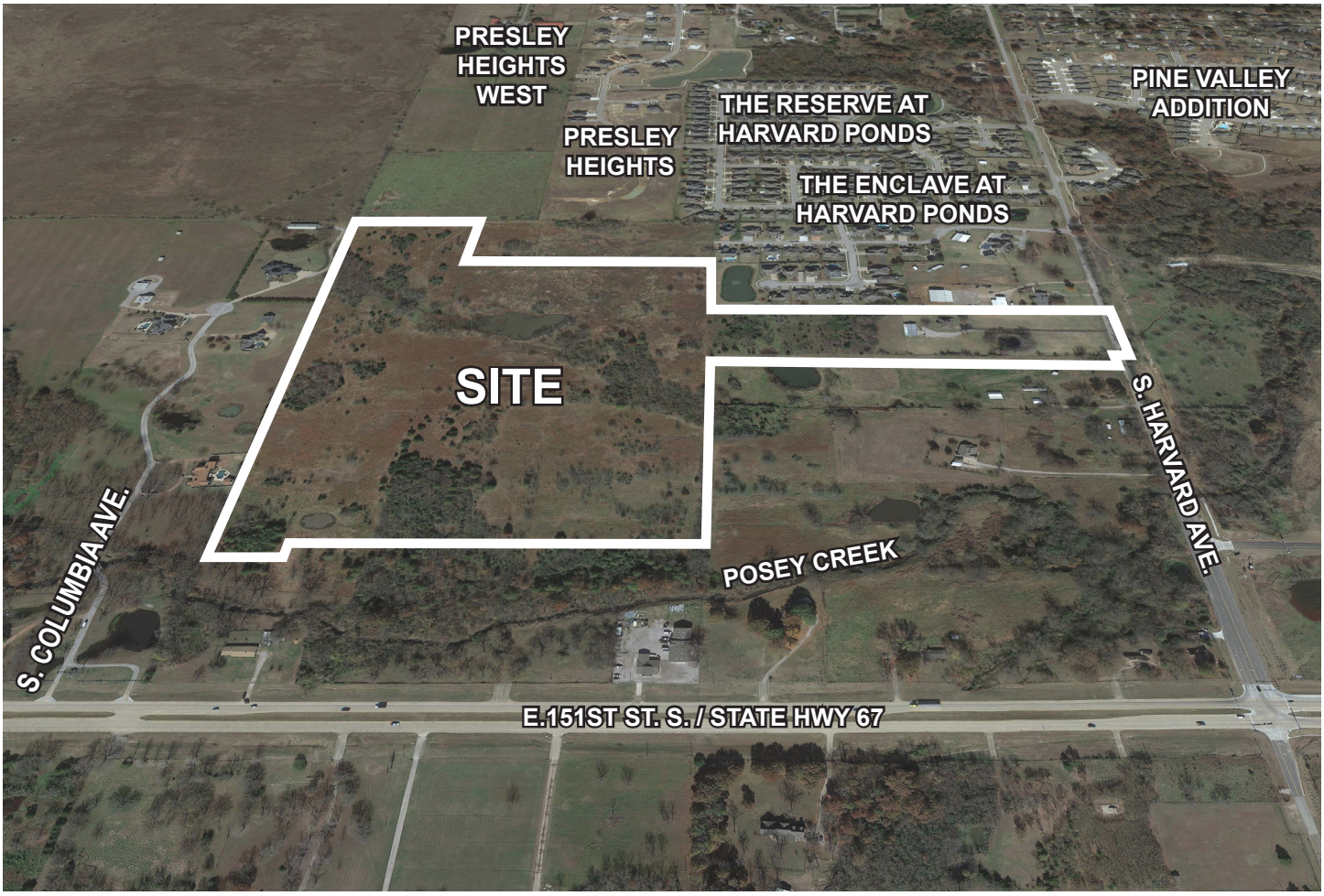
11. Sheet 1
    - Sheet 1 of 4
    - Revise subdivision facts
    - Label reserve areas
    - 17.5’ U/E required along the perimeter of the development. For lots adjacent to Presley Heights West, 17.5’ is required. For lots adjacent to Presley Heights, 15’ is sufficient.
    - Label width of U/E along Lot 1, Block 3
    - Label front yard U/E along South Delaware Place

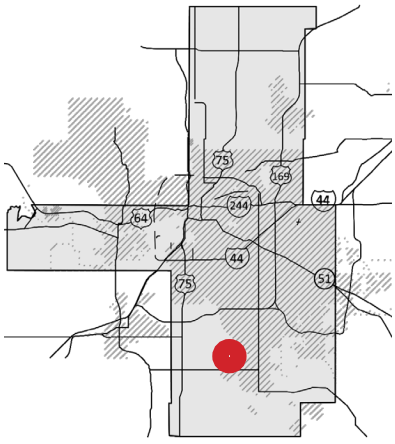
- Provide easement for storm sewer running between Lots 11 and 12, Block 8
- Provide easement for sanitary sewer running between Lots 15 and 16, Block 1
- Provide easement for sanitary sewer running between Lots 5 and 6, Block 5

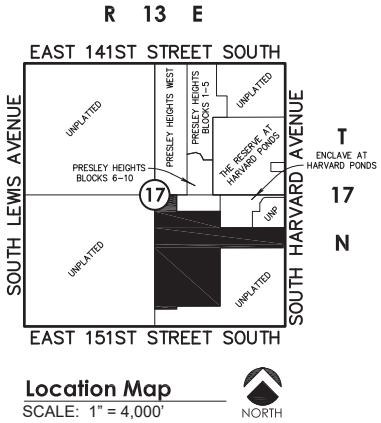
12. Sheet 2
    - Sheet 2 of 4
    - Revise subdivision facts
    - Label reserve areas
    - 17.5' U/E required along the perimeter of the development. For lots adjacent to Presley Heights West, 17.5' is required. For lots adjacent to Presley Heights, 15' is sufficient.
    - Notes; remove 6
    - No building limit line labeled along 148th St. S
    - No building limit line labeled along S Delaware Pl
    - Provide easement for sanitary sewer running between Lots 15 and 16, Block 8
    - Provide easement for storm sewer running between Lots 24 and 25, Block 7
    - Label utility easement widths and building limit line for Lot 40, Block 7
    - Label U/E widths in Block 9
    - Lots 34 and 35, Block 7 – Is this a 30' U/E or part of the reserve?
13. Sheet 3
    - Add language regarding pond maintenance, and a maintenance schedule for the ponds
    - Section II.B – Are Reserves C and D included in this section?
14. City requested engineering drawings include notation on waterline plans stating water is serviced by the RWD.
15. Utility companies expressed concerns over reserve areas, and asked for dedication as utility easements to provide continuity throughout the development.

Posey Creek 151

**A PLANNED UNIT DEVELOPMENT (PUD) OF APPROXIMATELY 73.849 ACRES
LOCATED AT THE 14700 BLOCK OF SOUTH HARVARD AVENUE,
CITY OF BIXBY, TULSA COUNTY, OKLAHOMA**







Location Map
SCALE: 1" = 4,000'

NORTH

DECEMBER 7, 2021

OWNER/DEVELOPER:
POSEY CREEK 151, LLC
c/o ANGIE MARSHALL
10024 S HUDSON AVE
TULSA, OK 74137
(918)698-6767

APPLICANT/CONSULTANT:
TANNER CONSULTING LLC
c/o ERIK ENYART
5323 S LEWIS AVE
TULSA, OK 74105
EENYART@TANNERBAITSHOP.COM

NORTH

TANNER CONSULTING LLC, CERTIFICATE OF AUTHORIZATION NO. CA 2661
5323 S LEWIS AVE, TULSA, OK 74105 | 918.745.9929

TABLE OF CONTENTS

I. PROPERTY DESCRIPTION 2

II. DEVELOPMENT CONCEPT 4

EXHIBIT LIST:

Exhibit A: Aerial Photography & Boundary Depiction 5

Exhibit B: Conceptual Site Plan 6

III. DEVELOPMENT STANDARDS: 7

IV. GENERAL PROVISIONS AND DEVELOPMENT STANDARDS 8

IV.A. Surrounding Zoning and Land Use 8

IV.B. Access and Circulation 8

IV.C. Signs 8

IV.D. Utilities and Drainage 8

IV.E. Environmental Analysis and Topography 9

IV.F. Platting and Site Plan Requirements 9

IV.G. City Department Requirements 9

IV.H. Schedule of Development 9

EXHIBIT LIST:

Exhibit C: Existing and Proposed Utilities 10

Exhibit D: Existing Topography and Soils 11

Exhibit E: FEMA Floodplain Map 12

Exhibit F: Existing Zoning Map 13

Exhibit G: Proposed Zoning Map 14

Exhibit H: Comprehensive Plan Map 15

I. PROPERTY DESCRIPTION

Posey Creek 151 consists of 73.849 acres located at the 14700-block of South Harvard Avenue in the City of Bixby, Oklahoma, and is more particularly described with the following statement:

(KING TRACT)
PER TRUSTEE'S DEED DATED AUGUST 30TH, 2002, AND FILED OF RECORD SEPTEMBER 11, 2002 IN BOOK 6822 ON PAGE 69 IN THE RECORDS OF THE COUNTY CLERK OF TULSA COUNTY, OKLAHOMA:

THE NORTH HALF OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (N/2 S/2 NE/4 SE/4) OF SECTION SEVENTEEN (17), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST, OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF.

AND ALSO:

(WEST TRACT)
PER GENERAL WARRANTY DEED DATED THE 3RD DAY OF AUGUST, 2021, AND FILED OF RECORD AUGUST 04, 2021, AS DOCUMENT NO. 2021090131 IN THE RECORDS OF THE COUNTY CLERK OF TULSA COUNTY, OKLAHOMA:

A TRACT OF LAND LOCATED WITHIN THE WEST HALF OF THE SOUTHWEST QUARTER (W/2 SE/4) OF SECTION SEVENTEEN (17), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, TULSA COUNTY, STATE OF OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SE/4; THENCE SOUTH 88°41'08" WEST AND ALONG THE SOUTH LINE OF SAID SE/4 FOR A DISTANCE OF 2203.75 FEET; THENCE NORTH 1°11'04" WEST FOR A DISTANCE OF 363.00 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 88°41'08" WEST FOR A DISTANCE OF 443.55 FEET TO A POINT ON THE WEST LINE OF SAID SE/4; THENCE NORTH 1°11'49" WEST AND ALONG SAID WEST LINE FOR A DISTANCE OF 2290.80 FEET TO A POINT AT THE NORTHWEST CORNER OF SAID SE/4; THENCE NORTH 88°40'38" EAST AND ALONG THE NORTH LINE OF SAID SE/4 FOR A DISTANCE OF 444.05 FEET; THENCE SOUTH 1°11'04" EAST FOR A DISTANCE OF 2290.86 FEET TO THE POINT OF BEGINNING.

AND ALSO:

(EAST TRACT)
PER GENERAL WARRANTY DEED DATED THE 26TH DAY OF JULY, 2021, AND FILED OF RECORD JULY 30, 2021, AS DOCUMENT NO. 2021088608 IN THE RECORDS OF THE COUNTY CLERK OF TULSA COUNTY, OKLAHOMA:

THE EAST 880 FEET OF THE WEST HALF OF THE SOUTHEAST QUARTER (W/2 SE/4) OF SECTION SEVENTEEN (17), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF,

LESS AND EXCEPT THE SOUTH 420.50 FEET THEREOF AND **LESS AND EXCEPT** A TRACT OF LAND THAT IS PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW/4 SE/4) OF SECTION SEVENTEEN (17), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE

PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: **BEGINNING** AT THE NORTHEAST CORNER OF SAID NW/4 SE/4, SAID CORNER ALSO BEING NORTHWEST CORNER OF LOT ONE (1), BLOCK THREE (3), THE ENCLAVE AT HARVARD PONDS, AN ADDITION TO THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 5995); THENCE SOUTH 1°11'04" EAST AND ALONG THE EAST LINE OF NW/4 SE/4, SAID LINE ALSO BEING THE WEST LINE OF SAID ADDITION, FOR A DISTANCE OF 333.58 FEET TO THE SOUTHWEST CORNER OF LOT ONE (1), BLOCK FOUR (4), OF SAID ADDITION; THENCE SOUTH 88°40'39" WEST AND PARALLEL WITH THE NORTH LINE OF THE NW/4 SE/4 FOR A DISTANCE OF 880.00 FEET TO A POINT; THENCE NORTH 1°11'04" WEST FOR A DISTANCE OF 333.58 FEET TO A POINT ON SAID NORTH LINE; THENCE NORTH 88°40'39" EAST AND ALONG THE NORTH LINE FOR A DISTANCE OF 880.00 FEET TO THE **POINT OF BEGINNING**.

AND

THE NORTH 70 FEET OF THE SOUTH HALF OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (S/2 S/2 NE/4 SE/4) OF SECTION SEVENTEEN (17), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

The above described property will hereinafter be referred to as the “Site” or “Subject Property” and is depicted on Exhibit A, “Aerial Photography & Boundary Depiction.”

II. DEVELOPMENT CONCEPT

Posey Creek 151 is a single-family residential Planned Unit Development (PUD) of 73.849 acres located at the 14700-block of South Harvard Avenue in the City of Bixby, Oklahoma. Nestled between hills and streams, Posey Creek 151 offers convenience, attractive neighborhood design, a variety of premium homes in a quiet location, and ample open spaces for recreation. Posey Creek 151 builds on the value created by neighboring subdivisions, but its design follows unique site features to create more curvilinear streets and a varied layout, which will produce streetscapes with unparalleled character. As envisioned, large ponds and generous landscaping will greet residents and guests at the principal entrance on Harvard Avenue.

As outlined in the Bixby Zoning Code, this PUD is intended to provide a unified treatment of the development possibilities of the project site, to permit innovative land development while maintaining appropriate limitation on the character and intensity of use and assuring compatibility with adjoining and proximate properties, to permit flexibility within the development to best utilize the unique physical features of the subject property, to provide and preserve meaningful open space, and to achieve a continuity of function and design within the development.

A companion application is being filed to rezone part of the site to RS-3 Single-Family Residential District (BXZO-____). Proposed zoning is reflected on Exhibit G of this PUD.

The City of Bixby 2018 Comprehensive Plan 2030 Future Land Use map provides that the requested underlying RS-3 zoning district and the densities as proposed by this PUD are in accordance with the "Medium Density Residential" future land use designation for the largest portion of the site. The southerly approximately 9.7 acres, however, is designated "Commercial." This area is separated from 151st Street South (State Highway 67) by Posey Creek and so is not accessible except through the site. Further, it is under separate ownership from the parcels with street frontage, is within the Regulatory Floodplain and partially within the Floodway, and is designed as an open space Reserve Area within this development. The majority of the approximately 9.7 acres is already zoned RS-3 by previous rezoning application. Only the remainder, approximately 3.64 acres, is zoned AG, and so will remain zoned AG to avoid conflict with the Comprehensive Plan and Zoning Code Section 11-5-2. Exhibit H is an excerpt of the current Future Land Use map including the site.

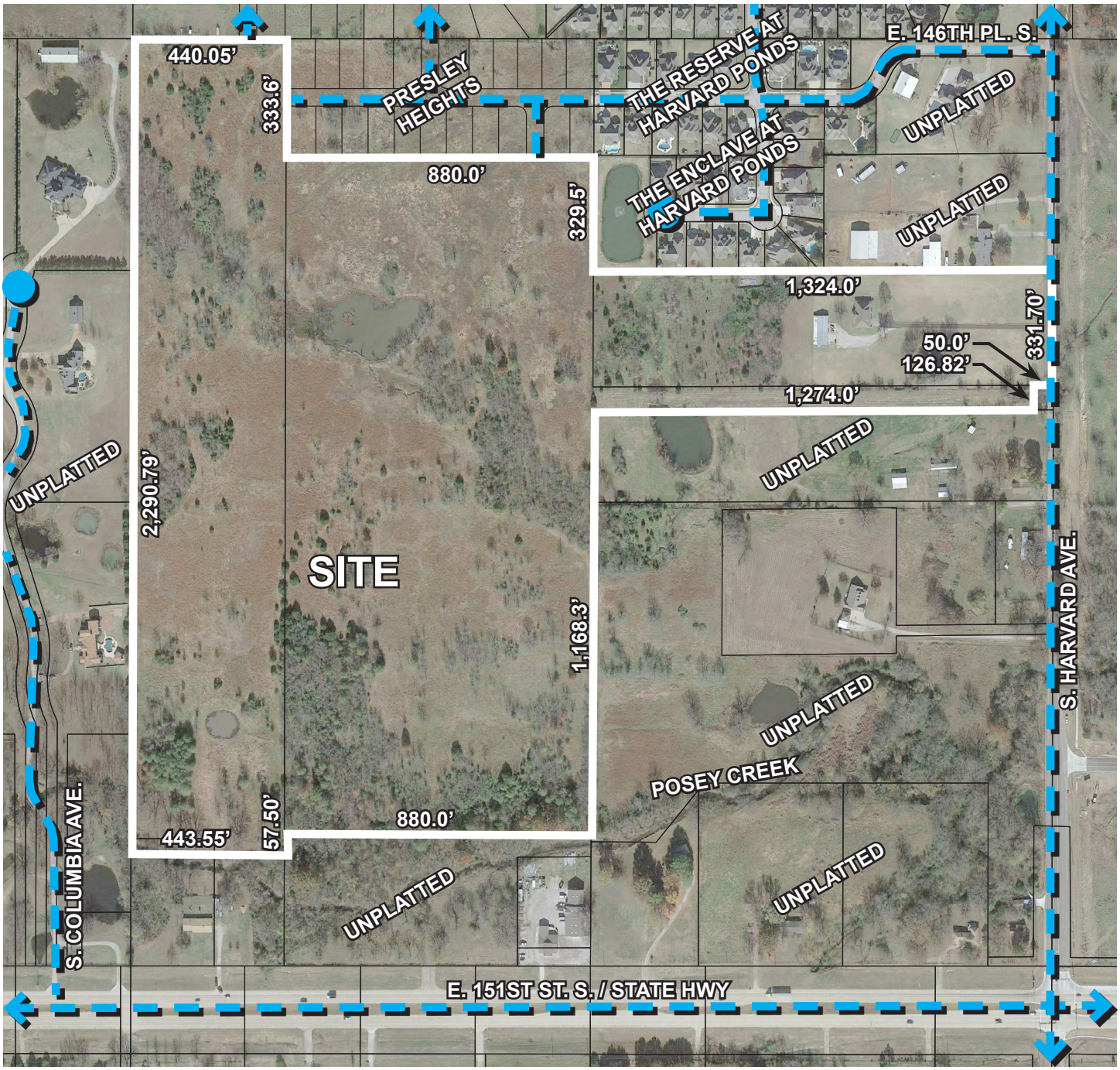
The PUD will allow the most efficient use of the land which is harmonious with the surrounding land uses, as represented on Exhibit A, "Aerial Photography & Boundary Depiction." Although subject to change, the initial design is reflected on Exhibit B "Conceptual Site Plan." The PUD shall be developed in accordance with the use and development regulations of the City of Bixby Zoning Code, except as otherwise specified herein.

Although Zoning Code Sections 11-7I-5.A.1.b and 11-7B-4.A.1 Table 2 would permit 364 lots with the existing and proposed straight RS-3 zoning, this PUD will restrict the development to 197 lots. In addition to lowering the density otherwise permitted, this PUD will impose higher development standards than if developed with straight residential zoning.

Posey Creek 151

EXHIBIT A

AERIAL PHOTOGRAPHY & BOUNDARY DEPICTION
WITH ADJACENT DEVELOPMENTS LABELED



*** REFER TO SURVEY FOR EXACT BOUNDARY**

TANNER CONSULTING LLC, CERTIFICATE OF AUTHORIZATION NO. CA 2661
5323 S LEWIS AVE, TULSA, OK 74105 | 918.745.9929

NOT TO SCALE

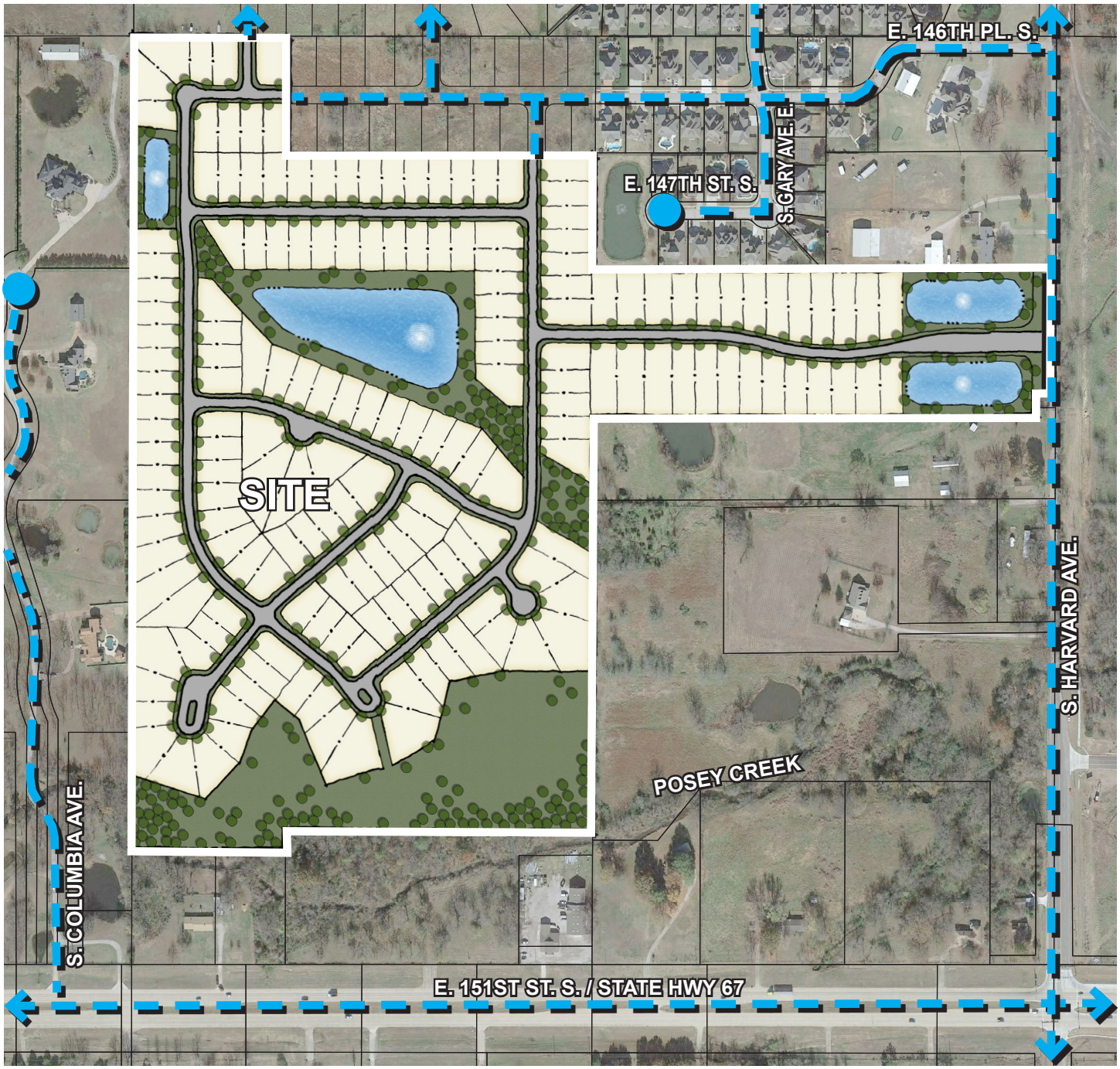
NORTH

Posey Creek 151

EXHIBIT B

CONCEPTUAL SITE PLAN

CONCEPTUAL LAYOUT DATED NOVEMBER 22, 2021



TANNER CONSULTING LLC, CERTIFICATE OF AUTHORIZATION NO. CA 2661
5323 S LEWIS AVE, TULSA, OK 74105 | 918.745.9929

NOT TO SCALE

NORTH

III. DEVELOPMENT STANDARDS

Gross Land Area:	3,220,342 SF	73.929 AC
Net Land Area:	3,216,842 SF	73.849 AC
Permitted Uses: Use Unit 6 detached single-family dwellings and customary accessory uses; Use Unit 5 common area facilities such as neighborhood park, playground, and recreational open space.		
Maximum Number of Lots:	197	
Minimum Lot Width †:	65 FT; Maximum 20% of Lots May be 60 FT	
Minimum Lot Size:	6,900 SF	
Minimum Land Area per Dwelling Unit:	8,400 SF *	
Maximum Building Height:	2 Stories and 35 FT **	
Off-street Parking and Yard Coverage:	Minimum two (2) enclosed off-street parking spaces required per dwelling unit. Off-street parking shall not exceed 75% of the required front yard width or area.	
Minimum Livability Space:	4,000 SF ***	
Minimum Yard Setbacks:		
Front Yard:	25 FT	
Rear Yard:	20 FT	
Side Yard (Interior):	5 FT	
Side Yard Abutting a Street:	10 FT Dwelling; 20 FT Garage	
Other Bulk and Area Requirements:	As required within the RS-3 District	
Minimum Dwelling Size:	1,700 SF	
First Floor Exterior Materials:	100% masonry ****	

* *Minimum land area per dwelling unit is satisfied by the proportion of maximum number of lots to gross land area as provided in Zoning Code Section 11-7I-5.A.1. Lots are therefore not subject to this requirement on an individual basis.*

** *Architectural features may extend a max. of five (5) feet above maximum permitted building height.*

*** *Livability space may be located on a lot or contained within common open space of the development, as per Section 11-7I-5.C of the Bixby Zoning Code.*

**** *Masonry shall include brick, natural or manufactured stone, and stucco. Minimum masonry percentages shall exclude windows, doors, and beneath covered patios and porches.*

† *Defined as the average horizontal distance between the side lot lines, which is as it is presently defined in the Bixby Zoning Code.*

IV. GENERAL PROVISIONS AND DEVELOPMENT STANDARDS

IV.A. SURROUNDING ZONING AND LAND USE: The site is presently zoned RS-3 and AG and is vacant/agricultural. The surrounding area is primarily zoned AG and RS-3 in unincorporated Tulsa County and within the Bixby City Limits. To the north and northeast, The Reserve at Harvard Ponds, The Enclave at Harvard Ponds, and Presley Heights phases 1 and 2 are all zoned RS-3. To the north and northwest, planned developments “Presley Heights West” and “141st And Lewis" are zoned RS-3 with supplemental zoning BXPUD-21.10 and BXPUD-21.04, respectively, and are presently vacant/agricultural. To the west, east, and south across 151st Street South, tracts are zoned AG and are primarily rural residential and vacant, with the exception of Decor Construction located to the south of Posey Creek.

IV.B. ACCESS AND CIRCULATION: As designed, the subdivision will have its principal point of access on South Harvard Avenue near the center of its frontage. Two (2) street connections are proposed to stub streets in Presley Heights Blocks 6-10 and an additional connection is proposed to the planned stub street in Presley Heights West. Right-of-way will be dedicated for the South Harvard Avenue Arterial Street frontage. All other streets within the subdivision will be local, minor residential streets.

Streets serving Posey Creek 151 are proposed to be public, but will have the option of private, gated streets, per this PUD. Whether public or private, streets shall be constructed to meet the minimum standards of the City of Bixby for minor public streets; provided, however, the City of Bixby may approve alternative street design standards through platting including, but not limited to, private, gated streets with reduced width rights-of-way. Any divided, boulevard streets separated by private landscaped islands may have one-way lanes meeting right-of-way width requirements in aggregate and shall otherwise be constructed to meet the minimum standards determined by the City of Bixby during the platting stage. Any gates serving private streets or drives shall be designed according to the Fire Code adopted by the City of Bixby and be approved by the Bixby Fire Marshal during the platting stage.

Within the boundary of the PUD, sidewalks, including both internal and along exterior street frontages, shall be constructed by the developer or individual lot owners in accordance with the Bixby Subdivision Regulations. Sidewalks shall be a minimum of four (4) feet in width, shall be ADA compliant, and shall be approved by the City Engineer. Sidewalks which are proposed outside of public right-of-way shall be placed in a public sidewalk easement.

IV.C. SIGNS: Residential subdivision entrance signage shall be permitted along the arterial street frontage and shall comply with standards for same as provided in the Bixby Zoning Code. Entry signage will be integrated with the landscaped entries and contained within Reserve Areas or easements to be maintained by the Homeowners’ Association. Signage serving residential neighborhood amenities, appropriate for purpose and neighborhood scale, shall be permitted within reserve areas containing neighborhood amenities. Signage shall otherwise comply with the Bixby Zoning Code.

IV.D. UTILITIES AND DRAINAGE: Posey Creek 151 is within the Creek County Rural Water District #2 service area and will connect to existing waterlines located along 151st Street South and within Presley Heights Blocks 6-10. Waterlines will further connect to waterlines being designed and constructed within the proposed “Presley Heights West.” Waterlines shall be looped to provide water service and fire protection. Fire hydrant locations shall be coordinated with and approved by the Bixby Fire Marshal during platting.

Sanitary sewer will be extended to serve the site. 8" gravity sanitary sewerlines are located within Presley Heights Blocks 6-10 and The Enclave at Harvard Ponds and will be extended as necessary. Conceptually, gravity sanitary sewerlines are proposed to extend to and along South Harvard Avenue. Sanitary sewer and waterline extensions to and throughout the project will be designed during the platting stage.

The southerly end of the site will drain to Posey Creek, which clips the southwestern corner of the site but is primarily located south of the southerly boundary of the site. The balance of the site will drain to a Posey Creek tributary which flows southeasterly through the site. Reserve Areas for onsite stormwater detention and drainage are shown on the Exhibit B Conceptual Site Plan. Final stormwater drainage and detention designs are subject to the approval of Bixby City Staff.

Existing and proposed utilities are shown on Exhibit C of this PUD.

IV.E. ENVIRONMENTAL ANALYSIS AND TOPOGRAPHY: The subject property is moderately sloped and contains the top of a small hill near the center of the west side of the site and the side of another hill at the north end. The entire site drains southeasterly to Posey Creek and its tributary.

As represented on Exhibit E "FEMA Floodplain Map," the southerly end of the site is within Zone AE, the 100-year (1% Annual Chance) Floodplain, including portions within the Floodway, and additional areas are within Shaded Zone X, the 500-year (0.2% Annual Chance) Floodplain. A Reserve Area is proposed to fully contain the Regulatory Floodplain.

The Soil Survey of Tulsa County, Oklahoma was used to help identify soils types and possible constraints to development. The site primarily contains Dennis Silt Loam, 1-3% and 3-5% slopes, with the balance of the site containing Dennis Pharoah Complex, 1-3% slopes and Okemah Silt Loam, 0-1% slopes. Development constraints associated with these soil types, and any other environmental constraint(s), will be addressed in the engineering design phase of the project. Prior to construction, a geotechnical report will be performed to recommend paving sections and subgrade design. Soil types and typography are shown on Exhibit D of this PUD.

IV.F. PLATTING AND SITE PLAN REQUIREMENTS: No building permit shall be issued until a subdivision plat has been submitted to and recommended upon by the Bixby Planning Commission and approved by the Council of the City of Bixby, and duly filed of record. The required subdivision plat shall include covenants of record implementing the development standards of the approved PUD and the City of Bixby shall be a beneficiary thereof. The plat will also serve as the site plan for all residential lots contained within the plat.

IV.G. CITY DEPARTMENT REQUIREMENTS: Standard requirements of the City of Bixby Fire Marshal, City Engineer, and City Attorney shall be met.

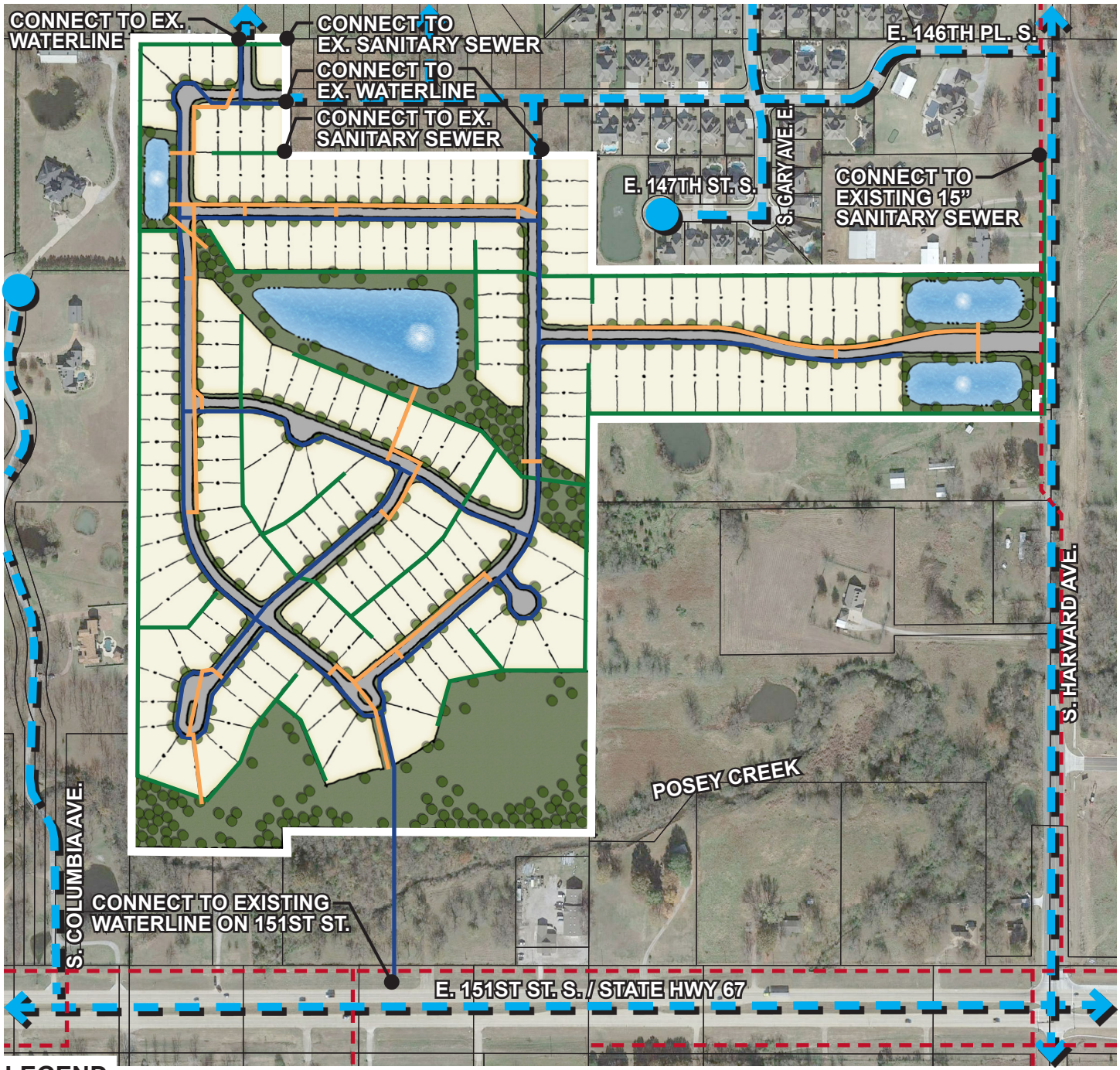
IV.H. SCHEDULE OF DEVELOPMENT: Development of the project is expected to commence and be phased and completed as market conditions permit.

Posey Creek 151

EXHIBIT C

EXISTING AND PROPOSED UTILITIES

CONCEPTUAL LAYOUT SHOWN AS OF NOVEMBER 22, 2021
EXISTING UTILITIES PER FIELD SURVEY DATA



LEGEND

- PROPOSED WATERLINE
- PROPOSED SANITARY SEWER SYSTEM
- PROPOSED STORM SEWER SYSTEM
- EXISTING OVERHEAD ELECTRIC

TANNER CONSULTING LLC, CERTIFICATE OF AUTHORIZATION NO. CA 2661
5323 S LEWIS AVE, TULSA, OK 74105 | 918.745.9929

NOT TO SCALE

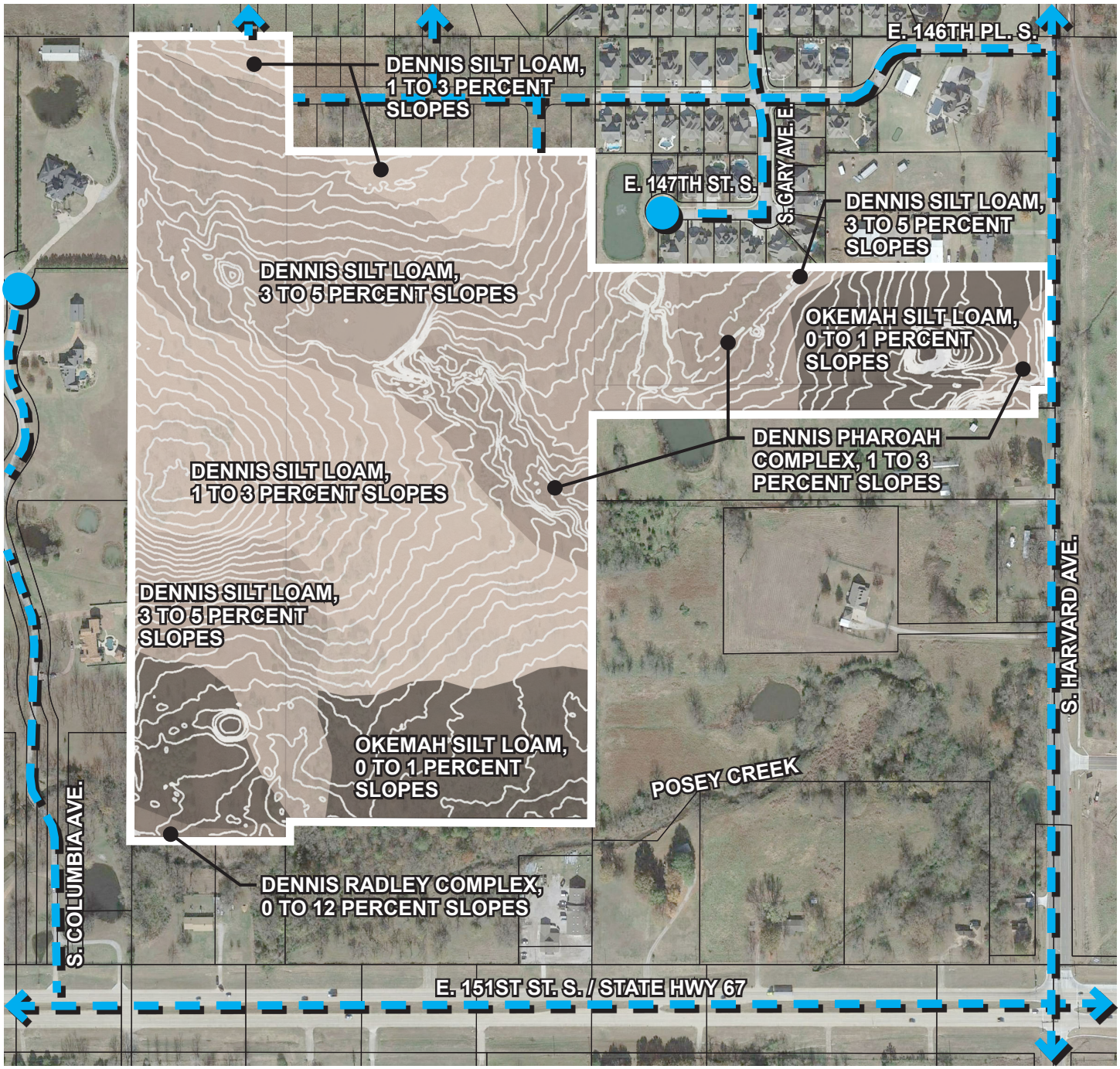
NORTH

Posey Creek 151

EXHIBIT D

EXISTING TOPOGRAPHY AND SOILS

SOIL DATA FROM USDA WEB SOIL SURVEY, ACCESSED NOVEMBER 22, 2021
TOPOGRAPHIC DATA FROM USGS AND IS APPROXIMATE ONLY



TANNER CONSULTING LLC, CERTIFICATE OF AUTHORIZATION NO. CA 2661
5323 S LEWIS AVE, TULSA, OK 74105 | 918.745.9929

NOT TO SCALE

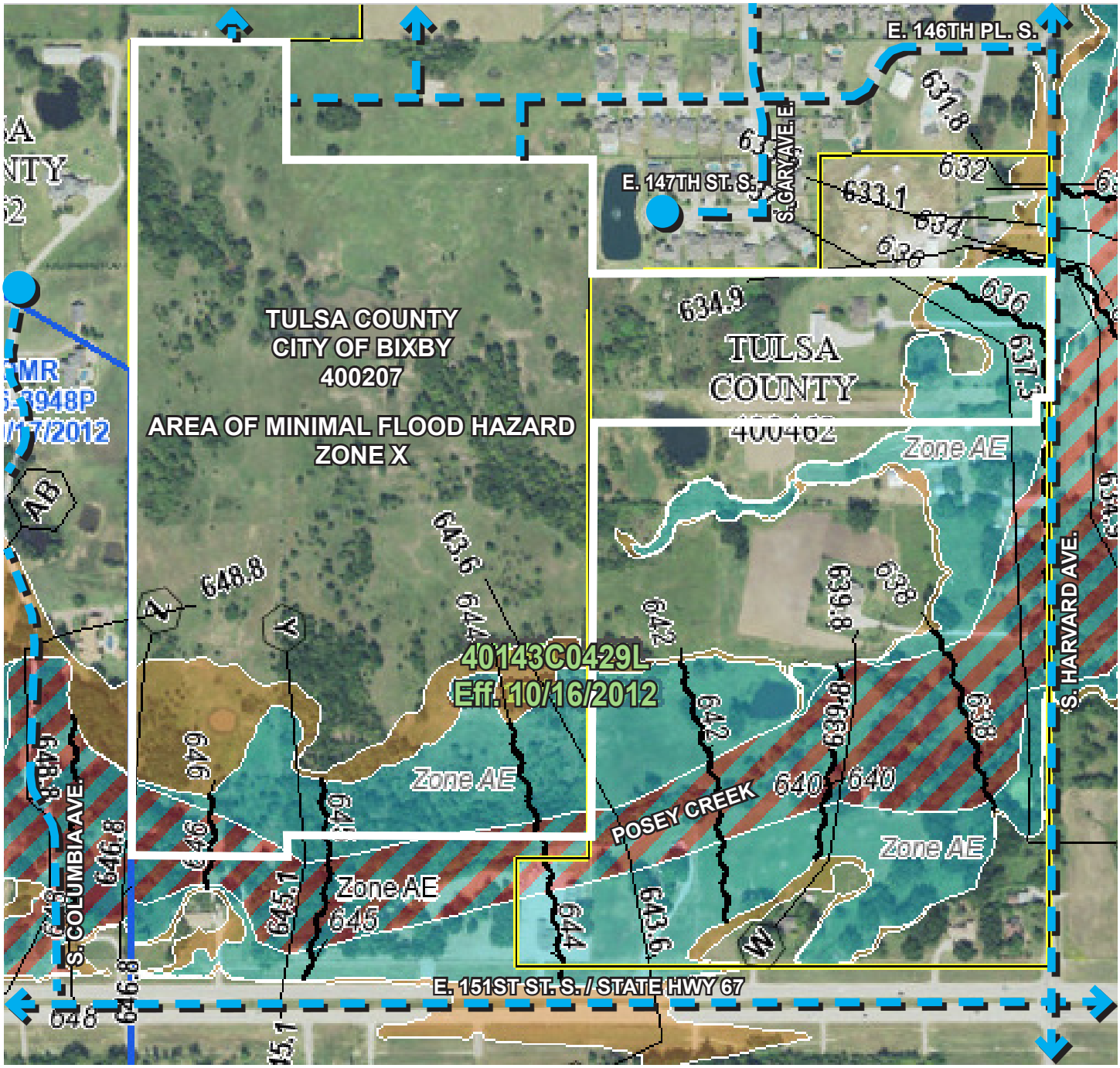
NORTH

Posey Creek 151

EXHIBIT E

FEMA FLOODPLAIN MAP

FLOODPLAIN DATA REFLECTS FEMA FIRM PANEL NO. 40143C0429L,
EFFECTIVE 10/16/2012



TANNER CONSULTING LLC, CERTIFICATE OF AUTHORIZATION NO. CA 2661
5323 S LEWIS AVE, TULSA, OK 74105 | 918.745.9929

NOT TO SCALE

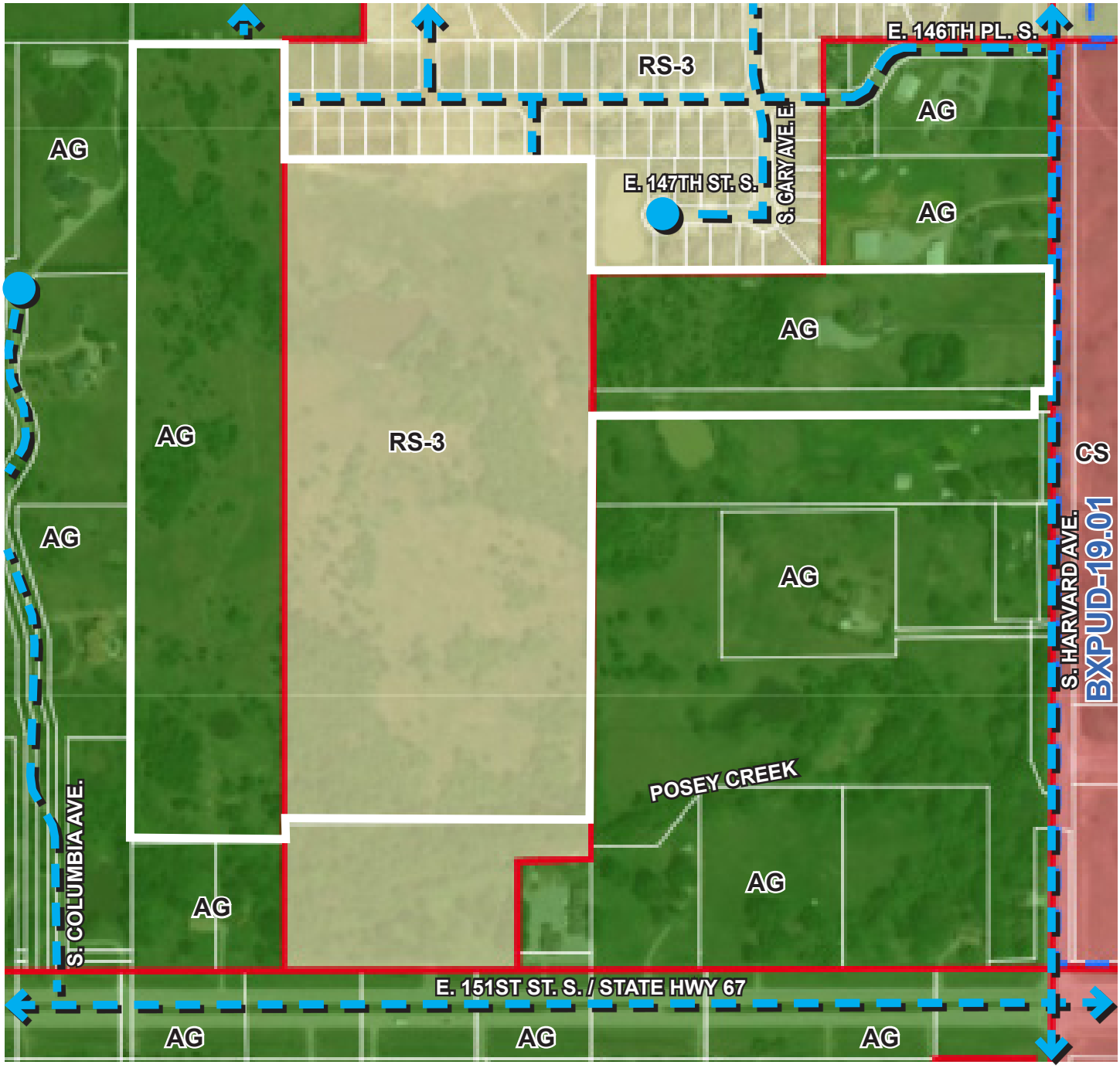
NORTH

Posey Creek 151

EXHIBIT F

EXISTING ZONING MAP

DATA OBTAINED FROM TULSA INCOG ZONING MAP, ACCESSED NOVEMBER 22, 2021



TANNER CONSULTING LLC, CERTIFICATE OF AUTHORIZATION NO. CA 2661
5323 S LEWIS AVE, TULSA, OK 74105 | 918.745.9929

NOT TO SCALE

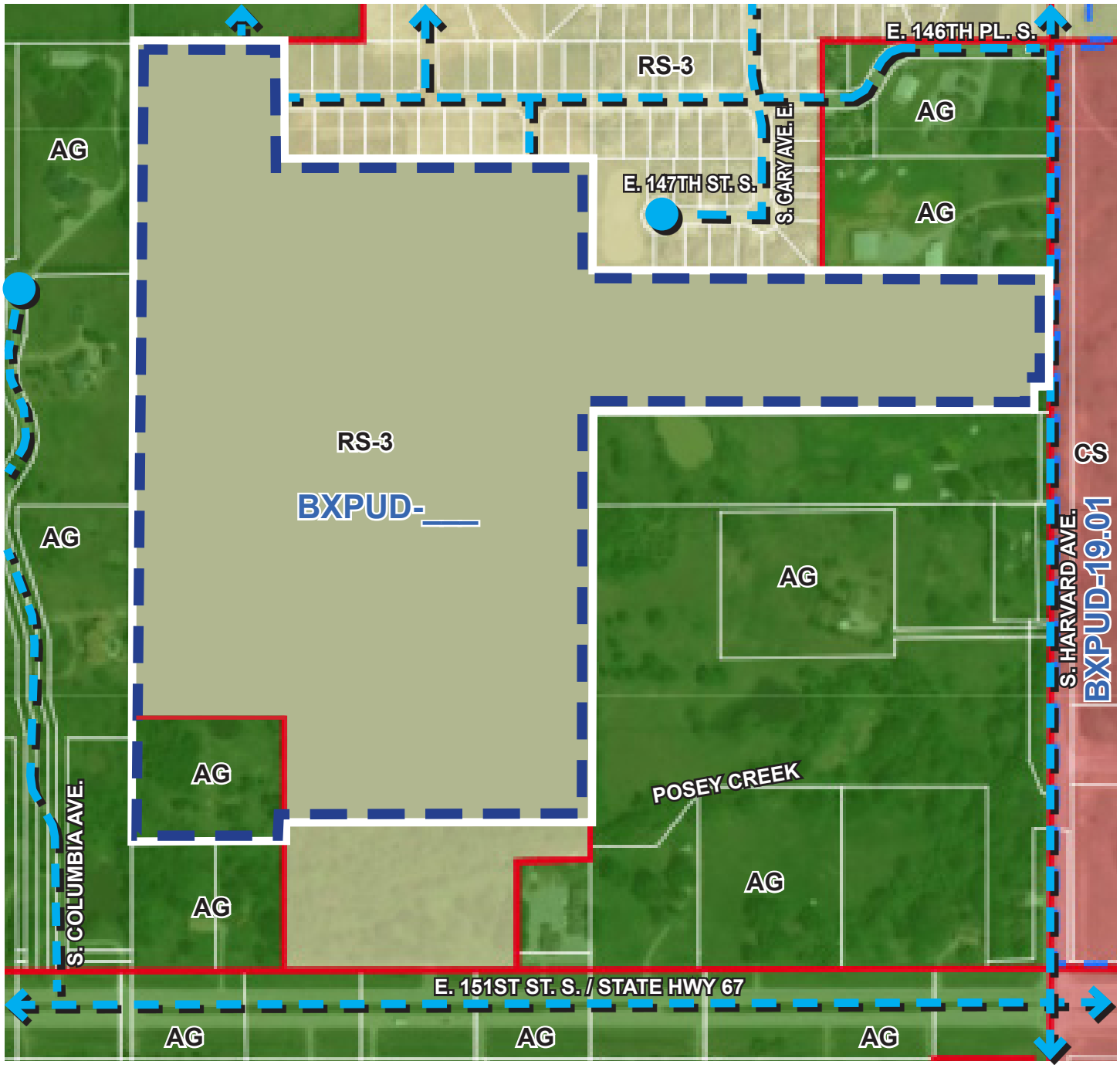
NORTH

Posey Creek 151

EXHIBIT G

PROPOSED ZONING MAP

DATA OBTAINED FROM TULSA INCOG ZONING MAP, ACCESSED NOVEMBER 22, 2021 & MODIFIED



TANNER CONSULTING LLC, CERTIFICATE OF AUTHORIZATION NO. CA 2661
5323 S LEWIS AVE, TULSA, OK 74105 | 918.745.9929

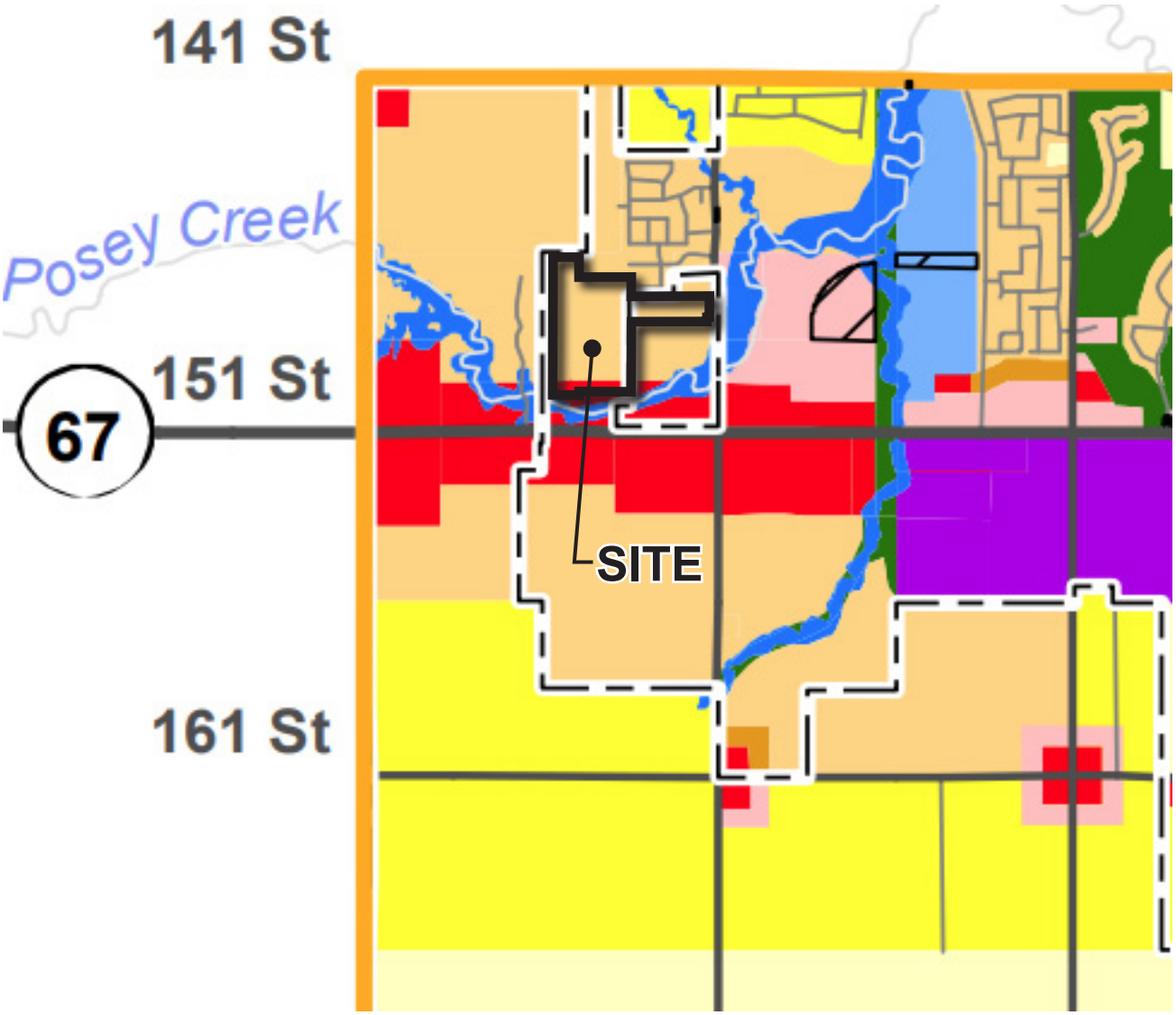
NOT TO SCALE

NORTH

Posey Creek 151

EXHIBIT H

2030 FUTURE LAND USE PLAN (FIGURE 2-1)
CITY OF BIXBY 2018 COMPREHENSIVE PLAN



Legend

Future Land Use	Density (du/ac.)
Rural Agriculture (Unincorporated)	0 - 0.5
Agricultural	0 - 1
Rural Residential	0 - 1.5
Low Density Residential	1.5 - 4
Medium Density Residential	4 - 6
Medium-High Density Residential	6 - 10
High Density Residential	10 +
Mixed Use	10 +
Residential Manufactured Home Park	8

Future Land Use
Neighborhood Commercial
Commercial
Industrial
Public/Institutional
Recreation and Open Space
Flood District
Water

City Owned Parcels
Bixby Fenceline
Bixby City Limit
County
Highway
Major Street
Local Street
Railroad

Water Body
Stream / River

TANNER CONSULTING LLC, CERTIFICATE OF AUTHORIZATION NO. CA 2661
5323 S LEWIS AVE, TULSA, OK 74105 | 918.745.9929

NOT TO SCALE

NORTH

Preliminary Plat

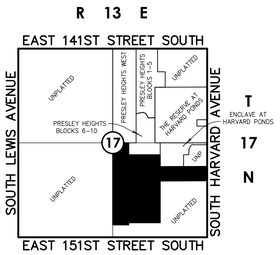
Posey Creek 151

PART OF THE SOUTHEAST QUARTER (SE/4) OF SECTION SEVENTEEN (17)
TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA

SUBDIVISION CONTAINS:

ONE-HUNDRED SEVENTY-SIX (176) LOTS
IN TEN (10) BLOCKS
WITH FOUR (4) RESERVES

GROSS SUBDIVISION AREA: 73.849 ACRES



Location Map
Scale: 1"= 2000'
NORTH

OWNER:
Posey Creek 151, LLC
AN OKLAHOMA LIMITED LIABILITY COMPANY
ANGIE MARSHALL, MANAGER
10024 South Hudson Avenue
Tulsa, Oklahoma 74137
Phone: (918)698-6767

SURVEYOR/ENGINEER:
Tanner Consulting, L.L.C.
DAN E. TANNER, P.L.S. NO. 1435
OK CA NO. 2661, EXPIRES 6/30/2023
EMAIL: DAN@TANNERBAITSHOP.COM
5323 South Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918) 745-9929

NORTH
0 50 100 150
Scale: 1"= 100'
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
S&DE	STORM AND DRAINAGE EASEMENT
U/E	UTILITY EASEMENT
1234	ADDRESS ASSIGNED
○	FOUND MONUMENT
○	SET MONUMENT (SEE NOTE 2)



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 RLS 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 LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:
   (a) BRASS CAP STEM AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SW/4) OF SECTION 17;
   (b) FOUND BRASS CAP STEM AT THE SOUTHEAST CORNER OF SECTION 17;
   THE BEARING BETWEEN SAID MONUMENTS BEING SOUTH 1°10' 36" EAST.
4. ADDRESSES SHOWN ON THIS PLAT WERE PROVIDED BY THE CITY OF BIXBY AND ARE 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 SOUTH HARVARD AVENUE BY VIRTUE OF RIGHT-OF-WAY DEDICATED BY THIS PLAT.
6. ALL DWELLINGS SHALL REQUIRE BACKFLOW PREVENTION EXCEPT AS OTHERWISE PERMITTED BY THE CITY OF BIXBY

Curve Table

CURVE	LENGTH(L)	RADIUS(R)	DELTA(Δ)	CHORDBRG(CB)	CHORDDIS(CD)
1	54.98'	35.00'	90°00'00"	N46°10'36"W	49.50'
2	54.98'	35.00'	90°00'00"	N43°49'24"E	49.50'
3	192.91'	775.00'	14°15'42"	N81°41'32"E	192.41'
4	113.97'	775.00'	8°25'33"	N84°36'37"E	113.87'
5	382.95'	750.00'	29°15'18"	N89°11'20"E	378.80'
6	326.99'	800.00'	23°25'09"	N87°53'35"W	324.72'
7	198.13'	750.00'	15°08'10"	N83°45'06"W	197.55'
8	211.34'	800.00'	15°08'10"	N83°45'06"W	210.72'
9	39.22'	25.00'	89°52'39"	N43°44'30"E	35.32'
10	39.32'	25.00'	90°07'21"	N46°15'30"W	35.39'
11	39.40'	25.00'	90°18'12"	N46°10'16"W	35.45'
12	39.22'	25.00'	89°52'28"	N43°44'25"E	35.32'
13	41.06'	25.00'	94°06'29"	N41°37'24"E	36.60'
14	39.32'	25.00'	90°07'32"	N46°15'35"W	35.39'
15	39.22'	25.00'	89°52'32"	N43°44'27"E	35.32'
16	16.09'	25.00'	36°52'12"	N19°37'55"W	15.81'
17	142.75'	50.00'	163°34'36"	N43°43'17"E	98.97'
18	16.07'	25.00'	36°49'52"	N72°54'21"W	15.80'
19	39.27'	25.00'	90°00'04"	N43°40'41"E	35.36'
20	39.27'	25.00'	89°59'56"	N46°19'19"W	35.35'
21	92.53'	750.00'	7°04'08"	N4°43'53"W	92.47'
22	86.36'	700.00'	7°04'08"	N4°43'53"W	86.31'
23	39.27'	25.00'	90°00'00"	N46°11'49"W	35.36'
24	39.27'	25.00'	90°00'00"	N43°48'11"E	35.36'
25	110.99'	300.00'	21°11'49"	N80°35'55"W	110.36'
26	92.49'	250.00'	21°11'49"	N80°35'55"W	91.96'
27	30.77'	25.00'	70°31'44"	N34°44'08"W	28.87'
28	123.10'	50.00'	141°03'27"	N70°00'00"W	94.28'
29	30.77'	25.00'	70°31'44"	N74°44'08"E	28.87'
30	41.03'	25.00'	94°02'18"	N21°11'22"W	36.58'
31	41.03'	25.00'	94°02'18"	N72°50'56"E	36.58'
32	232.91'	785.00'	17°00'00"	N61°30'00"W	232.06'

DATE OF PREPARATION: January 10, 2022

Preliminary Plat

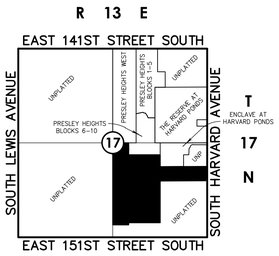
Posey Creek 151

PART OF THE SOUTHEAST QUARTER (SE/4) OF SECTION SEVENTEEN (17)
TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA

SUBDIVISION CONTAINS:

ONE-HUNDRED SEVENTY-SIX (176) LOTS
IN TEN (10) BLOCKS
WITH FOUR (4) RESERVES

GROSS SUBDIVISION AREA: 73.849 ACRES



Location Map
Scale: 1"= 2000'
NORTH

OWNER:
Posey Creek 151, LLC
AN OKLAHOMA LIMITED LIABILITY COMPANY
ANGIE MARSHALL, MANAGER
10024 South Hudson Avenue
Tulsa, Oklahoma 74137
Phone: (918)698-6767

SURVEYOR/ENGINEER:
Tanner Consulting, L.L.C.
DAN E. TANNER, P.L.S. NO. 1435
OK CA NO. 2661, EXPIRES 6/30/2023
EMAIL: DAN@TANNERBAITSHOP.COM
5323 South Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918) 745-9929

NORTH
0 50 100 150
Scale: 1"= 100'
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
S&DE	STORM AND DRAINAGE EASEMENT
U/E	UTILITY EASEMENT
1234	ADDRESS ASSIGNED
○	FOUND MONUMENT
●	SET MONUMENT (SEE NOTE 2)



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 RLS 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 LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:
   (a) BRASS CAP STEM AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SW/4) OF SECTION 17;
   (b) FOUND BRASS CAP STEM AT THE SOUTHEAST CORNER OF SECTION 17;
   THE BEARING BETWEEN SAID MONUMENTS BEING SOUTH 1°10' 36" EAST.
4. ADDRESSES SHOWN ON THIS PLAT WERE PROVIDED BY THE CITY OF BIXBY AND ARE 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 SOUTH HARVARD AVENUE BY VIRTUE OF RIGHT-OF-WAY DEDICATED BY THIS PLAT.
6. ALL DWELLINGS SHALL REQUIRE BACKFLOW PREVENTION EXCEPT AS OTHERWISE PERMITTED BY THE CITY OF BIXBY

Curve Table

CURVE	LENGTH(L)	RADIUS(R)	DELTA(Δ)	CHORDBRG(CB)	CHORDDIS(CD)
33	115.74'	350.00'	18°56'50"	N62°28'25"W	115.22'
34	99.21'	300.00'	18°56'50"	N62°28'25"W	98.76'
35	44.87'	25.00'	102°50'23"	N20°31'39"W	39.09'
36	44.87'	25.00'	102°50'23"	N56°37'59"E	39.09'
37	216.49'	300.00'	41°20'50"	N19°28'36"E	211.83'
38	79.01'	250.00'	18°06'28"	N39°56'46"E	78.68'
39	35.41'	25.00'	81°09'00"	N0°25'30"W	32.52'
40	21.03'	25.00'	48°11'23"	N65°05'41"W	20.41'
41	241.19'	50.00'	276°22'46"	N49°00'00"E	66.67'
42	21.03'	25.00'	48°11'23"	N16°54'19"W	20.41'
43	39.27'	25.00'	90°00'00"	N86°00'00"W	35.36'
44	38.24'	25.00'	87°38'55"	N5°10'32"E	34.62'
45	155.03'	50.00'	177°38'55"	N50°10'32"E	99.98'
46	67.46'	300.00'	12°53'05"	N47°26'32"W	67.32'
47	72.25'	350.00'	11°49'37"	N47°58'16"W	72.12'
48	43.92'	25.00'	100°39'33"	N3°33'18"W	38.49'
49	38.53'	25.00'	88°17'59"	N81°57'56"E	34.83'
50	39.31'	550.00'	4°05'43"	N46°57'08"E	39.30'
51	35.43'	25.00'	81°12'39"	N85°30'36"E	32.54'
52	275.87'	300.00'	52°41'15"	N27°32'27"W	266.25'
53	321.85'	350.00'	52°41'15"	N27°32'27"W	310.63'
54	40.01'	25.00'	91°42'01"	N8°02'04"W	35.88'
55	30.77'	25.00'	70°31'44"	N73°04'48"E	28.87'
56	87.99'	50.00'	100°50'04"	N57°55'38"E	77.07'
57	157.08'	50.00'	180°00'01"	N82°29'23"W	100.00'
58	26.45'	50.00'	30°18'20"	N22°39'46"E	26.14'
59	121.32'	300.00'	23°10'13"	N37°24'53"E	120.49'
60	101.10'	250.00'	23°10'13"	N37°24'53"E	100.41'

DATE OF PREPARATION: January 10, 2022

Preliminary Plat

Posey Creek 151

PART OF THE SOUTHEAST QUARTER (SE/4) OF SECTION SEVENTEEN (17)
TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA

DEED OF DEDICATION & RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

POSEY CREEK 151, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HEREINAFTER REFERRED TO AS THE "OWNER/DEVELOPER", IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA:

(KING TRACT)

PER TRUSTEE'S DEED DATED AUGUST 30TH, 2002, AND FILED OF RECORD SEPTEMBER 11, 2002 IN BOOK 6822 ON PAGE 69 IN THE RECORDS OF THE COUNTY CLERK OF TULSA COUNTY, OKLAHOMA:

THE NORTH HALF OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (N/2 S/2 NE/4 SE/4) OF SECTION SEVENTEEN (17), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST, OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF.

AND ALSO:

(WEST TRACT)

PER GENERAL WARRANTY DEED DATED THE 3RD DAY OF AUGUST, 2021, AND FILED OF RECORD AUGUST 04, 2021, AS DOCUMENT NO. 2021090131 IN THE RECORDS OF THE COUNTY CLERK OF TULSA COUNTY, OKLAHOMA:

A TRACT OF LAND LOCATED WITHIN THE WEST HALF OF THE SOUTHWEST QUARTER (W/2 SE/4) OF SECTION SEVENTEEN (17), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, TULSA COUNTY, STATE OF OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SE/4; THENCE SOUTH 88°41'08" WEST AND ALONG THE SOUTH LINE OF SAID SE/4 FOR A DISTANCE OF 2203.75 FEET; THENCE NORTH 1°11'04" WEST FOR A DISTANCE OF 363.00 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 88°41'08" WEST FOR A DISTANCE OF 443.55 FEET TO A POINT ON THE WEST LINE OF SAID SE/4; THENCE NORTH 1°11'49" WEST AND ALONG SAID WEST LINE FOR A DISTANCE OF 2290.80 FEET TO A POINT AT THE NORTHWEST CORNER OF SAID SE/4; THENCE NORTH 88°40'38" EAST AND ALONG THE NORTH LINE OF SAID SE/4 FOR A DISTANCE OF 444.05 FEET; THENCE SOUTH 1°11'04" EAST FOR A DISTANCE OF 2290.86 FEET TO THE POINT OF BEGINNING.

AND ALSO:

(EAST TRACT)

PER GENERAL WARRANTY DEED DATED THE 26TH DAY OF JULY, 2021, AND FILED OF RECORD JULY 30, 2021, AS DOCUMENT NO. 2021088608 IN THE RECORDS OF THE COUNTY CLERK OF TULSA COUNTY, OKLAHOMA:

THE EAST 880 FEET OF THE WEST HALF OF THE SOUTHEAST QUARTER (W/2 SE/4) OF SECTION SEVENTEEN (17), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF,

LESS AND EXCEPT THE SOUTH 420.50 FEET THEREOF AND **LESS AND EXCEPT** A TRACT OF LAND THAT IS PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW/4 SE/4) OF SECTION SEVENTEEN (17), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: **BEGINNING** AT THE NORTHEAST CORNER OF SAID NW/4 SE/4, SAID CORNER ALSO BEING NORTHWEST CORNER OF LOT ONE (1), BLOCK THREE (3), THE ENCLAVE AT HARVARD PONDS, AN ADDITION TO THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 5995); THENCE SOUTH 1°11'04" EAST AND ALONG THE EAST LINE OF NW/4 SE/4, SAID LINE ALSO BEING THE WEST LINE OF SAID ADDITION, FOR A DISTANCE OF 333.58 FEET TO THE SOUTHWEST CORNER OF LOT ONE (1), BLOCK FOUR (4), OF SAID ADDITION; THENCE SOUTH 88°40'39" WEST AND PARALLEL WITH THE NORTH LINE OF THE NW/4 SE/4 FOR A DISTANCE OF 880.00 FEET TO A POINT; THENCE NORTH 1°11'04" WEST FOR A DISTANCE OF 333.58 FEET TO A POINT ON SAID NORTH LINE; THENCE NORTH 88°40'39" EAST AND ALONG THE NORTH LINE FOR A DISTANCE OF 880.00 FEET TO THE **POINT OF BEGINNING**.

AND

THE NORTH 70 FEET OF THE SOUTH HALF OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (S/2 S/2 NE/4 SE/4) OF SECTION SEVENTEEN (17), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

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) 3/8" IRON PIN FOUND WITH RED CAP AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 17;

(2) BRASS CAP FOUND AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 17;

THE BEARING BETWEEN SAID MONUMENTS BEING SOUTH 88°41'08" EAST.

POSEY CREEK 151, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HAS CAUSED THE ABOVE DESCRIBED LAND TO BE SURVEYED, STAKED, PLATTED, GRANTED, DONATED, CONVEYED, DEDICATED, AND SUBDIVIDED INTO BLOCKS, LOTS, RESERVE AREAS AND STREETS AND HAS DESIGNATED THE SAME AS "POSEY CREEK 151", A SUBDIVISION WITHIN THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA (THE "SUBDIVISION").

SECTION I. - PUBLIC STREETS, EASEMENTS, AND UTILITIES

A. PUBLIC STREETS AND GENERAL UTILITY EASEMENTS

THE OWNER/DEVELOPER HEREBY GRANTS, DONATES, CONVEYS, AND DEDICATES TO THE PUBLIC FOR PUBLIC USE THE STREETS AS DEPICTED ON THE ACCOMPANYING PLAT AND FURTHER DEDICATES 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/OR 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 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, OVER, AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES AFORESAID, TOGETHER WITH SIMILAR EASEMENT RIGHTS WITHIN THE PUBLIC STREETS; PROVIDED HOWEVER, OWNER/DEVELOPER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY, AND REPLACE WATERLINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING, AND REPLACING 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. OWNER/DEVELOPER HEREBY IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA, AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE THAT, WITHIN THE STREETS AND 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 A STREET OR EASEMENT SHALL BE PLACED, ERECTED, INSTALLED, OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT PROPERLY-PERMITTED DRIVES, PARKING AREAS, CURBING, LANDSCAPING AND CUSTOMARY SCREENING FENCES AND WALLS.

B. UNDERGROUND SERVICE

1. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY UNDERGROUND CABLE. ALL SUPPLY LINES, INCLUDING ELECTRIC, COMMUNICATION, AND GAS LINES, SHALL BE LOCATED UNDERGROUND IN THE EASEMENT WAYS DEDICATED FOR GENERAL UTILITY SERVICES AND IN THE RIGHTS-OF-WAY OF THE PUBLIC STREETS, AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE UTILITY EASEMENTS.

2. UNDERGROUND SERVICE CABLES TO ALL STRUCTURES LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST SERVICE PEDESTAL OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE, PROVIDED THAT, UPON THE INSTALLATION OF A SERVICE CABLE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE, AND EXCLUSIVE RIGHT-OF-WAY 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 OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.

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

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

5. THE COVENANTS SET FORTH IN THIS SUBSECTION B. SHALL BE ENFORCEABLE BY THE SUPPLIERS OF WATER, SEWER, ELECTRIC, COMMUNICATION, AND GAS SERVICES, AND THE OWNERS OF EACH LOT WITHIN THE SUBDIVISION AGREE TO BE BOUND HEREBY.

C. WATER, SANITARY SEWER, AND STORM SEWER SERVICE

1. THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, PUBLIC SANITARY SEWER MAINS, AND STORM SEWER FACILITIES LOCATED ON THEIR LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER FACILITY. WITHIN THE UTILITY EASEMENT AREAS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER FACILITY, OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH SAID MAINS OR FACILITIES, SHALL BE PROHIBITED, AND IF SO ALTERED BY THE LOT OWNER, 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, AT ITS ELECTION, THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS OR DESIGNATED CONTRACTORS, MAY MAKE SUCH ADJUSTMENT AT SUCH OWNER'S EXPENSE.

2. CREEK COUNTY RURAL WATER DISTRICT NO. 2, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER MAINS, BUT THE OWNER OF EACH LOT SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OWNER OR SUCH OWNER'S AGENTS OR CONTRACTORS.

3. THE CITY OF BIXBY, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC SANITARY SEWER MAINS AND STORM SEWER FACILITIES, BUT THE OWNER OF EACH LOT SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OWNER OR SUCH OWNER'S AGENTS OR CONTRACTORS.

4. CREEK COUNTY RURAL WATER DISTRICT NO. 2 AND THE CITY OF BIXBY, OR THEIR RESPECTIVE SUCCESSORS, THROUGH THEIR RESPECTIVE PROPER AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS WITH THEIR EQUIPMENT TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF UNDERGROUND WATER, SANITARY SEWER, OR STORM SEWER FACILITIES.

5. ALL WATER LINES SHALL BE MAINTAINED IN GOOD REPAIR BY THE UTILITY CONTRACTOR FOR THE TERM OF AND IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE MAINTENANCE BOND OF WHICH CREEK COUNTY RURAL WATER DISTRICT NO. 2 IS THE BENEFICIARY. IF ANY REPAIR ISSUES ARISE, THE OWNER/DEVELOPER SHALL ASSIST CREEK COUNTY RURAL WATER DISTRICT NO. 2 IN COORDINATION AND FACILITATION WITH THE APPROPRIATE CONTRACTOR.

6. ALL SANITARY SEWER LINES AND STORM SEWER FACILITIES SHALL BE MAINTAINED IN GOOD REPAIR BY THE UTILITY CONTRACTOR FOR THE TERM OF AND IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE MAINTENANCE BOND OF WHICH THE CITY OF BIXBY IS THE BENEFICIARY. IF ANY REPAIR ISSUES ARISE, THE OWNER/DEVELOPER SHALL ASSIST THE CITY OF BIXBY IN COORDINATION AND FACILITATION WITH THE APPROPRIATE CONTRACTOR.

7. THE FOREGOING COVENANTS CONCERNING WATER, SANITARY SEWER, AND STORM SEWER FACILITIES SHALL BE ENFORCEABLE BY CREEK COUNTY RURAL WATER DISTRICT NO. 2 AND THE CITY OF BIXBY, OR THEIR RESPECTIVE SUCCESSORS, AND THE OWNER OF EACH LOT AGREES TO BE BOUND HEREBY.

D. SURFACE DRAINAGE

1. EACH LOT WITHIN THE SUBDIVISION SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM PUBLIC STREETS AND EASEMENTS. NO LOT OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM OR SURFACE WATERS OVER AND ACROSS SUCH OWNER'S LOT. THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION D. SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER, THE HOMEOWNERS' ASSOCIATION DEFINED HEREINAFTER IN SECTION IV. (THE "ASSOCIATION"), AND BY THE CITY OF BIXBY, OKLAHOMA.

E. PAVING AND LANDSCAPING WITHIN EASEMENTS

1. THE OWNER OF THE LOT AFFECTED SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO PROPERLY-PERMITTED LANDSCAPING AND PAVING OCCASIONED BY INSTALLATION OR NECESSARY MAINTENANCE OF UNDERGROUND 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 BIXBY, OKLAHOMA, OR THE SUPPLIER OF THE UTILITY SERVICE, SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

F. STORM AND DRAINAGE EASEMENTS

1. THE OWNER/DEVELOPER HEREBY ESTABLISHES AND DEDICATES TO THE PUBLIC PERPETUAL AND NON-EXCLUSIVE STORM AND DRAINAGE EASEMENTS ON, OVER AND ACROSS RESERVES A, B, C, D, E, AND F, AS DEPICTED ON THE ACCOMPANYING PLAT, FOR THE PURPOSES OF PERMITTING THE FLOW, CONVEYANCE, DETENTION, AND DISCHARGE OF STORMWATER RUNOFF FROM THE VARIOUS LOTS WITHIN THE SUBDIVISION, AND FROM PROPERTIES OUTSIDE OF THE SUBDIVISION.

2. THE STORMWATER DETENTION AND DRAINAGE FACILITIES CONSTRUCTED IN STORM AND DRAINAGE EASEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH ADOPTED STANDARDS OF THE CITY OF BIXBY, AND PLANS AND SPECIFICATIONS APPROVED BY THE CITY OF BIXBY ENGINEERING DEPARTMENT.

3. NO FENCE, WALL, BUILDING, OR OTHER OBSTRUCTION SHALL BE PLACED OR MAINTAINED IN STORM AND DRAINAGE EASEMENTS NOR SHALL THERE BE ANY ALTERATION OF THE GRADES OR CONTOURS IN SAID EASEMENTS UNLESS APPROVED BY THE CITY OF BIXBY ENGINEERING DEPARTMENT.

4. THE STORMWATER DRAINAGE, DETENTION, AND RETENTION FACILITIES SHALL BE MAINTAINED BY THE OWNER OF THE LOT OR RESERVE AREA SUBJECT TO THE STORMWATER DRAINAGE AND DETENTION EASEMENT, WHICH SHALL BE THE OWNER/DEVELOPER UNTIL SUCH TIME AS THE LOTS OR RESERVE AREAS CONTAINING THE EASEMENTS ARE CONVEYED TO THE HOMEOWNERS' ASSOCIATION, WHICH ASSOCIATION SHALL THEREUPON ASSUME MAINTENANCE RESPONSIBILITIES. MAINTENANCE OF THE EASEMENT AREAS SHALL BE PERFORMED TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED STORMWATER DRAINAGE, DETENTION, AND RETENTION FUNCTIONS, INCLUDING REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION, AND THE OWNER OF THE LOT OR RESERVE AREA CONTAINING SUCH EASEMENT SHALL PROVIDE CUSTOMARY GROUNDS MAINTENANCE WITHIN THE EASEMENT AREA IN ACCORDANCE WITH THE FOLLOWING MINIMUM STANDARDS:

A. GRASS AREAS SHALL BE MOWED (IN SEASON) AT REGULAR INTERVALS OF FOUR (4) WEEKS, OR LESS.

B. CONCRETE APPURTENANCES SHALL BE MAINTAINED IN GOOD CONDITION AND REPLACED IF DAMAGED.

C. THE EASEMENT AREA SHALL BE KEPT FREE OF DEBRIS.

D. CLEANING OF SILTATION AND VEGETATION FROM CONCRETE CHANNELS SHALL BE PERFORMED TWICE YEARLY.

4. IN THE EVENT THE OWNER OF THE LOT OR RESERVE AREA SUBJECT TO THE STORM AND DRAINAGE EASEMENT INCLUDING, WITHOUT LIMITATION, RESERVES _____, SHOULD FAIL TO PROPERLY MAINTAIN THE DETENTION, RETENTION, OR OTHER DRAINAGE FACILITIES OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN, OR THE ALTERATION OF GRADE WITHIN THE EASEMENT AREA, THE CITY OF BIXBY, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR, MAY ENTER THE EASEMENT AREA AND PERFORM MAINTENANCE NECESSARY TO ACHIEVE THE INTENDED DRAINAGE, DETENTION, OR RETENTION FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR SILTATION OR CORRECT ANY ALTERATION OF GRADE, AND THE COSTS THEREOF SHALL BE PAID BY THE OWNER OF THE LOT OR RESERVE AREA SUBJECT TO THE EASEMENT, WHICH SHALL BE THE HOMEOWNERS' ASSOCIATION UPON CONVEYANCE OF THE EASEMENT AREA OR LOT OR RESERVE AREA CONTAINING SAME TO THE ASSOCIATION. IN THE EVENT THE OWNER OF THE LOT OR RESERVE AREA SUBJECT TO THE EASEMENT FAILS TO PAY THE COSTS OF MAINTENANCE, AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, THE CITY OF BIXBY, OKLAHOMA, MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS IN THE RECORDS OF THE TULSA COUNTY CLERK, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST THE OWNER OF THE LOT OR RESERVE AREA SUBJECT TO THE EASEMENT; OR THE CITY OF BIXBY PUBLIC WORKS AUTHORITY MAY ADD SUCH BILLING PRORATED UPON THE RESIDENTIAL LOT OWNER'S WATER BILL, WHICH METHOD OF COLLECTION SHALL BE DETERMINED BY THE CITY OF BIXBY. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF BIXBY, OKLAHOMA.

SECTION II. - RESERVE AREAS

A. PURPOSE

FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF LOTS WITHIN THE SUBDIVISION, RESERVE AREAS A, B, C, D, E, AND F ARE HEREBY ESTABLISHED FOR VARIOUS PURPOSES INCLUDING STORMWATER DRAINAGE AND DETENTION, ENTRY FEATURES, SIGNAGE, LANDSCAPING, IRRIGATION, LIGHTING, UTILITIES, OPEN SPACE, PRIVATE PARK, AND OTHER PRIVATE RECREATIONAL USES AND FACILITIES AS MAY BE PERMITTED BY THE CITY OF BIXBY, OKLAHOMA, AND ARE RESERVED FOR SUBSEQUENT CONVEYANCE TO THE ASSOCIATION (AS DEFINED BELOW), FORMED PURSUANT TO SECTION V HEREOF. IN ADDITION TO THE OWNERS OF THE LOTS IN THE SUBDIVISION, SUCH RESERVE AREAS, THE PRIVATE FACILITIES AND IMPROVEMENTS, ARE INTENDED TO BE AND ARE HEREBY DECLARED TO BE AND ARE RESERVED FOR USE BY THE OWNERS OF THE LOTS WITHIN ADDITIONAL SUBDIVISION(S) THAT DEVELOPER, ITS SUCCESSORS AND ASSIGNS MAY DEVELOP FROM TIME TO TIME. ALL THE OWNERS OF THE LOTS WITHIN SUCH ADDITIONAL SUBDIVISION(S) SHALL BE MEMBERS OF THE ASSOCIATION AND SHALL CONTRIBUTE ON THE SAME PER LOT BASIS, AS THE OWNERS OF THE LOTS IN THE SUBDIVISION, TO THE MAINTENANCE, REPAIR, REPLACEMENT AND IMPROVEMENT OF SUCH COMMON AREAS, THE PRIVATE FACILITIES AND IMPROVEMENTS.

B. RESERVES A AND B

RESERVES A AND B, AS DESIGNATED ON THE ACCOMPANYING PLAT, ARE ESTABLISHED FOR THE PURPOSES OF PROVIDING STORMWATER DRAINAGE AND DETENTION, UTILITIES, OPEN SPACE, PRIVATE PARK, AND OTHER PRIVATE RECREATIONAL USES AND FACILITIES AS MAY BE PERMITTED BY THE CITY OF BIXBY, OKLAHOMA, AND ARE RESERVED FOR SUBSEQUENT CONVEYANCE TO THE ASSOCIATION (AS DEFINED BELOW), TO BE FORMED PURSUANT TO SECTION IV HEREOF, FOR THE PURPOSES OF THE ADMINISTRATION AND MAINTENANCE OF THE RESERVE AREAS, PRIVATE IMPROVEMENTS, AND OTHER COMMON AREAS OF THE SUBDIVISION.

C. RESERVES C AND D

RESERVES C AND D, AS DESIGNATED ON THE ACCOMPANYING PLAT, ARE ESTABLISHED FOR THE PURPOSES OF INCLUDING STORMWATER DRAINAGE AND DETENTION, ENTRY FEATURES, SIGNAGE, LANDSCAPING, IRRIGATION, LIGHTING, UTILITIES, OPEN SPACE, PRIVATE PARK, AND OTHER PRIVATE RECREATIONAL USES AND FACILITIES AS MAY BE PERMITTED BY THE CITY OF BIXBY, OKLAHOMA, AND ARE RESERVED FOR SUBSEQUENT CONVEYANCE TO THE ASSOCIATION (AS DEFINED BELOW), TO BE FORMED PURSUANT TO SECTION IV HEREOF, FOR THE PURPOSES OF THE ADMINISTRATION AND MAINTENANCE OF THE RESERVE AREAS, PRIVATE IMPROVEMENTS, AND OTHER COMMON AREAS OF THE SUBDIVISION.

D. MAINTENANCE

1. ALL COSTS AND EXPENSES ASSOCIATED WITH ALL RESERVE AREAS, INCLUDING MAINTENANCE OF PRIVATE IMPROVEMENTS AND RECREATIONAL FACILITIES LOCATED THEREIN, SHALL BE THE RESPONSIBILITY OF THE OWNERS THEREOF, WHICH SHALL BE THE ASSOCIATION (AS DEFINED BELOW) AS PROVIDED IN SECTION IV HEREIN, UPON CONVEYANCE OF SUCH RESERVE AREA BY THE OWNER/DEVELOPER TO THE ASSOCIATION.

2. ALL COMMON SPACE WITHIN ALL RESERVE AREAS, INCLUDING ENTRY FEATURES AND AREAS OF GRASS, AND THE GRASS-COVERED AREAS OF THE ADJACENT SOUTH HARVARD AVENUE RIGHT-OF-WAY, SHALL BE MAINTAINED AS TO SCHEDULE AND STANDARD OF CARE AS DETERMINED APPROPRIATE BY THE ASSOCIATION (AS DEFINED BELOW), AT A MINIMUM, THE GRASS-COVERED AREAS OF THE RESERVE AREAS AND ADJACENT RIGHT-OF-WAY SHALL BE MOWED EVERY 7 - 10 DAYS DURING THE GROWING SEASON.

3. IN THE EVENT ANY RESERVE AREA OWNER FAILS TO MAINTAIN SUCH RESERVE AREA, THE CITY OF BIXBY, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR, MAY ENTER SUCH RESERVE AREA AND PERFORM MAINTENANCE NECESSARY, AND THE COSTS THEREOF SHALL BE PAID BY THE OWNER THEREOF, WHICH SHALL BE THE ASSOCIATION (AS DEFINED BELOW), AS SET FORTH IN SECTION IV HEREIN, UPON CONVEYANCE OF SUCH RESERVE AREA TO THE ASSOCIATION. IN THE EVENT THE RESERVE AREA OWNER FAILS TO TIMELY PAY THE COSTS OF SAID MAINTENANCE, AFTER COMPLETION OF THE MAINTENANCE BY AND RECEIPT OF A STATEMENT OF COSTS FROM THE CITY OF BIXBY, OKLAHOMA, THE CITY MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST EACH OF THE LOTS WITHIN THE GEOGRAPHIC JURISDICTION OF THE ASSOCIATION (AS DEFINED BELOW), PROVIDED, HOWEVER, THE LIEN AGAINST EACH LOT SHALL NOT EXCEED THAT LOT'S PRO RATA PORTION OF THE COSTS; OR THE CITY OF BIXBY PUBLIC WORKS AUTHORITY MAY ADD SUCH BILLING PRORATED UPON THE RESIDENTIAL LOT OWNER'S WATER BILL, WHICH METHOD OF COLLECTION SHALL BE DETERMINED BY THE CITY OF BIXBY. A LIEN AS PROVIDED IMMEDIATELY ABOVE MAY BE FORECLOSED BY THE CITY OF BIXBY, OKLAHOMA.

E. INDEMNIFICATION OF OWNER AND CITY

EACH LOT AND RESERVE AREA OWNER OR RESIDENT AND/OR MEMBER OF THE ASSOCIATION (AS DEFINED BELOW) AGREES TO HOLD HARMLESS THE DEVELOPER AND THE CITY OF BIXBY, 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 THE RESERVE AREAS AND FURTHER AGREES THAT NEITHER THE CITY OF BIXBY NOR THE DEVELOPER SHALL BE LIABLE TO THE LOT OR RESERVE AREA OWNER OR RESIDENT AND/OR MEMBER OF THE ASSOCIATION (AS DEFINED BELOW) 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 AND/OR MEMBER OF THE ASSOCIATION OR ANY GUEST, VISITOR, OR INVITEE THEREOF.

DATE OF PREPARATION: January 10, 2022

Preliminary Plat

Posey Creek 151

PART OF THE SOUTHEAST QUARTER (SE/4) OF SECTION SEVENTEEN (17)
TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA

SECTION III. - PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS, THE SUBDIVISION WAS SUBMITTED AS A PART OF A PLANNED UNIT DEVELOPMENT (PUD) NO. BXPUD-_____ ("POSEY CREEK 151") AS PROVIDED WITHIN TITLE 11 OF THE BIXBY, OKLAHOMA CITY CODE (BIXBY ZONING CODE), AND

WHEREAS, PUD NO. BXPUD-_____ WAS AFFIRMATIVELY RECOMMENDED BY THE CITY OF BIXBY PLANNING COMMISSION ON _____, AND APPROVED BY THE BIXBY CITY COUNCIL ON _____, WITH IMPLEMENTING ORDINANCE (ORDINANCE NO. _____) APPROVED _____, AND

WHEREAS, THE PLANNED UNIT DEVELOPMENT (PUD) PROVISIONS OF THE BIXBY ZONING CODE REQUIRE THE ESTABLISHMENT OF COVENANTS OF RECORD INURING TO AND ENFORCEABLE BY THE CITY OF BIXBY, SUFFICIENT TO INSURE THE IMPLEMENTATION AND CONTINUED COMPLIANCE WITH THE APPROVED PUD AND ANY AMENDMENTS THERETO, AND

WHEREAS, THE DEVELOPER DESIRES TO ESTABLISH THE FOLLOWING RESTRICTIONS FOR THE PURPOSE OF PROVIDING FOR THE ORDERLY DEVELOPMENT OF THE SUBDIVISION AND TO INSURE ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE DEVELOPER, ITS SUCCESSORS AND ASSIGNS, AND THE CITY OF BIXBY, OKLAHOMA.

NOW, THEREFORE, THE DEVELOPER DOES HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE DEVELOPER, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH.

A. GENERAL

1. DEVELOPMENT IN ACCORDANCE WITH PUD

THE SUBDIVISION SHALL BE DEVELOPED AND USED IN SUBSTANTIAL ACCORDANCE WITH THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF PUD NO. BXPUD-_____, AS APPROVED BY THE CITY OF BIXBY, OR IN SUBSTANTIAL ACCORDANCE WITH SUCH MODIFICATIONS OR AMENDMENTS OF THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF BXPUD-_____ AS MAY BE SUBSEQUENTLY APPROVED.

2. APPLICABLE ORDINANCE

THE SUBDIVISION SHALL BE SUBJECT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE CITY OF BIXBY ZONING CODE AS SUCH PROVISIONS EXISTED ON [INSERT CITY COUNCIL APPROVAL DATE].

B. DEVELOPMENT STANDARDS

GROSS LAND AREA:	3,220,342 SF	73.929 AC
NET LAND AREA:	3,216,842 SF	73.849 AC
PERMITTED USES:	USE UNIT 6 DETACHED SINGLE-FAMILY DWELLINGS AND CUSTOMARY ACCESSORY USES; USE UNIT 5 COMMON AREA FACILITIES SUCH AS NEIGHBORHOOD PARK, PLAYGROUND, AND RECREATIONAL OPEN SPACE.	
MAXIMUM NUMBER OF LOTS:	197	
MINIMUM LOT WIDTH†:	65 FT; MAXIMUM 20% OF LOTS MAY BE 60 FT	
MINIMUM LOT SIZE:	6,900 SF	
MINIMUM LAND AREA PER DWELLING UNIT:	8,400 SF *	
MAXIMUM BUILDING HEIGHT:	2 STORIES AND 35 FT **	
OFF-STREET PARKING AND YARD COVERAGE:		
MINIMUM TWO (2) ENCLOSED OFF-STREET PARKING SPACES REQUIRED PER DWELLING UNIT. OFF-STREET PARKING SHALL NOT EXCEED 75% OF THE REQUIRED FRONT YARD WIDTH OR AREA.		
MINIMUM LIVABILITY SPACE:	4,000 SF ***	
MINIMUM YARD SETBACKS:		
FRONT YARD:	25 FT	
REAR YARD:	20 FT	
SIDE YARD (INTERIOR):	5 FT	
SIDE YARD ABUTTING A STREET:	10 FT DWELLING; 20 FT GARAGE	
OTHER BULK AND AREA REQUIREMENTS:	AS REQUIRED WITHIN THE RS-3 DISTRICT	
MINIMUM DWELLING SIZE:	1,700	
FIRST FLOOR EXTERIOR MATERIALS:	10% MASONRY ****	

* MINIMUM LAND AREA PER DWELLING UNIT IS SATISFIED BY THE PROPORTION OF MAXIMUM NUMBER OF LOTS TO GROSS LAND AREA AS PROVIDED IN ZONING CODE SECTION 11-7I-5.A.1. LOTS ARE THEREFORE NOT SUBJECT TO THIS REQUIREMENT ON AN INDIVIDUAL BASIS.

** ARCHITECTURAL FEATURES MAY EXTEND A MAX. OF FIVE (5) FEET ABOVE MAXIMUM PERMITTED BUILDING HEIGHT.

*** LIVABILITY SPACE MAY BE LOCATED ON A LOT OR CONTAINED WITHIN COMMON OPEN SPACE OF THE DEVELOPMENT, AS PER SECTION 11-7I-5.C OF THE BIXBY ZONING CODE.

**** MASONRY SHALL INCLUDE BRICK, NATURAL OR MANUFACTURED STONE, AND STUCCO. MINIMUM MASONRY PERCENTAGES SHALL EXCLUDE WINDOWS, DOORS, AND BENEATH COVERED PATIOS AND PORCHES.

† DEFINED AS THE AVERAGE HORIZONTAL DISTANCE BETWEEN THE SIDE LOT LINES, WHICH IS AS IT IS PRESENTLY DEFINED IN THE BIXBY ZONING CODE.

C. ACCESS AND CIRCULATION

AS DESIGNED, THE SUBDIVISION WILL HAVE ITS PRINCIPAL POINT OF ACCESS ON SOUTH HARVARD AVENUE NEAR THE CENTER OF ITS FRONTAGE. TWO (2) STREET CONNECTIONS ARE PROPOSED TO STUB STREETS IN PRESLEY HEIGHTS BLOCKS 6-10 AND AN ADDITIONAL CONNECTION IS PROPOSED TO THE PLANNED STUB STREET IN PRESLEY HEIGHTS WEST. RIGHT-OF-WAY WILL BE DEDICATED FOR THE SOUTH HARVARD AVENUE ARTERIAL STREET FRONTAGE. ALL OTHER STREETS WITHIN THE SUBDIVISION WILL BE LOCAL, MINOR RESIDENTIAL STREETS.

STREETS SERVING POSEY CREEK 151 ARE PROPOSED TO BE PUBLIC, BUT WILL HAVE THE OPTION OF PRIVATE, GATED STREETS, PER THIS PUD. WHETHER PUBLIC OR PRIVATE, STREETS SHALL BE CONSTRUCTED TO MEET THE MINIMUM STANDARDS OF THE CITY OF BIXBY FOR MINOR PUBLIC STREETS; PROVIDED, HOWEVER, THE CITY OF BIXBY MAY APPROVE ALTERNATIVE STREET DESIGN STANDARDS THROUGH PLATTING INCLUDING, BUT NOT LIMITED TO, PRIVATE, GATED STREETS WITH REDUCED WIDTH RIGHTS-OF-WAY. ANY DIVIDED, BOULEVARD STREETS SEPARATED BY PRIVATE LANDSCAPED ISLANDS MAY HAVE ONE-WAY LANES MEETING RIGHT-OF-WAY WIDTH REQUIREMENTS IN AGGREGATE AND SHALL OTHERWISE BE CONSTRUCTED TO MEET THE MINIMUM STANDARDS DETERMINED BY THE CITY OF BIXBY DURING THE PLATTING STAGE. ANY GATES SERVING PRIVATE STREETS OR DRIVES SHALL BE DESIGNED ACCORDING TO THE FIRE CODE ADOPTED BY THE CITY OF BIXBY AND BE APPROVED BY THE BIXBY FIRE MARSHAL DURING THE PLATTING STAGE.

WITHIN THE BOUNDARY OF THE PUD, SIDEWALKS, INCLUDING BOTH INTERNAL AND ALONG EXTERIOR STREET FRONTAGES, SHALL BE CONSTRUCTED BY THE DEVELOPER OR INDIVIDUAL LOT OWNERS IN ACCORDANCE WITH THE BIXBY SUBDIVISION REGULATIONS. SIDEWALKS SHALL BE A MINIMUM OF FOUR (4) FEET IN WIDTH, SHALL BE ADA COMPLIANT, AND SHALL BE APPROVED BY THE CITY ENGINEER. SIDEWALKS WHICH ARE PROPOSED OUTSIDE OF PUBLIC RIGHT-OF-WAY SHALL BE PLACED IN A PUBLIC SIDEWALK EASEMENT.

D. SIGNS

RESIDENTIAL SUBDIVISION ENTRANCE SIGNAGE SHALL BE PERMITTED ALONG THE ARTERIAL STREET FRONTAGE AND SHALL COMPLY WITH STANDARDS FOR SAME AS PROVIDED IN THE BIXBY ZONING CODE. ENTRY SIGNAGE WILL BE INTEGRATED WITH THE LANDSCAPED ENTRIES AND CONTAINED WITHIN RESERVE AREAS OR EASEMENTS TO BE MAINTAINED BY THE HOMEOWNERS' ASSOCIATION. SIGNAGE SERVING RESIDENTIAL NEIGHBORHOOD AMENITIES, APPROPRIATE FOR PURPOSE AND NEIGHBORHOOD SCALE, SHALL BE PERMITTED WITHIN RESERVE AREAS CONTAINING NEIGHBORHOOD AMENITIES. SIGNAGE SHALL OTHERWISE COMPLY WITH THE BIXBY ZONING CODE.

E. PLATTING AND SITE PLAN REQUIREMENTS

NO BUILDING PERMIT SHALL BE ISSUED UNTIL A SUBDIVISION PLAT HAS BEEN SUBMITTED TO AND RECOMMENDED UPON BY THE BIXBY PLANNING COMMISSION AND APPROVED BY THE COUNCIL OF THE CITY OF BIXBY, AND DULY FILED OF RECORD. THE REQUIRED SUBDIVISION PLAT SHALL INCLUDE COVENANTS OF RECORD IMPLEMENTING THE DEVELOPMENT STANDARDS OF THE APPROVED PUD AND THE CITY OF BIXBY SHALL BE A BENEFICIARY THEREOF. THE PLAT WILL ALSO SERVE AS THE SITE PLAN FOR ALL RESIDENTIAL LOTS CONTAINED WITHIN THE PLAT.

F. CITY DEPARTMENT REQUIREMENTS

STANDARD REQUIREMENTS OF THE CITY OF BIXBY FIRE MARSHAL, CITY ENGINEER, AND CITY ATTORNEY SHALL BE MET.

SECTION IV. - HOMEOWNERS' ASSOCIATION

A. FORMATION OF HOMEOWNERS' ASSOCIATION

THE OWNER/DEVELOPER HAS FORMED OR SHALL CAUSE TO BE FORMED, IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA, A NOT-FOR-PROFIT CORPORATE ENTITY, AN ASSOCIATION (THE "HOMEOWNERS' ASSOCIATION" OR "ASSOCIATION") COMPRISED OF ALL OWNERS OF LOTS WITHIN "POSEY CREEK 151", AND ANY OTHER RESIDENTIAL SUBDIVISION WHICH MAY BE SUBSEQUENTLY MERGED WITH OR ANNEXED TO THE GEOGRAPHIC JURISDICTION OF THE ASSOCIATION, WHICH ASSOCIATION IS ESTABLISHED AND FORMED (OR TO BE ESTABLISHED AND FORMED) FOR THE GENERAL PURPOSES OF MAINTAINING THE COMMON AREAS, RESERVE AREAS, AND OTHER PROPERTY AND FACILITIES THAT ARE OR FROM TIME TO TIME MAY BE FOR THE COMMON USE AND BENEFIT OF THE LOTS AS THE SAME MAY BE AGREED TO BY THE MEMBERS OF THE ASSOCIATION, AND FOR THE PURPOSE OF ENHANCING THE VALUE, DESIRABILITY, AND ATTRACTIVENESS OF THIS SUBDIVISION, AND ANY OTHER RESIDENTIAL SUBDIVISION WHICH MAY SUBSEQUENTLY BE MERGED WITH OR ANNEXED TO THE GEOGRAPHIC JURISDICTION OF THE HOMEOWNERS' ASSOCIATION.

B. MEMBERSHIP

EVERY PERSON OR ENTITY WHO IS A RECORD OWNER OF THE FEE INTEREST IN A LOT IN THE SUBDIVISION SHALL BE A MEMBER OF THE ASSOCIATION AND MEMBERSHIP SHALL BE APPURTENANT TO AND SHALL NOT BE SEPARATED FROM THE OWNERSHIP OF A LOT. THE ACCEPTANCE OF A DEED TO A LOT SHALL CONSTITUTE ACCEPTANCE OF MEMBERSHIP TO THE ASSOCIATION AS OF THE DATE OF INCORPORATION, OR AS OF THE DATE OF RECORDING OF THE DEED, WHICHEVER OCCURS LAST.

C. COVENANT FOR ASSESSMENTS

THE OWNER/DEVELOPER AND EACH SUBSEQUENT OWNER OF A LOT, BY ACCEPTANCE OF A DEED THEREFOR, COVENANTS AND AGREES TO PAY TO THE ASSOCIATION ASSESSMENTS TO BE ESTABLISHED BY THE ASSOCIATION IN ACCORDANCE WITH A DECLARATION TO BE EXECUTED AND FILED OF RECORD BY THE OWNER/DEVELOPER. AN UNPAID ASSESSMENT, PROPERLY FILED, SHALL BECOME A LIEN UPON THE LOT(S) AGAINST WHICH IT IS MADE. THE LIEN, HOWEVER, SHALL BE SUBORDINATE TO THE LIEN OF ANY FIRST MORTGAGE.

D. ENFORCEMENT RIGHTS OF THE ASSOCIATION

WITHOUT LIMITATION OF SUCH OTHER POWERS AND RIGHTS AS THE ASSOCIATION MAY HAVE, THE ASSOCIATION SHALL BE A BENEFICIARY, TO THE SAME EXTENT AS A LOT OWNER, OF THE VARIOUS COVENANTS SET FORTH WITHIN THIS DEED OF DEDICATION AND RESTRICTIVE COVENANTS AND SHALL HAVE THE RIGHT TO ENFORCE THE COVENANTS TO THE SAME EXTENT AS A LOT OWNER.

SECTION V. - ENFORCEMENT, DURATION, AMENDMENT, & SEVERABILITY

A. ENFORCEMENT AND DURATION

THE RESTRICTIONS HEREIN SET FORTH SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE OWNER/DEVELOPER, ITS GRANTEES, TRANSFEREES, SUCCESSORS, AND ASSIGNS AND ALL PARTIES CLAIMING UNDER IT FOR A PERIOD OF TWENTY-FIVE (25) YEARS FROM THE DATE OF RECORDING OF THIS DEED OF DEDICATION AND RESTRICTIVE COVENANTS, AFTER WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN (10) YEARS UNLESS AMENDED OR TERMINATED AS HEREINAFTER PROVIDED. IF ANY LOT OWNER SHALL VIOLATE ANY OF THE COVENANTS HEREIN, IT SHALL BE LAWFUL FOR THE CITY OF BIXBY OR ANY PERSONS OWNING A LOT WITHIN THE SUBDIVISION TO MAINTAIN AN ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT(S) TO PREVENT HIM/HER OR THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT(S) OR TO RECOVER DAMAGES FOR SUCH VIOLATION(S).

B. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I. PUBLIC STREETS, EASEMENTS, AND UTILITIES AND SECTION V. ENFORCEMENT, DURATION, AMENDMENT, & SEVERABILITY MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LOT OR LOTS TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND BY THE BIXBY PLANNING COMMISSION, OR ITS SUCCESSORS, WITH THE APPROVAL OF THE CITY OF BIXBY, OKLAHOMA. THE COVENANTS CONTAINED WITHIN SECTION III. PUD RESTRICTIONS RESTRICTIONS SHALL BE DEEMED AMENDED (WITHOUT NECESSITY OF EXECUTION OF AN AMENDING DOCUMENT) UPON APPROVAL OF A MINOR AMENDMENT TO BXPUD-_____ BY THE BIXBY PLANNING COMMISSION AND RECORDING OF A CERTIFIED COPY OF THE MINUTES OF THE BIXBY PLANNING COMMISSION WITH THE TULSA COUNTY CLERK, OR UPON APPROVAL OF A MAJOR AMENDMENT TO BXPUD-_____ UPON FILING OF RECORD AN ORDINANCE AND/OR OTHER VALID RECORD OF CITY OF BIXBY APPROVAL. THE COVENANTS WITHIN SECTION II. RESERVE AREAS AND SECTION IV. HOMEOWNERS' ASSOCIATION MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNERS OF MORE THAN 75% OF THE LOTS WITHIN THE SUBDIVISION, PROVIDED HOWEVER, IN THE EVENT OF A CONFLICT OF AMENDING OR TERMINATING INSTRUMENTS, THE INSTRUMENT EXECUTED BY THE OWNER/DEVELOPER SHALL GOVERN. THE PROVISIONS OF ANY SUCH INSTRUMENT AMENDING OR TERMINATING COVENANTS SHALL BE EFFECTIVE FROM AND AFTER THE DATE THE INSTRUMENT IS PROPERLY RECORDED.

C. SEVERABILITY

THESE RESTRICTIVE COVENANTS, TOGETHER WITH THE OTHER DOCUMENTS INCORPORATED HEREIN BY REFERENCE, SHALL BE CONSTRUED AS AN ENTITY AND THE PERTINENT SECTIONS OF ALL INSTRUMENTS AS A WHOLE. THE INVALIDITY OF ANY PHRASE, CLAUSE, OR PROVISIONS HEREIN CONTAINED SHALL NOT RENDER THE BALANCE OF THIS INSTRUMENT VOID, OR UNENFORCEABLE, AND THE SAME SHALL BE THEREAFTER CONSTRUED AS IF SUCH PHRASE, CLAUSE, OR PROVISION WERE NOT HEREIN CONTAINED, OR TO OTHERWISE GIVE MAXIMUM EFFECT TO THE INTENT OF THE OWNER/DEVELOPER. THE FAILURE OF THE OWNER/DEVELOPER OR ANY SUCCESSOR IN TITLE TO ENFORCE ANY RESTRICTION, COVENANT, OR CONDITION AT ANY TIME, OR FROM TIME TO TIME, SHALL NOT BE DEEMED TO BE A WAIVER OR RELINQUISHMENT OF ANY RIGHT OR REMEDY NOR A MODIFICATION OF THESE RESTRICTIONS, COVENANTS, OR CONDITIONS.

D. DEFINITIONS

IN THE EVENT OF AMBIGUITY OF ANY WORD OR TERM SET FORTH HEREIN, THE MEANING THEREOF SHALL BE DEEMED TO BE DEFINED AS SET FORTH WITHIN THE CITY OF BIXBY ZONING CODE AS THE SAME EXISTED ON [DATE OF CITY COUNCIL APPROVAL OF FINAL PLAT], OR AS SUBSEQUENTLY AMENDED.

IN WITNESS WHEREOF, THE OWNER HAS CAUSED THESE PRESENTS TO BE EXECUTED THIS _____ DAY OF _____, 2022.

POSEY CREEK 151, LLC,
AN OKLAHOMA LIMITED LIABILITY COMPANY

BY: _____
[TITLE]

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 _____, 2022, PERSONALLY APPEARED _____, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THE NAME OF POSEY CREEK 151, LLC TO THE FOREGOING INSTRUMENT, AS ITS _____, AND ACKNOWLEDGED TO ME THAT EXECUTED THE SAME AS FREE AND VOLUNTARY ACT AND DEED AND AS THE FREE AND VOLUNTARY ACT AND DEED OF POSEY CREEK 151, LLC FOR THE USES AND PURPOSES THEREIN SET FORTH. GIVEN UNDER MY HAND AND SEAL OF OFFICE THE DAY AND YEAR LAST ABOVE WRITTEN.

_____ _____
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 HEREIN DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED AS "POSEY CREEK 151", A SUBDIVISION WITHIN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, IS A TRUE REPRESENTATION OF A 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 _____, 2022.

LICENSED PROFESSIONAL LAND SURVEYOR
Dan Edwin Tanner
1435
OKLAHOMA

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 THE _____ DAY OF _____, 2022, PERSONALLY APPEARED TO ME 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 OF OFFICE THE DAY AND YEAR LAST ABOVE WRITTEN.

_____ _____
MY COMMISSION EXPIRES NOTARY PUBLIC

DATE OF PREPARATION: January 10, 2022

City of Bixby
P.O. Box 70
116 W. Needles Ave.
Bixby, OK 74008
(918) 366-4430

Staff Report

To: City of Bixby, Planning Commission

From: Carolyn Back, Development Services Director/City Planner

Date: Tuesday, January 18, 2022

Name: The Bungalows III at Willow Creek
(Residential Development)

RE: Preliminary & Final Plats (BXPT 21.19)

Approvals: 5.13.2013 **PUD 78**

Location: PART OF THE NE/4 OF SECTION TWELVE (12), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA 15.63 Acres (+/-)

STR: Section 12, Township 17N, Range 13E

Applicant: Select Design – Ryan McCarty

STAFF REVIEW

Project Overview per Plat:

# of Acres	15.63 (+/-)	Min Lot Width	60 ft.
# of Lots	56	Min Lot Size	7,200 SF
# of Blocks	3	Min Dwelling Size	1,500 SF
1st Floor Exterior – 50% Masonry		# of Reserve Areas	1

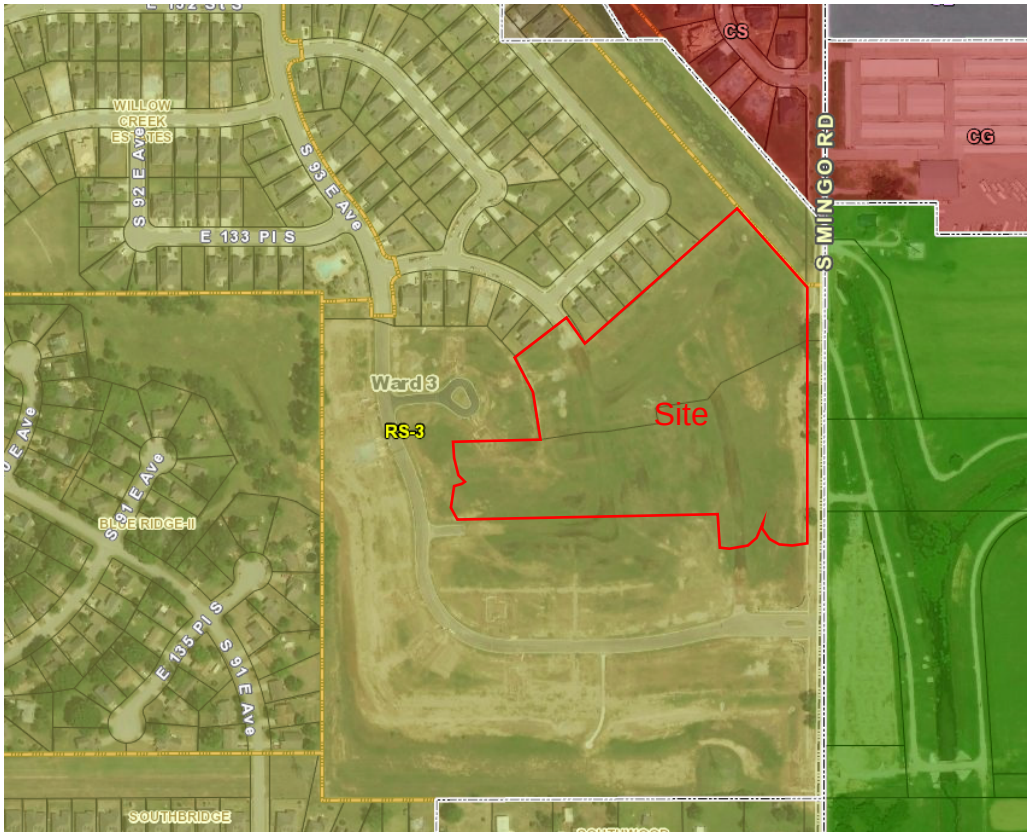


Figure 1: City of Bixby Zoning Map

UTILITIES/SITE AREA:
The commercial development will be served by City of Bixby: Water, Sanitary Sewer, and Storm Sewer. All franchise utility providers were notified through a Technical Advisory Committee meeting.

PHASING:
This is the final phase of the Willow Creek Development at 131st and Mingo. The parcel in question provides infill between The Bungalows and The Bungalows II on the Mingo side of the development.

PUBLIC COMMENTS:
No comments have been received at time of this staff report being written.

STAFF COMMENTS:

1. Staff supports Planning Commission recommendation for approval of The Bungalows III at Willow Creek

ATTACHMENTS:
Attachment 1: Preliminary Plat The Bungalows III dated 12.01.2021
Attachment 2: Final Plat The Bungalows III dated 12.01.2021

Planned Unit Development No. 78

The Bungalows III

at Willow Creek

A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA BEING A PART OF THE NORTHEAST QUARTER (NE/4) OF SECTION TWELVE (12), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

Boundary Curve Table

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
BC1	84.33'	425.00'	11°22'08"	N 31°00'14" W	84.19'
BC2	121.00'	530.00'	13°04'51"	S 14°58'30" E	120.74'
BC3	37.01'	25.00'	84°49'52"	S 50°51'01" E	33.73'
BC4	37.81'	25.00'	86°38'59"	S 43°24'33" W	34.31'
BC5	71.88'	195.00'	21°07'09"	S 10°28'31" E	71.47'
BC6	118.96'	970.00'	7°01'36"	N 75°11'24" E	118.96'
BC7	13.39'	312.00'	2°27'35"	N 72°54'23" E	13.39'
BC8	32.35'	25.00'	74°08'12"	N 37°04'05" E	30.14'
BC9	39.27'	25.00'	90°00'00"	S 45°00'01" E	35.36'
BC10	54.91'	35.00'	89°53'33"	N 45°03'13" E	49.45'

Boundary Line Table

LINE	BEARING	DISTANCE
BL1	N 89°53'34" E	50.00'
BL2	S 25°49'54" E	59.46'
BL3	S 22°44'17" E	54.16'
BL4	S 03°35'12" E	50.00'
BL5	S 00°05'03" W	26.97'
BL6	N 00°00'01" W	12.83'
BL7	N 89°59'59" E	50.00'

Legend

B/L -- BUILDING SETBACK LINE
POB -- POINT OF BEGINNING
L.N.A. -- LIMITS OF NO ACCESS
MA/E -- MUTUAL ACCESS EASEMENT
U/E -- UTILITY EASEMENT
10000 -- STREET ADDRESS

Owner / Developer

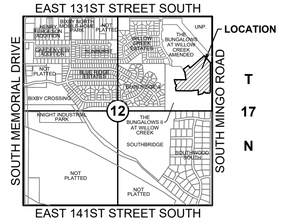
WILLOW CREEK DEVELOPMENT, LLC
12150 EAST 96TH STREET NORTH, STE 200
OWASSO, OKLAHOMA 74005
PHONE: (918) 274-0406
MR. PETE KOURTIS

Engineer

ENGINEERED BY DESIGN, PLLC
P.O. BOX 15567
DEL CITY, OKLAHOMA 73155
PHONE: (405) 234-0980
ahale@engineeredbydesign.pro
C.A. # 7655 EXPIRES 6-30-2022

Surveyor

FRITZ LAND SURVEYING, LLC
2017 WEST 91ST STREET
TULSA, OKLAHOMA 74132
PHONE: (918) 231-0575
EMAIL: fritzlandsurveying@gmail.com
C.A. # 5848 EXPIRES: 6-30-2022



Location Map
SCALE: 1"=2000'

NORTHEAST CORNER OF THE NORTHEAST QUARTER SECTION 12, T-17-N, R-13-E

Point of Beginning

Point of Commencement
SOUTHEAST CORNER OF THE NORTHEAST QUARTER SECTION 12, T-17-N, R-13-E

South Mingo Road

East 131st Street South

Basis of Bearings

THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 12, T-17-N, R-13-E AS NORTH 00°06'26" EAST.

Monumentation

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

Benchmark (BA 11)

3" ALUMINUM CAP FLUSH SET IN CONCRETE STAMPED "BA 11" - SET WEST OF 131ST STREET AND GARNETT ROAD. ELEVATION = 632.43' (NAVD 1988)

Limits of FEMA 100YR Floodplain (Zone AE)
MAP NO. 40143C0451L
DATED OCTOBER 16, 2012

Limits of FEMA 100YR Floodplain (Zone AE)
PER LOMR CASE NO. 19-06-2128P
DATED MARCH 17, 2020

Unplatted

Windrush

Willow Creek Estates

The Bungalows at Willow Creek Amended

The Bungalows II at Willow Creek

Blue Ridge II
Lot 34, Block 3
ACCESS EASEMENT
(DOC # 2015064487)

Southwood South

Southbridge

Reserve 'A' — Drainage, Detention & Utility Easement
Reserve 'B' — Drainage, Detention & Utility Easement
Reserve 'C'
Reserve 'D'

847.49' L.N.A.
81.00' ACCESS
414.34' L.N.A.
N 00°06'26" E 1342.84'
N 00°06'26" E 812.65'
24.75' Statutory Right of Way
50' Previously Dedicated Right-of-Way
15' City of Bixby Easement (Book 5428, Page 2167)
S. 95th E. Ave.
S. 94th E. Ave.
S. 91st E. Ave.
E. 131st Pl. S.
E. 132nd Pl. S.
E. 133rd Pl. S.
E. 134th Pl. S.
E. 134th Ct. S.
E. 135th Pl. S.
E. 135th St. S.
S. 94th Lane
South 93rd East Avenue
Utility Easement (Document No. 2018043894)
25' Utility Easement to the City of Bixby (Document No. 2018043894)
180' PSO Easement (Book 3900, Page 16)

Subdivision Statistics

SUBDIVISION CONTAINS FIFTY-SIX (56) LOTS
IN THREE (3) BLOCKS AND ONE (1) RESERVE AREA

GROSS SUBDIVISION AREA: 681,029.81 SF OR 15.63 ACRES

N

Scale: 1" = 100'
0 50 100 200

Notes

ADDRESSES SHOWN ON THIS PLAT WERE ACCURATE AT THE TIME THIS PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF LEGAL DESCRIPTION.

ALL WATER AND SANITARY SEWER SERVICES WILL BE SUPPLIED AND MAINTAINED BY THE CITY OF BIXBY, OKLAHOMA.

COUNTY TREASURER STAMP

STATE OF OKLAHOMA)
COUNTY OF TULSA) SS

I, MICHAEL WILLIS, TULSA COUNTY CLERK, IN AND FOR THE COUNTY AND STATE ABOVE, DO HEREBY CERTIFY THAT THE FORGOING IS A TRUE AND CORRECT COPY OF A LIKE INSTRUMENT NOW ON FILE IN MY OFFICE.

DATED THE _____ DAY OF _____, 2021.

MICHAEL WILLIS, TULSA COUNTY CLERK

_____
DEPUTY

PRELIMINARY PLAT

Curve Table

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	21.03'	25.00'	48°11'22.87"	S 72°41'56" W	20.41'
C2	21.03'	25.00'	48°11'22.87"	N 24°30'33" E	20.41'
C3	241.19'	50.00'	276°22'45.73"	N 41°23'46" W	66.67'
C4	38.74'	25.00'	88°47'37.26"	S 04°12'26" W	34.98'
C5	39.94'	25.00'	91°31'41.05"	N 85°37'55" W	35.82'
C6	51.81'	125.00'	23°45'00.52"	N 60°28'45" E	51.44'
C7	41.31'	25.00'	94°40'41.92"	S 60°18'24" E	36.77'
C8	91.62'	425.00'	12°21'07.39"	N 19°08'37" W	91.45'
C9	37.21'	25.00'	85°16'21.67"	S 33°47'58" W	33.87'
C10	85.01'	175.00'	27°49'54.07"	N 62°31'11" E	84.17'
C11	87.62'	1975.00'	2°32'30.66"	N 07°33'58" W	87.61'
C12	86.47'	2025.00'	2°26'47.96"	N 07°36'49" W	86.47'
C13	234.67'	450.00'	29°52'46.58"	N 25°15'00" W	232.02'
C14	206.35'	400.00'	29°33'28.27"	N 25°05'21" W	204.07'
C15	182.29'	375.00'	27°51'05.52"	N 22°45'46" W	180.50'
C16	80.97'	450.00'	10°18'35.68"	N 05°09'19" W	80.86'
C17	71.98'	400.00'	10°18'35.68"	N 05°09'19" W	71.88'
C18	143.70'	50.00'	164°40'14.64"	N 39°42'31" E	99.11'
C19	15.81'	25.00'	36°14'10.89"	S 24°30'31" E	15.55'
C20	39.91'	25.00'	91°28'09.42"	N 39°26'22" E	35.81'
C21	16.09'	25.00'	36°52'11.63"	N 76°23'27" W	15.81'
C22	166.34'	1975.00'	4°49'32.52"	N 87°35'13" E	166.29'
C23	170.55'	2025.00'	4°49'32.52"	N 87°35'13" E	170.50'
C24	58.42'	1025.00'	3°15'56.34"	S 88°22'01" W	58.41'
C25	55.57'	975.00'	3°15'56.34"	S 88°22'01" W	55.56'

Line Table

LINE	BEARING	DISTANCE
L1	S 10°18'36" E	150.37'
L2	N 10°18'36" W	150.37'
L3	S 48°36'14" W	113.05'
L4	S 08°50'13" E	145.83'
L5	N 08°50'13" W	213.91'
L6	S 48°36'14" W	81.37'
L7	N 48°36'14" E	294.45'
L8	S 00°00'01" E	219.92'
L9	N 00°00'01" W	219.92'
L10	N 85°10'27" E	23.56'
L11	S 85°10'27" W	19.17'
L12	N 86°44'03" E	22.10'
L13	S 86°44'03" W	21.82'
L14	N 89°59'59" E	116.88'
L15	S 89°59'59" W	116.88'

DATE PREPARED: 11/29/2021

THE BUNGALOWS III AT WILLOW CREEK

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

WILLOW CREEK DEVELOPMENT, L.L.C., AN OKLAHOMA LIMITED LIABILITY COMPANY, HEREINAFTER TOGETHER REFERRED TO AS THE "OWNER/DEVELOPER" IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, TO WIT:

A TRACT OF LAND THAT IS PART OF THE NORTHEAST QUARTER OF SECTION TWELVE (12), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 12; THENCE NORTH 00°06'26" EAST ALONG THE EAST LINE OF THE NE/4 A DISTANCE OF 1342.84 FEET; THENCE NORTH 89°53'34" WEST 50.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 41°23'36" WEST ALONG THE WEST LINE OF RESERVE "B" OF WILLOW CREEK ESTATES, FILED AS PLAT NO. 6625, A DISTANCE OF 269.51 FEET TO THE SOUTHERLY LINE OF THE BUNGALOWS AT WILLOW CREEK AMENDED, FILED AS PLAT NO. 6815; THENCE ALONG SAID SOUTHERLY LINE SOUTH 48°36'15" WEST 538.00 FEET; THENCE NORTHWESTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 425.00 FEET, AN ARC LENGTH OF 84.33 FEET, A CHORD BEARING OF NORTH 31°00'14" WEST AND A CHORD LENGTH OF 84.19 FEET; THENCE SOUTH 53°18'42" WEST 176.62 FEET; THENCE SOUTH 25°49'54" EAST 59.46 FEET; THENCE SOUTH 22°44'17" EAST 54.16 FEET; THENCE SOUTH 08°50'13" EAST 189.42 FEET; THENCE SOUTH 89°59'59" WEST 327.23 FEET; THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 530.00 FEET, AN ARC LENGTH OF 121.00 FEET, A CHORD BEARING OF SOUTH 14°58'30" EAST AND A CHORD LENGTH OF 120.74 FEET TO A POINT OF COMPOUND CURVATURE; THENCE SOUTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 37.01 FEET, A CHORD BEARING OF SOUTH 50°51'01" EAST AND A CHORD LENGTH OF 33.73 FEET; THENCE SOUTH 03°35'12" EAST 50.00 FEET; THENCE SOUTHWESTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 37.81 FEET, A CHORD BEARING OF SOUTH 43°24'33" WEST AND A CHORD LENGTH OF 34.31 FEET; THENCE SOUTH 00°05'03" WEST 26.97 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 195.00 FEET, AN ARC LENGTH OF 71.88 FEET, A CHORD BEARING OF SOUTH 10°28'31" EAST AND A CHORD LENGTH OF 71.47 FEET; THENCE NORTH 89°59'59" EAST 421.17 FEET; THENCE NORTH 83°12'08" EAST 200.95 FEET; THENCE SOUTH 00°00'01" EAST 130.00 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 970.00 FEET, AN ARC LENGTH OF 118.96 FEET, A CHORD BEARING OF NORTH 75°11'24" EAST AND A CHORD LENGTH OF 118.88 FEET TO A POINT OF COMPOUND CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 312.00 FEET, AN ARC LENGTH OF 13.39 FEET, A CHORD BEARING OF NORTH 72°54'23" EAST AND A CHORD LENGTH OF 13.39 FEET TO A POINT OF COMPOUND CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 32.35 FEET, A CHORD BEARING OF NORTH 37°04'05" EAST AND A CHORD LENGTH OF 30.14 FEET; THENCE NORTH 00°00'01" WEST 12.83 FEET; THENCE NORTH 89°59'59" EAST 50.00 FEET; THENCE SOUTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 39.27 FEET, A CHORD BEARING OF SOUTH 45°00'01" EAST AND A CHORD LENGTH OF 35.36 FEET; THENCE NORTH 89°59'59" EAST 90.08 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 35.00 FEET, AN ARC LENGTH OF 54.91 FEET, A CHORD BEARING OF NORTH 45°03'13" EAST AND A CHORD LENGTH OF 49.45 FEET; THENCE NORTH 00°06'26" EAST AND PARALLEL TO THE EAST LINE OF THE NE/4 A DISTANCE OF 812.65 FEET TO THE POINT OF BEGINNING.

TRACT CONTAINS 681,029.81 SQUARE FEET OR 15.63 ACRES, MORE OR LESS.

BASIS OF BEARING IS THE EAST LINE OF THE NE/4 OF SECTION 12, T17N, R13E AS NORTH 00°06'26" EAST.

AND HAS CAUSED THE ABOVE DESCRIBED LAND TO BE SURVEYED, STAKED, PLATTED, GRANTED, DONATED, CONVEYED, DEDICATED, ACCESS RIGHTS RESERVED AND SUBDIVIDED INTO LOTS, BLOCKS, RESERVE AREAS AND STREETS, IN CONFORMITY WITH THE ACCOMPANYING PLAT AND SURVEY (HEREINAFTER THE "PLAT"; AND HAS ENTITLED AND DESIGNATED THE SUBDIVISION AS "THE BUNGALOWS III AT WILLOW CREEK", A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA (HEREINAFTER "THE BUNGALOWS II AT WILLOW CREEK" OR THE "SUBDIVISION").

SECTION I. PUBLIC STREETS, EASEMENTS AND UTILITIES

A. PUBLIC STREETS AND GENERAL UTILITY EASEMENTS

THE OWNER/DEVELOPER DOES HEREBY DEDICATE FOR PUBLIC USE THE STREETS DEPICTED ON THE ACCOMPANYING PLAT AND DOES FURTHER DEDICATE 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/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/DEVELOPER 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 RE-LAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO THE AREA INCLUDED IN THE PLAT. THE OWNER/DEVELOPER HEREIN IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA, AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT PROPERLY PERMITTED DRIVES, PARKING AREAS, CURBING, LANDSCAPING, CUSTOMARY SCREENING FENCES AND WALLS THAT DO NOT CONSTITUTE AN OBSTRUCTION.

B. UNDERGROUND SERVICE

1. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY UNDERGROUND CABLE AND ELSEWHERE THROUGHOUT THE SUBDIVISION ALL SUPPLY LINES SHALL BE LOCATED UNDERGROUND IN THE GENERAL UTILITY EASEMENTS. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE GENERAL UTILITY EASEMENTS.

2. UNDERGROUND SERVICE CABLES TO ALL STRUCTURES WHICH MAY BE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST 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 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 OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.

3. THE SUPPLIER OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL GENERAL UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE OR CABLE TELEVISION FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.

4. LOT OWNERS SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON THEIR RESPECTIVE LOTS AND EACH SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY THAT WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE OR CABLE TELEVISION FACILITIES. THE SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS.

5. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH B SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE ELECTRIC, TELEPHONE OR CABLE TELEVISION SERVICE AND LOT OWNERS AGREE TO BE BOUND HEREBY.

C. WATER, SANITARY SEWER AND STORM SEWER SERVICE

1. LOT OWNERS SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS LOCATED ON THEIR RESPECTIVE LOTS AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID PUBLIC WATER MAIN, PUBLIC SANITARY SEWER MAIN OR STORM SEWER.

2. WITHIN THE UTILITY EASEMENT AREAS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE IN EXCESS OF 3 FEET FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN OR STORM SEWER, OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS SHALL BE PROHIBITED.

3. THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER AND SEWER MAINS, BUT LOT OWNERS SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY THEIR ACTS AND/OR THE ACTS OF THEIR AGENTS OR CONTRACTORS.

4. THE CITY OF BIXBY, 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 THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF UNDERGROUND WATER OR SEWER FACILITIES.

5. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH C SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS, AND LOT OWNERS AGREE TO BE BOUND HEREBY.

D. GAS SERVICE

1. LOT OWNERS SHALL BE RESPONSIBLE FOR THE PROTECTION OF GAS FACILITIES LOCATED ON THEIR RESPECTIVE LOTS.

2. WITHIN THE UTILITY EASEMENT AREAS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE IN EXCESS OF 3 FEET FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A GAS MAIN OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH A GAS MAIN SHALL BE PROHIBITED.

3. THE SUPPLIER OF GAS SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF GAS MAINS, BUT LOT OWNERS SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY THEIR ACTS AND/OR THE ACTS OF THEIR AGENTS OR CONTRACTORS.

4. THE SUPPLIER OF GAS SERVICE SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF GAS FACILITIES.

5. UNDERGROUND GAS SERVICE LINES TO ALL STRUCTURES WHICH MAY BE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST GAS MAIN 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 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 LINE, EXTENDING FROM THE GAS MAIN TO THE SERVICE ENTRANCE ON THE STRUCTURE.

6. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH D SHALL BE ENFORCEABLE BY THE SUPPLIER OF GAS SERVICE AND LOT OWNERS AGREE TO BE BOUND HEREBY.

E. OVERLAND DRAINAGE AND STORMWATER DETENTION EASEMENT

1. THE OWNER/DEVELOPER DOES HEREBY GRANT AND ESTABLISH A PERPETUAL EASEMENT ON, OVER AND ACROSS RESERVE 'A' (HEREINAFTER REFERRED TO AS THE "OVERLAND DRAINAGE EASEMENT AREAS") FOR THE PURPOSES OF PERMITTING THE FLOW, CONVEYANCE, DETENTION AND DISCHARGE OF STORMWATER RUNOFF FROM THE VARIOUS LOTS WITHIN THE SUBDIVISION.

2. DETENTION AND OTHER DRAINAGE FACILITIES CONSTRUCTED WITHIN THE OVERLAND DRAINAGE EASEMENT AREAS SHALL BE IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY THE CITY OF BIXBY, OKLAHOMA.

3. DRAINAGE FACILITIES SHALL BE MAINTAINED BY THE HOMEOWNERS' ASSOCIATION (TO BE FORMED PURSUANT TO SECTION III) TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED DRAINAGE AND DETENTION FUNCTIONS INCLUDING REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION. THE HOMEOWNERS' ASSOCIATION SHALL PROVIDE ROUTINE AND CUSTOMARY GROUNDS MAINTENANCE WITHIN THE OVERLAND DRAINAGE EASEMENT AREAS WHICH SHALL BE IN ACCORDANCE WITH THE FOLLOWING STANDARDS:

   a. THE OVERLAND DRAINAGE EASEMENT AREAS SHALL BE KEPT FREE OF LITTER.

   b. THE OVERLAND DRAINAGE EASEMENT AREAS SHALL BE MOWED DURING THE GROWING SEASON AT INTERVALS NOT EXCEEDING 4 WEEKS.

   c. IN THE EVENT THE HOMEOWNERS' ASSOCIATION SHOULD FAIL TO PROPERLY MAINTAIN THE OVERLAND DRAINAGE EASEMENT AREAS AS ABOVE PROVIDED, THE CITY OF BIXBY, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER THE OVERLAND DRAINAGE EASEMENT AREAS AND PERFORM SUCH MAINTENANCE, AND THE COST THEREOF SHALL BE PAID BY THE HOMEOWNERS' ASSOCIATION.

   d. IN THE EVENT THE HOMEOWNERS' ASSOCIATION, AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, FAILS TO PAY THE COST OF MAINTENANCE AS ABOVE SET FORTH, THE CITY OF BIXBY, OKLAHOMA MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST EACH RESIDENTIAL LOT WITHIN THE SUBDIVISION, PROVIDED HOWEVER, THE LIEN AGAINST EACH RESIDENTIAL LOT SHALL NOT EXCEED 1/111TH OF THE COSTS.

   e. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF BIXBY, OKLAHOMA.

F. SURFACE DRAINAGE AND LOT GRADING RESTRICTION

EACH LOT SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS, DRAINAGE AREAS OF HIGHER ELEVATION, AND PUBLIC STREETS AND EASEMENTS. NO LOT OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND/OR SURFACE WATERS OVER AND ACROSS HIS LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH F SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF BIXBY, OKLAHOMA.

G. PAVING AND LANDSCAPING WITHIN EASEMENTS

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

H. FENCING AND LANDSCAPING EASEMENT

THE OWNER/DEVELOPER HEREIN RESERVES FOR SUBSEQUENT CONVEYANCE TO THE HOMEOWNERS' ASSOCIATION TO BE FORMED PURSUANT TO SECTION III A PERPETUAL EASEMENT TO ERECT AND MAINTAIN FENCING, WALLS AND LANDSCAPING ALONG THE BOUNDARIES OF THE SUBDIVISION WITHIN THE EASEMENTS DEPICTED ON THE PLAT AS "FENCE AND LANDSCAPE EASEMENT" OR "FL/E".

I. RESERVE AREA 'A'

THE USE OF RESERVE AREA 'A' SHALL BE LIMITED TO USE AS AN OVERLAND DRAINAGE EASEMENT AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO A HOMEOWNERS' ASSOCIATION, AS SET FORTH WITHIN SECTION III, TO BE FORMED FOR THE PURPOSES OF THE ADMINISTRATION AND MAINTENANCE OF THE COMMON AREAS OF THE SUBDIVISION.

SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS, WILLOW CREEK WAS SUBMITTED AS A PLANNED UNIT DEVELOPMENT (DESIGNATED AS PUD NO. 78) AS PROVIDED WITHIN THE PROVISIONS OF THE BIXBY ZONING CODE PERTAINING TO PLANNED UNIT DEVELOPMENTS (PUDS), AND

WHEREAS, PUD NO. 78 WAS AFFIRMATIVELY RECOMMENDED BY THE BIXBY PLANNING COMMISSION ON MAY 2, 2013 AND APPROVED BY THE CITY COUNCIL OF THE CITY OF BIXBY, OKLAHOMA, ON MAY 13, 2013 THE IMPLEMENTING ORDINANCE NO. 2120 & 272 BEING ADOPTED AND PUBLISHED ON SEPTEMBER 23, 2013, AND

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

WHEREAS, THE OWNER/DEVELOPER 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/DEVELOPER, ITS SUCCESSORS AND ASSIGNS, AND THE CITY OF BIXBY, OKLAHOMA.

THEREFORE, THE OWNER/DEVELOPER DOES HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE OWNER/DEVELOPER, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH.

A. DEVELOPMENT IN ACCORDANCE WITH PUD

THE BUNGALOWS III AT WILLOW CREEK SHALL BE DEVELOPED AND USED IN SUBSTANTIAL ACCORDANCE WITH THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF PUD NO. 78 APPROVED BY THE CITY COUNCIL OF THE CITY OF BIXBY, OKLAHOMA, OR IN SUBSTANTIAL ACCORDANCE WITH SUCH MODIFICATIONS OR AMENDMENTS OF THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF PUD NO. 78 AS MAY BE SUBSEQUENTLY APPROVED.

B. APPLICABLE ORDINANCE

THE DEVELOPMENT OF THE BUNGALOWS III WILLOW CREEK SHALL BE SUBJECT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE BIXBY ZONING CODE, AS SUCH PROVISIONS EXISTED ON MAY 13, 2013.

C. USE

ALL USES ALLOWED BY RIGHT IN THE RS-3 ZONING DISTRICT AND SPECIFICALLY SINGLE-FAMILY RESIDENTIAL HOMES. ADDITIONALLY, ONE (1) USE UNIT 5 "NEIGHBORHOOD SWIMMING POOL AND/OR CLUBHOUSE" IS ALLOWED ON A LOT OR LOTS AS DETERMINED BY THE DEVELOPER/OWNER OF WILLOW CREEK. THE FACILITY SHALL BE SUBJECT TO A SITE PLAN AND, UPON COMPLETION OF CONSTRUCTION PURSUANT TO AN APPROVED BUILDING PERMIT, THE APPROVAL OF USE OF THE SINGULAR FACILITY SHALL ATTACH ONLY TO THE LOT OR LOTS ON WHICH THE BUILDING PERMIT WAS ISSUED.

D. DEVELOPMENT STANDARDS

DEVELOPMENT AREA – SINGLE FAMILY LOTS

PERMITTED USES SINGLE FAMILY RESIDENCES AND CUSTOMARY ACCESSORY USES.

MINIMUM LOT WIDTH: 60 FEET, MEASURED AS THE AVERAGE HORIZONTAL DISTANCE BETWEEN THE SIDE LOT LINES.

MINIMUM HOME SQUARE FOOTAGE: 1500

MASONRY REQUIREMENT: HOME EXTERIOR SHALL BE 50% MASONRY UP TO THE FIRST FLOOR PLATE LINE.

OTHER DIMENSIONAL STANDARDS AS SET FORTH WITHIN AN RS-3 DISTRICT

SIDEWALKS:
SIDEWALKS SHALL BE CONSTRUCTED BY THE DEVELOPER OR INDIVIDUAL LOT OWNERS ALONG PERIMETER AND INTERNAL STREETS IN ACCORDANCE WITH THE BIXBY SUBDIVISION REGULATIONS. SIDEWALKS SHALL BE A MINIMUM OF FOUR (4) FEET IN WIDTH, SHALL BE ADA COMPLIANT, AND SHALL BE APPROVED BY THE CITY ENGINEER.

SIGNS AND LANDSCAPING:
IDENTIFICATION SIGNAGE, IF TO BE INSTALLED FOR THIS DEVELOPMENT, SHALL COMPLY WITH BIXBY ZONING CODE SECTION 11-7B-3.B.4.B. LANDSCAPING OF RESERVES AND OPEN SPACES, IF ANY, SHALL MEET THE CITY OF BIXBY REQUIREMENTS.

E. SITE PLAN REVIEW AND COMPLIANCE WITH APPROVED PLANS

THE APPROVED FINAL PLAT OF THE SUBDIVISION SHALL CONSTITUTE THE DETAILED SITE PLAN REQUIRED BY THE BIXBY ZONING CODE. THE DEVELOPMENT AND USE OF THE BUNGALOWS II AT WILLOW CREEK SHALL BE IN COMPLIANCE WITH THE APPROVED BUILDING PLANS AND SIGN PLANS, AS MAY BE LATER APPROVED BY THE BIXBY PLANNING COMMISSION OR ITS SUCCESSOR.

F. DEFINITIONS

IN THE EVENT OF AMBIGUITY OF ANY WORD OR TERM SET FORTH IN THIS SECTION II., THE MEANING THEREOF SHALL BE DEEMED TO BE DEFINED AS SET FORTH WITHIN THE BIXBY ZONING CODE AS THE SAME EXISTED ON MAY 13, 2013.

SECTION III. HOMEOWNERS' ASSOCIATION

A. FORMATION OF HOMEOWNERS' ASSOCIATION

THE OWNER/DEVELOPER HAS FORMED OR SHALL CAUSE TO BE FORMED AN ASSOCIATION OF THE OWNERS OF THE LOTS WITHIN THE BUNGALOWS II AT WILLOW CREEK (HEREINAFTER REFERRED TO AS THE "HOMEOWNERS' ASSOCIATION") TO BE ESTABLISHED IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA, AND TO BE FORMED FOR THE GENERAL PURPOSES OF MAINTAINING THE COMMON AREAS, INCLUDING BUT WITHOUT LIMITATION THE STORM WATER DETENTION FACILITIES AND RESERVE AREAS, AND ENHANCING THE VALUE, DESIRABILITY AND ATTRACTIVENESS OF THE BUNGALOWS II AT WILLOW CREEK.

B. MEMBERSHIP

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

C. ASSESSMENT

EACH RECORD OWNER OF A LOT SHALL BE SUBJECT TO ASSESSMENT BY THE HOMEOWNERS' ASSOCIATION FOR THE PURPOSES OF IMPROVEMENT AND MAINTENANCE OF THE STORM WATER DETENTION FACILITIES, RESERVE AREAS AND OTHER COMMON AREAS, ALL AS MORE PARTICULARLY PROVIDED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE BUNGALOWS II AT WILLOW CREEK AND THE BYLAWS OF THE ASSOCIATION.

SECTION IV. ENFORCEMENT, DURATION, AMENDMENT AND SEVERABILITY

A. ENFORCEMENT

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER/DEVELOPER, ITS SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I. PUBLIC STREETS, EASEMENTS AND UTILITIES ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO, AND ADDITIONALLY THE COVENANTS WITHIN SECTION I. WHETHER OR NOT SPECIFICALLY THEREIN SO STATED SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA. THE COVENANTS CONTAINED IN SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS ARE ESTABLISHED PURSUANT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE BIXBY ZONING CODE AND SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA, ANY OWNER OF A LOT AND THE HOMEOWNERS' ASSOCIATION. IF THE UNDERSIGNED OWNER/DEVELOPER, OR ITS SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION II., IT SHALL BE LAWFUL FOR THE CITY OF BIXBY, ANY OWNER OF A LOT OR THE HOMEOWNERS' ASSOCIATION 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. THE COVENANTS CONTAINED IN SECTION III. HOMEOWNERS' ASSOCIATION SHALL INURE TO THE BENEFIT OF ANY OWNER OF A LOT AND THE HOMEOWNERS' ASSOCIATION. IN ANY JUDICIAL ACTION BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED WITHIN THIS DEED OF DEDICATION, THE DEFENSE THAT THE PARTY INITIATING THE EQUITABLE PROCEEDING HAS AN ADEQUATE REMEDY AT LAW, IS HEREBY WAIVED. IN ANY JUDICIAL ACTION BROUGHT BY ANY OWNER OF A LOT OR THE ASSOCIATION, WHICH ACTION SEEKS TO ENFORCE THE COVENANTS CONTAINED IN SECTION IV AND/OR TO RECOVER DAMAGES FOR THE BREACH THEREOF, THE PREVAILING PARTY SHALL BE ENTITLED TO RECEIVE REASONABLE ATTORNEY FEES AND COSTS AND EXPENSES INCURRED IN SUCH ACTION.

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 TWENTY (20) YEARS FROM THE DATE OF THE RECORDING OF THIS DEED OF DEDICATION, AND SHALL AUTOMATICALLY RENEW OR EXTEND THEREAFTER, UNLESS TERMINATED OR AMENDED AS HEREINAFTER PROVIDED.

C. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I, PUBLIC STREETS, EASEMENTS AND UTILITIES, MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS. THE COVENANTS CONTAINED WITHIN SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE BIXBY PLANNING COMMISSION, OR ITS SUCCESSORS. NOTWITHSTANDING THE FOREGOING THE COVENANTS CONTAINED WITHIN SECTION II, SHALL BE DEEMED AMENDED (WITHOUT NECESSITY OF EXECUTION OF AN AMENDING DO

Planned Unit Development No. 78

The Bungalows III

at Willow Creek

A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA BEING A PART OF THE NORTHEAST QUARTER (NE/4) OF SECTION TWELVE (12), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

Boundary Curve Table

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
BC1	84.33'	425.00'	11°22'08"	N 31°00'14" W	84.19'
BC2	121.00'	530.00'	13°04'51"	S 14°58'30" E	120.74'
BC3	37.01'	25.00'	84°49'52"	S 50°51'01" E	33.73'
BC4	37.81'	25.00'	86°38'59"	S 43°24'33" W	34.31'
BC5	71.88'	195.00'	21°07'09"	S 10°28'31" E	71.47'
BC6	118.96'	970.00'	7°01'36"	N 75°11'24" E	118.96'
BC7	13.39'	312.00'	2°27'35"	N 72°54'23" E	13.39'
BC8	32.35'	25.00'	74°08'12"	N 37°04'05" E	30.14'
BC9	39.27'	25.00'	90°00'00"	S 45°00'01" E	35.36'
BC10	54.91'	35.00'	89°53'33"	N 45°03'13" E	49.45'

Boundary Line Table

LINE	BEARING	DISTANCE
BL1	N 89°53'34" E	50.00'
BL2	S 25°49'54" E	59.46'
BL3	S 22°44'17" E	54.16'
BL4	S 03°35'12" E	50.00'
BL5	S 00°05'03" W	26.97'
BL6	N 00°00'01" W	12.83'
BL7	N 89°59'59" E	50.00'

Legend

B/L -- BUILDING SETBACK LINE
POB -- POINT OF BEGINNING
L.N.A. -- LIMITS OF NO ACCESS
MA/E -- MUTUAL ACCESS EASEMENT
U/E -- UTILITY EASEMENT
10000 -- STREET ADDRESS

Owner / Developer

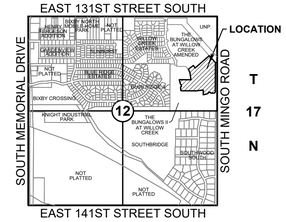
WILLOW CREEK DEVELOPMENT, LLC
12150 EAST 96TH STREET NORTH, STE 200
OWASSO, OKLAHOMA 74005
PHONE: (918) 274-0406
MR. PETE KOURTIS

Engineer

ENGINEERED BY DESIGN, PLLC
P.O. BOX 15567
DEL CITY, OKLAHOMA 73155
PHONE: (405) 234-0980
ahale@engineeredbydesign.pro
C.A. # 7655 EXPIRES 6-30-2022

Surveyor

FRITZ LAND SURVEYING, LLC
2017 WEST 91ST STREET
TULSA, OKLAHOMA 74132
PHONE: (918) 231-0575
EMAIL: fritzlandsurveying@gmail.com
C.A. # 5848 EXPIRES: 6-30-2022

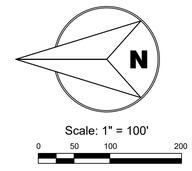


Location Map
SCALE: 1"=2000'

Subdivision Statistics

SUBDIVISION CONTAINS FIFTY-SIX (56) LOTS
IN THREE (3) BLOCKS AND ONE (1) RESERVE AREA

GROSS SUBDIVISION AREA: 681,029.81 SF OR 15.63 ACRES



Notes

ADDRESSES SHOWN ON THIS PLAT WERE ACCURATE AT THE TIME THIS PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF LEGAL DESCRIPTION.

ALL WATER AND SANITARY SEWER SERVICES WILL BE SUPPLIED AND MAINTAINED BY THE CITY OF BIXBY, OKLAHOMA.

NORTHEAST CORNER OF THE NORTHEAST QUARTER SECTION 12, T-17-N, R-13-E

Point of Beginning

Point of Commencement
SOUTHEAST CORNER OF THE NORTHEAST QUARTER SECTION 12, T-17-N, R-13-E

Basis of Bearings

THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 12, T-17-N, R-13-E AS NORTH 00°06'26" EAST.

Monumentation

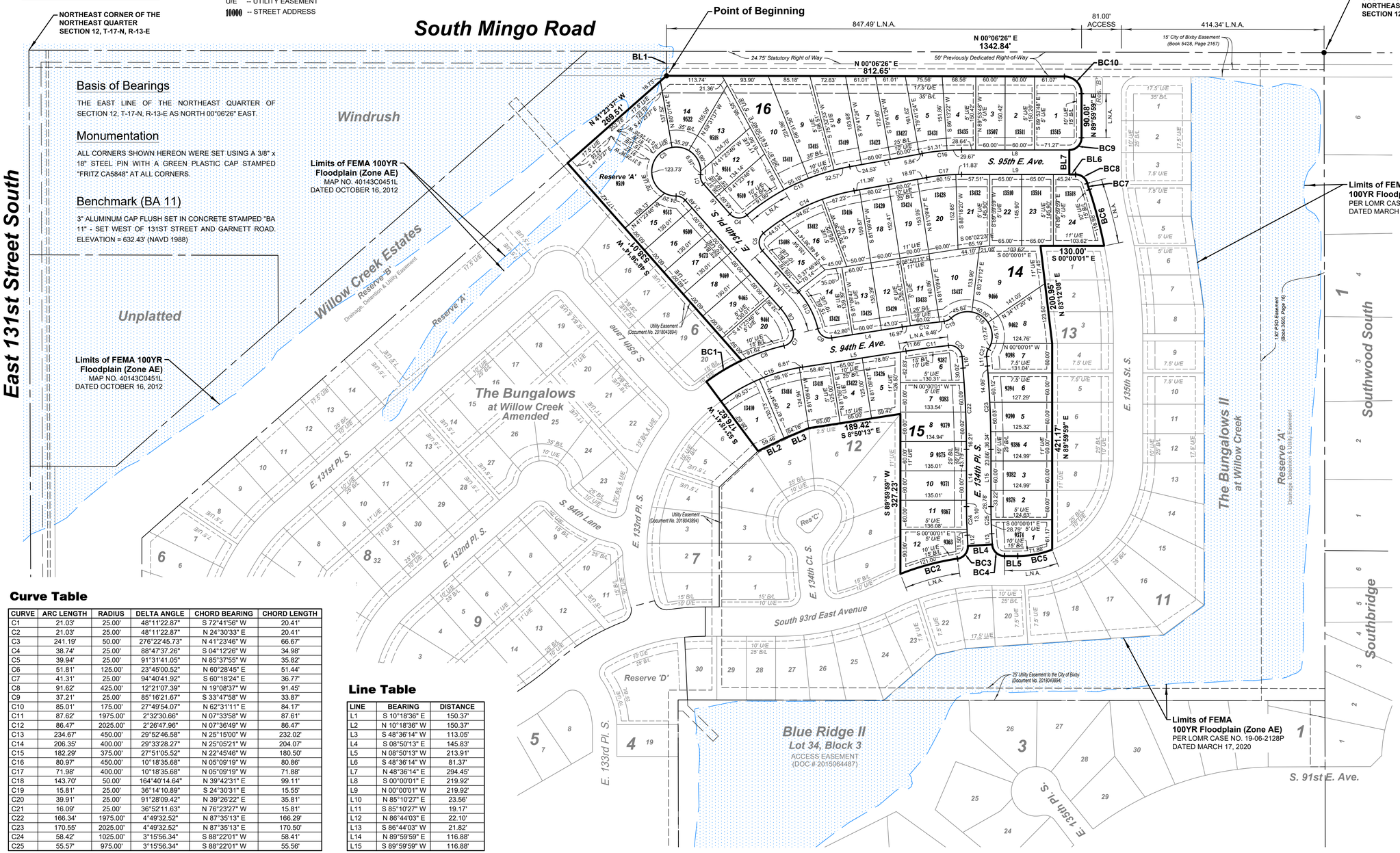
ALL CORNERS SHOWN HEREON WERE SET USING A 3/8" x 18" STEEL PIN WITH A GREEN PLASTIC CAP STAMPED "FRITZ CA5848" AT ALL CORNERS.

Benchmark (BA 11)

3" ALUMINUM CAP FLUSH SET IN CONCRETE STAMPED "BA 11" - SET WEST OF 131ST STREET AND GARNETT ROAD. ELEVATION = 632.43' (NAVD 1988)

Limits of FEMA 100YR Floodplain (Zone AE)
MAP NO. 40143C0451L
DATED OCTOBER 16, 2012

Limits of FEMA 100YR Floodplain (Zone AE)
PER LOMR CASE NO. 19-06-2128P
DATED MARCH 17, 2020



Curve Table

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	21.03'	25.00'	48°11'22.87"	S 72°41'56" W	20.41'
C2	21.03'	25.00'	48°11'22.87"	N 24°30'33" E	20.41'
C3	241.19'	50.00'	276°22'45.73"	N 41°23'46" W	66.67'
C4	38.74'	25.00'	88°47'37.26"	S 04°12'26" W	34.98'
C5	39.94'	25.00'	91°31'41.05"	N 85°37'55" W	35.82'
C6	51.81'	125.00'	23°45'00.52"	N 60°28'45" E	51.44'
C7	41.31'	25.00'	94°40'41.92"	S 60°18'24" E	36.77'
C8	91.62'	425.00'	12°21'07.39"	N 19°08'37" W	91.45'
C9	37.21'	25.00'	85°16'21.67"	S 33°47'58" W	33.87'
C10	85.01'	175.00'	27°49'54.07"	N 62°31'11" E	84.17'
C11	87.62'	1975.00'	2°32'30.66"	N 07°33'58" W	87.61'
C12	86.47'	2025.00'	2°26'47.96"	N 07°36'49" W	86.47'
C13	234.67'	450.00'	29°52'46.58"	N 25°15'00" W	232.02'
C14	206.35'	400.00'	29°33'28.27"	N 25°05'21" W	204.07'
C15	182.29'	375.00'	27°51'05.52"	N 22°45'46" W	180.50'
C16	80.97'	450.00'	10°18'35.68"	N 05°09'19" W	80.86'
C17	71.98'	400.00'	10°18'35.68"	N 05°09'19" W	71.88'
C18	143.70'	50.00'	164°40'14.64"	N 39°42'31" E	99.11'
C19	15.81'	25.00'	36°14'10.89"	S 24°30'31" E	15.55'
C20	39.91'	25.00'	91°28'09.42"	N 39°26'22" E	35.81'
C21	16.09'	25.00'	36°52'11.63"	N 76°23'27" W	15.81'
C22	166.34'	1975.00'	4°49'32.52"	N 87°35'13" E	166.29'
C23	170.55'	2025.00'	4°49'32.52"	N 87°35'13" E	170.50'
C24	58.42'	1025.00'	3°15'56.34"	S 88°22'01" W	58.41'
C25	55.57'	975.00'	3°15'56.34"	S 88°22'01" W	55.56'

Line Table

LINE	BEARING	DISTANCE
L1	S 10°18'36" E	150.37'
L2	N 10°18'36" W	150.37'
L3	S 48°36'14" W	113.05'
L4	S 08°50'13" E	145.83'
L5	N 08°50'13" W	213.91'
L6	S 48°36'14" W	81.37'
L7	N 48°36'14" E	294.45'
L8	S 00°00'01" E	219.92'
L9	N 00°00'01" W	219.92'
L10	N 85°10'27" E	23.56'
L11	S 85°10'27" W	19.17'
L12	N 86°44'03" E	22.10'
L13	S 86°44'03" W	21.82'
L14	N 89°59'59" E	116.88'
L15	S 89°59'59" W	116.88'

DRAFT FINAL
COUNTY TREASURER STAMP
PLAT #1

11/17/2021 - ADDED 5/5 SIDEYARD EASEMENTS (PSO)
11/29/2021 - ADDED FEMA FLOODPLAIN & RESERVE 'A'

STATE OF OKLAHOMA }
COUNTY OF TULSA } SS

I, MICHAEL WILLIS, TULSA COUNTY CLERK, IN AND FOR THE COUNTY AND STATE ABOVE, DO HEREBY CERTIFY THAT THE FORGOING IS A TRUE AND CORRECT COPY OF A LIKE INSTRUMENT NOW ON FILE IN MY OFFICE.

DATED THE _____ DAY OF _____, 2021.

MICHAEL WILLIS, TULSA COUNTY CLERK

_____
DEPUTY

FINAL PLAT

CERTIFICATE OF APPROVAL

I hereby certify that this plat was approved by the City Council of the City of Bixby on December 14, 2020.

_____
MAYOR - VICE MAYOR

This approval is void if the above signature is not endorsed by the City Manager or City Clerk.

_____
CITY MANAGER - CITY CLERK

DATE PREPARED: 11/29/2021

THE BUNGALOWS III AT WILLOW CREEK

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

WILLOW CREEK DEVELOPMENT, L.L.C., AN OKLAHOMA LIMITED LIABILITY COMPANY, HEREINAFTER TOGETHER REFERRED TO AS THE "OWNER/DEVELOPER" IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, TO WIT:

A TRACT OF LAND THAT IS PART OF THE NORTHEAST QUARTER OF SECTION TWELVE (12), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 12; THENCE NORTH 00°06'26" EAST ALONG THE EAST LINE OF THE NE/4 A DISTANCE OF 1342.84 FEET; THENCE NORTH 89°53'34" WEST 50.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 41°23'36" WEST ALONG THE WEST LINE OF RESERVE "B" OF WILLOW CREEK ESTATES, FILED AS PLAT NO. 6625, A DISTANCE OF 269.51 FEET TO THE SOUTHERLY LINE OF THE BUNGALOWS AT WILLOW CREEK AMENDED, FILED AS PLAT NO. 6815; THENCE ALONG SAID SOUTHERLY LINE SOUTH 48°36'15" WEST 538.00 FEET; THENCE NORTHWESTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 425.00 FEET, AN ARC LENGTH OF 84.33 FEET, A CHORD BEARING OF NORTH 31°00'14" WEST AND A CHORD LENGTH OF 84.19 FEET; THENCE SOUTH 53°18'42" WEST 176.62 FEET; THENCE SOUTH 25°49'54" EAST 59.46 FEET; THENCE SOUTH 22°44'17" EAST 54.16 FEET; THENCE SOUTH 08°50'13" EAST 189.42 FEET; THENCE SOUTH 89°59'59" WEST 327.23 FEET; THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 530.00 FEET, AN ARC LENGTH OF 121.00 FEET, A CHORD BEARING OF SOUTH 14°58'30" EAST AND A CHORD LENGTH OF 120.74 FEET TO A POINT OF COMPOUND CURVATURE; THENCE SOUTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 37.01 FEET, A CHORD BEARING OF SOUTH 50°51'01" EAST AND A CHORD LENGTH OF 33.73 FEET; THENCE SOUTH 03°35'12" EAST 50.00 FEET; THENCE SOUTHWESTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 37.81 FEET, A CHORD BEARING OF SOUTH 43°24'33" WEST AND A CHORD LENGTH OF 34.31 FEET; THENCE SOUTH 00°05'03" WEST 26.97 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 195.00 FEET, AN ARC LENGTH OF 71.88 FEET, A CHORD BEARING OF SOUTH 10°28'31" EAST AND A CHORD LENGTH OF 71.47 FEET; THENCE NORTH 89°59'59" EAST 421.17 FEET; THENCE NORTH 83°12'08" EAST 200.95 FEET; THENCE SOUTH 00°00'01" EAST 130.00 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 970.00 FEET, AN ARC LENGTH OF 118.96 FEET, A CHORD BEARING OF NORTH 75°11'24" EAST AND A CHORD LENGTH OF 118.88 FEET TO A POINT OF COMPOUND CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 312.00 FEET, AN ARC LENGTH OF 13.39 FEET, A CHORD BEARING OF NORTH 72°54'23" EAST AND A CHORD LENGTH OF 13.39 FEET TO A POINT OF COMPOUND CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 32.35 FEET, A CHORD BEARING OF NORTH 37°04'05" EAST AND A CHORD LENGTH OF 30.14 FEET; THENCE NORTH 00°00'01" WEST 12.83 FEET; THENCE NORTH 89°59'59" EAST 50.00 FEET; THENCE SOUTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 39.27 FEET, A CHORD BEARING OF SOUTH 45°00'01" EAST AND A CHORD LENGTH OF 35.36 FEET; THENCE NORTH 89°59'59" EAST 90.08 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 35.00 FEET, AN ARC LENGTH OF 54.91 FEET, A CHORD BEARING OF NORTH 45°03'13" EAST AND A CHORD LENGTH OF 49.45 FEET; THENCE NORTH 00°06'26" EAST AND PARALLEL TO THE EAST LINE OF THE NE/4 A DISTANCE OF 812.65 FEET TO THE POINT OF BEGINNING.

TRACT CONTAINS 681,029.81 SQUARE FEET OR 15.63 ACRES, MORE OR LESS.

BASIS OF BEARING IS THE EAST LINE OF THE NE/4 OF SECTION 12, T17N, R13E AS NORTH 00°06'26" EAST.

AND HAS CAUSED THE ABOVE DESCRIBED LAND TO BE SURVEYED, STAKED, PLATTED, GRANTED, DONATED, CONVEYED, DEDICATED, ACCESS RIGHTS RESERVED AND SUBDIVIDED INTO LOTS, BLOCKS, RESERVE AREAS AND STREETS, IN CONFORMITY WITH THE ACCOMPANYING PLAT AND SURVEY (HEREINAFTER THE "PLAT"; AND HAS ENTITLED AND DESIGNATED THE SUBDIVISION AS "THE BUNGALOWS III AT WILLOW CREEK", A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA (HEREINAFTER "THE BUNGALOWS II AT WILLOW CREEK" OR THE "SUBDIVISION").

SECTION I. PUBLIC STREETS, EASEMENTS AND UTILITIES

A. PUBLIC STREETS AND GENERAL UTILITY EASEMENTS

THE OWNER/DEVELOPER DOES HEREBY DEDICATE FOR PUBLIC USE THE STREETS DEPICTED ON THE ACCOMPANYING PLAT AND DOES FURTHER DEDICATE 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/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/DEVELOPER 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 RE-LAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO THE AREA INCLUDED IN THE PLAT. THE OWNER/DEVELOPER HEREIN IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA, AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT PROPERLY PERMITTED DRIVES, PARKING AREAS, CURBING, LANDSCAPING, CUSTOMARY SCREENING FENCES AND WALLS THAT DO NOT CONSTITUTE AN OBSTRUCTION.

B. UNDERGROUND SERVICE

1. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY UNDERGROUND CABLE AND ELSEWHERE THROUGHOUT THE SUBDIVISION ALL SUPPLY LINES SHALL BE LOCATED UNDERGROUND IN THE GENERAL UTILITY EASEMENTS. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE GENERAL UTILITY EASEMENTS.

2. UNDERGROUND SERVICE CABLES TO ALL STRUCTURES WHICH MAY BE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST 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 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 OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.

3. THE SUPPLIER OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL GENERAL UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE OR CABLE TELEVISION FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.

4. LOT OWNERS SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON THEIR RESPECTIVE LOTS AND EACH SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY THAT WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE OR CABLE TELEVISION FACILITIES. THE SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS.

5. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH B SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE ELECTRIC, TELEPHONE OR CABLE TELEVISION SERVICE AND LOT OWNERS AGREE TO BE BOUND HEREBY.

C. WATER, SANITARY SEWER AND STORM SEWER SERVICE

1. LOT OWNERS SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS LOCATED ON THEIR RESPECTIVE LOTS AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID PUBLIC WATER MAIN, PUBLIC SANITARY SEWER MAIN OR STORM SEWER.

2. WITHIN THE UTILITY EASEMENT AREAS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE IN EXCESS OF 3 FEET FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN OR STORM SEWER, OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS SHALL BE PROHIBITED.

3. THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER AND SEWER MAINS, BUT LOT OWNERS SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY THEIR ACTS AND/OR THE ACTS OF THEIR AGENTS OR CONTRACTORS.

4. THE CITY OF BIXBY, 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 THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF UNDERGROUND WATER OR SEWER FACILITIES.

5. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH C SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS, AND LOT OWNERS AGREE TO BE BOUND HEREBY.

D. GAS SERVICE

1. LOT OWNERS SHALL BE RESPONSIBLE FOR THE PROTECTION OF GAS FACILITIES LOCATED ON THEIR RESPECTIVE LOTS.

2. WITHIN THE UTILITY EASEMENT AREAS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE IN EXCESS OF 3 FEET FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A GAS MAIN OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH A GAS MAIN SHALL BE PROHIBITED.

3. THE SUPPLIER OF GAS SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF GAS MAINS, BUT LOT OWNERS SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY THEIR ACTS AND/OR THE ACTS OF THEIR AGENTS OR CONTRACTORS.

4. THE SUPPLIER OF GAS SERVICE SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF GAS FACILITIES.

5. UNDERGROUND GAS SERVICE LINES TO ALL STRUCTURES WHICH MAY BE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST GAS MAIN 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 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 LINE, EXTENDING FROM THE GAS MAIN TO THE SERVICE ENTRANCE ON THE STRUCTURE.

6. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH D SHALL BE ENFORCEABLE BY THE SUPPLIER OF GAS SERVICE AND LOT OWNERS AGREE TO BE BOUND HEREBY.

E. OVERLAND DRAINAGE AND STORMWATER DETENTION EASEMENT

1. THE OWNER/DEVELOPER DOES HEREBY GRANT AND ESTABLISH A PERPETUAL EASEMENT ON, OVER AND ACROSS RESERVE 'A' (HEREINAFTER REFERRED TO AS THE "OVERLAND DRAINAGE EASEMENT AREAS") FOR THE PURPOSES OF PERMITTING THE FLOW, CONVEYANCE, DETENTION AND DISCHARGE OF STORMWATER RUNOFF FROM THE VARIOUS LOTS WITHIN THE SUBDIVISION.

2. DETENTION AND OTHER DRAINAGE FACILITIES CONSTRUCTED WITHIN THE OVERLAND DRAINAGE EASEMENT AREAS SHALL BE IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY THE CITY OF BIXBY, OKLAHOMA.

3. DRAINAGE FACILITIES SHALL BE MAINTAINED BY THE HOMEOWNERS' ASSOCIATION (TO BE FORMED PURSUANT TO SECTION III) TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED DRAINAGE AND DETENTION FUNCTIONS INCLUDING REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION. THE HOMEOWNERS' ASSOCIATION SHALL PROVIDE ROUTINE AND CUSTOMARY GROUNDS MAINTENANCE WITHIN THE OVERLAND DRAINAGE EASEMENT AREAS WHICH SHALL BE IN ACCORDANCE WITH THE FOLLOWING STANDARDS:

   a. THE OVERLAND DRAINAGE EASEMENT AREAS SHALL BE KEPT FREE OF LITTER.

   b. THE OVERLAND DRAINAGE EASEMENT AREAS SHALL BE MOWED DURING THE GROWING SEASON AT INTERVALS NOT EXCEEDING 4 WEEKS.

   c. IN THE EVENT THE HOMEOWNERS' ASSOCIATION SHOULD FAIL TO PROPERLY MAINTAIN THE OVERLAND DRAINAGE EASEMENT AREAS AS ABOVE PROVIDED, THE CITY OF BIXBY, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER THE OVERLAND DRAINAGE EASEMENT AREAS AND PERFORM SUCH MAINTENANCE, AND THE COST THEREOF SHALL BE PAID BY THE HOMEOWNERS' ASSOCIATION.

   d. IN THE EVENT THE HOMEOWNERS' ASSOCIATION, AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, FAILS TO PAY THE COST OF MAINTENANCE AS ABOVE SET FORTH, THE CITY OF BIXBY, OKLAHOMA MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST EACH RESIDENTIAL LOT WITHIN THE SUBDIVISION, PROVIDED HOWEVER, THE LIEN AGAINST EACH RESIDENTIAL LOT SHALL NOT EXCEED 1/111TH OF THE COSTS.

   e. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF BIXBY, OKLAHOMA.

F. SURFACE DRAINAGE AND LOT GRADING RESTRICTION

EACH LOT SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS, DRAINAGE AREAS OF HIGHER ELEVATION, AND PUBLIC STREETS AND EASEMENTS. NO LOT OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND/OR SURFACE WATERS OVER AND ACROSS HIS LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH F SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF BIXBY, OKLAHOMA.

G. PAVING AND LANDSCAPING WITHIN EASEMENTS

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

H. FENCING AND LANDSCAPING EASEMENT

THE OWNER/DEVELOPER HEREIN RESERVES FOR SUBSEQUENT CONVEYANCE TO THE HOMEOWNERS' ASSOCIATION TO BE FORMED PURSUANT TO SECTION III A PERPETUAL EASEMENT TO ERECT AND MAINTAIN FENCING, WALLS AND LANDSCAPING ALONG THE BOUNDARIES OF THE SUBDIVISION WITHIN THE EASEMENTS DEPICTED ON THE PLAT AS "FENCE AND LANDSCAPE EASEMENT" OR "FL/E".

I. RESERVE AREA 'A'

THE USE OF RESERVE AREA 'A' SHALL BE LIMITED TO USE AS AN OVERLAND DRAINAGE EASEMENT AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO A HOMEOWNERS' ASSOCIATION, AS SET FORTH WITHIN SECTION III, TO BE FORMED FOR THE PURPOSES OF THE ADMINISTRATION AND MAINTENANCE OF THE COMMON AREAS OF THE SUBDIVISION.

SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS, WILLOW CREEK WAS SUBMITTED AS A PLANNED UNIT DEVELOPMENT (DESIGNATED AS PUD NO. 78) AS PROVIDED WITHIN THE PROVISIONS OF THE BIXBY ZONING CODE PERTAINING TO PLANNED UNIT DEVELOPMENTS (PUDS), AND

WHEREAS, PUD NO. 78 WAS AFFIRMATIVELY RECOMMENDED BY THE BIXBY PLANNING COMMISSION ON MAY 2, 2013 AND APPROVED BY THE CITY COUNCIL OF THE CITY OF BIXBY, OKLAHOMA, ON MAY 13, 2013 THE IMPLEMENTING ORDINANCE NO. 2120 & 272 BEING ADOPTED AND PUBLISHED ON SEPTEMBER 23, 2013, AND

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

WHEREAS, THE OWNER/DEVELOPER 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/DEVELOPER, ITS SUCCESSORS AND ASSIGNS, AND THE CITY OF BIXBY, OKLAHOMA.

THEREFORE, THE OWNER/DEVELOPER DOES HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE OWNER/DEVELOPER, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH.

A. DEVELOPMENT IN ACCORDANCE WITH PUD

THE BUNGALOWS III AT WILLOW CREEK SHALL BE DEVELOPED AND USED IN SUBSTANTIAL ACCORDANCE WITH THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF PUD NO. 78 APPROVED BY THE CITY COUNCIL OF THE CITY OF BIXBY, OKLAHOMA, OR IN SUBSTANTIAL ACCORDANCE WITH SUCH MODIFICATIONS OR AMENDMENTS OF THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF PUD NO. 78 AS MAY BE SUBSEQUENTLY APPROVED.

B. APPLICABLE ORDINANCE

THE DEVELOPMENT OF THE BUNGALOWS III WILLOW CREEK SHALL BE SUBJECT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE BIXBY ZONING CODE, AS SUCH PROVISIONS EXISTED ON MAY 13, 2013.

C. USE

ALL USES ALLOWED BY RIGHT IN THE RS-3 ZONING DISTRICT AND SPECIFICALLY SINGLE-FAMILY RESIDENTIAL HOMES. ADDITIONALLY, ONE (1) USE UNIT 5 "NEIGHBORHOOD SWIMMING POOL AND/OR CLUBHOUSE" IS ALLOWED ON A LOT OR LOTS AS DETERMINED BY THE DEVELOPER/OWNER OF WILLOW CREEK. THE FACILITY SHALL BE SUBJECT TO A SITE PLAN AND, UPON COMPLETION OF CONSTRUCTION PURSUANT TO AN APPROVED BUILDING PERMIT, THE APPROVAL OF USE OF THE SINGULAR FACILITY SHALL ATTACH ONLY TO THE LOT OR LOTS ON WHICH THE BUILDING PERMIT WAS ISSUED.

D. DEVELOPMENT STANDARDS

DEVELOPMENT AREA – SINGLE FAMILY LOTS

PERMITTED USES SINGLE FAMILY RESIDENCES AND CUSTOMARY ACCESSORY USES.

MINIMUM LOT WIDTH: 60 FEET, MEASURED AS THE AVERAGE HORIZONTAL DISTANCE BETWEEN THE SIDE LOT LINES.

MINIMUM HOME SQUARE FOOTAGE: 1500

MASONRY REQUIREMENT: HOME EXTERIOR SHALL BE 50% MASONRY UP TO THE FIRST FLOOR PLATE LINE.

OTHER DIMENSIONAL STANDARDS AS SET FORTH WITHIN AN RS-3 DISTRICT

SIDEWALKS:
SIDEWALKS SHALL BE CONSTRUCTED BY THE DEVELOPER OR INDIVIDUAL LOT OWNERS ALONG PERIMETER AND INTERNAL STREETS IN ACCORDANCE WITH THE BIXBY SUBDIVISION REGULATIONS. SIDEWALKS SHALL BE A MINIMUM OF FOUR (4) FEET IN WIDTH, SHALL BE ADA COMPLIANT, AND SHALL BE APPROVED BY THE CITY ENGINEER.

SIGNS AND LANDSCAPING:
IDENTIFICATION SIGNAGE, IF TO BE INSTALLED FOR THIS DEVELOPMENT, SHALL COMPLY WITH BIXBY ZONING CODE SECTION 11-7B-3.B.4.B. LANDSCAPING OF RESERVES AND OPEN SPACES, IF ANY, SHALL MEET THE CITY OF BIXBY REQUIREMENTS.

E. SITE PLAN REVIEW AND COMPLIANCE WITH APPROVED PLANS

THE APPROVED FINAL PLAT OF THE SUBDIVISION SHALL CONSTITUTE THE DETAILED SITE PLAN REQUIRED BY THE BIXBY ZONING CODE. THE DEVELOPMENT AND USE OF THE BUNGALOWS II AT WILLOW CREEK SHALL BE IN COMPLIANCE WITH THE APPROVED BUILDING PLANS AND SIGN PLANS, AS MAY BE LATER APPROVED BY THE BIXBY PLANNING COMMISSION OR ITS SUCCESSOR.

F. DEFINITIONS

IN THE EVENT OF AMBIGUITY OF ANY WORD OR TERM SET FORTH IN THIS SECTION II., THE MEANING THEREOF SHALL BE DEEMED TO BE DEFINED AS SET FORTH WITHIN THE BIXBY ZONING CODE AS THE SAME EXISTED ON MAY 13, 2013.

SECTION III. HOMEOWNERS' ASSOCIATION

A. FORMATION OF HOMEOWNERS' ASSOCIATION

THE OWNER/DEVELOPER HAS FORMED OR SHALL CAUSE TO BE FORMED AN ASSOCIATION OF THE OWNERS OF THE LOTS WITHIN THE BUNGALOWS II AT WILLOW CREEK (HEREINAFTER REFERRED TO AS THE "HOMEOWNERS' ASSOCIATION") TO BE ESTABLISHED IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA, AND TO BE FORMED FOR THE GENERAL PURPOSES OF MAINTAINING THE COMMON AREAS, INCLUDING BUT WITHOUT LIMITATION THE STORM WATER DETENTION FACILITIES AND RESERVE AREAS, AND ENHANCING THE VALUE, DESIRABILITY AND ATTRACTIVENESS OF THE BUNGALOWS II AT WILLOW CREEK.

B. MEMBERSHIP

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

C. ASSESSMENT

EACH RECORD OWNER OF A LOT SHALL BE SUBJECT TO ASSESSMENT BY THE HOMEOWNERS' ASSOCIATION FOR THE PURPOSES OF IMPROVEMENT AND MAINTENANCE OF THE STORM WATER DETENTION FACILITIES, RESERVE AREAS AND OTHER COMMON AREAS, ALL AS MORE PARTICULARLY PROVIDED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE BUNGALOWS II AT WILLOW CREEK AND THE BYLAWS OF THE ASSOCIATION.

SECTION IV. ENFORCEMENT, DURATION, AMENDMENT AND SEVERABILITY

A. ENFORCEMENT

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER/DEVELOPER, ITS SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I. PUBLIC STREETS, EASEMENTS AND UTILITIES ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO, AND ADDITIONALLY THE COVENANTS WITHIN SECTION I. WHETHER OR NOT SPECIFICALLY THEREIN SO STATED SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA. THE COVENANTS CONTAINED IN SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS ARE ESTABLISHED PURSUANT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE BIXBY ZONING CODE AND SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA, ANY OWNER OF A LOT AND THE HOMEOWNERS' ASSOCIATION. IF THE UNDERSIGNED OWNER/DEVELOPER, OR ITS SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION II., IT SHALL BE LAWFUL FOR THE CITY OF BIXBY, ANY OWNER OF A LOT OR THE HOMEOWNERS' ASSOCIATION 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. THE COVENANTS CONTAINED IN SECTION III. HOMEOWNERS' ASSOCIATION SHALL INURE TO THE BENEFIT OF ANY OWNER OF A LOT AND THE HOMEOWNERS' ASSOCIATION. IN ANY JUDICIAL ACTION BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED WITHIN THIS DEED OF DEDICATION, THE DEFENSE THAT THE PARTY INITIATING THE EQUITABLE PROCEEDING HAS AN ADEQUATE REMEDY AT LAW, IS HEREBY WAIVED. IN ANY JUDICIAL ACTION BROUGHT BY ANY OWNER OF A LOT OR THE ASSOCIATION, WHICH ACTION SEEKS TO ENFORCE THE COVENANTS CONTAINED IN SECTION IV AND/OR TO RECOVER DAMAGES FOR THE BREACH THEREOF, THE PREVAILING PARTY SHALL BE ENTITLED TO RECEIVE REASONABLE ATTORNEY FEES AND COSTS AND EXPENSES INCURRED IN SUCH ACTION.

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 TWENTY (20) YEARS FROM THE DATE OF THE RECORDING OF THIS DEED OF DEDICATION, AND SHALL AUTOMATICALLY RENEW OR EXTEND THEREAFTER, UNLESS TERMINATED OR AMENDED AS HEREINAFTER PROVIDED.

C. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I, PUBLIC STREETS, EASEMENTS AND UTILITIES, MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS. THE COVENANTS CONTAINED WITHIN SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE BIXBY PLANNING COMMISSION, OR ITS SUCCESSORS. NOTWITHSTANDING THE FOREGOING THE COVENANTS CONTAINED WITHIN SECTION II, SHALL BE DEEMED AMENDED (WITHOUT NECESSITY OF EXECUTION OF AN AMENDING DO

City of Bixby
P.O. Box 70
116 W. Needles Ave.
Bixby, OK 74008
(918) 366-4430

Staff Report

To: City of Bixby, Planning Commission

From: Carolyn Back, Development Services Director/City Planner

Date: Tuesday, January 18, 2022

Name: White Hawk Conference Center and Clubhouse (BXPT-21.18)

RE: Preliminary and Final Plat
Platting required per PUD-3-B (Development Areas B and C)

Location: 14515 S Yale Avenue, Bixby, Oklahoma 74008

STR: Section 15, Township 17N, Range 13E

Applicant: Ryan McCarty – Select Design

Staff Review

Project Overview per Plat:

Development Area B		Development Area C	
# of Acres	18.45 (+/-)	# of Acres	7.36 (+/-)
Min Lot Area	7,700 SF	N/A	
Min Lot Width (refer to PUD for cul-de-sac lots)	55 ft	N/A	
Livability Space Per Dwelling Unit Minimum Size of Dwelling Unit	2,500SF 1,600 SF	Max Bldg Floor Area	20,000 SF
Max Bldg Height	40 ft	Max Bldg Height *up to 35 ft for unoccupied architectural elements, subject to Detailed Site Plan Approval.	25 ft*
Max # of Lots	40	N/A	

Utilities/Site Area:
The commercial development will be served by City of Bixby: Water, Sanitary Sewer, and Storm Sewer. All franchise utility providers were notified through a Technical Advisory Committee meeting.

Phasing:
All of Area C per the PUD-3-B.
All Areas as shown in Dev Area B, are subject to future platting requirements.

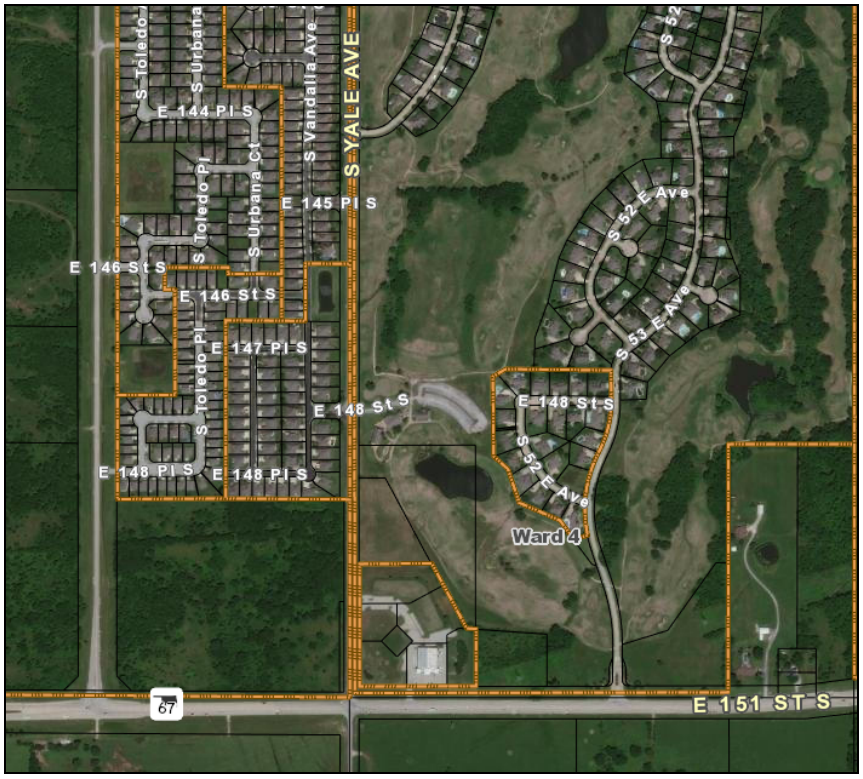


Figure 1: City of Bixby Zoning Map

Public Comments:
Homeowners Association requested Public Records, to include boundaries of the PUD.

Staff Comments:

1. Staff supports Planning Commission recommendation for approval of *White Hawk Conference Center and Clubhouse* Preliminary and Final Plats.

ATTACHMENTS:
Attachment 1: Preliminary and Final Plats
White Hawk Conference Center and Clubhouse dated 11.18.2021
Attachment 2: PUD-3-B Whitehawk II 07.2018

Planned Unit Development No. 3-B

White Hawk

Conference Center & Clubhouse

A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY STATE OF OKLAHOMA, BEING A PART OF RESERVE A, CELEBRITY COUNTRY, A RE-SUBDIVISION OF BLOCK 2, SITRIN CENTER ADDITION, AN ADDITION TO THE CITY OF BIXBY, ACCORDING TO THE RECORDED PLAT THEREOF.

Owner / Developer

VENUE VENTURES, LLC
4512 EAST 51ST STREET, SUITE 100
TULSA, OK 74135
PHONE: 918-605-5600
MR. KEVIN JORDAN

Engineer

ENGINEERED BY DESIGN, PLLC
P.O. BOX 15567
DEL CITY, OKLAHOMA 73155
PHONE: (405) 234-0980
EMAIL: ahale@engineeredbydesign.pro
C.A. # 7655 EXPIRES 6-30-2022

Surveyor

FRITZ LAND SURVEYING, LLC
2017 WEST 91ST STREET
TULSA, OKLAHOMA 74132
PHONE: (918) 231-0575
EMAIL: fritzlandsurveying@gmail.com
C.A. # 5848 EXPIRES: 6-30-2022

Basis of Bearings

BEARINGS ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, (3501 OK N), NORTH AMERICAN DATUM 1983 (NAD83).

Monumentation

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

Legend

B/L -- BUILDING SETBACK LINE
POB -- POINT OF BEGINNING
U/E -- UTILITY EASEMENT

Notes

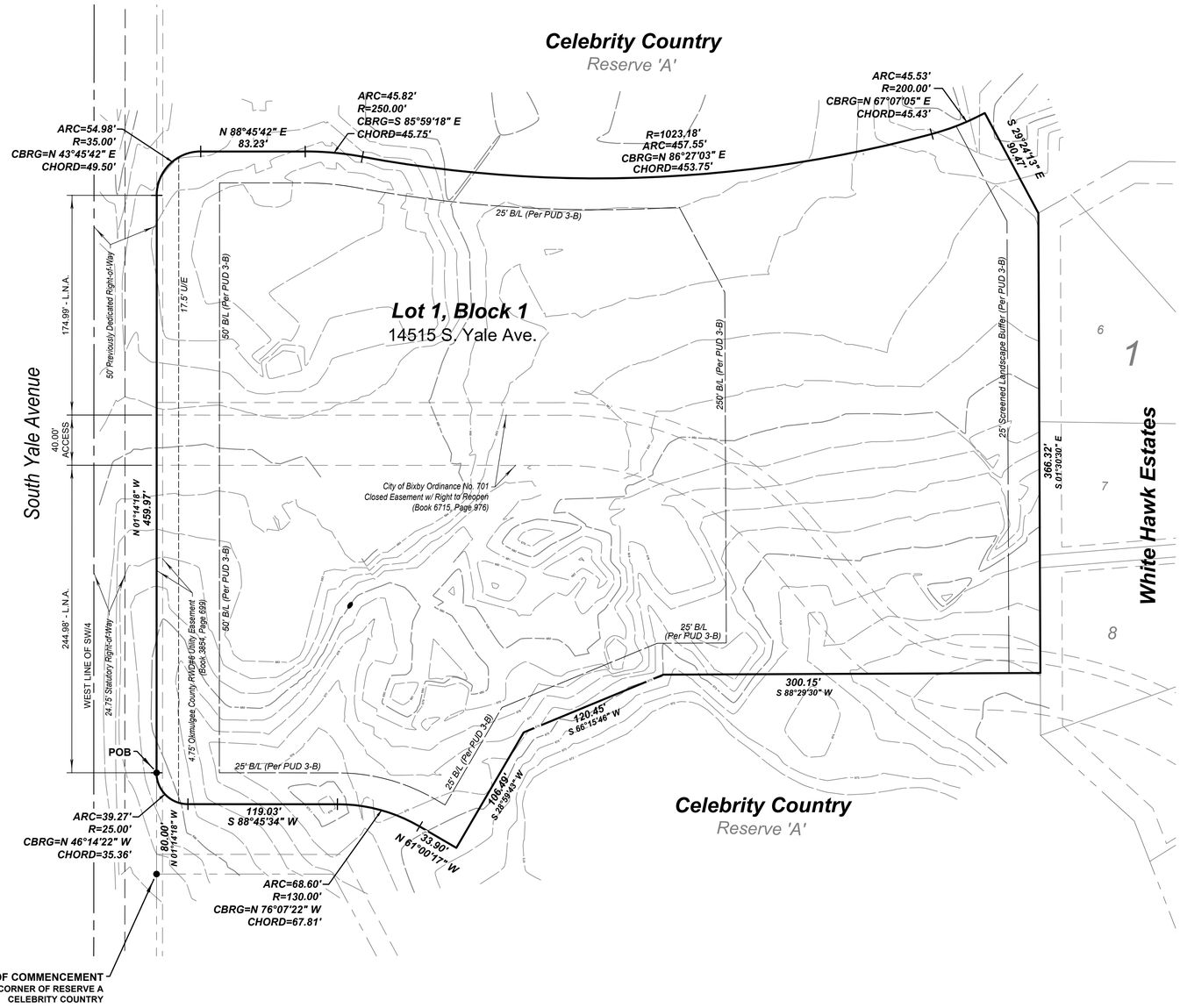
ADDRESSES SHOWN ON THIS PLAT WERE ACCURATE AT THE TIME THIS PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF LEGAL DESCRIPTION.

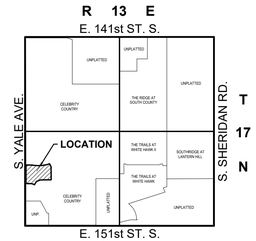
ALL WATER AND SANITARY SEWER SERVICES WILL BE SUPPLIED AND MAINTAINED BY THE CITY OF BIXBY, OKLAHOMA.

Subdivision Statistics

SUBDIVISION CONTAINS ONE (1) LOT IN ONE (1) BLOCK

GROSS SUBDIVISION AREA: 320,532.0 SF OR 7.36 AC.





SECTION 15

Location Map

SCALE: 1"=2000'

N

Scale: 1" = 50'

0 25 50 100

COUNTY TREASURER STAMP

STATE OF OKLAHOMA)
COUNTY OF TULSA) SS
)

I, MICHAEL WILLIS, TULSA COUNTY CLERK, IN AND FOR THE COUNTY AND STATE ABOVE, DO HEREBY CERTIFY THAT THE FORGOING IS A TRUE AND CORRECT COPY OF A LIKE INSTRUMENT NOW ON FILE IN MY OFFICE.

DATED THE _____ DAY OF _____, 2022.

MICHAEL WILLIS, TULSA COUNTY CLERK

_____
DEPUTY

PRELIMINARY PLAT

DATE PREPARED: November 18, 2021

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

WHITE HAWK CONFERENCE CENTER & CLUBHOUSE

Planned Unit Development No. 3-B

KNOW ALL MEN BY THESE PRESENTS:

VENUE VENTURES, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HEREINAFTER REFERRED TO AS THE OWNER/DEVELOPER, IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT;

A TRACT OF LAND THAT IS PART OF RESERVE A, CELEBRITY COUNTRY, A RE-SUBDIVISION OF BLOCK 2, SITRIN CENTER ADDITION, AN ADDITION TO THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID RESERVE A, CELEBRITY COUNTRY; THENCE NORTH 01°14'18" WEST ALONG THE WEST LINE THEREOF A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 01°14'18" WEST 459.97 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 35.00 FEET, AN ARC LENGTH OF 54.98 FEET, A CHORD BEARING OF NORTH 43°45'42" EAST AND A CHORD LENGTH OF 49.50 FEET; THENCE NORTH 88°45'42" EAST 83.23 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 250.00 FEET, AN ARC LENGTH OF 45.82 FEET, A CHORD BEARING OF SOUTH 85°59'18" EAST AND A CHORD LENGTH OF 45.75 FEET TO A POINT OF REVERSE CURVATURE; THENCE EASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1023.18 FEET, AN ARC LENGTH OF 457.55 FEET, A CHORD BEARING OF NORTH 86°27'03" EAST AND A CHORD LENGTH OF 453.75 FEET TO A POINT OF COMPOUND CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 200.00 FEET, AN ARC LENGTH OF 45.53 FEET, A CHORD BEARING OF NORTH 67°07'05" EAST AND A CHORD LENGTH OF 45.43 FEET; THENCE SOUTH 29°24'13" EAST 90.47 FEET TO A POINT ON THE WEST LINE OF BLOCK ONE (1), WHITE HAWK ESTATES, AN ADDITION TO THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF; THENCE SOUTH 01°30'30" EAST ALONG SAID WEST LINE A DISTANCE OF 366.32 FEET; THENCE SOUTH 88°29'30" WEST 300.15 FEET; THENCE SOUTH 66°15'46" WEST 120.45 FEET; THENCE SOUTH 28°59'43" WEST 106.49 FEET; THENCE NORTH 61°00'17" WEST 33.90 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 130.00 FEET, AN ARC LENGTH OF 68.60 FEET, A CHORD BEARING OF NORTH 76°07'22" WEST AND A CHORD LENGTH OF 67.81 FEET; THENCE SOUTH 88°45'34" WEST 119.03 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 39.27 FEET, A CHORD BEARING OF NORTH 46°14'22" WEST AND A CHORD LENGTH OF 35.36 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 320,532.0 SQ. FEET OR 7.36 ACRES.

BEARINGS ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, (3501 OK N), NORTH AMERICAN DATUM 1983 (NAD83).

AND HAS CAUSED THE ABOVE DESCRIBED TRACT OF LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO 1 LOT AND 1 BLOCK, IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS "WHITE HAWK CONFERENCE CENTER & CLUBHOUSE", A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA.

SECTION I. EASEMENTS AND RIGHTS-OF-WAY

THE OWNER/DEVELOPER DOES HEREBY DEDICATE FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, REPAIRING, REMOVING AND REPLACING ANY AND ALL PUBLIC UTILITIES, INCLUDING WATER LINES, SANITARY SEWER, TELEPHONE LINES, CABLE TELEVISION, ELECTRIC POWER LINES AND TRANSFORMERS, AND GAS LINES, TOGETHER WITH ALL FITTINGS AND EQUIPMENT FOR EACH OF SUCH FACILITIES INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS AND ANY OTHER APPURTENANCES THERETO, WITH RIGHT OF INGRESS AND EGRESS TO THE EASEMENTS FOR THE USES AND PURPOSES AFORESAID; PROVIDED, HOWEVER THAT THE OWNER/DEVELOPER HEREBY RESERVES TO ITSELF, AND TO IT'S ASSIGNS, THE RIGHT TO USE OR DELEGATE TO OTHERS THE RIGHT TO USE THE DESIGNATED EASEMENTS TO PROVIDE ANY OF THE SERVICES SET FORTH HEREIN, INCLUDING, BUT NOT LIMITED TO THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RELAY WATER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER SERVICE TO THE AREA INCLUDED WITHIN THE PLAT, THE OWNER/DEVELOPER HEREIN IMPOSES A RESTRICTIVE COVENANT, WHICH SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA AND THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ATTACHED PLAT, NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION THAT INTERFERES WITH THE ABOVE SET FORTH USES AND PURPOSES OF THE EASEMENT SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED; PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT UTILITY EASEMENTS, DRIVES, PARKING AREAS, CURBING, AND LANDSCAPING THAT DOES NOT CONSTITUTE AN OBSTRUCTION AS AFORESAID.

A. ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICE

1. OVERHEAD POLE LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICE MAY NOT BE LOCATED WITHIN THE SUBDIVISION. ALL SUPPLY LINES SHALL BE LOCATED UNDERGROUND, IN EASEMENTS DEDICATED FOR GENERAL UTILITY SERVICES AS DEPICTED ON THE ATTACHED PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE EASEMENTS.
2. UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL DWELLINGS AND/OR BUILDINGS 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 DWELLINGS AND/OR BUILDING AS MAY BE LOCATED UPON THE LOT; PROVIDED THAT, UPON INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR DWELLING AND/OR BUILDING, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT AND EFFECTIVE RIGHT-OF-WAY EASEMENT ON SAID LOT, COVERING A FIVE-FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE, EXTENDING FROM THE SERVICE PEDESTAL OR TRANSFORMER OR GAS MAIN TO THE SERVICE ENTRANCE ON THE DWELLING AND/OR BUILDING.
3. THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION, AND GAS SERVICES, THROUGH IT'S AUTHORIZED AGENTS AND EMPLOYEES SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL SUCH EASEMENTS SHOWN ON THE PLAT TO THE SUBDIVISION, INCLUDING EASEMENTS DEPICTED WITHIN RESERVE AREAS 'A', 'B', 'C', 'D' AND 'E', 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.
4. THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND ELECTRIC FACILITIES LOCATED ON HIS PROPERTY AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. THE SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF THE UNDERGROUND FACILITIES, BUT THE OWNER OF EACH LOT IN THE SUBDIVISION WILL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS.
5. THE FOREGOING COVENANTS CONCERNING UNDERGROUND ELECTRIC, TELEPHONE AND CABLE TELEVISION FACILITIES SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICE, AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

B. WATER AND SANITARY SEWER SERVICE

1. THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS AND SANITARY SEWER LOCATED ON HIS LOT.
2. WITHIN UTILITY EASEMENTS DEPICTED ON THE ATTACHED PLAT, THE ALTERATION OF GRADE FROM THE CONTOURS EXISTING UPON COMPLETION OF A PUBLIC WATER MAIN AND SANITARY SEWER OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH A PUBLIC WATER MAIN AND SANITARY SEWER SHALL BE PROHIBITED.
3. THE CITY OF BIXBY PUBLIC WORKS, HEREINAFTER REFERRED TO AS "THE CITY", OR IT'S SUCCESSORS SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER MAINS AND SANITARY SEWER, BUT THE OWNER OF THE LOT SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS.
4. THE CITY, OR IT'S SUCCESSORS SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS DEPICTED ON THE ATTACHED PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF THE WATER AND SANITARY SEWER FACILITIES OWNED BY IT.
5. WHERE PUBLIC WATER LINES AND SANITARY SEWER MAINS ARE LOCATED UNDER PAVEMENT, THE CITY OF BIXBY SHALL HAVE THE RIGHT TO REMOVE SAID PAVEMENT FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF THE WATER AND SANITARY SEWER FACILITIES, PROVIDED, HOWEVER, THE CITY OF BIXBY SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES. ANY COSTS ASSOCIATED WITH THE REMOVAL AND REPLACEMENT OF SAID PAVEMENT SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNERS' ASSOCIATION.
6. THE FOREGOING COVENANTS CONCERNING THE WATER LINE AND SANITARY SEWER FACILITIES SHALL BE ENFORCEABLE BY THE CITY, OR IT'S SUCCESSORS, AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

C. 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, SANITARY, NATURAL GAS, COMMUNICATION, CABLE TELEVISION, OR ELECTRIC FACILITIES WITHIN THE UTILITY EASEMENT AREAS DEPICTED UPON THE ACCOMPANYING PLAT, PROVIDED HOWEVER, THE CITY OF BIXBY OR THE SUPPLIER OF THE UTILITY SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

D. LIMITS OF NO ACCESS

THE UNDERSIGNED OWNER/DEVELOPER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO WHITE HAWK CONFERENCE CENTER & CLUBHOUSE WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" (L.N.A.) ON THE ACCOMPANYING PLAT, WHICH "LIMITS OF NO ACCESS" MAY BE AMENDED OR RELEASED BY THE CITY OF BIXBY, OR ITS SUCCESSOR, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA. LIMITS OF NO ACCESS SHALL BE ENFORCEABLE BY THE CITY OF BIXBY.

SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS, WHITE HAWK CONFERENCE CENTER & CLUBHOUSE WAS SUBMITTED AS A PLANNED UNIT DEVELOPMENT (DESIGNATED AS PUD 3-B) AS PROVIDED WITHIN THE PROVISIONS OF THE BIXBY ZONING CODE PERTAINING TO PLANNED UNIT DEVELOPMENTS, AND

WHEREAS, PUD 3-B WAS AFFIRMATIVELY RECOMMENDED BY THE BIXBY PLANNING COMMISSION ON _____ AND APPROVED BY THE CITY COUNCIL OF THE CITY OF BIXBY, STATE OF OKLAHOMA, ON _____, THE IMPLEMENTING ORDINANCE NO. XXXX BEING ADOPTED AND PUBLISHED ON _____, AND

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

WHEREAS, THE OWNER/DEVELOPER 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/DEVELOPER, ITS SUCCESSORS AND ASSIGNS, AND THE CITY OF BIXBY, STATE OF OKLAHOMA.

SECTION III. ENFORCEMENT, DURATION, AMENDMENT, AND SEVERABILITY

A. ENFORCEMENT

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNERS, THEIR SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I. EASEMENTS AND RIGHTS-OF-WAY, AND SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS, ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO, AND ADDITIONALLY THE COVENANTS WITHIN SECTIONS I AND II WHETHER OR NOT SPECIFICALLY THEREIN SO STATED, SHALL INURE TO THE BENEFIT OF THE LOT OWNER OF WHITE HAWK CONFERENCE CENTER & CLUBHOUSE AND THE CITY OF BIXBY AND SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA.

B. 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 HEREINAFTER PROVIDED.

C. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I. EASEMENTS AND RIGHTS-OF-WAY MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE BIXBY PLANNING COMMISSION, OR ITS SUCCESSORS WITH THE APPROVAL OF THE CITY OF BIXBY, OKLAHOMA. THE COVENANTS WITHIN SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS, MAY BE AMENDED AT ANY TIME WITH APPROVAL BY THE CITY OF BIXBY PLANNING COMMISSION AND BIXBY CITY COUNCIL.

D. SEVERABILITY

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

IN WITNESS WHEREOF:

VENUE VENTURES, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HAS EXECUTED THIS INSTRUMENT THIS _____ DAY OF _____, 2021.

VENUE VENTURES, LLC
AN OKLAHOMA LIMITED LIABILITY COMPANY

BY: _____
KEVIN JORDAN, MANAGING MEMBER

STATE OF OKLAHOMA)
) SS.
COUNTY OF TULSA)

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ON THIS _____ DAY OF _____, 2021, PERSONALLY APPEARED KEVIN JORDAN TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME, AS ITS MANAGING MEMBER, THAT THEY EXECUTED THE SAME AS THEIR FREE AND VOLUNTARY ACT AND DEED, AND AS THE FREE AND VOLUNTARY ACT AND DEED OF SAID OKLAHOMA LIMITED LIABILITY COMPANY, FOR THE USES AND PURPOSE THEREIN SET FORTH.

WITNESS MY HAND AND SEAL THE DAY AND YEAR ABOVE WRITTEN.

_____
S. ASHLEY MCCARTY
MY COMMISSION EXPIRES: 8/13/2022
MY COMMISSION NUMBER: 18008059

NOTARY PUBLIC STATE OF OKLAHOMA
Notary Public Oklahoma
OFFICIAL SEAL
S. ASHLEY MCCARTY
COMMISSION #: 18008059
My Commission Expires: 08/13/2022

CERTIFICATE OF SURVEY

I, ANDY FRITZ, OF FRITZ LAND SURVEYING, LLC, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA UNDER CERTIFICATE OF AUTHORIZATION #5848, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED HEREIN AS "WHITE HAWK CONFERENCE CENTER & CLUBHOUSE", A SUBDIVISION IN THE CITY OF BIXBY, TULSA 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.

_____
ANDY FRITZ
LICENSED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1694

PROFESSIONAL LAND SURVEYOR
ANDY FRITZ
1694
OKLAHOMA

STATE OF OKLAHOMA)
) SS.
COUNTY OF TULSA)

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ON THIS _____ DAY OF _____, 2021, PERSONALLY APPEARED ANDY FRITZ TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THEIR NAME TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME, AS ITS MANAGER, THAT THEY EXECUTED THE SAME AS THEIR FREE AND VOLUNTARY ACT AND DEED, AND AS THE FREE AND VOLUNTARY ACT AND DEED OF SAID OKLAHOMA LIMITED LIABILITY COMPANY, FOR THE USES AND PURPOSE THEREIN SET FORTH.

_____
JENNIFER FRITZ
MY COMMISSION EXPIRES: 6/23/2022
MY COMMISSION NUMBER: 14005589

NOTARY PUBLIC STATE OF OKLAHOMA
Notary Public Oklahoma
OFFICIAL SEAL
JENNIFER FRITZ
COMMISSION #: 14005589
My Commission Expires: 6/23/2022

PRELIMINARY PLAT

DATE PREPARED: November 18, 2021

Planned Unit Development No. 3-B

White Hawk

Conference Center & Clubhouse

A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY STATE OF OKLAHOMA, BEING A PART OF RESERVE A, CELEBRITY COUNTRY, A RE-SUBDIVISION OF BLOCK 2, SITRIN CENTER ADDITION, AN ADDITION TO THE CITY OF BIXBY, ACCORDING TO THE RECORDED PLAT THEREOF.

Owner / Developer

VENUE VENTURES, LLC
4512 EAST 51ST STREET, SUITE 100
TULSA, OK 74135
PHONE: 918-605-5600
MR. KEVIN JORDAN

Engineer

ENGINEERED BY DESIGN, PLLC
P.O. BOX 15567
DEL CITY, OKLAHOMA 73155
PHONE: (405) 234-0980
EMAIL: ahale@engineeredbydesign.pro
C.A. # 7655 EXPIRES 6-30-2022

Surveyor

FRITZ LAND SURVEYING, LLC
2017 WEST 91ST STREET
TULSA, OKLAHOMA 74132
PHONE: (918) 231-0575
EMAIL: fritzlandsurveying@gmail.com
C.A. # 5848 EXPIRES: 6-30-2022

Basis of Bearings

BEARINGS ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, (3501 OK N), NORTH AMERICAN DATUM 1983 (NAD83).

Monumentation

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

Legend

B/L -- BUILDING SETBACK LINE
POB -- POINT OF BEGINNING
U/E -- UTILITY EASEMENT

Notes

ADDRESSES SHOWN ON THIS PLAT WERE ACCURATE AT THE TIME THIS PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF LEGAL DESCRIPTION.

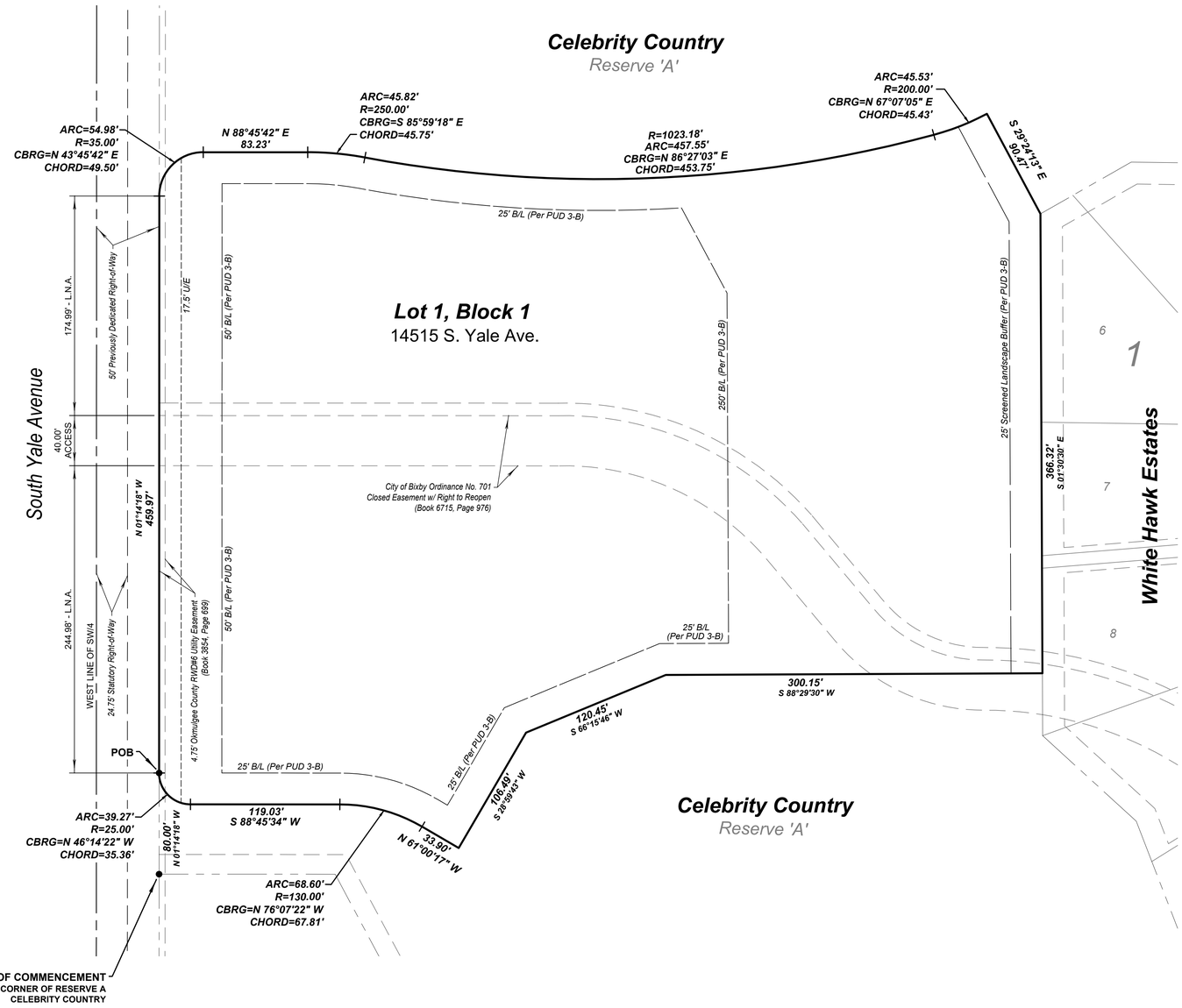
ALL WATER AND SANITARY SEWER SERVICES WILL BE SUPPLIED AND MAINTAINED BY THE CITY OF BIXBY, OKLAHOMA.

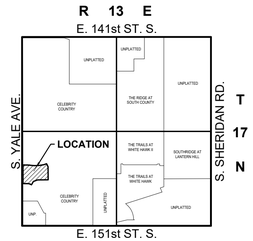
Subdivision Statistics

SUBDIVISION CONTAINS ONE (1) LOT IN ONE (1) BLOCK

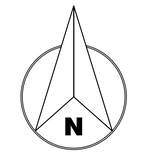
GROSS SUBDIVISION AREA: 320,532.0 SF OR 7.36 AC.

DRAFT FINAL PLAT #1





Location Map
SCALE: 1"=2000'



Scale: 1" = 50'

0 25 50 100

COUNTY TREASURER STAMP

STATE OF OKLAHOMA)
COUNTY OF TULSA) SS
)

I, MICHAEL WILLIS, TULSA COUNTY CLERK, IN AND FOR THE COUNTY AND STATE ABOVE, DO HEREBY CERTIFY THAT THE FORGOING IS A TRUE AND CORRECT COPY OF A LIKE INSTRUMENT NOW ON FILE IN MY OFFICE.

DATED THE _____ DAY OF _____, 2022.

MICHAEL WILLIS, TULSA COUNTY CLERK

_____
DEPUTY

FINAL PLAT

CERTIFICATE OF APPROVAL

I hereby certify that this plat was approved by the City Council of the City of Bixby.

on _____

_____
MAYOR - VICE MAYOR

This approval is void if the above signature is not endorsed by the City Manager or City Clerk.

_____
CITY MANAGER - CITY CLERK

DATE PREPARED: November 18, 2021

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

WHITE HAWK CONFERENCE CENTER & CLUBHOUSE

Planned Unit Development No. 3-B

KNOW ALL MEN BY THESE PRESENTS:

VENUE VENTURES, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HEREINAFTER REFERRED TO AS THE OWNER/DEVELOPER, IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT;

A TRACT OF LAND THAT IS PART OF RESERVE A, CELEBRITY COUNTRY, A RE-SUBDIVISION OF BLOCK 2, SITRIN CENTER ADDITION, AN ADDITION TO THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID RESERVE A, CELEBRITY COUNTRY; THENCE NORTH 01°14'18" WEST ALONG THE WEST LINE THEREOF A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 01°14'18" WEST 459.97 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 35.00 FEET, AN ARC LENGTH OF 54.98 FEET, A CHORD BEARING OF NORTH 43°45'42" EAST AND A CHORD LENGTH OF 49.50 FEET; THENCE NORTH 88°45'42" EAST 83.23 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 250.00 FEET, AN ARC LENGTH OF 45.82 FEET, A CHORD BEARING OF SOUTH 85°59'18" EAST AND A CHORD LENGTH OF 45.75 FEET TO A POINT OF REVERSE CURVATURE; THENCE EASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1023.18 FEET, AN ARC LENGTH OF 457.55 FEET, A CHORD BEARING OF NORTH 86°27'03" EAST AND A CHORD LENGTH OF 453.75 FEET TO A POINT OF COMPOUND CURVATURE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 200.00 FEET, AN ARC LENGTH OF 45.53 FEET, A CHORD BEARING OF NORTH 67°07'05" EAST AND A CHORD LENGTH OF 45.43 FEET; THENCE SOUTH 29°24'13" EAST 90.47 FEET TO A POINT ON THE WEST LINE OF BLOCK ONE (1), WHITE HAWK ESTATES, AN ADDITION TO THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF; THENCE SOUTH 01°30'30" EAST ALONG SAID WEST LINE A DISTANCE OF 366.32 FEET; THENCE SOUTH 88°29'30" WEST 300.15 FEET; THENCE SOUTH 66°15'46" WEST 120.45 FEET; THENCE SOUTH 28°59'43" WEST 106.49 FEET; THENCE NORTH 61°00'17" WEST 33.90 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 130.00 FEET, AN ARC LENGTH OF 68.60 FEET, A CHORD BEARING OF NORTH 76°07'22" WEST AND A CHORD LENGTH OF 67.81 FEET; THENCE SOUTH 88°45'34" WEST 119.03 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 39.27 FEET, A CHORD BEARING OF NORTH 46°14'22" WEST AND A CHORD LENGTH OF 35.36 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 320,532.0 SQ. FEET OR 7.36 ACRES.

BEARINGS ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, (3501 OK N), NORTH AMERICAN DATUM 1983 (NAD83).

AND HAS CAUSED THE ABOVE DESCRIBED TRACT OF LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO 1 LOT AND 1 BLOCK, IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS "WHITE HAWK CONFERENCE CENTER & CLUBHOUSE", A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA.

SECTION I. EASEMENTS AND RIGHTS-OF-WAY

THE OWNER/DEVELOPER DOES HEREBY DEDICATE FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, REPAIRING, REMOVING AND REPLACING ANY AND ALL PUBLIC UTILITIES, INCLUDING WATER LINES, SANITARY SEWER, TELEPHONE LINES, CABLE TELEVISION, ELECTRIC POWER LINES AND TRANSFORMERS, AND GAS LINES, TOGETHER WITH ALL FITTINGS AND EQUIPMENT FOR EACH OF SUCH FACILITIES INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS AND ANY OTHER APPURTENANCES THERETO, WITH RIGHT OF INGRESS AND EGRESS TO THE EASEMENTS FOR THE USES AND PURPOSES AFORESAID; PROVIDED, HOWEVER THAT THE OWNER/DEVELOPER HEREBY RESERVES TO ITSELF, AND TO IT'S ASSIGNS, THE RIGHT TO USE OR DELEGATE TO OTHERS THE RIGHT TO USE THE DESIGNATED EASEMENTS TO PROVIDE ANY OF THE SERVICES SET FORTH HEREIN, INCLUDING, BUT NOT LIMITED TO THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RELAY WATER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER SERVICE TO THE AREA INCLUDED WITHIN THE PLAT, THE OWNER/DEVELOPER HEREIN IMPOSES A RESTRICTIVE COVENANT, WHICH SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA AND THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ATTACHED PLAT, NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION THAT INTERFERES WITH THE ABOVE SET FORTH USES AND PURPOSES OF THE EASEMENT SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED; PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT UTILITY EASEMENTS, DRIVES, PARKING AREAS, CURBING, AND LANDSCAPING THAT DOES NOT CONSTITUTE AN OBSTRUCTION AS AFORESAID.

A. ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICE

1. OVERHEAD POLE LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICE MAY NOT BE LOCATED WITHIN THE SUBDIVISION. ALL SUPPLY LINES SHALL BE LOCATED UNDERGROUND, IN EASEMENTS DEDICATED FOR GENERAL UTILITY SERVICES AS DEPICTED ON THE ATTACHED PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE EASEMENTS.
2. UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL DWELLINGS AND/OR BUILDINGS 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 DWELLINGS AND/OR BUILDING AS MAY BE LOCATED UPON THE LOT; PROVIDED THAT, UPON INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR DWELLING AND/OR BUILDING, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT AND EFFECTIVE RIGHT-OF-WAY EASEMENT ON SAID LOT, COVERING A FIVE-FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE, EXTENDING FROM THE SERVICE PEDESTAL OR TRANSFORMER OR GAS MAIN TO THE SERVICE ENTRANCE ON THE DWELLING AND/OR BUILDING.
3. THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION, AND GAS SERVICES, THROUGH IT'S AUTHORIZED AGENTS AND EMPLOYEES SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL SUCH EASEMENTS SHOWN ON THE PLAT TO THE SUBDIVISION, INCLUDING EASEMENTS DEPICTED WITHIN RESERVE AREAS 'A', 'B', 'C', 'D' AND 'E', 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.
4. THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND ELECTRIC FACILITIES LOCATED ON HIS PROPERTY AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. THE SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF THE UNDERGROUND FACILITIES, BUT THE OWNER OF EACH LOT IN THE SUBDIVISION WILL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS.
5. THE FOREGOING COVENANTS CONCERNING UNDERGROUND ELECTRIC, TELEPHONE AND CABLE TELEVISION FACILITIES SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICE, AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

B. WATER AND SANITARY SEWER SERVICE

1. THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS AND SANITARY SEWER LOCATED ON HIS LOT.
2. WITHIN UTILITY EASEMENTS DEPICTED ON THE ATTACHED PLAT, THE ALTERATION OF GRADE FROM THE CONTOURS EXISTING UPON COMPLETION OF A PUBLIC WATER MAIN AND SANITARY SEWER OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH A PUBLIC WATER MAIN AND SANITARY SEWER SHALL BE PROHIBITED.
3. THE CITY OF BIXBY PUBLIC WORKS, HEREINAFTER REFERRED TO AS "THE CITY", OR IT'S SUCCESSORS SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER MAINS AND SANITARY SEWER, BUT THE OWNER OF THE LOT SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS.
4. THE CITY, OR IT'S SUCCESSORS SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS DEPICTED ON THE ATTACHED PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF THE WATER AND SANITARY SEWER FACILITIES OWNED BY IT.
5. WHERE PUBLIC WATER LINES AND SANITARY SEWER MAINS ARE LOCATED UNDER PAVEMENT, THE CITY OF BIXBY SHALL HAVE THE RIGHT TO REMOVE SAID PAVEMENT FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF THE WATER AND SANITARY SEWER FACILITIES, PROVIDED, HOWEVER, THE CITY OF BIXBY SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES. ANY COSTS ASSOCIATED WITH THE REMOVAL AND REPLACEMENT OF SAID PAVEMENT SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNERS' ASSOCIATION.
6. THE FOREGOING COVENANTS CONCERNING THE WATER LINE AND SANITARY SEWER FACILITIES SHALL BE ENFORCEABLE BY THE CITY, OR IT'S SUCCESSORS, AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

C. 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, SANITARY, NATURAL GAS, COMMUNICATION, CABLE TELEVISION, OR ELECTRIC FACILITIES WITHIN THE UTILITY EASEMENT AREAS DEPICTED UPON THE ACCOMPANYING PLAT, PROVIDED HOWEVER, THE CITY OF BIXBY OR THE SUPPLIER OF THE UTILITY SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

D. LIMITS OF NO ACCESS

THE UNDERSIGNED OWNER/DEVELOPER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO WHITE HAWK CONFERENCE CENTER & CLUBHOUSE WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" (L.N.A.) ON THE ACCOMPANYING PLAT, WHICH "LIMITS OF NO ACCESS" MAY BE AMENDED OR RELEASED BY THE CITY OF BIXBY, OR ITS SUCCESSOR, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA. LIMITS OF NO ACCESS SHALL BE ENFORCEABLE BY THE CITY OF BIXBY.

SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS, WHITE HAWK CONFERENCE CENTER & CLUBHOUSE WAS SUBMITTED AS A PLANNED UNIT DEVELOPMENT (DESIGNATED AS PUD 3-B) AS PROVIDED WITHIN THE PROVISIONS OF THE BIXBY ZONING CODE PERTAINING TO PLANNED UNIT DEVELOPMENTS, AND

WHEREAS, PUD 3-B WAS AFFIRMATIVELY RECOMMENDED BY THE BIXBY PLANNING COMMISSION ON _____ AND APPROVED BY THE CITY COUNCIL OF THE CITY OF BIXBY, STATE OF OKLAHOMA, ON _____, THE IMPLEMENTING ORDINANCE NO. XXXX BEING ADOPTED AND PUBLISHED ON _____, AND

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

WHEREAS, THE OWNER/DEVELOPER 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/DEVELOPER, ITS SUCCESSORS AND ASSIGNS, AND THE CITY OF BIXBY, STATE OF OKLAHOMA.

SECTION III. ENFORCEMENT, DURATION, AMENDMENT, AND SEVERABILITY

A. ENFORCEMENT

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNERS, THEIR SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I. EASEMENTS AND RIGHTS-OF-WAY, AND SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS, ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO, AND ADDITIONALLY THE COVENANTS WITHIN SECTIONS I AND II WHETHER OR NOT SPECIFICALLY THEREIN SO STATED, SHALL INURE TO THE BENEFIT OF THE LOT OWNER OF WHITE HAWK CONFERENCE CENTER & CLUBHOUSE AND THE CITY OF BIXBY AND SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA.

B. 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 HEREINAFTER PROVIDED.

C. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I. EASEMENTS AND RIGHTS-OF-WAY MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE BIXBY PLANNING COMMISSION, OR ITS SUCCESSORS WITH THE APPROVAL OF THE CITY OF BIXBY, OKLAHOMA. THE COVENANTS WITHIN SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS, MAY BE AMENDED AT ANY TIME WITH APPROVAL BY THE CITY OF BIXBY PLANNING COMMISSION AND BIXBY CITY COUNCIL.

D. SEVERABILITY

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

IN WITNESS WHEREOF:

VENUE VENTURES, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HAS EXECUTED THIS INSTRUMENT THIS _____ DAY OF _____, 2021.

VENUE VENTURES, LLC
AN OKLAHOMA LIMITED LIABILITY COMPANY

BY: _____
KEVIN JORDAN, MANAGING MEMBER

STATE OF OKLAHOMA)
) SS.
COUNTY OF TULSA)

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ON THIS _____ DAY OF _____, 2021, PERSONALLY APPEARED KEVIN JORDAN TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME, AS ITS MANAGING MEMBER, THAT THEY EXECUTED THE SAME AS THEIR FREE AND VOLUNTARY ACT AND DEED, AND AS THE FREE AND VOLUNTARY ACT AND DEED OF SAID OKLAHOMA LIMITED LIABILITY COMPANY, FOR THE USES AND PURPOSE THEREIN SET FORTH.

WITNESS MY HAND AND SEAL THE DAY AND YEAR ABOVE WRITTEN.

_____
S. ASHLEY MCCARTY
MY COMMISSION EXPIRES: 8/13/2022
MY COMMISSION NUMBER: 18008059

Notary Public Oklahoma
OFFICIAL SEAL
S. ASHLEY MCCARTY
COMMISSION #: 18008059
My Commission Expires: 08/13/2022

CERTIFICATE OF SURVEY

I, ANDY FRITZ, OF FRITZ LAND SURVEYING, LLC, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA UNDER CERTIFICATE OF AUTHORIZATION #5848, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED HEREIN AS "WHITE HAWK CONFERENCE CENTER & CLUBHOUSE", A SUBDIVISION IN THE CITY OF BIXBY, TULSA 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.

_____
ANDY FRITZ
LICENSED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1694

PROFESSIONAL LAND SURVEYOR
ANDY FRITZ
1694
OKLAHOMA

STATE OF OKLAHOMA)
) SS.
COUNTY OF TULSA)

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ON THIS _____ DAY OF _____, 2021, PERSONALLY APPEARED ANDY FRITZ TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THEIR NAME TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME, AS ITS MANAGER, THAT THEY EXECUTED THE SAME AS THEIR FREE AND VOLUNTARY ACT AND DEED, AND AS THE FREE AND VOLUNTARY ACT AND DEED OF SAID OKLAHOMA LIMITED LIABILITY COMPANY, FOR THE USES AND PURPOSE THEREIN SET FORTH.

_____
JENNIFER FRITZ
MY COMMISSION EXPIRES: 6/23/2022
MY COMMISSION NUMBER: 14005589

Notary Public Oklahoma
OFFICIAL SEAL
JENNIFER FRITZ
COMMISSION #: 14005589
My Commission Expires: 6/23/2022

DRAFT FINAL
PLAT #1

DATE PREPARED: November 18, 2021

WHITEHAWK II

Planned Unit Development No. 3-B

("Major Amendment")



July 2018

WHITEHAWK II
PLANNED UNIT DEVELOPMENT NO. 3-B
("Major Amendment")

Table of Contents

		Page
I.	DEVELOPMENT CONCEPT	3
II.	DEVELOPMENT STANDARDS	6
III.	LANDSCAPING AND SCREENING CONCEPT	14
IV.	ACCESS AND CIRCULATION	14
V.	ENVIRONMENTAL ANALYSIS	14
VI.	SITE PLAN REVIEW	16
VII.	SCHEDULE OF DEVELOPMENT	16
VIII.	LEGAL DESCRIPTION	16

Exhibit "A" - Aerial Photography
Exhibit "B" - Conceptual Site Plan
Exhibit "C" - Conceptual Landscaping Plan
Exhibit "D" - Access and Circulation Plan
Exhibit "E" - Existing and Proposed Utilities Plan
Exhibit "F" - Conceptual Drainage Plan
Exhibit "G" - Area Zoning Map
Exhibit "H" - Topography Map
Exhibit "I" - Development Area Plan
Exhibit "J" - Legal Description of Development Area "A"
Exhibit "K" - Legal Description of Development Area "B"
Exhibit "L" - Legal Description of Development Area "C"

WHITEHAWK II
PLANNED UNIT DEVELOPMENT NO. 3-B
("Major Amendment")

I. DEVELOPMENT CONCEPT

The remaining 164.74 acres[1] in Reserve Area "A", Celebrity Country, a resubdivision of Block 2 of Sitrin Center Addition, an addition to the City of Bixby, Tulsa County, State of Oklahoma, according to the recorded plat thereof (Reserve "A") has been planned as a Major Amendment to the "Celebrity Country" development concept approved in PUD No. 3 almost 35 years ago. See the Aerial Photograph of the Property attached hereto as Exhibit "A". The purpose of this Major Amendment is to permit the development of approximately 200 upscale single-family residential lots and 20,000 square feet of residentially-focused commercial development in place of the Whitehawk Golf Course and Club House facilities. See the Conceptual Site Plan of Whitehawk II attached hereto as Exhibit "B".

The focus of the Project is to create a master planned neighborhood in which one can truly live, work and play, all within a relaxed suburban environment. Indeed, no new residential lot is located closer than 60 feet from any existing lot.

This Project retains all of the existing pond system and provides extensive open space, greenbelts and gently flowing brooks between the existing development and the Project. The Project will also add additional ponds and, where possible, retain the large mature trees. Additionally, the Project will incorporate most of the existing cart paths, together with extensions thereof, into an extensive neighborhood trail system for the Project and the existing development. In all, the proposed trail system and new sidewalks will create approximately 7.7 miles of trails and walkways for everyone to enjoy. This sidewalk and trail system make the overall development a lot like master planned communities being developed around the country. While providing a unique recreational environment, the trail and sidewalks will make the commercial area accessible to all of the residents of the existing development and the Project by foot, bike or golf cart. Indeed, every lot in the existing development that presently has a rear and/or side lot line that is not shared with another house will have a greenbelt on its perimeter and will enjoy direct access to the trail system, views of greenbelts and, in some circumstances, a continuous water flow feature.

[1] Through the years small portions of Reserve "A" were, for reasons not known to the Applicant, conveyed away and became a part of certain lots in Celebrity Country Addition.

The Project will include several additional ponds for storm water detention and beautification. Additionally, the substantial greenbelt, paths and water features for the Project will be more in proximity to the existing homes than to the new ones in the Project. These amenities, as well as the access to the commercial uses, will be fully available to the owners in the existing neighborhood in the same manner as they will be to the owners of the Project.

The current zoning of the Property is RS-3 – Residential Single-Family High Density District and RM-2 – Residential Multi-Family Medium Density District. The only zoning change for the Project will be to change 40,000 square feet of RS-3 to CS – Commercial Shopping in order to permit the original club house area to be redeveloped into 20,000 square feet of residential-centric commercial development.

To ensure the benefits of this commercial area for the existing development and the Project, all commercial buildings will be set back at least 250 feet from any existing lot in Celebrity Country Addition. Additionally, there will be no vehicular access from the commercial area into any of the residential areas within the existing development or the Project. Finally, through the use of building design and materials, landscaping and restrictions on uses and lighting, the commercial area will create a unique living and shopping environment for all of the Project's neighbors.

In order to further integrate the Project with the existing development, within Development Area "A" the lots will be developed with a minimum lot size of 9,000 square feet and 75 feet in width. Within Development Area "A", with the exception of openings and covered porches, building siding on the first floor (up to the top of the first floor plate line) will be at least seventy-five percent (75%) masonry or stone. The design standards and architectural requirements will be designed to blend with the homes in the existing development.

The remainder of the residential lots within Development Area "B" will wrap the existing commercial development at the northeast corner of South Yale Avenue and Highway 67 (West 151st Street South) to buffer the Project from the unrelated commercial property and its uses. This area will be developed with approximately 40 lots as a gated community of zero lot line, high-end homes on private streets. All of the style, color and materials of dwellings may vary, an individual dwelling shall have elevations consistent in style, color and materials as the dwelling on either side.

With the exception of Development Area "C", the ponds and trail will be located within reserve areas and will be maintained by a property owners association made up of the property owners within the Project. Additionally, such property owners association shall maintain, at the expense of the owners of Development Area "B", the gated entry and private streets located within Development Area "B".

All of the property within the Project will be replatted in order to facilitate the development of the property in accordance with PUD 3-B.

WHITEHAWK II
PLANNED UNIT DEVELOPMENT NO. 3-B
("Major Amendment")

II. DEVELOPMENT STANDARDS:

Development Area "A"

LAND AREA:

Gross:	138.90 acres	6,050,484 SF
Net:	128.00 acres	5,575,680 SF

PERMITTED USES:

Uses permitted as a matter of right in the RS-2 Residential Single-Family Medium Density District, along with customary and accessory uses, including, but not limited to, detached accessory buildings, swimming pools, landscaped entry, landscaping, open space, green space, trails, ponds, storm water drainage and detention facilities, recreational facilities, utility easements, retaining walls and other structures and uses customarily accessory to the permitted uses.

MAXIMUM NUMBER OF LOTS: 161

MINIMUM LOT WIDTH: 75 FT*

*For lots running on a cul-de-sac, minimum lot width for the front property line shall be measured between the lot boundaries at the building setback line from the street.

MINIMUM LOT AREA: 9,000 SF

MINIMUM SIZE OF DWELLING UNIT 2,000 SF

MAXIMUM BUILDING HEIGHT: 35 FT

WHITEHAWK II
PLANNED UNIT DEVELOPMENT NO. 3-B
("Major Amendment")

MAXIMUM NUMBER OF STORIES:	2
LIVABILITY SPACE PER DWELLING UNIT:	5,000 SF
LAND AREA PER DWELLING UNIT:	10,875 SF
LOT AREA PER DWELLING UNIT:	9,000 SF

OFF-STREET PARKING:

Two (2) enclosed off-street parking spaces per dwelling unit and at least two (2) additional off-street parking spaces per dwelling unit.

MINIMUM YARD REQUIREMENTS:

From the property line abutting the residential street:	30 FT
From the side property line:	10 FT on one property side 5 FT on the other property side
From the rear property line:	25 FT

Detached accessory buildings shall comply with the minimum yard requirements for principal structures.

SIGNS:

One (1) entry identification sign shall be maintained with a maximum surface display area of 64 SF on each side of each entrance along South Yale Avenue and South 53rd East Avenue.

BUILDING MATERIALS:

The exterior walls of the first floor (up to the top of the first floor plate line) of a dwelling shall be of at least seventy-five percent (75%) masonry or stone; provided that the area of all windows, doors, other openings, and covered porches located on said exterior walls shall be excluded in the determination of the area of the exterior walls.

WHITEHAWK II
PLANNED UNIT DEVELOPMENT NO. 3-B
("Major Amendment")

Development Area "B"

LAND AREA:

Gross:	18.45 acres	803,682 SF
Net:	18.45 acres	803,682 SF

PERMITTED USES:

Uses permitted as a matter of right in the RS-2 Residential Single-Family Medium Density District, along with customary and accessory uses, including, but not limited to, detached accessory buildings, swimming pools, gated entry, landscaped entry, landscaping, open space, green space, trails, ponds, storm water drainage and detention facilities, recreational facilities, utility easements, retaining walls and other structures and uses customarily accessory to the permitted uses.

MAXIMUM NUMBER OF LOTS: 40

MINIMUM LOT WIDTH: 55 FT*

*For lots running on a cul-de-sac, minimum lot width for the front property line shall be measured between the lot boundaries at the building setback line from the street.

MINIMUM LOT AREA: 7,700 SF

MAXIMUM BUILDING HEIGHT: 40 FT

MINIMUM SIZE OF DWELLING UNIT: 1,600 SF

LIVABILITY SPACE PER DWELLING UNIT: 2,500 SF

LAND AREA PER DWELLING UNIT: 8,525 SF

WHITEHAWK II
PLANNED UNIT DEVELOPMENT NO. 3-B
("Major Amendment")

OFF-STREET PARKING:

Two (2) enclosed off-street parking spaces per dwelling unit and at least two (2) additional off-street parking spaces per dwelling unit.

MINIMUM YARD REQUIREMENTS:

From the property line abutting the private street:	20 FT
From the side property line:	10 FT on one property side
	0 FT on the other property side
From the rear property line:	25 FT

Detached accessory buildings shall comply with the minimum yard requirements for principal structures.

SIGNS:

One (1) entry identification sign shall be maintained with a minimum surface display area of 64 SF on each side of the entrance on South 53rd East Avenue.

BUILDING MATERIALS:

Except for windows, doors, and other openings, the exterior walls of a dwelling shall be masonry, stone, stucco or hardy board or similar materials. All of the style, color and materials of dwellings may vary, an individual dwelling shall have elevations consistent in style, color and materials as the dwelling on either side.

WHITEHAWK II
PLANNED UNIT DEVELOPMENT NO. 3-B
("Major Amendment")

Development Area "C"

LAND AREA:

Gross:	7.36 acres	320,602 SF
Net:	7.36 acres	320,602 SF

PERMITTED USES:

Uses permitted by right or exception in the CS – Commercial Shopping District, limited to: Bakery, Retail Only, Barber Shop, Beauty Shop, Bicycle Shop, Book Store, Cafeteria, Candy Store, Caterer, Clothing And Accessories Store, Coffee Shop, Computer Repair, Conference Center for public or private events, Dairy Store, Decorating, Delicatessen, Dressmaking Shop, Dry Cleaning, Pick Up Only, Food Specialty Shop, Garden Supply Store, Gift, Novelty, Souvenir Shop, Grocery (other than supermarkets), Hardware Store, Health Food Store, Hobby Shop, Home Furnishings, Ice Cream Store, Interior Decorating With Retail Sales, Laundry, Pick Up Only, Liquor Store, Newsstand, Office (performing services to residential areas), Pharmacy, Private Club, Pro Shop, Restaurant (other than drive-in), Shoe Repair Shop, Spa / Massage Therapy, Stationery Store, Tailor Shop, Tobacco Store, provided no exterior storage shall be permitted.

MAXIMUM BUILDING FLOOR AREA: 20,000 SF

MAXIMUM BUILDING HEIGHT: 25 FT*

*Architectural Elements (elements extending above building roof line): Up to 35 FT for unoccupied architectural features shall be subject to Detail Site Plan approval.

OFF-STREET PARKING:

As permitted by the applicable Use Unit of the Bixby Zoning Code.

WHITEHAWK II
PLANNED UNIT DEVELOPMENT NO. 3-B
("Major Amendment")

MINIMUM BUILDING SETBACKS:

From the north boundary	25 FT
From the east boundary	250 FT
From the south boundary	25 FT
From the west boundary	50 FT
Internal boundaries	0 FT

For purposes of calculating the street yard, the building setback on South Yale Avenue shall be considered to be 50 FT.

LANDSCAPE AREA:

A minimum of twenty-five percent (25%) of the total net area of Development Area "C" shall be improved as internal landscape open space in accordance with the provisions of the Landscape Chapter of the Bixby Zoning Code.

SIGNS:

1. Project Signs: One (1) ground sign shall be permitted on South Yale Avenue with a maximum 80 SF of display surface area and 15 FT in height.

2. Wall Signs: Wall signs are permitted not to exceed 1 SF of display surface area per linear building foot to wall to which attached. The length of wall signs shall not exceed 75% of the frontage of the building.

BUILDING FACADES:

All exterior building walls of a newly constructed building shall be primarily of like material(s) on all faces of such building.

WHITEHAWK II
PLANNED UNIT DEVELOPMENT NO. 3-B
("Major Amendment")

LANDSCAPE BUFFER AND SCREENING:

A minimum 25 FT wide landscaped screening buffer along the east boundary of Development Area C. The landscaping features within the Project will be maintained in accordance with the requirements of the Landscape Chapter of the Bixby Zoning Code.

The Conceptual Landscaping and Screening Plan is attached hereto as Exhibit "C".

LIGHTING:

Light standards shall not exceed 20 FT in height.

Except for bollard lighting, no light standards shall be permitted within 50 FT of the south and east boundary of Development Area "C".

All light standards including building mounted shall be hooded and directed downward and away from the boundary of Development Area "C". Shielding of outdoor lighting shall be designed so as to prevent the light producing element or reflector of the light fixture from being visible to a person standing at ground level in adjacent residential areas. Consideration of topography must be considered in such calculations.

Additionally, as part of the Detail Site Plan review, an accurate Lighting Plan illustrating light poles and fixtures with a Photometric Plan will be provided illustrating height and fixtures facing down and away from the residential area to the south. The Lighting Plan will show that the lighting from Development Area "C" does not exceed zero foot candles at the eastern or southern boundary of the Development Area "C".

TRASH AND MECHANICAL AREAS:

All trash, mechanical and equipment areas (excluding utility service transformers, pedestals or other equipment provided by franchise utility providers), including building mounted, shall be screened from public view in such a manner that the areas cannot be seen by persons standing at ground level.

Trash dumpster areas shall be screened by masonry construction of materials similar to the buildings they serve, with steel framed doors. The doors shall be covered with an appropriate covering containing a minimum of 95% opacity on the gate frame.

NO OUTSIDE STORAGE:

There shall be no outside storage or recycling material, trash or similar materials outside of a screened receptacle. Nor shall trucks or trailer trucks be parked unless they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for storage.

All Development Areas

III. LANDSCAPING AND SCREENING CONCEPT:

A detailed landscaping and screening design shall be submitted to and approved by the Bixby Planning Commission and City Council in accordance with the City of Bixby Zoning Code.

The Conceptual Landscaping and Screening Plan is attached hereto as Exhibit "C".

IV. ACCESS AND CIRCULATION:

All private and/or public street connections shall be subject to City Engineer curb cut approval for the proposed access points to South Yale Avenue and South 53rd East Avenue and the Fire Chief's and Fire Marshal's approval of locations, spacing, widths, and curb return radii.

Pedestrian connectivity will be provided by new sidewalks along all abutting public streets and all private streets as well as internal sidewalk and/or trail system circulation within the development. All sidewalk and trail system layouts will be developed and presented in detail at the PUD detailed site plan submittal.

The Conceptual Access and Circulation Plan is attached hereto as Exhibit "D".

V. ENVIRONMENTAL ANALYSIS:

UTILITIES:

Proposed public utility infrastructure design shall be submitted to and approved by the City Engineer and in accordance with the City of Bixby Engineering Design Criteria. All proposed franchise utilities (i.e. electric, gas, data, etc.) shall be located underground.

The Existing and Proposed Utilities Plan is attached hereto as Exhibit "E".

DRAINAGE:

The majority of the site will be graded to allow for surface water to proposed detention facilities or be collected in an internal storm sewer system that will route it to the proposed detention

facilities. The final drainage and grading design will be designed in conformance with City of Bixby Engineering Design Criteria.

The Conceptual Drainage Plan is attached hereto as Exhibit "F".

EXISTING & PROPOSED ZONING:

The Area Zoning Map is attached hereto as Exhibit "G".

VI. SITE PLAN REVIEW:

No building permit will be issued for any building within Whitehawk II until a Planned Unit Development Detail Site Plan and Detail Landscape Plan for that lot or parcel shall have been submitted to the Bixby Planning Commission and approved as being in compliance with the approved Planned Unit Development Standards.

VII. SCHEDULE OF DEVELOPMENT:

Development within Whitehawk II will begin within the Spring of 2019, after final approval of the Planned Unit Development, Detail Site Plan approval, and the platting of the property.

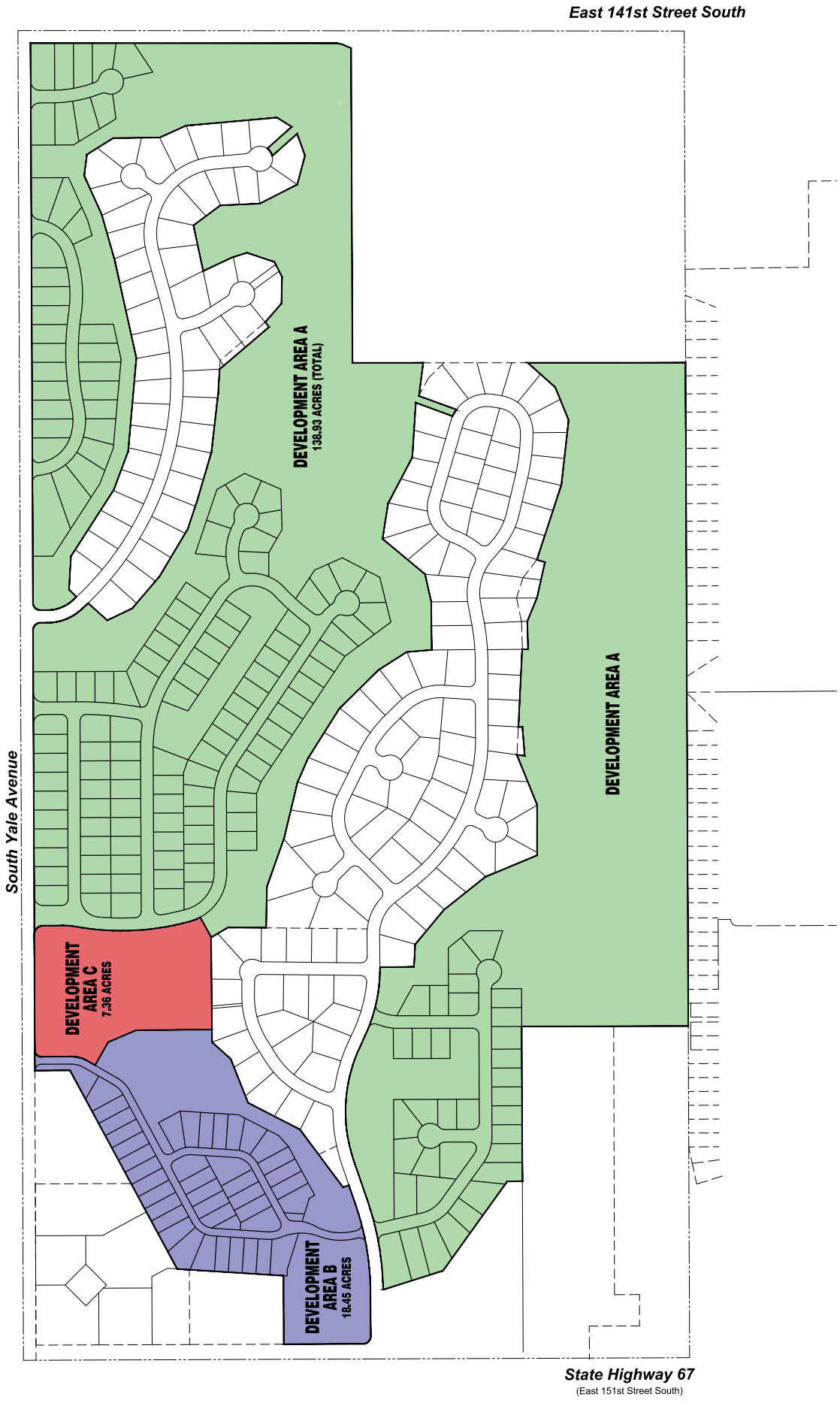
VIII. LEGAL DESCRIPTION:

The legal description of Development Area "A" is attached hereto as Exhibit "J".

The legal description of Development Area "B" is attached hereto as Exhibit "K".

The legal description of Development Area "C" is attached hereto as Exhibit "L".

.



Whitehawk II

Development Area Plan

ENGINEERED BY DESIGN
Engineered by Design, PLLC
P.O. Box 15567 Del City, OK 73155
Ph: 8164894253
CA# 7655 • Expires 6/30/2020

Select design
DEVELOPMENT ANALYSIS
PROJECT MANAGEMENT
DRAFTING & DESIGN
20 East Dawes Avenue
Bixby, Oklahoma 74008
Phone: (918) 798-8356

CITY OF BIXBY
P.O. Box 70
116 W. Needles Ave.
Bixby, OK 74008
(918) 366-4430

STAFF REPORT

To: City of Bixby, Planning Commission

From: Carolyn Back, Development Services Director/City Planner

Date: Tuesday, January 18, 2022

Name: Rowan Grove Blocks 1-3

RE: **Rowan Grove Blocks 1-3 Final Plat** (BXPT-21.06) Rowan Grove

Location: PART OF THE N/2 OF GOVERNMENT LOT 1, AND THE NW/4, BOTH OF SECTION SEVEN (7), TOWNSHIP SEVENTEEN (17) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA

STR: Section 7, Township 17N, Range 14E

Applicant: AAB Engineering, LLC – Jason Mohler, PE

STAFF REVIEW

Project Overview per Plat:

# of Acres	9.65 (+/-)	Min Lot Width	50 ft.
# of Lots	24 Single Family; 3 Commercial	Min Lot Size	5,250 SF
# of Blocks	3	Min Dwelling Size	1,300 SF first floor
Blocks	1-3	# of Reserve Areas	2
Gated Community - Yes		Private Streets and Private Storm Sewer	



Figure 1: City of Bixby Zoning Map

UTILITIES/SITE AREA:
The commercial development will be served by City of Bixby: Water, Sanitary Sewer, and Storm Sewer. All franchise utility providers were notified through a Technical Advisory Committee meeting.

PHASING:
This is the Commercial and Private Gated portion of the overall Rowan Grove Development.

Development for each successive phase will commence upon approval of the final plat and construction plans, in accordance with City regulations.

PUBLIC COMMENTS:
No comments have been received at time of this staff report being written.

STAFF COMMENTS:

1. Staff supports Planning Commission recommendation for approval of the Rowan Grove Blocks 1-3 Final Plat.

ATTACHMENTS:
Attachment 1: Final Plat Rowan Grove Blocks 1-3 dated 12.07.2021
Attachment 2: Major Amendment #1 - BXPUD-20.02 dated 05.11.2021

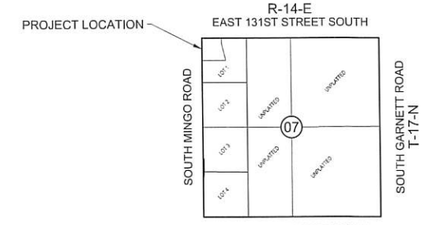
FINAL PLAT

Rowan Grove
Blocks 1-3

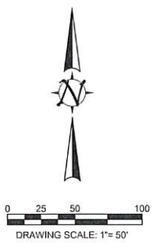
OWNER/DEVELOPER
ROWAN GROVE LLC.
5711 E. 71ST. ST. S
SUITE 120
TULSA OK 74136
PHONE: 918.494.4004
ATTN: JIM ROBERTS

AN ADDITION TO THE CITY OF BIXBY BEING A PART OF THE NORTH HALF (N/2) OF GOVERNMENT LOT ONE (1) AND PART OF THE NORTH HALF (N/2) OF THE NORTHWEST QUARTER (N/2 NE/4 NW/4), SECTION SEVEN (7), TOWNSHIP SEVENTEEN (17) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA

ENGINEER/SURVEYOR
AAB ENGINEERING LLC
CERTIFICATE OF AUTHORIZATION NO. 6318, EXP. JUNE, 30, 2022
PO BOX 2136
SAND SPRINGS, OK 74063
PHONE: 918.514.4283
FAX: 918.514.4288
EMAIL: ALAN @ AABENG.COM



LOCATION MAP
SCALE: 1"=2000'



DRAWING SCALE: 1"= 50'

LEGEND

B/L	BUILDING LINE
L.N.A.	LIMITS OF NO ACCESS (VEHICULAR ONLY)
R.A.	RESTRICTED ACCESS
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
ROW	RIGHT OF WAY
U/E	UTILITY EASEMENT
B/U	BUILDING LINE & UTILITY EASEMENT
FL/E	FENCE & LANDSCAPE EASEMENT
OD/E	OVERLAND DRAINAGE EASEMENT
IPF	IRON PIN FOUND
IPS	IRON PIN SET
1234	ADDRESS

FLOODPLAIN

AS SHOWN ON FIRM PANEL 40143C0451L, EFFECTIVE DATE OCTOBER 16, 2012, THIS PROPERTY IS LOCATED WITHIN ZONE AE AND ZONE AE FLOODWAY. HOWEVER, CASE NO. 20-06-3683P HAS BEEN REVIEWED BY FEMA AND A PHYSICAL MAP REVISION, 316-PMR, IS PENDING.

CONTACTS

MUNICIPAL AUTHORITY
CITY OF BIXBY
116 W. NEEDLES P.O. BOX 70
BIXBY ,OK 74008

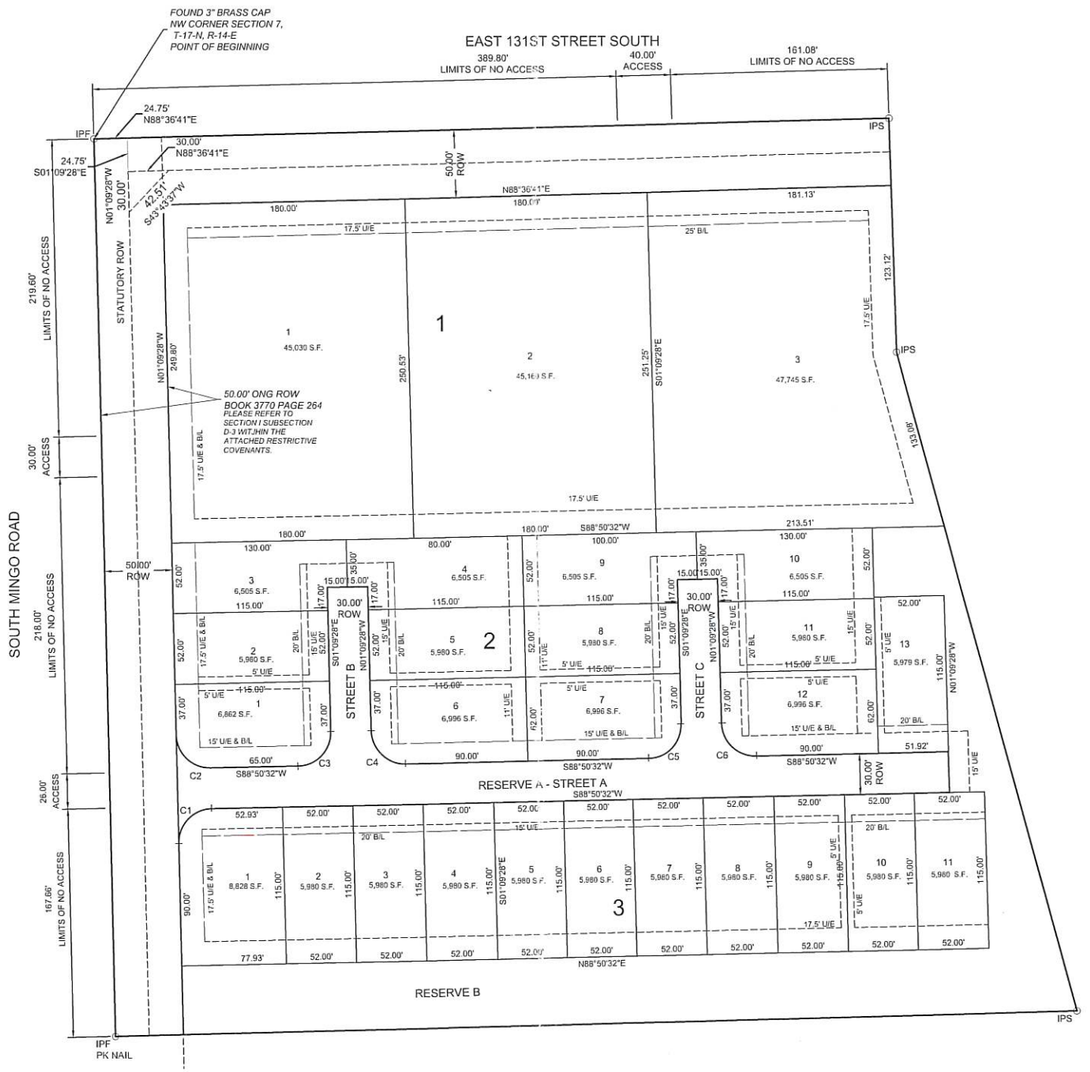
UTILITY
OKLAHOMA NATURAL GAS COMPANY
2319 W. EDISON ST.
TULSA, OK 74127
918-834-8000

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

PUBLIC SERVICE COMPANY
OF OKLAHOMA
212 E. 6TH ST.
TULSA, OK 74119
1-888-216-3523

COX COMMUNICATIONS
11811 EAST 51ST STREET
TULSA,OK 74145
918-286-4558

BIXBY TELEPHONE CO.
2311 E 161ST ST.
BIXBY OK
918-366-4578



SUBDIVISION STATISTICS

SUBDIVISION CONTAINS TWENTY-SEVEN (27) LOTS IN THREE (3) BLOCKS.
CONTAINING 9.65 ACRES

BLOCK 1	3.17 ACRES - 3 LOTS
BLOCK 2	1.92 ACRES - 13 LOTS
BLOCK 3	1.58 ACRES - 11 LOTS

CURVE TABLE

CURVE #	LENGTH	RADIUS	CHORD DISTANCE	CHORD BEARING
C1	39.27'	25.00'	35.36'	N43°50'32"E
C2	39.27'	25.00'	35.36'	N46°09'28"W
C3	39.27'	25.00'	35.36'	S43°50'32"W
C4	39.27'	25.00'	35.36'	N46°09'28"W
C5	39.27'	25.00'	35.36'	S43°50'32"W
C6	39.27'	25.00'	35.36'	N46°09'28"W

SITE DATA

BENCHMARK
60D NAIL IN BRACE POST, 58 FEET NORTH & 8 FEET WEST OF NE PROPERTY CORNER
ELEV = 602.01' (NAVD 1988)

BASIS OF BEARINGS
ASSUMED BEARING OF N 88°36'41" E ALONG THE NORTH LINE OF THE NW/4 OF SECTION 7, T-17-N, R-14-E OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA

LAND AREA
420,436 SF / 9.65 ACRES

MONUMENTATION
A 3/8" X 18" REBAR WITH A YELLOW PLASTIC CAP STAMPED "CA6318" TO BE SET AT ALL LOT CORNERS, POINTS OF CURVE, POINTS OF TANGENT, POINTS OF COMPOUND CURVE, POINTS OF REVERSE CURVE, UNLESS NOTED OTHERWISE.

ADDRESSES
ADDRESSES SHOWN ON THIS PLAT WERE ACCURATE AT THE TIME THIS PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF LEGAL DESCRIPTION.

CITY OF BIXBY
DEVELOPMENT SERVICES

DEC 07 2021

RECEIVED

PLOT DATE: Tue, 07 Dec 2021 FILE: P:\17\07.01\DWG\ROWAN GROVE\17-07-01 & MINGO PHASE 2 - BASE

FINAL PLAT

Rowan Grove

Blocks 1-3

OWNER/DEVELOPER
ROWAN GROVE LLC.
5711 E. 71ST. ST. S
SUITE 120
TULSA OK 74136
PHONE: 918.494.4004
ATTN: JIM ROBERTS

AN ADDITION TO THE CITY OF BIXBY BEING A PART OF THE NORTH HALF (N/2) OF GOVERNMENT LOT ONE (1) AND PART OF THE NORTH HALF (N/2) OF THE NORTHWEST QUARTER (N/2 NE/4 NW/4), SECTION SEVEN (7), TOWNSHIP SEVENTEEN (17) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA

ENGINEER/SURVEYOR
AAB ENGINEERING LLC
CERTIFICATE OF AUTHORIZATION NO. 6318, EXP, JUNE, 30, 2022
PO BOX 2136
SAND SPRINGS, OK 74063
PHONE: 918.514.4283
FAX: 918.514.4288
EMAIL: ALAN @ AABENG.COM

KNOW ALL MEN BY THESE PRESENTS:
JIM ROBERTS, HEREINAFTER REFERRED TO AS THE "OWNER", IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT:

BEGINNING AT THE NORTHWEST CORNER OF SAID GOVERNMENT LOT ONE (1); THENCE NORTH 88°36'41" EAST ALONG THE NORTHERLY LINE OF SAID GOVERNMENT LOT ONE (1), A DISTANCE OF 590.85 FEET; THENCE SOUTH 01°26'48" EAST, A DISTANCE OF 172.75 FEET; THENCE SOUTH 14°57'58" EAST, A DISTANCE OF 502.31 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID NORTH HALF (N/2) OF GOVERNMENT LOT ONE (1); THENCE SOUTH 88°35'35" WEST ALONG SAID SOUTHERLY LINE, A DISTANCE OF 711.64 FEET TO A POINT ON THE WESTERLY LINE OF SAID GOVERNMENT LOT ONE (1); THENCE NORTH 01°09'28" WEST ALONG SAID WESTERLY LINE A DISTANCE OF 661.26 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT;

A TRACT OF LAND LOCATED IN GOVERNMENT LOT ONE (1) OF SECTION SEVEN (7), TOWNSHIP SEVENTEEN (17) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 7; THENCE N 88°36'41" E ALONG THE NORTH LINE OF SAID SECTION 7 A DISTANCE OF 24.75 FEET; THENCE S 01°09'10" E A DISTANCE OF 24.75 FEET TO A POINT ON THE STATUTORY RIGHT OF WAY OF EAST 131ST STREET SOUTH, ALSO BEING THE POINT OF BEGINNING; THENCE N 88°36'41" E ALONG SAID STATUTORY RIGHT OF WAY A DISTANCE OF 30.00 FEET; THENCE S 43°43'46" W A DISTANCE OF 42.51 FEET TO A POINT ON THE STATUTORY RIGHT OF WAY OF SOUTH MINGO ROAD EAST; THENCE N 01°09'10" W ALONG SAID STATUTORY RIGHT OF WAY A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACTS CONTAIN 420,436 SQUARE FEET OR 9.65 ACRES.

AND HAS CAUSED THE ABOVE DESCRIBED TRACT OF LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO 27 LOTS IN 3 BLOCKS, IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS "ROWAN GROVE", A SUBDIVISION IN TULSA COUNTY, OKLAHOMA (HEREINAFTER REFERRED TO AS "ROWAN GROVE" OR THE "SUBDIVISION").

THE OWNER DOES HEREBY MAKE THE FOLLOWING DEDICATIONS AND GRANTS AND AGREES TO BE BOUND BY THE FOLLOWING PROTECTIVE COVENANTS AND RESTRICTIONS FOR THE SUBDIVISION OF THE ABOVE DESCRIBED LAND WHICH SHALL BE DESIGNATED AND REFERRED TO HEREIN AS "ROWAN GROVE".

SECTION I. PUBLIC STREETS, EASEMENTS AND UTILITIES

A. PUBLIC STREETS AND GENERAL UTILITY EASEMENTS

THE OWNER/DEVELOPER DOES HEREBY DEDICATE FOR PUBLIC USE THE STREETS DEPICTED ON THE ACCOMPANYING PLAT AND DOES FURTHER DEDICATE FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT AS "U/E" OR "UTILITY EASEMENT". FOR OWNER/DEVELOPER AND ALL UTILITY SERVICES WITH FRANCHISE RIGHTS WITHIN THE CITY OF BIXBY FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS, SANITARY SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS 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/DEVELOPER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RE-LAY ALL UTILITY LINES, INCLUDING WATER LINES AND SEWER LINES, EXCLUDING GAS LINES AND GAS SERVICE LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING AND RE-LAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER SERVICE, SEWER SERVICE AND ALL UTILITY SERVICES, EXCLUDING NATURAL GAS, TO THE AREA INCLUDED IN THE PLAT AND ELSEWHERE, AS MAY BE REQUIRED. THE OWNER/DEVELOPER HEREIN IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA, AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING, CUSTOMARY SCREENING FENCES AND WALLS THAT DO NOT CONSTITUTE AN OBSTRUCTION.

B. UTILITY SERVICE

1. OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED WITHIN THE PERIMETER EASEMENTS OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY OVERHEAD LINE OR UNDERGROUND CABLE, AND ELSEWHERE THROUGHOUT THE SUBDIVISION, ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN EASEMENTS DEDICATED FOR GENERAL UTILITY SERVICES AND IN THE RIGHTS-OF-WAY OF THE PUBLIC STREETS AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN GENERAL UTILITY EASEMENTS.
2. UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WITHIN THE SUBDIVISION MAY BE EXTENDED FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE UPON THE LOT, PROVIDED UPON INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE AND NON-EXCLUSIVE EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.
3. THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICE, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.
4. THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON THE OWNER'S LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. EACH SUPPLIER OF THESE SERVICES SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR THE OWNER'S AGENTS OR CONTRACTORS.
5. THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY EACH SUPPLIER OF THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE AND THE OWNER OF ANY LOT AGREES TO BE BOUND BY THESE COVENANTS.

C. WATER, SANITARY SEWER, AND STORM SEWER SERVICE

1. THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS LOCATED ON THEIR LOT.
2. WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH IN THE JUDGEMENT OF THE CITY OF BIXBY WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS SHALL BE PROHIBITED.
3. THE CITY OF BIXBY, OKLAHOMA OR IT'S SUCCESSORS, SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS, BUT THE OWNER OF THE LOT SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, HIS AGENTS OR CONTRACTORS.
4. THE CITY OF BIXBY, OKLAHOMA, OR IT'S SUCCESSORS, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL EASEMENT WAYS DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF UNDERGROUND WATER, SANITARY SEWER, OR STORM SEWER FACILITIES.
5. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH I.C SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA OR ITS SUCCESSORS, AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY

D. GAS SERVICE

1. THE SUPPLIER OF GAS SERVICE THROUGH ITS AGENTS AND EMPLOYEES SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL SUCH UTILITY EASEMENTS SHOWN ON THE PLAT OR AS OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, REMOVING, REPAIRING, OR REPLACING ANY PORTION OF THE FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE.
2. THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED WITHIN THE LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY OTHER CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH GAS SERVICE. THE SUPPLIER OF GAS SERVICE SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF ITS FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, OR THE OWNER'S AGENTS OR CONTRACTORS.
3. ONG'S RIGHT OF WAY RECORDED IN BOOK 3770 PAGE 264 REMAINS IN FULL FORCE AND EFFECT. ONG'S EASEMENT(S) PRE-DATE THE RIGHT-OF-WAY DEDICATION IN THIS PLAT AND MAY PROHIBIT OR LIMIT CERTAIN USES OF ONG'S RIGHT-OF-WAY, INCLUDING PAVING, OTHER UTILITY LINES, AND PERMANENT STRUCTURES, WITHOUT ONG'S PRIOR WRITTEN CONSENT.
4. THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND BY THESE COVENANTS.

E. SURFACE DRAINAGE

EACH LOT WITHIN ROWAN GROVE SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM PUBLIC STREETS AND EASEMENTS. NO LOT OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS THE OWNER'S LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY TULSA COUNTY.

F. PAVING AND LANDSCAPING WITHIN EASEMENTS

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

G. CERTIFICATE OF OCCUPANCY RESTRICTIONS

NO CERTIFICATE OF OCCUPANCY FOR A BUILDING WITHIN THE SUBDIVISION SHALL BE ISSUED BY TULSA COUNTY, OKLAHOMA UNTIL CONSTRUCTION OF THE REQUIRED INFRASTRUCTURE (STREETS, WATER, SANITARY SEWER AND STORM SEWER SYSTEMS) SERVING THE ENTIRE SUBDIVISION HAS BEEN COMPLETED AND ACCEPTED BY TULSA COUNTY, OKLAHOMA. NOTWITHSTANDING THE FOREGOING, INFRASTRUCTURE WITHIN THE SUBDIVISION, AND IF PHASING IS AUTHORIZED, A CERTIFICATE OF OCCUPANCY FOR A BUILDING WITHIN AN AUTHORIZED PHASE MAY ISSUE UPON THE COMPLETION AND ACCEPTANCE OF THE INFRASTRUCTURE SERVING THE PARTICULAR PHASE. BUILDING CONSTRUCTION OCCURRING PRIOR TO THE COUNTY'S ACCEPTANCE OF THE INFRASTRUCTURE SHALL BE AT RISK OF THE OWNER OF THE LOT, NOTWITHSTANDING THE ISSUANCE OF A BUILDING PERMIT.

H. LIMIT OF NO ACCESS

THE UNDERSIGNED OWNER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO EAST 131 STREET SOUTH AND SOUTH MINGO ROAD WITHIN THE BOUNDS DESIGNATED "LNA" OR "LIMITS OF NO ACCESS" ON THE ACCOMPANYING PLAT.

I. RESERVE "A" -STREET A

RESERVE "A" - STREET A ON THE ACCOMPANYING PLAT IS HEREBY ESTABLISHED FOR THE PURPOSES OF PERMITTING VEHICULAR AND PEDESTRIAN ACCESS TO AND FROM ALL STREETS AND AREAS ADJACENT TO AND CONTAINED WITHIN THE SUBDIVISION. RESERVE "A"-STREET A SHALL BE FOR THE MUTUAL USE AND BENEFIT OF EACH OWNER OF A LOT IN THE SUBDIVISION, THEIR RESPECTIVE GUESTS, AND INVITEES, AND SHALL BE APPURTENANT TO EACH LOT, PROVIDED GOVERNMENTAL AGENCIES AND THE SUPPLIERS OF UTILITY SERVICES SHALL HAVE THE REASONABLE USE OF SUCH RESERVE INCIDENTAL TO THE PROVISION OF SERVICES TO THE LOTS WITHIN THE SUBDIVISION. RESERVE "A"- STREET A SHALL BE FURTHER GOVERNED BY SECTION K OF THIS DOCUMENT.

J. RESERVE 'B'

THE USE OF RESERVE B DEDICATED ON THE PLAT OR SUBSEQUENTLY DEDICATED FOR THE SUBDIVISION SHALL BE LIMITED TO USE AS OPEN SPACE, FENCING AND LANDSCAPING, AS WELL AS UTILITY EASEMENTS AND ARE RESERVED FOR SUBSEQUENT CONVEYANCE TO THE PROPERTY OWNERS' ASSOCIATION. MAINTENANCE OF RESERVE AREAS A WILL BE THE RESPONSIBILITY OF THE OWNER UNTIL CONVEYANCE TO THE HOME OWNERS ASSOCIATION.

K. PRIVATE STREETS AND MAINTENANCE OBLIGATIONS

1. ALL OPERATIONS AND MAINTENANCE RESPONSIBILITIES FOR IMPROVEMENTS IN RESERVE AREAS SHALL BE ASSIGNED TO A PROPERTY OWNERS ASSOCIATION. EACH PROPERTY OWNER, BY ACCEPTANCE OF A DEED TO A PROPERTY WITHIN THE DEVELOPMENT, WILL BE DEEMED TO HAVE AGREED TO BE A MEMBER OF THE PROPERTY OWNER'S ASSOCIATION AND BE SUBJECT TO ASSESSMENTS FOR MAINTENANCE FOR THE COMMON AREAS AND PUBLIC OR PRIVATE IMPROVEMENTS.
2. THE CITY OF BIXBY, THE UNITED STATES POSTAL SERVICE, PRIVATE PARCEL DELIVERY SERVICES, PUBLIC UTILITY PROVIDING SERVICE TO THE SUBDIVISION AND ANY REFUSE COLLECTION SERVICE WHICH PROVIDES SERVICE WITHIN THE SUBDIVISION SHALL HAVE THE RIGHT TO ENTER AND TRAVERSE THE PRIVATE STREET AND TO OPERATE THEREON THIS INCLUDES ALL GOVERNMENT VEHICLES INCLUDING, BUT NOT LIMITED TO, POLICE AND FIRE VEHICLES AND EQUIPMENT.
3. PRIVATE STREETS AND SIDEWALKS ABUTTING PRIVATE STREETS SHALL BE CONSTRUCTED TO MEET OR EXCEED THE CITY OF BIXBY ENGINEERING STANDARDS FOR MINOR RESIDENTIAL STREETS AND MUST SATISFY THE PROVISIONS OF THE BIXBY METROPOLITAN ARE SUBDIVISION AND DEVELOPMENT REGULATIONS.

SECTION II. HOMEOWNERS ASSOCIATION

A. FORMATION OF HOMEOWNERS ASSOCIATION

THE OWNER HAS FORMED OR SHALL CAUSE TO BE FORMED THE ASSOCIATION OF THE OWNERS OF THE RESIDENTIAL LOTS WITHIN "ROWAN GROVE" TO BE FORMED IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA, AND TO BE FORMED FOR THE GENERAL PURPOSE OF MAINTAINING THE COMMON AREAS OF THE SUBDIVISION FOR THE FURTHER PURPOSES OF ENHANCING THE VALUE, DESIRABILITY AND ATTRACTIVENESS OF "ROWAN GROVE". THE DETAILS OF ASSOCIATION MEMBERSHIP, INCLUDING ASSESSMENTS SHALL BE ESTABLISHED BY A DECLARATION RECORDED OR TO BE RECORDED IN THE OFFICE OF THE COUNTY CLERK, TULSA COUNTY, OKLAHOMA.

B. MANDATORY MEMBERSHIP

EACH RECORD OWNER OF A RESIDENTIAL LOT WITHIN "ROWAN GROVE" SHALL BE A MEMBER OF THE ASSOCIATION. MEMBERSHIP IN THE ASSOCIATION SHALL BE APPURTENANT TO AND MAY NOT BE SEPARATED FROM THE OWNERSHIP OF THE RESIDENTIAL LOT.

C. ASSESSMENT

EACH RECORD OWNER OF A RESIDENTIAL LOT WITHIN "ROWAN GROVE" SHALL BE SUBJECT TO ASSESSMENT BY THE ASSOCIATION FOR THE PURPOSES OF IMPROVEMENT AND MAINTENANCE OF THE STORMWATER DETENTION FACILITIES, FENCE EASEMENT AND OTHER COMMON AREAS OF THE SUBDIVISION.

SECTION III. ENFORCEMENT, DURATION, AMENDMENT, AND SEVERABILITY

A. ENFORCEMENT

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I. PUBLIC STREETS, EASEMENTS AND UTILITIES, ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO AND WHETHER OR NOT THEREIN SO STATED ,THE COVENANTS WITHIN SECTION I SHALL INURE TO THE BENEFIT OF, AND BE ENFORCABLE BY TULSA COUNTY, OKLAHOMA. IF THE UNDERSIGNED OWNER/DEVELOPER 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 TULSA COUNTY 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 IN ANY JUDICIAL ACTION IS BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED IN THIS DEED OF DEDICATION THE DEFENSE THAT THE PARTY INITIATING THE EQUITABLE PROCEEDING HAS AN ADEQUATE REMEDY AT LAW IS HEREBY WAIVED.

B. DURATION

THESE RESTRICTIONS SHALL REMAIN IN FULL FORCE AND EFFECT FOR 25 YEARS AND SHALL AUTOMATICALLY BE CONTINUED THEREAFTER FOR SUCCESSIVE PERIODS OF 10 YEARS, UNLESS TERMINATED OR AMENDED AS HEREINAFTER PROVIDED.

C. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I. PUBLIC STREETS, EASEMENTS AND UTILITIES, MAY BE AMENDED OR TERMINATED AT ANY TIME BY WRITTEN INSTRUMENTS SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LOT TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS AND TULSA COUNTY, OKLAHOMA.

D. SEVERABILITY

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

IN WITNESS WHEREOF: JIM ROBERTS, HAS EXECUTED THIS INSTRUMENT THIS _____ DAY OF _____, 2021.

JIM ROBERTS

BY: _____
OWNER/DEVELOPER

STATE OF OKLAHOMA)
) SS
COUNTY OF TULSA)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 2021, BY _____ JIM ROBERTS.

_____
NOTARY PUBLIC
MY COMMISSION EXPIRES: _____
COMMISSION NUMBER: _____

CERTIFICATE OF SURVEY

I, JAY P. BISSELL, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT I HAVE SURVEYED, SUBDIVIDED AND PLATTED THE ABOVE TRACT DESIGNATED AS "ROWAN GROVE" AN ADDITION TO THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA. THE ABOVE PLAT IS AN ACCURATE REPRESENTATION OF SAID SURVEY AND 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.

_____
JAY P. BISSELL
LICENSED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1318

STATE OF OKLAHOMA)
) SS.
COUNTY OF TULSA)

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ON THIS _____ PERSONALLY APPEARED JAY P. BISSELL, TO ME KNOWN TO BE THE IDENTICAL PER NAME TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSE THEREIN SET FORTH.

REGISTERED LAND SURVEYOR NOT FOR CONSTRUCTION JAY P. BISSELL L.S. 1318 THIS DRAWING IS PRELIMINARY AND DOES NOT CONSTITUTE A FINAL SIGNED AND SEALED DOCUMENT

_____
NOTARY PUBLIC
MY COMMISSION EXPIRES: NOV 25, 2023
COMMISSION NUMBER: 19011877

ALAN ANDREW BETCHAN
Notary Public
State of Oklahoma
Commission #19011877
Expires: Nov. 25, 2023

ROWAN GROVE
Sheet 1 of 2

OF DWTS, Tue, 07 Dec 2021 - File: P:\ROWAN GROVE\SURVEY\ROWAN GROVE FINAL PLAT.dwg

Rowan Grove

Planned Unit Development No. BXPUD-20.02
Zoning Case BZ-385
April 7, 2020
Major Amendment #1
May 11, 2021

Owner:
Rowan Grove LLC
5711 E 71st St. South
Tulsa, OK 74136

Prepared By:
AAB Engineering, LLC

Engineering • Surveying • Land Planning
PO Box 2136 Sand Springs, OK 74063
Office: (918) 514-4283 Fax: (918) 514-4288

Development Concept

Rowan Grove is a proposed multi-use development located on the southeast corner of South Mingo Road and 131st Street South in Bixby, Oklahoma. Exhibit B shows the areas that surround the PUD. The PUD is a Planned Unit Development overlay of an existing FD, CS, & OL zoned parcel; see Exhibit C for existing zoning map. This PUD is being requested in conjunction with an application for zoning change to RS-3 & CS which closely mirror the proposed development areas. The project proposes several commercial lots at the hard corner of the intersection and along the 131st Street frontage as well as two different residential products. The first product is located south of the commercial lots and proposes a small lot gated community. This area will be comprised of 50' wide lots and is intended to be a low maintenance development option for families looking for an upscale home with smaller yards. The larger residential portion of the project proposes a 60' and 65' lot width mix of more traditional lot sizes. The residential portions of the project will be developed along RS-3 bulk and area requirements except as modified by this PUD while the commercial portions will follow the CS guidelines. The existing site is largely vacant land that is currently within the 100 year floodplain of Haikey Creek and is split by the Old Fry Ditch #1 diversion channel. The current ongoing levee construction along Haikey Creek will remove the area from the floodplain making it available for development. The PUD comprises an area of approximately 37 acres and proposes three Development Areas as shown on Exhibit D. The updated legal description for the PUD is shown on Exhibit A. Major Amendment #1 adds 36 acres to Development Area C.

A maximum of 272 residential lots are proposed for this PUD. The proposed project will utilize the flexibility offered in the Planned Unit Development provisions of the Bixby Zoning Code to create the density desired but still ensure a quality of product that will endure for years to come.

Development pursuant to this PUD shall comply with all recommendations of the Bixby Fire Marshal, City Engineer, and City Attorney.

Development Area A Standards (Commercial)

Gross Land Area	179,971 sq. ft.	4.13 ac

Permitted Uses

Uses permitted as a matter of right by the City of Bixby Zoning Code within the CS district, including all uses customarily accessary thereto.

Minimum Lot Width	150 ft.
Maximum Number of Lots	4
Minimum Setbacks	
Front yards	50 ft.
Rear yards	10 ft.
Maximum Building Height:	70 ft.

Development Area B Standards (Gated Community)

Gross Land Area	240,467 sq. ft.	5.52 ac

Permitted Uses

Uses permitted as a matter of right by the City of Bixby Zoning Code within the RS-3 district, including all uses customarily accessary thereto.

Minimum Lot Width	50 ft.
Minimum Land Area	8,400 sf.
Minimum Lot Area	5,250 sf.
Minimum Livability Space	2000 sf.*
Maximum Number of Lots	24
Minimum Setbacks	
Front yards	20 ft.
Rear yards	20 ft.
Side yard (Both Sides)	5 ft.

Maximum Building Height:	48 ft.

*The balance of the livability space required by the code shall be considered fully met by the allocation of area within Reserve B.

Development Area C Standards (Traditional Residential)

Gross Land Area	1,192,123 sq. ft.	27.37 ac

Permitted Uses

Uses permitted as a matter of right by the City of Bixby Zoning Code within the RS-3 district, including all uses customarily accessary thereto.

Minimum Lot Width	60 ft.
Minimum Land Area	8,400 sf.
Minimum Lot Area	7,200 sf.
Maximum Number of Lots	248
Minimum Setbacks	
Front yards	25 ft.
Rear yards	20 ft.
Side yard (Both Sides)	5 ft.
Maximum Building Height:	48 ft.

Reserve Area ‘A ‘

Reserve Area ‘A’ shall be established by the owner for the construction of private streets providing access to each lot owner and their invitees to and from South Mingo Road. Gates, fencing, and landscaping, including all appurtenances incidental thereto, shall be allowed within Reserve Area ‘A’, provided all such improvements are approved by the City of Bixby prior to installation. Reserve Area ‘A’ shall be conveyed to the Homeowner’s Association which shall be responsible for the maintenance of all improvements contained within that reserve.

Private Streets

All streets within Development Area B of the PUD will be privately maintained by the Homeowner’s Association. All streets shall be constructed according to the City of Bixby minor residential public street standards provided that a minimum reserve width within Development Area B shall be 30’. Streets shall be constructed with a minimum width of 26’ face of curb to face of curb. Streets may be gated provided all such gates meet the access requirements of the City of Bixby Fire Marshal.

Drainage & Utilities

The majority of the site drains to the old Fry Ditch relief channel (aka Haikey Creek Diversion Channel or HCDC) which discharges directly to the Arkansas River. Onsite storm sewer will be constructed and will discharge directly to this channel. Fee in lieu of onsite detention is proposed for this project.

An existing 16" waterline runs north and south along the west side of South Mingo Road. A 12" waterline will be extended down the 131st right of way and a 6" waterline extension will be constructed through the development. The proposed extensions will provide fire protection and water service to the development.

An existing 10" sanitary sewer line is located along the western side of Mingo Road approximately 300' south of the development. This line will be extended along Mingo Road and into the development to serve the site as required by the City of Bixby. This line will likely be a 10" sewer line to accommodate a flatter slope and ensure sufficient depth to serve the eastern sides of the development.

Other utility services are currently provided to the site and will continue to be provided via underground services. See attached Exhibit F for the conceptual improvements plan.

Access and Circulation

All streets within the development will largely conform with the attached conceptual site plan. The primary entry to the gated portion of the subdivision will be derived from South Mingo Road as shown. Gates will be constructed to limit public access to subdivision and provide additional security for the lot owners. All such gates will be constructed according to the requirements of the City of Bixby Fire Marshal. Development Area C will derive its access for 131st Street south with two access points spaced as shown on the conceptual improvement plan. This will provide two points of access to the development as required by the City of Bixby Fire Marshal. Limits of No Access (LNA) will be imposed along all of the residential areas abutting both Mingo Rd. and 131St Street, except at street intersections. The location of the curb cut and design of the intersection shall be approved by the Fire Marshal and City Engineer.

Sidewalks shall be constructed by the developer along the residentially zoned portions of the project abutting Mingo Road and 131st Street as well as any street fronting portions of reserve areas. Sidewalks shall be constructed by the individual lot owners along all internal streets and abutting the arterial streets adjacent to commercially zoned properties in accordance with the Bixby Subdivision Regulations. Sidewalks shall be a minimum of four (4) feet in width, shall be ADA compliant, and shall be approved by the City Engineer. Additional sidewalk easements will be required within the gated community.

Screening Walls and Fences

Interior fencing and/or walls shall not extend beyond the point nearest the street at each end corner of the residence. Fencing along residentially abutted portions of Mingo Road and 131st Street shall be 6' feet in height and consist of a wood fence with masonry columns spaced no more than 60 feet center to center. All such fencing and gates shall be contained within a Fence Easement or Reserve by the plat of "Rowan Grove".

Architectural Requirements

All residential homes constructed within the PUD shall have a minimum first floor square footage of 1,300 square feet. Homes with development area C shall have a minimum square footage of 1,750 square feet. All residential homes, regardless of development area, shall be constructed with of 75% masonry (stucco, stone, or brick) to the first floor top plate, excluding windows, covered porches, and patios.

Commercial properties shall conform to the City of Bixby appearance corridor district requirements.

Environmental Analysis

The site generally slopes toward the Old Fry Ditch relief channel. The Tulsa County Soils survey defines the onsite soils primarily as Radley Silt Loam and Wynona Silty Clay Loam. These soils are generally moderately well drained and provide little issue to construction of a project as proposed. A geotechnical engineer will be contracted to perform a detailed soils analysis during the design phase of the project.

The attached Exhibit E depicts an aerial of the existing site as well as topography.

Requirement to Plat

No building permit shall be issued until a plat containing restrictive covenants memorializing the above development standards is prepared and filed in accordance with the City of Bixby Subdivision Regulations.

Schedule of Development

Development Construction is expected to begin in summer of 2021.

Legal Description
Exhibit A

(Overall Area)

A TRACT OF LAND THAT IS PART OF GOVERNMENT LOT ONE (1) AND PART OF THE NORTHWEST QUARTER (NW/4), SECTION SEVEN (7), TOWNSHIP SEVENTEEN (17) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY,STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER (NW/4); THENCE SOUTH 01°26'24" EAST ALONG THE EASTERLY LINE OF SAID NORTHWEST QUARTER (NW/4), A DISTANCE OF 660.41 FEET TO THE SOUTHEAST CORNER OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (N/2 NE/4 NW/4); THENCE SOUTH 01°27'24" EAST ALONG THE EAST LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (S/2 NE/4 NW/4) AND THE EAST LINE OF THE NORTH HALF OF THE NORTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER (N/2 N/2 S/2 NW/4), A DISTANCE OF 990.50 FEET TO THE SOUTHEAST CORNER OF SAID OF SAID NORTH HALF OF THE NORTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER (N/2 N/2 S/2 NW/4); THENCE SOUTH 88°33'59" WEST ALONG THE SOUTH LINE OF SAID NORTH HALF OF THE NORTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER (N/2 N/2 S/2 NW/4), A DISTANCE OF 1542.48 FEET; THENCE NORTH 01°09'05" WEST, A DISTANCE OF 330.34 FEET TO THE SOUTH LINE OF SAID GOVERNMENT LOT ONE (1); THENCE SOUTH 88°34'35" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 27.95 FEET; THENCE NORTH 14°57'46" WEST, A DISTANCE OF 679.83 FEET TO THE SOUTH LINE OF THE NORTH HALF OF SAID GOVERNMENT LOT ONE (1); THENCE NORTH 14°57'58" WEST, A DISTANCE OF 556.57 FEET; THENCE NORTH 01°26'14" WEST, A DISTANCE OF 119.95 FEET TO A POINT ON THE NORTHERLY LINE OF SAID GOVERNMENT LOT ONE (1); THENCE NORTH 88°36'41" EAST ALONG THE NORTHERLY LINE OF SAID GOVERNMENT LOT ONE (1) AND THE NORTHERLY LINE OF SAID NORTHWEST QUARTER (NW/4), A DISTANCE OF 1857.61 FEET TO THE POINT OF BEGINNING.

AND

BEGINNING AT THE NORTHWEST CORNER OF SAID GOVERNMENT LOT ONE (1); THENCE NORTH 88°36'41" EAST ALONG THE NORTHERLY LINE OF SAID GOVERNMENT LOT ONE (1), A DISTANCE OF 590.88 FEET; THENCE SOUTH 01°26'48" EAST, A DISTANCE OF 172.75 FEET; THENCE SOUTH 14°57'58" EAST, A DISTANCE OF 502.31 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID NORTH HALF (N/2) OF GOVERNMENT LOT ONE (1); THENCE SOUTH 88°35'35" WEST ALONG SAID SOUTHERLY LINE, A DISTANCE OF 711.64 FEET TO A POINT ON THE WESTERLY LINE OF SAID GOVERNMENT LOT ONE (1); THENCE NORTH 01°09'28" WEST ALONG SAID WESTERLY LINE A DISTANCE OF 661.26 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT:

A TRACT OF LAND LOCATED IN GOVERNMENT LOT ONE (1) OF SECTION SEVEN (7), TOWNSHIP SEVENTEEN (17) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION SEVEN (7); THENCE NORTH 88°36'41" EAST ALONG SAID SECTION SEVEN (7) A DISTANCE OF 24.75 FEET; THENCE SOUTH 01°09'10" EAST, A DISTANCE OF 24.75 FEET TO A POINT ON THE STATUTORY RIGHT OF WAY OF EAST 131ST STREET SOUTH; ALSO BEING THE POINT OF BEGINNING; THENCE NORTH 88°36'41" ALONG SAID STATUTORY RIGHT OF WAY, A DISTANCE OF 30.00 FEET; THENCE SOUTH 43°43'46" WEST, A DISTANCE OF 42.51 FEET TO A POINT ON THE STATUTORY RIGHT OF WAY OF SOUTH MINGO ROAD EAST; THENCE NORTH 01°09'10" WEST ALONG SAID STATUTORY RIGHT OF WAY, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACTS CONTAIN 3,2109,973 SQUARE FEET OR 73.69 ACRES.

LEGAL DESCRIPTION BASIS OF BEARINGS IS THE OKLAHOMA STATE PLANE COORDINATE SYSTEM (ZONE 3501 NORTH) WITH THE EAST LINE OF THE NORTHWEST QUARTER BEING SOUTH 01°26'24" EAST.

AAB Engineering, LLC
Engineering•Surveying•Land Planning
PO Box 2136 Sand Springs, OK 74063
OK CA#6318 Exp: June 30, 2020
KS CA#2292 Exp: Dec. 31, 2020
Office: (918) 514-4283 Fax: (918) 514-4288

PLOT DATE: Wed, 12 May 2021 FILE: P:\17\14\07-ROWAN GROVE\131ST & MINGO - PUD

Legal Description
Exhibit A
(Development Area A)

A TRACT OF LAND THAT IS PART OF THE NORTH HALF (N/2) OF GOVERNMENT LOT ONE (1), SECTION SEVEN (7), TOWNSHIP SEVENTEEN (17) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID GOVERNMENT LOT 1; THENCE NORTH 88° 36'41" EAST ALONG THE NORTHERLY LINE OF SAID LOT 1 FOR 590.88 FEET; THENCE SOUTH 01°26'48" EAST FOR 172.75 FEET; THENCE SOUTH 14°57'58" EAST FOR 133.08 FEET; THENCE SOUTH 88°50'32" WEST FOR 623.51 FEET TO A POINT ON THE WESTERLY LINE OF SAID GOVERNMENT LOT 1; THENCE NORTH 01°09'28" WEST ALONG SAID WESTERLY LINE FOR 299.60 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND. CONTAINING 179,970.52 SQUARE FEET OR 4.13 ACRES.

LEGAL DESCRIPTION BASIS OF BEARINGS IN THE NORTHERLY LINE OF GOVERNMENT LOT 1 ASSUMED TO BE NORTH 88°36'41" EAST.

THIS LEGAL DESCRIPTION WAS PREPARED ON APRIL 7, 2020 BY JAY P. BISSELL, OKLAHOMA LICENSED LAN SURVEYOR NO. 1318.

AAB Engineering, LLC
Engineering•Surveying•Land Planning
PO Box 2136 Sand Springs, OK 74063
OK CA#6318 Exp: June 30, 2020
KS CA#2292 Exp: Dec. 31, 2020
Office: (918) 514-4283 Fax: (918) 514-4288

Legal Description
Exhibit A
(Development Area B)

A TRACT OF LAND THAT IS PART OF THE NORTH HALF (N/2) OF GOVERNMENT LOT ONE (1), SECTION SEVEN (7), TOWNSHIP SEVENTEEN (17) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID GOVERNMENT LOT 1; THENCE SOUTH 01°09'28" EAST ALONG THE WESTERLY LINE OF SAID GOVERNMENT LOT 1 FOR 299.60 FEET TO THE POINT OF BEGINNING; THENCE NORTH 88°50'32" EAST FOR 623.51 FEET; THENCE SOUTH 14°57'58" EAST FOR 369.23 FEET; THENCE SOUTH 88°35'34" WEST FOR 711.64 FEET TO A POINT ON THE WESTERLY LINE OF SAID GOVERNMENT LOT 1; THENCE NORTH 01°09'28" WEST ALONG SAID WESTERLY LINE FOR 361.66 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND. CONTAINING 240,466.85 SQUARE FEET OR 5.52 ACRES.

LEGAL DESCRIPTION BASIS OF BEARINGS IN THE WESTERLY LINE OF GOVERNMENT LOT 1 ASSUMED TO BE SOUTH 01°09'28" EAST.

THIS LEGAL DESCRIPTION WAS PREPARED ON APRIL 7, 2020 BY JAY P. BISSELL, OKLAHOMA LICENSED LAN SURVEYOR NO. 1318.

PLOT DATE: Wed, 12 May 2021 FILE: P:\1714\07-ROWAN GROVE\131ST & MINGO - PUD

AAB Engineering, LLC
Engineering•Surveying•Land Planning
PO Box 2136 Sand Springs, OK 74063
OK CA#6318 Exp: June 30, 2020
KS CA#2292 Exp: Dec. 31, 2020
Office: (918) 514-4283 Fax: (918) 514-4288

Legal Description
Exhibit A
(Development Area C)

A TRACT OF LAND THAT IS PART OF GOVERNMENT LOT ONE (1) AND PART OF THE NORTHWEST QUARTER (NW/4), SECTION SEVEN (7), TOWNSHIP SEVENTEEN (17) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY,STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER (NW/4); THENCE SOUTH 01°26'24" EAST ALONG THE EASTERLY LINE OF SAID NORTHWEST QUARTER (NW/4), A DISTANCE OF 660.41 FEET TO THE SOUTHEAST CORNER OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (N/2 NE/4 NW/4); THENCE SOUTH 01°27’24” EAST ALONG THE EAST LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (S/2 NE/4 NW/4) AND THE EAST LINE OF THE NORTH HALF OF THE NORTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER (N/2 N/2 S/2 NW/4), A DISTANCE OF 990.50 FEET TO THE SOUTHEAST CORNER OF SAID OF SAID NORTH HALF OF THE NORTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER (N/2 N/2 S/2 NW/4); THENCE SOUTH 88°33’59” WEST ALONG THE SOUTH LINE OF SAID NORTH HALF OF THE NORTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER (N/2 N/2 S/2 NW/4), A DISTANCE OF 1542.48 FEET; THENCE NORTH 01°09’05” WEST, A DISTANCE OF 330.34 FEET TO THE SOUTH LINE OF SAID GOVERNMENT LOT ONE (1); THENCE SOUTH 88°34’35” WEST ALONG SAID SOUTH LINE, A DISTANCE OF 27.95 FEET; THENCE NORTH 14°57’46” WEST, A DISTANCE OF 679.83 FEET TO THE SOUTH LINE OF THE NORTH HALF OF SAID GOVERNMENT LOT ONE (1); THENCE NORTH 14°57'58" WEST, A DISTANCE OF 556.57 FEET; THENCE NORTH 01°26'14" WEST, A DISTANCE OF 119.95 FEET TO A POINT ON THE NORTHERLY LINE OF SAID GOVERNMENT LOT ONE (1); THENCE NORTH 88°36'41" EAST ALONG THE NORTHERLY LINE OF SAID GOVERNMENT LOT ONE (1) AND THE NORTHERLY LINE OF SAID NORTHWEST QUARTER (NW/4), A DISTANCE OF 1857.61 FEET TO THE POINT OF BEGINNING. CONTAINING 2,789,986 SQUARE FEET OR 64.05 ACRES.
LEGAL DESCRIPTION BASIS OF BEARINGS IS THE OKLAHOMA STATE PLANE COORDINATE SYSTEM (ZONE 3501 NORTH) WITH THE EAST LINE OF THE NORTHWEST QUARTER BEING SOUTH 01°26’24” EAST.

AAB Engineering, LLC
Engineering • Surveying • Land Planning
PO Box 2136 Sand Springs, OK 74063
OK CA#6318 Exp: June 30, 2020
KS CA#2292 Exp: Dec. 31, 2020
Office: (918) 514-4283 Fax: (918) 514-4288

PLOT DATE: Wed, 12 May 2021 FILE: P:\17\14\07-ROWAN GROVE\131ST & MINGO - PUD

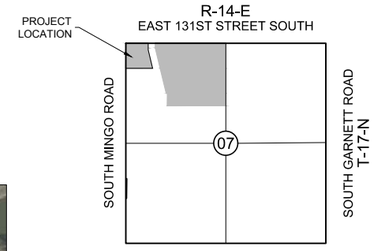
Exhibit B

Surrounding Areas
for

Rowan Grove

0 150 300 600
DRAWING SCALE: 1"= 300'





LOCATION MAP
SCALE: 1"=2000'

AAB Engineering, LLC
Engineering • Surveying • Land Planning
PO Box 2136 Sand Springs, OK 74063
OK CA#6318 Exp: June 30, 2020
KS CA#2292 Exp: Dec. 31, 2020
Office: (918) 514-4283 Fax: (918) 514-4288

BEFORE YOU DIG CALL OKIE

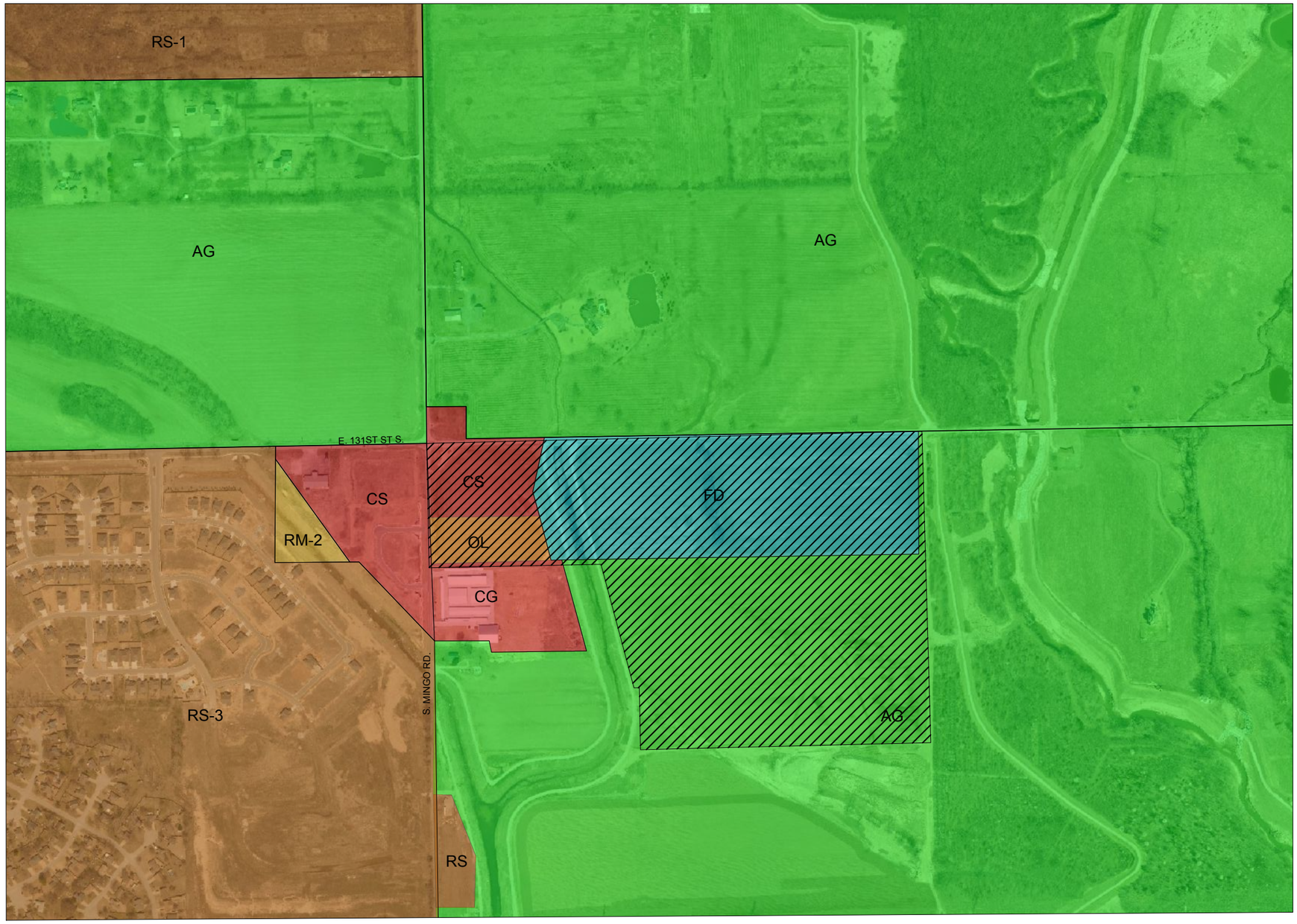
PLOT DATE: Wed, 12 May 2021 FILE: P:\17\407 ROWAN GROVE\ 131ST & MINGO - PUD

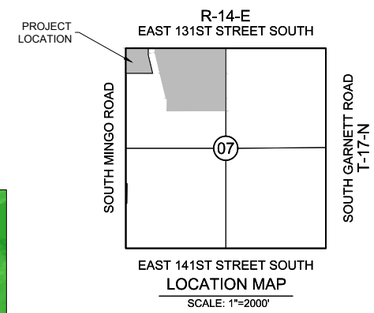
Exhibit C

Existing Zoning
for

Rowan Grove

0 150 300 600
DRAWING SCALE: 1"= 300'





AAB Engineering, LLC
Engineering • Surveying • Land Planning
PO Box 2136 Sand Springs, OK 74063
OK CA#6318 Exp: June 30, 2020
KS CA#2292 Exp: Dec. 31, 2020
Office: (918) 514-4283 Fax: (918) 514-4288

BEFORE YOU DIG CALL OKIE

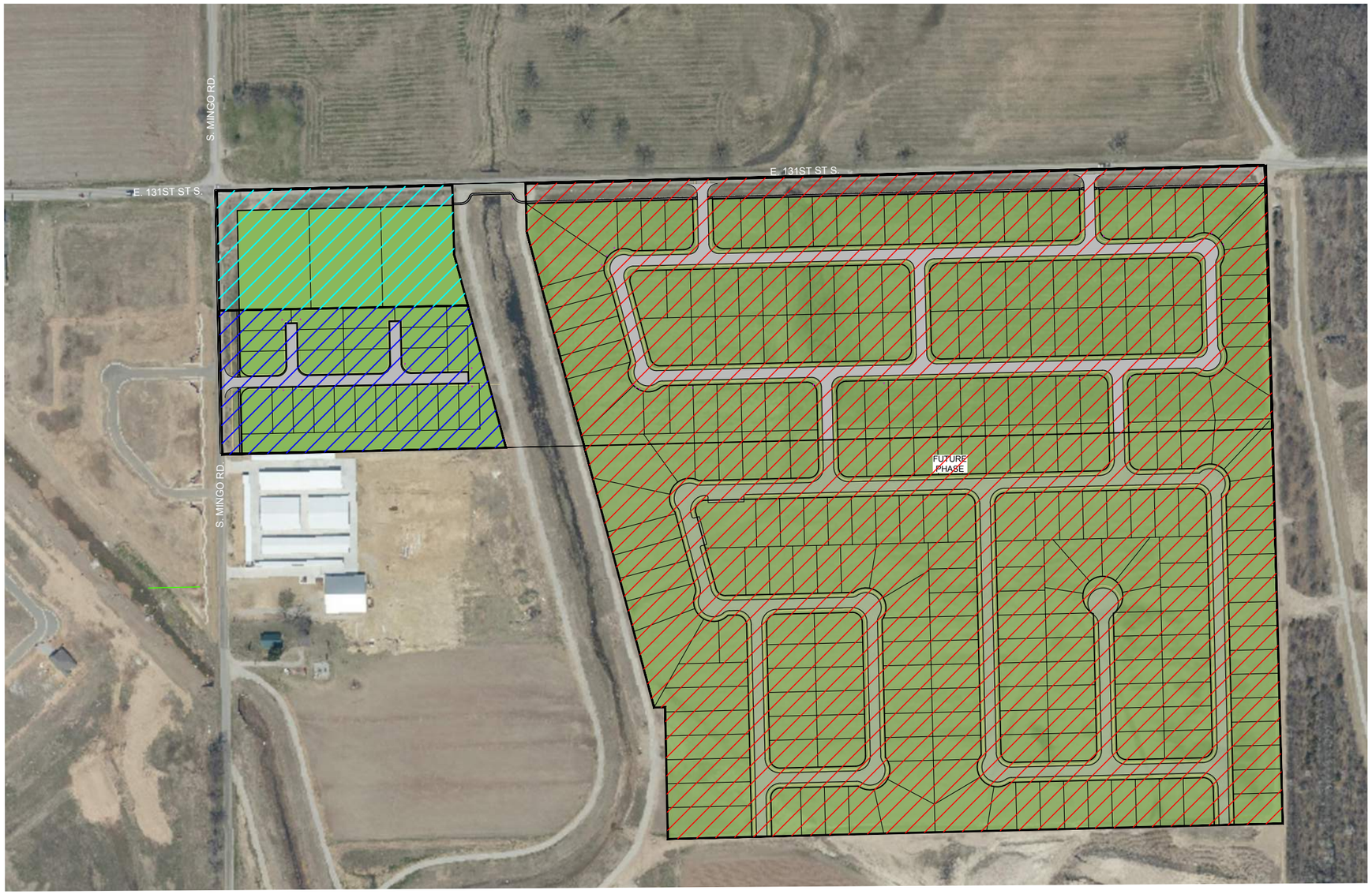
PLOT DATE: Wed, 12 May 2021 FILE: P:\17\1407-ROWAN GROVE\131ST & MINGO - PUD

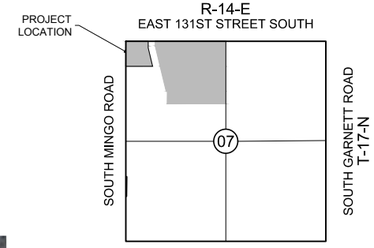
Exhibit D

Conceptual Development Plan
for

Rowan Grove

0 75 150 300
DRAWING SCALE: 1"= 150'





LOCATION MAP
SCALE: 1"=2000'

LEGEND

- DEVELOPMENT AREA A
- DEVELOPMENT AREA B
- DEVELOPMENT AREA C

AAB Engineering, LLC
Engineering • Surveying • Land Planning
PO Box 2136 Sand Springs, OK 74063
OK CA#6318 Exp: June 30, 2020
KS CA#2292 Exp: Dec. 31, 2020
Office: (918) 514-4283 Fax: (918) 514-4288

BEFORE YOU DIG CALL OKIE

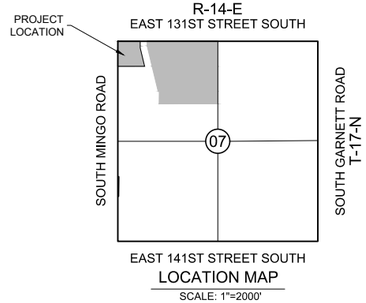
PLOT DATE: Wed, 12 May 2021 FILE: P:\17\407-ROWAN GROVE\131ST & MINGO - PUD

Exhibit E

Existing Topo & Aerial
for

Rowan Grove

0 75 150 300
DRAWING SCALE: 1"= 150'



LOCATION MAP
SCALE: 1"=2000'



AAB Engineering, LLC
Engineering • Surveying • Land Planning
PO Box 2136 Sand Springs, OK 74063
OK CA#6318 Exp: June 30, 2020
KS CA#2292 Exp: Dec. 31, 2020
Office: (918) 514-4283 Fax: (918) 514-4288

BEFORE YOU DIG CALL OKIE

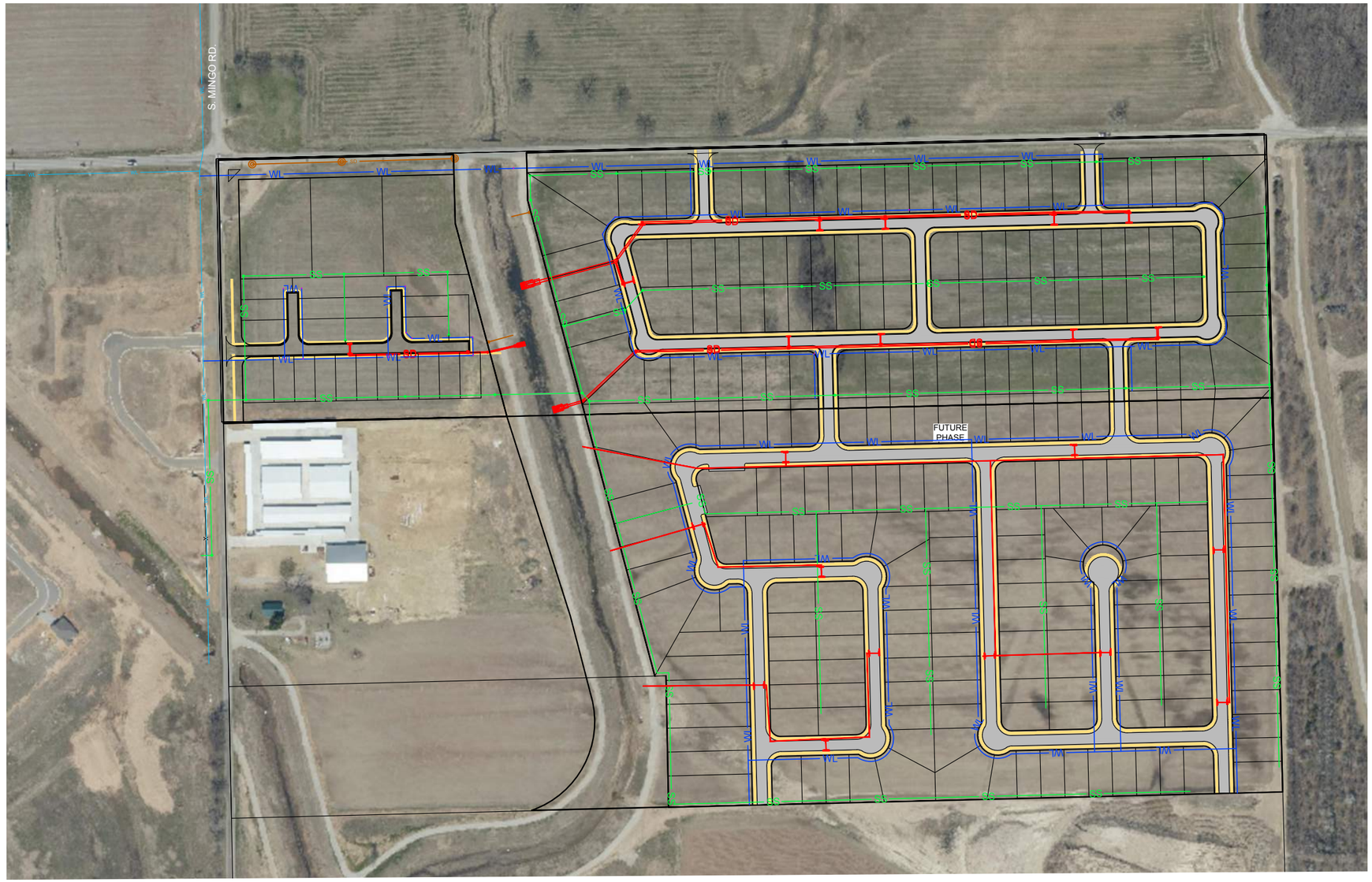
PLOT DATE: Wed, 12 May 2021 FILE: P:\17\407-ROWAN GROVE\131ST & MINGO - PUD

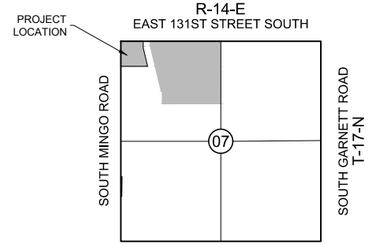
Exhibit F

Conceptual Improvement Plan
for

Rowan Grove

0 75 150 300
DRAWING SCALE: 1"= 150'





LOCATION MAP
SCALE: 1"=2000'

LEGEND

- SD — PROPOSED STORM SEWER
- SS — PROPOSED SANITARY SEWER
- WL — PROPOSED WATERLINE (6" UNLESS OTHERWISE NOTED)

BEFORE YOU DIG CALL OKIE
OKIE811.COM

AAB Engineering, LLC
Engineering • Surveying • Land Planning
PO Box 2136 Sand Springs, OK 74063
OK CA#6318 Exp: June 30, 2020
KS CA#2292 Exp: Dec. 31, 2020
Office: (918) 514-4283 Fax: (918) 514-4288

PLOT DATE: Wed, 12 May 2021 FILE: P:\17\407-ROWAN GROVE\131ST & MINGO - PUD